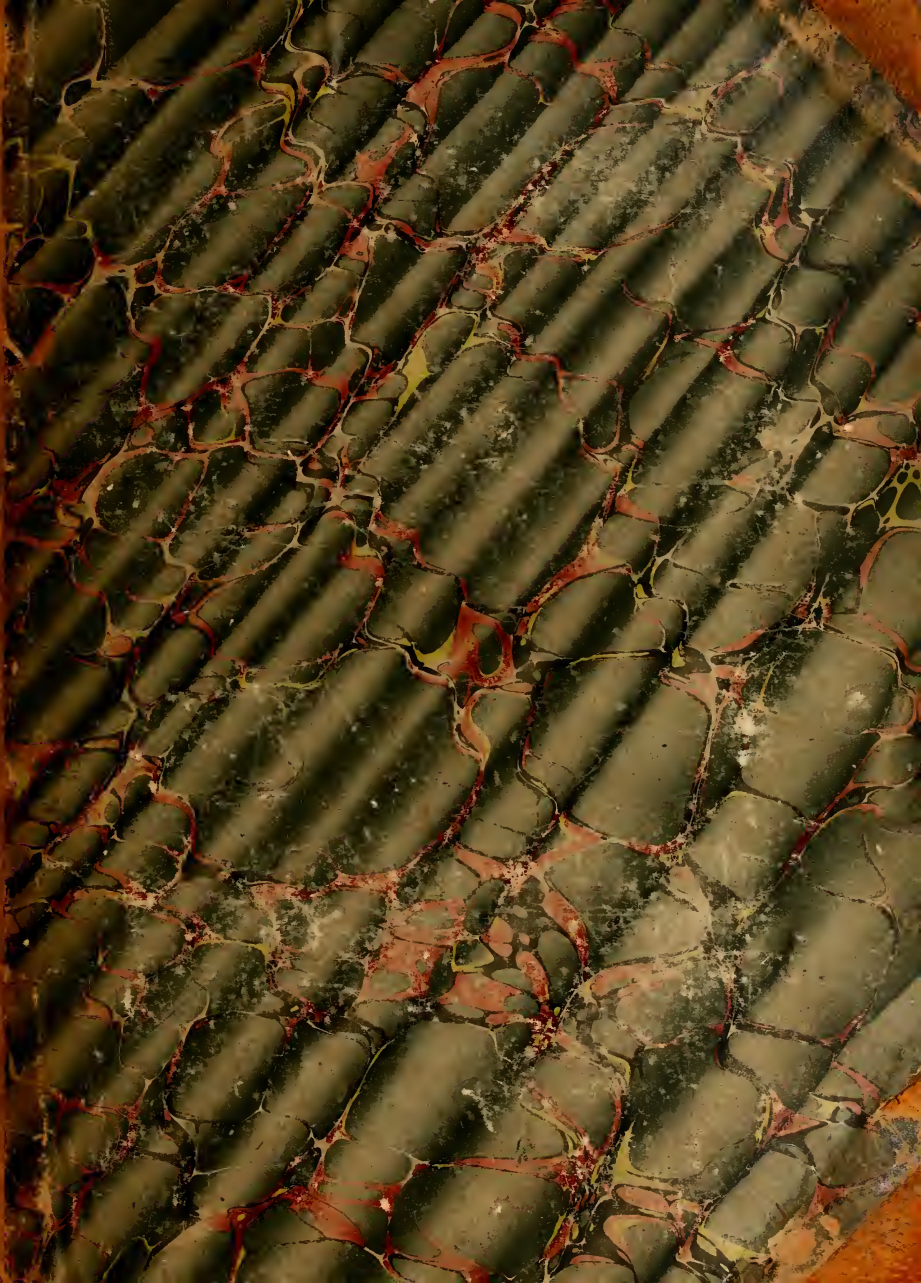

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The Legislative Record,

CONTAINING

THE DEBATES AND PROCEEDINGS

OF THE

PENNSYLVANIA LEGISLATURE,

FOR THE

SESSION OF 1867.

BY GEORGE BERGNER.

CITY OF HARRISBURG:
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INDEX

TO THE

LEGISLATIVE RECORD FOR THE SESSION OF 1867.

HOUSE OF REPRESENTATIVES.

A.

Accident insurance company, act to incorporate, 567
reported, 635
passed finally, 773
Accounts, report from Committee on, 747, 1100, 1118
Adams county:
relief for certain citizens of, petition for, 194
act for, 192
reported, 743
passed finally, 903
soldiers' monument association in, act relative to,
passed finally, 775
venue in, act relative to change of, 109
negatived, 111
Adjournment, temporary, resolution relative to, 17, 19
Adjutant General's report, resolution to print, 22
Adaire, Alexander, representative from the Twelfth district, Philadelphia, 67, 448, 456, 546, 548, 656, 657, 751, 1022
bills in place by, 161, 200, 295, 458, 460, 741, 750, 881
resolution offered by, 567, 1099
remarks of, on
act to divorce William C. and Lucinda Campbell Gray, 681
act relating to the protection of seamen in Philadelphia, 831
resolution relative to the Legislative Hand-book, 1099
Agricultural land scrip, act relative to, 125
passed finally, 179
Agricultural college of Pennsylvania, experimental farms of, act relative to, 160
passed finally, 278
act relative to trustees of, 764
Agricultural College and Junction turnpike road, act relative to enrollment tax on an act to incorporate, 638
reported, 744
passed finally, 838
Agricultural societies, appropriations from county funds to, act relative to, 764
Allen, Harrison, representative from Warren county, 15, 93, 114, 145, 149, 456, 841
bills in place by, 17, 22, 71, 107, 112, 120, 199, 295, 307, 344, 457, 458, 459, 608, 638, 750, 834, 835
Allen, Harrison—*Continued.*
remarks of, on
resolution relative to contracting for *Legislative Record*, 26
resolution relative to Venango County Bank, 66
printing the Governor's inaugural address, 87
resolution relative to Edgar Cowan, 97
act relative to common schools, 174
resolution to amend the rules, 189
act relative to the Agricultural college of Pennsylvania, 278
act relative to the law of evidence, 367
act relative to the selection of jurors, 378
act relative to the State agency at Washington, 516
act relative to the neutrality laws, 735
act relative to the protection of seamen in Philadelphia, 831
resolution to consider a general railroad law, 832
act relative to the Triumph oil pipe transportation company, 834
act relative to the inspection of lumber in Philadelphia, 949
appropriation bill, 1108
Allen, James A., and others, act for relief of, 159
first reading, 201
passed finally, 210
Allegheny turnpike road company, act to incorporate, 159
first reading, 201
passed finally, 210
Allegheny river, ferry over, act relative to, 159
first reading, 201
passed finally, 210
Allegheny and Saw Mill Valley passenger railroad company, act relative to,
passed finally, 251
Allegheny city, issuing of bonds in, act relative to, 451
first reading, 482
passed finally, 489
Allentown borough, controllers of schools in, act relative to, 452
passed finally, 603
Allegheny transportation company, directors in, act relative to, 459
reported, 520
passed finally, 691
Allegheny Valley railroad company, to mortgage its road, act authorizing,
passed finally, 528
Allentown city, act to incorporate, 528
passed finally, 542
Allegheny township, election district of, act relative to, 657
passed finally, 775
Altoona borough, city government for, act to provide, 657
passed finally, 775
Allegheny city poor farm, act relative to, 744
passed finally, 838
Aleppo township, school directors of, act relative to, 764
passed finally, 882
Allegheny gold and silver mining company, act to incorporate, 834
passed finally, 953
Allegheny county:
assistant district attorney in, act authorizing, 125
passed finally, 146
Allegheny and St. Mary's cemetery in, act relative to, 221
passed finally, 321
assessor and assistant assessor in, act relative to, 656
passed finally, 951
Allegheny city in, supplement to act to incorporate, 744
passed finally, 838
bridge over Allegheny river in, act relative to, 745
passed finally, 841
county treasurers in, act relative to, 663
passed finally, 769
courts in, act relative to terms of, 104
county road in, act relative to, 194
Collins township in, act relative to supervisors of, 545
reported, 634
passed finally, 770
East Birmingham, school buildings in, act relative to, 105
reported, 144
passed finally, 146
Elizabeth township, school directors of, act relative to,
passed finally, 473
election precincts in, act relative to, 518
elections in, act to change place of holding,
passed finally, 610
Fawn township, road in, act relative to, 194
fees of coroner in, act relative to,
passed finally, 320
fare on certain railroads in, act to regulate, 342
passed finally, 421

Allegheny county—*Continued.*
Harrison township, school directors of, act relative to, 293
reported, 453
passed finally, 603
Jefferson township, elections in, act relative to, 308
reported, 467
Lawrenceville, licenses of vehicles in, act relative to, 638
reported, 744
passed finally 837
M'Keesport borough, streets in, act to grade, &c., 295
reported, 452
first reading, 483
passed finally, 490
school directors of, act relative to, 639
passed finally, 774
mercantile appraisers in, act authorizing, 518
passed finally, 610
Marshall township, school directors of, act relative to, 520
passed finally, 690
Monongahela borough, act relative to, 159
first reading, 201
passed finally, 210
notaries public in, act to regulate fees of, 545
reported, 633
passed finally, 770
notary public in Pittsburg, in, act relative to, 638
reported, 744
passed finally, 837
passengers in, act relating to soliciting of, 105
first reading, 145
peace and orphans' court, act relative to, 118
pawnbrokers in, act relating to, 293
reported, 451
first reading, 481
passed finally, 659
public prisons in, act relative to, 458
reported, 518
passed finally, 610
Reserve township, citizens of, act relative to, 750
negatived, 951
school directors of Seventh ward of Pittsburg, act relative to, 293
passed finally, 304
Sharpsburg, burgess and town council of, act relative to, 545
reported, 334
objected to, 770
turnpike road companies in, act relative to, 635
passed finally, 771
unwholesome matter in streams in, act relative to, 343
reported, 451
negatived, 629
American university, act to incorporate, 221
passed finally, 321
American button-hole company, act to incorporate, 467
reported, 521
passed finally, 691
American academy of music, act to incorporate, 547
reported, 635
passed finally, 773
Amateurs' drawing room association, act to incorporate, 547
reported, 635
passed finally, 773
American iron and coal company, an act to incorporate, 548
reported, 636
passed finally, 774
American Atlantic cable telegraph, resolution relative to, 735
Anderson marble quarrying company, act to incorporate, 459
reported, 521
passed finally, 691
Andrews, David, act for relief of, 518
passed finally, 610
Anthracite coal and lumber company, act to incorporate, 547
reported, 745
passed finally, 841
Annuity to Nancy Welliver, act granting, 20
Apolacon township, Lenox road in, act relative to, 159
first reading, 201
passed finally, 210
Appropriation bill (general), passed finally, 801
Armstrong county:
Allegheny township, supervisors of roads in, act relative to, 222
passed finally, 222
Allegheny township, taxes for road purposes, act authorizing, 294
reported, 452
passed finally, 600
coroner of, act relative to, passed finally, 320
Cowanshoe township, supervisors of roads in, act relative to, 545
reported, 635
passed finally, 771
Franklin township, school district in, act relative to, 343
hawking and peddling in, act relative to, 888
passed finally, 981
judgments in, act relative to entering, 193
passed finally, 320
Kittanning borough, railroad taxes in, act relative to, 105
reported, 144
passed finally, 146
another act relative to, 545
reported, 633
passed finally, 769
Leechburg liquor law, petition for repeal of, 194
licenses in, act relative to, 105
law library in, act to establish, 519
Townsend, Maj. S. P., act for relief of, 292
Van Buren township, act to vacate certain streets in, 452
passed finally, 869
Armstrong savings bank, act to incorporate, 293
reported, 522
passed finally, 716
Armaugh township, act relative to licenses in, 764
Armstrong, A., representative from Lancaster county, 312, 893, 983
bills in place by, 106, 221, 222, 295, 344, 457, 459, 547, 638, 764, 834
remarks of, on
act relative to the estate of George Frey, 325
act relative to the soldiers of 1812, 375
act relative to the selection of jurors, 380
act relative to the common school system, 440, 511
act relative to the State agency at Washington, 472
act relative to an election in Danville, Montour county, 543
act to divide Port Carbon borough, Schuylkill county, into two wards, 691
act to provide for the payment of certain military claims, 733
act relative to the inspection of cattle in Philadelphia, 824
act relative to the protection of seamen in Philadelphia, 836
act to divide Port Carbon, Schuylkill county, 900
Armstrong, A.—*Continued.*
act relative to the school directors of Bradford county, 1028, 1035
approved bill, 1108
Assistant postmaster, name of announced and sworn in, 3
assistant doorkeepers, names of announced and sworn in, 3
assistant messengers, names of announced and sworn in, 3
assistant sergent-at-arms, name of announced and sworn in, 3
Assessors of the Fifteenth ward of Philadelphia, act relative to appointment of, 548
reported, 634
passed finally, 770
Ashland borough, school directors of, act relative to, passed finally, 741
Ashland iron company of Baltimore, Maryland, act relative to, 308
reported, 634
passed finally, 770
Associate judges, salary of, act to regulate, reported, 544
Atlantic brick manufacturing company, act to incorporate, 453
passed finally, 603
Attorney General, Wm. M. Meredith, communication from, 72
Auction law in Pottstown borough, act relative to 343
reported, 451
first reading, 482
Auctioneers in Williamsport, act relative to, 657
passed finally, 775
Auctioneers in this Commonwealth, relative to, passed finally, 716
Auctioneers in Erie city and county, act relative to, 744
passed finally, 837

B.

Barrington, T. D., representative from Northampton county,
bills in place by, 69, 106, 222, 834
remarks of, on
printing the Governor's inaugural address, 87
resolution relative to Edgar Cowan, 90
Bates, J. P., report of, on the military history of the State, 21
Bachelors' barge club, act to incorporate, 121
reported, 144
passed finally, 146
Barton, John H., representative from Delaware county, 172, 187, 448, 735
absence, leave of, granted to, 462
bills in place by, 21, 69, 106, 126, 161, 162, 199, 221, 294, 343, 344, 458, 459, 460, 546, 548, 834, 888
resolutions offered by, 65
remarks of, on
act relative to soldiers of 1812, 138
act relative to Mauch Chunk Bank, 148
act relative to the Citizens' association of Pennsylvania, 222
act relative to the State agency at Washington, 356, 471
act relative to Elias Tome, 391
act relative to market companies, tax on capital stock, 527
act to lay a tax on coal, 536
supplement to act relative to the Chester Creek railroad company, 569, 659
resolution appointing a committee of inquiry relative to the deposits made by banks, &c., with the State Treasurer, 579
act relative to colored people riding in cars, 586
act relative to the neutrality laws, 736
act relative to the protection of seamen in Philadelphia, 831

Barton, John H.—*Continued.*
act relative to the German Reformed congregation of Reading, 1036
act relative to change of venue from Cambria to Centre county, 1058
motion to reconsider vote on resolution to except a Schuylkill county bill, 1059
Bald Eagle boom company, act relative to, 294
negative recommendation, 982
Barclay coal company, act relative to, 458
reported, 745
passed finally, 838
Bald Eagle and Spring Creek navigation company, relative to, 639
passed finally, 947
Bath car company, act to incorporate, 639
reported, 746
passed finally, 843
Baltimore avenue, Philadelphia, act to open, &c., 744
Beaver borough, lanes and alleys, act relative to, 105
Bemus paper mill company, act to incorporate,
passed finally, 113
Bedford township, act relative to, 202
reported, 453
passed finally, 603
Bennehof Farm tubing company, act relative to, 343
Bellevernon borough, councilmen in, act relative to, 238
passed finally, 320
Bethlehem borough, council of, act relative to, 239
passed finally, 448
Beech creek, a public highway, act declaring, 294
reported, 634
passed finally, 771
Bethlehem township, pay of officers in, act to increase, 457
reported, 519
passed finally, 610
Beaver gold and silver mining company, act to incorporate, 458
reported, 520
passed finally, 690
Beaver Falls water company, act to incorporate, 657
passed finally, 774
Beaver County cemetery association, act to exempt from taxation,
passed finally, 20
Beaver county:
commencement of the June term of the several courts in, act to fix time of, passed finally, 656
Economy and Independence townships in, act to prohibit sale of intoxicating drinks, 306
passed finally, 403
fees of certain officers in, act relative to, passed finally, 321
ferry over the Ohio river in, act to establish, 458
passed finally, 690
Industry township, supervisors in, act relative to, 460
reported, 521
passed finally, 715
lanes and alleys in, act relative to, 144
passed finally, 146
Ohio township, school directors in, act relative to, 293
reported, 453
Berks county:
Albany township, school directors of, act relative to, 656
Boyertown, Fairmount fire engine hose in, act relative to, 458
reported, 519
passed finally, 589
dogs in, act relative to, 193
directors of the poor in, act relative to, 638
Berks county—*Continued.*
fees to jurors in, act relative to,
passed finally, 208
fees of certain officers in, act to increase, 764
passed finally, 882
fish in, act for preservation of,
reported, 295
passed finally, 604
intoxicating drinks, act to prevent sale of on Sunday, 460
reported, 521
passed finally, 715
treasurer of, act to increase pay of, 744
passed finally, 837
billiard saloons in Bradford county, act relative to, 104
passed finally, 118
births, &c., registration of, act relative to, 159
first reading, 201
passed finally, 208
Bay Creek mining company, act to incorporate, 294
reported, 519
passed finally, 690
Big Fishing creek, act relative to, 307
reported, 483
passed finally, 604
Birmingham and Pittsburg bridge company, act to incorporate, 520
passed finally, 690
Birmingham turnpike road company, act to incorporate, 520
passed finally, 690
Black Band iron and coal company, act to incorporate, 294
reported, 519
passed finally, 690
Blair township, swine in, act relative to, 295
reported, 453
passed finally, 604
Bloom, Columbia county, poorhouse in, act relative to, 546
reported, 633
passed finally, 770
Bonds over due, act relative to the redemption of, 145
reported, 158
Boyd Farm and Petroleum Centre bridge company, act to incorporate, 159
first reading, 202
passed finally, 251
Bounties, resolution relative to soldiers', 179
Boarding Home, act to exempt from taxation, 307
reported, 341
Bounties to volunteers, supplement to act relative to, 546
passed finally, 751
Boatman's insurance company, act to incorporate, 746
passed finally, 843
Boundary lines between Lycoming and other counties, act relative to, 764
passed finally, 882
Boroughs, act to repeal thirtieth section of the act regulating, 764
passed finally, 882
Book debts, collection of, act relative to, 833
Boush, C. M., act relative to the dockets of, 834
passed finally, 953
Bounties in Dillsburg, York county, act relative to,
passed finally, 883
Boyd, Stephen G., representative from York county, 186
petitions presented, read, 113
bills in place by, 120
198, 199, 221, 307, 344, 460, 547, 638, 639, 764
remarks of, on
motion to refer a resolution to the Committee on Printing, 186
act relative to the Agricultural college of Pennsylvania, 278
Boyd, Stephen G.—*Continued.*
act relative to Elias Tome, 394
act to incorporate the teachers' institute of Philadelphia, 420
act relative to the common school system, 440, 509
act to divorce William C. and Lucinda Campbell Gray, 613
act relative to colored people riding in the cars, 662
act relative to John A. Metzel, of York, 885
act relative to the school directors of Bradford county, 1035
Boyle, C. E., representative from Fayette county, 23, 16, 312, 994
absence, leave of, granted to, 107
bills in place by, 160, 199, 294, 307, 547, 888
resolutions offered by, 46, 157, 186, 197, 884
remarks of, on
resolution relative to equal political rights, 25
resolution relative to contracting for *Legislative Record*, 27
resolution relative to Edgar Cowan, 88, 100
resolution relative to amendment to the rules, 46, 158, 186, 197, 220
act authorizing special election in Highspire, 144
resolution relative to militia of the State, 136
act relative to sale of agricultural land scrip, 169
act relative to the law of evidence, 275, 366
act authorizing the Pennsylvania railroad company to increase its stock, &c., 298
act relative to the borough of Montoursville, changing county lines, 305
act to divorce Daniel Wilson and his wife, 322
act relative to the Pittsburg and Connellsville railroad company, 325
act to establish a ferry at Layton Station, Fayette county, 326
point of order, 347
act relative to the State agency at Washington, 355, 470
act relative to the soldiers of 1812, 372
act relative to the selection of jurors, 380, 1062
act to incorporate the Commonwealth iron company, 390
act relative to Elias Tome, 392
motion to strike out the word "white" from an act of incorporation, 415
act relative to the common school system, 440
error in the *Record*, 462
act relating to licensing hotels, &c., 523
act relative to city of Harrisburg, 549
act relative to the rate of interest, 582
act relative to colored people riding in cars, 586, 660
act to incorporate the Reverend Hugh M'Laughlin society of Philadelphia, 692, 714
act to prevent fraudulent insolvencies, 718
act validating title to real estate heretofore sold by executors, &c., 723
act to create an associate law judge in the Twenty-first district, 896
act relative to change of venue from Fayette to Washington county, 956
act relative to the commutation of the punishment, 977
act relative to the inspection of cattle in Philadelphia, 991
act to establish criminal courts in Dauphin, Lebanon and Schuylkill counties, 1024
act relative to the publication of the laws, 1037

Boyle, C. E.—*Continued.*
act to tax shares of stock of National banks, 1050
motion to reconsider vote on resolution to except a Schuylkill county bill, 1059
act relative to the protection of life, &c., in the mining regions, 1061
appropriation bill, 1104
act relative to moneys appropriated to certain cemeteries, 1118
Board of Military Claims, report from, 17
Bounty taxes in Bradford county, act relative to, 17
Brockway, William F., act relative to, 104
Brookville academy, act relative to, 105
reported, 144
passed finally, 146
Brady's Bend bridge company, act to incorporate,
passed finally, 120
Brokers' beneficial association, act to incorporate, 145
passed finally, 241
Bridge companies, act relative to stockholders in, extended to railroad companies, 195
passed finally, 274
Bradford County railroad company, act relative to,
passed finally, 312
Bridgwater borough, act to vacate a portion of Clarion street in,
passed finally, 320
Brady coal oil company, act relative to, 458
reported, 634
Bridgeport and Horse Shoe turnpike road company, act to incorporate, 459
reported, 520
passed finally, 690
Breeches Pond, fish in, act relative to, 459
reported, 521
passed finally, 715
Brady coal and iron company, act to incorporate, 545
passed finally, 770
Brownsville borough, act to annex additional territory to, 547
Brandy Camp railroad company, act to incorporate, 745
passed finally, 839
Broad Street and Island road company, act to incorporate, 834
passed finally, 953
Brady township, act relative to, resolution recalling from Governor, 22
Broad street, Philadelphia, act to lay out, 34
Breen, Philip, representative from Schuylkill county, 801
bills in place by, 70, 106, 112, 198, 457, 638, 751, 833, 886
remarks of, on
act relative to change of venue from Schuylkill to Dauphin county, 689
act to divide Port Carbon borough, Schuylkill county, into two wards, 691
resolution of sympathy for Ireland, 725
Brennan, Wm., representative from Luzerne county, 686
bills in place by, 69, 101, 293, 294, 458, 459, 546, 547, 764
resolutions offered by, 567
remarks of on,
act relative to colored people riding in the cars, 662
Brown, J. M., representative from Mifflin county, 37
bills in place by, 294, 295, 304, 458, 459, 546, 750, 751, 762, 764, 834
Bradford county:
bounty taxes in, act relative to, 17
reported, 105
billiard saloons in, act relative to, 104
reported, 105
criminal proceedings in, act relative to, 105
passed finally, 119
Bradford county—*Continued.*
Canada thistles in, act relative to, 636
passed finally, 773
fees of officers in, act relative to, 105
passed finally, 119
fees of district attorney, act relative to, 451
first reading, 482
passed finally, 489
justice of the peace in, act relative to, 126
notary public in, act relative to, 343
reported, 467
passed finally, 610
road laws in, act relative to, 159
first reading, 201
passed finally, 210
Springfield township, bounty tax in, act relative to, 193
Satterly, Jno. F., act authorizing to erect an eel weir, 307
reported, 453
passed finally, 604
school directors in, act relative to, 545
reported, 635
objected, 773
passed finally, 1035
Sheshequin township, sidewalks in, act relative to, 638
reported. 745
passed finally, 842
Troy borough, school directors of, act relative to, 656
passed finally, 774
Bribery and corruption, resolution appointing a committee to inquire into charges of, 23
Buck road, from Long lane in Philadelphia, act relative to, 222
reported, 651
passed finally, 774
Butler borough, school directors of, act relative to, 293
reported, 452
passed finally, 603
overseers of the poor in, act relative to, 295
reported, 452
first reading, 482
passed finally, 489
Bustleton turnpike road company, act to incorporate, 344
reported, 635
negatived, 952
Burd, Eliza H., act relative to real estate of, 456
reported, 743
passed finally, 839
Building and savings association, act to incorporate, 459
reported, 746
passed finally, 842
Burgess and council of Wilkesbarre, act relative to, 744
Burney, Ebenezer C., act relative to, 760
Bureau of information, act to incorporate, 881
passed finally, 981
Bucks county:
Andalusia college in, act relative to, 160
first reading, 202
passed finally, 210
commissioners of, act relative to pay of, 744
passed finally, 994
Hilltown, supervisors of roads in, act relative to pay of, 635
passed finally, 771
Solebury township, supervisors of, act relative to pay of, 158
reported, 342
passed finally, 415
Springfield township, bounty taxes in, act to legalize, &c., 454
passed finally, 604
taxes in, State and county, act relative to, 125
first reading, 145
passed finally, 146
Butler county:
auditors in, act to increase pay of,
passed finally, 320
appeals from judgments of justices of the peace in, act relative to costs on, 764
passed finally, 881
bounty tax in, act relative to, 193
passed finally, 241
Brady township, bounties in, act relative to,
passed finally, 241
county officers in, petition for an increase of pay of, 193
general election returns in, act relative to recording of, 750
passed finally, 843
Harmony borough, school directors of, act relative to, 460
reported, 636
passed finally, 774
Jackson and Buffalo townships, cattle, &c., an act relative to, 639
law library in, act relative to, 293
reported, 341
passed finally, 403
sheriff of, act relative to pay of, 343
reported, 451
first reading, 482
passed finally, 489
supervisors in, act relative to pay of, 459
reported, 520
passed finally, 690

C.

Calvin, Luther, representative from Bucks county,
absence, leave of, granted to, 462, 828
bills in place by, 120
Cameron, J. T., representative from Susquehanna county, 456, 801, 994, 1099
absence, leave of, granted to, 198, 801
bills in place by, 68, 112, 293, 294, 295, 307, 460, 467, 548, 714, 750, 834
remarks of, on
act for the benefit of schools in Susquehanna county, 600
act relative to the publication of the laws, 890
Calvary Monumental church, act to exempt from taxation, 113
reported, 341
passed finally, 751
Catholic Philopatrian institute, act to incorporate, 125
passed finally, 241
Cameron petroleum company, act relative to, 125
California and Philadelphia gold mining company, act to incorporate, 159
first reading, 201
passed finally, 210
Carbondale city, act to incorporate, 194
passed finally, 240
Capital stock of oil companies, reduction of, act relative to, 293
reported, 743
Carpenters' and joiners' association, act to incorporate, 294
passed finally, 603
Cannel coal company, to borrow money, act to authorize,
passed finally, 320
Cambria iron company, act relative to,
passed finally, 320
Carbondale city, supplement to act to incorporate,
reported, 519
objected, 770
passed finally, 773
Capital Savings' Fund company, act to incorporate, 545
reported, 636
passed finally, 774
Catasauqua and Foglesville railroad company, act relative to, 634
passed finally. 770

Caledonia iron and land company, act to incorporate, 634
passed finally, 731
Carbondale gold and silver mining company, act to incorporate, 656
reported, 745
passed finally, 841
Cardington Industrial Co-operative association, act to incorporate, 751
passed finally, 844
Cattle, calves, &c., act to establish a depot in Philadelphia for the sale of, 761
considered, 823
passed finally, 882
reconsidered and negatived, 990
reconsidered and passed finally, 994
Capitol, resolution relative to the removal of, to Philadelphia, 988

Cameron county:
assessments in, act relative to, 125
reported, 144
passed finally, 146
constables and collectors in, act relative to, 125
reported, 144
passed finally, 146
Clear creek a public highway, act to create, 308
reported, 544
passed finally, 719
Emporium borough, act relative to, 105
first reading, 144
passed finally, 146
vetoed, 312
fees of district attorney in, act relative to, 307
intoxicating liquors in, act relative to, 121
passed finally, 146
lost deeds in, act relative to, 105
passed finally, 119
North creek in, a public highway, act to create, 547
reported, 633
passed finally, 769
State road in, act relative to, 194
passed finally, 240

Cambria county:
billiard rooms in, act relative to, 545
reported, 636
passed finally, 773
extension docket of prothonotaries, act relative to,
passed finally, 320
fees of township officers in, act relative to, 458
reported, 518
passed finally, 610
lands in, act relative to sale of by commissioners, 458
reported, 518
passed finally, 610
Millersville school district, act relative to, 194
passed finally, 240

Carbon county:
criminal cases in, act relative to, 293
reported, 341
passed finally, 403
Lehighton borough, school directors of, act relative to, 343
reported, 452
passed finally, 603
law library in, act relative to, 545
reported, 633
passed finally, 769
public roads in Mauch Chunk township, act relative to,
passed finally, 528
supervisors of roads in, act to increase pay of,
passed finally, 952
Centre gold and silver mining company, act to incorporate, 888
passed finally, 981

Centre county:
Aaronsburg, water directors of, act relative to,
passed finally, 320
Forge run, a public highway, act to create, 294
reported, 655
passed finally, 774
Haines township, bounty tax in, act relative to,
passed finally, 321
licenses to eating houses in, act relative to,
passed finally, 321
Marsh creek, a public highway, act to declare, 459
reported, 520
passed finally, 690
unseated lands in, act relative to, 150
first reading, 201
passed finally, 208
Chadwick, Samuel, representative from Allegheny county, 473
bills in place by, 70, 126, 222, 293, 295, 344, 459, 545, 639, 833
resolutions offered by, 309
remarks of, on
act relative to the Midas Petroleum company, 308
act relative to the common school system, 514
act relative to the city of Pittsburg, 946
Chalfant, Thomas, representative from Montour county, 472
bills in place by, 68, 126, 307, 343 467, 546 639, 656, 750, 751
petitions presented by, read, 265
remarks of, on
act relative to the law of evidence, 369
act relative to the soldiers of 1812, 376
act relative to the common school system, 409
act relative to an election in Danville, Montour county, 543
act relative to colored people riding in the cars, 662
act to divide Port Carbon borough, Schuylkill county, into two wards, 691
act relative to the Wilkesbarre and Pittston railroad company, 1109,
Chase, J. T., representative from Crawford county, 102, 120, 174, 402, 476, 492, 686, 751, 752, 795
bills in place by, 113, 120, 161, 198, 200, 293, 343, 467, 545, 546, 547, 638, 639, 657, 751, 764, 834, 835, 847, 881, 950
resolutions offered by, 341, 467, 608, 712
remarks of, on
resolution relative to Venango County Bank, 66
resolution to visit Pittsburg, 200
resolution relative to the case of the Venango County Bank, 344
act relative to the soldiers of 1812, 372
resolution relative to temporary adjournment, 468
Chester city, water works in, act relative to, 194
passed finally, 320
Chambersburg, act authorizing town council of, to borrow money,
passed finally, 241
Chester Passenger railroad company, act to incorporate, 343
reported, 522
passed finally, 716
Chester city, taxes in, act relative to collection of, 452
passed finally, 569
Chester Creek railroad company, act relative to, 452
reported, 569
passed finally, 659

Chester city, charter of, supplement to, 458
reported, 519
passed finally, 689
Chester and Delaware counties, school directors of, act relative to, 459
reported, 746
passed finally, 983
Chambersburg hall and market company, act to incorporate, 459
reported, 521
passed finally, 690
Charles Evans cemetery company, act relative to, 459
reported, 521
passed finally, 691
Chrystal gas and water company, act to incorporate, 459
passed finally, 844
Chester city, licenses in, act relative to, 460
Chambersburg and Bedford turnpike road company, act relative to, 467
reported, 520
passed finally, 690
Chester city, water works in, act relative to, 634
passed finally, 770
Chestnut Hill turnpike company, act relative to, 746

Chester county:
Brady township, roads in, act relative to, 159
first reading, 201
passed finally, 210
commissioners in, act relative to pay of, 121
reported, 144
passed finally, 147
Coatesville, certain highways in, act relative to, 657
passed finally, 774
dogs in, act relative to tax on, 222
passed finally, 321
fines in, act relative to money arising from, 321
recalled from Governor, 548
hawkers and peddlers in, act relative to, 221
passed finally, 320
Kennet Square borough, act relative to, 295
reported, 452
first reading, 482
passed finally, 489
Morris' cemetery in, act relative to, 129
reported, 162
Mochlan township, roads in, act relative to, 459
notary public in, act relative to, 221
passed finally, 320
Penn Mutual fire insurance company, act to incorporate, 308
reported, 453
passed finally, 603
treasurer of bounty fund, act relative to, 195
passed finally, 240
West Caln township, school directors of, act relative to, 467
reported, 636
passed finally, 774
weeds in, act relative to, 639
passed finally, 844
Willistown Baptist church, act relative to, passed finally, 976
Citizens' association, act relative to, 159
first reading, 201
second reading, 208
third reading, 222
passed finally, 449
Citizens' insurance company, act to incorporate, 307
reported, 453
passed finally, 603
Civil laws of Pennsylvania, resolution relative to, 518
passed finally, 717

Citizens' turnpike road company, act to incorporate, 638
reported, 745
passed finally, 842
Clearfield and Curwensville turnpike company, act relative to, 179
reported, 452
passed finally, 598
Clarion coal company, act to incorporate, passed finally, 750
Clinton turnpike company, act to incorporate, 764
passed finally, 882
Clerk of the House, election of, 2
Clinton county:
trees in, act to prevent injury to, 459
reported, 521
passed finally, 715
Chapman township, act to divide, 467
passed finally, 610
commissioners of, act relative to, 744
Clarion county:
poor house in, act relative to, 458
reported, 518
passed finally, 610
Licking bridge company, act relative to, 458
reported, 520
passed finally, 690
certain portions of, act to annex to Forest county, 460
reported, 635
Clearfield county:
bounties in, act relative to payment of, reported, 521
Collins, F. P., representative from Schuylkill county, 741
absence, leave of, granted to, 270
bills in place by, 199, 295, 459, 460, 834
remarks of, on
act to divide Port Carbon borough, Schuylkill county, into two wards, 691
act relative to the neutrality laws, 736
act to create an associate law judge in the Twenty-first district, 897
act to create Port Carbon, Schuylkill county, 900
act relative to the Cranberry coal company, 982
motion to reconsider vote on resolution to except a Schuylkill county bill, 1059
act relative to the protection of person, &c., in the mining regions, 1061
Colville, R. A., representative from Allegheny county, 150, 305, 841, 983, 1027, 1117
bills in place by, 199, 293, 294, 307, 457, 459, 545, 638, 656
resolutions offered by, 269
reason for vote given, 221, 550
remarks of, on
resolution relative to the testimony in the case of the Venango County Bank, 344
act relative to licensing hotels, &c., 524
act relative to the borough of Montoursville, Lycoming county, 566
act to divorce William C. and Lucinda Campbell Gray, 606
act relative to pawnbrokers in Allegheny county, 659
act relative to colored people riding in cars, 661
act to divorce Jas. R. and Ida M. Weymant, 716
act relative to the city of Pittsburg, 946
act relative to the inspection of lumber in Philadelphia, 949
act relative to viewers in Lawrenceville, 956
act relative to the school directors of Bradford county, 1028
act relative to change of venue from Cambria to Centre county, 1058
Contested elections in the Thirteenth Representative district, petition relative to, 14
committee drawn on, 15
Constitution of the United States, joint resolution to ratify the fourteenth article of, 114
considered, 225
passed finally, 226
Columbus borough, act relative to, 114
Cowan, Edgar, resolution asking United States Senate to refuse to confirm nomination of, 88
remarks on, 89, 97, 127
passed finally, 158
County officers, act increasing fees of certain, 125
first reading, 145
passed finally, 146
Common schools, act relative to, 125
considered, 171, 439, 508
passed finally, 522
act relative to efficiency of, 125
negatived, 225
Corporations for mechanical and other purposes, supplement to act relative to, 24
reported, 158
passed finally, 274
Cool, Jacob, estate of, act relative to, 150
first reading, 201
passed finally, 210
Collectors (deceased), act relative to taxes, 202
Corn Exchange association, act to incorporate, 238
passed finally, 321
Co-operative association of Hyde Park, No. 1, act to incorporate, 238
passed finally, 321
Commonwealth, entry of liens for money due, act directing, 592
Courts of quarter sessions, act enlarging jurisdictions of, 293
reported, 451
Comley, Hunter, act relative to, 294
reported, 522
passed finally, 715
Commonwealth iron company, act to incorporate, 294
reported, 842
passed finally, 403
Columbia borough, act to incorporate, 295
passed finally, 403
Commonwealth, additional revenue for use of, act to provide, 307
Coatesville plank road company, act to incorporate, 308
reported, 454
Columbia township road commissioners, act relative to, 344
Columbia bridge, act relative to, passed finally, 445
Courts of Philadelphia, act relative to, 457
reported, 544
Common grounds in Allegheny city, act relative to, 519
passed finally, 689
Coal Hill road, act relative to, 545
reported, 635
objected to, 771
negatived, 952
County rates and levies, act relative to, 545
reported, 635
passed finally, 773
Cornelius, Robert P., act relative to estate of, 548
passed finally, 947
Counties from which property is stolen, act relative to, 567
Commutation of the death penalty, act relative to, 633
passed finally, 976
Courts of common pleas, act vesting with increased powers, 633
Coal illuminating oils, act relative to inspection of, 633
Corry City, supplement to act to incorporate, 634
passed finally, 770
Continental slate company, act to incorporate, 635
passed finally, 773
Colebrook township, act to annex part of, to Brown township, 635
Colebrookdale railroad, act relative to, passed finally, 637
Commissions of justices of the peace, act relative to, 638
reported, 744
Continental mining company, act to incorporate, 638
reported, 745
passed finally, 841
Commonwealth savings fund, act to incorporate, 656
passed finally, 881
Counsel fees of plaintiffs, act to explain and construe an act relative to, passed finally, 731
Conveyances made by married women, act relative to, reported, 744
Councils of the city of Pittsburg, act relative to, 744
Common schools in Pittsburg, act relative to, 746
Co-operative association of Wilkesbarre, No. 1, act to incorporate, 746
reported, 746
passed finally, 843
Co-operative association of East Birmingham, act to incorporate, 746
passed finally, 843
Co-operative association of Allentown, act to incorporate, 766
reported, 766
passed finally, 843
Counterfeiters and forgers in Philadelphia, act relative to, 750
Cooper fire arms manufacturing company, act to incorporate, 121
reported, 144
passed finally, 146
Commissioners of Mercer county, act relative to, 751
Corn and salt in Philadelphia, act relative to measuring, 751
passed finally, 884
Constables and police officers in Titusville, act to increase fees of, 764
passed finally, 882
College avenue in Philadelphia, act relative to, 833
passed finally, 981
Cochranton borough, act relative to, 834
passed finally, 953
Corn Exchange warehousing company, act to incorporate, 834
passed finally, 953
Common schools of Lancaster city, act relative to, passed finally, 835
Coopersburg savings institute, act to incorporate, 881
passed finally, 1052
Conedoguinet creek, dams on, act relative to, 950
passed finally, 982
Controllers of First school district of Pennsylvania, act relative to, 950
Compare Bills, report from Committee on, 105, 152, 162, 177, 200, 202, 272, 306, 342, 435, 454, 544, 545, 587, 738, 739, 775, 796, 829, 840, 978, 1024, 1118
Columbia county:
Hemlock township, poor house in, act relative to, 846
reported, 633
passed finally, 770
Craig, Allen, representative from Carbon county, 323, 528, 1117

Craig, Allen—*Continued.*
bills in place by, 68, 107, 160, 161, 199, 293, 294, 343, 460, 545, 657, 764
reasons for vote given, 1112
remarks of, on
act relative to Mauch Chunk Bank, 147, 203
act relative to the soldiers of 1812, 376
a personal explanation, 461
act relative to change of venue in case of Gold, Ackison & Co., 1069
Cresheim turnpike road company, act to incorporate, 159
first reading, 201
passed finally, 210
Cranberry coal company, act relative to, 308
reported, 342
passed finally, 403
Criminal proceedings, act to change mode of,
reported, 451
Crain, Annie, act to legitimate,
reported, 452
passed finally, 569
Credit Mobilier of America, act relative to, passed finally, 456
Crystal Lake water company, act to incorporate, 459
passed finally, 844
Criminal proceedings, jurisdiction of aldermen in, act to extend, 467
reported, 518
Crude petroleum, act relative to, 638
passed finally, 751
Criminal prosecutions against public officers, act relative to, 764
in Erie and Union counties, act relative to, passed finally, 835
Cranberry coal company, act for consolidation of, 881
negatived, 881
Crawford county:
cattle, horses, &c., in, act relative to, 295
passed finally, 603
commissioners of, act relative to, 458
reported, 519
passed finally, 611
act to increase fees of, 638
reported, 744
passed finally, 837
fees of clerk oyer and terminer, act relative to,
passed finally, 320
fishing in streams in, act relative to, 639
passed finally, 844
Fallowfield Mutual insurance company of, act to incorporate, 834
Linesville borough, act relative to, 848
Riceville, school directors of, act relative to, 293
reported, 453
passed finally, 603
Sagerstown, school directors of, act relative to, 126
first reading, 145
passed finally, 146
surveyors in, act relative to pay of,
first reading, 202
passed finally, 210
sheriff of, act relative to pay of, 546
reported, 634
passed finally, 770
Curtin, Governor, A. G., message of, in reference to log and boom bills, resolution to print, 104
Cunningham, James and wife, act to divorce, 459
negatived, 881
Cumberland Valley railroad company, act relative to, 545
passed finally, 948
Cumberland Valley Mutual protection company, act to incorporate, 834
passed finally, 953
Cumberland Presbyterian church, of Greenfield, act relative to,
passed finally, 835
Cumberland county:
auctioneers in, act relative to, 307
reported, 482
first reading, 482
passed finally, 489
commissioners, sheriff, &c., of, act relative to,
reported, 544
passed finally, 893
Mechanicsburg borough, act relative to, 159
first reading, 201
passed finally, 210
Market Square in, act relative to, 295
reported, 452
passed finally, 569
Sheriff of, act relative to fees of, 343
reported, 741
passed finally, 839
Silver Spring township, bounty fund in, act relative,
passed finally, 657
taxes in, act relative to collection of, 545
reported, 634
passed finally, 770

D.

Davis, E. W., representative from the Tenth district, Philadelphia, 16, 17, 20, 114, 127, 149, 747
bills in place, by 106, 112, 120, 160, 199, 294, 343, 545, 548, 656, 657, 761, 764, 834
resolutions offered by, 2, 3, 22, 36, 61, 84, 101, 114, 150
remarks of, on
resolution appointing committee to contract for *Legislative Record*, 3, 15, 26
resolution to print Adjutant General's report, 22
motion to suspend the rules, 44
resolution relative to Venango County Bank, 66
resolution relative to Susquehanna boom company, 67
printing Governor's Inaugural address, 87
resolution relative to Edgar Cowan, 89, 100
motion to reconsider resolution relative to Venango Bank, 103
act relative to soldiers of 1812, 128, 375
act authorizing the Pennsylvania railroad company to increase it stock, &c., 301
resolution relative to the testimony in the case of the Venango County Bank, 344
an act relative to running passenger cars on Sunday, in Philadelphia, 347
act relative to the selection of jurors, 360, 379
act relative to the courts of oyer and terminer, &c., in Philadelphia, 401
act relative to the Cranberry coal company, 404
resolution relative to temporary adjournment, 468
act relative to the State agency at Washington, 471
act to lay a tax on coal, 537
act relative to the rate of interest, 581
resolution appointing a committee of inquiry relative to deposits made by banks, &c., with the State Treasurer, 580
act relative to colored persons riding in cars, 580, 660
act relative to the Philadelphia "gas trust," 826
resolution relative to labor, 988
resolution relative to pay of the officers of the House, 1099
appropriation bill, 1104
Davis, E. W., remarks—*Continued.*
final adjournment, presentation, &c., 1131
Day, J. R., representative from Washington county, 734
bills in place by, 68, 107, 294, 307, 459, 547, 657, 750, 835
reasons for vote, given, 1063
remarks of, on
act relative to the military history of the Pennsylvania Reserve Corps, 1031
act relative to the school directors of Bradford county, 1034
Daily Record, resolution relative to contract for publication of, 26
passed finally, 111
Danville water company, act to incorporate, 343
reported, 452
first reading, 482
passed finally, 489
Darby and Upper Darby railroad company, act to incorporate, 458
reported, 686
passed finally, 774
Daub, George H., and wife, act to divorce, 750
Danville gas company, act relative to, 751
passed finally, 844
Dauphin county:
fines in, act relative to, 458
reported, 519
passed finally, 611
home for the friendless in, act to incorporate, 459
passed finally, 476
hucksters in, act relative to, 633
passed finally, 770
indebtedness of, act relative to, 343
reported, 451
first reading, 482
passed finally, 489
Jackson township, tax in, act relative to, 522
passed finally, 716
Lykens township, bounty tax in, act relative to,
passed finally, 241
Lykens Valley coal company, act to incorporate, 519
passed finally, 690
Middletown, town council of, act relative to,
passed finally, 320
mechanics' liens in, act relative to, 458
reported, 518
passed finally, 610
notaries public in, act relative to, 293
reported, 341
passed finally, 403
orphans' court in, act relative to duties of clerk of,
passed finally, 309
prison of, act relative to,
passed finally, 320
poor house in, act relative to, 833
passed finally, 982
road damages in, act relative to payment of, 321, 833
Swatara school district, act relative to, 125
first reading, 145
passed finally, 146
Soldiers' Monument association, act to incorporate, 144
passed finally, 145
Upper Paxton township, bounty taxes in, act relative to, 460
reported, 521
passed finally, 715
Wiconisco township, pay of supervisors in, act relative to, 459
reported, 520
passed finally, 690
Washington township, tract of land in, act relative to, 548
reported, 746

Dauphin county—*Continued.*
passed finally, 842
wives and children, act relative to desertion of, 833
passed finally, 981
DeHaven, George, representative from the Fifteenth district of Philadelphia, 456, 567, 731
absence, leave of, granted to, 115
bills in place by, 161, 229, 458, 547, 950, 1023
resolutions offered by, 436
remarks of, on
act to divide the Twenty-first ward in the city of Philadelphia, 541
act to vacate a part of Township Line road, in Philadelphia, 631
act relative to the coroner of Philadelphia, 659
act relative to the controllers of the First school district of Philadelphia, 687
act relative to the Philadelphia gas trust, 776, 826
act relative to the Philadelphia and Trenton railroad company, 836
Deise, G. O., representative from Clinton county, 107
petitions presented by, read, 182
bills in place by, 68, 106, 120, 161, 198, 199, 292, 293, 294, 295, 307, 459, 547, 764, 833
resolutions offered by, 144, 156
remarks of, on
resolution relative to Edgar Cowan, 33
act relative to common schools, 173
act to change the venue in case of M'Carty and others, 205
act relative to a State road in Potter and Clinton counties, 251, 449
act relative to the law of evidence, 369
act relative to the common school system, 510
act relative to the licensing of hotels, &c., 525
act relative to Green township, Clinton county, 604
act to divide Chapman township, Clinton county, 611
act to divorce James and Elizabeth Edwards, 883
motion to reconsider vote on resolution to except a Schuylkill county bill, 1059
final adjournment, resolution of thanks, &c, 1132
Delaware Valley railroad company, act to incorporate, 308
reported, 341
passed finally, 403
Dewey, James and wife, act to divorce, 342
Decedents, act relative to the estates of, 343
Delaware avenue, Philadelphia, act relative to, 458
reported, 519
Dewar, J. A., erection of a schute by, act to authorize, 518
Deitz, David, act relative to farm of, 520
passed finally, 690
Delaware County manufacturing company, act to incorporate, 548
reported, 635
passed finally, 773
Deer and wild turkeys, act for protection of, passed finally, 717
Destitute orphans, act relative to, 746
passed finally, 845
Decatur building association, act relative to, 764
passed finally, 882
Death penalty, act relative to the commutation of, 457
reported, 518
passed finally, 976
Delaware county:
Aston and Chester townships, place of holding elections in, act relative to, 459
reported, 544
Delaware county—*Continued.*
Birmingham township, bounties in, act relative to, 344
reported, 636
passed finally, 774
commissioners of, act relative to, 159
first reading, 201
passed finally, 208
cattle, horses, &c., act relative to, 306
passed finally, 403
Chester city in, act relative to, 458
reported, 519
passed finally, 689
Edgemont, local taxes in, act relative to, 546
reported, 633
passed finally, 769
Felton House company, act to incorporate, 294
reported, 453
passed finally, 603
Linwood Mutual association, act to incorporate, 294
reported, 453
passed finally, 603
Media borough, act relative to, 744
passed finally, 837
prison in, act relative to, 105
passed finally, 119
roads in, act relative to drainage of, reported, 126
District Attorney in Centre county, act to regulate fees of, passed finally, 21
in the Commonwealth, act relative to fees of, 121
reported, 144
passed finally, 147
in the Commonwealth, act fixing compensation of, 546
reported, 633
Dickison Run company, act to incorporate, 341
passed finally, 403
Dime Savings Institution of Ashland, act to incorporate, 567
passed finally, 948
Dime Savings Fund of Slatington, act to incorporate, 638
passed finally, 881
Discharge of trustees, act providing for, reported, 744
Disallowed and suspended claims, resolution appointing an agent to collect, passed finally, 747
Dime Savings Institution of Harrisburg, act relative to, passed finally, 774
Documents of the Legislature, resolution relative to the printing and delivery of, 16
to be forwarded by express, resolution relative to, 114
Doylestown borough, act to incorporate, 202
reported, 452
passed finally, 569
Donohugh, W. J., representative from the Eleventh District of Philadelphia, 947
absence, leave of, granted to, 957
bills in place by, 70, 307, 567, 656, 657, 881
resolutions offered by, 16, 664
remarks of, on
act relative to colored people riding in the cars, 662
act to provide for the payment of certain military claims, 734
act relative to the protection of seamen in Philadelphia,
act relative to the Ladies' United Aid society of Philadelphia, 836
act relative to impurities in the river Schuylkill, 1057
Dogs in Berks county, act relative to, 459
reported, 521
passed finally, 715
Downingtown gas and water company, act to incorporate, 521
passed finally, 691
Dower, act relative to, 633
Doylestown, school tax in, act relative to, 685
passed finally, 773
Du Bois, John, to erect cribs, &c., act authorizing, 293
reported, 451
second reading, 639
third reading, 659
Dunn, Michael, act relative to, 159
first reading, 201
passed finally, 210
Dubbs, Henry, act relative to, 293
reported, 341
passed finally, 403
Dunmore borough, act relative to, 545
reported, 634
passed finally, 770

E.

East Birmingham borough, act to incorporate, 159
first reading, 201
passed finally, 208
Eagle mining company, act to incorporate, 159
first reading, 201
passed finally, 210
Easton and Wilkesbarre turnpike company, act relative to, 159
first reading, 201
passed finally, 210
Eagle cotton manufacturing company, act to incorporate, 294
reported, 453
passed finally, 603
Eagle assembly, act to incorporate, 342
passed finally, 419
East Brandywine, &c., railroad company, act relative to, 458
reported, 634
passed finally, 770
Eagle manufacturing company, act to incorporate, 764
passed finally, 882
Easton mining and smelting company, act to incorporate, 546
water company, act relative to, 639
reported, 746
passed finally, 843
East Fallowfield township, act relative to treasurer of, 750
negatived, 952
surplus bounty funds in, act relative to, 834
passed finally, 953
Easton borough, a fourth ward in, act to erect, 834
passed finally, 953
public water works in, act relative to, 834
passed finally, 953
Edwards, James, and wife, act to divorce, 546
negatived, 881
reconsidered and passed finally, 983
Edge Hill iron company, act to incorporate, 750
passed finally, 952
Edgeland coal and lumbering company, act to incorporate, 764
passed finally, 882
Eicholtz, George C. M., act for relief of, 292
Eighteenth ward of Philadelphia, act to divide into two assessment districts, 656
Election officers of the Commonwealth, act relative to, reported, 450
Election laws, act relative to, passed finally, 580
Elections of this Commonwealth, act relative to, 633
Elk county, supervisors of, act relative to, 744

Emlenton and Shippenville turnpike company, act to incorporate, 159
first reading, 201
passed finally, 210
Empire hook and ladder company, act to incorporate, 294
reported, 342
first reading, 483
passed finally, 494
Empire and Gem mining company of Nevada, act to incorporate, 294
reported, 519
passed finally, 690
Empire slate company, act to incorporate, 635
passed finally, 773
Empire Hook and Ladder fire company, No. 1, of Lancaster, act for relief of, 656
passed finally, 882
Enterprise mining company, act to incorporate, 519
passed finally, 690
Enterprise gas company, act to incorporate, 635
passed finally, 773
Ephrata and Lancaster railroad company, act relative to, 745
passed finally, 990
Equitable gold mining company, act to incorporate, 159
first reading, 201
passed finally, 210
Equinunk bridge company, act to incorporate, 520
Equal rights to all, resolution relative to, 25
Erie city passenger railway company, act to incorporate, 179
passed finally, 321
Erie city, board of directors of, act relative to, 307
reported, 746
negatived, 989
election of water commissioners in, act relative to, 458
reported, 519
passed finally, 689
school library in, act relative to, 459
reported, 520
passed finally, 690
Erie gas company, act to incorporate, 452
first reading, 482
passed finally, 490
Erie and Pittsburg railroad company, act relative to, 452
passed finally, 847
Erie Co-operative society, act to incorporate, 453
passed finally, 603
Erie Dime Savings and Land company, act relative to
reported, 454
passed finally, 610
Erie canal company, act relative to, 520
passed finally, 611
Erie county:
auctioneers in, act relative to, 121
reported, 144
passed finally, 147
Albion borough, school directors of, act relative to, 343
reported, 452
passed finally, 603
actions of ejectment in, act relative to, 657
passed finally, 774
Brockway, William F., act relative to, 119
passed finally, 119
Concord township, bounties in, act relative to, 834
passed finally, 952
district attorney in, act relative to, 451
first reading, 482
passed finally, 489
Elk Creek township, commissioners of, act relative to, 655
passed finally, 774
fees in, act relative to certain, 121
reported, 144
Erie county—*Continued.*
passed finally, 146
Girard borough, notary public in, act relative to, 546
reported, 633
passed finally, 774
justices of the peace in, act relative to, 657
passed finally, 774
licenses in, act relative to, 195
passed finally, 240
Mill Creek township, road commissioners in, act relative to, 221
reported, 452
passed finally, 598
notaries public in, act relative to fees of, 293
reported, 341
passed finally, 403
road laws of, act relative to, 159
first reading, 201
passed finally, 200
Union Mills borough, act relative to, 657
passed finally, 774
Venango township, petition relative to, 194
Wattsburg borough, public schools in, act relative to, 294
reported, 746
passed finally, 842
Espy, J. Boyd, representative from Crawford county, 372
bills in place by, 121, 126, 160, 295, 458, 460, 545, 548, 638, 750, 751, 834
resolutions offered by, 62
remarks of, on
act relative to the selection of jurors, 380
Estates and Escheats, act relative to, 545
reported, 746
Estates of decedents, act relative to, reported, 633
Estates for life, act relative to, 638
reported, 746
Escheats, act to declare and regulate, 656
Eureka insurance company, act to incorporate, 57
reported, 121
first reading, 144
passed finally, 146
Eureka Life and Accident insurance company, act to incorporate, 746
passed finally, 843
Evangelical Lutheran congregation of Berlin, act relative to, 344
reported, 520
passed finally, 690
Evidence in actions of ejectment, act relative to,
passed finally, 438
Ewing, John, representative from Washington county, 119, 128, 162, 461, 474, 549, 751, 792
absence, leave of, granted to, 655
bills in place by, 69, 106, 112, 293, 295, 457, 459, 467, 546, 750, 751
resolutions offered by, 719
remarks of, on
resolution relative to Edgar Cowan, 89
House bill No. 67, 150
act relative to sale of agricultural land scrip, 171
motion to refer a resolution to the Committee on Printing, 186
resolution to amend the rules, 187
act relative to the Agricultural college of Pennsylvania, 277
act relative to the common school system, 441
act relative to the State agency at Washington, 771
act relative to a change of venue from Fayette to Washington county, 956
act relative to the selection of jurors, 1063
Executive mansion, act relative to fitting up, &c., 114
reported, 162
Expenses of the Government (ordinary), act relative to, 467
passed finally, 689
Excelsior gold and silver mining company, act to incorporate, 764
passed finally, 882
Express steamboat company, act to incorporate, 764
passed finally, 952

F.

Factoryville turnpike road company, act relative to, 194
passed finally, 240
Farmers' land, improvement and railroad company, act relative to, 295
reported, 745
passed finally, 952
Farmers' Mutual fire insurance company, act relative to, 459
reported, 635
passed finally, 773
Farmers' turnpike road company, act to incorporate, 446
reported, 634
passed finally, 771
Fairview street, Philadelphia, act to vacate, 560
passed finally, 560
Farnesworth, John, act relative to, 751
passed finally, 844
Fallowfield township, road laws of, act relative to, 751
passed finally, 844
Farmers' Mutual life insurance and trust company, act to incorporate, 828
passed finally, 981
Farmers' railroad company, act relative to, 881
Fayette City borough, school directors of, act relative to, 888
passed finally, 981
Farmers' and Mechanics' insurance company, act to incorporate, 22
passed finally, 22
Farmers' market of the Fifth ward of Philadelphia, act to incorporate, 160
first reading, 202
passed finally, 210
Fees of jurors in Armstrong and other counties, act relative to, 158
Female seminary of Eden Hall, act to incorporate, 195
passed finally, 240
Fenn, Theo., act for the relief of, 293
Fees of several county officers in this Commonwealth, act increasing, 293
reported, 451
first reading, 482
passed finally, 489
Ferry over the Allegheny river, near the mouth of Big Scrubgrass, act relative to, passed finally, 24
Fees of justices of the peace and constables in Bradford county, act increasing, 293
reported, 341
passed finally, 403
Fees, act enabling prothonotaries to collect, 451
reported, 518
Female Medical college, act to incorporate, 459
reported, 520
passed finally, 691
Ferry over the Ohio river, act to establish,
reported, 320
negatived, 900
Fertilizers, inspection of, act to regulate, 546
reported, 635
Ferry over the Allegheny river at Big Rock, act to establish, 547
reported, 634
passed finally, 771

Fees of the directors of the poor of Bradford county, act to regulate, 633
passed finally, 770
Ferry over the Susquehanna at Selinsgrove, act to authorize, 656
reported, 745
passed finally, 842
Ferry over the Allegheny river at Liggins' landing, act relative to,
passed finally, 774
Ferry over the Monongahela river at Elizabeth borough, act to establish, 745
passed finally, 842
Ferry over the Allegheny river, near the mouth of Tubbs' run, act to establish, 750
passed finally, 947
Fifth Street market company of Philadelphia, act to incorporate, 294
reported, 453
passed finally, 603
Fidelity insurance and trust company of Philadelphia, act to incorporate,
passed finally, 321
First Reformed congregation of York, act to incorporate, 343
reported, 453
passed finally, 603
First city troop of Philadelphia, act to exempt from taxation, 546
reported, 633
passed finally, 769
Fidelity gold and silver mining company, act to incorporate, 548
reported, 634
passed finally, 770
First school district of Philadelphia, controllers of, act relative to, 687
passed finally, 719
Final adjournment, resolution relative to, 714
Fish in the Susquehanna river, act relative to, 834
passed finally, 953
Fifth street from Germantown road to Berks street, act relative to, 834
negatived, 953
Floto, Mary R., and others, act relative to, 459
reported, 520
passed finally, 690
Foreign attachments, act relative to, 293
Fountain Hill park association, act relative to, 453
passed finally, 603
Fort Allen iron company, act to incorporate, 519
passed finally, 689
Forland, Wm. W., act relative to,
passed finally, 460
Footwalks in Oakland township, act relative to, 750
Fox township, act relative to pay of supervisors in, 764
passed finally, 882
Forest county:
boundaries of, act to repeal an act to increase, 222
petition for, 193
reported, 635
passed finally, 947
wildcats in, act relative to, 307
reported, 453
passed finally, 604
Fogel, John H., representative from Lehigh county, 528, 542
bills in place by, 293, 294, 457, 547, 657, 884
remarks of, on
act to incorporate the city of Allentown, 515
act relative to colored people riding in the cars, 663
Freeborn, James, representative from the Sixth district, Philadelphia, 2, 36, 61, 175, 747
absence, leave of, granted to, 270, 462
petitions presented by, 14
Freeborn, James—*Continued.*
bills in place by, 68, 106, 112, 161, 200, 292, 307, 344, 456, 457, 458, 460, 546, 547, 741, 764, 834
resolutions offered by, 14
remarks of, on
act granting a pension to Nancy Welliver, 20
act relative to Calvary Monumental church, 113
act relative to the soldiers of 1812, 137
resolution relative to the Legislative Hand-book, 252
act relative to the selection of jurors, 378
act to incorporate the Teachers' Institute of Philadelphia, 420
act relative to the inspection of buildings in Philadelphia, 629
act relative to the comptrollers of the First school district of Philadelphia, 687
act relative to the Philadelphia gas trust, 826
Freehorn iron and steel company, act relative to, 34
reported, 105
Free bridge over the Schuylkill river in Philadelphia, act authorizing, 47
Frock, Michael, guardian of minor children of, act relative to, 221
reported, 451
first reading, 482
passed finally, 489
Free railroad law, petition praying for passage of, 392
Fraudulent insolvencies, act to prevent, 293
reported, 450
passed finally, 719
Frenger, Lebricht, act relative to, 457
reported, 518
Franklin silver mining company, act to incorporate, 458
reported, 519
passed finally, 690
Franklin savings fund company, act to incorporate, 459
reported, 522
passed finally, 719
Frankford and Honesdale railroad company, act relative to, 638
reported, 744
passed finally, 838
Fruit thieves, act to punish, 656
Front of the river Delaware, act for the better improvement of,
reported, 744
Franklin manufacturing company, act to incorporate, 764
passed finally, 882
Franklin passenger railroad company, act to incorporate, 764
passed finally, 882
Franklin Branch of the Pennsylvania canal, act relative to stone in certain locks of,
passed finally, 795
Free bridge over the Susquehanna at Harrisburg, act relative to, 833
Frankford Co-operative society, act to incorporate, 834
passed finally, 952
Franklin publishing society, act to incorporate, 834
passed finally, 953
Franklin cemetery, act to incorporate, 834
negatived, 988
Franklin county:
Antietam, fishing in stream known as, act relative to, 308
reported, 453
passed finally, 603
bounty accounts in, act relative to assessment of,
reported, 200
bounties paid volunteers, act to legalize, 460
reported, 521
passed finally, 715
Franklin county—*Continued.*
Chambersburg, act relative to, 546
reported, 634
passed finally, 770
Guilford township, special tax in, act relative to, 833
passed finally, 981
licenses in, petition relative to, 194
lost records, deeds, &c., in, act relative to, 221
passed finally, 320
original writs and executions in, act relative to, 546
passed finally, 719
Potts, Margaret, act granting pension to,
reported, 636
roads in, act relative to, 458
reported, 520
passed finally, 528
Washington township, fishing in streams in, petition relative to, 194
writs and executions in, act relative to, 221
passed finally, 320
Fullerton, Margaret B., act relative to, 886
passed finally, 981
Fulton county, school tax in, act relative to, 764
passed finally, 882

G.

Gallagher, T. F., representative from Westmoreland county, 5, 15, 751
absence, leave of, granted to, 989
bills in place by, 70, 106, 126, 198, 199, 293, 294, 307, 547, 548, 656, 764, 888
resolutions offered by, 608, 664
remarks of, on
act relative to licenses of hotels, &c., 524
Gallitzin and Cambria Mills turnpike company, act to incorporate, 834
passed finally, 953
Game, act relative to the preservation of, 457
reported, 518
Gas committee of Philadelphia, act relative to, 458
reported, 519
passed finally, 827
Gaugh, William H., and wife, act to divorce, 459
Gastrock, Frederick, act to make the heir of John Gastrock, 657
passed finally, 774
Game and deer in Lycoming county, act relative to,
passed finally, 715
Germania savings institution of Erie, act to incorporate, 34
reported, 121
first reading, 144
passed finally, 146
insurance company of Erie, act to incorporate, 57
passed finally, 125
Germantown swimming and skating association, act relative to, 126
Gehr, Foster, act relative to pay of,
passed finally, 126
Germantown, toll house in, act relative to, 145
reported, 452
General Encampment of Soldiers and Sailors of 1861, act relative to, 194
reported, 453
German insurance company, act to incorporate, 195
passed finally, 240
German Reformed congregation of Berks county, act to incorporate, 294
reported, 342
first reading, 484
German St. Franciscus hospital, act to incorporate, 343
reported, 453
passed finally, 603
Gettysburg asylum, act to incorporate,
passed finally, 473

Gettysburg gymnasium, act relative to, 521
passed finally, 691
General Assembly, pay of members of, act to regulate, 545
reported, 743
General Eldership of the Church of God, act to incorporate, 834
passed finally, 956
Georgetown school property, act relative to, 834
passed finally, 953
Ghegan, George W., representative from the First district of Philadelphia, 983, 992
bills in place by, 69, 107, 222, 294, 457, 548
resolutions offered by, 714
remarks of, on
act relative to the storage of petroleum in Philadelphia, 311, 686
Girard insurance company, act to incorporate, 129
passed finally, 241
Girard electrical insurance company, act relative to, 221
passed finally, 321
Gibson, A. J., act relative to, 656
Girard life insurance, annuity and trust company of Philadelphia, act relative to, 34
Girard tunneling gold and silver mining company, act to incorporate, 751
passed finally, 844
Glenwood coal company, act to incorporate, 238
Glass, John P. (Speaker), act to provide for pay of, 341
Glass, John, P. representative from Allegheny county, 109, 421, 462
reasons for vote, given, 992
remarks of, on
act relative to the common school system, 439
act to lay a tax on coal, 536
act to divorce Wm. C. and Lucinda Campbell Gray, 655
act relative to viewers in Lawrenceville, 956
motion to reconsider vote on resolution to except a Schuylkill county bill, 1059
final adjournment, 1133
Glen Alden coal company, act relative to, 750
passed finally, 952
Governor, resolution to appoint a committee to make arrangements for inauguration of, 3
message from, resolution to print, 17, 86
resolution to meet in convention to open and publish votes for, 24
election returns of, opened and published, 50
inaugural ceremonies of, 74
inaugural address of, 76
message from, appointing certain officers, 88
act relative to the expenses of, passed finally 126
Goshenhoppen turnpike road company, act relative to, 221
reported, 306
passed finally, 403
Goodrich, E. O., act relative to, 294
reported, 632
passed finally, 769
Good Will fire engine company, act relative to,
passed finally, 608
Goochring, Henry, act relative to, 764
passed finally, 882
Gordon, W. C., representative from Indiana county,
bills in place by, 682, 750
Gordon, Mrs. Mary Ann, act relative to, 746
passed finally, 842
Granite insurance company, act to incorporate, 121
reported, 144
Granite insurance company—*Continued.*
third reading, 147
passed finally, 321
Great Western mining company, act to incorporate, 222
reported, 520
passed finally, 690
Greensburg Masonic fund, act to incorporate, 294
reported, 342
passed fiually, 421
Gregory, Wm. S., a representative from the Second district, Philadelphia, 58, 61, 442, 1027
absence, leave of, granted to, 198
bills in place by, 120, 161, 292, 304, 343, 344 458, 764, 1023
petitions presented by (read), 946
resolutions offered by, 24, 66, 121, 341
remarks of, on
resolution which had been offered by Mr. Hood, 64
resolution relative to Susquehanna boom company, &c., 67
act to divorce Daniel Wilson and his wife, 323
act to incorporate the Eagle assembly of Philadephia, 418
act to incorporate the Pneumatic tube company of Philadelphia, 419
act to change the venue in case of Sharp, Leib, and others, 422
resolution appointing a committee of inquiry relative to deposits made by banks, &c., with the State Treasurer, 580
act relative to the rate of interest, 581
act relative to colored people riding in cars, 586, 660
act relative to the inspection of buildings in Philadelphia, 629
act relative to the coroner of Philadelphia, 658
act relative to the neutrality laws, 736
act relative to the Philadelphia gas trust, 777, 826
act relative to the protection of seamen in Philadelphia, 831
act relative to the Ladies' United Aid society, 836
act to divorce Charles and Mary Schofield, 884
act relative to local telegraph lines in Philadelphia, 885
act to create an associate judge in the Second district, 898
act relative to the inspection of lumber in Philadelphia, 949
Gray, William C., and wife, act to divorce, 294
reported, 454
negatived, 614
reconsidered and passed finally, 681
Green township, school directors of, act relative to, 454
passed finally, 604
Greenfield township, act relative to election of officers in, 467
reported, 633
Great Valley gold and silver mining company, act to incorporate, 520
passed finally, 690
Graham, Samuel, act relative to, 520
passed finally, 690
Gratuities and annuities to soldiers of 1812, supplement to act to provide for payment of, 638
Great Western mining company, act to incorporate, 638
reported, 745
passed finally, 841
Grove Farm oil company, act relative to, 639
Great Eastern and Western gold and silver mining company, act to incorporate, 750
passed finally, 952
Grand Lodge of the Ancient Order of the American League, act to incorporate, 750
passed finally, 947
Greene county:
courts in, act relative to time of holding, 834
passed finally, 953
district attorneys in, act relative to fees of,
passed finally, 320
hawkers and peddlers in, act relative to, 293
reported, 341
passed finally, 403
licenses to taverns in, act relative to, 467
reported, 521
passed finally, 715
licenses to hucksters in, act relative to, 834
passed finally, 953

H.

Harbison, W. C., representative from Lawrence county, 37, 476
bills in place by, 69, 71, 293, 295, 457, 459, 547
remarks of, on
act to lay a tax on coal, 536
act relative to notaries public in Lawrence county, 564
act to change the venue in case of Gallagher vs. Christy, 612
act relative to the Ohio and Pennsylvania canal company, 762
Harner, Frederick, representative from Berks county,
bills in place by, 120, 307, 834
leave to withdraw petitions granted to, 127
remarks of, on
act relative to colored people riding in the cars, 663
Haverhill coal and iron company, act relative to, 34
Hand-in-Hand life insurance company, act to incorporate. 125
passed finally, 321
Hartford township, school directors of, act relative to, 125
first reading, 145
passed finally, 146
Harrisburg city, Basin alley in, act to vacate, 159
first reading, 252
Harrisburg Park association, act relative to, 194, 292
city, Elk and other alleys in, act relative to,
reported, 194
bridge company, act relative to, 238
passed finally, 272
city, to borrow money, act authorizing, 295
reported, 519
certain grounds on Sixth street, act relative to, 295
passed finally, 603
State street in, act relative to, 453
People's bridge company of, act to incorporate, 459
supplement to act for the government of, 474
passed finally, 549
a further supplement, 888
passed finally, 991
city, parks in, act relative to, 657
passed finally, 774
Harmony gold and silver mining company, act to incorporate, 159
first reading, 201
Hanna, Edward, act relative to farm of, 294
reported, 521
negatived, 715
Hancock, chair and table, committee appointed to present, 306

Harris, N. R., act relative to, 307
reported, 454
passed finally, 604
Hanley, John, act relative to,
passed finally, 321
Hawkers and peddlers, act relative to,
reported, 451
Hamilton, Samuel, act relative to, 452
passed finally, 569
Hale, Hon. James T., act relative to, 467
passed finally, 612
Hamilton iron and coal company, act to incorporate, 547
reported, 634
passed finally, 770
Haverford avenue, Philadelphia, act relative to, 547
Hamlin township, M'Kean county, poor masters of, act relative to, 633
passed finally, 770
Hazleton railroad company, act relative to, 657
passed finally, 751
Hartsville and Centreville turnpike road company, act relative to, 657
passed finally, 775
Hamlin, A. D., act relative to, 745
passed finally, 842
Harleysville turnpike road company, act to incorporate, 950
passed finally, 982
Hesperian mining company, act to incorporate, 159
first reading, 201
passed finally, 210
Hess, Drusula, act relative to, 522
passed finally, 549
Headman, F. W., representative from Bucks county, 1, 801
bills in place by, 106, 307, 657
remarks of, on
act relative to the soldiers of the war of 1812, 138, 372
resolution appointing a committee of inquiry relative to the deposits made by banks, &c., with the State Treasurer, 579
act relative to the rate of interest, 583
resolution of invitation to the M. E. Conference, 608
act to vacate a part of Township Line road, in Philadelphia, 631
act to incorporate the Rev. Hugh M'Laughlin society of Philadelphia, 715
act to provide for the payment of certain military claims, 734
act relative to the Philadelphia and Trenton railroad company, 836
act to divorce Charles and Mary Schofield, 884
act relative to the inspection of cattle in Philadelphia, 991
act relative to the Military History of the Pennsylvania Reserve Corps, 1030
act relative to the Kensington and Oxford turnpike road company, 1034
act relative to impurities in the river Schuylkill, 1056
appropriation bill, 1105
Heltzel, Nicholas, representative from Adams county, 24, 109, 731
bills in place by, 293
remarks of, on
error in *Legislative Record*, 162
Highspire borough, special election in, act authorizing, 105
first reading, 141
passed finally, 146
cemetery association, act to incorporate, 160
first reading, 202
passed finally, 210
Hill, Samuel, act relative to,
passed finally, 304
Hilles street, Philadelphia, act relative to, 458
passed finally, 689
Hidalgo gold and silver mining company, act to incorporate, 520
passed finally, 690
Highland and Union avenues, Philadelphia, act relative to,
passed finally, 608
Highland avenue, act relative to, 638
postponed indefinitely, 842
avenue, Collins township, act relative to,
reported, 745
Hollidaysburg, water works in, act relative to,
passed finally, 20
water works in, supplement to act relative to, 105
Holland knitting company, act relative to, 125
first reading, 145
passed finally, 147
Holder of a mortgage, act relative to, 159
passed finally, 276
Howard fire and insurance company, act to incorporate, 202
passed finally, 210
Hollidaysburg and Altoona plank road company, act relative to, 221
passed finally, 321
Howard township, place of election in, act to change,
passed finally, 250
Hoffmaster, Zeno, act relative to, 452
passed finally, 569
Home for destitute orphan children, act to incorporate, 456
Holland Valley railroad company, act relative to, 546
reported, 634
passed finally, 770
Horning, John, act to legitimate,
passed finally, 762
Houch, Jacob, act relative to farm of, 881
passed finally, 981
Hoffman, H. B., representative from Dauphin county, 15, 26, 311
absence, leave of, granted to, 801
bills in place by, 68, 112, 199, 292, 293, 458, 459, 460, 547, 548, 657
remarks of, on
act relative to the Harrisburg bridge company, 272
act relative to the estate of George Frey, 325
act to lay a tax on coal, 536
supplement to act relative to city of Harrisburg, 540
supplement to act to incorpoaate Holland Valley railroad and mining company, 772
Hood, Wm. B., representative from the Fifth district, Philadelphia, 147, 150, 323
bills in place by, 161, 221, 307 546, 547, 764
resolutions offered by, 62
remarks of,
in reply to Mr. Gregory on a resolution relative to locomotives in Philadelphia, 64
on resolution relative to Edgar Cowan, 89
act to incorporate Granite insurance company, 147
act to change the venue in the case of Shupe, Leib and others, 305, 422
act relative to the storage of petroleum, &c., in Philadelphia, 311, 686
act relative to Elias Tome, 394
act relative to the courts of oyer and terminer, &c., in Philadelphia, 401
act to incorporate the Pneumatic tube company of Philadelphia, 419
resolution relative to temporary adjournment, 468
supplement to the act relative to mechanics' liens, 491
act relative to running steam engines in Philadelphia, 542
Hood, Wm. B.—*Continued.*
act relative to rate of interest, 581
act to divorce Wm. C. and Lucinda Campbell, 606, 613
act to prevent fraudulent insolvencies, 718
act relative to the Philadelphia and Trenton railroad company, 836
act to divorce Charles and Mary Schofield, 884
act relative to the inspection of lumber in Philadelphia, 948
act relative to impurities in the river Schuylkill, 1056, 1058
Hunt, John D., representative from Forest county, 294, 307
bills in place by, 294, 307, 457, 547, 764
Huckstering in Bedford and other counties, act relative to, 293
reported, 503
passed finally, 403
Hughes, Wm. B., act relative to, 307
reported, 551
first reading, 482
passed finally, 469
Hurst, Jacob, act relative to, 636
passed finally, 774
Humphrey, William T., representative from Tioga county, 21, 127, 322, 542, 656, 734, 751, 752
bills in place by, 68, 112, 121, 161, 198, 199, 293, 295, 458, 459, 638, 639, 764, 886
leave to record vote granted, 101
remarks of, on
act relative to State road, 17
resolution to appoint a committee to examine into the practice of adulterating medicines, 196
act relative to the Wellsboro' and Lawrence railroad company, 322, 399
act relative to the law of evidence, 368
act for the benefit of schools in Susquehanna county, 501
appropriation bill, 1106
Hummelstown, act relative to certain streets in, 833
passed finally, 981
Humboldt gold and silver company, act to incorporate, 834
passed finally, 953
Husbands and wives, act relative to duties of,
passed finally, 721
Huntingdon county:
district attorney, fees of, act relative to, 159
first reading, 201
passed finally, 208
wild turkeys and squirrels in, act relative to, 459
reported, 521
passed finally, 715
independent school district in, act relative to, 520

I.

Idaho mining company, act to incorporate, 745
passed finally, 841
Imposition and quackery, act relative to, 307
reported, 450
Investigating committee in the contested election case of John P. Linton appointed, 84
Insurance company, Farmers' and Mechanics', act to incorporate, 105
Insurance companies, certain foreign, act relative to, 158
passed finally, 274
Incorporations, act granting charters to, 194
passed finally, 437
Industrial association, act to incorporate, 194
passed finally 240
Inspector of fertilizers, act relative to, 295
reported, 453

Interlocutory orders, act authorizing appeals from, 307
Indiana borough, taxation in, act to increase,
passed finally, 320
Interest on public accounts, act to regulate, 341
Intoxicating liquors, act regulating sale of, 546
reported, 636
act relative to sale of on Sunday, 636
supplement to act relative to sale of,
passed finally, 845
Inspection laws of Pennsylvania, act relative to, 547
reported, 634
passed finally, 770
Independent school district in Erie county, act relative to, 547
reported, 635
Interest, act relative to change rate of, 581
passed finally, 900
Indebtedness, act relative to adjustment of,
reported, 633
Indemnity gold and silver mining company, act to incorporate, 656
passed finally, 952
Inspection of stationary steam engines in Philadelphia, act relative to, 744
passed finally, 838
Infantry corps of National Guards, act to exempt from taxation, 1023
Irish nation, resolution of sympathy for, 724
Iron Manufacturers' coal company, act to incorporate, 751
passed finally, 844
Ivanhoe silver mining company, act to incorporate, 520
passed finally, 690
Indiana county:
Burrell township, school directors of, act relative to, 682
reported, 746
passed finally, 842
commissioners in, act relative to pay of, 518
passed finally, 610
hawkers and peddlers in, act relative to, 750
passed finally, 951
justices of the peace in, act relative to, 121
first reading, 144
passed finally, 146
liquor law in, act to take the sense of the people on, 682
passed finally, 775

J.

Jarrettstown and Horsham turnpike road company, act relative to, 34
Jamestown cemetery association, act to incorporate, 56
Jamestown borough, supplement to act to incorporate, 451
first reading, 482
passed finally, 490
Jack's Mountain, act to prevent cattle from running at large on, 459
reported, 636
passed finally, 773
Jamestown borough, town council of, act relative to, 610
Jackson mining company, act to incorporate,
passed finally, 1058
Jefferson township, bounty tax in, act relative to, 294
reported, 521
passed finally, 715
Jewish Hospital association, act relative to, 307
reported, 341
passed finally, 603
Jenkins, Wm. H., resolution relative to, passed finally, 402
Jenks, W. P., representative from Jefferson county, 70, 127, 752, 893
absence, leave of, granted to, 198, 792
Jenks, W. P.—*Continued.*
bills in place by, 68, 106, 112, 126, 199, 307, 458, 459, 638, 750, 835
resolutions offered by, 832
remarks of, on
resolution relative to Edgar Cowan, 91
act to change venue in case of Stevens and Harman, 109
act relative to Brady's Bend bridge company, 120
act to change the venue in case of M'Carty and others, 206
act authorizing the Pennsylvania railroad company to increase its stock, &c., 300
act relative to running passenger cars on Sunday, in Philadelphia, 348
act relative to the desertion of wives and children, 371
act to incorporate the teachers' institute of Philadelphia, 420
resolution relative to temporary adjournmedt, 468
act relative to Elias Tome, 474
act relative to city of Harrisburg, 475
act relative to an election in Danville, Montour county, 543
act relative to the city of Harrisburg, 549
resolution of invitation to the Methodist Episcopal Conference, 609
act relative to colored people riding in the cars, 662
communication from the Methodist Episcopal Conference, 713
resolution to consider a general railroad law, 832
act relative to the inspection of cattle in Philadelphia, 991
act to establish criminal courts in Dauphin, Lebanon and Schuylkill counties, 1026
act relative to the jurisdiction of courts in equity cases, 1050
act to change a venue from Allegheny to Jefferson county, 1067
act relative to the Erie and Allegheny railroad company, 1068
final adjournment, &c., 1133
Jefferson county:
auditors and commissioners in, act relative to pay of, 638
reported, 744
passed finally, 837
Big Run, act to incorporate into a borough, 458
reported, 519
passed finally, 689
Brookville borough, act to incorporate,
passed finally, 126
commissioners of, to borrow money, act authorizing, 179
reported, 200
certain township officers and viewers of roads and highways in, act relative to, 458
reported, 520
passed finally, 690
Evans, Sarah G., act relative to, 125
first reading, 145
passed finally, 146
licenses in, petition relative to, 193
Mill creek, a public highway, act to declare, 159
first reading, 201
passed finally, 210
prisoners in, act relative to, 638
reported, 744
passed finally, 838
sheriff of, act to increase fees of,
reported, 744
negatived, 837
Jones, R. L., representative from Berks county, 252, 356, 442, 897, 1117
absence, leave of, granted to, 792
Jones, R. L.—*Continued.*
bills in place by, 112, 120, 162, 198, 294, 295, 307, 458, 459, 460, 546, 638, 656, 751, 834, 881
petitions presented by, read, 184
resolutions offered by, 888
remarks of, on
resolution to amend the rules, 158
act to change the venue in the case of M'Carty and others, 204
act relative to the fees of jurors in Berks county, 208
act relative to the Citizens' association of Pennsylvania, 209, 222
act relative to the controllers of the school board of Reading, 268
act relative to the estate of a lunatic, &c., 276
act relative to the State agency at Washington, 375, 516
act relative to Elias Tome, 392
act relative to the Cranberry coal company, 404, 993
act relative to the common school system, 441
act relative to licensing hotels, &c., 524
act to incorporate the city of Allentown, 542
act relative to colored people riding in cars, 663
act relative to the German Reformed congregation of Reading, 664, 1036
act to incorporate the Masonic Hall association of Reading, 763
act to divorce Charles and Mary Schofield, 884
act relative to an Agricultural college in Franklin and Cumberland counties, 885
act relative to the publication of the laws, 890
act relative to the Reno oil and land company, 1057
final adjournment, presentation, &c., 1131
Josephs, Samuel, representative from the Third district, Philadelphia, 24, 62, 751, 823, 992
bills in place by, 70, 107, 460, 638, 657
resolutions offered by, 3
remarks of, on
act relative to petroleum refineries in Philadelphia, 389
act relative to the inspection of buildings in Philadelphia, 629
act relative to colored people riding in cars, 660
act relative to the protection of seamen in Philadelphia, 831
John Hancock chair, resolution directing return of to Philadelphia, 17
Johnstown and Scalp Level turnpike company, act relative to, 294
reported, 635
passed finally, 771
Jones township, meeting of auditors of, act relative to, 457
reported, 519
passed finally, 611
Johnson's lane, Philadelphia, act to vacate, 460
reported, 521
Jones township, supervisors in, act relative to pay of, 549
reported, 635
passed finally, 771
Johnstown and Kingston Run turnpike road company, act relative to, 834
passed finally, 953
Jones Ferry company, act to incorporate, 888
passed finally, 981
Judgments, entering of, &c., in Armstrong county, petition relative to, 16
act to regulate, 293
reported, 450

Jurors, act relative to the selection of, 20
reported, 194
considered, 358
passed finally, 378
Jurors and witnesses, act relative to fees of, passed finally, 26
Justice of the peace in Bradford county, Towanda borough, act relative to, passed finally, 25
Juniata avenue and Maiden lane, in Philadelphia, act relative to, 34
reported, 158
first reading, 482
passed finally, 490
Junior Sons of America, act to incorporate, 195
passed finally, 240
Justices of the peace, jurisdiction of, act relative to, 293
reported, 451
Judicial proceedings, admission of parties to, act authorizing, passed finally, 438
Justices of the peace, act relative to the appointment of, 407
reported, 518
Jurisdiction of courts, act enlarging, reported, 633
passed finally, 717
and powers of courts of the Commonwealth, act relative to, 657
of courts in proceedings by bills for injunctions, act to repeal act regulating, 888
negatived, 1050
Justices of the peace, dockets of retiring, act relative to, 751
passed finally, 1117
in Potter county, act to extend jurisdiction of, 751
passed finally, 844
Justices of the peace, in Erie county, act relative to, 751
passed finally, 844
in Erie county, act relative to residence of, passed finally, 763
Judgment docket entries, act to validate certain, passed finally, 801
Juniata county:
Patterson borough in, school directors of, act relative to, 467
reported, 636
objected to, 774
passed finally, 952
public printing in, act relative to, 454
passed finally, 604
venue in, act relative to change of, passed finally, 113

K.

Kensington Co-operative association, act to incorporate, 195
passed finally, 240
Kensington and Oxford turnpike road company, act to incorporate, 238
reported, 342
passed finally, 1034
Keystone coal and iron company, act to incorporate, 294
reported, 745
passed finally, 841
iron company, act to incorporate, 294
reported, 519
passed finally, 690
Kelley, Jas. R. (ex-Speaker), resolution relative to, 462
Keystone Homestead company, act to incorporate, 545
reported, 653
passed finally, 773
Kelso silver mining company, act to incorporate, 750
passed finally, 952
Kersey oil and mineral company, act to incorporate, 950
negatived, 982
Kennedy, Jacob, representative from Wyoming county,
absence, leave of, granted to, 303, 957
bills in place by, 20, 69, 107, 112, 126, 198, 200, 293, 295, 459, 835,
remarks of, on
resolution relative to Edgar Cowan, 92
act relative to school houses in Wyoming county, 120
act to change the venue in case of M'Carty and others, 206
act relative to running passenger cars on Sunday in Philadelphia, 347
act relative to the selection of jurors, 368, 380, 1062
act relative to Elias Tome, 394
act to incorporate the Eagle assembly of Philadelphia, 419
act relative to the common school system, 441
act relative to the drainage of certain lands in Northumberland county, 484
act to provide for the payment of certain military claims, 734
act to change the venue in case of Schofield versus Brunges, 901
act relative to the school directors of Bradford county, 1035
Kerns, J. N., representative from the Eighth district, Philadelphia, 1, 17, 37, 61, 608
petitions presented by, read, 182, 567, 743
bills in place by, 17, 120, 198, 221, 294, 307, 456, 545, 547, 638, 764, 834
resolutions offered by, 136, 175, 742, 983, 1118
remarks of, on
resolution relative to amendment to the rules, 128, 189
resolution relative to the militia of the State, 136
act relative to the Citizens' association of Pennsylvania, 205, 223
act relative to running passenger cars on Sunday in Philadelphia, 347
motion to strike out the word "white" from an act of incorporation, 415
act relative to colored people riding in cars, 586, 660
act to divorce William C. and Lucinda Campbell Gray, 605
act relative to the inspection of buildings in Philadelphia, 629
act relative to the American Atlantic cable telegraph company, 735
act relative to the Philadelphia gas trust, 776, 826
act relative to local telegraph lines in Philadelphia, 885
act relative to the inspection of lumber in Philadelphia, 948
act relative to the standard of weights and measures, 989
Kimmell, A. W., representative from Indiana county, 127, 752, 1057
bills in place by, 106, 199, 546
petitions presented by, read, 264, 265
resolutions offered by, 88
reasons for vote, 461
remarks of, on
resolution relative to Edgar Cowan, 90
act relative to common schools, 173
resolution relative to temporary adjournment, 468
act relative to the State agency at Washington, 471
act relative to licenses in Westmoreland and Indiana counties, 638
resolution relative to labor, 987
act relative to the schoool directors of Bradford county, 1034
appropriation bill, 1108
Kinney, G. W., representative from Bradford county, 37, 751, 1117
Kinney, G. W.—*Continued.*
bills in place by, 17, 25, 68, 199, 293, 294, 307, 457, 545, 638, 656, 657, 750
petitions presented by, read, 59
resolutions offered by, 66
remarks of, on
act authorizing an additional justice of the peace in Towanda, 25
act relative to common schools, 174, 572
motion to refer a resolution to the Committee on Printing, 180
resolution to amend the rules, 189
act to change the venue in case of M'Carty and others, 205
act to divorce Daniel Wilson and his wife, 324
supplement to general election laws, 581
act for the benefit of schools in Susquehanna county, 601
act relative to the Pittsburg and Connellsville railroad company, 602
act to divorce Wm. C. and Lucinda Campbell Gray, 612
act to divorce James and Elizabeth Edwards, 883
act relative to supervisors in Bradford county, 955, 1029, 1036
vote, reasons for given, 147, 422, 469, 903
Kittanning borough, school directors of, act relative to, passed finally, 240
burgess and town council of, act relative to, passed finally, 320
Kingstown township, supervisors of, act relative to, 520
passed finally, 690
Kittanning and Rural Village turnpike road company, act to incorporate, 545
reported, 635
passed finally, 771
and Rural Valley railroad company, act to incorporate, 764
Kline, J. T., representative from Lehigh county, 20, 119
bills in place by, 221, 499, 545, 567, 731, 834
Knipe, Joseph F. (postmaster of Harrisburg), resolution authorizing warrant in favor of for postage, 220
Koon, D. S., representative from Luzerne county, 24, 61, 841, 1027, 1117
bills in place by, 68, 112, 126, 295, 307, 344, 457, 458, 459, 460, 467, 545, 547, 638, 639, 750, 761, 833
reasons for vote, given, 1112
resolutions offered by, 986
remarks of, on
act relative to annuity to Nancy Weliver, 20
printing Governor's inaugural address, 87
act relative to Valley coal company, 119
act relative to the desertion of wives, &c., 128
act relative to the soldiers of 1812, 140
act relative to the common schools, 173, 512
act relative to the selection of jurors, 360
act to lay a tax on coal, 536, 637
supplement to the general election laws, 581
act relative to the rate of interest, 583
resolution of sympathy for Ireland, 724
act relative to John A. Metzel, of York, 885
act to change the venue in case of Schofield vs. Brunges, 901
resolution relative to labor, 987
act relative to the protection of life, &c., in the mining regions, 1061
act relative to the Wilkesbarre and Pittston railroad company, 1109

Kurtz, Fred., representative from Centre county, 2, 360
bills in place by, 20, 69, 126, 161, 162, 199, 249, 294, 295, 459, 467, 547, 638, 639, 657, 751, 834, 888, 1023
reasons for vote given, 1112
remarks of, on
resolution relative to Edgar Cowan, 89
act relative to sale of agricultural land scrip, 169
motion to refer a resolution to the Committee on Printing, 186
act relative to the Pennsylvania Agricultural college, 277
act relative to colored people riding in the cars, 663
resolution of sympathy for Ireland, 724
act relative to the neutrality laws, 735
act relative to publication of the laws, 890
Kylerstown plank road company, act to incorporate, 751
passed finally, 843

L.

Lancaster city, time of election in, act relative to, 119
election precincts in, act relative to, 129
passed finally, 241
charter of, act relative to, 295
reported, 452
passed finally, 630
bounty taxes in, act relative to, 344
reported, 521
officers of the South ward, act relative to, 764
passed finally, 882
Lancaster county:
bridge over the Susquehanna in, petition for, 194
bounty tax in Conestoga, petition relative to, 194
Conestoga township, school directors of act relative to, 222
reported, 521
passed finally, 715
Columbia gas company, act to incorporate, 159
first reading, 201
passed finally, 321
Lancaster and Litiz turnpike road company, act relative to, 238
passed finally, 321
licenses near Millersville, act relative to, 460
reported, 521
passed finally, 989
phonographic reporter in, act relative to, 129
reported, 159
first reading, 201
passed finally, 208
prison in, act relative to, 457
reported, 518
passed finally, 610
school directors of, act relative to, 126
passed finally, 211
wives and children, act for relief of, 125
West Hempfield township, directors of, act relative to, 657
passed finally, 774
Law of evidence, act relative to, 159
considered, 274
passad finally, 364
Landlords and tenants, act relative to, 159
passed finally, 276
Lawrenceville borough, act to incorporate, 222
passed finally, 320
Ladies' soldiers' aid society of Weldon, act relative to, 293
reported, 450
passed finally, 769
Lawrenceville borough, act relative to, 295
reported, 452
first reading, 483
passed finally, 494
Ladies' united aid society, act relative to, 341
passed finally, 836
Laws of this Commonwealth, act relative to, 457
act relative to publication of, 457
reported, 518
Landlords and tenants, supplement to act relative to, 457
reported, 518
Labor, act to secure payment of wages for, 457
reported, 519
passed finally, 689
Larry's Creek plank road company, act to incorporate, 458
reported, 520
passed finally, 690
Lake Pleasant and its outlet to French creek, act to declare a public highway, 547
reported, 635
passed finally, 771
Lawrence railroad company, act relative to, 564
passed finally, 882
Lackawanna township, act relative to voters of, 764
passed finally, 882
Latrobe borough, burgess and town council of, act relative to, 888
passed finally, 981
Lake Shore passenger railroad company, act to incorporate,
passed finally, 976
Laboring classes in Pennsylvania, resolution relative to, 987
Lawrence county:
desertion in, act relative to, 238
passed finally, 320
local bounties in, act relative to, 521
passed finally, 715
money at interest, act relative to, 456
reported, 518
notaries public, act relative to,
passed finally, 584
poor houses in, act relative to, 125
reported, 159
first reading, 201
passed finally, 208
Pulaski township, hogs, &c., in, act relative to, 295
reported, 453
first reading, 604
passed finally, 900
roads and bridges in, act relative to, 295
reported, 342
passed finally, 415
treasurer in, act relative to, 293
reported, 342
first reading, 483
negatived, 899
Legislative Record, resolution relative to contracting for, 2, 15
Lehigh coal and navigation company, report of, 17
Lehigh and Lackawanna railroad company, act to incorporate, 222
Legislative Hand-book, resolution relative to, 252
Lehigh and Delaware Water Gap railroad company, act to incorporate, 308
reported, 341
Lerew, Andrew, act relative to, 321
Letters of attorney, &c., act relative to, 343
Lewisburg bridge, act relative to, 364
Legislature, resolution relative to adjournment of, 467
Lewis, Berry, act relative to, 474
Lebanon borough, act relative to burgess of, 519
passed finally, 689
Lebanon County soldiers' and sailors' monument association, act to incorporate, 520
passed finally, 691
Lehigh County mining company, act to incorporate, 545
reported, 745
passed finally, 841
Lewisburg borough, auctioneers in, act relative to, 633
objected, 770
Lehman street, Philadelphia, act relative to, 634
passed finally, 770
Lehigh water company, act relative to, 629
reported, 746
passed finally, 843
Lebanon County hotel company, act to incorporate, 639
reported, 746
Lehigh Mutual manufacturing company, act relative to, 657
passed finally 774
Lebanon Valley college, act to incorporate, 746
passed finally, 843
Legal Tender gold and silver mining company, act to incorporate, 750
passed finally, 952
Lehigh and Delaware plank road company, act relative to, 751
passed finally, 844
Lease or agreement, act authorizing the recording of, 834
passed finally, 841
Lewisburg, act relative to certain taxes in, 751
passed finally, 844
Lebanon borough, supplement to act to incorporate, 744
passed finally, 838
reconsidered, 839
Lebanon county:
hawkers and peddlers in, act relative to, 343
reported, 451
first reading, 482
passed finally, 489
hucksters in, act relative to, 343
reported, 451
negatived, 629
North Annville township, school directors of, act relative to, 638
reported, 744
passed finally, 838
register in, act to permit an appeal from, 519
passed finally, 900
Lehigh county:
assessors in, act relative to pay of, 221
passed finally, 320
bounty tax in act relative to, 837
passed finally, 837
commissioners of, to borrow money, act authorizing, 293
reported, 341
passed finally, 403
courts of quarter sessions in, act relative to, 451
first reading, 482
passed finally, 489
courts in, act relative to, 518
passed finally, 610
commissioners of, act relative to pay of, 547
reported, 653
objected, 770
negatived, 955
jurors in, act relative to pay of, 202
law library in, act relative to, 457
reported, 519
Lower Milford township, bounties in, act relative to, 294
reported, 521
passed finally, 716
Mutual horse insurance company, act relative to, 125
passed finally, 241
notary public in, act relative to, 105
Odd Fellows' hall association, act relative to, 160
first reading, 201
passed finally, 210
supervisors in, act relative to pay of, 610
passed finally,

Lebanon county—*Continued.*
treasurer of, act relative to pay of, 519
passed finally, 611
Lee, Edward G., representative from the Seventeenth district, Philadelphia, 1, 2, 15, 16, 19, 24, 37, 43, 145, 175, 461, 476, 1022
bills in place by, 19, 68, 106, 112, 120, 198, 200, 222, 294, 295, 344, 458, 522, 546, 547, 764, 989
resolutions offered by, 3, 17, 37, 61, 94, 309, 341
remarks of, on
act authorizing an additional justice of the peace in Towanda, 25
resolution relative to contracting for a *Legislative Record*, 27
act relative to bounty commissioners of Forks township, 71
printing Governor's Inaugural address, 87
resolution relative to Edgar Cowan, 89
act relative to Calvary Monumental church, 113
act relative to soldiers of 1812, 139
resolution relative to amendment to the rules, 129, 158, 186, 197
act relative to hour of closing elections in Philadelphia, 147
act relative to Mauch Chunk Bank, 148, 204
act relative to sale of agricultural land scrip, 168
act relative to common schools, 172, 513
motion to refer a resolution to the committee on printing, 185
act authorizing the Pennsylvania railroad company to increase it stock, &c., 235, 298
act relative to the Agricultural college of Pennsylvania, 277
act to incorporate the Wellsboro and Lawrenceville railroad company, 322, 399
act relative to the Kensington and Oxford turnpike road company, 323
act relative to the Pittsburg and Connellsville railroad company, 325
resolution relative to the testimony in the case of the Venango County Bank, 344
act relative to petroleum refineries in Philadelphia, 389
act to incorporate the Eagle assembly of Philadelphia, 418
act to incorporate the Pneumatic tube company of Philadelphia, 419
act relative to taxes in Montgomery county, 445
supplement to act relative to mechanics' liens, 490
act relative to the drainage of certain lands in Northumberland county, 494
act relative to running steam engines in Philadelphia, 542
act relative to an election in Danville, Montour county, 543
resolution appointing a committee of inquiry relative to the deposits made by banks, &c., with the State Treasurer, 579
act for the benefit of schools in Susquehanna county, 601
act relative to the inspection of buildings in Philadelphia, 629
act relative to colored people riding in cars, 662
act relative to the storage of petroleum, &c., in Philadelphia, 686
act relative to a change of venue from Schuylkill to Dauphin county, 689
committee from the Methodist Episcopal Conference, 713
act relative to the neutrality laws, 735
act relative to the Philadelphia Gas Trust, 777, 826
Lee, Edward G.—remarks—*Continued.*
act relative to the inspection of cattle in Philadelphia, 825, 991
act relative to the protection of seamen in Philadelphia, 831
resolution to consider a general railroad law, 832
act relative to the Philadelphia and Trenton railroad company, 836
act to divorce Charles and Mary Schofield, 884
act relative to the election of railroad officers, 889
resolution relative to labor, 987
appeal on act relative to the inspection of cattle in Philadelphia, 992
act relative to the Kensington and Oxford turnpike road company, 1033
act relative to the German Reformed congregation of Reading, 1036
act relative to change of venue from Cambria to Centre county, 1058
act relative to the Erie and Allegheny railroad, 1068
resolution relative to pay of officers of the House, 1099
Leech, J. A., representative from Mercer county, 376, 461, 476
bills in place by, 69, 198, 294, 546, 548, 638, 656
Licenses, act relative to granting of, in Penn township,
passed finally, 17
Littlestown savings institution, act to incorporate,
passed finally, 24
act relative to, 126
Literary association of Pennsylvania, act to incorporate, 169
first reading, 202
passed finally, 210
Lincoln steam fire hose company, act to incorporate, 221
passed finally, 321
Licenses to sell intoxicating drinks, act relative to, 295
passed finally, 604
Liens of mechanics, act relative to, 343
reported, 451
passed finally, 492
Lien of foreign attachments, act to limit, 451
considered, 823
Lincoln's birthday, a public holiday, act to declare, 457
reported, 633
Limitations of actions, act relative to, 457
reported, 633
Licenses to hotels and eating houses, act to regulate the granting of,
passed finally, 522
in Armstrong county, act relative to, 546
passed finally, 638
a further act relative to, 656
passed finally, 947
Liens of mechanics, act relative to, 546
passed finally, 612
a further supplement, 633
passed finally, 896
Linton, Herman R., act relative to, 546
reported, 636
passed finally, 774
Limestone turnpike road company, act to incorporate, 547
reported, 636
passed finally, 771
Little Lehigh a public highway, act to make, 834
passed finally, 953
a further act, relative to,
reported, 633
recommitted, 686
reported, 746
passed finally, 769
Limekiln turnpike road company, act relative to, 634
objected, 771
passed finally, 952
Lincoln Savings Bank, act to incorporate, 657
passed finally, 774
Little Mahoning creek, act to declare a public highway, 745
passed finally, 842
Life and limb, act for the protection of, 750
Linton, John P., representative from Cambria county, 61, 751, 1099
bills in place by, 120, 160, 293, 294, 458, 545, 884
remarks of, on
act relative to soldiers of 1812, 138, 734
act relative to sale of agricultural land scrip, 169
act relative to the State agency at Washington, 356, 472
act relative to the law of evidence, 367
act relative to the selection of jurors, 380
supplement to the act relative to mechanics' liens, 490
act relative to licensing hotels, &c., 526
act authorizing tender of money after suit brought, 527
act relative to an election in Danville, Montour county, 543
resolution appointing a committee of inquiry relative to deposits made by banks, &c., with the State Treasurer, 580
act to divide the township of Chapman, Clinton county, 611
act to provide for the payment of certain military claims, 734
act relative to the inspection of cattle in Philadelphia, 825, 991
act relative to a change of venue from Armstrong to Allegheny county, 901
act relative to the commutation of the death punishment, 977
act relative to change of venue from Cambria to Centre county, 1058
act relative to the protection of life, &c., in the mining regions, 1061
Long, Philip, representative from Cumberland county,
absence, leave of, granted to, 655
bills in place by, 107, 120, 295, 307, 343, 459, 545, 656, 834, 950, 989, 1023
remarks of, on
act relative to colored people riding in cars, 664
Lock Haven, school directors of, act relative to,
passed finally, 240
Layner, John, act for relief of, 294
reported, 454
passed finally, 510
Lock Haven water works, act relative to, 295
reported, 452
first reading, 482
passed finally, 490
Loush, Wm., act relative to, 342
first reading, 484
passed finally, 494
Logan township, supervisors in, act relative to, 344
reported, 462
passed finally, 600
Lombard and South Street railway company, act relative to, 636
passed finally, 774
Local lines of telegraph in Philadelphia, act relative to, 764
referred to Philadelphia delegation, 882
Lunatic or habitual drunkard, act relative to partitions in case of, 159
passed finally, 276
Luzerne iron and transportation company, act to incorporate, 458
Lutheran congregation of the Goshenhoppen church, act relative to, 638
reported, 744
passed finally, 837

Luzerne county:
Abington township, bounty tax in, act relative to, 307
reported, 521
Benton township, fish in, act relative to, passed finally, 241
Benton township, school directors in, act relative to, 520
passed finally, 690
Blakely township, election of constables in, act relative to, 546
passed finally, 719
costs in, act relative to, 125
first reading, 145
passed finally, 146
central poor district in, petition relative to, 94
contractors in, act relative to, 293
reported, 451
Case, C. W., act relative to, 457
reported, 518
passed finally, 610
fish and game in, act to protect, 344
reported, 453
passed finally, 604
Greenfield township, taxes in, act relative to, 547
passed finally, 769
Hanover township, act relative to trustees of, 451
first reading, 482
passed finally, 493
Hazleton borough, notary public in, act relative to, 293
reported, 341
passed finally, 403
Jackson township, supervisors of, act relative to, 194
reported, 452
passed finally, 598
Kingston township, tax in, act relative to, 239
first reading, 390
passed finally, 403
Nescopeck creek, act relative to a bridge over, 459
reported, 520
passed finally, 690
notary public in, act relative to, 744
Providence gas and water company, act to incorporate, 238
passed finally, 321
poor house in Jenkins township, act relative to, 751
passed finally, 844
Scranton borough, bounties in, act relative to, 239
passed finally, 403
State road in, act relative to, 459
Union and Ross townships, fish in, act relative to, 459
reported, 521
passed finally, 715
Salem township, supervisors of, act relative to, 657
passed finally, 774
Wilkesbarre township, poor house, in act relative to, 451
first reading, 482
passed finally, 489
wills in, act relative to register of, 451
first reading, 482
passed finally, 493
Wilkesbarre and Plains townships, act relative to trustees of school fund in, 744
Lycoming trout raising and improvement company, act to incorporate, 294
reported, 342
passed finally, 415
Lykens Valley coal campany, act relative to, 67
Lycoming county:
commissioners of, to borrow money, act relative to, 293
reported, 341
passed finally, 403
Lycoming county—*Continued.*
ferry over Ohio and Susquehanna river in, act relative to,
passed finally, 763
game in, act relative to, 222
Jersey Shore, licenses in, act relative to, 160
reported, 521
Montoursville borough, act relative to, passed finally, 305
Mill run a public highway, act to make, 456
reported, 520
passed finally, 690
notary public in, act relative to, 126
noxious animals in, act relative to, 453
passed finally, 603
poor house in, act relative to, 193
passed finally, 320
school directors of certain townships in, act relative to, 125
first reading, 145
passed finally, 146
Wallace's run, boom in, act relative to, 194
Washington township in, pay of supervisors in, act relative to, 657

M.

M'Camant, Samuel, representative from Blair county, 462, 1117
absence, leave of, granted to, 462
bills in place by, 20, 68, 126, 161, 221, 222, 294, 295, 343, 344, 467, 657, 835, 888
resolutions offered by, 156
remarks of, on
act relative to common schools, 174
motion to refer a resolution to the Committee on Printing, 186
asking to be excused from serving on a committee, 218
act relative to plank roads, 276
act to levy a tax on coal, 537
resolution appointing a committee of inquiry relative to the deposits made by banks, &c., with the State Treasurer, 579
act to divide Port Carbon borough, Schuylkill county, into two wards, 691
act relative to change of venue from Cambria to Centre county, 1058
M'Creary, D. B., representative from Erie county 16, 19, 341, 420, 457
bills in place by, 17, 68, 69, 70, 106, 112, 121, 126, 160, 162, 221, 293, 294, 307, 343, 344, 546, 547, 657, 751, 768, 833, 946
resolutions offered by, 3, 17, 137, 608
remarks of, on
resolution relative to John Hancock chair, 17
act granting pension to Nancy Wellver, 20
suspension of the rules, 25, 43
resolution relative to payment of soldiers who have lost their discharge, 71
printing Governor's inaugural address, 87
resolution relative to Edgar Cowan, 93
act to change the venue in case of Stevens and Harmon, 111
resolution relative to amendment to the rules, 128,
act relative to Mauch Chunk Bank, 148
resolution to appoint a committee to examine into the practice of adulterating medicines, 196
act relative to the Citizens' association of Pennsylvania, 209
act relative to the law of evidence, 275, 367
act relative to the estate of a lunatic, 276
act relative to plank roads, 276
act relative to the estate of George Frey, 326
M'Creary, D. B.—*Continued.*
act relative to the State agency at Washington, 356
act relative to the selection of jurors, 359, 1026
act relative to the desertion of wives and children, 371
act relative to the soldiers of 1812, 372
act relative to Elias Tome, 391
act to exempt a parsonage in Erie from taxation, 404
act relative to the common school system, 443, 508
act to incorporate the Peoples' Savings Fund and Safe Deposit company, 448
making report from the select committee in case of Marshall vs. Rouch, 450
act relative to an election in Danville, Montour county, 543
act relative to the rate of interest, 581
resolution of invitation to the M. E. Conference, 608
act to divide Chapman township, Clinton county, 611
act to change the venue in case of Gallagher vs Christy, 612
act to lay a tax on coal, 637
act relative to colored people riding in cars, 661
act to incorporate the Rev. Hugh McLaughlin society of Philadelphia, 692, 714
act permitting disabled soldiers to peddle without a license, 772
act relating to the neutrality laws, 756
act relative to associations for publishing periodicals, &c., 889
act relative to publication of the laws, 890, 1037
act relative to the commutation of the death punishment, 977
act relative to the school directors of Bradford county, 1028, 1036
act relative to the military history of the Pennsylvania Reserve Corps, 1030
act relative to the jurisdiction of courts in equity cases, 1050, 1067
act relative to the Erie and Allegheny railroad, 1068
final adjournment, presentation, &c., 1133
M'Henry Jas., representative from Luzerne county, 792
bills in place by, 126, 199, 293, 460, 657
reasons for vote given by, 1112
resolutions offered by, 762
remarks of, on
act relative to colored people riding in the cars, 664
M'Kee, Geo. Y., representative from Allegheny county, 1, 136, 145, 402, 528, 847
bills in place by, 17, 68, 84, 106, 112, 120, 126, 161, 199, 221, 295, 343, 458, 459, 467, 567, 638, 639, 656, 883, 834
resolutions offered by, 3, 86, 125, 1118
remarks of, on
act relative to licenses in Allegheny county, 390
act relative to the Triumfo oil pipe transportation company, 834
M'Pherrin, J., representative from Mercer county, 2, 61, 713
absence, leave of, granted to, 198, 957
bills in place by, 70, 221, 343, 458, 459, 460, 751, 886
remarks of, on
printing Governor's inaugural address, 87
act relative to the Cameron petroleum company, 242

Maish, Levi, representative from York county, 322, 492, 735, 992
bills in place by, 22, 69, 106, 121, 221, 293, 294, 308, 343, 457, 459, 546, 547, 750, 751, 886
reason for vote given, 1112
petitions presented by, read, 883
remarks of, on
act relative to the selection of jurors, 380
act relative to Elias Tome, 391
act relative to colored people riding in the cars, 662
act relative to bounties in Dillsburg, York county, 882
act relative to the school directors of Bradford county, 1029
Mann, John S., representative from Potter county, 15, 16, 17, 19, 47, 104, 140, 147, 150, 174, 179, 442, 446, 731, 752, 884, 1099
absence, leave of, granted to, 270
petitions presented by, read, 183
bills in place by, 69, 106, 112, 120, 161, 198, 199, 293, 295, 457, 459, 546, 547, 638, 639, 751
resolutions offered by, 15, 21, 24, 25, 61, 114, 195, 286
remarks of, on
act granting pension to Nancy Wellivver, 20
act relative to the election of United States Senator, 24
resolution relative to equal political rights, 25
resolution relative to contracting for *Legislative Record*, 26
motion to amend act relative to election of United States Senator, 37
printing Governor's inaugural address, 87
resolution relative to Edgar Cowan, 90, 99
act to change the venue in case of Stevens and Harmon, 110
resolution relative to amendment to the rules, 128, 157, 188
resolution relative to militia of the State, 136
act relative to Mauch Chunk Bank, 147, 203
act relative to sale of agricultural land scrip, 168
act relative to common schools, 172, 224
motion to refer a resolution to the Committee on Printing, 185
resolution to visit Pittsburg, 200
act relative to the Citizens' association of Pennsylvania, 208, 222
act relative to a State road in Potter and Clinton, 251, 449
resolution relative to the Legislative Hand-book, 252
resolution to print the report of the State Agricultural society, &c., 269
act relative to the law of evidence, 175, 369
act relative to the Agricultural college of Pennsylvania, 278
act authorizing the Pennsylvania railroad company to increase its stock, &c., 299
act relative to the desertion of wives and children, 370
act relative to the soldiers of the war of 1812, 371
act relative to Elias Tome, 391
act authorizing an additional law judge in the Eighth district, 400
motion to strike out the word "white" from an act of incorporation, 415
act to incorporate the Eagle assembly of Philadelphia, 418
act to incorporate the Teachers' institute of Philadelphia, 420
act to incorporate the People's savings fund and safe deposit company, 448
Mann, John S.—*Continued.*
resolution relative to temporary adjournment, 468
act relative to the State agency at Washington, 471
supplement to the act relative to mechanics' liens, &c., 490
act relative to the common school system, 510
act relative to licensing hotels, &c., 523
act relative to an election in Danville, Montour county, 543
resolution appointing a committee of inquiry relative to the deposits made by banks, &c., with the State Treasurer, 579
act relative to colored people riding in cars, 587, 660
act for the benefit of schools in Susquehanna county, 600
act to divorce John and Margaret Schenck, 605
act to divorce Wm. C. and Lucinda Campbell Gray, 605
act to divide Port Carbon borough, Schuylkill county, into two wards, 691
act to incorporate the Rev. Hugh M'-M'Laughlin society of Philadelphia, 692, 714
act to divorce James R. and Ida M. Weyman, 716
act to prevent fraudulent insolvencies, 718
act validating title to real estate heretofore sold by executors, 723
act to provide for the payment of certain military claims, 732
act relative to the neutrality laws, 735
act to incorporate the Masonic hall association of Reading, 763
act to divorce James and Elizabeth Edwards, 883
act relative to John A. Metzel, of York, 885
act relative to viewers in Lawrenceville, 956
act relative to the commutation of the death punishment, 977
appeal on act relative to the inspection of cattle in Philadelphia, 992
act to establish criminal courts for Danphin, Lebanon and Schuylkill counties, 1025
act relative to the school directors of Bradford county, 1028
act relative to the jurisdiction of courts in equity cases, 1050, 1067
act relative to the protection of life, &c., in the mining regions, 1061
act relative to the selection of jurors, 1062
act relative to the Erie and Allegheny railroad, 1068
resolution relative to the Legislative Hand-book, 1099
appropriation bill, 1104
final adjournment, presentation, &c., 1131
resolution of thanks, &c., 1132
Markley, A. D., representative from Montgomery county, 752
bills in place by, 69, 106, 160, 221, 222, 292, 343, 459, 750, 751, 834, 881, 950
resolutions offered by, 156, 269, 1131
remarks of, on
act relative to the Pottstown iron company, 274
act relative to the Cranberry coal company, 982
act relative to impurities in the river Schuylkill, 1058
Marks, J. N., representative from the Eighteenth district, Philadelphia, 378
bills in place by, 68, 107, 112, 294, 295, 308, 457, 547, 548, 656, 834
remarks of, on
act relative to the courts of oyer and terminer, &c., in Philadelphia, 401
Marriage contract between Reuben Baer and Callie his wife, act to annul, 56
Mauch Chunk Bank, act relative to, passed finally, 118
Marsh's Corners, State road from, act relative to, 126
Marshall College, act relative to, 158
Mahanoy Valley insurance company, act to incorporate, 160
first reading, 202
passed finally, 210
Manufacturers of firkins, &c., act relative to, 160
first reading, 202
passed finally, 210
Masonic institutions, act to exempt from taxation, 160
passed finally, 162
Marine hospital of Pennsylvania, act to incorporate, 239
reported, 451
first reading, 482
passed finally, 489
Married women, act relative to the rights of, 293
reported, 451
M'Neish, Thomas, act relative to, 293
reported, 342
passed finally, 422
Mœnnerchor of Philadelphia, act to incorporate, 294
reported, 342
passed finally, 415
Manufacturers' and Consumers' Anthracite Coal railroad company, act relative to, 295
Mahanoy City borough, town council of, to borrow money, act authorizing, 295
reported, 519
Maxatawney township, fences in, act relative to, 295
Mauch Chunk, town council of, act relative to,
passed finally, 320
vetoed by Governor, 641
M'Clellan, Wm. and wife, act to divorce, 344
M'Farland, Wm., act relative to, 452
Manayunk avenue, Philadelphia, act relative to, 458
reported, 519
passed finally, 689
Marathon iron and coal company, act relative to, 458
reported, 519
passed finally, 690
Masonic Hall association of Philadelphia, act to incorporate, 459
reported, 521
passed finally, 691
Manayunk fire insurance company, act to incorporate, 459
reported, 635
passed finally, 773
M'Laughlin, Rev. Hugh B., beneficial society of Philadelphia, act to incorporate, 459
Mauch Chunk Savings Bank, act to incorporate, 460
reported, 522
passed finally, 719
Manta Grandee silver mining company, act to incorporate, 519
passed finally, 690
Macungie Savings Bank, act to incorporate, 522
passed finally, 719
M'Quiston, John, act relative to farm of, 545
passed finally, 947
Malone, John, act relative to, 547
reported, 636
passed finally, 774
Madera coal and improvement company, act relative to, 634
passed finally, 770
M'Elhose, Sarah E., act relative to, 656
passed finally, 774

Marietta borough, act relative to, 657
passed finally, 774
Madison improvement company, 744
M'Connell mineral company, act relative to, 745
passed finally, 839
Mattawanna bridge company, act to incorporate, 745
passed finally, 842
Madison bridge company, act to incorporate, 745
passed finally, 842
M'Ilvane, James L., act relative to, 750
passed finally, 952
Maytowa Armory Building association act to incorporate, 750
Masonic Hall association of Reading, act to incorporate,
passed finally, 753
M'Cord, Thos., act relative to farm of, 888
passed finally, 981
M'Kean borough, burgess and town council of, act relative to, 893
Mechling, Frank, representative from Armstrong county, 16, 17, 24, 120, 376, 549, 888
absence, leave of, granted to, 158
bills in place by, 68, 160, 199, 222, 292, 294, 295, 343, 545, 656, 764, 886, 888
resolutions offered by, 1133
remarks of, on
act relative to the soldiers of the war of 1812, 138
act relative to election of school directors in Allegheny township, Armstrong county, 222
act relative to the estate of George P. Crawford, 304
act relative to the selection of jurors, 379
act relative to the State agency at Washington, 515
act relative to licensing hotels, &c., 523
supplement to the general election laws, 581
act to change the venue in case of Gallagher versus Christy, 611
act relative to colored people riding in cars, 660
act relative to a change of venue from Armstrong to Allegheny county, 687, 719, 900
act to change a venue from Allegheny to Jefferson county, 1066
Meily, J. B., representative from Lebanon county, 839, 881
bills in place by, 198, 294, 343, 638, 639, 751, 854
Meyers, O. H., representative from Northampton county, 24, 61, 86, 104, 348, 1117
absence, leave of, granted to, 198,
bills in place by, 69, 71, 106, 127, 293, 295, 308, 457, 459, 460, 467, 834, 881
resolutions offered by, 2, 140, 269, 988
remarks of, on
resolution appointing committee to contract for *Legislative Record*, 2, 15, 26
act authorizing additional justice of the peace in Towanda, 25
resolution to paint the Gettysburg report, 61
act relative to bounty commissioners in Forks township, 71
printing Governor's inaugural address, 87
resolution relative to Edgar Cowan, 98
act relative to the desertion of wives, &c., 127
act authorizing the Pennsylvania railroad company to increase its stock, &c., 235, 296
act relative to the law of evidence, 275, 365
act to divorce Daniel Wilson and his wife, 324
Meyers, O. H.—*Continued.*
act relative to the estate of George Frey, 326
act relative to running passenger cars on Sunday in Philadelphia, 348
act relative to the selection of jurors, 358
act relative to Elias Tome, 392
act to exempt a parsonage in Erie from taxation, 403
motion to strike out the word "white" from an act of incorporation, 415
resolution relative to temporary adjournment, 468
supplement to the act relative to mechanics' liens, 490
act relative to the drainage of certain lands in Northumberland county, 494
act relative to the common school system, 409
act relative to the rate of interest, 582
act relative to colored people riding in cars, 586
act to divorce John and Margaret Schenck, 604
act to divorce Wm. C. and Lucinda Campbell Gray, 606
act to divide Chapman township, Clinton county, 611
act to prevent fraudulent insolvencies, 718
act validating title to real estate heretofore sold by executors, &c., 722
act to provide for the payment of certain military claims, 733
act relative to Jno. A. Metzel, of York, 886
act to provide an associate law judge in the Twenty-first district, 893
act relative to reviewers in Lawrenceville, 956
resolution relative to labor, 987
resolution relative to removing the capital to Philadelphia, 988
act relative to the inspection of cattle in Philadelphia, 991
appeal on act relative to the inspection of cattle in Philadelphia, 992
act to establish criminal courts for Dauphin, Lebanon and Schuylkill counties, 1025
act relative to the protection of life, &c., in the mining regions, 1061
appropriation bill, 1108
act relative to the Wilkesbarre and Pittston railroad company, 1109
Meadville railroad company, act to incorporate, 126
first reading, 145
passed finally, 146
Mechanicsburg Hall association, act relative to, 160
first reading, 202
passed finally, 210
Mercer township, taxes in, act relative to, 193
passed finally, 241
Mechanical, &c., insurance companies, corporations for, act relative to, 194
passed finally, 437
Meadville savings and loan company, act relative to, 251
Mechanics' liens, act relative to, 293
passed finally, 320
Merchants' National telegraph company, act to incorporate, 295
passed finally, 305
Mechanics' lien law, supplement to act relative to, 307
reported, 451
Medical science, act for the promotion of, 457
reported, 518
passed finally, 614
Mercer iron and coal company, act relative to, 458
reported, 634
passed finally, 770
Medico-chirugical college, act relative to, 548
reported, 636
passed finally, 774
Methodist Episcopal Conference at Harrisburg, resolution relative to, 608
Mechanicsburg, &c., turnpike company, act to incorporate, 656
reported, 745
passed finally, 842
Measures and weights in Pennsylvania, act relative to, 657
reported, 743
negatived, 837
Merger or consolidation of oil and mining companies, act authorizing, 743
Metric system of weights and measures, act authorizing use of, 743
Methodist Book Concern, act relative to agents of, 744
Meadville Novelty iron works, act relative to, 751
passed finally, 884
Metzel, John A., act relative to, 764
passed finally, 882
Mechanics' and Miners' Co-operative association of Scranton, act to incorporate, 833
Meadville city, act to incorporate, 834
passed finally, 953
Mechanics' liens in Luzerne and Schuylkill counties, act relative to, 834
passed finally, 953
Mercer county:
agricultural societies in, act relative to, 295
auctions and gift enterprises in, act relative to, 451
first reading, 482
passed finally, 489
Brownsville borough, act relative to, 546
reported, 635
passed finally, 773
commissioners of, act relative to,
passed finally, 476
Green township, bounties in, act relative to, 390
passed finally, 483
intoxicating drinks in, act relative to sale of, 460
reported, 521
passed finally, 715
livery stable keepers in, act relative to, 451
reported, 714
reconsidered, 746
passed finally, 837
M'Kean, James, act relative to farm of, 635
Mercer school district, act relative to, 638
reported, 746
passed finally, 842
notary public in, act relative to, 343
reported, 451
first reading, 482
passed finally, 489
pay of county officers in, act relative to, 104
passed finally, 118
West Greenville borough, school directors of, act relative to, 453
passed finally, 603
West Middlesex borough, school directors of, act relative to, 546
reported, 635
passed finally, 773
Mishville village, school directors in, act relative to, 125
Miyuga iron company, act to incorporate, 129
reported, 519
passed finally, 690
Militia, act for regulation of, 136
Mill Hall borough, town council of, act relative to, 159
first reading, 201
passed finally, 208

Mission house in Philadelphia, act to incorporate, 160
first reading, 202
passed finally, 210
Military history of Pennsylvania volunteers, act relative to, 160
passed finally, 279
Milford cemetery, act to incorporate, 195
passed finally, 240
vetoed by Governor, 685
Military claims, act relative to, 221
passed finally, 734
Milford township, poor house in, act relative to, 295
reported, 634
passed finally, 770
Midas petroleum company, act to incorporate,
passed finally, 303
Mifflintown, act relative to a bridge at,
passed finally, 304
Mifflin and Centre County railroad company, act to incorporate, 341
passed finally, 403
Ministers of the Gospel, act for the better protection of, 454
Mining and manufacturing companies, act relative to, 457
reported, 519
Mill Creek, act relative to, 458
passed finally, 611
Milford Cold Spring water company, act relative to, 459
reported, 521
passed finally, 691
Miners' Savings Bank, act to incorporate, 459
reported, 522
passed finally, 719
Militia of Pennsylvania, act relative to the organization of, 460
reported, 522
Mill Creek and Nescopeck railroad company, act to incorporate, 467
passed finally, 882
Misca, Frederica, act relative to moneys arising from sale of estate of, 545
reported, 634
passed finally, 716
Miller, Jacob, act relative to certain moneys of, 546
reported, 633
passed finally, 769
Middle Creek railroad company, act to incorporate, 546
passed finally, 882
Mill Creek and New Lebanon, act relative to cattle, &c., in, 548
reported, 636
passed finally, 773
Military records, act authorizing courts to receive certified copies of,
passed finally, 721
Mill Creek gold and silver mining, &c., company, act relative to, 745
passed finally, 841
Mill Village, Le Beouff township, act relative to a school house in, 746
passed finally, 842
Minors employed on canals, act for the protection of,
passed finally, 981
Mifflin county.
county treasurer in, act relative to term of, 751
passed finally, 844
poor house in, act relative to, 458
reported, 518
passed finally, 610
supervisors of Bratton township in, act relative to, 459
reported, 520
passed finally, 690
Montana gold and silver mining company, act to incorporate,
passed finally, 118
Montrose mining company, act to incorporate, 159
first reading, 201
passed finally, 210
Mount Pleasant plank road company, act relative to, 159
Morrisville, act relative to certain mills in, 307
reported, 341
passed finally, 403
Monroe township, payment to school treasurer of, act relative to, 307
reported, 521
passed finally, 715
Morrison Cove railroad company, act to incorporate,
passed finally, 321
Montana and Nevada gold and silver mining company, act to incorporate, 344
reported, 519
passed finally, 690
Montgomery township, act relative to bounties in,
passed finally, 476
Mortonville and Doe Run plank road company, act to incorporate,
passed finally, 489
Montgomery creek, a public highway, act to declare, 520
passed finally, 690
Moshannon railroad company, act relative to, 547
reported, 744
passed finally, 990
coal and lumber company, act relative to, 547
reported, 686
passed finally, 774
Mount Pleasant railroad company, act to incorporate, 547
reported, 634
passed finally, 770
Monongahela railroad company, act to incorporate, 547
reported, 745
Morris and Cable silver mining company, act to incorporate, 548
reported, 634
passed finally, 770
Montoursville borough, act relative to, 566
passed finally, 567
Money of the Commonwealth, resolution relative to, 579
Morrison, John, act relative to will of, 608
passed finally, 769
Moshannon land and lumber company, act to incorporate, 635
objected to, 773
passed finally, 952
Mount Carmel township, treasurer of bounty fund in, act relative to, 638
reported, 746
passed finally, 842
Monocacy iron and steel company, act relative to, 638
reported, 745
passed finally, 841
Monongahela City and Victory turnpike road company, act to incorporate, 657
passed finally, 775
Monument in the Twenty-second ward of Philadelphia, act relative to, 657
passed finally, 775
Monongahela inclined plane company, act to incorporate, 746
passed finally, 843
Montgomery Building association, act to incorporate, 750
Montgomery, Kenney, act for relief of, 764
passed finally, 882
Montana gold and silver mining company, act relative to,
passed finally, 807
Montana and Pittsburg gold and silver mining company, act to incorporate, 833
passed finally, 952
Montgomery county:
Abington township, act relative to cattle in, 308
reported, 453
passed finally, 604
building association in, act relative to, 194
coroner of, act relative to, 105
collectors of taxes in, act relative to, 238
considered, 445
pensions to soldiers of 1812, remonstrance against repeal of act authorizing, 193
road laws of, act relative to, 159
first reading, 201
passed finally, 210
standard of weights, &c., in, act relative to, 238
passed finally, 320
Union Mutual fire insurance company, act relative to, 160
first reading, 202
passed finally, 210
Monroe county:
commissioners of, act relative to pay of, 518
fish in, act relative to taking of with nets, 636
passed finally, 773
Middle Smithfield township, act relative to the election of treasurer in, 744
Northern district, Supreme Court, act to transfer, 633
Smithfield township, act relative to, 455
reported, 636
Montour county:
Danville borough, act relative to burgess and town council in, 307
reported, 451
first reading, 482
passed finally, 544
poor house in, act relative to, 159
first reading, 201
passed finally, 208
Valley township, poor house in, act relative to, 467
reported, 518
passed finally, 610
Mullin, Michael, representative from the Thirteenth district, Philadelphia, 585
Mutual steam navigation company, act to incorporate, 453
passed finally, 603
Mutual transfer company, act to incorporate, 459
reported, 746
passed finally, 843
Municipal corporation of Reading city, supplement to act relative to, 834
passed finally, 953

N.

National telegraph company, act relative to,
passed finally, 305
National iron company, act to incorporate 452
passed finally, 598
Nanticoke, &c., turnpike road company, act to incorporate, 520
National Homestead, act to incorporate,
passed finally, 610
National convention, resolution proposing, 639
National peat company, act to incorporate, 746
passed finally, 843
National paper manufacturing company, act to incorporate, 751
passed finally, 844
National iron armor company, act relative to, 834
passed finally, 953
New Castle water company, act to incorporate,
passed finally, 34
New Castle water company, act relative to,
reported, 126

New Britain turnpike company, act to incorporate, 162
reported, 342
passed finally, 422
Newry borough, act to incorporate, 222
reported, 519
New Castle gas light company, act relative to, 238
passed finally, 321
New Brighton borough, act to divide, 295
reported, 452
first reading, 483
passed finally, 490
Neudoerfer, Lewis, act relative to, 452
passed finally, 569
Nelson, F. B., act relative to, 454
passed finally, 689
Newbury and Montoursville railway company, act to incorporate, 459
New roads in Chester county, act relative to, 546
reported, 634
passed finally, 771
New Sonora gold and silver mining company, act to incorporate, 547
reported, 634
passed finally, 770
Newton and Scranton turnpike road company, act to incorporate, 547
reported; 635
passed finally, 771
Neutrality laws, resolution relative to repeal of, 735
passed finally, 1034
Notary public in Lehigh county, act relative to,
passed finally, 20
Notary public in Philadelphia, act relative to, 26
reported, 118
passed finally, 445
Notary public in Allegheny and Pittsburg, act relative to,
passed finally, 84
Notary public in Lancaster and Chester counties, act relative to, 458
reported, 519
passed finally, 610
Notary public in Philadelphia, act relative to, 546
reported, 633
passed finally, 770
Notary public in Harrisburg, act relative to, 744
passed finally, 837
Notary public in Philadelphia, act relative to, 750
passed finally, 953
Notary public in Centre county, act relative to, 750
passed finally, 843
North America Life insurance company, act relative to, 126
Norristown passenger railway company, act to incorporate, 221
passed finally, 321
Northern railroad and navigation company, act to incorporate, 239
reported, 452
passed finally, 598
Northampton iron company, act to incorporate,
passed finally, 241
act relative to, 638
passed finally, 841
Noxious animals in certain counties, act relative to, 295
reported, 453
North Heidleburg township, school board of, act relative to,
passed finally, 403
North Carbondale coal company, act relative to, 458
reported, 519
passed finally, 903
North American mining company, act to incorporate, 458
reported, 519
passed finally, 690
North Fayette township, killing of game in, act relative to, 459
reported, 521
passed finally, 715
North Star mining company, act to incorporate, 638
reported, 745
passed finally, 841
Northern iron company, act to incorporate, 745
passed finally, 841
North Whitmer Run improvement company, act to incorporate, 746
passed finally, 843
Norristown and Centre turnpike road company, act to incorporate, 824
passed finally, 953
Northumberland Mountain coal company, act to incorporate, 881
passed finally, 981
North Middleton township, school directors of, act relative to, 1023
Northampton county:
construction of railroads in, act relative to, 121
commissioners of, act relative to pay of, 293
reported, 341
passed finally, 403
act relative to, 467
reported, 519
passed finally, 610
cattle, &c., in, act relative to, 459
reported, 521
passed finally, 715
Forks township in, act relative to, 105
second reading, 122
passed finally, 128
Forks township, bounty commissioners of, act relative to, 744
negatived, 838
Easton, water works in, act relative to, 295
reported, 452
first reading, 482
passed finally, 490
Easton, pay of collectors in, act relative to, 638
reported, 744
passed finally, 838
jurors in, act relative to the selection of, 833
negatived, 981
law library in, act relative to, 457
reported, 518
passed finally, 610
Lower Mount Bethel township, act relative to,
reported, 454
public roads in, act relative to, 144
passed finally, 146
real estate in, act relative to certain, 125
first reading, 145
passed finally, 146
sheriff of, act relative to, 211
reported, 144
passed finally, 146
wives and children in, act relative to, 105
third reading, 127
Northumberland county:
corporations for mechanical and other purposes, act relative to, 159
first reading, 201
passed finally, 210
Chillesquaque township, cattle, &c., in, act relative to, 459
reported, 521
considered, 657
passed finally, 715
county commissioners of, act relative to pay of, 547
reported, 634
passed finally, 770
Northumberland county—*Continued.*
county auditors, act relative to pay of, 293
reported, 341
passed finally, 403
fees in, act to regulate, 105
passed finally, 119
Forks township, act relative to, 638
Lower Mahanoy township, school directors of, act relative to, 293
reported, 452
Milton borough, notary public in, act relative to,
passed finally, 320
an additional notary public in, act authorizing,
passed finally, 545
return day in the court of common pleas in, act relative to, 888
passed finally, 981
Sunbury borough, act to divide, 458
reported, 519
passed finally, 689
Nye (Senator), mining company, act to incorporate, 343

O.

Oakland township, school directors of, act relative to, 888
passed finally, 981
Oak Hall association of Philadelphia, act to incorporate, 160
first reading, 202
passed finally, 210
Oakdale Skating Park association, act to incorporate, 307
reported, 453
passed finally, 603
Octoraro gold and silver mining company, act to incorporate, 294
reported, 520
passed finally, 690
Odd Fellows' temple, act to incorporate, 221
passed finally, 321
Odd Fellows, Great Island Lodge, No. 320, of, act to exempt from taxation, 292
O'Donnell, Nancy Jane, act relative to, 546
reported, 636
passed finally, 774
Odd Fellows' Hall association of Tremont, act relative to, 746
passed finally, 843
Officers of the House, election of, 2
Officers (retiring) of House and Senate, act to pay, 105
Officers and directors of railroads, act relative to elections of, 341
negatived, 889
Officers of the Thomas A. Scott regiment, act for relief of, 546
passed finally, 982
Ohioville railroad company, act to incorporate, 545
passed finally, 770
Oil City brewing company, act to incorporate, 294
reported, 453
passed finally, 603
acid factory, act to incorporate, 453
passed finally, 603
Oil and mining companies of this Commonwealth, act relative to, 457
reported, 518
passed finally, 610
Oil creek, act relative to bridge over, 457
reported, 518
passed finally, 610
Oil wells, act relative to owners of, 751
Oil City passenger railway company, act to incorporate, 834
passed finally, 953
Oil City, act relative to burgess and town council of, 834
passed finally, 953
Ohio and Pennsylvania canal company, act relative to, 762
Olewine, Anthony, act for relief of, 546
reported, 743
passed finally, 751

Olive Branch school district, act relative to, 638
reported, 746
passed finally, 842
Organization of the House, 1
Orphans' Home at Germantown, petition relative to, 193
Ordinary expenses of the government, act to provide for,
reported, 451
Orphans' Home of the Shepherd of the Lambs, act to incorporate, 453
passed finally, 653
Order of Soldiers and Sailors of 1861, act to incorporate Grand Encampment of, passed finally, 603
Oswayo creek, act relative to running logs down, 638
reported, 745
recommitted, 842
Osceola improvement company, act relative to, 639
reported, 746
passed finally, 843
Otter Point Fish House company, act to incorporate, 307
reported, 453
passed finally, 603
Overseers of the poor in Franklin borough, act relative to, 834
passed finally, 953
Oxford Hall association, act to incorporate, 121
first reading, 144
passed finally, 146
Oxford borough, burgess and town council of, act relative to, 343
reported, 402
passed finally, 569
Oxford Life insurance company, act to incorporate, 546
reported, 655
passed finally, 774

P.

Patterson's Falls, act relative to a ferry on, 159
Paros coal mining company, act to incorporate, 294
reported, 520
passed finally, 691
Pacific Railroad gold mining company, act to incorporate,
passed finally, 321
Park Presbyterian congregation, act relative to,
passed finally, 402
Paupers, act relative to the removal of, 467
reported, 518
passed finally, 976
Pacific iron works, act to incorporate, 745
passed finally, 841
Pennypacker, N. A., representative from Chester county, 16, 70, 93, 149, 751, 752
absence, leave of, granted to, 270
bills in place, by, 68, 107, 126, 294, 459, 656, 657
resolutions offered by, 3, 16, 86, 196
reasons for vote, 221, 461
remarks of, on
resolution relative to amendment of the rules, 128, 188
resolution relative to soldiers of 1812, 139
act relative to sale of agricultural land scrip, 169
act relative to common schools, 172, 512
motion to refer a resolution to the committee on printing, 186
resolution to appoint a committee to examine into the practice of adulterating medicines, 196
act relative to the Agricultural college of Pennsylvania, 278
act relative to taxes in Montgomery county, 464
Pennypacker, N. A.—*Continued.*
act relative to market companies—tax on capital stock, 527
act relative to incorporating the city of Allentown, 542
act to divorce William C. and Lucinda Campbell Gray, 605, 612, 681
act relative to colored people riding in cars, 660
act relative to an agricultural college in Franklin and Cumberland counties, 885
act relative to the military history of the Pennsylvania Reserve Corps, 1029
motion to reconsider vote on resolution to except a Schuylkill county bill, 1059
Peter, W., representative from Allegheny county,
absence, leave of, granted to, 957
bills in place by, 120, 160, 198, 343, 580, 638, 750, 833
Petroleum, reduction of tax on, resolution relative to, 121
Petroleum, reduction of tax on, joint resolution relative to, 137
People's Savings Bank, act relative to, 129
passed finally, 136
Percival, John O., petition from, 194
People's accident insurance company, act relative to, 195
passed finally, 240
Pennsylvania railroad company, act relative to, 218
second reading, 235
third reading, 296
passed finally, 538
Pennsylvania railroad company, in connection with the Ebensburg and Cresson railroad company, act relative to, 459
Pennsylvania railroad company, to appoint watchmen, act relative to, 833
passed finally, 952
Pennsylvania live stock insurance company, act to incorporate,
passed finally, 241
Personal property, act relative to assessment of, 292
Pennsylvania society, act to incorporate, 294
reported, 342
passed finally, 603
Pennsylvania State agricultural society, act to incorporate, 295
reported, 453
passed finally, 604
Pennsylvania Reserve volunteer corps, military history of, act relative to, 308
Petersburg borough, filing of liens, &c., in, act relative to, 308
reported, 451
first reading, 482
passed finally, 489
Pennsylvania gas coal company, act to incorporate,
passed finally, 321
Pennsylvania Boat House association, act to incorporate, 342
passed finally, 421
Petroleum tubing company, act to incorporate, 429
People's passenger railway company, act relative to, 459
passed finally, 719
Penal proceedings in certain cases, act relative to, 518
People's bridge company, act to incorporate, 520
passed finally, 844
Pennsylvania and New Jersey bridge company, act to incorporate, 545
reported, 743
passed finally, 837
Pennsylvania and North Carolina gold and silver mining company, act to incorporate, 547
reported, 634
passed finally, 770
Perry bridge company, act to incorporate, 547
reported, 745
passed finally, 842
Pennsylvania steel company, act relative to, 635
passed finally, 773
Penal laws of the Commonwealth, act relative to, 656
Pennsylvania light and water company, act to incorporate, 657
passed finally, 775
People's accident insurance company of Pennsylvania, act to incorporate, 741
passed finally, 837
Pennsylvania Nicholson pavement company, act to incorporate, 834
passed finally, 953
Perry county:
Haleytown in, act relative to, 160
first reading, 202
passed finally, 210
mountain roads in, act relative to, 159
first reading, 202
mountain roads in, act to regulate, 294
reported, 452
passed finally, 598
Madison township, additional officers in, act relative to,
passed finally, 304
New Germantown village, act relative to, 293
reported, 453
Penn township, licenses in, act relative to, 638
passed finally, 844
Toboyne township, act relative to, 292
Wheatfield township, school directors of, act relative to, 651
passed finally, 775
Pension to Jacob Hurst, act to grant, 48
Phelan, John, representative from Greene county,
absence, leave of, granted to, 655, 957
bills in place by, 120, 161, 199, 293, 467, 546, 764, 834
Phillipsburg coal, iron and oil company, act relative to, 56
reported, 126
first reading, 145
passed finally, 146
Phœnixville borough, lands and school houses in, act relative to, 105
first reading, 144
passed finally, 147
Phillipsburg and Rochester ferry company, act to incorporate, 294
passed finally, 600
Philadelphia and Bridgeport steamboat company, act to incorporate, 307
reported, 453
passed finally, 603
Philadelphia coal company, act to incorporate, 519
passed finally, 690
Enterprise, &c., company, act to incorporate, 519
passed finally, 690
Physicians, act for the protection of, 546
reported, 633
Philadelphia woolen machine works, act to incorporate, 548
reported, 635
passed finally, 773
Polytechnic college, act to incorporate, 548
passed finally, 635
Philadelphia mercantile college, act to incorporate, 548
reported, 635
passed finally, 773
silver mining company, act to incorporate, 567
reported, 634
passed finally, 770
Philadelphia passenger railway company, act to incorporate, 636
passed finally, 774

Philadelphia commercial wharf and railroad company, act relative to, 745
passed finally, 839
Philadelphia summer resort, act to incorporate, 746
passed finally, 843
Phillipsburg borough, school directors of, act relative to, 759
passed finally, 843
Philadelphia paper hangings manufacturing company, act to incorporate, 834
passed finally, 953
Philadelphia wooden ware manufacturing company, act to incorporate, 881
passed finally, 981
Philadelphia and West Chester turnpike road company, act relative to, 888
passed finally, 981
Philadelphia county prison, act relative to inspectors of, 105
passed finally, 119
Philadelphia, Germantown and Norristown railroad, petition for removal of, 193
Philadelphia grain, &c., company, act to incorporate, 294
reported, 453
passed finally, 603
Philadelphia County Real Estate association, act to incorporate, 342
passed finally, 415
Philadelphia high school, act to incorporate, 543
reported, 635
Philadelphia city:
act relative to charter of, 105
first reading, 144
passed finally, 147
act relative to charter of, 744
passed finally, 990
buildings in, act relative to regulation and inspection of, 293
reported, 451
second reading, 629
courts of oyer and terminer in, act relative to, 239
passed finally, 445
coroner in, act relative to, 451
third reading, 658
consuls of, act relative to, 638
reported, 744
passed finally, 1023
debt of, act relative to, 458
reported, 634
fees of clerk of quarter sessions in, act relative to, 105
passed finally, 119
ground for public purposes in, act relative to, 205
reported, 451
grounds in the Eleventh ward, act to sell, 308
reported, 519
passed finally, 689
ground in, act to confirm title to a certain lot of, 222
reported, 342
passed finally, 415
notaries public in, act relative to, 158
reported, 200
passed finally, 320
notaries public in, act relative to, 221
passed finally, 320
poor house in, act relative to, 105
petroleum in, act relative to, 125
reported, 194
passed finally, 686
places of amusement in, act relative to, 125
passed finally, 304
passenger cars running on Sunday, act relative to, 193
reported, 243
second reading, 250
negatived, 348
reconsidered and passed finally, 461
professional thieves in, act relative to, 221
passed finally, 321

Philadelphia city—*Continued.*
professional thieves in, supplement to act, 656
passed finally, 947
receiver of taxes in, act relative to, 105
real estate in, act relative to certain, 194
Rising Sun lane in, act relative to, 194
snow and ice in, act relative to dissolving, 150
passed finally,
taxes in, act relative to equal assessment of, 175
passed finally,
taxes in, supplement to act, 228
reported, 632
passed finally, 769
Twenty-fourth ward of, act relative to, 457
reported, 518
passed finally, 610
act relative to, 656
Woodward street in, act relative to, 194
passed finally, 240
Pillow, H., representative from Butler county, 44, 476, 752
absence, leave of, granted to, 828
bills in place by, 293, 343, 457, 459, 460, 639, 750, 764
petitions presented by, read, 44
resolutions offered by, 22
remarks of, on
act to change the venue in case of Gallagher vs. Christy, 611
Pioneer bridge company, act to incorporate, 160
first reading, 202
passed finally, 251
Pine Creek bridge company, act relative to, 194
passed finally, 240
Pittsburg tunnel company, act to incorporate, 221
reported, 453
passed finally, 719
Pittsburg and Birmingham railroad company, act to incorporate, 241
passed finally,
Pithole gas and water company, act to incorporate, 320
passed finally,
Pittsburg and Connellsville railroad company, act relative to, 601
considered,
Pittston borough, school district, act relative to, 638
reported, 746
passed finally, 842
Pittsburg and Waynesburg railroad company, act to incorporate, 656
passed finally, 774
Pickering gold and silver mining company, act to incorporate, 657
passed finally, 774
Pittsburg and Arizona gold and silver mining company, act to incorporate, 745
passed finally, 841
Pittston Industrial Co-operative association, No. 1, act to incorporate, 746
passed finally, 843
Pittsburg and Minersville railroad company, act relative to, 888
passed finally, 981
Pittsburg and East Liberty railroad company, act to incorporate, 126
first reading, 145
passed finally, 150
Pittsburg city fire alarm and police telegraph, act relative to, 105
passed finally, 119
Pittsburg city:
Spruce alley in, act relative to, 105
first reading, 204
passed finally, 402
notaries public in, act relative to, 126
drunkenness, &c., in, act relative to, 195
taxes in, act relative to assessment of, 458
negatived, 951

Pittsburg city—*Continued.*
police districts, act to divide into, 576
reported, 634
objected to, 770
negatived, 952
Plymouth borough, act to divide, 159
first reading, 201
passed finally, 208
Pneumatic tube company, act to incorporate, 342
passed finally, 420
Pottsville borough, act relative to, 159
first reading, 201
passed finally, 208
railroad station in, act relative to, 452
first reading, 483
passed finally, 490
Pottstown iron company, act to incorporate, 238
passed finally, 274
Polytechnic college, act relative to, 292
Point township, drainage of certain lands in, act relative to, 295
reported, 342
first reading, 484
Powelton iron company, act relative to, passed finally, 321
Powhattan gold and silver mining company, act to incorporate, 548
reported, 634
passed finally, 770
Political processions after dark in Philadelphia, act relative to, 750
Porter township, supervisors in, act relative to pay of, 764
passed finally, 882
Potter county:
billiard saloons in, act relative to, 548
passed finally, 719
commissioners of, act relative to, 461
reported, 518
passed finally, 610
Foreign improvement company, act to incorporate, 820
passed finally, 691
intoxicating drinks in, act relative to, 121
passed finally, 144
lands in, act relative to sale of, 125
first reading, 144
passed finally, 150
lands in, act to attach certain, 459
reported, 520
passed finally, 690
State road in, act relative to, 195
first reading, 202
second reading, 449
passed finally, 474
West Branch township, road tax in, act relative to, 321
passed finally,
Prayer, resolution requesting the Rev. L. Kennedy to open daily sessions of the House with, 16
Prisons, act authorizing Governor to appoint persons to visit, 47
Protestant Episcopal Church, Diocese of Pennsylvania, act to authorize sale of real estate by, 294
reported, 520
passed finally, 690
Privy walls in Philadelphia, act to prevent injury to, 295
passed finally, 569
Prairie Du Chien mining company, act to incorporate, 634
passed finally, 770
Prize fighting in Pennsylvania, act relative to, 637
passed finally,
Presbyterian congregation of Clearfield county, act relative to trustees of, 744
Purdon's Digest and Ziegler's Manual, resolution authorizing purchase of, 3
Punxatawney borough, school directors of, act relative to, 240
passed finally,

Public roads, selling and repairing of, act relative to, 294
reported, 452
Public printing, and Juniata county, act relative to, 295
Public schools, act relative to controllers of, 308
reported, 453
Public officers and their sureties, act relative to, 638
reported, 744
passed finally, 837
Puebla gold and silver mining company, act to incorporate, 656
reported, 745
passed finally, 841

Q.

Quay, M. S., representative from Beaver county, 16, 24, 61, 104, 109, 125, 301, 379, 476, 542, 549, 612, 747, 840, 1099
petitions presented by, 59
bills in place by, 20, 69, 106, 112, 120, 126, 198, 199, 218, 222, 293, 294, 295, 304, 308, 343, 456, 458, 460, 545, 656, 657, 742, 764, 833, 834, 888, 1022
resolutions offered by, 61, 269, 835, 846, 983
remarks of, on
resolution to amend the rules, 157, 188, 198, 220
act relative to the State agency at Washington, 470
act to lay a tax on coal, 537
resolution appointing a committee of inquiry relative to the deposits made by banks, &c., with the State Treasurer, 579
act to divorce Wm. C. and Lucinda Campbell Gray, 612, 681
act relative to colored people riding in cars, 660
act relative to change of venue from Armstrong to Allegheny county, 687, 720, 901
act to divide Port Carbon borough, Schuylkill county, into two wards, 691
act relative to associations for publishing periodicals, &c., 889
act to divide Port Carbon, Schuylkill county, 900
act relative to the school directors of Bradford county, 1028, 1034
act relative to the jurisdiction of courts in equity cases, 1050
Quaker City passenger railroad company, act to incorporate, 221
Quaker City barge club, act to incorporate, 520
passed finally, 691
Quarryville, &c., turnpike road company, act to incorporate, 751
passed finally, 844
Quinterro mining company, act to incorporate, 125
reported, 159
first reading, 201
passed finally, 210
Quigley, Geo. A., representative from the Ninth district, Philadelphia, 16, 17, 24, 58, 140, 751
bills in place by, 113, 308, 459, 547, 656, 657, 834
resolutions offered by, 436
remarks of, on
resolution to appoint committee to contract for *Legislative Record*, 3
resolution relative to the Venango County Bank, 66
resolution relative to Edgar Cowan, 90
act to change the venue in case of Stevens and Harmon, 110
act relative to Calvary Monumental church, 113
Quigley, G. A.—*Continued.*
resolution relative to amendment of the rules, 129, 187, 197
act relative to hour of closing elections in Philadelphia, 147
act to divorce Daniel Wilson and his wife, 323
an act relative to running passenger cars on Sunday, in Philadelphia, 347
act to incorporate the city of Allentown, 542
resolution appointing a committee of inquiry relative to deposits made by banks, &c., with the State Treasurer, 579
act relative to the rate of interest, 581
act relative to colored persons riding in cars, 586, 660
act relative to the storage of petroleum, &c., in Philadelphia, 686
act to incorporate the Rev. Hugh M'Laughlin society of Philadelphia, 692, communication from the M. E. Conference, 713
act to provide for the payment of certain military claims, 732
act relative to the neutrality laws, 735
act relative to the Philadelphia "gas trust," 776, 827
act relative to the protection of seamen in Philadelphia, 832
resolution to consider a general railroad law, 832
act relative to local telegraph lines in Philadelphia, 885
point of order raised on Senate bill No. 275, 895
act relative to supervisors in certain rural wards of Philadelphia, 955
act relative to the Cranberry coal company, 982
act relative to the paving of College avenue, Philadelphia, 982
resolution relative to labor, 988
act relative to impurities in the river Schuylkill, 1056
act to change a venue from Allegheny to Jefferson county, 1066
appropriation bill, 1106
final adjournment, presentation, &c., 1132

R.

Railroad reports (printed), resolution relative to, 175
Railroads, &c., act relative to sale of, 195
passed finally, 319
Railroads, a further act, 293
reported, 518
a further act, 457
reported, 744
Railroad corporations, to make no distinction in passengers on account of color, act requiring, 239
considered, 585, 586, 587
passed finally, 664
Railroad Bureau, act relative to, 452
Railroads, act regulating the formation of, 457
reported, 633
passed finally, 995
Railroad cars in York, act relative to, 547
reported, 634
passed finally, 770
Railroad companies, supplement to act to regulate, 547
Railroad companies, carriage of baggage by, act relative to, 633
passed finally, 1038
Returns of election of members of the House, presented by the Secretary of the Commonwealth, 1
Retiring officers of the House, act relative to pay of, 17
Real estate, act relative to the sale and conveyance of, recalled from Governor, 17
Receivers of taxes in Philadelphia, act relative to, 20
passed finally, 20
Real Estate savings institution, act to incorporate, 121
first reading, 144
passed finally, 146
vetoed by Governor, 312
Reading city, certain property in, act relative to, 129
reported, 200
Reading city, act relative to the municipal corporation of, 159
first reading, 202
passed finally, 274
Reading and Treverton railroad, act to incorporate, 307
reported, 634
passed finally, 770
Reading passenger railway company, act relative to, 636
objected, 774
passed finally, 952
Reading school district, money loaned to, act to exempt from taxation, 950
passed finally, 982
Redbank furnace, act relative to a ferry over the Allegheny river at, 159
first reading, 201
passed finally, 210
Reynolds monument association, act relative to, 160
first reading, 201
passed finally, 210
Revenue Extension silver mining company, act relative to, 194
passed finally, 240
Redbank navigation company, act to incorporate, 195
passed finally, 240
Reed, George, act relative to claim of, 292
reported, 454
Renovo borough, school directors of, act relative to, 293
reported, 452
passed finally, 600
Recorder of deeds to record discharges, act authorizing, 294
reported, 454
Resource Domestic company, act to incorporate, 294
passed finally, 610
Reightmeyer, A. F., act relative to, 318
reported, 636
passed finally, 774
Reily, William, act to divorce from his wife, passed finally, 321
Reynold, Clark D., and wife, act to divorce, 344
Real and personal estate, act relative to, passed finally, 437
Renner, Enos C., act relative to, 456
passed finally, 747
Revenue of the Commonwealth, act to increase, 536
reported, 632
passed finally, 637
Reiss, Otto W., and wife, act to divorce, 547
reported, 634
passed finally, 770
Reserve township, act to incorporate, 580
reported, 744
Reno shipping company, act relative to, 635
passed finally, 734
Review printing house company, act to incorporate, 657
passed finally, 773
Real estate, act validating title to certain, 722
passed finally, 900
sale and conveyance of, act relative to, 744
Revenues of Philadelphia, act to increase, 764
Revenues of the Commonwealth, act to increase, 888
passed finally, 1050
Real estate in Philadelphia, act relative to certain,
passed finally, 801
Registers and registers' courts, act relative to, 239

Reno oil company, act relative to, negatived, 1057
Rhoads, H. B., representative from Berks county, 1057
absence, leave of, granted to, 957
bills in place by, 106, 120, 295, 458, 656, 764, 950
remarks of, on
act relative to colored people riding in cars, 664
act relative to the Cranberry coal company, 982
resolution relative to labor, 987
act relative to the German Reformed congregation of Reading, 1037
Richards, J. T., representative from Fulton county, 522, 751, 893, 1069
absence, leave of, granted to, 303, 655
bills in place by, 567, 764
remarks of, on
act relative to a school house in Harrison township, Fulton county, 515
act relative to local telegraph lines in Philadelphia, 885
Richland Township insurance company, act to incorporate, 158
passed finally, 321
Ringgold library company, act to incorporate, 348
reported, 453
passed finally, 603
River Red gold and silver mining company, act to incorporate, 546
reported, 634
objected, 770
passed finally, 773
Rich Valley Co-operative society, act to incorporate,
passed finally, 976
Roath, E. D., representative from Lancaster county, 61, 370
bills in place by, 112, 160, 222, 457, 639, 656, 657, 750
petitions presented by, read, 182
resolutions offered by, 58
remarks of, on
act relative to Elias Tome, 391, 474
act relative to bounties in Dillsburg, York county, 883
Robinson, K., representative from Schuylkill county, 1
Roush, Charles D., representative from Union county.
bills in place by, 221, 293 548, 656, 657
remarks of, on
act relative to the borough of Montoursville, Lycoming county, 566
Roads in the county of Delaware, act relative to the drainage of,
passed finally, 21
Roberts, Peter, act for the relief of, 159
first reading, 201
passed finally, 210
Rouseville bridge company, act to incorporate, 159
first reading, 202
passed finally, 251
Road laws in Tioga and Potter counties, act to amend, 295
reported, 452
passed finally, 598
Rochester and Phillipsburg ferry company, act to incorporate, 452
Rob Roy gold and silver mining company, act to incorporate, 519
passed finally, 690
Rots, Margaret, act granting a pension to, 546
passed finally, 774
Road jurors in Philadelphia, act relative to pay of, 634
passed finally, 770
Roads in Lower Merion township, act relative to, 635
Road commissioners in Warren county, act relative to, 635
Robinson, Elisha, act relative to lands of, 750
passed finally, 843
Roberts, Wm., and wife, act to repeal act to divorce, 764
passed finally, 882
Roads in Dauphin county, act relative to, 64
Rules of the last House, resolution relative to, 3

S.

Satterthwait, E., representative from Montgomery county, 119, 421, 456
absence, leave of, granted to, 682
bills in place by, 107, 160, 198, 293, 308, 764
resolutions offered by, 185
remarks of, on
resolution relative to Edgar Cowan, 91
act relative to common schools, 173, 223
motion to refer a resolution to the Committee on Printing, 185
resolution to amend the rules, 189
resolution to print report of the State Agricultural society, &c., 269
act authorizing the Pennsylvania railroad company to increase its capital stock, &c., 298
act to change the venue in case of Shupe, Leib and others, 305, 422
act relative to the Kensington and Oxford turnpike road company, 322
act to divorce Daniel Wilson and his wife, 324
act relative to the law of evidence, 367
act relative to the soldiers of 1812, 375
act relative to taxes in Montgomery county, 402, 445, 483
motion to strike out the word "white" from an act of incorporation, 416
act relative to market companies, tax on capital stock, 527
act relative to an agricultural college in Franklin and Cumberland counties, 885
act relative to supervisors in certain rural wards of Philadelphia, 955
act relative to viewers in Lawrenceville, 956
act relative to the standard of weights and measures, 989
act relative to the inspection of cattle in Philadelphia, 990
act relative to the Kensington and Oxford turnpike road company, 1033
act relative to impurities in the river Schuylkill, 1055, 1057
Sale of railroads, act to extend provisions of an act relative to sales made by virtue of a power of sale on mortgage, &c., 34
Safe Deposit company, act to incorporate, 129
passed finally, 136
Safety Fund association, act to incorporate, 459
reported, 522
passed finally, 716
Savings Institution, act to incorporate, 460
reported, 522
passed finally, 719
Savage Extension gold and silver mining company, act to incorporate, 548
reported, 634
passed finally, 770
Sandusky and Irvine Street bridge company, act to incorporate, 635
objected to, 771
passed finally, 952
Seiler, J., representative from Dauphin county, 61, 348
bills in place, by, 68, 69, 106, 120, 161, 199, 292, 293, 295, 343, 457, 458, 459, 657, 764, 832, 888
Sessions of the House, resolution relative to the time of commencing, 3
Senator, act relative to the manner of electing, 24
passed finally, 105
Secretary of the Commonwealth, salary of, act relative to, 125
passed finally, 138
Sewickley borough, school directors of, act relative to, 158
passed finally, 241
Seated lands, non-payment of taxes on, act relative to, 159
passed finally, 274
Sell, Daniel, act relative to farm of, 293
reported, 453
passed finally, 603
Select committee on case of Charles D. Roush, report of, 450
Senator Nye mining company, act to incorporate, 579
passed finally, 690
Seated lands, assessment of taxes on, act relative to, 545
reported, 635
passed finally, 773
Sewers in Philadelphia, act relative to, 751
passed finally, 844
Sensenbach, John, act relative to, 834
passed finally, 953
Sequestrator of Carlisle, act to increase the fees of, 989
Scranton association of mechanics, &c., act to incorporate, 121
first reading, 144
passed finally, 146
Scott, Benjamin, act for relief of, 125
first reading, 144
passed finally, 146
Schuylkill river, bridge over, at Philadelphia, act relative to, 193
reported, 519
Schuylkill insurance company, act to incorporate, 202
reported, 453
passed finally, 603
Scranton Savings Bank, act to incorporate, 238
passed finally, 321
Schuylkill county, moneys arising from forfeitures in, act relative to, 57
Scranton city, act to incorporate, 238
reported, 519
passed finally, 770
Schneck, John and Margaret, act to divorce, 294
reported, 454
passed finally, 605
Schoenleber, Wm. D., act relative to, 308
reported, 454
passed finally, 604
Schuylkill street, Norristown, act to vacate, 615
passed finally, 615
Scheffer, Theo. F., act relative to, 125
reported, 450
first reading, 482
passed finally, 489
Scranton base ball club, act to incorporate, 685
reported, 746
Scranton market company, act to incorporate, 746
passed finally, 843
Schofield, Charles and wife, act to divorce, 8
passed finally, 884
Schuylkill county:
Ashland, school directors of, act relative to, 731
Blythe township, roads in, act relative to, 342
passed finally, 415
court of quarter sessions in, act relative to, 638
reported, 746
passed finally, 842
election districts in, act relative to, 467
passed finally, 689

Schuylkill county—*Continued.*
election officers in, act relative to pay of, 764
passed finally, 882
game in, act relative to, 295
reported, 453
passed finally, 604
hawking and peddling in, act relative to, 518
passed finally, 611
livery stable men in, act to protect, 883
passed finally, 981
moneys in, act to appropriate, 125
reported, 159
first reading, 201
passed finally, 208
Minersville borough, school directors of, act relative to, 239
passed finally, 320
elections in, act relative to, 519
passed finally, 689
notary public in, act relative to, 834
negatived, 953
Port Carbon borough, act to divide, 519
reported, 689
negatived, 692
reconsidered and passed finally, 900
public officers in, act relative to, 834
passed finally, 953
Pinegrove borough, act to incorporate, 953
passed finally, 953
roads and highways in, act relative to, 159
first reading, 202
passed finally, 210
Shenandoah borough, act relative to council of,
passed finally, 320
Tremont borough, act relative to council of,
passed finally, 981
Sharpless, N. J., representative from Chester county, 15, 147, 346, 751, 888
bills in place by, 68, 161, 199, 222, 293, 295, 458, 467, 546, 764
petitions presented by, read, 656
resolutions offered by, 3, 137, 198, 751
reasons for vote, 221, 461
remarks of, on
printing Governor's inaugural address, 87
resolution relative to Edgar Cowan, 97
act relative to sale of agricultural land scrip, 169
act relative to common schools, 173, 225, 439, 522
motion to refer a resolution to the Committee on Printing, 186
resolution to amend the rules, 187
act relative to the Agricultural college of Pennsylvania, 278
act relative to the sale of railroads, &c., 319
act relative to the estate of George Frey, 325
act relative to the selection of jurors, 360, 379
act relative to taxes in Montgomery county, 445, 483
resolution relative to temporary adjournment, 468
act relative to the drainage of certain lands in Northumberland county, 484
supplement to the general election laws, 580
act for the benefit of schools in Susquehanna county, 601
act to divorce William C. and Lucinda Campbell Gray, 605, 613
act relative to the inspection of cattle in Philadelphia, 825, 691
act relative to school directors in Bradford county, 955, 1034
act relative to the Erie Valley railroad company, 1068
Shuman, G. A., representative from Perry county,
absence, leave of, granted to, 270
Shuman, G. A.—*Continued.*
bills in place by 68, 293, 294, 295, 304, 548, 657
remarks of, on
act relative to licenses in Penn township, 17
act relative to the selection of jurors, 378, 1062
act to divide Chapman township, Clinton county, 611
act to change the venue in case of Gallagher vs. Christy, 612
act to provide for the payment of certain military claims, 734
Shawmut and Ridgway railroad and Pennsylvania Cannel coal company, act to consolidate, 57
reported, 239
Shenango river, act relative to improvement of, 221
Shupe John, act to change venue in case of, 221
passed finally, 474
Sheep, protection of, act relative to, 222
reported, 306
act relative to, 295
reported, 453
passed finally, 603
Shickshinny and Cambria turnpike road company, act to incorporate, 342
passed finally, 415
Shakspeare silver mining company, act relative to, 344
reported, 519
passed finally, 690
Shenandoah water company, act to incorporate, 459
reported, 520
passed finally, 690
cemetery association, act to incorporate, 459
reported, 521
negatived, 715
Shaffer, Emanual H., and wife, act to divorce, reported, 522
Shippensburg iron manufacturing company, act to incorporate, 545
reported, 634
passed finally, 770
Shamokin school district, act relative to, 548
Shafton coal company, act relative to, 745
passed finally, 841
Shawsville bridge company, act to incorporate, 746
passed finally, 843
Sharon Savings Bank, act to incorporate, 751
passed finally, 882
Sixth Judicial district, act to regulate term in, 125
passed finally, 320
Sixth Judicial district, supplement to, passed finally, 476
Sixteenth Judicial district, act relative to, 129
Sisters of Mercy, act to incorporate order of, 136
reported, 195
passed finally, 240
Silver Bullion mining company, act to incorporate, 294
reported, 519
passed finally, 690
Simon, Nicholas, act relative to, 457
passed finally, 476
Sierra Mollina gold and silver mining company, act to incorporate, 548
reported, 634
passed finally, 770
Sierra Nevada mining company, act to incorporate, 751
passed finally, 844
Snively, Jacob, act relative to, 294
reported, 453
passed finally, 603
Smith, Edward, act to legitimate, 458
reported, 518
passed finally, 610
Snyder county:
fees of treasurer in, act relative to, 129
first reading, 145
passed finally, 146
fees of commissioners in, act relative to, 125
first reading, 145
passed finally, 146
fish in Middle creek, act relative to, 193
reported, 306
first reading, 483
second reading, 494
transcribed, 658
Middleburg school district, petition relative to, 193
act relative to property in, 457
road viewers in, act relative to, 298
reported, 341
first reading, 483
passed finally, 494
Washington township, school directors of, act relative to, 656
Somerset county:
Jefferson township, act relative to fishing and hunting in, 308
reported, 453
passed finally, 603
land in, act relative to title of certain, 744
South Erie borough, act relative to, 105
first reading, 144
passed finally, 146
Soldiers of 1812, act relative to, 125
considered, 137, 371
Southwark library company of Philadelphia, act relative to, 292
reported, 341
Soldiers, discharged, act to exempt from State tax, 343
Soldiers, disabled, act authorizing to peddle without license, 457
reported, 518
passed finally, 722
Sons of Herman, Hall association of Philadelphia, act to incorporate, 459
reported, 521
negatived, 715
South Pittsburg Co-operative association, act to incorporate, 545
reported, 746
passed finally, 843
Soldiers of 1812, act to exempt from payment of bounty tax, 546
Somerset school district, act relative to, 548
reported, 746
Soldiers, sailors and marines, joint resolution relative to equalizing bounties of, 657
passed finally, 664
Souder, David, act relative to, 744
South Witmer Run navigation company, act to incorporate, 746
passed finally, 843
South Mountain railroad company, act relative to, 834
passed finally, 953
Speaker of the House, election of, 1
address of, 1
Special injunctions, act relative to orders and decrees granting, 121
first reading, 144
passed finally, 146
Springfield turnpike road company, act to incorporate, 194
passed finally, 240
Spirituous liquors in Philadelphia, petition relative to the retailing of, 292
Spruce Grove lumber and land company, act to incorporate,
passed finally, 400
Spanish Bar gold and and silver mining company, act to incorporate, 458
reported, 520
passed finally, 690
Specie Basis mining company, act to incorporate, 520
passed finally, 690

Spring Run oil and lumber, and Benezet oil and coal companies, act to consolidate, 547
reported, 745
passed finally, 841
Spring Garden soup society, act relative to, 639
reported, 746
passed finally, 842
Springhill township, school directors of, act relative to, 750
passed finally, 952
Steacy, D. G., representative from Lancaster county.
bills in place by, 156, 308, 456, 548, 657
Stehman, John M., representative from Lancaster county, 119, 376, 946
bills in place by, 126, 546, 751, 835
remarks of, on
act relative to the city of Lancaster, 119
Stumbaugh, F. S., representative from Franklin county, 2, 16, 162, 461, 473, 476, 528, 747, 751, 801, 846
bills in place by, 70, 71, 106, 199, 221, 292, 293, 294, 308, 458, 459, 460, 467, 546, 638, 764, 833, 1023
petitions presented by, read, 883
resolutions offered by, 23, 137, 252, 341, 1117
remarks of, on
resolution relative to the charges of corruption in reference to the office of United States Senator, 23
act relative to fees of jurors, &c., in Franklin county, 26
act to change the venue in case of Stevens and Harmon, 100
act relative to soldiers of 1812, 139, 372
resolution relative to the Legislative Hand-book, 252
act relative to the Agricultural college of Pennsylvania, 277
act relative to the State agency at Washington, 470
act relative to the common school system, 509
act relative to licensing hotels, &c., 523
act relative to Green township, Clinton county, 604
act relative to colored people riding in cars, 660
act relative to the German Reformed congregation of Reading, 664, 1037
act to provide for the payment of certain military claims, 731
supplement to an act to incorporate the city of Williamsport, 741
supplement to an act to incorporate the Holland Valley railroad and mining company, 773
report from an investigating committee, 262
act relative to bounties in Dillsburg, York county, 882
act relative to an agricultural college in Franklin and Cumberland counties, 884
act relative to viewers in Lawrenceville, 956
act relative to the Cranberry coal company, 982
appropriation bill, 1104
act relative to the Wilkesbarre and Pittston railroad company, 1109
act relative to moneys appropriated to cemeteries, 1118
Standing committees, resolution relative to the increase of, 16
State Treasurer, annual report of, 17
nomination of candidates for, 24
election of, 35
Stanton, E. Cady and Lucy Stone, petition from, 80
State Librarian, annual report of, 24
State road in M'Kean county from Marsh's Corners to Philadelphia, act relative to, passed finally, 17
St. Mary's borough, act relative to streets in, 174
passed finally, 320
State agents at Washington, act relative to pay of, 34
reported, 194
first reading, 358
second reading, 470
passed finally, 517
State Bank circulation, act imposing a tax on, 221
State road in M'Kean county, act relative to commissioners of, 238
passed finally, 320
Stump, George H., act to legitimate, 293
reported, 451
first reading, 482
passed finally, 489
Stackhouse, David and wife, act to divorce, 347
reported, 544
State road from Curwensville, act relative to, 459
reported, 519
Stover, Zacharinh, act relative to, 460
reported, 636
Stroudsburg Bank, act relative to capital stock of,
passed finally, 476
State road from Tarentum borough, act relative to, 545
reported, 634
second reading, 771
passed finally, 951
State road in Venango and Butler counties, act relative to, 549
reported, 634
passed finally, 771
Strasburg township, school directors of, act relative to, 548
reported, 636
passed finally, 774
St. Vincent's Cemetery association, act to incorporate, 548
reported, 635
passed finally, 773
Steam engines south of Lehigh avenue, Philadelphia, act relative to, 550
negatived, 836
State road in Lehigh and Bucks counties, act relative to, 635
passed finally, 771
Stationary steam engines in Philadelphia, act relative to an inspector of, 638
Stockholders of railroad companies, act relative to, 657
passed finally, 774
State debt, act relative to, 657
passed finally, 801
Stenck, Nicholas, act relative to, 714
Streets and sewers in Pittsburg, act relative to, 744
passed finally, 838
State road from Wilcox, &c., act relative to, 745
passed finally, 842
State road in Schuylkill and Columbia counties, act relative to, 745
passed finally, 989
State road in Plymouth township, act relative to, 745
passed finally, 842
State road near Willis' Mill, act relative to, 758
negatived, 947
State road in Schuylkill and other counties, act relative to, 751
passed finally, 844
St. Clair village, act to incorporate, 886
passed finally, 981
Steinfort, John, act relative to will of, 886
passed finally, 981
Sterling township, act relative to fish in, 888
passed finally, 981
Subers, James, representative from the Seventh district, Philadelphia, 607, 989 994
bills in place by, 68, 126, 150, 160, 199, 221, 457, 458, 459, 467, 546, 547, 750, 834
resolutions offered by, 61
petitions presented by, read, 949
remarks of, on
resolution to print the Gettysburg report, 61
act relative to the inspection of buildings in Philadelphia, 629
act relative to the inspection of lumber in Philadelphia, 949
act relative to paving College avenue, Philadelphia, 983
Sullivan county, fees of certain officers in, act to increase, 57
Sullivan land company, act relative to, 105
Sullivan turnpike road company, act to incorporate, 238
passed finally, 251
Superintendent of Public Printing, act relative to, 344
reported, 454
passed finally, 889
Susquehanna boom company, act relative to increase of tolls of, 459
Sugar Notch and Warrior's Run coal company, act to incorporate, 467
reported, 519
passed finally, 689
Summit turnpike road company, act to incorporate, 520
passed finally, 690
Suits in court, act relative to forms of action in commencement and trial of, 546
Susquehanna summer resort, act to incorporate, 548
passed finally, 710
Supreme Court, act relative to publication of decisions of,
passed finally, 610
Superior iron company, act to incorporate, 634
passed finally, 689
Susquehanna river, fish in, act relative to, 439
passed finally, 844
Susquehanna river, fish in, act relative to, 639
passed finally, 774
Susquehanna and Delaware railroad company, act relative to, 745
passed finally, 838
Superintendent of common schools in York and other counties, act relative to, 746
passed finally, 842
Sugar Creek mining and transportation company, act relative to, 764
passed finally, 882
Sunbury and Erie railroad company, act relative to, 833
Success mining company, act to incorporate, 834
passed finally, 953
Summit coal and iron company, act to incorporate, 886
passed finally, 981
Sullivan county:
fees of officers in, act relative to, 57
reported, 105
passed finally, 128
Hillsgrove, petition from, 193
road laws of, act relative to, 167
Susquehanna county:
Brooklyn township, school directors of, act relative to, 293
reported, 212
passed finally, 716
commissioners of, act relative to, 714
passed finally, 775
forfeited recognizances, act relative to, 201
passed finally, 210
Lenox township, road laws in, act relative to, 307
reported, 452
passed finally, 600

Susquehanna county—*Continued.*
Middleton township, supervisors in, act relative to election of, 295
reported, 452
passed finally, 600
Montrose borough, burgess and town council of, act relative to, 295
reported, 452
New Milford, school directors of, act relative to,
passed finally, 801
Susquehanna Depot borough, act to appropriate money for school purposes in, 294
reported, 462
passed finally, 600
Susquehanna Depot Protective Union, act to incorporate, 307
reported, 452
first reading, 482
passed finally, 490
Swatara company, act to incorporate, 341
passed finally, 415
Swatara Falls coal company, act relative to, 634
passed finally, 770

T.

Tax collecting in Robinson township, petition relative to, 193
Tariff bill in Congress, resolution urging passage of, 202
Taxes from soldiers, act relative to collection of,
passed finally, 456
Taylor school district, act relative to, 459
passed finally, 476
Taylor, Wm. A., and wife, act to divorce, 636
passed finally, 882
Tate & Wilson, act relative to, 1023
Teachers' institute, act to incorporate, 342
passed finally, 421
Tenants of mineral lands, act relative to, 457
reported, 518
Tender of money to be made after suit brought, act authorizing,
passed finally, 527
Ten Mile creek, fishing with seines in, act relative to, 764
passed finally, 882
Teachers' institute of Philadelphia, act relative to, 834
passed finally, 953
Thirty-fifth street, Philadelphia, act relative to, 547
reported, 744
passed finally, 838
Tharp, C. W., representative from Northumberland county,
bills in place by, 69, 120, 160, 293, 294, 295, 457, 458, 460, 546, 547, 548, 638, 714, 741, 751, 833, 834, 888
remarks of, on
act relative to an additional law judge in the Eighth district, 311, 400
act relative to Elias Tome, 394
act relative to the drainage of certain lands in Northumberland county, 484
act relative to an election in Danville, Montour county, 544
act to divorce John and Margaret Schenck, 604
act relative to change of venue in case of M'Farland vs. Shoemaker, 629
act relative to colored people riding in the cars, 664
Tidioute, Warren county, act relative to borrowing money for school purposes,
passed finally, 22
Titusville and Pithole plank road company, act to incorporate, 194
passed finally, 402
Tioga navigation company, act to incorporate, 238
Tioga County agricultural society, act relative to, 295
reported, 453
passed finally, 604
Tidioute Oil Pipe association, act to incorporate, 307
Tioga railroad company, act relative to, 341
passed finally, 403
Titusville city, act relative to loans in, 343
reported, 452
passed finally, 569
Titusville Oil storage company, act to incorporate, 467
negatived, 982
Tidioute Oil Producers' pipe company, act to incorporate, 547
Tidioute railroad company, act to incorporate, 547
reported, 634
passed finally, 770
Titusville city, act relative to common council of,
passed finally, 579
Tierman, John, act for relief of, 633
passed finally, 769
Titusville city, act relative to certain elections in,
passed finally, 835
Tioga county:
bounty bonds in, petition relative to, 193
Cowanesque river, act relative to, 144
passed finally, 146
Cedar run, a public highway, act to declare, 150
first reading, 201
passed finally, 210
Covington borough, act relative to, 834
passed finally, 952
Lawrenceville, roads in, act relative to, 458
reported, 519
passed finally, 689
Mainesburg borough, school tax in, act relative to, 520
passed finally, 690
poor house in, act relative to, 293
reported, 450
first reading, 482
passed finally, 493
Town council, act to change mode of electing in certain boroughs,
passed finally, 17
Township line road, act relative to, 238
passed finally, 881
Tome, Elias, act for relief of, 391
399, 474
Transcribing clerks, names of announced, 3
Troy borough, taxation in, act relative to, 105
first reading, 144
passed finally, 146
Trout Run navigation company, act relative to, 239
passed finally, 321
Tremont gas and water company, act to incorporate, 521
passed finally, 691
Trustees of Erie academy, act relative to, 547
reported, 635
Trespass upon premises belonging to schools in this Commonwealth, act relative to, 547
reported, 635
Triumph oil pipe transportation company, act to incorporate, 639
Trustees, act relative to appointment of, 834
negatived, 946
Trenton coal company, act relative to, 834
passed finally, 953
Tuckahoe plank road company, act relative to, 210
passed finally, 210
Tunkhannock plank road company, act to incorporate, 745
passed finally, 842
Turner's association, act to incorporate, 833
passed finally, 952
Turbet township, act relative to, 888
Twenty-first Judicial district, act relative to, 744
considered, 895, 998
Tyrone City, act relative to burgess and town council of,
passed finally, 835
school directors of, act relative to, 343
reported, 452
passed finally, 600

U.

United States Senator, nominations for, 58
joint committee, for nomination of, 84
report of committee of investigation on charges relative to election of, 262
United States boiler insurance company, act to incorporate, 45
United States accident insurance company, act to incorporate, 547
reported, 635
passed finally, 773
University of Saint Augustine, act to incorporate, 238
passed finally, 321
Unclaimed dividends in insolvent assigned estates, act relative to, 317
reported, 451
Uniontown stock company, act to incorporate, 656
reported, 746
passed finally, 843
Union coal company, act relative to, 126
passed finally, 240
Union telegraph company, act relative to, 221
Union transfer company, act relative to, 295
passed finally, 403
Union Mutual fire insurance company, act to incorporate, 308
reported, 342
passed finally, 403
Union Park Skating association, act to incorporate,
passed finally, 321
Union Hall association of Pottsville, act to incorporate, 342
passed finally, 415
Union insurance company, act relative to, 343
reported, 746
passed finally, 843
Union mining company, act relative to, 458
reported, 519
passed finally, 690
Union gold and silver mining company, act to incorporate, 547
reported, 634
passed finally, 770
Union iron mills, act to incorporate, 547
reported, 634
passed finally, 689
Union tubing transportation company, act to incorporate, 656
Union car manufacturing company, act to incorporate, 750
passed finally, 1052
Union school and children's asylum, act to incorporate, 1054
Union county, Gregg township, compensation of supervisors in, act relative to, 293
reported, 314
passed finally, 403

V.

Valley coal company, act to incorporate, 119
reported, 162
passed finally, 170
Van Barentown, act relative to, 295
Venue in case of Chronister vs. Hollinger, act to change, 34
reported, 202
first reading, 451
passed finally, 630
in case of Stevens and Harner, act to change, 57
reported, 105
passed finally, 121

Venue—*Continued.*
in case of John Lennox, act to change, 121
first reading, 144
passed finally, 147
in case of M'Carty and others, act to change, 121
first reading, 205
second reading, 210
passed finally, 222
in case of G. W. Schofield, act to change, 293
reported, 518
passed finally, 610
in case of M'Farland, act to change, 308
reported, 451
passed finally, 629
in case of Jane E. Caldwell, act to change, 451
from Juniata to Snyder county, act to change, 129
reported, 136
from Butler to Armstrong county, act to change, 457
reported, 518
passed finally, 610
in certain actions of ejectment, act to change, 518
first reading, 688
second reading, 720
passed finally, 901
Venango Bank investigation, resolution to print, 102
reconsidered, 104
Venice gold and silver mining company, act to incorporate, 548
reported, 634
passed finally, 770
Venango water company, act relative to, 630
reported, 746
passed finally, 843
Vernon township, bounty fund in, act relative to, 834
passed finally, 953
Venango City, borough taxes in, act relative to, 834
passed finally, 953
Vine street, Pittsburg, act to vacate part of, 467
reported, 519
Viola gold and silver mining company, act to incorporate, 656
reported, 715
passed finally, 841
Vinegar ferry in York county, act relative to, 745
passed finally, 842
Voting at elections, act regulating mode of, 546
reported, 633
passed finally, 770
Volcanic mining company, act to incorporate, 548
reported, 634
passed finally, 771
Vulcan iron works, act to incorporate, 167
Venango county:
beasts of prey in, act relative to, 450
reported, 521
passed finally, 751
county commissioners in, act relative to, 639
negatived, 952
courts of, act relative to, 743
passed finally, 337
East Sandy creek, ferry over, act relative to, 160
first reading, 201
passed finally, 210
ferry in, act relative to, 105
first reading, 201
fees of jurors in, act relative to, 457
reported, 519
passed finally, 610
fees of several officers in, act relative to increase, 457
reported, 518

Venango county—*Continued.*
Oil City borough, act relative to, 105
passed finally, 146
act relative to, 118
passed finally, 144
wharves and landings in, act relative to, 159
first reading, 201
passed finally, 208
Oil creek in, act relative to foot bridge in, 159
first reading, 201
passed finally, 210
ferry over, act relative to, 635
return day to processes of court in, act relative to, 546
reported, 633
passed finally, 770
sheriff of, act relative to, 638
reported, 744
passed finally, 838
Strohecker, T. S., act for relief of, 125
first reading, 144
passed finally, 146
Venango city, school directors of, act relative to, 193
passed finally, 403

W.

Waddell, W. B., representative from Chester county, 16, 62, 94, 99, 114, 119, 120, 156, 174, 800
absence, leave of, granted to, 462
bills in place by, 68, 106, 120, 126 161, 198, 199, 200, 221, 292, 294, 295, 308, 343, 545, 546, 656, 657, 716, 888
resolutions offered by, 16, 99, 114, 262, 402, 549, 714, 747, 801, 1118
reasons for vote, 221
remarks of, on
resolution authorizing the Speaker to increase the number of standing committees, 16
motion to amend act relative to election of United States Senator, 37
motion to suspend the rules, 44
resolution relative to Susquehanna boom company, &c., 67
act relative to bounty commissioners in Forks township, 72
resolution relative to Edgar Cowan, 100
motion to reconsider resolution relative to Venango Bank, 102
act relative to the Calvary Monumental church, 114
resolution relative to amendment to the rules, 128, 157, 187
act relative to the Manch Chunk Bank, 148, 204
act relative to sale of agricultural land scrip, 168
resolution to visit Pittsburg, 200
act relative to the Cameron petroleum company, 242
act relative to a State road in Potter and Clinton counties, 252
act relative to the law of evidence, 275, 366
act relative to the estate of a lunatic, &c., 276
act relative to the Agricultural college of Pennsylvania, 277
act relative to the real estate of William Wurtz, 323
act to divorce Daniel Wilson and wife, 323
resolution relative to the testimony in the case of the Venango County Bank, 345
act relative to running passenger cars on Sunday in Philadelphia, 348
act relative to the State agency at Washington, 355
act relative to the desertion of wives and children, 371
act relative to the soldiers of 1812, 375

Waddell, W. B.—*Continued.*
act relative to the selection of jurors, 378
act relative to Elias Tome, 392
act relative to taxes in Montgomery county, 402
making report from the select committee in case of M'Mullin, 402
act to exempt a parsonage in Erie from taxation, 403
motion to strike out the word "white" from an act of incorporation, 416
act to incorporate the Eagle Assembly of Philadelphia, 418
act to incorporate the Teachers' institute of Philadelphia, 420
supplement to the act relative to mechanics' liens, 490
act relative to the drainage of certain lands in Northumberland county, 494
act relative to licensing hotels, &c., 524
act authorizing tender of money after suit brought, 528
act to lay a tax on coal, 536, 637
act relative to the borough of Montoursville, Lycoming county, 566
supplement to act relative to the Chester Creek railroad company, 569, 659
resolution of invitation to the M. E. Conference, 659
act to divorce William C. and Lucinda Campbell Gray, 612
act relative to colored people riding in the cars, 660
act to incorporate the Rev. Hugh McLaughlin society of Philadelphia, 692
act to divorce James R. and Idall Weyman, 716
act to prevent fraudulent insolvencies, 718
act permitting disabled soldiers to peddle without a license, 722
act to provide for the payment of certain military claims, 731
supplement to act to incorporate the city of Williamsport, 741
act to divorce Charles and Mary Schofield, 884
act relative to an Agricultural college in Franklin and Cumberland counties, 884
resolution relative to labor, 988
act to consolidate the Clarion and Cranberry coal companies, 993
act relative to the school directors of Bradford county, 1035
act to tax shares of stock of national banks, 1050
motion to reconsider vote on resolution to except a Schuylkill county bill, 1059
appropriation bill, 1104
act relative to moneys appropriated to certain cemeteries, 1118
final adjournment, presentation, &c., 1130
Wallace, David, representative from the Sixth district, Philadelphia, 37, 881, 1115
absence, leave of, granted to, 462, 655
bills in place by, 68, 161, 458, 459, 1130
Watt, W. W., representative from the Fourth district, Philadelphia, 36, 1022
bills in place by, 221, 294, 457, 458, 467, 547, 656, 834
Walker, C. W., appointed an additional transcribing clerk, 3
Washington borough, hay, coal and lime in, act relative to, 105
passed finally, 119
supplement to act to incorporate, 159
first reading, 201
passed finally, 208
Watsontown bridge company, act to incorporate, 160
first reading, 202
passed finally, 210
Warren and Pinegrove railroad company, act to incorporate, 458

Walters, Augustine, act relative to farm of, 545
Waynesburg borough, act relative to, 546
reported, 746
passed finally, 842
Watsontown Building association, act to incorporate, 548
reported, 746
passed finally, 848
Washington jail, act relative to,
passed finally, 549
Warren water company, act to incorporate, 635
passed finally, 773
Warren, Sheffield, &c., railroad company, act to incorporate, 638
reported, 745
passed finally, 839
Watt, Reuben, act relative to,
passed finally, 1023
Water of the river Schuylkill, act to purify, 1057
Warren county:
criminal proceedings in, act relative to, 125
first reading, 145
passed finally, 146
Columbus township, act relative to, 452
passed finally, 600
commissioners of, to work prisoners, act to authorize, 633
passed finally, 769
fees of officers in, act relative to,
passed finally, 118
ferry over the Allegheny in, act relative to, 295
reported, 342
passed finally, 403
Philadelphia and Erie railroad company, act relative to, 608
petition relative to, 193
public law library in, act relative to, 750
passed finally, 951
Sugar Grove township, act relative to, 295
passed finally, 403
tax for road purposes, act relative to, 520
passed finally, 690
Washington county:
commissioners of, act relative to, 834
passed finally, 953
coroner of, act relative to, 457
passed finally, 610
Carrol township, act relative to, 454
East Bethlehem township, act relative to, 467
ferry over the Monongahela, act relative to, 159
first reading, 201
passed finally, 210
supplement to, 294
reported, 520
passed finally, 827
further supplement to, 294
reported, 459
fees of officers in, act relative to, 105
first reading, 119
second reading, 128
passed finally, 162
law library in, act relative to, 293
reported, 341
passed finally, 403
Odd Fellows' Mutual Co operative association in, act relative to, 750
restaurants and beer houses in, act relative to, 121
first reading, 144
passed finally, 146
tavern licenses in, act relative to, 126
first reading, 145
passed finally, 146
taxes in, act relative to collection of, 159
first reading, 201
passed finally, 208
Walker, Daniel S., act relative to, 105
first reading, 144
third reading, 147
passed finally, 150
Wayne county:
associate judges in, act relative to, 308
reported, 450
first reading, 482
passed finally, 489
Bethany borough, act relative to, 637
passed finally, 774
deer in, act relative to, 548
reported, 636
passed finally, 773
Honesdale borough, act relative to school directors of, 451
first reading, 482
passed finally, 489
law library in, act relative to, 744
roads and bridges in, act relative to, 519
first reading, 827
Webb, J. H., representative from Bradford county, 119, 127, 751
bills in place by, 69, 107, 198, 293, 308, 343, 459, 467, 545
remarks of, on
act to change the venue in the case of M'Carty and others, 207
act to annul the marriage contract between James Dewey and his wife, 421
act relative to an election in Danville, Montour county, 543
act to divide Port Carbon borough, Schuylkill county, into two wards, 691
act to provide for the payment of certain military claims, 732
act relative to publication of the laws, 830
act relative to the school directors of Bradford county, 1028, 1034
Weller, John, representative from Somerset county, 658
bills in place by, 199, 308, 344, 546, 547, 548
petitions presented by, read, 182
Westbrook, Lafayette, representative from Pike county, 1117
bills in place by, 68, 199, 308, 459, 548, 639, 764, 835, 888
resolutions offered by, 608
remarks of, on
act relative to colored people riding on the cars, 664
resolution of sympathy for Ireland, 724
West Manheim township, York county, act relative to school directors of, 105
West Branch of the Susquehanna, bridge over, act relative to, 159
first reading, 201
passed finally, 210
West Branch boom company, act relative to, reported, 635
Welliver, Nancy, act for the relief of, 20
reported, 179
passed finally, 200
West Elizabeth borough, taxes in, act relative to, 194
reported, 320
Western Pennsylvania military academy, act to incorporate, 580
passed finally, 844
Welsh, Henry, and wife, act to divorce, 294
Weyman, James R., and wife, act to divorce, 307
reported, 522
negatived, 716
Wellsboro and Lawrenceville railroad company, act to incorporate, 399
passed finally, 656
West Virginia paper mill company, act to incorporate, 545
passed finally, 844
West Branch of the Susquehanna, ferry over, act relative to, 547
reported, 635
passed finally, 771
West Cocalico township, act relative to school house in, 547
reported, 635
passed finally, 773
Wellersburg and West Newton plank road company, act to incorporate, 547
reported, 386
objected, 771
passed finally, 952
West Newton gas company, act to incorporate, 548
reported, 746
passed finally, 843
Weights and measures, act relative to, 743
negatived, 990
West creek in Elk county, act declaring a public highway, 745
passed finally, 842
Welch turnpike road company, act to incorporate, 750
passed finally, 947
Westmoreland county:
Cook township, supervisors of, act relative to, 548
passed finally, 719
county treasurer in, act relative to, 307
reported, 451
first reading, 482
passed finally, 489
East Huntingdon towuship, act relative to, 294
reported, 463
passed finally, 603
Irwin borough, burgess and town council of, act relative to,
passed finally, 320
school directors of, act relative to, 547
reported, 635
passed finally, 773
licenses in Allegheny, act to prohibit, 548
reported, 636
passed finally, 773
Mount Pleasant borough, act relative to, 159
first reading, 201
passed finally, 210
Powers, Samuel, act relative to farm of, 194
passed finally, 240
Penn township, act relative to supervisors in, 293
reported, 341
passed finally, 403
scchool directors of, act relative to, 293
reported, 451
Salem township, act relative to, 307
reported, 452
passed finally, 515
Sewickley township, roads in, act relative to, 520
passed finally, 690
sheep in, act relative to, 547
reported, 636
passed finally, 773
Steel, Wm., act relative to farm of, 125
first reading, 145
passed finally, 146
St. Clair cemetery association, act to incorporate, 160
first reading, 202
passed finally, 210
Whann, W. L., representative from Venango county, 24
bills in place by, 68, 71, 106, 120, 126, 199, 200, 293, 294, 295, 308, 457, 459, 546, 547, 548, 638, 639, 657, 750, 751, 764, 834, 847.
resolutions offered by, 66, 71
remarks of, on
resolution to print the evidence in case of Venango County Bank, 66
joint resolution relative to petroleum, 104
motion to reconsider resolution relative to Venango Bank, 104
on resolution relative to the testimony in the case of Venango County Bank, 345
act relative to the Cranberry coal company, 405, 892, 993
act relative to the Reno oil and land company, 1057

Wharton, H. S., representative from Huntingdon county, 303, 347
absence, leave of, granted to, 957
bills in place, by, 126, 290, 308, 459, 467, 546, 764
resolutions offered by, 579
remarks of, on
act to divorce James and Elizabeth Edwards, 983
White Haven, school directors of, act relative to, 307
reported, 453
passed finally, 603
White Deer bridge company, act relative to, 342
passed finally, 415
White, Jarvis, act relative to will of, 456
reported, 522
passed finally, 719
Whitby township, act relative to, 764
passed finally, 882
Wilkesbarre and Pittston railroad company,
act relative to, 638
reported, 744
passed finally, 838
act relative to, 48
reported, 238
passed finally, 320
Wilson, Geo., representative from Allegheny county, 136, 146, 174, 1117
petitions presented by, read, 59
absence, leave of, granted to, 655
bills in place by, 68, 106, 112, 161, 199, 221, 294, 295, 456, 457, 458, 459, 888, 893
resolutions offered by, 200
remarks of, on
resolution relative to amendment to the rules, 187
resolution to visit Pittsburg, 200
act to vacate part of Spruce alley in Pittsburg, 294
act relative to the common school system, 225, 439, 512
act relative to board of school directors in the Seventh ward of Pittsburg, 303
act relative to licenses in Allegheny county, 320, 494
act to establish a ferry at Layton Station, Fayette county, 326
act relative to the soldiers of the war of 1812, 372
act relative to the selection of jurors, 378
act relative to the State agency at Washington, 470
act relative to the Pittsburg and Connellsville railroad company, 601
act relative to a change of venue from Armstrong to Allegheny county, 901
act relative to the city of Pittsburg, 946
act relative to the school directors of Bradford county, 1028
act to change a venue from Allegheny to Jefferson county, 1066
Wingard, S. C., representative from Lycoming county, 16, 43, 58, 61, 71, 608
petitions presented by, 15
bills in place by, 43, 69, 106, 160, 161, 198, 199, 200, 221, 222, 293, 294, 295, 308, 458, 459, 460, 546, 639, 657, 763, 833, 1023
resolutions offered by, 16, 104, 269, 320
remarks of, on
motion to suspend the rules, 43, 158
resolution relative to Susquehanna boom company, &c., 67, 104
act relative to Mauch Chunk Bank, 149
motion to refer a resolution to the Committee on Printing, 185
resolution to amend the rules, 198
act relative to an additional law judge in the Eighth district, 411
act to divorce Daniel Wilson and his wife, 324
Wingard, S. C.—*Continued.*
act relative to the estate of George Frey, 325, 326
act relative to the selection of jurors, 358
act relative to the desertion of wives and children, 371
act relative to the soldiers of the war of 1812, 372
act relative to the common school system, 443, 508
supplement to the act relative to mechanics' liens, 491
act relative to the drainage of certain lands in Northumberland county, 495
act to lay a tax on coal, 537
supplement to the general election laws, 581
reasons for vote given, 422
resolution of invitation to the M. E. Conference, 608
act to change of venue in case of M'Farland vs. Shoemaker, 629
committee from the Methodist Episcopal Conference, 713
supplement to an act to incorporate the city of Williamsport, 741
act to incorporate the Triumph Oil Pipe transportation company, 835
act relative to the inspection of lumber in Philadelphia, 948
act relative to the inspection of cattle in Philadelphia, 990
act to change the venue in case of Gold, Ackison, &c., 1069
Wives deserted by their husbands, act for relief of, 194
passed finally, 211
Williamsport hall and market company, act to incorporate, 221
passed finally, 321
Wilson, T. B., act authorizing board of military claims to settle claims of, 222
Wilkesbarre local express company, act to incorporate, 238
passed finally, 445
Wilkesbarre railroad company, act to incorporate, 295
passed finally, 882
Williamsport, act relative to councils of, passed finally, 320
Wilkesbarre and Sugar Notch railroad company, act to incorporate, passed finally, 320
Wild turkeys in Blair county, act relative to, passed finally, 321
Wild game, &c., in Lycoming county, act relative to, reported, 521
Wilkesbarre and Providence plank road company, act relative to, 545
reported, 635
passed finally, 771
Winters, Sarah, act relative to, 547
reported, 636
passed finally, 774
Wilkesbarre township, re-survey of, act relative to, 745
passed finally, 842
Williamsport, act to repeal act to incorporate, 833
Wilson bridge, act relative to, 886
Woodward, O. S., representative from Erie county, 61, 734,
bills in place by, 107, 221, 457, 458, 459, 546, 547
resolutions offered by, 113
remarks of, on
act relative to Germania savings institution, 120
resolution to appoint a committee to examine into the practice of adulterating medicines, 196
act relative to the State agency at Washington, 355
act relative to the soldiers of 1812, 375
act relative to bounties in Dillsburg, York county, 882
Woodward, O. S.—*Continued.*
act relative to paving College avenue, Philadelphia, 982
act relative to the school directors of Bradford county, 1029
act relative to the military history of the Pennsylvania Reserve Corps, 1029
appropriation bill, 1104
Worrall, W. M., representative from Fourteenth district, Philadelphia, 61, 252, 1029
bills in place by, 221, 222, 294, 308, 344, 457, 458, 546, 547, 548, 638, 657, 751, 764, 833
remarks of, on
act to provide for the payment of certain military claims, 734
act relative to the Philadelphia and Trenton railroad company, 836
act relative to paving College avenue, Philadelphia, 982
act relative to the standard of weights and measures, 989
Woodland street, in Philadelphia, act relative to, 47
Woodpecker or Rising Sun lane, Philadelphia, act relative to, passed finally, 321
Woods, act to prevent burning of, 521
passed finally, 715
Wrightsville iron company, act to incorporate, 745
passed finally, 841
Wright, J. H., representative from Snyder county, 522
absence, leave of, granted to, 743
bills in place by, 69, 112, 113, 161, 293, 457, 548, 656, 840
resolutions offered by, 713
remarks of, on
resolution relative to Edgar Cowan, 94, 97
act for change of venue, 113
act relative to the borough of Montoursville, 304, 566
act granting a pension to Nicholas Simon, 476
act relative to township boundary lines in Lycoming county, 564
act relative to Green township, Clinton county, 604
Wyoming County bridge company, act to incorporate, 159
first reading, 201
passed finally, 210
Wyoming County bridge company, supplement to, 520
passed finally, 690
Wyoming Valley manufacturing company, act to incorporate, 423
negatived, 603
reconsidered and passed finally, 841
Wyoming county:
cattle, &c., in, act relative to, 548
reported, 636
passed finally, 773
commissioners of, act relative to, passed finally, 241
deer in, act relative to, 193
reported, 306
passed finally, 403
licenses in, act relative to, 453

Y.

Yellow House turnpike road company, act to incorporate, 109
first reading, 201
passed finally, 210
York Building associations, No.'s 2 and 3, act relative to, 457
reported, 518
passed finally, 610
York and Chanceford turnpike road company, act to incorporate, 547
reported, 655
passed finally, 774

Youngsville borough, act relative to town council of, 129
reported, 162
Youghiogheny river, act relative to a ferry over, 136
passed finally, 773
Youghiogheny shaft company, act to incorporate, 545
reported, 635
passed finally, 773
York county:
billiard rooms in, act relative to, 343
reported, 453
Columbia bridge, petition relative to, 193
county auditors in, act relative to salaries of, 221
passed finally, 320
Chanceford township, act relative to school directors of, 344
reported, 522
passed finally, 716
Goldsboro', act relative to school directors in, 193
passed finally, 241
York county—*Continued.*
Hopewell township, payment of bounty in, act relative to, 639
negatived, 952
law library in, act relative to, 519
passed finally, 611
mechanics' liens in, act relative to, 121
first reading, 144
Newberry township, pay of supervisors in, act relative to, 547
reported, 635
passed finally, 771
orphans' court in, act relative to, 125
first reading, 144
passed finally, 150
Pesch Bottom township, act relative to, 547
reported, 655
passed finally, 774
Peach Bottom township, sale of intoxicating liquors in, act relative to, 636
passed finally, 773
Shrewsbury township, act relative to, 547
reported, 636
passed finally, 774
York county—*Continued.*
Shrewsbury, act relative to council of, 744
passed finally, 888
township supervisors in, act relative to, 294
reported, 452
passed finally, 600
Wrightsville borough, act relative to boundary line of, 307
reported, 519
passed finally, 689
Warrington township, school directors of, act relative to, 549
reported, 636
passed finally, 774

Z.

Ziegler, W. F., act relative to, 193
passed finally, 320
Zook, N. H. and A. H., act relative to, 616
reported, 748

INDEX

TO THE

LEGISLATIVE RECORD FOR THE SESSION OF 1867.

SENATE.

A.

Aaronsburg, in Centre county, per capita tax, act relative to, 328
reported, 430
passed finally, 530
Absence, leave of, granted to,
Messrs. Schall, 29
Wallace, 80
Browne (Lawrence), 96
Ridgway, 107
M'Conaughy, 115, 405
Shoemaker, 141
Royer, 226
M'Candless, 301
Worthington, 301
Barnett, 281
Cowles, 381
Jackson, 381, 1070
Stutzman, 650
Academy of Notre Dame, act relative to, 8
reported, 34
Actions in partition, power to confer on committee of a lunatic or confirmed drunkard, act relative to, 82
reported, 95
passed finally, 96
Accident insurance company, supplement to act incorporating, 803
Actions of ejectment, in Erie county, act relative to, 816
reported, 851
passed finally, 1044
Adjutant General, report of, 51
Adams county, memorial of citizens of, 95
Adams, Milo R., of Beaver county, relief of, act relative to, 253
reported, 281
passed finally, 339
Adams county, State Treasurer to allow a credit to, act relative to, 577
reported, 705
passed finally, 778
Adams County Soldiers' Monument association, act to incorporate, passed finally, 619
Adams County Soldiers' Monument association, act supplementary to an act to incorporate, passed finally, 818
Adams county:
relief for citizens of, petition relative to, 95
act for, 960
reported, 995
considered, 1087
Soldiers' Monument association in, act to incorporate, 619
passed finally, 619
supplement to act to incorporate, 818
passed finally, 818
State Treasurer to allow a credit to, act relative to, 577
reported, 705
passed finally, 778
Battle-field hotel company of Gettysburg, act to incorporate, 756
reported, 805
passed finally, 869
bounties to volunteers in Latimore township in, act authorizing school directors to levy tax for, 996
passed finally, 1022
Agricultural college of Pennsylvania, act relative to, 290
reported, 303
passed finally, 318
Agricultural society's reports, to print' joint resolution relative to, 290
reported, 426
objected, 529
Agricultural land scrip, sale of, act authorizing, 331
recommitted, 337
Agricultural manufacturing company, act to incorporate, 571
reported, 754
passed finally, 869
Agricultural mining and exploring company, act supplementary to act incorporating, 620
Agricultural College and Junction turnpike road company, payment of enrollment tax on, &c., act to extension of time of, 870
reported, 907
passed finally, 1046
Allegheny county:
prisons in, better management of, act relative to, 806
reported, 814
passed finally, 870
district attorney in, to create, act relative to, 164
passed finally, 234
assessors and assistant assessors in, act regulating compensation of, 959
reported, 996
passed finally, 1073
auctioneer in borough of Tarentum in, act relative to, 670
reported, 706
passed finally, 779
Birmingham, borough of, in, supplement to act incorporating, 406
agreed to, 572

Allegheny county—*Continued.*
bounties in M'Keesport, in, act to equalize payment of, 816
reported, 851
passed finally, 1044
bounty taxes in Sewickly borough in, act relative to, 31
reported, 47
passed finally, 142
bounty tax in Marshall township in, to apply, act authorizing, 316
reported, 350
passed finally, 412
courts of, act authorizing short-hand reporters for the, 817
reported, 906
passed finally, 940
courts of, supplement to act fixing time of holding, 123
reported, 152
passed finally, 233
Co-operative association of East Birmingham, in, act to incorporate, 427
reported, 430
passed finally, 530
Coal Hill road, in Collins township, in, act for the improvement of, 803
reported, 815
disorderly persons in Monongahela, in, act relative to prosecution of, 228
negatived, 245
Dingman, James, of, act relative to claims of, 643
reported, 705
passed finally, 779
East Birmingham, borough of, in, to borrow money, act to enable, 151
reported, 176
passed finally, 234
East Birmingham, in, supplement to act erecting a borough, 228
reported, 254
passed finally, 338
eating houses and restaurants in, act relative to, 498
reported, 591
passed finally, 647
fees of coroner of, act relative to, 328
reported, 383
passed finally, 528
fees of notaries public in, act regulating, 570
passed finally, 675
fees of notaries public in, act regulating, 780
reported, 804
passed finally, 876
ferry over the Monongahela river at the borough of Elizabeth, in, act to establish, 871
reported, 907
passed finally, 1045
foot-walks in Oakland township, in, act relative to, 998
reported, 1039
passed finally, 1073
game in North Fayette township in, act relative to, 704
reported, 805
passed finally, 877
intoxicating liquors in, act to regulate, 577
reported, 591
intoxicating liquors in townships of East Deer, Fawn and Harrison, and borough of Tarentum in, act to prohibit sale of, 756
passed finally, 788
justices of the peace in Lawrence, borough of, act relative to, 694
negatived, 725
Lawrenceville in, supplement to act incorporating, 328
reported, 350
passed finally, 531
Allentown passenger railroad company, supplement to act incorporating, 131
reported, 227
passed finally, 291
Allen, Jas. A., relief of, act relative to, 228
reported, 245
passed finally, 338
Allentown railroad company, further supplement to act incorporating, 255
reported, 316
passed finally, 319
Allegheny and Saw Mill Valley passenger railroad company, act to incorporate, 281
reported, 316
passed finally, 410
Allegheny county, election precincts in, act relative to, 316
reported, 316
passed finally, 410
Allegheny, common grounds of for parks, act relative to, 316
reported, 330
city, to issue bonds, act authorizing, 316
passed finally, 391
Allegheny and St. Mary's cemetery, act relative to, 328
reported, 350
passed finally, 508
Allentown borough, further supplement to act incorporating, 386
reported, 406
passed finally, 529
Allentown, city of, act to incorporate, 386
reported, 406
passed finally, 482
Allegheny township, Venango county, elections in, act to change, 407
reported, 426
passed finally, 576
Allegheny, city of, further supplement to act incorporating, 431
reported, 484
passed finally, 573
Allegheny, and Perryville plank road company, act relative to, 485
reported, 485
passed finally, 573
Allegheny Valley railroad to mortgage road, act authorizing, 508
passed finally, 508
message from Governor relative to, 678
Allegheny and Oil Creek tubing company, act to incorporate, 643
Allegheny transportation company, directors of, act relative to, 695
reported, 804
passed finally, 877
Allegheny Valley railroad company to issue additional stock and bonds, act authorizing, 761
reported, 958
passed finally, 1022
Allegheny county prison, better management of, act relative to, 806
reported, 814
passed finally, 870
Altoona, in Blair county, act to provide for a city government for, 816
reported, 821
passed finally, 822
Allegheny township, in Blair county, election district of, act relative to, 821
reported, 864
passed finally, 1044
Allegheny, city of, remonstrance of citizens of against the bill for the consolidation of with Pittsburg, 850
Allegheny gold and silver mining company of Idaho, act to incorporate, 998
reported, 1039
passed finally, 1073
American mining, coal, tank and transportation company, act to incorporate, 31
reported, 591
passed finally, 676
American University of Philadelphia, act to incorporate, 349
reported, 383
objected, 528
passed finally, 697
American dredging company, act to incorporate, 350
reported, 426
passed finally, 529
American button hole, overseaming and sewing machine company, act to incorporate, 695
passed finally, 698
American Atlantic telegraph company, joint resolutions instructing Senators and Representatives in Congress on, 704
Amateurs' drawing room association of Philadelphia, supplement to act incorporating, 803
reported, 814
passed finally, 877
American iron and coal company, act to incorporate, 820
reported, 1070
passed finally, 1074
Andalusia college at Andalusia, Bucks county, supplement to act incorporating, 228
reported, 254
passed finally, 339
Annuities and gratuities to soldiers of 1812, payment of, act relative to, 557
Antietam national cemetery, annual report of, 597
Andrews, David, of Chester county, relief of, 666
reported, 705
passed finally, 785
Anderson marble quarrying company of Montgomery county, act to incorporate, 704
reported, 754
passed finally, 876
Anthracite coal and iron company, further supplement to act incorporating, 871
reported, 919
passed finally, 1047
Appeals from justices of the peace, act relative to, 153
reported, 226
not agreed to, 504
Applications for legislation, in certain cases, act requiring notice of, 486
reported, 496
negatived, 626
Appeals from judgments of justices of the peace, &c., act relative to costs on, 918
negatived, 958
Appropriation bill (general), 848
considered, 923, 930, 931, 932, 933, 934, 935, 936, 937, 938, 939, 940, 963, 964, 965, 966, 967, 968, 969, 970, 971, 972, 973, 974, 975, 976, 1000, 1001, 1002, 1003, 1004, 1005, 1006, 1007, 1008, 1009, 1010, 1011, 1012, 1013, 1014
passed finally, 1014
copy of, 1014
report of committee of conference on, 1078
copy of bill as passed finally, 1078
Arch street, in Philadelphia, to vacate, act relative to, 191
Armstrong county, act relative to coroner of, 328
reported, 383
passed finally, 528
Armstrong County Savings Bank, act to incorporate, 726
reported, 805
passed finally, 877
Argentine Silver mining company of Colorado, act to incorporate, 806
reported, 814
passed finally, 870
Armstrong county:
act relative to coroner of, 328
reported, 383
passed finally, 528

Armstrong county—*Continued.*
fees of witnesses and jurors in, further supplement to act relative to, 95
passed finally, 143
fishing with seins in Crooked creek in, act to prevent, 917
reported, 958
passed finally, 1049
hawking and peddling in, act relative to, 999
reported, 1039
passed finally, 1074
Kittanning and Rural Valley Macadamized turnpike company in, act to incorporate, 940
reported, 996
passed finally, 1073
law library in, act to establish, 283
reported, 303
passed finally, 410
Saving's Bank in, act to incorporate, 726
reported, 805
passed finally, 877
Association for publication of periodicals, &c., act relative to, 8
passed finally, 18
Assessment of real estate in Philadelphia, act relative to, 31
reported, 131
Assistant district attorney in Allegheny county, to create, act relative to, 164
passed finally, 234
Assessments in Cameron county, act legalizing, 164
passed finally, 234
Assessor of Lehigh county, pay of, act to increase, 191
reported, 227
passed finally, 291
Assessors of Lehigh county, act to increase pay of, 328
reported, 383
not agreed to, 528
Associate judges of Wayne county, relief of, act relative to, 486
negatived, 497
Assessors of Caernarvon township, Berks county, duties of, act relative to, 557
passed finally, 563
Ashton, John, and wife, to sell real estate, &c., act authorizing, 643
Associations of citizens, to confer powers and immunities, act relative to, 726
reported, 804
passed finally, 879
Ashland iron company, of Baltimore county, Maryland, to hold land in State of Pennsylvania, act to empower, 780
reported, 906
passed finally, 1044
Asbury life insurance and trust company, of Philadelphia, act to incorporate, 806
reported, 851
passed finally, 941
Assessors for the Fifteenth ward of Philadelphia, act authorizing two additional, 816
reported, 851
passed finally, 1044
Assessors and assistant assessors in Allegheny county, act regulating compensation of, 959
reported, 995
passed finally, 1073
Associations:
Amateur Drawing Room, of Philadelphia, act incorporating, 803
reported, 814
passed finally, 877
of Citizens, act to confer powers and immunities, 726
reported, 804
passed finally, 879
Brokers' Beneficial, of Philadelphia, act to incorporate, 81
reported, 95
passed finally, 224
vetoed by Governor, 317

Associations—*Continued.*
Building and Savings, of Pittsburg, act to incorporate, 904
reported, 918
for the Publication of Periodicals, act relative to, 8
passed finally, 18
Covington Industrial Co-operative, act to incorporate, 904
reported, 919
passed finally, 1048
Citizens', of Pennsylvania, to increase duties of, act relative to, 428
reported, 496
passed finally, 559
Corn Exchange, of Philadelphia, further supplement to act incorporating, 153
reported, 165
passed finally, 233
Co-operative, of Hyde Park, No. 1, Scranton, act to incorporate, 153
reported, 165
passed finally, 233
Co-operative, of Wilkesbarre, act to incorporate, 406
reported, 426
passed finally, 573
Co-operative, of East Birmingham, in Allegheny county, act to incorporate, 427
reported, 430
passed finally, 530
Co-operative, of Allentown, in Lehigh county, act to incorporate, 571
passed finally, 578
Co-operative, of Tamaqua, in Schuylkill county, act to incorporate, 708
reported, 814
first reading, 870
Dauphin County Soldiers' Monument, act to incorporate, 131
reported, 141
passed finally, 142
Soldiers' Monument, of Adams county, act to incorporate, 619
passed finally, 619
Soldiers' Monument, of Adams county, supplement to act to incorporate, 818
passed finally, 818
Decatur Building, of Frankford, act to annul charter of, 907
reported, 957
passed finally, 1048
Equal Rights, petition of, 80
Franklin Library, of Philadelphia, act to incorporate, 253
negatived, 281
Germantown and Swimming and Skating Park, act to incorporate, 31
reported, 34
passed finally, 35
Grocers' and Provision Dealers', act to incorporate, 572
reported, 591
passed finally, 676
Industrial, of Summit Hill, act to incorporate, 253
reported, 282
passed finally, 340
Kensington Mutual Co-operative, of, act to incorporate, 253
reported, 282
passed finally, 414
Lincoln Monument, of Philadelphia, act to incorporate, 817
reported, 818
Masonic Hall, of Brookville, Jefferson county, act to incorporate, 131
reported, 176
passed finally, 234
Masonic Hall, of Reading, act to incorporate, 571
reported, 591
passed finally, 676
vetoed, 909
Masonic Hall, of Phœnixville, act to incorporate, 704
reported, 725

Associations—*Continued.*
Mechanics' and Miners' Co-operative, of Scranton, supplement to act incorporating, 999
reported, 1039
passed finally, 1074
Oak Hall, of Weatherby, act to incorporate, 246
reported, 254
passed finally, 339
Odd Fellows' Hall, of Allentown, act relative to sale of real estate of, 108
passed finally, 108
Odd Fellows' Hall, of Waynesburg, Greene county, supplement to act incorporating, 254
reported, 282
passed finally, 390
Odd Fellows' Hall of Tremont, Schuylkill county, act to repeal an act relative to, 332
reported, 406
passed finally, 574
Oxford Hall, act to incorporate, 151
reported, 176
passed finally, 234
Odd Fellows' Mutual Co-operative, of Monongahela city, Washington county, act to incorporate, 704
reported, 725
passed finally, 875
Pennsylvania Boat House, act to incorporate, 165
reported, 211
passed finally, 290
People's Brewers', of Philadelphia, act to incorporate, 229
passed finally, 578
Pennsylvania Library, of Philadelphia, act to incorporate, 222
Attorney General, report of, 72
communication from, 72
opinion of, relative to organization of Legislature, 62
appointment of, 96
Atlantic brick manufacturing company, act to incorporate, 161
reported, 227
passed finally, 291
Attorneys, authentication of letters of, &c., further supplement to act relative to, 316
negatived, 496
Atlantic and Great Western railroad company of Pennsylvania, resolution relative to, 728
Atlantic petroleum storage compay, act to ratify and confirm charter of, 940
reported, 957
passed finally, 1048
Auctioneer in Mercer county, act relative to, 31
reported, 227
Auctioneer in Erie county, act relative to, 163
reported, 176
passed finally, 234
vetoed by by Governor, 290
reconsidered, 329
Auctions and gift enterprises in Mercer county, act relative to, 255
reported, 282
passed finally, 339
Auctioneers, sales of loans and stocks by, act relative to, 316
reported, 350
passed finally, 697
Auditors in Butler county, pay of, act relative to, 328
reported, 383
passed finally, 528
Auditors in York county, salaries of, act to regulate, 328
reported, 383
passed finally, 408
Auctioneer in borough of Lewisburg, Union county, act relative to, 386
passed finally, 529

Auditors, supervisors, &c., in Northumberland county, act to increase pay of, 407
reported, 496
passed finally, 574
Auctioneers in Cumberland county, appointment of, act relative to, 499
reported, 554
Aughwic mining and exploring company, supplement to act to incorporate, 643
passed finally, 778
Auctioneer in borough of Tarentum, Allegheny county, act relative to, 670
reported, 706
passed finally, 779
Auctioneers, supplement to act relative to, 704
negatived, 725
Auctions in the county of Beaver, act relative to, 726
reported, 804
passed finally, 869
Auctioneers in the city of Williamsport, act relative to, 821
reported, 908
passed finally, 1046
Auditors and commissioners of Jefferson county, act to increase pay of, 870
reported, 906
passed finally, 1045
Auctioneers in the city and county of Erie, supplement to act relative to, 870
reported, 906
passed finally, 1045
Auditors, special judges of the courts of Wayne county, to appoint, act authorizing,
reported, 906
Audubon's ornithology for the State library, joint resolution relative to purchase of, 909
negatived. 909

B.

Bare, Reuben, to annul marriage contract, act relative to, 56
Bailey, Rev. A. H., resolution inviting him to open sessions with prayer, 95
Bachelors' barge club, Philadelphia, act to incorporate, 151
reported, 165
passed finally, 233
Barring of entails, law of evidence, act declaratory of, 191
negatived, 382
Bass in Everett's creek, in Bedford county, act to prevent destruction of, 386
reported, 426
laid over, 530
Bard, Eliza Howard, act relative to, 406
Baltimore avenue, Twenty-seventh ward of Philadelphia city, act relative to, 426
reported, 430
passed finally, 530
Bainbridge, borough of, act to incorporate, 557
negatived, 570
Baptist churches in Cambria, Blair, Huntingdon, Mifflin, Juniata and Centre counties, supplement to act to incorporate, 643
reported, 651
passed finally, 778
Banks, supplement to act regulating, 694
first reading, 866
passed finally, 867
Battle Hotel company, of Gettysburg, act to incorporate, 756
reported, 805
passed finally, 869
Banks of the Commonwealth, act enabling, &c., 761
passed finally, 944
Bald Eagle boom company, in Clinton county, supplement to act to incorporate, 761
Barclay coal company, act to incorporate, 871
Bath car company, act to incorporate, 904
reported, 919
passed finally, 1048
Bald Eagle and Spring Creek navigation company, act to repeal an act incorporating, 922
reported, 958
passed finally, 1049
Beaver County cemetery association, to exempt from taxation, act relative to, 47
reported, 232
passed finally,
Bemus paper mill, act incorporating, 115
passed finally, 116
Bethlehem, village of, supplement to act incorporating, 131
Beaver, borough of, vacating certain lanes and alleys, act relative to, 151
reported, 165
passed finally, 192
Bethlehem, borough of, act to incorporate, to borrow money, &c., further supplement to act authorizing, 152, 176
passed finally, 234
Bellefonte, Centre county, to borrow money, further supplement to act, 281
reported, 303
passed finally, 410
Bergner, Geo., trustee of Pennsylvania Lunatic asylum, nomination of, 338
confirmed, 388
Bear Creek railroad company, supplement to act incorporating, 557
reported, 591
passed finally, 676
Bennett's Branch improvement company, act explanatory of provisions of, 571
reported, 669
passed finally, 778
Bellefonte glass manufacturing company, act to incorporate, 571
reported, 591
passed finally, 676
Beaver county, to except from, an act relative to Erie canal, act relative to, 655
Beaver gold and silver mining company, act to incorporate, 695
passed finally, 786
Beasts of prey in Venango county, killing of, act to repeal an act, 704
reported, 725
passed finally, 875
Bedford iron company, further supplement to act incorporating, 726
reported, 754
passed finally, 869
Beech Creek, in the counties of Clinton and Centre, a public highway, act declaring, 803
Benzinger coal and iron company, to increase width of their railroad, act authorizing, 807
passed finally, 807
Beaver Falls water company, act to incorporate, 816
reported, 957
passed finally, 1049
Bellefonte, Aaronsburg and Youngwomanstown turnpike road company, act to extend provisions of an act to, 816
Berks county, compensation of certain officers of, act increasing, 905
reported, 919
passed finally, 1047
Beaver county:
act to exempt from an act relative to Erie canal, 655
auctions in, act relative to, 726
reported, 804
passed finally, 869
Cemetery association of, to exempt from taxation, act relative to,
reported, 47
passed finally, 232
bounty tax in Industry township in, act authorizing, 704
reported, 725
passed finally, 875
Beaver county—*Continued.*
Caughey, John, of, act for relief of, 864
reported, 907
passed finally, 1077
Clarion street, in borough of Bridgwater, in, act to vacate, 328
reported, 350
courts in, act to fix time of,
reported, 647
passed finally, 647
fees of township and county officers of, act relative to, 328
reported, 383
passed finally, 576
intoxicating drinks in Economy and Independence townships in, act to prohibit, 407
reported, 426
passed finally, 530
notary public in, act authorizing an additional, 760
reported, 804
passed finally, 869
notary public in, act authorizing an additional, 870
reported, 906
passed finally, 1045
Bedford county:
bass in Everett's creek, in, act to prevent destruction of, 386
reported, 426
considered, 530
district attorneys in, act regulating fees of, 47
elections in Harrison township, in, act fixing place of holding, 507
passed finally, 508
fees of notary public in, act relative to, 254
passed finally, 338
fees of directors of poor of, act to regulate, 386
reported, 426
passed finally, 529
huckstering in, supplement to an act relative to, 407
reported, 497
passed finally, 577
Berks county:
assessors of Caernarvon township, in, act relative to duties of, 557
passed finally, 563
compensation of certain officers of, act increasing, 905
reported, 919
passed finally, 1047
Boyerstown in, to purchase engine house, act authorizing, 641
reported, 706
passed finally, 786
bounties in city of Reading, in, act relative to, 904
reported, 919
passed finally, 1047
constables in, act extending provisions of an act to,
reported, 840
passed finally, 876
dogs in, act relative to, 704
reported, 805
passed finally, 877
fees of notaries public in, act relative to,
reported, 669
passed finally, 783
fish, protection and preservation of in, act relative to, 643
reported, 670
passed finally, 783
intoxicating liquors in, sale of on Sunday, supplement to an act relative to, 678
reported, 693
considered, 784, 809
passed finally, 811
jurors in, supplement to act relative to pay of, 191
passed finally, 192

Billiard saloons in Delaware and Chester counties, supplement to act relative to, 123
reported, 152
passed finally, 232
Births, marriages and deaths in Philadelphia, registration of, further supplement to act, 228
reported, 254
passed finally, 338
Birmingham, East Birmingham and South Pittsburg gas company, further supplement to act to incorporate, 253
reported, 282
passed finally, 319
Birmingham and Pittsburg bridge company, further supplement to act to incorporate, 316
reported, 350
passed finally, 412
Birmingham and Brownsville Macadamized turnpike road company, supplement to act, 322
passed finally, 412
Birmingham, borough of, Allegheny county, supplement to act to incorporate, 406
reported, 484
not agreed to, 572
Big Run, town of, in Jefferson county, act to incorporate, 611
reported, 908
passed finally, 1046
Big Creek mining company, act to incorporate, 694
reported, 705
passed finally, 785
Billiard rooms, bowling saloons or ten pin alleys, in the borough of Coudersport, in Potter county, act to prohibit, 726
reported, 755
passed finally, 876
Billiard rooms, bowling saloons and ten pin alleys, in Lawrence, Butler and Venango counties, better regulation of, act relative to, 807
passed finally, 807
Billiard rooms, bowling saloons and nine or ten pin alleys, act to extend an act relative to, to the Loretto Springs, 815
reported, 851
passed finally, 1044
Bigham, Thomas J., Senator from the Twenty-fifth district, composed of the county of Allegheny,
remarks on
election of United States Senator, 67
joint resolution to ratify amendments to Constitution, 12
resolution relative to alleged charges of bribery and corruption in election of United States Senator, 30
adoption of rules of Senate, 48, 50
West Branch boom company, 117
education of soldiers' orphans, 133
resolution relative to adjournment, 216
exclusion of colored persons from railroad cars, 218
Railroad Committee, 229, 230
Pittsburg and Connellsville railroad, 289
Agricultural College of Pennsylvania and the establishment of experimental farms, 303
general railroad law, 335, 336, 388, 389, 646, 1077
Reynolds' monument, 434
commutation of death punishment in certain cases, 479, 480, 502
act relative to associate law judge of the several courts for the Twenty-first judicial district, 563, 1021
act extending the privileges of the floor to the clergy of the Methodist Episcopal Conference, 575
act relative to publication of general, local and private laws in the several counties of the Commonwealth, 627
Bigham, Thos. J.—*Continued.*
Sunday car question, 678
act to annul the marriage contract between William Riley and Martha Willetts, 697
act relative to increase of revenue of the Commonwealth, 698
joint resolution relative to the revisal of the civil laws of Pennsylvania, 709
act to divorce Wm. C. and Lucinda Campbell Gray, late Lucinda Campbell, 787
act relative to relinquishing the New York and Erie railroad annuity, 787
act relative to the Sunday liquor law, 810
adjournment over, 819
act relative to State tax upon certain personal property, 867
act relative to the trial of certain causes in cases of relationship between the presiding judge and the counsel of a party thereto, 869
act relative to the purchase of Ephrata Mountain Springs, in Lancaster county, for a home for disabled soldiers, 911
on appropriation bill (general), 923, 927 923, 937, 939, 964, 966, 967, 968, 969, 970, 975, 1004, 1005, 1006, 1007, 1008, 1009, 10010, 1011, 1012, 1013
act relative to the payment of Enos C. Renner, contestant for the seat of Michael Mullin, 1046
act relative to issuing licenses in certain boroughs, in counties of Armstrong, Potter, Indiana and Perry, 1076
act relative to the estate of Eliza Howard Burd, 1083,
act relative to the law of evidence, 1084
act to change a venue from Allegheny to Jefferson county, 808
act relative to a change of venue from Schuylkil to Lebanon county, 913
resolutions offered by, 5, 8, 83, 95, 124, 166, 191, 247, 581, 674, 712, 906
bills read in place by, 57, 81, 123, 141, 152, 166, 177, 191, 246, 255, 316, 333, 386, 406, 427, 430, 478, 498, 508, 620, 643, 694, 707, 726, 761, 806, 817, 821, 921
petitions presented by, 81, 94, 122, 190, 211, 280, 330, 382, 425, 477, 478, 495, 590, 802, 860
Billingfelt, Esaias, Senator from the Twenty-seventh district, composed of the county of Lancaster,
remarks on
Pittsburg and Connellsville railroad, 287
Governor's message in reference to the propable murder, in Mississippi, of the Zook brothers, 622
supplement to act relative to the borough of Columbia, 669, 756, 757, 783, 784
act to authorize Governor to incorporate Susquehanna canal company, 711, 712, 727, 728
act relative to Sunday liquor law, 784, 810, 811
act relative to charter of the city of Lancaster, 788, 789
joint resolution relative to obstructions in the Delaware river, 807, 808
adjournment over, 819
act relative to the payment of gratuities and annuities of soldiers of 1812, 864, 865
act relative to the collection of tax in Jackson township, Dauphin county, and Jefferson township, Berks county, to refund moneys advanced to pay bounties to volunteers, 878, 879
Billingfelt, Esaias—*Continued.*
act relative to the purchase of Ephrata Mountain Springs, in Lancaster county, for a home for disabled soldiers, 911
act to ascertain and appoint the fees to be received by the several officers of this Commonwealth, 915, 916
the appropriation bill (general), 937
act relative to the estate of Eliza Howard Burd, 1083, 1084
petitions presented by, 81, 130, 190, 211, 226, 245, 301, 315, 330, 349, 382, 425, 477, 554, 651
bills read in place by, 82, 246, 316, 386, 426, 486, 498, 557, 571, 670, 726, 760, 807, 864
resolutions offered, 434
Blair county:
Altoona in, act to provide for a city government, 816
reported, 821
passed finally, 822
Allegheny township in, act relative to election districts of, 821
reported, 864
passed finally, 1044
Baptist churches in, supplement to act incorporating, 643
reported, 651
passed finally, 778
Bloomsburg iron company, report of, 247
Black Band iron and coal company, act to incorporate, 671
reported, 957
passed finally, 1048
Bounty tax, special, in Guilford township, Franklin county, act relative to, 999
reported, 1039
passed finally, 1074
Bounty taxes in Bradford county, act relative to,
passed finally, 18
Bounty taxes in Sewickley borough, Allegheny county, act relative to, 31
reported, 47
passed finally, 142
Bounties, payment of to veteran soldiers, act relative to, 56
negatived, 165
Bounties, Congress to pass such laws as will enable soldiers who have lost their discharges to receive, joint resolution relative to, 74
reported, 165
passed finally, 165
Bounties in Brady township, Butler county, repeal of, act relative to, 82
passed finally, 82
Bounty tax in West Manheim township, York county, to levy and collect, act relative to, 82
passed finally, 82
Bounties, payment of to veteran volunteers, further supplement to, 107
reported, 122
postponed indefinitely, 857
Bounties in Dillsburg, York county, to collect, &c., act relative to, 153
reported, 383
considered, 576
passed finally, 577
Bounties in Kingston township, Luzerne county, tax for, act to legalize, 153
reported, 176
passed finally, 234
Bounties in Scranton, Luzerne county, to raise money for, act authorizing, 153
reported, 176
passed finally, 234
Bounties, local, further supplement to act, 153
reported, 330
passed finally, 410

Bounty accounts in Franklin county, settlement of, act relative to, 164
passed finally, 167
Bounty fund of East Lampeter township, Lancaster county, to apply, act to enable, 228
reported, 254
passed finally, 339
Bounty tax in Mercer township and Harrisville borough, in Butler county, school directors to levy tax for, act authorizings 252
reported, 302
Bounty fund of Schuylkill township, Chester county, to pay over, act relative to, 253
reported, 303
passed finally, 410
Boatmen's insurance and transportation company, supplement to act incorporating, 255
reported, 350
passed finally, 412
Bounty taxes in Marion township, Butler county, act relative to, 284
reported, 302
passed finally, 410
Bounty taxes in Lykens township, Dauphin county, act relative to, 281
reported, 303
passed finally, 410
Boyd Farm and Petroleum Centre bridge company, act to incorporate, 281
reported, 321
passed finally, 410
Bounty tax in Springfield township, Bucks county, act relative to, 282
reported, 303
passed finally, 340
Bounty law in Clearfield county, petition of citizens of, 302
Bounties in Clearfield county, payment of, act relative to, 316
passed finally, 319
Bounty tax, Marshal township, Allegheny county, to apply, act authorizing, 316
reported, 350
passed finally, 412
Bounty tax in Haines township, Centre county, act authorizing, 328
Bounties to volunteers in borough of Kingston, Luzerne county, act relative to, 332
passed finally, 337
Bounty funds of Benton township, Luzerne county, act relative to, 332
reported, 350
passed finally, 412
Bonds of the Commonwealth, act relative to, 406
reported, 426
passed finally, 595
Bounty purposes, Washington township, Snyder county, act relative to, 406
negatived, 430
Bounties to volunteers in Farmington township, Tioga county, act relative to, 406
reported, 496
passed finally, 574
Bounty purposes, in Sheffield township, Warren county, act relative to, 406
reported, 496
passed finally, 574
Bounty tax in Warren township and Harrisonville borough, Butler county, act relative to, 434
passed finally, 434
Bounties in Montgomery township, Franklin county, act relative to, 478
reported, 496
passed finally, 574
Bounties in Eldred township, Monroe county, act relative to, 484
reported, 572
passed finally, 572
Bounty purposes in Strasburg township, Lancaster county, act to legalize assessment made for, 498
reported, 554
passed finally, 675
Bounty purposes, tax for, in borough of Jamestown, Mercer county, act authorizing, 557
reported, 570
passed finally, 675
Bounty tax in Washington township, Indiana county, act authorizing, 571
passed finally, 676
Bounty to soldiers in United States service, resolution relative to instructing our Senators and Representatives in Congress on, 666
Bounties paid to volunteers in Ayr township, Fulton county, supplement to an act to legalize, 670
reported, 706
passed finally, 779
Bounty accounts in Cumberland township, Fulton county, act relative to, 670
reported, 706
passed finally, 779
Boyertown, Berks county, to purchase engine house, act authorizing, 671
reported, 706
passed finally, 786
Bounty tax in Upper Paxton township and Gratztown borough, in Dauphin county, act relative to, 704
reported, 725
passed finally, 875
Bounties to volunteers in Hamilton township, Franklin county, further supplement to act, 704
reported, 805
passed finally, 877
Bounty tax in Industry township, Beaver county, act to authorize, 704
reported, 725
passed finally, 875
Bounty tax in Conestoga township, Lancaster county, act to authorize, 704
reported 726
Bounty tax in Jefferson township, Fayette county, act to authorize, 704
Bounty tax in certain wards in Lancaster city, supplement to act relative to, 704
reported, 726
passed finally, 876
Bounties to volunteers in Lower Milford township, Lehigh county, act relative to, 704
reported, 725
passed finally, 875
Bounty purposes, in Chanceford township, York county, act relative to, 704
reported, 725
passed finally, 822
Bounties to volunteers, payment of, act relative to, 726
reported, 804
Bounty taxes in Snyder county, act to legalize, 726
reported, 804
objected, 877
Bounty tax in Warrington township, York county, act relative to, 816
reported, 851
passed finally, 1044
Bounty tax in Shrewsbury township, York county, act relative to, 816
reported, 851
passed finally, 1044
Bounties in Birmingham township, Delaware county, act relative to, 816
Bounty purposes, in Strasburg township, Lancaster county, act relative to, 816
reported, 851
passed finally, 1044
Bounties in M'Keesport, Allegheny county, act to equalize payment of, 816
reported, 851
passed finally, 1044
Bounties to veteran volunteers, payment of, further supplement to an act relative to, 817
passed finally, 818
Bounty funds in West Hempfield township, Lancaster county, act to authorize directors to apply to school purposes, 821
reported, 907
passed finally, 1045
Bounty tax in Wheatfield township, in Perry county, to levy and collect, act to authorize, 821
reported, 907
passed finally, 1044
Bounty funds in Silver Spring township, Cumberland county, act appropriating to school purposes, 821
reported, 907
passed finally, 1046
Boyle, Mrs. S. Richards, widow of Captain John Boyle, act relative to, 822
passed finally, 822
Bounty tax in Perry township, Fayette county, act to authorize, 854
reported, 908
passed finally, 1022
Bounties, payment of in the city of Reading, act relative to, 904
reported, 919
passed finally, 1047
Bounties, local, in the county of Lawrence, further supplement to act relative to, 905
negatived, 918
Boyd Farm bridge company, act to incorporate, 907
Boundary lines between the counties of Lycoming, Union and Clinton, act relative to, 907
reported, 996
passed finally, 1072
Bounty tax in Lykens township, in Dauphin county, supplement to an act to legalize, 959
reported, 995
passed finally, 1072
Bohner, Jacob, act changing citizenship from Lykens township to Mifflin township, in Dauphin county, 959
reported, 995
passed finally, 1072
Bounty fund, surplus, in Vernon township, Crawford county, act relative to, 959
reported, 996
passed finally, 1073
Bounty fund in the township of East Fallowfield, Crawford county, act relative to, 959
reported, 996
passed finally, 1073
Bousch, C. M., of the city of Meadville, act relative to dockets of, 959
reported, 995
passed finally, 1072
Bounty and military taxes and fines, act to exempt persons who have been in the military service of the United States and have been honorably discharged, 960
Bounties in Concord township, Erie county, act relative to, 962
reported, 995
passed finally, 1073
Bounties to volunteers in Latimore township, Adams county, act authorizing school directors to levy tax for, 996
passed finally, 1022
Bribery and corruption, in case of election of United States Senator, resolution relative to, 29
Bribery and corruption, in case of election of United States Senator, copy of, 29
Brokers' Beneficial association, in Philadelphia, act to incorporate, 81
reported, 95
passed finally, 125
vetoed, 316
Brewster, Benjamin Harris, Attorney General, appointment of, 96

Brady's Bend iron company, further supplement to act incorporating, 108
passed finally, 108
Brockway, William F., exoneration of certain taxes, act authorizing, 123
reported, 131
passed finally, 232
Brady's Bend bridge company, act to incorporate, 124
reported, 131
passed finally, 142
Brookville Academy, to sell same, act authorizing, 151
reported, 177
passed finally, 237
Bristol Steam tow boat and transportation company act to incorporate, 191
passed finally, 192
Breman, William, of Carbondale, relief of, act relative to, 211
reported, 554
passed finally, 675
Bridge over West Branch at Milton, Susquehanna county, company, act to incorporate, 228
reported, 254
passed finally, 339
Bridge over Youghiogheny river at Dickison run, act relative to, 283
reported, 331
passed finally, 411
recalled from Governor, 818
passed finally, 856
Bridge companies and hall associations, extending, supplement to act to, 290
reported, 316
Bridge, to erect over Juniata river at Mifflin, in Mifflin county, act authorizing, 301
passed finally, 319
Bridge Water, borough of, to sell part of Clarion street, act authorizing, 386
reported, 484
recommitted, 486
negatived, 570
Brandy Camp railroad company, act to incorporate, 406
reported, 484
passed finally, 573
Brockwayville and Brookville railroad company, act to incorporate, 479
reported, 591
passed finally, 676
Broad Street Island railroad company, supplement to act incorporating, 486
reported, 497
Bridge over Oil creek, in Venango county, supplement to act authorizing, 644
reported, 651
passed finally, 782
Bridgeport and Horseshoe turnpike road company, act to incorporate, 695
reported, 706
passed finally, 786
Bridge across Nescopeck creek, in Nescopeck township, Luzerne county, act to provide, 714
reported, 805
passed finally, 877
Bridge viewers in Ligonier township, Westmoreland county, act relative to appointment of, 727
reported, 805
passed finally, 877
Brady coal and iron company, supplement to act incorporating, 780
reported, 815
first reading, 878
passed finally, 912
Bridge over Allegheny river, near foot of Taylor street, in the city of Pittsburg, in Allegheny county, act authorizing, &c., 904
reported, 919
passed finally, 1048
Broad Street and Island road company, act to incorporate, 962
Broad street, in Philadelphia, to lay out, act relative to, 34
negatived, 331
Brady township, Butler county, resolution recalling bill from Governor relative to, 34
Bridge, free, in Philadelphia, over the Schuylkill river at South street, act relative to, 47
reported, 282
passed finally, 340
recalled from Governor, 854
amended, 866
passed finally, 866
Bradford county:
bounty taxes in, act relative to, 18
passed finally, 18
criminal proceedings in, act supplementary to an act extending provisions to, 123
reported, 152
passed finally, 233
fees of district attorney of, act to repeal, &c., 123, 152
passed finally, 233
fees of notary public of, act relative to, 246
reported,
fees of justices of the peace, commissioners, auditors, constables, &c., in, act relative to, 407
reported, 496
passed finally, 573
Goodrich, E. O., late prothonotary of, act relative to, 780
reported, 1070
passed finally, 1074
justices of the peace, in borough of Towanda, act relative to, 56
passed finally, 56
notary public in, act authorizing an additional, 621
reported, 669
passed finally, 782
Bridge companies:
Boyd Farm, act to incorporate, 907
Boyd Farm and Petroleum Centre, act to incorporate, 281
reported, 331
passed finally, 411
Brady's Bend, act to incorporate, 124
reported, 131
passed finally, 142
Columbia, act relative to, 141
reported, 246
passed finally, 338
Columbia and Wrightsville, act to incorporate, 141
Curwensville, act authorizing change of rates of tolls, 694
reported, 705
passed finally, 779
Equinunk, act to incorporate, passed finally, 337
Harrisburg, to borrow money, further supplement to charter, 153
reported, 165
passed finally, 234
Licking, in Clarion county, to sell bridge, act authorizing, 695
reported, 705
passed finally, 786
Mattawana, supplement to act to incorporate, 431
reported, 484
passed finally, 573
Madison, of Pottstown, Montgomery county, act to incorporate, 557
reported, 571
passed finally, 675
People's, of Harrisburg, act to incorporate, 406
reported, 411
passed finally, 529
Perry, act to incorporate, 871
reported, 907
passed finally, 1045
Bridge companies—*Continued.*
Pennsylvania and New Jersey, act to incorporate, 871
reported, 907
passed finally, 1045
Pine Creek, act to repeal an act to incorporate, 253
reported, 331
passed finally, 539
Pioneer Run, act to incorporate, 280
reported, 331
passed finally, 411
Brown, James C., Senator from the Twenty-eighth district, comprising the counties of Mercer, Venango and Warren,
remarks on
West Branch boom company, 118
public roads of the Common wealth, 178
exclusion of colored persons from railroad cars, 214, 215, 216
Pittsburg and Connellsville railroad, 290
Agricultural college of Pennsylvania and the establishment of experimental farms, 303
general railroad law, 336, 500, 1077
payment of bounties to veteran volunteers, 505
act relative to rate of interest, 507
act relative to enlargement of the Erie canal, 702
act directing the entry of liens for moneys due the Commonwealth, 860
act relative to the payment of gratuities and annuities of the soldiers of 1812, 864, 865
act to ascertain and appoint the fees to be received by the several officers of this Commonwealth, 915, 916
the appropriation bill (general), 927
964, 975, 1000, 1011
bills read in place by, 18, 29, 31, 47, 95, 123, 131, 166, 177, 191, 246, 255, 282, 333, 431, 486, 557, 577, 694, 726, 807, 817, 854
petitions presented by, 29, 81, 94, 122, 130, 164, 211, 245, 382, 424, 478, 496, 591, 753, 802
Browne, R. Audley, Senator from the Twenty-seventh district, comprising the counties of Lawrence, Butler and Armstrong,
remarks on
adoption of rules of Senate, 50
joint resolution to ratify amendment to Constitution, 84, 96
exclusion of colored persons from railroad cars, 215
afternoon session, 256
Pittsburg and Connellsville railroad, 289
Agricultural college of Pennsylvania and the establishment of experimental farms, 303
general railroad law, 388, 646
commutation of death punishment in certain cases, 502
destruction and spread of Canada thistle, 506
act extending the privilege of the floor to the clergy of the M. E. Conference, 575
act relative to evidence in actions of ejectment, 597
Sunday car question, 669, 678
act relative to marine hospital of Pennsylvania, 702
act to prohibit the issuing of license in certain townships and boroughs in Indiana county, 783
act relative to relinquishing the New York and Erie railroad annuity, 787
adjournment over, 819
appropriation bill (general), 931, 965, 968, 969, 974, 1006, 1012, 1013

Browne, R. Audley—*Continued.*
act relative to the completion of military history of Pennsylvania volunteers, 1074
act relative to the estate of Eliza Howard Burd, 1084
bills in place by, 31, 34, 56, 96, 107, 123, 153, 191, 246, 282, 332, 385, 406, 486, 531, 694, 807, 864, 1021
petitions presented by, 34, 122, 130, 151, 175, 190, 211, 245, 280, 302, 315, 316, 330, 349, 382, 424, 495, 554, 651
resolutions offered by, 142
Burnett, Charlton, Senator from the Tenth district, comprising the counties of Carbon, Monroe, Pike and Wayne,
remarks on
joint resolution to ratify amendments to the Constitution, 84
joint resolution relative to Edgar Cowan, 135
public roads in this Commonwealth, 178
Pittsburg and Connellsville railroad, 280
act relative to evidence in actions of ejectment, 596
act relative to licenses of eating houses and hotels, 701
joint resolution relative to the revisal of the civil laws of Pennsylvania, 709
joint resolution relative to obstructions in the Delaware river, 808
act directing the entry of moneys due the Commonwealth, 914
the appropriation bill (general), 934, 964, 968, 1001, 1012
an act to repeal an act relative to the jurisdiction of courts, &c., 914
act relative to dower, 1088, 1089
petitions presented by, 81, 115, 244, 315, 349, 424, 478, 590
bills read in place by, 95, 115, 153, 166, 177, 212, 247, 316, 332, 351, 406, 478, 486, 571, 653, 670, 694, 699, 761, 807, 817, 854, 921
Burgess and town council of borough of Wilkesbarre, additional powers, act to confer, 478,
reported, 484,
passed finally, 572
Buildings in the city of Philadelphia, regulation and inspection of, act relative to, 726
reported, 804
not agreed to, 876
reconsidered, 962
Bustleton Methodist Episcopal church, supplement to constitution and charter of, 780
reported, 814
passed finally, 877
Buck Road, in the Twenty-sixth ward of Philadelphia, act to vacate part of, 816
reported, 851
passed finally, 1044
Building and Savings institution of Pittsburg, act to incorporate, 904
reported, 918
Burd, Elizabeth Howard, estate of, act relative to, 958
considered, 1049
passed finally, 1084
Burton, C. W., claim of, act authorizing Auditor General to examine, 971
reported, 995
passed finally, 1072
Bureau of Information, act to incorporate, 971
Bucks county:
Andalusia college of, supplement to act incorporating, 228
reported, 254
passed finally, 339
Bucks county—*Continued.*
bounty tax, in Springfield township, in, act relative to, 282
reported, 306
passed finally, 340
commissioners of, act relative to compensation of, 406
reported, 484
passed finally, 573
Butler county:
auditors of, act relative to pay of, 328
reported, 383
passed finally, 528
billiard rooms, bowling saloons, or ten pin alleys in, act for better regulation of, 807
passed finally, 807
bounties, in Brady township, in, repeal of act relative to, 82
passed finally, 82
bounty tax, in Mercer township and Harrisville borough, in, act authorizing school directors to levy tax for, 252
reported, 302
bounty taxes, in Marion township, in, act relative to, 281
reported, 302
passed finally, 410
bounty tax, in Warren township and Harrisville borough, in, act relative to, 434
passed finally, 434
Brady township, in, resolution recalling bill relative to, 34
law library in, act to establish, 407
reported, 591
passed finally, 879

C.

Cameron, Simon, United States Senator, election of, 74
Cameron petroleum company, to change place of business of, act relative to, 95
reported, 115
passed finally, 116
Cambria iron company, act to amend charter of,
passed finally, 142
Carbon county, sheriff's compensation, act fixing, 151
reported, 176
passed finally, 234
Carson gold mining company, to change name, &c., act relative to, 152
reported, 165
passed finally, 233
Canada thistle, to prevent spread of, act repealing, &c., 153
reported, 227
passed finally, 506
Caledonia and South Mountain railroad company, act to incorporate, 166
passed finally, 179
California and Philadelphia gold mining company, act to incorporate, 246
reported, 254
passed finally, 339
Carbondale, city of, act to incorporate, 253
negatived, 330
passed finally, 530
Catasauqua and Fogelsville railroad company, act relative to, 333
passed finally, 340
Cameron county, school districts of to hold election, act authorizing,
negatived, 350
Carroll de Taillevis, to change name, act relative to, 351
negatived, 382
Cattle, horses, sheep and hogs, running at large in Lebanon county, act relative to, 407
reported, 919
passed finally, 1048
Caledonia iron company, act to incorporate, 427
reported, 430
passed finally, 530
Causes, removal of certain, act relative to, 571
reported, 755
first reading, 868
postponed indefinitely, 869
Cattle running at large in Abington township, Montgomery county, act to prevent, 621
reported, 652
passed finally, 782
Carpenters' and joiners' protective and beneficial union, No. 1, of Pennsylvania, act to incorporate, 621
negatived, 725
Cattle, horses, sheep and hogs in Crawford county, and West Donegal township, in Lancaster county, act to extend act to, 643
reported, 651
passed finally, 782
reconsidered, 808
amended to embrace Erie county, 808
passed finally, 808
Case, C. W., of Jackson township, Luzerne county, acts of, act to validate, 644
reported, 706
passed finally, 786
Cambria county, sale of lands by commissioners of, act relative to, 644
reported, 906
passed finally, 1045
Carlisle, Boiling Springs and Dillsburg turnpike road company, act incorporate, 694
reported, 706
passed finally, 779
Cattle, horses, sheep or hogs, to prevent running at large in certain towhships in Northampton and Erie counties, act relative to, 704
reported, 805
passed finally, 878
Cattle, horses, sheep or hogs in Chillesquaqua township in Northumberland county, and Kelley township in Union county, act to repeal an act relative to, 704
reported, 805
passed finally, 877
Calvary Monumental church of Philadelphia, from taxation, act to exempt, 727
reported, 822
passed finally, 854
Carbondale, city of, further supplement to act to incorporate, 803
negatived, 597
Cases, certain, removal of from court of common pleas of Cambria county, to court of common pleas of Blair county, 806
considered, 874
amended, 875
passed finally, 875
Catawissa and Towanda railroad company, act to incorporate, 807
reported, 815
passed finally, 870
Cattle, horses, sheep and swine, in Wyoming county, act to prevent running at large, 815
reported, 907
passed finally, 1045
Cattle, to prevent from running at large on the flat of Jack mountain, Menuo and Union townships, in Mifflin county, act relative to, 815
reported, 907
passed finally, 1045
Cattle, horses, sheep and hogs, in the township of Mill Creek and borough of New Lebanon, in Mercer county, act to prevent from running at large, 815
reported, 907
passed finally, 1045
Capital savings fund and safe deposit company, act to incorporate, 816
reported, 919
passed finally, 1048
Caledonia iron, land and railroad company, supplement to act to incorporate, 821
passed finally, 822

Caughey, John, of Beaver county, act for relief of, 864
reported, 907
passed finally, 1077
Carbondale gold and silver mining company, act to incorporate, 871
reported, 907
passed finally, 1045
Cardington Industrial Co-operative association, act to incorporate, 904
reported, 919
passed finally, 1048
Cattle, horses, mules, sheep and hogs, running at large in Venango township, Erie county, and Little Beaver township, Lawrence county, act to prevent, 940
reported, 958
passed finally, 1049
Capital stock of oil companies, act authorizing reduction of, 999
reported, 1039
passed finally, 1072
Caernarvon coal company, act to incorporate, 1021
passed finally, 1022
Cambria county:
Baptist churches in, supplement to act incorporating, 543
reported, 651
passed finally, 778
cases, certain, removal of from courts of common pleas, of, act relative to, 806
considered, 874
amended, 875
passed finally, 875
fees of township officers of, act relative to, 621
reported, 908
passed finally, 1046
Johnstown and Scalp Level turnpike company in, act authorizing increase of tolls, 803
reported, 815
passed finally, 878
sale of lands by commissioners of, act relative to, 644
reported, 906
passed finally, 779
Cameron county:
assessments in, act to legalize, 164
passed finally, 234
Cedar creek in, act to declare a public highway, 704
reported, 805
passed finally, 877
constable in, act authorizing election of, 164
reported, 176
passed finally, 318
elections in, special, act relative to, 316
Emporium, borough of in, act to amend charter of, 151
reported, 165
passed finally, 233
Emporium, borough of in, act authorizing court to amend charter of, 571
reported, 725
passed finally, 869
ferry or foot bridge over Driftwood branch, &c., in, act to establish, 281
reported, 330
passed finally, 821
fees of district attorney in, act relative to, 498
reported, 554
passed finally, 675
Carbon county:
commissioners of, act authorizing to build a new road, 486
reported, 497
passed finally, 574
criminal cases in, act relative to costs and fees of, 407
reported, 479
passed finally, 574
Carbon county—*Continued.*
Fort Allen iron company of, act to incorporate, 671
reported, 497
passed finally, 1048
law library in, act relative to, 780
reported, 804
passed finally, 876
sheriff of, act fixing compensation of, 151
reported, 176
passed finally, 234
Cemeteries, lotholders in, security of titles, act relative to, 82
negatived, 122
not agreed to, 502
Cedar run, in Elk township, Tioga county, a highway, act to declare, 228
reported, 254
passed finally, 339
Centre and Huntingdon counties, act to extend provisions of an act, 301
passed finally, 319
Cemetery or grave yard in Wilkesbarre and Plaines townships, Luzerne county, act relative to, 386
reported, 496
passed finally, 574
Cedar creek, in Cameron county, a public highway, act to declare, 704
reported, 805
passed finally, 877
Centre gold and silver mining company of Nevada, act to incorporate,
reported, 1039
passed finally, 1074
Centre county:
Aaronsburg, in, per capita tax, act relative to, 328
reported, 430
passed finally, 530
Baptist churches, in, supplement to act incorporating, 643
reported, 631
passed finally, 778
Bellefonte, in, to borrow money, further supplement to act, 281
reported, 303
passed finally, 410
Beech creek, in, act declaring a public highway, 803
bounty tax in Haines township, in, act authorizing, 328
eating houses and restaurants in, act regulating licenses of, 621
reported, 670
passed finally, 783
fees on unseated lands in, supplement to act relative to, 228
reported, 245
passed finally, 414
fees of notaries public in, act relative to, 904
reported, 919
passed finally, 1047
Forge run in, supplement to an act declaring a public highway, 816
reported, 907
passed finally, 1045
Howard township in, act to change place of holding elections in, 253
passed finally, 257
Children's Home of York county, report of, 130
Chester county, compensation of commissioners, act relative to, 151
passed finally, 167
Chesnut Hill and Spring House turnpike company, act relative to, 166
reported, 227
passed finally, 412
Chambersburg, school directors to borrow money, supplement to act relative to, 253
passed finally, 410
Chestnut Hill and Cheltenham railroad company, supplement to act incorporating, 333
Chester county, commissioners of, act relative to, 426
Chapman, township of, in Clinton county, to divide, act relative to, 643
reported, 693
passed finally, 784
Chester Creek railroad company, supplement to act to incorporate, 653
reported, 805
first reading, 878
passed finally, 812
Christian home of the Reformed Church, for widows and orphans, in Western Pennsylvania, act to incorporate, 670
negatived, 775
Chambersburg and Bedford turnpike company, election of officers, act relative to, 671
reported, 693
passed finally, 784
Chester, city of, supplement to charter, 694
reported, 706
passed finally, 783
Chester, city of, in Delaware county, conferring certain power upon, act relative to, 694
reported, 706
passed finally, 786
Chambersburg turnpike road company, election of officers of, act relative to, 695
reported, 705
passed finally, 786
Chambersburg hall and market company, act relative to, 695
reported, 705
passed finally, 786
Charles Evans cemetery company, further supplement to act to incorporate, 704
reported, 754
passed finally, 876
Chester passenger railroad company, act to incorporate, 726
reported, 755
passed finally, 876
Chester, city of, act relative to water works, 780
reported, 804
passed finally, 876
Chincleclamonche, and other boom companies, an act to give the right to sue for toll and boomage, 872
passed finally, 872
Chrystal gas and water company, act to incorporate, 905
reported, 919
passed finally, 1048
Chestnut Hill and Cheltenham railway, act to extend time for commencement of, 908
passed finally, 921
Chester, city of, further supplement to act incorporating, 959
reported, 995
passed finally, 1073
Chester county:
Andrews, David, of, act for relief of, 666
reported, 705
passed finally, 785
billiard saloons in, supplement to act relative to, 123
reported, 152
passed finally, 232
bounty fund in Schuylkill township, in, to pay over, act relative to, 253
reported, 303
passed finally, 410
compensation of commissioners of, act relative to, 151
passed finally, 167
commissioners of, act relative to, 426
Coatesville, town of, in, act relative to a highway, 781
reported, 805
passed finally, 877
dogs in, to tax, act relative to, 328
reported, 383

Chester county—*Continued.*
fines and forfeitures in, act relative to, 228
reported, 350
passed finally, 411
recalled from Governor, 558
game in, act relative to protection of, 592
hawkers and peddlers in, act relative to, 328
reported, 350
passed finally, 411
hawkers and peddlers in, supplement to act relative to, 727
reported, 804
considered, 876
passed finally, 1072
notary public for, act authorizing an additional, 328
reported, 350
passed finally, 411
noxious weeds in, act to prevent growth of, 328
reported, 350
passed finally, 412
Civil laws, revising of, joint resolution to, 177
reported, 382
considered, 480
passed finally, 481
Civil actions, in courts of Philadelphia, act relative to, 246
negatived, 496
City hall in Pittsburg, erection of, act relative to, 406
passed finally, 411
City passenger railroad company, act to incorporate, 406
reported, 591
passed finally, 676
Citizens' association, of Pennsylvania, to increase duties of, act relative to, 428
reported, 496
passed finally, 559
City express company, of Scranton, act to incorporate, 571
Citizens' insurance company, act to incorporate, 621
reported, 651
Citizens' ferry company, of Pittsburg, act to incorporate, 643
reported, 652
passed finally, 778
Civil actions in the courts of Philadelphia, trial of, act relative to, 806
negatived, 906
City hall in Pittsburg, board for the erection of, act creating, 807
passed finally, 818
Citizens' turnpike and macadamized road company, act to incorporate, 871
reported, 907
passed finally, 1045
Citizens' turnpike and macadamized road company, act to repeal an act to incorporate, 1077
passed finally, 1077
Clergymen of Harrisburg, resolution relative to, 5
Clearfield and Curwensville turnpike road, completion of, &c., act to extend, 141
passed finally, 167
Clerk of orphans' court, &c., in Lehigh county, to appoint deputies, act authorizing, 191
Clarion and Allegheny River plank road company, supplement to act incorporating, 228
reported, 254
passed finally, 339
Clarion street, in borough of Bridgewater, Beaver county, act to locate, 328
reported, 350
Claims against United States, special agent to collect, joint resolution relative to, 431
passed finally, 623
Clearfield trout and hotel company, act to incorporate, 620
passed finally, 778
Clarion coal company, act to incorporate, 707
passed finally, 707
Clark, A., of Meadville, to have dockets returned, act to empower, 780
Clerks, short hand, for the courts of Allegheny, act to authorize, 817
reported, 906
passed finally, 940
Clinton, turnpike company, in Greene county, act to incorporate, 917
reported, 968
passed finally, 1049
Clearfield county:
bounty law in, petition of citizens of, relative to, 302
bounties in, act relative to payment of, 316
passed finally, 319
Clinton county:
Bald Eagle boom company in, supplement to act to incorporate, 761
Beech creek in, act declaring a public highway, 803
Chapman township in, to divide, act relative to, 643
reported, 693
passed finally, 784
court house in, act relative to erection of, 484
passed finally, 572
Colebrook township in, act to re-annex to Brown township, in Lycoming county, 815
reported, 977
passed finally, 1045
ferry of the West Branch of the Susquehanna river, in Wayne township in, act to establish, 803
reported, 815
passed finally, 878
Lock Haven, borough of, in, to erect water works, act authorizing, 449
reported, 554
passed finally, 675
Constitution of United States, amendments to, resolution to ratify, 8
Constitution of United States, amendments to, copy of resolution, 12
Constitution of United States, joint resolution relative to, 56, 57
third reading, 62
considered, 71, 83, 84, 96
passed finally, 97
Congress, joint resolution relative to meeting of, 18
Courts, Sixteenth Judicial district, changing time of holding, act relative to, 47
reported, 95
passed finally, 124
Common Schools, Superintendent of, nomination of, 34
confirmation of, 34
Courts of Lancaster county, appointment of stenographer, act relative to, 82
reported, 95
passed finally, 116
Councilmen in Bellevernon, Fayette county, to change mode of electing,
reported, 95
passed finally, 232
Cowan, Edgar, confirmation of as Minister to Austria, joint resolution relative to, 96
copy of, 133
Columbus, borough of, to collect additional tax, act authorizing, 107
passed finally, 108
Courts in Lehigh county, act relative to, 316
reported, 330
passed finally, 410
recalled from Governor, 572
passed finally, 598
Coopersburg Savings Institution, 316
reported, 430
passed finally, 530
Courts of quarter sessions to annex, &c., act relative to, 316
reported, 382
passed finally, 595
Corporations, stockholders of, act relative to, 316
reported, 330
passed finally, 594
Courts of equity, Sixth Judicial district, in cases of partition, act relative to, 328
reported, 333
passed finally, 528
Courts of Crawford county, act to regulate fees of clerk of, 328
reported, 496
Commissioners and auditors of Monroe county, act relative to, 332
reported, 350
passed finally, 411
Coroner of Philadelphia, act relative to, 332
passed finally, 340
Corry, city of, further supplement to act incorporating, 385
reported, 426
passed finally, 529
Columbia, borough of, supplement to act incorporating, 385
reported, 484
considered, 572
passed finally, 757
Conemaugh and Allegheny transportation company, act to incorporate, 108
passed finally, 108
Commercial wharf and railroad company to issue bonds, &c., an act enabling, 115
Corporations for mechancical, manufacturing, &c., act relative to, further supplement, 122
reported, 122
passed finally, 154
Courts in Allegheny county, fixing time for holding of, supplement to act, 123
reported, 152
passed finally, 233
Cowan, Edgar, protesting against confirmation, resolution relative to, 124
reported, 141
passed finally, 143
Courts, jurisdiction of, &c., act relative to, 141
reported, 165
passed finally, 503
Corn Exchange association of Philadelphia, further supplement to act to incorporate, 141
reported, 152
passed finally, 233
Columbia bridge, act relative to, 141
reported, 246
passed finally, 338
Columbia and Wrightsville bridge, act to incorporate, 141
Cooper fire arms manufacturing company, act to incorporate, 151
reported, 165
passed finally, 233
Co-operative association of Hyde Park, No. 1, Scranton, act to incorporate, 153
reported, 165
passed finally, 233
Cowenesque river, Tioga county, to repair, act relative to, 164
reported, 330
passed finally, 434
Constables, &c., in Cameron county, act to authorize election of, 164
reported, 176
passed finally, 318
Co-operative association of Wilkesbarre, act to incorporate, 406
reported, 426
passed finally, 529
Commissioners of Bucks county, compensation of, act relative to, 406
reported, 484
passed finally, 573
Commissioners of Northampton county, compensation of, act relative to, 407
reported, 497
passed finally, 574

Commissioners of Lycoming county to borrow money, act to authorize, 407
reported, 496
passed finally, 574
Corporations for mechanical, manufacturing, mining and quarrying purposes, supplement to act extending to fire insurance companies, 426
reported, 496
passed finally, 578
County business, act relative to publication of, act relative to, 426
reported, 496
postponed indefinitely, 856
Co-operative association of East Birmingham, Allegheny county, act to incorporate 427
reported, 430
passed finally, 530
Common school law, resolution relative to, 431
agreed to, 434
Courts of the Sixth Judicial district, act to regulate, 478
reported, 496
withdrawn, 676
Coal Hill and Upper St. Clair townships, to increase tolls, act relative to, 478
reported, 484
Colebrookdale railroad company, supplement to act to incorporate, 478
reported, 484
passed finally, 573
vetoed by Governor,, 820
Court house, erection of in Clinton county, act relative to, 484
passed finally, 572
Costs, in Dauphin county, act relative to, 164
reported, 176
passed finally, 731
Contested elections, act relative to, 165
negatived, 316
Courts in Philadelphia, oyer and terminer, act relative to, 166
reported, 176
passed finally, 234
Colored people, exclusion of from cars, act relative to, 166
reported, 176
petition of, 211
considered, 212, 218
passed finally, 232
Colored people, hotel keepers to entertain, act relative to, 167
reported, 226
Corporations, vesting courts with power to create, act relative to, 177
reported, 227
passed finally, 419
Corporal punishment in schools, resolution relative to, 191
Common schools, changing titles of officers, &c., resolution relative to, 191
Courts, orphans, Dauphin county, duties of clerk of, act relative to, 212
reported, 227
passed finally, 291
Courts of Lehigh county, act relative to, 227
reported, 227
passed finally, 291
recalled from Governor, 647
Corporations for mechanical, manufacturing and quarrying purposes, provisions of to Northumberland county, act extending, 228
reported, 245
passed finally, 338
Coon, Jacob, estate of, act relative to, 231
negatived, 282
Columbia gas company, Lancaster county, further supplement to act incorporating, 246
reported, 282
passed finally, 339
Courts in Sixth Judicial district, terms of, act to regulate, 246
reported, 315
passed finally, 337
Courts in Philadelphia, reporters for, act relative to, 282
reported, 303
passed finally, 410
Continental slate company, act to incorporate, 282
reported, 330
passed finally, 410
Corporations for mechanical, manufacturing, mining and quarrying purposes, supplement to act, 286
reported, 382
Coatesville, Montoursville and Doe Run plank road company, supplement to act incorporating, 486
passed finally, 488
Connecting railway company, increase of capital, act authorizing, 486
reported, 555
passed finally, 675
County commissioners of Carbon county, to build a new road, act authorizing, 486
reported, 497
passed finally, 574
Courts of common pleas, jurisdiction of, act to enlarge,
reported, 496
passed finally, 626
Conyngham township, Columbia county, act increasing pay of officers, 508
reported, 554
passed finally, 675
Co-operative association of borough of Allentown, in Lehigh county, act to incorporate, 571
passed finally, 578
Councils of Philadelphia, members of, act regulating terms of, 572
Councils of Philadelphia, attendance of witnesses, act to compel, 572
Contested elections in Philadelphia, act relative to,
recommitted, 572
reported, 598
Corporations for mechanical, manufacturing, mining and quarrying purposes, supplement to act relative to, 592
passed finally, 595
Coopershop Volunteer Refreshment saloon in Philadelphia, to refund, act relative to, 592
passed finally, 593
Connellsville and Southern Pennsylvania railroad company, construction of, act relative to, 592
Coroner of Washington county, act relative to, 621
reported, 669
passed finally, 783
Conneautville Savings Bank, act to incorporate, 643
passed finally, 698
Courts in Beaver county, act to fix time of, 647
reported, 647
passed finally, 647
Conestoga and Big Spring Valley turnpike road company, supplement to act incorporating, 653
reported, 693
passed finally, 778
Commonwealth iron company, act to incorporate,
reported, 669
passed finally, 783
Columbia water company, to hold real estate, supplement to an act authorizing, 670
passed finally, 695
Coudersport school district, in Potter county, to attach lands to, act relative to, 695
reported, 705
passed finally, 786
Conly, Hunter, salary of, act authorizing payment of, 704
Courts of Lehigh county, supplement to act relative to, 726
reported, 804
passed finally, 869
Controllers of public schools, of First school district of Pennsylvania, act to provide, 726
reported, 755
passed finally, 912
Constable in the township of Blakely, in Luzerne county, act relative to, 726
reported, 804
passed finally, 887
Commissioners of Warren county, to work prisoners, act authorizing, 480
reported, 851
passed finally, 1044
Courts of Venango county, additional return day, act creating, 780
negatived, 851
Constables in Berks county, an act to extend provisions of an act to, 780
reported, 804
passed finally, 876
County commissioners of Northumberland county, increase of pay of, act relative to, 780
reported, 804
passed finally, 876
Coatesville, town of, in Chester county, act relative to highway, 781
reported, 805
passed finally, 877
Coal Hill road, in the township of Collins, in Allegheny county, act for the improvement of, 803
reported, 815
Court of quarter sessions of M'Kean county, to appoint commissioners, act to authorize,
reported, 805
passed finally, 870
Corporations for mechanical, manufacturing and quarrying purposes, supplement to act relative to, 806
reported, 814
Co-operative association of Tamaqua, act to incorporate, 807
reported, 814
first reading, 870
Common schools, superintendent of, to publish the official decisions of the School Department, act authorizing, 807
reported, 907
Corn Exchange warehousing company of Philadelphia, act to incorporate, 814
reported, 814
passed finally, 870
Conococheagne water company of the borough of Chambersburg, act to incorporate, 815
first reading, 815
Colebrook township, Clinton county, to annex to Brown township, in Lycoming county, act to re-annex, 815
reported, 907
passed finally, 1045
Court of common pleas of Philadelphia, to appoint an additional commissioner, act to authorize, 817
reported, 908
Coal trade of Schuylkill county, petition relative to, 848
report of committee, 848
resolution relative to, 849
Courts of Wayne county, judges to appoint special auditors, act authorizing, 854
Columbia life insurance company, act to incorporate, 854
reported, 906
passed finally, 1022
Costa Rica mining and improvement company, act to incorporate, 864
passed finally, 879
County, new, erection of out of parts of Crawford, Forest, Venango and Warren, act to provide for, 364

Courts of Venango county, act relative to, 870
reported, 906
passed finally, 1044
Continental mining company, act to incorporate, 871
reported, 907
passed finally, 1045
Common schools of the city of Lancaster, supplement to act relative to, 871
reported, 907
passed finally, 1045
Commissioners of Mercer county, to appropriate money for bridge purposes, act authorizing, 904
reported, 919
passed finally, 1048
Conveyancers or scriveners in Philadelphia, act for the protection of, 905
reported, 919
negatived, 1047
Corporations for mechanical, mining, manufacturing and quarrying purposes, act to repeal section 33, of, so far as it affects certain counties, 908
reported, 919
passed finally, 944
Communication between Lake Erie and the Ohio river, joint resolution relative to, 909
passed finally, 910
Commonwealth Savings Fund and Safe Deposit company of Philadelphia, act to incorporate, 917
Counterfeiters, professional, arrest of, act to extend provisions of an act, 940
reported, 957
passed finally, 1048
Cox, Richard S., deceased, act to repeal an act to perpetuate testimony of, 945
passed finally, 945
Courts of Greene county, act to change time of holding, 959
reported, 995
passed finally, 1072
Controllers of the public schools of the First school district of Pennsylvania, supplement to act relative to, 960
Court of common pleas of Northumberland county, act to provide for an additional return day, 971
reported, 995
passed finally, 1049
Confirmation of appointments to federal offices, joint resolution relative to, 1047
Corn and salt, imported into the port of Philadelphia, further supplement to act regulating measurement of, 1007
reported, 1039
passed finally, 1075
Coal Ridge improvement company, to sell bonds, act authorizing, 1021
passed finally, 1022
Commissioners of Erie county, &c., to contract with marine hospital of Pennsylvania, at Erie, &c., act authorizing, 1021
passed finally, 1022
Columbia county:
Conyngham township in, act increasing pay of officers of, 508
reported, 554
passed finally, 675
fees of district attorney in courts of, act regulating, 854
reported, 906
fish, passage of in the Susquehanna river and its tributary streams in, act relative to, 905
reported, 919
passed finally, 1048
Coleman, G. Dawson, Senator from the Sixteenth district, comprising the counties of Dauphin and Lebanon,
remarks on
assessment of taxes in Philadelphia, 155
exclusion of colored persons from railroad cars, 217
Railroad Committee, 230
Coleman, G. Dawson—*Continued.*
remarks on
Pittsburg and Connellsville railroad, 289
general railroad law, 334
protection of farmers of Philadelphia, 413
Reynolds monument, 434
act relative to rate of interest, 507, 1087
act relative to associate law judge of the several courts in the Twenty-first Judicial district, 560, 561, 562, 563, 1020, 1021
act relative to bounties in borough of Dillsburg, in county of York, 576
act to authorize the Governor to incorporate the Susquehanna canal company, 711, 728
act for protection of seamen in Philadelphia, 730
act relative to Sunday liquor law, 785
act relative to relinquishing the New York and Erie railroad annuity, 787
joint resolution relativeto obstructions in the Delaware river, 807
temporary adjournment, 819
act relative to the purchase of Ephrata Mountain Springs in Lancaster county, for a home for disabled soldiers, 910
the appropriation bill (general), 930, 932, 933, 937, 938, 939, 966, 970, 971, 972, 1001, 1003, 1004, 1006, 1010
act relative to the better protection of life and property from the explosion of steam boilers, 941, 942
act relative to the estate of Eliza Howard Burd, 1083
act to incorporate the Cumberland Valley railroad company, 1085
act relative to dower, 1089
bills read in place by, 57, 131, 141, 153, 191, 212, 246, 255, 282, 316, 406, 426, 430, 478, 486, 498, 508, 571, 592, 694, 807, 854, 921
resolutions offered by, 95, 142, 283, 499
petitions presented by, 151, 190, 211, 245, 302, 349, 382, 425, 477, 478, 495, 590, 651, 753
Connell, George, Senator from the Fourth district of Philadelphia,
remarks on
election of United States Senator, 6
joint resolution to ratify amendments to Constitution, 62
assessment of taxes in Philadelphia, 154
Senatorial contest, 427
act requiring notice of applications for legislation, in certain cases, 626
act for protection of farmers in Philadelphia, 650, 654
act relative to increase of revenue of the Commonwealth, 698, 699
act to authorize the Governor to incorporate the Susquehanna canal company, 711
act for protection of seamen in Philadelphia, 729, 730
act directing the entry of liens for moneys due the Commonwealth, 860
act relative to the purchase of Ephrata Mountain Springs, in Lancaster county, for a home for disabled soldiers, 910
the appropriation bill (general), 925, 927, 932, 936, 938, 963, 965, 966, 970, 974, 975, 1000, 1001, 1002, 1003, 1005, 1006, 1007, 1010, 1012, 1014
act relative to a change of venue from Schuylkill county to Lebanon county, 962
act relative to payment of Enos C. Renner, contestant for the seat of Michael Mullin, 1045, 1046
Connell, George—*Continued.*
remarks on
act relative to the estate of Eliza Howard Burd, 1083
act relative to the rate of interest, 1086
act relative to a change of venue from Schuylkill to Lebanon county, 913
resolutions offered by, 5, 6, 94, 229, 283, 710, 854, 1038, 1095
bills read in place by, 18, 29, 31, 34, 47, 95, 115, 123, 141, 152, 165, 167, 191, 229, 234, 246, 283, 316, 332, 351, 386, 406, 426, 431, 478, 486, 498, 508, 556, 572, 620, 643, 653, 670, 679, 699, 707, 726, 760, 788, 806, 814, 817, 854, 864, 879, 908, 920, 1021
petitions presented by, 115, 131, 141, 164, 190, 211, 226, 244, 279, 301, 315, 330, 349, 381, 423, 477, 478, 495, 553, 590, 650, 692, 753, 802, 849, 850, 905
Cowles, Warren, Senator from the Thirteenth district, comprising the counties of Potter, Tioga, M'Kean and Clinton,
remarks on
West Branch boom company, 116, 117, 118, 154
joint resolution relative to Edgar Cowan, 135
public roads of this Commonwealth, 178
Pittsburg and Connellsville railroad, 289
act relative to bounties in borough of Dillsburg, in county of York, 576
act to authorize Governor to incorporate Susquehanna canal company, 727
act to ascertain and appoint the fees to be received by the several officers of this Commonwealth, 915
act relative to the protection of life and property from the explosion of steam boilers, 942
the appropriation bill (general), 968, 969, 975, 1012, 1014
bills read in place by, 31, 81, 141, 212, 255, 316, 351, 426, 486, 557, 577, 694, 726, 1021, 1090
petitions presented by, 94, 211, 240, 348, 424, 544, 651
Crawford county:
bounty fund, surplus, in Vernon township, in, act relative to, 959
reported, 956
passed finally, 1073
bounty fund in East Fallowfield township, in, act relative to, 959
reported, 996
passed finally, 1073
cattle, horses, sheep and hogs in, act relative to, 643
reported, 651
passed finally, 782
reconsidered, 808
amended, 808
passed finally, 808
Clark, A., of Meadville, in, act to empower to have dockets returned, 780
courts of, act to regulate fees of clerk of, 328
reported, 496
commissioners of, to borrow money, act authorizing, 621
reported, 669
passed finally, 782
crude petroleum in, act relative to, 999
reported, 1039
Curwensville bridge company in, act authorizing change of rates of tolls, 694
reported, 705
passed finally, 779
elections in Titusville, in, act to change place of holding, 848

Crawford county—*Continued.*
fees of commissioners of, act to increase, 870
reported, 906
passed finally, 1044
fees of constables and police officers of the city of Titusville in, act to increase, 917
reported, 957
passed finally, 1048
firkins, tubs and kegs, manufacture of in, supplement to an act relative to, 228
reported, 245
passed finally, 338
fishing in the streams, lakes and reservoirs in, act relative to, 905
reported, 919
not agreed to, 1048
Criminal proceedings in Erie and Union counties, and extending same to Bradford county, act supplementary to, 123
reported, 152
passed finally, 233
in Warren county, 164
reported, 227
passed finally, 538
reconsidered, 434
Cresheim turnpike and bridge company, supplement to act incorporating, 228
reported, 254
passed finally, 559
Crozer theological seminary, act to incorporate, 253
negatived, 282
reconsidered, 694
reported, 705
passed finally, 784
Crawford, George S., accounts of, to re-examine, act authorizing, 314
passed finally, 319
Criminal cases in Carbon county, act relative to costs and fees, 407
reported, 497
passed finally, 574
Cranberry coal company, to construct a railroad, further supplement to act, 407
reported, 426
passed finally, 529
Criminal cases in Indiana county, manner of, act relative to change of, 478
reported, 554
passed finally, 675
Crain, Annie, to legitimate, act relative to, 486
reported, 496
passed finally, 574
Crawford county, commissioners of to borrow money, act authorizing, 621
reported, 669
passed finally, 782
Crystal Lake water company, act to incorporate, 803
ruled out.
Crossthwait, John, estate of, supplement to act relative to, 806
passed finally, 821
Criminal proceedings in Forest county, act to extend an act to, 848
reported, 906
passed finally, 1044
Criminal proceedings in Potter county, act to change mode, 915
passed finally, 1047
Crude petroleum in Venango, Crawford and Erie counties, act relative to, 999
reported, 1039
Curwensville bridge company, to change rates of toll, act authorizing, 694
reported, 705
passed finally, 779
Cumberland Presbyterian church, of Greenville, Washington county, to sell real estate, act authorizing, 848
reported, 906
Cumberland county, commissioners, sheriff and treasurer of, act relative to, 917
reported, 957
passed finally, 1084
Cumberland Valley Mutual Protection company, of Dickinson township, in Cumberland county, supplement to act incorporating, 959
reported, 1039
passed finally, 1077
Cumberland Valley railroad company, further supplement to act to incorporate,
reported, 1077
passed finally, 1077
reconsidered, 1085
Cumberland county:
auctioneers in, act relative to appointment of, 499
reported, 554
bounty funds in Silver Spring township in, act appropriating to school purposes, 821
reported, 907
passed finally, 1045
commissioners, sheriff and treasurer of, act relative to, 917
reported, 957
passed finally, 1046
Cumberland Valley Mutual protection company of Dickinson township in, act to incorporate, 957
reported, 1039
passed finally, 1074
Dams on the Conedoguinett creek in East Pennsborough township in, act relative to, 999
passed finally, 1039
Dietz, David, in, to attach to, act relative to, 246
reported, 254
passed finally, 338
fees of sheriff in, act relative to, 870
reported, 906
passed finally, 1045
fish in the Conedoguinett creek in, act relative to protection of, 962
reported, 996
huckstering in, supplement to act relative to, 407
reported, 497
passed finally, 574

D.

Daily Record, committee appointed to contract for, 5
amendment to, 57
concurred in, 57
Dauphin County Soldiers' Monument association, act to incorporate, 131
reported, 141
passed finally, 142
Dauphin county, indebtedness of, act relative to, 499
reported, 554
passed finally, 675
Danville water company, act to incorporate, 499
reported, 555
passed finally, 675
Danville, Montour county, burgess and town council, act relative to, 563
passed finally, 564
Dauphin county, fines collected from intoxicated persons, act relative to, 621
reported, 669
passed finally, 783
Day laborers in Pennsylvania, act relative to, 726
Darby and Upper Darby railroad company, act to incorporate, 816
Danville gas company, supplement to act incorporating, 901
reported, 919
passed finally, 1048
Dams on the Conedoguinett creek in the township of East Pennsboro, in Cumberland county, act relative to, 999
reported, 1039
Dauphin county:
bounties in Upper Paxton township and Gratz borough in, act relative to, 704
reported, 725
passed finally, 875
in Lykens township in, supplement to an act to legalize, 959
reported, 995
passed finally, 1072
Bohner, Jacob, act to change citizenship in, 959
reported, 995
passed finally, 1072
bounty tax in Lykens township in, act relative to, 281
reported, 303
passed finally, 410
costs in, act relative to, 164
reported, 176
passed finally, 731
court of common pleas, act relative to duties of clerk of, 212
reported, 227
passed finally, 291
ferry over the Susquehanna at Millersburg in, supplement to act to establish, 459
reported, 996
passed finally, 1073
fines collected from intoxicated persons in, act relative to, 621
reported, 669
passed finally, 783
fees of district attorney in, act relative to, 316
reported, 330
passed finally, 410
Highspire in, act authorizing to hold special election in, 151
reported, 165
passed finally, 192
cemetery association of, act to incorporate, 246
hucksters in, act relative, 780
reported, 851
passed finally, 1044
Hummelstown in, act relative to streets in, 1007
reported, 1077
passed finally, 1077
Lykens Valley coal company of, further supplement to act to incorporate, 57
passed finally, 57
notary public in, act authorizing additional, 407
reported, 496
passed finally, 676
Soldiers' Monument association in, act to incorporate, 131
reported, 141
passed finally, 142
Davis, J. D., Senator from the Eighth district, comprising the county of Berks,
remarks on 7
joint resolution to ratify amendments to Constitution, 83, 97
Governor's message on removal of State arsenal, 108
joint resolution relative to Edgar Cowan, 133
exclusion of colored persons from railroad cars, 213
Railroad Committee, 230
Pittsburg and Connellsville railroad, 289
general railroad law, 336
Reynolds monument, 433
commutation of death punishment in certain cases, 480
act relative to associate law judge of the several courts of the Twenty-first Judicial district, 561
reduction of national revenue tax on distilled spirits, 595
act requiring notice of application for legislation in certain cases, 626
Sunday car question, 669
act relative to license of eating houses and hotels, 700

Davis, J. D.—*Continued.*
remarks on
act authorizing Governor to incorporate the Susquehanna canal company, 728
act relative to Sunday liquor law, 784, 785, 810
act relative to the collection of tax in Jackson township, Dauphin county, and Jefferson township, Berks county, to refund moneys advanced to pay bounties to volunteers, 878, 879
the appropriation bill (general), 932, 933, 966, 1006, 1007, 1010, 1012
act relative to the payment of Enos C. Renner, contestant for the seat of Michael Mullin, 1046
act relative to dower, 1089
act relative to change of venue in the case of Commonwealth of Pennsylvania vs. Jesse R. M'Carty, &c., 260
petitions presented by, 46, 692
bills read in place by, 48, 82, 107, 167, 191, 255, 312, 351, 406, 498, 557, 571, 643, 670, 707, 756, 854
resolutions offered by, 1095
Desertion in Lawrence county, act relative to, 31
reported, 131
amended, 232
Deputy Secretary of Commonwealth, appointment of, 96
Death punishment, commutation of, act authorizing, 177
reported, 227
considered, 479, 500
passed finally, 502
Death penalty, on negroes, for rape, act relative to, 212
negatived, 226
postponed indefinitely, 857
Delaware county, to create a loan, act authorizing, 22
reported, 954
passed finally, 339
Desertions in Luzerne county, act relative to,
passed finally, 232
Delaware Water Gap and Port Jervis railroad company, act to incorporate, 316
Deer, hunting of, with dogs, in Wyoming county, act relative to,
reported, 496
passed finally, 574
Delaware Valley railroad company, act to incorporate, 407
reported, 805
passed finally, 877
Delaware river, improvement of front of, act relative to, 556
reported, 570
passed finally, 675
Delaware mining company, payment of enrollment tax of, act to extend time of, 572
reported, 591
passed finally, 675
Decisions of Supreme Court, publication of, act relative to, 643
reported, 755
Delaware canal company, annual report of, 703
Deer and wild turkeys, better protection of, act relative to, 704
reported, 805
Delaware County lumber manufacturing company, act to incorporate, 803
reported, 815
passed finally, 877
Delaware river navigation, an act to suspend further payment to commissioners appointed to improve, 814
passed finally, 818
Deer in Wayne county, act to prevent destruction of, 815
passed finally, 1045
Delaware and Hudson canal company, annual report of, 848
Decatur Building association of Frankford, act to amend charter, 917
reported, 957
passed finally, 1048
Depot for the sale of cattle, calves, sheep and hogs in the city of Philadelphia, act to establish, &c., 971
Dewy, James, and wife, act to annul marriage contract,
reported, 996
passed finally, 1072
Delaware county:
billiard saloons in, supplement to act relative to, 123
reported, 152
passed finally, 232
bounty tax in Birmingham township, in, act relative to, 816
Chester, city of, in, supplement to charter, 694
reported, 706
passed finally, 786
Chester, city of, in, conferring certain powers upon, act relative to, 694
reported, 706
passed finally, 786
Chester, city of, in, act relative to water works, 780
reported, 804
passed finally, 876
Chester, city of, in, further supplement to act to incorporate, 959
reported, 995
passed finally, 1073
Fulton House company of Thurlow, in, act to incorporate, 643
passed finally, 725
loan of, act to create a, 228
reported, 254
passed finally, 339
Distilled spirits, internal revenue tax on, act relative to, 8
reported, 425
District attorneys in Bradford county, act regulating fees,
reported, 47
Divorce cases, amendments to act authorizing, 153
negatived, 226
not agreed to, 504
Dickinson Run railroad and bridge company, act to incorporate, 191
reported, 227
passed finally, 291
Disorderly persons, prosecution of, in Monongahela, Allegheny county, act relative to, 228
negatived, 245
District attorney in Erie county, duties of, act relative to, 246
reported, 254
passed finally, 338
Dietz, David, in Cumberland county, to attach to, act relative to, 255
reported, 303
passed finally, 340
Digmen, James, of Allegheny county, claim of, act relative to, 643
reported, 705
passed finally, 779
Dime Savings Institution of Harrisburg, enrollment tax of, act to extend time of payment of, 781
reported, 804
passed finally, 876
Dime Savings Fund of Slatington, act to incorporate, 917
reported, 957
passed finally, 1048
Dime Savings Institution of Ashland, act to incorporate, 959
reported, 996
passed finally, 1074
Dower, act relative to, 108
reported, 165
passed finally, 503
amended by the House, 1088
considered, 1088
Douglassville and Yellow House turnpike company, act to incorporate, 246
reported, 254
passed finally, 333
Dogs in Chester county, to tax, act relative to, 328
reported, 383
passed finally, 528
Downingtown gas and water company, act to incorporate, 386
passed finally, 387
Dower, act relative to, 756
negatived, 804
Donovan, Cornelius M., Senator from the Third district, Philadelphia,
remarks on
joint resolution to ratify amendments to Constitution, 97
assessment of taxes in Philadelphia, 155,
protection of farmers in the city of Philadelphia, 413, 647, 649, 650, 654
salting streets of Philadelphia, 434
act relative to license of eating houses and hotels, 701
act for protection of seamen in Philadelphia, 729, 730
the appropriation bill (general), 927, 974, 1002, 1003
act relative to the military claim of Col. John W. M'Lain, deceased, in Erie county, 943
act relative to associate law judge of the several courts of the Twenty-first district, 1021
act relative to the payment of Enos C. Renner, contestant for the seat of Michael Mullin, 1045, 1046
bills read in place by, 31, 229, 255, 282, 814
petitions presented by, 190, 279, 315, 423, 478, 553, 802, 906
resolutions offered by, 229
Drew, Adam, to purchase real estate, act authorizing, 349
Dunn, Michael, soldier, payment of, act authorizing, 228
reported, 330
passed finally, 410
Dunmore gas and water company, act to incorporate, 832
reported, 383
passed finally, 529
Dubbs, Henry, to open and resettle accounts of, act relative to, 407
Dushore, borough of, in Sullivan county, corporate officers of, act relative to, 694
reported, 705
passed finally, 779
Dunmore, borough of, to annex to city of Scranton, act relative to, 780
reported, 907
Duquesne, borough of, to borrow money, act authorizing, 999
reported, 1059
passed finally, 1073

E.

East Birmingham, Allegheny county, to borrow money, act to enable, 151
reported, 176
passed finally, 234
Eagle mining company, to borrow money, supplement to act incorporating, 216
reported, 227
passed finally, 233
East Birmingham, Allegheny county, erecting a borough, supplement to act, 228
reported, 254
passed finally, 338

Easton and Wilkesbarre turnpike road company, supplement to act incorporating, 228
reported, 254
passed finally, 339
Easton, further supplement to act to incorporate, 333
reported, 350
passed finally, 411
Eagle assembly, of Philadelphia, act to incorporate,
negatived, 430
Eating houses and restaurants in Allegheny county, act relative to, 498
reported, 591
passed finally, 647
Eagle cotton and manufacturing company, act to incorporate, 621
reported, 669
passed finally, 783
Eating houses or restaurants in Centre county, licenses of, act regulating, 621
reported, 679
passed finally, 783
East lane, in Mill Creek township, Erie county, to change name of, act to repeal an act, 621
passed finally, 783
Eastern telegraph company, payment of enrollment tax of, act to extend, 734
reported, 652
passed finally, 778
East Brandywine and Waynesburg railroad company, act incorporating, 557
reported, 780
passed finally, 822
Easton, borough of, in Northampton county, Fourth ward of, act to erect, 807
reported, 815
passed finally, 870
Easton water company, act authorizing Governor to incorporate, 904
reported, 909
passed finally, 1048
Eagle manufacturing company, act to incorporate, 917
reported, 957
passed finally, 1048
Eagle cotton manufacturing company, supplement to act incorporating, 921
reported, 957
Easton, borough of, in Northampton county, act erecting Fourth ward of, 998
reported, 1039
passed finally, 1074
Eagle Hill iron company, act to incorporate,
reported, 1039
passed finally, 1073
Education by common schools, regulation of, &c, further supplement to act, 531,
reported, 570
recommitted, 570
reported, 591
copies to be printed of,
first reading, 862
amended, 864
passed finally, 864
Edmunds, John and S. J., act granting an appeal from a decree for divorce between, 908
passed finally, 915
Edgeland coal and lumbering company, act to incorporate, 917
Edge Hill iron company, act to incorporate, 959
Edwards, James and Elizabeth, act to annul marriage contract, 962
reported, 996
passed finally, 1074
Elections, in Youngsville borough, to change mode,
reported, 56
Election of United States Senator, 74
Election officers, to indemnify, in certain cases, act relative to, 141
reported, 755
first reading, 869
passed finally, 912
Election districts, certain, to repeal act relative to, 246
reported, 316
passed finally, 410
Election in Cameron county, special, act relative to, 316
Elections in Commonwealth, further supplement to act, 351
reported, 383
passed finally, 508
Elections in Harrison township, Bedford county, act fixing place of holding, 507
passed finally, 508
Elections of the Commonwealth, registration of voters, act relative to, 759
considered, 812
Elections of the Commonwealth, mode of voting, supplement to act regulating, 780
reported, 805
passed finally, 877
Elections, general, courts to change places of holding in certain cases, 807
reported, 814
considered, 819
passed finally, 944
Elections in the borough of Titusville, act to change place of holding, 848
ruled out by Speaker, 848
Election returns, act relative to the recording of, 904
reported, 918
passed finally, 1047
Election officers in Schuylkill county, act to increase pay of, 918
reported, 958
passed finally, 1048
Elk county:
Jones township in, act relative to officers in, 644
reported, 666
passed finally, 782
Emporium, borough of, act to amend charter of, 157
passed finally, 233
Emlenton and Shippenville turnpike company, act to incorporate, 246
reported, 254
passed finally, 339
Empire slate company, act to incorporate, 282
reported, 426
passed finally, 529
Empire hook and ladder company, No. 1, of Altoona, act to incorporate, 498
reported, 554
passed finally, 578
Emporium, borough of, court to alter charter of, act authorizing, 571
reported, 728
passed finally, 869
Empire State silver mining company of Nevada, act to incorporate, 653
reported, 669
passed finally, 778
Empire and Gem mining company, act to incorporate, 695
reported, 705
passed finally, 785
Empire hook and ladder company, No. 1, of Lancaster city, act for relief of, 918
Enterprise, mining and exploring company, act to incorporate, 316
reported, 339
passed finally, 410
Enterprise gas light company, act to incorporate, 406
reported, 426
passed finally, 529
Ephrata and Lancaster railroad company, supplement to act incorporating, 386
reported, 426
passed finally, 529
Erie, city of, grant of certain lands, act relative to, 107
reported, 176
not agreed to, 503
Erie City passenger railroad company, act to incorporate, 166
passed finally, 167
resolution asking Governor to return, 387
passed finally, 408
Erie gas company, provisions of, act extending, 255
reported, 315
passed finally, 319
Erie Co-operative society, act to incorporate, 255
reported, 282
passed finally, 339
Erie Dime Savings and Loan company, act relative to, 255
passed finally, 257
Erie, city of, further supplement to act incorporating, 281
reported, 706
considered, 786
passed finally, 876
Erie, canal of, enlargement of, act authorizing, 385
reported, 406
passed finally, 434
Erie and Allegheny railroad company to connect road, &c., supplement to act authorizing, 726
considered, 873
passed finally, 874
Erie and Pittsburg railroad company, supplement to act incorporating, 854
passed finally, 872
Erie county:
auctioneers in, act relative to, 163
reported, 176
passed finally, 234
returned by Governor, 290
reconsidered, 329
auctioneers in city and county of, supplement to act relative to, 870
reported, 906
passed finally, 1045
bounties in Concord township of, act relative to, 962
reported, 995
passed finally, 1073
cattle, horses, sheep and hogs in, running at large, act relative to, 808
passed finally, 808
cattle, horses, sheep and hogs in, running at large, act relative to, 704
reported, 805
passed finally, 877
cattle, horses, sheep and hogs in Venango township in, act to repeal running at large, 940
reported, 958
passed finally, 1049
Corry, city of, in, further supplement to act incorporating, 385
reported, 426
passed finally, 529
commissioners of, to contract with Marine Hospital of Pennsylvania at Erie, &c., act authorizing, 1021
passed finally, 1022
criminal proceedings in, act relative to, 123
reported, 152
passed finally, 233
crude petroleum in, act relative to, 999
reported, 1039
district attorney in, act relative to duties of, 246
reported, 254
passed finally, 338
East lane, in Mill Creek township, act to repeal an act to change name of, 621
passed finally, 783
Erie city in, grant of certain lands to, act relative to, 107
not agreed to, 503

Erie county—*Continued.*
Erie city in, further supplement to act incorporating, 281
reported, 706
copy of, 786
passed finally, 879
feesof certain officres of, act relative to, 151
reported, 176
passed finally, 234
fees of constable in, act to increase, 255
negatived, 669
notary public in, act relative to, 407
reported, 496
passed finally, 574
firkins, tubs and kegs, manufacture of in, supplement to act relative to, 228
reported, 245
passed finally, 338
Hanover Creek township, in, act relative to path master of, 726
licenses in, act to repeal an act relative to, 253
reported, 670
passed finally, 783
operative society of, act to incorporate, 255
reported, 282
passed finally, 390
Estates of decedents, to expedite settlement of, act relative to, 670
Etna iron company of Pennsylvania, act to incorporate, 920
reported, 957
Equal Rights association, petition of, 80
Equitable gold and silver mining company, act to incorporate, 231
reported, 254
passed finally, 339
Equanimity bridge company, act to incorporate, 337
passed finally, 337
Equitable gold and silver mining company of Nevada, act to incorporate, 756
reported, 804
passed finally, 869
Equity, jurisdiction in, Philadelphia county, act regulating, 817
passed finally, 818
Eureka life and accident insurance company, act to incorporate, 57
passed finally, 57
Eureka life and accident insurance company, supplement to act incorporating, 904
reported, 919
passed finally, 1048
Evidence in Pennsylvania, further supplement to act relative to, 107
reported, 165
passed finally, 857
Evidence, act relative to, 141
negatived, 165
postponed indefinitely, 857
Evidence, law of, act relative to, 153
reported, 165
petition relative to, 590
postponed indefinitely, 858
Evans, Sarah G., to annex certain lands, &c., act relative to, 164
reported, 174
passed finally, 234
Evidence, law of, act relative to, 380
negatived, 496
considered, 1084
Evidence in action of ejectment, act relative to,
reported, 430
negatived, 597
reconsidered, 623
passed finally, 698
Evidence in legal proceedings affecting the Erie railway company, act relativeto, 674
passed finally, 695
Evangelical Lutheran congregation of Berlin, in Somerset county, to sell real estate, act authorizing, 695
reported, 761
passed finally, 876
Evangelical Lutheran Church congregation, Bindnangels, Londonderry township, Lebanon county, to use interest of certain money, act to allow, 998
negatived, 1040
Expenditures of moneys appropriated in certain counties, investigation of, joint resolution relative to, 1090
passed finally, 1090
Express Steamboat company, act to incorporate, 940
reported, 957
passed finally, 1048
Executive mansion, joint resolution relative to, 115
passed finally, 115
Explosions of steam boilers, act relative to, 153
reported, 176
copy of, 941
considered, 942
Executors in Franklin county, act relative to original writs, 328
reported, 350
passed finally, 411
Excelsior gold and silver mining company, of Colorado, act to incorporate, 917
reported, 957
passed finally, 1048
Executors and administrators, real estate sold by, act validating title of, 940
reported, 957

F.

Farmers' and Mechanics' insurance company, act relative to,
passed finally, 33
Farms, &c., to prevent excessive valuation of, act relative to, 123
reported, 165
recommitted, 177
Fayette county, sheriff's compensation, act fixing, 151
reported, 176
passed finally, 234
Farmers in markets in Philadelphia, protection of, act relative to, 166
reported, 246
considered, 412, 647
passed finally, 655
Farmers' market, Fifth ward of York, supplement amendatory to, 228
reported, 246
passed finally, 248
Fairview street, Twenty-first ward, Philadelphia, to vacate, act relative to, 229
reported, 254
passed finally, 339
Factoryville and Abington turnpike and plank road company, act to incorporate, 253
reported, 331
passed finally, 410
Farmers' Union Mutual fire insurance company of Pennsylvania, act to incorporate, 407
reported, 426
passed finally, 529
Farmers in county of Forest, to protect against ravages of wild cats, act relative to, 621
reported, 651
passed finally, 782
Farmers' and Citizens' Co-operative building and savings fund association of Lawrence county, Pennsylvania, act to incorporate, 694
reported, 705
passed finally, 779
Farmers' turnpike road company in Lancaster county, act to incorporate, 803
reported, 815
passed finally, 878
Farmers' Mutual fire insurance company of Paradise township, in York county, supplement to act incorporating, 815
reported, 906
passed finally, 1044
Farnsworth, John, act to legalize an informality in the election of, 876
reported, 918
Farmers' Mutual life insurance and trust company of the township of Upper Augusta, act to incorporate, 998
reported, 1039
passed finally, 1074
Farmers' land, improvement and railroad company, supplement to act incorporating, 1074
passed finally, 1073
Fame mining company, act to incorporate, 1021
passed finally, 1022
Fayette county:
bounty tax in Jefferson township in, act authorizing, 704
bounty tax in Perry township in, act authorizing, 854
reported, 908
passed finally, 1022
Bellevernon in, councilmen of, act to change mode of electing,
reported, 95
passed finally, 232
compensation of sheriffs in, act fixing, 151
reported, 176
passed finally, 234
ferry over the Youghiogheny river at LeightnerStation in, act relative to, 166
reported, 227
Ferry over the Allegheny, near Big Scrub Grass in Venango county, act to establish,
passed finally, 18
Fees of district attorney, in certain counties, act relative to, 31
passed finally, 96
Female seminary of Eden Hall, Philadelphia county, act relative to, 31
reported, 74
passed finally, 96
Ferry over Youghagheny near Perryopolis, act to establish, 31
reported, 95
passed finally, 124
Fees, county officers in Sullivan county, to validate charges, act relative to, 57
passed finally, 57
Fees, of jurors and witnesses in Armstrong, Franklin, Schuylkill and Westmoreland counties, further supplement to,
reported, 95
passed finally, 143
Fees, in Warren county, of officers and jurymen, act to repeal an act,
reported, 123
passed finally, 152
Fees of treasurer of Northumberland county, act to regulate, 123
reported, 152
passed finally, 291
Fees of district attorney in Bradford county, act repealing, &c., 123
reported, 152
passed finally, 233
Fees of directors of poor, in Bedford county, act to regulate, 386
reported, 426
passed finally, 529
Fees of district attorneys in certain counties, act relative to, 386
reported, 484
passed finally, 572
Ferry over the Allegheny river in Warren county, act to repeal, 406
reported, 426
passed finally, 529
Fees of notary public in Erie county, act relative to, 407
reported, 496
passed finally, 574

Fees of justices of peace, commissioners, auditors, constables, &c., in Bradford, Wyoming and Susquehanna counties, act relative to, 407
reported, 496
passed finally, 573
Federal coal and iron company, act to incorporate, 487
reported, 919
Fees of sheriff, in Luzerne county, act regulating, 498
reported, 554
passed finally, 675
Fees of the several county officers of the Commonwealth, further supplement to act, 498
negatived, 725
Fees of district attorney in Cameron county, act relative to, 498
reported, 554
passed finally, 675
Fees of officers of the Commonwealth, act relative to, 557
reported, 725
first reading, 915
considered, 1087
Fees, clerk of quarter sessions of the peace, in Philadelphia, supplement to act regulating, 123
reported, 152
passed finally, 154
Fees, Erie county, certain officers of, act relative to, 151
reported, 176
passed finally, 234
Fees, in Washington county, of officers, act relative to, 153
reported, 176
passed finally, 234
Fees, in Snyder county, of treasurer, act relative to, 164
reported, 176
negatived, 227
passed finally, 291
Fees, in Snyder county, of commissioners, act relative to, 164
passed finally, 234
Fees of county officers in certain counties, further supplement to act, 164
reported, 216
objected, 530
Ferry over the Youghiogheny river, at Leighton station, Fayette county, act relative to, 166
reported, 227
Ferry over Monongahela and Youghiogheny rivers, act to establish, 191
reported, 227
recalled from Governor, 694
passed finally, 412
Ferry over Allegheny river, in Warren county, act to establish, 191
reported, 227
passed finally, 291
Fees on unseated lands, in Centre county, supplement to act relative to, 228
reported, 245
passed finally, 414
Fees, district attorney of, Huntingdon county, act relative to, 228
reported, 245
passed finally, 338
Ferry or foot bridge over Oil creek, Cornplanter township, Venango county, act relative to, 228
reported, 331
passed finally, 411
Ferry on Monongahela river at California, borough of, in Washington county, act to establish, 228
reported, 330
passed finally, 411
Ferry over Allegheny at Red Bank furnace, act to establish, 246
passed finally, 319
Ferry on Allegheny river at Patterson's Falls, Venango county, act to establish, 246
reported, 330
passed finally, 411
Ferry over Allegheny river at mouth of East Sandy creek, in Venango county, act to establish, 246
reported, 330
passed finally, 410
Fees of notary public in Allegheny county, act regulating, 570
passed finally, 675
Fees of township officers in Cambria county, act relative to, 621
reported, 908
passed finally, 1046
Fees of jurors and others in Venango county, act relative to, 621
reported, 669
passed finally, 783
Fees of notaries public in Berks county, act relative to, 621
reported, 669
passed finally, 783
Felton House company of Thurlow, in Delaware county, act to incorporate, 643
reported, 725
Female Medical college of Pennsylvania, act to incorporate, 695
negatived, 725
Ferry across the West Branch of the Susquehanna river, in Lycoming county, supplement to act, 754
reported, 805
passed finally, 877
Fees of notaries public in Allegheny county, act regulating, 780
reported, 804
passed finally, 876
Ferry over the Allegheny river, at or below big rock, in Venango county, act to establish, 803
reported, 815
passed finally, 878
Ferry over the West Branch of the Susquehanna river in Wayne township, in Clinton county, act to establish, 803
reported, 815
passed finally, 878
Ferry over the Allgheny river at Liggins' landing, near the mouth of East Hickory, in Harmony township, Venango county, supplement to an act to establish, 821
reported, 907
passed finally, 1045
Ferry over the Monongahela river, at the town of Allenport, in Washington county, act to establish, 848
reported, 907
passed finally, 1045
Fees of district attorney in court of quarter sessions in Columbia county, act regulating, 854
reported, 906
Ferry over Allegheny river at Bear Creek Landing, 246
reported, 330
passed finally, 410
Fees of notary public in Bradford and Somerset counties, act relative to, 246
Fees of notary public in Bedford, Fulton and Somerset, act relative to, 254
reported, 338
passed finally, 338
Fees of county officers of the Commonwealth, excepting certain counties, further supplement to act, 255
reported, 281
passed finally, 318
Fees of constables in Erie county, act to increase, 525
negatived, 966
Ferry and foot bridge over Driftwood branch, &c., Cameron county, act to establish, 281
reported, 330
passed finally, 821
Fees of officers in Somerset and Mercer counties, act relative to, 281
reported, 303
negatived, 410
Ferry over the Allegheny river in Kinzua township, Warren county, act to establish, 281
reported, 330
passed finally, 410
Fees of notaries public of Dauphin and Lebanon counties, act relative to, 316
reported, 330
passed finally, 410
Fees, township and county officers, Beaver county, act relative to, 328
reported, 383
passed finally, 576
Fees of coroner of Allegheny county, act relative to, 323
reported, 383
passed finally, 528
Ferry over Oil creek, authorizing Allen K. Williams to construct, act authorizing, 333
reported, 426
passed finally, 529
Fees of district attorney of Greene county, act relative to, 388
reported, 528
amended, 528
passed finally, 528
Fees of sheriff of the counties of Cumberland and Snyder, act relative to, 870
reported, 906
passed finally, 1045
Fees of commissioners of Crawford county, act to increase, 879
reported, 906
passed finally, 1044
Ferry over the Susquehanna river at Selinsgrove, act authorizing Henry B. Mosser and John H. Fisher to establish, 871
reported, 907
passed finally, 1045
Ferry over the Monongahela river, at the borough of Elizabeth, in Allegheny county, act to establish, 871
reported, 907
passed finally, 1045
Fees of notaries public in Centre and Lycoming counties, act relative to, 904
reported, 919
passed finally, 1047
Fees of constables and police officers of the city of Titusville, act to increase, 917
reported, 957
passed finally, 1048
Ferry across the Allegheny river at Falling Springs, Venango county, act to establish, 940
reported, 957
passed finally, 1049
Ferry across the Allegheny river at mouth of Tubbs' run, Venango county, supplement to act to establish, 940
reported, 957
passed finally, 1049
Ferry over the Susquehanna river at Millersburg, supplement to act to establish, 959
passed finally, 1073
Fees of notaries public in Montour county, act relative to, 971
passed finally, 1073
Ferries, act to prohibit erection of within two miles of Milton bridge, Northumberland county, 999
reported, 1039
passed finally, 1073
Final adjournment, resolution relative to, 8
considered, 155
reported, 164
passed finally, 579
reconsidered and amended, 674
Fines and forfeitures, in Schuylkill county, act relative to, 67
reported, 95
passed finally, 116

Fire alarm and police telegraphs in Pittsburg, act extending, 123
reported, 152
passed finally, 232
Firkins, kegs and tubs, manufacture of in Erie, Crawford and Warren counties, supplement to act, 228
reported, 245
passed finally, 338
Fines and forfeitures, in Susquehanna county, act relative to, 246
reported, 282
Fish, taking of from ponds and lakes, in Benton township, Luzerne county, act to regulate, 280
reported, 303
passed finally, 410
Fines and forfeitures in Chester county, act relative to, 328
reported, 350
passed finally, 411
recalled from Governor, 558
Fidelity insurance, trust and safe deposit company of Philadelphia, supplement to act incorporating, 349
reported, 383
passed finally, 529
Fish and game in Lawrence county, act relative to, 349
reported, 430
laid over, 530
Fish, by nets, &c., to Monroe county, act relative to, 351
reported, 426
passed finally, 530
First Reformed congregation, of the borough of York, further supplement to act to incorporate, 621
reported, 651
passed finally, 782
Fifth Street market company, act to incorporate, 621
reported, 805
passed finally, 877
Fishing in the stream of Antietam, &c., in the county of Franklin, act relative to, 643
reported, 652
passed finally, 782
Fishing with nets, seins and baskets, in Big Fishing creek, &c., act to prevent, 643
reported, 651
amended, 782
passed finally, 782
Fishing and hunting in Jefferson township, Somerset county, act relative to, 643
reported, 651
passed finally, 782
Fish, protection and preservation of in Berks county, act relative to, 643
reported, 670
passed finally, 783
Fisher, J. W., Senator, charges and slander, committee appointed to investigate, 647
report of committee, 781
Fire department of the citizens of Harrisburg, tax for support of, act authorizing, 694
Fish in Breeches pond or lake in Overfield township, Wyoming county, act to prevent destruction of, 704
reported, 805
passed finally, 877
Fish, preservation of, in South Pond, in Union and Ross townships, Luzerne county, act relative to, 704
reported, 805
not agreed to, 877
First Baptist Church of Lewisburg, in Union county, act to incorporate, 707
negatived, 725
reconsidered, 854
reported, 906
passed finally, 921
First troop, Philadelphia city cavalry, property of, act to exempt from taxation, 780
passed finally, 879
Fidelity gold mining company, act to incorporate, 803
reported, 815
passed finally, 878
Fish, passage of, in the Susquehanna river and its tributaries, act relative to, 816
reported, 907
passed finally, 1045
Fish in the Susquehanna river and its tributary streams in Columbia county, act to prohibit destruction of, 905
reported, 919
passed finally, 1048
Fishing in the streams, lakes and reservoirs in the county of Crawford, act relative to, 905
reported, 919
not agreed to, 1048
Fish, shooting of in spawning time, in Westmoreland county, act to prevent, 908
reported, 958
Fishing with seins in the south branch of the Ten Mile creek, in Greene county, and Crooked creek, in Armstrong county, act to prevent, 917
Fish in the Susquehanna river and its tributaries, protection of, act to extend provisions of act to the Conedoguinett creek, in Cumberland and Franklin counties, 962
reported, 996
Fish in Sterling township, Wayne county, and Green township, Pike county, act for the preservation of, 999
reported, 1039
passed finally, 1073
Fisher, Joseph W., Senator from the Seventeenth district, composed of Lancaster county,
remarks on
resolution relative to alleged charges of bribery and corruption in election of U. S. Senator, 30
West Branch boom company, 117, 154
exclusion of colored persons from railroad cars, 213, 215, 216
Railroad Committee, 230
personal explanation of Columbia bridge bill, 244
afternoon session, 255, 256
selection of jurors in this Commonwealth, 352, 354
general railroad law, 389
Senatorial contest, 427
Reynolds monument, 423, 433
act relative to associate law judge of the several courts in the Twenty-first Judicial district, 561, 562, 563
act extending the privilege of the floor to the clergy of the M. E. Conference, 575
act relative to bounties in borough of Dillsburg, in county of York, 576
personal explanation of charges and slander, 642
act relative to borough of Columbia, 696
act relative to licenses of eating houses and hotels, 701
act to authorize Governor to incorporate the Susquehanna canal company, 711, 727, 728
supplement to act to incorporate the borough of Columbia, 756, 757, 783
act relative to relinquishing the New York and Erie railroad annuity, 787
act relative to charter of the city of Lancaster, 788, 789
act relative to the Sunday liquor law, 810
adjournment over, 819
act relative to the payment of gratuities and annuities of soldiers of 1812, 865
act relative to the trial of certain causes in cases of relationship between the presiding judge and the counsel of a party thereto, 868
Fisher, Joseph W.—*Continued.*
remarks on
act relative to the purchase of Ephrata Mountain Springs, in Lancaster county, for a home for disabled soldiers, 910, 911
the appropriation bill (general), 924, 927, 930, 931, 936, 937, 934, 936, 937, 938, 964, 965, 966, 967, 968, 970, 972, 975, 1005, 1008, 1012, 1013
act relative to the military claim of Colonel John W. M'Lean, deceased, in Erie county, 943
resolutions offered by, 11, 247, 255, 361, 866
bills read in place by, 18, 56, 82, 108, 141, 153, 166, 229, 234, 255, 385, 427, 431, 527, 643, 653, 670, 707, 756, 780, 821, 854, 909, 1021
petitions presented by, 56, 81, 115, 122, 130, 141, 151, 164, 175, 190, 211, 302, 330, 349, 382, 424, 554, 651, 692, 802
Floto, Catharine, Mary R., George H. and Emma G., to sell real estate, act authorizing, 674
reported, 741
passed finally, 761
Forks township, Northampton county, commissioners of, act relative to, 131
reported, 152
passed finally, 232
Foreign insurance companies, resolution relative to, 229
Foreign insurance companies, agencies of, act relative to, 246
negatived, 725
Fountain Hill Park association, act to incorporate, 225
reported, 282
passed finally, 339
Foreign insurance companies, certain, act relative to, 286
reported, 303
passed finally, 779
Foster House, to exempt from taxation, act relative to, 478
reported, 554
Fort Allen iron company, act to incorporate, 478
Foreign insurance, annuity and trust companies, agencies of, supplement to act relative to, 620
Fort Allen iron company, in Carbon county, act to incorporate, 671
reported, 957
passed finally, 1048
Fort Pitt Mutual life insurance and trust company, act to incorporate, 694
reported, 705
passed finally, 779
Forest county, to increase boundaries of, supplement to act, 694
reported, 706
passed finally, 779
Forge run, in Centre county, supplement to act declaring a public highway, 816
reported, 907
passed finally, 1045
Footwalks in Oakland township, in Allegheny county, act relative to, 998
reported, 1039
passed finally, 1073
Forest county:
criminal proceedings in, act to extend an act relative to, 848
passed finally, 1044
farmers in, act to protect against ravages of wild cats, 621
reported, 651
passed finally, 1044
increase of boundaries of, supplement to act relative to, 694
passed finally, 779

Freedom iron and steel company, to issue and dispose of bonds of, act authorizing, 34
passed finally, 35
Franklin and Marshall college, to unite and consolidate, supplement to act, 82
reported, 131
passed finally, 142
Frankford and Bristol turnpike road company, abstract from accounts of, 107
Freeport and Shenango Valley railroad, to change name of, &c. supplement to, 123
Franklin Library association of Philadelphia, act to incorporate, 253
negatived, 281
Freeman's run, Potter county, a highway, an act declaring, 281
reported, 330
passed finally, 410
Freemont, Schuylkill county, to levy tax, act authorizing, 332
Freemont gas and water company, act to incorporate, 332
Freehold township, road commissioners of, to levy tax, act authorizing, 420
reported, 485
passed finally, 531
Fry, George, estate of, act relative to, 486
Free bridge over Schuylkill river, in city of Philadelphia, act relative to, 486
Frock, Michael, late of Snyder county, guardian of children of, act relative to, 499
negatived, 554
reconsidered, 854
reported, 908
passed finally, 1072
Franklin silver mining company, act to incorporate, 694
reported, 905
passed finally, 784
recalled from Governor, 908
passed finally, 999
Fraudulent insolvencies, act to prevent, 726
Franklin savings fund and safe deposit company, act to incorporate, 726
passed finally, 877
Franklin Branch of the Pennsylvania canal, stone in certain locks, act relative to, 760
passed finally, 780
Frankfort and Holmsburg railroad company, further supplement to act to incorporate, &c., 870
reported, 907
passed finally, 1045
Franklin manufacturing company, act to incorporate, 917
reported, 957
passed finally, 1048
Franklin passenger railway company, act to incorporate, 918
reported, 958
passed finally, 1049
Front street and a certain road in the borough of Media, act relative to, 920
reported, 957
Frederick & Co., to erect wing dams and other works on the Ligonier, act to authorize, 921
reported, 958
Franklin Publishing society of Pennsylvania, act to incorporate, 959
reported, 1039
passed finally, 1074
Frankford Co-operative Benevolent society, act to incorporate,, 998
reported, 1039
passed finally, 1073
Fraudulent voting of stock in oil and mining companies, act to prevent, 1021
passed finally, 1022
Funeral expenses of devisees of estates, &c., payment of, act relative to, 726
negatived, 804
Fullerton, Margaret B., guardian, to sell certain real estate, act to authorize, 998
reported, 1040
Franklin county:
bounty tax (special), in Guilford township in, act relative to, 999
reported, 1039
passed finally, 1074
bounties to volunteers in Hamilton township in, further supplement to act, 704
reported, 805
passed finally, 877
bounty accounts in, settlement of, act relative to, 164
passed finally, 167
bounties in Montgomery township in, act relative to, 478
reported, 496
passed finally, 574
Chambersburg in, school directors of to borrow money, supplement to act relative to, 253
reported, 303
passed finally, 410
Conococheague water company of the borough of Chambersburg, act to incorporate, 815
first reading, 815
executions in, act relative to original writs, 328
reported, 350
passed finally, 411
fees of jurors and witnesses in, further supplement to act relative to, 95
passed finally, 143
fishing in the stream of Antietam, &c., in, act relative to, 643
reported, 652
passed finally, 782
huckstering in, supplement to an act relative to, 407
reported, 497
passed finally, 574
Fulton county:
bounties to volunteers in Ayr township of, supplement to an act to legalize, 670
reported, 707
passed finally, 779
bounty accounts in Cumberland township, act relative to, 670
reported, 706
passed finally, 779
fees of notary public in, act relative to, 254
reported, 254
passed finally, 338
huckstering in, supplement to act relative to, 407
reported, 497
passed finally, 574

G.

Gara, I B., Deputy Secretary of the Commonwealth, appointment of, 96
Game and insectiverous birds, protection of, act relative to, 333
reported, 350
passed finally, 623
Gallagher, Patrick, act relative to, 426
negatived, 484
recommitted, 499
Game in Chester county, protection of, act relative to, 592
Game in Schuylkill county, preservation of, supplement to act relative to, 643
reported, 651
passed finally, 782
Game and fish in Luzerne county, act to protect, 670
negatived, 805
recommitted, 909
passed finally, 1072
Game in North Fayette township, Allegheny county, act relative to, 704
reported, 805
passed finally, 877
Gastrock, Frederick, act to make heir-at-law to John Gastrock, 816
negatived, 851
Gallitzin and Cambria Mills turnpike road company, act to incorporate, 962
reported, 997
passed finally, 1072
Germantown swimming and skating park association, act to incorporate. 31
reported, 34
passed finally, 35
German savings institution, act to incorporate 34
passed finally, 57
Germania insurance company of Erie, act to incorporate, 57
passed finally, 116
General life insurance, annuity and trust company, in Philadelphia, further supplement to act incorporating, 81
Gher, Foster, pay of, act relative to, 131
reported, 141
passed finally, 179
Germania savings institution of Erie, act to incorporate,
reported, 190
passed finally, 192
Germantown, Philadelphia, petition of citizens of, 280
Gettysburg gymnasium, act relative to, 386
passed finally, 387
Gettysburg asylum for invalid soldiers, act to incorporate, 427
passed finally, 428
Gettysburg railroad company, further supplement to act incorporating, 431
German Reformed congregation of New Goshenhoppen, in Montgomery county, act relative to, 431
reported, 484
passed finally, 572
General manufacturing laws, companies organized under, act to extend, 571
reported, 694
passed finally, 766
General election laws of the Commonwealth, supplement to act, 592
reported, 693
not agreed to, 915
Gettysburg and Chambersburg railroad company, payment of enrollment tax, act relative to, 592
reported, 620
passed finally, 676
German St. Franciscus Hospital of Lawrenceville, act to incorporate, 621
negatived, 725
German Hospital in the city of Pittsburg, act to exempt from taxation, 854
General Eldership of the Church of God in North America, act to incorporate, 998
reported, 1039
passed finally, 1074
Girard life insurance company of Philadelphia, act to incorporate, 34
passed finally, 124
Girard electrical insurance company, supplement to act incorporating, 328
reported, 350
passed finally, 412
Gilbert, Henry, of Harrisburg, trustee of Pennsylvania Lunatic Asylum, nomination of, 338
confirmed, 338
Girard tunneling gold and silver mining company, act to incorporate, 904
reported, 919
passed finally, 1048
Glatz, A. Hiestand, Senator from the Eighteenth district, comprising York and Cumberland counties,
remarks on
act relative to bounties in borough of Dillsburg, in county of York, 576
act authorizing Governor to incorporate the Susquehanna canal company, 728
appropriation bill (general), 936, 1000

Glatz, A. Hiestand—*Continued.*
petitions presented by, 34, 115, 122, 130, 151, 164, 175, 211, 245, 280, 301, 315, 330, 350, 424, 590, 802
bills in place by, 255, 316, 333, 406, 478, 486, 620, 670, 694, 921
resolutions offered by, 647
Glenwood coal company, supplement to act incorporating, 108
reported, 123
passed finally, 232
Glen Aden coal company, supplement to act incorporating, 959
reported, 1070
passed finally, 1074
Governor, annual message of, 8
resolution to print, 11
convention to publish votes for, resolution to hold, 31
opening of returns of election of, 50
message from, asking for an appropriation for Colonel Burton, 32
message from, signing certain bills, 32, 48, 51, 62, 153, 212, 249, 316, 350, 407, 431, 486, 533, 558, 597, 624, 652, 710, 758, 817, 855, 928, 960, 1041, 1075, 1091
message from, 32, 338, 408, 532, 623, 672, 678, 708, 809, 909
communication from, 971
message from, relative to Superintendent of Common Schools, 33
inaugural address of, 76
order to print, 74
residence of, resolution relative to, 283
report of committee on, 430
to appoint a person to visit prisons, act relative to, 47
reported, 122
considered, 858
passed finally, 858
Gold and silver mining and exploring companies, &c.:
Agricultural mining and exploring, act to incorporate, 620
Allegheny gold and silver mining, of Idaho, act to incorporate, 998
reported, 1039
passed finally, 1073
American mining, coal tank and transportation, act to incorporate, 31
reported, 591
passed finally, 676
Argentine silver mining, of Colorado, act to incorporate, 806
reported, 814
passed finally, 870
Aughwic mining and exploring, supplement to act incorporating, 543
reported, 643
passed finally, 778
Beaver gold and silver mining, act to incorporate, 695
passed finally, 787
Big Creek mining, act to incorporate, 694
reported, 705
passed finally, 785
Carson gold mining, act to change name of, &c., 152
reported, 165
passed finally, 233
California and Philadelphia gold mining, act to incorporate, 246
reported, 256
passed finally, 339
Carbondale gold and silver mining, act to incorporate, 871
reported, 907
passed finally, 1075
Centre gold and silver mining, of Nevada, act to incorporate,
passed finally, 1074

Companies—*Continued.*
Costa Rica mining and improvement, act to incorporate, 864
passed finally, 879
Continental mining, act to incorporate, 871
porate, 871
reported, 907
passed finally, 1045
Coal Ridge improvement, act authorizing to sell bonds, 1021
passed finally, 1022
Delaware mining, act to extend time for payment of enrollment tax on, 572
reported, 591
passed finally, 675
Eagle mining, to borrow money, supplement to act incorporating, 216
reported, 227
passed finally, 233
Empire State silver mining, of Nevada, act to incorporate, 653
reported, 669
passed finally, 778
Empire and Gem mining, act to incorporate, 695
reported, 705
passed finally, 785
Enterprise mining and exploring, act to incorporate, 316
reported, 339
passed finally, 410
Equitable gold and silver, act to incorporate, 231
reported, 254
passed finally, 339
Equitable gold and silver, of Nevada, act to incorporate, 756
reported, 804
passed finally, 869
Excelsior gold and silver, of Colorado, act to incorporate, 919
reported, 957
passed finally, 1048
Fame mining act to incorporate, 1021
passed finally, 1022
Fidelity gold mining, act to incorporate, 803
reported, 815
passed finally, 878
Franklin silver mining, act to incorporate, 694
reported, 705
passed finally, 785
Girard tunneling, and, act to incorporate, 904
reported, 919
passsed finally, 1048
Goodwin Consolidated mining, act to incorporrte, 351
reported, 383
passed finally, 528
Gold and Silver mining, of Nevada, act to incorporate, 999
Great Valley gold and silver mining, supplement to act to incorporate, 695
reported, 705
passed finally, 786
Great Western mining, act to incorporate, 87
reported, 957
passed finally, 1048
Great Eastern gold and silver mining, act to incorporate, 998
reported, 1039
passed finally, 1074
Harmony gold and silver mining, act to incorporate, 228
reported, 246
passed finally, 338
Hesperian mining, act relative to, 246
reported, 254
passed finally, 339
Henry Clay mining, of Colorado, act to incorporate, 854
reported, 907

Companies—*Continued.*
Hidalgo gold and silver mining, act to incorporate, 695
reported, 705
passed finally, 786
Humboldt gold and silver mining, of Nevada, act to incorporate, 998
reported, 1039
passed finally, 1073
Idaho mining and exploring, act to incorporate,
reported, 555
passed finally, 675
Indemnity gold mining, of Colorado, act to incorporate, 998
reported, 1039
passed finally, 1074
Ivanhoe silver mining, act to incorporate, 694
reported, 705
passed finally, 785
Jackson mining, supplement to act incorporating, 426
reported, 439
passed finally, 530
Kelso silver mining, act to incorporate, 998
reported, 1039
passed finally, 1073
Legal Tender gold and silver mining, act to incorporate, 962
reported, 1039
passed finally, 1074
Lucius S. Peck gold and silver mining, of Montana, act to incorporate, 807
reported, 815
passed finally, 823
Manta Grandee silver mining and commercial, act to incorporate, 246
reported, 254
passed finally, 338
Mattawanna mining and exploring, supplement to act to incorporate, 620
reported, 643
passed finally, 778
Marathon silver mining, of Nevada, act to incorporate, 694
reported, 705
passed finally, 785
M'Connel mineral, act to incorporate, 81
reported, 131
passed finally, 143
M'Connel mineral, supplement to act to incorporate, 498
passed finally, 531
Mill Creek gold and silver mining, of Colorado, act to change name of, 571
reported, 598
passed finally, 676
Montana gold and silver mining, supplement to act to incorporate, 123
reported, 383
passed finally, 529
Montrax mining, act to incorporate, 228
reported, 246
passed finally, 338
Morris Park mining, supplement to act to incorporate,
reported, 670
passed finally, 778
Montana and Nevada silver mining and commercial, act to incorporate, 694
passed finally, 785
Morris and Cable silver mining, of Reese River district, Lander county, Nevada, act to incorporate, 803
reported, 815
passed finally, 877
Montana gold and silver mining, further supplement to act incorporating, 814
passed finally, 814
Montana and Pittsburg gold and silver mining, act to incorporate, 998
reported, 1039
passed finally, 1073
National silver mining, act relative to, 620
passed finally, 778

Companies—*Continued.*
New Sonora gold and silver mining, act to incorporate, 781
reported, 805
passed finally, 877
North Star mining, in Northampton county, act to incorporate, 871
reported, 907
passed finally, 1045
Norris Park mining, supplement to act incorporating, 653
North American, supplement to act incorporating, 694
reported, 705
passed finally, 785
Octoraro, gold and silver mining, act to incorporate, 671
reported, 693
passed finally, 784
Oil Creek Lake and Titusville mining and transportation, supplement to act incorporating, 921
passed finally, 945
Ophir Canon silver mining company of Nevada, to act to incorporate, 653
reported, 669
passed finally, 718
Pacific exploring and mining, act to incorporate, 726
reported, 754
passed finally, 822
Pennsylvania and North Carolina gold and silver mining, act to incorporate, 781
reported, 805
passed finally, 877
Peabody mining, act to incorporate, 807
reported, 814
passed finally, 870
Philadelphia gold and silver, of Montana, act to incorporate, 212
reported, 227
passed finally, 291
Pittsburg and Arizona gold and silver mining, supplement to act to incorporate, 478
reported, 484
passed finally, 573
Gordon, Mrs. Mary Ann, act for relief of, 20
reported, 430
passed finally, 530
Goldsboro, borough of, in York county, school directors to borrow money, act to enable, 253
reported, 303
passed finally, 319
Goodwin Consolidated mining company, act to incorporate, 351
reported, 383
passed finally, 528
Good Intent steam fire engine company, act to incorporate, 386
negatived, 496
Good Spring iron and land company, act to incorporate, 620
reported, 705
passed finally, 809
Good Will fire engine company, act to incorporate, 644
reported, 651
passed finally, 696
Goodrich, E. O., late prothonotary of Bradford county, act relative to, 780
reported, 1070
passed finally, 1074
Goehring, Henry, of Butler county, to vote in Cranberry township, act authorizing, 918
reported, 958
Gold and Silver mining company of Nevada, act to incorporate, 999
Granite insurance company, act to incorporate, 8
reported, 131
first reading, 165
passed finally, 167
Grain measurer in Philadelphia, act to abolish, 131
Granby coal company, act to incorporate, 191
reported, 804
passed finally, 869
Greenwood Avenue turnpike company, act act to incorporate, 281
reported, 331
passed finally, 411
Greensburg and Pittsburg turnpike road company, act relative to, 386
reported, 430
Green Lane and Goshenhoppen turnpike road company, election of, act relative to, 407
reported, 430
passed finally, 530
Greensburg Masonic fund, act to incorporate, 430
reported, 430
passed finally, 530
Greenville borough, in Mercer county, to borrow money, act authorizing, 431
reported, 620
passed finally, 870
Grove Farm oil company, act relative to, 486
Greenville Savings and Loan company, act to incorporate, 486
reported, 706
passed finally, 779
Ground, appropriation of for public purposes in Philadelphia, act relative to, 499
reported, 554
passed finally, 675
Grocers' and Provision Dealers' association, act incorporating, 572
reported, 591
passed finally, 676
Grand Encampment of the Order of Soldiers and Sailors, act to incorporate, 643
reported, 651
passed finally, 782
Gray, William, and Lucinda, marriage contract of, act to annul, 666
reported, 670
passed finally, 784
Great Valley gold and silver mining company, supplement to act incorporating, 674
reported, 693
passed finally, 784
Great Western mining company, act to incorporate, 695
reported, 705
passed finally, 785
Graham, Samuel, and Robert, act to extend an act to, 695
reported, 705
passed finally, 785
Grants to mine petroleum, securing from forfeitures, 703
reported, 725
passed finally, 915
Griffith, Samuel, a lunatic, committee of, act relative to, 761
passed finally, 761
Gregg township, in Union county, act relative to compensation of supervisors, &c., 821
passed finally, 821
Great Western mining company, act to incorporate, 871
reported, 957
passed finally, 1048
Green Lane and Goshenhoppen Township road company, act relative to election of, 921
passed finally, 945
Grand Lodge of the Ancient Order of the American League of the State of Pennsylvania, act to incoaporate, 959
Great Eastern gold and silver mining company, act to incorporate, 998
reported, 1039
passed finally, 1074
Graham, James L., Senator from the Twenty-fifth district, composed of Allegheny county, remarks on
West Branch boom company, 117
exclusion of colored persons from railroad cars, 214
personal explanation of Columbia bridge bill, 244
Pittsburg and Connellsville railroad, 249
afternoon session, 255, 256
Agricultural college of Pennsylvania and the establishment of experimental farms, 303
general railroad law, 336
Senatorial contest, 427
act extending the privilege of the floor to the clergy of the M. E. Conference, 575
Governor's message in reference to the probable murder, in Mississippi, of the Zook brothers, 622
act relative to the further supplement to the Pennsylvania railroad company, 679
act for protection of seamen in Philadelphia, 730
act to annul the marriage contract between William C. Gray and Lucinda Campbell Gray, late Lucinda Campbell, 784
joint resolution relative to obstructions in the Delaware river, 808
the appropriation bill (general), 926, 936, 937, 971, 973, 974, 975, 1006, 1012
act relative to the rate of interest, 1087
taking the chair, 1095
act relative to a change of venue from Allegheny to Jefferson county, 880
bills read in place by, 31, 141, 153, 166, 167, 191, 247, 376, 333, 337, 406, 431, 478, 486, 571, 577, 670, 694, 726, 756, 807, 817, 854, 909
petitions presented by, 141, 245, 280, 315, 330, 382, 425, 478, 496, 753, 802, 850, 906
resolutions offered by, 694, 729
Greene county:
Clinton turnpike company, in, act to incorporate, 917
reported, 958
passed finally, 1049
courts of, act to change time of holding, 959
reported, 995
passed finally, 1072
fees of district attorney in, act relative to,
reported, 383
amended, 528
passed finally, 528
fishing with seins in the south branch of the Ten Mile creek in, act to prevent, 917
reported, 958
passed finally, 1049
hawkers and peddlers of clothing in, act relative to, 407
reported, 496
passed finally, 623
licenses to hucksters in, act to reduce price of, 950
reported, 995
passed finally, 1072

H.

Hawkers and peddlers, sale of goods by, act to regulate, 8
reported, 134
passed finally, 218
Hand-in-Hand Mutual life insurance company, act to incorporate, 31
reported, 115
passed finally, 115

Haverhill lead and iron company, act relative to, 34
Hay, coal and lime, weighing of in borough of Washington, act relative to, 124
reported, 152
passed finally, 233
Harrisburg bridge company, to raise money, &c., further supplement to charter, 153
reported, 165
passed finally, 234
Hanover township, Luzerne county, proprietors of, act relative to, 191
reported, 227
passed finally, 291
Harmony gold and silver mining company, act to incorporate, 228
reported, 246
passed finally, 338
Haley, town of, to change name of, supplement to act incorporating, 228
reported, 245
passed finally, 338
Harrisburg, city of, to borrow money, further supplement to act to incorporate, 246
negatived, 591
Harrisburg, city of, government of, further supplement to act, 255
reported, 302
passed finally, 409
Hawking and peddling in Westmoreland county, act relative to, 281
passed finally, 410
Hawking and peddling in Schuylkill county, act relative to, 316
reported, 330
passed finally, 410
Hancock chair, resolution relative to, 318, 327
report of committee, 383
proceedings of presentation, 383
resolution of thanks by common councils of Philadelphia, 848
Hawkers and peddlers in Chester county, act relative to, 328
reported, 350
passed finally, 411
Hawley, John, real estate of, act to confirm title, 349
reported, 426
passed finally, 527
Hamilton township, M'Kean county, poor-masters of, act relative to, 351
reported, 383
passed finally, 528
Harmony Savings Bank, act relative to, 385
reported, 805
passed finally, 869
Hawkers and peddlers of clothing in Greene county, act relative to, 407
reported, 496
passed finally, 623
Hanover township, in Lehigh county, to add to Northampton county, act relative to, 486
Hawkers and peddlers or traveling merchants in Lebanon and Wyoming counties, act relative to, 498
reported, 554
passed finally, 760
Hamlin, A. D., relief of, act relative to, 557
reported, 570
passed finally, 675
Hamilton, Samuel, pension, act relative to, 571
reported, 706
passed finally, 786
Harris, N. R., relief of, act relative to, 597
reported, 705
passed finally, 785
Haas, Drusilla, sale of real estate, act relative to, 620
passed finally, 676
Harrisburg, city of, ground in Sixth ward, act to vacate, 621
reported, 957
passed finally, 1048
Hartsville and Centreville turnpike company, to issue stock, act authorizing, 643
negatived, 725
Hazleton, borough of, in Luzerne county, to borrow money, act authorizing, 643
reported, 669
passed finally, 778
Hale, Hon. James T., administrators of, to sell real estate, act to enable, 643
reported, 669
passed finally, 782
Haganman, Louis, pension, supplement to an act granting, 670
reported, 693
passed finally, 778
Hazleton railroad company, to avoid their inclined planes, act enabling, 694
passed finally, 695
Harris, John, of Luzerne county, account of, act relative to, 705
reported, 705
Hanover Creek township, in Erie county, pathmaster of, act relative to, 726
Hawkers and peddlers in Chester county, supplement to act relative to, 727
reported, 804
considered, 876
passed finally, 1072
Harrisburg, city of, act relative to parks, 781
reported, 804
passed finally, 821
Hamilton coal and iron company, act to incorporate, 703
reported, 1070
passed finally, 1074
Hare, William, to erect a boom for saw logs, act to authorize and empower, 804
reported, 805
Hamilton, John, farm of, to annex to North township, in Mercer county, for school purposes, act relative to, 807
reported, 815
passed finally, 870
Hartsville and Centreville turnpike road company, to issue preferred stock, act to authorize, 821
reported, 850
passed finally, 1044
Harrisburg, city of, supplement to charter of, 921
reported, 957
Harrisburg, city of, election of school directors of, further supplement to act incorporating, 999
reported, 1070
passed finally, 1074
Harleysville and Ledarachsville turnpike road company, act to incorporate, 999
reported, 1039
passed finally, 1073
Hawking and peddling in Armstrong county, act relative to, 999
reported, 1039
passed finally, 1074
Haines, Kirk, Senator from the Twenty-first district, comprising the counties of Blair, Huntingdon, Centre, Mifflin, Juniata and Perry,
remarks on
act to incorporate the Middle Creek railroad company, 1075
bills read in place by, 34, 124, 255, 316, 431, 478, 571, 620, 643, 707, 908, 1021
petitions presented by, 122, 245, 280, 330, 349, 382, 478, 495, 500, 651
Hall, Louis W., Speaker, Senator from the Twenty-first district, comprising the counties of Blair, Huntingdon, Centre, Mifflin, Juniata and Perry,
remarks on
taking chair, 4
Pittsburg and Connellsville railroad, 289
Agricultural college of Pennsylvania and the establishment of experimental farms, 303
Hall, Louis W.—*Continued.*
remarks on
presentation of Hancock chair and the table on which the Declaration of Independence was signed, 384
commutation of death punishment in certain cases, 479, 480
the appropriation bill (general), 930, 975, 1001, 1012, 1014
leaving the chair, 1095
presentation to the retiring Speaker, 1096
resolution relative to the Railroad Committee, 229, 230, 231
act extending the privileges of the floor to the clergy of the Methodist Episcopal Conference, 574
general railroad law, 646
act relative to the further supplement to the Pennsylvania railroad company, 679
temporary adjournment, 818
act relative to change of venue in the case of Commonwealth of Pennsylvania *versus* Jesse R. M'Carty, &c., 260
petitions presented by, 150
bills read in place by, 653
Hempfield township, Mercer county, burial vault and ground, act relative to, 108
reported, 131
passed finally, 941
Highways in Schuylkill county, act relative to,
passed finally, 154
Hesperian mining company, act relative to, 246
reported, 254
passed finally, 339
Health of Philadelphia city, act relative to, 351
Hess, Drusula, real estate of, act relative to sale of, 557
Henry Clay mining company, of Colorado, act to incorporate, 854
reported, 907
Highspire, Dauphin county, special election, act to authorize, 151
reported, 165
passed finally, 192
Highspire cemetery association, act to incorporate, 246
Hillegrove township, Sullivan county, auditors of, act relative to, 281
reported, 302
passed finally, 319
Hillsdale coal and iron company, act to incorporate, 351
reported, 430
passed finally, 676
Hilles street, Twenty-third ward of Philadelphia, to vacate, act relative to, 671
reported, 693
passed finally, 784
Hidalgo gold and silver mining company, act to incorporate, 695
reported, 705
passed finally, 785
Himes, John, account of, act relative to, 699
passed finally, 779
History of Pennsylvania regiments, communication relative to the purchase of books, 962
Horsham turnpike company, to charge certain rates of tolls, act relative to, 34
reported, 331
passed finally, 411
Howard coal and iron company, to consolidate, act relative to, 107
reported, 115
passed finally, 424
Hollen knitting machine company of Indiana, act to incorporate, 108
reported, 115
passed finally, 116
Howard fire and marine insurance company, further supplement to act incorporating, 216
passed finally, 235

House of Refuge, report of managers, 252
Howard township, Centre county, elections in, to change place of holding, act relative to, 253
passed finally, 257
Hollidaysburg and Altoona plank road company, supplement to act incorporating, 348
reported, 406
passed finally, 529
Home for invalid soldiers, resolution relative to, 351
Homœpathic medical society, act to incorporate, 426
negatived, 430
Home for the friendless in Harrisburg, act to incorporate, 478
reported, 484
passed finally, 573
Horses, kept for pleasure or hire in Philadelphia, to tax, act relative to, 498
reported, 554
passed finally, 757
Horse racing, in Leacock township, Lancaster county, act to extend to, 557
reported, 571
passed finally, 675
Home manufacturing company, act to incorporate, 557
reported, 754
passed finally, 869
Hoffmaster, Zeno, pension, act relative to, 571
reported, 706
passed finally, 786
Howe, William, to erect a boom for saw logs, act to empower, 648
passed finally, 821
Horning, John, of Mifflin county, to legitimate, act relative to, 754
reported, 804
passed finally, 877
Home for disabled soldiers of Pennsylvania, act to establish, 780
reported, 908
considered, 810
Home for invalid soldiers, resolution relative to, 807
Howard coal and iron company, further supplement to act incorporating, 817
passed finally, 818
Horses, cattle, sheep and hogs, in Kelley township, Union county, and the several townships of Luzerne county, act to repeal an act, 821
reported, 906
Hurst, Jacob, pension, act granting, 48
reported, 152
passed finally, 434
Huntingdon county, to extend provisions of an act to, 256
passed finally, 256
Hucksters in Bedford, Cumberland, Franklin, Fulton and York counties, supplement to act, 407
reported, 499
passed finally, 574
Hughes, William P., to confirm title of, act relative to, 499
reported, 814
passed finally, 877
Husband and wife and parents and children, rights and duties of, act to declare, 704
reported, 725
Hucksters in the county of Dauphin, act relative to, 780
reported, 851
passed finally, 1044
Humboldt gold and silver mining company, of Nevada, act to incorporate, 998
reported, 1039
passed finally, 1073
Hummelstown, in Dauphin county, act relative to grading and paving streets of, 1007
reported, 1077
passed finally, 1077
Huntingdon county:
Baptist churches in, supplement to act incorporating, 643
reported, 651
passed finally, 778
fees of district attorney of, act relative to, 228
reported, 245
passed finally, 338

I.

Idaho mining and exploring company, act to incorporate, 486
reported, 555
passed finally, 675
Inaugural ceremonies, committee of arrangements appointed on, 5
proceedings of, 74
authorizing printing of, 82
joint resolution to pay expenses of, 124
reported, 131
passed finally, 559
Intoxicating liquor, to prohibit sale, supplement to act, 141
reported, 191
passed finally, 504
Injunctions, court of *nisi prius*, Philadelphia, supplement to act authorizing, 151
reported, 165
passed finally, 233
Interest, regulating rate of, act relative to, 152
negatived, 226
petitions of citizens of Bedford county, 349
recommitted, 351
considered, 506
Intoxicating drinks, in Potter county, granting licenses for sale of, act relative to
reported, 191
passed finally, 290
International Patent insurance company, act incorporating, 191
reported, 227
passed finally, 291
Independent company of Montgomery and Bucks counties, elections of, act to change time, 246
passed finally, 248
Industrial association of Summit Hill, act to incorporate, 253
reported, 282
passed finally, 340
Intoxicating liquors, sale of in Indiana county, petition of citizens, 315
Indiana county, compensation of officers, &c., supplement to act relative to, 316
reported, 330
passed finally, 410
Indiana, borough of, to increase taxation, act authorizing, 328
reported, 350
passed finally, 411
Intoxicating liquors, granting licenses of, act to change, 385
Intoxicating drinks in Economy and Independence townships, Beaver county, act to prohibit, 407
reported, 426
passed finally, 530
Inspectors, further supplement to act relative to, 429
reported, 430
passed finally, 481
Intoxicating liquors in Allegheny county, sale of, act to regulate, 577
reported, 591
Intoxicating liquors, sale and use of, act to restrain and regulate,
reported, 620
Inspectors, in Philadelphia city, further supplement to act relative to, 671
passed finally, 823
Intoxicating liquors, sale of on Sunday in Berks, Lebanon and Lehigh counties, supplement to act reletive to, 678
reported, 694
considered, 784, 809
passed finally, 811
Intoxicating liquors, sale in Mercer county, further supplement to act to regulate, 701
reported, 755
passed finally, 876
Interest on public accounts, act regulating, 726
negatived, 804
recommitted, 810
reported, 815
passed finally, 866
Intoxicating liquors in the townships of East Deer, Fawn and Harmon, and borough of Tarentum, in Allegheny county, act to prohibit sale of, 756
passed finally, 788
Inspection laws, in regard to the inspection of whisky in the county of Philadelphia, act to provide for the enforcement of, 781
reported, 851
passed finally, 1077
Intoxicating drinks in Peach Bottom township, York county, on election day, act to prevent the sale of or giving away, 815
reported, 851
passed finally, 1044
Indiana woolen works, act to incorporate, 817
passed finally, 818
Intoxicating liquors, further supplement to an act to regulate sale of, 817
reported, 907
passed finally, 1040
Indiana borough, act to extend the limits of, 821
reported, 906
passed finally, 946
Inspector of stationary steam engines and steam boilers in Philadelphia, appointment of, supplement to act authorizing, 870
reported, 906
Interest, rate of, act to change, 940
reported, 958
considered, 1086
Indemnity gold mining company of Colorado, act to incorporate, 998
reported, 1039
passed finally, 1074
Intoxicating liquors, further supplement to an act to regulate sale of, 999
Indiana county:
bounty tax in Washington township, in, act authorizing, 571
passed finally, 676
criminal cases in, act to change manner of, 478
reported, 554
passed finally, 675
compensation of officers of, supplement to act relative to, 316
reported, 330
passed finally, 410
John Lick Regular congregation in Green township, in, act authorizing the removal of certain dead bodies, 854
passed finally, 872
liquor law, prohibitory, in, act relative to, 821
reported, 907
recommitted, 909
reported, 958
passed finally, 1049
Insurance companies:
Accident, supplement to act incorporating, act relative to, 816
reported, 851
passed finally, 1044

Insurance companies—*Continued.*
Boatmen's, supplement to act incorporating, 255
reported, 350
passed finally, 412
Citizens', act to incorporate, 621
reported, 651
Columbia life, act to incorporate, 854
reported, 906
passed finally, 1022
Eureka life and accident, act to incorporate, 57
passed finally, 57
Eureka life and accident, supplement to act to incorporate, 904
reported, 914
passed finally, 1048
Farmers' and Merchants', act relative to, passed finally, 33
Farmers' Union Mutual fire, of Philadelphia, act to incorporate, 407
reported, 426
passed finally, 529
Farmers' Mutual fire, of Paradise township, in York county, supplement to act, to incorporate, 815
reported, 906
passed finally, 1044
Farmers' Mutual life and trust company, of the township of Upper Augusta, act to incorporate, 998
reported, 1039
passed finally, 1074
Fidelity trust and safe deposit and, of Philadelphia, supplement to act to incorporate, 349
reported, 383
passed finally, 529
foreign, resolution relative to, 229
foreign, agencies of, act relative to, 246
negatived, 725
foreign, certain, act relative to, 286
reported, 303
passed finally, 779
foreign, and annuity and trust, agencies of, supplement to act relative to, 620
Fort Pitt Mutual life and trust, act to incorporate, 694
reported, 705
passed finally, 779
Germania, of Erie, act to incorporate, 57
passed finally, 116
General Life, and annuity and trust, in Philadelphia, further supplement to act incorporating, 81
Girard Life, of Philadelphia, act to incorporate, 34
passed finally, 124
Girard Electrical, supplement to act incorporating, 328
reported, 350
passed finally, 412
Granite, act to incorporate, 8
reported, 131
first reading, 165
passed finally, 167
Hand-in-Hand Mutual Life, act to incorporate, 31
reported, 115
passed finally, 115
Howard Fire and Marine, further supplement to act incorporating, 216
reported, 227
passed finally, 234
Lehigh County Mutual Horse, supplement to act incorporating, 115
passed finally, 116
Lehigh Valley, supplement to act incorporating, 333
reported, 555
passed finally, 675
Manufacturers' Mutual Fire, of Pennsylvania, act to incorporate, 670
reported, 693
passed finally, 778

Insurance companies—*Continued.*
Mahanoy Valley, act to incorporate, 246
reported, 254
passed finally, 339
Manyunk Fire, act to incorporate, 803
negatived, 814
Mutual, of Montgomery county, further supplement to act incorporating, 82
passed finally, 82
Never Sink, of Berks county, act to incorporate, 643
reported, 651
passed finally, 698
North American Franklin, act relative to, 18
passed finally, 33
Oxford Fire and Life, annuity and trust, act to incorporate, 781
reported, 851
passed finally, 1044
People's Accident, act relative to, 253
reported, 282
passed finally, 339
Pennsylvania Central thief detective and live stock, act to incorporate, 280
reported, 315
passed finally, 319
Pennsylvania live stock, act to incorporate, 280
reported, 361
objected to, 410
Pennsylvania Mutual Fire insurance, act to incorporate, 643
reported, 651
passed finally, 782
Pennsylvania Mutual horse thief detecting, &c., supplement to act to incorporate, 670
reported, 693
passed finally, 778
People's Accident, of Philadelphia, supplement to act to incorporate, 870
reported, 907
passed finally, 1045
Imprisonment for debt, supplement to act to to abolish, 531
negatived, 755
Iron and coal companies:
act authorizing to keep stores for sale of merchandise for the accommodation of employees, 908
passed finally, 945
American, act to incorporate, 820
reported, 1070
passed finally, 1074
Anderson, supplement to act incorporating, 871
reported, 919
passed finally, 1047
Barclay, act to incorporate, 871
Bedford, further supplement to act incorporating, 726
reported, 764
passed finally, 869
Benzinger, to increase width of their railroad, act authorizing, 807
passed finally, 807
Bloomsburg, report of, 247
Black Band, act to incorporate, 671
reported, 957
passed finally, 1048
Brady's Bend, further supplement to act incorporating, 108
passed finally, 108
Brady coal and iron, supplement to act incorporating, 780
reported, 815
first reading, 878
passed finally, 912
Cambria, act to amend charter of, 142
passed finally, 142
Caledonia, act to incorporate, 427
reported, 430
passed finally, 530
Caernarvon, act to incorporate, 1021
passed finally, 1022

Iron and coal companies—*Continued.*
Clarion, act to incorporate, 707
passed finally, 707
Commonwealth, act to incorporate, 669
reported, 669
passed finally, 783
Cranberry coal, further supplement to act to construct a railroad, 405
reported, 426
passed finally, 529
Delaware coal, annual report of, 703
Eagle Hill iron, act to incorporate, 1039
reported, 1039
passed finally, 1073
Edgeland coal and lumbering, act to incorporate, 917
Edge Hill iron, act to incorporate, 959
Etna iron, act to incorporate, 920
reported, 957
Federal, act to incorporate, 487
reported, 919
Fort Allen iron, in Carbon county, act to incorporate, 671
reported, 957
passed finally, 1048
Freedom iron and steel, act authorizing to dispose and issue bonds, 34
passed finally, 35
Glenwood coal, supplement to act to incorporate, 108
reported, 123
passed finally, 232
Glen Alden coal, supplement to act to incorporate, 959
reported, 1070
passed finally, 1074
Good Spring iron and land, act to incorporate, 620
reported, 705
passed finally, 809
Granby coal, act to incorporate, 191
reported, 804
passed finally, 869
Haverhill, act relative to, 34
Hamilton, act to incorporate, 730
reported, 1070
passed finally, 1074
Hilldale, act to incorporate, 351
reported, 430
passed finally, 676
Howard, to consolidate, act relative to, 107
reported, 115
passed finally, 124
Howard, further supplement to act to incorporate, 817
passed finally, 818
Iron Manufacturers', act to incorporate, 904
Karthouse and railroad company, act relative to, 316
reported, 330
passed finally, 410
Kaska William, act relative to directors of, 694
passed finally, 695
Keating coal and iron, payment of enrollment tax on, act to extend time of, 255
reported, 282
passed finally, 339
Keystone, and manufacturing, of Somerset county, act to extend time of payment of enrollment tax on, 531
reported, 554
passed finally, 675
Keystone, act to incorporate, 671
reported, 705
passed finally, 786
Lehigh, and navigation, to build branch railroad, act authorizing, 81
reported, 350
passed finally, 412
reconsidered, 479
passed finally, 479
Lehigh, and navigation, to borrow money, act authorizing, 909
passed finally, 921

Iron and coal companies—*Continued.*
Lykens Valley coal, in Dauphin county, supplement to act incorporating, 57
passed finally, 57
Mercer, supplement to act incorporating, 780
reported, 805
Mineral Spring coal, act relative to, 31
reported, 282
passed finally, 339
Mizua iron, act to incorporate, 123
passed finally, 124
Monocacy, and steel, act to incorporate, 871
reported, 1039
passed finally 1074
National iron, act to incorporate, 643
reported, 957
passed finally, 1048
National iron armor, of Chester, in Delaware county, supplement to act incorporating, 999
reported, 1039
passed finally, 1073
Northampton, act to incorporate, 957
passed finally, 1048
North Mountain coal, act to incorporate, 998
passed finally 1088
Northampton, act to incorporate, 871
Northampton, further supplement to act incorporate, 253
reported, 282
passed finally, 340
Northern, act to incorporate, 871
Pacific iron, act to incorporate, 87
Phillippsburg coal, iron and oil, act to validate and confirm, to mortgage, &c., 56
passed finally, 115
Philadelphia coal, act to incorporate, 166
reported, 227
first reading, 291
passed finally, 291
Pittsburg Forge and, act relative to, 141
reported, 330
passed finally, 410
Irvin, borough of, in Westmoreland county, special tax, act authorizing, 328
reported, 350
passed finally, 411
Ironton railroad company, supplement to act incorporating, 487
Iron Manufacturers' coal company of the State of Pennsylvania, act to incorporate, 904
Iron and coal companies to keep stores for sale of merchandise for the accommodation of employees, act authorizing, 908
passed finally, 945
Ivanhoe silver mining company, act to incorporate, 694
reported, 705
passed finally, 785

J.

Jamestown cemetery, act to incorporate, 56
negatived, 122
reconsidered, 165
Jamestown, borough of, supplement to act incorporating, 255
reported, 282
passed finally, 339
Jail, erection of in Wyoming county, act authorizing, 302
reported, 302
passed finally, 410
Jackson mining company, supplement to act incorporating, 426
reported, 430
passed finally, 530
Jamestown, borough of, in Mercer county, ordinance by, act to validate, 621
reported, 669
passed finally, 782
Jail of Washington county, guarding of, act relative to, 727
passed finally, 877
Jamestown and Franklin railroad, further supplement to act incorporating, 807
reported, 815
passed finally, 870
Jail in Susquehanna county, act to erect, 821
reported, 906
passed finally, 1044
James, Oliver P., Senator from the Sixth district, composed of Bucks county, remarks on
protection of farmers in Philadelphia, 414, 650, 654
joint resolution relative to obstructions in the Delaware river, 808
resolutions offered by, 5
bills read in place by, 82, 108, 191, 282, 386, 406, 592, 643, 694, 854
petitions presented by, 190, 244, 315, 329, 382, 423, 477, 478, 554, 651, 753, 850
Jackson, George D., Senator from the Fifteenth district, comprising the counties of Northumberland, Montour, Columbia and Sullivan,
remarks on
Pittsburg and Connellsville railroad, 289
on change of venue in the case of Commonwealth of Pennsylvania vs. Louis S. Bower and Sylvester Hoffman, 677
joint resolution relative to obstructions in the Delaware river, 808
act relative to change of venue in the case of Commonwealth of Pennsylvania vs. Jesse R. M'Carty, &c., 257, 559
petitions presented by, 29, 34, 81, 190, 280, 349, 477, 478, 496, 554, 651, 693, 753, 850
bills read in place by, 31, 56, 81, 131, 191, 430, 498, 508, 557, 571, 620, 653, 670, 694, 761, 807, 817, 854, 880, 921, 1021
resolutions offered by, 912
Jenkins, William H., joint resolution to pay, 407
passed finally, 408
Jewish hospital association of Philadelphia, to exempt from taxation, act relative to, 597
reported, 804
passed finally, 876
Jefferson county:
auditors and commissioners of, act to increase pay of, 870
reported, 906
passed finally, 1045
Big Run, town of in, act to incorporate, 611
reported, 908
passed finally, 1046
commissioners of, to borrow money, act authorizing, 74
reported 95
passed finally, 167
Masonic hall association of, Brookville, in, act to incorporate, 131
reported, 176
passed finally, 234
Jordan, Hon. F. R., Secretary of the Commonwealth, appointment of, 96
Jones township, Elk county, act relative to officers of, 644
reported, 669
passed finally, 782
Johnstown and Scalp Level turnpike company of Cambria county, to increase rates of tolls, act authorizing, 803
reported, 815
passed finally, 878
John Lick Regular Baptist congregation in Green township, Indiana county, act authorizing the removal of certain dead bodies, 854
passed finally, 872
Justices of peace in borough of Towanda, Bradford county, act relative to, 56
passed finally, 56
Johnstown and Hingston's Run turnpike road company, act to incorporate, 959
reported, 996
passed finally, 1073
Jones ferry company, further supplement to act incorporating, 1007
reported, 1039
passed finally, 1073
Juniata avenue in Philadelphia, opening of, act relative to 34
reported, 131
passed finally, 142
Judge, associate law, in Twenty-first judicial district, act to provide for, 81
reported, 226
considered, 559
passed finally, 572
amended by House of Representatives, 1019
considered, 1020
non-concurred in, 1021
Jurors in York county, act relative to, 82
reported, 131
passed finally, 232
Jurors in the several courts, for the better selection of, &c., act relative to, 107
reported, 122
considered, 352, 758
passed finally, 759
in Somerset, Bedford, Fulton, Westmoreland, Juniata and Perry counties, a better selection of, act relative to, 108
reported, 131
Justices of the peace, township of Cherryhill township, Indiana county, act relative to, 164
passed finally, 248
to allow certain persons hold office, act relative to, 166
negatived, 176
to regulate jurisdiction of, act relative to, 177
negatived, 226
not agreed to, 504
Jurors in counties of Lehigh and Berks, pay of, supplement to act to, 191
passed finally, 192
Justices of peace in Montour county, returns by, act regulating, 246
negatived, 282
Junior Sons of America, State Camp of the Patriotic order of, act incorporating, 258
reported, 280
passed finally, 340
Judges of election in Twenty-first, Twenty-second, Twenty-third and Twenty-fifth wards, Philadelphia, increase of pay, act relative to, 283
reported, 316
passed finally, 410
Judgments, entering of, in Armstrong county, act to regulate, 328
reported, 815
passed finally, 878
Jurors in each of the counties of the Commonwealth, act relative to, 389
reported, 406
passed finally, 1047
copy of bill, 1047
Jurors, in city of Philadelphia, selection of, supplement to act, 386
Judges of the Supreme Court, writing of opinions of, act relative to, 431
Justice of the peace, burgess and notaries public in Lawrence county, act relative to, 486
reported, 496
passed finally, 508
Judicial sales and the preservation of the liens or mortgages, act relative, 557
passed finally,
Judicial district, to be called the Twenty-eighth, act to create, 577
Jurors, better selection of, &c., act extending to Mifflin and Centre, 620
reported, 725

Jurors, in cases of partition in courts of certain counties, act to fix number of, 644
reported, 804
Justices of the peace, in borough of Lawrenceville, in Allegheny county, act relative to, 694
negatived, 725
Justices of the peace, in Tioga county, act to office of, 727
negatived, 918
Justice of the peace in the city of Erie, residence of, act relative to, 754
reported, 804
passed finally, 876
Jurisdiction of justices of the peace, mayors and burgesses in Erie county, act relative to, 820
reported, 908
passed finally, 1046
Justices of the peace in Mercer county, making of returns by, act regulating, 821
passed finally, 821
Justices of the peace in Potter county, jurisdiction of in criminal proceedings, 904
Jurisdiction of courts in certain cases, act regulating, 921
considered, 941
passed finally, 941
Juniata county:
Baptist churches in, supplement to act incorporating, 463
reported, 651
passed finally, 778
licenses in Tuscarora township in, act to prohibit, 643
reported, 670
objected to, 870

K.

Karthause iron, coal and railroad company, act relative to, 316
reported, 330
passed finally, 410
Kane, in M'Kean county, park of, act relative to, 316
reported, 330
passed finally, 410
Kaska William coal company, directors of, act relative to, 694
passed finally, 695
Kensington and Oxford turnpike company, further supplement to, 115
reported, 165
passed finally, 234
Keystone telegraph company, act to incorporate, 229
reported, 350
passed finally, 412
Kensington Mutual Co-operative association of Philadelphia, act to incorporate, 253
reported, 282
passed finally, 339
Keating coal and iron company, payment of tax of, act relative to, 255
reported, 282
passed finally, 339
Keystone State normal school, act relative to, 406
passed finally, 408
Keystone homestead company, act to incorporate, 478
reported, 484
passed finally, 573
Kennet Square, borough of, in Chester county, to borrow money, &c., act relative to, 499
amended, 544
passed finally, 675
Keystone coal and manufacturing company, of Somerset county, payment of enrollment tax, act to extend time of, 531
reported, 554
passed finally, 675
Keystone iron and coal company, act to incorporate, 671
reported, 705
passed finally, 786
Kersey oil and mineral railroad company, leasing of, act relative to, 694
passed finally, 695
Keystone coal and transportation company, further supplement to act incorporating, 871
reported, 919
passed finally, 1048
Kelso silver mining company, act to incorporate, 998
reported, 1039
passed finally, 1073
Keystone elevating warehouse company, act to incorporate, 1021
passed finally, 1022
Kittanning, borough of, school directors to borrow money, supplement to act relative to, 253
reported, 303
passed finally, 410
Kittanning, borough of, to grade, curb, pave, &c., act authorizing, 328
reported, 350
passed finally, 412
Kingston township, Luzerne county, supervisors of, act relative to, 332
reported, 350
passed finally, 411
Kittanning Bank, to repay, act authorizing, 385
Kittanning and Rural Village macadamizing turnpike railroad company, in Armstrong county, act incorporating, 803
reported, 815
passed finally, 878
Kittanning, Rural Valley and Reynoldville railroad company, act to incorporate, 940
reported, 996
passed finally, 1073
Koth, Henry Warren, and Arabella, marriage contract of, act to annul, 670
reported, 725
passed finally, 869
Kylertown, Morrisdale and Phillipsburg plank road company, supplement to act incorporating, 904
reported, 919
passed finally, 1048

L.

Lancaster city, Northwest ward, act to divide, 8
reported, 95
passed finally, 124
Landlords and tenants, in case of descent and purchase, act relative to, 34
reported, 49
passed finally, 96
Lands and tenants in Bedford county, attachment of for school purposes, act relative to, 82
reported, 131
passed finally, 192
Lancaster and Litiz turnpike company, act relative to, 82
reported, 165
passed finally, 234
Lancaster, city of, to change time of holding elections for, supplement to, 108
passed finally, 108
Lafayette railroad company, further supplement to act incorporating, 141
reported, 561
passed finally, 676
Ladies' United Aid society, of Philadelphia, taxation, act relative to, 141
reported, 152
passed finally, 179
Lackawanna and Bloomsburg railroad company, supplement to act incorporating, 191
reported, 350
passed finally, 412
Lake Shore Seminary, act to incorporate, 246
Lackawaxen iron and coal company, annual report of, 247
Law library in Armstrong county, act to establish, 283
reported, 303
passed finally, 410
Lands, unsettled, sale of for taxes, act to provide, 290
negatived, 382
Lawrenceville, Allegheny county, supplement to act incorporating, 328
reported, 350
passed finally, 531
Lawrenceville, act supplementary to an act incorporating, 328
reported, 383
passed finally, 411
Laws and legal advertising, publication of, act relative to, 406
considered, 627
Law library in Wayne county, act relative to, 406
reported, 484
passed finally, 572
Law library in Washington county, act relative to, 407
reported, 497
passed finally, 574
recalled from Governor, 697
Law library in Butler county, act relative to, 407
reported, 591
passed finally, 879
Landey Sophia, investment of money for use of, act relative to, 426
reported, 484
passed finally, 573
Law judge in Eighth Judicial district, act authorizing an additional, 428
negatived, 430
Lawrenceville and Oswego railroad, supplement to act incorporating, 486
reported, 591
passed finally, 676
Laws, general, local and private, publication of, act relative to, 496
postponed indefinitely, 856
Lawrenceville, borough of, further supplement to act incorporating, 499
passed finally, 528
Lateral railroads in Schuylkill, Northumberland and Columbia counties, act relative to, 571
Lack township, Juniata county, to refund certain persons, act authorizing, 643
Law library in Northampton county, act relative to, 644
reported, 669
passed finally, 782
Lawrence county, money at interest, to relieve from taxation, &c., act relative to, 644
negatived, 669
Lancaster county prison, inspectors of, salary of, act relative to, 644
reported, 669
first reading, 782
not agreed to, 878
Law library in York county, act to establish, 653
reported, 669
passed finally, 782
Lampeter and Strasburg turnpike company, act to incorporate, 670
reported, 698
Lancaster, city of, to divide into nine wards, act relative to, 671
reported, 706
considered, 788
passed finally, 789
recalled from Governor, 866
passed finally, 912
Labor, payment of wages for in certain counties, act relative to, 671
reported, 725
not agreed to, 875
Lands, certain in Cameron county, to exempt from taxation, act relative to, 756

Lawrenceville, borough of, further supplement to act incorporating, 694
reported, 706
passed finally, 779
Larry's Creek plank road company, act to incorporate, 695
reported, 706
passed finally, 786
Law library in the county of Allegheny, act relative to, 726
reported, 804
passed finally, 869
Lands and tenements in Licking township, Fulton county, act relative to, 727
reported, 755
passed finally, 876
Ladies' Soldiers' Aid society of Weldon, to exempt from taxation, act relative to, 780
reported, 814
passed finally, 877
Law library in Carbon county, act relative to, 780
reported, 804
passed finally, 876
Lake Pleasant and its outlet to French creek, a public highway, act to declare, 803
reported, 815
passed finally, 878
Law judge in the several courts of the Eleventh Judicial district, act to provide for an additional,
reported, 851
passed finally, 872
Land in Washington township, Dauphin county, act authorizing sale of a certain tract, 904
reported, 919
objected, 1047
Lawrenceville railroad and transportation company, supplement to act to incorporate, 917
Lancaster, city of, act relative to officers of Southwest ward of, 917
reported, 957
passed finally, 1048
Lake Shore Seminary to borrow money, act authorizing, 921
passed finally, 945
Law library, public, in Warren county, act to establish, 971
reported, 995
passed finally, 1072
Lake Shore passenger railway company of Erie county, act to incorporate, 999
Latrobe, borough of, in Westmoreland county, to borrow money, act authorizing, 999
reported, 1039
passed finally, 1074
Lancaster county:
bounty tax in Conestoga township in, act to authorize, 704
reported, 726
bounty tax in certain wards of Lancaster city in, supplement to act relative to, 704
reported, 726
passed finally, 876
bounty purposes in Strasburg township in, act relative to, 816
reported, 851
passed finally, 1044
bounty funds in West Hempfield township in, act to authorize directors to apply to school purposes, 821
reported, 907
passed finally, 1045
bounty fund of East Lampeter township in, to apply, to act to enable, 288
reported, 254
passed finally, 339
bounty purposes in Strasburg township in, act to legalize supplement made for, 498
reported, 554
passed finally, 675
Lancaster county—*Continued.*
cattle, horses, sheep and hogs in, running at large, act relative to, 643
reported, 651
passed finally, 782
reconsidered, 808
amended, 808
passed finally, 808
Columbia in, gas company of, further supplement to act to incorporate, 246
reported, 282
passed finally, 339
common schools of Lancaster city in, supplement to an act relative to, 871
reported, 907
passed finally, 1045
Farmers' turnpike road company in, act to incorporate, 803
reported, 815
passed finally, 878
horse racing in Leacock township of, act to extend to, 557
reported, 571
passed finally, 675
Lawrence county:
billiard rooms, bowling saloons or ten pin alleys in, act relative to better regulation of, 807
passed finally, 807
bounties in, further supplement to act relative to, 905
negatived, 918
Cattle, horses, sheep, mules and hogs in Little Beaver township in, act to prevent running at large, 940
reported, 958
passed finally, 1049
courts of, act relative to appointment of stenographers, 82
passed finally, 116
desertions in, act relative to, 31
reported, 131
amended, 232
Farmers' and Citizens' Co-operative Building and Saving Fund association in, act to incorporate, 694
reported, 705
passed finally, 779
fish and game in, act relative to, 349
reported, 430
considered, 530
justices of the peace, burgess and notaries public in, act relative to, 486
reported, 496
passed finally, 557
licenses to hotels and eating houses in, act to repeal an act relative to, 1021
passed finally, 1022
Landon, George, Senator from the Eleventh district, comprising the counties of Bradford, Susquehanna and Wyoming,
remarks on
election of United States Senator, 6
resolution relative to alleged charges of bribery and corruption in election of United States Senator, 29
adoption of rules of Senate, 49
joint resolution to ratify amendments to the Constitution, 62, 97
on education of soldiers' orphans, 133
exclusion of colored persons from railroad cars, 217
railroad committee, 229, 230
Pittsburg and Connellsville railroad, 289
commutation of death punishment in certain cases, 480
destruction and spread of Canada thistles, 506
payment of annuities and gratuities of soldiers of the war of 1812. 557, 865
Governors's message in reference to the probable murder, in Mississippi, of the Zook brothers, 622
Sunday car question, 669
act relative to increase of revenue of the Commonwealth, 699
Landon, George—*Continued.*
remarks on
act relative to relinquishing the New York and Erie railroad annuity, 787
act to ascertain and appoint the fees to be received by the several officers of this Commonwealth, 916
the appropriation bill (general), 931, 937, 936, 937, 963, 964, 965, 967, 972, 1003, 1004, 1013, 1014
act relative to the military claims of Colonel John W. M'Lean, deceased, of Erie county, 942
act relative to associate law judge of the several courts of the Twenty-first Judicial district, 1021
act relative to general railroad law, 1077
act relative to the estate of Eliza Howard Burd, 1083
act to incorporate the Cumberland Valley railroad company, 1085
act relative to change of venue in the case of Commonwealth of Pennsylvania vs. Jesse R. M'Carty, &c., 259
petitions presented by, 107, 115, 150, 211, 244, 315, 349, 424, 478, 753
bills read in place by, 108, 153, 191, 282, 316, 557, 807
resolutions offered by, 132, 557
Legislative Manual, clerk authorized to procure, 5
Lehigh coal and navigation company to build branch railroad, act to authorize, 81
reported, 350
passed finally, 412
reconsidered, 479
passed finally, 479
Legal representatives of deceased tax collectors, powers of, act relative to, 107
reported, 122
passed finally, 192
Lehigh County Mutual horse insurance company, supplement to act to incorporate, 115
passed finally, 116
Legislature, final adjournment of, joint resolution relative to, 131
Lenox, John, to change venue, act to repeal, 151
Lehigh and Norristown railroad company, act to incorporate, 191
passed finally, 192
Lehigh county, commissioners of to borrow money, act to authorize, 211
reported, 254
passed finally, 339
Lenox road law, Apolocan township, Susquehanna county, act to repeal, 228
reported, 254
Legislative Hand-Book, State printer directed to furnish, resolution relative to, 247
Lebanon, borough of to borrow money, act to authorize, 282
reported, 330
passed finally, 340
Lebanon County Soldiers' and Sailors' Monument association, act to incorporate, 282
reported, 316
passed finally, 410
Lehigh Valley insurance company, supplement to act to incorporate, 333
reported, 555
passed finally, 675
Lehigh county, treasurer of, act relative to, 333
reported, 350
passed finally, 411
Lewisburg bridge, stockholders of, supplement to act, 340
passed finally, 340
Lehman street, Twenty-fourth ward, Philadelphia, act to reduce width of, 386
reported, 406
passed finally, 529

Lehigh Valley railroad, act relative to, 406
reported, 426
objected, 529
Lehigh county, commissioners of to borrow money, act authorizing, 407
reported, 669
passed finally, 696
Lehigh and Delaware Water Gap railroad company, further supplement to act incorporating, 407
reported, 484
passed finally, 573
Lebanon Valley college, act to incorporate, 431
reported, 484
passed finally, 592
Lewis, Perry, to refund money advanced, act relative to, 478
reported, 496
passed finally, 573
Lebanon and North Lebanon, boroughs of to consolidate, act relative to, 478
reported, 484
passed finally, 573
Lehigh County mining, manufacturing and improvement company, act to incorporate, 478
Lebanon water company, act to incorporate, 508
reported, 554
passed finally, 675
Lerew, Adam, trustee of Hiram Albert, act relative to,
reported, 620
passed finally, 676
Lenox road law, in township of Lenox, Susquehanha county, act to repeal, 620
reported, 651
passed finally, 782
Lehigh Mutual manufacturing company, act to incorporate, 816
reported, 851
passed finally, 1044
Lehigh County mining, manufacturing and improvement company, act to incorporate, 871
reported, 907
passed finally, 1045
Lehigh water company, in borough of Easton, in Northampton county, act to increase capital stock, 904
reported, 919
passed finally, 1048
Lehigh and Delaware plank road and turnpike company, further supplement to act incorporating, 904
reported, 958
passed finally, 1049
Lehigh coal and navigation company, to borrow money, &c., act authorizing, 909
passed finally, 921
Lease or agreement, in Lehigh county, act authorizing recording of, 940
negatived, 958
Legal Tender gold and silver mining company, act to incorporate, 962
reported, 1039
passed finally, 1074
Lebanon county:
cattle, horses, sheep and hogs in, running at large, act relative to, 407
reported, 919
passed finally, 1048
Evangelical Lutheran church, Bindangles, Londonderry township in, to use interest of certain money, act to allow, 998
negatived, 1040
fees of notary public in, act relative to, 316
reported, 330
passed finally, 410
hawkers and peddlers or traveling merchants in, act relative to, 498
reported, 554
passed finally, 760
Lebanon county—*Continued.*
intoxicating liquors in, sale of on Sunday, supplement to act relative to, 678
reported, 693
considered, 784, 809
passed finally, 811
Lehigh county;
assessors, act to increase pay of, 191
reported, 227
passed finally, 291
bounties in Lower Milford township in, act relative to, 704
reported, 725
passed finally, 875
clerk of orphans' court, &c., in, to appoint deputies, act authorizing, 191
courts of, act relative to,
reported, 227
passed finally, 291
recalled from Governor, 647
courts of, act relative to, 316
reported, 330
passed finally, 410
recalled from Governor, 572
passed finally, 598
Co-operative society of Allentown in, act to incorporate, 571
passed finally, 578
costs of, supplement to act relative to, 726
reported, 804
passed finally, 869
Hanover township in, to add to Northampton county, act relative to, 486
intoxicating liquors in, sale of on Sunday, act relative to, 673
reported, 693
considered, 784, 809
passed finally, 811
jurors in, supplement to act relative to pay of, 191
passed finally, 192
notary public for, act authorizing an additional, 8
passed finally, 8
Littlestown savings institution, act to incorporate, 18
passed finally, 18
Licenses, prohibition of in certain counties, act relative to, 19
passed finally, 19
Liens, mechanics and others, York, supplement to act extending, 151
reported, 176
passed finally, 234
Licenses, to prohibit granting of in Potter county, act relative to, 151
Livery stable keepers in Mercer county, act relative to, 166
negatived, 227
passed finally, 291
Littlestown railroad company, payment of taxes of, act to extend time, 166
reported, 176
passed finally, 234
Licenses, in Washington county, granting of, act relative to,
passed finally, 235
Literary and charitable institutions, increase of capital, &c., act granting, 246
reported, 254
passed finally, 505
Licenses in Erie county, to repeal, act relative to, 253
reported, 670
passed finally, 783
Licenses at Kane, M'Keaa county, act to prohibit, 255
reported, 282
passed finally, 340
Licenses in borough of New Alexandria and Bolivar, in Westmoreland county, act to extend, 328
reported, 426
passed finally, 530
Lincoln Monument association, correspondence of, 408
Little Lehigh, a public highway, act declaring, 333
reported, 426
passed finally, 529
Lincoln steam fire hose company of Philadelphia, act to incorporate, 349
reported, 383
passed finally, 528
Liens of mechanics and others, upon buildings, supplement to act relative to, 498
negatived, 725
amended, 822
passed finally, 822
Liens, filing of, and collection of taxes in borough of Petersburg, 498
reported, 554
passed finally, 675
Licenses to hotels and eating houses, to regulate, act relative to, 531
reported, 571
considered, 655, 699
passed finally, 702
Liens for money due the Commonwealth, &c., entry of, act directing, 557
reported, 591
considered, 858, 867
passed finally, 9 3
reconsidered, 914
amended, 9 14
considered, 922
Little Mahoning creek, north and west branches, in Indiana county, public highway, act to declare, 557
reported, 591
passed finally, 676
Licenses for sale of liquor in M'Kean county, act relative to, 557
reported, 571
passed finally, 578
Liberty township, Allegheny county, boardwalks along streets of, act authorizing, 620
passed finally, 869
Liens of mechanics and others in Chester county, supplement to act relative to, 620
reported, 669
passed finally, 782
Licenses in Tuscarora township, in Juniata county, act to prohibit, 643
reported, 670
objected to, 780
Licenses in Buffalo township, Perry county, act to prohibit, 643
reported, 670
objected to, 780
Licenses, granting of in Wyoming county, to prohibit, act relative to, 643
reported, 670
Liens of mechanics and others in Dauphin county, upon buildings, act relative to, 643
reported, 669
passed finally, 782
Licenses in Derry township, Westmoreland county, Blairsville borough, Burrell township, and East Mahoning township, in Indiana county, act prohibiting the issue of, 653
reported, 670
Licking bridge company, in Clarion county, to sell bridge, act authorizing, 695
reported, 705
passed finally, 786
Liquor law, prohibitory, in Beaver and Indiana counties, act relative to, 704
reported, 726
passed finally, 876
Licenses for sale of liquor in borough of Stewartstown, York county, act to prohibit granting of, 727
reported, 755
not agreed to, 876
License laws of the State, relative to Berks county, supplement to act, 756
reported, 805
passed finally, 870

Licenses in the county of Allegheny, joint resolution to pay expenses of committee of investigation relative to charges in reference to passage of, 781
reported, 958
passed finally, 1049
Limestone turnpike and plank road company, of Warren county, act to incorporate, 803
reported, 815
passed finally, 878
Licenses in the township of Allegheny, in Westmoreland county, act to prohibit issuing of within two miles of the borough of Freeport, Armstrong county, 815
reported, 851
passed finally, 1044
Linton, Dr, Herman B., act for relief of, 816
reported, 907
Lincoln Monument association of Philadelphia, act to incorporate, 817
reported, 818
Lincoln Savings Bank, act to incorporate, 820
reported, 919
passed finally, 1047
Liquor law, prohibitory, in Indiana county, act relative to, 821
reported, 907
recommitted, 909
reported, 958
passed finally, 1049
Licensing of vehicles in borough of Lawrenceville, Allegheny county, act relative to, 870
reported, 906
passed finally, 1045
Licenses, issuing of, to sell spirituous, vinous, malt or brewed liquors, in the township of Penn, in Perry county, act to prohibit, 905
reported, 958
passed finally, 1049
Liens of mechanics, supplement to act, extending provisions of, to oil tanks and fittings, engine houses, &c, 917
negatived, 957
Liens of mechanics, supplement to act extending it to certain counties, 917
negatived, 957
Licenses, issuing of, in the boroughs of West Newton and Mount Pleasant, in Westmoreland county, act to extend provisions to prohibit, 940
reported, 958
passed finally, 1049
reconsidered, 1076
passed finally, 1076
Little Lehigh, a highway, act to repeal first section of an act declaring, 940
reported, 944
passed finally, 1048
Licenses to hucksters in Greene county, act to reduce price of, 959
reported, 995
passed finally, 1072
Livery stablemen in Schuylkill county, act for better protection of, 998
reported, 1039
passed finally, 1073
Licenses to hotels and eating houses in Lawrence county, act to repeal an act relative to, 1021
passed finally, 1022
Loan, to create for redemption of bonds due Commonwealth, act relative to, 123
reported, 131
copy of bill, 143
passed finally, 143
Loeser, Wiliam, to become a mining company, act enabling, 152
reported, 426
passed finally, 529
Law for arming State, &c., to repeal, &c., further supplement to act, &c., 152
reported, 165
Local express company of Wilkesbarre, act to incorporate, 153
reported, 165
passed finally, 233
Lock Haven, school directors of, to borrow money, act authorizing, 253
reported, 303
passed finally, 530
Local laws in Centre and Schuylkill counties, establishing of, supplement to act, 281
reported, 303
passed finally, 410
Lowther, William, trustee of Pennsylvania lunatic asylum, nomination of, 338
confirmed, 338
Longstreth, Lydia, petition of, 477
Loesch, William, to run a line of omnibuses, act authorizing, 498
negatived, 726
Lock Haven, borough of, to erect water works, act authorizing, 499
reported, 554
passed finally, 675
Logs and lumber on the Susquehanna river, protection of owners of, supplement to act relative to, 670
reported, 805
passed finally, 870
recalled from Governor, 913
reconsidered, 918
amended, 918
passed finally, 918
Lombard and South Street railroad company of Philadelphia, to increase capital stock, act authorizing, 816
reported, 907
passed finally, 1045
Lowry, Morrow B., Senator from the Twenty-ninth district, comprising the counties of Crawford and Erie,
remarks on
election of United States Senator, 5, 6
joint resolution to ratify the amendments to the Constitution of the United States, 12, 84
joint resolution relative to alleged charges of bribery and corruption in election of United States Senator, 30
adoption of rules of Senate, 48
Governor's message relative to removal of State arsenal, 108
West Branch boom company, 117
exclusion of colored persons from railroad cars, 212, 213, 215, 216, 217
Railroad Committee, 230, 231
Pittsburg and Connellsville railroad, 249, 289
Agricultural college of Pennsylvania and the establishment of experimental farms, 303
general railroad law, 336, 388, 646, 1077
commutation of death punishment in certain cases, 479, 480
act relative to rate of interest, 507, 1086
act relative to associate law judge of the several courts of the Twenty-first Judicial district, 561, 1021
act extending the privileges of the floor to the clergy of the Methodist Episcopal Conference, 574, 575
Governor's message in reference to the probable murder, in Mississippi, of the Zook brothers, 622
act relative to publication of general, local and private laws in the several counties of the Commonwealth, 627
Sunday car question, 666
act relative to license of eating houses and hotels, 701
joint resolution relative to the revisal of the civil laws of Pennsylvania, 709
act for protection of seamen in Philadelphia, 730
Lowry, Morrow B.—*Continued.*
remarks on
act relative to relinquishing the New York and Erie railroad annuity, 787
act relative to the Sunday liquor law, 810
temporary adjournment, 819
act directing the entry of liens for moneys due the Commonwealth, 860, 861
act relative to the payment of gratuities and annuities of soldiers of 1812, 865
act relative to the trial of certain causes in cases of relationship between the presiding judge and the counsel of a party thereto, 868
act relative to the Erie and Allegheny railroad company, 873
joint resolution relative to the extension of the Erie canal, 910
act relative to the purchase of Ephrata Mountain Springs, in Lancaster county, for a home for disabled soldiers, 911
act to ascertain and appoint the fees to be received by the several officers of the Commonwealth, 915, 916
the appropriation bill (general), 923, 930, 931, 934, 935, 939, 963, 964, 967, 974, 1005, 1012, 1013 1014
act relative to the military claim of Colonel John W. M'Lean, deceased, of Erie county, 942, 943, 944
act relative to the completion of the military history of Pennsylvania volunteers, 1074
act relative to change of venue in the case of the Commonwealth of Pennsylvania versus Jesse R. M'Carty, &c., 259
act relative to a change of venue from Allegheny to Jefferson county, 880
act relative to a change of venue from Schuylkill to Lebanon county, 913
resolutions offered by, 5, 108, 132, 142, 191, 229, 318, 387, 728
bills read in place by, 18, 31, 34, 57, 107, 131, 141, 166, 246, 255, 385, 406, 479, 508, 643, 702, 707, 726, 780, 817, 821, 854, 864, 879, 909, 921, 1021
petitions presented by, 122, 211, 245, 279 315, 424, 591, 850
Lumber, taking up of and floating loose logs, &c., act restricting, 255
resolution relative to, 317
reported, 430
objected, 530
Lunatics and habitual drunkards, supplement to act relative to, 557
reported, 725
passed finally, 868
Luzerne county, portion of territory of, to annex, act relative to, 571
Lucius S. Peck gold and silver mining company of Montana, act to incorporate, 807
reported, 815
passed finally, 823
Lutheran congregation of the old Goshenhoppen church in Upper Salford township, Montgomery county, supplement to an act to empower, &c., 870
reported, 906
passed finally, 1044
Luzerne county:
bounties in Kingston township in, act to legalize tax for, 153
reported, 176
passed finally, 234
in Scranton in, to raise money for, act authorizing, 153
reported, 176
passed finally, 234
to volunteers in borough of Kingston in, act relative to, 332
passed finally, 337

Luzerne county—*Continued.*
bounty funds of Benton township in, act relative to, 362
reported, 350
passed finally, 412
Case, C. W., of Jackson township in, acts of, act to validate, 644
reported, 706
passed finally, 786
cemetery or grave yard in Wilkesbarre and Plains township in, act relative to, 386
reported, 496
passed finally, 574
city express of Scranton in, act to incorporate, 571
Co-operative association of Hyde Park, No. 1, of Scranton in, act to incorporate, 153
reported, 165
passed finally, 233
constables in township of Blakely in, act relative to, 726
reported, 804
passed finally, 877
deserters in, act relative to, 232
passed finally, 232
fees of sheriff of, act regulating, 498
reported, 554
passed finally, 675
fish taken from ponds and lakes in Benton township of, act to regulate, 280
reported, 303
passed finally, 410
fish in South pond, in Union and Ross townships in, act to prevent destruction of, 704
reported, 805
not agreed to, 877
game and fish in, act to protect, 670
negatived, 805
reconsidered, 909
passed finally, 1072
Hanover township, in, proprietors of, act relative to, 191
reported, 227
passed finally, 291
Hazleton, borough of, in, to borrow money, act to authorize, 643
reported, 669
passed finally, 778
Harris, John, of, act relative to account of, 705
horses, cattle, sheep and hogs, in the several townships of, act to repeal an act relative to, 821
reported, 906
notary public in, act to authorize additional, 486
reported, 496
passed finally, 514
Lykens Valley coal company, in Dauphin county, further supplement to act to incorporate, 57
passed finally, 57
Lykens Valley railroad and coal company, annual statement of, 252
Lycoming trout and improvement company, act to incorporate,
reported, 430
objected, 530
passed finally, 1075
Lynn, Jane, relief of, act relative to, 621
reported, 706
passed finally, 786
Lykens Valley Deposit Bank, act to incorporate, 917
reported, 957
passed finally, 1048
Lycoming county:
auctioneers in city of Williamsport in, act relative to, 821
reported, 908
passed finally, 1046
commissioners of, to borrow money, act authorizing, 707
reported, 496
passed finally, 574
Lycoming county—*Continued.*
ferry across the West Branch of the Susquehanna river in, supplement to act to establish, 754
reported, 805
passed finally, 877
fees of notary public in, act relative to, 904
reported, 919
passed finally, 1047
notary public for, act authorizing an additional, 74
noxious animals in, act relative to destruction of, 333
passed finally, 353

M.

Married women, personal estate of, act relative to, 8
to contract for renting of houses, &c., act authorizing, 29
reported, 47
negatived, 352
Marine hospital of Pennsylvania, in Erie county, act to incorporate, &c., 18
passed finally, 234
vetoed, 666
veto sustained, 702
Maiden lane in Philadelphia, vacating part of, act relative to, 34
Masonic Hall association of Brookville, Jefferson county, act to incorporate, 131
reported, 176
passed finally, 234
Manufacturing operations, to encourage, &c., supplement to act, 153
reported, 226
passed finally, 504
Married women, to validate conveyances, &c., supplement to act to, 153
reported, 302
passed finally, 578
Madera coal and improvement company, to hold more real estate, act relative to, 166
reported, 227
passed finally, 291
Mayers, E., relief of, act relative to, 228
reported, 245
Mahanoy Valley insurance company, act to incorporate, 246
reported, 254
passed finally, 339
Manta Grandee silver mining and commercial insurance company, act to incorporate, 246
reported, 254
passed finally, 338
Macungie Savings Bank, act to incorporate, 246
reported, 254
passed finally, 351
Mænnerchor, of Philadelphia, act to incorporate, 283
Madison township, Perry county, additional officers for, act authorizing, 315
reported, 383
passed finally, 387
Martin, John, administrator, to refund, act relative to, 332
passed finally, 337
Manchester, borough of, to annex to Allegheny city, act relative to, 337
passed finally, 340
Mauch Chunk, borough of, act relative to, 348
reported, 383
passed finally, 528
Mails, irregularities of, resolution relative to, 386
Mattawana bridge company, supplement to act to incorporate, 431
reported, 484
passed finally, 573
Madison improvement company, payment of enrollment tax, act to extend, 431
reported, 484
passed finally, 573
Marriages, act regulating, 191
Madison bridge company of Pottstown, Montgomery county, act to incorporate, 557
reported, 571
passed finally, 675
Market square, in borough of Mechanicsburg, Cumberland county, act relative to, 571
reported, 620
reconsidered, 694
reported, 805
passed finally, 818
Masonic Hall association of Reading, act to incorporate, 571
reported, 591
passed finally, 676
vetoed, 909
Manufacturers' and Consumers' railroad company and commissioners of Schuylkill county, act authorizing, 571
Mattawanna mining and exploring company, supplement to act to incorporate, 920
reported, 643
passed finally, 778
Manufacturers' Mutual fire insurance company of Pennsylvania, act to incorporate, 670
reported, 693
passed finally, 778
Manayunk avenue, Twenty-first ward of Philadelphia, to vacate, act relative to, 671
reported, 693
passed finally, 784
Maish creek in Centre county, a highway, act to declare, 64
Marathon silver mining company of Nevada, act to incorporate, 694
reported, 705
passed finally, 785
Marine hospital of Pennsylvania, in Erie city, act to incorporate, 702
passed finally, 702
Masonic Hall association of the borough of Phœnixville, act to incorporate, 704
reported, 725
Mauch Chunk Savings Bank, act to incorporate, 726
passed finally, 921
Manayunk fire insurance company, act to incorporate, 803
negatived, 814
Manchester, borough of, to annex to Allegheny city, supplement to act relative to, 806
reported, 815
passed finally, 870
Married women, trusts for, act relative to, 806
Manufacturers' and Consumers' Anthracite railroad company, further supplement to act incorporating, 807
Malone, John, of Sewickley township, in Westmoreland county, act to exempt from payment of bounty tax, 816
reported, 851
objected to, 1044
Marietta, borough of, Lancaster county, supplement to act incorporating, 822
Manufacturing companies:
Agricultural, act to incorporate, 571
reported, 754
passed finally, 869
Cooper fire arms, act to incorporate, 151
reported, 165
passed finally, 233
Delaware County lumber, act to incorporate, 803
reported, 815
passed finally, 877
Eagle cotton and, act to incorporate, 621
reported, 669
passed finally, 788
Eagle, act to incorporate, 917
reported, 957
passed finally, 1048
Eagle cotton and, supplement to act to incorporate, 921
reported, 957

Manufacturing companies—*Continued.*
Franklin, act to incorporate, 917
reported, 957
passed finally, 1048
Home, act to incorporate, 557
reported, 754
passed finally, 869
Lehigh County, and mining and improvement, act to incorporate, 478
Lehigh Mutual, act to incorporate, 816
reported, 851
passed finally, 1044
M'Connel mineral company, act to incorporate, 81
reported, 131
passed finally, 143
M'Farland, William, pension, act relative to, 123
reported, 152
passed finally, 179
M'Lean, Col. John, relief of, resolution relative to, 142
reported, 805
M'Tigbe, of Carbondale, relief of, act relative to, 211
reported, 554
passed finally, 675
M'Kean and Elk land improvement company, further supplement to act incorporating, 316
passed finally, 319
M'Keesport gas company, act to incorporate, 427
reported, 484
passed finally, 573
M'Connel mineral company, supplement to act incorporating, 498
passed finally, 531
M'Keesport, borough of, in Allegheny county, grading, paving, &c., act relative to, 499
reported, 669
passed finally, 782
M'Neish, commissioner, Governor to issue, act relative to, 570
reported, 675
passed finally,
M'Keesport gas company, act to incorporate, 704
reported, 754
M'Elhose, Sarah E., pension, act granting to, 816
reported, 906
passed finally, 1015
M'Kean, James, and Marmaduke Rambo, act relative to claim of, 817
M'Lean, Colonel John W., deceased, of Erie county, claim of, act relative to 821
considered, 823
reported, 851
considered, 942
passed finally, 944
M'Ilvaine, James L., of Mifflin county, act for the relief of sureties of, 959
M'Candless, William H., Senator from the First district of Philadelphia, 197
remarks on
joint resolution to ratify amendments to Constitution, 96
joint resolution relative to Edgar Cowan, 134
assessment of taxes in Philadelphia, 155
exclusion of colored persons from railroad cars, 217
Pittsburg and Connellsville railroad, 249
Reynolds monument, 432, 434
act relative to associate law judge of the several courts in the Twenty-first Judicial district, 562
act for protection of farmers in Philadelphia, 654
Sunday car question, 669
act for protection of seamen in Philadelphia, 729, 730
act relative to Philadelphia military bill, 789
M'Candless, Wm. H.—*Continued.*
remarks on
act to ascertain and appoint the fees to be received by the several officers of this Commonwealth, 916
the appropriation bill (general), 932, 970, 974, 975, 1001, 1004, 1005, 1008, 1009
act relative to the better protection of life and property from the explosion of steam boilers, 941, 942
act relative to payment of Enos C. Renner, contestant for the seat of Michael Mullin, 1016
act relative to the completion of military history of Pennsylvania volunteers, 1074
act relative to dower, 1089
bills read in place by, 20, 31, 115, 247, 333, 351, 415, 498, 571, 592, 620, 761, 807, 872
petitions presented by, 164, 226, 279, 315 424, 495, 590, 802
resolutions offered by, 229, 594
M'Conaughy, David, Senator from the Nineteenth district, comprising the counties of Adams and Franklin,
remarks on
election of United States Senator, 6
adoption of rules of Senate, 49
city passenger railway companies of Philadelphia, 156
Philadelphia Sunday car question, 166
public roads of this Commonwealth, 177, 178
exclusion of colored persons from railroad cars, 216, 217
Pittsburg and Connellsville railroad, 289
Agricultural college of Pennsylvania and the establishment of experimental farms, 303
selection of jurors in this Commonwealth, 352
Reynolds monument, 432, 433, 434
commutation of the death punishment in certain cases, 500, 501
act relative to the rate of interest, 507, 1086, 1087
act relative to associate law judge of the several courts in the Twenty-first Judicial district, 560, 562
act extending the privilege of the floor to the clergy of the M. E. Conference, 575
act relative to bounties in borough of Dillsburg, in county of York, 576
act relative to county prisons and almshouses of the Commonwealth, 593
act relative to evidence in actions of ejectment, 596
act requiring notice of application for legislation in certain cases, 626
general railroad law, 646
change of venue in the case of Commonwealth of Pennsylvania vs. Louis S. Bower and Sylvester Hoffman, 677
act relative to licenses of eating houses and hotels, 700
joint resolution relative to the revisal of the civil laws of Pennsylvania, 709
act relative to Sunday liquor law, 784, 785
temporary adjournment, 818, 819
act relative to the payment of gratuities and annuities of soldiers of 1812, 865
act relative to the trial of certain causes in cases of relationship between the presiding judge and the counsel of a party thereto, 868, 869
act relative to the purchase of Ephrata Mountain Springs, in Lancaster county, for a home for disabled soldiers, 910, 911
an act to repeal an act relative to jurisdiction of courts, &c., 941
M'Conaughy, David—*Continued.*
remarks on
the appropriation bill (general), 963, 964, 965, 970, 974, 975, 1004, 1005, 1006, 1008, 1009, 1012
act relative to the estate of Eliza Howard Burd, 1083
act relative to the fee bill, 1087
act relative to the relief of citizens of certain counties, 1087
act relative to dower, 1089
act relative to change of venue in the case of Commonwealth of Pennsylvania *versus* Jesse R. M'Carty, &c., 259, 260
bills read in place by, 18, 31, 34, 141, 153, 166, 177, 229, 385, 386, 427, 486, 508, 571, 577, 592, 620, 670, 694, 726, 756, 807, 817, 921
petitions presented by, 29, 34, 81, 94, 141, 151, 164, 175, 190, 211, 245, 280, 302, 315, 329, 382, 424, 496, 554, 590, 651, 707, 790
resolutions offered by, 809
M'Kean county:
court of quarter sessions of, to appoint commissioners for, act authorizing, 805
reported, 870
passed finally,
Hamlin township, poor master of, act relative to, 351
reported, 383
passed finally, 528
Kane, in, act relative to park of, 316
reported, 330
passed finally, 410
licenses, at Kane, in, at to prohibit, 255
reported, 282
passed finally, 340
licenses for sale of liquor in, act relative to, 557
reported, 571
passed finally, 578
Message from the House, 57, 62, 81, 108, 115, 123, 131, 142, 143, 151, 163, 167, 191, 216, 228, 231, 246, 248, 252, 256, 261, 280, 286, 301, 314, 319, 328, 348, 351, 380, 387, 406, 411, 428, 429, 478, 486, 498, 507, 531, 563, 571, 572, 577, 592, 597, 620, 623, 643, 647, 653, 666, 670, 674, 678, 694, 697, 698, 703, 707, 726, 730, 754, 760, 788, 803, 809, 810, 815, 820, 848, 854, 870, 876, 879, 903, 908, 912, 917, 930, 940, 959, 962, 971, 998, 1007, 1038, 1043, 1046, 1070, 1075, 1076, 1077, 1085, 1088, 1089, 1090, 1091
Mercer county, act relative to pay of commissioners and other officers, supplement to, 123
reported, 152
passed finally, 232
Medicine in Mercer county, vending of, act relative to, 131
reported, 152
passed finally, 1022
Mechanics' and Miners' Co-operative association, Scranton, act incorporating, 151
reported, 165
Meadville City passenger railroad company, tax of, act relative to, 164
reported, 176
passed finally, 234
Mechanicsburg Hall and Market company, supplement to act to incorporate, 232
reported, 254
passed finally, 339

Mechanicsburg, Cumberland county, supplement to act incorporating, 246
reported, 282
passed finally, 339
Medical science, promotion of, act relative to, 246
negatived, 281
recommitted, 282
reported, 485
passed finally, 488
Meadville Savings and Loan company, act to incorporate, 281
reported, 430
passed finally, 530
Mechanics' Savings Bank, act to incorporate, 281
reported, 430
passed finally, 530
Mercer county jail, act relative to, 282
reported, 302
passed finally, 410
Merchants' National telegraph company, supplement to act incorporating, 301
passed finally, 319
Mercantile appraisers of Allegheny county, act relative to, 316
reported, 330
passed finally, 410
Mechanics' liens in Northumberland county, act relative to, 329
reported, 383
passed finally, 528
Methodist burial ground, in city of Pittsburg, act to vacate, 406
reported, 484
passed finally, 870
Methodist Episcopal Conference, resolution to extend invitation to members of, 575
passed finally, 578
Methodist Book Concern in city of Pittsburg, to hold real estate, act to enable, 577
Mercer school district, to annex, &c., act relative to, 577
reported, 670
passed finally, 778
Mechanical, manufacturing, mining and quarrying purposes, companies organized under to issue bonds, supplement to act authorizing, 694
passed finally, 695
Merchants and People's transportation company, act relative to, 761
reported, 805
passed finally, 869
Mercer iron and coal company, supplement to act to incorporate, 780
reported, 805
Means, John, deceased, trustees of estate of, to pay certain moneys, act to authorize, 807
reported, 906
passed finally, 944
Medico Chirurgical college of Philadelphia, supplement to act to ineprporate, 816
reported, 906
passed finally, 1044
Methodist Episcopal Church of Mount Jackson, in Luzerne county, act to authorize trustees to convey certain real estate, 816
reported, 1040
Mechanics Savings Bank of Pittsburg, supplement to act to incorporate, 817
passed finally, 1022
Meadville Savings Bank, act to incorporate, 854
reported, 919
Media borough in Delaware county, to borrow money, act to authorize, 870
reported, 906
passed finally, 1044
Mercer Union school district, in Mercer county, act to change line of, 871
reported, 907
passed finally, 1045
Mechanicsburg, Dillsburg and Petersburg turnpike company, act to incorporate, 904
reported, 909
passed finally, 1048
Meadville Novelty Works, payment of enrollment tax, act to extend time of, 914
reported, 918
passed finally, 1047
Metzel, John A., of the borough of York, act relative to, 918
negatived, 957
Merchants, wholesale and retail, in Schuylkill county, act for protection of, 921
reported, 957
Meadville Driving Park company, act to incorporate, 921
passed finally, 945
Mechanics' liens in Forest county, act to extend provisions of act to, 962
reported, 998
passed finally, 1073
Meadville, city of, supplement to act to incorporate, 998
reported, 1039
passed finally, 1074
Mechanics' and Miners' Co-operative association of Scranton, supplement to act to incorporate, 999
reported, 1039
passed finally, 1074
Mercer county:
auctioneer in, act relative to, 31
reported, 227
auctions and gift enterprises in, act relative to, 255
reported, 282
passed finally, 339
bounty purposes in borough of Jamestown, act authorizing tax for, 557
reported, 570
passed finally, 675
cattle, horses, sheep and hogs, in the township of Mill Creek and borough of New Lebanon, in, act to prevent running at large, 815
reported, 907
passed finally, 1045
commissioners of, act authorizing the appropriation of money for bridge purposes, 904
reported, 919
passed finally, 1048
fees of officers in, act relative to, 281
reported, 303
negatived, 410
Greenville, borough of, in, to borrow money, act authorizing, 431
reported, 620
passed finally, 870
Hempfield township, in, act relative to burial vault and ground, 108
reported, 131
passed finally, 941
intoxicating liquors, sale of in, further supplement to act to regulate, 704
reported, 755
passed finally, 876
Jamestown, borough of, in, act to validate ordinance by, 621
reported, 669
passed finally, 782
jail in, act relative to, 282
reported, 302
passed finally, 410
notary public in, act authorizing an additional, 498
reported, 554
passed finally, 675
Ministerial association of Harrisburg, communication from, 28
Mineral Springs coal company, act relative to, 31
reported, 282
passed finally, 339
Mizuga iron company, act to incorporate, 123
passed finally, 124
Middletown, Dauphin county, to borrow money, act authorizing, 141
passed finally, 142
Militia of the State, regulation of, resolution relative to, 142
Mineralville, borough of, in Schuylkill county, to borrow money, act to authorize, 153
reported, 177
passed finally, 234
Mill creek, in Jefferson county, a highway, act to declare, 228
reported, 330
reconsidered, 333
Mission House of Protestant Episcopal Church in United States, act to incorporate, 246
negatived, 282
Minersville, Schuylkill county, holding elections of, act to change, 246
reported, 316
passed finally, 410
Millville school district, Cambria county, act relative to, 253
reported, 303
passed finally, 410
Milford cemetery, act to incorporate, 253
reported, 591
passed finally, 593
Mifflin and Centre County railroad company, further supplement to act incorporating, 255
negatived, 281
passed finally, 292
Military History of Pennsylvania Volunteers, act relative to, 290
reported, 1039
passed finally, 1074
Midas petroleum and improvement company, supplement to act incorporating, 315
passed finally, 319
Mills on Delaware river, owners of, act relative to, 407
reported, 426
laid over, 529
passed finally, 576
Militia of the Commonwealth, organization, discipline, and regulation of, act relative to, 498
considered, 789
Militia, enrollment of, organization of the National Guard of the State of Pennsylvania for the public defense, 498
Mill Valley, Le Bœuf township, Erie county, house for, act authorizing, 508
passed finally, 508
Middle Creek railroad, to fill a vacancy, act authorizing, 531
passed finally, 531
Milk, adulterated, sale of in Potter and Tioga counties, act relative to, 557
reported, 570
passed finally, 675
Mill Creek gold and silver mining company of Colorado, act to change name of, 571
reported, 591
passed finally, 676
Mill Creek township, Erie county, road commissioners of, act relative to, 629
reported, 651
passed finally, 778
reconsidered, 808
passed finally, 1019
Minersville, borough of, in Schuylkill county, Sunbury street of, act relative to, 670
passed finally, 870
Mill run, in Lycoming county, a public highway, act to declare, 671
reported, 805
passed finally, 877
Military records, courts to receive certified copies of, act relative to, 704
reported, 725
first reading, 915
passed finally, 1085

Mining, car and manufacturing company of Philadelphia, act to incorporate,
reported, 705
Mitchell, George, relief of, act relative to, 707
reported, 1040
Military claims, adjudication and payment of, act relative to, 726
reported, 958
passed finally, 1049
Militia of the Commonwealth, First division of, organization, discipline and regulation of, further supplement to act relative to, 726
considered, 811
passed finally, 812
Miners' Savings Bank of Pittston, act to incorporate, 726
reported, 805
reconsidered, 810
Miles, Jacob, deceased, late of St. Thomas township, Franklin county, legal representatives of, act relative to, 780
reported, 814
passed finally, 877
Misca, Fredricka, estate of, act to validate and confirm acts of trustees of, 780
reported, 906
not agreed to, 1045
Mining regions of the Commonwealth, an act for the better protection of life and property, 807
considered, 808
passed finally, 819
Mineral exploring company, payment of enrollment tax on, act to extend time, 870
reported, 907
passed finally, 1046
Middle Creek railroad company, supplement to act incorporating, 918
reported, 1070
Mill Creek and Nescopeck railroad company, act to incorporate, 918
reported, 958
passed finally, 1049
Miller, Samuel, and Susanna, act to annul marriage contract of, 940
Millersburg and West Newton turnpike road company, act to annul charter of, 996
Minors employed on canals, act to provide for protection of, 999
reported, 1039
passed finally, 1075
Mifflin county:
Baptist churches in, supplement to act incorporating, 643
reported, 651
passed finally, 778
cattle, to prevent running at large on Jack mountain, Menno and Union townships, in, act relative to, 815
reported, 907
passed finally, 1045
Horning, John, of, act to legitimate, 754
reported, 804
passed finally, 877
Monongahela Valley railroad company, act to incorporate, 31
Money, tender of to be made after suit brought, act relative to, 47
reported, 122
passed finally, 156
Morris cemetery, in Chester county, payment of tax and attachment for debt, act exempting, 74
passed finally, 124
Montana gold and silver mining company, supplement to act incorporating, 123
reported, 383
passed finally, 529
Monongahela navigation company, annual statement of, 141
Montrose mining company, act to incorporate, 228
reported, 246
passed finally, 338
Money at interest, taxing of, petition relative to, 151
Moshannon land and lumber company, act to incorporate, 229
reported, 330
passed finally, 428
Montgomery creek in Clearfield county, a public highway, act to declare, 246
reported, 330
passed finally, 411
Mortgage, holder of, act relative to, 290
negatived, 382
Montoursville, Lycoming county, to annex, act relative to, 315
reported, 331
passed finally, 411
Morrison's Cove railroad company, act incorporating, 328
reported, 350
passed finally, 452
Monongahela Valley railroad company, act to incorporate, 386
Monongahela incline plane company, act to incorporate, 386
reported, 426
passed finally, 529
recalled from Governor, 1009
reconsidered, 1042
amended, 1042
passed finally, 1043
Morrison, Samuel Flemming and Mary Caroline Morrison, to change name, act relative to, 426
negatived, 430
Montrose, in Susquehanna county, action of burgess and town council, act to legalize, 429
reported, 496
passed finally, 574
Moshannon railroad company, further supplement to act to incorporate, 478
reported, 555
passed finally, 675
Montoursville, borough of, in Lycoming county, to repeal, an act relative to, 571
reported, 591
passed finally, 593
Morris, Tascar & Co., of Philadelphia, act to incorporate, 571
reported, 591
passed finally, 874
Morris Park mining company, supplement to act to incorporate,
reported, 670
passed finally, 778
Mount Rock, Newville and Stoughstown turnpike road company, act to incorporate, 694
reported, 703
passed finally, 779
Montana and Nevada silver mining and commercial company, act to incorporate, 694
passed finally, 785
Morrison, John, deceased, late of Somerset county, last will and testament of, act relative to, 780
negatived, 814
Morris and Cable silver mining company of Reese River district, Lander county, Nevada, act to incorporate, 803
reported, 815
passed finally, 877
Moore, Capt. John, late of the Elderton Guards, act for relief of, 807
reported, 821
passed finally, 821
Montana gold and silver mining company, further supplement to act incorporating, 814
passed finally, 814
Moshannon coal and lumber company, payment of enrollment tax on, act to extend time of, 816
reported, 851
passed finally, 1044
Monongahela City and Victory township road company, Washington county, act to organize, 821
reported, 851
passed finally, 1044
Monument in the Twenty-second ward of the city of Philadelphia, act to create trustees to erect, &c., 821
reported, 907
passed finally, 1046
Monongahela Valley railroad company, act to incorporate, 871
passed finally, 921
Monocacy iron and steel company, act to incorporate, 871
reported, 1039
passed finally, 1074
Montgomery, Kenny, act for relief of, 917
reported, 1040
passed finally, 1073
Montgomery improvement company, act to incorporate, 959
reported, 1039
passed finally, 1073
Montana and Pittsburg gold and silver mining company, act to incorporate, 998
reported, 1039
passed finally, 1073
Moshannon railroad company, further supplement to act incorporating, 999
Monroe county:
bounties in Eldred township in, act relative to,
reported, 484
passed finally, 572
commissioners and auditors of, act relative to, 332
reported, 350
passed finally, 411
fish by nets in, act relative to, 351
reported, 426
passed finally, 530
Montgomery county:
cattle running at large in Abington township in, act to prevent, 621
reported, 652
passed finally, 782
German Reformed congregation of New Goshenhoppen in, act relative to, 431
reported, 484
passed finally, 572
Montour county:
Danville water company, act to incorporate, 499
reported, 555
passed finally, 675
Danville in, burgess and town council of, act relative to, 563
passed finally, 564
Danville gas company in, act to incorporate, 904
reported, 919
passed finally, 1048
fees of notaries public in, act relative to, 971
passed finally, 1073
Mount Pleasant borough, in Westmoreland county, act relative to, 228
reported, 245
passed finally, 338
Mount Pleasant and Tuckahoe plank road company, act to repeal charter of, 228
reported, 254
Mount Carbon railroad company, annual report of, 247
Mount Pleasant railroad company, supplement to act incorporating, 780
reported, 805
passed finally, 877
Mutual insurance company of Montgomery county, further supplement to act incorporating, 82
passed finally, 82
Mutual steam navigation company, act to incorporate, 643
reported, 693
passed finally, 784

Muncy Creek railroad company, further supplement to act incorporating, 807
reported, 815
passed finally, 870
Mutual transportation company, act to incorporate, 904

N.

National deposit company, act to incorporate,
reported, 190
not agreed to, 412
Nanticoke and Hughesville turnpike road company, supplement to act incorporating, 332
reported, 350
passed finally, 412
National peat company, act to incorporate, 351
reported, 383
passed finally, 528
Napier township, in Bedford county, act relative to, 426
reported, 430
passed finally, 530
National homestead at Gettysburg, act to incorporate, 478
reported, 484
considered, 478
passed finally, 488
National silver mining company, payment of enrollment tax on, act relative to, 620
reported, 643
passed finally, 778
National iron company, act to incorporate, 643
reported, 957
passed finally, 1048
Nautical and Engineering college of Philadelphia, act to incorporate, 815
reported, 906
passed finally, 1044
National paper manufacturing company, act to incorporate, 904
reported, 919
passed finally, 1048
National iron armor company of Chester in Delaware county, supplement to act incorporating, 999
reported, 1039
passed finally, 1073
New Castle water company, act to incorporate, 31
passed finally, 34
New Britain and Doylestown turnpike company, act to incorporate, 108
passed finally, 154
New Castle gas light company, act relating to, 153
reported, 165
passed finally, 233
New Hope, Doylestown and Norristown railroad, act to revive charter of, 386
passed finally, 386
New Brighton, borough of, to divide, act relative to, 499
reported, 554
passed finally, 675
Neudoerffler, Lewis, pension, act relative to, 571
reported, 706
passed finally, 786
Newport manufacturing and building company, act to incorporate, 620
reported, 695
passed finally, 778
Never Sink insurance company of Berks county, act to incorporate, 643
reported, 651
passed finally, 698
Nelson, T. B., claim of, act relative to, 671
reported, 919
passed finally, 1048
New Sonora gold and silver mining company, act to incorporate, 781
reported, 805
passed finally, 877
Newton and Scranton turnpike road company, act to incorporate, 803
reported, 815
passed finally, 878
New Castle, borough of, in Lawrence county, further supplement to act relative to paving streets, 864
reported, 906
passed finally, 941
New Alexandria, in Westmoreland county, act to repeal an act relative to, 918
reported, 957
passed finally, 1048
Newberry and Montoursville passenger railway company, act to incorporate, 1007
Neutrality law, joint resolutions instructing and requesting our Senators and Representatives to favor repeal of, 1007
Notary public in Lehigh county, act authorizing an additional, 8
passed finally, 8
North American transit insurance company, act relative to, 18
passed finally, 33
Pittsburg and Allegheny, act authorizing an additional, 81
passed finally, 83
Northern railroad and navigation company, act incorporating, 81
reported, 176
passed finally, 234
Notaries public in Philadelphia, act authoring five additional, 95
reported, 131
passed finally, 143
Notary public in Philadelphia, act authorizing an additional, 123
passed finally, 167
Northampton county, sheriff's compensation, act fixing, 151
reported, 176
Notary public in Sharon borough, Mercer county, act to appoint an additional, 177
reported, 227
amended, 291
passed finally, 291
North American shaft company, further supplement to act incorporating, 212
reported, 330
passed finally, 410
Northampton iron company, further supplement to act incorporating, 253
reported, 282
passed finally, 340
Notaries public in Philadelphia, act authorizing six additional, 281
reported, 303
amended to ten, 410
passed finally, 410
Notary public in Milton, Northumberland county, act authorizing an additional, 328
reported, 383
passed finally, 528
Notaries public in Philadelphia, to appoint two additional, act authorizing, 328
reported, 383
passed finally, 528
Notary public in Chester county, act authorizing an additional, 328
reported, 350
passed finally, 411
Noxious weeds in Chester county, act to prevent growth of, 328
reported, 350
passed finally, 412
Norristown passenger railroad company, act incorporating, 328
reported, 350
passed finally, 412
Noxious animals in Lycoming county, destruction of, act relative to, 333
passed finally, 333
Notary public, in Dauphin county, act authorizing one additional, 407
reported, 496
passed finally, 676
Notary public in Nineteenth ward, Philadelphia, act authorizing one additional, 407
reported, 496
passed finally, 676
Notaries public in York county, act authorizing three additional, 407
reported, 496
Notary public in borough of Hazleton, Luzerne county, act authorizing, 407
Notaries public in city of Philadelphia, act authorizing three additional, 428
reported, 496
passed finally, 574
Notary public in county of Luzerne, act authorizing one additional, 486
reported, 496
passed finally, 574
Notary public in Mercer county, act authorizing an additional, 498
reported, 554
passed finally, 675
Norristown, borough of, cattle running at large in, act to protect citizens from, 592
reported, 669
passed. finally, 778
Notary public in Bradford county, act authorizing an additional, 621
reported, 669
passed finally, 782
Northampton county, commissioners of, to apply for and obtain copies of standards, act requiring, 644
reported, 669
passed finally, 782
Norris Park mining company, supplement to act incorporating, 653
Northumberland and Sunbury Street railway company, of Northumberland county, act to incorporate, 670
reported, 755
passed finally, 869
North American mining company, supplement to act incorporating, 694
reported, 705
passed finally, 785
Notary public in Beaver county, act authorizing an additional, 760
reported, 804
passed finally, 869
North creek, and part of Driftwood, in Cameron county, public highways, act to declare, 780
reported, 907
passed finally, 1045
Notary public in the borough of Girard, in Erie county, act authorizing an additional, 780
reported, 804
passed finally, 876
Notaries public in city of Philadelphia, act authorizing six additional, 780
reported, 804
passed finally, 876
Notaries public in city of Pittsburg, act authorizing two additional,
passed finally, 782
Notary public in Elk county, act authorizing an additional,
passed finally, 872
Notaries public in the city of Harrisburg, act relative to, 870
passed finally, 1045
Notaries public in the city of Pittsburg, in Allegheny county, act authorizing two additional, 870
reported, 906
passed finally, 1045
Notary public in West Newton, Westmoreland county, act authorizing an additional, 870
reported, 906
passed finally, 1045
Notary public in Beaver, Beaver county, act authorizing an additional, 870
reported, 906
passed finally, 1045

Notary public for Lycoming county, act authorizing an additional, 74
Noxious weeds, growth of in Northampton county, act extending provisions of an act to, 905
reported, 919
passed finally, 1048
North Star mining company, act to incorporate, 871
reported, 907
passed finally, 1045
Notaries public, and other purposes, act to enable Governor to appoint; 909
reported, 918
Northampton iron company, act to incorporate, 871
reported, 957
passed finally, 1048
Notaries public, in the city of Philadelphia, act authorizing an additional and one in each of certain counties in the Commonwealth, 959
reported, 995
passed finally, 1073
Norristown and Centre Square turnpike road company, act to incorporate, 998
reported, 1040
passed finally, 1073
North Mountain coal company, act to incorporate, 998
passed finally, 1088
Normal school at Mansfield, Tioga county, act to prohibit issuing of licenses within two miles of, 999
reported, 1040
passed finally, 1073
Northern railroad and navigation company, act supplementary to an act incorporating, 1021
passed finally, 1022
Northampton county:
cattle, horses, sheep or hogs in, to prevent running at large in certain townships of, 704
reported, 805
passed finally, 878
commissioners of, act relative to compensation of, 407
reported, 497
passed finally, 574
Easton in, further supplement to act incorporating, 303
reported, 350
passed finally, 411
Easton, borough of in, act to erect Fourth ward in, 807
reported, 815
passed finally, 870
Easton, borough of in, act to erect Fourth ward in, 998
reported, 1039
passed finally 1074
Easton water company in, act authorizing Governor to incorporate, 904
reported, 919
passed finally, 1048
Forks township of, commissioners of, act relative to, 131
reported, 152
passed finally, 222
law library in, act relative to, 644
reported, 669
passed finally, 782
Northumberland county;
auditors and supervisors, &c., in, act to increase pay of, 407
reported, 496
passed finally, 574
cattle, horses, sheep or hogs, in Chillisquaque township, act to repeal an act relative to, 704
reported, 805
passed finally, 877
corporations for mechanical, manufacturing and quarrying purposes, act extending provisions of to, 228
passed finally, 338
Northumberland county—*Continued.*
commissioners of, act relative to increase of pay of, 780
reported, 804
passed finally, 876
court of common pleas of, act to provide for an additional return day, 971
reported, 995
passed finally, 1049
fees of treasurer of, act relative to, 123
reported, 152
passed finally, 291
ferries in, act to prohibit erection of, within two miles of Milton bridge, 998
reported, 1039
passed finally, 1073
Hamilton, John, farm of, to annex to North township, in, for school purposes, act relative to, 807
reported, 815
passed finally, 870
notary public, in Milton borough, act authorizing an additional, 328
reported, 383
passed finally, 528

O.

Oakland railroad company, supplement to act incorporating,
passed finally, 179
Oak Hall association, of Weatherby, act to incorporate, 246
reported, 254
passed finally, 339
Oakdale Skating Park and Physical institute of Philadelphia, act to incorporate, 621
reported, 693
passed finally, 698
Obstructions in the Delaware river, removal of, joint resolution relative to, 807
considered, 808
not agreed to, 870
Octorara railroad, completion of, act to extend time, 153
reported, 755
passed finally, 869
Octorara gold and silver mining company, act to incorporate, 671
reported, 693
passed finally, 784
Odd Fellows' Hall association of Allentown, sale of real estate, act relative to, 108
passed finally, 108
Odd Fellows' association of Waynesburg, Greene county, supplement to act to incorporate, 253
reported, 282
passed finally, 390
Odd Fellows' Hall association, Tremont, Schuylkill county, act to repeal an act, 332
reported, 496
passed finally, 574
Odd Fellows' Mutual Co-operative association of Monongahela City, Washington county, act to incorporate, 704
reported, 725
passed finally, 875
O'Donnel, Mary J., pension, act relative to, 816
reported, 907
passed finally, 1045
Officers of Senate, election of, 4
Officers of Senate, retiring, resolution of thanks to, 1095
Ohioville railroad company, supplement to act incorporating, 780
reported, 805
passed finally, 877
Ohio and Pennsylvania canal company, act concurrent with an act passed by the Legislature of Ohio, 820
reported, 906
passed finally, 1044
Olewine, Anthony, W., estate of, act for relief of, 726
reported, 907
passed finally, 1045
Ophir Canon silver mining company of Nevada, act to incorporate, 653
reported, 669
passed finally, 778
Organization of Senate, opinion of Attorney General, resolution relative to, 5
Orphans' court, York county, jurisdiction of, act to extend, 151
reported, 176
passed finally, 234
Orphans' Home of the Shepherd of the Lambs, further supplement to act incorporating, 621
reported, 651
passed finally, 782
Orphans' courts, supplement to act relative to, 700
reported, 804
passed finally, 941
Osceola improvement company, payment of the enrollment tax on, act to extend time of, 904
reported, 918
passed finally, 1047
Otter Point fish house company, act to incorporate, 621
negatived, 906
Overseers of the poor in the borough of Butler, act relative to, 499
passed finally, 531
Overseers of the poor of Franklin borough, to levy a tax, act authorizing, 998
reported, 1039
passed finally, 1074
Oxford Hall association, act incorporating, 151
reported, 176
passed finally, 234
Oxford, in Chester county, to borrow money, act relative to, 571
reported, 591
passed finally, 676
Oxford fire and life insurance annuity and trust company, act to incorporate, 781
reported, 851
passed finally, 1044

P.

Passenger railroads in Philadelphia county, act to incorporate, 8
Passenger railroads in Allegheny, act to regulate fares of, 152
reported, 165
passed finally, 291
Passenger railroads in Philadelphia to run cars on Sunday, act relative to, 156
considered, 166
petition of ministers relative to, 381
considered, 666, 674
not agreed to, 680
Pacific railroad and gold mining company, act to incorporate, 348
reported, 383
passed finally, 529
Park Presbyterian congregation of the city of Erie, act relative to, 406
reported, 430
passed finally, 676
Passenger railroads in Philadelphia to run on Sunday, act to allow citizens to vote on, 429
negatived, 485
Pacific exploring and mining company, act to incorporate. 726
reported, 754
passed finally, 822
Pacific iron company, act to incorporate, 87
Paupers in certain cases, act to provide for the payment of costs in the removal of, 999
reported, 1039
passed finally, 1074

Passenger railway companies:
Allentown, supplement to act to incorporate, 131
reported, 227
passed finally, 291
Allegheny and Saw Mill Valley, act to incorporate, 281
reported, 316
passed finally, 410
Chester, act to incorporate, 726
reported, 755
passed finally, 876
City, act to incorporate, 406
reported, 591
passed finally, 676
Franklin, act to incorporate, 918
reported, 959
passed finally, 1049
Lake Shore, of Erie, act to incorporate, 999
Meadville City, tax of, act relative to, 164
reported, 176
passed finally, 234
Newberry and Montoursville, act to incorporate, 1007
Norristown, supplement to act incorporating, 328
reported, 350
passed finally, 412
Oil City, act to incorporate, 960
reported, 996
passed finally, 1073
Philadelphia City, to borrow money, act authorizing, 332
reported, 350
passed finally, 412
Pittsburg and East Liberty, supplement to act incorporating, 164
reported, 176
Pittsburg, Allegheny and Manchester, further supplement to act incorporating, 191
reported, 227
passed finally, 235
Pittsburg and Birmingham, further supplement to act incorporating, 281
reported, 316
passed finally, 410
Plymouth, act to incorporate, 653
reported, 755
passed finally, 869
Pennsylvania State Lunatic Hospital, memorial of trustees, 11
appointment of trustees, 338
communication from superintendent of, 940
Petroleum, &c., in Philadelphia, act relative to storage of, 29
reported, 47
passed finally, 116
Pennsylvania Cannel coal company to consolidate, supplement to, 57
reported, 227
passed finally, 235
People's Savings Bank of Pittsburg, supplement to, 81
reported, 95
passed finally, 125
Pennsylvania institution for the blind, report of, 107
Pennsylvania Wool Growers' association, proceedings of, 164
Pennsylvania Boat House association, act to incorporate, 165
reported, 211
passed finally, 290
Pennsylvania gas and coal company, supplement to act incorporating, 212
reported, 227
passed finally, 291
People's Brewer association of Philadelphia, act to incorporate, 229
passed finally, 578
Pennsylvania Library association of Philadelphia, act to incorporate, 232
Pennsylvania railroad company to increase capital stock and borrow money, further supplement to act incorporating, 234
passed finally 235
vetoed by Governor, 672
passage over veto, 673
reconsidered, 712
Pennsylvania Cannel coal company to borrow money, &c., act to enable, 246
passed finally, 248
Pennsylvania State agricultural society, annual report of, 247
People's Accident insurance company, payment of tax of, act to extend time of, 253
reported, 282
passed finally, 339
Pennsylvania club, act to incorporate, 255
reported, 282
passed finally, 339
Pennsylvania Central thief detective and live stock insurance company, act to incorporate, 280
reported, 315
passed finally, 319
Pennsylvania live stock insurance company, act to incorporate, 280
reported, 361
objected off, 410
Pennsylvania fiscal agency, act to incorporate, 282
Penal laws, supplement to act to amend, 316
reported, 382
Pennsylvania institution of the blind, annual report of, 327
exhibition and invitation of Senators to, 333
Pennsylvania gas coal company, supplement to act incorporating, 328
reported, 350
passed finally, 412
People's railway company, completion of, act to extend time, 386
reported, 430
passed finally, 530
Pennsylvania steel company, act to incorporate, 406
passed finally, 408
People's bridge company of Harrisburg, act to incorporate, 406
reported, 411
passed finally, 529
People's gas company, of Wilkesbarre, act to incorporate, 406
reported, 426
passed finally, 529
Pennsylvania fiscal agency, further supplement to act incorporating, 415
passed finally, 415
Pennsylvania society for the prevention of cruelty to animals, act to incorporate, 430
passed finally, 530
Pennsylvania railroad company, discriminations in freight, petition relative to, 477, 753,
People's savings fund and safe deposit company, act to incorporate, 478
reported, 591
passed finally, 676
Penn township, Westmoreland county, election of school directors, &c., act relative to, 498
negatived, 591
Pennsylvania Cannel coal company, to borrow money, act enabling, &c., 531
passed finally, 531
Pennsylvania agricultural society, act to extend provisions of an act to certain county agricultural societies, 621
reported, 651
passed finally, 782
Pennsylvania State agricultural society, act to repeal fourth section of act incorporating, 621
reported, 652
passed finally, 782
Penn Mutual fire insurance, of Chester county, act to incorporate, 643
reported, 651
passed finally, 782
Pennsylvania peace society, petition of, 650
Pennsylvania railroad company, further supplement to act incorporating, 670
reported, 693
passed finally, 778
Pennsylvania Mutual horse thief detecting and insurance company, supplement to act incorporating, 670
reported, 693
passed finally, 778
Pennsylvania coal company, supplement to act incorporating, 670
reported, 726
passed finally, 822
Pennsylvania railroad, to increase of capital, &c., supplement to an act, 679
Pennsylvania agricultural society, communication from, 698
Pennsylvania railroad company, act to repeal an act a further supplement to act incorporating, 704
passsed finally, 708
Pennsylvania paper manufacturing company, act to incorporate, 726
reported, 754
passed finally, 869
Pennsylvania and North Carolina gold and silver mining company, act to incorporate, 781
reported, 805
passed finally, 877
Peabody mining company, act to incorporate, 807
reported, 814
passed finally, 870
Pennsylvania light and water company, payment of enrollment tax on, act to extend time of, 816
reported, 851
passed finally, 1044
Pennsylvania Serial association, act to incorporate, 864
reported, 907
passed finally, 944
People's Ascident insurance company of Philadelphia, supplement to act to incorporate, 870
reported, 907
passed finally, 1045
Perry bridge company, act to incorporate, 871
reported, 907
passed finally, 1045
Pennsylvania and New Jersey bridge company, act to incorporate, 904
reported, 911
passed finally, 1048
Petroleum Bank of Titusville, Crawford county, Auditor General to return United States bonds to, act authorizing, 920
reported, 958
Pennsylvania railroad company, act requiring to appoint watchmen on crossings in the village of East Liberty, in Allegheny county, 959
Pennsylvania Nicholson pavement company, act to incorporate, 959
reported, 1039
passed finally, 1074
Perry county:
bounty tax in Wheatfield township in, to levy and collect, act authorizing, 821
reported, 907
passed finally, 1046
Haley, town of, in, to change name of, supplement to act incorporating, 228
reported, 245
passed finally, 338
licenses in Buffalo township in, act to prohibit, 643
reported, 670
objected to, 780

Philadelphia,
American University of, act to incorporate, 349
reported, 383
considered, 528
passed finally, 697
American Drawing Room, association of, supplement to act incorporating, 803
reported, 814
passed finally, 877
Arch street in, to vacate, act relative to, 191
Assessment of real estate in, act relative to, 31
reported, 131
Ashbury life insurance company of, act to incorporate, 806
reported, 851
passed finally, 1044
assessors for the Fifteenth ward of, act authorizing two additional, 816
reported, 851
passed finally, 1044
Bachelors' Barge club of, act incorporating, 151
reported, 165
passed finally, 233
Baltimore avenue in Twenty-seventh ward of, act relative to, 426
reported, 430
passed finally, 530
births, marriages and deaths in, further supplement to act relative to registration of, 228
reported, 254
passed finally, 333
Brokers' Beneficial association of, act to incorporate, 71
reported, 95
passed finally, 224
vetoed by Governor, 317
Broad street in, to lay out, act relative, 34
negatived, 331
bridge, free, over Schuylkill river, at South street, in, act relative to, 47
reported, 282
passed finally, 340
recalled from Governor, 854
amended, 866
passed finally, 866
buildings in, act relative to the regulation and inspection of, 726
reported, 804
not agreed to, 876
Buck road in Twenty-sixth ward of, act to vacate part of, 816
reported, 851
passed finally, 1044
Calvary Monumental church of, act to exempt from taxation, 727
reported, 822
passed finally, 854
civil actions in courts of, act relative to, 246
passed finally, 496
civil actions in courts of, trial of, act relative to, 806
negatived, 906
Corn Exchange association of, further supplement to act incorporating, 141
reported, 152
passed finally, 233
courts of oyer and terminer in, act relative to, 166
reported, 176
passed finally, 234
courts in, act relative to reporters for, 282
reported, 303
passed finally, 410
coroner of, act relative to, 332
passed finally, 340
councils of, act relative to terms of members of, 572
councils of, act to compel attendance of members, 572
contested elections in, act relative to, reconsidered, 572
reported, 598
Cooper Shop Volunteer Refreshment saloon in, to refund, act relative to, 592
passed finally, 593
Corn Exchange warehousing company of, act to incorporate, 815
reported, 814
passed finally, 870
commissioner, additional for, act authorizing court to appoint, 817
reported, 908
conveyancers or scriveners in, act for the protection of, 905
reported, 919
not agreed to, 1047
Commonwealth saving fund and safe deposit company of, act to incorporate, 917
corn and salt, imported into port of, further supplement to act regulating measurement of, 1007
reported, 1039
passed finally, 1075
depot for sale of cattle, sheep, hogs, in the city of, act to establish, 971
Eagle assembly of, act to incorporate, negatived, 430
Farmers in markets of, act relative to protection of, 166
reported, 246
considered, 412, 647
passed finally, 655
Fairview in Twenty-first ward of, to vacate, act relative to, 229
reported, 254
passed finally, 339
Female Seminary of Eden Hall in, act relative to, 31
passed finally, 96
Fees of clerk of court of quarter sessions of, supplement to act regulating, 123
reported, 152
passed finally, 154
Fidelity insurance, trust and safe deposit company, supplement to act to incorporate, 349
reported, 383
passed finally, 529
First troop of, act to exempt property of, from taxation, 781
passed finally, 879
Franklin Library association of, act to incorporate, 253
negatived, 981
free bridge over the Schuylkill in, act relative to, 486
Girard life insurance company in, act to incorporate, 34
reported, 124
grain measurer in, act to abolish, 131
ground, appropriation of for public purposes in, act relative to, 499
reported, 554
passed finally, 675
health of, act relative to, 351
Hillcs street, in Twenty-third ward of, act to vacate, 671
reported, 693
passed finally, 784
horses kept for pleasure or hire in, to tax, act relative to, 498
reported, 554
passed finally, 757
injunctions, courts of *nisi prius* of, supplement to act authorizing, 151
reported, 165
passed finally, 233
inspectors in, further supplement to act relative to, 671
passed finally, 823
inspection laws, in regard to the inspection of whisky, in the county of, act to provide for the enforcement of, 781
reported, 851
passed finally, 1077
Philadelphia—*Continued.*
inspector of stationary steam engines and boilers in, supplement to act relative to appointment of, 872
reported, 906
Jewish Hospital association of, act to exempt from taxation, act relative to, 597
reported, 804
passed finally, 876
Juniata avenue in, act relative to opening of, 34
reported, 131
passed finally, 142
judges of elections in Twenty-first, Twenty-second, Twenty-third and Twenty-fifth wards of, act to increase pay of, 283
reported, 316
passed finally, 410
Kensington Mutual Co-operative association of, act to incorporate, 229
reported, 350
passed finally, 414
Ladies' United Aid society of, act relative to, 141
reported, 152
passed finally, 179
Lehman street in Twenty-fourth ward of, act to reduce width of, 386
reported, 406
passed finally, 529
Lombard and South Street railroad in, act to authorize increase of capital stock, 816
reported, 907
passed finally, 1045
Maennorchor of, act to incorporate, 283
Manayunk avenue in Twenty-first ward of, to vacate, act relative to, 671
reported, 693
passed finally, 784
Medical Chirurgical college of, supplement to act to incorporate, 816
reported, 906
passed finally, 1044
Morris, Tascar & Co., of, act to incorporate, 571
reported, 591
passed finally, 899
monument for the Twenty second ward of, act to create two trustees to erect, &c., 821
reported, 907
passed finally, 1046
notaries public in, act authorizing an additional, 959
reported, 995
passed finally, 1073
act authorizing five additional, 95
reported, 131
passed finally, 143
act authorizing an additional, 123
reported, 167
act authorizing two additional, 328
reported, 350
passed finally, 411
Ninetcenth ward of, act authorizing an additional, 407
reported, 496
passed finally, 676
act authorizing three additional, 428
reported, 496
passed finally, 574
act authorizing six additional, 780
reported, 804
passed finally, 876
Oak Hall skating park and physical institute of, act to incorporate, 621
reported, 693
passed finally, 698
passenger railroad cars to run on Sunday in, act relative to, 156
considered, 166
petition of ministers relative to, 381
considered, 666, 674
not agreed to, 680
petroleum, &c., in, act relative to storage of, 29
reported, 47
passed finally, 116

Philadelphia, city of, term of office of chief engineer, further supplement to act incorporating, 572
Philadelphia, city of, to borrow money, act defining amount of, 572
reported, 591
passed finally, 676
Philadelphia commercial wharf and railroad company, act to enable, 520
passed finally, 623
Phillipsburg and Rochester ferry company, act to incorporate, 621
reported, 650
passed finally, 782
Philadelphia grain warehousing and drying establishment, act to incorporate, 621
reported, 651
passed finally, 782
Philadelphia, to open and straighten certain avenues and streets, supplement to act, 621
reported, 651
passed finally, 782
Philadelphia and Reading railroad company, annual statement of, 642
Philadelphia woolen machine works, act to incorporate, 643
Philadelphia and Bridgeport steamboat company, act to incorporate, 643
reported, 651
passed finally, 782
Philadelphia, Twenty-fourth ward of city of, to divide, act relative to, 644
reported, 669
passed finally, 782
Philadelphia machine works,
reported, 651
passed finally, 778
Philadelphia Methodist Episcopal Conference, resolution of, 665
Philadelphia, city of, Eleventh ward of, to sell certain ground, act authorizing, 671
reported, 761
passed finally, 822
Philadelphia transportation and freight company, act to incorporate,
reported, 693
passed finally, 778
Philadelphia, city of, councils of, resolutions by, 703
Phœnix Savings Bank and safe deposit company, act to incorporate, 727
reported, 805
passed finally, 877
Philadelphia mining company of Lander Hill, act to incorporate, 781
reported, 805
passed finally, 877
Philadelphia woolen machine works, act to incorporate, 781
passed finally, 870
Philadelphia Mercantile college, act to incorporate, 803
negatived, 814
Philadelphia, Twenty-second ward of, act to repeal an act relative to a certain highway, 817
negatived, 907
Philadelphia and Montana gold and silver mining company to borrow money, an act to enable, 817
reported, 907
passed finally, 1022
Philadelphia, city of, act authorizing the gas committee of councils to attend the meetings of gas company, 848
Philadelphia, Fifteenth section of schools, petition of board, 849
Philadelphia, city, House of Correction, further supplement to act consolidating the city, providing for, 854
reported, 906
Philadelphia, city of, First precinct of Twenty-fifth ward, act to provide for paving, &c., 879
reported, 908
passed finally, 944
Philadelphia, city of, act to vacate part of township line in the Twenty-first ward, 940
reported, 958
passed finally, 1049
Philadelphia, morals of the minors of, act for the better protection of, 940
reported, 958
not agreed to, 1049
Philadelphia, city of, act to increase revenues of,
reported, 996
Philadelphia paper hangings manufacturing company, act to incorporate, 998
reported, 1039
passed finally, 1074
Philadelphia, act to protect the property of the mayor, aldermen and citizens of, at Fairmount, and to preserve the purity of the water of the Schuylkill river, 998
reported, 1039
Philadelphia woodenware manufacturing company, act incorporating, 998
reported, 1039
passed finally, 1074
Philadelphia and West Chester turnpike road, further supplement to act incorporating, 999
reported, 1039
passed finally, 1073
Philadelphia, city of, further supplement to act consolidating, &c., 1007
reported, 1039
Philadelphia iron steel company, act to incorporate, 1021
passed finally, 1022
Philopatrian institute of Philadelphia, act to incorporate, 31
reported, 34
passed finally, 116
vetoed, 317
Phillipsburg coal, iron and oil company, to validate and confirm to mortgage, &c., act relative to, 56
passed finally, 115
Philadelphia, city of, further supplement to act incorporating, 151
reported, 165
passed finally, 233
Phœnixville, borough of, to borrow money, acto to authorize, 151
passed finally, 154
Philadelphia coal company, act to incorporate, 166
objected to, 201
passed finally, 291
Philadelphia Enterprise gold and silver mining company of Montana, act to incorporate, 212
reported, 227
passed finally, 291
Philadelphia, port of, further supplement to act, 253
Philadelphia savings fund society, annual report of, 327
Philadelphia city passenger railroad company, to borrow money, act authorizing, 332
reported, 350
passed finally, 412
Philadelphia, city of, further supplement to act consolidating, 386
passed finally, 577
Philadelphia, Twentieth ward, title of ground, act relative to,
reported, 484
passed finally, 573
Philadelphia County Real Estate association, act to incorporate,
reported, 484
passed finally, 573
Philadelphia, councils of, act relative to, 557
reported, 591
passed finally, 675
Philadelphia and Reading railroad company and the Schuylkill navigation company, furnishing and distributing of coal cars by, act relative to, 571
Pittsburg and Connellsville railroad company, act relative to, 31
reported, 227
minority report of committee, 247
considered, 249, 261, 283, 286
passed finally, 287
Pittston and Wilkesbarre railroad, act to incorporate, 48
reported, 56
passed finally, 232
Pittsburg forge and iron company, act relative to, 141
reported, 330
passed finally, 410
Pittsburg and East Liberty passenger railroad company, supplement to act incorporating, 164
reported, 176
Pittsburg, Allegheny and Manchester passenger railroad company, further supplement to act, 191
reported, 227
passed finally, 235
Pine Creek bridge company, act to incorporate, repeal of, 253
reported, 331
passed finally, 531
Pioneer Run bridge company, act to incorporate, 280
reported, 331
passed finally, 411
Pittsburg and Birmingham passenger railroad company, further supplement to act incorporating, 281
reported, 316
passed finally, 410
Pithole gas and water company, act to incorporate, 328
reported, 350
passed finally, 412
Pine Creek bridge company, act to incorporate, 348
reported, 406
passed finally, 529
Pittsburg, city of, mayor and alderman, act relative to,
reported, 350
passed finally, 411
Pittsburg, Seventh ward school board, to borrow money, act to authorize,
reported, 350
Pittston Industrial Co-operative association, act to incorporate, 406
reported, 426
passed finally. 529
Pittsburg, councils of, act relative to, 406
reported, 484
passed finally, 573
Pickett, E. D., pay of, joint resolution relative to, 428
passed finally, 429
Pittsburg and Arizona gold and silver mining company, supplement to act incorporating, 478
reported, 484
passed finally, 573
Pittsburg transportation company, act to incorporate, 486
reported, 555
passed finally, 675
Pittsburg gas company, supplement to charter of, 643
reported, 669
passed finally, 778
Pittsburg and Sinabad mining company, act to incorporate, 643
reported, 651
passed finally, 778
Pittsburg, city of, extending its boundaries, act relative to, 725
passed finally, 869
Pittsburg tunnel company, act to incorporate, 675
reported, 907
passed finally, 1045

Pickering gold and silver mining company, act to incorporate, 803
reported, 814
passed finally, 877
Pittston railroad and coal company, act to incorporate, 807
reported, 815
passed finally, 870
Pittsburg and Waynesburg railroad and transportation company, act to incorporate, 816
Pine Grove, borough of, supplement to act incorporating, 998
reported, 1039
passed finally, 1073
Pittsburg and Minersville railroad company, supplement to act incorporating, 998
Pleadings in certain cases of this Commonwealth, further supplement to an act relative to, 854
Plymouth, borough of, to divide, act relative to, 280
reported, 245
passed finally, 414
Plymouth, township of, to divide, act relative to, 280
reported, 316
passed finally, 410
Plank road, to extend provisions of, act relative to, 380
reported, 406
passed finally, 595
Plymouth passenger railroad company, act to incorporate, 653
reported, 755
passed finally, 869
Plum township, in Allegheny county, act to form a new township out of, 817
ruled out, 817
Plank road companies:
Allegheny and Perrysville, act relative to, reported, 485
passed finally, 573
Clarion and Allegheny River, supplement to act incorporating, 228
reported, 254
passed finally, 339
Coatesville, Montoursville and Doe Run, supplement to act to incorporate, 486
passed finally, 488
Hollidaysburg and Altoona, supplement to act incorporating, 348
reported, 406
passed finally, 529
Kylertown, Morrisdale and Phillipsburg, supplement to act incorporating, 904
reported, 919
passed finally, 1048
Larry's Creek, act to incorporate, 695
reported, 706
passed finally, 786
Lehigh and Delaware, further supplement to act to incorporate, 904
reported, 957
passed finally, 1049
Limestone turnpike and, in Warren county, act to incorporate, 803
reported, 815
passed finally, 878
Mount Pleasant and Tuckahoe, act to repeal charter of, 228
reported, 254
Powhattan gold and silver mining company, act to incorporate, 803
reported, 815
passed finally, 878
Poor house in Luzerne county, erection of, further supplement to act authorizing, 904
reported, 919
passed finally, 1047
Political processions in the the city of Philadelphia, act relative to, 930
reported, 958
passed finally, 1049
Potter County lumber company, further supplement to act incorporating, 940
passed finally, 941
Potomac gold and silver mining company, of Maryland, act to incorporate, 959
reported, 1039
passed finally, 1073
Poor house, in Danphin county, further supplement to act to provide for, 999
reported, 1039
passed finally, 1074
Poor house in Oxford and Lower Dublin townships, Philadelphia, act relative to erection of, 34
passed finally, 34
Poor house in Lawrence county, erection of, act relative to, 34
reported 34
Potter County lumber, coal and petroleum company, changing name of, act relative to, 34
reported, 122
passed finally, 222
Pottstown iron company, supplement to act to incorporate, 151
reported, 152
passed finally, 233
Poor directors of, in Fayette county, act authorizing sale and exchange of real estate of, 191
negatived, 327
Poor house in Wilkesbarre, Luzerne county, erection of, supplement to act authorizing, 212
reported, 227
passed finally, 291
Pottsville, Southeast ward of, act establishing, 228
negatived, 330
Poor house in Montour county, act to repeal an act relative to, 246
passed finally, 248
Powelton coal and iron company, act relative to payment of tax by, 246
passed finally, 248
Polytechnic college of Philadelphia, act to donate proceeds of United States land scrip to, 247
reported, 331
Powers, Samuel, and others, farms of, in Westmoreland county, to annex, &c., act relative to, 253
reported, 303
passed finally, 410
Poor laws of Delaware county, act relative to, 281
reported, 300
passed finally, 401
Port Carbon, Schuylkill county, act to divide, 283
reported, 302
passed finally, 419
Poor house in Lycoming county, act relative to, 328
reported, 350
passed finally, 412
Point Breeze Park association, supplement to act incorporating, 333
passed finally, 340
Police officers, to enforce order in licensed houses, act relative to, 430
reported, 591
first reading, 861
passed finally, 912
Poor house in Allegheny county, sale of, act authorizing, 431
reported, 484
passed finally, 573
recalled from Governor, 1000
reconsidered, 1043
amended, 1043
passed finally, 1043
Pottstown water company, act to incorporate, 498
reported, 555
passed finally, 675
Poor house in Tioga county, erection of, supplement to act authorizing, 498
reported, 554
passed finally, 675
Poco or Head creek, in Monroe county, depositing bark in, act to prevent, 570
reported,
passed finally, 673
Poor, directors of, Lancaster county, supplement to act relative to, 572
reported, 591
passed finally, 676
Poor house in Clarion county, erection of, further supplement to act, 643
reported, 669
passed finally, 782
Potter county, duplicate of taxes, return of, act authorizing, 644
reported, 669
passed finally, 782
Poor house and farm in Mifflin county, sale of, act authorizing, 658
reported, 669
passed finally, 782
Poor, directors of, in Bedford county, to erect alms house, act authorizing, 670
reported, 706
passed finally, 879
Point Breeze Park association of Brookville, act to incorporate, 670
reported, 693
passed finally, 778
Poor house in Valley township, Montour county, act relative to, 671
reported, 804
passed finally, 876
Potter County Forest improvement company, act to amend an act to incorporate, 695
reported, 814
passed finally, 877
Poor house in Bloom township, Columbia county, act to provide for erection of, 780
reported, 804
passed finally, 876
Poor house in Hemlock township, Columbia county, act to provide for erection of, 780
reported, 804
passed finally, 876
Poor house in certain townships and boroughs in Juniata county, further supplement to act to provide for erection of, 780
reported, 804
passed finally, 876
Potter county:
billiard rooms, bowling saloons or ten-pin alleys in Coudersport, borough of in, act relative to, 726
reported, 755
passed finally, 876
Coudersport in, school district of, to attach lands to, act relative to, 695
reported, 706
passed finally, 786
criminal proceedings io, act to change mode of, 918
passed finally, 1047
Freeman's run in, act to declare a public highway, 281
reported, 388
passed finally, 410
intoxicating drinks in, act relative to granting licenses for sale of,
reported, 191
passed finally, 290
reconsidered, 351
consideration of, 506
licenses in, act to prohibit granting of, 151
Practice in equity, act relative to, 406
negatived, 496
Proprietors' Fund of Plymouth township, act relative to, 496
reported, 497
passed finally, 577
Prisoners in the jail of Washington county act relative to, 5
reported, 5
passed finally, 6

Presbyterian congregation of Clearfield to convey certain real estate, act authorizing, 431
reported, 484
passed finally, 573
Prisoners in the county of Jefferson, compensation for boarding of, act relative to, 577
reported, 591
passed finally, 676
Printing, public, in Juniata county, act relative to, 643
reported, 669
passed finally, 782
Prisons in Allegheny county, act relative to, 644
reported, 669
passed finally, 786
Protestant Episcopal Church of the Diocese of Pennsylvania, to convey certain real estate in Mifflin county, act authorizing, 695
reported, 706
passed finally, 786
Prison discipline, system of, Governor to appoint a commission to inquire, joint resolution relative to, 848
reported, 906
passed finally, 1044
Printing, public, superintendent of to advertise for proposals for supplying the State with printing paper, act requiring, 917
reported, 968
passed finally, 1049
Property of an incorporated company, act authorizing sale of, 921
passed finally, 944
Presbyterian Historical society, supplement to act incorporating, 1021
passed finally, 1022
Prison in Delaware county, act relative to, 128
reported, 152
passed finally, 233
Prison of Philadelphia county, inspectors of, act relative to, 123
reported, 165
passed finally, 233
Prison in Dauphin county, act relative to, 141
reported, 152
passed finally, 179
Providence gas and water company in Luzerne county, act to incorporate, 153
reported, 165
passed finally, 233
Prisons and alms houses, act relative to, 255
reported, 302
Prairie Du Chien mining company of Nevada, act to incorporate, 316
reported, 388
Prothonotary of Cambria county, act relative to, 328
reported, 350
passed finally, 411
Prize fighting, to prevent and punish, act relative to, 385
copy of, 386
communication from Attorney General, on, 386
reported, 496
Purdon's Digest, clerk authorized to procure, 5
Public grounds, superintendent appointed, 95
Punxatawney, school directors of to borrow money, act authorizing, 253
reported, 303
passed finally, 410
Public halls, &c., in Philadelphia, better regulation of, act relative to, 315
reported, 426
amended, 530
passed finally, 530
Public buildings in Forest county, act to prevent erection of, 854
reported, 906
amended, 945
Public officers, certain, and their sureties, supplement to act relative to, 870
reported, 906
Puebla gold and silver mining company, act to incorporate, 871
reported, 907
passed finally, 1045

Q.

Quintaro mining company, act to incorporate, 8
reported, 34
passed finally, 116
Quaker City barge club, of Philadelphia, act to incorporate, 318
reported, 330
passed finally, 410
Quarryville and Christiana turnpike road company, act to incorporate, 904
reported, 958
passed finally, 1049

R.

Railroad companies, further supplement to act regulating, 18
passed finally, 858
Railroad companies, carriage of passengers and baggage, act relative to, 47
negatived, 226
not agreed to, 504
Railroads, canals, &c., sale of, act relative to, 34
reported, 47
passed finally, 82
Railroads, control of, resolution relative to, 142
special report of committee, 302
Railroad corporations, formation of, act to authorize, 177
reported, 255
considered, 333, 387, 488
passed finally, 500
Railroad companies, regulation of, further supplement to act relative to, 212
reported, 555
passed finally, 653
Railroad companies, carriage of baggage by, act to regulate, 246
reported, 281
passed finally, 505
Railroad street in Pottsville, to vacate, act relative to, 247
reported, 254
passed finally, 339
Railroad, committee on, minority report of, 247
Ravenna Extension silver mining company of Nevada, act relative to, 282
reported, 282
Railroad map to accompany Auditor General's report, joint resolution relative to, 426
reported, 426
passed finally, 427
Railroads, construction of, resolution relative to, 499
Railroads, supplement to act regulating, 557
reported, 620
Railroads, and other corporations, counsel fees of plaintiffs, an act to explain, &c., 703
Railroads, and other corporations, to pay counsel fees of plaintiffs, &c., act relative to, 707
reported, 958
passed finally, 1049
Railroad taxes in borough of Kittanning, Armstrong county, act to repeal an act relative to, 780
reported, 804
passed finally, 876
Railroad cars running in York county, act to extend act to Glen Rock, 780
reported, 805
passed finally, 822
Railroad companies to employ a police force, an act empowering, 807
Rayne school district in Rayne township, Indiana county, to create a public hall, act to take the sense of voters on, 821
passed finally, 822
Railroad companies, act authorizing the presidents and directors of, to determine the manner of disposing of capital stock of, 861
passed finally, 862
Railroad corporations, act authorizing formation of, 999
considered, 1077
Railroad companies:
Allentown, further supplement to act to incorporate, 255
reported, 316
passed finally, 319
Allegheny Valley, to mortgage road, act authorizing, 508
passed finally, 508
message from Governor relative to, 678
Allegheny Valley, to issue additional stocks and bonds, act authorizing, 761
reported, 958
passed finally, 1022
Atlantic and Great Western, resolution relative to, 728
Bear Creek, supplement to act incorporating 557
reported, 591
passed finally, 676
Brandy Camp, act to incorporate, 406
reported, 484
passed finally, 573
Brockwayville and Brookville, act to incorporate, 479
reported, 581
passed finally, 676
Broad Street Island, supplement to act incorporating, 486
negatived, 497
Caledonia and South Mountain, act to incorporate, 166
reported, 179
passed finally, 179
Catasauqua and Foglesville, act relative to, 333
passed finally, 340
Caledonia iron, land and railroad company, supplement to act to incorporate, 821
passed finally, 822
Chestnut Hill and Cheltenham, supplement to act incorporating, 333
reported, 485
Chester Creek, supplement to act to incorporate, 653
reported, 805
first reading, 878
passed finally, 812
Chestnut Hill and Cheltenham, act to extend time for commencement of, 908
passed finally, 921
Commercial, and wharf, act enabling to issue bonds, 115
Colebrookdale, supplement to act to incorporate, 478
reported, 484
passed finally, 573
vetoed by Governor, 820
Connecting, act authorizing increase of capital, 486
reported, 555
passed finally, 675
Connellsville and Southern, act relative to construction of, 592
Darby and Upper Darby, act to incorporate, 816
Delaware Water Gap and Port Jervis, act to incorporate, 816
Delaware Valley, act to incorporate, 407
reported, 805
passed finally, 877
Dickinson Run and bridge, act to incorporate, 191
passed finally, 291

Railroad companies—*Continued.*
East Brandywine and Waynesburg, act to incorporate, 780
reported, 805
passed finally, 822
Erie and Allegheny, supplement to act authorizing to construct road, &c., 726
considered, 873
passed finally, 874
Erie and Pittsburg, supplement to act incorporating, 854
passed finally, 872
Farmers' land improvement and, supplement to act incorporating, 1007
passed finally, 1073
Freeport and Shenango Valley, to change name of, &c., supplement to act relative to, 123
Frankfort and Holmesburg, further supplement to act incorporating, 870
reported, 907
passed finally, 1045
Gettysburg, further supplement to act incorporating, 431
Gettysburg and Chambersburg, payment of enrollment tax on, act to extend time of, 592
reported, 620
passed finally, 676
Hazleton, to avoid their inclined planes, act enabling, 694
reported, 695
Ironton, supplement to act to incorporate, 487
Jamestown and Franklin, further supplement to act incorporating, 807
reported, 815
passed finally, 870
Kittanning, Rural Valley and Reynoldsville, act to incorporate, 940
reported, 996
passed finally, 1073
Lafayette, further supplement to act incorporating, 141
reported, 591
passed finally, 676
Lackawanna and Bloomsburg, supplement to act incorporating, 191
reported, 350
passed finally, 412
Lawrenceville and Oswego, supplement to act incorporating, 486
reported, 591
passed finally, 676
Lehigh and Norristown railroad company, act to incorporate, 191
passed finally, 192
Lehigh Valley, act relative to, 406
reported, 426
objected, 529
Lehigh and Delaware Water Gap, further supplement to act incorporating, 407
reported, 484
passed finally, 573
Littlestown, payment of enrollment tax on, act to extend time of, 166
reported, 157
passed finally, 234
Lombard and South Street, of Philadelphia, to increase capital stock, act authorizing, 816
reported, 907
passed finally, 1045
Manufacturers' and Consumers' Anthracite, further supplement to act incorporating, 807
Mill Creek and Nescopeck, act to incorporate, 918
reported, 958
passed finally, 1049
Mifflin and Centre, further supplement to act incorporating, 255
first reading, 281
passed finally, 292
Middle Creek, to fill a vacancy, act authorizing, 531
passed finally, 531
Railroad companies—*Continued.*
Middle Creek, supplement to act incorporating, 918
reported, 1070
Monongahela Valley, act to incorporate, 31, 386
Moshannon, further supplement to act incorporating, 478
reported, 555
passed finally, 675
Monongahela Valley, act to incorporate, 871
passed finally, 921
Muncy Creek, further supplement to act incorporating, 807
reported, 815
passed finally, 870
Mount Carbon, annual report of, 247
Mount Pleasant, supplement to charter of, 780
reported, 805
passed finally, 877
New Hope, Doylestown and Norristown, act to revive charter of, 386
passed finally, 386
Northern, and navigation, act supplementary to an act to incorporate, 1021
passed finally, 1022
Northern, and navigation, act to incorporate, 81
reported, 176
passed finally, 234
Northumberland and Sunbury Street railway company, act to incorporate, 670
reported, 755
passed finally, 869
Octorara, completion of, act to extend time, 153
reported, 755
passed finally, 869
Oakland, supplement to act incorporating, 179
passed finally, 179
Ohioville, supplement to act incorporating, 780
reported, 805
passed finally, 877
Pacific, and gold mining, act to incorporate, 348
reported, 383
passed finally, 529
Pennsylvania, to increase capital stock, and to borrow money, further supplement to act incorporating, 234
passed finally, 235
vetoed by Governor, 672
passage of over veto, 679
reconsidered, 712
Randall, William M., Senator from the Ninth district, composed of the county of Schuylkill,
remarks on
act relative to associate law judge of the several courts of the Twenty-first Judicial district, 559, 560, 561, 563, 1021
the appropriation bill (general), 934, 972
act relative to change of venue from Schuylkill county to Lebanon county, 962
act relative to change of venue from Schuylkill to Lebanon county, 913
bills read in place by, 34, 57, 81, 153, 166, 212, 246, 283, 316, 332, 386, 406, 426, 571, 577, 592, 620, 670, 760, 807, 810, 864, 908, 921
petitions presented by, 244, 301, 590
resolutions offered by, 872, 999
Returns of election of Senators, reading of, 3
Real estate, act relative to sale of, recalled from Governor, 5
Real estate, act relative to sale of, amended, 56
passed finally, 56
Receiver of taxes in city of Philadelphia, act relative to,
passed finally, 8
Retiring officers of House and Senate, act relative to pay of,
passed finally, 19
Reading, to exempt certain property from taxation, act relative to, 107
reported, 123
passed finally, 124
Restaurants and beer houses in Washington county, act relative to, 151
reported, 190
passed finally, 290
Real Estate Savings Institution, act to incorporate, 164
reported, 190
passed finally, 192
veto by Governor, 286
Registers and registers' courts, supplement to act relating to, 166
reported, 176
passed finally, 234
Register of wills in Monroe county, act to extend provisions to, 177
reported, 227
passed finally, 291
Reynolds monumental committee, ordnance, Governor to transfer, act to authorize, 228
reported, 439
considered, 432
passed finally, 434
Records in Lancaster county, preservation of, further supplement to act, 234
passed finally, 235
Revenue Extension silver mining company of Nevada, to issue bonds, &c., act to enable, 253
passed finally, 833
Red Bank navigation company, supplement to act incorporating, 253
reported, 330
passed finally, 531
Reading city, supplement to act, 281
passed finally, 286
Reading passenger railroad company, supplement to act relative to, 316
passed finally, 316
supplement to,
reported, 350
passed finally, 412
Records and deeds, &c., in Franklin county, act relative to, 328
reported, 497
passed finally, 574
Reporters, phonographic, in courts, act relative to, 386
reported, 430
passed finally, 596
Register of Lebanon county, appeal from, act to permit, 406
reported, 426
passed finally, 434
Real estate, sale and conveyance of, act supplementary to an act, 508
reported, 531
passed finally, 576
Restaurants and beer houses in Columbia county, act relative to, 557
reported, 571
passed finally, 675
Rentschler, H. D. and Susan A., marriage contract, act to annul, 529
reported, 996
Reading, city of, to revise the municipal corporation of, further supplement to act, 292
Revenue of the Commonwealth, act to increase, 623
reported, 698
passed finally, 699
Review printing house company of Philadelphia, act to incorporate, 643
passed finally, 655

Resource domestic company, act to incorporate, 653
reported, 1070
passed finally, 1074
Recorders of deeds to record discharges of honorably discharged officers and soldiers, act authorizing, 726
reported, 804
Renner, Enos C., contestant for seat, payment of, act relative to, 780
reported, 907
considered, 1045
passed finally, 1046
Reading and Trevorton railroad, act to incorporate, 780
reported, 919
passed finally, 1047
Religious society of Friends, memorial of, relative to military service and fines, 802
Reno shipping company, supplement to act incorporating, 803
reported, 815
passed finally, 878
Reightmeyer, A. L., an act to authorize an examination into the military services of, 816
reported, 958
Reno oil and land company, to acquire, hold and dispose of property, act authorizing, 864
passed finally, 879
Real estate in the borough of Waynesburg, Greene county, act to authorize certain persons to sell, 904
negatived, 1040
Relief of citizens of Adams, Franklin, Fulton, Bedford, Perry, York and Cumberland counties, for property destroyed during the rebellion, act relative to, 960
reported, 995
considered, 1087
Reading, city of, act supplementary to an act revising charter of, 998
reported, 1039
passed finally, 1074
Reading school district, act to exempt from taxation money, county and State, 999
reported, 1040
passed finally, 1073
Revenue of the Commonwealth, act to increase by taxation of shares or stock of the national banks, 1046
passed finally, 1077
Reasons for votes:
Messrs. Burnett, 287, 563, 917, 1010
Brown (Mercer), 597
680, 1005, 1010
Browne (Lawrence), 628,
655, 812, 874, 909
Billingfelt, 679
Bigham, 812, 1006
Cowles, 287, 712,
727, 912, 1076, 1085
Coleman, 287, 916, 970, 1004, 1010
Connell, 628, 815, 356, 909
Davis, 650, 674, 1010
Donovan, 713
Fisher, 528, 727, 812, 912, 1077
Graham, 680, 812
Glatz, 1077
Jackson, 679, 680
Lowry, 655, 812, 857, 912, 1010
Landon, 287, 414, 563,
821, 1010, 1021, 1044
M'Conaughy, 414, 597, 680, 713
M'Candless, 597, 680, 812
Ridgway, 812, 1085
Schall, 191, 287, 856, 916
Shoemaker, 287
Searight, 970
Stutzman, 1077
Taylor, 287, 812
Wallace, 287, 577, 856, 971
White, 287, 414, 577, 655, 680,
713, 856, 912, 1006, 1087
Worthington, 680
Walls, 856
Rhinehart, George F., appointed superintendent of public grounds, 95
Riverside coal company, act to incorporate, 81
reported, 430
passed finally, 530
Richland Township Mutual insurance company, act to incorporate, 141
passed finally, 143
Riley, William, to annul marriage contract, act relative to, 328
reported, 496
passed finally, 697
Ringgold library company in Philadelphia, act to incorporate, 621
negatived, 755
River Bed gold and silver mining company, act to incorporate, 803
reported, 814
passed finally, 877
Rich Valley Co-operative association of Allegheny county, act to incorporate, 962
passed finally, 995
Ridgway, Jacob E., Senator from the Second district of Philadelphia,
remarks on
assessment of taxes in Philadelphia, 154
Philadelphia Sunday car question, 166
669
exclusion of colored persons from railroad cars, 213, 217
protection of farmers in Philadelphia, 413, 650
act extending the privilege of the floor to the clergy of the M. E. Conference, 574
act relative to relinquishing the New York and Erie railroad annuity, 787
joint resolution relative to obstructions in the Delaware river, 808
act relative to the Allegheny Valley railroad, 809
the appropriation bill (general), 926,
934, 1008, 1011, 1012, 1013
act relative to the better protection of life and property from the explosion of steam boilers, 942
act relative to payment of Enos C. Renner, contestant for the seat of Michael Mullin, 1046
bills read in place by, 18, 47, 81, 131,
141, 155, 212, 229, 246,
283, 333, 351, 486, 557,
571, 761, 807, 817, 945
petitions presented by, 150,
226, 245, 279, 477,
590, 692, 753, 850
resolutions offered by, 650, 1091
Road laws in Sullivan county, act relative to, 31
reported, 56
passed finally, 142
Roads in Delaware county, drainage of by supervisors,
reported, 56
Road in Honesdale, Wayne county, opening of, act authorizing, 57
passed finally, 57
Road, State, in M'Kean, Elk, Forest and Clarion, commissioners to borrow money, act authorizing, 81
reported, 190
passed finally, 340
Road, State, in M'Kean county, to lay out, further supplement to, 81
reported, 165
passed finally, 233
Roads and bridges in Wyoming county, act regulating, 95
Roads, public, in Commonwealth, supplement to act regulating laying out, 108
reported, 805
Roads, damages to, in Bethlehem and Palmer townships, Northampton county, act to repeal, 151
reported, 165
passed finally, 234
Roads and highways in Schuylkill county, act relative to, 123
Road, State, in Luzerne county, act authorizing,
reported, 165
not agreed to, 233
Roads and bridges in Wayne county, act regulating,
reported, 165
passed finally, 412
reconsidered, 414
passed finally, 414
Rob Roy gold and silver mining company, act to incorporate, 166
reported, 227
passed finally, 340
Road purposes, Jackson township, Luzerne county, tax of, act to collect, 191
reported, 227
passed finally, 291
Roads, bridges, &c., in Blythe township, Schuylkill county, make and repair, act authorizing, 242
reported, 227
passed finally, 291
Roberts, Peter, soldier, relief of, act relative to, 228
reported, 330
passed finally, 346
Roads, in Valley township, Chester county, act relative to, 228
reported, 246
passed finally, 248
Road laws, Montgomery county, to amend, act to repeal, 228
reported, 570
passed finally, 578
Road laws, Bradford county, further supplement to, 228
reported, 254
passed finally, 339
Road laws, Erie county, supplement to act to amend, 246
reported, 254
passed finally, 339
Road jurors in Philadelphia, pay of, act relative to, 246
reported, 254
passed finally, 339
Road, State, in Clearfield, Cameron and Elk counties, to lay out, act relative to, 246
reported, 254
passsed finally, 419
Road cases, powers of courts, act to extend, 255
negatived, 281
Roads and highways in Schuylkill county, act relative to, 255
Roads in Uwchlan township, Chester county, act to extend, 281
reported, 331
passed finally, 411
Road laws in Wiconisco township, Dauphin county, act relative to, 281
reported, 316
passed finally, 410
Robinson township, Allegheny county, collection of taxes, act to repeal, 281
reported, 303
passed finally, 410
Rouseville bridge comgany, act to incorporate, 281
reported, 331
passed finally, 531
Road tax, West Branch township, Potter county, act authorizing, 328
reported, 383
passed finally, 528
Road, State, in Plymouth township, to change, act relative to, 332
reported, 350
passed finally, 412
Roads and bridges, repairs of in Lower Marion township, Montgomery county, act relative to, 386
reported, 406
passed finally, 529

Road, State, in Lehigh and Bucks county, act to lay out, 386
reported, 430
passed finally, 530
Roads, public, in Mauch Chunk township, Carbon county, act relative to, 386
passed finally, 387
Road tax in Sugar Grove township, Warren county, act to repeal, 407
reported, 430
passed finally, 530
Road, main, in Wilkesbarre township, Luzerne county, act to establish lines of, &c., 426
reported, 484
passed finally, 572
Roads and bridges in Lawrence county, act to repeal, &c., 430
reported,
passed finally, 530
Road, State, in Schuylkill and Columbia counties, act to repeal an act, 431
reported, 484
passed finally, 573
recalled from Governor, 999
Road, State, in Potter and Clinton counties, to lay out, act relative to, 478
reported, 484
Road laws, to extend to Cecil township, Washington county, act relative to, 478
Road, artificial, in Berks county, act to repeal an act to incorporate, 478
passed finally, 482
Roaring Brook turnpike company, act to incorporate, 473
reported, 484
passed finally, 573
Roads in East Bethlehem and East Pike Run townships, Washington county, act relative to,
reported, 484
passed finally, 531
Roads in Franklin county, act relative to, 531
passed finally, 531
Road, public, in Union county, repairing of, act relative to, 592
reported, 620
not agreed to, 870
Road laws of Tioga and Potter counties, act to amend, 620
reported, 651
passed finally, 782
Roads, mountain, in Madison township, Perry county, 620
reported, 651
Road commissioners of Columbus township, in Warren county, act relative to, 620
reported, 669
passed finally, 782
Roads in Bratton township, Mifflin county, act repealing an act, 643
reported, 651
passed finally, 778
Road taxes in Franklin township, Allegheny county, act relative to, 670
reported, 725
passed finally, 869
Roads, streets, &c., in borough of Lawrenceville, Tioga county, act relative to, 671
reported, 693
passed finally, 784
Road commissioners of Southwest and Clearfield townships, in Clearfield county, supplement to act relative to, 671
reported, 693
passed finally, 784
Roads and highways in Sewickley township, Westmoreland county, act relative to, 695
reported, 705
passed finally, 786
Road tax in Jefferson county, assessment of, act relative to, 695
reported, 705
passed finally, 786
Road leading from Smethport, in M'Keau county, court to appoint commissioners for, act authorizing, 726
Roads in Franklin county, supplement to act relative to, 727
passed finally, 731
Road supervisors of Collins township, to levy additional tax, &c., act authorizing, 780
passed finally, 912
Rome, borough of, in Bradford county, act to extend an act relative to school purposes, 803
reported, 815
not agreed to, 878
Rotts, Margaret, pension, act granting to, 816
reported, 907
passed finally, 1045
Road commissioners of Elk Creek township, in Erie county, act to legalize an order for bounty, 816
reported, 851
passed finally, 1044
Road purposes in the township of Peach Bottom, in York county, act relative to, 816
reported, 851
passed finally, 1044
Road, public, in Allegheny county, court of quarter sessions to appoint viewers to assess costs of opening of, act authorizing, 821
passed finally, 822
Robison, county of, act to incorporate, 854
reported, 907
Road laws of Fallowfield township, Washington county, act relative to, 904
reported, 919
passed finally, 1048
Roberts, William, and Emily, act to annul marriage contract, 917
reported, 957
passed finally, 1048
Road, public, in Rostraver township, Westmoreland county, act relative to, 921
passed finally, 921
Royer, Horace, Senator from the Fifth district, comprising the counties of Chester, Delaware and Montgomery, remarks on protection of farmers in Philadelphia, 412
petitions presented by, 34, 122, 164, 244, 329, 349, 381, 423, 477, 478, 554, 590, 692, 753, 906
bills read in place by, 34, 123, 131, 166, 386, 431, 478, 498, 557, 592, 670, 920, 921
Rules of last session, resolution to adopt, 5
Rules of session of 1863, to adopt rule 37, resolution to, 48
Rush Valley Co-operative association of Allegheny county, act to incorporate, passed finally, 1092
Ryan and Reading slate company, act to incorporate, 707
reported, 754
passed finally, 822
Rynd Farm bridge company, act to incorporate, 821
passed finally, 1045

S.

Safe Deposit company of Pittsburg, act to incorporate, 123
passed finally, 124
Sundusky and Irvin Street bridge, act to incorporate, 141
reported, 227
passed finally, 291
Salt, in Philadelphia, Pittsburg and Allegheny, to prevent use of, act relative to, 151
Saegerstown, Crawford county, to borrow money, act authorizing, 194
reported, 177
passed finally, 234
Sales of loans and stocks, tax on, act relative to, 316
reported, 350
passed finally, 697
Salt barrel, weight of, act establishing, 571
reported, 906
Satterlee, John E., to erect an eel weir, act authorizing, 643
reported, 805
passed finally, 877
Saucon iron company to construct branch railroad, act authorizing, 705
passed finally, 707
Safety Fund association of Susquehanna Depot, Susquehanna county, act to incorporate, 726
reported, 906
passed finally, 1045
Savings institution of the city of Williamsport, in Lycoming county, act to incorporate, 726
reported, 805
passed finally, 877
Savage Extension gold and silver mining company, act to incorporate, 803
reported, 814
passed finally, 877
Saegerstown school district in Crawford county, act to repeal an act to change limits of, 854
reported, 907
School purposes in borough of Susquehanna Depot, Susquehanna county, act relative to, 621
reported, 670
passed finally, 787
School board of Tyrone City, Blair county, to sell certain real estate, act authorizing, 621
reported, 670
passed finally, 783
School directors of the borough of Renova, in Clinton county, to borrow money, act to authorize, 621
reported, 669
passed finally, 783
School directors of Green township, Clinton county, bonds of, act to legalize, 592
reported, 620
passed finally, 676
Schuylkill street in borough of Uniontown, act to vacate part of, 592
passed finally, 593
School directors of Tuscarora township, Juniata county, to assess and collect tax, &c., act relative to, 571
School directors of Curwensville, Clearfield county, to borrow money, act authorizing, 571
reported, 670
passed finally, 778
School purposes in Tidioute, Warren county, to collect money, act authorizing, 47
reported,
Scheffer, Theo. F., printing deserter lists, act authorizing payment, 81
passed finally, 116
Scranton coal company, act to consolidate, 115
Scranton, supplement to act to incorporate. 131
reported, 152
passed finally, 232
Scott, Benjamin, Jr., relief of, act relative to, 164
reported, 281
passed finally, 339
Schuylkill insurance company of Philadelphia, act to incorporate, 191
passed finally, 192
School directors, &c., Allegheny township, Armstrong county, election of, act relative to, 246
reported, 254, 531
passed finally, 574

Schools, public, in borough of Allentown, board of controllers for, act establishing, 246
passed finally, 339
School directors in Honesdale, Wayne county, to borrow money, act to authorize, 246
reported, 254
passed finally, 339
Schuylkill county, commissioners to sell real estate, &c., act authorizing, 253
negatived, 330
reconsidered, 576
reported, 591
passed finally, 784
Schuylkill and Lock Haven railroad company, annual report of, 327
Scranton Base Ball Club association, act relative to, 332
reported, 350
passed finally, 412
School tax, Doylestown township, Bucks county, act relative to, 406
reported, 430
passed finally, 550
School board, in North Heidleburg township, Berks county, act relative to, 406
passed finally, 676
School directors of Venango City, in Venango county, to borrow money, act authorizing, 407
reported, 430
passed finally, 530
School directors of Elizabeth township, Allegheny county, to compensate, act relative to, 478
negatived, 496
School directors, Taylor school district in Lawrence county, to borrow money, act relative to, 478
reported, 496
passed finally, 574
Scranton market company, act to incorporate, 478
reported, 484
passed finally, 573
School directors of Tarentum borough, Allegheny county, to borrow money, act authorizing, 478
reported, 591
passed finally, 676
Scranton gas and water company, further supplement to act to incorporate, 498
reported, 555
passed finally, 675
School board of Fourth ward in Allegheny school district, act relative to, 694
passed finally, 695
Scranton iron company, to construct branch railroads, act authorizing, 670
School directors of Fawn township, Allegheny county, to borrow money, act authorizing, 670
reported, 706
passed finally, 779
School directors of Kelley township in Union county, to legalize acts, act relative to, 653
reported, 705
passed finally, 779
Schenck, John and Margaret, act to annul marriage contract, 644
School directors of Antrim township in Franklin county, to refund Joseph Snively and Jacob Shank, act relative to, 643
reported, 670
passed finally, 783
School directors of Riceville, Crawford county, to borrow money, act to authorize, 621
reported, 669
passed finally, 782
School directors of the borough of White Haven, to borrow money, act to authorize, 621
reported, 669
passed finally, 783
School directors of Harrison township, Allegheny county, to borrow money, 621
reported, 669
passed finally, 783
School directors of East Huntingdon in, Westmoreland county, money collected for bounties, act to appropriate, 621
reported, 669
passed finally, 783
School directors of borough of Butler, to transfer certain bonds, 621
reported, 670
passed finally, 780
School directors of borough of Albion, in Erie county, to borrow money, act to authorize, 621
reported, 669
passed finally, 783
School directors of borough of Lehighton, Carbon county, to borrow money, act to enable, 621
reported, 670
passed finally, 783
School library in Erie, city of, act relative to, 695
reported, 706
passed finally, 786
School tax in Mainsburg, in Tioga county, act relative to, 695
reported, 706
passed finally, 786
School directors of the borough of Ashland to borrow money, act authorizing, 698
passed finally, 702
School directors of Brooklyn township, Susquehanna county, to collect and levy tax, 704
reported, 725
passed finally, 875
School directors of White township, Indiana county, to borrow money, &c., act authorizing, 706
reported, 707
passed finally, 779
School directors of Freeland township, Adams county, act relative to, 707
reported, 755
passed finally, 869
Schuylkill county, protection for life and property, petition of citizens, 707
reported, 814
School treasurers of Clarion, Alleghey, Indiana and Cumberland counties, act relative to, 727
reported, 804
amended, 876
passed finally, 876
Schuylkill Park association, act relative to, 761
reported, 804
passed finally, 869
School directors of West Caln township, Chester county, to levy and collect tax for the purpose of paying three hundred dollars to each person who was drafted and furnished a substitute under the call of the President of July 18, 1864, act to repeal an act authorizing, 781
reported, 805
passed finally, 877
Schuylkill county, Union township, petition of citizens asking protection from outlawry, 802
School directors of the borough of Irwin, in Westmoreland county, to borrow money, act authorizing, 803
reported, 815
passed finally, 878
School directors of the borough of West Middlesex, in Mercer county, to borrow money, act authorizing, 803
reported, 815
passed finally, 878
School purposes in borough of Littlestown, Adams county, to annex farm of Daniel Sell, act relative to, 803
reported, 815
passed finally, 878
School purposes in Salem school district, Mercer county, act to attach certain farms to, 803
reported, 815
passed finally, 877
School purposes in the borough of Brownsville, in Mercer county, to annex additional territory, act relative to, 803
reported, 815
passed finally, 878
School directors of Clinton township, Wyoming county, to levy tax for bounty purposes, act authorizing, 807
passed finally, 822
School directors of the borough of Harmony and township of Jackson, and Brady township, in Butler county, to levy and collect an additional bounty tax, 816
reported, 851
passed finally, 1044
School purposes in Dogberry township, borough of Bethany, in Wayne county, act to annex certain farms to, 816
reported, 851
passed finally, 1044
School directors of Troy borough school district, in Bradford county, act authorizing, to contract a loan, 816
reported, 851
passed finally, 1044
School directors of borough of New Milford, Susquehanna county, to borrow money, 848
reported, 906
passed finally, 1045
School purposes in the school district of Cannonsburg, in the county of Washington, act relative to, 848
reported, 907
passed finally, 1045
School directors of the borough of Punxsutawney, act to exempt money, 848
reported, 1070
passed finally, 1072
School district (independent), act to repeal an act to form, out of parts of Pike and Monroe counties, 848
reported, 907
Schuylkill river, water of, used by citizens of Philadelphia, act to preserve from impurities, 854
passed finally, 872
Schuylkill County Soldiers' and Sailors' Monument association, act to incorporate, 864
passed finally, 906
School directors of Ephrata township, Lancaster county, to apply surplus bounty funds to school purposes, act authorizing, 864
School directors of North Annville township, Lebanon county, and Middle Creek township, Snyder county, to levy and collect taxes, act authorizing, 870
reported, 907
passed finally, 1045
Schofield, Charles and Mary, act to annul marriage contract, 879
reported, 996
passed finally, 1074
Scott, W. L., State Treasurer to refund money to, act authorizing, 879
School directors of the city of Corry, act to empower, 879
reported, 906
School district, independent, to be called Olive Branch school district, act to erect out of parts of Clarion township, Clarion county, 904
School purposes, in Burnett township, Indiana county, act relative to 904
negatived, 918
School directors of Chester and Delaware counties, to select sites for school houses, act extending provisions of an act to, 904

Schools, public, in borough of Wattsburg, in Erie county, act relative to, 904
reported, 919
passed finally, 1048
School purposes in Mount Carmel township, act relative to, 904
reported, 919
passed finally, 1048
School directors for the schools of West Penn township, Schuylkill county, act authorizing court of quarter sessions to appoint, 904
School directors of Pittston borough school district, act authorizing to sell a certain lot, 904
reported, 919
passed finally, 1048
School directors of the borough of Phillipsburg, in Centre county, to borrow money, act authorizing, 904
reported, 919
passed finally, 1047
School taxes in Fulton county, act relative to the collection of, 905
reported, 996
passed finally, 1075
School directors of the borough of Franklin, in Venango county, to borrow money, act authorizing, 917
reported, 958
passed finally, 1049
School purposes in Aleppo township, in Greene county, act relative to, 917
reported, 958
passed finally, 1049
School purposes in New Berlin township, Union county, act to annex real estate to, 940
reported, 958
passed finally, 1049
School buildings in the borough of Covington, Tioga, county, act relative to erection of, 959
reported, 996
passed finally, 1073
School directors of Springfield township, Fayette county, act to legalize action of, 962
reported, 996
passed finally, 1073
School property in Georgetown, Northumberland county, act authorizing sale of, 962
passed finally, 996
School purposes in Fallowfield township, Crawford county, act to annex farms for, 971
reported, 996
passed finally, 1073
Schuylkill county, public officers of, act to repeal an act relative to, 998
reported, 1039
passed finally, 1074
School purposes, act to annex farm of Joseph Houch to Centreville independent school district, for, 998
reported, 1070
passed finally, 1074
School directors of Oakland township, in Allegheny county, to borrow money, act authorizing, 998
School purposes, in Granville township, Mifflin county, act to annex farm of Thomas M'Cord to, 998
reported, 1070
passed finally, 1074
School directors of borough of Fayette City, in Fayette county, to borrow money, act authorizing, 999
reported, 1070
passed finally, 1074
School directors of the borough of Patterson, in Juniata county, to levy a tax, act authorizing, 999
School directors in Bradford county, and in Ohio township, in Bradford county, act to reduce numbers of, 1007
School purposes, in borough of Loretto, in Cambria county, act to transfer farm of Augustine Walters to, 1077
Schall, George B., Senator from the Seventh district, comprising the counties of Lehigh and Northampton,
remarks on
Governor's message relative to removal of State arsenal, 108
Pittsburg and Connellsville railroad, 289
act relative to licenses of eating houses and hotels, 701
joint resolution relative to obstructions in the Delaware river, 808
petitions presented by, 18, 122, 150, 280, 301, 315, 329, 349, 382, 424, 496, 590, 651, 802
bills read in place by, 108, 115, 123, 131, 152, 191, 211, 246, 255, 282, 316, 333, 386, 478, 486, 498, 571, 653, 670, 726, 807, 921, 944
resolutions offered by, 572, 647, 1095
Schuylkill county:
Co-operative association of Tamaqua, act to incorporate, 807
reported, 814
passed finally, 870
coal trade of, petition relative to, 848
report of committee on, 848
resolution relative to, 849
election officers, act to increase pay of, 918
reported, 958
passed finally, 1049
fees of jurors and witnesses in, further supplement to act relative to, 95
passed finally, 143
fines and forfeitures in, act relative to, 57
reported, 95
passed finally, 116
Tremont in, act authorizing the levy of tax, 332
game in, supplement to act relative to preservation of, 643
reported, 651
passed finally, 782
hawking and peddling in, act relative to, 316
reported, 330
passed finally, 410
highways in, act relative to, 154
passed finally, 154
livery stable men in, act for better protection of, 998
reported, 1039
passed finally, 1073
Secretary of the Commonwealth, communication from, 29, 96, 666
Secretary of the Commonwealth, appointment of, 96
Sewer in Allegheny city, act authorizing, 31
reported, 47
Secretary of the Commonwealth, act to regulate salary of, 131
reported, 141
passed finally, 142
Sewickly, borough of, burial ground in, act to vacate, 141
reported, 227
passed finally, 291
Seventh ward, city of Pittsburg, school directors of to borrow money, act authorizing, 142
passed finally, 315
Seamen in the port and harbor of Philadelphia, act for the better protection of, 426
reported, 484
considered, 729
passed finally, 730
Sewickly, borough of, to levy tax for school purposes, act authorizing,
reported, 591
passed finally, 697
Senate Chamber, ventilation of, resolution relative to, 592
Senator Nye mining and exploring company, act to incorporate, 671
reported, 693
passed finally, 784
Sewers in the city of Philadelphia, act relative to recovery of costs, 904
reported, 918
passed finally, 1047
Sensebauch, John, relief of, by commissioners of Northampton county, act relative to, 962
reported, 995
passed finally, 1075
Scaright, Thomas B., Senator from the Twenty-fourth district, comprising the counties of Westmoreland, Fayette and Greene,
remarks on
joint resolution to ratify amendments to Constitution, 12, 62, 84
adoption of rules of Senate, 49
joint resolution relative to Edgar Cowan, 134
resolution relative to adjournment, 155
Philadelphia Sunday car question, 166
exclusion of colored persons from railroad cars, 214
Railroad Committee, 230
Pittsburg and Connellsville railroad, 249, 283, 289
general railroad law, 336
Reynolds monument, 432
act relative to evidence in actions of ejectment, 596
act relative to publication of general, local and private laws in the several counties of the Commonwealth, 627
act relative to license of eating houses and hotels, 600, 701
act to prohibit the issuing of licenses in certain townships and boroughs in Indiana county, 783
act relative to the protection of sheep in certain counties, 786
act relative to the appropriation bill, 923, 927, 937, 968, 972, 1004, 1012
act relative to the military claims of Colonel John W. M'Lean, deceased, of Erie county, 944
act relative to issuing of licenses in certain boroughs in the counties of Armstrong, Potter, Indiana and Perry, 1076
bills read in place by, 31, 82, 191, 212, 283, 386, 426, 694, 807, 854, 909, 921
petitions presented by, 164, 280, 302, 382, 424, 590, 692, 753
resolutions offered by, 818
Shawmut and Ridgway railroad company, to consolidate, supplement to, 57
reported, 227
passed finally, 235
Shawmut Cannel coal company, to consolidate, supplement to, 57
reported, 227
passed finally, 235
Shinbone alley, Fayette county, changing name of, act relative to, 82
Shick, Samuel M., to annul marriage, act relative to, 131
reported, 281
passed finally, 339
Sheep and dogs, in Monroe county, act relative to, 153
reported, 331
passed finally, 411
Shenandoah, Schuylkill county, to borrow money, &c., act authorizing, 328
reported, 570
passed finally, 675
Shakespeare and Lydia Allen Consolidated silver mining company, act to incorporate, 333
reported, 350
passed finally, 412

Shickshinny and New Columbus turnpike road company, act to incorporate,
reported, 430
passed finally, 530
resolution for Governor to return, 730
Shrewsbury, borough of, in York county, to construct a lockup, act authorizing, 478
reported, 484
passed finally, 572
Sheriff of Elk county, fees, act relative to, 486
reported, 496
passed finally, 574
Shawville bridge company, in Clearfield county, act to incorporate, 486
reported, 497
passed finally, 574
Sheriff of Butler and Indiana counties, act relative to compensation of, 498
reported, 554
passed finally, 675
Shafton coal company, to borrow money, act authorizing, 508
reported, 555
passed finally, 675
Sheep, protection of in Armstrong and Westmoreland counties, act extend an act to, 621
reported, 651
considered, 786
passed finally, 787
Sholenberger, William D., claims of, act relative to, 621
reported, 705
passed finally, 785
Sheep, protection of, and taxing dogs in Monroe county, act to repeal, 694
reported, 705
passed finally, 779
Shakspeare and Lydia Allen Consolidated silver mining company, act to incorporate, 694
passed finally, 785
Shenandoah water company, act to incorporate, 704
reported, 754
ruled out, 876
Sheep, protection of, and taxing of dogs in certain counties, act relative to, 726
negatived, 805
Sheffield iron, steel and lead company, act to incorporate, 756
reported, 804
passed finally, 869
Sheriff of Crawford county, pay of, act relative to, 780
reported, 804
passed finally, 876
Sharpsburg, Allegheny county, to borrow money, act to authorize, 780
reported, 851
passed finally, 1044
Sheriff of Venango, recognizance and bond of, act relative to, 870
reported, 906
passed finally, 1045
Sheriff of Allegheny county, act to authorize to tax costs in certain cases, 909
reported, 919
passed finally, 1022
Sharon Savings Bank, act to incorporate, 918
reported, 957
passed finally, 1048
Shopecker, F. S., relief of, act relative to, 919
Sheep, protection of, and taxing of dogs in Westmoreland county, act relative to, 999
reported, 1039
passed finally, 1073
Shoemaker, Lazarus D., Senator from the Twelfth district, composed of the county of Luzerne,
remarks on
exclusion of colored persons from railroad cars, 217
Pittsburg and Connellsville railroad, 289
Shoemaker, Lazarus D.—*Continued.*
remarks on
selection of jurors in this Commonwealth, 352, 353, 354
act relative to increase of revenue of the Commonwealth, 669
joint resolution relative to the revisal of the civil laws of Pennsylvania, 710
act relative to Sunday liquor law, 810
the appropriation bill (general), 937, 974, 1005, 1010
act relative to the protection of life and property from the explosion of steam boilers, 942
resolutions offered by, 5, 229, 1077
bills read in place by, 34, 18, 31, 48, 56, 81, 107, 115, 131, 153, 166, 191, 211, 255, 332, 351, 386, 406, 426, 431, 478, 486, 498, 508, 643, 653, 670, 694, 699, 807, 817, 954, 909
petitions presented by, 150, 190, 211, 280, 302, 315, 329, 330, 382, 424, 477, 478, 651, 850
Sisters of Mercy, association of, in Philadelphia, act to incorporate, 31
reported, 34
passed finally, 124
vetoed, 316
Scranton Savings Bank, act to incorporate, 31
reported, 95
passed finally, 232
Sinking Fund, to create, &c., bill relative to, 166
Silver Brook coal company, act to incorporate, 351
reported, 430
passad finally, 530
Simon, Nicholas, a gratuity and annuity to, act relative to, 478
reported, 620
reconsidered, 694
reported, 804
passed finally, 875
Six Mile Run coal company, act to reduce capital of, 643
reported, 651
passed finally, 778
Silver Bullion mining company, act to incorporate, 694
reported, 705
passed finally, 786
Sierra Molina gold and silver mining company, act to incorporate, 803
reported, 814
passed finally, 877
Sidewalk in the valley of Sheshequin, in Bradford county, supplement to act authorizing, 871
reported, 907
passed finally, 1045
Sierra Nevada mining company, act to incorporate, 904
reported, 919
passed finally, 1048
Snyder county:
bounty tax in, act to legalize, 726
reported, 804
first reading, 877
bounty purposes, in Washington township in, act relative to, 406
negatived, 430
fees of treasurer of, act relative to, 164
reported, 176
negatived, 227
passed finally, 291
fees of commissioners of, act relative to, 164
passed finally, 234
fees of sheriff of, act relative to, 870
reported, 906
passed finally, 1045
ferry over the Susquehanna river at Selinsgrove in, act authorizing Henry B. Masser and John H. Fisher to establish, 871
reported, 907
passed finally, 1045
Snyder county—*Continued.*
Frock, Michael, late of, guardians of children of, act relative to, 499
negatived, 554
reconsidered, 854
reported, 908
passed finally, 1072
Smith, Edward A., Ellen J., Catharine V. and Thomas B., act to legitimate, 621
reported, 669
passed finally, 822
Smethport, borough of, in M'Kean county, to attach real estate to, act authorizing, 694
passed finally, 698
Snowden, Hon. James R., resolution inviting to deliver lecture, 531
communication from, 626
resolution relative to printing of, 674
Soldiers' orphans, education of, resolution relative to, 132
considered, 133
reported, 478
passed finally, 598
reconsidered, 623
passed finally, 623
South Erie, borough of, act to incorporate, 163
reported, 176
passed finally, 234
Soldiers' Orphans, Superintendent of, annual report of, 211
resolution to print, 229
Southwark Bank, of Philadelphia, act relative to, 246
reported, 254
recommitted, 256
South ward of Chester, to procure a supply of water, act relative to, 328
reported, 350
passed finally, 411
Soldiers of war of 1812, payment of, &c., act relative to, 386
reported, 406
first reading, 864
South Erie, authorities to increase taxation, act to enable, 406
passed finally, 408
Supervisors, assessors and auditors in Gregg township, Union county, act relative to, 407
negatived, 496
South Whitmer Run navigation company, in Clearfield county, act to incorporate, 427
reported, 430
passed finally, 530
Soldiers' widow, payment of expenses of, &c., act authorizing, 479
South Bethlehem borough, Northampton county, to change name of, act relative to, 486
reported, 497
passed finally, 574
reconsidered, 575
Southwark railroad company, to renew road, act authorizing, 557
reported, 591
passed finally, 707
South Mahoning township, in Indiana county, to annex to, act relative to, 571
reported, 591
passed finally, 676
Souder, Sophia, money for use of, act relative to, 426
reported, 484
passed finally, 573
Soldiers, disabled, to peddle, act to permit, 704
reported, 725
passed finally, 915
Soldiers, to exempt from taxation for road purposes, act relative to, 726
negatived, 805
Somerset land company, act to incorporate, 726
reported, 805
passed finally, 869

South Pittsburg Co-operative association, act to incorporate, 904
reported, 918
passed finally, 1047
Soldiers' orphans' schools, establishing of, act to provide means for, 909
passed finally, 921
South Mountain railroad company, further supplement to act incorporating, 959
reported, 1040
passed finally, 1073
Somerset county:
Evangelical Lutheran congregation of Berlin in, act to authorize sale of real estate, 695
reported, 761
passed finally, 876
fees of notary public in, act relative to, reported, 246
fees of notary public in, act relative to, reported, 254
passed finally, 338
fees of officers in, act relative to, 281
reported, 303
negatived, 410
fishing and hunting in Jefferson township, in, act relative to, 643
reported, 651
passed finally, 782
jurors in the several courts of, act for the better selection of, 108
reported, 131
Speaker of the Senate, election of, 4
Spruce alley in Ninth ward of Pittsburg, to vacate, act relative to, 82
passed finally, 82
Springfield and Garretford turnpike company, act to incorporate, 406
reported, 411
passed finally, 426
Spruce Creek lumber and land company, act to incorporate, 406
reported, 426
passed finally, 529
Specie Basis mining company, supplement to act to incorporate, 671
reported, 693
passed finally, 784
Spanish Bar gold and silver mining company, act to incorporate, 694
reported, 705
passed finally, 786
Spring Run oil and lumber company and the Benezet oil and coal company, to consolidate, act to enable, 871
reported, 907
passed finally, 1045
Spring Garden soup society, supplement to act to incorporate, 904
reported, 919
passed finally, 1048
Speaker of the Senate, election of, 1095
Speaker of the Senate, retiring, presentation to, 1096
State Librarian, annual report of 28
State Treasurer, annual report of, 12
communication from, 252
nomination of candidate for, 33
election of, 35
Standing committees appointed, 28
State agents at Washington, payment of, etc., act relative to, 34
reported, 47
passed finally, 96
State tax in Bedford county, to remit penalty, further supplement to, 107
State arsenal, removal of, resolution relative to, 108, 115
Steuben coal company, to consolidate, act relative to, 115
reported, 805
passed finally, 869
State penitentiary, Eastern district, special report of, 130
Strobecker, T. S., in Venango county, relief of, 164
passed finally, 1048
St. Marys, borough of, to borrow money, &c., act authorizing, 141
reported, 152
passed finally, 167
Steele, William, farm, to annex to, supplement to act relative to, 151
reported, 176
passed finally, 234
State banks, to close affairs, act to enable, 228
reported, 254
passed finally, 505
St. Clair cemetery association of Greensburg, Westmoreland county, further supplement to act, 246
reported, 254
passed finally, 339
State Penitentiary, condition of, resolution relative to, 247
State Lunatic Hospital, annual report of, 247
State road in Cameron and Potter counties, to lay out, &c., act to amend, 253
reported, 331
passed finally, 590
State arsenal, stores of, joint resolution relative to, 315
reported, 430
passed finally, 596
State and road damages in Dauphin county, act relative to, 348
reported, 383
passed finally, 528
Stroudsburg Bank, to reduce capital stock, act relative to, 351
passed finally, 355
Statutes of limitation, act declaratory of, 406
reported, 496
passed finally, 787
Streets and sewers in city of Pittsburg, supplement to act, 406
reported, 484
passed finally, 573
Stump, George Humphrey, and Abraham Harrison Stump, supplement to an act to legitimate, 498
reported, 554
passed finally, 675
State Lunatic Asylum, act to establish an additional, 508
reported, 725
passed finally, 868
Stocks and loans, transfer of by trustees, &c., act regulating, 556
negatived, 755
State road from Wilcox, in Elk county, &c., act to lay out, 557
reported, 571
passed finally, 578
State road, to lay out and open, from Karthause, Clearfield county, act relative to, 571
reported, 591
passed finally, 697
Stockholders of railroad companies incorporated, supplement to act extending same to turnpike companies, 571
reported, 591
passed finally, 861
State road in the counties of Cameron and Potter, to lay out and open, further supplement to act, 629
reported, 651
passed finally, 778
State road from Tarentum, Allegheny county, to Butler county, supplement to act, 620
reported, 651
passed finally, 778
Stroudsburg passenger railroad company, act to incorporate, 670
reported, 755
passed finally, 869
State road in Wayne and Monroe counties, to extend time, &c., act relative to, 694
reported, 705
passed finally, 779
State agency at Washington, committee relative to, 380
State tax upon certain real estate, an act to repeal, 707
reported, 725
passed finally, 867
State library, purchase of books for, joint resolution relative to, 707
passed finally, 707
Saint Joseph's Beneficial Savings Fund association of Lancaster city, act to incorporate, 726
negatived, 804
State road in Venango and Butler counties, act to lay out, 803
reported, 815
passed finally, 875
Street paving in the city of Philadelphia, act relative to, 806
reported, 815
passed finally, 822
State road in Allegheny and Washington counties, act to lay out, 807
reported, 815
passed finally, 870
Streets of Allentown, paving of, act relative to, 807
State debt, act to repeal part of section 34 of an act to reduce, 848
State Lunatic Hospital, additional, act to appoint commissioners to select site for, 855
reported, 906
State road in Schuylkill and Lebanon counties, act to lay out, 904
reported, 919
not agreed to, 1048
State road in the counties of Potter and Clinton, supplement to act relative to, 909
reported, 919
passed finally, 941
Stolen property, act to require the county from which it is stolen to pay expenses of trial, &c., 917
negatived, 957
State road from Harrisburg to Gettysburg, to change location of, act authorizing, 921
passed finally, 945
State road in the borough of Tarentum, in Allegheny county, &c., supplement to act to lay out, 940
reported, 958
not agreed to, 1049
State road in the counties of Clarion and Forest, to lay out, act to repeal an act, 966
reported, 990
passed finally, 1072
St. Clair, borough of in Schuylkill county, further supplement to act incorporating, 998
reported, 1039
passed finally, 1073
Steinfert, John, estate of, in York county, act relative to, 999
reported, 1040
Stutzman, Alexander, Senator from the Twentieth district, comprising the counties of Somerset, Bedford and Fulton,
remarks on Pittsburg and Connellsville railroad, 249
bills read in place by, 47, 82, 107, 177, 246, 386, 426, 586, 631, 571, 592, 670, 707, 726
petitions presented by, 81, 151, 245, 280, 315, 382, 424, 595, 692
Sullivan land company, act relative to, 81
passed finally, 81
Supervisors of Solebury, Bucks county, to increase compensation of, act relative to, 82
reported, 95
passed finally, 143
Susquehanna and Hudson River railroad company, act to incorporate, 255

Sullivan and Pocono Summit plank road company, act to incorporate, 115
reported, 165
passed finally, 234
Surveyor General's report, order to print, 124
resolution relative to, 694
Surveyors in Mercer and Crawford counties, act relative to pay of, 228
reported, 245
passed finally, 338
Summit turnpike road company, act to incorporate, 246
passed finally, 248
Susquehanna canal company, to repeal part of an act, further supplement to, 246
reported, 383
objected, 529
considered, 578, 711
reported, 727
Susquehanna Valley railroad company, act to incorporate, 255
reported, 755
passed finally, 822
Supervisors and commissioners of Clearfield county, act to increase pay of, 282
passed finally, 339
Supreme Court, Northern district, to add certain counties to, act relative to, 332
reported, 350
passed finally, 531
Susquehanna and Delaware railroad company, supplement to act incorporating, 332
reported, 406
passed finally, 408
Superior iron company, act to incorporate, reported, 383
passed finally, 415
Supervisors of roads, in Hilltown township, Bucks county, act relative to, 386
reported, 426
passed finally, 529
Supervisors of Green township, Mercer county, act relative to, 406
reported, 496
passed finally, 573
Supervisors in Penn township, Westmoreland county, act relative to election of, 407
reported, 430
passed finally, 530
Supervisors of Blythe and Norwegian townships in Schuylkill, county, act relative to, 430
passed finally, 530
Susquehanna and Delaware railroad company, supplement to act incorporating, 486
reported, 815
passed finally 821
Susquehanna Depot Protective Union, of Susquehanna county, act to incorporate, 499
reported, 555
passed finally, 675
Supervisors in Salem township, Westmoreland county, supplement to act relative to, 507
Supervisors in rural wards of Philadelphia, act relative to election of, 556
reported, 570
passed finally, 578
Supervisors of roads in Plumstead township, Bucks county, act relative to, 592
reported, 620
passed finally, 676
Supervisors in the townships of Dover and Manchester, in York county, and South Strabane township, Washington county, and the township of Tinicum, in Bucks county, election of four, act authorizing, 592
passed finally, 593
Supervisors of Logan township, Blair county, pay of, act relative to, 620
reported, 669
passed finally, 782
Supervisors in the township of Middletown, Susquehanna county, election of, act relative to, 620
reported, 651
passed finally, 782
Supervisors of roads in Allegheny township, Armstrong county, to levy additional tax, act authorizing, 621
reported, 651
passed finally, 782
Supervisors and other township officers in Bethlehem township, Northampton county, act relative to, 644
reported, 669
passed finally, 782
Sunnyside iron company, enrollment tax of, act relative to payment of, 653
reported, 693
passed finally, 778
Sugar Notch and Warrior Run, in a borough, act to incorporate, 671
reported, 706
passed finally, 786
Sunbury, borough of, in Northumberland county, act to erect, 671
reported, 706
passed finally, 786
Supervisors in Wiconisco township, Dauphin county, pay of, act relative to, 671
reported, 706
passed finally, 786
Susquehanna summer resort, act to incorporate, 678
reported, 693
passed finally, 697
Supervisors in Butler county, pay of, act relative to, 695
reported, 706
passed finally, 786
Supervisors of Bratton township, Mifflin county, act relative to, 695
reported, 706
passed finally, 786
Supervisors, to take acknowledgments of deeds, &c., act authorizing, 699
negatived, 725
Supervisors of Cook township, in Westmoreland county, to levy taxes, act authorizing, 727
reported, 805
passed finally, 877
Superior iron company, act to incorporate, 756
passed finally, 760
Supervisors of roads in Cowanshannock township, Armstrong county, to increase numbers of, 803
reported, 815
passed finally, 878
Supervisors in Newberry township, in York county, act to reduce compensation and change manner of election of, 803
passed finally, 878
Supervisors and auditors of Jones township, Elk county, two dollars per day, act authorizing, 803
reported, 815
passed finally, 878
Supervisors of roads, overseers of the poor, and township auditors of the county of Carbon, act to increase pay of, 817
reported, 907
Supervisors of Salem township, Luzerne county, to collect money for road purposes, act authorizing, 821
reported, 851
passed finally, 1044
Supervisors of Tyrone township, Blair county, to levy a cash tax, act to authorize, 821
reported, 906
passed finally, 1044
Superintendent of common schools of York and Lancaster counties, to draw funds from county treasurer to defray expenses of teachers' county institutes, act authorizing, 904
Sugar Creek mining and transportation company, payment of enrollment tax on, act to extend time of, 917
reported, 958
passed finally, 1049
Supervisors and township officers of Fox township, in Elk county, act to increase pay of, 917
reported, 957
passed finally, 1048
Supervisors for Whitney township, in Greene county, act authorizing additional, 917
reconsidered, 958
passed finally, 1049
Supervisors in Porter township, Huntingdon county, act authorizing additional, 917
reported, 957
passed finally, 1048
Supervisors of Lackawaxen township, Pike county, act authorizing an increase of, 917
reported, 958
passed finally, 1049
Supervisors of roads, overseers of poor and township auditors in Carbon county, act to increase pay of, 959
reported, 996
passed finally, 1073
Success mining company, act to incorporate, 998
reported, 1039
passed finally, 1074
Summit coal and iron company, act to incorporate, 998
Supervisors of Armagh township, in Mifflin county, to levy and collect tax for the purpose of securing the right of way to the Mifflin and Centre County railroad company through said township, 1007
reported, 1039
passed finally, 1074
Sullivan county:
Dushore, borough of, in, act relative to corporate officers of, 694
reported, 705
passed finally, 779
fees of officers of, act to validate charges of, 57
passed finally, 57
Hillsgrove township, act relative to auditors of, 281
reported, 302
passed finally, 319
Susquehanna county:
fees of justices of peace, commissioners, auditors, constables, &c., in, act relative to, 407
reported, 496
passed finally, 573
fines and forfeitures in, act relative to, 246
reported, 282
jail in, act to erect a, 821
reported, 906
passed finally, 1044
Swatara school district, in Dauphin county, to raise additional tax, act authorizing, 164
reported, 177
passed finally, 291
Swatara Falls coal company, to borrow money, &c., act to enable, 229
reported, 245
passed finally, 338
Swine running at large in Blair township, Blair county, act to extend an act, 621
reported, 651
passed finally, 782
Swatara company, act to incorporate, 755
reported, 822
passed finally,

T.

Tariff, resolution instructing Senators and Representatives in Congress on, copy of, 19
passed finally, 19

Tariff, resolution instructing Senators and Representatives in Congress on, 18
Taxes in Philadelphia, equal assessment of, act relative to, 47
reported, 152
passed finally, 155
amended, 232
Taxes, collectors of in Montgomery county, act relative to appointment of, 123
reported, 131
passed finally, 232
Tax on personal property, resolution relative to, 124
Tax on petroleum, reduction of joint resolution instructing, &c., 131
reported, 165
Taxes, railroads, in Kittanning, Armstrong county, act authorizing assessment of, 151
reported, 176
passed finally, 234
Taxes, sale of land for, in Potter, Warren and Bradford counties, act relative to, 164
reported, 176
passed finally, 234
Taxes, State and county, in Bucks county, act relative to, 164
reported, 176
passed finally 234
Tax, Harford township, Susquehanna county, to collect, act authorizing, 164
reported, 177
passed finally, 234
Tavern licenses in Washington county, act relative to, 164
reported, 190
Tariff, resolution relative to, copy of, 191
passed finally. 191
Tax, collateral inheritance, collection of, act relative to, 212
negatived, 725
Taxes in Washington county, collection of, further supplement to act, 216
reported, 227
passed finally, 235
Taxes in Minehill borough, Clinton county, to levy and collect, act authorizing, 228
reported, 254
passed finally, 339
Tax in borough of Sharon, Mercer county, levying of, act to legalize, 255
reported, 282
passed finally, 339
Taxes, bounty, in Lehigh county, act relative to collection of, 498
reported, 554
passed finally, 675
Tamaqua, borough of, in Schuylkill county, to borrow money, act authorizing, 577
passed finally, 578
Tax laws, revising, collecting and registering of, joint resolution relative to, 643
reported, 705
passed finally, 866
Taxes on unseated lands in Cherry township, Sullivan county, 653
reported, 669
passed finally, 778
Taxes, certain, in Montgomery county, act relative to, 670
reported, 706
Taxes for borough purposes in Jamestown, Mercer county, act relative to, passed finally, 675
Tavern licenses in Greene county, act relative to, 704
reported, 726
passed finally, 876
Tax in Jackson township, Dauphin county, and Jefferson township, Berks county, act to repeal, 704
reported, 725
first reading, 875
passed finally, 879
Taxes in the borough of Tarentum, Allegheny county, act relative to, 726
reported, 804
passed finally, 869
Tax for bridge purposes in borough of Sharon, act authorizing, 726
reported, 804
passed finally, 869
Taxes in Greenfield township, Luzerne county, act relative to, 780
reported, 804
passed finally, 876
Taxes, local, collection of in Edgmont township, Delaware county, act to regulate, 780
reported, 804
passed finally, 876
Taxes, collection of, in Cumberland county, act relative to, 708
reported, 804
passed finally, 876
Taxes, State and county, in Monroe county, act relative to collection of, 807
reported, 815
passed finally, 870
Taylor, Wm. A. and Julia, an act to divorce, 816
reported, 919
passed finally, 1048
Taxes, city, in Pittsburg, act to regulate assessment of, 854
reported, 906
passed finally, 1022
Taxes, borough and school, in borough of Easton, Northampton county, collectors of, act relative to, 870
reported, 906
passed finally, 1044
Taxes in Philadelphia, an act to promote the more certain and equal assessment of, 872
Taxes in the borough of Lewisberry, in York county, act authorizing assessment and collection of, 904
reported, 918
passed finally, 1047
Taxes in the borough of Cochrantown, in Crawford county, act relative to, 959
reported, 996
passed finally, 1073
Taxes for borough purposes, in borough of Temperanceville, in Allegheny county, act authorizing increase of, 962
reported, 995
passed finally, 1072
Tax for borough purposes in Oil City, act authorizing levy for, 962
reported, 996
passed finally, 1073
Tax, increase of in borough of Venango, in Venango county, supplement to act to authorize, 962
reported, 996
passed finally, 1073
Taylor, Alexander W., Senator from the Twenty-sixth district, comprising the counties of Washington and Beaver,
remarks on
joint resolution to ratify amendments to Constitution, 83
joint resolution relative to Edgar Cowan, 135
Pittsburg and Connellsville railroad, 289
payment of bounties to veteran volunteers, 505
general railroad law, 646, 1077
act relative to enlargement of the Erie canal, 702
act relative to the purchase of Ephrata Mountain Springs, in Lancaster county, for a home for disabled soldiers, 910
act to ascertain and appoint the fees to be received by the several officers of the Commonwealth, 916
the appropriation bill (general), 937, 1004
Taylor, Alexander W.—*Continued.*
petitions presented by, 175, 190, 211, 245, 349, 382, 424, 478, 554, 591, 802, 906
bills read in place by, 351, 386, 429, 643, 726, 760, 864
Tenants, joint and others, to protect rights of, act relative to, 81
reported, 122
not agreed to, 502
Tenants, joint, an act to enable, &c., reported, 122
not agreed to, 502
reconsidered, 532
Tenants, joint, to manage and develop, further supplement to act enabling, 153
reported, 226
not agreed to, 504
Temperancevile and Noblestown turnpike and plank road company, act to macadamize, 255
reported, 331
negatived, 411
Teachers' institute of the city of Philadelphia, act to incorporate, reported, 591
passed finally, 676
Teachers' institute of the city of Philadelphia, act making an appropriation to, 998
Thieves, professional, and burglars, &c., in Philadelphia, act relative to arrest of, 328
reported, 383
passed finally, 528
Thieves, professional, and burglars, in Reading, act relative to arrest of, 498
reported, 554
Thieves, professional, and burglars, in the city of Philadelphia, act relative to summary conviction of, 959
reported, 995
passed finally, 1073
Thomas Scott regiment of Pennsylvania volunteers, officers of, act for relief of, 995
reported, 1039
Titles to land, defects in, to supply, act relative to, 123
negatived, 227
Titusville, in Crawford county, to decrease limits of, act relative to, 131
Tioga navigation company, further supplement to act incorporating, 142
reported, 152
passed finally, 233
Tidioute, borough of, in Warren county, to borrow money, act authorizing, passed finally, 179
Tidioute bridge company, act to incorporate, 281
reported, 331
passed finally, 411
Tiernan, John, relief of, act relative to, 386
reported, 406
passed finally, 529
Titusville and Pithole plank road company, supplement to act to incorporate, 490
passed finally, 530
Titusville city, loans, act to legalize, 571
reported, 804
passed finally, 876
Titusville, city of, common council of, act relative to, 592
passed finally, 593
Tioga County agricultural society, to borrow money, act authorizing, 621
reported, 651
passed finally, 782
Titusville hotel company, act to incorporate, 707
reported, 754
Tidioute railroad company, act to incorporate, 780
reported, 805
passed finally, 377
Tidioute and Warren oil company, act to incorporate, 821
reported. 822
passed finally, 912

Tioga county:
bounties to volunteers in Farmington township in, act relative to, 406
reported, 496
passed finally, 574
Cedar run, in Elk township in, act to declare a highway, 229
reported, 254
passed finally, 339
Cowanesque river in, to repair, act relative to, 164
reported, 330
passed finally, 334
justices of the peace in, act relative to office of, 727
negatived, 918
Tome, Elias, memorial of, 94
Township Line railroad company, further supplement to act incorporating, 152
reported, 165
passed finally, 233
Townships, indebtedness of, act relative to adjustment of, 212
reported, 227
passed finally, 504
Tome Elias, of York county, act for relief of, 255
reported, 350
Township auditors, pay of, act relative to increase of, 756
reported, 815
Treasurers of the different counties, act relative to compensation of, 426
reported, 496
postponed indefinitely, 856
Trustees and other fiduciaries, under physical and mental disabilities, act to discharge, 481
reported, 496
passed finally, 598
Treasurer, Middle Smithfield township, Monroe county, act relative to election of, 478
reported, 484
passed finally, 573
Treasurer of Westmoreland county, to extend term of, act relative to, 498
reported, 554
Tremont, Schuylkill county, to levy tax, act authorizing,
reported, 591
negatived, 591
Treager, Lebrecht, to remove, act authorizing, 644
negatived, 669
Trees, fruit and ornamental, in the counties of Clinton, Centre, Butler, Lawrence and Mercer, protection of, act relative to, 704
reported, 804
passed finally, 876
Treasurer of Lycoming county, re-election of, act relative to, 761
reported, 804
passed finally, 822
Treasury silver mining company, act to incorporate, 817
reported, 814
passed finally, 870
Tremont, Schuylkill county, burgess and town council of, to levy tax, act authorizing, 810
passed finally, 810
Treasurer of Berks county, act relative to compensation of, act relative to, 870
reported, 906
passed finally, 1044
Treasurer of Mifflin county, act to extend term of, 904
reported, 919
passed finally, 1047
Trevorton coal company, election of officers of, act to change time of,
reported, 957
passed finally, 1048
Trials by jury, resolution relative to, 317
Troy, borough of, increase of taxation, act authorizing, 151
reported, 176
passed finally, 237
Trout River navigation company, supplement to act incorporating, 234
passed finally, 235
Tremont gas and water company, act to incorporate,
reported, 350
passed finally, 412
Treasurer of Allegheny county, act relative to, 383
reported, 426
passed finally, 529
Turnpike and plank road companies, to increase tolls, act authorizing, 191
reported, 227
passed finally, 504
Tuckahoe and Mount Pleasant plank road company, charter of, act to repeal, 228
reported, 254
passed finally, 339
Tunkhannock plank road or turnpike company, act to incorporate, 571
reported, 591
passed finally, 676
Tuscarora mining and exploring company, act to incorporate, 670
reported, 693
passed finally, 778
Turners' association, supplement to act to incorporate, 959
reported, 1039
Turnpike road companies:
Bellefonte, Aaronsburg, and Younwoman's town, act to extend provisions of an act to, 816
Birmingham and Brownsville, supplement to act, 333
reported, 350
passed finally, 412
Bridgeport and Horshoe, act to incorporate, 695
reported, 706
passed finally, 786
Carlisle, Boiling Springs and Dillsburg, act to incorporate, 694
reported, 706
passed finally, 779
Chestnut Hill and Spring House, act relative to, 166
reported, 228
passed finally, 412
Chambersburg and Bedford, election of officers of, act relative to, 671
reported, 693
passed finally, 784
Chambersburg, act relative to election of officers of, 695
reported, 705
passed finally, 786
Citizens' and Macadamized, act to incorporate, 871
reported, 907
passed finally, 1045
Citizens' and Macadamized, act to repeal an act to incorporate, 1077
passed finally, 1077
Clearfield and Curwensville, act to extend time of completion of, 141
passed finally, 167
Clinton, in Greene county, act to incorporate, 917
reported, 958
passed finally, 1049
Coal Hill and Upper Saint Clair turnpike, to increase tolls, act relative to, 478
reported, 484
Conestoga and Big Spring Valley, supplement to act incorporating, 653
reported, 693
passed finally, 778
Cresheim and bridge, supplement to act incorporating, 228
reported, 254
passed finally, 559
Turnpike road companies—*Continued.*
Douglassville and Yellow House, act to incorporate, 246
reported, 254
passed finally, 339
Easton and Wilkesbarre, supplement to act incorporating, 228
reported, 254
passed finally, 339
Emlenton and Shippenville, act to incorporate, 246
reported, 254
passed finally, 339
Ephrata and Lancaster railroad company, supplement to act incorporating, 386
reported, 426
passed finally, 529
Factoryville and Abington, and plank road, act to incorporate, 253
reported, 331
passed finally, 410
Farmers', in Lancaster county, act to incorporate, 803
reported, 815
passed finally, 878
Gallitzin and Cambria Mills, act to incorporate, 692
reported, 996
passed finally, 1072
Greenwood Avenue, act to incorporate, 281
reported, 331
passed finally, 411
Greensburg and Pittsburg, act relative to, 386
reported, 430
Green Lane and Goshenhoppen, act relative to elections of, 407, 430
passed finally, 530
Harveysville and Ledarachsville, act to incorporate, 999, 1037
passed finally, 1073
Hartsville, and Centreville, to issue stock, act authorizing, 643
negatived, 725
Hartsville and Centreville, act authorizing to issue preferred stock, 821
reported, 851
passed finally, 1044
Horsham, to change certain rates of tolls, act relative to, 34
reported, 331
passed finally, 411
Johnstown and Scalp Level, of Cambria county, act authorizing increase of tolls, 803
reported, 815
passed finally, 878
Johnstown and Hingston's Run, act to incorporate, 959
reported, 996
passed finally, 1073
Kensington and Oxford, further supplement to, 115
reported, 165
passed finally, 234
Kittanning and Rural Village, in Armstrong county, act to incorporate, 803
reported, 815
passed finally, 878
Lancaster and Litiz, act relative to, 82
reported, 165
passed finally, 234
Lampeter and Strasburg, act incorporating, 670
reported, 693
Mount Rock, Newville and Stoughstown, act to incorporate, 664
reported, 705
passed finally, 779
Monongahela and Victory, Washington county, act to organize, 821
reported, 851
passed finally, 1044
Nanticoke and Hughesville, supplement to act to incorporate, 332
reported, 350
passed finally, 412

Turnpike road companies—*Continued.*
Millersburg and West Newton, act to amend charter of, 996
New Britain and Doylestown, act to incorporate, 108
passed finally, 154, 411
Newtown and Scranton, act incorporating, 803
reported, 815
passed finally, 878
Norristown and Centre Square, act to incorporate, 998
reported, 1044
passed finally, 1073
Twenty-first ward, Philadelphia, to divide, act relative to, 141
passed finally, 232
amended, 291
Twenty-eighth, Philadelphia, to create, act relative to, 141
passed finally, 232
amended, 291, 508
passed finally, 508
Twenty-second ward, Philadelphia, act relative to, 142
passed finally, 508
Tyrone, city of, in Blair county, to borrow money, &c., act authorizing, 848
reported, 908
passed finally, 1046

U.

Union coal company, to consolidate, act relative to, 107
reported, 115
passed finally, 124
University of St. Augustine, act to incorporate, 152
reported, 165
passed finally, 233
Union Hall association of Pottsville, act to incorporate, 212
reported, 227
passed finally, 291
Union Mutual fire insurance company, in Montgomery county, holding elections, act authorizing change of, 228
reported, 246
passed finally, 338
Union Park Skating association of Allegheny city, supplement to act to incorporate, 247
passed finally, 248
Union coal company, supplement to act to incorporate, 255
reported, 430
passed finally, 530
Unseated lands in Tioga county, act relative to, 281
Union iron mills, act to incorporate, 283
reported, 350
passed finally, 412
Union Mutual fire insurance company, act to incorporate, 351
reported, 383
passed finally, 528
vetoed, 855
United States gas light company, act to incorporate, 386
Union transfer company, act to incorporate, 407
passed finally, 415
Union coal and iron company, to perfect title of land, act relative to, 426
reported, 484
passed finally, 572
Union school and children's home asylum of Philadelphia, further supplement to act to incorporate, 557
reported, 570
passed finally, 675
Unseated lands sold for taxes, redemption of, act relative to, 571
reported, 755
passed finally, 868
United States plate glass insurance company, act to incorporate, 572
reported, 805
passed finally, 869
Union passenger railroad company of Pittsburg, act to incorporate, 643
reported, 755
passed finally, 869
recalled from Governor, 909
Union mining company, supplement to act incorporating, 694
reported, 705
passed finally, 785
Union car manufacturing company, act to incorporate, 699
passed finally, 779
Union coal and iron company, further supplement to act incorporating, 707
reported, 754
passed finally, 779
Union gold and silver mining company, further supplement to act incorporating, 781
reported, 805
passed finally, 877
United States accident insurance company, act to incorporate, 815
ruled out of order, 815
Union Mills, borough of, in the county of Erie, act relative to, 816
reported, 851
passed finally, 1044
Union insurance company, enrollment tax on, act to extend time of payment, 904
reported, 918
passed finally, 1047
Uniontown stock company, act incorporating, 905
reported, 919
passed finally, 1048
Unclaimed dividends in insolvent assigned estates, act relative to, 917
negatived, 957
Union Hall association of Pottsville, supplement to act incorporating, 921
reported, 957
Union county:
auctioneer in the borough of Lewisburg, in, act relative to, 286
reported, 426
passed finally, 529
cattle, horses, sheep or hogs, in Kelly township, act to repeal an act relative to, 704
reported, 805
passed finally, 877
First Baptist Church of Lewisburg, in, act to incorporate, 707
negatived, 725
recommitted, 854
reported, 906
passed finally, 921
Gregg township, in, act relative to compensation of supervisors, &c., 821
passed finally, 821
horses, cattle, sheep and hogs, in Kelly township, of, act to repeal an act relative to, 821
reported, 906
United States Senator, time for election of, committee appointed to report, 8
act to define, 18
copy of, 18
passed finally, 18
nomination of candidates for, 58
election of, 75, 83
report of committee on, 282

V.

Valley coal company, act to incorporate, 82
passed finally, 82
Vacancies in Philadelphia, to fill, further supplement to act incorporating, 152
reported, 165
Vaux, Hon. Richard, letter from, 301
Valley coal and railroad company, act to incorporate, 620
Venue, in case of Stephens and Herman, act to change, 31
reported, 56
passed finally, 57
in case of Chronister vs. Miller, Hollinger and Harboldt, act to change, 34
reported, 56
passed finally, 192
change of, in certain cases, 115
reported, 122
passed finally, 124
change of, in case of John Lennox, act to repeal, 151
reported, 176
passed finally, 179
change of, in case of Calwell vs. Catawissa railroad, act to change, 228
reported, 233
passed finally, 245
change of, Commonwealth of Pennsylvania versus Jesse R. and Joshua R. M'Carty and Charles Morton, 231
reported, 254
considered, 256
passed finally, 283
petition relative to, 693
change of, in certain suits from Allegheny county, act relative to, 332
passed finally, 429
reconsidered, 554
passed finally, 675
change of, in case of Commonwealth of Pennsylvania vs. John Shupe and others, act to change, 478
negatived, 570
change of, in case of Commonwealth of Pennsylvania vs. Louis S. Bower and Sylvester Hoffman, act to change, 498
reported, 554
passed finally, 677
change of, in certain actions from Juniata county, act to change, 557
reported, 570
passed finally, 675
change of, in case of Commonwealth versus Peter Eby, act to change, 571
reported, 620
passed finally, 672
change of, in certain suits from Butler to Armstrong county, act authorizing, 621
reported, 957
passed finally, 1048
in case of, John M'Flanard vs. Joseph Shoemaker, to change, act authorizing, 643
reported, 906
passed finally, 1045
in case of Commonwealth of Pennsylvania vs. Jesse R. and Joshua R. M'Carty and Charles Morton, to change from Sullivan county to Bradford county, act authorizing, 694
negatived, 726
in certain cases from Allegheny to Jefferson counties, act to change, 706
reported, 707
considered, 880
passed finally, 881
in a certain case from Schuylkill county to Lebanon county, act to change, 806
passed finally, 821
recalled from the House, 872
reconsidered, 879
considered, 913
amended, 1021
passed finally, 1021
in a certain issue from Northumberland county to Lancaster county, act to change, 807
postponed indefinitely, 870
in case of Alexander Gould, William Ackerson and Henry Mecks from the counties Monroe and Carbon to Dauphin county, act to change, 854
reported, 906
amended, 917
passed finally, 917

Venue—*Continued.*
in case of G. W. Schofield vs. Martin Brunges, to change, act authorizing, 930
reported, 958
passed finally, 1049
in a certain case ftom Schuylkill county to Dauphin county, act to change, 940
reported, 958
passed finally, 1049
Vehicle license law in borough of Mount Washington, act to extend to, 498
reported, 555
passed finally, 675
Venango county, trustees of certain lands, to borrow money, act authorizing, 670
reported, 706
considered, 779
passed finally, 941
Venice gold and silver mining company, act to incorporate, 780
reported, 805
passed finally, 877
Venango water company, act to increase capital stock of, 904
reported, 918
passed finally, 1047
Venango county:
Allegheny township in, act to change elections in, 407
reported, 426
passed finally, 576
beasts of prey in, act to repeal an act relative to killing of, 704
reported, 725
passed finally, 875
billiard rooms, bowling saloons or ten pen alleys in, act for better regulation of, 807
passed finally, 807
courts in, act creating an additional return day, 780
negatived, 851
courts of, act relative to, 870
reported, 906
passed finally, 1044
crude petroleum in, act relative to, 999
reported, 1039
ferry over the Allegheny, near Big Scrub Grass in, act to establish,
passed finally, 18
ferry or foot bridge over Oil creek, in Cornplanter township in, act relative to, 228
reported, 331
passed finally, 410
ferry over Allegheny river at Patterson's falls in, act to establish, 246
reported, 330
passed finally, 411
ferry over Allegheny river at mouth of East Sandy creek in, act to establish, 246
reported, 330
passed finally, 410
fees of jurors and others in, act relative to, 621
reported, 669
passed finally, 783
ferry over the Allegheny river at or below Big Rock in, act to establish, 803
reported, 815
passed finally, 878
ferry over the Allegheny river at Liggins' landing, near the mouth of East Hickory, in Harmony township in, act to establish, 821
reported, 907
passed finally, 1045
ferry across the Allegheny river at Falling Springs in, act to establish, 940
reported, 957
passed finally, 1049
ferry across the Allegheny river at the mouth of Tubb's run in, supplement to act to establish, 940
reported, 957
passed finally, 1049
Viewers, of streets, &c., courts to appoint, supplement to act, 166
reported, 176
Vinegar ferry, act to establish, 478
reported, 484
passed finally, 573
Viola gold and silver mining company, act to incorporate, 871
reported, 907
passed finally, 1045
Vinton iron and coal company, act to incorporate, 908
passed finally, 921
Victoria gold and silver mining company, act to incorporate, 920
passed finally, 944
Vote, leave to record, granted to
Messrs. Royer, 18
Ridgway, 18, 115, 153
White, 80, 245, 292
Randall, 80
M'Candless, 80
Browne (Lawrence), 96
Glatz, 115
Schall, 115
Randall, 153
Shoemaker, 153
Brown (Mercer), 166, 337
Jackson, 337
Bigham, 337
Fisher, 337
Worthington, 694
Coleman, 694
Volcanic mining company, act to incorporate, 803
reported, 814
passed finally, 877
Vulcan iron works, act to incorporate, 8
reported, 123
passed finally, 154

W.

Waterworks, Hollidaysburg borough to erect, act authorizing, 34
Watkins, Virginia, to change name of, act relative to, 82
negatived, 122
Walker, Davis S., &c., to annex, act relative to, 163
reported, 177
passed finally, 234
Washington, borough of, further supplement to act incorporating, 228
reported, 245
passed finally, 338
Watsontown bridge company, further supplement to act incorporating, 228
reported, 254
passed finally, 339
Wardens, board of, rights to pilots, &c., further supplement to act, 229
reported, 303
Washington Township mining, manufacturing and improvement company, act to incorporate, 332
passed finally, 529
Watt, Reuben, of South Beaver township, Beaver county, act to perfect title of, 386
Waterstreet railroad company of Lancaster, act to incorporate, 486
Warren and Franklin railway company, to construct branch roads, act authorizing, 557
reported, 670
passed finally, 778
Washington, borough, further supplement to act incorporating, 557
reported, 570
passed finally, 578
Walls, privy, to prevent injury, act relative to, 571
reported, 725
passed finally, 875
Wardens, board of, port of Philadelphia, further supplement to act, 571
passed finally, 572
Water commissioners in Erie city, act relative to, 671
Warren, Sheffield and Bennet Branch railroad company, act to incorporate, 871
reported, 907
passed finally, 1045
Watsontown Building and Loan association, act to incorporate, 904
negatived, 918
Washington Grays, artillery company of, act to incorporate, 945
passed finally, 945
Water works for the borough of Easton, Northampton county, supplement to act relative to, 962
reported, 1039
passed finally, 1074
Watt, Reuben, lands of in South Beaver township, Beaver county, act to perfect title of, 1007
reported, 1039
passed finally, 1074
Wallace, W. A., Senator from the Twenty-third district, comprising the counties of Clearfield, Cameron, Clarion, Forest and Elk,
remarks on
election of United States Senator, 5, 7
joint resolution to ratify amendments to Constitution, 12, 62
resolution relative to alleged charges of bribery and corruption in election of United States Senator, 30
adoption of rules of Senate, 49
resolution relative to adjournment, 155
public roads of this Commonwealth, 178
exclusion of colored persons from railroad cars, 212, 213, 217
Railroad Committee, 230
Pittsburg and Connellsville railroad, 9, 289
general railroad law, 388, 389
commutation of death punishment in certain cases, 479, 489, 500, 501
payment of bounties to veteran volunteers, 559
act relative to associate law judge of the several courts in the Twenty-first district, 561, 562, 1020
act relative to publication of general, local and private laws in several counties of this Commonwealth, 627
act to annul the marriage contract between Wm. Riley and Martha Wilets, 697
joint resolution relative to the revisal of the civil laws of Pennsylvania, 709
joint resolution relative to obstructions in the Delaware river, 808
act relative to the organization of the militia in the First division of Pennsylvania, 811
act directing the entry of liens for moneys due the Commonwealth, 860, 914, 915, 922, 923
the appropriation bill (general), 963, 964, 965, 966, 967, 970, 972, 974, 1000, 1001, 1002, 1003, 1004, 1005, 1006, 1008, 1009, 1012
act relative to the payment of Enos C. Renner, contestant for the seat of Michael Mullin, 1046
act relative to the rate of interest, 1086
act relative to dower, 1088
presentation to the retiring Speaker, 1096
act relative to change of venue in the case of Commonwealth of Pennsylvania vs. Jesse R. M'Carty, &c., 259, 260
act relative to change of venue from Cambria to Blair county, 874
act relative to change of venue from Allegheny to Jefferson county, 880
act relative to change of venue from Schuylkill to Lebanon county, 913

Wallace, W. A.—*Continued.*
remarks on
resolutions offered by, 5, 255, 317
bills read in place by, 34, 47, 57, 141, 153, 166, 177, 284, 246, 255, 316, 406, 427, 431, 478, 486, 531, 571, 620, 694, 756, 806, 854, 872
petitions presented by, 141, 226, 245, 280, 302, 315, 425, 692

Walls, John, Senator from the Fourteenth district, comprising the counties of Lycoming, Union and Snyder:
remarks on
act to incorporate the Middle Creek railroad company, 1075
petitions presented by, 226, 302, 316, 330, 349, 382, 424, 478, 496, 590, 802, 850
bills read in place by, 246, 333, 340, 386, 406, 592, 643, 707, 761, 945

White, Harry, Senator from the Twenty-second district, comprising the counties of Cambria, Indiana and Jefferson,
remarks on
act relative to the election of United States Senator, 6
joint resolution to ratify amendments to Constitution, 12
resolution relative to alleged charges of bribery and corruption in election of United States Senator, 29, 30, 97
adoption of rules of Senate, 49
West Branch boom company, 116, 117, 118, 154
resolution relative to adjournment, 155
public roads of this Commonwealth, 177, 178
exclusion of colored persons from railroad cars, 212, 214, 215
personal explanation of Columbia bridge bill, 244, 292
Pittsburg and Connellsville railroad, 244, 290
afternoon session, 256
general railroad law, 336, 388, 389, 500, 644
selection of jurors in this Commonwealth, 352, 353
Reynolds monument, 433
commutation of the death punishment in certain cases, 480, 501
payment of bonties to veteran volunteers, 506, 558
act relative to rate of interest, 507
act relative to associate law judge of the several courts of the Twenty-first Judicial district, 561
act relative to evidence in actions of ejectment, 596, 597
act relative to publication of general, local and private laws in the several counties of the Commonwealth, 627
Sunday car question, 679
act to annul the marriage contract between William Riley and Martha Willets, 697
act relative to license of eating houses and hotels, 701
joint resolution relative to the revisal of the civil laws of Pennsylvania, 709
act to prohibit the issuing of licenses in certain townships and boroughs in Indiana county, 783
act relative to the protection of sheep in certain counties, 786
act relative to Philadelphia military bill, 789
act relative to the organization of the militia in the First division of Pennsylvania, 812
act directing the entry of liens for moneys due the Commonwealth, 860, 861, 915, 922, 923

White, Harry—*Continued.*
remarks on
act relative to the trial of certain causes in cases of relationship between the presiding judge and the counsel of a party thereto, 868
act to ascertain and appoint the fees to be received by the several officers of this Commonwealth, 915
appropriation bill (general), 937, 964, 965, 966, 969, 973, 974, 975, 1000
act relative to the military claims of Colonel John W. M'Lean, deceased, of Erie county, 943
act relative to issuing of licenses in certain boroughs in the counties of Armstrong, Potter, Indiana and Perry, 1076
act relative to the law of evidence, 1084
act relative to dower, 1088, 1089
act relative to a change of venue from Sullivan to Bradford county, 283
act relative to a change of venue from Cambria to Blair county, 874, 875
act relative to a change of venue from Allegheny to Jefferson county, 880
resolutions offered by, 5, 19, 29, 51, 124, 317, 386, 694, 807, 1091
bills read in place by, 18, 108, 131, 152, 153, 166, 167, 255, 316, 386, 406, 478, 479, 557, 571, 577, 643, 670, 707, 756, 817, 821, 854, 1021
petitions presented by, 81, 115, 164, 190, 211, 245, 302, 315, 382, 424, 477, 478, 496, 554, 590

Worthington, Wilmer, Senator from the Fifth district, comprising the counties of Chester, Delaware and Montgomery,
remarks on
adoption of rules of Senate, 48, 50
education of soldiers' orphans, 133
Pittsburg and Connellsville railroad, 289
destruction and spread of Canada thistle, 506
act relative to county prisons and alms houses of the Commonwealth, 593
protection of farmers in Philadelphia, 647, 649, 650, 664
act relative to Philadelphia military bill, 789
act relative to the Sunday liquor law, 809, 810
act relative to the organization of the militia in the First division of Pennsylvania, 811
adjournment over, 819
the appropriation bill (general), 932, 933, 938, 939, 965, 966, 973, 1003, 1004, 1006, 1007
act relative to the payment of Enos C. Renner, contestant for the seat of Michael Mullin, 1046
petions presented by, 29, 34, 81, 115, 130, 150, 164, 190, 211, 226, 244, 280, 477, 478, 496, 650, 850, 906
bills read in place by, 34, 166, 246, 255, 478, 592, 817, 854, 921

Warren county:
bounty purposes in Sheffield township in, act relative to, 406
reported, 496
passed finally, 574
commissioners of, in, to work prisoners, act to authorize, 780
reported, 851
passed finally, 1044
criminal proceedings in, act to extend provisions of an act to, 123
reported, 152
passed finally, 233

Warren county—*Continued.*
fees of officers and jurymen in, act to repeal an act relative to, 123
reported, 152
passed finally, 233
ferry over the Allegheny river in, act to establish, 191
reported, 227
passed finally, 291
ferry over the Allegheny river in, Kinzua township in, act to establish, 281
reported, 330
passed finally, 411
ferry over the Allegheny river in, act to repeal an act, 406
reported, 426
passed finally, 529
firkins, kegs and tubs, manufacture of, in, supplement to act relative to, 288
reported, 245
passed finally, 358
law library, public in, act to establish, 971
reported, 995
passed finally, 1072
Washington county:
borough of, act relative to, 621
reported, 669
passed finally, 788
Cumberland Presbyterian church of Greenville in, act authorizing sale of real estate, 848
reported, 906
fees of officers in, act relative to, 153
reported, 176
passed finally, 234
ferry over the Monongahela river at California borough in, act to establish, 228
reported, 330
passed finally, 411
ferry over the Monongahela river at the town of Allenport, in, act to establish, 848
reported, 907
passed finally, 1045
jail of, guarding of, act relative to, 727
reported, 804
passed finally, 877
law library in, act to establish, 497
reported, 497
passed finally, 574
recalled from Governor, 697
licenses in, act relative to granting of, passed finally, 235
Wayne county:
auditors in, courts of, to appoint, act authorizing, 906
reported, 906
courts of, judges to appoint special auditors, act authorizing, 854
deer in, act to prevent destruction of, 815
reported, 907
passed finally, 1045
fish in Sterling township of, act for the preservation of, 999
reported, 1039
passed finally, 1073
law library in, act relative to, 406
reported, 484
passed finally, 572
West Branch boom company, act relative to, 31
reported, 115
considered, 116
passed finally, 154
Western Pennsylvania hospital, report of, 122, 247
Weights and measures, in Montgomery county, act to extend to, 131
reported, 152
passed finally, 233
West Buck Mountain coal and iron company, supplement to act to incorporate, 153
reported, 245
passed finally, 338
Welliver, Nancy, relief of, act relative to, passed finally, 167

West Greenville, Mercer county, borough of, to borrow money, act authorizing, 177
reported, 254
passed finally, 369
Western Maryland railroad, payment of tax, &c., act to extend time, 177
reported, 227
passed finally, 291
reconsidered, 333
passed finally, 333
Western association of ladies of Philadelphia, tax on real estate, act to exempt, 253
reported, 554
passed finally, 677
Western transportation company, supplement to act incorporating, 280
reported, 315
passed finally, 319
Weights and measures, act relative to, 316
reported, 331
passed finally, 594
Weights and measures, metric system of, act relative to, 316
reported, 383
passed finally, 595
West Elizabeth, borough of, Allegheny county, to increase tax, act authorizing, 328
reported, 350
passed finally, 411
West creek, in Cambria and Elk counties, a public highway, act to declare, 478
reported, 484
passed finally, 573
Wellsboro and Lawrenceville railroad company, act to incorporate, 704
reported, 755
passed finally, 822
Western Pennsylvania railroad company, act supplementary to act, 727
reported, 755
passed finally, 876
Wenk, Nicholas, courts of quarter sessions in Northumberland county, to grant a license to keep a hotel, 781
reported, 804
passed finally, 807
West Marlboro, in Chester county, act relative to the opening of new roads and bridges, to extend to the township of Sadsbury in said county, 803
reported, 815
passed finally, 878
Wellersburg and West Newton plank road company, act to amend charter of, 803
reported, 815
West Cocalico township, Lancaster county, act relative to sale of school house, 803
reported, 906
passed finally, 1044
West Newton gas company, act to incorporate, 904
reported, 919
passed finally, 1048
West Virginia paper mill company, act to incorporate, 904
reported, 919
passed finally, 1048
Western Pennsylvania military academy, act to incorporate, 905
reported, 958
passed finally, 1049
West Chester and Philadelphia railroad company, further supplement to act incorporating, 918
reported, 996
passed finally, 1074
Welsh turnpike road company, further supplement to act incorporating, 940
reported, 958
passed finally, 1049
Wellersburg and West Newton plank road company, act to amend charter of, 972
Westmoreland county:
fees of jurors and witnesses in, further supplement to act relative to, 95
passed finally, 143
Westmoreland county—*Continued.*
fish, shooting of in spawning time in, act to prevent, 939
reported, 958
hawking and peddling in, act relative to, 281
passed finally, 410
Irvin borough in, act authorizing a special tax in, 328
reported, 359
passed finally, 411
Latrobe, borough of, in, to borrow money, act authorizing, 919
reported, 1039
passed finally, 1074
Wharves or landings in Oil City, Venango county, protection of, supplement to act, 228
reported, 245
Whitmer Run improvement company, in Clearfield county, act to incorporate, 246
reported, 383
passed finally, 528
White Haven, Luzerne county, to borrow money, act authorizing, 332
reported, 350
passed finally, 412
White Deer bridge company, supplement to act incorporating,
reported, 430
passed finally, 530
Wharves or landings, in borough of Venango, county of Venango, protection of owners of, 644
reported, 725
White, Jarvis, will of, act to make valid, 726
reported, 805
passed finally, 1048
Wharf lines in the Delaware and Schuylkill rivers, act authorizing revision of, 778
passed finally, 788
Wilkesbarre and Sugar Notch passenger railroad company, act to incorporate, 18
reported, 131
passed finally, 179
Williams, E. C., chief marshal, inaugural ceremonies, appointment of, 75
Williams, Nancy, relief of, act relative to, 95
reported,
Williamsport, city of, to borrow money, act to authorize, 164
reported, 177
passed finally, 234
Wives and children, deserted by, relief of, act relative to, 246
reported, 254
passed finally, 388
Widows' dower, heir of, upon real estate, act relative to, 246
negatived, 496
Williamsport, city of, special tax to levy and collect, act authorizing, 246
passed finally, 248
Wilkesbarre transportation company, act to incorporate, 255
reported, 430
Wiconisco creek, Dauphin county, a highway, act declaring, 281
reported, 330
passed finally, 411
Williamsport hall and market company, act relative to, 349
reported, 383
passed finally, 528
Wild turkeys, &c., entrapping of, in Blair county, act relative to, 349
reported, 426
passed finally, 530
Wissahickon Township road company, supplement to act, 571
reported, 591
passed finally, 676
Wilkesbarre and Pittston railroad company, supplement to act to incorporate, 571
Williamsport manufacturing company, supplement to act
reported, 669
Williamsport, city of, supplement to act incorporating, 643
reported, 669
passed finally, 698
Wild turkeys and squirrels in Huntingdon county, protection of, act relative to, 704
negatived, 805
passed finally, 877
Wild game and deer, in Lycoming, Clinton, Centre, Cameron, Clearfield, Elk, Potter and M'Kean counties, act relative to, 704
negatived, 805
Winters, Sarah, pension, act to pay, 760
reported, 804
passed finally, 877
Williamsport manufacturing company, supplement to an act relative to,
passed finally, 778
Wilkesbarre and Providence plank road, act to vacate portion of, 803
reported, 815
not agreed to, 878
Wilkesbarre, borough of, to borrow money for cemetery purposes, act authorizing, 807
reported, 814
passed finally, 822
Wilkesbarre law and library association in Luzerne county, supplement to act incorporating, 854
reported, 906
passed finally, 944
Wilkesbarre and Pittston railroad company, supplement to act to incorporate, 864
reported, 907
Willow Bank and Burns' Spring railroad company, act incorporate, 918
reported, 958
passed finally, 1049
Williston Baptist church of Chester county, act authorizing the removal of the dead, 962
reported, 996
passed finally, 1073
Wilkesbarre and Pittston railroad company, further supplement to act incorporating, 962
reported, 996
passed finally, 1075
Wives and children deserted by their husbands and fathers in Dauphin county, act for relief of, 998
reported, 1039
Wives and children deserted by their husbands and fathers within this Commonwealth, act for relief of, 1000
reported, 1039
passed finally, 1074
Woodland street in Philadelphia, to grade, &c., act to authorize, 47
reported, 95
passed finally, 96
Wolle, A. & Co., estate of, trustees, further act relative to, 164
reported, 227
passed finally, 291
Woods, burning of in the counties of Clearfield and Elk, act to prevent, 166
reported, 281
passed finally, 414
Woodpecker or Rising Sun lane in Twenty-first ward of Philadelphia, act to vacate, 348
reported, 406
passed finally, 529
Worth, Hon., Jonathan, Governor of North Carolina, communication from, 623
Wrightsville iron company, act to incorporate, 427
reported, 430
passed finally, 530
Wrightsville, borough of, act to change boundary lines of, 671
reported, 755
passed finally, 822

Writs and executions, original, in Franklin county, act to repeal an act relative to, 726
reported, 804
passed finally, 877
Wrightstown and Newton turnpike road company, act to incorporate, 854
passed finally, 879
Wyoming slate company, act authorizing the issue and creation of preferred stock, 81
reported, 227
passed finally, 291
Wyoming Valley manufacturing company, act to incorporate, 212
reported, 221
passed finally, 291
Wyoming bridge company, act to incorporate, 228
reported, 254
passed finally, 339
Wyoming county, commissioners of, to levy an additional tax, act authorizing, 253
Wyoming bridge company, supplement to act incorporating, 332
reported, 350
passed finally, 412
Wyoming Valley passenger railroad company, act to incorporate, 694
reported, 907
passed finally, 944
Wyoming county:
deer, hunting of, with dogs, in, act relative to, 496
passed finally, 514
fees of justices of peace, commissioners, auditors, constables, &c., in, act relative to 407
reported, 496
passed finally, 573
fish, in Breeches, ponds or lakes, in Overfield township, in, act to prevent destruction of, 704
reported, 805
passed finally, 877
hawkers and peddlers or traveling merchants in, act relative to, 498
reported, 554
passed finally, 760
jails in, act authorizing erection of, 302
passed finally, 410

Y.

Yeas and nays on
resolution relative to Attorney General, 5
resolution relative to election of United States Senator, 7
resolution relative to temporary adjournment, 8, 97, 337
joint resolution to ratify amendment to Constitution, 12, 97
resolution relative to alleged charges of bribery and corruption in election of United States Senator, 31
joint resolution relative to Edgar Cowan, 143
West Branch boom company, 154
assessment of taxes in Philadelphia, 155
joint resolution relative to tariff bill, 191
exclusion of colored persons from railroad cars, 232
change of venue, 283, 881, 917
flour inspectors in Philadelphia, 481
commutation of death punishment in certain cases, 502
act relative to jurisdiction of courts, 559
act relative to associate judge of the several courts in the Twenty-first Judiical district, 572
Yeas and nays on—*Continued.*
act relative to bounties in borough of Dillsburg, county of York, 577
act to incorporate city of Philadelphia, 577
Governor's message, in reference to the probable murder, in Mississippi, of the Zook brothers, 623
protection of farmers in Philadelphia, 655
change of venue in case of Commonwealth verus Louis S. Bower and Sylvester Hoffman, 677
Sunday car question, 680
act relative to the further supplement to the Pennsylvania railroad company, 679
act to annul the marriage contract between William Riley and Martha Willets, 697
act relative to license of eating houses and hotels, 702
act relative to Marine hospital of Pennsylvania, 702
act for protection of seamen in Philadelphia, 730
act to levy a tax on horses kept for pleasure or hire in Philadelphia, 757
act relative to the selection of persons to serve as jurors in the several courts of this Commonwealth, 759
act relative to the protection of sheep in certain counties, 786
act relative to charter of the city of Lancaster, 789
act relative to the Sunday liquor law, 811
act relative to the organization of the militia of the First division in Pennsylvania, 812
supplement to act relative to elections of this Commonwealth, 819
act incorporating the Colebrookdale railroad company, 820
act incorporating the Union Mutual fire insurance company, 856
act relative to the law of evidence in Pennsylvania, 857
act relative to the Erie and Allegheny railroad company, 873
act to incorporate the Masonic Hall association of Reading, Pennsylvania, 909
act to enable police officers to enforce order in licensed houses, 912
act to indemnify certain election officers of this Commonwealth, 912
act to incorporate the Chester Creek railroad company, 912
act relative to the appointment of controllers of the First School district of Philadelphia, 912
an act to repeal an act relative to jurisdiction of courts, &c., 914
act relative to a change of venue from Schuylkill to Lebanon county, 1021
act relative to issuing of licenses in certain boroughs in the counties of Armstrong, Potter, Indiana and Perry, 1076
act to incorporate the Cumberland Valley railroad company, 1077
act relative to the estate of Eliza Howard Burd, 1084
Youngsville, borough of, election of council, &c., act relative to,
passed finally, 124
York Building association, Nos. 2 and 3, acts of, act to legalize, 644
reported, 725
passed finally, 821
Youghiogheny Shaft company, further supplement to act incorporating, 815
reported, 851
passed finally, 1044
York, borough of, drawing of jurors, petition of citizens, 175
York and Chanceford turnpike road company, in York county, act to incorporate, 816
reported, 851
passed finally, 1044
York and Dillsburg railroad company, act to incorporate, 921
passed finally, 921
York county:
auditors of, act to regulate salaries of, 328
reported, 383
passed finally, 406
bounty purposes in Chanceford township in, act relative to, 704
passed finally, 725
reported, 822
bounty tax in Warrington township in, act relative to, 816
reported, 851
passed finally, 1044
bounty tax in Shrewsbury township in, act relative to, 816
reported, 851
passed finally, 1044
bounty tax in West Manheim township in, act relative to levy and collection of, 82
passed finally, 82
bounties in Dillsburg in, to collect, &c., act relative to, 153
reported, 383
considered, 576
passed finally, 577
Children's Home of, report of, 130
Farmers' market of York, Fifth ward of, in, supplement amendatory to, 228
reported, 246
passed finally, 248
Farmers' Mutual fire insurance of Paradise township in, supplement to act to incorporate, 815
reported, 906
passed finally, 1044
Goldsboro', borough of, in, act to enable school directors to borrow money, 253
reported, 303
passed finally, 319
huckstering in, supplement to an act relative to, 407
reported, 497
passed finally, 574
intoxicating drinks in Peach Bottom township in, act to prevent the sale or giving away of on election days, 815
reported, 851
passed finally, 1044
jurors in, act relative to, 82
reported, 131
passed finally, 232
law library in, act to establish, 653
reported, 669
passed finally, 782
notary public in, act authorizing three additional, 407
reported, 496

Z.

Ziegler, William S., of Butler, Butler county, act relative to, 328
reported, 496
passed finally, 573
Zook, Noah H. and Abraham H., probable murder of in Mississippi, message of Governor relative to, 597
joint resolution relative to, 622
considered, 622
passed finally, 623

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HOUSE OF REPRESENTATIVES.

TUESDAY, January 1, 1867.

This, the first Tuesday of January, being the day appointed by the Constitution for the meeting of the General Assembly, the members elect of the House of Representatives assembled in the Hall of the House, and at 12 o'clock, M., were called to order by A. W. BENEDICT, Esq., Clerk of the last House, who said:

GENTLEMEN:—This being the day appointed by the Constitution for the meeting of the General Assembly, and there being a sufficient number of gentlemen present elected members of the House of Representatives to constitute a quorum, this House will come to order.

MEMBERS ELECT.

Hon. Eli Slifer, Secretary of the Commonwealth, being introduced, presented the returns of the last election for members of the House of Representatives.

On motion of Mr. LEE, the returns were read. The names of the members of the House are as follows:

Philadelphia—1st District, George W. Ghegan; 2d. William S. Gregory; 3d. Samuel Josephs; 4th. Wm. W. Watt; 5th. Wm. B. Hood; 6th. James Freeborn; 7th. James Subers; 8th. James N. Kerns; 9th. George A. Quigley; 10th. Elisha W. Davis; 11th. W. J. Donohough; 12th. Alexander Adaire; 13th. Michael Mullin; 14th. W. M. Worrall; 15th. George De Haven; 16th. David Wallace; 17th. Edward G. Lee; 18th. James N. Marks.

Adams—Nicholas Hetzel.

Allegheny—John P. Glass, George Y. M'Kee, R. A. Colville, Samuel Chadwick, Geo. Wilson, W. Peters.

Armstrong—Frank Mechling.

Berks—H. B. Rhoads, Frederick Harner, R. L. Jones.

Bucks—Luther Calvin, F. W. Headman.

Bradford and Sullivan—Geo. W. Kinney, J. H. Webb.

Blair—Samuel M'Camant.

Cambria—John P. Linton.

Carbon and Monroe—Allen Craig.

Centre—Fred. Kurtz.

Clarion and Jefferson—W. P. Jenks.

Clearfield, Elk and Forest—John D. Hunt.

Clinton, Cameron and M'Kean—G. O. Deise.

Chester—N. J. Sharples, W. B. Waddell, N. A. Pennypacker.

Crawford—J. T. Chase, J. Boyd Espy.

Columbia and Montour—Thomas Chalfant.

Cumberland—Philip Long.

Dauphin—J. Seiler, H. B Hoffman.

Delaware—John H. Barton.

Erie—O. S. Woodward, D. B. M'Creary.

Fayette—C. E. Boyle.

Greene—John Phelan.

Huntingdon, Mifflin and Juniata—H. S. Wharton, J. N. Brown.

Indiana and Westmoreland—A. W. Kimmell, W. C. Gordon, T. F. Gallagher.

Lancaster—Jno. M. Stehman, E. D. Roath, A. Armstrong, G. G. Stacey.

Lebanon—J. B. Meily.

Lehigh—J. F. Kline, John H. Fogel.

Lycoming, Union and Snyder—S. C. Wingard, Charles D. Rouch, J. H. Wright.

Luzerne—D. S. Koon, William Brennan, James M'Henry.

Mercer, Lawrence and Butler—J. M'Pherrin, J. A. Leech, W. C. Harbison, H. Pillow.

Montgomery—A. D. Markley, E. Satterthwait.

Northampton—O. H. Meyers, T. D. Barrington.

Northumberland—C. W. Tharp.

Perry and Franklin—G. A. Shuman, F. S. Stumbaugh.

Schuylkill—K. Robinson, P. F. Collins, Philip Breen.

Somerset, Bedford and Fulton—John Weller, J. K. Richards.

Susquehanna and Wyoming—J. T. Cameron, Jacob Kennedy.

Tioga and Potter—W. T. Humphrey, John S. Mann.

Venango and Warren—W. L. Whann, Harrison Allen.

Washington and Beaver—John Ewing, J. R. Day, M. S. Quay.

Wayne and Pike—Lafayette Westbrook.

York—Levi Maish, Stephen G. Boyd.

The roll of members was then called, when all the members answered to their names, except Messrs. CHASE and CALVIN.

SPEAKER OF THE HOUSE.

After the calling of the roll, Mr. KERNS moved that the House do now proceed to elect a Speaker. The motion was agreed to.

The clerks were designated to act as tellers.

Mr. M'KEE. I nominate for Speaker, Col. JNO. P. GLASS, of Allegheny.

Mr. HEADMAN. I nominate for Speaker, A. D. MARKLEY, of Montgomery.

A ballot was then taken, when the following named gentleman voted for JNO. P. GLASS:

Messrs. Adaire, Allen, Armstrong, Barton, Brown, Cameron, Chadwick, Colville, Davis, Day, DeHaven, Donohugh, Espy, Ewing, Freeborn, Gallagher, Ghegan, Gordon, Harbison, Hoffman, Humphrey, Kennedy, Kerns, Kimmell, Kinney, Lee, Leech, M'Camant, M'Creary, M'Kee, M'Pherrin, Mann, Markley, Marks, Mechling, Meily, Pennypacker, Peters, Pillow, Quay, Richards, Roath, Seiler, Sharples, Shuman, Stacey, Stehman, Stumbaugh, Subers, Waddell, Wallace, Watt, Webb, Weller, Whann, Wharton, Wilson, Wingard, Woodward, Worrall and Wright—61.

The following named gentlemen voted for A. D. MARKLEY:

Messrs. Barrington, Boyd, Boyle, Breen, Brennan, Chalfant, Collins, Craig, Deise, Fogel, Glass, Gregory, Harner, Headman, Hetzel, Hood, Hunt, Jenks, Jones, Josephs, Kline, Koon, Kurtz, Linton, Long, M'Henry, Maish, Meyers, Mullin, Phelan, Quigley, Rhoads, Robinson, Rouch, Satterthwait, Tharp and Westbrook—37.

COL. JNO. P. GLASS, having received a majority of the votes cast, was declared duly elected Speaker of the House of Representatives.

The Speaker elect was conducted to the Chair by Messrs. MARKLEY and QUAY.

He then addressed the House as follows:

Gentlemen of the House of Representatives:

I return you my thanks for this assurance of your kindness and confidence. Your partiality has called me to preside over our deliberations, while, as the representatives of the people, we enact into law their wishes and purposes.

We are the representatives not *of* counties, but *from* counties, and of the State. We are the guardians of its interest and treasure—the arbiters of its prosperity and progress. Our people demand of us no doubtful service. We owe them abiding fidelity.

In the performance of our duties, manly courtesy and kindness will secure confidence and good faith.

The business of legislation can only be well and speedily transacted by a firm and persistent attention to, and obedience of those rules, which long experience has proven to be essential to harmonious action and correct results. Strict adherence to the well established rules of parliamentary law, is the only highway to success. I shall try to enforce those rules, as I understand them, but my will to accomplish this will be impotent, unless I have your cordial support. With that I am sure I cannot fail, for my errors you will correct or excuse.

Several years of legislative experience have taught me that we have great mutual interests, although occasional special antagonisms. If true to ourselves and to each other, we cannot be false to the trusts confided to us by an honest constituency.

Measures of great importance to all will demand our consideration. The storm of war is followed by the sunshine of peace. Our victorious legions have returned from the carnage of conflict to the calm comforts of home. The fierce alchemy of strife has made a nation without a slave. The chains of the oppressed no more make liberty blush in our land.

Our work is not yet done. Shall the vanquished traitor, or the victorious patriot, build the new safe-guards which, in the future, will protect the shrine of liberty from the treachery and assaults of the same foe? This question we, the representatives of, and from the victors, must answer!

The friends of American Liberty have submitted to the people the Amendment to the National Constitution. The people have sent us here to adopt that Amendment, and thus declare that traitors must take back seats, while the true friends of national unity and power strengthen the foundations of free in-

stitutions, and set watch and ward on the outer walls.

Pennsylvania was one of the first States to abolish slavery—so will she be firm in her defense of universal liberty. Her people, with the millions of other States, have issued their fiat. Treason must be made odious, and power and patronage cannot corrupt their peoples.

The great and growing interest of our State calls on us to extend our hands to further her true wealth and progress. No narrow sectional or local question should lead us from duty. Our hills, our valleys, our mountains, our productive fields, invite to activity every man and means of progress.—The sinews of iron, and the noise of power, bid us to be up and doing. We should offer inducements to enterprise, that shemay reach out her busy hands and sturdy arms to develop new fields for commerce and manufactures. To do this weneed, and, I doubt not, shall have a general railroad law—that the rattle of the train and the scream of the whistle will startle the echoes of many a silent valley, and pour the treasures of new fields into the marts of trade.

But it is not for me to detail all the important issues likely to be before us.

Let us address ourselves to our tasks like men who cannot be foiled, if will and way can triumph.

I ask your indulgence and support. I will do my duty without partiality or fear. My judgment may err—my purpose shall not. Without your help I may fail. With it I cannot.

I repeat, I thank you for this mark of your favor.

The Speaker having signified his desire that the oath of office should be administered to him by Mr. MARKLEY, that gentleman appeared before the Speaker's desk and administered the following oath:

You do swear by Almighty God, the searcher of all hearts, that you will support the Constitution of the United States, and that as you shall answer to God at the great day.

You do also swear by Almighty God, the searcher of all hearts, that you will support the Constitution of the State of Pennsylvania, and that you will perform the duties of Speaker and member of the House of Representatives with fidelity, and as you shall answer to God at the great day.

The members of the House then presented themselves and were severally sworn or affirmed, after which each signed a copy of the Constitution of the United States and of the State of Pennsylvania.

ELECTION OF CLERK.

Mr. STUMBAUGH. Mr. Speaker, I move that we do now proceed to the nomination and election of a Clerk.

Mr. FREEBORN. I second the motion.

Mr. KURTZ. I nominate, for Clerk, C. T. Alexander, of Centre county.

Mr. M'PHERRIN. I nominate A. W. Benedict.

The House then proceeded to ballot; the following gentlemen voting for A. W. Benedict:

Messrs. Adaire, Allen, Armstrong, Barton, Brown, Cameron, Chadwick, Colville, Davis, Day, DeHaven, Donohugh, Espy, Ewing Freeborn, Gallagher, Ghegan, Gordon, Harbison, Hoffman, Kennedy, Kerns, Kimmell, Kinney, Lee, Leech, M'Camant, M'Creary, M'Kee, M'Pherrin, Mann, Marks, Mechling, Meily, Pennypacker, Peters, Richards, Roath, Seiler, Sharples, Shuman, Stacey, Stehman, Stumbaugh, Suhers, Waddell, Wallace, Watt, Webb, Weller, Whann, Wharton, Wilson, Wingard, Woodward, Worrall, Wright and Glass, *Speaker*—58.

The following named gentlemen voted for C. T. Alexander:

Messrs. Barrington, Boyd, Boyle, Breen, Brennan, Chalfant, Collins, Deise, Fogel, Gregory, Harner, Headman, Hetzel, Hood, Hunt, Jenks, Jones, Josephs, Kline, Koon, Kurtz, Linton, Long, M'Henry, Maish, Markley, Meyers, Mullin, Phelan, Quigley, Rhoads, Robinson, Rouch, Satterthwait, Tharp and Westbrook—36.

Mr. A. W. Benedict, having received a majority of the votes cast, was declared duly elected Clerk of the House for the present session.

Upon the invitation of the SPEAKER, Mr. Benedict presented himself before the Speaker's desk and took the oath of office.

OFFICERS OF THE HOUSE.

Mr. DAVIS offered the following resolution:

Resolved, That the following named persons be declared the officers of the House of Representatives for the present session:

Assistant Clerk—J. R. McAffee.
Postmaster—J. D. Kirkpatrick.
Sergeant-at-Arms—W. J. Ovens.
Doorkeeper—Jas. M'Gown.
Messenger—Jas. M'Canley.

Mr. BOYLE moved to amend by striking out all after the words "assistant clerk" and inserting the following:

"Charles Perrine.
Sergeant-at-Arms—Charles B. Haines.
Doorkeeper—George Wamshur.
Messenger—Michael Maguire.
Postmaster—Michael J. Dougherty."

On the motion to amend,

The yeas and nays were required by Mr. BOYLE and Mr. DAVIS, and were as follow, viz:

YEAS—Messrs. Barrington, Boyd, Boyle, Breen, Brennan, Chalfant, Collins, Deise, Fogel, Gregory, Harner, Headman, Hood, Hunt, Jenks, Jones, Josephs, Kline, Koon, Kurtz, Linton, Long, M'Henry, Maish, Markley, Meyers, Mullin, Phelan, Quigley, Rhoads, Robinson, Satterthwait, Tharp, and Westbrook—35.

NAYS—Messrs. Adaire, Allen, Armstrong, Barton, Brown, Cameron, Chadwick, Colville, Davis, Day, DeHaven, Donohugh, Espy, Ewing, Freeborn, Gallagher, Ghegan, Gordon, Harbison, Hoffman, Humphrey, Kennedy, Kerns, Kimmell, Kinney, Lee, Leech, M'Camant, M'Creary, M'Kee, M'Pherrin, Mann, Marks, Mechling, Meily, Pennypacker, Peters, Richards, Roath, Seiler, Sharples, Shuman, Stacey, Stehman, Stumbaugh, Suhers, Waddell, Wallace, Watt, Webb, Weller, Whann, Wharton, Wilson, Wingard, Woodward, Worrall, Wright and Glass, *Speaker*—53.

So the question was determined in the negative.

The question recurring on the original resolution of Mr. DAVIS, it was adopted.

The officers elect then appeared before the SPEAKER'S desk and were duly qualified.

Mr. HOFFMAN. I desire to offer the following resolution.

The resolution was read by the Clerk as follows:

Resolved, That a committee of three be appointed, to act in conjunction with a similar committee on the part of the Senate (if the Senate shall appoint such a committee), to receive proposals, and contract for the publication of a *Daily Record*.

Mr. MEYERS. I offer the following resolution as an amendment.

Resolution read by the Clerk as follows:

Resolved, That if the Senate concur, that said committee appointed to make said contract, are required to stipulate that the said *Record* shall be laid daily (when the House and Senate are respectively in session) on the desk of each Representative and Senator, and said *Record* to contain *inter alia* the proceedings of such preceding session, not more remote than the third session prior to the day when so laid on the desk, and that no money shall be drawn from the State Treasury for the contract price, or any part thereof, if said stipulation is not complied with.

Mr. MEYERS. It seems to me that that resolution or amendment ought to recommend itself to the consideration of the House. The object of the publication of a *Daily Record* is to furnish the members with a knowledge of the proceedings of this House, in order, I suppose, that they may act intelligently. As it was last session, and as I suppose, for a number of sessions previous thereto, we did not receive the proceedings of the Senate or House, sometimes, for a period of eight or nine days after those proceedings had taken place, and, therefore, it is utterly impossible for members to keep the run of business in the House and the Senate. I think if it is necessary that the State should go to the expense of publishing a daily record of the proceedings of the House and Senate, copies of those proceedings should be at the hands of the members whenever they require them. Now, as it was last session, eight or ten days, and sometimes two weeks would elapse. We would have before us a record, not of the proceedings of a day previous, or two days previous, or three days, but of eight or ten days or two weeks beforehand. That certainly can be of no benefit to the members of the House or the Senate. They can be of no benefit to the people to whom we send our *Record*. Therefore it would be useless to publish it. If it is impossible for the party who makes the contract to furnish our *Record* in that way—to contain the proceedings within three days from the time they occurred, let him get additional force, let him get additional compositors, let him get additional reporters. If the contract price is too low, let it be increased. At the close of the last session there were a large number of the *Records* not published; they came to us without affording to the members a single opportunity to make any correction. Certainly, the members are entitled to make such corrections in the *Record*. Where, by a slip of the pen, where, by a misunderstanding on the part of the reporters, or for any cause, errors creep into the *Record* they ought to be corrected. The members have not an opportunity to revise if the *Records* are not furnished to them. The record of the proceedings at the close of the last session was not furnished until a long time after they had taken place. It is not a question with the contracting party. You are obliged to furnish the *Record* in this way, and if you are to furnish it, you are to be paid for it. You must make your price accordingly. And when the contracting party makes his agreement he ought to be held up to it. Now, in the State of New York, the press publish a vast amount of matter from one day to the other and spread it before the people. And I think it could be done in this House. I think the proceedings could be published so that we might know what they were and act intelligently.

Mr. LEE. I offer the following amendment to the amendment.

The amendment was read by the Clerk, as follows:

"*Provided*, That political speeches shall not be required to be inserted."

Mr. QUIGLEY. I am very sorry this thing has been sprung at this early hour of the session. I am very sorry to see the spirit manifested by my friend from Northampton. I think it is altogether wrong. I have had some experience in

this House. I know how the *Record* has been gotten up. I know why we don't have it on our tables on the day after the proceedings take place. And so does he. So do we all. Why? Because we don't pay the price for it. Now, I have fault to find also. I did not receive my *Records* as soon as I would have liked. I know why it was so. We did not pay the contract price that was wanted. I was on that committee, too. If you get more reporters and pay a larger price you will have what you want, furnished us in New York and Washington and some other cities.

I say this has been sprung too early in the session, and I make this motion, Mr. Speaker, so that these new members may learn something about it. I make a motion that this thing be postponed for the present.

Motion seconded by Mr. ADAIRE.

Mr. MEYERS. I have but one word to say to the gentleman from Philadelphia. I made my remarks without any feeling whatever. The publication of the *Daily Record* is a business matter. And why, in the first place, it was required that the *Record* should be published, I don't know. It has been done for a long time, and I suppose has become a necessary nuisance. If we are to have a publication of the *Record*, when are we to have it? When we want to use it? We want to use the proceedings of the first of March in two or three days thereafter, and not in the middle of the month. The party who contracts to furnish this *Record* to the House and the Senate should do so in the spirit which requires the necessity—that is that we know these proceedings. Now, this is not a political question. It is purely a matter of the transaction of business with advantage to the members, and if it is for the advantage of members it must be for the advantage of constituents, and then it ought to be a good thing. Therefore, I say, inasmuch as the original resolution authorizes the receiving of proposals, that then these proposals ought to be received from such parties as are willing to print a daily record upon these terms and conditions. And when these terms and conditions are spread before the parties who are willing to make the contract, they can make their proposals accordingly. If they cannot deliver the *Record* for the price received heretofore let them make their prices accordingly, and have the *Record* on the table, so we can know what is going on. Very often bills are introduced. We can know nothing of them. They are afterwards taken up out of order, without knowledge of them—merely by recollection of the things that occurred two weeks before—therefore we are unable to act with correct judgment on what has been done by the House or Senate. I think this amendment ought to pass, and for that purpose I call for the ayes and noes.

Mr. QUIGLEY. I make my motion to save time. I never knew a motion of that kind to be made so early in the session. We have in the House one hundred members, and out of this hundred there is one-half new members. If any man has a right to find fault I have. I have known the difficulty of this thing. But I have never known a motion of this kind made so early in the meeting of the Legislature, in my life. We have to receive a message from the Governor. It will take half an hour at least to read it. Therefore I wish to postpone this thing and let the new members know what the old members know, and then appoint a committee and do what you please.

Now, I am teetotally opposed to the man who has this *Record*. I am a Democrat and he is as black as the Ace of Spades. But I say this, there is no man can do it for the price he gets, and put it on the desk every morning. I make a motion to postpone for the purpose of saving time, and letting us get through with the organization of the House. Two or three weeks hereafter will be time enough.

Mr. DAVIS. I trust the House will go on and perfect its organization. I am of the opinion that this debate was sprung on the House, and to say the least of it, probably out of order. We have just, by resolution, elected the officers of the House. We have not sworn them in. The assertion of the gentleman from Philadelphia that he never knew a resolution of this kind to be offered on the first day of the session before, is entirely taken for granted by himself; because the proceedings of the last session show that it was offered on the first day. The gentleman was merely carrying out the principle of the last session, when he offered the resolution. I believe he was a little ahead of time. He should have waited until the officers were swora in, and then his resolution was proper and in order. The hour is late and it is time to adjourn. So far as I am concerned, I don't think there is any hesitation on this side of the House in letting this question go over until to-morrow. I believe we can print a *Record* as cheaply and intelligibly and acceptably in our party as in theirs. But I believe this matter ought to be postponed. I believe it is out of order. I believe the officers just elected ought to be sworn in and the organization of the House perfected.

Mr. MEYERS. I consent that this matter be postponed for the present.

The question on the postponement for the present was put by the SPEAKER and agreed to.

Mr. DAVIS. I offer the following resolution:

Resolved, That C. W. Walker be hereby appointed an additional Transcribing Clerk.

The resolution was agreed to.

The SPEAKER. The Clerk announces that he has appointed the following gentlemen as Transcribing Clerks:

A. D. Harlan, W. R. Johnson, W. R. Brockway, Jas. Metcalf and W. C. Illyus.

The Postmaster informs the Chair that he has appointed as his assistant, Jas. Penrose.

The Doorkeeper informs the Chair that he has appointed the following named gentlemen as his assistants: John Mechling, Jas. R. Horton, Thos. Martin, John Mitchell, James Shegan and Lyman Hagre.

The Sergeant-at-Arms informs the Speaker that he has appointed as assistants, George Strain, Geo. W. Kean, J. R. Orwig and J. D. V. Hazzard.

The messenger informs the Chair that he has made the following appointments:

Samuel Crawford, W. A. Rupert, John F. Keagy and George DeHaven, Jr.

The above named gentlemen were then duly sworn into office.

Mr. PENNYPACKER. Mr. Speaker, I offer the following resolution:

WHEREAS, The Constitution of the Commonwealth of Pennsylvania requires the Governor elect to enter upon the duties of his office on the third Tuesday of January next ensuing the election; therefore,

Resolved, That the Inaugural ceremonies of the Governor elect take place at 12 o'clock, M., on Tuesday, the 15th inst., on the south portico of the Capitol, should the weather be gove favorable; otherwise, in the Hall of the House of Representatives.

Resolved, That a committee of seven be appointed to act in conjunction with a similar committee of the Senate (should the Senate appoint such a committee) to make the necessary inaugural arrangements, and wait upon the Governor and the Governor elect, and accompany them to the Capitol, on the 15th instant, as a merited act of courtesy to the Governor, and for the purpose of having the oath of office administered to the Governor elect.

The resolution was read a second time and agreed to:

The SPEAKER appointed the following committee:

Messrs. PENNYPACKER, HOFFMAN, ALLEN, KERNS, CALVIN, QUIGLEY and WHARTON.

Mr. M'CREARY. I offer the following resolution:

Resolved, That a committee of two members be appointed to inform the Senate that the House of Representatives is organized and ready to proceed to business.

The resolution was agreed to.

The Speaker appointed Messrs. M'CREARY and MEYERS, the committee.

Mr. M'KEE. Mr. Speaker, I offer the following:

Resolved, That the sessions of this House commence at 11 o'clock, A. M., and end at 1 o'clock, P. M., until otherwise ordered. The resolution was agreed to.

Mr. JOSEPHS. Mr. Speaker, I offer the following:

Resolved, That the Clerk be authorized to furnish one copy of *Purdon's Digest*, with appendix bound in, and one *Ziegler's Manual*, for each member, Clerk and Committee Room.

The resolution, as amended by Messrs. M'CREARY and QUIGLEY, was then agreed to.

Mr. SHARPLES. Mr. Speaker, I offer the following:

Resolved, if the Senate concur, That a committee of three members of the Senate and House be appointed to inform His Excellency, the Governor, that the General Assembly is organized and ready to receive any communication he may have to make.

The resolution was agreed to and the Speaker appointed Messrs. SHARPLES, MARKLEY and STUMBAUGH the committee.

Mr. LEE. Mr. Speaker, I offer the following:

Resolved, That the rules of the last House of Representatives be adopted as the rules of this body until otherwise ordered.

Mr. BOYLE offered an amendment upon which some discussion arose, pending which, on motion of

Mr. DAVIS, the House adjourned to meet to-morrow morning at 11 o'clock.

SENATE.

TUESDAY, January 1, 1867.

This being the day appointed by the Constitution for the meeting of the General Assembly of Pennsylvania, the members of the Senate assembled in their Chamber, and at three o'clock, P. M., were called to order by the Speaker, Hon. L. W. HALL, of Blair county, who announced a quorum of Senators present.

The Secretary of the Commonwealth being introduced, presented the returns of the last election of members of the Senate of Pennsylvania.

The returns were read by the Clerk as follows.

Districts.

1st. Philadelphia—W. H. M'Candless.

8th. Berks—J. D. Davis.

10th. Carbon, Monroe, Pike and Wayne—Charleton Burnett.

15th. Northumberland, Montour, Columbia and Sullivan—Geo. D. Jackson.

16th. Dauphin and Lebanon—G. Dawson Coleman.

17th. Lancaster—J. W. Fisher, E. Billingfelt.

20th. Somerset, Bedford and Fulton—Alex. Stutzman.

24th. Westmoreland, Fayette and Greene—Thomas B. Searight.

26th. Washington and Beaver—A. W. Taylor.

28th. Mercer, Venango and Warren—J. C. Brown.

Mr. SCHALL offered a paper to the Chair, signed by Messrs. BURNETT, DAVIS, JACKSON, MCCANDLESS and SEARIGHT, the reception of which was objected to by

Mr. CONNELL on the ground that the Senators who had signed it had not yet been qualified as members of the Senate.

And on the question, Shall the paper be rejected?

Mr. LOWRY raised a question of order, as to the right of Senators signing the paper to vote.

The SPEAKER sustained the objection, and directed the Clerk to omit their names in calling the yeas and nays.

And the question recurring, Shall the paper be rejected?

Mr. BIGHAM. There is a rule that a Senator shall not vote on a question in which he is personally interested.

On the motion of Mr. CONNELL that the paper be not received,

The yeas and nays were required by Mr. DONOVAN and Mr. WALLACE, and were as follow, viz:

YEAS—Messrs. Bigham, Billingfelt, Brown (Mercer), Coleman, Connell, Cowles, Fisher, Graham, Haines, Landon, Lowry, M'Conaughy Ridgway, Shoemaker, Stutzman, Taylor, White, Worthington and Hall, *Speaker*—19.

NAYS—Messrs. Donovan, Glatz, James, Randall, Schall, Wallace and Walls—7.

So the question was determined in the affirmative.

The SPEAKER then administered the oath of office to the newly elected Senators.

The roll was then called, and the following Senators answered to their names:

Messrs. M'Candless, Ridgway, Donovan, Connell, Worthington, James, Schall, Davis, Randall, Burnett, Landon, Shoemaker, Cowles, Walls, Jackson, Coleman, Billingfelt, Fisher, Glatz, M'Conaughy, Stutzman, Hall, Haines, White, Wallace, Searight, Graham, Bigham, Taylor, Brown and Lowry.

Absent—Messrs. Browne, of Lawrence, and Royer, of Montgomery.

Mr. BIGHAM announced that the Senator from Lawrence, Mr. BROWNE, was necessarily absent attending the death of a near relative.

Mr. CONNELL moved that the Senate proceed to ballot for Speaker, and that the Clerks act as tellers.

The motion was adopted, and the roll called, with the following result:

Messrs. Bigham, Billingfelt, Brown (Mercer), Coleman, Connell, Cowles, Fisher, Graham, Haines, Landon, Lowry, M'Conaughy, Ridgway, Schall, Shoemaker, Stutzman, Taylor, White and Worthington—19, voted for HON. L. W. HALL.

Messrs. Burnett, Davis, Donovan, Glatz, Jackson, James, M'Candless, Randall, Schall, Searight, Wallace, Walls and Hall—12, voted for GEORGE B. SCHALL.

LOUIS W. HALL having received a majority of the votes cast, was declared by the Clerk duly elected Speaker of the Senate.

The SPEAKER then addressed the Senate as follows:

SENATORS:—Time honored custom would seem to demand a brief expression of the feelings which animate me, in entering upon my duties as your presiding officer. Whilst the honor you have conferred, affects me sensibly, I cannot felicitate myself upon its attainment, unless I prove equal to the discharge of its functions. I shall consider myself fortunate, if I shall be enabled so to preside as to maintain the dignity of this body, by a strict and impartial observance of parliamentary rules, whilst every Senator is treated with a proper degree of deference and respect. The Senate of the ancient Roman Commonwealth was looked upon with reverential awe. It was not that forced deference which is paid to imperial power. It was due to the virtues, the services, and the illustrious lives of the Senators themselves; to the noble sentiments they enunciated, the wise laws they enacted, and the gravity and dignity which presided over their deliberations. Our State is modeled, to a great extent, after the ancient Republics. Well may we strive to imitate the Roman Senate in the Halcyon days of the Republic, and to emulate its members in the austerity of their morals, the purity of their patriotism and the loftiness of their aspirations. By candor and moderation in council, by a firm adherence to our convictions of truth and right, by the utter exclusion of paltry personalities and partisan rancor, by having an eye single to the welfare of our Commonwealth and of the nation, we may hope to attain to the true ideal of a Republican Senate.

Men may well differ in opinion—differ honestly. The time has passed, long passed, and passed no doubt forever, when good men proscribed men equally good, because they differed in opinion. Good men may well be in earnest. Life is no pastime. Since unquestionably it is an earnest and solemn thing to die, it is an earnest and solemn thing to live. The world SHOULD be growing wiser every day. We have the light of experience streaming down from remote antiquity over fallen States and Empires, to guide us in the way of national safety. The session upon which we have just entered, imposes upon us new duties and new responsibilities, to which we should all be found faithful. Our State is one of a great family of States. But whilst its interests are identified with those of the Federal Union, and whilst we as Senators cannot be indifferent to the great problems, arising from the attitude of the States lately in rebellion, nothing should be wanting, on our part, to promote the development of the internal resources and mineral wealth of our entire Commonwealth.

Happily, the rebellion with its terrible slaughters, sufferings and desolation, is past. There remains to us the present and the future, and the duty to read the lessons of the past aright, and to apply the truth taught aright, so that our national life shall come out of the peril which has environed it, so strengthened, guarded and shielded, as to make its future perpetually secure.

"New occasions teach new duties,
Time makes ancient good uncouth,
They must upward still and onward,
Who would keep abreast of truth.
Lo! Before us gleam her camp-fires!
We, ourselves must pilgrims be,
Launch our May-Flower, and steer boldly
Through the desperate winter sea,
Nor attempt the future's portal, with
The Past's blood rusted Key."

The rebellion has been very far from showing that a Republican form of Government is a failure, or indeed that it has any inherent or essential element of weakness. On the contrary, it has conclusively demonstrated its great strength and durability. Our weakness lay in this, that our Government was not really Republican. Our strength in the future will be in the fact that we will have a Government truly republican.

Liberty has survived, and come out purified from the shock of arms.

"Liberty's vitality, like truth,
Is still undying. Like the sacred fire
Nature has shrined in caverns, still it burns
Though the storm howls without."

All men are to be henceforth equal before the law, and this an equality, not in name alone, but in fact. The mighty arm of the Republic will be stretched forth to protect from oppression and wrong the weakest and most humble citizen.

In our legislation, affecting the vast interests of a Commonwealth of three millions of people, may we all be enlightened to a faithful and conscientious discharge of our whole duty.

Be pleased to designate a Senator to administer to me the official obligation I am required to take.

SEVERAL SENATORS. Let the SPEAKER name the Senator.

The SPEAKER. Will the Senator from Lehigh administer the necessary oath to the SPEAKER?

Mr. SCHALL then appeared in front of the SPEAKER'S chair and administered the following oath to the SPEAKER elect:

You do swear by Almighty God, the searcher of all hearts, that you will support the Constitution of the United States, and that as you shall answer to God at the great day.

You do also swear by Almighty God, the searcher of all hearts, that you will support the Constitution of the State of Pennsylvania, and that you will perform the duties of Speaker and member of the Senate with fidelity, and as you shall answer to God at the great day.

Mr. CONNELL moved that the Senate proceed to ballot for a Chief Clerk.

The motion was adopted, and the roll called with the following result:

Messrs. Bigham, Billingfelt, Brown (Mercer), Coleman, Connell, Cowles, Fisher, Graham, Haines, Landon, Lowry, M'Conaughy, Ridgway, Shoemaker, Stutzman, Taylor, White, Worthington and Hall, *Speaker*—19, voted George W. Hamersly.

George W. Hamersly having received all the votes cast was declared duly elected Clerk of the Senate, and the oath of office was administered to him by the SPEAKER.

Mr. CONNELL offered the following resolution:

Resolved, That the following named persons be and are hereby appointed officers of the Senate for the present session:

Assistant Clerks—Lucius Rogers, Col. Fred. L. Hitchcock.

Transcribing Clerks—Henry W. Kratz, James C. Graham, Michael Reily, William E. Browne, Joel L. Bigham.

Sergeant-at-Arms—Major W. M. Hinkson.

Assistant Sergeants-at-Arms—Col. Thomas Crawford, John Loudon.

Doorkeeper—M. Edgar King.

Assistant Doorkeepers—John Burns, John Twiss, Capt. A. Gottshall, Ethel Fuller, John C. Sturtevant, William A. Wylie, Albert B. Taylor, Horatio P. Connell.

Messenger—Robert Sharp.

Assistant Messenger—Andrew Shields.

Librarian—Jacob Styers.

Assistant Librarians—Charles Williams, Fred. H. Braggins.

Doorkeeper of Rotunda—Benjamin Haldeman.

Mr. RANDALL moved to amend the same by striking out all after the word "session," and inserting in lieu thereof the following:

Assistant Clerks—William A. Gallagher, Frank M'Gee.

Sergeant-at-Arms—James Sherry.

Assistant Sergeant-at-Arms—W. W. Williams, Jas. Cady.

Transcribing Clerks—Richard Kuhn, A. W. Walters, Thomas Hannah, E. J. Small, P. Shoemaker.

Doorkeeper—David Buck.

Assistant Doorkeepers—Wm. Ginkinger, Hiram Bixler, W. Lindemuth.

Messenger—Geo. W. Long.

Assistant Messenger—John Cox.

Librarian—Jacob Styers.

On the question, Will the Senate agree to the amendment?

The yeas and nays were required by Mr. DONOVAN and Mr. RANDALL, and were as follow, viz:

YEAS—Messrs. Burnett, Davis, Donovan, Glatz, Jackson, James, M'Candless, Randall, Schall, Searight, Wallace and Walls—12.

NAYS—Messrs. Bigham, Billingfelt, Brown (Mercer), Connell, Cowles, Fisher, Graham, Haines, Landon, Lowry, M'Conaughy, Ridgway, Shoemaker, Stutzman, Taylor, White, Worthington and Hall, *Speaker*—18.

So the question was determined in the negative.

The resolution of Mr. CONNELL was then adopted.

The requisite oaths of office were then administered by the SPEAKER to the officers elect.

RESOLUTIONS.

Mr. WALLACE offered the following resolution:

Resolved (if the House of Representatives concur), That the rules of the last session for the government of the two Houses be adopted for their government at the present session.

The resolution was adopted.

Mr. JAMES offered the following resolution:

Resolved, That the rules of the Senate, adopted at the session of 1866, be and they are hereby adopted for the government of the Senate at the present session, until otherwise ordered.

The resolution was adopted.

Mr. WHITE offered the following resolution:

Resolved, That the Speaker of the Senate be and he is hereby requested to invite the clergymen of Harrisburg to alternately visit the Senate, and open its sessions with prayer.

The resolution was adopted.

MESSAGE FROM THE HOUSE.

The Clerk of the House of Representatives being introduced, presented the following extract from the Journal of the House; which was read as follows:

In the House of Representatives, January 1, 1867.

Resolved, That a committee of two members be appointed to inform the Senate that the House of Representatives is organized and ready to proceed to business; and

Ordered, That Messrs. M'CREARY and MEYERS be said committee.

Resolved, That (if the Senate concur) a committee of three members of the Senate and House be appointed to inform His Excellency the Governor that the General Assembly is organized and ready to receive any communications he may have to make.

Ordered, That Messrs. SHARPLES, MARKLEY and STUMBAUGH be the committee on the part of the House.

On motion of Mr. LOWRY, the last resolution was read a second time and agreed to, and Messrs. WHITE, BIGHAM and WALLACE were appointed the committee on the part of the Senate.

RESOLUTIONS.

Mr. LOWRY offered the following resolution:

Resolved, That a committee of two members of the Senate be appointed to inform the House of Representatives that the Senate is now organized and ready to proceed to business.

The resolution was adopted, and Messrs. LOWRY and SCHALL appointed as the committee.

Mr. CONNELL offered the following resolution:

Resolved, That (if the House of Representatives concur) the Governor be requested to return to the Senate bill No. 472, entitled A supplement to an act relative to the sale and conveyance of real estate, passed April 18, 1853.

The resolution was adopted.

Mr. BIGHAM offered the following resolution:

WHEREAS, It is understood that the Hon. Wm. M. Meredith, Attorney General of the State, at the annual session of 1864, had prepared an elaborate legal opinion on the questions involved in the proper organization of the Senate, and of the duty of the Executive in regard thereto;

And whereas, The same has never been made public; therefore, be it

Resolved by the Senate, That the Attorney General be requested to communicate a copy of said opinion, in order that the same may be printed and preserved in the archives of the Senate for future reference.

On the question, Will the Senate agree to the same?

The yeas and nays were required by Mr. GLATZ and Mr. WALLACE, and were as follow, viz:

YEAS — Messrs. Bigham, Billingfelt, Brown (Mercer), Connell, Cowles, Fisher, Graham, Haines, Landon, M'Conaughy, Shoemaker, Stutzman, Taylor, White, Worthington and Hall, *Speaker*—16.

NAYS.—Messrs. Burnett, Davis, Donovan, Glatz, Jackson, James, Lowry, M'Candless, Randall, Schall, Searight, Wallace and Walls—13.

So the question was determined in the affirmative.

MESSAGE FROM THE HOUSE.

The Clerk of the House of Representatives being introduced, presented an extract from the Journal of the House; which was read as follows:

In the House of Representatives, January 1st, 1867.

WHEREAS, the Constitution of the Commonwealth of Pennsylvania requires the Governor elect to enter upon the duties of his office on the third Tuesday of January next, ensuing the election; therefore,

Resolved, That the inaugural ceremonies of the Governor elect take place at 12 o'clock, M., on Tuesday, the 15th inst., on the south portico of the Capitol, should the weather prove favorable, otherwise in the Hall of the House of Representatives.

Resolved, That a committee of seven be appointed to act in conjunction with a similar committee of the Senate, should the Senate appoint such committee, to make the necessary inaugural arrangements, and wait upon the Governor and Governor elect and conduct them to the capitol on the 15th inst., as a merited act of courtesy to the Governor, and for the purpose of having the oath of office administered to the Governor elect.

Ordered, That Messrs. PENNYPACKER, HOFFMAN, ALLEN, QUIGLEY, KERNS, WHARTON and CALVIN be the committee on the part of the House.

Said resolutions were concurred in by the Senate, and Messrs. HAINES, FISHER, COWLES, M'CANDLESS, GRAHAM, GLATZ and RIDGWAY were appointed the committee on the part of the Senate.

HOUR OF MEETING.

Mr. SHOEMAKER offered the following resolution:

Resolved, That when the Senate adjourn it will adjourn to meet to-morrow morning at 11 o'clock, and that 11 o'clock, A. M., be the hour of meeting, and 1 o'clock, P. M., the hour of adjourning until otherwise ordered, except on Mondays and Saturdays, and that the Senate will meet at seven o'clock, P. M.

Mr. FISHER. Mr. Speaker, I would suggest that 8 o'clock be the time for meeting on Monday evening.

Mr. CONNELL. The 8 o'clock meetings, generally, amount to nothing. I move to amend by making it 7½ o'clock.

The amendment was agreed to.

The resolution, as amended, was adopted.

Mr. WHITE offered the following resolution:

Resolved, That the Clerk of the Senate be and is hereby instructed to furnish each member of the Senate, and also the chief and assistant clerks, with a copy of *Purdon's Digest* and the *Legislative Manual* of the latest edition.

The resolution was adopted.

Mr. CONNELL offered the following resolution:

Resolved, That a committee of three be appointed from the Senate, to act in conjunction with a similar committee on the part of the House (if the House shall appoint such a committee), to receive the proposals and contract for the publication of a *Daily Record*.

The resolution was agreed to, and Messrs. CONNELL, BROWN (of Mercer county) and GLATZ were appointed on the part of the Senate.

ELECTION OF UNITED STATES SENATOR.

Mr. LOWRY. Mr. Speaker, legal men in this body disagree as to the time of the election of United States Senator, and I think it is a subject of such great importance that I would draw the attention of the Senate to it, and would like to hear from the Senator from Clearfield [Mr. WALLACE] on the subject.

Mr. WALLACE. I do not know why I should be called upon to give my opinion in regard to a subject of this kind, unless it is because I differ with some on the floor of the Senate. I am by no means confident I am right, yet men have opinions. My view in regard to this subject is that, as the act of Congress fixes "the second Tuesday after the meeting and organization" for the election of United States Senator, that the day of such meeting and organization is included as one of the two, and that the election must be on next Tuesday. Whether I am right or not, I do not presume to decide. I understand the law to be well settled that, in the computation of time the day, on which an act is to be done is included.

In Pierpoint vs. Graham, 4 W. C. C. Rep., 240, Judge Washington sums up the authorities thus: "When the computation of time is to be made from *an act done* the day on which the act is performed is included, because the act is the *terminus a quo* the computation is to be made; and there being in law no fraction of a day the terminus is considered as commencing at the first moment of that day."

In Arnold vs. U. S., 9th Cranch, 104, in which the question was upon the date of a statute, Judge Story says, "It is a general rule that where the computation is to be made from *an act done* the day on which the act is done is to be included."

Both these cases are decisions in the United States Courts.

In our own courts the same rule is held; for in the case of Thomas vs. Afflick, 4th Harris, 14, a *per curiam* opinion emphatically re-asserts this doctrine. So, too, in the Common Pleas of Philadelphia, Judge Allison, in 2d Philadelphia Reports, 370, rules that the day on which a judgment is entered is to be included in computing the time for taking an appeal.

These cases are simply a renunciation of the rule of the common law, and upon them I ventured to express the doubt I entertained upon the subject, to the Senator from Erie [Mr. LOWRY] in a private conversation this

morning, not dreaming that he would thus call me out.

Under this act of Congress, the act to be done is the meeting and organization of the Legislature. If that be done on the first Tuesday of January, then it seems to me that it is clear that that day is to be included and not excluded; and if it be included, the second Tuesday falls upon the 8th day of January and not upon the 15th.

Mr. CONNELL. In order to have the opinion of men competent to decide on the question, I offer the following resolution:

Resolved, That a select committee of five members of the Senate, to act in conjunction with a similar committee of the House of Representatives (if the House of Representatives shall appoint such committee), be appointed to report to the Legislature their opinion as to the day on which the election of United States Senator shall take place.

Mr. BIGHAM. Mr. Speaker, I think it is quite preposterous to settle a question of this kind in the way proposed. In all probability we adjourn to-morrow to meet again next Monday evening, at half-past seven. The most you can do to-day is to appoint your committee, and then you meet within a few hours of the time when this act is to be done. When the matter was first mentioned by the Senator from Erie [Mr. LOWRY], or the Senator from Indiana [Mr. WHITE] had some books open before him. I took it for granted that he would say something, but he did not. I, therefore, take the privilege of saying that this question has been examined by a higher authority than any proposed in this way. The attention of the Attorney General of the State has been called to this matter. Although I do not know that he has given a written opinion, or what his opinion is, and I have more deference for his opinion than I have for that of any committee that can be appointed by this Legislature. I have also some deference for the act of Congress. But there is not one of those cases that turns on a statue worded as this is. The Senator from Clearfield [Mr. WALLACE] was exceedingly guarded in his remarks. He did not pretend to say that his own mind was made up on this question. These decisions which he has quoted were in reference to civil rights—in reference to something of that kind—but not in a matter of as much importance as this, in which three or four millions of the people are interested, and in which there are not ten men in the Commonwealth, I will venture to assert, that have, until within the last day or two, supposed that any other but to-day two weeks was the time for this election. The time is too short; the questions too important. It has been investigated by the Attorney General and he has decided the fifteenth to be the day. I do not think that any person seriously intends at this time to undertake to change the settled opinion of the whole mass of the people on any such subject as this. It may be creditable to us as lawyers, but we are not construing a statute for sharp practice. It is a matter of great interest to the people of the whole State.

Mr. CONNELL. I confess I am in doubt about the construction of this act myself. I think a committee of legal gentlemen of this and the other branch could give us light. I really do not think it is so preposterous. I find other gentlemen in doubt as well as myself.

Mr. LOWRY. I do not think there is a disposition from any quarter to introduce sharp practice. Now, the Senator from Clearfield [Mr. WALLACE] has given his opinion that a week from to-day will be the day appointed by Congress for the lawful election of United States Senator. I have been taught to believe that the Senator from Clearfield was a very sound lawyer, hardly ever wrong. The Senator from Allegheny [Mr. BIGHAM] thinks it is a preposterous opinion; and what are Senators who are not lawyers to do when such eminent doctors differ? I hope the Senator from Allegheny will be on the committee, and that his legal opinion may be consulted. I want to vote for United States Senator on the day fixed by Congress, and I want to know what that day is. I believe it to be the 15th—the second Tuesday after the organization of the Legislature. I think the 15th is the second Tuesday; we don't have any "first" Tuesday at all. The Senator from Allegheny is no more anxious to prevent sharp practice than I am; but this question has been raised, and I do not know how we can arrive at a decision. The Attorney General is not in town. If he was, we could call upon him for his opinion, but I understand that he is not to be here. I think the resolution a proper one.

Mr. LANDON. Mr. Speaker, the Senate of Pennsylvania is supposed, throughout the Commonwealth, to be a very intelligent body of men. We have been to the common schools, and have a knowledge of the English language, and know the days of the week. The Congress passes an act regulating the time for the election of Senetor, stating that we should elect a Senator on the second Tuesday after our meeting and organization. Now, sir, every man who voted for any of us read that enactment in the common prints, and immediately began to calculate on what day the election for United States Senator will take place. My word, sir, that not five men fixed that day on any other than the 15th of the month. The Legislature meets on the first Tuesday; a United States Senator is to be elected on the second Tuesday after the organization. The first Tuesday after the organization will be the 8th—the second, the 15th. Now, sir, I do not like to say that there is any doubt about the common intelligence of the Senate; I do not wish to say that I am in doubt about my own common sense, but I believe the object of Congress was to convey the idea that the second Tuesday after the organization is the day for the election.

Mr. WHITE. Mr. Speaker, one word on this subject. I have great deference and regard for the opinions of every lawyer in this body, and of course every Senator is responsible to himself for his conduct. I have usually a very high regard for the opinion of the Senator from Clearfield [Mr. WALLACE], but it appears to me that he is entirely in error in attempting to apply to this the legal practice he is attempting. I agree entirely with my distinguished friend from Bradford [Mr. LANDON], in the common sense view which he takes on this subject, and in concurring with him I know that I properly represent the sentiments of my constituents upon this subject. They elected representatives to come here and elect a United States Senator upon the second Tuesday after the organization of the Legislature. They accepted that to be the 15th day of the month. Every paper in the Commonwealth which has written or published articles on this subject has so supposed, and that has settled down to be the common conviction of every man, and it is surprising that some Senators here have doubts on the question. The passage of the resolution on your table, sir, is an imputation on our judgment. I would call the attention of the Senator from Clearfield [Mr. WALLACE] to the rule recognized in our courts in the computation of time. It is ruled in Pennsylvania that where a time is prescribed in which an act is to be done, and the computation is to be made *from the act done*, then the day on which the act is done is to be included. But when the computation is to be made from the day itself, then the day on which the act was done must be excluded. I read from the syllabus of the case of Hampton vs. Brenzeller, 1 Br., 18: "The rule is, that when the computation is to be made from *an act done*, the day on which the act was done must be included; but when the computation is to be from the day itself, then the day on which the act is done must be excluded."

Now, how is this matter? The act of Congress is our guide here; common sense should give us an interpretation of it. The act of Congress says:

"That the legislature of each State which shall be chosen next preceding the expiration of the time for which any Senator was elected to represent said State in Congress, shall, on the second Tuesday after the *meeting and organization* thereof, proceed to elect a Senator in Congress, in place of such Senator so going out of office."

Now, what was the intention of Congress in passing the act in question? Why, it was to commence to compute the time after the day on which the organization was completed, and that is to-day, sir; and it is well known by every lawyer in this body that there is no fraction of a day in law. I trust that the Senate will not press this question in this shape; I trust it will not be admitted here, to insult what has been accepted as the common sense and common understanding of the people of the Commonwealth.

Mr. Speaker, the question involved is purely a question of legal construction, and it is in that view that I propose to consider it. The words of the act of Congress, designating a time for the election of a United States Senator, are as follows:

Be it enacted, &c., That the Legislature of each State which shall be chosen next preceding the expiration of the time for which any Senator was elected to represent said State in Congress shall, on *the second Tuesday* after the meeting and organization thereof, proceed to elect a Senator in Congress.

In the construction of this language the first and important question is, are you to include this day, the day of the meeting and organization of the State Legislature, in the count? To the test of this inquiry we must call in the legal rules of construction. Now, sir, it is well settled by the courts of this Commonwealth, that where in construing a statute the computation of time is to be made *from an act done*, the day on which the act is done is to be included. Apply this rule; and as the Constitution of Pennsylvania requires that the State Legislature meet on the first Tuesday of January, and as we have to-day not only met, but organized, this day must be included in the computing of the time, and being so included, "the second Tuesday" must be the eighth day of the month of January, 1867.

Turning to the decisions of our own Supreme Court, we find the case of Goswiler's appeal, reported in 3d Pennsylvania Reports, 200, where the court ruled that the day on which the act is done is to be *excluded*. Had this decision stood, the construction of the act of Congress, in the light of it, would have excluded this day, and the time for the election would be the fifteenth instant. But our Supreme Court, in the case of Thomas vs. Afflick, reported in 4th Harris Reports, 15, overruled their former decision in Goswiler's appeal, saying that it had not been well considered, and that the rule of the common law was well settled that in the computation of time to be reckoned from an act done, the day on which the act is done is *included*, and that decision stands to-day as the law of the State, and has been re-affirmed in other subsequent cases. Had the language of the

act been "the second Tuesday after the day of the meeting and organization thereof," I admit that the construction contended for by the Senator from Indiana would prevail. Now, then, another rule of construction would apply—one, also, well settled—and that is, that where, by the language of the statutes, the time fixed is to date from the day of the act done, then that day is to be excluded in the enumeration. In the case of Small vs. Lake, found in second Philadelphia Reports, 85, Judge Thompson, in construing the act requiring an appeal from an award of arbitrators to be entered, written twenty days after the day of the entry of the award on the docket, thus laid down the law:

"By the terms of the act, the twenty days do not commence to run until after the day on which the award is docketed. The common law rule of including the first day and excluding the last, does not apply to this case, as by the terms of the statute, the day of filing the award cannot be counted."

The decisions in this State have followed the current of the English decisions on the question in issue.

The Senator from Allegheny [Mr. BIGHAM] has characterized this view as an innovation, and as setting at defiance a question long and fully settled. I beg to differ with that Senator, and to regard this as a question of the first impression. The act to be construed was passed by Congress on the 25th day of July, 1866; and this is the first occasion that has arisen for its construction and application. It is, therefore, exceedingly important that a true and certainly correct construction be established. If the Senator from Allegheny and the Senator from Indiana [Mr. WHITE] have such entire confidence in their view, they need have no hesitation in submitting it to the committee proposed to be appointed, and there demonstrating it to their entire conviction.

As this is a question arising upon a United States statute, we turn to the decisions of the United States Supreme Court upon this rule of construction, and we find them to affirm the rule established by our own State courts. In the case of Arnold and others vs. the United States, reported in nine Cranch Reports, 104, in which the opinion was delivered by Judge Story, it is ruled that where the computation is to be made from an act done, the day on which the act is done is to be included.

I may be wrong, sir, but in my judgment it is clear that the day fixed by act of Congress is Tuesday, the eight of January, inst.

Mr. BIGHAM. Mr. Speaker, there are other reasons, entirely outside of this, which illustrate the folly of attempting to give a different construction than the one I have indicated. Had the act of Congress simply stated "after the meeting of the Legislature," and taking the fact that we met to-day, you might attempt to construe it differently, and raise some of these questions of sharp practice. But it expressly states "after the meeting and organization." What is the evidence of the fact of organization? The House of Representatives met and adjourned before the Senate, therefore it is impossible that that branch was informed that the Senate was organized. The House of Representatives have not completed their organization. The committee has been appointed, but unquestionably the Governor will not be informed until to-morrow that this Legislature is organized and ready to receive a communication from him. I think that we alone are to be the judges in this matter, and I venture to assert, Mr. Speaker, that if we did not meet until three weeks from to-day to elect a Speaker, the Senate of the United States would never undertake to come in and say that we were organized at a time different from what we ourselves had stated. It would be an act of folly for them to do it. There is, therefore, no use for this committee. I admit that there is something in the remarks of the Senator from Adams [Mr. M'CONAUGHY], and the Senator from Clearfield [Mr. WALLACE], in a question of appeal or statute limitation before the Supreme Court; but in a great question of popular rights, in the great question of the rights of the people, in a question in which, from the very nature of things, we ourselves are the judges, nobody else outside of the Senate and House of Representatives dare raise the question as to when we are organized. My friend, the Senator from Clearfield [Mr. WALLACE], has not undertaken to say that he believes fully that he is right, but that he had grave doubts about it. But taking the fact that the act uses the two words, one the "meeting" and the other the "organization," the Senate of the United States will never undertake to say that they know better when the Legislature was organized than the Senators and Representatives themselves.

The Senator from Adams [Mr. M'CONAUGHY] reminds some of us that this is a very recent statute. I admit it. But it is of no avail in this case. The minds of three millions of people of Pennsylvania have been made up on this question, and I agree with the Senator from Bradford [Mr. LANDON] that the common sense reading and common school education of the people all point to the 15th instant as the proper day for this work. We have several hundred newspapers in our State that have written paragraph upon paragraph on the election of United States Senator, and they all agree on the 15th instant. And for the first time in the State of Pennsylvania, before any organization is completed, this question is made such a difference here to-day. I admit the rule laid down by the Senator from Adams that there is no necessity for unnecessary excitement or any impugning of motives. I ascribe to nobody anything but a desire to settle this question properly. But I am satisfied that the popular opinion is the right one, and I have not the slightest apprehension that it will be disturbed, especially in view of the fact that the matter has been submitted to the Attorney General, and he has expressed his opinion that the 15th is the time, and you need not fear that any tribunal will undertake to send their officers here to "fish out" whether we were organized to-day. Take, for example, the position we were in three years ago; it might then have been a question of doubt. But I have no objection to the committee, and do not believe five gentlemen can be found in this branch or the other that will entertain the nice scruples of two of the attorneys on this floor, which would be very well in a question of appeal in the statute of limitation, but which I think is out of place here.

Mr. WALLACE. It is due to myself that I should state that I sought not to be called out upon this question. In private conversation I expressed a doubt as to the settled interpretation that Senators say the newspapers have given to this question, and having expressed that doubt I am called out and accuse of sharp practice. I disdain any sharp practice about it. I stated what I had a right to believe, and stand by what I said then. If the Senator wishes to know how I feel about it, I will trust to the construction of any clients I have had, on this subject. When you come to remember that this act of Congress is now before us for construction, and that it is to be construed, not by the newspapers nor by popular clamor, but by the Supreme Court of the United States, then it becomes a different question; their decision would be taken as binding. I do not desire to be accused for expressing my private opinion on this subject. The Senator merely called for my opinion on this subject, and I expressed it in as few words as possible. It is for you to decide; but when you come to construe a statute passed by the Congress of the United States, you are to construe it by the settled law of the land; and it is only by standing by the law of the land that the rights of three millions of people are to be protected; when the law sends forth its fiat each and all should obey it, and we are obliged to administer it as it is written. I may be pardoned for saying what I believe.

Mr. WALLACE quoted from a correspondent of the Philadelphia *Press*, showing that an idea prevailed that the election for United States Senator would take place on the 8th instant.

Mr. BIGHAM. I hold in my hand a *Press* of to-day, which says:

"There is some misapprehension that the election for United States Senator will take place on Tuesday next, the 8th instant. According to law, the State Treasurer will be chosen next Tuesday, and the Senator on the Tuesday following, the 15th instant."

Mr. BIGHAM. This is an editorial. The other was merely a telegraphic dispatch.

Mr. WALLACE. The Senator merely appeals from "Philip drunk to Philip sober." Newspapers differ upon that subject. However, that does not affect the question. We have got to come to the proposition. What is the law? I affirm that when an act is to be done under a statute, the day on which that act is to be done is to be taken into the computation of time. The Congress has distinctly stated that, and it is only in virtue of those decisions that I have said what I have.

On the question, Will the Senate agree to the resolution?

The yeas and nays were required by Mr. FISHER and Mr. WORTHINGTON, and were as follow, viz:

YEAS—Messrs. Bigham, Brown (Mercer), Burnett, Connell, Cowles, Davis, Glatz, Graham, Haines, Jackson, James, Landon, Lowry, M'Candless, M'Conaughy, Randall, Ridgway, Schall, Searight, Shoemaker, Stutzman, Taylor, Walls and Hall, *Speaker*—24.

NAYS—Messrs. Billingfelt, Fisher, Wallace and White—4.

So the question was determined in the affirmative.

The SPEAKER then adjourned the Senate until to-morrow morning at 11 o'clock.

SENATE.

WEDNESDAY, January 2, 1867.

Senate met and was called to order at 11 o'clock, A. M., by the SPEAKER.

On motion of Mr. GLATZ, the reading of the Journal of yesterday was dispensed with.

PETITIONS.

Mr. GLATZ presented the petition of citizens of York county, praying for the passage of an act requiring the rebuilding of the Columbia bridge across the Susquehanna, and on failure to do so to forfeit their franchise.

Laid on the table.

Mr. FISHER presented the petition of citizens of the Northwest ward, in the city of Lancaster, asking a division of said ward.

Laid on the table.

BILLS IN PLACE.

Mr. FISHER read in his place and presented to the Chair bill entitled An act to divide the Northwest ward, in the city of Lancaster, into election precincts and separate election districts.

Laid on the table.

Mr. JAMES, a bill entitled An act to incorporate the Quinterro mining company.

Laid on the table.

Mr. LOWRY, a bill entitled A further supplement to an act entitled An act relating to corporations for mechanical, manufacturing, mining and quarrying purposes, approved the 18th of July, 1863, extending the provisions of said act and the several supplements thereto, to any association formed for the publication and sale of periodicals, newspapers, school books, books of science or art and current or standard literature.

Laid on the table.

Mr. SCHALL, a bill entitled An act regulating the sale by hawkers and peddlers of goods at wholesale.

Laid on the table.

Mr. BIGHAM, a bill entitled A joint resolution to ratify an amendment to the Constitution of the United States.

Laid on the table.

Also, a bill entitled a further supplement to an act entitled An act relating to corporations for mechanical, manufacturing, mining and quarrying purposes, approved the 18th day of July, 1863.

Laid on the table.

Mr. CONNELL, a bill entitled An act to incorporate the Granite insurance company.

Laid on the table.

Mr. DONOVAN, a bill entitled An act to incorporate the Academy of Notre Dame, in the city of Philadelphia.

Laid on the table.

Also, a bill entitled An act relating to passenger railways within the county of Philadelphia.

Laid on the table.

Mr. SEARIGHT, a bill entitled Joint resolution relative to the final adjournment.

Laid on the table.

Mr. SHOEMAKER, a bill entitled An act to incorporate the Vulcan Iron Works.

Laid on the table.

Mr. DAVIS, a bill entitled Joint resolution in relation to the reduction of the Internal Revenue tax on distilled spirits.

Laid on the table.

Mr. COLEMAN, a bill entitled An act relating to the personal estate of married women.

Laid on the table.

Mr. LOWRY, a bill entitled Joint resolution to ratify the amendment to the Constitution of the United States.

Laid on the table.

BILLS PASSED.

Mr. RIDGWAY read in his place and presented to the Chair a bill entitled An act relative to the receiver of taxes in the city of Philadelphia, repealing so much of the act of April 9, 1861, as authorizes him to charge five per centum commission for collecting taxes from delinquent taxpayers.

On motion of Mr. RIDGWAY, the rules were dispensed with, and said bill was read a second and third time and

Passed finally.

Mr. SCHALL read in his place and presented to the Chair a bill entitled An act to authorize the appointment of an additional notary public in the county of Lehigh.

On motion of Mr. SCHALL, the rules were dispensed with, and said bill was read a second and third time and

Passed finally.

REPORTS FROM COMMITTEES.

Mr. WHITE, from the committee appointed to wait upon the Governor and inform him that the Legislature was organized and ready to proceed to business, reported that the committee had discharged said duty, and that the Governor would communicate with the Legislature, by message, at twelve o'clock this day.

Mr. LOWRY, from the committee appointed to inform the House of Representatives that the Senate was organized and ready to proceed to business, reported that the committee had discharged said duty.

A COMMITTEE FROM THE HOUSE OF REPRESENTATIVES.

Messrs. M'CREARY and MEYERS, a committee from the House of Representatives, being introduced, informed the Senate that that body was organized and ready to proceed to business.

TEMPORARY ADJOURNMENT.

Mr. BIGHAM offered the following resolution:

Resolved (if the House of Representatives concur), That both Houses, when they adjourn to-day, will adjourn to meet on Tuesday next, at 3 o'clock, P. M.

Mr. CONNELL. Mr. Speaker, I would like to say a word on this subject. It was only yesterday afternoon that we appointed a committee to decide as to the time of holding an election for United States Senator, and we do not know whether the House will act favorably on the resolution sent to them, and might prefer to wait a little while.

On the question, Will the Senate agree to the resolution?

The yeas and nays were required by Mr. LOWRY and Mr. CONNELL, and were as follow, viz:

YEAS—Messrs. Bigham, Billingfelt, Brown (Mercer), Burnett, Fisher, Glatz, Haines, Shoemaker, Stutzman, Taylor and White—11.

NAYS—Messrs. Coleman, Connell, Cowles, Davis, Donovan, Graham, Jackson, James, Landon, Lowry, M'Candless, M'Conaughy, Randall, Ridgway, Searight, Wallace, Walls, Worthington and Hall, *Speaker*—19.

So the resolution was not agreed to.

THE CONSTITUTIONAL AMENDMENTS.

Mr. LOWRY. Mr. Speaker, I move that the Senate proceed to the consideration of the joint resolution ratifying the constitutional amendments.

Mr. WHITE. I would ask the Senator who makes this motion if he thinks he is entirely in order. I do not think this body has had official notice of the existence of a constitutional amendment. It seems to me that the proper procedure in this matter is for the Governor to send his message to us, giving us official notice of the fact. That certainly has been the practice heretofore, and I think it is the intention of the Executive that it should be so; and until the amendment comes to us in an official shape, I don't think we have any authority in the premises.

Mr. LOWRY. Mr. Speaker, I withdraw my motion for the present.

RECESS OF THE SENATE.

Mr. CONNELL. Mr. Speaker, I move that this Senate take a recess until five minutes before 12 o'clock.

The motion of Mr. CONNELL was agreed to, and the recess was accordingly taken.

REASSEMBLING OF THE SENATE.

The Senate reassembled at five minutes before twelve, and was called to order by the SPEAKER.

ANNUAL MESSAGE FROM THE GOVERNOR.

The Secretary of the Commonwealth being introduced, presented the following message from His Excellency, the Governor, which was read by the Clerk, as follows:

To the Senate and House of Representatives of the Commonwealth of Pennsylvania:

We have reason to be thankful to God, for the blessings of peace, abundant crops, that industry has been rewarded, and that thus the Commonwealth has been able to do her full duty to herself, to the country and posterity.

The condition of our finances is as follows:

Balance in Treasury, November 30, 1865		$2,373,668 14
Receipts during fiscal year ending November 30, 1866		5,829,668 54
Total in Treasury for fiscal year ending Nov. 30, 1866		8,203,336 68
Payments for same period have been		6,462,303 41
Balance in Treasury, December 1, 1866		1,741,033 27
Amount of the public debt as it stood on the first day of December, 1865		$37,476,258 06
Am't reduced at the State treasury, during the fiscal year ending Nov. 30, 1866, 6 per centum loan	$1,828,553 25	
4½ per centum loan	25,000 00	
Relief notes	626 00	
Domestic creditors' certificates	26 65	
		1,854,205 90
Public debt December 1, 1866		35,622,052 16

To wit, funded debt:

6 per cent. loan	$400,630 00
5 per cent. loan	32,073,192 59
4½ per cent. loan	213,200 00
6 per cent. loan, military, per act May 15, 1861	2,820,750 00
Unfunded debt, relief notes in circulation	96,625 00
Interest certificates outstanding	13,086 52
Do. unclaimed	4,446 38
Domestic creditors' certificates	119 67
	35,622,052 16

Assets in Treasury:

Bonds Pennsylvania railroad Company	$6,600,000 00
Bonds Philadelphia and Erie railroad company	3,500,000 00
Interest on bonds of Philadelphia and Erie railroad company	1,225,000 00
Cash in Treasury	1,741,033 27
	13,086,033 27
Liabilities in excess of assets	22,536,018 89
	35,622,052 16

Liabilities in excess of assets, November 30, 1861	$28,148,060 36
Liabilities in excess of assets, November 30, 1866	22,536,018 89
Improvement in the Treasury since 1861	5,612,041 47

The extraordinary expenditures, during the war and since its close, in payments growing out of it by authority of acts of Assembly, have amounted to upwards of five millions of dollars, which, added to the actual payment of the indebtedness of the State, and money in the Treasury for that purpose, shows the revenues, above the ordinary expenditures, to have amounted to $10,612,000, which would all have been applied to the payment of the debt of the Commonwealth in the last six years. A careful attention to the reve-

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FOR THE SESSION OF 1867.

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[CONTINUED FROM PAGE 8.]

nues of the Commonwealth, with such just and prudent changes as may be required in the future, and a wise economy in expenditure, will, in my judgment, ensure the entire payment of the public debt, within the period of fifteen years.

The time fixed for the redemption of $23,108,626 24 of the indebtedness of the Commonwealth having expired, I recommend that provision be made for its redemption, by making a new loan for that purpose, payable at such periods as the prospective revenues will justify.

I recur, with much satisfaction, to the wisdom, prudence and economy of the representatives of the people, in the management of the finances of the Commonwealth, during a period of much embarrassment, uncertainty and distress, and congratulate you and them on the near approach of the entire liquidation of the public debt.

Since my last Annual Message, I have drawn from the Treasury, two thousand dollars of the fund placed in the hands of the Governor for secret service and other extraordinary expenses, which I have expended, in payment of my personal staff, and for other purposes, as heretofore, except five hundred and sixty-three dollars and forty-eight cents, which I have returned into the Treasury.

I present, for your consideration, the amendments to the Constitution of the United States proposed to the Legislatures of the several States by a resolution of both Houses of Congress, passed on the 16th day of June last. I was glad that it was possible, without delaying the final adoption of these amendments, to ascertain the opinion of our people upon them, at the general election, in October last. By the election of a large majority of members openly favoring and advocating the amendments, that opinion seems to me to have been abundantly expressed. Indeed, the amendments are so moderate and reasonable in their character, that it would have been astonishing if the people had failed to approve them. That every person, born in the United States, and free, whether by birth or manumission, is a citizen of the United States, and that no State has a right to abridge the privileges of citizens, of the United States—these are principles which were never seriously doubted anywhere, until after the insane crusade in favor of slavery had been for some time in progress. What is called the decision of the Supreme Court of the United States, in the Dred Scott case, has made it expedient and proper to re-assert these vital principles in an authoritative manner, and this is done in the first clause of the proposed amendments.

The right of prescribing the qualifications of voters is exercised by the respective States, under the Constitution of 1789; three-fifths of the slaves were counted in ascertaining the representative population of the several States. The amendment to the constitution abolished slavery in all the States and Territories. Though it was formerly otherwise in most, if not all, of the old Southern States, yet for many years past free negroes have not, in any of these, been permitted to vote. At present, therefore, the late slave States would be entitled to count the whole of their former slave population, as a basis for representation, instead of three-fifths thereof. That is to say, they would have in the existing ratio about twenty more members of Congress than they had before slavery was abolished, and the free States would lose the same number, making a difference of about forty members of Congress, or, say, one-sixth of the whole body. In other words, the treason of the rebellious States, the suppression of which has cost us so many hundreds of thousands of precious lives, and so many thousands of millions of treasure, would be rewarded by giving them a vast increase of political power. This absurdity, the second clause of the proposed amendments, designs to prevent, by the just, equal and moderate provision, that in future, the representative population of each State shall be ascertained by making a proportionate deduction from the whole population thereof, if its laws exclude from the privilege of voting, any male citizens, not criminals, of the age of twenty-one years. I have yet to learn that any plausible objection can be offered to such a provision.

The third clause of the proposed amendments excludes from Congress, and from the College of Electors, and from all offices, civil and military, of the United States, or of any State, persons who, as functionaries of the United States, or as Executive or Judicial officers of any State, have heretofore sworn to support the Constitution of the United States, and afterwards violated their oath by engaging in rebellion against the same, unless Congress, by a vote of two-thirds, shall have removed the disability of any such person.

The fourth clause affirms the validity of the debt of the United States, and prohibits the assumption or payment of the rebel debt, or of any claims for the loss or emancipation of any slave.

The fifth clause provides that Congress shall have power to enforce the provisions of the other clauses by appropriate legislation.

That these wise and moderate provisions will meet the hearty approbation of the Legislature, I cannot doubt. If proposed by two-thirds of each House of Congress and ratified by three-fourths of the Legislatures of the States, the Constitution provides that they should stand as adopted amendments of that instrument.

A question has been raised whether the States lately in rebellion, and not yet restored to their privileges by Congress, are to be counted on this vote — in other words, whether those who have rebelled and been subdued shall be entitled to a potential voice in the question of the guarantees to be required of them for future obedience to the laws. So monstrous a proposition is, it appears to me, not supported by the words or spirit of the Constitution. The power to suppress insurrection includes the power of making provisions against its breaking out afresh. These States have made an unjust war upon our Common Government and their sister States, and the power given by the Constitution to make war on our part, includes the power to dictate, after our success, the terms of peace and restoration.

The power of Congress to guarantee to every State a Republican form of Government, would cover much more cogent action than has yet been had.

The duty imposed upon Congress, to provide and maintain Republican governments for the the States, is to be accepted in the broadest meaning of the term. It is not a mere formal or unnecessary provision. The power was conferred, and the duty enjoined, to preserve free institutions against all encroachments, or the more violent elements of despotism and anarchy. And now that treason has, by rebellion, subverted the Governments of a number of States, forfeiting for the people all the rights guaranteed by the Constitution, including even those of property and life, the work of restoration for these States rests with the National Government, and it should be faithfully and fearlessly performed.

By their passage by Congress, and the declaration of the people at the late elections, the faith of the nation is pledged to the amendments, and they will be fairly carried out, and their benefits given to the rebellions States. But when the amendments shall have passed into the organic law, should the people lately in rebellion persist in their rejection, and in continued disobedience, and the obstruction of the execution of the national laws, it will be an admonition to the nation that the *animus* and force of treason still exist among a people who enjoy none of the privileges of the government, save of its generous tolerance. With their rejection, all hope of reconstruction, with the co-operation of the rebellious States, on a basis that would secure to the Republic the logical results of the war, will have vanished, and the duty must then devolve upon the government, of adopting the most effectual method to secure for those States the character of governments demanded by the Constitution.

They are without lawful governments—they are without municipal law, and without any claim to participate in the government.

On what principle of law or justice can the rebellious States complain, if after they have rejected the fair and magnanimous terms upon which they are offered brotherhood with us, and a participation in all the blessings of our freedom, and they have refused, if the government, in the exercise of its powers, should enter anew upon the work of reconstruction at the very foundation; and then the necessity will be forced upon us to discard all discrimination in favor of the ene-

mies of our nationality, to give us and them enduring freedom and impartial justice.

The Constitution has defined treason, and has given express power to suppress insurrection, by war, if necessary. It has not provided, in detail, the terms to be granted after such a war. How could it do so! It would probably not be contended by the wildest partisan, that these States had a right to be represented in Congress at a time when they were carrying on open war against the government, or that Congress was not then a lawful body, notwithstanding their exclusion. How then have they regained the right of representation? Surely not by simply laying down their arms when they could no longer hold them. The United States have the right, and it is their duty, to exact such securities for future good conduct as they may deem sufficient, and the offenders, from whom they are to be exacted, can have no right to participate in our councils in the decision of the question of what their punishment shall be.

Practically, common sense determined the question of their right so to participate, when Congress proceeded in the enactment of laws, after the surrender of the last rebel military force. It was determined again, when the now pending amendments were proposed by Congress. If two-thirds of Congress, as now constituted, could lawfully propose those amendments, then three-fourths of the States, not excluded from representation in Congress, form a sufficient majority to effect their lawful adoption. It was determined again by the formal sanction of both the great political parties, when Congress, by an almost unanimous vote, declared the rebellious States without the right of representation in the Electoral College in 1864.

We ought to go on resolutely and rapidly, with all measures deemed necessary to the future safety of the country, so that all parts of it may, at the earliest day, be restored to just and equal political privileges.

The annual report of Hon. Thomas H. Burrowes, Superintendent of the maintenance and education of the soldiers' orphans, will exhibit the present condition and the result thus far of that undertaking. Nearly three thousand of the destitute children of the brave men who laid down their lives that the nation might live, are now not only comfortably provided for and guarded from temptation, but are receiving an education which will fit them to repay the care of the State.

The appropriation made for this purpose, at the last session, has been sufficient to meet all expenses of the financial year just closed. And I recommend whatever appropriation may be necessary to continue and perfect the system under which the schools are conducted.

There can be no doubt that the appropriation will be made. Were I to select any State interest which I would more warmly commend to your prompt attention and liberality than another, it would be this. All Pennsylvanians are proud of it, and it lies near the hearts of all true men.

Owing to their greater destitution and want of information on the part of their relatives, the orphans of our colored soldiers may require some special attention. Perhaps authority to the State Superintendent, to use, for a short time, the services of an agent, to ascertain their number and claims, and bring them into the schools that may be provided for them, will be sufficient. The whole number in the State is not large, of whom a few have already been temporarily provided for.

I recommend that provision be made for the maintenance of such of our soldiers as are in poverty, and have been so maimed as to prevent them from securing a livelihood by their labor, by renting buildings at once, or such other means as you may deem wise and proper, until the arrangements proposed by the National Government for their support are completed. They are probably few in number and it is due to the character of the Commonwealth, that they should not remain in, or become the inmates of poor houses, or pick up a precarious subsistence by begging. Patriotic and charitable citizens have done much for them, but speedy and proper relief can only be given them by the systematic and continued benevolence of the Commonwealth. The Legislature can alone afford immediate relief to all of this class of our citizens, and in thus exhibiting gratitude to heroic and faithful men, who did so much for the country, the burden will fall equally on all her people.

By our existing laws, juries are selected by the sheriff and commissioners of the respective counties. As these officers are generally of similar political affinities, the system has always been in danger of being abused for partisan purposes. During the last six years, it has been frequently so abused, in many of the counties.

To secure, as far as possible, the administration of equal justice hereafter, I recommend that jury commissioners shall be elected in each county in the same manner as inspectors of elections are chosen, each citizen voting for one jury commissioner, and the two persons having the highest number of votes to be the jury commissioners of the respective county, to perform the same duties, in the selection of jurors, that are now imposed upon the sheriff and county commissioners.

It is impossible to provide, in all respects, for the increasing and changing interests of our people, by the enactment of general laws, but to a large extent it is practicable to relieve the Legislature from special legislation which is demanded and occupies so much of its sessions. Special legislation is generally passed without due consideration, much of it at the close of the session, and is chiefly objectionable from the partiality with which powers and privileges are conferred.

I again recommend the passage of general laws, when it is at all practicable, and in this connection, recommend the passage of a general law, regulating railroads now existing and the incorporation of new companies, so that so far as possible there may be a just uniformity in the franchises granted, and equal facilities afforded to the people of all sections of the Commonwealth.

There are at this time, in the various prisons, a number of persons under sentence of death, some of them for many years, and as it has become a custom that an incoming Governor should not issue a warrant of execution in cases unacted on by his predecessor, it not unfrequently happens that in many cases, some of which are recent, while some punishment should be inflicted, that of death may appear to the Executive to be too severe.

I earnestly repeat my recommendation heretofore made, that provision be made for the reception of such persons into the penitentiaries who may be pardoned on condition of remaining a limited time therein.

I reappointed Hon. C. R. Coburn, Superintendent of Common Schools, on the expiration of his term in June last, and he continued at the head of that Department until the first of November, when he resigned, and I appointed Col. J. P. Wickersham. It is due to Mr. Coburn to say, that he fulfilled all the duties of his office faithfully and efficiently. It appears from his report, that there were in the school year of 1865, 1,863 school districts in the State; 13,146 schools; 16,141 teachers, and 725,312 pupils, with an average attendance of 478,066. The total cost of the school system, for the entire State, including taxes levied and State appropriation, was for the year 1866, $4,195,258 5.7 The increase in the number of school districts was 26; in the number of schools, 222; in the number of children attending school, 19,932; in the average attendance at school, 18,945, and in the total cost of the system, $581,020 02. I invite your attention to the valuable suggestions made in his report, and that of Col. Wickersham, and commend our system of public instruction to the continued fostering care of the Legislature.

I herewith present the reports of Col. F. Jordan, Military Agent of the State at Washington; of Col. H. H. Gregg, Chief of Transportation; of S. P. Bates, on military history of our volunteers; of trustees of the Soldiers' Gettysburg National cemetery; of the proceedings and ceremony of the return of the flags, on the 4th of July, in the city of Philadelphia, and of Col. James Worrall, commissioner appointed under an act relating to the passage of fish in the Susquehanna, and invite your attention to them, and the reports of the Surveyor General and Adjutant General.

The Agency at Washington should, in my judgment, be continued. It has proved very useful in all respects, and especially to our volunteers and their families.

Four thousand six hundred and ninety claims have passed the agency during the past year, and three hundred and eleven thousand seven hundred and three dollars has been collected from the Government and transmitted to the claimants free of charge.

It will be necessary to continue the office of Chief of Transportation, as there are unsettled accounts with railroad companies and the National Government, and duties to be performed in the removal and care of the bodies of the dead, which require it. An additional appropriation will be required for this Department.

I earnestly recommend, in justice to the living and the dead, that our military history be pushed forward vigorously, and that money for that purpose be appropriated.

The trustees of the State Lunatic hospital represent that it is impossible for them to accommodate and care for the number of patients committed to them under the laws regulating admissions into the hospital, and earnestly recommend that provision be made for increased accommodation.

I need not say that the institution is carefully and economically managed, or to refer to the great good it has produced; and that I cordially unite in the statement and recommendations of the memorial herewith presented.

I invite your attention to the condition of the Arsenal.

It is too small—unsafe as a depository for the large amount of valuable military material to be kept in it, and is, in all respects, inconvenient and not adapted to its purposes.

Much inconvenience was experienced during the war for want of sufficient room and safety, and I recommend that ground be procured and a new and commodious arsenal be erected in or near the Capital of the State.

Since the adjournment of the Legislature I drew my warrant on the Treasury for five thousand dollars, appropriated to the National Cemetery at Antietam, and appointed Major General Jno. R. Brooke, trustee to represent the State. Before the warrant was drawn I appointed Colonel Wm. H. Blair and Captain J. Merrill Linn, who examined the ground and made a full investigation, their report of which accompanies this message. It will be noticed that they report seven hundred and ninety-seven bodies of Pennsylvanians that will be removed into the cemetery, and recommend an additional appropriation, in which I most cordially unite.

I cannot close my last Annual Message, without renewing the expression of my gratitude to the freemen of the Commonwealth, for the hearty approval with which they have cheered the labors of the Executive Office. To have earned such approval by my official conduct, during the last six years, must always be a source of pride to myself and children. Without the consciousness that I was endeavoring to deserve their approval, and without the hope that I should succeed in attaining it, I must have sunk under the responsibilities of my position. It was only a reliance on Divine Providence, and the active, resolute, hearty support and zeal of the people, and their representatives, that encouraged me during the dark and terrible crisis through which the country has passed. I tried to do my duty to my country, and know I was at least faithful to her in her deep distress, and I conceived that duty not to be limited to the merely putting of men into the field to suppress treason and rebellion, and maintain the national life, and doing of everything in my power to sustain the just war forced upon us. I felt also bound, so far as I could, to protect and promote the rights and comforts of our volunteers, after they had left the State, to aid and relieve the sick and wounded, and to care for the transmission, to their bereaved families, of the precious bodies of the slain, and the maintenance and education of their orphans as honored children of the country.

To have been the Chief Magistrate of this great Commonwealth, during the period through which we have passed, and to have earned and maintained (if indeed I have done so) the confidence and affection of her people and their representatives, are quite enough to satisfy the highest ambition, and in my retirement from the high trust given me, I pray God that the State may continue to grow in power and strength, and her people in prosperity and happiness.

A. G. CURTIN.

EXECUTIVE CHAMBER,
Harrisburg, January 2, 1867.

The accompanying document was laid before the Senate, and ordered to be printed in the *Legislative Record*:

The memorial of the Trustees of the Pennsylvania State Lunatic Hospital respectfully represents that the condition of the chronic insane in the different sections of the Commonwealth demands, and should receive the earnest and considerate attention of every citizen. Their number can only be ascertained by an approximate estimate. In the older and more thickly settled counties the number will be, of course, greater than in the newer districts, from the fact that all the causes of the disorder are there more fully developed, and from the gradual accumulation, during a period of years, of those who have either not had any treatment, or from the failure of that treatment to restore them to their sound state.

The whole number under the care of the public authorities of the different counties and townships may be set down at one thousand (not including the city of Philadelphia), and it may safely be stated that almost, if not quite, as many more will be found in the care of their relatives and friends. In addition to this number of those whose disease has been of long duration, and in whom the prospect of restoration is not considered favorable or even probable, there will occur each year a given number of recent cases, in the proportion of one to every eight hundred inhabitants. Of these, the larger proportion will be restored to sound minds, but a given number, ten in every hundred, will most probably continue more or less diseased during the remainder of their lives, and consequently will need custodial care and attention from the public authorities or from their friends. But while there is this annual increase it may safely be estimated that a corresponding number of the chronic cases will die, so that, in reality, the number may may not increase, though no diminution of the whole number can be expected.

In thirty-one counties of this State there are no arrangements for the care and custody of the insane, the whole duty devolving on the respective townships. In two instances special provision has been made by the townships for their own insane with their other poor. In the remaining counties the accommodations vary very much, not only in their extent, but in their character and adaptation to the purpose designed. In nearly all, no matter what their extent, they are crowded, and the more calm and quiet are placed in rooms with the sane. In very few of the county houses are the accommodations such as the character of the disease demands, and often they are such as to aggravate each misery and wretchedness of this unfortunate class. Too little attention is paid to a careful separation of the sexes, and not only do they mingle freely during the day, but they occupy adjoining or opposite rooms at night, and those who have lost all regard to self-respect by reason of their disease are exposed to the gaze of the curious of either sex.

In by far the great majority of cases no attempt is made to carry out any system of treatment, medical or hygienic, for their restoration or the improvement of their condition. Very frequently recent cases are kept in close confinement, without any regular medical treatment, until the disorder has become fixed, and all hope of restoration is taken away. A mistaken idea of economy seems to have so taken possession of the minds of men who thus act as to have driven out, not only the ordinary principles of good management and common sense, which guide them in other matters, but also to have forced them to forget the golden rule of doing to others as they would have others do to them. The wards of the Western Pennsylvania Hospital for the Insane are now so much crowded that, when the additions to that building now in progress are completed, they will be filled with the number now under treatment, leaving very little additional accommodation for new and recently occurring cases.

The wards of the Pennsylvania State Lunatic Hospital are also nearly filled (those for the men are crowded), though no recent cases have yet been refused, nor will they be so long as it is possible to give them room; but in the course of a year or two, to judge from the experience of the last year, every available room will be occupied so as to require the removal of the chronic, or the exclusion of the recent cases.

From these statements, and they are rather below than above the actual condition of affairs, it will be seen that the accommodations now provided are entirely insufficient, and some additional means must be furnished if it is desired to give to the large number of constantly occurring recent cases that medical treatment which is necessary to restore them to the enjoyment of sound mind, and prevent their becoming a burden on the community and a source of alarm and anxiety to their families and neighbors.

It is a fact, established by the records and the experience of every hospital for the insane in the United States, that the majority of the inmates of every institution come from the immediately adjacent districts, principally on account of the facility of access and the diminished expense of conveying persons to the hospital, and it should follow, as a necessary deduction, that every hospital should be so situated as to be readily accessible from all parts of the district it is designed to accommodate.

This expense of conveying a person to the hospital, and removing them, particularly where a great distance has to be traveled, is a large item in their maintenance and often equals almost the whole cost of medical treatment and clothing for three or six months.

Another matter, deserving serious consideration, is the risk to life in an excited person from the fatigue and exposure of travel, often acting very injuriously and depressing the vital powers to such an extent as seriously to endanger life.

The early treatment of recent cases of mental disorder, as a matter of political economy, is one demanding special attention; the experience of all countries distinctly showing that at least two recent cases can be restored at the same expense as one chronic case can be maintained for one year, and the addition to the producing and paying population materially relieves the burden of the community and enables it so much more readily to maintain those who are chargeable to it.

From the facts thus stated, of the great number of chronic insane in the Commonwealth, and the insufficient character of the accommodations provided for them, of the great number of recent cases constantly occurring, for which the means of treatment are daily becoming more restricted, from the crowded state of the hospitals already in operation, and which, before another can be built, will be filled to repletion, from the great economy of diminishing the number of chronice insane, by providing more abundant means for prompt treatment and restoration in the early stages of the disorder, and the bounden duty of the State to provide for those who cannot provide for themselves, and who are of all men most miserable, we would most respectfully urge the erection of another hospital for the insane in the central part of the State, convenient to a large town and readily accessible by railroad from all the counties of the central portion of the Commonwealth.

James J. Barclay, S. Miles Green,
George Dock, F. B. Penniman,
J. C. Bomberger, Jno. L. Atlee,
D. W. Gross, George Bailey,
A. J. Jones.

Mr. LOWRY. Mr. Speaker, I move that five thousand copies in English and three thousand copies in German of the Governor's message be printed for the use of the Senate.

Mr. WHITE. Mr. Speaker, I move to amend by making the number ten thousand in English and four thousand in German.

The amendment of Mr. WHITE was accepted, and the resolution as modified was adopted.

FINAL ADJOURNMENT OF THE LEGISLATURE.

Mr. SEARIGHT. Mr. Speaker, I move that the rules be dispensed with, and the Senate proceed to the consideration of joint resolution relative to the final adjournment.

The motion of Mr. SEARIGHT was not agreed to.

TEMPORARY ADJOURNMENT.

Mr. FISHER. Mr. Speaker, I beg leave to offer the following resolution:

Resolved, That (the House of Representatives concurring) when the Legislature adjourn to-day it will adjourn to meet on Monday next, at 7½ o'clock, P. M.

The resolution was adopted.

THE CONSTITUTIONAL AMENDMENTS.

Mr. LOWRY. Mr. Speaker, I now move that the Senate proceed to the consideration of the bill entitled Joint resolution to ratify

the amendment to the Constitution of the United States.

The motion was agreed to, and the rule being dispensed with the Senate proceeded to its consideration.

The resolution was then read as follows:

WHEREAS, Two-thirds of the members of the Senate and House of Representatives of the United States, in Congress assembled, did adopt an amendment to the Constitution of the United States, which is entitled Article Fourteenth, as follows:

SECTION 1. All persons born or naturalized in the United States, and subject to the jurisdiction thereof, are citizens of the United States, and of the State wherein they reside. No State shall make or enforce any law which shall abridge the privileges or immunities of citizens of the United States, nor shall any State deprive any person of life, liberty or property, without due process of law, nor deny to any person within its jurisdiction the equal protection of the law.

SEC. 2. Representatives shall be apportioned among the several States according to their respective numbers, counting the whole number of persons in each State, excluding Indians not taxed. But when the right to vote at any election for the choice of electors for President and Vice President of the United States, representatives in Congress, the executive and judicial officers of a State, or the members of the Legislature thereof, is denied to any of the male inhabitants of such State, being twenty-one years of age, and citizens of the United States, or in any way abridged except for participation in rebellion or other crime, the basis of representation therein shall be reduced in the proportion which the number of such male citizens shall bear to the whole number of male citizens twenty-one years of age in such State.

SEC. 3. No person shall be a Senator or Representative in Congress, or Elector of President and Vice President, or hold any office, civil or military, under the United States, or under any State, who, having previously taken an oath as a member of Congress, or as an officer of the United States, or as a member of any State Legislature, or as an executive or judicial officer of any State to support the Constitution of the United States, shall have engaged in insurrection or rebellion against the same, or given aid or comfort to the enemies thereof; but Congress may by a vote of two-thirds of each House remove such disability.

SEC. 4. The validity of the public debt of the United States authorized by law, including debts incurred for payment of pensions and bounties, for services in suppressing insurrection or rebellion, shall not be questioned, but neither the United States or any State shall assume or pay any debt or obligation incurred in aid of insurrection or rebellion against the United States, or any claim for the loss or emancipation of any slave, but all such debts, obligations and claims shall be held illegal and void.

SEC. 5. The Congress shall have power to enforce, by appropriate legislation, the provisions of this article.

Which said amendment has been submitted to the Legislature of Pennsylvania for ratification or rejection; therefore,

Be it resolved by the Senate and House of Representatives of the State of Pennsylvania, in General Assembly met, That the amendment, as above proposed and submitted, is hereby ratified and adopted by the State of Pennsylvania.

Mr. WALLACE. It occurs to me that these are matters of grave importance—so grave that the Governor has taken notice of them. It occurs to me that we should postpone the amendments and have them printed. So grave a matter as an amendment to the Constitution of the United States should not be passed over lightly. I, therefore, move to postpone and print the resolutions.

Mr. BIGHAM. I have no objection, further than to say that two years ago the Constitutional Amendment, which was then a new question, had only passed Congress one or two days before it was taken up. These amendments were passed in June last, and I know the Senator from Clearfield is very conversant with them; he heard of them during the campaign.

Mr. SEARIGHT. I would like to ask, sir, for information, whether it is the design to press the passage of these resolutions today?

The SPEAKER. I am not able to say.

Mr. LOWRY. That was my intention, although I am not very tenacious.

Mr. SEARIGHT. That cannot be done without a suspension of the rules. This is the most important subject that can be brought before the Legislature this session; and if it is proposed to ratify these proposed amendments, certainly it is desirable that Senators should have them printed and see what they contain. It is true, as the Senator from Allegheny [Mr. BIGHAM] remarked, that they were somewhat discussed in the late contest. But that was some time ago, and we have forgotten what they contained, to some extent, at least. And then, we had nothing but a newspaper version of the amendments, and as they are to go before this body in official form, I would like to have them printed correctly.

Mr. WHITE. I have no doubt the Senator from Fayette [Mr. SEARIGHT] would like to be oblivious of the verdict of the people on these resolutions. I do not think that any Senator on this floor can forget that contest and the spirit of that amendment; but if I thought the other side of the chamber required any time to investigate the merits of this matter, I would be willing, as a member of this body, to wait. But, sir, these resolutions are as familiar, or ought to be as familiar to every member of this body, be he Democrat or Republican, as the New England primer is to the school-boy. It was the shorter catechism in the hands of the people at the last election; they are familiar in every loyal household in this Commonwealth; and I think, sir, that the people of this Commonwealth—I know that the people I represent would want me to signalize myself at this reassembling of this Legislature, by casting my vote for the adoption of these Constitutional Amendments. I want no time for consideration; I am as ready to vote on them to-day as I would be next year. I trust, sir, that the Senate will not postpone their consideration, but pass them to-day.

Mr. SEARIGHT. Mr. Speaker, I certainly have no objection to giving the Senator from Indiana [Mr. WHITE] an opportunity to signalize himself, and I am happy in knowing that he is competent to do so. I do not desire to signalize myself with regard to this subject or any other question. I am not particularly anxious to be oblivious on this subject, as the Senator insinuated, although there are some acts, and there always have been some acts, that it would be well for the country to keep under the shade of oblivion. That may not be the case with this act that the Senator from Indiana refers to—I do not allege that it is. But, Mr. Speaker, I deny the position that he has assumed: that the verdict of the people has been in favor of these amendments.

Mr. WHITE. The Senator from Fayette [Mr. SEARIGHT] and myself live in the same district. Did not the people pronounce a verdict on them there?

Mr. SEARIGHT. The people whom the Senator from Indiana represents may have rendered a verdict in favor of ratifying these amendments, according to his construction of their votes; but the people I represent rendered a different verdict.

Now, then, the only question, Mr. Speaker, is, shall these proposed amendments be hurried through without consideration, or shall they be printed and distributed upon the desks of Senators, and be duly considered? For my part, I am not prepared to discuss these amendments unless I have them before me. I have no recollection—or not sufficient recollection of their import and substance to discuss them in the absence of a printed copy. I think it would be no more than fair and right that Senators should be furnished with a copy of these amendments before they are called upon to vote, one way or the other, in regard to them.

Mr. LOWRY. I would suggest to the Senator that the resolutions pass to the second reading. They will then be printed and laid on our desks, on their final passage. But they can be found in almost any Republican newspaper during the late campaign. I do not suppose they were published in the papers the gentleman reads.

Mr. SEARIGHT. I have a copy of these amendments, or what purports to be a copy, taken from some newspaper—probably a Republican paper, but whether it is a correct copy, there is no evidence.

On the question, Shall the Senate proceed to the second reading and consideration of the resolutions?

The yeas and nays were required by Mr. DONOVAN and Mr. LOWRY, and were as follow, viz:

YEAS—Messrs. Bigham, Billingfelt, Brown (Mercer), Coleman, Connell, Cowles, Fisher, Graham, Haines, Landon, Lowry, M'Conaughy, Shoemaker, Stutzman, Taylor, White, Worthington and Hall, *Speaker*—18.

NAYS—Messrs. Burnett, Davis, Donovan, Glatz, Jackson, James, M'Candless, Randall, Schall, Searight, Wallace and Walls—12.

So the question was determined in the affirmative.

The resolution was again read.

A motion was made by Mr. DONOVAN that said resolution be printed and made the special order for Thursday of next week.

On the question, Will the Senate agree to the motion?

The yeas and nays were required by Mr. DONOVAN and Mr. LOWRY, and were as follow, viz:

YEAS—Messrs. Brown (Mercer), Burnett, Davis, Donovan, Glatz, Jackson, James, Lowry, M'Candless, Randall, Schall, Searight, Wallace, Walls and White—15.

NAYS—Messrs. Bigham, Billingfelt, Coleman, Connell, Cowles, Fisher, Graham, Haines, Landon, M'Conaughy, Shoemaker, Stutzman, Taylor, Worthington and Hall, *Speaker*—15.

So the question was determined in the negative.

The bill was then laid over for third reading.

ANNUAL REPORT OF THE STATE TREASURER.

The SPEAKER laid before the Senate the annual report of the State Treasurer, as follows:

TREASURY DEPARTMENT OF PENNSYLVANIA,
HARRISBURG, January 3, 1866.

To the Speaker of the Senate:

SIR—I have the honor, herewith, to transmit to the Senate the annual report of this Department, for the fiscal year ending No-

vember 30, 1866, as requirrd by the act of 16th of March, 1832.

Very respectfully,
Your obedient servant,
WM. H. KEMBLE,
State Treasurer.

To the Senate and House of Representatives of the Commonwealth of Pennsylvania:

GENTLEMEN:—Notwithstanding the extreme liberality evinced by the last Legislature, by which nearly one million two hundred thousand dollars was appropriated to charitable purposes, at the termination of the fiscal year the finances of the State are in a better condition than they have been for more than a quarter of a century.

The improvement in the condition of the Treasury, since my last report, has been $1,316,896 17. The reduction of our indebtedness, during the same period, $1,867,650 25.

The receipts for the year have been $5,829,668 54. Of this amount, $5,062,594 19 have been from ordinary sources; $667,574 35, moneys refunded by the General Government, on account of expenses incurred in defense of the State, and $100,000 paid by the Pennsylvania railroad company, on account of their indebtedness to the State.

The expenditures have been $6,462,303 41. Of this amount there was contributed to the Chambersburg sufferers, $497,608 70; for the redemption of public loan, $1,867,650 25, and for ordinary expenses, $4,097,044 42. This is an amount of expenditure truly alarming, and your immediate attention should be directed to the reduction of our annual expenses to a nearer approach to what they were previous to the war, when our ordinary expenditures were $2,962,518 29.

The disbursements on account of military expenses for the year have been $192,909 39. A proper examination into this item, I am satisfied, will convince you that most of it can be saved in the future, and none suffer thereby, except, perhaps, it may be claim agents.

The act granting pensions to soldiers of the war of 1812, approved March 30, 1866, has cost the State far more than its friends could have anticipated. The number of applicants already exceed twenty-eight hundred, (2,800,) and the amount paid, over one hundred and sixty thousand dollars ($160,000).

I regard the passage of this act as a very unfortunate example for future Legislatures. The granting of pensions is a duty belonging to the General Government. To compel the States, by whom the men of 1812 were furnished, to pension them from their own resources, is to entail the total expense on States then comprising the Union, and allow the balance entire exemption. This is unfair, and the Legislature, by passing this bill, has set an example, which, if followed to its legitimate conclusion, would require the entire revenue of the State for the next forty years. It should be forthwith repealed. If there are individual cases of particular merit, they should go before the Legislature, and ask for special legislation, where their claims can be properly examined, and testimony taken from persons personally acquainted with each applicant.

In my last annual report attention was directed to the injustice of the tax on tonnage, from the fact that the same amount of tax is levied on a *ton* of freight, regardless of the distance transported, and thus discriminating to the serious disadvantage of the short roads. A decision of the court has lately been made, to the effect that no freight can be taxed, but such as may be taken up and delivered within the boundaries of the State, thus altogether exempting, from this tax, those roads running from Pennsylvania into other States. This tax should, therefore, be changed so as to bear equally on all roads.

The law taxing brokers and private bankers, as it now exists, is a cause of very serious complaint, both on account of the severity of the tax, and also on account of the publicity given to the business of the taxpayer. By the act of May 15, 1850, they are required to pay a license fee, equal to three (3) per cent. on their *receipts* from commissions, abatements, &c.; and by the act of May 16, 1861, every "stock broker, bill broker, exchange broker, real estate broker and private banker," is required to make a yearly return to the Auditor General, setting forth the *amount of his profits*, and pay a tax of three (3) per cent. on the same. He is also required to make a report to the Auditor General, in writing, setting forth the names of the individual members of the firm, *and amount of capital invested in the business*, and finally the tax levied, under this act, is in addition to all other taxes then existing. Both acts should be repealed, and a license law passed similar to the mercantile license law. Far more money would be realized by requiring a stipulated sum for a license for each branch of the brokerage business. Moreover, I cannot understand that we have any more right to require a broker to make public the amount of his profits and capital invested in his business, than we have to demand from the merchant a duplicate of his balance sheet at the termination of each year.

Many corporations have had special laws passed exempting them from taxation, until such time as they shall be enabled to declare dividends equal to six (6) per cent. on their capital stock. It needs no argument to prove the gross injustice of such special legislation, and I recommend a *general law*, repealing all such enactments, and subjecting similar corporations to the same degree of taxation.

A dispute has arisen between the associate judges of this Commonwealth and the Treasury Department, in relation to the amount of salary they are entitled to under present laws. The twenty-fourth section of the appropriation bill of 1865, appropriated to each associate judge of this Commonwealth twenty-five (25) per cent. in addition to the salaries then allowed by law. There is also a similar section incorporated in the appropriation bill of 1866.

The construction given to these acts by this Department, is that the present salary of an associate judge is twenty-five per cent. in addition to the salary allowed by the general law existing previous to the passage of the appropriation bill of 1865. The judges insist that they are entitled to fifty-six and a quarter per cent. in addition to the salary under the general law.

Fully convinced that the Legislature of 1866 merely intended to *repeat* the appropriation made in 1865, I have refused payment until the matter is decided by the courts, and your attention is now directed to it, in order that hereafter the Legislature may be on their guard, and leave nothing in doubt as to their true intention when arranging the salaries of judges.

The assessment of personal property, as returned by the county commissioners to this office, shows a neglect of duty, by most of the assessors throughout the Commonwealth, that is truly shameful. For example, no return of moneys at interest is made from the First, Fourth, Sixteenth, Seventeenth and Eighteenth wards, in the city of Philadelphia; in the city of Pittsburg the same is true of the First, Third, Fifth, Sixth, Seventh, Eighth and Ninth wards. True, these are hardly fair examples of the whole Commonwealth, but they are sufficient to show how the law is executed in the two counties of most wealth in the State. I do not see exactly how this is to be remedied. It has existed ever since the passage of the law taxing personal property, and the great majority of taxpayers seem to think it no part of their duty to make a return of their personal estate.

The amount of revenue derived from this source (not including the indebtedness of corporations who collected tax on their own bonds) is about three hundred thousand dollars. It is not necessary that we should attempt to raise any larger revenue from this source, but that we should more equally distribute the amount to be raised. I therefore recommend that in lieu of the tax on personal property, that each county be required to pay into the Treasury, a yearly tax equal to forty cents on each taxable inhabitant. I am well aware that numbers do not indicate wealth, but still this would be far more equitable, and will answer until such time as the tax can be entirely dispensed with, which I think is not far distant.

The revenue of the State is now in such a condition that a very close estimate can be made of our yearly income. Most of it is derived from sources that are growing and must continue to increase so long as the State increases in population and general productions. It may fall behind for a year, but in a series of years a general increase is certain. The amount of income, belonging to the sinking fund, for the last three years, has been as follows:

For the year 1864	$2,685,121 00
For the year 1865	4,111,423 13
For the year 1866	3,757,746 73

From this it will be seen that it is safe to estimate the yearly receipts belonging to the sinking fund at three millions of dollars, ($3,000,000.) During the year 1872 the Philadelphia and Erie railroad company will commence their yearly payments of $240,000, being the interest on $4,000,000 deposited in the sinking fund as collateral security for the principal and interest of the debt of $3,500,000 owing by them to the State. This will increase the receipts of the sinking fund to, say $3,240,000 per annum. With such an income as this, is it not high time that Pennsylvania had removed the disgrace of having $23,000,000 of her liabilities over-due and unpaid? Should we not at once proceed to negotiate a new loan and redeem the old, so far as it may be due? I think we should. We ought also to repeal the law taxing our own loans. Most of the original debt was created at a time when it was not the custom of the State to tax her own loans, and subscribers had a fair right to suppose that the laws then existing were those by which the State would thereafter be guided in the treatment of her loan-holders. Moreover, since the passage of the act taxing her loans, every dollar borrowed has been exempted from taxation, except a loan of $400,000, and that bears an interest of six per cent. per annum, showing clearly that the law was so unjust that no more money could be borrowed, except under a distinct agreement that it would not be taxed.

I herewith append a statement of our indebtedness, and also a calculation showing the amount that can be redeemed each year with sinking fund receipts, as herein estimated.

Loans overdue		$23,108,626 24
Do. reimbursable in 1868	2,090,845 32	
Do. do. in 1870	1,659,228 29	
Do. do. in 1871	2,820,750 00	
Do. do. in 1877	4,095,000 00	
Do. do. in 1878	360,000 00	
Do. do. in 1879	400,000 00	
Do. do. in 1882	650,000 00	
Bank charter loans	336,409 26	
Relief notes still in circulation	96,625 00	
		35,617,484 11

AMOUNT OF LOANS THAT CAN BE REDEEMED YEARLY.

During the year 1867	$991,875 79
1868	1,042,469 58
1869	1,094,593 06
1870	1,149,322 71
1871	1,206,788 85
1872	1,519,196 18
1873	1,610,347 95
1874	1,706,868 83
1875	1,809,380 96
1876	1,899,850 01
1877	1,994,942 51
1878	2,094,690 63
1879	2,195,974 67
1880	2,327,732 52
1881	2,467,396 47
1882	2,625,440 26
1883	2,772,886 67
1884	2,939,344 67
	33,449,211 72
Leaving a balauce to be paid during the year 1885, of $2,168,272 39, with assets in the Sinking Fund as follows, viz:	
Philadelphia and Erie railroad debt	$3,500,000 00
With interest at 5 per cent. per annum, from 1859 to 1885, 26 years	4,550,000 00
	8,050,000 00
Deduct amount of interest paid on collateral bonds, $240,000 per annum, from 1872 to 1883	3,120,000 00
	4,930,000 00
Amount remaining unpaid by Pennsylvania railroad company, January 31, 1885	2,727,435 82
Amount of assets in the Sinking Fund after the liquidation of our entire indebtedness	7,657,435 82

Under these circumstances there should be no delay in redeeming every dollar of our over-due indebtedness. It is held by every class of the community, and nothing that can be done by us will reflect so much credit on the Commonwealth as a declaration, on your part, that henceforth Pennsylvania's promises shall be redeemed at maturity.

Respectfully,

W. H. KEMBLE,
State Treasurer.

Laid on the table.

JOINT RESOLUTION ON ADJOURNMENT.

Mr. CONNELL. Mr. Speaker, I offer the following resolution:

Resolved (if the House of Representatives concur), That when the two Houses adjourn to-morrow they will adjourn to meet on Tuesday next at 3 o'clock, P. M.

The resolution was agreed to.

The hour of one o'clock having arrived, the SPEAKER adjourned the Senate until to-morrow morning at eleven o'clock.

HOUSE OF REPRESENTATIVES.

WEDNESDAY, January 2, 1867.

The House was called to order by the SPEAKER at 11 o'clock, A. M.

Prayer was offered by the Rev. J. KENNEDY, member from Wyoming.

MESSAGE FROM THE SENATE.

The Clerk of the Senate being introduced, informed that the Senate has concurred in the resolution of the House of Representatives appointing a committee to wait upon the Governor and inform him that the General Assembly is now organized and ready to receive any communications he may have to make, and has appointed Messrs. WHITE, BIGHAM and WALLACE to be the committee on the part of the Senate.

IN THE SENATE, January 1, 1867.

Resolved, That a select committee of five members of the Senate be appointed to act in conjunction with a similar committee of the House of Representatives (if the House of Representatives shall appoint such committee), to report to the Legislature their opinion as to the day on which the election of United States Senator shall take place.

Ordered, That Messrs. CONNELL, BIGHAM, WALLACE, M'CONAUGHY and SCHALL be the committee on the part of the Senate, and that the Clerk inform the House of Representatives accordingly.

Resolved, if the House of Representatives concur, That the rules of the last session for the government of the two Houses be adopted for their government at the present session.

Resolved, That a committee of three members be appointed from the Senate to act in conjunction with a similar committee of the House of Representatives (if the House of Representatives shall appoint such a committee), to receive proposals and contract for the publication of a *Daily Record*.

Ordered, That Messrs. CONNELL, BROWN (Mercer) and GLATZ be the committee on the part of the Senate, and that the Clerk inform the House accordingly.

Resolved, That, if the House of Representatives concur, the Governor be requested to return to the Senate Senate bill No. 472, entitled A supplement to an act relative to the sale and conveyance of real estate, passed April 18, 1853.

At the request of the SPEAKER Mr. Brockway, Assistant Transcribing Clerk, and Mr. Marshall, Assistant Messenger, appeared and were duly sworn into office.

The Journal of yesterday was read and adopted.

Mr. CALVIN presented himself before the Speaker's desk, and was duly sworn as a member of the House.

COMMITTEE FROM THE SENATE.

Senator LOWRY, as chairman of a committee from the Senate, appeared before the House, and announced that the Senate was properly organized and ready to proceed to business.

Mr. FREEBORN. I offer the following petition in reference to the contested election in the Thirteenth district, Philadelphia.

The petition was read by the Clerk:

To the Honorable, the House of Representatives of the General Assembly of the Commonwealth of Pennsylvania:

The petition of the undersigned respectfully represents that they are citizens and qualified electors of the Thirteenth Representative district of the city of Philadelphia, comprising the Seventeenth ward of said city (except the First election division), the Seventh election division of the Sixteenth ward of said city, and the Second and Seventh election divisions of the Nineteenth ward of said city, and were such at the time of the last general election, to wit: Tuesday, the 9th day of October, A. D. 1866.

That at the election aforesaid, an election was held in the said district for a member from said district to your honorable body.

That at said election two persons were voted for for said office of Representative to your honorable body from the said district, to wit: Michael Mullen and Enos C. Renner.

That the return judges of the said city have returned that at the said election the said Michael Mullen received three thousand and thirty-eight votes, and Enos C. Renner received one thousand seven hundred and ninety-three votes; that the said Michael Mullen was elected to said office, and which your petitioners aver to be an undue election and false return of the said Michael Muller to the said office, and they contest his right thereto, and specify the following grounds for their contest:

The third section of article one of the Constitution of Pennsylvania provides "that no person shall be a Representative who shall not have attained the age of twenty-one years, and have been a citizen and inhabitant of the State three years next preceding his election, and the last year thereof an inhabitant of the district in and for which he shall be chosen Representative, unless he shall have been absent on the public business of the United States or of this State."

Wherefore, your petitioners, showing that the said Michael Mullen was not born in the United States, and had not been a citizen of this State three years next preceding said election, was not eligible to the said office, at the said election, his election thereto was an undue election, and that the return thereto was a false return.

Your petitioners, therefore, pray that your honorable body will take such action in the premises as is directed by law, and will decree and declare that the said Enos C. Renner, who was eligible at the time of the said election, and the only person who was eligible, and voted for by the citizens and qualified voters of the said Thirteenth district, is entitled to the seat now held and occupied by the said Michael Mullen, as representative to your honorable body from the said Thirteenth Representative district of the city of Philadelphia.

And as in duty bound, they will ever pray.

(Signed)

George Bosse,	Henry Myers,
Robert Nixon,	Wm. H. Taylor,
Richard Flood.	Richard A. Brand,
John Willingungre,	Benj. F. Brown,
Samuel Remer,	John F. Stonts,
John O. Exley,	William H. Uber,
Henry Siner, Jr.,	John Dubree,
Frank. G. Clough,	Geo. W. Hoffman,
Chas. Scottergood,	Joseph Bossle,
Albert Arick,	Andrew Clump,
Benj. A. Rush, Jr.,	Conrad Yearly,
Jacob Perry,	Edward P. Tomkins,
Wesley Stephenson,	John Budd.

City of Philadelphia, ss:

Personally appeared before me, one of the Aldermen in and for the city of Philadelphia, Benjamin H. Rush, Jr., Jacob Perry, Wesley Stephenson, Henry Myers and William H. Taylor, five of the above named petitioners, who being severally sworn according to law, do say that the facts above set forth are just and true to the best of their knowledge and belief.

Benjamin H. Rush, Jr.,
Jacob Perry,
Wesley Stephenson,
Henry Myers,
William H. Taylor.

Sworn and subscribed before me the twenty-seventh day of December, Anno Domini eighteen hundred and sixty-six.

A. H. SHOEMAKER, Alderman.

City and County of Philadelphia, State of Pennsylvania, ss:

I do hereby certify that the foregoing petitioners are citizens and qualified electors of the Thirteenth Representative district of the city of Philadelphia, comprising the Seventeenth ward of the city of Philadelphia (except the First election division), the Seventh election division of the Sixteenth ward, and the Second and Seventh election divisions of the Nineteenth ward of the said city, and

that they were such at the election held on the second Tuesday of October last.

Witness my hand and the seal of office, this the thirty-first day of December, A. D. 1866.

[SEAL.] FRED. G. WOLBERT,
Prothonotary Court of Common Pleas for the city and county of Philadelphia.

Mr. FREEBORN. I now desire to offer the following resolution:

Resolved, That this House will proceed on to-morrow, Thursday, at 12 o'clock, M., to draw a committee to consider the contested election case in the Thirteenth district of the city of Philadelphia.

Mr. LEE. I desire to amend by striking out the words "to-morrow, Thursday," and inserting "Wednesday, the 9th."

The amendment was accepted.

The resolution as amended was then agreed to.

Mr. MANN. I offer the following resolution:

Resolved, That a committee of five be appointed, to act in conjunction with a similar committee appointed by the Senate, to agree to the time fixed by Congress for the election of United States Senator, who are requested to report a bill regulating said election, and that the Speaker of the House be added to the said committee.

The Clerk read the following extract from the Senate Journal:

IN THE SENATE, January, 1867.

Resolved, That a select committee of five members of the Senate be appointed, to act in conjunction with a similar committee from the House of Representatives (if the House of Representatives shall appoint such a committee), to report to the Legislature their opinion as to the day on which the election of United States Senator shall take place.

Mr. MANN. I desire an amendment. I heard the resolution adopted by the Senate, and if it can be amended so as to request the committee to report by bill, then I would concur. The law as it now stands provides a different day, and a different manner of electing U. S. Senators in Congress from that provided by Congress. Of course we don't want a law on our statute books in conflict with the legislation of Congress, and while we are acting on this subject, it seems to me the same committee ought to report a bill which shall be in harmony with the action of Congress. For that reason I move to amend the resolution of the Senate by requesting the committee to report a bill.

The question on the amendment was agreed to.

The resolution of the Senate as amended was concurred in.

The Clerk read the following extract from the Senate Journal:

Resolved, That a committee of three members be appointed from the Senate to act in conjunction with a similar committee of the House of Representatives (if the House of Representatives shall appoint such a committee), to receive proposals and contract for the publication of a *Daily Record*.

Mr. HOFFMAN. I move that we concur in the resolution of the Senate.

Mr. MEYERS. I offer as an amendment, the amendment which I made yesterday to the resolution of the gentleman of Dauphin [Mr. HOFFMAN.]

The amendment was read as follows:

Resolved, That if the Senate concur, that said committee appointed to make said contract, are required to stipulate that the said *Record* shall be laid daily (when the House and Senate are respectively in session) on the desk of each Representative and Senator, and said *Record* to contain *inter alia* the proceedings of such preceding session, not more remote than the third session prior to the day when so laid on the desk, and that no money shall be drawn from the State Treasury for the contract price, or any part thereof, of said stipulation if not complied with.

Mr. MEYERS. I also desire to add, "and that each member of the House and each Senator shall be entitled to twenty-five copies of said *Record*."

Mr. ALLEN. I move to amend by making "twenty-five" read "thirty-five."

Mr. MEYERS. I accept the gentleman's amendment.

Mr. DAVIS. I think that probably this subject is premature in the House. This is a question in which every member on the floor is particularly interested—the *Daily Record* of the proceedings of the Legislature being (and I think it is the experience of nearly every member) the only document I care very much about. It is one our constituents like to have; and we should carefully consider this question. It strikes me that the amendment of the gentleman from Northampton obviates the necessity of creating a committee at all. It provides for the work that this committee is to do, and limits the number of the *Record* to twenty-five. Now, if the *Legislative Record* is to be a correct report of the proceedings of this House, I would like to have more copies of it than twenty-five. I would like to see a committee of gentlemen appointed by the Chair that would take the whole subject into consideration and agree upon what kind of a *Record* we shall have, and when it shall be delivered to the House. And, permit me to remark, it could be delivered a great deal better if gentlemen did not hold it back in order to revise their speeches. I have no doubt the gentleman from Northampton [Mr. MEYERS] is as much in the habit of holding back his speeches as any other gentleman. I would like to see the matter referred to a committee, with power to act, and not confined to any particularity. Under the amendment offered by the gentleman the committee would have nothing to do but go out and contract with a party for twenty-five *Records*. I move to postpone this subject for the present.

Mr. MEYERS. I understand the gentleman as making his motion to postpone to have reference to the message from the Governor.

I therefore ask the unanimous consent of the House to the postponement of this matter until the message is read.

The SPEAKER. Will the House give its unanimous consent to the postponement?

It was objected.

The SPEAKER. The question is on the motion of the gentleman from Philadelphia [Mr. DAVIS] to postpone the further consideration of this resolution.

Mr. MANN. I want to move an amendment.

If the gentleman from Philadelphia will fix the time when he will take this subject up I have no objection, but if it is postponed for the present then it is beyond the power of a majority of the House to control it, and it can only come up by a vote of two-thirds. I want the members of this House to understand that they put it in the power of one-third to control this matter.

Mr. DAVIS. I have no objection to the gentleman from Potter (Mr. MANN) fixing the time. I knew the Governor's message was waiting to be delivered, that this discussion was premature, and that it would occupy an entire session.

The resolution was then made the special order for Monday evening next.

REPORTS FROM COMMITTEES.

Mr. SHARPLES. As chairman of the committee appointed by this House to communicate with the Governor and inform him that we are organized and ready to proceed to business, I would respectfully report that His Excellency desired me to inform the House that he would communicate with this body at 12 o'clock to-day.

PETITIONS.

Mr. WINGARD. I desire to present the following petition:

The petition was read by the clerk:

To the Honorable the House of Representatives of the Commonwealth of Pennsylvania:

The petition of the undersigned, more than twenty qualified electors of the ——— Legislative district of the State of Pennsylvania, consisting of the counties of Lycoming, Union and Snyder, respectfully represent that the officers of the general election held for said district on the second Tuesday of October last, have certified and returned that at said election C. D. Roush received one thousand three hundred and twenty-four votes for the office of member of the Legislature of said district, and James Marshall received one thousand three hundred and twenty-two votes for said office of member of the Legislature of said district; and that said officers gave the certificate of election to said C. D. Roush.

The petitioners complain that the said election was undue, and that the said James Marshall was duly elected member of the Legislature of said district, and not the said C. D. Roush. And the said petitioners set forth the following facts on which their complaint is founded, by which it will appear that the said James Marshall was elected member of the Legislature as specified, viz:

1st. That in the township of Cascade, Lycoming county, one judge, one inspector, and one clerk, officers of the board who held the election, were deserters, and consequently incapable, by law, of holding said election; that said township gave a majority of nineteen for Roush over Marshall, and the election being held by persons incapable, by law, of holding it, is void, and said return should be thrown out in the computation of the final result.

2d. That in said township of Cascade ten deserters voted for Roush, when by law they are excluded from voting.

3d. That two members of the board of election in Jordan township, Lycoming county, were deserters, and that the election held in said township is consequently void; that said township gave a majority of more than one hundred in favor of Roush over Marshall, and the returns of said township should be thrown out in computing the final result.

4th. That one illegal vote was polled in favor of Roush in Montoursville, Lycoming county.

5th. That one illegal vote was polled in Porter township, Lycoming county, in favor of Roush.

6th. That two illegal votes were polled in Washington township, Lycoming county, in favor of Roush.

7th. That three illegal votes were polled in Brady township, Lycoming county, in favor of Roush.

8th. That an adjourned court was held in Williamsport, Lycoming county, Pennsylvania, less than ten days before the election, at which over eighty persons took out their second papers and voted in favor of Roush, at the ensuing election, when, in fact, they were not entitled to vote at all, not having been citizens ten days previous to the election.

9th. That one illegal vote was polled for Roush in the West ward of Williamsport, which is not included among any of those mentioned before.

10th. That one illegal vote, other than

those mentioned before, was polled in favor of Roush in the East ward of Williamsport.

11th. That seven illegal votes were polled in Union county for Roush.

12th. That seven illegal votes were polled in Snyder county for Roush.

13th. That one illegal vote was polled in Muncy Creek township, one in Muncy township, and one in Wolf township, Lycoming county, all three being for Roush.

The petitioners, therefore, pray your honorable body to hear and determine said complaint. [Signed]

S. Dieffenderfer,	Henry Watson,
S. D. Bates,	James Armstrong,
Wm. C. Painter,	G. W. Youngman,
Wm. Jones,	John H. Hays,
Chas. C. Shorkley,	Michael Heisley,
James S. Marsh,	E. Andrews,
Peter Beaver,	T. Cornell,
E. N. Weikel,	Albert W. Curtis,
W. M. Van Gezar,	R. H. Klapp,
J. A. Kreamer,	E. W. Capron,
C. H. Hassenplug,	Chas. Nast, Jr.,
Israel Geyer,	Chas. L. Lyons,
Lewis Rauch,	S. Jamison,
Geo. F. Miller,	B. H. Taylor,
Jacob Leiser,	R. Hawlie,
Sam'l Marshall,	James M. Wood,
S. B. Rawling,	John D. Wallace,
John K. Carey,	Conley Slatts,
William Stadder,	A. B. Susnam,
D. D. Dirffenderfer,	S. Geddes,
Robt. W. Coney,	W. C. Duncan,
John W. Brown.	

Union County, ss.

I, C. H. Hassenplug, Prothonotary in and for Union county, do hereby certify that more than twenty of the persons whose names are signed to the foregoing petition were, at the time of signing it, and still are, duly qualified electors of the Legislative district, composed of the counties of Union, Lycoming and Snyder. C. H. Hassenplug,
Prothonotary.

State of Pennsylvania, Union County ss:

Before me, personally appeared five of the foregoing petitioners, to wit: Wm. Jones, James S. Marsh, Chas. C. Shorkley, Wm. Van Gezar. E. H. Weikel, who, being duly sworn according to law, depose that the facts set forth in this petition are true to the best of their knowledge and belief.

Wm. Jones,
James S. Marsh,
Chas. C. Shorkley,
Wm. Van Gezar,
E. H. Weikel.

Appeared and subscribed before me, December 29th, 1866.

[SEAL.] C. H. Hassenplug, Proth'y.

Mr. WINGARD. I offer the following resolution:

Resolved, That the House will proceed, on Wednesday next, at 12 o'clock, M., to the selection of a committee to investigate the contested election in the case of the Hon. Chas. D. Roush, now sitting as a member of this House, from the district known as the Lycoming, Union and Snyder district.

The resolution was read a second time.

Mr. QUAY. Mr. Speaker, I desire the gentleman to give some reason why this matter should be postponed a week. I think we may as well do it to-morrow.

Mr. WADDELL. Mr. Speaker, I presume the difficulty is, if the committee are called they will be compelled to be in session. The probability is that these parties are not ready to proceed, not having their witnesses. And it will only compel the committee to meet every day and adjourn until the parties are ready. Probably if we let the matter go over until next week, the parties will be prepared.

Mr. WINGARD. I move to amend the resolution by striking out the words "twelve, M.," and inserting "twelve and a half, P. M."

Mr. DAVIS. Mr. Speaker, it will take, probably, one hour and a half to draw this committee. The gentleman had better amend his resolution by making it the special order at 3 o'clock or 2½, P. M.

The SPEAKER. The Clerk informs the Chair that it takes at least an hour to draw the committee.

Mr. WINGARD. Then, Mr. Speaker, I move to amend by making the resolution read that the committee shall be drawn at 11 o'clock, A. M., on Wednesday, the 9th instant.

Mr. PENNYPACKER. Mr. Speaker, I move to amend the amendment by making it Thursday, the 10th, at 12 o'clock, M.

On agreeing to the amendment to the amendment, a division was called for, and it was lost.

The question recurring on the resolution as modified by Mr. Wingard, it was then agreed to.

Mr. MECHLING. Mr. Speaker, I desire to present a petition from the citizens of Armstrong county, for the repeal of an act regulating the practice of entering judgments and issuing process in said county.

The petition was read by the Clerk and Referred to the Committee on the Judiciary Local.

Mr. MANN. Mr. Speaker, I ask leave to present a joint resolution to ratify the fourteenth article of the amendment to the Constitution of the United States.

Mr. BOYLE. Mr. Speaker, I make the point of order that the joint resolution of the gentleman being in the nature of a bill is not now in order.

The SPEAKER. The gentleman from Potter [Mr. Mann] asked leave of the House to introduce this resolution.

Mr. MANN. Mr. Speaker, I move that the rules be suspended in order that the resolution may be considered at this time.

Mr. DAVIS. I am not aware of any rule of the House that prohibits the reading of a resolution. Every gentleman has the right to read an original resolution, and under the rules it can lie over for one day.

Mr. STUMBAUGH. Mr. Speaker, I am under the impression that no rules have yet been adopted.

The SPEAKER. The gentleman from Potter desires to suspend the orders of the day so as to enable him to introduce a joint resolution which is in the nature of a bill.

The opinion of the Chair is that the gentleman's joint resolution is in order, provided the rules are suspended.

Mr. LEE. We have no rules.

The SPEAKER stated that the question was on suspending the rules.

A division was called for, when 56 voted in favor of, and 33 against suspending the rules.

So it was lost, two-thirds not voting in the affirmative.

Mr. BOYLE. Mr. Speaker, original resolutions being now in order, the first business that should be proceeded with is the resolution of yesterday concerning the rules of the House. The House adjourned upon it at that time. I understood the rules to be, in such a case, that it shall come up when the same order is reached on the following day. I, therefore, call it up.

Mr. QUIGLEY. The gentleman makes a mistake; the Speaker ruled his amendment out of order.

Mr. BOYLE. I do not call for my amendment. I desire to bring up the original resolution offered by the gentleman from Philadelphia [Mr. Lee].

The SPEAKER. The Chair desires the Clerk to read, for the information of the House, rule No. 48.

The rule was read as follows:

The rules now adopted shall be the rules of the House until otherwise ordered.

The SPEAKER. The decision of the Chair is that the resolution offered by the gentleman from Fayette [Mr. Boyle] is now in order.

Mr. BOYLE. Mr. Speaker, I have no resolution before the House.

The SPEAKER. The point of order taken by the gentleman—

Mr. BOYLE. Is not under rule 48?

The SPEAKER. The resolution offered by the gentleman from Philadelphia [Mr. Lee] and amended by the gentleman from Fayette will be reached in its order—No. 6 of the regular order of business.

Under Rule 8, page 120, of the *Manual*, the gentleman will read that "reports and resolutions may, on motion, be considered."

Mr. BOYLE. I understand, Mr. Speaker, that I am not driven to a vote in order to call up a resolution on which the House adjourned, or a resolution that goes over without postponement.

The SPEAKER. The Chair has already said that the resolution will be reached when that order of business is reached.

ORIGINAL RESOLUTIONS.

Mr. PENNYPACKER. I offer the following resolution.

It was read by the Clerk:

Resolved, That a committee of three be appointed to inquire into the manner of printing and delivering documents to the House, and report by bill or otherwise, if any improvement can be made therein.

The resolution was read a second time and Agreed to.

Mr. DONOHUGH. I offer the following resolution:

It was read by the Clerk:

Resolved, That the Reverend Jacob Kennedy, a member of this House, be invited to open our daily sessions with prayer.

The resolution was read a third time and Agreed to.

Mr. WADDELL. Mr. Speaker, I offer the following resolution:

The resolution was read by the Clerk:

Resolved, That the Speaker and Clerk of the House be authorized to remodel the several standing committees of this House in such a manner as may be deemed necessary.

The resolution was read a second time.

Mr. M'CREARY. Mr. Speaker, I would like to know in what particular way the gentleman intends to remodel the committees.

Mr. WADDELL. My object in introducing this resolution was for the purpose of increasing the committees. I think the experience of this House and the experience of gentlemen who have served upon one or two of the committees of this House must satisfy them that they are overburdened.

I refer more particularly to the Committee on the Judiciary Local.

There is no gentleman who has served on that committee in this House but must feel it is no satisfaction to be so situated, and very little satisfaction to the gentleman who has charge of the committee, and certainly very little satisfaction to the House to hear reports from that committee.

It is impossible for them to go through in a satisfactory manner with the labors put upon them. The fact is, a large majority of the businesss of this House is thrown into the hands of two or three committees, solely.

It has occurred to my mind if this can be remedied by increasing the number of the committees—not the number on the committees—and changing their titles some way whereby a particular character of business can be thrown into the hands of the other committees, it would be for the benefit of the committees, and for the benefit of the busi-

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FOR THE SESSION OF 1867.

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[CONTINUED FROM PAGE 16.]

ness of the House. My object is not to increase the number of gentlemen on the committees, but to distribute, if possible, the labors of the respective committees more evenly upon them. I introduce this resolution for the purpose of endeavoring to accomplish this end and no other.

The resolution was then agreed to.

MESSAGE FROM THE GOVERNOR.

The Secretary of the Commonwealth being introduced, presented a message, in writing, from the Governor.

[See Senate proceedings.]

SPEAKER'S TABLE.

The SPEAKER presented to the House and laid upon the table the report of the Board of Military Claims; an abstract of the report of the Lehigh coal and navigation company, and the annual report of the State Treasurer.

BILLS PASSED.

Mr. SHUMAN. Mr. Speaker, I ask leave to make a statement.

Leave was granted.

Mr. SHUMAN. At the close of the last session there was an act passed in regard to the granting of licenses in different parts of the State. There was a mistake in it. There was a provision in the original bill that was not asked for by the petitioners; and I would like to have that portion of it repealed. There is a two-miles clause in it. The friends of the liquor bill are perfectly agreed that that portion of it shall be stricken out, on account of another town being within two miles of the township limited. By having Penn township in, the bill affects all the country two miles beyond, which includes nearly the whole of another town.

I would ask leave to offer a bill to remedy this objection, and move that the rules be suspended in order that it may be put upon its passage.

Mr. MECHLING. Mr. Speaker, I desire to inquire of the gentleman whether this bill affects Armstrong county.

Mr. SHUMAN. No, sir, it affects nothing but Penn township.

The title of the bill is as follows:

An act to repeal a portion of an act entitled An act to prohibiting the issuing of licenses within certain boroughs in the counties of Armstrong, Indiana and Perry, and within two miles of the confines within which said boroughs are located.

On motion of Mr. SHUMAN, the rules were suspended, the bill passed its several readings and

Passed finally.

Mr. LEE. I offer the following resolution:

Resolved, That there be printed for the use of this House fifteen thousand copies of the Governor's message in English and five thousand in German.

Mr. MANN. I move to strike out the word "fifteen" before the word thousand and insert the word "ten."

On agreeing to the amendment a division was called for, when forty-three voted for and thirty-eight against the amendment.

So it was agreed to.

The question recurring on the resolution as amended,

Mr. DAVIS moved further to amend by striking out the word "five" before the word thousand and inserting the word "three."

The amendment was agreed to.

The resolution as amended was agreed to.

Mr. DAVIS. Mr. Speaker, I offer the following resolution:

Resolved, That five thousand copies of the report of the State Treasurer be printed for the use of the House.

Mr. QUIGLEY. I move to amend by striking out the word "five" and inserting "ten."

The amendment was not agreed to.

The original resolution was then agreed to.

Mr. M'KEE. Mr. Speaker, I ask leave to read a bill in place at this time to provide for the payment of the retiring officers of the Senate and House of Representatives.

Leave was granted.

On motion of Mr. M'KEE, the rules were suspended, and the bill passed its several readings and

Passed finally.

Mr. ALLEN. I have a bill which has reference to a little borough matter. I will ask the indulgence of the House in allowing me to read it in place.

Leave was granted.

The bill is entitled as follows:

An act entitled An act to change the mode of electing town council.

On motion of Mr. ALLEN, the rules were suspended, the bill passed its several readings and

Passed finally.

Mr. LEE. I desire to offer the following resolution:

Resolved, That when this House adjourns it adjourns to meet on Monday evening next, at 7 o'clock.

Mr. KERNS. Mr. Speaker, the resolution is unnecessary, as the Senate has just refused to adjourn. It would be impossible for the House to adjourn.

Mr. DAVIS. It requires a joint resolution to adjourn over for more than three days.

Mr. LEE. I withdraw the resolution.

Mr. M'CREARY. I offer the following resolution:

Resolved, That the Clerk of this House cause the chair lately used by the Speaker, and known as the John Hancock chair, to be restored to Independence Hall in Philadelphia.

The resolution was read a second time.

Mr. M'CREARY. Mr. Speaker, before the question is voted upon, I will say, if there is anything in this world we ought to take pride in as a State and as a people it is the early history of this government. There is nothing about which so much interest gathers as the old chair, which was used at the Declaration of Independence.

I am informed that this chair last summer suffered considerable injury. Inasmuch as it is not in use it will be laid aside, and finally this honorable relic will be lost and no one will know where it has gone. I know of no place so appropriate for this chair as the place from which it originally came—Independence Hall in Philadelphia.

I trust that the members will act on it in that light.

The SPEAKER. The Speaker desires to state that it has been the intention of the Clerk to deposit the chair in the new library room, in order that it might be preserved.

Mr. M'CREARY. I had rather have it where it properly belongs.

The resolution was agreed to.

Mr. KINNEY. Mr. Speaker, I ask leave to suspend the rules, and read a bill in place.

Leave was granted.

The title of the bill is as follows:

An act relating to bounty taxes in Bradford county, legalizing the action of the burgess and town council in Troy borough relative to bounties, and to require the payment of the same.

On motion of Mr. KINNEY, the rules were suspended, the bill passed its several readings and

Passed finally.

Mr. QUIGLEY. Mr. Speaker, I move that this House do now adjourn.

The motion was not agreed to.

Mr. HUMPHREY. Mr. Speaker, I desire to make a statement. A bill was passed last session by misrepresentation. It is a Senate bill, entitled An act repealing an act appointing commissioners to lay out and open a State road from Marsh's Corners, M'Kean county, to the Philadelphia and Erie railroad.

I move the suspension of the rules, and ask that the bill may be put on its passage.

The motion was agreed to.

The bill passed its several readings and

Passed finally.

The Clerk read the following extract from the Senate Journal:

Resolved, That, if the House of Representatives concur, the Governor be requested to return to the Senate Senate bill No. 472, entitled A supplement to an act relative to the sale and conveyance of real estate, passed April 18, 1853.

On motion, the House concurred in the resolution.

Mr. KERNS. Mr. Speaker, I ask leave to read a bill in place relative to the running of passenger railroad cars on Sunday, in the city of Philadelphia.

Leave was granted, and the bill was

Laid on the table.

Mr. M'CREARY. I ask leave to read a

bill in place, entitled A supplement to an act to incorporate the borough of South Erie.

Leave was granted, and the bill was

Laid on the table.

The hour of 1 o'clock having arrived, the SPEAKER declared the House adjourned until to-morrow morning, at 11 o'clock.

SENATE.

THURSDAY, January 3, 1867.

Senate met at 11 o'clock, A. M., and was called to order by the SPEAKER.

On motion of Mr. CONNELL, the reading of the Journal of yesterday was dispensed with.

PETITIONS.

Mr. SCHALL presented a petition of the citizens of Lehigh county, praying for the passage of an act regulating the sale of goods by hawkers and peddlers at wholesale.

Laid on the table.

BILLS IN PLACE.

Mr. BROWN (Mercer) read in his place and presented to the Chair a bill entitled An act to establish a ferry over the Allegheny river at or near the mouth of Big Scrubgrass, in the county of Venango.

Laid on the table.

Mr. CONNELL, a bill entitled An act to define the time and regulate the manner of electing Senators to represent the State in the Senate of the United States.

Laid on the table.

Mr. WHITE, a bill entitled A joint resolution instructing our Senators and Representatives in Congress on the tariff.

Laid on the table.

Mr. M'CONAUGHY, a bill entitled An act to incorporate the Littlestown Savings Institution.

Laid on the table.

Mr. LOWRY, a bill entitled An act to incorporate the Marine Hospital of Pennsylvania, in the county of Erie, to fix the location of hospital in Erie city; and to grant real estate to said hospital.

Laid on the table.

Also, a bill entitled A further supplement to an act entitled An act regulating railroad companies, approved February 19, 1849, and its supplements, and to create and regulate such companies.

Laid on the table.

Mr. SHOEMAKER, a bill entitled An act to incorporate the Wilkesbarre and Sugar Notch passenger railway company.

Laid on the table.

Mr. FISHER, a bill entitled A joint resolution regarding the meeting of the next Congress.

Laid on the table.

Mr. M'CONAUGHY, a bill entitled An act to amend an act to incorporate the North American Transit insurance company, and the supplements thereto.

Laid on the table.

Mr. RIDGWAY, a bill entitled A further supplement to an act entitled An act to enable joint tenants, etc., approved the 21st day of April, 1854.

Laid on the table.

LEAVE TO RECORD VOTE.

Mr. ROYER, having been absent, asked and obtained leave to record his vote on the organization of the Senate, and on the question of taking up the joint resolution ratifying the constitutional amendments.

Mr. RIDGWAY also asked and obtained leave to record his vote on the question of taking up the joint resolution adopting the constitutional amendments.

BILLS PASSED.

On motion of Mr. BROWN (Mercer), the rules were dispensed with, and the Senate proceeded to the consideration of bill entitled An act to establish a ferry over the Allegheny river at or near the mouth of Big Scrubgrass, in Venango county.

The bill

Passed finally.

On motion of Mr. LOWRY, the rules were dispensed with, and the Senate proceeded to the consideration of bill entitled A further supplement to an act entitled An act relating to corporations for mechanical, manufacturing, mining and quarrying purposes, approved July 18th, 1863, extending the provisions of said act, and the said supplements thereto, to any association formed for the publication and sale of periodicals, newspapers, school books, books of science and art, and current and standard literature.

The bill

Passed finally.

On motion of Mr. M'CONAUGHY, the rules were dispensed with, and the Senate proceeded to the consideration of bill entitled An act to incorporate the Littlestown Savings Institution.

The bill

Passed finally.

MESSAGE FROM THE HOUSE.

The Clerk of the House of Representatives being introduced, presented for concurrence bills numbered and entitled as follows, viz:

No. 1, an act to repeal a portion of an act entitled An act to prohibit the issuing of licenses within certain boroughs in the counties of Armstrong, Potter, Indiana and Perry, or within two miles of the same, in the counties in which such boroughs are located.

No. 2, an act to pay the retiring officers of the Senate and House of Representatives.

No. 3, an act entitled An act to change the mode of electing town council in the borough of Youngsville, and defining certain duties pertaining to their office.

No. 4, an act relating to bounty taxes in Bradford county, legalizing the action of the burgess and town council in Troy borough relative to bounties, and to require the payment of the same.

No. 5, an act repealing an act appointing commissioners to lay out and open a State road from Marsh's Corners, M'Kean county, to the Philadelphia and Erie railroad.

Which were severally laid on the table.

The Clerk of the House of Representatives also informed that the House of Representatives has concurred in resolution from the Senate relative to the appointment of a committee to fix the day for the election of United States Senator, with an amendment adding thereto the words, "said committee to report by bill," and have appointed Messrs. MANN, WADDELL, BOYLE, M'CREARY and MEYERS the committee on the part of the House.

On motion, the said amendment was agreed to.

ELECTION OF UNITED STATES SENATOR.

Mr. CONNELL. Mr. Speaker, I move that the rules be dispensed with, and that the Senate proceed to the consideration of bill entitled An act to define the time and regulate the manner of electing Senators to represent this State in the Senate of the United States.

Mr. BIGHAM. Mr. Speaker, the object of that bill is to remove any doubt that exists on this subject, and to make the State and National laws conform. I think it had better be passed at once.

The bill was read as follows:

An act to define the time and regulate the manner of electing Senators to represent this State in the Senate of the United States.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That each House of the Legislature appoint one teller, and nominate at least one person to fill the office of Senator to represent this State in the Senate of the United States, and at least two days previous to the joint meeting hereinafter mentioned communicate to the other House the names of the persons so appointed and nominated.

SEC. 2. At the hour of 11 A. M., on the second Tuesday after the meeting and organization of the Legislature which shall be chosen next preceding the expiration of the time for which any Senator was elected to represent this State in Congress, to wit: on the third Tuesday of January, if the Legislature shall have organized previous to the second Tuesday; but if not so organized, then on the second Tuesday after the organization thereof, not counting the day on which the Legislature was organized, each House shall openly, by a *viva voce* vote of each member present, name one person for Senator in Congress from this State, and the name of the person so voted for, who shall have a majority of the whole number of votes cast in each House, shall be entered on the journal of each House by the clerk thereof; but if either House shall fail to give such majority to any person on said day, that fact shall be entered on the journal. At 12 o'clock, meridian, of the day following that on which proceedings are required to take place, as aforesaid, the members of the two Houses shall convene in joint assembly, and the journal of each House shall then be read, and if the same person shall have received a majority of all the votes in each House, such person shall be declared duly elected Senator to represent this State in the Congress of the United States; but if the same person shall not have received a majority of the votes in each House, or if either House shall have failed to take proceedings, as required by this act, the joint assembly shall then proceed to choose, by a *viva voce* vote of each member present, a person for the purpose aforesaid, and the person having a majority of all the votes of the said joint assembly, a majority of all the members elected to both Houses being present and voting, shall be declared duly elected; and in case no person shall receive such majority on the first day, the joint assembly shall meet at 12 o'clock, meridian, of each succeeding day during the session of the Legislature, and take at least one vote until a Senator shall be elected.

SEC. 3. Whenever, on the meeting of the Legislature, a vacancy shall exist in the representation of this State in the Senate of the United States, the Legislature shall proceed, on the second Tuesday after the commencement and organization of its session, to elect a person, to fill such vacancy, in the manner hereinbefore provided for the election of a Senator for the full term; and if a vacancy shall happen during the session of the Legislature, then on the second Tuesday after the Legislature shall have notice of such vacancy.

SEC. 4. When the election shall be closed as aforesaid, the president of the convention shall announce the person who shall have received a majority of votes aforesaid, to be duly elected a Senator to represent this State in the Senate of the United States; and he shall, in the presence of the members of both Houses, sign four several certificates of the election, attested by the tellers, one of which certificates shall be transmitted by the president of the convention to the Governor of this Commonwealth, one to the person so elected, and the remaining two shall be preserved among the records and entered at length on the Journal of each House.

SEC. 5. It shall be the duty of the Governor, immediately after receiving the certificate of the election of any Senator, to certify his election, under the seal of the State; which certificate shall be countersigned by the Secretary of State.

The bill was read a second and third time and

Passed finally.

PAY OF RETIRING OFFICERS.

On motion of Mr. CONNELL, the rules were dispensed with and the Senate proceeded to the consideration of House bill entitled An act to pay the retiring officers of the Senate and House of Representatives.

The bill

Passed finally.

THE TARIFF QUESTION.

On motion of Mr. WHITE, the rules were dispensed with, and the Senate proceeded to the consideration of the joint resolutions instructing our Senators and Representatives in Congress on the tariff.

The bill was read as follows:

WHEREAS, The taxation now necessarily levied upon the people of the United States to meet the current expenses and discharge the very large debt resting upon the nation falls heavily upon the mechanical, agricultural, mining, manufacturing, and other industrial pursuits of Pennsylvania, and requires of the parent government more than ever a proper and judicious tariff for protection against an unjust competition with the large and excessive importations of foreign goods and other products of cheap and pauper labor;

And whereas, The duty of the General Government to pass a proper tariff is also increased in view of the fact that the hosts of heroes who have on the battle-field maintained the integrity and vindicated the honor of the nation, have now returned to peaceful pursuits, and look for proper remuneration for their industry for a livelihood; therefore,

Resolved by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, That our Senators and Representatives in Congress be, and they are hereby, requested and instructed earnestly, by their votes to secure the passage through Congress, that it may soon become a law, of the tariff bill passed by the Lower House of Congress at it last session, and now before the Senate of the United States.

Resolved, That Pennsylvania is now, as ever, devoted to the doctrine of ample and permament protection by the Federal Government to American labor, industry and enterprise, and that the tariff bill now before the Senate of the United States, judicially protecting as it does the iron manufacturer, the woolen manufacturer, the wool grower, and all other industrial pursuits against the unequal competition of cheap foreign labor is wise, just and necessary, and should early become a law.

Resolved, That the Governor be and is hereby requested to forward a copy of these resolutions to our Senators and Members of Congress.

The resolutions passed finally.

THE CONSTITUTIONAL AMENDMENTS.

The joint resolution ratifying the amendment to the Constitution of the United States being the order of the day, a motion was made by Mr. FISHER that the further consideration of the resolution be postponed until Thursday evening next, and that it be made the special order for that day.

The motion of Mr. FISHER was agreed to.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

The Clerk of the House of Representatives being introduced, informed the Senate that the House of Representatives has concurred in the resolution from the Senate relative to the adjournment of the two Houses until Tuesday next, at 3 o'clock P. M.

HOUSE BILLS PASSED.

On motion of Mr. LANDON, the rules were dispensed with, and the Senate proceeded to the consideration of bill from the House of Representatives entitled An act relative to bounty taxes in Bradford county, legalizing the action of the burgess and town council in Troy borough relative to bounties, and to require the payment of the same.

The bill

Passed finally.

On motion of Mr. HAINES, the rules were dispensed with, and the Senate proceeded to the consideration of bill from the House of Representatives entitled An act to repeal a portion of an act entitled An act to prohibit the issuing of licenses within certain boroughs in the counties of Armstrong, Potter, Indiana and Perry, or within two miles of the same, in the counties in which such boroughs are located.

The bill

Passed finally.

NORTHWEST WARD IN THE CITY OF LANCASTER.

Mr. FISHER. Mr. Speaker, I move that the rules be suspended and that the Senate proceed to the consideration of the bill entitled An act to divide the Northwest ward, in the city of Lancaster, into election precincts and separate election districts.

Mr. BILLINGFELT. I hope my colleague will allow this bill to lie over until I can hear from my constituents about it. I do not wish it understood that I am opposed to the bill, but I am in favor of a general bill for all the wards in Lancaster.

Mr. FISHER was understood to say that this Northwest ward was the largest ward in Lancaster, and polls some seven hundred or eight hundred votes, and it is proposed to divide it up into precincts, but as he did not wish to be too impatient he would be willing to withdraw it for the present.

The bill was then withdrawn.

A JOINT RESOLUTION.

Mr. WHITE offered the following resolution:

Resolved, That (if the House concur) so much of the Governor's message as refers to the maintenance of such of our soldiers as are in poverty, and have been so maimed as to prevent them from securing a livelihood, be referred to a joint committee of three from each House, whose duty it shall be to report by bill or otherwise, to carry into effect the recommendation of His Excellency, the Governor.

The resolution was adopted.

The SPEAKER then adjourned the Senate until Tuesday next, at 3 P. M.

HOUSE OF REPRESENTATIVES.

THURSDAY, January 3, 1867.

The House met at 11 o'clock, A. M.

Prayer was offered by the Rev. J. KENNEDY, member from Wyoming.

The Journal of yesterday was read and adopted.

MESSAGE FROM THE SENATE.

The Clerk of the Senate being introduced, presented for concurrence bills numbered and entitled as follows, viz:

No. 1, an act relative to the receiver of taxes in the city of Philadelphia, repealing so much of the act of April ninth, one thousand eight hundred and sixty-one, as authorizes him to charge five per cent. commission for collecting taxes from delinquent taxpayers.

No. 2, an act to authorize the appointment of an additional notary public for the county of Lehigh.

Also, extract from the Journal of the Senate:

IN THE SENATE, January 2, 1867.

Resolved (if the House of Representatives concur), That when the two Houses adjourn to-morrow (Thursday) they will adjourn to meet on Tuesday next at three o'clock, P. M.

At the request of the SPEAKER, John Mitchell, an Assistant Doorkeeper, presented himself before the Clerk's desk and was duly sworn.

SPEAKER'S TABLE.

The SPEAKER presented to the House and laid upon the table the annual report of the Philadelphia Savings Fund society.

The Clerk read the following extract from the Journal of the Senate:

IN THE SENATE, January 2, 1867.

Resolved, That (if the House of Representatives concur) when the two Houses adjourn to-morrow (Thursday) they will adjourn to meet on Tuesday next at 3 o'clock, P. M.

Mr. LEE. I move, Mr. Speaker, that the House concur in the resolution just read.

Mr. MANN. I move to amend by inserting Monday evening at half-past seven o'clock. There is a special order already by this House for that evening, and this resolution, if it prevails, puts that motion, I think, in the same position as if it had been postponed for the present, and will require a two-thirds vote to again get it before the House. If the House, therefore, desires to keep command of that motion it will amend this resolution so that we can meet on Monday evening.

Mr. M'CREARY. Will the gentleman inform me what the order of the House is on that evening?

Mr. MANN. The consideration of the publication of a *Daily Record*.

The SPEAKER. Does the gentleman from Potter (Mr. MANN) insist on his amendment?

Mr. MANN. I do.

The question being on the amendment a division was called for, when 31 voted for and 49 against it. It was therefore lost.

The question recurring on agreeing to the resolution of the Senator,

It was agreed to.

BILLS IN PLACE.

Mr. LEE. I desire at this time to make a short statement. Mr. Speaker, the directors of the poor of Oxford township, in Lower Dublin, Philadelphia county, have upon their grounds a building wholly inadequate to the purpose to which it is devoted. They desire the authority to borrow money to enable them to erect additional buildings, in order that the poor may be taken out of sheds and out of doors, and their comforts otherwise provided for.

I ask the indulgence of the House, therefore, at this time, to read a bill in place.

Leave was granted and

Mr. LEE read in his place and presented to the Chair bill No. 6, entitled A supplement to an act to provide for the erection of a poor house for the better relief and employment of the poor of Oxford township, Lower Dublin, in the county of Philadelphia, approved April 7, 1807.

Said bill was read the first time.

On motion of Mr. LEE, the rule for going into committee of the whole being in this case dispensed with, said bill was read the second time, considered and agreed to; and

Ordered, To be transcribed for the third reading.

On motion of Mr. LEE, the rule which

prohibits the reading of bills twice on the same day being in this case dispensed with, the said bill was read the third time.

On the question, Shall the bill pass?

It was agreed to.

Mr. KENNEDY. Mr. Speaker, I ask leave to make a short statement at this time.

Leave was granted.

Mr. KENNEDY. I hold in my hand a bill in which my constituents are very much interested, and which they would like to have passed at an early day in this session. I therefore ask leave to read it in place.

Leave being granted,

Mr. KENNEDY. I read in place and present to the Chair a bill relative to the election of jurors.

Mr. KENNEDY. I move to suspend the rulea in order to proceed to the consideration and passage of the bill.

On the motion,

A division was called for, when 45 voted for and 33 against suspending the rules.

So it was not agreed to, two-thirds not having voted in the affirmative.

Mr. M'CAMANT. Mr. Speaker, I desire to make a statement.

Leave was granted.

Mr. M'CAMANT. Mr. Speaker, at the last session of the Legislature a bill was passed incorporating the Holidaysburg water works company. That bill restricts the company in the issuing of their bonds to a rate of interest not exceeding six per cent. They desire to go ahead with the erection of their works, but they find they cannot get the amount of money necessary at that rate of interest, owing to the stringency of the market. I therefore ask leave to read a bill in place.

Leave was granted.

Mr. M'CAMANT. Mr. Speaker, I read in my place and present to the Chair bill No. 7, entitled A supplement to an act entitled An act to authorize the borough of Hollidaysburg to erect water works.

Said bill was read the first time.

On motion of Mr. M'CAMANT, the rule for going into the committee of the whole being in this case dispensed with, the bill was read a second time, considered and agreed to: and

Ordered, To be transcribed for a third reading.

On motion of Mr. M'CAMANT, the rule which prohibits the reading of bills twice on the same day being in this case dispensed with, said bill was read a third time; and

On the question, Shall the bill pass?

It was agreed to.

Mr. DAVIS. Mr. Speaker, I move that the House proceed to the consideration of Senate bill No. 1, relative to the assessment of five per centum on delinquent taxpayers.

The SPEAKER. The Chair will proceed to clear the table.

Senate bill No. 1, entitled An act relative to the receiver of taxes in the city of Philadelphia, repealing so much of the act of April ninth, one thousand eight hundred and sixty-one, as authorizes him to charge five per cent. commission for collecting taxes from delinquent taxpayers,

Was read the first time.

On motion of Mr. DAVIS, the rule for going into committee of the whole being in this case dispensed with, said bill was read a second time, considered and agreed to; and

Ordered, To be prepared for a third reading.

On motion of Mr. DAVIS, the rule which prohibits the reading of bills twice on the day, being in this case dispensed with, said bill was read a third time; and

On the question, Shall the bill pass?

It was agreed to.

Mr. QUAY. Mr. Speaker, I ask leave of the House to read a bill in place.

Leave was granted.

Mr. QUAY. Mr. Speaker, I read in my place and present to the Chair bill No. 9, entitled An act to exempt the property of the Beaver County cemetery association from taxation.

Said bill was read the first time.

On motion of Mr. QUAY, the rule for going into committee of the whole being in this case dispensed with, said bill was read a second time, considered and agreed to; and

Ordered, To be transcribed for a third reading.

On motion of Mr. QUAY, the rule which prohibits the reading of bills twice on the same day being in this case dispensed with, said bill was read the third time; and

On the question, Shall the bill pass?

It was agreed to.

Senate bill No. 2, entitled An act to authorize the appointment of an additional notary public for the county of Lehigh,

Was read the first time.

On motion of Mr. KLINE, the rule for going into committee of the whole being in this case dispensed with, said bill was read the second time, considered and agreed to; and

Ordered, To be prepared for a third reading.

On motion of Mr. KLINE, the rule which prohibits the reading of bills twice on the same day being in this case dispensed with, said bill was read the third time; and

On the question, Shall the bill pass?

It was agreed to.

MESSAGE FROM THE SENATE.

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

No. 2, an act to pay the retiring officers of the Senate and House of Representatives,

With information that the Senate has passed the same without amendment.

Also, bills from the House numbered and entitled as follows:

No. 1, an act to repeal a portion of an act entitled An act to prohibit the issuing of licenses within certain boroughs in the counties of Armstrong, Potter, Indiana and Perry, or within two miles of the same, in the counties in which said boroughs are located.

No. 4, an act relating to bounty taxes in Bradford county, legalizing the action of the burgess and town council in Troy borough relative to bounties, and to require the payment of the same,

With information that the Senate has passed the same without amendment.

Mr. KOON. Mr. Speaker, I ask leave to make a statement in regard to a matter of urgent necessity.

Leave was granted.

Mr. KOON. Mr. Speaker, at the last session a bill was passed by this House granting annuity to Nancy Welliver, the widow of a revolutionary soldier.

The bill was reported upon by a committee, and passed this House with great unanimity, but failed in the Senate for want of time. The old lady is still living and resides with her daughter, who is in poor circumstances, and upon whom she is dependant for support. The old lady will probably not draw more than the first instalment, should the bill pass, her health being very precarious.

Mr. MANN. Mr. Speaker, it is very evident from the statement made by the gentleman, and statements made by others, that the bill, which is now asked to be passed in this way, could just as well take the ordinary course of legislation. We waste time by legislating in this manner—as much time as would be required to pass four bills in the regular way to one in this—and it causes members, who are unwilling to be pressing their bills, to be at a disadvantage. The order to-day is the reading of bills in place. We all desire that privilege. We shall have no such privilege if we keep on suspending the rules. I hope the House will establish, at once, the practice of refusing to suspend the rules for every little bill offered. We shall all gain by it. We can pass bills under the rules with less trouble to ourselves, with not half the trouble to the Clerk, and with much more satisfaction to all concerned. I hope, therefore, the rules will not be suspended.

Mr. KOON. Mr. Speaker, it is known to the House that there are no committees appointed as yet to whom bills can be referred. I ask the attention of the House to the statement I have made, and refer to the gentleman from Philadelphia [Mr. FREEBORN] to prove that it is a meritorious case. I agree with the gentleman that it is a wrong way of doing business, but this is a matter of urgency.

Mr. MANN. Mr. Speaker, I asked the privilege yesterday of having a bill considered which is of general importance. I believe my friend on the other side of the House voted against allowing me that privilege. I had never asked that privilege before, and I think that it now ought to be stopped.

The question recurring on the motion to suspend the rules,

It was agreed to.

On agreeing to the bill,

Mr. M'CREARY. Mr. Speaker, it strikes me that we are legislating in the dark when, by a bill of this kind, we take money out of the treasury in this way. Of course, I have no objections to appropriating the money for this purpose, but this is a case of which we know nothing. How do we know that this person is the widow of a revolutionary soldier? We take the statement of the gentleman, but perhaps he has been imposed upon. This revolutionary soldier might have been a deserter, or perhaps, as Solon Shingle says of his grandfather, "he drew a baggage wagon into the revolution." All the facts in the case ought to be thoroughly investigated. We are going to pass a bill on the mere assumption that this person is the widow of a revolutionary soldier, without knowing anything about it. If the facts, as stated, are true, the bill should pass, but the bill should first go before a military committee for investigation. If they are satisfied that the facts are true, let the bill be passed, and then go through the Auditor General's office before payment. It does seem to me that the House should investigate these bills, and not pass them simply because somebody asks it.

There may be no merit in the bill at all.

Mr. FREEBORN. Mr. Speaker, the merit of this bill was fully established by the gentleman from Luzerne [Mr. KOON] before the committee. The bill was favorably reported by the committee, and passed the House last session. I therefore think it quite unnecessary to investigate the matter any further.

Mr. M'CREARY. Mr. Speaker, I desire to say that I have no objection to the payment of such claims when well authenticated. I merely wish to know that they are; and the remarks of the gentleman from Philadelphia [Mr. FREEBORN] saying that the bill has been considered and approved, satisfies me.

The bill

Passed finally.

Mr. KURTZ. Mr. Speaker, I desire to make a statement.

Leave was granted.

Mr. KURTZ. Mr. Speaker, at the last session of the Legislature a bill was passed regulating the fees of the district attorney in the county of Bradford.

I moved an amendment to attach Centre county, but I suppose, by some error, it was

omitted. I wish to introduce a bill to extend the provisions of that act to our county.

The bill was read by its title as follows:

No. 12, an act to extend the provisions of the first section of the act approved the 11th day of April, 1866, relative to the regulation of the fees of the district attorney in the county of Bradford, in the court of quarter sessions, to the county of Centre.

On motion of Mr. KURTZ,

The rules were suspended, and

The bill

Passed finally.

Mr. BARTON. Mr. Speaker, I ask leave to make a statement.

Leave was granted.

Mr. BARTON. Mr. Speaker, there is a matter of considerable importance to my constituents upon which I desire to have action at this time by introducing a bill. I therefore read in my place and present to the Chair bill No. 13, entitled An act relating to the drainage of roads by supervisors in the county of Delaware.

On motion of Mr. BARTON,

The rules were suspended, and

The bill

Passed finally.

ORIGINAL RESOLUTIONS.

Mr. MANN. Mr. Speaker, I offer the following resolution:

Resolved, That the report of S. P. Bates to the Governor, on the Military History of the State, be published in the *Daily Record*.

The resolution was read a second time, considered and

Agreed to.

The report is as follows:

STATE OF PENNSYLVANIA, EXECUTIVE OFFICE, DEPARTMENT OF MIL. HISTORY, HARRISBURG, Dec. 15, 1866.

To His Excellency, Andrew G. Curtin, Governor of Pennsylvania:

SIR—In obedience to your instructions, and to the terms of the commission issued to me in conformity with the act of Assembly of May 4, 1864, providing for the appointment of "some competent person to prepare a Military History of the Organization of Pennsylvania Volunteers and Militia," I entered upon the discharge of the duties entrusted to me on the first of ——.

MATERIAL FOR THE WORK.

My first care was to ascertain, as accurately as possible, the nature and extent of the material at command, and to consider the best method of obtaining such additional information as would be necessary to possess in order successfully to prosecute the work.

To this end a collection was commenced of executive documents, messages, laws and resolutions passed by the Legislature, orders and reports of executive officers, official letters and telegrams, and of reports of State agents in various capacities. A correspondence was entered into with military officials in each of the loyal States, and copies of reports and documents, published during the last three years, were solicited, whereby a large mass of interesting matter has been collected, which will serve an important purpose in the prosecution of this co-ordinate branch of labor.

Application was also made for information and printed documents to the Secretary of War, Adjutant General, Surgeon General and Clerk of the House of Representatives, at Washington, to which responses were received of the most cordial character, and publications of vast interest and importance were promptly forwarded.

In addition to these public sources of information a collection has been made of Histories of the Rebellion, both loyal and confederate, serial Records and Gazettes, Histories of Army Corps, Divisions and Regiments, publications of the Christian and Sanitary Commissions, and Maps and Political Digests, all of which will prove valuable auxiliaries as works of reference, and in the verification of important facts.

A few manuscript monographs have been received from commanders of regiments, which are filed, and the material will be used in making up the particular histories.

The matter thus collected was first examined in a general way and duly classified and arranged. The subjects were then taken up in their order, and those portions of the documents which bore upon the particular topic under consideration were attentively read, and copious notes made from them. By this method of procedure the composition of each part of the work becomes regular and systematic.

PLAN OF THE WORK.

After an examination of the material thus far collected, and a study of the subject somewhat in detail, I have arrived at the conclusion that the work should be prepared after the following plan, viz:

1. A general history of what the State accomplished during the period of the national troubles, and the material and personal aid rendered to the Government for the successful prosecution of the war, as shown by official proclamations, messages, orders, correspondence, records of soldiers' aid societies, memoranda of material furnished the General Government for army and navy purposes, from its mineral resources, with some introductory matter illustrative of the militia organization of the State previous to the breaking out of the rebellion; of its population, its material resources, its physical features, and the contingencies which forced the General Government to call out the militia of the several States.

2. A condensed history of each regiment, embracing an account of its origin, organization, instruction and drill, and its operations in the field—drawn from official records and reports, and such details and incidents as the officers can now furnish.

3. A complete roll comprising the name, age, rank, date of muster into service, residence, period of enlistment, casualties, and final fate of every officer and enlisted man—drawn from the muster-out rolls, pay rolls, company books and from such other subsequent legal evidence as can be adduced. A specimen page of this part of the work is herewith submitted.

4. Biographical sketches of the executive officers of the government, officers in the field, privates who distinguished themselves, and civilians, both male and female, who rendered signal service to the State, and through it to the Nation—collated from records, official acts, and reports, and as obtained by personal inquiry.

5. A Roll of Honor, composed of the names of those who died in the service, with the circumstances of their death and place of burial, prepared from documents issued from the office of the Quartermaster General of the United States, and from information to be obtained from the surviving relatives and comrades in arms.

6. An alphabetical index to every name that occurs in the history.

FORM OF THE WORK.

By far the larger part of the work will be occupied by the rolls. The nature of the items embodied in these must determine the form of publication. After due study and consultation, a company roll was prepared, and to test the matter fully, a single page was put in type. The result has confirmed the opinion, that it should be published in royal quarto form, and that the rolls and letter-press should be uniform.

ORDER OF PUBLICATION.

The general history should properly form the first part of the work. In the preparation of this, considerable progress has already been made, some four or five chapters being nearly completed. But as the investigation proceeds, new light is constantly being revealed, and additional facts are discovered which deserve to be considered. It is believed, therefore, that while the labor of collecting and digesting the material for this part of the work should be pushed vigorously forward, its publication should be delayed till the last. It is judged that this properly prepared will make one volume. The publication can, therefore, commence with the second volume, and proceed with the histories and rolls of the regiments in their order, and let the first volume be the last issued.

MATERIAL FOR THE HISTORY OF THE REGIMENTS.

In the preparation of regimental histories much reliance must necessarily be placed on the memoranda of facts furnished by the surviving officers. To facilitate the collection of this material, it is proposed to prepare and publish a carefully considered account of some one regiment, which may serve as a model of the form, and as an illustration of the kind and extent of information needed. To obviate the difficulty which might arise from lack of interest in the work, or delay in responding, a series of questions will be prepared to accompany the call for information, calculated to elicit the material facts needed, with suitable blanks for the answers.

PREPARATION OF THE ROLLS.

A large proportion of the muster-out rolls of the regiments, deposited in the office of the Adjutant General of the State, are tolerably complete. The material facts needed for the history can be obtained from these, though it will be necessary to consult other records for their verification.

Judging by the time consumed in the preparation of the company roll, intended as a guide in the printing of blanks, and as copy for a specimen page, it is estimated that it will require at least three days' labor to tabularize and copy the roll of a single company, and make the alphabetical index required. It will, therefore, require the labor of a clerk for five weeks to prepare the rolls of a single regiment, and to prepare the rolls of ten regiments may be set down as a fair estimate for a year's labor. There are on the records in the office of the Adjutant General two hundred and fifteen regimental organizations.

From this estimate an intelligent idea can be formed of the clerical labor to be performed. Some of the rolls in the Adjutant General's office are defective, and those of some regiments were never deposited there. Copies of these must be obtained from the records of the War Department at Washington.

In view of these facts it is recommended that provision be made for the appointment of six clerks, and a messenger as at present.

ESTIMATES—ROLL OF HONOR.

Pennsylvania soldiers who fell, victims of the rebellion, are numbered by thousands. They lie scattered on nearly all the battlefields of the war. They sleep in the crowded graves around the wretched prison-pens where they suffered, lingered, and died. They fought, they endured, they perished in humble obedience to their country's call.

"When can their glory fade?"

It is but just to the memory of these brave men, that a careful record of the circumstances attending their death, and the place

of their burial, should be set in an enduring memorial. The recently published records of the General Government disclose the name, number of grave, rank, regiment, company, and date of death, of all those in the national armies who died, and are now buried in the National Cemeteries. From these pamphlets the names of Pennsylvania soldiers can be collated and arranged, and with such other information as can be obtained, a record reasonably satisfactory can be made.

Justice to the living, as well as to the dead, who had a part in this great warfare, demands that this whole work should be faithfully done. From the little experience thus far had, it is clearly seen, that to execute the task with fidelity, according to the plan here submitted, will require careful investigation and unclouded judgment. In view of the vast strain to which the resources of the State have been subjected, and heart-throbbings, and heart-breakings, which her people have endured, it cannot be permitted that any part of the work should be carelessly or imperfectly done. The yearnings of father, mother, sister, brother, and the prayers and tears amidst which he was remembered while on the march, in the bivouac, and in the battle, are the most sacred fruits of these dread years of war. The gleaner in such a harvest should tread reverently and gather devotedly.

The wisdom of the Legislature in providing for the publication of such a work is clearly manifest. The record of the thoughts and the deeds of a people forms the only enduring monument of their glory. The Retreat of the Ten Thousand and the Heroism of the Three Hundred who bled at Thermopylæ, are fresh in Grecian history. The soldiers of Pennsylvania were everywhere valiant and brave, and the alacrity with which they sprang to arms upon the first cry of danger, form one of the brightest pages in her history. The State but secures and perpetuates her own renown, when she repeats and places in enduring form a simple record of the heroism of her sons. The survivors of the conflict will revert to it with pride in trembling age, and their children and their children's children to the latest generations will proclaim with exultation, "An ancestor, whose name I bear, was with Grant at Vicksburg, with Thomas at Chattanooga, or he followed Sherman in his March to the Sea, or fought with Meade on the immortal field of Gettysburg."

Respectfully submitted,

SAMUEL P. BATES.

Mr. ALLEN. Mr. Speaker, I ask leave to make a statement.

Leave was granted.

Mr. ALLEN. Mr. Speaker, I desire to offer a bill, and ask the indulgence of the House to pass it, for this reason: In the borough of Tidioute they desire to build a school house, and are anxious to do it immediately. As the House, I am informed, intends to adjourn for several days, I desire very much to pass it to-day.

I therefore read in my place and present to the Chair bill No. 14, entitled An act to authorize the collection of money for school purposes in the borough of Tidioute, Warren county.

On motion of Mr. ALLEN, the rules were suspended, and

The bill

Passed finally.

Mr. DAVIS. Mr. Speaker, I offer the following resolution:

Resolved, That there be printed, for the use of the House, eight thousand copies of the Adjutant General's report, and that they be bound in a style to correspond with previous volumes.

Mr. MANN. Mr. Speaker, the act of Assembly provides for the printing of this report. It does not require any resolution. The act of Assembly provides for the printing of the Adjutant General's report, the State Treasurer's report, the Surveyor General's report, the State Librarian's report and the reports of the Superintendents of Public Printing and Common Schools.

Mr. DAVIS. I am aware of that, but I do not think it provides for any particular number.

Mr. MANN. Yes, sir, it provides for the number.

Mr. DAVIS. How many? But, Mr. Speaker, this is an additional number.

Mr. MANN. I hope, then, the resolution will not be adopted.

Mr. DAVIS. The Adjutant General's report has been more called for during the last two or three years than any other document that has ever been issued by this House. There is scarcely a family in the State that is not interested, either directly or indirectly, in this report. My constituents want to see it, almost every one of them, for the purpose of tracing or examining the progress of one or more of the members of their families, from the time they entered the army until the close of the war. I was called upon to offer this resolution by a gentleman on the floor who will probably explain it more fully than I can. This is the last Adjutant General's report that will contain the statistics of the volunteer forces engaged in the rebellion. I am informed that it is very complete and ample in its details, and is a volume that ought to be in every house in this Commonwealth. Therefore I am in favor of printing an additional number. The State printer, I am just informed, says that there is nothing in the law in reference to printing them.

Mr. MURREARY. Mr. Speaker, whether the act which the gentleman from Potter [Mr. MANN] refers to, does provide for the publication of the report, or whether this resolution involves the publication of an additional eight thousand volumes, I think is not very material. Whether it should be five thousand, or ten thousand, or fifteen thousand of that report, I think this House ought not to hesitate at this time in regard to the publication of them.

I understand, as the gentleman from Philadelphia [Mr. DAVIS] remarks, that this is the last report that will contain a complete record of all the regiments and organizations that went into the service during the war. There were some organizations that went into the three months' service and have never been placed on the Adjutant General's report. In this report the Adjutant General has brought up these organizations and will give a full account of them. This will be but justice to those men who went out in the beginning of the war, when it was supposed by the wise men of the land that ninety days would be sufficient to bring it to a close. These men went out and served three months and never had their names printed in the report. I say, in justice to them, the additional number proposed should be sent over our State. I know, in my own county, one regiment that went into the field almost immediately after the first gun was fired upon Fort Sumter, whose names as yet have not appeared upon the Adjutant General's report. But they will appear in this report, and I am informed that there are others in the same situation. There is no report that is so much called for as the Adjutant General's report. Every person who has lost a friend, or has been an officer in the service, will desire to preserve it. I know, to me, there is no document published here that is of so much interest as this Adjutant General's report. Soldiers write to me from all parts of the State for the report. Inasmuch as this is the last one that will contain this record, and inasmuch as it will contain the record of many organizations that have never before appeared in the Adjutant General's report, I hope there will be no opposition to the resolution before the House.

The resolution was agreed to.

Mr. MAISH. Mr. Speaker, I ask leave to read a bill in place.

Leave was granted.

Mr. MAISH. Mr. Speaker, I read in my place and present to the Chair bill No. 15, entitled An act relative to elections in the Farmers' and Mechanics' insurance company.

On motion of Mr. MAISH, the rules were suspended and

The bill

Passed finally.

Mr. PILLOW. Mr. Speaker, I offer the following resolution:

Resolved, That (if the Senate concur) the Governor be requested to return to the House of Representatives House bill No. 1822, entitled. An act relative to Brady township, passed during the session of 1866.

The resolution was twice read, considered and

Agreed to.

Mr. WINGARD. Mr. Speaker, I move that this House do now adjourn.

The motion was agreed to; and

The SPEAKER declared this House adjourned until next Tuesday afternoon at 3 o'clock.

HOUSE OF REPRESENTATIVES.

TUESDAY, January 8, 1867.

The House met at 3 o'clock, P. M.

Prayer was offered by the Rev. JACOB KENNEDY, member from Wyoming.

The Journal of Thursday was read and approved.

MESSAGES FROM THE GOVERNOR.

The Secretary of the Commonwealth was introduced, who presented several messages, in writing, from the Governor, which were read as follows:

EXECUTIVE CHAMBER,
HARRISBURG, January 8, 1867.

To the Senate and House of Representatives of the Commonwealth of Pennsylvania:

GENTLEMEN—In the summer of 1862, after the battles on the peninsula, large numbers of sick and wounded Pennsylvania volunteers were carried to New York, where I found them in hospitals. Finding it necessary for their comfort and to facilitate their transportation to the State, I appointed Colonel C. M. Burton agent for that purpose. There were at that time some four or five thousand Pennsylvanians in and about the city of New York, and Colonel Burton gave them faithful attention, receiving supplies from the State, and friends at home, and in distributing them, and in having them transported to hospitals in the State and to their homes. For five months he was almost constantly engaged in his work, and afterwards continued to perform any duty asked of him.

He expended over one thousand dollars, which has never been paid to him, nor has he ever received any compensation.

In consequence of his not pushing his accounts, and delays in settlements, there is now no fund from which payment can be made, and I recommend that an appropriation be made for that purpose.

I need not say that the State has heretofore responded to all demands of this character promptly, and that this claim is meritorious and should be paid.

A. G. CURTIN.

The Secretary of the Commonwealth also presented the following message, which was read, viz:

EXECUTIVE CHAMBER,
HARRISBURG, January 8, 1867.

To the Senate and House of Representatives of the Commonwealth of Pennsylvania:

GENTLEMEN—I herewith return to the House of Representatives, in which it originated, bill No. 1515, entitled An act to incorporate the Home insurance, trust and safe deposit company of the city of Pittsburg, with my objections to the same.

The twenty-fifth section of the first article of the Constitution declares that "hereafter no corporate body shall be created, renewed or extended, with banking or discounting privileges, without six months' previous notice of the intended application, in such manner as shall be provided by law," and the second section of the act of May 1st, 1851, directs the manner in which the notice shall be given.

This bill confers banking and discounting privileges, and as no notice of the application was given, is clearly unconstitutional.

I have, therefore, withheld my signature from this bill. A. G. CURTIN.

The Secretary of the Commonwealth also presented the following message, which was read, viz:

EXECUTIVE CHAMBER,
HARRISBURG, January 8, 1867.

To the Senate and House of Representatives of the Commonwealth of Pennsylvania:

GENTLEMEN—I herewith return to the House of Representatives, in which it originated, bill No. 1232, entitled An act to incorporate the Dime Savings Institution of Susquehanna Depot, Susquehanna county, with my objections to the same.

The twenty-fifth section of the first article of the Constitution declares that hereafter no corporate body shall be created, renewed, or extended, with banking or discounting privileges, without six months' previous notice of the intended application in such manner as shall be provided by law, and the second section of the act of May 1st, 1851, directs the manner in which the notice shall be given.

This bill confers banking and discounting privileges, and as no notice of the application was given, is clearly unconstitutional.

I have, therefore, withheld my signature from this bill. A. G. CURTIN.

The Secretary of the Commonwealth also presented the following message, which was read, viz:

EXECUTIVE CHAMBER,
HARRISBURG, January 8, 1867.

To the Senate and House of Representatives of the Commonwealth of Pennsylvania:

GENTLEMEN—I herewith return to the House of Representatives, in which it originated, bill No. 524, entitled An act for the erection of a boom and for the use of water in the county of Dauphin, with my objections to the same.

This bill proposes (*inter alia*) to authorize James Freeland to use surplus water out of the Clark's Ferry dam for the use of saw mill or other purposes, but not to interfere with the navigation of said dam.

The Commonwealth having long since sold all her canals and dams, I think she cannot, without violating the obligation of her contract, grant to other parties the surplus water of the dams, which are already held by the purchasers from her.

I have, therefore, withheld my signature from this bill, A. G. CURTIN.

The Secretary of the Commonwealth also presented the following message, which was read, viz:

EXECUTIVE CHAMBER,
HARRISBURG, January 8, 1867.

To the Senate and House of Representatives of the Commonwealth of Pennsylvania:

GENTLEMEN—I herewith return to the House of Representatives, in which it originated, bill No. 1063, entitled An act to incorporate the Mount Union manufacturing company, with my objections to the same.

The fourth section of this bill provides that the burgess and town council of the borough of Mount Union and other corporations are authorized to subscribe to the capital stock of the Mount Union manufacturing company.

This section is in direct conflict with the seventh section of the eleventh article of the Constitution of Pennsylvania.

As I cannot, therefore, approve or sign this bill, it is unnecessary to refer to other very objectionable features which it contains.

A. G. CURTIN.

The Secretary of the Commonwealth also presented the following message, which was read, viz:

EXECUTIVE CHAMBER,
HARRISBURG, January 8, 1867.

To the Senate and House of Representatives of the Commonwealth of Pennsylvania:

GENTLEMEN—I have approved and signed the following acts of the General Assembly, to wit:

On the 3d instant:

An act to pay the retiring officers of the Senate and House of Representatives.

An act relating to bounty taxes in Bradford county, legalizing the action of the burgess and town council in Troy borough relative to bounties, and to require the payment of the same.

On the 4th instant:

An act to repeal a portion of an act entitled An act to prohibit the issuing of licenses within certain boroughs in the counties of Armstrong, Potter, Indiana and Perry, or within two miles of the same, in the counties in which such boroughs are located.

A. G. CURTIN.

Laid on the table.

The Secretary of the Commonwealth also presented the following message, which was read, viz:

EXECUTIVE CHAMBER,
HARRISBURG, January 8, 1867.

To the Senate and House of Representatives of the Commonwealth of Pennsylvania:

GENTLEMEN—I herewith return to the House of Representatives, in which it originated, bill No. 1014, entitled An act to incorporate the national trust company of Pittsburg, with my objections to the same.

The 25th section of the 1st article of the Constitution declares that hereafter no corporate body shall be created, renewed or extended, with banking or discounting privileges, without six months' previous notice of the intended application in such manner as shall be provided by law, and the 2d section of the act of May 1st, 1851, directs the manner in which the notice shall be given.

This bill confers banking and discounting privileges, and as no notice of the application was given, is clearly unconstitutional.

I have, therefore, withheld my signature from this bill, A. G. CURTIN.

In accordance with the rule, the further consideration of the veto messages was deferred until to-morrow.

SPEAKER'S TABLE.

The SPEAKER presented to the House and laid upon the table, the annual report of the State Librarian.

Mr. STUMBAUGH. Mr. Speaker, I regret, at this early stage of the session, to feel constrained to bring to the notice of this House the fact that there are current reports, seemingly in the mouth of everybody, and charges made in the newspapers of the day, by which it is attempted to fasten upon this House and upon the Senate—upon this Legislature—the charge that there are corrupting influences being used for the purpose of selecting certain persons for the United States Senate.

I believe that it must be apparent to every member of this House, that such imputations cast upon members of this body are derogatory to the character of the Legislature. I believe it to be my duty and the duty of all the members of this House to protect themselves against such imputations, and to vindicate their honor. I therefore offer the following resolution:

WHEREAS, It has been currently reported, for some time past, and charged in the public newspapers of the day, that improper influences have been used to secure the election of various persons for the office of United States Senator;

And whereas, Such charges, if unfounded, are derogatory to the character of the Legislature and should be disproved; or, if true, should be at once ascertained in order that the guilty parties may be brought to justice and punished; therefore,

Resolved, if the Senate concur, That a joint committee of investigation, consisting of three members of each House, be appointed, whose duty it shall be to examine into the truth of such reports and charges, and report to each House the result of their investigations, and that such committee shall have power to send for persons and papers.

The resolution was read a second time and agreed to.

Mr. WADDELL. Mr. Speaker, I desire to amend the preamble so as to make it a little broader. I wish to authorize the committee to inquire into the charges of bribery and corruption in other matters.

The preamble, as thus amended, was agreed to.

MESSAGE FROM THE SENATE.

The Clerk of the Senate being introduced, presented for concurrence bills numbered and entitled as follows:

No. 4, an act to establish a ferry over the Allegheny river at or near the mouth of Big Scrubgrass, in Venango county.

No. 5, an act to define the time and regulate the manner of electing Senators to represent this State in the Senate of the United States.

No. 7, joint resolutions instructing our Senators and Representatives in Congress on the tariff.

No. 8, a further supplement to an act entitled An act relating to corporations for mechanical, manufacturing, mining and quarrying purposes, approved the 18th day of July, 1866, extending the provisions of said act, and the several supplements thereto, to any association formed for the publication and sale of periodicals, newspapers, school books, works of science or art, and current or standard literature.

No. 9, an act to incorporate the Littlestown Savings Institution.

He also presented the following extract from the Journal:

"IN SENATE, January 3, 1867.

Resolved, That (if the House concur) so much of the Governor's message as refers to the maintenance of such of our soldiers as are in poverty and have been so maimed as to prevent them from securing a livelihood, be referred to a joint committee of three from each House, whose duty it shall be to report by bill otherwise, to carry into effect the recommendation of His Excellency, the Governor.

Ordered, That Messrs. WHITE, FISHER and M'CANDLESS be the committee on the part of the Senate, and that the Clerk inform the House of Representatives accordingly."

Mr. LEE. Mr. Speaker, I move that the House concur.

The motion was agreed to.

ORIGINAL RESOLUTIONS.

Mr. GREGORY. Mr. Speaker, I offer the following resolution:

WHEREAS, A large amount of property has, by legal enactment, been exempt from taxation, from time to time, in the city of Philadelphia;

And whereas, Certain of said properties are held by corporate stock companies, which declare dividends on the profits arising from said property; and the exemption of the same from taxation being a serious injustice to a large majority of the tax-payers; therefore,

Resolved, That a committee of three be appointed to examine and report to this House the location and value of property exempt from taxation in the city of Philadelphia, specifying those used for religious, charitable and beneficent purposes, and those which pay dividends on stock held in the same.

Mr. MANN. Mr. Speaker, I offer the following resolution.

The resolution was read by the Clerk as follows:

Resolved, That the Speaker and members of the House and Senate (if the Senate concur) will, at 12 o'clock, Thursday, the 10th instant, meet in convention for the purpose of opening and publishing the votes for Governor, in pursuance of the constitutional laws of this Commonwealth.

The resolution was then read a second time, considered and adopted.

The SPEAKER then proceeded to clear the table:

Senate bill, No. 5, entitled An act providing for the election of United States Senator, in conformity with the national act of Congress, was

Referred to the Committee on the Judiciary General, when appointed.

Mr. MANN. Mr. Speaker, I ask leave to make a statement in relation to that bill.

Leave was granted.

Mr. MANN. Mr. Speaker, the joint committee of the House and Senate, to whom was referred the resolution originating in the Senate to ascertain the time when a United States Senator shall be elected, after consultation, unanimously approved of this bill. The chairman of the Senate committee was directed to report to the Senate, as was also the chairman of the House committee directed to report to the House.

I have, until now, had no opportunity to report. This bill received the unanimous approbation of that committee of ten, and supposing there is no objection to it I move that the rules be suspended, and that the House proceed to the consideration of the bill.

The bill was then read a second time as follows:

AN ACT to define the time and regulate the manner of electing Senators to represent this State in the Senate of the United States.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same*, That each house of the Legislature shall appoint one teller, and nominate at least one person to fill the office of Senator to represent this State in the Senate of the United States, and at least two days previous to the joint meeting hereinafter mentioned, communicate to the other house the names of the persons so appointed and nominated.

SEC. 2. At the hour of 11 A. M. on the second Tuesday after the meeting and organization of the Legislature which shall be chosen next preceding the expiration of the time for which any Senator was elected to represent this State in Congress, to wit: On the third Tuesday of January, if the Legislature shall have organized previous to the second Tuesday, but if not so organized, then on the second Tuesday after the organization thereof, not counting the day on which the Legislature was organized, each house shall openly by *a viva voce* vote of each member present name one person for Senator in Congress from this State, and the name of the person so voted for, who shall have a majority of the whole number of votes cast in each House, shall be entered on the Journal of each House by the Clerk thereof; but if either House shall fail to give such majority to any person on said day, that fact shall be entered on the Journal. At twelve o'clock, meridian, of the day following that on which proceedings are required to take place as aforesaid, the members of the two Houses shall convene in joint assembly, and the Journal of each House shall then be read, and if the same person shall have received a majority of all the votes in each House, such person shall be declared duly elected Senator to represent this State in the Congress of the United States; but if the same person shall not have received a majority of the votes in each House, or if either House shall have failed to take proceedings as required by this act, the joint assembly shall then proceed to choose by a *viva voce* vote of each member present, a person for the purpose aforesaid, and the person having a majority of all the votes of the said joint assembly, a majority of all the members elected to both Houses being present and voting, shall be declared duly elected; and in case no person shall receive such majority on the first day, the joint assembly shall meet at twelve o'clock, meridian, of each succeeding day during the session of the Legislature, and take at least one vote until a Senator shall be elected.

SEC. 3. Whenever, on the meeting of the Legislature, a vacancy shall exist in the representation of this State in the Senate of the United States, the Legislature shall proceed, on the second Tuesday after the commencement and organization of its session, to elect a person to fill such vacancy, in the manner hereinbefore provided, for the election of a Senator for a full term, and if a vacancy shall happen during the session of the Legislature, then on the second Tuesday after the Legislature shall have notice of such vacancy.

SEC. 4 When the election shall be closed, as aforesaid, the president of the convention shall announce the person who shall have received a majority of the votes aforesaid to be duly elected a Senator to represent this State in the Senate of the United States, and he shall, in the presence of the members of both Houses, sign four several certificates of the election, assisted by the tellers, one of which certificates shall be transmitted by the president of the convention to the Governor of this Commonwealth, one to the person so elected, and the remaining two shall be preserved among the records, and entered at length on the Journals of each House.

SEC. 5. It shall be the duty of the Governor, immediately after receiving the certificate of the election of any Senator, to certify his election under the seal of the State, which certificate shall be countersigned by the Secretary of State.

The bill

Passed finally.

Senate bill No. 7, entitled Joint resolutions instructing our Senators and Representatives in Congress on the tariff, was

Referred to the Committee on Federal Relations, when appointed.

Senate bill No. 4, entitled An act to establish a ferry over the Allegheny river at or near the mouth of Big Scrubgrass, in Venango county, was

Referred to the Committee on the Local Judiciary, when appointed.

Mr. WHANN. Mr. Speaker, I move that the rules be suspended, and that the House proceed to the consideration of that bill.

Agreed to.

On motion of Mr. WHANN, the bill was read a second and third time, and

Passed finally.

Senate bill No. 8, entitled A further supplement to an act entitled An act relating to corporations for mechanical, manufacturing, mining and quarrying purposes, approved the 18th of July, 1863, extending the provisions of said act and the several supplements thereto, to any association formed for the publication and sale of periodicals, newspapers, school books, books of science or art and current or standard literature, was

Referred to the Committee on Mining and Manufactures, when appointed.

Senate bill No. 9, entitled An act to incorporate the Littlestown Saving Institution, was

Referred to the Committee on Banks, when appointed.

Mr. HETZEL. Mr. Speaker, I desire to move that the House proceed to the consideration of that bill.

The motion was agreed to.

The bill was read the first time, and

On motion of Mr. HETZEL, the rules were suspended, the bill read a second and third time, and

Passed finally.

Mr. HUMPHREY. Mr. Speaker, I now move that this House proceed to the nomination of candidates for State Treasurer.

Agreed to.

Mr. LEE. I nominate W. H. Kemble, of Philadelphia.

Mr. MEYERS. I nominate John F. Spangler, of York.

Mr. QUAY. I nominate Gen. W. W. Irwin.

Mr. QUIGLEY. I nominate Lewis Snell, of Philadelphia.

Mr. KOON. I nominate Michael Reap.

Mr. JOSEPHS. I nominate W. V. McGrath.

Mr. MECHLING. I move that the nominations close.

The motion was agreed to.

Daily Legislative Record.

FOR THE SESSION OF 1867.

PUBLISHED BY AUTHORITY OF THE LEGISLATURE OF PENNSYLVANIA. No. 4.

TERMS OF THE DAILY RECORD.

THE DAILY RECORD will be furnished to Members of the Legislature and others at the following rates:

Single copy for the session.....$2 00

Members desiring extra copies of the Record, will please leave their names and the number of copies wanted at the publication office. GEO. BERGNER.

[CONTINUED FROM PAGE 24.]

The Chair appointed as teller of the election Mr. W. W. WATT, of Philadelphia.

Mr. MANN. Mr. Speaker, I offer the following resolution:

Resolved, That as all the legislative power of the National Government is used in Congress, it is the imperative duty of that body to enact such laws, and provide for the establishment of such governments in the States lately in rebellion as will secure to every loyal person therein full and complete protection to life, liberty, property and the enjoyment of equal political rights, to the end that the foundation of such governments may be fixed on principles of eternal justice, which will endure for all time.

Resolved, That the Clerk of this House be requested to forward a copy of the above resolution to each of the Senators in Congress, and Members of the House from the State.

The first resolution was read a second time.

Mr. MANN. Mr. Speaker, I presume this resolution will elicit some discussion, though from the position taken by the Chicago *Times*, and from the nomination of a colored man for office by our Democratic friends in the Third ward of the city of Boston, I might perhaps suppose it would meet with the unanimous approbation of this House. Yet, as I heard some voice say no to the second reading it is possible that it will meet with an opposition, and I therefore move that the further consideration of this resolution be postponed until Wednesday evening of next week, and that this House hold a special session for its consideration.

Mr. BOYLE. Mr. Speaker, I presume that this discussion is not in order, but I think I may say that this side of the House is ready to vote on the resolution now, if the gentlemen on the other side are willing to let us. I do not care about discussing it.

Mr. LEE. Mr. Speaker, I hope it will go to a vote.

Mr. WADDELL. I hope the gentleman from Potter [Mr. MANN] will withdraw his motion to postpone. I presume the whole House is as ready to vote upon this question as the gentlemen upon the other side. There is no desire on our side to discuss it. Everybody's mind is made up on the subject. If we were to discuss this resolution for a week it would not change a single view or a single vote. I believe these gentlemen can put themselves on the record this afternoon as well as a week hence.

Mr. MANN. I withdraw my motion to postpone.

Mr. BOYLE. Mr. Speaker, I ask for the reading of the resolution again.

The resolution was again read.

Mr. BOYLE. Mr. Speaker, I will ask the gentleman from Potter to say, so we can vote understandingly, whether he means to include—when he says in his resolution that equal political rights should be conferred upon all persons—whether he means to include negroes.

Mr. MANN. I endeavored to use the good old fashioned English language in its proper meaning. I think I have done so. I think the resolution speaks for itself and I do not intend to interpret it for anybody.

I say for myself, and for nobody else, that I am willing to vote to convey to the colored man of the Southern States and of the State of Pennsylvania, when I have the opportunity, the same rights which I enjoy myself.

Mr. BOYLE. Mr. Speaker, I did not think I was making an unreasonable request of the gentleman who offered this resolution when I asked him to explain what he meant by some of the terms; and I trust he will do so, that we may know just what we are voting for.

I know that there has been considerable double dealing heretofore; one thing has been said and another meant, and I trust that that will not be the case any longer. If the gentleman wants an expression from this House, it is of course to his interest, and the interest of his party, that it shall be no equivocal expression. Let us know what we say in order that what we say may have some meaning. I ask the gentleman to say, or decline positively to say, whether he means, by this resolution, to give suffrage to the negroes of the Southern States.

On agreeing to the resolution,

The yeas and nays were required by Mr. BOYLE and Mr. M'CREARY, and were as follow, viz:

YEAS—Messrs. Adaire, Allen, Armstrong, Barton, Cameron, Chadwick, Colville, Davis, Day, DeHaven, Donohugh, Espy, Ewing, Freeborn, Gallagher, Ghegan, Gordon, Harbison, Hoffman, Humphrey, Kennedy, Kerns, Kimmell, Kinney, Lee, Leech, M'Creary, M'Kee, M'Pherrin, Mann, Mechling, Meily, Pennypacker, Peters, Pillow, Quay, Roath, Seiler, Sharples, Shuman, Steacy, Stehman, Stumbaugh, Subers, Waddell, Wallace, Watt, Webb, Weller, Wham, Wharton, Wilson, Wingard, Woodward, Worrall, Wright and Glass, *Speaker*—57.

NAYS—Messrs. Barrington, Boyd, Boyle, Brennan, Calvin, Chalfant, Deise, Fogel, Gregory, Hamer, Hetzel, Hood, Hunt, Jenks, Jones, Josephs, Koon, Kurtz, Linton, Long, M'Henry, Markley, Meyers, Mullin, Phelan, Quigley, Rhoads, Robinson, Rouch, Satterthwait, Tharp and Westbrook—32.

So the question was determined in the affirmative.

The second resolution was then read and adopted.

Mr. KINNEY. Mr. Speaker, I desire to make a short statement.

Leave was granted.

Mr. KINNEY. Mr. Speaker, the business portion of the borough of Towanda, in the county of Bradford, ask the Legislature to pass an act which will enable them to elect an additional justice of the peace at the regular borough election, which takes place on the 18th of this month. To gratify them in their wishes I am obliged to ask a suspension of the rules.

Leave was granted.

Mr. KINNEY. Mr. Speaker, I read in my place and present to the Chair a bill entitled An act authorizing an additional justice of the peace in the borough of Towanda, in the county of Bradford.

The bill was read the first time.

Mr. MEYERS. Mr. Speaker, I would like to inquire of the gentleman from Bradford [Mr. KINNEY] how many justices of the peace there are in that borough.

Mr. KINNEY. I believe there are two, sir.

Mr. MEYERS. I see by the sixth article of the seventh section of the Constitution of the State of Pennsylvania, it is provided that no township, ward or borough shall elect more than two justices of the peace or aldermen, without the consent of the majority of the qualified electors of that borough. It seems to me that this is an interference on the part of the State, without some evidence that a majority of the electors of that borough have given their consent.

Mr. KINNEY. The people of that borough were so very unanimous in soliciting this, that, perhaps, they did not consider it necessary to comply with that provision. If it is necessary, why, of course, the bill will have to be withdrawn.

Mr. MEYERS. Mr. Speaker, this is an expressed constitutional prohibition, and therefore, the act, if passed, can have no binding effect on anybody.

Mr. LEE. Mr. Speaker, why is not that bill in order? The people of that borough will decide the question when it comes up whether they will have it or not. The Constitution of the State of Pennsylvania does not say that a man may not be nominated for an office. If the people of a borough determine that they shall have another magistrate, they do that by their votes. I think it is perfectly proper that they shall have the privilege of saying so.

Mr. KINNEY. I desire to offer an amendment, so as to provide that the question shall be submitted at the same time to the people.

The bill, as amended,

Passed finally.

Mr. STUMBAUGH. Mr. Speaker, I desire to make a statement.

Mr. M'CREARY. Mr. Speaker, I do not wish to be discourteous, but hereafter I must object to any suspension of the rules. I have some bills I wish to get through as much as anybody else, but the business is so confused by this manner of proceeding that they cannot be gotten before the House in their proper order. I desire my bills to go before committees in a proper way. There are bills brought in here that are of no more consequence than bills that are lying back to be

read in place. Some person wants to erect a turnpike gate or something of that kind.

After this, I must object to the rules being suspended unless a very satisfactory reason is given.

Mr. STUMBAUGH. Mr. Speaker, at the last session of the Legislature an act in relation to the fees of jurors and witnesses was passed for several counties of this Commonwealth, among which was the county of Franklin. The fees for witnesses have been discovered to be oppressive to suitors; our court meets on the 21st of January, and while I do not desire to take up the time of the House by introducing bills in an improper way, yet, as this is an act that affects no one but the people of Franklin county, I ask that the rules be suspended, that I may read in place and present to the Chair this bill.

Leave was granted.

The bill, entitled A supplement to an act increasing the fees of jurors and witnesses in and for the counties of Armstrong, Franklin and Westmoreland, approved March 27, 1866, was then,

On motion of Mr. STUMBAUGH, read a second and third time, and

Passsed finally.

Mr. ADAIRE. Mr. Speaker, I desire to read in place and present to the Chair a bill asking for the appointment of an additional notary public in the city of Philadelphia. It is something in which nobody can be interested but myself and the party wishing the appointment.

Mr. M'CREARY. I object.

On granting leave a division was called for when, thirty-six voting for and twenty-two against it, it was not agreed to.

The bill then was, at the request of Mr. ADAIRE,

Laid on the table.

Mr. JOSEPHS. Mr. Speaker, I move that the House do now adjourn.

On a division the motion was lost.

Mr. HOFFMAN. Mr. Speaker, I move that the House now proceed to the consideration of the Senate resolution appointing a joint committee to receive contracts for publishing a *Daily Record*.

The motion was agreed to.

The Clerk read the resolution, with the amendment offered by Mr. MEYERS, as follows:

Resolved, That a committee of three members be appointed from the Senate, to act in conjunction with a similar committee of the House of Representatives (if the House of Representatives shall appoint such a committee), to receive proposals and contract for the publication of a *Daily Record*.

The amendment reads as follows:

Resolved, That if the Senate concur, that said committee appointed to make said contract, are required to stipulate that the said *Record* shall be laid daily (when the House and Senate are respectively in session) on the desk of each Representative and Senator, and said *Record* to contain *inter alia* the proceedings of such preceding session, not more remote than the third session prior to the day when so laid on the desk, and that no money shall be drawn from the State Treasury for the contract price, or any part thereof, of said stipulation if not complied with; that each member of the House and each Senator shall be entitled to thirty-five copies of said *Record*.

Mr. DAVIS. Mr. Speaker, I believe there is no amendment pending to the amendment. I wish to offer the following as a substitute for the amendment of the gentleman from Northampton [Mr. MEYERS].

The amendment was read by the Clerk as follows:

To strike out the amendment of the gentleman from Northampton and add the following:

"And that the committee be requested to make said contract with such restrictions that the publisher thereof be required to publish the proceedings daily and not more remote than the third session prior to the day; that the number of copies furnished to each member be increased to not less than thirty, and to impose such restrictions as will compel the publisher of the same to comply with his contract punctually."

Mr. MEYERS. Probably the intention of the gentleman from Philadelphia [Mr. DAVIS] was to meet the same thing that I had in view when I offered my amendment; but it is not so explicit. It leaves it a question with the party who makes the contract. If he is bound to publish all the proceedings up to the third day prior to the day on which the *Record* is laid on our tables, there can certainly be no objection. But the amendment is indefinite and subject to misunderstanding and misinterpretation. I therefore ask that this House vote it down. I have spoken to several gentlemen on the floor, and they have agreed with me on my amendment.

Mr. ALLEN. If I am not mistaken, the gentleman from Philadelphia [Mr. DAVIS] himself agreed that the number of these *Records* should be thirty-five at least. I believe my amendment to that effect was accepted by the gentleman from Northampton.

Mr. MEYERS. Yes, the amendment was accepted.

Mr. ALLEN. It was agreed upon. I don't wish it to be changed, but I think it should be more, if anything. It is a document that should be sent to our constituents, and I think the number should be increased rather than diminished.

Mr. DAVIS. Mr. Speaker, the object of the amendment I have offered to the amendment of the gentleman from Northampton [Mr. MEYERS], was simply to make it more plain and comprehensive than the amendment offered by himself. I do not understand his amendment at all. The amendment that I offered was intended to be so comprehensive that the committee might understand it and act accordingly. I submitted it to several gentlemen and they all agreed with me that it was proper. If the gentleman will point out any of the particular parts to which he objects, probably it can be made to suit him.

Mr. MEYERS. Mr. Speaker, I do not now definitely recollect the wording of his amendment, but it is to this effect: That the party who shall make the contract to print and publish the *Record*, shall print it daily, and that it shall contain the proceedings of each session not more than three sessions prior to that day. What day? Shall he make and print a daily *Record*? True, but that *Record* may contain proceedings of a session two weeks before that time. While the amendment which I offered fixes that he shall lay on the table a daily *Record*, and when he lays it on the table that *Record* shall contain all the proceedings up to the day of the session not more remote than the third session previous to the day on which the *Record* is laid on the table. Certainly there is some doubt and equivocation in the language of the gentleman from Philadelphia [Mr. DAVIS].

Mr. DAVIS. Mr. Speaker, the amendment I offered seems to me very comprehensive, and the objection made by the gentleman from Warren [Mr. ALLEN] will not hold. This amendment says "not less than thirty copies," and leaves it at the discretion of the committee to make it as many copies as they please. I think it covers the ground and makes it more plain than the amendment of the gentleman from Northampton [Mr. MEYERS], with such restrictions that the publisher thereof will be required to publish the proceedings daily, and not more remote than the third session prior to the day.

Mr. MEYERS. What day?

Mr. DAVIS. The day of the proceedings published. Then it goes on to say that the number of copies furnished to each member be increased to not less than thirty, leaving it discretionary with the committee to make it as many more as they please. Now, if we make it thirty-five, and the committee desire to make it fifty, which, as an individual, I am in favor of, they could not do it. The object of this amendment is simply to fix the minimum, and to impose such restrictions as will compel the publisher to comply with his contract punctually. I think of the objection of the gentleman from Warren [Mr. ALLEN] that, if he reflects for a moment, he will see that an amendment in this way makes it discretionary with the committee, that they can increase the number, but cannot make it less than thirty.

Mr. ALLEN. I will say to the gentleman from Philadelphia [Mr. DAVIS] that after meditation, I have still stronger objections, on the ground that he has given to the committee entire authority to decide how many copies shall be issued. I consider that legitimately the business of this House, and members by their votes should decide what number shall be furnished to them. I think that very reason should satisfy the members of this House that this amendment is not proper. He should say how many copies must be issued, and the House ought to decide it.

Mr. DAVIS. One word of explanation. After the committee have made a report to the House, then will be the proper time for the House to increase or diminish the number of copies.

Mr. ALLEN. It may as well be done now as at any other time.

Mr. DAVIS. My idea, which I believe to be the correct one, would be to leave it entirely with the committee to arrange about the number of copies, and if they give us too many we can cut them down.

Mr. MANN. I suggest to the gentleman from Philadelphia [Mr. DAVIS] that he make the day more explicit. His amendment says not more remote than three days from the day. If he will say from the day upon which the *Record* is laid on our tables I will vote for his amendment. I do think the amendment of the gentleman from Northampton [Mr. MEYERS], as it stands, is the more favorable. If the gentleman from Philadelphia will accept such an amendment as this, I think it ought to be agreed to by all parties.

Mr. DAVIS. One word more of explanation—not to interrupt the gentleman's argument. It is not always the publisher's fault that the *Record* is not laid on our tables.—I have just been informed that the *Records*, of which two numbers have been issued, have been up here since we adjourned, and they are not yet laid on our tables. It is the duty of the House to make its officers do this.—After the *Records* are furnished to the House, the publisher has discharged his duty, and the fault is no longer with him.

Mr. MANN. Mr. Speaker, I understand the phrase to be a mere expression. I understand that when the publisher brings the *Record* to this House that he has completed his contract. He has then laid them on the table. One word will make it acceptable to me, and that is, "not more remote than the third day prior to the day on which said *Record* is laid on the table." If the gentleman will agree to that I am willing to vote for his amendment. This amendment to the resolution will then read, "and that the committee be requested to make such contract with such restrictions that the publisher shall

be required to publish the proceedings daily, and not more than the third session prior to the day that the *Record* is furnished to the House." Also, that the number of copies furnished to each member be increased to not less than thirty copies, and to impose such restrictions as will compel the publisher of the same to comply with his contract punctually.

Mr. LEE. Mr. Speaker, that is just exactly as indefinite as the other. It is couched in precisely the same terms—only the "period" instead of the "day." And the time he shall deliver to the House "not more remote than three days." The argument of the gentleman from Potter [Mr. MANN] will hold good if that time be a month back. It is the very worst thing in the world to get a lot of lawyers to fix up anything like this. You had better get some plain, common sense man to come up here and make the thing intelligible. The matter is just as ambiguous as it was before and subject to precisely the same objection.

The question on the amendment to the amendment was then put by the SPEAKER and

Not agreed to.

The question then recurring on the amendment of Mr. MEYERS,

Mr. DAVIS called for the reading of the same.

It was read by the Clerk, and

Agreed to.

The motion, as amended, was then

Agreed to.

Mr. MEYERS. Mr. Speaker, I offer the following: To add, at the end of the resolution, "that said committee shall stipulate with the contracting party or parties, that all messages, reports and other documents directed to be published in the *Record*, shall be printed once only therein." The explanation I give is simply this: In looking over the proceedings in the *Record* of last year I discovered that the reports of committees were published in the House proceedings and published in the Senate proceedings from the same type set by the compositors, consequently there was only the additional labor of printing them. I do not see the necessity of that. All that is required, when any report has been ordered by the House to be published, if that report comes from the Senate to the House, is to refer to the page on which it is published in the House proceedings, and if it went from the House to the Senate, to refer to the page in the Senate proceedings. I do not think it right to pay such extravagant prices for printing, and then have to pay double for it.

Mr. M'CREARY. Mr. Speaker, I do not know that I understand what the gentleman is aiming at. Does he mean that if a bill which came from the Senate and was discussed there is brought before the House and discussed here, that the discussions in both Houses shall not be printed?

Mr. MEYERS. No, sir. The amendment refers to messages, reports and documents which come before the House and the Senate and require the action of both bodies. For example: The Governor's message is published in the proceedings of both Houses; reports from joint committees are published in the House and in the Senate proceedings.

Mr. DAVIS. Mr. Speaker, I have authority to say that there is nothing published in the *Record* twice unless specially ordered. Does the gentleman offer his amendment here to prevent the Senate publishing the message in their proceedings, if we should publish it here? Is not the message read in each House, and does it not become a part of the proceedings of each House? Now, I believe the gentleman would not purposely make any mis-statement, but I believe I am safe in saying that no message or document is published in the proceedings of both Houses unless it has become a part of the proceedings of those Houses, or especially ordered by one of them. I have no objection, if a majority of this House wishes, to have other parties print the *Record* than those that have been printing it heretofore. I care not whether it is printed in Philadelphia, Pittsburg, Harrisburg, or elsewhere; I care not who is employed to do it, but I want justice done to those who have printed our documents in the past, and no misrepresentations made that will do an injustice to the men who labored to facilitate the business of the Legislature, and to publish a *Record* according to contract.

The amendment offered by the gentleman from Northampton [Mr. MEYERS] is, in my opinion, enough; the House has voted on it, and instructed the committee how to act. The gentleman, flushed with success, now comes here and makes a statement he is not guaranteed in making. He wishes another amendment still more obnoxious to this side of the House.

The question recurring, Will the House agree to the amendment? a division was taken, when forty-four voted for and forty-three against the amendment.

Mr. DAVIS. Mr. Speaker, I call for the yeas and nays.

Mr. BOYLE. I am sorry that the gentleman from Philadelphia found it necessary to give this question a partisan aspect. From what I have heard of it I do not think it was intended that it should take such a direction, but the amendment was offered from an honest desire on the part of the gentleman who presented it, and seconded by some gentlemen on that side of the House, to have a *Record* that would be of some value to us. Now, I can say, sir, that the *Record* of last winter was a perfect abortion, and of no account to the House or anybody else. Remarks made by one gentleman were as liable to be credited to another as to the person who made them.

In more than one instance remarks made by one gentleman were set down as having been made by another. More than that, sir, everybody who was here last winter knows very well that sometimes, not only days but weeks, would elapse before one would have the proceedings of the House before us in the *Record*. Being a practical printer, I profess to know something of printing myself, and I know there is no necessity at all for this delay. I know the facilities afforded for reporting and printing now-a-days, are amply sufficient to give us a *Record* at the time desired, and a proper kind of a *Record*, and I believe this House is willing to pay for such a *Record*.

But as to the amendment of the gentleman from Northampton. He proposes to provide that messages, reports, bills or documents of any kind that are printed in the *Record* shall be printed there only once. I ask any gentleman here to give any reason, having even the shadow of a substance about it, why documents of that kind should be printed more than once. What reason is there why a report, or a bill, or a message, or anything else should be printed in more than one number of the *Record*? When we have done that we have certainly done enough. The gentleman from Philadelphia granted more than I claim. I do not remember to have seen the Governor's message printed more than once in the *Record*. But he claims that the evil sought to be remedied, other than as regards the Governor's message, does not exist. If it does not the amendment of the gentleman from Northampton will do no harm. If the practice does not now prevail of printing bills and other documents more than once in the *Record*, then the amendment to this resolution providing that they shall not be published more than once, will do no harm. Is there anything that authorizes these gentlemen to appeal to the gentlemen on that part of the House to stand by their party—to stand by one who works faithfully for that side of the House? There is no gentleman on this side of the House who has assailed the publisher of the *Record*. There is no gentleman here who has made a personal attack on him. There is no gentleman here who wants to make this a party matter, but we do want a proper *Record*, and if we don't get a proper one I don't want any. I trust this House will not authorize the publication of the same documents time and again in this *Record*, as it certainly will do tacitly if it rejects this amendment. Let the party who prints this *Record* publish once, and only once, matters that are ordered for publication. And when he has done that it is enough.

Mr. MANN. Mr. Speaker, I am very sorry the gentleman from Fayette (Mr. BOYLE) has given this question a party character by his remarks. For myself, I am anxious that we shall have such a *Record* as shall be creditable to the Legislature, without reference to parties or party men. And I hope, notwithstanding the unfortunate remarks of the gentleman from Fayette, that the majority of this House will so continue to vote. I conceive nothing is more likely to drive us off than this attack on the publisher of the *Record*—than this attack made on the *Record* itself. I know the *Record* of last year was not such a *Record* as I hope we shall have this year. I think we ought to improve on this matter. I think the amendment already adopted is calculated to make some improvement. Notwithstanding the defects in the *Record* of last year, it was the most valuable document that this House sent out to the people. That is the unanimous verdict of the people of the district which I represent, that it is the most valuable document we sent to them. It is for this reason I appeal to the members of this House to give it a calm, proper and unbiased consideration, so that we may make it a still better *Record* than it has been. I submit that the last amendment offered by the gentleman from Northampton (Mr. MEYERS) is intended to improve this *Record*, and I appeal to my party friends to support this amendment. There is nothing in it that ought to be objectionable. It simply says that the Governor's message, and other documents, shall not be printed twice. I do not know, myself, that it was done. I was not aware that it was done; but whether it was or not, there is no harm in saying it shall not be done in the present or future *Records*. I ask gentlemen if they wish to go on record as advocating that there shall be paid eleven dollars per page for the same thing twice over. The amendment says, let it be printed but once. That is all. No harm can be done to any one. Pay the publisher of this *Record* a fair price for all he does—give him all it is worth according to his contract. Make an open, square contract with him, such as would be made with any one else, to publish our proceedings correctly, promptly and only once. That is all this amendment calls for. I hope the amendment will be adopted.

Mr. MARKLEY. Mr. Speaker, I move this House now adjourn.

Mr. DAVIS. Will the gentleman withdraw his motion for a moment?

Motion withdrawn.

Mr. DAVIS. I have nothing further to say on this subject. I am perfectly satisfied that the House shall make any restrictions on the *Record*, and will withdraw the call for the ayes and noes, as it has not been ordered by the Speaker. So far as I am concerned, I am not afraid of the record, but I will re-

lieve any other gentleman of what may be an embarrassment.

The question recurring,

Will the House agree to the amendment?

It was agreed to.

The resolution, as amended, was agreed to.

Mr. MARKLEY. Mr. Speaker, I now renew my motion.

The motion to adjourn being agreed to, the SPEAKER declared this House adjourned until to-morrow morning at 11 o'clock.

SENATE.

TUESDAY, January 8, 1867.

The Senate met and was called to order at 3 o'clock, P. M., by the SPEAKER.

On motion of Mr. RANDALL, the reading of the Journal of Thursday last was dispensed with.

Mr. WHITE said he desired, at this time, to make a statement affecting this body, which he thought would be in order.

The SPEAKER decided that it would not be in order unless unanimous consent was given.

The Senate refused to give its unanimous consent.

RULES OF THE SENATE.

The SPEAKER, in giving notice that he should insist upon a strict observance of the rules of the Senate, said:

I intend to enforce the rules alike with all. Senators, in addressing the Chair, must address the Chair from their seats. These rules must be enforced; they are necessary for the order of the Senate, and they must be maintained. At the same time I desire to say to the Sergeant-at-Arms and his assistants that I shall expect the strict enforcement of the twenty-fifth rule. For your benefit, I will read it:

XXV. No person shall be admitted within the bar of the Senate during its sessions, except the members and officers of the two branches of the Legislature, the Governor, Heads of Departments, ex-members of the Legislature and stenographers, who may desire to report proceedings of the Senate for publication, under the direction of the Speaker; nor shall any person be admitted within the lobby of the Senate, except such as shall be invited by a member of the Senate. No person or persons shall be permitted to occupy the seats of Senators, or pass across the floor of the Senate, when the Senate is in session, nor shall any person or persons, at any time, be permitted to enter the room of the Transcribing Clerks, or the recess behind the chair of the Speaker, except the members of the General Assembly.

You will thus perceive that a Senator has no right to bring any person inside the lobby. So long as this is a rule on the statute book it must be observed. I shall exercise the privileges of a later rule, and hold any officer responsible for this rule, unless abrogated by yourselves.

STANDING COMMITTEES.

The SPEAKER announced the following standing committees:

Federal Relations—Messrs. Lowry, Bigham, M'Conaughy, Wallace and Davis.

Finance—Messrs. Connell, Graham, Worthington, Landon and Walls.

Judiciary General—Messrs. Shoemaker, Bigham, M'Conaughy, Wallace and Schall.

Judiciary Local—Messrs. Cowles, White, Stutzman, Fisher and Davis.

Accounts—Messrs. Royer, Connell, Coleman, Donovan and Walls.

Estates and Escheats—Messrs. M'Conaughy, White, Wallace, Cowles and Burnett.

Pensions and Gratuities—Messrs. Fisher, Lowry, Coleman, Randall and Jackson.

Corporations—Messrs. Ridgway, Haines, Royer, Glatz and James.

Banks—Messrs. Bigham, Connell, Lowry, Coleman and Randall.

Canals and Inland Navigation—Messrs. Haines, Royer, Shoemaker, Searight and Donovan.

Railroads—Messrs. Landon, Lowry, Graham, Ridgway and Randall.

Election Districts—Messrs. Stutzman, White, Graham, James and Jackson.

Retrenchment and Reform—Messrs. Browne (Lawrence), Bigham, Billingfelt, Burnett and Davis.

Education—Messrs. Worthington, Browne (Lawrence), Cowles, Brown (Mercer) and Searight.

Agriculture and Domestic Manufactures—Messrs. Haines, Royer, Brown (Mercer), Billingfelt and Glatz.

Military Affairs—Messrs. White, Taylor, Fisher, Donovan and M'Candless.

Roads and Bridges—Messrs. Billingfelt, Landon, Taylor, Glatz and Walls.

Compare Bills—Messrs. Jackson, Stutzman, Billingfelt, Browne (Lawrence) and M'Candless.

Vice and Immorality—Messrs. Graham, Worthington, Browne (Lawrence), Taylor and Burnett.

Private Claims and Damages—Messrs. Taylor, Stutzman, Fisher, James and Schall.

Library—Messrs Worthington, Cowles and Wallace.

Public Printing—Messrs. Royer, Ridgway, Connell, M'Candless and Schall.

Public Buildings—Messrs. Coleman, Brown (Mercer) and Glatz.

New Counties and County Seats—Messrs. Brown (Mercer), Haines, Shoemaker, Donovan and Searight.

ANNUAL REPORT OF THE STATE LIBRARIAN.

The SPEAKER laid before the Senate the annual report of the State Librarian.

It reads as follows:

To the Legislature of Pennsylvania:

I have the honor to transmit herewith a statement of the money received and expended during the year 1866, with a list of books purchased for and presented to the State Library within the same year.

It will be seen by the account settled by the Auditor General that on December 12, 1866, there remained of the library fund an unexpended sum of six hundred and one dollars and twenty-seven cents. Since the settlement of the account, however, this sum has been absorbed in the settlement of outstanding claims; and there yet remains unpaid bills, which, with the daily accruing ordinary expenses of the library, will make it necessary to ask for a special appropriation to meet this excess of expenditure.

In the last annual report it was announced that the library would be removed from the old to the new room before the meeting of the present Legislature. Arrangements were made during the summer to accelerate this removal, but as the work necessary to the construction of the new library rooms progressed it was discovered that its completion would be prolonged far beyond the time fixed for the removal, so that it became a matter of compulsion to rearrange and recase the books in the old room for immediate use at the convening of the Legistature. When completed, the new library room will be one of the largest and most commodious in the country—more than ample in its dimensions for all present uses, capable of accommodating a large increase, and so constructed as at any time to admit the erection of alcoves, which, in time, will accommodate nearly double the number of books the surface cases are calculated to hold. By this arrangement the new room assigned to the library will be capable, it is asserted by architects, to accommodate its increase for the next half century.

I am gratified in being able to announce that the system of exchange has been thoroughly restored with all the States and Territories forming our Union, from each of which, during the last year, the library has received official documents.

The following papers accompany this report:

A—Account of moneys received and expended for the use of the State Library during the year 1866.

B—A catalogue of books received in the State Library during the year 1866.

All of which is respectfully submitted.

WIEN FORNEY,
State Librarian.

The accompanying documents are in the possession of the House of Representatives.

COMMUNICATION FROM THE MINISTERIAL ASSOCIATION OF HARRISBURG.

The SPEAKER laid before the Senate a communication from Brainerd Ray, secretary of the Ministerial Association of Harrisburg, which was read as follows:

44 BRADY HOUSE,
HARRISBURG, January 7, 1867.

Hon. L. W. Hall, Speaker of the Senate:

DEAR SIR—Your note of January 1st, inviting the clergy of this city to open the sessions of the Senate with prayer during the winter, was laid before the Ministerial Association this morning. It was the general conviction that you would be served more efficiently and satisfactorily by some one person than by all the ministers in rotation.

The association would suggest, respectfully, Rev. John W. Davis, a Presbyterian minister, residing in South street below Third. Mr. D. is otherwise disengaged, and would no doubt be pleased with the appointment.

The association would not be understood as declining altogether, and if this arrangement would not be acceptable we would be pleased if you would inform us of the fact. Any communication on the subject may be addressed to Rev. John F. Chaplain, president of the association, No. 25, South Third street.

Very respectfully,
Your obedient servant,
BRAINERD RAY,
Secretary Association.

Laid on the table.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

The Clerk of the House of Representatives being introduced, presented for concurrence bills numbered and entitled as follows, viz:

No. 6, supplement to an act to provide for the erection of a poor house for the better relief and employment of the poor in the townships of Oxford and Lower Dublin, in the county of Philadelphia, approved April 11, 1807.

No. 7, a supplement to an act authorizing the borough of Hollidaysburg to erect a water works, approved March 16th, 1866.

No. 9, an act to exempt the property of the Beaver cemetery association from taxation.

No. 11, an act for the relief of Nancy Welliver, widow of Jacob Welliver, a soldier of the Revolution.

No. 12, an act to extend the provisions of the first section of the act approved the 11th day of April, A. D. 1866, relative to regulating the fees of district attorney in the county of Bradford, in the court of quarter sessions, to the county of Centre.

No. 13, an act relating to the drainage of roads, by supervisors, in the county of Delaware.

No. 14, an act to authorize the collection of moneys, for school purposes, in the borough of Tidioute, in Warren county.

No. 15, an act relative to elections in the Farmers' and Merchants' insurance company.

He also returned bills from the Senate numbered and entitled as follows:

No. 1, an act relative to the receiver of taxes in the city of Philadelphia, repealing so much of the act of April 9th, 1861, as authorizes him to charge five per centum commission for collecting taxes from delinquent taxpayers.

No. 2, an act to authorize the appointment of an additional notary public for the county of Lehigh,

With information that the House of Representatives has passed the same without amendments.

He also presented the following extract from the Journal of the House of Representatives:

IN THE HOUSE OF REPRESENTATIVES, January 3, 1867.

Resolved (if the Senate concur), That the Governor be requested to return to the House of Representatives, in which it originated, House bill No. 1822, of the session of 1866, entitled An act relative to Bradford township, Butler county.

LEAVE OF ABSENCE.

Mr. DAVIS asked and obtained leave of absence for Mr. SCHALL for a few days from to-day.

COMMUNICATION FROM THE SECRETARY OF THE COMMONWEALTH.

The SPEAKER laid before the Senate a communication from the Secretary of the Commonwealth, which was read as follows:

STATE OF PENNSYLVANIA, OFFICE OF THE SEC'Y OF THE COM'TH, HARRISBURG, January 2, 1867.

To Hon. Lewis W. Hall, Speaker of the Senate:

SIR—Be pleased to inform the Senate that on the first day of May, A. D. 1866, I appointed William W. Hays, of the county of Dauphin, to be Deputy Secretary of the Commonwealth, in room of Colonel William H. Armstrong, resigned, which appointment was duly approved by the Governor.

I have the honor to be your obedient servant.

ELI SLIFER,
Secretary of the Commonwealth.

PETITIONS.

Mr. JACKSON presented a petition of fifty-one citizens of Derry township, Montour county, praying for the repeal of an act providing for the erection of a poor house in said county, approved April 11, 1866.

Referred to the Committee on the Judiciary Local.

Mr. WORTHINGTON, a petition of citizens of Schuylkill township, Chester county, praying for the passage of an act authorizing the appropriation of the residue of the bounty tax to the emergency men of said township.

Referred to the Committee on the Judiciary Local.

Mr. M'CONAUGHY, the petition of Henry Stevens and Jacob Herman, of Adams county, for a change of venue from the court of quarter sessions of Adams county to Dauphin county, in case of the Commonwealth vs. Henry Stevens and Jacob Herman.

Referred to the Committee on the Judiciary Local.

Mr. BROWN (Mercer), the petition of Mary Ann Gordon, widow of Hiram B. Gordon, late register, &c., of the county of Venango, praying for relief.

Referred to the Committee on Finance.

BILLS IN PLACE.

Mr. BROWN (Mercer) read in his place and presented to the Chair a bill entitled An act for the relief of Mrs. Mary Ann Gordon, widow and executrix of Hiram B. Gordon, deceased, late register of wills, &c., of the county of Venango.

Referred to the Committee on Finance.

Mr. CONNELL, a bill entitled An act to authorize married women to contract for the renting of houses, the payment of rent, defining the manner in which the same may be received.

Referred to the Committee on the Judiciary General.

Mr. M'CANDLESS, a bill entitled A further supplement to an act entitled An act for the better security of the city of Philadelphia from damages incident to the refining or improper and negligent storage of petroleum, benzine, benzole or naptha, approved March 2, 1865.

Referred to the Committee on the Judiciary General.

INVESTIGATING COMMITTEE.

Mr. WHITE read in his place and presented to the Chair resolution entitled Joint resolution for the investigation of charges of bribery and corruption in connection with the election of a United States Senator, which was

Referred to the Committee on Vice and Immorality.

A motion was made by Mr. WHITE, that the Committee on Vice and Immorality be discharged from the further consideration of said resolution, and that the Senate do now proceed to the consideration of the same.

The resolution was read as follows:

WHEREAS, It is reported around the Capitol and elsewhere, and openly, and positively charged by persons of good repute for truth and veracity, that money has been promised and offered, and other improper influences used to affect the votes of members of the Legislature in the election for United States Senator, to be held on the 15th of January;

And whereas, It is due to the name and fame of persons thus charged, as well as to the public morals and public justice, that a prompt, thorough and immediate investigation be had into the charges so freely and positively mode of bribery and corruption, that the guilty parties may receive their proper reward, or the charges be dismissed as false and slanderous; therefore,

Resolved, That (if the House concur) a committee of three be appointed for the purpose of investigating whether any person has, by money or other improper influence, sought to affect the election of United States Senator, and whether any member of the Legislature has received, or been promised money for his vote in the election to be held on the 15th instant, and to report the names of parties implicated; and that this committee shall have power to send for persons and papers, examine witnesses and make report at any time.

Mr. WHITE. Mr. Speaker, will you allow me to make a statement? I wish to state to you, sir, and through you to this Senate, for its information, that I am no alarmist, and that I am not moved to take an action of this kind from any mere idle rumor. I, sir, in common with every individual member of this body, am interested in its reputation. I know and feel that every other Senator here sympathizes with me in this feeling. Never before, sir, since I have been a member of this body, have I introduced a resolution of this kind, or given intimation of its introduction; nor would I do so at this time were I not possessed of information which requires me to take the action which I have. I want it understood, sir, that of my personal knowledge I know nothing; but we cannot be ignorant of the fact that rumors and charges of bribery and corruption are scattered around everywhere. If that was all, I should not heed it. But I am informed by gentlemen of truth and veracity, by members of this body, that they know specific instances in which it has been done for the purpose of affecting the votes of members of the Legislature with reference to the election of United States Senator. Time, place and circumstances have been mentioned clearly and distinctly. In view of this fact, stated under my official responsibility as a Senator of Pennsylvania, I have offered the resolution which has been read in your hearing, and I trust this Senate will give it prompt, thorough, immediate action, and let us know whether the charges are proved; if proved, let the parties be held up to public reprobation; and more, sir, let them receive the punishment which the statute designates; if untrue, let the utterers of these charges be held up to the community as base and infamous slanderers. I trust the Senate will immediately proceed to the adoption of my motion.

The SPEAKER said that there was a rule in 1862 that required a two-thirds vote to discharge a committee—a most salutary rule—but that it was not the rule now, and that it required a bare majority to discharge the committee.

Mr. LANDON. Mr. Speaker, I suppose I can make a statement. I will confine myself to the simple question whether we shall discharge that committee. Now, sir, I think we should not discharge them for this reason: The matter that is thrown upon our hands is a grave matter: it is one that affects the whole Senate.

Now, Mr. Speaker, if the Senator from Indiana [Mr. WHITE] means that he can designate time and place and circumstances, etc., all I have to say to him is this: Make your charge—make your charge, and I will vote for an investigation. I am very glad I can lay my hand upon my heart and say to all mousers, come on—so far as I am concerned. I know my own mind; I know those that I represent, and I intend to represent them and follow my own judgment. If any man desires to follow my track he can do so. But if the Senate will catch at every rumor and vulgar report that is emitted from an excited press, and appoint a committee to investigate, then, sir, the Senate will do more toward lowering its character than all these slanderers can possibly do. Choke this matter instanter; appoint your investigating committee, hunt up these flying rumors, and drive out these vile odors that are spreading through all the avenues from here to the metropolis. Why, sir, you lower the Senate a hundred degrees. I challenge the Senator, for my part. I respect myself and the Senate. I remember that we represent the people at home; and let us not give them the idea at home that there nothing but corruption here. I say to the Senator, make your charge—give us facts, and I will vote for a committee. I have seen investigating committees before, sir, year after year, but they always ended in a poor, miserable fizzle.

Mr. Speaker, if you want a committee, I will vote for it, but not in a hurry. I am not going to endorse a proposition that has been got up here, saying that we are all corrupt. That bill must go over to its proper committee; that committee must report the bill, and so fix it and amend it that the investigating committee shall be sent out to investigate some specific thing, and not on a roving commission. Is not that right, Mr. Speaker? Put it in that shape, and you shall have my vote. I shall vote against appointing the

committee unless you bring them down to specialities.

Mr. BIGHAM. Without saying anything at all on the main subject, I wish to call the attention of the Speaker to one thing, and ask him whether he will not withdraw the decision. Now, a proposition of this kind, which proposes on the face of it to create a special committee, I think was indifferently referred to a standing committee by the Speaker, and that he ought to withdraw his decision and let it come up on its own merits. I think it should not have been referred to a standing committee.

The SPEAKER. The Speaker is not responsible for the mistakes of other Senators. The Senator from Indiana read this as a bill in place, at a time when bills in place were being read. The Speaker could do nothing less than take it as a bill in place and refer it to some committee. If it was not a bill in place it should not have been read at that time. It was a bill in place, and was referred to the right committee. I can tell nothing about it, except that the Senator from Indiana [Mr. WHITE] read in place a joint resolution for investigating any charges of bribery and corruption. I hesitated, I confess, for a moment as to what committee to refer it to.

Mr. WHITE. Mr. Speaker, I have taken your suggestion, sir, in very good part, and in reply remark that the Senator from Indiana, when he rose in his place and read the paper now before the Senate, understood what he was saying perfectly well, and intended it should be considered as a bill in place, and is willing that it should be treated as such. Let it stand in full on its merits as a bill in place. Now, Mr. Speaker, will the Senate pause and consider for a moment what is the motion before it. There is upon your desk a preamble, specifying certain things, with a resolution for the appointment of a committee to investigate the truth of these charges. Every Senator can easily understand the purpose and object of the resolution. It has been referred by the Speaker to the Committee on Vice and Immorality. We all understand what the object of the reference of a bill to a committee is. It is to see whether it should be reported for the favorable action of the Senate or not. This rule is applicable to all bills which require preliminary examination. But this bill had no features of that kind. This bill, upon its face, recites certain facts, and asks that you appoint a committee to investigate their truth or falsehood. I move, now, that the Committee on Vice and Immorality be discharged; that no time be lost by this committee which you will appoint—if this bill passes—in discharging their duty. That is the question before the Senate—shall the bill pass at this time? My friend, the Senator from Bradford [Mr. LANDON], has spoken of prevailing charges, and has defiantly and clearly proclaimed that he is ready for investigation.

Sir, I made no charges against the Senator from Bradford [Mr. LANDON], and I trust and hope that he is the peer of every Senator upon this floor in intelligence and integrity. I make no charges against any man; the bill makes no charges against any man; but it recites that bold and open charges of bribery and corruption are made; and I wish it to go upon the record, as coming from me, that corruption has been offered to them for the purpose of influencing their votes for Senator. It is due to the dignity of this body—it is due to the reputation of every individual Senator, that the truth or falsehood of the charge be investigated.

You, Mr. Speaker, in delivering your inaugural address, when you assumed the constitutional duty as Speaker of this body, saw fit to indulge in encomium upon the peculiar character and deportment of this body, its purity, integrity and dignity; I trust, I hope it is pure, and I believe it is pure; but there are other persons, there are other men who would not believe so. Persons have seen fit to intrench upon the constitutional rights of members of this body, to make selections for a high office, and have offered gold to influence their votes. Is this not cause for investigation?

The Senator says I must be specific. Sir, I looked at precedents in the matter. I recollect in the case in the Lower House of Congress in 1858, where a motion was made for a committee for investigation, which was the first precedent for legislative investigation of this kind, this same question arose. It was the famous Covode investigation. On that occasion it was asked to make specific charges, giving names, and time, and place and circumstance. By referring to the *Congressional Globe* you will discover this was decided not to be neccessary. It was sufficient to know that there was responsibility taken—that the charges actually did exist, that the charges were actually made; and upon that statement the Congress of 1858-9 passed the resolution which appointed a committee of investigation. That has been the rule which Congress has followed ever since; that has been the rule which this body has followed in cases of a similar character.

Mr. Speaker, may we not here, in the Senate of Pennsylvania, whence emanate the laws governing the citizens, give the citizen the right to have his character investigated? Crimes are charged, a slander is uttered in the street against the character of a citizen; he invokes the law, goes before a jury of his countrymen; if the charge is false, character is vindicated; if the charge is true, he goes out without his character. Can we not, in the Senate of Pennsylvania, follow the same rule? I trust there will be no hesitation in this Senate to discharge the committee on this bill, that it may be passed at this time.

Mr. LOWRY. Mr. Speaker, I shall vote for the fullest and freest investigation of this matter. I shall, however, vote against discharging the committee for this reason: The other branch of this Legislature has passed resolutions of a similar character, and we are consuming time unnecessarily in the consideration of these resolutions. The House has passed their resolutions already, and as soon as the Clerk can transcribe them, they will be sent over here. I shall then vote to take them up and pass them. Were it not that they have got resolutions of that kind in the other branch, I think I should vote for the immediate discharge of the committee. Look for a moment at the position in which we propose to place ourslves. The House passes resolutions for this investigation, and they come over here and go to the committee. These resolutions pass here and go to a committee, and in that way they are locked up, and may not be reached for some time. Now, sir, as I said when I took my stand here, those House resolutions will be before us soon, and we can vote on them, as they are of similar import, and thus save us more trouble. I shall, therefore, vote against discharging the committee.

Mr. WALLACE. Mr. Speaker, it is well said, sir, that common rumor is a common liar. But, sir, we cannot shut our eyes to what is asserted by Senators to be well-grounded rumor; we may not believe it, but a great many do. It appears to me that when a Senator arises to his feet, clothed with his Senatorial dignity, and introduces in this body a resolution as solemn in its character, as grave in its charges, as serious in its results as this one, that we should treat it seriously and gravely, and consider it well. Crimes, sir, are not perpetrated in open day; men do not seek witnesses and say, I am about to take money; but, on the contrary, it is done quietly; and the only way in which the facts can be learned is by probing the thing. Hence the resolution is well put. These resolutions must be indefinite; they cannot be distinct. No man knows the guilty party.—The author believes them well founded; in his Senatorial place he arises, and introduces these resolutions. Now, I am for the fullest, freest and most perfect investigation that can be had, when it comes in this form, and I, sir, shall vote to discharge the committee.

Mr. FISHER. Mr. Speaker, I believe the point under discussion now is on the question of discharging the committee, hence I think it improper to enter into a discussion of the merits of this question. If the allegations set forth in this preamble and resolutions have any foundation in fact, the sooner we know it the better. I, of course, have no knowledge as to the truth or falsity of these allegations. I trust, sir, that they are false. I can hardly believe that they are true. If they are true, they should be speedily ventilated; if they are false, those persons against whom these charges are brought should have a fair and complete investigation. That cannot be reached by the usual mode of referring to committee, in time for the main point in issue. That committee might waste one-half of the time of the session in investigating this matter. Here is a clear, specific charge, of what, sir? That corruption has been attempted, to influence members—upon what? Upon a specific act—the vote for United States Senator. That question will be decided next week. Now, if there is to be an investigation at all, it is important that it should be done speedily. I cannot see how the question can be reached speedily without appointing a select committee, as contemplated in the resolutions. If that is to be done, it should be done at once.

I do not believe these charges. I do not believe that any man, or the friends of any man who is a candidate for the high position of United States Senator, would resort to these base appliances; but if there be any truth in these charges, I want them to be probed to the very bottom, no matter on whose head it may fall. Hence, I am in favor of discharging the committee, and investigating, before this Senate and the Commonwealth, those broad charges that have been made. Now, when the Senator says a similar bill has been introduced in the House, I am willing to take his word; but it does not come here in an official form.

Mr. LOWRY. I would state to the Senator that we are officially informed so; the resolution from the House is now on the Clerk's desk, having been sent over a few moments since.

Mr. FISHER. I was not aware of it, but until we have some official information, I move that we discharge the committee at once.

Mr. LOWRY. I move the question be postponed for the present, for the purpose of taking up similar resolutions that have passed the House.

The joint resolution from the House referred to was read as follows:

WHEREAS, It has been currently reported for some time past, and charged in the public newspapers of the day, that improper influences have been used to secure the election of various persons to the office of United States Senator, and the Legislature charged with bribery and corruption in other matters; *And whereas*, Such charges, if unfounded, are derogatory to the character of the Legislature and should be disproved, and if true, should be at once ascertained in order that

the guilty parties may be brought to justice and punishment; therefore,

Resolved, That (if the Senate concur) a joint committee of investigation, consisting of three members of each House, be appointed, whose duty it shall be to examine into the truth of said reports and charges, and report to each House the result of their investigation, and that such committee shall have power to send for persons and papers.

Mr. LOWRY. I believe these resolutions are the same as those introduced here, or very similar; and it would be disrespectful to the other branch of this body, when their resolutions come here first, not to take them up. More than that, we are in danger of having no investigation at all unless this be done. We should proceed, and proceed at once, in this investigation. I would be glad to see the Senator from Indiana [Mr. WHITE] as chairman of this committee. I hope it will fall into as able hands as his, and into the hands of men who will make a strict examination.

Mr. LOWRY moved to postpone the further consideration of the subject for the present, and that the Senate proceed to the consideration of the preamble and resolutions just received from the House of Representatives on the same subject.

On the question, Will the Senate agree to the motion?

The yeas and nays were required by Mr. WHITE and Mr. LOWRY, and were as follow, viz:

YEAS—Messrs. Browne (Lawrence), Brown (Mercer), Burnett, Coleman, Connell, Cowles, Davis, Donovan, Glatz, Graham, Haines, Jackson, James, Landon, Lowry, M'Candless, M'Conaughy, Randall, Ridgway, Searight, Shoemaker, Stutzman, Wallace, Walls, Worthington and Hall, *Speaker*—26.

NAYS—Messrs. Bigham, Billingfelt, Fisher, Royer, Taylor and White—6.

So the question was determined in the affirmative.

The said preamble and resolution were read a second time and concurred in.

During the call,

Mr. GRAHAM said: As I am in favor of the earliest and fullest investigation into the charges here preferred, and as I believe that object can be obtained best and speediest by adopting or substituting the resolutions that have come over from the House, for those offered by the Senator from Indiana [Mr. WHITE], I vote aye.

BILLS IN PLACE—CONTINUED.

Mr. BROWN (Mercer) read in his place and presented to the Chair bill entitled An act repealing a part of an act relating to the appointment of a county auctioneer for the county of Mercer.

Mr. GRAHAM, bill entitled An act authorizing the school directors of the borough of Sewickley to collect the balance of bounty tax in said borough.

Also, bill entitled An act to authorize the construction of a sewer from Tremont street, in the city of Allegheny, along Island Lane and Washington street, in the borough of Manchester, to the Ohio river.

Mr. CONNELL, bill entitled An act to promote the more certain and equal assessment of real estate in the city of Philadelphia, approved March 14, 1865.

Mr. LOWRY, a bill entitled Supplement to an act relative to the fees of district attorney in certain counties in this Commonwealth.

Mr. M'CONAUGHY, a bill entitled An act to change the venue in the case of the Commonwealth of Pennsylvania vs. Henry Stevens and Jacob Herman, from the court of general quarter sessions of the peace of Adams county to the court of general quarter sessions of the peace of Dauphin county.

Mr. BROWNE (Lawrence), a bill entitled An act regarding desertion in Lawrence county; which was

Referred to the Committee on the Judiciary Local.

Mr. CONNELL, a bill entitled An act to incorporate the Hand-in-Hand Mutual life insurance company.

Also, a bill entitled An act to incorporate the Germantown swimming and skating park association.

Mr. LOWRY, a bill entitled A supplement to an act to incorporate the Female Seminary of Eden Hall, in the county of Philadelphia, by the style and name of "the Institute of Ladies of the Sacred Heart."

Mr. SHOEMAKER, a bill entitled A supplement to an act to incorporate the Mineral Spring coal company, approved April 3, 1866.

Mr. COWLES, bill entitled A further supplement to an act incorporating the West Branch boom company, approved the 29th day of March, A. D. 1849.

Mr. M'CANDLESS, a bill entitled An act to incorporate the Catholic Philopatrian Institute of Philadelphia.

Mr. BROWNE (Lawrence), a bill entitled An act to incorporate the New Castle water company.

Mr. DONOVAN, a bill entitled An act to incorporate the Sisters of Mercy, in the city of Philadelphia.

Mr. BROWN (Mercer,) a bill entitled An act to incorporate the American mining, coal oil tank and transportation company; which were

Referred to the Committee on Corporations.

Mr. SHOEMAKER, a bill entitled An act to incorporate the Scranton Savings Bank, which was

Referred to the Committee on Banks.

Mr. SEARIGHT, a bill entitled An act to establish a ferry over the Youghiogheny river, near Perryopolis, which was

Referred to the Committee on Canals and Inland Navigation.

Mr. GRAHAM, a bill entitled An act to repeal an act of the General Assembly of the State of Pennsylvania, which became a law on the 19th day of August, 1864, entitled An act relative to the Pittsburg and Connellsville railroad company.

Mr. SEARIGHT, a bill entitled An act to incorporate the Monongahela Valley railroad company, which was

Referred to the Committee on Railroads.

Mr. JACKSON, a bill entitled An act relative to the road laws of certain townships in Sullivan county, which was

Referred to the Committee on Roads and Bridges.

BILLS REFERRED.

Bills heretofore read in place, entitled as follows, were severally committed by the Speaker to the Committee on the Judiciary General:

A further supplement to an act entitled An act relating to corporations for mechanical, manufacturing, mining and quarrying purposes, approved the 18th of July, 1863.

An act relating to the personal estate of married women.

A further supplement to an act entitled An act to enable joint tenants, &c., approved the 21st of April, 1854.

The following was committed by the SPEAKER to the Committee on the Judiciary Local:

An act regulating the sale by hawkers and peddlers of goods at wholesale.

The following was committed by the SPEAKER to the Committee on Finance:

Joint resolution relative to the final adjournment.

The following was committed by the SPEAKER to the Committee on Election Districts:

An act to divide the Northwest ward of Lancaster city into three separate election districts.

The following were committed by the SPEAKER to the Committee on Corporations:

An act to incorporate the Academy of Notre Dame, in the city of Philadelphia.

An act to incorporate the Granite insurance company.

An act to incorporate the Quinterro mining company.

An act to incorporate the Vulcan iron works.

An act to incorporate the Marine hospital of Pennsylvania, in the county of Erie, to fix location of hospital in Erie city, and to grant real estate to said hospital.

The following were committed by the SPEAKER to the Committee on Railroads:

An act relating to passenger railways within the county of Philadelphia.

An act to incorporate the Wilkesbarre and Sugar Notch passenger railroad company.

A further supplement to an act entitled An act regulating railroad companies, approved February 19, 1849, and its supplements, and to create and regulate such companies.

The following were committed by the SPEAKER to the Committee on Federal Relations:

A joint resolution to ratify an amendment to the Constitution of the United States.

Joint resolution in relation to the reduction of internal revenue tax on distilled spirits.

Joint resolution regarding the meeting of the next Congress.

BILLS CONSIDERED.

On motion of Mr. JACKSON, the Committee on Corporations was discharged from the further consideration of bill No. 12, entitled A supplement to the act incorporating the Sullivan land company, and authorizing said company to sell or exchange land.

The rules being dispensed with, said bill was read a second time and

Passed finally.

On motion of Mr. BROWNE (Lawrence), the rule was dispensed with in case of bill No. 13, entitled An act to incorporate the New Castle water company.

Said bill was read a second time and ordered to be transcribed for a third reading.

MESSAGE FROM THE HOUSE.

The Clerk of the House of Representatives being introduced, presented an extract from the Journal of the House of Representatives, which was read as follows, viz:

IN THE HOUSE OF REPRESENTATIVES,
JANUARY 8, 1867.

Resolved, That the Speaker and members of the House and Senate (if the Senate concur) will, at 12 o'clock, Thursday, the 10th instant, meet in convention for the purpose of opening and publishing the votes for Governor; in pursuance of the constitutional laws of this Commonwealth.

On motion of Mr. CONNELL, said resolution was read a second time, considered and concurred in.

Ordered, That Mr. SHOEMAKER be the teller on the part of the Senate, and that the Clerk inform the House of Representatives accordingly.

MESSAGES FROM THE GOVERNOR.

The Secretary of the Commonwealth being introduced, presented a message from the Governor, in writing, which was read as follows, viz:

EXECUTIVE CHAMBER,
HARRISBURG, January 8, 1867.

To the Senate and House of Representatives of the Commonwealth of Pennsylvania:

GENTLEMEN—In the summer of 1862, after the battles on the peninsula, large numbers of sick and wounded Pennsylvania volunteers were carried to New York, where I found them in hospitals. Finding it necessary for their comfort and to facilitate their transportation to the State, I appointed Colonel C. M. Burton agent for that purpose. There were at that time some four or five thousand Pennsylvanians in and about the city of New York, and Colonel Burton gave them faithful attention, receiving supplies from the State, and friends at home, and in distributing them, and in having them transported to hospitals in the State and to their homes. For five months he was almost constantly engaged in his work, and afterwards continued to perform any duty asked of him.

He expended over one thousand dollars, which has never been paid to him, nor has he ever received any compensation.

In consequence of his not pushing his accounts, and delays in settlements, there is now no fund from which payment can be made, and I recommend that an appropriation be made for that purpose.

I need not say that the State has heretofore responded to all demands of this character promptly, and that this claim is meritorious and should be paid.

A. G. CURTIN.

Which was referred to the Committee on Finances.

The Secretary of the Commonwealth also presented the following message, which was read, viz:

EXECUTIVE CHAMBER,
HARRISBURG, January 8, 1867.

To the Senate and House of Representatives of the Commonwealth of Pennsylvania:

GENTLEMEN—I have approved and signed the following acts of the General Assembly, to wit:

On the 3d instant:

An act to pay the retiring officers of the Senate and House of Representatives.

An act relating to bounty taxes in Bradford county, legalizing the action of the burgess and town council in Troy borough relative to bounties, and to require the payment of the same.

On the 4th instant:

An act to repeal a portion of an act entitled An act to prohibit the issuing of licenses within certain boroughs in the counties of Armstrong, Potter, Indiana and Perry, or within two miles of the same, in the counties in which such boroughs are located.

A. G. CURTIN.

Laid on the table.

The Secretary of the Commonwealth also presented a message from the Governor, returning, with his objections, bill No. 798, entitled An act to incorporate the People's Savings Bank of Franklin, which was read as follows, viz:

EXECUTIVE CHAMBER,
HARRISBURG, January 8, 1867.

To the Senate and House of Representatives of the Commonwealth of Pennsylvania:

GENTLEMEN—I herewith return to the Senate, in which it originated, bill No. 798, entitled An act to incorporate the People's Savings Bank of Franklin, with my objections to the same.

The twenty-fifth section of the first article of the Constitution declares that hereafter no corporate body shall be created, renewed or extended, with banking or discounting privileges, without six months' previous notice of the intended application in such manner as shall be provided by law, and the second section of the act of May 1st, 1851, directs the manner in which the notice shall be given.

This bill confers banking and discounting privileges, and as no notice of the application was given, is clearly unconstitutional.

I have, therefore, withheld my signature from the bill.

A. G. CURTIN.

Laid on the table.

Agreeably to the provisions of the Constitution, the Senate proceeded to the reconsideration of the bill referred to in the foregoing message.

On the question, Shall the bill pass notwithstanding the objections of the Governor?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows:

YEAS—None.

NAYS—Messrs. Bigham, Billingfelt, Browne (Lawrence), Brown (Mercer), Burnett, Coleman, Connell, Cowles, Davis, Fisher, Glatz, Graham, Haines, Jackson, James, Landon, Lowry, M'Candless, M'Conaughy, Randall, Ridgway, Royer, Scaright, Shoemaker, Stutzman, Taylor, Wallace, Walls, Worthington and Hall, *Speaker*—30.

So the question was determined in the negative.

The Secretary of the Commonwealth also presented a message from the Governor, returning, with his objections, bill No. 971, entitled A further supplement to an act entitled An act to incorporate the Kersey oil and mineral company, approved the first day of May, Anno Domini one thousand eight hundred and sixty-one, which was read as follows, viz:

EXECUTIVE CHAMBER,
HARRISBURG, January 8, 1867.

To the Senate and House of Representatives of the Commonwealth of Pennsylvania:

GENTLEMEN—I herewith return to the Senate, in which it originated, bill No. 971, entitled A further supplement to an act entitled An act to incorporate the Kersey oil and mineral company, approved the first day of May, Anno Domini one thousand eight hundred and sixty-one.

The third section of the bill authorizes the president and treasurer of the company to issue bonds to an amount not exceeding seventy-five thousand dollars per mile, bearing interest at seven per cent. per annum, independent of the stockholders or directors, and without any limitation as to price at which they may be sold. And the second section repeals so much of the act of incorporation of the company as requires the president and treasurer to be members of the board of directors.

Such unrestricted control over the credit and means of the corporation cannot be justified on any principle, and I cannot, therefore, approve this bill.

A. G. CURTIN.

Laid on the table.

Agreeably to the provisions of the Constitution, the Senate proceeded to the reconsideration of the bill referred to in the foregoing message.

On the question, Shall the bill pass notwithstanding the objections of the Governor?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—None.

NAYS—Messrs. Bigham, Billingfelt, Browne (Lawrence), Brown (Mercer), Burnett, Coleman, Connell, Cowles, Davis, Donovan, Fisher, Glatz, Graham, Haines, Jackson, James, Landon, Lowry, M'Conaughy, Randall, Ridgway, Royer, Scaright, Shoemaker, Stutzman, Taylor, Wallace, Walls, White, Worthington and Hall, *Speaker*—31.

So the question was determined in the negative.

The Secretary of the Commonwealth also presented a message from the Governor, returning, with his objections, bill No. 1590, entitled An act to incorporate the Hazleton Deposit Bank and Trust company, which was read as follows:

EXECUTIVE CHAMBER,
HARRISBURG, January 8, 1867.

To the Senate and House of Representatives of the Commonwealth of Pennsylvania:

GENTLEMEN—I herewith return to the Senate, in which it originated, bill No. 1590, entitled An act to incorporate the Hazleton Deposit Bank and Trust company, with my objections to the same.

The twenty-fifth section of the first article of the Constitution declares that hereafter no corporate body shall be created, renewed, or extended, with banking or discounting privileges, without six months' previous notice of the intended application in such manner as shall be provided by law, and the second section of the act of May 1st, 1851, directs the manner in which the notice shall be given.

This bill confers banking and discounting privileges, and as no notice of the application was given, is clearly unconstitutional.

I have, therefore, withheld my signature from this bill.

A. G. CURTIN.

Laid on the table.

Agreeably to the provisions of the Constitution, the Senate proceeded to the reconsideration of the bill referred to in the foregoing message.

On the question, Shall the bill pass, notwithstanding the objections of the Governor?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows:

YEAS—None.

NAYS—Messrs. Bigham, Billingfelt, Browne (Lawrence), Brown (Mercer), Burnett, Coleman, Connell, Cowles, Davis, Donovan, Fisher, Glatz, Graham, Haines, Jackson, James, Landon, Lowry, M'Candless, M'Conaughy, Randall, Royer, Scaright, Shoemaker, Stutzman, Taylor, Wallace, Walls, White, Worthington and Hall, *Speaker*—31.

So the question was determined in the negative.

The Secretary of the Commonwealth also presented a message from the Governor, returning, with his objections, bill No. 1381, entitled An Act to incorporate the City Deposit Bank and Trust company of Scranton, which was read as follows:

EXECUTIVE CHAMBER,
HARRISBURG, January 8, 1867.

To the Senate and House of Representatives of the Commonwealth of Pennsylvania:

GENTLEMEN—I herewith return to the Senate, in which it originated, bill No. 1381, entitled an Act to incorporate the City Deposit Bank and Trust company of Scranton, with my objections to the same.

The twenty-fifth section of the first article of the Constitution declares that "hereafter no corporate body shall be created, renewed or extended, with banking or discounting privileges, without six months' previous notice of the intended application, in such manner as shall be provided by law," and the second section of the act of May 1st, 1851, directs the manner in which the notice shall be given.

This bill confers banking and discounting privileges, and as no notice of the application was given, is clearly unconstitutional.

I have, therefore, withheld my signature from this bill.

A. G. CURTIN.

Agreeably to the provisions of the Constitution, the Senate proceeded to the reconsideration of the bill referred to in the foregoing message.

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[CONTINUED FROM PAGE 32.]

On the question, Shall the bill pass notwithstanding the objections of the Governor?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows:

YEAS—None.

NAYS—Messrs. Bigham, Billingfelt, Browne (Lawrence), Brown (Mercer), Burnett, Coleman, Connell, Cowles, Davis, Donovan, Fisher, Glatz, Graham, Haines, James, Landon, Lowry, M'Conaughy, Randall, Ridgway, Royer, Searight, Shoemaker, Stutzman, Taylor, Wallace, Walls, White, Worthington and Hall, *Speaker*—30.

So the question was determined in the negative.

The Secretary of the Commonwealth also presented a message from the Governor, returning, with his objections, bill No. 1818, entitled An act to authorize James G. Brady, late a justice of the peace in South Mahoning township, Indiana county, to issue process on his dockets, which was read as follows:

EXECUTIVE CHAMBER,
HARRISBURG, January 8, 1867.

To the Senate and House of Representatives of the Commonwealth of Pennsylvania:

GENTLEMEN—I herewith return to the Senate, in which it originated, bill No. 1818, entitled An act to authorize James G. Brady, late a justice of the peace in South Mahoning township, Indiana county, to issue process on his dockets, with my objections to the same.

This bill proposes to authorize James G. Brady, late a justice of the peace, to retain his dockets and proceed to settle and conclude the unfinished business thereon, and for that purpose to issue process as if he were still a justice, during two years from the passage of this act.

The Constitution provides that justices of the peace shall be elected by the people, and therefore this bill which, in effect, appoints Mr. Brady a justice of the peace, for a limited purpose and time, is in conflict with the provisions in the Constttution above referred to.

I have, therefore, withheld my signature from this bill. A. G. CURTIN.

Agreeably to the provisions of the Constitution, the Senate proceeded to the reconsideration of the bill referred to in the foregoing message.

On the question, Shall the bill pass, notwithstanding the objections of the Governor?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows:

YEAS—Mr. White—1.

NAYS—Messrs. Bigham, Billingfelt, Browne (Lawrence), Brown (Mercer), Burnett, Coleman, Connell, Cowles, Davis, Donovan, Fisher, Glatz, Graham, Haines, James, Landon, M'Conaughy, Royer, Searight, Shoemaker, Stutzman, Taylor, Wallace, Walls, Worthington and Hall, *Speaker*—26.

So the question was determined in the negative.

The Secretary of the Commonwealth also presented a message from the Governor, returning, with his objections, bill No. 1439, entitled An act to incorporate the Miners' Deposit Bank and Trust company, which was read as follows:

EXECUTIVE CHAMBER,
HARRISBURG, January 8, 1867.

To the Senate and House of Representatives of the Commonwealth of Pennsylvania:

GENTLEMEN—I herewith return to the Senate, in which it originated, bill No. 1439, entitled An act to incorporate the Miners' Deposit Bank and Trust company, with my objections to the same.

The twenty-fifth section of the first article of the Constitution declares that hereafter no corporate body shall be created, renewed or extended, with banking or discounting privileges, without six months' previous notice of the intended application, in such manner as shall be provided by law, and the second section of the act of May 1st, 1851, directs the manner in which the notice shall be given.

This bill confers banking and discounting privileges, and as no notice of the application was given, is clearly unconstitutional.

I have, therefore, withheld my signature from the bill. A. G. CURTIN.

Laid on the table.

Agreeably to the provisions of the Constitution, the Senate proceeded to the reconsideration of the bill referred to in the foregoing message.

On the question, Shall the bill pass notwithstanding the objections of the Governor?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows:

YEAS—None.

NAYS—Messrs. Bigham, Billingfelt, Browne (Lawrence), Brown (Mercer), Burnett, Coleman, Connell, Cowles, Davis, Donovan, Fisher, Glatz, Graham, Haines, Jackson, James, Landon, M'Conaughy, Royer, Searight, Shoemaker, Stutzman, Taylor, Wallace, Walls, White, Worthington and Hall, *Speaker*—28.

So the question was determined in the negative.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

The Clerk of the House of Representatives being introduced, presented an extract from the journal of the House of Representatives, which was read as follows:

IN THE HOUSE OF REPRESENTATIVES,
January 8, 1867.

On motion of Mr. HUMPHREY, the House proceeded to make nominations for candidates for State Treasurer, to be voted for on Wednesday, January 9th. Whereupon

Mr. LEE nominated Wm. H. Kemble.
Mr. MEYERS nominated John F. Spangler.
Mr. QUAY nominated W. W. Irwin.
Mr. QUIGLEY nominated Lewis Snell.
Mr. KOON nominated M. Reap.
Mr. JOSEPHS nominated W. V. M'Grath.

Ordered, That Mr. W. W. WATT be the teller on the part of the House, and that the Clerk inform the Senate accordingly.

Laid on the table.

NOMINATIONS FOR STATE TREASURER.

On motion of Mr. CONNELL, the Senate proceeded to make nominations for State Treasurer.

Mr. CONNELL nominated William H. Kemble.

Mr. GLATZ nominated John F. Spangler.

On motion of Mr. GRAHAM, the nominations closed.

Ordered, That Mr. M'CONAUGHY be the teller on the part of the Senate, and that the Clerk inform the House of Representatives accordingly.

BILLS PASSED.

On motion of Mr. M'CONAUGHY, the Committee on Corporations was discharged from the further consideration of bill No. 14, entitled An act to amend an act to incorporate the North American transit insurance company, approved March 30th, 1860, and the supplements thereto, so as to authorize said company to insure persons against death or disability, whether from natural diseases, accident or otherwise, and to issue policies therefor in the usual manner, under the name, style and title of the North American life and accident insurance company.

And the rules having been dispensed with, The bill

Passed finally.

On motion of Mr. GLATZ, the Committee on Corporations was discharged from the further consideration of bill No. 16, from the House of Representatives, entitled An act relative to elections in the Farmers' and Merchants' insurance company.

And the rules having been dispensed with, The bill

Passed finally.

MESSAGE FROM THE GOVERNOR.

The Secretary of the Commonwealth being introduced, presented the following message, in writing, from the Governor:

STATE OF PENNSYLVANIA,
EXECUTIVE CHAMBER,
HARRISBURG, Jan. 2, 1867.

To the Honorable the Senate of Pennsylvania:

SENATORS—A vacancy having occurred in the office of Superintendent of Common Schools, by the resignation of Charles R. Coburn, Esq., on the first day of November, A. D. 1866, in accordance with the provisions of the act of the General Assembly of the

18th of April, 1857, separating the State and School Departments, I appointed Col. James P. Wickersham, of the county of Lancaster, to be Superintendent of Common Schools of this Commonwealth for the unexpired term of the said Charles R. Coburn, Esq., viz: until the first Monday of June, A. D. 1869, subject to the advice and consent of the Senate of Pennsylvania.

A. G. CURTIN, Governor.

Laid on the table.

On motion of Mr. FISHER, the rule which requires Executive nominations to lie on the table five days was in this case dispensed with, and the Senate resolved itself into Executive session for the purpose of considering the nomination of James P. Wickersham, of the county of Lancaster, to be Superintendent of Common Schools of this Commonwealth, agreeably to the foregoing message.

On the question, Will the Senate advise and consent to the appointment of James P. Wickersham to be Superintendent of Common Schools of this Commonwealth?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows:

YEAS—Messrs. Bigham, Billingfelt, Browne (Lawrence), Brown (Mercer), Coleman, Connell, Cowles, Fisher, Glatz, Graham, Haines, Landon, Lowry, M'Conaughy, Royer, Shoemaker, Stutzman, Taylor, Walls, White, Worthington and Hall, *Speaker*—22.

NAYS—None.

So it was resolved that the Senate do so advise and consent.

BILLS PASSED.

On motion of Mr. CONNELL, the Committee on the Judiciary Local was discharged from the further consideration of bill No. 6, from the House of Representatives, entitled an Act to provide for the erection of a poor house for the better relief and employment of the poor in the townships of Oxford and Lower Dublin, in the county of Philadelphia, approved April 11th, 1807.

And the rules being dispensed with, the bill was read a second time and agreed to.

On motion of Mr. CONNELL, the bill was amended by adding the words, "authorizing the directors of the poor house to borrow money."

The bill then

Passed finally.

On motion of Mr. HAINES, the Committee on Corporations was discharged from the further consideration of bill No. 7, from the House of Representatives, entitled A supplement to an act authorizing the borough of Hollidaysburg to erect water works, approved March 16, 1866,

And the rules being dispensed with,

The bill

Passed finally.

On motion of Mr. BIGHAM, the Senate then adjourned until 11 o'clock to-morrow morning.

SENATE.

WEDNESDAY, January 9, 1867.

The Senate met at 11 o'clock, A. M., and was called to order by the SPEAKER.

The reading of the Journal of yesterday was dispensed with.

The SPEAKER called the attention of the Senate to the paper from the clergymen of Harrisburg, read yesterday, and recommended that some action be taken upon it, if the Senate desired the sessions to be opened with prayer.

PETITIONS, REMONSTRANCES, &C.

Mr. M'CONAUGHY presented the petition of Howard Miller, George Hollinger and Daniel Harbolt, for a change of venue in case of Jesse Chromister against them from court of common pleas of Adams county to common pleas of Dauphin county.

Mr. JACKSON, the petition of eighty-two citizens of Derry township, Montour county, praying for the repeal of an act providing for the erection of a poor house in said county, approved April 11, 1861.

Mr. WORTHINGTON, two petitions of citizens and taxpayers of Schuylkill township, Chester county, asking the passage of an act authorizing the treasurer of the deficient and other bounty funds to pay over all balances of said funds in hands to the common school fund of said district, which were

Referred the Committee on the Judiciary Local.

Mr. GLATZ, the petition of a large number of merchants of Philadelphia, in reference to the re-building of the Columbia bridge, at Columbia, Lancaster county, which was

Referred to the Committee on Railroads.

Mr. BROWNE (Lawrence), the remonstrance of five hundred and eighty-one citizens of Freeport and vicinity, against the amendment or modification of an act of 1866, prohibiting the sale of intoxicating liquors in said borough and vicinity, which was

Referred to the Committee on Vice and Immorality.

Mr. ROYER, the petition of citizens of Douglass, Frederick, Limerick, Marlborough, New Hanover, Pottsgrove and Upper Hanover townships, Montgomery county, asking for the passage of an act giving to the minority in said townships one of the election board, which was

Referred to the Committee on Election Districts.

Also, the petition of citizens of Schuylkill county, asking for a law requiring the Schuylkill navigation company, and other corporations concerned, to provide the dams from the mouth of the river to the city of Reading with sluices for the passage of fish, which was

Referred to the Committee on Canals and Inland Navigation.

REPORTS FROM COMMITTEES.

Mr. RIDGWAY, from the Committee on Corporations, reported as committed, bill entitled An act to incorporate the Quinterro mining company.

Also (same), as committed, bill entitled An act to incorporate the Catholic Philopatrian Institute of Philadelphia.

Mr. ROYER (same), as committed, bill entitled An act to incorporate the Germantown swimming and skating park association.

Mr. JAMES (same), as committed, bill entitled an act to incorporate the Sisters of Mercy in the city of Philadelphia.

Also, (same), as committed, bill entitled A supplement to an act to incorporate the Female Seminary of Eden Hall, in the county of Philadelphia, by the syle and name of "The Institute of Ladies of the Sacred Heart."

Mr. GLATZ, (same), as committed, bill entitled An act to incorporate the Academy of Notre Dame, in the city of Philadelphia.

BILLS IN PLACE.

Mr. BROWNE (Lawrence) read in his place and presented to the Chair a bill entitled An act supplementary to an act entitled An act providing for the erecting of a poor house in the county of Lawrence.

Referred to the committee on the Judiciary Local.

Mr. M'CONAUGHY, a bill entitled An act to change the venue in the case of Jesse Chromster versus Howard Miller, George Hollinger and Daniel Harbolt, from the court of common pleas of Adams county to the court of common pleas of Dauphin county.

Referred to the Committee on the Judiciary Local.

Mr. WALLACE, a bill entitled An act to extend the provisions of an act concerning the sale of railroads, canals, turnpikes, bridges and plank roads, to sales made or to be made under or by virtue of a power of sale on a mortgage or deed of trust without judicial process or decree.

Referred to the Committee on the Judiciary General.

Mr. CONNELL, a bill entitled Supplement to an act supplementary to an act relative to landlords and tenants, approved December 14, 1863, excluding the provisions thereof to cases of descent and purchase.

Referred to the Committee on the Judiciary General.

Also, a bill entitled An act to authorize payment of State agents at Washington, and for printing lists of non-reporting drafted men, deserters from the Twenty-fourth Congressional district.

Referred to the Committee on Finance.

Mr. RANDALL, a bill entitled A further supplement to an act entitled An act to incorporate the Potter County lumber, coal and petroleum company, approved March 24th, 1865, changing the name thereof, authorizing them to hold lands in Northumberland county, and to purchase other franchises, timber and timber lands.

Referred to the Committee on Corporations.

Mr. WORTHINGTON, a bill entitled A further supplement to an act to incorporate the Girard life insurance, annuity and trust company, of Philadelphia, passed the 17th day of March, 1866.

Referred to the Committee on Corporations.

Mr. HAINES, a bill entitled An act to authorize the Freedom iron and steel company to issue and dispose of bonds of the said company, convertible into capital stocks, and to secure them by a mortgage, granting certain powers to facilitate the mining, manufacturing, transporting and vending business

Mr. SHOEMAKER, a bill entitled A supplement to an act incorporating the Haverhill coal and iron company.

Referred to the Committe on Corporations.

Mr. CONNELL, a bill entitled An act opening Juniata avenue and vacating part of Maiden Lane.

Referred to the Committee on Roads and Bridges.

Also, a bill entitled An act to lay out Broad street from its present terminus to the river Delaware, in Berks county.

Referred to the Committee on Roads and Bridges.

Mr. ROYER, a bill entitled An act authoizing the president and managers of the Jannettown and Horsham turnpike company to charge certain rates of toll.

Referred to the Committee on Roads and Bridges.

Mr. LOWRY, an act to incorporate the Germania Savings Institution of Erie.

Referred to the Committee on Banks.

THE NEW CASTLE WATER COMPANY.

Agreeably to order, the Senate proceeded to the third reading and consideration of bill No. 13, entitled An act to incorporate the New Castle water company.

On the question, Shall the bill pass?

Mr. BROWNE (Lawrence) asked and obtained the unanimous consent of the Senate to amend the second section.

The bill then

Passed finally.

RETURN OF BILL FROM THE GOVERNOR.

On motion of Mr. BROWNE (Lawrence),

the resolution from the House of Representatives requesting the Governor to return to the House of Representatives, in which it originated, bill No. 1822, of last session, entitled An act relative to Brady township, Butler county, was twice read, considered and

Agreed to.

THE GERMANIA SAVINGS INSTITUTION OF ERIE.

On motion of Mr. LOWRY, the Committee on Banks was discharged from the further consideration of bill No. 24, entitled An act to incorporate the Germania Savings Institution of Erie.

The bill was then read.

Mr. BIGHAM said that under the Constitution and law of 1839 no bill of this kind could be passed without notice, and that this bill should not be passed until some evidence of notice had been given.

Mr. LOWRY. Mr. Speaker, one remark in answer to that. The Senator has not been paying attention to the bill. Here is an association of five or six gentlemen who promise to receive deposits, and become individually liable for them; it is not a bank. The individual liability clause was on none of the bills to incorporate banks lately vetoed.

Mr. BIGHAM. Mr. Speaker, there is not the slightest objection to this bill. The Senator from Erie [Mr. LOWRY] entirely misunderstands me. It has nothing to do with individual liability. We had four vetoes on this subject yesterday.

I read from the Constitution:

"SEC. XXIV. No corporate body shall be hereafter created, renewed, or extended, with banking or discounting privileges, without six months' previous public notice of the intended application for the same, in such manner as shall be prescribed by law."

Some of the gentlemen on the committee last winter advised me that the rule had been not to extend this to mere deposit banks. Under that construction we permitted those bills to pass here; those bills went to the Governor. Such as had given their notice were signed; the others were vetoed; those vetoes were sent in yesterday, read and unanimously sustained. Now, if no notice has been given, why go through this form? The point taken is that the Constitution and the act of 1839 expressly provide that a bill so passed would be unconstitutional. There is a note here to *Purdon* which shows how useless it would be to pass it:

"The exercise of the banking privilege of discounting notes, by a saving fund society, incorporated without such notice, renders the notes so discounted void in their hands; such illegal action cannot be a ground of a title."

The Governor, in the summer, called my attention to this, and said it would be utterly useless to sign such bills. I, therefore, think that I am doing a kindness to the members of the Senate in calling attention to this point, that not only is it useless, unless we conform to the Constitution, but, should the Governor assent, the question could be raised in the courts.

Mr. LOWRY. Mr. Speaker, the Senator had the floor, and I interrupted him merely for the purpose of saying that I was not prepared to discuss this question this morning, and I am willing that the bill shall lay over.

The bill was laid over.

BILLS PASSED.

On motion of Mr. HAINES, the Committee on Corporations was discharged from the further consideration of bill No. 25, entitled An act to authorize the Freedom iron and steel company to issue and dispose of bonds of the said company convertible into capital stock and to secure them by mortgage, granting certain powers to facilitate the mining, manufacturing, transporting and vending business of said company, and extending their charter as hereby amended.

And the rules having been dispensed with, The bill

Passed finally.

On motion of Mr. CONNELL, the rules were dispensed with and the Senate proceeded to the consideration of bill No. 20, entitled An act to incorporate the Germantown swimming and skating park association.

The bill

Passed finally.

RECESS OF THE SENATE.

On motion of Mr. CONNELL, the Senate took a recess until twenty minutes past twelve.

ELECTION OF STATE TREASURER.

On the reassembling of the Senate,

A committee from the House of Representatives being introduced, informed the Senate that they had been appointed to invite the Speaker and members of the Senate to meet the members of the House in joint convention for the election of State Treasurer.

The Speaker and members of the Senate proceeded in charge of the committee to the Hall of the House, where an election was held for the office of State Treasurer.

[See House proceedings.]

After some time the members of the Senate returned, and Mr. M'CONAUGHY teller on the part of the Senate in the convention, reported that William H. Kemble was duly elected State Treasurer.

On motion of Mr. GLATZ, the Senate then adjourned till eleven o'clock to-morrow morning.

HOUSE OF REPRESENTATIVES.

WEDNESDAY, January 9, 1867.

The House met at 11 o'clock, A. M.

Prayer was offered by the Rev. JACOB KENNEDY, member from Wyoming.

The SPEAKER announced that there was a quorum of members present.

The Journal of yesterday was partly read, when

Mr. MANN moved that the further reading of the same be dispensed with, which was

Objected to.

The reading of the Journal was then concluded, and there being no objections, it was adopted.

MESSAGE FROM THE SENATE.

The Clerk of the Senate being introduced, presented for concurrence bills numbered and entitled as follows:

No. 12, supplement to the act incorporating the Sullivan land company, and authorizing said company to sell or exchange lands.

No. 14, an act to amend an act to incorporate the North American transit insurance company, approved March 30, 1860, and the supplement thereto, so as to authorize said company to insure persons against death or disability, whether from natural diseases, accident or otherwise, and to issue policies therefor in the usual manner, under the name, style and title of the North American life and accident insurance company.

He also returned bills from the House of Representatives numbered and entitled as follows:

No. 7, a supplement to an act authorizing the borough of Hollidaysburg to erect water works, approved March 16th, 1866.

No. 15, an act relative to the election in the Farmers' and Mechanics' insurance company.

With information that the Senate has passed the same without amendment.

The Clerk of the Senate also returned bill from the House of Representatives numbered and entitled as follows, viz,

No. 6, supplement to an act to provide for the erection of a poor house for the better relief and employment of the poor in the townships of Oxford and Lower Dublin, in the county of Philadelphia, approved April 11, 1807,

With information that the Senate has passed the same with amendments, in which the concurrence of the House of Representatives is requested.

COMMITTEE OF INVESTIGATION.

The following are the names of the members appointed by the SPEAKER as the committee on the part of the House, to act on the joint committee ordered to be appointed by the resolution of Mr. STUMBAUGH, to inquire into the charges of bribery and corruption in connection with the question of electing a United States Senator:

Messrs. STUMBAUGH, MARKS and WESTBROOK.

COMMITTE ON LEGISLATIVE RECORD.

The following are the names of the members appointed by the SPEAKER on the part of the House, to act on the joint committee authorized by the Senate resolution to receive proposals for the publication of a *Legislative Record:*

Messrs. HOFFMAN, DAVIS and QUIGLEY.

At the request of the SPEAKER, Mr. CHASE, the member from Crawford, presented himself before the Clerk's desk, to whom was administered the usual oath of office.

COMMITTEE OF CONTESTED ELECTION.

The hour of 11 o'clock having arrived,

Agreeably to order,

The House proceeded to select a committee, according to law, to try the matter of the petition presented on the second instant, complaining of the undue election of C. D. ROUCH, returned as a member from the district composed of the counties of Lycoming, Union and Snyder.

And upon calling over the roll it appeared that the Speaker and the following Members of the House were in attendance, viz:

Messrs. Adaire, Allen, Armstrong, Barrington, Barton, Boyd, Boyle, Breen, Brennan, Brown, Calvin, Cameron, Chadwick, Chalfant, Chase, Collins, Colville, Craig, Davis, Day, DeHaven, Deise, Donohugh, Espy, Ewing, Fogel, Freeborn, Gallagher, Ghegan, Gordon, Gregory, Harbison, Harner, Headman, Hetzel, Hoffman, Hood, Humphrey, Hunt, Jenks, Jones, Josephs, Kennedy, Kerns, Kimmell, Kinney, Kline, Koon, Kurtz, Lee, Leech, Linton, Long, M'Camant, M'Creary, M'Henry, M'Kee, M'Pherrin, Maish, Mann, Markley, Marks, Mechling, Meily, Meyers, Mullin, Pennypacker, Peters, Phelan, Pillow, Quay, Quigley, Rhoads, Roath, Robinson, Rouch, Satterthwait, Seiler, Sharples, Shuman, Steacy, Stehman, Stumbaugh, Subers, Tharp, Waddell, Wallace, Watt, Webb, Weller, Westbrook, Whann, Wharton, Wilson, Wingard, Woodward, Worrall, Wright and Glass, *Speaker.*

The SPEAKER. Who appears as counsel for the contestants?

Mr. WINGARD. I appear as counsel *pro tem.*

The SPEAKER. Who appears as counsel for the sitting member?

Mr. Jacob Ziegler. I appear as counsel, so far as the temporary organization of the committee is concerned.

The SPEAKER. The Clerk will now place in the boxes the names of all the members of the House, with the exception of the member from Fulton [Mr. RICHARDS], who is absent, the sitting member [Mr. ROUCH] and the Speaker.

Messrs. GREGORY and GHEGHAN will be good enough to write down the names of the members as they are drawn by the Clerk, and announced by the Speaker, agreeably to the act of Assembly.

The Clerk then proceeded to draw from the boxes the names of the members separately, when the following were challenged by the sitting member, Mr. ROUCH, by his counsel:

Messrs.—Meily, Leech, Adaire, Cameron, Woodward, Weller, Lee, Sharples, Marks, Webb, Wharton, Worrall, Chase, Subers, Roath, Humphrey, Quay, M'Camant, Wilson, Ghegan, Hoffman, Espy, Wingard, Ewing, Donohugh, Kerns, Steacy, Watt, Brown, Peters, Wallace, Freeborn, Pennypacker, Armstrong, Stehman, Kinney, Mann, Waddell, Davis, Harbison, DeHaven, Gordon, Whann, Chadwick and Gallagher.

The following were challenged by the counsel for the contestant:

Messrs. M'Henry, Jones, Calvin, Deise, Hetzel, Quigley, Meyers, Kurtz, Boyle, Hood, Collins, Craig, Rhoads, Westbrook, Hunt, Headman, Josephs, Chalfant, Kline, Koon, Barrington, Mullen, Linton, Jenks, Fogel, Boyd, Breen, Markley, Phelan, Satterthwait, Brennan, Tharp, Gregory, Harner and Robinson.

The following names were not challenged:

Messrs. Stumbaugh, M'Creary and Allen.

The following names remained in the box:

Messrs. Shuman, Pillow, Seiler, M'Pherrin, M'Kee, Mechling, Long, Colville, Day, Kimmell, Kennedy, Maish, Barton and Wright.

The SPEAKER. The counsel for the sitting member and the contestant, together with the Clerk, will now proceed to the anteroom, where they will strike alternately from the above list of seventeen names until there shall be but nine remaining.

Mr. Ziegler. Mr. Speaker, I have not the privilege of saying anything here, as I am not a member of the House, but, as a matter of information, I desire to state that I have assisted in drawing a jury in at least ten cases within the last five years.

When we retired to this room it was with the understanding that, the opposite parties, having had the right to object to a man as his name was drawn from the box, if they refused to object to such man as a member of the committee while in the House, they could not do so when in the ante-room. I would like to have that understood by the House.

Mr. WINGARD. Mr. Speaker, we will waive any right to challenge such members.

The respective counsel and the Clerk then retired, and after some time they returned the following members to constitute the select committee, who were duly qualified, to wit:

Messrs. Stumbaugh, M'Creary, Allen, Shuman, Pillow, M'Pherrin, M'Kee, Mechling and Kennedy.

Mr. FREEBORN. Mr. Speaker, I move that the other special order of the day, viz: the drawing of a committee in the case of the contested election in the Thirteenth district of Philadelphia, be postponed until after the election of a State Treasurer.

The motion was agreed to.

Mr. DAVIS. Mr. Speaker, I offer the following resolution:

The resolution was read as follows:

Resolved, That the committee drawn to try the case of the contested election of C. D. ROUCH meet this evening in the committee room, No. 11, at 7 o'clock.

The resolution was agreed to.

The SPEAKER. Will some gentleman be good enough to move that a committee be appointed to wait upon and invite the Speaker and members of the Senate to participate in the election for the State Treasurer, to be held this day at 12 o'clock?

Mr. DAVIS. Mr. Speaker, I beg leave to explain. The resolution I have just offered places me in a somewhat embarrassing situation. I asked the Clerk if it was not necessary to appoint a committee to wait upon the Senate, and inform them that we were ready to proceed with the election of State Treasurer. He replied that it was, and I received that resolution, and without looking at it I offered it, supposing it was a resolution of that kind, I do not wish to interfere with the prerogative of the committee. I will, therefore, offer the resolution I first intended.

The resolution was read as follows:

Resolved, That a committee of three be appointed to wait upon and invite the Speaker and members of the Senate to participate in the election of a State Treasurer, to be held in this House at twelve o'clock to-day.

The resolution was

Agreed to.

The SPEAKER appointed Messrs. DAVIS, QUAY and QUIGLEY the committee.

After some time the Speaker and members of the Senate, in charge of the committee of the House, entered the Hall of the House.

IN CONVENTION—ELECTION OF STATE TREASURER.

The members of the Senate and House of Representatives having assembled in convention, the Speaker of the Senate took the chair as president of the convention.

Mr. M'CONAUGHY acted as teller on the part of the Senate, and Mr. WATT officiated in the same capacity on the part of the House.

The PRESIDENT. The convention will come to order. Gentlemen of the convention, this is the day and hour fixed by law for the election of State Treasurer. Is it your pleasure so to proceed now?

The convention having expressed its desire so to do, the Clerk of the Senate and the Clerk of the House proceeded to call the list of Senators and Members of the House, while the tellers recorded the names of the persons voted for, with the following result:

Messrs. Bigham, Billingsfelt, Browne (Lawrence), Brown (Mercer), Coleman, Connell, Cowles, Fisher, Graham, Haines, Landon, Lowry, M'Conaughy, Ridgway, Royer, Shoemaker, Stutzman, Taylor, White, Worthington and Hall, *Speaker*, of the Senate; and Messrs. Adaire, Allen, Armstrong, Barton, Brown, Cameron, Chadwick, Chase, Colville, Davis, Day, DeHaven, Donohugh, Espy, Ewing, Freeborn, Gallagher, Ghegan, Gordon, Harbison, Hoffman, Humphrey, Kennedy, Kerns, Kimmell, Kinney, Lee, Leech, M'Camant, M'Creary, M'Kee, M'Pherrin, Mann, Marks, Mechling, Meily, Pennypacker, Peters, Pillow, Quay, Roath, Seiler, Sharples, Shuman, Steacy, Stehman, Stumbaugh, Subers, Waddell, Wallace, Watt, Webb, Weller, Whann, Wharton, Wilson, Wingard, Woodward, Worrall, Wright and Glass, *Speaker*, of the House—82, voted for W. H. Kemble.

Messrs. Burnett, Davis, Donovan, Glatz, Jackson, James, M'Candless, Randall, Schall, Searight, Wallace and Walls, of the Senate; and Messrs. Barrington, Boyd, Boyle, Breen, Brennan, Calvin, Chalfant, Collins, Craig, Deise, Fogel, Gregory, Harner, Headman, Hetzel, Hood, Hunt, Jenks, Jones, Josephs, Kline, Koon, Kurtz, Linton, Long, M'Henry, Maish, Markley, Meyers, Mullin, Phelan, Quigley, Rhoads, Robinson, Rouch, Satterthwait, Tharp and Westbrook, of the House—50, voted for John F. Spangler.

The PRESIDENT. The tellers report that they agree in their tallies. W. H. Kemble has received eighty-two votes and John F. Spangler fifty votes.

Wm. H. Kemble having received a majority of all the votes cast is, therefore, elected State Treasurer for the year commencing May 1, 1867.

The PRESIDENT directed the Clerk to read one of the four certificates of the election, which were duly signed and sealed by the President and Tellers, as follows:

Pennsylvania, ss.

To all whom these presents shall come, greeting: Know ye that in pursuance of an act of the General Assembly of this Commonwealth, passed the second day of June, eighteen hundred and thirty-nine, entitled An act relating to the elections of this Commonwealth, and in accordance with an act, approved March 16, A. D. 1864, entitled An act providing for the election of a State Treasurer, both chambers of the General Assembly of the Commonwealth of Pennsylvania met in the chamber of the House of Representatives, on Wednesday, the 9th day of January, one thousand eight hundred and sixty-seven, for the purpose of electing a State Treasurer. The Speaker of the Senate presided, and the tellers appointed having taken down the names of every person voting at the election, and that of the person for whom he voted, it appeared that William H. Kemble was duly elected State Treasurer.

LOUIS W. HALL. President.

W. W. WATT, Teller of the House of Representatives.

DAVID M'CONAUGHY, Teller on the part of the Senate.

Mr. COWLES. Mr. President, I move that this convention do now adjourn.

The motion was

Agreed to.

REPORT OF THE TELLER.

Mr. WATT. Mr. Speaker, the convention, consisting of the Speaker and members of the Senate and the Speaker and members of the House of Representatives, met in the hall of the House of Representatives at 12 o'clock, M., this day (the Speaker of the Senate presiding), and proceeded to the election of a State Treasurer, which resulted in the election of W. H. Kemble.

The report was accepted and laid on the table.

MESSAGE FROM THE SENATE.

The Clerk of the Senate being introduced, informed that the Senate had concurred in the preamble and resolution from the House of Representatives, providing for the appointment of a joint committee to investigate the truth of certain charges in the public newspapers, that improper influences have been used to secure the election of a United Senator, and has appointed Messrs. LOWRY, GRAHAM and SEARIGHT to be the committee on the part of the Senate, under said resolution.

He also informed that the Senate had concurred in the resolution from the House of Representatives relative to the opening and publishing the returns of the late election for Governor of the Commonwealth, and had appointed Mr. SHOEMAKER to be the teller on the part of the Senate, under said resolution.

The Clerk of the Senate also presented an extract from the Journal of the Senate, which was read as follows:

IN THE SENATE, January 8, 1867.

On motion of Mr. CONNELL and Mr. GLATZ, the Senate proceeded to the nomination of candidates for State Treasurer, to be voted for on Wednesday, the 9th instant; whereupon

Mr. CONNELL nominated William H. Kemble.

Mr. GLATZ nominated John F. Spangler.

Ordered, That Mr. M'CONAUGHY be the teller on the part of the Senate, and that the Clerk inform the House of Representatives accordingly.

The Clerk of the Senate being introduced, informed

That the Senate had concurred in the resolution from the House of Representatives, requesting the Governor to return to the House of Representatives bill No. 1822 (of the House file), entitled An act relative to Brady township, Butler county.

COMMITTEE ON CONTESTED ELECTION.

Agreeably to the motion of postponement by Mr. FREEBORN,

The House proceeded to select a committee, according to law, to try the matter of the petition presented on the 2d instant, complaining of the undue election of Mr. MULLEN, returned as a member of the Thirteenth district of Philadelphia.

The SPEAKER. The Clerk will proceed to call the roll.

The following members were in attendance and answered to their names, viz:

Messrs. Adaire, Allen, Armstrong, Barrington, Barton, Boyd, Boyle, Breen, Brennan, Brown, Calvin, Cameron, Chadwick, Chalfant, Chase, Collins, Colville, Craig, Davis, Day, DeHaven, Deise, Donohugh, Espy, Ewing, Fogel, Freeborn, Gallagher, Ghegan, Gordon, Gregory, Harbison, Harner, Headman, Hetzel, Hoffman, Hood, Humphrey, Hunt, Jenks, Jones, Josephs, Kennedy, Kerns, Kimmell, Kinney, Kline, Koon, Kurtz, Lee, Leech, Linton, Long, M'Camant, M'Creary, M'Henry, M'Kee, M'Pherrin, Maish, Mann, Markley, Marks, Mechling, Meily, Meyers, Mullin, Pennypacker, Peters, Phelan, Pillow, Quay, Quigley, Rhoads, Roath, Robinson, Rouch, Satterthwait, Seiler, Sharples, Shuman, Steacy, Stehman, Stumbaugh, Subers, Tharp, Waddell, Wallace, Watt, Webb, Weller, Westbrook, Wham, Wharton, Wilson, Wingard, Woodward, Worrall, Wright and Glass, *Speaker*.

The SPEAKER. Who appears as counsel for the contestant?

Mr. J. Alexander Simpson. I have the honor to appear.

The SPEAKER. Who appears as counsel for the sitting member?

Mr. Ziegler. I will attend to his interests for the present.

The SPEAKER. The Clerk will now place in the box the names of all the members present, with the exception of those of the sitting member (Mr. MULLEN) and the Speaker.

Messrs. GREGORY and GHEGAN will be good enough to write down the names of the members drawn by the Clerk, and announced by the Speaker, agreeably to the act of Assembly.

The Clerk then proceeded to draw from the box separately the names of the members, when the following were challenged by the sitting member, Mr. MULLEN, through his counsel:

Messrs. Hoffman, Pennypacker, Wright, M'Creary, Day, Roath, Chase, Kennedy, Cameron, Allen, Kimmell, Humphrey, Davis, M'Pherrin, Gallagher, Wham, Worrall, Colville, Subers, M'Kee, Freeborn, Wallace, Webb, Woodward, Stehman, M'Camant, Gordon, Kinney, Shuman, Mechling, Brown, Weller, Lee, Wharton, Donohugh, Wingard, Ghegan, Barton, Seiler, Kerns, Ewing, Meily, Sharples, Adaire, Armstrong, DeHaven, Espy, Peters and Leech.

The following named gentlemen were challenged by the counsel for the petitioners:

Messrs. Hood, Rouch, Deise, Westbrook, Meyers, Kline, Phelan, Josephs, Satterthwait, Jones, Chalfant, M'Henry, Boyd, Collins, Craig, Hetzel, Quigley, Jenks, Long, Headman, Kurtz, Barrington, Boyle, Harner, Fogel, Koon, Maish, Brennan, Robinson, Tharp and Hunt.

The following gentlemen were not challenged:

Messrs. Waddell, Marks and Quigley.

The following names remained in the box:

Messrs. Wilson, Watt, Chadwick, Pillow, Mann, Breen, Harbison, Rhoads, Linton, Markley, Stumbaugh, Calvin, Steacy and Gregory.

The SPEAKER. The respective counsel, together with the Clerk, will now proceed to strike alternately from the list of seventeen names until but nine remain.

The counsel and the Clerk then retired, and after some time they returned the following members to constitute the select committee, who were duly qualified, to wit:

Messrs. Waddell, Marks, Quay, Chadwick, Mann, Breen, Harbison, Rhoads and Steacy.

Mr. LEE. Mr. Speaker, I offer the following resolution:

Resolved, That the committee drawn to try the case of the contested election of MICHAEL MULLEN meet this evening, in committee room No. 12, at 8 o'clock.

The resolution was agreed to.

The SPEAKER. The hour of 1 o'clock having arrived, this House stands adjourned until to-morrow morning at 11 o'clock.

HOUSE OF REPRESENTATIVES.

THURSDAY, January 10, 1867.

The House met at 11 o'clock.

Prayer was offered by the Rev. JACOB KENNEDY, member from Wyoming.

The SPEAKER announced a quorum of members present.

MESSAGE FROM THE SENATE.

The Clerk of the Senate being introduced, presented for concurrence bills numbered and entitled as follows, viz:

No. 13, an act to incorporate the New Castle water company.

No. 20, an act to incorporate the Germantown swimming and skating park association.

Senate bill No. 26, an act to authorize the Freedom iron and steel company to issue and dispose of bonds of the said company, convertible into capital stock, and to secure them by a mortgage, granting certain powers to facilitate the mining, manufacturing, transporting and vending business of said company, and extending their charter as hereby amended.

The Journal of yesterday was read by the Clerk, and, there being no objections, was approved.

SPEAKER'S TABLE.

The SPEAKER proceeded to clear the table by presenting to the House the annual report of the trustees of the Girard estate, which was

Laid on the table.

Senate bill No. 12, entitled A supplement to the Sullivan land company, and authorizing said company to sell or exchange lands.

Mr. KINNEY. Mr. Speaker, I move that the rules be suspended, and that the House proceed to consider that bill.

The motion was

Agreed to.

The bill was then read a second and third time, and

Passed finally.

House bill No. 6, entitled A supplement to an act to provide for the erection of a poor house for the better relief and employment of the poor in the townships of Oxford and Lower Dublin, in the county of Philadelphia, approved April 11, 1807, was returned with amendments.

Mr. LEE. Mr. Speaker, I move that the House concur in the amendment of the Senate, just read.

The motion was

Agreed to.

Senate bill No. 25, entitled An act to authorize the Freedom iron and steel company to issue and dispose of bonds of the said company, convertible into capital stock, and to secure them by a mortgage, granting certain powers to facilitate the mining, manufacturing, transporting and vending business of said company, and extending their charter as hereby amended.

Mr. BROWN. Mr. Speaker, I move that the rules be suspended and that the House proceed to the consideration of that bill.

The motion was

Agreed to.

The bill was then read a second and third time, and

Passed finally.

Senate bill No. 13, entitled an Act to incorporate the New Castle water company.

Mr. HARBISON. Mr. Speaker, I move that the rules be suspended, and that the House proceed to the consideration of that bill.

The bill was then read a second and third time, and

Passed finally.

Senate bill No. 20, entitled an Act to incorporate the Germantown swimming and skating park association.

Mr. WALLACE. Mr. Speaker, I move that the rules be suspended, and the House proceed to consider that bill.

The motion was

Agreed to.

The bill was then read a second and third time, and

Passed finally.

Mr. KERNS. Mr. Speaker, I move to reconsider the vote had upon Senate bill No. 5, entitled an Act relating to the election of United States Senator.

The committee of arrangements on the inauguration find that it conflicts with the time fixed for the inaugural ceremonies.

Mr. PENNYPACKER. I second the motion.

The motion was

Agreed to.

The bill being again before the House,

Mr. KERNS. I now move that we go into committee of the whole, for the purpose of special amendment, viz:

To strike out "11 A. M.," and insert "3 P. M."

Mr. WADDELL. Mr. Speaker, my recollection is, that the act of Congress fixes the day upon which the election shall take place, without designating the hour. The joint committee from the two Houses, who had this matter in charge, some days ago agreed upon this bill and fixed the hour for the election at eleven o'clock. I learned from the committee appointed to take charge of the ceremonies, preparatory to the inauguration, that they desire the inauguration, as is customary, to take place at twelve o'clock. As there is some apprehension that the convention of the two Houses might not get through with the election of United States Senator in time to participate in these proceedings, the committee desire that the hour for the election be changed from eleven o'clock in the morning to three o'clock in the afternoon. As it is a matter over which the Legislature have full control, and as the same state of things will exist in the future elections of United States Senator, I think there can be no impropriety in fixing the time at three o'clock.

Mr. MANN. Mr. Speaker, I agree entirely with the gentleman from Chester [Mr. WADDELL] in his remarks.

I desire simply to add that eleven o'clock was fixed in this bill, because the committee of arrangements for the inauguration of the Governor had reported to this House that the inauguration would take place 12 M., and it seemed to the committee at that time,

that the election should take place before that. Now, the committee of arrangements having examined the matter more fully, are satisfied that a different hour would be more convenient, and they desire the time changed. I hope the House will give its unanimous consent. It can make no difference at what hour we meet, and as it is important that the people shall be accommodated in the matter of the time for the inauguration, I hope the House will see proper to give its unanimous consent.

The House gave its unanimous consent to the amendment, and

The bill

Passed finally.

MESSAGES FROM THE GOVERNOR.

The Secretary of the Commonwealth being introduced, presented several messages, in writing, from the Governor, which were read as follow:

EXECUTIVE CHAMBER,
HARRISBURG, January 10, 1867.

To the Senate and House of Representatives of the Commonwealth of Pennsylvania:

GENTLEMEN—The following acts passed at the last session of the General Assembly, to wit:

Senate bill No. 1099, an act to incorporate the Euresco iron, coal and oil company.

Senate bill No. 1105, an act to validate the election of David Y. Custer, a justice of the peace, in East Coventry township, Chester county.

Senate bill No. 1134, a further supplement to the act incorporating the city of Harrisburg, providing for special elections for councilmen and aldermen, and confirming the election of an alderman in the Second ward.

Senate bill No. 215, an act relative to the West Branch coal, iron ore and lumber company.

Senate bill No. 708, an act to enable iron manufacturing and mining corporations to borrow money.

Senate bill No. 810, an act to incorporate the Delaware coal oil and iron company.

Senate bill No. 1102, an act to incorporate the Edinboro' silver mining company.

Senate bill No. 1380, an act to incorporate the Miners' coal and iron company.

Senate bill No. 1367, an act to incorporate the Plaines coal and iron company.

Senate bill No. 811, an act to incorporate the Glenwood coal company.

Senate bill No. 546, an act to enable guardians and trustees to convey real estate in certain cases in the county of Schuylkill.

Senate bill No. 864, a supplement to an act entitled An act relating to corporations for mechanical, manufacturing, mining and quarrying purposes, approved the eighteenth day of July, one thousand eight hundred and sixty-three.

Senate bill No. 1188, an act to extend the time for the payment of the enrollment tax on an act to incorporate the Hunts' Run navigation company.

House bill No. 702, an act to attach so much of the lands of Elisha Robinson, Sr., as lies in Allegheny township, Butler county, to the Hovey school district, in Perry township, Armstrong county.

House bill No. 445, an act for the relief of certain banks of this Commonwealth.

House bill No. 769, an act to incorporate the West Sunbury petroleum and improvement company, of Butler county, Pennsylvania.

House bill No. 925, an act declaring Mix run, in Cameron and Elk counties, a public highway, and authorizing certain persons to maintain and keep the same open and clear of all obstructions.

House bill No. 1446, an act to incorporate the Glade Run coal and iron company.

House bill No. 1029, an act to incorporate the Conestoga vineyard company.

House bill No. 1036, an act to incorporate the Wilkesbarre Mutual coal company.

House bill No. 1101, supplement to an act to incorporate the Spring Mountain coal company, approved the 21st day of May, A. D. 1864.

House bill No. 761, an act to incorporate the Ruby mining company.

House bill No. 1496, an act to incorporate the Centre coal, iron and lumber company.

House bill No. 1535, an act to incorporate the Trout Run navigation company.

House bill No. 823, an act for the relief of the security of John S. Pomeroy, late prothonotary of Lawrence county, deceased,

Were presented to me within ten days of the final adjournment, and not having been returned to the present Legislature within three days after their meeting, they have, agreeably to the Constitution, become laws in like manner as if I had signed them.

(Signed) A. G. CURTIN.

EXECUTIVE CHAMBER,
HARRISBURG, January 10, 1867.

To the Senate and House of Representatives of the Commonwealth of Pennsylvania:

GENTLEMEN—I have approved and signed the following acts of the last General Assembly, to wit:

On 12th April, 1866:

An act to authorize the appointment of phonographic reporters for the district court for the county and city of Philadelphia.

An act relative to the Johnstown manufacturing company.

An act to incorporate the Western express company.

An act to incorporate the Oil Tank improvement company.

A further supplement to an act to incorporate the village of Hyde Park into a borough, passed the fourth day of May, 1852, supplement passed the 25th day of March, 1864.

An act to incorporate the Bright oil company.

An act to authorize the Fall Creek bituminous coal company to increase its capital stock.

An act to incorporate the People's line of steamers on the Monongahela river.

An act to change the venue in the case of John Lennox from the county of Washington to the county of Beaver.

An act to authorize the Erie and Allegheny railroad company to purchase the Erie and Waterford plank road, to repeal a portion of the first section of an act, approved March twenty-second, one thousand eight hundred and sixty-five, to fix the number of directors, and borrow money, and to erect and operate telegraph lines.

A further supplement to an act to establish a health office, and to secure the city and port of Philadelphia from the introduction of pestilential and contagious diseases, passed January twenty-ninth, one thousand eight hundred and eighteen.

Supplement to an act incorporating the Scranton gas and water company, approved March sixteen, eighteen hundred and fifty-four.

An act authorizing a special tax in the borough of McKeesport, and to grade, curb and pave, or otherwise open and improve the streets, lanes, alleys, etcetera, of said borough.

An act to incorporate the borough of Mount Washington in Allegheny county.

An act to establish a public ferry at or near the mouth of the Juniata river, on the great road leading across the said river, from Duncannon, in the county of Perry, to Benvenue, in the county of Dauphin.

An act authorizing the Van Dusen oil company to borrow money.

An act for the better prosecution of disorderly persons in the borough of Duquesne.

An act to incorporate the Board of Foreign Missions of the United Presbyterian Church of North America.

An act to prevent fishing with seines and to protect bass fish in the Raystown branch of the Juniata river and its tributaries.

An act to incorporate the Lincoln gold mining company of Colorado.

An act legalizing acknowledgments in certain cases.

A supplement to an act relating to the Dauphin county prison, and relating to inspectors therein.

An act authorizing the school directors of Madison township, in the county of Perry, to collect certain money subscribed by citizens of said township to pay bounty to volunteers.

A supplement to an act entitled An act to authorize the Governor to incorporate the Wyalusing bridge company, passed April seventh, one thousand eight hundred and fifty-three.

An act to repeal the eleventh section of an act entitled An act to change the venue in a certain action now pending in the court of common pleas of Clarion county, and for other purposes, approved the seventeenth day of March, one thousand eight hundred and forty-two.

An act establishing a ferry across the Allegheny river, at or near the mouth of Dubb's run, in Venango county, Pa.

An act to annul the marriage contract between Stephen Davenport and Mary C., his wife.

An act for the more prompt payment of the school tax in the city of Williamsport.

Supplement to an act entitled An act to improve the navigation of the Delaware river for the running of lumber.

An act concerning shade trees and sidewalks in the borough of Sewickly.

An act to incorporate the town of Haly, in the county of Perry, into a borough.

An act to authorize the school directors of Leacock township, Lancaster county, to levy and collect a tax sufficient to refund advancements made and pay all debts incurred in the payment of bounties to volunteers under the last call of the President of the United States.

An act to repeal a portion of an act relative to the destruction of certain animals in the county of Juniata, approved the first day of May, Anno Domini one thousand eight hundred and sixty-one.

A supplement to an act to authorize a reorganization of the Pennsylvania steel company, and an increase of its capital stock, approved March twenty-third, one thousand eight hundred and sixty-six.

An act to incorporate the Pittsburg, Allegheny and Spring Garden passenger railway company.

An act to change the venue in the case of the Commonwealth of Pennsylvania vs. David W. Horner, Charles S. Horner, George J. Hankey, Isaiah K. Hankey, Theodore B. Horner and John Horner from the court of quarter sessions of the peace of Adams county to the court of quarter sessions of the peace of Franklin county.

An act to incorporate the Pittsburg and Connellsville Mining and Manufacturing railroad company.

A further supplement to an act relating to the Jefferson railroad company, approved the eighteenth day of March, A. D. 1863.

An act to create an additional judicial district, to be called the Twenty-eighth Judicial district of Pennsylvania.

An act to incorporate the Lurgan Mutual fire insurance company of Franklin county.

An act to authorize the board of directors of the Washington County Eureka oil

company to lay and collect assessments upon the original shares of said company.

An act to incorporate the Tiger gold mining company of Colorado.

An act to prevent the hunting of deer with dogs in the township of Charlestown, in the county of Tioga.

A supplement to an act relating to William McKee's ferry in Allegheny county, approved the sixteenth day of April, A. D. 1863.

A further supplement to an act entitled An act revising the charter of the municipal corporation of the city of Reading, passed April twenty-sixth, Anno Domini one thousand eight hundred and sixty-five.

An act to incorporate the Operative Plasterers' Mutual Protective Union of Philadelphia and vicinity.

An act relative to the fees of district attorney in certain counties of this Commonwealth.

An act providing for the adjustment of all indebtedness between an old township or townships, and a new township or borough erected therefrom.

On 13th April, 1866:

A supplement to an act to incorporate the Philadelphia and Gray's Ferry passenger railway company, approved April ninth, Anno Domini one thousand eight hundred and fifty-eight.

An act to incorporate the Public mining company of Colorado.

An act for the relief of Mary P. Gardner, widow of William A. Gardner, deceased, late surgeon of the Eighty-first Pennsylvania volunteers.

An act for the further classification and more efficient collection of license from venders of merchandise.

A supplement to an act entitled An act to incorporate the Susquehanna and Delaware railroad company.

An act to incorporate the Ophir Ridge gold mining company.

An act to incorporate the Bowman's Creek lumber and leather manufacturing company.

An act to incorporate the Hawley coal and transportation company.

An act to incorporate the Savings fire and marine insurance company of Pittsburg.

An act relative to restaurant licenses in Butler, Lawrence, Adams, Beaver and Franklin counties.

An act to reduce the capital stock, and supplementary to the act incorporating the Oil Creek Lake and Titusville mining and transportation company, and authorizing said company to secure its bonds by mortgage, and to fix and define the liability of subscribers to its capital stock and to regulate its operations.

On 14th April, 1866:

An act fixing the rate of interest upon the bonds, and relative to the election and term of office of directors and officers of the Oil Creek Lake and Titusville mining and transportation company, and to reduce the capital stock, and supplementary to the act incorporating said company, approved April 4th, 1865, and authorizing said company to secure its bonds by mortgage, and repealing the provision in the third section of the act incorporating said company, and relative to the proceedings, records and quorum of said directors.

On 16th April, 1866:

An act authorizing the sale sale of certain real estate in Moon township, Beaver county, for the benefit of the common schools of said township.

An act authorizing the laying out of a State road in Wayne and Monroe counties.

An act authorizing the inspectors and warden of any of the penitentiaries to permit the use of tobacco by convicts, as a reward for good conduct.

An act relative to the draining of wet or spouty lands in the county of Lawrence.

An act for the protection of sheep and taxing dogs in Lycoming county.

An act to amend an act approved the twenty-seventh day of February, Anno Domini one thousand eight hundred and sixty-five, entitled An act relating to bonds and recognizances of bail in the court of quarter sessions of Erie county.

An act relating to the supervisors of Carbondale township, Luzerne county.

An act to authorize the school directors in Crawford township, Clinton county, and Fourth ward, in the city of Reading, to levy and assess a tax for the payment of bounties in the year one thousand eight hundred and sixty-four.

A further supplement to an act erecting parts of Clinton, Elk, M'Kean and Potter counties into a county to be called Cameron, approved the twenty-ninth day of March, A. D. one thousand eight hundred and sixty.

An act relative to bounty tax in Connoquenessing and Adams townships, Butler county.

An act authorizing the Governor to appoint an additional notary public in and for the counties of Snyder, Warren and Wyoming.

An act increasing the fees of justices of the peace and constables in the counties of Bradford, Wyoming and Susquehanna.

An act relative to the streets and alleys in the town of Catawissa, in Columbia county, Pennsylvania.

An act granting a pension to Henry Welsh, a disabled soldier.

An act to repeal an act relating to the publication of legal advertisements in the county of Franklin, approved the 15th day of April, A. D. 1863, and an act relating to the publication of legal advertisements in the county of Franklin, approved the 20th day of April, A. D. 1864.

An act to authorize the school directors of the borough of Conneautville, Crawford county, to borrow money.

An act to incorporate the Erie Dime Savings and Loan company.

An act to legitimate Louisa Elizabeth Debolt, child of Charles A. Mestrezet.

An act to annul the marriage contract between Jacob Hoke and Amelia Hoke.

An act to change the citizenship of Jacob Bohner from Lykens to Mifflin township, Dauphin county.

A supplement to an act to authorize Veronica Biery to sell certain real estate.

An act relative to the publication of local laws in the counties of Centre and Schuylkill.

An act to incorporate the borough of Columbia.

An act to regulate the practice of entering judgments and issuing processes in Armstrong county.

An act for the relief of Henry P. Trezivluey, James D. Turner and others, bail of William W. Brown, late treasurer of Centre county.

An act authorizing the trustees of John Bailey (deaf and dumb) in the township of Ferguson county, of Centre, to sell real estate.

An act to incorporate the Chester Creek railroad company.

An act to incorporate the Schuylkill River Passenger railway company.

An act authorizing the commissioners of Schuylkill county to advance to the townships of Schuylkill and East Brunswick a sum of money, and to levy and collect the same by taxation.

A supplement to an act authorizing the school directors of Robinson township, Washington county, to levy and collect a special bounty tax, approved March 23d, 1865, and relative to the payment of bounties in South Whitehall township, Lehigh county.

A supplement to an act approved March 23d, A. D. 1865, entitled An act to provide for the erection of a poor house in the townships of Milford, Turbett, Spencerhill, Tuscarora, Lack and Beale, and the boroughs of Perrysville and Patterson, in the county of Juniata.

An act authorizing the directors of the poor and house of employment of the county of Montgomery to sell and convey a tract of land to certain persons, for the purpose of erecting thereon a suitable building, to be used as a place of public worship.

An act appointing commissioners to lay out and open a State road in M'Kean county, from the borough of Smethport to Lafayette Corners.

A further supplement to an act to incorporate the city of Philadelphia, relative to the election of members of common council.

An act relating to the office of interpreter for the several courts in the county of Allegheny.

An act relating to the election of clerks of the several courts of Allegheny county.

A supplement to an act relative to paving streets, etcetera, in the borough of New Castle, approved the twenty-second day of March, Anno Domini one thousand eight hundred and sixty-six.

An act to authorize the town council of the borough of Littlestown, in the county of Adams, to borrow money and collect taxes.

An act to increase the salary of the assistant warden of the Allegheny County prison.

An act relating to the estate of Lois Carey, late of Luzerne county, deceased.

An act for the relief of the legal representatives of Samuel Potter, deceased, and Wm. Page, deceased.

A further supplement to an act to incorporate the city of Philadelphia, approved the fourth day of February, one thousand eight hundred fifty-four, and relative to the collection of debts due the department of health.

An act authorizing the controller and city treasurer of the city of Philadelphia to audit and settle the military account of Caspar M. Berry, late brigade inspector of Third brigade First division, Pennsylvania militia.

An act to incorporate the Kaufman iron company.

An act for the consolidation of the President, Procupine and Redfield petroleum companies.

On 17th April, 1866:

An act to incorporate the Pennsylvania and Colorado gold and silver mining company.

An act to incorporate the Gilpin gold and silver mining company of Colorado.

An act authorizing a special tax in the borough of M'Keesport, and to grade, curb and repave or otherwise improve the streets, lanes, alleys, &c., of said borough.

An act to annul the marriage contract between Henry E. Welker and Louisa Jane, his wife.

An act to legitimate Benjamin F. Kreider, son of Elizabeth Warfel, of Lancaster county.

An act to repeal the act to extend and open Pulaski street, in the city of Philadelphia, approved the 20th day of May, A. D. 1864.

An act to authorize the orphans' court of Cumberland county to make title to John H. Woodburn for a certain tract of land.

An act relating to the sale of lands for taxes in Clarion county.

An act to revise the grades of Dock street from Third street to Delaware avenue.

An act relative to a law library in the county of Erie.

A further supplement to an act consolidating the city of Philadelphia, approved Febru-

ary 4th, 1854, relating to the duties of the assessors of the Nineteenth ward of said city.

An act relating to fines and penalties in the city of Harrisburg.

An act relative to selling church property in Berrysburg, Dauphin county.

A supplement to an act to alter an act to erect the town of Erie, in the county of Erie, into a borough, and to erect Waterford and Wattsburg, in the said county, into boroughs.

An act to facilitate the collection of taxes in the counties of Carbon and Luzerne.

An act to divide the Twenty-fourth ward, in the city of Philadelphia, into two wards, and to create a new ward, to be called the Twenty-seventh ward.

An act to prevent frauds at elections in the city of Philadelphia.

An act relative to tax on real estate in Crawford county.

An act to authorize and require the school directors of Earl township, Berks county, to levy and collect a tax for the purpose of paying one hundred dollars each to persons who were drafted or furnished substitutes under the call of the President of December 19th, A. D. 1864.

A supplement to an act to incorporate the Philadelphia and Colorado gold mining company, approved the eighth day of April, Anno Domini one thousand eight hundred and sixty-four, authorizing the issue of a capital stock, the increase and reduction of the same, and to borrow money.

An act supplementary to an act to incorporate the Jones ferry company, approved the fourteenth day of March, Anno Domini one thousand eight hundred and sixty-five.

An act to incorporate the Cornucopia silver mining company.

A supplement to an act to authorize Woodland street, in the Twenty-fourth ward of the city of Philedelphia, to be graded, curbed and paved, approved the twenty-seventh day of May, Anno Domini one thousand eight hundred and sixty three.

An act to exempt the property of the Manayunk division, number fifty-four, Sons of Temperance beneficial association, from taxation.

A supplement to the act incorporating the city of Titusville, in the county of Crawford.

An act to confer upon Eliza Raynor, of Bucks county, the right to inherit from her deceased uncle, John Gray James, who was illegitimate.

An act granting a pension to Lewis Hagenman.

An act to change the name of Charles Hulins, adopted son of E. H. Range, to Charles Range, and to confer upon him all the rights and privileges of a child and heir.

An act to incorporate the Toulumne mining company.

An act to incorporate the Codorus mining and exploring company.

An act to incorporate the Asteroid silver mining company.

An act to incorporate the Ellen Louisa silver mining company.

An act to incorporate the Clinton silver mining company.

An act to incorporate the Delaware mining company.

An act to incorporate the National silver mining company.

An act to incorporate the Monte Christo gold and silver mining company of Nevada.

An act to incorporate the Allen mining company.

An act to incorporate the Philadelphia and California vineyard company.

An act to incorporate the People's mining and exploring company.

An act to incorporate the Girard mining company.

An act to incorporate the Reese River Lander Hill gold and silver mining company.

An act to incorporate the Great Northwestern gold and silver mining company of Colorado.

An act to incorporate the Willing mining and exploring company.

An act to incorporate the Pennsylvania and Nevada mining company.

An act to incorporate the Pennsylvania and Nevada silver mining company.

An act to incorporate the Woodruff mining company of California.

An act to incorporate the Central gold and silver mining company of Colorado.

An act to incorporate the Jordan silver and gold mining company.

An act to incorporate the Silver Mountain mining company.

An act to incorporate the Gaston and Simpson gold and silver mining company of Montana.

An act to incorporate the Franklin silver mining company.

An act to incorporate the Lacota gold mining company.

An act to incorporate the Revorton reduction company of New Mexico.

An act to incorporate the York gold and silver mining company.

An act to incorporate the Stevens silver mining company of Nevada.

An act to incorporate the Leviathan silver mining company.

An act to incorporate the Mill Creek gold and silver mining company of Colorado.

An act to incorporate the Jefferson mining company.

An act to incorporate the Pittsburg and Arizona gold and silver mining company.

An act to incorporate the Sheridan mining company.

An act to incorporate the Pactolus exploring and mining company.

An act to incorporate the Jackson mining company.

An act to incorporate the Sherman gold and silver mining company.

An act to incorporate the American gold and silver mining company of Colorado.

An act to incorporate the Salamander mining company.

An act to incorporate the Atlas gold and silver mining company of Arizona.

On act to incorporate the Great Basin mining company.

An act to incorporate the Pennsylvania mining and mettallurgic company.

An act to incorporate the Commonwealth gold and silver mining company of Nevada.

An act to incorporate the Girard gold and silver mining company of Colorado.

An act to incorporate the Eureka gold and silver mining company.

An act to incorporate the Fidelity mining company.

An act to incorporate the Northwestern gold and silver mining company.

An act to incorporate the Territory gold and silver mining company.

An act to incorporate the Favorite gold and silver mining company.

An act to incorporate the Ingot mining company.

An act to incorporate the Bullion gold and silver mining company.

An act to incorporate the Good Will gold and silver mining company.

An act to incorporate the Grant gold mining company of Colorado.

An act to incorporate the Argentine silver mining company.

An act to incorporate the Live Oak copper mining company.

An act to incorporate the Elk gold and silver mining company.

An act to incorporate the Modena mining company.

An act to incorporate the Mammoth gold and silver mining company of Colorado.

An act to incorporate the Carson gold mining company.

An act to incorporate the Silver Star mining company.

An act to incorporate the Montour and Colorado gold mining company.

An act to incorporate the Pittsburg and Colorado mining company.

An act to incorporate the Philadelphia and Lander Hill silver mining company of Nevada.

An act to incorporate the Symonds Fork mining company of Colorado and Idaho Territories.

An act to incorporate the National silver mining company.

An act to extend the provisions of an act entitled An act relating to the Philadelphia and Erie railroad company, approved the twenty-second day of July, Anno Domini one thousand eight hundred and sixty-four, to the Erie and Pittsburg railroad company.

An act repealing an act entitled An act relating to supervisors and roads in Chartiers, Scott and Lower Saint Clair townships, Allegheny county, and Wiconisco township, Dauphin county, approved March twentieth, Anno Domini one thousand eight hundred and sixty-two, so far as the same relates to the township of Chartiers, in the county of Allegheny.

A supplement to an act to incorporate the New York and Middle Coal Field railroad and coal company.

An act to incorporate the National land and improvement company.

Supplement to an act entitled An act regulating railroad companies, approved February nineteenth, one thousand eight hundred and forty-nine.

An act authorizing certain railroad companies to form connections at or near the State line in Bradford county.

An act to incorporate the Hemlock railroad company.

An act to extend an act incorporating the Warren and Pinegrove railroad company, approved March 14, A. D. 1836.

An act to incorporate the Duncannon, Bloomfield and Roradtop railroad.

An act to incorporate the Hamburg and Slatington railroad company.

An act to incorporate the East Hickory Creek railroad company.

An act to incorporate the Girardville railroad company.

A supplement to an act to incorporate the Attleborough railroad, approved April second, A. D. 1860.

An act to incorporate the Mount Ætna Furnace coal oil, mining and railroad company.

An act to incorporate the Farmers' land improvement and railroad company.

An act to extend the time for the payment of the enrollment tax on the act incorporating the Blue Mountain railroad company.

A further supplement to an act to incorporate the Wrightsville, New Holland and Conewago railroad company, creating additional corporators.

An act to incorporate the Warren improvement and railroad company.

An act to incorporate the West Branch and Juniata railroad company.

A supplement to an act for the acknowledgment and recording of deeds.

An act relating to railroads.

An act relative to the fees on unsettled lands in the county of Centre.

Daily Legislative Record.

FOR THE SESSION OF 1867.

PUBLISHED BY AUTHORITY OF THE LEGISLATURE OF PENNSYLVANIA. No. 6.

TERMS OF THE DAILY RECORD.

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[CONTINUED FROM PAGE 40.]

An act to incorporate the Brokenstraw land company.

An act to incorporate the Humboldt exploring company.

An act to authorize the Jackson oil company of Philadelphia to establish an additional office.

An act to incorporate the Gettysburg Lythia Springs association.

A further supplement to an act incorporating the Chartiers Valley railroad company.

An act to incorporate the Allentown passenger transportation company.

A supplement to an act incorporating the Perkiomen railroad company, passed the twenty-third day of April, Anno Domini one thousand eight hundred and fifty-two.

An act extending the time for the completion of the Nesquehoning Valley railroad.

An act to authorize the Nanticoke railroad company to increase its capital stock.

An act to incorporate the Gettysburg and Chambersburg railroad company.

An act to incorporate the Shrewsbury railroad company.

An act to enable the Western transportation company to mortgage the whole or any part of their property, real and personal, corporate rights and franchises acquired or to be acquired.

A supplement to the act incorporating the Wilkesbarre and Philadelphia railroad company, approved the fourth day of April, one thousand eight hundred and sixty-three, giving power to said company to borrow money, fix the number of directors and connect with other railroads.

A further supplement to the act to incorporate the Western Pennsylvania railroad company, authorizing their railroad bridge over the Allegheny river to be improved for the accommodation of persons desiring to cross the same.

An act to provide for the extension of the Plymouth railroad to the North Pennsylvania railroad at a point near Fort Washington station, in Montgomery county.

An act to authorize the Pittsburg and Connellsville railroad company to change a portion of their road.

A supplement to an act entitled An act regulating boroughs, approved the third day of April, Anno Domini one thousand eight hundred and fifty-one, to authorize courts to fix and change the places of holding general elections.

A supplement to an act relating to the sale and conveyance of real estate, approved the eighteenth day of April, one thousand eight hundred and fifty-three.

A supplement to an act entitled An act providing additional remedies against trustees of a trust created for life, or during marriage, and providing a remedy for the protection of their securities, approved March 27th, 1865.

An act relating to poor houses and lands.

A supplement to an act entitled An act to consolidate, revise and amend the laws of this Commonwealth relating to penal proceedings and pleadings, passed the thirty-first day of March, Anno Domini one thousand eight hundred and sixty.

A supplement to an act concerning the sale of railroads, canals, turnpikes, bridges and plank roads, approved the eighth day of April, Anno Domini one thousand eight hundred and sixty-one.

An act to incorporate the Farmers' coal and iron company.

An act authorizing an extension of their tracks by the Southwark railroad company.

On 18th April, 1866:

An act for the incorporation of the Merchants' national telegraph company.

An act to incorporate the Philadelphia transportation and freight company.

An act to incorporate the Osceola improvement company.

An act to confirm the title to certain real estate in Delaware county, now held by William D. Pennell and William H. Huddleson.

On 20th April, 1866:

An act to authorize the sale and conveyance of the estate and franchises of the Pittston gas company, by the sheriff of the county of Luzerne.

A further supplement to the act to incorporate the Norris mining company, approved the fourteenth day of March, 1865, changing the number of shares issued by said company.

An act to incorporate the Fairmount mining company.

A further supplement to the act to incorporate the Oil Creek transportation company.

A supplement to an act incorporating the Pennsylvania oil car manufacturing and transportation company, approved April 4th, 1865.

An act to incorporate the American iron company.

A supplement to an act to incorporate the Bald Eagle plank road company, authorizing sale of the same.

An act incorporating the Lehigh Mutual manufacturing company.

An act to incorporate the Sugar Grove coal, lumber and improvement company.

An act to incorporate the Birmingham coal company.

An act to incorporate the Williamsport ball and market company.

An act to incorporate the Germania grocery and produce association of Allegheny county.

An act to authorize the Phoenix Park coal company to borrow money.

An act to incorporate the Oswego and State Line turnpike road company.

An act supplementary to an act incorporating the Kittanning gas company.

An act to incorporate the America steam, wood and coal company.

An act to incorporate the Union Fire company of the city of Philadelphia.

An act to repeal an act entitled A further supplement to the act incorporating the Youghiogheny Coal Hollow coal company, approved March seventeenth, one thousand eight hundred and sixty-three, changing the name of said company, and increasing the number of shares of stock to be issued by the same.

An act to incorporate the Aughwic mining and exploring company.

An act to incorporate the Keystone Hotel company.

An act to incorporate the Delaware Coast wrecking company.

An act to incorporate the Western savings bank and safe deposit company of the city of Pittsburg.

A further supplement to an act to enable joint tenants in common and adjoining owners of mineral lands in this Commonwealth to manage and develop the same, approved the twenty-first day of April, A. D. 1864, authorizing the sale of bonds below par.

An act relating to the Union canal company of Pennsylvania.

An act to annul the marriage contract between John Henry Burgess and Elizabeth, his wife.

An act relative to school taxes in Mahanoy township, Schuylkill county.

A supplement to an act entitled An act to incorporate the Northern coal and iron company, approved the twenty-seventh day of April, Anno Domini one thousand eight hundred and sixty-four.

An act authorizing the Pennsylvania salt manufacturing company to increase their capital stock.

An act to extend the time for the payment of the enrollment tax on an act incorporating the Highland woolen manufacturing company.

An act to incorporate the Winfield iron company.

An act to incorporate the U. S. Grant mining and improvement company.

A supplement to an act entitled An act to incorporate the Potter County lumber, coal and petroleum company, approved the twenty-fourth day of March, Anno Domini one thousand eight hundred and sixty-five.

On 21st of April, 1866:

An act relating to the Johnstown and Ashtola tramroad and railroad company.

An act to incorporate the Continental iron and coal company.

An act relating to the Altoona coal and lumber company of Baltimore.

On 23d April, 1866:

An act to incorporate the Chambersburg manufacturing and building association.

An act to incorporate the city of Scrantou.

An act to authorize Herman James and others to lease certain streets in the city of Erie for railroad purposes, and to authorize the Erie and Allegheny railroad company to make certain contracts and connections, and the assent of the city councils to be obtained before streets shall be taken.

On 24th April, 1866.

A supplement to an act entitled An act to incorporate the Gettysburg Battlefield Memorial association, approved April 18, 1864.

On 1st May, 1866:

An act relating to the payment of bounties to veteran volunteers.

A supplement to an act to incorporate the Pennsylvania insurance company, approved March 10, 1865.

An act relating to certain claims for damages for injuries suffered on the Portage railroad.

An act to incorporate the City and County Cottage company.

An act to incorporate the Union Co-operative association of Beaver Falls Number One, in the county of Beaver, Pennsylvania.

An act relating to dividends and stock of the Bank of Lawrence County.

An act relative to certain bonds of the county of Butler, now held by the Western Pennsylvania railroad company.

An act to incorporate the Mercantile Association of the town of Birdsboro, in the county of Berks.

An act relative to the Farmers' and Merchants' insurance company of the borough of York.

An act to incorporate the Workingmen's Co-operative Benefit association of New Castle.

An act to incorporate the Central Co-operative association of Philadelphia.

An act to incorporate the Germantown Cottage company.

An act to incorporate the City Deposit Bank and Trust company.

An act to incorporate the People's Trading company of the borough of Birmingham, in the county of Allegheny.

An act to incorporate the Citizens' Joint Stock company of Brownsville, Fayette county, Pennsylvania.

An act relating to the Juniata iron manufacturing company.

An act to incorporate the Pennsylvania canal company.

An act to incorporate the Fairmount gold and silver mining company.

On 3d May, 1866:

An act to incorporate the Pennsylvania petroleum gas company.

An act to incorporate the Philadelphia brewers' association.

An act compelling railroad and other corporations to pay counsel fees of plaintiffs in certain cases.

An act to incorporate the Pecora white lead, zinc and color company.

An act to legalize a patent to James Evans.

On May 4th, 1866:

An act to authorize the Parma and Sugar Creek petroleum company, a corporation organized under the laws of the Commonwealth, to hold and convey certain lands in Plum township, Venango county.

On May 8th, 1866:

An act relative to the laying of water and gas pipes and the construction of culverts in the city of Philadelphia.

An act to incorporate the Coal City coal company.

On 9th May, 1866:

An act to change the number of shares into which the lands of the Conneaut Creek oil company are divided, and to legalize the issue of the shares of the capital stock of the said company heretofore issued.

An act to incorporate the Lincoln Institution.

An act to incorporate the Bradford County railroad company.

On May 10th, 1866:

An act to extend the time for the payment of the enrollment tax on an act to incorporate the Mifflin and Blair iron and coal company.

An act relative to the county of Lancaster.

An act relative to inns and taverns in the counties of Lebanon and Berks.

An relative to hucksters in the county of Lebanon.

On May 17th, 1866:

An act to incorporate the Boatmen's insurance and transportation company.

A supplement to an act relative to the acknowledgment of deeds made out of the State, approved December fourteenth, one thousand eight hundred and fifty-four.

An act enlarging the powers of the orphans' court so as to discharge liens on real estate.

On May 18th, 1866:

An act in relation to huckstering in the counties of Bedford, Cumberland, Franklin, Fulton and York.

On May 19th, 1866:

An act for the relief of the Erie coal company of Pennsylvania.

On May 21st, 1866:

An act relating to the fees and dues of constables and justices of the peace in the county of Cumberland.

On May 30th, 1866:

An act confirming certain deeds and assuring the title of W. J. Watkins to a certain tract of land situate in Deerfield township, Warren county.

On May 31st, 1866:

An act to authorize the heirs of John Stahl to sell certain real estate.

On June 4th, 1866:

A further supplement to the election laws of this Commonwealth.

On June 12th, 1866:

An act to incorporate the Pittsburg and Campbell's Run coal railroad company.

A further supplement to an act to enable the Governor to appoint notaries public and for other purposes therein mentioned.

An act to release the real estate of Samuel Walter, deceased, from escheat.

On June 13th, 1866:

An act to incorporate the American mineral land and mining company.

On June 26th, 1866:

An act to refund to James W. Stewart the sum of fifty-three dollars and eighty-two cents paid into the Treasury of the Commonwealth by mistake.

An act discharging William Bartram, trustee, and authorizing him to reconvey the trust estate to John Courtney.

A supplement to an act entitled An act to prevent horses, cattle, sheep and hogs from running at large in Chillisquaque township, Northumberland county, and Kelley township, Union county, and certain townships in Luzerne county, approved the twenty-third day of March, one thousand eight hundred and sixty-five.

An act to authorize the school directors of Chestnut Hill township, Monroe county, to pay certain moneys.

A supplement to an act entitled An act granting a pension to Jacob Hurst, passed March 27, A. D. 1866.

An act to incorporate the Kittanning manufacturing company.

An act to enable the Toby Creek coal and oil company to develop their property.

An act to extend the time for the payment of the enrollment tax on an act to incorporate the Day coal and iron company.

An act to extend the time for the payment of the enrollment tax on an act to incorporate the Meadville Novelty Works, approved the fourteenth day of April, A. D. one thousand eight hundred and sixty-three.

An act to extend the time for the payment of the enrollment tax on an act to incorporate the Sugar Creek mining and transportation company, approved March twenty-fourth, one thousand eight hundred and sixty-five.

An act to extend the time for the payment of the enrollment tax on an act to incorporate the Nanticoke Mountain coal company.

An act to extend the time for the payment of the enrollment tax on an act to incorporate the Western Union mining company, approved March twenty-three, Anno Domini one thousand eight hundred and sixty-five.

On June 28th, 1866:

An act to incorporate the Mount Carmel, Locust Mountain coal company.

On June 29th, 1866:

An act appointing commissioners to lay out and open a State road from Marsh's Corners, M'Kean county, to the Philadelphia and Erie railroad.

On July 9th, 1866:

A supplement to an act entitled An act to incorporate the Wyoming coal and transportation company, approved the twenty-seventh day of April, Anno Domini one thousand eight hundred and sixty-four.

On July 10th, 1866:

Supplement to an act incorporating the Lehigh and Lackawanna railroad company.

Supplement to an act incorporating the Pennsylvania slate company, approved June 25th, 1864.

On July 19th, 1866:

A further supplement to an act enabling banks of this Commonwealth to become associations for the purpose of banking under the laws of the United States.

A supplement to an act entitled An act to amend the revenue laws of this Commonwealth, approved February 23d, 1866.

An act to incorporate the Birch Island Run navigation company.

An act to incorporate the Paddy's Run navigation company.

An act to incorporate the Big Run, of Buck creek, navigation company.

On August 13th, 1866:

An act to allow Isaac Bowers and W. W. M'Cormick to return certain unseated lands in Jefferson county.

On August 16th, 1866:

An act for the relief of William Himrod.

On August 22d, 1866:

A supplement to an act incorporating the Real Estate savings institution of Pittsburg, approved the 12th day of April, A. D. 1862.

On September 1st, 1866:

An act to incorporate the Reno shipping company.

On September 8th, 1866:

An act to extend the time of the payment of the enrollment tax on House bill No. 1382, session of 1864.

On September 20th, 1866:

A supplement to an act to improve the navigation of the river Lackawaxen, approved the 13th day of March, 1823.

On September 24th, 1866:

An act relating to goods, wares and merchandise in store and in transit, and to make receipts and bills of lading therefor negotiable.

On October 10th, 1866:

An act to incorporate the Fayette Coal railroad company.

On October 15th, 1866:

An act to validate the will of Andrew M'Calister, deceased, of York county.

On October 27th, 1866:

An act to incorporate the Keystone coal and manufacturing company of Somerset county.

On October 31st, 1866:

An act to increase the boundaries of Forest county.

A supplement to the act to increase the boundaries of Forest county.

On November 17th, 1866:

An act to incorporate the Great Valley gold and silver mining company.

On November 24th, 1866:

An act to enable the State Treasurer and Auditor General to adjust certain public accounts.

On November 24th, 1866:

An act authorizing the executor of Charles Sheaffer, deceased, to sell real estate.

On November 28th, 1866:

An act to validate the last will and testament of Alexander Jeffries, late of Allegheny county, deceased.

On December 4th, 1866:

A further supplement to an act entitled An act to incorporate the Gap mining company.

On December 4th, 1866:

An act declaratory of the law relating to taking up lumber, and prohibiting the floating of loose saw logs in the Susquehanna river, between the town of Northumberland and the line of the State of Maryland.

On Decembr 12th, 1866:

An act relative to the Lehigh rolling mill company.

On December 15th, 1866:

An act to incorporate the Dunbar land and coal company.

On December 31st, 1866:

An act repealing an act approved the twenty-fourth day of March, Anno Domini one thousand eight hundred and sixty-five, entitled An act to legalize the bonds issued by the election officers of Ayr township, in the county of Fulton, for the payment of bounties to volunteers and drafted men, under the call of the President of the United States prior to the nineteenth of December, Anno Domini one thousand eight hundred and sixty-four.

On January 2d, 1867:

An act to incorporate the Blacklick railroad company.

January 4th, 1867:

An act relating to transportation upon the Oil Creek railroad.

January 7th, 1867.

An act to authorize Warwick B. Freeman, trustee of Eliza Freeman, to sell certain real estate.

A supplement to an act relating to orphans' courts, approved the 29th day of March, A. D. 1832.

An act regulating the width of schutes in the Susquehanna river.

An act authorizing the administrator of Ann Kreidler, of Lower Nazareth township, Northampton county, deceased, to sell real estate.

An act to confirm the title of John Red and Mary, to certain property.

An act in relation to the sale of the real estate of Robert Cewan, late of Westmoreland county, deceased.

A supplement to the act of twenty-first day of May, Anno Domini one thousand eight hundred and fifty-seven, entitled an Act to incorporate the Clarion River navigation company.

An act relating to the qualification of directors of railroad companies.

A further supplement to an act incorporating the borough of Marietta, in the county of Lancaster.

Supplement to an act entitled An act regulating railroad companies, approved February 19th, 1849.

An act to sell the corporate rights and franchises of Sunbury canal and water power company.

An act to incorporate the Wyoming life insurance and trust company, in Luzerne county.

An act to extend the time for the payment of the enrollment tax on an act to incorporate the Meadville coal company, which became a law on the twentieth day of January, A. D. one thousand eight hundred and sixty-four.

An act to extend the time for the payment of the enrollment tax on the bill approved August 19, 1863, entitled the Henry mining company of Colorado.

An act for the settlement of the affairs of the North Carbondale coal company.

A further supplement to an act to incorporate the Lackawanna and Susquehanna railroad company.

An act to incorporate the Chincleclamonche lumber and boom company.

A supplement to an act to revise, consolidate and amend the penal laws of this Commonwealth so as to punish frauds upon the national currency, as well as that of the State and forging or uttering forged instruments.

An act to release and vest the interest of the Commonwealth in the estate of Samuel Sadler, Jr., late of Adams county, deceased, in the brother and sisters of the half-blood of said decedent.

An act to revise the charter of the Turtle Creek railroad company, approved March twenty-third, one thousand eight hundred and sixty-five, and to extend the time for the payment of the enrollment tax upon the same.

Supplement to an act entitled An act to incorporate the Short Line railroad company.

An act to enable the United States petroleum company to hold additional lands in Pennsylvania.

An act to incorporate the Emporium coal and lumber company.

A supplement to an act incorporating the Keystone coal and transportation company, certified the fifth day of May, Anno Domini one thousand eight hundred and sixty-four.

An act allowing the Schuylkill navigation company to close its locks between the hours of 10 P. M. and 4 A. M.

An act to vacate a trust estate created by the will of Henry Lorain, M. D.

An act to incorporate the Allen City iron company.

An act repealing an act supplementary to an act for the more effectual preservation of the Cumberland road, approved the eighth of April, one thousand eight hundred and forty-eight.

A further supplement to an act entitled An act to incorporate the subscribers to the articles of association for the purpose of establishing and conducting an institution for the confinement and reformation of youthful delinquents, under the title of the House of Refuge, passed March twenty-third, one thousand eight hundred and twenty-six.

An act to authorize the Reno oil and land company to acquire and hold shares of stock in certain other corporations.

An act to extend the time for the payment of the enrollment tax on an act to incorporate the Sandy Lick coal and iron company, approved August 10, A. D. 1864.

An act supplementary to an act to incorporate the Pittsburg and Sonora gold and silver mining company, approved the twentieth day of March, Anno Domini one thousand eight hundred and sixty-five.

April 12th, 1866:

Joint resolution instructing the Senators and Representatives in Congress from Pennsylvania relative to the equalization of bounties.

Joint resolution relative to post chaplains in the United States army.

A joint resolution in reference to the claim of William Q. Wallace, late chief clerk in the Auditor General's office.

Joint resolution authorizing the Governor to purchase grounds sufficient for the erection and construction of a new magazine, and also for the proper repair and security of the present magazine.

Resolution relative to additional rooms for the Department of the Adjutant General and Superintendent of Common Schools.

April 16th, 1866:

Resolution relative to payment of expenses incurred in reception of the flags of Pennsylvania regiments.

Resolution relative to the payment of the expenses of the investigation of certain charges contained in the *Sunday Dispatch*.

A. G. CURTIN.

Senate bill No. 14, entitled An act to incorporate the North American transit insurance company, approved March 30, 1860, and the supplement thereto, so as to authorize said company to insure persons against death or disability, whether from natural diseases, accident or otherwise, and to issue policies therefor in the usual manner, under the name, style and title of the North American Life and Accident insurance company.

Mr. LEE. Mr. Speaker, I move that the rules be suspended, and the House proceed to the consideration of that bill.

The motion was

Agreed to.

The bill was then read a second and third time, and

Passed finally.

Mr. WINGARD. Mr. Speaker, I move that the rules be suspended and that the House proceed to the consideration of the following bill, which I read in my place and present to the Chair:

An act to incorporate the Real Estate Savings Institute.

Mr. M'CREARY. Mr. Speaker, it is well known that the other day when these bills were offered in place, out of their order, and I raised an objection, that I did not do it on personal grounds, but, as I believe, for the general good of the House. Perhaps I did not state distinctly enough the reasons for my objection.

I object to the reading of bills in place out of their order unless some clearly satisfactory reason is given. If gentlemen will wait until their counties and the order of reading bills in place is reached, and then, if they wish, ask a suspension of the rules, I will have no objection. The bills passed this morning came in, in their regular order. This thing of backing up upon the first of the session, is not proper. It is only permissable where it is absolutely necessary.

I have half a dozen bills which I wish to read in place and have printed, as soon as possible, but I cannot get it done unless we adhere closely to the rules. If the gentleman's constituents want the bill to-morrow—as the lady said about the divorce, she "must have it that night"—I have no objection.

Mr. WINGARD. Like the gentleman who has just taken his seat, I have eight or ten bills which I wish to present.

Bills have come from the Senate by the dozen almost, and have been taken up and passed. A large number of bills have gone from the House to the Senate, and I presume they are being acted on.

I have a number of letters from my constituents, requesting the passage of this bill, and, at their solicitation, I offer it. It is almost a *fac simile* of a bill that was passed here the other day. I have as many bills, perhaps, as the gentleman from Erie [Mr. M'CREARY], but I am perfectly willing that they should go over. I am as much opposed to this disorderly mode of procedure as the gentleman who has just taken his seat, but this bill I desire to have taken up and passed now, if it is the pleasure of the House.

Mr. M'CREARY. All this, Mr. Speaker, does not go to the fact of its necessity. The mere fact that this bill is wanted is no reason why it should be introduced out of order.

Mr. WINGARD. Mr. Speaker, it is at the solicitation of my constituents that I desire the bill passed at this time, or at the earliest

possible moment. As I said before, a similar bill has already been passed, and I ask the indulgence of the House to pass this.

On the question, Shall Mr. WINGARD have leave to read the bill in place?

A division was taken, when 47 voted for and 18 against granting leave.

So it was

Agreed to.

The bill was then read the first time, and

On the motion of Mr. WINGARD to suspend the rule which prohibits the reading of bills twice on the same day,

Mr. DAVIS. Mr. Speaker, this mode of procedure must be stopped somewhere, and I know of no gentleman in this House who can stand it better than the gentleman from Lycoming [Mr. WINGARD]. I think this is just about the place to do it. We have been in session now two weeks, and we have never reached the orders, and if we go on in this way it would be better to abolish all rules and relieve the Speaker of the difficulty of appointing committees. I have no objection to the gentleman's bill, but I understand the question now to be on the suspension of the rules for the purpose of taking up this bill, and on that I call for a division of the question.

Mr. WINGARD. Mr. Speaker, the gentleman has stated that I could afford as well as any member of this House to have my bill stopped. I would simply remind the gentleman that during the last session I never asked this favor but once, and that time it was refused me. This is the first time I have asked it this session. I am not in the habit of asking this favor of the House. If the committees were appointed I would ask that this bill should go to the committee. But I do not want to be made a scape-goat to carry off the evil of this House, and I am not obliged to the gentleman for singling me out as such. If the odium in this matter is to fall on any one, I think the gentleman's shoulders are quite as ample in their proportions as mine. I will appeal to the House if the gentleman has not, at this time, asked this favor of the House.

Mr. WADDELL. Mr. Speaker, I desire, at this time, to present my views upon this question; because, I propose, at the proper time, to take the position which has been taken by the gentleman from Erie [Mr. M'CREARY] and the gentleman from Philadelphia [Mr. DAVIS]. The only question with me has been whether this is the proper time. The House has not yet got into regular working order. The Speaker has not yet been able to announce the committees, consequently bills presented to the House must lie on the table until the committees are appointed and they can come into their hands regularly. Therefore, I have not felt disposed to interfere, as far as I am concerned, with this indiscriminate way of doing business. The question, in my mind, has been whether a bill which was presented was proper in its form, and one which the House could consider without the aid of a committee. But, I say here, and I propose to follow it up when the time comes that we get into regular working order, that I shall object to all suspensions of the rules. And I shall do it, as I conceive, for the good of the House. I presume there is no gentleman here who has served over a period of one term, but must know that this mode of proceeding has thrown us into more confusion, and caused us more delay in the legislation of this body, than any other course. There are orders that we never reached last winter. Gentlemen had their bills thrown off on the second and third reading, and never heard of them again. Others have heard of their bills during the last week of the session, simply by reason of grace from those who had opposed them at an earlier period. They went to these gentlemen, and asked as a favor that they would withdraw their objections and allow the bills to pass. These orders have been prescribed for the purpose of facilitating the legislation, and if this House will only adhere to them, and take up things as they come regularly, we will go through with these orders every day of our session. When gentlemen then get their bills to the second or third reading they will hear of them again when the time comes around, and then they will be disposed of. To my mind when the proper time comes, this House should adhere strictly to the enforcement of its rules, and take up matters in regular order. The only question is whether to-day—at this time—we should enforce this rule. The Speaker has not been able to announce the committees yet, therefore I have been disposed to indulge gentlemen in this indiscriminate mode of proceedings for the purpose of occupying our time while we are here. I am not disposed at this time to insist on the rules, although when the time comes I will stand by any gentleman pressing this matter.

Mr. DAVIS. Mr. Speaker, I think the proper time has arrived now—I think it arrived on the first day of the session.

As far as the remark I made relative to the gentleman's bill is concerned, he will bear in mind that the gentleman from Erie gave notice a few days ago that he was going to object to this mode of proceeding.

This was the first bill offered this morning to which the objection could properly be made. I believe no bill should pass this House unless it is first printed and laid on the desks of the members. There may be some necessity sometimes for passing a bill in a different way, and when there is such a necessity I shall make no objection.

I have neither presented a petition nor read a bill in place during this session, nor do I intend to do so, except at the proper times. I think, as the gentleman from Chester remarked, that if we commence on the orders in the morning we can get through them each day. Every district will be called, and then the member from that district can respond, and as the gentleman from Erie has said, if it is a case of necessity he can ask leave to have his bill passed.

By the present mode we shall never reach the regular order. The counties have not yet been called during this session.

Mr. WINGARD. Mr. Speaker, I would like to know how we are going to reach the regular order until the committees are announced. We have an abundance of time—more than we know what to do with. The Senate is passing bills, and as soon as they arrive here, gentlemen who are interested in them get up and move that the House proceed their to consideration.

That is all right, because the bills come from the *Senate*! But because a bill is asked to be passed here and sent to the Senate, and that, too, previous to the appointment of the committees, and when we have an abundance of time, gentlemen wish to vote to stop at a certain point.

This bill is almost a *fac simile* of a bill which was passed here the other day. It is in good shape and it is desired that it should pass. I can see no good reason why it should not.

I did, last session, and I will again, stand by any gentleman who opposed the practice of frequent suspensions of the rules, but I was always reluctant to make myself instrumental in cutting off any gentleman who offered a bill. I always felt, I feel now, that this practice of suspending the rules was wrong, and I am willing to join the gentleman in going to the utmost extreme in carrying out the orders of this House.

Mr. M'CREARY. Mr. Speaker, the gentleman is exceedingly unfortunate in his positions, to-day, for they pursue the regular order of business in the Senate. It is well known that the resolution for the appointment of a committee, which raised so much discussion in the Senate the other day, was offered by a gentleman out of place, and he was ruled out of order.

Bills in place are first in order, and original resolutions afterward. The gentleman undertook to offer a resolution when bills in place were in order and was ruled out.

Mr. WINGARD. I would like to know, then, why these bills, which come from the Senate by the dozen, are not sent to committees here?

Mr. QUAY. Mr. Speaker, I rise to a point of order, which is, that a motion to suspend the rules is not debatable.

The SPEAKER. The Chair is of the opinion that the point of order is well taken.

The question being on the general suspension of the rules,

It was not agreed to.

The SPEAKER. If it is the pleasure of the House, the Speaker will appoint a committee of two, to inform the Senate that at twelve o'clock the House will be ready to proceed to open and publish the votes cast for Governor at the October election. Mr. QUAY of Beaver, and Mr. MARKLEY of Montgomery, will please act as the committee.

Mr. WINGARD. Mr. Speaker, I did not understand the decision of the Chair on the question of suspending the rules.

The SPEAKER. On the question of suspending the rules generally, the Chair decided that it was lost.

Mr. WINGARD. I call for the yeas and nays.

The SPEAKER. The Chair will withdraw his decision in order to enable the gentleman to call the yeas and nays.

The Clerk will proceed with the call.

Mr. BOYLE. Mr. Speaker, I did not hear any gentleman second the call.

Mr. COLVILLE. I second the call.

The yeas and nays were then taken and were as follow, viz:

YEAS—Messrs. Adaire, Armstrong, Barrington, Barton, Boyd, Boyle, Breen, Brennan, Brown, Calvin, Cameron, Chadwick, Chalfant, Chase, Collins, Davis, Day, DeHaven, Deise, Espy, Ewing, Fogel, Freeborn, Gallagher, Ghegan, Gordon, Harner, Jenks, Josephs, Kennedy, Kimmell, Kline, Kurtz, Leech, Long, M'Camant, M'Creary, M'Henry, M'Pherrin, Mann, Meyers, Mullin, Pennypacker, Peters, Pillow, Quigley, Richards, Roath, Satterthwait, Seiler, Sharples, Stacey, Waddell, Wallace, Webb, Weller, Westbrook, Wham, Wilson, Woodward, Worrall and Glass, *Speaker*—62.

So the question was determined in the negative.

Mr. PILLOW. Mr. Speaker, I rise to what I believe to be a privileged question; that is, to present a petition from sundry citizens of Cambria county, contesting the seat of JOHN P. LINTON, now a member of this House.

The petition was read by the Clerk as follows:

To the Honorable the House of Representatives of the General Assembly of the Commonwealth of Pennsylvania:

The petition of the undersigned respectfully represents that they are citizens and qualified electors of the county of Cambria,

and were such at the time of holding the last general election, to wit, the second Tuesday of October, A. D. 1866, being the ninth day of that month; that at said general election, in the said county of Cambria, there was amongst the officers to be voted for and elected, one person to represent said county in the House of Representatives of the General Assembly; that there were two persons voted for for said office of representative as aforesaid, at the said election, to wit, John P. Linton, who was untruly returned as having received three thousand three hundred and seventy-five (3,375) votes, and John J. Glass, who was returned as having received two thousand five hundred and sixty-five (2,565) votes, for said office, and that the said John P. Linton was returned as being elected to the said office by a majority of eight hundred and ten (810) votes.

Your petitioners aver that said election was an undue election, and said return a false return, of the said John P. Linton to your honorable body as the representative from the county of Cambria, aforesaid, and they contest his right thereto, and specify more particularly the following grounds of their contest:

1st. That the election held on the day and year aforesaid, in the township of Washington, in the said county of Cambria, was not held and conducted by proper officers of elections as required by the election laws of this Commonwealth; that the judge of elections in the said township of Washington was not, at the time of the said election, and is not now, a citizen of the United States, or a qualified elector of the Commonwealth of Pennsylvania, and was incompetent to act as such judge of elections, in the said township; that at the said election, so held, in the said township of Washington, John P. Linton was returned as having received two hundred and thirty-two votes for said office, and the said John J. Glass was returned as having received thirty-two votes for said office.

2d. That the election held on the day and year aforesaid, in the township of Carroll, in the said county of Cambria, was not held and conducted by proper officers of elections, as required by the election laws of this Commonwealth; that ——— in the said township of Carroll ——— not at the time of the said election, and ——— not now a citizen of the United States or qualified elector of the Commonwealth of Pennsylvania, and incompetent to act as ——— of election in the said township; that at the said election, so held in the said township of Carroll, John P. Linton was returned as having received three hundred and three votes for said office, and the said John J. Glass was returned as having received forty-two votes for said office.

3d. That the election held on the day and year aforesaid in the township of Gallitzin, in the said county of Cambria, was not held and conducted by proper officers of elections, as required by the election laws of this Commonwealth; that John Frainor and John Bradley, in the said township of Gallitzin, were not at the time of said election, and are not now, citizens of the United States, or qualified electors of the Commonwealth of Pennsylvania, and were incompetent to act as officers of elections in the said township; that at the said election so held in the said township of Gallitzin, in the said county, John P. Linton was returned as having received one hundred and eighteen votes for said office, and the said John J. Glass was returned as having received fifty-three votes for said office.

4th. That the election held on the day and year aforesaid, in the borough of Loretto, in the said county of Cambria, was not held and conducted by proper officers of elections, as required by the election laws of this Commonwealth; that the judge of elections, and one of the clerks of elections, in the said borough of Loretto, were not, at the time of the said election, and are not now, citizens of the United States, or qualified electors of the Commonwealth of Pennsylvania, and were incompetent to act as such judge and clerk of elections, in the said borough; that at the said election, so held in the said borough of Loretto, John P. Linton was returned as having received forty-seven (47) votes for said office, and the said John J. Glass was returned as having received ten (10) votes for said office.

5th. That the election held on the day and year aforesaid, in the borough of Conemaugh, in said county of Cambria, was not held and conducted by proper officers of elections, as required by the election laws of this Commonwealth; that Conrad Ernst (First ward), and Michael Burns (Second ward), ——— of elections in the said borough of Conemaugh, were not, at the time of the said election, and are not now, citizens of the United States, or qualified electors of the Commonwealth of Pennsylvania, and were incompetent to act as such inspectors of elections in the said borough of Conemaugh; that at the said election, so held in the said borough of Conemaugh, John P. Linton was returned as having received one hundred and thirty-six votes for said office, and the said John J. Glass was returned as having received forty (40) votes for said office, in the First ward, and in the Second ward, said John P. Linton was returned as having one hundred and twelve votes, and said John J. Glass was returned as having thirty-three votes.

6th. That the election held on the day and year aforesaid, in the township of Summerhill, in the said county of Cambria, was not held and conducted by proper officers of elections, as required by the election laws of this Commonwealth; that William Dovan (judge) of elections in the said township of Summerhill, was not, at the time of the said election, and is not now, a citizen of the United States or qualified elector of the Commonwealth of Pennsylvania, and was incompetent to act as such judge of elections in the said township; that at the said election, so held in the said borough of Carrollton, John P. Linton was returned as having received one hundred and four votes for said office, and the said John J. Glass was returned as having received fifty-six votes for said office.

Your petitioners, therefore, pray that the whole vote of the said townships of Washington, Summerhill and Gallitzin, and the boroughs of Loretto, Conemaugh and Carrollton may be excluded from the returns of the said county of Cambria in the computation of the legal votes of said county for the representative to your honorable body.

7th. Your petitioners further aver that at the election so held, as aforesaid, in the township of Allegheny, and part of the said county of Cambria, votes to the number of two hundred (200) and upwards were received and taken by the election officers of said township, and were counted and returned in the general return of votes from said township, for the said John P. Linton, for the said office, from persons, none of whom were qualified electors in the said township.

8th. That at the election so held, as aforesaid, in the township of Blacklick, and part of the said county of Cambria, votes to the number of twenty-five (25) and upwards were received and taken by the election officers of said township, and were counted and returned in the general return of votes from said township, for the said John P. Linton, for the said office, from persons, none of whom were qualified electors in the said township.

9th. That at the election so held as aforesaid, in the township of Chester, and part of said county of Cambria, votes to the number of two hundred (200) and upward were received and taken by the election officers of said township, and were counted and returned in the general return of votes from said township, for the said John P. Linton, for the said office, from persons, none of whom were qualified electors in said township.

10th. That at the election so held as aforesaid, in the township of Carroll, and part of the said county of Cambria, votes to the number of two hundred (200) and upward were received and taken by the election officers of said township, and were counted and returned in the general return of votes from said township, for the said John P. Linton, for the said office, from persons, none of whom were qualified electors in said township.

11th. That the election so held as aforesaid, in the township of Clearfield, and part of the said county of Cambria, votes to the number of forty (40) and upward were received and taken by the election officers of said township, and were counted and returned in the general return of votes from said township, for the said John P. Linton, for the said office, from persons, none of whom were qualified electors in the said township.

12th. That at the election so held as aforesaid, in the township of Conemaugh, and part of the said county of Cambria, votes to the number of sixty (60) and upward, were received and taken by the election officers of said township, and were counted and returned in the general return of votes from said township, for the said John P. Linton, for the said office, from persons, none of whom were qualified electors in the said township.

13th. That at the election so held as aforesaid, in the township of Croyle, and part of the said county of Cambria, votes to the number of forty (40) and upward, were received and taken by the election officers of said township, and were counted and returned in the general return of votes from said township, for the said John P. Linton, for the said office, from persons, none of whom were qualified electors in the said township.

14th. That at the election so held as aforesaid, in the township of Gallitzin, and part of the said county of Cambria, votes to the number of eighty (80) and upward, were received and taken by the election officers of said township, and were counted and returned in the general return of votes from said township, for the said John P. Linton, for the said office, from persons, none of whom were qualified electors in the said township.

15th. That at the election so held as aforesaid, in the township of Munster, and part of the said county of Cambria, votes to the number of one hundred (100) and upward, were received and taken by the election officers of said township, and were counted and returned in the general return of votes from said township, for the said John P. Linton, for the said office, from persons, none of whom were qualified electors in the said township.

16th. That at the election so held as aforesaid, in the township of Summerhill, and part of the said county of Cambria, votes to the number of eighty (80) and upward, were received and taken by the election officers of said township, and were counted and returned in the general return of votes from said township, for the said John P. Linton, for the said office, from persons, none of whom were qualified electors in the said township.

17th. That at the election so held as aforesaid, in the township of Washington, and part of the said county of Cambria, votes to the number of two hundred (200) and upward, were received and taken by the election officers of said township, and were counted and returned in the general return of votes from said township, for the said

John P. Linton, for the said office, from persons, none of whom were qualified electors, in said township.

18th. That at the election so held as aforesaid, in the township of White, and part of the said county of Cambria, votes to the number of fifty (50) and upward, were received and taken by the election officers of said township, and were counted and returned in the general return of votes from said township, for the said John P. Linton, for the said office, from persons, none of whom were qualified electors in the said township.

19th. That at the election so held as aforesaid, in the borough of Cambria, in the said county of Cambria, votes to the number of one hundred and thirty (130) and upward, were received and taken by the election officers of said borough, and were counted and returned in the general return of votes from said borough, for the said John P. Linton, for the said office, from persons, none of whom were qualified electors of the said borough.

20th. That at the election so held as aforesaid, in the borough of Carrollton, in the said county of Cambria, votes to the number of twenty (20) and upward, were received and taken by the election officers of said borough, and were counted and returned in the general return of votes from said borough, for the said John P. Linton, for the said office, from persons, none of whom were qualified electors of said borough.

21st. That at the said election so held as aforesaid, in the First ward of the borough of Conemaugh, in the said county of Cambria, votes to the number of thirty (30) and upward, were received and taken by the election officers of said ward, and were counted and returned in the general return of votes from said borough, for the said John P. Linton, for said office, from persons, none of whom were qualified electors of the said ward.

22d. That at the said election so held as aforesaid, in the Second ward of the said borough of Conemaugh, votes to the number of thirty-five (35) and upward, were received and taken by the election officers of said ward, and were counted and returned in the general return of votes from said borough, for the said John P. Linton, for said office, from persons, none of whom were qualified electors of the said ward.

23d. That at the said election so held as aforesaid, in the borough of Millville, in the said county of Cambria, votes to the number of one hundred and fourteen (114) and upward, were received and taken by the election officers of said borough, and were counted and returned in the general return of votes from said borough, for the said John P. Linton, for said office, from persons, none of whom were qualified electors of the said borough.

24th. That at the election so held as aforesaid, in the borough of Prospect, in the said county of Cambria, votes to the number of twenty (20) and upward, were received and taken by the election officers of said borough, and were counted and returned in the general return of votes from said borough, for the said John P. Linton, for the said office, from persons, none of whom were qualified electors in the said borough.

25th. That at the election so held as aforesaid, in the borough of Loretto, in the said county of Cambria, votes to the number of forty (40) and upward, were received and taken by the election officers of said borough, and were counted and returned in the general return of votes from said borough, for the said John P. Linton, for the said office, from persons, none of whom were qualified electors in the said borough.

26th. That all the votes so fraudulently cast, as averred, in the seventh eighth, ninth, tenth, eleventh, twelfth, thirteenth, fourteenth, fifteenth, sixteenth, seventeenth, eighteenth, nineteenth, twentieth, twenty-first, twenty-second, twenty-third, twenty-fourth and twenty-fifth counts above, were and are included in the general return of votes for the said John P. Linton, for said office, from the said county of Cambria, as aforesaid, and ought to be excluded therefrom.

27th. Your petitioners further show that the officers of elections in the townships of Allegheny, Blacklick, Carroll, Chest, Clearfield, Conemaugh, Croyle, Gallitzin, Munster, Summerhill, Washington and White, and in the boroughs of Cambria, Carrollton, Millville, Prospect, Loretto, and the First and Second wards of the borough of Conemaugh, fraudulently permitted persons to vote in the said several townships and boroughs aforesaid, at the election aforesaid, for the said John P. Linton, for the office aforesaid, in direct violation of the provisions of the first, second and third sections of the act of the General Assembly of the Commonwealth of Pennsylvania, approved the fourth day of June, A. D. 1866, entitled A further supplement to the election laws of this Commonwealth, and that at the said several polls aforesaid, votes to the number of one thousand two hundred and upwards, were received and taken, and were counted and returned, and included in the general computation and return of votes of the said county of Cambria, from persons who were disqualified by the provisions of the said act of Assembly, all of which votes were for the said John P. Linton, for the said office.

28th. Your petitioners further show that the said John P. Linton, with a number of other persons, signed a circular, and printed or caused the same to be printed, and circulated, and delivered to the officers of elections of the several wards, boroughs and townships of the said county of Cambria, with the intent to intimidate the said officers of elections from performing the duties imposed upon them by the act of Assembly, passed, as aforesaid, and to compel the said officers of elections to receive the votes of persons who had deserted from the military or naval service of the United States, and had been deprived of citizenship by the act of Congress, approved March 3d, A. D. 1865, entitled An act to amend the several acts heretofore passed to provide for the enrolling and calling out the national forces, and for other purposes, and who were disfranchised by the act of Assembly, aforesaid, under a threat of incurring a heavy penalty thereby, by means of which many of the said officers of elections were intimidated, and permitted persons, disqualified, fraudulently to vote for the said John P. Linton for said office.

Wherefore, they pray that your honorable body will, in accordance with the provisions of the act of Assembly relating thereto, take such proceedings as are therein and thereby directed, and that you will award the seat, now illegally held by the said John P. Linton, to the said John J. Glass, the representative legally elected to your honorable body, from the county of Cambria aforesaid, and as in duty bound they will ever pray, etc.

Michael Adelsberger,	Jas. Conrad.
John B. Myers,	Francis J. Eberly,
Wm. Gwinn,	H. Foster,
P. Braniff,	John Thompson,
S. Fry,	D. J. Jones,
Daniel Miller,	Geo. A. Kinkead,
Chas. Miller,	A. Y. Jones,
Wm. J. Coch,	D. H. Roberts,
Peter M'Coy,	D. T. James,
E. C. M'Mullen,	Danl. J. Davis,
E. F. Lytle,	Benj. B. James,
M. S. Mean,	Wm. Clement,
T. S. Robinson,	R. H. Tuder,

Cambria county, ss:

Before me, a justice of the peace, in and for the said county, personally appeared, E. C. M'Mullen, Peter M'Coy, Francis J. Eberly, P. Braniff and T. S. Robinson, five of the above-named petitioners, who, being duly sworn according to law, do say that the facts above set forth are just and true, to the best of their knowledge and belief.

(Signed)

E. C. M'Mullen,	P. Braniff,
Peter M'Coy,	T. S. Robinson.
Francis J. Eberly,	

Sworn to and subscribed before me this the fourth day of January, A. D. 1867.

H. KINKEAD,
[Stamp.] Justice of the Peace.

Commonwealth of Pennsylvania,
County of Cambria, ss:

I, George C. K. Zahm, the Prothonotary of the Court of Common Pleas, in and for the county of Cambria, do hereby certify that the foregoing petitioners are duly qualified electors of the said county of Cambria, and were such electors on the second Tuesday of October last past.

Witness my hand and the seal of my office, at Ebensburg, this the fourth day of January, A. D. 1867.

GEORGE C. K. ZAHM,
[Seal.] Prothonotary.

Mr. BOYLE. Mr. Speaker, I offer the following resolution:

Resolved, That the House will proceed on Wednesday next, January 16, 1867, at 12 o'clock, M., to the selection of a committee to investigate and try the contested election in the case of JOHN P. LINTON, now a sitting member in this House, from the county of Cambria.

The resolution was read a second time.

Mr. MANN. Mr. Speaker, the gentleman will undoubtedly change this when he reflects, that, at 12 o'clock, on that day, the two Houses are to meet in convention to elect a United States Senator. On Wednesday the joint convention is to meet, but on Tuesday each House votes for Senator separately.

Mr. BOYLE. I have no objections to any other hour, so that it is on Wednesday.

The hour for drawing the committee was then changed to 11 o'clock, A. M., and The resolution was agreed to.

IN CONVENTION—RETURNS OF THE ELECTION FOR GOVERNOR.

The hour of 12 o'clock, M., having arrived, The Speaker and members of the Senate, escorted by the committee from the House, were introduced, when

The Speaker of the Senate took the chair as President of the convention.

The PRESIDENT. The convention will come to order. Gentlemen of the convention, this is the day and hour fixed by law for the assembling of the Speaker and members of the Senate and Speaker and members of the House of Representatives in joint convention, for the purpose of opening and publishing the official returns of the vote for Governor, given at the election held in October last. The clerks will now proceed to read the returns from Adams county, and the other several counties in this Commonwealth.

Mr. JOHN S. MANN acted as teller on the part of the House, and Mr. L. D. SHOEMAKER acted in the same capacity on the part of the Senate.

The returns were then read as follows:

COUNTIES.	John W. Geary.	Hiester Clymer.
Adams	2,910	3,126
Allegheny	20,511	12,795
Armstrong	3,758	3,078
Beaver	3,310	2,385
Bedford	2,591	2,835
Berks	7,121	13,288
Blair	3,520	2,768
Bradford	7,134	3,091
Bucks	6,805	7,399
Butler	3,544	3,061
Cambria	2,043	3,205
Cameron	374	303
Carbon	1,906	2,339
Centre	3,954	3,565
Chester	8,500	2,221
Clarion	1,776	2,813
Clearfield	1,650	2,786
Clinton	1,754	2,337
Columbia	1,965	3,583
Crawford	6,714	4,969
Cumberland	4,030	4,567
Dauphin	5,691	4,301
Delaware	3,647	2,262
Elk	376	916
Erie	7,237	3,957
Fayette	3,569	4,359
Forest	100	76
Franklin	4,299	4,106
Fulton	775	1,055
Greene	1,699	3,230
Huntingdon	3,248	2,239
Indiana	4,458	2,109
Jefferson	2,015	1,912
Juniata	1,516	1,814
Lancaster	14,592	8,592
Lawrence	3,560	1,410
Lebanon	4,194	2,696
Lehigh	4,159	5,731
Luzerne	8,733	12,387
Lycoming	3,871	4,448
M'Kean	877	714
Mercer	4,416	3,757
Mifflin	1,725	1,835
Monroe	705	2,699
Montgomery	7,286	8,342
Montour	1,130	1,523
Northampton	3,859	6,870
Northumberland	3,361	3,829
Perry	2,681	2,495
Philadelphia	54,205	48,817
Pike	360	1,084
Potter	1,346	620
Schuylkill	8,793	10,514
Snyder	1,792	1,326
Somerset	3,062	1,759
Sullivan	436	761
Susquehanna	4,429	2,981
Tioga	4,791	1,628
Union	1,991	1,287
Venango	4,409	3,492
Warren	2,687	1,572
Washington	4,977	4,712
Wayne	2,357	2,883
Westmoreland	5,046	6,113
Wyoming	1,408	1,499
York	5,896	8,780
Totals	307,274	290,096

Giles Lewis received one vote in Susquehanna county.

From which it appeared that

John W. Geary received 307,274 votes.
Hiester Clymer, " 290,096 "
Giles Lewis, " 1 "

The PRESIDENT. John W. Geary, of Cumberland county, having received the highest number of votes, is hereby declared duly elected Governor of the Commonwealth for the ensuing three years.

The Clerk will now read one of two certificates which have been signed and sealed by the Speaker of the Senate, and the Speaker of the House of Representatives, and signed by the tellers of the convention.

The Clerk then read as follows:

We, the Speaker of the Senate and Speaker of the House of Representatives of the Commonwealth of Pennsylvania, do certify that the Speaker of the Senate did, on the tenth day of January, Anno Domini one thousand eight hundred and sixty-seven, in the Hall of the House of Representatives, in the State Capitol, open the returns of the election for Governor of this Commonwealth, and publish the same in the presence of both Houses of the Legislature, conformably to the Constitution of said Commonwealth, and that upon counting the votes by a teller, appointed on the part of each House, it appeared that John W. Geary had the highest number of votes. Whereupon the said John W. Geary was declared to have been duly elected Governor of the Commonwealth.

In testimony whereof, we have hereunto set our hands and seals, the day and year above written.

Signed L. W. HALL, [L. S.]
Speaker of the Senate.
Signed JOHN P. GLASS, [L. S.]
Speaker of the House of Representatives.
Signed L. D. SHOEMAKER, Teller on the part of the Senate.
Signed JOHN S. MANN, Teller on the part of the House of Representatives.

The convention then, on motion, adjourned.

Mr. MANN. Mr. Speaker, I have the honor to report, as teller appointed to act at the joint convention of the Senate and House of Representatives, that the convention met according to the act of Assembly, and that, upon the returns being opened and published, it appeared that John W. Geary had received the highest number of votes, and he was, therefore, declared elected Governor of this Commonwealth for the ensuing three years.

The report was

Laid on the table.

The SPEAKER. The hour of 1 o'clock having arrived, this House stands adjourned until to-morrow morning at 11 o'clock.

SENATE.

THURSDAY, January 10, 1867.

The Senate met and was called to order at 11 o'clock, A. M., by the SPEAKER.

On motion of Mr. GLATZ, the reading of the Journal of yesterday was dispensed with.

PETITIONS.

Mr. DAVIS presented the petition of Jacob Hurst, of Reading, asking for an increased pension.

Referred to the Committee on the Judiciary Local.

REPORTS FROM COMMITTEES.

Mr. CONNELL, from the Committee on Finance, reported, as committed, bill entitled An act to authorize the payment of the State agents at Washington.

Mr. LANDON (same), as committed, bill entitled An act to exempt the property of the Beaver cemetery association from taxation.

Mr. WALLACE (Judiciary General), as committed, bill entitled an act to extend the provisions of the act concerning the sale of railroads, canals, turnpikes, bridges and plank roads, to sales made or to be made under or by virtue of a process of sale in a mortgage or deed of trust, without general process or decree.

Mr. SHOEMAKER (same), as committed, bill entitled A further supplement to an act entitled An act for the better security of the city of Philadelphia from the dangers incident to the refining and improper and negligent storage of petroleum, benzine, benzole or naptha, approved March 2d, 1864.

Mr. SCHALL (same), as committed, bill entitled Supplement to an act relative to landlords and tenants, approved December 14, 1863, extending the provisions thereof to cases of descent and purchase.

Mr. COWLES (Judiciary Local), as committed, bill entitled An act to authorize the collection of money for school purposes in the borough of Tidioute, Warren county.

Also (same), as committed, bill entitled A supplement to an act increasing the fees of district attorneys in several counties of this Commonwealth.

Mr. STUTZMAN (same), as committed, bill entitled An act to extend the provisions of the first section of the act, approved the 11th day of April, 1866, relative to regulating the fees of district attorney in Bradford county to the county of Centre.

Also (same), as committed, bill entitled An act to authorize the construction of a sewer from Tremont street, in the city of Allegheny, along Island lane and Washington street, in the borough of Manchester, to the Ohio river.

Mr. DAVIS (same), as committed, bill entitled An act supplementary to an act entitled An act providing for the erection of a poor house in the county of Lawrence.

Also (same), as committed, bill entitled An act to authorize the school directors of the borough of Sewickly to collect the balance of the county tax in said borough.

Mr. M'CONAUGHY (Judiciary General), with a negative recommendation, a bill entitled An act to authorize married women to contract for the renting of houses and the payment of rent, and defining the manner in which the same may be recovered.

BILLS IN PLACE.

Mr. RIDGWAY read in his place and presented to the Chair bill entitled An act to promote the more certain and equal assessment of taxes in Philadelphia, approved March 14, 1865.

Referred to the Committee on Finance.

Mr. WALLACE, a bill entitled an Act authorizing tender of money to be made after suit brought.

Referred to the Committee on the Judiciary General.

Mr. BROWN (Mercer), a bill entitled an Act to regulate the carriage of passengers and baggage by railroad companies, and to prescribe the duties and obligations of carriers and passengers in relation thereto.

Referred to the Committee on the Judiciary General.

Mr. CONNELL, a bill entitled an Act to authorize the Governor to appoint a person to visit prisons.

Referred to the Committee on the Judiciary General.

Also, a bill entitled A further supplement to an act to authorize Woodland street, in the Twenty-fourth ward of the city of Philadelphia, to be graded, curbed and paved, approved the 27th day of May, A. D. 1863, repealing the proviso to the first section of the supplement thereto, approved the 17th day of April, A. D. 1866.

Referred to the Committee on Roads and Bridges.

Also, a bill entitled A further supplement to an act, passed May 16th, A. D. 1861, entitled an Act to authorize the erection of a free bridge over the Schuylkill at Fourth street, in the city of Philadelphia.

Referred to the Committe on Roads and Bridges.

Mr. STUTZMAN, a bill entitled an Act changing the time of holding the courts in the Sixteenth Judicial district.

Referred to the Committee on the Judiciary Local.

Mr. SHOEMAKER, a bill entitled A supplement to an act entitled an act to incorporate the Wilkesbarre and Pittston railroad company, approved April 15, 1859.

Referred to the Committee on Railroads.

Mr. DAVIS, a bill entitled A further supment to an act entitled An act granting a pension to Jacob Hurst, approved March 27th, 1866.

Referred to the Committee on Pensions and Gratuities.

MESSAGES FROM THE GOVERNOR.

The Secretary of the Commonwealth being introduced, presented the following messages, in writing, from the Governor:

EXECUTIVE CHAMBER,
HARRISBURG, January 10, 1867.

To the Senate and House of Representatives of the Commonwealth of Pennsylvania:

GENTLEMEN—The following acts passed at the last session of the General Assembly, to wit:

Senate bill No. 1099, an act to incorporate the Euresco iron, coal and oil company.

Senate bill No. 1105, an act to validate the election of David Y. Custer, a justice of the peace, in East Coventry township, Chester county.

Senate bill No. 1134, a further supplement to the act incorporating the city of Harrisburg, providing for special elections for councilmen and aldermen, and confirming the election of an alderman in the Second ward.

Senate bill No. 215, an act relative to the West Branch coal, iron ore and lumber company.

Senate bill No. 708, an act to enable iron manufacturing and mining corporations to borrow money.

Senate bill No. 810, an act to incorporate the Delaware coal oil and iron company.

Senate bill No. 1102, an act to incorporate the Edinboro' silver mining company.

Senate bill No. 1380, an act to incorporate the Miners' coal and iron company.

Senate bill No. 1367, an act to incorporate the Plaines coal and iron company.

Senate bill No. 811, an act to incorporate the Glenwood coal company.

Senate bill No. 546, an act to enable guardians and trustees to convey real estate in certain cases in the county of Schuylkill.

Senate bill No. 864, a supplement to an act entitled An act relating to corporations for mechanical, manufacturing, mining and quarrying purposes, approved the eighteenth day of July, one thousand eight hundred and sixty-three.

Senate bill No. 1188, an act to extend the time for the payment of the enrollment tax on an act to incorporate the Hunts' Run navigation company.

House bill No. 702, an act to attach so much of the lands of Elisha Robinson, Sr., as lies in Allegheny township, Butler county, to the Hovey school district, in Perry township, Armstrong county.

House bill No. 445, an act for the relief of certain banks of this Commonwealth.

House bill No. 769, an act to incorporate the West Sunbury petroleum and improvement company, of Butler county, Pennsylvania.

House bill No. 925, an act declaring Mix run, in Cameron and Elk counties, a public highway, and authorizing certain persons to maintain and keep the same open and clear of all obstructions.

House bill No. 1446, an act to incorporate the Glade Run coal and iron company.

House bill No. 1029, an act to incorporate the Conestoga vineyard company.

House bill No. 1036, an act to incorporate the Wilkesbarre Mutual coal company,

House bill No. 1101, supplement to an act to incorporate the Spring Mountain coal company, approved the 21st day of May, A. D. 1864.

House bill No. 761, an act to incorporate the Ruby mining company.

House bill No. 1496, an act to incorporate the Centre coal, iron and lumber company.

House bill No. 1535, an act to incorporate the Trout Run navigation company.

House bill No. 828, an act for the relief of the security of John S. Pomroy, late prothonotary of Lawrence county, deceased,

House bill No. 1822, an act relative to bounties in Brady township, Butler county,

Were presented to me within ten days of the final adjournment, and not having been returned to the present Legislature within three days after their meeting, they have, agreeably to the Constitution, become laws in like manner as if I had signed them.

(Signed) A. G. CURTIN.

RULES OF THE SENATE.

Mr. WORTHINGTON moved that Rule 37 of the Senate, adopted in 1862 and reconsidered in 1863, be restored.

The rule was read as follows:

37TH RULE. It shall require a vote of two-thirds of the Senate to discharge a standing committee from the consideration of any bill or resolution which has been committed to it.

Mr. BIGHAM. Does it not require some notice to change our rules?

The SPEAKER. I do not know, sir.

Mr. BIGHAM. I raise a point of order upon that. I do not intend that rule to be restored without a fight on this floor.

The SPEAKER. I hope the Senator will not make such a fight that I shall be compelled to call anybody to order.

Mr. BIGHAM. Mr. Speaker, I raise another point of order. There was a special order made for this morning, which takes precedence of all others—the constitutional amendments were made the special order for to-day, and they take precedence of everything else.

The SPEAKER. The constitutional amendments come up after the regular order. The constitutional amendments do not come up until the regular orders are gone through with.

Mr. BIGHAM. There was a reason for repealing that rule. There are reasons why it appears to me improper, and I would prefer not to discuss it this morning.

The rule was again read.

Mr. BIGHAM. Mr. Speaker, there was a reason for this rule. So far as our committees are concerned, in this body, we have very little difficulty in getting bills reported from them. On one or two subjects, however, since I have been in this Senate, there has been great difficulty. One or two committees have taken the responsibility of not reporting bills that were sent to them within three days after the commencement of the session, till within three days of the end.

The restoration of this rule simply gives to one-third of the members on this floor the absolute control of this Senate. This is no speculative case, that such a thing may occur—it has occurred—and therefore I hope that this rule will not be restored. This Senate will never discharge a committee until that committee has had a reasonable time to examine bills.

Now, I should like to know from the very respectable Senator from Chester [Mr. WORTHINGTON] some reason why this rule should be restored in all its entirety; why one-third of the members of this body shall be permitted, for a whole session, to control the other two-thirds. During the past two winters, since this rule has been abolished, I have been a member of this body; and I am not aware of any difficulty having occurred from the repeal of this rule. I hope the Senate will be permitted to go on as they have done for the last two years. If necessary we can modify the present rules, if questions are raised and committees asked to be discharged, but until such is the case, and in view of the past facts in reference to this subject, I hope this rule will not be rescinded.

Mr. WORTHINGTON. Mr. Speaker, it must be apparent to any Senator who has occupied a seat on this floor for the past year or two, that we are in constant danger of running into hasty legislation. We have seen it already this year. Bills have been sent already to the Clerk's desk, and were read, and the committees discharged, when those bills were actually not in proper form; when even the titles of those bills were of such a character that they could not become laws. The Constitution requires the object of a bill to be clearly and explicitly stated in the title. A large number of these bills that are prepared and hurried through this body in that way, are of such a character. Now, I do protest against this hasty legislation. I say that any subject requiring the deliberate consideration of this body ought to come to the committee and there be examined, and well examined, not only to see whether the phraseology of that bill, the title and the body of the bill be in accordance with the Constitution, but also to see whether it is a proper subject of legislation for this body. Now, it is alleged by my friend from Allegheny [Mr. BIGHAM] that this would put the whole power into the hands of a minority of this body—that the adoption of this rule would make one-third of this body the controlling power with regard to the legislation which should come before these committees.

You must have power to compel a committee to make a report, if they refuse to do so; therefore, there is no injustice in it. It is still in the power of the majority to say whether they shall make a report or not; and whenever a majority of the members say that a committee must make a report, they have to do it. So it is entirely thrown upon the majority at last. But I regard this rule as a salutary rule, and as one proper for legislation. We should not go forward in this rapid and thoughtless mode of reading bills in place and discharging the committees before Senators know what these bills contain. I think this rule is a salutary and just rule, and I have heard nothing from my friend from Allegheny [Mr. BIGHAM] to change my opinion. I trust this Senate will throw this safeguard around their action by following this rule, among the others we shall be guided by. It is only two years ago that it was rescinded. Why it was changed I do not recollect now, nor do I care; but I think it one of the best rules in the whole catalogue of rules, and I hope it will be adopted and that we shall adhere to it.

Mr. LOWRY. Mr. Speaker, this rule, sir, was changed on my motion, for a good and sufficient reason, as it was believed at that time. This rule, sir, was changed because under it this Senate was not only at the mercy of a minority, but was at the mercy of three men. Take, for instance, the Committee on Corporations; there are five members of that committee; three members of that committee could refuse to report a bill, and it would take two-thirds of the Senate in order to discharge that committee. Take, sir, the Committee on Railroads; that committee was composed of five men; three men, sir, have held for years in this body, against the wishes of the people of Pennsylvania, a general railroad law. Repeal this, sir, and you give these three men the power to hold on to a general railroad law, and you place the general railroad law of this Common-

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[CONTINUED FROM PAGE 48.]

wealth at the mercy of one-third of the members of this body. Now, sir, I am not going into a full discussion of this question; it is well understood. And unless we admit to the world in advance that these great measures of reform shall not be crushed—unless we are prepared to admit to the world in advance that we will keep them where they now are, we should not vote to establish this rule. I shall not vote, sir, at this time, at all events, to establish a rule here that places us at the mercy, at all times, of a minority of the Senate, and even at the mercy of three men of the Senate.

Mr. WALLACE. It appears to me, sir, the experience of the past in reference to this rule should teach us that it is unwise to attempt to re-establish it in this body. It is well known that it has not been beneficial in the past. A majority of this Senate should have control over all subjects of legislation that come before it; and it is placing upon this Senate a curb and chain, in order to prevent it from doing those things that it by right ought to do. The case of the Senator is well put, that a bill may be held in committee during a whole session; it has been done, and will again be done. I do not charge the Senator from Chester with making any such attempt. But what has been done may again be done. As the committee are the creature of the Senate, they should be under the power of the Senate, and directed to make reports when the Senate saw fit so to direct them. The cases put by the Senator from Chester [Mr. WORTHINGTON] in reference to hasty legislation do not affect this question at all. If a majority of the Senate agree to hasty and imperfect legislation, we all know that two-thirds of the Senate will agree to the same thing. Laws are passed here as if by rote, and the bills thus passed are not of the character that this rules operates upon. It is bills of vital importance it operates upon, in such a way that three men of a committee may actually hold the whole Senate at defiance. It appears to me that we ought not to re-establish this rule.

Mr. SEARIGHT moved to postpone the subject for the present.

Mr. BIGHAM. If the Senator from Fayette [Mr. SEARIGHT] will allow me, I would move to postpone it indefinitely.

The Chair decided that the motion to postpone indefinitely was debatable.

Mr. SEARIGHT. That is the very reason I made my motion to postpone for the present. The constitutional amendments were made the order for this morning, and it is manifest that this subject will lead to a long discussion, and probably occupy the whole session, so that we shall not be able to reach this order at all.

Mr. LANDON. Mr. Speaker, if the proposition is here made, sir, to put the control of this body in the hands of three committemen, I am opposed to it. If a proposition is introduced to put the control into the hands of one-third of the members of this body, I am opposed to it. But a moment's consideration will show that neither idea is proposed. I was very glad, sir, to hear the plain, sensible remarks of the Senator from Chester [Mr. WORTHINGTON]. Now, sir, when bills of importance are referred to a committee, it is for the purpose simply of investigating them. When such a bill comes here from that committee and I am called upon to vote upon it, sir, I have a right to the presumption that that committee has investigated the subject; and if they report the bill promptly I have a right to think that bill all right. I cannot examine every bill myself; I have to act upon it in part, at least, from their recommendation. Hence the propriety of giving committees a full opportunity to examine; hence the impropriety of taking bills out of their hands before they can give them full consideration. Take, for instance, the Committee on Corporations. A large amount of business is committed to their consideration. They must have time. By resolving they shall not be discharged, save by a two-thirds vote, time for proper consideration is secured. If the committee manifest a disposition not to report at all, the Senate can require them to report by a mere majority vote. By the passage of the proposed rule we put ourselves beyond the control of action, whether in or out of committees.

Mr. WHITE. Mr. Speaker, I did not intend to say a word upon this subject. The reasons against the motion of my friend from Chester [Mr. WORTHINGTON] have been so well expressed by my friends, the Senator from Allegheny [Mr. BIGHAM], the Senator from Erie [Mr. LOWRY], and the Senator from Clearfield [Mr. WALLACE], that I did not feel like adding anything to them. But when the motion was made to postpone for the present, it was clear that this subject would come up again. Hence, I made the motion to postpone the question indefinitely, so as to settle the whole matter at this time. While I say this, there is one consideration occurring to me that has not been mentioned. I do not know whether my friend, the Senator from Chester [Mr. WORTHINGTON], was correct in saying that this rule was adopted in 1862. At all events, if it was adopted in 1862, after the experience of two years it was changed, and the experience of two years has demonstrated the wisdom of allowing the majority of this body to control. That is in obedience, sir, to the good old Democratic doctrine that the majority shall rule.

It is necessary that the Senate should be consistent. If we have the two-thirds rule adopted again, we are in this situation: Any gentleman may rise in his place and suggest a motion that the Committee on Railroads, if you please, report a specific bill. It is perfectly clear that a majority of this body would agree to that motion. What is the duty of that committee? It refuses to obey the instructions of the Senate; a motion is introduced that the committee be discharged and the Senate proceed to the consideration of the bill; they refuse to do it. What is the committee to do in reference to that bill?—Sir, I want to see our action here harmonious, and the best way is to let the majority rule in this body.

Mr. M'CONAUGHY. Mr. Speaker, I hope the motion to postpone indefinitely will not prevail. I hope that the subject will be carefully considered and determined. If the Senate is not prepared now to do so, it may be at some future time. I think we should look at this motion in the light of experience. The same rule prevails in the House of Representatives at Washington, and I believe that its workings have there been found most salutary. The same rule prevails in the lower House of the Legislature of Pennsylvania.

In reply to the Senator from Indiana [Mr. WHITE], who uses the popular argument, the good old rule, that the majority should control, I will say that, that is not applicable. This is a question as to the proper course of legislation. If it involved the idea suggested by the Senator, that the majority should control, the argument would be good; but it does not. Does the Senator deny the position that the Senate has the power to order a committee to report?

Mr. WHITE. Mr. Speaker, to reply to the Senator's question, I concede that we have that right. But let me ask, what will be the situation of the bill they have in charge if they refuse to obey the instructions?

Mr. M'CONAUGHY. Mr. Speaker, most assuredly the Senate has the power to enforce its order—the same in that case as in others. The supposition of the question is that the Senate is powerless to enforce its own orders. If so, it is not an effective legislative body; but the question is unanswered by pointing to the fact that the majority is not deprived of its control. It is the most discreet mode of proceeding in order to have perfect legislation. As I said in opening my remarks, the experience in the other branch, and in Congress, all concur in the wisdom of it.

Mr. WALLACE. Mr. Speaker, I find by reference to the record that this rule was in operation but a single year. It was repealed in 1863. A committee was appointed in 1863 to take the rules into consideration; a report was made adopting this rule, and it was adopted; so that the rule was in operation but a single year. Now, I will direct a question to the Speaker. As I understand the standing rule of the Senate now to be, it requires two-thirds of the members present to dispense with a standing rule of the body. Then, Mr. Speaker, will it not require a two-thirds vote of this body to change the rules and adopt this rule?

The SPEAKER decided that it would not.

Mr. WALLACE. Will it not be a change of the rule which requires a majority vote? I understand the rule to be now that a majority may discharge a committee. Now, will

it not be a change of that rule, if two-thirds be required to discharge a committee, and will not two-thirds be necessary to change the rule? The question will arise when we come to dispose of the subject.

The SPEAKER. Does the Senator raise a point of order?

Mr. WALLACE. No, sir.

The SPEAKER. decided that it would require but a bare majority to adopt a standing rule for the Senate; but that it would require a two-thirds vote to rescind or change a standing rule.

Mr. BIGHAM. Mr. Speaker, the decision of the Chair is the most overwhelming argument in favor of defeating this motion that has been made. A bare majority, according to that decision, has the power to bind two-thirds of this Senate during the entire session.

The Senator from Adams [Mr. M'CONAUGHY] has referred to the experience at Washington. Mr. Speaker, we have our own experience. The Senate of Pennsylvania has perhaps learned something of its own. From the existence of this Government until 1862, we got along without this rule. This rule—why should I disguise it?—this rule was established to prevent a majority of this body passing a bill in 1862, that passed the House of Representatives, the bill to repeal the act in reference to the tonnage tax passed in 1861.

What's the use of disguising it? It was passed to prevent the repeal of an act coming under the control of a majority of this Legislature. It answered its purpose in 1862.—After that, having accomplished its purpose, it was silently permitted to slumber, and now seems to be resurrected. The experience of the last two years since I have been a member of this body, my own observations, and the interests of my constituents is that this rule should not be established. It has been used to defy the wishes of my constituents for two years.

In reference to the argument about general legislation it has had nothing to do. I am sorry that there is so much laxity in the body in discharging a committee. I have not asked three times to have a bill taken up without going to a committee. I wish that was the universal rule. But any half dozen members, if they show a disposition to sustain the rules, can do it. It only refers to the action on two or three subjects which may come before us. In the history of this Senate for some eighty years this rule has existed but one single year. It was devised for a particular purpose. I was not a member of this body at the time; but we all understand the object for which it was devised. It answered its purpose then and I hope it will not be re-established, especially as the Speaker has indicated that a majority can re-establish it, which puts it beyond the power of two thirds during the whole session.

Mr. BROWNE (Lawrence). Mr. Speaker, the Senator from Chester [Mr. WORTHINGTON] has urged as a reason for the restoration of this rule, that we have in some instances too easily discharged committees and put bills on their final passage. It seems to me that this reason is not applicable to the case, for I have noticed that while it is true that bills have passed here very rapidly, it was only in cases where there was scarcely any vote of the Senate whatever upon the question. The fact is that bills have been put upon their final passage simply by the vote of one or two members, no one objecting. If you had a rule that a nine-tenths majority should be necessary to discharge a committee, you would have had the same result in the cases referred to. It would always be the case where interests of general importance were not involved so as to call out a full vote, while in the case of those bill where there are great and general interests involved, a majority of this body would be bound by this two-thirds rule, and our bills left hopelessly in the hands of a committee. Sir, my experience does not date so far back as that of the Senator from Allegheny [Mr. BIGHAM], but so far as it does go, I have to say that bills in which my constituents were interested could not be obtained from the committees without trouble, delay and risk of losing them. I have, therefore, come to the conclusion not to vote to put a fetter upon the rights of my constituents by voting for the restoration of this rule. We have been injured, not by too much liberty, but by the tyranny of a few men in a committee. For these reasons I am opposed to the restoration of this rule; and if, on the contrary, my vote could make a rule that one-third could discharge a committee, I would give it.

Mr. WORTHINGTON. Mr. Speaker, I have a single remark to make. It is well known that the Senate has heard this motion and listened for an hour to the views which were given on the ground of imperfection; and there are several bills that have been read in place already which are in the same condition, and if they had passed this branch they would have been returned here, vetoed, merely on account of this imperfect and hasty action on our part. Now, are we doing justice to ourselves, if we should, day after day, pass bills through this chamber or through this Legislature, which, when they came to be carefully and legally examined, have to be returned to us as not in accordance with the Constitution? I see no reason why we should not put some restrictions at least over these and over all actions of this body, that these committees may have time to examine those bills. Now, if the argument is good in the other branch, why should it not work well in this smaller body? Have we the power to see what they cannot see? Our process is the same as theirs, and if it is proper for them to adhere to this rule, it is proper that we should adhere to it. I may be mistaken, but my impression is that if the introduction of this rule was good at one time, why is it not good now? My mind is clear upon this subject, that this rule should be adopted.

On the motion to postpone the subject indefinitely,

The yeas and nays were required by Mr. WORTHINGTON and Mr. LOWRY, and were as follow, viz:

YEAS—Messrs. Bigham, Billingfelt, Browne (Lawrence), Brown (Mercer), Coleman, Cowles, Fisher, Graham, Lowry, M'Candless, Searight, Stutzman, Wallace and White—14.

NAYS—Messrs. Burnett, Connell, Davis, Donovan, Glatz, Haines, Jackson, James, Landon, M'Conaughy, Randall, Ridgway, Schall, Shoemaker, Taylor, Walls, Worthington and Hall, *Speaker*—18.

So the question was determined in the negative.

During the call the SPEAKER said: Before I vote on this question I desire to state the reasons which govern me. I find before me that the rule which has been referred to was adopted on motion of the Senator from Erie [Mr. LOWRY] in 1862. I believe it to be a good rule and a wise rule. It is the rule of every parliamentary body that I know anything about, except this, and I see nothing in the rules now in existence that conflicts with it, except the practice which has grown up, and which has led to the discharge of committees without any consideration of bills—important and unimportant—a vicious practice that grew up prior to 1862, and which was, in my judgment, much less frequent during that session than before. I therefore vote "no."

The question then recurred on postponing the further consideration of the subject for the present, and on that motion

The yeas and nays were required by Mr. BIGHAM and Mr. LOWRY, and were as follow, viz:

YEAS—Messrs. Bigham, Billingfelt, Browne (Lawrence), Brown (Mercer), Burnett, Coleman, Connell, Cowles, Davis, Fisher, Graham, Haines, Lowry, M'Candless, Searight, Shoemaker, Stutzman, Taylor, Wallace and White—20.

NAYS—Messrs. Donovan, Glatz, Jackson, James, Landon, M'Conaughy, Randall, Ridgway, Royer, Schall, Walls, Worthington and Hall, *Speaker*—13.

So the question was determined in the affirmative.

ELECTION RETURNS FOR GOVERNOR.

Messrs. QUAY and MARKLEY, a committee from the House of Representatives, being introduced, informed the Senate that the hall of the House of Representatives was ready for the reception of the Senate, for the purpose of opening and publishing the official returns of the votes given on the second Tuesday of October, A. D. 1866, for Governor of the Commonwealth; whereupon

The Senate proceeded to the hall of the House of Representatives.

After some time, the Senate having returned to its chamber,

Mr. SHOEMAKER, teller on the part of the Senate, made a report, which was read as follows, viz:

That the Speaker and members of the Senate and House of Representatives met in the hall of the House of Representatives at 12 o'clock this day; that the Hon. Louis W. HALL, Speaker of the Senate, in pursuance of the Constitution and laws of the Commonwealth, did then and there proceed to open and publish the official returns of the election for Governor, held on the second Tuesday of October, A. D. 1866, in the city of Philadelphia and the several counties of the Commonwealth.

[See House proceedings.]

From which it appeared that
John W. Geary received 307,204 votes.
Hiester Clymer received 290,096 votes.
Giles Lewis received 1 vote.

John W. Geary, of Cumberland county, having received the highest number of votes, was declared, by the Speaker of the Senate, to be duly elected Governor of the Commonwealth for the ensuing three years.

That two certificates of the result were signed by the Speaker of the Senate and the Speaker of the House of Representatives, one of which was deposited by the Speaker of the Senate in the office of the Secretary of the Commonwealth, and the other, attested in like manner by the Speaker of the Senate and the Speaker of the House of Representatives, was transmitted to the Governor elect.

The following is a copy of one of said certificates:

We, the Speaker of the Senate and Speaker of the House of Representatives of the Commonwealth of Pennsylvania, do certify that the Speaker of the Senate did, on the 10th of January, A. D. 1867, in the Hall of the House of Representatives, in the State Capitol, open the returns of the election for Governor of this Commonwealth, and publish the same in the presence of both Houses of the Legislature, conformably to the Constitution of said Commonwealth, and that upon counting the votes by a teller appointed by each House, it appeared that John W. Geary had the highest number of votes; whereupon the said John W. Geary was declared duly elected Governor of the Commonwealth.

In testimony whereof we have hereunto set

our hands and seals the day and year above written. LOUIS W. HALL, [L. S.]
Speaker of the Senate.
JOHN P. GLASS, [L. S.]
Speaker of the House.
L. D. SHOEMAKER, Teller on the part of the Senate.
JOHN S. MANN, Teller on the part of the House.

Laid on the table.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

The Clerk of the House of Representatives being introduced, returned bills from the Senate numbered and entitled as follows:

No. 25, an act to authorize the Freedom iron and steel company to issue and dispose of lands of the said company convertible into capital stock, and to secure them by a mortgage, granting certain powers to facilitate the mining, manufacturing, transportiug and vending business of said company,

With information that the House of Representatives has passed the same without amendments.

He also informed the Senate that the House of Representatives has concurred in amendments made by the Senate to bill from the House numbered and entitled as follows:

No. 6, supplement to an act to provide for the erection of a poor house for the better relief and employment of the poor in the township of Oxford and town of Dublin in the county of Philadelphia, approved April 18, 1807.

The Clerk of the House of Representatives being introduced, presented for concurrence bills numbered and entitled as follows, viz:

No. 19, an act authorizing an additional justice of the peace in the borough of Towanda, in the county of Bradford.

Referred to the Committee on the Judiciary Local.

No. 20, a supplement to an act increasing the fees of jurors and witnesses in and for the counties of Armstrong, Franklin, Schuylkill and Westmoreland, approved the 27th day of March, A. D. 1866.

Referred to the Committee on the Judiciary Local.

No. 4, an act to establish a ferry over the Allegheny river at or near the mouth of Big Scrubgrass, in Venango county.

No. 9, an act to incorporate the Littlestown Savings Institution.

No. 12, a supplement to the act incorporating the Sullivan land company, authorizing said company to sell or exchange lands,

With information that the House of Representatives has passed the same without amendments.

He also informed that the House of Representatives has concurred in resolution from Senate relative to that part of the Governor's message which refers to the maintenance of such of our soldiers as are in poverty and have been so maimed as to prevent them from securing a livelihood; and has

Ordered, That Messrs. FREEBORN, HOFFMAN and CHADWICK be the committee on the part of the House of Representatives.

He also returned from the Senate bill numbered and entitled as follows, viz:

No. 5, an act to define the time and regulate the manner of electing Senators to represent this State in the Senate of the United States,

With information that the House of Representatives has passed the same with amendments, in which the concurrence of the Senate is requested.

On motion of Mr. FISHER and Mr. LOWRY, said amendments were twice read, considered and concurred in.

ADJUTANT GENERAL'S REPORT.

On motion of Mr. WHITE, the following resolution was twice read and

Agreed to:

Resolved, That there be printed for the use of the Senate five thousand copies of the Adjutant General's report, and that they be bound in a style to correspond with previous volumes.

MESSAGE FROM THE GOVERNOR.

The Secretary of the Commonwealth being introduced, presented a message, in writing, from the Governor, which was read as follows:

EXECUTIVE CHAMBER,
HARRISBURG, January 10, 1867.

To the Senate and House of Representatives of the Commonwealth of Pennsylvania:

GENTLEMEN—I have approved and signed the following acts of the last General Assembly, to wit:

On 12th April, 1866:

An act to authorize the appointment of phonographic reporters for the district court for the county and city of Philadelphia.

An act relative to the Johnstown manufacturing company.

An act to incorporate the Western express company.

An act to incorporate the Oil Tank improvement company.

A further supplement to an act to incorporate the village of Hyde Park into a borough, passed the fourth day of May, 1852, supplement passed the 25th day of March, 1864.

An act to incorporate the Bright oil company.

An act to authorize the Fall Creek bituminous coal company to increase its capital stock.

An act to incorporate the People's line of steamers on the Monongahela river.

An act to change the venue in the case of John Lennox from the county of Washington to the county of Beaver.

An act to authorize the Erie and Allegheny railroad company to purchase the Erie and Waterford plank road, to repeal a portion of the first section of an act, approved March twenty-second, one thousand eight hundred and sixty-five, to fix the number of directors, and borrow money, and to erect and operate telegraph lines.

A further supplement to an act to establish a health office, and to secure the city and port of Philadelphia from the introduction of pestilential and contagious diseases, passed January twenty-ninth, one thousand eight hundred and eighteen.

Supplement to an act incorporating the Scranton gas and water company, approved March sixteen, eighteen hundred and fifty-four.

An act authoriziog a special tax in the borough of McKeesport, and to grade, curb and pave, or otherwise open and improve the streets, lanes, alleys, etcetera, of said borough.

An act to incorporate the borough of Mount Washington in Allegheny county.

An act to establish a public ferry at or near the mouth of the Juniata river, on the great road leading across the said river, from Duncannon, in the county of Perry, to Benvenue, in the county of Dauphin.

An act authorizing the Van Dusen oil company to borrow money.

An act for the better prosecution of disorderly persons in the borough of Duquesne.

An act to incorporate the Board of Foreign Missions of the United Presbyterian Church of North America.

An act to prevent fishing with seines and to protect bass fish in the Raystown branch of the Juniata river and its tributaries.

An act to incorporate the Lincoln gold mining company of Colorado.

An act legalizing acknowledgments in certain cases.

A supplement to an act relating to the Dauphin county prison, and relating to inspectors therein.

An act authorizing the school directors of Madison township, in the county of Perry, to collect certain money subscribed by citizens of said township to pay bounty to volunteers.

A supplement to an act entitled An act to authorize the Governor to incorporate the Wyalusing bridge company, passed April seventh, one thousand eight hundred and fifty-three.

An act to repeal the eleventh section of an act entitled An act to change the venue in a certain action now pending in the court of common pleas of Clarion county, and for other purposes, approved the seventeenth day of March, one thousand eight hundred and forty-two.

An act establishing a ferry across the Allegheny river, at or near the mouth of Dubb's run, in Venango county, Pa.

An act to annul the marriage contract between Stephen Davenport and Mary C., his wife.

An act for the more prompt payment of the school tax in the city of Williamsport.

Supplement to an act entitled An act to improve the navigation of the Delaware river for the running of lumber.

An act concerning shade trees and sidewalks in the borough of Sewickly.

An act to incorporate the town of Haly, in the county of Perry, into a borough.

An act to authorize the school directors of Lescock township, Lancaster county, to levy and collect a tax sufficient to refund advancements made and pay all debts incurred in the payment of bounties to volunteers under the last call of the President of the United States.

An act to repeal a portion of an act relative to the destruction of certain animals in the county of Juniata, approved the first day of May, Anno Domini one thousand eight hundred and sixty-one.

A supplement to an act to authorize a reorganization of the Pennsylvania steel company, and an increase of its capital stock, approved March twenty-third, one thousand eight hundred and sixty-six.

An act to incorporate the Pittsburg, Allegheny and Spring Garden passenger railway company.

An act to change the venue in the case of the Commonwealth of Pennsylvania vs. David W. Horner, Charles S. Horner, George J. Hankey, Isaiah K. Hankey, Theodore B. Horner and John Horner from the court of quarter sessions of the peace of Adams county to the court of quarter sessions of the peace of Franklin county.

An act to incorporate the Pittsburg and Connellsville Mining and Manufacturing railroad company,

A further supplement to an act relating to the Jefferson railroad company, approved the eighteenth day of March, A. D. 1863.

An act to create an additional judicial district, to be called the Twenty-eighth Judicial district of Pennsylvania.

An act to incorporate the Lurgan Mutual fire insurance company of Franklin county.

An act to authorize the board of directors of the Washington County Eureka oil company to lay and collect assessments upon the original shares of said company.

An act to incorporate the Tiger gold mining company of Colorado.

An act to prevent the hunting of deer with dogs in the township of Charlestown, in the county of Tioga.

A supplement to an act relating to William McKee's ferry in Allegheny county, approved the sixteenth day of April, A. D. 1863.

A further supplement to an act entitled An

act revising the charter of the municipal corporation of the city of Reading, passed April twenty-sixth, Anno Domini one thousand eight hundred and sixty-five.

An act to incorporate the Operative Plasterers' Mutual Protective Union of Philadelphia and vicinity.

An act relative to the fees of district attorney in certain counties of this Commonwealth.

An act providing for the adjustment of all indebtedness between an old township or townships, and a new township or borough erected therefrom.

On 13th April, 1866:

A supplement to an act to incorporate the Philadelphia and Gray's Ferry passenger railway company, approved April ninth, Anno Domini one thousand eight hundred and fifty-eight.

An act to incorporate the Public mining company of Colorado.

An act for the relief of Mary P. Gardner, widow of William A. Gardner, deceased, late surgeon of the Eighty-first Pennsylvania volunteers.

An act for the further classification and more efficient collection of license from vendors of merchandise.

A supplement to an act entitled An act to incorporate the Susquehanna and Delaware railroad company.

An act to incorporate the Ophir Ridge gold mining company.

An act to incorporate the Bowman's Creek lumber and leather manufacturing company.

An act to incorporate the Hawley coal and trausportation company.

An act to incorporate the Savings fire and marine insurance company of Pittsburg.

An act relative to restaurant licenses in Butler, Lawrence, Adams, Beaver and Franklin counties.

An act to reduce the capital stock, and supplementary to the act incorporating the Oil Creek Lake and Titusville mining and transportation company, and authorizing said company to secure its bonds by mortgage, and to fix and define the liability of subscribers to its capital stock and to regulate its operations.

On 14th April, 1866:

An act fixing the rate of interest upon the bonds, and relative to the election and term of office of directors and officers of the Oil Creek Lake and Titusville mining and transportation company, and to reduce the capital stock, and supplementary to the act incorporating said company, approved April 4th, 1865, and authorizing said company to secure its bonds by mortgage, and repealing the provision in the third section of the act incorporating said company, and relative to the proceedings, records and quorum of said directors.

On 16th April, 1866:

An act authorizing the sale sale of certain real estate in Moon township, Beaver county, for the benefit of the common schools of said township.

An act authorizing the laying out of a State road in Wayne and Monroe counties.

An act authorizing the inspectors and warden of any of the penitentiaries to permit the use of tobacco by convicts, as a reward for good conduct.

An act relative to the draining of wet or spouty lands in the county of Lawrence.

An act for the protection of sheep and taxing dogs in Lycoming county.

An act to amend an act approved the twenty-seventh day of February, Anno Domini one thousand eight hundred and sixty-five, entitled An act relating to bonds and recognizances of bail in the court of quarter sessions of Erie county.

An act relating to the supervisors of Carbondale township, Luzerne county.

An act to authorize the school directors in Crawford township, Clinton county, and Fourth ward, in the city of Reading, to levy and assess a tax for the payment of bounties in the year one thousand eight hundred and sixty-four.

A further supplement to an act erecting parts of Clinton, Elk, M'Kean and Potter counties into a county to be called Cameron, approved the twenty-ninth day of March, A. D. one thousand eight hundred and sixty.

An act relative to bounty tax in Connoquenessing and Adams townships, Butler county.

An act authorizing the Governor to appoint an additional notary public in and for the counties of Snyder, Warren and Wyoming.

An act increasing the fees of justices of the peace and constables in the counties of Bradford, Wyoming and Susquehanna.

An act relative to the streets and alleys in the town of Catawissa, in Columbia county, Pennsylvania.

An act granting a pension to Henry Welsh, a disabled soldier.

An act to repeal an act relating to the publication of legal advertisements in the county of Franklin, approved the 15th day of April, A. D. 1863, and an act relating to the publication of legal advertisements in the county of Franklin, approved the 20th day of April, A. D. 1864.

An act to authorize the school directors of the borough of Conneautville, Crawford county, to borrow money.

An act to incorporate the Erie Dime Savings and Loan company.

An act to legitimate Louisa Elizabeth Debolt, child of Charles A. Mestrezet.

An act to annul the marriage contract between Jacob Hoke and Amelia Hoke.

An act to change the citizenship of Jacob Bohner from Lykens to Mifflin township, Dauphin county.

A supplement to an act to authorize Veronica Biery to sell certain real estate.

An act relative to the publication of local laws in the counties of Centre and Schuylkill.

An act to incorporate the borough of Columbia.

An act to regulate the practice of entering judgments and issuing processes in Armstrong county.

An act for the relief of Henry P. Treziyluey, James D. Turner and others, bail of William W. Brown, late treasurer of Centre county.

An act authorizing the trustees of John Bailey (deaf and dumb) in the township of Ferguson county, of Centre, to sell real estate.

An act to incorporate the Chester Creek railroad company.

An act to incorporate the Schuylkill River Passenger railway company.

An act authorizing the commissioners of Schuylkill county to advance to the townships of Schuylkill and East Brunswick a sum of money, and to levy and collect the same by taxation.

A supplement to an act authorizing the school directors of Robinson township, Washington county, to levy and collect a special bounty tax, approved March 23d, 1865, and relative to the payment of bounties in South Whitehall township, Lehigh county.

A supplement to an act approved March 23d, A. D. 1865, entitled An act to provide for the erection of a poor house in the townships of Milford, Turbett, Spencerhill, Tuscarora, Lack and Beale, and the boroughs of Perrysville and Patterson, in the county of Juniata.

An act authorizing the directors of the poor and house of employment of the county of Montgomery to sell and convey a tract of land to certain persons, for the purpose of erecting thereon a suitable building, to be used as a place of public worship.

An act appointing commissioners to lay out and open a State road in M'Kean county, from the borough of Smethport to Lafayette Corners.

A further supplement to an act to incorporate the city of Philadelphia, relative to the election of members of common council.

An act relating to the office of interpreter for the several courts in the county of Allegheny.

An act relating to the election of clerks of the several courts of Allegheny county.

A supplement to an act relative to paving streets, etcetera, in the borough of New Castle, approved the twenty-second day of March, Anno Domini one thousand eight hundred and sixty-six.

An act to authorize the town council of the borough of Littlestown, in the county of Adams, to borrow money and collect taxes.

An act to increase the salary of the assistant warden of the Allegheny County prison.

An act relating to the estate of Lois Carey, late of Luzerne county, deceased.

An act for the relief of the legal representatives of Samuel Potter, deceased, and Wm. Page, deceased.

A further supplement to an act to incorporate the city of Philadelphia, approved the fourth day of February, one thousand eight hundred fifty-four, and relative to the collection of debts due the department of health.

An act authorizing the controller and city treasurer of the city of Philadelphia to audit and settle the military account of Caspar M. Berry, late brigade inspector of Third brigade First division, Pennsylvania militia.

An act to incorporate the Kaufman iron company.

An act for the consolidation of the President, Procupine and Redfield petroleum companies.

On 17th April, 1866:

An act to incorporate the Pennsylvania and Colorado gold and silver mining company.

An act to incorporate the Gilpin gold and silver mining company of Colorado.

An act authorizing a special tax in the borough of M'Keesport, and to grade, curb and repave or otherwise improve the streets, lanes, alleys, &c., of said borough.

An act to annul the marriage contract between Henry E. Welker and Louisa Jane, his wife.

An act to legitimate Benjamin F. Kreider, son of Elizabeth Warfel, of Lancaster county.

An act to repeal the act to extend and open Pulaski street, in the city of Philadelphia, approved the 20th day of May, A. D. 1864.

An act to authorize the orphans' court of Cumberland county to make title to John H. Woodburn for a certain tract of land.

An act relating to the sale of lands for taxes in Clarion county.

An act to revise the grades of Dock street from Third street to Delaware avenue.

An act relative to a law library in the county of Erie.

A further supplement to an act consolidating the city of Philadelphia, approved February 4th, 1854, relating to the duties of the assessors of the Nineteenth ward of said city.

An act relating to fines and penalties in the city of Harrisburg.

An act relative to selling church property in Berrysburg, Dauphin county.

A supplement to an act to alter an act to erect the town of Erie, in the county of Erie, into a borough, and to erect Waterford and

Wattsburg, in the said county, into boroughs.

An act to facilitate the collection of taxes in the counties of Carbon and Luzerne.

An act to divide the Twenty-fourth ward, in the city of Philadelphia, into two wards, and to create a new ward, to be called the Twenty-seventh ward.

An act to prevent frauds at elections in the city of Philadelphia.

An act relative to tax on real estate in Crawford county.

An act to authorize and require the school directors of Earl township, Berks county, to levy and collect a tax for the purpose of paying one hundred dollars each to persons who were drafted or furnished substitutes under the call of the President of December 19th, A. D. 1864.

A supplement to an act to incorporate the Philadelphia and Colorado gold mining company, approved the eighth day of April, Anno Domini one thousand eight hundred and sixty-four, authorizing the issue of a capital stock, the increase and reduction of the same, and to borrow money.

An act supplementary to an act to incorporate the Jones Quarry company, approved the fourteenth day of March, Anno Domini one thousand eight hundred and sixty-five.

An act to incorporate the Cornucopia silver mining company.

A supplement to an act to authorize Woodland street, in the Twenty-fourth ward of the city of Philedelphia, to be graded, curbed and paved, approved the twenty-seventh day of May, Anno Domini one thousand eight hundred and sixty three.

An act to exempt the property of the Manayunk division, number fifty-four, Sons of Temperance beneficial association, from taxation.

A supplement to the act incorporating the city of Titusville, in the county of Crawford.

An act to confer upon Eliza Raynor, of Bucks county, the right to inherit from her deceased uncle, John Gray James, who was illegitimate.

An act granting a pension to Lewis Hagenman.

An act to change the name of Charles Hulins, adopted son of E. H. Range, to Charles Range, and to confer upon him all the rights and privileges of a child and heir.

An act to incorporate the Toulumne mining company.

An act to incorporate the Codorus mining and exploring company.

An act to incorporate the Asteroid silver mining company.

An act to incorporate the Ellen Louisa silver mining company.

An act to incorporate the Clinton silver mining company.

An act to incorporate the Delaware mining company.

An act to incorporate the National silver mining company.

An act to incorporate the Monte Christo gold and silver mining company of Nevada.

An act to incorporate the Allen mining company.

An act to incorporate the Philadelphia and California vineyard company.

An act to incorporate the People's mining and exploring company.

An act to incorporate the Girard mining company.

An act to incorporate the Reese River Lander Hill gold and silver mining company.

An act to incorporate the Great Northwestern gold and silver mining company of Colorado.

An act to incorporate the Willing mining and exploring company.

An act to incorporate the Pennsylvania and Nevada mining company.

An act to incorporate the Pennsylvania and Nevada silver mining company.

An act to incorporate the Woodruff mining company of California.

An act to incorporate the Central gold and silver mining company of Colorado.

An act to incorporate the Jordan silver and gold mining company.

An act to incorporate the Silver Mountain mining company.

An act to incorporate the Gaston and Simpson gold and silver mining company of Montana.

An act to incorporate the Franklin silver mining company.

An act to incorporate the Lacota gold mining company.

An act to incorporate the Revorton reduction company of New Mexico.

An act to incorporate the York gold and silver mining company.

An act to incorporate the Stevens silver mining company of Nevada.

An act to incorporate the Leviathan silver mining company.

An act to incorporate the Mill Creek gold and silver mining company of Colorado.

An act to incorporate the Jefferson mining company.

An act to incorporate the Pittsburg and Arizona gold and silver mining company.

An act to incorporate the Sheridan mining company.

An act to incorporate the Pactolus exploring and mining company.

An act to incorporate the Jackson mining company.

An act to incorporate the Sherman gold and silver mining company.

An act to incorporate the American gold and silver mining company of Colorado.

An act to incorporate the Salamander mining company.

An act to incorporate the Atlas gold and silver mining company of Arizona.

On act to incorporate the Great Basin mining company.

An act to incorporate the Pennsylvania mining and mettallurgic company.

An act to incorporate the Commonwealth gold and silver mining company of Nevada.

An act to incorporate the Girard gold and silver mining company of Colorado.

An act to incorporate the Eureka gold and silver mining company.

An act to incorporate the Fidelity mining company.

An act to incorporate the Northwestern gold and silver mining company.

An act to incorporate the Territory gold and silver mining company.

An act to incorporate the Favorite gold and silver mining company.

An act to incorporate the Ingot mining company.

An act to incorporate the Bullion gold and silver mining company.

An act to incorporate the Good Will gold and silver mining company.

An act to incorporate the Grant gold mining company of Colorado.

An act to incorporate the Argentine silver mining company.

An act to incorporate the Live Oak copper mining company.

An act to incorporate the Elk gold and silver mining company.

An act to incorporate the Modena mining company.

An act to incorporate the Mammoth gold and silver mining company of Colorado.

An act to incorporate the Carson gold mining company.

An act to incorporate the Silver Star mining company.

An act to incorporate the Montour and Colorado gold mining company.

An act to incorporate the Pittsburg and Colorado mining company.

An act to incorporate the Philadelphia and Lander Hill silver mining company of Nevada.

An act to incorporate the Symonds Fork mining company of Colorado and Idaho Territories.

An act to incorporate the National silver mining company.

An act to extend the provisions of an act entitled An act relating to the Philadelphia and Erie railroad company, approved the twenty-second day of July, Anno Domini one thousand eight hundred and sixty-four, to the Erie and Pittsburg railroad company.

An act repealing an act entitled An act relating to supervisors and roads in Chartiers, Scott and Lower Saint Clair townships, Allegheny county, and Wiconisco township, Danphin county, approved March twentieth, Anno Domini one thousand eight hundred and sixty-two, so far as the same relates to the township of Chartiers, in the county of Allegheny.

A supplement to an act to incorporate the New York and Middle Coal Field railroad and coal company.

An act to incorporate the National land and improvement company.

Supplement to an act entitled An act regulating railroad companies, approved February nineteenth, one thousand eight hundred and forty-nine.

An act authorizing certain railroad companies to form connections at or near the State line in Bradford county.

An act to incorporate the Hemlock railroad company.

An act to extend an act incorporating the Warren and Pinegrove railroad company, approved March 14, A. D. 1836.

An act to incorporate the Duncannon, Bloomfield and Broadtop railroad.

An act to incorporate the Hamburg and Slatington railroad company.

An act to incorporate the East Hickory Creek railroad company.

An act to incorporate the Girardville railroad company.

A supplement to an act to incorporate the Attleborough railroad, approved April second, A. D. 1860.

An act to incorporate the Mount Ætna Furnace coal oil, mining and railroad company.

An act to incorporate the Farmers' land improvement and railroad company.

An act to extend the time for the payment of the enrollment tax on the act incorporating the Blue Mountain railroad company.

A further supplement to an act to incorporate the Wrightsville, New Holland and Conewago railroad company, creating additional corporators.

An act to incorporate the Warren improvement and railroad company.

An act to incorporate the West Branch and Juniata railroad company.

A supplement to an act for the acknowledgment and recording of deeds.

An act relating to railroads.

An act relative to the fees on unsettled lands in the county of Centre.

An act to incorporate the Brokenstraw land company.

An act to incorporate the Humboldt exploring company.

An act to authorize the Jackson oil company of Philadelphia to establish an additional office.

Anact to incorporate the Gettysburg Lythia Springs association.

A further supplement to an act incorporating the Chartiers Valley railroad company.

An act to incorporate the Allentown passenger transportation company.

A supplement to an act incorporating the Perkiomen railroad company, passed the twenty-third day of April, Anno Domini one thousand eight hundred and fifty-two.

An act extending the time for the completion of the Nesquehoning Valley railroad.

An act to authorize the Nanticoke railroad company to increase its capital stock.

An act to incorporate the Gettysburg and Chambersburg railroad company.

An act to incorporate the Shrewsbury railroad company.

An act to enable the Western transportation company to mortgage the whole or any part of their property, real and personal, corporate rights and franchises acquired or to be acquired.

A supplement to the act incorporating the Wilkesbarre and Philadelphia railroad company, approved the fourth day of April, one thousand eight hundred and sixty-three, giving power to said company to borrow money, fix the number of directors and connect with other railroads.

A further supplement to the act to incorporate the Western Pennsylvania railroad company, authorizing their railroad bridge over the Allegheny river to be improved for the accommodation of persons desiring to cross the same.

An act to provide for the extension of the Plymouth railroad to the North Pennsylvania railroad at a point near Fort Washington station, in Montgomery county.

An act to authorize the Pittsburg and Connellsville railroad company to change a portion of their road.

A supplement to an act entitled An act regulating boroughs, approved the third day of April, Anno Domini one thousand eight hundred and fifty-one, to authorize courts to fix and change the places of holding general elections.

A supplement to an act relating to the sale and conveyance of real estate, approved the eighteenth day of April, one thousand eight hundred and fifty-three.

A supplement to an act entitled An act providing additional remedies against trustees of a trust created for life, or during marriage, and providing a remedy for the protection of their securities, approved March 27th, 1865.

An act relating to poor houses and lands.

A supplement to an act entitled An act to consolidate, revise and amend the laws of this Commonwealth relating to penal proceedings and pleadings, passed the thirty-first day of March, Anno Domini one thousand eight hundred and sixty.

A supplement to an act concerning the sale of railroads, canals, turnpikes, bridges and plank roads, approved the eighth day of April, Anno Domini one thousand eight hundred and sixty-one.

An act to incorporate the Farmers' coal and iron company.

An act authorizing an extension of their tracks by the Southwark railroad company.

On 18th April, 1866:

An act for the incorporation of the Merchants' national telegraph company.

An act to incorporate the Philadelphia transportation and freight company.

An act to incorporate the Osceola improvement company.

An act to confirm the title to certain real estate in Delaware county, now held by William D. Pennell and William H. Huddleson.

On 20th April, 1866:

An act to authorize the sale and conveyance of the estate and franchises of the Pittston gas company, by the sheriff of the county of Luzerne.

A further supplement to the act to incorporate the Norris mining company, approved the fourteenth day of March, 1865, changing the number of shares issued by said company.

An act to incorporate the Fairmount mining company.

A further supplement to the act to incorporate the Oil Creek transportation company.

A supplement to an act incorporating the Pennsylvania oil car manufacturing and transportation company, approved April 4th, 1865.

An act to incorporate the American iron company.

A supplement to an act to incorporate the Bald Eagle plank road company, authorizing sale of the same.

An act incorporating the Lehigh Mutual manufacturing company.

An act to incorporate the Sugar Grove coal, lumber and improvement company.

An act to incorporate the Birmingham coal company.

An act to incorporate the Williamsport hall and market company.

An act to incorporate the Germania grocery and produce association of Allegheny county.

An act to authorize the Phoenix Park coal company to borrow money.

An act to incorporate the Oswego and State Line turnpike road company.

An act supplementary to an act incorporating the Kittanning gas company.

An act to incorporate the America steam, wood and coal company.

An act to incorporate the Union Fire company of the city of Philadelphia.

An act to repeal an act entitled A further supplement to the act incorporating the Youghiogheny Coal Hollow coal company, approved March seventeenth, one thousand eight hundred and sixty-three, changing the name of said company, and increasing the number of shares of stock to be issued by the same.

An act to incorporate the Aughwic mining and exploring company.

An act to incorporate the Keystone Hotel company.

An act to incorporate the Delaware Coast wrecking company.

An act to incorporate the Western savings bank and safe deposit company of the city of Pittsburg.

A further supplement to an act to enable joint tenants in common and adjoining owners of mineral lands in this Commonwealth to manage and develop the same, approved the twenty-first day of April, A. D. 1864, authorizing the sale of bonds below par.

An act relating to the Union canal company of Pennsylvania.

An act to annul the marriage contract between John Henry Burgess and Elizabeth, his wife.

An act relative to school taxes in Mahanoy township, Schuylkill county.

A supplement to an act entitled An act to incorporate the Northern coal and iron company, approved the twenty-seventh day of April, Anno Domini one thousand eight hundred and sixty-four.

An act authorizing the Pennsylvania salt manufacturing company to increase their capital stock.

An act to extend the time for the payment of the enrollment tax on an act incorporating the Highland woolen manufacturing company.

An act to incorporate the Winfield iron company.

An act to incorporate the U. S. Grant mining and improvement company.

A supplement to an act entitled An act to incorporate the Potter County lumber, coal and petroleum company, approved the twenty-fourth day of March, Anno Domini one thousand eight hundred and sixty-five.

On 21st of April, 1866:

An act relating to the Johnstown and Ashtola tramroad and railroad company.

An act to incorporate the Continental iron and coal company.

An act relating to the Altoona coal and lumber company of Baltimore.

On 23d April, 1866:

An act to incorporate the Chambersburg manufacturing and building association.

An act to incorporate the city of Scranton.

An act to authorize Herman James and others to lease certain streets in the city of Erie for railroad purposes, and to authorize the Erie and Allegheny railroad company to make certain contracts and connections, and the assent of the city councils to be obtained before streets shall be taken.

On 24th April, 1866.

A supplement to an act entitled An act to incorporate the Gettysburg Battlefield Memorial association, approved April 13, 1864.

On 1st May, 1866;

An act relating to the payment of bounties to veteran volunteers.

A supplement to an act to incorporate the Pennsylvania insurance company, approved March 10, 1865.

An act relating to certain claims for damages for injuries suffered on the Portage railroad.

An act to incorporate the City and County Cottage company.

An act to incorporate the Union Co-operative association of Beaver Falls Number One, in the county of Beaver, Pennsylvania.

An act relating to dividends and stock of the Bank of Lawrence County.

An act relative to certain bonds of the county of Butler, now held by the Western Pennsylvania railroad company.

An act to incorporate the Mercantile Association of the town of Birdsboro, in the county of Berks.

An act relative to the Farmers' and Merchants' insurance company of the borough of York.

An act to incorporate the Workingmen's Co-operative Benefit association of New Castle.

An act to incorporate the Central Co-operative association of Philadelphia.

An act to incorporate the Germantown Cottage company.

An act to incorporate the City Deposit Bank and Trust company.

An act to incorporate the People's Trading company of the borough of Birmingham, in the county of Allegheny.

An act to incorporate the Citizens' Joint Stock company of Brownsville, Fayette county, Pennsylvania.

An act relating to the Juniata iron manufacturing company.

An act to incorporate the Pennsylvania canal company.

An act to incorporate the Fairmount gold and silver mining company.

On 3d May, 1866:

An act to incorporate the Pennsylvania petroleum gas company.

An act to incorporate the Philadelphia brewers' association.

An act compelling railroad and other corporations to pay counsel fees of plaintiffs in certain cases.

An act to incorporate the Pecora white lead, zinc and color company.

An act to legalize a patent to James Evans.

On May 4th, 1866:

An act to authorize the Parma and Sugar Creek petroleum company, a corporation organized under the laws of the Commonwealth, to hold and convey certain lands in Plum township, Venango county.

On May 8th, 1866:

An act relative to the laying of water and gas pipes and the construction of culverts in the city of Philadelphia.

An act to incorporate the Coal City coal company.

On 9th May, 1866:

An act to change the number of shares into which the lands of the Conneaut Creek oil company are divided, and to legalize the issue of the shares of the capital stock of the said company heretofore issued.

An act to incorporate the Lincoln Institution.

An act to incorporate the Bradford County railroad company.

On May 10th, 1866:

An act to extend the time for the payment of the enrollment tax on an act to incorporate the Mifflin and Blair iron and coal company.

An act relative to the county of Lancaster.

An act relative to inns and taverns in the counties of Lebanon and Berks.

An relative to hucksters in the county of Lebanon.

On May 17th, 1866:

An act to incorporate the Boatmen's insurance and transportation company.

A supplement to an act relative to the acknowledgment of deeds made out of the State, approved December fourteenth, one thousand eight hundred and fifty-four.

An act enlarging the powers of the orphans' court so as to discharge liens on real estate.

On May 18th, 1866:

An act in relation to huckstering in the counties of Bedford, Cumberland, Franklin, Fulton and York.

On May 19th, 1866:

An act for the relief of the Erie coal company of Pennsylvania.

On May 21st, 1866:

An act relating to the fees and dues of constables and justices of the peace in the county of Cumberland.

On May 30th, 1866:

An act confirming certain deeds and assuring the title of W. J. Watkins to a certain tract of land situate in Deerfield township, Warren county.

On May 31st, 1866:

An act to authorize the heirs of John Stahl to sell certain real estate.

On June 4th, 1866:

A further supplement to the election laws of this Commonwealth.

On June 12th, 1866:

An act to incorporate the Pittsburg and Campbell's Run coal railroad company.

A further supplement to an act to enable the Governor to appoint notaries public and for other purposes therein mentioned.

An act to release the real estate of Samuel Walter, deceased, from escheat.

On June 13th, 1866:

An act to incorporate the American mineral land and mining company.

On June 26th, 1866:

An act to refund to James W. Stewart the sum of fifty-three dollars and eighty-two cents paid into the Treasury of the Commonwealth by mistake.

An act discharging William Bartram, trustee, and authorizing him to reconvey the trust estate to John Courtney.

A supplement to an act entitled An act to prevent horses, cattle, sheep and hogs from running at large in Chillisquaque township, Northumberland county, and Kelley township, Union county, and certain townships in Luzerne county, approved the twenty-third day of March, one thousand eight hundred and sixty-five.

An act to authorize the school directors of Chestnut Hill township, Monroe county, to pay certain moneys.

A supplement to an act entitled An act granting a pension to Jacob Hurst, passed March 27, A. D. 1866.

An act to incorporate the Kittanning manufacturing company.

An act to enable the Toby Creek coal and oil company to develop their property.

An act to extend the time for the payment of the enrollment tax on an act to incorporate the Day coal and iron company.

An act to extend the time for the payment of the enrollment tax on an act to incorporate the Meadville Novelty Works, approved the fourteenth day of April, A. D. one thousand eight hundred and sixty-three.

An act to extend the time for the payment of the enrollment tax on an act to incorporate the Sugar Creek mining and transportation company, approved March twenty-fourth, one thousand eight hundred and sixty-five.

An act to extend the time for the payment of the enrollment tax on an act to incorporate the Nanticoke Mountain coal company.

An act to extend the time for the payment of the enrollment tax on an act to incorporate the Western Union mining company, approved March twenty-three, Anno Domini one thousand eight hundred and sixty-five.

On June 28th, 1866:

An act to incorporate the Mount Carmel, Locust Mountain coal company.

On June 29th, 1866:

An act appointing commissioners to lay out and open a State road from Marsh's Corners, M'Kean county, to the Philadelphia and Erie railroad.

On July 9th, 1866:

A supplement to an act entitled An act to incorporate the Wyoming coal and transportation company, approved the twenty-seventh day of April, Anno Domini one thousand eight hundred and sixty-four.

On July 10th, 1866:

Supplement to an act incorporating the Lehigh and Lackawanna railroad company.

Supplement to an act incorporating the Pennsylvania slate company, approved June 25th, 1864.

On July 19th, 1866:

A further supplement to an act enabling banks of this Commonwealth to become associations for the purpose of banking under the laws of the United States.

A supplement to an act entitled An act to amend the revenue laws of this Commonwealth, approved February 23d, 1866.

An act to incorporate the Birch Island Run navigation company.

An act to incorporate the Paddy's Run navigation company.

An act to incorporate the Big Run, of Buck creek, navigation company.

On August 13th, 1866:

An act to allow Isaac Bowers and W. W. M'Cormick to return certain unseated lands in Jefferson county.

On August 16th, 1866:

An act for the relief of William Himrod.

On August 22d, 1866:

A supplement to an act incorporating the Real Estate savings institution of Pittsburg, approved the 12th day of April, A. D. 1862.

On September 1st, 1866:

An act to incorporate the Reno shipping company.

On September 8th, 1866:

An act to extend the time of the payment of the enrollment tax on House bill No. 1382, session of 1864.

On September 20th, 1866:

A supplement to an act to improve the navigation of the river Lackawaxen, approved the 13th day of March, 1823.

On September 24th, 1866:

An act relating to goods, wares and merchandise in store and in transit, and to make receipts and bills of lading therefor negotiable.

On October 10th, 1866:

An act to incorporate the Fayette Coal railroad company.

On October 15th, 1866:

An act to validate the will of Andrew M'Calister, deceased, of York county.

On October 27th, 1866:

An act to incorporate the Keystone coal and manufacturing company of Somerset county.

On October 31st, 1866:

An act to increase the boundaries of Forest county.

A supplement to the act to increase the boundaries of Forest county.

On November 17th, 1866:

An act to incorporate the Great Valley gold and silver mining company.

On November 24th, 1866:

An act to enable the State Treasurer and Auditor General to adjust certain public accounts.

On November 24th, 1866:

An act authorizing the executor of Charles Sheaffer, deceased, to sell real estate.

On November 28th, 1866:

An act to validate the last will and testament of Alexander Jeffries, late of Allegheny county, deceased.

On December 4th, 1866:

A further supplement to an act entitled An act to incorporate the Gap mining company.

On December 4th, 1866:

An act declaratory of the law relating to taking up lumber, and prohibiting the floating of loose saw logs in the Susquehanna river, between the town of Northumberland and the line of the State of Maryland.

On December 12th, 1866:

An act relative to the Lehigh rolling mill company.

On December 15th, 1866:

An act to incorporate the Dunbar land and coal company.

On December 31st, 1866:

An act repealing an act approved the twenty-fourth day of March, Anno Domini one thousand eight hundred and sixty-five, entitled An act to legalize the bonds issued by the election officers of Ayr township, in the county of Fulton, for the payment of bounties to volunteers and drafted men, under the call of the President of the United States prior to the nineteenth of December, Anno Domini one thousand eight hundred and sixty-four.

On January 2d, 1867:

An act to incorporate the Blacklick railroad company.

January 4th, 1867:

An act relating to transportation upon the Oil Creek railroad.

January 7th, 1867.

An act to authorize Warwick B. Freeman, trustee of Eliza Freeman, to sell certain real estate.

A supplement to an act relating to orphans' courts, approved the 29th day of March, A. D. 1832.

An act regulating the width of schutes in the Susquehanna river.

An act authorizing the administrator of Ann Kreidler, of Lower Nazareth township, Northampton county, deceased, to sell real estate.

An act to confirm the title of John Red and Mary, to certain property.

An act in relation to the sale of the real estate of Robert Cowan, late of Westmoreland county, deceased.

A supplement to the act of twenty-first day of May, Anno Domini one thousand eight hundred and fifty-seven, entitled An Act to incorporate the Clarion River navigation company.

An act relating to the qualification of directors of railroad companies.

A further supplement to an act incorporating the borough of Marietta, in the county of Lancaster.

Supplement to an act entitled An act regulating railroad companies, approved February 19th, 1849.

An act to sell the corporate rights and franchises of Sunbury canal and water power company.

An act to incorporate the Wyoming life insurance and trust company, in Luzerne county.

An act to extend the time for the payment of the enrollment tax on an act to incorporate the Meadville coal company, which became a law on the twentieth day of January, A. D. one thousand eight hundred and sixty-four.

An act to extend the time for the payment of the enrollment tax on the bill approved August 19, 1863, entitled the Henry mining company of Colorado.

An act for the settlement of the affairs of the North Carbondale coal company.

A further supplement to an act to incorporate the Lackawanna and Susquehanna railroad company.

An act to incorporate the Chincleclamonche lumber and boom company.

A supplement to an act to revise, consolidate and amend the penal laws of this Commonwealth so as to punish frauds upon the national currency, as well as that of the State and forging or uttering forged instruments.

An act to release and vest the interest of the Commonwealth in the estate of Samuel Sadler, Jr., late of Adams county, deceased, in the brother and sisters of the half-blood of said decedent.

An act to revise the charter of the Turtle Creek railroad company, approved March twenty-third, one thousand eight hundred and sixty-five, and to extend the time for the payment of the enrollment tax upon the same.

Supplement to an act entitled An act to incorporate the Short Line railroad company.

An act to enable the United States petroleum company to hold additional lands in Pennsylvania.

An act to incorporate the Emporium coal and lumber company.

A supplement to an act incorporating the Keystone coal and transportation company, certified the fifth day of May, Anno Domini one thousand eight hundred and sixty-four.

An act allowing the Schuylkill navigation company to close its locks between the hours of 10 P. M. and 4 A. M.

An act to vacate a trust estate created by the will of Henry Lorain, M. D.

An act to incorporate the Allen City iron company.

An act repealing an act supplementary to an act for the more effectual preservation of the Cumberland road, approved the eighth of April, one thousand eight hundred and forty-eight.

A further supplement to an act entitled An act to incorporate the subscribers to the articles of association for the purpose of establishing and conducting an institution for the confinement and reformation of youthful delinquents, under the title of the House of Refuge, passed March twenty-third, one thousand eight hundred and twenty-six.

An act to authorize the Reno oil and land company to acquire and hold shares of stock in certain other corporations.

An act to extend the time for the payment of the enrollment tax on an act to incorporate the Sandy Lick coal and iron company, approved August 10, A. D. 1864.

An act supplementary to an act to incorporate the Pittsburg and Sonora gold and silver mining company, approved the twentieth day of March, Anno Domini one thousand eight hundred and sixty-five.

April 12th, 1866:

Joint resolution instructing the Senators and Representatives in Congress from Pennsylvania relative to the equalization of bounties.

Joint resolution relative to post chaplains in the United States army.

A joint resolution in reference to the claim of William Q. Wallace, late chief clerk in the Auditor General's office.

Joint resolution authorizing the Governor to purchase grounds sufficient for the erection and construction of a new magazine, and also for the proper repair and security of the present magazine.

Resolution relative to additional rooms for the Department of the Adjutant General and Superintendent of Common Schools.

April 16th, 1866:

Resolution relative to payment of expenses incurred in reception of the flags of Pennsylvania regiments.

Resolution relative to the payment of the expenses of the investigation of certain charges contained in the *Sunday Dispatch*.

A. G. CURTIN.

THE CONSTITUTIONAL AMENDMENT.

Joint resolution No. 3, entitled Joint resolution to ratify the amendment to the Constitution of the United States, being the special order of the day.

Mr. M'CONAUGHY said: Mr. Speaker, it is very clear that we shall not have time to discuss that question to-day; I, therefore, move that it be postponed and made a special order for Thursday of next week.

Mr. LOWRY moved to amend that the consideration of the resolution be postponed for the present, and that it be made the special order of the day for every day hereafter until finally disposed of.

Mr. SEARIGHT. That has been the order ever since the subject has been broached. It has been postponed from day to day, and the proposition of the Senator from Erie [Mr. LOWRY] is simply to continue the same course. I move, as an amendment to the amendment, that a special order be fixed for Monday evening next, at 7 o'clock, and that these amendments be made a special order for that occasion. My object is to have a definite time fixed. I am not particular about the time, so that it be fixed.

The amendment of Mr. SEARIGHT was not agreed to.

The question recurring on the motion of Mr. LOWRY,

It was agreed to.

BILLS CONSIDERED.

Mr. CONNELL moved that the Senate reconsider its vote on the final passage of bill No. 472, entitled A supplement to an act relating to the sale and conveyance of real estate, passed the 18th day of April, 1853, said bill having been returned to the Senate by the Governor in pursuance of a resolution of both Houses.

The motion of Mr. CONNELL was agreed to.

And the bill being again before the Senate,

Mr. CONNELL moved to amend the same, which was agreed to, and the bill, as amended,

Passed finally.

On motion of Mr. LANDON, the Committee on the Judiciary Local was discharged from the further consideration of House bill No. 19, entitled An act authorizing an additional justice of the peace in the borough of Towanda, in the county of Bradford.

And the rule having been dispensed with, the Senate proceeded to the second reading of the same.

On the question, Will the Senate agree to the same?

Mr. LANDON moved to amend the first section of the bill, by striking out the words "first Monday of May," in the fifth and sixth lines, and insert in lieu thereof, "twelfth day of February."

The amendment of Mr. LANDON was agreed to, and

The bill

Passed finally.

On motion of Mr. RANDALL, the Senate then adjourned till to-morrow morning at 11 o'clock.

SENATE.

FRIDAY, January 11, 1867.

The Senate met and was called to order at 11 A. M., by the SPEAKER.

On motion of Mr. LOWRY, the reading of the Journal of yesterday was dispensed with.

PETITIONS.

Mr. FISHER presented the petition of Callie Baer, of Lancaster county, praying for a divorce.

Referred to the Committee on the Judiciary General.

REPORTS FROM COMMITTEES.

Mr. WHITE, from the Committee on the Judiciary Local, reported, as committed, a bill entitled An act to change the venue in the case of the Commonwealth versus Henry Stevens and Jacob Harman from the court of general quarter sessions of Adams county to the court of Dauphin county.

Mr. FISHER (same), as committed, a bill entitled An act to change the venue in the case of Jesse Chronister versus Howard Miller, George Hollinger and Daniel Harboldt from the court of common pleas of Adams county to the court of common pleas of Dauphin county.

Mr. DAVIS (same), as committed, bill entitled An act to change the mode of electing town council in the borough of Youngsville, and defining certain duties partaining to their office.

Mr. LANDON, from the Committee on Railroads, as committed, bill entitled A supplement to an act entitled an act to incorporate the Pittston and Wilkesbarre railroad company.

Mr. BILLINGFELT, from the Committee on Roads and Bridges, bill entitled An act relating to the drainage of roads by supervisors in the county of Delaware.

Mr. LANDON (same), as committed, bill entitled An act relative to the road laws of certain townships in Sullivan county.

BILLS IN PLACE.

Mr. FISHER read in his place and presented to the Chair a bill entitled An act to annul the marriage contract between Reuben Baer, of Lancaster county, and Callie, his wife.

Referred to the Committee on the Judiciary General.

Mr. BROWN (Mercer), a bill entitled An act to incorporate the Jamestown cemetery association.

Referred to the Committee on the Judiciary General.

Mr. SHOEMAKER, a bill entitled A supplement to an act entitled An act relating to the payment of bounties to veteran volunteers, approved May 12, 1866.

Referred to the Committee on the Judiciary General.

Mr. WALLACE, A bill entitled an act to validate and confirm a certain mortgage or deed of trust executed under the corporate seal of the Phillipsburg coal, iron and oil company, and to authorize the transfer of the

Daily Legislative Record.

FOR THE SESSION OF 1867.

PUBLISHED BY AUTHORITY OF THE LEGISLATURE OF PENNSYLVANIA. No. 8.

TERMS OF THE DAILY RECORD.

THE DAILY RECORD will be furnished to Members of the Legislature and others at the following rates:

Single copy for the session.....$2 00

Members desiring extra copies of the Record, will please leave their names and the number of copies wanted at the publication office. GEO. BERGNER.

ERRATA.—In the House proceedings of Thursday, the petition prsented by Mr. KIMMELL was from "Cherry Hill" instead of "Green," as stated in the proceedings.

[CONTINUED FROM PAGE 56.]

railroad of the said company to any other railroad company connecting therewith.

Referred to the Committee on Railroads.

Also, a bill entitled A supplement to an act to consolidate the Shawmut and Ridgway railroad company, the Pennsylvania Cannel coal company, and the Shawmut Cannel coal company, approved March 16, 1865.

Referred to the Committee on Railroads.

Mr. JACKSON, a bill entitled An act to increase the fees of county officers in Sullivan county, and to validate certain charges heretofore made.

Referred to the Committee on the Judiciary Local.

Mr. RANDALL, a bill entitled An act appropriating part of the moneys arising from fines and forfeitures in the county of Schuylkill, for a law library for the use of the courts.

Referred to the Committee on the Judiciary Local.

Mr. LOWRY, a bill entitled An act to incorporate the Germania insurance company of Erie.

Referred to the Committee on Corporations.

Mr. BIGHAM, a bill entitled An act to incorporate the Eureka life and accident insurance comyany.

Referred to the Committee on Corporations.

Mr. COLEMAN, a bill entitled A supplement to an act to incorporate the Lykens Valley coal company, in Dauphin county, Pennsylvania, and to authorize the opening of a road in Honesdale, Wayne county, authorizing them to dispose of the stock of said company.

Referred to the Committee on Corporations.

BILLS PASSED.

On motion of Mr. BIGHAM, the Committee on Corporations was discharged from the further consideration of bill entitled An act to incorporate the Eureka life and accident insurance company.

And the rules having been dispensed with, the said bill was read a second and third time, and

Passed finally.

On motion of Mr. COLEMAN, the Committee on Corporations was discharged from the further consideration of bill entitled A supplement to an act approved the 9th day of February, 1849, entitled A supplement to an act entitled An act to incorporate the Lykens Valley coal company, in Dauphin county, Pennsylvania, and to authorize the opening of a road in Honesdale, Wayne county, authorizing them to dispose of the stock of said company.

And the rules having been dispensed with, said bill was read a second and third time, and

Passed finally.

On motion of Mr. JACKSON, the Committee on the Judiciary Local was discharged from the further consideration of the bill entitled An act to increase the fees of certain officers in Sullivan county, and to validate certain charges heretofore made.

And the rules having been dispensed with, said bill was read a second and third time, and

Passed finally.

On motion of Mr. M'CONAUGHY, the rules were dispensed with, and the Senate proceeded to the consideration of bill entitled An act to change the venue in the case of the Commonwealth versus Henry Stevens and Jacob Harner from the quarter sessions of the peace of Adams county to the quarter sessions of the peace of Dauphin county.

The bill

Passed finally.

Agreeably to order, the Senate proceeded to the third reading of bill entitled An act to incorporate the Germania Savings Institution of Erie.

The bill

Passed finally.

INVESTIGATING COMMITTEE.

Mr. M'CONAUGHY, having asked and obtained leave to make a statement, said: Mr. Speaker, it is well known that a committee has been appointed by this body—a joint committee to act in conjunction with a similar committee ordered by the House—to make an investigation which has excited a great deal of interest throughout the Commonwealth. As under our resolution we shall adjourn over until Monday, and as there is a very deep interest existing throughout the Commonwealth in regard to it, as I said before, I would like to hear from that committee, if that committee is ready to report. I make the inquiry because, in this connection, is involved the interests of that organization with which I am connected, and the reputation of men eminent in the Commonwealth.

Mr. LOWRY. Mr. Speaker, the committee would have reported this morning had it had anything to report. Names of Senators and members of the House of Representatives, and of other distinguished men, were given that committee. Those gentlemen were brought before them and sworn. There is not a scintilla of evidence thus far elicited to raise even the presumption of guilt upon the part of either of the candidates for the office of United States Senator. Not a presumption, sir. More than that, sir, there is no evidence of even imprudence on their part. More than that, sir, there is no evidence, thus far, of indelicacy on their part. The committee might have stopped here and made their report, but they prefer to hold the question open and invite all the testimony that could be obtained on that subject. The names of Senators and members, as I have stated, were given us, who, it is alleged, would prove that they had been improperly approached by the candidates for United States Senator. They have entirely failed, thus far, to make the charges good.

MESSAGES FORM THE HOUSE OF REPRESENTATIVES.

The Clerk of the House of Representatives being introduced, returned bills from the Senate numbered and entitled as follows:

No. 13, an act to incorporate the New Castle water company.

No. 14, an act to amend an act to incorporate the North American transit insurance company.

No. 20, an act to incorporate the Germantown swimming and skating park association.

With information that the Senate has passed the same without amendments.

He also informed that the House of Representatives has concurred in resolution of the Senate relative to the appointment of a committee to receive proposals and contract for the publication of a *Daily Record*, adding thereto the following amendment:

That said committee appointed to make said contract be required to stipulate that the said *Record* shall be laid daily (when the House and Senate are respectively in session) on the desk of each Representative and Senator, and said *Record* to contain *inter alia* the proceedings of such preceding session not more remote than the third session prior to the day when so laid on the desk, and that no money shall be drawn from the State Treasury for the contract price, or any part thereof, if said stipulation is not complied with, and that each member of the House and each Senator shall be entitled to thirty-five copies of the *Record*; that the said committee stipulate with the contracting party or parties that all messages, reports and other documents directed to be published in said *Record* shall only be printed once therein.

Mr. CONNELL moved to concur in the amendment just read.

Mr. BIGHAM. Will not this add largely to the expense?

Mr. CONNELL. Certainly.

Mr. BIGHAM. It doubles the number of copies. I would like to know what was paid out for this *Record* last year; I would like to see a report from the committee, as to what additional expense this would create.

The motion of Mr. CONNELL to concur was Agreed to.

CONSTITUTIONAL AMENDMENT.

Joint resolution No. 3, entitled Joint resolution to ratify the amendment to the Constitution of the United States, being a special order of the day.

Mr. WORTHINGTON moved that it be postponed to Monday evening, and made a special order at that time.

Mr. WHITE. Mr. Speaker, I trust the motion will not prevail, as some of the mem-

bers who wish to speak and vote on these amendments will not probably be here on Monday night. I move to postpone to Wednesday evening, at 7½ o'clock.

Mr. BIGHAM. Mr. Speaker, other States, among them Ohio and New York, met upon the same day that we did, and have already acted and ratified the amendments in both branches of their Legislatures. The spectacle we present here is interpreted by the public as hesitating what we shall do. I do not care myself whether we discuss it or not; it was not my design to do so; but I have every disposition to accommodate any members of this branch. I would suggest that we are putting ourselves before our constituents in a false position on this subject. I cannot believe that it results from any hesitation to act; but I am very much afraid that that is the inference to be drawn. Now, at this stage of the session, when we have not business enough to occupy us, we adjourn from day to day, and are still hesitating, apparently, to act on this subject. That inference will be drawn. I do hope that the majority of the Senate will not be put in that position.

Mr. LANDON. Mr. Speaker, these amendments are the order until disposed of, and I merely rise to second most heartily the remarks made by the Senator from Allegheny [Mr. BIGHAM]. I am ready to vote upon these resolutions at any time, and I will vote against all postponements of them.

Mr. WORTHINGTON. Mr. Speaker, I want this question acted upon at the earliest practicable moment; but we are on the eve of an adjournment until Monday evening, and I understand there are gentlemen here who want to speak upon this subject; if, they wish the discussion to begin this morning, I am willing; I am ready to go into the question now. I have no desire to postpone the subject. I will leave it to those Senators who wish to speak upon it.

Mr. WHITE. Mr. Speaker, one word, in justice to myself and in reply to the Senator from Allegheny [Mr. BIGHAM]. I am ready, with him, to vote upon these resolutions; but a desire has been manifested on the other side to discuss them. And for the reason that we have been anxious about a question which is familiar to every Senator here, I for one did not suppose the Senate was anxious to go into this question to-day. In addition to that, sir, if there was any necessity for haste, if our action here settles this question, I would say, do it promptly. But it is a foregone conclusion what it will be. Our situation and the situation in Ohio are entirely different. They have not had the anxiety about a certain matter that we have. There was no election for Senator there. I do not think any injury will be done by postponing the resolutions until Wednesday evening next, and then make them a special order until disposed of.

Mr. LOWRY. Mr. Speaker, it is now the special order for every session until disposed of. Now we propose to place them beyond Monday evening. I hope the motion will be voted down.

Mr. M'CONAUGHY. Mr. Speaker, I think there will be no disposition on the part of the Senate to press this matter to a vote on Monday evening. Senators may be absent then who will want an opportunity to vote.

On the question,

Will the Senate agree to the motion to postpone the consideration of the resolution until Wednesday evening next?

The yeas and nays were required by Mr. WHITE and Mr. LOWRY, and were as follow, viz:

YEAS—Messrs. Billingfelt, Browne (Lawrence), Burnett, Coleman, Connell, Davis, Donovan, Glatz, James, M'Candless, Scaright, Walls and White—13.

NAYS—Messrs. Bigham, Brown (Mercer), Cowles, Fisher, Graham, Haines, Landon, Lowry, M'Conaughy, Royer, Shoemaker, Stutzman, Worthington and Hall, *Speaker*—14.

So the question was determined in the negative.

The further consideration of the resolution was then postponed until Monday evening next, at 7½ o'clock.

NOMINATIONS FOR UNITED STATES SENATOR.

On motion of Mr. WALLACE, the Senate then proceeded to nominate candidates for United States Senator.

Mr. CONNELL nominated Simon Cameron, of Dauphin county.

Mr. FISHER nominated Thaddeus Stevens, of Lancaster county.

Mr. WALLACE nominated Edgar Cowan, of Westmoreland county.

Mr. DONOVAN nominated Samuel J. Randall, of Philadelphia.

Mr. SHOEMAKER nominated Galusha A. Grow, of Susquehanna county.

Mr. SEARIGHT nominated William A. Wallace, of Clearfield county.

Mr. WHITE nominated A. G. Curtin, of Centre county.

Mr. JACKSON nominated Jesse Horton, of Northumberland county.

Mr. BIGHAM nominated Thomas Williams, of Allegheny county.

Mr. GRAHAM nominated Thomas M. Marshall, of Allegheny county.

On motion of Mr. DONOVAN, the nominations closed.

The SPEAKER then appointed Mr. BIGHAM teller on the part of the Senate.

The Senate then adjourned until Monday evening next, at 7½ o'clock.

HOUSE OF REPRESENTATIVES.

FRIDAY, January 11, 1867.

The House met at 11 o'clock, A. M.

Prayer was offered by the Rev. JACOB KENNEDY, member from Wyoming.

The SPEAKER announced that there was a quorum of members present.

The Clerk read the Journal of yesterday, and there being no objections, it was approved.

Mr. ROATH. Mr. Speaker, I offer the following resolution:

The resolution was read as follows:

Resolved, That when this House adjourns it adjourn to meet on Monday next, at 3 o'clock, P. M.

Mr. WINGARD. Mr. Speaker, I move to amend the resolution by making the time seven and a half o'clock, P. M.

Mr. DAVIS. Mr. Speaker, I think the standing rules of the House provide for an adjournment until that time.

Mr. GREGORY. Mr. Speaker, I move to amend by inserting "Tuesday" instead of "Monday."

Mr. MANN. Mr. Speaker, I simply wish to say that, according to the law we have passed, we cannot well do that. I am not very certain about it, but it seems to me the safest way is to make it Monday.

Mr. QUIGLEY. Mr. Speaker, I do not think it requires a resolution.

If we adjourn under the rules to-day, we will meet at 7½ o'clock on Monday.

There is no resolution required, and I hope it will be voted down.

The amendments were withdrawn.

Mr. QUIGLEY. I move to indefinitely postpone the resolution.

The motion was

Agreed to.

SPEAKER'S TABLE.

The SPEAKER presented to the House the annual report of the Western savings fund society, which was

Laid on the table.

The following committees were announced as the standing committees of this House:

Ways and Means—Messrs. Waddell, Lee, Quay, M'Camant, Whann, M'Pherrin, Barton, Marks, Armstrong, Freeborn, Mann, Wilson, Woodward, Wharton, Kinney, Phelan, Westbrook, Chalfant, Boyle, Meyers and Gregory.

Judiciary General—Messrs. Mann, Mechlin, Quay, Waddell, Wingard, Davis, Boyle, Jenks and Meyers.

Judiciary Local—Messrs. M'Creary, Barton, Ewing, Harbison, Webb, Allen, Worrall, Craig, Jones, Phelan and Tharp.

Municipal Corporations—Messrs. Freeborn, Worrell, Sharples, M'Creary, M'Camant, Armstrong, Cameron, Humphrey, Barton, Wilson, Fogel, Headman, Breen, Jenks and Koon.

Counties and Townships—Messrs. Whann, M'Camant, M'Pherrin, Humphrey, Pennypacker, Harbison, Allen, Ewing, Sharples, Wright, Hetzel, Satterthwait, Markley, Collins and Craig.

Railroads—Messrs. Kerns, M'Kee, Harbison, Whann, Cameron, Davis, Humphrey, Marks, Stumbaugh, Kimmell, Mechling, Pillow, Stehman, Waddell, Watt, Wilson, Weller, Subers, Jenks, Josephs and Koon.

Iron and Coal—Messrs. Stumbaugh, Subers, Quay, Davis, DeHaven, Ghegan, M'Kee, Wallace, Marks, Watt, Markley, Quigley, Long, Headman and Westbrook.

Mining and Manufacturing Companies—Messrs. Lee, Ghegan, Wharton, Stumbaugh, Hoffman, DeHaven, Shuman, Wallace, Wright, Chadwick, Hunt, Quigley, Josephs, Linton and Mullen.

Corporations—Messrs. Stehman, Allen, Adaire, Kinney, Donohugh, Espy, Kerns, Peters, Roath, Ghegan, Chadwick, Woodward, Long, Chalfant, Markley, Quigley, Josephs, Rhoads and Kurtz.

Roads, Bridges and Ferries.—Messrs. Hoffman, DeHaven, Roath, Day, Gallagher, Meily, Richards, Leech, M'Kee, Chase, Satterthwait, Robinson, Hood, Harner and Maish.

Education.—Messrs. Sharples, Day, Pillow, Freeborn, Kinney, Armstrong, Ewing, Gordon, Wharton, Marks, Craig, Kline, Thayer, Robinson and Boyd.

Estates and Escheats—Messrs. Mechling, M'Creary, Mann, Quay, Shuman, Wallace, Webb, Whann, Harbison, Wingard, Jones, Kurtz, Koon, Hood and Deise.

Federal Relations—Messrs. Davis, Wingard, Mullin, Freeborn, Lee, M'Creary, Mann, Pennypacker, Waddell, Donohugh, Jenks, Phelan, Boyle, Meyers and Tharp.

Pensions and Gratuities—Messrs. Wingard, Subers, Weller, Armstrong, Brown, Gallagher, Colville, Adaire, Richards, Barrington, Maish, Calvin, Chalfant and Fogel.

To Compare Bills—Messrs. Watt, Cameron, Chase, Steacy, Stehman, Boyd, Breen, Brennan and Kurtz.

Election Districts—Messrs. Humphrey, Weller, Leech, Brown, Chase, Espy, Kimmel, Cameron, Day, Harner, Kline, Hunt, Jones and Collins.

Agriculture—Messrs. Ewing, Webb, Chadwick, M'Pherrin, Gordon, Peters, Richards, Shuman, Steacy, Wright, Breen, Roach, Maish, Fogel and Collins.

Vice and Immorality—Messrs. Webb, Hoffman, Leech, Brown, Richards, Mullin, Robinson and Deise.

Public Buildings—Messrs. Meily, Worrall and Kline.

Library—Messrs. Seiler, Sharples, Day, Kennedy, Meily, Steacy, M'Henry, Boyd, Linton and Rhoads.

Military—Messrs. Woodward, Worrall,

Allen, Day, Espy, Gallagher, Gordon, Pennypacker, Pillow, Roath, Linton, Westbrook, Rouch, M'Henry and Rhoads.

Divorces—Messrs. Kinney, Ghegan, M'Pherrin, M'Camant, Colville, Donohugh, Hoffman, M'Kee, Seiler, DeHaven, Quigley, Markley, Josephs, Satterthwait and Gregory.

Accounts—Messrs. Wallace, Watt, Seiler, Stehman, Wharton, Shuman, Kennedy, Peters, Hetzel, Headman, Harner and Calvin.

Printing—Messrs. Winyard, M'Camant, Colville and Rouch.

Passenger Railways—Messrs. Marks, Freeborn, DeHaven, Adaire, Chadwick, Kerns, Wilson, Seiler, Ghegan, Woodward, Quigley, Gregory, Mullin and Hood.

Banks—Messrs. Cameron, Pennypacker, Adaire, Brown, Donohugh, Chase, Colville, Wright, Kimmell, Steacy, M'Henry, Brennan, Breen, Calvin and Barrington.

MESSAGE FROM THE SENATE.

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows, viz:

No. 19, an act authorizing an additional justice of the peace in the borough of Towanda, in the county of Bradford.

With information that the Senate has passed the same with amendments, in which the concurrence of the House of Representatives is requested.

He also informed that the Senate has concurred in the amendments made by the House of Representatives to bill numbered and entitled as follows, viz:

Senate bill No. 5, an act to define the time and regulate the manner of electing Senators to represent this State in the Senate of the United States.

He also presented bill numbered and entitled as follows, viz:

No. 472, a supplement to an act relating to the sale and conveyance of real estate, passed April 18th, 1853.

Which bill was returned to the Senate by the Governor on the 9th instant, in pursuance of a request contained in a resolution adopted by both Houses, with information that the Senate has re-considered said bill, and passed the same with amendments, in which the concurrence of the House of Representatives is requested.

LETTERS, PETITIONS, REMONSTRANCES, ETC.

The list of committees was then called, and petitions presented as follows:

Mr. QUAY. Mr. Speaker, I present the following petition and ask that it be read.

The petition was read as follows:

To the Honorable the Senate and House of Representatives of the Commonwealth of Pennsylvania:

The undersigned, citizens of Beaver county, having been apprised of an intended application, by interested parties during the present session of the Legislature, for an act restraining or forbidding the use of crude petroleum oil for illuminating purposes, are constrained, for the following reasons, to remonstrate against the enactment of any such law:

In the first place, we believe that the suggestion of such a law, and the application for it, is instigated by those interested in the refining of petroleum; and who, not satisfied with the world-wide demand for their product and the evident profit accruing to them, are nevertheless jealous of and dissatisfied with the slight competition which is experienced in a few localities where a portion of the small production of crude oil, suitable for burning purposes has been used. Hence, they have industriously circulated the idea among those not acquainted with its use that it is extremely dangerous, &c. For years past they have been satisfied with this, until now many who were so influenced have learned better, and this bug-bear having failed in its effect, it is proposed to procure legislation to aid them.

By exciting the fears of insurance companies and their agents, they have procured a strong alliance which may join them in their demands. We care not, however, upon what theory they base the demand for such a law, we assert that the facts do not justify their conclusions. The crude petroleum oil, such as is produced in Beaver county, and the only quality we believe which has been used in its natural state, to any extent, we have known to be constantly used for six years past, and there has not been as much—certainly no more loss by fires, than occurs in a community of an equal number using refined oils.

Indeed, incontrovertible facts appear to warrant the conclusion that the superior fire test, claimed for properly distilled oil, is more an imaginary than real security against the danger of fire and explosions. The fact that oil does not burn when touched by flame until it is heated to one hundred and ten degrees, makes, to say the most of it, very little difference when burning in a lamp, where more or less of the oil is always heated to that temperature, and in case of a fall or breakage of lamp, is exposed to the flame in a state ready to ignite.

The natural oil will burn, it is true, at a much lower temperature when touched with flame, but it does not explode any more than the other. It will burn precisely as alcohol or any spirituous liquor does, and yet these have been familiar articles about our houses for ages past, without being considered peculiarly dangerous to handle by anybody who knew that they would burn when exposed to fire.

The fact, however, that ninety-nine out of a hundred lamp explosions that have occurred has been of oil that has undergone the process of refining, proves either that too much faith is placed in the skill and integrity of refiners, or that these explosions are an effect that occurs under peculiar circumstances with any oil as now treated, and cannot be guarded against unless in the construction of the lamp.

And until refiners can and do produce an article that does not explode under any circumstances, it is an outrageous request to ask restraints to be placed upon the use of an oil proven to be not as dangerous, or at most no more so than their own.

In using the crude petroleum, we know just what we are using—the natural product having a uniform quality, while every distiller makes his own compounds, which are extremely variable and have proven unreliable.

For these reasons, we do most earnestly protest against having our rights abridged in the matter of burning any oil that in our judgment is cheapest, safest and best.

We protest that it is unjust and tyrannical to make us tributary to the refiner by compelling us to ship an article to their distilleries to be passed through their stills, returned to us, at a cost of three hundred per centum, charged with acids and chemicals, which leave it, as undeniable facts attest, fully as explosive, if not more so, than it was at first.

We are satisfied that stringent laws may be passed regulating the sale and production of explosive compounds, sold under the name of refined oil, and of which people are obliged to rely upon the producers for its quality. But the natural oil, so long as it is sold, bought and used as nature makes it, allows of neither deceit or fraud upon the consumers, and the intelligence of the community must be risked by the law-makers for its safe handling and consumption, which should be free to all who prefer its use.

Finally, we assert that the community of refiners have been unnecessarily alarmed about the probable increased production and consumption of this natural oil. It is found within narrow limits, and in small quantities. The whole production of this quality of oil is to the whole production of petroleum in the proportion of not more than one to forty, and nine-tenths of this small production has heretofore passed through the hands of the refiners.

We therefore pray that no law so fraught with favoritism toward one class, injury to another, and useless burdens and restrictions upon the whole community, will obtain your sanction.

Respectfully yours, &c.

Signed by Samuel T. Hamilton and sixty others.

Mr. KINNEY. Mr. Speaker, I present the following petition and ask that it be read.

The petition was read as follows:

To the Honorable the Senate and House of Representatives of the Commonwealth of Pennsylvania, in General Assembly met:

The petition of the undersigned, citizens of the county of Sullivan, respectfully represents that Jesse M'Carty, Joshua B. M'Carty and Charles Norton, election officers of the Elkland district, in Sullivan county, have been indicted by the grand jury of said county for refusing the vote of John C. Warburton, a well known deserter; and your petitioners further represent that they are of opinion that said prisoners cannot have a fair trial in Sullivan county, for the following reasons:

First—The county is intensely Democratic, and the prevailing sentiment of the Democratic party in this county is that deserters have a right to vote, notwithstanding the law enacted by the Legislature of this State in 1866, imposing penalties upon election officers for receiving such votes. This view has been impressed upon the people in harangues from the stump, not only by leading Democrats, but by judges who are to try the case. All of the judges of the court of quarter sessions of this county were candidates for office at the late election, and actively engaged canvassing for votes. They have all expressed the opinion that deserters who have not been *convicted* as such, are legal voters. And further, it is reported, and we believe, that one of the judges counseled this prosecution.

Second—The Democratic sheriff and commissioners have placed a large majority of their partisans in the jury wheel, including a number of deserters, so that deserters and their sympathizing friends are certain to be a majority of every jury. It is manifestly impossible, therefore, that the prisoners can have a fair trial in Sullivan county, and we therefore pray your honorable body to pass a law to change the venue in said case from the court of quarter sessions of Sullivan county to the court of quarter sessions of Bradford county. And your petitioners will ever pray.

Signed by Henry Norton and one hundred and twenty others.

As attorney for the defendants, I respectfully ask that the above petition may be granted, being fully of opinion that the defendants cannot get a fair trial in Sullivan county.

THOS. J. INGHAM.

The petition was referred to the Committee on the Judiciary Local.

Mr. WILSON. Mr. Speaker, I present the following petition and ask that it be read.

The petition was read as follows:

The subscriber, a citizen of Pennsylvania, prays the General Assembly of said State, to propose to the people that the 2d, 3d, 4th, 5th, 6th, 7th, 8th and 20th sections of the first article of the Constitution of the Commonwealth of Pennsylvania shall be so amended as to read as follows:

SECTION 2. The representatives shall be

chosen annually, by the qualified voters, o the second Tuesday in October.

SEC. 3. No person shall be a representative who shall not have attained the age of twenty-one years, and have been a citizen or inhabitant of this State for three years next preceding his election; unless he shall have been absent on public business of this State or of the United States.

SEC. 4. The number of representatives shall be one hundred. Each qualified voter shall vote for one person to be a representative, and the number of votes polled for each person voted for shall be certified to the prothonotary of the court of common pleas of the proper county by the return judges thereof, within ten days after the election, and a true copy of such certificate shall be by him forwarded to the Governor of this Commonwealth within ten days thereafter; and it shall be the duty of the Governor on or before the first Monday in December, annually, to ascertain from said certificates the number of votes polled within the Commonwealth for each person voted for, and to issue his proclamation declaring those elected, not exceeding one hundred in number, naming them, and the number of votes received by each, who shall have received more than one two-hundredth of the whole vote polled for representatives: *Provided*, That if more than one hundred shall have received that number of votes, then the one hundred having the highest number of votes shall be proclaimed elected: *And provided*, That if less than one hundred shall have received that number of votes, the Governor shall add to his proclamation the names of those next highest in votes, double in number to the vacancies, and it shall be the duty of the House of Representatives, after its organization and before proceeding to any legislation, to fill the vacancies therein from the persons whose names are so returned by the Governor.

SEC. 5. The Senators shall be chosen for three years, at the same time, in the same manner, and at the same places as the representatives.

SEC. 6. The number of Senators shall be thirty-three, one-third of whom shall be elected annually; each qualified voter shall vote for one person to be a Senator, and the votes shall be certified to the prothonotary, and a copy of said certificate forwarded to the Governor, as in the case of representatives; and it shall be the duty of the Governor on or before the first Monday in December, annually, to ascertain from said certificates the number of votes polled for each person voted for, and issue his proclamation declaring those elected (not exceeding eleven in number), naming them, and the number of votes received by each, who shall have received more than one twenty-second part of the whole number of votes polled for Senators: *Provided*, That if more than eleven shall have received that number of votes, then the eleven having the highest number of votes shall be proclaimed elected: *And provided*, That if fewer than eleven shall have received the requisite number of votes, the Governor shall add to his proclamation the names of those next highest in votes, double in number to the vacancies, and it shall be the duty of the Senate, after its organization and before proceeding to any legislation, to fill said vacancies from the persons whose names are so returned by the Governor.

SEC. 7. That in a case of a tie vote which will prevent the election of a Senator or Representative, or which will render it impossible for the Governor to return precisely double the number of names requisite to fill vacancies in either House, the names of such persons so receiving tie votes shall be returned, although the number so returned should be more than double the number of vacancies to be filled.

SEC. 8. No person shall be a Senator who shall not have attained the age of 25 years, and have been a citizen or inhabitant of this State for four years next preceding his election, unless he shall have been absent on the public business of this State or of the United States.

SEC. 20. When a vacancy happens in either house, it shall be filled by vote of the house in which said vacancy happens, from the two persons having the highest minority votes at the preceding election for Senator or Representative, as the case may be.

A. W. FOSTER, Pittsburg, Pa.

Referred to the Committee on the Judiciary General.

Mr. M'CAMANT presented a petition from sixty-one citizens of the counties of Blair, Cambria and Clearfield, praying for the repeal of the charter of the Tuckahoe and Mount Pleasant railroad company.

Referred to the Committee on Roads, Bridges and Ferries.

Mr. WEBB, petition from certain citizens of the county of Bradford, praying for an extension of the provisions of the act entitled An act to compel the manufacturers of firkins, kegs and tubs, intended for the packing of butter or lard, in the counties of Erie, Crawford and Warren, to mark the weight thereon, to the county of Bradford.

Referred to the Committee on Agriculture.

Mr. WADDELL, a memorial of the Agricultural college of Pennsylvania, in relation to the endowment of the college and the tablishment of experimental farms in connection therewith.

Referred to the Committee on Education.

Mr. PENNYPACKER, a petition from citizens of Schuylkill Valley, asking that the Schuylkill navigation company and other corporations concerned, be required to provide all their dams, from the mouth of river to the city of Reading, with sluices for the passage of fish.

Referred to the Committee on Corporations.

Also, a petition from citizens of Schuylkill township, Chester county, asking for the passage of an act authorizing the appropriation of the residue of the bounty tax to the emergency men of said township.

Referred to the Committee on Military Affairs.

Also, a petition from certain citizens of Schuylkill township, Chester county, asking for the passage of an act to authorize the treasurer of the bounty fund to pay to the treasurer of the school board any surplus funds remaining in his hands.

Referred to the Committee on Military Affairs.

Mr. JENKS, a petition from certain inhabitants of Red Bank township, Clarion county, praying that the act passed the 4th day of April, A. D. 1866, creating an independent school district out of parts of Red Bank townships, Clarion and Armstrong counties, be repealed.

Referred to the Committee on Education.

Also, a petition from certain inhabitants of Red Bank township, Clarion county, praying that the act passed the 4th day of April, A. D. 1866, creating an independent school district out of parts of Red Bank townships, in Clarion and Armstrong counties, be repealed.

Referred to the Committee on Education.

Also, a petition from certain inhabitants of Millville, Clarion county, praying that the act of the 4th day of April, A. D. 1866, creating an independent school district out of parts of Red Bank township, in Clarion and Armstrong counties, should not be repealed.

Referred to the Committee on Education.

Also, a petition from Sarah G. Evans, for the annexation of certain lands situate in Pine Creek township, Jefferson county, to the borough of Brookville for school purposes.

Referred to the Committee on Education.

Also, a petition from certain citizens of Jefferson county, praying for the repeal of the law authorizing county treasurers to grant licenses.

Referred to the Committee on Vice and Immorality.

Mr. M'CREARY, a petition from certain citizens of Harbor Creek township, Erie county, praying for a change in road laws.

Referred to the committee on Roads, Bridges and Ferries.

Mr. KIMMELL, petition from citizens of Greene township, Indiana county, asking for the privilege of electing an additional justice of the peace in said township.

Referred to the Committee on the Judiciary Local.

Mr. M'PHERRIN, a petition from certain citizens of Mercer county, for the relief of Peter Roberts, a soldier of the war of 1812.

Referred to the Committee on Pensions and Gratuities.

Also, a petition from Samuel M'Nally, of Mercer county, praying that the marriage contract between him and Margaret M'Nally be annulled.

Referred to the Committee on Divorces.

Mr. CHALFANT, a petition from fifty-one citizens of Derry township, Montour county, praying for the repeal of an act providing for the erection of a poor house in said county, approved April 11, 1866.

Referred to the Committee on Counties and Townships.

Also, a petition from eighty-two citizens of Derry township, Montour county, of like import.

Referred to the Committee on Counties and Townships.

Mr. SHUMAN, petition from one hundred and twenty citizens of Madison township, Perry county, asking for a law relative to mountain roads in said township.

Referred to the Committee on Roads, Bridges and Ferries.

Mr. FREEBORN, a petition from the Western Association of Philadelphia, for the relief and employment of the poor, and for an act to exempt the real estate, numbers nineteen and twenty-one, South Seventeenth street, Philadelphia, owned and occupied by said association, from taxes.

Mr. MANN, petition from citizens of West Branch township, Potter county, praying for an increase of road tax in said township.

Referred to the Committee on the Judiciary Local.

Also, a petition from sixty women of Potter county, for the passage of an act to enable widows, on the death of a husband, to control the property acquired by their joint labors, in the same manner as the husband does on the death of the wife.

Referred to the Committee on the Judiciary General.

Mr. WELLER, a petition from citizens of Somerset county, praying for the passage of a free railroad law.

Referred to the Committee on Railroads.

Also, a petition from ninety-five citizens of the southwestern part of Somerset county, of like import.

Referred to the Committee on Railroads.

Also, a petition from over one hundred citizens of Somerset county, of like import.

Referred to the Committee on Railroads.

Mr. HUMPHREY, a petition from citizens of Elk township, Tioga county, asking for the passage of an act to declare Cedar run a public highway.

Referred to the Committee on Roads, Bridges and Ferries.

Also, a petition from William A. Taylor, for a bill of divorce from Julia A. Taylor.

Referred to the Committee on Divorces.

Mr. GALLAGHER, petition from corporators and landholders of the St. Clair cemetery association, praying for the passage of a further supplement to the charter of said association.

Referred to the Committee on Corporations.

Mr. BOYD, petition from citizens of Philadelphia, praying for the passage of an act to secure the reconstruction of the Columbia bridge.

Referred to the Committee on Roads, Bridges and Ferries.

Also, petition from citizens of Wrightsville borough, York county, of like import.

Referred to the Committee on Roads Bridges and Ferries.

Mr. MAISH, a petition from citizens of the borough of Glen Rock, praying for the passage of an act to secure the re-building of the Columbia bridge, across the Susquehanna river.

Referred to the Committee on Roads, Bridges and Ferries.

Also, petition from two hundred and thirty-three citizens of Hanover borough, York county, of like import.

Referred to the Committee on Roads, Bridges and Ferries.

Mr. WEBB, a petition from certain citizens of the borough of Troy, in the county of Bradford, praying for the passage of an act authorizing an increase of taxes for borough purposes.

Referred to the Committee on Municipal Corporations.

Also, a petition from citizens of Bradford county, praying for the extension of an act for the better regulation of billiard saloons and bowling alleys.

Referred to the Committee on Municipal Corporations.

Mr. JOSEPHS, a petition from Daniel Willson, of Philadelphia, praying to be divorced from Mary Willson, his wife.

Referred to the Committee on Divorces.

Mr. WILSON, a petition from inhabitants of East Birmingham, Allegheny county, praying for authority to borrow money to erect school buildings.

Referred to the Committee on Education.

NOMINATIONS FOR SENATOR.

Mr. KERNS. Mr. Speaker I move that we now proceed to the nominations of candidates to be voted for. for the office of Unites States Senator.

The motion was

Agreed to.

Mr. KERNS. Mr. Speaker, I nominate the Hon. Simon Cameron.

Mr. GREGORY. I nominate Hon. Edgar Cowan.

Mr. FREEBORN. I nominate Daniel Daugherty, of Philadelphia.

Mr. WORRALL. I nominate William B. Thomas.

Mr. MEYERS. I nominate Jeremiah S. Black.

Mr. WINGARD. I nominate William H. Armstrong.

Mr. M'PHERRIN. I nominate Samuel A. Purviance.

Mr. LINTON. I nominate Cyrus L. Pershing.

Mr. ROATH. I nominate Hon. Thaddeus Stevens.

Mr. KOON. I nominate George W. Woodward.

Mr. WOODWARD. I nominate John H. Walker.

Mr. MANN. Mr. Speaker, I move that the nominations close.

The motion was

Agreed to,

The Chair appointed Mr. KERNS to act as teller of the election for Senator.

Mr. QUAY. Mr. Speaker, I desire to ask the privilege from the House of nominating Governor Andrew G. Curtin for Senator.

I was under the impression that he had been nominated by some other member.

The SPEAKER. Shall the gentleman from Beaver have leave to make another nomination for Senator?

Leave was granted.

Mr. QUAY. I nominate for Senator, His Excellency, Governor Andrew G. Curtin.

MESSAGE FROM THE SENATE.

The Clerk of the Senate being introduced, informed

That the Senate has concurred in the amendment made by the House of Representatives to the resolution of the Senate relative to the publication of the *Legislative Record*.

ORIGINAL RESOLUTIONS.

Mr. MANN. Mr. Speaker, I offer the following resolution.

The resolution was read as follows:

Resolved, That the committee appointed under the resolution to inquire and report the amount of property exempt from taxation in the city of Philadelphia be and are hereby directed to include in their examinations all the property exempt from taxation in the State of Pennsylvania.

The resolution was read a second time, and

Agreed to.

Mr. LEE. I offer the following resolution.

The resolution was read as follows:

Resolved, That the State Librarian be directed to forward to the mayor of the city of Philadelphia the table, now in the State Library, on which the Declaration of Independence was signed; the same to be deposited in Independence Hall, among the other relics of the Revolution.

The SPEAKER. The Chair would state that it will require an act of the General Assembly to give away any of the property of the Commonwealth.

Mr. LEE. We do not propose to give it away. It will only bein the custody of the city of Philadelphia as State property. It is proper it should be there. It is a fit receptacle, for old Independence Hall—that Temple of Freedom—is not complete without its proper paraphernalia. I think that all such relics as this should be deposited there, so that those who make their pilgrimage to this sacred shrine, this cradle from which fair Liberty arose, may not be deprived of the pleasure of seeing all the surroundings that adorn its infancy. We do not propose to give it away, but simply to put it in its proper place.

Mr. SEILER. I move that the resolution be indefinitely postponed.

The motion was

Not agreed to.

The question then recurring, Will the House agree to the resolution? it was

Agreed to.

Mr. QUAY. Mr. Speaker, I offer the following resolution.

The resolution was read as follows:

Resolved, That one thousand copies of the report of the Board of Military Claims be printed for the use of this House, and one hundred copies for the use of the department.

The resolution was

Agreed to.

Mr. DAVIS. Mr. Speaker, I offer the following resolution.

The resolution was read as follows:

WHEREAS, On the 15th day of June last, the Auditor General appointed a commissioner under the act of Assembly, to investigate and report upon the creditors of the Venango Bank;

And whereas, By the submitted report of that committee, it appears that one of its members reserved his report, together with the testimony taken in the case, subject to official request; therefore,

Resolved, That Colonel H. C. Alleman, of Harrisburg, be requested to furnish this House with his report and the testimony taken in the investigation of the condition of the Venango Bank.

The resolution was read a second time and

Agreed to.

Mr. MANN. Mr. Speaker, I offer the following resolution:

The resolution was read as follows:

Resolved, That one thousand copies of the report of the Fish Commissioner be printed for the use of this House.

The resolution was read a second time and

Agreed to.

Mr. SUBERS. Mr. Speaker, I offer the following resolution.

The resolution was read as follows:

Resolved, That five thousand copies of the Gettysburg report be printed for the use of this House.

The resolution was read a second time.

Mr. KIMMELL. I move to amend by striking out "five" and inserting "eight."

On agreeing to the amendment, a division was called for.

Mr. BOYLE. I ask some gentleman to state what the Gettysburg report is—what is it about?

The SPEAKER. It is what is known, I presume, as the Gettysburg cemetery report.

Mr. BOYLE. I ask the gentleman from Philadelphia [Mr. SUBERS] to state what the report says—what is the subject, the purport of it.

Mr. SUBERS. Mr. Speaker, this report is sought after more than any other report that has been issued by this Legislature. It is a report that interests every man, woman and child. Bank reports and railroad reports are sought after by railroad men and banking men, but this is a report that will interest every person. It gives a history of the battle and a list of all who were killed there and are buried in the national cemetery. The report is very much sought after and I should like to see the resolution pass.

Mr. BOYLE. I would ask the gentleman whether it is the same report that was published last year.

Mr. SUBERS. No, sir, it is not. There was no report published last year. This resolution is to publish the report of the year before last.

The division, which had been called for, was then taken, when 47 voted for and 30 against the amendment.

So it was agreed to.

The question recurring, Will the House agree to the resolution as amended?

Mr. MEYERS. Mr. Speaker, I do not know that I am opposed to this resolution; but I would like some gentleman to inform me for how many years this report has been printed, how many copies have been issued and what has been the aggregate expense of putting them out.

I think members ought to have some knowledge of the question, before they vote to appropriate money for anything of this kind.

A similar resolution was offered here last winter, and the House rejected it by a large majority.

For my part, I would like to have more information on this subject, so that I may vote intelligently.

The question being on adopting the resolution as amended, it was

Agreed to.

Mr. HOOD. Mr. Speaker, I offer the following resolution.

The resolution was read as follows:

Resolved, That a committee of three be appointed to inquire into the propriety of prohibiting steam engines running into and over the paved streets and built up portions of the city of Philadelphia.

Mr. JOSEPHS. I move to amend the resolution by striking out "three" and inserting "five."

The amendment was

Agreed to.

The resolution as amended was

Agreed to.

Mr. ESPY. Mr. Speaker, I offer the following resolution:

The resolution was read as follows:

Resolved, That there be printed five thousand copies of the report of the State Historian for the use of this House.

The resolution was read a second time.

Mr. MANN. Mr. Speaker, I simply wish to inquire whether this refers to the Military History.

If it does, it seems to me that it is rather premature, for that history is, as yet, incomplete. The historian has reported that he is progressing with the work; but it seems to me a very unsatisfactory thing to have an unfinished document. If it is to that history that the resolution refers, I hope that it will not pass. Let us wait until it is complete.

Mr. ESPY. The resolution is not intended to refer to the history, but to the report of the historian.

Mr. MANN. Mr. Speaker, we have already directed that to be published in the *Record*, and I think that ought to be sufficient.

The question being on adopting the resolution, it was

Not agreed to.

Mr. DAVIS. Mr. Speaker, I move that this House do now adjourn.

The SPEAKER. Before putting the question on the motion to adjourn, the Chair will clear the table.

Senate bill No. 402 was reconsidered in the Senate, amended and returned to the House for concurrence.

Mr. WADDELL. Mr. Speaker, this bill has been amended by the substitution of an entire new bill for the old one.

I therefore move that it be referred to the Committee on the Judiciary General.

The motion was

Agreed to.

House bill No. 19, passed by the Senate with amendments.

The amendments were concurred in.

The question being on the motion of Mr. DAVIS to adjourn, it was

Agreed to.

The SPEAKER. According to the rules, this House stands adjourned until next Monday evening at 7½ o'clock.

SENATE.

MONDAY, January 14, 1867.

The Senate met and was called to order at 7½ P. M., by the SPEAKER.

Prayer by the Rev. R. A. BROWNE, Senator from Lawrence county.

On motion of Mr. DONOVAN, the reading of the Journal of Friday was dispensed with.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

The Clerk of the House of Representatives being introduced, informed the Senate that the House of Representatives has concurred in the amendment made by the Senate to bill from the House of Representatives numbered and entitled as follows:

No. 19, an act to authorize an additional justice of the peace in the borough of Towanda, in the county of Bradford.

MESSAGES FROM THE GOVERNOR.

The Secretary of the Commonwealth being introduced, presented several messages in writing from the Governor.

[See House proceedings.]

THE CONSTITUTIONAL AMENDMENT.

On motion of Mr. CONNELL, the regular orders were dispensed with, and the Senate proceeded to the third reading and consideration of joint resolution entitled Joint resolution to ratify the amendment to the Constitution of the United States.

On the question, Shall the resolution pass?

Speeches were delivered by Messrs. CONNELL, SEARIGHT, LANDON and WALLACE, which have been withheld for revision.

On motion of Mr. BIGHAM, the Senate, at 11½ o'clock, adjourned to meet at 11 o'clock to-morrow morning.

HOUSE OF REPRESENTATIVES.

MONDAY EVENING, January 14, 1867.

The House met at 7½ o'clock, P. M.

Prayer was offered by the Rev. JACOB KENNEDY, member from Wyoming.

The SPEAKER announced a quorum of members present.

The Journal of Friday last was read, and, there being no objections, was approved.

MESSAGE FROM THE SENATE.

The Clerk of the Senate being introduced, presented for concurrence bills numbered and entitled as follows, viz:

No. 24, an act to incorporate the Germania savings institution of Erie.

No. 44, an act to incorporate the Eureka Life and Accident insurance company.

No. 45, a supplement to an act approved the ninth day of February, 1849, entitled A supplement to an act entitled An act to incorporate the Lykens Valley coal company, in Dauphin county, Pennsylvania, and to authorize the opening of a road in Honesdale, Wayne county, authorizing them to dispose of the stock of said company.

No. 46, an act to increase the fees of certain county officers in Sullivan county, and to validate certain charges heretofore made.

MESSAGE FROM THE GOVERNOR.

The Secretary of the Commonwealth being introduced, presented several messages in writing from His Excellency, the Governor, which were read as follows:

EXECUTIVE CHAMBER,
HARRISBURG, January 14, 1867.

To the Senate and House of Representatives of the Commonwealth of Pennsylvania:

GENTLEMEN—I have approved and signed the following acts of General Assembly, to wit:

On January 9th, 1867:

An act to authorize the appointment of an additional notary public for the county of Lehigh.

An act relative to the receiver of taxes in the city of Philadelphia, repealing so much of the act of April ninth, one thousand eight hundred and sixty-one, as authorizes him to charge five per centum commission for collecting taxes from delinquent taxpayers.

A supplement to an act authorizing the borough of Hollidaysburg to erect water works, approved March 16, 1866.

An act relative to elections in the Farmers' and Merchants' insurance company.

On January 11th, 1867:

Supplement to an act to provide for the erection of a poor house for the better relief and employment of the poor in the township of Oxford and Lower Dublin in the county of Philadelphia, approved April 11, 1807, authorizing the directors to borrow money.

An act to establish a ferry over the Allegheny river at or near the mouth of Big Scrubgrass, in Venango county.

An act to define the time and regulate the manner of electing Senators to represent this State in the Senate of the United States.

A supplement to the act incorporating the Sullivan land company, authorizing said company to sell and exchange lands.

An act to authorize the Freedom iron and steel company to issue and dispose of lands of the said company convertible into capital stock, and to secure them by a mortgage, granting certain powers to facilitate the mining, manufacturing, transporting and vending business of said company, and extending their charter as hereby amended.

January 12th, 1867:

An act to incorporate the New Castle water company.

An act to incorporate the Germantown swimming and skating park association.

An act to amend an act to incorporate the North American transit insurance company, approved March thirteenth, one thousand eight hundred and sixty, and the supplement thereto, so as to authorize said company to insure persons against death or disability, whether from natural diseases, accident or otherwise, and to issue policies therefor in the usual manner under the name, style and title of the North American life and accident insurance company.

On January 14th, 1867:

An act authorizing an additional justice of the peace in the borough of Towanda, in the county of Bradford.

A. G. CURTIN.

The Secretary of the Commonwealth also presented a message from the Governor, which was read as follows, viz:

EXECUTIVE CHAMBER,
HARRISBURG, January 14, 1867.

To the Senate and House of Representatives of the Commonwealth of Pennsylvania:

GENTLEMEN—In April last three bills were presented for my approval, one entitled "A supplement to the act incorporating the Susquehanna boom company, authorizing the erection of a dam and allowing increase of tolls," and the other entitled "An act declaratory of the law relating to taking up lumber and prohibiting the floating of loose saw-logs in the Susquehanna river, between the town of Northumberland and the line of the State of Maryland." Great opposition was manifested by numerous parties to my approval of these bills, and on the other hand the friends of the bills insisted strongly on the propriety of their being approved, as being necessary for the just protection of the interests of the Commonwealth and her citizens interested in the vast lumber trade of the Susquehanna.

Opinions being thus divided I fixed a day, of which notice was given to all parties, and on which the friends and opponents of the bills were fully heard before me, by themselves and their respective counsel.

The arguments and statements then submitted to me, demonstrated clearly that the rights and interests of many of our citizens, and the prosperity of the lumber trade of the Susquehanna, were seriously involved in the decision of the question of the approval, or non-approval, of these bills. I was satisfied, also, that this question ought to be determined only after a full investigation, by impartial, practical and scientific men, of the facts of the case and the necessities of the

trade. I therefore, in July last, requested Col. James Worrall, of Harrisburg, to visit the localities and make a careful examination, and report on the whole subject. He did so, and made me a verbal report, in accordance with the report of Col. Wright, to be presently noticed, Col. Worrall was almost immediately afterwards dispatched on the public service of the United States to the remote Northwest, whence he has not yet returned, and has therefore failed to make a written report.

Subsequently I addressed a letter to Col. John A. Wright, now of Philadelphia, requesting him to make an examination, a copy of which accompanies this message.

On the 19th of November last, Col. Wright made a report, a copy of which is herewith presented.

Finding that Col. Worrall and Col. Wright, after making separate examinations, wholly independent of each other, had arrived at similar conclusions, I apprised the parties interested that if the boom company would bind themselves to adopt and carry out the suggestions made by these gentlemen, I would approve the bills, as the delay which would necessarily take place if all proceedings should be suspended till the Legislature could act anew on the whole subject, would be manifestly injurious to the public interests.

A formal stipulation was, therefore, made by the Susquehanna boom company, and duly ratified by a meeting of its stockholders, on the 30th of November last, of which, and of the minutes of the meeting of the stockholders, a copy is also herewith presented.

I accepted this stipulation or agreement, and have caused the same, together with a duly authenticated copy of the minutes of the meeting of the stockholders, to be filed in the office of the Secretary of the Commonwealth.

It will be perceived that by the terms of this agreement, the company agree to construct their dam and sluices, so as to accommodate the descending trade, and to pay into the State Treasury the whole of the fifty cents, to be paid for loose logs that may be caught in the boom, and to assent to any legislation that may be had to effect these objects.

Having thus, as I conceived, preserved the public interest, I approved the bills on the 11th of December last.

If the question presented had been the original question, whether booms should be authorized at all in the Susquehanna, it would have been open to many considerations of public policy and advantage, but as booms had already been constructed under powers conferred by law, and a large amount of capital had been invested in them, and the course of the trade modified by reason of them, it appeared to be eminently proper that the system should be allowed to be perfected. The additional capital to be raised by the company will give it the ability to pay damages that may be sustained by reason of any negligence on their part in fulfilling their duties.

I now present the whole matter to the consideration of your honorable bodies, submitting to your wisdom the question what further legislation may be proper and expedient.

The lumber trade of the Susquehanna has grown to be one of the most important interests in the Commonwealth, and the power to erect booms at Williamsport and Lock Haven, has made these the great manufacturing and distributing points.

The enterprise and capital invested at these points deserve just protection, but at the same time care should be taken that the right of citizens using the river should not be interfered with more than is absolutely necessary.

The Legislature has now the power to settle all these discordant interests on principles of justice, and treating the boom companies at Lock Haven and Williamsport alike, give them equal powers and rights to charge for the capital invested fair remunerative prices and means of protection.

A. G. CURTIN.

EXECUTIVE CHAMBER,
HARRISBURG, November 8, 1866.

SIR—The bills enclosed have been in my hands since the adjournment of the Legislature, and I have heard the parties interested for and against and their counsel.

I desire you to make a full examination of the rights and interests to be effected by the legislation and report to me in writing.

1st. Whether the bills should become laws for the just and reasonable protection of the lumber business now existing at or near Williamsport.

2d. Whether in thus giving protection to the business and capital invested, the rights of others, above and below Williamsport, using the river are sufficiently guarded.

3d. Whether in your judgment there is or is not sufficient in existing laws to give ample protection to the lumber interests, and if not, whether the provisions of those bills are unreasonable or unjust.

4th. You will please to make your examinations and surveys with the knowledge (so far as possible) of the parties opposed to the bills, and inform me whether, in your judgment, the boom company should be allowed to charge for lumber accidentally caught in the boom, and if so, if the charges mentioned in the bill are reasonable.

Very respectfully,
A. G. CURTIN.

Colonel JNO. A. WRIGHT.

To His Excellency A. G. Curtin, Governor of Pennsylvania:

SIR—In obedience to your letter of the 8th November, I proceeded to Williamsport to examine the boom now erected, and the site of the proposed dam, as authorized in the bill you refer to, and to examine generally as to facts to enable me intelligently to answer the several queries in your letter of instructions.

The rapid growth of the lumber trade on the West Branch of the Susquehanna, and its great monetary value, entitle it to proper protection from loss, which experience has taught can only be secured through the medium of a well constructed boom.

The practical working of booms, wherever established, must and do show that there can be but one successful boom on a river. The large cost involved and the unavoidable interference with and detention of logs or lumber of other parties, are sufficient impediments to the business to prevent more than one boom being successful on a river. Such being the case, the next important point should be in its location; which must be determined, 1st, By proper physical conformation in the river, giving by a dam a large and long pool, and when the amount of lumber is large, sufficient depth of water and length of pool to provide more than one boom for better security of the timber; and 2d, It should be located at or above the point where the distribution of lumber commences.

The Susquehanna boom fulfills remarkably these two conditions. The long seven mile reach in the river at Williamsport, with the river nearly a straight line, high banks and stony bottom, fulfills the physical requirements, while it is immediately north of the commencement of the distributing railroads, and has convenient access to our system of canals.

The lumber trade has grown up in a few years from ten to one hundred and fifty millions of feet, and rapidly increasing. A run of 200,000,000 of feet in logs is looked for in the spring of 1867. A city is rapidly growing at Williamsport, dependent on this trade, and a large amount of capital has been and is being invested in mills, land, buildings, &c. This business is valuable to the State, and any reasonable legislation should be granted to protect it, and to encourage its development.

The Susquehanna boom company have steadily, amid many discouragements, persevered in keeping up and improving their boom, and are now engaged in erecting a mile of additional boom at Linden, on the river, to aid in furnishing room for the harborage of logs; but to make this boom more effective a dam is required within the limits named by the law.

I am clear that the dam is required, that it will not injure the lumber interests below its proposed location, and that it will be of great benefit to the general trade.

To build the dam and erect substantial piers in the river, sufficient to accommodate a run of two hundred million feet, would require an outlay of at least seven hundred thousand dollars, for which investment the company are entitled to receive fair returns for their stockholders, after the necessary expenses and repairs. But the proposed increase in rates from fifty cents per one thousand feet, to eighty-five cents per one thousand feet, and from eight cents per log to twenty-five cents per log (the other twenty-five cents going into the treasury of the State) is, in my judgment, more than is reasonable and just. True, there is great risk to the property of the company, and there is a legal responsibility attached to them for losses of lumber.

They must also guard against the increasing height and fury of floods, as the lands on the head waters of the river are cleared. Yet the charges in the law are more than sufficient to cover all the risks and yet make adequate return to the stockholders for their investment.

The latter charge for logs, destined for the river below Williamsport, is defended on the ground of necessary protection to the large interests already concentrated at Williamsport. If this is the true object, and its imposition will secure the objects, then such amount of protection should be secured to the interest of Williamsport, but the fund arising therefrom should not be a perquisite of the boom company, but should all go to the treasury of the State.

Such charge being made in the bill, a very amply remunerating charge will be left, and more than under ordinary circumstances I could recommend. The approving the bills before your Excellency will establish a heavy tax on millions of acres of land, and it is exceedingly important the interests of the holders of such lands should be protected. But the present posture of affairs seems to be that there is an immediate necessity of very large expenditures being made to strengthen and rebuild the piers of the present boom to prepare, as well as may be, for the trade of next spring, and delay or want of care may result in immense losses to the owners of the logs, and that the bills becoming laws will induce the boom company to make such improvements and repairs. While I do not acknowledge the argument as conclusive, yet it is of some force and is entitled to some consideration. This, coupled with the difficulty of determining what a fair charge should be, dependent, as it is, on so many risks which cannot be computed and the general feeling among the mill owners, as far as I could hear, that safety to their logs was of more moment than the proposed increase—and what is of some importance—the rendering the company able to pay for losses of lumber arising from defect of their boom, which it is not now, and therefore no claim has heretofore been made. These considerations, on the whole, seem sufficient to warrant

me in recommending that the bill, entitled A supplement, &c., with the modifications proposed, should become a law.

The declaratory law, as it may be called, does not appear to me to be practically of much consequence. While it bears on the face of it, the necessity of protecting rafts of lumber from injury by floating logs and imposes a penalty therefor by allowing such loose logs to be taken up, &c., &c., and requires all logs to be made up in rafts and under proper pilotage, yet the evident working of the law would be to create vexatious difficulties in the way of those who desire to send logs down the river, by the premiums to log catchers, and if in practice many logs should come down the river, the moral tendency would be questionable. However, if the boom at Williamsport is well built, but few logs will pass it, as the inducement will be lost in the charge of the additional forty-two cents per log, unless it should be to send logs in the ice freshet. Even then but few logs could be taken up, for the ice would carry them in its current and the danger would prevent much effort to capture the logs even near shore, while it is a question whether logs can be successfully taken down in an ice freshet.

I would, therefore, respectfully submit my answer to your question:

To the first—With the change proposed in direction of the whole charge for passing logs to the State Treasury? Affirmatively.

To the second question—The rights of others above and below Williamsport are probably as well protected as they could be to give that security to the immense value in timber that must for many years be carried down the river, at least until branch railways shall be built from the main lines, reaching the smaller streams and penetrating the ravines and gorges of the mountains.

To the third question. I do not know that the provisions of the bills are unreasonable or unjust, with the exception already stated in the answer to the first question, yet I would have felt more at ease in recommending your signature to the bills, if in addition to the diversion of all the proceeds from passing logs there had been less than thirty-five cents per one thousand feet proposed to be added. Yet, for the reasons stated heretofore, and the further facts that the boom company do incur an expense in passing logs which reduces their profit, I could not say that the charges were unreasonable and unjust.

To the fourth question. The answer to this is involved in the answer to the first question.

Taking your question as a whole, I would respectfully submit that while the bills referred to are in some points objectionable and are susceptible of improvement, yet if the exception referred to can be properly arranged, I do not see that the objections are sufficient to cause you to withhold your signature from the bills, in view of the importance to the general interests of a speedy decision.

Respectfully submitted.

JOHN A. WRIGHT.

Harrisburg, November 19, 1866.

At a meeting of the stockholders of the Susquehanna boom company, held at the office of the company, Williamsport, November 30, 1866, Mr. L. A. Ensworth was called to the chair, and Mr. Henry White appointed Secretary.

The following resolution of the board of directors, authorizing Mahlon Fisher, John G. Reading and Peter Herdic to make an agreement on behalf of the boom company, to wit:

Resolved, That Mahlon Fisher, John G. Reading and Peter Hardic be, and they are hereby, authorized on behalf of this company, to make such arrangements concerning future legislation upon the bills, now in the hands of his Excellency, the Governor of this Commonwealth, as may be satisfactory to his Excellency, the Governor, and in accordance with the interests of the Susquehanna boom company; and the following contract entered into in pursuance of said resolution, to wit:

And whereas, Two several bills were passed by the Legislature of Pennsylvania, at the session of 1866, to wit: One entitled A supplement to the act incorporating the Susquehanna boom company, authorizing the erection of a dam, and allowing the increase of tolls, the other entitled An act declaratory of the law relating to the taking up of lumber and prohibiting the floating of loose logs in the Susquehanna river between the town of Northumberland and the line of the State of Maryland;

And whereas, Certain objections have been urged to the Governor, in order to prevent him from approving of said bills, alleging that the same would interfere with the facilities heretofore used by citizens of the State, owning saw mills below the boom on the Susquehanna river or adjacent thereto; and that the rate of passing floating logs (fifty cents each), as authorized by one of said bills, was intended to be made a source of great revenue to the boom company;

And whereas, It is important that the bills should be approved soon, if at all, in order to proceed with the improvements contemplated:

Now, therefore, In order to meet these objections, and assure the protection of the interests of all concerned, we, the undersigned, Mahlon Fisher, John G. Reading, and Peter Herdic (a committee duly constituted and appointed for that purpose by the board of directors of the Susquehanna boom company, as appears by a certificate from the minutes of November 19th, 1866, hereto annexed), on behalf of the said, the Susquehanna boom company, do hereby agree and engage that if his Excellency, the Governor, shall approve and sign the said bills forthwith, the dam and schute provided for in one of said bills, shall be constructed so as not to interfere in any manner with the reasonable navigation of the river for rafts of logs, boards, sawed timber or other kinds of timber; or with the passage of arks, or other craft heretofore used for any such purposes, and that the same shall not in any way be subject to tolls or charges in passing the said dam or schute of the said company, or the facilities referred to and heretofore used by the public in that behalf unreasonably interfered with.

And we do further agree, in consideration of the promises, that instead of one-half of the fifty cents per log for passing the floating logs, as provided in one of said bills, the whole of the revenue from that source shall be paid to the Commonwealth by the company. And further, we do hereby agree that if the Legislature should hereafter deem it necessary to pass a law embodying the foregoing provisions and stipulations, as explanatory of the bills now sought to be approved, the said company shall accept of the said law, and hold its provisions binding to the same effect as if the same had been embodied in the original bills, was submitted for consideration.

Whereupon the following resolution, offered by Mr. John White, and seconded by Mr. George W. Lentz, was passed, to wit:

Resolved, That the stockholders of the Susquehanna boom company hereby approve the foregoing resolution, passed by the board of directors, and also ratify and confirm the contract submitted, as signed and executed by Mahlon Fisher, John G. Reading and Peter Herdic, on behalf of the Susquehanna boom company, and they pledge the company to carry out, in good faith, all the terms and conditions of said contract.

The following preamble and resolution, offered by Mr. John White and seconded by Mr. George W. Lentz, was passed:

WHEREAS, It is desirable that the boom should be enlarged and constructed of materials that will require a less constant outlay for repairs; therefore,

Resolved, That to enlarge the boom of this company and make it more durable, the capital stock be increased six hundred and thirty-nine thousand four hundred dollars, making a total capital of seven hundred thousand dollars.

L. A. ENSWORTH, President.

HENRY WHITE, Secretary.

I certify that the above are correct proceedings at the stockholders' meeting November 30, 1866.

GEORGE W. LENTZ,
Secretary Susquehanna Boom Company.

I certify that at a meeting of the stockholders of the Susquehanna boom company, held on Friday evening, November 30, 1866, there was present the following stock representation, to wit:

James H. Perkins,	11	shares.
Geo. W. Lentz,	9	"
John G. Reading,	52	"
Herdie, Lentz & Whites,	189	"
Reading, Fisher & Co.,	157	"
L. A. Ensworth,	58	"
Peter Herdic (Persy),	2	"

making 478 shares, which was more than three-fourths of the whole capital stock of said company.

GEO. S. BANGER,
Acting Secretary and Treasurer Susquehanna Boom Company.

ADDITIONAL MEMBERS OF A STANDING COMMITTEE.

The SPEAKER stated that, in announcing the standing committees of this House, on Friday last, the names of Messrs. M'CREARY and LINTON had been accidentally omitted from the Committee of the Judiciary General.

Mr. GREGORY. Mr. Speaker, I ask leave to make a statement.

Leave was granted.

Mr. GREGORY. Mr. Speaker, at the request of a number of my constituents, I had prepared a resolution to offer to the House to inquire into the expediency of prohibiting the passage of locomotives through the paved limits of the city of Philadelphia—prior to the meeting of the House. I mentioned the matter to my colleague from Philadelphia [Mr. HOOD], asking his support of the resolution, which he promised to give. On Friday, much to my surprise, Mr. HOOD rose in his place and proposed the resolution I had prepared, without giving me any intimation of the same. This has placed me in a false position before my constituents, and I ask the kind indulgence of the House to have these remarks printed in the *Record*, so that I may at least be placed in a proper light before the parties most interested. There is no steam railroad in Mr. HOOD's district, and therefore his constituents are not directly interested in such a resolution, while the whole breadth of my district is traversed by the Baltimore and Pennsylvania railroad companies. I leave the House to judge between my colleague [Mr. HOOD] and myself as to the justness of my remarks, and can only say that my assertions as to my being the originator of the resolution in question can be borne out by a number of others to whom I submitted it before I had decided to offer it to the House.

Mr. HOOD. Mr. Speaker, I have a few remarks to make in response to the state

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Members desiring extra copies of the Record, will please leave their names and the number of copies wanted at the publication office. GEO. BERGNER.

[CONTINUED FROM PAGE 64.]

ment made by my colleague from Philadelphia [Mr. GREGORY]. I had an intimation that something of the character of the resolution I introduced would be presented to the consideration of this House; but in what shape I was entirely uninformed. My colleague from the Second district of Philadelphia is neither my guardian, my mentor, nor director in this House. I do not believe he has any right to control me in my actions. True, a conversation did take place between him and myself in regard to this matter. Other matters have been discussed between us, which he has presented to this House without consulting with me. This is a matter as to whether steam engines shall or shall not be allowed to run through the thickly built portions of the city of Philadelphia, a portion of which I represent. When I was elected to the Legislature I considered myself in duty bound to endeavor to advance the interests of the city of Philadelphia, and also of the State of Pennsylvania, and not limit myself to any particular district. I claim that I had a right to introduce this resolution when it suited me to do so, without inquiring of my colleague whether I should or not. I am very sorry if he believes that I meant him any wrong, for I certainly did not. The time was waning towards the close of the day when I introduced it on Friday last, and I desired it should be before the House as soon as possible. I can see no objection to my introducing the resolution, for we are both working for the same end, viz: to remove a nuisance from the city of Philadelphia, whereby the value of property may be increased and the taxes of the people diminished.

Mr. MANN. Mr. Speaker, I rise to a point of order. This question is not now debatable.

Mr. HOOD. I beg leave to say that I am not discussing any question, but simply making an explanation.

Mr. MANN. Then the member is out of order.

Mr. GREGORY. Mr. Speaker, I move that the gentleman be allowed to finish his statement.

The motion was

Agreed to.

Mr. HOOD. I hold that, as a representative from the city of Philadelphia, I stand clear before this House of any imputation which the gentleman has endeavored to make. We each have a duty to perform, and it makes no difference whether a matter of this nature comes from my friend from the other side of the House, or who it comes from, so long as it is well intended. I am sorry to see that my friend feels so badly about the matter of the conversation between us. I will only say that as a new member, this will put me on my guard in the future against holding conversations with gentlemen so exceedingly sensitive as my colleague seems to be. I shall try to be cautious about having any conversation with him in regard to what is going on in this House.

I repeat, Mr. Speaker, that I have no disposition to do my colleague any injustice, and am only sorry that, in my sincere wish to promote the interests of the city of Philadelphia, my honest zeal has made me so unfortunate as to steal his thunder.

Mr. GREGORY. Mr. Speaker, the gentleman has stated the case so fairly, that I have nothing further to say.

The matter now is simply a question between him and myself, and as to who is in the right, I leave the members to judge.

SPEAKER'S TABLE.

The SPEAKER presented to the House the annual report of the Northern coal and iron company.

Laid on the table.

Annual report of the Locust Mountain coal and iron company.

Laid on the table.

Testimony taken before the committee in the investigation of the Venango bank.

Laid on the table.

Minority report of the committee in the matter of the investigation of the Venango bank.

Laid on the table.

Annual report of the Auditor General.

Laid on the table.

LETTERS, PETITIONS, REMONSTRANCES, &c.

Mr. MEYERS, a petition from inhabitants of East Allen township, Northampton county, praying for the passage of a law preventing the running of horses, &c., at large in the highways in said township.

Referred to the Committee on Agriculture.

Mr. DAY, a petition from citizens of Jefferson township, Washington county, praying to be annexed to Cross Creek township, in said county, for school purposes.

Referred to the Committee on Education.

Mr. PENNYPACKER, a petition from the citizens of Phoenixville, asking for authority to borrow money for the purpose of buying lands and erecting school houses.

Referred to the Committee on Education.

Mr. CHALFANT, a petition from one hundred and four citizens of Anthony township, Montour county, praying for the repeal of an act providing for the erection of a poor house in said county, approved April 11, 1866.

Referred to the Committee on Counties and Townships.

Also, a petition from fifty citizens of West Hemlock township, Montour county, of like import.

Referred to the Committee on Counties and Townships.

Mr. MARKLEY, a petition from Charles Schofield, praying that the marriage contract between himself and Mary Schofield, be annulled.

Referred to the Committee on Divorces.

Mr. WINGARD, a petition from William Biley, praying for a divorce from Martha Biley.

Referred to the Committee on Divorces.

Mr. SHUMAN, a petition from citizens of the town of Haley, Perry county, praying to have the name of the town changed to Marysville, and establishing them into a separate election district.

Referred to the Committee on Election Districts.

Mr. BOYD, a petition from citizens of Lower Windsor township, York county, praying for the passage of an act to secure the reconstruction of the Columbia bridge, across the Susquehanna river.

Referred to the Committee on Roads, Bridges and Ferries.

Mr. MAISH, a petition from inhabitants of the borough of York, York county, of like import.

Referred to the Committee on Roads, Bridges and Ferries.

Mr. CAMERON, a petition from citizens of Apolacan township, in the county of Susquehanna, praying for the repeal of the Lenox road law, and other purposes.

Referred to the Committee on Roads, Bridges and Ferries.

Mr. SHARPLES, a remonstrance from citizens of Valley township, Chester county, against a proposed change of the road laws of said township.

Referred to the Committee on Roads, Bridges and Ferries.

Mr. WADDELL, a petition from eighty citizens of Valley township, Chester county, asking for a change of road laws in said township.

Referred to the Committee on Roads, Bridges and Ferries.

Mr. SEILER, a petition from taxpayers of the borough of Highspire, Dauphin county, to annul the charter of said borough.

Referred to the Committee on Municipal Corporations.

Also, petition from taxpayers of said borough, of like import.

Referred to the Committee on Municipal Corporations.

Mr. FOGLE, a petition from citizens of Lehigh county, praying for the passage of an act regulating the sale of goods by hawkers and pedlars at wholesale.

Referred to the Committee on the Judiciary General.

Mr. PENNYPACKER, a petition from citizens of Phœnixville, Chester county, asking for the passage of an act exempting the Morris Cemetery from the payment of tax, and also the burial lots sold therein from an attachment for debt.

Referred to the Committee on Ways and Means.

ORIGINAL RESOLUTIONS.

Mr. BARTON. I offer the following resolution.

The resolution was read as follows:

Resolved, That General W. A. Pierce, of Virginia, have the use of this hall on Thurs-

day evening next, to deliver a public address. Subject—"Our Age of Heroism."

Read a second time and

Agreed to.

Mr. KINNEY. I offer the following resolution.

The resolution was read as follows:

Resolved, That hereafter the postoffice of this House shall be required to be kept open from 8 A. M. until 1 P. M., from 2 P. M. to 6 P. M., and from 7 to 9 P. M. On Sundays from 8 to 10 A. M., and from 2 to 4 P. M.

Mr. M'CREARY. Mr. Speaker, I think that resolution contemplates the closing of the postoffice from 1 to 2 P. M., and from 6 to 7 P. M. It would cause a great inconvenience to members coming here at those hours for their mail to have to wait an hour at noon or an hour in the evening. I think the postmaster and assistants can so arrange the matter as to keep the office open all the time during the day except on Sundays.

I therefore move to amend by striking out all of the resolution except that part which relates to Sundays.

Mr. KINNEY. I offered the resolution at the solicitation of the postmaster and according to my recollection of the rule of the last session. If such was not the rule last winter I have no wish to establish it now. I therefore accept the amendment.

The resolution was then

Agreed to.

Mr. WHANN. Mr. Speaker, I offer the following resolution.

The resolution was read as follows:

Resolved, That five thousand copies of the report on the Venango County bank be printed for the use of this House.

The resolution was read a second time.

Mr. QUIGLEY. Mr. Speaker, I do not see the use of printing any copies of this report for the use of this House. I think all that is necessary is included in the Auditor General's report. There is no occasion whatever to print any number of copies, and I move the indefinite postponement of the resolution.

Mr. DAVIS. Mr. Speaker, the gentleman from Venango [Mr. WHANN] can probably explain why he wishes this report printed better than I can. I think that, taking all the circumstances together, the failure of this bank, the wide spread excitement, and also the law on which it was founded requiring an investigation of all banks that failed under the State law—that this report should be printed. I am willing that the gentleman should move to amend by reducing the number to be printed, but I trust the resolution will not be indefinitely postponed. It will not be printed in the Auditor General's report. Under the law the Auditor General appoints a commission to take testimony to show why the bank failed, but unless there is an order made to print the report will be laid upon the table and will not reach the people who are most interested in this matter. The people of the State, especially of the western part, want to understand this matter, and, unless there is an order of the House made to print this report, it will never be spread before the people at all. The object I had, in offering the resolution in relation to this bank that I did on Friday, was to bring out the report and have it printed.

Mr. QUIGLEY. Mr. Speaker, if I understand the position of my colleague, it is this: A commission has been appointed to investigate the affairs of this bank; there has been a resolution passed this House requiring that commission to report to this House, and now here is a resolution to have that report printed. That report has not yet come before the House; when it does I will vote for its publication.

Mr. DAVIS. Under the resolution of last Friday the report was made to this House, and this evening the report was laid, by the Speaker, upon the table. If I understand the rules of the House, that is the last of it so far as the printing of it is concerned, unless we pass a resolution to print it.

Mr. QUIGLEY. I understand it thus: The report will be printed in the *Record*. I take it that every report laid on the table will be printed in the *Record*. Am I correct, sir?

The SPEAKER. It will be published in the Legislative documents only unless otherwise ordered by the House.

Mr. QUIGLEY. I therefore see no occasion whatever for publishing five thousand or five hundred copies of this report. It will be published with the Legislative documents and copied into the newspapers, especially in the district my friend from Venango represents. The newspapers will publish just such extracts as they think will be of interest to their readers. There is no occasion whatever for taxing the people of the State for publishing five thousand copies of a document of this kind. It may be a very long and useless report, of no interest whatever, except to those who lost by the failure of the bank.

Mr. DAVIS. The gentleman has gone into a long argument to show that it is not necessary to publish this report. But there are but few persons who would not like to have all the light they can get on this subject. The law also requires that any bank organizing under the State law and failing, the cause of its failure shall be investigated.

Mr. QUIGLEY. Will my colleague allow me to ask him a question?

Mr. DAVIS. I have no objection.

Mr. QUIGLEY. If I understand the matter this Venango bank was organized under our free banking law, and afterward became a National bank. Am I correct?

Mr. DAVIS. It never became a National bank in form I believe. The object of this report is to show the world what did become of that bank. This bank was organized under the Free Banking Law of Pennsylvania, and the stockholders and directors have been attempting, under the laws of the United States, to change it into a National bank. But the facts seem to be that it never became a National bank, but that its funds were stolen. I wish this matter fully laid before the world, that I may know how much I have lost and how much the people of the State have lost through the failure of this bank.

Mr. WHANN. Mr. Speaker, this report is without doubt of more interest to the people of the Western part of the State than any other. It is that section of the State which has suffered by the failure of the bank. But, as I view it, this question interests the people of the whole State. The present banking system has not stood the test of many years, and it is a question whether it will stand that test or not. Now, sir, under that banking law, one of the greatest swindles has been perpetrated of which the annals of this country give any knowledge. It was under this system of banking that this swindle took place. Now, here is the case, and here is the report of the investigation.

The cause of the failure of this bank has been investigated, and by proper officers. The question then is, whether we shall leave the result of this investigation before the world, or whether we shall cover it up. I say that it is of interest to every member here to know whether this banking system is what we desire, what we can rely upon. This is especially why I offered this resolution. If the banking system is not at fault, we want to know where the fault is. Does the fault belong with the directors of that bank, or does it belong to the officers, or is the fault in the banking law itself? This swindle has been perpetrated, and I think it is right we should know the cause of it. I believe that when the proper view is taken of this question, the members of this House will be desirous of seeing the report of the investigating committee.

Mr. CHASE. Mr. Speaker, my constituents are quite as much interested in this matter as those of the gentleman from Venango [Mr. WHANN], and I wish to support this measure, as the gentleman from Philadelphia [Mr. DAVIS] says, to find out how much my constituents lost, also what the gentleman from Philadelphia lost, and have published a full statement of the conduct of the officers of this bank. It is highly important that every man in the State should know the facts in the case. I however think three thousand copies enough, and move to amend to that effect.

Mr. WHANN. I accept the amendment.

Mr. ALLEN. Mr. Speaker, I admire, as much as any one, the disposition of my friend from Philadelphia [Mr. QUIGLEY] to economize, and I would be glad to second his efforts in that direction, but I consider this a question in which, not only the people of Philadelphia, but the people of the whole State, have a vital interest. By printing this report, I think there can be no injury done to any one, and there may be benefit to many. The bringing of this report before the world may be instrumental in divulging the causes of the failure of this bank, which has made so many men poor in our State, and put them on their guard against anything of the kind in the future. It may also develop the principles of this banking system on which this bank was founded as being wrong. I think there may much good grow out of it, and the expense of printing is but a little thing in comparison.

Mr. QUIGLEY. Mr. Speaker, I do not desire to be factious in this matter. My colleague [Mr. DAVIS] seems to think I know nothing about this bank. I think I know more about it than my colleague does. The bank was a swindle from the beginning. When it was organized under the free banking system it was then a swindle, and the very men who got it up were swindlers. I am not one of the defenders of C. V. Culver, but he was swindled in the affair. I know that to be a fact. I have no feeling at all in this matter. If the gentleman from Venango [Mr. WHANN] will modify his resolution so as to have a limited number of copies printed for his district I will agree to it. But I see no necessity for the number proposed.

I will withdraw my motion to indefinitely postpone.

Mr. WHANN. Mr. Speaker, I remarked that this was an extensive swindle, but I did not apply this remark to any one individually. I mentioned the directors of the bank and the officers, and said that it probably arose from some of those, but this investigation is calculated to give us the opinion of the commissioners as to where the swindle lies.

The question recurring on the amendment of the gentleman from Crawford [Mr. CHASE],

Mr. MANN. Mr. Speaker, I move to amend by striking out "three" and inserting "one."

The amendment was

Agreed to.

The resolution as amended was then

Agreed to.

Mr. GREGORY. Mr. Speaker, I offer the following resolution:

Resolved, That the message of the Governor, and accompanying documents, in relation to the bills entitled A supplement to the act incorporating the Susquehanna boom company, authorizing the erection of a dam, and allowing increase of tolls; and to an act declaratory of the law relating to taken-up lumber, and prohibiting the floating of loose

saw logs in the Susquehanna river, between the town of Northumberland and the line of the State of Maryland, be referred to a committee of five, to inquire and report what legislation is necessary to a just protection of all parties interested in the matters contained in said message.

Mr. WINGARD. Mr. Speaker, I move to amend by striking out "five" and inserting "three."

Mr. GREGORY. I accept the amendment.

Mr. WADDELL. Mr. Speaker, I should like to hear some reason why this should be referred to a special committee, and not to some regular committee of the House. If the matter is of such magnitude and importance that the regular committees of the House cannot give it proper attention, then there may be some reason for this action; but for myself I cannot see why this thing should take any different course from most of the matters referred to in the Governor's message. Other matters are referred to the standing committees, and those committees examine them, and report by bill, if necessary. I should like to know why this cannot also be done in the ordinary way.

Mr. GREGORY. Mr. Speaker, this message from the Governor is a special message referring to a special subject. The matter is one of considerable interest to my constituents who are interested in the lumber trade in the wooded regions of the Susquehanna. They have been somewhat wronged in the matter of the boom companies and the catching of loose saw logs in the Susquehanna river. They think they were not properly heard before the Governor, and they desire that they should be heard here in this matter. I think it a subject that ought to go before a special committee. The regular standing committees of the House are not the proper committees in this case. It is a special message in reference to a special subject, and a special committee is entirely proper.

Mr. DAVIS. Mr. Speaker, the gentleman from Chester [Mr. WADDELL] has expressed my views in this matter. I think resolutions have already been introduced this session referring special subjects to special committees more than I ever knew of before in my legislative experience. It certainly is a very uncommon thing to have, on every subject to which the Governor or anybody else refers, a special committee raised to investigate it. Heretofore it has been customary when a gentleman representing a particular district has introduced a special bill to refer that bill to the proper standing committee, and after the committee have carefully investigated it, to have it come before the House for investigation. We have got only two weeks into the session, and yet we have three or four special committees to attend to special business which is entirely outside of general legislation. I think we are progressing in the wrong way. So far as my experience goes I think we are legislating fast upon all subjects, and we are certainly getting very fast upon the subject of special committees. I would prefer to leave it to the gentleman to introduce a bill in reference to this matter, and refer it to the Judiciary Committee, or any other standing committee he may desire, to report whether it is necessary or not. If this new method of legislation is continued, standing committees will be unnecessary as well as the reading of bills in place, and hereafter it will be only necessary for some gentleman to get up and move that a special committee be appointed to consider any matter concerning which he may desire a bill passed.

Mr. GREGORY. Mr. Speaker, the Governor has had this matter before him, and a great number of witnesses have been examined in regard to it. The Governor has given a good deal of attention to it, and a great deal more time than any standing committee of this House can possibly do. Still the Governor has his doubts in regard to the propriety of the bill in question. I think that, in order that the matter may have a just examination and be carefully looked into, it is much better to have it referred to a special committee than to one of the regular committees of the House. A regular committee of the House cannot give this matter the careful consideration it deserves. If the Governor, who has had all this time, and who, I know, has given it a great deal of attention, thinks he cannot give this matter a just decision without referring it back to the House, I think its importance requires a special committee for its reference.

Mr. WINGARD. Mr. Speaker, I presume I have as much interest in this matter as almost any member of the House, and I certainly think if there is or has been any specific matter before this Legislature for the last year or so which has taken a very wide and very important range, it has been this matter of regulating the lumber business in the Susquehanna. I cannot see that it will do any harm to have a special committee in this case. There is one thing very certain, that if such a committee is appointed, the questions to be inquired into will be very fully before that committee. The parties interested will present themselves before the committee, and if the committee see fit to report a bill, after investigating the matter, they can do so. I do not see how this committee could interfere with the functions of any other committee, for it will simply be a committee to inquire into a special subject and they can report a bill or not, as they see fit. Even in committee they do not report a bill; if my constituents desire me to introduce one, I shall consider it my duty to do so. I cannot see any harm whatever in appointing this special committee. I can see no objection to it and hence shall vote for it.

Mr. WADDELL. Mr. Speaker, the only objection that I can see to the course suggested is, that it is unusual legislation. The Governor in his message refers to special matters. Yet this House never pretends to cut up his message and refer the various subjects to special committees. I apprehend that if this special message of the Governor is referred, by resolution, to any of our standing committees, that the parties interested will have just as fair and candid a hearing as they can have before any special committee that may be designated by the Speaker. I have no objection to the gentleman's designating the committee to which the matter shall be referred, but this proposed way of proceeding would seem to indicate that there is some suspicion, to say the least of it, of the various committees of the House. Now, I apprehend that if this goes to a special committee it will necessarily go before the gentlemen who compose these various general committees, and it will only serve to divide the general committees to attend to special business. This will merely produce an accumulation of labors upon their hands, and the probability is that it will not receive the careful consideration it would if referred to one of the standing committees. Refer it, if you please, to a particular standing committee, and after that committee have examined it, they have full power to introduce such a bill as, in their judgment, they may think necessary to protect the interests of these parties. I can, therefore, see no necessity for such a reference as proposed, and no reason why it cannot be reached by the ordinary committees of the House, and I hope the House will not step out of its ordinary business proceedings in this case. I have no feeling in the matter, and have no interest in it, and knew nothing of it until this resolution was introduced, and can only say that if the gentleman desires it should have the investigation he suggests, and in the manner proposed, I hope I will not be honored by being appointed on the committee before which it comes.

Mr. GREGORY. Mr. Speaker, as a matter of course I designed to cast no reflection on any committee with which the gentleman from Chester (Mr. WADDELL) is associated.

Mr. WADDELL. Mr. Speaker, I did not impute any such motives to the gentleman who introduced the resolution, but merely desired to say that it bears that impress. I had no idea that he intended anything personal.

Mr. GREGORY. Mr. Speaker, I judged from the gentleman's remarks that he received the impression that I intended to cast some reflection upon the standing committees of the House. That was not my intention at all. This matter is one that interests a large portion of the people of Pennsylvania in the counties bordering on the Susquehanna river. All those who are engaged in the lumbering business in those counties are interested in this matter. Some of my constituents in Philadelphia own land in the lumber regions and are directly interested in it. The Governor gave it, as far as possible, his attention for quite a time, and the message we have heard read from him to-day, will satisfy the members that, even with all the attention he gave it, and all the light he received in reference to it, he did not arrive at a definite conclusion as to the merits of the bill; he, therefore, referred the matter back to this House for any further legislation that may be required. If a special committee will not give the subject the best consideration, then let it go to one of the standing committees. But how a committee having quite a number of bills before it, each perhaps requiring special consideration, can give this subject the careful examination as a special committee, I am unable to see.

Mr. M'CREARY. Mr. Speaker, I rise to a point of order. We are having but a reiteration of the same thing over and over again. I am very willing to hear a full discussion of the question, but I do not want to hear of it four or five times over, nor do the other members of this House. I have heard two or three members speak as many different times, and I therefore rise to this point of order.

Mr. DAVIS. I guess the gentleman's point of order does not refer to me.

I am not going to make a speech; I am only going to explain.

The Governor's message only came in this evening, and if I heard it read aright, it is unnecessary to appoint a special or any other committee. As my colleague [Mr. GREGORY] thinks it necessary to investigate this subject, I move to amend the resolution by striking out all after the word "Resolved" and inserting "That the subject of the Governor's special message on the boom question, be referred to the Committee on the General Judiciary, with the right to report by bill or otherwise."

Mr. ADAIRE. I move to amend the amendment by referring it to the Committee on Corporations.

Mr. LEE. Mr. Speaker, I hope that amendment will be voted down. I think the amendment of my colleague [Mr. DAVIS] eminently proper. I hope this House will refer it to that committee.

Mr. WINGARD. Mr. Speaker, there is another reason which I think is peculiarly applicable, and which will commend itself to the judgment of the House, why the amendment of the gentleman from Philadelphia [Mr. DAVIS] should prevail.

There are very important constitutional questions involved in this matter. These are

so important that not only the Attorney General, but the former Attorney General of the United States, were consulted in reference to the grave questions arising under the bill. As the Committee of the General Judiciary is the highest legal committee we have in the House, I think the matter should be referred to them.

Mr. ADAIRE. Mr. Speaker, I would like to inform the gentleman from Lycoming [Mr. WINGARD] that there are some lawyers on the Committee on Corporations.

Mr. GREGORY. Mr. Speaker——

Mr. JOSEPHS. Mr. Speaker, I raise the point of order that the gentleman has already spoken as often as the rules allow.

Mr. GREGORY. Mr. Speaker, I ask leave to make a statement.

Leave was not granted.

The amendment of Mr. ADAIRE was Not agreed to.

The amendment of Mr. DAVIS was Agreed to,

And the resolution as amended was Agreed to.

BILLS IN PLACE.

Mr. SUBERS read in his place and presented to the Chair an act to incorporate the Granite iron company.

Referred to the Committee on Corporations.

Mr. MARKS, a supplement to an act to incorporate the Fidelity insurance, trust and safe deposit company, of the city of Philadelphia, passed the 22d day of March, A. D. 1856.

Referred to the Committee on Corporations.

Mr. WESTBROOK, an act to incorporate the Milford cemetery.

Referred to the Committee on Corporations.

Mr. WADDELL, a further supplement to an act to incorporate the Girard life insurance, annuity and trust company of Philadelphia, passed the 17th day of March, 1836.

Referred to the Committee on Corporations.

Mr. CRAIG, an act to incorporate the Oak Hall association, of Weatherby.

Referred to the Committee on Corporations.

Mr. M'CREARY, an act to authorize William Loesch to run a line of omnibuses from the south line of the borough of South Erie, to the harbor in the city of Erie.

Referred to the Committee on Corporations.

Mr. HOFFMAN, an act to incorporate the Pennsylvania central thief detective and live stock insurance company.

Referred to the Committee on Corporations.

Mr. CHALFANT, an act to incorporate the Pennsylvania live stock insurance company to insure against disease, accident and death.

Referred to the Committee on Corporation.

Mr. SEILER, an act to incorporate the Highspire cemetery association.

Referred to the Committee on Corporations.

Mr. SHARPLES, an act to incorporate the Oxford hall association.

Referred to the Committee on Corporations.

Mr. FREEBORN, a supplement to an act to incorporate the Cooper fire arms manufacturing company, approved 3d April, 1866, and the supplement to the same.

Referred to the Committee on Corporations.

Mr. FREEBORN, an act to incorporate the Bachelors' barge club of the city of Philadelphia.

Referred to the Committee on Corporations.

Mr. WHANN, an act to establish a ferry on the Allegheny river at Patterson's Falls, in the county of Venango.

Referred to the Committee on Roads, Bridges and Ferries.

Mr. WHANN, an act construing portions of the first section of an act, approved February 17th, A. D. 1865, granting to Samuel Stock the right to erect a ferry or foot bridge over Oil creek, at or near the Noble well in the township of Cornplanter, Venango county.

Referred to the Committee on Roads, Bridges and Ferries.

Mr. WHANN, an act to incorporate the Emlenton and Shippensville turnpike road company.

Referred to the Committee on Roads, Bridges and Ferries.

Mr. M'CREARY, a supplement to an act to amend the road laws of Erie county, approved the 26th day of March, A. D. 1864.

Referred to the Committee on Roads, Bridges and Ferries.

Mr. HUMPHREY, an act to declare Cedar run a public highway, in the township of Elk, county of Tioga.

Referred to the Committee on Roads, Bridges and Ferries.

Mr. CAMERON, an act to repeal the Lenox road law, in the township of Apalacaw, in Susquehanna county, and for other purposes.

Referred to the Committee on Roads, Bridges and Ferries.

Mr. WALLACE, a supplement to an act to incorporate the Cresheim turnpike and bridge company.

Referred to the Committee on Roads, Bridges and Ferries.

Mr. SHUMAN, an act regulating the width of mountain roads in Perry county.

Referred to the Committee on Roads, Bridges and Ferries.

Mr. MECHLING, an act to establish a ferry over the Allegheny river at or near Red Bank Furnace.

Referred to the Committeee on Roads, Bridges and Ferries.

Mr. JENKS, an act to declare that branch of Mill creek, in the county of Jefferson, known as the Five Mile run, a public highway.

Referred to the Committee on Roads, Bridges and Ferries.

Mr. KINNEY, a further supplement to the road laws of Bradford county.

Referred to the Committee on Roads, Bridges and Ferries.

Mr. WADDELL, an act relative to roads in Valley township, Chester county.

Referred to the Committee on Roads, Bridges and Ferries.

Mr. KOON, a supplement to an act entitled an act to incorporate the Factoryville and Abington turnpike and plank road company, approved the 17th day of April, A. D. 1856.

Referred to the Committee on Roads, Bridges and Ferries.

Also, a supplement to an act entitled An act to incorporate the Easton and Wilkesbarre turnpike road company, approved February 11th, 1803.

Referred to the Committee on Roads, Bridges and Ferries.

Mr. DEISE, an act to amend an act, and correct an error therein, entitled A supplement to an act entitled An act appointing commissioners to lay out and open a State road in the counties of Cameron and Potter, approved the 21st day of March, A. D. 1865, approved the 4th day of April, A. D. 1866.

Referred to the Committee on Roads, Bridges and Ferries.

Also, an act to incorporate the Boyd Farm and Petroleum Centre bridge company.

Referred to the Committee on Roads, Bridges and Ferries.

Also, an act to incorporate the Rouseville bridge company.

Referred to the Committee on Roads, Bridges and Ferries.

Also, an act to incorporate the Pioneer Run bridge company.

Referred to the Committee on Roads, Bridges and Ferries.

Also, an act to declare certain public highways State roads, and appointing commissioners to open and build the same.

Referred to the Committee on Roads, Bridges and Ferries.

Mr. M'CAMANT, an act to extend to plank roads the provisions of the eighth and ninth sections of the act, approved April 19, 1844, entitled An act concerning certain State and turnpike roads.

Referred to the Committee on Roads, Bridges and Ferries.

Also, an act to repeal the charter of the Tuckahoe and Mount Pleasant plank road company.

Referred to the Committee on Roads, Bridges and Ferries.

Mr. DAY, a bill entitled An act to annex the property of David S. Walker, Francis Cunningham and Wesley Smith, of Jefferson township, Washington county, to Crosscreek township, in the same county, for school purposes.

Referred to the Committee on Education.

Mr. JENKS, a bill entitled An act to authorize the trustees of the Brookville Academy to sell the same to the Brookville school district.

Referred to the Committee on Education.

Also, a bill entitled An act to annex certain lands in Pine Creek township, Jefferson county, property of Sarah G. Evans, to the township of Brookville, for school purposes.

Referred to the Committee on Education.

Mr. PENNYPACKER, a bill entitled An act to authorize the school directors of the borough of Phœnixville to borrow money for the purpose of purchasing lands and building school houses.

Referred to the Committee on Education.

Mr. KINNEY, a bill entitled An act supplementary to an act for the regulation and continuance of a system of education by common schools.

Referred to the Committee on Education.

Mr. WILSON, a bill entitled An act to enable the school directors of East Birmingham, Allegheny county, to borrow money for the erection of school buildings.

Referred to the Committee on Education.

Mr. MECHLING, a bill entitled An act extending the provisions of certain acts of Assembly in regard to sites for school houses, &c., to the county of Armstrong.

Referred to the Committee on Education.

Mr. HOFFMAN, a bill entitled An act to extend certain provisions of an act entitled An act to authorize the school directors of Chester and Delaware counties to select school sites for school houses, to the county of Dauphin.

Referred to the Committee on Education.

Mr. WADDELL, a bill entitled An act relating to the Agricultural College of Pennsylvania, and to the establishment of experimental farms in connection therewith.

Referred to the Committee on Education.

Mr. M'KEE, a bill entitled An act to incorporate the Union iron mills of Pittsburg.

Referred to the Committee on Iron and Coal Companies.

Mr. WILSON, a bill entitled An act to incorporate the Superior iron company.

Referred to the Committee on Iron and Coal Companies.

Mr. LEE, a bill entitled An act to incorporate the National iron company.

Referred to the Committee on Iron and Coal Companies.

Mr. BARRINGTON, a bill entitled An act supplementary to an act, approved March 10, 1857, entitled An act to incorporate the Northampton iron company, authorizing an increase in the capital stock of said company.

Referred to the Committee on Iron and Coal Companies.

Mr. CHEGAN, a bill entitled A further supplement to an act to incorporate the city of Philadelphia, approved February 2, 1854.

Referred to the Committee on Municipal Corporations.

Mr. WHANN, a bill entitled An act limiting the burgess and town council of Oil City, in the matter of taxes.

Referred to the Committee on Municipal Corporations.

Mr. MECHLING, a bill entitled An act authorizing the assessment of railroad taxes in the borough of Kittanning, Armstrong county.

Referred to the Committee on Municipal Corporations.

Mr. QUAY, a bill entitled An act to vacate certain lands and alleys in the plan of outlets in the borough of Beaver, in the county of Beaver.

Referred to the Committee on Municipal Corporations.

Mr. KURTZ, a bill entitled An act relative to the per capita tax to be assessed by the water managers of the town of Armstrong, Centre county.

Referred to the Committee on Municipal Corporations.

Mr. DEISE, a bill entitled An act to change and amend the charter of the borough of Emporium, in Cameron county.

Referred to the Committee on Municipal Corporations.

Mr. SEILER, a bill entitled An act to authorize a special election in the borough of Highspire.

Referred to the Committee on Municipal Corporations.

Mr. KINNEY, a bill entitled An act to authorize the borough of Troy, in Bradford county, to increase the taxes for borough purposes.

Referred to the Committee on Municipal Corporations.

Mr. M'KEE, a bill entitled An act extending to the city of Pittsburg the provisions of an act entitled A further supplement to an act to incorporate the city of Philadelphia, relating to the fire alarm and police telegraph, approved the 28th of February, 1865.

Referred to the Committee on Municipal Corporations.

Mr. EWING, a bill entitled An act relative to the weighing of hay, coal and lime in the borough of Washington.

Referred to the Committee on Municipal Corporations.

Also, a bill entitled A supplement to an act to empower the commissioners of Washington county to compromise with the holders of the county bonds for the more prompt and economical collection of taxes in said county.

Referred to the Committee on Municipal Corporations.

Mr. MARKLEY, an act authorizing the coroner of Montgomery county to appoint deputies.

Referred to the Committee on the Judiciary Local.

Mr. LEECH, a supplement to an act passed the sixteenth day of February, A. D. 1865, to increase the pay of county commissioners, county auditors, poor directors, jurors and witnesses in the county of Mercer.

Referred to the Committee on the Judiciary Local.

Mr. M'CREARY, an act authorizing the commissioners of Erie county to exonerate William F. Brockway, collector of the township of Springfield, in said county, from the payment of certain taxes.

Referred to the Committee on the Judiciary Local.

Mr. EWING, an act to increase the fees of certain county officers and district attorney in the county of Washington.

Referred to the Committee on the Judiciary Local.

Mr. KENNEDY, an act for the better and more impartial selection of jurors in the several courts of Wyoming county.

Referred to the Committee on the Judiciary Local.

Mr. BARTON, an act relating to the prison of the county of Delaware.

Referred to the Committee on the Judiciary Local.

Mr. MAISH, and act to extend the jurisdiction of the orphans' court of York county.

Referred to to the Committee on the Judiciary Lolal.

Mr. MEYERS, an act providing for the punishment of persons residing in Northampton county, deserting their wives and children,

Referred to the Committee on the Judiciary Local.

Mr. M'KEE, an act relating to soliciting passengers in Allegheny county.

Referred to the Committee on the Judiciary Local.

Mr. M'KEE, a supplement to an act fixing the terms of the courts of common pleas, oyer and terminer, and general jail delivery, quarter sessions of the peace and orphans' court, in the county of Allegheny, and regulating proceedings therein, approved 22d day of March, A. D. 1866.

Referred to the Committee on the Judiciary Local.

Mr. THARP, an act to regulate the fees of the county treasurer of Northumberland county.

Referred to the Committee on the Judiciary Local.

Mr. FREEBORN, an act defining the duties of the inspector of the Philadelphia county prison.

Referred to the Committee on the Judiciary Local.

Also, an act supplementary to an act regulating the fees of the clerk of the quarter sessions of the peace, &c., for the city and county of Philadelphia, approved the 8th day of February, A. D. 1865.

Referred to the Committee on the Judiciary Local.

Mr. KINNEY, an act to change the venue in the case of the Commonwealth of Pennsylvania vs. Jesse R. M'Carty, Joshua R. M'Carty and Chas. Norton, from the court of quarter sessions of the peace of Sullivan county to the court of quarter sessions of the peace of Bradford county.

Referred to the Committee on the Judiciary Local.

Mr. WEBB, a supplement to an act passed the 13th day of April, A. D. 1859, relating to billiard saloons, &c., in the counties of Chester and Delaware, extending the same to the county of Bradford.

Referred to the Committee on the Judiciary Local.

Mr. DEISE, an act to authorize the election of an officer to be called constable and collector in the several townships and boroughs in the county of Cameron, and regulate his duties.

Referred to the Committee on the Judiciary Local.

Also, an act to legalize certain assessments made by the commissioners in the county of Cameron.

Referred to the Committee on the Judiciary Local.

Also, an act to revive an act to empower the Justices of the Supreme Court to supply defects in the titles of lands, occasioned by the loss of deeds, or writings respecting the same, or where they have been defaced or rendered illegible by time or accident, passed the 28th day of March, A. D. 1786, and its several supplements, and to extend the same to the county of Cameron.

Referred to the Committee on the Judiciary Local.

Mr. WEBB, a supplement to an act to change the mode of criminal proceedings in Erie and Union counties, extending the same to the county of Bradford.

Referred to the Committee on the Judiciary Local.

Mr. KINNEY, an act repealing the provisions of an act relative to the fees of district attorney in certain counties of this Commonwealth, so far as they relate to the county of Bradford.

Referred to the Committee on the Judiciary Local.

Mr. MANN, a preamble and joint resolutions, instructing our Senators and Representatives in Congress to procure a reduction of the tax on petroleum.

Referred to the Committee on Federal Relations.

Also, a joint resolution to ratify the amendment to the Constitution of the United States relating to slavery.

Referred to the Committee on Federal Relations.

Mr. HARBISON, an act in relation to a railway bureau and free railroad law.

Referred to the Committee on Railroads.

Mr. WILSON, an act to repeal an act of the General Assembly of the State of Pennsylvania, which became a law on the 19th day of ———, 1864, entitled An act relative to the Pittsburg and Connellsville railroad company.

Referred to the Committee on Railroads.

Mr. DEISE, an act prohibiting the issue or use of free passes on the railroads of this Commonwealth.

Referred to the Committee on Railroads.

Mr. BRENNAN, an act relating to the real estate of William Wurts, deceased.

Referred to the Committee on Estates and Escheats.

Mr. SHARPLES, an act to confirm the title of John Hanly, to certain real estate in the city of Philadelphia.

Referred to the Committee on Estates and Escheats.

Mr. WINGARD, an act incorporating the Real Estate savings institution.

Referred to the Committee on Banks.

Mr. WRIGHT, an act relating to the passage of fish in Middle creek, in the county of Snyder.

Referred to the Committee on Agriculture.

Mr. WEBB, a supplement to an act to compel the manufacturers of firkins, kegs and tubs, intended for the packing of butter or lard, in the counties of Erie, Crawford and Warren, to mark the weight thereon, extending the same to the county of Bradford.

Referred to the Committee on Agriculture.

Mr. WHANN, an act for the relief of Jos. A. Allen and E. Myers.

Referred to the Committee on Pensions and Gratuities.

Mr. MANN, an act to authorize the payment of a gratuity to Michael Dunn, a soldier in the war to suppress the rebellion, on account of the loss of both his legs.

Referred to the Committee on Pensions and Gratuities.

Mr. M'PHERRIN, an act for the relief of Peter Roberts, a soldier of the war of 1812.

Referred to the Committee on Pensions and Gratuities.

Mr. CHADWICK, an act to authorize the auditors to allow the school directors of Elizabeth township, Allegheny county, a compensation for attending to the bounty business of said township.

Referred to the Committee on Military Affairs.

Mr. KURTZ, a supplement to an act approved the 14th day of February, A. D. 1866, relative to the assessment of an additional bounty tax, in the township of Haines, county of Centre.

Referred to the Committee on Military Affairs.

Mr. GALLAGHER, an act to authorize the Governor to transfer to the Reynolds Monument committee unserviceable and condemned ordnance.

Referred to the Committee on Military Affairs.

Mr. STUMBAUGH, an act relative to the settlement of bounty accounts in the county of Franklin.

Referred to the Committee on Military Affairs.

Mr. MANN, an act to repeal an act of the 13th of March, A. D. 1866, entitled An act to provide for the payment of gratuities and annuities to the soldiers of the war of 1812, and to their widows.

Referred to the Committee on Ways and Means.

Mr. M'CREARY, an act to exempt the parsonage of the Park Presbyterian church congregation in the city of Erie, Pennsylvania, from taxation.

Referred to the Committee on Ways and Means.

Mr. FREEBORN, an act to exempt from taxation certain real estate in Philadelphia belonging to and used and occupied by the Western Association of ladies of Philadelphia for the relief and employment of the poor.

Referred to the Committee on Ways and Means.

Mr. MANN, an act for the relief of wives and children deserted by their husbands and fathers within this Commonwealth.

Referred to the Committee on the Judiciary General.

Mr. M'KEE, an act relating to the law of evidence.

Referred to the Committee on the Judiciary General.

Mr. WEBB, a supplement to an act relative to the admission of parties to judicial proceedings as witnesses.

Referred to the Committee on the Judiciary General.

Mr. WADDELL, an act supplementary to an act to amend certain defects in the law for the more just and safe transmission and secure enjoyment of real and personal estate, approved April 27, A. D. 1855, and to provide a mode for extinguishing mineral reservations in lands not owned by the Commonwealth.

Referred to the Committee on the Judiciary General.

Mr. THARP, an act extending the provisions of an act relating to corporations for mechanical, manufacturing and quarrying purposes, approved July 18, 1863, and the supplements thereto, to the county of Northumberland.

Referred to the Committee on Mining and Manufacturing Companies.

Mr. DONOHUGH, an act for the relief of Nathaniel R. Harris, a commissioned Captain of Company D, in the One Hundred and Sixteenth Regiment, Pennsylvania Volunteers.

Referred to the Committee on Ways and Means.

Mr. SUBERS, an act to incorporate the Equitable gold and silver mining company.

Referred to the Committee on Mining and Manufacturing Companies.

Mr. LEE, a supplement to an act to incorporate the Eagle mining company, passed the 18th day of March, A. D. 1865.

Referred to the Committee on Mining and Manufacturing Companies.

Mr. SHUMAN, a supplement to an act to incorporate the town of Haly, in the county of Perry, into a borough, approved April 12, 1866, changing the name of said borough to Marysville, and forming the same into a separate election district.

Referred to the Committee on Election Districts.

Mr. M'CREARY, an act to repeal an act relating to licenses in Erie county.

Referred to the Committee on Vice and Immorality.

Mr. KOON, an act to incorporate the East and West Pittston street passenger and freight railway company.

Referred to the Committee on Passenger Railways.

Mr. BREEN, an act authorizing the commissioners of Schuylkill county to sell real estate, and to apply the proceeds to the building of a tenant house for the janitor of the court house, in said county.

Referred to the Committee on Counties and Townships.

Mr. DEISE, an act to change, alter and straighten the county line between the counties of Cameron and Potter and Cameron and Clinton.

Referred to the Committee on Counties and Townships.

Mr. KENNEDY, an act to authorize the commissioners of Wyoming county to levy an additional tax for the purpose of erecting a new county jail and sheriff's house in said county of Wyoming, and for other purposes.

Referred to the Committee on Counties and Townships.

Mr. MARKLEY, an act to annul the marriage contract between Charles Schofield and Mary Schofield.

Referred to the Committee on Divorces.

Mr. M'PHERRIN, an act to annul the marriage contract between Samuel M'Nalley and Margaret M'Nalley.

Referred to the Committee on Divorces.

Mr. WINGARD, an act to annul the marriage contract between William Riley and Martha Willis.

Referred to the Committee on Divorces.

Mr. JOSEPHS, an act to annul the marriage contract between Daniel Wilson and his wife.

Referred to the Committee on Divorces.

BILLS PASSED.

Mr. PENNYPACKER. Mr. Speaker, I ask leave to make a statement.

Leave was granted.

Mr. PENNYPACKER. Mr. Speaker, it is well known that I have not often asked of this House the favor of the suspension of the rules, but I have a bill which it is important should be passed at once. I read it in place and move that the rules be suspended and the bill put on its passage.

The bill is entitled An act exempting the Morris cemetery, in the county of Chester, from the payment of tax, and the lots sold therein from an attachment for debt.

On the motion to suspend the rules,

The yeas and nays were required by Mr. MANN and Mr. GREGORY, and were as follow, viz:

YEAS—Messrs. Adaire, Allen, Armstrong, Barton, Breen, Brennan, Brown, Calvin, Cameron, Chadwick Chase, Colville, Day, Espy, Ewing, Gallagher, Ghegan, Gordon, Harbison, Hoffman, Hood, Humphrey, Jenks, Josephs, Kennedy, Kimmell, Kinney, Kline, Koon, Kurtz, Lee, Linton, Long, M'Henry, Maish, Markley, Mechling, Meyers, Pennypacker, Peters, Phelan, Pillow, Rhoads, Richards, Roath, Robinson, Seiler, Shuman, Steacy, Stumbaugh, Subers, Tharp, Wallace, Watt, Webb, Weller, Westbrook, Wham, Wilson, Wingard, Woodward, Wright and Glass, *Speaker*—63.

NAYS—Messrs. Barrington, Boyd, Chalfant, Deise, Fogel, Freeborn, Gregory, Harner, Hetzel, Hunt, M'Camant, M'Creary, M'Kee, M'Pherrin, Mann, Marks and Waddell—17.

So the question was determined in the affirmative.

The bill was read the first time.

Mr. M'CREARY. Mr. Speaker, I do not know that it is now the right time to make an objection, but it seems to me that the first section of this bill is unnecessary. Burial grounds are already exempt from taxation by the act of 1859, as follows:

"Whenever any lot or lots or the right of sepulture therein shall be granted to any person or family by any incorporated cemetery company, or church, or religious congregation within any common enclosure, made by such company, church or congregation as, and for the purpose of the perpetual burial of the dead, every and all lots so disposed of or used for burial shall hereafter be free and exempt from all taxation, so long as the same shall be used and held only for the purpose of sepulture."

It strikes me that this act covers the first section of this bill.

Mr. PENNYPACKER. Mr. Speaker, this bill refers to the whole property of the cemetery other than the real burial lots. I am no lawyer, but if it is not necessary to have this section passed I do not want it. But I do not see that it would have any deleterious effect if it is passed.

Mr. LEE. Mr. Speaker, if the object of the bill is to exempt the whole property, of course, the act read by the gentleman from Erie [Mr. M'CREARY] does not reach the case at all. I presume the first section of this bill is necessary to effect the object intended by the gentleman from Chester [Mr. PENNYPACKER]. He wishes to exempt the entire ground, but the act read exempts the lots sold and those only.

Mr. M'CREARY. If that is the case, I have no objection to the section.

The bill was read a second and third time, and

Passed finally.

Mr. JENKS. Mr. Speaker, I move that the rules be suspended, and that the House proceed to the consideration of the following bill:

An act to authorize the commissioners of Jefferson county to borrow money.

The motion was agreed to, and

The bill was read a second and third time, and

Passed finally.

Mr. M'CREARY. Mr. Speaker, I offer the following joint resolution and ask that it be read.

The joint resolution was read as follows:

WHEREAS, By a late decision of the Paymaster General at Washington, soldiers who have lost their discharges are not able to draw the one hundred dollars authorized by act of Congress of July 28, 1866;

And whereas, This decision does great injustice to many soldiers, who for causes beyond their control have lost there discharges; therefore,

Resolved by the Senate, &c., That the Senators and Representatives of the Congress of the United States (and especially the Sen-

ators and members of Congress from Pennsylvania), be requested to enact such laws as will enable those soldiers who have lost their discharges, and whose names are borne on the muster rolls of their respective organizations as having been honorably discharged from the service of the United States, to receive the said bounty the same as though their discharges had not been lost.

Resolved, That the Governor of Pennsylvania be requested to forward a copy of these resolutions to each member of the United States Senate, and House of Congress from Pennsylvania.

Mr. M'CREARY. Mr. Speaker, it may not be generally understood that the Paymaster General of the United States army has made a decision which prevents a great many soldiers from receiving the bounties granted by the act of July 28, 1866, for the reason that they, without any fault of their own, are unable to produce their discharges.

The act provides that, unless applications are made within a certain time, those applications will be rejected, and this time will soon be up. It is probable that a resolution of this kind may stir up Congress to action in regard to this matter. It is only essential that this should be attended to during the present session of Congress. This is a question in which I have no greater interest than all have. I therefore move that the rules be suspended and that the resolution be passed.

The motion was

Agreed to.

The resolution was read a second and third time and

Passed finally.

Mr. HARBISON. Mr. Speaker, I read in my place and present to the Chair, a bill entitled An act in relation to a railroad bureau and free railroad law, and move that five hundred copies be printed for the information of this House.

Mr. QUIGLEY. Mr. Speaker, I think it will be time to have the bill printed when it is reported to this House.

On agreeing to the motion a division was taken, when twenty-nine voted for and twenty-three against it.

So it was

Agreed to.

Mr. WINGARD. Mr. Speaker, I move to suspend the rules in order to consider the bill entitled An act authorizing the Governor to appoint one additional notary public for the county of Lycoming.

The motion was

Agreed to.

The bill was read a second and third times, and

Passed finally.

BILLS LAID ON THE TABLE.

Mr. STUMBAUGH read in place and presented to the Chair a supplement to an act to incorporate the Montana gold and silver mining company, approved the 23d day of March, A. D. 1865.

Laid on the table.

Mr. WHANN, an act authorizing the school directors of the borough of Oil City, in Venango county, to borrow money.

Laid on the table.

Mr. ALLEN, an act to repeal a part of an act, approved March 2d, A. D. 1866, in reference to fees of officers and jurymen in Warren county.

Laid on the table.

Mr. WHANN. Mr. Speaker, I offer the following joint resolution, which I desire to have read.

The resolution was read as follows:

WHEREAS, Petroleum has become one of the great staples of Pennsylvania, and of vast national importance; and, as such, deserving encouragement, not only by the people of this Commonwealth, but of the General Government;

And whereas, This great staple, which is now recognized as a national necessity, and has become one of our most important exports, instead of receiving the fostering care of Congress, is burdened with excessive taxation, the tax on each barrel of refined oil amounting to eight dollars per barrel, while the price of crude oil is less than two dollars per barrel;

And whereas, The present enormous taxation is not only oppressive, but destructive to this great interest; therefore, be it

Resolved by the Senate and House of Representatives, &c., SECTION 1. That our Senators in Congress be instructed and our Representatives be requested to use all honorable means to procure the reduction or removal of the tax on refined petroleum.

SEC. 2. That the Governor be, and is hereby, requested to furnish to each Senator and Representative in Congress, a copy of the foregoing preamble and resolutions.

Mr. WHANN. Mr. Speaker, I ask leave to make a statement.

Leave was granted.

Mr. WHANN. Mr. Speaker, you will see at once that the vitality of this bill depends upon immediate action. Congress has but a short time to sit, and the act will be of no use unless it can soon reach them for action. I therefore ask for a suspension of the rules.

On the question, Shall the rules be suspended?

It was

Not agreed to.

Mr. MEYERS. Mr. Speaker, I read in my place and present to the Chair a bill entitled as follows:

An act requiring the bounty commissioners of Forks township, Northampton county, to render an account to the auditor of said township, and providing for auditing the same.

Mr. MEYERS. Mr. Speaker, I ask leave to make a statement.

Leave was granted.

Mr. MEYERS. Mr. Speaker, in 1864 a special act was passed for Palmer township authorizing the appointment of commissioners to loan money for the purpose of raising volunteers for that county. In the same year a supplement was passed extending the provisions of that act to any township in that county that would take the benefit of it. The commissioners were appointed in pursuance of said supplement, and have acted since 1864. They have, at this time, rendered no account and positively refuse, upon solicitation of citizens, to render any account whatsoever. They act under a special law, and there is now no law in force which can enable the citizens to force them to file any account or to have it audited.

Facts have come to light from which there is great reason to believe that these commissioners have levied and imposed large taxes upon the citizens of that township which cannot be sustained by any law, and are acting in a manner injurious and detrimental to the citizens of the township. There is now no act in force under which they have any remedy at all, or can require these commissioners to render any account unless by the process of a court of equity by bill and answer. Any gentleman acquainted with the proceedings in that court knows how long a time that would take. Under these circumstances it is necessary that some summary process be placed in the hands of the people to cause these parties to make a statement and oblige them to have their account audited. They propose to levy and collect taxes by selling property of the people who refuse to pay them. The people are refusing to pay these taxes, because they believe there is something wrong from the fact that the parties refuse to render an account. I, therefore, ask that the rule be suspended and that the House take up this bill this evening and pass it, so that justice may be done to the people of my district.

The motion was agreed to, and the bill was read.

Mr. LEE. Mr. Speaker, I move to indefinitely postpone the consideration of this bill. I do not believe there is a gentleman in this House who has the remotest idea of the importance of the bill. Here is a broad, wholesale *ex parte* accusation, and it seems to me these bounty commissioners ought to have an opportunity to be heard. I think this kind of legislation is unprecedented. It looks suspicious, to say the least, that a bill of this importance, involving so many considerations as this does, involving the reputation and character of a large number of officers, should be passed in this hasty and summary manner. I think the House will see the importance of postponing it. I do not want to put the bill in such a condition that it cannot be reached, but I want to give the parties affected by this bill an opportunity to be heard before this House. I had no idea of the import of the bill or I should have moved for a division of the question on the suspension of the rules. To pass this bill in this summary way would, I think, be monstrous. I move that the bill be referred to the proper committee.

Mr. MEYERS. Mr. Speaker, I think I would be the last gentleman on this floor to present anything for the consideration of this House which I deemed to be improper in the least degree. This bill applies to my own district—to my own constituency, and I am responsible to them for what I present here, and for what I pass. I might have presented a bill general in its character, applicable to the whole State, of similar import to the one under consideration, and if I had done so it could hardly be said that it involved a personal accusation against any gentleman acting as bounty commissioner, school director, or in any other capacity, having charge of public funds. In this bill I have made no charges whatever. I have made no other charges than can be implied in any general law in which you hold persons to a strict accountability, acting in a fiduciary capacity, to do certain things for the benefit of the people of the Commonwealth; and wherever any man who occupies that position is restricted and restrained, and is bound up in a certain way by the Legislature of the State, there is no reflection upon his integrity, but he is rather given an opportunity to do that which he is in duty bound to do.

Now, Mr. Speaker, this is an urgent case which requires immediate action. These gentlemen have been acting for three years in the capacity of commissioners. They have filed no account, and, when solicited to do so by the people of that township, they peremptorily declined. These commissioners now have the power, upon giving thirty days' notice to citizens to pay their taxes, of levying and selling the property in case of refusal.

This bill does not charge any criminal act against these men, who have been acting as commissioners, but merely provides that they shall file an account with the auditor, and give the citizens of that township an opportunity to know whether they have done their duty to the people, who have come forward with their treasure, for the purpose of furnishing means to send volunteers to our armies. If everything is right, we are entitled to that knowledge, and if there is anything wrong, we are entitled to have it rectified, if possible. I ask nothing, but what is demanded by the majority of the people of that township, who are in favor of this law; and in their name I

ask the passage of this bill. I hope, therefore, that it will not be referred to a committee.

Mr. LEE. Mr. Speaker I am more thoroughly convinced, from the gentleman's argument, than before, of the necessity of my motion. Here are specific charges of dereliction; specific charges against specific persons, and they have no earthly opportunity of answering, or knowing that they are assailed upon this floor. The gentleman says these commissioners have refused to render an account for three years. Let us know that. He says they are going on to levy. Let them have an opportunity of showing that this is perfectly right. Let them have some chance to counterbalance the charges made by the gentleman on this floor. It is right they should have an opportunity to reply, and they should know that this bill is sought to be pushed through this Legislature. It is not right, in any sense of the word, that they should be thus charged, and a bill passed to make them do certain things that we know nothing about except from the *ex parte* statement of the gentleman. Let them come here and be afforded an opportunity to vindicate their reputation, as commissioners, before this House. We have vested them with authority to do certain things, and now let them have an opportunity to show their actions.

Mr. MEYERS. These persons have the extraordinary power of levying, assessing and collecting taxes. There is no community in this Commonwealth more willing to pay their taxes than my constituents.

Mr. LEE. Whence did these commissioners derive their authority?

Mr. MEYERS. They were appointed by the court of common pleas, under an act of Assembly. They have the extraordinary power of levying, assessing and collecting the taxes of that township. This bill provides for nothing except that they shall file a statement with the township auditor. Is there anything burdensome or wrong in that? If there is anything wrong in it, I would like to know wherein the wrong consists.

Mr. LEE. I do not say that there is anything wrong. But I do say that these parties should have an opportunity to answer for themselves. It is not for me to answer.

Mr. MEYERS. These commissioners have rendered no account for three years. If the gentlemen on this floor do not choose to credit my statement, then it is no use for honorable gentlemen to occupy seats in this House. Having failed to make any statement, is it wrong to ask them to render an account to the auditors of this township? Is it wrong to require these auditors, by law, to audit this account, and determine whether it is right or not? I desire the passage of this bill in behalf of my constituents, whose wishes and desires I am in duty bound to represent. I therefore ask that this bill be passed this evening.

Mr. WADDELL. I have nothing to say on the merits of this bill, one way or the other. But it is a source of some satisfaction to me that this discussion has arisen. I desire to call the attention of the House to this manner of doing business. I suggested last week that this is not the way to do business—by suspending the rules—and I presume the House will bear me out in the assertion. We have spent half an hour in the discussion of a bill, which, probably a majority of this House think, should go to a committee. We could have gone through the whole order in this time, and the committee could have examined the bill and the House have taken action on it in half the time. I do not pretend to know anything of the nature of this bill. I must take what the gentleman has said. We are compelled to take the gentleman's allegations. I would not feel it my duty to vote against the bill, when the gentleman from Northampton [Mr. MEYERS] says it is right and proper. I only make the suggestion, and it is for the House to judge whether, in the future, we shall pursue this course or the regular order.

Mr. MEYERS. I only ask this indulgence of the House, because it is necessary to meet the ends of justice that the bill should be passed at once. If this bill does not pass to-night in time for the Governor to sign it this week, it is worth nothing for my constituents.

The yeas and nays were required by Mr. MEYERS and Mr. MARKLEY, and were as follow, viz:

YEAS—Messrs. Adaire, Allen, Armstrong, Barton, Boyd, Breen, Brown, Cameron, Chadwick, Day, Ewing, Freeborn, Gallagher, Ghegan, Gordon, Harbison, Humphrey, Hunt, Kennedy, Kimmell, Kinsey, Kline, Lee, Leech, M'Camant, M'Kee, M'Pherrin, Maish, Mann, Marks, Mechling, Pillow, Richards, Rouch, Shuman, Steacy, Stehman, Subers, Tharp, Waddell, Webb, Weller, Westbrook, Whann, Wilson, Wright and Glass, *Speaker*—47.

NAYS—Messrs. Barrington, Craig, Deise, Fogel, Gregory, Hetzel, Hoffman, Hood, Josephs, Linton, Long, Markley, Meyers, Phelan, Quay, Rhoads, Wallace, Wingard and Woodward—19.

So the question was determined in the affirmative.

The bill was

Referred to the Committee on Military Affairs.

On motion of Mr. M'KEE, the House then adjourned to meet to-morrow morning at 11 o'clock.

SENATE.

TUESDAY, January 15, 1867.

The Senate met and was called to order at 11 A. M., by the SPEAKER.

Prayer was offered by the Rev. B. M. KERR, of Mechanicsburg, Pennsylvania.

On motion of Mr. BIGHAM, the reading of the Journal of yesterday was dispensed with.

THE SPEAKER'S TABLE.

The SPEAKER laid before the Senate the annual report of the Attorney General.

Laid on the table.

The SPEAKER also laid before the Senate a communication from the Attorney General, which was read as follows:

ATTORNEY GENERAL'S OFFICE,
HARRISBURG, January 12, 1867.

SIR—I have received a copy of a resolution which passed the Senate on the 1st instant, requesting me to communicate to that body, a copy of an opinion which I prepared for the Governor on certain questions relating to the proper organization of the Senate, and the duty of the Executive in regard thereto.

With the consent of the Governor, I have the honor to transmit herewith to the Senate through you a copy of the opinion as requested.

With the highest esteem, very truly your obedient servant, W. M. MEREDITH.

HON. L. W. HALL, Speaker of the Senate.

OPINION.

At the request of the Governor, I present in writing the grounds of the verbal opinion which I gave him some days ago on the question whether the Legislature were so organized as to enable him to communicate by message with the two Houses.

The House of Representatives had elected a Speaker, and by a committee informed the Governor of its organization. The Senate had not communicated the fact of its being in session, by a committee, but Mr. PENNY, acting as Speaker of that body, had informed the Governor of that fact.

This gentleman had been elected and taken the chair as Speaker near the close of the last session.

The published Journal of the Senate shows that after the commencement of the present session, certain members of the Senate protested against his authority to administer the oath to the newly elected members on the ground that his term of office had expired.

If this were so, then, of course, the Senate would not be organized until a new Speaker should have been elected and qualified.

The question, therefore, is, at what time does the term of office of Speaker of the Senate expire?

Of course, the offices of Speaker, Clerk, &c., of a legislative body are determined by the dissolution of the body itself. But, unless otherwise ordered, they do not determine till such dissolution. Therefore the Speaker, Clerk, &c., of the House of Representatives at Washington hold their offices during the two sessions of Congress without re-election.

In the case of a permanent legislative body which is never dissolved, its offices cannot be thus determined. The offices of Speaker, Clerk, &c., of such a body can become vacant, only in one of the following modes, viz:

1. By the expiration of a term specially fixed for its continuance at the time of the election of the officer, or, in case of the Speaker, by the expiration of his term as a member of the body.

2. By the death or resignation of the officer.

3. By his removal by a vote of the body.

That the Senate is a permanent body, and that the Speaker holds by the tenure appropriate to an officer of such a body is, I think, manifest from the provisions of the Constitution, and that it has been always so understood will appear from acts of the Legislature and from the course of the Senate itself.

The Constitution provides that one-third of the Senate shall be renewed by annual elections; that the returns of the election of Governor shall be returned to the Speaker of the Senate; that in case of the death, resignation or removal from office, of the Governor, the Speaker of the Senate shall exercise the office of Governor until another Governor shall be duly qualified, and that in such case, the Senate shall choose a Speaker *pro tempore*.

No one can maintain that a legislative body is dissolved by the expiration of the term of service of one-third of its members, and that such a result is not contemplated by the Constitution is evident from the provisions which assume that there will be at all times a Speaker of the Senate (which, of course, there could not be if the Senate were dissolved), and which devolve upon him the executive functions in case of a vacancy in the office of Governor.

The judgment of the Legislature on the subject, is to be found in the act regulating elections. That act provides that the Secretary of the Commonwealth shall, between certain named hours on the first Tuesday in January of each year, take into the Hall of the House of Representatives, the several returns of the election of members of said House, and that he shall, on the same day, as soon as the Senate shall convene, deliver to the Speaker of the Senate, all the returns for the election of Senators for that year. It is impossible to express more clearly, that while the House meets as an unorganized body, the Senate meets as an organized body, and has already a Speaker without any new election.

The uniform practice of the Senate, from its first meeting in December, 1790, confirms this view. During the first four years (1790, to 1793-4 inclusive), its officers, including the

Daily Legislative Record.

FOR THE SESSION OF 1867.

PUBLISHED BY AUTHORITY OF THE LEGISLATURE OF PENNSYLVANIA. No. 10.

TERMS OF THE DAILY RECORD.

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[CONTINUED FROM PAGE 72.]

Speakers, held over as a matter of course.—The Legislature then met on the second Tuesday of December in each year. Mr. Peters was chosen Speaker in December 1790, and acted as such without re-election, till January 31, 1792, when he resigned, in consequence of his appointment as district judge of the United States. Mr. Powell was thereupon chosen Speaker, and held the office without re-election, through the remainder of that session, and whole of the next session (1792-3). He died before the commencement of the next session (which was on the 3d of December 1793), and it is stated in the Journal, that the chair of the Senate having become vacant by the decease of Mr. Powell, the Senate chose Mr. Morris as Speaker.

The Clerk and other officers elected in December, 1790, held their offices without re-election till December, 1794.

The Senate had omitted, till December, 1794, to classify its members, and, in consequence, they all held their seats for four years. Of course, the term of service of all expired at the general election in October, 1794, and they necessarily met in the ensuing December as an unorganized body. They drew lots for their classes, and from that time till the amended Constitution of 1838 was adopted, one-fourth of its members were supplied by new elections in each year—from that period, their tenure being reduced to three years, one-third of its members are so supplied.

From the next session (1794-6), the practice has, it is believed, been uniform for the Speaker elected at the previous session to take the chair at the commencement of a new session, and for the Senate (after the transaction of preliminary business, such as reading the returns, being informed by the Speaker of any writs of election which he may have issued during the recess) to proceed to choose a Speaker. This practice is inconsistent with the idea that the Speaker's office is vacated, either by the effect of the general election, or by the convening of the Senate. It probably originated (and has been so continued) in the view that since so large a proportion of the newly elected members took their seats at each session, it was desirous to let them have a voice in the selection of their presiding officer.

During the first thirty years, from 1790-1 to 1822-3 inclusive, with the exception of the first meeting, in December, 1790, and the next in December, 1794, above referred to, the entry on the Journal is: "The Senate met," or "convened."

From 1823-4 to the present time, the Journal has stated that a number of the members of the Senate, and other gentlemen elected to supply vacancies, assembled in the Senate Chamber. This is of no consequence in the solution of the question. For if it be clear by the Constitution and laws of the land, and by the proceedings of the body itself, that in fact the Senate met (a quorum present, its Speaker in the Chair, and its clerks in their places) as a permanent and organized body, the mistake in the entry referred to could in no way affect the true position of the Senate, and would be attributed to the error of the clerks. In fact, the Constitution governs this question, and no act of the Senate could change the nature and character which that body has under the Constitution.

In April, 1799, the Speaker's chair was held by a gentleman whose Senatorial term was to expire at the ensuing general election. He reminded the Senate of this fact, and to prevent the occurrence of a vacancy in the office, resigned, and a new Speaker was elected. This precedent, it is believed, has been since followed wherever there was occasion for it.

That the usages of the Senate have, in fact, been such as are above stated, and that they are in conformity with the Constitution, are propositions to which all men, at all times (so far as I am informed), have assented, and do now assent.

The real question therefore is, at what period, after the commencement of a session, does the tenure of the Speaker expire?

That it does not expire by mere lapse of time is, I think, proved by the proceedings had in the session of 1849, and by the clause of the Constitution under which those proceedings took place. Gov. Shunk having resigned during the summer of 1848, more than three months before the general election, Mr. Johnston, then Speaker of the Senate, assumed the executive duties. On the meeting of the Senate, on the first Tuesday of the ensuing January, that body setting forth that the "present Speaker" was acting as Governor, and reciting the clause in the Constitution which provides that in such case the Senate shall choose a Speaker *pro tempore*, resolved to choose one accordingly, which was done, and the business of the session went on. It happened that Mr. Johnston had been elected to the office of Governor. On his inauguration, which occurred on the third Tuesday of January, he resigned his Speakership, and the Speaker *pro tempore* also resigned. The Senate thereupon proceeded to elect a Speaker. Of course, if Mr. Johnston had not been elected Governor, he would, after the inauguration, have resumed the chair as Speaker. When a Speaker *pro tempore* is elected in consequence of the absence or disability of the Speaker, the Speaker on the return or the removal of the disability, resumes the chair without any action on the part of the body. If authority were necessary to establish this familiar principle of parliamentary law, it would be enough to refer to the Journal of the Senate of the session of 1799—1800. On the third of February, 1800, a Speaker *pro tempore* was chosen, the Speaker being absent on leave. On the 11th of March following the Speaker resumed the chair without any motion or other action on the part of the Senate. It cannot be supposed that the resumption of the chair by the Speaker would have disorganized the body and stopped the public business.

It may be said in Mr. Johnston's case the Senate was constrained by an express direction in the Constitution. This is true, but the expression of that peremptory direction, infers an equally peremptory assertion that the Speaker's tenure continued. It puts, in fact, a binding and authoritative construction on other clauses in the same instrument, and affirms that the Senate is a permanent body, and the office of its Speaker does not expire by mere lapse of time.

Since the year eighteen hundred and fifty-seven (inclusive) the election of a new Speaker is prefaced thus: "The Speaker having vacated the chair." Whether they mean a resignation or an abdication I do not know, for the phrase has no parliamentary meaning in connection with a vacancy in the office of Speaker. The entry, however, does show that the Speaker is in the chair after the commencement of the session, and refers the vacancy of the chair to an act of the Speaker. It is immaterial to the present question, as from the published Journal of the Senate it appears that the present Speaker has not vacated the chair. In the absence, therefore, of a vacancy by the expiration of his term, or by any act of the Speaker, or by his death or any other accident, it follows that his office must have been vacated by the act of the Senate itself, that is to say by his removal by a vote of the Senate.

The Constitution provides that the Senate shall choose its Speaker, and the right to do so would have existed without such a provision. The Speaker of the Senate, as well as of the House, holds during the pleasure of the body, and may be removed at any time, except that the Senate has not the power of removing its Speaker while he is actually exercising the office of Governor. Now, an officer holding during pleasure may be removed, either by a direct removal and a subsequent appointment of a successor, or by merely appointing a successor, which, of itself, operates as a removal of the incumbent, as soon as the successor is duly appointed and qualified. The latter is the most common mode, and the most convenient for the public, because it leaves no interval during which the duties of the office cannot be fulfilled. The Governor, down to the Constitutional amendments of 1838, appointed, during pleasure, a great number of officers, and it is believed that when any of them were removed it was always in the latter mode. The other mode of removal, in the case of an executive officer, is by *supersedeas*, and it may be safely affirmed that in no instance has a *supersedeas* been issued by the Government of Pennsylvania, or of the United States, to remove an officer holding during pleasure. In the Senate, the direct removal of the Speaker would be by a resolution to that effect, and from the commencement of the present Government no such resolution has been passed. From 1795 to 1857 the Journal mere-

ly states that on motion of A and B the Senate proceeded to the election of a Speaker. The change in the entry since 1857 has been already noticed. The question, then, is reduced to this: When a Speaker is to be removed by choosing a successor, is the removal effected by proceeding to ballot for a successor, or *es instanti* that he is chosen and qualified?

I remember two precedents on the subject, neither of them of much importance. In 1842, after balloting many times, on the first day the Senate adjourned. On the second day of the session, after several further unsuccessful ballots had been had, a motion was made to adjourn, on which the ayes and noes were called and the old Speaker is journalized as acting as Speaker. In 1855, under similar circumstances, the old Speaker is not so journalized. These precedents may be set against each other.

The solution, however, of this question is too clear and easy to require precedent or even admit of argument. The removal operated by the appointment of a successor, is a removal by implication only; the putting of a successor into the office is wholly inconsistent with the retention of the prior incumbent. In law two men can no more hold the same office, at the same time, than they can in physics occupy the same space. The very nature and character of this mode of removal, prove that it cannot possibly be effected except by the actual entry of the successor in the office. In the case, therefore, of an executive officer, it is not the intention to appoint a successor—nor the selection of the individual—nor the offer of the appointment—nor anything short of his actual appointment and qualification—that will effect the removal of the existing officer. Now, when the Senate resolves to proceed to choose a Speaker, it merely expresses an intention to appoint a successor—when it proceeds to ballot, it is merely an effort to select the individual—when it has actually chosen a Speaker, it remains for him to be duly qualified before he can enter on the office and thus detrude his predecessor.

When we consider that it might happen as the result of strong personal or party preferences, that many ballots might be ineffectually taken, and an indefinitely long period of time be consumed, before a successor should be in fact chosen, and that if during that interval the office of Speaker were vacant, the death of the Governor would extinguish the Executive and paralyze the Legislative departments; that no bill could be passed into a law; that no executive act could be performed; that there would be no Secretary of the Commonwealth to receive and transmit the returns of the general election, and no officer or clerk in the State Department to preserve the archives of the Commonwealth; in fact, that the whole frame of our government (so far as relates to its Executive and Legislative functions) would be dissolved. When we consider all this we cannot but admit the wisdom of the Senate in adopting, and through so many years adhering to a course, which, while it affords to the newly elected members the opportunity of participating in the choice of their presiding officer, does at the same time avoid creating a vacancy, even for a moment, in the office of Speaker.

In this opinion I have referred only to the question of law on which the Executive is bound to form an opinion, that it may govern his own action in his necessary communications with other branches of the government. I have thus stated the grounds on which I advised the Governor that Mr. Penney was, under the Constitution, the lawful Speaker of the Senate, and that although the usual communication by a committee had not been made to him, yet that it was the right of the Executive (and if in his judgment pressing public necessity required it), his duty, to waive the points of etiquette and send in his annual message to the House without further delay.

W. M. MEREDITH,
Attorney General.

ATTORNEY GENERAL'S OFFICE,
HARRISBURG, Jan. 9, 1864.

MESSAGES FROM THE HOUSE OF REPRESENTATIVES.

The Clerk of the House of Representatives being introduced, presented for concurrence bills numbered and entitled as follows:

No. 27, an act exempting the Morris cemetery, in the county of Chester, from the payment of tax, and the lots sold therein from an attachment for debt.

Referred to the Committee on Finance.

No. 28, an act to authorize the commissioners of Jefferson county to borrow money.

Referred to the Committee on the Judiciary Local.

No. 29, joint resolution requesting Congress to pass such laws as will enable soldiers who have lost their discharges to receive the one hundred dollars bounty under the act of Congress of July 28, 1866.

Referred to the Committee on Military Affairs.

No. 31, an act authorizing the Governor to appoint an additional notary public for the county of Lycoming.

Referred to the Committee on the Judiciary Local.

THE CONSTITUTIONAL AMENDMENT.

On motion of Mr. LOWRY, the morning orders were dispensed with, and the Senate proceeded to the third reading and consideration of joint resolution ratifying the amendment to the Constitution.

On this subject a speech was made by Mr. BIGHAM, which was interrupted by the entrance of a committee from the House of Representatives. The speech of Mr. BIGHAM will appear hereafter.

INAUGURATION CEREMONIES.

Messrs. MARKS and CRAIG, a committee from the House of Representatives, being introduced, informed the Senate that they had been appointed a committee to conduct the Speaker and members of the Senate to the portico of the capitol for the purpose of uniting with the Speaker and members of the House of Representatives in the ceremonies attending the inauguration of the Governor elect of the Commonwealth.

The Speaker and members of the Senate then proceeded to the portico of the capitol, where, in presence of the Speakers and members of both Houses, the certificate of the election of John W. Geary, of Cumberland county, as Governor of the Commonwealth for the ensuing three years, was read by the Clerk of the Senate, after which the oaths of office were administered to the Governor-elect by the Speaker of the Senate; whereupon

The SPEAKER of the Senate proclaimed John W. Geary to be duly elected and qualified as Governor of the Commonwealth for the ensuing three years.

After some time the members of the Senate returned to their Chamber, when the SPEAKER announced that after the Governor had finished the delivery of his inaugural, he placed in his hand a copy thereof, which he now submitted to the Senate.

[See inaugural ceremonies.]

On motion of Mr. LOWRY, it was

Ordered, That ten thousand copies of said address be printed in the English language and four thousand in the German.

The hour of one o'clock having arrived, the SPEAKER adjourned the Senate till three o'clock this afternoon.

SENATE.

TUESDAY, January 15, 1867.

AFTERNOON SESSION.

Agreeably to the provisions of an act of the Congress of the United States entitled An act to regulate the times and manner of holding elections for Senators in Congress, approved the 25th day of July, 1866, and of an act of the General Assembly of this Commonwealth entitled An act to define the time and regulate the manner of electing Senators to represent this State in the Senate of the United States, approved the 11th day of January, A. D. 1867,

The Senate proceeded, by a *viva voce* vote of each Senator present, to name one person for Senator in Congress from the State of Pennsylvania.

Whereupon

Messrs. Bigham, Browne (Lawrence), Brown (Mercer), Coleman, Connell, Cowles, Fisher, Graham, Haines, Landon, Lowry, M'Conaughy, Ridgway, Royer, Shoemaker, Stutzman, Taylor, Worthington, White and Hall, *Speaker*—20, voted for Simon Cameron.—And

Messrs. Burnett, Davis, Donovan, Glatz, Jackson, James M'Candless, Randall, Schall, Searight, Wallace and Walls—12, voted for Edgar A. Cowan.

So it appeared that Simon Cameron was duly named by the Senate of Pennsylvania for Senator in Congress, from the State of Pennsylvania, for six years from and after the fourth day of March next.

During the call,

Mr. FISHER said: Mr. Speaker, I desire, sir, to make a statement before recording my vote. I wish this Senate, sir, and the Commonwealth of Pennsylvania, and especially my own constituents, to understand the position that I occupy here. The Republican members of the two Houses know that I did not participate, on Thursday night last, in the nomination of a candidate for this high and responsible office, and I wish to stand fair and square, sir, before my own constituents, before this Senate and before the broad Commonwealth of Pennsylvania. In August last, sir, I was nominated to represent, in part, the great county of Lancaster. The convention, sir, that nominated me passed the following resolutions, which I will read:

Resolved, That the candidates for the Senate and House of Representatives of the State of Pennsylvania nominated by this convention be and they are hereby instructed to vote for and by all honorable means seek to procure the election of Thaddeus Stevens to the Senate of the United States, and that they continue thus to support him for that office, so long as he shall consent to be a candidate.

Resolved, That no person shall be considered a candidate for either Senator or Representative before this convention until he shall have first given his written pledge to obey the instructions contained in the foregoing resolution.

The following pledge was drawn up and presented to the candidates for nomination at that convention:

WE, the undersigned candidates for Senators and Representatives, do hereby pledge our word of honor, that in the event of our being elected to the Legislature of Pennsylvania, we will obey the instructions touching the election of United States Senators contained in the foregoing resolutions.

Under that pledge, sir, I did not feel at liberty to participate in the caucus of Thursday night last. At the time that caucus met, Mr. Stevens was still a candidate. I felt that I could not go into the caucus and participate there, in the nomination of a Senator, without disobeying or violating that pledge. Mr.

Stevens at that time was still a candidate. I felt bound by the pledge I had given to adhere to Mr. Stevens, so long as he remained a candidate. He remained a candidate at the time of the meeting of that caucus. I felt I could not go into that caucus and agree to support the nominee of that caucus, without violating my pledge: and, sir, I would not go into that caucus, and, after participating, refuse to support the nominee of that caucus. I now ask, sir, that the Clerk read this letter:

"JANUARY, 12, 1867.

Gentlemen—I write merely to say I consider you at liberty to consult your own wishes in your future action, relative to United States Senator.

Your obedient servant,
THADDEUS STEVENS.

Honorable Senators for Lancaster."

I feel now, sir, that I am relieved from the promise, and not having participated in the caucus, I can do as I please. My choice, sir, would have been to cast my vote for a very different man than the one I shall vote for; but as I do not wish to break loose from the party, I will vote for Simon Cameron.

The SPEAKER then adjourned the Senate until to-morrow morning at 11 o'clock.

INAUGURATION
OF
JOHN W. GEARY,
GOVERNOR OF PENNSYLVANIA.

Grand Military and Civic Display.

The Gratitude of the People for the Heroes of the Union.

HONOR TO WHOM HONOR IS DUE.

The sun rose behind snow-clouds, yesterday morning. By nine o'clock a fierce northwest wind drove the snow in heavy flakes to the ground, and in every respect the day was inauspicious for the magnificent display which, under more favorable circumstances, would have been made at the inauguration of John W. Geary, Governor of Pennsylvania. Nevertheless, an immense throng of people crowded the thoroughfares in all parts of the city. The railroads from all parts of the State, yesterday afternoon, during last night, and this morning, brought to Harrisburg large masses of citizens, representing civic societies of different orders, municipal bodies and municipal organizations. The attendance of so vast a concourse of people from a distance, may be fairly taken as a tribute to the hero, just made Governor of the Commonwealth. Personally, few public men now before the people are more popular than John W. Geary, or better known for the unselfish qualities of his nature, as a soldier and a statesman. To these may be attributed the vast gathering which assembled here to-day, and if any man ever had cause to congratulate himself on the sure evidence of popular attachment for his person, and popular admiration for his acts, on assuming the Chief Magistracy of the Keystone State, that man is Governor John W. Geary.

THE APPEARANCE OF THE CITY.

Notwithstanding the snow storm, and the icy condition of the sidewalks, the city, during the morning, presented a gay and joyous aspect. We never seen, on a similar occasion, the sidewalks more densely crowded. The storm did not keep the ladies at home. These were out—mingling pleasantly with the crowd, and by their presence adding greatly to the good order which prevailed in all parts of the city. By noon the sun made its appearance, however, and the afternoon was quite pleasant. The different hotels and public buildings displayed the national flags, while along the route of procession many private residences were handsomely decorated.

THE ORDER OF PROCESSION.

The various military organizations and civic delegations having formed as directed by Chief Marshal E. C. Williams, the line of procession moved at eleven o'clock, in the following order:

First Division—Military—on Market street, right resting on Market Square.

Second Division—State officials, &c.—met at the Lochiel Hotel.

Third Division—Boys in Blue, &c.—on Third street, right resting on Market.

Fourth Division—Soldiers—met at Jones House.

Fifth Division—City officers, Bar, Clergy, &c.—met at State Capitol Hotel.

Sixth Division—Civic Societies—formed on North Fourth street.

Seventh Division—Fire Department—formed on North Second street.

The procession moved precisely at eleven o'clock in the following order:

The Chief and a Detachment of Police.

CHIEF MARSHAL,
Gen. E. C. WILLIAMS.

Special Aids.

W. A. MULLIN, HENRY THOMAS.

Aide to Chief Marshal.

Col. E. G. SAVAGE, Col. D. J. UNGER,
Capt. JOHN L. WRIGHT, Col. PARSONS,

FIRST DIVISION.

Marshal—Maj. Elbridge Meconkey.
Assistant Marshals—Capt. James Woodall, David D. Mumma.
Gen. Peter Lyle, Commanding Military Division.
Brass Band.
Gray Reserves, of Philadelphia—400 men.
U. S. Brass Band.
National Guards, of Philadelphia—100 men.
Drum Corps.
Zeigel Guards, of York.
Drum Corps.
Columbia Zouaves.
Veteran Reserves, of Philadelphia.
U. S. Barracks Band.

SECOND DIVISION.

Marshal—Maj. T. D. Greenawalt.
Assistant Marshals—David McCormick and D. D. Domer.
Band.
Governor, Governor elect, Chairmen and Committees of Senate and House of Representatives, and Heads of Departments,

THIRD DIVISION.

Marshal—Gen. Joshua T. Owen.
Assistant Marshals.—Brevet Brig. Gen. E. R. Biles and Capt. Jacob S. Stretch.
Keystone Drum Corps.
Boys in Blue of 20th Ward, Philadelphia.
Republican Invincibles.
Colonel Frischmuth, with delegation from the German Union Club and Union League of Philadelphia.

FOURTH DIVISION.

Marshal—Capt. Wm. Coulter.
Assistant Marshals—George W. M'Callister, Maj. Harry Shafer.
Band.
Soldiers of 1812, of the Mexican War, Officers and Soldiers of the U. S. Army, Officers and Soldiers who served in the late war, Wounded soldiers of the late war.

FIFTH DIVISION.

Marshal—John L. Hammer.
Assistant Marshals—Lieut. W. W. Gibson, Capt. Joseph A. Green.
Band.
Judges of the Court, Members of the Bar, Mayor of the City, President and Members of City Council, Clergy of Harrisburg and other places, State and County Officers, Members of the Press, and other especially invited Guests in Carriages.

SIXTH DIVISION.

Marshal—Capt. John T. Ensminger.
Assistant Marshals—Capt. Henry Waltman, James E. Saltzer.
Huntingdon Cornet Band.
Fulton Council No. 25, O. U. A. M.
Employees of Lochiel Iron Works.

SEVENTH DIVISION.

Marshal—Henry M. Koller.
Assistant Marshals—Wm. Haehnlen, Sam'l Kline.
Chambersburg Cornet Band.

Fire Department:

Friendship Fire Company—Steamer, drawn by four horses, Hose Carriage, Members of Company.
Good Will Fire Company, of Altoona, with Engine.
Hope Fire Company—Steamer, drawn by four horses, Hose Carriage, Members of Company.
Liberty Band, of Philadelphia.
Good Will Fire Company, of Philadelphia, with Hose Carriage.
Band of Music.
Vigilant Fire Company, of York—Carriage and Members of Company.
Citizen Fire Company—Steamer drawn by two horses, Carriage, Members of Company.
Washington Hose Company—Hose Carriages, Members of Company.
Mount Vernon Fire Company—Hook and Ladder Truck, Members of Company.
Paxton Fire Company—Engine drawn by two horses, Hose Carriage, Members of Company.
Good Will Fire Company—Engine drawn by two horses, Hose Carriage drawn by Members of Company.

The procession marched from Market Square,
Down Second street to Washington avenue.
Out Washington avenue to Front street.
Up Front to Chestnut.
Out Chestnut to Fourth.

Up Fourth to Market.
Out Market to Third.
Up Third to Walnut.
Up Walnut to Second.
Up Second to Pine.
Out Pine to Front.
Up Front to State.
Out State to the Capitol.

DEMONSTRATIONS ALONG THE ROUTE OF PROCESSION.

As the procession moved over the route the scene at different points was imposing beyond description. There was no mistaking the demonstrations of the people as the carriage with General Geary passed different points. His reception was enthusiastic to the utmost degree, and he must have been satisfied with the ovation offered him, of men who appreciated his value as a soldier and worth as a statesman, and by women who regarded him as one of the deliverers of the country.

PROCEEDINGS OF THE LEGISLATURE.

The House met at 11 o'clock, and appointed a committee to wait on the Senate, and invite the members of that body to participate with the House in the inaugural ceremonies. This committee waited on the Senate, and the Speaker, members and officers of that body, with the Speaker, members and officers of the House, proceeded in a body to the portico, to take part in the inaugural proceedings.

THE PLATFORM FOR THE INAUGURAL CEREMONIES.

The entire front of the portico of the capitol was occupied by an immense platform for the accommodation of the Legislature, invited guests, and the Governor for the delivery of his inaugural address. This platform was handsomely decorated with American flags.

THE HEAD OF THE PROCESSION AT THE CAPITOL GATES.

When the head of the procession reached the capitol grounds a grand salvo of artillery was fired from the front of the arsenal, while the enthusiastic greeting of the people who crowded the porches and windows of the Capitol, the Department buildings, and filled up the paths of the Capitol grounds, mingled with the thunder of the guns. The scene at this point was grand and imposing.

As the Governor descended from his carriage, to proceed to the platform, the soldiers saluted him with a present arms, and amidst the enthusiastic cheering of the assembled multitude, he was escorted to the platform by the Legislative committee of arrangements.

After the Speaker, officers and members of the Senate and House of Representatives had assembled on the platform, Hon. L. W. Hall, Speaker of the Senate, introduced Rev. R. Audley Browne, Senator from Lawrence, who opened the proceedings with prayer as follows:

Almighty God! Creator of the heavens and the earth, we adore and magnify and bless thee. Thou art the King of kings. Thou art the Lord of lords. Thou art the Ruler of Commonwealths and the Governor of Nations, and we would therefore lift up our hearts to Thee with thanksgiving and praise; and we would bow in reverence before Thy august throne. We bless Thee because Thou hast been the dwelling place of our race in all generations; and Thou art He in whom we, each one, live and move and have our being. Thou hast been our Father's God, and Thou art our God. They called upon Thee and Thou didst deliver them. Although thou wert a God thou hadst vengeance upon their inventions; and we call upon Thee, O God! this day, remembering that we are placed under obedience to Thy holy law—that we are the subjects of Thy rightful government.

O remember our dependence upon Thee for the graces that are needful for the fulfilling of our duties as private citizens. For those who are called to fulfill the duties and functions of office, we entreat Thee, O God, for Thy blessing. We pray for Thy blessing upon thy servant retiring this day from the duties of Chief Magistrate of this Commonwealth.

We pray for Thy blessing, in like manner, upon Thy servant this day to be inducted into office. We pray that Thou wouldst be pleased to enable him to fulfill the high duties devolving upon him, and this prayer we make that we may live peacefully and in all simplicity and honesty under his administration.

We entreat, this day, Thy blessing upon this nation and the President thereof, and upon the National Congress, and upon the Legislature of this Commonwealth, and upon all in authority; and that Thy glory may be served by us as a people, that equity may prevail between man and man, that God may be recognized as our King and Lord, and that we may have peace and prosperity under Thy benign providence. All of which we ask for the sake of Thy dear Son, our Savior. Amen.

THE CEREMONIES OF THE INAUGURATION.

George W. Hamersly, Esq., Clerk of the Senate, then appeared and read the following certificate:

We, the Speaker of the Senate and Speaker of the House of Representatives of the Commonwealth of Pennsylvania, do certify that the Speaker of the Senate did, on the fourteenth day of January, A. D., one thousand eight hundred and sixty-seven, in the Hall of the House of Representatives, in the State Capitol, open the returns of the election for Governor of the Commonwealth, and publish the same in the presence of both Houses of the Legislature, conformably to the Constitution of said Commonwealth, and that upon counting the votes by the Teller appointed on the part of each House, it appeared that John W. Geary had the highest number of votes; whereupon the said John W. Geary was declared to have been duly elected Governor of the Commonwealth.

In testimony whereof, we have hereunto set our hands and seals the day and year above written.

(Signed) LEWIS W. HALL,
Speaker of the Senate.
JOHN P. GLASS,
Speaker of the House of Representatives.

The oath of office was administered to the Governor by Speaker Hall in the following form:

You do swear by Almighty God, the searcher of all hearts, that you will support the Constitution of the United States, and that as you shall answer to God at the great day.

You do also swear that you will support the Constitution of the Commonwealth of Pennsylvania, and that you will perform the duties of Governor with fidelity, and that as you shall answer to God at the great day.

THE INAUGURAL ADDRESS.

When the congratulatory cheers of the people had subsided, Gov. Geary proceeded to deliver his inaugural address, as follows:

FELLOW CITIZENS—Honored by the selection of the sovereign people of my native State as their choice for Chief Magistrate of the Commonwealth of Pennsylvania, it is with mingled feelings of humility and gratitude that I have appeared in the presence of my fellow countrymen, and before the Searcher of all Hearts, to take the solemn obligation prescribed as a qualification for that exalted station, "to support the Constitution of the United States and the Constitution of Pennsylvania, and to perform my official duties with fidelity."

Profoundly sensible of everything that is implied by this manifestation of the people's confidence, and more deeply impressed with the vast importance and responsibilities of the office, than elevated by its attendant honors, let it be our first grateful duty to return fervent thanksgivings to Almighty God for his constant providence and unnumbered blessings to us as a people, and especially mine to implore His aid and counsel in the discharge of civil trusts, who has been my shield and buckler amidst scenes of peril and death.

In addressing you on this occasion, in accordance with a custom originating with the Republican fathers, I propose briefly to express my opinions on such questions as concern our common constituency, and relate to our common responsibilities.

Like countries of the Old World, our nation has had its internal commotions. From the last of these we have scarcely yet emerged, and during which "war's desolation" passed over our land, leaving its blighting influences principally upon those unfortunate States whose people rebelled against the government, and notwithstanding the agonizing sacrifices of a great civil war, the States that maintained the government and determined that the Union should be preserved, have constantly advanced in honor, wealth, population and general prosperity.

This is the first time that a change has occurred in the Executive Department of this State since the commencement of the war of the rebellion; a brief reference, therefore, to that conflict, and to its results, may not be inappropriate.

We have the consolation of knowing that the contest between the North and the South was not, on our part, one for ambition, for military renown, for territorial acquisition, nor was it for a violation of any of the rights of the South, but it was for the preservation of our own rights and privileges as men, and for the maintenance of justice, liberty and the Union. The object of the South was avowedly the dissolution of the Union and the establishment of a confederacy based upon "the corner stone of human slavery." To have submitted to this on our part, and to have shrunk from a manly resistance under such circumstances, would have been deeply and lastingly degrading, and would have destroyed the value of the priceless legacy bequeathed to us by our fathers, and which we are obliged to transmit unimpaired to future generations. The patriotic and Union-loving people felt that the alternative was that of life or death to the Union; and under the auspicious guidance of Abraham Lincoln, that virtuous and patriotic Chief Magistrate, with the blessing of Him who directs the destinies of nations, after open action and arbitrary violence on the part of the South, the appeal to arms was made. We had a just cause, and our citizens approving it with a degree of unanimity heretofore unknown, in this or any other country, left their various employments, their homes

and all that was dear to them, and hastened with enthusiasm to the scenes where duty and danger called, and as the surest pledge of their unswerving love and fidelity to the Union they unhesitatingly offered their lives for its preservation.—Nor was any other tribute withheld in providing the means necessary for the support of our fleets and armies. Nearly two millions of soldiers entered the field from time to time on different terms of enlistment. The citizens generally exhibited the highest degree of patriotism in the prompt payment of taxes, in their liberal contributions in the shape of loans to the government; and the world was astonished by the amount expended in their benevolent care for the sick and wounded, through the agencies of the Sanitary and Christian Commissions and other charitable associations. More than six hundred sanguinary battles and skirmishes were fought, in which nearly three hundred thousand of our heroic defenders laid down their lives in their devotion to the nation—"for God and Liberty."

In every phase of this terrible conflict, Pennsylvania bore an honorable and conspicuous part. She contributed three hundred and sixty-six thousand three hundred and twenty-six volunteer soldiers to the rescue of the nation; and nearly every battle-field has been moistened with the blood, and whitened with the bones of her heroes. To them we owe our victories, unsurpassed in brilliancy and in the importance of their consequences. To the dead—the thrice honored dead—we are deeply indebted, for without their services it is possible our cause might not have been successful.

It is natural and eminently proper that we, as a people, should feel a deep and lasting interest in the present and future welfare of the soldiers who have borne so distinguished a part in the great contest which has resulted in the maintenance of the life, honor and prosperity of the nation. The high claims of the private soldiers upon the country are universally acknowledged, and the generous sentiment prevails that the amplest care should be taken by the government to compensate them, equally and generously, with bounties and pensions, for their services and sacrifices.

I desire that it may be distinctly understood that I do not speak of myself, in connection with this subject; but I am happy to avail myself of this opportunity to speak kind words of Pennsylvania's private soldiers, and the noble officers who commanded them.

The generosity of the people of Pennsylvania to the Union soldiers has been imitated, but not equalled, by other States. There is something peculiar in the loyalty of Pennsylvania. She seemed to feel, from the first, as if upon her devolved the setting of a superior example. The fact that she carried upon her standard the brightest jewel of the Republic, that in her bosom was conceived and from her commercial capital was issued the Declaration of Independence, gave to her contributions, in men and money, and her unparalleled charitable organizations, all the dignity and force of a model for others to copy. The rebel foe seemed to feel that if he could strike a fatal blow at Pennsylvania, he would recover all his losses, and establish a resistless prestige in the old world. But thanks to Divine Providence, and to the enduring bravery of our citizen soldiers, the invasion of our beloved State sealed her more closely to the cause of freedom.

The result of the battle of Gettysburg broke the power of the rebellion, and although the final issue was delayed, it was inevitable from the date of that great event. That battle rescued all the other free States; and when the arch of victory was completed by Sherman's successful advance from the sea, so that the two conquerors could shake hands over the two fields that closed the war, the soldiers of Pennsylvania were equal sharers in the glorious consummation.

No people in the world's history have ever been saved from so incalculable a calamity, and no people have ever had such cause for gratitude towards their defenders.

And here I cannot refrain from an expression of regret that the General Government has not taken any steps to inflict the proper penalties of the Constitution and laws upon the leaders of those who rudely and ferociously invaded the ever sacred soil of our State.

It is certainly a morbid clemency, and a censurable forbearance, which fail to punish the greatest crimes "known to the laws of civilized nations;" and may not the hope be reasonably indulged, that the Federal authorities will cease to extend unmerited mercy to those who inaugurated the rebellion and controlled the movements of its armies? If this be done treason will be "rendered odious," and it will be distinctly proclaimed, on the pages of our future history, that no attempt can be made with impunity to destroy our Republican form of government.

SOLDIERS' ORPHANS.

And while we would remember "the soldier who has borne the battle," we must not forget "his widow and his orphan children." Among our most solemn obligations is the maintenance of the indigent widows, and the support and education of the orphan children, of those noble men who fell in defense of the Union. To affirm that we owe a debt of gratitude to those who have been rendered homeless and fatherless, by their parents' patriotic devotion to the country, is a truth to which all mankind will yield a ready assent; and though we cannot call the dead to life, it is a privilege, as well as duty, to take the orphan by the hand, and be to him a protector and a father.

Legislative appropriations have honored the living soldiers, and entombed the dead. The people, at the ballot-box, have sought out the meritorious veterans, and the noble spectacle is now presented of the youthful survivors of those who fell for their country, cherished and educated at the public expense. Even if I were differently constituted, my official duties would constrain me vigilantly to guard this sacred trust. But having served in the same cause, and been honored by the highest marks of public favor, I pledge myself to bear in mind the injunctions and wishes of the people, and if possible to increase the efficiency and multiply the benefits of the schools and institutions, already so creditably established, for the benefit of the orphans of our martyred heroes.

FREEDOM AND SLAVERY.

The infatuation of treason, the downfall of slavery, the vindication of freedom and the complete triumph of the government of the people, are all so many proofs of the "Divinity that has shaped our ends," and so many promises of a future crowned with success if we are only true to our mission. Six years ago the spectacle of four millions of slaves, increasing steadily both their own numbers and the pride and the material and political power of their masters, presented a problem so appalling, the statesman contemplated it with undisguised alarm, and the moralist with shame. To-day these four millions, no longer slaves, but freemen, having intermediately proved their humanity towards their oppressors, their fidelity to society, and their loyalty to the government, are peacefully incorporated into the body politic, and are rapidly preparing to assume their rights as citizens of the United States. Notwithstanding this unparalleled change was only effected after an awful expenditure of blood and treasure, its consummation may well be cited as the sublimest proof of the fitness of the American people to administer the government according to the pledges of the Declaration of Independence.

We have but to estimate where human slavery would have carried our country, in the course of another generation, to realize the force of this commanding truth. And as we dwell upon the dangers we have escaped, we may the better understand what Jefferson meant when, in the comparative infancy of human slavery, he exclaimed, "I tremble for my country when I reflect that God is just!"

A simple glance at what must have been our fate had slavery been permitted to increase will be sufficient. In 1860 the slave population amounted, in exact numbers, to three millions nine hundred and fifty-three thousand seven hundred and sixty. Taking the increase, 23.39 per cent., from 1850 to 1860, as the basis of calculation for every ten years, in 1900, they would have numbered at least upwards of nine millions. What Christian statesman, as he thanks God for the triumph of the Union arms, does not shudder at the terrible prospect presented by these startling figures?

But while there is cause for constant solicitude in the natural irritations produced by such a conflict, he is but a gloomy prophet who does not anticipate that the agencies which accomplished these tremendous results, will successfully cope with and put down all who attempt to govern the nation in the interests of defeated ambition and vanquished treason.

The people of the conquering North and West have comparatively little to do but to complete the good work. They command the position. The courage of the soldier and the sagacity of the statesman, working harmoniously, have now sealed and confirmed the victory, and nothing more is required but a faithful adherence to the doctrines which have achieved such marvelous results.

EDUCATION OF THE PEOPLE.

The overthrow of the rebellion has changed the whole system of Southern society, and proportionately affected other interests and sections. Demanding the enlightenment of millions, long benighted, it forces upon the North and West the consideration of a more perfect and pervading educational policy.

Much as we have boasted, and have reason to boast, of our common schools, we cannot deny, when we compare them with those of New England, and contrast them with the preparation for the education of the Southern people of all classes, that we have much to overcome, if we would equal the one, or stimulate the other. The recent convention of County School Superintendents of Pennsylvania exhibits some startling facts, which deserve the attention of the people and their representatives. Yet it is not by legislation alone that any people can be brought to understand their relations to each other as citizens. Their best instructors are themselves. However liberal the appropriations may be, if these are not seconded by that commendable spirit which impels the parent to impress upon the child the necessity of a sound moral and intellectual training, your representatives are generous, in vain.—Everything depends upon the people; hence the great complaint, preferred by the convention of teachers, of shortness of terms in some districts, of the small attendance of enrolled scholars, of the employment of unqualified instructors, and of the want of proper school houses, results unquestionably not so

much from the indifference of the State, as from the negligence of those who are invited to share and enjoy the blessings of a cheap and admirable system of popular education. If my fellow citizens will only recollect the difference between the opportunities of the present generation and those of their fathers, and how much is to be gained by a cultivation of modern facilities, they will require little exhortation to the discharge of duties which relate almost exclusively to themselves and to those nearest and dearest to them.

The importance of common schools, in a republican goverment, can never be fully estimated. To educate the people is the highest public duty. To permit them to remain in ignorance is inexcusable. Everything, therefore, should be encouraged that tends to build up, strengthen and elevate our State on the sure foundation of the education of the people. Every interest and industrial pursuit will be aided and promoted by its operations; every man who is educated is improved in usefulness, in proportion as he is skilled in labor, or intelligent in the professions, and is in every respect more valuable to society. Education seems to be essential to loyalty, for no State in the full enjoyment of free schools, ever rebelled against the government.

Pennsylvania should be the vanguard of education. She should remember that as she has been the mother of States, she should also be the teacher of States. "The great problem of civilization is how to bring the higher intelligence of the community, and its better moral feelings, to bear upon the masses of the people, so that the lowest grades of intelligence and morals shall always be approaching the higher, and the higher still rising. A church purified of superstition solves part of this problem, and a good school system does the rest."

THE STATE MILITARY.

Nothing, after the education of the people, contributes more to the security of a State than a thorough military system. The fathers of the Republic, acting upon the instinct of preparing for war in time of peace, embodied this knowledge among the primary obligations of the citizen. Yet the rebellion found us almost wholly unprepared. Our confidence in our institutions was so firm that the idea of an attack upon them from any quarter, much less from those who had been the "spoiled children" of the government, was never believed possible, however threatened. The first clash of arms found us equally undeceived and unorganized, and we very soon experienced that the contrivers of the great slave conspiracy had not only strengthened themselves by the stolen ships, arms and fortifications of the government, but had been for years *designedly* instructing their youth in the science of arms: and when the bloody tempest opened upon us they were ready to spring at the heart of the Republic, while the citizens, in whose hands the government was left, were compelled to protect themselves and their country as best they could.

When we reflect upon the terrible sacrifices we endured to maintain our liberties, and anticipate that glorious period of our country when the whole continent will be dedicated to human freedom, and when the despotisms of the earth will construe our example into a standing threat against their tyranny, we cannot disregard the consideration of this important subject.

As before remarked, Pennsylvania contributed over three hundred thousand troops to the national cause. Deducting the loss of nearly thirty thousand by wounds and disease incurred in the field, what an immense army has been left to circulate among and to educate the mass of our population! Properly comprehending this thought, we have at once the secret of our past success, our present safety and our future power. It would be easy to create an emulation in the science of arms among the youth of the State, by proper organization, and to disseminate, in all our schools, that loyalty to the whole country, without which there can be no permanent safety for our liberty.

In their late report, the visitors to West Point Military Academy laid a significant stress upon the necessity of such preceptors, in the future, as would teach the students of that institution their first and unavoidable obligations to the principles upon which the government itself reposes. The neglect of this kind of instruction was felt in almost every movement during the recent conflict; and it is not going too far to say that many who disregarded their oaths, and who drew their swords against the government that had educated and nourished them, found a meretricious consolation in the fact that they were permitted to cherish an allegiance to the State in which they were born, which conflicted with and destroyed that love of country which should be made supreme and above all other political obligations.

If, in our past and recent experience, there has been exhibited the valuable and splendid achievement of our volunteers in the national defense, there has also been shown the necessity for military skill, and that knowledge of, and familiarity with, the rules of discipline so essentially necessary in their prompt and effectual employment. In order, therefore, to make our military system effective, we should have particular regard for the lesson, that to prevent or repel danger our State should always have a well disciplined force, prepared to act with promptness and vigor on any emergency; nor should we forget that it is impossible to tell how soon our warlike energies may again be required in the field.

HOME RESOURCES AND HOME LABOR.

In nothing have our trials during the war, and the resulting triumphs to our arms, been so full of compensation as in the establishment of the proud fact that we are not only able to defend ourselves against assault, but what is equally important, *to depend upon and live upon our own resources.* At the time the rebellion was precipitated upon us, the whole business and trade of the nation was paralyzed. Corn in the West was used for fuel, and the producer was compelled to lose not only the interest upon his capital, but the very capital he had invested. Labor was in idleness, and men were everywhere searching for employment. Mills and furnaces were abandoned. Domestic intercourse was so trifling that the stocks of a number of the most important railroads in the country fell to, and long remained at, an average price of less then fifty per cent. But the moment danger to the Union became imminent, and the necessity of self-reliance was plainly presented as the only means of securing protection, and the gradual dispersion of our mercantile marine by the apprehension of the armed vessels of the rebels, the American people began to practice upon the maxims of self-defense and self-dependence. From having been, if not absolutely impoverished and almost without remunerative enterprise, depressed by unemployed labor and idle capital, all their great material agencies were brought into motion with a promptitude, and kept in operation with a rapidity and regularity, which relieved them from want, their country from danger, and excited the amazement of civilized nations.

Protection to the manufactures of the country, when rightly viewed, is merely the defense of laborag ainst competition from abroad. The wages of labor in the United States is higher than those in any other country, consequently our laborers are the more elevated. Labor is the foundation of both individual and national wealth; and those nations that have best protected it from foreign competition, have been the most prosperous. It is clearly, therefore, the interest of the nation to foster and protect domestic industry, by relieving from internal taxation every sort of labor, and imposing such heavy duties upon all importations of foreign manufactured articles, as to prevent the possibility of competition from abroad. Not only should individual enterprise and industry be thus encouraged, but all public works, a liberal and properly restricted general railroad system, and internal improvements of every kind, receive the fostering care and most liberal aid of the government. We are rich in everything necessary to meet our wants, and render us independent of every other country, and we have only to avail ourselves of our own resources and capabilities, to progress continually onward to a degree of greatness never yet attained by any nation. Our agricultural, mineral and manufacturing resources are unequalled, and it should be our constant study to devise and prosecute means tending to their highest development.

Why, then, should not the wisdom of government make available the teachings of experience, and at once legislate for the manifest good of the people? Why permit our manufactures to beg that they may live?

The government of Great Britain has, by her protective system, "piled duty upon duty," for more than one hundred and fifty years, and hence upon protection is founded her manufacturing supremacy. Yet her emissaries come to this country, and for sinister purposes, extol "free trade," speak scoffingly of "protection," and endeavor to persuade our people to believe and adopt the absurd theory, that "tariffs hinder the development of industry and the growth of wealth."

The great Republican party, in the Convention which nominated Abraham Lincoln, in Chicago, in 1860, as if preparing for the very war which most of our statesmen were at that period anxious to postpone, adopted a resolution, "which," to use the language of an eminent Pennsylvanian, "declared that the produce of the farm should no longer be compelled to remain inert and losing interest while waiting demand in distant markets; that the capital which daily took the form of labor power should no longer be allowed to go to waste; that the fuel which underlies our soil should no longer there remain to be a mere support for foreign rails; that the power which lay then petrified in the form of coal should everywhere be brought to aid the human arm; that our vast deposits of iron ore should be made to take the form of engines and other machinery, to be used as substitutes for mere muscular force; and that all our wonderful resources, material and moral, must and should be at once developed. Such was the intent and meaning of the brief resolution then and there adopted, to be at the earliest practicable moment ratified by Congress, as proved to be the case when the Morrill tariff, on the memorable 2d of March, 1861, was made the law of the land. To that law, aided as it was by the admirable action of the Treasury in supplying machinery of circulation, we stand now indebted for the fact that we have, in the short space of five years, produced more food, built more houses and mills, opened more mines, constructed more roads than ever before, and so greatly added to the wealth of the country, that the property of the loyal States would this day exchange for twice the quantity of gold than could five years since have been obtained for all the real and personal property, southern chattels excepted,

of the whole of the States and territories of which the Union stands composed."

If the principle of protection proved to be such a talisman in the time of war, shall we reject it in time of peace? If an answer were needed to this question, reference could be had to the repeated concessions to this principle by the recent free-traders of the South. Scarcely one of the ambitious men who led their unfortunate people into rebellion, but now freely admits that if the South had manufactured their own fabrics, on their own plantations, and cultivated skilled labor in their great cities, they would have been able to prolong their conflict with the government; and now to enjoy substantial, instead of artificial prosperity, they must invoke the very agencies they had so long and so fatally disregarded. Words need not be multiplied upon this important theme, either to make my own position stronger, or to impress upon the people the value of adhering to a system which has proved itself worthy of our continued support, and of the imitation of its former opponents.

FINANCES.

The exhibit of the finances of the Commonwealth, as presented in the late annual message of my predecessor, and the report of the State Treasurer, is certainly very gratifying; and the flattering prospect of the speedy extinguishment of the debt which has been hanging for so many years, like a dark cloud over the prospects of our State, combined with the hope that a reasonable reduction will be made in our habitual annual expenditures, will cheer the people onward in the pathway of duty.

Among the most delicate and important obligations required of those in official positions is a strict and faithful management of the public revenues and expenditures of the Commonwealth. Taxation should be applied where its burdens may be least felt, and where it is most just that it should be borne. Every resource should be carefully husbanded, and the strictest economy practiced, so that the credit of the State shall be maintained on a firm and enduring basis, and the debt surely and steadily diminished, until its final extinguishment. Unnecessary delay in this would, in my opinion, be incompatible with our true interests.

That these expectations are capable of speedy and certain consummation, has already been demonstrated. The public improvements, the cause of our heavy debt, which seemed to be an incubus upon the prosperity of the State, so long as they were managed by her agents, have been sold; the tax on real estate has been abolished, and considerable reductions have already been made on the State debt.

This important branch of the administration shall receive my constant and zealous attention.

The general and essential principles of law and liberty, declared in the Constitution of Pennsylvania, shall be watchfully guarded. It will be my highest ambition to administer the government in the true spirit of that instrument. Care shall be taken "that the laws be faithfully executed," and the decisions of the courts respected and enforced, if within their authorized jurisdiction. Influenced only by considerations for the public welfare, it is my imperative duty to see that justice be impartially administered. That merciful provision, the *pardoning power*, conferred upon the Executive doubtlessly for correcting only the errors of criminal jurisprudence, and securing justice, shall not be perverted to the indiscriminate protection of those who may be justly sentenced to bear penalties for infractions of the laws made for the security and protection of society. Those "cruelly" or "excessively" punished, or erroneously convicted, are alone entitled to its beneficent protection, and only such should expect its exercise in their behalf.

Whenever the people deem it expedient or necessary, from actual experience, to alter the laws, or to amend the Constitution, it is their undoubted right to do so, according to the mode prescribed within itself. I here repeat, what I have said elsewhere, that "so long as the people feel that the power to alter or change the character of the government abides in them, so long will they be impressed with a sense of security and of dignity which must ever spring from the consciousness that they hold within their own hands a remedy for every political evil, a corrective for every governmental abuse and usurpation."

THE NATIONAL SITUATION.

We are confessedly in a transition state. It is marvelous how prejudice has perished in the furnace of war, and how, from the very ashes of old hatreds and old parties, the truth rises purified and triumphant. The contest between the Executive and a Congress twice elected by substantially the same suffrages, a contest so anomalous in our experience as not to have been anticipated by the framers of the National Constitution, has only served to develop the remarkable energies of our people, and to strengthen them for future conflicts. That contest is virtually decided.

The victorious forces, physical and moral, of the patriotic millions, are simply pausing before they perfect the work of reconstruction. Twenty-six States have not only been saved from the conflagration of war, but have been crystalized in the saving. The unrestored ten, still disaffected and still defiant, seem to be Providentially delaying their return to the Union, so that when they re-enter upon its obligations and its blessings they will be the better able to fulfil the one and enjoy the other. Their condition is a fearful warning to men and nations, and especially to ourselves.

Until slavery fell we did not fully understand the value of Republican institutions. Accustomed to tolerate, and in many cases to defend slavery, we did not feel that its close proximity, so far from assisting, was gradually destroying our liberties; and it was only when rebellion tore away the mask, that we saw the hideous features of the monster that was eating out the vitals of the Republic.

If we are now astonished and shocked at the exhibition of cruelty and ingratitude among those who, having inaugurated and prosecuted a causeless war against a generous government, and having been permitted to escape the punishment they deserve, are once more arrogantly clamoring to assume control of the destinies of this great nation, how much greater cause would we have for surprise had slavery been permitted to increase and multiply?

Boast as we may of our material and our moral resources, yet is it not true that there is no such thing as a Republican government in the ten States that began and carried on the war? There is not, to-day, a despotic State in Europe where the rights of the individual man are so defiantly trampled under foot, as in the sections which were supposed to have been brought into full submission to the Government of the United States. But the disease has suggested its Providential cure.

The abhorrent doctrine, that defeated treason shall not only be magnanimously pardoned, but introduced to yet stronger privileges, because of its guilty failure, seems to have been insisted upon, as if to strengthen the better and the contrasting doctrine, that a nation, having conquered its freedom, is its best guardian, and that those who were defeated in honorable battle should be constrained to submit to all the terms of the conqueror.

The violators of the most solemn obligations, the perpetrators of the most atrocious crimes in the annals of time, the murderers of our heroic soldiers on fields of battle, and in loathsome dungeons and barbarous prisons, they must not, *shall not*, re-appear in the council chambers of the nation, to aid in its legislation, or control its destinies, unless it shall be on conditions which will preserve our institutions from their baleful purposes and influence, and secure republican forms of government, in their purity and vigor, in every section of the country.

That they are indisposed to accept such conditions, is manifest from their recent and even arrogant rejection of the proposed amendments of the national Constitution—amendments which are believed, by many true and patriotic citizens and statesmen, to be too mild and generous.

They have, however, been fully considered by the people during the late elections, and approved by majorities so large as to give them a sanction which it would be improper to either overlook or disregard. And certainly in view of this fact, none of the late rebel States should be admitted to their former "practical relations" to the General Government, while they continue to oppose these amendments.

To the Congress of the United States the heartfelt sympathies and overwhelming suffrages of the people have been generously given. They have fearlessly proclaimed their unequivocal verdict—"WELL DONE GOOD AND FAITHFUL SERVANTS." Upon the deliberations and actions of Congress our present interests and future welfare all depend. In its firmness and courage the whole experiment of genuine republicanism is indissolubly involved. That this firmness and courage will be fully exhibited by its controlling majorities, in the origination and adoption of measures of wisdom and discretion, even more radical and decisive, if necessary, than those of the past, I entertain no doubt. Such measures will meet with my cordial approval. And I may well add, that while Pennsylvania will confide in a loyal Congress, she will not hesitate to sustain it with her entire influence and power.

That in the administration of the government I may err, is only what should be expected from the infirmities of the human mind; but as I enter upon the discharge of my responsible duties with a firm resolution to act with honesty and impartiality, I trust my errors will be regarded with charity and treated with the gentleness of magnanimous forgiveness.

And I earnestly hope that my intercourse with my fellow-citizens of the Senate and House of Representatives will be so frank and cordial that our duties to a common constituency will be pleasantly and faithfully discharged. Different branches of the Government as we are, with distinctive duties, we are nevertheless parts of one organized and well regulated system, and as we co-operate or disagree, the interests of the State will probably be promoted or retarded. Elected by the people, desirous to promote the welfare of every citizen, mere party differences should not be allowed to interfere with the maintenance of a generous, a true and comprehensive public policy.

It was the illustrious Washington, equally distinguished as a warrior and a statesman, who gave utterance to the declaration, "that the propitious smiles of Heaven cannot be expected on a nation that disregards the eternal rules of order and right; and Jefferson who asserted that "whatever is morally wrong cannot be politically right." These

utterances express my deepest convictions of the rules and principles which should permeate and control all governments. Let us, fellow-citizens, adhere to *them*, be governed by them, and our efforts will be happily united in surrounding the institutions of our State, as well as those of our nation, with a rampart of truth that will repel the madness of ambition, the schemes of usurpation, and successfully resist the changes and agitations of all coming time.

At the conclusion of the inaugural address, the soldiers and people present broke out in the most tumultuous cheers, while those on the platform made a rush to greet Governor Geary. His Excellency left the stand accompanied by the officers of his Cabinet and the Committee of Arrangements.

THE END OF THE CEREMONIES.

At the conclusion of the inaugural address, both brances of the Legislature proceeded to their respective Chambers and adjourned until three o'clock.

THE SUCCESS OF THE OCCASION.

It is nothing more than just to write that the ceremonies of no similar occasion passed off with greater success. The order in the city during the day, was admirable, and was highly creditable to our military authorities. Little, if any, brawling was observed in the streets. If there were any cases of disorder and drunkenness, we did not see them. The people who came here from a distance, proved that they were of the most respectable character—reflecting credit, not merely upon the occasion, by their behavior, but doing honor to the localities whence they came.

HONOR TO WHOM HONOR IS DUE.

Great credit is due to the Legislative committee of arrangements, Messrs. Kerns, Wharton and Glatz, for the admirable manner in which they discharged that portion of the duty devolving upon them.

Gen. E. C. Williams, Chief Marshal, and his Aids, acted with great ability, and to all of whom the utmost credit is due for the success of the occasion.

HOUSE OF REPRESENTATIVES.

TUESDAY, January 15, 1867.

The House met at 11 o'clock, A. M.

Prayer was offered by the Rev. JACOB KENNEDY, member from Wyoming.

The SPEAKER announced a quorum of members present.

The Journal of yesterday was partly read, when,

On motion of Mr. KURTZ, the further reading of the same was dispensed with.

On motion of Mr. LEE, the House then took recess until 12 o'clock, M.

At 12 o'clock, M., the SPEAKER called the House to order, and appointed Messrs. MARKS and CRAIG as a committee to wait upon and invite the Speaker and members of the Senate to meet the Speaker and members of the House of Representatives in the portico of the capitol, this day at 12 o'clock, for the purpose of inaugurating the Governor elect.

INAUGURATION OF THE GOVERNOR.

Agreeably to order,

The members of the House, accompanied by the Speaker, proceeded to the portico of the capitol, where they were met by the Speaker and members of the Senate; when,

According to order,

The committee, appointed for that purpose, introduced John W. Geary, Governor elect.

Prayer was offered by the Rev. R. AUDLEY BROWNE, Senator from Lawrence county.

[See inaugural ceremonies.]

The Clerk of the Senate read the certificate of election.

[See inangural ceremonies.]

When the SPEAKER of the Senate [LEWIS W. HALL], administered to John W. Geary, the Governor elect, the following oath:

You do swear by Almighty God, the searcher of all hearts, that you will support the Constitution of the United States, and that as you shall answer to God at the great day.

You do also swear that you will support the Constitution of the Commonwealth of Pennsylvania, and that you will perform the duties of Governor with fidelity, and that as you shall answer to God at the great day.

Whereupon, the SPEAKER of the Senate proclaimed John W. Geary to be duly elected and qualified as Governor of this Commonwealth, for the ensuing three years.

GOVERNOR'S ADDRESS.

After which, the Governor addressed the two Houses.

[See inaugural ceremonies.]

The SPEAKER and the members of the House of Representatives, having returned to their hall.

The SPEAKER declared that the hour of one o'clock having arrived, this House stands adjourned until this afternoon at three o'clock.

HOUSE OF REPRESENTATIVES.

TUESDAY, January 15, 1867.

AFTERNOON SESSION.

The House met at 3 o'clock.

The SPEAKER. Agreeably to the laws of the United States and of this Commonwealth, this House will now proceed to name a candidate to be voted for as United States Senator.

The Clerk will proceed to call the roll.

The roll was then called, when the following gentlemen named Simon Cameron:

Messrs. Adaire, Allen, Armstrong, Barton, Brown, Cameron, Chadwick, Chase, Colville, Davis, Day, DeHaven, Donohugh, Espy, Ewing, Freeborn, Gallagher, Ghegan, Gordon, Harbison, Hoffman, Humphrey, Kennedy, Kerns, Kimmell, Kinney, Lee, Leech, M'Camant, M'Creary, M'Kee, M'Pherrin, Mann, Marks, Mechling, Meily, Pennypacker, Peters, Pillow, Quay, Rhoads, Roath, Seiler, Sharples, Shuman, Steacy, Stehman, Stumbaugh, Subers, Waddell, Wallace, Watt, Webb, Weller, Whann, Wharton, Wilson, Wingard, Woodward, Worrall, Wright and Glass, *Speaker*—62.

The following named Edgar Cowan:

Messrs. Barrington, Boyd, Boyle, Breen, Brennan, Calvin, Chalfant, Collins, Craig, Deise, Fogel, Gregory, Harner, Headman, Hetzel, Hood, Hunt, Jenks, Jones, Kline, Koon, Kurtz, Linton, Long, M'Henry, Maish, Markley, Meyers, Mullin, Phelan, Quigley, Rhoads, Robinson, Rouch, Satterthwait, Tharp and Westbrook—37.

Whereupon

The SPEAKER announced that Simon Cameron, having received the highest number of votes, was hereby declared the choice of the House.

The special order for this afternoon being gone through with, the SPEAKER declared this House adjourned until to-morrow morning, at 11 o'clock.

SENATE.

WEDNESDAY, January 16, 1867.

The Senate met at 11 o'clock, A. M.

Prayer was delivered by Rev. Mr. Bayley.

The reading of the Journal of the previous day was dispensed with.

ABSENT FROM THE SENATORIAL ELECTION.

Mr. WHITE. Mr. Speaker, I ask leave to make a statement.

[Leave was granted.]

At the session of yesterday afternoon I was accidentally absent from my seat. Owing to the crowded condition of the town it was difficult for me to get my dinner, sir—owing to that fact I was unable to attend the session. Had I been here I would have voted with the majority who voted for United States Senator upon that occasion, it being always my rule to follow my party in nominations regularly made. I now ask the consent of the Senate that my vote may be recorded with the majority who voted upon that occasion.

The SPEAKER. Will the Senate give its common consent to allow the vote of the Senator from Indiana [Mr. WHITE] to be recorded?

An affirmative response being given,

The SPEAKER said: Of course it is understood that this is to appear as part of the Journal of yesterday; in other words, it will appear from the Journal as if this vote was given yesterday, because the law specifies that the election must take place on a particular day, which day, in the present case, was yesterday. The Clerk will therefore make the required amendment of the Journal.

The Clerk then called the name of Mr. WHITE, and that Senator voted for Simon Cameron.

Mr. RANDALL. Mr. Speaker, I make a similar request of the Senate—to be allowed to record my vote in the election for United States Senator.

Leave was granted.

Mr. RANDALL, when his name was called, voted for Edgar Cowan.

Mr. M'CANDLESS. Mr. Speaker, I am obliged to ask a similar indulgence of the Senate; I also desire to have my vote recorded.

Leave was granted.

Mr. M'CANDLESS, when his name was called, voted for Edgar Cowan.

LEAVE OF ABSENCE.

Mr. GLATZ. Mr. Speaker, I ask leave of absence for the Senator from Clearfield [Mr. WALLACE] for a few days from to-day.

Leave was granted.

COMMUNICATIONS, PETITIONS, ETC.

The SPEAKER presented to the Senate the petition of E. Cady Stanton, Lucy Stone and others—a committee of the Equal Rights association.

The petition was read by the Clerk as follows:

To the Senate of the State of Pennsylvania:

The undersigned, on behalf the "American Equal Rights Association," respectfully petition your Honorable body to reject the proposed amendment to the Constitution of the United States upon the following grounds:

1. It is utterly inadequate. It fails to secure loyal State Governments in the South, or to curb the spirit of rebellion—yet the fact of its adoption is declared to entitle the rebel States to resume their seats in the Congress of the United States.

2. It will interpose an obstacle, if adopted, to such additional conditions of reconstruction as justice and sound policy require.

3. Its adoption would be an act of perfidy, unparalleled in history. For it places four millions of loyal negroes, our soldiers, dis-

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FOR THE SESSION OF 1867.

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[CONTINUED FROM PAGE 80.]

franchised and without adequate protection under the heel of their enemies and ours; moreover, it subjects two millions of loyal white Southerners to the tender mercies of rebels.

4. It permits the disfranchisement of the loyal mothers of a million soldiers without penalty, and by an act of retrogressive legislation introduces the word "male" into the Federal Constitution.

5. It satifies nobody, not even its authors. At the South the loyalists protest against it, the negroes avoid it and the rebels repudiate it. At the North the Democrats unnanimously oppose it, and a majority of Republicans condemn it.

6. The people of the State of Pennsylvania are opposed to it. Inasmuch as they have had no opportunity of expressing an opinion, it is the duty of the State Legislature, before acting upon a matter of such vital importance, to submit it to a direct vote at a special election to be called for the purpose.

E. CADY STANTON,
SUSAN B. ANTHONY,
LUCY STONE,
HENRY B. BLACKWELL,
Committee American Equal Rights Association,

New York, January 12, 1867.

PETITIONS AND REMONSTRANCES.

Mr. WORTHINGTON presented the petition of the school directors of Phœnixville, Chester county, asking for authority to borrow money to purchase land and build school houses.

Referred to the Committee on the Judiciary Local.

Also, a petition of citzens of the borough of Oxford, Chester county, asking for a law authorizing the borough authorities to improve the streets and sidewalks of said city.

Referred to the Committee on Roads and Bridges.

Also, a petition of citizens of Phoenixville, Chester county, asking for a law to exempt the Morris cemetery from taxation.

Referred to the Committee on Finance.

Mr. BURNETT, a petition from the inhabitants of Wayne county, for the passage of an act regulating roads and bridges in Wayne county.

Referred to the Committee on Roads and Bridges.

Mr. JACKSON, the petition of citizens of Anthony township, Montour county, praying for the repeal of an act for the erection of a poor house in said county, approved April 11, 1866.

Referrad to the Committee on the Judiciary Local.

Also, a petition of like import from citizens of West Hemlock, Montour county.

Referred to the Committee on the Judiciary Local.

Also, a petition of like import from citizens of Liberty township, Montour county.

Referred to the Committee on the Judiciary Local.

Mr. FISHER, a petition of the members of the bar of Lancaster county, for the appointment of a stenographic reporter.

Referred to the Committee on the Judiciary Local.

Mr. M'CONAUGHY, a petition of four hundred citizens of York county, praying for the extension to York county of the provisions of the act for the better and more impartial selection of persons to serve as jurors, &c., approved March 27, 1865.

Referred to the Committee on the Judiciary Local.

Mr. STUTZMAN, a petition of citizens of Bedford township and others, for the extension of Bedford borough school district in Bedford county.

Referred to the Committee on Education.

Mr. WHITE, a petition of citizens of Indiana county, against the repeal of a law prohibiting the sale of liquor in Saltzburg, Indiana county, and asking for an extension of said law to the whole State.

Referred to the Committee on Vice and Immorality.

Mr. BIGHAM, a petition from citizens and members of council in the city of Pittsburg, asking the vacation of a certain part of Spruce alley in the Ninth ward of the city of Pittsburg.

Referred to the Committee on Roads and Bridges.

Mr. BROWN (Mercer), the remonstrance of citizens of Mercer county, against the repeal of the law authorizing the appointment of a county auctioneer in said county.

Referred to the Committee on the Judiciary Local.

Mr. BILLINGFELT, the petition of the president, managers and stockholders of the Lancaster and Litiz turnpike company, praying that the supplement to an act incorporating the New Holland turnpike road company, passed March 21, 1862, be extended to that company.

Referred to the Committee on Roads and Bridges.

REPORTS FROM COMMITTEES.

Mr. CONNELL, from the Committee on Finance, as committed, bill entitled An act to authorize the payment of Theodore F. Scheffer for printing deserters' list.

Mr. RIDGWAY, from the Committee on Corporations, as committed, bill entitled A further supplement to an act to incorporate the General life insurance, annuity and trust company of Philadelphia, passed March 17, 1863.

Also (same), as committed, bill entitled An act to incorporate the Germania insurance company of Erie.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

The Clerk of the House of Representatives being introduced, presented for concurrence bill No. 35, an act authorizing the appointment of additional notaries public for the cities of Pittsburg and Allegheny.

Referred to the Committee on the Judiciary Local.

BILLS IN PLACE.

Mr. RANDALL read in his place and presented to the Chair a bill entitled An act to provide an associate law judge of the several courts in the Twenty-first Judicial district.

Referred to the Committee on the Judiciary General.

Mr. SHOEMAKER, a bill entitled An act to authorize the Lehigh coal and navigation company to build branch railroads.

Referred to the Committee on Railroads.

Also, an act to incorporate the Riverside coal company.

Referred to the Committee on Corporations.

Also a bill entitled An act to authorize the Wyoming slate company to create and issue preferred stock.

Referred to the Committee on Corporations.

Mr. COWLES, a bill entitled An act supplementary to an act entitled An act appointing commissioners to lay out and open a state road in the counties of M'Kean, Elk, Forest and Clarion, appointed the first day of May, 1861, revising the third section of said act, and authorizing the commissioners to borrow money.

Referred to the Committee on Roads and Bridges.

Also, a bill entitled A supplement to an act approved the 16th day of April, 1866, appointing commissioners to lay out and open a State road in M'Kean county, from the borough of Smethport to Lafayette Corners.

Referred to the Committee on Roads and Bridges.

Also, a bill entitled An act to incorporate the Northern railroad and navigation company.

Referred to the Committee on Railroads.

Also, a bill entitled An act to protect the rights of joint tenants and others.

Referred to the Committee on the Judiciary General.

Mr. RIDGWAY, a bill entitled An act to incorporate the Brokers' beneficial association of Philadelphia.

Referred to the Committee on Corporations.

Also, a bill entitled An act authorizing the merger or consolidation of oil or other mining companies.

Referred to the Committee on Corporations.

Mr. JACKSON, a bill entitled An act to incorporate the M'Connell mineral company of Pennsylvania.

Referred to the Committee on Corporations.

Mr. BIGHAM, a bill entitled Supplement to an act to incorporate the People's Savings Bank of Pittsburg.

Referred to the Committee on Banks.

Mr. SEARIGHT, a bill entitled An act for the more ample security of the titles of lot-holders in cemeteries.

Referred to the Committee on the Judiciary General.

Also, a bill entitled an act to change the name of Shinbone alley, in Fayette county, to Bigham avenue.

Referred to the Committee on Roads and Bridges.

Mr. STUTZMAN, a bill entitled An act to attach certain lands and tenements in Bedford township, Bedford county, to Bedford borough, for school purposes.

Referred to the Committee on Education.

Mr. DAVIS, a bill entitled An act to confer upon the committee of a lunatic or habitual drunkard the power to institute actions of partition.

Referred to the Committee on the Judiciary General.

Mr. FISHER, a bill entitled An act to authorize the appointment of a stenographer for the courts of Lancaster county.

Referred to the Committee on the Judiciary Local.

Also, a bill entitled An act for the more impartial selection of persons to serve as jurors in the county of York.

Referred to the Committee on the Judiciary Local.

Also, a bill entitled A supplement to an act to unite and consolidate the Franklin and Marshal college, approved April 10, 1850.

Referred to the Committee on Education.

Mr. BILLINGFELT, a bill entitled An act relative to the Lancaster and Litiz turnpike road company, in Lancaster county.

Referred to the Committee on Roads and Bridges.

Mr. JAMES, a bill entitled An act to increase the compensation of supervisors in the township of Solebury, Bucks county.

Referred to the Committee on the Judiciary Local.

BILLS CONSIDERED AND PASSED.

During the reading of bills in place, a number of bills introduced were considered and passed, in the following order:

Mr. SHOEMAKER. I read in my place a bill entitled A supplement to an act entitled An act to incorporate the Valley coal company, approved March 16, 1865.

The SPEAKER. The bill is referred to the Committee on Corporations.

Mr. SHOEMAKER. I ask the indulgence of the Senate to suspend the rules and pass that bill. It is one of great importance to the parties interested.

The question upon suspending the rules to proceed to the consideration of said bill was then put and decided affirmatively, when said bill was taken up, read twice, and

Passed finally.

Mr. SHOEMAKER. Mr. Speaker, I have in my hand a bill in which the Senator from Clearfield [Mr. WALLACE], who is absent, is specially interested. I ask for its consideration. It is a short bill, and has been reported from committee.

I therefore move that the Senate proceed to the consideration of Senate bill No. 28, entitled An act to extend the provisions of the act concerning the sale of railroads, canals, turnpikes, bridges and plank roads, to sales made or to be made under or by virtue of a power of sale in mortgage or deed of trust, without judicial process or decree.

The motion was agreed to and the Senate proceeded to consider said bill.

The first and only section was read as follows:

Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, etc. That all the provisions of the act entitled an act concerning the sale of railroads, canals, turnpikes, bridges and plank roads, approved the eighth day of April, Anno Domini one thousand eight hundred and sixty-one, shall extend and apply to sales and conveyances heretofore or hereafter made, under or by virtue of a power of sale contained in any mortgage or deed of trust, without any process or decree of court in the premises; and the person or persons for or on account of whom such railroad, canal, turnpike, bridge or plank road shall have been, or hereafter may, be purchased, shall have and enjoy all the rights and privileges granted and conferred by the said act upon the person or persons purchasing under judicial process or decree, as in said act mentioned.

The section was agreed to.

The bill was again read, and upon the question? Shall the bill pass.

Mr. WHITE said: Mr. Speaker, this is a general bill of an important character, and I would like to have an explanation from the chairman of the Judiciary Committee as to its purport.

Mr. SHOEMAKER. Mr. Speaker, this bill was read in place by Senator Wallace, and has been properly considered by the committee. The amount of the bill is this, that when in a mortgage or deed of trust, there is authority to sell the realty and nothing else, the attorney or the party authorized to make the sale shall be empowered to sell at the same time the franchises, that is, to sell the whole of the concern together; and we considered that this would be to the advantage of both the debtor and the creditor. If this power to sell pertains only to the realty, leaving the franchises out, why it simply diminishes the price of whatever may be included in the mortgage. That is the whole substance of the measure; that in case there is a general power of attorney simply to sell the realty in the mortgage, or the deed of trust, this may include also the franchises of the corporation. I can see nothing wrong in that.—The object is virtually to carry out the whole power that may have been designed to be carried out in the deed of trust or the mortgage. Of course where there is a judicial sale, that is another matter; but this is where a sale is made by the authority contained in the mortgage or deed of trust.

The bill then

Passed finally.

Mr. BROWNE (of Lawrence). Mr. Speaker, I read in my place a bill entitled An act to repeal an act entitled An act relative to bounties in Brady township, Butler county, which became a law on the 4th of January, 1867.

The SPEAKER. The bill is referred to the Committee on Judiciary Local.

Mr. BROWNE (of Lawrence). I move to suspend the rules, and that the Senate proceed to the consideration of this bill. If the Senate desire, I will state the necessity for its passage.

The motion was agreed to, and the committee having been discharged the bill was taken up and the Senate proceeded to consider the same.

The bill was then read twice and

Passed finally.

Mr. GLATZ. Mr. Speaker, I read in my place a bill entitled An act to enable the school directors of West Manheim township, in the county of York, to levy and collect at once the bounty tax remaining unpaid.

The SPEAKER. The bill is referred to the Committee on Judiciary Local.

On motion of Mr. GLATZ, the rules were suspended, the committee discharged, and the bill taken up, and having been twice read was

Passed finally.

Mr. BIGHAM. Mr. Speaker, I read in my place a bill entitled An act to vacate a portion of Spruce alley, in the Ninth ward, in the city of Pittsburg.

The SPEAKER. The bill is referred to the Committee on Roads and Bridges.

On motion of Mr. BIGHAM, the rules were suspended, the committee discharged, and the bill taken up, and having been twice read was

Passed finally.

Mr. ROYER. Mr. Speaker, I read in my place a bill entitled A further supplement to an act entitled An act to incorporate the Mutual insurance company of Montgomery county, passed March 31, 1841, authorizing said company to insure against storms and hurricanes.

The SPEAKER. The bill is referred to the Committee on Corporations.

Mr. ROYER. Mr. Speaker, I move to suspend the rules, and that the Senate proceed to the consideration of this bill.

Mr. LOWRY. Mr. Speaker, I desire to say that this session having been fixed for the consideration of the special order, the joint resolution to ratify the amendment of the Constitution of the United States, I am opposed to any innovation upon the regular orders which tends to prevent or postpone the consideration of that important measure. Our session to-day is limited, and I fear that this practice of passing bills irregularly will not allow us to reach the constitutional amendment. I am not opposed to the particular bill before us, but it is to the general practice that I take exception. I will therefore call for the orders of the day upon every bill that is called up from this out.

The SPEAKER. The Chair would much prefer being permitted to adhere to the regular order of business, but when the rules are suspended for the accommodation of one Senator other Senators are apt to ask a similar privilege.

The motion of Mr. ROYER was then agreed to, and the bill being taken up was read twice, considered and

Passed finally.

A TEST QUESTION.

Mr. LOWRY read in place a bill entitled An act to change the name of Virginia Watkinson to Virginia Ottinger, and to give her all the rights of a daughter of Douglass and Emma Ottinger.

The SPEAKER. The Chair is of opinion that the courts are empowered to act in the case presented by this bill.

Mr. LOWRY. I think not, sir.

The SPEAKER. The bill is referred to the Judiciary General Committee. The Chair would call the attention of the chairman of that committee to the question of the jurisdiction of the courts and the consequent prohibition of the Constitution, as would seem to be presented by the bill, and would request the chairman to make a report upon the subject, so that we may be guided as to our future action in like cases.

PRINTING OF INAUGURAL CEREMONIES.

Mr. CONNELL offered the following resolution:

Resolved, That a full report of the ceremonies attending the inauguration of Governor Geary be published in the *Legislative Record* among the proceedings of yesterday.

The resolution was adopted.

GOVERNOR CURTIN.

On motion of Mr. M'CANDLESS and Mr. COLEMAN, the following resolution was twice read, considered and unanimously adopted:

Resolved, That at 12½ o'clock, P. M., this day, the members of the Senate proceed in a

body to pay their respects to the retiring Governor.

THE BILL TO RATIFY THE CONSTITUTIONAL AMENDMENT.

Mr. BIGHAM offered the following resolution:

Resolved, That the Senate will hold a special session this evening, commencing at 7½ o'clock, to act upon the bill ratifying the constitutional amendments.

The resolution was twice read.

Mr. LOWRY. Mr. Speaker, I propose to amend by providing for a session this afternoon at three o'clock instead of this evening.

The SPEAKER. Does the mover of the resolution accept the amendment?

Mr. BIGHAM. I am perfectly satisfied.

The amendment of Mr. LOWRY having been accepted by Mr. BIGHAM as a modification, the original resolution was then adopted.

NOTARIES PUBLIC IN PITTSBURG.

The Speaker referred to the appropriate committee House bill entitled An act authorizing the appointment of additional notaries public for the cities of Pittsburg and Alleghany.

Mr. GRAHAM. Mr. Speaker, I move that the committee be discharged from the consideration of that bill, and that the Senate proceed to consider the same.

The motion was

Agreed to,

And said bill was taken up, twice read and

Passed finally.

CONVENTION FOR ELECTION OF U. S. SENATOR.

The hour of 12 o'clock having arrived

The SPEAKER said: Senators, the hour appointed by law for the assembling of the Senate and House of Representatives in convention for the ratification of the election made yesterday for a member of the United States Senate has arrived. The Senate will therefore now proceed to the hall of the House of Representatives.

The members of the Senate then proceeded to the hall of the House of Representatives, and took part in the convention held by the two Houses, agreeably to the provisions of an act of the Congress of the United States, and of an act of the General Assembly of Pennsylvania regulating the time and manner of holding elections for Senators in Congress.

After some time, the Senate returned to their chamber.

Mr. BIGHAM, teller on the part of the Senate, submitted a report which was read, as follows:

That agreeably to the provisions of "An act to regulate the manner and time of holding elections for Senators in Congress," approved the 25th day of July, A. D. 1866, and of an act of the General Assembly of this Commonwealth, entitled "An act to define the time and regulate the manner of electing Senators to represent this State in the Senate of the United States," approved January 11, A. D. 1867, the members of the Senate and House of Representatives of the Commonwealth of Pennsylvania convened in joint assembly in the hall of the House of Representatives of said Commonwealth, on Wednesday, the 16th day of January, A. D. 1867, at 12 o'clock, M., the Speaker of the Senate officiating as President thereof; whereupon the journals of both Houses of the preceding day were read by the clerks thereof, as follows, viz:

(For a certified copy of the journals see Joint Convention.)

From which it appeared that Simon Cameron, of Dauphin county, had received a majority of all the votes given in each of said Houses for Senator in the Congress of the United States.

The PRESIDENT of the joint convention thereupon declared Simon Cameron to be duly elected a Senator to represent the Commonwealth of Pennsylvania in the Senate of the United States for six years from and after the 4th day of March next.

The PRESIDENT of the joint assembly did then, in the presence of the members of both Houses, sign four several certificates of the election, attested by the tellers of the respective Houses, one of which certificates was directed to be transmitted by the President of the joint assembly to the Governor of the Commonwealth, one to the Senator elect, and the remaining two to be preserved among the records and entered at length upon the Journals of each House.

[A copy of the certificates will be found in the House proceedings.]

The report of Mr. BIGHAM was

Laid on the table.

BILLS CONSIDERED.

Mr. CONNELL moved that the Senate proceed to consider a bill which had just come from the House, entitled An act authorizing the Governor to appoint an additional notary public for the county of Lycoming.

The motion was

Agreed to,

The committee was discharged, the bill taken up, read twice and

Passed finally.

Mr. COWLES moved that the Senate proceed to the consideration of House bill No. 5, entitled An act repealing an act appointing commissioners to lay out and open a State road from Marsh's Corners, M'Kean county, to the Philadelphia and Erie railroad.

The motion was

Agreed to,

And the committee was discharged, the bill taken up, twice read, considered and

Passed finally.

Mr. WORTHINGTON moved that the Senate proceed to the consideration of a bill reported from the committee, entitled An act relating to the drainage of roads by supervisors in the county of Delaware.

The motion was

Agreed to

And the committee was discharged, the bill taken up, twice read, considered and

Passed finally.

GOVERNOR CURTIN.

The SPEAKER then announced that the hour appointed for the Senate to wait upon the retiring Governor of the Commonwealth, for the purpose of paying their respects, had arrived.

On motion, the Senate adjourned.

AFTERNOON SESSION.

The Senate met at 3 o'clock, P. M.

AMENDMENT TO THE CONSTITUTION OF THE UNITED STATES.

Agreeably to order,

The Senate resumed the third reading and consideration of a joint resolution to ratify the amendmendments to the Constitution of the United States, which is as follows:

WHEREAS, Two-thirds of the members of the Senate and House of Representatives of the United States, in Congress assembled, did adopt an amendment to the Constitution of the United States which is entitled Article fourteen, as follows:

SECTION 1. All persons born or naturalized in the United States, and subject to the jurisdiction thereof, are citizens of the United States, and of the State wherein they reside; no State shall make or enforce any laws which shall abridge the privileges or immunities of citizens of the United States, nor shall any State deprive any person of life, liberty or property without due process of law, nor deny to any person, within its jurisdiction, the equal protection of the law.

SEC. 2. Representatives shall be apportioned among the several States according to their respective numbers, counting the whole number of persons in each State, excluding Indians not taxed; but when the right to vote at any election for the choice of electors for President and Vice President of the United States, representatives in Congress, the executive and judicial officers of a State, or the members of the legislature thereof, is denied to any of the male inhabitants of such State, being twenty-one years of age, and citizens of the United States, or in any way abridged except for participation in rebellion or other crime, the basis of representation therein shall be reduced in the proportion which the number of such male citizens shall bear to the whole number of male citizens twenty-one years of age in such State.

SEC. 3. No person shall be a senator or representative in Congress, or elector of President and Vice President, or hold any office, civil or military, under the United States, or under any State, who, having previously taken an oath as a member of Congress, or as an officer of the United States, or as a member of a State Legislature, or as an executive or judicial officer of any State, to support the Constitution of the United States, shall have engaged in insurrection or rebellion against the same, or given aid and comfort to the enemies thereof; but Congress may, by a vote of two-thirds of each house, remove such disability.

SEC. 4. The validity of the public debt of the United States, authorized by law, including debts incurred for payment of pensions and bounties, for services in suppressing rebellion, shall not be questioned; but neither the United States or any State shall assume, or pay any debt, or obligation incurred in aid of insurrection or rebellion against the United States, or any claim for the loss or emancipation of any slave; but all such debts, obligations and claims shall be held illegal and void.

SEC. 5. The Congress shall have power to enforce, by appropriate legislation, the provisions of this article.

Which said amendment has been submitted to the legislature of Pennsylvania for ratification or rejection; therefore,

Be it resolved by the Senate and House of Representatives of the State of Pennsylvania in General Assembly met, That the amendment, as above proposed and submitted, is hereby ratified and adopted by the State of Pennsylvania.

The SPEAKER. The session this afternoon is for the special purpose of considering joint resolution to ratify the amendment to the Constitution of the United States, which is on third reading. The Senator from Allegheny [Mr. BIGHAM] has the floor.

Mr. BIGHAM then addressed the Senate at length, and was followed by Mr. DAVIS and Mr. TAYLOR. The remarks of these gentlemen will appear hereafter.

SPECIAL SESSION.

Mr. WORTHINGTON. I move to postpone the further consideration of this subject, for the purpose of making a motion to have a session to-night.

Mr WHITE. For myself, Mr. Speaker, I would just say that there is a contested election case on the other side of the hallway in which I am personally interested. I have to be present at a consultation in the case, which takes place to-night. It will therefore be impossible for me to be here.

On the question of postponing the subject for the present,

The yeas and nays were required by Mr. DONOVAN and Mr. RIDGWAY, and were as follow, viz:

YEAS—Messrs. Bigham, Billingfelt, Browne, (Lawrence,) Brown, (Mercer,) Connell, Cowles, Fisher, Graham, Haines, Landon, Lowry, M'Connaghy, Rover, Searight, Stutzman, Worthington and Hall, *Speaker*—17.

NAYS—Messrs. Burnett, Davis, Donovan, Glatz, Jackson, James, M'Candless, Randall, Ridgway, Shoemaker, Taylor, Walls and White—13.

So the question was determined in the affirmative.

Mr. WORTHINGTON. I now move that when the Senate adjourns it will adjourn to meet to-night at 7½ o'clock, for the special purpose of considering the constitutional amendment.

The motion was agreed to.

The hour of five o'clock having arrived, the Senate then adjourned.

EVENING SESSION.

The Senate met at 7½ o'clock, P. M.

THE AMENDMENT TO THE CONSTITUTION OF THE UNITED STATES.

The SPEAKER. The special order for the evening is bill entitled A joint resolution to ratify the amendment to the Constitution of the United States.

Addresses were then delivered by Messrs. BURNETT, SEARIGHT, LOWRY and BROWNE, of (Lawrence).

Their remarks will be published hereafter.

On motion of Mr. BILLINGFELT, the Senate adjourned.

HOUSE OF REPRESENTATIVES.

WEDNESDAY, January 16, 1867.

The House met at 11 o'clock, A. M.

Prayer was offered by the Rev. JACOB KENNEDY, member from Wyoming.

The SPEAKER announced a quorum of members present.

The Journal of yesterday was read, and there being no objections, it was approved.

The SPEAKER presented the following petition, which was read:

To the House of Representatives of the State of Pennsylvania:

The undersigned, on behalf of the American Equal Rights association, respectfully petition your honorable body to reject the proposed amendment to the Constitution of the United States, upon the following grounds:

1st. It is utterly inadequate. It fails to secure loyal State governments in the South, or to curb the spirit of rebellion; yet the fact of its adoption is declared to entitle the rebel States to assume their allegiance in the Congress of the United States.

2d. It will oppose an obstacle, if adopted, to such additional conditions of reconstruction as justice and sound policy require.

3d. Its adoption would be an act of perfidy unparalleled in history, for it places four millions of loyal negroes, our allies, disfranchised and without adequate protection, under the heel of their enemies and ours; moreover, it subjects two millions of loyal white Southerners to the tender mercies of rebels.

4th. It permits the disfranchisement of the loyal mothers of a million soldiers, without penalty, and by an act of retrogressive legislation, introduces the word "male" for the first time, into the Federal Constitution.

5th. It satisfies nobody, not even its authors. At the South the loyalists protest against it, the negroes dread it, and the rebels repudiate it. At the North the Democrats unanimously oppose it, and a majority of the Republicans condemn it.

6th. The people of the State of Pennsylvania are opposed to it. Inasmuch as they have had no opportunity of expressing an opinion, it is the duty of the State Legislature, before acting upon a matter of such vital importance, to submit it to a direct vote at a special election to be called for the purpose.

(Signed)

E. CADY STANTON,
SUSAN B. ANTHONY,
LUCY STONE,
HENRY B. BLACKWELL,
Committee American Equal Rights Association.

New York, January 12, 1867.

The petition was

Referred to the Committee on the Judiciary General.

BILL PASSED.

Mr. M'KEE. Mr. Speaker, I ask leave to read a bill in place at this time.

Leave was granted.

Mr. M'KEE. I read in my place and present to the Chair a bill entitled An act authorizing additional notaries public for the cities of Allegheny and Pittsburg, and move that the rules be suspended and the House proceed to its consideration.

The motion was

Agreed to.

The bill was read a second and third time, and

Passed finally.

INVESTIGATING COMMITTEE SELECTED.

The SPEAKER. Agreeably to order, the House will now proceed to select a committee, according to law, to try the matter of the petition presented on the 10th instant, complaining of the undue election of JOHN P. LINTON, returned as a member from the district formed by the county of Cambria.

The Clerk will proceed to call the roll.

The roll was called, when it appeared that the following members were in attendance, viz:

Messrs. Adaire, Allen, Armstrong, Barrington, Barton, Boyd, Boyle, Breen, Brennan, Brown, Calvin, Cameron, Chadwick, Chalfant, Chase, Collins, Colville, Craig, Davis, Day, Deise, Donohugh, Espy, Ewing, Fogel, Freeborn, Ghegan, Gordon, Gregory, Harbison, Harner, Headman, Hetzel, Hoffman, Hood, Humphrey, Hunt, Jenks, Jones, Josephs, Kennedy, Kimmell, Kinney, Kline, Koon, Kurtz, Lee, Leech, Linton, Long, M'Camant, M'Creary, M'Henry, M'Kee, M'Pherrin, Maish, Mann, Markley, Marks, Mechling, Meily, Meyers, Pennypacker, Peters, Phelan, Pillow, Quay, Quigley, Rhoads, Richards, Roath, Robinson, Rouch, Satterthwait, Seiler, Sharples, Steacy, Stehman, Stumbaugh, Subers, Tharp, Waddell, Wallace, Watt, Webb, Weller, Westbrook, Whann, Wharton, Wilson, Wingard, Woodward, Worrall, Wright and Glass, *Speaker*.

The SPEAKER. Who appears as counsel for the petitioner?

Mr. DAVIS. I will act as temporary counsel.

The SPEAKER. Who appears as counsel for the sitting member.

Mr. Pershing. Colonel Zeigler and myself will act in that capacity.

The SPEAKER. The names of all the members will now be placed in the box, except those of Messrs. DeHaven, Gallagher, Kerns, Mullin and Shuman, who are absent, and Mr. Linton, the sitting member, and the Speaker.

Mr. GHEGAN and Mr. MEYERS will be good enough to write down the members as they are drawn from the box by the Clerk, and announced by the Speaker, agreeably to the act of Assembly.

The following names were challenged by the contestant through his counsel:

Messrs. Barrington, Boyd, Boyle, Breen, Brennan, Calvin, Chalfant, Collins, Craig, Deise, Fogel, Gregory, Harner, Headman, Hetzel, Hood, Hunt, Jenks, Jones, Josephs, Kline, Koon, Kurtz, Long, M'Henry, Maish, Markley, Meyers, Phelan, Quigley, Robinson, Satterthwait and Tharp.

The following names were challenged by the sitting member through his counsel:

Messrs. Allen, Barton, Brown, Cameron, Chadwick, Chase, Colville, Donohugh, Espy, Ewing, Freeborn, Gordon, Harrison, Hoffman, Humphrey, Kennedy, Kimmell, Kinney, Leech, M'Creary, M'Kee, M'Pherrin, Mann, Marks, Mechling, Meily, Pennypacker, Peters, Pillow, Richards, Seiler, Sharples, Steacy, Stehman, Subers, Waddell, Wallace, Watt, Webb, Weller, Wingard, Woodward and Wright.

The following names were not challenged:

Messrs. M'Camant, Roath, Whann, Lee, Quay and Stumbaugh.

The following names remained in the box:

Messrs. Ghegan, Rhoads, Wharton, Worrall, Rouch, Westbrook, Day, Davis, Wilson, Adaire and Armstrong.

The SPEAKER. The counsel for the contestant, and the counsel for the sitting member, together with the Clerk, will now retire and proceed to strike out alternately, from the list of seventeen names that were not challenged or drawn, until the number shall be reduced to nine.

The respective counsel and the Clerk then withdrew, and after a little time they returned, and reported the following members to constitute the select committee, who were duly qualified, to wit:

Messrs. M'Camant, Lee, Quay, Whann, Stumbaugh, Roath, Day, Worrall and Rhoads.

Mr. DAVIS. Mr. Speaker, I offer the following resolution:

Resolved, That the committee just selected be requested to meet in Committee room, No. 11, at 7½ o'clock this evening.

The resolution was read a second time, considered and

Agreed to.

JOINT CONVENTION.

The hour of 12 o'clock having arrived,

Agreeably to order,

The Speaker and members of the Senate and the Speaker and members of the House of Representatives met in joint convention in the hall of the House of Representatives.

HON. LEWIS W. HALL, Speaker of the Senate, took the chair as President of the convention.

The PRESIDENT. The convention will come to order, gentlemen.

Agreeably to the provisions of an act of Congress of the United States entitled An act to regulate the times and manner of electing United States Senators to Congress, approved the 25th of July, 1866, and an act of the General Assembly of this Commonwealth entitled An act to define the time and to regulate the manner of electing Senators to represent the State of Pennsylvania in the Senate of the United States, approved the 11th of January, 1867, the Journals of yesterday of the two Houses will now be read. The Journal of the Senate will be read by the Chief Clerk of the Senate, and the Journal of the House by the Chief Clerk of the House.

Mr. GLASS (Speaker). Mr. STUMBAUGH will act as teller on the part of the House.

The Clerk of the Senate then read the following:

IN THE SENATE,
TUESDAY, January 15, 1867.

AFTERNOON.

Agreeably to the provisions of an act of the Congress of the United States entitled An act to regulate the times and manner of holding elections for Senators in Congress, approved the 25th day of July, 1866, and of an act of the General Assembly of the Commonwealth entitled An act to define the time and regulate the manner of electing Senators to represent this State in the Senate of the United States, approved the 11th day of January, A. D. 1867,

The Senate proceeded, by a *viva voce* vote of each Senator present, to name one person for Senator in Congress from the State of Pennsylvania, to fill the vacancy which will occur in that body by the expiration of the term of Edgar Cowan on the 4th of March next.

Whereupon

Mr. THOMAS J. BIGHAM voted for Simon Cameron.

Mr. R. AUDLEY BROWNE voted for Simon Cameron.

Mr. JAMES C. BROWN voted for Simon Cameron.

Mr. CHARLSON BURNETT voted for Edgar Cowan.

Mr. DAWSON COLEMAN voted for Simon Cameron.

Mr. WARREN COWLES voted for Simon Cameron.

Mr. GEORGE CONNELL voted for Simon Cameron.

Mr. J. DE PUY DAVIS, voted for Edgar Cowan.

Mr. CORNELIUS M. DONOVAN voted for Edgar Cowan.

Mr. JOSEPH W. FISHER voted for Simon Cameron.

Mr. A. HIESTAND GLATZ voted for Edgar Cowan.

Mr. JAMES L. GRAHAM voted for Simon Cameron.

Mr. KIRK HAINES voted for Simon Cameron.

Mr. GEORGE D. JACKSON voted for Edgar Cowan.

M. OLIVER P. JAMES voted for Edgar Cowan.

Mr. GEORGE LANDON voted for Simon Cameron.

Mr. MORROW B. LOWRY voted for Simon Cameron.

Mr. WILLIAM M'CANDLESS voted for Edgar Cowan.

Mr. DAVID M'CONAUGHY voted for Simon Cameron.

Mr. WILLIAM M. RANDALL voted for Edgar Cowan.

Mr. JACOB E. RIDGWAY voted for Simon Cameron.

Mr. HORACE ROYER voted for Simon Cameron.

Mr. GEORGE B. SCHALL voted for Edgar Cowan.

Mr. THOMAS B. SEARIGHT voted for Edgar Cowan.

Mr. LAWRENCE D. SHOEMAKER voted for Simon Cameron.

Mr. ALEXANDER STUTZMAN voted for Simon Cameron.

Mr. ALEXANDER W. TAYLOR voted for Simon Cameron.

Mr. WILLIAM A. WALLACE voted for Edgar Cowan.

Mr. JOHN WALLS voted for Edgar Cowan.

Mr. HARRY WHITE voted for Simon Cameron.

Mr. WILMER WORTHINGTON voted for Simon Cameron.

Mr. LOUIS W. HALL, *Speaker*, voted for Simon Cameron.

Thus the votes were

For Simon Cameron..... 20
For Edgar Cowan..... 12

So it appeared

That Simon Cameron was duly named by the Senate of Pennsylvania, for Senator in Congress from the State of Pennsylvania, for six years from and after the 4th of March next.

Whereupon

The SPEAKER adjourned the Senate until to-morrow morning, at 11 o'clock.

The Clerk of the House then read the following:

EXTRACT FROM THE HOUSE JOURNAL.

HALL OF THE HOUSE OF REPRESENTATIVES,
TUESDAY, January 15, 1867.

Agreeably to the provisions of an act of the Congress of the United States, entitled An act to regulate the times and manner of holding elections for Senators in Congress, approved the 25th day of July, 1866, and an act of the General Assembly of this Commonwealth, entitled An act to define the time and regulate the manner of electing Senators to represent this State in the Senate of the United States, approved the 11th day of January, A. D. 1867,

The House of Representatives proceeded by *viva voce* of each member present to name one person for Senator in Congress from the State of Pennsylvania:

Whereupon

Mr. ALEXANDER ADAIRE voted for Simon Cameron.

Mr. HARRISON ALLEN voted for Simon Cameron.

Mr. A. ARMSTRONG voted for Simon Cameron.

Mr. T. D. BARRINGTON voted for Edgar Cowan.

Mr. JOHN H. BARTON voted for Simon Cameron.

Mr. STEPHEN G. BOYD voted for Edgar Cowan.

Mr. C. E. BOYLE voted for Edgar Cowan.

Mr. PHILIP BREEN voted for Edgar Cowan.

Mr. WILLIAM BRENNAN voted for Edgar Cowan.

Mr. J. M. BROWN voted for Simon Cameron.

Mr. LUTHER CALVIN voted for Edgar Cowan.

Mr. J. T. CAMERON voted for Simon Cameron.

Mr. SAMUEL CHADWICK voted for Simon Cameron.

Mr. THOMAS CHALFANT voted for Edgar Cowan.

Mr. J. T. CHASE voted for Simon Cameron.

Mr. P. F. COLLINS voted for Edgar Cowan.

Mr. ROBERT H. COLVILLE voted for Simon Cameron.

Mr. ALLEN CRAIG voted for Edgar Cowan.

Mr. E. W. DAVIS voted for Simon Cameron.

Mr. J. R. DAY voted for Simon Cameron.

Mr. GEORGE DEHAVEN voted for Simon Cameron.

Mr. GEORGE O. DEISE voted for Edgar Cowan.

Mr. W. J. DONOHUGH voted for Simon Cameron.

Mr. J. B. ESPY voted for Simon Cameron.

Mr. JOHN EWING voted for Simon Cameron.

Mr. JOHN H. FOGEL voted for Edgar Cowan.

Mr. JAMES FREEBORN voted for Simon Cameron.

Mr. T. F. GALLAGHER voted for Simon Cameron.

Mr. GEORGE W. GHEGAN voted for Simon Cameron.

Mr. W. C. GORDON voted for Simon Cameron.

Mr. WILLIAM S. GREGORY voted for Edgar Cowan.

Mr. W. C. HARBISON voted for Simon Cameron.

Mr. FREDERICK HARNER voted for Edgar Cowan.

Mr. F. W. HEADMAN voted for Edgar Cowan.

Mr. NICHOLAS HETZEL voted for Edgar Cowan.

Mr. H. B. HOFFMAN voted for Simon Cameron.

Mr. W. B. HOOD voted for Edgar Cowan.

Mr. W. T. HUMPHREY voted for Simon Cameron.

Mr. JOHN D. HUNT voted for Edgar Cowan.

Mr. W. P. JENKS voted for Edgar Cowan.

Mr. R. L. JONES voted for Edgar Cowan.

Mr. SAMUEL JOSEPHS voted for Edgar Cowan.

Mr. JACOB KENNEDY voted for Simon Cameron.

Mr. JAMES N. KERNS voted for Simon Cameron.

Mr. A. W. KIMMELL voted for Simon Cameron.

Mr. E. W. KINNEY voted for Simon Cameron.

Mr. J. F. KLINE voted for Edgar Cowan.

Mr. D. S. KOON voted for Edgar Cowan.

Mr. FREDERICK KURTZ voted for Edgar Cowan.

Mr. EDWARD G. LEE voted for Simon Cameron.

Mr. J. A. LEECH voted for Simon Cameron.

Mr. JOHN P. LINTON voted for Edgar Cowan.

Mr. PHILIP LONG voted for Edgar Cowan.

Mr. SAMUEL M'CAMANT voted for Simon Cameron.

Mr. D. B. M'CREARY voted for Simon Cameron.

Mr. JAMES M'HENRY voted for Edgar Cowan.

Mr. GEORGE Y. M'KEE voted for Simon Cameron.

Mr. J. M'PHERRIN voted for Simon Cameron.

Mr. LEVI MAISH voted for Edgar Cowan.

Mr. JOHN S. MANN voted for Simon Cameron.

Mr. A. D. MARKLEY voted for Edgar Cowan.

Mr. J. N. MARKS voted for Simon Cameron.

Mr. FRANK MECHLING voted for Simon Cameron.

M. J. B. MEILY voted for Simon Cameron.

Mr. O. H. MEYERS voted for Edgar Cowan.

Mr. MICHAEL MULLIN voted for Edgar Cowan.

Mr. N. A. PENNAPACKER voted for Simon Cameron.

Mr. WM. PETERS voted for Simon Cameron.

Mr. JOHN PHELAN voted for Edgar Cowan.

Mr. H. PILLOW voted for Simon Cameron.

Mr. M. S. QUAY voted for Simon Cameron.

Mr. GEORGE A. QUIGLEY voted for Edgar Cowan.

Mr. H. B. RHOADS voted for Edgar Cowan.

Mr. J. T. RICHARDS voted for Simon Cameron.

Mr. E. D. ROATH voted for Simon Cameron.

Mr. R. ROBINSON voted for Edgar Cowan.

Mr. C. D. ROUCH voted for Edgar Cowan.

Mr. E. SATTERTHWAIT voted for Edgar Cowan.

Mr. J. SEILER voted for Simon Cameron.

Mr. N. J. SHARPLES voted for Simon Cameron.

Mr. G. A. SHUMAN voted for Simon Cameron.

Mr. D. G. STEACY voted for Simon Cameron.

Mr. JOHN M. STEHMAN voted for Simon Cameron.

Mr. F. S. STUMBAUGH voted for Simon Cameron.

Mr. JAMES SUBERS voted for Simon Cameron.

Mr. C. W. TRARP voted for Edgar Cowan.

Mr. W. B. WADDELL voted for Simon Cameron.

Mr. DAVID WALLACE voted for Simon Cameron.

Mr. W. W. WATT voted for Simon Cameron.

Mr. L. H. WEBB voted for Simon Cameron.

Mr. JOHN WELLER voted for Simon Cameron.

Mr. LAFAYETTE WESTBROOK voted for Edgar Cowan.

Mr. W. S. WHANN voted for Simon Cameron.

Mr. HENRY S. WHARTON voted for Simon Cameron.

Mr. GEORGE WILSON voted for Simon Cameron.

Mr. SAMUEL C. WINGARD voted for Simon Cameron.

Mr. O. S. WOODWARD voted for Simon Cameron.

Mr. WILLIAM M. WORRALL voted for Simon Cameron.

Mr. J. H. WRIGHT voted for Simon Cameron.

Mr. JOHN P. GLASS, Speaker, voted for Simon Cameron.

Sixty-two members of the House of Representatives voted for Simon Cameron.

Thirty-seven members of the House of Representatives voted for Edgar Cowan.

From which it appeared that Simon Cameron, of Dauphin county, had received a majority of all the votes given in each of said Houses for Senator in the Congress of the United States.

The PRESIDENT of the joint Assembly thereupon declared SIMON CAMERON to be duly elected a Senator to represent the Commonwealth of Pennsylvania in the Senate of the United States, for six years, from and after the fourth day of March next.

The PRESIDENT of the joint Assembly did then, in the presence of the members of both Houses, sign four several certificates of the election, attested by the Teller of the respective Houses, one of which certificates was directed to be transmitted by the President of the joint Assembly to the Governor of the Commonwealth, one to the Senator elect, and the remaining two to be preserved among the records, and entered at length upon the Journals of each House.

The following is a copy of one of said certificates:

CERTIFICATE OF THE ELECTION OF UNITED STATES SENATOR.

I do certify that the members of the Senate and the members of the House of Representatives of the General Assembly of the Commonwealth of Pennsylvania, having assembled in joint Assembly in the Chamber of the House of Representatives, on the 16th day of January, A. D. 1867, in conformity with the act of the Congress of the United States, entitled "An act to regulate the time and manner of holding elections for Senators in Congress," approved July 25th, A. D. 1866, and the act of the General Assembly of the Commonwealth of Pennsylvania, entitled An act to define the time and regulate the manner of electing Senators to represent this State in the Senate of the United States, approved January 11th, 1867, to supply the vacancy in the Senate of the United States which will occur on the 4th day of March next. The Journals of the Senate and of the House of Representatives having been severally read, showing the names of the persons voted for, and the number of votes received in each House by each person, it appeared that Simon Cameron received a majority of all the votes in each House; and the said Simon Cameron is declared duly elected Senator to represent this State in the Senate of the United States for the constitutional term, commencing on the fourth day of March next.

Witness my hand, this 16th day of January, A. D. 1867.

L. W. HALL,
Speaker of the Senate and President of the Joint Assembly.

THOMAS J. BIGHAM,
Teller on the part of the Senate.

F. S. STUMBAUGH,
Teller on the part of the House of Representatives.

The PRESIDENT. Simon Cameron having received a majority of votes of each branch of the Legislature, I do declare him to have been duly elected Senator from Pennsylvania in the Senate of the United States for six years from the 4th of March next.

On motion, the convention then adjourned.

IN THE HOUSE.

Mr. STUMBAUGH. Mr. Speaker, I have the honor to submit the following report.

The report was read as follows:

Mr. STUMBAUGH, teller on the part of the House of Representatives, reports:

That agreeably to the provisions of the act of the Congress of the United States, entitled An act to regulate the times and manner of holding elections for Senator in Congress, approved the 25th day of July, A. D. 1866, and of an act of the General Assembly of this Commonwealth, entitled An act to define the time and regulate the manner of electing Senators to represent this State in the Senate of the United States, approved the 11th day of January, A. D. 1867,

The members of the Senate and House of Representatives of the Commonwealth of Pennsylvania convened in joint assembly in the Hall of the House of Representatives, of said Commonwealth, on Wednesday, the 16th day of January, A. D. 1867, at 12 o'clock meridian, the Speaker of the Senate officiating as President thereof,

Whereupon

The Journals of both Houses of the preceding day were read by the Clerks thereof.

ORIGINAL RESOLUTIONS.

Mr. PENNYPACKER. Mr. Speaker, I offer the following resolution.

The resolution was read as follows:

Resolved, That the members of the House of Representatives of Pennsylvania, as a testimonial of their appreciation of the faithful, intelligent and patriotic manner in which the Hon. Andrew G. Curtin has discharged his duties as Governor of this Commonwealth during the past six years, will call upon and pay their respects to him at 12½ o'clock, M.

The resolution was read a second time.

Mr. PENNYPACKER. Mr. Speaker, the Senate has just passed a similar resolution, and, as the Governor is about leaving this city to retire to private life, it is proper that the members of this House should put aside all differences that may have arisen in the recent contest and, throwing aside all prejudice, go to him and bid him farewell as the Executive of the Commonwealth of Pennsylvania. I therefore hope this resolution will be adopted.

The resolution was

Agreed to.

Mr. BOYLE. Mr. Speaker, previous to the convention of the two Houses this morning a motion was made by the gentleman from Philadelphia [Mr. DAVIS] that the committee, just selected to try the contested election case of the gentleman from Cambria [Mr. LINTON], meet at 7½ o'clock. I have been informed that one of the counsel for the sitting member is desirous of being present at the first meeting of the committee, and he also desires to leave the city this evening. I therefore move a reconsideration of the resolution adopted by the House fixing the time for the meeting of the committee, in order that it may be changed to 3 o'clock this afternoon.

Mr. DAVIS. Mr. Speaker, I wish to say that I know very little about this case, as my attention was not called to it until this morning. The contestant for the seat has left the House expecting to meet the committee this evening. I am not informed of his whereabouts, and would, therefore, be unable to advise him of this change, if made. I think his interest is at stake quite as much as that of the attorney engaged by the sitting member. Unless the gentleman will agree to convey the intelligence to the contestant, I hope the House will not make the change.

Mr. GREGORY. Mr. Speaker, I move to amend the motion by requiring that the contestant shall be informed of the change, in case the committee meet this afternoon.

Mr. BOYLE. Mr. Speaker. I think that amendment unnecessary. I understand that the contestant is stopping at the Franklin House. He intends to remain in the city, and the counsel desires to leave. There will be no trouble about the contestant being informed of the change. I ask as a matter of courtesy, that the House adopt the resolution.

Mr. DAVIS. Mr. Speaker, I have just been informed by a gentleman of the whereabouts of the contestant, and I will try to get word to him. I therefore withdraw my objections to the resolution. I do not wish to be captious about the matter.

Mr. GREGORY. Mr. Speaker, I withdraw my amendment.

The question recurring on the motion of the gentleman from Fayette [Mr. BOYLE] to reconsider the resolution and amend as indicated,

The House gave its unanimous consent that it should be so amended.

Mr. M'KEE. Mr. Speaker, I offer the following resolution.

The resolution was read as follows:

Resolved, That there be printed, for the use of this House, fifteen thousand copies of Governor Geary's Inaugural Message, in English, and three thousand in German.

The resolution was read a second time.

Mr. MEYERS. Mr. Speaker, I move to amend by striking out the word "fifteen" and inserting "eight."

Mr. ALLEN. Mr. Speaker, I hope the gentleman will not insist upon his amendment. Fifteen thousand copies are none too many for the members of this House. This document is one that should be read by all throughout the State, both Democrats and Republicans. I would prefer to have the number increased rather than diminished.

Mr. MANN. Mr. Speaker, I hope the amendment will be insisted upon and agreed to, by the House. I, too, am anxious that this message should be read by every person

in the State, and I have no doubt it will be, because every paper in the Commonwealth, both friend and opponent, will publish it. This being the case, eight thousand copies are certainly enough to be franked by the members of this House to their constituents. We are largely increasing the annual expenses of this House. The incidental expenses have been more than doubled within the last ten years; and it is certainly time we should begin retrenching somewhere. I know of no better way than to commence here, at this time. There is no possible necessity for this House to publish so large a number of a document that will be published by every paper in the State. I hope, therefore, the amendment will be adopted.

Mr. MEYERS. Mr. Speaker, I suppose there are printed and circulated, every day, two hundred daily, weekly and tri-weekly papers in the State of Pennsylvania; and I suppose a majority of them will publish the message, and it will then be read by a majority of the people of the Commonwealth. There is no necessity for publishing fifteen thousand copies of this inaugural message in English. Not that I have any objection to the message itself, but on the score of economy. There was a time when we did not have such a flush treasury, and when the capabilities for distributing information by means of steam presses and railroads were not of the same character as now; when it was necessary that a large number of the Governor's message should be printed and circulated by the members. But this is not so now.

Mr. M'CREARY. Mr. Speaker, I think that gentlemen labor under a mistake in regard to the cost of printing. Some seem to think that ten thousand copies of a document will cost twice as much as five thousand.—But, after the matter is once set up, an additional number costs very little more—merely the price of the paper and press work.

If you print eight thousand copies, you may as well add seven or eight thousand more, so far as the extra cost is concerned. As this is the first address of Governor Geary, I think the people of the State should be afforded a full opportunity of knowing where he stands in the prominent State and national questions of the day. I have no doubt the people of the Commonwealth are very anxious to read it, and they should certainly have the privilege.

I am very anxious that the gentleman from Northampton [Mr. MEYERS] should circulate a large number in his county, for I have no doubt that the distribution of such a document would be of great benefit to the people of his district. I would like to see a copy placed in the hands of every Democrat in the land.

Mr. BARRINGTON. Mr. Speaker, I hardly think it necessary to remark that the citizens of Northampton county can very properly discharge their duties, without the guardianship of the gentleman from Erie [Mr. M'CREARY].

Mr. MANN. Mr. Speaker, I simply wish to correct my friend from Erie in one particular. To the cost of publishing this additional number, must be added the cost of postage, for, I suppose, they are to be circulated. Every additional copy will cost two cents for postage; and I can see no use for this, as the document will be published in every paper in the State. Our postage bills are running up very fast. They seemed to be exceedingly high last year, but the course we are taking this year is certain to make them very much larger.

Mr. SHARPLES. Mr. Speaker, I desire to say that I fully coincide with the views of my friend from Potter [Mr. MANN]. Before this message is printed and laid on our desks, it will have been read by almost every one throughout the Commonwealth; and, for my part, I will be at a loss to know what to do with the copies which I should receive. I therefore move to amend the amendment, by striking out the word "eight" and inserting the word "five."

Mr. MEYERS. I accept the amendment.

Mr. DAVIS. Mr. Speaker, I did not intend to say a word on this question, but I hope the resolution will pass just as it was offered. This is a very important document—it is one that should reach every family; and, when it reaches them in the shape of a pamphlet, the people will lay it on their tables, and even keep it in their book-cases to be read.

I heard even a Democrat say that this was the best inaugural ever delivered in this State. There are a great many people whom it will never reach through the newspapers. It is for such that I particularly desire this number to be printed.

Mr. M'PHERRIN. Mr. Speaker, I have no doubt that this inaugural address has been published in the papers of the Commonwealth, or will be, and will reach every person who is likely to read it, before any copies ordered by this House are printed.

Messages and documents of this character are not generally sent to persons who are not in the habit of reading the newspapers. I concur with the gentleman in the amendment, and I hope this House will see proper to adopt it.

Mr. ALLEN. Mr. Speaker, I simply desire to say that it will be seen by the *Record* of last winter that I have always voted on the side of economy. I am disposed to vote with the gentleman on that side now; but the reason I urge the larger number is that we may benefit those who do not take newspapers. In sending to my constituents I shall try to reach those persons. I think the perusal of that address will injure none, and it may be of some service to my Democratic friends. I should like to have it circulated largely among them, and kept in their libraries that they may read and re-read it, and have its principles inculcated in their minds.

Mr. KOON. Mr. Speaker I think I shall vote for the larger number, as the circulation of such stuff among the hardy and conservative men of Luzerne county would increase the Democratic majority there, from thirty seven hundred to four thousand.

Mr. LEE. Mr. Speaker, if there was any hope of accomplishing the object contemplated by my friend from Erie [Mr. M'CREARY], I would vote for this resolution: but, from past experience, I think that party is now invulnerable to any argument that can be presented, and therefore I shall vote for the amendment. I have no hope of converting that party in any such way, and don't think it is worth spending the money on them to do it.

On the question,

Will the House agree to the amendment?

The yeas and nays were required by Mr. MEYERS and Mr. ALLEN, and were as follow, viz:

YEAS—Messrs. Adaire, Barrington, Boyd, Boyle, Breen, Brown, Calvin, Chalfant, Collins, Colville, Craig, Deise, Donohugh, Ewing, Fogel, Freeborn, Gallagher, Gordon, Gregory, Harner, Headman, Hetzel, Hood, Humphrey, Hunt, Jenks, Jones, Josephs, Kennedy, Kinney, Kline, Kurtz, Linton, Long, M'Henry, M'Pherrin, Maish, Mann, Markley, Meyers, Pennypacker, Phelan, Pillow, Quigley, Rhoads, Robinson, Rouch, Satterthwait, Sharples, Waddell, Wallace, Watt, Webb, Westbrook, Wingard, Woodward and Wright—57.

NAYS—Messrs. Allen, Armstrong, Barton, Brennan, Cameron, Chadwick, Chase, Davis, Day, Harbison, Hoffman, Kimmell, Lee, Leech, M'Camant, M'Creary, M'Kee, Marks, Mechling, Peters, Quay, Richards, Roath, Seiler, Shuman, Steacy, Stehman, Stumbaugh, Subers, Weller, Whann, Wharton, Wilson, Worrall and Glass, *Speaker*—35.

So the question was determined in the affirmative.

The SPEAKER. The special order having been reached, it being now half-past twelve, this House will now proceed to pay its respects to the retiring Governor.

The House then adjourned to meet to-morrow morning at 11 o'clock.

HOUSE OF REPRESENTATIVES.

THURSDAY, January 17, 1867.

The House met at 11 o'clock, A. M.

Prayer was offered by the Rev. JACOB KENNEDY, member from Wyoming.

The SPEAKER announced a quorum of members present.

The Journal of yesterday was read, and, there being no objections, it was approved.

MESSAGE FROM THE SENATE.

The Clerk of the Senate being introduced, presented for concurrence bills numbered and entitled as follows, viz:

No. 28, an act to extend the provisions of the act concerning the sale of railroads, canals, turnpikes, bridges and plank roads, to sales made or to be made, under or by virtue of a power of sale in mortgage or deed of trust, without judicial process or decree.

No. 49, a supplement to an act entitled An act to incorporate the Valley coal company, approved the 16th day of March, 1865.

No. 50, an act to repeal an act entitled An act relative to bounties in Brady township, Butler county, which became a law on the 4th day of January, 1867.

No. 51, an act to enable the school directors of West Manheim township, in the county of York, to levy and collect at once the bounty tax remaining unpaid.

No. 52, an act to vacate a portion of Spruce alley, in the Ninth ward of the city of Pittsburg.

No. 53, a further supplement to an act entitled An act to incorporate the Mutual fire insurance company of Montgomery county, passed the 31st day of March, 1841, authorizing said company to insure against storms and hurricanes.

No. 39, an act to change the venue in the case of the Commonwealth of Pennsylvania *versus* Henry Stevens and Jacob Harmon, from the court of general quarter sessions of the peace of Adams county to the court of general quarter sessions of the peace of Dauphin county.

He also returned bills from the House of Representatives numbered and entitled as follows, viz:

No. 5, an act repealing an act appointing commissioners to lay out and open a State road from Marsh's Corners, M'Kean county, to the Philadelphia and Erie railroad.

No. 13, an act relating to the drainage of roads by the supervisors in the county of Delaware.

No. 31, an act authorizing the Governor to appoint one additional notary public for the county of Lycoming.

No. 35, an act authorizing the appointment of additional notaries public for the cities of Pittsburg and Allegheny,

With information that the Senate has passed the same without amendment.

MESSAGE FROM THE GOVERNOR.

The Secretary of the Commonwealth being introduced, presented several messages in writing from the Governor, which were read as follows:

EXECUTIVE CHAMBER,
HARRISBURG, January 17, 1867.

To the Hon. John P. Glass, Speaker of the House of Representatives:

SIR—Be pleased to inform the House of Representatives that, on the 16th instant, I appointed and commissioned Francis Jordan, Esquire, to be Secretary of the Commonwealth, agreeably to the eighth section of the second article of the Constitution.

I have the honor to be, sir,
Your obedient servant,
(Signed) JOHN W. GEARY, Governor.

EXECUTIVE CHAMBER,
HARRISBURG, January 17, 1867.

To the Hon. John P. Glass, Speaker of the House of Representatives:

SIR—Be pleased to inform the House of Representatives, that I have appointed and commissioned Benjamin Harris Brewster, Esquire, of the city of Philadelphia, to be Attorney General of the State of Pennsylvania.

I have the honor to be, sir,
Your obedient servant,
(Signed) JOHN W. GEARY, Governor.

STATE OF PENNSYLVANIA,
OFFICE OF THE SEC. OF THE COM'TH,
HARRISBURG, PA., January 17, 1867.

To the Hon. John P. Glass, Speaker of the House of Representatives:

SIR—Be pleased to inform the House of Representatives, that on the 16th instant, I appointed and commissioned Isaac B. Gara, Esquire, of the county of Erie, Deputy Secretary of the Commonwealth of Pennsylvania, which appointment has been approved by the Governor.

(Signed) FRANCIS JORDAN,
Secretary of the Commonwealth.

The SPEAKER proceeded to clear the table.

Senate bill No. 28, an act to extend the provisions of the act concerning the sale of railroads, canals, turnpikes, bridges, and plank roads, to sales made or to be made under or by virtue of a power of sale in mortgage or deed of trust, without judicial process or decree.

Referred to the Committee on Judiciary General.

Senate bill No. 39, an act to change the venue in the case of the Commonwealth of Pennsylvania *versus* Henry Stevens and Jacob Harmon, from the court of quarter sessions of the peace of Adams county, to the court of general quarter sessions of Dauphin county.

Referred to the Committee on the Judiciary Local.

Senate bill No. 49, a supplement to an act entitled An act to incorporate the Valley coal company, approved the 16th day of March, 1865.

Referred to the Committee on Iron and Coal Companies.

Senate bill No. 50, an act to repeal an act entitled An act relative to bounties in Brady township, Butler county, which became a law on the 4th day of January, 1867.

Referred to the Committee on Military Affairs.

Senate bill No. 51, an act to enable the school directors of West Manheim township, in the county of York, to levy and collect at once the bounty tax remaining unpaid.

Referred to the Committee on Military Affairs.

Senate bill No. 52, an act to vacate a portion of Spruce alley, in the Ninth ward of the city of Pittsburg.

Referred to the Committee on Municipal Corporations.

Senate bill No. 53, a further supplement to an act entitled An act to incorporate the Mutual fire insurance company of Montgomery county, passed the 31st day of March, 1841, authorizing said company to insure against storms and hurricanes.

Referred to the Committee on Corporations.

Mr. KIMMELL. Mr. Speaker, I offer the following resolution.

The resolution was read as follows:

Resolved by the House of Representatives of the Commonwealth of Pennsylvania:

1. That we have learned with indignation that the President of the United States has nominated Edgar Cowan as minister to Austria, to take the place of the accomplished statesman and historian now holding that position. In thus nominating a man who has betrayed his constituents and disregarded his pledges to the people of his native State, and whose course in the Senate has received their marked condemnation, Mr. Johnson seems to have contemplated a direct insult to the freemen of Pennsylvania, and shown his persistent purpose to place the Government in the hands of men who are opposed to the true interests of this nation, foreign and domestic.

2. That we fully approve of the action of the Republican members of Congress in opposing the confirmation of Mr. Cowan, and we unite our protest with theirs, and call on the Senate to reject said nomination and thereby save the country the shame of being represented abroad by one who in no particular would be a true exponent of American ideas or principles.

The resolution was read a second time.

Mr. BOYLE. Mr. Speaker, this strikes me as an extraordinary resolution to be introduced into a legislative body. I, sir, act with a minority of the members of this House. It so happens that we, on this side the chamber, are not near so numerous as the gentlemen on the other side. Yet we are representatives of a portion of the sovereign people of Pennsylvania, and are entitled to be respected and treated as such. Although fewer in number, we are the peers of any gentlemen here. We represent constituencies the equals of theirs in every particular. There are but thirty-eight of us; but we represent two hundred and ninety thousand of the voters of this Commonwealth; there are sixty-two of the opposition, and they represent only three hundred and seven thousand. But, sir, by an act prompted by the same spirit of unfairness and disregard of right which thrusts this resolution upon us, and forces the Legislature of a great State to consider and approve a matter fit only for a party caucus or a party mass meeting, each gentleman on this side the chamber is made the representative of nearly eight thousand voters, and each gentleman on the other side of only a little over four thousand. I speak thus, sir, to remind the House that we are a part of this body, that we have some rights, and that we are entitled to respectful and decent treatment, and that we will not quietly submit to any other.

There is another matter, Mr. Speaker, which I mention with some reluctance. Shortly after we convened here a resolution was offered and passed without dissent on this side, requesting the member from Wyoming to open our daily sessions with prayer. We had a right to expect, sir, from his calling, that in that exercise the members of this House should not be subjected to daily and outrageous insult. But every member here knows that, until this morning and yesterday, the prayers of the member from Wyoming have been of that character. They have been nothing less than personal indignities to every gentleman on this side of the chamber. Questions of a grossly partisan character have formed their staple, and we have heard ourselves traduced and villified as enemies of our country, as men who claim civil and religious liberty for ourselves, and deny them to others. We have heard the Lord Jehovah patronizingly informed that the President of the United States had violated his pledges, and a prayer that he might be banished; that our Constitution required amendment, and was about to receive it; that a United States Senator was to be elected; that the Republican caucus had nominated Simon Cameron—the immaculate Simon—that his election was fixed; and an earnest supplication that he might be intensely radical. I presume, sir, that no man having any sense of propriety approves such prayers. They do not hurt us—they will do us no harm—and we can hear them if gentlemen on the other side can. I mention the matter, sir, to mark our disapproval of the practice, and to let the House know how we regard it.

It has pleased the President, Mr. Speaker, to nominate Edgar Cowan for the high and honorable position of Minister to Austria. We all know something of him and his career; and I can see nothing, sir, in the one or the other that merits or excuses the charges made against him in this resolution, or that renders his nomination an insult to the people of this State. A few years ago he was raised to the exalted position he at present fills by the very same gentlemen who now traduce and villify him. They must then have regarded him as a man of character and ability. What has caused the change in their opinions and conduct concerning him? It so happened, sir, that while Mr. Cowan has been a Senator, a desolating civil war has prevailed in this country, and has given rise to many great and grave questions. Upon these questions Mr. Cowan has not acted with the party that elected him. But, sir, I defy any gentleman on the other side of the Chamber or elsewhere to show that, in thus differing with his party, Mr. Cowan has done himself any discredit, or that he has done anything unbecoming a patriot, a statesman, a Senator of the United States.

That party, sir, systematically disregarded the provisions of the Federal Constitution and Mr. Cowan stood by and supported them. It assailed and overthrew the liberties of the people, and he defended and maintained them. It arrested American citizens without cause, without information, and imprisoned them without accusation or trial, and he denounced these lawless acts. It attempted to pass, and did pass unconstitutional confiscation laws, and he characterized them as unconstitutional. I might cite many measures of like character on which Mr. Cowan has differed with his former party friends; but, sir, he always differed with them to his credit, and to their shame. He has already been vindicated by the highest tribunal in the land; and as time passes it will be made the more manifest, that he has always been right, and that those who traduce him have always been wrong. He need feel no apprehension because of the place that he shall take in the history of these troubled times.

Mr. Speaker, if Mr. Cowan's convictions of right and duty prompted him to separate himself from his party and stand by his country, was it not his sworn duty to obey these convictions, and would he not have been false to his oath and recreant to his trust had he done otherwise? I, sir, have never seen the man who questioned Mr. Cowan's honesty; I have never seen the man who accused him of acting from other than pure and conscientious motives.

If the gentlemen on the other side think it

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[CONTINUED FROM PAGE 88.]

right to convert this House into a Republican caucus—if they, in their official character, will denounce any man because of political differences—if they will endorse language unworthy a town meeting, and call that performing their duties, as members of this House, with fidelity, let them do so. I can only say, that their views of right, decency and propriety do not coincide with mine. I protest, sir, against the adoption of this resolution.

Mr. LEE. Mr. Speaker, I suppose, that, after all, we come down to the question of sheer right. I think this side of the House have as much right to express their opinion upon the character of Edgar Cowan as the gentlemen on the other side. We may, if we feel disposed, denounce him as he deserves to be denounced. We may, if we feel disposed, accuse him of treachery to his party and to his pledges. The gentlemen on the other side have the right, if they desire, to smear him all over with these fulsome eulogies. I am not very sure that the gentleman who offered this resolution did not take the cue from the discussion in the Democratic caucus that nominated Cowan for United States Senator; for I think, if report says sooth, much worse things could not be said of him than were said there. But he was taken up to rebuke our party, and we feel disposed to say now what we think about him. We are here, peers of the gentlemen on the other side of the House, invested with the same rights—no rights superior. If we feel disposed to talk of Edgar Cowan as he deserves to be talked about, what business is it of theirs? You remember the story of what one boy said to another when he saw him crying at a funeral. His remark was: "What in the devil are you crying about? This is none of your funeral." This is the man we put in the position he now occupies, and we have the right and claim the right to say that he has disgraced the party and proved a traitor to the principles for the support of which he was elected. His whole record is full of blemishes, and no man knows it better than the gentleman from Fayette [Mr. BOYLE]. His whole record is full of apostacy to the party which took him from obscurity, and elevated him to the position which he has disgraced, and we feel disposed to assert our right, although the time of his misrepresentation of the people in Congress is nearly ended. Have we not the right to do it? Is it not our business to do it? Ought we not to do it? Certainly we ought. I do not blame the gentlemen if they should be disposed to take this renegade to their bosom, as they have done to other renegades. Let them take him and nurse him into life and he will sting them as he has stung us, and will sting anybody else whom it will pay so to sting. They are welcome to him. We elected Edgar Cowan when we supposed he was pure; they take him after they know he is a traitor—after he has broken his pledges and political faith with the party that elevated him to his present position. I says this is a question of mere right. It is my right to vote for this resolution, and I shall vote for it to save my country from the disgrace it would incur by sending such a man abroad to represent this great American people at a foreign court.

I need not add that, if my vote will be efficient, I shall be very thankful. It seems to me to be an unfortunate circumstance, if we are not able to save our country that disgrace. And, sir, I shall vote for this resolution, because I think it speaks the truth. It tells, what is the fact, that, in no case, would Edgar Cowan reflect the feelings or the principles or wishes of the people of this country, as a representative at that court.

Let the gentlemen do as they please; this resolution is our business, and we will take care of it.

Some reflection has been thrown upon our chaplain. The only fault I have to find with him is, that he has not addressed the throne of grace in behalf of those people who misrepresent this country here and everywhere else.

I would have him appeal to God every morning, noon and night, when he retires and when he rises, that He would wipe away the dark record of the Democratic party. If that does not work a change, unless a miracle of grace is exercised, I would like to know what will become of them.

Mr. HOOD. Mr. Speaker, on the present occasion, I am forced by my duty to my constituents not to sit by and hear this discussion without at least expressing my opinion on the subject. I agree with the gentleman from Fayette, and endorse all he said. The gentleman from Philadelphia [Mr. LEE] uses very freely the word renegade, renegade, renegade. Of what is the party of the opposite or Republican side of the House composed? The greater part are renegades from some other party. I point to the record of Edgar Cowan in 1861, and I assert that he has not stultified that record by any vote of his since that time. The Republican party has left him, and not he the party.

Six years ago the so-called Republican party of the present day elected Mr. Cowan to the Senate of the United States. He was a bright exponent of the principles of that party at that time. I must confess that I am very dull of comprehension, for I cannot see wherein he has departed from the principles on which he was elected. I look upon this resolution as a resolution of the members of this House. The principle attempted to be carried out is, that might makes right. I am not here as a party man. I belong to no party. I am a strict conservative man, and I mean to do what is right on all occasions. I do look upon the matter as a very serious wrong, and I therefore enter my protest, and I hope there is magnanimity enough on the other side of the House to vote it down.

Mr. EWING. Mr. Speaker, I think this resolution is eminently proper, and I shall vote for it with a hearty good will. If we do not express our sentiments here, where can we express them? I have no fear of offending the delicate nerves of those who happen to be in the minority, and shall put my vote on record in favor of this resolution. It is, no doubt, humiliating to them. I think the President has unwittingly appointed Mr. Cowan to represent our government in a proper court; especially in appointing him to represent us in a court whose power has lately been cut off, in a government which has recently descended from a first-rate to a second-rate power. I think that Mr. Cowan, in not sustaining the principles he was elected to sustain, has gone backward, while the party that elected him has gone forward. I believe it is a Democratic principle that the majority shall rule, and that is all we contend for in this resolution.

Mr. KURTZ. Mr. Speaker, I understand my friend from Philadelphia [Mr. LEE] to say that he denounces Edgar Cowan as a traitor to the people, and as untrue to the pledges he has given to the party. I would like to have my friend specify the pledges given to the party to which Mr. Cowan has proved a traitor.

Mr. LEE. The very best evidence I can give of the truth of my remarks is, that the side of the House that now claims Mr. Cowan, six years ago denounced him out of measure.

Mr. DAVIS. Mr. Speaker, I will endeavor to answer the question in my way; and now, sir, there is but one gentleman on this floor, besides myself, that had the dishonor of voting for Edgar Cowan six years ago; and I think I can answer the question of the gentleman from Centre [Mr. KURTZ]. The main objection urged against Edgar Cowan in the Republican party six years ago, when he was a candidate for United States Senator, was, that he was too radical and too much of an abolitionist. I recollect it well myself, and I give my word against his, that Edgar Cowan, on the streets, and in the halls of this House, lectured against David Wilmot, and asserted that he did not come up to the standard of abolitionism. Mr. Cowan, himself, claimed to be an original abolitionist, and it was upon that he was elected. I voted for him; but not until after I was forced to do so by the caucus of my party nominating him. I knew the man too well to put any confidence in him whatever. I thank God that my record shows that I voted for one who is now one of the lights in Congress, Hon. Thomas Williams, and I never regretted that vote. The gentleman wants to know in what Edgar Cowan has been a traitor. He has been a traitor to every pledge he made to the party, to every principle of humanity, right and justice, and the gentleman knows it. To-day he stands branded by the people of his own district as a traitor to the principles of right. Although he spent almost every day of the last canvass

in that district, electioneering for the return of the Democratic candidate to Congress, the people of his own district repudiated him, and elected honest John Covode, as radical as Charles Sumner, and an honest and true Republican, who could not disgrace his fellow-citizens like Edgar Cowan. Gentlemen, I voted for him, and I will speak what I think of him, and will go as far as a Senator did on the other side of the building last evening, and say that Edgar Cowan has made the treachery of Judas Iscariot respectable.

I have a few remarks to make about those men that say that they belong to no party, and that Edgar Cowan has lived up to what he promised to do when elected. The gentleman who made that remark on this floor was not here at the time Edgar Cowan was elected, or he would not have made any such assertion. I know that Edgar Cowan has been false to every principle of the party, and to every man that elected him. I know that he was taken by the great Republican party from obscurity—scarcely known anywhere outside the limits of his own county—never having held an office of any consequence before; and he was elected in preference to John Covode, on account of his radicalism, and abolitionism; and after he took his seat in the United States Senate, he went back on every pledge he had made. He is only supported now by the Democratic party, who opposed him then, and those who halt between their stomachs and their principles.

Mr. MANN Mr. Speaker, if my voice will permit, I desire to say a few words in support of this resolution.

And first, I do not understand the appeal made by the gentleman from Fayette [Mr. BOYLE], or that the offering of this resolution is any discourtesy to the other side of the House. I think the majority of this House, representing a majority of the voters of Pennsylvania, have the right, and it is their duty, to express their opinion of the man who has been so notorious as this man, Edgar Cowan. The gentlemen in the minority have an opportunity for their own vindication by putting themselves on record against any such resolution.

I hold that it is not only the right, but it is the *duty*, of the people of this State, and the Representatives in this Hall, to denounce Edgar Cowan upon every proper occasion. His name having been sent to the Senate of the United States for confirmation of his appointment as Minister to Austria, this becomes a proper and fitting time for the Legislature of Pennsylvania to rebuke him for his insolent defiance of the wishes of the people of this State. For six years this man has stood in the halls of the Senate of the United States, insolently defying the people who elected him. The people of Pennsylvania, on every occasion when they had opportunity to speak, requested and instructed him to pursue the course he pledged himself to pursue if elected, and yet, constantly, insolently and defiantly, this man has stood there scorning the appeals of the people who raised him to his present position. Why, sir, there was no man who assisted in his election, no man who said and felt when he was elected that it was as a representative of freedom, of justice and of humanity, but was painfully convinced, after Edgar Cowan had risen in his place in the United States Senate, that he had committed an outrage on the people of Pennsylvania. I listened to him for two weeks in the spring of 1862, and, during that entire time, he never rose to utter a sentiment that he did not insult the people of Pennsylvania. Now, when the people of this State have an opportunity to speak of him as he deserves, that it is not acting courteously to the minority is a strange proposition to me. I am not able to understand such logic and such reasoning.

I intend to treat every gentleman on this floor who differs from me courteously, properly and gentlemanly. All intercourse between members upon this floor ought to be, upon all occasions, gentlemanly and courteous. But when it comes to speaking of men who have acted as this man Cowan has acted, we would be recreant to our trust if we did not speak of them as they deserved, and as this resolution speaks.

It is asked, to what has he been a traitor? He has been a traitor to the highest principles that a man can pledge himself to support.

He took the place of David Wilmot—he took it from a Legislature that accepted the position of David Wilmot as a true position. He knew, when he took his seat in the National Halls, that every man who voted for him expected that he would walk in the footsteps of David Wilmot. If he did not intend so to do, he obtained his seat under false pretenses. I say he committed a greater crime, morally speaking, in thus obtaining that seat, than any man who is convicted in the court of common sessions. Gentlemen say he had a right to change his opinions. So he had as an individual. I honor a man anywhere and everywhere, acting for himself, who stands up and says he is convinced he has been acting wrongfully heretofore, and changes his course. I do not care from which side he changes, if he satisfies me, from the reason that he gives, of the honesty in his change of sentiments. I know him when he acts for himself. But when he acts as the representative of a people I say he has no right to change against the men who invested him with his representative character, no more than an agent, or a proxy who has received a power of attorney to do a certain thing, has the right to do otherwise. No more. This allusion that was made here to gentlemen who have changed their sentiments is not to the point. The question is not whether Mr. Cowan had a right to change his sentiments; but, having changed, had he the right to hold the position he acquired from the people of Pennsylvania, avowing other sentiments? That is the point, and upon that point, if the gentleman from Fayette [Mr. BOYLE] cas any regard for his party in its former position, he will have nothing more to say of the denunciation of Edgar Cowan.

It was not long ago, when, if a Senator presumed to differ with the Legislature of Pennsylvania, even upon the question of a charter bank, he was called upon to resign; and the gentleman's party were loudest in demanding that he should resign. If that was wrong, what is the crime of Edgar Cowan where the great questions of liberty and justice and honor are concerned? He has stood there in his place for six years, misrepresenting the people of Pennsylvania, knowing he was misrepresenting them, knowing he had been elected to carry out other principles. He has been standing there an open, notorious traitor, and now he is taken up by a traitor President and presented with all the honors that can be conferred.

I say it is due to the people of Pennsylvania who have sent us here that we should enter our protest against such conduct.

I thank the gentleman for having offered this resolution.

Mr. KIMMELL. Mr. Speaker, when I offered this resolution this morning I did not intend any discourtesy to the members on the other side of the House, nor any insult to their dignity or their feelings. I intended that they should have the privilege of putting themselves upon record, and of endorsing this pet, Cowan, of theirs in his conduct in the United States Senate.

They, I trust, will have that privilege. They will have the privilege of recording their votes the same as we have on this side. Edgar Cowan formerly lived in the district which I have the honor to represent. Of his early history I know little. But I know that previous to his election to the United States Senate he made it a practice to visit our vicinity. He was called upon to make speeches upon these ocasions, and the only fault there found with Edgar Cowan was that he was too radical for the time. There was formerly a conservative element in the Whig party. Edgar Cowan was then a Whig, and to make himself more conspicuous he was more radical in his expressed opinions than the Whig party generally was. I do not intend to detain the House by further portraying the character of Edgar Cowan. I think it is fully expressed in these resolutions. I trusted that in offering this resolution it might meet the approbation of the Republican members of this House, if not the members on the other side.

There is one objection I wish to offer here to his being sent on a foreign mission, in addition to that expressed in these resolutions. I have learned that Edgar Cowan is a very apt scholar. I know that he was elected United States Senator from this State with the understanding that he was the most radical candidate. He was sent to Washington, holding, as we believed, the radical views which the Republican party now holds. He soon made the acquaintance of John C. Breckinridge, and Powell and Davis and Wright, who by their skill in reaching the vanity of men, soon had him their associate and fellow operator in their tendencies to destroy this great and glorious country. He drank of the fountain of their treason so fully and freely that he has not yet been able to disgorge himself. I fear if he goes abroad he will drink in the monarchical principles as freely as he did those of treason.

Mr. BARRINGTON. Mr. Speaker, I would ask the gentleman a question: whether the views of the Republican party were as radical at the time of that election as they now are; or in other words, whether they considered the object of the war with the South was for the purpose of conquering the South, and whether the Republican party, as a party, were in favor of negro suffrage?

Mr. KIMMELL. Mr. Speaker, I will answer the gentleman's question by speaking for myself. I was then as radical as now, and in favor of sustaining the country against all enemies, foreign or domestic.

Mr. QUIGLEY. Mr. Speaker, I design to say a word or two on this matter. I am not like the gentleman from Fayette. I am used to this thing. I expect no courtesy from that side of the House on political questions, nor do I think Edgar Cowan needs any defense from us. He has made his record and that record will live when the names of his traducers have gone down to infamy. That, sir, is my opinion; it will be the opinion of men ten years hence; and those who now traduce him will be ashamed of it.

I believe my colleague from Philadelphia [Mr. DAVIS] said there is but one other man in this House who had the dishonor of voting for him in 1861.

I was not a member of this House at that time; but I am perfectly conversant with his election. I am conversant with this fact, that Edgar Cowan did not seek that nomination—that it was thrust upon him. I wish my colleague to correct me if I am wrong.

Mr. DAVIS. Mr. Speaker, the gentleman has called on me for correction, and desires me to explain.

I happened, that year, to be a candidate myself, and traveled pretty much all over the State, trying to secure the office that you have the honor to fill at the present time, and

every man I saw asked me to give a pledge to support Edgar Cowan when they would support me. Edgar Cowan pledged himself to be a better abolitionist than David Wilmot or he never could have obtained the seat he now holds.

Mr. QUIGLEY. Mr. Speaker, the gentleman has not answered my question. I will answer it for him. I am perfectly conversant with the facts of the election, and I have no doubt the gentleman who occupies the Speaker's chair knows all about it too. The members from Allegheny were the men who proposed Mr. Cowan's name and placed him in his present position.

Mr. DAVIS. Mr. Speaker, I rise to explain.

The Senator from Allegheny county voted for Thomas Williams. Mr. Cowan was not a candidate from Allegheny.

Mr. KIMMELL. Mr. Speaker, in the summer of 1860 Edgar Cowan was a candidate in the Twenty-first district. He failed to receive the nomination. After his failure, he threatened to run against the regular nominee, and in order to secure his co-operation in the district and keep him quiet, he was offered the support of that district and its influence for the United States Senate; and from that he took his first start.

Mr. QUIGLEY. Mr. Speaker, I have only to say that I think the Twenty-first district made a very good choice.

About the issue in that year.

It has been charged that Mr. Cowan has been a traitor to his party, and a traitor to the principles upon which he was elected. What if he was a traitor to his party? He has not been a traitor to his country. He stood by the laws and constitution of his country when the very men who are now traducing him defied and violated them grossly. Now, in 1861, there was no such issue as negro suffrage. There was no such question raised in that canvass as negro rights overriding the rights of a white man. This is the first year that such a proposition has been broached.

The Republican party have always, and are to-day, afraid to go before the people on that issue. Mr. Cowan was elected in 1861. At that time the courts of the country were open; every man accused of a crime could enjoy the right of every man—the right of a trial by jury.

Times changed. The Republican party and their leaders came into power; men were carried off from their homes at midnight, aye, in the daylight, and incarcerated in forts and dungeons without a trial, without an accusation.

Mr. Cowan said, this thing is wrong; these men are entitled to a trial by jury; they are entitled to show on what charge they are arrested. If they are guilty punish them.

Mr. Cowan then took issue with the Radicals and they denounced him. My colleague from Philadelphia says he is a renegade. Suppose he is. How many renegades has the gentleman in his party? How many are there in this House?

From your Governor elect down to his appointees, what are they?

Have they not been Democrats? Take the leaders of the Republican party in the State of Pennsylvania, what are they? Renegades from the Democratic party. Mr. Cowan differs from these gentlemen in one respect—and I wish my friend from Potter [Mr. MANN] to notice it—he differs from them in this respect—if he did forsake the party he did it from principle, and not for position. There is where a man shows himself to be a man.

Mr. KIMMELL. Mr. Speaker, I would like to ask the gentleman how Mr. Cowan came to obtain his appointment as Minister to Austria?

Mr. QUIGLEY. Mr. Cowan has been a constant conservative man since he assumed his duties in the United States Senate.

A word about the remark made by the gentleman from Potter [Mr. MANN]. I am surprised to hear a man of his years express himself in such a manner.

I have been taught always to respect the office, if not the man. But the gentleman gets up for his side of the House and terms the President of the United States a traitor. Had he lived in Mr. Lincoln's time and been a Democrat and used such words, I would not have insured his liberty twenty-four hours. But times have changed; and they will change. Last year we had on this side of the House thirty-four members; we now have thirty-eight members. And if it was not for the apportionment we would be in a majority.

Mr. DAVIS. Mr. Speaker, I would like to ask the gentleman if there is not a majority of seventeen thousand in the State against his party?

Mr. QUIGLEY. Yes; seventeen thousand majority in the State against us. But if there was a proper apportionment we would be in a majority.

Mr. MANN. Mr. Speaker, I desire to make myself understood with regard to men who change their opinions. I have said nothing about Mr. Cowan's change of opinions as an individual. I say if he stood in his place in the Senate of the United States, and said under the circumstances in which the country is placed, he was compelled to change the opinions he held when elected, he should have resigned. I denounce him as a man in a representative capacity procuring an office by holding one set of opinions, and when he obtains the desired position turning around and professing and advocating other principles.

Now, that I am on the floor, I will refer to some evidence to which I desire the attention of the gentlemen on the other side of the House. It was rumored a week after the election in 1862, that those gentlemen had a small majority; it was also rumored that two or three of the gentlemen had changed their opinions, and thought, under the circumstances, that they ought to vote for a member of Congress who would sustain the administration. The rowdies and bullies of Philadelphia were sent for, and they came here with their pistols and bowie knives in their pockets, vowing it should be death to any man who turned traitor to his party.

Mr. BOYLE. Mr. Speaker, I would like to ask the gentleman a question.

Mr. MANN. Mr. Speaker, I will not consent to be interrupted.

That is the position they held in regard to men who turned traitors to the principles upon which they were elected.

Now, we do not propose to visit any physical injury upon Edgar Cowan. We simply propose to speak of his desertion of principle as it deserves.

I refer to this simply because the gentleman cannot, or will not, see the difference between a man who has changed his opinion *as* a man, and a man who changed his opinions and refuses to resign a representative capacity, with which he has been invested, because of his professing entirely different sentiments.

Mr. QUIGLEY. The gentleman from Potter [Mr. MANN] does not understand me. The point I made is this—that at the time of Edgar Cowan's election, the issues were not the issues of to-day.

Mr. SATTERTHWAIT. Mr. Speaker, I desire to ask of the gentleman who has just taken his seat on the other side of the House what opinion Mr. Cowan has changed? I would ask that gentleman, and defy any gentleman on the other side of the House to show that Mr. Cowan has changed his opinion, or has violated one pledge that he made at the time of his election. They have been asked this repeatedly here, to-day, and not one of them has attempted to show what pledge Mr. Cowan has violated. I say it is due to them and to us, in making the outrageous charges they have against this man, to make some specific charges. There is not a man here who does not know that the questions at issue now are not the same as then. There is not one gentleman on the other side of the House who will dare to say that the question of negro suffrage, or the question of negro equality, or the question of admitting the Southern States, questions that grew out of the result of the war, were questions at issue at that time. Not one of them will they dare to assert, was then a party issue. Let them bring their specific charges.

I am opposed to this resolution because it is not true. Mr. Cowan has violated no pledges, and they cannot show that he has. My friend on the right [Mr. DAVIS] speaks of Mr. Cowan as though he had been a traitor from the first to that party; and he makes that charge, I think. It is well known to every man within the reach of my voice, that up to within a year, they claimed Mr. Cowan as being all right with them. I remember, when we had a discussion last winter, upon national questions, it was claimed by the gentleman from Philadelphia [Mr. DAVIS] at that time, and up to a late period in the session, that Mr. Johnson was all right, that his cabinet was all right, that Seward and Stanton were with them; and they also claimed Mr. Cowan at that time.

Mr. DAVIS. Mr. Speaker, I wish to explain this matter in regard to Mr. Cowan. Last winter I voted for the resolution requesting him to resign. I had no confidence in him when elected; I have had none since, and I have always said so.

Mr. SATTERTHWAIT. Mr. Speaker, I will acknowledge that before the close of the session such was the fact; but up to a very late period in the session the gentleman from Philadelphia claimed that Mr. Johnson was all right with them, and Mr. Cowan was in the same boat with Mr. Johnson. I say again what right have they to call Mr. Cowan a traitor? What specific pledges has he violated? He says that he holds the same opinions now as the Republican party held at that time. We know that nothing so much offended them six years ago as being called Abolitionists. There was not a Republican then who would admit that he was an Abolitionist, much less that he was in favor of negro suffrage.

Mr. JENKS. Mr. Speaker, there is something very singular in the manner in which these resolutions have been gotten up.

The terms used are:

First. "Betrayed his constituents."

Second. "Disregarded his pledges."

Third. The idea conveyed is, that the President knowing this, contemplated a direct insult to the freemen of Pennsylvania in nominating him as Minister to Austria.

Now, have the gentlemen on the other side of the House considered the force of these terms? Are they prepared to stand up and say that Mr. Cowan has betrayed his constituents?

"Betrayed his constituents."

That is the term. In putting Mr. Cowan into office, they required him to perform the duties of that office; and to perform those duties he bound himself by oath.

The measure of his duties was the Constitution of the United States. By that he was to be governed. He was elected with the understanding that he would be governed by

that rule and no other; and when his constituents' opinions differed from that rule he was bound to disregard those opinions and square his actions by the rule he had sworn to observe. Remember, he was not elected to carry out the will of his constituents any further than that will corresponded with the terms and conditions of the Constitution of the United States. That, sir, is your rule, it is my rule, it is the rule by which Congress is bound to govern itself—it is the rule by which members of this House are bound to govern themselves.

In order to fix upon Mr. Cowan a charge of having betrayed his constituents, they must show that their will corresponded, in all things wherein they required him to act, with the Constitution of the United States; and that, in this respect, he was untrue to his trust. We are not sent here as representatives and permitted to act as we please. We are not to be moved by every gust of passion that blows across the land. We are to look at that instrument called the Constitution. That governs you, it governs me; and when the charge is made that I am betraying my trust, it involves the charge that I am disregarding the duties imposed upon me by the Constitution. I ask any man to point to a single instance wherein Mr. Cowan, in this respect, has been at fault. The gusts of passion have swept across the country, and those passions have been the cause of measures on the part of the party in power not to be reconciled with right. But as fast as those measures have been brought under review by the Supreme Court of the United States, they have been declared illegal, and the Constitution sustained.

Look to the court that is to construe the Constitution and furnish evidence of its meaning. When that court gives what it considers the sense of the Constitution, you are bound by the decision. Take that for a rule, and compare with it the acts of Mr. Cowan—compare his votes, compare the measures he voted for and the measures he voted against. As fast as those measures have been brought under review we find he has been sustained, and public opinion has been rebuked. Point to an instance where this is not true. And, remember, you use the word "betray" in your resolution. It is not simply that Mr. Cowan has erred, but he has "betrayed"—has violated a duty—an obligaton. Where, sir, has he violated an obligation? Where does he look to find his obligations? Does he look to every town meeting, every borough meeting, every county meeting? Does he look to a party assemblage, or does he look to that instrument by which he has sworn to shape his conduct?

Mr. Speaker, the standard of morality must be raised higher than mere party. We must elevate, and not depress it. We must look to that which gives us our organization as a government. We must look to that instrument by which we have sworn to be governed in every measure we originate. If we do not do that then there is a betrayal of trust.

The other expression used is, "contemplates additional insult to the freemen of Pennsylvania." When the members of this House endorsed the actions of Senator Cowan did they insult the people of Pennsylvania? Is it an insult to the people of Pennsylvania for me to vote for the man of my choice? We have said we believed the conduct of Edgar Cowan was right. Was that endorsement an insult to the people of Pennsylvania?

Have we not as much warrant for saying that the party who opposes us here insulted the people of Pennsylvania by nominating Simon Cameron? They selected him; they believed him to be the better man; they believed he would execute the powers entrusted to his care for the good of the country. We believed Edgar Cowan had discharged his duty faithfully. We nominated him as the candidate of the party for United States Senator.

What has the President done? He has seen that the course of the Senator for the last five years was eminently trustworthy, and that in all things he was governed by a conviction of right. He has seen the waves of passion beat against the country, and yet that man stood firm. Passion was rebuked. He has seen Edgar Cowan unshaken in his resolution to do right. For these reasons he has seen fit to recommend him for a highly important office. And in so doing, the President is said to insult the freemen of Pennsylvania? Mark the words, "insult the freemen of Pennsylvania." I ask the gentlemen whether they are prepared to make this assertion good? The President thinks he has found a man of integrity, a man fit for the high trust he would confer, and in the exercise of an undoubted prerogative has nominated him as a foreign minister. But because Edgar Cowan has not been moved by every wave of public passion that has swept over the land within the last five years, the President has "insulted the freemen of Pennsylvania."

Mr. Speaker, I protest against a resolution couched in such terms.

And I have to make another remark, as the debate has taken a somewhat enlarged sphere.

My friend from Fayette [Mr. BOYLE] made some objections to the manner in which the chaplain has conducted himself. My friend on the other side [Mr. LEE] justifies that course. I have nothing to say with regard to the chaplain as a man. I know nothing about his character. I know nothing about the man. But there is one thing I do know—one thing he ought to know—one thing every man ought to know—that he has no right to parade his passions before the Lord, and ask his blessing upon them. It does not take much theology to know that. When a man prays, "not thy will but my will be done," it does not take much theology to determine the character of such a prayer.

When a man prays as he ought, he bows down, and asks God to be merciful, that not his will, but the will of the Almighty be done.

Is the gentleman prepared to say the prayers offered in this House, containing the very essence of malice, are not an insult to God? Is he prepared to endorse that prayer which asserts that "I am right and all others wrong?" If he is, sir, it is more than I am prepared to do. This, I think, is a very good rule. It would be well for the chaplain—for every man to remember it:

"Let not this weak, unskillful hand
Presume thy bolts to throw,
And deal damnation round the land.
On all I deem Thy foe.
If I am right, Thy grace impart,
Still in the right to stay.
If I am wrong, O, teach my heart
To choose the better way."

How much more proper it would be to pray in that spirit! I want to hear no more of the prayers we have had thus far. Pray for the nation; pray for its success; pray for its triumph; pray that all men may be enlightened and instructed; pray that we may be convinced of our errors, and that our minds may be influenced for good! But let us have no such prayers as we have been accustomed to hear of late

Mr. Speaker, I have said all I propose to say.

I hope this resolution will be voted down.

Mr. KENNEDY. Mr. Speaker, as my name has been called in question here this morning, I think that it is nothing more than right I should have the privilege of making a few remarks in regard to this matter. When I came here I came here as a representative and as a member of this House. I did not come here in the character of a chaplain. I knew nothing about the movement that was making to place me in a position of that kind before the House, until the matter was arranged. Then I was asked if I would take a position of that description. I replied that I had no objection to praying anywhere, and should have no objection to doing so here, if such seemed to be the mind of the House. A resolution was offered that I should act as chaplain of the House. That resolution carried in the House, and I don't know how many gentlemen on the other side of the House voted for it. I don't know but they all voted for it.

But in regard to the duties of that position. The Word requires that we should pray for all men: for men in authority, as well as for men in the lower walks of life.—And, of course, if it is our duty to pray for these, it is our duty to ask for such things as are needed under the circumstances. This is our duty, and if we err in our asking, God, who is infinitely wise, will of course grant only what is proper. There will then certainly be no injury done to those for whom any petition is offered. And, then, there is another requirement, or rather prohibition in the Word.—"There is a sin that is unto death, and I do not say that ye shall pray for it." Now, when I understood there was something of a rumor on the other side of the House, concerning the petitions which I had offered, I stopped in my reflections, and asked myself: Am I at liberty, under the circumstances, to pray in behalf of such? And I have not yet been able to decide the question. If men are given over, of course I have no right to pray for them. I do not wish to do anything of that description. If treason and rebellion against the country and against God, do not border closely on the sin referred to, I am much mistaken.

Certainly he that addresses the Divine Grace, if, in his judgment, a blessing of a particular character is desired and he is an honest man, will petition for that character of a blessing, knowing that God, in whose hands all these matters fall, is all-wise, and that He will be straight if the petitioner is out of the way. So much for the matter of prayer.

But, in regard to the resolution, while I am up, I will say that I am in favor of that resolution. I know strong efforts have been made on the other side of the House to relieve Mr. Cowan from censure—the censure that is due him on the part of his constituents. They took a step in his nomination a few days ago in that direction. Now, I would like to inquire of the opposite side of the House, if they would endorse a movement on the part of the President, to send Mr. Sumner to Austria?

Mr. QUIGLEY. I would vote to send him to Siberia.

Mr. KENNEDY. I put the question to know why the opposite side of the House will give their sanction so far as Mr. Cowan is concerned. He is not the superior of Mr. Sumner, nor can he vie with him. The opposite side of the House did not sustain Mr. Johnson when he was elected. Why do they sustain him now? Simply because there is an evident change in his principles, perhaps not so much of a change in his principles as in the development of those principles. Hence they stand ready to sustain Mr. Johnson, and also to sustain Mr. Cowan on the same ground. It would certainly be a bad thing to send Mr. Cowan to Austria as an exponent and representative of this Government. Would he be a proper exponent of

the principles he himself condemns? By no means. If he has acted the part of a traitor in the position in which we have placed him, of course he would be a traitor were he appointed to represent this Government at the court of Austria. I am for the resolution and shall vote for it with all my heart.

Mr. M'CREARY. Mr. Speaker, I have noticed, in the course of this discussion, that nearly every gentleman in the course of his remarks, has asked this question: "In what particular has Edgar Cowan changed from the time he was elected United States Senator?" They demand from us in a sort of triumphant way to point out any particular in which he has changed.

It is well known in the history of the political parties of this country, that the Democratic party have ever boasted that they never change their principles. It is said of the Bourbons of France that they never forget anything because they never learned anything. The Democracy boast of their party, that they have never changed their principles from the time they were laid down by Jefferson and enforced by Jackson, to the present time; that their principles ever have been, and are now, the same. Now, six years ago the Democratic party opposed the election of Edgar Cowan to the United States Senate. And for what reason? Because his principles were not in harmony with theirs. They called him an abolitionist, and denounced him as such. To-day these same gentlemen have nominated Edgar Cowan for United States Senator. One of two things must be true: either this boast of their leaders that the Democratic party has never changed is false, or else Edgar Cowan must have changed. Now, which is it that has changed?

Mr. SATTERTHWAT. Mr. Speaker, the questions of to-day are entirely new issues and the gentleman knows it. The question of negro suffrage was not a question at that time. The question of the admission of the seceded States was not then at issue. These are new issues and we can vote consistently for Edgar Cowan without stultifying ourselves, because they are questions on which every member of the Republican party would then have taken the same position we now take.

Mr. M'CREARY. Mr. Speaker, the gentleman cannot get out of the position in that way. He asserts that the issues now are not the same as they were then. They cannot get around the fact that the Democratic party has asserted that they never changed during the war. The Democratic party interpreted the Constitution the same during the war as six years ago. But we find them six years ago opposing the election of Edgar Cowan, and yet they say to-day that Edgar Cowan has not changed, and that they have not changed. Now, can they tell me, if neither one have changed, how they came together? This one fact has been impressed upon me, that the gentlemen have thus placed themselves in a false position, and I would like to see them get out of it.

Mr. PENNYPACKER. Mr. Speaker, I do not suppose it is possible for the members on this side of the House to convince the members on the other side, or *vice versa*, and I would therefore move the previous question. I think that gentlemen have had sufficient opportunity to ventilate the matter, and to further prolong this discussion will be wasting valuable time. There is no use in thus spending the time, at the expense of the House, in abusing each other and venting our spleen. There are other questions that will come up this winter, upon which gentlemen can have an opportunity to express their views. I, therefore, call for the previous question.

The call was seconded by Messrs. SHUMAN, MARKS, M'PHERRIN, COLVILLE, WEBB, KINNEY, SHARPLES, ROATH, GHEGAN, CAMERON and GORDON.

On the question,

Shall the main question be now put?

The yeas and nays were required by Mr. BOYLE and Mr. HOOD, and were as follow, viz:

YEAS—Messrs. Adaire, Armstrong, Barton, Cameron, Colville, Donohugh, Ghegan, Gordon, Hoffman, Humphrey, Kinney, M'Pherrin, Marks, Mechling, Meily, Pennypacker, Roath, Sharples, Shuman, Sulbers, Waddell, Watt, Webb and Wham—23.

NAYS—Messrs. Allen, Barrington, Boyd, Boyle, Breen, Brennan, Calvin, Chadwick, Chalfant, Chase, Collins, Craig, Davis, Day, Deise, Espy, Ewing, Fogel, Freeborn, Gallagher, Harbison, Harner, Headman, Hetzel, Hood, Hunt, Jenks, Jones, Josephs, Kimmell, Kline, Kurtz, Lee, Leech, Linton, Long, M'Camant, M'Creary, M'Henry, M'Kee, Mann, Markley, Meyers, Mullin, Peters, Phelan, Pillow, Quigley, Rhoads, Richards, Robinson, Rouch, Satterthwait, Seiler, Steacy, Stumbaugh, Wallace, Weller, Westbrook, Wilson, Wingard, Woodward, Worrall, Wright and Glass, *Speaker*—65.

So the question was determined in the negative.

During the call

Mr. ALLEN said: Mr. Speaker, I desire to make an explanation in regard to the manner in which I shall vote. It is my intention to vote for the resolution, but I think it quite improper to choke off the discussion of the question in this way. I have sympathy for my poor friends here in the minority, and they will probably never have another opportunity to express their sympathetic admiration of Mr. Cowan before this House. I shall, therefore, oppose this summary manner of cutting off discussion.

Mr. DEISE. Mr. Speaker, I did not intend to say anything upon this matter, but I regard it as being very important in one view of the case. I do not deny the undoubted right of the gentlemen on the other side of the House to give their views on this or any other question. I regard it their right, and, if so inclined, their duty. I object to the manner in which they propose to do it, and the subject of this resolution. I can very well appreciate the feelings of my friends on the other side of the House, for I have had similar feelings myself on like occasions. Their allegation is, that Senator Cowan has deserted the principles of his party, and therefore deserves a hearty condemnation at their hands. But, they should not forget, Mr. Speaker, that a man of Pennsylvania in the position of Senator Cowan, is entitled to that fairness which is due to every man from his fellow citizens. It is a great thing, Mr. Speaker, to thus attempt to reflect upon a man. If he is guilty, if he deserves it, then I hold that it is the right of the members of the other side of the House, and their duty will not be performed until they have passed this resolution. I am not here as the exponent of Senator Cowan. He has done many things that I do not endorse, and I have the fairness to say that he was not my choice. But this resolution contemplates a vote of censure against Senator Cowan for a specific object. In all charitableness I hold that although we may differ in politics, although we may wrongfully utter an accusation yet when the passions of men have subsided; when "reason has resumed her sway;" when we are about to sit in judgment upon the character and reputation of a citizen of this State, we should do our duty and our whole duty independent of party feeling. There are men belonging to the Republican party for whom I entertain feelings of the highest possible respect. I hold that this is a question of principle. I call attention to that golden rule, Do unto others as you would have them do unto you. I am satisfied if sixty-two members of this House wish to protest against his action, that they have the right to do it; but I deny that as legislators of the State of Pennsylvania in a body they have any right to enter into the private character and public career of this man and thus disgrace him on the journals of the State of Pennsylvania.

That Senator Cowan has changed, so far as ideas are concerned, I am free to admit. Senator Cowan is not now in the rank and file of the Republican party; but I am free to say he has not violated what he believes to be his duty. There are many questions on which I differ with my fellow Democrats; but because we differ is it to be said that they shall pass a resolution of censure against me, and thus do me an injury in the community and the State? Not at all. Gentlemen, let us deal fairly. Let us do that which becomes the great State of Pennsylvania and the representatives of a great State. I believe there is magnanimity and fairness enough on the other side of the House to cause them to pause if they thought they were doing any personal injury. Senator Cowan may have differed from this party. I believe he has. But I believe Senator Cowan has been honest in that difference. I believe he thought he was carrying out his oath to the Constitution of the country. And is this difference a reason why he should be denounced in a resolution of this character? Why, sir, it would be entailed upon his posterity. Think of it, gentlemen on the opposite side of this House. Think of it when you are assailing a man's reputation, for it is all he has in this life. I would sooner be stripped of all material wealth, and have a proud name in history, than to have all the honors and titles that riches could confer. Therefore, I ask you, members of this House, to consider what effect this resolution of the Pennsylvania Legislature may have upon a man who believes he is doing his duty, mistaken though he may be. You are saying to the children of Senator Cowan that his name is an odium to the State of Pennsylvania, which to say the least, is unkind. I profess to speak in fairness on this subject. I profess not to be the champion of either Andrew Johnson or Senator Cowan. They are none of mine. But I am interested for the character of one of my fellow-citizens, whose name and whose reputation may suffer by this resolution. This question affects the character of a citizen of Pennsylvania, not for the present alone, but to the remotest generation. You cannot wipe it from the record; it is there as the seal of condemnation of the Legislature of Pennsylvania. In this view I beseech the gentlemen on the other side to deal as they would be dealt by. What is Senator Cowan's offense? It is mistaken views, if anything. We are all liable to mistakes. The distinguished gentleman who has the honor to-day to be Governor of Pennsylvania, has changed his views within a recent period. The distinguished out-going Governor of Pennsylvania differs with myself in politics, and yet by a resolution of this House we all paid him the respect due to the out-going Governor of the Commonwealth. I ask the same kindness and courtesy for Senator Cowan, at the hands of the members on the other side of the chamber.

Mr. Speaker, I have done. I did not intend to say anything on this question, but I believe it is our duty to stand by the reputation and character of the citizens of Pennsylvania.

If he is a wilful deserter scathe him to the teeth. But do not do it on such grounds as are assigned in this resolution. I have too

much respect for any gentleman to believe that he is a willful deserter and renegade to his party. I will not charge it upon a single man in Pennsylvania.

Mr. WRIGHT. Mr. Speaker, I desire to say a word. The gentleman who has just taken his seat asks very piteously to be dealt with fairly. Now, I appeal to him to answer if his colleagues upon that part of the House have been dealing fairly with this question. Have they not heaped insult upon an honorable member of this House on a matter that was not embodied in the resolution before us? And now they come with a pitiful cry to "deal fairly with us!" Is that right?

Again, they complain they have not a majority in this House. Why is it they have not a majority? It is because the people of this great State have said by their votes, that they should not have a majority in this House. The people of this State have said that Republican principles shall rule. I ask the gentlemen on the other side of the chamber, if Mr. Cowan will carry out the principles of the Republican party, should he be sent as minister to Austria. I think he will not, and will vote for the resolution before the House.

Again, the gentleman from Fayette [Mr. BOYLE] said Mr. Cowan, has done nothing wrong; but did what he deemed to be his duty. He was opposed to confiscation of the lands of certain citizens of the United States. That all looks very well. But who were these citizens? The Constitution of the United States, as I understand it, declares that treason is a crime, the penalty of which is death.

Mr. LEE. Mr. Speaker, I would like to ask the gentleman to give way a moment to permit me to offer a resolution. I have been requested to offer this resolution in order to test the feeling of the House on this subject.

The SPEAKER. Will the House postpone the resolution under discussion, to allow the gentleman from Philadelphia [Mr. LEE] to offer a resolution.

The House assenting, Mr. LEE offered the following:

Resoleed, When this House adjourns that it do adjourn to meet on Monday evening next, at 7 o'clock, and that the resolution under discussion be made a special order.

Mr. WADDELL. Mr. Speaker, I hope that will not be done, with all respect for my friend from Philadelphia [Mr. LEE]. We have consumed two hours to-day in discussing this resolution; and as has already been said, it will not affect one vote, probably, in the chamber. But I am satisfied, from the present view of the House, that they should have an opportunity of discussing this question if they desire it, and such seems to be the wish of the majority. But if we are going on to take it up Monday evening, and dispense with business which is legitimately fixed for that night, I take it we are wasting time that should be otherwise employed. There are bills lying in the hands of gentlemen to-day that cannot be gotten before the House. There are gentlemen waiting on their business in the lobby, desiring to have it presented; they cannot return home, and yet we are consuming time here by discussing these resolutions and now we propose to devote two or three hours again on Monday evening. I have no objection to this resolution being discussed, but I protest against the wasting of the valuable time of this House.

For the purpose of disposing of this matter I move to amend the resolution by fixing this afternoon at 3½ o'clock, and that this resolution be made the special order.

Mr. DAVIS. Mr. Speaker, the gentleman has made the motion I was going to make. I do not see why we should adjourn to Monday evening and let the business lie. It is proper and right that gentlemen should express their views and I hope the House will hold a session this afternoon.

On agreeing to the amendment, a division was taken, and

It was agreed to,

The resolution as amended was

Agreed to.

The hour of 1 o'clock having arrived, the House adjourned to meet this afternoon at 3½ o'clock.

SENATE.

THURSDAY, January 17, 1867.

The Senate met and was called to order at 11 A. M., by the SPEAKER.

On motion of Mr. CONNELL, the reading of the Journal of yesterday was dispensed with.

PETITIONS, REMONSTRANCES, &C.

Mr. CONNELL presented the memorial of trustees of orphans at Germantown, praying for an appropriation for the support of the Home.

Referred to the Committee on Finance.

Mr. BROWN (Mercer), two remonstrances of citizens of Mercer county, against the repeal of the law authorizing the appointment of a county auctioneer for said county.

Referred to the Committee on the Judiciary Local.

Mr. BIGHAM, the remonstrance of citizens of Pitt township, Allegheny county, against being annexed to the borough of Lawrenceville.

Referred to the Committee on New Counties and County Seats.

Mr. COWLES, the memorial of Elias Tome, of York county, which was read as follows:

To the Honorable the Senate and House of Representatives of Pennsylvania in General Assembly met:

The petition of the undersigned would respectfully represent, that his aunt, Veronica Gable, late of the township of Manchester, county of York, died in the year 1857, leaving a will, in which she appointed him one of the executors of her estate; that the will was proven on the 14th day of October, of the same year, and letters testamentary granted to your petitioner by the register of the county aforesaid; that in pursuance of said trust he commenced the discharge of his duties, and as he resided some twenty miles distant from the property, incurred heavy expenses in settling the same; that on the 31st day of August, 1861, the letters granted to your petitioner were vacated and he was ordered to pay over the amount in his hands of the estate of the said Veronica Gable, deceased; that not being able to do so, having sustained losses in various ways to a large sum or sums, at the January sessions of the court, 1862, a bill of indictment was found against your petitioner for embezzling the money in his hands belonging to said estate; that at the April sessions of the court the said bill was tried and your petitioner convicted and sentenced to pay a fine of one thousand dollars, and moreover to undergo an imprisonment in the jail of York county for a period of two years and costs of prosecution; that said term of imprisonment has long since expired, the fine has been remitted by the Governor of the Commonwealth, and the county commissioners are ready and willing to release the costs. But your deponent and petitioner would aver that notwithstanding, he is still held in confinement and detained in prison by the orphans' court of the county of York, for an alleged contempt in not paying over the sum stated to be in his hands, and has been so held and detained since the expiration of the term of his imprisonment for an additional period of nearly three years for the contempt aforesaid. Your petitioner would aver that it never was his design to commit any contempt of court; that he has no portion of the estate of the said Veronica Gable in his hands, and that he is entirely unable to pay the same at present; and that he certainly never can pay the same or any portion thereof while kept in confinement; that of the moneys which came into his hands of the estate of the said Veronica Gable, he paid a portion of it to the heirs of the said Veronica, and the balance he lost in various ways, incurring heavy expenses in traveling, counsel fees, &c., of which he kept no correct account.

Your petitioner is anxious to do justice to the heirs of the said Veronica Gable and pay them off dollar for dollar, but such thing would be impossible under his present imprisoned condition; that the said heirs have signed petitions for his release, but the court will not take any further action in the matter and refuses to discharge your petitioner; that he has now been in confinement in the York county prison for a period of nearly five years. Your petitioner would therefore pray your honorable bodies to pass a law discharging him from the further custody of the jail keeper of the county of York, and he will ever pray, &c. ELIAS TOME.

York County, ss:

Elias Tome, being duly sworn according to law, deposes and says that the facts set forth in the foregoing petition are true and correct. ELIAS TOME.

Sworn and subscribed this 9th day of July, 1866. LEBRECHT TREAGER, J. P.

Mr. M'CONAUGHY presented the memorial of citizens of Adams county, which was read as follows:

To the Senate and House of Representatives of the Commonwealth of Pennsylvania, in General Assembly met:

The memorial of citizens of Adams county respectfully sheweth, that in the summer of 1863 a large portion of said county was occupied by the armies participating in the memorable battle of Gettysburg; that during said battle, and in the operations connected with it, there was great destruction of property suffered by the citizens—a number of buildings were burned, some by the rebels, because they were occupied by the Union troops, and some by the Union army, because occupied by the rebels. Many houses were occupied as temporary hospitals, the families being driven out and all their bedding, clothing, furniture and provisions taken for hospital uses; many farms were stripped of fences, growing crops trampled in the earth, and barns emptied of grain and hay for forage; that in the confusion incident to this terrible crisis it was impossible to obtain supplies in the ordinary manner, and consequently there is no means of obtaining compensation for property, even when taken for the use of the Union army.

And your memorialists, showing that they are loyal citizens, and have contributed their full quota of men and money for the support of the government, and have always cheerfully borne their proportion of the public burdens; that their property has been sacrificed in the public defense and for the general welfare; that the losses sustained by them are greater than they can reasonably bear, and some have been reduced to poverty by them; therefore, do respectfully and earnestly pray that, from the generosity of the State, which has been extended to others in like calamitous circumstances, that they may receive such an appropriation as will at least give them partial relief. And they will ever pray, &c.

Signed by John Mickley, Edward Reese, and others.

REPORTS FROM COMMITTEES.

Mr. SHOEMAKER, from the Committee on Judiciary General, reported as committed, bill entitled An act to confer upon the committee of a lunatic or habitual drunkard the power to institute actions of partition.

Mr. COWLES (same), as committed, bill entitled An act changing the time of holding the courts in the Sixteenth Judicial district.

Mr. FISHER (same), as committed, a bill entitled An act to authorize the appointment of a stenographic reporter for the courts of Lancaster county.

Mr. STUTZMAN (same), as committed, a bill entitled An act to change the number and manner of electing councilmen in the borough of Bellevernon, Fayette county.

Also (same), as committed, bill entitled A supplement to an act increasing the fees of jurors and witnesses in and for the counties of Armstrong, Franklin, Schuylkill and Westmoreland, approved the 27th day of March, 1866.

Mr. DAVIS (same), as committed, bill entitled An act appropriating part of the moneys arising from fines and forfeitures in the county of Schuylkill for a law library for the use of the courts.

Also (same), as committed, bill entitled An act to increase the compensation of supervisors in the township of Salsbury, Bucks county.

Mr. WHITE (same), as committed, bill entitled An act to authorize the commissioners of Jefferson county to borrow money.

Mr. RIDGWAY, from the Committee on Corporations, as committed, bill entitled An act to incorporate the Brokers' beneficial association of Philadelphia.

Mr. BIGHAM, from the Committee on Banks, as committed, a bill entitled An act to incorporate the Scranton Savings Bank.

Also (same), as committed, bill entitled A supplement to an act to incorporate the People's Savings Bank of Pittsburg.

Mr. SEARIGHT, from the Committee on Canals and Inland Navigation, as committed, bill entitled An act to establish a ferry over the Youghiogheny river, near Perryopolis.

Mr. STUTZMAN, from the Committee on Election Districts, as committed, a bill entitled An act to divide the Northwest ward of Lancaster city into three separate election districts.

Mr. BILLINGFELT, from the Committee on Roads and Bridges, as committed, bill entitled A further supplement to an act to authorize Woodland street, in the Twenty-fourth ward of the city of Philadelphia, to be graded, curbed and paved, approved the 27th day of May, 1863, repealing the proviso to the first section of the supplement thereto, approved the 17th day of April, 1866.

Mr. COLEMAN, from the Committee on Public Buildings, made a report, which was read as follows, viz:

That at a meeting held on January 17th, 1867, the joint Committee of Public Buildings and Grounds elected George F. Rhinehart Superintendent of the Public Grounds and Watchman of the Public Buildings for the period of one year from the date of his election, or until his successor is appointed.

G. DAWSON COLEMAN,
Chairman.

W. M. WORRALL,
Secretary of the Committee.

Laid on the table.

RELIEF FOR THE WIDOW OF A REVOLUTIONARY SOLDIER.

Mr. FISHER, from the Committee on Pensions and Gratuities, reported, as committed, bill entitled An act for the relief of Nancy Williams, widow of a Revolutionary soldier.

Mr. SHOEMAKER moved that the Committee on Pensions and Gratuities be discharged from the further consideration of the bill, and that the Senate proceed to the consideration of the same.

Mr. SHOEMAKER. This is a very old lady, between eighty and ninety years of age, and there is no doubt in the world but that her husband was in the Revolutionary war, and was entitled to this gratuity, and the only necessity for haste is the fact that she is very old and very infirm, and very indigent, and unless relief comes very quick, the probability is that she will not derive any benefit from it. On that account I hope the Senate will dispense with the rules and give the old lady the gratuity.

The SPEAKER. Is the Senator afraid she will die unless we suspend the rules?

Mr. WHITE. Mr. Speaker, I do not wish to interfere with any gentleman's local legislation here, but I think we should look out for the treasury. After very grave consideration, the Committee on Gratuities reported a general bill, under which a great many applications have been made. I trust at this early day in the first session after that general bill has been passed, before any special necessity exists, that we shall not hasten to set an example of this kind.

Mr. SHOEMAKER. Mr. Speaker, I would like to state, for the information of the Senator from Indiana [Mr. WHITE], that this bill originated in the House last session, passed there, and was examined by a committee, and they found all correct, and so reported it. By some means or other it was overlooked in this side, and the gentleman who has it in charge has no interest in the matter at all. Mr. KOON, who represents that district in the House, is desirous to have it acted on.

Mr. WHITE. We all have such cases. I have had them, and have referred them all to the general law. I trust we shall not entrench upon that rule.

Mr. HAINES. Mr. Speaker, I was on the Committee on Pensions last year, and we gave the matter a very thorough investigation. My impression is that, if we take up this bill there will be about fifty petitions of this kind. The general law is wide enough, and I hope this bill will not be acted upon.

Mr. FISHER. Mr. Speaker, I have no personal interest in this matter, unless it is to save money from the treasury. This application does not come under the law passed last winter. It appears that her husband was not regularly in the service. There is nothing to show that he was a member of anybody's company or regiment; he was a teamster. With regard to the number of applications that would come in if we passed this, I do not think there are fifty cases of this kind in Pennsylvania. The Revolutionary soldiers are pretty nearly run out; there are occasional widows, and, if every Revolutionary soldier or his widow should come here to ask for a gratuity, it would not deplete the treasury very much now. Therefore, under the representations made to me, and the facts stated in this affidavit, she cannot trouble us very long, nor can many of that class of persons. I do not apprehend we shall have to increase the State tax on that account.

Mr. WHITE. Do I understand that this is a widow of a Revolutionary soldier?

Mr. FISHER. Yes, sir.

Mr. WHITE said the manner of applying the general law was not the same as to those who served in the late rebellion; their applications were made through the pension department, and the merits of the applications passed upon there; but here, his recollection of the general law was that an affidavit of two witnesses was required, setting forth the material facts, and the State Auditor decided upon the merits of the application.

Mr. FISHER. My experience in the pension department is somewhat different from that. It is necessary to have the evidence and the Revolutionary names upon the muster rolls; if the rolls are not in existence, they do not pay at all. This man's name was not on any muster roll, and you are aware of the difficulty there would be to prove the services of anybody in the Revolution, because they are all dead, and there are no persons living now who would know anything about it. The committee have to rely upon the evidence set forth by the application itself.

Mr. SHOEMAKER. If I mistake not, the act duly refers to the soldiers of the war of 1812, and not to the Revolution.

Mr. WHITE. I hope the Senator will not press the passage of this bill now.

Mr. SHOEMAKER. If there is any Senator who would like to examine this bill, I have no objections to postponing it for further examination.

The bill was withdrawn for the present.

BILLS IN PLACE.

Mr. CONNELL read in his place and presented to the Chair a bill entitled An act to authorize the Governor to appoint five additional notaries public for the city of Philadelphia.

Referred to the Committee on the Judiciary General.

Mr. BROWN (Mercer), bill entitled An act to change the place of business of the Cameron petroleum company of Pennsylvania.

Referred to the Committee on Corporations.

Mr. BURNETT, bill entitled An act regulating roads and bridges in Wyoming county.

Referred to the Committee on Roads and Bridges.

ORIGINAL RESOLUTIONS.

Mr. COLEMAN offered the following resolution:

Resolved, That Rev. A. H. Bailey, of Harrisburg, be invited to open the sessions of the Senate during the present term with prayer.

Mr. DONOVAN. Mr. Speaker, was not a resolution passed inviting the clergy of Harrisburg to open the sessions with prayer?

The SPEAKER. Yes, sir; and their reply was laid before the Senate, and attention called to it by the Chair.

The resolution of Mr. COLEMAN was adopted.

Mr. BIGHAM offered the following resolution:

Resolved, That the Senate will hold an afternoon session to-day, commencing at three o'clock, to close the discussion of the constitutional amendment.

Mr. RIDGWAY moved to amend the resolution by adding, "and that when the Senate adjourns this afternoon, it will adjourn to meet on Monday evening next, at 7½ o'clock."

Mr. DONOVAN. Mr. Speaker, I trust the resolution will not be adopted. The Senator from Allegheny [Mr. BIGHAM] has got off his great Shinbone alley speech, and we want to say something upon this side on this subject, and I trust my colleague will have a chance to do so.

Mr. LOWRY. Mr. Speaker, I trust the Senate will dispose of these amendments before adjourning for the week. I hope we will meet this afternoon, and in the evening, if necessary, and dispose of them.

Mr. DONOVAN. I think it comes in very bad grace from the Senator from Erie [Mr. LOWRY], as he has spoken on the subject; an opportunity ought to be given this side of the Chamber.

Mr. LOWRY. The Senators on that side

will have an opportunity to speak if we have an evening session.

Mr. M'CONAUGHY said he thought the discussion should be closed this week.

Mr. BIGHAM. I desire to accommodate the gentlemen on the other side. I do not want to cast them off. I would rather sit here until twelve o'clock at night than that the Senator from Philadelphia [Mr. DONOVAN] should not make his speech on the subject. I do prefer that, if possible, we should close this discussion and take a vote sometime to-night. I want to vote on this question, and I desire to be absent to-morrow.

Mr. BROWNE [Lawrence] moved to further amend the resolution by striking out the word "close" and inserting in lieu thereof the word "consider."

The amendment was

Agreed to.

Mr. LOWRY. Mr. Speaker, in States where this question has come before the Legislatures, which met at the time we did, they have adopted these amendments, and I now ask the Republicans Senators not to adjourn this week till this question is disposed of. If the proposition now before the Senate prevails, we adjourn in an hour to meet next Monday.

A SENATOR. No, sir.

Mr. LOWRY. I hope the resolution will provide for an evening session, if necessary.

The resolution was then amended so as to read as follows:

Resolved, That the Senate will hold an afternoon session to-day, commencing at three o'clock, to consider the constitutional amendments, and that the Senate will hold an evening session, if necessary, commencing at 7½ o'clock.

The resolution as amended was adopted.

MESSAGES FROM THE GOVERNOR.

The Deputy Secretary of the Commonwealth being introduced, presented the following messages in writing from the Governor:

EXECUTIVE CHAMBER,
HARRISBURG, Pa., January 17, 1867.

To the Hon. Lewis W. Hall, Speaker of the Senate:

SIR—Be pleased to inform the Senate of Pennsylvania, that on the sixteenth instant I appointed and commissioned Benjamin Harris Brewster, Esquire, of the city of Philadelphia, Attorney General of the State of Pennsylvania.

I have the honor to be, sir,
Your obedient servant,
JOHN W. GEARY, Governor.

EXECUTIVE CHAMBER,
HARRISBURG, Pa., January 17, 1867.

To the Hon. Lewis W. Hall, Speaker of the Senate:

SIR—Be pleased to inform the Senate of Pennsylvania, that on the sixteenth instant I appointed and commissioned Francis Jordan, Esquire, of the county of Bedford, to be Secretary of the Commonwealth, agreeably to the eighth section of the second article of the Constitution.

I have the honor to be, sir,
Your obedient servant,
JOHN W. GEARY, Governor.

MESSAGE FROM THE SECRETARY OF THE COMMONWEALTH.

He also presented the following message in writing from the Secretary of the Commonwealth:

OFFICE SEC'Y OF COMMONWEALTH,
HARRISBURG, Pa., January 17, 1867.

To the Hon. Louis W. Hall, Speaker of the Senate of Pennsylvania:

SIR—Be pleased to inform the Senate that on the 16th inst. I appointed and commissioned Isaac B. Gara, Esq., of the county of Erie, Deputy Secretary of the Commonwealth of Pennsylvania, which appointment has been approved by the Governor.

FR. JORDAN,
Secretary of the Commonwealth.

BILLS PASSED.

On motion of Mr. DAVIS, the rules were dispensed with, and the Senate proceeded to the consideration of bill entitled An act to confer upon the committee of a lunatic or habitual drunkard the power to institute actions of partition.

The bill

Passed finally.

On motion of Mr. CONNELL, the rules were dispensed with, and the Senate proceeded to the consideration of bill entitled A further supplement to an act to authorize Woodland street, in the Twenty-fourth ward of the city of Philadelphia, to be graded, curbed and paved, approved the 27th day of May, A. D. 1863, repealing the provision to the first section of the supplement thereto, approved the 17th day of April, A. D. 1866.

The bill

Passed finally.

On motion of Mr. CONNELL, the rules were dispensed with and the Senate proceeded to the consideratiion of bill entitled A supplement to anact relative to landlords and tenants, approved December 14, 1863, extending the provisions thereof to cases of descent and purchase.

The bill

Passed finally.

On motion of Mr. LOWRY, the rule was dispensed with and the Senate proceeded to the consideration of bill entitled A supplement to an act to incorporate the female seminary of Eden Hall, in the county of Philadelphia, by the style and name of the Institute of Ladies of the Sacred Heart.

The bill was then read a second and third time, and

Agreed to,

On motion of Mr. LOWRY, the title was amended by adding, at the end thereof, the words "and to take and hold lands, tenements, &c., and to sell or mortgage all or any part thereof."

The bill

Passed finally.

On motion of Mr. BROWN (Mercer), the rules were dispensed with and the Senate proceeded to the consideration of bill entitled A supplement to an act relative to the fees of district attorney of certain counties of this Commonwealth.

In committee of the whole, Mr. DONOVAN in the chair, the bill was considered, and reported with amendments.

The bill

Passed finally.

On motion of Mr. CONNELL, the rules were dispensed with, and the Senate proceeded to the consideration of bill entitled Act to authorize the payment of State Agents at Washington.

Mr. WHITE. Mr. Speaker, how long is it necessary to keep a State Agent at Washington?

Mr. SEARIGHT. Mr. Speaker, I am glad the Senator from Indiana [Mr. WHITE] started an inquiry with regard to the import of this bill; I intended to make some inquiries myself; and inasmuch as it is an act authorizing the State Treasurer to pay out money, the people's money, I think it is the duty of every Senator to know what amount of money is proposed to be paid, and for what purpose. Now, sir, the act does not mention any sum; it is general in its terms. It may be an appropriation of a hundred dollars, or a hundred thousand dollars. I think, sir, it is too general and too vague, without an explanation from the very able Senator from Philadelphia, who, I understand, is chairman of the Finance Committee. I am not prepared to cast an intelligent vote on this subject. I would like to know what this money is to be paid for, and what is done there.

Mr. BIGHAM, in explanation of the subject, read from the act of May 4, 1864, as follows:

Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That the agency heretofore established at Washington, by the State Governor, be enlarged so that the agent and assistant agent shall have the rank, pay and allowances of colonel, and lieutenant colonel, respectively, to be paid by the Adjutant General; and that the duties of said agency be enlarged, so as to include the collection of pay, pensions and bounties, due to Pennsylvania volunteers, without charge or expense to such volunteers, and such other duties as the Governor may from time to time direct. * * * * * * * That the Governor be and he is hereby authorized to appoint clerks to assist the agency at Washington: *Provided*, That no more than two clerks, and that their salaries shall not exceed one hundred dollars per month, and shall be paid by the Adjutant General.

Mr. SEARIGHT. May I ask the Senator one question? How many agents are there at Washington?

Mr. BIGHAM. My opinion is that there is one general agent and one assistant.

The bill

Passed finally.

THE CONSTITUTIONAL AMENDMENT.

Agreeably to order,

The Senate resumed the third reading and consideration of joint resolution ratifying the amendment to the Constitution of the United States.

A speech was delivered by Mr. BROWNE (Lawrence), which is withheld for revision, and will appear hereafter.

At the conclusion of Mr. BROWNE's speech, Mr. DAVIS said:

Mr. Speaker, I wish merely to make a few remarks, but if any others wish to occupy the time of the Senate, I will give way.

Mr. M'CANDLESS. Mr. Speaker, prior to the closing of this debate, sir, I have a desire, in order to fairly represent my constituents, to say a word upon the pending constitutional amendments. I do not know, at this late hour, so near the time of adjournment, that I would prefer to commence. I would rather commence and finish at once, and I move you, sir, that the Senate do now adjourn.

The Senate then adjourned until three o'clock this afternoon.

AFTERNOON SESSION.

The Senate reassembled at three o'clock, P. M., and was called to order by the SPEAKER.

BILLS IN PLACE.

On leave given,

Mr. BROWNE (Lawrence) read in place and presented to the Chair a bill entitled Joint resolution relative to the confirmation of Edgar Cowan as Minister to Austria.

Referred to the Committee on Federal Relations.

LEAVE OF ABSENCE.

Mr. BROWNE (Lawrence) asked and obtained leave of absence for the balance of the week, and also permission to have his vote recorded in the affirmative on the passage of the resolution ratifying the amendment to the Constitution of the United States.

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[CONTINUED FROM PAGE 96.]

THE CONSTITUTIONAL AMENDMENT.

Agreeably to order,

The Senate resumed the consideration of the joint resolution ratifying the amendment to the Constitution.

A discussion arose, participated in by Messrs. M'CANDLESS, WHITE, DAVIS, LANDON and DONOVAN, whose remarks will appear hereafter.

Messrs. BILLINGFELT, FISHER and RANDALL asked and obtained leave to have their reasons for their vote on the constitutional amendment printed in the *Record*.

On the final passage of the joint resolution ratifying the constitutional amendments,

The yeas and nays were required by Mr. RANDALL and Mr. BIGHAM, and were as follow, viz:

YEAS—Messrs. Bigham, Billingfelt, Browne (Lawrence), Brown (Mercer), Coleman, Connell, Cowles, Fisher, Graham, Haines, Landon, Lowry, M'Conaughy, Royer, Shoemaker, Stutzman, Taylor, White, Worthington and Hall, *Speaker*—20.

NAYS—Messrs. Burnett, Davis, Donovan, Jackson, James, M'Candless, Randall, Searight and Walls—9.

So the question was determined in the affirmative.

TEMPORARY ADJOURNMENT.

Mr. DONOVAN moved that when the Senate adjourns it adjourn to meet next Monday afternoon at 3 o'clock.

The motion was not agreed to.

Mr. BIGHAM. Is it in order to say a word on this question?

The SPEAKER. Yes, sir.

Mr. BIGHAM. I think that those gentlemen from a distance ought to have an opportunity to go home every two weeks. We cannot go every week, and I think we are entitled to some allowance of time every two weeks, or we cannot make railroad connection when we continue in session late in the week. I move that when the Senate adjourns it adjourns to meet on Monday evening next, at half-past seven o'clock.

Mr. M'CONAUGHY moved to amend by making it that when the Senate adjourns it will adjourn to meet to-morrow morning at eleven o'clock.

The amendment was not agreed to.

On the question,

Will the Senate agree to the motion of Mr. BIGHAM?

The yeas and nays were required by Mr. WORTHINGTON and Mr. RANDALL, and were as follow, viz:

YEAS—Messrs. Bigham, Billingfelt, Brown (Mercer), Burnett, Coleman, Connell, Davis, Donovan, Glatz, M'Candless, Randall, Royer, Searight and White—14.

NAYS—Messrs. Cowles, Fisher, Graham, Haines, Jackson, James, Landon, Lowry, M'Conaughy, Shoemaker, Stutzman, Taylor, Walls, Worthington and Hall, *Speaker*—15.

So the question was determined in the negative.

Mr. DONOVAN moved that when the Senate adjourns it will adjourn to meet on Monday evening next, at eight o'clock.

On the question,

Will the Senate agree to the motion?

The yeas and nays were required by Mr. WORTHINGTON and Mr. DONOVAN, and were as follow, viz:

YEAS—Messrs. Bigham, Billingfelt, Brown (Mercer), Burnett, Coleman, Connell, Davis, Donovan, Glatz, Jackson, James, M'Candless, Randall, Royer, Searight, Walls and White—17.

NAYS—Messrs. Cowles, Fisher, Graham, Haines, Landon, Lowry, M'Conaughy, Shoemaker, Taylor, Worthington and Hall, *Speaker*—11.

So the question was determined in the affirmative.

During the call,

Mr. JACKSON said: Mr. Speaker, as that extra half hour may be of great importance to the gentleman from Allegheny [Mr. BIGHAM]], I vote "aye."

The Senate then adjourned till eight o'clock on Monday evening next.

HOUSE OF REPRESENTATIVES.

THURSDAY, January 17, 1867.

AFTERNOON SESSION.

The House met at 3 o'clock, P. M.

The SPEAKER. The special order for this afternoon is the consideration of the resolution of the gentleman from Indiana, Mr. KIMMELL.

The question is on agreeing to the resolution.

Mr. WRIGHT. Mr. Speaker, when I was interrupted by the gentleman from Philadelphia [Mr. LEE] I was just about closing my remarks. I have but one or two further remarks to make in regard to this question. And those are particularly in reply to the gentleman from Fayette [Mr. BOYLE] with regard to the confiscation of rebel property. He stated, as I understand him, that Mr. Edgar Cowan took the stand-point on that question that it was wrong to confiscate the lands and other property of rebel citizens of the United States.

Now, sir, Mr. Speaker, if the gentleman from Fayette or any other gentleman upon this floor desires to call rebels—men who have raised their arm against this Government—citizens of the United States they may have the honor of doing so. And as for the brand of infamy that the passage of this resolution would put upon Edgar Cowan I, for one, will go as far as any man upon this floor, and let his name go down to posterity a disgrace and a dishonor. That, Mr. Speaker, I consider a sufficient reason for every man upon the floor of this House who loves his country to vote for this resolution.

Mr. DAVIS. Mr. Speaker, the gentlemen on the other side of the House desired to discuss this resolution, and this special session was made for that purpose. I would now like to see them go on with the discussion. If not, I would move that we proceed to the regular orders of the day.

The SPEAKER. The session this afternoon was called for the special purpose of considering the resolution.

Mr. DAVIS. Do I understand the Chair to say that aside from the discussion of this resolution we cannot do any business?

The SPEAKER. Such is the understanding of the Chair.

Mr. SHARPLES. Mr. Speaker, I do not propose to make any extended remarks upon this subject. I am one of those who think it best to say what I have to say in a very few words. I think, and have thought in listening to this discussion, that the point made by the gentleman from Philadelphia [Mr. LEE] was a very pertinent and proper one. The question before us, if I understand it, is whether the majority of the people of Pennsylvania shall have the privilege of censuring a man who was at one time in the front ranks of the Republican party, and who was almost too radical to be endorsed by the people, who, in a very brief time, changed his position and identified himself with the opposition. The gentlemen complain of us, because, by passing a vote of censure we identify them with us. I think that this is an objection that is altogether erroneous. The yeas and nays will undoubtedly be taken, and the gentlemen can record their votes as not agreeing with us.

There can be no question as to the apostacy of Edgar Cowan to the principles he once espoused. That is a fact too patent for any one to contradict. It does not require any arguing. It presents itself just in this light to me, and none other. It is a mere question whether a majority of the people of Pennsylvania, from whose principles Edgar Cowan has apostatised, have the right of so doing. He was elected to represent certain principles, and he misrepresented those principles. He took his stand in direct opposition to the party that elected him. In my opinion this is the only question, and no man can question our right to censure him for not performing what he pledged himself to perform. No man questions the fact that he is not with us, that he was elected to represent us, that he has not represented us, and that we have a right to censure him.

Mr. ALLEN. Mr. Speaker, I am not disposed to weary the patience of the House with much talk, but I think it is not only due to my Republican constituents, but to all honest, true men in my part of the State, whether Republican or Democrat, to add my vote and voice in protesting against this man Cowan, for his treachery to those who clothed him with power. I believe it is due to the honest sentiments of many of the Democratic members of this House, who at heart disapprove the treachery of this man, that the resolution should pass.

Had he become convinced that the principle upon which he was elected was wrong, or that the party who placed him in power were unfaithful to the necessities of the times, he should have yielded the position. He should have frankly indicated the differences and resigned his place, that it could have been filled by one free from the contaminating influences which had changed his sympathies. Had he pursued such a course, sir, he might, with some propriety, ask the sympathy of his people. Then, sir, he could have been looked upon as one faithful to his convictions of right. But instead of that just course, he has said to his people, "You placed me here, invested me with power; I have the right to remain, and I will do what serves me best. I despise your presumptuous dictation." Why should these gentlemen, who have boasted so much of purity and fidelity to principle, so earnestly plead and try to uphold the acts of one whom all true men should despise?

Sir, this is but another evidence of their corruption. Let them bestow their empty honors. If they could, they dare not trust him. I think, sir, we have no better evidence of his infidelity than that he should here be bolstered up by those whose only principle is opposition to right. Why was this man nominated for the United States Senate by those who opposed his election with such earnestness six years ago, if his claim of being the advocate of the same principles he held at that time is true? If Democracy is yet the same, has he not deserted the principles he then avowed? That selection was not made, sir, on account of their admiration of that man, but, sir, as a rebuke to those who saw proper to censure him for his infidelity. It was not their desire to honor Mr. Cowan because of his merit, but to heap insult upon injury. And yet these men will tremulously plead for sympathy because of minority. They urge not his worth as an excuse from censure, but that he has no friends among good men; therefore, the Democracy feel bound to protect him. The majority of this House have no sympathy for such men. I was taught, sir, in the school of true Democracy, to despise traitors wherever they may be found, and I will not now depart from those instructions.

Gentlemen may plead sympathy for this unfaithful servant, but it will not avail him or them. His friends have secured their minority here by grasping continually such delusive phantoms of hope. I sympathize with them in their misfortune, but as it is their choice of principle which has placed them in the minority, they cannot censure us, nor plead their weakness in order to justify them in sustaining a wrong.

I think, sir, that this man has forfeited all claims to sympathy from this House. We have petitioned, we have remonstrated, we have resolved and re-resolved, and all has passed unheeded. This resolution should pass, sir, not only to teach him, but all who seek honors from their people, that they must be true to those who send them, or bear the degradation of their betrayal—that if they shall escape the mark upon their brow they shall not escape the blot upon their public record, which shall indicate the just condemnation of those who have been misrepresented and betrayed. Forgetting party prejudices, who can regard with respect or sympathy that man, who, having assumed to protect the rights of his people, has deliberately and persistently spurned their advice? Who, I ask, can admire him who kissed but to betray? I am surprised at this seeming admiration of one whose only act of greatness they can point to, is in betraying those who confided in him.

I put my vote on record, saying that Edgar Cowan has disregarded the declaration of principles that placed him in his high position; that he has disregarded the instructions of those who sent him; that he has despised the instructions of his people, as indicated by overwhelming majorities for principle, and in a hundred other ways.

And, when this House, in accordance with that principle, sought to advise, he has tauntingly thrown it back upon those who seek to do their duty to their people—sneers of defiance.

Sir, in view of such acts, it is our right, it is our duty, to show an appreciation of those acts, and place upon him that stigma he so justly deserves, as the fitting reward for such base treachery and misrepresentation.

My friend who recited with so much care that oath that bound him to obey the Constitution—"as it was" he should have added—and pointed out his duty as a representative with so much conscious clearness, seemed to have forgotten that he was also to perform the duties of a representative of the people with fidelity. If I know my duty here, sir, it is to guard the interests of my constituents and carry out their views, unless it it be in direct opposition to that Constitution which I have sworn to obey and maintain.

This is all that has been asked of Edgar Cowan. If he has done this, let him be sustained; if not, let him suffer the censure which a just though injured people put upon those who betray their trusts.

Mr. MEYERS. In was not my intention to say anything upon the resolution, but before this question is put I will endeavor to say a few words, not I hope in the same spirit by which some of the remarks made upon this floor have been characterized. It is well to ascertain through the remarks that have been made by honorable gentlemen upon this floor, what is the difference of opinion between the gentlemen who have discussed this matter, and when we have ascertained that difference, let us see who is right. This resolution, as I understand it, is offered for the reason that Senator Cowan has been named by the President of the United States as a minister to the court of Austria, and is a sort of protest against the confirmation of that appointment by the Senate of the United States. One of the reasons urged in favor of this resolution, and in favor of this protest, is that Senator Cowan has proved a traitor—not to his country—but a traitor to his party and to the principles which he advocated at the time they placed him in the position of Senator from Pennsylvania. I have yet to learn, Mr. Speaker, that any law, or any code of laws, or any Constitution, State or Federal, makes it treason for a man to differ with his own party or with the principles of his own party. And I would ask any gentleman upon this floor to point out the speech, to point out the vote, to point out the resolution or bill offered by Senator Cowan which was not voted for, acted upon by him, presented and discussed in a spirit of moderation, in a spirit of candor, in a spirit of honesty and conscientious discharge of his duties. And when a man has done that, is it, sir, appropriate—I use that word—I say is it appropriate for the Legislature of Pennsylvania, sitting in the capacity of legislators, not of our party, but sitting here as sworn representatives of the people of this Commonwealth, to introduce a resolution to cast censure upon a man on partisan grounds and for the only reason that he has abandoned the principles of the party that placed him in power?

Mr. Speaker, I know of no offense charged in this resolution that entitles a man to condemnation—simply the charge that he does not agree with all the points of the policy of the party that put him in power and place. If he is guilty of treason, if he is guilty of high crimes and misdemeanors, or if he is guilty of anything that would not entitle him to occupy the honorable position of Senator of the United States, then, sir, that Senate has stultified itself in allowing him to remain there up to this time. If the arguments, allegations and assertions of the gentlemen upon the other side of this House are, true, then he ought to be placed in the same category with Senator Bright, and ignominiously driven from the halls of legislation which he has so dishonored. Will any man dare to say or avow that Edgar Cowan has filled that position dishonorably? I hear one response that he has. In what consists his dishonor? It consists in a man taking the oath to support the Constitution of the United States, and then going and taking his seat, and violating that Constitution, and going over head and front to the enemy that set themselves up with the avowed purpose of destroying the Constitution. Is there any evidence that Senator Cowan, during this terrible ordeal, has done anything in which he interfered, either by vote, word or act, with the recovery of our prestige in the Southern States, the preservation inviolate of the principles of the Constitution or the perpetuation of the Union of these States? Now, Mr. Speaker, the Constitution of the United States places the power of appointment in the President of the United States, by and with the advice and consent of the Senate. Senator Cowan has been appointed Minister to Austria. Every person familiar with the practice of the United States is aware, that whenever a Senator is appointed for any high and important office the question is never referred to a committee, but acted upon at once in executive session. Such a high regard do they have for their brother Senators that they do not even degrade them so much as to require that their names shall be sent to a committee to be reported upon whether they shall be confirmed or not by the Senate, but they are acted upon at once in executive session. The Senate of the United States is clothed with a great and responsible power in the confirmation of appointments. And has it come to this, that a resolution must be offered in the Legislature of Pennsylvania denunciatory of a United States Senator who is to-day the equal and peer of his brother Senators in the Senate of the United States, who is sitting there, and against whom no word of censure has been uttered by his brother Senators, against whom no vote of obloquy, censure, or contumely has been vouchsafed in that Senate? Shall it be said, then, that the Legislature of Pennsylvania have set themselves up here in the capacities of inquisitors and judges to declare that he has, as Senator, betrayed the people of this Commonwealth, and that the confirmation of this appointment would be an insult and a disgrace to the people of this Commonwealth? Sir, if Mr. Cowan goes to Europe in the capacity of a minister, when he descends from a position higher and more exalted than any position that a man can occupy at a foreign court, to dance attendance on kings, courtiers and princes, a man who, by the consent and by the approbation of his co-Senators, occupies the high, grand and honorable position of United States Senator with confidence and with respect, though he may differ from the majority in that body, let it not be said of that Senate, which has allowed him to remain there without reserve, to be instructed by the Legislature of Pennsylvania, that they shall not confirm him to a position less noble than that of Senator of the United States simply because he has left, to some extent, the principles of the party that has put him in power.

Now, Mr. Speaker, every one that is familiar with the current history of the day is well aware that if men placed in position, be

it high or be it low, do not come up to the mark, and accord and agree with every word, syllable, and letter of the advance rank of the radical party they are denounced. A man is denounced whether he is a member of the Legislature; whether he is a layman; whether he is Governor; whether he is in Congressman, or whether he is a United States Senator; yea, sir, they do not even wait for his actions to be tested, but their denunciations go even to the secret chamber of the highest judicial tribunal of this Government, and are visited upon such men as Chase and the corps of Republicans in that body who have, by their recent decisions, decided against the constitutional power of this Government to enforce the test oath and other matters. And we find that radical conventions, legislative bodies, and the press, everywhere are denouncing these men, because, under their sworn obligations, they have in their judgment and conscience decided these acts to be unconstitutional and unjust. Now, the spirit of this resolution is exactly in accordance with the spirit and sentiments of the Republican party as they are expressed everywhere, when they denounce even the judges of the Supreme Court of the United States because they have thought it their duty, under their oaths, to decide that certain acts done by this Government were unconstitutional, illegal, and are void. When they offered this resolution here they mistook their tribunal. They ought to have offered it in a Republican meeting, not in the Legislature of Pennsylvania. The gentleman from Philadelphia [Mr. LEE] this morning stated that they, as a party, had the right to denounce Senator Cowan because Senator Cowan did not choose to stand up to the work, or in other words, because he betrayed his party. Now, sir, we do not deny, and we do not object to the right of the Republican party to call in question anything that Senator Cowan has done; but when they do it, let them do it in the capacity of a party, and not come in here and introduce a resolution, which, on its face, says that his appointment is an insult to the entire people of the Commonwealth of Pennsylvania, and is a disgrace to the people, because he had betrayed whom? Not the people, but the Republican party.

Mr. KIMMELL. Will the gentleman allow me to call his attention to the word "insult?" The resolution says, "it seems a studied insult."

Mr. MEYERS. That does not amend the matter much, Mr. Speaker. A few remarks have been introduced by the gentleman from Fayette [Mr. BOYLE] in reference to the position occupied by Senator Cowan upon the matter of confiscation. Now, members will recollect that, when the first bill was introduced into Congress in reference to confiscation, and the bill had passed the Senate, and was on the eve of passing in the House, information was received from President Lincoln that he would not sign the bill unless modifications were made therein in accordance with the language of the Constitution. That modification was espoused by Senator Cowan in the Senate of the United States, and that modification was made. Or, rather, at the same time there was a supplementary bill passed which confined this action of the confiscation bill to the life of the offender, and not to his heirs forever. I think, Mr. Speaker, that this resolution ought not to have been introduced into this House until it had been presented to an appropriate committee. It is a resolution that refers entirely to our Federal relations. We have a committee for that purpose, and there was the proper place to have this resolution referred, and let that committee report it with such amendments as would accord with the sentiments of this House. As it stands now it is discourteous to the members of this House and discourteous to Senator Cowan and to the people of Pennsylvania. When you say that the people of this Commonwealth have received with indignation the announcement of the fact that the President has appointed Senator Cowan as Minister to Austria and that it is an insult to them; when you say that the confirmation of that appointment will be a disgrace and an insult to the people, you say positively what is not true. It cannot be viewed and ought not to be viewed in that light. And I say, therefore, for this reason, and many others that could be urged against it, it ought not to pass. It ought to receive the condemnation of this House by a large majority.

Mr. WADDDELL. Mr. Speaker, I offer the following amendment, or rather substitute for the resolution.

The amendment was read as follows:

WHEREAS, The course of Edgar A. Cowan, as Senator from Pennsylvania, has been different from what his previous public professions and declarations properly led those who placed him in that position to expect, and thereby he has lost the confidence of the people of the loyal States;

And whereas, His views as to the proper course to be pursued in the administration of the affairs of this Government differ so materially from the opinions of the majority of the people of this country as to prevent him from being properly regarded as a representative man; therefore,

Resolved, That we fully approve of the action of the Republican members of Congress in opposing the confirmation of Edgar A. Cowan, and unite our protest with theirs and call on the Senate of the United States to reject said nomination, and thereby save this country from being represented abroad by one who, in no particular, would be a true exponent of American ideas and principles.

MESSAGE FROM THE SENATE.

The Clerk of the Senate being introduced, presented for concurrence bills numbered and entitled as follows, viz:

No. 22, a supplement to an act to incorporate the Female Seminary of Eden Hall, in the county of Philadelphia, by the style and name of the Institute of Ladies of the Sacred Heart, and to take and hold lands, tenements, etc., and to sell or mortgage any part thereof.

No. 26, an act to authorize the payment of State agents at Washington.

No. 30, a supplement to an act relative to landlords and tenants, approved December 14, 1863, extending the provisions thereof to cases of descent and purchase.

No. 59, an act to confer upon the committee of a lunatic or habitual drunkard the power to institute actions of partition.

The question being on agreeing to the substitute of Mr. WADDELL,

Mr. MANN. Mr. Speaker, I hope this amendment will not be adopted. It will be a great deal better to withdraw the whole matter than to tame it down in this way by the adoption of this amendment. The first resolution offered states what ought to be the action of this House under the aggravating circumstances of the case. I am astonished that any friends of humanity, and of freedom, and of loyalty, should propose to modify this resolution in so material a manner as this amendment does. Just reflect for a moment on the insult that has been put upon the people of Pennsylvania for the past six years, and the entire disregard of the instructions from this Legislature. Repeated year after year—a studied, persistent, wilful disregard of the solemn protests of this Legislature, not one of which have even received the slightest attention, or to which the least respect or regard has been paid by Edgar Cowan. Not only has he betrayed the trust reposed in him by a confiding people for six years, but last year he entered the contest, and publicly denounced his friends, and said, and still says, that he holds in his hands the patronage of Pennsylvania, to be sold to the highest bidder. He attempted to procure from the people of Pennsylvania the betrayal of their trust, and attempted to secure from every man holding office in Pennsylvania a betrayal of the trust bestowed upon him, as he has betrayed his own trust. It was known all over the Commonwealth, that if any Republican in office would sell himself and get another person to go with him, he should have any office within his neighborhood. Every postmaster held his office during this campaign at the pleasure and will of Edgar Cowan. He had either to pledge himself to support those principles, and sell himself for a mess of pottage, or be turned out of office. Edgar Cowan held this Moses' rod over the heads of the people during the entire campaign, purchasing weak-kneed Republicans, and attempting by such means to gain a majority of the people of this State to favor a policy he had sold himself to support. Having done this, shall we withhold our indignation, or tone it down to so mild an expression that he will pay no regard to it? This substitute will be no protest to anybody. I hope it will be voted down promptly and unanimously upon our side of the House.

It has been said here, on the other side of the House, and we have been asked over and over again, "What are your specific charges?" My friend from Erie [Mr. M'CREARY] gave evidence that is conclusive upon this point. Six years ago, every man upon the other side of the House voted against Edgar Cowan, and to-day every man of them is voting for him. Mr. Speaker, that of itself is conclusive evidence that he has betrayed the men who put him in the position he now occupies, otherwise, these men here would not be voting for him. This is conclusive and specific evidence, and all that ought to be asked for upon this point. It is said that it is a simple difference of opinion between Mr. Cowan and the Republican party. I tell you there is something far more than that. From the time Fort Sumter was fired upon down to the close of the war, he never uttered a syllable in the Senate of the United States that was not aid and comfort to the rebels. He appealed in the Senate of the United States for the support of Hiester Clymer in the State of Pennsylvania. He made apologies for traitors, and every effective bill that was offered to put down this rebellion, he opposed with all the talent that he had been invested with, and all the power that the people of Pennsylvania had given him. Not a single measure was advocated by the loyal people of the United States to put down the rebellion, but met with the persistent opposition of Edgar Cowan.

I listened to the debates a year ago upon a subject kindred to this, by my Democratic friends, and yet in one short year they have made great progress. I do not know how this is to be accounted for, unless it is through the instructions received from this side of the House. I, therefore, differ from my friend from Philadelphia [Mr. LEE] that there is no hope for them. I heard a Democratic Senator say, not long since, in referring to slavery, that it is a brutalizing institution. It was the first time in my life that I heard a Democrat speak in that manner of slavery. I also heard one say that he was in favor of giving equal justice to the negroes. Why, my friends, there is great hope for the country when Democrats can talk in that way. Therefore, I am in favor, on all suitable occasions, of giving all the instruction that is needed.

But, upon this resolution, and upon the

necessity of rebuking Edgar Cowan, I submit that the loyal people of Pennsylvania owe it to themselves to so rebuke this man, that no other Senator from Pennsylvania will ever dare to repeat his treason.

Mr. DAVIS. Mr. Speaker, I am not going to make another speech. I merely wish to say that, so far as I am concerned, I think that no resolution can be drawn up in language strong enough to express the utter contempt for the man that I helped to make United States Senator, and I am willing to vote for anything that will express the views of what I believe to be the views of a great majority of the people of this State. I am opposed to this sort of "whitewashing," and I go for administering "Dr. Townsend's Sarsaparilla" without any reducing. I would like to have that word "seems" stricken out. I call for the reading of the original resolution.

Mr. KURTZ. Mr. Speaker, I would like to inquire of the gentleman from Philadelphia [Mr. DAVIS] if, when Simon Cameron was sent as a Minister to Russia, a vote of censure was not passed by a majority of the two Houses of Congress, and if he did not vote for that same Simon Cameron for United States Senator the other day?

Mr. DAVIS. Mr. Speaker, when the gentleman introduces a resolution of censure here, I shall then be willing to express my opinion.

The resolution of Mr. KIMMELL was again read.

Mr. DAVIS. A word in conclusion. The original resolution offered by the gentleman from Indiana [Mr. KIMMELL], says that Mr. Johnson *seems* to have contemplated a studied insult to the loyal people of Pennsylvania, and there is no man, sir, who has read his record for the past six months, and examined it carefully, but must know that the appointment of Edgar Cowan as Minister to Austria is a studied insult to a majority of the people of Pennsylvania. Now, sir, the principles of Andrew Johnson and Edgar Cowan were submitted to the people of Pennsylvania last fall as they proclaimed their principles. The people have repudiated them, and we are now called upon to strike out any expression to the effect that Andrew Johnson "seemed" to contemplate a studied insult. It is a self evident fact that it is a studied insult to the people to nominate a man whom they have repudiated, not only all over the State, but in his own district. Last summer, instead of "swinging around the circle" on an electioneering tour through the Northern States, Edgar Cowan left his seat in Washington, and went home to his own district, and there submitted himself to the people. But the people in that district, who elected a Democrat two years ago, repudiated their Democratic member of Congress, and sent honest John Covode to represent their district. Shall we fail to say that this appointment is a studied insult, when it *is* an insult to every loyal man? I hope not.

Mr. WADDELL. Mr. Speaker, I am somewhat surprised, sir, that the gentleman from Potter [Mr. MANN] should anticipate that anything done by this House should have any influence upon Edgar Cowan. We have trudged, sir, over that ground before, and we have had his reply. I do not anticipate that this House is called upon to act to-day so as to have any influence upon Edgar Cowan, and I apprehend that any resolution we may pass will fall like mist upon him. If this nomination should be confirmed, sir, Edgar Cowan will go as minister to the court to which he is appointed; this resolution to the contrary notwithstanding. They will not affect him in the least, and I apprehend that this House does not contemplate preventing his doing the duties of minister if he receives a confirmation of the appointment. It is not for that purpose that I understand this resolution to be introduced. It is introduced, sir, to sustain the members of Congress, in the House, in the course which they have pursued in regard to Mr. Cowan since his nomination. He knows, to-day, as they do, and as the people of this Commonwealth do, what the sentiments of this Legislature are in regard to Mr. Cowan. We have passed our votes of censure upon him. We have invited him to resign the position which he holds. We cannot do anything stronger; we cannot do anything which will better indicate our views as to his course. I understand the resolution to be that we sustain the members of Congress, and we call upon the Senate of the United States to repudiate the nomination which has been made, and, if you please, sir, we give our reasons for so doing. Now, sir, in giving those reasons it strikes my mind that this House should have some regard to its own dignity and feelings of propriety, and if we may differ in our language, if we may differ in the phraseology of our resolutions, I apprehend that we do not, at least, differ in sentiment, so far as the members of this side of the House are concerned, in reference to Mr. Cowan's course. I have endeavored, in my amendment, to clothe the ideas I have of Mr. Cowan, in language that will become the dignity of this House, and, at the same time, place upon record our reasons for wishing his nomination rejected. Now, sir, what are those reasons? They are, if you please, that he has betrayed the trust which we have reposed in him. We say, sir, in my preamble that we had reason to expect different from him by reason of his public professions and declarations. He has deceived us and has deceived the people of a loyal State, and by reason of this deception they have lost their confidence in him. We say further, that, entertaining the views which he does, as to the manner in which this Government should be administered, he cannot properly represent us in a foreign court, and, therefore, he is not an embodiment of American ideas and principles. Now, sir, you may throw in, if you please, your adjectives to make stronger, by scurrilous epithets, the sentiments that you have concerning this man, but, I take it, we have expressed in the preamble the idea—"lost confidence." We have lost confidence in the man—the betrayer of his constituents—and, therefore, we sustain the Representatives in Congress who have protested against his confirmation, and we add our voice to theirs in asking the Senate to reject him as a minister to the court to which he has been appointed. Now, sir, gentlemen will not offend me in the least, if they want something stronger, if they choose to add their adjectives to the words to which I have given expression, they will not offend me, but I ask, for the dignity of the party which we represent, that we take the language as I have stated it and not the language of the original resolution. But I submit the case to this House to decide. We probably do not differ in opinion. It is merely in the manner of arriving at the same object, and I simply repeat what I have before suggested, that we should have a proper regard for ourselves while we express our disapprobation of the course he has pursued.

Mr. BOYLE. Mr. Speaker, it was not my purpose to again trespass upon the time of the House in the discussion of this resolution, and I would not do so, had the question been taken upon the original resolution. But as a substitute has been offered, I desire to say that, if I were a Republican and believed in passing any resolution of this kind at all, I would vote for the substitute out of regard for my own character. But, not being a Republican, and not believing that this House ought to express any opinion at all concerning the appointment of Edgar Cowan, and believing that neither the resolution or the substitute states the truth, I shall vote against both.

Mr. KIMMELL. Mr. Speaker, I would like to ask the gentleman from Fayette [Mr. BOYLE] if he would not be guided in casting his vote for the substitute, in the case he supposes, more from the fact that nothing is said in the substitute in reference to President Johnson's course, than anything else?

Mr. BOYLE. Mr. Speaker, I do not see any point in the gentleman's question. I will vote against both. If this House were a Republican caucus, or if it were a Republican mass meeting, then it might be well enough for the Republican party to denounce Mr. Cowan because of his apostacy from their principles, as they please to state it.—But, it being the Legislature of the State, representing the whole people, having legislative power, and, having no right to express abstract political opinions, I take the ground that we have no right to pass a resolution of this kind. We have no right to express a mere political opinion—to convert the House of Representatives into a Republican caucus. It is said that Mr. Cowan has changed. Well, I shall not undertake to say that he has not changed. I trust that, in some things, he has changed. I trust that some opinions Mr. Cowan held, when a member of the Republican party, have been repudiated. But I am not going to attempt to show now whether they have been or not.

Mr. Speaker, in 1861, when Mr. Cowan was elected to the United States Senate, there were certain great fundamental principles professed by all parties. When Mr. Cowan took his seat in the Senate of the United States he took the oath to support the Constitution of the United States, and all political parties in 1861 professed that the Constitution was their creed—all professed to support and believe in the Constitution.

Now, sir, if their professions were true, if the professions of the Republican party were true at that time, then Mr. Cowan agreed with the Republican party in supporting the Constitution. But, sir, at this time, there is a radical difference between them. During the six years that have intervened there has been a contrast, a radical difference between them and the man they elected. But, sir, he has not left them; if they told the truth at that time (and I am strongly led to suspect the truth of these expressions), because he adheres to the Constitution yet, and they have systematically, and almost without exception, when Constitutional rights were in question, abandoned and opposed it.

And now it will refresh the memory of the gentleman. The Constitution says:

"The trial of all crimes, except in cases of impeachment, shall be by jury."—*Article III, section* 2-3.

I suppose when this party elected Mr. Cowan they agreed in that sentiment. But do they stand to that sentiment now? Have they stood there during the last six years? Mr. Cowan has maintained faithfully that provision of the Federal Constitution, "That the trial of all crimes, except in cases of impeachment, shall be by jury." But the party that elected him has, just as systematically, avoided it. They have tried men by military commissions, by courts without a name, and without any court at all, and convicted and punished them in the face of this provision of the Constitution. There they differ. One has left the other, if they were together in 1861. I will not attempt to say which, but I think the party has left Mr. Cowan.

The Constitution says further: "That Congress shall make no laws * * * abridging the freedom of speech, or of the press."

[Amends. Art. I.] To that Mr. Cowan has agreed. Has not the party departed from that? Were not the cases so numerous as to be an almost every day occurrence, of the tearing down of printing offices and arresting editors, in disregard of this provision of the Federal Constitution? Mr. Cowan stood by it; his party opposed it. Another provision of the Constitution is "the right of the people to be secured in their persons, houses, papers and effects, against unreasonable searches and seizures, shall not be violated; and no warrant shall issue but upon probable cause," &c. [Amends. Art. IV.] There, too, they differ, I think, however, Mr. Cowan has taken his stand upon the bulwarks of the Constitution, and I think the party has opposed it and disregarded it whenever it suited their purpose so to do. I might go on with a number of the other provisions of the Constitution and show wherein the party has disregarded them while Mr. Cowan has stood by them. These are the real differences between Mr. Cowan and his party. There is a resolution that was passed in the Senate of the United States on the 25th day of July, 1861. Then Mr. Cowan voted with his party; then they all voted together. I desire to call attention to it:

Resolved, That the present deplorable civil war has been forced upon the country by the disunionists of the Southern States now in revolt against the Constitutional Government, and in arms around the capital;

That in this national emergency Congress, banishing all feelings of mere passion or resentment, will recollect only its duty to the whole country;

That this war is not prosecuted on our part with any spirit of oppression, nor for any purpose of conquest or subjugation, nor purpose of overthrowing or interfering with the rights or established institutions of the States, but to defend and maintain the supremacy of the Constitution and all laws made in pursuance thereof, and to preserve the Union with all the dignity, equality and rights of the States unimpaired.

That as soon as these objects are accomplished the war ought to cease.

Now, Mr. Cowan and his party agreed upon that at that time. Has Mr. Cowan departed from his party upon that subject? Have not his party, in the face of their votes in favor of that resolution, gone back upon Mr. Cowan? Mr. Cowan stands by the declaration of that resolution to-day, asserting that the war was for the preservation of the Union, and not for the object of conquest or subjugation, and that the right of the States should be maintained. There has been the difference; there has been the separation between them; but I do not think it is much to Mr. Cowan's discredit. This party professed to be for the Union, they pretended to fight this war for the Union, and Mr. Cowan was with them heart and soul in this view, and stood by that at all times, contending that the war ought to have been fought for the preservation of the Union. But he knows, and every man knows, that those who now have control of the Government, did not prosecute the war for the preservation of the Union, but to-day they are asserting, as a consequence of the war, that the Union has not been preserved. There is the difference between Mr. Cowan and his party. And I ask, gentlemen, in the light of the past six years, has Mr. Cowan left his party in standing up for the Union, or has the party left him, standing, as it now does, in favor of the disunion of the States?

The question being on agreeing to the amendment of Mr. WADDELL,

It was determined in the negative.

Mr. DAVIS. Mr. Speaker, I offer the following amendment:

Resolved, That the Clerk of this House be instructed to forward to the President of the Senate of the United States a copy of these resolutions.

The amendment was

Agreed to.

The question recurring, Will the House agree to the resolution as amended?

The yeas and nays were required by Mr. BOYLE and Mr. ——, and were as follow, viz:

YEAS—Messrs. Adaire, Allen, Armstrong, Barton, Cameron, Chadwick, Chase, Colville, Davis, Day, Donohugh, Espy, Ewing, Freeborn, Gallagher, Ghegan, Gordon, Harbison, Hoffman, Kennedy, Kimmell, Kinney, Lee, Leech, M'Camant, M'Creary, M'Kee, M'Pherrin, Mann, Marks, Mechling, Meily, Pennypacker, Peters, Pillow, Richards, Roath, Seiler, Sharples, Shuman, Steacy, Stehman, Stumbaugh, Subers, Waddell, Watt, Webb, Weller, Wham, Wilson, Woodward, Worrall, Wright and Glass, *Speaker*—54.

NAYS—Messrs. Barrington, Boyd, Boyle, Breen, Brennan, Calvin, Chalfant, Collins, Craig, Deise, Fogel, Harner, Headman, Heltzel, Hunt, Jenks, Kline, Kurtz, Linton, Long, M'Henry, Maish, Markley, Meyers, Mullin, Phelan, Quigley, Rhoads, Robinson, Roush, Satterthwait, Tharp and Westbrook—33.

So the question was determined in the affirmative.

MESSAGE FROM THE SENATE.

The Clerk of the Senate being introduced, presented for concurrence bills numbered and entitled as follows, viz:

No. 32, a supplement to an act relative to the fees of district attorney in certain counties of this Commonwealth.

The SPEAKER proceeded to clear the table.

Senate bill No. 22, a supplement to an act to incorporate the female seminary of Eden Hall, in the county of Philadelphia, by the style and name of the Institute of Ladies of the Sacred Heart, and to take and hold lands, tenements, &c., and to sell or mortgage all or any part thereof.

Referred to the Committee on Education.

Senate bill No. 26, an act to authorize the payment of State Agents at Washington.

Referred to the Committee on Ways and Means.

Senate bill No. 30, a supplement to an act relative to landlords and tenants, approved December 14th, 1863, extending the provisions thereof to cases of descent and purchase.

Referred to the Committee on the Judiciary General.

Senate bill No. 32, a supplement to an act relative to the fees of district attorney in certain counties of this Commonwealth.

Referred to the Committee on the Judiciary Local.

Senate bill No. 59, an act to confer upon the committee of a lunatic or habitual drunkard the power to institute actions of partition.

Referred to the Committee on the Judiciary General.

The SPEAKER stated that there would be a public lecture delivered in the House this evening, at 7 o'clock, by General Pierce. Subject: Our Age of Heroism.

The special order having been gone through with,

The SPEAKER declared this House adjourned until to-morrow morning at eleven o'clock.

HOUSE OF REPRESENTATIVES.

FRIDAY, January 18, 1867.

The House met at 11 o'clock, A. M.

Prayer was offered by the REV. J. KENNEDY, member from Wyoming.

The SPEAKER announced a quorum of members present.

The Journal of yesterday was read, and, there being no objections, it was approved.

LEAVE TO RECORD VOTE.

Mr. HUMPHREY asked and obtained leave to record his vote on the question of agreeing to the resolution censuring Edgar Cowan, which was offered yesterday morning by the gentleman from Indiana [Mr. KIMMELL].

His name was called by the Clerk, when He voted aye.

MESSAGE FROM THE SENATE.

The Clerk of the Senate being introduced, presented for concurrence resolution numbered and entitled as follows, viz:

No. 3, joint resolution to ratify the amendment to the Constitution of the United States.

The following is a copy of the resolution:

JOINT RESOLUTION to ratify the Amendment to the Constitution of the United States.

WHEREAS, Two-thirds of the members of the Senate and House of Representatives of the United States, in Congress assembled, did adopt an amendment to the Constitution of the United States, which is entitled Article fourteen as follows:

SECTION 1. All persons born or naturalized in the United States, and subject to the jurisdiction thereof, are citizens of the United States, and of the State wherein they reside; no State shall make or enforce any laws, which shall abridge the privileges or immunities of citizens of the United States, nor shall any State deprive any person of life, liberty or property, without due process of law, nor deny any person within its jurisdiction the equal protection of law.

SEC. 2. Representatives shall be apportioned among the several States, according to their respective numbers, counting the whole number of persons in each State, excluding Indians not taxed; but when the right to vote, at any election, for the choice of electors for President and Vice President of the United States, representatives in Congress, the executive and judicial officers of a State, or the members of the legistature thereof, is denied to any of the male inhabitants of such State, being twenty-one years of age, and citizens of the United States, or any way abridged, except for participation in rebellion, or other crime, the basis of representation therein shall be reduced in the proportion which the number of such male citizens shall bear to the whole number of male citizens, twenty-one years of age, in such State.

SEC. 3. No person shall be a Senator or Representative in Congress, or elector of President or Vice President, or hold any office, civil or military, under the United States, or under any State, who having previously taken an oath as a member of Congress, or as an officer of the United States, or as a member of any State Legislature, or as an executive or judicial officer of any State, to support the Constitution of the United States, shall have engaged in insurrection or rebellion against the same, or given aid or comfort to the enemies thereof; but Congress may, by a vote of two-thirds of each House, remove such disability.

SEC. 4. The validity of the public debt of the United States, authorized by law, including debts incurred for payment of pensions and bounties, for services in suppressing insurrection or rebellion, shall not be questioned; but neither the United States, or any State, shall assume or pay any debt, or obligation incurred in aid of insurrection or rebellion against the United States, or any claim for the loss or emancipation of any slave; but all such debts, obligations and claims shall be held illegal and void.

SEC. 5. The Congress shall have power to

enforce, by appropriate legislation, the provisions of this article;

Which said amendment has been submitted to the Legislature of Pennsylvania for ratification or rejection.

Therefore,

Be it resolved by the Senate and House of Representatives of the State of Pennsylvania in General Assemby met, That the amendment, as above proposed and submitted, is hereby ratified and adopted by the State of Pennsylvania.

QUESTION OF PRIVILEGE.

Mr. CHASE. Mr. Speaker, I rise to a question of privilege.

I move that the House reconsider the vote had upon the resolution of the gentleman from Venango [Mr. WEANN], by which one thousand copies of the minority report, and the evidence presented therewith, in the case of the Venango Bank investigation, were ordered to be printed.

Mr. GHEGAN. I second the motion.

The SPEAKER. Did both of the gentlemen vote with the majority?

Mr. ADAIRE. I voted with the majority, Mr. Speaker, and I will second the motion.

Mr. DAVIS. Mr. Speaker, I would like to hear some reason for making the motion to reconsider.

Mr. WADDELL. Mr. Speaker, I believe, sir, it is not in order to debate a question for the reconsideration of a resolution. I therefore ask the privilege of making a statement, that gentlemen may understand why the motion is made to reconsider.

Leave was granted.

Mr. WADDELL. Mr. Speaker, this is a matter that I have no direct interest in, one way or the other. I have not suffered by the operations of the Venango Bank, neither are any of my constituents interested in the question. I have only undertaken to explain to the House why Mr. Culver, the gentleman who is interested in this bank, desires that this resolution should be reconsidered. I confess, for one, that, when the resolution was brought up here the other day and pressed upon the House and passed, I did not understand it, and was satisfied with the views that were expressed by the gentleman from Venango [Mr. WHANN], together with those of the gentleman from Philadelphia [Mr. DAVIS], as to the propriety of passing the resolution. I have, since that, learned the actual condition of affairs, so far as this House is concerned, and I have undertaken to present the views which Mr. Culver gave me to the House, and it will be for you to judge of the propriety of the action of the House. If you still think this matter should be published, I have no interest in it, and you must exercise your own judgment.

As I understand the matter, it is simply this:

In 1866, about the 16th day of June, the Auditor General of this State, General Hartranft, was informed, under the act of Assembly of 1861, that the Venango Bank had committed an act of insolvency. He, as Auditor General, was in duty bound to appoint a commission to inquire into that fact. He did so, and appointed Thomas J. Jordan, E. C. Williams and H. C. Alleman that committee.

The act of Assembly provides the duties of that commission. It is to inquire simply into the fact of the insolvency of the bank. That commission undertook to perform its duties, and made its report to the Auditor General under the provisions of that act of Assembly, which report I desire to read for the information of the House:

WHEREAS, The Venango bank, at Franklin, Pennsylvania, incorporated in pursuance of the provisions of an act entitled An act to establish a system of free banking in Pennsylvania, and to secure the public against loss from insolvent banks, approved May 1, 1861, has committed an act of insolvency, satisfactory evidence of which has been furnished me, in accordance with section eighteen of the said act:

And whereas, Notice has been given in writing to the Venango Bank, the notes of which have been protested, to pay the same with interest, which they omitted to do; therefore,

In pursuance of the authority vested in me, by the nineteenth section of the act aforesaid, I do hereby appoint Thomas J. Jordan, E. C. Williams and H. C. Alleman, all of the city of Harrisburg, Dauphin county, Pennsylvania, three discreet and judicious citizens of this Commonwealth, a committee to make immediate inquiry into the truth of such information, and report thereon.

(Signed) J. F. HARTRANFT,
Auditor General.

State of Pennsylvania, Dauphin county, ss:

Thomas J. Jordan, Ed. C. Williams and H. C. Alleman, being duly sworn according to law, say that they will respectively support the Constitution of the United States, and the Constitution of this Commonwealth, and perform their duty as a committee to investigate the affairs of the Venango Bank with fidelity.

(Signed) THOMAS J. JORDAN,
E. C. WILLIAMS,
H. C. ALLEMAN.

Sworn and subscribed before me, June 16, 1866.

(Signed) JNO. J. PEARSON,
President Judge.

Hon. J. T. Hartranft, Auditor General of Pennsylvania:

The undersigned, being a majority of the committee appointed in the annexed order to make inquiry into and report upon the truth of the information received by the Auditor General of Pennsylvania, as to the Venango Bank having committed an act of insolvency, respectfully report: That after being organized they proceeded to the town of Franklin, in the county of Venango, the place where said Venango Bank is located, and do find, that on the 27th day of March, 1866, said Venango Bank closed its doors, and did neglect and refuse further to do business, and that the said Venango Bank did, after the 27th day of March, 1866, neglect and refuse to pay and redeem its outstanding circulation and notes issued by it, and that the same has been protested, and that the said Venango Bank has continued, and still does continue, to neglect and refuse to pay its outstanding notes and circulation, and that the said Venango Bank has of truth committed, and still does commit, the said acts of insolvency.

Respectfully submitted,

THOS. J. JORDAN,
E. C. WILLIAMS,
Committee.

Harrisburg, June 28, 1866.

I will now read the report of H. C. Alleman:

Hon. J. F. Hartranft, Auditor General of Pennsylvania:

GENERAL.—I have the honor to acknowledge the compliment of your confidence.

I fully agree with my brother members of the committee, that the Venango Bank, which was afterwards merged into the Venango National Bank, committed different acts of insolvency since the 27th day of March, A. D. 1866. But I most respectfully dissent from their decision, that it is not within our province to express our conclusions upon facts within our knowledge. We have made personal observations, personal examinations, and a very thorough investigation into the condition of the bank, and submit the testimony of a number of witnesses with our report. If we have no power to state our conclusions in reference to this investigation, we must unquestionably had no authority to make any inquiry into the causes of the suspension, or even go beyond the mere fact that the bank committed an act of insolvency. Although the one fact is of an incidental character, it is actually as necessary and important as the other.

Our conclusions upon the facts agree, and I am prepared to submit them, upon official request, at any moment, in accordance with my convictions of duty, regardless of either threats or consequences.

[Signed] H. C. ALLEMAN
Committee.

Harrisburg, June 28, 1866.

AUDITOR GENERAL'S OFFICE,
HARRISBURG, January 17, 1867.

I hereby certify that the foregoing is a true and correct copy of the original remaining on file in this Department.

Witness my hand and seal of office the day and year aforesaid. [Signed]

[L. S.] J. F. HARTRANFT,
Auditor General.

Now, these are the reports made by the committee to the Auditor General, and I desire to call the attention of the House to the act of Assembly under which this commission was appointed, and you can see for yourselves how the qestion arises between these gentlemen on the Constitution, and which is right in their conclusions.

The act passed May 21st, 1861, provides that "the Auditor General, after having notified such bank that it has committed an act of insolvency, shall forthwith appoint a committee of three judicious and discreet citizens of this Commonwealth, who shall receive four dollars per day each and their traveling and necessary expenses, all of which to be paid by said bank, who shall make immediate inquiry into the truth of such information, and report thereon to the Auditor General of the Commonwealth; and if the said committee, or a majority of them, shall report that such bank has suspended payment of its notes in gold and silver, he shall forthwith apply to the court of common pleas of the proper county, if in session, or to the president judge of the district in which the said bank is located, in vacation, [to] appoint a suitable receiver, who shall take immediate possession of the books, records, money, choses in action and property of such bank, of every description, including the securities deposited with said Auditor General, and hold the same for the joint use of the creditors of such bank."

Now, the House will see that the question presented here for that committee, is simply as to the insolvency of the bank, not what caused it, not what the directors or some individual official of the bank may have done, but simply whether that bank has committed an act of insolvency, and whether its assets should be placed in the hands of a common receiver for the benefit of all its creditors. This is the view the commission took, after their appointment. They thought they had no power to go beyond the inquiry, whether the bank had committed an act of insolvency or not. One member of the commission thought they had the power to inquire into the whys and wherefores of the insolvency, and what had been done to cause it. They all agreed that the bank committed an act of insolvency, and they so reported to the Auditor General. Colonel Alleman thought he had the right to go beyond that, and signified to the Auditor General that he was prepared to make a further report on official request. General Hartranft concluded that, as Auditor Gen-

eral, he had no right to inquire officially for that report, and he never did so. And I say here, that, when the matter was up the other day, my impression was that the report of Col. Alleman came through the Auditor General, but, upon inquiring I find that the House, by resolution, requested Col. Alleman to present his report, together with the testimony, to the House, and that was followed up by a resolution to print. Now, this is not an official communication from the Auditor General; it is not before us in an official capacity; it is not presented in that way, and, if I understand the objections of the gentleman, Mr. Culver, who is deeply interested in this matter, I understand the testimony was taken in the borough of Franklin, or whatever it is styled, without any notice to him; without his being present, and without anybody representing him, or anybody there to examine the witnesses on his part. It was done entirely *ex parte*, and he had no right, under the act of Assembly, to suppose that such inquiries would be made. He had the right to believe, as he did believe, that the commission was simply to inquire into the fact of insolvency of the bank. Instead of that, I understand witnesses were examined to inquire into the whys and wherefores of this insolvency. Now, this was entirely an *ex parte* proceeding, and the most serious difficulty, which I understand, may occur by reason of printing this testimony is, that at this time there is hanging over this gentleman, whether properly or not I am not prepared to say, criminal prosecutions in the county of Venango, and in the county of Dauphin, in regard to the proceedings of this bank.

Now, will this House undertake to spread this testimony before the people of the Commonwealth in anticipation of this prosecution —in anticipation of the examination of these men in the only tribunal where it can be properly investigated? Will they undertake to spread this to the Commonwealth to prejudice the minds of the people thereby, and especially of those good citizens who may be called upon to pass upon the guilt or innocence of this man? Is that right or proper? Is it the duty of this House to place in such a position a citizen of this Commonwealth? I desire again to repeat that I have no relations with Mr. Culver; I have never had the pleasure—if it may be considered a pleasure—of the gentleman's acquaintance until yesterday. I have no interest in this matter, and I detail it to you as I learned it from him, and as it strikes my mind, without having a dollar of interest in the result.

Is this treating the courts of this Commonwealth, the citizens of this Commonwealth, or Mr. Culver fairly and honestly, as you would like to be treated when criminal prosecutions are hanging over your head, to have testimony spread broadcast over this Commonwealth, taken without notice to him, without examination on his part, taken *ex parte*, outside of the written letter, outside of the duty of the commission appointed upon that subject? Is it, I say, treating a man as you would like to be treated, to spread this testimony in advance before the House of Representatives of Pennsylvania? All that I ask, all that Mr. Culver asks, is fair treatment at your hands.

Now, I can appreciate, I think, fully the feelings of these gentlemen who have been injured by this failure. They have, however, taken their remedy. They have done what they had a right to do, had this man arrested, and criminally prosecuted. This matter will thus be thoroughly investigated by the courts of the Commonwealth. It is a right which they have, to take the remedy which they have seen fit to pursue. I only say, do not, as members of this House, anticipate that investigation. Their rights will be fully protected then, and it does not require the prejudice of the community to carry out and obtain what they consider their rights. They have the right to a full investigation, and, if this man is guilty, to have him punished under the laws of the Commonwealth. But do not subject him to the punishment which the prejudices of a community, by the publication of this *ex parte* testimony, may entail upon him.

Mr. Speaker and gentlemen of the House of Representatives, this is as I understand the case. The report of this commission has already been made officially to the Auditor General. It does not contain one iota of an improper allegation. They have attempted to do their duty under the act of Assembly, and have presented their report. This testimony, taken before Colonel Alleman, is entirely outside of this, and can be of no use except to create an undue prejudice against this man while these prosecutions are hanging over his head. I think, therefore, this House ought to move to reconsider this resolution.

I understand that there are other men interested in this matter who are not now in the city of Harrisburg, and there is no disposition on the part of Mr. Culver to press this motion for reconsideration at the present time. If the House will agree to it, I will ask that the further consideration of the resolution may lie over until the gentlemen get back to the city of Harrisburg, and have an opportunity of presenting their views before the House, if they see fit to do so. The object is to withhold the printing of these documents until the House can fairly make up their mind on this subject.

Mr. DAVIS. Mr. Speaker, I have no disposition to prolong any discussion upon this question, but, as the House has heard one side of it fully, I would like to make a statement here myself.

Leave was granted.

I can say, with the gentleman from Chester [Mr. WADDELL] that, personally, I have no feelings upon this subject more than my particular acquaintance with all the facts of interest in the failure of this bank must necessarily cause me. I never had any personal interest in the bank nor any personal communication with the person who was known, during its existence, as the proprietor of the bank.

I cannot understand, sir, why it is necessary to suppress this testimony. But let me say in the outset, that the resolution offered to have the testimony printed, had no reference to the opinions of Col. Alleman nor of any other man. I am perfectly willing that his opinions and deductions, whatever they may be, shall be left out; but the people of Venango county, who, in the failure of a certain individual, have lost millions of dollars, believing that the Venango Bank was the starting place, have requested that the testimony taken by the lawfully appointed commissioners—not a minority, but the testimony taken by all, when everybody was represented—should be published to the world. Now, I ask this House, and you, Mr. Speaker, why, while the law provides for the taking of this testimony, that testimony should be suppressed by a vote of this House? We ask for no man's opinion, or directions, or arguments. We want the simple testimony taken upon the premises, taken in the county of Venango, where every man was represented, or had the right to be. I think, sir, it is a strong argument against the case, as here presented by the gentleman from Chester [Mr. WADDELL], that he does not desire this testimony published because it will reflect upon the gentleman referred to by name. I have never read the testimony, but if it is not printed the fact that he is opposed to it will certainly prejudice his case. We want only the testimony, and that we want published to the world. Everybody knows that this bank has failed, and that there is a cause for its failure. This cause the testimony taken by the legally appointed commissioners will show. It does not matter if only one of the commissioners took testimony and said they had the right to do so, and the others said they had not. We do not ask for opinions, but we want the plain, unvarnished testimony, as taken under oath by the commissioners appointed by the Auditor General. I say this man Culver was represented there, or had the right to be, and to have all the witnesses examined before him. I do not know whether the testimony reflects on him, or the directors of the bank, or anybody else, but let the world know the testimony. I think the gentleman from Chester [Mr. WADDELL] places himself in a false position when he comes here and argues against the publication of this testimony. There is no law against its publication, and let us see what the testimony is. The people of that part of the State are interested in it and have a right to know what it is. This House of Representatives passed, unanimously, a resolution calling that report here, and then, after a discussion of more than an hour, taken part in by numerous gentlemen, they agreed upon the number of copies to be printed. Now, I ask the House not to go back on its action and stultify itself on account of one man who is afraid some parts of this testimony may reflect upon himself. I ask, before this question is put to the House, that the testimony be read.

Mr. WADDELL. Mr. Speaker, no—sir, the gentleman from Chester is ready to take the responsibility of any position he may be in. If he has put himself into a false position, it is in arguing that his fellow man shall be treated fairly. If there is any responsibility, and if that is a false position for a man to be in, then the gentleman from Chester is ready to take it. Now do not consider me as asking more than that. I do not know what the testimony is, and I apprehend that if this House is not willing to have it published, they are not willing to have it read to the world. I would just as leave it would be published to the world as to have it read to the public from the Clerk's desk; and I say we have no right to prejudice the people against a man who is standing with criminal prosecutions over him. I have heard courts in this State make a peremptory order that testimony should not be published, that had been taken where both parties were represented, and had the benefit of counsel, and have heard courts make a peremptory decree, that the testimony should not be published, simply because in going before the world it might prejudice the rights of the man, who was bound to be tried by his peers, and who had the right, under the Constitution, to a fair, impartial, and unprejudiced trial. That is the ground that I put this upon. That is the ground I put myself upon to-day. I do not care whether Mr. Culver was there personally or by counsel. I say that, while prosecutions are hanging over his head, his rights should not be prejudiced by publishing the result of this investigation.

Now, gentlemen, members of the House of Representatives and Mr. Speaker, I ask a fair and candid consideration of this question, and I think I have a right to have it, simply because I occupy the same position as you. I have no interest in this investigation, nor in Mr. Culver, who is a perfect stranger to me. What good can it do the people of Venango county, to have this published? It will simply prejudice the minds of the people in the county where he is to be tried, and if found guilty, subjected, perhaps, to years of imprisonment. You have a right and a duty to perform in this matter. He has rights as

a citizen of this Commonweath; and will you throw aside your duty, and cast aside his right, simply to gratify the curiosity of the people of Venango county? When this case comes to be tried officially, legally and regularly; when both parties are there with counsel, and the case is presented fairly before a jury of the people of Venango county, they can then learn who is in fault. It is only delaying the matter a few months, at the outside, in reference to gratifying their curiosity. Will you do this, or subject the man to the wrong which your resolution may subject him to? This is the simple question, and I submit it to the House.

Mr. QUAY. Mr. Speaker, I move that the further consideration of this question be postponed until Monday evening next, and that it be made the special order for that evening.

Mr. DAVIS. Mr. Speaker, I think we might just as well dispose of this question, now, as at any other time. I have intended from the first, in this discussion, not to allow my personal feelings to govern me in the least.

Mr. MEYERS. Mr. Speaker, I rise to a point of order. The motion now before the House to postpone the further consideration of this question for the present, is not debatable.

Mr. DAVIS. Mr. Speaker, the gentleman from Chester [Mr. WADDELL] asked leave to to make a statement, and I followed The gentleman from Chester then made a speech without asking leave, and I hope the House will extend the same courtesy to me.

Mr. MANN. I appeal to my friend from Philadelphia [Mr. DAVIS] not to press this matter any further at this time. There are now one or two important matters that should be acted upon this morning, and I trust there will be an opportunity for them to come before the House.

The SPEAKER. The gentleman from Philadelphia [Mr. DAVIS] asks leave to make a statement. Shall he have leave?

Leave was granted.

Mr. DAVIS. Mr. Speaker, the only object I have in the world for desiring the publication of this testimony is to place all the parties in this controversy upon an equal footing. The gentleman from Chester [Mr. WADDELL] makes an appeal to the members of this House and asks them not to prejudice any individual. I simply speak, in the discussion of this matter, without any personal interest, and I have no feelings of enmity toward the gentleman he has named. But there are other people in this Commonwealth who have rights as well as the gentleman from Venango, who now represents that district in Congress. The people of Venango ask for the publication of this testimony, and I see no reason why it should not be published. Now, this individual referred to, has published documents, and, under his official frank as a member of Congress, sent them all over the State of Pennsylvania; documents reflecting upon gentlemen whose characters come out as white as wool in this testimony, and yet, we are not to have it published. This gentleman has tried to prejudice the minds of every member of this Legislature, by means of letters by himself, or his friends, franked by him as a member of Congress. Here is testimony taken by a commission lawfully appointed for that purpose, and the same gentleman who has published these slanders to injure men, the latchet of whose shoes he is not worthy to loose, has come here, and is trying to suppress official testimony that was taken in regard to him under the laws of this Commonwealth. Now, he has published his documents, and officially franked them to the members of this House and all over the State. We do not ask the publication of the arguments or opinions of this commission, but of the testimony taken under the direction of the Auditor General and under oath, and if he cannot stand that he has no right to come into this House and try to suppress it. I want the House of Representatives to say to the world that they are in favor of taking the testimony of a regular commission, legally appointed, in preference to the slanderous statements against those opposed to the gentleman in this matter that he has sent all over the country under his official frank.

Mr. WHANN. Mr. Speaker, I do not intend to occupy the time of this House by any extended remarks, but merely to make a very brief statement to set myself right in regard to this matter.

Mr. QUAY. Mr. Speaker, I rise to a point of order. I do not desire that this entire session shall be spent in this kind of discussion, and I therefore make the point of order in advance that the gentlemen are not confining themselves to the question before the House.

The SPEAKER. The Chair is of the opinion that the point of order is well taken. The gentleman will proceed and confine his remarks to the question before the House, on the postponement of the motion to reconsider.

Mr. WHANN. Mr. Speaker, I cannot agree with the attorney from the other side whose eloquent remarks you have just heard.

Mr. WADDELL. Mr. Speaker, I rise to explain. I do not appear here as attorney for anybody. I am without fee or reward of any kind, and, as I understand it, the profession do not regard themselves retained as attorneys without first seeing the evidence of it.

Mr. WHANN. Mr. Speaker, the gentleman plead so much like an attorney that I supposed he was one, without any other evidence.

In regard to this testimony, so far as I can learn—and I have had perhaps a better opportunity of knowing than any other gentleman here—it is anything else than *ex parte* testimony. I believe that neither party was present, and that neither party exerted any influence upon the members of the commission, but that those officers proceeded to perform what they regarded as their duty without reference to either party. They took the testimony of the officers of this bank, and that I believe constitutes the entire report. Now, sir, as was stated here by another gentleman, it was the duty of that commission merely to elicit the evidence in regard to the failure of this bank, without making a charge upon any one. I have made no charge against Mr. Culver, and he stands to-day, so far as I know, with the members of that commission as friendly as his opponents. There is no feeling in this matter, and I make no reflections upon him. The bank has failed and has taken away its millions from my constituents, and they want the evidence in regard to what was the cause of that failure. I believe that the evidence should go before the world, and I believe that seven-eighths of my constituents wish to see this evidence.

The question being on the motion of the gentleman from Beaver [Mr. QUAY], to postpone,

A division was taken, when 32 voted for and 41 against postponing.

So it was not agreed to.

The question recurring,

Will the House agree to reconsider the resolution?

The yeas and nays were required by Mr. JOSEPHS and Mr. LEE, and were as follow, viz:

YEAS—Messrs. Armstrong, Barton, Boyle, Breen, Calvin, Chase, Colville, Donohugh, Espy, Freeborn, Gordon, Harbison, Hunt, Lee, Leech, Long, M'Camant, M'Creary, M'Pherrin, Mann, Marks, Meily, Meyers, Pennypacker, Phelan, Pillow, Quay, Quigley, Richards, Robinson, Seiler, Sharples, Steacy, Stumbaugh, Subers, Tharp, Waddell, Webb, Weller, Westbrook, Wilson, Worrall and Glass. *Speaker*—43.

NAYS—Messrs. Adaire, Allen, Barrington, Boyd, Brennan, Cameron, Chalfant, Craig, Davis, Day, Deise, Ewing, Fogel, Gallagher, Ghegan, Harner, Headman, Heltzel, Humphrey, Jenks, Josephs, Kennedy, Kimmell, Kinney, Kline, Linton, M'Henry, Maish, Markley, Peter, Rhoads, Roath, Satterthwait, Shuman, Watt, Whann, Wingard, Woodward and Wright—39.

So the question was determined in the affirmative.

The resolution being again before the House,

Mr. DAVIS moved to postpone the further consideration of the same for the present; which was

Agreed to.

Mr. WINGARD. Mr. Speaker, I ask leave to offer a resolution at this time.

Leave was granted.

The resolution was read, as follows:

Resolved, That one hundred copies of the special message of the late Governor A. G. Curtin, and the accompanying documents, in reference to the boom and log bills, be printed for the use of this House.

The resolution was read a second time.

Mr. M'CREARY. Mr. Speaker, I cannot see the object of printing one thousand copies for the use of this House. They are certainly of no use to anybody else.

Mr. WINGARD. Mr. Speaker, I can assure the gentleman that there are ten thousand persons in the State interested in this matter. I am daily receiving letters from persons requesting me to send them this message. Very important questions are involved in it affecting the interests of the whole of the people in the Susquehanna lumber regions. I ask only for one thousand copies on account of the expense to the Commonwealth, but I am satisfied this number is not adequate to supply all who have an interest in reading it.

The question being on agreeing to the resolution, it was

Agreed to.

The SPEAKER. Letters, petitions and remonstrances are now in order.

Mr. QUAY. Mr. Speaker, I move that the regular order of business be suspended, and that we proceed to reports from standing committees, and reading of bills in place.

The motion was

Agreed to.

REPORTS FROM COMMITTEES.

Mr. M'CREARY, from the Committee on the Judiciary Local, reported, as committed, House bill No. 36, a supplement to an act fixing the terms of the court of common pleas, oyer and terminer and general jail delivery, quarter sessions of the peace and orphans' court, in the county of Allegheny, and regulating proceedings therein.

Also (same), as committed, bill No. 37, a supplement to an act passed February 16, 1865, entitled An act to increase the pay of the county commissioners, county auditors, poor directors and jurors and witnesses in the county of Mercer.

Also (same), as committed, bill No. 38, an act supplementary to an act passed the 13th day of April, A. D. 1859, relating to billiard rooms, &c., in the counties of Chester and Delaware, extending the same to the county of Bradford.

Also (same), as committed, bill No. 39, an act to authorize the commissioners of Erie county to exonerate William F. Brockway from the payment of certain taxes.

Mr. BARTON (same), as committed, bill

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[CONTINUED FROM PAGE 104.]

No. 40, an act authorizing the coroner of Montgomery county to appoint deputies.

Also (same), as committed, bill No. 41, an act providing for the punishment of persons residing in Northampton county, deserting their wives and children.

Also (same), as committed, bill No. 42, an act relating to the prison of the county of Delaware.

Mr. THARP (same), as committed, bill No. 43, an act to revive the act of 1786, in relation to lost deeds in the county of Cameron.

Also (same), as committed, bill No. 44, an act to regulate the fees of the treasurer of Northumberland county.

Mr. EWING (same), as committed, bill No. 45, an act defining the duties of the inspectors of the Philadelphia county prison.

Also (same), as committed, bill No. 46, an act to increase the fees of certain county officers, and district attorney, in the county of Washington.

Mr. HARRISON (same), as committed, bill No. 47, an act to change the venue in the case of the Commonwealth of Pennsylvania *versus* Henry Stevens, and Jacob Harman, from the court of general quarter sessions of the peace of Adams county to the court of general quarter sessions of the peace of Dauphin county.

Also (same), as committed, bill No. 48, an act repealing the provisions of an act entitled An act relative to the fees of district attorney in certain counties of this Commonwealth, so far as they relate to the county of Bradford.

Mr. CRAIG (same), as committed, bill No. 49, an act supplementary to an act entitled An act regulating the fees of the clerk of the quarter sessions of the peace, &c., for the city and county of Philadelphia, approved the 8th day of February, A. D. 1865.

Also (same), as committed, Senate bill No. 46, an act to increase the fees of certain county officers in Sullivan county, and to validate certain charges heretofore made.

Mr. WEBB (same), as committed, bill No. 51, a supplement to an act to change the mode of criminal proceedings in Erie and Union counties, extending the same to the county of Bradford.

Mr. WORRALL (same), as committed, bill No. 52, an act relating to soliciting passengers in Allegheny county, Pennsylvania.

Mr. WOODWARD (Military Affairs), with amendment, bill No. 32, an act requiring the bounty commissioners of Forks township, Northampton county, to render an account to the auditors of said township and providing for auditing the same.

Mr. FREEBORN (Municipal Corporations), as committed, bill No. 53, an act extending to the city of Pittsburg the provisions of a further supplement to an act incorporating the city of Philadelphia, relating to fire alarm and police telegraph, approved the 26th day of February, A. D. 1865.

Mr. WORRALL (same), as committed, bill No. 54, an act relative to the weighing of hay, coal and lime in the borough of Washington.

Mr. HUMPHREY (same), as committed, bill No. 55, an act to vacate certain lanes and alleys in the plan of out lots of the borough of Beaver, in the county of Beaver.

Mr. FOGEL (same), as committed, Senate bill No. 52, an act to vacate a portion of Spruce alley, in the Ninth ward of the city of Pittsburg.

Mr. SHARPLES (same), as committed, bill No. 57, a further supplement to an act to incorporate the city of Philadelphia, approved February 2, 1854.

Mr. M'CREARY (same), as committed, bill No. 58, an act to change and amend the charter of the borough of Emporium, in the county of Cameron.

Mr. CAMERON (same), as committed, bill No. 59, an act authorizing the assessment of railroad taxes in the borough of Kittanning, Armstrong county.

Mr. M'CAMANT (same), as committed, bill No. 60, an act authorizing a special election in the borough of Highspire.

Mr. ARMSTRONG (same), as committed, bill No. 61, an act limiting the burgess and town council of the borough of Oil City, Venango county, Pennsylvania, in the levying and collection of taxes.

Mr. BARTON (same), as committed, bill No. 62, an act to authorize the borough of Troy to increase the taxation for borough purposes.

Mr. WILSON (same), as committed, bill No. 63, a supplement to an act to incorporate the borough of South Erie.

Mr. DAVIS, (Federal Relations), as committed, bill No. 64, a joint resolution to ratify the amendment to the Constitution of the United States relating to slavery.

Mr. SHARPLES (Education), as committed, bill No. 65, an act to authorize the school directors of the borough of Phœnixville, to borrow money for the purpose of purchasing lands and building school houses.

Mr. DAY (same), as committed, bill No. 66, an act to enable the school directors of the borough of East Birmingham, Allegheny county, to borrow money for the erection of school buildings.

Mr. PILLOW (same), as committed, bill No. 67, an act to annex Daniel S. Walker, Francis Cunningham and Wesley Smith, of Jefferson township, Washington county, to Cross Creek township, in the same county, for school purposes.

Mr. FREEBORN (same), as committed, bill No. 68, an act authorizing the trustees of the Brookville academy to sell the same to the Brookville school district.

Mr. WORRALL (Military Affairs), as committed, Senate bill No. 51, an act to enable the school directors of West Manheim township, in the county of York, to levy and collect at once the bounty tax remaining unpaid.

Which were severally read and
Laid on the table.

REPORT FROM COMMITTEE ON COMPARE BILLS.

Mr. WATT, from the Committee appointed to Compare Bills, and present them to the Governor for his approbation, made report, which was read as follows, viz:

That in conjunction with a similar committee from the Senate, they have compared, and, on the third of January, presented to the Governor for his approbation, bills as follows, to wit:

No. 1, an act to repeal a portion of an act entitled An act to prohibit the issuing of licenses within certain boroughs in the counties of Armstrong, Potter, Indiana and Perry, or within two miles of the same, in the counties in which such boroughs are located.

No. 2, an act to pay the retiring officers of the Senate and House of Representatives.

No. 4, an act relating to bounty taxes in in Bradford county, legalizing the action of the burgess and town council in Troy borough, relative to bounties and to require the payment of the same.

Also, on the ninth:

No. 15, an act relative to the election in the Farmers' and Mechanics' insurance company.

No. 7, a supplement to an act authorizing the borough of Hollidaysburg to erect water works, approved March 16, 1866.

Senate bill No. 1, an act relative to the receiver of taxes in the city of Philadelphia, repealing so much of the act of April 9th, 1861, as authorizes him to charge five per centum commission for collecting taxes from delinquent taxpayers.

Senate bill No. 2, an act to authorize the appointment of an additional notary public for the county of Lehigh.

Also, on the 10th:

No. 6, a supplement to an act to provide for the erection of a poor house for the better relief and employment of the poor in the townships of Oxford and Lower Dublin, in the county of Philadelphia, approved April 11th, 1807.

Senate bill No. 4, an act to establish a ferry over the Allegheny river at near the mouth of Big Scrubgrass, in Venango, county.

Senate bill No. 12, a supplement to the act incorporating the Sullivan land company, authorizing said company to sell or exchange lands.

Senate bill No. 25, an act to authorize the Freedom iron and steel company to issue and dispose of bonds of the said company, convertible into capital stock, and to secure them by mortgage, granting certain powers to facilitate the mining, manufacturing, transporting and vending business of said company, and extending their charter as hereby amended.

Senate bill No. 5, an act to define the time and regulate the manner of electing Senators to represent this State in the Senate of the United States.

REPORT FROM THE COMMITTEE ON PUBLIC BUILDINGS.

Mr. WORRALL, from the Committee on Public Buildings and Grounds, made a report, which was read as follows, viz:

That at a meeting held on January 17, 1867, the Joint Committee of Public Buildings and Grounds, elected George F. Rhinehart superintendent of the public grounds and watchman of the public buildings, for the period of one year from the date of his election, or until his successor is appointed.

W. M. WORRALL,
Secretary Joint Committee.

Laid on the table.

BILLS IN PLACE.

Mr. MAISH, a supplement to an act entitled An act relating to the liens of mechanics and others upon buildings, extending it to York county.

Referred to the Committee on the Judiciary Local.

Mr. BARRINGTON, an act authorizing the court of common pleas of Northampton county to appoint a trustee to make sale of certain real estate held in trust for A. Wolle and Company.

Referred to the Committee on the Judiciary Local.

Mr. KIMMELL, an act to authorize the election of an additional justice of the peace in the township of Cherryhill, in the county of Indiana.

Referred to the Committee on the Judiciary Local.

Mr. STUMBAUGH, a supplement to an act authorizing appeals from interlocutory orders or decrees granting special injunctions, approved the 14th day of February, A. D. 1866, extending the provisions of said act to special injunctions, granted by the court of *nisi prius* at Philadelphia.

Referred to the Committee on the Judiciary Local.

Mr. MEYERS, an act fixing the rate of compensation of the sheriff of Northampton county for boarding prisoners.

Referred to the Committee on the Judiciary Local.

Mr. MEYERS, an act to repeal an act entitled An act providing for compensation of damages to public roads in Bethlehem and Palmer townships, Northampton county by the construction of the Lehigh and Delaware Water Gap railroad, approved the 11th day of April, A. D. 1866.

Referred to the Committee on the Judiciary Local.

Mr. WHANN, an act to change the venue of a certain suit from Cambria to Allegheny county.

Referred to the Committee on the Judiciary Local.

Mr. ARMSTRONG, an act relative to the pay of the commissioners of the county of Cumberland, and for other purposes.

Referred to the Committee on the Judiciary Local.

Mr. QUAY, an act to repeal the act entitled An act to change the venue in the case of John Lennox, from the county of Washington to the county of Beaver, approved April 12, A. D. 1866.

Referred to the Committee on the Judiciary Local.

Mr. WADDELL, an act relating to the compensation of the commissioners of Chester county.

Referred to the Committee on the Judiciary Local.

Mr. M'CREARY, an act to repeal the fourth section of an act entitled An act relating to the fees of certain officers in Erie county.

Referred to the Committee on the Judiciary Local.

Mr. M'CREARY, an act to authorize and relating to the appointment of auctioneers in the city of Erie, in the county of Erie.

Referred to the Committee on the Judiciary Local.

Mr. DAVIS, a supplement to an act to incorporate the Penn gas coal company, approved the first day of March, A. D. 1861.

Referred to the Committee on Coal and Iron Companies.

Mr. MEYERS, an act to authorize the Lehigh and Delaware Water Gap railroad company to sell and convey a portion of their road, with its corporate rights and franchises.

Referred to the Committee on Railroads.

Mr. FREEBORN, an act for the relief of Benjamin Scott, jr.

Referred to the Committee on Ways and Means.

Mr. WADDELL, an act to regulate the salary of the Secretary of the Commonwealth.

Referred to the Committee on Ways and Means.

Mr. WHANN, an act for the relief of T. S. Strobecker, of Venango county.

Referred to the Committee on Ways and Means.

Mr. QUAY, an act relative to certain foreign insurance companies.

Referred to the Committee on Ways and Means.

Mr. LEE, an act authorizing the sale of agricultural land scrip.

Referred to the Committee on Ways and Means.

Mr. MANN, an act to provide for the sale of seated lands for the non-payment of taxes.

Referred to the Committee on the Judiciary General.

Mr. MARKLEY, an act compelling the holder of a mortgage, &c., when proceedings to collect it have been instituted, to assign it, &c.

Referred to the Committee on the Judiciary General.

Mr. M'KEE, an act to provide for and regulate the inspection of coal illuminating oils, produced by the distillation of petroleum, peat, shale, asphaltum, coal and other bituminous substances used for like purposes.

Referred to the Committee on the Judiciary General.

Mr. M'KEE, an act for the better prosecution of disorderly persons, in the borough of Monongahela, Allegheny county.

Referred to the Committee on Municipal Corporations.

Mr. EWING, a further supplement to the act incorporating the borough of Washington.

Referred to the Committee on Municipal Corporations.

Mr. BREEN, an act supplementary to an act constituting and establishing the South-east ward of the borough of Pottsville.

Referred to the Committee on Municipal Corporations.

Mr. ARMSTRONG, an act to amend the 22d section of an act revising the charter of the municipal corporation of the city of Reading, approved April 26, 1864.

Referred to the Committee on Municipal Corporations.

Mr. BARTON, an act to increase the duties of the Citizens' association of Pennsylvania.

Referred to the Committee on Municipal Corporations.

Mr. STEACY, a supplement to an act entitled An act to incorporate the Columbia gas company, and relative to the election of assessors and constables in Salisbury and Caernarvon townships, Lancaster county, to lay out a State road from Marietta to Portsmouth, to require the State Treasurer to refund certain moneys to the administrators of Ann Kimmell, deceased.

Referred to the Committee on Estates and Escheats.

Mr. MANN, a supplement to an act appointing commissioners to lay out and open a State road in the counties of Potter and Clinton, approved the 16th day of March, A. D. 1865.

Referred to the Committee on Roads, Bridges and Ferries.

Mr. EWING, an act extending an act relative to roads in Neochlan township, Chester county, and East Bethlehem and East Pike Run townships, Washington county, to Peters township, Washington county.

Referred to the Committee on Roads, Bridges and Ferries.

Mr. DEISE, a supplement to an act to entitle the stockholders of any railroad company, incorporated by the laws of this Commonwealth, accepting this act, to one vote for each share of stock, approved the 20th day of May, A. D. 1865, extending the same to bridge companies.

Referred to the Committee on Roads, Bridges and Ferries.

Mr. JENKS, an act to incorporate the Brady's Bend bridge company.

Referred to the Committee on Roads, Bridges and Ferries.

Also, a supplement to the act incorporating the Clarion and Allegheny River turnpike road company.

Referred to the Committee on Roads, Bridges and Ferries.

Mr. WHANN, an act to establish a ferry over the Allegheny river, at the mouth of East Sandy creek, in the county of Venango.

Referred to the Committee on Roads, Bridges and Ferries.

Mr. RHOADS, an act to incorporate the Douglasville and Yellow House turnpike road company.

Referred to the Committee on Roads, Bridges and Ferries.

Mr. MARKLEY, an act to repeal an act to amend the road laws of Montgomery county, passed March 15, A. D. 1859.

Referred to the Committee on Roads, Bridges and Ferries.

Mr. GALLAGHER, a supplement to an act to annex the farm of William Steel, of Salem township, to Hempfield township, in Westmoreland county, for school purposes, approved April 11, 1866.

Referred to the Committee on Education.

Mr. WILSON, an act relating to the common schools of the city of Philadelphia.

Referred to the Committee on Education.

Mr. WINGARD, an act authorizing the school directors of the city of Williamsport, in the county of Lycoming, to borrow money.

Referred to the Committee on Education.

Mr. STEACY, an act to enable the board of directors of common schools of East Lampeter township, Lancaster county, to apply surplus of bounty fund to common school purposes.

Referred to the Committee on Education.

Mr. ESPY, an act to authorize the school directors of Saegertown, Crawford county, to borrow money, and for other purposes.

Referred to the Committee on Education.

Mr. SEILER, an act to authorize the school directors of Swatara school district, Dauphin county, to raise an additional building tax.

Referred to the Committee on Education.

Mr. HEADMAN, an act supplementary to an act incorporating Andalusia college, at Andalusia, Bucks county, Pennsylvania, approved the 30th day of March, A. D. 1866.

Referred to the Committee on Corporations.

Mr. GALLAGHER, a further supplement altering and amending an act to incorporate the St. Clair cemetery association, of the borough of Greensburg, Westmoreland county, approved April 19th, A. D. 1866.

Referred to the Committee on Corporations.

Mr. MANN, an act to amend an act entitled An act to incorporate the Potter County forest improvement company, approved May first, A. D. 1861, and the supplement thereto, approved the 10th day of August, A. D. 1864.

Referred to the Committee on Corporations.

Mr. LONG, an act authorizing the Mechanicsburg Hall association to borrow money.

Referred to the Committee on Corporations.

Mr. SATTERTHWAIT, an act authorizing the Union Mutual fire insurance company, of Montgomery county, to change the time of holding its elections.

Referred to the Committee on Corporation.

Also, an act to change the time of holding the elections of officers of the Independent company of Montgomery and Bucks counties for the recovery of stolen horses and detection of thieves.

Referred to the Committee on Corporations.

Mr. BREEN, an act to incorporate the Mahanoy Valley insurance company.

Referred to the Committee on Corporations.

Mr. ALLEN, a supplement to the act to incorporate the Western transportation company, formerly the Oil Creek transportation company.

Referred to the Committee on Corporations.

Mr. MARKS, an act to incorporate the Mission Home of the Protestant Episcopal church in the United States.

Referred to the Committee on Corporations.

Mr. GHEGAN, an act to ratify and confirm the charter of incorporation of the Oslandic petroleum storage company, and to confer additional powers on said corporation, and to compel the marking of barrels of benzine, benzole and naptha.

Referred to the Committee on Corporations.

Mr. KENNEDY, an act for the better protection of ministers of the gospel, in this State, in their official duties, in solemnizing matrimony.

Referred to the Committee to Compare Bills.

Mr. QUAY, an act relative to the fees of certain township and county officers in the county of Beaver.

Referred to the Committee on Counties and Townships.

Mr. DEISE, an act regulating the sale of intoxicating liquors, licensing saloons, eating-houses and restaurants, and to prohibit billiard saloons from being kept open on Sunday, in the county of Cameron.

Referred to the Committee on Vice and Immorality.

Mr. QUAY, an act to extend the provisions of the act to prohibit the granting of licenses to sell intoxicating drinks within the county of Potter, approved April, 11th, A. D. 1866, to the county of Beaver.

Referred to the Committee on Vice and Immorality.

Mr. DAY, an act relating to restaurants and beer houses in the county of Washington.

Referred to the Committee on Vice and Immorality.

Mr. WOODWARD, a further supplement to the act for the adjudication and payment of certain military claims, approved April 10th, 1862.

Referred to the Committee on Military.

Mr. WADDELL, an act to authorize the completion of the military history of the Pennsylvania volunteers.

Referred to the Committee on Military.

Mr. QUAY, an act to authorize the school directors of Carroll township, Washington county, to levy a tax for bounty purposes.

Referred to the Committe on Military.

Mr. PENNYPACKER, an act to authorize the treasurer of the bounty fund of Schuylkill township, Chester county, Pennsylvania, to pay over to the treasurer of the school board of said township the funds remaining in his hands.

Referred to the Committee on Military.

Mr. MANN, an act authorizing the supervisors of Ulysses township, Potter county, to levy a tax to refund to Perry Lewis, in said township, the sum of four hundred dollars, it being for money advanced as bounty to volunteers.

Referred to the Committee on Military.

Mr. MEYERS, an act relating to the payment of indebtedness for bounty purposes by the township of Lower Mount Bethel, in the county of Northampton.

Referred to the Committee on Military.

Mr. CRAIG, an act relative to the several issues and other liabilities of the Mauch Chunk Bank.

Referred to the Committee on Banks.

Mr. JOSEPHS, an act to authorize the Lombard and South Street passenger railway company to increase its capital stock and bonded debt.

Referred to the Committee on Passenger Railways.

Mr. WEBB, an act to annul the marriage contract between James Dewey and his wife.

Referred to the Committee on Divorces.

MOTION TO SUSPEND THE RULES.

Mr. DEISE. Mr. Speaker, I have a bill here of but one section, in which some of my constituents are very much interested. It relates to bridge companies. The parties are very anxious to have it passed immediately, as they are about to hold their election of officers. I therefore move to suspend the rules, and that the House proceed to its consideration.

Mr. MANN. Mr. Speaker, I call for a division of the question.

Mr. DEISE. I withdraw the motion.

LEAVE OF ABSENCE.

Mr. MARKLEY asked and obtained leave of absence for a few days from to-day for Mr. BOYLE.

The SPEAKER proceeded to clear the table:

Senate bill No. 3, entitled Joint resolution to ratify the amendment to the Constitution of the United States.

Referred to the Committee on Federal Relations.

The hour of one o'clock having arrived,

The SPEAKER declared this House adjourned under the rule, until next Monday evening, at 7½ o'clock.

SENATE.

MONDAY, January 21, 1867.

The Senate met and was called to order at 8 P. M., by the SPEAKER.

Prayer was offered by the Rev. Mr. Hammer, of Harrisburg.

On motion of Mr. FISHER, the reading of the Journal of Thursday last was dispensed with.

LEAVE OF ABSENCE.

Mr. DONOVAN asked and obtained leave of absence for Mr. RIDGWAY for a few days from to-day.

SPEAKER'S TABLE.

The SPEAKER laid before the Senate the thirty-fourth annual report of the Pennsylvania institution for the instruction of the blind.

Laid on the table.

Also, an abstract from the accounts of the Frankford and Bristol turnpike road company for the past year.

Laid on the table.

PETITIONS.

Mr. LANDON presented the petition of citizens of Wyoming county, praying for an extension to that county of the act regulating the selection of school house sites in Chester and Delaware counties.

Referred to the Committee on Education.

REPORT FROM A COMMITTEE.

Mr. COWLES, from the Committee on Local Judiciary, reported, as committed, bill entitled An act to validate and confirm a certain mortgage or deed of trust, executed under the corporate seal of the Phillipsburg coal, iron and oil company, and for other purposes.

Mr. COWLES. Mr. Speaker, that bill was read in place by a Senator who is not present. Parties who are interested are here, and are very earnest that it should be taken up and passed at once. I therefore move that it be taken up, and that the Senate proceed to its consideration.

The SPEAKER. That bill refers to a part of my district, and I should not like to have it passed without looking at it.

The motion was withdrawn.

BILLS IN PLACE.

Mr. STUTZMAN read in his place and presented to the Chair a bill entitled An act to remit the five per centum penalty to the county of Bedford on State tax remaining unpaid on the 1st of August, 1865, and 1st of August, 1866.

Referred to the Committee on the Judiciary Local.

Also, a bill entitled A supplement to an act entitled An act amending the law of evidence in Pennsylvania, approved March 27, 1865.

Referred to the Committee on the Judiciary General.

Mr. DAVIS, a bill entitled An act to exempt from taxation certain property devoted to masonic uses in the city of Reading.

Referred to the Committee on Finance.

Mr. LOWRY, a bill entitled An act granting to the city of Erie the title of the Commonwealth to certain lands in and adjoining the harbor of Erie.

Referred to the Committee on Finance.

Mr. SHOEMAKER, a bill entitled An act for the better and more impartial selection of jurors in the several courts of this Commonwealth.

Referred to the Committee on the Judiciary General.

Also, a bill entitled An act to consolidate the Union coal company and the Howard coal and iron company.

Referred to the Committee on Corporations.

Mr. BROWN (Mercer), a bill entitled An act relating to the powers of the legal representatives of deceased tax collectors in this Commonwealth.

Referred to the Committee on the Judiciary General.

Also, a bill entitled A supplement to an act relating to the payment of bounties of veteran volunteers, approved first day of May, 1866.

Referred to the Committee on Military Affairs.

Also, a bill entitled An act to authorize the burgess and town council of the borough of Columbus to levy and collect an additional tax.

Referred to the Committee on Roads and Bridges.

Also, a bill entitled An act relative to a burial vault and ground in Hempfield township, in the county of Mercer.

Referred to the Committee on the Judiciary Local.

Mr. FISHER, a bill entitled An act relating to dowers.

Referred to the Committee on the Judiciary General.

Also, a bill entitled A further supplement to an act entitled An act to incorporate the city of Lancaster, approved March 20th, 1818, changing the time of election of municipal and ward officers.

Referred to the Committee on Election Districts.

Mr. WHITE, a bill entitled A supplement to an act regulating the laying out and opening of public roads in the Commonwealth, approved June 13, 1836.

Referred to the Committee on the Judiciary General.

Also, a bill entitled A supplement to an act approved the 27th day of March, 1865, entitled An act for the better and more impartial selection of jurors in the several counties of Somerset, Bedford, Fulton, Westmoreland, Juniata and Perry.

Referred to the Committee on the Judiciary Local.

Also, a bill entitled An act to incorporate the Conemaugh and Allegheny transportation company.

Referred to the Committee on Corporations.

Also, a bill entitled An act to incorporate the Hollen knitting machine company, of Indiana, Pa.

Referred to the Committee on Corporations.

Also, a bill entitled A supplement to an act to incorporate the Brady's Bend iron company, approved April 9th, 1861, authorizing the conveyance of real estate in the several counties of the Commonwealth, on the recording of the resolutions of the board of directors of said company.

Referred to the Committee on Corporations.

Mr. LANDON, a bill entitled A supplement to the act incorporating the Glenwood coal company, approved January 11, 1867.

Referred to the Committee on Corporations.

Mr. SCHALL, a bill entitled An act in relation to the sale of certain real estate owned by the Odd Fellows' Hall Association of Allentown, Lehigh county.

Referred to the Committee on Corporations.

Mr. JAMES, a bill entitled An act to incorporate the New Britain and Doylestown turnpike road company.

Referred to the Committee on Roads and Bridges.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

The Clerk of the House of Representatives being introduced informed the Senate that the House of Representatives had adopted the report of the joint committee appointed to contract for the publication of a *Daily Record*.

ORIGINAL RESOLUTIONS.

Mr. LOWRY offered the following resolution:

Resolved, That so much of the Governor's message as relates to the removal of the State arsenal, located near the capitol buildings, be referred to the Committee on Military Affairs, with a request that they confer with the Military Committee of the House, and select a new location, and report by bill or otherwise at the earliest practical day.

Mr. WHITE. Mr. Speaker, I was just going to state that I do not know whether this resolution is necessary at this time, because the Military Committee have made an appointment for a meeting already, and are going to make a report on this matter.

Mr. LOWRY. The resolution will do no harm.

Mr. WHITE said it would require a joint committee.

Mr. LOWRY. This is a subject that called forth the joint attention of the Military Committee of both branches. We have been sitting here for years so near the arsenal that, if an explosion should take place, there would not probably be one brick left upon another in this capitol; I will say nothing of the loss to the country of the members. During the last six years, we could not get this building insured for any reasonable percentage. The subject has been talked of for years and years, and no action taken; the Governor has seen fit to call our attention to it. If we have a report from the committee of this branch only, it will go into the House and there sleep forever; but if the attention of these committees is called to it, and joint action required, we should probably have such action upon it as is contemplated by the message of the Governor.

Mr. SCHALL. Mr. Speaker, I have no objections, for my part, to building a new arsenal; but I do not believe in holding out bids for a large price. The idea of putting out a bid for property owners of this vicinity to sell property to the State at enormous prices, I do not believe is the proper way to arrive at the desired result in building an arsenal. If the joint committees hold out bids to property holders, they will ask almost any price for their property, if the committees recommend it to the Legislature. Some of the executive officers of the State had better purchase some property, and afterwards make arrangements for building an arsenal; for there will be no end to the money we will have to pay for their property, if we do business in this ill advised way.

Mr. LOWRY. I know of no property for sale for this purpose; but I for one am unwilling longer to sit so near the quantity of gunpowder that we are in the habit of doing. I, sir, and you, Mr. Speaker, have spoken about this subject for years, and it has become a serious question and a serious nuisance, and it should be removed at once; and I know of no way so likely to arrive at an object so desirable, as to draw the attention of both branches of the Legislature to the subject. That is the only object I had in view.

Mr. DAVIS. Mr. Speaker, I would like to ask wherein the great danger consists; it has been suggested to me that the powder has been removed. If that is the case, there would not appear to be any danger that the Senator speaks of; and unless there is some pressing motive, I shall not vote to subject the State to any further taxation at this time. If the powder has been removed, there is no danger, and it would be unnecessary expense, to purchase a site for a new arsenal, and erect a large and costly building.

Mr. LOWRY. Mr. Speaker, I do not know that the resolution contemplated the erection of a costly building. I do not care where it is located, but I want it removed from here. If the powder has been removed, it has been done within a few days. I have been informed this day, on good authority, that there is combustible material enough now to blow this building to atoms. It has been there for years, and we have borne with it. All I ask is that a joint committee may examine this matter, and make a report.

Mr. DAVIS. This resolution, as I understand it, simply makes provision for a new arsenal.

Mr. LOWRY. Strike out any objectionable part, if you like.

The resolution was amended by striking out the words "select a new location."

The resolution, as amended, was adopted.

BILLS PASSED.

On motion of Mr. BROWN (Mercer), the Committee on Roads and Bridges was discharged from the further consideration of bill entitled An act to authorize the burgess and town council of the borough of Columbus to levy and collect an additional tax.

And the rules having been dispensed with, the bill was read a second and third time, and

Passed finally.

On motion of Mr. SCHALL, the Committee on Corporations was discharged from the further consideration of bill entitled an act in relation to the sale of certain real estate owned by the Odd Fellows' Hall association of Allentown, county of Lehigh.

And the rules having been dispensed with, the bill was read a second and third time, and

Passed finally.

On motion of Mr. WHITE, the Committee on Corporations was discharged from the further consideration of bill entitled A supplement to an act to incorporate the Brady's Bend iron company, approved the ninth day of April, 1861, authorizing the conveyance of real estate in the several counties of the Commonwealth, and the recording of the resolutions of board of directors of said county.

And the rules having been dispensed with, the bill was read a second and third time, and

Passed finally.

On motion of Mr. WHITE, the Committee on Corporations was discharged from the further consideration of bill entitled An act to incorporate the Conemaugh and Allegheny transportation company, and the Senate proceeded to the consideration of the same.

Mr. DONOVAN. Mr. Speaker, I have no objection to this bill, but in future I am going to object to bills of this kind being read in place and the committee discharged immediately. All the pernicious legislation in this body has been done in this way. There is no necessity, at this early stage of the session, to discharge a committee from the consideration of a bill. We ought to have the consideration of the committee on the bill, as a guarantee that it is correct. I do not suppose anybody in this chamber knows anything about this bill. I presume it is all right, but we have had trouble with bills passed in this way, without being examined. I trust bills will be examined, and passed if they are correct.

The rules being dispensed with,

The bill was read a second and third time, and

Passed finally

Mr. FISHER moved that the Committee on Election Districts be discharged from the further consideration of bill entitled A further supplement to an act entitled An act to incorporate the city of Lancaster, approved March 20th, 1818, changing the time of election of municipal and ward officers, and that the Senate proceed to the consideration of the same.

Mr. FISHER. Mr. Speaker, I desire to make a short statement in regard to this bill. Although my friend from Philadelphia [Mr. DONOVAN] has just put a veto on matters of this kind, I desire to ask that the committee be discharged for the following reasons: If that bill is passed at all, sir, there is a necessity for passing it immediately; it relates to the election in the city of Lancaster, which takes place on the first Tuesday of February, and if it is necessary, if passed at all, that it should become a law before the election.

The SPEAKER. Have the courts not power in this matter

Mr. FISHER. No, sir; they have not.

The bill was read.

Mr. DONOVAN. Mr. Speaker, before the rules are suspended, I would like to ask the Senator from Lancaster how long a time the mayor is elected for now?

Mr. FISHER. One year, sir.

The rules having been dispensed with,

The bill was read a second and third time, and

Passed finally.

On motion of Mr. SCHALL, the Senate then adjourned until to-morrow morning, at 11 o'clock.

HOUSE OF REPRESENTATIVES.

MONDAY EVENING, January 21, 1867.

The House met at 7½ o'clock, P. M.

Prayer was offered by the Rev. JACOB KENNEDY, member from Wyoming.

The SPEAKER announced a quorum of members present.

The Journal of Friday was partly read, when,

On motion of Mr. QUIGLEY, the further reading of the same was dispensed with.

The SPEAKER. The Chair would state that on Friday last the gentleman from Wyoming [Mr. KENNEDY] read in place and presented to the Chair an act for the better protection of ministers in solemnizing marriages, which, at the request of that gentleman, and without reflection, was referred to the Committee to Compare Bills. The Chair is clearly of the opinion that the reference of the bill in question to that committee was improper, as the bill involves questions of a general legal character, which the Committee to Compare Bills was not appointed to pass upon. The Chair will, therefore, withdraw the bill from that committee and refer it to the proper committee—the Committee on the General Judiciary. The Chair would further state that hereafter, in all cases of bills presented, he will refer them to the appropriate committees; and any gentleman desiring to have a bill referred to any other committee, will have to move the discharge of the committee from the consideration of the bill which has been referred by the Chair. The Chair deems this necessary in order that the Journal may be preserved properly, and no reflection made upon the Chair by reason of improper reference of bills.

Mr. QUAY. Mr. Speaker, I move to suspend the orders of the evening, for the purpose of proceeding to the consideration of Senate bill No. 29, entitled An act to change the venue in the case of the Commonwealth of Pennsylvania vs. Henry Stevens and Jacob Harmon, from the court of quarter sessions of Adams county to the court of quarter sessions of Dauphin county.

Mr. HETZEL. Mr. Speaker, I call for a division of the question.

THE SPEAKER. The question is on the first division of the motion of the gentleman from Beaver [Mr. QUAY], viz: to suspend the rules.

On the question,

Will the House agree to the motion?

The yeas and nays were required by Mr. QUIGLEY and Mr. STUMBAUGH, and were as follow, viz:

YEAS—Messrs. Adaire, Allen, Armstrong, Cameron, Chase, Davis, Day, Espy, Ewing, Freeborn, Gallagher, Gordon, Harbison, Hoffman, Humphrey, Kennedy, Kerns, Kimmell, Kinney, Lee, Leech, M'Creary, M'Kee, Marks, Mechling, Meily, Penoypacker, Pillow, Quay, Roath, Seiler, Sharples, Steacy, Stumbaugh, Subers, Waddell, Wallace, Watt, Webb, Weller, Wham, Wilson, Woodward, Worrall, Wright and Glass, *Speaker*—46.

NAYS—Messrs. Boyd, Breen, Brennan, Calvin, Chalfant, Craig, Deise, Gregory, Harner, Headman, Hetzel, Hood, Hunt, Jenks, Jones, Koon, M'Henry, Maish, Markley, Phelan, Quigley, Rhoads and Robinson—23.

So the question was determined in the affirmative.

During the call,

Mr. ALLEN. Mr. Speaker, in voting aye upon this question am I to understand that I am voting for or against the motion of the gentleman from Beaver [Mr. QUAY]?

Mr. QUIGLEY. Mr. Speaker, as I understand it, the gentleman from Adams [Mr. HETZEL] calls for a division of the question. If the question is sustained it results in the suspension of the rules for the night, and we will have no orders.

THE SPEAKER. That is the understanding of the Chair. The determining of this question in the affirmative suspends the rules for the evening.

Mr. WADDELL. Mr. Speaker, I understand that this is a case in which, if the bill is not passed at once, it will be of no service to the parties. I therefore do not feel called upon to vote against the suspension of the rules; as I have reserved the right to vote for the suspension whenever an emergency requires it. I consider this one of those cases, and shall vote "aye."

The question recurring on the second division of the motion, viz:

To proceed to the consideration of the bill named, it was

Agreed to.

The bill was read.

The question was, Will the House agree to the bill?

Mr. JENKS. Mr. Speaker, I would ask for information why this act is desired, and I hope the gentlemen of the other side will give a good reason. I want to vote understandingly on the matter.

Mr. STUMBAUGH. Mr. Speaker, I know but very little about this case except what has come to my knowledge through the Senator from my district. As I understand the case it is this: Last year an act of Assembly was passed by which persons known to be deserters from the army were not to be permitted to vote. At the election held last October these gentlemen charged, or rather held before the quarter sessions for trial, refused to receive one or two votes because the persons offering to vote were unable to say they were not deserters. They have been indicted in the quarter sessions of Adams county, as I understand it, and they believe they cannot have a fair trial there, and for that reason they have asked that the venue be changed. These are all the facts I know about the case.

Mr. JENKS. Mr. Speaker, now I would ask, is their mere request to have the venue changed, a sufficient reason to justify the members of this House in voting in favor of this change? There is no suggestion that I have heard, going to show that they will not get a fair trial in that county. Without such suggestions on their part, or without proof going to show that they will not get a fair trial in—

Mr. STUMBAUGH. If the gentleman will permit me, I desire to say that I have in my possession a paper that is sworn to by these and other gentlemen, putting themselves within all the statutes of the Commonwealth.

Mr. JENKS. I would like to have it read.

To the Honorable the House of Representatives and Senate of the Commonwealth of Pennsylvania in General Assembly met:

The petition of Henry Stevens and Jacob Harmon, citizens of the county of Adams, in the said Commonwealth, respectfully sheweth:

That, at November sessions of the court of general quarter sessions of the peace in and for Adams county aforesaid, a bill of indictment was found and returned against them by the grand jury, charging that the said Henry Stevens, as judge, and Jacob Harmon, as inspector, at the last general election, held on the 9th day of October, A. D. 1866, for State and county officers, in the borough of Berwick, in said county, knowingly did reject the vote of one Ambrose Hair, a citizen thereof, legally qualified to vote at said election; that the said petitioners deny that they are guilty, as in said indictment charged; that they believe and are advised that they are entitled to have a trial before an impartial court and jury.

That one of the judges of the said court was a candidate for election at the said general election.

That all of the said judges, and nearly all of the jurymen drawn for the approaching January term of said court, are of one political organization, and that your petitioners do not believe that if compelled to go to trial in said court, they can have the fair and impartial trial to which they are, under the Constitution, entitled.

Your petitioners, therefore, pray your honorable bodies to enact a law which will provide for a change of venue in the above criminal case, and for its removal to the court of common pleas of Dauphin county, for trial there. And they will ever pray, &c.

(Signed) HENRY STEVENS,
JACOB HARMON.

Adams County, ss.

Before me, a justice of the peace in the aforesaid county, personally appeared Henry Stevens and Jacob Harmon, the above petitioners, and on their solemn oaths by me duly administered, do say that the facts set forth in the above petition are true; and that they verily believe that it is not possible for them to have an impartial trial under the said indictment in the said court of the said county of Adams, on account of the constitution and political character of the juries, and the prejudging of the question involved by the tribunal before whom they would thus be compelled to try.

HENRY STEVENS,
JACOB HARMAN.

Sworn and subscribed before me the first day of January, 1867. JOHN M. WOLF, Justice of the Peace.

Mr. JENKS. Mr. Speaker, I submit to any lawyer, or any gentleman in this House, whether that furnishes sufficient reasons to change the venue in the case. That petition simply sets forth, that persons of the opposite party will be called upon to try the petitioners, and, therefore, they cannot secure justice. It charges that persons who differ with them in political faith, would be so controlled by their prejudices, as to disregard the solemn obligations of an oath, and disregard the law to their injury—act against right and conscience. Now, sir, I would be willing myself, to be tried by the gentlemen on the opposite side in this House, and they may be considered as fairly representing the Republican sentiment in Pennsylvania. They have been elected because it was generally supposed they correctly represented that sentiment. I have not yet learned to let my political feelings so warp my judgment, so becloud my reason as to make me suppose for one moment, that men of an opposite party would, contrary to the solemn obligations of an oath, refuse to do me justice; and I trust that gentlemen of the other side will have equally generous views of the gentlemen on this side. The people have not gone so far yet, that they are incapable of doing justice between man and man because they happen to differ in political opinions. I think that petition contains a charge against

the people of that county that ought not to be lightly passed upon. I think this House ought not to act upon it without some other reasons than *ex parte* statements, though given under oath, of persons who are interested in this matter. We, on this side of the House, acting on the reasons that seem to underlie this question, we might declare that a fair trial could not be had in this county, because it happens to be of a political creed different from the county from whence these parties come. Now, are you prepared to say that? We are not prepared to make that charge against you. We are not prepared to say that the citizens of Dauphin county will violate their oaths in order to wreak their vengeance, if they have any such feelings, against men of an opposite party. We think that it is not fair to make that charge, and that it is not just to act upon such a charge, upon such testimony, against the citizens of any county. We cannot let these political considerations control us in this case. We have not gone so far as to excite the passions of the citizens of any county against their fellow. I protest against anything of this character. Let them go to their county and be tried there. The parties are there, the witnesses are there, and the administration of justice is much cheaper there to them and to all parties than here. Justice is there brought to their own doors. If they are wronged, there are ample means to get their wrongs redeemed through the proper tribunal.

I therefore oppose the change of venue upon any such grounds as those set forth in that petition.

Mr. HETZEL. Mr. Speaker, the court in Adams county is composed of two Democratic judges and one Republican, and I am informed that the judge and jury selected to try this case are Republican.

Mr. STUMBAUGH. Mr. Speaker, those persons who are asking for the change of venue have themselves made oath to the effect that they cannot receive an impartial trial in that county, and I hope none of my friends on the Democratic side of the House would suppose for a moment that we are charging them with injustice or anything of the kind in voting for or against this bill. But the persons asking a change of venue have taken a solemn oath before high Heaven that they cannot get justice there, and I submit to the gentleman, or to any lawyer in the House, if that is not sufficient to entitle them to a change. We do not ask it upon political grounds. It is a matter between them and their God, and not between us here.

Mr. MANN. Mr. Speaker, I desire to make a very few remarks, simply to put myself right upon this question. I am opposed to a change of venue upon trivial grounds, and always have been. I voted against a change last winter in cases which might seem more important than this one. I may be called frequently to vote upon similar questions this winter, and for that reason I desire to say why I shall vote for this bill. I shall vote for it—not because I believe Democratic judges or Democratic juries are dishonest, by no means. I am perfectly willing to accept the position taken by the gentleman from Jefferson [Mr. JENKS], and upon all questions, when they have not formed an express opinion in advance. I would be willing to accept their decisions and submit myself to their hands freely. But the difficulty in this question is, that the ablest lawyers upon the Democratic side, in Pennsylvania, have, in advance, decided this question, and by means of circulars, addresses, and arguments spread all over the State of Pennsylvania, they have so impressed the minds of those who accept them as authority, that I believe there is not a Democrat in Pennsylvania who can give an unprejudiced opinion upon this question. Why, they have proclaimed in every township in this State that this law is unconstitutional. They have advised and charged that this law should be disregarded, and they have said that every inspector of election, every officer of election, who obeyed the law of this Commonwealth would be a criminal. Now, how is it possible, having argued this question for a year, and having asserted, in all possible ways, that a law which this Legislature passed is an unconstitutional law, of no binding effect, and that the officers of this Commonwealth who should observe that law would be guilty of a crime, that thus can they pass upon it impartially? I submit it to my friend from Jefferson [Mr. JENKS], how could they? They have prejudged the case, they have already settled it, and it is just as certain that an inspector of election who has executed the law of this Commonwealth, who is charged before a judge inspired by these sentiments and brought before him, will be convicted of a criminal offense, as the case is brought into court. Not because the judge is dishonest—not because he will violate his oath—but because he has prejudged that case. Therefore, as loyal men, as conscientious men, we are bound to protect the men who have stood by this law. This Legislature enacted, a year ago, that a certain class of men had disfranchised themselves, and should not vote at the elections held in this Commonwealth, and certain officers throughout the State, believing that the Legislature of Pennsylvania had a right to enact laws upon this question, have taken the act of Assembly and acted upon it, and in Democratic districts and Democratic counties they are charged with being criminals. Now, shall the Legislature of Pennsylvania stand by and see these officers, who have respected therein the law, be indicted and convicted as criminals without giving them a chance to be heard in a district where this law has not been prejudged against them? Every fair minded man ought to be willing that this question should be judged in a district where the question is not already decided.

These are the reasons, Mr. Speaker, why I shall vote in favor of this bill, and I will vote in favor of every bill changing the venue in cases of this kind.

Why, sir, Mr. Wallace, conceded to be a lawyer of ability, conceded to be a lawyer whom his party friends may look up to as authority, has put in the hands of every Democrat in that county an opinion, saying that this law is unconstitutional and ought to be disregarded. I submit, Mr. Speaker, that is not the way loyal lawyers ought to act. I submit that an act of the Assembly of Pennsylvania ought to be accepted by every officer in it as a law, and ought to be accepted by every lawyer as a law until proper authority had decided that it was not a law.

This act has never been before the Supreme Court of Pennsylvania. They have never passed upon it, and no individual authorized to pass upon this law underlying this question in Adams county has yet done so. It was the business of every inspector of election, of every justice of the peace, of every judge in Pennsylvania to accept that as the law of the land, and enforce it until it had been repealed or adjudicated as unconstitutional by competent authority. That I take to be the law of Pennsylvania, and no judge of election had any business to question the constitutionality of the law, and it was the business of every lawyer practicing in the courts of Pennsylvania to comply with the law.

I understand that the present judges in Pennsylvania have always refused to entertain any question of the constitutionality of a law. That has been always the practice where I have had any dealings. I remember years ago, before I had had much experience in the practice of courts, of going into court to answer in relation to what I thought a very hard and severe law, and I said, "May it please the court, it seems to me that, although my client may have acted contrary to law, yet the law itself is so severe and unreasonable that this court ought not to commit him, and that the law is unconstitutional." He said to me, "Young man, that is not the business of this court. We accept every law passed by the Legislature of Pennsylvania unquestioned as constitutional, and will hear no argument upon that question." And that I understand to be the rule in all courts. It is only the Supreme Court of Pennsylvania that entertains questions as to the constitutionality of acts of the Assembly. This act having never been before the Supreme Court of Pennsylvania, every inspector of elections in the State was bound to take it as the law, and was bound to reject every vote offered by persons who were included in it. But the Democratic party, having determined that it is not a law, and advised those men to disregard it as law, have prejudged the question, and, therefore, people charged with crime for enforcing it ought to have the privilege of trial where that question has not been prejudged.

Mr. QUIGLEY. Mr. Speaker, I do not certainly desire to argue the legal bearing of this question, but if my memory serves me right, there has been a decision of the Supreme Court on this question. I think it was a case that came from Franklin county, if I recollect rightly, and I think—I am not positive about it—but I think one of the counsel was a former member of this House, Mr. M'Clure, and that the Supreme Court of Pennsylvania decided against the constitutionality of the question. There have also been two or three other cases that I recollect of—not by the Supreme Court, however. There was a case in Luzerne county decided by———

Mr. STUMBAUGH. Mr. Speaker, one word of correction. The case that came up in Franklin county was before this act was passed and signed by the Governor. It was argued before the act was approved by the Governor. This I know to be the fact, as I was one of the counsel in the case.

Mr. QUIGLEY. Mr. Speaker, I think, if I recollect rightly, that the judges of the courts hold that a man is not a deserter until he has been tried and proved guilty. That is my recollection, and if I am wrong, I trust I will be corrected. Now, I recollect well when this bill was first introduced into this House in 1865. At that time, the predecessor of the gentleman from Franklin, Mr. M'Clure, than whom there is probably not an abler lawyer in this House, and the predecessor of the gentleman from Warren, Mr. Brown, who is known as one of the most able lawyers in Western Pennsylvania, and the predecessor of the gentleman from Potter, Mr. Olmstead, took the very same ground that I take tonight, that you could not disfranchise a man simply because you said he was a deserter. You had first to prove him a deserter before you could disfranchise him. He must first be tried by a proper tribunal, and found guilty, otherwise you had no right to consider him guilty. I take it for granted, that this is the law. I am aware that last winter, an act was passed under the whip and spur of party rule disfranchising certain persons, but I doubt there being a lawyer on the other side of the House who will say that the act is constitutional. Suppose I should go up to the polls and say my friend from Franklin [Mr. STUMBAUGH], whom I know to be a very loyal man, is a deserter. How is the inspector or judge of elections to know that he is a deserter? But because I charge him his vote must be refused. Is there any reason in a law of that kind? I hold that you must

prove a man guilty of any crime before you can punish him for his guilt. My friend from Potter [Mr. MANN] is well enough informed to know that this law has been pronounced unconstitutional by the Supreme Court of the State.

Mr. MANN. I would like to have the decision read. I have never seen it.

Mr. QUIGLEY. Mr. Speaker, I know that such a case was before the Supreme Court of the State. I know that Colonel M'Clure was one of the counsel, and I know that the verdict of the Supreme Court was against the law. I know also that a case of that kind was brought up in Schuylkill county, and if I am not mistaken, it came before Judge Wright, and I know the same verdict was given there. I know of a case in Luzerne county before Judge Cunningham, and the same verdict was given there. These are the only cases I now recollect of, but I have no doubt that if you go before Republican judges in Republican counties, that the same verdict would be given.

I understand this petition for a change of venue is put upon political grounds. If I understand the case aright the trial will take place on Wednesday next. In some cases I will vote for a change of venue, in cases where the public feeling rises so high that a man cannot have a fair trial, as in a case of murder, or something of that kind; but in this case I will not vote for a change, for I believe these men can have a fair trial in Adams county; and, if they have not committed a crime, I trust and believe they will not be convicted.

Mr. McCREARY. Mr. Speaker, I do not propose to enter into the discussion of this matter, but merely to make a statement which will probably have some bearing upon the question. Now, I am informed by the Senator from that district [Mr. M'CONAGHY], an able lawyer, and than whom there is no more upright and straightforward man in this House or in the other, that there are no more Republicans upon the jury in Adams county than can be challenged by the Commonwealth. So you see they have a right to strike every man off who does not agree with them in political sentiments. If there was one Republican man left there would be some chance, but they have a right to strike off every man. Now, I say injustice must be done where such is the case. I am also informed that one of the associate judges, who is a Democrat, was elected at this same election, and he must necessarily be prejudiced against those persons who voted against him at that time. It seems to me that we should do in this case, as in criminal cases, wherever there is a doubt, let the person accused have the benefit of the doubt. These gentlemen who are to be tried, not only say they are in doubt about obtaining justice in Adams county, but they state under oath, that they absolutely believe they will not. It seems to me that there is no necessity for any hesitation on the part of this House as to how it should act in this case. If these gentlemen were on trial for murder, and a similar sentiment as to their guilt prevailed in that county as in this case, I apprehend that the gentlemen on the other side of the House would vote without hesitation to give them what they ask. If this case is to be tried, for receiving the votes of deserters, I am, for one, perfectly willing that the venue should be changed to some other county, if desired; and it seems to me we should make no distinction between this and any other case. If a man is to be tried for murder, and there is a doubt in reference to his having a just trial without a change of venue, all would be willing to give him the benefit of that doubt. Here is a criminal case, and the parties accused have sworn that they cannot get justice done there. Is the gentleman on the opposite side of the House so determined that these men must be convicted, that he is unwilling to give them a trial by the same persons that he himself would be willing to be tried by, as he has stated, gentlemen from the opposite party? Why is this?

Mr. JENKS. Mr. Speaker, I do not propose to enter into an argument concerning the nature of the law that has been reviewed by my friend on the left. I may, in passing, make this remark: that I have not yet so read the law as to arrive at the conclusion that the courts have not the power to pronounce an act unconstitutional. If the gentleman will take the trouble to examine the cases which relate to that matter, he will find the rule to be about this: that they require a strong case; but where they find a strong case they do not hesitate to pronounce an act of the Assembly unconstitutional. Where there is a doubt they throw the doubt in favor of the constitutionality of the law. That is substantially the rule.

This question before the House turns on this one single proposition which, if it be true and carried out in its logical consequences, must disorganize the entire social fabric. For that reason I enter my protest against it. The proposition, stripped of its verbiage, means just this and no more: that men holding Democratic opinions cannot try Republicans and do them justice, and Democrats, acting on the same grounds, would say that men holding Republican opinions, who are to try Democrats, cannot and will not do them justice. I contend that a principle of that kind established and acted upon will disorganize the entire social fabric.

Establish that principle, sir, and you have done more to destroy the peace of the country and introduce anarchy than anything yet conceived of. It is because the principle is false, and because these men have not shown sufficient reason why the venue should be changed, that I oppose the passage of this bill. I ask my Republican friends to pause in this matter. Do not let us make this a party matter.

Judge Campbell, than whom no more honest and capable judge exists in the State, at the last court, Republican as he is, in his charge to the grand jury, decided (if I did not greatly misunderstand him) the act of Assembly referred to unconstitutional. It is true that Democrats generally have agreed in pronouncing it unconstitutional, but they did not go further to carry out their political opinions. They have always taught, and teach now, that citizens must obey the law in all that it requires of them. They rejected that law because, as they believed, it was not the law of the land.

The gentleman has been pleased to talk about "loyalty." I am tired of hearing that word "loyalty" unless we have some definite meaning attached to it. Does the word "loyal" mean adherence to party? or does the word "loyal" mean a determined adherence and obedience to all the obligations required by the law of the land? That, sir, is my idea of loyalty—submission to all those who have lawful authority, to discharge all the obligations that the law requires. When an act is tried by the supreme law, and is found to conflict therewith, our obligations compel us to pronounce that minor law unconstitutional. Sir, I understand loyalty, then, to mean love of country, love of its institutions—that love which causes a man to obey the law in all that that law commands and requires.

To return to the idea that the gentleman suggested. The whole argument, sir, turns upon that—the whole argument goes to destroy the foundations of society—to assume that men of different parties will violate their oaths, and refuse to do justice to each other. Establish that principle, sir, and you make men distrust one another—people, and you make men distrust one another—wrongs and distrust is the foundation of those wrongs which so much afflict humanity; the belief, fully settled, that men will not do right to each other. Each man goes prepared to meet his neighbor as an enemy; each arms himself, and during the continuance of that feeling, the whole community is in an uproar. I protest against undermining the foundations of society. I stand here as the advocate of that which is right. I want men to say that they have confidence in one another.

Let us have no more of these appeals which serve but to excite communities against each other. I do not want to teach a Democrat that his Republican friend will not do him justice. We may not agree in politics; but it does not follow that I will violate the law. I do not want my Republican friends to teach their party that they cannot trust those of opposite views. Such teachings bring misery, they bring distrust, they bring confusion, and in the end they bring ruin. For that reason I oppose this effort to change the venue. I am willing to do these defendants justice; I maintain they will receive justice. No man knows better than my learned friend who addressed this House a few moments ago, that an honest judge always holds himself bound to change his opinions—feels at liberty to form new views upon argument of the case. The gentleman so holds himself at liberty; I hold myself at liberty so to do; the legal gentlemen on my right hold themselves at liberty to do so. When we hear a case argued we always hold ourselves open to conviction and feel bound to change our opinion when it is found to be wrong.

There is nothing here to justify a change of venue. I oppose it because it is founded upon a principle which, if carried out, must strike, and does strike at the foundations of the social fabric.

The question was,

Will the House suspend the rules and read the bill a third time?

On the question,

The yeas and nays were required by Mr. QUIGLEY and Mr. GREGORY, and were as follows, viz:

YEAS—Messrs. Adaire, Alien, Armstrong, Cameron, Chase, Davis, Day, Espy, Ewing, Freeborn, Gallagher, Gordon, Harbison, Hoffman, Humphrey, Kennedy, Kerns, Kimmell, Kinney, Lee, Leech, M'Creary, M'Kee, Mann, Marks, Mechling, Meily, Pennypacker, Pillow, Quay, Roath, Seiler, Sharples, Steacy, Stumbaugh, Subers, Waddell, Wallace, Watt, Webb, Weller, Wham, Wilson, Woodward, Worrall, Wright and Glass, *Speaker*—47.

NAYS—Messrs. Boyd, Breen, Brennan, Calvin, Chalfant, Craig, Deise, Gregory, Harner, Headman, Heltzel, Hood, Hunt, Jenks, Jones, Koon, Long, M'Henry, Maish, Markley, Phelan, Quigley, Rhoads, Robinson, Satterthwait and Westbrook—26.

So the question was determined in the negative.

REPORT FROM COMMITTEE ON LEGISLATIVE RECORD.

Mr. HOFFMAN. Mr. Speaker, I am directed by the committee on the *Legislative Record* to make the following report.

The report was read as follows:

Mr. HOFFMAN, from the joint committee appointed to contract for the publication of the *Daily Record*, made report that they have contracted with George Bergner for the publication of six thousand copies of the same, four thousand copies for the use of the House, and two thousand copies for the use of the Senate.

On the question, Will the House adopt the report?

It was agreed to.

MESSAGE FROM THE SENATE.

The Clerk of the Senate being introduced, presented for concurrence bill numbered and entitled as follows, viz:

Bill No. 75, an act to authorize the burgess and town council of the borough of Columbus to levy and collect an additional tax.

SPEAKER'S TABLE.

The SPEAKER laid before the House the annual report of the Frankford and Bristol turnpike road.

Laid on the table.

Also, the thirty-fourth annual report of the managers of the Pennsylvania Institution for the instruction of the blind.

Laid on the table.

BILLS PRESENTED.

Mr. LEE read in his place and presented to the Chair, a further supplement to an act entitled An act to incorporate the Kensington and Oxford turnpike road company, approved the 17th day of March, 1842.

Referred to the Committee on Roads, Bridges and Ferries.

Mr. JENKS, an act to establisha ferry over the Allegheny river, at or near Bear Creek landing.

Referred to the Committee on Roads, Bridges and Ferries.

Mr. EWING, an act establishing a ferry on the Monongahela river at the borough of California, in the county of Washington.

Referred to the Committee on Roads, Bridges and Ferries.

Also, an act relating to the granting of tavern licenses in Washington county.

Referred to the Committee on Vice and Immorality.

Mr. ROATH, an act for the relief of wives and children deserted by their husbands and fathers in Lancaster and Potter counties.

Referred to the Committee on the Judiciary Local.

Mr. DAVIS, an act supplementary to the act entitled An act relating to corporations for mechanical, manufacturing, mining and quarrying purposes, approved July 18, 1866.

Referred to the Committee on the Judiciary General.

Mr. CAMERON, an act to authorize the board of school directors of Herford township, Susquehanna county, to levy and collect a special tax to build and repair school houses in said township.

Referred to the Committee on Education.

Mr. KENNEDY, an act extending the provisions of an act in Chester and Delaware counties, in regard to selecting sites for the erection of school houses, to the county of Wyoming.

Referred to the Committee on Education.

Mr. JENKS, an act to repeal the act approved the 4th day of April, A. D. 1866, forming an independent school district out of parts of Clarion and Armstrong counties, at the village of Mishville.

Referred to the Committee on Education.

Mr. MANN, an act to increase the efficiency of the common school system, and to foster schools for the education of teachers.

Referred to the Committee on Education.

Mr. HOFFMAN, an act relative to the payment of street and road damages in the county of Dauphin.

Referred to the Committee on Roads, Bridges and Ferries.

Also, an act relative to county bridges in the county of Dauphin.

Referred to the Committee on Roads, Bridges and Ferries.

Mr. BREEN, an act relative to roads and highways in Schuylkill county.

Referred to the Committee on Roads, Bridges and Ferries.

Mr. WRIGHT, an act regulating the fees of the commissioners of the county of Snyder.

Referred to the Committee on the Judiciary Local.

Also, an act relating to the fees of the treasurer of the county of Snyder.

Referred to the Committee on the Judiciary Local.

Mr. M'CREARY, an act to regulate the terms of the several courts in the Sixth Judicial district.

Referred to the Committee on the Judiciary Local.

Mr. HOFFMAN, a further supplement to an act increasing the fees of the several county officers of this Commonwealth, except in the city of Philadelphia and counties of Allegheny, Bradford, Susquehanna and Sullivan, approved March 30th, A. D. 1865.

Referred to the Committee on the Judiciary Local.

Also, an act to extend the provisions of an act relating to costs in Luzerne county, approved the 2d day of April, A. D. 1863, to the county of Dauphin, with a proviso.

Referred to the Committee on the Judiciary Local.

Mr. QUAY, an act for the better and more impartial selection of persons to serve as jurors in the several courts of Lehigh county.

Referred to the Committee on the Judiciary Local.

Mr. HUMPHREY, an act for the better and more impartial selection of persons to serve as jurors in each of the counties of this Commonwealth.

Referred to the Committee on the Judiciary General.

Mr. KOON, a supplement to the general laws of Pennsylvania.

Referred to the Committee on the Judiciary General.

Mr. QUAY, an act to extend the provisions of the act entitled An act relating to corporations for mechanical, manufacturing, mining and quarrying purposes to fire insurance companies.

Referred to the Committee on the Judiciary General.

Mr. JONES, a supplement to an act to incorporate the Swatara company, passed March 7, 1849.

Referred to the Committee on Iron and Coal.

Mr. MARKS, an act to incorporate the California and Philadelphia gold mining company.

Referred to the Committee on Mining and Manufacturing Companies.

Mr. HOFFMAN, an act to vacate Basin alley, from Front to Second street, in the city of Harrisburg.

Referred to the Committee on Municipal Corporations.

Mr. FREEBORN, a further supplement to an act for the registration of births, marriages and deaths in the city of Philadelphia, passed March 8, A. D. 1860, and supplements thereto.

Referred to the Committee on Municipal Corporations.

Mr. M'KEE, a further supplement to an act to incorporate the East Birmingham and South Pittsburg gas company, approved April 15, 1856.

Referred to the Committee on Corporations.

Mr. ALLEN, an act to incorporate the Titusville and Tidioute railroad company.

Referred to the Committee on Railroads.

Mr. HUMPHREY, an act to divorce Wm. A. Taylor and Julia, his wife.

Referred to the Committee on Divorces.

Mr. WILSON, a supplement to an act, approved the 8th day of April, A. D. 1850, to incorporate the Pittsburg and East Liberty passenger railway company.

Referred to the Committee on Passenger Railways.

Mr. KOON, an act to incorporate the Meshanics' and Miners' Co-operative association of Scranton.

Referred to the Committee on Corporations.

PETITIONS, &C., PRESENTED.

Mr. GALLAGHER presented to the Chair a petition from inhabitants of Mount Pleasant borough, Westmoreland county, praying for the passage of an act changing the provisions of the thirtieth section of the act of 1851, in relation to the extension of borough limits in said county.

Referred to the Committee on Municipal Corporations.

Mr. LEE, a petition from citizens of Philadelphia, praying for the passage of an act to survey and locate Broad street, from its present northern terminus to the Delaware river.

Referred to the Committee on Municipal Corporations.

Mr. WESTBROOK, a petition from inhabitants of the village of Milford, county of Pike, praying for the passage of an act to incorporate the Milford cemetery.

Referred to the Committee on Corporations.

Mr. KENNEDY, a petition from inhabitants of Easton, in the county of Wyoming, praying that the act of General Assembly, passed the 8th day of May, A. D. 1854, entitled An act to authorize the school directors of Chester and Delaware counties to select sites for school houses, be extended to Wyoming county.

Referred to the Committee on Education.

Mr. CAMERON, a petition from inhabitants of Harford, in the county of Susquehanna, praying for a law authorizing a special tax for building school houses.

Referred to the Committee on Education.

Mr. HUNT, a petition from inhabitants of Barnet township, Forest county, and Farmington township, Clarion county, praying for the passage of an act declaring the State road vacant from Bernard M'Closskey's, in Clarion county, to the mouth of Coalman run, in Forest county.

Referred to the Committee on Roads, Bridges and Ferries.

Mr. JENKS, a petition from sundry citizens of the county of Clarion, praying for the passage of an act to authorize James H. Anchors and Allen Anchors to establish a ferry over the Allegheny river, at or near Bare Creek landing.

Referred to the Committee on Roads Bridges and Ferries.

Also, a petition from citizens of Armstrong county, of like import.

Referred to the Committee on Roads, Bridges and Ferries.

Mr. MECHLING, a petition from citizens of the borough of Elderton and vicinity, in the county of Armstrong, praying for the passage of an act to repeal certain prohibitory liquor laws in the counties of Armstrong, Indiana and Perry.

Referred to the Committee on Vice and Immorality.

Also, a petition from one hundred and ninety-three citizens of Armstrong county, against the repeal of the Leechburg liquor law.

Referred to the Committee on Vice and Immorality.

Also, a petition from one hundred and seventy-six citizens of Armstrong county, for the repeal of the Leechburg liquor law.

Referred to the Committee on Vice and Immorality.

Daily Legislative Record.

FOR THE SESSION OF 1867.

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TERMS OF THE DAILY RECORD.

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[CONTINUED FROM PAGE 112.]

Mr. HUNT, five petitions from citizens of Forest county, favoring the repeal of Senate bill No. 169, and supplement thereto, passed session of 1866.

Referred to the Committee on Counties and Townships.

Also, a petition from citizens of Philadelphia, property holders in said county, of like import,

Referred to the Committee on Counties and Townships.

Mr. BOYD, a petition from one hundred and ninety-four citizens of York county, praying for the passage of an act to secure the construction of a bridge across the Susquehanna river at Columbia.

The petition was read as follows:

To the Honorable the Senate and House of Representatives, &c.:

The petition of the subscribers, citizens of York county, Pennsylvania, respectfully showeth, that the Columbia bridge across the Susquehanna river was, on the 28th of June, 1863, destroyed by fire, by order of Major General Couch, commanding Division of the Susquehanna. Since that period the communities of Lancaster and York counties, and the public generally, have sustained great inconvenience for the want of a bridge, both for railroad and for other travel. Since the period of its destruction, the piers and corporate franchise of said bridge have been purchased by a new organization or company, and said company refuse to re-build the same, but hold the exclusive right for both bridge and ferry.

Therefore, your petitioners consider it only just and proper for the Legislature to pass a law fixing a reasonable time to commence and complete the rebuilding of the bridge, and a failure to do so by the present company, shall forfeit their corporate franchises and the exclusive ferry right for the same; and that said corporate franchises may be conferred upon a new and other company.

And your petitioners will ever pray, &c.

Signed by J. M. Glasfelter, and one hundred and ninety-three others.

Referred to the Committee on Roads, Bridges and Ferries.

BILLS PASSED.

Mr. CHASE read in his place and presented to the Chair a bill entitled An act to incorporate the Bemus paper mill company.

On motion of Mr. CHASE,

The rules were suspeded and the bill read a second and third time, and

Passed finally.

Mr. WRIGHT read in his place and presented to the Chair a bill entitled An act changing the venue of certain cases from the county of Juniata to the county of Snyder.

On motion of Mr. WRIGHT, the rules were suspended, and

On the question,

Shall the bill pass?

Mr. JONES. Mr. Speaker, I would be glad if the gentleman would state what the object is of a change of venue in this case.

Mr. WRIGHT. Mr. Speaker, this matter, as I understand it, is simply this: A few days ago, a certain notorious character in Snyder county, by the name of Peter Eby, committed a larceny. Several persons went on his track and had him arrested in Juniata county. The friends of this man turned around and arrested, and had bound over to appear in Juniata county, the parties who arrested Eby. These parties are all citizens of Snyder county, not one living in Juniata county, and it is nothing more than justice to them that they should be tried in their own county.

The question recurring,

Shall the bill pass?

It was agreed to, and

The bill

Passed finally.

Mr. WOODWARD. Mr. Speaker, I offer the following resolution.

The resolution was read as follows:

WHEREAS, It is believed that there is deposited an amount of powder and fixed ammunition in the arsenal near the capitol, sufficient to endanger all the public buildings located on the capitol grounds, as well as the lives of sitting members;

And whereas, The late Governor recommended, in his last message, the erection of a new arsenal at some proper place; therefore,

Resolved, That a committee, consisting of three members of the House, be appointed to act in conjunction with a similar committee on the part of the Senate (if the Senate shall appoint such committee), to examine into the condition of the present arsenal, the amount of powder and fixed ammunition deposited therein, to examine the localities suitable for the erection of a new arsenal, and to report by bill or otherwise.

The resolution was read a second time and

Agreed to.

Mr. QUIGLEY. Mr. Speaker, I read in my place and present to the Chair a bill entitled An act to exempt Calvary Monumental church, of Philadelphia, from taxation.

Mr. QUIGLEY. Mr. Speaker, I ask leave to make a statement.

Leave was granted.

Mr. QUIGLEY. Mr. Speaker, the church that it is proposed to exempt from taxation by that bill is in my district, and is a very small one. It was erected to the memory of Bishop White, and was built by voluntary contributions alone. I therefore ask for a suspension of the rules that the bill may pass at once.

Mr. FREEBORN. Mr. Speaker, this House has already appointed a committee to examine into the matter of exempt property in the State. I understand that there are now over forty millions of dollars of property exempt in the city of Philadelphia. I think this bill should be investigated by this committee before being passed.

Mr. QUIGLEY. Mr. Speaker, the passage of this bill will not interfere with the business of this committee. This is a very little edifice—a mere shell. I do not suppose it occupies a front of more than sixteen or seventeen feet, and a depth of thirty or forty feet, and the taxes on it would not amount, under any circumstances, to more than one hundred or one hundred and twenty dollars. This is a bill similar to those that have passed this House year after year and time after time.

Mr. FREEBORN. Mr. Speaker, I understand that some of the members of this committee referred to, are in favor of reporting a bill taxing all churches because they receive incomes. Some of these churches have stored away in the cellars flour and meal, and I even know of one where they have ale in the basement. I understand that the committee will recommend that this property be taxed, and I think this bill should be examined by that committee before being passed.

Mr. QUIGLEY. Mr. Speaker, when that committee comes to recommend the taxing of churches that are receiving a revenue, I will shake hands with my colleague in advocating the measure. But this is a free church. It was built and is supported entirely by voluntary contributions. They do not even charge any rent for their pews, and are prohibited from so doing for all time to come. I know that the passage of this bill will not interfere at all with the duties of that committee.

Mr. LEE. Mr. Speaker, it is said by my colleague that this church is a very small, little shell of a thing, and this is done, of course, to cover an impression that it is worthless. I wish to say that there is not an edifice in Philadelphia owning the same amount of ground on which there has been so much money spent as on this worthless little shell. It was a temple built and dedicated to Bishop White, and it was intended to be a monument that should be a credit to the name of this great and eminent divine. It is one of the most elaborately and, I presume, most costly buildings of its size in the city of Philadelphia. Not only that, but the congregation worshiping there are as abundantly able to pay taxes as any congregation that worships in the city of Philadelphia. I simply make this statement to show that this little crust of a shell is not the worthless thing that the gentleman would have us believe, and the parties worshiping there would take it as a sort of negative compliment to thus have their splendid little edifice represented.

Mr. QUIGLEY. Mr. Speaker, my colleague knows no more about this edifice than I do. When I spoke of that church in the way I did it was in comparison with some others we have. The taxes on it, I know, amount to but eighty dollars per annum, while the taxes on some churches, were they taxed, would amount to hundreds, aye, thousands of dollars. But this is a church that derives no

revenue, and was built and was supported by voluntary contributions.

Mr. M'CREARY. Mr. Speaker, I would like to ask, for information, how it comes that this church is taxed at all. By the act of 1838 all churches are exempt from county and State taxes on real estate, and by an act passed last winter all real estate was exempt.

Mr. QUIGLEY. I do not know how it is, but this church is not exempt.

Mr. DAVIS. Mr. Speaker, I move to refer the subject to the select committee created for that purpose.

Mr. WADDELL. Mr. Speaker, I think that motion had better be amended by saying that it be referred to a committee of conference of the members from Piladelphia.

Mr. QUIGLEY. Mr. Speaker, if this bill is to be referred at all, I hope it will be referred to the proper committee. I think, sir, this is a very small business, and I ask that the first section may be read for the information of the House.

The SPEAKER. The Clerk will read the first section.

The first section was read.

Mr. WADDELL. Mr. Speaker, I withdraw my amendment.

Mr. DAVIS. Mr. Speaker, my motion was to refer to the select committee already formed to inquire into such matters.

The SPEAKER. The question is on the motion of the gentleman from Philadelphia [Mr. DAVIS] to refer the bill to the select committee.

Mr. QUIGLEY. Mr. Speaker, I rise to a point of order. It is this: This committee was appointed to investigate what property is now exempt by law, and I make the point of order that this is not the appropriate committee to which the bill should be referred.

Mr. DAVIS. Mr. Speaker, I withdraw my motion.

The question was,

Will the House proceed to the consideration of the bill?

Mr. HEADMAN. Mr. Speaker, I hope this bill will pass. I——.

Mr. LEE. Mr. Speaker, I ask whether such a bill as this can pass, and I make this point of order. There is already existing a law upon the statute books of this State exempting all church property from taxation of all kinds, and the point is whether this bill can pass, whether we can put another similar law upon the statutes.

Mr. WADDELL. Mr. Speaker, if I understand the position aright, in order to enable the gentleman to get the bill before any appropriate committee, the House must refuse to proceed to consider it at the present time.

The SPEAKER. If the House refuses to proceed to the consideration of the bill now it will go to a regular committee.

Mr. QUIGLEY. Mr. Speaker, I am not in any particular hurry about the bill. There is really nothing objectionable in the bill that I can see. I do not worship in the church, but this is a bill precisely similar to bills that we have passed here from day to day and from year to year. I did think, as we have no orders to-night, and, I believe, this is only the first or second time, during an experience of six years, that I have asked the passage of a bill under a suspension of the rules, that my request would be granted. I think this bill is all right and proper, and while other churches are exempt this one is not. It derives no revenue; it is supported by voluntary contributions, and it cannot rent its pews under its charter. I hope the bill will pass.

Mr. WADDELL. Mr. Speaker, I have no doubt that the bill may be all right and proper. But the mere question is whether it is right and proper for this House to pass it. It is only making ourselves appear ridiculous to put upon the statute books laws which can have no effect. I am astonished that the gentleman should get up this bill before taking the trouble to give us some facts in reference to the matter. With all the information we have, and with the law standing as it does upon the statute books, I say it would appear ridiculous in this House to pass any such bills at this time. I do not mean to reflect upon the gentleman; I only speak in this way to place the House upon its guard.

The act of 1839, section seventy-three, reads:

"All churches, meeting-houses, or other regular places of stated religious worship, with the grounds thereto annexed, for the occupancy and better enjoyment of the same; all burial grounds belonging to any religious congregation; all universities, colleges, academies, and school-houses belonging to any county, borough or school district, or incorporated, erected, endowed or established by virtue of any law of this Commonwealth, with the ground thereto annexed; all court houses and jails, be and the same are hereby exempted from all and every county, road, city, borough, poor and school tax, and all taxes heretofore assessed on any such property shall not hereafter be collected, but the respective officers charged with the collection thereof, shall and are hereby exonerated from the collection and paying over of the same."

Now, sir, that act leaves nothing in reference to this church that can be reached for taxation save the spot of ground upon which it stands and the building itself, which constitutes real estate, and as we passed a law last winter exempting all real estate from State taxes, it strikes me that the whole case is met, and that the gentleman who got up the bill had overlooked that fact. Therefore, for the information of this House, and in order that we may act intelligently, it would be better for the gentleman to postpone the bill, and, in the meantime, he can ascertain the facts, and learn if there are any reasons for this bill.

Mr. QUIGLEY. Mr. Speaker, I withdraw my motion to suspend the rules.

The bill was referred to the Committee on Ways and Means.

Mr. MANN. Mr. Speaker, I offer the following resolution.

The resolution was read as follows:

Resolved, That this House will hold a session on Wednesday afternoon next—January 23—to commence at three o'clock, for the special purpose of considering Senate resolution No. 3, entitled Joint resolution to ratify the fourteenth article of the Constitution of the United States, and that a session will be held every afternoon, except Friday, for the same special purpose, until the question is disposed of.

Mr. FREEBORN. Mr. Speaker, I move to amend by striking out Friday and Saturday.

Mr. MANN. Mr. Speaker, this resolution will not require us to hold a session on Saturday afternoon, because the rules provide for an adjournment from Friday until Monday.

Mr. QUIGLEY. Mr. Speaker, I move to amend by excepting Friday afternoon.

Mr. MANN. I accept that amendment.

Mr. FREEBORN. I withdraw my amendment.

Mr. WADDELL. Mr. Speaker, the bill has not yet been reported from the Committee on Federal Relations, to which it has been referred.

Mr. DAVIS. Mr. Speaker, I think the proper way will be, when it comes up on Wednesday afternoon, to move to substitute the Senate bill.

The SPEAKER. The Chair is of the opinion that the adoption of the resolution discharges the Committee on Federal Relations from further consideration of the bill.

The question was,

Will the House agree to the resolution? and

It was agreed to.

The SPEAKER proceeded to clear the table.

Senate bill No. 75, an act to authorize the burgess and town council of the borough of Columbus to levy and collect an additional tax.

Mr. ALLEN. Mr. Speaker, I move that the rules be suspended, and that the House proceed to the consideration of that bill.

The motion was

Agreed to.

On motion of Mr. ALLEN, the rules were suspended, the bill read a second and third time, and

Passed finally.

Mr. WADDELL. Mr. Speaker, I offer the following resolution.

The resolution was read as follows:

Resolved by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, That the sum of five thousand dollars, or so much thereof as may be necessary, be and the same is hereby appropriated out of any money in the treasury not otherwise appropriated, to fit up and re-furnish the Executive Mansion, under the direction of the Governor, and the bills therefor to be settled in the usual manner by the Auditor General.

The resolution was read a second time.

Mr. WADDELL. Mr. Speaker, I understand that the Governor has moved into the mansion to-day, and that it is much in need of some additional furniture. The real ordinary utensils of life are much out of order and dilapidated, and, therefore, it is asked that the House proceed at once to the consideration of this matter, that funds may be had to re-furnish it to some extent.

The question was,

Will the House agree to the resolution? and

It was agreed to.

Mr. DAVIS. Mr. Speaker, I offer the following resolution.

The resolution was read as follows:

Resolved, That as a measure of economy, the Clerk be directed to forward, by express, such documents for the members of the House as they may prefer, instead of having them go through the mails.

The resolution was read a second time, and

Agreed to.

Mr. DEISE. Mr. Speaker, I offer the following resolution.

The resolution was read as follows:

WHEREAS, During the month of December, A. D. 1866, an act passed both Houses of Congress, granting to the African race the right of suffrage in the District of Columbia, at the same time excluding from that privilege all emigrants who have not resided five years in the country and became naturalized, and thus depriving them of that manhood suffrage so highly prized by our loyal Congress;

And whereas, We believe Caucasian emigrants, whose intellect, industry and wealth have contributed so much to the unparalleled progress of this country, are quite as capable of governing themselves, and as deserving of political privileges as a people just emerged from a debasing slavery;

And whereas, By its legislation, Congress has sufficiently determined that the color of a man should not qualify or disturb his political status, and white men are not, for that reason, incompetent to discharge the duties of citizenship; therefore,

Resolved, That our Senators be instructed

and our members in Congress from this State be requested to so amend the negro suffrage act above mentioned, as to put all white men who are citizens or who have declared their intention of becoming citizens and residents of the District of Columbia, upon an equal footing with the negroes, and to extend to them the same privileges enjoyed by the negroes.

The resolution was read a second time.

Mr. MANN. Mr. Speaker, I move that the resolution be referred to the Committee on Federal Relations.

The motion was

Agreed to.

LEAVE OF ABSENCE.

Mr. ADAIRE asked and obtained leave of absence for a few days from to-day for Mr. DEHAVEN.

Also, for GEORGE DEHAVEN, an officer of the House.

Mr. MARKLEY. Mr. Speaker, I move that this House do now adjourn.

The motion was

Agreed to, and

The SPEAKER declared this House adjourned until to-morrow morning at 11 o'clock.

SENATE.

TUESDAY, January 22, 1867.

The Senate met and was called to order at 11 A. M., by the SPEAKER.

Prayer was offered by the Rev. Mr. Bailey, of Harrisburg.

On motion, the reading of the Journal of yesterday was dispensed with.

LEAVE OF ABSENCE.

Mr. WORTHINGTON asked and obtained leave of absence for the Senator from Adams [Mr. M'CONAUGHY] for a few days from to-day.

LEAVE TO RECORD VOTE.

Mr. RIDGWAY asked and obtained leave to have his vote recorded in the affirmative, and Messrs. GLATZ and SCHALL their votes in the negative, on the final passage of joint resolution entitled Joint resolution to ratify the amendment to the Constitution of the United States.

PETITIONS, REMONSTRANCES, &C.

Mr. CONNELL presented the memorial of David Paul Brown, Theodore Cuyler and one hundred members of the Philadelphia bar, praying that the salaries of the Supreme Judges of the State may be increased to eight thousand dollars.

Referred to the Committee on Finance.

Mr. FISHER, the petition of citizens of Lancaster county, asking that the Pennsylvania railroad company be compelled to rebuild the Columbia bridge on pain of forfeiture of their franchise.

Referred to the Committee on Railroads.

Mr. GLATZ, the petition of citizens of Wrightsville, York county, praying for the passage of a law in relation to the rebuilding of the Columbia bridge.

Referred to the Committee on Railroads.

Mr. WORTHINGTON, the petition of citizens of Chester, Delaware county, asking for an alteration of the act incorporating the Chester Creek railroad company, so as to allow it to connect with the Philadelphia and Baltimore Central railroad at its junction with the West Chester and Philadelphia railroad, in the county of Delaware.

Referred to the Committee on Railroads.

Mr. LANDON, the petition of citizens of Wyoming county, praying for a bridge over the Lackawanna at Tunkhannock.

Referred to the Committee on Roads and Bridges,

Mr. BURNETT, the petition of inhabitants of Tobyhanna township, Monroe county, for the incorporation of the Sullivan and Pocono Summit plankroad or turnpike company.

Referred to the Committee on Roads and Bridges.

Mr. WHITE, the petition of citizens of Saltsburg, Indiana county, for the passage of a prohibitory liquor law for Pennsylvania.

Referred to the Committee on Vice and Immorality.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

The Clerk of the House of Representatives being introduced, presented for concurrence bills numbered and entitled as follows, viz:

No. 70, an act to incorporate the Bemus paper mill company.

Referred to the Committee on Corporations.

No. 71, an act changing the venue of certain cases from the county of Juniata to the county of Snyder.

Referred to the Committee on the Judiciary Local.

No. 73, joint resolution relative to the Executive Mansion.

Referred to the Committee on Finance.

He also returned bill from the Senate numbered and entitled as follows:

No. 75, an act to authorize the burgess and town council of the borough of Columbus to levy and collect and additional tax,

With information that the House of Representatives has passed the same without amendment.

He also presented the following extract from the Journal of the House of Representatives, which was read as follows:

IN THE HOUSE OF REPRESENTATIVES, January 21st, 1867.

WHEREAS, It is believed that there is deposited an amount of powder and fixed ammunition in the arsenal, near the capitol, sufficient to endanger all the public buildings located on the capitol grounds, as well as the lives of sitting members;

And whereas, The late Governor recommended in his last message the erection of a new arsenal at some proper place; therefore,

Resolved, That a committee, consisting of three members of the House, be appointed, to act in conjunction with a similar committee on the part of the Senate (if the Senate shall appoint such a committee), to examine into the condition of the present arsenal, the amount of powder and fixed ammunition deposited there, to examine the localities suitable for the erection of a new arsenal, and to report by bill or otherwise.

On motion, the above resolution was read a second time and

Agreed to.

Ordered, That Messrs. LOWRY, FISHER and JACKSON be the committee on the part of the Senate, and that the Clerk inform the House of Representatives accordingly.

He being again introduced returned bill from the Senate,

No. 29, an act to change the venue in the case of the Commonwealth of Pennsylvania vs. Henry Stevens and Jacob Harmon from the court of general quarter sessions of the peace of Adams county to the court of general quarter sessions of the peace of Dauphin county,

With information that the House of Representatives has passed the same without amendment.

He also returned bill from the Senate,

No. 49, a supplement to an act entitled An act to incorporate the Valley coal company, approved the 16th day of March, 1865,

With information that the House of Representatives has passed the same without amendment.

REPORTS FROM COMMITTEES.

Mr. RIDGWAY, from the Committee on Corporations, reported, as committed, a bill entitled A further supplement to an act incorporating the West Branch boom company, approved the 29th day of March, A. D. 1849.

Also (same), as committed, a bill entitled An act to change the place of business of the Cameron petroleum company of Pennsylvania.

Mr. HAINES (same), a bill entitled An act to consolidate the Union coal company and the Howard coal and iron company.

Mr. GLATZ (same), a bill entitled An act to incorporate the Hollen knitting machine company, of Indiana.

Mr. JAMES (same), as committed, bill entitled An act to incorporate the Hand-in-Hand Mutual life insurance company.

BILLS IN PLACE.

Mr. SHOEMAKER read in place and presented to the Chair a bill entitled An act to consolidate the Steuben coal company and the Scranton coal company.

Referred to the Committee on Corporations.

Mr. M'CANDLESS, a bill entitled An act to enable the Commercial wharf and railroad company to issue bonds and to secure the payment of same by mortgages, to extend the time for the construction of railroad connections and to increase the number of directors.

Referred to the Committee on Railroads.

Mr. CONNELL, a bill entitled A further supplement to an act entitled An act to incorporate the Kensington and Oxford turnpike road company, giving each stockholder one vote for every share of stock and regulating toll on said road.

Referred to the Committee on Roads and Bridges.

Mr. BURNETT, a bill entitled An act to incorporate the Sullivan and Pocono Summit plank road and turnpike company.

Referred to the Committee on Roads and Bridges.

Mr. SCHALL, a bill entitled A supplement to an act to incorporate the Lehigh County Mutual horse insurance company, approved April 28th, A. D. 1857.

Referred to the Committee on Corporations.

BILLS CONSIDERED AND PASSED.

On motion of Mr. CONNELL, the Committee on Finance was discharged from the further consideration of bill entitled Joint resolution relative to the Executive Mansion.

And the rules being dispensed with, the resolution was read a second and third time, and

Passed finally.

On motion of Mr. CONNELL, the rules were dispensed with, and the Senate proceeded to the consideration of bill entitled An act to incorporate the Hand-in-Hand Mutual life insurance company.

The bill was read a second and third time, and

Passed finally.

On motion of Mr. COWLES, the rules were dispensed with, and the Senate proceeded to the consideration of bill entitled An act to validate and confirm a certain mortgage or deed of trust, executed under the corporate seal of the Phillipsburg coal, oil and iron company, and to authorize the transfer of the railroad of the said company to any other railroad company owning a railroad connecting therewith.

The bill was read a second and third time, and

Passed finally.

On motion of Mr. WHITE, the rules were dispensed with, and the Senate proceeded to

the consideration of bill entitled An act to incorporate the Hollen knitting machine company, of Indiana.

The bill was read a second time.

Mr. LANDON. Mr. Speaker, I do not wish to interfere with the Senator's legislation, but I wish to inquire why it is necessary that a knitting machine company should own so much land?

Mr. WHITE. It may be necessary for this company to raise its own wool, and they will require land on which to raise sheep.

The bill was read a third time, and

Passed finally.

On motion of Mr. DONOVAN, the rules were dispensed with, and the Senate proceeded to the consideration of bill entitled An act to incorporate the Sisters of Mercy in the city of Philadelphia.

The bill was read.

The SPEAKER said he thought the courts had power to incorporate such companies; if so, it would be useless to pass it.

The bill was laid over for a third reading.

On motion of Mr. BROWNE (Lawrence), the rules were dispensed with, and the Senate proceeded to the consideration of bill entitled An act supplementary to an act entitled An act to provide for the erection of a poor house in the county of Lawrence.

The bill was read a second and third time, and

Passed finally.

On motion of Mr. BROWN (Mercer), the rules were dispensed with, and the Senate proceeded to the consideration of bill entitled An act to change the place of business of the Cameron petroleum company of Pennsylvania.

The bill was read a second and third time, and

Passed finally.

On motion of Mr. FISHER, the rules were dispensed with, and the Senate proceeded to the consideration of bill entitled An act to authorize the appointment of a phonographic reporter for the courts of Lancaster county.

The bill was read a second and third time, and

Passed finally.

On motion of Mr. SCHALL, the Committee on Corporations was discharged from the further consideration of bill entitled A supplement to an act to incorporate the Lehigh County Mutual horse insurance company, approved April 28, 1857.

And the rules having been dispensed with, the bill was read a second and third time, and

Passed finally.

On motion of Mr. JAMES, the rules were dispensed with, and the Senate proceeded to the consideration of bill entitled An act to incorporate the Quinterro mining company.

The bill was read a second and third time, and

Passed finally.

On motion of Mr. CONNELL, the rules were dispensed with, and the Senate proceeded to the consideration of bill entitled An act to authorize the payment of Theodore F. Scheffer for printing deserters' list.

The bill was read a second time.

Mr. CONNELL. Mr. Speaker, I desire to say, in explanation of this bill, that, by the fifth section of the act of last year, relative to deserters, it was made the duty of the Adjutant General to procure these lists, and furnish them to the quarter sessions of the Commonwealth. In relation to this matter I ask that the following paper be read:

ADJUTANT GENERAL'S OFFICE,
HARRISBURG, January 8, 1867.

I certify that the foregoing bill is correct, and having been submitted to the State Printer for examination, is pronounced by him as charged at fair rates, and is just in amount. That in order to secure the completion of the printing within the time required by the act of Assembly, it was necessary to employ force additional to that of the State Printer.

A. L. RUSSELL,
Adjutant General of Pennsylvania.

The rules having been dispensed with, the bill was read a third time, and

Passed finally.

On motion of Mr. LOWRY, the Committee on Corporations was discharged from the further consideration of bill entitled An act to incorporate the Bemus paper mill company.

And the rules having been dispensed with, the bill was read a second and third time, and

Passed finally.

On motion of Mr. LOWRY, the rules were dispensed with, and the Senate proceeded to the consideration of bill entitled An act to incorporate the Germania insurance company of Erie.

The bill was read a second and third time, and

Passed finally.

On motion of Mr. RANDALL, the rules were dispensed with, and the Senate proceeded to the consideration of bill entitled An act appropriating part of the moneys arising from fines and forfeitures in the county of Schuykill, for a law library for the use of the courts, etc.

The bill was read a second and third time, and

Passed finally.

On motion of Mr. M'CANDLESS, the rules were dispensed with, and the Senate proceeded to the consideration of bill entitled An act to incorporate the Catholic Philopatrian institute of Philadelphia.

The bill was read a second time.

The SPEAKER said he thought the courts had power, and that bills of this kind should be ruled out; but, as the Senator from Philadelphia [Mr. M'CANDLESS] thought the courts had not power, he would not object.

Mr. WHITE. Mr. Speaker, the Judiciary Local have adopted a rule in reference to all these bills.

The SPEAKER. What is that rule?

Mr. WHITE. We report with a negative recommendation all bills on which the courts have jurisdiction. Certainly we have no jurisdiction in the matter if the courts have. I do not want to raise a point of order; but, if we let this bill pass, others of like character will go through.

The SPEAKER. The Senator from Philadelphia [Mr. M'CANDLESS] thinks the courts have not power, or the Chair would rule it out.

Mr. BIGHAM. Mr. Speaker, the Judiciary General will be placed in an awkward predicament; most of these bills come from another committee.

The SPEAKER said a bill had been sent to the General Judiciary for this very purpose—to test the question whether the courts had power in such cases.

Mr. BIGHAM. Mr. Speaker, I understand that one of your predecessors, last winter, took the ground that when the title of a bill indicated that the courts had jurisdiction, he would not refer it to a committee. Perhaps that is the shortest way.

The bill was read a third time, and

Passed finally.

On motion of Mr. M'CANDLESS, the rules were dispensed with, and the Senate proceeded to the consideration of bill entitled A further supplement to an act entitled An act for the better security of the city of Philadelphia from damages incident to the refining or improper or negligent storage of petroleum, benzine or naptha, approved March 16, 1865, construing the same.

The bill was read a second and third time, and

Passed finally.

On motion of Mr. RIDGWAY, the rules were dispensed with, and the Senate proceeded to the further consideration of bill entitled An act to incorporate the Brokers' Beneficial association of Philadelphia.

The bill was read a second time, agreed to, and laid over for a third reading.

WEST BRANCH BOOM COMPANY.

Mr. COWLES moved that the rules be dispensed with, and the Senate proceed to the consideration of bill entitled A further supplement to an act incorporating the West Branch boom company, approved the 29th day of March, A. D. 1849.

The bill was read,

Mr. WHITE. Mr. Speaker, I would suggest to my friend, the Senator from M'Kean [Mr. COWLES], that my constituents are interested very much in the principle of this bill, as are also the constituents of the Senator from Clearfield [Mr. WALLACE], who is not in his seat. This is a matter which increases the obstructions in the Susquehanna river. My constituents living above, are of course against this increase of the obstructions. I do not know how my constituents will feel towards this bill, and I hope he will not press the passage of it at this time.

Mr. COWLES. Mr. Speaker, a similar bill was passed here last winter, after careful consideration, but it failed to get through the other House. This company ask for no additional privileges, except to increase their tolls; it affects the people there only. In 1849, an act was passed incorporating this company, and they have gone to work under that law, and constructed piers or booms in the river just below the town of Lock Haven. An immense amount of lumber is arriving there annually. The boom there will not sustain the mills at all, and hence the mill owners have to pay out of their own pockets to keep up this boom; they have to pass through all lumber and timber without delay. All rafts or timber has to pass through when it arrives. To show how stringent this law is, I will read from the act of 1849:

SEC. 7. That should any person or persons have lumber upon said river, which they are desirous of driving below the limits of said boom, and do not wish the same to be rafted at said booms, they shall give notice in writing to said corporation of their intentions, on or before the first day of March, in each year, describing the kind of lumber and its quantity as near as may be, together with the marks thereon, and the corporation, upon the receipts of such notice, shall be compelled to take up and turn all such lumber through their booms as fast as the owners of such lumber, wishing to raft the same below said booms, may desire, and no faster, and be entitled to receive as a toll or boomage five cents for each and every board-log boomed through said booms, and a reasonable compensation for all other kinds of lumber, in proportion to board logs, and to be paid on the delivery of said logs through said booms as aforesaid; the corporation to retain a lien on said such lumber until the toll or boomage shall have been paid: *Provided*, At all times, that no lumber of any description shall be stopped, except upon the written request of the owner or owners of the same, and no toll or expense shall accrue to any lumber designed to run or to be driven to any point below Lock Haven. A free and unobstructed passage shall at all times be kept open, so that the navigation of the river shall be as free as it now is.

Here, By the very act of incorporation of this company, they are compelled to have booms so constructed that no obstruction shall ensue. No other franchise is asked for in the supplement to their charter. By the

present tolls they are authorized to charge, they cannot keep up their booms there. They think it fair and just that they should be allowed a toll large enough to keep up the booms.

Mr. BIGHAM. Mr. Speaker, at the last session we had a discussion and passed a bill in reference to the Williamsport boom. That bill the Executive held over during the recess, and appointed two commissioners—very intelligent engineers—who have gone into the whole question. The correspondence and reports of those men were presented here last week.

I voted in favor of the Williamsport bill; I was there last summer and examined the ground; the Lock Haven boom I have never seen. I am myself disposed to think that both have become necessities to the trade of the State; but there are always great controversies, especially upon the amount of charges tha t ought to be imposed by those companies. This matter has been carefully examined by two intelligent men, and the same principle is applicable to both companies, as to the rate charged. I should be glad to have this bill referred to the committee to which it properly belongs; and these charges should be what would be fair to both parties. When we have the materials to act intelligently on this subject, I think that we ought to refer it to a committee, and whatever is fair to both parties should be done. I make that motion, not through any unfriendliness to either, but to have justice done to both.

Mr. COWLES. Mr. Speaker, I trust, if the Senator has no unfriendly feelings against this boom, he will withdraw his motion. I cannot understand why the town of Lock Haven, when it comes here to ask a little favor, should be attacked. There is nothing in this matter in connection with the Williamsport matter. In this case they are asking for no additional obstructions to the river. We simply authorize them to put some dams here for the benefit of the mills at that point, and then charge an equal and just amount of toll. At present they have to subscribe to pay the expense of keeping this boom up. Those booms ought to be self-paying, and pay something also on the investment. I cannot account for the hostility that is manifested against this measure in this hall.

Mr. BIGHAM. Mr. Speaker, the remarks of the Senator from M'Kean [Mr. COWLES] in regard to any unfriendliness towards that section, do not apply to myself. My memory is pretty good as to what I heard on this floor a year ago; and the Senator from M'Kean then dwelt at length upon the very point in this bill. The Senators from M'Kean and Indiana both objected to the Williamsport bill, because of the amount of charges authorized by it. Now, I want to do equal justice to both these places. The Senator from M'Kean [Mr. COWLES], I think, will not say that that was not a prominent point in the discussion of last winter. I am willing to give both equal and exact justice. From a distance, we do not understand these boom questions. Those two gentlemen I spoke of have investigated the matter, and made a report, and we have the materials. I think it is departing from all the proprieties of legislation that the Senator from M'Kean should ask to have the committee discharged.

Mr. COWLES. The bill was not read in place to-day. It has been before the proper commitee, and they have not reported it.

Mr. BIGHAM. So far, then, I was wrong. I thought it had not been investigated. I withdraw my motion to refer to a committee.

Mr. WHITE. Mr. Speaker, I move to postpone the subject indefinitely. I will just say this: I have no disposition to go into the discussion of booms at this time. I desire, however, to be consistent upon this question, as well as upon all others. The Senators, particularly those who know my position upon boom questions, know the interests of my constituents upon this question, and, unlike my friend from Allegheny [Mr. BIGHAM], I am very unfriendly to booms, because the interests of my constituents are adverse to them; and I would, if I had the power, throw an earthquake into all the booms in the Susquehanna. The Senator from M'Kean knows my position on this subject, and that I represent the interests of my constituents. By this bill he seeks to increase the power and the privileges of the Lock Haven boom company; he seeks to extend their power by increasing the obstructions there; he seeks, further, to raise revenue for them by authorizing them to increase the tolls. That, of course, is adverse to the interests of my constituents who live above there. We discussed this question at length last winter, and, inasmuch as I opposed the Williamsport company, I feel bound to oppose the Lock Haven company; hence I am opposed to passing this bill at this time, and I trust the motion to postpone the consideration of this bill will prevail. We are in the early part of the session, and no undue haste is required; hence I am in favor of the motion to postpone the consideration of this bill indefinitely.

Mr. COWLES. Mr. Speaker, I have a word to say upon this subject. Last winter, when this Williamsport bill was acted upon, I opposed some features of it. If they needed a large amount of boomage there, it was granted. But that must not be done at the expense of any other portion of the State. That is the theory I started on and argued.—Previously to last year, the Williamsport company were authorized to collect on every thousand feet. I tried to show that that was sufficient. They also wanted the privilege of building a dam, which would be an obstruction to the navigation of the river. They wanted to stop all logs, etc., and make them pay. I resisted these features, because they would interfere with everybody. Such is not the case at Lock Haven; here is a large dam already constructed. In taking advantage of these facilities, a small town has grown up. All these logs that go to Williamsport, have to pass through that boom, and at the expense of the boom company itself. If they detain a log one hour they are liable to an action for trespass.

Read over the provisions of the act of 1849 and see how limited their power is. They are permitted receiving a small amount of boomage; in order to keep these booms in repair, the owners of these mills subscribed out of their own pockets to reconstruct and build them up. Now, sir, every one can see that this would be a very unfair work of operation, that the burthen rests unequally upon them. I presume the mills will be kept there, but it is an unjust work, and all that we ask here is, simply to increase the tolls to seventy-five cents.

Last year this Senate chose to increase the boomage at Williamsport to one dollar and twenty-five cents; the people of Lock Haven are asking seventy-five cents. I am speaking only for them—the constituents of the the Senator from Indiana [Mr. WHITE] and the Senator from Clearfield [Mr. WALLACE], or from any other part of the State, are not interested in the matter. We are simply asking an increase of this boomage to seventy-five cents; that is all.

Mr. WHITE. Will the Senator allow me to interrupt him? The Senator from M'Kean [Mr. COWLES] has stated that the constituents of the Senator from Indiana are not in any way interested. Will the Senator allow me to ask him a question? I represent Indiana, Cambria and Jefferson; the head waters of the Susquehanna are in Indiana county; the people of that section are interested in the lumber trade; we bring rafts down and pass them through this Lock Haven boom, and are interested in the rates charged there. Is not that giving my constituents an interest in this bill?

Mr. COWLES. The provisions of this bill do not interfere with them at all. Here is the bill:

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same*, That from and after the passage of this act the said corporation shall have the right, and they are hereby authorized to charge and collect from the owner or owners thereof, toll or boomage upon all lumber which may have been rafted out of their said boom, to wit: seventy-five cents per thousand feet board measure for board logs, and a reasonable sum for warps and wedges, and for rafting and booming square timber and other lumber, in proportion to board logs: and that the said corporation shall have the right, in addition to the remedy provided by the sixth section incorporating said company, to collect said toll or boomage, as debts of like amount are by law recoverable.

SEC. 2. That the said corporation shall have the right and they are hereby authorized, to expend the net income or so much thereof as they may deem necessary in the repair and improvement of their said boom.

There is nothing in the privilege which I ask to be passed to-day that interferes with this privilege in the original charter.

Mr. WHITE. Does it not seek to increase the rates of toll?

Mr. COWLES. It seeks to increase the rates of toll on all lumber to be manufactured at that point. There is no charge for lumber brought down from above. It is simply to charge tolls on lumber to be manufactured at that point.

Mr. FISHER. Mr. Speaker, I dislike very much to interefere in what may be considered other people's business; but a large number of my constituents are largely interested in the lumber business, and it strikes me that an addition of seventy-five cents per thousand feet is an enormous charge. Lumber is already beyond the reach of almost every person, and if you put this tax upon it, the consumer will have to pay it. Hence, my constituents and the people of Philadelphia also are interested, because it is one of the laws of trade that the consumer of the article ultimately pays the expense; and it strikes me that this is an enormous charge. Seventy-five cents for a thousand feet of lumber! Only think of it. It would make forty dollars additional expense on a raft of lumber. I shall be compelled to vote against it.

Mr. GRAHAM. Mr. Speaker, I understand the question before the Senate is on the indefinite postponement.

The SPEAKER. Yes, sir.

Mr. GRAHAM. We have very little business before us, and this question gave rise to a very prolonged discussion last winter, and I do not see why we should throttle the bill now, when we have time to discuss it thoroughly. I will vote to postpone it for the present, but to postpone indefinitely is certainly unfair.

Mr. LOWRY. Mr. Speaker, on the river above, there are two booms; those booms are twenty-eight miles apart; they have the right at Williamsport to charge one dollar and twenty-five cents on every thousand feet of lumber that they receive in their boom. We have given Williamsport, twenty-eight miles from Lock Haven, the right to charge one dollar and twenty-five cents a thousand, and now a weaker portion of his constituents

come here, who live higher up, and ask us for the right to charge seventy-five cents. And yet we give to the larger town, without complaint here, one dollar and twenty-five cents, and because their little sister town asks for seventy-five cents, we higgle about it. My sympathies and my feelings are with the Senator who has this bill in charge.

It is local in its character; it does not affect the interest of the Senator from Indiana; if his logs run down any further, he pays one dollar and twenty-five cents; if retained here, he pays seventy-five cents. Now, sir, I will reverse the case. If we gave privilege last winter to charge seventy-five cents a thousand, and they come here now and ask the privilege of charging one dollar and twenty-five cents a thousand, then there would be force in their objection to it. But there is no force in their objections to the passage of this measure, and I shall vote against all propositions to delay it or to place it in the hands of a committee. I am in favor of a fair vote, and my vote shall be with the Senator who is asking us to pass this bill.

Mr. BROWN (Mercer). Mr. Speaker, I desire to vote intelligently upon this subject, and if I thought that this supplement would not change the character of the charter I would be prepared to vote with the Senator from M'Kean [Mr. COWLES]. But it strikes me, if I understand the force of the English language, that there is something in this amendment that will change the force of the first part of the charter of the company. I understand that this rate of boomage is to be charged on all lumber rafted out of the boom. I take it that will cover all the lumber coming down the river to where that boom is located. If it be so, that it affects only the lumber retained there, I will vote with the Senator. But I would call his attention particularly to that point.

By request, the bill was again read.

Mr. BROWN (Mercer). Now, Mr. Speaker, I desire to ask the Senator from M'Kean a question. Suppose some of the constituents of the Senator from Indiana [Mr. WHITE] should prepare a raft of logs in the county of Indiana, and come down to that boom; would it not be necessary for the raft to pass through this boom, and thus be liable to the charge of seventy-five cents, as indicated by the bill?

Mr. COWLES. Mr. Speaker, I do not think the bill is obnoxious to the charges made against it. I do not desire any such power for this boom company. All that is desired is simply that all logs that are run into this boom, for the use of these mills, shall be charged this amount of boomage.

The SPEAKER. Do logs coming down from above Lock Haven stop at this boomage?

Mr. COWLES. No, sir, unless they have authority to stop them. If there is any doubt in the minds of members of the Senate, if they wish to have the matter thoroughly examined, I have no objection. We simply ask an increase of boomage on the logs held there at the request of the owners of the logs. If it is desired to have it further considered and modified, so as to restrict it to that, we will let it lay over to some certain day. Last winter Mr. WALLACE himself proposed an amendment to the bill simply to this effect. I told him I thought the provisions of this proviso were just, but I would accept such modification.

Mr. WHITE. Mr. Speaker, I have no desire to be factious in this matter, but simply to be just to the interests I represent; and if the Senator from M'Kean [Mr. COWLES] can convince me that this bill is only local in its character, there may be no difficulty. But it may be necessary to have some amendments to effect the object he suggests. I withdraw the motion for indefinite postponement, and move that the further consideration of this bill be postponed until Wednesday of next week, and that in the meantime it be printed.

Mr. COWLES. Mr. Speaker, I shall ask that it be not postponed quite so long; make it Tuesday.

Mr. CONNELL desired that the bill should be postponed until the Senator from Clearfield [Mr. WALLACE], who was absent, should return.

Mr. WHITE. Well, make it Tuesday or Wednesday.

Mr. COWLES. I would ask the Speaker if the bill will come up at that time on third reading?

The SPEAKER. Undoubtedly.

The motion of Mr. WHITE was agreed to, and the bill was ordered to be printed, and made the order of the day for Wednesday, the 30th inst.

The hour of 1 o'clock having arrived, the SPEAKER adjourned the Senate until tomorrow morning at 11 o'clock.

HOUSE OF REPRESENTATIVES.

TUESDAY, January 22, 1867.

The House met at 11 o'clock, A. M.

Prayer was offered by the Rev. JACOB KENNEDY, member from Wyoming.

The SPEAKER announced a quorum of members present.

The Journal of yesterday was partly read, when, on motion of Mr. STUMBAUGH, the further reading of the same was dispensed with.

PRIVATE CALENDAR.

The SPEAKER announced that the first order of business this morning would be the consideration of bills on the private calendar.

The following bills were read the first time and laid aside for a second reading:

No. 21, an act to authorize the Governor to appoint an additional notary public for the city of Philadelphia.

No. 30 a supplement to an act to incorporate the Montana gold and silver mining company, approved the 23d day of March, A. D. 1865.

No. 33, an act authorizing the school directors of the borough of Oil City, in Venango county, to borrow money.

No. 34, an act to repeal a part of an act, approved March 2, A. D. 1866, in reference to fees of officers and jurymen and witnesses in Warren county.

No. 36, a supplement to an act fixing the term of the courts of common pleas, oyer and terminer and general jail delivery, quarter sessions of the peace and orphans' courts, in the county of Allegheny, and regulating proceedings therein, approved the 22d day of March, A. D. 1866.

No. 37, a supplement to an act passed the 16th day of February, A. D. 1865, to increase the pay of county commissioners, county auditors, poor directors, jurors and witnesses, in the county of Mercer.

No. 38, a supplement to an act passed 13th day of April, A. D. 1859, relating to billiard saloons in the counties of Chester and Delaware, extending the same to the county of Bradford.

No. 39, an act authorizing the commissioners of Erie county to exonerate Wm. F. Brockway, the collector of the township of Springfield, in said county, from the payment of certain taxes.

No. 40, an act authorizing the coroner of Montgomery county to appoint deputies.

No. 41, an act providing for the punishment of persons residing in the county of Northampton, deserting their wives and children.

No. 42, an act relating to the prison in the county of Delaware.

No. 43, an act to revive an act to empower the justices of the Supreme Court to supply defects in the title to lands, occasioned by the loss of deeds or writings respecting the same, or where they have been defaced or rendered illegible by time or accident, passed the 28th day of March, A. D. 1786, and its several supplements, and to extend the same to the county of Cameron.

No. 44, an act to regulate the fees of the county treasurer of Northumberland county.

No. 45, an act defining the duties of the inspectors of the Philadephia county prison.

No. 46, an act to increase the fees of certain county officers and district attorney, in the county of Washington.

No. 48, an act repealing the provisions of an act relative to the fees of district attorney in certain counties of this Commonwealth, so far as they relate to the county of Bradford.

No. 49, an act supplementary to an act regulating the fees of the clerk of the quarter sessions of the peace, &c., for the city and county of Philadelphia, approved the 8th day of February, A. D. 1865.

Senate bill No. 46, an act to increase the fees of certain county officers in Sullivan county, and to validate certain charges heretofore made.

No. 51, a supplement to an act to change the mode of criminal proceedings in Erie and Union counties, extending the same to the county of Bradford.

No. 53, an act extending to the city of Pittsburg the provisions of a further supplement to an act to incorporate the city of Philadelphia, relative to fire alarm and police telegraph, approved the 28th day of February, 1865.

No. 54, an act in relation to the weighing of hay, coal and lime in the borough of Washington.

OBJECTED BILL.

The following bill was objected to by Mr. WILSON, of Allegheny, and will be laid over until the next private calendar:

No. 52, an act relating to soliciting passengers in Allegheny county.

The following bills were read a second and third times:

No. 21, an act to authorize the Governor to appoint an additional notary public for the city of Philadelphia.

Passed finally.

No. 30, a supplement to an act to incorporate the Montana gold and silver mining company, approved the 23d day of March, A. D. 1865.

Passed finally.

No. 33, an act authorizing the school directors of the borough of Oil City, in Venango county, to borrow money.

Passed finally.

No. 34, an act to repeal a part of an act, approved March 2, A. D. 1866, in reference to fees of officers and jurymen and witnesses in Warren county.

Passed finally.

No. 36, a supplement to an act fixing the term of the courts of common pleas, oyer and terminer and general jail delivery, quarter sessions of the peace and orphans' courts, in the county of Allegheny, and regulating proceedings therein, approved the 22d day of March, A. D. 1866.

Passed finally.

No. 37, a supplement to an act passed the 16th day of February, A. D. 1865, to increase the pay of county commissioners, county auditors, poor directors, jurors and witnesses, in the county of Mercer.

Passed finally.

No. 38, a supplement to an act passed the 13th day of April, A. D. 1859, relating to billiard saloons in the counties of Chester and

Delaware, extending the same to the county of Bradford.

Passed finally.

No. 39, an act authorizing the commissioners of Erie county to exonerate Wm. F. Brockway, the collector of the township of Springfield, in said county, from the payment of certain taxes.

Passed finally.

Bill No. 40, an act authorizing the coroner of Montgomery county to appoint deputies.

Mr. SATTERTHWAIT. Mr. Speaker, I move that this bill be indefinitely postponed.

The motion was

Agreed to.

Bill No. 41, an act providing for the punishment of persons residing in Northampton county, deserting their wives and children.

Mr. WADDELL. Mr. Speaker, I see that neither of the gentlemen from Northampton are in their seats. It strikes me that the provisions of this act are covered by the general law. I do not see the object of passing it for that county. I would suggest that the bill go to a third reading. I do not want to place it in an unpleasant position. I merely desire time to obtain information from the gentlemen from Northampton with regard to this bill.

The bill was laid over on third reading.

Bill No. 42, an act relating to the prison of the county of Delaware.

Passed finally.

No. 43, an act to revive an act to empower the justices of the Supreme Court to supply defects in the titles to lands, occasioned by the loss of deeds or other writings respecting the same, or where they have been defaced or rendered illegible by time or accident, passed the 28th day of March, A. D. 1836, and its several supplements, and to extend the same to the county of Cameron.

Passed finally.

Bill No. 44, an act to regulate the fees of the county treasurer of Northumberland county.

Passed finally.

Bill No. 45, an act defining the duties of the inspectors of the Philadelphia county prison.

Passed finally.

Bill No. 46, an act to increase the fees of certain county officers and district attorney, in the county of Washington.

Mr. EWING. Mr. Speaker, I move to amend the title by striking out the words "to increase" and inserting the words "in relation to."

The motion was

Agreed to.

Mr. EWING. I now move that the bill be laid over on third reading.

The motion was

Agreed to.

No. 48, an act repealing the provisions of an act relative to the fees of district attorney in certain counties of this Commonwealth, so far as they relate to the county of Bradford.

Passed finally.

No. 49, an act supplementary to an act regulating the fees of the clerk of the quarter sessions of the peace, &c., for the city and county of Philadelphia, approved the 8th day of February, A. D. 1865.

Passed finally.

Senate bill No. 46, an act to increase the fees of certain county officers in Sullivan county, and to validate certain charges heretofore made.

Mr. WEBB. Mr. Speaker, I move this bill be laid over on third reading.

The motion was

Agreed to.

No. 51, a supplement to an act to change the mode of criminal proceedings in Erie and Union counties, extending the same to the county of Bradford,

Passed finally.

No. 53, an act extending to the city of Pittsburg the provisions of a further supplement to an act to incorporate the city of Philadelphia, relating to fire alarm and police telegraph, approved the 28th day of February, 1865.

Passed finally.

No. 54, an act in relation to the weighing of hay, coal and lime, in the borough of Washington.

Passed finally.

MESSAGES FROM THE SENATE.

The Clerk of the Senate being introduced, presented for concurrence bills numbered and entitled as follows:

Senate bill No. 72, a further supplement to an act to authorize Woodland street, in the Twenty-fourth ward of the city of Philadelphia, to be graded, curbed and paved, approved the 27th day of May, A. D. 1863, repealing the proviso to the first section of the supplement thereto, approved the 17th day of April, A. D. 1866.

Senate bill No. 76, an act to incorporate the Conemaugh and Allegheny transportation company.

Senate bill No. 77, a further supplement to an act entitled An act to incorporate the city of Lancaster, approved March 20th, 1818, changing the time of election of municipal and ward officers.

Senate bill No. 78, an act in relation to the sale of certain real estate, owned by the Odd Fellow Hall association, of Allentown, in the county of Lehigh.

Senate bill No. 79, a supplement to an act to incorporate the Brady's Bend iron company, approved the 9th day of April, A. D. 1861, authorizing the conveyance of real estate in the several counties of the Commonwealth on recording of the resolutions of board of directors of said company.

The Clerk of the Senate being introduced, presented for concurrence, bill numbered and entitled as follows, viz:

Senate bill No. 74, an act to validate and confirm a certain mortgage or deed of trust, executed under the corporate seal of the Phillipsburg coal, iron and oil company, and to authorize the transfer of the railroad of the said company to any other railroad company owning a railroad connecting therewith, and to increase the number in the board of directors.

He also returned bill from the House of Representatives numbered and entitled as follows, viz:

No. 73, joint resolution relative to the executive mansion,

With information that the Senate has passed the same without amendment.

SPEAKER'S TABLE.

The SPEAKER proceeded to clear the table:

Senate bill No. 74, an act to validate and confirm a certain mortgage or deed of trust, executed under the corporate seal of the Phillipsburg coal, iron and oil company, and to authorize the transfer of the railroad of the said company to any other railroad company owning a railroad connecting therewith, and to increase the number in the board of directors.

Referred to the Committee on Iron and Coal.

Senate bill No. 78, entitled an act in relation to the sale of certain real estate, owned by the Odd Fellow hall association of Allentown, in the county of Lehigh.

Mr. KLINE. Mr. Speaker, I move that the rules be suspended, and that the House proceed to consider that bill.

Mr. WADDELL. Mr. Speaker, I would like to hear some reason for that; we are sliding off again; we had a wild enough session last night. I suggest that the gentleman give a reason, if he wants the rules suspended, that we may be guided in our action. If there is an immediate necessity that the bill shall pass, I have no objection to a suspension of the rules.

Mr. MANN. Mr. Speaker, as no reason is given I call for a division of the question.

Mr. LEE. Mr. Speaker, I should like to hear a reason from the gentleman. I am willing to suspend the orders if there is a present necessity for the passage of his bill. I do not want him to suppose that we want to cut him down.

Mr. KLINE. I withdraw the motion.

Senate bill No. 77, entitled A further supplement to an act entitled An act to incorporate the city of Lancaster, approved March 20th, 1818, changing the time of electing municipal and ward officers.

Mr. STEHMAN. Mr. Speaker, I desire to make a very brief statement in this case. On the 15th of February it is provided by law that a Mayor's election shall be held in the city of Lancaster. I also understand that the law requires a proclamation to be issued fifteen days previous to that time. The citizens of Lancaster are about to send here a bill as a supplement to their city charter. The whole city unanimously ask an extension of time for the holding of the mayoralty election. I therefore ask that the House pass the bill at this time.

Mr. WADDELL. Mr. Speaker, I would like to know from the gentleman from Lancaster whether in its ordinary course it can be reached in time. If the ordinary delay will keep it beyond the time when the proclamation must issue, it might be well for the House to consider this election.

Mr. STEHMAN. Mr. Speaker, if the bill goes over and is referred to a committee it will be reported back perhaps this week; then it will be on the private calender next Tuesday.

If any person objects, it cannot come up in proper time; because the proclamation must be issued about the first of February. The citizens ask the unanimous consent of both branches of the Legislature to have the time extended to the first of May. It is not a political matter at all. They ask this merely in order that they may have ample time to prepare their new bill. I have no special interest in it—none than that the citizens ask it.

The question being, Will the House suspend the rules and proceed to consider the bill?

It was agreed to.

The bill was then read a second and third times, and

Passed finally.

Senate bill No. 76, entitled An act to incorporate the Conemaugh and Allegheny transportation company.

Referred to the Committee on Corporations.

Senate bill No. 72, a further supplement to an act to authorize Woodland street, in the Twenty-fourth ward of the city of Philadelphia, to be graded, curbed and paved, approved the 27th day of May, A. D. 1863, repealing the proviso to the first section of the supplement thereto, approved the 17th day of April, A. D. 1866.

Referred to the Committee on Municipal Corporations.

Mr. KOON. Mr. Speaker, I desire permission to make a very brief statement in relation to Senate bill entitled A supplement to an act to incorporate the Valley coal company. I am requested by the Senator from my district to make this statement. By the provisions of that act it has consolidated with another company, by which means they have been enabled to raise three hundred thousand dollars. The workmen of these companies have not been paid for the last six

months. It is really a question of bread and butter. The money is ready to be handed over the moment the Governor signs this account.

On motion of Mr. KOON, the rules were suspended, the bill read a second and third times, and

Passed finally.

Mr. CHASE. Mr. Speaker, I move that the rules be suspended and that the House proceed to the consideration of a bill entitled An act to incorporate the Brady's Bend bridge company.

Mr. MECHLING. Mr. Speaker, I trust the House will indulge us in passing this bill; it is very important. A ferry is needed across Brady's Bend, and it is to be desired that they have the opportunity of getting the lumber there now.

Mr. JENKS. Mr. Speaker, I have to say this with reference to that bill, that there is a necessity for its passage. Every one conversant with the lumber trade knows that it is necessary to make contracts for lumber in the early part of the season. Now, unless this bill is passed speedily, the delay will be sufficient to prevent those men from carrying out the objects they have in erecting this bridge, in which case it will be delayed one or two years. It is a local bill founded upon local necessities which require immediate redress.

The rules were suspended, the bill read a second and third time, and

Passed finally.

Mr. KENNEDY. Mr. Speaker, I would like to make a statement.

Last evening I presented to the Chair an act referring to the extension of an act in Chester and Delaware counties, in regard to the selection of sites for a school house, and for the erection of school houses; it is also desired to include Wyoming county. In consequence of the hurry of business last evening, the matter did not take the direction I hoped it would. I was in hope that the act would be considered by the House and passed upon. There is nothing political in its character; the petitioners are from both political parties. They have already contracted for the school house. Unless we can secure the speedy passage of this matter, we shall not be able to fix upon a site for the school house, and the business must go over. I hope the House will allow the bill to be considered at this time and passed upon. I ask that the rules be suspended.

On a division, the motion was

Not agreed to.

Mr. WOODWARD. Mr. Speaker, I would like to make a statement with reference to the bill relative to the Germanic savings institution. It has been some time in the hands of the committee. I understand this morning that the parties interested in this bill are anxious to have it passed upon as soon as possible. It is necessary that they have it immediately. Under the circumstances, I ask for a suspension of the rules that the bill may be passed. I believe there have been no objections at all on the part of the committee.

Mr. WADDELL. Mr. Speaker, I have no objections to the bill being considered, but I submit to the House, the gentleman has not given a reason why we should suspend the rules. There is not a gentleman here probably, with a bill in the hands of a committee, or in his own possession, who is not anxious to have it pass, and just as anxious as the gentleman himself. I would like the gentleman to give us some reason why the bill should be taken up at this time.

Mr. WOODWARD. Mr. Speaker, I withdraw my resolution.

BILLS IN PLACE.

Mr. QUAY. Mr. Speaker, I read in my place and present to the Chair a joint resolution entitled An act to provide for calling a convention to revise and amend the Constitution of Pennsylvania. I move that the resolution be referred to a select committee of five.

The motion was

Agreed to.

The following are the committee:

Messrs. QUAY, LEE, WADDELL, JENKS and LINTON.

Mr. WADDELL read in his place and presented to the Chair an act regulating interest on public accounts.

Referred to the Committee on Ways and Means.

Mr. SEILER, an act to provide for the payment of damages done the Harrisburg Park association by reason of the occupation of their grounds and buildings by the Commonwealth of Pennsylvania for military purposes.

Referred to the Committee on Ways and Means.

Mr. M'KEE, an act relating to the taxation of certain mining and manufacturing companies.

Referred to the Committee on Ways and Means.

Mr. MANN, an act to ascertain and appoint the fees to be received by the several officers of the Commonwealth.

Referred to the Committee on Ways and Means.

Mr. WHANN, an act relative to tax on the capital of companies.

Referred to the Committee on Ways and Means.

Mr. KERNS, an act to prevent the publication of gift enterprises and schemes in the shape of lotteries, in the newspapers of this Commonwealth.

Referred to the Committee on the Judiciary General.

Mr. PHELAN, an act relating to evidence in actions of ejectment.

Referred to the Committee on the Judiciary General.

Mr. ALLEN, supplement to an act to change the mode of criminal proceedings in Erie and Union counties, extending the same to the county of Warren.

Referred to the Committee on the Judiciary Local.

Mr. CALVIN, an act supplementary to a supplement to an act relating to the collection of State and county taxes in the county of Bucks, approved the 31st day of March, 1864.

Referred to the Committee on the Judiciary Local.

Mr. MANN, an act relating to the sale of lands for taxes in Potter county.

Referred to the Committee on the Judiciary Local.

Mr. DAVIS, an act to change the venue in a certain case from Schuylkill county to Dauphin county.

Referred to the Committee on the Judiciary Local.

Mr. PETERS, an act creating the office, and defining the duties of assistant district attorney, for the county of Allegheny.

Referred to the Committee on the Judiciary Local.

Mr. WHANN, a supplement to an act, approved the 1st day of April, A. D. 1863, for the protection of owners of wharves or landings in the borough of Oil City, Venango county.

Referred to the Committee on Municipal Corporations.

Mr. DEISE, an act to authorize the town council of the borough of Mill Hall, in the county of Clinton, to levy and collect additional taxes for borough purposes.

Referred to the Committee on Municipal Corporations.

Mr. LONG, an act relating to the borough of Mechanicsburg, in the county of Cumberland.

Referred to the Committee on Municipal Corporations.

Mr. LEE, an act to incorporate the Montrose mining company.

Referred to the Committee on Mining and Manufacturing Companies.

Also, an act to enable the Revenue Extension silver mining company, of Nevada, to issue bonds, and to secure the payment of the same by mortgage.

Referred to the Committee on Mining and Manufacturing Companies.

Mr. LEE, an act to incorporate the Hesperian mining company.

Referred to the Committee on Mining and Manufacturing Companies.

Mr. RHOADS, an act granting a pension to Lewis Mendoerffer.

Referred to the Committee on Pensions and Gratuities.

Mr. HARNER, an act granting a pension to Samuel Hamilton.

Referred to the Committee on Pensions and Gratuities.

Mr. JONES, an act granting a pension to Zeno Hoffmaster.

Referred to the Committee on Pensions and Gratuities.

Mr. LINTON, an act to authorize the school directors of Millville school district, Cambria county, to use surplus school tax for building purposes.

Referred to the Committee on Education.

Mr. BOYD, a supplement to an act to authorize the superintendent of common schools of York and Lancaster counties to draw funds from the county treasury, to defray the expenses of teachers' county institutes therein, approved the 15th day of March, A. D. 1865.

Referred to the Committee on Education.

Mr. CHASE, an act to extend the time for the payment of the enrollment tax on an act entitled An act to incorporate the Meadville City passenger railroad company, approved the 11th day of April, 1866.

Referred to the Committee on Passenger Railways.

Mr. MANN, an act to decrease the expenses of the public printing.

Referred to the Committee on Printing.

Mr. PETERS, an act extending to Allegheny county the laws regulating the granting of licenses of eating houses and taverns in the city of Philadelphia.

Referred to the Committee on Vice and Immorality.

Mr. MANN, an act further to regulate the granting of licenses to hotels and eating houses.

Referred to the Committee on Vice and Immorality.

Mr. THARP, a supplement to an act to authorize the Governor to incorporate a company to erect a bridge over the West Branch of the Susquehanna, at the borough of Milton, &c., passed the 6th day of April, A. D. 1820.

Referred to the Committee on Roads, Bridges and Ferries.

Mr. MANN, an act to authorize the supervisors of West Branch township, in the county of Potter, to levy an additional road tax.

Referred to the Committee on Counties and Townships.

Mr. GREGORY, an act to incorporate the Pneumatic tube company, of the city of Philadelphia.

Referred to the Committee on Corporations.

Mr. THARP, a further supplement to the act incorporating the Watsontown br c company.

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Daily Legislative Record.

FOR THE SESSION OF 1867.

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CORRECTION.

In the Senate proceedings of Tuesday, in the remarks of [Mr. COWLES], on page 117, where he is reported as saying the Lock Haven boom bill had *not* been reported from committee, it should read, "and they *have* reported it."

[CONTINUED FROM PAGE 120.]

Referred to the Committee on Corporations.

Mr. MAISH, a supplement amendatory to an act to incorporate the Farmers' market of the Fifth ward of the borough of York.

Referred to the Committee on Corporations.

Mr. ESPY, an act to incorporate the Meadville savings and loan company.

Referred to the Committee on Banks.

Mr. M'CREARY, an act to incorporate the Germania savings institution of Erie.

Laid on the table.

Mr. HUMPHREY, an act to repair the Cowanesque river, in the county of Tioga.

Laid on the table.

Mr. GREGORY. Mr. Speaker, I move that the rules be suspended, and that the House proceed to the consideration of the following resolution.

The resolution was read as follows, for the information of the House:

WHEREAS, The public press of the city of Philadelphia have, from time to time, called the attention of the citizens to the inadequate means of safety provided by the owners and lessees of public halls and places of amusement in said city;

And whereas, The recent destruction of certain of said places of amusement in neighboring cities warns us that all necessary precautions should be taken to provide the public with means of hasty egress in case of fire or other accidents; therefore,

Resolved, That the Committee on Judiciary Local be directed to prepare and report a bill to provide for the better regulation of public halls and places of amusement in the city of Philadelphia.

Mr. QUAY. I call for a division of the question.

Mr. GREGORY. I withdraw the motion.

BILLS ON THIRD READING.

The consideration of bills on third reading, being in order,

The House proceeded to consider, in order,

Senate bill No. 39, an act to change the venue in the case of the Commonwealth of Pennsylvania *versus* Henry Stephens and Jacob Harman, from the courts of general quarter sessions of the peace of Adams county, to the court of general quarter sessions of the peace of Dauphin county.

On the question,

Shall the bill pass?

The yeas and nays were required by Mr. —— and Mr. ——, and were as follow, viz:

YEAS—Messrs. Adaire, Allen, Armstrong, Barton, Brown, Cameron, Chadwick, Chase, Colville, Davis, Day, Donohugh, Espy, Ewing, Freeborn, Gallagher, Ghegan, Gordon, Harbison, Humphrey, Kennedy, Kerns, Kimmell, Kinney, Lee, Leech, M'Camant, M'Kee, Mann, Marks, Mechling, Meily, Pennypacker, Peter, Pillow, Quay, Roath, Seiler Sharples, Steacy, Stehman, Stumbaugh, Subers, Waddell, Wallace, Watt, Webb, Weller, Wham, Wharton, Wilson, Woodward, Worrall, Wright and Glass, *Speaker*—55.

NAYS—Messrs. Boyd, Breen, Brennan, Calvin, Chalfant, Collins, Craig, Deise, Fogel, Gregory, Harner, Headman, Hetzel, Hood, Jenks, Jones, Josephs, Kline, Koon, Kurtz, Linton, Long, M'Henry, Maish, Markley, Mullin, Phelan, Quigley, Rhoads, Robinson, Satterthwait, Tharp and Westbrook—33.

So the question was determined in the affirmative.

And the bill

Passed finally.

REPORTS OF COMMITTEES.

Mr. M'CREARY reported from the Committee on the Judiciary Local, as committed, No. 75, an act to repeal the act entitled An act to change the venue in the case of John Lennox, from the county of Washington to the county of Beaver, approved April 12, A. D. 1866.

Also (same), as committed, No. 76, an act to change the venue in the case of the Commonwealth of Pennsylvania vs. Jesse R. M'Carty, Joshua R. M'Carty and Charles Morton from the court of quarter sessions of the peace of Sullivan county to the court of quarter sessions of the peace of Bradford county.

Mr. BARTON (same), as committed, No. 77, an act relating to the compensation of the commissioners of Chester county.

Also (same), as committed, No. 78, an act to repeal an act entitled An act providing for compensation of damages to public roads in Bethlehem and Palmer townships, Northampton county, for the construction of the Lehigh and Delaware Water Gap railroad, approved the 11th day of April, A. D. 1866.

Mr. EWING (same), as committed, No. 79, an act fixing the rate of compensation of the sheriff of Northampton county, for boarding prisoners.

Mr. HARBISON (same), as committed, Senate bill No. 32, a supplement to an act relative to the fees of district attorney of certain counties of this Commonwealth.

Mr. WORRALL (same), as committed, bill No. 81, an act to authorize and relating to the appointment of auctioneers in the city of Erie, in the county of Erie, and his powers and duties.

Mr. CRAIG (same), as committed bill No. 82, a supplement to an act relating to the liens of mechanics and others upon buildings, extending it to York county.

Mr. JONES (same), as committed, bill No. 83, an act to repeal the fourth section of an act relating to fees of certain officers in Erie county.

Mr. PHELAN (same), as committed, bill No. 84, an act to authorize the election of an additional justice of the peace in the township of Cherryhill, in the county of Indiana.

Mr. THARP (same), as committed, bill No. 85, a supplement to an act authorizing appeals from interlocutory orders or decrees granting special injunctions, approved the 14th day of February, A. D. 1866, extending the provisions of said act to special injunctions granted by the court of *nisi prius* at Philadelphia.

Mr. STEHMAN (Corporations), as committed, No. 88, an act to incorporate the Mechanics' and Miners' Co-operative association of Scranton.

Mr. ALLEN (same), as committed, No. 89, an act to incorporate the Oxford Hall association.

Mr. KINNEY (same), as committed, No. 90, a supplement to an act to incorporate the Cooper fire-arms manufacturing company, approved 3d April, 1863, and the supplement to the same.

Mr. ROATH (same), as committed, No. 91, an act to incorporate the Granite insurance company.

Mr. ESPY (same), as committed, No. 92, an act to incorporate the Bachelor's barge club of the city of Philadelphia.

Mr. KERNS (same), as committed, Senate bill No. 44, an act to incorporate the Eureka life and accident insurance company.

Mr. KENNEDY (Vice and Immorality), as committed, No. 94, an act relating to restaurants and beer houses in the county of Washington.

Mr. WEBB (same), as committed, No. 95, an act regulating the sale of intoxicating liquors, licensing saloons, eating houses and restaurants, and to prohibit billiard saloons from being kept open on Sunday in the county of Cameron.

Mr. LEECH (same), as committed, No. 96, an act to extend the provisions of the act to prohibit the granting of licenses to sell intoxicating drinks within the county of Potter, approved April 11, A. D. 1866, to the county of Beaver.

Mr. CAMERON (Banks), with an amendment, No. 97, an act incorporating the Real Estate Savings institution.

Mr. PENNYPACKER (same), as committed, Senate bill No. 24, an act to incorporate the Germania savings institution of Erie.

Mr. ADAIRE (same), as amended, No. 99, an act relative to the several issues and other liabilities of the Manch Chunk Bank.

Mr. DAVIS (Federal Relations), as committed, No. 100, a preamble and joint resolution instructing our Senators and Representatives in Congress to procure a reduction of the tax on petroleum.

SPEAKER'S TABLE.

The SPEAKER presented to the House

the annual report of the managers of the Western Pennsylvania Hospital.

Laid on the table.

The SPEAKER. The following bill is on second reading.

The question is,

Will the House agree to the bill?

The bill was

Agreed to.

No. 32, an act requiring the commissioners of Forks township, Northampton county, to render an account to the auditors of said township, and providing for the auditing of the same.

Mr. WADDELL. Mr. Speaker, I understand that Mr. MEYERS, from Northampton, is interested in this bill. There was considerable discussion upon it when it was before the House a few days ago, and I think it would hardly be proper to dispose of it in his absence.

The bill was ordered to be transcribed and laid over for a third reading.

Mr. GREGORY. Mr. Speaker, I move that this House do now adjourn.

The motion was

Agreed to.

And the SPEAKER declared this House adjourned until to-morrow morning at 11 o'clock.

SENATE.

WEDNESDAY, January 23, 1867.

Senate met and was called to order at 11 A. M., by the SPEAKER.

Prayer was offered by the Rev. Mr. Bailey, of Harrisburg.

On motion of Mr. SCHALL, the reading of the Journal of yesterday was dispensed with.

THE SPEAKER'S TABLE.

The SPEAKER laid before the Senate the annual report of the managers of the Western Pennsylvania Hospital.

Laid on the table.

PETITIONS, REMONSTRANCES, &C.

Mr. ROYER presented the remonstrances of citizens of Montgomery and Bucks counties, against any acts increasing the rates of toll upon the Limekiln and Jarrettown and Horsham turnpike roads.

Referred to the Committee on Roads and Bridges.

Mr. SCHALL, the petition of the surviving partner of the firm of Alvolle & Company, and the widow and legal representatives of Robert P. Krause, deceased, praying for the passage of an act authorizing the court of common pleas of Northampton county to make sale of certain real estate held in trust.

Referred to the Committee on the Judiciary Local.

Mr. FISHER, the petition of citizens of Lancaster county, in favor of rebuilding the Columbia bridge.

Referred to the Committee on Railroads.

Mr. GLATZ, a petition of likeimport from citizens of the borough of York.

Referred to the Committee on Railroads.

Mr. HAINES, the petition of Captain George V. Mitchell, of Mifflin county, for relief.

Referred to the Committee on Military Affairs.

Also, the petition for an act authorizing a railroad from Hollidaysburg or Newry, in Blair county, through the gap of Dunning's mountain, in which the Gap iron works are erected, passing into Morrison's Cove and adjoining or near to the Bloomfield iron ore banks, towards or to Pattonsville, Bedford county.

Referred to the Committee on Railroads.

Mr. BIGHAM, the petition of citizens on the line of the Oakland and East Liberty passenger railway, asking that said company be required to reduce the price of tickets in said cars.

Referred to the Committee on Railroads.

Mr. BROWNE (Lawrence), the remonstrance of citizens of Philadelphia against the enactment of a law authorizing passenger railway companies to run their cars on the Sabbath day.

Referred to the Committee on Vice and Immorality.

Mr. BROWN (Mercer), the petition of citizens of the borough of Sharon, Mercer county, praying for the passage of a law extending to said borough the provisions of an act relative to auctions, etc., within the county of Lawrence, approved the 27th day of March, 1860.

Referred to the Committee on the Judiciary Local.

Mr. LOWRY, the petition of Sarah Ann Chase and others, praying that certain property adjoining Titusville shall not be subject to city taxation.

Referred to the Committee on the Judiciary Local.

REPORTS FROM COMMITTEES.

Mr. BIGHAM, from the Committee on Finance, reported, as committed, a bill entitled An act exempting the Morris cemetery, in the county of Chester, from the payment of tax, and the lots sold therein from an attachment for debt.

Mr. SHOEMAKER, from the Committee on the Judiciary General, as committed, a bill entitled An act for the better and more impartial selection of persons to serve as jurors in the several courts of this Commonwealth.

Also (same), with a negative recommendation, a bill entitled An act to incorporate the Jamestown cemetery association.

Also (same), with a negative recommendation, a bill entitled An act to change the name of Virginia Ottinger, and to give her all the rights of a daughter of Douglas and Emily Ottinger.

Mr. SHOEMAKER. Mr. Speaker, in regard to the last two bills reported by this committee, I am instructed to say that they are reported with a negative recommendation, because the courts have jurisdiction in both cases. The one, being a bill to incorporate a cemetery association, and the other to change the name of a person. As such attempted infringements on the jurisdiction of the courts have frequently occurred, I am instructed by this committee (General Judiciary) to report their views on this subject, hoping thereby to aid in remedying a serious and growing evil. I will read the clause of the Constitution—the third amendment, passed in 1864—which relates to this matter:

SECTION 9. No bill shall be passed by the Legislature granting any powers or privileges, in any case, where the authority to grant such powers or privileges has been, or may hereafter be, conferred upon the courts of this Commonwealth.

Every Senator is bound by his oath to observe this article, which has become a part of the Constitution, and if a bill be passed in conflict with this, your committee is of opinion such bill would be absolutely void and of no power. Now, in the Senate rule, No. XXIX, this doctrine is reiterated; it reads as follows:

Rule XXIX. No member shall read in his place, nor shall any committee, either standing or select, report any bill for the action of the Senate, granting corporate powers in any case where the authority of granting such powers has been conferred upon any of the courts of this Commonwealth.

The committee is of the opinion that whenever a bill of the kind referred to is read in place, or referred to any committee, it should be thrown out at once. Bills have often come before this committee, in which the first section asks for privileges where the courts have jurisdiction, and then follow other sections where the courts have not power. The committee instruct me to report that, in all such cases, where the subject matter of the bill is under control of the courts, to report such bills negatively. If the first section indicates that the courts have power, no following section will change the character of the bill; that is the plan this committee have adopted, and recommend it to the other committees. They think, if this plan is adhered to, it will facilitate matters here. And, in the second place, these bills where the courts have power had better go before the courts, because those courts know better what they need than we can possibly know here. That is the substance of what I am directed to say upon this matter.

The SPEAKER gave notice that hereafter such bills would be ruled out of order.

Mr. BIGHAM, from the Committee on the Judiciary General, reported, as committed, a bill entitled An act to authorize the Governor to appoint a person to visit prisons.

Also (same), with a negative recommendation, a bill entitled Supplement to an act entitled An act relating to the payment of bounties to veteran volunters, approved May 12, 1866.

Also (same), with a negative recommendation, a bill entitled An act to protect the rights of joint tenants and others.

Also (same), as committed, a bill entitled A further supplement to an act entitled An act relating to corporations for mechanical, manufacturing, mining and quarrying purposes, approved 18th July, 1863.

Also (same), with negative recommendation, a bill entitled A further supplement to an act entitled An act to enable joint tenants, &c., approved the 21st April, 1854.

Mr. SCHALL (same), as committed, a bill entitled An act authorizing the tender of money to be made after suit brought.

Also (same), as committed, a bill entitled An act relating to the powers of the legal representatives of deceased tax collectors in this Commonwealth.

Also (same), with a negative recommendation, a bill entitled An act for the more ample security of the titles of lot holders in cemeteries.

Also (same), with amendments, a bill entitled A supplement to an act regulating the laying out and opening of public roads in the Commonwealth, approved June 13, 1866.

Mr. FISHER, from the Committee on the Judiciary Local, with amendments, a bill entitled An act changing the venue of certain cases from the county of Juniata to the county of Snyder.

Mr. FISHER. Mr. Speaker, I should like to ask the indulgence of the Senate, to take that bill up; it is a very short one, and has reference to some cases pending.

The SPEAKER said this course would disarrange all the affairs of the Senate, and that the bill had better wait and come up in its regular order.

Mr. FISHER. I simply wish to state, Mr. Speaker, that I understand the court of quarter sessions of Juniata county will meet very soon, and it is very important to the causes of certain defendants there, and if it is passed at all, the gentleman who has it in charge is anxious that it should be done at once, so as to protect the rights of people now in jeopardy.

The Senate refused to suspend the rules and take up the bill.

Mr. RIDGWAY, from the Committee on Corporations, reported, as committed, a bill

entitled An act to incorporate the Vulcan iron works.

Also (same), as committed, a bill entitled A supplement to an act incorporating the Gleenwood coal company, approved January 11, 1867, extending the privileges of an act regulating railroad companies to said coal company.

Also (same), as committed, a bill entitled A further supplement to an act entitled An act to incorporate the Potter County lumber, coal and petroleum company, approved March 24, 1865, changing the name thereof, authorizing them to hold lands in Northumberland county, and to purchase other franchises, timber and lumber lands.

Mr. BILLINGFELT, from the Committee on Roads and Bridges, reported, as committed, a bill entitled An act relative to roads and highways in Schuylkill county.

Mr. CONNELL, from the Committee on Finance, as committed, a bill entitled An act to exempt from taxation certain property devoted to Masonic uses in the city of Reading.

Mr. JACKSON, from the Committee appointed to Compare bills, and present them to the Governor for his approbation, made report, which was read as follows, viz:

That in conjunction with a similar committee from the House of Representatives, they have compared and on the third of January presented to the Governor for his approbation bills numbered and entitled as follow, to wit:

No. 1, an act to repeal a portion of an act entitled An act to prohibit the issuing of licenses within certain boroughs in the counties of Armstrong, Potter, Indiana and Perry, or within two miles of the same, in the counties in which such boroughs are located.

No. 2, an act to pay the retiring officers of the Senate and House of Representatives.

No. 4, an act relative to bounty taxes in Bradford county, legalizing the action of the burgess and town council in Troy borough relative to bounties and to require the payment of the same.

Also, on the 9th:

No. 15, an act relative to the election in the Farmers' and Merchants' insurance company.

No. 7, a supplement to an act authorizing the borough of Hollidaysburg to erect water works, approved March 16, 1866.

No. 19, an act authorizing an additional justice of the peace in the borough of Towanda, in the county of Bradford.

Senate bill No. 1, an act relative to the receiver of taxes in the city of Philadelphia, repealing so much of the act of April 9th, 1861, as authorizes him to charge five per centum commission for collecting taxes from delinquent taxpayers.

Senate bill No. 2, an act to authorize the appointment of an additional notary public for the county of Lehigh.

And on the 10th of January:

Senate bill No. 4, an act to establish a ferry over the Allegheny river at or near the mouth of Big Scrubgrass, in Venango county.

Senate bill No. 12, a supplement to the act incorporating the Sullivan land company, authorizing said company to sell or exchange lands.

Senate bill No. 25, an act to authorize the Freedom iron and steel company to issue and dispose of bonds of the said company convertible into capital stock and to secure them by a mortgage granting certain powers to facilitate the mining, manufacturing, transporting and vending business of said company, and extending their charter as hereby amended.

Senate bill No. 5, an act to define the time and regulate the manner of electing Senators to represent this State in the Senate of the United States.

And on the 11th of January:

Senate bill No. 20, an act to incorporate the Germantown swimming and skating park association.

Senate bill No. 13, an act to incorporate the New Castle water company.

Senate bill No. 14, an act to amend an act to incorporate the North American transit insurance company, approved March thirtieth, one thousand eight hundred and sixty, and the supplement thereto, so as to authorize said company to insure persons against death or disability, whether from natural diseases, accident or otherwise, and to issue policies therefor, in the usual manner, under the name, style and title of the North American life and accident insurance company.

Also, January 16th, 1867:

Senate bill No. 9, an act to incorporate the Littlestown savings institution.

Also, on the 17th:

House bill No. 35, an act authorizing the appointment of an additional notary public for the cities of Pittsburg and Allegheny.

House bill No. 31, an act authorizing the Governor to appoint an additional notary public for the county of Lycoming.

House bill No. 5, an act repealing an act appointing commissioners to lay out and open a State road from Marsh's Corners, M'Kean county, to the Philadelphia and Erie railroad.

House bill No. 13, an act relating to the drainage of roads by the supervisors in the county of Delaware.

BILLS IN PLACE.

Mr. CONNELL read in his place and presented to the Chair a bill entitled An act to create a loan for the redemption of the overdue bonds of the Commonwealth.

Referred to the Committee on Finance.

Mr. BROWNE (Lawrence), a bill entitled An act to prevent excessive valuation of farming, grazing and out-laying lots and lands within the limits of boroughs in this Commonwealth.

Referred to the Committee on the Judiciary General.

Also, a bill entitled An act granting a pension to William M'Farland.

Referred to the Committee on Pensions and Gratuities.

Mr. ROYER, a bill entitled An act relative to the appointment of the collectors of taxes in Montgomery county.

Referred to the Committee on the Judiciary Local.

Mr. SCHALL, a bill entitled An act to incorporate the Mizuga iron company.

Referred to the Committee on Corporations.

Mr. BIGHAM, a bill entitled An act to incorporate the Safe deposit company of Pittsburg.

Referred to the Committee on Banks.

Mr. BROWN (Mercer), a bill entitled A supplement to the act incorporating the Freeport and Shenango Valley railroad, to change the name and enlarge the powers thereof.

Referred to the Committee on Railroads.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

The Clerk of the House of Representatives being introduced, presented for concurrence bills numbered and entitled as follows, viz:

No. 21, an act authorizing the Governor to appoint an additional notary public for the city of Philadelphia.

Referred to the Committee on the Judiciary Local.

No. 30, a supplement to an act to incorporate the Montana gold and silver mining company, approved the 23d day of March, A. D. 1866.

Referred to the Committee on Corporations.

No. 33, an act authorizing the school directors of the borough of Oil City, in Venango county, to borrow money.

Referred to the Committee on the Judiciary Local.

No. 34, an act to repeal a part of an act approved March 2d, A. D. 1866, in reference to fees of officers and jurymen in Warren county.

Referred to the Committee on the Judiciary Local.

No. 36, a supplement to an act fixing the term of the courts of common pleas, oyer and terminer and general jail delivery, quarter sessions of the peace and orphans' courts, in the county of Allegheny, and regulating proceedings therein, approved the 22d day of March, A. D. 1866.

Referred to the Committee on the Judiciary Local.

No. 37, a supplement to an act passed the 16th day of February, A. D. 1865, to increase the pay of county commissioners, county auditors, poor directors, jurors and witnesses, in the county of Mercer.

Referred to the Committee on the Judiciary Local.

No. 38, a supplement to an act passed 13th day of April, A. D. 1859, relating to billiard saloons in the counties of Chester and Delaware, extending the same to the county of Bradford.

Referred to the Committee on the Judiciary Local.

No. 39, an act authorizing the commissioners of Erie county to exonerate Wm. F. Brockway, the collector of the township of Springfield, in said county, from the payment of certain taxes.

Referred to the Committee on Finance.

No. 42, an act relating to the prison of the county of Delaware.

Referred to the Committee on the Judiciary Local.

No. 43, an act to revive an act to empower the justices of the Supreme Court to supply defects in the title to lands, occasioned by the loss of deeds or writings respecting the same, or where they have been defaced or rendered illegible by time or accident, passed the 28th day of March, A. D. 1786, and its several supplements, and to extend the same to the county of Cameron.

Referred to the Committee on the Judiciary General.

No. 44, an act to regulate the fees of the county treasurer of Northumberland county.

Referred to the Committee on the Judiciary Local.

No. 45, an act defining the duties of the inspectors of the Philadelphia county prison.

Referred to the Committee on the Judiciary General.

No. 48, an act repealing the provisions of an act relative to the fees of district attorney in certain counties of this Commonwealth, so far as they relate to the county of Bradford.

Referred to the Committee on the Judiciary Local.

No. 49, an act supplementary to an act regulating the fees of the clerk of the quarter sessions of the peace, &c., for the city and county of Philadelphia, approved the 8th day of February, A. D. 1865.

Referred to the Committee on the Judiciary Local.

No. 51, a supplement to an act to change the mode of criminal proceedings in Erie and Union counties, extending the same to the county of Bradford.

Referred to the Committee on the Judiciary Local.

No. 53, an act extending to the city of Pittsburg the provisions of a further supplement to an act to incorporate the city of Philadelphia, relative to fire alarm and police tele-

graph, approved the 28th day of February, 1865.

Referred to the Committee on the Judiciary Local.

No. 54, an act in relation to the weighing of hay, coal and lime in the borough of Washington.

Referred to the Committee on the Judiciary Local.

No. 87, an act to incoporate the Brady's Bend bridge company.

Referred to the Committee on Roads and Bridges.

He also returned bill from the Senate numbered and entitled as follows:

No. 77, a further supplement to an act entitled An act to incorporate the city of Lancaster, approved March 20, 1818, changing the time of election of municipal officers,

With information that the House of Representatives has passed the same without amendment.

He also presented for concurrence bill

No. 137, joint resolution to pay the expenses of the inauguration of Governor Geary.

Referred to the Committee on Finance.

ORIGINAL RESOLUTIONS.

Mr. BIGHAM offered the following resolution, which was read as follows:

WHEREAS, The State Treasurer, in his annual report, calls the attention of the Legisture to the present tax on personal property, operating, as he alleges, unequally and unjustly on various districts, and recommends its repeal and the apportionment of three hundred thousand dollars in lieu thereof upon some equitable principle; therefore,

Be it resolved, That (if the House concur) the State Treasurer be requested to communicate to both branches of the Legislature such an apportionment as will, in his judgment, do equal justice to all portions of the State; the same to be based on the returns in his office, and to state the amount of the three hundred thousand dollars which he believes ought to be charged upon the city of Philadelphia and upon each county in the State.

The resolution was adopted.

Mr. WHITE offered the following resolution:

Resolved, That one thousand copies of the Surveyor General's report be printed for the use of the Senate.

The resolution was adopted.

Mr. BIGHAM offered the following resolution:

Resolved, That the Committee on Railroads be instructed to report the bill read in place by the Senator from Erie, or some substitute of its own, to provide for the organizing of railroad companies under a general law, and such regulations for the government of railroad companies as the public interests require; and that such bill or bills, when reported and printed, shall have precedence over our local legislation.

The resolution was adopted.

Mr. HAINES offered the following resolution:

Resolved, That there be printed for the use of the Senate two thousand copies of the report made by the Fish Commissioners to the Governor.

The resolution was adopted.

BILLS ON THIRD READING.

Agreeably to order,

The Senate proceeded to the consideration of bill on third reading entitled An act to incorporate the Sisters of Mercy in the city of Philadelphia.

The bill was read a third time, and

Passed finally.

Agreeably to order,

The Senate proceeded to the consideration of bill on third reading entitled An act to incorporate the Brokers' Beneficial association of Philadelphia.

Mr. DONOVAN. Mr. Speaker, I hope that bill will go over until Monday. I have no doubt it is correct, but I would ask to let it lie over.

Mr. RIDGWAY. I do not see any necessity for its going over.

Mr. DONOVAN. It is possible the Board of Brokers want to be incorporated, and it is possible they do not. There is no necessity for passing it until Monday; I think it is due to them that we lay this bill over until we hear from them. The bill may be all right, but there can be no harm in laying it over until Monday. For six years I have never refused this request to a Senator on this floor, and never will. If it was the last week of the session there might be some reason for pressing its passage.

Mr. CONNELL said he thought his colleague misunderstood the nature of the bill. This bill was not to incorporate the board of brokers, which was already incorporated, but was simply for charitable purposes.

Mr. DONOVAN. If that is all, certainly there is no wrong about delaying this bill. It seems to me now that there is something wrong about this bill. I do not understand why it is necessary to pass it at this early stage of the session. I move to postpone the further consideration of the bill until Monday evening next, and that it be made the special order for that evening.

On the question,

Will the Senate agree to the motion?

The yeas and nays were required by Mr. RIDGWAY and Mr. DONOVAN, and were as follow, viz:

YEAS—Messrs. Billingfelt, Browne (Lawrence), Burnett, Cowles, Donovan, Fisher, Glatz, Graham, Jackson, James, Landon, Lowry, Schall, Shoemaker, Stutzman, Taylor, Walls and Hall, *Speaker*—18.

NAYS—Messrs. Bigham, Brown (Mercer), Coleman, Connell, Haines, Randall, Ridgway, Royer, White and Worthington—10.

So the question was determined in the affirmative.

BILLS PASSED.

On motion of Mr. ROYER, the rules were dispensed with, and the Senate proceeded to the consideration of bill entitled An act exempting the Morris cemetery, in the county of Chester, from the payment of tax and the lots sold therein from an attachment for debt.

The bill was read a second and third time, and

Passed finally.

On motion of Mr. SCHALL, the Committee on Corporations was discharged from the further consideration of bill entitled An act to incorporate the Mizuga iron company.

And the rules having been dispensed with, the bill was read a second and third time, and

Passed finally.

On motion of Mr. SEARIGHT, the rules were dispensed with, and the Senate proceeded to the consideration of bill entitled An act to establish a ferry over the Youghiogheny river, near Perryopolis.

The bill was read a second and third time, and

Passed finally.

On motion of Mr. SHOEMAKER, the rules were dispensed with, and the Senate proceeded to the consideration of bill entitled An act to consolidate the Union coal company and the Howard coal and iron company.

The bill was read a second and third time, and

Passed finally.

On motion of Mr. STUTZMAN, the rules were dispensed with, and the Senate proceeded to the consideration of bill entitled An act to change the time of holding courts in the Sixteenth Judicial district.

The bill was read a second and third time, and

Passed finally.

On motion of Mr. BIGHAM, the Committee on Banks was discharged from the further consideration of a bill entitled An act to incorporate the Safe Deposit company of Pittsburg.

And the rules having been dispensed with, the bill was read a second and third time, and

Passed finally.

On motion of Mr. WALLS, the rules were dispensed with, and the Senate proceeded to the consideration of bill entitled An act to change the venue of certain cases from the county of Juniata to the county of Snyder.

The bill was read a second and third time, and

Passed finally.

On motion of Mr. DAVIS, the Committee on the Judiciary Local was discharged from the further consideration of bill entitled An act to exempt from taxation certain property devoted to Masonic uses in the city of Reading.

And the rules having been dispensed with, the bill was read a second and third time, and

Passed finally.

On motion of Mr. WORTHINGTON, the rules were dispensed with, and the Senate proceeded to the consideration of bill entitled A further supplement to an act to incorporate the Girard life insurance, annuity and trust company of Philadelphia, passed the 17th of March, 1836.

The bill was read a second and third time, and

Passed finally.

On motion of Mr. BROWN (Mercer), the rules were dispensed with, and the Senate proceeded to the consideration of bill entitled an act to change the mode of electing the town council in the borough of Youngsville, and defining certain duties pertaining to their office.

The bill was read a second and third time, and

Passed finally.

On motion of Mr. BIGHAM, the rules were dispensed with, and the Senate proceeded to the consideration of bill entitled A supplement to an act to incorporate the People's Saving bank of Pittsburg, approved April 17, 1866, authorizing said company to increase its capital stock.

The bill was read a second and third time, and

Passed finally.

On motion of Mr. FISHER, the rules were dispensed with, and the Senate proceeded to the consideration of bill entitled An act to divide the Northwest ward in the city of Lancaster into election precincts and separate election districts.

The bill was read a second and third time, and

Passed finally.

REPORT FROM A COMMITTEE.

On leave,

Mr. LOWRY, from the Committee on Federal Relations, reported a resolution protesting against the confirmation of Edgar Cowan as Minister to Russia.

On motion of Mr. GLATZ, the Senate then adjourned till 11 o'clock to-morrow morning.

HOUSE OF REPRESENTATIVES.

WEDNESDAY, January 23, 1867.

The House met at 11 o'clock, A. M.

Prayer was offered by the Rev. JACOB KENNEDY, member from Wyoming.

The SPEAKER announced a quorum of members present.

The Journal of yesterday was read, and, there being no objections, was approved.

MESSAGE FROM THE SENATE.

The Clerk of the Senate being introduced, presented for concurrence bills numbered and entitled as follows, viz:

Senate bill No. 18, an act to incorporate the Quinterro mining company.

Senate bill No. 19, an act to incorporate the Catholic Philopatrian institute of Philadelphia.

Senate bill No. 29, a further supplement to an act entitled An act for the better security of the city of Philadelphia from dangers incident to the refining or improper and negligent storage of petroleum or naphtha, approved March 2, 1865, construing the same.

Senate bill No. 35, an act supplementary to an act providing for the erection of a poor house in the county of Lawrence.

Senate bill No. 55, an act to incorporate the Germania insurance company.

Senate bill No. 61, an act to authorize the appointment of a phonographic reporter for the courts of Lancaster county.

Senate bill No. 64, an act appropriatiug part of the moneys arising from fines and forfeitures, in the county of Schuylkill, for a law library for the use of the court, et cetera.

Senate bill No. 81, an act to change the place of business of the Cameron petroleum company, of Pennsylvania.

Senate bill No. 83, an act to incorporate the Hollen knitting machine company, of Indiana, Pennsylvania.

Senate bill No. 84, an act to incorporate the Hand-in-Hand Mutual life insurance company.

Senate bill No. 86, a supplement to an act to incorporate the Lehigh County Mutual horse insurance company, approved April 28th, 1857.

Senate bill No. 48, an act to authorize the payment of Theodore F. Scheffer, for printing deserters' list.

He also returned bills from the House of Representatives numbered and entitled as follows, viz:

Senate bill No. 70, an act to incorporate the Bemus paper mill company.

With information that the Senate has passed the same without amendment.

He also informed that the Senate has concurred in the resolution from the House of Representatives, providing for the appointment of a committee to examine and report upon the condition of the State arsenal, and has appointed Messrs. LOWRY, FISHER and JACKSON to be the committee on the part of the Senate, under said resolution.

QUESTION OF PRIVILEGE.

Mr. QUAY. Mr. Speaker, I rise to a question of privilege. The committee appointed to try the contested election in the case of JOHN J. GLASS vs. JOHN P. LINTON, desire me to make the following report.

The report was read as follows:

To the House of Representatives of the Commonwealth of Pennsylvania:

The committee appointed to hear and decide the contested election case, in which John J. Glass appeared as contestant against JOHN P. LINTON, respectfully report:

That said committee organized on the 16th inst., and met from day to day until the 22d inst., when the contestant, John J. Glass, retired from the contest.

They report that JOHN P. LINTON is entitled to the seat which he now holds.

Respectfully submitted.

(Signed) M. S. QUAY,
W. F. WHANN,
EDWARD G. LEE,
E. D. ROATH,
SAM'L M'CAMANT,
F. S. STUMBAUGH,
H. R. RHOADS,
W. M. WORRALL,
J. R. DAY.

The report was
Laid on the table.

ORIGINAL RESOLUTIONS.

Mr. GREGORY. Mr. Speaker, I offer the following resolution.

The resolution was read as follows:

WHEREAS, The public press of the city of Philadelphia have from time to time called the attention of citizens to the inadequate means of safety provided by the owners and lessees of public halls and places of amusement in said city;

And whereas, The recent destruction of certain of said places of amusement in neighboring cities, warns us that all necessary precautions should be taken to provide the public with means of hasty egress in case of fire or other accidents; therefore,

Resolved, That the Committee on Judiciary Local be directed to prepare and report a bill to provide for the better regulation of public halls and places of amusements in the city of Philadelphia.

The resolution was read a second time, and

Agreed to.

TEMPORARY ADJOURNMENT.

Mr. M'KEE. Mr. Speaker, I offer the following resolution.

The resolution was read as follows:

Resolved, That when this House adjourns on Thursday, it will adjourn to meet on Monday evening next, at 7½ o'clock.

The resolution was read a second time, and

Agreed to.

REPORTS FROM COMMITTEES.

Mr. WADDELL from the Committee on Ways and Means, reported from that committee, as committed, No. 103, an act to regulate the salary of the Secretary of the Commonwealth.

Mr. MANN (same), as committed, No. 104, an act to repeal the act of the 30th of March, 1866, entitled An act to provide for the payment of gratuities and annuities to the soldiers of the war of 1812, and to their widows.

Mr. QUAY (same), with an amendment, No. 105, an act for the relief of T. S. Strohecker, of Venango county.

Mr. DONOHUGH (same), with a negative recommendation, No. 106, an act for the relief of Nathaniel R. Harris, a commissioned captain of Company D, in the One Hundred and Sixteenth regiment of Pennsylvania Volunteers.

Mr. FREEBORN (same), as committed, No. 107, an act for the relief of Benjamin Scott, Jr.

Mr. BARTON (same), as committed, No. 108, an act authorizing the sale of agricultural land scrip.

Mr. M'CREARY (Judiciary Local), as committed, No. 109, an act to extend the jurisdiction of the orphans' court of York county.

Also (same), as committed, No. 110, an act relating to the sale of lands for taxes in Potter county.

Mr. EWING (same), as committed, No. 111, an act creating the office and defining the duties of assistant district attorney for the county of Allegheny.

Also (same), as committed, No. 112, an act to authorize the election of a constable and collector in the several townships and boroughs of the county of Cameron, and to define his duties.

Mr. HARBISON (same), as committed, No. 113, an act to legalize certain assessments taken in the county of Cameron.

Also (same), as committed, No 114, an act for the relief of wives and children deserted by their husbands and fathers in the counties of Lancaster and Potter.

Mr. WEBB (same), as committed, No. 115, an act relating to the fees of the treasurer of the county of Snyder.

Also (same), as committed, No. 116, a supplement to an act to change the mode of criminal proceedings in Erie and Union counties, extending the same to the county of Warren.

Mr. CRAIG (Education), as committed, No. 117, and act to authorize the board of school directors of Harford township, Susquehanna county, to levy and collect a special tax to build and repair school houses in said township.

Also (Judiciary Local), as committed, No. 118, an act to extend the provisions of an act relating to costs in Luzerne county, approved the second day of April, A. D. 1863, to the county of Dauphin, with a proviso.

Also (same), as committed, No. 119, an act supplementary to a supplement to an act relating to the collection of State and county taxes in the county of Bucks, approved the 31st day of March, 1864.

Mr. PHELAN (same), as committed, No. 120, an act authorizing the court of common pleas of Northampton county to appoint a trustee to make sale of certain real estate held in trust for A. Wolle & Co.

Also (same), as committed, No. 121, a further supplement to an act increasing the fees of the several county officers of this Commonwealth, except in the city of Philadelphia, and counties of Allegheny, Bradford, Susquehanna and Sullivan, approved March 30th, A. D. 1865.

Mr. THARP (same), as committed, No. 122, an act to regulate the term of the several courts in the Sixth Judicial district.

Also (same), as committed, No. 123, an act regulating the fees of the commissioners of the county of Snyder.

Mr. KINNEY (Education), as committed, No. 124, an act supplementary to an act for the regulation and continuance of a system of education by common schools, approved the 8th day of May, A. D. 1864.

Also (same), as committed, No. 125, an act to annex certain lands in Pine Creek township, Jefferson county, owned and occupied by Sarah G. Evans, to the borough of Brookville for school purposes.

Mr. KLINE (same), as committed, No. 126, a supplement to an act to annex the farm of William Steel, of Salem township, to Hemphill township, Westmoreland county, for school purposes, approved 11th April, 1866.

Mr. WHARTON (same), as committed, No. 127, an act authorizing the school directors of the city of Williamsport, in the county of Lycoming, to borrow money.

Mr. MARKS (same), as committed, No. 128, an act to authorize the school directors of Swatara school district, Dauphin county, to raise an additional bounty tax.

Mr. — (same), as committed, No. 129, an act to increase the efficiency of the common school system, and to foster schools for the education of teachers.

Mr. ARMSTRONG (same), with a negative recommendation, No. 130, an act to repeal the act approved the 4th day of April, A. D.

1866, forming an independent school district out of parts of Clarion and Armstrong counties, at the village of Mishville.

Mr. EWING (same), as committed, No. 131, an act to enable the board of directors of common schools of East Lampeter township, Lancaster county, to apply surplus of bounty fund to common school purposes.

Mr. GORDON (same), as committed, No. 132, and act to authorize the school directors of Saegerstown, Crawford county, to borrow money and for other purposes.

Mr. HOFFMAN (Vice and Immorality), as committed, No. 133, an act relating to the granting of tavern licenses in Washington county.

Mr. MARKS (Passenger Railways), as committed, No. 134, an act to extend the time for the payment of the enrollment tax on an act to incorporate the Meadville passenger railroad company.

Mr. FREEBORN (same), with amendments, No. 135, a supplement to an act approved the 8th day of April, A. D. 1859, to incorporate the Pittsburg and East Liberty passenger railway company.

Mr. KERNS (Railroads), as committed, Senate bill No. 74, an act to validate and confirm a certain mortgage or deed of trust, executed under the corporate seal of the Phillipsburg coal, iron and oil company, and to authorize the transfer of the railroad of said company to any other railroad company owning a railroad connecting therewith, and to increase the number in the board of directors.

REPORT FROM COMMITTEE TO COMPARE BILLS.

Mr. WATT, from the Committee appointed to Compare Bills and present them to the Governor for his approbation, made report, which was read as follows, viz:

That in conjunction with a similar committee from the Senate, they have compared and on the 9th of January presented to the Governor for his approbation bills as follows, to wit:

No. 19, an act authorizing an additional justice of the peace in the borough of Towanda, in the county of Bradford.

Also, on the 11th:

Senate bill No. 20, an act to incorporate the Germantown swimming and skating park association.

Senate bill No. 13, an act to incorporate the New Castle water company.

Senate bill No. 14, an act to amend an act to incorporate the North American transit insurance company, approved March 30, 1860, and the supplement thereto, so as to authorize said company to insure persons against death or disability, whether from nutural diseases, accident or otherwise, and to issue policies therefor in the usual manner, under the name, style and title of the North American life and accident insurance company.

Senate bill No. 9, an act to incorporate the Littlestown Savings Institution.

Also, on the 17th:

No. 35, an act authorizing the appointment of an additional notary public for the cities of Pittsburg and Allegheny.

No. 31, an act authorizing the Governor to appoint one additional notary public for the county of Lycoming.

No. 5, an act repealing an act appointing commissioners to lay out and open a State road from Marsh's Corners, M'Kean county, to the Philadelphia and Erie railroad.

No. 13, an act relating to the drainage of roads by the supervisors in the county of Delaware.

BILLS IN PLACE.

Mr. PENNYPACKER. Mr. Speaker, I offer the following joint resolution, and move that the rules be suspended and the House proceed to its consideration.

The resolution was read as follows:

No. 137, an act to pay the expenses of the inauguration of Governor Geary.

The motion of Mr. PENNYPACKER was

Agreed to.

The resolution was read a second and third time, and

Passed finally.

Mr. QUAY, an act for the relief of Milo R. Adams, treasurer of Adams county.

Referred to the Committee on Ways and Means.

Also, an act to provide for compensation to John J. Glass, a contestant for the seat of John P. Linton, a member of the House of Representatives from Cambria county.

Referred to the Committee on Ways and Means.

Mr. M'CREARY, an act granting to the city of Erie the title of the Commonwealth to certain lands in and adjoining the harbor of Erie.

Referred to the Committee on Ways and Means.

Mr. CHADWICK, an act authorizing the treasurer of the Commonwealth to pay the claim of the Allegheny county agricultural society for damages arising out of the occupation of their fair grounds by the State troops during the late war.

Referred to the Committee on Ways and Means.

Also, an act relating to the law of evidence.

Referred to the Committee on the Judiciary General.

Mr. WADDELL, an act to explain or construe an act compelling railroads and other corporations to pay counsel fees of plaintiffs in certain cases.

Referred to the Committee on the Judiciary General.

Mr. BARTON, an act entitled An act authorizing the commissioners of the county of Delaware to create a five per cent. loan.

Referred to the Committee on the Judiciary Local.

Mr. KURTZ, a supplement extending the provisions of an act, approved the 17th day of April, A. D. 1866, relative to the fees on unseated lands in the county of Centre.

Referred to the Committee on the Judiciary Local.

Mr. WHARTON, an act relating to the fees of the district attorney of Huntingdon county.

Referred to the Committee on the Judiciary Local.

Mr. CHALFANT, an act to repeal the act of Assembly, passed the 11th day of April, 1866, entitled An act to provide for the purchasing of real estate and erection of a poor house in Montour county.

Referred to the Committee on the Judiciary Local.

Mr. WHANN, an act to authorize J. A. Dewar to erect a schute in the dam at Franklin, Venango county, and also authorizing the closing of the lock or not, as he may elect.

Referred to the Committee on the Judiciary Local.

Mr. ESPY, an act relative to the Pittsburg and Erie railroad company.

Referred to the Committee on Railroads.

Also, an act in relation to the Pittsburg, Fort Wayne and Chicago railway company.

Referred to the Committee on Railroads.

Mr. M'CAMANT, an act to incorporate the Morrison's Cove railroad company.

Referred to the Committee on Railroads.

Mr. GALLAGHER, an act to annex the farms of Samuel Powers, John Hunter, James Cunningham, John Conway and James Rutlidge, of Derry township, borough, in Westmoreland county, for school purposes.

Referred to the Committee on Education

Mr. JENKS, a supplement to an act entitled An act to incorporate the Red Bank navigation company.

Referred to the Committee on Corporations.

Mr. SUBERS, an act to incorporate the Pennsylvania literary association of the city of Philadelphia.

Referred to the Committee on Corporations.

Also, an act to incorporate the Harmony gold and silver mining company.

Referred to the Committee on Mining and Manufacturing Companies.

Mr. KOON, an act to regulate the taking of fish from the lakes and ponds in Benton township, in the county of Luzerne.

Referred to the Committee on Agriculture.

Mr. KENNEDY, an act to incorporate the Wyoming bridge company.

Referred to the Committee on Roads, Bridges and Ferries.

Mr. STEHMAN, an act to annul the marriage contract between Emanuel H. Shaeffer and Harriet Shaeffer, of Lancaster county.

Referred to the Committee on Divorces.

Mr. KOON, an act relating to the estate of Jacob Coon, deceased.

Referred to the Committee on Estates and Escheats.

Mr. M'HENRY, an act to divide the township of Plymouth into two election districts.

Referred to the Committee on Counties and Townships.

Mr. M'KEE, an act supplementary to an act creeting the village of East Birmingham into a borough, approved the 10th day of April, A. D. 1849.

Referred to the Committee on Municipal Corporations.

Mr. M'HENRY, an act to divide the borough of Plymouth into two wards.

Referred to the Committee on Municipal Corporations.

Mr. GALLAGHER, an act to change the provisions of the thirtieth section of an act regulating boroughs, approved the 3d day of April, 1851, so far as the same relates to the borough of Mount Pleasant, Westmoreland county.

Referred to the Committee on Municipal Corporations.

BILLS PASSED.

Mr. QUAY. Mr. Speaker, I read in my place and present to the Chair a bill entitled

No. 138, an act to pay Foster Gehr, clerk to the committee in the case of Glass vs. Linton,

And move that the rules be suspended, and that the House proceed to the consideration of the bill.

The motion was

Agreed to.

The bill was read a second and third time, and

Passed finally.

Mr. JENKS. Mr. Speaker, I read in my place and present to the Chair a bill entitled

No. 139, an act to incorporate the Masonic Hall association of the borough of Brookville, in the county of Jefferson.

Mr. JENKS. Mr. Speaker, I ask leave to make a statement.

Leave was granted.

Mr. JENKS. Mr. Speaker, the persons who are interested in that association have purchased very valuable property, and become responsible for a large amount of money. The payments are coming due very rapidly, and they wish their organization perfected, that they may be able to meet the payments as they fall due. I therefore move a suspension of the rules in order that the bill may be passed at this time.

The motion was

Agreed to.

The bill was read a second and third time, and

Passed finally.

Mr. KIMMELL. Mr. Speaker, I ask leave to make a short statement.

Leave was granted.

Mr. KIMMELL. Mr. Speaker, there is a bill on your table under the name and title of an act to incorporate the Holland knitting machine company, of Indiana county. I desire the indulgence of this House to allow that bill to be taken up at this time and passed.

The SPEAKER. The gentleman from Indiana will please withhold his motion until the Chair clears the table.

Mr. MEYERS. Mr. Speaker, I read in my place and present to the Chair a bill entitled An act for the relief of the widow of Colonel James Miller.

Mr. MEYERS. Mr. Speaker, I ask that that bill may lie on the table.

Mr. MANN. Mr. Speaker, I would inquire if that relief affects the treasury of the State.

Mr. MEYERS. Yes, sir.

Mr. MANN. I object, then.

The SPEAKER. Objection being made, the bill will go to the Committee on Ways and Means.

PETITIONS WITHDRAWN.

Mr. HARNER asked and obtained leave to withdraw certain petitions, which had been presented last winter, for the purpose of representing them.

Mr. HUMPHREY. Mr. Speaker, I ask leave to make a statement.

Leave was granted.

Mr. HUMPHREY. Mr. Speaker, I wish to call up the bill I read in place yesterday, and have it acted upon at this time. It is important the bill should pass at once, for the reason that the floods that have lately deluged the Cumberland Valley have swept away bridges which it is essential to have repaired at the earliest possible day, in order that the lumbering interests of that region may not suffer.

The SPEAKER. The gentleman will suspend his remarks until the order of reading bills in place is finished. The Chair will then recognize him.

After the order of reading bills,

The SPEAKER. The Chair will now recognize the gentleman from Tioga [Mr. HUMPHREY].

Mr. HUMPHREY. Mr. Speaker, yesterday I read in place a bill to improve the Cowanesque river, in Tioga county, which was laid on the table. I now desire that the bill should be taken up and passed for reasons that I have already stated.

The SPEAKER. The bill has gone to the printer, and therefore cannot now be taken up.

PRIVILEGED QUESTION.

Mr. DAVIS. Mr. Speaker, I rise to a privileged question. I move a reconsideration of the vote had last Thursday upon the resolution relative to Senator Cowan. The object I have in making this motion is to so amend the resolution as to make it a joint one. The Senate wish to act upon the matter, and this would make it more consistent and in harmony with usual legislation. I move to reconsider the vote on the final passage of this resolution.

The SPEAKER. The Chair is informed that the resolution instructing the Clerk to transmit a copy to the President of the United States Senate has already been carried out.

Mr. DAVIS. Mr. Speaker, I am aware of that, but I do not see how that will operate against the motion I have made, if the motion is within six days of the time the resolution was passed. I am informed by Senators that they desire to act on the resolution, and to introduce a separate resolution, it seems to me, would not be so appropriate as to make this a joint one. We can then move to have it retransmitted as the joint action of the Legislature instead of the action of the House alone.

The SPEAKER. The Chair is of the opinion that the subject sought to be obtained by the gentleman from Philadelphia can only be reached by the introduction of another resolution. The orders contained in that resolution were, that the Clerk should forward a copy to the President of the United States Senate. That instruction has been complied with, and there is no way, that the Chair is aware of, by which that resolution, sent to the President of the United States Senate, can be recalled.

Mr. DAVIS. Mr. Speaker, I agree with the Chair that far, but I cannot see why we cannot reconsider the one passed and have it retransmitted. I was well aware when I made the motion that the resolution we passed had been transmitted to the United States Senate, but I think it would save time to make a joint resolution of it and send it over to the Senate.

The CHAIR. The Chair is still of the opinion that it is not proper to reconsider the resolution. The object sought can only be reached by the introduction of a new resolution.

Mr. DAVIS. I submit, Mr. Speaker——

Mr. WEBB. Mr. Speaker, I ask leave to make a short statement.

Leave was granted.

Mr. WEBB. Yesterday, while we were considering private bills, Senate bill No. 46 was brought up, and I asked that it be laid over on third reading. I am informed by the Senator who introduced it [Mr. JACKSON] that it is important this bill should be passed at once. I, therefore, move that it now be read a third time and acted upon.

Mr. WADDELL. Mr. Speaker, I would suggest to the gentleman that the next thing in order, I understand, is bills upon their third reading, and, if the House will maintain the rules, we will come to the gentleman's bill in a few moments. That is the propriety of adhering to the regular order.

Mr. WEBB. Mr. Speaker, I withdraw my motion for the present.

The SPEAKER proceeded to clear the table.

Senate bill No. 18, an act to incorporate the Quinterro mining company.

Referred to the Committee on the Judiciary Local.

Senate bill No. 19, an act to incorporate the Catholic Philopatrian institute, of Philadelphia.

Referred to the Committee on Corporations.

Senate bill No. 29, a further supplement to an act entitled An act for the better security of the city of Philadelphia from dangers incident to the refining or improper and negligent storage of petroleum or naptha, approved March 2, 1865, construing the same.

Referred to the Committee on Municipal Corporations.

Senate bill No. 35, an act supplementary to an act providing for the erection of a poor house in the county of Lancaster.

Referred to the Committee on the Judiciary Local.

Senate bill No. 55, an act to incorporate the Germania insurance company of Erie.

Referred to the Committee on Corporations.

Senate bill No. 48, an act to authorize the payment of Theodore F. Scheffer for printing deserters' list.

Referred to the Committee on Ways and Means.

Senate bill No. 61, an act to authorize the appointment of a phonographic reporter for the courts of Lancaster county.

Referred to the Committee on the Judiciary Local.

Senate bill No. 64, an act appropriating part of the moneys arising from fines and forfeitures in the county of Schuylkill for a law library for the use of the courts, et cetera.

Referred to the Committee on the Judiciary Local.

Senate bill No. 81, an act to change the place of business of the Cameron petroleum company of Pennsylvania.

Referred to the Committee on Corporations.

Senate bill No. 84, an act to incorporate the Hand-in-Hand Mutual life insurance company.

Referred to the Committee on Corporations.

Senate bill No. 86, a supplement to an act to incorporate the Lehigh County Mutual horse insurance company, approved April 28, 1857.

Referred to the Committee on Corporations.

Senate bill No. 83, an act to incorporate the Hollin knitting machine company.

Mr. KIMMELL. Mr. Speaker, I ask leave to make a statement.

Leave granted.

Mr. KIMMELL. Mr. Speaker, that company is now actively engaged in erecting buildings and making preparations for the transaction of such business as pertains to the interests of the company, and it has become necessary for them to borrow money to carry on their operations. They do not wish to be borrowing money individually, but to be incorporated and borrow money as a company. At the request of my Senator, who introduced the bill into the Senate, I ask now the indulgence of the House, that this bill be taken up and passed, and move that the rules be suspended for that purpose.

Mr. MEYERS. Mr. Speaker, I trust that the House will not so stultify itself as to take up this bill now. We have reached the order of bills on the third reading. There are some very important matters to be acted upon under that order, and, if the gentleman insists upon his motion to suspend the rules, I shall certainly insist upon a division of the question. If we are to have a general suspension let us all have a hand in it.

Mr. KIMMELL. I withdraw the motion and ask to have the bill laid on the table.

The request was

Agreed to.

BILLS ON THIRD READING.

House bill No. 41, entitled An act providing for the punishment of persons residing in Northampton county deserting their wives and children, was read.

The question was on the final passage of the bill.

Mr. JENKS. Mr. Speaker, I desire to call the attention of the House to the law as it now stands, and to ask the gentleman whether this bill accomplishes more than is now provided for. I think the gentleman will find no necessity for his act unless there is a local reason.

I think that on page 799 of *Purdon's Digest* he will find all that is required on this subject.

Mr. MEYERS. Mr. Speaker, the provision of the act referred to by the gentleman is under our poor law, and is based upon the fact that a person must first be a charge upon the county, and the proceedings must be commenced by the overseers of the poor or the directors, and can only be directed against the real or personal property of the individual. The change effected by this law is that the proceedings shall be made against the

person at once, and he shall be brought before a court of quarter sessions and thereupon fined, if the facts set forth are proved.

The wife, or anybody interested in her welfare, or her children, may enter complaint, and, in default of his having any property, he may be required to give bail. Under the decision of the Supreme Court bonds, notes, &c., cannot be taken from the husband, and, therefore, a man may be in such a shape that he cannot be reached. The object of this provision is entirely in conflict with the provision of the common law on the subject, and at once directs its action against the person of the offender, not upon the complaint made by the overseer of the poor, or the directors only, but upon the complaint of any person interested. The action is directed at once against the person, and he is compelled to give bail to carry out the decrees of the court. I think the objection of the gentleman is not a valid one, and I ask, therefore, that this bill be passed. I however ask that the first section be amended in the sixth line, after the word "such," by inserting the words "without reasonable cause."

Mr. KOON. Mr. Speaker, I appreciate the remarks of the gentleman just made. I have had some experience as supervisor of the poor and I have found out, to my sorrow, the defects of the present law. I think this bill a very good one and that it ought to be general. I move to amend so as to include Luzerne county in the bill.

Mr. CHASE. Mr. Speaker, I move to amend by inserting Crawford county.

The SPEAKER. It is not in order to make any further amendments. There is already one more amendment made than can be entertained now.

Mr. WADDELL. Mr. Speaker, I would suggest to the gentleman from Northampton [Mr. MEYERS] that he make his bill a general one. There seem to be a number of gentlemen who desire their counties inserted, and for my part I cannot see any objection to making it a general law.

Mr. MANN. Mr. Speaker, there is now a general law before the Judiciary Committee covering this whole ground, and I hope this bill will not be passed at present.

Mr. MEYERS. Mr. Speaker, I move then that the bill lie over for the present.

The motion was

Agreed to.

House bill No. 46, entitled An act to increase the fees of certain county officers and the district attorney in the county of Washington, was read.

The question was, Shall the bill pass?

Mr. EWING. Mr. Speaker, I move that the further consideration of the bill be postponed for the present.

The motion was

Agreed to.

Senate bill No. 46, entitled An act to increase the fees of certain county officers in Sullivan county, and to validate certain charges heretofore made, was read.

The question was on the final passage of the bill.

The bill

Passed finally.

House bill No. 32, entitled An act requiring the commissioners of Forks township, Northampton county, to render an account to the auditor of said township, and providing for the auditing of the same, was read.

The question was on the final passage of the bill.

The bill

Passed finally.

REPORTS AND RESOLUTIONS ON MOTION CONSIDERED.

Mr. BOYLE. Mr. Speaker, you will remember, sir, that early in the session a resolution was offered adopting the rules of last session for the government of this House during the present session. At that time I attempted to offer an amendment to the resolution and was ruled out of order. I understand from the Chair, and from some other gentlemen who are presumed to know, that when this order was reached the resolution would come up. I now call it up, sir.

The resolution was read.

(See page three of the *Record*.)

Mr. BOYLE. Mr. Speaker, I offer an amendment to come in at the end of the rules.

The amendment was read as follows:

"The following shall be an additional rule, to be known as rule 63:

"A committee may be discharged from the consideration of any matter referred to it by a majority vote."

The question was on the amendment of Mr. BOYLE.

Mr. BOYLE. I wish to call the attention of the members to the necessity of a rule of this kind. As the rules now stand, it requires two-thirds of the members voting to discharge a committee from the consideration of any matter referred to it. Gentlemen who have been here long know very well that there are times when matters get before a committee, and it is impossible to get them before the House again. The committee hold them for some reasons—doubtless for good reasons. Hence, a committee composed, say of nine members, may hold a bill by five members in that committee against one less than two-thirds of this House. Gentlemen will see how absolutely necessary it is, then, for the adoption of this amendment. Now, I hope, Mr. Speaker, that a majority of this House should upon all occasions, except perhaps very rare instances, be able to control the business of this House. By that, injury can be done to nobody, and that is all this amendment provides. I trust that the House will see proper to adopt it.

The SPEAKER. The question is on the amendment. Is the House ready for the amendment?

Mr. MANN. Mr. Speaker, I move to amend the amendment of the gentleman from Fayette [Mr. BOYLE], so as to provide that no bill or other matter shall be discharged from the committee by a majority vote, until after it has been in their hands twenty days. The reason I offer this amendment is, that it seems to me it would be leading to a useless contest if, immediately after a bill was referred, gentlemen should jump up and ask to have the committee discharged from the further consideration of it. If a matter is referred to a committee this House should pay some little respect to that committee by at least giving it an opportunity to report. But I am inclined to think that a majority of this House, after a reasonable length of time, ought to have every bill under its control. I will agree with the gentleman, that, after a committee has had a bill or other matters in its possession a reasonable length of time; a majority of this House ought to be able to withdraw it and refer it to another committee, or act upon it without further reference. I am, however, unwilling that any other committee shall not have a sufficient opportunity to report upon a bill before a simple majority of this House can take it out of their hands. For this reason I offer this amendment.

Mr. BOYLE. Mr. Speaker, I have no objection to some such amendment as that offered, but I would suggest to the gentleman that the period is too long. Twenty days is longer than there is any need of. Then, sir, there is another objection. His amendment makes no provision for a bill introduced within twenty days of the end of the session. A bill introduced nineteen days before the close of the session would be held in the committee without any remedy at all. I would suggest to the mover of the amendment that he make some provision to meet cases of that kind. I would prefer to have the period not longer than ten days. That is long enough for any ordinary case, and the House certainly would not, in any proper case, vote to discharge the committees within an unreasonable length of time. I trust the gentleman will modify his amendment so as make it ten days, and also make a provision for reporting matters within a certain period from the end of the session.

Mr. KERNS. Mr. Speaker, I am opposed to the amendment of the gentleman from Fayette [Mr. BOYLE]. Frequently there are bills before these committees in which great interest is taken, and the parties concerned desire to appear before the committee. Time is necessary to allow all the parties an opportunity to appear, and for that reason I think the amendment is uncalled for.

Mr. PENNYPACKER. Mr. Speaker, I am opposed to the amendment of the gentleman from Potter [Mr. MANN] on account of the length of time he allows a committee to control a bill before it can be withdrawn by a majority of this House. I am very much in favor of the original amendment, because there are cases that have come within my legislative experience when bills have been held by committees and not reported at all. I think it should be within the power of a majority of this House, at any time, to discharge the committees from the further consideration of any particular matter. I think, sir, this rule will prove very effective. I do not wish to make any reflection upon any committee. They will have a great deal of labor to perform, but after they have had time to consider a bill and do not report it the majority of this House should have power to take it out of their hands.

Mr. M'CREARY. Mr. Speaker, I am very much in favor of the amendment of the gentleman from Potter [Mr. MANN], as also the amendment offered by the gentleman from Fayette [Mr. BOYLE]. I think twenty days little enough time. Now, it often happens we adjourn from Thursday until Monday night, as we will do this week. Nearly one-half of ten days expires during the adjournment. It often happens that a committee come to act upon a bill a party appears before them, and it is found necessary to postpone further consideration until he can send home for testimony or petitions which are necessary to a proper understanding by the committee. We do not want persons here presenting bills, and as soon as they are referred, move to have the committee discharged. We do not want that kind of extraneous matter brought up day after day to interrupt the harmony of our proceedings. Therefore, I say, whilst the amendment offered by the gentleman from Fayette [Mr. BOYLE] is a good one, yet the amendment offered by the gentleman from Potter (Mr. MANN) simply places a limitation upon that, and I think gentlemen on both sides of the House will see that twenty days is little enough, and is also sufficient time. Therefore, I trust both of these amendments will prevail.

Mr. MANN. Mr. Speaker, I move that the hour of adjournment be extended until the matter is disposed of.

On the motion, a division was called for, when Mr. MANN withdrew his motion.

Mr. BOYLE. Mr. Speaker, I call the previous question.

Mr. WADDELL. Mr. Speaker, I submit that this whole proceeding is out of order, and I raise this point of order: that it is not necessary for this House to pass a resolution

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[CONTINUED FROM PAGE 128.]

making the rules of the last House apply to this session, while there exists a rule of the last House declaring that these rules shall remain in force until otherwise ordered, and this House need not at each session adopt rules for its government during the same.

Mr. MANN. Mr. Speaker, I desire to say that it seems to me it is not competent for this body to adopt rules for the next Legislature. I think, therefore, the resolution of the gentleman from Philadelphia [Mr. LEE] is a proper one, and the point made by the gentleman from Chester [Mr. WADDELL] is not well made. I know these rules say that they shall be the rules of the House until otherwise determined. But I submit that it is not competent for this House to adopt rules for the next Legislature and that this House is bound to adopt its own rules.

Mr. QUIGLEY. Mr. Speaker, I submit that the point of order raised by the gentleman from Chester [Mr. WADDELL] would have been proper in its proper place. But I think the point of order is taken at too late a day. If he had raised the point of order when the resolution was offered, it would have been relevant; but I think as this amendment has been introduced and discussed, it is too late to raise it now.

Mr. LEE. Mr. Speaker, I understand from the gentleman's remarks that "hoary headed vice becomes respectable." An error can never be made anything else by age. If it was out of order to introduce that resolution in the first place, no subsequent proceedings upon it can make it right. I think that is a clear proposition. If it was out of order when presented, it is out of order to-day, and it would be out of order through all coming time, and no subsequent legislation could make it right. I believe that the point of order raised by the gentleman is well taken. I believe that the law provides, as any other law provides, for the subsequent control of this body. The law provides that a Speaker and other officers shall be elected. If the law cannot provide rules, how can it provide that certain officers shall be elected?

The SPEAKER submitted the question to the House for its decision, and

On the question,

Is the point of order well taken? the hour of one o'clock having arrived, the SPEAKER declared this House adjourned until this afternoon at 3 o'clock.

HOUSE OF REPRESENTATIVES.

WEDNESDAY, January 23, 1867.

AFTERNOON SESSION.

The House met at 3 o'clock, P. M.

The SPEAKER announced the special order this afternoon to be the consideration of Senate bill No. 3, entitled Joint resolution to ratify the amendment to the Constitution of the United States.

On motion,

The House dispensed with going into the committee of the whole.

The resolution was read as follows:

JOINT RESOLUTION to ratify the amendment to the Constitution of the United States.

WHEREAS, Two-thirds of the members of the Senate and House of Representatives of the United States, in Congress assembled, did adopt an amendment to the Constitution of the United States, which is entitled Article fourteen as follows:

SECTION 1. All persons born or naturalized in the United States, and subject to the jurisdiction thereof, are citizens of the United States, and of the State wherein they reside; no State shall make or enforce any laws, which shall abridge the privileges or immunities of citizens of the United States, nor shall any State deprive any person of life, liberty or property, without due process of law, nor deny any person within its jurisdiction the equal protection of law.

SEC. 2. Representatives shall be apportioned among the several States, according to their respective numbers, counting the whole number of persons in each State, excluding Indians not taxed; but when the right to vote, at any election, for the choice of electors for President and Vice President of the United States, representatives in Congress, the executive and judicial officers of a State, or the members of the legislature thereof, is denied to any of the male inhabitants of such State, being twenty-one years of age, and citizens of the United States, or any way abridged, except for participation in rebellion, or other crime, the basis of representation therein shall be reduced in the proportion which the number of such male citizens shall bear to the whole number of male citizens, twenty-one years of age, in such State.

SEC. 3. No person shall be a Senator or Representative in Congress, or elector of President or Vice President, or hold any office, civil or military, under the United States, or under any State, who having previously taken an oath as a member of Congress, or as an officer of the United States, or as a member of any State Legislature, or as an executive or judicial officer of any State, to support the Constitution of the United States, shall have engaged in insurrection or rebellion against the same, or given aid or comfort to the enemies thereof; but Congress may, by a vote of two-thirds of each House, remove such disability.

SEC. 4. The validity of the public debt of the United States, authorized by law, including debts incurred for payment of pensions and bounties, for services in suppressing insurrection or rebellion, shall not be questioned; but neither the United States, or any State, shall assume or pay any debt, or obligation incurred in aid of insurrection or rebellion against the United States, or any claim for the loss or emancipation of any slave; but all such debts, obligations and claims shall be held illegal and void.

SEC. 5. The Congress shall have power to enforce, by appropriate legislation, the provisions of this article.

Which said amendment has been submitted to the Legislature of Pennsylvania for ratification or rejection; therefore,

Be it resolved by the Senate and House of Representatives of the State of Pennsylvania, in General Assembly met, That the amendment, as above proposed and submitted, is hereby ratified and adopted by the State of Pennsylvania.

On the question, Will the House agree to the resolution?

Mr. JENKS and Mr. MANN proceeded to discuss the resolution.

[The debate will appear in the Appendix to the *Record*.]

MESSAGE FROM THE SENATE.

The Clerk of the Senate being introduced, presented for concurrence bills numbered and entitled as follows:

Senate bill No. 60, an act changing the time of holding courts in the Sixteenth Judicial district.

Senate bill No. 69, a supplement to an act to incorporate the People's Saving Bank of Pittsburg, approved April 17, 1866, authorizing said company to increase its capital stock.

Senate bill No. 54, a further supplement to an act to incorporate the Girard life insurance, annuity and trust company of Philadelphia, passed March 17th, 1836.

Senate bill No. 82, an act to consolidate the Union coal company, and the Howard coal and iron company.

Senate bill No. 107, an act to incorporate the Mipuga iron company.

Senate bill No. 106, an act to exempt from taxation certain property devoted to Masonic uses in the city of Reading.

Senate bill No. 71, an act to divide the Northwest ward, in the city of Lancaster, into election precincts and separate election districts.

Senate bill No. 108, an act to incorporate the Safe Deposit company of Pittsburg.

He also returned bills from the House of Representatives numbered and entitled as follows, viz:

No. 27, an act to exempt the Morris cemetery, in the county of Chester, from the payment of tax, and the lots sold therein from an attachment for debt.

No. 3, an act to change the mode of electing town council in the borough of Youngsville, and defining certain duties pertaining to their office,

With information that the Senate has passed the same without amendments.

He also returned bill from the House of Representatives numbered and entitled as follows, viz:

No. 71, an act changing the venue of certain cases from the county of Juniata to the county of Snyder,

With information that the Senate has passed the same with amendments, in which the concurrence of the House of Representatives is requested.

He also presented an extract from the Journal of the Senate, which was read as follows, viz:

IN THE SENATE, January 23, 1867.

WHEREAS, The State Treasurer, in his annual report, calls the attention of the Legislature to the present tax on personal property, operating, as he alleges, unequally and unjustly, on various districts, and recommends its repeal, and the apportionment of three hundred thousand dollars in lieu thereof upon more equitable principles; therefore, be it

Resolved, That, if the House concur, the State Treasurer be requested to communicate to both branches of the Legislature such an apportionment as will, in his judgment, do equal justice to all portions of the State; the same to be based on the returns to his office; and to state amount of the three hundred thousand dollars which he believes ought to be charged upon the city of Philadelphia, and upon each county in the State.

On motion of Mr. STUMBAUGH, the House adjourned until to-morrow morning at 11 o'clock, Mr. MANN yielding the floor to allow the motion to be made.

SENATE.

THURSDAY, January 24, 1867.

The Senate met and was called to order at 11 A. M., by the SPEAKER.

Prayer was offered by the Rev. Mr. Bailey, of Harrisburg.

On motion of Mr. SCHALL, the reading of the Journal of yesterday was dispensed with.

SPEAKER'S TABLE.

The SPEAKER laid before the Senate the report of the managers and trustees of the Children's Home of the borough and county of York.

Laid on the table.

He also presented the following report of the inspectors of the State Penitentiary for the Eastern district of Pennsylvania:

To the Honorable the Senate and House of Representatives of the Commonwealth of Pennsylvania:

The undersigned inspectors of the State Penitentiary for the Eastern district of Pennsylvania, ask leave respectfully to present to your honorable bodies this

SPECIAL REPORT.

The increase of crime within the past few years has exhausted the capacity of the penitentiary to receive all the convicts sentenced from the counties composing the Eastern district. This penitentiary was constructed for a population of five hundred convicts. It was opened for the reception of prisoners in 1829. The population of the Eastern district was then seven hundred and fifty-five thousand, five hundred and seventy-seven, and that of the city and county of Philadelphia one hundred and eighty-eight thousand, nine hundred and sixty-one. The following statement will show the proportionate increase of convicts to the population:

The population of the Eastern district in	
1830 was	755,577
1840 "	1,168,300
1850 "	1,568,737
1860 "	2,009,811
1866 estimated	2,263,440
The number of prisoners received in	
1830 was	49
1840 "	139
1850 "	150
1860 "	259
1866 "	304

Here it will be seen that since the opening of the penitentiary, in 1829, the population of the Eastern district of Pennsylvania has increased more than three hundred per cent., while the increase of prisoners from the same date has been more than seven hundred per cent., and the indications of the last two years are that the per centage of convicts will not diminish.

These comparisons have been made on the basis of the general population of the Eastern district and the convicts sent to this penitentiary. It should be observed that within the past ten (10) years several county prisons have been established on the Pennsylvania system, to which convicts from those counties are sentenced, which reduces the average of convicts to the State Penitentiary. It is not intended to present the general statistics as to the proportion of crime to the whole population of the State. In the annual report of the inspectors, that subject will be more fully examined. The present purpose is to show the demands on the exhausted capacity of the penitentiary, and to suggest the most economical and practicable relief.

By adapting our resources for temporary accommodation, five hundred and thirty-five convicts have been confined, but now we have five hundred and seventy (570) prisoners under sentence. As a large number of convicts have been sentenced, during the past two years, for the higher grades of crime, and necessarily for longer terms than heretofore, the discharges are now less than the receptions, and this, added to the increase in number, requires increased room.

To meet the pressing wants of society from the causes mentioned the inspectors propose the following plan:

To put a second story on the first block and increase its length, making it, in all respects, similar to the seventh block. By this plan there will be added to the first block on the ground floor, thirty cells and ninety feet additional length, and in the second story sixty-six new cells, and by adding eight cells to the second and third blocks there will be accommodation for one hundred and four (104) prisoners additional. It will require seventeen months to complete this alteration, and when complete the entire penitentiary will accommodate say six hundred and thirty (630) convicts.

Estimate for materials required in the proposed alteration will be, say:

Stone, six thousand perches.

Brick, seven hundred thousand.

Lime, eight thousand one hundred bushels.

Sand and gravel, two thousand seven hundred loads.

Iron for railing, stairs, doors, et cetera, one hundred and fifty-four tons.

Lumber for floors, doors, et cetera, two hundred and sixty-five thousand one hundred feet.

Lead pipe, two thousand feet.

Hydrant cocks, one hundred and ninety-eight.

Slates for roof, less quantity saved from present roof, no estimate.

Nails, twenty thousand pounds.

In addition to above, for arching corridors, say:

Brick, eighty-five thousand.

Lime, two hundred and fifty bushels.

Sand, eighty-five loads.

This renders the entire block fire-proof.

The cost of mechanical skill—wages, say nineteen thousand dollars.

Incidentals, heating, tin-work, plastering, five thousand dollars.

The actual net cost of materials and labor will be, by the above estimate, equal to, say one hundred and seventy-nine thousand dollars ($179,000).

The cost of labor depends on the time, and the hired mechanical skill will be by the day's work, at the established rate of wages. The manual labor can be performed by the prisoners, without any violation of the system of penitentiary discipline. The material will be furnished at first cost, and the work performed under the supervision of the inspectors, except the iron castings, which will be bought at the per pound cost, from patterns furnished.

This plan has been adopted for repairs for many years past, and has been more economical and satisfactory than any other suggested, and by it the State receives full value for every dollar expended, and the dangerous evils from unsuitable materials and improper work are prevented.

The inspectors have taken this early opportunity of calling the attention of your honorable bodies to the absolutely necessary work, in order that if you approve the plan proposed (the result of careful investigation and thought), the authority may be given to proceed without loss of time.

Respectfully submitted,

RICHARD VAUX,
ALEXANDER HENRY,
THOMAS H. PARSONS,
ANTHONY J. DREXEL,
HERMAN SHEPPARD,
Inspectors.

State Penitentiary for the Eastern District of Pennsylvania, Philadelphia, January 8th, 1867.

PETITIONS, MEMORIALS, &C.

Mr. BILLINGFELT presented the petition of citizens of Chester county, in favor of rebuilding the Columbia bridge across the Susquehanna.

Referred to the Committee on Railroads.

Also, the petition of citizens of Salisbury township, Lancaster county, praying for the repeal of an act approved April 10, 1861, relative to the election of assessors and constables in said township.

Referred to the Committee on the Judiciary Local.

Also, the petition of the board of school directors of East Lampeter township, Lancaster county, praying for the passage of an act to authorize them to apply the surplus bounty fund of said township to the school fund.

Referred to the Committee on the Judiciary Local.

Mr. FISHER, the petition of citizens of Lancaster county, in favor of the rebuilding of the Columbia bridge.

Referred to the Committee on Railroads.

Mr. GLATZ, a petition of like import from the burgess and town council of the borough of Wrightsville, York county.

Referred to the Committee on Railroads.

Mr. BROWNE (Lawrence), the memorial of the Presbytery of Philadelphia, of the Reformed Presbyterian Church, praying for an act to license and register marriages.

Referred to the Committee on the Judiciary General.

Mr. BROWN (Mercer), the petition of regularly licensed druggists and graduated physicians of the county of Mercer, praying that the provisions of an act to prohibit others than regularly licensed druggists and graduated physicians from vending and practicing medicine in Lycoming county, approved April 12, 1866, extending the same to Mercer county.

Referred to the Committee on the Judiciary Local.

Also, a resolution of the Mercer County medical society of like import.

Referred to the Committee on the Judiciary Local.

Mr. WORTHINGTON, the petition of citizens of Phœnixville, Chester county, remon-

strating against granting the school directors authority to borrow money.

Referred to the Committee on Education.

Also, the petition of citizens of Chester, Delaware county, asking for a change of the law incorporating the Chester Creek railroad company.

Referred to the Committee on Railroads.

Mr. CONNELL, the petition of John R. Savage, and fifty citizens of Philadelphia, praying for the passage of a law compelling railroad companies to have a gate and keep a man at every street where said road crosses at grade.

Referred to the Committee on Railroads.

REPORTS FROM COMMITTEES.

Mr. CONNELL, from the Committee on Finance, reported, with an amendment, a bill entitled An act to create a loan for the redemption of the overdue bonds of the Commonwealth.

Mr. GRAHAM (same), as committed, joint resolution to pay expenses of inauguration.

Mr. LANDON (same), as committed, a bill entitled An act authorizing the commissioners of Erie county to exonerate William F. Brockway, collector of the township of Springfield, in said county, from the payment of certain tax.

Mr. COWLES, from the Committee on the Judiciary Local, as committed, a bill entitled A supplement to an act entitled An act to promote the more certain and equal assessment of real estate in the city of Philadelphia, approved March 14, 1865.

Mr. FISHER (same), with amendments, bill entitled An act, regulating the sale of goods by hawkers and peddlers at wholesale.

Also (same), as committed, a bill entitled An act for the more impartial selection of persons to serve as jurors in the county of York.

Mr. STUTZMAN (same), as committed, a bill entitled A supplement to an act approved the 27th day of March, 1865, entitled An act for the better and more impartial selection of persons to serve as jurors in the several counties of Somerset, Bedford, Fulton, Westmoreland, Juniata and Perry.

Also (same), as committed, a bill entitled An act relative to the appointment of collectors of taxes in Montgomery county.

Mr. DAVIS (same), as committed, a bill entitled An act to authorize the Governor to appoint five additional notaries public for the city of Philadelphia.

Also (same), as committed, a bill entitled An act relative to a burial vault and ground in Hempfield township, Mercer county.

Mr. WHITE (same), as committed, a bill entitled An act regarding desertion in Lawrence county.

Mr. RIDGWAY, from the Committee on Corporations, as committed, a bill entitled An act to incorporate the M'Connell mineral company of Pennsylvania.

Mr. GLATZ (same), as committed, a bill entitled An act to incorporate the Granite insurance company.

Mr. LOWRY, from the Committee on Railroads, as committed, A bill entitled an act to incorporate the Wilkesbarre and Sugarnotch passenger railway company.

Mr. WORTHINGTON, from the Committee on Education, as committed, a bill entitled, A supplement to an act to unite and consolidate Franklin and Marshall college, approved April 10, 1850.

Also (same), as committed, a bill entitled An act to attach certain lands and tenements in Bedford township, Bedford county, to Bedford borough, for school purposes.

Mr. BILLINGFELT, from the Committee on Roads and Bridges, as committed, a bill entitled An act to incorporote the Brady's Bend bridge company.

Mr. GLATZ (same), as committed, a bill entitled An act opening Juniata avenue and vacating part of Nicetown lane.

Mr. JACKSON, from the Committee appointed to Compare Bills and present them to the Governor for his approbation, made report as follows, viz:

That in conjunction with a similar committee from the House of Representatives, they have compared, and on January 22d, presented to the Governor, for his approbation, the bills as follow, to wit:

Senate bill No. 49, a supplement to an act entitled An act to incorporate the Valley coal company, approved the sixteenth day of March, eighteen hundred and sixty-five.

Senate bill No. 75, an act to authorize the burgess and town council of the borough of Columbia to levy and collect an additional tax.

Senate bill No. 39, an act to change the venue in the case of the Commonwealth of Pennsylvania versus Henry Stevens and Jacob Harman from the court of general quarter sessions of the peace of Adams county to the court of general quarter sessions of the peace of Dauphin county.

House resolution No. 73, joint resolution relative to the Executive Mansion.

And on the 24th of January:

Senate bill No. 77, a further supplement to an act entitled An act to incorporate the city of Lancaster, approved March 20th, 1818, changing the time of election of municipal and ward officers.

Laid on the table.

BILLS IN PLACE.

Mr. WHITE read in place and presented to the Chair a bill entitled A supplement to an act to incorporate the village of Bethlehem, in the county of Northampton, dividing said borough into two wards.

Referred to the Committee on the Judiciary Local.

Also, joint resolution providing for the final adjournment of the Legislature.

Referred to the Committee on Finance.

Mr. RIDGWAY, a bill entitled An act to abolish the office of grain measurer, and discontinue the inspection of flour and meal, leather, bank and other articles within the city of Philadelphia.

Referred to the Committee on Agriculture and Domestic Manufactures.

Mr. ROYER, a bill entitled An act to extend an act entitled An act authorizing the Secretary of the Commonwealth to distribute copies of the standard of weights and measures, and for the appointment of sealers, approved April 15th, A. D. 1845, to the county of Montgomery.

Referred to the Committee on Agriculture and Domestic Manufactures.

Also, a bill entitled A supplement to an act to incorporate the Pottstown iron company, approved March 27th, 1866, authorizing said company to increase its capital stock.

Referred to the Committee on Corporations.

Mr. COLEMAN, an act to incorporate the Dauphin County soldiers' monument association.

Referred to the Committee on Military Affairs.

Mr. LOWRY, a bill entitled an act to decrease the limits of Titusville, in the county of Crawford.

Referred to the Committee on New Counties and County Seats.

Mr. SHOEMAKER, a bill entitled An act to annul the marriage contract between Samuel E. Shick and Sarah E., his wife.

Referred to the Committee on the Judiciary General.

Also, a bill entitled A supplement to an act to incorporate the city of Scranton, extending and defining the powers of said city.

Referred to the Committee on the Judiciary Local.

Mr. BROWN (Mercer), a bill entitled An act to prohibit others than regularly licensed druggists and graduated physicians from vending and practising medicine in the county of Mercer.

Referred to the Committee on the Judiciary Local.

Mr. SCHALL, a bill entitled A supplement to an act to incorporate the Allentown passenger railway company.

Referred to the Committee on Railroads.

MESSAGES FROM THE HOUSE.

The Clerk of the House of Representatives being introduced, presented for concurrence bills numbered and entitled as follows, viz:

No. 32, an act requiring the commissioners of Forks township, Northampton county, to render an account to the auditors of said township, and providing for the auditing of the same.

Referred to the Committee on the Judiciary Local.

No. 138, an act to pay Foster Gehr, clerk to the committee in the case of Glass versus Linton.

Referred to the Committee on Finance.

No. 139, an act to incorporate the Masonic Hall association of the borough of Brookville. in the county of Jefferson.

He also returned bill from the Senate numbered and entitled as follows, viz:

No. 46, an act to increase the fees of certain officers in Sullivan county, and to validate certain charges heretofore made,

With information that the House of Representatives has passed the same without amendment.

He also returned bills from the Senate numbered and entitled as follows, viz:

No. 69, a supplement to an act to incorporate the People's Savings Bank of Pittsburg, approved April 17, 1866, authorizing said company to increase its capital stock.

No. 108, an act to incorporate the Safe Deposit company of Pittsburg,

With information that the House of Representatives has passed the same without amendments.

He also presented for concurrence bills numbered and entitled as follows, viz:

No. 100, joint resolution instructing our Senators and Representatives in Congress to procure a reduction of the tax on petroleum.

Referred to the Committee on the Judiciary Local.

No. 103, an act to regulate the salary of the Secretary of the Commonwealth.

Referred to the Committee on Finance.

He also informed that the House of Representatives has concurred in amendments made by the Senate to bill from House of Representatives numbered and entitled as follows, viz:

No. 71, an act changing the venue of certain cases from the county of Juniata to the county of Snyder.

He also informed that the House of Representatives has concurred in resolution from the Senate requesting the State Treasurer to communicate to both branches of the Legislature such an apportionment of the tax on personal property as will in his judgment do equal justice to all parts of the State.

TEMPORARY ADJOURNMENT.

Mr. JACKSON offered the following resolution, which was twice read:

Resolved (if the House of Representatives concur), That when the Legislature adjourns to-day it will adjourn to meet on Tuesday next at three o'clock, P. M.

Mr. LOWRY offered the following amendment:

Resolved, That the practice of the Legislature of adjourning upon Thursday noon of each week until Monday afternoon following is a pernicious one, unfair to those residing in the extreme portions of the State, and that hereafter the Senate will not practice it, and that henceforth we will attend to the business of those who sent us at least five days in each week; and the Clerk of Senate be requested to give an extract from the Journal containing this resolution to the House of Representatives forthwith.

Mr. WHITE. Mr. Speaker, I would like to call upon the Senator from Erie [Mr. LOWRY] to give an explanation of this amendment.

Mr. LOWRY. Mr. Speaker, it explains itself.

Mr. JACKSON. Mr. Speaker, those of us who live at a distance from Harrisburg, and who have always voted with those gentlemen who live near, for adjournments, are just as willing as the Senator from Erie, sir, to work from Monday morning until 12 o'clock on Saturday night, during the whole session; but those of us who live at a distance want some chance to go home; some of us have to go forty miles, and it is impossible for us to get home unless we have an adjournment for this length of time. It would be unfair to vote down this original resolution, acting as we have in good faith towards the Senators who live near here.

Mr. LOWRY. Mr. Speaker, this is my sixth winter in the Legislature, and during that time we have not averaged more than three days of labor in the week. That is the custom uniformly practiced, of adjourning on Thursday at noon, and meeting again on Monday evening at 8 o'clock; I am tired of this, and I think if the people consent to it they are very good natured. The gentleman says that he wants considerable time—until next Tuesday—to enable him to go home. Any gentleman that desires to go home can always obtain leave of absence; and why we should persist in these long adjournments, year after year, I cannot understand. I am sure the practice is pernicious. Ninety per centum of the gentlemen go to Philadelphia on Thursday of each week, and I do not think any of them come back with a clearer head or purer hearts in consequence of the visit. The great mass of them go to Philadelphia, and not home.

Mr. COLEMAN. Mr. Speaker, it is a matter of little importance to me; I am near home; but when I was in the House I was in favor of the adjournment, so that gentlemen could get home occasionally; but when I was there I got such a terrible raking, that I am afraid to say anything against the resolution.

Mr. SEARIGHT. Mr. Speaker, if the practice which is alleged to exist by the Senator from Erie [Mr. LOWRY] really did exist, then it would certainly be right to denominate it, in the language of the resolution, as a pernicious practice; but with all due deference to the experience of the Senator from Erie, I do not think the practice does exist, except at the beginning of the session of each Legislature. It may be, as is alleged by the Senator from Erie—my experience is limited in this body—but I do not think it was the practice of the House when I was a member there; and, at all events, it is not competent for this Senate to say that this is the practice of both houses of the Legislature, because we do not know that it is the practice of the House.

Again, Mr. Speaker, I do not see what good can result from the adoption of this amendment. I am willing to admit that the practice of adjourning on Thursday, if it be a practice, is a pernicious one, and should not be done; but suppose this resolution passes, the same question will come up again at the end of every week when it is desired to have an adjournment. So that it can have no possible good effect if it be adopted.

Mr. WHITE. Mr. Speaker, I move to amend by striking out all after the word "Resolved" and insert the following:

Resolved (if the House of Representatives concur), The Legislature will adjourn *sine die* at 12 o'clock, M., on March 20th.

The amendment being objected to, they were both ruled out by the SPEAKER, as not germane to the subject before the Senate.

The question then recurred on the original resolution.

Mr. BROWNE (Lawrence). Mr. Speaker, I am in favor of this resolution of the Senator from Sullivan [Mr. JACKSON], not because the adjournment this week suits me particularly well; indeed, it does not do so; but every one cannot be suited by these movements to adjourn. We generally adjourn every Friday, to meet on Monday evening.

Mr. LOWRY. Allow me to correct the gentleman; so far, with one exception, we have adjourned on Thursday.

Mr. BROWNE (Lawrence). We have only been here a short time. Last winter, we adjourned on Friday and met again on Monday; the consequence was that not more than half the Senators were able to visit their homes in the interim. Whether they visited Philadelphia or not, I do not pretend to say.

The Senators who live so far away from the capital that they cannot make the trip, of course have to remain here, while other members are enjoying the privilege of visiting their homes. I think it is as little as we can do to give the members who live far away a chance to visit their homes once in three weeks. Some of them live forty miles from the railroad. I have sympathy with any gentleman like the Senator from Sullivan, who lives far away, and I am in favor of giving them an opportunity of visiting their homes once in every three weeks; and I should like to see an example set, and followed during the session, of adjourning over every three weeks for three days. I shall therefore vote for the resolution of the Senator from Sullivan.

Mr. FISHER. Mr. Speaker, I wish to say why I shall vote for the resolution offered by the Senator from Sullivan [Mr. JACKSON]. I wish it to be understood that this is the last time, as a general thing, that I shall vote for such a resolution. I am opposed to an adjournment so early in the week; but, as an act of courtesy to him, and others who have not the facilities I have of visiting their homes, I shall vote for this resolution, but wish it understood that I shall not vote for so long an adjournment hereafter.

On the question,

Will the Senate agree to the resolution of Mr. JACKSON?

The yeas and nays were required by Mr WORTHINGTON and Mr. LOWRY, and were as follow, viz:

YEAS—Messrs. Bigham, Billingfelt, Browne, (Lawrence), Brown (Mercer), Burnett, Coleman, Connell, Davis, Fisher, Glatz, Haines, Jackson, Landon, M'Candless, Randall, Ridgway, Royer, Schall, Searight, Stutzman, Walls and White—22.

NAYS—Messrs. Cowles, Graham, James, Lowry, Shoemaker, Taylor, Worthington and Hall, *Speaker*—8.

So the question was determined in the affirmative.

Mr. LOWRY again offered his resolution, which was read as follows:

Resolved, That the practice of the Legislature of adjourning upon Thursday noon of each week until Monday evening following is pernicious, and unfair to those residing in the extreme portions of the State, and that hereafter the Senate will not practice it, but will attend to the business of those who sent us at least five days in each week; and that the Clerk of the Senate be requested to give an extract from the Journal containing this resolution to the House of Representatives forthwith.

Mr. RIDGWAY moved to amend by striking out the word "Legislature" and inserting in lieu thereof the word "Senate."

Mr. LANDON said it had not been the practice of the Legislature to adjourn every Thursday to Monday night.

Mr. BIGHAM. Mr. Speaker, as to regulating the other House, I would rather appoint the Senator from Erie [Mr. LOWRY] to go over and give them a verbal lecture. I submit that this is an encroachment on the rights of the other body; if we are going to give them a lecture, we ought to appoint some one to do it.

The amendment of Mr. RIDGWAY was Agreed to.

Mr. SEARIGHT moved to amend by striking out the words "unfair to those residing in the extreme portions of the State," and inserting in lieu thereof the words "unjust to the people."

The amendment was agreed to.

A motion was made to strike out all after the words "five days in each week."

The motion was agreed to.

Mr. RIDGWAY. I move to postpone the further consideration of the resolution indefinitely. I think it is in the power of the Legislature to adjourn at any time. Of course I shall vote for the adjournment. We all know that the Senator from Erie is persistent in his legislation, and has a great may bills to pass, and three days in the week is about as much as I can stand to watch his snakey legislation.

Mr. LOWRY. Mr. Speaker, the Senator has made a statement which the people who know him and who know me do not believe.

On the question, Will the Senate agree to the motion to postpone indefinitely?

The yeas and nays were required by Mr. RIDGWAY and Mr. LOWRY, and were as follow, viz:

YEAS—Messrs. Bigham, Browne (Lawrence), Burnett, Coleman, Glatz, Haines, Jackson, Landon, M'Candless, Randall, Ridgway, Schall, Stutzman and Walls—14.

NAYS—Messrs. Billingfelt, Brown (Mercer), Connell, Cowles, Davis, Fisher, Graham, James, Lowry, Royer, Searight, Shoemaker, Taylor, White, Worthington and Hall, *Speaker*—16.

So the question was determined in the negative.

And the question recurring,

Will the Senate agree to the resolution, as amended?

The yeas and nays were required by Mr. RIDGWAY and Mr. RANDALL, and were as follow, viz:

YEAS—Messrs. Bigham, Billingfelt, Cowles, Davis, Fisher, Lowry, Searight, Shoemaker, Taylor, Walls, White, Worthington and Hall, *Speaker*—13.

NAYS—Messrs. Browne (Lawrence), Burnett, Coleman, Connell, Glatz, Graham, Haines, Jackson, James, Landon, Randall, Ridgway, Royer, Schall and Stutzman—15.

So the question was determined in the negative.

EDUCATION OF SOLDIERS' ORPHANS.

Mr. LANDON offered the following resolution, which was twice read:

Resolved, That a committee of three be appointed, with instructions to prepare and report a bill providing for the selection of the neccessary officer or officers to superintend the education of soldiers' orphans, and providing also for the proper disbursement of

funds appropriated for that purpose by the State.

Mr. LOWRY. Where is that power lodged now?

Mr. LANDON. Mr. Speaker, the question propounded by the Senator from Erie [Mr. LOWRY] is a very practical one, and one that should receive an answer—where is that power lodged now? I desire to call the attention of the Senate to this subject specially. In 1863, or thereabouts, it will be recollected that the Pennsylvania railroad company made a donation of fifty thousand dollars, to be appropriated to the education of the orphans of soldiers. Accordingly, by referring to the statutes of the State, you will find that in 1864 this act was passed:

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the Governor of the Commonwealth of Pennsylvania be and is hereby authorized to accept the sum of fifty thousand dollars, donated by the Pennsylvania railroad company, for the education and maintenance of destitute orphan children of deceased soldiers and sailors, and appropriate the same in such manner as he may deem best calculated to accomplish the object designed by said donation; the accounts of said disbursements to be settled in the usual manner, by the Auditor General and the Governor, and make report of the same to the next Legislature.

That is the whole law concerning that part of it. This was immediately followed by the following correspondence between the Governor and Mr, Burrowes:

EXECUTIVE CHAMBER,
HARRISBURG, Pa., June 16th, 1864.

DEAR SIR:—The Legislature having conferred on me authority to expend the sum of fifty thousand dollars (given by the Pennsylvania railroad company) on the education and maintenance of the orphans of deceased Pennsylvania soldiers and sailors, your known patriotism, integrity and ability have led me to select you to superintend such expenditures. I send herewith a commission, appointing you to that office, and should be obliged by your preparing a plan for carrying into effect the intentions of the Legislature.

Your compensation shall be six dollars per day, and necessary traveling expenses. You will also be allowed a clerk at the rate of not more than one hundred dollars a month.

I am sir, very respectfully, your obedient servant,
A. G. CURTIN.

HON. THO. H. BURROWES.

LANCASTER, June 27, 1864.

SIR:—The following plan has been prepared for carrying into effect the trust you have honored me with in relation to the destitute orphans of the deceased soldiers and sailors from this State. It conforms as nearly as practicable to the bill on the same subject adopted by the proper committee, but not finally acted on by the Legislature at its last session. The reasons for such departures therefrom as are now recommended, and for the additional details suggested, will be fully explained at a personal interview.

I have the honor to be, very respectfully, your obedient servant,
THOMAS H. BURROWES.

His Excellency A. G. CURTIN, Governor of Pennsylvania.

The next point was this: In 1865 the Legislature passed an act appropriating seventy-five thousand dollars to go with the fifty thousand dollars donated by the Pennsylvania railroad company, and also a short section providing for the binding out of these orphans under certain contingencies. In 1866, by referring to the appropriation bill, you will find that three hundred thousand dollars was appropriated for this specific purpose, and that is the beginning and the end of the legislation on this subject, giving away the government of thousands of children control and and thousands of dollars of the public money; and I think this thing should be subject to the control of the Legislature. In the act of 1865 allusion is made to the State Superintendent of orphans' schools; there is no such officer known to the law. In view of these facts, I do not know how to reach the desired end better than by offering a resolution providing for a committee of three. And I will now say further, that, if the Speaker please, I do not wish to be upon that committee, sir. I can select three better men than I am, and I presume the Speaker can.

Mr. BIGHAM. Mr. Speaker, I move to amend by striking out the words "a committee of three be appointed, with instructions," and insert, in lieu thereof, the words "the Committee on Education be instructed." We would simply be conforming to the constitutional requirements to see that some additional legislation is had; perhaps it was in violation of the Constitution, in leaving three hundred thousand dollars subject entirely to the discretion of one or two individuals.

The amendment was accepted.

Mr. WORTHINGTON. Mr. Speaker, I entirely concur in the remarks made by my friends, the Senator from Bradford [Mr. LANDON], and the Senator from Allegheny [Mr. BIGHAM]. I suppose that this thing has been overlooked. The act passed in 1864, giving the Governor power to control this fifty thousand dollars donated by the railroad company, put the whole thing into the hands of the Governor; and the next year, when we appropriated seventy-five thousand dollars additional, it went in the same way, and last year we passed a bill appropriating three hundred thousand dollars for this same purpose, and still this thing, and the distribution of the money, was not properly considered. Mr. Burrowes had been appointed by the late Executive to take charge of this fifty thousand dollars, and his plan for its distribution was concurred in by the Legislature.

This has grown to be a very considerable matter in the State, and it will require a large amount of money yet to carry out this system of education of these orphans. This year, I dare say, we shall want as much as last year, as these children are to be kept in these schools until they are sixteen years old, and that will make it run through a series of years; this year we are near the maximum number, and next year there will be gathered into these schools many more. As a great deal of money will be required, I think it ought to be well guarded. We ought to have officers appointed who shall be entirely responsible for the trust committed to them.

The resolution as amended was adopted.

The SPEAKER gave notice that the Senate had been invited to visit the public institutions of Pittsburg two weeks from to-morrow.

JOINT RESOLUTIONS RELATIVE TO EDGAR COWAN.

On motion of Mr. LOWRY, the Senate proceeded to the consideration of bill entitled Joint resolutions protesting against the confirmation of Edgar Cowan as minister to Austria.

Mr. DAVIS. Mr. Speaker, I would like to inquire whether it is customary or proper for the chairman of the Committee on Federal Relations to report a matter as coming from that committee before the committee has been called together?

Mr. LOWRY. I would inform the gentleman that a majority of that committee directed me to report.

In committee of the whole, Mr. COWLES in the chair, the resolutions were read, as follows:

Resolved, That we have learned with indignation that the President of the United States has nominated Edgar Cowan as minister to Austria, to take the place of the accomplished statesman and historian now holding that position. In thus nominating a man who has betrayed his constituents and disregarded his pledges to the people of his native State, and whose course in the Senate has received their marked condemnation, Mr. Johnson seems to have contemplated a direct insult to the freemen of Pennsylvania, and shown his persistent purpose to place the Government in the hands of men who are opposed to the true interests of this nation, foreign and domestic.

Resolved, That we fully approve of the action of the Republican members of Congress in opposing the confirmation of Mr. Cowan, and we unite our protest with theirs, and call on the Senate to reject said nomination and thereby save the country the shame of being represented abroad by one who in no particular would be a true exponent of American ideas or principles.

Mr. LOWRY moved to amend by adding "that the Governor be requested to forward these resolutions to the Speakers of the two Houses of Congress."

The amendment was agreed to, and the committee rose and reported the bill, as amended.

Mr. DAVIS. Mr. Speaker, I move that these resolutions be referred back to the Committee on Federal Relations, so that that committee may have an opportunity to pass upon them in a full meeting of the committee. I would say in explanation, that I ask it as an act of courtesy to the Senator from Clearfield [Mr. WALLACE], by whose declension or refusal to accept the nomination for the office of United States Senator Mr. Cowan became the nominee of the Democratic party for that office. I think it is due to the Senator from Clearfield that this subject be postponed until he is present and can give his views on the matter. There can be no pressing, urgent necessity for passing these resolutions at this time. The Senators in Congress for Pennsylvania are Mr. Cowan and Mr. Buckalew. Mr. Cowan will certainly not vote for his own confirmation as minister to Austria. Therefore, there can be no urgent necessity for the passage of these resolutions; and I ask it as a matter of courtesy to the Senator from Clearfield [Mr. WALLACE] that this course be taken.

Mr. LOWRY. Mr. Speaker, if these resolutions are to have any practical effect, we had better pass them now, because the subject is before the Senate of the United States. I am not going to say anything further, Mr. Speaker; I do not believe the gentlemen with whom I act will agree to postpone them.

On the question,

Will the Senate agree to the motion of Mr. DAVIS?

The yeas and nays were required by Mr. M'CANDLESS and Mr. DAVIS, and were as follow, viz:

YEAS—Messrs. Burnett, Davis, Glatz, Jackson, James, M'Candless, Randall, Schall, Searight and Walls—10.

NAYS—Messrs. Billingfelt, Browne (Lawrence), Brown (Mercer), Coleman, Connell, Cowles, Fisher, Graham, Haines, Landon, Lowry, Ridgway, Roper, Shoemaker, Stutzman, Taylor, Worthington and Hall, *Speaker*—18.

So the question was determined in the negative.

During the call,

Mr. BROWNE (Lawrence) said: Mr. Speaker, I should like very much to vote for

granting the request, but it would require too much delay, and it is important that we should take time by the forelock, and act upon this matter now. I vote "no."

Mr. RIDGWAY, during the call, also said that as he was opposed to committees holding back bills, he should vote "no."

Mr. SEARIGHT. Mr. Speaker, the Senator from Erie [Mr. LOWRY] has said that if these resolutions are to have any practical effect, it is absolutely necessary, in his view, that they should be passed through at an early day. I would like to have the Senator inform me what practical effect he expects these resolutions to have, let them pass when they may. The Senator from Berks [Mr. DAVIS] has explained the situation of affairs in the United States Senate, so far as this State is represented there. Of course the instructions contained in this resolution can have no weight with our Senators, and justly so, in my opinion. It appears that the authors and advocates of these resolutions are exceedingly indignant, because they allege that a distinguished historian by the name of Motley is to be superseded in the mission to Austria, by Mr. Cowan, of this State. Now, of course, Senators on the other side do not wish us to understand on this side that they want these resolutions passed on account of that deep-seated indignation. I imagine they do not feel so sensible the removal of the distinguished historian as they do the appointment of the distinguished lawyer and statesman, Edgar Cowan. That is the place where the shoe pinches. I take it that they care but little about the fate of the distinguished historian, who is so well honied by the authors of this resolution. I imagine that if some such character as Beast Butler was to be sent in the place of the distinguished historian, we would hear no objection from Senators from the other side of this Chamber.

Mr. Speaker, this course of procedure is unusual. It has no parallel in my experience in the history of the legislation of the State of Pennsylvania. Why should not President Johnson appoint Mr. Cowan to this position? I ask Senators on the other side, only. The President is bound, under the Constitution to make this appointment, and I understand, Mr. Speaker, that Mr. Motley has been relieved at his own request. There is, therefore, a vacancy, and who among all the great men of the country would be commended to the favorable consideration of the President of the United States sooner than Edgar Cowan? Is not Edgar Cowan fit for the position? Is not he a patriotic man? Is not he a faithful man in every practical sense of the word? I take it that Senators on the opposite side of this chamber cannot deny that he is such a man? Why, sir, Pennsylvania may well feel proud of Edgar Cowan. Gentlemen on the other side know very well that, as a lawyer, he has but few superiors in this great State, so highly distinguished as it is for its able lawyers; and as a gentleman of high integrity he stands above reproach. He is in every way, sir, well qualified to discharge the duties of this high office; and why should Senators be indignant at his appointment? Sir, the sentiment collected and put into this resolution is a mere ebullition of this vile abuse that is reveling in the breasts of the Senators on the other side of this chamber. It is based upon political hatred towards Mr. Cowan. It is impossible for the friends of this resolution to prove to the people of this Commonwealth that Mr. Cowan is not competent in all respects to discharge the duties of this appointment. And furthermore, sir, I would inform the Republican Senators that Mr. Cowan did not solicit, and does not to this day solicit, and it is exceedingly doubtful whether he would accept the position if he should be confirmed. His engagements at home are of such a character as will require his presence there, and prevent him from going abroad in case his nomination should be confirmed.

Another reason why, in my opinion, sir, this resolution is simply political, and means hatred toward Mr. Cowan, is the fact that there is not a single Senator in the city of Washington who does not exactly understand the relation that Mr. Cowan bears to the President and the country, and who does not know that he is well qualified to discharge the duties of this mission.

Mr. Speaker, you cannot advise the Senate of the United States with regard to Mr. Cowan. They understand the man, and know him as well as the members of the Legislature of Pennsylvania. He has made his voice to be heard and felt in the hall of the Senate at Washington. He is well known there, and his commanding talents are acknowledged by men of all parties. Sir, it is alleged by Senators on the opposite side of this Chamber that he has been unfaithful to his party. In what particular, I would ask, gentlemen, has he been unfaithful to his pledges? It is true, sir, that he did not believe that Congress had the right under the Constitution to make paper money a legal tender. He brought the strong power of his acute legal mind to bear upon this question, and demonstrated that such an act was unconstitutional; and that is one of the instances, I presume, in which he departed from the pledges that it is alleged he gave to the party of the opposition. He could not see that confiscation was a constitutional measure, or that it was expedient and proper. He is no advocate of negro suffrage, and is bold and defiant and patriotic in resisting that infamous measure, and here is one of his departures from the pledges and the measures of the radical party, and this is one of the strong reasons why he is to be denounced in the language that is put into this resolution. But, sir, Senator Cowan has been true to the Union and true to the Constitution; and I defy Senators on the opposite side of this chamber to point to a single instance in which he has been untrue to the Union and to the Constitution. I take it, Mr. Speaker, that this is another reason why he comes in for the denunciations of those Senators. I am surprised, Mr. Speaker, that any gentleman should introduce such a resolution as this and insist upon its early adoption, in order, as the Senator says, that it may have its proper effect. We on this side of the house are under obligations to the goodness of heart which characterized that gentleman, as well as the Senators on the other side. You know, and the Senate knows, and the country knows, that during the administration of Mr. Lincoln, the great bulwarks of liberty which were gathered together by our fathers of the Revolution, who believed the Constitution to be the fundamental law of the land, were overthrown; and that upon their ruins was placed a sample of the most crushing despotism. Why, sir, men were not allowed to express their sentiments in the smallest propositions. They were not allowed to indulge in freedom of speech, or even in freedom of thought. And, sir, to point to a single instance, in which the Senator from Erie [Mr. LOWRY] was somewhat connected, and connected in such a manner as to place him under obligations to Mr. Cowan, was this case: a number of citizens of the county of Clearfield, I believe, were so unmindful of their duty, I presume had such little regard for the high powers there in authority, that they expressed the opinion that Mr. Lincoln was not an archangel! What was the result, Mr. Speaker? Having entertained this treasonable sentiment, they were all arrested; they were sent for by a Provost Marshal, that sign of Austrian despotism; they were brought here and placed in a miserable prison in this town, and kept there in close confinement, without any of the comforts necessary for their existence for weeks and months, and, sir, they were not released until the gentleman from Erie undertook their case, and went to Washington and had an order issued to release them. For this act of kindness and patriotism on the part of the Senator from Erie, the Democratic party will ever be grateful to him. He showed himself in that instance to be a friend of liberty, and the enemy of despotism. More than that, sir, I take it, sir, that the Senator from Erie has a letter in his possession which was addressed to President Lincoln, which has never been published and which, if published to-day and could go out along with the discussion on this resolution, would place the Senator, I fear, in a very inconsistent position in relation to this subject. Why, sir, he took the very ground in that letter to Mr. Lincoln in behalf of the release of these prisoners, that Mr. Cowan has taken in the Senate of the United States. Senator Cowan is to be denounced because he would not adhere to certain despotic measures proposed by the administration at Washington, and the most prominent of those measures was discussed by the Senator from Erie himself in his own eloquent and sound terms.

Now, Mr. Speaker, this resolution, I presume, will pass; but, sir, there will be a day of reckoning, and I am not of the opinion that Senators who vote for this resolution will, when the day of reckoning comes, feel proud that they have gone upon the record in favor of this resolution.

Mr. LOWRY. Mr. Speaker, the gentleman has alluded to a letter that I wrote to the authorities at Washington; I have not got a copy of that letter, but there is such a letter, and I will get it and publish it in the *Record* in connection with his own speech, and by it I am willing to be judged.

Mr. M'CANDLESS moved to amend the resolutions by striking out all after the enacting clause and by inserting in lieu thereof the following:

Resolved, That the action of the President of the United States in nominating the Hon. Edgar Cowan as Minister to Austria merits the commendation of the white men of Pennsylvania.

Resolved, That the manly course pursued by Edgar Cowan, on the great question of individual rights and constitutional law in the Senate of the United States, endears him to the hearts of the citizens of Pennsylvania.

Resolved, That the Governor of our State forward the foregoing resolution to the President of the United States.

Mr. M'CANDLESS. Mr. Speaker, after so much has been said and, so well said, by my colleague, I think it is hardly necessary to say much to the Senate of Pennsylvania in relation to the Hon. Edgar Cowan. He is a living monument, sir, of a great mind, a man, sir, who loves his country better than he loves a political party; and standing in that position, with relation to the individual rights of the citizens and the Constitution and law of the United States, I think it is but a just tribute to him that the President has nominated him to the high position as Minister to Austria. And it comes with very bad grace from the gentlemen who have elevated him to his present position to attempt to stigmatize him because he is carrying out their principles. They should not attempt to stigmatize those who will not change with them. If they chose to make him their representative in certain great principles, and they chose to

change they cannot pile contumely upon his head because he was steadfast to those principles. I hope this substitute, for the honor of the party who are attempting to place this stigma upon their representative in Congress, will be adopted instead of the original resolution.

Mr. TAYLOR. Mr. Speaker, I do not wish to take the attention of the Senate but for a moment. I shall vote against this substitute, and I wish now simply to notice the remarks of the last gentleman on the floor [Mr. M'CANDLESS]. It is charged, sir, that it is in bad grace for this side of the Chamber to vote for these resolutions denouncing Mr. Cowan, from the fact that he was elevated to this high position by the votes of gentlemen on this side of the Chamber. Now, sir, I would like to ask, if it is in bad grace, why the gentlemen on the other side, who were opposed to his election, who denounced him then, who did everything to defeat his election, are now so earnestly defending him? It has been frequently said that the Democratic party does not change, and never changes. Mr. Cowan, it is well known, was one of the most radical men in the Republican party. At the time of his election, the objection to him was that he was too radical for the party. Now, sir, either Mr. Cowan has changed and deserted his principles, or the Democratic party, which we are told never changes, must have changed.

Mr. M'CANDLESS. Mr. Speaker, if the gentleman will allow me, I desire to ask him a question, which is this: Whether the party he acts with were in favor of negro suffrage at the time Edgar Cowan was elevated by them to the Senate of the United States?

Mr. COWLES. Mr. Speaker, I rise to a point of order, which is this: That the resolution, or the amendment of the Senator from Philadelphia [Mr. M'CANDLESS] was out of order, as inconsistent with the resolution of the Senator from Erie [Mr. LOWRY.], and I would refer to the forty-second rule, which is as follows:

"No bill or resolution shall at any time be amended by annexing thereto, or incorporating therewith, any other bill or resolution pending before the House; nor shall a motion or proposition be entertained under the color of such an amendment; nor shall any bill or resolution be amended by substituting therefor, under a motion to strike out, or otherwise, any other bill or resolution, on a subject different from that under consideration, without the unanimous consent of the House."

This amendment is directly in opposition to the resolution before the Senate; it is inconsistent with it; it is not a modification of it, but in conflict with it. The resolution before the Senate is substantially a censure of Edgar Cowan; the amendment presented by the Senator from Philadelphia [Mr. M'CANDLESS] is in commendation of Edgar Cowan, and changes the character of it entirely. That is the point of order I raise.

The SPEAKER. I do not agree with the Senator from M'Kean [Mr. COWLES]. The resolution offered on the one hand reflects upon Edgar Cowan; the other commends him. I do not think the amendment is inconsistent; it is directly in conflict, but not inconsistent. The resolution alleges that Mr. Cowan has done what is wrong; the amendment, that he has done what is right. The amendment is not inconsistent with the original proposition, and it is in order.

Mr. TAYLOR. Mr. Speaker, a gentleman on the other side of the Hall asked me if the Republican party were, at the time of the election of Mr. Cowan to the Senate of the United States, in favor of negro suffrage. I am not able, sir, to answer the gentleman in regard to Mr. Cowan's position, who was at that time a leader, and one of the most radical leaders in the Republican party. I do not know, sir, whether Mr. Cowan had declared himself in favor of negro suffrage or not. I do know, however, that this is an age of progress; I know that remarkable changes have taken place in the condition of this country since that time; and that the Republican party, which carried the nation through the war of treason, has progressed and made mighty strides, while some men in the party have stood stood still, or gone back. I shall vote to denounce Mr. Cowan, because I think he has turned his back upon the principles of the party which elevated him to power. I do not say he has no right to change his opinions, but he had no right to desert his principles and not have the manhood to resign the position which he had gained by professing such principles, if he could no longer act with his party. I shall vote, then, for these resolutions, because I think Edgar Cowan has deserted the principles of the great Union party of the country, and would not be a representative man if sent abroad.

Mr. BURNETT. Mr. Speaker, party spirit, when well curbed and regulated, I regard as the very life-blood of the Republic; but party spirit that has no curb or trammel, that attacks, in order to subserve a party purpose, men high in official position, not only the Chief Executive of the nation, but the Supreme Court and Senators occupying high positions in the Senate of the United States, upon the mere paltry ground that they do not entertain political sentiments that tally with the sentiments of the party that placed them in power, is exceedingly reprehensible. I should like Senators on the other side of this chamber, before they vote for the resolutions now pending, to show to us and to the public the reason for that vote. I deny that this Legislature has the right to instruct, peremptorially, our United States Senators, as to their course upon any given public question, much less to censure or follow with a spirit of unrelentless persecution he who has acted conscientiously and patriotically in the discharge of his official duty.

Now, I would ask Senators upon the other side of this chamber whether United States Senators are mere automatons, or whether, when they are elected and take their seats in the United States Senate, they are to be controlled in the discharge of their official duties by the dictates of their own judgment and in obedience to the sanction of their official oaths, or whether they are mere pliant tools in the hands of their State Legislatures. Now I believe, sir, that where a United States Senator, in the discharge of his duties, has acted corruptly, fraudulently or venally, then I will grant to this Legislature the power and the authority to censure, but I do deny that this Legislature has the power and the right to censure a member of the United States Senate upon the mere fact that his political views may not accord with the views of the Legislature of the State which he there represents. Why, sir, take the example set by England. When the British Cabinet inaugurates a governmental policy that is distasteful to the British people, the Cabinet passes out of political power and a new Cabinet is called into existence. But the British Parliament does not censure and attack the retiring Cabinet for a mere difference of political sentiments upon public questions. Never!

But where an officer, while in official position, is guilty of corruption, fraud or venality, then it is that Parliament may publicly censure. I would ask the gentlemen on the other side of this Chamber whether Senator Cowan has been guilty of any dereliction of political duty to his party? Lay your finger on a single line where he has repudiated any recognized doctrine of your party at the time of his election. He has stood by Andrew Johnson, your President; he has stood by your Cabinet; he stands by the side of William H. Seward, the Premier of the Government. And since he has had a seat in the United States Senate, without disparaging the merits of others, I believe that he has proven himself the peer of any man on that floor in the advocacy, the eloquent advocacy, of the great principles of constitutional law. I would ask Senators to point out a single speech or a single vote that has not been in accordance and in entire accordance, with the policy, the political maxims, the political predilections that you entertained at the time of the election of Senator Cowan. On the question of negro suffrage you did not dare at that day to open your lips, and down to the day on which the convention met that nominated General Geary, you did not dare to broach the doctrine of negro suffrage. John W. Forney, the owner of two papers, "both daily," when it was charged that the Republican party did not dare to broach the subject of negro suffrage in that convention, said that the only excuse they could offer was that we could not urge that subject legitimately until 1870, when it would be proper to add another amendment to the Constitution of Pennsylvania. But that was a specious argument. It was because the delegates of the Republican party in that convention did not dare to touch the subject as you have in this Senate—as it is advocated in the leading newspapers of your party in the country. Furthermore, I declare that Senator Cowan, in the discharge of his official duties, stood by the side of Mr. Cameron when he was Secretary of War. I assert, further, that you cannot lay your finger upon a single argument of Senator Cowan upon any leading question that has absorbed the attention of the United States Senate during the rebellion, that did not and does not exactly dovetail into the views and sentiments of Mr. Cameron upon the great questions of the day, when he held the portfolio of the War Department. And I will do Mr. Camaron the justice to say that he had a clear idea of the magnitude of the rebellion, and a more comprehensive view of the tremendous effort that would be required for its suppression, than either Mr. Lincoln or any other man connected with the Government at the time.

I would ask Senators whether they are consistent in striking down Mr. Cowan with one hand and elevating Mr. Cameron with the other? "Consistency, thou art a jewel."

Mr. FISHER. Mr. Speaker, I would have been willing to vote on these resolutions without a word, but I hope they will not be pressed to a vote to-day; as the door has been opened for discussion, I desire to pay my respects to the late Democratic party before this question is disposed of.

Mr. BIGHAM. As this matter is not to be disposed of to day, and as the resolutions are not in the form that some of us would like them, I move that the resolutions, together with the amendments, be re-committed to the Committee on Federal Relations.

On the question,

Will the Senate agree to the motion?

The yeas and nays were required by Mr. RANDALL and M'CANDLESS, and were as follow, viz:

YEAS—Messrs. Bigham, Billingfelt, Browne (Lawrence), Brown (Mercer), Burnett, Davis, Glatz, Haines, Jackson, James, M'Candless, Randall, Schall and Searight—14.

NAYS—Messrs. Coleman, Connell, Cowles, Fisher, Graham, Lowry, Royer, Shoemaker, Stutzman, Taylor, White, Worthington and Hall, *Speaker*—13.

So the question was determined in the affirmative.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

The Clerk of the House of Representatives being introduced, informed the Senate that the House of Representatives had concurred in the resolution of the Senate providing for an adjournment of the two Houses until Tuesday, the 29th inst., striking out 3 P. M. and inserting 11 A. M.

On motion of Mr. RIDGWAY, said amendment was twice read, considered and concurred in.

Ordered, That the Clerk inform the House of Representatives accordingly.

The hour of one o'clock having arrived, the SPEAKER adjourned the Senate until Tuesday next at 11 A. M.

HOUSE OF REPRESENTATIVES.

THURSDAY, January 24, 1867.

The House met at 11 o'clock, A. M.

Prayer was offered by the Rev. JACOB KENNEDY, member from Wyoming.

The SPEAKER announced a quorum of members present.

The Journal of yesterday was partly read, when,

On motion of Mr. CHASE, the further reading of the same was dispensed with.

MESSAGE FROM THE SENATE.

The Clerk of the Senate being introduced, presented for concurrence bills numbered and entitled as follows, viz:

Senate bill No. 21, an act to incorporate the Sisters of Mercy in the city of Philadelphia.

Senate bill No. 70, An act to establish a ferry over the Youghiogheny river near Perryopolis.

SPEAKER'S TABLE.

The SPEAKER presented to the House the annual report of the managers of the Children's Home for the borough and county of York.

Laid on the table.

The SPEAKER proceeded to clear the table.

IN THE SENATE, January 23, 1867.

WHEREAS, The State Treasurer, in his annual report, calls the attention of the Legislature to the present tax on personal property, operating, as he alleges, unequally and unjustly, on various districts, and recommends its repeal, and the apportionment of three hundred thousand dollars in lieu thereof, upon more equitable principles; therefore, be it

Resolved, That, if the House concur, the State Treasurer be requested to communicate to both branches of the Legislature such an apportionment as will, in his judgment, do equal justice to all portions of the State, the same to be based on the returns in his office; and to state the amount of the three hundred thousand dollars which he believes ought to be charged upon the city of Philadelphia and upon each county in the State.

The resolution was

Agreed to.

Senate bill No. 54, a further supplement to an act to incorporate the Girard life insurance, annuity and trust company, of Philadelphia, passed March 17th, 1836.

Referred to the Committee on Corporations.

Senate bill No. 60, an act changing the time of holding courts in the Sixteenth Judicial district.

Referred to the Committee on the Judiciary Local.

BILL PASSED.

Senate bill No. 69, a supplement to an act to incorporate the Peoples' Savings Bank, of Pittsburg, approved April 17, 1866, authorising said company to increase its capital stock.

Mr. WILSON. Mr. Speaker, I ask leave to make a statement.

Leave was granted.

Mr. WILSON. Mr. Speaker, I understand that there is a pressing necessity for the passage of that bill, from the fact that after Monday next they will not be able to get a suitable building for their business. They are compelled to give an answer by Monday next. This House is about to adjourn until next week, and I, therefore, move a suspension of the rules that the bill may pass to-day.

The motion was

Agreed to.

The bill was read a second and third time, and

Passed finally.

Senate bill No. 71, an act to divide the Northwest ward, in the city of Lancaster, into election precincts and separate election districts.

Referred to the Committee on Election Districts.

Senate bill No. 82, an act to consolidate the Union coal company and the Howard coal and iron company.

Referred to the Committee on Iron and Coal.

Senate bill No. 106, an act to exempt from taxation certain property devoted to Masonic uses in the city of Reading.

Senate bill No. 107, an act to incorporate the Miyugs iron company.

Referred to the Committee on Iron and Coal.

BILL PASSED.

Senate bill No. 108, an act to incorporate the Safe Deposit company of Pittsburg.

Mr. M'KEE. Mr. Speaker, I ask leave to make a statement.

Leave was granted.

Mr. M'KEE. Mr. Speaker, I understand that the parties interested in this Safe Deposite association have the refusal of the property which they expect to occupy until next Monday. I therefore ask a suspension of the rules in order that the bill may pass to-day.

The motion was

Agreed to.

The bill was read a second and third times, and

Passed finally.

SENATE AMENDMENTS CONCURRED IN.

House bill No. 71, entitled An act changing the venue of certain cases from the county of Juniata to the county of Snyder.

Returned with amendments.

The question being, Will the House concur? it was

Agreed to.

RESOLUTIONS OFFERED ON LEAVE.

Mr. KERNS. Mr. Speaker, I ask leave to offer a resolution.

Leave was granted.

Mr. KERNS. I offer the following resolution:

The resolution was read as follows:

Resolved, That the Military Committee, in conjunction with the Adjutant General and His Excellency, the Governor of the Commonwealth, be, and they are hereby instructed to report to this House a bill for the regulation of the militia of the State.

Resolved, That the said committee are hereby authorized to call to their aid such persons as they may desire, having knowledge of the subject hereby submitted to its consideration; and that before presenting any bill for the consideration of the Legislature, the same shall be referred to the Attorney General for his opinion of its legal preparation and construction.

The resolution was read a second time.

The question was on agreeing to the first resolution.

Mr. MANN. Mr. Speaker, it seems to me that it would be more respectful to say "requested" than "instructed." I think it would be hardly proper to instruct officers outside of the Legislature.

Mr. KERNS. Mr. Speaker, I accept the amendment suggested.

Mr. MANN. Mr. Speaker, I will also suggest another amendment. I am informed that some of the members of the Senate feel a little sensitive in regard to the action taken in this House on some resolutions. I know that no member intended any slight. In fact, for myself, I am willing to put it entirely upon ignorance. We have passed a resolution in which it seems, upon reflection, that the Senate should have been consulted. Now, this is a subject of vast importance, and I suggest that it would be better to make this a joint resolution, asking the Senate to concur with us in making this request. I therefore move, with the approbation of the gentleman who offered this resolution, that it be made a joint one.

The question was on the amendment.

Mr. BOYLE. I do not design to offer any opposition to this resolution. I am in favor, in fact, of remodeling the militia law of the Commonwealth. But it does seem to me a most singular proceeding that the two Houses of the Legislature should unite in framing a bill in the first instance. The introduction of a bill, or the framing of a bill, should be confined to one House. We should proceed regularly. That is one objection, but there is another objection that far transcends that, and it is the calling in of the Governor and the Adjutant General, and, for that matter, all the people of the State, for the committee has the right to call upon anybody to help get up this bill. Under the Constitution the Governor is required to perform certain legislative duties. When the bill has passed both Houses, and comes before him, then would be the proper time for him to approve and sign it, or to veto it. It is a breach of the privileges of this Legislature for the Governor or Adjutant General, or anybody else, outside of it, to prepare bills and present them here for our consideration. This is a departure from the general course of original bills, and I wish to particularly call the attention of the House to it. Let us pass the bill without requiring the Governor's opinions or the opinions of anybody else, and then send it to the Governor, in the regular way, for his approval or rejection.

Mr. KERNS. Mr. Speaker, at the request of a number of military men in the city of Philadelphia, this resolution has been prepared. No one here will attempt to deny that the militia law of our Commonwealth is defective. We have in Philadelphia the nucleus of a number of regiments, and, for the want of a proper enactment to enforce the fines and penalties passed upon those who do not serve, they are, in fact, able to do nothing. I think that to call in the Governor in reference to this bill is but right and proper. He is commander-in-chief of the forces of the State, and, in connection with the Adjutant General of the State, should be allowed to assist in framing a law that will give him power to call out such persons as they may think proper. A short time since we passed a militia law, which we can do nothing with. We might as well not have it on the statute books. For that reason, this resolution has been prepared, and I think, with the aid of the parties named, such a bill can be prepared as will give some effectiveness to the militia of the Commonwealth.

The question being on the amendment of Mr. MANN, it was

Agreed to.

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[CONTINUED FROM PAGE 136.]

The resolution, as amended, was
Agreed to.
The second resolution being before the House, it was
Agreed to.
Mr. M'CREARY. Mr. Speaker, I ask leave to offer the following resolution.
Leave was granted.
The resolution was read as follows:
Resolved, That the committee in the contested election case of Mr. ROUCH have leave to proceed to Williamsport, in the further discharge of their duties as said committee.
The resolution was read a second time.
Mr. M'CREARY. Mr. Speaker, in the investigation of this case we have ascertained that there may be an immense number of witnesses examined. We have already examined quite a number of witnesses and, as the case develops, it seems very evident, that one or two hundred witnesses will be examined. It is very difficult to get all the witnesses here just as we want to. As the parties and witnesses are all in the neighborhood of Williamsport, it would diminish the expense and also facilitate the discharge of the duties of the committee to go there. The committee are very anxious to get through with the duties that have been imposed upon them, and think it would be to the advantage of all concerned to go to Williamsport.
The question being, Will the House agree to the resolution?
It was agreed to.
Mr. SHARPLES. Mr. Speaker, I ask leave to offer the following resolution.
Leave was granted.
The resolution was read as follows:
Resolved, That the use of this hall be tendered to General John Frazer, on Wednesday evening next, for the delivery of a lecture—subject: "The Education of the Industrial Classes."
The resolution was read a second time.
The question being, Will the House agree to the resolution?
It was agreed to.
Mr. STUMBAUGH. Mr. Speaker, I ask leave to offer the following resolution.
Leave was granted.
The resolution was read as follows:
Resolved, That the committee on the contested election case of Marshal against Rouch be, and they are hereby, authorized to employ a phonographic reporter.
The resolution was read a second time.
Mr. STUMBAUGH. Mr. Speaker, I only desire to say, as has been already stated, that there are a great many witnesses to be examined, and the employment of a phonographic reporter will facilitate the business of the committee very much.
The question being, Will the House agree to the resolutions? it was
Agreed to.

PUBLIC CALENDAR.

This being the day for the consideration of bills on the public calendar,
Mr. DAVIS took the chair in committee of the whole, on House bill No. 100, which reads as follows:
No. 100, joint resolution instructing our Senators and requesting our Representatives in Congress to procure a reduction of tax on petroleum.
WHEREAS, Petroleum has become one of the great staples of Pennsylvania, and of vast national importance, and as such deserving encouragment, not only by the people of this Commonwealth, but of the General Government;
And whereas, This great staple, which is now recognized as a national necessity, and has become one of our most important exports, is burdened with excessive taxation on each barrel of oil (refined), amounting to eight dollars, while the price of oil (unrefined) is less than two dollars per barrel;
And whereas, The present enormous taxation, amounting to one hundred per centum, is not only oppressive, but destructive of this great interest; therefore,
SECTION 1. *Be it resolved, &c.*, That our Senators in Congress be instructed, and our Representatives requested, to use all honorable means to procure the reduction or removal of the tax on refined petroleum.
Resolved, That the Governor be, and he is hereby, requested to furnish to each Senator and Representative in Congress a copy of the foregoing preamble and resolutions.
The bill was read, and
Agreed to.
The SPEAKER having resumed the chair,
Mr. DAVIS, chairman of the committee of the whole, reported the bill without amendment.
The bill was again read, and
On the question,
Will the House agree to the bill?
Mr. WADDELL. Mr. Speaker, I would suggest to the gentleman from Venango [Mr. WHANN], that there is one phrase that would perhaps look like a reflection upon Congress: "Instead of receiving the fostering care of Congress, it is burdened with taxation." Would it not be better to leave out the words, "Instead of receiving the fostering care of Congress?"
Mr. WHANN. Mr. Speaker, the suggestion is a good one, and I accept the amendment.
The title was read.
Mr. DAVIS. Mr. Speaker, I would like to amend the title so as to make it conform with the bill. The bill reads: "Instruct our Senators and request our members." The title reads, "instruct" both. That is not the usual mode of expression, and I would move to amend so as to read: "Instruct our Senators and request our members."
The amendment was
Agreed to.
The title as amended, was
Agreed to,
The rules were then suspended, the bill was read a second and third time, and
Passed finally.
Mr. QUIGLEY took the chair in committee of the whole on House bill No. 103, which reads as follows:
No. 103, an act to regulate the salary of the Secretary of the Commonwealth.
SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same*, That from and after the passage of this act the salary of the Secretary of the Commonwealth shall be thirty-five hundred dollars.
The bill was read, and
Agreed to.
The SPEAKER having resumed the chair,
Mr. QUIGLEY, chairman of the committee of the whole, reported the bill without amendment.
The bill was again read.
The question being,
Will the House agree to the bill?
It was agreed to.
On motion, the rules were suspended, the bill read a second and third time, and
Passed finally.
Mr. QUAY took the chair, in committee of the whole, on House bill No. 104, which reads as follows:
AN ACT to repeal an act of the thirtieth of March, A. D. one thousand, eight hundred and sixty-six, to provide for the payment of gratuities and annuities, to the soldiers of the war of 1812, and to their widows.
SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same*, That the act of the 30th day of March, A. D. one thousand eight hundred and sixty-six, entitled An act to provide for the payment of gratuities and annuities to the soldiers of the war of one thousand eight hundred and twelve, and to their widows, be and the same is hereby repealed.
The bill was read and
Agreed to.
The SPEAKER having resumed the chair,
Mr. QUAY, chairman of the committee of the whole, reported the bill without amendment.
The bill was again read.
The question being, Will the House agree to the bill?
Mr. QUIGLEY. Mr. Speaker, I would like to hear some reason from the gentleman who has charge of this bill why we should pass it.
Mr. FREEBORN. Mr. Speaker, I would state that I was chairman of the Committee on Pensions and Gratuities last session. The applications were so numberless, and the names of these applicants for gratuities so numerous, as to amount to some eight or ten thousand dollars; therefore, the committee thought it best to get up a general bill. The

gentleman from Potter [Mr. MANN], I believe, drew up the bill, and the result has been that, up to the present time, there has been upwards of one hundred and sixty-eight thousand dollars paid out of the treasury to meet these applications. Some of the parties who have drawn this annuity through their agents are very wealthy. Previous to the passage of this act, the expense of the State to meet applications from this source amounted to only eight or ten thousand dollars. Thirty or forty thousand dollars more will probably be required to meet the applications now under consideration. Therefore, the Committee of Ways and Means were unanimous in reporting this bill, thinking it much better that each case should come before the Legislature separately, and be acted upon separately, than to thus leave the treasury open to possible fraud.

Mr. HEADMAN. Mr. Speaker, it seems to me that this bill is gotten up to take away from these persons what little the State has granted them for a subsistence. The bill which it is proposed to repeal, was gotten up for the purpose of taking further legislation on this matter out of the Legislature. We were hounded to death by these applications for gratuities. As the law now stands, a person has to go before a magistrate, and swear that he is in such necessitous circumstances as to be entitled to this pension. And there is scarcely a man in this Commonwealth who is willing to swear he is in "necessitous circumstances." According to Webster, a man in "necessitous circumstances" is nothing more than a pauper. There are many soldiers and widows of soldiers of the war of 1812, that are dependent upon their families for support. Yet they have that feeling in them that they will not go and swear that they are in "necessitous circumstances," although they have nothing on which to live. If these persons are actually destitute and obliged to go into the poor house, they go and are supported by the public authorities. If a man is in the poor house and is a pauper is he not then in necessitous circumstances? Yet he must go before the proper officer and swear that he is in necessitous circumstances in order to get forty dollars per year. If he is maintained in the poor house it is at the public expense, and yet many are so sensitive that they will not go before a magistrate and certify to being in what is termed "necessitous circumstances." The way that I look at this thing is that a man, no matter what his circumstances are, no matter what his standing in society is, I am of opinion if he has performed certain duties for his country he is entitled to all that is allowed in the way of pensions and gratuities. I shall therefore go against this bill, and I hope every man on this floor will go against it for the simple fact that the amount of legislation that would be required to get these bills through separately would cost more than is granted by this. The Auditor General says that he supposes thirty thousand would cover the entire number of survivors of the soldiers of 1812, and there is scarcely a man living, who was in that war, who has not arrived at an age of between seventy and eighty years. I would like to know how long these men are going to live. They cannot survive many years longer, and they will soon have entirely passed away.

Mr. MECHLING. Mr. Speaker, I hope this bill will not be repealed. It was passed last winter with the understanding that all the applications made were to be sent to the Auditor General. The law has been made, and if it is now repealed many worthy persons, who are entitled to a gratuity, will have to have a special bill presented before this Legislature, in order to receive any further aid from the State Treasury. I presented two bills here last winter granting aid to persons of that character. If this law is repealed it will prevent those persons from receiving any further aid. It is a good and just law, and I hope it will not be repealed.

Mr. DAVIS. I think, sir, Mr. Speaker, that the subject of pensions to soldiers belongs to the General Government, and not to the citizens; and if the law that is proposed to be repealed is carried out to its legitimate conclusions, there is no State that would be able to furnish sufficient money to pay the claims that would be presented. For the same reason that you take in the soldiers of the war of 1812, you would take in the soldiers of the last war. This is just treatment, and they would be entitled to a pension also. I believe that every person who was entitled to a pension under the laws of the United States has received it. All soldiers of the war of 1812 have already been provided for by the United States Government. The statement made that already two hundred thousand dollars had been paid out of the treasury after the passage of this bill, is sufficient to show that the finances of this State alone will not stand this pressure.

There are, also, other reasons. During the war of 1812 there were probably not more than one-half the number of States that there are at present. If the States that furnished the soldiers during the war of 1812 granted pensions, all of the new and wealthy States in the Western part of our country would have to pay nothing, while the States that furnished the soldiers would have to continue to pay these pensions. These men are scattered everywhere throughout all the States, and it is nothing but justice to all the States that they should be paid by the General Government. I believe that about one-half of this money that has been paid out of the treasury since the passage of this act has gone to pension agents and speculators, and that the soldiers themselves do not get the benefit of it at all.

I just wish to read one article from the report of the State Treasurer upon this very subject, and it will probably present the facts in a clearer light than anything that I can say:

"The act granting pensions to soldiers of the war of 1812, approved March 30, 1866, has cost the State far more than its friends could have anticipated. The number of applicants already exceed twenty-eight hundred (2,800); and the amount paid, over one hundred and sixty thousand dollars ($160,000).

"I regard the passage of this act as a very unfortunate example for the future Legislatures. The granting of pensions is a duty belonging to the General Government. To compel the States, by whom the men of 1812 were furnished, to pension them from their own resources, is to entail the total expense on States then comprising the Union, and allow the balance entire exemption. This is unfair, and the Legislature, by passing this bill, has set an example, which, if followed to its legitimate conclusion, would require the entire revenue of the State for the next forty years. It should be forthwith repealed. If there are individual cases of particular merit, they should go before the Legislature and ask for special legislation, where their claims can be properly examined, and testimony taken from persons personally acquainted with each applicant."

Now, sir, I think this act, as it was reported unanimously by the Committee of Ways and Means, should be passed.

Mr. LINTON. Mr. Speaker, I think that the gentleman from Philadelphia (Mr DAVIS) is mistaken, when he says that any provision has been made by the General Government for paying the soldiers of 1812—any pension or gratuity. My information upon this subject is different. Bills have been presented in Congress to that effect, but heretofore they have not been passed. When such an act shall have been passed, it will then be the proper time to repeal this law. But until Congress shall have passed some law, unless we desire that the soldiers of the war of 1812 shall eke out their existence in the alms houses of the country, we must provide some gratuity for them by State legislation. I believe that it is the duty of Congress to make this provision, but as they have not done so, unless, in most of the cases that have come to my knowledge, this gratuity is continued, they will probably have to go to the alms house, or be supported by the precarious charity of the community in which they may happen to reside. And I desire to call attention to the fact that, under the terms of the act of Assembly by which these persons can receive this annuity, it must be made to appear that they are in necessitous circumstances; and the Auditor General, in consideration of this provision, has required, what we may well call an "iron clad" oath, by which the parties themselves are not only to swear to this, but they must produce the same by witnesses. No person can receive this gratuity unless he is in necessitous circumstances, and certainly we will not, at this time, take from men under such circumstances the only gratuity they now receive.

Mr. BARTON. Mr. Speaker, the object for which this bill was passed has my sympathy. I think we should take every possible care of those who have defended our country, not only during the war of 1812, but in every other war. But, sir, I think this has proven an uncalled for expense; and I can see no reason why we should discriminate, especially in favor of the soldiers of the war of 1812. There are many needy persons, even of our late war, who demand the sympathy and the care of this State. But if we carry out this project to its legitimate extent, we must make such provisions as will burden the treasury of our State. Now, Mr. Speaker, it appears that, prior to the passage of this act, it required but from eight to ten thousand dollars to meet the cases which came before this Legislature; but during the eight months since this act was passed it has taken something like one hundred and sixty thousand dollars, with an estimate of from forty thousand to fifty thousand more. It does seem to me that this is a very expensive way of legislating for these soldiers. There is either this fact, that the bill has called out a great many needy persons, or else a great many persons have been induced to apply, since its passage, from mercenary considerations.

Now, the difference between eight thousand and two hundred thousand dollars is sufficient to make this House open its eyes to this question. It was stated to the Committee of Ways and Means—and I have little doubt of its truth—that a great portion of the money went into the hands of agents, and it was also stated and facts furnished to prove that many persons made affidavit that they were in necessitous circumstances when, in fact, they were worth a considerable amount of money. I think, with my friend from Philadelphia, that the subject of pensions should be entirely controlled by the National Government. When States take it out of the National Government it is liable to another abuse—the State and the National Governments would be paying these gratuities at the same time, and thus create a great burden upon the treasury. Still, my sympathies are in favor of a project to alleviate the distresses of those soldiers, and widows of soldiers, of the war of 1812; and, in fact, of all others who have stood up manfully and protected and defended their country. Yet, I think the repeal of this act is desirable,

on account of the abuses which are constantly occurring in reference to it.

Mr. LEE. Mr. Speaker, this abuse has been allowed to creep into the operation of this law, and it imparts all the objections indicated by the gentleman from Bucks [Mr. HEADMAN], but no matter what a man's circumstances may be, he is considered entitled to this gratuity and annuity, and this mistake, that it is regarded in the light of a pension, while it can in no sense be so looked upon. Every man of the war of 1812 who was entitled to a pension from the General Government received that pension.

Some of these parties who are making application for this support now, were never beyond the confines of their counties, or were not out more than twenty days, for which services they received one month's pay and one hundred and sixty acres of land. Therefore, they are clearly not entitled to a pension.—Sir, if the provisions of this bill are intended to be carried out, I have no earthly objection to it. But the idea that a man worth a million of dollars, is entitled to a gratuity of forty dollars to save himself from immediate distress, is absurd and ridiculous.

Mr. HEADMAN. Mr. Speaker, I rise to explain. I never said any such thing. I said that I was in favor of giving this gratuity to every man. I say if a man was worth one hundred thousand dollars, and fought for his country, he is just as much entitled to it as the man who is not worth a dollar.

Mr. LEE. Mr. Speaker, I say that a man worth a hundred thousand dollars is not entitled to a gratuity and annuity from this Legislature to save him from want and necessity. That is what I say. It is merely a question between the *ipse dixit* of the gentleman from Bucks and myself; and I think I have the advantage. I know if I had a hundred thousand dollars I would take the risk of my personal right and would not grumble about it either.

I say that a great many of the parties who have been receiving these gratuities and annuities are persons not entitled to it under the law. Let the gentleman who holds such an idea pass a law that every man shall come up and get a gratuity of forty dollars to be paid under the provisions of this act; let him make that amendment and try it awhile; let him aver that every man, no matter whether he has a hundred thousand dollars, or is not worth enough to keep him out of necessity, is entitled to a gratuity and annuity under the provisions of this bill; let him sweep away the barriers that surround the treasury and allow these cormorants to have their share. There is a gentleman not two miles from this House who consulted a lawyer in this town and said to him, I want you to look after this matter of mine before the Legislature. The lawyer replied: Well, if you will swear that you are in necessitous circumstances you can get it. He knew this person had at interest, at that time, a number of thousand dollars. The individual studied a moment and then asked if there was not some "way of getting around it." That is the effect this law has. These vampires fatten and feed upon these poor old people. The relief never gets to those who are really in want. If you circumvent these vampires in some way, I shall have no objection to the continuance of the bill. Why are not the soldiers of the Mexican war equally entitled to a gratuity? Why are not the soldiers of the present war equally entitled to the same gratuity? There is no advantage in granting these gratuities when we have soldiers' wives leading their children about this Hall begging for pennies. Make it so that every one who is entitled, clearly and fairly, to this gratuity shall base his claim upon presented personal reasons and then it will be more equitable. Unless you do that you must have the mines of Golconda and two or three pension bureaus to dispose of all these claims. You must create a bureau in this State for the purpose of granting annuities to the soldiers and the widows of soldiers of the war of 1812. It is utterly impossible for the present officers, in addition to their other duties, to perform these services.

I am in favor of this bill, although it will press hard upon some people; but unless you can protect the treasury of the State against those parties who are not entitled to this gratuity, or make a law such as is suggested by the gentleman from Bucks [Mr. HEADMAN], that everybody, no matter what his circumstances, is entitled to a gratuity of forty dollars I shall vote for this bill.

Mr. STUMBAUGH. Mr. Speaker, inasmuch as I propose to vote for the repeal of this law, I desire to make a statement. Last year when this act was passed, this House, I believe, thought it best to give meritorious persons who had served in the war of 1812, or their wives or orphans, a gratuity. The county that I had the honor in part to represent, I learn by the report of the Adjutant General, has drawn only five hundred and forty dollars; yet I know that in that county most of the cases that made application for gratuities came through the hands of an agent who had served in the rebel army, and the most of these claims were for men not in necessitous circumstances, but rather men of property. Now, there are men who are worthy of obtaining this gratuity who are not excluded in this law, as it provides only for those who have served sixty days. It seems to me, therefore, that it would be better to repeal the whole law than to let men who are in different circumstances receive this gratuity, and, at the same time deprive those who are most deserving of its privileges.

Mr. HEADMAN. I do not see why this should be an argument for having this law repealed. The Adjutant General has the law on his side, and can prosecute any person making false claims.

Mr. LEE. Mr. Speaker, I have been personally cognizant of a number of parties that ought to be reached by criminal prosecution, who, having effected this wrong, have placed themselves outside the pale of the law, and the parties that are involved ought not to be prosecuted, because they are innocent. Now this case will illustrate:

An affidavit is drawn up and a claim agent comes to a man and says, "Mr. A——, you are entitled to a gratuity of sixty dollars, and you have only to sign a paper that you were in the war of 1812, in order to receive it." He signs his name to the paper without any knowledge of the oath he has subscribed to. I grant that it is not right for a man to sign his name to a paper that he has not read, but they sign, supposing that the explanation given is a fair representation of the facts in the case. This has occurred in half a dozen instances to my knowledge, where the men have returned the money to the State Treasury, which they knew they were not entitled to, after learning the true facts. These agents then go to others, because it requires two witnesses to the facts. They go to an old man in the township, who can perhaps hardly write his name at all, and say to him, "Do you remember that A—— was in the army during the war of 1812?" "Oh, yes, he was in the same company with me, slept in the same tent, and messed with me." "Will you be so kind as to sign a paper to that effect?" "Yes," and down goes his name. And this is but one of the ways taken to procure affidavits of "personally appeared before," &c., when the oath was never administered. Thus affidavits are obtained that the parties are in "necessitous circumstances," when the persons whose names are affixed to the affidavits have no more conception of the statements therein contained than of taking a flight to the moon. Will you bring these men up for perjury, while the men who were agents in the affair are outside the pale of the law, where they can stand and laugh at their victims? Would you institute a proceeding of that kind against men, high-toned and honorable, having high regard for honesty, and send them to State prison for perjury? I am not in favor of any such proposition. I do not think a law can be made much more expressive or stronger than this law, as it provides that when one of the parties testifies to that which is untrue in the body of the application, he shall be subject to the pains and penalties of perjury. I know of three or four persons in my own town, men who are deserving in every respect and above any applications of that sort, who would have to go to State prison if this law was enforced against them.

Mr. HEADMAN. Mr. Speaker, I agree with the gentleman so far as the tricks he mentions are concerned, and I have no doubt cases of that kind occur daily. But a case also came to my attention this week. I received a letter from a gentleman eighty years of age, who resides in Philadelphia, making inquiries in reference to this matter. Soon after I met him in the streets of that city, and he told me that he was actually destitute. He scarcely had shoes to his feet. His coat was nothing but a thin one, not sufficient to protect him from the inclemency of the weather. When I returned to this city, I went into the Auditor General's office myself, and made inquiries. The Auditor General told me that his case, with a number of others, had been laid aside, as the applications had not met the requirements of the law. The law requires additional proof to that certified to by the applicant, that he is in necessitous circumstances. On Saturday morning I called on this person and stated that I wished to talk with him freely and frankly in reference to the matter. Said he, "I am actually dependant upon my sisters for my support, and were they to die, I should be obliged to go to the poor house at once." I asked him, "have you no sworn affidavit to that effect?" He said, "I would not ask any one to swear to that. I do not want my actual circumstances known to my acquaintances." I then came up here myself and swore to the facts, and got his pensions and gratuities. Any gentleman who will take the trouble to inquire into the matter, will find claim upon claim laid aside for want of additional proof.

For my part I do not see why this law should be repealed. I am in faver of a law granting a pension to every man who fought for our country and Union. I want the soldiers of 1812, the soldiers of the Mexican war, and the men who fought on the Union side in the late war, to get it. I want all to get it. I want the country to recognize their services and hold them up before the country as men who battled for their rights and for their freedom.

Mr. PENNYPACKER. Mr. Speaker, having been a member of this House when the act was passed, and taking an interest in it at that time, thinking it was about to benefit a great many people in this State, I supported it. But, sir, finding the provisions extending much farther than was expected, seeing that a great deal of this money does not go to the persons whom it is intended to benefit, and seeing that there are a great many leeches taking the money directly from these necessitous persons—I mean claim agents, by leeches, and they are the soldier's enemies, I assure you—I am therefore in favor of repealing the law. But I would not be in favor of repealing this law if it cut out all

persons from the benefits of gratuities and annuities. We can act, sir, and have acted for several years in individual cases, and, where proper cases are brought to this Legislature, I have never seen one refused. And they will not be refused. This Legislature, sir, is not ungenerous. It is not unmindful of the interests of these people.

But, sir, we must guard the treasury and we must place this money in the hands of those who need it, and not in the hands of agents who are not in necessitous circumstances, and who have never done anything but to absorb this money that should belong to needy persons. I am in favor of extending the benefits of this law to all who have served their country. It does very well to talk this way to make these men who have been in service believe we have a deep interest in them. But, is it proper? Can we do it? Dare we do it? And I would here say that the gentleman on the other side of the House has changed his tune within three or four years. I think I remember when he was not so much of a soldier's friend as he is today. I am glad that he has claimed to be the soldiers' friend that we may know what his speech means.

But I do not speak for Buncombe on this matter. I do not want to say to my constituents what I do not believe. I want to say that if those who are entitled to their gratuities will have their claims presented here, and if this Legislature is magnanimous and just, and if the parties can bring proper evidence here that their claims are just, their requests will be granted. Yet I do say that men who own farms and are in affluent circumstances come in under this law as persons in necessitous circumstances. They take the iron-clad oath with a mental reservation, like some of the rebels; and, therefore, I am opposed to a continuance of this law. I want it wiped out, and it will save a great deal of money to the treasury which would otherwise go into the hands of sharpers and men who are in newise in necessitous circumstances.

While I am speaking on this subject I will just say that this is not the only place where money could be saved to the Commonwealth of Pennsylvania. I am disgusted when I look over the extensive expenditures of the public funds. I am disgusted, sir. If I were worth millions, and should run the machine as the affairs of this Commonwealth are run, I would become bankrupt in a very short time. Whose fault is it, sir? It is not the fault of individuals, perhaps, but it is the fault of all of us. We do not effectually guard this matter. This is a very little matter in individual cases, but in the aggregate it is a great matter, and I raise my voice of warning to the people of Pennsylvania and to the Republican members of this House. The gentlemen on the other side of this House will help us to be as extravagant as possible, and then turn around and say the Republican majority did it. This is a pretty difficult procedure I know, but I like to tell the truth once in a while, because it comes with such a relish. I will therefore raise my voice now against extravagance in any particular. The repeal of this law will be a saving to the Commonwealth, and persons in necessitous circumstances can come here and receive the benefits of the law in individual cases.

Mr. KOON. Mr. Speaker, I am exceedingly pleased to hear the gentleman from Chester [Mr. PENNYPACKER] give utterance to such sentiments as he has, especially in the latter part of his speech. I will go with him heartily in that respect, and be one of the bull dogs of the treasury to guard its portals; but when the gentleman from Chester [Mr. PENNYPACKER] talks about extravagant appropriations he must not point to this side of the House. It is true that the Republican majority of this House are guilty and are the means of these extravagant appropriations. It is not from this side of the House that bills come to increase salaries and to make worthless offices, and we may protest in vain against it. All we can do is to put on record our negative, and that is all the good it does.

I am opposed to the repeal of this act. I think every objection can be met by a proper amendment. If the bill does not provide proper safe-guards around the Treasury they can be supplied. I do have respect, Mr. Speaker, for the veterans of 1812, and I have respect for all soldiers that have done their duty. But the soldiers of the late war have received very generous bounties from the general government, and in many cases local, county, township and city bounty. I do not think that soldiers of 1812 should be eased down into mother earth at the public expense. I am willing to continue this act, and if there is any objection to the bill, it can be met by amendment. Last year, I recollect, this bill was passed with great unanimity. It was thought by this House that it was but an act of justice to those old soldiers of the war of 1812. I voted for this bill myself, and I have as neighbors three or four worthy gentlemen who served in the war of 1812, who have never received any gratuity under this act, to my knowledge, because it is only intended to relieve persons in indigent circumstances. In a population of one hundred thousand and upwards, in my county, I know of but one single application made. I think this Legislature will be in poor business, indeed, to make this the especial object now of of reform, while we can touch that matter in so many other places. We may reform, and ought to reform, and I will go as far as the gentleman from Chester, when the general appropriation bill is reported to this House, in cutting down expenses.

Mr. QUIGLEY. Mr. Speaker, I move to postpone the further consideration of this bill until a week from next Friday, and that it be made the special order for that time.

The motion was

Agreed to.

The SPEAKER proceeded to clear the table.

IN THE SENATE, January 24, 1867.

Resolved, If the House of Representatives concur, that when the Legislature adjourns this day, it will adjourn to meet on Tuesday next, at 3 o'clock, P. M.

The resolution was read a second time.

Mr. QUIGLEY. Mr. Speaker, I move to amend by inserting after the word "day" the words "at one o'clock," so as to dispense with the special session ordered for this afternoon.

The question being on agreeing to the amendment,

It was not

Agreed to.

Mr. MANN. Mr. Speaker, I move the indefinite postponement of the resolution.

On agreeing to the motion,

The yeas and nays were required by Mr. ROATH and Mr. CHASE, and were as follow, viz:

YEAS—Messrs. Adaire, Barton, Boyle, Breen, Brown, Calvin, Cameron, Chalfant, Colville, Davis, Day, Deise, Ewing, Fogel, Gallagher, Headman, Hoffman, Hunt, Jenks, Kimmell, Kline, Linton, M'Camant, M'Kee, Mann, Marks, Pennypacker, Peters, Phelan, Rhoads, Richards, Roath, Robinson, Satterthwait, Sharples, Waddell, Watt, Westbrook and Wright—39.

NAYS—Messrs. Allen, Armstrong, Barrington, Boyd, Chadwick, Chase, Collins, Craig, Donohugh, Espy, Freeborn, Gordon, Harbison, Harner, Hetzel, Hood, Jones, Josephs, Kennedy, Kerns, Kinney, Koon, Lee, Leech, Long, Maish, Mechling, Meyers, Pillow, Quay, Quigley, Rouch, Shuman, Stambaugh, Subers, Tharp, Wallace, Webb, Weller, Whann, Wharton, Wilson, Wingard, Worrall and Glass, *Speaker*—42.

NAYS—Messrs. Adaire, Armstrong, Barton, Boyd, Boyle, Brown, Calvin, Cameron, Chalfant, Colville, Davis, Day, Deise, Ewing, Fogel, Gallagher, Ghegan, Gordon, Harner, Hoffman, Jenks, Kerns, Kimmell, Kline, Linton, M'Camant, M'Creary, M'Kee, Maish, Mann, Marks, Pennypacker, Peters, Phelan, Rhoads, Richards, Roath, Robinson, Satterthwait, Seiler, Sharples, Steacy, Waddell, Watt, Westbrook and Wright—46.

So the question was determined in the negative.

Mr. MANN. Mr. Speaker, I move to amend the resolution so as to provide for a session on Tuesday morning at 11 o'clock.

The motion was

Agreed to.

The question recurring on the resolution as amended,

It was agreed to.

Mr. MEYERS. Mr. Speaker, I offer the following resolution.

The resolution was read as follows:

Resolved, That the special order fixed for 3 o'clock this afternoon be postponed until 3 o'clock on Tuesday next.

The resolution was read a second time.

Mr. MEYERS. Mr. Speaker, on agreeing to the resolution, I call the previous question.

The call for the previous question was sustained by Messrs. Meyers, Josephs, Koon, Hood, Quigley, Craig, Wingard, Headman, Calvin, Long, Tharp and Boyd.

On the question,

Shall the main question now be put?

The yeas and nays were required by Mr. DAVIS and Mr. DEISE, and were as follow, viz:

YEAS—Messrs. Adaire, Allen, Armstrong, Barrington, Breen, Brown, Calvin, Chadwick, Chase, Craig, Donohugh, Fogel, Gallagher, Harbison, Headman, Hetzel, Hood, Jones, Josephs, Kennedy, Kerns, Kinney, Kline, Koon, Lee, Leech, Linton, Long, M'Camant, M'Creary, M'Kee, Maish, Mechling, Meyers, Pennypacker, Quay, Quigley, Robinson, Satterthwait, Shuman, Steacy, Tharp, Wallace, Watt, Webb, Whann, Wharton, Wingard and Worrall—50.

NAYS—Messrs. Barton, Boyd, Boyle, Cameron, Chalfant, Davis, Day, Deise, Espy, Ewing, Freeborn, Ghegan, Gordon, Harner, Hoffman, Hunt, Jenks, Kimmell, Mann, Marks, Peters, Phelan, Pillow, Rhoads, Richards, Roath, Seiler, Sharples, Stambaugh, Subers, Waddell, Westbrook, Wilson, Wright and Glass, *Speaker*—38.

So the question was determined in the affirmative.

The question recurring on the resolution,

It was

Agreed to.

MESSAGE FROM THE SENATE.

The Clerk of the Senate being introduced, informed

That Senate has concurred in the amendment made by the House of Representatives to the resolution pending for an adjournment of the two Houses until Tuesday next.

The SPEAKER proceeded to clear the table:

Special report of the inspector of the State penitentiary for the Eastern district of Pennsylvania.

Laid on the table.

Senate bill No. 70, an act to establish a ferry over the Youghiogheny river, near Perryopolis.

Referred to the Committee on Roads, Bridges and Ferries.

Senate bill No. 21, an act to incorporate the Sisters of Mercy in the city of Philadelphia.

Referred to the Committee on Municipal Corporations.

The SPEAKER. The Chair has been authorized by the managers of the House of Refuge and Dixmont Hospital, at Pittsburg, to extend to the members of this House an invitation to visit them on Friday, February 8th. I take pleasure in doing so, and assure the members of the House that they will meet with a hospitable reception.

The hour of one o'clock having arrived, the SPEAKER adjourned the House until next Tuesday morning at 11 o'clock.

SENATE.

TUESDAY, January 29, 1867.

The Senate met and was called to order at 11 A. M. by Mr. WORTHINGTON, Speaker *pro tem.*

Prayer was offered by the Rev. Mr. Bailey, of Harrisburg.

On motion of Mr. SCHALL, the reading of the Journal of Thursday last was dispensed with.

SPEAKER'S TABLE.

The SPEAKER *pro tem.* laid before the Senate the annual abstract of the receipts and disbursements of the Monongahela navigation company.

Laid on the table.

LEAVE OF ABSENCE.

Mr. COWLES asked and obtained leave of absence for Mr. SHOEMAKER, for a few days from to-day, on account of sickness.

PETITIONS, MEMORIALS, &C.

Mr. CONNELL presented the memorial of the Board of Trade of the city of Philadelphia, praying that the rate of interest may be raised to seven per cent.

Referred to the Committee on Finance.

Also, the memorial of the Entomological society of Philadelphia, praying for an appropriation to aid in carrying out the objects of the society.

Referred to the Committee on Education.

Mr. FISHER, the petition of citizens of Lancaster county, in favor of the rebuilding of the Columbia bridge.

Referred to the Committee on Railroads.

Mr. M'CONAUGHY, two memorials of citizens of Adams county, praying for an appropriation in relief of persons whose property was destroyed at the battle of Gettysburg.

Referred to the Committee on Finance.

Mr. WALLACE, the petition of corporate authorities of St. Mary's borough, for authority to build a lock-up, borrow money and for other purposes.

Referred to the Committee on the Judiciary Local.

Mr. GRAHAM, the petition of citizens of Sewickley borough, asking for the passage of an act vacating the old burial ground in said borough and for the removal of the bodies therefrom.

Referred to the Committee on the Judiciary Local.

Also, the petition of a number of citizens of Pennsylvania, in favor of the repeal of the landlord and tenant act, which was read as follows:

To the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met:

The petition of the subscribers, citizens of the State of Pennsylvania, respectfully pray your honorable body to repeal a certain act of Assembly, or supplement thereto, known as the "landlord and tenant act."

WHEREAS, It appears from the pamphlet laws of A. D. 1865, that a supplement to the act became a law, by reason of the Governor not returning the same supplement, or act, to the place of its origination, thereby becoming a law, passed the 4th day of December, A. D. 1863, and presented to the Governor on the 24th day of February, A. D. 1865, and was not returned in the prescribed time by law (viz: ten days), thereby becoming a law. Its bearings and requirements upon all persons coming under its arbitrary sway, are odious and despotic, and will be so viewed by all liberal minded men. We, therefore, pray that your honorable body repeal said act and supplement, which is burdensome to non-property holders, and so unjust in its provisions when used by unprincipled men, and we do ever pray, &c.

Referred to the Committee on the Judiciary General.

REPORTS FROM COMMITTEES.

Mr. LOWRY, from the Committee on Federal Relations, reported with amendments, bill entitled Joint resolution protesting against the confirmation of Edgar Cowan as Minister to Austria.

Mr. CONNELL, from the Committee on Finance, reported as committed, a bill entitled An act to pay Foster Gehr, clerk to the committee on the contested election case of Glass *vs.* Linton.

Also (same), as committed, a bill entitled An act to regulate the salary of the Secretary of the Commonwealth.

Mr. WHITE, from the Committee on Military Affairs, as committed, a bill entitled An act to incorporate the Dauphin County Soldiers' Monument association.

BILLS IN PLACE.

Mr. LOWRY read in place and presented to the Chair a bill entitled An act to indemnify certain election officers of this Commonwealth for losses sustained and fines imposed on them for acting in accordance with the act of Assembly of June 4, 1866.

Referred to the Committee on the Judiciary General.

Also, a bill entitled An act relating to evidence.

Referred to the Committee on the Judiciary General.

Mr. M'CONAUGHY, a bill entitled An act regulating the jurisdiction of courts in proceedings by bills for injunction or other relief in equity and the service of process.

Referred to the Committee on the Judiciary General.

Mr. COWLES, a bill entitled A further supplement to the act incorporating the Lafayette railroad company, approved the 1st day of May, A. D. 1861, extending time for building the road and enlarging the powers of said corporation.

Referred to the Committee on Railroads.

Mr. RIDGWAY, a bill entitled A supplement to an act incorporating the Corn Exchange association of Philadelphia, authorizing said association to make certain by-laws and regulating the assessment and payment of dues, fines, &c.

Referred to the Committee on Corporations.

Mr. FISHER, a bill entitled An act relating to the Columbia bridge company.

Referred to the Committee on Railroads.

Also, a bill entitled An act to incorporate the Columbia and Wrightsville bridge company.

Referred to the Committee on Corporations.

Mr. WALLACE, a bill entitled An act to authorize the borough of St. Mary's to borrow money, and extend the width of St. Michael street therein.

Referred to the Committee on the Judiciary Local.

Also, a bill entitled An act to extend the time for completing the Clearfield and Curwensville turnpike road, and authorizing collection of tolls upon the portion now completed.

Referred to the Committee on Roads and Bridges.

Mr. BIGHAM, a bill entitled an act to confer upon the Pittsburg forge and iron company all the powers, rights and privileges of the Jones and Nimick manufacturing company, by the act approved April, 1863.

Referred to the Committee on Corporations.

Also, a bill entitled an act to incorporate the Safe Deposit company of Pittsburg.

Referred to the Committee on Banks.

Mr. GRAHAM, a bill entitled An act to incorporate the Sandusky and Irwin Street bridge company.

Referred to the Committee on Roads and Bridges.

Also, a bill entitled An act for vacating the old burying ground in the borough of Sewickley, and removing the bodies therefrom.

Referred to the Committee on the Judiciary Local.

Also, a bill entitled A supplement to an act entitled An act to prevent the sale of intoxicating liquors on the first day of the week, commonly called Sunday, approved July 26, 1865.

Referred to the Committee on Vice and Immorality.

Also, a bill entitled An act to incorporate the Richland Township Mutual insurance company.

Referred to the Committee on Corporations.

Mr. COLEMAN, a bill entitled An act relating to Dauphin county prison.

Referred to the Committee on the Judiciary Local.

Also, a bill entitled An act to authorize the town council of the borough of Middletown, in the county of Dauphin, to borrow money to pay off the present indebtedness, and to build a bridge over the Pennsylvania canal, on Wood street, and to provide for the payment thereof, as also for the future government of said borough, by an increased rate of taxation.

Referred to the Committee on the Judiciary Local.

Mr. CONNELL, a bill entitled An act exempting the property of the Ladies' United Aid Society of the Methodist Episcopal church of Philadelphia from taxation.

Referred to the Committee on Finance.

Also, a bill entitled An act to divide the Twenty-first ward into two wards, and to cre-

ate the Twenty-eighth ward in the city of Philadelphia.

Referred to the Committee on the Judiciary Local.

Also, a bill entitled A further supplement to an act authorizing the Governor to incorporate the Tioga navigation company, repealing the third section of an act relative thereto, approved February 7, 1828.

Referred to the Committee on Canals and Inland Navigation.

Also, a bill entitled An act relating to certain highways in the Twenty-second ward of the city of Philadelphia, requiring the removal of a toll house and gate in Germantown.

Referred to the Committee on the Judiciary Local.

ORIGINAL RESOLUTIONS.

Mr. COLEMAN offered the following resolution, which was twice read:

Resolved, That the General Judiciary Committee be instructed to inquire into the power of this Legislature to control railroad corporations of this State by direct legislation on the subject of charges for passengers and freight, to secure the private citizens of the State from inordinate and extortionate demands, to assert the sovereignty of the people of the State over all such corporations within its limits for the general good, and that said committee have power to send for persons and papers, and to compel testimony under oath; that said committee is instructed to report to the Senate at the earliest possible period, by bill or otherwise.

Mr. COLEMAN. Mr. Speaker, there is some question as to what power the Legislature have over the present corporate companies in this State, and I would like the simple question decided by a report from the committee as to what power they have to regulate with regard to freight, etc. It is very important, before we enter into any railroad legislation, that we should be informed as to our power. I cannot see that there can be any objection to it.

The resolution was adopted.

Mr. LOWRY offered the following resolution, which was twice read:

Resolved, That the Committee on Military Affairs is requested to examine and report to the Senate whether any money is equitably due from the Commonwealth to the representatives of Col. John M'Clane, who fell at the head of the Eighty-third Pennsylvania volunteers, and make report thereon, and bring in a bill for relief, if in their judgment the cause of justice demands it.

The resolution was adopted.

Mr. BROWNE (Lawrence) offered the following resolution, which was twice read:

Resolved, That the Senate will hold a special session at 3 P. M. to-day, to consider the resolution regarding the confirmation of Edgar Cowan as Minister to Austria.

Mr. LOWRY moved to amend by adding, "and also an evening session, if necessary."

The amendment was agreeed to,

And the resolution, as amended, was Adopted.

CHANGE OF COMMITTEE.

Mr. LOWRY moved that the Committee on Corporations be discharged from the further consideration of a bill entitled An act to incorporate the Marine Hospital of Pennsylvania, in the county of Erie, to fix location of hospital in Erie city, and to grant real estate to said hospital, and that the bill be referred to the Committee on Finance.

The motion was

Agreed to.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

The Clerk of the House of Representatives being introduced, presented the following extract from the Journal of the House of Representatives,

Which was read as follows, viz:

IN THE HOUSE OF REPRESENTATIVES, January 24th, 1867.

Resolved, That (if the Senate concur) the Military Committee of both Houses, in conjunction with the Adjutant General, and his Excellency, the Governor of the Commonwealth, be and they are hereby requested to report to this House a bill for the regulation of the militia of the State.

Resolved, That the said committee are hereby authorized to call to their aid such persons as they may desire having knowledge of the subject hereby submitted to its consideration, and that before presenting any bill for the consideration of the Legislature, the same shall be referred to the Attorney General for his opinion of its legal preparation and construction.

Mr. CONNELL moved to amend the resolution by adding, before the words "Adjutant General," the words "Auditor General."

The amendment was

Agreed to.

The resolution as amended was adopted.

BILL ON THIRD READING.

Agreeably to order, the Senate proceeded to the third reading and consideration of a bill entitled An act to incorporate the Brokers' beneficial association of Philadelphia.

Mr. DONOVAN. Mr. Speaker, when this bill was before the Senate, the other day, I asked the courtesy of the Senate to have it postponed. I had no personal objection to the bill, and for the purpose of setting myself right, I ask that the following letter be read:

PHILADELPHIA BOARD OF BROKERS,
PHILADELPHIA, Jan. 25, 1867.

Hon. C. M. Donovan, Pennsylvania State Senator:

DEAR SIR—Your action in causing a temporary postponement of the bill incorporating the Board of Brokers as a beneficial association, etc., was very well, as you did not appear to be apprised at the time that it had received the approval of this body. By some means or other, the letter of Mr. Biddle to you, informing you of this fact, had not reached you. Your zeal, therefore, for the interest of the Board was very commendable.

In answer to your telegram of the 23d, I advised you that the bill referred to met our unanimous approval. We, therefore, shall rely on your exertions and influence to aid in carrying through a measure which will enable this Board, without any legal embarrassment, to receive contributions, hold property, and dispense charities to deserving objects.

Yours truly,
GEORGE W. COMBLOS,
President.

BILLS PASSED.

On motion of Mr. BROWNE (Lawrence), the rules were dispensed with, and the Senate proceeded to the consideration of bill, an act to incorporate the Brady's Bend bridge company.

The bill was read a second and third time, and

Passed finally.

On motion of Mr. CONNELL, the rules were dispensed with, and the Senate proceeded to the consideration of bill entitled An act to regulate the salary of the Secretary of the Commonwealth.

The bill was read a second and third time, and

Passed finally.

On motion of Mr. COLEMAN, the rules were dispensed with, and the Senate proceeded to the consideration of bill entitled An act to incorporate the Dauphin County Soldiers' Monument association.

The bill was read a second and third time, and

Passed finally.

On motion of Mr. COLEMAN, the Committee on the Judiciary Local was discharged from the further consideration of bill entitled An act to authorize the town council of Middletown, in the county of Dauphin, to borrow money to pay off the present indebtedness of said borough and to build a bridge over the Pennsylvania canal on Wood street, and to provide for the payment thereof, as also for the future government of said borough, by an increased rate of taxation.

And the rules having been dispensed with, the bill was read a second and third time, and

Passed finally.

On motion of Mr. CONNELL, the Committee on the Judiciary Local was discharged from the further consideration of a bill entitled An act relative to a certain highway in the Twenty-second ward of the city of Philadelphia, and to require the removal of a toll-house and gate therefrom in Germantown.

And the rules having been dispensed with, the bill was read a second and third time, and

Passed finally.

On motion of Mr. JACKSON, the rules were dispensed with, and the Senate proceeded to the consideration of bill entitled An act relative to the road laws in certain townships in Sullivan county.

The sixteenth section was amended on motion of Mr. JACKSON.

The bill was read a second and third time, and

Passed finally.

On motion of Mr. GRAHAM, the rules were dispensed with, and the Senate proceeded to the consideration of bill entitled An act authorizing the school directors of the borough of Sewickley to collect the balance of bounty tax in said borough.

The bill was read a second and third time, and

Passed finally.

On motion of Mr. WHITE, the Committee on Corporations was discharged from the further consideration of a bill entitled An act to amend the charter of the Cambria iron company, authorizing an increase of capital stock and the issue of bonds, and authorizing the manufacture of iron and steel in any shape.

And the rules having been dispensed with, the bill was read a second and third time, and

Passed finally.

On motion of Mr. FISHER, the rules were dispensed with, and the Senate proceeded to the consideration of bill entitled A supplement to an act to unite and consolidate Marshall College, now at Mercersburg, with Franklin College, now at Lancaster, under the name of Franklin and Marshall College, as a corporation to be located in the city of Lancaster, or its immediate vicinity, approved the 19th day of April, A. D. 1850, changing the trustees thereof, and the manner of electing such trustees, and their terms of office.

The bill was read a second and third time, and

Passed finally.

On motion of Mr. CONNELL, the rules were dispensed with, and the Senate proceeded to the consideration of a bill entitled An act opening Juniata avenue and vacating Nicetown lane in the Twenty-fifth ward in the city of Philadelphia.

The bill was read a second and third time, and

Passed finally.

On motion of Mr. GRAHAM, the Committee on Corporations was discharged from further consideration of bill entitled An act

to incorporate the Richland Township Mutual insurance company.

And the rules being dispensed with,

The bill was read a second and third time, and

Passed finally.

On motion of Mr. JACKSON, the rules were dispensed with, and the Senate proceeded to the consideration of the bill entitled An act to incorporate the M'Connell mineral company of Pennsylvania.

The bill was read a second and third time, and

Passed finally.

On motion of Mr. JAMES, the rules were dispensed with, and the Senate proceeded to the consideration of bill entitled An act to increase the compensation of the supervisors of roads in the township of Solebury, Bucks county.

The bill was read a second and third time, and

Passed finally.

On motion of Mr. M'CONAUGHY, the rules were dispensed with, and the Senate proceeded to the consideration of a bill entitled A supplement to an act increasing the fees of jurors and witnesses in and for the counties of Armstrong, Franklin, Schuylkill and Westmoreland, approved the 27th day of March, A. D. 1856.

The title was amended by adding thereto the words, "changing the fees to be paid witnesses in the county of Franklin."

The bill was read a second and third time, and

Passed finally.

On motion of Mr. CONNELL the rules were dispensed with, and the Senate proceeded to the consideration of a bill entitled An act to authorize the appointment of five additional notaries public for the city of Philadelphia.

The bill was read a second time.

On motion of Mr. CONNELL, the bill was amended by striking out the word "five" and inserting in lieu thereof the word "six."

The section, as amended, was agreed to, and

The bill

Passed finally.

REDEMPTION OF OVER DUE BONDS OF THE COMMONWEALTH.

On motion of Mr. CONNELL, the Senate proceeded to the consideration of bill entitled An act to create a loan for the redemption of the over due bonds of the Commonwealth.

Mr. CONNELL. Mr. Speaker, to show the object of this bill, I desire the Clerk to read a dozen lines from the report of the State Treasurer, as follows:

"With such an income as this, is it not high time that Pennsylvania had removed the disgrace of having twenty-three million dollars of her liabilities over due and unpaid? Should we not at once proceed to negotiate a new loan and redeem the old, so far as it may be due? I think we should. We ought also to repeal the law taxing our own loans. Most of the original debt was created at a time when it was not the custom of the State to tax her own loans, and subscribers had a fair right to suppose that the laws then existing were those by which the State would thereafter be guided in the treatment of her loanholders. Moreover, since the passage of the act taxing her loans, every dollar borrowed has been exempted from taxation, except a loan of four hundred thousand dollars, and that bears an interest of six per cent. per annum, showing that the law was so clearly unjust that no more money could be borrowed, except under a distinct agreement that it would not be taxed."

In committee of the whole (Mr. LOWRY in the chair) the bill was read and reported with amendments.

The committee rose and the bill, as amended, was read, as follows:

WHEREAS, The bonds of the Commonwealth and certain certificates of indebtedness, amounting to twenty-three millions of dollars ($23,000,000), have been over due and unpaid for some time past;

And whereas, It is desirable that the same should be paid and withdrawn from the market; therefore,

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same*, That the Governor, State Treasurer and Auditor General be and are hereby authorized and empowered to borrow, on the faith of the Commonwealth, in such amounts and with such notice (not less than forty days) as they may deem most expedient for the interest of the State, twenty-three millions of dollars, and issue certificates of loan or bonds of the Commonwealth for the same, bearing interest at a rate not exceeding six per centum per annum, payable semi-annually, on the first of February and first of August, in the city of Philadelphia, which certificates of loan or bonds shall not be subject to any taxation whatever, for State, municipal or local purposes, and shall be payable as follows, namely: Five millions of dollars ($5,000,000), payable at any time after five years and within ten years, eight millions of dollars ($8,000,000), payable at any time after ten years and within fifteen years, and ten millions of dollars ($10,000,000) at any time after fifteen years and within twenty-five years, and shall be signed by the Governor and State Treasurer, and countersigned by the Auditor General, and registered in the books of the Auditor General, and to be transferable on the books of the Commonwealth at the Farmer's and Mechanics' National Bank of Philadelphia, the proceeds of the whole of which loan, including premiums, et cetera, received on the same, shall be applied to the payment of the bonds and certificates of indebtedness of the Commonwealth.

SEC. 2. The bids for the said loan shall be opened in the presence of the Governor, Auditor General and State Treasurer, and awarded to the highest bidder: *Provided*, That no certificate hereby authorized to be issued shall be negotiated for less than its par value.

SEC. 3. The bonds of the State and certificates of indebtedness, now over due, shall be receivable in payment of the said loan, under such regulations as the Governor, Auditor General and State Treasurer may prescribe, and every bidder for the loan now authorized to be issued, shall state in his bid whether the same is payable in cash, or in the bonds or certificates of indebtedness of the Commonwealth.

SEC. 4. That all trustees, executors, administrators, guardians, agents, treasurers, committees, or other persons holding in a fiduciary capacity bonds or certificates of indebtedness of the State, or moneys, are hereby authorized to bid for the loan hereby authorized to be issued, and to surrender the bonds or certificates of loan held by them at the time of making such bid, and to receive the bonds authorized to be issued by this act.

SEC. 5. Any person or persons standing in the fiduciary capacity stated in the fourth section of this act, who may desire to invest money in their hands for the benefit of the trust, may, without any order of court, invest the same in the bonds authorized to be issued by this act, at a rate of premium not exceeding twenty per centum.

SECTION 6. That from and after the passage of this act, all the bonds of this Commonwealth shall be paid off in the order of their maturity.

SECTION 7. That all loans of this Commonwealth not yet due shall be exempt from State, municipal or local taxation after the interest due February 1st, 1867, shall have been paid.

SEC. 8. That all existing laws or portions thereof inconsistent herewith, are hereby repealed.

The bill was read a third time and

Passed finally.

The hour of one o'clock having arrived, the SPEAKER adjourned the Senate until three o'clock this afternoon.

AFTERNOON SESSION.

TUESDAY, January 29, 1867.

The Senate reassembled at 3 P. M.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

The Clerk of the House of Representatives being introduced, returned bill from the Senate numbered and entitled as follows, viz:

No. 130, an act to incorporate the Dauphin County Soldiers' Monument association,

With information that the House of Representatives passed the same without amendment.

JOINT RESOLUTIONS RELATIVE TO EDGAR COWAN.

The bill entitled joint resolutions of the Legislature of Pennsylvania, protesting against the confirmation of Edgar Cowan as Minister to Austria, being the special order, the Senate resumed the second reading and consideration of the same.

Speeches were made by Messrs. BURNETT, FISHER, M'CANDLESS, DAVIS, SEARIGHT, M'CONAUGHY, WALLACE and LANDON, which are withheld for revision, and will appear in the *Appendix*.

Mr. DONOVAN moved to amend the resolutions by striking out all after the enacting clause and inserting, in lieu thereof, the following:

WHEREAS, The Senate of the United States expelled the Hon. Jesse D. Bright, Senator from the State of Indiana, for asserting that States could secede, and that the President was not the Government;

And whereas, The Republican party have since changed their views, now declaring that secession is right, and that the President of the United States is not the Government; therefore,

Resolved, That our Senators in Congress be instructed to vote for the confirmation of the Hon. Edgar Cowan, as Minister to Austria, that the country may be represented abroad by at least one consistent statesman.

Mr. WHITE raised a point of order, that the amendment was out of order, as not germane to the subject before the Senate.

The SPEAKER decided the point of order was not well taken.

The question being on the amendment of Mr. DONOVAN, it was not agreed to.

The resolution was read a third time, and

On the question,

Shall the resolution pass?

The yeas and nays were required by Mr. JACKSON and Mr. LOWRY, and were as follow, viz:

YEAS—Messrs. Bigham, Billingfelt, Browne (Lawrence), Coleman, Connell, Cowles, Fisher, Graham, Haines, Landon, Lowry, M'Conaughy, Royer, Stutzman, Taylor, White, Worthington and Hall, *Speaker*—18.

NAYS—Messrs. Burnett, Davis, Donovan, Glatz, Jackson, James, M'Candless, Schall, Searight, Wallace and Walls—11.

So the question was determined in the affirmative.

PAIRED—Messrs. RANDALL and RIDGWAY.

On motion of Mr. LOWRY, the Senate then adjourned until to-morrow morning at 11 o'clock.

HOUSE OF REPRESENTATIVES.

TUESDAY, January 29, 1867.

The House met at 11 o'clock, A. M.

Prayer was offered by the Rev. P. J. Haut, of Morrisville, Bucks county.

The SPEAKER announced that there was a quorum of members present.

The Journal of Thursday was read, and, there being no objection, was approved.

SPEAKER'S TABLE.

The SPEAKER presented to the House the annual report of the Monongahela navigation company.

Laid on the table.

PRIVATE CALENDAR.

The regular order of business being the consideration of the private calendar,

The following bills were severally read, and laid aside for a second reading:

No. 55, an act to vacate certain lanes and alleys in the plan of out-lots of the borough of Beaver, in the county of Beaver.

No. 57, a further supplement to an act to incorporate the city of Philadelphia, approved February 2, 1854.

No. 58, an act to change and amend the charter of the borough of Emporium, in the county of Cameron.

No. 59, an act authorizing the assessment of railroad taxes in the borough of Kittaning, Armstrong county.

No. 60, an act authorizing a special election in the borough of Highspire.

Mr. BOYLE. Mr. Speaker, I move to amend by striking out, in the first line of the second section, the words "the taxable inhabitants" and inserting "persons qualified to vote for members of the most numerous branch of the General Assembly."

It seems to me, sir, that this action is a little premature. After the convention for amending the Constitution, which my friend from Beaver [Mr. QUAY] has put in train, shall have assembled, and shall have stricken the word *white* from that instrument, as he is reported to desire, it may then be time to provide for negroes to vote in the State; but I submit, that at this time it would be in violation of the Constitution of the State. The term "taxable inhabitants" includes negroes, women and minors who have property that is assessed and on which they pay taxes. I do not think it would be much to the benefit of the borough of Highspire to provide for an election of this kind.

The SPEAKER. There being no objection, the amendment will be inserted.

No. 61, an act limiting the burgess and town council of the borough of Oil City, Venango county, in the levying and collection of taxes.

No. 62, an act to authorize the borough of Troy to increase the taxation for borough purposes.

No. 63, supplement to an act to incorporate the borough of South Erie.

No. 65, an act to authorize the school directors of the borough of Phœnixville to borrow money for the purpose of purchasing lands and building school houses.

No. 66, an act to enable the school directors of the borough of East Birmingham, Allegheny county, to borrow money for the erection of school buildings.

No. 67, an act to annex Davis S. Walker, Francis Cunningham and Wesley Smith, of Jefferson township, Washington county, to Cross Creek township, in the said county, for school purposes.

No. 68, an act authorizing the trustees of the Brookville Academy to sell the same to the Brookville school district.

Senate bill No. 57, an act to enable the school directors of West Manheim township, in the county of York, to levy and collect at once the bounty tax remaining unpaid.

No. 75, an act to repeal the act to change the venue in the case of John Lenox, from the county of Washington to the county of Beaver, approved April 12, A. D. 1866.

No. 77, an act relating to the compensation of the commissioners of Chester county.

No. 78, an act to repeal an act providing for compensation of damages to public roads in Bethlehem and Palmer townships, Northampton county, by the construction of the Lehigh and Delaware Water Gap railroad, approved the 11th day of April, A. D. 1866.

No. 79, an act fixing the rate of compensation of the sheriff of Northampton county, for boarding prisoners.

Senate bill No. 32, a supplement to an act relative to the fees of district attorneys of certain counties of this Commonwealth.

No. 81, an act to authorize and relating to the appointment of auctioneer, in the county of Erie, and its powers and duties.

No. 82, a suplement to an act relating to the lien of mechanics and others upon buildings, extending it to York county.

No. 83, an act to repeal the fourth section of an act relating to fees of certain officers in Erie county.

No. 84, an act to authorize the election of an additional justice of the peace in the township of Cherryhill, in the county of Indiana.

No. 85, a supplement to an act authorizing appeals from interlocutory orders or decrees granting special injunctions, approved the 14th day of February, A. D. 1866, extending the provisions of said act to special injunctions granted by the court of *nisi prius* of Philadelphia.

No. 88, an act to incorporate the Mechanics' and Miners' Co operative association of Scranton.

No. 89, an act to incorporate the Oxford hall association.

No. 90, a supplement to an act to incorporate the Cooper Fire-Arms manufacturing company, approved 3d of April, 1863, and the supplements to the same.

No. 91, an act to incorporate the Granite insurance company.

No. 92, an act to incorporate the Bachelors' Barge Club of the city of Philadelphia.

Senate bill No. 44, an act to incorporate the Eureka life and accident insurance company.

No. 94, an act relating to restaurants and beer houses in the county of Washington.

No. 96, an act to extend the provisions of the act to prohibit the granting of licenses to sell intoxicating drinks within the county of Potter, approved April 11, A. D. 1866, to the county of Beaver.

No. 97, an act to incorporate the Rea Estate savings institution.

Senate bill No. 24, an act to incorporate the Germania savings institution of Erie.

No. 99, an act relative to the several issues and other liabilities of the Mauch Chunk Bank.

No. 101, an act to incorporate the Germania savings institution of Erie.

No. 102, an act to repair the Cowenesque river, in the county of Tioga.

No. 105, an act for the relief of T. S. Strohecker, of Venango county.

No. 107, an act for the relief of Benjamin Scott, Junior.

No. 109, an act to extend the jurisdiction of the orphans' court of York county.

No. 110, an act relating to the sale of land for taxes, in Potter county.

No. 111, an act creating the office and defining the duties of assistant district attorney for the county of Allegheny.

No. 112, an act to authorize the election of an officer to be called constable and collector, in the several townships and boroughs in the county of Cameron; and regulating his duties.

No. 113, an act legalizing certain assessments taken in the county of Cameron.

OBJECTED BILLS.

The following bills were objected to, and, under the rule, were laid over until next week.

By Mr. WILSON,

Senate bill No. 52, an act to vacate part of Spruce alley, in the Ninth ward of the city of Pittsburg.

By Mr. CHALFANT,

No. 76, an act to change the venue in the case of the Commonwealth of Pennsylvania *vs.* Jesse R. M'Carty, Joshua M'Carty and Charles Newton, from the court of quarter sessions of the peace of Sullivan county to the court of quarter sessions of the peace of Bradford county.

By Mr. KURTZ,

No. 95, an act regulating the sale of intoxicating liquors, licensing saloons, eating houses and restaurants, and prohibit billiard saloons from being kept open on Sunday in the county of Cameron.

By Mr. BOLYE,

No. 114, an act for the relief of wives and children deserted by their husbands and fathers, in Lancaster and Potter counties.

MESSAGE FROM THE SENATE.

The Clerk of the Senate being introduced presented for concurrence bill numbered and entitled as follows:

Senate bill No. 130, an act to incorporate the Dauphin county Soldiers' Monument association.

He also returned bill from House of Representatives numbered and entitled as follows, viz:

No. 103, an act to regulate the salary of the Secretary of the Commonwealth,

With information that the Senate has passed the same without amendment.

The SPEAKER proceeded to clear the table:

Senate bill No. 130, an act to incorporate the Dauphin County Soldiers' Monument association.

On motion of Mr. HOFFMAN, the rules were suspended, and the House proceeded to the consideration of the bill.

The bill was read as follows:

Be it enacted, &c., That Edward C. Williams, Joseph B. Knipe, John P. Rutherford, Wm. W. Jennings, Henry M'Cormick, J. Wesley Awl, Edward L. Witman, John P. Brua, Edward G. Savage, John S. Detweiler, Henry B. Buehler, Wm. H. Egle, S. S. Shultz, E. C. Reichenbach, W. H. Harris, A. L. Chayne, George Dock, Thomas J. Jordan, Theodore D. Greenawalt, C. C. Davis, John Gotshall, Hon. John J. Pearson, the Mayor of Harrisburg, *ex officio*, John A. Small, James W. Weir, John H. Briggs, A. O. Heister, David Mumma and A. B. Wanford, be and they are hereby constituted and appointed commissioners to contract for and superintend the erection of a monument to the memory of Dauphin county soldiers who were killed or died in the military service of the United States during the rebellion, to be erected within the city of Harrisburg, on such spot as may be selected by the said commissioners.

SEC. 2. That the said commissioners are authorized to select a plan and specifications, and to issue proposals for the erection of the monument aforesaid, and make such contract or contracts as they may deem necessary for the erection of the same.

Daily Legislative Record.

FOR THE SESSION OF 1867.

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[CONTINUED FROM PAGE 144.]

SEC. 3. That said commissioners shall organize, by the election of a president and secretary, who shall be of their own body, and a treasurer, who shall be a competent and reliable person.

SEC. 4. That all money or things of value, heretofore subscribed and collected for the purpose of erecting the monument aforesaid, be vested in the commissioners aforesaid, and the treasurer is hereby authorized to collect from and receipt to the treasurer of the Dauphin County Soldiers' Fair, for the proceeds of said fair, and to hold the same to the order of said commissioners for the purpose heretofore stated.

SEC. 5. That said commissioners are authorized to receive subscriptions, gifts, legacies and bequests for the object aforesaid, and shall make such rules and regulations for their own action as they may deem necessary.

SEC. 6. That, upon the completion of the monument aforesaid, the commissioners of the county of Dauphin are hereby authorized and directed to take charge of the said monument, by whom it shall be kept in preservation and repair, at the proper charge of the county of Dauphin.

The bill was then read a second and third time, and

Passed finally.

The hour of 1 o'clock having arrived,

The SPEAKER adjourned the House until 3 o'clock this afternoon.

AFTERNOON SESSION.

TUESDAY, January 29, 1867.

The House met at 3 o'clock, P. M.

PRIVATE CALENDAR.

The consideration of the private calendar was resumed.

The following bills were read the first time, and laid aside for a second reading:

No. 115, an act relating to the fees of the treasurer of the county of Snyder.

No. 116, a supplement to an act to change the mode of criminal proceedings in Erie and Union counties, extending the same to the county of Warren.

No. 117, an act regulating the fees of the commissioners of the county of Snyder.

No. 118, an act to extend the provisions of an act relating to costs in Luzerne county, approved the 2d day of April, A. D. 1863, to the county of Dauphin, with a proviso.

No. 119, an act supplementary to a supplement to an act relating to the collection of State and county taxes in the county of Bucks, approved 31st day of March, 1864.

No. 120, an act authorizing the court of common pleas of Northampton county to appoint a trustee to make sale of certain real estate held in trust for A. Wolle & Co.

No. 121, a further supplement to an act increasing the fees of the several county officers of this Commonwealth, except in the city of Philadelphia and counties of Allegheny, Bradford, Susquehanna and Sullivan, approved March 30, A. D. 1865.

No. 123, an act to authorize the school directors of Hartford township, Susquehanna county, to levy and collect a special tax to build and repair school houses in said township.

No. 125, an act to annex certain lands in Pine Creek township, Jefferson county, owned and occupied by Sarah G. Evans, to the borough of Brookville for school purposes.

No. 126, a supplement to an act to annex the farm of William Steel, of Salem township, to Hempfield township, Westmoreland county, for school purposes, approved 14th of April, 1866.

No. 127, An act to authorize the school directors in the city of Williamsport, in the county of Lycoming, to borrow money.

No. 128, an act to authorize the school directors of Swatara school district, Dauphin county, to raise an additional building tax.

No. 132, an act to authorize the school directors of Saegerstown, Crawford county, to borrow money, and for other purposes.

No. 133, an act relating to the granting of tavern licenses in Washington county.

No. 134, an act to extend the time for the payment of the enrollment tax on an act to incorporate the Meadville City Passenger railroad company, approved the 7th day of April, 1866.

Senate bill No. 74, an act to validate and confirm a certain mortgage or deed of trust, executed under the corporate seal of the Philipsburg coal, iron and oil company, and to authorize the transfer of the railroad of the said company to any other railroad company owning a railroad connecting therewith, and to increase the number in the boards of directors.

Senate bill No. 83, an act to incorporate the Hollen knitting machine company, of Indiana county

No. 135, a supplement to an act approved the 8th day of April, A. D. 1859, to incorporate the Pittsburg and East Liberty passenger railway company,

Was amended by Mr. WILSON, and laid aside for a second reading.

OBJECTED BILLS.

The following bills were objected to and laid over, under the rules, until next week.

No. 122, an act to regulate the term of the several courts in the Sixth Judicial district.

Mr. ALLEN. Mr. Speaker, I simply wish to say that I would like to have the gentleman from Erie [Mr. M'CREARY] give some reason why this bill should be passed. This bill is entirely unadvised so far as I am informed.

Mr. M'CREARY. Mr. Speaker, Judge Johnson, living in the gentleman's own town, and Judge Vincent, of Erie, prepared this bill and desired it should be presented. I am very certain that every attorney in his place is in favor of having it passed immediately.

Mr. ALLEN. Mr. Speaker, I know nothing about the bill, and ask that it be postponed for the present.

The SPEAKER. The gentleman objects to the bill, and it will be laid over for the present.

By Mr. ROATH,

No. 131, an act to enable the board of directors of common schools of East Lampeter township, Lancaster county, to apply surplus of bounty funds to common school purposes.

OBJECTED BILLS OF LAST WEEK.

No. 52, an act relating to soliciting passengers in Allegheny county.

Mr. M'KEE moved to amend the bill so as to make its provisions apply to the city of Pittsburg only.

Mr. LEE. Mr. Speaker, I move that this bill be postponed for the present. It is a most extraordinary bill, and I cannot properly understand it. Not being able now to comprehend it, and having seen it for the first time to-day, I move that it be postponed for the present.

The SPEAKER. The question is on laying the bill aside for a second reading.

On the question,

Will the House lay the bill aside? it was not

Agreed to.

MESSAGE FROM THE SENATE.

The Clerk of the Senate being introduced, presented for concurrence bills numbered and entitled as follows:

Senate bill No. 67, an act to incorporate the Brokers' Beneficial association of Philadelphia.

Senate bill No. 110, an act to create a loan for the redemption of the over due bonds of the Commonwealth.

Senate bill No. 132, an act relating to a certain highway in the Twenty-second ward in the city of Philadelphia, requiring the removal of a toll house and gate in Germantown.

He also returned bill from the House of Representatives numbered and entitled as follows:

No. 87, an act to incorporate the Brady's Bend bridge company,

With information that the Senate has passed the same without amendment.

The Clerk of the Senate also returned resolutions as follows, viz:

Resolved, That, if the Senate concur, the military committees of both Houses, in conjunction with the Adjutant General and his Excellency, the Governor of the Commonwealth, be, and they are hereby, requested to report to this House a bill for the regulation of the militia of this State.

Resolved, That said committee are hereby authorized to call to their aid such persons as they may desire, having knowledge of the subject hereby submitted to its consideration, and that before presenting any bill for the consideration of the Legislature, the same

shall be referred to the Attorney General for his opinion of its legal preparation and construction,

With information that the Senate has concurred in the same, with an amendment inserting the words "Auditor General" before "Adjutant," in which the concurrence of the House of Representatives is requested.

The SPEAKER cleared the table of bills numbered and entitled as follows:

Senate bill No. 67, an act to incorporate the Brokers' Beneficial association of Philadelphia.

Referred to the Committee on Corporations.

Senate bill No. 110, an act to create a loan for the redemption of the over due bonds of the Commonwealth.

Referred to the Committee on Ways and Means.

Senate bill No. 132, an act relating to a certain highway in the Twenty-second ward of the city of Philadelphia, requiring the removal of a toll-house and gate in Germantown.

Referred to the Committee on Roads, Bridges and Ferries.

PRIVATE CALENDAR.

The SPEAKER. The next thing in order is the second reading and consideration of the bills on the private calender.

Mr. MANN. Mr. Speaker, I move that the further consideration of the private calendar be postponed until to-morrow morning at ten o'clock, and that we then commence our session at ten o'clock. We can facilitate business by so doing. We have wasted a good deal of time, and it seems to me we should make up an hour by commencing at ten o'clock.

Mr. WILSON. Mr. Speaker, I hope the motion of the gentleman will not prevail. It seems to me that the proper way to facilitate business is to proceed with the private calendar immediately.

The SPEAKER. The Chair does not regard the motion of the gentleman from Potter (Mr. MANN) altogether proper, as it includes both the question to postpone and to establish a different hour for the meeting of the House.

Mr. MANN. I withdraw my motion.

The following bills were then read a second and third times:

No. 55, an act to vacate certain lanes and alleys in the plan of outlots of the borough of Beaver, in the county of Beaver.

Passed finally.

No. 58, an act to change and amend the charter of the borough of Emporium, in the county of Cameron.

Passed finally.

No. 59, an act authorizing the assessment of railroad taxes in the borough of Kittanning, Armstrong county.

Passed finally.

No. 60, an act authorizing a special election in the borough of Highspire.

Passed finally.

No. 61, an act limiting the burgess and town council of the borough of Oil City, Venango county, in the levying and collection of taxes.

Passed finally.

No. 62, an act to authorize the borough of Troy to increase the taxation for borough purposes.

Passed finally.

No. 63, supplement to an act to incorporate the borough of South Erie.

Passed finally.

No. 66, an act to enable the school directors of the borough of East Birmingham, Allegheny county, to borrow money for the erection of school buildings.

Passed finally.

No. 68, an act authorizing the trustees of the Brookville academy to sell the same to the Brookville school district.

Passed finally.

Senate bill No. 57, an act to enable the school directors of West Manheim township, in the county of York, to levy and collect at once the bounty tax remaining unpaid.

Passed finally.

No. 78, an act to repeal an act providing for compensation of damages to public roads in Bethlehem and Palmer townships, Northampton county, by the construction of the Lehigh and Delaware Water Gap railroad, approved the 11th day of April, A. D. 1866.

Passed finally.

No. 79, an act fixing the rate of compensation of the sheriff of Northampton, Fayette and Carbon counties, for boarding prisoners.

Passed finally.

No. 83, an act to repeal the fourth section of an act relating to fees of certain officers in Erie county,

Was amended by Mr. HOFFMAN, so as to extend the provisions of the bill to Dauphin county, and

Passed finally.

No. 84, an act to authorize the election of an additional justice of the peace in the township of Cherryhill, in the county of Indiana.

Passed finally.

No. 85, a supplement to an act authorizing appeals from interlocutory orders or decrees granting special injunctions, approved the 14th day of February, A. D. 1866, extending the provisions of said act to special injunctions granted by the court of nisi prius of Philadelphia.

Passed finally.

No. 88, an act to incorporate the Mechanics' and Miners' Co-operative association of Scranton.

Passed finally.

No. 89, an act to incorporate the Oxford hall association.

Passed finally.

No. 90, a supplement to an act to incorporate the Cooper fire-arms manufacturing company, approved 3d of April, 1863, and the supplements to the same.

Passed finally.

No. 92, an act to incorporate the Bachelor's barge club of the city of Philadelphia.

Passed finally.

Senate bill No. 44, an act to incorporate the Eureka life and accident insurance company.

Passed finally.

No. 94, an act relating to restaurants and beer houses in the county of Washington.

Passed finally.

No. 95, an act regulating the sale of intoxicating liquors, licensing saloons, eating houses and restaurants, and to prohibit billiard saloons from being kept open on Sunday in the county of Cameron.

Passed finally.

No. 96, an act to extend the provisions of the act to prohibit the granting of licenses to sell intoxicating drinks within the county of Potter, approved April 11, A. D. 1866, to the county of Beaver.

Passed finally.

No. 97, an act to incorporate the Real Estate savings institution.

Passed finally.

Senate bill No. 24, an act to incorporate the German's saving institution of Erie.

Passed finally.

No. 101, an act to incorporate the Germania savings institution of Erie.

Passed finally

No. 102, an act to repair the Cowanesque river, in the county of Tioga.

Passed finally.

No. 105, an act for the relief of T. K. Strohecker, of Venango county.

Passed finally.

No. 107, an act for the relief of Benjamin Scott, junior.

Passed finally.

No. 111, an act creating the office and defining the duties of assistant district attorney for the county of Allegheny.

Passed finally.

No. 112, an act to authorize the election of an officer to be called constable and collector, in the several townships and boroughs in the county of Cameron, and regulating his duties.

Passed finally.

No. 113, an act legalizing certain assessments taken in the county of Cameron.

Passed finally.

No. 115, an act relating to the fees of the treasurer of the county of Snyder.

Passed finally.

No. 116, a supplement to an act to change the mode of criminal proceedings in Erie and Union counties, extending the same to the county of Warren.

Passed finally.

No. 117, an act regulating fees of the commissioners of the county of Snyder.

Passed finally.

No. 118, an act to extend the provisions of an act relating to costs in Luzerne county, approved the 2d day of April, A. D. 1863, to the county of Dauphin, with a proviso.

Passed finally.

No. 119, an act supplementary to an act relating to the collection of State and county taxes in the county of Bucks, approved 31st day of March, 1864.

Passed finally.

No. 120, an act authorizing the court of common pleas of Northampton county to appoint a trustee to make sale of certain real estate held in trust for A. Wolle & Co.

Passed finally.

No. 121, a further supplement to an act increasing the fees of the several county officers of this Commonwealth, except in the city of of Philadelphia and counties of Allegheny, Bradford, Susquehanna and Sullivan, approved March 30, A. D. 1865.

Passed finally.

No. 123, an act to authorize the school directors of Hartford township, Susquehanna county, to levy and collect a special tax to build and repair school houses in said township.

Passed finally.

No. 125, an act to annex certain lands in Pine Creek township, Jefferson county, owned and occupied by Sarah G. Evans, to the borough of Brookville for school purposes.

Passed finally.

No. 126, a supplement to an act to annex the farm of William Steel, of Salem township, to Hempfield township, Westmoreland county, for school purposes, approved 11th of April, 1866.

Passed finally.

No. 127, an act to authorize the school directors in the city of Williamsport, in the county of Lycoming, to borrow money.

Passed finally.

No. 128, an act to authorize the school directors of Swatara school district, Dauphin county, to raise an additional building tax.

Passed finally.

No. 132, an act to authorize the school directors of Siegerstown, Crawford county, to borrow money, and for other purposes.

Passed finally.

No. 133, an act relating to the granting of tavern licenses in Washington county.

Passed finally.

No. 134, an act to extend the time for the payment of the enrollment tax on an act to incorporate the Meadville City Passenger railroad company, approved the 7th day of April, 1866.

Passed finally.

Senate bill No. 74, an act to validate and

confirm a certain mortgage or deed of trust, executed under the corporate seal of the Philipsburg coal, iron and oil company, and to authorize the transfer of the railroad of the said company to any other railroad company owning a railroad connecting therewith, and to increase the number in the board of directors.

Passed finally.

Senate bill No. 83, an act to incorporate the Hollin Knitting machine company of Indiana county.

Passed finally.

No. 57, a further supplement to an act to incorporate the city of Philadelphia, approved February 2, 1854.

Mr. HOOD. Mr. Speaker, I move to amend by striking out the word "seven" in the seventh line, and inserting "eight."

Mr. FREEBORN. Mr. Speaker, I hope that amendment will not be agreed to. The bill has already been amended in committee, making the hour seven instead of six.

Mr. HOOD. Mr. Speaker, my object in offering this amendment was to make it convenient for the working classes of Philadelphia to be assessed at the proper time and place. I do not want the working men to be obliged to lose two hours of time in order to be assessed.

Mr. QUIGLEY. Mr. Speaker, I do not think it is very material whether the assessments close at seven or eight o'clock; but the reasons given I think are very good ones. As the law now stands they do not close until ten o'clock. The object, as I understand, in making this change, is to prevent fighting at the place when these extra assessments are made. This occurs only in the lower portions of the city, and not in my own or the gentleman's. These are good reasons, I think, why these assessments should remain open until eight o'clock.

There are a great many men who live a considerable distance from the place of assessment, and I think they should not be obliged to lose several hours from their day's work in order that the time may be limited to six or seven o'clock. I have no personal feeling in the matter, but I think eight o'clock is much better than seven.

Mr. LEE. Mr. Speaker, I do not think the objections urged by either of my colleagues are valid ones. In the first place these extra assessments are not made upon men who are working in the district. The men in the district are always found, are always assessed, and there is no occasion for any extra assessment for them. It is the drifting, floating population for whom this extra assessment is made. There is another objection. I think seven o'clock is a fair compromise between the parties presenting this bill and those who desire the time fixed at eight o'clock. The time originally fixed in the bill was six o'clock, and it seems to me the hour of seven is a fair compromise between the two parties.

The SPEAKER. The question is on the amendment to strike out "seven" and insert "eight."

Mr. HOOD. Mr. Speaker, I call for the yeas and nays on the question. I desire that the members from Philadelphia shall put themselves on record in reference to this matter.

Mr. FREEBORN. Mr. Speaker, I second the call.

On agreeing to the amendment,

The yeas and nays were required by Mr. HOOD and Mr. FREEBORN, and were as follow, viz:

YEAS—Messrs. Barrington, Boyle, Breen, Brennan, Calvin, Chalfant, Collins, Craig, Deise, Fogel, Harner, Headman, Heltzel, Hood, Jenks, Jones, Kline, Koon, Kurtz, Linton, M'Henry, Markley, Phelan, Quigley, Rhoads, Robinson, Roush, Satterthwait, Tharp and Westbrook—30.

NAYS—Messrs. Adaire, Allen, Armstrong, Barton, Brown, Cameron, Chadwick, Chase, Colville, Davis, Day, DeHaven, Donohugh, Espy, Ewing, Freeborn, Gallagher, Ghegan, Harbison, Hoffman, Humphrey, Josephs, Kimmell, Kinney, Lee, Leech, M'Camant, M'Creary, M'Kee, Mann, Marks, Mechling, Meily, Pennypacker, Peter, Pillow, Quay, Richards, Roath, Sharples, Shuman, Steacy, Stehman, Waddell, Wallace, Watt, Webb, Wharton, Wilson, Wingard, Worrall, Wright and Glass, *Speaker*—58.

So the question was determined in the negative.

The question recurring on the bill, it was

Agreed to, and

The bill

Passed finally.

No. 65, An act to authorize the school directors of the borough of Phœnixville to borrow money for the purpose of purchasing lands and building school houses.

Mr. SHARPLES. Mr. Speaker, I desire to say that I have received a remonstrance against the passage of this bill, which I have not before had an opportunity to present. I now present the remonstrance, but will say that I desire the bill should pass. I have received a large number of letters from my constituents in regard to it which have convinced me that it is proper.

The bill

Passed finally.

No. 67, an act to annex Davis S. Walker, Francis Cunningham and Wesley Smith, of Jefferson township, Washington county, to Cross Creek township, in the said county, for school purposes.

Mr. MANN. Mr. Speaker, I do not wish to make any particular opposition to this bill, but I apprehend that this and several other bills we have passed are clearly unnecessary and I believe unconstitutional. The courts have power to do precisely what this bill provides for, as I understand it, and the courts have decided that what the Constitution provides in cases of this kind, this Legislature shall not provide. A year ago the Governor complained that we were passing bills of this character constantly, and the present Governor, I am told, complains of the same thing. I find that the existing law gives the courts power to do this very thing, and, as it can do no injury to delay its passage, I move that it be postponed in order to give members an opportunity of inquiring into the law. The law gives the courts power to establish independent districts and to choose the boundary lines of districts. I do not, however, speak positively as to the authority the courts have in this matter, as I did not examine this bill until it came up, and have not had an opportunity to look up the law. I would be glad if the House would postpone the bill for the present.

The question being on postponing the bill, it was

Agreed to.

No. 75, an act to repeal the act to change the venue in the case of John Lenox, from the county of Washington to the county of Beaver, approved April 12, A. D. 1866.

The question being on the final passage of the bill,

The yeas and nays were required by Mr. CHALFANT, and Mr. COLLINS, and were as follow, viz:

YEAS—Messrs. Adaire, Armstrong, Barton, Brown, Cameron, Chadwick, Chase, Colville, Craig, Davis, Day, DeHaven, Donohugh, Espy, Ewing, Freeborn, Gallagher, Ghegan, Gordon, Harbison, Hoffman, Humphrey, Hunt, Jenks, Jones, Josephs, Kimmell, Lee, Leech, M'Camant, M'Kee, Mann, Marks, Pennypacker, Peters, Phelan, Pillow, Quay, Rhoads, Richards, Roath, Sharples, Shuman, Steacy, Stehman, Waddell, Wallace, Watt, Webb, Westbrook, Wharton, Wilson, Wingard, Worrall, Wright and Glass, *Speaker*—56.

NAYS—Messrs. Barrington, Boyle, Breen, Brennan, Calvin, Chalfant, Collins, Deise, Fogel, Harner, Headman, Heltzel, Hood, Kinney, Kline, Koon, Kurtz, Linton, M'Creary, M'Henry, Markley, Robinson, Roush, Satterthwait and Tharp—25.

So the question was determined in the affirmative, and

The bill

Passed finally.

During the call,

Mr. KINNEY. Mr. Speaker, last winter I voted for the change of venue in this case. Having heard no reasons why it should not remain as ordered I vote for it to remain changed.

Mr. CHALFANT. Mr. Speaker, I made a mistake in the bill; I would like to withdraw the call for the yeas and nays.

No. 77, an act relating to the compensation of the commissioners of Chester county,

Was amended by Mr. SHARPLES, and

Passed finally.

Senate bill No. 82, a supplement to an act relative to the fees of district attorneys of certain counties of this Commonwealth,

Was amended by Messrs. JONES and WINGARD so as to extend the provisions of the bill to Berks and Lycoming counties.

The bill

Passed finally.

No. 81, an act to authorize and relating to the appointment of auctioneer in the city of Erie, in the county of Erie, and his powers and duties,

Was amended by Mr. M'CREARY, and

The bill

Passed finally.

No. 91, an act to incorporate the Granite insurance company.

Mr. HOOD. Mr. Speaker, I do not feel satisfied with this bill. In Philadelphia we have a large number of insurance companies, sufficient for all practical purposes, and I wish to examine this bill before voting upon it. I therefore move that this bill be postponed for the present.

The motion was

Agreed to.

No. 99, an act relative to the several issues and other liabilities of the Mauch Chunk Bank.

Mr. MANN. Mr. Speaker, I hope this bill will not be passed. It is the same bill, it seems to me, that we had up last year. I understood that there was a sort of compromise made about that bill, and that it would be put in a different shape. But this comes up with the same objectionable features of the one of last year. This bill authorizes this bank to give notice that all men all over this country having claims upon it, after having received notice to present their claims at a proper time, shall be compelled to bring suit, or be debarred from collecting their claims. There is already a statute of limitation, and I see no reason why it should be changed in favor of this bank. Let all persons having claims against this bank have the benefit of the statute laws of the Commonwealth, and do not attempt to give this corporation special privileges and special exemption from the payment of its debts. That is what this bill seems to do—to give the bank a special privilege with regard to its indebtedness, and to say that after such a time within the coming year, all debts against it shall be outlawed. I hope, therefore, the bill will not be passed.

Mr. CRAIG. Mr. Speaker, this bill was introduced by myself, and refers entirely to a bank in my locality. The gentleman from Potter (Mr. MANN) is mistaken as to the character of the bill. I did introduce a

bill of the kind he mentions last winter; but it was of a general character and did not refer to this bank in particular. As to the time, I am willing that any limitation shall be made that is reasonable, and I do trust this House will pass it, or some bill similar to it.

The condition of the bank is this: It is one of the old State banks that has gone into the national organization. The officers are about winding up the affairs of the concern, and all the parties connected with it are anxious to pay off the claims against it. It has now about five thousand dollars outstanding issue, and it is probable that a great share of that will never be found. Now this bill proposes to give notice in the newspapers in Carbon county, Philadelphia and Pittsburg for a certain time, that at a certain place in Philadelphia those issues will be redeemed; and if those issues are not presented within the advertised time, this bank can wind up its concerns. Unless this bank can settle its business, it will be obliged to hold a large amount of money on deposit to meet these outstanding issues.

It seems to me that the time is sufficient for bringing in all this issue, or all that will ever be presented. The idea is not to give this corporation any special privileges. It is anxious to meet all its liabilities, and I trust the House will pass this bill, so as to enable them to do it in the shortest possible time, and bring their business to a close.

Mr. WADDELL. Mr. Speaker, I would like to ask whether the provisions of the national banking law are not such as will enable this old bank to wind up its affairs? I understand that this bank was organized under the general banking law. My recollection of that law is, that it provides a mode whereby State banks, becoming National banks, shall wind up their affairs. They shall redeem their notes as they come in, keeping an account certifying to that fact. It seems to me that this bank is in no worse condition than other National banks in the Commonwealth that have changed from State banks to National banks.

For this reason, it strikes me that it would be better to make a general law, and extend to every bank of this character the same facilities. I confess that it strikes my mind that this bill is giving this bank a larger privilege than any other bank in the Commonwealth. I do not see that this bank is laboring under any greater disadvantage than similar institutions all over the Commonwealth.

Mr. BARTON. Mr. Speaker, I should be strongly in favor of a general law something to this effect. I think it is necessary that we should have some enabling law, giving the old State banks an opportunity to wind up their affairs.

The gentleman [Mr. WADDELL] is mistaken, I apprehend, in stating that there is anything in the new national banking system that will enable the old State banks to wind up their affairs. I think there is nothing in the national banking system making any provisions of that character, and I think the Legislature of Pennsylvania should pass some enabling act to allow these old State banks to go out of existence. I, therefore, move that this bill be referred to the Committee on Banks, with instructions to report a general enabling act.

Mr. CRAIG. Mr. Speaker, I trust that this motion will not prevail. In answer to the gentleman from Chester [Mr. WADDELL], I would say, that I was mistaken in remarking that this bank had been changed to a national one. It has gone out of existence, entirely; but the persons who were interested in that bank have substituted for it a national organization, and they now desire to close up the affairs of the old institution.

Mr. M'CREARY. Mr. Speaker, the objection I have to this bill is, more particularly, that it gives too short a time to those who hold claims to present them for payment. I think the gentleman presented a bill last winter, a general bill, in regard to all banks in the State publishing a notice that within a certain time they would wind up their affairs; and the objection was then made by myself that the time was too short, and I offered an amendment to that extending it to six years.

Now, by the first section of this act, unless persons bring in their bill or claims against the bank by the first of September next, they will lose them. It is very easy to see that persons may hold bills against this bank, and never see this notice at all. It is not every man who reads notices of this kind in the newspapers; and further, a man may be in California or Europe, where he cannot get notice within six months' time, even if sent to him. It would be a strange proceeding if a bank, after having been in operation for some time, could give notice that, unless all claims against it were presented within sixty days, they would not be paid. Suppose that an individual should ask for the passage of a bill providing that unless claims against him were presented within six months, he would not need to pay them. It seems to me that the one case would be about as appropriate as the other. This bill simply provides that notice shall be published in two daily papers published in Philadelphia and Pittsburg. How many persons take Philadelphia or Pittsburg papers throughout the country, where the notes of this bank have circulated? I venture to say that not more than one in twenty, and that the nineteen men who do not take the paper may be holding bills or claims against this bank. I do not object so much to the principle as to the shortness of the time. I think sufficient time should be given, that everybody will hear of it, even if they do not take the newspapers—that common rumor will convey the intelligence to every person who holds notes or claims against it.

The second section of the bill says:

SEC. 2. That all and every person, or persons, having or holding any note, bill, claim, or demand against said bank, shall be, and are hereby, required to present the same for payment, at the places to be specified in the notices to be given, on or before the first day of September, Anno Domini one thousand eight hundred and sixty-seven; and that no suit, action or prosecution shall be commenced or brought against said bank for the recovery of any moneys due on any such note, bill, claim or demand, which shall not have been presented for payment at either of the places aforesaid within the time above specified.

Now, it does strike me that this is a very sweeping act. A man may have hold of these notes and put them away, believing that they were as good as gold and silver, and wake up some morning, and find that they are not worth anything, simply because he did not take one of the daily papers published in Philadelphia or Pittsburg, and read all the notices published in reference to banks. I do not like this thing of relieving men from the payment of their debts by an act of the Legislature. I think the time given is too small, and the number of papers in which the notice is to be published too few; and that great injury might be done by passing the bill in its present shape.

Mr. LEE. Mr. Speaker, I had purposed to amend this bill so as to make it obligatory upon the bank to notify all persons who hold claims against it that they must come forward time. The bank must show that the parties and present them for payment within a certain were notified, and I think that if the bill was amended in that way it would be acceptable. With such a provision, all those parties mentioned by my friend from Erie [Mr. M'CREARY], who might reside in California or Europe, would have an opportunity to forward their claims and have them paid. I do not suppose the gentleman from Carbon [Mr. CRAIG] is serious in asking that this bill be passed in its present shape, that after six months' notice parties shall be debarred recovering from this bank what it justly owes them. If he is sincere about it I do not think he has reflected sufficiently upon the subject. I am, however, willing to say that after the bank has secured the parties this notice, if they do not come forward within a reasonable time, let them lose their claims.

Mr. MANN. Mr. Speaker, my friend from Erie [Mr. M'CREARY] is generally so clear in his arguments, and correct in his judgment, that I feel a little disappointed at his conceding so much in this case. I am opposed entirely to this bill. I object to giving to a bank any privileges we do not give to a private citizen. I think, too, this is entirely an innovation upon the banking laws of this State. I know of a number of banks that went out of existence years ago, but whose bills are still paid upon presentation to the proper officers. Within the last year, a friend of mine, who had in his wallet an old twenty-dollar bill, which he supposed was worthless, sent it down to where the bank was located, and received his money for it. And why should he not? The men who got up this bank have received dollar for dollar for every bill they have issued, and why should they not be required to redeem all they have sent out? Why should special laws be made for their benefit? I am surprised that any one should concede that a special law should be made in this respect for a bank that desires to go out of existence. All they have to do, any way, is to pay their debts, and go out of existence in a proper and honorable way. I hope no limit will be specified. This bill is gotten up on a wrong principle—on the principle that banks are to have special privileges, and that, after a certain time, all the debts that they owe shall be wiped out by an act of the Legislature. I protest against such legislation as this.

Mr. CRAIG. Mr. Speaker, I am willing to accept any amendment that is reasonable. I am willing to accept an amendment to extend the time to any length suggested, the idea being to fix some time at the end of which this bank will be able to wind up its concerns. If six months is not sufficient time, I am willing to have it extended to eight or nine months, or any reasonable time that gentlemen may wish.

I think the gentleman from Potter [Mr. MANN] is laboring under a false impression. The object of this bill is not to enable this bank to get rid of paying its debts, but to get persons to bring in their claims, so that the bank may close up its business. If the principle contended for by the gentleman from Potter is correct, the bank will be obliged to keep open a place to redeem its bills for all time to come, for no doubt a large number of its bills have been lost. I know of one case personally where a person was drowned during the freshet of 1862, who had some fifteen hundred dollars of this money in his pocket that was never recovered. If the gentleman will indicate any reasonable amendment in regard to the time, I will be willing to accept it.

Mr. M'CREARY. Mr. Speaker, I am as anxious as any one can be that the persons who hold claims against this bank, or any other bank, shall be protected in their rights. But I think the principle the gentleman from Potter contends for might be instrumental in preventing them from obtaining their rights.

The charters of many of the State banks expire by limitation. If there is no way of winding up their affairs the officers, after the expiration of their charter, cease to be officers. And again, these persons are not always to be found. They are liable to be removed by death, or they may take up a residence in other parts of the country, and when persons come to represent their claims no one is found who is authorized to pay them. The gentleman seems to think that, like Rip Van Winkle, the holders of these claims and bills could sleep for a century and then wake up and find some one to redeem them. But they will find that banks pass away as well as other things, and to their sorrow discover that they have slept too long. The officers of a bank, after their charter has expired, are not going to keep open ten or twenty years. I think that, if the time was fixed so far ahead that any man who goes out in the world at all would be sure to hear that claims, unless presented within a specified time, would not be paid, men would be more certain to have their affairs with the bank settled. I know of men in the State of Pennsylvania who have had old State bank bills in their possession for fifteen years, believing them to be as good as gold. These men may find a time when there is no one to redeem their bills, the charter of the bank having expired and officers having either died or moved away. I ask the gentleman from Potter if he wishes to require these officers to keep open an office and sit there for fifteen years? Within that time all the officers may die, go away, or become insolvent and no one be left to redeem the bills. Let there be a time named and published, far enough ahead, during which their claims will be paid, and then let the bank wind up its business. There is some consideration due to the owners of these banks as well as their creditors. Unless there is some limitation made, some of these parties may find unexpectedly, in years to come, outstanding debts of thousands of dollars coming up against them which they will be unable to meet. It is but just that they should be secured from harassing embarrassments of this kind. I therefore move to amend so as to fix the time six years from and after the passage of this act.

The question being on the motion of Mr. BARTON to recommit the bill,

The yeas and nays were required by Mr. CRAIG and Mr. HEADMAN, and were as follow, viz:

YEAS—Messrs. Adaire, Armstrong, Barton, Brennan, Brown, Cameron, Chadwick, Chase, Davis, Day, DeHaven, Donohugh, Espy Ghegan, Hoffman, Hood, Humphrey, Kimmell, Kinney, Koon, Leech, M'Camant, M'Henry, M'Kee, Mechling, Meily, Pennypacker, Richards, Roath, Shuman, Steacy, Waddell, Wilson, Worrall, Wright and Glass, *Speaker*—36.

NAYS—Messrs. Allen, Barrington, Boyle, Breen, Calvin, Collins, Colville, Craig, Deise, Fogel, Freeborn, Harner, Headman, Heltzel, Jenks, Jones, Josephs, Kline, Lee, Linton, M'Creary, Maun, Markley, Marks, Phelan, Pillow, Quigley, Rhoads, Robinson, Roush, Satterthwait, Sharples, Stehman, Wallace, Watt, Webb, Westbrook, Wharton and Wingard—30.

So the question was determined in the negative.

The question being on the motion of the gentleman from Erie [Mr. M'CREARY],

Mr. CRAIG. Mr. Speaker, I accept the amendment of the gentleman from Erie [Mr. M'CREARY].

Mr. BARTON. Mr. Speaker, I move to amend further by making the time two instead of six years.

Mr. ALLEN. Mr. Speaker, I think it would be advisable, perhaps, to make the time three years. I think the gentleman from Erie [Mr. M'CREARY], in his amendment, has made the time too long. It seems to be a local necessity to wind up the affairs of this bank, and I am willing to do anything that is fair. I would propose three years for the time.

Mr. M'CREARY. Mr. Speaker, I accept the suggestion of three years for the time as my amendment.

Mr. MANN. Mr. Speaker, I move to amend by making the time six years.

Mr. PENNYPACKER. Mr. Speaker, I would call the attention of the House to the fact that this bank went out of existence in July, 1865, and I think three years from that time is sufficient to enable them to close up their affairs.

The SPEAKER. The question is on the amendment offered by the gentleman from Potter [Mr. MANN], to the amendment offered by the gentleman from Erie [Mr. M'CREARY].

Mr. MANN. Mr. Speaker, I call for the yeas and nays.

Mr. DAVIS. Mr. Speaker, before the call for the yeas and nays is seconded, I move to postpone this question for the present. I do not understand the bill and I should like to have an opportunity to consider it. So far as I do understand it I agree with the gentleman from Delaware [Mr. BARTON] that there should be a general enabling act passed. I would move to postpone the further consideration of the bill to some certain day.

Mr. WADDELL. Mr. Speaker, I confess I have had some difficulty in making up my mind as to the course I, at least, should pursue in regard to this bill. It has been a grave question in my mind since the bill has been under discussion whether this Legislature have power to do what is here asked of them—whether such an act is constitutional. What is it that is here asked? The bank of Manch Chunk has issued certain promises to pay certain obligations, to the people of this Commonwealth—promising that, upon having these bills presented at their counter, they will receive the money for them. This is, in one sense, a contract between the bank and the citizens of the entire Commonwealth. Now, after that contract has been made they come here and ask that it shall cease at the expiration of a specified time. The question is, have we a right to interfere with such a contract? I confess that, in the limited time which I have considered it, I am not prepared to say whether we have that power or not. I think this question should, at least, receive careful consideration, and it, therefore, strikes my mind that some time should be given for reflection upon this bill or any one of a similar character.

Mr. WINGARD. Mr. Speaker, the constitutionality of this question has suggested itself to me, but, upon reflection, I have come to the conclusion that the bill is entirely constitutional. Bank bills are promissory notes payable on demand. This bill proposes to provide that, after a limited time, these notes shall not be payable. If you hold my promissory note for a certain amount, and do not present it for payment until six years have elapsed since the note was due, the statute of limitation would deprive you of the power of collecting it. The contract then would cease by virtue of the statute of limitation, and that law has been pronounced over and over to be constitutional. I cannot see as this bill does anything more than to establish a statute of limitation in this case. It is nothing different in its nature from the statute of limitation now in existence, in reference to the notes of individuals. I do not propose, however, to throw anything in the way of a full investigation, but merely make these suggestions as they have been presented to my mind.

Mr. WADDELL. Mr. Speaker, I have considered the suggestions thrown out by the gentleman, but the question still strikes me somewhat differently. Every contract made between individuals is made with the statute of limitation staring them in the face, and in accordance with a law already existing. But at the time this bank made their contracts, no such act was staring them in the face. If we pass this bill, we might just as well pass a law saying that all contracts shall be barred at the expiration of three years. That might be constitutional or it might not. I merely throw out the suggestion to show that there is ground for doubt, at least. The difference is just here: that every contract now made comes at once under the existing statute of limitation; whereas, in this case, the statute of limitation is fixed after the contract is made. It is in its nature an *ex post facto* law, differing, however, in not being applied to a criminal case. These suggestions I have made, not with a view of destroying a general bill of this character, or injuring this one, but simply to show that it is a question that should be carefully considered by the members of this House, and time should be given them to examine it.

Mr. M'CREARY. Mr. Speaker, I move that this House hold a session to-night, commencing at 7½ o'clock, for the purpose of finishing this calendar, and resuming the consideration of the constitutional amendment. Unless we do so we will certainly fail to get this amendment acted upon this week. One of the committees on contested election cases expect to go to Williamsport to-morrow night, and unless we hold a night session the members of that committee will not have an opportunity to vote on the amendment.

Mr. MANN. Mr. Speaker, I suppose that motion is not in order now.

The SPEAKER. The motion is not in order until after the motion of the gentleman from Philadelphia [Mr. DAVIS] has been put.

Mr. BOYLE. Mr. Speaker, I ask the gentleman from Philadelphia to modify his motion so that the bill will be postponed to and put upon the calendar for next Tuesday.

Mr. DAVIS. Mr. Speaker, I accept the amendment.

The SPEAKER. The bill is now upon its second reading, and cannot go upon the regular calendar again. The Chair is unable to determine in what position this bill would appear upon the calendar.

Mr. BOYLE. Mr. Speaker, to solve the difficulty of the Chair, I move that it be placed on the calendar at the head of objected bills.

The motion was

Agreed to.

Mr. M'CREARY. Mr. Speaker, I would now renew my motion in regard to holding a night session.

The SPEAKER. The gentleman from Erie [Mr. M'CREARY] moves that a special session be held to-night, at 7½ o'clock, and that the further consideration of the private calendar be postponed in order to make that motion.

Mr. WADDELL. Mr. Speaker, I think we can finish this private calendar before 6 o'clock. There are committees to meet to-night that it has been difficult to get together heretofore. This is the regular order, and we threw it out two or three times last week, and I am not in favor of postponing it now. It is also quite as important that some of the committees should meet as the House.

Mr. ALLEN. Mr. Speaker, I think we should now go through with the regular order of business we have on hand before making a special order.

Mr. M'CREARY. Mr. Speaker, I am not opposed to the regular order of business, but I make this motion for the purpose of disposing of the constitutional amendments. I

do not see why we cannot act upon that to-night as well as to put it off longer. The meeting of these committees can be postponed until to-morrow morning, before the meeting of the House. This committee on a contested election case go to Williamsport to-morrow, and unless we hold a session to-night they will not have an opportunity of voting upon this amendment, and I presume they are anxious to have their votes recorded on this question in reference to the adoption of the constitutional amendment.

Mr. WADDELL. Mr. Speaker, the difficulty seems to be that the gentleman from Potter (Mr. MANN) has the floor upon the question of the constitutional amendment, and is also one of the committee on these contested election cases. The question involved in this case is almost entirely a legal one, and I, for one, would not like to leave him from this committee. It is, however, a matter which makes no particular difference to me personally.

The SPEAKER. The question is on the motion of the gentleman from Erie.

The motion was

Not agreed to.

No. 109, an act to extend the jurisdiction of the orphans court of York county was amended by Mr. BOYLE so as to extend the provisions of the bill to Fayette county.

The bill

Passed finally.

No. 110, an act relating to the sale of land for taxes, in Potter county, was amended by Mr. ALLEN so as to extend the provisions of the bill to Warren and Bradford counties.

The bill

Passed finally.

No. 135, a supplement to an act approved the 8th day of April, A. D. 1859, to incorporate the Pittsburg and East Liberty passenger railway company was amended by Mr. WILSON so as to refer to the act passed February 27, 1863, incorporating the Oakland passenger railway company.

The bill

Passed finally.

Mr. MANN. Mr. Speaker, I move a reconsideration of the vote by which House bill No. 67 was postponed. There was some doubt upon the subject, but the State Superintendent gives it as his opinion that the courts have not the power to grant what is here asked.

Mr. EWING. Mr. Speaker, I have examined the law on this subject, and I find nothing except what pertains to independent districts. Each borough and township is now a separate school district, and the only exception is as regards independent districts. This is therefore a case under neither of them, and the committee agree with the State Superintendent, that the courts have no jurisdiction in this case.

The SPEAKER. The motion can only be considered by the unanimous consent of the House. The Chair has no objection.

The motion to reconsider was

Agreed to.

The bill

Passed finally.

MESSAGE FROM THE SENATE.

The Clerk of the Senate being introduced, presented for concurrence bills numbered and entitled as follows, viz:

Senate bill No. 131, an act to authorize the town council of the borough of Middletown, in the county of Dauphin, to borrow money to pay off the present indebtedness of said borough, and to build a bridge over the Pennsylvania canal, on Wood street, and to provide for the payment thereof, as also for the future government of said borough, by an increased rate of taxation.

Senate bill No. 133, an act to amend the charter of the Cambria iron company, authorizing an increase of capital stock, and the issue of bonds, and authorizing the manufacture of iron and steel in any shape.

The SPEAKER proceeded to clear his table of the following bills, viz:

Senate bill No. 131, entitled An act to authorize the town council of the borough of Middletown, in the county of Dauphin, to borrow money to pay off the present indebtedness, and to build a bridge over the Pennsylvania canal, on Wood street, and to provide for the payment thereof, as also for the future government of said borough, by an increased rate of taxation.

Referred to the Committee on Municipal Corporations.

Senate bill No. 133, an act to amend the charter of the Cambria iron company, authorizing an increase of capital stock, and the issue of bonds, and authorizing the manufacture of iron and steel in any shape.

Referred to the Committee on Iron and Coal Companies.

ORIGINAL RESOLUTION.

Mr. DAVIS. Mr. Speaker, I desire to offer a resolution at this time, and ask leave of the House to do so.

Mr. BOYLE. What is the nature of the resolution?

Mr. DAVIS. It is intended to provide that the sessions of this House shall hereafter begin at 10 o'clock, A. M.

Leave was granted.

The resolution was read as follows:

Resolved, That hereafter the regular sessions of this House will commence at ten o'clock, A. M., and close at one o'clock, P. M., until otherwise ordered.

The resolution was read a second time, considered, and

Agreed to.

BILLS PASSED.

Mr. SUBERS. Mr. Speaker, I ask permission to read a bill in place.

Leave was granted.

Mr. SUBERS. Mr. Speaker, I read in my place, and present to the Chair,

An act to prevent the use of salt for the purpose of dissolving snow or ice on pavements or streets in the city of Philadelphia.

I move that the rules be suspended, and that the bill be put on its passage.

Mr. HOOD. Mr. Speaker, I move to amend by striking out "one" and inserting "five" in the second section.

The amendment was

Agreed to.

Mr. COLVILLE. Mr. Speaker, I move to amend so as to make the provisions of the bill apply to the cities of Pittsburg and Allegheny.

The amendment was

Agreed to.

Mr. ADAIRE. Mr. Speaker, this matter is now before the city councils of Philadelphia, and there is no doubt that it will pass. If the city councils of Philadelphia pass it, there is no necessity for passing it here.

Mr. QUIGLEY. Mr. Speaker, this bill has been before the city council now some two or three years and they have not yet passed it. It is time, I think, that we take it out of their hands and pass it here. I am satisfied that every member from Philadelphia will vote for it.

Mr. ADAIRE. Mr. Speaker, some of the members of the city council have been up here a number of times to object to the Legislature interfering with matters of which the councils have control. This bill would have been passed last week, but one of the members of the council went away and had the bill in his pocket, and they could not get it to act upon.

Mr. HOOD. Mr. Speaker, the council of Philadelphia have imposed upon the people in reference to this matter as long as it is endurable. This matter has been postponed from week to week, and the people are suffering from the want of such a law as this bill provides. Last week it passed the common council, but when the select council came to act upon it the bill was nowhere to be found. The people think they have endured this sort of proceeding long enough.

Mr. SUBERS. Mr. Speaker, this bill was passed by the common councils of Philadelphia almost unanimously, but when it came to be acted upon by the select councils it had either been destroyed or lost. The people are almost unanimously in favor of the passage of this bill, and they have asked a number of the members of this Legislature, including myself, to have it pushed through. I think that ninety-nine out of every hundred of the people of Philadelphia are in favor of the passage of this bill.

The question being on the suspension of the rules, it was

Agreed to.

The bill was read a second and third times, and

Passed finally.

The SPEAKER adjourned the House until to-morrow morning at ten o'clock.

SENATE.

WEDNESDAY, January 30, 1867.

Senate met and was called to order at 11 A. M., by the SPEAKER.

Prayer was offered by the Rev. Mr. Bailey.

On motion of Mr. GLATZ, the reading of the Journal of yesterday was dispensed with.

PETITIONS, REMONSTRANCES, &c.

Mr. WORTHINGTON, four petitions from citizens of Chester and Delaware counties, asking for an alteration of the law incorporating the Chester Creek railroad company so as to allow them to connect with the Philadelphia and Baltimore Central railroad at or near Pennellton, Delaware county.

Referred to the Committee on Railroads.

Also, the remonstrance from the citizens of Phœnixville, against the passage of an act authorizing the school directors to borrow money to build school houses in said district.

Referred to the Committee on Education.

Mr. SCHALL, the petition of the burgess and town council of the borough of Bethlehem, praying for a division of said borough into two wards.

Referred to the Committee on New Counties and County Seats.

Also, the petition from the citizens of said borough of like import.

Referred to the Committee on New Counties and County Seats.

Mr. LANDON, the petition of citizens of Bradford county, praying for the repeal of the first section of an act to prevent the spread of Canada thistles, approved March, 1862.

Referred to the Committee on Agriculture and Domestic Manufactures.

Mr. SHOEMAKER, the petition of citizens of Kingston township, relative to bounty law.

Referred to the Committee on the Judiciary General.

Mr. HALL, the petition of citizens of Lycoming county, praying for an act to authorize the erection of a poor house in said county.

Referred to the Committee on the Judiciary Local.

Mr. JACKSON, the petition of citizens of Liberty township, Montour county, praying for the passage of an act for the erection of a

poor house in said county, approved April 11, 1866.

Referred to the Committee on the Judiciary Local.

Also, one from citizens of Derry township, Montomr county, of like import.

Referred to to the Committee on the Judiciary Local.

Mr. COLEMAN, a memorial from the Harrisburg bridge company.

Referred to the Committee on Roads and Bridges.

Mr. FISHER, the petition from citizens of West Hempfield township, Lancaster county, in favor of the rebuilding of the Columbia bridge.

Referred to the Committee on Roads and Bridges.

Also, the remonstrance of citizens of Columbia, Lancaster county, against the repeal of certain auction laws which do not exist.

Referred to the Committee on the Judiciary Local.

Mr. GLATZ, the petitions of citizens of Hanover, York county, praying for the passage of a law requiring the Pennsylvania railroad company to rebuild the Columbia bridge.

Referred to the Committee on Roads and Bridges.

Also, one from the mechanics and lumber merchants of York, praying for an act entitled A supplement to an act relating to the lien of mechanics and others upon buildings.

Referred to the Committee on the Judiciary General.

Mr. M'CONAUGHY, memorial of thirty citizens of Adams county, praying for an appropriation in relief of persons whose property was destroyed at the battle of Gettysburg.

Referred to the Committee on Finance.

Also, one from H. C. Smyser and other citizens of Dillsburg, York county, praying for an act to legalize the assessment of bounty tax made by town council of said borough in June, 1864.

Referred to the Committee on the Judiciary Local.

Mr. BROWNE (Lawrence), a remonstrance of the citizens of Apollo, Armstrong county, against the repeal of the present prohibitory liquor law for that borough.

Referred to the Committee on Vice and Immorality.

Mr. STUTZMAN, one from citizens of Somerset county, asking for the repeal of the law taxing moneys at interest, which was read as follows:

To the Senate and House of Representatives of the Commonwealth of Pennsylvania:

The undersigned citizens of said Commonwealth, in the county of Somerset, respectfully represent that, in their opinion, the laws taxing moneys at interest should be repealed, for the following reasons, viz:

1st. The practical operations of these laws it very unequal, the returns of the taxing officers showing that large amounts of money, either from the negligence of the officers or from false returns made by many persons owning such moneys, are not returned for taxation, and, as a result, those who make honest returns are taxed and the dishonest escape.

2d. The effect of this taxation is to induce capitalists to invest in Government securities, or in States in which no such tax is imposed; and thus capital is withdrawn from the industrial interests of this Commonwealth.

3d. Either capitalists will thus invest their money, or will charge the borrower with the taxes, in addition to the regular interest, and in each case it is a burden which unnecessarily falls upon the borrower.

They believe that the general interests of the Commonwealth, as well as the interests of individuals, would be advanced by the abrogation of said tax laws, and they therefore pray that they may be repealed; and they will, &c.

Signed by Wm. J. Baer, John D. Reddy, George F. Baer, and others.

Referred to the Committee on the Judiciary General.

MESSAGE FROM THE HOUSE.

The Clerk of the House of Representatives being introduced, presented for concurrence bills numbered and entitled as follows:

No. 55, an act to vacate certain lanes and alleys in the plan of outlots of the borough of Beaver, in the county of Beaver.

Referred to the Committee on Roads and Bridges.

No. 57, a further supplement to an act to incorporate the city of Philadelphia, approved February 2, 1854.

Referred to the Committee on Corporations.

No. 58, an act to change and amend the charter of the borough of Emporium, in the county of Cameron.

Referred to the Committee on Corporations.

No. 59, an act authorizing the assessment of railroad taxes in the borough of Kittanning, Armstrong county.

Referred to the Committee on the Judiciary Local.

No. 60, an act authorizing a special election in the borough of Highspire.

Referred to the Committee on Election Districts.

No. 61, an act limiting the burgess and town council of the borough of Oil City, Venango county, in the levying and collection of taxes.

Referred to the Committee on the Judiciary Local.

No. 62, an act to authorize the borough of Troy to increase the taxation for borough purposes.

Referred to the Committee on the Judiciary Local.

No. 65, an act to authorize the school directors of the borough of Phœnixville to borrow money for the purpose of purchasing lands and building school houses.

Referred to the Committee on the Judiciary Local.

No. 66, an act to enable the school directors of the borough of East Birmingham, Allegheny county, to borrow money for the erection of school buildings.

Referred to the Committee on the Judiciary Local.

No. 68, an act authorizing the trustees of the Brookville academy to sell the same to the Brookville school district.

Referred to the Committee on Education.

No. 75, an act to repeal the act to change the venue in the case of John Lenox, from the county of Washington to the county of Beaver, approved April 12, A. D. 1866.

Referred to the Committee on the Judiciary Local.

No. 77, an act relating to the compensation of the commissioners of Chester county.

Referred to the Committee on the Judiciary Local.

No. 78, an act to repeal an act providing for compensation of damages to public roads in Bethlehem and Palmer townships, Northampton county, by the construction of the Lehigh and Delaware Water Gap railroad, approved the 11th day of April, A. D. 1866.

Referred to the Committee on Roads and Bridges.

No. 79, an act fixing the rate of compensation of the sheriff of Northampton, Fayette and Carbon counties for boarding prisoners.

Referred to the Committee on the Judiciary Local.

No. 82, a supplement to an act relating to the lien of mechanics and others upon buildings, extending it to York county.

Referred to the Committee on the Judiciary Local.

No. 83, an act to repeal the fourth section of an act relating to fees of certain officers in Erie county.

Referred to the Committee on the Judiciary Local.

No. 85, a supplement to an act authorizing appeals from interlocutory orders or decrees granting special injunctions, approved the 14th day of February, A. D. 1866, extending the provisions of said act to special injunctions granted by the court of nisi prius of Philadelphia.

Referred to the Committee on the Judiciary General.

No. 88, an act to incorporate the Mechanics' and Miners' Co-operative association of Scranton.

Referred to the Committee on Corporations.

No. 89, an act to incorporate the Oxford hall association.

Referred to the Committee on the Judiciary General.

No. 90, a supplement to an act to incorporate the Cooper Fire-Arms manufacturing company, approved 3d of April, 1863, and the supplements to the same.

Referred to the Committee on Corporations.

No. 91, an act to incorporate the Granite insurance company.

Referred to the Committee on Corporations.

No. 92, an act to incorporate the Bachelor's Barge Club of the city of Philadelphia.

Referred to the Committee on the Judiciary General.

No. 94, an act relating to restaurants and beer houses in the county of Washington,

Referred to the Committee on Vice and Immorality.

No. 96, an act to extend the provisions of the act to prohibit the granting of licenses to sell intoxicating drinks within the county of Potter, approved April 11, A. D. 1866, to the county of Beaver.

Referred to the Committee on Vice and Immorality.

No. 109, an act to extend the jurisdiction of the orphans' court of York county.

Referred to the Committee on the Judiciary Local.

No. 126, a supplement to an act to annex the farm of William Steele, of Salem township, to Hempfield township, Westmoreland county, for school purposes, approved 11th of April, 1866.

Referred to the Committee on Education.

No. 145, an act to prevent the use of salt for the purpose of dissolving the snow and ice on the pavements or streets in the cities of Philadelphia, Pittsburg and Allegheny.

Referred to the Committee on Railroads.

He also returned bills from the Senate numbered and entitled as follows:

No. 44, an act to incorporate the Eureka life and accident insurance company.

No. 51, an act to enable the school directors of West Manheim township, York county, to levy and collect at once the bounty tax remaining unpaid.

No. 74, an act to validate and confirm a certain mortgage or deed of trust, executed under the corporate seal of the Philipsburg coal, iron and oil company, and to authorize the transfer of the railroad of the said company to any other railroad company owning a railroad connecting therewith, and to increase the number in the boards of directors,

No. 83, an act to incorporate the Hollin Knitting machine company of Indiana county,

With information that the House of Representatives has passed the same without amendments.

He also returned bills from the Senate numbered and entitled as follows:

No. 24, an act to incorporate the Germania savings institution of Erie.

No. 32, a supplement to an act relative to the fees of district attorneys of certain counties of this Commonwealth,

With information that the House of Representatives has passed the same with amendments, in which the concurrence of the Senate is requested.

On motion of Mr. LOWRY, the amendments were twice read and concurred in.

He also informed the Senate that the House of Representatives has concurred in the amendments made by the Senate to the resolution from the House of Representatives relative to the appointment of a committee to revise the military laws of this Commonwealth.

REPORTS FROM COMMITTEES.

Mr. CONNELL, from the Committee on Finance, reported with an amendment, bill entitled a further supplement to the act entitled An act to promote the more certain and equal assessment of taxes in the city of Philadelphia, approved March 14, 1865.

Mr. LANDON (same), as committed, a bill entitled An act to exempt the property of the Ladies' United Aid society of the Methodist Episcopal Church of Philadelphia from taxation.

Mr. COWLES, from the Committee on Judiciary Local, as committed, a bill entitled A supplement to the act to incorporate the city of Scranton, extending and defining the powers of said city.

Also (same), as committed, a bill entitled An act relating to the Dauphin county prison.

Also (same), as committed, a bill entitled A supplement to an act passed the 13th of April, A. D. 1851, relating to billiard rooms, etc., in the counties of Chester and Delaware, extending the same to the county of Bradford.

Also (same), as committed, a bill entitled A supplement to an act passed the 16th day of February, A. D. 1865, to increase the pay of county commissioners, county auditors, poor directors, jurors and witnesses in the county of Mercer.

Mr. FISHER (same), as committed, a bill entitled An act extending to the city of Pittsburg the provisions of a further supplement to an act to incorporate the city of Philadelphia, relating to fire alarm and police telegraph, approved February 28, A. D. 1865.

Also (same), with amendments, a bill entitled An act requiring the county commissioners of Perks township, Northaupton county, to render an account to the auditor of said township, and providing for auditing the same.

Also (same), as committed, an act to divide the Twenty-first ward into two wards, and to create the Twenty-eighth ward in the city of Philadelphia.

Also (same), with a negative recommendation, a bill entitled An act to prohibit others than regularly licensed druggists and graduated physicians from vending and practicing medicine in the county of Mercer.

Mr. STUTZMAN (same), with an amendment, a bill entitled An act authorizing the school directors of the borough of Oil City, Venango county, to borrow money.

Also (same), as committed, a bill entitled A supplement to an act fixing the terms of the courts of common pleas, oyer and terminer, and general jail delivery, quarter sessions of the peace, and orphans' court in the county of Allegheny, and regulating proceedings therein, approved the 22d day of March, A. D. 1866.

Also (same), as committed, a bill entitled An act to repeal a portion of an act approved March 2, A. D. 1866, in reference to the fees of officers and jurymen in Warren county.

Mr. DAVIS (same), as committed, a bill entitled An act relating to the prison of the county of Delaware.

Also (same), as committed, a bill entitled An act to regulate the fees of the county treasurer of Northumberland county.

Also (same), as committed, a bill entitled An act repealing the provisions of an act relating to the fees of district attorney in certain counties of this Commonwealth, so far as they relate to the county of Bradford.

Also (same), as committed, a bill entitled A supplement to an act to change the mode of criminal proceeding in Erie and Union counties, extending the same to the county of Bradford.

Mr. WHITE (same), as committed, a bill entitled An act to authorize the borough of St. Mary to borrow money, and to extend the width of St. Michael street therein.

Also (same), as committed, a bill entitled An act relative to the weighing of hay, and coal, and lime, in the borough of Washington.

Also (same), as committed, a bill entitled An act supplementary to an act regulating the fees of the clerk of quarter sessions of the peace, et cetera, for the city and county of Philadelphia, approved February 8, 1865.

Mr. RIDGWAY, from the Committee on Corporations, as committed, a bill entitled A supplement to an act to incorporate the Pottstown iron company, approved the 27th day of March, 1866, authorizing said company to increase their capital stock and the number of directors.

Also (same), as committed, a bill entitled A supplement to an act to incorporate the Corn Exchange association of Philadelphia, authorizing said association to make certain by-laws, and regulating the assessment and payment of dues, fines, etc.

Mr. HAINES, from the Committee on Canals and Inland Navigation, as committed, a bill entitled A further supplement to the act authorizing the Governor to incorporate the Tioga navigation company, repealing the third section of an act relative thereto, approved February 7, 1828.

Also, from the Committee on Agriculture, as committed, a bill entitled An act to extend an act authorizing the Secretary of the Commonwealth to distribute copies of the standard weights and measures, and for the appointment of sealers, approved April 15, A. D. 1845, to the county of Montgomery.

Mr. FISHER, from the Committee on Pensions and Gratuities, as committed, a bill entitled An act granting a pension to William McFarland.

Also (same), as committed, a bill entitled A further supplement to an act granting a pension to Jacob Hurst, approved March 27, 1866.

Mr. JACKSON, from the Committee to Compare Bills and present the mio the Governor for his approbation, made report, which was read as follows:

That in conjunction with a similar committee from the House of Representatives, they have compared, and, on January 23d, presented to the Governor for his approbation the bills numbered and entitled as follows:

House bill No. 70, an act to incorporate the Benvenue paper mill company.

Also, on the 24th:

Senate bill No. 46, an act to increase the fees of certain county officers of Sullivan county, and to validate certain changes heretofore made.

Senate bill No. 69, an act to incorporate the Peoples' savings bank of Pittsburg, approved April 17, 1866, authorizing said company to increase its capital stock.

Senate bill No. 108, an act to incorporate the Safe deposit company of Pittsburg.

House bill No. 3, an act entitled An act to change the mode of electing town council in the borough of Youngsville, and defining certain duties pertaining to their office.

House bill No. 27, an act to exempt the Morris cemetery, in the county of Chester, from the payment of tax, and the lots sold therein from an attachment for debt.

And also on January 29th:

House bill No. 71, an act changing the venue of certain cases from the county of Juniata to the county of Snyder.

House bill No. 103, an act to regulate the salary of the Secretary of the Commonwealth,

House bill No. 130, an act to incorporate the Dauphin County Soldiers' Monument association.

BILLS IN PLACE.

Mr. CONNELL read in his place and presented to the Chair a bill entitled An act to change the name of the Carson gold mining company, and the par value of the stock of said company.

Referred to the Committee on Corporations.

Also, a bill entitled An act to enable the parties interested under a certain indenture of trust from Christopher Loeser to William S. Wetmore and others, dated October 28th, 1854, to become a mining company.

Referred to the Committee on Corporations.

Also, a bill entitled A further supplement to an act incorporating the city of Philadelphia, relative to filling vacancies in election offices.

Referred to the Committee on Corporations.

Also, a bill entitled A further supplement to the act incorporating the Township Line road company, fixing the terminus and regulating the tolls on said road.

Referred to the Committee on Roads and Bridges.

Mr. WHITE, a bill entitled A further supplement to an act to create a loan, and to provide for arming the State, approved May 15th, 1861, repealing so much of said act as authorizes the Governor to appoint Assistant State Agents and a State Agent in the Southwest.

Referred to the Committee on Military Affairs.

Also, a bill entitled An act regulating the rate of interest.

Referred to the Committee on the Judiciary General.

Mr. BIGHAM, a bill entitled An act to incorporate the University of St. Augustine.

Referred to the Committee on Corporations.

Also, a bill entitled An act to regulate the rates of fare on certain passenger railroads in the county of Allegheny.

Referred to the Committee on Railroads.

Mr. SCHALL, a bill entitled An act to incorporate the borough of Bethlehem.

Referred to the Committee on the Judiciary Local.

Also, a bill entitled A supplement to an act authorizing the borough council of the borounh of Bethlehem, Pennsylvania, to purchase the water works, real estate and improvements of the Bethlehem water company; also, to make all necessary improvements and extensions required, to borrow money and appoint water commissioners to

Daily Legislative Record.

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[CONTINUED FROM PAGE 152.]

carry out said object, approved March 30th, 1866.

Referred to the Committee on the Judiciary Local.

Mr. M'CONAUGHY, a bill entitled An act supplementary to an act to encourage manufacturing operations in this Commonwealth, approved April 7th, 1849, authorizing companies to dissolve their organizations and relating to the bonus tax thereon.

Referred to the Committee on the Judiciary General.

Also, a bill entitled An act relating to bounties in the borough of Dillsburg, York county, validating and legalizing the assessment duplicate and warrant to collect bounty tax assessed in June, 1864, in said borough.

Referred to the Committee on the Judiciary Local.

Mr. COLEMAN, a bill entitled A further supplement to the act to charter the Harrisburg bridge company, enabling the company to raise money to rebuild the bridge.

Referred to the Committee on Roads and Bridges.

Mr. FISHER, a bill entitled An act to extend the time for commencing and completing the Octoraro railroad.

Referred to the Committee on Railroads.

Mr. GRAHAM, a bill entitled An act relating to appeals from justices of the peace in cases removing paupers in this Commonwealth.

Referred to the Committee on the Judiciary General.

Mr. SHOEMAKER, a bill entitled An act for the better protection of life and property from explosion of steam boilers.

Referred to the Committee on the Judiciary General.

Also, a bill entitled A supplement to an act entitled An act relating to damages for injuries producing death.

Referred to the Committee on the Judiciary General.

Also, a bill entitled an act authorizing amendments in divorce cases.

Referred to the Committee on the Judiciary General.

Also, a bill entitled An act to incorporate the Providence gas and water company, in Luzerne county.

Referred to the Committee on Corporations.

Also, a bill entitled An act to incorporate the Local express company of Wilkesbarre.

Referred to the Committee on Corporations.

Also, a bill entitled an act to incorporate the Co-operative association of Hyde Park, Number One, in the city of Scranton, for mercantile purposes.

Referred to the Committee on Corporations.

Also, a bill entitled An act to legalize a tax laid by the acting supervisors of Kingston township, Luzerne county, in 1864, for bounty purposes.

Referred to the Committee on the Judiciary Local.

Also, a bill entitled A supplement to an act to authorize the raising of money and payment of bounties to volunteers in the borough of Scranton, in the county of Luzerne, approved April 1st, A. D. 1866, to facilitate the collection of taxes levied for the liquidation of the county debt.

Referred to the Committee on the Judiciary Local.

Also, a bill entitled An act authorizing the laying out of a State road in Luzerne county.

Referred to the Committee on Roads and Bridges.

Mr. RANDALL, a bill entitled A further supplement to an act to enable joint tenants, tenants in common, and adjoining owners of mineral lands in this Commonwealth to manage and develop the same, approved April 21, 1854.

Referred to the Committee on the Judiciary General.

Also, a bill entitled A supplement to an act entitled An act to incorporate the West Buck Mountain coal and iron company, approved May 3, 1864.

Referred to the Committee on Corporations.

Also, a bill entitled An act to authorize the school directors of Minerville borough, in the county of Schuylkill, to borrow money.

Referred to the Committee on Education.

Mr. LANDON, a bill entitled An act repealing the first section of an act entitled An act to prevent the spread of the Canada thistle, et cetera, approved March 18, 1862.

Referred to the Committee on Agriculture.

Mr. BROWNE (Lawrence), a bill entitled A further supplement to an act relating to local bounties, approved March 15, 1865.

Referred to the Committee on the Judiciary General.

Also, a bill entitled An act relating to the New Castle gas light company.

Referred to the Committee on Corporations.

Mr. WALLACE, a bill entitled A supplement to an act to validate certain conveyances made by married women since the 11th day of April, 1848, approved 22d day of April, 1863, restraining conveyances in cases in which the instrument vesting title withholds such powers.

Referred to the Committee on the Judiciary General.

Mr. BURNETT, a bill entitled An act repealing the provisions of the act for the protection of sheep and the taxing of dogs in the county of Blair, and extended to the county of Monroe, so far as the same relates to the township of Pocono, in the said county of Monroe.

Referred to the Committee on Agriculture and Domestic Manufactures.

Mr. WHITE read in his place and presented to the Chair a bill entitled An act relating to the law of evidence.

Referred to the Committee on the Judiciary General.

Mr. WHITE. Mr. Speaker, in connection with that bill, I have just one word to say. I will remark that the bill which I have just read in my place, and which you have referred to the Judiciary General, relating to the law of evidence, has been prepared by myself, after consultation with some of the members of the Supreme Court of Pennsylvania and the Attorney General of the Commonwealth, and meets all the necessities, I think with them, for the radical and wise reform which it contemplates. I trust the Judiciary General will give this bill a careful consideration, and will dispose of it at an early day; and I hereby notify them that I intend to press its passage when it comes from their hands, let their report be what it may. I have every confidence in the gentlemen composing that committee, and am confident the bill will receive the report its merits require.

LEAVE TO RECORD VOTE.

Mr. RIDGWAY asked and obtained leave to record his vote on the final passage of the resolution censuring Edgar Cowan. He voted "aye."

Mr. RANDALL asked and obtained the same privilege. He voted "no."

Mr. SHOEMAKER asked and obtained the same privilege. He voted "aye."

MESSAGE FROM THE GOVERNOR.

EXECUTIVE CHAMBER,
HARRISBURG, January 30th, 1867.

To the Senate and House of Representatives of the Commonwealth of Pennsylvania:

GENTLEMEN—I have approved and signed the following acts of the General Assembly, viz:

On the 17th instant:

An act authorizing the appointment of additional notaries public for the cities of Pittsburg and Allegheny.

An act repealing an act appointing commissioners to lay out and open a State road from Marsh's Corners, M'Kean county, to the Philadelphia and Erie railroad.

An act authorizing the Governor to appoint an additional notary public for the county of Lycoming.

An act relating to the drainage of roads in the county of Delaware.

On the 22d instant:

A supplement to an act entitled An act to incorporate the Valley coal company, approved 16th March, 1865.

An act to change the venue in the case of the Commonwealth of Pennsylvania versus Henry Stevens and Jacob Harmon, from the court of general quarter sessions of the peace of Adams county to the court of general quarter sessions of the peace of Dauphin county.

An act to authorize the burgess and town

council of the borough of Columbia to levy and collect an additional tax.

On the 24th instant:

A further supplement to an act entitled An act to incorporate the city of Lancaster, approved March twentieth, one thousand eight hundred and eighteen, changing the time of election of municipal and ward officers.

An act to incorporate the Bemus paper mill company.

An act to incorporate the Littlestown savings institution.

An act to incorporate the Safe Deposit company of Pittsburg.

A supplement to an act to incorporate the People's Savings bank of Pittsburg, approved April 17th, 1866, authorizing said company to increase its capital stock.

On the 25th instant:

An act to change the mode of electing town council in the borough of Youngsville, and defining certain duties pertaining to their office.

An act exempting the Morris cemetery, in the county of Chester, from the payment of tax, and the lots sold therein from an attachment for debt.

An act to increase the fees of certain officers in Sullivan county, and to validate certain charges heretofore made.

On the 29th instant:

An act changing the venue in certain cases from the county of Juniata to the county of Snyder.

An act to regulate the salary of the Secretary of the Commonwealth.

On the 30th instant:

An act to incorporate the Dauphin County Soldiers' Monument association.

JNO. W. GEARY.

WEST BRANCH BOOM COMPANY.

The bill entitled A further supplement to an act incorporating the West Branch boom company, approved March 29, A. D. 1849, authorizing an increase of tolls or boomage, being the special order, the Senate resumed the third reading and consideration of the same.

The first section was read as follows:

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That from and after the passage of this act, the said corporation shall have the right, and they are hereby authorized to charge and collect from the owner or owners thereof, toll or boomage upon all lumber which may have been rafted out of their said boom, to-wit: seventy-five cents per thousand feet, board measure, for board logs, and a reasonable sum for warps and wedges, and for rafting and booming square timber and other lumber in proportion to board logs; and that the said corporation shall have the right, in addition to the remedy provided by the sixth section, incorporating said company, to collect said toll or boomage as debts of like amount are by law recoverable.

Mr. COWLES asked and obtained the unanimous consent of the Senate to amend the section by adding, after the words "reasonable sum," the words "not exceeding twenty-five cents per thousand feet, board measure."

The amendment was

Agreed to.

Mr. WALLACE asked and obtained the unanimous consent of the Senate to amend by adding the following proviso:

Provided, That nothing herein contained shall authorize the said company to charge warpage, boomage, or toll for logs consigned to points below the said boom, or to authorize charges of any description for square timber or spars accidentally driven or floated into said boom, unless the same shall be so driven or floated in separate sticks or logs.

The amendment was agreed to.

The second section was read as follows:

SEC. 2. That the said corporation shall have the right, and they are hereby authorized, to expend the net income, or so much thereof as they may deem necessary, in the repair and improvement of their said boom.

The section was agreed to:

Mr. WHITE, Mr. Speaker, when this bill was up before, I was opposed to its passage, and stated my reasons very briefly at that time, because I thought it was in conflict with the interests of my constituents. Since the Senator from Clearfield [Mr. WALLACE] has put on the proviso which he has, I have no further objections to the bill, as I believe its operations will be confined to lumber manufactured at Lock Haven. I therefore withdraw what objections I have made to this bill heretofore.

Mr. COWLES. Mr. Speaker, I will say only one or two words on this question. The act incorporating the West Branch boom company was passed in 1849. By the provisions of that act they are merely authorized to construct in the river there a boom, extending up one side of the river for several miles—ten miles, if necessary. It now proposes extending it one or two miles. They are authorized at this time to charge but fifty cents per thousand boomage; it is found that the cost is seventy-five cents, and to make up this deficiency the mill owners have been contributing to that amount. Now, a hundred thousand dollars invested in this boom ought to pay something to the men who made the investment; at present they are receiving nothing. They have to pass through all logs that go below free of charge at their own expense; this is a very great expense to them. This act is to authorize them to increase their boomage to seventy-five cents on all logs that are not to be manufactured at that point, with a reasonable amount for rafting out, which does not exceed twenty-five cents per thousand feet. It is purely local in its character, and only refers to Lock Haven.

Mr. FISHER. Mr. Speaker, I dislike very much to interfere with the passage of my friend's bill, but a great many men are interested in the lumber trade, and anything that increases the price of it I am opposed to. I am opposed to this boom system entirely; it interferes with the navigation of the river. I am entirely opposed to putting an additional cost on lumber; seventy-five cents is an enormous charge; therefore, I feel compelled to vote against this bill.

On the question,

Shall the bill pass?

The yeas and nays were required by Mr. WALLS and Mr. FISHER, and were as follow, viz:

YEAS—Messrs. Bigham, Browne (Lawrence), Burnett, Coleman, Cowles, Davis, Graham, James, Lowry, M'Conaughy, Ridgway, Schall, Shoemaker, Stutzman, Taylor, Wallace, White, Worthington and Hall, *Speaker*—19.

NAYS—Messrs. Fisher, Glatz, Haines, Jackson, Landon, M'Candless, Randall, Royer, Searight and Walls—10.

So the question was determined in the affirmative.

BILLS PASSED.

On motion of Mr. RANDALL, the rules were dispensed with, and the Senate proceeded to the consideration of bill entitled An act relative to highways in Schuylkill county.

The bill was read a second and third time, and

Passed finally.

On motion of Mr. BIGHAM, the rules were dispensed with, and the Senate proceeded to the consideration of bill entitled A further supplement to an act entitled An act relating to corporations for mechanical, manufacturing, mining and quarrying purposes, approved the 18th day of July, A. D. 1863.

The bill was read a second and third time, and

Passed finally.

On motion of Mr. WORTHINGTON, the Committee on the Judiciary Local was discharged from the further consideration of bill entitled An act to authorize the school directors of the borough of Phœnixville to borrow money for the purpose of purchasing lands and building school houses.

And the rules having been dispensed with,

The bill was read a second and third time, and

Passed finally.

On motion of Mr. JAMES, the Committee on Roads and Bridges was discharged from the further consideration of bill entitled An act to incorporate the New Brighton and Doylestown turnpike road company.

And the rules having been dispensed with,

The bill was read a second and third time, and

Passed finally.

On motion of Mr. CONNELL, the rules were dispensed with, and the Senate proceeded to the consideration of bill entitled An act supplementary to the act regulating the fees of the clerk of quarter sessions of the peace, &c., for the city and county of Philadelphia, approved February 8th, A. D. 1865.

The bill was read a second and third time, and

Passed finally.

On motion of Mr. SHOEMAKER, the rules were dispensed with, and the Senate proceeded to the consideration of bill entitled An act to incorporate the Vulcan iron works.

The bill was read a second and third time, and

Passed finally.

ASSESSMENT OF TAXES IN PHILADELPHIA.

Mr. RIDGWAY moved that the rules be suspended, and that the Senate proceed to the consideration of bill entitled A supplement to an act entitled An act to promote the more certain and equal assessment of taxes in the city of Philadelphia, approved March 14, 1865.

The bill was read.

Mr. DONOVAN. Mr. Speaker, I would like to amend the bill so as to extend the time for which assessors are elected. I think the members of the other branch agreed to amend it in this way, and I think it is a very wise provision. As soon as the assessors become perfect, we have a new set. I am certain it would meet the favor of the other branch. I move to amend the bill by adding to the last section the following: "and that the terms of the said assessors shall be extended for two years from the expiration of their present term of office."

Mr. CONNELL. Mr. Speaker, I wish to define my position in regard to this amendment. I have to say that if I was left to my own free will, I should vote for the amendment of my colleague [Mr. DONOVAN].—I think it proper, inasmuch as it will put them in an independent position, and enable them to act independently. Otherwise, if they do their duty and raise assessments, they will make themselves unpopular, and prevent all chance of re-election. But having agreed with my colleague, Mr. RIDGWAY, that if he would withdraw his opposition to the increase of salary, I would agree to drop the section which extends their term, I hold myself now bound to oppose the amendment of Captain Donovan.

Mr. RIDGWAY. Mr. Speaker, there are

sixty-eight assessors in Philadelphia, who have been elected for three years; this proposes to add two years to that term. My colleague gives as a reason, that this law will make them do their duty; and doing their duty will make them unpopular, so they will not do their duty. I think it is unfair. It takes them two months to make an assessment. We ask the Legislature, by this amendment, to give them two years more time than the people of Philadelphia are willing they should have. I do hope the Senate will vote down this amendment.

Mr. COLEMAN. Mr. Speaker, I dislike entering into local legislation, but I have spent much of my life in Philadelphia, and have an interest in property there; and knowing the very great injustice and inequality of the system of taxation in that city, the incompetence, to my mind, of the present system, and the present assessors in that city, I do think it would be very improper for this Legislature to authorize the continuance of those men in office. I think we want a remodeling of the whole thing. I do not know the details of this bill. It has been got up with great care, to remedy a great evil. I hope the Legislature will remodel this thing, and not continue the present system any longer than is necessary. All of our constituents are more or less interested in property in Philadelphia, and, much as I dislike to meddle with any legislation of this kind, I think I ought to in this case.

Mr. RIDGWAY. Mr. Speaker, I will say that this board of assessors have become an organized body, and they have their committee in the lobby to help this through: and I think it is wrong for anybody to come here and legislate for them. They would make the salary five thousand dollars if they could.

Mr. DONOVAN. Mr. Speaker, I think it is unfair for my colleague [Mr. RIDGWAY] to refer to board of assessors who come here to attend to their own interests. I think that is their privilege. The Senator from Philadelphia [Mr. RIDGWAY] has acted as much with the lobby as anybody else here. My understanding of the bill, last evening, was that it agreed with the views of the members of the other branch, and also of my colleague from Philadelphia. It is the first time, now, that I knew the bill was objected to. As to a committee being in the lobby, I think they have a right to be there.

Mr. WHITE. Mr. Speaker, I want to vote intelligently and properly on this question. Which of the Philadelphia Senators has this bill in charge?

Mr. BIGHAM (Speaker *pro tem.*) I do not know.

Mr. WHITE. Will the Senator from Philadelphia state what this intends to accomplish?

Mr. RIDGWAY. It is to have an equalization of assessments in Philadelphia. In certain wards property is assessed for its full value, and in others not for one-fifth of its value; and it is done in this way: Suppose I have a party friend who is an assessor, and who knows me, and puts my assessment down far below its value, to get my political influence; others, who have no political influence, he puts their assessment up to its full value.

Mr. DONOVAN. Mr. Speaker, I will only remark that I am in favor of this bill. I only offered an amendment which I thought would be approved by the people of Philadelphia. I am in favor of the bill.

Mr. M'CANDLESS. Mr. Speaker, the first grand principle of the bill is to get a regular assessment on real estate in the city of Philadelphia. By this method and the mode of taxation in the city of Philadelphia, giving it into the board of revision and taking it out of the hands of the city commissioners, there will be, according to my judgment, a great advance in the amount of assessment of real estate in the city of Philadelphia. That advanced rate will make the present board of assessors very unpopular to the people in their respective wards; and the fact of their simply having done their duty will compel them to leave their offices. Now, sir, in order that this plan should have a fair trial before the people, and an opportunity of vindicating itself, I think that the time of the present board of assessors should be extended, although, as a general practice, I am opposed to legislating men into office. But I think, in view of the facts connected with this case, that the term of election of the present board of assessors should be extended, according to the amendment offered by the Senator from Philadelphia [Mr. DONOVAN].

Mr. LOWRY. Then I understand the gentleman's position to be, that if these officers do their duty, his constituents will not sustain them.

Mr. RIDGWAY. I will say in regard to the continuance of these men in office, that one-half of them are Democrats, and the other half Republicans; so it is an even thing.

Mr. COLEMAN. Mr. Speaker, I would like to understand this question a little more fully. According to my information, these men—I will not say a great deal of any of our country assessors—these men are really incompetent men; they have not performed their duty. As I understand their tax laws, they are sworn to assess property at its full value. They have not done so; they have not fulfilled their oath of office. Now these very men who have proved themselves incompetent to fulfill the duties of their office, we are asked to legislate into office for two years longer. The best plan is to let them go back to the people and see if the people cannot get better men. For that reason I am opposed to legislating any one into office.

On the question,

Will the Senate agree to the amendment of Mr. DONOVAN?

The yeas and nays were required by Mr. DONOVAN and Mr. RIDGWAY, and were as follow, viz:

YEAS—Messrs. Burnett, Davis, Donovan, Glatz, Jackson, James, M'Candless, Schall, Searight and Walls—10.

NAYS—Messrs. Bigham, Billingfelt, Browne (Lawrence), Coleman, Connell, Cowles, Fisher, Graham, Haines, Landon, Lowry, M'Connaughy, Ridgway, Royer, Shoemaker, Stutzman, Taylor, Wallace, White, Worthington and Hall, *Speaker*—21.

So the question was determined in the negative.

During the call,

Mr. CONNELL said: Mr. Speaker, I give my vote in pursuance of the arrangement made with Mr. RIDGWAY; I vote "no."

Mr. WALLACE also said during the call: Mr. Speaker, I do not believe in the principle of legislating men into office in this way; I therefore vote "no."

The bill was then read a third time and

Passed finally.

FINAL ADJOURNMENT OF THE LEGISLATURE.

Mr. SEARIGHT moved that the Committee on Finance be discharged from the further consideration of the joint resolution relative to the final adjournment of the Legislature, and that the Senate proceed to the consideration of the same.

Mr. CONNELL. Mr. Speaker, I think we are hardly prepared now to fix a day for final adjournment.

Mr. WHITE. Mr. Speaker, I am as anxious as any one here to fix an early day for adjournment, and I want the day indicated by that resolution to be agreed upon; but I see there is a disposition not to take up the motion at this time. But I trust the Committee on Finance will consider the subject at an early day. You know, sir, how it was last winter. There is likely to be a difference between the two houses on the subject.

Mr. CONNELL. Mr. Speaker, I will say in behalf of the Committee on Finance, that our committee has been hurried, and at the next meeting they will consider the resolution.

Mr. BROWNE (Lawrence) thought that time would be gained by allowing the Committee on Finance to consider it.

Mr. SEARIGHT. Mr. Speaker, I think the best thing for this Senate to do for itself and the people, would be to take up this resolution and pass it, and that is the reason why I made the motion. The Senator from Indiana (Mr. WHITE) himself took this position: he asserted here that the less legislation we had the better for the State, and I do not understand why it is that he manifests a disposition to back out from his own proposition.

Mr. WHITE. Mr. Speaker, I reply that I reiterate what I said then, but I am satisfied, from the temper of the Senate, that they are not disposed to proceed to the consideration of this bill. I am satisfied that there will not be a majority vote here to discharge the Committee on Finance from its consideration. I want to be politic in this matter, and to adjourn at as early a day as possible; and I think it will gain strength if it goes to the Committee on Finance and comes before this Senate with their endorsement, and I hope it will get it.

Mr. SEARIGHT. Mr. Speaker, I am not urging this resolution in any spirit of captiousness, but in good earnest and sincerity, for two reasons. The first is, as I have already stated, that I think it would be a measure that would have more effect in bringing all the work up before the Legislature than any measure that can be adopted. The other reason is that I am anxious to get through with the business here as soon as possible, and I believe the majority of the Senators have the same feeling with regard to this subject. If I had any assurance that the Committee on Finance would act promptly, I would not care. If the chairman will assure me that it will act promptly I will not press it now.

Mr. CONNELL. I not only gave the Senator that assurance, but the whole Senate, a few moments ago.

Mr. SEARIGHT then withdrew his motion.

On motion of Mr. WALLACE, the rules were dispensed with, and the Senate proceeded to the consideration of bill entitled

An act authorizing tender of money to be made after suit brought.

The bill was read.

Mr. FISHER. I would ask the Senator if we have not such a law?

Mr. WALLACE. No, sir. When a man makes a tender of money before a suit is brought, as a matter of course the party to the suit cannot recover costs if he fails to recover more than is tendered; but if the right of action exists at the time suit is brought, even if tender be made after of all that is justly due, still the defendant must pay the costs. One exception to this rule is that a party before a justice of the peace may tender a judgment, and if the plaintiff refuses to accept that judgment, then he fails to recover costs. So in cases where an appeal is taken, from an award, the party failing cannot recover costs.

Mr. BIGHAM. I do not think this bill can do any harm. In some of our own courts it is regulated by rule. My understanding is that at least it will merely cover by law what is regulated in some of our

courts by rule, and, therefore, can do no harm.

The bill was read a third time, and

Passed finally.

On leave given,

Mr. RIDGWAY read in his place and presented to the Chair a bill entitled An act to ascertain the views of the qualified electors of the city and county of Philadelphia upon the subject of allowing the passenger railway companies of said city to run their cars on the first day of the week, commonly called Sunday, and moved that it be referred to a special committee, consisting of the Senators from Philadelphia.

The bill was so referred.

Mr. M'CONAUGHY. Mr. Speaker, when the motion was made to refer the bill read by the Senator from Philadelphia [Mr. RIDGWAY] to a special committee, and the SPEAKER put the question, he put the affirmative without the negative. I claim my constitutional right to vote on that question.

Mr. BIGHAM (Speaker *pro tem.*) I supposed the question of reference was a matter of course. I will withdraw the decision. The question is on referring the bill to a special committee, consisting of the Senators from Philadelphia.

Mr. RIDGWAY. I will just say there is no trick intended. A bill has been drawn, but I do not know whether it is perfect, and I want a number of Senators to examine the subject. We want to test the question whether this bill is going to pass. I think it is due to the Philadelphia Senators to allow them to prepare a bill that they will be satisfied with. If the Senate choose to vote it down, very well.

Mr. M'CONAUGHY. I do not think this is a matter of courtesy. It ought to be governed by general rules. The proposition is a radical change of the present law of the Commonwealth, on a question of morals—a question which is vital to the public welfare. As such, this bill, read in place, should go to the ordinary committee, and that committee have an opportunity to report. It is simply on this subject that I wish to make this point, and I hope the regular course will not be departed from in this matter. I do not propose to occupy the time of the Senate on the main question. At the proper time opinions will be expressed. But I desire that the bill shall go to the proper committee, and not to a special committee.

Mr. DONOVAN. Mr. Speaker, the proposition of my colleague is a fair one, and I trust it will be acceded to.

Mr. LOWRY. Mr. Speaker, a single word. If the object of the bill be, as I understand it, to repeal the fourth commandment, I think the reference a very proper one; if that is the object of the bill that is the right place to refer it.

Pending the question,

The hour of 1 o'clock having arrived, the SPEAKER adjourned the Senate until 11 o'clock to-morrow.

HOUSE OF REPRESENTATIVES.

WEDNESDAY, January 30, 1867.

The House met at ten o'clock, A. M.

Prayer was offered by the Rev. J. A. Coleman.

The SPEAKER announced a quorum of members present.

The Journal of yesterday was partly read, when

On motion of Mr. DAVIS, the further reading of the same was dispensed with.

ORIGINAL RESOLUTION.

Mr. M'CAMANT. Mr. Speaker, I offer the following resolution.

The resolution was read as follows:

WHEREAS, It is charged and alleged by the refiners and shippers of petroleum at Oil City, that the Atlantic and Great Western railway company, in their rates of freight, discriminate against the citizens of the Commonwealth of Pennsylvania, in favor of the citizens of other States, and that, too, in the transportation of a product of Pennsylvania;

And whereas, It is further alleged and charged that such discriminations are made in the interest of associations or companies in which the officers, or some of them, of the said Atlantic and Great Western railway company are interested, either directly or indirectly;

And whereas, Also, the interests of this State require the removal of such unjust discriminations; therefore, be it

Resolved, that a committee of five members of this House be appointed, with power to send for persons and papers, to inquire into the truth or falsity of the allegations and charges aforesaid, and to report the same to this House by bill or otherwise.

The resolution was read a second time, and

Agreed to.

Mr. BOYLE. Mr. Speaker, I call up the resolution to amend the rules of this House offered by the gentleman from Philadelphia [Mr. LEE] early in the session.

Mr. DAVIS. Mr. Speaker, could not that more properly come up under the head of unfinished business?

The SPEAKER. The opinion of the Chair is that immediately after the House gets through with original resolutions, this being a part of the unfinished business, will be in order. It is not properly in order now.

Mr. BOYLE. Do I understand, then, that when this present order is finished the gentleman's resolution may be called?

The SPEAKER. Yes, sir.

Mr. BOYLE. Then I withdraw my motion.

Mr. DEISE. Mr. Speaker, I offer the following.

The resolution was read as follows:

WHEREAS, It is alleged that certain officers and directors of railroads incorporated by the laws of this Commonwealth are interested in the transportation of passengers and freights over the said railroads, by which larger sums of money are realized, which solely inures to the benefit of the said officers and directors, and which is not shared or enjoyed by the stockholders of such railroads;

And whereas, It is right and proper that the parties who have honestly invested their money in the building and completion of the railroads of this State, should have and realize all the earnings and profits of their said roads; therefore,

Resolved, That a committee of five be appointed to investigate the matter, and report a bill which shall declare it unlawful for any officer or director of any incorporated railroad company in this Commonwealth to be interested, directly or indirectly, in any transportation company carrying passengers or freight over the railroads (or any part thereof) over which they are officers or directors, except such interest as they may have as stockholders of the respective railroad companies of which they are officers and directors.

The resolution was read a second time and

Agreed to.

Mr. MARKLEY. Mr. Speaker, I offer the following resolution.

The resolution was read as follows:

Resolved, That the House of Representatives of Pennsylvania acknowledge with gratitude the course of Andrew Johnson, President of the United States, in discouraging every attempt, whether by radicals at the North or the secessionists at the South, to overthrow the liberties of the people and the Constitution of the nation; and that his firm, judicious exercise of the veto power, and his faithful adherence to the true principles of a Republican Government, mark him alike as a statesman and a patriot.

The resolution was read a second time.

Mr. LEE. Mr. Speaker, I move that the resolution be referred to the Committee on Vice and Immorality.

Mr. HOOD. Mr. Speaker, I move to amend the motion of my colleague by referring the resolution to the Committee on Ways and Means.

Mr. WADDELL. Mr. Speaker, if that is a serious motion I hope the House will treat it as it deserves and vote it down. If it is only a joke, the Committee of Ways and Means can appreciate it; at the same time I hope the House will vote it down. The Committee of Ways and Means, I apprehend, have very little to do with this subject. They have under their jurisdiction all the public beneficiary societies and institutions; if the party to whom this refers is entitled to any consideration as a member of one of these institutions, or can be connected therewith in any indirect way, then it would be for the Committee of Ways and Means to consider him. I do not see that this has anything to do with the duties of the Committee of Ways and Means, and I don't know that it has anything to do with the duties of the Committee on Vice and Immorality.

Mr. M'CAMANT. Mr. Speaker, I move to indefinitely postpone the consideration of this resolution.

On the question,

Will the House postpone indefinitely the consideration of the resolution?

The yeas and nays were required by Mr. BOYLE and Mr. KURTZ, and were as follow, viz:

YEAS—Messrs. Adaire, Barton, Brown, Cameron, Chadwick, Chase, Colville, Davis, Day, DeHaven, Donohugh, Ewing, Freeborn, Gallagher, Ghegan, Harbison, Hoffman, Humphrey, Kerns, Kimmell, Kinney, Lee, Leech, M'Camant, M'Creary, M'Kee, Mann, Marks, Mechling, Meily, Pennypacker, Peter, Pillow, Quay, Richards, Seiler, Sharples, Shuman, Stumbaugh, Subers, Waddell, Wallace, Watt, Webb, Weller, Wharton, Wilson, Wingard, Worrall, Wright and Glass, *Speaker*—51.

NAYS—Messrs. Allen, Barrington, Boyle, Brennan, Calvin, Chalfant, Collins, Craig, Deise, Fogel, Gregory, Harner, Headman, Heltzel, Hood, Jenks, Jones, Josephs, Kline, Koon, Kurtz, Linton, Long, M'Henry, Markley, Phelan, Rhoads, Robinson, Roush, Satterthwait, Tharp and Westbrook—32.

So the question was determined in the affirmative.

UNFINISHED BUSINESS.

Mr. BOYLE. Now, Mr. Speaker, I call up the resolution amending the rules.

The SPEAKER. The Clerk will read the Journal of the House on the subject, for the information of the House.

The Clerk read the following extract:

WEDNESDAY, January 23, 1867.

On motion of Mr. BOYLE, the House resumed the consideration of the resolution offered on the 1st instant by Mr. LEE, relative to the rules of the House.

And the question recurring,

Will the House agree to the resolution?

A motion was made by Mr. BOYLE to amend the same by adding thereto the following words, viz:

And the following shall be an additional rule, to be known as Rule 63:

Rule 63. A committee may be discharged from the consideration of any matter referred to it by a majority vote.

And on the question,

Will the House agree to the amendment?

A motion was made by Mr. MANN to amend the same by adding thereto the following words: "After the same shall have been in the hands of the committee twenty days."

On the question,

Will the House agree to the amendment?

Mr. WADDELL raised the point of order: That the consideration of the resolution and amendments was not in order.

The SPEAKER. The question is, Is the point of order well taken?

Mr. MANN. Mr. Speaker, before that motion is put, I desire to say a word in addition to what I said the other day. The Constitution of the State of Pennsylvania provides, among other things, in relation to the powers of the Legislature, that each House may determine the rules of its proceedings. Taking the context into consideration, I think the word "may," in this instance, is equivalent to the term "shall."

Mr. QUAY. Mr. Speaker, will the gentleman from Potter [Mr. MANN] allow me to interrupt him for a moment? Does not the term "each House," refer to the two branches of the Legislature—the Senate and the House of Representatives?

Mr. MANN. Mr. Speaker, it means that each House, at each session, may determine its rules; and that has been the ruling of all parliamentary bodies, so far as I understand it. It has always been held that every parliamentary body adopts its own rules, and that is in accordance with the precedent adopted by this Legislature, under this forty-eighth rule, which was adopted some years ago:

"48. The rules now adopted shall be the rules of the House of Representatives of the Commonwealth until otherwise ordered, and shall be published in pamphlet form, and delivered by the Clerk to the members of each succeeding Legislature, within the first week of the session."

The compiler of these rules adds that "on the second or third day of the session a committee is appointed to revise and examine the rules, and make such alterations or suggestions as they may deem necessary. A simple majority adopts the report of the committee." Now that settles the law of Pennsylvania upon this question. I affirm that has been the rule in and the law of Pennsylvania from the time of its organization to the present day. The resolution of the gentleman from Philadelphia [Mr. LEE], therefore, was in accordance with the State Constitution, and in harmony with the action of this Legislature from the time of the organization of this State to this date. Then, an attempt to set up any other rule is a violent departure from the precedents heretofore set, and by which we have been governed. It is also a departure from the rules of all parliamentary law, which provide that every legislative body shall adopt rules for the government of its own proceedings. Deeming this matter too plain for discussion I will not waste more of the time of the House.

Mr. QUAY. Mr. Speaker, if the gentleman will look at the sections of the Constitution preceding and following the one which he has read, I think he will be satisfied the term "each house" does refer to the different branches of the Legislature. Section second says, "each House shall choose its Speaker."

Section 23, Article 1, of the Constitution, reads as follows:

"Every bill which shall have passed both Houses shall be presented to the Governor; if he approve, he shall sign it; but if he shall not approve, he shall return it, with his objections, to the House in which it shall have originated, who shall enter the objections at large upon their Journals, and proceed to reconsider it. If, after such reconsideration, two-thirds of the House shall agree to pass the bill, it shall be sent, with the objections, to the other House, by which, likewise, it shall be reconsidered, and if approved by two-thirds of that House it shall be a law; but in such cases the votes of both Houses shall be determined by yeas and nays, and the names of the persons voting for or against the bill shall be entered on the Journals of each House respectively."

The term "House" is intended, not for the House of Representatives, but for each particular branch of the Legislature.

Mr. MANN. Mr. Speaker, I explained that by showing how the Legislature has always understood it; that it has been the rule, immediately after the organization of the House, to appoint a committee to revise the rules; and a majority of the House has adopted or rejected that report. That settles the construction of this Constitution according to the history of legislation.

Mr. BOYLE. Mr. Speaker, I think that the section the gentleman from Beaver (Mr. QUAY) has instanced makes against him. It is provided that each House may elect its own Speaker. Now, that undoubtedly refers to each successive House. The House of last year could not elect a Speaker for this House. The House of last year could not adopt rules for the House of this year. Taking his construction of this section of the Constitution, I would answer in this way: that it does refer only to the different branches of the Legislature it undoubtedly——

Mr. QUAY. Mr. Speaker, will the gentleman allow me to interrupt him? I call his attention to the 17th section, which reads: "Neither House shall, without the consent of the other, adjourn for more than three days." So, evidently, the term "House" is for each branch of the Legislature.

Mr. BOYLE. Mr. Speaker, that is very true. I have no doubt that there are cases where it is intended to distinguish the different branches of the Legislature. It refers here to the different branches of the Legislature. But it is intended to give each branch power to elect its own presiding officer, and determine its own rules.

Mr. QUAY. Mr. Speaker, the gentleman refers to each session of the House of Representatives.

Mr. BOYLE. Mr. Speaker, I argue that it tends to distinguish the one House from the other, and also to distinguish the successive Houses of Representatives. But there is no force, at all events, in the objection, for this reason: that we are the House as well as that the last session was the House; and if the last session of the Legislature or any preceding session of the Legislature was the House, and adopted rules, then we are the House, and can adopt rules too. We have this constitutional right to adopt rules. We are not left to conjecture upon this point; it has been settled, and there is undoubted authority for the position we take, that this House has the right to determine its own rules. It seems to me a little singular that such a point of order should be made, because the very rule for which the gentlemen themselves stand fixes the right of the House to make its own rules.

I refer the gentleman to Rule 48: "The rules now adopted shall be the rules of the House of Representatives of this Commonwealth until otherwise ordered."

Now that is just what we propose to order otherwise. We propose to adopt these rules, it is true, and to make additional rules.

Each Assembly, until it adopts rules and orders for itself (and it usually adopts those of its predecessors), is without any other rules for its government than those which result from common parliamentary law—*Cushing*, 247.

No legislative assembly can make any rules which shall be binding upon its successors, even until abrogated or rescinded by them—*Cushing*, 311.

So that this rule No. 48 has no force at all, except by permission—by the suffrance of the House. It is not binding upon the House, because under this authority no legislative assembly can bind its successors. It seems to me so clear, as has been observed by the gentleman from Potter [Mr. MANN], that I will not argue it.

Mr. WADDELL. Mr. Speaker, the question presented now for the consideration of the House assumes a somewhat different aspect from what I intended when I raised the point of order, but I am perfectly satisfied that the question shall come up in the way in which it does. My position is simply this, that, under the rule which has been read here, the rules of the last House necessarily continue to be the rules of this House. Now, sir, I do not pretend to argue that we have not the power to change these rules, but, by reason of the rule, if there was not a word said before this House upon the subject, then the Speaker would be in duty bound to enforce the rules of the last House upon us. If there had not been a resolution introduced into this House on the subject, if there had not been a suggestion made to the House upon the subject, if every gentleman had put his manual in his pocket and kept it there, the Speaker of this House would be in duty bound, as Speaker of the House, to enforce the rules contained in this manual.

Mr. MANN. Mr. Speaker, I simply desire to ask a question of the gentleman. I ask, if this motion is out of order, how are we to get a motion before the House?

Mr. WADDELL. Mr. Speaker, I am coming to that, if the gentleman will allow me to continue my train of argument. Therefore, I say that, under the rule of this House, it being the duty of the Speaker, upon nothing being said, that the resolution of the gentleman from Philadelphia [Mr. LEE], who proposes by it to make these rules the rules of this House was out of order, because the rule itself already prescribes that, and consequently he had no right to duplicate what we already had. If these were the rules of this House, made so by the manual, then his resolution declaring that they should be the rules of this House was out of order, and if that resolution was out of order, the amendment which was attached to it was also out of order, and fell with it. Now, if gentlemen want to change the rules, they have, undoubtedly, the power to do it, but they must do it in the manner prescribed by the rules. The action of this House would have to be a negative action, and not a positive action. It would require a resolution to be introduced here (if the position I assume is correct), that hereafter these rules shall *not* continue to be the rules of this House. Now, I am aware that the rules prescribe that they shall continue to be the rules of this House until otherwise ordered. Then, sir, in order to change them, we have got to order otherwise, and in order to order otherwise, we have got to pass a negative resolution, saying that they shall no longer be the rules of this House. The positive part of the proposition is contained in the rule itself. It declares that they shall continue to be the rules until otherwise ordered; therefore, if the House do not want them to be their rules, they have got to act negatively, and say they shall no longer be the rules. But so long as the House remains quiet, they continue to be the rules of the House, and the Speaker of the House is bound to enforce them. They, being the rules of the House,

prescribe the way in which the rules of the House shall be changed; and, if they are wanted to be changed, they must be changed according to the provisions of the rules themselves.

I have no particular interest in this matter, and I discard being the originator of this idea. The suggestion does not come from me; I do not claim the credit of it, but it strikes my mind as having some force, and I desired that the question should be presented to the House. It is an important question—one likely to come up at every session of the Legislature. The Chair is no doubt troubled with this question upon every occasion the Legislature meets, and this is just as good a time to settle the question as any other.

Mr. LEE. Mr. Speaker, it seems to me that a very sigular aspect is presented in this case. The gentleman has voted to give a copy of a manual to each member of this House that has no binding force in it, that is worthless, and then, standing in his place, predicates an argument upon an instrument that he says has no validity in it. If his doctrine is true, if these rules have no binding force, if they are worthless, why does he hold them up here and make them the basis of all the arguments he has presented to this House with reference to this fact? He draws all his authority from that, and, if we sweep away that which he says has no existence, no entity, it, of course, falls fruitless, with nothing in it.

I say, Mr. Speaker, that the policy of this Legislasure, and of legislative bodies, and it is the practice of all legistative bodies to do exactly as this House does—have some rules when they come together that shall govern and control them. It is proper and right, and it would be better, sir, if they were fixed stated rules with which people would become acquainted. The gentleman from Potter (Mr. MANN) says there is a committee appointed at every session to revise the rules. Not for the past five years has that been done. We have taken these rules given us until we should alter or amend them, and I do not know of a single instance in which those rules have been interfered with by any rule that has governed this legislative body. Do you tell me that when a point of order is decided here by one Legislature that it has no binding force upon a subsequent Legislature; that we come to this Legislature all adrift at every session, having nothing to control and govern us? Why, the very rule, providing that this House shall elect its own Speaker, would not be binding under this construction. This is a question that would have to be determined at every session if this theory is true. We might, if we wished, determine to do without a Speaker, if it were not for this rule. I cannot imagine or see the force of the arguments upon the other side. They are against common sense, against the policy of every legislative body, and against every well settled principle of parliamentary law.

Mr. JONES. Mr. Speaker, the gentleman from Philadelphia [Mr. LEE] has said that we elect our own Speaker under the rules of the House. In that, I apprehend, he is mistaken. If there were no rules at all for the government of this House upon its organization, the Constitution obliges us to elect our Speaker. Section eleven of article first of the Constitution provides that "each House shall choose a Speaker and other officers." Therefore, it is not under the rules of the House we elect a Speaker, but under the Constitution of the Commonwealth. Again, I think the position of the gentleman from Chester [Mr. WADDELL] is well taken. All the powers that this Legislature has, whether the two Houses are acting conjointly or each House acting separately, it derives from the Constitution of the Commonwealth. The Constitution of the Commonwealth provides that each House may determine the rules of its proceedings. I apprehend, therefore, that as we derive this power from the Constitution the action of this House in establishing rules has the same force and binding effect upon a subsequent House as the action of the two Houses in enacting a statute. If a law is passed by the Legislature it is binding upon both Houses, and all the people of the Commonwealth until it is afterwards repealed. I think, therefore, this should have been offered in the form of an original resolution, although I believe the Chair decided that it was not in order as such. I think, as these rules were adopted in the first instance by a majority of the House, that an original resolution such as this can be adopted now by a majority of this House. I think, however, it could not be offered as an amendment to the resolution of the gentleman from Philadelphia [Mr. LEE], which, I believe, was not in order. Hence I agree with the gentleman from Chester [Mr. WADDELL] that these rules are binding upon this House and upon all subsequent Houses until they may be repealed.

Mr. WINGARD. Mr. Speaker, our course in this whole matter is clearly laid down by the book which is given us for our guide. I read from *Ziegler's Manual*, page 97:

"Each House may determine the rules of its proceedings, punish its members for disorderly behavior, and, with the consent of two-thirds, expel a member, but not a second time for the same cause; and shall have all other powers necessary for a branch of the Legislature of a free State.'—*Constitution of Pennsylvania, Sec.* 13, *Art.* 1.

"Under this provision of the Constitution, each House possesses full power to establish such rules as may be deemed necessary for the regulation of its proceedings. It is customary, at the commencement of each session, to adopt a resolution, 'That the rules of the last House of Representatives be adopted for the government of the present session until otherwise ordered;' and from this practice, *it would seem*, the rules adopted at one session are not of course the rules governing the Legislature at its next session. But the following rule of the House of Representatives clearly shows the practice to be entirely unnecessary:

"'The rules now adopted, shall be the rules of the House of Representatives of the Commonwealth, until otherwise ordered, and shall be published in pamphlet form, and delivered by the Clerk to the members of each succeeding Legislature, within the first week of the session.'—*Rule* 48."

It seems to me, Mr. Speaker, that the whole matter is plainly laid down here in the manual given us for our guide and direction.

On the question,
Is the point of order well taken?

The yeas and nays were required by Mr. QUAY and Mr. BOYLE, and were as follow, viz:

YEAS—Messrs. Adairc, Allen, Armstrong, Barton, Breen, Brown, Calvin, Cameron, Chalfant, Chase, Davis, Day, DeHaven, Donohugh, Gallagher, Harbison, Heltzel, Humphrey, Jones, Josephs, Kerns, Kimmell, Kinney, Koon, Lee, M'Camant, M'Henry, Marks, Mechling, Meily, Pillow, Quay, Rhoads, Roath, Roush, Satterthwait, Sharples, Shuman, Steacy, Stehman, Stumbaugh, Subers, Waddell, Watt, Westbrook, Wingard, Worrall, Wright and Glass, *Speaker*—49.

NAYS—Messrs. Barrington, Boyle, Brennan, Chadwick, Collins, Colville, Craig, Deise, Ewing, Fogel, Freeborn, Ghegan, Harner, Hood, Jenks, Kurtz, Leech, Linton, Long, M'Creary, M'Kee, Mann, Markley, Pennypacker, Peter, Phelan, Richards, Robinson, Tharp, Wallace, Webb, Weller and Wilson—33.

So the question was determined in the affirmative.

MESSAGE FROM THE SENATE.

The Clerk of the Senate being introduced, presented for concurrence bills numbered and entitled as follows, viz:

Senate bill No. 36, an act authorizing the school directors of the borough of Sewickley to collect the balance of bounty tax in said borough.

Senate bill No. 65, an act to increase the compensation of the supervisors of roads in the township of Solebury, Bucks county.

Senate bill No. 118, an act to authorize the appointment of six additional notaries public for the city of Philadelphia.

Senate bill No. 121, an act to incorporate the M'Connell mineral company of Pennsylvania.

Senate bill No. 127, an act opening Juniata avenue, and vacating Nicetown lane, in the Twenty-fifth ward of the city of Philadelphia.

Senate bill No. 109, joint resolutions of the Legislature of Pennsylvania protesting against the confirmation of Edgar Cowan as Minister to Austria.

Senate bill No. 124, a supplement to an act to unite and consolidate Marshall College, now at Mercersburg, with Franklin College, now at Lancaster, under the name of Franklin and Marshall College, as a corporation, to be located in the city of Lancaster, or its immediate vicinity, approved the 19th day of April, A. D. 1850, changing the trustees thereof, and the manner of selecting such trustees, and their terms of office.

Senate bill No. 134, an act to incorporate the Richland Township Mutual insurance company.

He also returned bill from the House of Representatives numbered and entitled as follows, viz:

No. 20, a supplement to an act increasing the fees of jurors and witnesses in and for the counties of Armstrong, Franklin, Schuylkill and Westmoreland, approved the 27th day of March, A. D. 1866,

With information that the Senate has passed the same with amendment, in which the concurrence of the House of Representatives is requested.

LEAVE OF ABSENCE.

Leave of absence was asked for, and granted for a few days from to-day, to Mr. M'PHERRIN, Mr. Hunt and Mr. Mechling, Assistant Doorkeeper.

LEAVE TO WITHDRAW PETITIONS.

Mr. JONES asked and obtained leave to withdraw certain petitions from citizens of the city of Reading, relative to the election of an additional alderman, for the purpose of re-presenting them.

REPORTS OF COMMITTEES.

Mr. DAVIS, from the Committee on the Judiciary General, presented from that Committee, as committed, bill No. 146, an act supplementary to an act relating to corporations for mechanical, mining and manufacturing and quarrying purposes, approved July 18, 1863.

Mr. ARMSTRONG, from the Committee on Ways and Means, as committed, Senate bill No. 110, an act to create a loan for the redemption of the over due bonds of the Commonwealth.

Mr. MARKS (same), as committed, bill No. 148, an act relative to certain foreign insurance companies.

Mr. MANN, from the Committee on the Judiciary General, as committed, bill No. 149,

an act to provide for the sale of seated lands for the non-payment of taxes.

Mr. WINGARD (same), as committed, bill No. 150, an act relating to the law of evidence.

Mr. BOYLE (same), as committed, bill No. 151, an act compelling the holder of a mortgage, &c., when proceedings to collect it have been instituted, to assign it, &c.

Mr. JENKS (same), as committed, Senate bill No. 59, an act to confer upon the committee of a lunatic or habitual drunkard the power to institute actions of partition.

Mr. LINTON (same), as committed, Senate bill No. 30, a supplement to an act relative to landlords and tenants, approved December 14, 1863, extending the provisions thereof to cases of descent and purchase.

Mr. M'CREARY (Municipal Corporations), as committed, bill No. 154, a supplement to an act to empower the commissioners of Washington county to compromise with the holders of the county bonds, and for the more prompt and economical collection of taxes in said county.

Also (Judiciary Local), as committed, Senate bill No. 35, an act supplementary to an act entitled An act providing for the erection of a poor house in the county of Lawrence.

Mr. BARTON (same), as committed, Senate bill No. 64, an act appropriating part of the moneys arising from fines and forfeitures, in the county of Schuylkill, for a law library for the use of the courts, &c.

Mr. EWING (same), as committed, Senate bill No. 61, an act to authorize the appointment of a phonographic reporter for the court of Lancaster county.

Mr. HARRISON (same), as committed, bill No. 158, an act authorizing the commissioners of the county of Delaware to create a five per centum loan.

Mr. WEBB (same), as committed, bill No. 159, a supplement to the act extending the provisions of an act approved the 17th day of April, A. D. 1866, relative to the fees on unseated lands in the county of Centre.

Mr. ALLEN (same), as committed, bill No. 160, an act relating to the fees of the district attorney of Huntingdon county.

Mr. WORRALL (same), as committed, bill No. 161, an act to repeal the act of Assembly passed the 11th day of April, 1866, entitled An act to provide for the purchasing of real estate and erection of a poor house in Montour county.

Mr. SHARPLES (Municipal Corporations), as committed, bill No. 162, an act to amend the twenty-second section of an act revising the charter of the municipal corporation of the city of Reading, approved April 26th, 1864.

Mr. WORRALL (same), as committed, bill No. 163, a further supplement to the act incorporating the borough of Washington.

Mr. M'CAMANT (same), as committed, bill No. 164, an act supplementary to an act erecting the village of East Birmingham into a borough, approved the 10th day of April, A. D. 1849.

Mr. ARMSTRONG (same), as committed, bill No. 165, an act supplementary to an act constituting and establishing the Southeast ward of the borough of Pottsville, approved the 11th day of April, A. D. 1866.

Mr. FREEBORN (same), as committed, bill No. 166, an act to divide the borough of Plymouth into two wards.

Mr. BARTON (same), as committed, bill No. 167, a further supplement to an act for the registration of births, marriages and deaths in the city of Philadelphia, passed March 8th, A. D. 1860, and supplements thereto.

Mr. HEADMAN (same), as committed, bill No. 168, an act to authorize the town council of the borough of Mill Hall, in the county of Clinton, to levy and collect additional taxes for borough purposes.

Mr. FOGEL (same), as committed, bill No. 169, a supplement to an act approved the 1st day of April, A. D. 1863, for the protection of owners of wharves or landings in the borough of Oil City, Venango county.

Mr. CAMERON (same), as committed, bill No. 170, an act to increase the duties of the Citizens' association of Pennsylvania.

Mr. BREEN (same), as committed, bill No. 171, an act to vacate Basin alley, from Front to Second street, in the city of Harrisburg.

Mr. HUMPHREY (same), as committed, bill No. 172, an act relating to the borough of Mechanicsburg in the county of Cumberland.

Mr. LONG (same) as committed, bill No. 173, an act to change the provisions of the thirtieth section of an act regulating boroughs, approved the 3d day of April, 1851, so far as the same relates to the borough of Mount Pleasant, Westmoreland county.

Mr. KOON (same), as committed, bill No. 174, an act for the better prosecution of disorderly persons in the borough of Monongahela, Allegheny county.

Mr. WINGARD (Pensions and Gratuities), as committed, bill No. 175, an act for the relief of Joseph A. Allen and E. Mays.

Mr. COLLVILLE (same), as committed, bill No. 176, an act to authorize the payment of Michael Dunn, a soldier in the war to suppress the rebellion, a gratuity, on account of the loss of both his legs.

Mr. ARMSTRONG (same), as committed, bill No. 177, an act for the relief of Peter Roberts, a soldier of the war of 1812.

Mr. CHADWICK (Mining and Manufactures), as committed, bill No. 178, an act extending the provisions of the act relating to corporations for mechanical, manufacturing and quarrying purposes, approved July 18, 1863, and the supplements thereto, to the county of Northumberland.

Mr. LEE (same), as committed, bill No. 179, a supplement to an act to incorporate the Eagle mining company, passed the 18th day of March, A. D. 1865.

Mr. STUMBAUGH (same), as committed, bill No. 180, an act to incorporate the Equitable gold and silver mining company.

Mr. HOFFMAN (same), as committed, Senate bill No 18, an act to incorporate the Quintessence mining company.

Mr. SHUMAN (same), as committed, bill No. 182, an act to incorporate the Hesperian mining company.

Mr. WHARTON (same), as committed, bill No. 183, an act to incorporate the Montrose mining company.

Mr. WALLACE (same), as committed, bill No. 184, an act to incorporate the Harmony gold and silver mining company.

Mr. WRIGHT (same), as committed, bill No. 185, an act to incorporate the California and Philadelphia gold mining company.

Mr. HOFFMAN (Roads, Bridges and Ferries), as committed, bill No. 186, an act to repeal the Lenox road law in the township of Apolacon, in Susquehanna county, and for other purposes.

Also (same), as committed, bill No. 187, an act to repeal the charter of the Tuckahoe and Mount Pleasant plank road company.

Also (same), as committed, bill No. 188, an act to extend to plank roads the provisions of the eighth and ninth sections of the act, approved April 19, 1844, entitled An act concerning certain State and turnpike roads.

Mr. DEHAVEN (same), with an amendment, bill No. 189, an act to incorporate the Douglasville and Yellow House turnpike road company.

Also (same), as committed, bill No. 191, an act to incorporate the Rouseville bridge company.

Also (same), as committed, bill No. 190, a supplement to the act incorporating the Clarion and Allegheny River turnpike road company.

Mr. BOATH (same), with an amendment, bill No. 192, an act regulating the width of mountain roads in Perry county.

Also (same), as committed, bill No. 193, a supplement to an act appointing commissioners to lay out and open a State road in the counties of Potter and Clinton, approved the 16th day of March, A. D. 1865.

Mr. QUAY (same), as committed, bill No. 194, an act to establish a ferry on the Allegheny river, at Patterson's Falls, in the county of Venango.

Also (same), as committed, bill No. 195, an act construing portions of the first section of an act, approved February 17th, A. D. 1865, granting to Samuel Stock, the right to erect a ferry or foot bridge over Oil creek, at or near the Noble well, in the township of Cornplanter, Venango county.

Also (same), as committed, bill No. 196, an act to establish a ferry on the Monongahela river, at the borough of California, in the county of Washington.

Mr. GALLAGHER (same), as committed, bill No. 197, an act relative to roads in Bailey township, Chester county.

Also (same), as committed, bill No. 198, an act to establish a ferry over the Allegheny river at Red Bank Furnace.

Also (same), as committed, bill No. 199, a supplement to an act to entitle the stockholders in railroad companies incorporated by the laws of this Commonwealth, accepting this act, to one vote for each share of stock, approved the 20th day of May, A. D. 1865, extending the same to bridge companies.

Mr. MEILY (same), as committed, No. 200, an act to incorporate the Boyd Farm and Petroleum Centre bridge company.

Mr. RICHARDS (same), as committed, bill No. 201, an act relative to roads and highways in Schuylkill county.

Also (same), as committed, bill No. 202, a supplement to an act to authorize the Governor to incorporate a company to erect a bridge over the West Branch of the Susquehanna river, at the borough of Milton, &c., passed the 6th day of April, A. D. 1830.

Mr. LEECH (same), as committed, bill No. 203, an act to repeal an act to amend the road laws of Montgomery county, passed March 15, A. D. 1859.

Also (same), as committed, bill No. 204, a supplement to an act to amend the road laws of Erie county, approved the 26th day of March, A. D. 1866.

Mr. M'KEE (same), as committed, bill No. 205, an act to incorporate the Emlenton and Shippenville turnpike company.

Also (same), as committed, bill No. 206, an act to establish a ferry over the Allegheny river, at or near Bear Creek landing.

Mr. CHASE (same), as committed, bill No. 207, a further supplement to the road laws of Bradford county.

Also (same), as committed, bill No. 208, an act to declare Cedar run a public highway in the township of Elk, county of Tioga.

Also (same), as committed, bill No. 209, an act to declare that branch of Mill creek in the county of Jefferson, known as the Five Mile run, a public highway.

Mr. SATTERTHWAIT (same), as committed, bill No. 110, a supplement to the act of Assembly entitled An act to incorporate the Easton and Wilkesbarre turnpike road company, approved February 11th, 1803.

Mr. HOOD (same), as committed, bill No. 211, an act to incorporate the Wyoming County bridge company.

Mr. ROBINSON (same), with an amend-

ment, bill No. 212, a supplement to an act to incorporate the Cresheim turnpike and bridge company.

Mr. DEISE (same), as committed, bill No. 213, an act to incorporate the Pioneer bridge company.

Mr. HARNER (same), as committed, bill No. 214, an act to establish a ferry over the Allegheny river at the mouth of the East Sandy creek in the county of Venango.

Mr. SHARPLES (Education), as committed, bill No. 215, an act relating to the Agricultural College of Pennsylvania, and to the establishment of experimental farms in connection therewith.

Mr. MECHLING (Estates and Escheats), with an amendment, bill No. 216, an act relating to the estate of Jacob Coon, deceased.

Mr. M'CREARY (same), as committed, Senate bill No. 78, an act in relation to the sale of certain real estate owned by the Odd Fellows' hall association, of Allentown, in the county of Lehigh.

Mr. MANN (same), as committed, bill No. 218, a supplement to an act to incorporate the Columbia gas company, and relative to the election of assessors and constables in Salisbury and Cameron townships, Lancaster county, to lay out a State road from Marietta to Portsmouth, to require the State Treasurer to refund certain moneys to the administrators of Ann Kimmell, deceased, approved the 10th day of April, A. D. 1851.

Mr. STEHMAN (corporations), as committed, bill No. 219, an act to incorporate the Highspire cemetery association.

Mr. ALLEN (same), as committed, bill No. 220, an act authorizing the Mechanicsburg hall association to borrow money.

Mr. ADAIRE (same), as committed, bill No. 221, an act to incorporate the Pennsylvania literary association of the city of Philadelphia.

Mr. KINNEY (same), as committed, bill No. 222, an act to change the time of holding the election for officers of the Independent company of Montgomery and Bucks counties, for the recovery of stolen horses, and the detection of thieves.

Mr. DONOHUGH (same), as committed, bill No. 223, a further supplement to the act incorporating the Watsontown bridge company.

Mr. QUIGLEY (same), as committed, bill No. 224, an act supplementary to an act incorporating the Andalusia College, at Andalusia, Bucks county, Pennsylvania, approved the 30th day of March, A. D. 1866.

Mr. CHADWICK (same), as committed, bill No. 225, a further supplement altering and amending an act to incorporate the St. Clair cemetery association of the borough of Greensburg, Westmoreland county, approved April 19, A. D. 1856.

Mr. GHEGAN (same), as committed, bill No. 226, an act to incorporate the Mahanoy Valley insurance company.

Mr. ROATH (same), as committed, bill No. 227, an act to incorporate the Oak hall association, of Weatherly.

Mr. JOSEPHS (same), as committed, No. 128, an act to incorporate the Mission House of the Protestant Episcopal church in the United States.

Mr. PETERS (same), as committed, bill No. 229, an act to authorize the Union Mutual fire insurance company of Montgomery county to change the time of holding its elections.

Mr. MARKLEY (same), as committed, bill No. 230, a supplement to an act to incorporate the Farmers' market of the Fifth ward of the borough of York.

Mr. HUMPHREY (Election Districts), as committed, bill No. 231, a supplement to an act to incorporate the town of Haley, in the county of Ferry, into a borough, approved April 12, 1866, changing the name of said borough of Haley to Marysville, and forming the same into a separate election district.

Mr. EWING (Agriculture), as committed, bill No. 232, a supplement to an act to compel the manufacturers of firkins, kegs and tubs, intended for the packing of butter or lard, in the counties of Erie, Crawford and Warren, to mark the weights thereon, and extending the same to the county of Bradford.

Mr. DAY (Military), as committed, bill No. 234, an act to authorize the Governor to transfer to the Reynold's Monument committee unserviceable and condemned ordnance.

Mr. GALLAGHER (same), as committed, bill No. 235, an act to authorize the completion of the military history of the Pennsylvania volunteers.

Mr. WADDELL reported from the Committee on Ways and Means, Senate bill No. 106, entitled An act to exempt certain Masonic institutions and property in the city of Reading from taxation.

Mr. JONES. Mr. Speaker, I ask leave to make a statement on that bill. This bill, as reported by the Committee on Ways and Means, is of a purely local character, and is designed to enable the Masonic institutions of Reading to erect a public hall which will be a very handsome public improvement. It is very generally desired by our citizens that it should be erected the coming season. The committee having this matter in charge have, if the bill is passed now, an opportunity to secure a large sum of money, whereas if the bill is delayed, the very object for which the bill is reported may be defeated, and thus a very desirable public improvement to our city will be lost. I hope the House will find this a reason sufficient to sustain the motion I now make to suspend the rules and proceed to the consideration of the bill.

Mr. MANN. Mr. Speaker, I call for a division of the question. We will not have an opportunity to read bills in place if we suspend the orders at this time.

Mr. JONES. Mr. Speaker, I withdraw my motion until we have passed by the orders.

Mr. ROATH. Mr. Speaker, I ask the unanimous consent of the House to present a memorial. I have had it in my possession for some time. I would like to get it before the House.

Mr. WADDELL. Mr. Speaker, I would like to inquire whether there is any present necessity for acting in the matter to which the memorial refers.

Mr. ROATH. Mr. Speaker, I have had this in my possession for two weeks. I have tried to get it before the House, but have had no opportunity for so doing. The memorial is from a man illegally held in prison. I would like to have the memorial read, and then present a bill in relation to it.

Mr. WADDELL. Mr. Speaker, I would suggest that the gentleman cannot get his bill before the House until after his memorial has been read in the regular order of business. When memorials and petitions are in order, the gentleman can have his memorial read, and on the same day, following the order of business, his bill can be presented.

Mr. ROATH. Mr. Speaker, I withdraw my motion.

BILLS IN PLACE.

Mr. LINTON read in his place and presented to the Chair an act construing the act of Assembly approved the 30th day of April, A. D. 1864, entitled An act imposing additional taxes for State purposes, and to abolish the revenue board.

Referred to the Committee on Ways and Means.

An act relative to the Western Pennsylvania hospital.

Referred to the Committee on Ways and Means.

Mr. MARKLEY, an act to exempt building associations in Montgomery county from taxation.

Referred to the Committee on Ways and Means.

Mr. SATTERTHWAIT, an act to exempt market companies from the payment of tax on their capital stock.

Referred to the Committee on Ways and Means.

Mr. PETERS, an act relative to the fees of the coroner of Allegheny county.

Referred to the Committee on the Judiciary Local.

Mr. M'CREARY, an act relating to courts of equity in cases of partition in the several counties composing the Sixth Judicial district of Pennsylvania.

Referred to the Committee on the Judiciary Local.

Mr. WINGARD, an act to authorize the qualified electors of Lycoming county to vote for or against a poor house in said county.

Referred to the Committee on the Judiciary Local.

Mr. ROATH, an act for the relief of Elias Tome, of York county.

Referred to the Committee on the Judiciary Local.

Mr. THARP, an act to authorize the Governor to appoint an additional notary public for the borough of Milton, Northumberland county.

Referred to the Committee on the Judiciary Local.

Mr. SUBERS, an act authorizing the Governor to appoint an additional notary public for the city of Philadelphia.

Referred to the Committee on the Judiciary Local.

Mr. THARP, an act to extend the provisions of an act entitled An act relative to mechanics' liens in the counties of Luzerne and Schuylkill, approved February 17th, 1858, to the county of Northumberland.

Referred to the Committee on the Judiciary Local.

Mr. ESPY, an act to regulate the fees of the clerk of the courts of oyer and terminer and general quarter sessions of the peace of Crawford county.

Referred to the Committee on the Judiciary Local.

Mr. LINTON, an act authorizing and requiring the prothonotary of Cambria county to keep an extension docket.

Referred to the Committee on the Judiciary Local.

Mr. BOYLE, an act authorizing William S. Zeigler to act as justice of the peace in the borough of Butler, Butler county, while residing outside the limits of said borough.

Referred to the Committee on the Judiciary Local.

Also, an act relative to the pay of auditors in the county of Butler.

Referred to the Committee on the Judiciary Local.

Mr. MECHLING, an act repealing an act relative to the coroner of Armstrong county.

Referred to the Committee on the Judiciary Local.

Also, an act to repeal an act entitled An act to regulate the proper entering of judgments and issuing of processes in Armstrong county.

Referred to the Committee on the Judiciary Local.

Mr. DAVIS, an act to incorporate the Pacific railroad and gold mining company.

Referred to the Committee on Mining and Manufacturing Companies.

Mr. CRAIG, an act to incorporate the Fort Allen iron company, in the county of Carbon.

Referred to the Committee on Iron and Coal Companies.

Daily Legislative Record.

FOR THE SESSION OF 1867.

PUBLISHED BY AUTHORITY OF THE LEGISLATURE OF PENNSYLVANIA. No. 21.

TERMS OF THE DAILY RECORD.

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[CONTINUED FROM PAGE 160.]

Mr. BARTON, an act to incorporate the Chester City passenger railway company.

Referred to the Committee on Passenger Railways.

Mr. WILSON, a further supplement to an act to incorporate the Pittsburg and Birmingham passenger railroad company, approved the 13th day of April, A. D. 1859.

Referred to the Committee on Passenger Railways.

Mr. KURTZ, an act to extend the provisions of an act to authorize the school directors of Chester and Delaware counties to select sites for school houses, passed May 8th, 1854, and the supplement thereto, to the county of Venango.

Referred to the Committee on Education.

Mr. DEISE, an act to authorize the school directors of the borough of Lock Haven, county of Clinton, to borrow money for building purposes.

Referred to the Committee on Education.

Mr. WINGARD, an act to extend the provisions of an act to authorize the school directors of Chester and Delaware to select sites for school houses, approved May 8th, 1854, to Lycoming county.

Referred to the Committee on Education.

Mr. WRIGHT, an act relating to the sale and purchase of property in the borough of Middleburg, in the county of Snyder, for school purposes.

Referred to the Committee on Education.

Mr. WALLACE, an act to establish a ferry across the Allegheny river, at or near the borough of Tidioute, in the county of Warren.

Referred to the Committee on Roads, Bridges and Ferries.

Mr. WINGARD, a supplement to an act to incorporate the White Deer bridge company, approved the 23d day of March, A. D. 1840.

Referred to the Committee on Roads Bridges and Ferries.

Also, an act to repeal an act entitled An act to incorporate the Pine Creek bridge company.

Referred to the Committee on Roads, Bridges and Ferries.

Mr. CHASE, a supplement to an act to incorporate the Titusville and Pithole plank road company, approved the 2d day of March, 1866.

Referred to the Committee on Roads, Bridges and Ferries.

Mr. BARTON, an act to incorporate the Springfield and Garretford turnpike company.

Referred to the Committee on Roads, Bridges and Ferries.

Mr. WADDELL, an act to enlarge the jurisdiction of the courts of common pleas of this Commonwealth, relating to granting charters of incorporation, and confirming those heretofore granted.

Referred to the Committee on the Judiciary General.

Mr. M'KEE, a supplement to an act relating to auctioneers.

Referred to the Committee on the Judiciary General.

Mr. ADAIRE, an act relating to the practice of medicine, surgery and midwifery in the city of Philadelphia.

Referred to the Committee on the Judiciary General.

Mr. WINGARD, an act for the better protection of deer and wild turkeys in this Commonwealth, and for the transportation of deer and venison within and through the same.

Referred to the Committee on the Judiciary General.

Also, a supplement to an act, entitled An act relating to corporations for mechanical manufacturing, mining and quarrying purposes, approved the 18th day of July, 1863.

Referred to the Committee on the Judiciary General.

Mr. WADDELL, an act to change the mode of criminal proceedings in this Commonwealth.

Referred to the Committee on the Judiciary General.

Mr. MANN, an act to ascertain the sense of the voters of the townships, boroughs and wards of the Commonwealth, on the subject of granting licenses for sales of liquor therein.

Referred to the Committee on the Judiciary General.

Also, an act to indemnify certain election officers of this Commonwealth, for losses sustained as fines imposed on them for acting in accordance with the provisions of the act of Assembly of June 4th, A. D. 1866.

Referred to the Committee on the Judiciary General.

Mr. SHARPLES, a supplement to the general election laws of the Commonwealth.

Referred to the Committee on the Judiciary General.

Mr. HOOD, an act to change the rate of interest from six to seven per centum.

Referred to the Committee on the Judiciary General.

Mr. MECHLING, an act to open the administration account of Samuel Hill and James Fitzgerald, executors of the estate of George T. Crawford, deceased, and Samuel Hill and J. B. Parks, executors of James Fitzgerald, who was one of the executors of George T. Crawford, deceased, and Samuel Hill, surviving executor of the last will and testament of George T. Crawford, deceased, late of Allegheny township, Westmoreland county, Pennsylvania.

Referred to the Committee on the Judiciary General.

Mr. ADAIRE, an act relating to day laborers in the State of Pennsylvania.

Referred to the Committee on the Judiciary General.

Mr. DEHAVEN, an act to incorporate the Kensington Mutual Co-operative association of the city of Philadelphia.

Referred to the Committee on Corporations.

Mr. ADAIRE, an act extending the time for the payment of the enrollment tax of the People's Accidental insurance company of Pennsylvania, and changing the corporators.

Referred to the Committee on Corporations.

Mr. FREEBORN, an act to incorporate the Spruce Grove lumber and land company.

Referred to the Committee on Corporations.

Mr GREGORY, an act to incorporate the Eagle assembly of the State of Pennsylvania.

Referred to the Committee on Corporation.

Mr. SEILER, an act relative to the estate of George Fry, deceased.

Referred to the Committee on Corporations.

Mr. PHELAN, a supplement to an act to incorporate the Odd Fellows' association at Wayneshurg, Greene county, Pennsylvania, passed the 27th day of March, 1862.

Referred to the Committee on Corporations.

Mr. BARTON, an act to incorporate the Crozer Theological seminary.

Referred to the Committee on Corporations.

Mr. CRAIG, an act to incorporate the Industrial association of Summit Hill.

Referred to the Committee on Corporations.

Mr. M'CAMANT, an act to incorporate a State Camp of the Patriotic Order of the Junior Sons of America.

Referred to the Committee on Corporations.

Mr. HUMPHREY, an act to incorporate the Wellsboro' and Lawrenceville railroad company.

Referred to the Committee on Railroads.

Mr. ADAIRE, an act relating to the election of officers and directors of railroads in the State Pennsylvania.

Referred to the Committee on Railroads.

Mr. FREEBORN, an act relative to the carrying of passengers in the public conveyances of this Commonwealth.

Referred to the Committee on the Judiciary General.

Mr. HOOD, a further supplement to an act regarding the port of Philadelphia, approved May 20th, 1864.

Referred to the Committee on Municipal Corporations.

Mr. DEHAVEN, an act to vacate part of the Township Line road, in the Twenty-first ward of the city of Philadelphia.

Referred to the Committee on Municipal Corporations.

Also, an act to vacate a part of Woodpecker or Rising Sun lane, in the Twenty-first ward of the city of Philadelphia.

Referred to the Committee on Municipal Corporations.

Mr. BRENNAN, a further supplement to

an act to incorporate the City of Carbondale.

Referred to the Committee on Municipal Corporations.

Mr. M'CREARY, a further supplement to an act to incorporate the city of Erie.

Referred to the Committee on Municipal Corporations.

Mr. BARTON, an act relating to the water works in the city of Chester.

Referred to the Committee on Municipal Corporations.

Mr. KURTZ, a further supplement to an act empowering the town council of the borough of Bellefonte, in Centre county, to borrow money, approved the 14th day of February, A. D. 1863.

Referred to the Committee on Municipal Corporations.

Mr. JONES, a further supplement to an act revising the charter of the municipal corporation of the city of Reading.

Referred to the Committee on Municipal Corporations.

Mr. HELTZEL. Mr. Speaker, I ask leave to make a statement.

Leave was granted.

Mr. HELTZEL. Mr. Speaker, on reading the proceedings as published in the *Daily Legislative Record*, on the bill entitled An act to change the venue in the case of the Commonwealth of Pennsylvania against Henry Stevens and Jacob Harmon, from the court of quarter sessions of Adams county to the court of quarter sessions of Dauphin county, I am reported to have said that "the court in Adams county is composed of two Democratic judges and one Republican, and I am informed that the judge and jury selected to try this case are Republicans." The report is erroneous on this point. I said, on the occasion referred to, that the board of commissioners of Adams county was composed of two Democrats and one Republican, and that I had been reliably informed that a large portion of the jurors there drawn for the January term of the court of common pleas of Adams, who would try this case, were Republicans.

Mr. JONES. Mr. Speaker, I renew my motion to suspend the rules in order that we may proceed to the consideration of Senate bill No. 106. I ask leave to say to the House again that it is purely local in character. It will be a great benefit to my constituents now, as they can borrow this money; whereas if it is delayed in the ordinary routine its object may be entirely defeated.

The bill was read a second and third time, and

Passed finally.

REPORT OF THE COMMITTEE ON COMPARE BILLS.

Mr. WATT, from the Committee appointed to Compare Bills and present them to the Governor for his approbation, made report, which was read as follows, viz:

That in conjunction with a similar committee from the Senate, they have compared, and on the 22d instant presented to the Governor for his approbation bills as follows, to wit:

No. 73, joint resolution relative to the executive mansion.

Senate bill No. 49, a supplement to an act entitled An act to incorporate the Valley coal company, approved the 16th day of March, 1865.

Senate bill No. 75, an act to authorize the burgess and town council of the borough of Columbus to levy and collect an additional tax.

Senate bill No. 39, an act to change the venue in the case of the Commonwealth of Pennsylvania versus Henry Stevens and Jacob Harmon from the court of general quarter sessions of the peace of Adams county to the court of general quarter sessions of the peace of Dauphin county.

Also, on the 23d:

No. 70, an act to incorporate the Bemus paper mill company.

Also, on the 24th:

No. 3, an act entitled An act to change the mode of electing town council in the borough of Youngsville, and defining certain duties pertaining to their office.

No. 27, an act to exempt the Morris cemetery, in the county of Chester, from the payment of tax, and the lots sold therein from an attachment for debt.

Senate bill No. 46, an act to increase the fees of certain county officers in Sullivan county, and to validate certain charges heretofore made.

Senate bill No. 69, a supplement to an act to incorporate the People's Savings Bank of Pittsburg, approved April 17, 1866, authorizing said corporation to increase its capital stock.

Senate bill No. 108, an act to incorporate the Safe deposit company of Pittsburg.

Also, on the 29th:

No. 71, an act changing the venue of certain cases from the county of Juniata to the county of Snyder.

No. 103, an act to regulate the salary of the Secretary of the Commonwealth.

Senate bill No. 130, an act to incorporate the Dauphin County Soldiers' Monument association.

BILLS ON THIRD READING.

Mr. EWING. Mr. Speaker, I move that we proceed to the further consideration of House bill No. 46, entitled An act relative to the fees of certain county officers in the county of Washington.

The bill was read.

Mr. EWING. Mr. Speaker, I move to amend by striking out all after the enacting clause and inserting the following.

The motion was

Agreed to.

The bill as amended was

Agreed to, and

Passed finally.

The SPEAKER proceeded to clear the table:

House bill No. 20, entitled A supplement to an act increasing the fees of jurors and witnesses in and for the counties of Armstrong, Franklin, Schuylkill and Westmoreland, approved the 28th day of March, A. D. 1866.

Was returned from the Senate with amendments.

On motion of Mr. STUMBAUGH, the amendments were concurred in.

The SPEAKER cleared the table of Senate bills numbered and entitled as follows:

Senate bill No. 36, an act authorizing the school directors of the borough of Sewickley to collect the balance of bounty tax in said borough.

Referred to the Committee on Military Affairs.

Senate bill No. 65, an act to increase the compensation of the supervisors of roads in the township of Solebury, Bucks county.

Referred to the Committee on Roads, Bridges and Ferries.

Senate bill No. 118, an act to authorize the appointment of six additional notaries public for the city of Philadelphia.

Referred to the Committee on the Judiciary Local.

Senate bill No. 121, an act to incorporate the M'Connell mineral company of Pennsylvania.

Referred to the Committee on Mining and Manufacturing Companies.

Senate bill No. 127, an act opening Juniata avenue, and vacating Nicetown lane, in the Twenty-fifth ward of the city of Philadelphia.

Referred to the Committee on Municipal Corporations.

Senate bill No. 109, joint resolutions of the Legislature of Pennsylvania protesting against the confirmation of Edgar Cowan as Minister to Austria.

Referred to the Committee on Federal Relations.

Senate bill No. 124, a supplement to an act to unite and consolidate Marshall college, now at Mercersburg, with Franklin college, now at Lancaster, under the name of Franklin and Marshall college, as a corporation, to be located in the city of Lancaster, or its immediate vicinity, approved the 19th day of April, A. D. 1850, changing the trustees thereof, and the manner of selecting such trustees and their terms of office.

Referred to the Committee on Corporations.

Senate bill No. 134, an act to incorporate the Richland Township Mutual insurance company.

Referred to the Committee on Corporations.

MESSAGES FROM THE GOVERNOR.

The Deputy Secretary of the Commonwealth being introduced, presented a message from the Governor, which was read as follows, viz:

EXECUTIVE CHAMBER,
HARRISBURG, January 30, 1867.

To the Senate and House of Representatives of the Commonwealth of Pennsylvania:

GENTLEMEN—I have approved and signed the following acts of the General Assembly, viz:

On the 17th inst.:

An act authorizing the appointment of additional notaries public for the cities of Pittsburg and Allegheny.

An act repealing an act appointing commissioners to lay out and open a State road from Marsh's Corners, M'Kean county, to the Philadelphia and Erie railroad.

An act authorizing the Governor to appoint one additional notary public for the county of Lycoming.

An act relating to the drainage of roads by supervisors in the county of Delaware.

On the 22d inst.:

A supplement to an act entitled An act to incorporate the Valley coal company, approved 16th March, 1865.

An act to change the venue in the case of the Commonwealth of Pennsylvania *versus* Henry Stevens and Jacob Harmon from the court of general quarter sessions of the peace of Adams county to the court of general quarter sessions of the peace of Dauphin county.

An act to authorize the burgess and town council of the borough of Columbus to levy and collect an additional tax.

On the 24th:

A further supplement to an act entitled An act to incorporate the city of Lancaster, approved March twentieth, one thousand eight hundred and eighteen, changing the time of election of municipal and ward officers.

An act to incorporate the Bemus paper mill company.

An act to incorporate the Littlestown Savings institution.

An act to incorporate the Safe deposit company of Pittsburg.

An act to incorporate the People's savings bank of Pittsburg, approved April 17, 1866, authorizing said company to increase its capital stock.

On the 25th:

An act entitled An act to change the mode of electing town council in the borough of Youngsville, and defining certain duties pertaining to their office.

An act to exempt the Morris cemetery, in the county of Chester, from the payment of tax, and the lots sold therein from an attachment for debt.

An act to increase the fees of certain county officers of Sullivan county, and to validate certain charges heretofore made.

On the 29th:

An act changing the venue of certain cases from the county of Juniata to the county of Snyder.

An act to regulate the salary of the Secretary of the Commonwealth.

On the 30th:

An act to incorporate the Dauphin County Soldiers' Monument association.

JOHN W. GEARY.

Mr. STUMBAUGH. Mr. Speaker, I desire to ask the indulgence of the House to call up House bill No. 133. It is important and relates only to Franklin county. I desire it to be gottten through with, so our courts may act under it.

I move a suspension of the rules that we may proceed to its consideration.

The motion was

Agreed to.

The bill was read a second and third time, and

Passed finally.

PETITIONS, &C., PRESENTED.

Mr. LEE presented a memorial from the Eutomological Society of Philadelphia, praying for an appropriation to aid in carrying out the objects of said society.

Referred to the Committee on Ways and Means.

Mr. HELTZEL, a memorial from forty-three citizens of Adams county, praying for an appropriation for the relief of those whose property was taken or destroyed by the armies in 1862 and 1863.

Referred to the Committee on Ways and Means.

Also, one from thirty-six citizens of Adams county, of like import.

Referred to the Committee on Ways and Means.

Also, one from thirty-seven citizens of Adams county, of like import.

Referred to the Committee on Ways and Means.

Also, one from thirty-five citizens of Adams county, of like import.

Referred to the Committee on Ways and Means.

Mr. LEE, a petition from citizens of Philadelphia, asking for the passage of an act for the protection of life and limb to persons traveling on steam and city passenger railroads in Philadelphia.

Referred to the Committee on the Judiciary General.

Mr. WINGARD, a petition from the members of the bar and officers of the court of Lycoming county, praying for an assistant law judge for the Eighth Judicial district.

Referred to the Committee on the Judiciary Local.

Also, a petition from five hundred citizens of Lycoming county, praying for authority to erect a poor house.

Referred to the Committee on the Judiciary Local.

Mr. MECHLING, a remonstrance from citizens of Phœnixville, against the passage of an act to authorize the school directors of said borough to borrow money for school purposes.

Referred to the Committee on Education.

Mr. WINGARD, a petition from citizens of Lycoming county, praying that the provisions of an act to authorize the school directors of Chester and Delaware counties to select sites for school houses, be extended to said county of Lycoming.

Referred to the Committee on Education.

Mr. MECHLING, a remonstrance from citizens of South Buffalo township, Armstrong county, against the passage of a law exempting certain persons from the payment of a bounty tax.

Referred to the Committee on Military Affairs.

Mr. WINGARD, a petition from the town council of the borough of Hughesville, praying for an act to empower them to compel some proper person to collect bounty tax.

Referred to the Committee on Military Affairs.

Mr. HELTZEL, two petitions from inhabitants of the county of Adams, praying for the passage of an act to secure the reconstruction of the Columbia bridge across the Susquehanna river.

Referred to the Committee on Roads, Bridges and Ferries.

Mr. LEE, two petitions from citizens of Philadelphia, asking for a bridge across the Schuylkill at or near Callowhill street.

Referred to the Committee on Roads, Bridges and Ferries.

Mr. HELTZEL, a petition from Adam Screw, trustee of Hiram Albert, praying for the passage of an act authorizing him to purchase real estate.

Referred to the Committee on Estates and Escheats.

Mr. JOSEPHS, a petition from Emanuel H. Shaeffer, of Lancaster city, for a divorce from the bonds of matrimony from Harriet Shaeffer.

Referred to the Committee on Divorces.

Mr. MECHLING, a petition from seventy-six citizens of the borough of Apollo, Armstrong county and vicinty, for the repeal of the Leechburg liquor law.

Referred to the Committee on Vice and Immorality.

Also, a remonstrance from citizens of Apollo, Armstrong county and vicinity, against the repeal of the Leechburg liquor law.

Referred to the Committee on Vice and Immorality.

Also, a petition from one hundred and fourteen citizens of the city of Kittanning and vicinity, for the repeal of the Leechburg liquor law.

Referred to the Committee on Vice and Immorality.

Also, petition from two hundred and thirty-eight citizens of the boroughs of Freeport, Leechburg and Apollo and vicinities, in the county of Armstrong, for the repeal of the Freeport, Leechburg and Apollo prohibitory liquor laws.

Referred to the Committee on Vice and Immorality.

The hour of 1 o'clock having arrived,

The SPEAKER adjourned the House until 3 o'clock this afternoon.

AFTERNOON SESSION.

WEDNESDAY, January 30, 1867.

The House met at 3 o'clock, P. M.

The SPEAKER announced that the special order was the further consideration of Senate bill No. 3, entitled Joint resolution ratifying the amendment to the Constitution of the United States.

Mr. MANN, having the floor, continued and concluded his remarks of Wednesday last.

He was followed by Messrs. DEISE, LEE and M'CREARY, whose remarks will appear in the Appendix to the *Record*.

MESSAGE FROM THE SENATE

The Clerk of the Senate being introduced, returned bill from House of Representatives numbered and entitled as follows, viz:

No. 49, an act supplementary to an act regulating the fees of the clerk of the quarter sessions of the peace, &c., for the city and county of Philadelphia, approved February 8th, A. D. 1865.

With information that the Senate has passed the same without amendment.

He also informed that the Senate has concurred in the amendments made by the House of Representatives to Senate bills numbered and entitled as follows:

Senate bill No. 24, an act to incorporate the Germania savings institution of Erie.

Senate bill No. 32, a supplement to an act relative to the fees of district attorney of certain counties of this Commonwealth.

The Clerk of the Senate also presented for concurrence bills numbered and entitled as follows, viz:

Senate bill No. 97, an act authorizing tender of money to be made after suit brought.

Senate bill No. 135, a further supplement to an act to promote the more certain and equal assessment of taxes in Philadelphia, approved March 14th, 1865.

He also returned bill from the House of Representatives numbered and entitled as follows:

No. 65, an act to authorize the school directors of the borough of Phœnixville to borrow money for the purpose of purchasing lands and building school houses.

With information that the Senate has passed the same without amendment.

The SPEAKER proceeded to clear the table of the following Senate bills:

Senate bill No. 97, an act authorizing tender of money to be made after suit brought.

Referred to the Committee on the Judiciary General.

Senate bill No. 135, a further supplement to an act to promote the more equal and certain assessment of taxes in Philadelphia, approved March 14th, 1865.

Referred to the Committee on Municipal Corporations.

On motion of Mr. LEE,

The House adjourned until to-morrow morning at 10 o'clock.

SENATE

THURSDAY, January 31, 1867.

The Senate met and was called to order at 11 A. M., by the SPEAKER.

Prayer was offered by the Rev. Mr. Bailey.

On motion of Mr. SCHALL, the reading of the Journal of yesterday was dispensed with.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

The Clerk of the House of Representatives being introduced, presented for concurrence bills numbered and entitled as follows, viz:

No. 46, an act in relation to the fees of certain county officers and district attorneys in the county of Washington.

Referred to the Committee on the Judiciary Local.

No. 63, supplement to an act to incorporate the borough of South Erie.

Referred to the Committee on the Judiciary Local.

No. 67, an act to annex Davis S. Walker, Francis Cunningham and Wesley Smith, of Jefferson township, Washington county, to Cross Creek township, in the said county, for school purposes.

Referred to the Committee on Education.

No. 81, an act relating to auctioneers in the city and county of Erie.

Referred to the Committee on the Judiciary Local.

No. 84, an act to authorize the election of

an additional justice of the peace in the township of Cherryhill, in the county of Indiana.

Referred to the Committee on the Judiciary Local.

No. 97, an act to incorporate the Real Estate savings institution.

Referred to the Committee on Banks.

No. 101, an act to incorporate the Germania savings institution of Erie.

Referred to the Committee on Banks.

No. 102, an act to repair the Cowenesque river, in the county of Tioga.

Referred to the Committee on Canals and Inland Navigation.

No. 105, an act for the relief of T. S. Strohecker, of Venango county.

Referred to the Committee on Military Affairs.

No. 107, An act for the relief of Benjamin Scott, Junior.

Referred to the Committee on Finance.

No. 110, an act relating to the sale of lands for taxes in Potter, Warren and Bradford counties.

Referred to the Committee on the Judiciary Local.

No. 111, an act creating the office and defining the duties of assistant district attorney for the county of Allegheny.

Referred to to the Committee on the Judiciary Local.

No. 112, an act to authorize the election of an officer to be called constable and collector, in the several townships and boroughs in the county of Cameron, and regulate his duties.

Referred to the Committee on the Judiciary Local.

No. 113, an act legalizing certain assessments taken in the county of Cameron.

Referred to the Committee on the Judiciary Local.

No. 115, an act relating to the fees of the treasurer of the county of Snyder.

Referred to the Committee on the Judiciary Local.

No. 116, a supplement to an act to change the mode of criminal proceedings in Erie and Union counties, extending the same to the county of Warren.

Referred to the Committee on the Judiciary Local.

No. 117, an act regulating fees of the commissioners of the county of Snyder.

Referred to the Committee on the Judiciary Local.

No. 118, an act to extend the provisions of an act relating to costs in Luzerne county, approved the 2d day of April, A. D. 1863, to the county of Dauphin, with a proviso.

Referred to the Committee on the Judiciary Local.

No. 119, an act supplementary to a supplement to an act relating to the collection of State and county taxes in the county of Bucks, approved 31st day of March, 1864.

Referred to the Committee on the Judiciary Local.

No. 120, an act authorizing the court of common pleas of Northampton county to appoint a trustee to make sale of certain real estate held in trust for A. Wolle & Co.

Referred to the Committee on the Judiciary Local.

No. 121, a further supplement to an act increasing the fees of the several county officers in this Commonwealth, except in the city of Philadelphia and counties of Allegheny, Bradford, Susquehanna and Sullivan, approved March 30, A. D. 1865.

Referred to the Committee on the Judiciary General.

No. 123, an act to authorize the school directors of Hartford township, Susquehanna county, to levy and collect a special tax to build and repair school houses in said township.

Referred to the Committee on Education.

No. 125, an act to annex certain lands in Pine Creek township, Jefferson county, owned and occupied by Sarah G. Evans, to the borough of Brookville for school purposes.

Referred to the Committee on Education.

No. 127, an act to authorize the school directors in the city of Williamsport, in the county of Lycoming, to borrow money.

Referred to the Committee on Education.

No. 128, an act to authorize the school directors of Swatara school district, Dauphin county, to raise an additional building tax.

Referred to the Committee on Education.

No. 132, an act to authorize the school directors of Sægerstown, Crawford county, to borrow money, and for other purposes.

Referred to the Committee on Education.

No. 133, an act relating to the granting of tavern licenses in Washington county.

Referred to the Committee on Vice and Immorality.

No. 134, an act to extend the time for the payment of the enrollment tax on an act to incorporate the Meadville City passenger railroad company, approved the 7th day of April, 1866.

Referred to the Committee on Railroads.

No. 135, a supplement to an act, approved the 8th day of April, A. D. 1859, to incorporate the Pittsburg and East Liberty passenger railway company,

Referred to the Committee on Railroads.

No. 233, an act relative to the settlement of bounty accounts in the county of Franklin.

Referred to the Committee on Military Affairs.

He also returned from the Senate bill numbered and entitled as follows:

No. 106, an act to exempt from taxation certain property devoted to Masonic uses in the city of Reading,

With information that the House of Representatives has passed the same with amendments, in which the concurrence of the Senate is requested.

On motion of Mr. DAVIS, the amendments were twice read and agreed to.

He also informed the Senate that the House of Representatives has concurred in the amendments made by the Senate to bill from the House of Representatives numbered and entitled as follows:

No. 20, a supplement to an act increasing the fees of jurors and witnesses in and for the counties of Armstrong, Franklin, Schuylkill and Westmoreland, approved the 27th day of March, A. D. 1866.

He also informed the Senate that the House of Representatives had concurred in the amendments made by the Senate to resolution from the House of Representatives requesting the Military Committee of both Houses, in conjunction with the Adjutant General and Governor, to prepare a bill for the regulation of the militia of this State.

PETITIONS, MEMORIALS, &C.

Mr. CONNELL presented the petition of nineteen citizens of Philadelphia, praying that any bridge on the river Schuylkill below Chestnut street shall have a draw.

Referred to the Committee on Roads and Bridges.

Mr. M'CANDLESS, petition of the flour and corn men of Philadelphia, asking for the re-builing of the Columbia bridge.

Referred to the Committee on Roads and Bridges.

Mr. WORTHINGTON, two petitions of citizens of Chester and Delaware counties, asking or an alteration of the law incorporating the Chester Creek railroad, so as to allow it to connect with the Philadelphia and Baltimore Central railroad, at or near Pennelltown, in the county of Delaware.

Referred to the Committee on Railroads.

Mr. ROYER, petition of citizens of Montgomery county, praying for the extension of the act entitled An act authorizing the Secretary of the Commonwealth to distribute copies of the standards of weights and measures and for the appointment of sealers, approved the 15th day of April, 1845, now in operation throughout the various counties of the Commonwealth, to the said county of Montgomery.

Referred to the Committee on Agriculture and Domestic Manufactures.

Mr. FISHER, a petition of citizens of Chester county, in favor of rebuilding the Columbia bridge.

Referred to the Committee on Roads and Bridges.

Mr. GLATZ, petition from the chief burgess and town council of the borough of York, in reference to the re-building of the Columbia bridge at Columbia, Lancaster county.

Referred to the Committee on Roads and Bridges.

Mr. M'CONAUGHY, memorial of forty citizens of Adams county, praying for an appropriation to relieve citizens whose property was destroyed or taken by the armies in 1862 and 1863.

Referred to the Committee on Finance.

Mr. WHITE, the proceedings of the Pennsylvania Wool Growers' association, which was read as follows:

PENNSYLVANIA STATE WOOL GROWERS' ASSOCIATION.

At the annual meeting of the association, held at Pittsburg this day, the committee appointed to prepare business for the meeting, reported as the sense of the Pennsylvania State Wool Growers' association:

That it is of the first importance that the wool growing interest of our country shall have ample protection.

That the present tariff is wholly inadequate for that purpose.

That the association, therefore, earnestly, but respectfully, urges upon Congress the tariff bill on wool and woolens, as it passed the lower House of Congress at its last session.

Which report was accepted, and after full and mature discussion, was unanimously adopted. In addition, it was unanimously

Resolved, That believing free trade or a tariff which intends no protection to wool, would be ruinous to the best interests of the country, we pledge ourselves, without distinction of party, hereafter to support no person for a State or national office who is not heartily in favor of protecting American industry.

It was resolved that a copy of the foregoing proceedings be forwarded to our Representatives and Senators in Congress.

F. JULIUS LE MOYNE, President.

Referred to the Committee on Agriculture and Domestic Manufactures.

Mr. SEARIGHT, a remonstrance from J. Gordon Williams, Esq., and one hundred and ten other taxpayers of Nicholson township, Fayette county, against the passage of any law authorizing the levying and collecting of any more taxes in said township for bounty purposes.

Referred to the Committee on the Judiciary Local.

Mr. BROWN (Mercer), petition of citizens of Mercer county, praying for the repeal of the act authorizing the appointment of a county auctioneer for said county.

Referred to the Committee on the Judiciary Local.

REPORTS FROM COMMITTEES.

Mr. CONNELL, from the Committee on Finance, reported, with amendment, a bill

entitled A joint resolution fixing the day of final adjournment.

Mr. SHOEMAKER, from the Committee on the Judiciary General, as committed, a bill entitled A joint resolution instructing our Senators and Representatives in Congress to procure a reduction of tax on petroleum.

Also (same), with a negative recommendation, a bill entitled An act to prevent the excessive valuation of farming, grazing and outlying lots and lands within the limits of boroughs of this Commonwealth.

Mr. WALLACE (same), with a negative recommendation, a bill entitled An act relating to the law of evidence.

Mr. M'CONAUGHY (same), as committed, a bill entitled A supplement to the act entitled An act amending the law of evidence in Pennsylvania, approved March 27, 1865.

Also (same), with a negative recommendation, a bill entitled An act relating to evidence.

Also (same), as committed, a bill entitled An act defining the duties of the inspectors of the Philadelphia county prison.

Mr. SCHALL (same), as committed, a bill entitled an act relating to dower.

Also (same), as committed, a bill entitled A supplement to an act authorizing appeals from interlocutory orders or decrees granting special injunctions, approved the 14th day of February, A. D. 1866, extending the provisions of said act to special injunctions granted by the courts of *nisi prius* of Philadelphia.

Mr. BIGHAM (same), as committed, a bill entitled An act to regulate the jurisdiction of courts in proceedings by bill for injunction or other relief in equity.

Also (same), as committed, a bill entitled An act to incorporate the Bachelor's Barge club of the city of Philadelphia.

Mr. ROYER, from the Committee on Accounts, made a report as follows:

HARRISBURG, Pa., January 1, 1867.

SENATE OF PENNSYLVANIA,

To Geo. Bergner, L. P. M., Dr.:

For postage on letters and documents sent and received during the recess of 1866:

Letters sent	$18 00
Documents sent	374 81
Total letters and documents sent	$392 81
Cr.	
By amount appropriated during recess	$400 00
Balance due Senate	$7 19

The Committee on Accounts having examined the above account of George Bergner, late postmaster at Harrisburg, find it to be correct.

HORACE ROYER,
GEO. CONNELL,
C. M. DONOVAN,
G. DAWSON COLEMAN.

Appended below is a receipt to George Bergner for the amount of seven dollars and nineteen cents.

Signed by
WILLIAM H. KEMBLE,
State Treasurer.

Countersigned by
J. F. HARTRANFT.

Mr. RIDGWAY, from the Committee on Corporations, as committed, a bill entitled An act relative to the New Castle gas light company.

Also (same), as committed, a bill entitled A further supplement to an act to incorporate the city of Philadelphia, approved February 2, 1854.

Also (same), as committed, a bill entitled An act to incorporate the Mechanics' and Miners' Co-operative association of Scranton.

Also, (same) as committed, a bill entitled An act to incorporate the Granite insurance company.

Mr. JAMES (same), as committed, a bill entitled An act to incorporate the Local Express company of Wilkesbarre.

Also (same), as committed, a bill entitled An act to incorporate the University of St. Augustine.

Mr. ROYER (same), as committed, a bill entitled An act to incorporate the Co-operative association of Hyde Park, No, 1, in the city of Scranton, for mercantile purposes.

Also (same), as committed, an act to incorporate the Providence gas and water company in Luzerne county.

Mr. HAINES (same), as committed, a bill entitled An act supplementary to an act to incorporate the Cooper fire-arms manufacturing company, approved April 3, 1863, and the supplement to the same.

Also, (same), as committed, a bill entitled An act to change and amend the charter of the borough of Emporium, in the county of Cameron.

Mr. GLATZ, (same), as committed, a bill entitled An act to change the name of the Carson gold mining company, and to increase the par value of the stock of said company.

Also (same), as committed, a further supplement to an act incorporating the city of Philadelphia, relative to vacancies in election officers.

Mr. LANDON, from the Committee on Railroads, as committed, a bill entitled An act to regulate the rates of fare on certain passenger railroads in the county of Allegheny.

Mr. BIGHAM. Mr. Speaker, I would like to inquire of the Committee on Railroads when a bill that was read two or three days after the commencement of the session will be reported, because a number of persons have been kept waiting in reference to the repeal of the legislation of 1864, with regard to the Connellsville railroad. We have been expecting a report from that committee for some time, and I would like to inquire when it will be made.

Mr. LANDON. Mr. Speaker, I will say that a meeting of the committee was called yesterday at 3 o'clock, at which time we intended to consider that bill; but there was a caucus, which prevented our meeting. We intend to have a meeting very soon, and that bill, and others, will be acted on. That is the intention of the committee; I cannot say what day they will meet.

Mr. LOWRY. Mr. Speaker, in order to put an end to this thing, I think the chairman of that committee should be requested to report the Connellsville railroad bill, and the general railroad bill.

Mr. LANDON. The Senator from Erie [Mr. LOWRY] will see the impropriety of that arrangement. The general railroad law, which is being prepared, is not yet in the hands of the committee.

Mr. STUTZMAN, from the Committee on Election Districts, reported, as committed, a bill entitled An act authorizing a special election in the borough of Highspire.

Mr. WHITE, from the Committee on Military Affairs, with an amendment, a bill entitled A joint resolution requesting Congress to pass such laws as will enable soldiers who have lost their discharges to receive their one hundred dollars bounty, under an act of Congress of July 28, 1866.

Mr. WHITE. Mr. Speaker, this is a matter in which there is no diversity of opinion. The present session of Congress adjourns soon, and the sooner the bill gets there the better. I move that the Senate proceed to the consideration of this bill.

Mr. LOWRY. I desire to ask the Senator to withdraw that motion for a single moment, as a bill has gone over to the Governor which contains an error, and which I desire to have recalled.

Mr. WHITE. This bill will take but a moment.

The motion of Mr. WHITE was agreed to, and

The bill

Passed finally.

Mr. M'CANDLESS, from the Committee on Military Affairs, reported, with a negative recommendation, a bill entitled A supplement to the act relating to the payment of bounties to veteran volunteers, approved May 1st, 1866.

Mr. BILLINGFELT, from the Committee on Roads and Bridges, as committed, a bill entitled A further supplement to the act incorporating the Township Line road company, fixing the terminus and regulating tolls on said road.

Also (same), as committed, a bill entitled A supplement to an act approved April 16, A. D. 1866, appointing commissioners to lay out and open a State road in M'Kean county, from the borough of Smethport to Lafayette Corners.

Mr. TAYLOR (same), as committed, a bill entitled An act authorizing the laying out of a State road in Luzerne county.

Also (same), as committed, a bill entitled An act to repeal an act providing for compensation to public roads in Bethlehem and Palmer townships, Northampton county, by the construction of the Lehigh and Delaware Water Gap railroad, approved the 11th day of April, A. D. 1866.

Mr. LANDON (same), as committed, a bill entitled An act to vacate certain lanes and alleys in the plan of out-lots of the borough of Beaver, in the county of Beaver.

Also (same), as committed, a bill entitled An act relative to the Lancaster and Litiz turnpike road company, in Lancaster county.

Mr. GLATZ (same), as committed, a bill entitled An act regulating roads and bridges in Wayne county.

Also (same), as committed, a bill entitled A further supplement to the act to charter the Harrisburg bridge company, enabling the company to raise money to rebuild the bridge.

Also (same), as committed, a bill entitled An act to incorporate the Sullivan and Pocono Summit plank road company.

Also (same), as committed, a bill entitled A further supplement to an act to incorporate the Kensington and Oxford turnpike road company, giving each stockholder one vote for every share of stock, and regulating toll on said road.

Mr. TAYLOR, from the Committee on Military Affairs, as committed, a bill entitled A further supplement to an act to create a loan and to provide for arming the State, approved May 15, 1861, repealing so much of said act as authorizes the Governor to appoint assistant State agents and a State agent in the Southwest.

RECALL OF BILL FROM THE GOVERNOR.

On leave,

Mr. LOWRY offered the following resolution, which was twice read:

Resolved (if the House of Representatives concur), That the Governor be requested to return bill No. 24, Senate file, for the purpose of correcting two clerical errors.

The resolution was adopted.

BILLS IN PLACE.

Mr. CONNELL read in his place and presented to the Chair a bill entitled An act relative to contested elections.

Referred to the Committee on Election Districts.

Also, a bill entitled An act relative to the

courts of oyer and terminer, general jail delivery, and quarter sessions of the peace for the city and county of Philadelphia.

Referred to the Committee on the Judiciary General.

Also, a bill entitled An act to incorporate the Atlantic brick manufacturing company.

Referred to the Committee on Corporations.

Mr. RANDALL, a bill entitled An act to incorporate the Philadelphia coal company.

Referred to the Committee on Corporations.

Also, a bill entitled An act to incorporate the Pennsylvania Boat House association of Philadelphia.

Referred to the Committee on Corporations.

Mr. FISHER, a bill entitled An act to incorporate the Rob Roy gold and silver mining company.

Referred to the Committee on Corporations.

Also, a bill entitled An act to incorporate the Caledonia and South Mountain railroad company.

Referred to the Committee on Railroads.

Mr. GRAHAM, a bill entitled An act to punish by fine any railroad corporation within this Commonwealth that shall exclude or allow to be excluded by their agents, conductors or employees from their passenger cars any person or persons on account of color or race.

Referred to the Committee on Railroads.

Also, a bill entitled A supplement to an act entitled An act granting to the courts of this Commonwealth power to appoint viewers to view certain streets and alleys in the Commonwealth.

Referred to the Committee on the Judiciary General.

Mr. ROYER, a bill entitled An act to charter the Chestnut Hill and Spring House turnpike company, authorizing them to re-open old water courses.

Referred to the Committee on Roads and Bridges.

Mr. WORTHINGTON, a bill entitled An act for the better protection of farmers in the markets of Philadelphia.

Referred to the Committee on Agriculture and Domestic Manufactures.

Mr. BIGHAM, a bill entitled An act to establish a ferry on the Youghiogheny river at Leighton Station in Fayette county.

Referred to the Committee on Canals and Inland Navigation.

Mr. LOWRY, a bill entitled An act to incorporate the Erie City passenger railroad company.

Referred to the Committee on Railroads.

Mr. WALLACE, a bill entitled An act to allow the Madeira coal and improvement company to hold more real estate, and changing the par value of their stock.

Referred to the Committee on Corporations.

Also, a bill entitled An act to prevent the burning of the woods in the counties of Clearfield and Elk.

Referred to the Committee on the Judiciary Local.

Mr. BROWN (Mercer), bill entitled An act relative to livery stable keepers in Mercer county.

Referred to the Committee on the Judiciary Local.

Mr. SHOEMAKER, bill entitled A supplement to an act of March 15th, 1832, relative to registers and registers' courts.

Referred to the Committee on the Judiciary General.

Mr. BURNETT, a bill entitled A resolution relative to Representative Randall's bill to create a sinking fund and retire the national bank currency.

Referred to the Committee on Federal Relations.

Mr. WHITE, a bill entitled An act to allow certain persons holding and exercising the office of postmaster under the United States to exercise the office of justice of the peace.

Referred to the Committee on the Judiciary General.

Mr. M'CONAUGHY, a bill entitled An act to extend the time for the payment of the enrollment tax on an act entitled A supplement to the act incorporating the Littlestown railroad company, approved the 17th of February, 1854, approved April 8th, 1864.

Referred to the Committee on Railroads.

ORIGINAL RESOLUTION.

Mr. BIGHAM offered the following resolution, which was read twice:

Resolved, That the Senate will hereafter meet at 10 o'clock, A. M., of each day.

Mr. CONNELL. I hope not.

Mr. BIGHAM. I think we get along with the business much better in the morning than at any other time of the day.

The SPEAKER. I do not think the Senate is behind in its business.

Mr. BIGHAM. Well, I will withdraw the resolution for the present.

The resolution was then withdrawn.

LEAVE TO RECORD VOTE.

Mr. BROWN (Mercer) asked and obtained leave to record his vote on the resolutions entitled Joint resolutions of the Legislature of Pennsylvania protesting against the confirmation of Edgar Cowan as Minister to Austria. He voted "aye."

RECOMMITTAL OF BILL.

Mr. BROWN (Mercer) moved that the bill entitled An act to incorporate the Jonestown cemetery association be recommitted to the Committee on the Judiciary General.

The motion was agreed to.

THE SUNDAY CAR QUESTION.

Agreeably to order,

The Senate resumed the consideration of the motion to commit to a select committee, to consist of the Senators from Philadelphia, the bill entitled An act to ascertain the views of the qualified electors of the city and county of Philadelphia upon the subject of allowing the passenger railway companies of said city to run their cars on the first day of the week, commonly called Sunday.

Mr. RIDGWAY. Mr. Speaker, I would ask to what committee you would refer the bill?

The SPEAKER. To the Committee on Vice and Immorality, as bills of that nature were referred to that committee last year.

Mr. RIDGWAY. The Committee on Railroads have had a bill of that kind referred to them this year.

The SPEAKER said that local bills of this nature had been referred by Speaker Penney and others to the Committee on Vice and Immorality, and that some regard should be had for precedents; if the Committee on Vice and Immorality had such a bill, it must have been handed to them by mistake, before the committees were appointed.

Mr. GRAHAM. Mr. Speaker, there may possibly have been such a bill introduced, but if so, and it was referred to the Committee on Vice and Immorality, it has not yet come into my hands.

Mr. DONOVAN said he introduced the bill (referred to by Mr. RIDGWAY) before any committees were appointed.

The SPEAKER said he would now refer that bill to the Committee on Vice and Immorality.

Mr. SEARIGHT. Mr. Speaker, I am opposed to the resolution which proposes to refer this subject to a special committee composed of the Senators from Philadelphia. The practice has been, sometimes, in both Houses of the Legislature, I believe, to refer questions of an exclusively local character to the delegation from the locality which is to be affected by the proposed legislation. I think, sir, that is not the character of this question; it cannot be. It is a question which interests and affects the people of every county, every township, every ward, and every borough in this State. I have entire confidence in the ability of the Senators from Philadelphia to consider this question, as well as any other questions that may arise in this body; but certainly, in a question of this kind, which affects the people everywhere, it would not be treating this body fairly, or treating the people whom they represent with fairness, to refer the subject to Senators who come from one district alone. It is not a local question exclusively. It is true, the proposition is to allow cars to run in the city of Philadelphia on Sunday.

Mr. RIDGWAY. I would explain, if the Senator will allow me, that this bill proposes nothing of the kind. It proposes to authorize the people to hold an election, about the middle of next month, to give their opinions whether they would like to have cars run on Sunday or not; after that, it would be a question for the Legislature. It is proposed to refer to the Philadelphia Senators for the purpose of wording the bill and fixing the time for the election. This bill does not propose to allow them to run on Sunday.

Mr. SEARIGHT. Mr. Speaker, the explanation given by the Senator from Philadelphia [Mr. RIDGWAY] does not alter the case at all. In fact, it makes it stronger in the view I have been taking of it. Now, sir, the people of the State are as much interested in the question of running the cars on Sunday as the people of Philadelphia are; and I have no idea, sir, of allowing the people of Philadelphia to say that the Sabbath shall be desecrated. He puts the question in that way—that the matter is referred to the people of Philadelphia to say by their ballots whether cars shall run on Sunday.

Mr. RIDGWAY. Mr. Speaker, I rise to a point of order, which is this: that I have made no proposition to desecrate the Sabbath, and I do not want any Senator to charge me with doing so.

The SPEAKER. I cannot rule that the point of order is well taken, because it is a matter that people differ about; some think it is a desecration, others do not.

Mr. SEARIGHT. I understand that the resolution proposes to submit it to a vote of the people of Philadelphia whether or not this Legislature shall pass a law permitting cars to run in Philadelphia on Sunday. Now, sir, I and other Senators may think that if this thing be done, if the people vote in favor of that proposition, and the Legislature confirms their vote, that that would be a desecration of the Sabbath; I may think so, and others may think so; the Senator from Philadelphia [Mr. RIDGWAY] may, under his peculiar ideas, think it is no desecration of the Sabbath; he has a right to think so, and other Senators have a right to differ; and therefore there can be no point of order growing out of this question at all. While I do not wish to make any charge against the capacity or integrity of the Senators from Philadelphia, I nevertheless think that other sections of the State have as much interest in the subject as Philadelphia, and I object to referring the question to that especial committee on account of the interest that other sections of the State have in this subject. It is an important matter. I hope Senators will not insist upon it.

Mr. M'CONAUGHY. Mr. Speaker, I

objected, yesterday, to the reference to a special committee, because I thought it was improper, and not consistent with usage. The legislation contemplated was in reference to a question of morals; and, in effect, operating ultimately on the whole Commonwealth, and from its very nature there was a committee to which it should, on principle and by usage, legitimately be referred. For that reason, I made the objection that I did at the time. I do not think, sir, that it is necessary to elaborate. I think it would be contrary to usage and disrespectful to the committee to which it belongs, to give it the special reference which was proposed in the motion. I do not maintain that there was any improper intent —I disclaim any such sentiment. I think it is perfectly plain that the bill should be referred to the Committee on Vice and Immorality.

The question being on the motion to refer the bill to a special committee, to consist of the Senators from Philadelphia, the Senate refused so to refer it.

The SPEAKER then referred the bill to the Committee on Vice and Immorality.

BILL IN PLACE.

On leave given,

Mr. DAVIS read in his place and presented to the Chair a bill entitled An act to authorize courts to punish, by moderate fine, any Republican hotel keeper who shall refuse to entertain, with all the privileges of the house, any person on account of race or color.

Referred to the Committee on the Judiciary General.

Mr. WHITE moved that the Committee on the Judiciary General be discharged from the consideration of said bill, and that the Senate proceed to the consideration of the same.

Mr. CONNELL. Mr. Speaker, I have a bill which I would like to pass, and I hope time will not be consumed in frivolous measures of this sort.

Mr. GRAHAM. Mr. Speaker, I think it is very unfair for the Senator from Indiana [Mr. WHITE] to take this bill out of the hands of the gentleman who has read it in place, as he has charge of it and acts as godfather to it.

On the question,

Shall the committee be discharged from the further consideration of the bill? it was decided in the negative.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

The Clerk of the House of Representatives being introduced, informed the Senate that the House of Representatives has concurred in the resolution from the Senate requesting the Governor to return to the Senate for amendment bill No. 24, entitled An act to incorporate the German Savings Institution.

THE GERMAN SAVINGS INSTITUTION OF ERIE.

On motion of Mr. LOWRY, the Senate proceeded to the consideration of bill entitled An act to incorporate the German Savings Institution of Erie (which bill was returned to the Senate for amendment in pursuance of a resolution of both Houses).

Mr. LOWRY asked and obtained the unanimous consent of the Senate to amend the same in the sixth section by striking out the words "coal and iron," and by inserting in lieu thereof the words "iron and coal;" and by striking out the word "eighth" in the same section, and inserting in lieu thereof the word "fifth."

The bill, as amended, then

Passed finally.

BILLS CONSIDERED AND PASSED.

On motion of Mr. LOWRY, the Committee on Railroads was discharged from the further consideration of bill entitled An act to incorporate the Erie city passenger railway company,

And the rules having been dispensed with, the bill was read the second and third time, and

Passed finally.

On motion of Mr. M'CONAUGHY, the Committee on Military Affairs was discharged from the further consideration of bill entitled An act relative to the settlement of bounty accounts in the county of Franklin.

And the rules having been dispensed with, the bill was read a second and third time, and

Passed finally.

On motion of Mr. CONNELL, the Committee on the Judiciary Local was discharged from the further consideration of the bill entitled An act authorizing the Governor to appoint an additional notary public in the city of Philadelphia.

And the rules having been dispensed with, the bill was read a second and third time, and

Passed finally.

On motion of Mr. WALLACE, the Committee on Roads and Bridges was discharged from the further consideration of bill entitled An act to extend the term for completing the Clearfield and Curwensville turnpike road company, and to allow tolls to be taken upon the portion completed.

And the rules having been dispensed with, the bill was read a second and third time, and

Passed finally.

On motion of Mr. WHITE, the rules were dispensed with, and the Senate proceeded to the consideration of bill entitled A supplement to an act regulating the laying out and opening of public roads in the Commonwealth, approved June 18th, 1836.

The bill was twice read.

Mr. BROWN (Mercer). Mr. Speaker, it seems to me that this is a matter of very considerable importance. I would prefer that the bill be laid over for the present. The language of the bill is not as it should be. In my town there are three supervisors. The bill says, "by the supervisor."

Mr. M'CONAUGHY. I was going to make the same suggestion, and call attention to the phraseology of the first section, which reads as follows:

"The supervisor of roads of any township in this Commonwealth is hereby authorized to contract with the owner or occupant of any land through or by which any public road is located, to open or repair the same whenever said owner or occupant so desires."

Mr. WHITE. I am willing to lay the bill over till to-morrow. There may be one or two verbal corrections to be made. I have no wish to be hasty about it.

The bill was laid over to a third reading.

On motion of Mr. WALLACE, the rules were dispensed with, and the Senate proceeded to the consideration of bill entitled An act to authorize the borough of St. Mary's to borrow money, and to extend the width of St. Michael street in said borough.

The bill was read a second and third time, and

Passed finally.

On motion of Mr. CONNELL, the rules were dispensed with, and the Senate proceeded to the consideration of bill entitled An act to incorporate the Granite insurance company.

The bill was read a second and third time, and

Passed finally.

On motion of Mr. WORTHINGTON, the Committee on the Judiciary Local was discharged from the further consideration of bill entitled An act relating to the compensation of the commissioners of Chester county.

And the rules having been dispensed with, the bill was read a second and third time, and

Passed finally.

On motion of Mr. SHOEMAKER, the rules were dispensed with, and the Senate proceeded to the consideration of bill entitled An act for the relief of Nancy Welliver, widow of Jacob Welliver, a soldier of the Revolution.

The bill was read a second and third time, and

Passed finally.

On motion of Mr. BROWN (Mercer), the rules were dispensed with, and the Senate proceeded to the consideration of bill entitled A joint resolution instructing our Senators and requesting our representatives in Congress to procure a reduction of tax on petroleum.

The bill was read a second and third time, and

Passed finally.

On motion of Mr. WHITE, the rules were dispensed with, and the Senate proceeded to the consideration of bill entitled An act to authorize the commissioners of Jefferson county to borrow money.

The bill was read a second and third time, and

Passed finally.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

The Clerk of the House of Representatives being introduced, informed the Senate that the House of Representatives has concurred in the amenements made by the Senate to bill from the Senate numbered and entitled as follows:

No. 24, an act to incorporate the German Savings Institution of Erie.

[Which bill was returned by the Governor in pursuance of a joint resolution requesting its return to the Senate.]

The hour of one o'clock having arrived, the SPEAKER adjourned the Senate till eleven o'clock to-morrow morning.

HOUSE OF REPRESENTATIVES.

THURSDAY, January 31, 1867.

The House met at 10 o'clock, A. M.

The SPEAKER announced a quorum of members present.

The Journal of yesterday was partly read, when,

On motion of Mr. WRIGHT, the further reading of the same was dispensed with.

MESSAGE FROM THE SENATE.

The Clerk of the Senate being introduced, presented for concurrence bills numbered and entitled as follows, viz:

Senate bill No. 47, an act relative to the road laws in certain townships in Sullivan county.

Senate bill No. 80, a further supplement to an act incorporating the West Branch boom company, approved the 29th day of March, A. D. 1849, authorizing an increase of tolls on boomage.

Senate bill No. 95, a further supplement to an act entitled An act relating to corporations for mechanical, manufacturing, mining and quarrying purposes, approved July 18th, A. D. 1863.

Senate bill No. 105, an act relative to roads and highways in Schuylkill county.

Senate bill No. 162, an act to incorporate the New Britain and Doylestown turnpike road company.

Senate bill No. 102, an act to incorporate the Vulcan Iron Works.

He also presented the following extract from the Journal of the Senate:

Resolved (if the House of Representatives concur), That the Governor be requested to return bill No. 24, Senate file, entitled An act to incorporate the German Savings Institute of Erie, for the purpose of correcting two clerical errors.

SPEAKER'S TABLE.

The SPEAKER proceeded to clear the table of several Senate bills, numbered and entitled as follows:

Senate bill No. 80, a further supplement to an act incorporating the West Branch boom company, approved the 29th day of March, A. D. 1849, authorizing an increase of tolls or boomage.

Referred to the Committee on Corporations.

Senate bill No. 47, an act relative to the road laws in certain townships in Sullivan county.

Referred to the Committee on Roads, Bridges and Ferries.

Senate bill No. 95, a further supplement to an act entitled An act relating to corporations for mechanical, manufacturing, mining and quarrying urposes, approved July 18th, A. D. 1863.

Beferred to the Committee on Mining and Manufacturing Companies.

Senate bill No. 105, an act relative to roads and highways in Schnylkill county.

Laid on the table.

Senate bill No. 162, an act to incorporate the New Britain and Doylestown turnpike road company.

Referred to the Committee on Roads, Bridges and Ferries.

Senate bill No. 102, an act to incorporate the Vulcan Iron Works.

Referred to the Committee on Iron and Coal.

The extract from the Journal of the Senate was read.

Resolved, (if the House of Representatives concur), That the Governor be requested to return bill No. 24, Senate file, entitled An act to incorporate the German Savings Institution of Erie, for the purpose of correcting two clerical errors.

The resolution was read a second time, and

Agreed to.

PUBLIC CALENDAR.

The consideration of the bills on the public calendar being in order,

The House went into committee of the whole on House bill No. 108, an act authorizing the sale of agricultural land scrip,

Mr. LEE in the chair.

The first section was read as follows:

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same*, That the Surveyor General, under the directions of the board of commissioners, be, and is hereby, authorized to dispose of all land scrip remaining in his possession donated to this Commonwealth by act of the Congress of the United States, entitled An act donating public lands to the several States and Territories which may provide colleges for the benefit of agriculture and the mechanic arts, passed July second, one thousand eight hundred and sixty-two, and that he shall invest the proceeds arising from the sale of the scrip in the manner and under the direction of the board of commissioners, provided by the third section of the act of April first, one thousand eight hundred and sixty-three, entitled An act to accept the grant of public lands by the United States to the several States for the endowment of agricultural colleges.

The question being,

Will the Senate agree to the section?

It was agreed to.

The second section was read as follows:

SEC. 2. That after the scrip shall have been disposed of, and the proceeds arising therefrom shall have been invested, the Surveyor General shall annually add the interest accruing upon such investment to the principal, until otherwise ordered by the Legislature of Pennsylvania: *Provided*, That this act shall not be so construed as to deprive the Agricultural college of Pennsylvania of the interest accruing from the proceeds of the scrip heretofore sold.

Mr. SHARPLES. Mr. Speaker, I move to amend by adding at the end of the section the words "or hereafter to be sold."

The motion was

Agreed to.

Mr. WADDELL. Mr. Speaker, the section will require further amendment in the body of it to make it consistent with the amendment just offered. The body of the section provides that the interest accruing shall be added to the principal. Of course if the Agricultural college is to receive the interest accruing from all scrip hereafter sold, that interest cannot be added to the principal.

Mr. SHARPLES. Mr. Speaker, I think that the provisions of the act of Congress do not permit the adding of the interest to the principal. They cannot become as one—they must be left separate.

Mr. WADDELL. Mr. Speaker, I move to amend by striking out all in the section before the word "this" in the fourth line.

Mr. BOYLE. Mr. Speaker, I would like to ask the gentleman from Chester [Mr. SHARPLES] what would be the effect of this amendment? Would it give to the Agricultural college the interest accruing from the proceeds of all the land scrip hereafter sold?

Mr. WADDELL. No, sir, I think it would not affect that at all; I merely make my amendment so that the section may harmonize with the amendment of my colleague.

Mr. BOYLE. Mr. Speaker, I would like to know what would be the effect of passing the section amended in that shape.

Mr. SHARPLES. Mr. Speaker, I do not consider that it would dispose of the proceeds of the sale in any way whatever. I offered my amendment merely that the claims of the Agricultural college might not be prejudiced. I do not understand that it is given to this college more than to any other. But there is a bill before this House that proposes to appropriate the proceeds of that scrip to the benefit of this Agricultural college, and I desire that this bill shall simply be neutral in reference to this college—that while giving nothing to the college it shall not prejudice the claims or chances of the college.

The question being on the amendment of Mr. WADDELL,

It was agreed to.

The section as amended was

Agreed to.

The third section was read as follows:

SEC. 3. That the Governor, Auditor General and Surveyor General, as a board of commissioners, shall direct the payment of expenses of disposing of the said land scrip out of any moneys in the treasury not otherwise appropriated.

The question was,

Will the committee agree to the section?

It was agreed to.

The SPEAKER having resumed the chair,

Mr. LEE, chairman of the committee of the whole, reported the bill as amended.

The first section was read and

Agreed to.

The second section was read as follows:

SEC. 2. This act shall not be so construed as to deprive the Agricultural college of Pennsylvania of the interest accruing from the proceeds of the scrip heretofore sold or hereafter to be sold.

The question was,

Will the House agree to the section?

Mr. LEE. Mr. Speaker, I think the question of my friend from Fayette [Mr. BOYLE] is a very pertinent one. What is the effect of this section? If it has any meaning at all, it means that this Agricultural college shall get the entire proceeds of this donation to the State. I do not know but I shall vote for a proposition of that sort, but I want to know it when I do. I think that Agricultural college, properly managed, would be a very good thing, but it will have to be managed much better than when this Legislature was, unfortunately, I think, for the college, called upon to visit it. I would, therefore, like to know what we are to understand as the meaning of this section. If this second section does not give to the Agricultural college the entire proceeds from this grant, then I do not know what it does do. I am, however, prepared to vote on that proposition if the House so understand it.

Mr. MANN. Mr. Speaker, I do not see how there can be any doubt about this section. An act was passed during the last session of the Legislature upon this subject, authorizing these commissioners, the Governor, Auditor General and Treasurer, to sell one-third of this land scrip and appropriate the interest accruing from the proceeds of that one-third to this college. They are restricted to one-third—this is all they are authorized to sell—and the interest from that they are to give to this college. This second section without this proviso will repeal the act of last session, and will take from this college the whole of the interest arising from the sale of this land scrip. This proviso is put in merely to save to the college the benefit of the act of last year. That is all it does. Strike out this proviso and the act of last year is repealed so far as any benefit accruing to this college is concerned. I agree with the gentleman from Chester [Mr. WADDELL] in his amendment, and I think what is then left of the section is not worth talking about.

Mr. WADDELL. Mr. Speaker, I do not know as I would object to having the whole of the second section stricken out. My colleague [Mr. SHARPLES] has moved to amend by adding to the proviso the words "or hereafter to be sold." It struck my mind that this addition to the proviso was so inconsistent with the part of the section which provides "that after the scrip shall have been disposed of, and the proceeds arising therefrom shall have been invested, the Surveyor General shall annually add the interest accruing upon such investment to the principal until otherwise ordered by the Legislature of Pennsylvania," that I moved to amend by striking that part out.—My motion to strike out all before the word "this," was to make the section correspond with the amendment of my colleague. After that part is stricken out I do not see that the balance is worth talking about. It is immaterial whether this proviso is in or not, for in either case the accruing interest will take just such a course as the law now provides. If it is all to go to the Agricultural college, let it go there; but if not, the interest on this one-third will be appropriated as heretofore. All I desire is to have the bill consistent. The only thing that struck my mind was, whether, under the act of Congress, these commissioners would have the power to add the interest to the principal, as it accrued. I have not had an opportunity of seeing the act of Congress, and, if any member here has that act in his possession, I think it would be a favor to the House to have it read.

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[CONTINUED FROM PAGE 168.]

Mr. KURTZ. Mr. Speaker, I have not the act of Congress here, but it is my impression that it does not allow this Legislature to add the interest to the principal. I do not think it makes that provision or allows it.

Mr. LEE. Mr. Speaker, I desire to vote advisedly upon this bill. I grant that I have a sort of obtuseness of intellect that does not enable me to see matters so quick as some, but, if this bill means anything, to my judgment it means that the Agricultural college, in Centre county, shall have the entire proceeds of this sale. If it does not mean that, what does it mean? The proviso reads—"*Provided*, That this act shall not be so construed as to deprive the Agricultural college of Pennsylvania of the interests accruing from the proceeds of the scrip heretofore sold, or hereafter to be sold." I do not see why that does not embrace one-third, or two-thirds, or all of it. If you sell all of it hereafter, then the college is entitled to all of it. They are also entitled to all that has been heretofore sold. I want to know whether that is not the purpose and object of this bill, and if not, why is it not framed so that all may understand it? I venture to say that two-thirds of this House understand it as I do, for it seems to me that it is made just as plain as the English language can make it? If this is not the construction, what is it?

Mr. PENNYPACKER. Mr. Speaker, I do not understand that this bill has anything very particular to do with this college just now. I understand this bill to be an act to sell this land scrip. This land scrip is constantly depreciating in value, and it is important it should be sold before it depreciates further, and the money accruing from that sale shall be taken care of by the commissioners until otherwise ordered by this Legislature. This bill authorizes the sale of agricultural land scrip and in the second section it provides:

"That after the scrip shall have been disposed of, and the proceeds arising therefrom shall have been invested, the Surveyor General shall annually add the interest accruing upon such investment to the principal until otherwise ordered by the Legislature of Pennsylvania: *Provided*, That this act shall not be so construed as to deprive the Agricultural college of Pennsylvania of the interest accruing from the proceeds of the scrip heretofore sold or hereafter to be sold."

The first part being stricken out it reads:

"This act shall not be so construed as to deprive the Agricultural college of Pennsylvania of the interest accruing from the proceeds of the scrip heretofore sold or hereafter to be sold."

There is nothing in this section that is objectionable to my mind.

Mr. LEE. Mr. Speaker, I do not want the gentleman to understand that there is anything objectionable to it in my mind. I merely want to know what the construction is—what we are to understand by this bill.

Mr. PENNYPACKER. Mr. Speaker, that is what I am trying to get at. I want to understand that myself. I do not see that this amendment is going to effect this Agricultural college or effect the sale of this land scrip. I understand from the friends of the college that how these funds shall be appropriated is not a question in this bill. I do not see anything in it, and I think it is right and proper to leave the disposal of the funds to after legislation. The only question occurring to my mind is, that the Legislature should act immediately after the sale of this land scrip, and provide colleges or a college for the purpose of educating young men in the industrial interests of the Commonwealth. I do not see anything objectionable in the bill and I shall vote for it.

Mr. LINTON. Mr. Speaker, I was conversing with the Surveyor General the other day, and he took occasion to call my attention to this bill. It provides for the sale of the remainder of the college land scrip. There is no objection I believe to that. Second, it provides, as the bill reported, for the investment of the funds realized from the sale of the same. It provides for the investment of this fund under the act of Congress. It must be invested—it cannot be disbursed—and the interest thereon must be appropriated for specific purposes. But until the commissioners are directed how to appropriate this interest, it will have to remain dormant in the treasury, realizing nothing. It seems to me that the section, as originally presented, would be better, and if in order, I would move to substitute the original section in the place of the one reported by the committee.

Mr. BOYLE. Mr. Speaker, I am not very familiar with this section, but I would state the impression I have received in reference to it. If the amendment of the gentleman from Chester [Mr. SHARPLES] prevails, then there is certainly no need of the original proviso. If the first part of this section should be stricken out it leaves nothing that could be construed to take anything that belongs to it by the law as it now stands. Neither is there anything in the first nor the last section that could be so construed, and, therefore, there is no need of the second section. The first section only provides for the sale of the land scrip, in accordance with the act of 1863. I do not know whether any part of this act of 1863 has been repealed or not. But if not, then, sir, under the law as it stands, all the interest arising from the proceeds of the sale of this scrip would go to the Agricultural college, without any further action. I will read the fourth section of the act of April, 1863.

SEC. 4. That until otherwise ordered by the Legislature of Pennsylvania, the annual interest accruing from any investment of the funds acquired under the said act of Congress, is hereby appropriated, and the said commissioners are directed to pay the same to the Agricultural college of Pennsylvania, for the endowment, support and maintenance of the said institution, which college is now in full and successful operation, and where the leading object is, without excluding other scientific and classical studies, and including military tactics, to teach such branches of learning as are related to agriculture and the mechanic arts.

Now, sir, if we pass this bill we direct the sale of all this land scrip under the State law and the proceeds will go the Agricultural college.

Mr. WADDELL. Mr. Speaker, the gentleman from Fayette [Mr. BOYLE], in my opinion, is correct. I may say that, so far as I understand the wishes of the gentlemen who represent the interests of the Agricultural college, they have no desire to appropriate the interest arising from the sale of the two-thirds.

This bill did not originate with them, but I do not know that they have any objection to the bill. My reason, as I have before stated, for making my amendment grew out of the amendment of my colleague, because in examining the bill, as the gentleman from Fayette has stated, it strikes my mind it results in giving to the Agricultural college the interest on this two-thirds of the land scrip. But the serious question to me is, whether we have the power to provide, as the section now does provide, with the amendment making it as it originally read. If we have the power to do it, I think it is no more than right and proper to do it.

But if we are going to accept the amendment of my colleague, then we do not want the beginning of the section, because it is utterly inconsistent with the amendment. Rather than do that, we had better sweep the whole section out or pass it as reported from the committee. That is just my position, and I take it that it is the position of the gentlemen who are interested in the Agricultural college. They have no disposition or desire, at the present time, to interfere with the disposition of the proceeds of the sale of this two-thirds. All they ask is, that there shall be no interference with their present rights. And I presume that it was only the desire on the part of my colleague that they shall not interfere, that induced him to offer this amendment.

Mr. SHARPLES. Mr. Speaker, I am no lawyer, and I leave it for the lawyers to decide any legal points in this question, but I am at a loss to see how the word "deprive" can be so construed as to give to this college the benefit of the proceeds of the sale of all the land scrip. I merely ask that this act shall not, in any way, prejudice the chance of this college obtaining the benefit of any after legislation. I do not wish to interfere with the bill or its passage, for I am not opposed to it. I think it is proper and right that this scrip should be sold. If the gentleman who introduced this bill will satisfy my mind

that it does not interfere with the interests of the college and it is the wish of the Legislature to have it passed, I will favor it.

The SPEAKER. The question is on the amendment of the gentleman from Cambria [Mr. LINTON].

Mr. JONES. Mr. Speaker, I hope that the amendment will not be adopted, for the simple reason that I agree with those gentlemen who find that there is no necessity for the second section at all. The first section of the act provides for disposing of the money arising from the sale of this scrip, and the second section of the act, I think, would defeat the object, whether it were amended or not. The second section provides "that, after the scrip shall have been disposed of, and the proceeds arising therefrom shall have been invested, the Surveyor General shall annually add the interest accruing from such investment to the principal, until otherwise ordered by the Legislature," &c. In addition to this, there is a proviso that this act shall not be so construed as to deprive the Agricultural college of Pennsylvania of the interest accruing from the proceeds of the scrip heretofore sold. Now, I do not know what proportion of this scrip has been sold, although I understand that it is one-third the entire amount. But, before this bill becomes a law, the entire amount may be sold, and in that case the whole amount will be appropriated to this college, instead of its being appropriated in the manner prescribed in the first section. I think, therefore, that the object of the bill would be defeated, whether amended or not. I trust that the amendment will not be adopted, and that the second section will be stricken out of the bill.

Mr. BOYLE. Mr. Speaker, I have no feelings in this matter, but I want to vote understandingly on it. It is a very important measure, and I want to know what I am doing. Now, I say that if the first part of this second section should be stricken out the interest on this entire fund will go to the Agricultural college of Pennsylvania, with or without the proviso. I understand that the friends of the college do not ask that. I understand that they only want to secure to the college the interest arising from the amount already directed to be sold. I would ask the gentleman from Chester [Mr. SHARPLES] if I am right in that view.

Mr. SHARPLES. Mr. Speaker, I understand that the college has already received that. The only idea that I have in reference to the matter is that the college shall not be prejudiced for or against after legislation in regard to this fund.

Mr. LINTON. Mr. Speaker, the bill provides for two purposes—the selling of scrip and the investment of the proceeds. If the second section is stricken out there will be no authority for investing this fund. The act of Congress provides that it shall be invested, but there is, nevertheless, no authority given the authorities of this Commonwealth to invest it if this second section is stricken out.

Now, I ask what the gentleman proposes to do with the fund after the sale of the scrip is made? Some two hundred thousand dollars will accumulate in the treasury from this sale. Do they intend it shall lie there dormant, doing nothing, or do they intend it shall be invested? If they intend it shall be invested this second section, or something similar, must be adopted, and I do not understand that there is any objection to authorizing these commissioners to invest this fund. There seems, however, to be some doubt about the way the interest arising from this fund will be used. Now, if there is any doubt upon this subject it would appear proper to amend this bill so as to provide in what way the interest arising from the fund should be appropriated.

But, Mr. Speaker, it seems to me that it is important that we should, in this bill, provide some means by which the fund shall be invested or we cannot realize the advantages of the act of Congress. I do not see any objection to the bill as reported. It provides that the fund shall be invested, and after it is invested the interest shall be paid to this board, and if the Legislature has determined how that interest shall be appropriated it will be appropriated as it has directed. But if the Legislature has not determined how it shall be appropriated, then they will reinvest it as fixed by the Legislature. I think, therefore, this bill as first reported will accomplish all that is intended.

Mr. WADDELL. Mr. Speaker, I hope the House will excuse me for troubling them so often with this matter, but I desire that we should understand it thoroughly before we vote upon it. Now, the question has been asked by the gentleman from Cambria [Mr. LINTON] what will become of the interest arising from this fund after the land scrip has been sold under the provisions of the first section? Under the act of 1863 the interest arising from the sale under the provision of the first section will go to the Agricultural college, as has been suggested by the gentleman from Fayette [Mr. BOYLE] and myself. I desire to call the attention of the House particularly to that act. The first section of the act of 1863 provides that the State of Pennsylvania will accept the donation from Congress of this land scrip. The second section provides "that the Surveyor General of the State of Pennsylvania is hereby authorized and required to do every act and thing necessary to entitle this State to its distributive share of land scrip, under the provisions of the said act of Congress, and when the said scrip is received by him for the purpose of the same, under regulations as the board of commissioners, hereafter appointed by this act, shall prescribe."

The third section provides "that the Governor, the Auditor General, and the Surveyor General, are hereby constituted a board of commissioners, with full power and authority to make all needful rules and regulations respecting the manner in which the Surveyor General aforesaid shall dispose of the said land scrip, the investment of the proceeds thereof in the stocks of this State, and apply interest arising therefrom as herein directed, and in general do all and every act, or acts, necessary to carry into full effect the said act of Congress: *Provided*, That no investment shall be made in any other stocks than those of the United States or of this Commonwealth."

The fourth section provides:

"That until otherwise ordered by the Legislature of Pennsylvania, the annual interest accruing from any investment of the funds acquired under the said act of Congress is hereby appropriated, and the said commissioners are directed to pay the same to the Agricultural college of Pennsylvania, for the endowment, support and maintenance of the said institution."

Now, sir, it was supposed that the board of commissioners thus constituted had full power to sell all the scrip and to appropriate the interest accruing from it to this college, but, in 1866 this Legislature passed an act providing for paying the expense of the sale and then this proviso, that not more than one-third of this land scrip donated to this State shall be sold under the provisions of this act. Therefore it restricts the sale of this land scrip by these commissioners under the act of 1863 to one-third of it. But, as that act said nothing about the proportion, of course, if they were only entitled to sell one-third they were only entitled to appropriate the interest arising from one-third. But, sir, if we go on and sell the remaining two-thirds, the first section of this act leads us irresistibly to the conclusion that, under the act of 1863, this Agricultural college would be entitled to all the interest arising from the proceeds of the sale of that two-thirds.

I only want the House to have a distinct understanding of this matter, and if it is then the wish of the House to pass it I am willing to vote for it. I do not want this question to pass with any subterfuge. I am not here for the college to snake it through in any underhanded manner, and they don't ask anything of the kind, it I understand the gentlemen interested in that institution.

Now, the only question that arises in my mind is as to our power to add the interest as it accumulates, to this two-thirds of the principal, and thereby make a sinking fund of it as it were. I hope the gentleman from Potter [Mr. MANN] will examine the act of Congress on this point and give us his opinion on the subject. If, under the act of Congress, we have that power, I am in favor of having the second section remain just as it was reported from the committee.

Mr. MANN. Mr. Speaker, if I understand the question before the House it is to amend the second section of this bill that it will stand the same as when reported from the committee. I am decidedly in favor of that amendment. As I read the act of Congress appropriating this land, it gives the authority which this section provides. Section fourth of the act of Congress of July 2, 1863, reads as follows:

And be it further enacted, That all moneys derived from the sale of the lands aforesaid by the State to which the lands are apportioned, and from the sales of land scrip, hereinbefore provided for, shall be invested in stocks of the United States, or of the State, or some other safe stocks, yielding not less than five per centum upon the par value of said stocks, and that the money so invested shall constitute a perpetual fund, the capital of which shall remain forever undiminished (except so far as may be provided in section fifth of this act), and the interest of which shall be inviolably appropriated by each State, which may take and claim the benefit of this act, to the endowment, support and maintenance of at least one college, where the leading object shall be, without excluding other scientific and classical studies, and including military tactics, to teach such branches of learning as relate to agriculture and mechanic arts, in such manner as the Legislatures of the States may respectively prescribe, in order to promote the liberal and practical education of the industrial classes in the several pursuits and professions in life.

Mr. Speaker, you will observe that this section provides that the interest shall be appropriated to the endowment of at least one college. By an act of the Legislature of this State we have provided for the endowment of one college. We have made that provision. I hold that, under this act of Congress, we are at liberty to take the balance in hand for the endowment of that college and invest it as this second section provides. The act of Congress provides that the money arising from the proceeds of the sale of this land shall be invested. There is no discussion upon that point. Now, we have provided by the legislative act of 1863 and by the act of 1866 how much of that interest is needed for the endowment of this college. We have determined that question by previous legislation. We have decided that the interest on one-third of the proceeds of this land scrip is sufficient for this purpose and the act of Congress does not require us to go any further. It requires us to endow at least one college for that purpose, and we have done so by appropriate legislation. This bill, as originally

reported from the committee, simply provides, in addition to previous legislation, that the whole of this land scrip shall be sold, and that the surplus funds shall be invested in a proper way. We clearly have that power under the act of Congress, and there is no reason, that I can see, why we should not do so, for there is no other college at present endowed. The reason why this proviso was put into the act of 1866 was, that there were persons upon this floor saying that the time would come when this fund would warrant the endowment of other colleges, and if so, they ought to be endowed. The second section of this bill is simply in harmony with our previous legislation, that the superfluous fund shall be invested until it is wanted. The act of Congress giving us that power, I am in favor of restoring this second section as it was reported from the committee. It seems to me that the whole confusion we have been led into has grown out of an attempt to change this bill from its original language and construction. It was clear before, and our previous legislation was clear and consistent. In the act of 1863 we accepted this grant of Congress, and we legislated in harmony with it when we provided that the Auditor General, the State Treasurer, and the Governor, shall constitute a board of commissioners to sell this scrip and invest the proceeds according to act of Congress. But the act of 1863 made no provision for paying the expense of the sale, and the commissioners found they could not proceed. Hence the necessity of the act of 1866. We then imposed the restriction upon those commissioners that they should not sell more than one-third of it, and if it had not been for that restriction there would be no necessity for this bill. Under the present law they can sell only one-third of this land scrip, and it is depreciating in value every day. In 1862, when this donation was made, it might have been sold for one dollar and twenty-five cents per acre. Now it could not be sold for more than fifty cents per acre, and unless soon sold, it will still further depreciate in value. Emigration is going westward with great rapidity, and the further we locate our lands westward, the less valuable will they be.

There is a little ambiguity in the motion before the House, which I would like to have cleared up. I advocate this section as it was printed, and I think the addition of the words "or hereafter to be sold," will give to the Agricultural college the interest on the whole of this proposed investment. I, therefore, think those words should be stricken out of the proviso. They certainly ought not to be in there. They make it look as if we intended to give this Agricultural college the whole of the proceeds from the sale of this scrip. We do not intend anything of that kind. We intend to leave the legislation in reference to that college just as it was last year. By striking out the words "or hereafter to be sold," it seems to me that it leaves it clear that this college shall have the interest of the proceeds of one-third of the land scrip and that two-thirds shall be invested under the provisions of this second section. I move to amend the amendment by striking out the words "or hereafter to be sold."

Mr. EWING. Mr. Speaker, I believe that the act of Congress prescribes that the interest arising from this scrip shall be applied to a certain purpose, and it is doubtful in my mind whether we have the right to add this interest to the principal. The act of Congress prescribes the limit of five years in which the intention of the act shall be carried out; otherwise both the principal and the interest is to revert to the United States. However, I believe that the time was afterwards extended in favor of those States which had not accepted the provisions of the act. Now, the question arises whether, if we provide for the sale, as in the first section, we are not bound to provide a place where this interest shall go, in accordance with the provisions of the act of Congress? It seems to me that otherwise, we lose the benefit of the act, so far as the two-thirds are concerned. Of course we want the benefit of the whole amount. I am not certain about this matter, but I desire to call the attention of the House to it.

The question being on the amendment to the amendment, it was

Agreed to.

The amendment of Mr. LINTON was then

Agreed to.

The question recurring on the section as amended, it was

Agreed to.

The section now reads as it was reported from the committee.

Section third was read as follows:

SEC. 3. That the Governor, Auditor General and Surveyor General, as a board of commissioners, shall direct the payment of expenses of disposing of the said land scrip out of any moneys in the treasury not otherwise appropriated.

The question being on agreeing to the section, it was

Agreed to.

The bill was then agreed to.

The rules were suspended,

The bill was read a second and third time, and

Passed finally.

The House went into committee of the whole on bill No. 124, Mr. QUIGLEY in the Chair.

The following is a copy of the bill:

AN ACT supplementary to an act for the regulation and continuance of a system of education by common schools, approved the eighth day of May, Anno Domini one thousand eight hundred and fifty-four.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same*, That from and after the first Monday in June, Anno Domini one thousand eight hundred and sixty-seven, and every year thereafter, there shall be levied and assessed upon all real estate and personal property now made taxable for State or county purposes, in the several cities and counties of this Commonwealth, a tax of two mills upon the dollar of the assessed valuation of said property, and the amount thus raised shall be applied exclusively to defray the expense of instruction in the common schools of the Commonwealth.

SEC. 2. That the tax to be raised by the first section of this act shall be levied, assessed and collected by the same officer, in the same manner, and be paid over to the county treasurer at the same time as is now provided for by law for the levying, assessing, collecting and paying over State and county taxes in the several cities and counties of the Commonwealth, and with like compensation.

SEC. 3. That it shall be the duty of the treasurer of the several counties of the State to pay over to the State Treasurer the tax provided for by the first section of this act, as fast as collected; and if the whole amount due from any county be not paid over before the second Tuesday of January in each year to the said treasurer, then, and in that case, the amount remaining unpaid, after deducting such commissions as are or shall be allowed by law for the collection of the same, shall be charged against said county on the books of the State Treasurer, and shall bear an interest of seven per centum until paid; and no payments shall be made to or in behalf of said county, under the various acts relating to common schools, until the said balances are fully paid and settled: *Provided*, That if any of the several collectors of the said county shall not have collected and paid into the county treasury the amount of said State tax due by said county, then, and in that case, the deficiency shall be paid out of any money in the treasury of said county, or which shall hereafter be first collected and paid into the same, whether on the duplicate for county or State tax: *And provided further*, That if it shall appear from the receipts of the county treasurer that the said tax has been paid into the county treasury before the time specified in this act for the payment into the State Treasury, then, in that case, the county treasurer shall be personally liable to the respective counties for any interest which may accrue on such unpaid balance.

SEC. 4. That in the event of the commissioners of any city or county neglecting or refusing to comply with any requirements of this act, it shall be the duty of the Supreme Court, or the court of common pleas of said county, upon the application of the State Treasurer, whose duty it is hereby made to apply for the same, to award a writ of mandamus, requiring compliance therewith, and enforcing obedience thereto, in the manner provided for by existing laws.

SEC. 5. That the State Treasurer shall certify under his hand and seal of office to the Superintendent of Common Schools, on or before the first Tuesday of February in each year, the amount of school tax raised by the provision of the act, in the several cities and counties of the Commonwealth.

SEC. 6. That, in addition to the amount raised by the provisions of this act, there shall be appropriated annually, out of any money in the State Treasury not otherwise appropriated, the sum of three hundred thousand dollars, which said sum shall also be applied exclusively to the payment of the cost of instruction in the common schools of this Commonwealth.

SEC. 7. That it shall be the duty of the assessors of the several townships, cities and boroughs of this Commonwealth, in addition to the duties now imposed upon them by law, to take the census of all the children actual residents in their respective townships, cities and boroughs, and in all independent districts embraced within the limits of said townships, between the ages of six and twenty-one years, and return the same, under oath or affirmation, to the commissioners of their respective districts, on or before the second Tuesday of January in each year, said census to be taken at the same time as the assessment.

SEC. 8. That it shall be the duty of the commissioners of each county to certify, under their hands and seals of office, the whole number of children actual residents of each district returned to them by the assessors, on or before the first Tuesday of February in each year, as provided for by the third section of this act, to the Superintendent of Common Schools: *Provided, however*, That if the commissioners of any county shall neglect to forward such certificate on or before the second Tuesday of March in any year, the superintendent may, in such case, adopt the number of children in the last preceding return: *And provided further*, That if any error shall occur in the certified return of the number of children, whereby a district shall receive more or less of the school fund than is justly due said district, the county commissioners shall have authority, and they are hereby required, immediately after such error being made known to them, to forward to the superintendent a correct certified return.

SEC. 9. The moneys raised by the State tax provided by the first section of this act,

and the amounts annually to be appropriated out of the State Treasury, as provided in the sixth section of this act, shall constitute State school money, which shall be divided and apportioned by the State Superintendent, on or before the second Tuesday of March in each year, as follows: One-half thereof shall be apportioned and disturbed to the several school districts of the State according to the number of schools in said districts, taking first all the common schools of the Commonwealth as the basis of such apportionment and distribution, and the other half thereof shall be apportioned and distributed to the several school districts of the State, according to the whole number of children in said districts, taking first the whole number of children in the Commonwealth, as ascertained by the census provided in the seventh and eighth sections of this act, as the basis of such distribution.

SEC. 10. That the board of directors or controllers of townships, boroughs and cities (where the school property is vested in them agreeably to the provisions of the second section of the general school law approved May eight, Anno Domini one thousand eight hundred and fifty-four), may, once in each school year, levy and collect a tax not exceeding the amount of State and county tax authorized by law to be assessed, to be applied solely to the purpose of purchasing or paying for ground and the erection of school buildings thereon, incidental expenses, which said tax shall be levied and collected in the same manner and with like authority as the regular annual tax for school purposes.

SEC. 11. That the school directors or controllers of any district shall annually, and by a majority of the members of the board, determine the amount of school tax which shall be levied for school purposes on their district for the ensuing year, which shall, together with such additional funds as the district may be entitled to receive out of the money raised in accordance with the provisions of the first and sixth sections of this act, and from all other sources, be sufficient to keep the school of the district in operation not less than five nor more than ten months in the year.

SEC. 12. That as soon as the schools of any district shall have closed for the school year commencing on the first Monday of June preceding, the presidents of the boards of directors, or controllers, shall certify, under oath or affirmation, as to the whole number of months the schools in their respective districts have been kept open and in operation, according to law; also, that no teacher has been employed for, or had charge of any of the schools of said district, during the year, who had not a valid certificate from the county superintendent, together with the name and postoffice address of the district treasurer, and shall forward the same to the county superintendent, who shall immediately approve said certificate, if found to be correct, and transmit it to the State Superintendent of Common Schools; if it shall appear by said certificate that the schools of the district have been kept open and in operation, according to law, at least five months subsequent to the first Monday of June preceding, and that no teacher has had charge of any of the schools of the district during the whole time they have been kept open during the year who had not a valid certificate from the county superintendent, the State Superintendent shall draw his warrant upon the State Treasurer for the whole amount which such district is entitled to receive from the annual State appropriation: *Provided*, That the board of directors or controllers shall, at the same time, forward to the county superintendent a report of the condition of the schools in their respective districts, as directed in the twenty-third section of the act of May eighth, one thousand eight hundred and fifty-four: *And provided further*, That said certificate and report shall have been transmitted to the Superintendent of Common Schools on or before the fifteenth day of July of the school year succeeding the one for which the certificate and report were made.

SEC. 13. That the following sections of the general school law are hereby repealed: the thirty-third, twenty-eighth and forty-eighth sections of the act entitled An act for the regulation and continuance of a system of education by common schools, approved the eighth day of May, Anno Domini one thousand eight hundred and fifty-four, and the first and third sections of an act supplementary to the said act, approved April seventeenth, Anno Domini one thousand eight hundred and sixty-five, together with all other acts, or parts of acts, supplied by or inconsistent with any of the provisions of this act.

Mr. MANN. Mr. Speaker, I move to amend in the last line of the eleventh section, by striking out the word "five" and inserting the word "six," and in the thirteenth line of the twelfth section by striking out the word "five" and inserting the word "six."

The motion was

Agreed to.

The remainder of the bill was agreed to in committee of the whole.

The SPEAKER having resumed the chair, Mr. QUIGLEY, chairman of the committee of the whole, reported the bill with amendments.

The first section was read.

Mr. SHARPLES. Mr. Speaker, I move to amend in the eighth line, by striking out the words "two mills" and inserting the words "one mill."

On the question,

A division was taken, and the motion was

Not agreed to.

Mr. DONOHUGH. Mr. Speaker, I offer the following amendment to the section:

Provided, That the provisions of this section shall not apply to the city of Philadelphia.

Mr. QUAY. Mr. Speaker, I move to amend the amendment by including the county of Beaver.

The motion was

Not agreed to.

Mr. STEACY. Mr. Speaker, I move to include Lancaster county.

The motion was

Not agreed to.

Mr. BARRINGTON. Mr. Speaker, I move to include Northampton county.

The motion was

Not agreed to.

Mr. JONES. Mr. Speaker, I move to include Berks county.

The motion was

Not agreed to.

Mr. THARP. Mr. Speaker, I move to include the county of Northumberland.

The motion was

Not agreed to.

Mr. KLINE. Mr. Speaker, I move to include the county of Lehigh.

The motion was

Agreed to.

Mr. HEADMAN. Mr. Speaker, I move to include the county of Bucks.

The motion was

Not agreed to.

Mr. PENNYPACKER. Mr. Speaker, I do not see the necessity of making these motions at all. When we come to vote on the bill, we can vote it down. I do not think it is right to excuse counties. I think, however, Philadelphia should be excepted as it has a school system of its own. I am opposed to the whole bill, and I shall vote against the whole thing.

The question was on the motion of Mr. DONOHUGH.

Mr. LEE. I trust the House will see the propriety of passing this amendment, because we have an independent school system in Philadelphia. We support our own schools, and do it in a way to our satisfaction. And I ask the Legislature not to impose on that people an additional tax of two mills, when the tax now raised for school purposes, and the appropriation made by the city, is not absorbed for school purposes by thousands of dollars. This tax is all merged in a general fund; and I remember, when I was one of the board of control in Philadelphia, the entire State appropriation, and some twelve thousand dollars of the school fund, in addition, was used for other purposes than that for which it was collected. There would be no use in imposing upon Philadelphia this additional tax, nor would it be used for school purposes, unless you pass a bill requiring that it shall be done.

Mr. BARTON. Mr. Speaker, I move to indefinitely postpone the bill and the amendment.

Mr. MANN. I hope that the motion will not prevail. I have been so much engaged on committees that I have been unable to prepare for this discussion. In fact, I was under the impression it was not coming up this morning. But I look upon this motion, made by the gentleman from Delaware [Mr. BARTON], as the most important motion that has been made in this House during the present session. That motion strikes directly at the most important interest of this Commonwealth. The indefinite postponement of this bill will say to the people of Pennsylvania that the Legislature is opposed to supporting a common school system, in harmony with the principles upon which this school system was based. When we originated this common school system, it was decided that we should tax all the property in a district for the education of the children in the district, no matter whether the men taxed had any children to send to school or not—no matter whether the property was owned by residents of the district or not. When we taxed all the property in a school district, for the education of the children of that district, we did it upon the principle that the property of the State ought to educate the children of the State; and, if that proposition be true, then all the property of the State ought to be taxed alike to educate the children therein. Until we act upon that principle, we are not acting in harmony with the principles upon which this system was based; and the proposition to tax all the property in a school district, to educate the children there, can be justified upon no other ground than that all the property of the State shall be taxed alike to educate its children. Under our present system, in the district in which I reside, we are obliged to pay a tax of twelve and one-half mills on the dollar, to educate the children of that district. In the district where the gentleman resides who made this motion [Mr. BARTON], property is obliged to pay only some three or four mills on the dollar, for the same purpose; and I say that that inequality cannot be justified upon any of the principles upon which the system of common schools is based. There is no justification for taxing the property of a man who does not send scholars, except upon the principle that all property should be taxed alike for the education of all children of the Commonwealth. It is unjust, a great hardship to go into a poor district where they have but a small amount of property, and compel them to keep their schools open four or five months

and yet be obliged to levy a tax of from twelve to fifteen mills on the dollar, and, if they build school houses, twenty-five mills on the dollar; and then go into a wealthy district, and only require them to pay a tax of seven or eight mills on the dollar for the same purpose—and that is what our present system does!

The motion of the gentleman from Delaware [Mr. BARROW] is, to say to the people of Pennsylvania that this state of things is to go on—this inequality is to continue—and that the poor districts of the State are to be taxed to the utmost of their ability to keep open the schools four months in the year; when, in the richer and more flourishing districts, they are able to keep the doors of their schools open ten months in a year. There are districts represented by many of the members here that are taxed twelve and one-half mills on every dollar of property, just to keep the schools open barely four months in the year; and there are places where we are obliged to give them authority to levy and collect a tax of fifteen mills on the dollar, in order to keep their schools open long enough to be of any service; while in other districts they are taxed only three or four mills to keep their schools open ten months in the year. This is not in accordance with the principles on which this system was based. It is a direct violation of it, and of all the rules of equity and fairness. There is a large amount of property owned in all parts of the State, by persons who do not live there. How do you justify the levying of taxes upon that for school purposes? I know a gentleman in Delaware county, owning thousands of dollars worth of land in the county of Potter, and who is obliged to pay from twelve and one-half to twenty-five mills on every dollar of that property to support the schools, and build schoolhouses, although he is a non-resident of that district, and sends no children to the schools there. I ask upon what principle he is taxed there for school purposes? I answer that it is upon the principle that the property of the State ought to support the schools of the State. But when we single out a certain district and say that they shall pay four times that which other districts do to sustain schools for the same length of time, it cannot be justified. Because certain districts are more wealthy and more thickly populated than others, is it any reason why we should depart from this principle of taxation in their favor? Take the districts of the same county. Is there any reason why a district in one part of the county shall keep its schools open ten months in the year on half the tax that keeps a school open in a more thinly populated district four months in the year? Can that be justified? But our system, as at present organized, does do that, and the motion of the gentleman from Delaware, if it prevails, is as much as to say to the people of this State that this state of things is to continue. I hope the motion will not prevail.

Not expecting this discussion would come up this morning, I am unprepared to discuss this matter as it ought to be. I hope other gentlemen are prepared and that this motion will not be put until there is a full ventilation of this question.

Mr. SHARPLES. Mr. Speaker, I fully agree that all the property of the State ought to be taxed alike for school purposes, and for that reason I am opposed to this bill. It provides for taxation in many counties in this State without their receiving a compensating benefit. Our people in Chester county are willing to assist in educating the children of the State, but they are very desirous that their schools shall not be crippled by any legislation here, We are heavily taxed now. This bill proposes to tax Chester county some forty-eight thousand dollars, which would not be wrong, provided that the system was a fair and equal one throughout the State. You will find in looking over the bill that some of the provisions of the bill are very objectionable. It is the disposition of the fund that I object to particularly. I am not speaking so much of the first section, but of the bill generally. The disposition of the fund giving one-half of it to the schools, according to the number in the district, will appropriate it very unfairly indeed. In the county of Mercer there are two hundred and twenty-nine schools, and they would receive some thirteen thousand dollars, and the county of Montgomery, with two hundred and twenty-six schools, will receive some twelve thousand dollars. Now, the county of Montgomery will be called upon to pay, under the provisions of this bill, a tax of nearly forty thousand dollars, while the county of Mercer will be called upon to pay about ten thousand dollars, or only about one-fourth as much, while, by distributing the funds according to the provisions of this bill, the county of Montgomery will receive less than the county of Mercer. So with counties in a few other instances. The county of Armstrong, with two hundred and sixteen schools, will receive twelve thousand dollars, and the county of Franklin, with two hundred and twenty-eight schools, will receive some eleven thousand dollars, while the county of Armstrong will pay into the fund about six thousand dollars, and the county of Franklin will pay nearly thirteen thousand dollars. And this inequality runs through the whole affair—this unequal distribution of the funds. If the gentlemen favoring this bill had accepted the amendment of one mill instead of two, I might have favored it. I am in favor of increasing the appropriations to the common schools of the Commonwealth to six hundred thousand dollars—of doubling the State appropriation. But I am not in favor of this unequal way of assessing and distributing the funds. We are already heavily taxed in Chester county, but the fund distributed to us through the provisions of this bill would not keep our schools more than one-fourth the time they are now. It is a bill that would operate against the prosperity of our schools. The people will, of course, complain at this extra taxation, and it would result in a reduction of the number of the months the schools are kept open during the year. While we do not desire to cripple the schools in the districts merely selected, we do desire that the schools now in a prosperous condition shall not be injuriously affected by any kind of legislation. But if this bill is to pass in this shape, such will be the result.

Mr. KOON. Mr. Speaker, I am not in favor of this bill. I think it will complicate the school system without any compensating advantages. I see no reason for the bill, and I think it may work great injury. Now, if the representatives of Philadelphia do not want the bill to apply to their city, I call upon them to vote down the entire bill. I am satisfied that the bill will operate injuriously. This constant tinkering with the school law I deprecate. There was an effort made last year to meddle with the school law, and I am opposed to these persistent attempts to make changes.

Mr. KIMMELL. Mr. Speaker, I understood the gentleman from Philadelphia [Mr. LEE] to say that Philadelphia is an independent school district. I simply desire to ask him the question whether Philadelphia does not receive her proportion of the State appropriation in the same manner, in proportion to the number of children in that city, as do the other counties in this State?

Mr. LEE. It does; but that does not affect the question now under consideration. We are an independent school district, and we have the government and management of our schools under the auspices of a board of control that make an appropriation for school purposes out of the fund we collect from our people by taxation. Our city has nothing to do with this tax as contemplated in this bill.

Mr. SATTERTHWAIT. Mr. Speaker, I hope the pending amendment to except Philadelphia will not be adopted. If there is anything in the argument that has been advanced in favor of this bill it certainly applies with greater force to Philadelphia than to any other part of the State. I cannot see the force of the argument of the gentleman from Philadelphia [Mr. LEE] that because they are a separate district, and are willing to sustain their own schools, that they should be exempted from the operations of this law.—There are probably other counties that would be affected injuriously by this bill, and would like to claim the same privilege. We, of Montgomery, are willing to sustain our own schools if the State will let us. But we demand no such favors, and I trust they will not be granted in this case to Philadelphia. If the gentlemen from Philadelphia are opposed to the bill let them vote with us and vote the entire bill down.

Mr. DEISE. Mr. Speaker, I regard this as one of the most important bills to be presented to this body this session. The subject of education is one of importance to every man in this Commonwealth. I regret very much to find any disposition here on the part of members representing particular localities to come to the conclusion that they are the special representatives of that locality, and that they are not here representing the interests of the whole State. I find that very early in the history of this Commonwealth the subject of education received particular attention from eminent statesmen. In fact, one of the earliest provisions adopted in our Constitution is so much to the point that I commend it to the special attention of the Legislature.

Article 7, section 1, reads: "The Legislature shall, as soon as conveniently may be, provide by law for the establishment of schools throughout the State in such manner that the poor may be taught gratis."

They are not here designated as the poor of special counties, but of the State at large. But, if it was the intention of the framers of the Constitution, and the men who had the subject of education in charge then, that the poor of the State should be taught gratis, I hold that we, as representatives of the people, and as their successors, are in duty bound to legislate upon this subject in reference to all the children of the State. I agree with the gentleman from Potter [Mr. MANN], for one, that there is great inequality upon this subject of education. In some of the districts of Pennsylvania, the schools are kept open for but four months in the year, while in others they are kept open ten months. In the cities and towns of the State, and especially in the city of Philadelphia, schools equalling colleges, are kept open for a period of ten months for the same rate of taxation as where they have only four months' school. Is this right? Is it just? I hold that our duty is to educate the poor of the State. They are not the poor of any particular locality, but the poor of the State. Why should not the poor boy, living in a remote county, receive an education at the hands of the State? Why appropriate to colleges large sums of money, while the poor of many counties have but four months schooling under the common school system of Pennsylvania? I admit that this bill strikes Chester county very severely—that forty-eight

thousand dollars is a very large sum, but they are able to pay it, and they are just forty-eight thousand dollars better off than some other counties; yet the poor in the interior have to be content with four months' school. In my county, I am taxed fourteen mills on the dollar, while in some other counties the tax is but three mills; yet my boy is entitled to the same privileges as others. I ask that we should act as a body of men representing the State, and not as representing particular districts. Let us have a school system that will operate equally over the entire State. Where the property is valuable, let it be taxed at the same rate as where it is of less value. I will support this bill, or any other bill, that is fair and just to the educational interests of this State. Therefore, I think the gentleman from Delaware [Mr. BARTON] should not insist upon his motion to indefinitely postpone this bill.

Mr. KINNEY. Mr. Speaker, this bill was reported last winter by a special committee appointed by the two Houses for the purpose of preparing a bill to better regulate and maintain the common school system. It received a great deal of care and attention from that committee. They had before them the school laws of the various States and from those they compiled this bill. It met with the approbation of the committee, and is taking another step in the direction of the policy advocated by Thaddeus Stevens, Thomas H. Burrowes, Andrew G. Curtin, and others, that the property of this Commonwealth should educate its children. You recollect, sir, that many years ago a plan was devised for the education of the children of this Commonwealth, and they were educated as poor children. The plan did not work well, and these men introduced this system. I have no doubt that it works hard in some of the rich districts, but they should either throw the plan overboard or adopt it as a whole. In our county, we, perhaps, have to pay a little for new counties, and we are willing to do it. We believe that the education of the children of the Commonwealth adds very much in sustaining the established institutions of our country, and for that and other reasons we are in favor of this bill.

Mr. WILSON. Mr. Speaker, is strikes me that there are many gentlemen in this House who are not exactly prepared to vote for this bill nor to postpone it indefinitely. Now, if in order, I would move to amend the motion of the gentleman from Delaware, and make the further consideration of this bill the special order for Wednesday next.

The SPEAKER. Will the gentleman from Delaware withdraw his motion to indefinitely postpone, in order to allow the gentleman from Allegheny to move to postpone the further consideration of the bill until Wednesday next?

Mr. BARTON. I am not willing, regarding the bill in the light which I do, to do so.

Mr. M'CAMANT. Mr. Speaker, I hope the good sense of this House will vote down the motion. There are many here who have not had an opportunity to look at this bill—I for one have not. Therefore, I think, that it is not asking too much that we should have a week's time to consider this bill.

Mr. ALLEN. Mr. Speaker, as has been stated by gentlemen who have spoken upon this subject it is one of vast importance—not to any particular locality alone in the State, but to the State generally. It is important to the interests of the poorer classes especially. So far as I am concerned, I am disposed to do anything that is fair. I have listened with much attention to the remarks of the gentlemen who represent the counties that will probably be burdened a little by this bill. And with those gentlemen I am disposed to reason and grant them what would be just to their constituents. But I think the motion to indefinitely postpone is unjust and improper. We are all aware that something of the kind is necessary. We are all aware that it is but just that the wealthy portions of this Commonwealth should have some feeling of sympathy for the poorer classes. It is to the benefit of Philadelphia that the wide of Pennsylvania should be built up, that the children of the State, instead of growing up in ignorance, should become intelligent men and add to the tributary powers throughout the State that are to the benefit of Philadelphia.

The gentleman who asks that Philadelphia shall be excepted from the operations of this bill says that they have a school system of their own, but he does not indicate that they are not willing to accept there portion of the State appropriation that they accept very cherfully. If any exception is made at all in their case, let them also be excepted from the State appropriation. Let the poorer counties have it.

Now, I say I am willing to do anything that seems just to all parts of the State. But, sir, the gentleman ought not now to insist upon his motion to postpone this matter indefinitely. Let us have an opportunity to come to a fair and just conclusion in its merits. I think the proposition for liberality is no more than just. I trust the motion to indefinitely postpone will not prevail.

Mr. BARTON. Mr. Speaker, I withdraw the motion to postpone indefinitely.

On motion of Mr. WILSON, the further consideration of the bill was postponed until next Wednesday afternoon.

The House went into the committee of the whole, Mr. CHASE in the chair, on House bill No. 129.

The bill reads as follows:

AN ACT to increase the efficiency of the common school system, and to foster schools for the education of teachers.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same*, That hereafter there shall be levied and collected a State tax of one mill on the dollar of all property taxable for county purposes, to be collected and paid into the Treasury of the State under the same regulations as State taxes have heretofore been collected.

SEC. 2. The money paid into the State Treasury under the provisions of the first section of this act, shall be set apart for the benefit of the common schools, one-half of which shall be distributed equally among the several schools of the State, and the balance as the annual State appropriation for common schools is now by law distributed.

SEC. 3. There shall be paid semi-annually, at such times as the State Superintendent of Common Schools shall determine, to the treasurer of the trustees of the several academies of the State, that shall comply with the requirements of this act, the sum of two hundred dollars: *Provided*, There are not more than two academies in one county; where there are more than two there shall be appropriated to the academies of such county, the sum of eight hundred dollars a year, to be divided equally between them.

SEC. 4. Before receiving the semi-annual appropriation hereby made, the principals of each academy shall make report, under oath, to the superintendent, stating the number of weeks the school under his charge was kept open, the number of scholars in attendance each day, the branches taught, and the number of those over seventeen years of age who have made a written pledge in such form as the superintendent may prescribe, that such student intends to teach in the common schools of the State, and unless ten such students have attended for a term of at least twelve weeks previous to the date of the report, no appropriation shall be paid to such school.

SEC. 5. If there is no academy in any county, or not more than one, then, in that case, the appropriation made to academies by this act shall be made to graded schools, under the same regulations and to the same amount as provided in sections three and four; and if there is one academy and one or more graded schools in any county, in such case the sum of eight hundred dollars shall be divided equally between such schools.

SEC. 6. That each of the common schools, before being entitled to any part of the State appropriation, shall be kept open six months, instead of four, as heretofore required.

SEC. 7. The appropriation to common schools hereby made, is not to be in lieu of, but an addition to the annual appropriation heretofore made.

The bill was read by sections, and the third, fourth and fifth sections were

Not agreed to.

After some time the SPEAKER resumed the chair, and

Mr. CHASE, chairman of the committee of the whole, reported the bill with amendments.

Mr. MANN. Mr. Speaker, I move that the further consideration of the bill be postponed until next Wednesday afternoon at 3 o'clock, and that it be made the special order for that hour.

The motion was

Agreed to.

Mr. WADDELL. Mr. Speaker, I move that the House proceed to the consideration of Senate bill No. 110.

The motion was

Agreed to.

On motion of Mr. WADDELL, the House dispensed with going into committee of the whole.

The bill was read as follows:

AN ACT to create a loan for the redemption of the over due bonds of the Commonwealth.

WHEREAS, The bonds of the Commonwealth, and certain certificates of indebtedness, amounting to twenty-three millions of dollars ($23,000,000), have been over due and unpaid for some time past:

And whereas, It is desirable that the same should be paid and withdrawn from the market; therefore,

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same*, That the State Treasurer be and is hereby authorized and empowered to borrow, on the faith of the Commonwealth, in such amounts, and with such notice (not less than forty days), as he may deem most expedient for the interest of the State, twenty-three millions of dollars, and issue certificates of loan or bonds of the Commonwealth for the same, bearing interest at the rate of six per centum per annum, payable semi-annually on the first of February and first of August, in the city of Philadelphia, which certificates of loan or bonds shall not be subject to taxation for any purpose whatever, and shall be payable as follows, namely: five million of dollars ($5,000,000) payable at any time after five years, and within ten years; eight million of dollars ($8,000,000) payable at any time after ten years, and within fifteen years; and ten million of dollars ($10,000,000) at any time after fifteen years, and within twenty-five years; and shall be signed by the Governor and State Treasurer, and countersigned by

the Auditor General, and registered in the books of the Auditor General; and to be transferable on the books of the Commonwealth, at the Farmers' and Mechanics' National Bank of Philadelphia, the proceeds of the whole of which loan, including premiums, et cetera, received on the same, shall be applied to the payment of the bonds and certificates of indebtedness of the Commonwealth.

SEC. 2. The bids for the said loan shall be opened in the presence of the Auditor General, Secretary of the Commonwealth, and State Treasurer, and awarded to the highest bidder: *Provided*, That no certificate hereby authorized to be issued shall be negotiated for less than its par value.

SEC. 3. The bonds of the State now over due shall be receivable in payment of the said loan, under such regulations as the State Treasurer may prescribe; and every bidder for the loan now authorized to be issued shall state in his bid whether the same is payable in cash or in the bonds or certificates of indebtedness of the Commonwealth.

SEC. 4. That all trustees, administrators, guardians, agents, treasurers, committees or other persons holding, in a fiduciary capacity, bonds or certificates of indebtedness of the State, or moneys, are hereby authorized to bid for the loan hereby authorized to be issued, and to surrender the bonds or certificate of loan held by them at the time of making such bid and to receive the bonds authorized to be issued by this act.

SEC. 5. Any person standing in the fiduciary capacity stated in the fourth section of this act who may desire to invest money in their hands for the benefit of the trust may, without any order of court, invest the same in the bonds authorized to be issued by this act, at a rate of premium not exceeding twenty per centum.

SEC. 6. That from and after the passage of this act all the bonds of this Commonwealth shall be paid off in the order of their maturity.

SEC. 7. That all existing laws or portions thereof inconsistent herewith, are hereby repealed.

The bill was read by sections, and

Agreed to.

The bill was then read a second and third time, and

Passed finally.

ORIGINAL RESOLUTIONS.

Mr. KERNS. Mr. Speaker, I ask leave to offer a resolution at this time.

Leave was granted.

The resolution was read as follows:

Resolved, That there be printed for the use of this House five thousand copies of the railroad reports of 1866, as communicated by the Auditor General.

The resolution was read a second time, and

On the question,

Will the House agree to the resolution? it was

Agreed to.

Mr. LEE. Mr. Speaker, I move to discharge the Committee on Municipal Corporations from the further consideration of Senate bill No. 135, a further supplement to an act entitled An act to promote the more certain and equal assessment of taxes in Philadelphia, approved March 14th, 1865.

The motion was

Agreed to.

On motion of Mr. LEE, the rules were suspended, and the House proceeded to the consideration of the bill.

Mr. FREEBORN moved to smend the bill so that the pay of the assessors should be increased.

On the motion,

The yeas and nays were required by Mr. FREEBORN and Mr. WALLACE, and were as follow, viz:

YEAS—Messrs. Adaire, Allen, Armstrong, Brown, Donohugh, Freeborn, Harbison, Humphrey, Kerns, Kimmell, Kinney, Leech, M'Camant, Mann, Meily, Pennypacker, Roath, Steacy, Wallace, Webb, Wharton and Wingard—22.

NAYS—Messrs. Barrington, Barton, Breen, Brennan, Calvin, Cameron, Chadwick, Chalfant, Chase, Colville, Craig, Day, DeHaven, Deise, Espy, Ewing, Fogel, Gallagher, Ghegan, Gordon, Gregory, Harner, Headman, Heltzel, Hoffman, Hood, Hunt, Jenks, Jones, Josephs, Kline, Koon, Kurtz, Lee, Linton, Long, M'Henry, Maish, Marks, Mullin, Peters, Phelan, Quay, Quigley, Rhoads, Richards, Robinson, Satterthwait, Sharples, Stehman, Subers, Tharp, Watt, Weller, Westbrook, Whann, Wilson, Woodward, Worrall and Glass, *Speaker*—59.

So the question was determined in the negative.

The question recurring on the bill, it was

Agreed to.

On motion, the rules were suspended, the bills read a second and third times, and

Passed finally.

MESSAGE FROM THE SENATE.

The Clerk of the Senate being introduced, again presented bill No. 24, entitled An act to incorporate the German Savings institution of Erie (which bill was returned by the Governor to the Senate for amendment in pursuance of a resolution of both Houses),

With information that the Senate had reconsidered and passed the same with amendments, in which the concurrence of the House of Representatives is requested.

The SPEAKER proceeded to clear the table.

Senate bill No. 24, returned by the Governor and amended by the Senate.

On motion,

The amendments were concurred in.

The hour of one o'clock having arrived,

The SPEAKER adjourned the House until this afternoon at 3 o'clock.

AFTERNOON SESSION.

THURSDAY, January 31, 1867.

The House met at 3 o'clock, P. M.

The SPEAKER. The special order for this afternoon is the consideration of Senate bill No. 3.

The question is on the bill.

Remarks were made by Messrs. KURTZ, KINNEY, BARRINGTON, HEADMAN, EWING, RHOADS, M'CAMANT, KOON, CAMERON and BARTON, which will appear in the Appendix to the *Record*.

MESSAGE FROM THE SENATE.

The Clerk of the Senate being introduced, returned bills from the House of Representatives numbered and entitled as follows, viz:

No. 233, an act relative to the settlement of bounty accounts in the county of Franklin.

With information that the Senate has passed the same without amendments.

On motion of Mr. HEADMAN, the House adjourned.

SENATE.

FRIDAY, February 1, 1867.

The Senate met and was called to order at 11 A. M., by the SPEAKER.

Prayer was offered by the Rev. Mr. Bailey.

On motion of Mr. WHITE, the reading of the Journal of yesterday was dispensed with.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

The Clerk of the House of Representatives being introduced, presented for concurrence bills numbered and entitled as follows:

No. 108, an act authorizing the sale of agricultural land scrip.

He also returned from the Senate bill numbered and entitled as follows:

No. 110, an act to create a loan for the redemption of the over due bonds of this Commonwealth.

No. 135, a further supplement to an act to promote the more equal and certain assessment of taxes in Philadelphia, approved March 14th, 1865,

With information that the House of Representatives has passed the same without amendments.

PETITIONS, REMONSTRANCES, &C.

Mr. FISHER presented the petition of members of the bar of Lancaster county, asking for a law to allow parties to suits to testify.

Referred to the Committee on the Judiciary General.

Also, the petition of citizens of Lancaster county, for the rebuilding of the Columbia bridge.

Referred to the Committee on Roads and Bridges.

Also, the petition of citizens of the borough of York, asking for a change in the manner of drawing jurors.

The petition was read as follows:

YORK, Penna., January 30, 1867.

To the Senate and House of Representatives of the Commonwealth of Pennsylvania:

The undersigned citizens of York county, most respectfully represent: That the manner in which justice in this county is administered demands a reform; that the men selected to serve as jurors are almost exclusively of one political party—all being Democrats; that offenses committed by Democrats are lightly punished or altogether ignored; that in order to have any chance of success, in any pending cause, it is necessary to employ Democratic counsel; that a few years since—1863, we think—a colored man was murdered near Nellsville, in this county, and buried by his murderers in a swamp. The coroner had the body exhumed, and an inquest held, and it was clearly established, that the man had been murdered and the men who perpetrated the dark crime were known and identified, but the grand jury of this county have, thus far, failed to have any of these parties indicted.

That last August, the train containing the Governor of the Commonwealth and other distinguished persons, and a large number of ladies and children, when leaving the York depot, was fired into by men, some of whom were acting as special policemen. Some thirty witnesses came forward, before the grand jury, and swore to this fact, and yet the grand inquest have thus far refused to find a bill of indictment against the parties guilty of this outrage. For these and other substantial and truthful reasons, we desire such legislation from your honorable bodies as will afford us protection and security, and as in duty bound we will ever pray.

Mr. GLATZ, the petition of citizens of York, in reference to the rebuilding of the Columbia bridge.

Referred to the Committee on Roads and Bridges.

Mr. BROWNE (Lawrence), the memorial of citizens of Philadelphia, against legalizing Sabbath car travel.

Referred to the Committee on Vice and Immorality.

Mr. M'CONAUGHY, the petition of citi-

zens of Gettysburg, in Adams county, praying for legislation to require the rebuilding of the bridge at Columbia.

Referred to the Committee on Roads and Bridges.

Mr. TAYLOR, the remonstrance from citizens of Beaver county, against the passage of a law prohibiting the use of crude petroleum for illuminating purposes.

Referred to the Committee on the Judiciary General.

REPORTS FROM COMMITTEES.

Mr. CONNELL, from the Committee on Finance, reported as committed, a bill entitled An act granting to the city of Erie the title of the Commonwealth to certain lands in and adjoining the harbor of Erie.

Also (same), with amendments, a bill entitled An act to incorporate the Marine Hospital of Pennsylvania.

He also submitted the accompanying report:

In connection with the bill now reported by the Finance Committee, viz: An act to incorporate the Marine Hospital of Pennsylvania, the committee beg leave to add, that the State owns about three hundred acres of land within the corporate limits of the city of Erie, portions of it being under water, and including the beach along the bay.

That at the last session of the Legislature a bill was passed by both branches of the Legislature and sent to the Governor, by which the title of this land was vested in a corporation chartered to establish a hospital at Erie, the whole property being donated by the bill for that purpose, and stipulating that the part of the ground not occupied by hospital buildings should be reserved and used as a public park.

After the passage of the bill and while it was in the hands of the Governor, the city authorities of Erie objected to its becoming a law, and at the close of the last session of the Legislature, on motion of the Senator from Erie [Mr. LOWRY], the bill was recalled from the Governor's hands.

The councils of the city of Erie now ask that this property shall not be vested in them, with the offer on their part to appropriate one-half of the proceeds of certain lots of ground which they propose to sell out of the estate for hospital purposes.

The committee cannot see the force of the objections to the bill of last year, by which the land was specifically donated for hospital purposes, to which use they think it should be applied; in preference to placing it at the disposal of the corporate authorities of Erie, by whom it might be divested from the philanthropic object to which the last Legislature saw fit to apply it.

A large part of the ground not used or occupied by the hospital buildings is required, by the bill, to be preserved for the purpose of a park, and when the growing city of Erie shall have attained the dimensions of a great commercial emporium to which her position on the lakes, her railroad facilities and her annually increasing trade are rapidly and surely carrying her, the wisdom of this provision will be clearly manifest. The great cities of the seaboard have recently purchased, at enormous cost, extensive grounds for public parks; which, if secured at an early day, might have been had for a mere trifle.

The inhabitants of Erie, one or two generations hence, will bless the legislation which gave their city a property now, indeed, of but little value to the State, but which then will have become a magnificent and attractive addition to that place.

It is eminently proper that the State should donate what is of but little nominal value to her for a charitable and noble use; but the policy of bestowing on cities what may be diverted from such purposes and made a matter of individual benefit is not so clear and, to say the least, is doubtful.

The committee therefore recommend the passage of the act incorporating the Marine Hospital of Pennsylvania, which act, they believe, is best calculated to secure the establishment and support of a hospital in Erie, where, there being none of any character, they are confident such an institution will be found to be of great utility to the unfortunate, and of benefit to the city at large.

GEO. CONNELL,
Chairman of Finance Committee.

Mr. SHOEMAKER, from the Committee on Judiciary General, with a negative recommendation, a bill entitled An act to allow certain persons who hold and exercise the office of postmaster in the United States to hold and exercise the office of justice of the peace.

Also (same), as committed, a bill entitled An act to incorporate the Oxford hall association.

Mr. M'CONAUGHY (same), as committed, a bill entitled An act to incorporate the Masonic hall association of the borough of Brookville, in the county of Jefferson.

Also (same), with amendments, a bill entitled A supplement to the act of March 15, 1832, entitled An act relating to registers and registers' courts.

Mr. WALLACE (same), as committed, a bill entitled An act relative to the courts of oyer and terminer, general jail delivery and quarter sessions of the peace for the city and county of Philadelphia.

Mr. BIGHAM (same), with amendments, a bill entitled A supplement to the act entitled An act granting the power to the courts of common pleas to appoint viewers to view certain streets and lanes in this Commonwealth, approved April 15, 1845, extending its provisions to all public or private roads or streets.

Mr. SCHALL (same), as committed, a bill entitled An act for the better protection of life and property from the explosion of steam boilers.

Mr. COWLES, from the Committee on the Judiciary Local, as committed, a bill entitled An act limiting the burgess and town council of the borough of Oil City, Venango county, in the levying and collection of taxes.

Also (same), as committed, a bill entitled An act to repeal the act to change the venue in the case of John Lenox, from the county of Washington to the county of Beaver, approved April 12, A. D. 1866.

Also (same), as committed, a bill entitled A supplement to an act relating to the lien of mechanics and others upon buildings, extending it to York and Dauphin counties.

Also (same), as committed, a bill entitled An act to repeal the fourth section of an act relating to fees of certain officers in Erie county.

Also (same), as committed, a bill entitled An act legalizing certain assessments taken in the county of Cameron.

Mr. FISHER (same), as committed, a bill entitled An act to authorize the borough of Troy to increase the taxation for borough purposes.

Also (same), as committed, a bill entitled An act fixing the rate of compensation of the sheriff of Northampton, Fayette and Carbon counties for boarding prisoners.

Also (same), as committed, a bill entitled An act authorizing the assessment of railroad tax in the borough of Kittanning, Armstrong county.

Also (same), as committed, a bill entitled an act to authorize and relating to the appointment of auctioneer in the city of Erie, and his powers and duties.

Mr. STUTZMAN, (same), as committed, a bill entitled An act in relation to the fees of certain county officers and district attorney in the county of Washington.

Also (same), as committed, a bill entitled An act relating to the sale of land for taxes, in Potter, Warren and Bradford counties.

Also (same) as committed, a bill entitled An act supplementary to a supplement to an act relating to the collection of State and county taxes in the county of Bucks, approved 31st day of March, 1864.

Also (same), with a negative recommendation, a bill entitled An act to authorize the election of an officer to be called constable and collector, in the several townships and boroughs in the county of Cameron, and regulating his duties.

Mr. WHITE (same), as committed, a bill entitled A supplement to an act authorizing the borough of Bethlehem to purchase the water works, real estate and improvements of the Bethlehem water company, to borrow money and appoint water commissioners.

Also (same), as committed, a bill entitled An act to legalize the tax laid by the acting supervisors of Kingston township, Luzerne county, in 1864, for bounty purposes.

Also (same), as committed, a bill entitled A supplement to an act to authorine the raising of money and payment of bounties to volunteers in the borough of Scranton, Luzerne county, approved April 1, 1864.

Also (same), as committed, a bill entitled An act to extend the jurisdiction of the orphans' court of York and Fayette counties.

Also (same), as committed, a bill entitled An act to enable the school directors of the borough of East Birmingham, Allegheny county, to borrow money for the erection of school buildings.

Also (same), as committed, a bill entitled An act regulating the fees of the commissioners of the county of Snyder.

Also (same), as committed, a bill entitled An act to extend the provisions of an act relating to costs in Luzerne county, approved the 2d day of April, A. D. 1863, to the county of Dauphin, with a proviso.

Also (same), as committed, a bill entitled A supplement to an act to incorporate the borough of South Erie.

Mr. LANDON, from the Committee on Railroads, as committed, a bill entitled An act to incorporate the Caledonia and South Mountain railroad company.

Also (same), as committed, a bill entitled An act to incorporate the Northern railroad and navigation company.

Mr. LOWRY (same), as committed, a bill entitled An act to punish by fine any railroad corporation within this Commonwealth that shall exclude or allow to be excluded by their agents, conductors, or employees, from any of their passenger cars any person or persons on account of color or race.

Mr. RANDALL (same), as committed, a bill entitled A supplement to an act, approved the 8th day of April, A. D. 1859, to incorporate the Pittsburg and East Liberty passenger railway company.

Also, (same) with amendments, a bill entitled An act to extend the time for the payment of the enrollment tax on an act entitled A supplement to the act incorporating the Littlestown railroad company, approved February, 1854.

Mr. GRAHAM (same), as committed, a bill entitled An act to extend the time for the payment of the enrollment tax on an act to incorporate the Meadville city passenger railroad company, approved the 11th day of April, 1866.

Mr. WORTHINGTON, from the Committee on Education, as committed, a bill entitled A supplement to an act to annex the farm of William Steel, of Salem township, to

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[CONTINUED FROM PAGE 176.]

Hempfield township, Westmoreland county, for school purposes, approved 11th of April, 1866.

Also (same), as committed, bill entitled An act to authorize the school directors of Swatara school district, Dauphin county, to raise an additional building tax.

Mr. COWLES (same) as committed, a bill entitled An act to authorize the school directors of Harford township, Susquehanna county, to levy and collect a special tax to build and repair school houses in said township.

Also (same) as committed, a bill entitled An act to annex certain lands in Pine Creek township, Jefferson county, owned and occupied by Sarah G. Evans, to the borough of Brookville for school purposes.

Mr. BROWNE, of Lawrence (same), as committed, a bill entitled An act to authorize the school directors of Sagerstown, Crawford county, to borrow money, and for other purposes.

Also (same), as committed, a bill entitled An act to authorize the school directors in the city of Williamsport, in the county of Lycoming, to borrow money.

Mr. SEARIGHT (same), as committed, a bill entitled An act to authorize the school directors in Minersville borough, Schuylkill county, to borrow money.

Also (same), as committed, a bill entitled An act authorizing the trustees of the Brookville academy to sell the same to the Brookville school district.

Mr. BROWN (Mercer), as committed, a bill entitled An act to annex Davis S. Walker, Francis Cunningham and Wesley Smith, of Jefferson township, Washington county, to Cross Creek township, in the said county, for school purposes.

Mr. JACKSON, from the Committee to Compare Bills and present them to the Governor for his approbation, made report as follows:

That, in conjunction with a similar committee from the House, they have compared, and, on the 30th of January, 1867, presented to the Governor for his approbation the bills as follows:

Senate bill No. 74, an act to validate and confirm a certain mortgage or deed of trust, executed under the corporate seal of the Philipsburg coal, iron and oil company, and to authorize the transfer of the railroad of the said company to any other railroad company owning a railroad connecting therewith, and to increase the number in the boards of directors.

Senate bill No. 83, an act to incorporate the Hollin Knitting machine company of Indiana county.

Senate bill No. 51, an act to enable the school directors of West Manheim township, York county, to levy and collect at once the bounty tax remaining unpaid.

Senate bill No. 44, an act to incorporate the Eureka Life and Accident insurance company.

Senate bill No. 24, an act to incorporate the Germania savings institution of Erie.

Senate bill No. 82, a supplement to an act relative to the fees of district attorneys of certain counties of this Commonwealth.

No. 87, an act to incorporate the Brady's Bend bridge company.

No. 49, an act supplementary to an act regulating the fees of the clerk of the quarter sessions of the peace, &c., for the city and county of Philadelphia, approved February 8th, A. D. 1865.

Also, on the 31st:

House bill No. 65, an act to authorize the school directors of the borough of Phœnixville to borrow money for the purpose of purchasing lands and building school houses.

House bill No. 20, a supplement to an act increasing the fees of jurors and witnesses in and for the counties of Armstrong, Franklin, Schuylkill and Westmoreland, approved the 27th day of March, A. D. 1866.

Laid on the table.

BILLS IN PLACE.

Mr. WALLACE, read in place and presented to the Chair a bill entitled An act vesting in the courts of the Commonwealth increased power in the creation of corporations.

Referred to the Committee on the Judiciary General.

Also, a bill entitled Joint resolution relative to the revising of the civil laws of Pennsylvania.

Referred to the Committee on the Judiciary General.

Also, a bill entitled An act authorizing the commutation of the death punishment in certain cases.

Referred to the Committee on the Judiciary General.

Mr. BROWN (Mercer), a bill entitled An act to authorize the Governor to appoint an additional notary public for the county of Mercer, to reside in the borough of Sharon, in said county.

Referred to the Committee on the Judiciary Local.

Also, a bill entitled A supplement to an act to authorize the school directors of the borough of West Greenville to borrow money to erect a public school house in said borough, approved the 23d day of March, 1865.

Referred to the Committee on Education.

Mr. STUTZMAN, a bill entitled An act to regulate the jurisdiction of justices of the peace.

Referred to the Committee on the Judiciary General.

Mr. BIGHAM, a bill entitled An act to authorize the formation of railroad corporations.

Referred to the Committee on Railroads.

Mr. M'CONAUGHY, a bill entitled An act to extend the time for the payment of the enrollment tax upon an act entitled An act to authorize the Western Maryland railroad company to locate a portion of their road through Adams and Franklin counties, approved March 23d, 1865.

Referred to the Committee on Railroads.

Mr. BURNETT, a bill entitled An act to extend the provisions of an act entitled An act to require the register of wills of Luzerne county to record the appraisements, &c., to the county of Monroe.

Referred to the Committee on the Judiciary Local.

RECOMMITTAL OF BILL.

On motion of Mr. BROWNE (Lawrence), bill No. 165, entitled An act to prevent excessive valuation of farming, grazing and outlaying lots and lands within the limits of boroughs in this Commonwealth, was recommitted to the Committee on the Judiciary General.

BILL ON THIRD READING.

Agreeably to order, the Senate resumed the third reading and consideration of bill entitled A supplement to an act regulating the laying out and opening of public roads in the Commonwealth, approved June 13th, 1836.

The bill was read as follows:

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same*, That the supervisor of roads of any township in this Commonwealth, is hereby authorized to contract with the owner or occupant of any land through or by which any public road is located, to open or repair the same whenever the owner or occupant so desires.

SEC. 2. That said contract shall be in writing, one copy of which shall be filed with the township auditors and another with the clerk of the court of quarter sessions of the county in which the parties reside; and, when the work in pursuance of said contract is done in accordance with the conditions of the same, the supervisor shall issue to said owner or occupant, a certificate setting forth the value of the work done, which shall be received in payment of taxes for road purposes assessed on the lands of said owner or occupant, in that township, and shall be paid no other way; such supervisor and his successor is hereby required to enter on the back of said certificate the amount of taxes for each year assessed as aforesaid, until said certificate shall be fully paid and satisfied, and the supervisor making the entry aforesaid, shall report to the township auditors the amount annually allowed as aforesaid.

Mr. M'CONAUGHY. Mr. Speaker, the general purpose of that act may be good, but the reading of it is very imperfect; it is not correctly drawn. I think it is of very doubtful propriety, and that the existing law is better. I shall therefore vote against it.

Mr. WHITE. Mr. Speaker, this is a matter of general interest, as it proposes a very radical change. The object of the bill is this:

—to enable the owner of real estate to make a contract with the supervisor of the different townships to construct and keep in repair roads going through his premises; that seems perfectly fair and proper. For instance, a man owns a farm of a thousand acres out in some of the new counties, or in a part of some of the old counties; a road is laid out through that farm, and the funds of the township do not justify the supervisor in laying out money to keep it in proper condition. This act authorizes the supervisor to make a contract with the owner to open that road and keep it in proper condition, not paying any money therefor, before giving the owner or occupant thus agreeing a certificate of the amount which he is to receive.

This is the purport of this bill. The idea commends itself to my approbation. If there is any verbiage which my friend, the Senator from Adams [Mr. M'CONAUGHY], objects to, I would be glad to have him suggest an amendment; but the idea commends itself to my judgment. I may say, furthermore, that it was submitted to me by the managers of the State Agricultural society, this month, in this city; it was submitted to them, and was [carefully and fully canvassed and discussed, and was entered upon their minutes; and I find attached to the bill, as handed to me, a certificate from the recording secretary of the State Agricultural society, as follows:

"JANUARY, 16, 1867.

"I hereby certify the foregoing to be a true extract from the journal of the Pennsylvania State Agricultural society.

"A. B. LONGAKER,
Recording Secretary."

Then follows this report made to the Agricultural society.

"The condition of the public roads of Pennsylvania is generally admitted to be very bad. It is undoubtedly owing to the system of repairing them. To change this system at once would not be popular, and yet a very large proportion of the public desire any change which would result in good roads.

The act submitted herewith, which is proposed as a supplement to existing road laws, simply gives to any person who may choose to do so the privilege of repairing roads through his own lands without changing existing laws, without interfering with existing usages and prejudices, and without subjecting the townships to any debt; and to the extent to which work would be done in pursuance of this amendment would unquestionably benefit the public. In view of these considerations we recommend the immediate adoption of the amended act as a supplement to existing laws.

G. RHEY,
D. O. GEHR,
A. W. CUMMINGS.

HARRISBURG, January 16, 1867.

Those gentlemen, as a committee from the State Agricultural society, called on me, and I had a conversation with them. They convinced me of the propriety of this bill, and I trust it will become a law.

Mr. M'CONAUGHY. Mr. Speaker, the reasons presented by the Senator from Indiana have not overcome the views which I have in regard to the proposed change in the law. The law, as it exists, has been on the statute book for many years, and I think has worked efficiently, and has conferred upon supervisors the proper discretion in the matter. The purpose of this bill seems to be special, and the question is whether public policy, public interest, would be promoted by it. The first section provides:

"That the supervisor of roads of any township in this Commonwealth, is hereby authorized to contract with the owner or occupant of any land through or by which any public road is located, to open or repair the same whenever said owner or occupant so desires."

It seems to me that the discretion here allowed is not for the public interest, and that the object of the law seems to be to enable special contracts to be made with the owners of real estate, through whose land the road is to be constructed; the supervisor has the discretion of contracting for the opening of the road; that would enable special contracts to be made with land owners through whose premises roads are to be laid out, and the exercise of it might operate to obstruct the opening of roads. Suppose it is desired to lay out a road through certain property, and the owner of the property desires to obstruct its completion; he enters into a contract with the supervisor—a contract lamely made—so that for months and years the owner may delay the opening of the road, and the contract is authorized by act of Assembly. Instead of working to the public benefit, and to the interests of the public in facilitating travel, it will operate most likely for the benefit of a particular landholder: Being susceptible of that abuse, what are the advantages to be gained? I can see none. I can see no benefit by it to the public. It seems to have a special reference to particular individuals; and, in my judgment, legislation for the few is narrow, contracted and impolitic.

Mr. BROWN (Mercer). Mr Speaker, when this bill was up yesterday I objected to its final passage, not because I have objections to its general provisions, but it is not so worded as to be applicable to many counties in the State. It seems to presume that there is but one supervisor in each township. Now, I am not aware how it is in Indiana county, or the counties which the Senator from Indiana [Mr. WHITE] represents, but in my own county I know there are two or three supervisors in each township. In order to make it apply to that county, and others in a similar situation, I ask the unanimous consent of the Senate to amend the bill.

Unanimous consent was given to amend the bill by striking out the words "supervisor is," wherever they occurred, and inserting in lieu thereof the words "supervisors are."

Mr. COWLES. Mr. Speaker, before this bill is passed, I wish to move to go into committee of the whole for the purpose of amending it. There is an objection to it which I cannot permit to apply to my district. In the second section it authorizes a corrupt or incompetent supervisor to anticipate the tax for ten or twenty years ahead, and take away the entire resources of the township. I cannot put the resources and taxation of that district at the mercy of any one supervisor. I therefore move to go into committee of the whole for special amendment, to except the counties of Potter, Tioga, M'Kean and Clinton from the operations of this bill.

Mr. WALLACE. Mr. Speaker, I think the bill ought to be voted down, for the reasons given by the Senator from M'Kean [Mr. COWLES]. It is an improper change. It will enable a wealthy individual to have a good road made through his farm, and after you get off his farm, you may get into a mud hole. The present laws operate well, and we had better let them be as they are. I also desire that the counties I represent shall be excepted from the operations of the bill.

Mr. BURNETT. Mr. Speaker, I would also ask that my counties be excepted, for this reason: To the objections that have already been urged by Senators against it, I have one remark to add. It has been said by the Senator from Adams [Mr. M'CONAUGHY] very truly, that the supervisors have authority to contract for the opening of roads, but this provides, not for the opening of roads, but for the repair of roads. Under a law existing in this State for thirty-one years, as Senators very well know, all persons against whom road assessments are made have the privilege of working out their road taxes, and others will not have that opportunity afforded them. It seems to me the practical operation of this bill will be to make an unjust discrimination against certain portions of the citizens of each township in this State. I shall therefore oppose the bill. But I beg leave to add the counties of my Senatorial district to those excepted.

Messrs. WORTHINGTON and JAMES also desired to have their districts excepted.

Mr. WHITE. Mr. Speaker, there seems to be a general onslaught upon this bill, which comes with the sanction of the State Agricultural society. I do not think it is obnoxious as some Senators allege. The objections are made that it may give rich men an advantage over a poor man; if I thought so, I would not urge its passage here. But it commended itself in every shape and form to my judgment. The objection is made that a man may make a contract with a supervisor and then neglect to open and repair the roads for years. Why, sir, we must trust the public sentiment to some extent. No supervisor will attempt to outrage the sense of the community by making a contract of that kind; we must trust something to the men. Now, I do not want this matter hastily disposed of. There are one or two amendments suggested, and for the purpose of giving Senators an opportunity to arrange them, I move that it be referred to the Committee on Agricultural and Domestic Manufactures.

The motion was agreed to, and the bill was so referred.

EXCLUSION OF COLORED PERSONS FROM PASSENGER CARS.

Mr. LOWRY moved that the Senate proceed to the consideration of bill entitled An act to punish by fine any railroad corporation within this Commonwealth, that shall exclude or allow to be excluded by their agents, conductors or employees, from any of their passenger cars, any person or persons on account of color or race.

In committee of the whole (Mr. GRAHAM in the chair), the bill was read and reported with amendments.

Mr. WALLACE. Mr. Speaker, I move that the further consideration of the bill be postponed for the present, and that it be printed. We cannot amend it now, as it is not printed.

Mr. LOWRY. I trust the bill will go to a third reading; it will not be pressed further than that.

Mr. WALLACE. Mr. Speaker, the Senator knows very well that we cannot amend the bill until we know what its provisions are.

Mr. LOWRY. Mr. Speaker, I have no objection to having it printed. We will let it go over, after being read a second time, and have it printed. Gentlemen all understand what it is.

Mr. WALLACE. The Senator knows very well, that after passing a second reading it is not in condition to be amended. We propose, at the proper stage of the bill, that we are entitled to offer amendments; that is a parliamentary right, and we ask that it be printed. We should have an opportunity to express our sentiments on this side. It is certainly right that this bill should be printed, so that we can see what its provisions are.

Mr. BROWNE (Lawrence). I think that is

the most desirable mode of proceeding with this bill.

Mr. WALLACE. My motion is that it be postponed and printed, and made the special order for Tuesday next.

The motion was

Agreed to.

BILLS PASSED.

On motion of Mr. FISHER, the rules were dispensed with, and the Senate proceeded to the consideration of a bill entitled An act to incorporate the Caledonia and South Mountain railroad company.

The bill was read a second and third time, and

Passed finally.

On motion of Mr. BROWNE (Lawrence), the rules were dispensed with, and the Senate proceeded to the consideration of a bill entitled An act granting a pension to William M'Farland.

The bill was read a second and third time, and

Passed finally.

On motion of Mr. COLEMAN, the rules were dispensed with, and the Senate proceeded to the consideration of bill entitled An act relating to the Dauphin county prison.

The bill was read a second and third time, and

Passed finally.

On motion of Mr. CONNELL, the rules were dispensed with, and the Senate proceeded to the consideration of bill entitled An act exempting the property of the Ladies' United Aid society of the M. E. church, of Philadelphia, from taxation.

The bill was read a second and third time, and

Passed finally.

On motion of Mr. BIGHAM, the rules were dispensed with, and the Senate proceeded to the consideration of bill entitled A supplement to an act approved February 27th, A. D. 1863, entitled An act to incorporate the Oakland railway company.

The bill was read a second and third time, and

Passed finally.

On motion of Mr. CONNELL, the rules were dispensed with, and the Senate proceeded to the consideration of bill entitled An act to pay Foster Gehr, clerk to the committee on the contested election case of Glass *versus* LINTON.

The bill was read a second and third time, and

Passed finally.

On motion of Mr. TAYLOR, the rules were dispensed with and the Senate proceeded to the consideration of bill entitled An act to repeal the act to change the venue in the case of John Lenox, from the county of Washington to the county of Beaver, approved April 12, A. D. 1866.

The bill was read a second and third time, and

Passed finally.

On motion of Mr. BROWN (Mercer), the rules were dispensed with, and the Senate proceeded to the consideration of bill entitled An act to authorize the collection of money for school purposes in the borough of Tidioute, Warren county.

In committee of the whole [Mr. TAYLOR in the chair], the bill was read and reported to the Senate with an amendment.

The bill was read a second and third time, and

Passed finally.

On motion of Mr. SHOEMAKER, the rules were dispensed with, and the Senate proceeded to the consideration of bill entitled An act to incorporate the Wilkesbarre and and Sugar Notch passenger railway company.

The bill was read a second and third time, and

Passed finally.

The hour of one o'clock having arrived, the SPEAKER adjourned the Senate until Monday evening next at 7½ o'clock.

HOUSE OF REPRESENTATIVES.

FRIDAY, February 1, 1867.

The House met at 10 o'clock, A. M.

The SPEAKER announced a quorum of members present.

The Journal of yesterday was read, and, there being no objections, was approved.

The SPEAKER. The first thing in order is the consideration of House bill No. 104, entitled An act to repeal the act of 20th of March, A. D. 1866, to provide for the payment of gratuities and annuities to the soldiers of the war of 1812, and to their widows.

The question is on the bill.

Mr. MANN. Mr. Speaker, there is a desire on the part of a number of gentlemen that the consideration of this bill should be postponed for the present for the purpose of maturing a substitute. I presume that will be satisfactory to all the members, and I therefore move that the further consideration of this bill be postponed until a week from next Wednesday, at 3 o'clock, P. M., and that it be made the special order for that time.

The motion was

Agreed to.

MESSAGE FROM THE SENATE.

The Clerk of the Senate being introduced, presented for concurrence bills numbered and entitled as follows, viz:

Senate bill No. 122, an act to incorporate the Granite insurance company.

Senate bill No. 152, an act to authorize the borough of St. Mary's to borrow money, and to extend the width of St. Michael street in said borough.

Senate bill No. 201, an act to incorporate the Erie City passenger railway company.

Senate bill No. 204, an act to extend the time for completing the Clearfield and Cornwensville turnpike road, and to allow tolls to be taken upon the portion completed.

He also returned bills from the House of Representatives numbered and entitled as follows, viz:

No. 11, an act for the relief of Nancy WeKiver, widow of Jacob Welliver, a soldier of the Revolutionary.

No. 21, an act authorizing the Governor to appoint an aditional notary public for the city of Philadelphia.

No. 28, an act to authorize the commissioners of Jefferson county to borrow money.

No. 77, an act relating to the compensation of the commissioners of Chester county.

No. 100, joint resolution instructing our Senators and requesting our Representatives in Congress to procure a reduction of tax on petroleum,

With information that the Senate has passed the same without amendment.

He also returned bill from the House of Representatives numbered and entitled as follows:

No. 29, a joint resolution requesting Congress to pass such laws as will enable soldiers who have lost their discharges to receive the one hundred dollars bounty, under the act of Congress of July 28th, 1866,

With information that the Senate has passed the same with amendments, in which the concurrence of the House of Representatives is requested.

PETITIONS, MEMORIALS, &C.

Mr. WILSON presented to the Chair a remonstrance of the citizens of the Ninth ward, city of Pittsburg, inhabitants of Allegheny county, protesting against the passage of an act vacating a portion of Spruce alley in said city.

Referred to the Committee on Municipal Corporations.

Also, a petition of citizens of Pittsburg and vicinity, inhabitants of Allegheny county, praying for the reduction of fare on the Pittsburg and Oakland railway.

Referred to the Committee on Passenger Railways.

Mr. CHADWICK, a petition from one thousand three hundred citizens of the State of Pennsylvania, praying for the repeal of an act known as the landlord and tenant act, or Tioga bill.

Referred to the Committee on the Judiciary General.

Mr. M'CAMANT, a petition from citizens of Blair county, praying for an act authorizing the building of a railroad from Hollidaysburg, or Newry, in Blair county, through the gap of Dunning's mountain, in which "the Gap Iron Works" are erected, passing into Morrison's Cove, and adjoining or near the Bloomfield iron ore banks, towards or to Pattonsville in Bedford county.

Referred to the Committee on Railroads.

Also, a petition from one hundred and fifty citizens of Hollidaysburg and vicinity, praying for the passage of a law to prohibit the trapping and penning of wild turkeys and partridges in the county of Blair.

Referred to the Committee on Agriculture.

Mr. CHADWICK, a petition from citizens of the borough of Sewickly and vicinity, praying that the bodies may be removed from the old burying grounds, in said borough, to the Sewickley cemetery.

Referred to the Committee on the Judiciary Local.

Mr. PETERS, a petition relative to the coroner of Alehgheny county, praying for an increase of fees.

Referred to the Committee on the Judiciary Local.

Mr. HARBISON, a petition from sundry citizens of Lawrence county, praying for the passage of an act relating to fish and game in said county.

Referred to the Committee on Agriculture.

Mr. STEHMAN, a petition from citizens of Lancaster county, praying for an act requiring the Columbia bridge company to rebuild a bridge across the Susquehanna river at Columbia.

Referred to the Committee on Roads, Bridges and Ferries.

Mr. WINGARD, remonstrance of the citizens of Hughsville borough against a change in the present method of collecting bounty tax.

Referred to the Committee on Military Affairs.

Also, a petition from school directors of Gregg township, in the county of Union, praying for the passage of an act to sell a lot of ground in said township.

Referred to the Committee on the Judiciary Local.

Also, two petitions from citizens of Lycoming county, praying for the passage of an act to enable them to vote upon the question of a county poor house.

Referred to the Committee on the Judiciary Local.

Mr. HARBISON, a remonstrance from citizens of Philadelphia, against running street cars on the Sabbath day.

Referred to the Committee on Passenger Railways.

Also, memorial of the Presbytery of Philadelphia of the Reformed Presbyterian Church, for the passage of an act to license a register of marriages in this Commonwealth.

Referred to the Committee on the Judiciary General.

Mr. STEACY, three petitions from citizens of Lancaster city and county, praying for an act for the speedy rebuilding of the Columbia bridge across the Susquehanna river.

Referred to the Committee on Roads, Bridges and Ferries.

Mr. ARMSTRONG, a petition from citizens of Valley township, Chester county, praying for an act to insure the speedy erection of the Columbia bridge across the Susquehanna river.

Referred to the Committee on Roads, Bridges and Ferries.

Also, a petition from citizens of the borough of Columbia, Lancaster county, praying for an act to secure the speedy erection of the bridge across the Susquehanna river at Columbia, Lancaster county.

Referred to the Committee on Roads, Bridges and Ferries.

Mr. ROATH, a petition from citizens of Valley township, Chester county, relative to the erection of a bridge across the Susquehanna river at Columbia.

Referred to the Committee on Roads, Bridges and Ferries.

Also, a petition from citizens of Lancaster county, asking for a law giving the courts greater power over granting licenses, repealing the law authorizing the treasurers to grant licenses; also prohibiting the sale of liquors on election days, and increasing the amount paid for license.

Referred to the Committee on Vice and Immorality.

Mr. KIMMELL, a petition from the burgess and town council of the borough of Indiana, in the county of Indiana, praying for the passage of an act to increase the rate of tax for borough purposes.

Referred to the Committee on the Judiciary Local.

Mr. GORDON, a petition from taxpayers of Rostraver township, in the county of Westmoreland, praying for the passage of an act requiring the township authorities to levy and collect an additional bounty tax.

Referred to the Committee on Military.

Also, petition from twenty-six sons and wards of citizens of the borough of Saltsburg and vicinity, between the ages of fifteen and twenty one years of age, opposing the repeal or alteration of the prohibitory license law of said borough.

Referred to the Committee on Vice and Immorality.

Also, a petition from two hundred and thirty-six wives, mothers and daughters of Saltsburg borough, praying for the continuance of the prohibitory liquor law in said borough.

Referred to the Committee on Vice and Immorality.

Mr. RICHARDS, a petition from inhabitants of Fulton county, praying for an appropriation to compensate them for loss by rebel raids, &c.

Referred to the Committee on Ways and Means.

Mr. BARTON, a petition from two hundred and fifty citizens of the county of Delaware, praying for the passage of an act to enable the Chester Creek railroad company to make the terminus of their road at the junction of the Baltimore Central railroad, and the West Chester and Philadelphia railroad.

Referred to the Committee on Railroads.

Mr. SEILER, a remonstrance from citizens of Lykens township, Dauphin county, against the passage of an act authorizing the school directors of said township to levy a tax for the payment of certain bounties remaining unpaid.

Referred to the Committee on Military.

Mr. ESPY, a petition from citizens of Crawford county, praying for an act regulating the fees of the clerk of the court of oyer and terminer and general quarter sessions of the peace.

Referred to the Committee on the Judiciary General.

Mr. DEISE, a petition from citizens of Chapman township, in the county of Clinton, asking for the passage of a law dividing said township into two separate election districts.

Referred to the Committee on Election Districts.

Also, a petition from the citizens of Cameron county, praying for a change in the license law.

Referred to the Committee on Vice and Immorality.

Mr. JENKS, a petition from inhabitants of Jefferson county, praying for the repeal of the law which authorizes the county treasurer to grant licenses.

Referred to the Committee on Vice and Immorality.

Also, a petition from school directors in Punxatawney, Jefferson county, praying for the passage of an act authorizing them to borrow money.

Referred to the Committee on Education.

Also, a petition from citizens of the borough of Rimersburg, Clarion county, praying for the passage of an act prohibiting the sale of intoxicating liquors within the limits of said borough, and within three and one-half miles of the said village.

Referred to the Committee on Vice and Immorality.

Mr. CRAIG, a petition from citizens of Tobyhanna township, Monroe county, for the incorporation of the Sullivan and Pocono Summit plank road company.

Referred to the Committee on Roads, Bridges and Ferries.

Mr. LINTON, a petition from school directors of Millville school district, Cambria county, for authority to levy an additional tax for building purposes.

Referred to the Committee on Education.

Mr. JONES, a petition from inhabitants of the township of North Heidelburg, in the county of Berks, praying for the passage of an act to authorize an additional bounty tax in said township.

Referred to the Committee on Military.

Also, a petition for invalid pension for Zeno Hoffmaster, company I, Twentieth regiment, Pennsylvania militia.

Referred to the Committee on Pensions and Gratuities.

Mr. HARNER, a petition from citizens of Berks county, praying for a repeal of the law taxing money at interest.

Referred to the Committee on Ways and Means.

Also, a petition for an invalid pension for Samuel Hamilberg, company I, Twentieth regiment Pennsylvania militia.

Referred to the Committee on Pensions and Gratuities.

Mr. RHOADS, a petition for an invalid pension for Lewis Mendoerffer, company I, Twentieth regiment Pennsylvania militia.

Referred to the Committee on Pensions and Gratuities.

Mr. HEADMAN, a petition from grain and flour merchants of Philadelphia, requesting the rebuilding of the Columbia bridge.

Referred to the Committee on Roads, Bridges and Ferries.

Mr. ALLEN, four petitions from citizens of Warren county, asking for a law requiring the Philadelphia and Erie railroad company to fence their road.

Referred to the Committee on Railroads.

Mr. HUMPHREY, a petition from citizens of the town of Haley, Perry county, praying to have the name changed to Marysville, and establishing them into a separate election district.

Referred to the Committee on Election Districts.

Mr. SATTERTHWAIT, a remonstrance from citizens of Montgomery county, against the passage of a law authorizing the Jarrettown and Horsham and the Limekiln turnpike companies to increase their tolls.

Referred to the Committee on Roads, Bridges and Ferries.

M. MARKLEY, a petition from Montgomery county, signed by the members of the bar of that county, praying for a change in the road laws.

Referred to the Committee on Roads, Bridges and Ferries.

Also, a petition from the members of the bar of Montgomery county, praying for the passage of an act compelling the holders of mortgages, &c., when proceedings to collect it have been instituted, to assign it.

Referred to the Committee on the Judiciary Local.

Also, a remonstrance from citizens of Bucks and Montgomery counties, against an increase of tolls on the Jarrettown, Horsham and Limekiln turnpike roads.

Referred to the Committee on Roads. Bridges and Ferries.

Also, a petition from Montgomery county, praying for the extension of the act entitled An act authorizing the Secretary of the Commonwealth to distribute copies of standard of weights and measures, now for the appointment of sealers, approved the 18th day of April, 1845, now in operation through the various counties of the Commonwealth, to tha said county of Montgomery.

Referred to the Committee on the Judiciary Local.

Mr. GALLAGHER, petition from inhabitants of Bolivar borough, Westmoreland county, praying for a law prohibiting licenses for the sale of intoxicating liquors in said borough, and within two miles of the same.

Referred to the Committee on Vice and Immorality.

Also, a petition from over four hundred inhabitants of New Alexandria and vicinity, in Westmoreland county, praying for the passage of a prohibitory liquor law for the borough of New Alexandria, and within three miles of the same.

Referred to the Committee on Vice and Immorality.

Also, six petitions from inhabitants of Westmoreland county, praying for a change in the law relating to hawkers and pedlers in said county.

Referred to the Committee on the Judiciary Local.

Also, a petition from the inhabitants of the borough of Irvin, Westmoreland county, praying for authority to levy taxes for street purposes.

Referred to the Committee on Municipal Corporations.

Mr. EWING, two petitions from citizens of Peters township, Washington county, praying for a change in the road laws of said township.

Referred to the Committee on Roads, Bridges and Ferries.

Also, a petition from citizens of West Brownsville, Washington county, praying for the passage of an act to enable them to procure suitable ground for school houses.

Referred to the Committee on Education.

Also, petition from the burgess and town council of the borough of California, praying for the establishment of a ferry across the Monongahela river.

Referred to the Committee on Roads, Bridges and Ferries.

Mr. MAISH, a petition from the inhabitants of the township of Manchester, in the

county of York, praying for the passage of an act to increase the number of road supervisors.

Referred to the Committee on Roads, Bridges and Ferries.

Also, a petition from inhabitants of the county of York, praying for the passage of an act to secure the reconstruction of the Columbia bridge across the Susquehanna river.

Referred to the Committee on Municipal Corporations.

Also, a petition from the inhabitants of the borough of Glen Rock, in the county of York, praying for the passage of an act to secure the reconstruction of the Columbia bridge across the Susquehanna river.

Referred to the Committee on Municipal Corporations.

Mr. BOYD, a petition from the citizens of Shrewsbury borough, York county, praying for the passage of an act to secure the reconstruction of the Columbia bridge across the Susquehanna river.

Referred to the Committee on Roads, Bridges and Ferries.

Also, a petition from chief burgess and town council of the borough of Wrightsville, in the county of York, praying the passage of a bill to secure the construction of a bridge across the Susquehanna river, at Columbia, Pennsylvania.

Referred to the Committee on Roads, Bridges and Ferries.

Also, a petition from citzens of Lower Windsor township, York county, praying for the passage of an act to secure the reconstruction of the Columbia bridge across the Susquehanna river.

Referred to the Committee on Roads, Bridges and Ferries.

Also, a petition from inhabitants of the borough of York, in the county of York, praying for the passage of an act to secure the reconstruction of the Columbia bridge across the Susquehanna river.

Referred to the Committee on Roads, Bridges and Ferries.

Mr. DAVIS, four petitions from citizens of Philadelphia, praying for the erection of a bridge across the Schuylkill river, at Callowhill street and Powelton avenue.

Mr. HUMPHREY, a remonstrance from eight hundred citizens of Tioga county, against the repeal of an act, approved March 12, 1866, for the erection of a poor house in Tioga county.

Referred to the Committee on the Judiciary Local.

Also, a petition from citizens of Tioga county, relating to taxes on unseated lands.

Referred to the Committee on the Judiciary Local.

Mr. WELLER, a petition from one hundred and eleven citizens of this Commonwealth, praying for immediate action in what is known as the "free railroad law."

Referred to the Committee on Railroads.

Also, a petition from citizens of Somerset county, praying for the passage of a "free railroad law."

Referred to the Committee on Railroads.

Mr. MANN, petition from certain citizens of Potter county, for an act declaring Freeman's run a public highway.

Referred to the Committee on Roads, Bridges and Ferries.

Also, a petition from citizens of Potter county, asking for an act to make seated lands sold for taxes redeemable in the same way as unseated lands.

Referred to the Committee on the Judiciary General.

Mr. COLLINS, a petition from citizens of Shenandoah borough, Schuylkill county, praying for the passage of an act authorizing the borough council to borrow money and elect six town councilmen in said borough.

Referred to the Committee on Municipal Corporations.

Mr. DEHAVEN, the petition of citizens of Philadelphia for, a bridge over the Schuylkill river at Callowhill street.

Referred to the Committee on Municipal Corporations.

Mr. JONES, five remonstrances from inhabitants of the city of Reading, against the passage of an act authorizing the election of an additional alderman in said city.

Referred to the Committee on the Judiciary Local.

Also, a petition from the heirs of Charles Graff, Samuel Mifflin, George Vaux, Peter Eckert, and others, praying for the passage of an act entitled A supplement to an act to incorporate the Swatara company.

Referred to the Committee on Coal and Iron.

Also, petitions from inhabitants of the county of Berks, praying for the repeal of all laws taxing moneys at interest.

Referred to the Committee on Ways and Means.

Mr. HUMPHREY, a petition from citizens of Tioga county, asking for a public highway from Sabinsville to Pine creek, in said county.

Referred to the Committee on Roads, Bridges and Ferries.

Also, a petition from seventeen citizens of Chatham, Tioga county, praying for the repeal of an act, passed March 12, 1866, for the erection of a poor house in Tioga county.

Referred to the Committee on the Judiciary Local.

Mr. WESTBROOK, a petition from citizens of Pike county, praying for an act prohibiting the running of horses, cattle, sheep or swine on the highway, one mile from the Delaware river, in Pike county.

Referred to the Committee on Agriculture.

Mr. DEHAVEN, a petition from citizens of Philadelphia, in favor of having watchmen placed at railroad crossings.

Referred to the Committee on Railroads.

Mr. MARKS, a petition from citizens of Philadelphia in favor of erecting a bridge over the Schuylkill river at Callowhill street.

Referred to the Committee on Municipal Corporations.

Mr. WALLACE, a remonstrance from citizens of the city of Philadelphia, against the erection of bridges over the river Schuylkill, unless the same shall have a convenient and sufficient draw for masted vessels.

Referred to the Committee on Municipal Corporations.

Mr. WORRALL, a petition from citizens of the city of Philadelphia, praying for the passage of an act for the erection of a bridge over the Schuylkill river at Callowhill street.

Referred to the Committee on Municipal Corporations.

Mr. WALLACE, a petition from citizens of Philadelphia, praying for the erection of a bridge across the Schuylkill, at or near Callowhill street in said city.

Referred the to Committee on Municipal Corporations.

Mr. ADAIRE, one of like import.

Referred to the Committee on Municipal Corporations.

Mr. WATT, one of like import.

Referred to the Committee on Municipal Corporations.

Mr. FREEBORN, one of like import.

Referred to the Committee on Municipal Corporations.

Mr. SUBERS, one of like import.

Referred to the Committee on Municipal Corporations.

Mr. WATT, a petition from Lydia J. Stetler for divorce.

Referred to the Committee on Divorces.

Mr. KERNS, a petition from the board of trade of Philadelphia, relative to a change of the rate of interest from six to seven per cent.

Referred to the Committee on Ways and Means.

Mr. HELTZEL, a memorial from forty citizens of Adams county, praying for an appropriation for relief of persons whose property was destroyed at the battle of Gettysburg.

Referred to the Committee on Ways and Means.

Mr. CHALFANT, a petition from twenty-two citizens of Derry township, Montour county, praying for the repeal of an act, approved the 11th day of April, entitled An act to provide for the purchasing of real estate, and erection of a poor house in Montour county.

Referred to the Committee on the Judiciary Local.

Also, a petition from seventy-four citizens of Liberty township, Montour county, of like import.

Referred to the Committee on the Judiciary Local.

Also, a petition from one hundred and twenty-one citizens of Liberty township, Montour county, of like import.

Referred to the Committee on the Judiciary Local.

Mr. HELTZEL, a petition from forty-two citizens of Adams county, praying for the passage of an act to rebuild the Columbia bridge across the Susquehanna river.

Referred to the Committee on Roads, Bridges and Ferries.

Also, a petition from fifty citizens, same county, of like import.

Referred to the Committee on Roads, Bridges and Ferries.

Mr. LEECH, a remonstrance from citizens of Philadelphia, against legalizing Sabbath car travel.

Referred to the Committee on Passenger Railways.

Mr. DONOHUGH, a petition from inhabitants of the city of Philadelphia, praying for the passage of act erecting a bridge over the Schuylkill river, at Powelton avenue.

Referred to the Committee on Municipal Corporations.

Also, a petition from citizens of Philadelphia, in favor of the railway cars running on Sundays.

Referred to the Committee on Passenger Railways.

Mr. WATT, a petition from citizens of Philadelphia, in favor of placing watchmen at railroad crossings.

Referred to the Committee on Railroads.

Mr. QUIGLEY, a petition from citizens of the borough of Bethlehem, Northampton county, praying for the passage of an act dividing the borough into two wards.

Referred to the Committee on Municipal Corporations.

Mr. FREEBORN, a petition from citizens of the city of Philadelphia, against the passage of any act which would authorize the building of a bridge over the river Schuylkill below Chestnut street, unless the same shall have a draw for masted vessels.

Referred to the Committee on Municipal Corporations.

Mr. WELLER. Mr. Speaker, I read in my place and present to the Chair the following petition, which I desire to have read.

The petition was read by the Clerk as follows:

To the Honorable the Senate and House of Representatives of the Commonwealth of Pennsylvania:

The memorial of the undersigned citizens of Somerset county, laboring under great inconvenience for want of railroad facilities through said county, and believing that they are now at the mercy of corporations which have the power to make roads, but lack either the will or means, humbly pray your honorable body to enact a free railroad law, so as to enable any man or set of men, under proper restrictions, and with ample powers to build railroads where the wants of the community may justify.

And they will pray, &c.

Signed by William Hanna and sixty-one others.

Mr. DEISE. Mr. Speaker, I read in my place and present to the Chair the following petition, which I desire to have read.

The petition was read as follows:

To the Senate and House of Representatives of the Commonwealth of Pennsylvania:

WHEREAS, During the month of December, 1866, an act passed both Houses of Congress, granting to the African race the right of suffrage in the District of Columbia, at the same time excluding from that privilege all emigrants who have not resided five years in the country and become naturalized, and thus depriving them of that manhood suffrage so highly prized by our loyal Congress;

And whereas, We believe Caucasian emigrants, whose intellect, industry and wealth have contributed so much to the unparalleled progress of this country, are quite as capable of governing themselves, and as deserving of political privileges, as a people just emerged from a debasing slavery;

And wherens, By its legislation, Congress has sufficiently determined that the color of a man should not disqualify or disturb his political status, and white men are not, for that reason, incompetent to discharge the duties of citizenship, your petitioners, naturalized citizens and emigrants who have declared their intention to become citizens of the United States, and residing in Clinton county, Pennsylvania, very respectfully petition your honorable body to instruct our Senators and request our members of Congress to so amend the negro suffrage act above mentioned as to put all white men who are citizens, or who have declared their intention to become citizens, and residents in the District of Columbia, upon an equal footing with the negroes, and to extend to them the same privileges enjoyed by negroes. And your petitioners will ever pray, &c.

Signed by Oliver Donaldson, and four hundred and ten others.

Mr. ROATH. Mr. Speaker, I present to the Chair, the following memorial which I desire to have read.

The memorial was read as follows:

To the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met:

The petition of the undersigned would respectfully represent, that his aunt, Veronica Gable, late of the township of Manchester, county of York, died in the year 1857, leaving a will in which she appointed him one of the executors of her estate; that the will was proven on the 14th day of October of the same year, and letters testamentary granted to your petitioner by the register of the county aforesaid; that in pursuance of said trust he commenced the discharge of his duties, and as he resided some twenty miles distant from the property, incurred heavy expenses in settling the same; that on the 31st day of August, 1861, the letters granted to your petitioner were vacated, and he was ordered to pay over the amount in his hands of the estate of the said Veronica Gable, deceased; that not being able to do so, having sustained losses in various ways to a large sum or sums, at the January sessions of the court, 1862, a bill of indictment was found against your petitioner for embezzling the moneys in his hands belonging to said estate; that at the April sessions of the court, the said bill was tried and your petitioner convicted and sentenced to pay a fine of one thousand dollars, and moreover to undergo an imprisonment in the jail of York county for a period of two years, and costs of prosecution; that said term of imprisonment has long since expired, the fine has been remitted by the Governor of the Commonwealth and the county commissioners are ready and willing to release the costs. But your deponent and petitioner would aver that notwithstanding, he is still held in confinement and detained in prison by the orphans' court of the county of York, for an alleged contempt in not paying over the sum stated to be in his hands, and has been so held and detained since the expiration of the term of his imprisonment for an additional period of three years, for the contempt aforesaid. Your petitioner would aver that it never was his design to commit any contempt of court; that he has no portion of the estate of the said Veronica Gable in his hands, and that he is entirely unable to pay the same at present, and that he certainly never can pay the same or any portion thereof while kept in confinement; that of the moneys which came into his hands of the estate of the said Veronica Gable, he paid a portion of it to the heirs of the said Veronica, and the balance he lost in various way, incurring heavy expenses in traveling, counsel fees, &c., of which he kept no correct account.

Your petitioner is anxious to do justice to the heirs of the said Veronica Gable, and pay them off dollar for dollar, but such thing is impossible under his present imprisoned condition; that the said heirs have signed petitions for his release, but the court will not take any further action in the matter, and refuses to discharge your petitioner; that he has now been in confinement in the York county prison for a period of nearly five years. Your petitioner would therefore pray your honorable bodies to pass a law discharging him from the further custody of the jail keeper of the county of York, and he will ever pray, &c.

ELIAS TOME.

York County, ss.:

Elias Tome being duly sworn, according to law, deposes and says that the facts set forth in the foregoing petition are true and correct.

ELIAS TOME.

Sworn and subscribed this 9th day of July, 1866.

LEBRECHT FREAGER,
Justice of the Peace.

Mr. KERNS. Mr. Speaker, I read in my place and present to the Chair the following memorial, which I desire to have read.

The memorial was read as follows:

COLORED PEOPLE'S UNION LEAGUE ASSOCIATION OF PHILADELPHIA.

To the Honorable the Senate and House of Representatives of the State of Pennsylvania, in General Assembly met:

The undersigned, colored citizens of the city and county of Philadelphia, in behalf of thirty thousand of their brethren, once more address your honorable body upon a subject that we hoped ere this would have been settled favorably in our behalf, viz:—our exclusion from riding in the city passenger cars, particularly after the decision of Judge Allison in the court of quarter sessions, and also the court of common pleas, that there was no law to exclude us, all such acts being illegal, but regardless and in contempt of this decision, we are still refused admission.

'Tis true a few of the lines run one or two cars at very long intervals, for our accommodation, but which in reality is no accommodation at all, but merely in our opinion a subterfuge.

We therefore entreat your honorable body to enact a law that will abrogate this great outrage upon us. Daily may be seen many an old man or woman, of three score years and ten, sick or infirm, plodding their weary way through wind and storm, the mother with the infant in her arms, exposed to the howling blast of the elements; "the young men and maidens," the educated, the wealthy, the refined, and last though not least, the returned soldier, who at his country's call (when in distress,) forsook wife, children, parents, home, and all that was dear to him, and with cheerfulness and alacrity, rushed into the sanguinary struggle with a courage and bravery unsurpassed, as has been demonstrated on many a hard contested field; and aided greatly in quelling the rebellion, with the loss of an arm or leg, and in many cases both or otherwise mutilated, he, too, in common with the others, is indignantly refused admission, except on the front platform, while the most degraded, vile and inebriated of the whites are freely admitted.

We cannot omit mentioning another act of great injustice that occurs almost daily. Our people desiring to travel West by the Pennsylvania railroad, West Philadelphia, or North or East by the New York road via Kensington Depot, (on account of our exclusion), are compelled to hire a private conveyance at an expense of two dollars and fifty cents or three dollars, while others are conveyed by the passenger cars at an expense of seven cents, running every two minutes, for one hour previous to the train starting from the depot.

In conclusion, gentlemen, we do hope that our beloved city will no longer stand alone in this disgraceful proscription, but that justice may triumph, and our prayer be answered in the affirmative, and your petitioners will ever pray, &c.

JOHN C. BOWERS,
JOSEPH W. CASSEY,
ROBERT M. ANDER,
Committee.

At the stated meeting of the League held on Thursday evening, January 17th, 1867, the subject of our exclusion from the city passenger cars being under consideration,

It was, on motion,

Resolved, That we again forward a memorial to the Legislature asking them to make such laws as will enable us to enjoy the privilege of riding in the city passenger cars, in common with other citizens.

By order.

ANDREW F. STEPHENS,
Corresponding Secretary.

Mr. MANN. Mr. Speaker, I read in my place and present to the Chair the following petition, which I desire to have published in the *Record*.

The petition was ordered to be so published.

MEMORIAL.

The County Convention of Good Templars assembled in Strasburg, and representing over one thousand members in the county of Lancaster, do most respectfully represent:

That our license system is an intolerable nuisance, from the evils of which we ask to be delivered. In our opinion, these evils do not arise from any lack of vigor in the enforcement of our present laws, but essentially from the character of those laws themselves, and the practices and habits that are sanctioned and fostered by them. Intemperance, with all its concomitant crimes, prevails to an alarming extent in our Commonwealth, notwithstanding our most strenuous efforts to suppress it. After a long and toilsome, though not vain, contest with effects, attendants and consequences, we find this demon of society so safely entrenched behind a citadel of statute law, that we are enforced to petition your honorable bodies to break up his hiding place and cease to screen the monster, lest we reluctantly abandon an enterprise the most important and beneficent the world has ever known.

Permit us, then, to glance briefly at some of the prominent points of our license regulations. Under them the retailing of spirituous liquors is forbidden to all but a few favored individuals, who, anomalous as it may appear, are compelled to furnish certificates of moral character, to whom a special license is given. Why is this? If the business is a useful and moral one, why should the law interfere with it? Why attempt to *regulate* and restrain that which is necessary and proper? Why attempt to provide good agents to carry it on? Will the character of the dealer change the nature or modify the effect of the article in which he deals? Can he make poison wholesome for food and drink? Why not forbid all but moral men from selling flour and meat? Why not carry out the principle, and forbid all bad men from doing any good thing?

Again, if the traffic is *immoral* in its nature and tendency, why require moral men to conduct it? If a brand is applied to one of our dwellings, will not the fire burn and spread regardless of the moral character of the person who applied it? Can good men dispense that which is pernicious and crime engendering, without injury to society? As well might we license gambling houses and brothels, and attempt to counteract their evils by providing good men (if the thing were possible) to superintend them. The truth is, our license laws are nothing but a tissue of deception, answering none of the purposes intended, and evincing only the shortsightedness of the Legislature that first enacted them; and, in our opinion, they will continue to be the reproach of all succeeding ones that allow them to remain unrepealed.

We have surely made a full and fair trial of such laws, and they have signally failed, as they might have been expected. We do not see how legal enactments, made with a view to the proper regulation of a vice, is ever to restrain, much less to suppress it. The principle is unsound. It is notorious that all such attempts have done more to sanction the evil than to check it. Our present laws aim at nothing more than *moderation* in the use of liquors, and such moderation (even if desirable) is, we are confident, absolutely unwarrantable, under any license law that the ingenuity of man can devise. Abstinence is natural and easy, but moderation is always difficult, and, with many persons, impossible.

In the first place, we doubt the constitutionality of all such laws. If the liquor traffic is right, they are wrong, because they debar ninety-nine out of a hundred of our citizens from engaging in it; and if the traffic itself is wrong, they are scandalous, because they give a legal sanction to a fruitful source of crime and misery. So that whether intended as a restraint upon a trade in which all men have a natural and imprescriptible right to engage or as a legal authorization of a business that destroys life, safety and happiness. They are equally repugnant to the fundamental principles of our Government. We believe that the State might as well set up schools for instructions in gambling, counterfeiting and licentiousness, as to license liquor-selling taverns.

The right to trade in useful commodities is a natural right which Government may regulate, but can neither prohibit in times of peace, nor limit to a favored few. But if men have a natural right to vend alcoholic liquors to be used as a beverage, from what source do governments derive their power to say how many, and what kind of men shall engage in this business? We admit the authority of government to tax the trafficer in such liquors, on the same principle that it taxes the agriculturist, the merchant, and the manufacturer. But has it power to compel the farmer to go annually to some public functionary, and take out a license for his occupation, before he has privilege to plow his ground, sow his seed, and harvest his crop? Has it the right to say that none but "men of good repute for honesty and temperance" shall follow the business of tilling the earth? Has it the right to prevent the merchant from trading in useful commodities unless he shall first obtain a legal permit to do so? Has it the right to say who shall be a merchant, and that no more than a specified number of stores shall be allowed to a given amount of population? We are aware that our storekeepers are made to pay what is called a "license" for vending foreign and domestic merchandise, but they are not forced to obtain that license before they can commence business, nor are they liable to fine or imprisonment for going on in their business without it. It amounts to nothing more than a tax, which is levied and collected like other taxes on professions and trades. Has the Legislature the power to prohibit the manufacture of shoes by all except such as have a statute license to follow the business; and has it the right to prescribe the character and number of shoemakers in a town, borough, or city?

If it has not the right to interfere with and arrest human industry in every case where it is not prosecuted under special governmental permission, on what authority or principle does it limit the number of retailers of intoxicating drinks, and force each one to procure license for his business before engaging in it? Are not these legal distinctions between the callings of the spirit-venders and that of other people, made on the ground that his permit to traffic in liquors rests on no natural, moral, or political right, but exclusively on special legislative favor—a favor which we think has been wrongfully and unconstitutionally granted, and which ought to be immediately withdrawn and forever prohibited to all, as it is now prohibited to ninety-nine out of a hundred of our citizens. The right to forbid any class of people from pursuing the business, carries with it the right to prohibit it altogether. The danger of opening the traffic to all shows the danger and absurdity of entrusting it to any.

What we complain of is, that the retailer of intoxicating drinks enjoys special privileges, under cover of which he seeks his own private emolument, to the manifest injury of the public welfare. Unlike other citizens he can inflict incalculable damage upon society, without being held responsible. He makes money by dealing destruction around him, and the statute gives him an exclusive right to the work of ruin in his neighborhood. This we regard as a sad perversion of the powers of government. By his law-authorized occupation he can instigate men to the commission of the most horrid outrages, and the most diabolical enormities. He can make widows and orphans, and paupers and felons with impunity. He can make rich men destitute, wise men fools, respectable men loafers, good men bad, and bad men worse, without check or hindrance. He can levy a rum-pauper tax, and compel people who never drink rum to pay it. He can levy a rum-criminal tax, and compel sober men and women to bear the unnatural and cruel burden. He is permitted, by law, to take money for a poisonous and debasing article, which for a much less offense the provision dealer is indicted and punished. For sordid gain he may infuriate his customers with drink, until they commit assaults and batteries, larcenies and murders; but unlike other criminals he escapes, while the law inflicts its vengeance on the poor dupe of his guilty traffic. This we regard as a flagrant wrong, and a glaring absurdity; it is overlooking the cause, and striking a cowardly blow at an effect.

It not unfrequently happens, that the rum-seller himself is called to sit upon the very jury which is empaneled to try one of his own victims for a crime committed under the maddening influence of his own liquor. What a scene to be enacted under the sacred name of Justice! In our opinion, there would be little violation of righteous principle in compelling such a juror to change places with the prisoner at the bar. But what renders such trials a still greater farce, is the revolting fact that the same court that sits in judgment on the wretched, rum-head culprit, grants a license to the rumseller to pursue his demoralizing violation. Can such things be and not excite our special wonder? How long, or in other words, how much longer will the Legislature of this enlightened State permit such monstrous anomalies, such iniquitous enactments to disfigure our laws and shed blight and mildew upon a suffering people?

Is it not strange and shameful, that vice should be upheld by a statute, that a governmental sanction should be given to that which is the principal instigator of crime, and which causes a daily and almost hourly infraction of law? We raise legal mounds around each individual, for the security of person and property, and then, as if for the very purpose of defeating their object, we license that which causes them to be rent asunder. We pull down with one hand what we put up with the other. Protective laws are of no avail, while that is encouraged. Of what use are laws against assaults, blows, thefts, robberies and murders, while we commission men to deal out that which makes ruffians, thieves,

robbers and murderers? What sense or reason is there in such legislation? All the purposes of a good government, and a well organized judiciary are defeated by the liquor traffic; and so long as the traffic is sustained, and not forbidden by law, so long shall we feel that we are deprived of that legal protection to person and property which the people have a right to claim of their rulers, and which is the first duty of all governments to afford.

What would be thought of a Legislature that should construct a system of wise and wholesome laws for a people, and then cap the climax by the addition of a statute, the direct and necessary effect of which would be to insure the nullification of the whole code? Their wisdom might be likened to that of a man who should build a fine house for himself and family, and then cause a crevice to be opened under the eaves sufficiently large to allow the first blast of wind to unroof it, and expose its wretched inmates to the peltings of every storm that might chance to beat upon them. Our legislators, whatever may have been their motives, committed an act of equal folly when they framed our license laws, and we shall be in the condition of a family inhabiting a roofless house, or a community without a government, until we obtain that first and necessary provision for our safety, a law prohibiting the liquor traffic. While we lack this, we are without anything that deserves the name of government. Our whole criminal code is a splendid cheat, and our judiciary a solemn mockery.

We say this because we know we are dealing with a matter in which the innocent are forever doomed to suffer with the guilty; and we would call your special attention to the fact that the innocent are the greatest sufferers. The most frightful accidents and casualties are constantly happening from intoxication; horses are driven by persons inflamed with liquor, at the top of their speed, endangering the lives and property of all in their way; fire is carelessly handled by drunken men, and extensive conflagrations are the consequence. We have no security against such disasters, so long as the law remains as it is. We cannot enter a stage coach, railroad car, steamboat or packet ship, without putting our lives and property in jeopardy from the besotted heedlessness of drivers, engineers, pilots and captains. How many steamers loaded with human beings have been blown to atoms—how many ships freighted with untold wealth have been foundered in the ocean—how many cities laid in ashes through the direct and indirect influence of alcohol?

In the eloquent language of one of our naval officers, "Could the wave that has been the winding sheet of the sailor speak—could the lonely shore reveal the secret of its frequent mounds—there would be voices on the ocean and bones on the strand, to tell a tale of death more wild and dark than any that ever yet knelled its terrors through the most tragic dream. It is not the tempest, casting the proud ship a naked hulk on the ocean, nor the rock strewn with fragments of its perished strength, that has wrought this scene of desolation, and filled so many hearts with unavailing sorrow. It is that cup of insidious poison—mingled and mixed, and still placed to his lips by the Government—yes, by the Government."

There is no safety for any one in society, male or female, old or young, rich or poor, where intoxicating liquors are sold as a beverage. Whether at home or abroad, riding or walking, lying down or sitting up, the life, property and happiness of every human being is endangered by the continuance of this horrible traffic. We ask to be protected from this state of things. We believe it is in your power to protect us by the passage of a law forbidding the sale of such beverages. It was for such protection as this that our Government was organized, it is for this that we pay our taxes and bear the public burdens.

We know that there are persons who pretend to doubt your constitutional power to banish such an outrage on all that man holds dear. Where, then, do you get your power to stop locomotion—to arrest a man's right to travel because he is afflicted with certain ailments? The State has established a quarantine on the Delaware river, at which they forcibly detain all vessels having on board persons laboring under contagious or infectious diseases. Is not the right to establish such an institution derived from the law of self-defense? And will not the same principle authorize society to protect itself from the consequences of a business more dreadful and blighting than the whole catalogue of the worst distempers that ever ravaged the world? If we may not invoke the power of the law for the suppression of this appalling and destructive business, then is the Constitution of a nullity, and civil government a sham.

But the Supreme Court of the United States has settled the question beyond the possibility of a doubt. In the important cases carried there from Massachusetts, Rhode Island and New Hampshire, the concurrent opinion of the whole bench so swept away all constitutional objection to the most stringent prohibitory laws of the several States, that not even a legal figment was permitted to remain. The court not only declared that there was no conflict between those prohibitory State laws and the Constitution, acts of Congress, or treaties, but in all their opinions fully confirmed the right of the States to prohibit the sale of intoxicating drinks, foreign as well as domestic manufacture.

We know that it is contended that taverns are necessary for the public accommodation, and that they cannot be kept without the privilege of selling liquor. We grant that public houses are needed, but deny that more are necessary than can live by supplying the real wants of the public. Are we bound to foster base appetites and depraved habits in order to secure a sufficient number of taverns? As well might be argued that we are bound to take medicine when we are not sick, in order that the public may be accommodated with physicians and apothecaries when wanted. That the present number of taverns could not be supported if confined to the usual part of their business is quite probable. Granting this, it follows, that there are at this time more taverns than the public convenience and the public good requires. And what else does it show? Why clearly that the whole excess over and above what is really required for the public accommodation, which for aught we know may be one-half of the whole number, owe their existence to a traffic which neither promotes nor seeks to promote the public good—a traffic which is not only a waste of all the money it involves, but which is the source of nearly all the poverty, crime and suffering that exists in the State. The public want taverns, and must and will support so many and such as are needed, but they do not want dram selling taverns. Better a thousand times would it be to have none at all than such as produce infinitely more evil than good.

We are aware that the vender pleads poverty as an excuse for continuing the traffic. He says he must sell liquor to support his family. This we deny; we do not believe that Providence has so ordered things that men cannot live without preying upon each other. Ninety-nine out of a hundred of our people live without the privilege and think it no hardship. As well might we have steady war among the nations of the earth for the mere purpose of giving employment and high wages to officers and soldiers, or as well might the makers of idols in heathen lands oppose the introduction of Christianity because it would spoil their trade. But if those engaged in the liquor business cannot support themselves and their families by some honest and useful vocation, then we say, let the public support them. We would much rather be taxed to maintain them than the paupers and criminals which they are constantly throwing upon the public. We are willing to bear all necessary burdens, but are tired of sustaining the oppressive load which is heaped upon us by a legalized vice.

We are also aware that it is contended that a prohibitory law could not be enforced. This we do not believe. We are confident that it would be more easy to enforce such a law, than to prevent a violation of our present license system. The sale of strong drinks can be prohibited and banished, but it cannot be regulated so long as it is approved by law. We look upon the legalized traffic as the parent of the illegal traffic, and we doubt not that so long as the former is permitted, the latter will prevail in spite of the most stringent enactments to the contrary. Give us the law, and we will see that it is executed.

If, after its adoption, men are found ready to violate it, we shall not be surprised, nor shall we regard it as a reason for its repeal. The laws against fraud, theft, counterfeiting, are frequently broken, yet no one thinks of making such infraction a pretext for their repeal, or an excuse for licensing the crimes which they are intended to prevent. If liquor is sold for a beverage, we wish it to be sold contrary to law. We think the effect of such sale under the ban of law is much less pernicious than it otherwise would be. We maintain that our laws should be on the side of virtue and morality, whether they can be enforced or not; as it is better that men who do wrong should act in the face of law, than that the law should be made to sanction their wrong doing.

We hope that you will see the justice and urgent necessity of granting the act we solicit, and we are confident that its fruits will be such, that your names and deeds will be held in grateful remembrance by a happy and improving posterity.

And we will ever pray.

Signed by order of the convention in behalf of one thousand members of the Order in Lancaster county.

THOS. E. GAST, W. C. T.
L. E. WRIGHT, Secretary.

Mr. JONES. Mr. Speaker, I read in my place and present to the Chair the following memorial, which I desire to have read.

The memorial was read as follows:

CLERK'S OFFICE,
SELECT COUNCIL CHAMBER,
READING, PA., January 29, 1867.

At a meeting of the select and common councils of the city of Reading, held on Saturday evening, January 26, A. D. 1867, the following resolution was unanimously adopted by both branches, viz:

Resolved, by the select and common councils of the city of Reading, That we have been informed that a bill has been introduced into the Legislature of this State, to repeal that clause in the city charter which prescribes as one of the qualifications of a person to serve as Mayor, that he "shall have resided four years next preceding his election, within said city." We hereby protest against the passage of said bill, and respectfully ask the members of the Legislature to oppose its passage.

Attest, B. F. HAUS,
Clerk of the Select Council.

Daily Legislative Record.

FOR THE SESSION OF 1867.

PUBLISHED BY AUTHORITY OF THE LEGISLATURE OF PENNSYLVANIA. No. 24.

TERMS OF THE DAILY RECORD.

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[CONTINUED FROM PAGE 184.]

ORIGINAL RESOLUTIONS.

Mr. SATTERTHWAIT. Mr. Speaker, I offer the following resolution.

The resolution was read as follows:

Resolved, That three thousand copies of the seventh volume of the transactions of the Pennsylvania State Agricultural Society be printed and bound uniform with the preceding volumes, for the use of the members of this House; the contents of said volume to be furnished to the State printer, free of cost to the State, and to contain the proceedings and papers of said society, the annual report of the Pennsylvania Fruit Growers' Society, and those of the Pennsylvania Agricultural College, with such condensation of other matters in the hands of the State society, as may be deemed proper for publication, and which, with an index, will make a volume not to exceed seven hundred and fifty pages, and that the Pennsylvania Agricultural Society, and the Pennsylvania Fruit Growers' Society, be each allowed two hundred and fifty copies of the above for distribution.

The resolution was read a second time.

Mr. MANN. Mr. Speaker, I move that this resolution be referred to the Committee on Printing.

Mr. SATTERTHWAIT. Mr. Speaker, if the object of this motion is to kill this resolution, I would rather it should not be referred. A similiæ resolution went to that committee last year, and I think nothing more was heard of it; and if that is to be the fate of this, I hope it will not be referred. I offered this resolution, Mr. Speaker, at the request of the officers of the Pennsylvania State Agricultural Society, and the officers and members of the Pennsylvania Fruit Growers' Society, who are, I believe, as intelligent a body of men as there is in this Commonwealth; and in their name, and in their behalf, and in the name of the great agricultural interests of Pennsylvania, I ask that this resolution shall have a respectful consideration.

Mr. MANN. Mr. Speaker, I simply propose to treat this committee with proper respect. There is not much business referred to it. It is constituted, I suppose, for the very purpose of considering such matters as this is. I do not know what else it is for. I can see no more proper disposition of this resolution than to refer it to this committee that was constituted for some purpose, I suppose, and if not for this purpose then what was it for?

Reference has been made to the Printing Committee of last year. I think a memorial was presented to this House last year and referred to the Committee on Printing, and the committee made a report in proper time, giving their views upon that memorial. It received due and proper consideration, and the conclusion the committee came to was reported to this House. What more could be asked? If the House differed from the committee it was in their power to act upon it. But the committee did take that memorial into consideration, examined the books that had been published heretofore, and inquired into the value of the book then sought to be published, and I undertake to say that they discharged their duty as well as they knew how. Being the chairman of that committee I am free to say that if there was any mistake about it, it was from ignorance and not from any disposition to treat the memorial disrespectfully.

This is a matter of considerable importance, and should not be rushed through the House without consideration. This publication will cost the State from seven to ten thousand dollars. The cost of publishing and the postage that will be paid upon it will foot up very near to ten thousand dollars, and I submit that it is hardly the thing to take from the treasury two or three times a day little items of ten thousand dollars, when we have a committee constituted for the very purpose of inquiring into these matters. How can we say, without any fact before us, without any means of inquiry, that the book proposed to be published is worth a dime? I do not propose, at this time, to say one word upon the merits of the resolution, because this is not in order. I simply speak upon the propriety of the motion I have made, and that is to refer this resolution to its proper committee, and I hope the House will so refer it.

Mr. WINGARD. Mr. Speaker, as regards the propriety of the motion of the gentleman from Potter [Mr. MANN], I fully endorse it. I can see little use in having such a committee unless something is referred to it. There have been very many resolutions of this character offered this session, and, I believe, not in a single instance has a resolution been referred to that committee. I am a member of that committee, and have never yet been called upon to meet with it.

As to the merits of the resolution, I am decidedly impressed in favor of it, and if the resolution is referred to the Committee on Printing, and, after examination, my convictions are the same as now, I shall be in favor of reporting the resolution without amendment. But I do think this Committee on Printing ought either to be abolished or else resolutions in reference to the printing of public documents ought to be referred to it. I have no desire whatever to kill the resolution; on the other hand, I am in favor of the resolution, and will support it, unless, after examination, I am otherwise impressed from what I am now.

Mr. LEE. Mr. Speaker, I do not suppose there is a subject that can address itself to this House upon which there is more need of information than upon this subject. I am, therefore, in favor of the resolution offered by the gentleman from Montgomery [Mr. SATTERTHWAIT], with this restriction: that these societies shall present the result of their deliberations in which there is no conflict of opinion, for if they do not do that the book will serve to lead us astray. I attended the Fruit Growers' Convention in this House, and I heard a discussion in which the gentleman from Montgomery [Mr. SATTERTHWAIT] took an able and earnest part. The question was as to the best mode of raising grapes. One gentleman got up and went into a long exposition on the proper way of raising grapes. He stated that they should be located in a certain place, that they should receive a certain kind of cultivation, and that his mode was the very best possible mode that could be adopted for the raising of grapes. When he had concluded, the gentleman from Montgomery got up and said that the gentleman who had just spoken knew nothing about the raising of grapes, that the way he described was the very worst possible way, and that grapes would invariably fail if they were thus cultivated. What I want is that that kind of conflict shall not appear in this report. For, when I go to raising grapes, I want to raise them in the very best possible way, and be able to refer to this work as standard authority. I do not want to have these conflicting opinions in it, for I do not want to pay a large price for a work and then find everything in it like the old woman's direction for telling good indigo. She said if you would grind indigo fine and throw it upon water, if it was good it would either sink or swim, she had forgotten which. I want this book so I can refer to it as competent authority. I am in favor of publishing the work if these discussions are not to be introduced, but reliable information such as these societies have derived from thorough experience. But if these conflicting discussions are given us they would render the book worse than useless.

Mr. SATTERTHWAIT. Mr. Speaker, if the science of horticulture and agriculture had been reduced to a profession, there would be no necessity of a work of this kind. It is because we have had to remain in the dark in regard to much relating to this important interest, that these books are useful and necessary. It is by means of such societies as these that we arrive, as nearly as possible, at the great truths relating to this subject. The condition of agriculture is the same as that of many other sciences. It is because professors disagree in reference to the most important matters relating to it that we desire to bring the subject to the attention of the community.

A word in reply to the gentleman from Potter [Mr. MANN]. He seems to think that by opposing this motion I have intended some disrespect to the committee, of which I believe he has the honor to be chairman. I intended nothing of the kind, n or any insinuation against the committee of last year. If they did make a report last year, I did not know it. I made inquiries in reference to the matter a great many times during the session, but I could get no satisfactory information, and I was not aware that any report had ever been made.

The gentleman from Lycoming [Mr. WINGARD] thinks this subject ought to be referred to the Committee on Printing because nothing else has been referred to it. Now, that is exactly the reason why I am opposed to having it referred to that committee. I cannot see why a matter acknowledged to be so important as this should be smothered in this way when other matters similar to it are rushed through every day without any reference whatever. It was not my object, Mr. Speaker, to have this matter rushed through now. I am not in favor of that kind of legislation. I merely ask that this matter shall have respectful consideration from this House. I am willing it shall be referred to its appropriate committee, but I had some objections to its being referred to the Committee on Printing on account of the fate it met last year. It seems to me that the proper committee to which this should be referred is the Committee on Agriculture, if any reference is necessary.

Mr. KINNEY. Mr. Speaker, I believe a similar matter was referred to the Committee on Printing last year. The report they made was that the proceedings of three years should be condensed into one volume as heretofore, and that the proceedings should be stripped of a certain amount of unnecessary verbiage.

Mr. BOYD. Mr. Speaker, I think these reports contain a large amount of valuable matter that should be published, no matter what the expense may be. I therefore move that the resolution be referred to the Committee on Agriculture, instead of the Committee on Printing.

Mr. SATTERTHWAIT. Mr. Speaker, I have been assured by a member of the Committee on Printing that this matter will be speedily attended to, if referred to that committee, and I am willing it should take that direction.

The SPEAKER. The question is on the amendment of the gentleman from York [Mr. BOYD], to refer to the Committee on Agriculture.

Mr. MANN. Mr. Speaker, I hope that question will not prevail. It seems to me this Committee on Printing is the proper one. This is a question of Printing, and that is the only question in it. And I suppose this Committee on Printing was constituted for the purpose of inquiring into such matters. I hope it will be referred to that committee.

Mr. BOYD. Mr. Speaker, my understanding is that this committee is to determine whether this matter is worth printing or not, and what committee is better qualified to take that subject under consideration than the Committee of Agriculture? This is a report, as I understand it, in which our agricultural interests are discussed, and it seems to me the Committee on Agriculture is the proper one to which it should be referred.

Mr. PENNYPACKER. Mr. Speaker, I hope the amendment of the gentleman from York (Mr. BOYD) will prevail. I will yield to no man in my desire to advance the interest of agriculture, but I think the printing of a vast amount of verbiage that is of no importance will not advance that interest. Certainly a great deal of the report of the Agricultural Society is of no interest to any one. For instance, the list of premiums and the reports of the local societies and the lists of their premiums are of no particular value to be published. I, therefore, hope this matter will go to the Committee on Agriculture and have a thorough examination, and if it is found worth printing that it will be published.

The society of Fruit Growers, to which the gentleman from Montgomery (Mr. SATTERTHWAIT) belongs, is a very important society, and I should like to have their discussions and proceedings published. I hope, therefore, that the reports will be referred to the Committee on Agriculture, and that they will examine them closely and carefully.

Mr. KURTZ. Mr. Speaker, at our last session a matter of this kind was referred to the Committee on Printing, of which I was a member. The committee had before them the volumes that had been previously published, and, upon examination, found that they contained a great deal of unnecessary matter. The committee came to the conclusion that, if the future reports were stripped of their verbiage, and the matter of three years condensed into one volume, it would be better, and they made their report accordingly.

Mr. M'CAMANT. Mr. Speaker, I think the proper course is for this House to refer this resolution to the Committee on Printing. I am one of the members of that committee, and I can assure the gentleman that if the matter is referred to it, the committee will give it proper attention. If we find that none of the committee know anything about agriculture, we can summon the Committee on Agriculture before us.

Mr. SHARPLES. Mr. Speaker, I think the Committee on Agriculture is the proper committee to determine the value or the worthlessness of this material. I think a certain portion of the report of the Agricultural Society ought to be published. In reference to the report of the Fruit Growers' Society there is a great deal that is of interest contained in it. Although the gentlemen did not agree as to the best mode of raising grapes, there is much of information elucidated in those discussions, and the reasons of difference often arise from cultivation in different soil and under different circumstances.

Mr. SATTERTHWAIT. Mr. Speaker, I would say that the objectionable matter alluded to by the gentleman from Chester [Mr. PENNYPACKER], it is intended shall be left out. The committee having this in charge have prepared a sufficient quantity of valuable matter to make this a valuable work.

Mr. EWING. Mr. Speaker, certainly the Committee on Agriculture do not wish to be troubled with this thing, but if there are any farmers on that committee, as there doubtless are, it seems to me that they are the proper persons to determine which is of interest to that portion of the community. There, however, seems to be a great anxiety on the part of the Committee on Printing to decide this matter. For my part, I do not care to which committee it goes, for I think either of them can determine as to the propriety of publishing the reports.

Mr. MANN. Mr. Speaker, how the gentlemen get the idea that the Committee on Printing manifest any anxiety to decide this matter, I do not understand. For my part I am on neither the Committee on Printing nor the Committee on Agriculture. I am not arguing to have this resolution go where I will have anything to do with it. I merely wish to have it referred to the committee where I think it properly belongs.

The question being on the motion to refer to the Committee on Agriculture,

It was agreed to.

Mr. BOYLE. Mr. Speaker, I offer the following resolution.

The resolution was read as follows:

Resolved, That the following shall be a rule of this House:

RULE 62. A majority may discharge a committee from the consideration of any matter referred to it, at any time after ten days subsequent to such reference; and from the consideration of any matter referred within fifteen days of the close of the session, on or after the second day succeeding such reference. And motions for discharge may be made when reports from committees are in order.

The resolution was read a second time.

Mr. LEE. Mr. Speaker, this seems, sir, to be an effort to alter the immemorial usages of this House. There has been no reason urged, it seems to me, why that usage, that has always worked well—a usage that I have never heard complained of before—a usage that the wisdom of all Legislatures, hitherto, at least, have sanctioned, why that, at this time, should be altered. There are occasions, sir, when I think it is proper that it should require two-thirds of this House to order a bill out of the hands of a committee; but I do not think that the circumstances warrant, now, an alteration of our rules. I do not think there is that difficulty, sir, in getting bills from committees that will warrant our breaking up the practice that has been the rule hitherto, and I trust this resolution will not be passed by this House. I trust that we may go on, as heretofore, because if any gentleman can show, as I conceive, sufficient reason to this House why a committee should be discharged from the consideration of a bill that they are captiously holding in committee for purposes unwarranted outside of the bill itself and its relations, I have no doubt that a representation of that fact to this House would secure its report. For these reasons I hope this resolution will not prevail, and that this rule will not become one of the standing rules of this House.

Mr. BOYLE. Mr. Speaker, I had hoped that this rule would be adopted without any discussion on the part of the House. I did not think anything could be said against it. It may be that the gentleman from Philadelphia [Mr. LEE] has never experienced any trouble in getting his bills from the House committees. There are some gentlemen in this House, Mr. Speaker, who never do experience any difficulty in getting bills; but there are other gentlemen who do, especially gentlemen of a particular class.

Mr. LEE. Mr. Speaker, I do not suppose there is a man in this House who has worked harder to get out of the hands of a committee two bills that I have introduced this year. I have not yet got them out, and I do not see any prospect of getting them out for some time to come.

Mr. BOYLE. Mr. Speaker, it seems to me that this is not quite in accordance with what the gentleman said a short time ago.

Mr. LEE. I said that if any gentleman had a reason why a bill should be reported, and felt that the committee was captiously holding it back, if he would make application to the House, the House would, I have no doubt, require the committee to report the bill.

Mr. BOYLE. Mr. Speaker, my experience with the House is quite to the contrary. I know there is great difficulty in getting bills out of committees. This resolution proposes nothing more than that the majority of this House shall control its business. It provides that a committee may hold a bill, without reporting it, for ten days. Certainly that is long enough in any case. It is not to be supposed, Mr. Speaker, that a majority of this House will discharge a committee improperly, because we are to suppose that a majority will always do right. The point turns on this: Shall the majority control the business of the House? In case of fifteen days or less from the close of the session, the rule would require that the committee might be discharged after the second day succeeding the reference; but, in all other cases, it gives them ten days to consider a bill. To my mind, this is so fair that I cannot conceive why any gentleman should vote against it. I can see no reason why the ma-

jority should not have control of the business of this House.

Mr. WADDELL. Mr. Speaker, the difficulty which presents itself to my mind is the limit of time. It is well known that the committees of this House meet but once a week. To illustrate the difficulty, suppose a bill was read in place to-day, and referred to the Committee on Ways and Means. That committee does not meet until next Thursday night.—Hence, seven days of the ten would be gone before the meeting of the committee. That committee is compelled to act upon that bill, in its hands, within that time, or else it is liable to be cited before this House, and discharged from the consideration of it. It is a serious question with me whether that is sufficient time or not. I have, at this time, in my possession bills belonging to the Committee of Ways and Means, that have been in the hands of that committee since the commencement of the session, and have not been acted upon simply because we have not had the proper light. I may say, in justice to that committee, that every bill that was brought before it last night, and either acted upon directly or indirectly—held over because members of the committee, representing particular localities that would be affected by the bill, had no knowledge of it and desired to consult their colleagues in reference to it. Such bills necessarily go over until next week. We do not feel at liberty to report them with a negative recommendation, because gentlemen have made a special request that we should not do so. Another week would make fourteen days, and it is a very serious question in my mind whether that is sufficient time, with the accumulation of business many of the committees have, to enable them to pass upon every bill. If the Local Judiciary Committee would sit down now, they could not pass upon all the bills in their hands in twenty-four hours.

Again, the proposition is, that bills presented within fifteen days of the end of the session, shall only have leave to remain in the hands of the committee for one day. Every man who has had experience in this House, particularly on committees, must know that it is almost impossible to get committees together within two days, when we have three sessions per day, as during the last weeks of the session. If we have but two days in which to act upon bills, there is no use in having committees at all. We may just as well present bills to the House, and suspend the rules and pass them at once without any reference. I have no particular interest in this thing, except to let us have rules that we can work under intelligently and to advantage. If there is a desire on the part of the House to suppress bills in committees, I do not know it. I have seen no disposition of that kind, so far as my experience goes.

Mr. WILSON. Mr. Speaker, I think the statement made by the gentleman from Chester is calculated to lead to wrong impressions on this subject, in regard to the Committee of Ways and Means, or any other committee meeting only once a week. If I understand it properly a committee can be called together at any time. The committee can come together every day, if necessary, for the consideration of bills. Therefore, it is not necessary to sit a week before acting upon a bill. I agree fully with the gentleman from Fayette [Mr. BOYLE], and I am surprised that any gentleman in this House should oppose a resolution so fair and equitable as this. It seems to me that it is a proposition that the majority of this House shall rule.

Now, with regard to gagging or suppressing any bills in committees, permit me to say a word. I have had a very small bill before a committee for over three weeks—a bill in which no one is concerned but my immediate constituents—and I have not been able to get that bill out, as yet. I say this without any reflection upon the members of the committee. When I have spoken about this bill, I am told by the members that they cannot get the committee together. It strikes me, that if it is impossible to get committees together to consider a bill, a majority of this House should have the power to discharge them from the consideration of it.

Mr. WINGARD. I wish to ask the gentleman why he has not asked to have that committee discharged from the further consideration of his bill?

Mr. WILSON. I did not suppose I could get two-thirds of the House to vote to do so. I do not impute anything wrong to that committee, but I say that when a committee is so negligent as not to meet, it ought to be the privilege of the House to discharge it from the further consideration of the bill, and place the business of the House in the hands of committees that will attend to it. I understand that the Committee of Ways and Means, or any other committee, may come together any day that they like for the dispatch of business. I think this resolution is right and proper, and should prevail. I am astonished that any gentleman should oppose it.

Mr. WADDELL. Mr. Speaker, now, sir, the gentleman from Allegheny [Mr. WILSON] either misunderstands or misstates my position. I do not purpose to deny the right of the majority of this House to control the business. My suggestion was that the time the committees should be permitted to hold a bill was too short. Now, I am aware that every committee in this House is at liberty to meet six days in the week if they want to do so; but, sir, I do not want to be the chairman of any committee consisting of twenty-two members, if I am to be compelled to call that committee together every day. I do not wish that labor imposed on me, or, at least, I should want this House to authorize me to employ a Sergeant-at-Arms to hunt that committee up. I have experienced that difficulty this session. The sessions of this House have been such as to interfere directly with the meeting of the committee that I have the honor to preside over, and, in order to accommodate gentlemen, I have been compelled myself to run around this House, personally, and call my committee together, on two different occasions, simply because I was not able to meet them on account of the time interfering with the meetings of the House. I am not willing to be all the time employed in this manner. I have something else to do. Of all the committees that I have been on, I have found it very difficult to get them together, even once a week. I have often been compelled to pass from one committee to another, in order that the committees might have a quorum. There is a great deal of business to be done by the members of this House outside of the committees. I am aware that we are able to meet more than once a week, but that has been the regular custom of this House, although the committees do often meet on other occasions to accommodate gentlemen. But we have so many sessions each day towards the close of the session, that it is almost impossible to get a quorum, and we often have to wait a half an hour, and then send out members to hunt up other members. If that thing is to be gone through with every day, I beg leave to resign my position as chairman of any committee in this House.

Mr. EWING. Mr. Speaker, I hope the House will pass this resolution. I think the House owes it to its dignity to pass it. Reflections have been made upon the House, and, if I am not mistaken, bills have been smothered in committees. I take it that any bill will be safe in the hands of a majority of this House. It has been alleged that very often bills, in which the whole State is interested, have been smothered in committees, and we have not been able to get them before the House. I hope this resolution will pass the House, and that we will not give occasion for reflection by our constituents upon us for our conduct here. Let us have a vote upon the resolution, and if it is not right, let us vote it down and place ourselves upon the record.

Mr. BARTON. Mr. Speaker, in order to give the regular standing committees an opportunity to meet twice before a majority of this House can discharge a committee from the consideration of a bill, I move that the word "ten" be stricken out of the resolution and the word "fifteen" inserted in its place.

Mr. SHARPLES. Mr. Speaker, gentlemen must remember that there are certainly two sides to this question. Now, my people in Chester county, the people that I, in part, represent, do not ask a great deal of legislation; and their greatest fear is that we will legislate too much. We certainly ought to deprecate hasty legislation. I am not in favor of any committee holding a bill improperly, but I think there should be certain checks to hasty legislation. That principle is adopted in the legislation of Congress. If a bill passes Congress and the President vetoes it, it requires a two-third vote to pass it afterwards—and for what reason? Because there should be some check placed upon hasty legislation. I think the reflection is upon this House, when we decide that two-thirds of this House will not favorably consider the application of any gentleman who asks that the committee shall be discharged, after the bill has been held by the committee for an unreasonable length of time, and that the reflection is not the reflection that the gentleman suggests.

Mr. QUIGLEY. Mr. Speaker, my objection to this resolution is this. If I understand this resolution it says that the motion to discharge a committee shall be made when reports of committees are in order. If we are to have motions of that kind made every day when reports of committees are in order, the committees will never get a chance to report, because every motion of that kind will be discussed. Now, we have had two resolutions before us this morning, and they have occupied altogether two hours and ten minutes in discussion. Now, if this is to occur every day when reports of committees are in order, we will probably occupy the whole session in the discussion of such matters. I do not think that the time is long enough, is another objection. Ten or fifteen days is a very little time for some large committees to consider a bill. I know that the Local Judiciary Committee, the Committee on Ways and Means, and the Committee on Corporations have so many bills before them often that if they should hold a session of five hours they could not even read them all. I remember being once chairman of the Committee on Corporations, and we had stacks of bills and it took an entire session to read them.

Now, if the committee must report a bill without considering it, you might just as well discharge the standing committees; they are of no use whatever. I trust the resolution, as read, will not pass.

Mr. EWING. Mr. Speaker, I certainly intended to cast no reflection upon the House in my remarks; but there are bills that would pass by a majority of the House, that might not receive a two-thirds vote, and they may be kept in the committees by one-third of the members of this House. I do not think that is proper or right.

Mr. QUIGLEY. I would like to ask the gentleman if a motion of that kind, to dis-

charge a committee from the consideration of a bill, has been made this session.

Mr. EWING. Not to my knowledge.

Mr. QUIGLEY. Then the gentleman has no right to make any such charge.

Mr. PENNYPACKER. Mr. Speaker, as there are some reflections made by gentlemen that certain bills are held by certain committees, it is fair that the power to discharge any committee should be placed in the hands of the majority.

I am surprised to hear any gentleman opposing this resolution. I feel that as this reflection has been made it is the duty of this House to vote immediately upon the resolution and pass it, that these reflections may have no force or weight.

Mr. LEE. Mr. Speaker, does the gentleman say that, because the gentleman from Fayette [Mr. BOYLE], with very significant emphasis, states that gentlemen of a particular class never experience any difficulty in getting through their bills, while those of an opposite opinion do, that therefore those who oppose this resolution do it for the reasons implied by that insinuation, and, because I oppose it, that the reflection is cast upon me?

Mr. PENNYPACKER. No, sir, I do not think the reflection is upon the gentleman in particular at all. I think that reflection is upon each and every gentleman of the House. I do not pretend to say that the gentlemen who oppose this bill shall receive this reflection at all. It reflects equally upon the whole, because none outside know who those gentlemen are except the gentlemen who have spoken. Now, my colleague from Chester (Mr. SHARPLES) says that there ought to be a check upon hasty legislation. I am always in favor of a candid and fair consideration of every subject that comes properly before this House. I want certain checks upon hasty legislation, but I do not want those checks to drag the material out of sight and loose it. I think the checks have been in that direction. I do not know as I have seen anything of the kind, but the reflection is in that direction. I am in favor of this resolution because it gives to this House the right of the majority to control its business, which I think is proper. The majority of this House made this rule, and I think it is very improper that the majority should place restrictions upon this House that it will require a two-thirds vote to change. I do not think this House has any disposition to discharge committees factiously, unless they hold bills beyond a proper time. As the matter now stands, one-third of this House holds the whole House, and I do not think it fair. I am therefore heartily in favor of this change. And I want it distinctly stated that the gentlemen who are opposing this measure are the gentlemen who desire to hold bills factiously in committees. I say, without fear of contradiction, that these men, having a fear of a majority, desire to hold some bills in some committees——

Mr. LEE. Mr. Speaker——

The SPEAKER. Does the gentleman from Chester allow himself to be interrupted by the gentleman from Philadelphia?

Mr. LEE. Mr. Speaker, the gentleman must allow himself to be interrupted. No man has a right to brand me before this body in this way. It is my privilege to defend myself against a charge of that sort. It is not his pleasure nor his right to say that he shall traduce me in that style and I have no right to defend myself. The charge that I desire the defeat of this resolution because of a factious determination to hold back bills is unfounded and untrue, and no man knows it better than the gentleman himself. That language must not be said here of me. The other members of this House may suffer themselves to be traduced in this manner if they please, but I will not.

Mr. PENNYPACKER. Mr. Speaker, if what I state is not true I do not see why the gentleman should be so fidgety about it. He wriggles, and squirms, and fidgets, at least as though it touched him. I have no apology to make to those whom it does touch, and those whom it does not touch I do not mean.

Mr. LEE. Do I understand the gentleman to say that when he said those who oppose this resolution were those who factiously desired to hold bills in committees that he did not mean that? Because that is a direct charge upon me, a direct, unequivocal charge upon me, that I, for factious reasons, desire to hold bills in a committee? I ask him if that is what he means?

Mr. PENNYPACKER. Mr. Speaker, I mean just precisely what I say, that the gentlemen who oppose this resolution, do so because, in my judgement, looking at it from my stand-point, and speaking for no one else, they are factiously opposed to it.

Mr. QUAY. Mr. Speaker, cannot the gentleman imagine a case where a majority of this House would be in favor of the passage of an unrighteous bill, and the committee opposed to it? Would it not be proper in that case for the committee to hold back the bill and thus defeat it?

Mr. PENNYPACKER. I cannot imagine a bill which a majority of this House should not have the power to control. If a bill is wrong I do not, by any means, consider it the duty of the committee to smother it. That is not the business for which the committees are appointed. The bill should be reported either favorably or negatively to this House.

Mr. QUAY. Suppose the bill should be a general law, what difference to the House would the recommendation of the committee make?

Mr. PENNYPACKER. The committee have only to consider, to the best of their knowledge and belief, and report accordingly. If they believe it is right to report the bill, they have a right to do so. They should report it within a certain time, either affirmatively or negatively. That the committee being only a small portion of this House should keep it from the action of this House, I think my position is not equivocal when I say they have no right to hold it. I shall vote on any bill as my conscience dictates and judgment directs, and if I do not agree with the majority of that committee, I am satisfied with my negative vote and feel that my skirts are clear of the least. I think that is the position every one should take, and that no consideration should have influence outside of the justness of the case.

I had no desire to raise any dispute upon this matter, but it is one on which I feel deeply, and I speak earnestly.

I hope that the majority of the House will hear me out, and the other gentleman who have spoken on this side, because it is a matter of a great deal of importance.

Mr. WADDELL. Mr. Speaker, I agree with my colleague when he enunciates that this is a matter of considerable importance. And, sir, I have opposed this resolution, and I am not to be driven from my opposition to the resolution by charges of being factiously desirous of smothering bills in committees, even if they do come from my colleague. I claim to be honest in my opposition to this resolution. I claim to be just as honest in my opposition as he is in his advocacy of the resolution. Now, sir, I say here publicly, and intend to stand up to it, that if this House refuses to modify this resolution as I think it should be modified I shall vote against it. I think that I ask for nothing more than what is reasonable, and if this House differ with me in opinion they are at liberty to do so, but I shall maintain and adhere to my opinion.

Now, sir, I have heard these charges before. I know they are as common talk, and I know there is a suspicion that gentlemen who may take a position in opposition to the views of one or two, or the majority of this House, may be regarded, in technical language, as "roosters." I am ready and willing to take the charge of being called a "rooster," and if my general character in this House cannot protect me, I shall feel compelled to fall under the insinuation. I am not to be frightened by any such charges or allegations as this. I think it unbecoming to charge any gentlemen on the floor of this House that advocate any particular opinion, that they entertain that opinion from a determination to be factious. I have opposed the resolution from an honest conviction, and I apprehend two opinions may be entertained upon this question as readily as upon others. There must have been a reason for introducing the rule into this House requiring a two-third vote to discharge a committee from the consideration of a bill, for otherwise it would not have been adopted. I am aware that there is probably no such rule upon the statute books, but it is a custom of long usage. But there are features in this resolution that I am in favor of, but if the resolution is to be forced upon us in the present shape, I shall vote against it, let the changes be what they may and come from what source they may. I am opposed to introducing a motion to discharge committees right in the midst of reports from committees. We have a regular system for doing business here. We have reports in their regular order, motions in their regular order, and yet, we are asked by that resolution to break into the midst of reports of committees and allow any gentleman to jump up here and move that any committee be discharged from the consideration of any particular bill.

Mr. BOYLE. Mr. Speaker, if that part of the resolution should be stricken out, I would ask the gentleman when it would be in order to move to discharge a committee.

Mr. WADDELL. There is a regular order of business, and the Clerk can answer that question better than I can.

Mr. BOYLE. I would ask the Clerk then.

The Clerk. When original resolutions are in order.

Mr. BOYLE. My reason for introducing that provision into the resolution was, that if there was not some time fixed for this order, it would require a two-thirds vote to suspend any order so that such a motion could be made. To avoid any doubt upon that subject, I now move that the resolution be so changed that the motion may be made when original resolutions are in order.

Mr. WADDELL. Mr. Speaker, that is all I desire, and yet gentlemen are charged with being factious in their position because we want the same thing that the gentlemen themselves are in favor of. Gentlemen ought not to be reflected upon here by reason of any position they may assume on this question, or any other that presents itself to this House.

Mr. LEE. I move that the further consideration of this question be postponed for the present.

Mr. BOYLE. I move to amend—that the motion be to postpone indefinitely.

Mr. MANN. I hope this motion will not prevail. We have very nearly come to an understanding now, I think, from the remarks made by gentlemen. I think we can dispose of this matter now more readily, and with less time, than we can at any future period. From the remarks made, we are evidently coming to a mutual understanding. There can be no mistake, from the temper of this House, that this rule requires some change. That

has been manifest, and it seems to me it might be as well disposed of now as at another time. I hope, therefore, neither motion will prevail, and that we shall dispose of this question at this time, for the reason that I have given—that the discussion has elucidated objections, and the gentleman who introduced this resolution has signified his willingness to accept the suggestion of making it what it ought to be. We have already gone one month into the session, and this rule will be of no use unless we adopt it soon.

I beg to express my regret at the tone of some of the remarks made, I believe unintentionally. I do not suppose any gentleman, in his remarks this morning, has intended to reflect upon any gentleman, but I think there has been manifested a little less care in some expressions than there ought to have been. I hope this will be the last day of the session that we shall have this manifestation of feeling. I do not think it is hardly the thing for one member to reflect upon his fellow-member, and I do not believe any member intended to do it. Now, that feeling seems to have died out, and we are coming down to an understanding. The gentleman from Philadelphia [Mr. QUIGLEY] has made a proper suggestion, and I think it ought to be amended in that particular. The gentleman has offered it as a suggestion, and why not act upon it now? There is evidently something required—there is additional legislation needed upon this question. There is a great feeling throughout this State upon this question, and it is just as well to show to the people now that hereafter there will be no necessity for any one feeling that this House will not have every bill under its control, and that the legislation of the State will not be just what the majority of the members of the Legislature require. We are to suppose that the majority is doing right all the time, and if a bill is in the hands of a committee that should pass, the majority have a right to pass it. But as the rules now are, that cannot be done; one-third of the Legislature can control the legislation. I think there ought to be an amendment, and, as we have come so near to a conclusion as to what the rule ought to be, let us finish up the work now.

Mr. BOYLE. I withdraw my motion to indefinitely postpone.

Mr. LEE. I withdraw my motion to postpone for the present.

Mr. BOYLE. Mr. Speaker, I will accept the amendment offered by the gentleman from Philadelphia [Mr. QUIGLEY], if it is in order.

Mr. SHARPLES. Mr. Speaker, I wish to define my position in regard to this resolution, and I feel a great regret that my colleague has displayed so much feeling here, and has made the charge which he has upon gentlemen who oppose this resolution.

The main reason why I have been opposed to this resolution is on account of the time.

In the committee that I am chairman of (that of Education), there are a number of bills that gentlemen are anxious to have passed, referring to local matters, that we intend shall be covered by a general bill. We have been holding these bills for the reason that the ground will be covered by the general bill when it is prepared. If the committee is discharged, and we act upon these local bills, there will be so much legislation for nothing. I think the time, at any rate, should be extended to a greater length than is now proposed.

Mr. KINNEY. Mr. Speaker, I have reasons satisfactory to myself, for opposing this innovation. The most important part of legislation is done in these committees. Now, I am upon a committee which has considered, in all fairness, that certain parties should be notified of the doings of certain other parties here, and we have concluded to give them that notice, and, in my opinion, the time would be entirely too short to give that notice and give them an opportunity to present their views to the committee. Hence, I am opposed to this innovation entirely.

Mr. ALLEN. Mr. Speaker, I have listened with interest to the discussion before the House and have tried, as closely as possible, to judge of the right and wrong of both sides. I have been surprised to see the feeling manifested by some, and regret that such a state of things has come up this morning. I think it is very unfortunate that a discussion of this kind should be elucidated. I think it is very undignified and disrespectful to the individual members of this House, as well as to this body. No gentleman in this House can say that I have not always been for liberal measures on all occasions. While I would now do anything which I deemed to be right and liberal, I think that I have another interest in doing justice to my constituents. I am satisfied that circumstances may occur under which I might desire to have a committee discharged during the session. It was so last winter on several occasions, but I am not disposed to allow my personal interest to cause me to favor a measure that I think would be un just. I think the rules, as adopted, are just to all concerned. I believe if I had a measure which was just, and which I could pass by a majority of this House, I could get it out of a committee. I believe, if I could not get it out of the committee, or if it was reported negatively, that it would be beaten in this House. Therefore, I have no fears of this kind of a rule. I have no idea that any such influences are upon any of the members of this House, as have been imputed by the gentleman from Chester [Mr. PENNYPACKER]. I know the nobleness of nature of the gentleman from Chester, and I believe that he would not be disposed to impute such motives to an honest man. I believe that the gentleman feels the injustice of the charge. I shall oppose this resolution on principle, because I believe that it may lead to something wrong.

Mr. PENNYPACKER. Mr. Speaker, I just heard the gentleman apologizing for my course, and I want to thank him from the depths of an honest heart for this kindness. I really do not want to say anything to hurt the gentleman's feelings in particular, or the feelings of any other gentleman on this floor. I do not want to uphold anything that I believe to be untrue, but I want to have my say honestly and fairly, and let every gentleman express his views, and then let us compare views, and vote, and let the majority rule. I believe in that, I vote for that, I live by that, but I don't want to die by it. I do not, of course, mean to hurt the feelings of any one, and if I have done so, the apology the gentleman has already made will, I hope, suffice the House, so that there may be no evil consequences resulting from it.

Mr. SATTERTHWAIT. Mr. Speaker, as there seem to be insinuations thrown out, I desire to state my reasons for voting against this resolution. It seems that this has been the rule of this House from time immemorial, and I never heard of any attempt before to change it. It seems that it could be changed at any time by the vote of a majority of the House. Now, if there had been such great hardships and difficulties under it as have been stated, I do not see why it has not been changed, and I believe from all the information I can get, there has been no trouble this session on that account. As it is in the power of this House, by a majority vote, to adopt this rule at any time, it seems to me that it is time to change it when the change is required.

Mr. HUMPHREY. Mr. Speaker, I renew the motion to indefinitely postpone the resolution.

Mr. QUAY. Mr. Speaker, I am in favor of the principle of the resolution of the gentleman from Fayette [Mr. BOYLE], but I shall vote against it at the present time for the simple reason that I intend to make captious opposition to certain bills before this House in the defeat of which my constituents in Beaver county are vitally interested. There is another matter I desire to allude to. I am told that the resolution is offered for the benefit of the Pittsburg and Connellsville railroad company. I would ask the gentleman from Fayette in what way the bill restoring the charter of the Pittsburg and Connellsville railroad company can be benefited by it? If the committee are in favor of the bill, the resolution is unnecessary, and if they report it with a negative recommendation it can then only be reached by a two-thirds vote.

Mr. BOYLE. Mr. Speaker, the gentleman from Beaver [Mr. QUAY] is mistaken in attributing the motive for offering this resolution to be for the benefit of any particular bill. I offered it without the gentlemen of the Pittsburg and Connellsville railroad knowing anything about it. There might be circumstances where it would be of some advantage to that railroad company, but I offered it for the benefit of this House without reference to any particular bill. I might say that since this resolution the parties interested in this Pittsburg and Connellsville railroad have made personal solicitations of a great number of gentlemen to vote against it. They seem to think it would be of some disadvantage to them in some way or they would not do it.

Mr. LEE. Mr. Speaker, I would say for myself that no human being has ever said a word to me about it in any way or form.

Mr. KERNS. Mr. Speaker, I was not aware that the discussion which has taken place here was intended to be leveled at the Pittsburg and Connellsville railroad company. I will state for the information of this House that the gentlemen favoring that project have had persons before that committee and they have been heard. We have heard in part one side, and are about to hear the other side, and if the object of this resolution is to get that committee discharged from the further consideration of that bill, I think it would be an unfair object. The committee, or at least myself, wish to hear all parties, whether in favor or opposed to the bill, and there is no disposition on the part of the committee to hold the bill any longer than is necessary to have a fair hearing on all sides.

Mr. QUAY. Mr. Speaker, I trust the gentleman from Tioga [Mr. HUMPHREY] will withdraw his motion to postpone, and that the House will come to a square vote on the resolution.

Mr. HUMPHREY. Mr. Speaker, I withdrew my motion to indefinitely postpone.

Mr. QUIGLEY. Mr. Speaker, I renew the motion to indefinitely postpone.

On the motion to indefinitely postpone,

The yeas and nays were required by Mr. BOYLE, and Mr. EWING and were as follow, viz:

YEAS—Messrs. Barton, Cameron, De Haven, Donohugh, Gordon, Hoffman, Josephs, Koon, Kurtz, Lee, M'Henry, Markley, Marks, Meily, Robinson, Satterthwait, Seiler, Stehman, Stubers, Waddell, Watt, Westbrook, Wham, Wingard and Worrall—25.

NAYS—Messrs. Adaire, Allen, Boyd, Boyle, Breen, Brennan, Brown, Calvin, Chadwick, Chalfant, Chase, Colville, Craig, Davis, Day, Deise, Espy, Ewing, Fogel, Freeborn, Gallagher, Harbison, Harner, Headman, Humphrey, Hunt, Jenks, Jones, Kerns, Kimmell, Kinney, Kline, Leech, Linton, Long, M'

Camant, Maish, Mann, Pennypacker, Peters, Phelan, Quay, Rhoads, Richards, Roath, Sharples, Steacy Tharp, Wallace, Webb, Weller, Wilson, Woodward and Glass, *Speaker*—54.

So the question was determined in the negative.

The SPEAKER. The question is on the motion to strike out the word "ten" and insert the word "fifteen."

On a division.

The motion was

Not agreed to.

Mr. QUAY. Mr. Speaker, I move to amend the resolution by adding the words "that a majority shall be competent to suspend this or any other rule of the House."

Mr. BOYLE. Mr. Speaker, I rise to a point of order.

The SPEAKER. Will the gentleman state his point of order?

Mr. BOYLE. I make this point of order: That the amendment of the gentleman from Beaver (Mr. QUAY) is not germane to the resolution.

The SPEAKER. The amendment offered by the gentleman from Beaver is but an addition to the proposed rule by the gentleman from Fayette. The Chair is, therefore, of the opinion that the amendment is strictly in order.

Mr. QUAY. Mr. Speaker, I call for the previous question on the amendment.

The call for the previous question was sustained by Messrs. Quay, Leech, Freeborn, Webb, Meily, Wallace, Kinney, Chase, Espy, Wingard, Kline and Linton.

On the question,

Shall the main question be now put?

The yeas and nays were required by Mr. QUIGLEY and Mr. LEE, and were as follow, viz:

YEAS—Messrs. Adaire, Allen, Armstrong, Chadwick, Colville, Day, Deise, Ewing, Freeborn, Gallagher, Gordon, Harbison, Jones, Leech, Linton, Mann, Pennypacker, Peters, Quay, Richards; Wallace, Webb, Weller, Wilson, Wingard and Woodward—28.

NAYS—Messrs. Barton, Boyd, Breen, Brennan, Brown, Cameron, Chase, Craig, Davis, DeHaven, Espy, Fogel, Harner, Headman, Hoffman, Humphrey, Josephs, Kerns, Kimmell, Kinney, Kline, Lee, Long, M'Camant, M'Henry, Markley, Marks, Meily, Quigley, Rhoads, Roath, Robinson, Satterthwait, Seiler, Sharples, Steacy, Stehman, Subers, Waddell, Watt, Westbrook, Whanu, Worrall and Glass, *Speaker*—44.

So the question was determined in the negative.

MESSAGE FROM THE SENATE.

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows, viz:

No. 138, an act to pay Foster Gehr, clerk to the committee in the contested election case of Glass vs. LINTON,

With information that the Senate has passed the same without amendment.

The SPEAKER proceeded to clear the table:

House bill No. 29, entitled Joint resolution requesting Congress to pass such laws as will enable soldiers who have lost their discharges to receive the one hundred dollars bounty, under the act of Congress of July 28th, 1866,

Was returned from the Senate with amendments.

On motion,

The House concurred.

Senate bill No. 122, an act to incorporate the Granite insurance company.

Referred to the Committee on Corporations.

Senate bill No. 152, an act to authorize the borough of St. Mary's to borrow money and to extend the width of St. Michael street in said borough.

Referred to the Committee on Municipal Corporations.

Senate bill No. 201, an act to incorporate the Erie City passenger railway company.

Referred to the Committee on Passenger Railways.

Senate bill No. 204, an act to extend the time for completing the Clearfield and Cornwensville turnpike road, and to allow tolls to be taken upon the portion completed.

Referred to the Committee on Roads, Bridges and Ferries.

The hour of one o'clock having arrived,

The SPEAKER adjourned the House until Monday evening at 7½ o'clock.

SENATE.

MONDAY, February 4, 1867.

The Senate met and was called to order at 7½ o'clock, P. M., by the SPEAKER.

On motion of Mr. CONNELL, the reading of the Journal of Friday last was dispensed with.

PETITIONS, REMONSTRANCES, &C.

Mr. CONNELL presented the petition of citizens of Philadelphia, praying for a bridge at South street, with a draw.

Referred to the Committee on Roads and Bridges.

Mr. DONOVAN, a petition from citizens of Philadelphia, praying that no bridge shall be built below Chestnut street without a draw.

Referred to the Committee on Roads and Bridges.

Also, the petition of citizens of Philadelphia, against the running of steam cars through the streets of the city of Philadelphia, which was read as follows, and

Referred to the Committee on Railroads.

To the Honorable the Senate and House of Representatives of the State of Pennsylvania, in Legislature convened:

The petition of the subscribers, citizens of Philadelphia, respectfully showeth: That they are owners of property, or living on property, on or near the line of the Philadelphia, Germantown and Norristown railroad, and they believe said railroad to be a great nuisance; that it is dangerous to life and limb, and that it is a great detriment to improvements, and to the value of property on the line thereof. They, therefore, respectfully pray your honorable body to enact laws for the removal of said railroad outside of the built-up portion of the city; and your petitioners will ever pray, etc.

Signed by William Smith, Thomas H. Smart and others.

Mr. WORTHINGTON, the petition of citizens and propertyholders of and in the South ward of the city of Chester, Delaware county, asking for authority to erect water works.

Referred to the Committee on the Judiciary Local.

Also, the petition of citizens of Chester, Delaware, Bucks and Montgomery counties, asking for a law for the protection of farmers in Philadelphia markets.

Referred to the Committee on Agriculture and Domestic Manufactures.

Also, the petition of citizens of Chester and Montgomery counties, asking for an act to incorporate a company to build a bridge over the river Schuylkill, near Pottstown, Montgomery county.

Referred to the Committee on Roads and Bridges.

Mr. JAMES, the petition of citizens of Doylestown borough, for increased borough privileges.

Referred to the Committee on the Judiciary Local.

Mr. SHOEMAKER, the petition of citizens of Hanover township, Luzerne county, for an act to authorize the trustees of the proprietors of said township to collect and pay over moneys to a central poor house.

Referred to the Committee on the Judiciary Local.

Also, a petition from citizens of Kingston township, Luzerne county, relative to bounty laws in said township.

Referred to the Committee on the Judiciary Local.

Also, the petition of citizens of Jackson township, Luzerne county, for an act authorizing the supervisors of said township to collect one-third the road tax levied for road purposes in money.

Referred to the Committee on Roads and Bridges.

Mr. JACKSON, the petition of thirty-two citizens of Hillsgrove township, Sullivan county, praying for a change of the time of meeting of the auditors of said township.

Referred to the Committee on the Judiciary Local.

Mr. COLEMAN, the petition of citizens of Lancaster county, for the rebuilding of the Columbia bridge.

Referred to the Committee on Railroads.

Mr. BILLINGFELT, a petition from residents of York and and Lancaster counties, of like import.

Referred to the Committee on Railroads.

Mr. FISHER, a petition of like import from Lancasterians.

Referred to the Committee on Railroads.

Mr. BROWNE (Lawrence), petition of like import from citizens of Lancaster county.

Referred to the Committee on Railroads.

Mr. M'CONAUGHY, a petition of like import from citizens of Adams county.

Referred to the Committee on Railroads.

Mr. WHITE, the remonstrance of one hundred citizens of Blairsville, Indiana county, against the repeal of an act prohibiting the licensing of any persons except hotel keepers in said county.

Referred to the Committee on Vice and Immorality.

Mr. TAYLOR, the remonstrance of citizens of Beaver county, relative to the vacation of certain alleys in the borough of Beaver.

Laid on the table.

Mr. BIGHAM presented the documents, letters and memorials of sundry persons, asking the creation of an assistant district attorney for Allegheny county, and stated that he would have preferred having them read, but as they would probably consume much time he would simply present them.

Referred to the Committee on the Judiciary Local.

REPORTS FROM COMMITTEES.

Mr. BIGHAM, from the Committee on Banks, reported as committed, a bill entitled An act to incorporate the Germania savings institution of Erie.

Also (same), as committed, a bill entitled An act incorporating the Real Estate savings institution.

Also (same), with amendments, an act to incorporate the National Deposit company.

Mr. BILLINGFELT, from the Committee on Roads and Bridges, as committed, a bill entitled An act supplementary to an act entitled An act appointing commissioners to lay out and open a State road in the counties of M'Kean, Elk, Forest and Clarion, approved the first day of May, 1861, reviving the third section of the said act, and authorizing the commissioners to borrow money.

Mr. GRAHAM, from the Committee on Vice and Immorality, as committed, a bill entitled An act relating to the granting of tavern licenses in Washington county.

Mr. BROWNE (Lawrence) (same), as com-

mitted, a bill entitled An act relating to restaurants and beer houses in the county of Washington.

Mr. TAYLOR (same), as committed, a bill entitled An act to extend the provisions, of the act to prohibit the granting of licenses to sell intoxicating drinks within the county of Potter, approved April 11, A. D. 1866, to the county of Beaver.

Mr. WORTHINGTON (same), as committed, a bill entitled A supplement to an act entitled An act to prevent the sale of intoxicating liquors on the first day of the week, commonly called Sunday, approved February 26, 1855.

BILLS IN PLACE.

Mr. DAVIS read in place and presented to the Chair a bill entitled A supplement to an act entitled An act relating to the pay of jurors in the counties of Lehigh and Berks, approved March 23, 1855.

Referred to the Committee on the Judiciary Local.

Mr. BIGHAM, a bill entitled An act to authorize turnpike and plank road companies, not paying dividends, to increase their toll.

Referred to the Committee on the Judiciary General.

Also, a bill entitled A further supplement to the act to incorporate the Pittsburg, Allegheny and Manchester passenger railroad company, authorizing said company to change certain parts of its route, to subscribe for stock in a new bridge, and to authorize the courts to appoint viewers to fix compensation for crossing bridges.

Referred to the Committee on Railroads.

Mr. GRAHAM, a bill entitled A supplemens to an act entitled An act to establish a ferry over the Monongahela and Youghiogheny rivers, and to vest the right in John M'Kee, his heirs and assigns forever, approved February 5, 1784.

Referred to the Committee on Canals and Inland Navigation.

Mr. SCHALL, a bill entitled An act to authorize the clerk of the orphans' court, court of oyer and terminer, and quarter sessions, to appoint deputies in Lehigh county.

Referred to the Committee on the Judiciary Local.

Also, a bill entitled An act to increase the pay of assessors of Lehigh county.

Referred to the Committee on the Judiciary Local.

Mr. SHOEMAKER, a bill entitled An act authorizing supervisors of Jackson township, Luzerne county, to collect, in money, one-third of the tax levied for road purposes in said county.

Referred to the Committee on the Judiciary Local.

Also, a bill entitled An act authorizing the trustees of the proprietors of Hanover township, Luzerne county, to collect and pay over moneys to the central poor house.

Referred to the Committee on the Judiciary Local.

Also, a bill entitled An act to incorporate the Granby coal company.

Referred to the Committee on Corporations.

Also, a further supplement to an act entitled An act incorporating the Lackawanna and Bloomsburg railroad, approved April 5, 1852.

Referred to the Committee on Railroads.

Also, a bill entitled An act to incorporate the Lehigh and Norristown railroad company.

Referred to the Committee on Railroads.

Mr. JAMES, a bill entitled A supplement to an act incorporating the borough of Doylestown, entitled An act authorizing the Governor to incorporate the Bristol steam tow boat and transporting company and for other purposes.

Referred to the Committee on the Judiciary Local.

Mr. CONNELL, a bill entitled An act to incorporate the Schuylkill insurance company of Philadelphia.

Referred to the Committee on Corporations.

Mr. LANDON, a bill entitled An act incorporating the International patent insurance company.

Referred to the Committee on Corporations.

Mr. JACKSON, a bill entitled An act declaratory of the law in reference to the barring of entails.

Referred to the Committee on the Judiciary General.

Mr. BROWNE (Lawrence), a bill entitled An act regulating marriages.

Referred to the Committee on the Judiciary General.

Mr. BROWN (Mercer), a bill entitled An act to establish a ferry over the Allegheny river in Warren county.

Referred to the Committee on Canals and Inland Navigation.

Mr. COLEMAN, a bill entitled An act to vacate the western end of Arch street in the city of Philadelphia.

Referred to the Committee on Roads and Bridges.

Mr. SEARIGHT, a bill entitled An act to incorporate the Dickinson Run railroad and bridge company.

Referred to the Committee on Railroads.

Also, a bill entitled An act to authorize the directors of the poor of Fayette county to purchase, sell and exchange real estate.

Referred to the Committee on the Judiciary Local.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

The Clerk of the House of Representatives being introduced, informed the Senate that the House of Representatives has concurred in the amendments made by the Senate to bill from the House of Representatives numbered and entitled as follows:

No. 29, a joint resolution requesting Congress to pass such laws as will enable soldiers who have lost their discharges to receive the one hundred dollars bounty, under the act of Congress of July 28th, 1866.

TARIFF RESOLUTION.

Mr. BIGHAM. Mr. Speaker, I read in place and present to the Chair a bill entitled A joint resolution requesting our Senators and Representatives in Congress to urge the passage of the pending tariff bill. They were prepared partly at your own suggestion, and if passed at all it is desirable that they should be passed to-night. I do not think they would give rise to any discussion. I move that the Committee on the Judiciary Local be discharged from the further consideration of the bill, and that the Senate proceed to the consideration of the same.

The motion was

Agreed to.

The resolutions were read as follows:

WHEREAS, The House of Representatives of the Thirty-ninth Congress at its first session passed a bill imposing duties upon foreign goods, wares and merchandise imported into the United States, and also securing increased protection to our industrial, manufacturing and mining interests;

And whereas, The Senate of the United States has also within a few days passed this same bill with sundry amendments thereto;

And whereas, The Legislature of Pennsylvania deems the passage of this bill as vital to all the interests of this Commonwealth, and fears that further discussion of its details may endanger its final passage; therefore, be it

Resolved by the Senate and House of Representatives of Pennsylvania in General Assembly:

1. That the members of the House of Representatives in Congress from Pennsylvania be earnestly requested to unite in passing the tariff bill in the form it came from the Senate, trusting to future legislation to correct errors, if such be found therein.

2. That if, in any possible contingency, this bill would hereafter come before both branches of Congress, that the Senators and Representatives in Congress from this State be earnestly requested to unanimously vote for the final passage of this bill, as the best that can be secured to replenish the national treasury and protect the industrial interests of Pennsylvania.

Mr. BIGHAM. Mr. Speaker, I think it is the unanimous wish of the people that we should pass these resolutions. I hope that both sides of the House will agree to it that it is our wish to see the pending bill passed as speedily as possible, for fear of certain contingencies that may arise, and as Congress will soon adjourn. It is desirable that the present bill, as it came from the Senate, should be passed. Congress can define its provisions hereafter. I do not wish to discuss the matter; I think we can unanimously agree on this subject. I think it would have a good effect.

The bill was read a third time.

Mr. BIGHAM. Mr. Speaker, I hope we shall have a unanimous vote.

Mr. SEARIGHT. I shall not vote for the resolution. I want to go on the record against this tariff bill. I believe it is a humbug. If it were a measure to relieve men who need protection, I would endorse it; but it is for the protection of capital. Introduce a measure for the protection of poor men, and I will vote in favor of it.

Mr. DAVIS. Mr. Speaker, I have noticed by the papers that some of the members from New England are opposed to this bill. If that is so, there may be something wrong about it, and I do not think I can vote for it, without knowing something more about it than I do to-night.

On the question,

Shall the resolution pass?

The yeas and nays were required by Mr. GRAHAM and Mr. TAYLOR, and were as follow, viz:

YEAS—Messrs. Bigham, Billingfelt, Browne (Lawrence), Brown (Mercer), Coleman, Connell, Cowles, Fisher, Graham, Haines, Landon, Lowry, M'Conaughy, Shoemaker, Stutzman, Taylor, White, Worthington and Hall, *Speaker*—19.

NAYS—Messrs. Davis, Donovan, Glatz, Jackson, James, Randall, Schall, Searight and Walls—9.

So the question was determined in the affirmative.

During the call,

Mr. SCHALL said: Mr. Speaker, not having any knowledge of the tariff bill as passed, I shall be compelled to vote "no."

ORIGINAL RESOLUTIONS.

Mr. LOWRY offered the following resolution, which was twice read:

Resolved, That the Committee on Vice and Immorality be requested to bring in a bill forbidding the infliction of corporeal punishment in schools and in prisons within this Commonwealth.

The resolution was adopted.

Mr. BIGHAM offered the following resolution, which was twice read:

Resolved, That the Committee on Education be instructed to inquire and report by bill or otherwise on the following points:

1. The propriety of changing the title of the Superintendent of Common Schools to

that of Superintendent of Public Instruction, and giving him jurisdiction over and requiring annual reports from all the academies, female seminaries and colleges in the State.

2. In what manner the remaining two-thirds of the land scrip donated by Congress can be best used to promote the education of the industrial classes.

3. Into the expediency of aiding from the public treasury such schools as have shown themselves to be live, progressive, educational institutions; also, how far obsolete educational charters can be absorbed by neighboring live establishments.

That said committee, if deemed necessary, be authorized to call before it and examine under oath the leading educators of the State on all the points named above, and also to receive suggestions how the Legislature may insure the proper education of all the sons and daughters of Pennsylvania by our own educational institutions.

The resolution was adopted.

BOROUGH OF HIGHSPIRE.

Mr. COLEMAN moved the rules be dispensed with, and that the Senate proceed to the consideration of a bill entitled An act authorizing a special election in the borough of Highspire.

Mr. COLEMAN. Mr. Speaker, the election is to be held on the 12th of this month, and it is important that it should be passed.

Mr. SEARIGHT. I object to that bill being taken up this evening. There are things in it which are said to be objectionable.

Mr. COLEMAN. I would like to have it passed to a third reading.

The motion of Mr. COLEMAN was Agreed to.

The bill was read a second time.

Mr. COLEMAN. I hope there will be no objection to this bill; I don't think there an be.

Mr. SEARIGHT. Mr. Speaker, I have understood that there is objection to it. I am not particularly interested on the subject, but it has been represented to me, by citizens of this county, that the bill is objectionable, and I would prefer, in view of the objection alleged against it, that it should take its regular course.

Mr. COLEMAN. This is the regular course of bills of this kind. There was a little discussion in the House; they thought there was a "nigger" in the wood pile, but there was not.

Mr. SEARIGHT. As I understand it, there was more than one "nigger" in the wood pile; there were several, both male and female; and the gentleman who represents my county in the House knocked the "nigger" out of it. It was proposed by this bill that everybody should vote at the election to determine whether that place should be a borough or not.

Mr. LOWRY. That is right.

Mr. SEARIGHT. Everybody except the women. I have been told, Mr. Speaker, by gentlemen of this county, that the town of Highspire has been duly incorporated by the proper court of the county, and that the whole subject has been legally determined by the courts which have jurisdiction over the subject; and I have been told that the proposition now is to repeal the decree of the court, and refer the question back to the people of this town, to say whether the decree of the court shall be binding upon them or not. It has been presented to me in that light. I never read the bill. If that is a true representation of the question, I think it is objectionable.

Mr. COLEMAN. It is a purely Democratic measure, to submit it to the voters. I know an instance in my own county. By the application of a certain member of parties, who got my town changed into a borough while I was absent, to my astonishment, I found myself in a borough when I got home. They had to apply to the Legislature to legalize their proceedings, and, by the consent of all parties, I got out of a borough; and this is a similar case. The people there, the majority of them—or at least, it is supposed so—did not desire to have a borough, and this is simply to test the feeling of the people, whether they want a borough or not. And if they do not, I think the majority should have an opportunity of saying so.

Mr. SEARIGHT. Now, Mr. Speaker, the question was determined by the proper court of Dauphin county, as I understand it, after a full hearing and a thorough understanding of the whole subject. It was not, as I am informed, done hastily, on the petition of a few persons. But, sir, I think the act of Assembly requires that the application of citizens to be incorporated into a borough, is the first object recommended by a grand jury; and in this case, the grand jury of this county of Dauphin recommended the incorporation of this borough, under the law which governs in such cases, and the grand jury of this county is supposed to be sound. I regret exceedingly to interfere in this matter, especially since the Senator from Lebanon seems desirous that this bill should pass, and I have always regarded him as a gentleman of fairness and candor; and I feel a little embarrassed in that view of the case, and that is about the only embarrassment I feel on the subject.

Mr. DONOVAN. I should like to ask the Senator from Lebanon [Mr. COLEMAN] one question: Whether he is willing to submit the question of running the cars on the Sabbath day to the people?

Mr. COLEMAN. I am, sir.

On the question,

Will the Senate suspend the rules, and read the bill a third time?

The yeas and nays were required by Mr. DONOVAN and Mr. SEARIGHT, and were as follow, viz:

YEAS—Messrs. Bigham, Billingfelt, Browne (Lawrence), Brown (Mercer), Coleman, Connell, Cowles, Donovan, Graham, Haines, Jackson, James, Landon, Lowry, M'Conaughy, Randall, Shoemaker, Stutzman, Taylor, Walls, White and Worthington—22.

NAYS—Messrs. Davis and Searight—2.

So the question was determined in the affirmative.

During the call,

Mr. DONOVAN said: Mr. Speaker, with the understanding that the Senator from Lebanon [Mr. COLEMAN] is to vote to submit the question of running cars on Sunday to the people, I will vote for this bill.

Mr. COLEMAN. I do not wish to make any bargains in regard to that, but I am in favor of the principle.

Mr. DONOVAN. Then I vote "yes."

The bill then

Passed finally.

BILLS CONSIDERED AND PASSED.

On motion of Mr. LOWRY, the rules were dispensed with, and the Senate proceeded to the consideration of a bill entitled An act to incorporate the Germania Savings institution of Erie.

The bill was read a second time.

Amended, on motion of Mr, LOWRY.

The bill, as amended, then

Passed finally.

On motion of Mr. TAYLOR, the rules were dispensed with, and the Senate proceeded to the consideration of a bill entitled An act to vacate certain lanes and alleys in the plan of outlots of the borough of Beaver, in the county of Beaver.

The bill was read a second and third time, and

Passed finally.

On motion of Mr. WALLS, the rules were dispensed with, and the Senate proceeded to the consideration of a bill entitled "An act incorporating the Real Estate savings institution."

The bill was read.

Mr. WHITE said he thought the ninth section objectionable, as a large amount of our finances were raised from taxes on banking institutions, and by this section the company would have extraordinary privileges, without being taxed.

The bill was read a third time, and

Passed finally.

On motion of Mr. DAVIS, the Committee on the Judiciary Local was discharged from the further consideration of bill entitled A supplement to an act entitled An act relating to the pay of jurors in the counties of Lehigh and Berks, approved the 23d day of March, 1865.

The bill was read.

Mr. DAVIS said the court was in session at the present time, and, if this bill was not passed, the jurors, owing to the increased rate of hotel charges, would not be able to pay their hotel bills.

The bill was read a second and third time, and

Passed finally.

On motion of Mr. JAMES, the Committee on the Judiciary Local was discharged from the further consideration of bill entitled a supplement to the act incorporating the borough of Doylestown, entitled An act to authorizing the Governor to incorporate the Bristol steam tow-boat and transportation company, and for other purposes, and the rules having been dispensed with, the bill was read a second and third time, and

Passed finally.

On motion of Mr. CONNELL, the Committee on Corporations was discharged from the further consideration of bill entitled An act to incorporate the Schuylkill insurance company of Philadelphia, and the rules having been dispensed with, the bill was read a second and third time, and

Passed finally.

On motion of Mr. BROWN (Mercer), the rules were dispensed with, and the Senate proceeded to the consideration of a bill entitled An act relating to the powers of the legal representatives of deceased tax collectors in this Commonwealth.

The bill was read a second and third time, and

Passed finally.

On motion of Mr. STUTZMAN, the rules were dispensed with, and the Senate proceeded to the consideration of a bill entitled An act to attach certain lands and tenements in Bedford township, Bedford county, and the persons residing thereon, to Bedford borough for school purposes.

The bill was read a second and third time, and

Passed finally.

On motion of Mr. M'CONAUGHY, the rules were dispensed with, and the Senate proceeded to the consideration of a bill entitled An act to change the venue in the case of Jesse Chronister *versus* Howard Miller, Geo. Hollinger and Daniel Harbolt, from the court of common pleas of Adams county to the court of common pleas of Dauphin county.

The bill was read a second and third time, and

Passed finally.

On motion of Mr. SHOEMAKER, the Committee on Railroads was discharged from the further consideration of bill entitled An

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[CONTINUED FROM PAGE 192.]

act to incorporate the Lehigh and Norristown railroad company,

And the rules having been dispensed with, the bill was read a second time, and

Agreed to, and

Ordered, To be transcribed for a third reading.

On motion of Mr. GLATZ, the SPEAKER adjourned the Senate until to-morrow morning at 11 o'clock.

HOUSE OF REPRESENTATIVES.

MONDAY Evening, February 4, 1867.

The House met at 7 o'clock, P. M.

Prayer was offered by the REV. J. KENNEDY, member from Wyoming.

The SPEAKER announced a quorum of members present.

The Journal of Friday was read, and, there being no objections, was approved.

PETITIONS, MEMORIALS, &C.

Mr. M'KEE presented a petition from inhabitants of Robison township, praying for the repeal of an act authorizing and changing the manner of collecting taxes in the townships of Robison and North Fayette, Allegheny county, approved March 13, 1866, so far as the same relates to Robison township.

Referred to the Committee on the Judiciary Local.

Mr. WEBB, a petition from inhabitants of Springfield township, Bradford county, against any further bounty tax.

Referred to the Committee on the Military.

Mr. KINNEY, petition from citizens of Hillsgrove, Sullivan county, asking for a change in time of auditors' meeting in said township.

Referred to the Committee on the Judiciary Local.

Mr. JENKS, a petition from citizens of Jefferson county, praying for the repeal of the act authorizing the county treasurer to grant licenses.

Referred to the Committee on Vice and Immorality.

Mr. PENNYPACKER, a petition from inhabitants of Chester and Montgomery counties, praying for the incorporation of a company, with power to erect a bridge over the Schuylkill river at or near Shantz's ford, Pottstown.

Referred to the Committee on Roads, Bridges and Ferries.

Mr. PILLOW, a remonstrance from citizens of Butler county, against the passage of an act to lay out a road in Allegheny and Butler counties.

Referred to the Committee on Roads, Bridges and Ferries.

Mr. SHARPLES, a petition from citizens of the county of Chester, asking for the passage of a law to prevent the growth of noxious weeds on lands in said county.

Referred to the Committee on Agriculture.

Mr. PILLOW, a petition from citizens of Marion township, Butler county, asking for a law to levy a bounty tax.

Referred to the Committee on Military.

Also, a petition from citizens of the borough of Butler, praying for the passage of a law enabling Wm. F. Ziegler to act as justice of the peace in said borough, his residence being now outside of the limits of said borough.

Referred to the Committee on the Judiciary Local.

Also, a petition from citizens of Butler county, praying for the passage of an act to increase the pay of county auditers in said county.

Referred to the Committee on the Judiciary Local.

Also, three petitions from citizens of Mercer township and Harrisonville borough, praying for an act requiring their school directors to levy a tax, and for the repeal of the bounty laws in said district.

Referred to the Committee on Military.

Mr. JONES, a petition from inhabitants of the county of Berks, praying for the passage of an act entitled An act to extend the provisions of an act relating to dogs in Allegheny county, &c., passed April 6th, 1654, to the county of Berks.

Referred to the Committee on the Judiciary Local.

Mr. MAISH, a petition from citizens of York county, praying for the passage of an act to secure the reconstruction of the Columbia bridge across the Susquehanna river.

Referred to the Committee on Roads, Bridges and Ferries.

Mr. MECHLING, a petition from citizens of Armstrong county, for the repeal of an act to regulate the practice of entering judgments and issuing processes in Armstrong county.

Referred to the Committee on the Judiciary Local.

Mr. BOYD, a petition from citizens of Goldsboro', in York county, praying for the passage of an act to enable the school directors of said borough to borrow money for building purposes.

Referred to the Committee on Education.

Mr. KENNEDY, a petition from citizens of Wyoming county, praying for the passage of an act to prevent the hunting of deer with dogs in the county of Wyoming.

Referred to the Committee on Agriculture.

Mr. ALLEN, a petition from citizens of Warren county, asking for a law requiring the Philadelphia and Erie railroad company to fence their road.

Referred to the Committee on Railroads.

Mr. WHANN, a petition from forty-two citizens of Forest county, praying that the act enlarging the boundaries of said county be repealed.

Referred to the Committee on Counties and Townships.

Also, a petition from school directors of Venango city, Venango county, praying for the passage of an act authorizing them to borrow money for school purposes.

Referred to the Committee on Education.

Mr. HUMPHREY, a petition from citizens of Farmington, Tioga county, relating to bounty bonds.

Referred to the Committee on Military.

Mr. WRIGHT, a petition from the school directors of the borough of Middleburg school district, in the county of Snyder, praying for the passage of an act authorizing them to sell certain property; also, to purchase property for school purposes.

Referred to the Committee on Education.

Also, a petition from ninety-nine citizens of Snyder county, praying for the passage of an act relating to the passage of fish in Middle creek, in the county of Snyder.

Referred to the Committee on Agriculture.

Mr. WESTBROOK, a petition from citizens of Pike county, praying for a law regulating the rates of ferriage of said county.

Referred to the Committee on Roads, Bridges and Ferries.

Mr. WALLACE, a petition from the trustees of the Orphans' Home, at Germantown, asking for an appropriation from the State in support of said institution.

Referred to the Committee on Ways and Means.

Mr. QUIGLEY, a petition from citizens residing on the line of the Philadelphia, Germantown and Norristown railroad, praying for the removal of said railroad outside of the built-up portion of the city.

Referred to the Committee on Railroads.

Mr. KERNS, a petition from citizens of Philadelphia, in favor of the railway cars running on Sunday:

Referred to the Committee on Passenger Railways.

Mr. HOOD, a petition from inhabitants of the city of Philadelphia, praying for the passage of an act authorizing the erection of a bridge across the river Schuylkill at Powelton avenue.

Referred to the Committee on Municipal Corporations.

Mr. SATTERTHWAIT, a petition from citizens of Montgomery county, against the repeal of the act of Assembly granting pensions to the soldiers of the war of 1812, and requesting the Legislature to adopt some measure to compel the State Treasurer to pay the pensions now due under the said act.

Referred to the Committee on Pensions and Gratuities.

Mr. LEECH, a petition from sundry citizens of Greene township, in the county of Mercer, praying for the passage of an act relating to bounties in said township.

Referred to the Committee on Military.

Mr. WINGARD, two additional petitions from citizens of Lycoming county, praying for an act to enable them to build a poor house.

Referred to the Committee on the Judiciary General.

Also, a petition from citizens of Wallace's Run, Lycoming county, praying for a boom in said run.

Referred to the Committee on Corporations.

Mr. BRENNAN, a petition from sixty citizens of Hanover township, in Luzerne county, praying for an act to authorize the trustees of the proprietors' fund of said township, to collect and pay over certain money to the central poor district.

Referred to the Committee on the Judiciary Local.

Mr. STEACY, a petition from citizens of Columbia borough, Lancaster county, praying for an act to rebuild the bridge across the Susquehanna river.

Referred to the Committee on Roads, Bridges and Ferries.

Mr. BRENNAN, a petition from thirty-five citizens of Jackson township, Luzerne county, for an act authorizing supervisors of said township to collect one-third the tax laid for road pupposes in money.

Referred to the Committee on Roads, Bridges and Ferries.

Mr. ARMSTRONG, a petition from inhabitants of Conestoga township, Lancaster county, praying for authority to levy and collect additional bounty tax.

Referred to the Committee on Military.

Mr. KIMMELL, a remonstrance from ninety-eight citizens of Blairsville, in the county of Indiana, against the repeal of an act prohibiting the licensing of any person, except hotel keepers, to sell vinous, spirituous, malt, or brewed liquors in the counties of Westmoreland, Blair, Indiana, &c.

Referred to the Committee on Vice and Immorality.

Mr. STUMBAUGH, memorial from forty-two citizens of Adams county, praying for an appropriation in relief of citizens whose property was destroyed at the battle of Gettysburg.

Referred to the Committee on Ways and Means.

Mr. M'CREARY, a petition from citizens of Venango township, Erie county, asking to be attached to the borough of Wattsburg for school purposes.

Referred to the Committee on Education.

Mr. BARTON, a petition from citizens of the South ward, city of Chester, praying for the passage of an act to enable said ward to erect water works.

Referred to the Committee on Municipal Corporations.

Mr. CHASE, a petition from sundry citizens of this Commonwealth, praying for the passage of an act to incorporate the General Encampment of the order of soldiers' and sailors of the war of 1861, of the State of Pennsylvania.

Referred to the Committee on Corporations.

Mr. QUAY, a petition from the burgess and citizens of the borough of Bridgewater, Beaver county, for an act to vacate a portion of Clarion street in said borough.

Referred to the Committee on Roads, Bridges and Ferries.

Also, a petition of Nancy Cole, for a divorce from her husband, Henry Cole.

Referred to the Committee on Divorces.

Mr. STUMBAUGH, a petition from Jane O'Donnell, widow of Daniel O'Donnell, deceased, for an act authorizing her name to be placed on the list of pensioners.

Referred to the Committee on Pensions and Gratuities.

Mr. MECHLING, a petition from thirty-six citizens of Apollo borough and vicinity, in Armstrong county, for the repeal of the Leechburg liquor law.

Referred to the Committee on Vice and Immorality.

Mr. COLVILLE, a petition from citizens of Allegheny and Butler counties, praying for the extension of the county road now leading from Tarentum to Brice's Farm, in Fawn township, Allegheny county, to the State road at William Fleming's farm, in Buffalo township, Butler county, thereby making it a State road.

Referred to the Committee on Roads, Bridges and Ferries.

Mr. M'KEE, a petition from citizens of Fawn township, Allegheny county, against the passage of an act to lay out a certain road in Allegheny and Butler counties.

Referred to the Committee on Roads, Bridges and Ferries.

Mr. STUMBAUGH, a petition from citizens of Washington township, Franklin county, praying for a law to prevent fishing in the several streams running through said township, during certain months of the year.

Referred to the Committee on Agriculture.

Mr. M'KEE, a petition from inhabitants of the borough of West Elizabeth, praying that the burgess and town council may be authorized to levy and collect an additional tax for borough purposes.

Referred to the Committee on Municipal Corporations.

Mr. STUMBAUGH, a petition from citizens of Franklin county, praying for a change in the law authorizing the granting of licenses in said county.

Referred to the Committee on Vice and Immorality.

Mr. M'KEE, a petition from John O. Percival, praying for authority to establish a ferry over the Monongahela river, between the boroughs of Elizabeth and West Elizabeth, Allegheny county.

Referred to the Committee on Roads, Bridges and Ferries.

Mr. MARKS, a petition from citizens of Philadelphia, in favor of erecting a bridge with a draw over the Schuylkill river at South Sixth street.

Referred to the Committee on Municipal Corporations.

REPORTS FROM COMMITTEES.

Mr. FREEBORN, from the Committee of Ways and Means, as committed, bill No. 242, an act to exempt from taxation certain real estate in Philadelphia, belonging to and used and occupied by the Western Association of ladies of Philadelphia, for the relief and employment of the poor.

Also (same), with a negative recommendation, No. 243, an act to exempt building associations in Montgomery county from taxation.

Mr. WILSON (same), with an amendment, Senate bill No. 26, an act to authorize the payment of State agents at Washington.

Mr. WOODWARD (same), with a negative recommendation, bill No. 245, an act to provide for the payment of damages done the Harrisburg park association by reason of the occupation of their grounds and buildings by the Commonwealth for military purposes.

Mr. MANN (Judiciary General), with amendments, bill No. 246, an act for the better and more impartial selection of persons to serve as jurors in each of the counties of this Commonwealth.

Also (same), as committed, bill No. 247, an act for the relief of wives and children deserted by their husbands and fathers within this Commonwealth.

Mr. WADDELL (same), as committed, an act to enlarge the jurisdiction of the courts of common pleas of this Commonwealth, relative to granting charters of incorporation, and confirming those heretofore granted.

Mr. WINGARD (same), as committed, bill No. 249, an act to extend the provisions of the act entitled An act relating to corporations for mechanical, manufacturing, mining and quarrying purposes to fire insurance companies.

Mr. JENKS (same), as committed, bill No. 250, an act supplementary to an act to amend certain defects in the law for the just and more safe transmission and secure enjoyment of real and personal estate, approved April 27th, A. D. 1855, and to provide a mode for extinguishing mineral reservations in lands not owned by the Commonwealth.

Mr. BOYLE (same), as committed, bill No. 251, an act relating to evidence in actions of evidence.

Mr. LINTON (same), as committed, bill No. 252, a supplement to an act relative to the admission of parties to judicial proceedings as witnesses.

Mr. FREEBORN (Municipal Corporations,) as committed, bill No. 253, a further supplement to an act to incorporate the city of Carbondale.

Mr. SHARPLES (same), as committed, bill No. 254, an act to vacate part of Woodpecker or Rising Sun lane, in the Twenty-first ward of the city of Philadelphia.

Mr. WILSON (same), as committed, bill No. 255, an act to vacate Elk, Ellen, Kepner and Watson alleys in the city of Harrisburg.

Mr. BREEN (same), as committed, Senate bill No 72, a further supplement to an act to authorize Woodland street, in the Twenty-fourth ward of the city of Philadelphia, to be graded, curbed and paved, approved the 27th day of May, A. D. 1863, repealing the proviso to the third section of the supplement thereto, approved the 17th day of April, A. D. 1866.

Mr. FOGEL (same), as committed, bill No. 257, a further supplement to an act regarding the port of Philadelphia, approved May 20, 1864.

Mr. LONG (same), as amended, Senate bill No. 29, a further supplement to an act entitled An act for the better security of the city of Philadelphia from dangers incident to the refining or improper and negligent storage of petroleum, benzine or naptha, approved March 2, A. D. 1865, construing the same.

Mr. HUNT (Mines and Manufacturing Companies), as committed, bill No. 259, an act to enable the Revenue Extension silver mining company of Nevada to issue bonds and to secure the payment of the same by mortgage.

Mr. HOFFMAN (Roads, Bridges and Ferries,) as committed, bill No. 260, an act to amend an act and correct an error therein, entitled An act appointing commissioners to lay out and open a State road in the counties of Cameron and Potter, approved the 21st day of March, A. D. 1865, approved the 4th day of April, A. D. 1866.

Mr. ROATH (same), with amendment, bill No. 261, a supplement to an act to incorporate the Factoryville and Abington turnpike road company, approved the 17th day of April, A. D. 1856.

Mr. DAY (same), as committed, bill No. 262, an act to incorporate the Springfield and Garretford turnpike company.

Mr. GALLAGHER (same), as committed, bill No. 263, a supplement to an act to incorporate the Titusville and Pithole plank road company, approved the 2d day of March, 1866.

Mr. MEILY (same), as committed, bill No. 264, an act to repeal an act to incorporate the Pine Creek bridge company, approved the 3d day of March, A. D. 1852.

Mr. FREEBORN (Education) as committed, bill No. 265, an act to authorize the school directors of Millville school district, Cambria county, to use surplus school tax for building purposes.

Mr. DAY (Education), as committed, bill No. 266, an act to annex the farms of

Samuel Powers, John Hunter, James Cunningham, John Conway and James Rudidge, of Derry township, to Livermore borough, in Westmoreland county, for school purposes.

Mr. ARMSTRONG (same), as committed, Senate bill No. 22, a supplement to an act to incorporate the female seminary of Eden Hall, in the county of Philadelphia, by the style and name of the Institute of Ladies of the Sacred Heart, and to take and hold lands, tenements, &c., and to sell or mortgage all or any part thereof.

Mr. STEHMAN (Corporations), as committed bill No. 268, an act to incorporate the Kensington Mutual Co-operative association of the city of Philadelphia.

Mr. ADAIRE (same), as committed bill No. 269, an act extending the time for the payment of the enrollment tax of the People's Accident insurance company of Pennsylvania, and changing the corporators.

Mr. ROATH (same), as committed bill No. 270, an act to incorporate a State company of the Patriotic Order of Junior Sons of America.

Mr. ESPY (same), as commited bill No. 271, a supplement to an act, entitled An act to incorporate the Red Bank navigation company.

Mr. KERNS (same), as committed, bill No. 272, an act to incorporate the Industrial association of Summit Hill.

Mr. RHOADS (same), as committed, bill No. 273, an act to incorporate the Milford cemetery.

Mr. ALLEN, from the Committee on Corporations, as committed, Senate bill No. 55, an act to incorporate the German insurance company of Erie.

Mr. QUIGLEY (same), as committed, Senate bill No. 21, an act to incorporate the Sisters of Mercy in the city of Philadelphia.

Mr. KENNEDY, from the Committee on Vice and Immorality, with an amendment bill No. 276, an act to repeal an act relating to licenses in Erie county.

Mr. RICHARDS (same), as committed, bill No. 277, an act relative to drunkenness and disorderly conduct in the cities of Pittsburg and Allegheny.

Mr. GORDON, from the Committee on Military Affairs, as committed, bill No. 278, an act to authorize the treasurer of the bounty fund of Schuylkill township, Chester county, Pennsylvania, to pay over to the treasurer of the school board of said township the funds remaining in his hands.

Mr. QUAY, from the Committee on the Judiciary Local, as committed, Senate bill No. 27, an act to extend the provisions of the act concerning the sale of railroads, canals, turnpikes, bridges and plank roads to sales made, or to be made, under or by virtue of a power of sale in mortgage, or deed of trust, without judicial process or decree.

SPEAKER'S TABLE.

The SPEAKER laid before the House the annual report of the New York and Erie railroad company.

Also, the annual report of the Western Saving Fund society of Philadelphia, which were

Laid on the table.

MESSAGE FROM THE SENATE.

The Clerk of the Senate being introduced, presented for concurrence bills numbered and entitled as follows, viz:

No. 123, an act to incorporate the Wilkesbarre and Sugar Notch passenger railroad company.

Referred to the Committee on Passenger Railways.

No. 136, an act exempting the property of the Ladies' United Aid society of the Methodist Episcopal Church of Philadelphia from taxation.

Referred to the Committee on Ways and Means.

No. 138, an act relating to the Dauphin county prison.

Referred to the Committee on the Judiciary Local.

No. 60, an act granting a pension to William M'Farland.

Referred to the Committee on Pensions and Gratuities.

No. 232, an act to incorporate the Caledonia and South Mountain railroad company.

Referred to the Committee on Railroads.

He also returned bills from the House of Representative numbered and entitled as follows, viz:

No. 75, an act to repeal the act to change the venue in the case of John Lenox, from the county of Washington to the county of Beaver, approved April 12, 1866.

No. 135, a supplement to an act approved February 27, 1863, entitled An act to incorporate the Oakland railroad company,

With information that the Senate had passed the same without amendment.

He also returned bill from the House of Representatives numbered and entitled as follows:

No. 14, an act to authorize the collection of money for school purposes in the borough of Tidioute, Warren county,

With information that the Senate has passed the same with amendment, in which the concurrence of the House of Representatives is requested.

ORIGINAL RESOLUTIONS.

Mr. MANN. Mr. Speaker I offer the following resolution.

The resolution was read as follows;

Resolved, That this House will hold a session to-morrow evening, February 5, to commence at 7½ o'clock, for the special purpose of continuing the consideration of Senate bill No. 3, entitled A joint resolution to ratify the Fourteenth article of the Constitution of the United States.

The resolution was read a second time.

Mr. JENKS. Mr. Speaker, the Railroad Committee meets to-morrow evening. Business of importance will be before that committee that requires immediate attention. I hope, therefore, the House will not occupy that evening in such a manner as to interfere with the meeting of that committee. The afternoon discussion of the amendment will, I suppose, afford sufficient instruction in reference to that matter for one day.

Mr. MANN. Mr. Speaker, I hope the resolution will be adopted by general consent. The Railroad Committee could meet as usual and the discussion proceed if any gentlemen desire a further discussion. If not, and a vote is to be reached, the committee can be notified and adjourn long enough for the vote to be taken. This matter has been continued for a long time and ought to be disposed of. I hope the House will pass this resolution, so that we can close this matter up at once. It need not interfere with the meeting of the Railroad Committee, for if the vote is to be taken they can be notified and adjourn long enough to take the vote and then resume their business.

Mr. JENKS. Mr. Speaker, I have no objection to the House meeting at that time, provided it does not interfere with the meeting of that committee. If it is satisfactory to the chairman of that committee, and generally understood that the Railroad Committee meet at that time to discharge the duties assigned to it, I have no objection.

Mr. KERNS. Mr. Speaker, I understand the standing rules of this House prevent any committee sitting during the sessions of this House. Therefore it is impossible for this committee to sit during the session of this House.

Mr. M'CREARY. Mr. Speaker, could not the Railroad Committee meet to-morrow afternoon?

The SPEAKER. The consideration of the private calender will probably occupy the most of the afternoon to-morrow.

Mr. MANN. Mr. Speaker, I think all difficulty can be obviated. The Railroad Committee can meet with the consent of the House. The House can give them leave and it is a common occurrence to do so. If this resolution pass I will move that they have leave to meet during the session of the House on that evening.

Mr. JENKS. Mr. Speaker, if the gentleman will modify his resolution by an amendment to that effect I will have no objection to it. I move, as an amendment to the resolution, that the Railroad Committee have leave to sit during the session of the House.

The SPEAKER. Does the gentleman from Potter (Mr. MANN) accept the amendment?

Mr. MANN. Certainly, if that is proper to make it a part of the resolution.

Mr. WADDELL. Mr. Speaker, it strikes me that that amendment is not in order. It is a distinct proposition entirely, and is not germain to the resolution. Let them come up as separate propositions.

Mr. MANN. Mr. Speaker, I preferred to have it as a distinct proposition, and I thought, myself, that it was hardly in order to accept the amendment. I think it would be better to adopt the resolution and then, by a separate proposition, give the Railroad Committee leave to sit during the session of the House.

The SPEAKER. The amendment is not exactly germain to the question, but the Chair is of the opinion that it is competent for the House to pass it with the resolution.

Mr. STEHMAN. Mr. Speaker, the Committee on Corporations also meet on to-morrow evening.

Mr. WADDELL. Mr. Speaker, I move that they also have leave to sit during the session of the House.

The motion was

Agreed to.

Mr. WADDELL. Mr. Speaker, there is one matter I would like to understand now. The Committee of Ways and Means have made arrangements, at the request of the physician in charge of the Insane Asylum, to visit that institution to-morrow afternoon, and to witness an exhibition by the inmates to-morrow evening. Now, it is possible that the committee will not be able to be here in the early part of the evening. I want it understood that no advantage will be taken of our absence to pass the resolution to a vote in case we are not back in time. If we are not here, it will be from necessity, and not from any want of respect, or to avoid discussion. If it would be in order to amend the resolution so as to excuse the Committee on Ways and Means from attending the session of the House, I would like to have it done in some shape.

The SPEAKER. The Committee on Railroads, the Committee on Corporations, and the Committee on Ways and Means, together, number fifty-seven members, and if they are all permitted to be absent there will not be a quorum present to-morrow evening.

Mr. MANN. Mr. Speaker, I hope the gentleman from Chester [Mr. WADDELL] will not press this amendment. There will be no difficulty in that respect. The object is to reach a conclusion in the discussion of this matter.

Mr. WADDELL. Mr. Speaker, this en-

gagement was made with the resident physician last week, for this committee to spend a part of the afternoon and a part of the evening there. I do not care about a motion to excuse the committee, if it is generally understood that no advantage will be taken of their absence.

Mr. QUAY. Mr. Speaker, I move to amend by striking out "Tuesday" and inserting "Wednesday."

Mr. MANN. Mr. Speaker, I am sorry so much difficulty has been raised on the passage of this resolution. On Wednesday evening is the regular meeting of the General Judiciary Committee, and on Wednesday afternoon two special orders have already been made, with the view, I suppose, that this matter would be disposed of before that time. Wednesday afternoon special sessions have been ordered for special matters, and this question cannot go over until Wednesday without making greater confusion than if it were disposed of to-morrow afternoon. On Thursday, I suppose, a large number of the members desire to go to Pittsburg. I take it, therefore, as quite certain that unless this matter is disposed of before to-morrow evening, it will go over for a week, and I therefore hope the House will let the resolution pass without amendment.

Mr. QUAY. Mr. Speaker, it seems to me that the House can better afford to do without the Committee on the General Judiciary, at least the Republican side of the House, than the other committees. The result will be to-morrow, if these committees are not present, the Democrats will force the matter to a vote, and vote down the resolution.

Mr. PENNYPACKER. Mr. Speaker, I understand, sir, that a resolution passed some time ago making the consideration of the constitutional amendments a special order for Tuesday, Wednesday and Thursday afternoons of each week until disposed of, and last week, I understand, a resolution was passed making a special order for next Wednesday afternoon. I would inquire whether the first proposition to consider the amendments does not take priority of the other special order. I understand that if this matter is not disposed of before Wednesday afternoon, the amendments will then crowd it out. I think, sir, that we can settle this matter to the satisfaction of this side of the House, at least in one session.

The SPEAKER. The question is on the amendment of the gentleman from Beaver [Mr. QUAY] to strike out Tuesday and insert Wednesday.

The amendment was

Agreed to.

The resolution, as amended, was

Agreed to.

Mr. PENNYPACKER. Mr. Speaker, I offer the following resolution.

The resolution was read as follows:

Resolved, That a committee of five be appointed to examine into the practice and extent of adulterating medicines in this Commonwealth, and report whether any remedy is needed, by bill or otherwise, with power to send for persons and papers.

The resolution was read a second time.

Mr. WINGARD. Mr. Speaker, I move to amend by adding after "medicines," the words "and liquors."

Mr. PENNYPACKER. Mr. Speaker, I do not use the article very extensively myself, but I would suggest that it is included in the resolution already. I admit of the adulteration of medicines taken as a beverage, and I, therefore, oppose the amendment, because it would take the committee out of its legitimate course. The resolutions will include liquors, at least those embraced in the term *vini gallici*.

Mr. M'CREARY. Mr. Speaker, this is a resolution requiring a committee to prepare a bill to prevent the adulteration of drugs, and also to ascertain the extent to which this adulteration is carried. It is impossible to ascertain the extent to which this adulteration is practiced, for to do that it would be necessary for this committee to go to every drug store in the entire State. As regards a bill to prevent the adulteration of drugs, I see by the act of 31st of March, 1860, that it is made a misdemeanor for persons to adulterate medicines. The latter part of the act reads, "or shall adulterate for sale, or shall sell, knowing them to be adulterated, any drugs or medicines; such person so offending shall be guilty of a misdemeanor, and upon conviction, be sentenced to pay a fine not exceeding one hundred dollars, or undergo an imprisonment not exceeding six months, or both, or either, at the discretion of the court." If the object is to prepare a bill to punish persons for adulterating medicines, or selling adulterated medicines, it will be merely duplicating what we now have. But if it is to ascertain the extent to which this adulteration is carried on, it will be simply impossible, for to do that, it will be necessary to examine every drug store in the State, and keep a committee raised all the time for that particular purpose.

Mr. PENNYPACKER. Mr. Speaker, the law, as we all know, is at present a dead letter. It is proposed, by the raising of this committee, to inquire into the extent to which this adulteration is carried, and it can be done to an extent only. It is proposed to call before the committee men eminent in medicine and pharmacy, and see if there can be any remedy applied that shall be effective. This law is inoperative at present. We propose to examine into this thing closely, and I hope this House will pass the resolution, that we may do what is possible to remedy this evil. This adulteration has gone so far, and is carried on to such an extent, that practicing physicians cannot depend upon getting certain results by the use of certain medicines. We want to see if we cannot by some means get a law that will reach the case. I have an idea that if the House appoint this committee, they might provide some remedy that would be effective. We wish to consult with medical gentlemen and others on the subject, and I therefore ask the House to give us the committee that we may make an attempt to correct this evil.

Mr. HUMPHREY. Mr. Speaker, I would suggest to the gentleman from Chester [Mr. PENNYPACKER] that we limit this inquiry to druggists. If we make it unlimited it would be impossible to make the investigation required. I think we should limit it to druggists, wholesale dealers in drugs and medicines.

Mr. WOODWARD. Mr. Speaker, it seems to me that we are going to a great extent in this House in the appointment of special committees. Suppose we appoint a special committee to ascertain to what extent every misdemeanor is carried on, and we will soon have the House entirely divided up into special committees. If this plan is to be fully carried out I would like to have a committee appointed to investigate the extent to which milk is adulterated. I presume the gentleman from Chester [Mr. PENNYPACKER] does not use a great deal of that article, but I should like to have the matter investigated for the benefit of those who do use it. The gentleman has stated that it is already a well known fact that drugs are adulterated to a fearful extent. Why, then, does he want a committee to investigate and ascertain a fact already well known? That fact is already established, and the law provides a remedy. The gentleman admits that this adulteration is carried on to so great an extent that no certain result follows from the use of medicines, and yet he wishes a committee appointed to investigate that same fact, and report by bill or otherwise. I do not see the use of this procedure, and would like the gentleman to explain himself more fully.

Mr. PENNYPACKER. Mr. Speaker, I do not think the gentleman gets at the right point. The object is to have this matter investigated that a remedy may be applied. We know the fact, but we want to go down to the foundation of this thing, and ascertain if the remedy so much needed cannot be made effective.

Mr. WOODWARD. Mr. Speaker, is not the remedy in existence if we only apply it? The law now makes it punishable as a misdemeanor.

Mr. PENNYPACKER. Mr. Speaker, that is the fact, but the law is inoperative. We wish to apply something that will be effective. I would say that if the gentleman will get up a resolution to appoint a committee to investigate the adulteration of milk I would have no objection. Every gentleman in this House, and every family in this Commonwealth is deeply interested in this question, and if, by any means, we can apply a remedy, we will accomplish a desirable object. In answer to the suggestion of the gentleman on the other side of the House [Mr. HUMPHREY], I would say that the committee, in their judgment would, of course, examine this question fully and not go beyond a point that would require a good deal of expense, et cetera, but examine the question and apply a remedy to the best of their ability. I have no objection to restricting the resolution and shall be happy to hear any suggestion that can be made to amend the resolution so as to better accomplish the object sought.

Mr. M'CREARY. Mr. Speaker, inasmuch as I am, perhaps, responsible in part for raising this discussion I would like to make a few further remarks on the subject. I cannot yet see, after the gentleman's explanation, any reason why we should adopt this resolution. If he wants to ascertain that drugs are adulterated we have his own word that such is the case. If he wants to provide a law to remedy this we have already a very severe law making this offense a misdemeanor punishable by fine and imprisonment. I cannot see what the gentleman proposes to accomplish. If he wishes to appoint a committee to ascertain to what extent this is carried on, he might just as well appoint a committee to ascertain the extent to which horse stealing, or counterfeiting, or any other misdemeanor is carried on. We know the fact that horses are stolen and that money is counterfeited, and we have laws for the punishment of those offenses. What would be the use of appointing a committee to ascertain the extent to which these offenses are carried on? If the gentleman will refer to the act of March 31, 1860, he will find that it not only makes it a misdemeanor for a person to adulterate drugs and medicines, but also for him to knowingly sell drugs and medicines that are adulterated. The gentleman from Lycoming [Mr. WINGARD] will find that it covers liquors used as a beverage, and several other articles, as will be seen by reading the first part of the act.

"If any person shall sell, or expose for sale, the flesh of any diseased animal, or any other unwholesome flesh, knowing the same to be diseased or unwholesome, or sell or expose for sale unwholesome bread, drink, or liquor, knowing the same to be unwholesome; or shall adulterate for the purpose of sale, or sell any flour, meal or other article of food, any wine, beer, spirits of any kind, or other liquors intended for drinking, knowing the same to be adulterated, such person so offending shall be guilty of a misdemeanor," &c.

I see that the penal code refers to this, and goes on to give the report upon the same. It shows that this matter has been considered very thoroughly. I have no objection to the passage of this resolution and the appointment of this committee if there is anything to be accomplished by it, but when we already have laws on our statute books I think it is an insult to those who made them to pass others of the same kind.

It is impossible to pass laws more severe, and if we keep on appointing special committees, this way, as my colleague suggests, the House will soon be entirely cut up with special committees, and when the committees meet, it will be impossible for the House to go on and do business.

Mr. COLVILLE. Mr. Speaker, I move to postpone the resolution indefinitely.

The motion was

Agreed to.

Mr. BOYLE. Mr. Speaker, I call up my resolution to amend the rules.

The resolution was read as follows:

Resolved, That the following shall be a rule of this House:

RULE 62. A majority may discharge a committee from the consideration of any matter referred to it at any time after fifteen days subsequent to such reference, and from the consideration of any matter referred within fifteen days of the close of the session, on or after the second day succeeding such reference; and motions for discharge may be made when reports from committees are in order.

The question was on the amendment of Mr. QUAY, to allow a majority to suspend this or any other rule.

Mr. WINGARD. Mr. Speaker, I move that the further consideration of the resolution be postponed until after bills in place are read. I have bills which have been acted upon by committees and which have been in my hands for a long while to be reported; and I am satisfied this is the condition in which numbers of the gentlemen in this House are placed.

Mr. LEE. Mr. Speaker, this is a matter of considerable importance. After the orders shall have been gone through we will have very little time in which to take up this subject. I therefore move that it be postponed until Wednesday morning and made the special order.

Mr. BOYLE. Mr. Speaker, I move to postpone indefinitely. I only desire to say I think this resolution would be disposed of this evening in a very short time. I do not know that there is any inclination to discuss it further. It has already been very fully considered, and I think it is well understood by this House at this time. My desire is that we go right on and vote upon the questions as they present themselves. I desire to add one further amendment before the resolution is finally disposed of. I think we had better proceed with it now; it has already occupied a great deal of time. If it is made a special order for Wednesday morning it will take a great part of the day. I think time will be saved by taking up this matter now.

I withdraw my motion for an indefinite postponement.

Mr. QUIGLEY. Mr. Speaker, I renew the motion.

I do not know whether my friend from Fayette [Mr. BOYLE] is prepared to vote on the amendment of the gentleman from Beaver [Mr. QUAY]. I am not. I do not think this side of the House is ready to vote upon it. What does it propose to do?

A majority of the House can suspend any rule at any time. What protection has the minority? I, for one, am not prepared to vote for the amendment of the gentleman from Beaver (Mr. QUAY). The majority could call up any bill and pass it in one day. The minority would not have a chance even to discuss it. I am sure the gentleman from Fayette is not prepared to vote for such an amendment. I trust the resolution and amendment will be postponed to a specified time.

I withdraw my motion for an indefinite postponement.

The question was on the amendment of Mr. LEE, to make the resolution a special order.

On agreeing to the amendment,

The yeas and nays were required by Mr. BOYLE and Mr. JONES, and were as follow, viz:

YEAS—Messrs. Adaire, Allen, Armstrong, Barrington, Barton, Brown, Cameron, Chase, Day, Espy, Gordon, Harbison, Headman, Heltzel, Hoffman, Hood, Humphrey, Josephs, Kennedy, Kerns, Kimmell, Lee, Marks, Mechling, Mullin, Quay, Quigley, Rhoads, Robinson, Satterthwait, Seiler, Shuman, Steacy, Stehman, Stumbaugh, Subers, Waddell, Watt, Westbrook, Wingard, Woodward, Wright and Glass, *Speaker*—43.

NAYS—Messrs. Boyd, Boyle, Breen, Brennan, Calvin, Chalfant Collins, Colville, Craig, Deise, Ewing, Fogel, Freeborn, Gallagher, Harner, Hunt, Jenks, Jones, Kinney, Leech, Linton, Long, M'Creary, M'Henry, M'Kee, Maish, Mann, Meily, Pennypacker, Peters, Phelan, Pillow, Roath, Rouch, Sharples, Tharp, Wallace, Webb, Weller and Wilson—41.

So the question was determined in the negative—two-thirds not having voted for the amendment.

Mr. BOYLE. Mr. Speaker, I would ask leave to inquire of the Chair whether this is not precisely the same resolution that has just been voted down? It is true the former motion designed that it be a special order on Wednesday morning; but is not this in effect the same?

The SPEAKER. It is not to be made a special order for Wednesday; it will not take precedence of other business, but will come up in its regular order.

On agreeing to the amendment of Mr. QUAY,

The yeas and nays were required by Mr. WATT and Mr. QUAY, and were as follow, viz:

YEAS—Messrs. Adaire, Allen, Armstrong, Barrington, Barton, Breen, Brown, Cameron, Day, Espy, Fogel, Gordon, Harbison, Headman, Heltzel, Hoffman, Hood, Humphrey, Josephs, Kennedy, Kerns, Kimmell, Kinney, Kline, Lee, Marks, Mechling, Mullin, Pillow, Quay, Quigley, Rhoads, Roath, Robinson, Satterthwait, Seiler, Sharples, Shuman, Steacy, Stehman, Stumbaugh, Subers, Waddell, Watt, Westbrook, Whann, Wingard, Woodward, Wright and Glass, *Speaker*—50.

NAYS—Messrs. Boyd, Boyle, Brennan, Chalfant, Collins, Colville, Craig, Deise, Ewing, Freeborn, Gallagher, Harner, Hunt, Jenks, Jones, Leech, Linton, Long, M'Creary, M'Henry, M'Kee, Maish, Mann, Meily, Pennypacker, Peters, Phelan, Richards, Rouch, Tharp, Wallace, Webb, Weller and Wilson—34.

So the question was determined in the affirmative.

After the call of the yeas and nays Mr. BARTON asked leave to record his vote.

Mr. BOYLE. Mr. Speaker, I object to the gentleman's voting; he was within the bar of the House when his name was called.

Mr. BARTON. Mr. Speaker, my mind was occupied when the yeas and nays were called. My name was called, but I did not understand what the question was.

Leave to record his vote was granted

The question was on the amendment as amended.

Mr. BOYLE. Mr. Speaker, I move to postpone indefinitely.

Mr. WINGARD. Mr. Speaker, I rise to a point of order. I wish to know how often the gentleman proposes to postpone indefinitely for the purpose of making a speech.

The SPEAKER. The gentleman from Fayette [Mr. BOYLE] moves to postpone indefinitely; the question is on the motion. The Chair is clearly of the opinion that the gentleman from Fayette is entitled to the floor, and to speak on that question if he thinks proper.

Mr. BOYLE. Mr. Speaker, I do not desire to occupy the time of the House. There has been a disposition from the very beginning, in some quarters, to fight this resolution for some reason, I cannot tell why. I see no good reason why these side motions are made, consuming the time of the House, by gentlemen who pretend to be exceedingly anxious that the House shall lose no time. That is the pretense for refusing to proceed to the consideration of this resolution now. We have had three or four sessions on this subject, and all the time has been consumed by the motions of gentlemen who are opposed to the resolution. Now, every gentleman here knows that this matter may be disposed of in a few moments, if we would come directly to a vote. I do trust that the House will not adopt this resolution to postpone until Wednesday morning, because under the decision of the Chair a few moments ago, if that resolution to postpone be adopted without making it a special order, it is equivalent to killing the resolution now before the House, because it cannot be reached. I understood the Chair to say general orders would take precedence; Wednesday will go by and this resolution will not be reached. Then when would it come up? When would we reach it? I say, now, that any gentleman who votes to postpone this resolution till Wednesday morning votes against it. Gentlemen may conceal it as they please, it is only a mask. Gentlemen who vote for the postponement vote against the resolution. They may dodge it as they please, they will be held responsible for voting against it. I am willing to make this vote a test vote. I want it so regarded, here and elsewhere, I shall vote on it as such. I will vote against this resolution, desiring to save time.

I withdraw my motion to postpone indefinitely.

Mr. QUIGLEY. Mr. Speaker, I do not desire to discuss this question. I merely rise to reply to the remarks of the gentleman from Fayette [Mr. BOYLE]. I take it that every gentleman on this floor is responsible to his constituents for his votes. I do not think any gentleman has the right to lecture any one who differs with him on questions that may arise in the House. I believe we have a right to oppose a resolution.

Mr. BOYLE. Mr. Speaker, if the gentleman will allow me I will say to him there are circumstances under which a gentleman will have a right to oppose this resolution; but there are other circumstances under which he will have no right to oppose it.

Mr. QUIGLEY. Mr. Speaker, I understand this if I understand anything at all, that I am not responsible to the gentleman from Fayette or any other gentleman for the vote I cast.

Mr. BOYLE. Mr. Speaker, the gentleman is responsible to me or any one else to whom he gives his word.

Mr. QUIGLEY. Mr. Speaker, the gentleman from Fayette nor any other gentleman can say that I gave my word to vote for such a resolution. Can the gentleman say so?

Mr. BOYLE. Mr. Speaker, I do say so. The gentleman from Philadelphia [Mr. QUIGLEY] told me he was for this resolution.

Mr. QUIGLEY. I abstractly said so.

Mr. BOYLE. Mr. Speaker, I would like

the gentleman to explain what he means by "abstractly."

Mr. QUIGLEY. Mr. Speaker, I do not care about voting at random. I take it the gentleman has consumed more time on this resolution and been more factious and more persistent than any one on this floor. A moment ago a vote was taken on the postponement of this resolution and it was carried by a large majority. Now who is factious? I do not know what motive the gentleman has in introducing this resolution; but he has the right to introduce it and I have the right to oppose it.

When the gentleman proposed to alter the rules so that a majority shall discharge a committee, I told him I would support his resolution. But now, the resolution is in another form. We have just had the sense of the House on the postponement until Wednesday, and the gentleman was defeated by a large majority. I would like to ask him who is factious?

Mr. QUAY. Mr. Speaker. The gentleman from Fayette [Mr. BOYLE] alleges that the motion is fatal to the resolution, because it will not be in order on Wednesday. I will make a proposition to him if he will accept it. I will move to reconsider the vote on the original resolution of the gentleman from Lycoming [Mr. WINGARD], to make it the special order for Wednesday.

Mr. BOYLE. Mr. Speaker, I agree to that.

Mr. WINGARD. Mr. Speaker, I don't recognize the right of any gentleman to lecture me here or any place else. I do not propose to accuse any gentleman with having any such purpose. I have to say that I do not not here or anywhere else with a mask. I want the gentleman from Fayette as well as this House to understand my position on this resolution. I oppose this resolution simply because I have endeavored several times during this session to introduce matters that were a little outside of the regular order of business, and I have been invariably met by gentlemen thrusting in my face the fact that we must dispose of the regular orders. I want the regular orders. As I said before I have bills that committees have instructed me to report to this House, and I desire to have them reported. I want them printed and before this House for its consideration.

If a further discussion is desired on this resolution let an hour be named for this purpose. This is the reason I accepted the amendment to my motion offered by the gentleman from Philadelphia [Mr. LEE]. I am satisfied to have the largest amount of discussion on this subject.

Mr. QUAY. Mr. Speaker, I suppose, in order to fulfill the proposition I made to the gentleman from Fayette [Mr. BOYLE], a vote will have to be taken on the question now before the House. If carried, then I will make a motion for a special order for Wednesday morning. I suppose there will be no objection.

Mr. MANN. Mr. Speaker, I ask the gentleman to amend the motion as it stands and make it a special order for Wednesday morning, at half-past ten o'clock. That certainly can be done.

Mr. QUIGLEY. Mr. Speaker, I will ask if this would not come up in regular order on Wednesday.

Mr. MANN. Mr. Speaker, I wish to say the desirableness of having it a special order consists in this, that it then must be disposed of, except by unanimous consent.

The SPEAKER. The question before the House is to postpone until Wednesday next; that has been amended by the gentleman from Beaver [Mr. QUAY], to make it a special order for Wednesday morning next, at ten o'clock.

The amendment of Mr. QUAY was

Agreed to.

The motion, as amended, was

Agreed to.

LEAVE OF ABSENCE.

Leave of absence was asked and obtained for

Messrs. GREGORY, MEYERS, M'PHERRIN, CAMERON and JENKS.

Mr. PENNYPACKER. Mr. Speaker, I rise to a personal explanation.

The other day, during some remarks I was making on a certain bill, there were some matters spoken of that were accepted offensively by my friend from Philadelphia [Mr. LEE]. I wish to say that there was nothing personal intended. If it was accepted in such manner I am very sorry, and apologize to him and this House for it.

Mr. LEE. Mr. Speaker, to err is human, to forgive divine! I accept this as a proper and suitable explanation of the remarks of the gentleman. I regard them as being made in the heat of debate, and without the intention that they would otherwise very clearly indicate. I have an apology to make to this House for the heat of that occasion. I think that was the first time in my life that I have been thrown off my guard, and I do not think I can forget myself again. I hold the gentleman from Chester in the highest estimation. He is one of my most ardent, particular and especial friends; therefore the accusation came with more crushing force. I accept the apology of the gentleman and ask the pardon of the House.

BILLS IN PLACE.

Mr. BREEN read in his place and presented to the Chair a joint resolution instructing our Senators and Representatives to favor a repeal of the neutrality laws.

Referred to the Committee on Federal Relations.

Mr. KERNS, a joint resolution instructing our Senators and requesting our Representatives in Congress from this State relative to the American Atlantic cable telegraph company for right of way from Bermuda to Cape Charles.

Referred to the Committee on Federal Relations.

Mr. WEBB, a joint resolution instructing our Senators and requesting our members in Congress to vote for laws to reconstruct the States lately in rebellion.

Referred to the Committee on Federal Relations.

Mr. HUMPHREY, a supplement to an act in relation to the payment of bounties to volunteers from the township of Farmington, Tioga county, during the rebellion.

Referred to the Committee on Military.

Mr. LEECH, an act authorizing the supervisors of Green township, in the county of Mercer, to collect a tax, and pay certain bounties, and refund money advanced to pay bounties.

Referred to the Committee on Military.

Mr. DEISE, an act to legalize the bonds issued by the school directors of Green township, in the county of Clinton, for bounty purposes, and to authorize the assessment and collection of a tax to pay the same.

Referred to the Committee on Military.

Mr. JONES, an act to authorize the school board of North Heidelburg township, in the county of Berks, to levy and collect an additional bounty tax.

Referred to the Committee on Military.

Mr. KERNS, an act to ascertain the views of the qualified electors of the city and county of Philadelphia, upon the subject of allowing the passenger railway companies of said city to run their cars on the first day of the week, commonly called Sunday.

Referred to the Committee on Passenger Railways.

Mr. PETERS, an act to incorporate the Allegheny and Saw Mill Valley passenger railway company.

Referred to the Committee on Passenger Railways.

Mr. LEE, an act to incorporate the United States Chemical and Metallurgical college.

Referred to the Committee on Mining and Manufacturing Companies.

Mr. WADDELL, a supplement to an act incorporating the Great Valley gold and silver mining company, approved 17th day of November, A. D. 1866, increasing the number of incorporators, and restricting the powers of said corporation.

Referred to the Committee on Mining and Manufacturing Companies.

Mr. PETERS, an act to incorporate the Hidalgo gold and silver mining company.

Referred to the Committee on Mining and Manufacturing Companies.

Mr. CHASE, an act to incorporate the Ivanhoe silver mining company.

Referred to the Committee on Mining and Manufacturing Companies.

Mr. KENNEDY, an act to prevent the hunting of deer with dogs in the county of Wyoming.

Referred to the Committee on Agriculture.

Mr. SHARPLES, an act to prevent the growth of noxious weeds in the county of Chester.

Referred to the Committee on Agriculture.

Mr. MEILY, an act to repeal a supplement to an act to prevent cattle, horses, sheep and hogs from running at large in the county of Delaware, extending the same to Lebanon county, approved the 11th day of April, A. D. 1866.

Referred to the Committee on Agriculture.

Mr. WINGARD, an act to reannex a part of Colbrook township, Clinton county, to Brown township, Lycoming county.

Referred to the Committee on Counties and Townships.

Mr. GALLAGHER, an act to extend the provisions of an act to prohibit the issuing of licenses within certain boroughs in the counties of Armstrong, Potter, Indiana and Perry, or within two miles of the same, in the counties in which such boroughs are located, approved the 27th day of March, 1866, to the boroughs of New Alexandria and Bolivar, in the county of Westmoreland.

Referred to the Committee on Vice and Immorality.

Mr. WEBB, an act to prevent the sale of intoxicating liquors on election days.

Referred to the Committee on Vice and Immorality.

Mr. QUAY, an act to prohibit the sale of intoxicating drinks in the townships of Economy and Independence, in the county of Beaver.

Mr. MANN, an act to declare a portion of Freeman's run, in Potter county, a public highway.

Referred to the Committee on Roads, Bridges and Ferries.

Mr. BOYD, an act providing for the reconstruction of the Columbia bridge across the Susquehanna.

Referred to the Committee on Roads, Bridges and Ferries.

Mr. SATTERTHWAIT, an act to incorporate the Greenwood Avenue turnpike company.

Referred to the Committee on Roads, Bridges and Ferries.

Mr. BREEN, an act authorizing the supervisor of Blythe township, Schuylkill county, to make and repair the public roads, bridges and culverts in said township.

Referred to the Committee on Roads, Bridges and Ferries.

Mr. M'HENRY, an act to incorporate the Shickshinny and Cambra turnpike road company, in the county of Luzerne.

Referred to the Committee on Roads, Bridges and Ferries.

Mr. HOFFMAN, an act relative to the supervisors and road laws in Wiconisco township, Dauphin county.

Referred to the Committee on Roads, Bridges and Ferries.

Mr. ALLEN, an act to repeal an act approved the 23d day of March, A. D. 1865, to appoint a road commissioner to take charge of a portion of the Warren and Brookville, and of the Warren and Hattonville State road.

Referred to the Committee on Roads, Bridges and Ferries.

Also, a supplement to an act to incorporate the Tidioute bridge company, approved the 17th day of April, A. D. 1861.

Referred to the Committee on Roads, Bridges and Ferries.

Also, an act to establish a ferry over the Allegheny river in Kinsua township, Warren county.

Referred to the Committee on Roads, Bridges and Ferries.

Also, an act to repeal part of an act authorizing the appointment of commissioners to lay out and open a State road in the counties of M'Kean, Elk, Forest and Clarion, approved May 1st, A. D. 1861.

Mr. COLVILLE, an act to lay out a State road in Allegheny and Butler counties.

Referred to the Committee on Roads, Bridges and Ferries.

Mr. HOFFMAN, an act to declare Wiconisco creek, from Oak Dale, in Dauphin county, to the public road leading from Clark's valley to Tremont, in Schuylkill county, a public highway.

Referred to the Committee on Roads, Bridges and Ferries.

Mr. DEISE, an act to establish a ferry and foot bridge over the Driftwood branch of the Sinnemahoning creek, near the mouth thereof, in Cameron county.

Referred to the Committee on Roads, Bridges and Ferries.

Mr. WESTBROOK, an act to regulate the rates of ferriage in the county of Pike.

Referred to the Committee on Roads, Bridges and Ferries.

Mr. WILSON, an act to establish a ferry over the Youghiogheny river at Layton station, in Fayette county, on the line of the Pittsburg and Connellsville railroad.

Referred to the Committee on Roads, Bridges and Ferries.

Mr. BOYD, an act to enable the board of school directors of the borough of Goldsboro', in the county of York, to borrow money for building purposes.

Referred to the Committee on Education.

Mr. MANN, an act to authorize school directors to select sites for school houses.

Referred to the Committee on Education.

Mr. JENKS, an act to authorize the school directors of the borough of Punxsatawny to borrow money.

Referred to the Committee on Education.

Mr. STUMBAUGH, a supplement to an act to empower the school directors of Chambersburg to borrow money to build a new school house, approved the 12th day of May, A. D. 1857, further extending the provisions of the second section thereof.

Referred to the Committee on Education.

Mr. SHARPLES, a further supplement to an act for the regulation and continuance of a system of education by common schools, approved the 8th day of May, A. D. 1854.

Referred to the Committee on Education.

Mr. MECHLING, a supplement to an act to enable the school directors of Kittanning borough to borrow money, approved the 12th day of March, A. D. 1866.

Referred to the Committee on Education.

Mr. HUMPHREY, an act relating to unseated lands in the county of Tioga.

Referred to the Committee on the Judiciary Local.

Mr. GALLAGHER, an act relating to hawking and peddling in the county of Westmoreland.

Referred to the Committee on the Judiciary Local.

Mr. WELLER, a further supplement to an act increasing the fees of the several county officers in this Commonwealth, except in the city of Philadelphia and the counties of Allegheny, Bradford, Susquehanna and Sullivan, approved March 30, A. D. 1865.

Referred to the Committee on the Judiciary Local.

Mr. WINGARD, an act providing for the appointment or election of an assistant law judge in the Eighth Judicial district.

Referred to the Committee on the Judiciary Local.

Mr. PHELAN, an act relating to the fees of the district attorney of Greene county.

Referred to the Committee on the Judiciary Local.

Mr. BARTON, an act relating to the poor laws of Delaware county.

Referred to the committee on the Judiciary Local.

Mr. WADDELL, an act appropriating moneys arising from fines and forfeitures in Chester county.

Referred to the Committee on the Judiciary Local.

Mr. KURTZ, a supplement to an act, approved the 16th day of April, A. D. 1866, relative to the publication of local laws in the counties of Centre and Schuylkill.

Referred to the Committee on the Judiciary Local.

Mr. KINNEY, an act changing the time of meeting of the auditors of Hillsgrove township, Sullivan county.

Referred to the Committee on the Judiciary Local.

Mr. M'KEE, an act repealing so much of the act authorizing the election of additional officers, and changing the manner of collecting taxes in the townships of Robison and North Fayette, Allegheny county, approved March 13th, A. D. 1866, as relates to the manner of collecting taxes in Robison township.

Referred to the Committee on the Judiciary Local.

Mr. PHELAN, an act relating to an act for the protection of wives and children deserted by their husbands and fathers.

Referred to the Committee on the Judiciary General.

Mr. BOYLE, an act to declare the true intent and meaning of the sixth section of the act of May 4th, 1855, entitled An act relating to certain duties of husband and wife, and parent and child.

Referred to the Committee on the Judiciary General.

Mr. DEISE, an act validating the title to real estate heretofore sold and conveyed by executors or administrators.

Referred to the Committee on the Judiciary General.

Mr. WADDELL, an act relating to the publication of the decisions of the Supreme Court.

Referred to the Committee on the Judiciary General.

Mr. KINNEY, an act authorizing courts to receive certified copies of military records in evidence.

Referred to the Committee on the Judiciary General.

Mr. BARTON, an act to enable the South ward, in the city of Chester, to procure a supply of water.

Referred to the Committee on Municipal Corporations.

Also, an act relating to the assessment and collection of taxes in the city of Chester.

Referred to the Committee on Municipal Corporations.

Mr. KIMMELL, an act to authorize the borough of Indiana to increase their taxation for borough purposes.

Referred to the Committee on Municipal Corporations.

Mr. SUBERS, an act to license and regulate pawnbrokers in the city of Philadelphia.

Referred to the Committee on Municipal Corporations.

Mr. COLLINS, an act authorizing the borough council of Shenandoah, Schuylkill county, to borrow money, and the voters to elect six town councilmen, &c.

Referred to the Committee on Municipal Corporations.

Mr. WHANN, an act to incorporate the Pithole gas and water company.

Referred to the Committee on Municipal Corporations.

Mr. GALLAGHER, an act authorizing the burgess and town council of the borough of Irwin, in Westmoreland county, to levy and collect a special tax for borough purposes.

Referred to the Committee on Municipal Corporations.

Mr. QUAY, an act to vacate a portion of Clarion street in the borough of Bridgewater, Beaver county, authorizing the portion vacated to be disposed of for the benefit of said borough.

Referred to the Committee on Municipal Corporations.

Mr. M'KEE, an act to authorize an increase of fees for borough purposes in the borough of West Elizabeth, Allegheny county.

Referred to the Committee on Municipal Corporations.

Mr. WILSON, a supplement to an act incorporating the town of Lawrenceville, in the county of Allegheny, into a borough, approved the 13th day of February, A. D. 1834.

Referred to the Committee on Municipal Corporations.

Mr. SEILER, an act to vacate Second street from North to Briggs, and to extend Briggs street from Second street to the Harrisburg and Millerstown turnpike, in the city of Harrisburg.

Referred to the Committee on Municipal Corporations.

Mr. CRAIG, an act giving the town council of the borough of Mauch Chunk the right to make and build drains, sewers, &c., in said borough.

Referred to the Committee on Municipal Corporations.

Mr. MECHLING, an act to extend an act to authorize the burgess and town council of the borough of Kittanning to grade, curb and pave certain side walks.

Referred to the Committee on Municipal Corporations.

Mr. DAVIS, an act to provide for the erection of a bridge in the county of Philadelphia.

Referred to the Committee on Municipal Corporations.

Mr. KURTZ, a supplement to an act incorporating the Union coal and iron company, approved May 4, A. D. 1857.

Referred to the Committee on Iron and Coal Companies.

Mr. WESTBROOK, an act to prevent the Erie railway company from blasting rocks and stones in the Delaware river.

Referred to the Committee on Railroads.

Mr. M'HENRY, an act to incorporate the Shickshinny and Sullivan county railroad company.

Referred to the Committee on Railroads.

Mr. CHASE, an act to incorporate the Pine Creek railroad company.

Referred to the Committee on Railroads.

Mr. WADDELL, an act for the relief of David Andrews, late recorder of Chester county, for moneys overpaid by him to the Commonwealth.

Referred to the Committee on Ways and Means.

Mr. KENNEDY, an act for the relief of Gordon Swetland.

Referred to the Committee on Ways and Means.

Mr. LEE, a supplement to an act entitled An act to incorporate the Orphans' Home of the Shepherd of the Lamb, approved February 17, 1864, authorizing an increase of the number of its managers.

Referred to the Committee on Corporations.

Mr. ADAIRE, an act to incorporate the Franklin Library association of the city of Philadelphia.

Referred to the Committee on Corporations.

Mr. WINGARD, an act to authorize the erection of a boom at or near the junction of Walle's run with Loyalsock creek, in the county of Lycoming.

Referred to the Committee on Corporations.

Mr. WHANN, a supplement to an act to incorporate the Reno shipping company, approved the 1st day of September. A. D. 1866.

Referred to the Committee on Corporations.

Also, an act to incorporate the Oil City acid factory.

Referred to the Committee on Corporations.

Mr. CHASE, a supplement to an act to incorporate the Eureka life and accident insurance company, approved January 30th, 1867.

Referred to the Committee on Corporations.

Also, an act to incorporate the General Encampment of the Order of Soldiers and Sailors, of the war of 1861, of the State of Pennsylvania.

Referred to the Committee on Corporations.

Mr. FREEBORN, an act to incorporate the Teachers' Institute of the city and county of Philadelphia.

Referred to the Committee on Corporations.

Also, an act to incorporate the Mutual steam navigation company.

Referred to the Committee on Corporations.

Also, an act to incorporate the Philadelphia County real estate association for the further period of five years.

Referred to the Committee on Corporations.

REPORT OF COMMITTEE ON COMPARE BILLS.

Mr. CHASE, from the Committee appointed to Compare Bills, and present them to the Governor for his approbation, made report, which was read as follows, viz:

That in conjunction with a similar committee from the Senate, they have compared, and on the first of February, presented to the Governor for his approbation, bills as follows, to wit:

No. 138, an act to pay Foster Gehr, clerk to the committee in the case of Glass vs. Linton

No. 11, an act for the relief of Nancy Welliver, widow of Jacob Welliver, a soldier of the Revolution.

No. 28, an act to authorize the commissioners of Jeffersen county to borrow money.

No. 77, an act relating to the compensation of the commissioners of Chester county.

No. 21, an act authorizing the Governor to appoint an aditional notary public for the city of Philadelphia.

No. 100, joint resolutions instructing our Senators and requesting our Representatives in Congress to procure a reduction of tax on petroleum,

No. 233, an act relative to the assessment of bounty accounts in the county of Franklin.

Senate bill No. 106, an act to exempt from taxation certain property devoted to Masonic uses in the city of Reading.

Senate bill No. 110, an act to create a loan for the redemption of the over-due bonds of the Commonwealth.

Senate bill No. 135, a further supplement to an act to promote the more certain and equal assessment of taxes in Philadelphia, approved March 14th, 1865.

Mr. WILSON. Mr. Speaker, I ask leave of the House to offer the following resolution.

Leave was granted.

The resolution was read as follows:

WHEREAS, An invitation has been extended to the members of the Senate and House of Representatives to visit Dix Mount Hospital, the House of Refuge, and other Western Pennsylvania institutions;

And whereas, It is understood that a large number of members of the Senate and House contemplate visiting said institutions; therefore,

Resolved (the Senate concurring), That this House will adjourn on Wednesday evening next, until Tuesday, the 12th instant, at 11 o'clock, A. M.

The resolution was read a second time.

Mr. WILSON. Mr. Speaker, I ask that the rules be suspended, and that this resolution be considered.

Mr. MANN. Mr. Speaker, I do not wish to offer any objection to this resolution; but I understand it was consented by the House that we should adjourn on Thursday noon. If we hold a session Thursday noon we will reach the public calender. If we adjourn Wednesday evening we deprive the public calender of one week's attention. It would answer all purposes to adjourn at one o'clock on Thursday.

Mr. WILSON. Mr. Speaker, my object in offering this resolution was this: A desire has been expressed by many members present that we might start at such an hour as would enable us to travel over the mountains by daylight. Many gentlemen have expressed a desire to see the mountain scenery, and also that we might arrive at Pittsburg in daylight. If we start Thursday afternoon we will be obliged to travel at night, and will arrive at Pittsburg at a very unseasonable hour —2 o'clock in the morning. We will be unfit for the business upon which we are going. The proposition I make is that we leave here Thursday morning, and arrive at Pittsburg at noon of the same day; then we will have time to look around, and the next morning we can go to the places we have been invited to visit. On Saturday, gentlemen who live on this side of the mountain can return, and those who live on the west can remain, if they choose to do so. My opinion is it will be better to hold a session Wednesday evening, anticipate Thursday's business, and start Thursday morning.

Mr. MANN. Mr. Speaker, if this resolution passes we put the public calendar over an entire week. According to the rules we give the calendar only three hours per week, and now we propose to confine a two weeks' calendar within the same limit. I regret very much that I seem to be in opposition to this resolution. I want, for once, to be in harmony with members who want to adjourn.

Mr. CHASE. Mr. Speaker, I would suggest that we hold three sessions to-morrow and three sessions on Wednesday. If we work well we can so have the business before us as to be able to leave on Thursday morning. Some members of this House have not seen the mountain scenery by daylight. It would be advisable to leave on Thursday morning; we will then have some time to rest on arriving at Pittsburg, and on Friday be in condition to visit these institutions. Those who are opposed to traveling on Sunday can return Saturday. I would, therefore, ask the members to grant us this privilege of adjourning on Wednesday evening until the Tuesday following.

Mr. MANN. Mr. Speaker, I asked the House to hold a session to-morrow evening, simply because I knew we were to adjourn at the last of the week. I want to state now the effect of a refusal to hold a session. If we hold a special session to-morrow evening, we would then have Wednesday afternoon for the school bills, in which I suppose every person in this Commonwealth is interested. If we decide that this other matter shall go over—and it will take up Wednesday afternoon unless we dispose of it to-morrow—the result is, by refusing to hold a session to-morrow evening, we have driven over the school bill entirely. Now, the motion is to adjourn to-morrow evening, and so pass over all public bills. In that way we will give no attention this week to any public bills.

The question was on the resolution.

Mr. WADDELL. Mr. Speaker, I would like to know whether we cannot return from Pittsburg Saturday by daylight, and so give gentlemen a view of the scenery on the way home instead of on the way out. I think a train leaves Pittsburg at eight o'clock in the morning and reaches Harrisburg by suppertime. I would like to inquire further whether we cannot visit these institutions in one day. I am just as anxious as the gentleman from Potter [Mr. MANN] to transact all the business before us. The great difficulty seems to be to make arrangements to suit the working of the House and the working of the committees. We have discovered within the last few days that it is important committees should work as well as that the House should work. They cannot report bills unless they have time to consider them. The House cannot work unless the committees work. At the same time I am willing to gratify the citizens of Pittsburg and pay them a visit.

Mr. SEILER. Mr. Speaker, I move to amend the resolution by providing that the House shall adjourn until Monday evening instead of Tuesday morning.

The motion was

Not agreed to.

Mr. EWING. Mr. Speaker, I move to amend by providing that the House shall adjourn on Thursday at 1 o'clock instead of Wednesday evening.

The motion was

Not agreed to.

The question recurring on the resolution, it was

Agreed to.

On motion of Mr. JOSEPHS, the House adjourned until 10 o'clock to-morrow morning.

Daily Legislative Record.

FOR THE SESSION OF 1867.

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HOUSE OF REPRESENTATIVES.

TUESDAY, February 5, 1867.

The House met at 10 o'clock, A. M.

Prayer was offered by the Rev. Mr. KENNEDY, member from Wyoming.

The Journal of yesterday was partly read, when,

On motion of Mr. KURTZ, the further reading of the same was dispensed with.

SPEAKER'S TABLE.

The SPEAKER presented to the House the annual report of the Pittsburg Bank for savings.

Laid on the table.

PRIVATE CALENDER.

The following bills were read the first time and laid aside for a second reading:

No. 154, a supplement to an act to empower the commissioners of Washington county to compromise with the holders of the county bonds, and for the more prompt and economical collection of taxes in said county.

Ssnate bill No. 35, an act supplementary to an act, entitled An act providing for the erection of a poor house in the county of Lawrence.

Senate bill No. 64, an act appropriatiog parts of the moneys arising from fines and forfeitures, in the county of Schuylkill, for a law library for the use of the courts, et cetera.

Senate bill No. 61, an act to authorize the appointment of a phonographic reporter for the courts of Lancaster county.

No. 158, an act authorizing the commissioners of the county of Delaware to create a five per centum loan.

No. 159, a supplement extending the provisions of an act approved the 17th day of April, A. D. 1866, relative to the fees on unseated lands in the county of Centre.

No. 160, an act relating to the fees of the district attorney of Huntingdon county.

No. 161, an act to repeal the act of Assembly passed the 11th day of April, 1866, entitled an act to provide for the purchase of of real estate and erection of a poor house in Montour county.

No. 163, a further supplement to the act of incorporation of the borough of Washington,

No. 164, an act supplementary to an act erecting the village of East Birmingham into a borough, approved the 10th day of April, A. D. 1849.

No. 165, an act supplementary to an act constituting and establishing the Southeast ward, of the borough of Pottsville, approved the 11th day of April, A. D. 1866.

No. 166, an act to divide the borough of Plymouth into two wards.

No. 167, a further supplement to an act for the registration of births, marriages and deaths in the city of Philadelphia, passed March 8, A. D. 1860, and supplements thereto.

No. 168, an act to authorize the town council of the borough of Mill Hall, in the county of Clinton, to levy and collect additional taxes for building purposes.

No. 169, a supplement to an act, approved the first day of April, A. D. 1863, for the protection of owners of wharves or landings, in the borough of Oil City, Venango county.

No. 170, an act to increase the duties of the Citizens' association, of Pennsylvania.

No. 172, a supplement to the act of the General Assembly, incorporating the borough of Mechanicsburg, in Cumberland county, passed April 12, A. D. 1828, as amended by the act regulating boroughs, approved April 3, A. D. 1851, and adopted by said borough, August 24, A. D. 1857.

No. 173, an act to change the provisions of the thirtieth section of an act regulating boroughs, approved April 30, 1851, so far as the same relates to the borough of Mount Pleasant, Westmoreland county.

No. 174, an act for the better prosecution of disorderly persons in the borough of Monongahela, Allegheny county.

No. 175, an act for the relief of Joseph A. Allen and E. Mayers.

No. 176, an act to authorize the payment to Michael Dunn, a soldier in the war to suppress the rebellion, a gratuity on account of the loss of both of his legs.

No. 177, an act for the relief of Peter Roberts, a soldier of the war of 1812.

No. 178, an act extending the provisions of the act relating to corporations for mechanical, manufacturing and quarrying purposes, approved July 18, 1863, and the supplements thereto, to the county of Northumberland.

No. 179, a supplement to the act to incorporate the Eagle mining company, passed the 18th day of March, A. D. 1865.

No. 180, an act to incorporate the Equitable gold and silver mining company.

Senate bill No. 18, an act to incorporate the Quinterro mining company.

No. 182, an act to incorporate the Hesperian mining company.

No, 183, an act to incorporate the Montrose mining company.

No. 184, an act to incorporate the Harmony gold and silver mining company.

No. 185, an act to incorporate the California and Philadelphia gold mining company.

Amended by Mr. LEE.

No. 186, an act to repeal the Lenox road law in the township of Apolocon, in Susquehanna county, and for other purposes.

No. 187, an act to repeal the charter of the Tuckahoe and Mt. Pleasant plank road company.

No. 189, an act to incorporate the Douglassville and Yellow House turnpike road company.

No. 191, a supplement to the act incorporating the Clarion and Allegheny River turnpike road company.

No. 194, an act to establish a ferry on the Allegheny river at Peterson's Falls, in the county of Venango.

No. 195, an act construing portions of the first section of an act, approved February 17, A. D. 1865, granting to Samuel Stock the right to erect a ferry or foot bridge over Oil creek, at or near the Noble well, in the township of Cornplanter, Venango county.

No. 196, an act to establish a ferry on the Monongahela river, at the borough of California, in the county of Washington.

No. 197, an act relating to roads in Valley township, Chester county.

No. 198, An act to establish a ferry over the Allegheny river, at or near Red Bank furnace.

No. 202, supplement to an act to authorize the Governor to incorporate a company to erect a bridge over the West Branch of the Susquehanna, at the borough of Milton, &c., passed the 6th day of April, A. D. 1830.

No. 203, an act to repeal an act to amend the road laws of Montgomery county, passed March 15, A. D. 1859.

No. 204, a supplement to an act to amend the road laws of Erie county, approved the 26th day of March, A. D. 1846.

Amended by Mr. M'CREARY.

No. 205, an act to incorporate the Emlentown and Shippenville turnpike company.

No. 206, an act to establish a ferry over the Allegheny river, at or near Bear Creek landing.

No. 207, a further supplement to the road laws of Bradford county.

No. 208, an act to declare Cedar run a public highway, in the township of Elk, county of Tioga.

No. 209, an act to declare that branch of Mill creek, in the county of Jefferson, known as the Five Mile run, a public highway.

No. 210, a supplement to an act of Assembly, entitled An act to incorporate the Easton and Wilkesbarre turnpike road company, approved February 11, 1803.

No. 211, an act to incorporate the Wyoming County bridge company.

No. 212, a supplement to an act to incorporate the Cresheim turnpike and bridge company, approved the 16th day of March, 1866.

No. 214, an act to establish a ferry over the Allegheny river, at the mouth of East Sandy creek, in the county of Venango.

No. 216, an act relating to the estate of Jacob Coon, deceased.

Senate bill No. 78, an act in relation to the sale of certain real estate owned by the Odd Fellows' hall association of Allentown, in the county of Lehigh.

No. 218, a supplement to the act to incorporate the Columbia gas company, and relative to the election of assessors and constables in Salisbury and Cærnarvon townships, Lancaster county; to lay out a State road from Marietta to Portsmouth; to require the State Treasurer to refund certain moneys to the administrator of Anna Kimmell, deceased, approved the 10th day of April, A. D. 1851.

No. 219, an act to incorporate the Highspire cemetery.

No. 220, a supplement to an act to incorporate the Mechanicsburg hall and market company, approved the 24th day of March, A. D. 1865.

Amended by Mr. EWING.

No. 221, an act to incorporate the Pennsylvania library association of the city of Philadelphia.

No. 222, an act to change the time of holding the election of officers of the Independent company of Montgomery and Bucks counties, for the recovery of stolen horses and detection of thieves.

No. 223, a further supplement to the act incorporating the Watsontown bridge company.

No. 224, an act supplementary to an act incorporating Andalusia college, at Andalusia, Bucks county, Pennsylvania, approved the 30th day of March, A. D. 1866.

No. 225, a further supplement altering and amending an act to incorporate the St. Clair cemetery association of the borough of Greensburg, Westmoreland county, approved April 19, A. D. 1856.

No. 226, an act to incorporate the Mahanoy Valley insurance company.

No. 227, an act to incorporate the Oak Hall association of Weatherly.

No. 228, an act to incorporate the Mission House of the Protestant Episcopal church of the United States.

No. 229, an act authorizing the Union Mutual fire insurance company of Montgomery county to change the time of holding its elections.

No. 230, a supplement amendatory to an act to incorporate the Farmers' market of the Fifth ward of the borough of York.

No. 231, supplement to an act to incorporate the town of Haley, in the county of Perry, into a borough, approved April 12, 1866, changing the name of said borough of Haley to Marysville, and forming the same into a separate election district.

No. 232, a supplement to an act to compel the manufacturers of firkins, kegs and tubs, intended for the packing of butter or lard, in the counties of Erie, Crawford and Warren, to mark the weight thereon, extending the same to the county of Bradford.

Amended by Mr. WEBB.

No. 234, an act authorizing the Governor to transfer to the Reynolds monumental committee unservicable and condemned ordnance.

No. 237, a further supplement to an act entitled An act to incorporate the Howard fire and marine insurance company, approved the 26th day of April, A. D. 1855, reducing the number of directors and authorizing an increase of capital stock.

No, 238, an act relating to the disposition of fines and forfeited recognizances in the county of Susquehanna.

Amended by Mr. CAMERON.

No. 239, an act relating to the pay of surveyors appointed by the courts of Crawford and Mercer counties.

Amended by Mr. LEECH.

Senate bill No. 105, an act relative to roads and highways in Schuylkill county.

OBJECTED BILLS.

The following bills were objected to, under the rules, and will be laid over until next week:

No. 162, an act to amend the twenty-second section of an act revising the charter of the municipal corporation of the city of Reading, approved April 26, 1864.

Mr. JONES. Mr. Speaker, this act provides for an amendment to the charter of the city of Reading. Some time ago I presented a remonstrance unanimously passed by the council of the city of Reading. I do not know who read this bill in place; I consider it was entirely gratuitous on the part of some gentleman, and I object to it.

No. 171, an act to vacate Basin alley from Front to Second streets, in the city of Harrisburg.

Mr. SATTERTHWAIT. Mr. Speaker, I object to this bill because I have been requested to do so by parties who wish further time to consider it.

No. 190, an act to incorporate the Roseville bridge company.

Mr. WHANN. Mr. Speaker, this bill is in my district; it was introduced without my knowledge.

I object to the bill.

No. 192, an act relating to mountain roads in Perry county.

Mr. STUMBAUGH. Mr. Speaker, at the instance of some of my constituents I object to this bill.

No. 193, a supplement to an act appointing commissioners to lay out and open a State road in the counties of Potter and Clinton, approved the 16th day of March, 1865.

Amended by Mr. MANN.

Mr. WADDELL. Mr. Speaker, I feel some interest in this bill, inasmuch as one of the gentlemen therein named is a constituent of mine. I do not know that there is any interference with his interests, but I shall object to the bill at present.

No. 200, an act to incorporate the Boyd Farm and Petroleum Centre bridge company.

Mr. WHANN. Mr. Speaker, I object to this bill for the reason that it was read from my district without my knowledge. I do not know the corporators.

I object.

No. 201, an act relative to roads and highways in Schuylkill county.

Mr. COLLINS. Mr. Speaker, I object to this bill for the reason that one of similar import has just passed the Senate. It is on this calendar.

No. 213, an act to incorporate the Pioneer Run bridge company.

Mr. WHANN. Mr. Speaker, I object to this bill, for the reason that it was introduced without my knowledge.

MESSAGE FROM THE GOVERNOR.

The Deputy Secretary of the Commonwealth being introduced, presented the following message from the Governor, which was read:

EXECUTIVE CHAMBER,
HARRISBURG, February 5, 1867.

Hon. John P. Glass, Speaker of the House of Representatives:

SIR:—I have the honor herewith to submit a printed copy of the "annual report of the Superintendent of Soldiers' Orphans for the year 1866."

I cannot too strongly commend to your consideration the perfection of a system for the management of these schools.

Respectfully, &c.,

[Signed] JOHN W. GEARY.

REPORT FROM THE COMMITTEE TO COMPARE BILLS.

Mr. STEHMAN, from the Committee appointed to Compare Bills, and present them to the Governor for his approbation, made report, which was read as follows, viz:

That in conjunction with a similar committee from the Senate, they have compared, and on the thirtieth presented to the Governor for his approbation, bills as follows to wit:

No. 87, an act to incorporate the Brady's Bend bridge company.

No. 49, an act supplementary to an act regulating the fees of the clerk of the quarter sessions of the peace in and for the city and county of Philadelphia, approved the 8th day of February, A. D. 1865.

Senate bill No. 74, an act to validate and confirm a certain mortgage or deed of trust executed under the corporate seal of the Phillipsburg coal, iron and oil company, and to authorize the transfer of the railroad of the said company to any other railroad company owning a railroad connecting therewith, and to increase the number in the board of directors.

Senate bill No. 83, an act to incorporate the Hollin knitting machine company, of Indiana, Pennsylvania.

Senate bill No. 51, an act to enable the directors of West Manheim township, in the county of York, to levy and collect at once the county tax remaining unpaid.

Senate bill No. 44, an act to incorporate the Eureka life and accident insurance company.

Senate bill No. 24, an act to incorporate the German Savings institution of Erie.

Senate bill No. 32, a supplement to an act relative to the fees of district attorneys of certain counties of this Commonwealth.

Also, on the 31st:

No. 65, an act to authorize the school directors of the borough of Phœnixville to borrow money for the purpose of purchasing lands and building school houses.

No. 20, a supplement to an act increasing the fees of jurors and witnesses in and for the counties of Armstrong, Franklin, Schuylkill and Westmoreland, approved the 27th day of March, A. D. 1866.

PETITION PRESENTED.

Mr. PENNYPACKER, on leave, presented the following:

A petition from citizens of Chester county, praying for the passage of an act authorizing the Chester Creek railroad company to connect with the Baltimore Central railroad.

Referred to the Committee on Railroads.

MESSAGE FROM THE SENATE.

The Clerk of the Senate being introduced, presented for concurrence bills numbered and entitled as follows, viz:

Senate bill No. 40, an act to change the venue in the case of Jesse Chromister versus Howard Miller, George Hollinger and Daniel Harbolt, from the court of common pleas of Adams county to the court of common pleas of Dauphin county.

Senate bill No. 98, an act relating to the powers of the legal representatives of deceased tax collectors in this Commonwealth.

Senate bill No. 125, an act to attach certain lands and tenements in Bedford township, Bedford county, and the persons residing thereon, to Bedford borough for school purposes.

Senate bill No. 259, a joint resolution requesting the Senators and Representatives in Congress to urge the passage of the pending tariff bill.

Senate bill No. 260, a supplement to an act entitled An act relating to the pay of jurors in the counties of Lehigh and Berks, approved the 23d day of March, 1865.

Senate bill No. 261, a supplement to the act incorporating the borough of Doylestown, entitled An act authorizing the Governor to incorporate the Bristol steam towboat and transportation company, and for other purposes.

Senate bill No. 262, an act to incorporate the Schuylkill insurance company of Philadelphia.

He also returned bills from the House of Representatives numbered and entitled as follows, viz:

No. 55, an act to vacate certain lanes and alleys in the plan of out-lots of the borough of Beaver, in the county of Beaver.

No. 60, an act authorizing a special election in the borough of Highspire

No. 97, an act incorporating the Real Estate savings institution,

With information that the Senate has passed the same without amendment.

He also returned bill from the House of Representatives numbered and entitled as follows:

No. 101, an act to incorporate the Germania savings institution of Erie,

With information that the Senate has passed the same with amendments, in which the concurrence of the House of Representatives is requested.

OBJECTED BILLS OF LAST WEEK.

No. 99, an act relative to the several issues and other liabilities of the Mauch Chunk bank.

The question is on the amendment of Mr. MANN to the amendment of Mr. M'CREARY.

Mr. CRAIG. Mr. Speaker, I trust the amendment of the gentleman from Potter [Mr. MANN] will not prevail; but rather the amendment of the gentleman from Erie [Mr. M'CREARY], making the limitation to this bill three years. The matter was pretty fully discussed last week, and I do not feel like thrusting any remarks on the House now. I will simply state that I wish the House to fully understand this question. This bank is one of the old State banks; it has gone out of existence entirely.

It did not merge into the national banking system, and its trustees are now endeavoring to settle its affairs. This bank was, perhaps, as good an institution as there was in the country at that time. On account of the national banking system it was obliged to go out of existence, the national banks having taken its place in that town. The trustees are anxious to settle up the affairs of this bank. They think there ought to be some limitation to which they might not be liable. This bank has no liabilities except the simple issues, and these issues are payable upon demand, so that the bank will be liable for all time to come until these issues are presented. The object of this bill is to bring in these issues and compel persons to bring the notes they hold. This bank has already been out of existence since the first of July, 1865, almost eighteen months. Now, if the three years' limitation is added it will make four years and over, which seems to be ample time for the redemption of all the issues of this bank. I trust, therefore, that this amendment for six years will not pass. I hope the amendment of the gentleman from Erie [M'CREARY] will prevail. I think that is ample and fair, just and right, and that is all the officers of the bank desire. They simply wish some limit in which to meet their issues.

The constitutionality of this act I suppose will not be questioned. The distinction seems to be that, though the Legislature may not impair the obligation of contracts, they may limit the time for the collection of issues.

The question being on the amendment of Mr. MANN,

It was not agreed to.

Mr. MANN. Mr. Speaker, it will be remembered that the reason given for desiring the passage of this bill, was that the bank might be unable to wind up its business. It was also stated by others that it was very desirable that there should be a general bill to enable all banks in a similar situation to wind up their business. Not to seem to be opposing that idea, and yet to frame a law that will do justice, I have drawn up a substitute which I think will accomplish that purpose. I think the House will see it will if I can only get it before them.

I therefore move to reconsider the vote by which the first section has been adopted.

The motion being

Agreed to,

Mr. MANN offered the following substitute:

AN ACT to enable State banks to settle and close up their affairs.

SECTION 1. That any State bank desiring to close up its affairs, shall be authorized to apply, by petition of a majority of its board of directors, to the court of common pleas of the county in which said bank was located, for the appointment of a trustee to take charge of and close up the entire business of said bank, relating to the redemption of unredeemed notes: *Provided*, That accompanying said petition the president and cashier shall present a true and correct statement, under oath, of the whole amount of the notes of said bank, which is outstanding and unredeemed, and in the same statement shall aver that the said bank is ready and willing to pay into the hands of said trustee a sum of money sufficient to redeem all of the said notes outstanding or in circulation.

SEC. 2. That thereupon the said court shall appoint such trustee, who, before entering upon his duties, shall give bond, with such sureties as shall be approved by the court, conditioned for the faithful performance of the duties enjoined by this act, in double the amount of money proposed to be paid into the hands of said trustee.

SEC. 3. That the said trustee shall at all times redeem any and every note of said bank as par, in the currency of the country, upon presentation.

SEC. 4. That the compensation of the said trustee shall be such interest as may accrue to him on the investment of the said fund.

SEC. 5. That the court shall have power to remove said trustee for any neglect or refusal to redeem the notes of said bank; and such refusal or neglect shall be declared a forfeiture of the condition of the bond of said trustee; and the court shall have power to fill any vancancy that may occur in said trusteeship.

SEC. 6. That the said court may, at any time after five years subsequent to the appointment of any trustee as aforesaid, compel said trustee to make an exhibit of the funds of his trust, and to enforce its decree by the appointment of an auditor or auditors to restate and adjust the same, and to order and decree a distribution among the stockholders of the bank of such part of said fund as, in its discretion, it may think safe for the interest of the noteholders: *Provided, however*, That the payment, at any time, of the whole of the original fund, shall release the said trustee and his surety from the conditions of the bond: *And provided*, That in any distribution as aforesaid twenty per centum of the fund ordered to be distributed shall, in the discretion of the court, be applied to the payment of the cost of audit and to the trustee, as compensation in making said exhibit and distribution.

Mr. MANN. Mr. Speaker, I do not like to detain the House at this time, but this bill proposes such a radical change in the responsibility of banks that I cannot, in justice to myself, permit it to pass without an attempt to make it unobjectionable; and I do this with the kindest feelings to the member who has this bill in charge in reference to the Mauch Chunk bank, and with no disrespect for that bank. I believe it was conducted by honorable and upright men. But every member in this House, and every person in this State, has a direct interest in this question, because if we pass an act to enable the Mauch Chunk bank to have its indebtedness outlawed in a year, then we may do that for every other bank in the State. This is a precedent, the first time in the history of legislation in this State, when it has been asked, after a bank has reaped all the benefits of its charter, after it has received extraordinary privileges from the Legislature of Pennsylvania by its charter, then, when it has ceased to reap privileges from its charter, to come in and ask to have additional privileges in having its debts annulled and canceled. I believe this is the first time in the history of this Commonwealth when such extraordinary privileges have been asked for, and I therefore hope they will not be granted. When this bank obtained its charter from the Legislature of Pennsylvania, it knew full well that at some time its chartered privileges would expire; at some time it would have to wind up its business. Now, then, it asked for that charter and obtained it upon the implied agreement and pledge with the Legislature that when it came to wind up its business it would do so according to the laws applying to such institutions. That was the agreement between the Legislature and this bank. But having reaped all the benefits of its charter, it now asks of us the additional advantage of being able to discard all debts not presented within a certain time.

I do not propose to argue that question further. It seem to me perfectly plain. Now, I offer to this bank, and to all banks, by this substitute which I have presented, an easy way to relieve themselves from all care in the redemption of their notes. It will not cost them a dime. That is, that they shall report to a court all the outstanding bills which they owe, and shall appoint a trustee, taking from him sufficient security, and place the money in his hands. The interest accruing on that money will pay all the bills.

This is a simple and honest way of winding up banks, will cost the banks nothing, and secure to the bill-holders the payment of their bills. I hope, therefore, the substitute will be adopted. That will enable these trustees to close up their business, will make every bill-holder feel sure that what is due him will be paid, and will be a precedent which will be a notice to all bill-holders in Pennsylvania holding the bills of any bank in the Commonwealth, that their bills will be secured and paid so far as the action of this Legislature is concerned.

Mr. CRAIG. Mr. Speaker, I hope the House will not change this bill, which is local in its character, into a general one. I have no objection to the gentleman's substitute as a general bill, because I think it is right for any bank to take the benefit of it. But this is a purely local bill concerning the county which I have the honor to represent. I do not understand why this objection should be made to this bill particularly, and why a general bill should be substituted. I do not know that there is another bank in the State, situated like this one, because most of the banks in the State have been merged into the National banking system, and when persons present the bills for the old State banks, they have a place to redeem them. But this bank has no organization, and has gone into liquidation so far as possible. It has appointed its trustees, and these men are engaged in settling up its affairs, and they desire to have some way to bring in these issues. I have no objection to the gentleman's bill, but I do not want it tacked on to the bill I have introduced. If it is it will very likely kill the bill, because it will then go on the public calendar, and may not be reached this session. I hope this substitute will be voted down. The bill giving it three years in which to wind up its affairs I think is just and fair, and I trust it will pass.

Mr. LEE. Mr. Speaker, I cannot see the force of the objection of the gentleman from Carbon [Mr. CRAIG] to this substitute for the bill. I think that the bill is very objectiona-

ble in the direction that the gentleman from Potter [Mr. MANN] has pointed out. I think the substitute is in every way and every degree fair, equitable, proper and right. The objection that the gentleman from Carbon urges is that it is a local question. I wonder how he makes that out. Every man in every county in this Commonwealth may have one of the bills of that institution, and in what sense is it local, except that it did its business in a certain place? The gentleman urges none except the simple *ipsi dixit* that it was a local institution. Now, what objection can the gentleman urge against having that banking institution that, in its operations, is like every other banking institution, come under a law that he deems is a good law to apply to banks generally? What earthly objection can he have to it applying to that bank? If it will settle the affairs of any other bank profitably and equitably, and give the least possible trouble to everybody, why is it not as good for the Manch Chunk bank as any other bank? But the idea that it is a local institution of course has no weight whatever. There may not be a man in Carbon county who has a note of that bank, and there may be persons in every other county in the Commonwealth who have. That is likely to be the case, for the people of Carbon county can easily reach that bank and get their money, and it is only those who live in remote counties that will be likely to retain notes of that institution. The probability is that so far as this being a local institution is concerned, there is not a man in Carbon county who has one of those notes, and probably only those in remote counties from Carbon that hold the notes of that institution, so that, in no sense, except that its banking house is located in Manch Chunk, is it a local institution. It affects every county in this Commonwealth, and it may affect men in every country on this globe. Unless there can be some tangible reason urged against it, unless there can be some really good reason given us against that substitute, I trust that it will be adopted, and that special provisions will not be made to apply to that bank that will not apply equally to every bank in the State. It is perfectly fair and right, and wholly unobjectionable, so far as I can see.

Mr. WADDELL. Mr. Speaker, when this bill was up the other day, I suggested, I believe, that there might be some constitutional objections to it. I have not had time to examine that question myself, but I have consulted one or two gentlemen who have taken occasion to look into the question, although not as fully probably as the importance of the question would require, and they are of the impression that it would not be subject to constitutional objection. And yet, sir, there is still that feature about the bill of the gentleman from Carbon [Mr. CRAIG] which is, to say the least of it, somewhat objectionable to my mind. I do not like that character of legislation which seems to be attacking the principle which all the courts of this Commonwealth are exceedingly loth to attack. I therefore feel disposed to sustain the substitute which the gentleman from Potter [Mr. MANN] has offered. It removes that objectionable feature which cannot help presenting itself to the mind of every man who has taken time to reflect upon the general character of this kind of legislation. Again, the course that the gentleman from Potter [Mr. MANN] suggests by his substitute, is that which, to some extent, already exists by the general law in relation to banks. Our predecessors, no doubt having foreseen this difficulty, in drawing their laws in reference to winding up banks in various situations, have pointed out that about such a course as this shall be pursued. The act of 1850 provides that where a majority of the stockholders of a bank shall deem it important to wind up the affairs of the institution, they shall have power to make an assignment, and place it in the hands of trustees, who shall go on and settle up the affairs of the institution. The substitute of the gentleman from Potter is broader than the act of 1850, and probably contains in it features very desirable for the protection of the holders of these obligations of the institution. Therefore, while feeling loth to throw any obstacle in the way of granting anything that the gentleman from Carbon desires, I shall feel disposed to favor the amendment of the gentleman from Potter. It may submit the gentleman from Carbon to some delay, but notwithstanding the impression that the action of the House this far may convey, I hope this House will give proper consideration to the bills on the public calendar, and that before the close of the session we will go through with the general laws which affect the public generally as much as three-fourths of the local laws, in the consideration of which we spend so much time. I think, therefore, the gentleman from Carbon should not feel that it is utterly lost if this should become a general law, instead of a local one.

Mr. LEE. Mr. Speaker, I do not think the gentleman from Carbon need have any apprehension about the matter, because I suppose all the discussion on this subject has been had already. The House understands its import, and I shall very cheerfully and cordially vote for the bill that I think will suit the gentleman and the people of his district better than the original one he introduced. I do not offer this objection to the bill because I desire to oppose the gentleman's wishes; on the contrary, I seek in a better way to subserve them than his bill does. I do not think when it comes before the House as a general bill, it will elucidate a single word of discussion.

The question being on the amendment of Mr. MANN, it was

Agreed to.

The amendment, as amended, was

Agreed to.

The question recurring on the bill as amended, it was

Agreed to.

On motion of Mr. MANN, the title was amended to correspond with the body of the bill.

The bill was read a second and third time, and

Passed finally.

Senate bill No. 52, an act to vacate part of Spruce alley, in the Ninth ward of the city of Pittsburg.

Mr. WILSON. Mr. Speaker, there is a decided opposition to this bill at home. You will also observe that it contains a clause requiring the consent of the city councils before it can become a law. This has not been given. I therefore move its indefinite postponement.

The question being on laying the bill aside for a second reading,

It was not agreed to.

No. 76, an act to change the venue in the case of the Commonwealth *vs.* Jesse R. M'Carty, Joshua R. M'Carty and Charles Norton, from the court of quarter sessions of the peace of Sullivan county to the court of quarter sessions of the peace of Bradford county.

Mr. JONES. Mr. Speaker, as a member of the committee from which that bill was reported I cannot agree to its consideration without such an explanation of the attending circumstances of its presentation as will enable the House to act, at least, understandingly upon it, if not advisedly. It appears that, in this case, certain persons were judges of election in one of the districts of Sullivan county; that at the recent election a vote was presented, and refused by them upon the mere allegation of a bystander that the person who offered to vote was a deserter, although his name was not upon the published list of deserters, and although he had in his possession then, and has now, an honorable discharge from the service. These facts were distinctly set forth by the Senator from Sullivan [Mr. JACKSON] before the committee, and yet the gentleman from Bradford [Mr. KINNEY], who presented this bill, affected great surprise that the Senator from Sullivan, or any one else, should resist the passage of this bill, because it was the petition of one hundred and eight loyal citizens. Now, I apprehend, Mr. Speaker, that this House is not to be controlled nor governed by the petition of any number of citizens, but that it is to be governed in its action by what it deems to be right; that the petition of these men has only called the attention of the House to the subject, and that it is appropriate now for us to enter into the consideration of its proper merits. There is no charge, I believe, sir, against the integrity of the judges of the court in Sullivan county; but they are arraigned by these loyal citizens because they are supposed to hold opinions upon questions of law which are inconsistent with the notions of the election judges, against whom an indictment has been found, and their one hundred and eight loyal friends, who are our virtuous petitioners.

The practical sense of the petition is that the culprits desire a change of venue because they differ in opinion from the court before which they are arraigned, upon the law governing their case; and this, I have no doubt, if the absurd principle were established, would be the convenient pretext of every criminal in the Commonwealth.

This question was argued several days ago upon a similar case, and I suppose the same arguments which were then advanced will be repeated now; and I will, therefore, take the liberty of referring to them, and of inquiring into their validity or soundness. The only reason that was attempted to be given was by the gentleman from Potter [Mr. MANN] that in that case—and I suppose the same rule would apply to this, for I believe no other reason is assigned—the law was prejudged by the judges of the court having the proper jurisdiction. Now, I would ask the gentleman, or any other gentleman, how many cases there are arising in any of our courts that are not prejudged? Nearly every one is governed by some general principle of law, with which it is the duty of every law judge to be familiar, and if no judge could have jurisdiction of a cause unless the principle governing it were novel to him, I apprehend that we would have very unfit persons to sit in judgment. The decision of the court in almost every case is governed by some general principle of law, which is our best security, for otherwise too much would be left to the discretion of the judges, and scarcely any such principle is new to our judges, who are supposed and required to be learned in the law. It is the business of the judges of the courts to have positive opinions upon all principles of law, and they may be, therefore, said to prejudge them, for when cases are presented to them, and tried by them, the question is generally upon the facts, and when the facts are proved the judge is to apply certain well known and established principles of law to those facts. Now, I believe, sir, that there is no question as to the integrity of the judges of this court. If there were a question as to their integrity, or to the integrity of any one of them, he should not only be deprived of his jurisdiction in this particular case, but he should be removed

from his seat upon the bench altogether. Because, if the judge, for want of honesty of purpose, or want of integrity, is unfit to try this case he is unfit to try any case, and ought to be removed from his high and responsible position.

But no such charge is made, and, therefore, it is not a question of integrity or honesty of purpose, but a mere matter of opinion. And this House is undertaking to say that because the judge of a court differs from us in opinion upon any particular case, that he is, therefore, disqualified to sit in judgment upon it. Let us see how far this will carry us. It is the prerogative of the Legislature to pass laws. It is equally the prerogative of the judge of every court, or any court, in this State to construe these laws and to determine upon their constitutionality; because the judge of a court is sworn to support the Constitution of Pennsylvania, and if this Legislature enacts any law which he believes to be inconsistent with the provisions of that instrument, it is not only his privilege, but his duty to regard it as unconstitutional, and as an improper law to be enforced.

It is, in every sense, his duty to give his opinion on the subject, whether it is the prevailing opinion or not, and without reference to what this House pretends or presumes to say in regard to it. By changing the venue in this case, the Legislature presumes to say that it will not only be the legislator, but that it will also be the judge; that it will pass a law at one session, and if the judge of any court presumes to question its validity or presumes to differ in opinion from the majority of this body, that at the next session it will disqualify him from sitting in judgment upon that and all similar cases. It practically amounts to this: That at one session of the Legislature we will enact a law, during the recess we will ascertain the several opinions of the different judges upon that law, and whenever their opinion happens to differ with ours we will, at the next session of the Legislature, change the venue of all cases coming under that law, to courts where the opinion of the judges coincides with our own, and thus deprive them of their proper jurisdiction. It practically amounts to the enactment of a law at one session by this House, to ascertain the opinion of the several judges in the Commonwealth upon this question, and then at the next session, by changing the venue, to determine that only such judges shall have jurisdiction of these questions as happen to agree in opinion with this body. And, sir, I submit the practical statement in this form, and if this law is to be passed—though I really hope that upon a fair consideration of the question this House will see the impropriety of its enactment, and that the majority will not vote for it—but if the measure is to be passed, let it go to the people with this distinct understanding, that if a judge of this Commonwealth, however learned in the law, yet however honest in purpose, presume in his folly, sir, to question the wisdom of this House in passing certain laws, and in construing them, he shall for that reason, and no other one, be deprived of his jurisdiction. I submit that this is a fair statement of the case, and that this is fairly the proposition to go to the people, and if the majority of this House presume to pass this act, let it be, sir, with that understanding.

Mr. KINNEY. Mr. Speaker, a few days ago I presented the petition of some one hundred and twenty citizens of Sullivan county praying for a change of venue in the case now under consideration. The petitioners comprise the most intelligent and law-abiding citizens of that county, and they deliberately set forth the fact that, in their judgment, justice cannot be done to the defendants if tried in that court. For one, sir, I feel bound to respect their opinions and grant their petition.

Now, sir, I am aware that an intense feeling has pervaded the Democratic elements of that vicinity in consequence of the law of Congress passed, modifying the punishment of deserters from that of death to disfranchisement. That law of Congress was indorsed by this Legislature last winter. The opposition to that law is peculiarly intense in that county. The patriotic class of citizens who fought Lee in Canada—who took Richmond by way of Quebec—appeared to be hugged to the bosom of Democracy and defended, because they fairly and fully represented the views of their fellow copperheads in the great struggle just closed. The issue of the late campaign in that county turned largely upon their right to spurn and ignore this law. The party in power then, alleging that the deserters had been oppressed and ostracised, marshaled them for the polls, and in every election precinct but one they voted, regardless of this law. In that one, they were refused the right, and the board were prosecuted to answer in the court of quarter sessions for that county.

I said, sir, that Sullivan county contained a large class of patriotic citizens who took the wrong road to Richmond. Now, sir, they did'nt all march any road. Sullivan having a large mining district and extensive tracts of timber, of course they had their full share of shirks and deserters. Here they were shielded and fed by those in affinity with them. It became an extensive camping ground. Wherever in the State you find these underground regions, you may also find this sweet-scented element of Democracy, always ready to defend their country by staying at home to vote the Democratic ticket. Hence, true to their friends and consistency, we find that party flying to their rescue whenever it is proposed to punish a deserter! This House can well imagine that the feeling is deep seated, and entirely unfitted to do even-handed justice in a case involving political differences amounting to hate. We might as well try a case of Southern loyalty before a jury of rebels.

The president judge of that court was a candidate for Congress in that district last fall, and he, with others, inaugurated and carried on a bitter partisan campaign. He, in my judgment, has prejudged this case by his decision in the adjoining county of Wyoming, precisely such a case having been before him. Now, sir, if he has already declared this law nugatory, what show of justice have these men before him, his associates, and a jury of bitter partisans, who only seek the opportunity to vent their political virus upon these law-abiding men? Under the circumstances existing in that county, the judicial ermine would be tarnished by the trial there of a cause already prejudged, in a court deeply embittered by unyielding prejudices.

The court of Bradford county, thank God, has never been invaded by partisan venom. Our jury box is free from any such taint. In all fairness, these men should be permitted to have their trial there. And if we do not choose to stultify our own acts, we will grant the prayer of the petitioners in asking this change of venue. I trust, sir, that all these efforts of delay which have thus far met this bill at every step, will prove fruitless, and that the justice and good sense of this House will put their factious opposition at rest.

One word in regard to honorably discharged soldiers. Soldiers may have been honorably discharged, and they may have re-enlisted after this honorable discharge and proved deserters. This I presume to be the case in this instance, although I do not know it to be so.

Mr. DEISE. Mr. Speaker, I must confess my surprise at the argument of the gentleman from Bradford [Mr. KINNEY]. We are not, as I take it, discussing a question before a town meeting, but we are discussing an important act of a legislative body. The reasons, I think, given by the gentleman from Berks [Mr. JONES], were sufficiently distinct and clear to enable this House to properly judge of the importance of this question. If this is to be a question for the conviction of Copperheads, as the gentleman terms them, in the county of Bradford, or if it is to be for the acquittal of loyal men in the county of Bradford, before this Legislature, then I will admit that the gentlemen on the other side have the advantage of us. But I take it, sir, that it is a question of law, a question of right, we are here to determine; and is it to be the rule, gentlemen, that because you have the majority in the legislative body, that because persons have violated the law of the land that belong to your party, that you will transfer them for trial to the respective political counties in which you have a majority of judges and jurors? Do you intend to denounce, by wholesale conviction, the integrity, the purity and the honor of the Democratic judges in this Commonwealth? Why, sir, the gentleman must not forget that the Commonwealth of Pennsylvania has certain rights in the trial of all cases. Are you afraid of the Supreme Court of Pennsylvania? If the judge of Sullivan county does not discharge his duty, and does not lay down all of the law as it exists, you have the right of a writ of error by which the case can be reviewed in the Supreme Court, in which you have a majority, politically, on the bench. But if you transfer this case to the county of Bradford, and if the assumption is true that the law passed by the Legislature will be declared constitutional, then the Commonwealth has no right to the writ of error, and cannot have the case reviewed. I hold that it is your duty, as speedily as possible, to relieve the minds of the people of the Commonwealth upon the constitutionality of this act. Judges and inspectors of election in every county in this State are not clear as to what their duties are under this act—the Democratic party asserting that it is unconstitutional, and the Republican party as persistently asserting that it is constitutional. Now, how are these judges and inspectors to ascertain what their duties are? Let us have a decision in the highest courts in Pennsylvania upon this question. The Democratic party do not fear a decision in the Supreme Court. Are you afraid of that decision? Are you afraid of a decision of your own men?—you have three of them upon that bench. Then, if the Commonwealth has no right to the writ of error; if she cannot review the judgment in this case, and no lawyer on either side of this House will dispute that, then shall we not have the privilege of having this question tested before the Supreme Court of Pennsylvania? Is the expense attendant upon this case to be put upon a Democratic county, because Republicans have violated the law? I do not like to charge you with that, upon the other side. But it occurs to me that the argument of the gentleman from Bradford [Mr. KINNEY] would warrant it—that because a Republican violates the law, he must be tried in a Republican county, and because a Democrat attempts to enforce the law, he, as prosecutor, must be dragged into a Republican county. Why, gentlemen, what record are you making? Do you believe that all the Democratic judges, and all the Democratic jurors of the Commonwealth, are dishonest, and that they will not decide fairly by the law

of the land? I am not prepared to say that as to the other side. During the most heated days of partisan strife in my own county (a Democratic county), we had a Republican judge upon the bench, and there was no difficulty of this character. We all agreed, Democrats and Republicans, that the judge was honest, and that the jury drawn there were honest; and we were willing to submit the rights of the people before that judge and jury.

Now, why should you say, that for no other reason than that the judge is a Democrat, and the county is Democratic, that you should transfer this case from Sullivan to Bradford county and entail the cost of this prosecution upon the county of Sullivan? I have never heard a change of venue asked for in a court of law, or in a legislative body before, where the party did not furnish some legal and just reason why he would not receive a fair trial. You will find many cases of assault and battery, misdemeanor and other offenses, that have their origin in political parties. Is it then to be the rule of the Legislature that if there are political questions, we will transfer all such cases for trial from Democratic to Republican counties?

Now, if these defendants will come forward and swear that for some reason, aside from political prejudice, they cannot have a fair trial, I will vote for the change of venue. But where are we drifting, I ask in all candor, of the other side of the House? Where are we to stop this political malevolence? If you permit it now to permeate the court and the social circle what a community we will have. Is it true, I ask, that because I differ with you politically, that under the oath I have taken, I am not able to do you justice for no other reason than because I differ from you politically? Are you willing to say that of judge and jury, and citizens, who are your equals in ability, in position and in social standing? If that is true declare it by your votes. I do not come here with the miserable subterfuge of "Copperhead" and "Lee's allies"—that is played out! That is played out, Mr. Speaker, when applied to the Democratic party. We are your equals in social position, in moral worth, and in devotion to the Constitution. The Supreme Court of the United States, and of this State, have sustained all the doctrines of the Democratic party, and it illy becomes gentlemen here in this legislative body, for no reason than for party differences, to assert that the Democratic party are deserters and the allies of Lee. In every little thing that comes up, we must be taunted and charged with being Copperheads and sympathizers with treason, when we are doing our duty under the oaths we have taken and the laws of the Commonwealth. I tell you that if this great Commonwealth of Pennsylvania once loses its confidence in the social status of the community, if we are to distrust and disregard the rights of our neighbors because they differ with us upon politics, farewell to the safety and security of this country.

I am here as a Democrat. I profess to be an honest man. I respect every Republican that differs with me upon political questions. I am willing that he shall be my peer. I am willing that he shall be my equal. I am willing that he shall differ from me, but so help me God, I am not willing that he shall on every occasion denounce me as a traitor and sympathizer with treason. This country is a part of my heritage. We fought together to establish it, and with the help of God, the Democratic party will help to preserve it. And when you tell us that we retreated to Canada, you utter that which you know is untrue and unfair. Let us try this, as all other questions, by law and justice. Let us discard politics. Let us look and see whether these parties stand in a position to require legislative interposition. If not, go upon the *Record* and say that, for every political offense, you will change the venue from Democratic to Republican counties. But I ask them to exempt the large and respectable portion of two hundred and ninety thousand voters from aspersions of that character. It is undue us, it is not respectable, and it is unbecoming a legislative body. Mr. Speaker, I am done.

Mr. KENNEDY. Mr. Speaker, residing in the northern part of this district, I have some knowledge of the course pursued by the judge who has jurisdiction over the case here named, and all cases of that kind. A case was tried in Wyoming county where he sat, and he assumed to decide upon the constitutionality of a law, which I believe to be the prerogative of the Supreme Court alone. Had I been upon an election board and refused a deserter's vote I should not be willing to be tried before that judge. And in this instance the decision is premeditated, and so assumed by those who have made remarks on the opposite side of the House. The ground is taken that this judge has a right to decide upon the constitutionality of the laws passed by this honorable body. I take exception to this doctrine. It is the business of the Supreme Court to decide upon these questions, and I hold that laws that are passed by this body, that have not been decided unconstitutional by the Supreme Court, are laws that are binding until such decision is made, and I would not be willing to be taken before any court for trial where the judge assumed to pass this decision himself, and take the place of the Supreme Court in her decisions. I am for a change of venue in this particular case. The gentleman who has just taken his seat seemed to assume what the decision would be. If the individual is not a deserter, as asserted, and the fact is established before the court in Bradford county, of course he would have his remedy.

They say they are not afraid to go before courts that have Republican judges; neither need they be afraid, because there has been no decision passed by them upon the constitutionality of the laws enacted by this honorable body; and if that individual is not a deserter, I will warrant him to have a due remedy in the course pursued by that court. If he is a deserter the probability is that the thing will pass no further than the grand jury, as it ought in instances of this description. The decision of the Supreme Court is anticipated by the gentlemen from the opposite side of the House, and well he may anticipate it, knowing that the majority of that body are of the same politics as those who are opposing the change of venue in this case. They are deciding against the constitutionality of all laws that seek to restrict those in that portion of our country which has been broken in pieces by a course of wrong and unconstitutionality.

We may well know what their decision may be. There are other instances in which the venue is desired to be changed inasmuch as this honorable body has passed a law that the Democratic party declare to be unconstitutional, and I hope this honorable body will stand by the laws they have passed, until they are decided to be unconstitutional by competent authority. I do not believe this body should pass laws affecting any individual in our community and suffer that individual to bear punishment for standing by that law, by deserting him in his time of trial. I say that this body, having passed a certain law touching the right of suffrage so far as deserters are concerned, now to leave those men that conformed in their course to this law, in the hands of those that have determined beforehand that they will inflict pains and penalties upon them for keeping those laws, is not doing right. If they cannot be saved in the place where they have lived up to the law, let us change the venue to where they can be, and let us stand by the laws we have enacted here, until a decision of the Supreme Court is given that the law is unconstitutional. I am, therefore, in favor of this change, and am in favor of a change in every part of the country upon the same point; and I would go in to-day for a general law upon this point, changing the venue in every county where Democratic judges have jurisdiction, to other places where the majority are of a different complexion.

Mr. JENKS. Mr. Speaker, I have no desire to occupy the attention of this House unnecessarily. It is due it, however, to be informed of all matters of fact connected with this case. I find, by reference to the petition of these said to be loyal men, who now pray for the change of venue in that case, the name, upon that petition, of one Abel M'Carty. I find, by reference to the certificate of the proper officer, the name of Abel M'Carty upon the list of deserters in that township. Here, sir, is a deserter, said to be a loyal man, certified to as a deserter and petitioning that persons charged with the violation of the law should have the benefit of trial by partisans, in order that through partisan influences they may be cleared. This, sir, is the statement of loyal men who here petition—deserters petitioning. This, sir, is a specimen of the men that the gentleman from Bradford [Mr. KINNEY] has been pleased to call loyal, brave men, who stood up for their country in this transaction. I merely wish to call the attention of the House to this fact, in order that we may know who these loyal men are, in order that when we vote to grant the prayer of these loyal petitioners the country may know what kind of loyal men we approve of—praying deserters.

But let us examine the principle in this case. Let us not put this upon partisan grounds. I have no sympathy with partisan appeals. I have no sympathy with party passions or party prejudices, and I do not want this House to have sympathy with party measures or prejudices that relate to the dispensation of justice. They have no right to have those feelings, and it is a violation of right to act under their influence—it is a violation of the oath that each legislator takes, the oath that each member of this House takes to do right and to do right alone. I, therefore, call upon them to disregard all these appeals to party or to party prejudices. We have nothing to do with it. It is a judicial question, and a judicial question alone, and so we should treat it, and in that manner we should act. We have gone far enough, by these appeals, to set man upon his fellow; we have done enough to destroy the peace of society; we have done enough to array community against community. It is now time, sir, that we should turn from this course and act upon right principles; and when questions address themselves to the judicial discretion of this House, it is our province to exercise judicial discretion, and not to let partisan feelings interfere with us at all. In the name of humanity, I call upon this House to be governed by these principles, and in the name of the peace of society, I demand it. In the name of the Constitution which was meant to cement society together, I demand this; and I have a right to demand it.

Let us examine and comment upon these records, on the part of the loyal men, these loyal persons who have been indicted and who now ask that they may have the benefit of party prejudice and feeling, in order to warp the law in their favor. Here are three men charged with a crime. The infor-

mation has been filed in the proper court and the grand jury has acted upon that information and returned a true bill. If the jury that is bound to try this case finds incorrectly, or if there have been corrupt influences brought to bear in selecting jurors in that county, they have the right to challenge the array—the whole jury through the challenging power may be prevented from trying them; that is one of the safeguards. If there have been corrupt influences used in summoning the jury, the whole jury may be swept off; but this has not been charged. More than this, sir, that no wrong may be done, these persons have the right to challenge peremptorily other jurors to a sufficient extent to purify the jury; and, more than this, they have the right to challenge, for cause, every man that may be brought to try the case. With all these safeguards, the right to challenge the array, the right to challenge the whole jury that may be empannelled for cause; and, further, the right to challenge peremptorily so as to secure them in the privilege of a fair and impartial trial, these persons come here, after the grand jury has found a true bill against them, and ask that this legislative body shall change the venue to the county of Bradford, where it is supposed and expected that they shall have, in addition to this, the advantage of party prejudice in preventing the law from having its due course. Shall the principle that underlies this question prevail or shall it not? Can a partisan, charged with a crime, appeal to his partisan friends, and is that party, by virtue of its political sympathies, to be influenced to do wrong in cases of this kind? This petition is an insult to the entire Republican party of Pennsylvania. It assumes they will be swayed by improper influences; it assumes that when a man of their party is indicted they will sympathize with him in his crime; and, through the influence of that sympathy, they will, if possible, relieve him from the responsibility. I say it is an insult to the Republican party of Pennsylvania, viewed in its proper light. Is it true, sir, that the party friends of these men will be controlled so that they will not do justice according to law? And is it true that when Republicans are charged with crime they may appeal to a legislative body, and, because that legislative body may have a majority of Republicans, that their prayer shall receive a response in the affirmative, and that, by reason of Republican sympathy, they shall not be given justice in the trial of a case not contemplated by law? But more than that, it is an insult to the entire party which opposes the Republican party. It says that, under the solemn obligations of an oath, they will not act conscientiously, but will, for partisan reasons, be influenced against evidence, against right, and against the law to punish persons who differ with them in political opinions. It is an insult to the entire people of Pennsylvania. It assumes that the Republican party will not do right, or at least, will warp the law in favor of its party friends; and it assumes that the Democratic party will not do right, but will warp the law in order to wreak their vengeance upon their political opponents. And further than that, establish the principle and you aim a blow at the entire social fabric—you do more by this means to destroy the confidence of men in each other than you could possibly accomplish in any other way. I, therefore, hope this prayer will not be granted.

The question being,

Shall the bill be laid aside for a second reading?

Mr. WADDELL. Mr. Speaker, I do not propose to discuss this bill. I desire to ask the House for information—what will be in order this afternoon, after going through with the private calendar?

The SPEAKER. The consideration of the resolution to ratify the constitutional amendment.

Mr. WADDELL. Mr. Speaker, at the request of the officers of the Insane Asylum the Committee of Ways and Means have made arrangements to visit that institution this afternoon. I presume there are gentlemen upon each side of the House that propose to go, and we do not desire to be taken advantage of in our absence, and I therefore ask leave of the House to visit that institution this afternoon.

Leave was granted.

The question was on laying the bill aside.

The hour of one o'clock having arrived, the SPEAKER adjourned the House until this afternoon at three o'clock.

AFTERNOON SESSION.

The House met at 3 o'clock, P. M.

SPEAKER'S TABLE.

The SPEAKER presented to the House the annual report of the Superintendent of Soldiers' Orphans for the year 1866.

Laid on the table.

The SPEAKER proceeded to clear the table:

House bill No. 14, entitled An act to authorize the collection of money for school purposes in the borough of Tidioute, in Warren county,

Returned from the Senate with amendments.

The amendments were read, and

Concurred in.

House bill No. 104, entitled An act to repeal the act of 30th March, A. D. 1866, to provide for the payment of gratuities and annuities to the soldiers of the war of 1812, and to their widows,

Returned from the Senate, with amendments.

The amendments were read, and

Concurred in.

Senate bill No. 40, an act to change the venue in the case of Jesse Chronister versus Howard Miller, George Hollinger and Daniel Harbolt, from the court of common pleas of Adams county to the court of common pleas of Dauphin county.

Referred to the Committee on the Judiciary Local.

Senate bill No. 98, an act relating to the powers of the legal representatives of deceased tax collectors in this Commonwealth.

Referred to the Committee on Federal Relations.

Senate bill No. 125, an act to attach certain lands and tenements in Bedford township, Bedford county, and the persons residing thereon, to Bedford borough for school purposes.

Referred to the Committee on Education.

Senate bill No. 259, joint resolution requesting our Senators and Representatives in Congress to urge the passage of the pending tariff bill.

Referred to the Committee on Federal Relations.

Senate bill No. 260, a supplement to an act entitled An act relating to the pay of jurors in the counties of Lehigh and Berks, approved the 23d day of March, 1865.

Laid on the table.

Senate bill No. 261, a supplement to the act incorporating the borough of Doylestown, entitled An act authorizing the Governor to incorporate the Bristol steam tow boat and transportation company, and for other purposes.

Referred to the Committee on Municipal Corporations.

Senate bill No. 262, an act to incorporate the Schuylkill insurance company of Philadelphia.

Referred to the Committee on Corporations.

MESSAGE FROM THE SENATE.

The Clerk of the Senate being introduced, informed the House of Representatives, that the Senate has concurred in the resolution passed by the House of Representatives fixing the time of adjournment on Wednesday evening next, until Tuesday, the 12th instant, at 11 o'clock, A. M.

The SPEAKER. The first thing in order is the further consideration of the bills on the private calander.

The question is on laying bill No. 76 aside for a second reading.

Mr. WEBB. Mr. Speaker, I propose to occupy the time of this House but a very few moments on this question. Firstly, I propose to notice some of the statements made by the gentleman from Berks [Mr. JONES], in relation to what was said before the committee. If I understood the gentleman correctly, he said that the Senator stated before the committee, of which he was a member, that this person, whose vote was refused, was a person whose name was not on the list of deserters, and who had an honorable discharge. The gentleman from Sullivan did state that the person whose vote was refused had an honorable discharge, but he did not state (I think I am correct) that his name was not on the list of deserters, nor that his vote was rejected because somebody chanced to object to it. My friend from Jefferson [Mr. JONES] referred to the loyal people of Luzerne county, one McCarty, whose name was upon the petition, and who is also on the list of deserters; I have to say frankly that we are not perhaps as well fortified on personal facts and individual cases as the gentleman from Sullivan, who was posting my friend during the remarks he made. Now, I do not think it is conclusive, by any means, that the person referred to upon this petition is necessarily the one who is published as a deserter. It is not a very strange occurrence, I think, that there should be two persons of the same name in the same county, the same township. It has been well stated that persons who have honorable discharges, and who were never deserters are, sometimes, upon the printed list and reported as deserters. I presume the case here cited is an instance of this kind. One thing was well said by the gentleman from Potter [Mr. MANN], in a former discussion of a similar question, that the Democrats carried on the canvass last fall upon the understanding that deserters were to vote; they hoped to carry the election in the State upon the votes of deserters. That canvass was carried on in our section with as much warmth and vigor as in any other portion of the State. The lawyers, and the honorable gentleman from Sullivan, issued a circular in which they called on their friends to go to the polls and deposit their ballots; if their votes were refused their circular advised a resort to the courts, and they (the lawyers) would carry on these prosecutions free of charge. That was the spirit that was manifested, and, as was truly stated by my colleague, the presiding judge was a candidate for Congress in that district and participated in this feeling. The associate judges in Sullivan county were canvassing the county in company with persons who were making this manner of speeches to the masses, and in fact making such speeches themselves. The presiding judge has tried one case of this kind, in which he so charged the jury that a

conviction was made. Judge Jordan, of the Lycoming district, and other Democratic judges, have charged juries differently—that election boards, with the statute before them, discharging their duties honestly and in good faith, ought not to be convicted in prosecutions of this kind. The gentlemen on the other side of the House say they have the utmost confidence that they will receive fair treatment at Republican hands. In our county, no prosecutions have arisen; this question has not been decided by our courts.

Mr. DEISE. Mr. Speaker, I would ask if the gentleman will allow me to interrupt him a moment. I would ask him to state to the House the facts to which Judge Jordan referred in the case he spoke of.

Mr. WEBB. I do not know that he referred to any facts. I simply know that a jury was summoned in Wyoming county under the same circumstances in which juries are summoned in Sullivan county. The gentleman who has expressed so much confidence in the honesty of the Republican party, dare not rise in his place, and say that if a term of the court be held this month there will not be enough Republicans drawn on the jury to exhaust the challenges that are permitted to be made without cause. It is the desire of gentlemen to delay this matter, and so get rid of it. I ask that this House come to a vote. I call the previous question.

The call for the previous question was sustained by Messrs. M'Kee, Hoffman, Pillow, Shuman, Whann, Colville, M'Creary, Humphrey, M'Camant, Leech and Kinney.

On the question,

Shall the main question be now put?

The yeas and nays were required by Mr. JENKS and Mr. FOGEL, and were as follow, viz:

YEAS—Messrs. Adaire, Allen, Cameron, Chadwick, Chase, Colville, Davis, Day, Espy, Ewing, Gallagher, Gordon, Harbison, Hoffman, Humphrey, Kennedy, Kinney, Leech, M'Camant, M'Creary, M'Kee, M'Pherrin, Mann, Marks, Mechling, Meily, Pennypacker, Peters, Pillow, Quay, Richards, Roath, Seiler, Sharples, Shuman, Steacy, Stehman, Stumbaugh, Suhers, Waddell, Wallace, Watt, Webb, Weller, Whann, Wharton, Wilson, Wingard, Worrall, Wright and Glass, *Speaker*—51.

NAYS—Messrs. Barrington, Boyd, Boyle, Breen, Brennan, Calvin, Collins, Craig, Deise, Fogel, Harner, Headman, Heltzel, Hood, Hunt, Jenks, Jones, Josephs, Kline, Kurtz, Linton, Long, M'Henry, Maish, Markley, Mullin, Quigley, Rhoads, Robinson, Rouch, Satterthwait, Tharp and Westbrook—33.

So the question was determined in the affirmative.

On the question,

Shall the bill be laid aside for a second reading?

It was agreed to.

No. 95, an act regulating the sale of intoxicating liquors, licensing saloons, eating houses and restaurants, and to prohibit billiard saloons from being kept open on Sunday, in the county of Cameron.

The question being,

Shall the bill be laid aside?

It was agreed to.

No. 114, an act for the relief of wives and children deserted by their husbands and fathers, in Lancaster and Potter counties.

Laid aside.

No. 122, an act to regulate the terms of the several courts in the Sixth Judicial district.

Laid aside.

No. 131, an act to enable the board of directors of common schools of East Lampeter township, Lancaster county, to apply surplus of bounty funds to common school purposes.

Amended by Mr. BOATH, and

Laid aside.

Mr. JONES. Mr. Speaker, I ask leave to make a statement:

Two years ago a bill was passed increasing the fees of jurors in Berks county; the time was limited to the first of February, 1867. The reason for limiting it was this: it was supposed the expenses of living would be lessened, when there would be no occasion for increased fees to jurors. But this change has not occurred and the limited time has expired. A jury is sitting in Berks county during the term of the court this week; they must be paid on Saturday. A bill has passed the Senate extending the time two years longer. Unless that bill is passed now so it may be signed by the Governor before Saturday, the county officers must be be governed by the old law, which fixes a fee not reasonable under the circumstances. This bill was referred by the Speaker to the Local Judiciary Committee. As there is occasion for its immediate passage, I move that the committee be discharged, and that the rules be suspended for the purpose of considering this bill.

The bill was read a second and third time, and

Passed finally.

PRIVATE CALENDAR.

The following bills were read a second time, and disposed of as stated:

No. 154, a supplement to an act to empower the commissioners of Washington county to compromise with the holders of the county bonds, and for the more prompt and economical collection of taxes in said county.

Amended by Mr. EWING, and

Passed finally.

Senate bill No. 35, an act supplementary to an act entitled An act providing for the erection of a poor house in the county of Lawrence.

Passed finally.

Senate Bill No. 64, an act appropriating part of the moneys arising from fines and forfeitures, in the county of Schuylkill, for a law library for the use of the courts, et cetera.

Passed finally.

Senate bill No. 61, an act to authorize the appointment of a phonographic reporter for the courts of Lancaster county.

Passed finally.

No. 158, an act authorizing the commissioners of the county of Delaware to create a five per cent. loan.

Amended by Mr. PENNYPACKER, and

Passed finally.

No. 159, supplement extending the provisions of an act approved the 17th day of April, A. D. 1866, relative to the fees on unseated lands in the county of Centre.

Passed finally.

No. 160, an act relating to the fees of the district attorney of Huntingdon county.

Passed finally.

No. 161, an act to repeal the act of Assembly passed the 11th day of April, 1866, entitled An act to provide for the purchase of real estate and erection of a poor house in Montour county.

Amended by Mr. DEISE, and

Passed finally.

No. 163, a further supplement to the act of incorporation of the borough of Washington.

Passed finally.

No. 164, an act supplementary to an act erecting the village of East Birmingham into a borough, approved the 10th day of April, A. D. 1849.

Passed finally.

No. 165, an act supplementary to an act constituting and establishing the Southeastward, of the borough of Pottsville, approved the 11th day of April, A. D. 1866.

Passed finally.

No. 166, an act to divide the borough of Plymouth into two wards.

Passed finally.

No. 167, a further supplement to an act for the registration of births, marriages and deaths in the city of Philadelphia, passed March 8, A. D. 1860, and supplements thereto.

Passed finally.

No. 168, an act to authorize the town council of the borough of Mill Hall, in the county of Clinton, to levy and collect additional taxes for building purposes.

Passed finally.

No. 169, a supplement to an act approved the first day of April, A. D. 1863, for the protection of owners of wharves or landings, in the borough of Oil City, Venango county.

Passed finally.

No. 170, an act to increase the duties of the Citizens' association, of Pennsylvania.

Mr. KERNS. Mr. Speaker, I should like to have some explanation from the gentleman having the bill in charge. It appears to grant to the Citizens' association, whoever they may be, extraordinary powers. By this bill all that is necessary to have a person confined within the walls of this association is to say a man is an inebriate, get a physician to examine him, and then he is taken to this institution and not released for a period of nine months. I would like to have an explanation of this before I vote for it.

Mr. MANN. Mr. Speaker, my friend is mistaken; it requires the action of a court to declare a person an inebriate. Just such provisions with regard to inebriates exist in Pittsburg. The Speaker of this House is undoubtedly familiar with the workings of the law there. I have heard no charges of its harshness or impropriety. Acts of this character have always been in force in this State, and the right of a court to declare who was an inebriate, and what should be done with him, has always existed. This bill simply changes the effect of the decision of a court from what it may have been heretofore. Under the provisions of this bill, if the court shall find that any person is an inebriate and not capable of taking care of his family, it may direct him to be put in charge of the officers of the Citizens' association. A similar institution has been in successful operation in New York for several years. This association was organized by virtue of an act of the Assembly passed in this House last year. Its whole spirit and intention is in favor of curing and restoring inebriates, who are now a charge upon communities, to usefulness. Where can there be any objection to that? We know there are vast numbers in this Commonwealth who have become so addicted to the use of intoxicating liquors that they have ceased to be productive people. The taxes imposed upon the industry of Pennsylvania in consequence of the idleness and crimes caused by inebriation has become heavier than all others; this bill is simply an attempt to relieve the honest laborer of the Commonwealth from a portion of this burden. I am asked who are these gentlemen engaged in getting up this Citizens' association; one of them is Dr. Joseph Parish, of Philadelphia, known everywhere throughout this Commonwealth as a man of integrity and philanthropy; his associates are of like character, and well known to this community. The law under which they were authorized to act is gotten up in a spirit of philanthropy, for the purpose of doing good and relieving the industry of the State of

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[CONTINUED FROM PAGE 208.]

a portion of the burdens imposed upon them by inebriates.

Mr. M'CREARY. Mr. Speaker, I do not propose to discuss the merits of this bill. Its general design is good. I agree with the gentleman from Potter, that something of this kind would be very beneficial to certain classes of people in this State. It occurs to me, however, that the provision of the last section of the bill defeats the very purpose for which the bill was designed. The proviso reads, that in no case shall the association be required to keep an inebriate without a provision being made for his support, according to the rules of the society. I don't know what the rules and regulations are; but I presume they require the friends of inebriate to furnish the means necessary for his support. The gentleman from Potter [Mr. MANN], every member of the House, and every person in the country, knows that the class of people to which inebriates belong are generally so very poor that their friends cannot make this provision. You will find in this Commonwealth that those inebriates who require the aid designed to be given by this bill are the very persons who cannot avail themselves of it. By reason of their habits of dissipation they have squandered their property, their friends have had to suffer, and now, perhaps, have not the wherewithal to place them in charge of this association. The gentleman may say all other institutions are managed in the same way; that in insane asylums persons are required to make provisions for the support of those who are sent there. But there is just this difference, insanity does not belong to the poorer classes perhaps more than the rich; therefore, in many cases, the friends of the insane have it in their power to comply with the rules of those institutions. But throughout the land you will find the unfortunate inebriates have become reduced on account of their dissipation, their families are suffering for their daily food, and yet they are told unless they supply the means necessary for their support they cannot receive the aid of this institution.

Again, you will find a class of inebriates throughout the State—throughout the country generally—who are men of property; their families are not dependent upon them for support. If it is found that those men are dangerous to their families or the community, they have means for their support. The aid and assistance intended to be given by the bill, is given only to those who have the means necessary for their support; whereas the poor man is compelled to be kept at home. I presume the rules and regulations of the association require this.

If the gentleman from Potter [Mr. MANN] will introduce a bill whereby some provision is made for confirmed inebriates who have no property, whose families are suffering for food, by which the State will take care of these men, then I say the bill is a good one. But I think there is not a gentleman in this House who does not see that the very class of men intended to be benefited by this bill are deprived of the benefits offered, simply because they have not the means to comply with the rules of the association. I object to the bill only because the class of people who most need the aid of the association are deprived of it.

Mr. MANN. Mr. Speaker, I am very glad the gentleman from Erie [Mr. M'CREARY] and myself are so nearly agreed on this question. But I think on a little reflection, he will see that his seeming objection does not exist. This Citizens' association is composed of a number of men who have some means that they are willing to devote to this purpose. They have purchased farms, erected buildings, and have proposed to take under their care persons who shall be decided by a court to be inebriates. Up to this time they have been working at their own expense. Now, I ask the gentleman if he proposes to compel them to receive every inebriate and support him at their own expense. It seems to me these gentlemen have shown their liberality by purchasing farms and buildings; they should be allowed to make some regulation for the support of inebriates sent there. It is supposed that the association will support itself; they have implements for tilling the ground they have obtained. It is not expected that the expenses of the institution will be a serious tax on the inmates. I hope those who wish to increase the productive class, and the wealth of this State, who wish to restore inebriates to their families, and cure them of this disease that has fastened upon them, will support this bill as it is. If personal liberty is not sufficiently guarded by this measure, give us what is lacking. I am unwilling to vote for a bill that does not guard with jealous care the liberties of every one of the citizens of this State.

Mr. M'CREARY. Mr. Speaker, I do not object to the character of this bill; but I think it does not go far enough. This bill is intended to be a general benefit to all classes of people; and from the remarks of the gentleman himself it is evident that it only benefits those people who need no aid. If an inebriate has property, or means to support himself and family (if he has one), home, perhaps, is the best place for him. It may be that the treatment authorized at this institution will cure them of this affliction. I only object because this bill does not go far enough. Perhaps the Citizens' association can do no more. It seems to me whilst we are legislating on this subject, and passing a bill of this kind, we should enlarge it so as to meet the cases that can now by no possibility come within its provisions. There are men who are inebriates lying around our streets, living in squalid habitations; they should be sent to such an institution as this; but that cannot be done, because they have no means for their support. While considering this subject, we may be able to reach some provision by which these men, who are really objects of our charity and our attention, may receive those benefits. I object to this bill simply because we may devise some means by which the objects of the bill will be obtained.

Mr. MANN. Mr. Speaker, I simply desire to say that I think it is well that we move cautiously in this matter. I think it is better to pass the bill as it is. If this institution shows itself capable of accomplishing the work it proposes, then I will go heartily with the gentleman for making provisions to send all the inebriates of the State there. At present I think it is wiser and safer to take the bill as it is, and see how the institution prospers. It is an experiment; it is not determined that they can attain the results they attempt. Such institutions exist in New York, in Massachusetts and other States. Let us see first whether they can accomplish the work they propose. If they cannot, then we will devise means to send every person who needs such protection and benefits to such an institution. I hope the friends of improvement and good order will allow the bill to pass as it is.

Mr. JONES. Mr. Speaker, I do not propose to go into a discussion of the merits of this bill, but I do not certainly understand its provisions. From the statement of the gentleman from Potter [Mr. MANN], it seems to me that the bill is perhaps unnecessary altogether. He says that Citizens' association does not propose to become a State organization—that it does not ask an appropriation from the Commonwealth, and therefore is in the character, almost, of a charitable institution. If the State is to make no appropriation, and have no control over it, I do not see that it is not better to leave it as a matter of agreement between the Citizens' association and the parties who wish to send their friends there.

Under the second section of the bill it is provided that the judge of the court, upon the question being submitted to him, may determine, not upon the usual course of procedure, "but according to such reasonable rules of procedure as he may prescribe, and order the commitment of said inebriate to the custody of the Citizens' association of Pennsylvania, for a term of not less than nine months." * * * It seems to me this is putting altogether too much power in the hands of the judge. The court, in the first place, is to prescribe the rules of procedure which it will follow in order to ascertain whether a man is or is not an inebriate. Then he has the power to send him, like a criminal, to this institution, for the term of nine months, not to be relieved except by the application of that judge. I propose, therefore, not to make any general objection to this bill, but I move to postpone it for the present, in order that members may have an opportunity to examine it.

Mr. MANN. Mr. Speaker, I hope the

gentleman will allow the bill to go over on third reading.

Mr. JONES. I am willing to do that.

The bill was laid over on third reading.

No. 172, a supplement to the act of the General Assembly, incorporating the borough of Mechanicsburg, in Cumberland county, passed April 12, A. D. 1828, as amended by the act regulating boroughs, approved April 3, A. D. 1851, and adopted by said borough, August 24, A. D. 1857.

Passed finally.

No. 173, an act to change the provisions of the thirtieth section of an act regulating boroughs, approved April 30, 1851, so far as the same relates to the borough of Mount Pleasant, Westmoreland county.

Passed finally.

No. 174, an act for the better prosecution of disorderly persons in the borough of Monongahela, Allegheny county.

Passed finally.

No. 175, an act for the relief of Joseph A. Allen and E. Mayers.

Passed finally.

No. 176, an act to authorize the payment to Michael Dunn, a soldier in the war to suppress the rebellion, a gratuity on account of the loss of both his legs.

Passed finally.

No 177, an act for the relief of Peter Roberts, a soldier of the war of 1812.

Passed finally.

No. 178, an act extending the provisions of the act relating to corporations for mechanical, manufacturing and quarrying purposes, approved July 18, 1863, and the supplements thereto, to the county of Northumberland.

Passed finally.

No. 179, a supplement to the act to incorporate the Eagle mining company, passed the 18th day of March, A. D. 1865.

Amended by Mr. STUMBAUGH.

Passed finally.

No. 180, an act to incorporate the Equitable gold and silver mining company.

Passed finally.

Senate bill No. 18, an act to incorporate the Quinterro mining company.

Passed finally.

No. 182, an act to incorporate the Hesperian mining company.

Passed finally.

No. 183, an act to incorporate the Montrose mining company.

Passed finally.

No. 184, an act to incorporate the Gold and Silver mining company.

Passed finally.

No. 185, an act to incorporate the California and Philadelphia Gold mining company.

Passed finally.

No. 186, an act to repeal the Lenox road law in the township of Apolocon, in Susquehanna county, and for other purposes.

Passed finally.

No. 187, an act to repeal the charter of the Tuckahoe and Mt. Pleasant plank road company.

Passed finally.

No. 189, an act to incorporate the Donglassville and Yellow House turnpike road company.

Passed finally.

No. 191, a supplement to the act incorporating the Clarion and Allegheny River turnpike road company.

Passed finally.

No. 194, an act to establish a ferry on the Allegheny river at Peterson's Falls, in the county of Venango.

Passed finally.

No. 195, an act construing portions of the first section of an act approved February 17, A. D. 1865, granting to Samuel Stock the right to erect a ferry or foot bridge over Oil creek, at or near the Noble well, in the township of Cornplanter, Venango county.

Passed finally.

No. 196, an act to establish a ferry on the Monongahela river, at the borough of California, in the county of Washington.

Passed finally.

No. 197, an act relating to roads in Valley township, Chester county.

Passed finally.

No. 198, an act to establish a ferry over the Allegheny river, at or near Red Bank furnace.

Passed finally.

No. 202, supplement to an act to authorize the Governor to incorporate a company to erect a bridge over the West Branch of the Susquehanna, at the borough of Milton, &c., passed the 6th day of April, A. D. 1830.

Passed finally.

No. 203, an act to repeal an act to amend the road laws of Montgomery county, passed March 15, A. D. 1859.

Passed finally.

No. 204, a supplement to an act to amend the road laws of Erie county, approved the 26th day of March, A. D. 1846.

Passed finally.

No. 205, an act to incorporate the Eonlentown and Shippenville turnpike company.

Passed finally.

No. 206, an act to establish a ferry over the Allegheny river, at or near Bear Creek landing.

Passed finally.

No. 207, a further supplement to the road laws of Bradford county.

Passed finally.

No. 208, an act to declare Cedar run a public highway, in the township of Elk, county of Tioga.

Passed finally.

No. 209, an act to declare that branch of Mill creek in the county of Jefferson, known as the Five Mile run, a public highway.

Passed finally.

No. 210, a supplement to an act of Assembly, entitled An act to incorporate the Easton and Wilkesbarre turnpike road company, approved February 11, 1808.

Passed finally.

No. 211, an act to incorporate the Wyoming County bridge company.

Passed finally.

No. 212, supplement to an act to incorporate the Cresheim turnpike and bridge company, approved the 16th day of March, 1866.

Passed finally.

No. 214, an act to establish a ferry over the Allegheny river, at the mouth of East Sandy creek, in the county of Venango.

Passed finally.

No. 216, an act relating to the estate of Jacob Coon, deceased.

Passed finally.

Senate bill No. 78, an act in relation to the sale of certain real estate owned by the Odd Fellows' hall association of Allentown, in the county of Lehigh.

Passed finally.

No. 218, a supplement to the act to incorporate the Columbia gas company, and relative to the election of assessors and constables in Salisbury and Cærnarvon townships, Lancaster county; to lay out a State road from Marietta to Portsmouth; to require the State Treasurer to refund certain moneys to the administrator of Anna Kimmell, deceased, approved the 10th day of April, A. D. 1851.

Passed finally.

No. 219, an act to incorporate the Highspire cemetery association.

Passed finally.

No. 220, a supplement to an act to incorporate the Mechanicsburg hall and market company, approved the 24th day of March, A. D. 1865.

Amended by Mr. LONG, and

Passed finally.

No. 221, an act to incorporate the Pennsylvania library association of the city of Philadelphia.

Passed finally.

No. 222, an act to change the time of holding the election of officers of the Independent company of Montgomery and Bucks counties, for the recovery of stolen horses and detection of thieves.

Passed finally.

No. 223, a further supplement to the act incorporating the Watsontown bridge company.

Passed finally.

No. 224, an act supplementary to an act incorporating Andalusia college, at Andalusia, Bucks county, Pa., approved the 30th day of March, A. D. 1866.

Passed finally.

No. 225, a further supplement altering and amending an act to incorporate the St. Clair cemetery association of the borough of Greensburg, Westmoreland county, approved April 19, A. D. 1856.

Passed finally.

No. 226, an act to incorporate the Mahanoy Valley insurance company.

Passed finally.

No. 227, an act to incorporate the Oak Hall association of Weatherly.

Passed finally.

No. 228, an act to incorporate the Mission House of the Protestant Episcopal church of the United States.

Passed finally.

No. 229, an act authorizing the Union Mutual fire insurance company of Montgomery county to change the time of holding its elections.

Passed finally.

No. 230, a supplement amendatory to an act to incorporate the Farmers' market of the Fifth ward of the borough of York.

Passed finally.

No. 231, supplement to an act to incorporate the town of Haley, in the county of Perry, into a borough, approved April 12, 1866, changing the name of said borough of Haley to Marysville, and forming the same into a separate election district.

Passed finally.

No. 232, a supplement to an act to compel the manufacturers of firkins, kegs and tubs, intended for the packing of butter or lard, in the counties of Erie, Crawford and Warren to mark the weight thereon, extending the same to the county of Bradford.

Passed finally.

No. 234, an act authorizing the Governor to transfer to the Reynolds monumental committee unserviceable and condemned ordnance.

Passed finally.

No. 237, a further supplement to an act, entitled An act to incorporate the Howard fire and marine insurance company, approved the 26th day of April, A. D. 1855, reducing the number of directors and authorizing an increase of capital stock.

Passed finally.

No. 238, an act relating to the disposition of fines and forfeited recognizances in the county of Susquehanna.

Passed finally.

No. 239, an act relating to the pay of surveyors appointed by the courts of Crawford and Mercer counties.

Passed finally.

Senate bill No. 105, an act relative to roads and highways in Schuylkill county.

Passed finally.

No. 76, an act to change the venue in the case of the Commonwealth of Pennsylvania

versus Jesse R. M'Carty, Joshua R. M'Carty and Charles Norton, from the court of quarter sessions of the peace of Bradford county,

Was read a second time.

On the motion to suspend the rules and read the bill a third time,

The yeas and nays were required by Mr. JONES and Mr. DEISE, and were as follow, viz:

YEAS—Messrs. Adaire, Allen, Brown, Cameron, Chase, Colville, Day, Espy, Ewing, Gallagher, Ghegan, Gordon, Hoffman, Humphrey, Kennedy, Kimmell, Leech, M'Creary, M'Kee, Mann, Mechling, Meily, Peters, Pillow, Quay, Richards, Roath, Seiler, Sharples, Shuman, Steacy, Stehman, Stumbaugh, Subers, Wallace, Watt, Webb, Weller, Wilson, Wingard, Worrall, Wright and Glass, *Speaker*—43.

NAYS—Messrs. Barrington, Boyd, Breen, Brennan, Calvin, Collins, Craig, Deise, Fogel, Harner, Headman, Heltzell, Hood, Hunt, Jenks, Jones, Josephs, Kline, Kurtz, Linton, Long, M'Henry, Maish, Markley, Mullin, Quigley, Rhoads, Robinson, Rouch, Satterthwait and Westbrook—31.

So the question was determined in the negative.

The bill was then laid over on third reading.

No. 95, an act regulating the sale of intoxicating liquors, licensing saloons, eating houses and restaurants, and to prohibit billiard saloons from being kept open on Sunday, in the county of Cameron,

Was read a second time.

On motion of Mr. DEISE, the bill was laid over on third reading.

No. 114, an act for the relief of wives and children deserted by their husbands and fathers, in the several counties in this Commonwealth.

Passed finally.

No. 122, an act to regulate the terms of the several courts in the Sixth Judicial district.

Passed finally.

No. 131, an act to enable the board of directors of common schools of East Lampeter township, Lancaster county, to apply surplus of bounty funds to common school purposes.

Passed finally.

CONSTITUTIONAL AMENDMENT.

The consideration of Senate bill No. 3, entitled Joint resolution to ratify the fourteenth article of the Constitution of the United States, being in order,

Remarks were made by Messrs. JONES and M'CREARY, which will appear in the Appendix to the *Record*.

The question being on the bill, it was

Agreed to.

The bill being on third reading, Mr. ALLEN took the floor, but gave way for a motion to adjourn.

On motion, the House adjourned until tomorrow morning at 10 o'clock.

SENATE.

TUESDAY, February 5, 1867.

The Senate met and was called to order at 11 A. M., by the SPEAKER.

Prayer was offered by the Rev. Mr. Bailey.

On motion of Mr. CONNELL, the reading of the Journal of yesterday was dispensed with.

PETITIONS, REMONSTRANCES, &C.

Mr. CONNELL presented the petition of one hundred citizens of Pennsylvania, praying for a law to compel railroads to carry people without distinction of color.

Laid on the table.

Also, a petition of thirty citizens of Philadelphia, praying that any bridge authorized over the river Schuylkill shall be required to have a draw.

Referred to the Committee on Roads and Bridges.

Also, a petition from James Metham and other citizens of Philadelphia, praying for the survey of the line of Broad street below its present terminus to the river Delaware.

Referred to the Committee on Roads and Bridges.

Mr. WORTHINGTON, a petition of citizens of Philadelphia, in favor of colored citizens being allowed to ride in the cars without disturbance.

Laid on the table.

Also, petition of citizens of Chester, Delaware, Montgomery, Bucks and adjoining counties, asking for a law to protect farmers in the markets of Philadelphia.

Referred to the Committee on Agriculture and Domestic Manufactures.

Mr. LANDON, petition praying that colored people may enjoy common privileges upon all lines of public travel,

Which was read as follows:

To the Honorable the Senate and House of Representatives of the Commonwealth of Pennsylvania, in General Assembly met:

We, the undersigned, watching, with hopeful anticipation, the advancement of the great and generous people of the loyal States, in the advancement of right and justice, as foreshadowed in their recent legislative enactment, and being firmly of the opinion that our good and great Commonwealth is equally as true to the principles of justice and equality as any other, do respectfully petition your honorable body to protect the colored citizens from the outrages and insults to which they, in this State only, are subjected, in cars, steamboats and other vehicles of public travel. We ask you to remember their sacrifices of limb and life on field and flood—their unflagging loyalty to State and General Government. We ask you, in the light of the civilization of the age, the enlightenment of your body, the cause of justice, and in the interest of a common humanity, to pass the bill now pending before your honorable body, and thus wipe from the escutcheon of our State, a stain which has so long blotted its fair face.

And your petitioners will ever pray, &c.

[Signed]

George B. White, Elizabeth White and others.

Laid on the table.

Mr. WHITE, the petition of citizens of Pennsylvania, to prevent the exclusion of colored citizens from riding in public conveyances.

Laid on the table.

Mr. SHOEMAKER, the petition of ninety-two citizens of Philadelphia, praying for the passage of a law authorizing persons of color to travel on steamboats, railroads, and means of public travel.

Laid on the table.

Mr. COWLES, a petition numerously signed by citizens of Philadelphia, praying for relief for colored citizens from the insults to which they are subjected in cars, steamboats and other vehicles of travel.

Laid on the table.

Also, one of like import.

Laid on the table.

Mr. COLEMAN, a petition of citizens of Philadelphia, asking for the passage of a law to prevent railroad companies excluding persons from their cars on account of color or race.

Laid on the table.

Mr. FISHER, a petition of the school directors of Conestoga township, Lancaster county, asking for a law to allow them to levy an additional tax for bounty purposes.

Referred to the Committee on the Judiciary Local.

Also, a petition of citizens of Chester county, in favor of rebuilding the Columbia bridge.

Referred to the Committee on Railroads.

Also, a petition of citizens of Philadelphia, preventing the exclusion of colored citizens from the street cars.

Laid on the table.

Mr. BILLINGEELT, one of similar import.

Laid on the table.

Also, petition of citizens of Columbia borough, in the county of Lancaster, in favor of rebuilding the Columbia bridge across the Susquehanna.

Referred to the Committee on Railroads.

Mr. GLATZ, a petition of citizens of the borough York, in reference to the rebuilding of the Columbia bridge.

Referred to the Committee on Railroads.

Mr. M'CONAUGHY, the petition of citizens of Adams county, praying for an appropriation in relief of the losses suffered by them at the battle of Gettysburg.

Referred to the Committee on Finance.

Mr. BIGHAM, a memorial of citizens of Philadelphia, asking the passage of Senate bill No. 235, imposing penalties on account of the exclusion of persons of color from public conveyances.

Laid on the table.

Mr. TAYLOR, a petition from citizens of Philadelphia, asking that colored people be permitted to ride in the cars, &c.

Laid on the table.

Mr. BROWNE (Lawrence), a petition to protect colored people from insult in railway cars, steamboats and other vehicles.

Laid on the table.

Mr. BROWN (Mercer), petition of citizens of the city of Philadelphia, numerously signed, praying that colored citizens be protected in cars, steamboats and other vehicles of travel.

Laid on the table.

Mr. LOWRY, two petitions from citizens of Philadelphia, asking that the people of color may not be excluded from riding in the cars.

Laid on the table.

REPORTS FROM COMMITTEES.

Mr. RIDGWAY, from the Committee on Corporations, reported, as committed, a bill entitled An act to incorporate the Pennsylvania boat house association of Philadelphia.

MESSAGE FROM THE GOVERNOR.

The Secretary of the Commonwealth being introduced, presented a message from the Governor, in writing, which was read as follow:

PENNSYLVANIA EXECUTIVE CHAMBER,
HARRISBURG, February 5, 1867.

Hon. Louis W. Hall, Speaker of the Senate:

SIR—I have the honor herewith to submit a printed copy of "the annual report of the Superintendent of Soldiers' Orphans for the year 1866."

I cannot too strongly commend to your consideration the perfection of a system for the management of these schools.

Respectfully, &c.,

JOHN W. GEARY.

BILLS IN PLACE.

Mr. SCHALL read in his place and presented to the Chair a bill entitled An act to authorize the commissioners of Lehigh county to borrow money.

Referred to the Committee on the Judiciary Local.

Mr. SHOEMAKER, a bill entitled An act for the relief of William Breman and Bernard M'Tighe, first and second clerks of the mayor's court of the city of Carbondale.

Referred to the Committee on Finance.

Also, a bill entitled an act to incorporate

the Wyoming Valley manufacturing company.

Referred to the Committee on Corporations.

Also, a bill entitled A supplement to an act entitled An act to authorize the erection of a poor house by the township of Wilkesbarre, in Luzerne county, approved April 23, 1860.

Referred to the Committee on the Judiciary Local.

Mr. SEARIGHT, a bill entitled An act to inflict the death penalty on negroes and mulattoes who may be convicted of rape upon the persons of white females.

Referred to the Committee on the Judiciary General.

Mr. COWLES, a bill entitled An act repealing parts of certain acts relating to the collection of collateral inheritance tax.

Referred to the Committee on the Judiciary General.

Mr. COLEMAN, a bill entitled An act relating to the duties of clerk of the orphans' court for the county of Dauphin.

Referred to the Committee on the Judiciary Local.

Mr. RIDGWAY, a bill entitled A supplement to an act incorporating the Pennsylvania gas and coal company, approved March 1, 1861.

Referred to the Committee on Corporations.

Also, a bill entitled An act to incorporate the Philadelphia Enterprise gold and silver mining company of Montana.

Beferred to the Committee on Corporations.

Mr. RANDALL, a bill entitled A further supplement to an act entitled An act to incorporate the North American shaft company, approved March 22, 1862.

Referred to the Committee on Corporations.

Also, a bill entitled An act authorizing the supervisors of Blythe township, Schuylkill county, to make and repair the public road bridges and culverts in said township.

Referred to the Committee on Roads and Bridges.

Also, a bill entitled A supplement to an act entitled An act providing for the adjustment of all indebtedness between an old township or townships and a new township or borough, &c., approved April 12th, 1866.

Also, a bill entitled A supplement to an act entitled An act to incorporate the Union Hall association of Pottsville.

Referred to the Committee on Corporations.

Mr. BURNETT, a bill entitled A further supplement to an act entitled An act regulating railroad companies, approved February 19th, 1849.

Referred to the Committee on Railroads.

MESSAGE FROM THE GOVERNOR.

The Deputy Secretary of the Commonwealth being introduced, presented a message from the Governor, in writing, which was read as follows, viz:

EXECUTIVE CHAMBER,
HARRISBURG, PA., February 5, 1867.

To the Senate and House of Representatives of the Commonwealth of Pennsylvania:

GENTLEMEN—I have approved and signed the following acts of the General Assembly, to wit:

On the 30th ult.:

An act to incorporate the Brady's Bend bridge company.

An act to incorporate the Eureka life and accident insurance company.

An act supplementary to an act regulating the fees of the clerk of the quarter sessions of the peace, and so forth, for the city and county of Philadelphia, approved February 8, A. D. 1865.

An act to enable the school directors of West Manheim township, in the county of York, to levy and collect at once the bounty tax remaining unpaid.

On the 1st inst.:

An act to incorporate the German Savings institution of Erie.

An act for the relief of Nancy Welliver, widow of Jacob Welliver, a soldier of the Revolution.

An act to pay Foster Gehr, clerk to the committee in the case of Glass vs. Linton

An act relative to the settlement of bounty accounts in the county of Franklin.

On the 2d inst.:

An act relating to the compensation of the commissioners of Chester county.

An act to authorize the commissioners of Jefferson county to borrow money.

A supplement to an act relative to the fees of district attorneys of certain counties of this Commonwealth.

An act to create a loan for the redemption of the over due bonds of the Commonwealth.

An act authorizing the Governor to appoint an additional notary public for the city of Philadelphia.

A supplement to an act increasing the fees of jurors and witnesses, in and for the counties of Armstrong, Franklin, Schuylkill, and Westmoreland, approved the 27th day of March, A. D. 1866, changing the fees to be paid witnesses in the courts of Franklin county.

An act to authorize the school directors of the borough of Phœnixville to borrow money for the purpose of purchasing lands and building school houses.

A further supplement to an act to promote the more certain and equal assessment of taxes in Philadelphia, approved March 14, 1865.

On 22d ult.:

A joint resolution relative to the executive mansion.

On 2d inst.:

Joint resolutions instructing our Senators and Representatives in Congress to procure a reduction of tax on petroleum.

JOHN W. GEARY.

EXCLUSION OF COLORED PERSONS FROM RAILROAD CARS.

The bill entitled An act to punish, by fine, any railroad corporation within this Commonwealth that shall exclude, or allow to be excluded, by their agents, conductors or employees, from any of their passenger cars, any person or persons, on account of color or race,

Being the special order, the Senate resumed the second reading and consideration of the same.

The preamble and first section were read as follows:

WHEREAS, The cruel, unjust and unchristian practice of many of the railroad corporations of our State, in forcibly excluding and ejecting from their cars colored citizens, without regard to sex or condition, or exposing them on dangerous platforms to the rigors of storm and cold, subjecting alike to insult and abuse, men, children and women, many of the latter the widows and orphans of men whose lives were freely given in their country's service, is an offense of such magnitude as to demand prompt action of this Legislature in order to save our State from the merited condemnation of this enlightened age;

And whereas, The long continuance of these grievances, which the courts of this Commonwealth, after frequent appeals, have failed to redress, is destroying the fair fame of our State, and is virtually reducing our treatment of a large portion of our loyal citizens to a level with the barbarism which characterizes so many acts of the States lately in armed rebellion; therefore,

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same*, That on and after the passage of this act, any railroad or railway corporation within this Commonwealth that shall exclude, or allow to be excluded by their agents, conductors or employees, from any of their passenger cars, any person or persons on account of color or race, or that shall refuse to carry in any of their cars thus set apart, any person or persons on account of color or race, or that shall compel, or attempt to compel, any person or persons to occupy any particular part of any of their cars set apart for the accommodation of people as passengers, shall be deemed guilty of a misdemeanor, and upon conviction thereof shall pay a fine of one thousand dollars ($1,000 00) for each offense, one-half of said fine to go to the Commonwealth and the other to the party or parties so complaining.

Mr. WALLACE moved to amend the first section, by striking out the words "or that shall compel, or attempt to compel, any person or persons to occupy any particular part of any of their cars set apart for the accommodation of people as passengers."

Mr. WALLACE. The purport of that amendment is to allow the railroad companies to direct the setting apart of seats in the ends of their cars for the accommodation of colored persons.

Mr. WHITE. Mr. Speaker, before a vote is taken on this bill I would like to make an inquiry as to this whole section. I, sir, of course am in favor of the principle of this bill, and shall, in common with my compeers on this side of the House, vote for its final passage. I think in this, as in all other things, that we should be practical, and only ask for the creation of such laws as can be enforced. Now, I do not offer any amendment, but I make this suggestion for the consideration of the Senator who has this bill in charge. It strikes me that this section is impracticable as an addition to our criminal code. This section provides for the enforcement of the penalty of one thousand dollars—not by civil process, but by fine after an indictment and conviction of the offender. Now, it strikes me that it will be impossible to convict any railroad, as a corporation, for this offense.

The second section, however, provides for the punishment of agents, conductors or employees of any railroad or railway corporation. This is proper, and this can be enforced, but the first section I do not think will be enforced. It is necessary, indeed, it is wrong that we should pass any bill that cannot be enforced. I shall be glad to hear from the Senator from Erie [Mr. LOWRY] on this subject.

Mr. LOWRY. Mr. Speaker, the bill was prepared by the friends of the colored people in the city of Philadelphia; they have examined it and taken counsel in regard to it; they have come here to ask us to pass this bill; they have been here, sir, for the last six years asking for a bill of this kind. We never could get a bill that was exactly constitutional or exactly right; it always had some objections, and Senators all around were willing to vote for the bill, provided they could get a bill which was exactly right. We have never been able to get such a bill, and these people come here, having prepared it themselves, under the advice of legal counsel, and they ask for its passage; and I, sir, for one am willing to vote for the bill as they desire it. I can see nothing in regard to this section which is improper. I have failed to appre-

ciate the objections brought to bear against it by the Senator from Indiana [Mr. WHITE].

Mr. WHITE. Mr. Speaker, will the Senator from Erie allow me to ask him a question—will he allow me to explain? I appreciate the motives of the Senator from Erie in this matter fully. I think that he will believe me when I say that I agree with him entirely in the object sought to be accomplished. I merely wish this to be practical. Now to the question: the Senator from Erie, if he looks at the bill, will discover that it provides,

"That on and after the passage of this act, any railroad or railway corporation within this Commonwealth that shall exclude, or allow to be excluded, by their agents, conductors, or employees, from any of their passenger cars, any person or persons on account of color or race, or that shall refuse to carry in any of their cars thus set apart any person or persons on account of color or race, or that shall compel, or attempt to compel, any person or persons to occupy any particular part of any of their cars set apart for the accommodation of people as passengers, shall be deemed guilty of a misdemeanor, and upon conviction thereof, shall pay a fine of one thousand dollars ($1,000 00) for each offense, one-half of said fine to go the Commonwealth, and the other to the party or parties so complaining."

Now, sir, let me ask the Senator from Erie how he will enforce this penalty? Suppose, if you please, that the Pennsylvania railroad company refuse to allow a negro to ride in its cars. That is an offense under this section. You indict the Pennsylvania railroad company, and come into the criminal courts. Can you there sustain an indictment against the corporation? I apprehend not. A corporation cannot be indicted. A corporation is only subject to such penalty as can be recovered by civil process; but an agent or employee can be indicted, and the second section provides for their punishment.

Mr. LOWRY. The Senator's objections to this section would be removed by inserting, "or agent of any railway or railroad corporation." I move to amend the section in that way. That would obviate the difficulty.

The SPEAKER. That is not in order, now. The question is on the amendment of the Senator from Clearfield [Mr. WALLACE].

Mr. LOWRY. The colored people are made to ride in a particular part of the cars, if they ride at all—on the front platform. That is why that portion which the Senator from Clearfield proposes to strike out was put in, and if this bill is passed with that struck out, we might as well not pass the bill at all.

Mr. SEARIGHT. Don't you think that a good place to ride?

Mr. LOWRY. I think the negro has as good a right to ride in a car as the Senator, if he has a clean shirt on and seven cents to pay his fare. There are negroes just as respectable as any man on this floor.

Mr. WALLACE. Mr. Speaker, in reply to what the Senator from Erie says, I have simply to say that when a comfortable seat in a passenger car is given to the colored race, they are comfortably provided for, and should not enter into the seat of a white person, and this amendment is to reach that question.

Mr. RIDGWAY. Mr. Speaker, I would favor this amendment to apply to steam railroads. I think negroes ought to submit to the same rules that white men have to now. If I go into a car now, and the conductor says, "that is a ladies' car," I cannot get in—I think the steam railroads ought to select a car and say, "that is for ladies, and that for gentlemen." I do not wish this to apply to city passenger railways.

Mr. LOWRY. I have no objections, if the Senator will prepare an amendment, so that they can have the same privileges as other men.

Mr. FISHER. Mr. Speaker, I don't think there is anything in the objections of my friend from Philadelphia [Mr. RIDGWAY].—All persons riding in railroad cars are subject, to some extent, to the control of the conductor; the conductor says in what part of the cars they shall ride. The only point is that there shall be no difference on account of race or color.

Mr. DAVIS. Mr. Speaker, I am opposed to this bill from beginning to end, but if it must pass I would rather it would pass in its present state.

As it now reads we can all have the privilege of riding in the ladies' car, from which we are now roughly excluded unless we are accompanied by a lady. The portion proposed to be included does not seem to apply to the colored race. They refer to every one, and read, "all that shall compel, or attempt to compel, any person or persons to occupy any particular part of their cars set apart for the accommodation of people as passengers." That section as it stands will allow us to ride in any car we please; and if the bill is to pass I must say I am in favor of passing it as it was originally framed.

Mr. GRAHAM. Mr. Speaker, it seems to me there is no force in the objections of the Senator that has just taken his seat. It is specifically stated here that "when that exclusion takes place because of color or race," or on account of color or race.

Mr. DAVIS. I merely called the attention of the Senate to that particular portion.

Mr. COLEMAN. Mr. Speaker, it seems to me that objection could be easily remedied.

On the question,

Will the Senate agree to the amendment of Mr. WALLACE?

The yeas and nays were required by Mr. WALLACE and Mr. JACKSON, and were as follow, viz:

YEAS—Messrs. Burnett, Davis, Donovan, Glatz, Jackson, James, M'Candless, M'Conaughy, Randall, Schall, Searight, Wallace, Walls and Hall, *Speaker*—14.

NAYS—Messrs. Bigham, Billingfelt, Browne (Lawrence), Brown (Mercer), Coleman, Connell, Cowles, Fisher, Graham, Landon, Lowry, Shoemaker, Stutzman, Taylor, White and Worthington—16.

So the question was determined in the negative.

During the call,

The SPEAKER said: As the section, without these lines, removes all sort of distinction on account of race or color, I vote "aye."

Mr. LOWRY moved to amend the first section by adding after the words "after the passage of this act any" the words "officer or agent of any."

Mr. BROWNE (Lawrence). I would call the attention of the Senator from Erie [Mr. LOWRY] to the fact that the section covers the complicity of an agent in this case. I suppose, therefore, that the terms that would best suit here, would be "president and directors." The term officers may do, however. I suggest to him to recall the word "agent," because that occurs in the second section.

Mr. M'CONAUGHY. I would suggest the dropping of the first section entirely, and amending the second section by inserting the word "officer" before the word "agent."

Mr. WHITE. Mr. Speaker, I agree entirely with the Senator from Adams [Mr. M'CONAUGHY] in that respect, and I think the whole object of the bill would be accomplished by dropping the whole first section, and amending the second section as the Senator from Adams suggests. I move to strike out the first section.

Mr. LOWRY. I withdraw my amendment. But I hope that the first section will not be stricken out; if it is, that kills the whole bill, that is all.

Mr. M'CONAUGHY. Mr. Speaker, I would make one other suggestion. If you modify the first section so as not to make it a misdemeanor, the difficulty may be obviated; but the second section makes a misdemeanor against the railroad company.

Mr. LOWRY. If the gentleman does not want to kill this bill, let him amend it. If it is not his intention to destroy it, let him cease finding fault.

Mr. M'CONAUGHY. Mr. Speaker, I would respectfully say to the Senator from Erie [Mr. LOWRY] that the suggestions I have made have been from conviction. I have not examined the bill before. I do not propose to make it as it should be, because I think that should be done by those who have dwelled upon it.

Mr. LOWRY. If the first section is defeated, the whole bill is killed.

The SPEAKER. Oh, no. The first section is a distinct proposition.

Mr. FISHER. I move the same amendment that has been withdrawn by the Senator from Erie [Mr. LOWRY], so that it will read "that on and after the passage of this act, any officer or agent of any railroad or railway," etc.

Mr. BROWNE (Lawrence). Mr. Speaker, I would suggest this form to the amendment: inserting after the word "any," in the commencement of the first section, the words "president or directors of any."

Mr. WHITE. Mr. Speaker, to have this matter brought up, once for all, I adhere to my first impression, and I find several Senators on this side of the Chamber have the same impression. I adhere to my own motion, and move to amend by striking out the first section and passing the second section, with the amendment suggested by the Senator from Adams [Mr. M'CONAUGHY].

The SPEAKER. That cannot be done now.

Mr. WHITE. I hope the first section will be voted down.

Mr. BIGHAM. Mr. Speaker, I think the first part of this bill had better be left alone, changing the form, leaving the first part of it as it now stands, and changing the latter part so as to make it a penalty to the corporation. The agents and directors will be included in the same section. That I think has been the design.

Mr. LOWRY. I do trust the gentleman from Lancaster [Mr. FISHER] will see the propriety of withdrawing his amendment.

Mr. FISHER then withdrawing his amendment,

Mr. COWLES moved to amend by striking out all after the words "accommodation of people as passengers shall be," and insert in lieu thereof the following: "liable in an action of debt to the person injured or aggrieved in the sum of five hundred dollars, to be recovered in an action of debt as like amounts are now by law recovered."

Mr. WALLACE. Mr. Speaker, this is to be the broad proposition, that where a railroad corporation, or any of its officers, allow any person to be excluded from its cars, whether they have a rule or not, that action of debt can be brought, and five hundred dollars can be recovered from them by those excluded from the cars. If that is so, I shall certainly vote against it.

Mr. RIDGWAY. I think the amendment of the Senator from M'Kean [Mr. COWLES] would offer an indocement to get a conductor to insult a passenger, so as to get put off the cars, and thus claim damages.

Mr. WHITE. This is to be recovered in a civil action.

On the question,

Will the Senate agree to the amendment of Mr. COWLES?

The yeas and nays were required by Mr. WALLACE and Mr. RIDGWAY, and were as follow, viz:

YEAS—Messrs. Bigham, Billingfelt, Browne, (Lawrence), Brown (Mercer), Coleman, Connell, Cowles, Fisher, Graham, Landon, Lowry, Shoemaker, Stutzman, Taylor, White, Worthington and Hall, *Speaker*—17.

NAYS—Messrs. Burnett, Davis, Donovan, Glatz, Jackson, James, M'Candless, M'Conaughy, Randall, Ridgway, Schall, Searight, Wallace and Walls—14.

So the question was determined in the affirmative.

Mr. BROWNE (Lawrence). Mr. Speaker, I move to amend by inserting, after the words "of race or color, or that shall," the words "for such reasons." The object is to limit the clause as the other sections are limited.

The amendment was

Agreed to.

Mr. SEARIGHT. I offer the following amendment, to come in at the end of the first section:

Provided, That if such agent, conductor or employee shall set apart, in their said cars, comfortable seats at the end thereof, or shall provide separate cars for the accommodation of persons of color traveling therein, no such fine or penalty shall be imposed.

Mr. SEARIGHT. Mr. Speaker, the object of that amendment is to prevent the passage of such laws as interfere with the regulation which exists in many railroad companies at the present time. It is the practice of many companies—I believe it is the practice of the Pennsylvania railroad company—to set apart certain cars for the accommodation of ladies—the best ones they have on the train—and no gentleman is permitted to enter these cars unless accompanied by a lady. The object of my amendment, sir, is to prevent any company from paying fines or from suffering any penalty by reason of enforcing that practice. That is the object of the amendment. I think the regulation is a very good one; it does not interfere with the comfort of anybody, and adds to the comfort of the ladies. I do not see why any Senator should object to that, and especially such a gallant Senator as the gentleman from Erie [Mr. LOWRY]. Mr. Speaker, I had an intimation that this was the subject of general interest to the Senator from Erie, but really I did not think he had the feelings on the subject that he has manifested. He certainly feels in his inmost heart that the negro is misused by railroad companies, and that railroad companies should be fined for their acts in this particular. He manifested his feelings to such an extent, sir, as to say here, in the presence of the Senate, that there were negroes—I believe he located them in Philadelphia—at all events, there were negroes as respectable as one of the Senators from Philadelphia and himself,

Mr. LOWRY. Or any other Senator on this floor.

Mr. SEARIGHT. Now, Mr. Speaker, he says, "or any other Senator on this floor." Now, that is a matter of opinion entirely, and that opinion he has a right to entertain. We cannot help that. That is his right. It don't sound very well to other Senators who hear this comparison made; but, still the Senator from Erie has a right to make it. There is one thing in regard to this matter about which we all agree. It is this: He knows whether or not a negro is as respectable as himself. He can speak upon that point without having any one to gainsay him. But when he speaks of negroes being as respectable as other Senators, that is a matter of opinion and of taste, and in that view other Senators have the right to differ from him.

On the question,

Will the Senate agree to the amendment of Mr. SEARIGHT?

The yeas and nays were required by Mr. SEARIGHT and Mr. GLATZ, and were as fololw, viz:

YEAS—Messrs. Burnett, Davis, Donovan, Glatz, Jackson, James, M'Candless, Randall, Schall, Searight, Shoemaker, Wallace and Walls—13.

NAYS—Messrs. Bigham, Billingfelt, Browne (Lawrence), Brown (Mercer), Coleman, Connell, Cowles, Fisher, Graham, Landon, Lowry, M'Conaughy, Ridgway, Stutzman, Taylor, White, Worthington and Hall, *Speaker*—18.

So the question was determined in the negative.

Mr. WALLACE moved to amend, by adding to the end of the first section the following:

Provided, That nothing herein contained shall be construed to compel the admission of negroes into berths in sleeping cars, or to punish one for the exclusion of persons of color from cars set apart for the use of ladies.

Mr. LOWRY. I would inquire of the Senator whether, if the amendment is not voted down, he would vote for the bill?

Mr WALLACE. I answer by saying that sufficient for the day is the evil thereof.

On the question,

Will the Senate agree to the amendment of Mr. WALLACE,

The yeas and nays were required by Mr. WALLACE and Mr. JAMES, and were as follow, viz:

YEAS—Messrs. Burnett, Davis, Donovan, Glatz, Jackson, James, M'Candless, M'Conaughy, Randall, Schall, Searight, Shoemaker, Wallace, Walls and Hall, *Speaker*—15.

NAYS—Messrs. Bigham, Billingfelt, Browne (Lawrence) Brown (Mercer), Coleman, Connell, Cowles, Fisher, Graham, Landon, Lowry, Ridgway, Stutzman, Taylor, White and Worthington—16.

So the question was determined in the negative.

During the call,

Mr. WHITE said: Mr. Speaker, I have no objections to the principle of this amendment; the latter clause of this amendment I would be willing to vote for, because conductors exclude white gentlemen. I have often been excluded from cars set apart for ladies. But I am opposed to the other clause of the amendment.

Mr. GRAHAM. I would inquire if the gentleman has ever been excluded on account of color?

Mr. WHITE. I cannot recollect every instance.

Mr. BROWN (Mercer) offered the following amendment, to come in at the end of the first section:

Provided, That nothing in this act shall be so construed as to forbid any officer, agent or conductor of any railroad in this Commonwealth, whose cars are now drawn by steam power, from setting apart certain cars for the accommodation of particular classes of passenger.

Mr. BROWN (Mercer). I desire to say in regard to this amendment that it will not be applicable to city passenger cars, but it simply continues the same regulations with reference to cars drawn by steam power that have been in force for several years, under the provisions of the general law regulating railroads. I simply wish to refer to the right of conductors to set apart certain cars for the accommodating of certain classes of passengers. It may be contended that this section is sufficiently clear without this proviso, but to my mind it is not. This proviso will make it so clear that every one will understand it. Certainly the Senate does not wish to destroy or to put it beyond the power of railroad corporations to make arrangements with respect to the accommodation of different classes of passengers as they have done for years past. I understand that most railroads have sold tickets, for instance, to emigrants, and second class cars are provided for them. I have no disposition to prevent railroads from doing so. If they want to sell second class tickets to those not able to buy first class tickets I think they ought to have the right to do so, and also to set apart cars for the accommodation of ladies.

Mr. WHITE. Will the Senator from Mercer [Mr. BROWN] allow me to ask him a question? Have the railroads of this Commonwealth not power already to make rules and regulations for the running of their trains, and to set apart certain cars for particular purposes, and other cars for certain other purposes? Have they not that power now?

Mr. BROWN (Mercer). Many of them exercise it whether they have the right or not. Admitting that they have the right, I am afraid this act will destroy that right.

Mr. WHITE. Then, if the Senator admits it, does he find anything in this act which interferes with that power?

Mr. BROWN (Mercer). I think I do. How are they to determine on what terms they are excluded?

Mr. WHITE. In answer, I will merely say that, if they see fit to exclude males they have a right to do so; if they see fit to exclude females they have a right to do so, but they have no right to discriminate between persons of color.

Mr. BROWN (Mercer). It seems to me that the act, without this proviso, would give rise to litigation. As I remarked to the Senator from Indiana [Mr. WHITE], How will persons of color, excluded from cars, determine they are excluded simply on the ground of color? Every time a colored man is excluded from a car he can prosecute the company, and it would have to be determined by the courts whether he was excluded for color, or on account of the regulations. This proviso will prevent litigation.

Mr. GRAHAM. Mr. Speaker, it appears to me that the amendment of the Senator, if adopted, will strike at the very root of the bill; that it will destroy it, in spirit and in letter. Now, what is sought to be obtained by the provisions of this bill before the Senate? It is merely a recognition of the manhood of every human being in this country upon whom the great God has set the insignia of manhood. It is merely recognizing and treating as a man, everywhere in this Commonwealth, sir, that being who has the impulses, and who has the hopes, and who has the destiny of manhood before him. It is acknowledging as a man and brother a being for whom the Son of God died, and with whom you and I, sir, must stand before the judgment seat, and spend an eternity. We do not, however, propose, by this bill, to legislate for any class, or sect, or country, or complexion; but we wish to raise up, and place upon the broad platform of equal rights, every human being that bears the impress of the great Creator himself, who stands up and shows himself to be a man. Pass this amendment, sir, and the whole bill is defeated. I say, sir, and I say here, broadly, what I have said at home upon the stump, that I would withhold from no human being, who possesses the instincts, the aspirations and the destiny of man, any of the rights that God intended him to enjoy. And I hope we will pass this bill. If it is not what it should be, let us amend and improve it.

The time will come when there will be a common brotherhood, not only in this country, but among all the nations of the earth. The evident destiny, sir, of humanity, is to rise, and we see it daily unfolding. The idea of manhood—of the great, god-like man, that has been implanted within and seems to be developing human beings of every clime and of every color to a common standard in the world. The time is coming, when, from the frigid regions of the North to the balmy isles of the South, if you inquire what the right of any distinctive class is, the response will everywhere come back, "man is equal before the law, and has a right to life, liberty and the pursuit of happiness." Now, sir, it is impossible for us to disguise from ourselves the fact that there is in this Senate Chamber this morning an instinctive something that prompts us to do injustice to the colored race. I feel it, you feel it, we all feel it. We have been educated and brought up with this feeling within us. I thank God, however, that as the pure lights of civilization and intelligence are being diffused over the country, these prejudices are being dispelled, and the time is not far distant when in this, and in all lands, whenever man shall meet a fellow man he will hail him as a friend and as a brother. And I trust we will recognize here to-day, in this Senate Chamber, the equality of every man under the law. We do not raise him up to a social equality; we do not say that you shall mingle together upon a social equality, but let us not say, by legislative enactment here, that we will impose upon our colored citizens any disability that we would not have applied to ourselves. Let us follow, to-day, that golden rule that teaches us to "do unto others as we would have others do unto us."

Mr. LOWRY. Mr. Speaker, I am sorry to see this amendment offered by the Senator from Mercer [Mr. BROWN]. As I understand it, sir, the object of all governments should be to be just to all its citizens. Here is an amendment that will exclude every colored man in this Commonwealth from riding in an express train, if you please, if he should desire to go to the funeral of his mother or sister. By this amendment you prevent him from entering the cars, as I or any other man could do, to perform that journey. These will be the practical results of this bill, provided it is amended as suggested. Now, sir, let us be just to these people, and let us give them all the God-given rights that we ourselves possess, or let us, by our votes, say that we will prevent them from enjoying the facilities of transportation. This amendment, sir, comes, I say again, from a quarter that I am sorry to see it come from, because it grinds, and grinds, and keeps grinding, the negro beneath our heels. Why, sir, look at it. Why has not a colored man the same right to enter any car that you or I can enter, provided he pays his fare and is a respectable man? And yet, sir, this amendment clearly prevents him from doing so; it thinks at the very heart of this bill; it is against this that we protest. We say that no railroad corporation in this Commonwealth shall be permitted to make regulations to exclude any man from any car wherein any other man rides. Is there anything wrong in that, sir? Why should Frederick Douglass be excluded from riding in the same car with the Senator from Mercer? Last summer that that Senator was afraid to ride with Fred. Douglass from the cars to a public meeting, which was held in his place

Mr. BROWN (Mercer). Will the Senator allow me to explain? I desire to say there is not the slighest foundation for any such report.

Mr. LOWRY. I am glad to hear it, sir; but I fear the Senator is taking a course today that will make people believe that there is lurking in his bones a something that would not give the colored man the same rights that he himself enjoys. Mr. Speaker, I will not argue upon this bill at length, at this time. I hope the amendment will be voted down.

Mr. BROWN (Mercer). Mr. Speaker, I am sorry that the motives which prompted me to offer this amendment have been so grossly misunderstood by the Senator from Allegheny [Mr. GRAHAM], and the Senator from Erie [Mr. LOWRY]. I declare again, that I offered it because I believed it was necessary, in order to some extent to explain the intention and the meaning of the Senate, and to prevent litigation. There was not quite all in the amendment that I intended. I did not desire that any distinction, in the setting apart of certain cars to certain individuals, should be made on account of race or color; and for the purpose of showing more fully what I meant, I offer the following proviso, to be added to that amendment:

Provided further, That no distinction, in this particular, shall be made on account of race or color.

"Now, it has been charged that I have offered an amendment which strikes at the heart of this bill. Let me call the attention of the Senator from Allegheny to the facts in the case. As I understand it, this bill has been originated for this purpose more than any other: to correct alleged abuses in the management of street cars in the city of Philadelphia. It will be noticed that the amendment which I have offered does not affect these cars. It simply refers to cars drawn by steam power, and is intended to continue in force the right that certain railroads have to set apart certain cars for the accommodation of the different classes of passengers; and I protest against the Senator from Allegheny and the Senator from Erie attempting to place me in a false position on this subject.

Mr. GRAHAM. Mr. Speaker, I rise to make a personal explanation. I certainly attributed no improper motives to the gentleman, but merely spoke of the effect that the amendment would have, in my estimation, upon the bill. I certainly suspected no improper motive, and consequently could have expressed no such thought.

Mr. BROWN (Mercer). It seems to me, on careful examination of this amendment, that no one can object to it with the proviso attached. It is right, it is proper, and I am prepared to stand or fall by it.

Mr. BIGHAM. I would suggest to my friend from Mercer [Mr. BROWN] that he had better withdraw his amendment.

Mr. LOWRY. The preamble—the whole bill—shows that it is merely a bill to allow colored people to ride in the cars. Therefore I cannot see the force of this amendment.

Mr. BROWN (Mercer). I desire again to ask the Senator from Allegheny [Mr. BIGHAM], and the Senator from Erie [Mr. LOWRY], how is any black man to determine for what reason he is excluded from any particular car? He may tell you that it is on account of color; but how is he to know?

Mr. LOWRY. How do you determine by that amendment?

Mr. BROWN (Mercer.) The amendment allows them to set apart certain cars for persons of color.

Mr. BROWNE (Lawrence.) Mr. Speaker, I must say, I was not in favor of the amendment, but I think the objection to it was partly removed by the proviso.—But, to my view, it would give an opportunity to evade the force of this law in some instances. The bill itself is simply a bill for the protection of the rights of colored citizens, in cars and other vehicles. It is merely a protection for the rights of colored citizens. The bill shows on its very face what its object is. If you have the proviso that shall govern a certain class of persons, you do not know what conductor would take advantage of it, and exclude individuals, and say he excluded them on account of color. A person pays his money, and is entitled to transportation.

I would unite in asking the Senator from Mercer to withdraw his amendment, as it would only encumber the bill. The face of the bill shows that it only refers to them, and if they have paid their fare, they are entitled to enter the cars under the same regulations as others.

Mr. BROWN (Mercer). If I thought it was not right, I would be willing to withdraw it. I do not see it, however, in the light of my friend, the Senator from Lawrence [Mr. BROWNE]. I do not propose that any difference between passengers shall be made on account of color. Experience shows that there should be no distinction made on account of color. It is not for a distinction on account of color that I have offered this amendment. If I believed this amendment would be so interpreted, I would be willing to withdraw it.

Mr. FISHER. Mr. Speaker, I hope my friend, the Senator from Mercer [Mr. BROWN], will withdraw his amendment for this reason. The bill itself, I think, is explicit on this subject, and cannot have the construction that certain gentlemen seem to desire to put upon it. Almost all railroad companies have different classes of cars. They are regulated, not upon the character of the passengers, but by the price. For instance, one set of cars may charge, from here to Philadelphia, three dollars; a lower grade of cars carry passengers for two dollars; and those who choose to avail themselves of the cheap mode, can take the second class cars. I know that on the Philadelphia and Reading road that is the case; but any railroad can make that distinction.

Now, what we aim at is not a distinction of that kind: the distinction is made on account of the difference in fare, but not on account of race or color. If some like to ride cheap, let them pay the second class fare. A colored lady in my town was put out of a passenger car of the Pennsylvania railroad, and forced into a smoking car, where members of the Legislature and others were, perhaps, smoking—unfit society for her; and I protest against anything of the kind. Where persons are willing to pay first class fare they ought to have the best accomodations. I take it the amendment of the Senator from Mercer, on that ground, is entirely uncalled for in connection with this bill. His amendment, as first offered, was infinitely worse than that offered by the Senator from Fayette [Mr. SEARIGHT], who offered an amendment to have one corner of a car set aside for certain individuals; but my friend, the Senator from Mercer, wanted to put them in an entirely different car. Now, sir, the only matter that this thing is intended to reach is to prevent any distinction on account of race or color; hence, I cannot, for the life of me, see the necessity for the amendment of the Senator from Mercer, and he is only embarrassing his friends by insisting upon it.

Mr. WHITE. Mr. Speaker, I have just one word to say in this matter. I certainly do not desire to prolong this discussion. I sympathize entirely with the motives that actuate the Senator from Mercer [Mr. BROWN]. I feel that he sympathizes with the spirit and intent of this bill. Conceding it to be his duty to protect certain organizations in this Commonwealth, he has offered the amendment in question. I appeal to him, however, now, when he is satisfied that his amendment is unnecessary to accomplish the purposes which he has in view, to withdraw it, so as not to embarrass his friends and its passage.

I call attention of the Senator from Mercer to a provision to be found in the general railroad law of this Commonwealth, approved February 19, 1849, which says that railroad corporations shall have power to make and have a common seal, and the same to alter and renew at pleasure, and also to ordain, establish and put in execution such by-laws, ordinances and regulations as shall appear necessary or convenient for the government of said corporation, not being contrary to the Constitution and laws of the United States, or of this Commonwealth, and generally to do all and singular the matters and things, which to them it shall lawfully appertain to do for the well being of said corporation, and the due ordering and management of the affairs thereof.

Mr. Speaker, all the railroads of this Commonwealth are organized under and subject to the provisions of this general law. What power does it give them? The power to make such rules and regulations for the affairs of their company as they from time to time may deem necessary, subject, however, to the Constitution and the laws of the United States and of this Commonwealth. We now seek to do what? We now seek to put it beyond the power of the railroads of this Commonwealth to make such rules and regulations as will discriminate against men or against people on account of their race or their color. That is the whole object of this bill. When we pass it and put it upon the statute book, that is the object which it will accomplish. We do not desire anything further; the Legislature has no other object in contemplation, and if we attempt to do anything else, I apprehend we shall not be doing our duty. I call the attention of my friend, the Senator from Mercer [Mr. BROWN] to the situation of this matter. Does he apprehend, for a moment, that if we pass this bill, it will interfere with the power that has been exercised since the passage of the State law of 1849, giving railroad corporations power to make such regulations as they may deem necessary and fit? Not at all, sir. It does, however, say that when you make these regulations, you shall not say to the negro, "You shall be subject to a different law from the white man;" it prevents railroad corporations from making these regulations; it does this and no more; and the provision of the Senator from Mercer is merely tautological. Hence, in view of these facts, and this condition of the law, I trust that my friend, the Senator from Mercer, will agree with us in the common purpose which we have in view—the protection of all, without distinction on account of color.

Mr. BROWN (Mercer). Mr. Speaker, I have only a few words to say. I see there is a disposition on the other side of the House to vote down this amendment, and I certainly have no desire to embarrass my friends or to place myself in a situation where I would be expected to have a lack of interest in this bill. I am free to say I sympathize wholly with this bill, and probably would go as far as any Senator on this floor to secure the rights of the colored man, and the rights of all men. It being, however, judged that this amendment is unnecessary, I feel disposed to withdraw it. I still, however, entertain the opinion with regard to its necessity that I did before. I withdraw the amendment.

On motion of Mr. BIGHAM, the further consideration of the bill was postponed for the present, in order to consider resolution from the House of Representatives relative to adjournment.

TEMPORARY ADJOURNMENT.

The Clerk of the House of Representatives being introduced, presented the following extract from the Journal of the House of Representatives, which was read as follows:

IN THE HOUSE OF REPRESENTATIVES, February 4, 1867.

WHEREAS, An invitation has been extended to the members of the Senate and House of Representatives to visit Dixmount Hospital, the House of Refuge and other Western Pennsylvania institutions;

And whereas, It is understood that a large number of the members of the Senate and House contemplate visiting said institutions; therefore,

Resolved, The Senate concurring, that this House will adjourn on Wednesday evening next until Tuesday, the 17th instant, at eleven o'clock, A. M.

Mr. BIGHAM moved that the resolution be adopted by the Senate.

The resolution was agreed to.

Mr. BIGHAM. Mr. Speaker, the reason for that early time is, that if we remain to Thursday afternoon, we would have to take the evening train and cross the mountains in the night. It is said that a number of the members are desirous to cross in daylight; they, therefore, propose to have an afternoon or evening session to-day or to morrow, when we should accomplish considerable work.

Mr. BIGHAM moved that when the Senate adjourns it will adjourn to meet this afternoon at three o'clock, for the purpose of resuming the consideration of the bill relative to the exclusion of colored persons from passenger cars.

The motion was

Agreed to.

On motion, the Senate then resumed the consideration of the bill relative to the exclusion of colored persons from passenger cars.

Mr. DONOVAN moved to amend the first section by striking out all after the words "railway corporation within this Commonwealth that shall," and inserting in lieu thereof the following:

"Allow any negroes to ride in said cars, shall be deemed guilty of misdemeanor, and upon conviction thereof, shall be fined one hundred thousand dollars, and sentenced to be imprisoned in the Eastern Penitentiary until Fred. Douglass is elected President and Thad. Stevens Vice President of the United States."

The amendment was

Not agreed to.

Mr. M'CONAUGHY. Mr. Speaker, I move to recommit this bill to the committee from which it came. I do so, sir, because of the fact that we have consumed a very large amount of time in maturing a very immature bill, and I still think it is very immature. We have discussed it for the last hour and a half. I shall be constrained to vote against the first section of the bill, because I think it is still very defective. I think it does not accomplish the desired purpose. The section as it was originally framed provided for inflicting punishment upon railway corporations for misdemeanor. That, sir, I think is contrary to the principles of the criminal law of the State; as a substitute for that the amendment has been offered, providing that in case of exclusion from cars, the persons so excluded shall be entitled to an action for debt. The amendment proposed is not in the usual terms of a statute. The section is so imperfect in its terms now, in a legal interpretation, that it would be a misfortune to adopt it. I hope, therefore, that this bill will be recommitted to the committee from which it was reported, and there properly matured, so that it can be acted on promptly.

Mr. LOWRY. Mr. Speaker, I trust this bill will not be recommitted. If Senators wish to vote against the first section, it is their duty to do so; the session is well advanced; this is an old subject; we have had it here for years, and there has always been some objection raised at the eleventh hour to defeat these people. They have called to their aid men in Philadelphia to prepare a bill and sent it here; and they have asked that that bill shall become a law; objections were raised to the first section, and it has been amended, and, perhaps, properly amended, and I trust, sir, that we will pass this bill as it is reported; if not, kill it; kill it before the country, kill it before God and the world. Do not, sir, send it to a dark committee room, and there crucify it. Either kill it or give these people the law as they ask for it. Why refer it to a committee to be destroyed? That, sir, would be its tomb. Give it to the committee and it will die, and the stake will be driven through its body there, as has been done year after year. Let us meet the question like men and give them what they ask, or vote it down.

Mr. BROWNE (Lawrence) said he would like to have the bill revised more fully by a committee, but would like to have the question disposed of to-day.

Mr. FISHER. Mr. Speaker, I trust this bill will not be recommitted. The black man has been trampled on long enough, sir, and I protest in the name of humanity against denying him his rights any longer, and I demand, sir, in the name of the freemen of Pennsylvania, something for these oppressed people

Pending the motion to recommit the bill,

The hour of one o'clock having arrived, the SPEAKER adjourned the Senate until three o'clock this afternoon.

AFTERNOON SESSION.

The Senate re-assembled at 3 o'clock, P. M.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

The Clerk of the House of Representatives being introduced, presented for concurrence bills numbered and entitled as follows:

No. 237, a further supplement to an act, entitled An act to incorporate the Howard fire and marine insurance company, approved April 31st, A. D. 1855, reducing the number of directors and authorizing an increase of capital stock.

Referred to the Committee on Corporations.

No. 154, a supplement to an act to empower the commissioners of Washington county to compromise with the holders of the county bonds, and for the more prompt and economical collection of taxes in said county.

Referred to the Committee on the Judiciary Local.

No. 179, a supplement to the act to incorporate the Eagle mining company, passed the 18th day of March, A. D. 1865, authorizing said company to borrow money, issue bonds and to increase the number of directors.

Referred to the Committee on Corporations.

He also returned bills from the Senate numbered and entitled as follows, viz:

No. 35, an act supplementary to an act providing for the erection of a poor house in the county of Lawrence.

Senate bill No. 61, an act to authorize the appointment of a phonographic reporter for the courts of Lancaster county.

Senate bill No. 64, an act appropriating part of the moneys arising from fines and forfeitures, in the county of Schuylkill, for a law library for the use of the courts, et cetera.

With information that the House of Representatives has passed the same without amendments.

Daily Legislative Record.

FOR THE SESSION OF 1867.

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[CONTINUED FROM PAGE 216.]

He also informed that the House has concurred in amendments made by the Senate to bills from the House of Representatives numbered and entitled as follows, viz:

No. 14, an act to authorize the collection of money for school purposes in the borough of Tidioute, Warren county.

No. 101, an act to incorporate the Germania savings institution of Erie.

EXCLUSION OF COLORED PEOPLE FROM CARS.

Agreeably to order, the Senate resumed the second reading and consideration of bill No. 235, relative to the exclusion of colored persons from cars.

The SPEAKER. The question is on recommitting the bill, and the Senator from Luzerne is entitled to the floor.

Mr. SHOEMAKER. I simply propose, Mr. Speaker, to give my reasons why I think this bill ought to be recommitted. The Senator from Erie [Mr. LOWRY] has informed us that this bill has been prepared with great care by a learned gentleman in Philadelphia.

Now, Mr. Speaker, it does not seem to me that the learned gentleman, whoever he may be, has drawn the bill with due regard to the protection of the rights of the great traveling community. It may be that it has been drawn with reference to the one idea that seems now to be pre-eminent. But it seems to me, that when a bill of this kind is drawn, it should be drawn with reference to the comfort and convenience of the great traveling public of this country. We are getting to be a great traveling people, and it has been said that one-fourth of our population is constantly either on transit on our railroads, or afloat upon our steamboats. Hence, when we legislate upon any subject affecting the interests of this great body of our people, we should frame our law so as to be in accordance with their comfort and rights.

Now, the first difficulty in this bill is this: It states that any person who may be traveling, may have the right to make his own selection as to the car in which he will ride. That is the way it is looked upon, and that is the way it will be interpreted if we pass this bill. It states, if the party aggrieved is excluded on account of color or race, he will incur liability. By this act, if any one is excluded, he will assume that he is excluded for one of these reasons, and authorized, under the act, to bring his suit. Hence it creates an absolute option of the party to select any car that he may choose.

Now, sir, I am opposed to this, and I say that the amendment proposed by the Senator from Mercer [Mr. BROWN] would obviate the difficulty in this case and create no hardships; and while I say this, I do not yield to any man in devotion to the principle that all men shall have equal rights and that the poor man shall have the worth of his money as well as the rich. But I do say that that amendment would conduce to the comfort of the great traveling public. It is no hardship to any class of our community, whether black or white, of whatever nation he may be, because the railroad company is bound to furnish him with comfortable accommodations. But the bill proposes that I may select my car, and the conductor shall have nothing to say about it. To this I am opposed. Every man who has traveled in this country will recognize the necessity of placing in the hands of the conductors of our railroads and captains of our steamboats a certain degree of absolute power. No longer ago than last session, this Legislature granted the power to the Governor to commission conductors as police men, with power to arrest any person that was disorderly in the cars or annoying to the passengers, and imprison him. This was recognizing the fact by the Legislature of Pennsylvania, of the necessity of conductors having the absolute control of the passengers.

A great deal may be said here on this great topic of absolute equality. Now, Mr. Speaker, with all deference to opinions of gentlemen here, I do not believe it possible that there will ever be such a thing as absolute equality in this country, or any other. Gentlemen may talk as much as they please about the coming of the millennium; but until that does come, there can be no such thing as absolute social equality. Until that day dawns, there will always be social inequality in a greater or less degree. Now, I propose to give every man equal rights before the law, and I propose to make all railroad companies carry passengers on equal terms, as well as freight; and they shall carry the poor man, and give him as comfortable a seat as they do the rich man, without regard to color or complexion. I think it would conduce to the safety and comfort of travelers if the officers of the corporation have a general supervision and control over the passengers.

Now, there is one further objection to this bill; in fact, it has been so mutilated with amendments that I scarcely know what the bill is. But one amendment proposed by the Senator from M'Kean [Mr. COWLES] says that suit may be brought in the name of the Commonwealth or in the name of the party aggrieved. It does not state for whose benefit the suit shall be brought—for the benefit of the Commonwealth, or for the benefit of the party aggrieved. It is in the name of the Commonwealth, he then becomes a witness, and the other party will have but a small chance; that is fatal, I think, to the bill. If the bill can be recommitted to the committee and they will frame a bill giving the persons, without respect to color or race, equal rights, reserving a proper authority in the hands of the officers of the company, I will be satisfied with it. But I do not wish a bill passed here which will do more injury than it will do good. It appears to me, there will be no great difficulty, if the bill is referred, to get such a bill as will answer the purpose. Every man that pays his fare on a railroad shall receive a comfortable seat; there is no objection to that. I hope the motion will prevail to refer it back to the proper committee.

[Remarks were also made by Messrs. LOWRY, RIDGWAY, COLEMAN, M'CONAUGHY, LANDON, WALLACE, and M'CANDLESS, which will appear in the *Appendix*.]

The question recurring, Will the Senate agree to recommit to the Committee on Railroads?

The yeas and nays were required by Mr. LOWRY and Mr. COWLES, and were as follow, viz:

YEAS—Messrs. Donovan, M'Conaughy and Shoemaker—3.

NAYS—Messrs. Bigham, Billingfelt, Browne (Lawrence), Brown (Mercer), Burnett, Coleman, Connell, Cowles, Davis, Graham, Jackson, James, Landon, Lowry, M'Candless, Randall, Ridgway, Schall, Searight, Stutzman, Taylor, Wallace, Walls, White, Worthington and Hall, *Speaker*—26.

So the question was determined in the negative.

During the call,

Mr. FISHER said: Mr. Speaker, I wish to state that I am decidedly opposed to recommitting the bill, but I have paired off with the Senator from York [Mr. GLATZ].

On the question again recurring, Will the Senate agree to the first section, as amended?

The yeas and nays were required by Mr. WALLACE and Mr. LOWRY, and were as follow, viz:

YEAS—Messrs. Bigham, Billingfelt, Browne (Lawrence), Brown (Mercer), Coleman, Connell, Cowles, Graham, Landon, Lowry, Ridgway, Stutzman, Taylor, White, Worthington and Hall, *Speaker*—16.

NAYS—Messrs. Burnett, Davis, Donovan, Jackson, James, M'Candless, M'Conaughy, Randall, Schall, Searight, Shoemaker, Wallace and Walls—13.

So the question was determined in the affirmative.

The second section was then read as follows:

SEC. 2. That any agent, conductor or employee of any railroad or railway corporation within this Commonwealth, who shall exclude, allow to be excluded, or assist in the exclusion from any of their cars set apart for the accommodation of passengers, any person or persons on account of color or race, or who shall refuse to carry such person or persons on account of color or race, or who shall throw any car or cars from the track, thereby preventing persons from riding, shall be deemed guilty of a misdemeanor, and upon conviction thereof shall pay a fine not exceeding five hundred dollars ($500 00) nor less than one hundred dollars ($100 00), or be imprisoned for a term not exceeding three (3) months nor less than thirty (30) days, or both, at the discretion of the court.

Mr. WALLACE moved to amend by in

sertion, after the words "set apart for the accommodation of," the word "colored."

Mr. WALLACE. Mr. Speaker, my reason for proposing this amendment is that white people may ride in cars intended for colored people if they see fit so to do.

On the question,

Will the Senate agree to the amendment of Mr. WALLACE?

The yeas and nays were required by Mr. WALLACE and Mr. LOWRY, and were as follow, viz:

YEAS—Messrs. Burnett, Davis, Donovan, Jackson, James, M'Candless, Randall, Schall, Searight, Wallace and Walls—11.

NAYS—Messrs. Bigham, Billingfelt, Browne (Lawrence), Brown (Mercer), Coleman, Connell, Cowles, Graham, Landon, Lowry, M'Conaughy, Ridgway, Shoemaker, Stutzman, Taylor, White, Worthington and Hall, *Speaker*—18.

So the question was determined in the negative.

On the question recurring,

Will the Senate agree to the second section?

A motion was made by Mr. M'CANDLESS to amend the same by adding to the end thereof the following proviso:

Provided, That if said corporations shall provide for the accommodation of colored persons at least one passenger car in five, of those used upon their line of travel, and shall distinctly mark the same upon the side of such cars so set apart for such persons, the penalties hereby imposed shall not be inflicted.

On the question,

Will the Senate agree so to amend?

The yeas and nays were required by Mr. M'CANDLESS and Mr. SEARIGHT, and were as follow, viz:

YEAS—Messrs. Burnett, Davis, Donovan, Jackson, James, M'Candless, Randall, Schall, Searight, Wallace and Walls—11.

NAYS—Messrs. Bigham, Billingfelt, Browne, (Lawrence), Brown (Mercer), Coleman, Connell, Cowles, Graham, Landon, Lowry, M'Conaughy, Ridgway, Shoemaker, Stutzman, Taylor, White, Worthington and Hall, *Speaker*—18.

So the question was determined in the negative.

Mr. WALLACE said it would be a very difficult thing to punish a man for "allowing" a person to be excluded, and that he thought that clause should be stricken out.

And the question again recurring,

Will the Senate agree to the second section?

The yeas and nays were required by Mr. DONOVAN and Mr. LOWRY, and were as follow, viz:

YEAS—Messrs. Bigham, Billingfelt, Browne (Lawrence), Brown (Mercer), Coleman, Connell, Cowles, Graham, Landon, Lowry, M'Conaughy, Ridgway, Shoemaker, Stutzman, Taylor, White, Worthington and Hall, *Speaker*—18.

NAYS—Messrs. Burnett, Davis, Donovan, Jackson, James, M'Candless, Randall, Schall, Searight, Wallace and Walls—11.

So the question was determined in the affirmative.

Mr. BIGHAM. Mr. Speaker, I hope that by general consent the preamble will be omitted, for the following reasons: First, it adds nothing, and the bill is just as good without any preamble as with it; again, our acts of Assembly go into the *Digest*, and these preambles never go in. But the principal reason is, that hereafter, when some historian looks into it, this preamble contains an implied admission that this is a common practice. Now, I say this is a slander upon Pennsylvania; the practice is confined to two or three roads in Philadelphia. It is a reflection on the courts of justice, that they have not done their duty. I am free to say this practice of excluding people on account of color has not been common. I believe the presidents of the four passenger railroads of Pittsburg are within this hall at this time; they have never excluded from a single car a person on account of color; if they behave themselves, they are treated as they ought to be. Not a single railroad in the Western part of the State has excluded an individual, that I have heard of. Now, shall we send down to the future historian the admission that these things are common, when it adds nothing? I, therefore, appeal to the friends of the bill to let the whole preamble fall.

Mr. LOWRY. I am not factious at all about the preamble. But we cannot exclude from history the fact of this great wrong.

Mr. BROWN (Mercer). Mr. Speaker, I shall vote against the preamble, because I do not think it recites the truth.

On motion of Mr. BIGHAM, the preamble was stricken out.

The title being under consideration,

The motion was made by Mr. GRAHAM to amend the same by adding after the word "fine" the word "imprisonment."

The amendment was

Agreed to.

The title, as amended, was

Agreed to,

And the bill ordered to be transcribed for a third reading.

HOUR OF MEETING.

Mr. BIGHAM moved that when the Senate adjourns, it will adjourn to meet to-morrow morning at 10 o'clock.

The motion was

Agreed to.

On motion of Mr. CONNELL, the Senate adjourned until to-morrow morning at 10 o'clock.

HOUSE OF REPRESENTATIVES.

WEDNESDAY, February 6, 1867.

The House met at 10 o'clock, A. M.

Prayer was offered by the Rev. Mr. KENNEDY, member from Wyoming.

The SPEAKER announced a quorum of members present.

Mr. QUAY. Mr. Speaker, I ask leave to read a bill in place.

Leave was granted.

Mr. QUAY. Mr. Speaker, I read in my place and present to the Chair a bill entitled An act to repeal an act entitled A further supplement to the act incorporating the Pennsylvania railroad company, authorizing an increase of capital stock, and to borrow money, approved the 21st day of March, A. D. 1866, to authorize the Pennsylvania railroad company to increase its capital stock, to issue bonds, and to secure the same by mortgage, and move to suspend the rules and put the bill on its passage.

Mr. MANN. Mr. Speaker, I call for a division of the question.

The question was on suspending the rules generally.

On agreeing to the motion,

The yeas and nays were required by Mr. QUAY and Mr. M'CREARY, and were as follow, viz:

YEAS—Messrs. Allen, Collins, Day, DeHaven, Espy, Gallagher, Ghegen, Harbison, Headman, Hoffman, Humphrey, Kennedy, Kerns, Kinney, Kurtz, Lee, Marks, Mechling, Mullin, Peters, Pillow, Quay, Rhoads, Robinson, Rouch, Seiler, Sharples, Shuman, Stehman, Stumbaugh, Subers, Watt, Webb, Westbrook, Whann, Wilson, Worrall and Davis, *Speaker pro tem.*—38.

NAYS—Messrs. Armstrong, Barton, Boyd, Boyle, Chadwick, Chalfant, Craig, Deise, Fogel, Freeborn, Gordon, Harner, Hood, Hunt, Kline, Leech, Lutton, M'Camant, M'Creary, M'Kee, M'Pherrin, Maish, Mann, Meily, Phelan, Richards, Satterthwait, Waddell, Wallace, Weller, Wharton and Woodward—33.

So the question was determined in the negative.

Mr. M'CAMANT. Mr. Speaker, I ask leave to make a statement.

Leave was granted.

Mr. M'CAMANT. A few days ago a resolution was passed appointing a committee to investigate certain matters connected with the transportation of freight by the Atlantic and Great Western railway company. I am a member of that committee and ask to be discharged from it for the following reasons: My mother is lying very sick, and the physician attending her tells me it is very likely she will not get well and I do not know what moment I may be called away. That committee will necessarily be absent for some time investigating this matter, and I feel that my duty and my affection for my mother do not justify me in being away. I, therefore, ask leave to be discharged from that committee.

On motion,

Mr. M'CAMANT was discharged.

REPORTS FROM COMMITTEES.

Mr. WADDELL, from the Committee on Ways and Means, as committed, bill No. 282, an act for the relief of Milo R. Adams, treasurer of Beaver county.

Mr. M'CAMANT (Municipal Corporations), as committed, bill No. 283, a further supplement to an act revising the charter of the municipal corporation of the city of Reading.

Mr. KERNS, (Railroads), as committed, bill No. 284, an act to repeal an act of the General Assembly of the State of Pennsylvania, which became a law on the 19th day of August, 1864, entitled An act relative to the Pittsburg and Connellsville railroad company.

Mr. KERNS. Mr. Speaker, I am requested by the Railroad Committee to present the following resolution in connection with that report, and ask that it may be read.

The resolution was read as follows:

WHEREAS, a diversity of sentiment exists in the committee as to the propriety of reporting the bill relating to the Pittsburg and Connellsville railroad;

And whereas, The Railroad Committee desire to do justice to the people of every section of the State, and give them an opportunity for a full hearing before the Legislature; therefore, be it

Resolved, That the chairman of said committee be and is hereby authorized to report said bill without amendment.

Mr. M'KEE (same), with amendments, Senate bill No. 232, an act to incorporate the Caledonia and South Mountain railroad company.

Mr. GHEGAN, (Coal and Iron), as committed, Senate bill No. 79, a supplement to an act to incorporate the Brady's Bend iron company, approved the 9th day of April, 1861, authorizing the conveyance of real estate in the several counties of the Commonwealth, on the recording of the resolutions of board of directors of said county.

Mr. SUBERS (Corporations), as committed, Senate bill No. 82, an act to consolidate the Union coal company and the Howard coal and iron company.

Mr. DEHAVEN (Iron and Coal), as committed, bill No. 288, a further supplement to an act entitled An act to incorporate the Northampton iron company, approved the 10th day of March, 1857.

Mr. EWING (Education), with an amendment, bill No. 289, an act to authorize the school directors of the borough of Lock Ha-

ven, county of Clinton, to borrow money for building purposes.'

Mr. KLINE (Education), as committed, bill No. 290, a further supplement to an act for the regulation and continuance of a system of education by common schools, approved the 8th day of May, A. D. 1854.

Mr. WHARTON (same), with amendment, bill No. 291, an act to authorize the school directors of the borough of Punxatawney to borrow money.

Mr. GORDON (same), with amendment, bill No. 292, a supplement to an act entitled An act to enable the school directors of Kittanning borough to borrow money, approved the 12th day of March, A. D. 1866.

Mr. CRAIG (same), with amendment, bill No. 293, a supplement to an act to empower the school directors of Chambersburg to borrow money to build a new school house, approved the 12th day of May, A. D. 1857, further extending the provisions of the second section thereof.

Mr. MARKS (same), as committed, bill No. 294, an act to enable the board of school directors of the borough of Goldsboro', in the county of York, to borrow money for building purposes.

Mr. STEHMAN (Corporations), as committed, bill No. 295, a further supplement to an act to incorporate the Birmingham, East Birmingham and South Pittsburg gas company, approved April 15th, 1856.

Mr. ALLEN (same), as committed, bill No. 296, a supplement to the act to incorporate the Western transportation company, formerly the Oil Creek transportation company.

Mr. ADAIRE (same), as committed, Senate bill No. 54, a further supplement to an act to incorporate the Girard life insurance, annuity and trust company, of Philadelphia, passed the 17th day of March, 1866.

Mr. KINNEY (same), as committed, bill No. 206, an act to incorporate the Pennsylvania Central chief detective and live stock insurance company.

Mr. DONOHUGH (same), as committed, Senate bill No. 67, an act to incorporate the Brokers' Beneficial association of Philadelphia.

Mr. KURTZ (same), as committed, bill No. 53, a further supplement to an act entitled An act to incorporate the Mutual fire insurance company of Montgomery county, passed the 31st day of March, A. D. 1861, authorizing said company to insure against storms and hurricanes.

Mr. MARKLEY (same), as committed, Senate bill No. 86, a supplement to an act to incorporate the Lehigh County Mutual horse insurance company, approved April 28th, 1857.

Mr. KERNS (same), as committed, bill No. 302, an act relative to the estate of George Frey, deceased.

Mr. WOODWARD (same), as committed, bill No. 303, a supplement to an act to incorporate the Odd Fellows' association at Waynesburg, Greene county, Pennsylvania, passed the 27th day of March, 1862.

Mr. GHEGAN (same), as committed, bill No. 304, an act to incorporate the Franklin Library association of the city of Philadelphia.

Mr. LONG (same), as committed, Senate bill No. 19, an act to incorporate the Catholic Philopatrian institute of Philadelphia.

Mr. ROATH (same), as committed, Senate bill No. 81, an act to change the place of business of the Cameron petroleum company of Pennsylvania.

Mr. RHOADS (same), as committed, bill No. 307, an act to incorporate the Crozer Theological seminary.

Mr. JOSEPHS (same), as committed, bill No. 308, an act to incorporate the Pennsylvania live stock insurance company, to insure against disease, accidents and death.

Mr. WHANN (Counties and Townships), as committed, bill No. 309, an act authorizing the commissioners of Schuylkill county to sell real estate, and to apply the proceeds to the building of a tenant house for the janitor of the court house in said county.

Mr. M'CAMANT (same), as committed, bill No. 310, an act relative to the fees of township and county officers in the county of Beaver.

Mr. HUMPHREY (same), as committed, bill No. 311, an act to authorize the supervisors of West Branch township, Potter county, to levy an additional road tax.

Also (Election Districts), as committed, Senate bill No. 71, an act to divide the Northwest ward, in the city of Lancaster, in election precincts and separate election districts.

Mr. PENNYPACKER (Counties and Townships), as committed, bill No. 313, an act to authorize the commissioners of Wyoming county to levy an additional tax for the purpose of erecting a new county jail and sheriff's house in said county of Wyoming, and for other puposes.

Mr. M'PHERRIN (same), as committed, bill No. 314, an act to divide the township of Plymouth into two election districts.

Mr. CHADWICK (Agriculture), with amendment, bill No. 315, an act to regulate the taking of fish from the ponds and lakes in Benton township, Luzerne county.

Mr. MULLIN (Vice and Immorality), with amendments, bill No. 316, an act further to regulate the granting of licenses to hotels and eating houses.

Mr. M'HENRY (Military), with a negative recommendation, bill No. 317, an act for the payment of five hundred dollars to Elizabeth Toops, of the city of Harrisburg, for the destruction of her furniture and damage done her house by Pennsylvania troops on the 15th day of June, 1863.

Mr. PILLOW (same), as committed, bill No. 318, an act relative to county taxes in Marion township, Butler county.

Mr. WOODWARD (same), as committed, Senate bill No. 36, an act authorizing the school directors of the borough of Sewickley to collect the balance of bounty tax in said borough.

Mr. ROUSH (same), as committed, bill No. 320, an act authorizing the supervisors of Ulysses township to levy a tax to refund to Perry Lewis, in said township, the sum of four hundred dollars, it being for money advanced as bounty to volunteers.

Mr. WORRALL (same), as committed, bill No. 321, an act authorizing and requiring the school directors of Mercer township and Harrisville borough, in the county of Butler, to levy a bounty tax and for the repeal of all former acts relating to bounties in said districts.

Also (same), as committed, bill No. 322, an act to legalize the levy and collection of certain bounty tax, to provide for a settlement, and authorize the school directors to levy an additional bounty tax in Lykens township, Dauphin county.

Mr. WESTBROOK (same), with a negative recommendation, No. 323, an act to authorize the auditors to allow the school directors of Elizabeth township, county of Allegheny, a compensation for attending to the bounty business of said township.

Mr. ESPY (same), as committed, bill No. 324, an act to repeal an act entitled An act relative to bounties in Brady township, Butler county, which became a law on the 4th day of January, A. D. 1867.

Mr. FREEBORN (Passenger Railways), as committed, bill No. 325, a further supplement to an act to incorporate the Pittsburg and Birmingham passenger railroad company, approved the 13th day of April, A. D. 1859.

Mr. KERNS (same), with amendments, bill No. 326, an act to ascertain the views of the qualified electors of the city and county of Philadelphia, upon the subject of allowing the passenger railway companies of said city to run their cars on the first day of the week, commonly called Sunday.

Mr. DeHAVEN (same), as committed, bill No. 327, an act to incorporate the Allegheny and Saw Mill Valley passenger railway company.

Mr. BROWN (Banks), as amended, bill No. 328, an act to incorporate the Meadville savings and loan company.

Also (same), as amended, bill No. 329, an act to incorporate the Mechanics' Savings Bank.

Mr. HOFFMAN (Roads, Bridges and Ferries), as committed, bill No. 330, an act to establish a ferry over the Allegheny river, in Kinzua township, Warren county.

Mr. DeHAVEN (same), as committed, bill No. 331, an act extending an act relative to roads in Neochlan township, Chester county, and East Bethlehem and East Pike Run townships, Washington county, to Peters township, Washington county.

Also (same), with a negative recommendation, Senate bill No. 70, an act to establish a ferry over the Youghiogheny river, near Perryopolis.

Mr. ROATH (same), as committed, bill No. 333, an act declaring Wiconisco creek, from Oak Dale Forge, in Dauphin county, to the public road leading from Clark's valley to Tremont, in Schuylkill county, a public highway.

Mr. HOOD (same), as committed, Senate bill No. 47, an act relative to the road laws in certain townships, in Sullivan county.

Mr. M'KEE (same), as committed, bill No. 335, an act to establish a ferry over the Youghiogheny river, at Layton Station, in Fayette county, on the line of the Pittsburg and Connellsville railroad.

Mr. GALLAGHER (same), as committed, bill No. 336, an act to declare a portion of Freeman's run, in Potter county, a public highway.

Mr. CHASE (same), as committed, bill No. 337, an act relative to the supervisors and road laws in Wiconisco township, Dauphin county.

Mr. RICHARDS (same), as committed, bill No. 338, an act to establish a ferry and foot bridge over the Driftwood branch of the Sinnemahoning creek, near the mouth thereof, in Cameron county.

Mr. SATTERTHWAIT (same), as committed, bill No. 339, an act to incorporate the Greenwood Avenue turnpike company.

Mr. HARNER (same), as committed, bill No. 340, a supplement to an act to incorporate the Tidioute bridge company, approved the 17th day of April, A. D. 1861.

Mr. WHARTON (Ways and Means), with a negative recommendation, bill No. 341, an act to exempt market companies from the payment of tax on their capital stock.

Mr. M'CREARY, (Judiciary Local), as committed, Senate bill No. 60, an act changing the time of holding courts in the Sixteenth Judicial district.

Mr. BARTON (same), as committed, bill No. 343, an act relating to the poor laws of Delaware county.

Mr. EWING (same), as committed, bill No. 344, an act relating to hawking and peddling in the county of Westmoreland.

Mr. HARBISON (same), as committed, bill No. 345, a further supplement to an act increasing the fees of the several county officers of this Commonwealth, except in the city of Philadelphia and the counties of Alle-

gheny, Bradford, Susquehanna and Sullivan, approved March 30th, A. D. 1865.

REPORT FROM THE COMMITTEE ON ACCOUNTS.

Mr. WALLACE, from the Committee on Accounts, made report upon the postage of the House, which was read as follows:

POST OFFICE, HARRISBURG,
February 1, 1867.

House of Representatives of Pennsylvania,
To Joseph F. Knipe, Postmaster, Dr.
For postage on letters and documents sent from January 1st, 1867, to January 31st, inclusive:

Date.	No. Post Stamps.		Value.	Dols. cts.
Jan. 1	700	"	3 cts	$ 21 00
" 1	300	"	2	6 00
" 3	800	"	12	96 00
" 3	1,600	"	3	48 00
" 3	600	"	10	60 00
" 3	2,000	"	2	40 00
" 4	1,000	"	2	20 00
" 4	1,000	"	2	30 00
" 4	200	"	24	48 00
" 7	500	"	3	15 00
" 7	1,000	"	2	20 00
" 8	1,200	"	3	36 00
" 8	2,000	"	12	240 00
" 8	1,000	"	10	100 00
" 8	3,000	"	2	60 00
" 9	1,000	"	3	30 00
" 9	1,000	"	12	120 00
" 9	800	"	10	80 00
" 9	8,000	"	2	160 00
" 11	200	"	24	48 00
" 12	1,000	"	10	100 00
" 12	1,000	"	3	30 00
" 12	500	"	12	60 00
" 14	1,000	"	3	30 00
" 14	500	"	12	60 00
" 14	600	"	10	60 00
" 14	4,000	"	2	80 00
" 16	1,200	"	12	144 00
" 16	800	"	10	80 00
" 17	2,000	"	3	60 00
" 17	500	"	10	50 00
" 17	5,000	"	2	100 00
" 18	3,000	"	10	300 00
" 18	6,000	"	3	180 00
" 19	5,000	"	2	100 00
" 19	1,200	"	12	144 00
" 22	5,000	"	2	100 00
" 22	3,000	"	12	360 00
" 22	4,000	"	3	120 00
" 23	5,000	"	2	100 00
" 23	2,000	"	12	240 00
" 24	5,000	"	3	150 00
" 24	1,000	"	10	100 00
" 25	5,000	"	2	100 00
" 25	1,000	"	3	30 00
" 25	1,000	"	10	100 00
" 26	12,000	"	2	400 00
" 30	5,000	"	2	100 00
" 30	3,000	"	3	90 00
" 30	1,000	"	12	120 00
" 31	15,000	"	2	300 00
				5,266 00
To amount postage during recess.....				72 00
" " documents received.....				68 26
" " letters received.....				5 18

Total amount of postage, to include January 31st, 1867.....$5,411 44

Received payment,
(Signed) JOSEPH F. KNIPE, P. M.

The Committee on Accounts report that they have examined the foregoing bill, and find it to be correct to the best of their knowledge and belief, and recommend the passage of the following resolution, viz:

Resolved, That the Speaker of the House be directed to draw a warrant in favor of Joseph F. Knipe, postmaster, for the sum of five thousand four hundred and eleven dollars and forty-four cents, being the amount due for postage on letters and documents sent and received during the recess, and for the month of January, 1867.

The resolution was twice read, considered and agreed to.

Mr. WALLACE, from the Committee on Accounts, also made the following report on postage of the House:

HARRISBURG, PA., January 1, 1867.

House of Representatives of Pennsylvania,
To GEORGE BERGNER, late P. M., DR.
For postage on papers and letters sent and received during recess of 1866.

1866.	LETTERS SENT.	DOCUM'TS SENT.
April 12		$66 20
19	$3 00	
26	3 00	
27	6 00	85 20
29	3 00	
May 2	3 00	150 00
8	3 00	
11	3 00	25 00
12	1 63	140 00
13	3 00	
14	3 00	126 90
15	3 00	59 24
16	3 00	1 75
21	1 48	
	$30 11	$657 29
		39 11
		$696 40
	CR.	
By am't appropriated for recess.		$700 00
Balance due House,		$3 60

The committee report that they have examined the foregoing bill and account, and find them to be correct, to the best of their knowledge and belief, and recommend their approval by the House.

The recommendation of the committee was,

On motion, considered and adopted.

REPORTS FROM COMMITTEES—CONTINUED.

Mr. WORRALL (Judiciary Local), as committed, bill No. 346, an act authorizing the Governor to appoint an additional notary public for the city of Philadelphia.

Also (same), as committed, bill No. 347, an act changing the time of meeting of the auditors of Hillsgrove township, Sullivan county.

Mr. WEBB (same), as committed, bill No. 348, an act relating to unseated lands in the county of Tioga.

Mr. CRAIG (same), as committed, bill No. 349, an act appropriating moneys arising from fines and forfeitures in Chester county.

Mr. JONES (same), as committed, bill No. 350, a supplement to an act relative to the publication of local laws in the counties of Centre and Schuylkill, approved the 16th day of April, A. D. 1866.

Mr. PHELAN (same), as committed, bill No. 351, an act repealing so much of the act authorizing the election of additional officers and changing the manner of collecting taxes in the townships of Robison and North Fayette, Allegheny county, approved March 13th, A. D. 1866, as relates to the manner of collecting taxes in Robison township.

Mr. HEADMAN (Municipal Corporations), as committed, bill No. 352, a supplement to an act entitled An act to incorporate the city of Harrisburg.

Mr. QUIGLEY (Corporations), as committed, Senate bill No. 124, a supplement to an act to unite and consolidate Marshall college, now at Mercersburg, with Franklin college, now at Lancaster, under the name of Franklin and Marshall college, as a corporation, to be located in the city of Lancaster or its immediate vicinity, approved the 19th day of April, A. D. 1850, changing the trustees thereof and the manner of selecting such trustees and their terms of office.

Mr. WORRALL (Municipal Corporations), as committed, bill No. 354, a further supplement to an act to incorporate the city of Erie.

Also (same), as committed, bill No. 355, a further supplement to an act to empower the town council of the borough of Bellefonte, in Centre county, to borrow money, approved the 14th day of February, A. D. 1863.

AMENDMENT TO THE RULES.

The SPEAKER. The special order at this time is the consideration of the resolution of the gentleman from Fayette [Mr. BOYLE], amending the rules of this House.

The resolution, with the amendment of the gentleman from Beaver [Mr. QUAY], will be read.

They were read as follows:

Resolved, That the following shall be a rule of this House:

RULE 62. A majority may discharge a committee from the consideration of any matter referred to it, at any time after fifteen days subsequent to such reference; and from the consideration of any matter referred within fifteen days of the close of the session, on or after the second day succeeding such reference, and motions for discharge may be made when reports from committees are in order.

On the question,

Will the House agree to the resolution, as amended?

Amotion was made by Mr. QUAY to amend the same by adding thereto the words as follows, viz:

"And that the majority shall be competent to suspend this and any other rule of this House."

The SPEAKER. The question is on the amendment of the gentleman from Beaver [Mr. QUAY].

Mr. QUAY. Mr. Speaker, I understand that the gentleman from Fayette [Mr. BOYLE] has an amendment that he wishes to incorporate into the original resolution, and I expect it can be done by unanimous consent. I then propose to call the previous question and dispose of this matter.

Mr. BOYLE. Mr. Speaker, I think it proper to say to this House that the amendment of the gentleman from Beaver [Mr. QUAY] is intended to kill the resolution; the gentlemen who vote for that amendment will probably understand it in that light, that they are opposing the rule itself. My amendment, made in accordance with the suggestion of the gentlemun from Chester [Mr. WADDELL], is that the time a motion may be made to discharge a committee shall be when original resolutions are in order, instead of reports of committees.

The SPEAKER. There being no objection the amendment will be inserted by unanimous consent.

Mr. QUAY. Mr. Speaker, I desire to state to the House that the amendment of the gentleman from Beaver is not intended to kill the resolution, although the gentleman from Beaver does not care if it does have that effect. Now I call the previous question.

The call for the previous question was sustained by Messrs. Colville, M'Pherrin, Webb, M'Kee, Stumbaugh, Humphrey, Mechling, Kinney, Ghegan, Cameron, Kennedy and M'Camant.

The question being,

Shall the main question be now put?

The yeas and nays were required by Mr.

QUAY and Mr. BOYLE, and were as follow, viz:

YEAS—Messrs. Barton, Chase, Ghegan, Kerns, M'Kee, Mechling Quay, Shuman, Stumbaugh Wallace, Watt, Webb, Wingard, and Davis, *Speaker pro tem.*—14.

NAYS—Messrs. Adaire, Allen, Barrington-Boyd, Boyle, Brennan, Brown, Calvin, Cameron, Chadwick, Collins, Colville, Craig-Day, Deise, Donohugh, Ewing, Fogel, Freeborn, Gallagher, Gordon, Harbison, Harner. Headman, Heltzel, Hoffman, Hood, Humphrey, Hunt, Jones, Josephs, Kennedy, Kimmell, Kinney, Kline, Koon, Kurtz, Lee, Leech, Linton, M'Camant, M'Creary, M'Henry, M'Pherrin, Maish, Mann, Markley, Meily, Mullin, Pennypacker, Peters, Phelan, Pillow, Quigley, Rhoads, Richards, Satterthwait, Sharples, Waddell, Weller, Westbrook, Wham, Wharton, Wilson, Woodward, Worrall and Wright—67.

So the question was determined in the negative.

The question recurring,

Will the House agree to the resolution?

The yeas and nays were required by Mr. COLVILLE and Mr. GHEGAN, and were as follow, viz:

YEAS—Messrs. Boyd, Boyle, Breen, Brennan, Chadwick, Chalfant, Collins, Craig, Day, Deise, Ewing, Freeborn, Gallagher, Gordon, Harbison, Harner, Hunt, Jones, Kimmell, Kurtz, Leech, Linton, M'Creary, Maish, Mann, Meily, Pennypacker, Peters, Phelan, Richards, Wallace, Weller and Wilson—33.

NAYS—Messrs. Adaire, Allen, Barrington, Barton, Brown, Calvin, Cameron, Chase, Colville, Davis, DeHaven, Donohugh, Espy, Fogel, Ghegan, Heltzel, Hoffman, Hood, Humphrey, Josephs, Kennedy, Kerns, Kinney, Kline, Koon, Lee, M'Camant, M'Henry, M'Kee, M'Pherrin, Markley, Mechling, Mullin, Pillow, Quay, Quigley, Rhoads, Robinson, Rouch, Satterthwait, Seiler, Sharples, Shuman, Stumbaugh, Waddell, Watt, Webb, Westbrook, Wham, Wharton, Wingard, Woodward, Worrall and Wright—55.

So the question was determined in the negative.

The following remarks were made during the call:

Mr. COLVILLE. Mr. Speaker, as I have been laboring under the same impression as the gentleman from Beaver [Mr. QUAY] for some time, that this resolution was introduced for the purpose of restoring the Pittsburg and Connellsville railroad company to their rights, and as I understand the bill for that purpose has been reported from the committee without alteration or amendment, I will now vote against the resolution. I vote "no."

Mr. PENNYPACKER. Mr. Speaker, acting upon principle in this matter, believing it to be right, and not for any specific object—I vote "aye."

Mr. SHARPLES. Mr. Speaker, acting upon principle in this matter, and believing it to be wrong—I vote "no."

Mr. WADDELL. Mr. Speaker, finding my colleagues divided upon this subject, and finding it necessary to settle for Chester county their views—I vote "no."

BILLS IN PLACE.

Mr. WADDELL read in his place and presented to the Chair a further supplement to an act to provide for the adjudication and payment of certain military claims, approved the 16th day of April, A. D. 1862.

Referred to the Committee on Ways and Means.

Mr. M'PHERRIN, an act authorizing the improvement of Shenango river, and making an appropriation therefor.

Referred to the Committee on Ways and Means.

Mr. WATT, an act to change the venue in the case of the Commonwealth of Pennsylvania versus John Shupe, Moriety Leib, Charles W. Everhart, Robert Alsop and Jonathan A. Waters, from the court of quarter sessions of the peace in and for the city and county of Philadelphia.

Referred to the Committee on the Judiciary General.

Mr. STUMBAUGH, an act in relation to original writs and executions in the county of Franklin.

Referred to the Committee on the Judiciary Local.

Also, an act in relation to lost records, deeds and other papers in the county of Franklin.

Referred to the Committee on the Judiciary Local.

Mr. WADDELL, an act to establish an additional notary public in Chester county.

Referred to the Committee on the Judiciary Local.

Also, an act relating to hawkers and peddlers in the county of Chester.

Referred to the Committee on the Judiciary Local.

Mr. KLINE, an act to increase the pay of the assessors of Lehigh county.

Referred to the Committee on the Judiciary Local.

Mr. ROUCH, an act to authorize the guardians of the minor children of Michael Frock, late of Snyder county, deceased, to make certain improvements on the real estate of said minors.

Referred to the Committee on the Judiciary Local.

Mr. BOYD, an act to regulate the salaries of the county auditors, and also the salaries of the township auditors and their clerks, in the county of York.

Referred to the committee on the Judiciary Local.

Mr. SUBERS, an act authorizing the Governor to appoint an additional notary public for the city of Philadelphia.

Referred to the Committee on the Judiciary Local.

Mr. WATT, an act to authorize the Governor to appoint two additional notaries public for the city of Philadelphia.

Referred to the Committee on the Judiciary Local.

Mr. MARKLEY, a further supplement to an act passed the 13th day of March, 1862, to authorize the arrest of professional thieves, burglars, et cetera, in the city of Philadelphia.

Referred to the Committee on the Judiciary Local.

Mr. BARTON, joint resolution relating to reconstruction of the late rebellious States.

Referred to the Committee on Federal Relations.

Mr. MAISH, a joint resolution instructing members of Congress from this State to use their influence to repeal the act of Congress imposing a tax on State bank circulation.

Referred to the Committee on Federal Relations.

Mr. MAISH. Mr. Speaker, I ask that that bill be read by the Clerk.

The bill was read as follows:

WHEREAS, The right on the part of the State to create corporations for the purpose of banking, including the issue by them of paper to circulate as money, has been exercised at pleasure by the States, from the beginning of the Government, and its validity is now beyond the reach of question;

And whereas, No clause or article of the Constitution of the United States gives Congress the power, directly or indirectly, to interfere with the exercise of any such right;

And whereas, The tax imposed by Congress upon the circulation of the State banks operates as a prohibition of such circulation, and was intended as such, as appears by the debates of that body;

And whereas, What cannot be done directly by Congress—for example, the taking from the States the power to charter banks of issue—cannot be done indirectly by taxation; therefore,

Resolved by the House, &c., That, in the opinion of this House, said law should be repealed, and that our Senators and Representatives be instructed to use all honorable means to that end.

Resolved, That a copy of these resolutions be sent to each of our Senators and Representatives at Washington, to be laid before Congress.

Mr. ARMSTRONG, a joint resolution instructing our Senators and requesting our members in Congress to procure the passage of a law authorizing the national Government to reimburse the loyal States for all moneys advanced for the payment of bounties to volunteers during the late rebellion.

Referred to the Committee on Federal Relations.

Mr. KERNS, an act to grant the Merchants' Union telegraph company, of New York, the privilege to extend their lines of telegraph through the State of Pennsylvania.

Referred to the Committee on Corporations.

Also, an act to incorporate the American University of Philadelphia.

Referred to the Committee on Corporations.

Mr. WORRALL, an act to incorporate the Lincoln steam fire hose company of Philadelphia, and to authorize said company to erect a market house.

Referred to the Committee on Corporations.

Also, an act to incorporate the Quaker City passenger railway company.

Referred to the Committee on Corporations.

Mr. HOOD, an act to incorporate the Odd Fellows' temple of the city of Philadelphia.

Referred to the Committee on Corporations.

Mr. WINGARD, an act to correct an act to incorporate the Williamsport hall and market company, approved April 20th, 1866.

Referred to the Committee on Corporations.

Mr. WOODWARD, a supplement to an act incorporating the Girard electrical insurance company, approved the 2d day of March, A. D. 1866.

Referred to the Committee on Corporations.

Mr. WILSON, an act to incorporate the Pittsburg tunnel company.

Referred to the Committee on Corporations.

Mr. M'CREARY, an act to authorize the road commissioners of Mill Creek township, Erie county, to compel the owners of land fronting on Ridge road to make side-walks, and to straighten and open out said roads.

Referred to the Committeee on Roads, Bridges and Ferries.

Mr. M'CAMANT, a supplement to an act incorporating the Hollidaysburg and Altoona plank road company, approved ——.

Referred to the Committee on Roads, Bridges and Ferries.

Mr. MARKLEY, an act changing the time of holding the annual meetings and election for president, managers and treasurer of the Green Lane and Goshenhoppen turnpike road company, and the time for declaring the dividends of said company.

Referred to the Committee on Roads, Bridges and Ferries.

Mr. M'KEE, an act relative to the Alle-

gheny and St. Mary's cemeteries in Allegheny county.

Referred to the Committee on Roads, Bridges and Ferries.

Mr. GHEGAN, an act to vacate Buck road, from Long lane westward to Federal street, in the city of Philadelphia.

Referred to the Committee on Roads, Bridges and Ferries.

Mr. WINGARD, an act to incorporate the Pine Creek bridge company.

Referred to the Committee on Roads, Bridges and Ferries.

Mr. MARKLEY, a supplement to an act to incorporate the Norristown passenger railway company.

Referred to the Committee on Passenger Railways.

Mr. QUAY, an act for the protection of sheep and taxation of dogs within this Commonwealth.

Referred to the Committee on Agriculture.

Mr. SHARPLES, an act to extend the provisions of an act laying a tax on dogs in certain townships in the county of Chester, relative to elections in West Philadelphia, and to assessors in Millerstown, Perry county, approved the 11th day of March, 1850, so far as provides for the taxing of dogs, to the township of Londonderry, in the county of Chester.

Referred to the Committee on Agriculture.

Mr. WINGARD, an act in relation to the hunting and killing of wild game and deer in Lycoming, Clinton, Centre, Cameron, Clearfield, Elk, Potter and M'Kean counties, and in relation to dogs in said counties.

Referred to the Committee on Agriculture.

Mr. DeHAVEN, an act to confirm the title to a certain lot of ground in the Twentieth ward of the city of Philadelphia.

Referred to the Committee on Estates and Escheats.

Mr. LEE, an act to incorporate the Great Western mining company.

Referred to the Committee on Mining and Manufacturing Companies.

Mr. WORRALL, a further supplement to an act to provide for the adjudication and payment of certain military claims, approved April 16th, 1862.

Referred to the Committee on Military.

Also, an act to authorize the board of military claims to settle up the claim of T. B. Wilson, First Lieutenant, Battery A, Third artillery.

Referred to the Committee on Military.

Mr. CHADWICK, an act supplementary to an act incorporating the town of Lawrenceville into a borough, approved the 13th day of February, A. D. 1834.

Referred to the Committee on Municipal Corporations.

Mr. M'CAMANT, an act to incorporate the borough of Newry.

Referred to the Committee on Municipal Corporations.

Mr. ARMSTRONG, an act to authorize the school directors of Conestoga township, of Lancaster county, to levy and collect a tax to liquidate the debt on said township, created to pay bounties to volunteers.

Referred to the Committee on Education.

Mr. ROATH, an act to repeal an act to increase the boundaries of Forest county, and the supplement thereto, approved the 31st day of October, A. D. 1866.

Referred to the Committee on Counties and Townships.

Mr. BARRINGTON, supplement to an act incorporating the Lehigh and Lackawanna railroad company.

Referred to the Committee on Railroads.

Mr. MECHLING, an act relative to the election of school directors and supervisors of roads in the township of Allegheny, in the county of Armstrong.

BILLS PASSED.

Mr. MECHLING. Mr. Speaker, I ask leave to make a statement.

Leave was granted.

Mr. MECHLING. This bill relates to the spring election in our county, which takes place on the first of March. It is necessary it should pass at once to be of any value. I would, therefore, ask the indulgence of the House, and move to suspend the rules, in order that this bill may pass at this time.

The motion was

Agreed to.

The bill was read a second and third time, and

Passed finally.

BILLS ON THIRD READING.

House bill No. 76, entitled An act to change the venue in the case of the Commonwealth of Pennsylvania versus Jesse R. M'Carty, Joshua R. M'Carty and Charles Norton from the court of quarter sessions of the peace of Sullivan county to the court of quarter sessions of the peace of Bradford county, came up on third reading.

The question was, Shall the bill pass?

On the question,

The yeas and nays were required by Mr. WEBB and Mr. BOYLE, and were as follow, viz:

YEAS—Messrs. Adaire, Armstrong, Barton, Brown, Cameron, Chase, Colville, Davis, Day, DeHaven, Donohugh, Espy, Ewing, Freeborn, Gallagher, Ghegan, Gordon, Harbison, Hoffman, Humphrey, Kennedy, Kerns, Kimmell, Kinney, Lee, Leech, M'Camant, M'Creary, M'Pherrin, Mann, Marks, Mechling, Peters, Pillow, Quay, Richards, Roath, Seiler, Shuman, Stoacy, Stumbaugh, Subers, Waddell, Wallace, Watt, Webb, Weller, Wham, Wharton, Wilson, Wingard, Woodward, Worrall and Wright—54.

NAYS—Messrs. Barrington, Boyd, Boyle, Breen, Brennan, Calvin, Chalfant, Collins, Craig, Fogel, Harner, Headman, Heltzel, Hood, Hunt, Jones, Josephs, Kline, Koon, Kurtz, Linton, Long, M'Henry, Maish, Markley, Mullin, Phelan, Rhoads, Robinson, Rouch, Satterthwait and Westbrook—32.

So the question was determined in the affirmative.

And the bill

Passed finally.

House bill No. 95, entitled An act regulating the sale of intoxicating liquers, licensing saloons, eating houses and restaurants, and to prohibit billiard saloons from being kept open on Sunday, in the county of Cameron, came up in its order on third reading.

The question was, Shall the bill pass?

Mr. MANN. Mr. Speaker, I move that the further consideration of this bill be postponed for the present.

The motion was

Agreed to.

House bill No. 170, entitled An act to increase the duties of the Citizens' association of Pennsylvania, came up in its order on third reading.

The question was, Shall the bill pass?

Mr. JONES. Mr. Speaker, I move the postponement of this bill for the present.

Mr. MANN. Mr. Speaker, I do not know as there will be any objection to the postponement of this bill for the present, if the gentleman will indicate some day certain to which it shall be postponed.

Mr. JONES. Mr. Speaker, I then move to postpone the consideration of this bill until Wednesday next.

Mr. BARTON. Mr. Speaker, I think, sir, there is nothing in this bill to all objectionable, either to any particular locality, or to the State at large. The bill provides that the Citizens' association shall have authority to inspect all poor houses and prisons throughout the Commonwealth, and to make a report to this House. Now, sir, this is simply a bill containing provisions of this kind, which calls in itself for no appropriation; it attacks no local institution; it is simply designed to get the full and fair statistics of the poor houses and State prisons of this Commonwealth, in order that legislation in reference to those institutions may be made with a better understanding. I therefore hope the motion of the gentleman from Berks [Mr. JONES] will not prevail, and that this bill will now be put upon its final passage.

Mr. JONES. Mr. Speaker, I have not made this motion with the object of defeating this bill, although if its consideration is insisted upon now I hope the bill will not pass. The only object I had in making the motion to postpone until Wednesday next was to enable the members to examine the provisions of the bill. I have not had an opportunity to do so, and would like a little time, as upon its face the bill bears, evidently, the mark of injustice and impropriety. I am not sure that the gentleman from Delaware [Mr. BARTON] was in his place yesterday when this bill was read a second time, but I said then that the great objection I saw to it was that it clothed a private corporation with undue powers over private individuals. The Citizens' association may make contracts with private individuals, under the existing laws, and there can be, therefore, no necessity for this additional legislation.

Then the gentleman from Potter [Mr. MANN], in explaining this bill, said that they did not ask for a State appropriation, nor do they propose to give the State any authority or control over it; at least, that is what I understood the gentleman to say. It proposes, also, to put certain powers into the hands of courts, which I think ought not to be reposed there. For example, if I understand the provisions of the bill, they are somewhat as follows: The friends or relatives of any inebriate may make application to the Citizens' association to have him received there. This association may then, if they choose, inquire into the history of his case, and submit the result of their inquiries to the presiding judge of the district in which he resides. The judge shall proceed to determine—not by trial—not by the verdict of a jury—whether he is an inebriate or not. It shall not be determined by a committee—not by any prescribed form—but the judge of that court is to prescribe the manner of ascertaining that fact by such rules of procedure as he may think proper. It is left entirely to his discretion; and if the judge of that court chooses to find, in his own way, without any restriction, that such an individual is an inebriate, then he may sentence him to be kept in confinement by the Citizens' association for a period of not less than nine months, and not exceeding a certain period, the exact length of which I do not now remember. I think this puts an unreasonable power in the hands of the court. But, after a more careful examination of this bill it may be so amended as to obviate all these difficulties. I think the design is very good and creditable; nevertheless, I think the provisions, as set forth in this act, would have a very injurious effect and work very great hardships in particular cases. My object is only to postpone the consideration of this bill, in order to give the members an opportunity to examine it. I am sure I do not see the necessity of hurrying it through to-day when it has not had proper consideration.

Mr. MANN. Mr. Speaker, I do not suppose debate is in order now, therefore I do not intend to speak on the question. But I cannot allow myself to go on the record as

having said that this association does not propose to let the State have any power over it. I do not want anything of that kind. The bill proposes to give this Legislature all the supervision over this association that it chooses to exercise.

Mr. KERNS. Mr. Speaker, the objection that arose in my mind to this bill, when it was up yesterday, was that when an inebriate had been committed to this association, no judge could set that prisoner at liberty unless this association should choose to release him. It takes that power out of the hands of the judge. I think the judge, by this bill, has no right to release him until the expiration of the time for which he was sentenced, unless the association so chooses, and at the same time the association shall receive renumeration for keeping him. That is my objection to the bill and my reason for objecting to it on Wednesday.

The question being,

Will the House agree to the motion to postpone the further consideration of the bill until next Monday?

It was agreed to.

CONSTITUTIONAL AMENDMENTS.

Mr. MANN. Mr. Speaker, as we have now gone through all the regular orders, I ask the unanimous consent of the House to proceed to the consideration of Senate bill No. 3, entitled joint resolution to ratify the fourteenth article of the Constitution of the United States.

There being no objections, the House proceeded to its consideration.

Mr. JONES. Mr. Speaker, as the gentleman from Northumberland [Mr. THARP] was obliged to leave town yesterday, he requested me to submit his remarks on this bill to the House, and ask leave to have them spread upon the *Record*.

Leave was granted.

Remarks were then made on the resolution by Messrs. ALLEN and JONES, which will appear in the Appendix to the *Record*.

MESSAGE FROM THE SENATE.

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows, viz:

No. 119, a supplement to the act to incorporate the Eagle mining company, passed the 18th day of March, A. D. 1865, authorizing said company to borrow money, issue bonds, and to increase the number of directors,

With information that the Senate has passed the same without amendment.

LEAVE OF ABSENCE GRANTED TO AN INVESTIGATING COMMITTEE.

Mr. CHASE. Mr. Speaker, I ask leave of absence for the committee of investigation, appointed to inquire into the charges made in the case of the Atlantic and Great Western railroad company.

Leave was granted.

The SPEAKER announced that Mr. ADAIRE had been appointed to act as chairman of that committee, in the place of Mr. M'CAMANT.

The hour of one o'clock having arrived,

The SPEAKER adjourned the House until this afternoon at two o'clock.

AFTERNOON SESSION.

The House met at 2 o'clock; P. M.

THE INCREASE OF EFFICIENCY IN THE COMMON SCHOOL SYSTEM.

The SPEAKER. The special order for the afternoon is House bill No. 129, entitled An act to increase the efficiency of the common school system and to foster schools for the education of teachers. The question is on the first section.

The first section was read as follows:

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same*, That hereafter there shall be levied and collected a State tax of one mill on the dollar of all property taxable for county purposes, to be collected and paid into the Treasury of the State under the same regulations as State taxes have heretofore been collected.

Mr. SATTERTHWAIT. Mr. Speaker, this bill is calculated to operate very injuriously upon the section of the State from which I come. The object of the bill, as I understand it, is to compel the southeastern section of the State, which pays the principal part of the taxes of the State, to keep up the schools of other sections that pay proportionately scarcely any taxes. I believe that is the practical object and effect of it, and I appeal to the gentleman from Potter [Mr. MANN] if that is not the sum and substance of this whole measure. For my part, I cannot make anything else out of it. I repeat, sir, the object of this bill is to compel those of us in the counties of the southeastern section of the State to keep up the schools of those counties that pay but a small portion of the State taxes; and, sir, in the name of my constituents I protest against the passage of this law.

Now, sir, at the last session of the Legislature we abolished all State taxes, and when we went home to our constituents we were congratulated upon having accomplished that very desirable object. Now it is proposed to re-enact this obnoxious measure. I, for one, am not willing to do that. I am opposed to this whole thing.

It has been said that the Constitution of the State requires that the State shall establish an efficient system of public schools. So it does. It provides for many other things; but it does not provide that these schools shall be kept up at the expense of the State. There is nothing in the Constitution that warrants the conclusion that anything of that kind was intended. There are a great many things provided for in the Constitution besides the school system that are not paid for by the State, and which never were intended to be. Why, sir, I am as thoroughly in favor of the common school system, I hope, as any gentleman on this floor possibly could be; but I do not believe this bill would do one particle of good to that system. I believe there is already established all over this State, as the Constitution provides there shall be, an efficient system of public schools. This bill will effect no good for that system, inasmuch as in our section of the State, for instance, complaint is already made of the burden of taxes. We have other taxes; we have taxes of which they know comparatively nothing in these other and more distant parts of the Commonwealth; and there is neither reason nor justice in compelling us to keep up their schools. I do not think there is room for any considerable argument on this question, because this is the whole question, whether we shall be compelled to keep up the schools in those portions of the State where they do not want to support such schools. I do not think, sir, the gentleman from Potter has pretended to show that there is any justice in this proposition. He appeals to us not to be mercenary about it. Now that appears to me to be decidedly cool. A man meets me on the highway and demands my money; he tells me I am rich and he is poor, and I must therefore hand over my money, and when I protest against it, he tells me not to be "mercenary" about it.

Mr. MANN. Mr. Speaker, I think the gentleman from Montgomery [Mr. SATTERTHWAIT] entirely misapprehends the spirit and purpose of those who advocate this bill and of the bill itself; and I confess to a good deal of astonishment at the reasons given by him for opposing this bill. I have listened frequently to the remarks which have been made at different times by the gentleman from Montgomery, and although we differ radically in politics, I have generally listened to him with a good deal of satisfaction. In relation to many measures of finance and of economy, I had supposed we were tolerably well in accord; at any rate I have sympathized with many of his opinions as expressed upon this floor; and to such an extent has this been the case that I confess to utter astonishment at the remarks he has made upon this bill. Why, sir, his position will go against the levying of any school tax at all; it strikes at the whole system of common schools as pointedly as at this bill. Take, for instance, his closing remark, that in his opinion the principle of this bill is based upon the idea on which the demand of the robber is made, when after the demand is refused, he says to the man he intends to rob, "now don't be mercenary." Now, if that idea is properly applied to this bill, I ask whether it does not apply with equal force to the whole common school system? Would it not apply with like force to men of means living in the borough in which I reside, as well as to many others, who never sent a child to the common schools, who never had a child to send and who, unless they change their habits pretty soon, never will have one to send; and yet, being men of wealth, those gentlemen are taxed ten and six-tenths per centum on all the taxable property they possess, in order to educate the children of other men who have not means. Now, does that partake of the nature of a robber's demands? Is that what the school laws of Pennsylvania do—make a "robber's demand" upon people who have wealth, so as to educate the children of those who are destitute? For if that be true of this bill, it is true of the whole system of the State with regard to common schools.

And, Mr. Speaker, to carry out the argument I have suggested, I would ask what justice there is in taxing a citizen of the county of Tioga nine per centum of all the property he has for school purposes, though he have no child to send to school. Notwithstanding he has never sent a child to school in his life, yet, by the common school system of this State, you say to him, "you must pay nine mills and a half upon every dollar of property you own" (which will keep the schools open five months and a half), whereas you tax the same individual in Montgomery county one mill and six-tenths; which keeps the schools of Montgomery county open seven months in the year. That is to say, you invite every man in the county of Potter who is the possessor of any means—you invite every such man to emigrate to the county of Montgomery, because, if he stays in the county of Potter, he will be taxed for educating the children of poor people ten mills on every dollar he has, but if he will go to the county of Montgomery he will be taxed only one and six-tenths mills. I submit that that is an inequality in the matter of taxation which ought to cease; it is an inducement held out for men to leave these counties where wealth has not yet been developed and go into those more wealthy and populous counties. This talk about this bill being a robber's demand is too unworthy to come from any member upon this floor.

Mr. SATTERTHWAIT. Will the gentleman allow me to explain?

Mr. MANN. Certainly, sir.

Mr. SATTERTHWAIT. I do not wish to to be understood in that sense, Mr. Speaker. I merely said that the cry that we were mercenary in resisting this bill would be like the robber's cry, and that if there was anything mercenary about it, it seemed to me the mercenary part was altogether with those who asked for this bill. That was all I said.

Mr. MANN. I think the gentleman from Montgomery will find no such expression in anything I said on this bill. I made no such allusion in my remarks.- What I did say—and I repeat it--was that there was great inequality in the imposition of taxes for school purposes, and that that was not in harmony with the principles of the school law of Pennsylvania. And I said that the men who live in wealthy counties ought to be willing to come within the principles of this bill; I made no allusion to mercenary feelings whatever. And the point I make is this: Is it right in the great State of Pennsylvania, to tax a man living in Tioga county nine mills and a half on every dollar he possesses, to educate the children of the State, and a man living in Montgomery county, but one mill and a half for the same purpose? That is the point I make; and if that state of things is not to continue, then this bill ought to be passed; for that is just what we are doing, according to the last report of the Superintendent of Common Schools of this State. And I submit that that one fact of itself ought to carry this bill through.

Again, sir, there is this consideration deserving of attention. There are in the county of Tioga two hundred and forty-five schools, and in the county of Montgomery two hundred and sixty schools, and it costs the same amount to keep open a school in Tioga county that it costs to keep a school open in Montgomery county. Now whether the people of Tioga county be rich or poor, I submit that their children have the same right to have the schools of that county kept open that they have in Montgomery.

[At this point, the Clerk of the Senate being introduced, presented several bills for concurrence, the titles of which are given elsewhere.]

I was saying, Mr. Speaker, that there are in the county of Tioga two hundred and forty-five schools and in Montgomery county two hundred and sixty schools, and that the cost of keeping open a school is the same in each county, and, therefore, that there ought to be appropriated to the school districts of Tioga the same amount of State tax, for the purpose of keeping them open, that is appropriated to the school districts of Montgomery. Now, I ask any gentleman to gainsay that proposition. And that being conceded, it, therefore, follows that there should be the same appropriation to a school in Tioga that is given to a school in Montgomery, unless, however, you go upon the principle of apportioning this money, that the State raises, according to the wealth of the State; that is to say, that to those districts that are wealthy and need no assistance, you will give a larger proportion than is allowed to those districts that are poor and need assistance.

The county of Tioga has two hundred and forty-five schools, the county of Montgomery has two hundred and sixty schools—but fifteen more. Now, mark the difference in the appropriation made by the State to those two counties. You appropriate from the State Treasury to help keep open the schools of Tioga three thousand one hundred and ninety-five dollars, and to the schools of Montgomery seven thousand sixty-nine dollars. The amount given by the State to a school in Montgomery is nearly double the amount appropriated to a school in Tioga! Is there any justice in that? And now see the result. The people of Tioga, being in favor of common schools, being in favor of taxing themselves to the extent of their ability to keep open the schools of that county, tax themselves, in addition to the amount received from the treasury, nine mills and a half of every dollar that they are worth; but with that they can keep their schools open only five months and a half; and yet the people of Montgomery tax themselves to the enormous amount of one mill and a half, but with that they are enabled to keep their schools open seven months and one-tenth of a month.

Mr. SATTERTHWAIT. The gentleman is mistaken. I desire to correct him.

Mr. MANN. I have taken the statement from the report of the superintendent.

Mr. SATTERTHWAIT. Certainly you have made a mistake. The tax is three mills and fourteen-one-hundredths for school purposes and one mill and sixty-seven-one-hundredths for building purposes, making nearly five mills.

Mr. MANN. It is not so on my book.

Mr. SATTERTHWAIT. It is so here; there it is.

Mr. MANN. I am confining myself to the tax for school purposes, not for building houses; that is a matter of taste.

Mr. SATTERTHWAIT. Well, for school purposes it is over three mills.

Mr. MANN. I am willing to submit the book which I have to the Clerk or the Speaker. I say that it is one mill and six-tenths for school purposes.

Mr. SATTERTHWAIT. Well, sir, I deny it.

[Mr. MANN at this point submitted the report from which he had read for the inspection of the Clerk, who read from the tabular statement as follows: "Montgomery county number of mills for school purposes, one and sixty-seven one hundredths of a mill."]

Mr. SATTERTHWAIT. It is not so on my book, sir.

Mr. MANN. That is all.

Mr. Speaker, what the gentleman says with regard to building purposes, I submit, is not germain to the point we are discussing. They may build palaces for their accommodation in Montgomery county, and thereby make it necessary to assess a large amount for building purposes. What I am talking about is the amount of money necessary to keep schools open. That is what I am discussing; I said nothing about the building tax in Tioga county nor the building tax of Montgomery county, but that according to the report, which I had before me, the people of Tioga tax themselves nine and a-half mills for school purposes, and the people of Montgomery one and six-tenths for school purposes, and that that tax of nine and a-half mills will only keep the schools of Tioga open five months and a-half, whereas the tax of one mill and six-tenths of Montgomery will keep them open seven months and one-tenth of a month. That is the argument, and it seems to me it ought to be conclusive upon this point; for the right to tax men at all is the right to tax them according to the value of their property, according to what they are worth; and it is exceedingly unjust to impose such unequal burdens upon the people of a State for a common purpose of general interest to the State.

Now, sir, I want to discuss this bill upon its merits, without any feeling that intentional injustice has been done by anybody. When this school system of the State was inaugurated it had many defects which our subsequent experience has enabled us, to some extent, to remedy. In the light of progress and the information we have acquired on the subject, we have vastly improved the school system, and I submit that this bill which I have introduced is another and a necessary step in the path of improvement. Without taking any further time of the House, I will ask any gentleman who opposes this bill to show me, if he can, what equity there is in taxing a man in one county four or five times as much for school purposes as you tax a man living in another county—in other words, what right the State has to tax me at all if I do not send children to school. I contend that when any gentleman has answered this question, by what right am I, who have no children to send to the common schools, taxed to support the schools of the State—that when that question is answered, then the bill before us is justified and ought to be passed.

Mr. SATTERTHWAIT. Mr. Speaker, I merely rise to show that I was correct in disputing the statement of the gentleman. I knew he was wrong when he made the statement in regard to my county, because I knew what the taxes were there; I have good reason to know what they are. I have before me a statement of the superintendent, who says that the average tax in the county is three and fourteen one-hundredth mills for school purposes, besides one and sixty-seven one-hundredths for building purposes. Now that is what my book says, and the person who compiled the figures here must have made a mistake when he carried this into the general column. He made a mistake by placing to the account of building purposes that which should have been placed to the account of general school purposes. And that is the way the gentleman from Potter fell into a mistake, and it is a mistake, else I would not have been so positive in contradicting him. If the gentleman will look at the regular table of the counties, he will find that the figures for Montgomery county stand as I have declared them.

I did not wish, Mr. Speaker, to appear before this House in the position of having asserted what was not correct. And while I am on my feet, sir, I will just make a remark with reference to the question which the gentleman asked, to wit: By what right do we tax men at all for school purposes who do not send children to the public schools, if this bill is not right? I answer, by the same right by which we tax them for keeping up roads, and for all other municipal purposes. And I would like the gentleman to show me what better right they have to keep up their schools in Potter county than they have to keep up their roads at our expense. Persons who do not use roads are taxed all the same, because roads are a public necessity. The Constitution of Pennsylvania requires that a system of public schools shall be established, wherein the poor shall be taught gratis. That is a requirement of the Constitution, and we have to comply with it. But there is no more reason, I say, why the money should come out of the State for that purpose than there is in the matter of keeping up the roads. And there is a very good reason why it should not be done, why each school district should support its own schools.

Now, I do not believe that the gentleman from Potter [Mr. MANN] is correct when he says that it costs just as much to keep up a school in Potter county as it does to keep up a school in Montgomery county, or at least that such should be the case. I believe that they can support their schools in Potter county at a much less expense, proportionately, for we know that in the vicinity of large cities all the expenses of living are much higher than in the country, and consequently the salaries of teachers are much higher. Understand me, sir, not as objecting to the present appropriation which is made to the public schools, as the gentleman has charged me with doing; I am willing it

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[CONTINUED FROM PAGE 224.]

should remain as it is, but I do object to creating a tax at this time for this purpose. Another reason why this proposition should not be carried out may be found in the expense of collecting this tax. It is to go from the township to the county, and from the county to the State, and from the State back to the county, and from the county back to the township, and this process will absorb a great deal of it, and it will become a perfect waste.

Mr. SHARPLES. Mr. Speaker, while I do not exactly agree with my friend from Montgomery [Mr. SATTERTHWAIT] in some of the positions that he takes in reference to this bill or the principle which it embodies, I would suggest to the gentleman from Potter [Mr. MANN] that the same results at which he aims here may be accomplished without any increased taxation. A liberal appropriation from the State treasury would accomplish just the same results that he desires to accomplish by this bill. We know that the people of this State (and I speak more particularly with reference to the people of Chester county) are at present heavily taxed. When the State tax upon real estate was removed, the county of Chester, being heavily in debt, a heavy county tax was imposed upon real estate, and to inflict upon the people there now an additional State tax would have a tendency to injure the schools in Chester county. Now, while we are willing to help the schools in sparsely settled localities we certainly cannot consent to adopt a process by which the schools of Chester county shall be injured. What I propose is that the State appropriation shall be increased for the benefit of schools under the present mode, and that there be no increased tax whatever. The objection which the gentleman from Potter makes as to the inequality of taxation, and his comparison of the rate of tax in Tioga and Montgomery counties, respectively, applies generally throughout the State. In the county of Chester this same inequality exists. In some townships a tax of seven mills is assessed, while in others the tax is only one mill and a half. On the same principle which the gentleman from Potter advocates here, we should have a law compelling the wealthier townships in the county of Chester to assist in keeping open the schools in the poorer districts. It is just the same principle, and it will be seen that this cannot be made a rule.

[The speaker's remarks were partly inaudible at the reporter's desk, in consequence of confusion in the House, and several sentences are here omitted.]

There is an inequality in the assessment of the valuation of property throughout this State, and that is one of the grand objections to the bill after all. Now, if the gentleman from Potter is able to answer as to the facts in his own county, and if Montgomery county does receive double that is received by Tioga, she pays more of that same money in return. I will say, in conclusion, that I shall not oppose liberal appropriations from the State treasury for the purpose of relieving these schools, but I am opposed to this bill, and will vote against it. And to the objection that has been raised, that the Legislature may at some time cease to appropriate, I say that the same objection would apply to any law passed here. A law passed here this winter may be repealed next winter; so that there is no force in the objection.

Mr. WILSON. I regret very much, Mr. Speaker, to be compelled to vote against this bill or against any measure that seemed even to have a tendency to improve the common school system. I think that bills of this kind deserve the fostering care of the Legislature, and I, therefore, regret being compelled to vote against it.

But, sir, if this object can be accomplished through the agency which the gentleman from Chester [Mr. SHARPLES] has suggested, namely, State appropriation, I think it would be much more desirable. The people have been and are now rejoicing from the fact that they have been relieved from a State tax. Now for this Legislature to go and impose another tax on them at this particular juncture, immediately after the other has been removed, would, I think, be very unwise. If the objects contemplated in this bill can be accomplished by an appropriation, I think it a much more desirable way. I shall, therefore, vote against this bill, having that objection view.

On agreeing to the first section,

The yeas and nays were required by Mr. MANN and Mr. DEISE, and were as follow, viz:

YEAS—Messrs. Boyle, Brown, Cameron, Chase, Davis, Deise, Espy, Ewing, Freeborn, Gallagher, Gordon, Humphrey, Kennedy, Kerns, Kimmell, Kinney, Kurtz, Leech, Linton, M'Camant, M'Creary, Mann, Mechling, Pillow, Richards, Shuman, Stumbaugh, Watt, Webb, Weller, Westbrook, Wham, Wharton, Wingard, Worrall and Wright—36.

NAYS—Messrs. Adaire, Armstrong, Barrington, Barton, Breen, Brennan, Calvin, Chadwick, Chalfant, Collins, Colville, Craig, Donohugh, Fogel, Harbison, Harner, Headman, Hoffman, Hood, Jones, Josephs, Kline, Koon, Lee, Long, M'Henry, M'Pherrin, Maish, Markley, Marks, Mullin, Pennypacker, Peters, Quay, Rhoads, Roath, Robinson, Rouch, Satterthwait, Sharples, Steacy, Stehman, Subers, Waddell, Wallace, Wilson and Glass, *Speaker*—47.

So the question was determined in the negative.

The SPEAKER. The first section being negatived the bills falls.

MESSAGE FROM THE SENATE.

The Clerk of the Senate being introduced, returned bills from House of Representatives numbered and entitled as follows, viz:

No. 34, an act to repeal part of an act, approved March 2d, A. D. 1866, in reference to fees of officers and jurymen in Warren county.

No. 111, an act creating the office and defining the duties of assistant district attorney for the county of Allegheny,

With information that the Senate has passed the same without amendment.

The SPEAKER. The hour of three o'clock having arrived, the special order is the further consideration of Senate bill No. 3, entitled Joint resolution to ratify the fourteenth article of the Constitution of the United States.

The gentleman from Montour (Mr. CHALFANT) has the floor.

Remarks were made by Messrs. CHALFANT, LEE, WRIGHT, DAY, SATTERTHWAIT and ESPY,

Which will appear in the Appendix to the *Record*.

Mr. BOYLE. Mr. Speaker, I believe the resolution is now on third reading. I move, sir, to go into committee of the whole, for the purpose of special amendment. I desire to offer an amendment which I ask to be read.

The SPEAKER. The amendment will be read for the information of the House.

The Cerk read the amendment as follows:

Resolved, That in the opinion of this General Assembly, Virginia, North Carolina, South Carolina, Georgia, Florida, Alabama, Mississippi, Louisiana, Texas and Arkansas are States of this Union, and should, therefore, be considered in ascertaining the number of States requisite to ratify the foregoing amendments and make them part of the Federal Constitution.

The SPEAKER. The question is on the resolution of the gentleman from Fayette [Mr. BOYLE] to amend.

Mr. WADDELL. Mr. Speaker, I do not understand that we have consented to go into the committee of the whole. I take it the resolution was only read for the information of the House. I do not understand that we have consented to vote on the amendment.

Mr. DAVIS. Mr. Speaker, I rise to a point of order. It is this, that the amendment is not pertinent to the subject, and that the resolution ratifying the amendment proposed by Congress is not amendable by this House.

The SPEAKER. The Chair is of the opinion that the point of order, raised by the gentleman from Philadelphia [Mr. DAVIS], is not well taken.

Mr. WADDELL. Mr. Speaker, the bill being upon third reading, we cannot entertain an amendment at this time, without going into committee of the whole.

Mr. BOYLE. That is my motion.

Mr. WADDELL. The question, then, is upon the motion to go into the committee of the whole and not upon the amendment which the gentleman offered. I understood the Chair to announce otherwise.

Mr. DAVIS. Mr. Speaker, the point of order which I would like to have decided, and which I apprehend I did not make clear, is that the amendment proposed by the gentleman from Fayette [Mr. BOYLE] is not consistent with, and is not germain to the resolution of the Senate—the resolution that we are considering. It brings in new matter which is not embraced in the matter under consideration at all.

Mr. QUIGLEY. Mr. Speaker, I apprehend that the point of order raised by my colleague is this, that he dislikes very much to vote on the amendment of the gentleman from Fayette [Mr. BOYLE]. The Speaker has decided that it is germain and in order, and the motion to go into the committee of the whole is always in order when a bill is on third reading.

Mr. DAVIS. Mr. Speaker, the first point of order that I raised was that the resolution is not amendable by this House, and I now raise the point of order that the amendment is not germain to the resolution.

The SPEAKER. The Chair is of the opinion that it is competent for the House to pass the resolution of the gentleman from Fayette [Mr. BOYLE], but in deference to the judgment of members the Chair submits the question to the decision of the House.

Mr. DAVIS. Mr. Speaker, I withdraw the point of order.

The SPEAKER. The question is on the motion of the gentleman from Fayette to go into committee of the whole, for the purpose of considering his amendment.

Mr. BOYLE. Mr. Speaker, the gentleman from Chester [Mr. WADDELL] gives us to understand that this is no test upon the resolution. The gentleman, as well as every gentleman in this House, knows that it is a test upon the resolution, because if the motion to go into the committee of the whole is agreed to, that is an adoption of the amendment, and a refusal to go into the committee of the whole is its rejection.

On the motion to go into the committee of the whole,

The yeas and nays were required by Mr. BOYLE and Mr. MANN, and were as follow, viz:

YEAS—Messrs. Barrington, Boyd, Boyle, Breen, Brennan, Chalfant, Craig, Deise, Fogel, Harner, Headman, Heltzel, Hood, Jones, Josephs, Kline, Koon, Kurtz, Long, M'Henry, M'Pherrin, Maish, Markley, Mullin, Phelan, Quigley, Rhoads, Robinson, Rouch, Satterthwait and Westbrook—31.

NAYS—Messrs. Adaire, Allen, Armstrong, Barton, Brown, Cameron, Chadwick, Chase, Colville, Davis, Day, DeHaven, Donohugh, Espy, Ewing, Freeborn, Gallagher, Ghegan, Gordon, Harbison, Hoffman, Humphrey, Kennedy, Kerns, Kimmell, Kinney, Lee, Leech, M'Camant, M'Creary, Mann, Marks, Mechling, Meily, Pennypacker, Peters, Pillow, Richards, Seiler, Sharples, Shuman, Steacy, Stehman, Stumbaugh, Subers, Waddell, Wallace, Watt, Webb, Weller, Wham, Wharton, Wilson, Woodward, Worrall, Wright and Glass, *Speaker*—57.

So the question was determined in the negative.

The question recurring, Shall the resolution pass?

The yeas and nays were required by Mr. DAVIS and Mr. KOON, and were as follow, viz:

YEAS—Messrs. Adaire, Allen, Armstrong, Barton, Brown, Cameron, Chadwick, Chase, Colville, Davis, Day, DeHaven, Donohugh, Espy, Ewing, Freeborn, Gallagher, Ghegan, Gordon, Harbison, Hoffman, Humphrey, Kennedy, Kerns, Kimmell, Kinney, Lee, Leech, M'Camant, M'Creary, M'Pherrin, Mann, Marks, Mechling, Meily, Pennypacker, Peters, Pillow, Richards, Seiler, Sharples, Shuman, Steacy, Stehman, Stumbaugh, Subers, Waddell, Wallace, Watt, Webb, Weller, Wham, Wharton, Wilson, Woodward, Worrall, Wright and Glass, *Speaker*—58.

NAYS—Messrs. Barrington, Boyd, Boyle, Breen, Brennan, Chalfant, Deise, Fogel, Harner, Headman, Heltzel, Hood, Jones, Josephs, Kline, Koon, Kurtz, Long, M'Henry, Maish, Markley, Mullin, Phelan, Quigley, Rhoads, Robinson, Rouch, Satterthwait and Westbrook—29.

So the question was determined in the affirmative.

And the joint resolution

Passed finally.

MESSAGE FROM THE SENATE.

The Clerk of the Senate being introduced, presented for concurrence bill numbered and entitled as follow, viz:

Senate bill No. 324, an act to repeal an act entitled A further supplement to the act incorporating the Pennsylvania railroad company, authorizing an increase of capital stock, and to borrow money, approved the 21st day of March, 1866, to authorize the Pennsylvania railroad company to increase its capital stock, to issue bonds and to secure the same by mortgage.

He also returned bill from the House of Representatives numbered and entitled as follows:

No. 237, a further supplement to an act entitled An act to incorporate the Howard fire and marine insurance company, approved the 26th day of April, 1855, reducing the number of directors and authorizing an increase of capital stock,

With information that the Senate had passed the same without amendment.

The SPEAKER proceeded to clear the table.

Senate bill No. 324, an act to repeal an act entitled A further supplement to the act incorporating the Pennsylvania railroad company, authorizing an increase of capital stock, and to borrow money, approved the 21st day of March, 1866, to authorize the Pennsylvania railroad company to increase its capital stock, to issue bonds, and to secure the same by mortgage.

Laid on the table.

The SPEAKER. The object for which this special order was made, having been gone through with, this House stands adjourned until next Tuesday morning at 11 o'clock.

SENATE.

WEDNESDAY, February 6, 1867.

The Senate met and was called to order at 10 A. M., by the SPEAKER.

On motion of Mr. CONNELL, the reading of the Journal of yesterday was dispensed with.

LEAVE OF ABSENCE.

Mr. WORTHINGTON asked and obtained leave of absence for Mr. ROYER for a few days from to-day.

PETITIONS, REMONSTRANCES, &C.

Mr. CONNELL presented two petitions signed by Rev. Samuel Erwin and two hundred male and female members of his congregation, remonstrating against submitting the question of running cars on Sunday to a popular vote, and praying for a revision of the lincense laws of this Commonwealth.

Referred to the Committee on Vice and Immorality.

Mr. M'CANDLESS, two petitions from citizens of Philadelphia, praying that no bridge shall be erected over the river Schuylkill without a draw.

Referred to the Committee on Roads and Bridges.

Mr. WORTHINGTON, two petitions of citizens of Chester and Delaware counties, asking for an alteration of the act incorporating the Chester Creek railroad company, so as to allow it to connect with the Philadelphia and Baltimore Central railroad at or near Penneliton, Delaware county.

Referred to the Committee on Railroads.

Mr. RIDGWAY, a petition from citizens of Philadelphia, asking for the vacation of a certain street.

Referred to the Committee on Roads and Bridges.

Mr. BILLINGFELT, the petition of the school directors of East Cocalico township, Lancaster county, praying for the passage of an act to increase the percentage on levying tax for bounty purposes.

Referred to the Committee on the Judiciary Local.

Mr. WALLS, a petition from citizens of Howard township, Centre county, praying for an act to change the place for holding their elections from Howard township to Howard borough.

Referred to the Committee on Election Districts.

Mr. WALLACE, a petition urging the passage of a law creating equality of school tax and equality of months taught in all of the school districts in this Commonwealth.

Referred to the Committee on Education.

REPORTS FROM COMMITTEES.

Mr. SHOEMAKER, from the Committee on Judiciary General, reported with a negative recommendation, a bill entitled An act to regulate the jurisdiction of justices of the peace.

Also (same), with a negative recommendation, a bill entitled An act relating to appeals from justices of the peace in cases removing paupers in this Commonwealth.

Also (same), with a negative recommendation, a bill entitled An act authorizing amendments in divorce cases.

Mr. BIGHAM (same), with a negative recommendation, a bill entitled A further supplement to an act to enable joint tenants, tenants in common and adjoining owners of mineral lands in this Commonwealth, to manage and develop the same, approved April 21, 1854.

Also (same), with amendments, a bill entitled A further supplement to an act increasing the fees of the several county officers of this Commonwealth, except in the city of Philadelphia and the counties of Allegheny, Bradford, Susquehanna and Sullivan, approved March 30, A. D. 1865.

Also (same), with a negative recommendation, a bill entitled an act regulating the rate of interest.

Mr. M'CONAUGHY (same), with a negative recommendation, a bill entitled An act to regulate the carriage of baggage by railroad companies, and to prescribe the duties and obligations of carriers and passengers in relation thereto.

Also (same), as committed, a bill entitled An act supplementray to an act to encourage manufacturing operations in this Commonwealth, approved April 17, 1849, authorizing companies to dissolve their organizations, and relating to the bonus or tax thereon.

Also (same), as committed, an bill entitled An act to authorize courts to punish by moderate fine any Republican hotel keeper who shall refuse to entertain, with all the privileges of the house, any person on account of race or color.

Mr. SCHALL (same), with a negative recommendation, a bill entitled An act to inflict the death penalty on negroes and mulattoes who may be convicted of rape upon the persons of white females.

Also (same), with negative recommenda-

tion, a bill entitled An act to provide an associate law judge of the several courts in the Twenty-first Judicial district.

Also (same), as committed, a bill entitled A supplement to an act entitled An act providing for the adjustment of all indebtedness between an old township or townships and a new township or borough, etc., approved April 12, 1866.

Mr. WALLACE (same), with a negative recommendation, a bill entitled An act to revive an act to empower the justices of the Supreme Court to supply defects in the titles to lands occasioned by the loss of deeds or writings respecting the same, or where they have been defaced or rendered illegible by time or accident, passed the 28th day of March, A. D. 1786, and its several supplements thereto, and to extend the same to the county of Cameron.

Also (same), with amendments, a bill entitled an act to authorize turnpike and plank road companies, not paying dividends, to increase their tolls.

Also (same), as committed, a bill entitled An act vesting in the courts of common pleas of this Commonwealth increased powers in the creation of corporations.

Also (same), as committed, a bill entitled An act authorizing the commutation of the death punishment in certain cases.

Mr. COWLES, from the Committee on the Judiciary Local, as committed, a bill entitled An act vacating the old burial ground in the borough of Sewickley, and removing the bodies therefrom.

Also (same), as committed, a bill entitled An act to extend the provisions of an act to require the register of wills of Luzerne county to record the appraisements, inventories and vendue lists of personal property in the county of Monroe.

Also (same), as committed, a bill entitled An act repealing a part of an act relating to the appointment of a county auctioneer for the county of Mercer.

Also (same), as committed, a bill entitled A supplement to an act to empower the commissioners of Washington county to compromise with the holders of the county bonds, and for the more prompt and economical collecting of taxes in said county.

Mr. FISHER (same), as committed, a bill entitled An act authorizing the proprietors of Hanover township, in Luzerne county, to collect and pay over moneys to the Central poor district.

Also (same), with a negative recommendation, a bill entitled An act to authorize the directors of the poor of Fayette county to buy and sell real estate.

Also (same), with a negative recommendation, a bill entitled An act relative to livery stable keepers in Mercer county.

Mr. DAVIS (same), as committed, a bill entitled an act relative to the courts of quarter sessions, oyer and terminer and orphans' courts of Lehigh county.

Also (same), as committed, a bill entitled An act to authorize the Governor to appoint an additional notary public for the county of Mercer, to reside in the borough of Sharon, in said county.

Mr. STUTZMAN (same), as committed, a bill entitled An act authorizing the court of common pleas of Northampton county to appoint a trustee to make sale of certain real estate held in trust for A. Wolle and company.

Also (same), as committed, a bill entitled A supplement to an act to change the mode of criminal proceedings in Erie and Union counties, extending the same to the county of Warren.

Also (same), as committed, a bill entitled An act to increase the pay of assessors of Lehigh county.

Mr. WHITE (same), as committed, a bill entitled An act to authorize the election of an additional justice of the peace in the township of Cherry Hill, in the county of Indiana.

Also (same), with a negative recommendation, a bill entitled An act relating to the fees of the treasurer of the county of Snyder.

Also (same), as committed, a bill entitled An act relating to the duties of the clerk of the orphans' court for the county of Dauphin.

Also (same), as committed, a bill entitled A supplement to an act to authorize the erection of a poor house in the township of Wilkesbarre, in Luzerne county, approved April 2, 1860.

Mr. RIDGWAY, from the Committee on Corporations, as committed, a bill entitled An act to incorporate the Philadelphia coal company.

Also (same), as committed, a bill entitled An act to allow the Madera coal and improvement company to hold more land, and changing the par value of their stock.

Also (same), as committed, a bill entitled An act to incorporate the Rob Roy gold and silver mining company.

Also (same), as committed, a bill entitled An act incorporating the International Patent fuel company.

Also (same), as committed, a bill entitled An act supplementary to an act to incorporate the Union Hall association of Pottsville.

Also (same), as committed, a bill entitled A further supplement to an act entitled An act to incorporate the Howard fire and marine insurance company, approved the 26th day of April, A. D. 1855, reducing the number of directors, and authorizing an increase of the capital stock.

Mr. HAINES (same), as committed, a bill entitled A supplement to an act to incorporate the Penn gas coal company, approved the 1st day of March, A. D. 1861.

Also (same), as committed, a bill entitled An act to incorporate the Atlantic brick manufacturing company.

Also (same), as committed, a bill entitled A supplement to an act to incorporate the Eagle mining company, passed the 18th day of March, A. D. 1865, authorizing said company to borrow money, issue bonds, and to increase the number of directors.

Mr. JAMES (same), as committed, a bill entitled An act to incorporate the Wyoming Valley manufacturing company.

Also (same), as committed, a bill entitled An act to authorize the Wyoming slate company to create and issue preferred stock.

Also (same), as committed, a bill entitled An act to incorporate the Philadelphia Enterprise gold and silver mining company of Montana.

Mr. HAINES, from the Committee on Canals and Inland Navigation, as committed, a bill entitled An act to establish a ferry over the Allegheny river at Tidioute, Warren county.

Mr. SHOEMAKER (same), as committed, a bill entitled An act to establish a ferry over the Youghiogheny river at Layton Station, in Fayette county, on the line of the Pittsburg and Connellsville railroad company.

Mr. SEARIGHT (same), as committed, a bill entitled A supplement to an act to establish a ferry over the Monongahela and Youghiogheny rivers, and to vest the right in John M'Kee, his heirs and assigns forever, approved the 5th day of February, 1784.

Mr. LANDON, from the Committee on Railroads, as committed, a bill entitled An act to extend the time for the payment of the enrollment tax upon an act entitled An act to authorize the Western Maryland railroad company to locate a portion of their road through Adams and Franklin counties, Pennsylvania, approved March 23, 1865.

Mr. RANDALL (same), as committed, a bill entitled An act to consolidate the Shawmut and Ridgway railroad company, the Pennsylvania Cannel coal company, and the Shawmut Cannel coal company, approved March 16, 1865.

Also (same), with a negative recommendation, a bill entitled An act to repeal an act of the General Assembly of the State of Pennsylvania, which became a law on the 19th day August, 1864, entitled An act relative to the Pittsburg and Connellsville railroad company.

Mr. GRAHAM (same), as committed, a bill entitled A supplement to an act to incorporate the Pittsburg, Allegheny and Manchester passenger railway company, authorizing said company to change certain parts of of its route, to subscribe for stock in a new bridge and to have viewers appointed to fix compensation for crossing bridges.

Mr. LOWRY (same), as committed, a bill entitled An an act to incorporate the Dickinson Run railroad and bridge company.

Mr. RIDGWAY (same), as committed, a bill entitled A supplement to an act to incorporate the Allentown passenger railway company, approved the 21st day of March, A. D. 1866.

Mr. BROWN (Mercer), from the Committee on Agriculture and Domestic Manufactures, as committed, a bill entitled An act repealing the first section of an act entitled An act to prevent the spread of Canada thistles, et cetera, approved March, 1862.

Mr. BILLINGFELT, from the Committee on Roads and Bridges, as committed, a bill entitled An act to incorporate the Sandusky and Irwin Street bridge company.

Mr. LANDON (same), as committed, a bill entitled An act authorizing the supervisors of Jackson township, Luzerne county, to collect in money one-third of the tax levied for road purposes in said township.

Mr. WALLS (same), as committed, a bill entitled A supplement to the charter of the Chesnut Hill and Spring House turnpike company, authorizing said company to reopen old water courses.

Also (same), as committed, a bill entitled An act authorizing the supervisors of Blythe township, Schuylkill county, to make and repair the public roads, bridges and culverts in said township.

Mr. JACKSON, from the Committee to Compare Bills, and present them to the Governor for his approbation, made report, which was read as follows:

That in conjunction with a similar committee from the House of Representatives, they have compared, and on February 1st presented to the Governor for his approbation, the bills as follows:

Senate bill No. 106, an act to exempt from taxation certain property devoted to Masonic uses in the city of Reading.

Senate bill No. 110, an act to create a loan for the redemption of the overdue bonds of the Commonwealth.

Senate bill No. 125, a further supplement to an act to promote the more certain and equal assessment of taxes in Philadelphia, approved March 14, 1865.

House bill No. 138, an act to pay Foster Gehr, clerk to the committee in the case of Glass versus Linton.

House bill No. 11, an act for the relief of Nancy Welliver, widow of Jacob Welliver, a soldier of the Revolution.

House bill No. 28, an act to authorize the commissioners of Jefferson county to borrow money.

House bill No. 77, an act relative to the compensation of the commissioners of Chester county.

House bill No. 21, an act authorizing the Governor to appoint an additional notary public for the city of Philadelphia.

House bill No. 100, joint resolution in-

structing our Senators and requesting our Representatives in Congress to procure a reduction of the tax on petroleum.

House bill No. 233, an act relative to the settlement of bounty accounts in the county of Franklin.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

The Clerk of the House of Representatives being introduced, presented for concurrence bills numbered and entitled as follows:

No. 99, an act to enable State banks to settle and close up their affairs.

Referred to the Committee on Banks.

No. 131, an act to enable the board of directors of public schools of East Lampeter township, Lancaster county, to apply surplus of bounty fund to common school purposes.

Referred to the Committee on Education.

No. 158, an act authorizing the commissioners of the county of Delaware to create a five per cent. loan.

Referred to the Committee on the Judiciary Local.

No. 159, supplement extending the provisions of an act, approved the 17th day of April, A. D. 1866, relative to the fees on unseated lands in the county of Centre.

Referred to the Committee on the Judiciary Local.

No. 163, a further supplement to the act of incorporation of the borough of Washington.

Referred to the Committee on the Judiciary Local.

No. 164, an act supplementary to an act creating the village of East Birmingham into a borough, approved the 10th day of April, A. D. 1849.

Referred to the Committee on the Judiciary Local.

No. 165, an act supplementary to an act constituting and establishing the Southeast ward, of the borough of Pottsville, approved the 11th day of April, A. D. 1866.

Referred to the Committee on the Judiciary Local.

No. 166, an act to divide the borough of Plymouth into two wards.

Referred to the Committee on the Judiciary Local.

No. 167, a further supplement to an act for the registration of births, marriages and deaths in the city of Philadelphia, passed March 8, A. D. 1860, and supplements thereto.

Referred to the Committee on the Judiciary Local.

No. 168, an act to authorize the town council of the borough of Mill Hall, in the county of Clinton, to levy and collect additional taxes for building purposes.

Referred to the Committee on the Judiciary Local.

No. 169, a supplement to an act, approved the first day of April, A. D. 1863, for the protection of owners of wharves or landings, in the borough of Oil City, Venango county.

Referred to the Committee on the Judiciary Local.

No. 173, an act to change the provisions of the thirtieth section of an act regulating boroughs, approved April 30, 1851, so far as the same relates to the borough of Mount Pleasant, Westmoreland county.

Referred to the Committee on the Judiciary Local.

No. 174, an act for the better prosecution of disorderly persons in the borough of Monongahela, Allegheny county.

Referred to the Committee on the Judiciary Local.

No. 175, an act for the relief of Joseph A. Allen and E. Mayers.

Referred to the Committee on the Judiciary Local.

No. 176, an act to authorize the payment to Michael Dunn, a soldier in the war to suppress the rebellion, a gratuity on account of the loss of both his legs.

Referred to the Committee on Pensions and Gratuities.

No. 166, an act relating to the fees of the district attorney of Huntingdon county.

Referred to the Committee on the Judiciary Local.

No 177, an act for the relief of Peter Roberts, a soldier of the war of 1812.

Referred to the Committee on Pensions and Gratuities.

No. 178, an act extending the provisions of the act relating to corporations for mechanical, manufacturing and quarrying purposes, approved July 18, 1863, and the supplements thereto, to the county of Northumberland.

Referred to the Committee on the Judiciary Local.

No. 183, an act to incorporate the Montrose mining company.

Referred to the Committee on Corporations.

No. 184, an act to incorporate the Harmony gold and silver mining company.

Referred to the Committee on Corporations.

No. 186, an act to repeal the Lenox road law in the township of Apolocon, in Susquehanna county, and for other purposes.

Referred to the Committee on Roads and Bridges.

No. 187, an act to repeal the charter of the Tuckahoe and Mt. Pleasant plank road company.

Referred to the Committee on Roads and Bridges.

No. 191, a supplement to the act incorporating the Clarion and Allegheny River turnpike road company.

Referred to the Committee on Roads and Bridges.

No. 195, an act construing portions of the first section of an act approved February 17, A. D. 1865, granting to Samuel Stock the right to erect a ferry or foot bridge over Oil creek, at or near the Noble well, in the township of Cornplanter, Venango county.

Referred to the Committee on Canals and Inland Navigation.

No. 196, an act to establish a ferry on the Monongahela river, at the borough of California, in the county of Washington.

Referred to the Committee on Canals and Inland Navigation.

No. 197, an act relating to roads in Valley township, Chester county.

Referred to the Committee on Roads, and Bridges.

No. 202, supplement to an act to authorize the Governor to incorporate a company to erect a bridge over the West Branch of the Susquehanna, at the borough of Milton, &c., passed the 6th day of April, A. D. 1830.

Referred to the Committee on Roads and Bridges.

No. 203, an act to repeal an act to amend the road laws of Montgomery county, passed March 15, A. D. 1859.

Referred to the Committee on Roads and Bridges.

No. 207, a further supplement to the road laws of Bradford county.

Referred to the Committee on Roads and Bridges.

No. 208, an act to declare Cedar run a public highway, in the township of Elk, county of Tioga.

Referred to the Committee on Roads and Bridges.

No. 209, an act to declare that branch of Mill creek in the county of Jefferson, known as the Five Mile run, a public highway.

Referred to the Committee on Canals and Inland Navigation.

No. 210, a supplement to an act of Assembly, entitled An act to incorporate the Easton and Wilkesbarre turnpike road company, approved February 11, 1803.

Referred to the Committee on Roads and Bridges.

No. 211, an act to incorporate the Wyoming County bridge company.

Referred to the Committee on Roads and Bridges.

No. 212, supplement to an act to incorporate the Cresheim turnpike and bridge company, approved the 16th day of March, 1866.

Referred to the Committee on Roads and Bridges.

No. 223, a further supplement to the act incorporating the Watsontown bridge company.

Referred to the Committee on Roads and Bridges.

No. 224, an act supplementary to an act incorporating Andalusia college, at Andalusia, Bucks county, Pa., approved the 30th day of March, A. D. 1866.

Referred to the Committee on Education.

No. 229, an act authorizing the Union Mutual fire insurance company of Montgomery county to change the time of holding its elections.

Referred to the Committee on Corporations.

No. 230, a supplement amendatory to an act to incorporate the Farmers' market of the Fifth ward of the borough of York.

Referred to the Committee on Corporations.

No. 231, supplement to an act to incorporate the town of Haley, in the county of Perry, into a borough, approved April 12, 1866, changing the name of said borough of Haley to Marysville, and forming the same into a separate election district.

Referred to the Committee on the Judiciary Local.

No. 232, a supplement to an act to compel the manufacturers of firkins, kegs and tubs, intended for the packing of butter or lard, in the counties of Erie, Crawford and Warren to mark the weight thereon, extending the same to the county of Bradford.

Referred to the Committee on Corporations.

No. 234, an act authorizing the Governor to transfer to the Reynolds monumental committee unserviceable and condemned ordnance.

Referred to the Committee on Military Affairs.

No. 239, an act relating to the pay of surveyors appointed by the courts of Crawford and Mercer counties.

Referred to the Committee on the Judiciary Local.

He also returned bills from the Senate numbered and entitled as follows:

No. 18, an act to incorporate the Quinterro mining company.

No. 78, an act in relation to the sale of certain real estate owned by the Odd Fellows' hall association of Allentown, in the county of Lehigh.

No. 105, an act relative to roads and highways in Schuylkill county.

No. 260, a supplement to an act entitled An act relating to the pay of jurors in the counties of Lehigh and Berks, approved March 23d, 1865,

With information that the House of Representatives has passed the same without amendments.

Mr. CONNELL, from the Committee on Accounts, made a report, which was read as follows:

POSTOFFICE, HARRISBURG, PA., February 1st, 1867,

Senate of the State of Pennsylvania to Joseph F. Knipe, Postmaster, Dr.

For postage on letters and documents sent and received from January 1st, 1867, to January 31st inclusive:

Total amount for documents and letters sent up to January 31, inclusive	$2,486 00
Total amount postage during recess	356 00
Total amount for documents received	34 46
Total amount for letters received	96
	$2,877 42

The Committee on Accounts, to whom was referred the foregoing account of Joseph F. Knipe, Postmaster at Harrisburg, found the same correct, and offer the following resolution:

Resolved, That the Speaker draw his warrant on the State Treasurer in favor of Joseph F. Knipe, Postmaster at Harrisburg, for the sum of $2,877 42, in full of the foregoing bill.

On motion of Mr. CONNELL, the resolution was adopted.

And the warrant was accordingly drawn.

BILLS IN PLACE.

Mr. FISHER read in his place and presented to the Chair a bill entitled An act to change the venue in the case of Jane E. Caldwell versus the Catawissa railroad company, from the Supreme Court at nisi prius in Philadelphia, to the court of common pleas of Lycoming county.

Referred to the Committee on the Judiciary Local.

Mr. CONNELL, a bill entitled A further supplement to an act passed March 29, 1803, to establish a board of wardens, and for other purposes, securing certain rights to pilots.

Referred to the Committee on the Judiciary Local.

Mr. M'CONAUGHY, a bill entitled An act to incorporate the Moshannon land and lumber county.

Referred to the Committee on Corporations.

Mr. DONOVAN, a bill entitled An act to incorporate the People's brewer association of Philadelphia.

Referred to the Committee on Corporations.

Mr. RIDGWAY, a bill entitled An act to incorporate the Keystone telegraph company.

Referred to the Committee on Corporations.

Also, a bill entitled An act to enable the board of directors of the Swatara Falls coal company to borrow money, and to mortgage the corporate rights and franchises, mining rights and privileges, estate real and personal of every description, or any part thereof, now held or that may be held by said company.

Referred to the Committee on Corporations.

Also, a bill entitled An act to vacate Fairview street, running west from Twenty-first to Twenty-second street, south of Spring Garden street, one hundred feet, in the city of Philadelphia.

Referred to the Committee on Roads and Bridges.

BILL TAKEN FROM COMMITTEE.

Mr. SHOEMAKER moved that the Committee on the Judiciary General be discharged from the further consideration of bill entitled A further supplement to an act relating to local bounties, approved March 15, 1865.

The motion was agreed to, and the bill was committed to the Judiciary Local Committee.

ORIGINAL RESOLUTIONS.

Mr. CONNELL offered the following resolution, which was twice read:

Resolved, That the report of the Superintendent of Soldiers' Orphans be published in the *Legislative Record*.

The resolution was adopted.

[For said report see Appendix.]

Mr. DONOVAN offered the following resolution, which was twice read:

Resolved, That the Speaker be respectfully requested to appoint two additional members of the Committee on Corporations.

The resolution was not

Agreed to.

Mr. M'CANDLESS offered the following resolution, which was twice read:

WHEREAS, There is reason to believe that foreign insurance companies doing business in this State, now evade the laws imposing license and taxes upon such companies, thereby defrauding the Commonwealth of a large amount of revenue; therefore,

Resolved, That the Committee on Finance be instructed to examine this subject, and the several laws in relation thereto, and the alleged violations and evasions thereof, with a view to prevent the same hereafter, and report by bill or otherwise.

The resolution was adopted.

Mr. SHOEMAKER offer the following resolution, which was twice read:

Resolved, That the Committee on Finance be requested to inquire into the expediency of re-publishing a railroad map to accompany the report on railroads, and report on the same at an early day.

The resolution was adopted.

THE RAILROAD COMMITTEE.

Mr. LOWRY offered the following resolution, which was twice read:

Resolved, That the Speaker of the Senate is hereby respectfully requested to appoint two additional members on the Railroad Committee, whose opinions favor the passage of a general railroad law.

Mr. LOWRY. We respectfully request you to do so. Before the recent election, we nominated our candidates, and the people of Pennsylvania had a pledge from both the candidates that they were in favor of a general railroad law.

Mr. LANDON suggested that the two additional members be named in the resolution.

The SPEAKER. The question is apparently unfair to the Chair. If the Senator desires any two persons to be added, let him make that motion and it will come up before the Senate. The Chair has no doubt at all but that a large majority of the people of Pennsylvania are favorable to a fair general railroad law, so that persons desiring railroad charters will not have to come to the Legislature, and are at the same time fair to corporations now in existence. The Senator from Erie [Mr. LOWRY], no doubt, agrees with me in this. I might appoint a gentleman and he might prove to be unfavorable to it. I would prefer that the Senator name two Senators, and let the resolution in that shape come up. If the Senator does not like the committee, let him propose to put additional names to it, and the question will be one for the Senate. As a mere majority of the body—not two-thirds—can at any time discharge a committee, I confess I cannot see the necessity of the resolution in any shape, especially when to pass it enlarging a committee, would take two-thirds, instead of a mere majority under our rules; one of which directs the number that the committees shall be composed of. I regret exceedingly these reflections indulged in by one Senator against his fellows in the heat of debate. The rule which makes it the duty of the Speaker to "prevent personal reflections" must be enforced, or else wiped out by a resolution of the Senate.

Mr. RIDGWAY. Mr. Speaker, I think it is unnecessary to increase any committee in this Chamber. The Senator from Erie [Mr. LOWRY] had better ask any gentleman on that committee that does not suit him to resign. I do not wish to be on the committee if the Senate does not desire me to be on it.

Mr. LANDON. Mr. Speaker, of course any such a resolution as that places the committee, and any individual member on it, in a rather delicate position. If the Senate wishes to add to that committee, I have no objection at all. The resolution assumes that the Committee on Railroads have defined their position touching a free railroad law. I am not aware of that fact. I can say for myself, that whenever a bill is presented that will allow the free privileges that are desired upon the one hand, and fully protect the vested rights and existing interests upon the other hand, I will vote for such a bill; and until such a bill is presented, I do not pledge myself to vote for anything.

Mr. BIGHAM. Mr. Speaker, the remarks of the chairman of the Railroad Committee are an unanswerable argument in favor of an addition to that committee. He says: "Whenever a bill is prepared." Now, if I understand anything of the business of committees, when a bill has been prepared on any subject, it is the duty of the committee to act upon it; if it is not in the right shape, it is their duty to put it in right shape. It is your duty, Mr. Speaker, to put upon committees of this branch those persons who understand the subject and are fully competent. For one, I cannot agree that we are bound to wait until a bill is prepared and put exactly in shape. No man is wise enough to know what the right shape is; therefore, I think it is an unanswerable argument. It is the duty of that committee to put in shape and report such bills as are before them. In Congress the universal rule in reference to this subject is this: Whenever the Speaker is called upon to appoint a committee on any particular subject, he always puts upon that committee a majority who are favorable to the subject. It is the parliamentary rule. The friends of a measure are entitled to have it in the shape which they believe it ought to come from a committee. The Speaker of Congress formerly so acted, whether he was opposed or in favor of the measure. The underlying principle of all special committees is that a majority favorable to the project should be appointed. The House of Representatives, at Washington, has two or three times revised or changed committees for the very purpose of enabling reports to be made.

Mr. RIDGWAY. Mr. Speaker, I rise to explain in relation to that matter. It is a very different matter here than in Congress. In Congress it takes two-thirds to discharge a committee; in this Senate a bare majority can do so. We, therefore, can discharge a committee at any time.

Mr. BIGHAM. Mr. Speaker, I was not aware that this proposition was to be made at all. The leading subject of legislation, so far as this committee is concerned, is the general railroad law.

The common sense view of the matter is that the friends of that measure are entitled to have it put in such a shape as the people of the State want it. The proposition comes from the inside of the committee. It certainly may have been considered a discourtesy prior to the request of the Speaker to name the two additional members on that

committee. Under the present circumstances it may be another thing. But I think that the people of the State are entitled now, at this period of the session, to have a bill such as the friends of that measure desire, before the Senate.

Mr. COLEMAN. Mr. Speaker, I would suggest to the Senator from Erie that perhaps it would be as well to have another committee added, to which the subject can be referred—to have a committee on this general railroad law, specially to report and prepare a bill. The people have the vested rights in the State to build roads where they please; and the railroad companies have no more vested rights than any manufacturing company has in any manufactured article. This is going to be the whole trouble this session.

Mr. LOWRY. Mr. Speaker, I consulted no one in regard to offering this resolution. I offer it because I believe it my duty to do so. How many years is it since we have been struggling to get a general railroad law in this State? All other States, except New Jersey, have such a law.

Mr. BIGHAM. The Senator from Erie is slandering New Jersey; she has passed a general law.

Mr. LOWRY. I am glad to hear it. The Pennsylvania railroad company stands here, year after year, like an overgrown monster, saying to you and to me and to the people of Pennsylvania, "You shall not build railroads only by my leave." Last year, when we nominated candidates for Governor, we all felt within us that the people demanded this general railroad law. The candidate of the Democratic party pledged himself before God and the country that the people should have it.

Mr. RIDGWAY. And he was defeated by twenty thousand.

Mr. LOWRY. Yes, sir, and General Geary would have been defeated by fifty thousand had he not given the same pledge.

After these pledges given by the Speakers of the Senate and House of Representatives and in the press, one man has the power now to stand up in the committee room and defeat the wishes of the people of Pennsylvania in these great and overshadowing interests.

Now, I believe my resolution to be a proper one, and that the additional member placed upon that committee will give the people all they demand. I think that ninety-five per centum of the people of Pennsylvania are in favor of this law, and how dare the members of this Legislature return to their constituents without it; how dare this Legislature, after they reported this morning against the Connellsville railroad, and with the evidence that we have here that the people of Pittsburg and the west are to be defrauded out of their rights—how dare they go to Pittsburg to-day or to morrow? I cannot go with them, sir. The very women should beat them back with stones in their stockings if they refuse to give them the just legislation they ask for. I want all men to understand our position.

I have no hesitation to name two members for that committee if the Speaker insists upon it. Were I going to name the gentlemen, I would name the gentlemen from Lebanon [Mr. COLEMAN] and the gentleman from Clearfield [Mr. WALLACE].

The SPEAKER. The remarks of the Senator from Allegheny [Mr. BIGHAM], the Senator from Erie [Mr. LOWRY] and the Senator from Lebanon [Mr. COLEMAN], are out of order, as they themselves can see. A simple resolution is introduced that two members be added to the Railroad Committee; to that, one Senator argues in favor of vested rights; another argues that the control and appointment of special committees should be given to the majority favoring a measure, where the mover is one of that majority. To that I assent, but where is this rule in point as to the subject before the Senate? How can the Speaker of the Senate, in appointing standing committees, know what bills are going to be introduced; and how can he tell whether the majority of the Legislature is favorable or against such bills? It is not right either that he should know. In framing the Committee on Railroads, he would here say, that he endeavored to select those who represent the varied interests of the State. I am not at all aware that a majority of that committee are opposed to a general railroad law. If the Senator from Erie [Mr. LOWRY] should introduce a resolution now, asking the chair to re-frame the Committee on Railroads, the Chair would appoint the same men on that committee, because I have entire confidence in their judgment and integrity. If the Senator desires to enlarge the committee, he must enlarge it in such a way as not to put me in an unfair position. If he desires to enlarge it by adding the experienced Senators from Lebanon and Clearfield [Messrs. COLEMAN and WALLACE], let their names be inserted in the resolution. I am sure the Speaker will not object.

The resolution is not debatable on the merits of the general railroad law, or the Connellsville law. Neither of those bills are now before the Senate. When they are, the views of all will be heard, and I trust the Senate will so act as to satisfy the people they endeavored to do what they thought right. In the meantime Senators must confine themselves to the subject of the resolution.

Mr. DAVIS. Mr. Speaker, I have a word to say. I am for a free railroad law, now, and all the time. I will vote for it this morning, or whenever it comes up to be voted for. I believe that this body can pass a free railroad law, when we have a majority; and whenever we do have a majority, we can control any committee. Under the rules that are now in existence, I cannot, Mr. Speaker, see the importance of adding any more names to the Committee on Railroads. I do not believe, sir, that we are in the hands of any committee. I do not believe that any committee of this body controls this Senate or the State of Pennsylvania. We can discharge any committee from the further consideration of any measure, and take that measure up, and pass it, if we have a majority of Senators in favor of it. I will vote this morning to discharge the Committee on Railroads from the further consideration of the measure introduced by the Senator from Erie, and I will vote to take up that very railroad law, and, if put to a vote, I will vote for it. But I will vote against a bureau. I will vote for a free railroad law, pure and simple. And I do not, Mr. Speaker, think there is any necessity for changing the Committee on Railroads, or any other committee. I think the appointments were fair and generous, and, in behalf of the minority, I think I may say that we think ourselves under an obligation to the Speaker for the manner in which these committees were appointed; and I do not think there is any occasion, in regard to this measure, or any other, to call for any change in the organization of committees in this body.

Now, my friend, the Senator from Erie, took occasion to make remarks upon the position taken, during the late canvass, by the two candidates for Governor, in regard to the question of a free railroad law. We, sir, can point with satisfaction and with pride, to the answer made by our candidate to the queries proposed to him in regard to that matter. They were clear and distinct. There could be no misunderstanding them; and if my friend, the Senator from Erie, thinks and believes that his candidate for Governor, who was the successful candidate, was as clear and firm in the sentiments that might be supposed to have been enunciated in the letter that he wrote, I would suggest that, instead of adding two members to the Railroad Committee, that General Geary be requested to send a special message to the Legislature recommending and advising the passage of a free railroad law, and that proposition would have a much greater effect than that of adding two, or twenty-two, members to the Railroad Committee. I hope, sir, that this suggestion, which I have thrown out hastily and without much consideration, may be taken up and acted upon. I would like very much to see a message from Governor Geary on this question. It is a question that interests the people of the State. I agree with my friend from Erie [Mr. LOWRY], that seventy-five out of a hundred voters in Pennsylvania are in favor of a general railroad law; and I would like to see the Governor respond to their wishes, by sending in a special message recommending them to pass a free railroad law; and I hope the Senator from Erie will use his influence with the Governor to this effect. I do not see any use in changing the committee, and I hope the change will not be made.

Mr. LANDON. Mr. Speaker, the resolution, if passed, implies dereliction on the part of the existing committee. That is understood. Its passage will be a presumption of unfaithfulness. Now, sir, let me give you the facts. Early in the session, the Senator from Erie [Mr. LOWRY] introduced a bill touching the subject of a free railroad law; that bill was referred to the Committee on Railroads. A little time after the Senator from Allegheny [Mr. BIGHAM] introduced a resolution instructing that committee to report that bill or some one of their own formation touching this subject; the chairman of the Railroad Committee went to the Senator from Pittsburg [Mr. BIGHAM] and said: Sir, the bill is defective; have you the time, the disposition and the capacity to prepare a bill that covers the general ideas as well as minutiæ of this subject? If you can and will, you shall be our *Magnus Apollo*. The Senator from Allegheny said he would; that he had assistance pledged him from distant portions of the State to frame a bill.—He prepared a bill in compliance with this promise. About two days ago, sir, the bill of the Senator from Allegheny [Mr. BIGHAM] came into the hands of the Railroad Committee, and before eight and forty hours passed over, at a meeting of the committee last night, that bill was brought out and read. One member of the committee, desiring to make some amendments to the bill before it should be reported, it was held over for further consideration and time to make the desired alterations. As speedily as possible will the bill be considered and reported. Such being the facts, we are willing to leave the question of unfaithfulness on the part of the committee to the good sense of the Senate.

Mr. BIGHAM. Mr. Speaker, I will endeavor to be brief. The proposition to add two members comes from the committee itself. I do not think the committee has any right to infer that it is any reflection upon them. That is one of the difficulties that is thrust forward always. For my part, ever since I have been a member of this Legislature, I have always recognized that, if there was a subject of public interest to the Commonwealth, and a bill was prepared and put into the hands of a committee, the first and principal duty was to elaborate and improve

it, and put it in proper shape; and, Mr. Speaker, in my judgment, the principal business of this Railroad Committee was, when the bill of the Senator from Erie [Mr. LOWRY] went into their hands—and they knowing that it had been publicly discussed—in my judgment, they ought to have had a dozen of meetings already for the purpose of maturing a bill. I have no doubt they wished to discharge their duty according to their understanding of it. I do not want to reflect on the committee, but my constituents are keenly alive to every movement on this subject here; and no subject is more closely watched. Since the matter has been brought up, in this way, I hope the committee will be enlarged. The names of two gentlemen of experience have been suggested, and I hope that the Senate will feel no delicacy in adding these gentlemen; and I think we will get bills of this character reported.

Mr. WALLACE. Mr. Speaker, whilst my position upon this question has always been understood, I must, in justice to myself, ask to be excused from serving on this committee; for the duties now imposed upon me, as a member of the General Judiciary Committee, make it impossible for me to spare the necessary time to attend to those of the Railroad Committee, if enlarged. It appears to me that a bill should be prepared by some gentleman outside, and then brought in here to us. I do not desire to be forced upon a committee against the will of the Speaker, or the other members of the committee. But the principal reason is that my time will be occupied on the General Judiciary during the spare moments of the session.

Mr. FISHER. Mr. Speaker, I have a single word to say. I cannot for the life of me see the necessity of passing this resolution. The Senate have it in their power at any time to discharge the Committee on Railroads. The chairman states that they have not had time to mature this bill.

Mr. LOWRY. This matter was suggested to them at the commencement of the session.

Mr. FISHER. That may be so. I will not dispute the Senator from Erie; and, if it is so, the remedy is here, without going into a committee room. The committee can be discharged by a majority. I believe that it has been conceded that the Speaker of this Senate has a right to arrange its committees as he sees proper. Now, this is a proposition to place two persons known to be in favor of certain measures upon the Railroad Committee. I suppose these gentlemen are perfectly sound on this question, or their names would not be suggested. Now, it is not for me to say where I stand on the general railroad law; when it comes before the Senate, I shall be prepared to meet it. But this looks to me like a reflection on this committee, which, the chairman says, has not had an opportunity to examine the matter. If the Senate desire to have that bill brought before them, a motion to discharge the committee will do so. I do not believe in forcing upon the committee two additional members, against the wishes of the chairman and a majority of the committee.

Mr. GRAHAM moved to amend the resolution, by striking out all after the word "resolved," and inserting in lieu thereof the following:

"That the Railroad Committee be requested to report a general railroad bill by Wednesday next, and that said bill be made the special order of the day until disposed of."

Mr. DONOVAN moved to postpone the further consideration of the resolution for the present.

On the question,

Will the Senate agree to the motion of Mr. DONOVAN?

The yeas and nays were required by Mr. DONOVAN and Mr. LOWRY, and were as follow, viz:

YEAS—Messrs. Burnett, Connell, Cowles, Donovan, Fisher, James, Landon, M'Candless, M'Conaughy Randall, Ridgway, Schall, Shoemaker, Walls and Worthington—15.

NAYS—Messrs. Bigham, Billingfelt, Browne (Lawrence), Brown (Mercer), Coleman, Davis, Graham, Haines, Jackson, Lowry, Searight, Stutzman, Taylor, Wallace, White and Hall, *Speaker*—16.

So the question was determined in the negative.

During the call,

Mr. LANDON said: Mr. Speaker, I merely wish to say that I consider this committee, and every other committee, in the hands of the Senate; I consider it the right of the Senate to discharge a committee. Whenever they wish to instruct this committee to report, we shall be bound by that instruction; but under existing circumstances, on account of the private calendar, I shall vote for postponing the subject for the present. I vote "aye."

The question recurring,

Will the Senate agree to the amendment of Mr. GRAHAM?

The yeas and nays were required by Mr. LOWRY and Mr. M'CANDLESS, and were as follow, viz:

YEAS—Messrs. Bigham, Billingfelt, Browne (Lawrence) Brown (Mercer), Coleman, Cowles, Davis, Graham, Haines, Jackson, James, Lowry, M'Conaughy, Searight, Shoemaker, Stutzman, Taylor, Wallace, Walls, White, Worthington and Hall, *Speaker*—22.

NAYS—Messrs. Burnett, Connell, Donovan, Fisher, Landon, M'Candless, Randall, Ridgway and Schall—9.

So the question was determined in the affirmative.

Mr. LANDON, having asked and obtained leave to give his reasons for voting as he did, said:

Mr. Speaker, you will observe that I voted "no." I wish to state my reasons for doing so. When a bill is put into our hands, it is our duty to investigate that bill, to remedy its imperfections, if it has any, and to report a bill well digested. That is the duty of the committee, sir. We adjourn to-night until next Tuesday, and on Wednesday next we are required by this resolution to report this bill, and of course, from this day out, we cannot give it one hour's attention. The Railroad Committee cannot be brought together.

Mr. COLEMAN. It strikes me, as the committee will be entirely free from legislative duties for nearly a week, that this will give them a beautiful opportunity to examine the bill.

Mr. BIGHAM. Mr. Speaker, I beg leave to say that on Friday of last week that bill was printed and sent to a number of railroad men in the State, and put personally into the hands of the chairman of the Railroad Committee.

Mr. LANDON. That involves a question of veracity on my part. The Clerk will bear me witness that the official bill did not come into our hands until this week.

Mr. LOWRY having asked and obtained leave to explain his vote on the amendment of Mr. GRAHAM, said: For years, Mr. Speaker, the people of Pennsylvania have been struggling for a railroad law; for years this identical bill, almost—the bill allowing railroads to be built in this Commonwealth—has been held year after year in the Railroad Committee and has been smothered there and destroyed; and, believing that it is the intention to follow up that practice, I voted "yes," in order to take it out of the hands of that committee.

The SPEAKER. There is as much difference between this bill and the one introduced last year as there is between black and white, as the Senator from Erie will discover by examining them.

Mr. LOWRY. I have examined the two bills, and undertake to say that the Speaker has not.

The SPEAKER. I have, sir.

Mr. LOWRY. The bill reported last year is not essentially different from the present one.

The SPEAKER. When Senators impugn the motives of gentlemen, the Chair will call them to order.

Mr. LOWRY. I have not impugned the motives of Senators. The Speaker is tender upon that point, and always was.

The SPEAKER. Not at all. The Chair will call the gentleman to order, and enforce order in all such cases. The rules of decorum shall be enforced in regard to the Senator from Erie, as well as all others. The Chair will call any Senator to order, whoever it is, old or young, high or low, big or little, who in any manner impugns the motives of Senators on this floor, and in so doing relies upon being sustained by any fair-minded member of this body. There is a rule of the Senate against such a course. If the Senate do not wish it enforced let them repeal it.

Mr. SEARIGHT. Mr. Speaker, I ask leave to give my reasons for my vote. In the first place, I may have been led into error with regard to my vote, on account of a remark made by the Speaker himself, and if so, I will probably have to regret the vote I have given. That remark was this, I understood the Speaker to say that there was as much difference between the bill introduced heretofore by the Senator from Erie and the one now introduced by the Senator from Allegheny, as there is between black and white, and I understand, by the vote taken in this Senate yesterday, that, according to the opinion of the majority, there is no difference between black and white.

AN AFTERNOON SESSION.

Mr. BIGHAM moved that when the Senate adjourns, it will adjourn to meet at 3 o'clock, P. M., this day.

The motion was

Agreed to.

BILL ON THIRD READING.

Agreeably to order,

The Senate proceeded to the third reading and consideration of bill entitled An act to incorporate the Lehigh and Norristown railroad company.

Mr. SHOEMAKER moved that the further consideration of the subject be postponed for the present.

The motion was

Agreed to.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

The Clerk of the House of Representatives being introduced, presented for concurrence bills numbered and entitled as follows:

No. 76, an act to change the venue in the case of the Commonwealth of Pennsylvania vs. Jesse R. M'Carty, Joshua R. M'Carty and Charles Morton from the court of quarter sessions of the peace of Sullivan county to the court of quarter sessions of the peace of Bradford county.

Referred to the Committee on the Judiciary Local.

No. 180, an act to incorporate the Equitable gold and silver mining company.

Referred to the Committee on Corporations.

No. 216, an act relating to the estate of Jacob Coon, deceased.

Referred to the Committee on Estates and Escheats.

No. 220, a supplement to an act to incorporate the Mechanicsburg hall and market company, approved the 24th day of March, A. D. 1865.

Referred to the Committee on Corporations.

No. 221, an act to incorporate the Pennsylvania library association of the city of Philadelphia.

Ruled out of order, and

Laid on the table.

EXCLUSION OF COLORED PERSONS FROM RAILWAY CARS.

Agreeably to order,

The Senate proceeded to the third reading and consideration of bill entitled An act to punish by fine and imprisonment any railroad corporation within this Commonwealth that shall exclude, or allow to be excluded by their agents, conductors, or employees, from any of their passenger cars any person on account of race or color.

The bill was read.

Mr. BROWN (Mercer). Mr. Speaker, I simply rise to call attention to the language of this bill: "An act to punish by fine or imprisonment any railroad corporation." It seems to me it would be a difficult thing to imprison a corporation.

Mr. COWLES asked and obtained the unanimous consent of the Senate to amend the title by making it read as follows:

An act making it an offense for railroad corporations within this Commonwealth to make any distinction with their passengers on account of race or color, and punishing such corporations and their agents and employees for the commission of such offense.

And the question recurring, Shall the bill pass?

The yeas and nays were required by Mr. WALLACE and Mr. LOWRY, and were as follow, viz:

YEAS—Messrs. Bigham, Billingfelt, Browne (Lawrence), Brown (Mercer), Coleman, Connell, Cowles, Fisher, Graham, Landon, Lowry, M'Conaughy, Ridgway, Shoemaker, Stutzman, Taylor, Worthington and Hall, *Speaker*—18.

NAYS—Messrs. Burnett, Davis, Donovan, Glatz, Haines, Jackson, James, M'Candless, Randall, Schall, Searight, Wallace and Walls—13.

So the question was determined in the affirmative.

PERSONAL EXPLANATION

Mr. LOWRY. Mr. Speaker, I ask leave to make a personal explanation. The Speaker of this body, this morning, saw proper to call me to order, saying that I had impugned the motives of Senators. I was unconscious, at the time, of having done so, and on going round among the Senators, I cannot discover that any Senator thought I had attempted to impugn his motives. That is all I have to say. I intended nothing of that kind, and did nothing of that kind, and was called to order unjustly.

The SPEAKER. The Chair understood the Senator to impugn the motives of Senators.

Mr. LOWRY. I impugned the motives of no Senator.

Mr. RANDALL said he thought the Senator from Erie had impugned the motives of the members of the Railroad Committee.

The SPEAKER. The Senator impugned the motives of every member of the Railroad Committee. The Speaker understood the Senator to do just what ended in a number of unpleasant things last year. The Speaker does not say whether the Senator did anything wrong last year, but I am here to preserve order, to enforce the rule, and to treat all Senators alike fairly. There is not one sympathy of my heart in favor of treating the Senator unfairly, and I trust he has too much good sense to think otherwise. If the Senator did not impugn the motives of Senators the Speaker was unfortunate in hearing.

Mr. M'CONAUGHY. Mr. Speaker, if the Senator from Erie did not use language offensive to the Senators, he was exceedingly unfortunate in the use of language. The experience of last year is exceedingly unpleasant, and I hope it will be understood that the line of policy of the Speaker is not to be assailed by reckless and wholesale denunciations.

Mr. LOWRY. The events of last winter referred to by the Senator, arose from truthful words spoken in the Executive Chamber, and when called to account for them I repeated them here.

The SPEAKER. I did not refer to that. I desire to administer impartially the rules of this body. I voted with the Senator this morning on his motion, as amended by the Senator from Allegheny [Mr. GRAHAM], and in calling any Senator to order, a thing which is never pleasant, I trust I will never transgress the rules myself.

Mr. WALLACE. Mr. Speaker, the Senators have learned that the words of the Senator from Erie did not embody the thoughts of his heart. They were uttered in the heat of argument, and unfortunately did not convey the meaning intended. The error, therefore, may be considered as one of the head, and not of the heart.

The SPEAKER. It is impossible for me to say whether or not a man means what he says. We are bound to take it for granted men do mean what they say, and that this is a fair conclusion, in and out of a Senate Chamber.

Mr. LOWRY. I mean what I say, and I say what I mean.

PRIVATE CALENDAR.

Agreeably to order,

The Senate proceeded to the second reading of bills on the private calendar, numbered and entitled as follows; and said bills were disposed of as stated:

No. 23, an act to incorporate the Academy of Notre Dame, in the city of Philadelphia.

Ruled out by the SPEAKER.

House bill No. 9, an act to exempt the property of the Beaver cemetery association from taxation.

Passed finally.

House bill No. 12, an act to extend the provisions of the first section of the act approved the 11th of April, 1866, relative to the regulating the fees of district attorney in Bradford county, to the county of Centre.

Laid over.

No. 34, an act to authorize the constructing of a sewer from Tremont street, in the city of Allegheny, along Island lane and Washington street, in the borough of Manchester, to the Ohio river.

Objected off.

No. 42, a supplement to an act entitled An act to incorporate the Wilkesbarre and Pittston railroad company, approved April 15, 1859.

Passed finally.

No. 62, an act to change the number and manner of electing councilmen in the borough of Bellevernon, Fayette county.

Passed finally.

No. 68, an act to incorporate the Scranton Savings bank.

Passed finally.

No. 91, an act to change the name of Virginia Watkinson to Virginia Ottinger, and to give her all the rights of a daughter of Douglas and Emily Ottinger.

Ruled out.

No. 103, supplement to an act incorporating the Glenwood coal company, approved January 11, 1867, extending the privileges of an act regulating railroad companies to said coal company.

Passed finally.

No. 104, a further supplement to an act entitled An act to incorporate the Potter County lumber, coal and petroleum company, approved March 24, 1865, changing the name thereof, authorizing them to hold lands in Northumberland county, and to purchase other franchises, timber and timber lands.

Objected off.

House bill No. 39, an act authorizing the commissioners of Erie county to exonerate William F. Brockway, collector of the township of Springfield, in said county, from the payment of certain tax.

Passed finally.

No. 113, a supplement to an act, entitled An act to promote the more certain and equal assessment of taxes in Philadelphia, approved March 14, 1865.

Amended by Mr. CONNELL, and

Passed finally.

No. 115, an act for the more impartial selection of persons to serve as jurors in York county.

Objected off.

No. 116, an act to extend an act, approved the 27th day of March, 1865, entitled An act for the better and more impartial selection of persons to serve as jurors in the several courts of Somerset, Bedford, Fulton, Westmoreland, Perry and Juniata counties, to Fayette county.

Objected off.

No. 117, an act relative to the appointment of the collectors of taxes in Montgomery county.

Passed finally.

No. 119, an act relative to a burial vault and ground in Hempfield township, in the county of Mercer.

Laid over.

No. 120, an act regarding desertion in Lawrence county.

Amended by making it apply to Luzerne county.

Passed finally.

No. 137, supplement to an act to incorporate the city of Scranton, extending and defining the powers of said city.

Passed finally.

House bill No. 38, a supplement to an act, passed the 13th day of April, A. D. 1859, relating to billiard saloons, et cetera, in the counties of Chester and Delaware, extending the same to the county of Bradford.

Passed finally.

House bill No. 37, a supplement to an act passed the 16th day of February, A. D. 1865, to increase the pay of county commissioners, county auditors, poor directors, jurors and witnesses in the county of Mercer.

Passed finally.

House bill No. 53, an act extending to the city of Pittsburg the provisions of a further supplement to an act to incorporate the city of Philadelphia, relating to fire alarm and police telegraph, approved February 28, 1865.

Passed finally.

House bill No. 32, an act requiring the bounty commissioners of Forks township, Northampton county, to render an account to the auditors of said township, and providing for auditing the same.

Passed finally.

No. 143, an act to divide the Twenty-first ward into two wards, and to create Twenty-eighth ward in the city of Philadelphia.

Passed finally.

No. 144, an act to prohibit others than regularly licensed druggists and graduated physicians from vending and practicing medicine in Mercer county.

Laid over.

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FOR THE SESSION OF 1867.

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[CONTINUED FROM PAGE 232.]

House bill No. 33, an act authorizing the school directors of the borough of Oil City, in Venango county, to borrow money.

Passed finally.

House bill No. 36, supplement to an act fixing the terms of the courts of common pleas, oyer and terminer and general jail delivery, quarter sessions of the peace, and orphans' court in the county of Allegheny, and regulating proceedings therein, approved March 22, 1866.

Title amended, and

Passed finally.

House bill No. 34, an act to repeal a part of an act, approved March 2, A. D. 1866, in reference to fees of officers and jurymen in Warren county.

Passed finally.

House bill No. 42, an act relating to the prison in the county of Delaware.

Title amended, and

Passed finally.

BILLS PASSED.

On motion of Mr. BROWN (Mercer), the rules were dispensed with, and the Senate proceeded to the consideration of a bill entitled An act authorizing the school directors of the borough of Oil City, in Venango county, to borrow money.

The bill was read a second and third time, and

Passed finally.

On motion of Mr. CONNELL, the rules were dispensed with, and the Senate proceeded to the consideration of a bill entitled A supplement to the act to incorporate the Eagle mining company, passed the 18th day of March, A. D. 1865, authorizing said company to borrow money and to increase the number of directors.

The bill was read a second and third time, and

Passed finally.

The hour of one o'clock having arrived, The SPEAKER adjourned the Senate until this afternoon at three o'clock.

AFTERNOON SESSION.

The Senate reassembled at three o'clock P. M.

PRIVATE CALENDAR—CONTINUED.

The Senate resumed the consideration of bills on the private calendar and disposed of them as follows:

House bill No. 44, an act to regulate the fees of the county treasurer of Northumberland county.

Laid over.

House bill No. 48, an act repealing the provisions of an act relating to the fees of district attorneys in certain counties of this Commonwealth, so far as they relate to the county of Bradford.

Passed finally.

House bill No. 51, a supplement to an act to change the mode of criminal proceedings in Erie and Union counties, extending the same to the county of Bradford.

Passed finally.

House bill No. 54, an act in relation to the weighing of hay, coal and lime in the borough of Washington.

Passed finally.

No. 155, supplement to an act to incorporate the Pottstown iron company, approved March 27, A. D. 1866, authorizing them to increase their capital stock and the number of directors.

Passed finally.

No. 156, a supplement to an act to incorporate the Corn Exchange association of Philadelphia, authorizing said association to make certain by-laws and regulating the assessment and payment of dues, fines, &c.

Passed finally.

No. 157, a further supplement to an act authorizing the Governor to incorporate the Tioga navigation company, repealing the third section of an act relative thereto, approved February 7, 1828.

Title amended, and

Passed finally.

No. 158, an act to extend an act authorizing the Secretary of the Commonwealth to distribute copies of the standard of weights and measures, and for the appointment of sealers, approved April, A. D. 1845, to the county of Montgomery.

Passed finally.

No. 159, a further supplement to an act entitled An act granting a pension to Jacob Hurst, approved March 27, 1866.

Mr. FISHER. Mr. Speaker, I should like to hear from the gentleman having this bill in charge something in regard to this bill.

Mr. DAVIS. Mr. Speaker, this man was out with the emergency men, and was injured on the railroad near Harrisburg by a railroad accident. He there lost his right arm, and is utterly unable to earn a livelihood. It is a very deserving case.

Mr. FISHER said he thought that the Legislature of last year or year before, appropriated a sum of money to pay those persons who were injured by that accident. It was a question with him, too, whether the railroad is not liable for damages.

Mr. WHITE thought the bill had better be postponed for the present.

The bill was then postponed for the present.

House bill No. 45, an act defining the duties of the inspectors of the Philadelphia county prison.

Passed finally.

House bill No. 85, a supplement to the act authorizing appeals from interlocutory orders or decrees granting special injunctions, approved the 14th day of February, A. D. 1866, extending the provisions of said act to special injunctions granted by the courts of *nisi prius*, at Philadelphia.

Passed finally.

House bill No. 92, an act to incorporate the Bachelors' Barge Club of the city of Philadelphia.

Passed finally.

No. 174, an act relating to the New Castle gas light company.

Passed finally.

House bill No. 57, a further supplement to an act to incorporate the city of Philadelphia, approved February 2, 1854.

Objected off.

House bill No. 88, an act to incorporate the Mechanics' and Miners' Co-operative association of Scranton.

Laid over.

No. 178, an act to incorporate the Local express company of Wilkesbarre.

Passed finally.

No. 179, an act to incorporate the University of St. Augustine.

Passed finally.

No. 180, an act to incorporate the Co-operative association of Hyde Park, number one, in the city of Scranton, for mercantile purposes.

Passed finally.

No. 181, an act to incorporate the Providence gas and water company, in Luzerne county,

Passed finally.

House bill No. 90 a supplement to an act to incorporate the Cooper Fire-arms manufacturing company, approved April 13, 1863, and the supplement to the same.

Passed finally.

House bill No. 58, an act to change and amend the charter of the borough of Emporium, in the county of Cameron.

Passed finally.

No. 184, an act to change the name of the Carson gold mining company of North Carolina, and the par value of the stock of said company.

Laid over.

No. 185, a further supplement to an act to incorporate the city of Philadelphia, approved February 2d, 1854, relative to vacancies in elective offices.

Laid over.

No. 186, an act to regulate the rates of fare on certain passenger railroads in the county of Allegheny.

Laid over.

No. 190, a further supplement to the act incorporating the Township Line road company, fixing the terminus and regulating tolls on said road.

Passed finally.

No. 191, a supplement to an act approved the 16th day of April, A. D. 1866, appointing commissioners to lay out and open a State road in M'Kean county, from the borough of Smethport to Lafayette corners.

Passed finally.

No. 192, an act authorizing the laying out a State road in Luzerne county.

Not agreed to.

House bill No. 78, an act to repeal an act

providing for compensation of damages to public roads in Bethlehem and Palmer townships, Northampton county, by the construction of the Lehigh and Delaware Water Gap railroad, approved April 11, A. D. 1866.

Passed finally.

No. 195, an act relative to the Lancaster and Litiz turnpike road company, in Lancaster county.

Passed finally.

No. 196, an act regulating roads and bridges in Wayne county.

Laid over.

No. 197, a further supplement to the act to charter the Harrisburg bridge company, enabling the company to raise money to rebuild the bridge.

Passed finally.

No. 198, an act to incorporate the Sullivan and Pocono Summit plank road or turnpike company.

Passed finally.

No. 199, a further supplement to an act, entitled an act to incorporate the Kensington and Oxford turnpike road company, approved the 17th day of March, 1842.

Passed finally.

No. 200, a further supplement to an act to create a loan and provide for arming the State, approved May 13, A. D. 1861, repealing so much of said act as authorizes the appointment of assistant state agents in the southwest.

Laid over on third reading.

No. 206, an act to allow certain persons holding the office of postmaster under the United States, to exercise the office of justice of the peace.

Objected off.

No. 207, a supplement to the act of 15th March, 1832, entitled an act relating to registers and registers' courts.

Passed finally.

No. 208, an act relating to the courts of oyer and terminer, general jail delivery and quarter sessions of the peace for the city and county of Philadelphia.

Passed finally.

House bill No. 61, an act limiting the burgess and town council of the borough of Oil City, Venango county, in the levying and collection of taxes.

Laid over.

House bill No. 82, a supplement to an act relating to the lien of mechanics and others upon buildings, extending it to York and Dauphin counties.

Amended by striking out Dauphin county.

Passed finally.

House bill No. 83, an act to repeal the fourth section of an act relating to fees of certain officers in Erie county.

Passed finally.

House bill No. 113, an act to legalize certain assessments taken in the county of Cameron.

Passed finally.

House bill No. 62, an act to authorize the borough of Troy to increase their taxation for borough purposes.

Passed finally.

House bill No. 79, an act fixing the rate of compensation of the sheriffs of Northampton, Fayette and Carbon counties for boarding prisoners.

Passed finally.

House bill No. 59, an act authorizing the assessment of railroad taxes in the borough of Kittanning, Armstrong county.

Passed finally.

House bill No. 81, an act relating to auctioneers in the city and county of Erie.

Passed finally.

House bill No. 46, an act in relation to the fees of certain county officers and district attorney in the county of Washington.

Passed finally.

House bill No. 110, an act relating to the sale of lands for taxes in Potter, Warren and Bradford counties.

Amended by making it apply to Sullivan county.

Passed finally.

House bill No. 119, an act supplementary to a supplement to an act relating to the collection of State and county taxes in the county of Bucks, approved March 31, 1864.

Passed finally.

House bill No. 112, an act to authorize the election of an officer, to be called constable and collector, in the several townships in the county of Cameron, and regulate his duties.

Laid over.

No. 224, a supplement to an act authorizing the borough council of the borough of Bethlehem, Pa., to purchase the water works, real estate and improvements of the Bethlehem water company; also to make all such necessary improvements and extensions required, to borrow money, and appoint water commissioners to carry out said object, approved March 30, 1866.

Passed finally.

No. 226, a supplement to an act to authorize the raising of money and payment of bounties to volunteers in the borough of Scranton, in the county of Luzerne, approved April 1, 1864, to facilitate the collection of taxes levied for the liquidation of the bounty debt.

Passed finally.

No. 225, an act to legalize a tax laid by the acting supervisors of Kingston township, Luzerne county, in 1864, for bounty purposes.

Passed finally.

House bill No. 109, an act to extend the jurisdiction of the orphans' court of York and Fayette counties.

Passed finally.

House bill No. 66, an act to enable the school directors of the borough of East Birmingham, Allegheny county, to borrow money for the erection of school houses.

Passed finally.

House bill No. 117, an act regulating the fees of the commissioners of the county of Snyder.

Passed finally.

House bill No. 118, an act to extend the provisions of an act relating to costs in Luzerne county, approved April 2, A. D. 1863, to the county of Dauphin, with a proviso.

Laid over.

House bill No. 63, an act to incorporate the borough of South Erie.

Passed finally.

No. 233, an act to incorporate the Northern railroad and navigation company.

Amended, and

Passed finally.

House bill No. 134, an act to extend the time for the payment of the enrollment tax on an act to incorporate the Meadville City passenger railroad company, approved April 11, 1866.

Amended, and

Passed finally.

House bill No. 126, a supplement to an act to annex the farm of William Steele, of Salem township, to Hempfield township, in Westmoreland county, for school purposes, approved April 11, 1866.

Passed finally.

House bill No. 128, an act to authorize the school directors of Swatara school district, Dauphin county, to raise an additional building tax.

Laid over.

House bill No. 123, an act authorizing the board of school directors of Harford township, Susquehanna county, to levy and collect a special tax to build and repair school houses in said township.

Passed finally.

House bill No. 125, an act to annex certain lands in Pine Creek township, Jefferson county, owned and occupied by Sarah G. Evans, to the borough of Brookville, for school purposes.

Passed finally.

House bill No. 132, an act to authorize the school directors of Saegertown, Crawford county, to borrow money and for other purposes.

Passed finally.

House bill No. 127, an act to authorize the school directors of the city of Williamsport, in the county of Lycoming, to borrow money.

Passed finally.

No. 242, an act to authorize the school directors of Minersville borough, in the county of Schuylkill, to borrow money.

Passed finally.

House bill No. 68, an act authorizing the trustees of the Brookville academy to sell the same to the Brookville school district.

Passed finally.

House bill No. 67, an act to annex David S. Walker, Francis Cunningham and Wesley Smith, of Jefferson township, Washington county, to Cross Creek township, in the same county, for school purposes.

Passed finally.

No. 246, an act to incorporate the Marine hospital of Pennsylvania, in the county of Erie, to fix location of hospital in Erie city, and to grant real estate to said hospital.

Passed finally.

No. 248, an act to extend the time for the payment of the enrollment tax on an act entitled A supplement to the act incorporating the Littlestown railroad company, approved February 17, 1854, and April 9, 1864.

Passed finally.

House bill No. 89, an act to incorporate the Oxford hall association.

Passed finally.

House bill No. 139, an act to incorporate the Masonic hall association of the borough of Brookville, in the county of Jefferson.

Passed finally.

BILLS IN PLACE.

On leave,

Mr. CONNELL read in his place and presented to the Chair a bill entitled An act to repeal an act entitled A further supplement to the act incorporating the Pennsylvania railroad company, authorizing an increase of capital stock and to borrow money, approved the 21st day of March, 1866, to authorize the Pennsylvania railroad company to increase its capital stock, to issue bonds and secure the same by mortgage.

Referred to the Committee on Railroads.

Mr. WALLACE, a bill entitled A supplement to an act to incorporate the Trout River navigation company, authorizing a change in the time and place and organization thereof.

Referred to the Committee on Canals and Inland Navigation.

Mr. FISHER, a bill entitled A further supplement to an act for the better preservation of the records contained in the public offices of the several counties of this Commonwealth, approved the 29th day of March, A. D. 1827, so far as relates to the county of Lancaster.

Referred to the Committee on the Judiciary Local.

BILLS PASSED.

On motion of Mr. BIGHAM, the Committee on Judiciary Local was discharged from the further consideration of a bill entitled An act creating the office and defining the duties of assistant district attorney for the county of Allegheny.

The rules having been dispensed with, the bill was read a second and third time, and

Passed finally.

On motion of Mr. TAYLOR, the rules were dispensed with, and the Senate proceeded to the consideration of a bill entitled A supplement to an act to empower the commissioners of Washington county to compromise with the holders of the county bonds, and for the more prompt and economical collection of taxes in said county.

The bill was read a second and third time, and

Passed finally.

On motion of Mr. CONNELL, the Committee on Railroads was discharged from the further consideration of a bill entitled An act to repeal an act entitled A further supplement to the act incorporating the Pennsylvania railroad company, authorizing an increase of capital stock, and to borrow money, approved the 21st of March, 1866, to authorize the Pennsylvania railroad company to increase its capital stock, to issue bonds, and to secure the same by mortgage.

The rules having been dispensed with, the bill was read a second and third time, and

Passed finally.

On motion of Mr. RIDGWAY, the rules were dispensed with, and the Senate proceeded to the consideration of a bill entitled A further supplement to an act entitled An act to incorporate the Howard fire and marine insurance company, approved the 26th day of April, A. D. 1855, reducing the number of directors, and authorizing an increase of the capital stock.

The bill was read a second and third time, and

Passed finally.

On motion of Mr. BIGHAM, the rules were dispensed with, and the Senate proceeded to the consideration of a bill entitled A further supplement to an act to incorporate the Pittsburg, Allegheny and Manchester passenger railway company, authorizing said company to change certain parts of its route, to subscribe for stock in a new bridge, and to have viewers appointed to fix compensation for crossing bridges.

The bill was read a second and third time, and

Passed finally.

On motion of Mr. WALLACE, the rules were dispensed with, and the Senate proceeded to the consideration of a bill entitled A supplement to an act to consolidate the Shawmut and Ridgway railroad company, the Pennsylvania Cannel coal company, and the Shawmut Cannel coal company, approved March 16, A. D. 1865.

The bill was read a second and third time, and

Passed finally.

On motion of Mr. WALLACE, the Committee on Canals and Inland Navigation was discharged from the further consideration of a bill entitled A supplement to an act to incorporate the Trout Run navigation company, authorizing change of time and place of organization thereof.

The bill was read a second and third time, and

Passed finally.

On motion of Mr. FISHER, the Committee on the Judiciary Local was discharged from the further consideration of a bill entitled A further supplement to an act for the better preservation of the records contained in the public offices of the several counties of this Commonwealth, approved the 29th March, A. D. 1827, so far as relates to the county of Lancaster.

The bill was read a second and third time, and

Passed finally.

On motion of Mr. TAYLOR, the rules were dispensed with, and the Senate proceeded to the consideration of a bill entitled An act relative to the granting of licenses in Washington county.

The bill was read a second and third time, and

Passed finally.

On motion of Mr. SCHALL, the Senate then adjourned until Tuesday evening next, at 11 o'clock.

HOUSE OF REPRESENTATIVES.

TUESDAY, February 12, 1867.

The House met at 11 o'clock, A. M.

Prayer was offered by the REV. J. KENNEDY, member from Wyoming.

The SPEAKER announced a quorum of members present.

The Journal of Wedneday was partly read, when,

On motion of Mr. KERNS, the further reading of the same was dispensed with.

Mr. LEE. Mr. Speaker, I ask leave to make a statement at this time.

Leave was granted.

Mr. LEE. The directors of the Pennsylvania railroad company meet to-morrow. There is a Senate bill before the House authorizing them to increase their capital stock. This is a proposal vital to the interests of the road. The directors meet to-morrow, the stockholders a few days subsequent, and they desire that this bill may pass in time to enable them to present it to the stockholders. If it is not passed in time to present it to them at this meeting it will probably go over for another year, and thus vitally affect the interests of the road. This bill has been read and considerably discussed, and I presume the House is entirely familiar with it. I move that the rules be suspended and the bill be taken up at the present time.

It is Senate bill No. 324, entitled An act to repeal an act entitled A further supplement to the act incorporating the Pennsylvania railroad company, authorizing an increase of capital stock, and to borrow money, approved the 21st day of March, 1866, to authorize the Pennsylvania railroad company to increase its capital stock, to issue bonds, and to secure the same by mortgage.

The motion was

Agreed to.

The bill was read and

Agreed to.

The question was,

Will the House suspend the rules and read the bill a third time by its title?

Mr. MEYERS. Mr. Speaker, I trust the House will not suspend the rules for the consideration of this bill. This bill has not been printed, and I have noticed the agent of this company has been upon the floor this morning boring for the passage of this bill. I do not understand from the gentleman from Philadelphia [Mr. LEE] how this matter must go over for another year if we do not pass the bill to-day. I, therefore, ask that this bill be referred to the appropriate committee, that it be printed and this House afforded an opportunity to ascertain what law is repealed by this first section. This may be a law touching the restriction upon the company which, if repealed, may be prejudicial to the interest of the Commonwealth.

The SPEAKER. It is not in order now to take the motion of the gentleman from Northampton [Mr. MEYERS]. It can only be done when the bill comes up on third reading. If the House refuses to suspend the rules the bill is postponed.

Mr. MEYERS. I would like to know from the Speaker whether, if the House refuses to suspend the rules now by a two-thirds vote, the bill will be printed without a special order of the House?

The SPEAKER. The House only prints House bills without a special order. This is a Senate bill, and will require an order of the House to have it printed.

Mr. MEYERS. Mr. Speaker, I trust the House will refuse to suspend the rules, and I will then move that this bill be printed and placed upon our file.

Mr. LEE. Mr. Speaker, I do not desire to waste a moment's time upon this subject more than is necessary. Here is a bill coming to this House with the endorsement of the other Chamber, providing the means for a great public enterprise in this Commonwealth, to enable it to afford those facilities to the people of Pennsylvania that it cannot do without an increase of capital stock. This is the heaviest transportation company, perhaps, in the Commonwealth, and the people are clamorous for accommodations upon that line, which the company are unable to give without an increase of their facilities. That is all I have to say in reference to this bill. It has been before the House for some time. It was thoroughly discussed when the gentleman from Northampton [Mr. MEYERS] was absent, and the provisions are clearly set forth in the bill as read to this House. The directors meet to-morrow, and in some three or four days the stockholders meet. They meet only once a year, and it is important the bill should be passed to-day in order that they may present it to the stockholders. Unless this is done the people will be another year without the accommodations that this bill would afford.

Mr. MEYERS. Mr. Speaker, the Senate is an independent body of itself, and I presume when they pass a bill it is done upon mature consideration and reflection. When it comes to the House it should receive the same consideration, and then be either passed or rejected. I cannot, therefore, understand the remark of the gentleman when he says this bill coming from the Senate has been fully discussed in the House. I cannot understand how it is. Has it met with opposition in the House before? Has it failed to pass in this House when it came up in the regular order here, or has the House before refused to suspend the rules? How is it that it has been previously discussed before the House, or is that the fact?

This bill is one of an important character, because it gives an increase of power to a corporation whose power is already felt in this Commonwealth to the detriment, as many people allege, of their interests in the State. That may be so, or it may not. The people of the Commonwealth are divided on the subject, and have cause to be so. I, therefore, take it to be the duty of the representatives of the people, when they give increased power to a corporation which has now nearly unbounded power in this Commonwealth—a power which controls the interests of this State in such a way that, as we are well aware, is detrimental to other railroad interests in the State, that we should act after due deliberation. Is it then wrong that this bill should be printed and laid upon the desks of the members, that they may ascertain what particular law they seek to repeal? I want to know the object of this increase of capital stock, whether it is for the purpose of liquidating their indebtedness, or for the purpose of increasing their power and authority. If it is for the latter, we want to know when, where, and with what purpose and intention. Certainly the people of the Commonwealth have a right to know that. I, therefore, say it cannot be detrimental to the interests of this company, if this House refuse to suspend the rules at this time, and direct that this bill be printed and laid upon the desk of each member, so they can act intelligibly upon it.

I call for the yeas and nays on the question of the suspension of the rules.

The question being,

Will the House suspend the rules?

The yeas and nays were required by Mr. MEYERS and Mr. JOSEPHS, and were as follow, viz:

YEAS—Messrs. Adaire, Armstrong, Barton, Brown, Cameron, Chadwick, Day, Donohugh, Espy, Ewing, Ghegan, Harbison, Hoffman, Hood, Humphrey, Josephs, Kennedy, Kerns, Kimmell, Kinney, Koon, Kurtz, Lee, Linton, M'Camant, Markley, Mechling, Meily, Mullin, Pennypacker, Quay, Quigley, Rhoads, Roath, Rouch, Seiler, Sharples, Shuman, Steacy, Stehman, Stumbaugh, Subers, Waddell, Wallace, Watt, Webb, Westbrook, Wham, Wingard, Woodward, Worrall and Wright—52.

NAYS—Messrs. Barrington, Boyle, Breen, Brennan, Chalfant, Collins, Colville, Craig, Deise, Fogel, Gallagher, Gordon, Gregory, Harner, Headman, Heltzel, Hunt, Jones, Kline, Leech, Long, Maish, Mann, Meyers, Peters, Pillow, Richards, Robinson, Satterthwait, Tharp, Weller, Wilson and Glass, *Speaker*—33.

Two-thirds not having voted in the affirmative, the question was determined in the negative.

Mr. MEYERS. Mr. Speaker, I now move that this bill be placed on the calendar for Thursday morning.

Mr. LEE. Mr. Speaker, I call for the orders of the day.

The SPEAKER. The question is on the motion of the gentleman from Northampton [Mr. MEYERS] to suspend the rules, in order to enable him to make a motion that the bill be printed and placed on the public calendar.

Mr. QUAY. I call for a division of the question.

Mr. MANN. Mr. Speaker, I rise to a point of order. This bill being under consideration, how does it become necessary to suspend the rules to make this motion?

The SPEAKER. The bill is not under consideration now. The House has refused to suspend the rules.

Mr. MEYERS. Mr. Speaker, I withdraw my motion.

Mr. MANN. I renew it, so as to enable us to regulate the business of the session.

The question was on the first division of the question, to suspend the rules generally.

The motion was

Not agreed to.

VOTES RECORDED.

Mr. WINGARD. Mr. Speaker, I ask permission to record my vote on the final passage of Senate bill No. 3, entitled Joint resolution to ratify the fourteenth article of the Constitution of the United States.

Leave was granted.

Mr. WINGARD then voted aye.

Leave was also granted to the following gentlemen, who voted as follows:

Mr. QUAY voted aye.

Mr. M'KEE voted aye.

Mr. ROATH voted aye.

Mr. GREGORY voted no.

Mr. COLLINS voted no.

Mr. CRAIG voted no.

Mr. MEYERS voted no.

Mr. LINTON voted no.

MESSAGE FROM THE SENATE.

The Clerk of the Senate being introduced, presented for concurrence bills numbered and entitled as follows, viz:

Senate bill No. 42, a supplement to an act entitled An act to incorporate the Wilkesbarre and Pittston railroad company, approved April 15, 1859.

Senate bill No, 62, an act to change the number and manner of electing councilmen in the borough of Bellevernon, Fayette county.

Senate bill No. 68, an act to incorporate the Scranton Savings Bank.

Senate bill No. 103, supplement to the act incorporating the Glenwood coal company, approved January 11, 1867, extending the privileges of an act regulating railroad companies to said coal company.

Senate bill No. 113, a supplement to an act entitled An act to promote the more certain and equal assessment of taxes in Philadelphia, approved March 14, 1865.

Senate bill No. 117, an act relative to the appointment of the collectors of taxes in Montgomery county.

Senate bill No. 120, an act regarding desertion in Lawrence county.

Senate bill No. 137, supplement to an act to incorporate the city of Scranton, extending and defining the powers of said city.

Senate bill No. 155, supplement to an act to incorporate the Pottstown iron company, approved March 27, A. D. 1866, authorizing them to increase their capital stock and the number of directors.

Senate bill No. 156, a supplement to an act to incorporate the Corn Exchange association of Philadelphia, authorizing said association to make ceatain by-laws and regulating the assessment and payment of dues, fines, &c.

Senate bill No. 157, a further supplement to an act authorizing the Governor to incorporate the Tioga navigation company, repealing the third section of an act relative thereto, approved February 7, 1828.

Senate bill No. 158, an act to extend an act authorizing the Secretary of the Commonwealth to distribute copies of the standard of weights and measures, and for the appointment of sealers, approved April, A. D. 1845, to the county of Montgomery.

Senate bill No. 174, an act relating to the New Castle gas light company.

Senate bill No. 178, an act to incorporate the Local express company of Wilksbarre.

Senate bill No. 179, an act to incorporate the University of St. Augustine.

Senate bill No. 180, an act to incorporate the Co-operative association of Hyde Park, number one, in the city of Scranton, for mercantile purposes.

Senate bill No. 181, an act to incorporate the Providence gas and water company, in Luzerne county.

Senate bill No. 190, a further supplement to the act incorporating the Township Line road company, fixing the terminus and regulating tolls on said road.

Senate bill No. 191, a supplement to an act approved the 16th day of April, A. D. 1866, appointing commissioners to lay out and open a State road in M'Kean county, from the borough of Smethport to Lafayette Corners.

Senate bill No. 195, an act relative to the Lancaster and Litiz turnpike road company, in Lancaster county.

Senate bill No. 197, a further supplement to the act to charter the Harrisburg bridge company, enabling the company to raise money to rebuild the bridge.

Senate bill No. 198, an act to incorporate the Sullivan and Pocono Summit plank road or turnpike company.

Senate bill No. 199, a further supplement to an act entitled An act to incorporate the Kensington and Oxford turnpike road company, approved the 17th day of March, 1842.

Senate bill No. 207, a supplement to the act of 16th of March, 1832, entitled An act relating to registers and registers' courts.

Senate bill No. 208, an act relating to the courts of oyer and terminer, general jail delivery and quarter sessions of the peace for the city and county of Philadelphia.

Senate bill No. 224, a supplement to an act authorizing the borough council of the borough of Bethlehem, Pennsylvania, to purchase the water works, real estate and improvements of the Bethlehem water company; also to make all such necessary improvements and extensions required, to borrow money, and appoint water commissioners to carry out said object, approved March 30, 1866.

Senate bill No. 225, an act to legalize a tax laid by the acting supervisors of Kingston township, Luzerne county, in 1864, for bounty purposes.

Senate bill No. 226, a supplement to an act to authorize the raising of money and payment of bounties to volunteers in the borough of Scranton, in the county of Luzerne, approved April 1, 1864, to facilitate the collection of taxes levied for the liquidation of the bounty debt.

Senate bill No. 233, an act to incorporate the Northern railroad and navigation company.

Senate bill No. 235, an act making it an offense for railroad corporations within this Commonwealth, to make any distinction with their passengers on account of race or color, and punishing said corporation and their agents and employees, for the commission of such offenses.

Senate bill No. 242, an act to authorize the school directors of Minersville borough, in the county of Schuylkill, to borrow money.

Senate bill No. 246, an act to incorporate the Marine hospital of Pennsylvania, in the county of Erie, to fix location of hospital in Erie city, and to grant real estate to said hospital.

Senate bill No. 248, an act to extend the time for the payment of the enrollment tax on an act entitled A supplement to the act incorporating the Littlestown railroad company, approved February 17, 1854, and April 8, 1864.

Senate bill No 313, a supplement to an act to consolidate the Shawmut and Ridgway railroad company, the Pennsylvania Cannel coal company, and the Shawmut Cannel coal company.

Senate bill No. 315, a further supplement to an act to incorporate the Pittsburg, Allegheny and Manchester passenger railway company, authorizing said company to change certain parts of its route, to subscribe for stock in a new bridge, and to have viewers appointed to fix compensation for crossing bridges.

Senate bill No. 325, a supplement to an act to incorporate the Trout Run navigation company, authorizing change of time and place of organization thereof.

Senate bill No. 326, a further supplement to an act for the better preservation of the records contained in the public offices of the several counties of this Commonwealth, approved the 29th day of March, 1827, so far as relates to the county of Lancaster.

He also returned bills from the House of Representatives numbered and entitled as follows, viz:

No. 9, an act to exempt the property of the Beaver cemetery association from taxation.

No. 32, an act requiring the county commissioners of Forks township, Northampton county, to render an account to the auditors of said township, and providing for auditing the same.

No. 37, a supplement to an act passed the 16th day of February, A. D. 1865, to increase the pay of county commissioners, county auditors, poor directors, jurors and witnesses in the county of Mercer.

No. 38, a supplement to an act passed the 13th day of April, A. D. 1859, relating to billiard saloons, et cetera, in the counties of Chester and Delaware, extending the same to the county of Bradford.

No. 39, an act authorizing the commissioners of Erie county to exonerate William F. Brockway, collector of the township of

Springfield, in said county, from the payment of certain tax.

No. 45, an act defining the duties of the inspectors of the Philadelphia county prison.

No. 46, an act in relation to the fees of certain county officers and district attorney in the county of Washington.

No. 48, an act repealing the provisions of an act relative to the fees of district attorney in certain counties of this Commonwealth, so far as they relate to the county of Bradford.

No. 51, a supplement to an act to change the mode of criminal proceedings in Erie and Union counties, extending the same to the county of Bradford.

No. 53, an act extending to the city of Pittsburg the provisions of a further supplement to an act to incorporate the city of Philadelphia, relating to fire alarm and police telegraph, approved February 28, 1865.

No. 54, an act in relation to the weighing of hay, coal and lime in the borough of Washington.

No. 57, a further supplement to an act to incorporate the city of Philadelphia, approved February 2, 1854.

No. 58, an act to change and amend the charter of the borough of Emporium, in the county of Cameron.

No. 59, an act authorizing the assessment of railroad taxes in the borough of Kittanning, Armstrong county.

No. 62, an act to authorize the borough of Troy to increase their taxation for borough purposes.

No. 63, a supplement to an act to incorporate the borough of South Erie.

No. 67, an act to annex David S. Walker, Francis Cunningham and Wesley Smith, of Jefferson township, Washington county, to Cross Creek township, in the same county, for school purposes.

No. 68, an act authorizing the trustees of the Brookville academy to sell the same to the Brookville school district.

No. 78, an act to repeal an act providing for compensation of damages to public roads in Bethlehem and Palmer townships, Northampton county, by the construction of the Lehigh and Delaware Water Gap railroad, approved April 11, A. D. 1866.

No. 79, an act fixing the rate of compensation of the sheriffs of Northampton, Fayette and Carbon counties for boarding prisoners.

No. 81, an act relating to auctioneers in the city and county of Erie.

No. 83 an act to repeal the fourth section of an act relating to fees of certain officers in Erie county.

No. 85, a supplement to an act authorizing appeals from interlocutory orders or decrees granting special injunctions, approved the 14th day of February, A. D. 1866, extending the provisions of said act to special injunctions granted by the court of *nisi prius*, at Philadelphia.

No. 88, an act to incorporate the Mechanics' and Miners' Co-operative association of Scranton.

No. 89, an act to incorporate the Oxford hall association.

No. 90, a supplement to an act to incorporate the Cooper Fire-arms manufacturing company, approved April 3, 1863, and the supplement to the same.

No. 92, an act to incorporate the Bachelors' Barge Club of the city of Philadelphia.

No. 109, an act to extend the jurisdiction of the orphans' court of York and Fayette counties.

No. 113, an act to legalize certain assessments taken in the county of Cameron.

No. 117, an act regulating the fees of the commissioners of the county of Snyder.

No. 119, an act supplementary to a supplement to an act relating to the collection of State and county taxes in the county of Bucks, approved March 31, 1864.

No. 123, an act to authorize the board of school directors of Harford township, Susquehanna county, to levy and collect a special tax to build and repair school houses in said township.

No. 125, an act to annex certain lands in Pine Creek township, Jefferson county, owned and occupied by Sarah G. Evans, to the borough of Brookville, for school purposes.

No. 126, a supplement to an act to annex the farm of William Steele, of Salem township, to Hempfield township, in Westmoreland county, for school purposes, approved April 11, 1866.

No. 127, an act authorizing the school directors of the city of Williamsport, in the county of Lycoming, to borrow money.

No. 132, an act to authorize the school directors of Saegertown, Crawford county, to borrow money, and for other purposes.

No. 133, an act relating to the granting of tavern licenses in Washington county.

No 139, an act to incorporate the Masonic hall association of the borough of Brookville, in the county of Jefferson.

No. 154, a supplement to an act to empower the commissioners of Washington county, to compromise with the holders of the county bonds, and for the more prompt and economical collection of taxes in said county,

With information that the Senate has passed the same without amendment.

He also returned bills from the House of Representatives numbered and entitled as follows, viz:

No. 33, an act authorizing the school directors of the borough of Oil City, in Venango county, to borrow money.

No. 36, supplement to an act fixing the terms of the courts of common pleas, oyer and terminer and general jail delivery, quarter sessions of the peace and orphans' court in the county of Allegheny, and regulating proceedings therein, approved March 22, 1866.

No. 42, an act relating to the prison of the county of Delaware.

No. 66, an act to enable the school directors of the borough of East Birmingham, Allegheny county, to borrow money for the erection of school houses.

No. 82, a supplement to an act relating to the liens of mechanics and others upon buildings, extending it to York and Dauphin counties.

No. 110, an act relating to the sale of land for taxes in Potter, Warren and Bradford counties.

No. 134, an act to extend the time for the payment of the enrollment tax on an act to incorporate the Meadville City Passenger railroad company, approved April 11, 1866,

With information that the Senate has passed the same with amendments, in which the concurrence of the House of Representatives is requested.

PRIVATE CALENDAR.

Agreeably to order,

The House proceeded to the consideration of the bills on the private calendar.

The following bills were read the first time and laid aside for a second reading:

No. 242, an act to exempt from taxation certain real estate in Philadelphia, belonging to and used and occupied by the Western association of ladies' of Philadelphia, for the relief and employment of the poor.

No. 253, a further supplement to the act to incorporate the city of Carbondale.

Senate bill No. 72, a further supplement to an act to authorize Woodland street, in the Twenty-fourth ward of the city of Philadelphia, to be graded, curbed and paved, approved the 27th day of May, A. D. 1863, repealing the proviso to the first section of the supplement thereto, approved the 17th day of April, A. D. 1866.

No. 257, a further supplement to an act regarding the port of Philadelphia, approved May 20, 1864.

Amended by Mr. KERNS.

No. 259, an act to enable the Revenue Extension silver mining company of Nevada to issue bonds and to secure the payment of the same by mortgage.

No. 260, an act to amend an act and correct an error therein, entitled A supplement to an act entitled An act appointing commissioners to lay out and open a State road in the counties of Cameron and Potter, approved 21st day of March, A. D. 1865, approved 4th day of April, A. D. 1866.

No. 261, supplement to an act entitled An act to incorporate the Factoryville and Abington turnpike and plank road company, approved 17th day of April, A. D. 1856.

Amended by Mr. KOON.

No. 262, an act to incorporate the Springfield and Garretford turnpike company.

No. 263, a supplement to an act to incorporate the Titusville and Pithole plank road company.

No. 264, an act to repeal an act to incorporate the Pine Creek bridge company, approved the 3d day of March, A. D. 1852.

No. 265, an act to authorize the school directors of Millville school district, Cambria county, to use surplus school tax for building purposes.

No. 266, an act to annex the farms of Samuel Powers, John Hunter, James Cunningham, John Conway and James Rutledge, of Derry township, to Livermore borough, Westmoreland county, for school purposes.

Senate bill No. 22, a supplement to an act to incorporate the Female seminary of Eden Hall, in the county of Philadelphia, by the style and name of the Institute of Ladies of the Sacred Heart, and to take and hold lands, tenements, &c., and to sell or mortgage all or any part thereof.

No. 268, an act to incorporate the Kensington Mutual Co-operative association of the city of Philadelphia.

No. 269, an act extending the time for the payment of the enrollment tax on the People's Accident insurance company of Pennsylvania, and changing the corporators.

No. 270, an act to incorporate a State Camp of the Patriotic Order of Junior Sons of America.

No. 271, a supplement to an act entitled An act to incorporate the Red Bank navigation company.

No. 272, an act to incorporate the Industrial association of Summit Hill.

No. 273, an act to incorporate the Milford cemetery.

Senate bill No. 55, an act to incorporate the Germania insurance company of Erie.

Amended by Mr. M'CREARY.

Senate bill No. 21, an act to incorporate the Sisters of Mercy, in the city of Philadelphia.

No. 276, an act to repeal an act relating to licenses in Erie county.

No. 277, an act relative to drunkenness and disorderly conduct in the cities of Pittsburg and Allegheny.

No. 278, an act to authorize the treasurer of the bounty fund of Schuylkill township, Chester county, Pennsylvania, to pay over to the treasurer of the school board of said township the funds remaining in his hands.

No. 282, an act for the relief of Milo R. Adams, treasurer of Beaver county.

No. 283, a further supplement to an act revising the charter of the municipal corporation of the city of Reading.

Senate bill No. 79, a supplement to an act

to incorporate the Brady's Bend iron company, approved the 9th day of April, A. D. 1861, authorizing the conveyance of real estate in the several counties of the Commonwealth on the recording of the resolution of the board of directors of said company.

No. 288, a further supplement to an act entitled An act to incorporate the Northampton iron company, approved the 10th day of March, 1867.

No. 289, an act to authorize the school directors of the borough of Lock Haven, in the county of Clinton, to borrow money for building purposes.

No. 290, a further supplement to an act for the regulation and continuance of a system of education by common schools, approved the 8th day of May, A. D. 1854.

No. 291, an act to authorize the school directors of the borough of Punxsutawney to borrow money.

No. 292, a supplement to an act to enable the school directors of Kittanning borough to borrow money, approved the 12th day of March, A. D. 1866.

No. 293, a supplement to an act to empower the school directors of Chambersburg to borrow money to build a new school house, approved the 12th day of May, A. D. 1857, further extending the provisions of the second section thereof.

No. 294, an act to enable the school directors of the borough of Goldsboro', in the county of York, to borrow money for building purposes.

No. 295, a further supplement to an act to incorporate the Birmingham East Birmingham and South Pittsburg gas company, approved April 15, 1856.

No. 296, a supplement to the act to incorporate the Western transportation company, formerly the Oil Creek transportation company.

Senate bill No. 54, a further supplement to the act to incorporate the Girard life insurance, annuity and trust company of Philadelphia, passed the 17th day of March, 1836.

No. 298, an act to incorporate the Pennsylvania Central thief detective and live stock insurance company.

Senate bill No. 67, an act to incorporate the Brokers' beneficial association of Philadelphia.

Senate bill No. 53, a further supplement to an act entitled An act to incorporate the Mutual fire insurance company of Montgomery county, passed 31st day of March, A. D. 1841, authorizing said company to insure against storms and hurricanes.

Senate bill No. 86, a supplement to the act to incorporate the Lehigh County mutual horse insurance company, approved April 28, A. D. 1857.

No. 303, a supplement to an act to incorporate the Odd Fellows' association at Waynesburg, Greene county, Pennsylvania, passed the 27th day of March, 1862.

No. 304, an act to incorporate the Franklin library association of the city of Philadelphia.

Senate bill No. 19, an act to incorporate the Catholic Philopatrian institute of Philadelphia.

Senate bill No. 81, an act to change the place of business of the Cameron petroleum company of Pennsylvania.

No. 307, an act to incorporate the Crozer Theological seminary.

Amended by Mr. BARTON.

No. 308, an act to incorporate the Pennsylvania live stock insurance company, to insure against disease, accident and death.

Amended by Mr. CHALFANT.

OBJECTED BILLS.

The following bills were objected to, and will be laid over under the rules until next week:

No. 254, an act to vacate part of Woodpecker or Rising Sun lane, in the Twenty-first ward of the city of Philadelphia.

Objected to by Mr. HEADMAN.

No. 255, an act to vacate Elk, Ellen, Kepner and Watson alleys, in the city of Harrisburg.

Objected to by Mr. SATTERTHWAIT.

Senate bill No. 29, a further supplement to an act for the better security of the city of Philadelphia from dangers incident to the refining or improper or negligent storage of petroleum, benzine or naptha, approved March 1, A. D. 1865, construing the same.

Objected to by Mr. GHEGAN.

No. 284, an act to repeal an act of the General Assembly of the State of Pennsylvania, which became a law on the 19th day of August, 1864, entitled An act relating to the Pittsburg and Connellsville railroad.

Objected to by Mr. M'KEE.

Senate bill No. 132, an act to incorporate the Caledonia and South Mountain railroad company.

Objected to by Mr. BOYLE, because the bill was not printed, and there were, therefore, no means of obtaining a proper knowledge of its provisions.

Senate bill 82, an act to consolidate the Union coal company and the Howard coal and iron company.

Objected to by Mr. COLVILLE for the same reason.

No. 302, an act relative to the estate of George Frey, deceased.

Objected to by Mr. MANN.

THE SPEAKER'S TABLE.

The SPEAKER presented to the House the annual report of the Mt. Carbon railroad company.

Laid on the table.

The Speaker proceeded to clear the table of Senate bills numbered and entitled as follows:

Senate bill No. 42, a supplement to an act, entitled an act to incorporate the Wilkesbarre and Pittson railroad company, approved April 15, 1859.

Referred to the Committee on Railroads.

Senate bill No. 62, an act to change the number and manner of electing councilmen in the borough of Bellevernon, Fayette county.

Referred to the Committee on Municipal Corporations.

Senate bill No. 68, an act to incorporate the Scranton savings bank.

Referred to the Committee on Banks.

Senate bill No. 103, supplement to the act incorporating the Glenwood coal company, approved January 11, 1867, extending the privileges of an act regulating railroad companies to said coal company.

Referred to the Committee on Iron and Coal Companies.

Senate bill No. 113, a supplement to an act, entitled an act to promote the more certain and equal assessment of taxes in Philadelphia, approved March 14, 1865.

Referred to the Committee on Ways and Means.

Senate bill No. 117, an act relative to the appointment of the collectors of taxes in Montgomery county.

Referred to the Committee on the Judiciary Local.

Senate bill No. 120, an act regarding desertion in Lawrence county.

Referred to the Committee on the Judiciary Local.

Senate bill No. 137, supplement to an act to incorporate the city of Scranton, extending and defining the powers of said city.

Referred to the Committee on Municipal Corporations.

Senate bill No. 155, supplement to an act to incorporate the Pottstown iron company, approved March 27, A. D. 1866, authorizing them to increase their capital stock and the number of directors.

Referred to the Committee on Coal and Iron Companies.

Senate bill No. 156, a supplement to an act to incorporate the Corn Exchange association of Philadelphia, authorizing said association to make certain by-laws and regulating the assessment and payment of dues, fines, &c.

Referred to the Committee on Corporations.

Senate bill No. 157, a further supplement to an act authorizing the Governor to incorporate the Tioga navigation company, repealing the third section of an act relative thereto, approved February 7, 1828.

Referred to the Committee on Railroads.

Senate bill No. 158, an act to extend an act authorizing the Secretary of the Commonwealth to distribute copies of the standard of weights and measures, and for the appointment of sealers, approved April, A. D. 1845, to the county of Montgomery.

Referred to the Committee on the Judiciary Local.

Senate bill No. 174, an act relating to the New Castle gas light company.

Referred to the Committee on Corporations.

Senate bill No. 178, an act to incorporate the Local express company of Wilkesbarre.

Referred to the Committee on Corporations.

Senate bill No. 179, an act to incorporate the University of St. Augustine.

Referred to the Committee on Corporations.

Senate bill No. 180, an act to incorporate the Co-operative association of Hyde Park, number one, in the city of Scranton, for mercantile purposes.

Referred to the Committee on Corporations.

Senate bill No. 181, an act to incorporate the Providence gas and water company, in Luzerne county.

Referred to the Committee on Corporation.

Senate bill No. 190, a further supplement to the act incorporating the Township Line road company, fixing the terminus and regulating tolls on said road.

Referred to the Committee on Roads, Bridges and Ferries.

Senate bill No. 191, a supplement to an act approved the 16th day of April, A. D. 1866, appointing commissioners to lay out and open a State road in M'Kean county, from the borough of Smethport to Lafayette Corners.

Referred to the Committee on the Judiciary Local.

Senate bill No. 195, an act relative to the Lancaster and Litiz turnpike road company, in Lancaster county.

Referred to the Committee on Roads, Bridges and Ferries.

Senate bill No. 197, a further supplement to the act to charter the Harrisburg bridge company, enabling the company to raise money to rebuild the bridge.

Referred to the Committee on Roads, Bridges and Ferries.

Senate bill No. 198, an act to incorporate the Sullivan and Pocono Summit plank road or turnpike company.

Referred to the Committee on Roads, Bridges and Ferries.

Senate bill No. 199, a further supplement to an act entitled An act to incorporate the Kensington and Oxford turnpike road com-

pany, approved the 17th day of March, 1842.

Senate bill No. 207, a supplement to the act of 16th of March, 1862, entitled An act relating to registers and registers' courts.

Referred to the Committee on the Judiciary General.

Senate bill No. 208, an act relating to the courts of oyer and terminer, general jail delivery and quarter sessions of the peace for the city and county of Philadelphia.

Referred to the Committee on the Judiciary Local.

Senate bill No. 224, a supplement to an act authorizing the borough council of the borough of Bethlehem, Pennsylvania, to purchase the water works, real estate and improvements of the Bethlehem water company; also to make all such necessary improvements and extensions required, to borrow money, and appoint water commissioners to carry out said object, approved March 30, 1866.

Referred to the Committee on Municipal Corporations.

Senate bill No. 225, an act to legalize a tax laid by the acting supervisors of Kingston township, Luzerne county, in 1864, for bounty purposes.

Referred to the Committee on Military.

Senate bill No. 126, a supplement to an act to authorize the raising of money and payment of bounties to volunteers in the borough of Scranton, in the county of Luzerne, approved April 1, 1864, to facilitate the collection of taxes levied for the liquidation of the bounty debt.

Referred to the Committee on Military.

Senate bill No. 233, an act to incorporate the Northern railroad and navigation company.

Referred to the Committee on Railroads.

Senate bill No. 235, an act making it an offense for railroad corporations within this Commonwealth to make any distinction with their passengers on account of color, and punishing said corporation and their agents and employees for the commission of such offense.

Referred to the Committee on the Judiciary General.

No. 242, an act to authorize the school directors of Minersville borough, in the county of Schuylkill, to borrow money.

Referred to the Committee on Municipal Corporations.

No. 246, an act to incorporate the Marine hospital of Pennsylvania, in the county of Erie, to fix location of hospital in Erie city, and to grant real estate to said hospital.

Referred to the Committee on Municipal Corporations.

No. 248, an act to extend the time for the payment of the enrollment tax on act entitled A supplement to the act incorporating the Littlestown railroad company, approved February 17, 1854, and April 8, 1864.

Referred to the Committee on Railroads.

Senate bill No. 313, a supplement to an act to consolidate the Shawmut and Ridgway railroad company, the Pennsylvania Cannel coal company, and the Shawmut Cannel coal company, approved March 16, A. D. 1865.

Referred to the Committee on Coal and Iron Companies.

Senate bill No. 325, a supplement to an act to incorporate the Trout Run navigation company, authorizing change of time and place of organization thereof.

Referred to the Committee on Corporations.

Senate bill No. 315, a further supplement to an act to incorporate the Pittsburg, Allegheny and Manchester passenger railway company, authorizing said company to change certain parts of its route, to subscribe for stock in a new bridge, and to have viewers appointed to fix compensation for crossing bridges.

Laid on the table.

Senate bill No. 326, a urther supplement to an act for the better preservation of the records contained in the public offices of the several counties of this Commonwealth, approved the 29th day of March, 1827, so far as relates to the county of Lancaster.

Laid on the table.

No. 33, an act authorizing the school directors of the borough of Oil City, in Venango county, to borrow money,

Returned from the Senate with amendments.

The amendments were concurred in.

No. 36, supplement to an act fixing the terms of the courts of common pleas, oyer and terminer and general jail delivery, quarter sessions of the peace and orphans' court, in the county of Allegheny, and regulating proceedings therein, approved March 22, 1866,

Returned from the Senate with amendments.

The amendments were concurred in.

No. 42, an act relating to the prison of the county of Delaware,

Returned from the Senate with amendments.

The amendments were concurred in.

No. 66, an act to enable the school directors of the borough of East Birmingham, Allegheny county, to borrow money for the erection of school houses,

Returned from the Senate with amendments.

The amendments were concurred in.

House bill No. 82, a supplement to an act relating to the lien of mechanics and others upon buildings, extending it to York and Dauphin counties,

Returned from the Senate with amendments.

The amendments were concurred in.

House bill No. 110, an act relating to the sale of lands for taxes in Potter, Warren and Bradford counties,

Returned from the Senate with amendments.

The amendments were concurred in.

House bill No. 134, an act to extend the time for the payment of the enrollment tax on an act to incorporate the Meadville City passenger railroad company, approved April 11, 1866,

Returned from the Senate with amendments.

The amendments were concurred in.

MESSAGE FROM THE SECRETARY OF THE COMMONWEALTH.

STATE OF PENNSYLVANIA,
OFFICE OF THE SEC'Y OF THE COM'T H,
HARRISBURG, PA., Feb. 12, 1867.

To the Hon. John P. Glass, Speaker of the House of Representatives:

SIR—I have the honor to transmit herewith the following reports for the year 1866, viz:

Annual report of the managers of the Western Pennsylvania hospital.

Annual report of the trustees and Superintendent of the State Lunatic hospital of Pennsylvania.

In addition to the above, I have transmitted to the Speaker of the Senate,

Annual report of the Lackawaxen iron and coal company.

Annual statment of the Pennsylvania State Agricultural society.

Report of the Bloomsburg iron company.

F. JORDAN,
Secretary of the Commonwealth.

The hour of one o'clock having arrived, the SPEAKER adjourned the House until three o'clock this afternoon.

AFTERNOON SESSION.

The House met at 3 o'clock P. M.

PRIVATE CALENDAR.

The House proceeded with the consideration of the bills on the private calendar.

The following bills were read the first time and laid aside for a second reading:

No. 309, an act to authorize the commissioners of Schuylkill county to sell real estate, and to apply the proceeds to the building of a tenant house for the janitor of the court house in said county.

Senate bill No. 71, an act to divide the Northwest ward, in the city of Lancaster, into election precincts.

Amended by Mr. STEHMAN.

No. 313, an act to authorize the commissioners of Wyoming county to levy an additional tax for the purpose of erecting a new county jail and sheriff's house in said county of Wyoming, and for other purposes.

No. 314, an act to divide the township of Plymouth into two election districts.

No. 315, an act to regulate the taking of fish from the ponds and lakes in Benton township, in Luzerne county.

No. 318, an act relative to bounty taxes in Marion township, Butler county.

Senate bill No. 36, an act authorizing the school directors of the borough of Sewickley to collect the balance of bounty tax in said borough.

No. 320, an act authorizing the supervisors of Ulysses township to levy a tax to refund to Perry Lewis, in said township, the sum of four hundred dollars, it being for money advanced to volunteers.

No. 321, an act authorizing and requiring the school directors of Mercer township and Harrisville borough, in the county of Butler, to levy a bounty tax, and for the repeal of all former acts relating to bounties in said districts.

Amended by Mr. PILLOW.

No. 322, an act to legalize the levy and collection of certain bounty taxes, to provide for a settlement, and authorize the school directors to lay an additional bounty tax in Lykens township, Dauphin county.

Senate bill No. 50, an act to repeal an act entitled An act relative to bounties in Brady township, Butler county, which became a law on the 4th day of January, A. D. 1867.

No. 325, a further supplement to an act to incorporate the Pittsburg and Birmingham passenger railroad company, approved the 13th day of April, A. D. 1859.

No. 326, an act to ascertain the views of the qualified electors of the city and county of Philadelphia upon the subject of allowing the passenger railway companies, of said city, to run their cars on the first day of the week, commonly called Sunday.

No. 327, an act to incorporate the Allegheny and Saw Mill Valley passenger railway company.

Amended by Mr. PETERS.

No. 328, an act to incorporate the Meadville savings and loan company.

No. 329, an act to incorporate the Mechanics' Savings Bank.

No. 330, an act to establish a ferry over the Allegheny river, in Kinzua township, Warren county.

No. 331, an act extending an act relative to roads in Uwchlan township, Chester county, and East Bethlehem and East Pike Run townships, Washington county, to Peters township, Washington county.

Amended by Mr. EWING.

No. 333, an act declaring Wiconisco creek, from Oak Dale forge, in Dauphin county, to the public road leading from Clark's valley to Tremont, in Schuylkill county, a public highway.

Senate bill No. 47, an act relative to the

road laws in certain townships in Sullivan county.

No. 336, an act to declare Freeman's run, in Potter county, a public highway.

No. 337, an act relative to the supervisors and road laws in Wiconisco township, Dauphin county.

No. 338, an act to establish a ferry and foot bridge over the Driftwood branch of the Sinnemahoning creek, near the mouth thereof, in Cameron county.

No. 339, an act to incorporate the Greenwood Avenue turnpike company.

No. 340, a supplement to an act to incorporate the Tidioute bridge company, approved the 17th day of April, A. D. 1861.

Senate bill No. 60, an act changing the time of holding courts in the Sixteenth Judicial district.

Amended by Mr. STUMBAUGH.

No. 343, an act relating to the poor laws of Delaware county.

No. 344, an act relating to hawking and peddling in the county of Westmoreland.

No. 345, a further supplement to an act increasing the fees of the several county officers of this Commonwealth, except in the city of Philadelphia, and the counties of Allegheny, Bradford, Susquehanna and Sullivan, approved March 30, A. D. 1865.

Amended by Mr. LEECH.

No. 346, an act authorizing the Governor to appoint an additional notary public for the city of Philadelphia.

Amended by Mr. SUBERS.

No. 347, an act changing the time of meeting of the auditors of Hillsgrove township, Sullivan county.

Amended by Mr. KINNEY.

No. 348, an act relating to unseated lands in the county of Tioga.

No. 350, a supplement to an act relative to the publication of local laws in the counties of Centre and Schuylkill, approved the 16th day of April, 1866.

No. 351, an act repealing so much of the act authorizing the election of additional officers, and changing the manner of collecting taxes in the townships of Robinson and North Fayette, Allegheny county, approved March 13, A. D. 1866, as relates to the manner of collecting taxes in Robinson township.

No. 352, supplement to an act entitled An act to incorporate the city of Harrisburg.

Senate bill No. 124, a supplement to an act to unite and consolidate Marshall college, now at Mercersburg, with Franklin college, now at Lancaster, under the name of Franklin and Marshall college, as a corporation, to be located in the city of Lancaster or its immediate vicinity, approved the 19th day of April, A. D. 1850, changing the trustees thereof, and the manner of selecting such trustees, and their terms of office.

No. 354, a further supplement to an act to incorporate the city of Erie.

No. 355, further supplement to an act to empower the town council of the borough of Bellefonte, in Centre county, to borrow money, approved the 14th day of February, A. D. 1863.

No. 356, an act relative to the election of school directors and supervisors of roads in the township of Allegheny, in the county of Armstrong.

OBJECTED BILLS OF LAST CALENDAR.

No. 162, an act to amend the twenty-second section of an act revising the charter of the municipal corporation of the city of Reading, approved April 26, 1864.

Not laid aside.

No. 171, an act to vacate Basin alley from Front to Second street, in the city of Harrisburg.

No. 190, an act to incorporate the Rouseville bridge company.

Amended by Mr. WHANN.

No. 182, an act relating to mountain roads in Perry county.

Not laid aside.

No. 193, a supplement to an act appointing commissioners to lay out and open a State road in the counties of Potter and Clinton, approved the 16th day of March, A. D. 1865.

Amended by Mr. DEISE.

No. 200, an act to incorporate the Boyd Farm and Petroleum Centre bridge company.

No. 201, an act relative to roads and highways in Schuylkill county.

Not laid aside.

No. 213, an act to incorporate the Pioneer Run bridge company.

Amended by Mr. WHANN.

Mr. BOYLE. Mr. Speaker, I withdraw my objections to Senate bill No. 232.

The bill was laid aside.

Mr. COLVILLE. Mr. Speaker, I withdraw my objections to Senate bill No. 82.

The bill was laid aside.

OBJECTED BILLS.

The following bills were objected to, and will be laid over until next week:

No. 310, an act relative to the fees of certain township and county officers in the county of Beaver.

Objected to by Mr. QUAY.

No. 311, an act to authorize the supervisors of West Branch township, Potter county, to levy an additional road tax.

Objected to by Mr. WINGARD.

No. 335, an act to establish a ferry over the Yonghiogheny river at Layton station, in Fayette county, on the line of the Pittsburg and Connellsville railroad.

Objected to by Mr. BOYLE.

No. 349, an act appropriating moneys arising from fines and forfeitures in Chester county.

Objected to by Mr. SHARPLES.

PRIVATE CALENDAR.

The House proceeded to the second reading and consideration of the bills on the private calendar.

The following bills were read a second time and disposed of as stated:

No. 242, an act to exempt from taxation certain real estate in Philadelphia, belonging to and used and occupied by the Western association of ladies of Philadelphia, for the relief and employment of the poor.

Passed finally.

No. 253, a further supplement to the act to incorporate the city of Carbondale.

Passed finally.

Senate bill No. 72, a further supplement to an act to authorize Woodland street, in the Twenty-fourth ward of the city of Philadelphia, to be graded, curbed and paved, approved the 27th day of May, A. D. 1863, repealing the proviso to the first section of the supplement thereto, approved the 17th day of April, A. D. 1866.

Passed finally.

No. 257, a further supplement to an act regarding the port of Philadelphia, approved May 20, 1864.

Passed finally.

No. 259, an act to enable the Revenue Extension silver mining company of Nevada to issue bonds and to secure the payment of the same by mortgage.

Passed finally.

No. 260, an act to amend an act and correct an error therein, entitled A supplement to an act entitled An act appointing commissioners to lay out and open a State road in the counties of Cameron and Potter, approved 21st day of March, A. D. 1865, approved 4th day of April, A. D. 1866.

Passed finally.

No. 261, supplement to an act entitled An act to incorporate the Factoryville and Abington turnpike and plank road company, approved 17th day of April, A. D. 1856.

Passed finally.

No. 262, an act to incorporate the Springfield and Garretford turnpike company.

Passed finally.

No. 264, an act to repeal an act to incorporate the Pine Creek bridge company, approved the 3d day of March, A. D. 1852.

Passed finally.

No. 265, an act to authorize the school directors of Millville school district, Cambria county, to use surplus school tax for building purposes.

Passed finally.

No. 266, an act to annex the farms of Samuel Powers, John Hunter, James Cunningham, John Conway and James Rutledge, of Derry township, to Livermore borough, Westmoreland county, for school purposes.

Passed finally.

Senate bill No. 22, a supplement to an act to incorporate the Female seminary of Eden Hall, in the county of Philadelphia, by the style and name of the Institute of Ladies of the Sacred Heart, and to take and hold lands, tenements, &c., and to sell or mortgage all or any part thereof.

Passed finally.

No. 268, an act to incorporate the Kensington Mutual Co-operative association of the city of Philadelphia.

Passed finally.

No. 269, an act extending the time for the payment of the enrollment tax on the People's Accident insurance company of Pennsylvania, and changing the corporators.

Passed finally.

No. 270, an act to incorporate a State Camp of the Patriotic Order of Junior Sons of America.

Passed finally.

No. 271, a supplement to an act entitled An act to incorporate the Bed Bank navigation company.

Passed finally.

No. 272, an act to incorporate the Industrial association of Summit Hill.

Passed finally.

No. 273, an act to incorporate the Milford cemetery.

Passed finally.

Senate bill No. 55, an act to incorporate the Germania insurance company of Erie.

Passed finally.

Senate bill No. 21, an act to incorporate the Sisters of Mercy, in the city of Philadelphia.

Passed finally.

No. 276, an act to repeal an act relating to licenses in Erie county.

Passed finally.

No. 278, an act to authorize the treasurer of the bounty fund of Schuylkill township, Chester county, Pennsylvania, to pay over to the treasurer of the school board of said township the funds remaining in his hands.

Passed finally.

No. 282, an act for the relief of Milo R. Adams, treasurer of Beaver county.

Passed finally.

Senate bill 232, an act to incorporate the Caledonia and South Mountain railroad company.

Passed finally.

Senate bill 79, a supplement to an act to incorporate the Brady's Bend iron company, approved the 9th day of April, A. D. 1861, authorizing the conveyance of real estate in the several counties of this Commonwealth on the recording of the resolution of the board of directors of said company.

Passed finally.

Senate bill 82, an act to consolidate the Union coal company and the Howard coal and iron company.

Passed finally.

Daily Legislative Record.

FOR THE SESSION OF 1867.

PUBLISHED BY AUTHORITY OF THE LEGISLATURE OF PENNSYLVANIA. No. 31.

TERMS OF THE DAILY RECORD.

THE DAILY RECORD will be furnished to Members of the Legislature and others at the following rates:

Single copy for the session.....$2 00

Members desiring extra copies of the Record, will please leave their names and the number of copies wanted at the publication office. GEO. BERGNER.

[CONTINUED FROM PAGE 240.]

No. 288, a further supplement to an act entitled An act to incorporate the Northampton iron company, approved the 10th day of March, 1867.

Passed finally.

No. 289, an act to authorize the school directors of the borough of Lock Haven, in the county of Clinton, to borrow money for building purposes.

Passed finally.

No. 291, an act to authorize the school directors of the borough of Punxsutawney to borrow money.

Passed finally.

No. 292, a supplement to an act to enable the school directors of Kittanning borough to borrow money, approved the 12th day of March, A. D. 1866.

Passed finally.

No. 293, a supplement to an act to empower the school directors of Chambersburg to borrow money to build a new school house, approved the 12th day of May, A. D. 1857, further extending the provisions of the second section thereof.

Passed finally.

No. 294, an act to enable the school directors of the borough of Goldsboro', in the county of York, to borrow money for building purposes.

Passed finally.

No. 295, a further supplement to an act to incorporate the Birmingham, East Birmingham and South Pittsburg gas company, approved April 15, 1856.

Passed finally.

Senate bill No. 54, a further supplement to the act to incorporate the Girard Life insurance, annuity and trust company of Philadelphia, passed the 17th day of March, 1836, authorizing the company to make sales by the order of the court, without giving securities.

Passed finally.

No. 298, an act to incorporate the Pennsylvania Central thief detective and live stock insurance company.

Passed finally.

Senate bill No. 67, an act to incorporate the Brokers' Beneficial association, of Philadelphia.

Passed finally.

Senate bill No. 53 a further supplement to an act entitled An act to incorporate the Mutual fire insurance company of Montgomery county, passed 31st day of March, A. D. 1841, authorizing said company to insure against storms and hurricanes.

Passed finally.

Senate bill No. 86, a supplement to an act to incorporate the Lehigh County Mutual horse insurance company, approved April 28, A. D. 1857.

Passed finally.

No. 303, a supplement to an act to incorporate the Odd Fellows' association of Waynesburg, Greene county, Pennsylvania, passed the 27th day of March, 1862.

Passed finally.

No. 304, an act to incorporate the Franklin Library association of the city of Philadelphia.

Passed finally.

Senate bill No. 19, an act to incorporate the Catholic Philopatrian institute of Philadelphia.

Passed finally.

No. 307, an act to incorporate the Crozer Theological seminary.

Passed finally.

No. 308, an act to incorporate the Pennsylvania Live Stock insurance company, to insure against disease, accident and death.

Passed finally.

No. 309, an act to authorize the commissioners of Schuylkill county to sell real estate, and to apply the proceeds to the building of a tenant house for the janitor of the court house in said county.

Passed finally.

Senate bill No. 71, an act to divide the Northwest ward, in the city of Lancaster, into election precincts.

Passed finally.

No. 313, an act to authorize the commissioners of Wyoming county to levy an additional tax for the purpose of erecting a new county jail and sheriff's house in said county of Wyoming, and for other purposes.

Passed finally.

No. 314, an act to divide the township of Plymouth into two election districts.

Passed finally.

No. 315, an act to regulate the taking of fish from the ponds and lakes in Benton township, in Luzerne county.

Passed finally.

No. 318, an act relative to bounty taxes in Marion township, Butler county.

Passed finally.

Senate bill No. 36, an act authorizing the school directors of the borough of Sewickley to collect the balance of bounty tax in said borough.

Passed finally.

No. 321, an act authorizing and requiring the school directors of Mercer township and Harrisville borough, in the county of Butler, to levy a bounty tax, and for the repeal of all former acts relating to bounties in said districts.

Passed finally.

No. 322, an act to legalize the levy and collection of certain bounty taxes, to provide for a settlement, and authorize the school directors to lay an additional bounty tax in Lykens township, Dauphin county.

Passed finally.

Senate bill No. 50, an act to repeal an act entitled An act relative to bounties in Brady township, Butler county, which became a law on the 4th day of January, A. D. 1867.

Passed finally.

No. 325, a further supplement to an act to incorporate the Pittsburg and Birmingham passenger railroad company, approved the 13th day of April, A. D. 1859.

Passed finally.

No. 263, a supplement to an act to incorporate the Titusville and Pithole plank road company.

Mr. WHANN. Mr. Speaker, I am not opposed to this bill, but I think it is severe. I think it should be amended. I think it is very much one sided and there is not time to amend it now. I move that the consideration of it be postponed for the present.

The motion was

Agreed to.

No. 277, an act relative to drunkenness and disorderly conduct in the cities of Pittsburg and Allegheny.

Mr. CHADWICK. Mr. Speaker, I move to postpone this bill indefinitely.

The motion was

Agreed to.

No. 283, a further supplement to an act revising the charter of the municipal corporation of the city of Reading.

Mr. JONES. Mr. Speaker, this bill provides for the election of an additional officer on the second Friday of February, 1867. As that day has already passed, the act could not go into operation. I, therefore, move the indefinite postponement of the bill.

The motion was

Agreed to.

No. 296, a supplement to the act to incorporate the Western transportation company, formerly the Oil Creek transportation company.

Mr. WHANN. Mr. Speaker, this bill, to me, is very objectionable, and I would ask that it be indefinitely postponed, or that it be voted down; but there are several other counties affected by it, and I observe the representatives from those counties are not present. I, therefore, move that the consideration of this bill be postponed for the present.

The motion was

Agreed to.

No. 320, an act authorizing the supervisors of Ulysses township to levy a tax to refund to Perry Lewis, in said township, the sum of four hundred dollars, it being for money advanced to volunteers.

On motion of Mr. MANN,

The bill was laid over on third reading.

MESSAGE FROM THE SENATE.

The Clerk of the Senate being introduced, presented for concurrence bills numbered and entitled as follows, viz:

Senate bill No. 114, an act regulating the sale, by hawkers and peddlers, of goods at wholesale.

Senate bill No. 349, an act to enable the Pennsylvania Cannel coal and railroad company to borrow money, and to change the corporate name of said company.

Senate bill No. 350, an act to extend the time of the payment of the enrollment tax on a certain act approved March 10th, 1865, en-

titled A further supplement to an act to incorporate the Powelton coal and iron company, approved May 1st, 1861, extending the time of charter of said company.

Senate bill No. 353, a supplement to the act of Assembly entitled An act to incorporate the Union Park skating association of Allegheny city, approved the 23d day of March, A. D. 1865.

Senate bill No. 354, an act to authorize the select and common councils of the city of Williamsport to levy and collect a special tax for city purposes.

He also retnrned bills from the House of Representatives numbered and entitled as follows, viz:

No. 84, an act to authorize the election of an additional justice of the peace in the township of Cherry Hill, Indiana county.

No. 197, an act relative to roads in Valley township, Chester county.

No. 222, an act to change the time of holding the election of officers of the Independent company of Montgomery and Bucks counties, for the recovery of stolen horses and detection of thieves.

No. 230, a supplement amendatory to an act to incorporate the Farmers' market of the Fifth ward of the borough of York,

With information that the Senate has passed the same without amendments.

He also returned bill from the House of Representatives numbered and entitled as follows, viz:

No. 161, an act to repeal the act of Assembly, passed the 11th day of April, 1866, entitled An act to provide for the purchasing of real estate, and erection of a poor house in Montour county,

With information that the Senate has passed the same with amendment, in which the concurrence of the House of Representatives is requested.

Senate bill No. 81, an act to change the place of business of the Cameron petroleum company of Pennsylvania.

Mr. WADDELL. Mr. Speaker, I hope not, sir. I do not know who asked for the passage of this bill; but inasmuch as I have been written to and spoken to by a very large number of the stockholders of this company, protesting earnestly against its passage, I desire, sir, to present to the House and ask that it may be read by the Clerk, the following remonstrance.

The remonstrance was read by the Clerk as follows:

At a meeting of stockholders of the Cameron petroleum company, held at their office, No. 219 Dock street, Philadelphia, January 24th, 1867,

On motion, Edward Garrigues was called to the chair, and W. W. Ward appointed secretary.

On motion of R. A. Parrish, jr., the following resolutions were unanimously adopted:

WHEREAS, A bill has recently been reported in the Legislature "to change the place of business of the Cameron oil company;"

And whereas, Nine-tenths of the four hundred stockholders in the company reside in the vicinity of this city, and to compel them to go, or send three hundred miles, to make transfers of their stock, would not only be inconvenient and expensive, but actually detrimental to the value of said stock;

And whereas, We subscribed for the stock and paid our money, upon the conditions expressed in our articles of association, that the business of the company shall be transacted at its office in the city of Philadelphia; therefore,

Resolved, That to remove the office from the city of Philadelphia without the consent of a majority of stockholders will be a breach of faith on the part of our managers, and a violation of contract with subscribers to our stock.

Resolved, That the members of the Legislature from this city, and the State at large, be respectfully requested to prevent the passage of any bill to remove the company's office from the city of Philadelphia.

Resolved, That the secretary of the company be requested to send a copy of these proceedings to our president and board of managers, urging them most respectfully not to remove the office from the city of Philadelphia (in case authority should be given them by the Legislature to do so) without first having obtained the consent of a majority of the stockholders at a meeting of the same called for the purpose.

Resolved, That the secretary of this meeting be directed to send a copy of these proceedings to the members of the Legislature from this city.

Attest: W. W. WARD, Secretary.

Mr. WADDELL. Mr. Speaker, in connection with that I desire to have the extract from the articles of the association, which is referred to in this resolution, read also.

The extract was read by the Clerk as follows:

OFFICE OF THE CAMERON PETROLEUM COMPANY, No. 219 Dock street, PHILADELPHIA, January 29, 1867.

WM. B. WADDELL, Esq—*Dear Sir*:—At the request of a committee of our stockholders, I send you a copy of that section of the articles of association of the Cameron petroleum company which relates to the location of the business office of the company.

Truly yours, &c.,
J. LACY DARLINGTON.

EXTRACT.

"The mining and manufacturing of the company shall be carried on in Cranberry and Sandy Creek townships, Venango county, Pennsylvania, and the other business of the company at our office in the city of Philadelphia."

I do hereby certify that the foregoing extract is a true copy from the articles of association of the Cameron petroleum company of Pennsylvania.

J. L. DARLINGTON, Secretary.

Mr. WADDELL. Mr. Speaker, I think that presents the whole case to the House, as I understand it. I do not know as it is necessary for me to add a word to what has been presented. As the paper shows, nine-tenths of these stockholders who are interested in this company, reside in and around Philadelphia, and a number of them reside in the county of Chester. They protest against being compelled to go into the western part of the State (I do not know exactly where it is proposed to change this office to), in order to be able to see what is going on in the way of the business connected with this company. They desire to have the business of the office located where they may have easy access to the books, and where the directors may communicate to the company. Therefore, in their behalf, I desire to ask this Legislature to allow their place of business to remain where they agreed it should, at the time they subscribed for this stock, and laid out their money. I hope the House will not agree to the bill.

Mr. M'PHERRIN. I have no interest at all, personally, in this matter; but it is proper that I should here say something in behalf of this request of the stockholders. The gentleman from Chester [Mr. WADDELL] alleges that a majority of the stock is held by gentlemen in the east. The stockholders in the west make a different representation. They state that a great majority is held in the west. The territory on which they are operating is within twenty-five miles of Greenville, to which place I understand the office is to be removed by this bill; and their object in asking this removal is, that the company is not now paying any dividend to the stockholders, and it costs them much more to keep their place of business in Philadelphia than in the west. They say here, in a paper which they drew up, that it will cost two-thirds more to keep the office where it now is than at the place to which it is proposed to remove it. They state that the business of this office can be done in the west at one-third the cost in Philadelphia; that the majority of the directors of the company are western men; that the works of the company are much closer to Greenville than to Philadelphia, and the object is to reduce the expenses of the company, in order that they may declare dividends. As the matter now stands, the expenses use up all the proceeds; and, therefore, the western stockholders desire to curtail the expenses, that they may be able to declare a dividend, which they feel confident they can do, by moving the office to Greenville, and that the business can be as easily transacted there as in Philadelphia. We hold in the west one hundred and four thousand and nine hundred shares of the stock of the said company, which is a large majority of the stock. Now, we are all disposed to do our own business in the most economical manner, and I think this House ought to pass this bill, which was passed in the Senate, where the matter was much more fully understood than it is here. I have no personal interest in it, but I believe the statement that a large majority of this stock is owned in and around Philadelphia is without foundation. I am acquainted with Mr. Stewart, the president of this company, who held nearly all the territory on which this company is operating, and he informed me that the majority of the stock was held in the west. I think it eminently proper that we should change the business place of this company, so that they can carry on their operations in the most economical manner. They have an eye to the interest of the stockholders in Philadelphia as well, it seems to me, in asking for the removal of this office to a place near the territory on which they are operating. I have also been informed that General Cameron, by whose name the company is styled, is in favor of the removal of the office.

I have briefly stated the reasons why this removal is asked, and I trust the House will see proper to pass the bill.

Mr. WADDELL. Mr. Speaker, I apprehend that it will make very little difference to this House what sentiments General Cameron may have upon this measure. I understand, and have seen a letter from General Cameron (which, however, is not in my possession), in which he protests, along with others, against this removal. I have read the letter, and I merely make this statement in reply to the gentleman, not apprehending that it will make any difference to this House what his views are in reference to this matter.

Nor, sir, do I care what course has been pursued in the Senate. I think it will answer that allegation by merely stating that the bill got through the Senate before the stockholders in the city of Philadelphia, and surrounding country, were aware that such a bill had been introduced. As soon as this fact was known, I was written to upon the subject, as well as my colleague in the Senate; and we discovered that the bill had been rushed through the Senate, and I was put upon my guard in the House. If it met with no objection in the Senate, it was because the stockholders were not aware of its existence be-

fore it was passed. I admit that a majority of the stock is held in the west. That I have never gainsayed; but that stock is held by one man—and are nine-tenths of the stockholders of this company to submit to an inconvenience, in order to accommodate one man; and that one man a person who acts as president of the company; who acts as one of the managers; who acts as treasurer, and who acts as superintendent of the company; and now who desires to have the company completely under his control? I take it that the simple statement of these facts is sufficient to prevent this House from giving the opportunity to this man to clothe himself with any more power than he has at present. I do not speak advisedly the sentiments of the stockholders of this company, because I do not know what their sentiments are toward Mr. Stewart. I presume they are of a friendly character, and perfectly satisfactory. I merely state these facts to show what would induce me, as a legislator, to object to giving this man more power, when nine-tenths of the stockholders are protesting against it, merely to gratify this one man.

Now, there are five managers. One of these managers is president and treasurer and superintendent of the company. Of the other four, two reside in the east, and the other two in the west. That is the real position of things. Undoubtedly a majority of this stock is held by the president of the company, who resides in the west. But nine-tenths of the stockholders, who are deeply interested in the management of the business, desire that it should be transacted in a place where they can readily and easily ascertain how the business of this company is conducted. Are nine-tenths of these gentlemen to be incommoded merely to gratify one-tenth (if you please to so express it) of the stockholders? I take it that they are not. If nine-tenths of these gentlemen, representing almost a majority of the stock, are satisfied to incur this additional expense, and their dividends are thereby lessened, I do not think anybody here has a right to complain of it.

Mr. M'PHERRIN. Mr. Speaker, I am no lawyer, and I do not feel able to cope with the learned gentleman who has just taken his seat, nor do I feel like spending much breath about this company. Although not able to cope with the gentleman in argument, I have confidence in the truth of the statements which I have made to the House. I have them from reliable authority, and that it is so, that a majority of the stock of this company is held in the west. It may not be that it is a majority of individuals who hold that stock, but I take it that a majority of the stock ought to govern. With regard to the majority of the stockholders and managers of the company, I do not know how that may be, but it is stated that a majority of them are in the west. The sole object that the western stockholders set forth for desiring the removal of the office, is on the ground of economy to the company. That certainly ought to govern every company, and every individual, in the management of business. Now, they say they get no dividend, and if they can get a dividend by curtailing their expenses, it certainly would be an advantage to all the stockholders. It comes to us with the recommendation of the Senate, and I think we ought to acquiesce in this action of the Senate, especially since it is the request of individuals, who own a large majority of the stock of that company. I have no idea that the president will have any more control by this change than he has now. The directors now have, and will continue to have, the control of it, and not the president. I submit this to the House as a matter we should at once pass.

Mr. WADDELL. Mr. Speaker, I only want to refer to one point, and that is that if the place of business of this company is removed west, the gentleman holding a majority of the stock, and who is president, treasurer, superintendent, and one of the managers, will also be secretary. It is undoubtedly owing to the fact of his holding the majority of the stock that has enabled him to hold the offices that he now holds, and he now lacks one office of holding all in the gift of the company. And if the office is moved to the west he will undoubtedly hold that office also. All these gentlemen ask is that their interests should be protected as well as those of the company.

Mr. M'PHERRIN. Mr. Speaker, I think their interests will be better protected by removing the office to a place where the expense will be only one-third than by allowing it to remain where it is now. I am well acquainted with Mr. Stewart, and he was induced to take the presidency because he was the cause of the formation of the company, and was originally in possession of most of the territory where they have been operating. I know him to be an honest and upright man, and I have no idea he would take an undue advantage of any one or of the company. The majority of the stock should govern, and if those holding a majority of the stock in that company desire to remove their office nearer their works for the sake of economy, and for the sake of enabling the company to pay a dividend to the stockholders in that company, I think it eminently proper it should be removed. I think this principle will commend itself to the House.

On the question, Will the House agree to the bill?

It was not agreed to.

MESSAGE FROM THE GOVERNOR.

The Deputy Secretary of the Commonwealth being introduced, presented the following message from the Governor, which was read as follows, viz:

EXECUTIVE CHAMBER,
HARRISBURG, February 12, 1867.

To the Senate and House of Representatives of the Commonwealth of Pennsylvania:

GENTLEMEN—I have approved and signed the following acts of the General Assembly, to wit:

On the 6th inst.:

A supplement to the act to incorporate the Eagle mining company, passed the eighteenth day of March, Anno Domini one thousand eighteen hundred and sixty-five, and authorizing said company to borrow money, issue bonds and to increase the number of directors.

An act creating the office and defining the duties of assistant district attorney, for the county of Allegheny.

An act to repeal a part of an act, approved March second, Anno Domini one thousand eight hundred and sixty-six, in reference to fees of officers and jurymen in Warren county.

An act to validate and confirm a certain mortgage or deed of trust, executed under the corporate seal of the Phillipsburg coal, iron and oil company, and to authorize the transfer of the railroad of the said company to any other railroad company running a railroad connecting therewith and to increase the number in the board of directors.

An act to authorize the collection of money for school purposes" in the borough of Tidioute, in Warren county.

A further supplement to an act entitled An act to incorporate the Howard fire and marine insurance company, approved the twenty-sixth day of April, Anno Domini one thousand eight hundred and fifty-five, reducing the number of directors and authorizing an increase of the capital stock.

On the 7th inst.:

An act to repeal the act to change the venue in the case of John Lenox from the county of Washington to the county of Beaver, approved April twelfth, Anno Domini one thousand eight hundred and sixty-six.

A supplement to an act approved February 27th, A. D. 1863, entitled An act to incorporate the Oakland railway company.

An act authorizing a special election in the borough of Highspire.

An act supplementary to an act entitled An act providing for the erection of a poor house in the county of Luzerne.

An act to incorporate the Germania Savings Institution of Erie.

An act relative to roads and highways in Schuylkill county.

A supplement to an act entitled An act relating to the pay of jurors in the counties of Lehigh and Berks, approved the twenty-third day of March, one thousand eight hundred and sixty-five.

An act to authorize the appointment of a phonographic reporter for the courts of Lancaster county.

On the 11th inst:

An act to exempt from taxation, certain property devoted to Masonic uses in the city of Reading.

On the 12th instant:

An act to incorporate the Quinterro mining company.

An act to vacate certain lanes and alleys in the plan of out lots of the borough of Beaver, in the county of Beaver.

An act appropriating part of the moneys arising from fines and forfeitures in the county of Schuylkill, for a law library for the use of the courts, et cetera.

An act in relation to the sale of certain real estate owned by the Odd Fellows' Hall association of Allentown, in the county of Lehigh.

An act requiring the bounty commissioners of Forks township, Northampton county, to render an account to the auditors of said township, and providing for auditing the same.

On the 7th instant:

Joint resolution requesting Congress to pass such laws as will enable soldiers who have lost their discharges to receive the one hundred dollars bounty under the act of Congress of July 28th, 1866.

JNO. W. GEARY.

PRIVATE CALENDAR—CONTINUED.

No. 326, an act to ascertain the views of the qualified electors of the city and county of Philadelphia upon the subject of allowing the passenger railway companies, of said city, to run their cars on the first day of the week, commonly called Sunday.

Mr. QUIGLEY offered an amendment, which provides that, in case the bill shall receive a majority of the votes in its favor, it shall become a law.

Mr. ARMSTRONG moved to postpone the subject indefinitely.

Remarks were made by Messrs. Armstrong, Quigley, Kerns, Hood, Lee, Barton, Waddell, Pennypacker, Kennedy, Davis, M'Pherrin, Sharples and M'Creary, which will appear in the Appendix to the *Record*.

The question being on the motion to postpone indefinitely,

The yeas and nays were required by Mr. QUIGLEY and Mr. JOSEPHS, and were as follow, viz:

YEAS—Messrs. Armstrong, Boyle, Brown, Craig, Day, Espy, Ewing, Gallagher, Gordon, Kennedy, Kimmell, Leech, Linton, Long, M'Camant, M'Creary, M'Kee, Phelan, Pillow,

Richards, Roath, Robinson, Shuman, Stancy, Tharp, Waddell, Wallace, Weller, Westbrook, Wharton, Wilson and Wright—32.

NAYS—Messrs. Adaire, Barrington, Barton, Boyd, Breen, Brennan, Cameron, Chadwick, Chalfant, Collins, Colville, Davis, Donohugh, Fogel, Ghegan, Gregory, Harbison, Harner, Headman, Heitzel, Hoffman, Hood, Humphrey, Hunt, Jones, Josephs, Kerns, Kinney, Kline, Koon, Kurtz, Lee, M'Henry, Maish, Mann, Markley, Marks, Mechling, Meily, Meyers, Mullin, Pennypacker, Peters, Quay, Quigley, Rhoads, Satterthwait, Sharpless, Stehman, Stumbaugh, Subers, Watt, Webb, Wham, Wingard, Worrall and Glass, *Speaker*—57.

So the question was determined in the negative.

On motion of Mr. ARMSTRONG, the House adjourned until to-morrow morning at ten o'clock.

SENATE.

TUESDAY, February 12, 1867.

The Senate met and was called to order at 11 A. M., by the SPEAKER.

Prayer was offered by the Rev. Mr. Bailey, of Harrisburg.

On motion of Mr. CONNELL the reading of the Journal of Wednesday last was dispensed with.

PERSONAL EXPLANATION.

Mr. FISHER having asked and obtained leave to make a short statement, said:

Mr. Speaker, it is known to many members of this Senate that I came here having in charge a bill to build a bridge over the Susquehanna river at Columbia. When the bill was read in place by me it was referred by you, Mr. Speaker, to the Committee on Railroads. I regarded the reference at that time, and do so still, as entirely proper, because the interest of the Pennsylvania railroad company was particularly identified with the building of that bridge. I have attended to the interests of this bill as faithfully as I knew how. I appeared before the committee and made a statement covering the entire ground, and supposed that I was doing all in my power to advance the interests of my constituents. Last week, sir, a committee from the two counties of York and Lancaster visited this capital, and I had interviews with them which I supposed were entirely satisfactory. They went home and misrepresented me; and the other day I picked up a paper published in our town, it is true with but a limited circulation. I found in that paper an article, a portion of which I beg leave to read as follows:

"We are also informed by said committee that they are in possession of facts which induced them to believe that a Senator from this county, who is a strong advocate of said bill, while among his constituents, has his influence locked up in *statu quo* to say the least of his actions, while in the Senate; that in fact the indications are that his influence is on the wrong side for the good of Lancaster and York counties. The inhabitants of these counties have been put to great inconvenience during the last four years for the want of a bridge at this point; other parts of the State are inclined to grant them relief, and should our representatives even falter in this manner, they must remember that these are revolutionary times, that during such times, certain acts may become a military necessity and certain localities may become too warm for the convenience of those who falter."

Now, sir, I deny that I have faltered in my devotion to the interests of my constituents, and as making a place too warm for me I would advice them to try it on.

I rise now for the purpose o calling the attention of this Senate and the country to the fact, and I appeal to the members of the Railroad Committee, to its honored chairman, to my friend from Erie [Mr. LOWRY], to my friend from Schuylkill [Mr. RANDALL] and to the other members of the committee, to say whether I did or did not prosecute that bill before the committee with proper zeal.

Mr. BILLINGFELT. I would ask if any name is given in that article?

Mr. FISHER. There is no name given; but as a matter of justice to myself I ask that the members of the committee state whether I have done my duty or not.

Mr. LOWRY. Mr. Speaker, the attack made upon the Senator from Lancaster [Mr. FISHER] in the paper just read is in every point unjustifiable. He has done all he could to carry out the wishes of his constituents in reference to this bill, and we have agreed to report the bill to-day. The whole spirit of that article is unjust towards that Senator.

Mr. GRAHAM. Mr. Speaker, it is not, I am aware, in good taste to speak of what transpires in committee, but I think it due to the Senator from Lancaster [Mr. FISHER] to state that at the very first meeting that the Railroad Committee held after the reception of the bill referred to, he appeared before the committee and was very urgent to have that bill reported immediately, and gave a variety of reasons urging its importance to his people and insisted upon having it reported. It was held over for consideration by the committee for a few days, since which time the committee finally agreed to report it, and I think it will be reported this morning as committed.

Mr. WHITE. Mr. Speaker, I was sorry to hear the article read by my friend, the Senator from Lancaster [Mr. FISHER]; and I think it eminently proper that every Senator here should be careful of the reputation of his fellows upon this floor, and should always cheerfully bear testimony to duty faithfully performed, when such has been the case. I take pleasure in rising in my place, after hearing the case of the Senator from Lancaster, and stating that I know from his conversation and intercourse with myself, as Senator from the western part of the State, that he has manifested great interest in representing its claims before the committee. In my conversation and intercourse with him he has, at all times, manifested a commendable anxiety on the subject, and I believe the charges are untrue and unfair towards him, and I wish it so to go on the *Record* as coming from me.

PETITIONS, REMONSTRANCES, &C.

Mr. CONNELL presented the petition of Samuel B. Shipley, and other citizens of Philadelphia, imploring the Legislature to restrain the retailing of spirituous liquors in the city of Philadelphia, which was read as follows:

To the Senate and House of Representatives of the Commonwealth of Pennsylvania:

The undersigned, citizens of Philadelphia, viewing with sorrow and dread the fearful increase of intemperance and its attendants, crime and degradation, in our city, implore the legislature to interpose its authority in a righteous cause by such legislation as will restrain the retailing of spirituous liquors, or at least to repeal the special laws applicable to our city as require the indiscriminate issuing of licenses for its sale, thereby removing this great curse from our locality.

Referred to the Committee on Vice and Immorality.

Also, a remonstrance from citizens of West Philadelphia, against vacating any part of Arch street.

Referred to the Committee on Roads and Bridges.

Also, one from James D. Pratt, and fifty other citizens, praying that all railroad companies be compelled to keep a gate and a man at all streets, where their roads cross at grade.

Referred to the Committee on Railroads.

Also, one from J. E. Mitchell and others, owners of one thousand five hundred feet front on Chesnut Hill and Spring House turnpike, against the passage of any act to authorize said company to open old water courses on their lands.

Referred to the Committee on Roads and Bridges.

Also, one of Charles D. Colloday, and one hundred citizens of Philadelphia, for a draw on the South Street bridge.

Referred to the Committee on Roads and Bridges.

Mr. WORTHINGTON, one from citizens of Philadelphia, remonstrating against the passage of a law to authorize the desecration of the Sabbath in running the cars.

Referred to the Committee on Vice and Immorality.

Also, petition of eighteen citizens of Schuylkill county, for an act entitled An act for the better and more impartial selection of persons to serve as jurors.

Referred to the Committee on the Judiciary General.

Also, one from citizens of Chester county, asking for the passage of an act authorizing the recording of soldiers' discharges and officers' commissions, exempting therefrom the payment of the fifty cents State taxation.

Referred to the Committee on the Judiciary Local.

Mr. ROYER, a remonstrance from citizens of Montgomery county, against the repeal of the act of Assembly granting pensions and gratuities to the soldiers of the war of 1812.

Referred to the Committee on Pensions and Gratuities.

Also, petition of citizens of Upper Hanover township, Montgomery county, asking for an act of Assembly exempting the property of the New Gossenhoppen Church from taxation.

Referred to the Committee on Finance.

Also, petition from citizens of Schuylkill county, for an act entitled An act for the better and more impartial selection of persons to serve as jurors.

Referred to the Committee on the Judiciary General.

Also, remonstrance of citizens of Montgomery county, against the increase of tolls upon the Lime Kiln and other turnpike roads in said county.

Referred to the Committee on Roads and Bridges.

Mr. JAMES, a remonstrance of the citizens of Doylestown, Bucks county, against any increased borough privileges.

Referred to the Committee on the Judiciary Local.

Mr. RANDALL, petition of citizens of Minersville, Schuylkill county, asking that the time of holding borough elections may be changed.

Referred to the Committee on Election Districts.

Mr. BURNETT, petition for an act to authorize the school directors of the borough of Honesdale, in Wayne county, to borrow money for school purposes, issue bonds, and levy and collect taxes for the payment thereof.

Referred to the Committee on Education.

Mr. LANDON, a remonstrance against Sunday cars.

Referred to the Committee on Vice and Immorality.

Mr. COWLES, petition of many citizens

of Philadelphia, praying for a law restraining the sale of spirituous liquors in Philadelphia.

Referred to the Committee on Vice and Immorality.

Also, petition of citizens of Schuylkill county, for an act entitled An act for the better and more impartial selection of jurors.

Referred to the Committee on the Judiciary General.

Also, a petition of citizens of Hamlin township, M'Kean county, asking that Marvin creek be made a public highway.

Referred to the Committee on Canals and Inland Navigation.

Mr. COLEMAN, petition of citizens of Schuylkill county, for an act entitled an act for the better and more impartial selection of persons to serve as jurors.

Referred to the Committee on the Judiciary General.

Also, petition of Theophilus Fenn, asking for remuneration for destruction of a barn and other property by New York troops, in the year 1863.

Referred to the Committee on Finance.

Also, petition of the common council of the city of Harrisburg, to borrow the sum of two hundred thousand dollars for the use of said city.

Referred to the Committee on the Judiciary Local.

Also, a petition of citizens of Halifax, Dauphin county, against running cars on Sunday.

Referred to the Committee on Vice and Immorality.

Mr. BILLINGFELT, petition of citizens of Schuylkill county, for an act entitled An act for the better and more impartial selection of persons to serve as jurors.

Referred to the Committee on the Judiciary General.

Also, petition of a large number of citizens of Lancaster county, praying for the repeal of parts of an act entitled A further supplement to an act to authorize the Governor to incorporate the Susquehanna coal company, approved April 15th, 1835.

Referred to the Committee on Canals and Inland Navigation.

Also, petition of citizens of Columbia, Lancaster county, praying for the passage of an act compelling the Columbia bridge company to rebuild the Columbia bridge across the Susquehanna.

Referred to the Committee on Railroads.

Also, remonstrance of citizens of Philadelphia, against the running of passenger cars on the Sabbath.

Referred to the Committee on Vice and Immorality.

Mr. GLATZ, petition of four hundred citizens of York, in reference to the rebuilding of the Columbia bridge at Columbia, in said county.

Referred to the Committee on Railroads.

Mr. M'CONAUGHY, petition of citizens of Schuylkill county, for an act entitled An act for the better and more impartial selection of persons to serve as jurors.

Referred to the Committee on the Judiciary General.

Also, petition from citizens of Franklin county, praying for the enactment of a general railroad law.

Referred to the Committee on Railroads.

Also, petition of citizens of Philadelphia, remonstrating against the passage of a law to authorize passenger railways to run their cars on Sunday.

Referred to the Committee on Vice and Immorality.

Mr. STUTZMAN, petitions of citizens of Somerset county, asking for the repeal of the law taxing moneys at interest.

Referred to the Committee on the Judiciary General.

Also, petitions of citizens of Somerset county, asking for a free railroad law.

Referred to the Committee on Railroads.

Mr. HAINES, petitions of citizens of Schuylkill county, for an act entitled An act for the better and more impartial selection of jurors.

Referred to the Committee on the Judiciary General.

Also, remonstrance of citizens of Philadelphia, against the running of street cars on on the Sabbath day.

Referred to the Committee on Vice and Immorality.

Mr. WHITE, petition of citizens of Schuylkill county, for an act entitled An act for the better and more impartial selection of jurors.

Referred to the Committee on the Judiciary General.

Mr. WALLACE, petition of citizens of Clearfield, Lycoming and Clinton counties, for the incorporation of the Whitmer's Run navigation company.

Referred to the Committee on Corporations.

Mr. GRAHAM, petition of citizens of Schuylkill county, for an act entitled An act for the better and more impartial selection of jurors.

Referred to the Committee on the Judiciary General.

Also, remonstrance against the bill to vacate the old graveyard in the borough of Sewickley.

Referred to the Committee on the Judiciary Local.

Also, petition of citizens of Philadelphia, against running passenger cars on Sunday.

Referred to the Committee on Vice and Immorality.

Mr. TAYLOR, petition of the citizens of Schuylkill county, for an act entitled An act for the better and more impartial selection of jurors.

Referred to the Committee on the Judiciary Local.

Mr. BROWNE (Lawrence), remonstrance of citizens of Philadelphia, against any act authorizing running cars on Sabbath.

Referred to the Committee on Vice and Immorality.

Mr. BROWN (Mercer), petition of the burgess and town council of the borough of Sharon, in the county of Mercer, praying for the passage of an act legalizing the assessment and collection of a certain tax, and authorizing the levying and collection of a ten mill tax for borough purposes in said borough.

Referred to the Committee on the Judiciary Local.

Mr. LOWRY, petition of citizens of Titusville, against the passage of a bill to exempt certain property in Titusville from local taxation.

Referred to the Committee on Education.

Mr. RIDGWAY, petition from the Pennsylvania Anti-Slavery society, against the passage of the constitutional amendment.

Which was read as follows:

To the Legislature of Pennsylvania:

The undersigned, in behalf of the Pennsylvania Anti-Slavery society, respectfully pray your honorable body not to ratify the proposed constitutional amendment. Our reason for this petition is the danger to the liberties of the people from conceding to any State (as is done in the second section of the proposed amendment) the power of denying to any class of its loyal citizens the right of the elective franchise.

[Signed] JAMES MOTT, President.

Laid on the table.

LEAVE TO RECORD VOTE.

Mr. CONNELL having presented the petition of Col. H. G. Sickle and one hundred other citizens of Philadelphia, praying for the passage of an act to compel passenger railway companies to carry persons of color in like manner as they do white people, which was

Laid on the table,

Mr. WHITE. Mr. Speaker, I would call attention to the fact that I was absent from the Senate when the final vote was taken upon the bill referred to in that petition. I now ask leave to record my vote upon the final passage of that bill.

Leave having been given,

Mr. WHITE voted aye.

REPORTS FROM COMMITTEES.

Mr. COWLES, from the Committee on the Judiciary Local, reported, as committed, a bill entitled An act relating to the pay of surveyors appointed by the courts of Crawford county.

Also (same), as committed, a bill entitled Supplement extending the provisions of an act approved the 17th day of April, A. D. 1866, relative to the fees on unseated lands in the county of Centre.

Also (same), as committed, a bill entitled An act to divide the borough of Plymouth into two wards.

Mr. FISHER (same), as committed, a bill entitled An act to change the venue in the case of Jane E. Caldwell vs. the Catawissa railroad company from the Supreme Court of *nisi prius* in Philadelphia to the court of common pleas of Lycoming county.

Also (same), as committed, a bill entitled Supplement to an act to incorporate the town of Haley, in the county of Perry, into a borough, approved April 12, 1866, changing the name of said borough of Haley to Marysville, and forming the same into a separate election district.

Also (same), as committed, a bill entitled An act for the relief of Joseph A. Allen and E. Mayes.

Also (same), as committed, a bill entitled A further supplement to the act incorporating the borough of Washington.

Mr. STUTZMAN (same), with a negative recommendation, a bill entitled An act for the better prosecution of disorderly persons in the borough of Monongahela, Allegheny county.

Also (same), as committed, a bill entitled An act extending the provisions of the act relating to corporations for mechanical, manufacturing and quarrying purposes, approved July 18, 1863, and the supplement thereto, to the county of Northumberland.

Mr. DAVIS (same), as committed, a bill entitled An act relating to the fees of the district attorney of Huntingdon county.

Also (same), as committed, a bill entitled An act to change the provisions of the thirtieth section of an act regulating boroughs, approved April 30, 1851, so far as the same relates to the borough of Mount Pleasant, Westmoreland county.

Also (same), as committed, a bill entitled A supplement to an act, approved the first day of April, A. D. 1863, for the protection of owners of wharves or landings, in the borough of Oil City, Venango county.

Mr. RIDGWAY, from the Committee on Corporations, as committed, a bill entitled A supplement to an act to compel the manufacturers of firkins, kegs and tubs, intended for the packing of butter or lard, in the counties of Erie, Crawford and Warren, to mark the weight thereon, extending the same to the county of Bradford.

Also (same), as committed, an act to enable the board of directors of the Swatara Falls coal company to borrow money, and to mortgage the corporate rights and franchises, mining rights and privileges, estate and personal, of every description, or any part there-

of, now held, or that may hereafter be held, by said company.

Also (same), as committed, a bill entitled A supplement to an act to incorporate the West Brook Mountain coal and iron company, approved May 3d, 1864.

Also (same), as committed, a bill entitled An act to incorporate the Montrose mining company.

Mr. ROYER (same), as committed, bill entitled An act authorizing the Union Mutual fire insurance company of Montgomery county to change the time of holding its elections.

Mr. GLATZ (same), as committed, a bill entitled An act to incorporate the Harmony gold and silver mining company.

Also (same), as committed, a bill entitled A supplement amendatory of an act to incorporate the Farmers' market of the Fifth ward of the borough of York.

Mr. LANDON, from the Committee on Railroads, as committed, a bill entitled An act relating to the Columbia bridge company.

Mr. ROYER, from the Committee on Agriculture and Domestic Manufactures, with amendment, a bill entitled An act for the protection of farmers in the markets of Philadelphia.

Mr. BILLINGFELT, from the Committee on Roads and Bridges, as committed, a bill entitled An act relative to roads in Valley township, Chester county.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

The Clerk of the House of Representatives being introduced, presented for concurrence bills numbered and entitled as follows:

No. 114, an act for the relief of wives and children deserted by their husbands and fathers, in certain counties of this Commonwealth.

No. 161, an act to repeal the act of Assembly passed the 11th day of April, 1866, entitled An act to provide for the purchase of real estate and erection of a poor house in Montour county.

No. 172, a supplement to the act of the General Assembly, incorporating the borough of Mechanicsburg, in Cumberland county, passed April 12, A. D. 1828, as amended by the act regulating boroughs, approved April 3, A. D. 1851, and adopted by said borough, August 24, A. D. 1857.

No. 182, an act to incorporate the Hesperian mining company.

No. 205, an act to incorporate the Emlenton and Shippenville turnpike company.

No. 198, an act to establish a ferry over the Allegheny river at or near Red Bank furnace.

No. 185, an act to incorporate the California and Philadelphia Gold mining company.

No. 218, a supplement to the act to incorporate the Columbia gas company, and relative to the election of assessors and constables in Salisbury and Cærnarvon townships, Lancaster county; to lay out a State road from Marietta to Portsmouth; to require the State Treasurer to refund certain moneys to the administrator of Anna Kimmell, deceased, approved the 10th day of April, A. D. 1851.

No. 222. An act to change the time of holding the election of officers of the Independent company of Montgomery and Bucks counties, for the recovery of stolen horses and detection of thieves.

No. 225, a further supplement altering and amending an act to incorporate the St. Clair cemetery association of the borough of Greensburg, Westmoreland county, approved April 19, A. D. 1856.

No. 226, an act to incorporate the Mahanoy Valley insurance company.

No. 194, an act to establish a ferry on the Allegheny river at Patterson's Falls, in the county of Venango.

No. 227, an act to incorporate the Oak Hall association of Weatherby.

No. 204, a supplement to an act to amend the road laws of Erie county, approved the twenty-sixth day of March, A. D. 1846.

No. 189, an act to incorporate the Douglassville and Yellow House turnpike road company.

No. 356, an act relative to the election of school directors and supervisors of roads in the township of Allegheny, in the county of Armstrong.

No. 214, an act to establish a ferry over the Allegheny river, at the mouth of East Sandy creek, in the county of Venango.

No. 219, an act to incorporate the Highspire cemetery association.

No. 122, an act to regulate the terms of the several courts in the Sixth Judicial district.

No. 206, an act to establish a ferry over the Allegheny river, at or near Bear Creek landing.

No. 228, an act to incorporate the Mission House of the Protestant Episcopal church in the United States.

No. 238, an act relating to the disposition of fines and forfeited recognizances in the county of Susquehanna.

He also returned bill from the Senate numbered and entitled as follows, viz:

No. 3, joint resolution to ratify the amendment to the Constitution of the United States,

With information that the House of Representatives has passed the same without amendment.

BILLS IN PLACE.

Mr. CONNELL read in his place and presented to the Chair a bill entitled An act to extend the time of payment of the enrollment tax on a supplement to the Powelton coal and iron company, approved May 1st, 1861, extending the time of charter of said company.

Referred to the Committee on Finance.

Also, a bill entitled An act repealing the first section of an act approved March 1st, 1866, entitled A supplement to an act entitled An act relating to the agencies of foreign insurance, approved April 9th, 1866.

Referred to the Committee on the Judiciary General.

Also, a bill entitled An act relative to the trial of civil actions in the courts of Philadelphia.

Referred to the Committee on the Judiciary General.

Also, a bill entitled An act relating to the heir of the widow's dower upon real estate of decedents.

Referred to the Committee on the Judiciary General.

Also, a bill entitled An act fixing the pay of road jurors in the city of Philadelphia.

Referred to the Committee on Roads and Bridges.

Mr. RIDGWAY, a bill entitled An act to regulate the carriage of baggage by railroad companies, and to prescribe the duties and obligations of carriers and passengers in relation thereto.

Referred to the Committee on the Judiciary General.

Mr. LOWRY, a bill entitled An act to incorporate the Lake Shore Seminary.

Referred to the Committee on the Judiciary General.

Also, a bill entitled An act to relative to the duties of district attorney in the county of Erie.

Referred to the Committee on the Judiciary Local.

Mr. WORTHINGTON, a bill entitled An act for the promotion of medical science.

Referred to the Committee on the Judiciary General.

Also, a bill entitled An act granting an increase of capital to literary and charitable institutions becoming Soldiers' Orphans' schools.

Referred to the Committee on Education.

Mr. COLEMAN, a bill entitled A further supplement to an act incorporating the city of Harrisburg, providing for authority to borrow two hundred thousand dollars.

Referred to the Committee on the Judiciary Local.

Mr. BROWN (Mercer), a bill entitled An act regulating the time of making returns by justices of the peace in Mercer county.

Referred to the Committee on the Judiciary Local.

Mr. WALLS, a bill entitled An act to authorize the select and common council of the city of Williamsport to levy and collect a special tax for city purposes.

Referred to the Committee on the Judiciary Local.

Mr. STUTZMAN, a bill entitled An act in relation to the fees of notaries public in the counties of Bradford and Somerset.

Referred to the Committee on the Judiciary Local.

Mr. BROWNE (Lawrence), a bill entitled An act to incorporate the Mantau Grandee silver mining and commercial company.

Referred to the Committee on Corporations.

Mr. WALLACE, a bill entitled An act to incorporate the Whitmer Run improvement company, in the county of Clearfield.

Referred to the Committee on Corporations.

Also a bill entitled An act to declare Montgomery creek, in the county of Clearfield, a public highway.

Referred to the Committee on Canals and Inland Navigation.

Also, a bill entitled An act to enable the Pennsylvania Cannel coal company to borrow money, and to change the corporate name of said company.

Referred to the Committee on the Judiciary Local.

Also, a bill entitled An act to incorporate the Summit turnpike road company.

Referred to the Committee on Roads and Bridges.

Also, a bill entitled An act to lay out and open a State road in the counties of Clearfield, Cameron and Elk.

Referred to the Committee on Roads and Bridges.

Mr. BIGHAM, a bill entitled An act extending the second section of the act of July 19, 1866, to the Southwark Bank of Philadelphia.

Referred to the Committee on Banks.

Mr. SCHALL, a bill entitled A supplement to an act, approved April 11, A. D. 1866, establishing a board of controllers in the public schools in the borough of Allentown.

Referred to the Committee on Education.

Also, a bill entitled An act to incorporate the Macungie Savings Bank.

Referred to the Committee on Banks.

Mr. BILLINGFELT, a bill entitled An act to repeal parts of an act, approved 11th April, A. D. 1866, entitled A further supplement to an act to authorize the Governor to incorporate the Susquehanna canal company, approved April 16, A. D. 1855.

Referred to the Committee on Canals and Inland Navigation.

Mr. RANDALL, a bill entitled An act to change the time of holding borough elections in the borough of Minersville, Schuylkill county.

Referred to the Committee on Election Districts.

Also, a bill entitled An act to repeal the fourth section of an act entitled An act relating to certain election districts.

Referred to the Committee on Election Districts.

Also, a bill entitled An act to vacate part of Railroad street in the borough of Pottsville.

Referred to the Committee on Roads and Bridges.

Mr. GRAHAM, a bill entitled A supplement to the act entitled An act to incorporate the Union Park skating association, of Allegheny city, approved March 23d, 1865.

Referred to the Committee on Corporations.

Mr. BURNETT, a bill entitled An act to authorize the school directors of the borough of Honesdale, in Wayne county, to borrow money, issue bonds, and levy and collect taxes for the payment thereof.

Referred to the Committee on Education.

Mr. M'CANDLESS, a bill entitled An act to donate one-third of the proceeds of the United States land scrip, given under the act of Congress of July 2, 1862, to the State of Pennsylvania, to the Polytechnic college of Philadelphia.

Referred to the Committee on Agriculture and Domestic Manufactures.

ORIGINAL RESOLUTIONS.

Mr. BIGHAM offered the following resolution, which was twice read:

Resolved, That the Committee on General Judiciary be directed to inquire and report to the Senate what changes are required in our existing laws in regard to the over-crowded condition of our State Penitentiary, and to suggest the best remedy therefor.

1. Should our existing penitentiary be enlarged to accommodate all persons convicted in our courts?

2. Should a new penitentiary be erected in the central portion of the State? or

3. Should arrangements be made by which convicts of lower grades of crime be sentenced to county prisons now erected or that may hereafter be erected by any of the counties of this Commonwealth?

The resolution was adopted.

Mr. FISHER offered the following resolution, which was twice read:

Resolved, That the State printers are hereby directed to furnish to the Senate, under the direction of the Clerk, one thousand copies of the work entitled "*Legislative Hand-Book*," the same to correspond in matter, style and binding, with the volume now in the possession of each of the Senators, and that the cost of said books shall be paid for upon the certificate of the Clerk, out of any moneys unappropriated.

Mr. BILLINGFELT. I move to amend by striking out the words "one thousand," and inserting in lieu thereof the word "fifty."

Mr. BIGHAM. If we order at all, I presume fifty is too small a number.

Mr. FISHER. I have not examined the book very carefully, but think it is a very useful book.

Mr. RIDGWAY asked what the expense would be.

Mr. FISHER. Eighty-five cents each. It takes the place of two books now used, and contains far more.

Mr. RIDGWAY moved to amend the amendment so as to make it read "one hundred" copies.

The amendment was agreed to.

And the resolution, as amended, was adopted.

On motion of Mr. CONNELL, two thousand of the diagrams accompanying the book, were ordered to be printed, and paid for in the same manner.

SPEAKER'S TABLE.

The SPEAKER laid before the Senate the annual report of the managers of the Western Pennsylvania hospital.

Also, the annual report of the trustees and superintendent of the State Lunatic hospital of Pennsylvania.

Also, the annual report of the Lackawaxen iron and coal company.

Also, the annual statement of the Pennsylvania State Agricultural society.

Also, the report of the Bloomsburg iron company.

Also, the annual report of the Mount Carbon railroad, which were

Laid on the table.

REPORT OF THE MINORITY OF THE COMMITTEE ON RAILROADS.

Mr. GRAHAM, in behalf of the minority of the Committee on Railroads, presented a report, which was read as follows, viz:

The undersigned, members of the Committee on Railroads, present the following reasons for their non-concurrence with the majority of this committee in their report in relation to the bill proposing to repeal the act of the 28th of April, 1864, repealing the charter of the Pittsburg and Connellsville railroad company.

Because, The act repealing the charter of said company was procured, as they believe, at the sole instance of the Pennsylvania railroad company. No stockholder of the Pittsburg and Connellsville company, no citizen along the route of the road, no party in interest, nor, in brief, any citizen of this, or of any other State, having asked for the same.

Because, The allegation contained in the preamble to said repealing act, and the moving cause of its passage, viz: that the Pittsburg and Connellsville railroad company had misused and abused its corporate franchises, has been found, by a jury, and solemnly adjudged by the District Court of the United States, in and for the Western District of Pennsylvania, to be false and without foundation in fact.

Because, The repeal of the charter of this company, having been procured through fraud and misrepresentation, should not be held of any binding force or effect, and the legislation thus obtained is derogatory to the dignity and character for integrity of the Commonwealth, if longer permitted to remain on its statute books.

Because, By its repeal, on the faith of which millions of money had been invested by citizens of this State, the security on which these investments were predicated was swept away.

Because, On the good faith of the State, pledged by its charter to this corporation, millions of the capital of citizens of a neighboring State were invested, and its causeless repeal has affixed a brand of bad faith, and of consequent dishonor, upon the fair escutcheon of this Commonwealth.

Because, By the repeal of this charter, the citizens of several counties of our State are deprived of equal advantages and equal benefits with the balance of their fellow-citizens.

Because, Its repeal prevents the development of the richest mineral resources of the Commonwealth, and thus deprives the treasury of the State of immense and ever-increasing sources of revenue.

Because, It drives trade and travel between the east and the west over the Baltimore and Ohio road, which otherwise would be carried for one hundred and fifty miles, within the State, over this road.

Because, The immense traffic, just beginning to move between the Atlantic and Pacific, and which our neighboring States are making every effort to prepare for and secure, imperatively demands the construction of another through line of transportion from east to west in this Commonwealth.

Because, In the light of former precedents, there is no force in the objection to this bill, that its subject matter is in litigation before the courts, as instance the fact that the cases which were pending for the recovery of the tonnage tax due the State by the Pennsylvania railroad were, because of the alleged unconstitutionality of the tax, legislated out of the hands of those tribunals, and also the further act of the passage of the act disfranchising deserters, when that subject was under consideration by the highest judicial tribunal of the State.

Because, So gross an act of perfidy as the repeal of this charter, evincing an utter disregard for the vested rights of individuals and the best interests of the State, is unparalleled in the history of legislation.

Because, A general railroad law will not relieve this company, by ending present or preventing future legislation, but will still leave it to the tender mercies of its foes, with ample power to prevent the completion of its road.

Because, The good faith of both the great political parties of the day is pledged to a system of unrestricted railroad communications throughout the State, and the refusal to grant this bill is in direct violation of that pledge. And, finally,

Because. The monstrous injustice inflicted upon the citizen, and the fatal stab to the honor and interests of the State, perpetrated by the refusal to right so flagrant a wrong, must and justly should stamp with indelible disgrace any legislative body.

JAMES L. GRAHAM,
M. B. LOWRY.

Laid on the table, and ordered to be printed in the *Legislative Record*.

BILL ON THIRD READING.

Agreeably to order, the Senate proceeded to the third reading and consideration of bill entitled A further supplement to an act to create a loan and to provide for arming the State, approved May 15th, A. D. 1861, repealing so much of said act as authorizes the appointment of assistant State agents and a State agent in the Southwest.

The SPEAKER. This bill will abolish the State agent at Washington and in the Southwest.

The first and only section of the bill was read as follows:

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same*, That so much of the act entitled An act to create a loan and to provide for arming the State, approved May fifteenth, Anno Domini one thousand eight hundred and sixty-one, and so much of the supplement to said act, approved May fourth, Anno Domini one thousand eight hundred and sixty-four, as authorizes the Governor to appoint an assistant State agent and to establish an agency in the Southwest, be and the same is hereby repealed.

Mr. CONNELL moved to go into committee of the whole so as to amend the bill by striking out that portion which would abolish the State agent at Washington.

Mr. WHITE. Mr. Speaker. I think the motion which I am about to make will dispense with the necessity of going into committee of the whole. The intention of this bill was to take from the Governor the power to appoint a State agent in the Southwest, and the assistants to the general agent at Washington, because it is presumed they are not necessary. This bill was referred to the Military Committee, and examined by them. Some facts have been elicited that may make it proper to postpone the question for the present; and I would state, in addition to this, that the House has taken some action upon this matter by attaching a proviso to the bill recently passed here,

making an appropriation for the payment of the expenses of this agency, which, if passed, will dispense with the necessity of this bill, because it states the time when the agency can be dispensed with.

Mr. CONNELL withdrew his motion to go into committee of the whole on the bill.

Mr. WHITE moved to postpone the further consideration of the bill for the present.

The motion was

Agreed to.

AN AFTERNOON SESSION.

Mr. BIGHAM moved that when the Senate adjourns it will adjourn to meet at 3 o'clock this afternoon.

The motion was agreed to.

BILLS CONSIDERED AND PASSED.

On motion of Mr. WALLACE, the Committee on the Judiciary General was discharged from the further consideration of bill entitled An act to enable the Pennsylvania Cannel coal and railroad company to borrow money and to change the corporate name of said company.

And the rules having been dispensed with, the bill was read a second and third time, and

Passed finally.

On motion of Mr. CONNELL, the Committee on Corporations was discharged from the further consideration of bill entitled An act to extend the time for the payment of the enrollment tax on a certain act approved March 10th, 1865, entitled A further supplement to an act to incorporate the Pewelton coal and iron company, approved May 1st, 1861, extending the time of charter of said company.

And the rules having been dispensed with, the bill was read a second and third time, and

Passed finally.

On motion of Mr. FISHER, the rules were dispensed with, and the Senate proceeded to the consideration of bill entitled An act relating to the Columbia bridge company.

The bill was read a second time and ordered to be transcribed for a third reading.

On motion of Mr. ROYER, the Committee on Corporations was discharged from the further consideration of a bill entitled An act to change the time of holding the election of officers of the Independent company of Montgomery and Bucks counties, for the recovery of stolen horses and detection of thieves.

And the rules having been dispensed with, the bill was read a second and third time, and

Passed finally.

On motion of Mr. SHOEMAKER, the Senate proceeded to the consideration of bill entitled An act for the better protection of life and property from explosion of steam boilers.

The bill was read as follows:

WHEREAS, Great loss of life and property has resulted to the people of this Commonwealth from the explosion of steam boilers, and it is desirable that a remedy be provided for the same, as far as practicable, by requiring such adjustments to steam boilers as will furnish an early and adequate alarm of danger from the low state of water therein:

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same*, That the Governor be and is hereby authorized to appoint a commission, consisting of three skillful and practical engineers, to examine the different appliances for diminishing the risk of explosion of steam boilers, and to report to him, as early as practicable, the appliance which they believe to be best suited for the purpose.

SEC. 2, That any person who shall at any time after three months from the making of of the said report to the Governor, as above provided for, and from actual notice thereof, use or operate any steam boiler without affixing thereto the appliance recommended by said commission, shall be subject to a penalty of one hundred dollars, payable to the Commonwealth, to be collected as penalties of like amount are now collected by law.

Mr. COLEMAN. Mr. Speaker, that same question came up here some years ago, and it strikes me, when I was in the lower House, it was an application by the owner of some patent to oblige everybody to put on a certain instrument on every steam-boiler in this State, thereby making a fortune off his patent right. To this I am very much opposed. Unless the Governor shall appoint a commission of three true men to decide which is the best appliance, I am opposed to it. The principle of Janes, or that of Brown, may be all right. I know of two principles, but do not know which of the two is best. I am opposed to putting on Mr. Janes' conductor, to the exclusion of any other. If the bill cannot be amended I am opposed to it.

Mr. SHOEMAKER. There is no objection to amending it. The object is to get the best plan.

Mr. COLEMAN moved to postpone the farther consideration of the bill for the present.

The motion was

Agreed to.

On motion of Mr. GLATZ, the rules were dispensed with, and the Senate proceeded to the consideration of a bill entitled A supplement to an act to incorporate the Farmers' market of the Fifth ward of the borough of York.

The bill was read a second third time, and

Passed finally.

On motion of Mr. WHITE, the rules were dispensed with, and the Senate proceeded to the consideration of a bill entitled An act to authorize the election of an additional justice of the peace in the township of Cherry Hill, in the county of Indiana.

The bill was read.

Mr. WHITE. Mr. Speaker, I will state that this bill has been very carefully prepared to meet a special necessity. The township for which the election is provided is one of our most populous townships, and is increasing in population, from the character of the business transacted there. It has but two justices of the peace at this time, and some of the business men there have petitioned the Legislature, stating that it is was impossible, on account of the paucity of justices, to get justice dispensed as required, and this bill was prepared to meet that necessity. You will observe that it is prepared so that a decision can be had at this election, and the justice elected at the same time.

The bill was read a third time, and

Passed finally.

On motion of Mr. WORTHINGTON, the rules were dispensed with, and the Senate proceeded to the consideration of a bill entitled An act relative to roads in Valley township, Chester county.

The bill was read a second and third time, and

Passed finally.

On motion of Mr. SCHALL, the Senate proceeded to the consideration of bill entitled An act regulating the sale, by hawkers and peddlers, of goods at wholesale.

In committee of the whole [Mr. M'CONAUGHY in the Chair], the bill was read and reported without amendment.

And the rules having been dispensed with, The bill was read a second and third time, and

Passed finally.

On motion of Mr. JACKSON the Committee on the Judiciary Local was discharged from the further consideration of a bill entitled An act to repeal the act of Assembly, passed the 11th day of April, 1866, entitled An act to provide for the purchasing of real estate and erection of a poor house in Montour county.

And the rules having been dispensed with, the bill was read a second time.

The first section was agreed to.

On the question, Will the Senate agree to the second section?

Mr. JACKSON moved to amend the same by striking out of the second line the word "thirty," and inserting in lieu thereof the word "ninety."

The amendment was agreed to.

The section as amended was adopted.

The remaining section was agreed to, and the bill

Passed finally.

On motion of Mr. GRAHAM, the Committee on Corporations was discharged from the further consideration of a bill entitled A supplement to the act of Assembly entitled An act to incorporate the Union Park skating association of Allegheny city, approved the 23d day of March, A. D. 1865.

And the rules having been dispensed with, The bill was read a second and third time, and

Passed finally.

On motion of Mr. WALLS, the Committee on the Judiciary Local was discharged from the further consideration of a bill entitled An act to authorize the select and common councils of the city of Williamsport to levy and collect a special tax for city purposes.

And the rules having been dispensed with, The bill was read a second and third time, and

Passed finally.

On motion of Mr. WALLACE the Committee on Roads and Bridges was discharged from the further consideration of a bill entitled An act to incorporate the Summit turnpike road company, in the county of Clearfield.

Passed finally.

The hour of one o'clock having arrived, the SPEAKER adjourned the Senate until this afternoon at three o'clock.

AFTERNOON SESSION.

The Senate reassembled at three o'clock P. M.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES

The Clerk of the House of Representatives being introduced, returned bills from the Senate numbered and entitled as follows, viz:

No. 21, an act to incorporate the Sisters of Mercy in the city of Philadelphia.

No. 55, an act to incorporate the German insurance company of Erie.

No. 82, an act to consolidate the Union coal company and the Howard coal and iron company,

With information that the House of Representatives has passed the same without amendments.

He also returned bill from the Senate numbered and entitled as follows, viz:

No. 71, an act to divide the Northwest ward in the city of Lancaster into election precincts and separate election districts,

With information that the House of Representatives has passed the same with an amendment, in which the concurrence of the Senate is requested.

On motion of Mr. FISHER, said amendment was twice read, considered and concurred in.

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TERMS OF THE DAILY RECORD.

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Single copy for the session.....$2 00

Members desiring extra copies of the Record, will please leave their names and the number of copies wanted at the publication office. GEO. BERGNER.

[CONTINUED FROM PAGE 248.]

Ordered, That the Clerk inform the House of Representatives accordingly.

MESSAGE FROM THE GOVERNOR.

The Deputy Secretary of the Commonwealth being introduced, presented a message from the Governor, which was read as follows, viz:

EXECUTIVE CHAMBER,
HARRISBURG, February 12, 1867.

To the Senate and House of Representatives of the Commonwealth of Pennsylvania:

GENTLEMEN—I have approved and signed the following acts of the General Assembly, to wit:

On the 6th instant:

A supplement to the act to incorporate the Eagle mining company, passed the 19th day of March, A. D. 1865, and authorizing said company to borrow money, issue bonds and to increase the number of directors.

An act creating the office and defining the duties of assistant district attorney for the county of Allegheny.

An act to repeal a part of an act approved March second, Anno Domini one thousand eight hundred and sixty-six, in reference to fees of officers and jurymen in Warren county.

An act to validate and confirm a certain mortgage or deed of trust executed under the corporate seal of the Phillipsburg coal, iron and oil company, and to authorize the transfer of the railroad of the said company to any other railroad company owning a railroad connecting therewith, and to increase the number of the board of directors.

An act to authorize the collection of money for school purposes in the borough of Tidioute, in Warren county.

A further supplement to an act, entitled An act to incorporate the Howard fire and marine insurance company, approved the 26th day of April, A. D. 1855, reducing the number of directors and authorizing an increase of capital stock.

On the 7th instant:

An act to repeal the act to change the venue in the case of John Lenox from the county of Washington to the county of Beaver, approved April twelfth, Anno Domini one thousand eight hundred and sixty-six.

A supplement to an act approved February 27, A. D. 1863, entitled An act to incorporate the Oakland railway company.

An act authorizing a special election in the borough of Highspere.

An act supplementary to an act entitled An act providing for the erection of a poor house in the county of Lawrence.

An act to incorporate the Germania savings institution of Erie.

An act relative to roads and highways in Schuylkill county.

A supplement to an act entitled An act relating to the pay of jurors in the counties of Lehigh and Bucks, approved the twenty-third day of March, one thousand eight hundred and sixty-four.

An act to authorize the appointment of a phonographic reporter for the courts of Lancaster county.

On the the 11th instant:

An act to exempt from taxation certain property devoted to Masonic uses in the city of Reading.

On the 12th instant:

An act to incorporate the Quinterro mining company.

An act to vacate certain lanes and alleys in the plan of out-lots of the borough of Beaver, in the county of Beaver.

An act appropriating part of the moneys arising from fines and forfeitures, in the county of Schuylkill, for a law library for the use of the courts, et ceterra.

An act in relation to the sale of certain real estate owned by the Odd Fellows' hall association of Allentown, in the county of Lehigh.

An act requiring the bounty commissioners of Forks township, Northampton county, to render an account to the auditors of said township, and providing for auditing the same.

On the 7th instant:

Joint resolution requesting Congress to pass such laws as will enable soldiers who have lost their discharges, to receive the one hundred dollars bounty under the act of Congress of July 28th, 1866.

JOHN W. GEARY.

PITTSBURG AND CONNELLSVILLE RAILROAD COMPANY.

On motion of Mr. SEARIGHT, the rules were dispensed with, and the Senate proceeded to the consideration of bill entitled An act to repeal an act act of the General Assembly of the State of Pennsylvania, which became a law on the 19th day of August, 1864, entitled An act relative to the Pittsburg and Connellsville railroad company.

[Remarks were made by Messrs. SEARIGHT, STUTZMAN, WHITE, M'CANDLESS GRAHAM and LOWRY, which will appear in the *Appendix*.]

Mr. FISHER, having the floor, gave way to Mr. RIDGWAY, who moved that the Senate do now adjourn, and that the bill under discusion be made the special order until disposed of.

Mr. COLEMAN moved to amend so as to have a session at half-past seven o'clock this evening.

Mr. GRAHAM. Mr. Speaker, I hope that the motion to adjourn to meet again this evening will not be carried. Two-thirds of the members of the Senate traveled all last night in order to get here to attend to-day's sessions, and to hold another session this evening I think would be rather more than one day's work. In addition to that, sir, there are other reasons which might be urged. To be frank, I might say that the people of Pittsburg are to have a meeting in reference to this railroad bill, and we do not wish the friends of the bill to see it finally disposed of until we hear from that meeting. I therefore hope the motion for an evening session will not prevail.

Mr. BROWNE (Lawrence) said he felt a great interest in this question, and would like to hear it discussed further if necessary, and with a clear head on the part of the Senators, and that he should vote against an evening session because he felt incompetent to attend a session to-night; he hoped an opportunity would be given to discuss the matter fully.

Mr. BIGHAM. Mr. Speaker, there are two Senators on this floor—the Senator from Beaver [Mr. TAYLOR] and the Senator from Lawrence [Mr. BROWNE]—both of whom desire to speak on this question, and who are not to-day in condition to speak. In deference to them I do not want this matter to be precipitated. So far as I am concerned, I had just as soon pitch in and have a fight now as not.

Mr. COLEMAM withdrew his motion for an evening session.

On motion of Mr. RIDGWAY, the Senate then adjourned until to-morrow morning at 11 o'clock.

HOUSE OF REPRESENTATIVES.

WEDNESDAY, February 13, 1867.

The House met at 10 o'clock, A. M.

Prayer was offered by Rev. JACOB KENNEDY, member from Wyoming.

The SPEAKER announced a quorum of members present.

The Journal of yesterday was partly read, when,

On motion of Mr. QUIGLEY, the further reading of the same was dispensed with.

SPEAKER'S TABLE.

The SPEAKER laid before the House the annual report of the board of managers of the House of Refuge at Philadelphia.

Laid on the table.

The SPEAKER proceeded to clear the table.

House bill No. 161, entitled an act to repeal the act of Assembly, passed the 11th day of April, 1866, entitled An act to provide for the purchasing of real estate and erection of a poor house in Montour county.

Returned from the Senate with amendments.

On motion of Mr. CHALFANT, the amendments were

Concurred in.

BILLS PASSED.

Mr. KURTZ asked and obtained permission to read a bill in place.

The bill was read as follows:

No. 360, an act to change the place of holding elections for Howard township, from Howard borough to the school house, Mechanicsville, Howard township, in the county of Centre.

On motion of Mr. KURTZ, the rules were suspended,

The bill read a second and third time, and Passed finally.

Mr. WHARTON asked and obtained permission to read a bill in place.

The bill was read as follows:

House bill No. 361, entitled An act to extend the provisions of an act approved July 31, 1863, to the county of Huntingdon.

On motion of Mr. WHARTON, the rules were suspended, the bill read a second and third times, and

Passed finally.

MESSAGE FROM THE SENATE.

The Clerk of the Senate being introduced, presented for concurrence bill numbered and entitled as follows, viz:

Senate bill No. 355, an act to incorporate the Summit turnpike road company, in the county of Clearfield.

He also informed that the Senate has concurred in the amendments made by the House of Representatives to Senate bill numbered and entitled as follows:

Senate bill No. 71, an act to divide the Northwest ward in the city of Lancaster into election precincts and separate election districts.

SPEAKER'S TABLE.

The SPEAKER cleared his table of Senate bills numbered and entitled as follows:

Senate bill No. 114, an act regulating the sale by hawkers and peddlers of goods at wholesale.

Referred to the Committee on the Judiciary General.

Senate bill No. 349, an act to enable the Pennsylvania Cannel coal and railroad company to borrow money, and to change the corporate name of the company.

Referred to the Committee on Railroads.

Senate bill No. 350, an act to extend the time of payment of the enrollment tax on a certain act approved March 10th, 1865, entitled A further supplement to an act to incorporate the Powelton coal and iron company, approved May 1st, 1861, extending the time of charter of said company.

Referred to the Committee on Iron and Coal Companies.

Senate bill No. 353, a supplement to the act of Assembly entitled An act to incorporate the Union Park skating association of Allegheny City, approved the 23d day of March, A. D. 1865.

Referred to the Committee on Corporations.

Senate bill No. 354, an act to authorize the select and common councils of the city of Williamsport to levy and collect a special tax for city purposes.

Referred to the Committee on Municipal Corporations.

Mr. COLVILLE moved that the rules be suspended and the House proceed to the consideration and final passage of

Senate bill No. 316, a further supplement to an act to incorporate the Pittsburg, Allegheny and Manchester passenger railway company, authorizing said company to change certain parts of its route, to subscribe for stock in a new bridge, and to have viewers appointed to fix compensation for crossing bridges.

Mr. MANN called for a division of the question, and

On the question,

Will the House suspend the rules generally? it was

Not agreed to.

PRIVATE CALENDAR.

The House resumed the further consideration of the bills on the private calendar.

The first bill in order on second reading was House bill

No. 326, entitled An act to ascertain the views of the qualified electors of the city and county of Philadelphia upon the subject of allowing the passenger railway companies, of said city, to run their cars on the first day of the week, commonly called Sunday.

The question was on the amendment of the gentleman from Philadelphia [Mr. QUIGLEY.]

On the question,

Will the House agree the to amendment?

Mr. WILSON offered the following amendment to the amendment:

Provided further, That no decision by ballot, made by the citizens of Philadelphia under the provisions of this act, shall take effect, unless all persons be permitted to ride in said passenger railway cars, without regard to color, sex, or nationality.

On the question,

Will the House agree to the amendment to the amendment?

Remarks were made by Messrs. QUIGLEY, DAVIS, MANN, KERNS, ARMSTRONG, WILSON, HOOD, WADDELL, MEYERS and others, which will appear in the Appendix to the *Record*.

Mr. STUMBAUGH called the previous question.

The call for the previous question was sustained by Messrs. Meyers, Quay, Gregory, Kline, Josephs, Stehman, Kinney, Cameron, Seiler, Boyd and Colville.

On the question,

Shall the main question be now put?

The yeas and nays were required by Mr. MEYERS and Mr. HOOD, and were as follow, viz:

YEAS—Messrs. Boyd, Brennan, Cameron, Colville, Davis, Donohugh, Ghegan, Gregory, Harbison, Kimmell, Kinney, Marks, Mechling, Peters, Quay, Seiler, Shuman, Stehman, Stumbaugh, Wharton and Glass, *Speaker*—73.

NAYS—Messrs. Adaire, Allen, Armstrong, Barrington, Barton, Boyle, Breen, Brown, Calvin, Chadwick, Chalfant, Chase, Collins, Craig, Day, Deise, Espy, Ewing, Fogel, Freeborn, Gallagher, Gordon, Harner, Headman, Heltzel, Hoffman, Hood, Humphrey, Hunt, Jones, Josephs, Kennedy, Kerns, Kline, Koon, Kurtz, Lee, Leech, Linton, Long, M'Camant, M'Creary, M'Henry, M'Kee, M'Pherrin, Mann, Markley, Meyers, Mullin, Pennypacker, Phelan, Pillow, Quigley, Rhoads, Richards, Roath, Robinson, Rouch, Satterthwait, Sharples, Steacy, Subers, Tharp, Waddell, Wallace, Webb, Weller, Westbrook, Wilson, Wingard, Woodward, Worrall and Wright—24.

So the question was determined in the negative.

Mr. MEYERS raised the following point of order:

That the amendment of the gentleman from Allegheny [Mr. WILSON] is not in order, because of the violation of the eighth section of the eleventh article of the Constitution of Pennsylvania, inasmuch as the said amendment contains a separate and distinct subject from that embraced in the original bill, and the amendment of the gentleman from Philadelphia [Mr. QUIGLEY], and also in violation of the forty-second rule of this House.

The SPEAKER submitted the point of order to the House, and

On the question,

Is the point of order well taken?

The yeas and nays were required by Mr. MEYERS and Mr. GREGORY, and were as follow, viz:

YEAS—Messrs. Allen, Barrington, Barton, Boyd, Breen, Brennan, Calvin, Chalfant, Chase, Collins, Colville, Craig, Davis, Deise, Donohugh, Fogel, Ghegan, Gregory, Harbison, Harner, Headman, Heltzel, Hoffman, Hood, Humphrey, Hunt, Jones, Josephs, Kerns, Kinney, Kline, Koon, Lee, M'Henry, Maish, Markley, Marks, Mechling, Meily, Meyers, Mullin, Pennypacker, Peters, Phelan, Quay, Quigley, Rhoads, Robinson, Rouch, Satterthwait, Stehman, Stumbaugh, Subers, Tharp, Watt, Westbrook and Worrall—57.

NAYS—Messrs. Adaire, Armstrong, Boyle, Brown, Cameron, Chadwick, Day, Espy, Ewing, Freeborn, Gallagher, Gordon, Kennedy, Kimmell, Kurtz, Leech, Linton, Long, M'Camant, M'Creary, M'Kee, M'Pherrin, Mann, Pillow, Richards, Roath, Sharples, Shuman, Steacy, Stehman, Waddell, Wallace, Webb, Weller, Wharn, Wharton, Wilson, Wingard, Woodward, Wright and Glass, *Speaker*—41.

So the question was determined in the affirmative.

The question recurring on the amendment of Mr. QUIGLEY,

On agreeing to the amendment,

The yeas and nays were required by Mr. ADAIRE and Mr. GREGORY, and were as follow, viz:

YEAS—Messrs. Allen, Barrington, Barton, Boyd, Breen, Brennan, Calvin, Chase, Collins, Colville, Davis, Donohugh, Fogel, Freeborn, Ghegan, Gregory, Harbison Harner, Headman, Heltzel, Hoffman, Hood, Humphrey, Hunt, Jones, Josephs, Kerns, Kinney, Kline, Koon, Lee, M'Henry, Maish, Markley, Marks, Mechling, Meily, Meyers, Mullin, Peters, Phelan, Quay, Quigley, Rhoads, Robinson, Rouch, Satterthwait, Stehman, Stumbaugh, Subers, Webb, Westbrook, Whann, Wingard, Woodward and Worrall—56.

NAYS—Messrs. Adaire, Armstrong, Boyle, Brown, Cameron, Chadwick, Chalfant, Craig, Day, Deise, Espy, Ewing, Gallagher, Gordon, Kennedy Kimmell, Leech, Linton, Long, M'Camant, M'Creary, M'Kee, M'Pherrin, Mann, Pennypacker, Pillow, Richards, Roath, Seiler, Sharples, Shuman, Steacy, Tharp, Waddell, Wallace, Weller, Wharton, Wilson, Wright and Glass, *Speaker*—40.

So the question was determined in the affimative.

The question was,

Will the House agree to the bill as amended?

On the question,

The previous question was called for by Messrs. Josephs, Quigley, Marks, Jones, Quay, Colville, Webb, Kerns, Barton, Ghegan, Davis and Collins.

On the question,

Shall the main question be now put?

The yeas and nays were required by Mr. WADDELL and Mr. CAMERON, and were as follow, viz:

YEAS—Messrs. Adaire, Allen, Barrington, Barton, Boyd, Breen, Brennan, Calvin, Chase, Collins, Colville, Davis, Deise, Donohugh, Fogel, Freeborn, Ghegan, Gregory, Harner, Headman, Heltzel, Hoffman, Hood, Humphrey, Hunt, Jones, Josephs, Kerns, Kinney, Kline, Koon, Kurtz, Lee, M'Henry, Maish, Markley, Marks, Mechling, Meily, Meyers, Mullin, Peters, Quay, Quigley, Rhoads, Robinson, Rouch, Satterthwait, Stehman, Stumbaugh, Subers, Webb, Wingard and Worrall—54.

NAYS—Messrs. Armstrong, Boyle, Brown, Cameron, Chadwick, Chalfant, Craig, Day, Espy, Ewing, Gallagher, Gordon, Kennedy, Kimmell, Leech, Linton, Long, M'Camant, M'Creary, M'Kee, Mann, Pennypacker, Phelan, Pillow, Richards, Roath, Seiler, Sharples, Shuman, Steacy, Tharp, Waddell, Wallace, Weller, Westbrook, Wharton, Wilson, Woodward, Wright and Glass, *Speaker*—39.

So the question was determined in the affirmative.

The question recurring,

Will the House agree to the bill as amended?

The yeas and nays were required by Mr. ROATH and Mr. DAVIS, and were as follow, viz:

YEAS—Messrs. Adaire, Allen, Barrington, Barton, Boyd, Breen, Brennan, Calvin,

Chalfant, Chase, Collins, Colville, Davis, Deise, Donohugh, Fogel, Freeborn, Ghegan, Gregory, Harner, Headman, Heltzel, Hoffman, Hood, Humphrey, Hunt, Jones, Josephs, Kerns, Kinney, Kline, Koon, Lee, M'Henry, Maish, Mann, Markley, Marks, Mechling, Meily, Meyers, Mullin, Pennypacker, Peters, Quay, Quigley, Rhoads, Robinson, Rouch, Satterthwait, Sharples, Stehman, Stumbaugh, Subers, Watt, Webb, Wingard and Worrall —58.

NAYS—Messrs. Armstrong, Boyle, Brown, Cameron, Chadwick, Craig, Day, Espy, Ewing, Gallagher, Gordon, Kennedy, Kimmell, Kurtz, Leech, Linton, Long, M'Camant, M'Creary, M'Kee, Phelan, Pillow, Richards, Roath, Seiler, Shuman, Steacy, Tharp, Waddell, Wallace, Weller, Westbrook, Wharton, Wilson, Woodward, Wright and Glass, *Speaker*—37.

So the question was determined in the affirmative.

The bill was ordered to be transcribed for a third reading.

MESSAGE FROM THE SENATE.

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows, viz:

No. 361, an act to extend the provisions of the act, approved July 31st, 1863, to the county of Huntingdon,

With information that the Senate has passed the same without amendment.

He also informed that the Senate has concurred in the amendment made by the House of Representatives to Senate bill numbered and entitled as follows, viz:

Senate bill No. 54, a further supplement to an act to incorporate the Girard life insurance annuity and trust company of Philadelphia, passed March 17th, 1836.

The hour of one o'clock having arrived, the SPEAKER adjourned the House until this afternoon at 3 o'clock.

AFTERNOON SESSION.

The House met at 3 o'clock, P. M.

The SPEAKER. The special order for this afternoon is the consideration of House bill No. 104, entitled An act to repeal an act to provide for the payment of gratuities and annuities to the soldiers of the war of 1812 and their widows, approved March 30, 1866.

Mr. QUAY. Mr. Speaker, I move that the special order be postponed until the private calendar is gone through with.

The motion was

Agreed to.

PRIVATE CALENDAR.

Mr. QUIGLEY moved that the rules be suspended, and that bill No. 326 be read a third time by its title.

On the motion,

The yeas and nays were required by Mr. WADDELL and Mr. JOSEPHS, and were as follow, viz:

YEAS—Messrs. Adaire, Allen, Barringer, Brennan, Calvin, Chalfant, Chase, Davis, Deise, Donohugh, Freeborn, Ghegan, Gregory, Harbison, Harner, Headman, Heltzel, Hoffman, Humphrey, Hunt, Josephs, Kerns, Kinney, Kline, Koon, Kurtz, Lee, Linton, M'Henry, M'Pherrin, Maish, Markley, Mechling, Meily, Mullin, Pennypacker, Phelan, Pillow, Quay, Quigley, Rhoads, Robinson, Satterthwait, Sharples, Subers, Watt, Wingard and Worrall—48.

NAYS—Messrs. Armstrong, Boyle, Brown, Cameron, Craig, Day, Espy, Gallagher, Kennedy, Kimmell, Leech, Long, M'Camant, M'Creary, M'Kee, Mann, Roath, Stehman, Waddell, Wallace, Weller, Wilson, Wright and Glass, *Speaker*—24.

So the question was determined in the negative.

No. 327, an act to incorporate the Allegheny and Saw Mill Valley passenger railway company.

Passed finally.

No. 328, an act to incorporate the Meadville savings and loan company.

Amended by Mr. JONES, and

Passed finally.

No. 329, an act to incorporate the Mechanics' Savings Bank.

Passed finally.

No. 330, an act to establish a ferry over the Allegheny river, in Kinzua township, Warren county.

Passed finally.

No. 331, an act extending an act relative to roads in Uwchlan township, Chester county, and East Bethlehem and East Pike Run townships, Washington county, to Peters township, Washington county.

Passed finally.

No. 333, an act declaring Wiconisco creek, from Oak Dale forge, in Dauphin county, to the public road leading from Clark's Valley to Tremont, in Schuylkill county, a public highway.

Passed finally.

Senate bill No. 47, an act relative to the road laws in certain townships in Sullivan county.

Passed finally.

No. 336, an act to declare Freeman's run, in Potter county, a public highway.

Passed finally.

No. 337, an act relative to the supervisors and road laws in Wiconisco township, Dauphin county.

Passed finally.

No. 338, an act to establish a ferry or foot bridge over the Driftwood Branch of the Sinnemahoning creek, near the mouth thereof, in Cameron county.

Passed finally.

No. 339, an act to incorporate the Greenwood Avenue turnpike company.

Passed finally.

No. 340, a supplement to an act to incorporate the Tidioute bridge company, approved the 17th day of April, A. D. 1861.

Passed finally.

Senate bill No. 60, an act changing the time of holding courts in the Sixteenth Judicial district.

Passed finally.

No. 343, an act relating to the poor laws of Delaware county.

Passed finally.

No. 344, an act relating to hawking and peddling in the county of Westmoreland.

Passed finally.

No. 345, an act increasing the fees of the several officers in the counties of Somerset and Mercer.

Passed finally.

No. 346, an act authorizing the Governor to appoint six additional notaries public for the city of Philadelphia.

Passed finally.

No. 347, an act changing the time of meeting of the auditors of Hillsgrove township, Sullivan county.

Passed finally.

No. 348, an act relating to unseated lands in the county of Tioga.

Passed finally.

No. 350, a supplement to an act relative to the publication of local laws in the counties of Centre and Schuylkill, approved the 16th day of April, A. D. 1866.

Passed finally.

No. 351, an act repealing so much of the act authorizing the election of additional officers, and changing the manner of collecting taxes in the townships of Robinson and North Fayette, Allegheny county, approved March 13, A. D. 1866, as relates to the manner of collecting taxes in Robinson township.

Passed finally.

No. 352, supplement to an act, entitled An act to incorporate the city of Harrisburg.

Postponed for the present on motion of Mr. HOFFMAN.

Senate bill No. 124, a supplement to an act to unite and consolidate Marshall college, now at Mercersburg, with Franklin college, now at Lancaster, under the name of Franklin and Marshall college, as a corporation, to be located in the city of Lancaster or its immediate vicinity, approved the 19th day of April, A. D. 1850, changing the trustees thereof, and the manner of selecting such trustees, and their terms of office.

Passed finally.

No. 354, a further supplement to an act to incorporate the city of Erie.

Passed finally.

No. 355, further supplement to an act to empower the town council of the borough of Bellefonte, in Centre county, to borrow money, approved the 14th day of February, A. D. 1865.

Passed finally.

No. 356, an act relative to the election of school directors and supervisors of roads in the township of Allegheny, in the county of Armstrong.

Passed finally.

OBJECTED BILLS OF LAST WEEK.

No. 171, an act to vacate Basin alley from Front to Second street, in the city of Harrisburg.

Postponed on motion of Mr. SEILER.

No. 190, an act to incorporate the Rouseville bridge company.

Passed finally.

No. 200, an act to incorporate the Boyd Farm and Petroleum Centre bridge company.

Passed finally.

No. 213, an act to incorporate the Pioneer Run bridge company.

Passed finally.

No. 193, a supplement to an act appointing commissioners to lay out and open a State road in the counties of Potter and Clinton, approved the 16th day of March, A. D. 1865.

Mr. DIESE. Mr. Speaker, the act of Assembly, of which this is a supplement, has occasioned some question in the counties through which this road passes, and the matter is now pending in the Supreme Court of the State. I hope this bill will not be pressed, as my county is particularly interested. I do not want to place the bill in an unfortunate position. I, therefore, ask that it be postponed until we have a decision, which might be affected by its passage at present.

Mr. MANN. Mr. Speaker, I think the gentleman is mistaken in saying that a decision in the court would be affected by this act. I do not apprehend that it is possible for the decision to be affected by it, and I cannot understand why it is desired to postpone it on that account. The bill, passed in 1865, was an act to enable the people in the remote section of our county to reach the railroad; the people of Clinton made such objections to some of the features of the original bill that this substitute was gotten up to meet these objections, meanwhile they had taken steps to contest certain features of that bill. I have invited the people of Clinton, through their representatives, to amend this bill so it would be unobjectionable. It has been so amended. I consented to its postponement for that purpose. Now, unless the gentleman offers an amendment, I shall ask that the House pass the bill at this time. I have no objection to its amendment; if it is not right make it right, and let us have the road that is asked for.

Here are people living in Germania, an industrious community, with no road to public conveyances. They have been for years laboring under this disadvantage. I ask that the House pass this bill and let this people by their energies work their way to the railroads of the State.

[From the confusion in the House the voices of gentlemen addressing the Chair were at times inaudible to the reporters.]

Mr. DEISE. Mr. Speaker, all I ask is that this bill be postponed, that my constituents may have the right to be heard in this House in regard to this question. I ask that the bill may not be rushed through. It is true I did amend the bill, but in no particular way whatever. I ask, as a favor, that my constituents have an opportunity to be heard.

On the question,

Will the House agree to the motion to postpone?

Mr. MANN called for the ayes and noes.

Mr. WADDELL. Mr. Speaker, before the call is ordered, as I objected this bill off the calendar, I may be permitted to give my reasons for doing so.

A constituent of mine, a gentleman largely interested in that county, was named as one of the original commissioners. The gentleman from Potter [Mr. MANN] introduced amendments to the bill as it was on the files, changing the names of those commissioners and among them that of my constituent—putting him off the list.

I objected to the bill for the purpose of informing him of this amendment, and asking if he had any objection to it. I immediately communicated with him, but have had no reply. While I do not know what his views may be, I do not propose to ask that the bill be postponed. If it is the wish of the gentleman from Clinton [Mr. DEISE] that the bill be postponed, I feel that it may be to my interest and that of my constituents to have it postponed.

Mr. MANN. Mr. Speaker, if the gentleman from Clinton had moved to postpone this bill until Thursday of next week, or two weeks hence, I would have consented at once. But here is an indefinite postponement until the decision of the Supreme Court is had. That is in effect killing the bill.

It is true, I did introduce an amendment, and, since that subject has been introduced, I suppose I will have the privilege of saying that I did it after consulting with the people of Clinton county, and with the landholders interested in this bill. One of the property-holders who was originally named as one of the commissioners, assented to the amendment.

Mr. DEISE. Mr. Speaker, I will agree to the proposition to postpone this matter two weeks.

The bill was then postponed until Thursday morning, February 28, and made the special order for that time.

Mr. COLVILLE asked and obtained leave to call up Senate bill No. 315, entitled A further supplement to an act to incorporate the Pittsburg, Allegheny and Manchester passenger railway company, authorizing said company to change certain parts of its route, to subscribe for stock in a new bridge, and have viewers appointed to fix compensation for crossing bridges.

BILLS PASSED.

On motion of Mr. COLVILLE, the rules were suspended, the bill read a second and third time, and

Passed finally.

RESOLUTION ORDERING LEGISLATIVE HAND-BOOK.

Mr. STUMBAUGH, on leave, offered the following resolution.

The resolution was read as follows:

Resolved, That the Clerk be directed to order from the State printer, for the use of the members, five thousand copies of the "Legislative Hand-Book," in the style and containing the same matter as those furnished to the members; the same to be paid for upon the certificate of the Clerk of the House.

The resolution was read a second time.

Mr. JONES. Mr. Speaker, I move to amend by adding after the word members, "and also five thousand additional copies of the diagram or plan of the Senate chamber and House of Representatives, similar to that contained in said book."

Mr. FREEBORN. Mr. Speaker, I hope that will not be adopted. I recollect there have been several attempts made to get these diagrams, and it has always been found a costly undertaking.

Mr. JONES. Mr. Speaker, a similar resolution has been adopted in the Senate. Several applications have been made to me for these diagrams. So far as the expense is concerned, as the plate is already lithographed, I suppose it would amount to only a few cents. I think that would not be a consideration.

The amendment was

Agreed to.

On the question,

Will the House agree to the resolution as amended?

Mr. WRIGHT moved to amend by striking out the word "five" and inserting the word "three."

Mr. STUMBAUGH. Mr. Speaker, I hope that amendment will not prevail. We will have but a few copies to send to our constituents, and I know of no work that will be more acceptable.

Mr. MANN. Mr. Speaker I hope this amendment will prevail. The Senate have adopted a resolution of this character ordering one thousand; and three thousand is in that proportion. I think, out of respect to the Senate, and, as a matter of courtesy to them, we should take the amendment of the gentleman from Snyder [Mr. WRIGHT], and thereby preserve the due proportion of copies ordered.

Mr. QUIGLEY. Mr. Speaker, I would like to inquire of the gentleman from Franklin [Mr. STUMBAUGH] what these books will cost. Five thousand is a large number for the use of this House.

Mr. STUMBAUGH. Mr. Speaker, the little manual we have been using costs about sixty cents each. The manual we have under consideration will cost about seventy-five cents. Five thousand copies will cost very little more than three thousand. I regard it as a work we ought to have. I hope the original resolution, as amended by the gentleman from Berks [Mr. JONES], will pass. I hope this last amendment will not pass.

On the question,

Will the House agree to the amendment?

The yeas and nays were required by Mr. WRIGHT and Mr. ARMSTRONG, and were as follow, viz:

YEAS—Messrs. Adaire, Armstrong, Barrington, Barton, Boyd, Boyle, Breen, Brennan, Brown, Calvin, Challant, Craig, Deise, Fogel, Freeborn, Gordon, Harner, Headman, Humphrey, Hunt, Kennedy, Kerns, Kimmell, Kinney, Kline, Koon, Kurtz, Linton, Long, M'Pherrin, Mann, Meyers, Phelan, Pillow, Quigley, Roath, Satterthwait, Waddell, Wallace, Watt, Webb, Wharton and Wright—43.

NAYS—Messrs. Allen, Cameron, Chadwick, Chase, Collins, Davis, Day, Donohugh, Espy, Ewing, Gallagher, Ghegan, Harbison, Hoffman, Jones, Lee, M'Cauent, M'Creary, M'Kee, Maish, Marks, Mechling, Meily, Pennypacker, Quay, Rhoads, Richards, Rouch, Seiler, Shuman, Steacy, Stehman, Stumbaugh, Subers, Tharp Weller, Whann, Wilson, Wingard, Woodward, Worrall and Glass, *Speaker*—42.

So the question was determined in the affirmative.

The resolution as amended was

Agreed to.

According to order,

The House proceeded to the consideration of House bill No. 104.

The following is a copy of the bill:

SEC. 1. *Be it enacted*, &c., That the act of the 30th day of March A. D. 1866, entitled An act to provide for the payment of gratuities and annuities to the soldiers of the war of 1812, and to their widows, be and the same is hereby repealed.

The question was,

Will the House agree to the bill?

Mr. MANN offered an amendment to strike out all after the enacting clause, and insert an entire new bill.

The amendment was

Agreed to.

On the question,

Will the House agree to the amendment?

Mr. STUMBAUGH moved to amend by striking out the words "two months," and inserting the words "twenty days."

On agreeing to the amendment, remarks were made by Messrs. M'Creary, M'Pherrin, Stumbaugh, Waddell, Lee and Quigley, which will appear in the Appendix to the *Record*.

On motion of Mr. BOYLE, the further consideration of the bill was postponed until Thursday afternoon, the 21st instant, and made the special order for three o'clock of that day.

The SPEAKER adjourned the House until 10 o'clock to-morrow morning.

SENATE.

WEDNESDAY, February 13, 1867.

The Senate met and was called to order at 11 A. M., by the SPEAKER.

Prayer was offered by the Rev. Mr. Bailey, of Harrisburg.

On motion of Mr. CONNELL, the reading of the Journal of yesterday was dispensed with.

SPEAKER'S TABLE.

The SPEAKER laid before the House the annual report of the board of managers of the House of Refuge.

Also, the annual statement of the Lykens Valley railroad and coal company.

Laid on the table.

He also laid before the Senate a communication from the State Treasurer, which was read as follows:

TREASURY DEPARTMENT OF PENN'A,
HARRISBURG, February 13, 1867.

Hon. L. W. Hall, Speaker of the Senate:

In compliance with the joint resolution, passed February, 1867, I send you what I conceive to be a proper apportionment of three hundred thousand dollars on personal estate among the counties of the Commonwealth.

Very respectfully yours,

W. H. KEMBLE, State Treasurer.

Laid on the table.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

The Clerk of the House of Representatives being introduced, presented for concurrence bills numbered and entitled as follows, viz:

No. 321, an act authorizing and requiring the school directors of Mercer township and Harrisville borough, in the county of Butler, to levy a bounty tax, and for the repeal of

all former acts relating to bounties in said districts.

Referred to the Committee on the Judiciary Local.

No. 242, an act to exempt from taxation certain real estate in Philadelphia, belonging to and used and occupied by the Western association of ladies of Philadelphia, for the relief and employment of the poor.

Referred to the Committee on Finance.

No. 253, a further supplement to an act to incorporate the city of Carbondale.

Referred to the Committee on the Judiciary Local.

No. 257, a further supplement to an act regarding the port of Philadelphia, approved May 20, 1864.

Referred to the Committee on Roads and Bridges.

No. 259, an act to enable the Revenue Extension Silver mining company of Nevada to issue bonds and to secure the payment of the same by mortgage.

Referred to the Committee on Corporations.

No. 260, an act to amend an act and correct an error therein, entitled A supplement to an act, entitled An act appointing commissioners to lay out and open a State road in the counties of Cameron and Potter, approved the 21st day of March, A. D. 1865, approved the 4th day of April, A. D. 1866.

Referred to the Committee on Roads and Bridges.

No. 261, supplement to an act entitled An act to incorporate the Factoryville and Abington turnpike and plank road company, approved 17th day of April, A. D. 1856.

Referred to the Committee on Roads and Bridges.

No. 262, an act to incorporate the Springfield and Garretford turnpike company.

Referred to the Committee on Roads and Bridges.

No. 264, an act to repeal an act to incorporate the Pine Creek bridge company, approved the 3d day of March, A. D. 1852.

Referred to the Committee on Roads and Bridges.

No. 265, an act to authorize the school directors of Millville school district, Cambria county, to use surplus school tax for building purposes.

Referred to the Committee on Education.

No. 266, on act to annex the farms of Samuel Powers, John Hunter, James Cunningham, John Conway and James Rutledge, of Derry township, to Livermore borough, Westmoreland county, for school purposes.

Referred to the Committee on Education.

No. 268, an act to incorporate the Kensington Mutual Co-operative association of the city of Philadelphia.

Referred to the Committee on Corporations.

No. 269, an act extending the time for the payment of the enrollment tax on the People's Accident insurance company of Pennsylvania, and changing the corporators.

Referred to the Committee on the Judiciary Local.

No. 270, an act to incorporate a State Camp of the Patriotic order of the Junior Sons of America.

Referred to the Committee on Corporations.

No. 271, a supplement to an act entitled An act to incorporate the Red Bank navigation company.

Referred to the Committee on Canals and Inland Navigation.

No. 272, an act to incorporate the Industrial association of Summit Hill.

Referred to the Committee on Corporations.

No. 273, an act to incorporate the Milford cemetery.

Referred to the Committee on the Judiciary General.

No. 276, an act to repeal an act relating to licenses in Erie county.

Referred to the Committee on Vice and Immorality.

No. 278, an act to authorize the treasurer of the bounty fund of Schuylkill township, Chester county, Pennsylvania, to pay over to the treasurer of the school board of said township the funds remaining in his hands.

Referred to the Committee on Education.

No. 282, an act for the relief of Milo R. Adams, treasurer of Beaver county.

Referred to the Committee on Finance.

No. 288, a further supplement to an act entitled An act to incorporate the Northampton iron company, approved the 10th day of March, 1867.

Referred to the Committee on Corporations.

No. 289, an act to authorize the school directors of the borough of Lock Haven, in the county of Clinton, to borrow money for building purposes.

Referred to the Committee on Education.

No. 291, an act to authorize the school directors of the borough of Punxsutawney to borrow money.

Referred to the Committee on Education.

No. 292, a supplement to an act to enable the school directors of Kittanning borough to borrow money, approved the 12th day of March, A. D. 1866.

Referred to the Committee on Education.

No. 294, an act to enable the school directors of the borough of Goldsboro', in the county of York, to borrow money for building purposes.

Referred to the Committee on Education.

No. 295, a further supplement to an act to incorporate the Birmingham, East Birmingham and South Pittsburg gas company, approved April 15, 1856.

Referred to the Committee on Corporations.

No. 298, a supplement to an act to empower the school directors of Chambersburg to borrow money to build a new school house, approved the 12th day of May, A. D. 1857, further extending the provisions of the second section thereof.

Referred to the Committee on Education.

No. 303, a supplement to an act to incorporate the Odd Fellows' association of Waynesburg, Greene county, Pennsylvania, passed the 27th day of March, 1862.

Referred to the Committee on Corporations.

No. 304, an act to incorporate the Franklin Library association of the city of Philadelphia.

Referred to the Committee on the Judiciary General.

No. 307, an act to incorporate the Crozer Theological seminary.

Referred to the Committee on the Judiciary General.

No. 309, an act to authorize the commissioners of Schuylkill county to sell real estate, and to apply the proceeds to the building of a tenant house for the janitor of the court house in said county.

Referred to the Committee on the Judiciary Local.

No. 313, an act to authorize the commissioners of Wyoming county to levy an additional tax for the purpose of erecting a new county jail and sheriff's house in said county of Wyoming, and for other purposes.

Referred to the Committee on the Judiciary Local.

No. 360, an act to change the place of holding elections for Howard township, from Howard borough to the school house in Mechanicsville, Howard township, in the county of Centre.

Referred to the Committee on Education.

He also returned bills from the Senate numbered and entitled as follows, viz:

No. 19, an act to incorporate the Catholic Philopatrian institute of Philadelphia.

No. 22, a supplement to an act to incorporate the female seminary of Eden Hall, in the county of Philadelphia, by the style and name of the Institute of Ladies' of the Sacred Heart, and to take and hold lands, tenements, et cetera, and to sell or mortgage all or any part thereof.

No. 36, an act authorizing the school directors of the borough of Sewickley to collect the balance of bounty tax in said borough.

No. 50, an act to repeal an act entitled An act relative to bounties in Brady township, Butler county, which became a law on the 4th day of January, A. D. 1867.

No. 53 a further supplement to an act entitled An act to incorporate the Mutual fire insurance company of Montgomery county, passed 31st day of March, A. D. 1841, authorizing said company to insure against storms and hurricanes.

No. 67, an act to incorporate the Brokers' Beneficial association, of Philadelphia.

No. 72, a further supplement to an act to authorize Woodland street, in the Twenty-fourth ward of the city of Philadelphia, to be graded, curbed and paved, approved the 27th day of May, A. D. 1863, repealing the proviso to the first section of the supplement thereto, approved the 17th day of April, A. D. 1866.

No. 79, a supplement to an act to incorporate the Brady's Bend iron company, approved the 9th day of April, A. D. 1861, authorizing the conveyance of real estate in the several counties of the Commonwealth on the recording of the resolution of the board of directors of said company.

No. 86, a supplement to an act to incorporate the Lehigh County Mutual horse insurance company, approved April 28, A. D. 1857,

With information that the House of Representatives has passed the same without amendments.

He also returned bills from the Senate numbered and entitled as follows, viz:

No. 54, a further supplement to the act to incorporate the Girard Life insurance, annuity and trust company of Philadelphia, passed the 17th day of March, 1836.

No. 232, an act to incorporate the Caledonia and South Mountain railroad company.

With information that the House of Representatives has passed the same with amendment, in which the concurrence of the Senate is requested.

On motion of Mr. CONNELL, said amendment was twice read, considered and concurred in.

He also informed the Senate that the House of Representative has concurred in the amendments made by the Senate to bills from the House of Representatives numbered and entitled as follows, viz:

No. 33, an act authorizing the school directors of the borough of Oil City, in Venango county, to borrow money.

No. 36, a supplement to an act to fix the terms of the court of common pleas, oyer and terminer, and general jail delivery, quarter sessions of the peace, and orphans' court, in the county of Allegheny, and regulating proceedings therein, approved the 22d day of March, A. D. 1866, repealing the fifth and sixth sections of said act.

No. 42, an act relating to the prison of the county of Delaware, and changing the time of appointing prison inspectors in said county.

No. 66, an act to enable the school directors of the borough of East Birmingham, Al-

legheny county, to borrow money for the erection of school buildings.

No. 82, a supplement to an act relating to the lien of mechanics and others upon buildings, extending it to York and Dauphin counties.

No. 110, an act relating to the sale of lands for taxes in Potter, Warren and Bradford counties.

No. 134, an act to extend the time for the payment of the enrollment tax on an act to incorporate the Meadville City passenger railroad company, approved the 7th day of April, 1866.

At the suggestion of the SPEAKER no petitions were presented this morning.

REPORTS FROM COMMITTEES.

Mr. COWLES, from the Committee on Judiciary Local, reported, as committed, a bill entitled An act relating to the duties of district attorney in the county of Erie.

Also (same), as committed, a bill entitled An act for the relief of wives and children deserted by their husbands and fathers in certain counties of this Commonwealth.

Also (same), as committed, a bill entitled An act supplementary to an act erecting the village of East Birmingham into a borough, approved the 10th day of April, A. D. 1849.

Mr. FISHER (same), as committed, a bill entitled A further supplement to an act for the registration of birth, marriages and deaths in the city of Philadelphia, passed March 8, A. D. 1860, and supplements thereto.

Mr. STUTZMAN (same), as committed, a bill entitled An act in relation to the fees of notaries public in the counties of Bedford, Fulton and Somerset.

Also (same), with amendments, a bill entitled An act to authorize the commissioners of Lehigh county to borrow money.

Mr. DAVIS (same), as committed, a bill entitled An act to authorize the town council of the borough of Mill Hall, in the county of Clinton, to levy and collect additional taxes for borough purposes.

Also (same), with amendments, a bill entitled An act authorizing the commissioners of the county of Delaware to create a five per cent. loan.

Mr. RIDGWAY, from the Committee on Corporations, as committed, a bill entitled An act to incorporate the Hesperian mining company.

Also (same), as committed, a bill entitled An act to incorporate the Mantua Grandee silver mining and commercial company.

Also (same), as committed, a bill entitled A further supplement altering and amending an act to incorporate the St. Clair cemetery association of the borough of Greensburg, Westmoreland county, approved April 19, A. D. 1856.

Also (same), as committed, a bill entitled A supplement to an act to incorporate the Mechanicsburg hall and market company, approved the 24th day of March, A. D. 1865.

Mr. HAINES (same), as committed, a bill entitled An act to incorporate the Mahoning Valley insurance company.

Also (same), as committed, a bill entitled An act to incorporate the Oak Hall association of Weatherly.

Mr. GLATZ (same), as committed, a bill entitled An act to incorporate the California and Philadelphia gold mining company.

Also (same), as committed, a bill entitled An act to incorporate the Equitable gold and silver mining company.

Mr. BIGHAM, from the Committee on Banks, as committed, a bill entitled An act to enable the State banks to settle and close up their affairs.

Also (same), as committed, a bill entitled An act to incorporate the Macungie Savings Bank.

Also (same), as committed, a bill entitled An act extending the second section of the act of July 19, 1866, to the Southwark Bank of Philadelphia.

Mr. WORTHINGTON, from the Committee on Education, as committed, a bill entitled A supplement to an act to authorize the school directors of the borough of West Greenville, in Mercer county, to borrow money to erect a public scool house in said borough.

Also (same), as committed a bill entitled An act granting an increase of capital to literary and charitable institutions becoming soldiers' orphan schools.

Mr. COWLES (same), as committed, a bill entitled An act to authorize the school directors of the borough of Honesdale, in Wayne county, to borrow money for school purposes, issue bonds, and levy and collect taxes for payment thereof.

Also (same), as committed, a bill entitled an act supplementary to an act incorporating the Andalusia college, at Andalusia, Bucks county, Pennsylvania, approved the 30th of March, A. D. 1866.

Mr. BROWN (Mercer), same as committed, a bill entitled An act to enable the board of directors of common schools of East Lampeter township, Lancaster county, to apply surplus of bounty fund to common school purposes.

Mr. SEARIGHT, same as committed, a bill entitled A supplement to an act approved April 11, A. D. 1866, establishing the board of controllers of the public schools of the borough of Allentown.

Mr. BILLINGFELT, from the Committee on Roads and Bridges, as committed, a bill entitled An act to repeal the Lennox road law in the township of Apolacan, in Susquehanna county, and for other purposes.

Also, same as committed, a bill entitled An act to repeal the charter of the Tuckahoe and Mt. Pleasant plank road company.

Also, same as committed, a bill entitled A further supplement to the road laws of Bradford county.

Also, same as committed, a bill entitled An act to declare Cedar run a public highway in Elk township, Tioga county.

Also (same), as committed a bill entitled A supplement to an act of Assembly, entitled An act to incorporate the Easton and Wilkesbarre turnpike road company, approved February 11, 1803.

Also (same), as committed a bill entitled An act to incorporate the Wyoming County bridge company.

Also (same), as committed a bill entitled Supplement to an act to incorporate the Cresheim turnpike and bridge company, approved the 16th day of March, 1866.

Mr. WALLS (same), as committed a bill entitled An act fixing the pay of road viewers in the city of Philadelphia.

Also (same), as committed a bill entitled A further supplement to the act incorporating the Watsontown bridge company.

Also (same), as committed a bill entitled An act to incorporate the Emlenton and Shippenville turnpike company.

Also (same), as committed a bill entitled An act to incorporate the Douglassville and Yellow House turnpike road company.

Also (same), as committed, a bill entitled A supplement to the act incorporating the Clarion and Allegheny River turnpike road company.

Also (same), as committed, a bill entitled A supplement to an act to amend the road laws of Erie county, approved the 26th day of March, A. D. 1846.

Mr. GLATZ (same), as committed, a bill entitled An act to vacate parts of Railroad street, in the borough of Pottsville.

Also (same), as committed, a bill entitled An act to vacate Fairview street, running west from Twenty-first street to Twenty-second street, south of Spring Garden street, one hundred feet, in the city of Philadelphia.

Also (same), as committed, a bill entitled An act appointing commissioners to lay out and open a State road in the counties of Cameron, Elk and Clearfield, from Sinnemahoning to the West Branch of the Susquehanna.

Also (same), as committed, a bill entitled Supplement to an act to authorize the Governor to incorporate a company to erect a bridge over the West Branch of the Susquehanna, at the borough of Milton, &c., passed the 6th day of April, A. D. 1830.

Mr. WHITE, from the Committee on the Judiciary Local, as committed, a bill entitled An act to change the venue in the case of the Commonwealth of Pennsylvania *versus* Jesse R. M'Carty, Joshua M'Carty and Charles Morton, from the court of quarter sessions of the peace of Sullivan county, to the court of quarter sessions of the peace of Bradford county.

Mr. JACKSON, from the Committee appointed to Compare Bills and present them to the Governor for his approbation, made report,

Which was read as follows, viz:

That, in conjunction with a similar committee from the House of Representatives, they have compared, and on February 16th presented to the Governor, for his approbation, the bills as follows, to wit:

House bill No. 14, an act to authorize the collection of money for school purposes in the borough of Tidioute, in Warren county.

House bill No. 101, an act to incorporate the Germania savings institute of Erie.

House bill No. 97, an act incorporating the Real Estate savings institute.

Senate bill No. 35, an act supplementary to an act providing for the erection of a poor house in the county of Lawrence.

Senate bill No. 61, act to authorize the appointment of a phonographic reporter for the courts of Lancaster county.

Senate bill No. 64, an act appropriating part of the money arising from fines and forfeitures, in the county of Schuylkill, for a law library for the use of the courts, *et cetera*.

Senate bill No. 78, an act in relation to the sale of certain real estate owned by the Odd Fellows' hall association of Allentown, in the county of Lehigh.

Senate bill No. 18, an act to incorporate the Quinterro mining company.

Senate bill No. 260, a supplement to an act entitled An act relating to the pay of jurors in the counties of Lehigh and Berks, approved the twenty-third day of March, one thousand eight hundred and sixty-eight.

House bill No. 179, a supplement to the act to incorporate the Eagle mining company, passed the 18th day of March, A. D. 1865, authorizing said company to borrow money, issue bonds, and to increase the number of directors.

House bill No. 111, an act creating the office and defining the duties of assistant district attorney for the county of Allegheny.

House bill No. 24, an act to repeal a part of an act, approved March 2, A. D. 1866, in reference to fees of officers and jurymen in Warren county.

Also (same), on February 5th:

House bill No. 135, a supplement to an act approved February 27, A. D. 1863, entitled An act to incorporate the Oakland railway company.

House bill No. 75, an act to repeal an act to change the venue in the case of John Lennox, from the county of Washington to the county of Beaver, approved April 12, A. D. 1866.

House bill No. 29, joint resolution request-

ing Congress to pass such laws as will enable soldiers who have lost their discharges to receive the one hundred dollars bounty under the act of Congress of July 28, 1866.

House bill No. 55, an act to vacate certain lanes and alleys in the plan of out lots of the borough of Beaver, in the county of Beaver.

House bill No. 60, an act authorizing a special election in the borough of Highspire.

A GENERAL RAILROAD LAW REPORTED.

Mr. LANDON, chairman of the Railroad Committee, reported with amendments, a bill, entitled An act to authorize the formation of railway companies.

Mr. LANDON, having asked and obtained leave to make a brief statement, said: It will be remembered, sir, that early in the session a bill was read in place by the Senator from Erie [Mr. LOWRY] entitled A general railroad law, which bill came into our hands. It will be remembered that soon after a resolution was introduced by the Senator from Allegheny [Mr. BIGHAM], instructing the Railroad Committee to report that bill or one similar to it. After that resolution was passed the committee invited the Senator from Allegheny [Mr. BIGHAM], who offered the resolution, to aid the committee by his knowledge and experience in preparing a bill covering the points in the question. Accordingly he prepared a bill, and read it in place, entitled An act to authorize the formation of railroad corporations, which bill came into the hands of the committee. It will be remembered that subsequent to that, the Senate passed a resolution requiring the committee to make a report this day on this subject. During the interim, sir, the committee have been industrious in gathering information and trying to discharge their duties properly. The result is that the committee has considered the bill reported by the Senator from Allegheny, making some slight amendments to the bill, and making an addenda to it, and the majority of the committee have instructed me to report that bill with amendments, and ask that it be printed.

Mr. LOWRY said that the minority would make a report, stating why they think the bill framed by the Senator from Allegheny should be reported instead of this one.

BILLS IN PLACE.

Mr. WORTHINGTON read in place and presented to the Chair a bill entitled An act relative to the county prisons and alms houses of the Commonwealth.

Referred to the Committee on the Judiciary General.

Mr. WHITE, a bill entitled A further supplement to an act increasing the fees of the several county officers of the Commonwealth, except in the city of Philadelphia, the counties of Allegheny, Bradford, Susquehanna and Sullivan, approved March 30th, A. D. 1865.

Referred to the Committee on the Judiciary General.

Also, a bill entitled An act restricting the operations of the act entitled An act declaratory of the law relating to taking up lumber and prohibiting the floating of loose saw logs in the Susquehanna river between the town of Northumberland and the State line of Maryland, approved December 4th, 1866.

Referred to the Committee on the Judiciary Local.

Mr. COLEMAN, a bill entitled An act to extend the powers of the court of quarter sessions in road cases.

Referred to the Committee on the Judiciary General.

Also, a bill entitled A supplement to an act of March 19th, 1860, making further provisions for the government of the city of Harrisburg.

Mr. BROWN (Mercer), a bill entitled An act to legalize the levying and collecting of a tax in the borough of Shuron, Mercer county, and authorizing the levying and collection of a tax not exceeding ten mills on the dollar of valuation, for general borough purposes in said borough.

Referred to the Committee on the Judiciary Local.

Also, a bill entitled A supplement to an act incorporating the borough of Jamestown.

Referred to the Committee on the Judiciary Local.

Also (same), as committed, a bill entitled An act relative to auctions and gift enterprises in the county of Mercer.

Referred to the Committee on the Judiciary Local.

Mr. LOWRY, a bill entitled An act to increase the fees of constables in the county of Erie.

Referred to the Committee on the Judiciary Local.

Also, a bill entitled An act to extend the provisions of an act incorporating the Erie gas company over South Erie and a portion of Mill Creek township, and to authorize the said company to introduce water wherever it is authorized to introduce gas, and to increase its capital stock and to borrow money.

Referred to the Committee on the Judiciary Local.

Also, a bill entitled An act to incorporate the Erie Co-operative society.

Referred to the Committee on Corporations.

Also, a bill entitled An act to extend the time for receiving subscriptions to the capital stock of the Erie Dime savings and loan company, and to amend the act incorporating said company.

Referred to the Committee on Banks.

Mr. WALLACE, a bill entitled An act to increase the pay of supervisors and commissioners in the county of Clearfield.

Referred to the Committee on the Judiciary Local.

Mr. COWLES, an act entitled An act to extend the time for the payment of the enrollment tax on an act to incorporate the Keating coal and iron company, approved April 11th, A. D. 1866.

Also, a bill entitled An act to prohibit the issuing of licenses within two miles of the station house at Kane, in M'Kean county.

Referred to the Committee on Vice and Immorality.

Senate bill No. 105, an act relative roads and highways in Schuylkill county.

Mr. FISHER, a bill entitled An act for the relief of Elias Tome of York county.

Referred to the Committee on the Judiciary Local.

Mr. SHOEMAKER, a bill entitled Supplement to an act entitled An act to incorporate the Union coal company, approved the 29th day of April, A. D. 1864.

Referred to the Committee on Corporations.

Also, a bill entitled An act to incorporate the Wilkesbarre transportation company.

Referred to the Committee on Corporations.

Also, a bill entitled An act to incorporate the Susquehanna Valley railroad company.

Referred to the Committee on Railroads.

Also, a bill entitled A supplement to the act incorporating the Susquehanna and Hudson railroad company.

Referred to the Committee on Railroads.

Mr. HAINES, a bill entitled A supplement to the act to incorporate the Boatmen's insurance and transportation company, and to increase the powers thereof, approved May, 17, 1866.

Referred to the Committee on Corporations.

Also, a bill entitled A further supplement to an act to incorporate the Mifflin and Centre County railroad company.

Referred to the Committee on Railroads.

Mr. DONOVAN, a bill entitled An act to incorporate the Pennsylvania club.

Referred to the Committee on Corporations.

Mr. SCHALL, a bill entitled An act to incorporate the Fountain Hill Park association.

Referred to the Committee on Corporations.

Mr. DAVIS, a bill entitled A further supplement to an act, entitled An act to incorporate the Allentown railroad company, approved April 19, 1853.

Referred to the Committee on Railroads.

Mr. OLATZ, a bill entitled An act to attach the farm of David Dietz, in Pennsboro' township, Cumberland county, to the township of Hampden, in said county, for school purposes.

Referred to the Committee on Education.

Mr. BIGHAM, a bill entitled An act to macdamize the Temperanceville and Noblestown turnpike and plank road, and charge the same upon the property benefited.

Referred to the Committee on Roads and Bridges.

A RESOLUTION OF INQUIRY.

Mr. WALLACE offered the following resolution, which was twice read:

Resolved, That the Governor be requested to inform the Senate how many persons were in prison within this Commonwealth, under sentence of death, or convicted of murder in the first degree, on the 15th day of January, 1867, together with the date of sentence, place of conviction, and such other facts as may be in his possession in regard thereto; and if such information be not in his possession, then to obtain the same and lay it before the Senate at an early day.

The resolution was adopted.

AN AFTERNOON SESSION.

Mr. FISHER, offered the following resolution, which was twice read:

Resolved, That this Senate will hold a session this afternoon, at 3 o'clock, for the purpose of considering and disposing of the subject relating to the Connellsville railroad.

Mr. GRAHAM. Mr. Speaker, I really do not see the necessity for appointing an afternoon session for the purpose of considering the Connellsville railroad question. If this motion came from any of the friends of the bill who are desirous of passing it, there would be some propriety in it; but as it comes from a gentleman who has declared hostility to it, I think that it looks like taking the bill out of the hands of its friends and putting it into the hands of its enemies; and I think, sir, that the friends of the bill are the proper persons to indicate the time when it ought to be taken up and considered. Now, sir, I hope that the resolution will not pass. There are several reasons why the bill should not be taken up this afternoon. I will also state that there are several committees, very important committees, that meet this afternoon, and they may interfere with a session at that hour.

Mr. FISHER. My reason for offering the resolution is that I am compelled to leave Harrisburg this evening, and I desire to have that bill out of the way. If it is not the wish of the friends of the bill to have the matter considered, I do not desire to have it pressed upon them. I do not know the strength of the bill; but I desire to record my vote on the question, and fear that the vote may be taken in my absence. I offered the resolution with the purest motives in the world.

If it is desirable to lay the bill over for a few days, or until next week, I am perfectly willing.

The SPEAKER stated that it was his opinion that, if the resolution was adopted, the bill must be passed or rejected this afternoon, because the resolution used the words "dispose of."

Mr. FISHER moved to strike out the words "and dispose of."

The motion was

Agreed to.

Mr. GRAHAM. Mr. Speaker, I think it is objectionable still. I think the bill is in the hands of its friends, and they ought to call it up when they feel disposed to do so; I do not think those opposed to it should take charge of it, and force it up when it suits their convenience.

Mr. FISHER. I took it for granted that every man has an equal interest in what comes up here, whether he is friendly or adverse to it. It is the duty of every Senator to be here, if possible, and vote upon every question; but I have some business on hand that will necessarily take me out of the city to-day, and I desire to record my vote. If my friends wish to call it up in the absence of those opposed to it, we have a right to say, no. I have not the slightest objection to letting this bill go over to next week, but I want to be present when the bill is voted on; and I offered the resolution with the purest motives, and not for the purpose of taking it from its friends.

Mr. BROWNE (Lawrence). Mr. Speaker, I hope the Senator from Lancaster will withdraw his motion, so as to give us time to attend to this matter in the usual order. I feel myself unfit to participate in the duties of this session, and I shall be unfit to attend to the duties of an afternoon session. I am not desirous to press this bill or delay it. I am willing it should take its usual order, but do not desire that we should have an afternoon session. I have felt quite unwell during the night, and feel so now, and not fit to be in my seat. I feel it my duty to be here, however, if I possibly can. My opinion is that we shall accomplish as much if we have but one session to-day. If we have a private calendar, I think that will be quite enough.

The SPEAKER said that the Connellsville railroad bill would be the order, and that the calendar could not be taken up without a motion.

Mr. BROWNE (Lawrence). I would suggest to the Senator from Lancaster [Mr. FISHER] that the resolution be amended so as to meet this afternoon for the purpose of finishing the private calendar.

Mr. FISHER. I am not tenacious in regard to this matter.

Mr. WHITE asked if, under the resolution, the Senate would have to confine itself exclusively to the consideration of the Connellsville railroad bill until disposed of.

The SPEAKER. No, sir. The resolution, as originally offered, said that the Senate must consider that bill until disposed of. That part has been stricken out.

Mr. WHITE. Mr. Speaker, I would unite my appeal to that of the Senator from Lawrence [Mr. BROWNE] not to urge the adoption of this resolution at this time. The Senator from Allegheny, who introduced this bill, does not desire this resolution to pass. This bill is of a general character and interests every Senator on this floor, and there is no special occasion for race-horse legislation. This is the bill of the session, involving the most important principles of the session; and I trust we will not go into it with railroad speed, but give these matters the consideration which they demand.

Mr. FISHER. Mr. Speaker, there seems to be some misapprehension on the part of the friends of this bill, and I will take occasion to say here that I offered that resolution without consulting the friends or enemies of this bill. I was somewhat selfish, I admit, in offering the resolution, as I wanted, if possible, to have the bill disposed of before I leave Harrisburg. I have not asked a single friend or enemy of this bill as to the propriety of offering the resolution. If it is not desirable to take up the matter, I have not the slightest objection to having the resolution voted down.

Mr. GRAHAM. Mr. Speaker, I would certainly go far to accommodate the gentleman from Lancaster [Mr. FISHER], or any other Senator on the floor; but there is a way for him to have his vote recorded. He can pair off with some gentleman on the other side. Now, I think, as this bill was offered by myself, that I should be the judge of the time when it should be called up for final action. I have no personal motive in wishing to delay the passage of this bill or action upon it. A meeting of the citizens of Allegheny county has been called, and a committee will be appointed to come here. I think it is only an act of courtesy to my constituents at home, and to that committee who are coming here to represent the interests of the Connellsville railroad company, that action should be delayed until after they shall have arrived at Harrisburg. This is my special reason, sir, for wishing that action should be delayed.

Mr. BILLINGFELT said that he would like to give his colleague a chance to record his vote on this bill, and thought it would be an act of justice to have the resolution voted down.

Mr. FISHER then withdrew his resolution.

Mr. CONNELL moved that when the Senate adjourn, it adjourn to meet this afternoon at three o'clock.

The motion was

Agreed to.

RE-COMMITTAL OF BILL.

Mr. BIGHAM moved that the bill entitled An act extending the second section of the act of July 19, 1866, to the Southwark bank of Philadelphia, be re-committed to the Committee on Banks.

The motion was

Agreed to.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

The Clerk of the House of Representatives being introduced, presented for concurrence bill numbered and entitled as follows:

No. 361, an act extending the provisions of an act approved July 31st, 1863, to the county of Huntingdon.

Referred to the Committee on the Judiciary Local.

BILLS PASSED.

On motion of Mr. CONNELL, the Committee on Judiciary Local was discharged from the further consideration of bill entitled An act to extend the provisions of the act approved July 31, A. D. 1863, to the county of Huntingdon.

And the rules having been dispensed with, the bill was read a second and third time, and

Passed finally.

On motion of Mr. HAINES, the Committee on Election Districts was discharged from the further consideration of a bill entitled An act to change the place of holding elections for Howard township, from Howard borough, to the school house in Mechanicsville, Howard township, in the county of Centre.

And the rules having been dispensed with, the bill was read a second time.

Mr. HAINES moved to amend the first section, by striking out of the sixth and seventh lines the words "town of Mechanicsville, in the township of Howard," and inserting in lieu thereof the words, "said borough of Howard."

The amendment was

Agreed to.

And the section as amended was

Agreed to.

On motion of Mr. HAINES, the bill was amended by making it read as follows: "An act to change the place for holding elections for Howard township, to the school house" in the borough of Howard, in the county of Centre."

The bill was read a third time and

Passed finally.

On motion of Mr. LOWRY, the Committee on Banks was discharged from the further consideration of a bill entitled An act to extend the time for raising subscriptions to the capital stock of the Erie Dime Savings and Loan company, and to amend the act incorporating said company.

And the rules having been dispensed with, the bill was read a second and third time, and

Passed finally.

CHANGE OF VENUE.

Mr. LANDON moved that the rules be suspended, and that the Senate proceed to the second reading and consideration of bill entitled An act to change the venue in the case of the Commonwealth of Pennsylvania *versus* Jesse R. M'Carty, Joshua R. M'Carty and Charles Morton, from the court of quarter sessions of the peace of Sullivan county, to the court of quarter sessions of the peace of Bradford county.

Mr. LANDON. Mr. Speaker, there was one election board in Sullivan county that had the hardihood, under the law of Pennsylvania, to refuse deserters' votes; that board has been prosecuted; they do not wish to be tried in Sullivan county; they pray, therefore, to have their trial in a more Christian county than Sullivan county.

Mr. DAVIS. Mr. Speaker, I shall not notice the mistakes and abuses of the Senator from Bradford [Mr. LANDON] in relation to this bill. I simply ask that the bill be postponed, to give an opportunity for a minority report.

Mr. JACKSON. Mr. Speaker, so far as I am concerned I do not wish to throw anything in the way of having this bill considered at any time. I am opposed to the passage of the bill, and am ready to meet it at any time.

Mr. LANDON. The court in Sullivan county meets on the 26th of this month; the case comes on, and if this bill can be delayed here then it is of no use. If the venue is changed, this bill must be passed at once; and I press it upon the consideration of the Senate.

The SPEAKER stated that it would take a two-thirds vote to suspend the rules.

On the question,

Will the Senate suspend the rules and proceed to the second reading of the bill?

The yeas and nays were required by Mr. JACKSON and Mr. LANDON, and were as follow, viz:

YEAS—Messrs. Bigham, Billingfelt, Browne (Lawrence), Brown (Mercer), Coleman, Connell, Cowles, Fisher, Graham, Haines, Jackson, Landon, Lowry, M'Connaghy, Ridgway, Royer, Shoemaker, Stutzman, Taylor, White, Worthington and Hall, *Speaker*—22.

NAYS—Messrs. Burnett, Davis, Donovan, Glatz, James, M'Candless, Randall, Schall, Scaright, Wallace and Walls—11.

So the question was determined in the affirmative.

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[CONTINUED FROM PAGE 256.]

During the call,

Mr. JACKSON said that he was in favor of taking up the bill at any time, and in order to give the Senator from Bradford [Mr. LANDON] an opportunity to bring it up, he would vote "aye."

The bill was read as follows:

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the venue in the case now pending in the court of general quarter sessions of the peace of Sullivan county, of the Commonwealth of Pennsylvania versus Jesse R. M'Carty, Jeshua R. M'Carty and Charles Morton, returned to December sessions, one thousand eight hundred and sixty-six, of said court, be, and the same is, hereby removed to the court of general quarter sessions of the peace of the county of Bradford, to the next May sessions, or any subsequent term within the present year, of said court of quarter sessions, where it shall be tried, and verdict, and judgment, and sentence be had thereon with the same effect as if it had been tried in the county of Sullivan, and all the records in the case shall be certified and transferred by the proper officers of the said court of the county of Sullivan, to the said court of he county of Bradford, and all expenses incurred by the said county of Bradford by reason of the said change of venue shall be paid by the commissioners of the said county of Sullivan.

Mr. JACKSON. Mr. Speaker, the gentleman from Bradford [Mr. LANDON] being so very anxious to have an opportunity of trying this case in his county, I presume he will not object to a slight amendment. I move to amend by striking out all after the words "court of the county of Sullivan to the said court of the county of Bradford."

Mr. LANDON. I had rather it would remain as it is.

The amendment of Mr. JACKSON was not agreed to.

Mr. JACKSON. Mr. Speaker, I am opposed to the passage of the bill now under consideration of the Senate, because it is unnecessary, unjust, and uncalled for, and the administration of justice does not require it. There has no application of any kind been presented, either before the Judiciary Committees in the House or the Senate, from the parties interested in this case, asking for a change of venue. There has been no affidavit presented by the election board of Elkland township, who have been indicted, stating that they could not receive a fair trial in the county of Sullivan. Nothing but a mere petition, signed by a few citizens of the county of Sullivan, has been presented, asking for a change of venue in this case; and that petition, sir, is filled with misrepresentations from beginning to end—signed, as it is, by some estimable citizens of Sullivan, many of whom probably had no knowledge that the statements made there were mostly false from beginning to end. I do not blame all who have signed this petition; but I do blame the author of it; and I do say that many of those who signed that petition did so without knowing the contents of it.

I propose, sir, in as brief a manner as the subject will allow me, to examine this petition, and to give my reasons for my opposition to the bill, and why it should not be passed. In the first place, then, sir, the petition starts out with the assertion that the county is intensely Democratic. That, I believe, is about the only truth in the whole petition. We poll, sir, nearly two Democratic votes to one Republican, in the county. I wish this point to be distinctly understood, because when I come to consider another part of the petition—that part in relation to the manner of drawing juries in that county, I intend to show this Senate that partisan feelings have not been allowed to enter into the jury box of the county of Sullivan. It goes on to state that "the prevailing sentiment of the Democratic party in this county is that deserters have a right to vote," etc.; and "this view has been impressed upon the people in harangues from the stump, not only by leading Democrats, but by judges who are to try the case. All of the judges of the court of quarter sessions of this county were candidates for office at the late election, and actually engaged in canvassing for votes."

Now, sir, the author of that petition knows that it is infamously, maliciously false; he knows very well that while Judge Elwell was a candidate for Congress in that district (and that, too, against his own wishes), he did not make a solitary speech from the stump, canvass the district, or work for a vote in Sullivan county, nor in any other county composing his Judicial district.

All of the judges are honorable, upright gentlemen, and have the full confidence of the people of the county.

One of the associate judges did not, so far as I am informed, make more than two or three speeches in the county. I had the honor, sir, of stumping the county in connection with Judge Bedford, one of the candidates for associate judge, and he did not speak upon the subject of deserters at all; and here let me remark that there is no contest in the county in relation to the election of judges. Their election is not contested. I do not claim to be a leading Democrat. But I believe I was the only person who made any speeches in relation to that subject, and I have never taken the ground that a deserter should vote. I took, sir, the broad ground that the Supreme Court of Pennsylvania had decided that a man should not be disfranchised on the simple assertion that he was a deserter; that he must be tried, convicted, and the sentence approved, before he can be punished as a criminal. I took the ground, also, that the act of the Legislature, of June 4th, 1866, was based upon the acts of Congress; that the records of drafted men, marked "failed to report," was not the "official evidence of the fact of desertion," required by the fifth section of the act of June 4th, 1866; but that the only official evidence that there could be, was the records of the court, showing a trial, a conviction, a sentence, et cetera, and the sentence approved, in accordance with the acts of Congress of 1801, and the subsequent acts in relation to deserters. That, sir, is in brief the position which I took on that point. I did not defend deserters, but I did insist, and do now insist, that these men, whom you have branded as deserters, shall have a fair trial before you punish them as such. I referred, also, to the injustice that was done to many citizens in my county, in the rolls that had been sent out. I can take up these rolls, sir, and give you evidence of instances of such gross injustice done many honorable men, as will make you—make any man—blush, to whatever party he belongs. I can show you, sir, the name of John Dickerson, who was sworn into the service by the provost marshal of Troy, wounded in the battle of the Wilderness, and died in Libby prison; and yet he is here branded as a deserter. I can show you the name of Ralph M. Wheeler, upon these records, as having deserted—a man who went to that same provost marshal, and enlisted there. He went into the service and came home with his honorable discharge, and was met at the election board and branded as a deserter, with his honorable discharge in his pocket.

I could give many other cases, sir, but will not take up the time of the Senate. You say there are cases that are hard. Indeed, there are, sir, and in your zeal to procure votes, and carry your partisan ends, you passed that act, and whilst you provided that, if a man should come before the election board, and prove that he was not a deserter and had a right to vote, he should have that right. You provided no manner in which the rolls should be corrected and his name stricken from the list—but you left his name there, and compelled him at every election to make the same proof, and when he dies his family, for all time to come, are to be taunted with his being a deserter. That, sir, was one of the things that I objected to, from the stump, in the county of Sullivan. If that is a defense of the right of deserters to vote, then make the most of it.

The petition asserts "that the Democratic sheriff and commissioners have placed a large majority of their partisans in the jury-wheel, including a number of deserters, so that deserters and their sympathizing friends are certain to be a majority of every jury." Now, sir, I wish to say right here, that the sheriff and commissioners of Sullivan county are men of high standing, and would scorn to take any advantage in putting the names into the jury-box; they are as free from partisan feelings as any men in the State. The jury is selected without regard to politics, and I

think I can establish that fact before I am through. I hold in my hand lists of the juries drawn in the year 1866, and for February court, 1867, certified by the prothonotary and commissioners of Sullivan county.

By a special act of Assembly but two jury courts are held each year; but a third or a fourth can be, if deemed necessary by the court.

Three jury courts were held in 1866, viz; February, May and December.

You will remember that I referred to the fact asserted in the petition "that the county is intensely Democratic"—that we polled nearly a two-thirds vote. Let us see how the juries were composed. In the traverse jury, of February, 1866, I find the names of ten Republicans and twenty-one Democrats, and five whose political proclivities are to me unknown. On the traverse jury, of May, 1866, I find sixteen Republicans and seventeen Democrats, and three unknown. I defy any gentleman to show as fair a record in Pennsylvania. On the traverse jury, of December, 1866, there were twelve Republicans and twenty-two Democrats, and two unknown. For the grand jury, February, 1867, now drawn, there are eight Republicans, fifteen Democrats, and one not known. On the traverse jury, for February, 1867, there are eleven Republicans, twenty-one Democrats, and four not known. No, sir, if you take all those unknown, and add them to the Democrats you still have over one-third of those juries who were Republicans; if you would add the unknown to the other side you would have nearly half that were Republicans.

Let us go still further. I see that the Senator from Bradford [Mr. LANDON] has in his hand what I think is the petition sent in here. While he is glancing at it, let me refer to the fact that ten of those men who signed that petition were drawn as jurors in 1866, namely:

John Warburton, grand, February, 1866.
William Gildewell, grand, February, 1866.
Joseph Rogers, grand, February, 1866.
C. M. Royles, traverse, February, 1866.
Jesse Molyneaux, traverse, February, 1866.
J. H. Rogers, traverse, May, 1866.
Ed. Warburton, traverse, May, 1866.
E. M. Frost, traverse, May, 1866.
Jonathan Rogers, grand, December, 1866.
Joseph M'Carty, traverse, December, 1866.

And, sir, further than that, four more of these petitioners are drawn on the jury for February, 1867, and before some of them this trial will take place, if not removed to Bradford county. I refer to the names of David Molyneax, Jonas Bradford, Joseph Whitely and J. R. Bird. And yet these gentlemen have the audacity to come here and complain of the manner of drawing the jury in the county of Sullivan. I ask any gentleman here to set aside some sixteen, whom I have been informed are minors, and take the balance of the number in that petition and go into any county in the Commonwealth, and see if he can pick out one hundred names in that county, and in that one hundred find as many persons who have been drawn on juries as there are in this instance.

But I am not done with that petition yet. I will ask the Senator from Bradford [Mr. LANDON] to read the two first names on that petition, Henry Norton and John Norton, two very loyal men, who come here and ask for justice, and for protection from the deserters, and who, I have been credibly informed, were two of the very first men that skulked from the draft in the county of Sullivan. They showed their loyalty, sir, in going to Canada, or hiding in the woods; and they come here and complain that the Democrats want to give deserters the right to vote.

Go further, sir. I hold in my hand the certificate of the non-reporting drafted men, from the very list which you sent into Sullivan county in 1866. I find on that list the name of Abel McCarty—another very loyal man whose name is attached to that petition. This man, Abel McCarty, is published in this list as a deserter—a pretty man to preach loyalty to the Democratic party of Sullivan county, and say that we sympathize with deserters. Now, let me tell you another thing. This petition starts out with the assertion that those election officers of the Elkland district, of Sullivan county, have been indicted, by the grand jury of said county, for refusing the vote of John C. Warburton, a well known deserter. A well known deserter, indeed. Where is the evidence that John C. Warburton is a well known deserter, or that he ever deserted?

It is true, Mr. Speaker, that the vote of John C. Warburton was refused. But his name is not found on the certified list, nor on the records sent to Sullivan county. It was only the wickedness of the hearts of those men, or their partisan feelings, that caused this difficulty. There was no evidence. I am informed, before the election board that this man was a deserter. You cannot find any evidence on the record that he was a deserter; and now they come here and make the assertion that he was a well known deserter. The gentleman from Bradford county, in the House [Mr. KINNEY], referred to the very "patriotic class of citizens who fought Lee in Canada," etc. I would advise the gentleman not to be so very hard upon his Republican friends of Sullivan county. He thought the stump speeches he used in Bradford county would do to use in the hall of the House of Representatives, and thought they would apply to the Democratic party, when, unfortunately, they applied more to his own friends than to the Democratic party. Communications have been sent to the papers of Bradford and Sullivan counties, by some person claiming to be an outsider, but who, I believe, is a member, in which they have endeavored to excite and get up a partisan feeling, in which they say justice cannot be done unless this case is transferred. I am anxious that, wherever this case is tried, it shall be tried upon the merits of the case, without partisan feelings entering into it. I believe that can be done in the county of Sullivan; I believe it cannot be done in the county of Bradford.

I think the member of the other branch made a great mistake in exciting partisan feelings in Bradford county. The other member from Bradford [Mr. WEBB] made a statement in the House, in regard to which I wish to say that he was laboring under a wrong impression. He said that circulars had been issued there, signed by myself and others, in which it was agreed to defray the expenses of deserters, provided we could have their votes. For my part, I never saw or signed a circular of that kind. The only position I ever took, I took openly, before the people of Sullivan, in my speeches. I do not wish to say that he misstated the case knowingly; I think now he acknowledges he was wrong.

Now, sir, this change will put the costs on Sullivan county unjustly. That bill proposes that all of the costs and expenses of the change of venue shall be paid by the commissioners of the county of Sullivan. I do not know the intentions of those who drafted the bill. I think, for my part, that it should be put in a different shape, and left for the costs to follow the suit.

Now, sir, I wish to state, further, that this petition wrongs Judge Elwell. Judge Elwell has charged the jury that, in indictments against officers of elections, for rejecting votes—and he has so charged the jury in every case of the kind before him—that they could not be convicted without its being established by the evidence that the defendant knew the party offering his vote was a legal voter, and yet rejected his vote. If a judge, or inspector, acting upon his best judgment, honestly rejects a vote as illegal, he cannot be convicted of a misdemeanor, although he was mistaken as to the law. He can only be punished when he acts corruptly—not for the honest exercise of his judgment.

Now, I wish to ask any member in this Senate if he would ask any judge to charge differently. Judge Elwell is an honest, upright and conscientious man, and as a man and as judge, we are all proud of him. He says:

"He can only be punished when he acts corruptly, not for the honest exercise of his judgment."

Now, Mr. Speaker, I have another thing to say. I am authorized by the associate judges of the county of Sullivan to state, "that if the election board now standing indicted by the grand jury of the county aforesaid, in the election case of the Elkland district, in the case in which you purpose to change the venue, may so desire, they will most cheerfully vacate the bench during said trial."

If the gentleman from Bradford will acknowledge, as I think, he will, Judge Elwell is an honorable, upright man, he can certainly have no objection to his trying this case alone. The associate judges are willing to vacate the bench during the time of the trial.

Now, sir, it is my duty to refer a little further to this petition. I find at the end of it the following:

"As attorney for the defendant, I respectfully ask that the above petition may be granted, being fully of the opinion that the defendants cannot get a fair trial in Sullivan county. THOMAS J. INGHAM."

That sounds to me a good deal like the criminal before the court of justice, who began to cry, and felt very bad, and the judge remarked to him: "Why, my dear fellow, you shall have justice." "Ah! yes, Judge, that's just what I am afraid of." Now, sir, this man, Ingham, was indicted and tried before the court in Sullivan county, I think, during the last May session. The evidence showed the fact that he had met a man in the streets, and told him that, if he attempted to vote, he would arrest him as a deserter. Towards evening, this man—Peterman—offered his vote, and Ingham and others grabbed him, tore his clothes off, and kept him under arrest until after the election had closed, and then gave him the hint that he could escape through the back yard. The evidence for the prosecution showed this fact. It was shown that he had arrested this man for the purpose of keeping him from voting; and yet, sir, this jury, with all their partisan feelings, brought in a verdict of "not guilty," but defendants pay the costs. Even Mr. Ingham, while the jury was out, acknowledged that there was nothing under the heavens that could prevent a verdict of "guilty" being rendered. That shows that we do not do things quite as rashly and with as much partisan feelings as we are accused of, or perhaps as we ought to.

Now, Mr. Speaker, I do not wish to detain the Senate any longer. But I wish to say here, that there is no evidence in the possession of the Senate that these parties have made an affidavit that they could not get a fair trial in Sullivan county; there is no evidence going to show that they cannot have a fair trial—only this solitary petition here presented. If this bill is passed, it will pass for merely political reasons, and for that only; and Senators in casting their votes, will do so on political grounds, and for no other reason.

Mr. LANDON. Mr. Speaker, I am really much obliged to the Senator from Sullivan [Mr. JACKSON] for his courtesy in voting with me to take up this bill. I have always regarded the Senator as a courteous gentleman, and that was a convincing argument that I was correct. I have but one word to say in regard to this thing. His speech has convinced me of one thing—that the disease permeates not only the Democratic party, but the Republican party. Taking his statement as correct, the morals must be so degenerated over there, that there must be a necessity for removing this case. I think it unfortunate that both parties should be infected with the virus. If Mr. Warburton, whose vote was refused, was not a deserter—if his name was not on the list—that fact will be made apparent before the tribunal in Bradford. That is all I have to say to that. In regard to Mr. Elwell's ruling, I do not know how he would rule in Sullivan, but I know how he did rule in Wyoming county. The case was brought up, and he ruled, there, that they had to be fined. The costs were imposed upon them, and they were fined fifty dollars a piece, and have been to the Governor to have the fine remitted; and if I was as sure of the kingdom of Heaven as I am of his ruling, and the consequences thereof, in Sullivan, I should consider the case very doubtful.

Now, here is a petition asking for a change of venue and giving reasons therefor. That petition is signed by one hundred and twenty men, citizens of Sullivan county. At the bottom of it I find these words:

"As attorney for the defendants, I respectfully ask that the above petition may be granted, being fully of opinion that the defendants cannot get a fair trial in Sullivan county."

This is signed by Thos. J. Ingham, an ex-member of the House. That is his certificate. Upon that ground I ask the Senate to change the venue and take the case over to Bradford county, where a board was arrested, last fall, for refusing deserters' votes, and which was brought before the grand jury, about one-fourth part of whom were Democrats; and, sir, they ignored the bill and put the costs upon the prosecutor. That is the way we do justice in Bradford county. We say, change this venue and take it over there, and whatever is just shall be done, and all parties will be satisfied in the end. We want this bill passed. I might make a long speech, but it is unnecessary.

Mr. JACKSON. One word in relation to the case in Wyoming county. Judge Elwell charged the jury, and here are his words:

"They could not be convicted without its being established, by the evidence, that the defendants knew the party offering his vote was a legal voter and yet rejected his vote. If a judge or inspector, acting upon his best judgment, honestly rejected a vote as illegal, he cannot be convicted of a misdemeanor, although he was mistaken as to the law. He can only be punished when he acts corruptly—not for the honest exercise of his judgment."

Mr. LOWRY. Mr. Speaker, I will not detain the Senate, but would inquire of the Senator, who has just taken his seat, whether it has not been customary in these Halls, for the last twenty years, to change the venue when a man comes here, and by his counsel represents that he cannot have a fair trial without he gets a change of venue? Do not you do it for a horse thief, and the murderer, and the house breaker? It is a glorious thing, Mr. Speaker, for a man to think that he has a fair trial; and you may do it for the highest criminals, and the Democracy will not proclaim against it; but when a man comes here to carry out our own law, and you attempt to lay a heavy hand upon him, because we would vote to give him the same impartial trial that you would vote to give the house breaker, then it is all wrong. Then we have a lecture upon the impropriety of the act. I reported the bill to protect every man in this Commonwealth that had carried out the law of the last session of the Legislature. That bill I hold in my hand. I hope that it will be acted upon speedily, and that all who have carried out the law that we passed shall be protected, and the courts where they are prosecuted, shall pay the costs.

Mr. WALLACE. Mr. Speaker, I have no desire to enter into the general merits of this question. The remarks of the Senator from Erie [Mr. LOWRY] compel me to speak briefly. He demands a trial for all men. This should mean deserters as well as the horse thief. By your act of last year you convict a man before you try him, and you compel your election boards to reject his vote; that is the legal effect, the practical workings of your system. By that infamous bill this great personal right—the enjoyment of the elective franchise—is wiped out of existence, and the greatest right that underlies our system of government—the right of a man to be tried by a jury of his peers, before he is punished for any offense—is simply thrust out of that system.

Such are the workings of the act of 1866. Do to the meanest of your citizens that justice which you would do to the highest. The transcript of the record in the provost marshal's office, is the record of the trial and conviction of the deserter; and that, brought to the election board, rejects his vote. He has not been tried. The question whether he is actually a deserter, does not come up—the mere lists are the record of his conviction. Is this the right of trial by jury? That is the great right for which we contend. It is not a question as to whether a man should or should not receive his vote when convicted as a deserter, but it is the great principle that lies at the base of our form of government, that all men, before they are convicted and punished for an infamous crime, shall be tried by a jury of their peers.—Upon that great principle we place ourselves, and by it we shall stand as our party has stood ever since the Government was formed. Yea, sir, this right not only underlies our Constitution and form of government, but ever since the days of Magna Charta in Great Britain, ever since the Barons wrested from King John the great charter of their liberty, this right has been precious to the freemen throughout the world. Let me answer the Senator in regard to the number of changes of venue. I have taken the trouble to look at the books for ten years past. In 1856 there was one change of venue; in 1857 there was none; in 1858 there were two; in 1859 there was none; in 1860 there was none; in 1861 there was none; in 1862 there was none; in 1863 there was one; in 1864 there were four; in 1865 there were four; in 1866 there were nine. This is the mode in which you are securing the right of trial by a jury of the vicinage; and all of these changes of venue are from Democratic counties to Republican counties. Why is this? We find five times as many changes of venue within the last three years, as in all the seven years preceding. There is some reason for this. You are not willing to trust the administration of the laws to the men sworn to administer them.—Hence, we find a large increase of changes of venue for purely political reasons. These are the facts; it is for you to explain why they are the facts.

Mr. M'CONAUGHY. Mr. Speaker, I have listened, sir, to the Senator on my left [Mr. JACKSON], who resisted the passage of this bill, and as he progressed and developed his ideas on the subject, a doubt no longer remained in my mind that I should vote for a change of venue in this case. The question of the guilt or innocence of the defendants should be determined by a tribunal wholly free from partiality and injustice, and the spirit betrayed by the Senator representing, as I suppose he does, the highest tone, the most elevated type of sentiments in the county of Sullivan, when he characterized the loyal people of this Commonwealth who undertook to sustain the law upon the statute book of the State, and to enforce it, and to inflict its penalties—when he characterized these citizens as hounds, who could longer hesitate as to the virus, the animus, the spirit which would control the court were they allowed to decide this matter in that county? I could not, sir.

It was fitting, sir, that the Senator from Clearfield [Mr. WALLACE] should have followed in this resistance to the change of venue. In the year 1866, after the passage of the statute of last year, I read an order emanating from the headquarters of Democracy in this State, advising that the statute of 1866 should be nullified—in the spirit and language of South Carolina in 1832—that it should be treated as naught, and that the Democratic party of the State should have the aid of the Democratic district attorneys and president judges in the Commonwealth in order to utterly nullify and destroy a statute of the Commonwealth. And, sir, if I mistake not in the reading of that document, signed by the chairman of the Democratic Central Committee of Pennsylvania [Mr. WALLACE], it instructed them, in certain contingencies, that these men called deserters, under the ban of this State law, should be transported from Republican townships to Democratic townships, in order that their votes might be put into the ballot-boxes. I think I did not misread the document, sir. I do not think it strange, then, that the Senator [Mr. WALLACE] should come to the defense of the Senator from Sullivan [Mr. JACKSON] in resisting the passage of this act. We have been told that the statute of last year deprived of the right of trial by jury. The necessity which required the passage of this act, based upon the act of Congress, was to provide for what, sir? Why, sir, even in the very crisis of the war, just when the fate of this nation trembled in the balance, a hundred thousand men, sir—more men than composed the army of the Potomac that fought around my devoted home—a hundred thousand men had deserted your arms and abandoned their loyalty, had turned their backs upon their country, sir; and not only that, they had fled beyond the jurisdiction, gone to Canada and the far West. The laws on the subject of desertion were strong enough, so far as the penalty provided was concerned; for they inflicted the punishment of death. But the difficulty which urgently called for a remedy was the absence of these recusant men from jurisdiction, keeping themselves beyond arrest, trial and conviction; and I say, sir, that that act of Congress is just and legal. For a hundred years in England, at common law and by statute, a man who deserted the jurisdiction was declared an outlaw, and if the doctrine of an outlawry is right, I ask when, in the history of any country, was there a government in which it was more fully justified than in that act of Congress passed on 3d of March, 1865? Was there not abundant ground for a declaration of outlawry? Men abandoned their allegiance, forswore their fealty, turned their backs upon their Government and fled their country; and for that reason that statute was passed, and it was just and right, sir. Congress, under the Constitution, has the power to deprive of cit-

izenship of the United States; and for good cause, and for reasons based on the highest and soundest public policy, it enacted the statute of March 3, 1865, which visited with the consequences of outlawry—with deprivations of citizenship, those faithless men who deserted the flag and the country, in its hour of direst extremity, and voluntarily made themselves outlaws.

And now, sir, Pennsylvania, which allows no man to vote unless he is a citizen of the United States, provided by legislative enactment that those men who were thus deprived of citizenship of the United States should not vote at its ballot-boxes. And that law is just in all its provisions. Let the gentlemen look at the statute. It allowed the party that might be disfranchised for desertion to disprove the desertion by proof, on his own examination, under oath.

Mr. JACKSON. I stated that it was true that, by your act of June 4th, 1866, you allowed him to vote, on his proving that he was not a deserter, but that it did not take his name from the list, which, by that act, is filed in the county archives, and ever afterwards he and his children must be branded, and he denounced as a deserter.

Mr. M'CONAUGHY. Then let us pass additional legislation by which these rolls shall be corrected and made perfect. I will join in adding any proper amendment to that end. Let this legislation be made perfect. But, Mr. Speaker, I repeat that the statute is a right and a just one. It allowed proof and enabled the oath of the citizen to put himself right if he is not properly returned on the rolls.

It is guarded at every possible point, sir, and in regard to statutes of that kind. And to go back to the point from which I was betrayed into these more extended remarks: When a statute of that kind cannot be impartially enforced in a county, and the Senator who represents it in this chamber characterizes that class of loyal men, who seek to honestly enforce the laws, as hounds, I say, sir, that it affords a demonstration as clear as the sun at mid day that this change of venue should be made.

Mr. WALLACE. Mr. Speaker, the Senator has deigned to introduce my record in the past. He is entirely welcome to speak of any record that I have made, either upon this floor or in any other of my public acts. What I have done I shall stand by. It is fitting that the Senator from Adams [Mr. M'CONAUGHY] should sing peans of praise to the deserters' bill of 1866 as he occupies his seat by the rejection of the votes of alleged deserters. It comes with befitting grace. He was the father of that bill and does right in defending his bantling. I trust that the Supreme Court of Pennsylvania will very soon settle the question of the constitutionality of that law. There are cases pending that will settle it; and then the Senator from Adams and those with whom he acts will be satisfied, I do not doubt; and he and I will bow with submission to the fiat of the Supreme Court

Mr. M'CONAUGHY. Mr. Speaker, I am reminded of a historical fact by the remarks of the Senator. I have not forgotten that pending this great struggle the Supreme Court of Pennsylvania decided on a preliminary injunction and allowed it to remain intact, declaring that the General Government should not come into the bounds of this Commonwealth to enforce the draft, and fill up the ranks of its defenders; and I remember that the people took the first opportunity furnished by a popular election to change that court, and that as a consequence of that change the right of the Government to go on to enforce the draft and fill up the armies was sustained by the people, and the Government went successfully through that conflict. And trusting in the same Providence, I hope that before nine months have passed that the people will exercise their reserved power, the potency that exists in the ballot, and that, at least, before the final decision shall be made, the people in their wisdom shall so constitute and organize the Supreme Court, that a decision in the interest of loyalty and the country will be made, and which will sustain the statute and carry us speedily and successfully through this issue.

A motion was then made that the Senate do now adjourn.

The SPEAKER. I have learned that there seems to be some undue excitement and some misapprehension in the minds of members of the co-ordinate branch of the Legislature, as to what the rules of the Senate are. Whilst it is the desire of the SPEAKER to enforce the rules, and considers himself competent to enforce them, and while he doubts not the rules of the Senate are understood by every member of the Senate, it is manifestly unfair to the presiding officer of this body, as well as to the body itself, to expect that we can COMPEL others to read or understand them. I find certain rules adopted for our government and convenience and I will enforce them. Whether any person, not a member of the Senate, understands them or not is a matter for them. I have made no order, save to direct the officers to enforce the present rules—the rules of last year and the rules for many years. And I desire to say to the very gentlemanly officers, the Sergeat-at-Arms and his assistants, Doorkeepers, etc.—than whom I have never seen better, more polite and courteous to Senators, and members of the House when they come over here, always on hand and ever efficient and active—I have made no rule, issued no order, except that the standing rules of this body shall be enforced, and amongst the rules of the Senate one that has been in force for a very long time, which reads as follows:

XXV. No person shall be admitted within the bar of the Senate during its sessions, except the members and officers of the two branches of the Legislature, the Governor, Heads of Departments, ex-members of the Legislature, and stenographers, who may desire to report proceedings of the Senate for publication, under the direction of the Speaker; nor shall any person be admitted within the lobby of the Senate, except such as shall be invited by a member of the Senate. No person or persons shall be permitted to occupy the seats of Senators, or pass across the floor of the Senate when the Senate is in session; nor shall any person or persons, at any time, be permitted to enter the room of the Transcribing Clerks, or the recess behind the chair of the Speaker, except the members and officers of the General Assembly.

To the officers: It is my duty to order you to enforce this rule. You will do so in the future as in the past. It is not necessary for me to tell you that this does not prevent members of the House from coming into the Senate. Whenever they come over here you will receive them courteously, and admit them to the passage-ways of the Senate chamber; and at the same time you will keep the central passage-way clear, so that I can receive the Secretary of the Commonwealth, and the Deputary Secretary of the Commonwealth, and the officers of the House, who come here to present messages. I shall make no further order, except that these rules shall be enforced, and for your faithful discharge of the duties of your several positions in the past you have my thanks and public acknowledgments.

The hour of one o'clock having arrived, the SPEAKER adjourned the Senate until this afternoon at 3 o'clock.

AFTERNOON SESSION.

The Senate reassembled at 3 o'clock, P. M.

Agreeably to order,

The Senate resumed the consideration of bill entitled An act to change the venue in the case of the Commonwealth of Pennsylvania *versus* Jesse R. M'Carty, Joshua R. M'Carty and Charles Morton, from the court of quarter sessions of the peace of Sullivan county, to the court of quarter sessions of the peace of Bradford county.

The bill was read.

Mr. DAVIS. Mr. Speaker, the debate which took place this morning on this bill, took rather a wider range than was at all necessary, but I hope that the Senate will decide this bill on its merits, and not from any feeling of passion, prejudice or irritation, but decide it simply and solely upon its merits. There have been, already, this session, several bills of a similar character passed, but in no one case has the change of venue been asked for unless the request was so recommended by some reason other than mere politics. And I hope and trust that the Senate will hesitate long before they set a precedent of this kind—before they say that the rule shall be that when a Republican is prosecuted in a Democratic county, and asks that his case shall be taken to a Republican county, without asking any more questions upon it—I hope this Senate will not vote to let it be done. I know that Senators on the other side will admit, and feel convinced in their hearts, that such conduct would be disgraceful in the extreme. Some ground has always been made, some reason has always been given, whenever parties have come to the Legislature of Pennsylvania to ask for a change of venue. Now, sir, what grounds have been urged in this case? None whatever. There has not yet been the slightest attempt made by the gentleman who has this bill in charge, to show us that there are any substantial reasons why the defendants in this case cannot have fair, equal, and impartial justice in Sullivan county. The statement made by the Senator from Sullivan [Mr. JACKSON] this morning, upon his word and honor as a man and a Senator, must be received by us with all the credit to which it is entitled, and Senators are bound to believe what I am certain is the fact, that the Republican party in Sullivan county are fairly represented on the juries of that county, and that in all human probability, should this case be tried in Sullivan, one-third or one half of the jury would be Republicans. Then where would these men be exposed to injustice? One solitary Republican upon that jury would have power to control the case, and prevent a verdict of guilty against these men. I cannot see any injury to these men from being tried in Sullivan county. It is not even alleged by the gentleman who has charge of the bill that the juries can be so composed that these men could not get justice done—that their friends would not be represented on that jury. He cannot allege it. Then, sir, in case the men should be convicted, why, you have the Governor to go to get a pardon, which is always ready if there is any injustice in the case. And I ask the Senate whether they are satisfied to make this case a precedent—because I do contend that it is different from any that has been before us this winter. As a member of the Committee on Local Judiciary, I have had occasion to see and hear read all bills of this character that have made their appearance, and I can say with truth that not a single bill has been sent here but what was accompanied by the statement of some reason which should influence Senators in granting a change of venue, other than that the person was a Republican, and the county in which he was to be tried was a Democratic county.

Gentlemen know that parties in this country, like individuals, are mortal; they do not live forever. I am certain that they will admit that their tenure of power is not to last forever.

Do gentlemen wish to set an example of this kind, that we shall be bound to follow when our turn comes? And when that event happens, do they wish cases to be changed, and taken from Republican counties and carried to Democratic counties, whenever we ask for it? Pass this bill and that rule will be made. After the statement made by the Senator from Sullivan, I do not see how gentlemen on the other side, who I know wish to act honestly and fairly, and wish to carry out and do the duties they have taken upon themselves by occupying seats in this Chamber—I do not see how they can vote in favor of this bill. If there were any valid, solid reasons which would influence a man of ordinary judgment and ordinary honesty, I would have nothing to say. We have not, it will be admitted on the other side, made any opposition to other bills of this kind that have been presented, and the reason was, that in every bill of that kind, reasons were given which might amount to valid reasons for a change of venue. But in this case no reasons are alleged which have not been disproved by the Senator. They can run no risk, unless they are satisfied they would be convicted.

I do trust the Senate will be governed in deciding upon this case, simply upon the merits of the case. I think it will be unfortunate if they act otherwise. But if any gentleman on the other side can give me any sound reason why this bill should pass, I will here promise to vote for it.

Mr. Speaker, I think that a little longer time should be taken in considering this question. I think Senators all should think over this matter coolly and quietly, before they take the step they are asked to take in passing this bill. I do not think any hardship will arise from it, or injustice. In order that that may be done, I move, Mr. Speaker, that this bill be postponed for the present, and on that I call the yeas and nays.

Mr. LANDON. I hope the motion will be voted down.

On the question,

Will the Senate agree to the motion?

The yeas and nays were required by Mr. DAVIS and Mr. M'CANDLESS, and were as follow, viz:

YEAS—Messrs. Browne (Lawrence), Brown (Mercer), Burnett, Davis, Donovan, Glatz, Jackson, James, M'Candless, Randall, Searight, Wallace and Walls—13.

NAYS—Messrs. Bigham, Billingfelt, Coleman, Connell, Cowles, Haines, Landon, M'Conaughy, Ridgway, Royer, Shoemaker, Stutzman, Taylor, White, Worthington and Hall, *Speaker*—16.

So the question was determined in the negative.

The bill was then laid over for a third reading.

PITTSBURG AND CONNELLSVILLE RAILROAD.

Agreeably to order,

The Senate proceeded to the consideration of bill entitled An act to repeal an act of the General Assembly of the State of Pennsylvania, which became a law on the 19th day of August, 1864, entitled An act relative to the Pittsburg and Connellsville railroad company.

The question was on the first section, which was read.

Mr. COLEMAN moved to postpone the further consideration of the bill for the present, and take up the private calendar.

Mr. RIDGWAY. Mr. Speaker, I object to any postponement of this bill. It is well known that three or four Senators wish to make speeches of three or four hours' length, and they can do it this afternoon as well as any time. I should like to dispose of this bill as soon as possible.

Mr. LOWRY. Mr. Speaker, I think this is a snap judgment on the part of the Senator on my right. A large meeting was held last evening, and a committee of citizens from Allegheny are to come on here to-day. If the Senate is disposed to be as fair with this bill as any other, I think they will postpone it. Those opposed to the bill ask us to call it up, because they think they have got the Senators from Allegheny in a position to ride rough-shod over them. I trust, as a matter of courtesy between Senators, the bill will be postponed.

Mr. RIDGWAY. I had no such idea at all. My idea is to have these gentlemen make their speeches this afternoon. We can have them inflicted upon us now as well as at any other time. My friend, Mr. BIGHAM, I am sure will take three hours.

Mr. GRAHAM. Mr. Speaker, I have been engaged on a committee, and am not aware what the question is under discussion.

The SPEAKER. A motion was made to postpone the Connellsville railroad bill for the present, and take up the private calendar.

Mr. BIGHAM. It does not take a two-thirds vote to postpone the question.

The SPEAKER said it would require a two-thirds vote to take up any other subject.

Mr. LOWRY. Does it take a two-thirds vote to adjourn?

The SPEAKER. No, sir.

M. LOWRY. I move that the House do now adjourn.

The SPEAKER. That takes precedence.

On the question,

Will the Senate agree to the motion?

The yeas and nays were required by Mr. CONNELL and Mr. LOWRY, and were as follow, viz:

YEAS—Messrs. Bigham, Billingfelt, Browne (Lawrence), Brown (Mercer), Coleman, Cowles, Davis, Graham, Lowry, Searight, Stutzman, Taylor, Wallace and White—14.

NAYS—Messrs. Burnett, Connell, Donovan, Fisher, Glatz, Haines, Jackson, James, Landon, M'Candless, M'Conaughy, Randall, Ridgway, Royer, Shoemaker, Walls, Worthington and Hall, *Speaker*—18.

So the question was determined in the negative.

The question then recurred on the motion of Mr. COLEMAN to postpone the bill and take up the private calendar.

The motion of Mr. COLEMAN was not agreed to.

Mr. BIGHAM. Mr. Speaker, I move that the bill in reference to the Connellsville railroad be postponed until to-morrow morning.

On the question,

Will the Senate agree to the motion?

The yeas and nays were required by Mr. RIDGWAY and Mr. TAYLOR, and were as follow, viz:

YEAS—Messrs. Bigham, Billingfelt, Browne (Lawrence), Brown (Mercer), Coleman, Cowles, Davis, Graham, Lowry, Searight, Stutzman, Taylor, Wallace and White—14.

NAYS—Messrs. Burnett, Connell, Fisher, Glatz, Haines, Jackson, James, Landon, M'Candless, M'Conaughy, Randall, Ridgway, Royer, Shoemaker, Walls, Worthington and Hall, *Speaker*—17.

So the question was determined in the negative.

The question recurring on the first section an extended debate followed, which will appear in the *Appendix*.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

The Clerk of the House of Representatives being introduced, returned bills from the Senate numbered and entitled as follows, viz:

No. 47, an act relative to the road laws in certain townships in Sullivan county.

No. 315, a further supplement to an act to incorporate the Pittsburg, Allegheny and Manchester passenger railway company, authorizing said company to change certain parts of its route, to subscribe for stock in a new bridge, and to have viewers appointed to fix compensation for crossing bridges.

With information that the House of Representatives passed the same without amendment.

The Senate then adjourned until to-morrow morning at 11 o'clock.

HOUSE OF REPRESENTATIVES.

THURSDAY, February 14, 1867.

The House met at 10 o'clock, A. M.

Prayer was offered by the Rev. JACOB KENNEDY, member from Wyoming.

The SPEAKER announced a quorum of members present.

The Journal of yesterday was partly read, when,

On motion of Mr. LEE, the further reading of the same was dispensed with.

SPEAKER'S TABLE.

The SPEAKER laid before the House the following communication from the State Treasurer:

TREASURY DEPARTMENT OF PENN'A, HARRISBURG, February 13, 1867.

To the Hon. John P. Glass, Speaker of the House of Representatives:

I compliance with the joint resolution, passed February, 1867, I send you what I conceive to be a proper apportionment of three hundred thousand dollars on personal estate, among the counties of this Commonwealth.

Very respectfully yours,

W. H. KEMBLE,
State Treasurer.

Apportionment of Personal Property.

COUNTIES.	AMOUNTS.
Adams	$ 2,660 64
Allegheny	17,051 42
Armstrong	2,346 03
Beaver	2,602 92
Bedford	1,708 60
Berks	7,355 15
Blair	1,611 20
Bradford	3,275 97
Bucks	8,795 97
Butler	2,369 88
Cambria	1,441 50
Cameron	166 74
Carbon	1,507 98
Chester	12,160 41
Centre	2,003 10
Clarion	1,580 00
Clinton	1,039 53
Clearfield	992 97
Columbia	2,193 46
Crawford	3,199 89
Cumberland	4,689 10
Dauphin	4,752 50
Delaware	5,768 20
Erie	4,162 77
Elk	188 28
Fayette	3,703 10
Franklin	3,279 25
Fulton	392 93
Forest	68 73
Greene	1,967 42
Huntingdon	2,074 70
Indiana	1,726 33
Jefferson	719 85
Juniata	1,460 56
Lancaster	15,184 20
Lawrence	1,734 37

AMOUNTS.	COUNTIES.
Lebanon	2,824 94
Lehigh	4,594 80
Luzerne	5,827 95
Lycoming	3,260 86
Mercer	2,604 61
M'Kean	557 54
Mifflin	1,650 00
Monroe	1,092 22
Montgomery	11,028 40
Montour	862 17
Northampton	6,924 48
Northumberland	2,227 00
Perry	1,630 38
Philadelphia	90,943 95
Pike	575 79
Potter	739 83
Schuylkill	5,105 82
Snyder	977 08
Somerset	1,778 34
Sullivan	280 63
Susquehanna	2,014 90
Tioga	1,148 05
Union	1,414 33
Venango	2,077 14
Warren	1,353 86
Washington	5,032 25
Wayne	1,261 34
Westmoreland	4,396 35
Wyoming	915 28
York	6,953 50
	$300,000 00

Mr. WADDELL. Mr. Speaker. I desire to make a statement at this time.

Leave was granted.

Mr. WADDELL. Mr. Speaker, to-day is the regular day for the consideration of the bills on the public calendar. Yesterday the regular order was necessarily crowded out by reason of the private calendar, and the committees did not have an opportunity to make their reports.

I desire to offer a resolution at this time, providing that we shall take up the order of business which should have been taken up yesterday—that of reports from committees, &c., and that we set apart this afternoon for the consideration of the public calendar. Unless something of this kind is done, bills in the hands of committees will not get upon the private calendar next week Unless these bills now in the hands of committees get into the hands of the Clerks to-day, they cannot get upon the private calendar for next Tuesday.

I therefore ask that the rules may be suspended that I may offer a resolution.

Leave was granted.

Mr. WADDELL. Mr. Speaker, I offer the following resolution.

The resolution was read as follows:

Resolved, That the orders of the day belonging to yesterday, and which were set aside for the consideration of the private calendar, shall be gone through with this morning; and the House will hold a special session this afternoon at 3 o'clock, to consider the public calendar.

The resolution was read a second time, and

Agreed to.

REPORT FROM AN INVESTIGATING COMMITTEE.

Mr. STUMBAUGE, from the select committee, appointed to investigate the charges of bribary and corruption connected with the election of United States Senator, made the following report:

The undersigned, a committee appointed under a joint resolution by the Legislature, passed Jaouary 8th, A. D. 1867, and charged with the duty of investigating alleged improper influences in connection with the election of a United States Senator, on the 15th ult., report the following as the result of their investigation in the premises:

On the day upon which the committee was appointed, they met and organized, and at once proceeded to the examination of witnesses. The committee continued to meet from day to day until all the witnesses, suggested to them, had been examined.

They then gave a general invitation to any person to appear before the committee, and give such information as he might possess touching the subject under inquiry, and after waiting some ten days or more (no one appearing), the committee ceased their labors.

No evidence was produced to implicate any member of this Legislature in the alleged corruption, nor were any of the distinguished persons named in connection with the office of United States Senator in any manner therein involved.

The evidence in detail taken by the committee is herewith presented for the information of the two Houses. All of which is respectfully submitted.

F. S. STUMBAUGH,
J. N. MARKS,
L. WESTBROOK,
Committee on the part of the House.
MORROW B. LOWRY,
THOS. B. SEARIGHT,
JAS. L. GRAHAM,
Committee on the part of the Senate.

The following evidence was also submitted:

The committee, appointed under the joint resolution of the Legislature passed on the 8th day of January, 1867, met and organized the same day in Senate committee room No. 6. Present, Messrs. Stumbaugh, Marks and Westbrook, of the House, and Messrs. Lowry and Graham, of the Senate.

Mr. Lowry reported that he had requested Senator White to appear before the committee. Mr. White appeared and stated that he had no knowledge whatever, personally, on the subject of inquiry before this committee. That no one had ever approached him improperly on the subject of the election of a United States Senator. He gave the names of Senators Bigham and Haines, and Representative Mechling to the committee as witnesses to substantiate the charges made by him in the Senate. He also desired that A. B. M'Clain be called before the committee.

The chairman was requested to cause the above mentioned persons to appear before the committee on Monday at 9 o'clock.

Mr. Lowry further reported that he had called upon Colonel John W. Forney, at the State Capitol Hotel in this city, and requested Mr. Forney to appear before this committee and give any evidence which he might possess, concerning the matters referred to the committee for inquiry. Mr. Forney replied that he had no knowledge, personally, which would implicate any one in the attempt to induce members to vote by the use of improper means. Mr. Lowry further stated, that he had requested Col. Forney to apprise the committee of any names of persons who might be able to substantiate the charges made in his newspaper, and bring with him counsel to cross-examine the witnesses. Mr. Forney answered that this was entirely fair, but he had no knowledge of anything which would implicate any one. The same member of the committee reported that similar invitations had been given to the Senators from Lancaster county, as the friends of Hon. Thaddeus Stevens, and to many other persons to come before the committee and testify on the matters submitted for their examination.

Adjourned.

JANUARY 14, 1867.

The committee met pursuant to adjournment, the following members being present: Messrs. Stumbaugh, Marks and Westbrook, of the House, and Lowry, Graham and Searight, of the Senate; when Mr. Lowry announced that he had called upon Senator Bigham and requested him to meet the committee to-day. Mr. Stumbaugh reported that he had asked Mr. Mechling to meet the committee. Senator Graham also reported that he had requested Senator Haines to appear and testify.

The following persons appeared, were sworn, and testified:

Mr. A. B. M'Lain, being duly sworn, declared that he knew nothing whatever of the subject of inquiry.

QUESTION. (By Mr. Lowry.) Has any member of either branch of the Legislature told you that any money, or other valuable consideration, had been offered to him for his vote?

ANSWER. A member of the House of Representatives told me he thought if he would vote for Cameron, the General would help his father to get an office, but I have no personal knowledge of the fact.

Mr. Mechling appeared and was sworn.

Q. (By Mr. Stumbaugh.) Do you know of any corrupt means or undue influences being used, by any person or persons, to secure the election of a United States Senator?

A. I positively do not.

Q. (By Mr. Stumbaugh.) Did any person tell you that he knew that money, or corrupt influences of any kind, were used to elect a United States Senator, at the present session of the Legislature?

A. No, sir; no one did.

Q. (By Mr. Stumbaugh.) Do you know of any matter or thing, which would enable this committee to prove corruption, on the part of any candidate, named for the office of United States Senator?

A. No, sir. The newspapers talk about this, but I have no knowledge whatever of any corrupt appliances in the canvass.

F. MECHLING.

Senator Haines appeared and affirmed.

Q. (By Mr. Stumbaugh.) Senator White requested that you should be called before the committee to testify. Have you any knowledge of any corrupt means being used to procure the election of a United States Senator?

A. I have not. Mr. White had neither authority or right to use my name in such connection. KIRK HAINES.

Senator Bigham appeared and was sworn.

Q. (By Mr. Stumbaugh.) Have you any personal knowledge of any corrupt means being used to influence your own vote, or that of others, during the Senatorial canvass?

A. I have no such personal knowledge. I have probably been called before you in consequence of an exaggerated rumor of a conversation between one of my own constituents and myself, in regard to this subject. Before leaving home, Charles Wood, an iron manufacturer, was urging me to vote for General Cameron. My own recollection of that conversation was that Mr. Wood was willing to interest me to the extent of one thousand or fifteen hundred dollars, if I would work and vote for General Cameron. Through a mutual friend of myself and Mr. Wood, I have recently learned that Mr. Wood's recollection of this interview is, that his own interests would be promoted to that extent by the election of General Cameron, that gentleman being a well known friend of protection for the iron interests. Mr. Wood is no politician, however. He is not in any way connected, by blood or marriage, that I know of, with General Cameron, and it is possible he meant nothing beyond what he avers to be his recollection of our conversation. I prefer not to give the details of that conversation. He never offered to pay me anything, and his conversation did not in any manner influence my vote or action. Mr. Wood disavowed,

at the time, any authority from any one to make me any offer of any kind.

T. J. BIGHAM.

The committee adjourned to meet at the call of the chairman.

JANUARY 16th, 1867.

Called to meet by the chairman, the committee assembled in room No. 3 of the Senate committee rooms. Present, Messrs. Stumbaugh, Marks and Westbrook, of the House, and Messrs. Lowry, Graham and Searight, of the Senate.

Mr. C. D. Brigham appeared and was sworn.

Q. (By the chairman.) What is your occupation?

A. I am editor of the *Pittsburg Commercial*.

Q. What, if anything, do you know about corrupt means or influences having been used to secure the election of any person to the office of United States Senator?

A. In the language of the resolution, it is commonly charged that corrupt means were used. Of the truth of the charge I have no positive knowledge.

Q. (By Mr. Lowry.) Have you any other knowledge?

A. No other than the assertion of others in whom I confide.

Q. (By Mr. Lowry.) We want facts. If you know any please state them.

A. It is a fact that it is a common rumor, but I know of no fact which proves it.

C. D. BRIGHAM.

Adjourned to meet at the call of the chairman.

JANUARY 17th, 1867.

At the call of the chairman the committee met.

Barthel T. Campbell appeared and was sworn.

Q. (By the chairman.) What is your occupation?

A. I am editor of the *Pittsburg Leader*.

Q. (By same.) Do you know of any corrupt means or undue influences having been used by any person or persons, in order to secure the election of any person to the office of United States Senator?

A. I do not.

B. T. CAMPBELL.

Adjourned to meet at the call of the chairman.

JANUARY 22d, 1867.

The committee met at the call of the chairman. Present, Messrs. Lowry and Graham, of the Senate, and Messrs. Stumbaugh, Marks and Westbrook, of the House.

Mr. B. F. Lynn appearing he was sworn.

Q. (By Mr. Lowry.) Where do you reside, and what is your occupation?

A. I reside at Erie, Pennsylvania. I am the editor and publisher of the *Erie Dispatch*.

Q. (By the same.) Do you know of any money being paid, or other improper influences being exerted to procure the nomination or election of a United States Senator?

A. I have no knowledge of any money being used; but I have knowledge of what is considered improper means having been used.

Q. (By the same.) What were the improper means of which you speak, and upon whom were they used?

A. In a conversation with Colonel McCreary, in which I attempted to convince him that he would best subserve the interests of his constituents, and fulfill the pledges he was understood to have made to them, by supporting Governor Curtin for United States Senator, he informed me that Governor Curtin and his friends had refused to sustain him in his application for position; and, that inasmuch as Mr. Cameron and his friends had tendered him the position or Adjutant General of Pennsylvania, he would support Mr. Cameron.

Q. (By Mr. Lowry.) For whom did Colonel M'Creary vote?

A. So far as I know, or am informed, he voted for Governor Curtin.

Q. (By Mr. Lowry.) Do you know of any other fact, which you deem improper, to procure the election of United States Senator?

A. I have no personal knowledge of any other fact. Hon J. K. Moorhead assured me that he positively and sacredly believed that corrupt means, in the use of money, and promises of position, had positively been used to effect the nomination of Mr. Cameron.

Q. (By Mr. Lowry.) Did Mr. Moorhead tell you that General Cameron defeated him for the nomination for Governor at the time General Geary received it?

A. No, sir.

Q. (By Mr. Lowry.) Letters having frequently appeared in your paper, dated at Harrisburg, charging corruption on members of the Legislature, you will please state who wrote them?

A. I can give you the information without giving the names. I have talked with them, and am convinced that their statements were made up from street rumors and hotel conversations.

Q. (By the same.) Mr. Lynn, it is important to this committee, for the elucidation of their inquiries, that the names of these correspondents should be given. You will please give them.

A. I have already given you the information which they gave me, upon their word of honor, as facts.

Q. (By the same.) Mr. Lynn, the committee must insist upon having their names.—Please give them.

A. Their names are sacred to me, and unless I am compelled to give them, I prefer not to give their names.

Q. (By the same.) The cause of justice requires the names of these correspondents, and, if you refuse to give them, we shall report you to the Legislature as being in contempt of its authority, and ask that you may be punished for withholding longer the names which the committee ask for.

(At this point Mr. Lynn requested time to consider, and the committee adjourned until eight o'clock, P. M.)

On the re-assembling of the committee at 8 o'clock, P. M., Mr. Lynn appeared and said, "Upon consultation with authority, I find that I am compelled, by the regulations governing such matters, to respond correctly to your question. But, inasmuch as editors are responsible always for the action of their correspondents, and I assume responsibility in this case, the committee will do me a favor if they will relieve me from answering the question; and more especially, because I assure the committee that my correspondents do not know anything personally in relation to this matter."

Upon which Mr. Lynn was relieved from giving the names.

Q. (By Mr. Lowry.) Do you know any other fact or thing that will elucidate the matter under investigation?

A. I do not.

B. F. H. LYNN.

Joshua Kames appeared and affirmed.

Q. (By Mr. Stumbaugh.) Where do you reside?

A. At Downingtown, Pennsylvania. I am the owner of the *Chester County Journal*.

Q. (By the same.) Do you know of any corrupt means or improper influence having been used by any person, or persons, for the purpose of securing the election of any one to the United States Senate?

A. Not of my own knowledge.

Q. (By the same.) Certain articles or editorials appeared in your newspaper intimating that undue influences had been resorted to for the purpose of electing a United States Senator. Upon what were these articles founded?

A. Upon common rumor, and not upon any fact I know of.

JOSHUA KAMES.

Adjourned.

FEBRUARY 6th, 1867.

The committee met in Senate committee room, No. 3. Present—Mr. Lowry, of the Senate, and Messrs. Stumbaugh, Westbrook and Marks, of the House.

Colonel M'Creary appeared and was sworn.

Q. (By Mr. Lowry.) Do you know of any improper means, or undue influences, being used to procure the nomination and election of a United States Senator?

A. I know of none whatever.

Q. (By same.) The appointment of Adjutant General of Pennsylvania has been tendered you. Are you indebted to General Cameron for that appointment?

A. I am indebted to no one, that I know of, for that appointment but Governor Geary.

Q. (By same.) Did you receive the appointment with any conditions attached, or any intimation from Governor Geary, or any one else, that you would be expected to vote for any particular candidate for United States Senator?

A. I did not.

Mr. Lowry said: "We have read the testimony of Mr. Lynn to you. Do you desire to make any statement in regard to it?"

A. Yes. Mr. Lynn and myself had a conversation in relation to the Senatorship, and other matters in connection with the organization of the House, and the State Administration. I said to him that, as a general thing, the friends of Governor Curtin had opposed me in my efforts for the Speakership of the House of Representatives; that they seemed to have united on Colonel Quay. I also told him that the friends of the other Senatorial candidates had, at least, treated me fairly. That Col. Forney had published a very fair article for me in the Philadelphia *Press*." That the friends of Mr. Stevens had made no effort against me, and that my friends had informed me that, so far as they knew, General Cameron had spoken favorably of my claims for the position; although his personal choice, as I always understood, was either Col. Glass or Mr. Waddell, from the fact that they were personal and political friends. Subsequently, but during the same conversation, I said to Mr. Lynn that a strong effort was being made by some of the opponents of General Cameron to prevent a nomination for United States Senator being made this winter, and thus throw the election over until next winter. The same thing was done a few years ago, and in consequence of this Gov. Bigler was elected at the ensuing session, and that I was afraid, if it were done now, the same result might follow. I said that this effort to prevent a nomination and endanger the election of a Republican, would meet with determined opposition from the great body of the Republicans of both Houses; and rather than run the risk of having Edgar Cowan, or Governor Bigler, or some such man, elected next winter to the United States Senate for six years, I would vote a thousand times for General Cameron, and the Republicans of Erie county would justify me in so doing. This was the only contingency in which, I told Lynn, I would vote for General Cameron. When the caucus met, I be-

same satisfied that the effort to prevent a nomination had been abandoned, and I then voted for Governor Curtin.

With respect to the Adjutant Generalcy, I told Lynn that the friends of all the candidates for United States Senator had, as I understood, advised my appointment, and that they all urged me very strongly to accept it; and none more so than the friends of Governor Curtin. The appointment was made by Governor Geary without any solicitation on my part, and without any conditions whatever on his.

D. B. M'CREARY.

The chairman (Colonel Stumbaugh) now laid before the committee the following communication from Mr. Lynn, dated Erie, Pa., January 24th, 1867:

[Copy.]

Col. Stumbaugh, Chairman Joint Committee of Investigation:

DEAR SIR—From evidence which has been furnished me by Colonel M'Creary, I am satisfied that the testimony which I gave the Joint Investigating Committee in his case, concerning a conversation between him and myself, related, as he has stated to you, to the Speakership, instead of the Adjutant Generalship. This correction I submit for such use as the committee see proper to make of it.

Yours, &c.,

(Signed) B. F. H. LYNN.

Mr. LEE. Mr. Speaker, I move that the rules be suspended to take up the bill which has been passed to third reading, relative to the Pennsylvania railroad company.

It was laid over a day or two ago.

Mr. MANN. Mr. Speaker, that bill will come up before the orders are gone through with, and there is no use of suspending the rules to consider it.

Mr. QUIGLYY. I call for a division of the question.

Mr. LEE. I insist on my motion.

On the question,

Will the House agree to suspend the rules generally?

It was not agreed to.

PETITIONS, MEMORIALS, &C.

Mr. WILSON presented to the Chair a remonstrance from citizens of the borough of Sewickley, in Allegheny county, against the vacation of certain grave yards in said borough.

Referred to the Committee on Municipal Corporations.

Mr. MECHLING, a petition from citizens of Allegheny township, Armstrong county, for an act to authorize the supervisors of roads in said township to levy additional taxes for road purposes.

Referred to the Committee on Roads, Bridges and Ferries.

Mr. CHADWICK, a petition from school directors of Havreson township, in Allegheny county, praying for an act authorizing them to borrow money to build a school house.

Referred to the Committee on Education.

Mr. COLVILLE, a petition from citizens of Dauphin county, praying for a divorce for Henry Welsh from his wife, Margaret Welsh.

Referred to the Committee on Divorces.

Mr. HELTZEL, a petition from citizens of the county of Adams, praying for the passage of an act to rebuild the Columbia bridge across the Susquehanna river.

Referred to the Committee on Roads, Bridges and Ferries.

Mr. M'KEE, a petition from inhabitants of the county of Allegheny, praying for the passage of an act providing for the inspection of refined carbon oils, so that the heat-test, color, etc., of the same may be determined before removal from the place of manufacture.

Referred to the Committee on the Judiciary General.

Mr. WILSON, a remonstrance from citizens of Philadelphia, protesting against the passage of the bill permitting the cars to run on Sunday.

Referred to the Committee on the Judiciary General.

Also, a petition from inhabitants of the borough of M'Keesport, Allegheny county, praying for a general paving law.

Referred to the Committee on the Judiciary General.

Mr. QUAY, a remonstrance from citizens of Beaver county, against the passage of a law prohibiting the use of crude petroleum for illuminating purposes.

Referred to the Committee on the Judiciary General.

Also, a remonstrance of citizens of Washington county, against the passage of an act to prohibit the sale of crude petroleum for illuminating purposes.

Referred to the Committee on the Judiciary General.

Also, a petition from citizens of Beaver county, for the passage of an act for the protection of sheep and taxation of dogs.

Referred to the Committee on Agriculture.

Also, a petition from Reuben Watt, for an act to validate his title to certain lands.

Referred to the Committee on Estates and Escheats.

Also, a petition from citizens of New Brighton, Beaver county, for the passage of an act to divide New Brighton borough into three election districts.

Referred to the Committee on Election Districts.

Also, a petition from William C. Gray, for a divorce.

Referred to the Committee on Divorces.

Mr. MECHLING, a petition from Captain Simon P. Townsend, for relief.

Referred to the Committee on Ways and Means.

Also, a petition from forty-four voters, taxpayers and propertyholders of the borough of Leechburg, Armstrong county, for the repeal of the Leechburg prohibitory liquor law.

Referred to the Committee on Vice and Immorality.

Also, a petition from citizens of Armstrong county, to extend the provisions of an act for the protection of sheep in certain counties to the county of Armstrong.

Referred to the Committee on Agriculture.

Mr. CRAIG, a petition from citizens of Mauch Chunk township, Carbon county, asking for the repeal of acts of Assembly, approved 5th of March, 1863, and 16th of March, 1866, relative to the road laws of said township.

Referred to the Committee on Roads, Bridges and Ferries.

Mr. LINTON, a petition from citizens of Cambria county, praying for the passage of an act authorizing an increase of tolls on the Johnstown and Scalp Level turnpike.

Referred to the Committee on Roads, Bridges and Ferries.

Mr. PILLOW, a remonstrance from citizens of Philadelphia, against running the street cars on Sunday.

Laid on the table.

Also, a petition from the overseers of the poor and citizens of the borough of Butler, praying for the passage of an act changing the number of overseers in said borough.

Referred to the committee on the Judiciary Local.

Also, three petitions from citizens of Butler county, praying for an act repealing an act relative to the purchase of a library in the county of Butler.

Referred to the Committee on the Judiciary Local.

Also, a petition from the school directors of the borough of Butler, asking for authority to transfer certain funds.

Referred to the Committee on Education.

Mr. WEBB, a petition from citizens of the First and Second wards of the city of Scranton, praying for the repeal of so much of an act of April 26, 1866, as relates to the borough of Providence, being included in the First and Second wards in Scranton.

Referred to the Committee on Municipal Corporations.

Also, a petition from citizens of Bradford county, praying for a change in the law authorizing the Governor to appoint notaries public, &c.

Referred to the Committee on the Judiciary General.

Mr. M'CAMANT, a petition from the citizens of Allegheny township, Blair county, praying for the passage of a law to prohibit the running of swine at large in said township.

Referred to the Committee on Agriculture.

Also, a petition from forty-two citizens of Blair county, praying for the passage a law to prohibit the entrapping, ensnaring and capturing of wild turkeys and partridges by any other means than shooting within the limits of Blair county.

Referred to the Committee on Agriculture.

Also, a petition from stockholders and officers of the Altoona and Hollidaysburg plank road company, praying for the passage of a law to mortgage the said road, to raise money to be expended in macadamizing the same.

Referred to the Committee on Roads, Bridges and Ferries.

Also, a petition from citizens of the town of Newry and Blair township, Blair county, praying that the town of Newry may be incorporated a borough.

Referred to the Committee on Municipal Corporations.

Also, a petition from citizens of Blair township, Blair county, praying for the passage of a law to abolish the office of county school superintendent in Blair county.

Referred to the Committee on Education.

Also, a petition from Blair county, praying for the passage of a law to increase the pay of jurors and witnesses in said county.

Referred to the Committee on the Judiciary General.

Mr. RHOADS, a petition from citizens of Hereford township, Berks county, praying for the passage of an act to prevent cattle from running at large.

Referred to the Committee on Agriculture.

Mr. SEILER, a petition from Theophilus Fenn, of Harrisburg, praying for damages for the destruction of his property by the New York State militia, then in the service of the State of Pennsylvania, for the protection of the bridges on the Susquehanna river.

Referred to the Committee on Ways and Means.

Mr. ADAIRE, a petition from citizens of Philadelphia, asking an appropriation for the Penn Widows' asylum of Pennsylvania.

Referred to the Committee on Ways and Means.

Mr. M'PHERRIN, six petitions containing the names of four hundred and ninety-nine citizens of Mercer and Crawford counties, praying for the passage of an act for the improvement of the navigation of the Shenango river.

Referred to the Committee on Ways and Means.

Mr. KIMMELL. Mr. Speaker, I read in my place and present to the Chair the following petition, which I desire to have read.

The petition was read as follows:

Daily Legislative Record.

FOR THE SESSION OF 1867.

PUBLISHED BY AUTHORITY OF THE LEGISLATURE OF PENNSYLVANIA. No. 34.

TERMS OF THE DAILY RECORD.

THE DAILY RECORD will be furnished to Members of the Legislature and others at the following rates:

Single copy for the session.....$2 00

Members desiring extra copies of the Record, will please leave their names and the number of copies wanted at the publication office. GEO. BERGNER.

[CONTINUED FROM PAGE 264.]

To the Honorable the Senate and House of Representatives of the Commonwealth of Pennsylvania, in General Assembly met:

We, your petitioners, citizens of Indiana county, learning that petitions are in extensive circulation, praying the repeal of an act, passed the 27th day of March, 1866, entitled An act prohibiting the licensing of any person to sell vinous, spirituous, malt or brewed liquors, or any of them, in the counties of Westmoreland, Blair and Indiana, except to the keepers of hotels, inns or taverns, &c., would present this our remonstrance against such repeal.

We would respectfully represent to your honorable body, that so far from the community in general desiring a repeal of the law, which now lays some little restraint upon the liquor traffic, public opinion is fast awakening to the necessity of still greater stringency thereto; and so far as the law relates to the county of Indiana it has, in fact, never been fully enforced, by reason that applications were made and licenses granted before the passage of said act, and, in many cases, before the old licenses had expired, and, as we believe, in order to evade the present law.

Being acquainted with the existence of a wide-spread movement, looking to a local, if not a general, prohibitory law, we ask a suspension of action in the petitions referred to until the true sense and desire of the people is known.

And we will ever pray, &c.

Signed by James Anderson and and fifty-five others.

Mr. CHALFANT. Mr. Speaker, I read in my place and present to the Chair the following remonstrance, which I desire to have read.

The remonstrance was read as follows:

CERTIFICATE.

These testify, that, under my supervision, the following names, in number sixty-four, have been (bona fide) subscribed to the petitions and remonstrances below.

FEBRUARY 10, A. D. 1867.

Rev. E. B. WILSON,
Pastor of German Reformed Church, Orangeville Charge.

To the Honorable the Senate and House of Representatives of the Commonwealth of Pennsylvania, in General Assembly met:

We, the subscribers, inhabitants of said Commonwealth, being of the age of eighteen years and over, do most respectfully show, viz: that

WHEREAS, Christianity lies at the basis of the common law of the State; *And whereas*, the Lord's day, commonly called Sunday, is an essential and indispensable part of Christianity, and was laid down a hundred and eighty-four years ago by Wm. Penn, the Proprietor, as fundamental and organic law; and especially necessary for the protection of the morals and the freedom of working men—"to the end, that looseness, irreligion and atheism may not creep in under the pretense of conscience in this Province, be it further enacted," says Penn, "by the authority aforesaid, that according to the good example of the primitive Christians, and for the ease of creation, every first day of the week, called the Lord's day, people shall abstain from their common toil, that whether masters, parents, children, or servants, they may the better dispose themselves to read the Scriptures of truth at home, or to frequent such meetings of religious worship abroad as may best suit their respective pursuasions."—*Penn's Great Law.*

And whereas, Efforts are being put forth to procure the repeal, in whole or in part, of the laws, which have, from time to time, been enacted for the protection of labor from oppression, by securing to it a rest of one day in seven:

Now therefore, Item I., we, your petitioners and remonstrants, do most respectfully protest and remonstrate against any such repeal, and pray that these laws may remain in full force, as they have been, in spirit and substance, from the foundation of the Republic; and rather that provision be made for their more full and perfect execution.

Item II. We understand that a law is proposed for the purpose of submitting the question of repeal, so far as Philadelphia city is concerned, to the popular vote.

Against this, also, we solemnly protest:

1. Because it would be subjecting a divine law laid down by Penn, at the basis of this Government, to a human tribunal, not the most reliable in point of morality.

2. Because the decision of a question, affecting the whole population of the State, should not be left to the arbitrament of a small part.

3. Because special reasons exists why this small part is very incompetent to give an honest verdict. It is not to be questioned, and will not be, we suppose, that horse car companies, like other corporations, have no souls, and will therefore play into the hands of that most apalling of our city vices—the Sunday liquor trade. In fact, the Sunday cars and the Sunday liquor trade are essentially one interest, and both are adapted to grind down the poor and ignorant, and make them more so.

4. The plea for Sunday cars, that they facilitate church-going, is worse than a hollow pretense. The church-going people of Philadelphia, and of Pennsylvania, are all opposed to Sunday cars and Sunday drinking.

Item III. *And further*, We petition and pray that the license laws and laws prohibiting the sale of intoxicating liquors, and especially on the day of sacred rest, may undergo a thorough revision, and be made practically efficient against the evils of intemperance, one of the most fruitful sources of public calamity, and which, probably, more than all others, supplies our criminal courts with business, and fills our jails and penitentiaries with its unfortunate victims.

And your petitioners, as in duty bound, will ever pray for the blessing of Heaven upon your diligence and success in these premises.

Signed by David Yost and sixty-three others.

Mr. DAVIS, a petition in favor of giving foreigners the same rights as American citizens of African descent, in the district of Columbia.

Referred to the Committee on Federal Relations.

Mr. WOODWARD, a petition from sundry citizens of Philadelphia, praying for the passage of an act to protect colored people from insult and injustice, when traveling by cars, steamboats, or otherwise.

Referred to the Committee on the Judiciary General.

Mr. RICHARDS, a petition from inhabitants of Fulton county, praying for the passage of an act giving the courts greater licenses, and prohibiting the sale of liquors on election days.

Referred to the Committee on the Judiciary General.

Mr. ADAIRE, a remonstrance from citizens of Philadelphia, against the passage of a law in favor of the inspection of refined petroleum.

Referred to the Committee on the Judiciary General.

Mr. LEE, a petition from citizens of Philadelphia, praying for the passage of an act for the better security of life and limb.

Referred to the Committee on the Judiciary General.

Mr. MANN, a petition from the court and bar of Tioga county, asking for a law to restrict the lien of foreign attachments to five years.

Referred to the Committee on the Judiciary General.

Also, a petition from the court and bar of Tioga county, for an act to prevent fraudulent insolvency.

Referred to the Committee on the Judiciary General.

Also, a petition from citizens of Potter county, asking for the passage of an act to enable widows to inherit and control the property acquired by the joint labors of husband and wife, in the same manner as the husband controls property on the death of wife.

Referred to the Committee on the Judiciary General.

Mr. SHARPLES, a petition from citizens of Philadelphia, asking the enactment of a law giving persons of color the right to ride in the passenger railway cars.

Referred to the Committee on the Judiciary General.

Mr. BRENNAN, a petition from citizens of Luzerne county, praying for the passage of an act prohibiting contractors from keeping stores or groceries.

Referred to the Committee on the Judiciary General.

Mr. M'HENRY, a petition from citizens of Luzerne county, praying for the passage of an act prohibiting contractors from keeping stores or groceries in said county.

Referred to the Committee on the Judiciary General.

Mr. KOON, a petition from citizens of Luzerne county, for the passage of an act prohibiting contractors from keeping stores and groceries.

Referred to the Committee on the Judiciary General.

Also, a letter from Rev. Y. C. Smith, on the law of marriage.

Referred to the Committee on the Judiciary General.

Mr. M'PHERRIN, a petition from citizens of Philadelphia, praying for the passage of an act in favor of colored persons riding in railroad and street cars.

Referred to the Committee on the Judiciary General.

Mr. PILLOW, three petitions from citizens of Butler county, praying for an act repealing an act relative to the purchase of a law library in the county of Butler.

Referred to the Committee on the Judiciary General.

Also, a petition from the overseers of the poor and citizens of the borough of Butler, praying for the passage of an act changing the number of overseers in said borough.

Referred to the Committee on the Judiciary Local.

Mr. HUMPHREY, four petitions from citizens of Tioga county, relating to unseated lands in said county.

Referred to the Committee on the Judiciary Local.

Also, two remonstrances from citizens of Tioga county, against the repeal of the act of March 12th, 1866, for the erection of a poor house in Tioga county.

Referred to the Committee on the Judiciary Local.

Mr. SHARPLES, three petitions from citizens of Chester county, asking for the passage of a law for the prevention of the sale of goods and merchandise by hawkers and peddlers in said county.

Referred to the Committee on the Judiciary Local.

Mr. SEILER, a petition from citizens of Dauphin county, asking that the power of the courts may be enlarged in the matter of roads and highways.

Referred to the Committee on the Judiciary Local.

Mr. MARKLEY, a petition from burgess and councils of the borough of Norristown, praying for authority to arrest professional thieves, &c.

Referred to the Committee on the Judiciary Local.

Mr. THARP, a petition from the members of the bar of Northumberland county, for an act creating an additional law judge in the Eighth Judicial district.

Referred to the Committee on the Judiciary Local.

Mr. WINGARD, a petition from citizens of Lycoming county, praying for a law to authorize them to vote for or against a poor house in said county.

Referred to the Committee on the Judiciary Local.

Mr. DAY, a petition from the judges of the courts, the commissioners, and the members of the bar, of the county of Washington, relative to the purchase of a law library.

Referred to the Committee on the Judiciary Local.

Mr. HUNT, a petition from citizens of Forest county, praying for the passage of the act No. 38, of the session of 1858, for Luzerne and Schuylkill counties, relating to mechanic's liens, to be extended to Forest county.

Referred to the Committee on the Judiciary Local.

Mr. DAVIS, a petition from citizens of Philadelphia, in favor of a bridge over the river Schuylkill, at Callowhill street and Powelton avenue.

Referred to the Committee on Municipal Corporations.

Also, two of like import.

Referred to the Committee on Municipal Corporations.

Mr. GHEGAN, a petition from citizens of Philadelphia, praying for the passage of an act for building a bridge over the Schuylkill, at Callowhill street.

Referred to the Committee on Municipal Corporations.

Mr. GREGORY, one of like import.

Referred to the Committee on Municipal Corporations.

Mr. DAVIS, a petition from citizens of Philadelphia, against the erection of bridges over the Schuylkill, below Chestnut street, without a draw.

Referred to the Committee on Municipal Corporations.

Mr. DeHAVEN, one of like import.

Referred to the Committee on Municipal Corporations.

Mr. WORRALL, two of like import.

Referred to the Committee on Municipal Corporations.

Mr. GHEGAN, remonstrance of citizens of Reed street, Philadelphia, against permitting the petroleum establishment of Lemuel Evans to remain contrary to law.

Referred to the Committee on Municipal Corporations.

Also, two petitions from owners of property on Bucks Road, Philadelphia, praying for its vacation from Long Lane westward to Federal street, Philadelphia.

Referred to the Committee on Municipal Corporations.

Mr. DeHAVEN, a petition from Strickland Knears, city surveyor of Philadelphia, for the vacation of a certain portion of Nicetown Lane, in said city.

Referred to the Committee on Municipal Corporations.

Mr. MEYERS, a petition from sundry citizens of the borough of Easton, Northampton county, for a law to establish proper water works in said borough.

Referred to the Committee on Municipal Corporations.

Mr. SEILER, a petition from the common council of the city of Harrisburg, for an act to authorize them to borrow two hundred thousand dollars.

Referred to the Committee on Municipal Corporations.

Mr. CAMERON, a petition from inhabitants of Montrose, praying for a law legalizing the action of the burgess and town council, and to fix the limits of said borough.

Referred to the Committee on Municipal Corporations.

Mr. KOON, a petition from citizens of Sugar Notch and Warrior Run, of Luzerne county, praying to be incorporated into a borough.

Referred to the Committee on Municipal Corporations.

Also, the proceedings of a meeting, and petition of the citizens of the First and Second wards of the city of Scranton, asking for the repeal of so much of the city charter as includes them in said city.

Referred to the Committee on Municipal Corporations.

Mr. WINGARD, a petition from citizens of Montoursville borough, in Lycoming county, praying for an act to annex a portion of said borough to Fairfield township, in said county.

Referred to the Committee on Municipal Corporations.

Mr. WADDELL, a petition from citizens of Chester county, asking that soldiers' discharges may be recorded.

Referred to the Committee on Military.

Mr. ROATH, three remonstrances from citizens of North Codorus township, York county, Pa., against the passage of any special legislation increasing the bounty tax of said township.

Referred to the Committee on Military.

Mr. MEYERS, seven petitions from sundry citizens of Lower Mt. Bethel township, Northampton county, for a law to levy an additional bounty tax.

Referred to the Committee on Military.

Also, four remonstrances from sundry citizens of Lower Mount Bethel township, Northampton county, against the passage of a law providing for the levy and collection of a tax to indemnify a special committee for money expended for bounty purposes.

Referred to the Committee on Military.

Mr. MANN, a petition from inhabitants of Ulysses township, Potter county, for an act authorizing the supervisors of said township to levy a tax and pay Perry Lewis five hundred dollars, money advanced to volunteers.

Referred to the Committee on Military.

Mr. ALLEN, a petition from citizens of Sheffield township, for tax for bounty purposes.

Referred to the Committee on Military.

Mr. WRIGHT, a remonstrance from two hundred and twelve citizens of Green township, Clinton county, against the passage of an act to legalize the bonds issued by the school directors of said township, in said county, for bounty purposes, and authorizing the assessment and collection of a tax to pay the same.

Referred to the Committee on Military.

Mr. BOYD, a petition from citizens of North Codorus township, York county, praying for the passage of an act to enable board of school directors to levy an additional bounty tax.

Referred to the Committee on Military.

Mr. THARP, a remonstrance from citizens of Jordan township, Northumberland county, against the passage of an act legalizing the collection of bounties.

Referred to the Committee on Military.

Mr. KOON, a petition from citizens of Abington township, Luzerne county, for an act to compel repayment of commutation paid in 1863, and subscriptions to bounty funds.

Referred to the Committee on Military.

Mr. KIMMELL, a petition from sixty-eight citizens of South Mahoning township, Indiana county, praying for the passage of an act authorizing the citizens to decide by vote at the annual election on the 2d Tuesday of October, 1867, whether the sale of brewed, malt or spirituous liquors shall be continued or not in said county of Indiana.

Referred to the Committee on Vice and Immorality.

Also, a petition from fifty-six citizens of East Mahoning township, Indiana county, of like import.

Referred to the Committee on Vice and Immorality.

Mr. KURTZ, a petition from citizens of Centre county, praying for the passage of an act regulating the licensing of eating houses in the county of Centre.

Referred to the Committee on Vice and Immorality.

Mr. MANN, a petition from eighty citizens of Germantown, protesting against any change of the Sabbath laws, or submitting the same to the popular vote in the city of

Philadelphia; also, praying for a revision and amendment of the license laws.

Referred to the Committee on Vice and Immorality.

Mr. MARKS, a petition from citizens of Philadelphia, praying for the passage of an act restraining the retailing of spirituous liquors in said city.

Referred to the Committee on Vice and Immorality.

Mr. LEE, a petition from Samuel R. Shipley and other citizens of Philadelphia, imploring the Legislature to restrain the retailing of spirituous liquors in the city of Philadelphia.

Referred to the Committee on Vice and Immorality.

Mr. GALLAGHER, a remonstrance from the voters of Livermore borough, Westmoreland county, against the repeal of an act prohibiting the licensing of any persons except hotel keepers, to sell vinous, malt, spirituous or brewed liquors in the counties of Westmoreland, Blair, Indiana, &c.

Referred to the Committee on Vice and Immorality.

Mr. KENNEDY, several petitions from five hundred inhabitants of Wyoming county, praying for the passage of an act prohibiting the sale of intoxicating liquors in Wyoming county.

Referred to the Committee on Vice and Immorality.

Mr. M'CAMANT, a petition from citizens of Blair county, praying for the passage of a law for the protection of sheep and taxing of dogs in said county.

Referred to the Committee on Agriculture.

Mr. SHUMAN, a petition from one hundred and seventy-one citizens of Perry county, asking for a law to compel owners of dams to make schutes or sluices, to allow the free passage of fish, in Sherman's creek, Perry county.

Referred to the Committee on Agriculture.

Mr. WELLER, a petition from ninety-one citizens of Summit township, Somerset county, praying for the passage of an act allowing one dollar for the scalp of every fox killed in said county.

Referred to the Committee on Agriculture.

Mr. THARP, a petition from citizens of Point township, Northumberland county, for a law to compel the drainage of certain lands in said township, and in Northumberland borough.

Referred to the Committee on Agriculture.

Mr. CHALFANT, a petition from citizens of Columbia county, praying for the passage of a law to prohibit the fishing with drag seines and all other kinds of nets whatsoever, in the waters of Big Fishing creek, Columbia county.

Referred to the Committee on Agriculture.

Mr. WINGARD, a petition from one thousand citizens of Lycoming county, praying for a bounty on foxes, skunks, &c.

Referred to the Committee on Agriculture.

Mr. HARBISON, a petition from citizens of Pulaski township, Lawrence county, praying for the passage of a law to prohibit stock from running at large in said township.

Referred to the Committee on Agriculture.

Mr. KOON, a petition from citizens of Benton township, Luzerne county, to prevent cattle, horses and sheep from running at large.

Referred to the Committee on Agriculture.

Mr. ROATH, a petition from citizens from Hickory township, Venango county, Pennsylvania, praying for the repeal of the act enlarging the boundaries of Forest county, Pennsylvania.

Referred to the Committee on Counties and Townships.

Also, a petition from citizens of Philadelphia (owning over thirty-two thousand acres of land in Forest county), praying for the repeal of the act enlarging the boundaries of Forest county.

Referred to the Committee on Counties and Townships.

Mr. ALLEN, a petition from two hundred and fifty citizens of Forest county, against the repeal of the act extending the limits of Forest county.

Referred to the Committee on Counties and Townships.

Mr. COLVILLE, a petition of citizens of Dauphin county, praying for a divorce for Henry Welsh from his wife, Margaret Welsh.

Referred to the Committee on Divorces.

Mr. QUAY, a petition from William C. Gray, for a divorce.

Referred to the Committee on Divorces.

Mr. JONES, a petition from members of the Consistory of the German Reformed congregation of the city of Reading, praying for the passage of an act authorizing them to sell a portion of the ground belonging to that congregation.

Referred to the Committee on Estates and Escheats.

Mr. CAMERON, two petitions from inhabitants of Susquehanna county, asking for an increase of the school term from four to six months.

Referred to the Committee on Education.

Also, a petition from citizens of Brooklyn township, Susquehanna county, praying for a tax to pay outstanding bonds in said township, and for other purposes.

Referred to the Committee on Education.

Mr. WRIGHT, a remonstrance from forty-five citizens of the borough of Middleburg, in the county of Snyder, against the passage of an act authorizing the school directors of said borough to sell and purchase certain property for school purposes.

Referred to the Committee on Education.

Mr. MEYERS, a petition from sundry citizens of the borough of Easton, Northampton county, praying for the passage of a law increasing the compensation of the collection of school and borough taxes.

Referred to the Committee on Education.

Mr. KLINE, a petition from the citizens of the township of Lower Milford, in the county of Lehigh, praying for an act to legalize certain acts of school directors and committees of said township.

Referred to the Committee on Education.

Mr. GALLAGHER, a petition from citizens of Salem borough school district, praying to be annexed to Penn township school district for school purposes.

Referred to the Committee on Education.

Mr. CHASE, a petition from school directors of the borough of Riceville, in the county of Crawford, praying for the passage of an act to borrow money, and for other purposes.

Referred to the Committee on Education.

Mr. ROATH, a petition from citizens of Marietta, Lancaster county, praying for the construction of a bridge across the Susquehanna river, at Columbia.

Referred to the Committee on Roads, Bridges and Ferries.

Mr. STEACY, two petitions from citizens of Columbia, Lancaster county, of like import.

Referred to the Committee on Roads, Bridges and Ferries.

Mr. MAISH, two petitions from inhabitants of York county, of like import.

Referred to the Committee on Roads, Bridges and Ferries.

Also, one from one hundred and seventy leading mercantile firms of the city of Philadelphia, of like import.

Referred to the Committee on Roads, Bridges and Ferries.

Mr. SATTERTHWAIT, a remonstrance from citizens of Montgomery county, against the passage of a law to authorize the Limekiln, and the Farrettown and Horsham turnpike companies to increase their tolls.

Referred to the Committee on Roads, Bridges and Ferries.

Also, a remonstrance from citizens of Chestnut Hill, against the passage of an act to authorize the Spring House and Chestnut Hill turnpike company to open water courses on their properties.

Referred to the Committee on Roads, Bridges and Ferries.

Mr. MAISH, a remonstrance from inhabitants of the county of York, against the passage of an act to incorporate the York and Spring Garden Township road company in the county of York.

Referred to the Committee on Roads, Bridges and Ferries.

Also, a petition from the inhabitants of the county of York, against the passage of an act to incorporate said company.

Referred to the Committee on Roads, Bridges and Ferries.

Mr. GALLAGHER, two petitions from inhabitants of Allegheny township, Westmoreland county, praying for an alteration of the road laws of said township.

Referred to the Committee on Roads, Bridges and Ferries.

Mr. MANN, a petition from citizens of Hector township, Potter county, asking for a law to authorize the levy of at least one day's work of road tax on each one taxable in said township.

Referred to the Committee on Roads, Bridges and Ferries.

Mr. BOYLE, a petition from citizens of Perry township, Fayette county, for a ferry over the Youghiogheny river, at or near the mouth of Washington's run, in said township.

Referred to the Committee on Roads, Bridges and Ferries.

Mr. STUMBAUGH, a petition from citizens of Green township, in the county of Franklin, praying for a change of the road laws of said township.

Referred to the Committee on Roads, Bridges and Ferries.

Mr. ROATH, a petition from citizens of Warren county, Pennsylvania, against the repeal of the act vacating the State road running from Marionville, Forest county, Pennsylvania, to the Warren and Ridgway turnpike company, in Sheffield township, Warren county.

Referred to the Committee on Roads, Bridges and Ferries.

Mr. DAY, a petition from Joseph Moore, with the citizens of the borough of Greenfield, Washington county, for a public ferry.

Referred to the Committee on Roads, Bridges and Ferries.

Mr. CAMERON, a petition from inhabitants of Middletown township, Susquehanna county, praying for a law regulating the election of supervisors and for other purposes.

Referred to the Committee on Roads, Bridges and Ferries.

Mr. KURTZ, a petition from the citizens of Howard and Liberty townships, county of Centre, praying for an act obliging the Bald Eagle and Spring Creek navigation company to pay damages done their property in consequence of location and construction of said canal.

Referred to the Committee on Roads, Bridges and Ferries.

Mr. ALLEN, a petition from citizens of

Forest county, asking the repeal of an act authorizing the appointment of commissioners to lay out roads, &c.

Referred to the Committee on Roads, Bridges and Ferries.

Mr. BARTON, a petition from citizens of Delaware county, praying for the passage of the Chester Creek railroad bill.

Referred to the Committee on Railroads.

Mr. STUMBAUGH, a petition from certain citizens of Franklin county, praying for a general railroad law.

Referred to the Committee on Railroads.

Mr. DONGHUGH, a petition from citizens of Philadelphia, praying for the passage of an act allowing colored persons to ride in the passenger cars.

Laid on the table.

Mr. GHEGAN, a petition from inhabitants of Philadelphia, praying for the passage of an act allowing colored persons to ride in the passenger railway cars.

Laid on the table.

Mr. WALLACE, a petition from citizens of Philadelphia, in favor of persons known as persons of color to ride in passenger railway cars.

Laid on the table.

Mr. KERNS, a petition from the Friends' association, of like import.

Laid on the table.

Mr. WALLACE, a petition from members of the Union League of Philadelphia, of like import.

Laid on the table.

Mr. DEHAVEN, a remonstrance from citizens of Philadelphia, against the repeal of the act of March 30, 1866, an act to provide for the payment of gratuities and annuities to the soldiers of the war of 1812 and their widows.

Laid on the table.

Mr. WALLACE, a remonstrance of like import.

Laid on the table.

Mr. KERNS, a remonstrance of like import.

Laid on the table.

Mr. QUIGLEY, one of like import.

Laid on the table.

Mr. WATT, one of like import.

Laid on the table.

Mr. DAVIS, one of like import.

Laid on the table.

Mr. SATTERTHWAIT, remonstrance of citizens of Montgomery county, of the Anti-Slavery society, against the ratification of the constitutional amendments.

Laid on the table.

Mr. STEACY, two remonstrances of citizens of Strasburg, Lancaster county, remonstrating against the running of street cars in the city of Philadelphia on the Sabbath day.

Laid on the table.

Mr. PILLOW, remonstrance of citizens of Philadelphia, against running the street cars on Sunday.

Laid on the table.

Mr. KIMMELL, remonstrances of inhabitants of Philadelphia, against the passage of a law allowing street cars to run on Sunday.

Laid on the table.

Mr M'CAMANT, remonstrance of citizens of Middletown, Dauphin county, against the passage of a law authorizing the town council of said borough to borrow money to erect a bridge across the Pennsylvania canal at Wood street, and for other purposes.

Laid on the table.

Mr. GORDON, remonstrance of citizens of Philadelphia, against the passage of an act allowing passenger railway cars to run on Sunday, in said city.

Laid on the table.

Mr. M'CREARY, remonstrance from the citizens of Philadelphia, against running their cars on Sunday.

Laid on the table.

Mr. LEE, remonstrance of citizens of Philadelphia, against the passage of a bill authorizing the street cars to run on Sunday.

Laid on the table.

Mr. WALLACE, remonstrance from the employees of the Caledonia mills, against Sunday car travel.

Laid on the table.

Mr. LEECH, remonstrance of citizens of Philadelphia, against the passage of an act authorizing passenger railways to run their cars on the Sabbath day.

Laid on the table.

Mr. WALLACE, remonstrance from citizens of Philadelphia, against the running of street cars on Sunday.

Laid on the table.

Mr. GALLAGHER, remonstrance of citizens of Philadelphia, against the passage of an act authorizing passenger railways to run their cars on the Sabbath in said city.

Laid on the table.

Mr. M'PHERRIN, remonstrance of citizens of Philadelphia, against Sunday car travel.

Laid on the table.

Mr. WILSON, remonstrance of citizens of Philadelphia, against Sunday car travel.

Laid on the table.

Mr. ARMSTRONG, remonstrance of citizens of Elizabethtown, Lancaster county, against running cars on the first day of the week.

Laid on the table.

Also, three remonstrances of citizens of Philadelphia, against allowing the running of cars on the streets of said city on the first day of the week.

Laid on the table.

Mr. KURTZ, a petition for a law changing the place of holding elections in Howard township, Centre county.

Laid on the table.

Mr. GREGORY, a remonstrance from citizens of Philadelphia, against the repeal of an act to provide for the payment of gratuities and annuities to the soldiers of the war of 1812 and their widows.

Laid on the table.

Mr. CAMERON, a remonstrance from citizens of Apolacan township, Susquehanna county, against the repeal of the Benox road law in said township.

Laid on the table.

Mr. WORRALL, a remonstrance from citizens of Philadelphia, against the repeal of the act of March 30, 1866, granting gratuities and annuities to the soldiers of 1812 or their widows.

Laid on the table.

Mr. ADAIRE, two remonstrances from citizens of Philadelphia, of like import.

Laid on the table.

Mr. DONOHUGH, one of similar import.

Laid on the table.

Mr. GHEGAN, one of similar import.

Laid on the table.

Mr. WALLACE, one of similar import.

Laid on the table.

Mr. LEE, one of similar import.

Laid on the table.

Mr. MARKS, one of similar import.

Laid on the table.

Mr. WALLACE, a petition from citizens of Philadelphia, for a law allowing colored persons to ride in the street and railroad cars.

Laid on the table.

Mr. WORRALL, two of similar import.

Laid on the table.

Mr. JONES. Mr. Speaker, I ask leave to make a statement at this time.

Leave was granted.

Mr. JONES. I know that there is no disposition on the part of the House to suspend the orders and proceed to any business which might be attended to at another time.

But I think that a statement of this case will satisfy the House that it is sufficiently important to be acted upon immediately.

A little more than a year ago certain gentlemen were elected controllers of the school board in the city of Reading, for a period of four years, and received their commissions accordingly. Since that time they have occupied their seats. At our last election, about a week ago, through some misunderstanding or misconstruction of the provisions of our charter governing this subject, two gentlemen were elected controllers, whereas there is but one vacancy, and in order to enable both these gentlemen to take their seats, it is proposed by a strained construction of this act to disqualify those who were actually elected last year. I do not know what the decision of the board may be, but in any case the decision, if made, will be appealed to the court and thereby cause a great deal of trouble and confusion in our school district for a long time to come. That board will meet to-morrow night, and unless this pass to-day and be signed by the Governor, this trouble cannot be avoided. If the House will grant five minutes of its time, this matter can be acted upon. This bill has been submitted to the Superintendent of Common Schools, and the chairman of the Committee on Education and both branches of this Legislature, and has met with their approbation, and I trust this House will grant a suspension of the rules.

I therefore ask the unanimous consent of the House to read the bill in place.

Mr. M'KEE. Mr. Speaker, I would advise the gentleman to present his bill to the Senate first and have it passed there. I shall call for the orders here, most certainly.

MESSAGE FROM THE SENATE.

The Clerk of the Senate being introduced, presented for concurrence bills numbered and entitled as follows, viz:

No. 402, an act to extend the time for receiving subscriptions to the capital stock of the Erie dime savings and loan company, and to amend the act incorporating said company.

He also returned bill from the House of Representatives numbered and entitled as follows, viz:

No. 360, an act to change the place of holding elections for Howard township, from Howard borough to the school house in Mechanicsville, Howard township, in the county of Centre,

With information that the Senate has passed the same with amendments, in which the concurrence of the House of Representatives is requested.

He also informed that the Senate has concurred in the amendment made by the House of Representatives to Senate bill numbered and entitled as follows, viz:

No. 232, an act to incorporate the Caledonia and South Mountain railroad company.

ORIGINAL RESOLUTIONS.

Mr. MANN. Mr. Speaker, I offer the following resolution.

The resolution was read as follows:

Resolved, That the House will hold a session every Wednesday and Thursday afternoon, to commence at 3 o'clock, for the special purpose of considering bills on the public calendar, in the following order: The title of each bill, as it is reached, shall be read by the Speaker, and if no member asks to put the bill on its passage it shall be passed by, till the calendar is gone through with; when the bills shall be taken up and disposed of in their order.

The resolution was read a second time, and

Agreed to.

Mr. COLVILLE. Mr. Speaker, I offer the following resolution.

The resolution was read as follows:

WHEREAS, By an act of Assembly approved the 7th day of March, one thousand eight hundred and sixty-one, entitled An act for the commutation of tonnage duties;

And whereas, By the provisions of said act the Pennsylvania railroad company are prohibited from making any discrimination in favor of citizens of other States in the transportation of goods:

And whereas, It is currently reported that said Pennsylvania railroad company has, since the passage of said act, received and transported freight to points further west than Pittsburg, at rates less than that charged to Pittsburg; therefore, be it

Resolved, That a committee of five be appointed by this House to investigate the truth or falsity of such reports, with power to send for persons and papers, and report to this House by bill or otherwise.

The resolution was read a second time, and

Agreed to.

Mr. MEYERS. Mr. Speaker, I offer the following ressolution.

The resolution was read as follows:

Resolved, That the use of the Hall of the House of Representatives be given to Dr. George Junkin, this evening. Question: "How can the interest of the State debt be best paid, without directly taxing the people?" and, also, the Sunday car question.

The resolution was read a second time, and

Agreed to.

Mr. SATTERTHWAIT. Mr. Speaker, about a week ago I offered a resolution in regard to publishing the report of the State Agricultural society, and the resolution was referred to the Committee on Agriculture. The resolution has been reported back to the House, and, if proper to do so at this time, I desire to call it up.

The resolution was taken up and read.

Mr. SATTERTHWAIT. Mr. Speaker, I move to amend by inserting after "Fruit Growers" the words "and Wool Growers."

The amendment was agreed to.

Mr. EWING. Mr. Speaker, I move to further amend by adding to the resolution the words "and one hundred copies to the Wool Growers' society."

The amendment was agreed to.

Mr. MANN. Mr. Speaker, I wish to so amend this resolution as to make it a joint one, to comply with that provision of the Constitution which says that no money shall be drawn from the treasury except by an act of Assembly. Now, this resolution, although it does not itself take any money from the treasruy, makes an order which will of necessity take money from the treasury. It does this in reference to a subject not competent for this House to order of itself. If this House is competent to order the publication of proceedings outside of the Journal of the House, and its proceedings, this House is competent of its own action to order the publication of the Bible, or Webster's Dictionary, or any book that can be named, and you might thus drain the treasury of the State. The provision in the Constitution is as follows: "No money shall be drawn from the treasury but in consequence of appropriations made by law." Now, my friend from Montgomery [Mr. SATTERTHWAIT] professes to be a guardian of the Constitution, and is very earnest in his advocacy, that we shall not only support the Constitution of Pennsylvania, but the Constitution of the United States also. I take it that it is as necessary this section should be preserved; and it is as sacred and should remain as inviolate to the people of the State, as any section that can be named. Now, by this resolution, we do draw from the treasury of Pennsylvania a large amount of money without any appropriation by law, and we can just as well order the publication of Webster's Dictionary, or Greeley's Almanac, or that other dreadful work, as it has been called here, Helper's book upon the South, or any other book that can be named, as this book. I say nothing about the merits of the book, but I do say that the work proposed to be published is not a journal of this House, is not any of the proceedings of this House, has nothing whatever to do with the action of this House, and is entirely outside of it. Therefore, I say, we are as competent to order the publication of any other book as this one, and that it is a direct infringement of a provision of the Constitution to order the publication of books in this way. If this resolution is passed at all, it ought to be passed as a joint one, and receive the sanction of the co-ordinate branch of the Legislature, and be signed by the Governor. I cannot see any answers that can be made to this. The language of the Constitution is imperative. Now, there is no provision of law which justifies the drawing of money from the treasury of the State by this House for the publication of anything of this kind, and hence, before it is done, it ought to be in accordance with law. If both branches of the Legislature and the Governor of Pennsylvania approve of this action, then it is put in harmony with the Constitution and will become a law. It seems to me that this is a wise provision of the Constitution, and if we adhered to it a little more closely we would save a large amount of money to the Commonwealth. I think we would have saved at least fifty thousand dollars already this session if we had adhered to this provision. We are every few days passing resolutions that I think ought to be joint resolutions. But I say nothing about that now. I am speaking to the resolution before us, and it seems to me as though there could be no possible doubt upon this question, and I shall expect to see every member in this House who is in favor of observing the Constitution of the United States and of the Commonwealth of Pennsylvania to vote in favor of this amendment making this a joint resolution.

Mr. SATTERTHWAIT. Mr. Speaker, I think that I have offered nothing here that is in violation of the Constitution of Pennsylvania, or of the United States; and I trust that I have as high a regard for the observance of those Constitutions as the gentleman from Potter [Mr. MANN], or any other member upon this floor. I have offered a resolution here proposing an expense to the State, and I propose that shall be sanctioned by both Houses of the Legislature, and approved by the Governor in the general appropriation act. I take it, sir, that the expense of printing this work will be met in the general appropriation bill, and I appeal to the gentleman from Potter to know if that is not satisfactory? Resolutions have been passed here of this kind nearly every day. We have had resolutions passed here repeatedly for the printing of such matters as the Gettysburg report, for instance, containing something entirely outside of the proceedings of this House. I think my answer to the gentleman is sufficient.

Mr. MANN. Mr. Speaker, undoubtedly if this resolution passes as a resolution of this House, ordering the printing of this work, the Legislature will pay for it. Undoubtedly the appropriation will include this expense, but what I say is that we seek to bind the Committee of Ways and Means, by ordering the publication of a work and expecting they will pay for it. I say that this is an indirect violation of the Constitution of the State to legislate in this way and expect the Committee of Ways and Means to remedy the defect. The gentleman has stated that there is a precedent for this. That I admit, that there are many precedents for it, but it does not follow that because there are precedents we ought to continue doing wrong. I believe the ordering of the printing of the Gettysburg Memorial report to be in violation of the spirit of the Constitution, and I opposed it last year on that ground.

I say that this is an attempt to get this work done in advance, and then to say to the Committee on Ways and Means that they are in honor bound to provide for the payment of the expense. Of course, when the money does come out of the treasury, it comes out according to law. But what I want is to have the sanction of this Legislature for the printing of this work in advance, and then there can be no objection to paying for it. I say nothing about the merits of this resolution, whether it should be passed or not, but I simply ask that it be put in harmony with the Constitution of this State first, and that can only be done by putting it in the form of a joint resolution.

On the question,

Will the House agree to the motion to make the resolution a joint resolution?

The yeas and nays were required by Mr. SATTERTHWAIT and Mr. GREGORY, and were as follow, viz:

YEAS—Messrs. Allen, Armstrong, Barton, Boyle, Brown, Cameron, Chadwick, Chase, Colville, Davis, Donohugh, Espy, Gallagher, Gordon, Kennedy, Kerns, Kimmell, Kinney, Lee, M'Camant, M'Creary, M'Kee, Mann, Marks, Mechling, Meily, Phelan, Pillow, Richards, Roath, Rouch, Sharples, Shuman, Steacy, Stehman, Stumbaugh, Subers, Tharp, Waddell, Webb, Weller, Westbrook, Wham, Wharton, Wilson, Woodward, Worrall, Wright and Glass, *Speaker*—42.

NAYS—Messrs. Adaire, Boyd, Breen, Brennan, Chalfant, Collins, Craig, Day, DeHaven, Deise, Ewing, Fogel, Ghegan, Gregory, Harbison, Harner, Heltzel, Hoffman, Jones, Josephs, Kline, Koon, Kurtz, Leech, Linton, M'Henry, M'Pherrin, Maish, Markley, Meyers, Quay, Quigley, Rhoads, Robinson, Satterthwait, Seiler, Wallace and Watt—38.

So the question was determined in the affirmative.

Mr. WINGARD. Mr. Speaker, I offer the following resolution.

The resolution was read as follows:

Resolved, That the State Printer be directed to furnish to the House the message of ex-Governor Curtin, and accompanying documents, on the Susquehanna boom, or, furnish the House with some good reason why the same has not been done.

The resolution was read a second time, and

Passed finally.

Mr. QUAY. Mr. Speaker, I offer the following resolution.

The resolution was read as follows:

Resolved, That hereafter, during the present session, the order for presentation of petitions, memorials, &c., be dispensed with, and such documents shall be filed with the Clerk, and promulgated and noted in the *Legislative Record*, as though presented in accordance with the existing orders.

The resolution was read a second time, and

Agreed to.

Mr. MARKLEY. Mr. Speaker, I offer the following resolution.

The resolution was read as follows:

Resolved, That House bill No. 243, entitled An act to exempt building societies in Montgomery county from certain taxation, be referred back to the Committee on Ways and Means.

The resolution was read a second time, and

Agreed to.

LEAVE OF ABSENCE.

Leave of absence was asked for and granted to Messrs. FREEBORN, SHUMAN, MANN, COLLINS and PENNYPACKER.

REPORTS FROM COMMITTEES.

Mr. MANN (Judiciary General), as committed, bill No. 363, an act to change the venue in the case of the Commonwealth of Pennsylvania versus John Shupe, Moriety Leib, Charles W. Everhart, Robert Alsop and Jonathan A. Waters, from the court of quarter sessions of the peace of Montgomery county to the court of quarter sessions of the peace in and for the city and county of Philadelphia.

Mr. MANN (same), as committed, Senate bill No. 97, an act authorizing tender of money to be made after suit brought.

Mr. MECHLING (same), as committed, bill No. 365, a supplement to the general election laws of the Commonwealth.

Also (same), with amendments, bill No. 366, an act to open the administration account of Samuel Hill and James Fitzgerald, executors of the estate of George T. Crawford, deceased, and of Samuel Hill, and J. Barks, executors of James Fitzgerald, who was one of the executors of George T. Crawford, deceased, and of Samuel Hill, surviving executor of the last will and testament of George T. Crawford, deceased, late of Allegheny township, Westmoreland county, Pennsylvania.

Also (same), with a negative recommendation, bill No. 367, an act to prevent the publication of gift enterprises and schemes in the shape of lotteries in the newspapers of this Commonwealth.

Also (same), with a negative recommendation, bill No. 368, an act relating to the practice of medicine, surgery and midwifery in the city of Philadelphia.

Mr. QUAY (same), as committed, bill No. 369, an act to change the rate of interest from six to seven per cent.

Mr. WADDELL (same), as committed, bill No. 370, an act relating to the publication of the decisions of the Supreme Court.

Mr. WINGARD (same), as committed, Senate bill No. 35, an act making it an offense for railroad corporations, within this Commonwealth, to make any distinction with their passengers on account of race or color, and punishing said corporations and their agents and employees for the commission of such offense.

Mr. DAVIS (same), as committed, bill No. 372, an act to explain and construe an act compelling railroads and other corporations to pay counsel fees of plaintiffs in certain cases.

Also (same), with amendment, bill No. 373, a supplement to the act relating to auctioneers.

Mr. M'CREARY (same), as committed, bill No. 374, an act for the better protection of deer and wild turkeys in this Commonwealth, and for the transportation of deer and venison within and through the same.

Mr. BOYLE (same), as committed, bill No. 375, an act relating to the law of evidence.

Also (same), as committed, bill No. 376, an act to declare the true intent and meaning of the first section of the act of May 4, A. D. 1855, entitled An act relating to certain duties and rights of husband and wife, and parents and children.

Mr. MEYERS (same), as committed, bill No. 377, an act authorizing courts to receive certified copies of military records in evidence.

Mr. LINTON (same), as committed, Senate bill No. 98, an act relating to the powers of the legal representatives of deceased tax collectors in this Commonwealth.

Also (same), as committed, bill No. 379, an act validating the title to real estate heretofore sold and conveyed by executors or administrators.

Mr. WADDELL (same), with a negative recommendation, bill No. 380, an act relating to day laborers in the State of Pennsylvania.

Mr. M'CREARY (Judiciary Local), as committed, bill No. 381, an act to authorize the Governor to appoint an additional notary public for the borough of Milton, Northumberland county.

Also (same), as committed, bill No. 382, an act to extend the provisions of an act entitled An act relative to mechanics' liens in the counties of Luzerne and Schuylkill, approved February 17th, A. D. 1858, to the county of Northumberland.

Also (same), with an amendment, Senate bill No. 118, an act to authorize the appointment of six additional notaries public for the city of Philadelphia.

Mr. BARTON (same), as committed, bill No. 384, an act to authorize the qualified electors of Lycoming county to vote for or against a poor house in said county.

Also (same), as committed, bill No. 385, an act relative to the pay of auditors in the county of Butler.

Also (same), as committed, Senate bill No. 117, an act relative to the appointment of the collectors of taxes in Montgomery county.

Mr. EWING (same), as committed, bill No. 387, an act relative to the fees of the coroner of Allegheny county.

Also (same), with a negative recommendation, bill No. 388, an act to change the venue of a certain suit from Cambria to Allegheny county.

Mr. HARBISON (same), as committed, Senate bill No. 128, an act relating to the Dauphin county prison.

Also (same), as committed, bill No. 390, an act authorizing William S. Ziegler to act as justice of the peace in the borough of Butler, Butler county, while residing outside the limits of said borough.

Also (same), as committed, bill No. 391, an act to authorize the Governor to appoint two additional notaries public for the city of Philadelphia.

Mr. WEBB (same), as committed, bill No. 392, an act for the relief of Elias Tome, of York county.

Also (same), as committed, bill No. 393, an act to regulate the practice of entering judgments and issuing processes in Armstrong county.

Also (same), with an amendment, bill No. 394, an act authorizing the Governor to appoint an additional notary public for the city of Philadelphia.

Mr. ALLEN (same), as committed, bill No. 395, an act relating to the fees of district attorney for the county of Greene.

Also (same), as committed, bill No. 396, an act to regulate the salaries of the county auditors, and also the salaries of the township auditors and their clerks, in the county of York.

Mr. ALLEN (Judiciary Local), as committee, bill No. 397, a further supplement to an act passed the 13th day of March, 1862, to authorize the arrest of professional thieves, burglars, &c., in the city of Philadelphia.

Mr. WORRALL (same), as committed, bill No. 398, an act to increase the pay of the assessors of Lehigh county.

Also (same), as committed, Senate bill No. 121, a supplement to an act approved the 16th day of April, A. D. 1866, appointing commissioners to lay out and open a State road in M'Kean county, from the borough of Smethport to Lafayette Corners.

Mr. CRAIG (same), as committed, bill No. 400, an act repealing an act relative to the coroner of Armstrong county.

Also (same), as committed, bill No. 401, an act relating to hawkers and peddlers in the county of Chester.

Also (same), as committed, bill No. 402, an act relating to courts of equity in cases of partition, in the several counties composing the Sixth Judicial district of Pennsylvania.

Also (same), as committed, bill No. 403, an act to establish (appoint) an additional notary public in Chester county.

Mr. JONES (same), as committed, bill No. 404, an act authorizing and requiring the prothonotary of Cambria county to keep an extension docket.

Also (same), as committed, Senate bill No. 208, an act relative to the courts of oyer and terminer, general jail delivery and quarter sessions of the peace for the city and county of Philadelphia.

Mr. PHELAN (same), as committed, bill No. 406, an act in relation to original writs and executions in the county of Franklin.

Also (same), as committed, Senate bill No. 120, an act to prevent and punish desertion in the counties of Lawrence and Luzerne.

Mr. THARP (same), as committed, Senate bill No. 158, an act entitled An act authorizing the Secretary of the Commonwealth to distribute copies of the standard of weights and measures, and for the appointment of sealers, to the county of Montgomery.

Also (same), as committed, bill No. 409, an act to regulate the fees of the clerk of the courts of oyer and terminer and general quarter sessions of the peace of Crawford county.

Also (same), as amended by the Senate, bill No. 410, an act providing for the appointment and election of an additional law judge in the Eighth Judicial district in this Commonwealth.

Also (same), as committed, bill No. 211, an act in relation to lost records, deeds and other papers in the county of Franklin.

Mr. WORRALL (Municipal Corporations), as committed, bill No. 412, an act to incorporate the Pithole gas and water company.

Also (same), as committed, No. 413, an act supplementary to an act incorporating the town of Lawrenceville, in the county of Allegheny, into a borough, approved the 13th day of February, A. D. 1834.

Mr. SHARPLES (same), as committed, bill No. 414, an act to vacate a portion of Clarion street, in the borough of Bridgewater, Beaver county, authorizing the portion vacated to be disposed of for the benefit of said borough.

Mr. M'CREARY (same), as committed, bill No. 415, an act giving the town council of the borough of Mauch Chunk the right to make and build drains, sewers and sluices in said borough.

Mr. M'CAMANT (same), as committed, bill No. 416, an act authorizing the burgess and town council of the borough of Irwin, in Westmoreland county, to levy and collect a special tax for borough purposes.

Mr. ARMSTRONG (same), as committed, bill No. 417, an act to vacate Second street, from North to Briggs, and to extend Briggs street from Second street to the Harrisburg and Millerstown turnpike, in the city of Harrisburg.

Mr. CAMERON (same), as committed, bill No. 418, an act relative to the *per capita* tax to be assessed by the water directors of the town of Aaronsburg, county of Clinton.

Also (same), as committed, bill No. 419, an act to authorize an increase of taxes for borough purposes in the borough of West Elizabeth, Allegheny county.

Mr. HUMPHREY (Municipal Corporations), as committed, Senate bill No. 152, an act to authorize the borough of St. Marys to borrow money, and to extend the width of St. Michael street in said borough.

Also (same), as committed, Senate bill No. 131, an act to authorize the town council of the borough of Middletown, in the county of Dauphin, to borrow money to pay off the present indebtedness of said borough, and to provide for the payment thereof, as also for the future government of said borough, by an increased rate of taxation.

Mr. BARTON (same), as committed, Senate bill No. 354, an act to authorize the select and common councils of the city of Williamsport to levy and collect a special tax for city purposes.

Also (same), as committed, bill No. 423, an act to enable the South ward, in the city of Chester, to procure a supply of water.

Mr. WILSON (same), as committed, Senate bill No. 242, an act to authorize the school directors of Minersville borough, in the county of Schuylkill, to borrow money.

Also (same), as committed, Senate bill No. 224, a supplement to an act authorizing the borough council of the borough of Bethlehem, Pennsylvania, to purchase the water works, real estate and improvements of the Bethlehem water company; also to make all such necessary improvements and extensions required, to borrow money, and appoint water commissioners to carry out said object, approved March 30, 1866.

Mr. FOGEL (same), as committed, Senate bill No. 62, an act changing the number and manner of electing councilmen in the borough of Bellycmon.

Mr. HEADMAN (Municipal Corporations), as committed, bill No. 427, an act authorizing the borough council of Shenandoah, Schuylkill county, to borrow money, and the voters to elect six town councilmen, &c.

Mr. BREEN (same), as committed, bill No. 428, an act to authorize the borough of Indiana to increase their taxation for borough purposes.

Mr. LONG (same), as committed, bill No. 429, an act to extend an act to authorize the burgess and town council of the borough of Kittanning to grade and curb and pave certain sidewalks.

Mr. KOON (same), as committed, bill No. 430, an act supplementary to an act incorporating the town of Lawrenceville into a borough, approved the 13th day of February, A. D. 1834.

Mr. KEIRNS (Railroads), Senate bill No. 42, as committed, a supplement to an act to incorporate the Wilkesbarre and Pittston railroad company, approved April, A. D. 1850.

Mr. M'KEE (same), as committed, Senate bill No. 348, an act to extend the time for the payment of the enrollment tax on an act entitled A supplement to the act incorporating the Littlestown railroad company, approved the 17th day of February, A. D. 1864, approved April 8th, 1864.

Mr. HARBISON (same), as committed, bill No. 433, an act to incorporate the Wilkesboro and Lawrenceville railroad company.

Mr. MARKS (same), as committed, Senate bill No. 123, an act to incorporate the Wilkesbarre and Logan Notch passenger railway company.

Mr. CAMERON (same), as committed, bill No. 435, an act to incorporate the Morrison's Cove railroad company.

Mr. HUMPHREY (same), as committed, Senate bill No. 349, an act to enable the Pennsylvania Cannel coal and railroad company to borrow money, and to change the corporate name of said company.

Mr. M'KEE (Coal and Iron Companies), as committed, Senate bill No. 350, an act to extend the time of payment of the enrollment tax on a certain act approved March 10th, 1865, entitled A further supplement to an act to incorporate the Rowelton coal and iron company, approved May 1st, 1861, extending the time of the charter of said company.

Mr. DAVIS (same), as committed, Senate bill No. 133, an act to amend the charter of the Cambria iron company, authorizing an increase of capital stock, and the issue of bonds, and authorizing the manufacture of iron and steel in any shape.

Mr. QUAY (same), as committed, bill No. 439, a supplement to an act to incorporate the Pennsylvania gas coal company, approved the 1st day of March, A. D. 1861.

Mr. GHEGAN (Mining and Manufacturing), with amendments, bill No. 441, an act to incorporate the Pacific Railroad gold mining company.

Mr. WHARTON (same), as amended, Senate bill No. 121, an act to incorporate the M'Connell mineral company of Pennsylvania.

Mr. HUNT (same), as amended, Senate bill No. 8, a further supplement to an act entitled An act relating to corporations for mechanical, manufacturing, mining and quarrying purposes, approved 18th July, 1863, extending the provisions of said act, and the several supplements thereto, to any association formed for the publication and sale of periodicals, newspapers, school books, works of science or art, and current or standard literature.

Mr. DeHAVEN (Roads, Bridges and Ferries), with amendment, Senate bill No. 190, a further supplement to an act entitled An act to incorporate the Kensington and Oxford turnpike road company, approved the 17th day of March, 1842.

Mr. ROATH (same), as committed, bill No. 447, an act providing for the reconstruction of the Columbia bridge across the Susquehanna.

Mr. GALLAGHER (same), as committed, Senate bill No. 195, an act relative to the Lancaster and Litiz turnpike road company, in Lancaster county.

Mr. MEILY (same), as committed, bill No. 449, an act to incorporate the Pine Creek bridge company.

Mr. RICHARDS (same), with a negative recommendation, bill No. 450, an act to vacate the Buck road, from Long Lane, westward to Federal street, in the city of Philadelphia.

Mr. LEECH (same), as committed, bill No. 451, a supplement to an act incorporating the Hollidaysburg and Altoona plank road company, approved ——.

Mr. M'KEE (same), as committed, bill No. 452, an act relative to the Allegheny and St. Mary's cemetery, in Allegheny county.

Mr. CHASE (same), with a negative recommendation, Senate bill No. 190, a further supplement to the act incorporating the Township Line road company, fixing the terminus and regulating tolls on said road.

Mr. SATTERTHWAIT (same), as committed, Senate bill No. 198, an act to incorporate the Sullivan and Pocono Summit plank road (or turnpike) company.

Mr. HARNER (same), as committed, bill No. 455, an act relative to the payment of street and road damages in the county of Dauphin.

Mr. MECHLING (Estates and Escheats,) as committed, bill No. 456, an act to authorize Adam Lerew, trustee of Hiram Albert, to purchase real estate.

Mr. M'CREARY (same), as committed, an act relating to the real estate of William Wurtz, deceased.

Mr. QUAY (same), as committed, an act to confirm the title of John Hanley to certain real estate, in the city of Philadelphia.

Mr. STEHMAN (Corporations), as committed, a supplement to an act to incorporate the Fidelity insurance, trust and safe deposit company, of the city of Philadelphia, passed the 22d day of March, A. D. 1866.

Mr. QUIGLEY (same), as committed, Senate bill No. 166, a supplement to an act to incorporate the Corn Exchange association of Philadelphia, authorizing said association to make certain by-laws, and regulating the assessment and payment of dues, fines, etc.

Also (Mining and Manufactures), as committed, Senate bill No. 95, a further supplement to an act relating to corporations for mechanical, manufacturing, mining and quarrying purposes, approved the 18th day of July, A. D. 1863.

Mr. KURTZ (Corporations), as committed, Senate bill No. 180, an act to incorporate the Co-operative association of Hyde Park, number one, in the city of Scranton, for mercantile purposes.

Mr. ADAIRE (same), as committed Senate bill No. 134, an act to incorporate the Richind Township Mutual insurance company.

Mr. KINNEY (same), as committed, Senate bill No. 179, an act to incorporate the University of St. Augustine.

Mr. DONOHUGH (same), as committed, bill No. 465, an act to incorporate the American University of Philadelphia.

Mr. ESPY (same), as committed, Senate bill No. 84, an act to incorporate the Hand-in-Hand Mutual life insurance company.

Mr. GHEGAN (same), as committed, bill No. 467, an act to incorporate the Spruce Grove lumber and land company.

Mr. PETERS (same), as committed, Senate bill No. 122, an act to incorporate the Granite insurance company.

Mr. CHALFANT (same), as committed, Senate bill No. 325, a supplement to an act to incorporate the Trout Run navigation company, authorizing change of time and place of organization thereof.

Mr. ROATH (same), as committed, Senate bill No. 363, a supplement to the act of Assembly entitled An act to incorporate the Union Park skating association of Allegheny city, approved the 23d day of March, A. D. 1865.

Also (same), as committed, bill No. 471, an act to incorporate the Lincoln steam fire hose company, in the city of Philadelphia, and to authorize said company to erect a market house.

Mr. RHOADS (same), as committed, bill bill No. 472, a supplement to an act incorporating the Girard Electrical insurance company, approved the 2d day of March, A. D. 1866.

Mr. CHADWICK (same), as committed, Senate bill No. 174, an act relating to New Castle gas light company.

Mr. WOODWARD (same), as committed, bill No. 474, an act to incorporate the Odd Fellows' Temple of the city of Philadelphia.

Mr. LONG (same), as committed, Senate bill No. 181, an act to incorporate the Providence gas and water company, in Luzerne county.

Mr. JOSEPHS (same), as committed bill No. 476, an act to correct an act to incorporate the Williamsport hall and market company, approved April 20th, 1866.

Mr. MARKLEY (same), as committed, bill No. 178, an act to incorporate the Local Express company of Wilkesbarre.

Mr. M'PHERRIN (Agriculture), as committed, bill No. 478, an act to prohibit the entrapping, ensnaring or capturing of wild turkeys and partridges by any other means than shooting, in the county of Blair.

Mr. STEACY (same), as committed, bill No. 479, an act to prevent the growth of noxious weeds in the county of Chester.

Mr. WRIGHT (same), as committed, bill No. 180, an act to extend the provisions of an act laying a tax on dogs in certain townships in the county of Chester, relative to elections in West Philadelphia, and to assessors in Millerstown, Perry county, approved 11th March, 1850, so far as provides for the taxing of dogs to the township of Londonderry, in the county of Chester.

Mr. RICHARDS (same), as committed, bill No. 481, an act relating to fish and game in the county of Lawrence.

Mr. GALLAGHER (same), as committed, bill No. 482, an act to extend the provisions of an act to prohibit the issuing of licenses within certain boroughs in the counties of Armstrong, Potter, Indiana and Perry, or within two miles of the same, in the counties in which such boroughs are located, approved 27th day of March, 1866, to the boroughs of New Alexandria and Boliver, in the county of Westmoreland.

Mr. RHOADS (Military), as committed, bill No. 483, a supplement to an act approved the 14th day of February, 1866, relative to the assessment of an additional bounty tax, in the township of Haines, county of Centre.

Mr. KINNEY (Divorces), with a negative recommendation, bill No. 484, an act to annul the marriage contract between Samuel M'Nalley and Margaret M'Nalley.

Mr. GHEGAN (same), as committed, bill No. 485, an act to annul the marriage contract between William Riley and Martha Willets.

Mr. M'PHERRIN (same), as committed, bill No. 486, an act to annul the marriage contract between Daniel Wilson and his wife.

Mr. WOODWARD (Passenger Railways), as committed, Senate bill No. 201, an act to incorporate the Erie City passenger railway company.

Mr. GHEGAN (same), as committed, bill No. 488, a supplement to an act to incorporate the Norristown passenger railway company.

Mr. COLVILLE (Banks), as committed, Senate bill No. 68, an act to incorporate the Scranton Savings Bank.

Mr. CHASE (same), as committed, bill No. 490, an act to incorporate the People's Savings Fund and Trust Deposit company.

BILLS PASSED.

Mr. HOFFMAN, from the Committee on Roads, Bridges and Ferries, reported, as committed, a further supplement to the act to charter the Harrisburg bridge company.

Mr. HOFFMAN. Mr. Speaker, I ask leave to make a statement.

Leave was granted.

Mr. HOFFMAN. Mr. Speaker, the letting of this bridge will take place to-morrow, and it is very desirable this bill should pass before the letting takes place. I, therefore, move that the rules be suspended in order to allow this bill to pass at the present time.

The motion was

Agreed to.

The bill was read as follows:

A FURTHER SUPPLEMENT to an act to charter the Harrisburg bridge company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same*, That the Harrisburg bridge company are hereby authorized to borrow any sum of money not exceeding two hundred thousand dollars, and to issue the bonds of the said company therefor, bearing interest at any rate that may be agreed on; the payment of which bonds may be secured by a mortgage or mortgages upon the property and franchises of the company, for the purpose of rebuilding their bridge, or any part thereof, whensoever the same may be necessary, over the Susquehanna river at Harrisburg; and if deemed expedient for the same purpose, the said company may sell or receive subscriptions for any number of shares of the capital stock of said company not exceeding twenty thousand shares in addition to those already subscribed: *Provided*, That said subscriptions shall be valid and binding on the subscribers, notwithstanding no money shall have been paid by them at the time of their subscription.

SEC. 2. The sum of money to be borrowed, and the number of additional shares of stock to be sold, or subscribed for, and the price thereof to be paid by the purchasers, or subscribers, either to rebuild the eastern portion of their bridge, now destroyed, or any portion of said bridge at any time hereafter, when the same may be necessary, shall be determined or prescribed at a meeting or meetings of the stockholders of said company, to be convened and held as hereinafter directed.

SEC. 3. The board of directors of the said Harrisburg bridge company, before making or entering into any contract for the rebuilding of their bridge, or any part thereof, or the loan of money or sale or subscription of stock authorized by this act, shall call a meeting of the stockholders of the said company, of which at least three weeks' notice shall be given, by advertisement in at least two newspapers published in the city of Harrisburg, at which meeting of stockholders the said board shall submit the plan or plans of the bridge, or portion to be rebuilt proposed, and the terms of the contract for building thereof, and whenever any plan and contract shall be approved by a majority of the votes given at the said meeting, or at any future meeting of stockholders of which like notice shall have been given, then the said board shall be authorized to enter into and complete the contract, and proceed to cause said bridge, or portion thereof, to be erected.

SEC. 4. To promote the establishment and maintenance of a free bridge over the Susquehanna at Harrisburg, the said company is hereby authorized and empowered, at any time hereafter, to sell, assign, transfer and convey unto the counties of Dauphin, Cumberland and York, or the city of Harrisburg, or any of them, for such price as may be agreed upon, the bridge, property and franchises of said company, and the said counties and city, or any of them, shall be, and are hereby, authorized and empowered to purchase the same, and maintain the said bridge as an open, free and public bridge forever: *Provided*, That such counties or city as shall become the purchaser of said bridge, shall be subject to the same duties and responsibilities, in keeping and maintaining the same in repair, and have the like powers, as are prescribed by law as to other public bridges, within their limits, or spanning streams forming the boundaries of adjacent counties: *And provided further*, That after such sale the purchase money shall be distributed pro rata among the stockholders of said company, and thenceforth the said company, except for the purpose of making said distribution and closing up their affairs, shall be dissolved and cease to exist.

SEC. 5. That before making the sale, the assent thereto of stockholders holding a majority of the shares of the stock of said company, shall be obtained, at a meeting to be convened and held as prescribed in section three of this supplement; and before making said purchase, if said city shall be a purchaser, or unite in the same, the assent of the mayor and common council of said city, shall be obtained; and before any of said counties shall become a purchaser, or unite in the same, the approval of two grand juries, the court of quarter sessions, and the county commissioners of such county or counties, shall be given to said purchase.

SEC. 6. The tenth section of the act of General Assembly, approved April third, Anno Domini one thousand eight hundred and nine, excepting so much thereof as contains the schedule of tolls to be charged by said company, be and the same is hereby repealed.

SEC. 7. The said board of directors are hereby authorized to revise and alter the schedule of tolls specified in the act of incorporation of said company, and to adapt the same to the modern methods and vehicles of travel.

SEC. 8. This act shall not take effect until the same shall have been approved and accepted by the said company, at a meeting of stockholders thereof, holding a majority of the stock of said company, convened for the purpose of considering the same, a certificate of which approval and acceptance, signed by the officers of the said meeting of stockholders, shall be filed in the office of the Secretary of the Commonwealth.

On motion of Mr. HOFFMAN, the rules were suspended, the bill was read a second and third times, and

Passed finally.

REPORT FROM COMMITTEE ON COMPARE BILLS.

Mr. CAMERON, from the Committee appointed to Compare Bills, and present them to the Governor for his approbation, made report, which was read as follows, viz:

That in conjunction with a similar committee from the Senate, they have compared, and on the 5th inst., presented to the Governor for his approbation, bills as follows, to wit:

No. 135, a supplement to an act approved February 27th, A. D. 1863, entitled An act to incorporate the Oakland railway company.

No. 75, an act to repeal the act to change the venue in the case of John Lemoxx from the county of Washington to the county of Beaver, approved April 12th, A. D. 1866.

No. 29, joint resolution requesting Congress to pass such laws as will enable soldiers who have lost their discharges, to receive the one hundred dollars bounty, under the act of Congress of July 28th, 1866.

No. 55, an act to vacate certain lanes and alleys in the plan of out-lots of the borough of Beaver in the county of Beaver.

No. 60, an act authorizing a special election in the borough of Highspire.

Also on the 6th:

No. 14, an act to authorize the collection of money for school purposes in the borough of Tidionte in Warren county.

House bill No. 101, an act to incorporate the Germania Savings institution of Erie.

House bill No. 97, an act incorporating the Real Estate Savings institution.

Senate bill No. 35, an act supplementary to an act providing for the erection of a poor house in the county of Lawrence.

Senate bill No. 61, an act to authorize the appointment of a phonographic reporter for the courts of Lancaster county.

Senate bill No. 64, an act appropriating part of the money arising from fines and forfeitures in the county of Schuylkill for a law library for the use of the courts, et cetera.

House bill No. 179, a supplement to the act to incorporate the Eagle mining company, passed the 18th day of March, A. D. 1865, and authorizing said company to borrow money, issue bonds and to increase the number of directors.

House bill No. 111, an act creating the office and defining the duties of assistant district attorney for the county of Allegheny.

House bill No. 34, an act to repeal a part

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GEO. BERGNER.

[CONTINUED FROM PAGE 272.]

of an act, approved March 2, A. D. 1866, in reference to fees of officers and jurymen in Warren county.

Senate bill No. 105, an act relative to roads and highways in Schuylkill county.

Senate bill No. 260, a supplement to an act entitled An act relating to the pay of jurors in the counties of Lehigh and Berks, approved the 22d day of March, 1865.

Senate bill No. 18, an act to incorporate the Quinterro mining company.

Senate bill No. 78, an act in relation to the sale of certain real estate owned by the Odd Fellow Hall association of Allentown, in the county of Lehigh.

Also, on the 8th:

House bill No. 237, a further supplement to an act entitled An act to incorporate the Howard fire and marine insurance company, approved the 26th day of April, A. D. 1865, reducing the number of directors and authorizing an increase of capital stock.

Mr. CHASE, from the Committee appointed to Compare Bills, and present them to the Governor for his approbation, made report, which was read as follows, viz:

That in conjunction with a similar committee from the Senate, they have compared, and on the twelfth of February presented to the Governor for his approbation, bills as follows, to wit:

House bill No. 32, an act requiring the bounty commissioners of Forks township, Northampton county, to render an account to the auditors of said township, and providing for auditing the same.

Also, on the 13th:

No. 36, a supplement to an act fixing the terms of the courts of common pleas, oyer and terminer, and general jail delivery, quarter sessions of the peace and orphans' court in the county of Allegheny, and regulating proceedings therein, approved the 22d day of March, A. D. 1866.

No. 90, a supplement to an act to incorporate the Cooper fire arms manufacturing company, approved April 3, 1863, and the supplement to the same.

No. 92, an act to incorporate the Bachelors' Barge Club of the city of Philadelphia.

No. 113, an act to legalize certain assessments taken in the county of Cameron.

No. 117, an act regulating the fees of the commissioners of the county of Snyder.

No. 119, an act supplementary to a supplement to an act relating to the collection of State and county taxes, in the county of Bucks, approved 31st day of March, 1864.

No. 123, an act authorizing the board of school directors of Harford township, Susquehanna county, to levy and collect a special tax to build and repair school houses in said township.

No. 125, an act to annex certain lands in Pine Creek township, Jefferson county, owned and occupied by Sarah G. Evans, to the borough of Brookville, for school purposes.

No. 126, a supplement to an act to annex the farm of William Steele, of Salem township, to Hempfield township, in Westmoreland county, for school purposes, approved April 11, 1866.

No. 127, An act authorizing the school directors of the city of Williamsport, in the county of Lycoming, to borrow money.

No. 133, an act relating to the granting of tavern licenses in Washington county.

No. 132, an act to authorize the school directors of Saegertown, Crawford county, to borrow money, and for other purposes.

No. 139, an act to incorporate the Masonic Hall association, of the borough of Brookville, in the county of Jefferson.

No. 154, a supplement to an act to empower the commissioners of Washington county to compromise with the holders of the county bonds, and for the more prompt and economical collection of taxes in said county.

No. 66, an act to enable the school directors of the borough of East Birmingham, Allegheny county, to borrow money for the erection of school buildings.

No. 9, an act to exempt the property of the Beaver Cemetery association from taxation.

No. 230, a supplement amendatory to an act to incorporate the Farmers' market of the Fifth ward of the borough of York.

No. 222, an act to change the time of holding the election of officers of the Independent company of Montgomery and Bucks counties for the recovery of stolen horses and the detection of thieves.

No. 197, an act relative to roads in Valley township, Chester county.

No. 84, an act to authorize the election of an additional justice of the peace in the township of Cherry Hill, Indiana county.

No. 109, an act to extend the jurisdiction of the orphans' court of York and Fayette counties.

No. 53, an act extending to the city of Pittsburg the provisions of a further supplement to an act to incorporate the city of Philadelphia, relating to fire alarm and police telegraph, approved the 28th day of February, A. D. 1865.

No. 62, an act to authorize the borough of Troy to increase their taxation for borough purposes.

No. 45, an act defining the duties of the inspectors of the Philadelphia county prison.

No. 42, an act relating to the prison of the county of Delaware.

No. 361, an act to extend the provisions of the act, approved 31st July, 1868, to the county of Huntingdon.

Senate bill No. 315, a further supplement to an act to incorporate the Pittsburg, Allegheny and Manchester passenger railway company, authorizing said company to change certain parts of its route, to subscribe for stock in a new bridge, and to have viewers appointed to fix compensation for crossing bridges.

Senate bill No. 72, a further supplement to an act to authorize Woodland street, in the Twenty-fourth ward of the city of Philadelphia, to be graded, curbed and paved, approved the 24th day of May, A. D. 1863, repealing the proviso in the first section of the supplement thereto, approved the 17th day of April, A. D. 1866.

Senate bill No. 232, an act to incorporate the Caledonia and South Mountain railroad company.

Senate bill No. 79, a supplement to an act to incorporate the Brady Bend iron company, approved the 9th day of April, A. D. 1861, authorizing the conveyance of real estate in the several counties of the Commonwealth on the recording of the resolutions of board of directors of said company.

Senate bill No. 54, a further supplement to an act to incorporate the Girard life insurance, annuity and trust company of Philadelphia, passed March 17th, 1836.

Senate bill No. 86, a supplement to an act to incorporate the Lehigh County Mutual horse insurance company, approved April the 28th, A. D. 1857.

Senate bill No. 53, a further supplement to an act to incorporate the Mutual fire insurance company of Montgomery county, passed the 31st day of March, A. D. 1841, authorizing said company to insure against storms and hurricanes.

Senate bill No. 67, an act to incorporate the Brokers' Beneficial association of Philadelphia.

Senate bill No. 50, an act to repeal an act entitled An act relative to bounties in Brady township, Butler county, which became a law on the 4th day of January, A. D. 1867.

Senate bill No. 36, an act authorizing the school directors of the borough of Sewickley to collect the balance of county tax in said borough.

Senate bill No. 19, an act to incorporate the Catholic Philopatrian institute of Philadelphia.

Senate bill No. 22, a supplement to an act to incorporate the female seminary of Eden Hall in the county of Philadelphia, by the style and name of the Institute of Ladies of the Sacred Heart, and to take and hold lands, tenements, et cetera, and to sell or mortgage all or any part thereof.

Senate bill No. 55, an act to incorporate the German insurance company of Erie.

Senate bill No. 3, joint resolution to ratify the amendment to the Constitution of the United States.

Senate bill No. 82, an act to consolidate the Union coal company and the Howard coal and iron company.

Senate bill No. 71, an act to divide the Northwest ward in the city of Lancaster into election precincts and separate election districts.

Senate bill No. 21, an act to incorporate the Sisters of Mercy in the city of Philadelphia,

BILLS PASSED.

Mr. LEE. Mr. Speaker, this morning I objected to the introduction of a bill by the gentleman from Berks [Mr. JONES]. There is, I understand, a very pressing necessity for the immediate passage of this bill, and I am willing now to withdraw my objection and I hope the House will give their unanimous consent for the suspension of the rules in this case.

The rules were suspended, and the bill entitled

House bill No. 445, a supplement to an act revising the charter of the municipal corporation of the city of Reading, approved the 26th day of April, A. D. 1864,

Was read a second and third time, and

Passed finally.

SPEAKER'S TABLE.

The SPEAKER cleared his table of bills numbered and entitled as follows:

Senate bill No. 402, an act to extend the time for receiving subscriptions to the capital stock of the Erie dime savings and loan company, and to amend the act incorporating said company.

Referred to the Committee on Corporations.

The hour of 1 o'clock having arrived,

The SPEAKER adjourned the House until this afternoon at 3 o'clock.

AFTERNOON SESSION.

The House met at 3 o'clock, P. M.

BILL PASSED.

Mr. MARKLEY. Mr. Speaker, I desire to make a statement.

Leave was granted.

Mr. MARKLEY. Mr. Speaker, there is a bill in relation to the increase of the stock and the number of directors of the Pottstown iron company, which is quite necessary should be passed at this time. I ask the indulgence of the House, and move that the orders be suspended and the House proceed to consider the bill.

The motion was agreed to.

The bill entitled (Senate No. 155) A supplement to an act to incorporate the Pottstown iron company, approved the twenty-seventh day of March, Anno Domini one thousand eight hundred and sixty-six, authorizing them to increase their capital stock and the number of directors, was read.

On motion of Mr. MARKLEY, the rules were suspended, the bill read a second and third times, and

Passed finally.

PUBLIC CALENDAR.

Agreeably to order

The House proceeded to the consideration of the bills on the public calendar.

The House went into committee of the whole on House bill No. 146 (Mr. WINGARD in the chair).

The bill was read as follows:

AN ACT supplementary to an act relating to corporations for mechanical, manufacturing, mining and quarrying purposes, approved July eighteenth, one thousand eight hundred and sixty-three.

WHEREAS, Great inconvenience has arisen from the provisions of the tenth section of the act to which this is a supplement, and no valid reason exists why stockholders in such corporations should have less facilities in acting by proxy than stockholders of railroad or other corporations; therefore,

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That so much of the tenth section of the act to which this is a supplement as limits the number of votes to be cast by proxy, be and the same is hereby repealed.

The bill was

Agreed to.

The Speaker having resumed the chair,

Mr. WINGARD, chairman of the committee of the whole, reported the bill without amendment.

The bill was again read and

Agreed to.

On motion,

The rules were suspended, the bill read a third time by its title, and

Passed finally.

Mr. WINGARD asked and obtained permission to offer a resolution.

The resolution was read as follows:

Resolved (if the Senate concur), That the Governor be requested to return to the House bill No. 97, for the purpose of special amendment.

The resolution was read a second time, and

Agreed to.

The House went into committee of the whole on House bill No. 148, Mr. MEYERS in the chair.

The bill was read as follows:

AN ACT relative to foreign insurance companies.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the provisions of the act entitled An act relative to agencies of foreign insurance, trust and annuity companies, approved April nine, one thousand eight hundred and fifty-six, and the several supplements thereto, and the provisions of the several acts of Assembly of this Commonwealth, regulating the licensing of agents of foreign fire and life insurance, trust and annuity companies, be and the same are hereby extended to companies incorporated by other States for the insurance of horses, mules, cattle and live stock, and to foreign insurance companies of every character and description not designated in the acts aforesaid: *Provided*, That companies incorporated for the insurance of horses, mules, cattle and live stock, shall satisfy the Auditor General that they possess assets safely invested amounting to at least one hundred thousand dollars, before he shall grant their agent or agents license to transact business within this Commonwealth.

The bill was

Agreed to.

The Speaker having resumed the chair,

Mr. MEYERS, chairman of the committee of the whole, reported the bill without amendment.

The bill was again read, and

Agreed to.

On motion, the rules were suspended, the bill read a third time by its title, and

Passed finally.

The House went into committee on House bill No. 149, Mr. ALLEN in the chair.

The bill was read as follows:

AN ACT to provide for the sale of seated land for the non-payment of taxes.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That when personal property cannot be found on any land sufficient to pay the tax thereon, the collectors of the township in which any such land is situated shall make oath before the county commissioners that, after a personal examination of the premises, personal property could not be found sufficient to pay the taxes, and that, after diligent search, property of the owner cannot be found in said township sufficient to pay the taxes, which oath shall be reduced to writing, and, if wilfully false, shall subject the person making it to the penalties imposed for committing perjury, the said oath to be conclusive of the facts stated in it, and the county commissioners shall, thereupon, return the said land, with the taxes assessed on it, to the county treasurer, who shall be required to sell the same in the same manner and under the same regulations as unseated lands are now by law sold for taxes, and the owner shall have the same right of redemption as the owner of unseated lands now has.

SEC. 2. That if the owner or owners of lands heretofore sold for non-payment of taxes in pursuance of the forty-fourth section of the act of the twenty-ninth of April, Anno Domini one thousand eight hundred and forty-four, entitled An act to reduce the State debt, and to incorporate the Pennsylvania canal and railroad company, shall not redeem the same within two years from the passage of this act, the title shall vest in the purchaser the same as if it had been unseated land, and the forty-fourth section of the act of the twenty-ninth of April, Anno Domini one thousand eight hundred and forty-four, above named, is hereby repealed.

The bill was

Agreed to.

The Speaker having resumed the chair,

Mr. ALLEN, chairman of the committee of the whole, reported the bill without amendments.

The bill was again read.

Mr. LINTON. Mr. Speaker, I move to amend in the eleventh and twelfth lines of the first section by striking out the words "the said oath to be conclusive of the facts stated in it."

The amendment was

Agreed to.

The bill as amended was

Agreed to.

On motion, the rules were suspended, the bill read a third time by its title, and

Passed finally.

The House went into committee of the whole on House bill No. 150 (Mr. DEISE in the chair).

The bill was read as follows:

AN ACT relating to the law of evidence.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That on the trial of any issue joined, or of any matter or question, or in any inquiry, arising in any suit or action or other proceeding, in any court of justice in this Commonwealth, or before any person having, by law or by consent of parties, authority to hear, receive and examine evidence to parties thereto, and the persons in whose behalf any such action or other proceeding may be brought or defended, and any and all persons interested in the same, shall, except as hereinafter excepted, be competent to give evidence, *viva voce*, on behalf of either or any of the parties to the said action or other proceeding, and by deposition in questions where, by the practice of the court, the evidence on such question is required to be made by deposition: *Provided*, That nothing herein contained, shall render any person who is charged with any offense, in any criminal proceeding, competent or compellable to give evidence, for or against himself or herself, or shall render any person compellable to answer any question tending to criminate himself or herself, or shall in any criminal proceeding, render any husband competent or compellable to give evidence for or against his wife, or any wife competent or compellable to give evidence for or against

her husband, or in any proceeding instituted in consequence of adultery, nor shall any husband be competent to disclose any communication made to him by his wife during the marriage, nor shall any wife be competent to disclose any communication made to her by her husband during the marriage: *And provided further*, That if either of the parties to the original cause, or owners of the subject matter of the action, shall have died, either before or after suit brought, whereby he or she, or they who prosecute or defend the same, do so as legal representatives, heirs-at-law, or purchasers or assignees of the right of such deceased owner, the rules of evidence shall not be affected by this act, but remain as heretofore.

SEC. 2. The testimony of the parties to any civil action or proceeding authorized to testify by the provisions of the act of the twenty-seventh of March, Anno Domini one thousand eight hundred and sixty-five, shall not be conclusive, but the party calling for such examination may rebut it by other testimony.

SEC. 3. That the act entitled An act relative to the admission of parties to judicial proceedings as witnesses in certain cases, approved the twenty-seventh day of March, Anno Domini one thousand eight hundred and sixty-five be, and the same is hereby, repealed.

The bill was

Agreed to.

The Speaker having resumed the chair,

Mr. DEISE, chairman of the committee of the whole, reported the bill without amendment.

The bill was again read.

Mr. MEYERS. Mr. Speaker, A bill of similar import was to-day reported by the Committee on the Judiciary General. I think it highly desirable that these bills should be considered at the same time if possible. I move that the consideration of the bill immediately before us be postponed for the present.

Mr. WADDELL. Mr. Speaker, it is not debatable, I suppose, but I would like to understand what position that would put this bill in. I have no objections to both bills getting fairly before the House; but I have no disposition to permit this bill to be crowded up to its destruction.

Mr. MEYERS. Mr. Speaker, I have no wish to do that. I suppose we can read it next Thursday. Make this bill a special order for that day.

Mr. MANN. Mr. Speaker, I rise to ascertain if we cannot take up the other bill now, postponing this bill for the present.

Mr. MEYERS. I think the other bill should be printed.

Mr. MANN. Mr. Speaker, the other bill is very short, only one section; the House can comprehend it at one reading. I ask the unanimous consent of the House that this bill be postponed for the present, and that the bill reported by the Judiciary Committee be taken up now.

Mr. WADDELL. Mr. Speaker, if we agree to postpone this bill for the present it takes a two-third vote to cut it loose from the postponement; and that I am not disposed to submit to if it can be avoided. The bill is regularly before the House, and I am not willing that it shall be hastily put aside. I do not wish the one bill to be injured by the other.

I apprehend the gentleman from Potter [Mr. MANN] does not understand the position in which this bill may be placed by this kind of a motion.

Mr. MANN. Mr. Speaker, I think I do, perfectly. I want the consent of the House to postpone this bill, simply that we may read the one reported by the committee, and then again take up the one now before us.

Mr. M'CREARY. Mr. Speaker, cannot this bill be postponed to a day certain, in order that we may take up at this time the one reported by the committee?

Mr. MEYERS. Mr. Speaker, I suppose a plan midway might be adopted that both bills go to third reading. They will come up together in order and at the proper time.

Mr. BOYLE. Mr. Speaker, for myself I cannot concur in the suggestion of the gentleman from Northampton [Mr. MEYERS]. I do not desire that these bills shall go to third reading, thereby rendering it necessary, in case we wish to amend them, to go into committee of the whole specially. I think the original suggestion a proper one. There should be no haste in passing this bill; it is a very important one. Let the bill now under consideration go over until next Thursday, when the bill that was reported this morning will be printed and on the public calendar. We will then have them before us at one time, and the House can make such disposition of them as it sees proper. I suggest that the gentleman from Northampton [Mr. MEYERS] modify his motion so they may come before us in this manner.

Mr. MANN. Mr. Speaker, the difficulty in that is this: if the bill now under consideration is postponed until next Thursday, it will be on the public calendar at the head of the list, while the bill reported by the committee will not.

Mr. M'CREARY. Mr. Speaker, I think the gentleman from Potter [Mr. MANN] did not understand my suggestion. My proposition was to postpone the bill before us until a certain day, and then to ask the unanimous consent of the House to take up the bill that has been proposed by the committee. Then if we pass this bill we act immediately upon the other. We want to read the new bill first. If we postpone this until next Thursday, and obtain unanimous consent to take up the bill reported to-day, we accomplish the purpose intended.

Mr. BOYLE. Mr. Speaker, I would like to know the object of the gentleman from Erie [Mr. M'CREARY] in taking up the new bill at this time. I, for one, shall object to such a motion. I shall object even to the consideration of it at this time. It is not printed and no member of this House, except the gentlemen of the committee from which it was reported, knows what it contains. If we postpone this matter until next Thursday it will be printed. Although one bill will come up before the other, gentlemen will then have seen them both. They may, perhaps, amend the one that first comes up by appropriating some or all of the provisions that are in the second and thus make a perfect bill.

Mr. WADDELL. Mr. Speaker, I do not apprehend that there is any difficulty in the way of the gentlemen who are interested in this question. Any suggestion I may make, is not because I feel that gentlemen are disposed to destroy or defend this bill. All I want is that we shall understand each other. If this bill is postponed for the present, it will, necessarily, require a two-third vote to bring it back to where it now is. I do not think there is a gentleman on this floor desirous of placing either of these bills in this position.

Mr. MANN. Mr. Speaker, I would like to ask the gentleman whether we could not have made the arrangement that I suggested —to postpone this bill until after the other is read?

Mr. WADDELL. Mr. Speaker, that will be a postponement for the present, and we must be governed by parliamentary laws.

Mr. MANN. Mr. Speaker, I ask if it is not a postponement to a particular time?

Mr. WADDELL. Mr. Speaker, another objection, I understand, is that the bill reported to-day is not printed; gentlemen have had no opportunity to examine it, and do not feel prepared to vote upon it. It seems to me but right that they should be allowed time to form an intelligent opinion on this matter. The suggestion of the gentleman from Northampton [Mr. MEYERS] appears to me a proper one—let both bills go to a third reading.

The difficulty in the way of the gentleman from Fayette [Mr. BOYLE] is met in this way: that the same vote that will enable him to amend this bill or the other one on the second reading will enable him to go into committee of the whole and amend either of those bills on third reading. If he is strong enough to amend the bill as it now stands he will have the same strength to amend it in committee of the whole.

The SPEAKER. The Chair would state that the other bill can now be read for general information.

Mr. BOYLE. Mr. Speaker, I object to its consideration. The gentleman from Chester [Mr. WADDELL] certainly understands that the facility for amending bills on third reading is by no means equal to that on second reading. I do not wish to be obliged to go into committee of the whole every time an amendment is offered. If the bill that was reported this morning should now be taken up, it would still remain unprinted on third reading, and we would know nothing of it except from hearing it read at the Clerk's desk.

Mr. STUMBAUGH. Mr. Speaker, I call for the reading of the bill that was reported from the Judiciary Committee this morning.

The bill was read as follows:

AN ACT relating to the law of evidence.

SECTION 1. *Be enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same*, That no person shall be disqualified as a witness, in any suit or proceedings at law or in equity, by reason of his or her interest in the event of the same, as a party or otherwise, but such interest may be shown for the purpose of affecting his or her credit: *Provided, nevertheless*, That no female shall be admitted, as a witness for or against her husband, except when the suit or proceedings is between her and her husband; or shall any party be sworn in any case when the opposite party is prohibited, by any legal disability, from being sworn as a witness, or either of the parties in a cause, sue or are sued in a representative capacity.

Mr. BOYLE. Mr. Speaker, I renew my motion to postpone this bill until next Thursday, and that it be placed at the head of the calendar.

The motion was

Agreed to.

The House went into committee of the whole on House bill No. 151, Mr. KURTZ in the chair.

The bill was read as follows:

AN ACT compelling the holder of a mortgage, et cetera, when proceedings to collect it have been instituted, to assign it, et cetera.

SEC. 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same*, That the legal holder of any mortgage or judgment upon which process for the collection of the same has been issued, shall, at the request of the owner of the premises out of which said mortgage or judgment is sought to be collected, assign the same to any one paying or tendering to him the amount of the debt, interest or costs due upon said mortgage or judgment: *Provided*, That said holder of said mortgage and judgment so assigning the same, shall be thereafter free from all liability therefor in the hands

of assignee of said mortgage or judgment, or in the hands of any subsequent holder thereof: *And provided, also*, That in case said holder of said mortgage or judgment shall refuse to assign the same as above stated, the execution process thereon shall stay, and the interests on the security cease until it is assigned.

Mr. MEYERS. Mr. Chairman, I move to amend, in the tenth line, by inserting the word "the" before the word "assignee."

The motion was

Agreed to.

Mr. MANN. Mr. Chairman, I move to amend by inserting in the fourth line, after the word "judgment," the words "as well the Commonwealth as any other party."

The motion was

Agreed to.

The bill, as amended, was

Agreed to.

The Speaker having resumed the chair,

Mr. KURTZ, chairman of the committee of the whole, reported the bill with amendments.

The bill was read, as amended, and

Agreed to.

On motion, the rules were suspended, the bill was read a third time by its title, and

Passed finally.

The House went into committee of the whole on Senate bill No. 59, Mr. WEBB in the chair.

The bill was read as follows:

WHEREAS, It sometimes happens that the estate of a lunatic or habitual drunkard consists of an individual interest in real estate, in respect to which it would be greatly to the advantage of the parties concerned to have partition thereof made; therefore,

Be it enacted, &c., That whenever the estate of a lunatic or habitual drunkard consists of an undivided interest in real estate, whether on joint tenant, tenant in common or co-partner, it shall and may be lawful for the committee of such lunatic or habitual drunkard, as the case may be, to institute an action of partition in the court of common pleas of the county in which such real estate is situated, for the purpose of having the same divided, according to the act of Assembly in such case made and provided.

On the question,

Will the committee agree to the bill?

Mr. JONES. Mr. Chairman, this bill has reference only to future cases. In my own county many cases are now pending; and I presume it is the same in other portions of the Commonwealth. I wish to add a proviso making this bill apply to cases now pending.

The bill was so amended, and

Agreed to.

The Speaker having resume the Chair,

Mr. WEBB, chairman of the committee of the whole. reported the bill with amendment.

The bill, as amended, was read.

On the question,

Will the House agree to the bill?

Mr. M'CREARY. Mr. Speaker, it has occurred to me that the proviso is rather questionable. I can judge of the bill only by the title, that it is an act to confer upon a committee of a lunatic power to institute actions or to commence original proceedings. The proviso provides the proceedings after they have been commenced. It would read thus: An act to confer upon the committee of a lunatic or habitual drunkard power to institute actions of partition in cases already instituted. I suppose the object of the proviso is to authorize the committee to commence proceedings, but that is not the way it reads. In cases pending, there is no necessity for this proviso, because proceedings have been commenced. It appears to me, therefore, that the proviso is an absurdity.

Mr. JONES. Mr. Speaker, I understand that the object with which this bill was drawn was to provide for the difficulty that has been felt in almost every court; but especially, I know, in our own court.

I know that proceedings of this sort have been instituted by the committees in the interests of habitual drunkards and lunatics, and I know that these committees, after beginning those proceedings, have found, to their surprise, that there was no law to enable them to prosecute their suits. This bill was drawn with the intention of giving them such powers; and as these suits have already been instituted, in order to enable them to continue their suits, without commencing *de novo*, I was requested to offer an amendment to this bill and make it apply to cases already pending.

Those committees do not wish to begin again, and wish to have this bill legalize their proceedings as far as they have gone.

Mr. WADDELL. Mr. Speaker, I apprehend it to be questionable whether the proviso will meet the wishes of the gentleman from Berks [Mr. JONES]. Does he not rather need a second section validating all those proceedings that may have been heretofore commenced? Probably this is the suggestion that occurred to the gentleman from Erie [Mr. M'CREARY]. I think a second section will meet the gentleman's wishes, and make valid what has been heretofore invalid.

Mr. JONES. That is precisely the object I had in view. Last night my attention was drawn to this bill, by some of my constituents, who happened to be in Harrisburg. The amendment I proposed to offer was, by the suggestion of the Clerk, changed to the form of a proviso. It does not matter to me how these cases are reached. I only wish to have the provisions of this bill extended so as to enable parties interested to derive the benefit they request.

I therefore move to amend the bill by striking out the proviso and inserting a second section, to read as follows:

SECTION 2. That all actions heretofore instituted by the committees named in the first section shall be held and deemed legal and valid, and be of the same force and effect as if commenced under the provisions of the first section of this act.

The amendment was

Agreed to.

The bill as amended was

Agreed to.

On motion, the rules were suspended, the bill read a third time by its title, and

Passed finally.

The House went into committee of the whole on Senate bill No. 30, Mr. LEE in the chair.

The bill was read as follows:

A SUPPLEMENT to an act relative to landlords and tenants, approved December fourteen, one thousand eight hundred and sixty-three, extending the provisions thereof to cases of descent and purchase.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same*, That the provisions of an act entitled An act relative to landlords and tenants, approved the fourteenth day of December, Anno Domini one thousand eight hundred and sixty-three, and the supplement thereto, approved the eleventh day of April, Anno Domini one thousand eight hundred and sixty six, shall be so construed as to apply to cases in which the owner or owners of the demised premises have acquired title thereto by descent or purchase from the original lessor or lessors.

The bill was

Agreed to.

The Speaker having resumed the chair,

Mr. LEE, chairman of the committee of the whole, reported the bill without amendment.

The bill was again read and

Agreed to.

On motion, the rules were suspended, the bill read a third time by its title, and

Passed finally.

The House went into committee of the whole on House bill No. 188, Mr. LINTON in the chair.

The bill was read as follows:

AN ACT to extend to plank roads the provisions of the eighth and ninth sections of the act approved April nineteenth, one thousand eight hundred forty-four, entitled An act concerning certain State and turnpike roads.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same*, That the provisions of the eighth and ninth sections of an act approved April nineteenth, one thousand eight hundred and forty-four, entitled An act concerning certain State and turnpike roads, be, and the same are, hereby extended to plank roads: *Provided*, That whenever the charter of any turnpike or plank road company has been, or shall be, repealed, it shall not be necessary for supervisors of townships to keep an account of the expenses incurred upon the turnpike or plank road of such company.

The bill was

Agreed to.

The Speaker having resumed the chair,

Mr. LINTON, chairman of the committee of the whole, reported the bill without amendment.

The bill was again read.

Mr. M'CREARY. Mr. Speaker, it seems to me that the bill may have a meaning other than that which appears upon its face. We have quite a number of plank roads in our county (and they have been quite a loss to those concerned in them); I desire to know what the provisions of this act of 1864 are before I am willing to apply them to plank roads.

Mr. M'CAMANT. Mr. Speaker, if the gentleman will refer to the law he will find the information he seeks.

Mr. M'CREARY. Mr. Speaker, that is so. But I have not time now. This may be something affecting these roads, and I am not willing to assist in passing a law without knowing what it is. Our people are greatly interested in the matter of plank roads, and this may be a matter of considerable moment to them. I would prefer that this bill do not pass now. I do not imagine it is of so much importance that it cannot lie over another week.

Mr. M'CAMANT. Mr. Speaker, I desire to have this bill passed for this reason: The charter of the plank road company has been repealed, and there is no law in existence by which that road can be kept in repair; nor is there a law by which any other turnpike road can be kept in repair, without extending the provisions of this act. There is no harm in the bill, as the gentleman from Erie will see, if he will take the trouble to examine the law in the case.

Mr. M'CREARY. Mr. Speaker, I desire time to do so. If I vote upon this bill I am simply legislating in the dark. This measure may be well enough for turnpike roads. The reasons given by the gentleman for passing the bill at this time are not conclusive. He says it is of great importance; but it may be of equal importance to the plank roads of the district I represent. On the matter of repairing the roads at this season, they cannot be much affected by a delay of one week.

Mr. M'CAMANT. Mr. Speaker, the gentleman has suggested me to let this matter lie over, and I have connected that it be placed second on the public calendar.

Mr. M'CREARY. Mr. Speaker, I move that this bill go over to the next public calendar day, and that it be placed second on the list.

The motion was

Agreed to.

Mr. KINNEY. Mr. Speaker, I ask leave to make a statement.

Leave was granted.

Mr. KINNEY. A bill has passed both Houses in which a clerical error of a single letter occurs. I ask permission of the House for the Clerk to make the necessary alteration; and for that purpose I offer the following resolution:

The resolution was read as follows:

Resolved (if the Senate concur), That the Clerk of the House be directed to change the name of Charles Morton to that of "Charles Norton," where it occurs in bill No. 76 of the House, entitled An act to change the venue in the case of the Commonwealth of Pennsylvania versus Jesse R. M'Carty, Joshua R. M'Carty and Charles Morton, from the court of quarter sessions of the peace of Sullivan county, to the court of quarter sessions of the peace of Bradford county; which bill was passed both Houses, but not yet presented to the Governor.

The resolution was read a second time, and

Agreed to.

The House went into committee of the whole on House bill No. 199, Mr. BOYLE in the chair.

The bill was read.

Mr. LINTON. Mr. Chairman, I move to amend in the eighth line by adding after the word "company," the words "or hall association."

The motion was

Agreed to.

The bill as amended was

Agreed to.

The Speaker having resumed the chair,

Mr. BOYLE, Chairman of the committee of the whole, reported the bill with amendment.

The bill was read as amended, as follows:

A SUPPLEMENT to an act to entitle the stockholders of any railroad company incorporated by the laws of this Commonwealth, accepting this act, to one vote for each share of stock, approved the twentieth day of May, Anno Domini one thousand eight hundred and sixty-five, extending the same to bridge companies and hall associations.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That section first of an act entitled An act to entitle the stockholders of any railroad company, incorporated by this Commonwealth, accepting this act, to one vote for each share of stock, approved the twentieth day of May, Anno Domini one thousand eight hundred and sixty-five, be, and the same is hereby extended, to any bridge company and hall association incorporated by the laws of this Commonwealth and accepting this act.

The bill was

Agreed to.

On motion, the rules were suspended, the bill read a third time by its title, and

Passed finally.

The House went into the committee of the whole on House bill No. 215, Mr. PENNYPACKER in the chair.

The bill was read.

Mr. KOON. Mr. Chairman, I move to amend in the eighth line of the third section, by striking out the word "west" and inserting the word "north."

The motion was

Not agreed to.

The bill was

Agreed to.

The Speaker having resumed the chair,

Mr. PENNYPACKER, chairman of the committee of the whole, reported the bill without amendment.

The bill was again read as follows:

AN ACT relating to the Agricultural College of Pennsylvania, and to the establishment of experimental farms in connection therewith.

WHEREAS, The trustees of the Agricultural College of Pennsylvania, from the want of adequate funds, have deferred the establishment of the experimental farm contemplated in the original plan of the institution;

And whereas, The farm is essential to the success of the college;

And whereas, To secure greater diversity of soil and climate, and to add to the interest and importance of the experiments, it is thought best that three experimental farms should be established in Pennsylvania:

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the proviso to the first section of the act entitled "A supplement to the act to accept the grant of public lands, by the United States, to the several States for the endowment of agricultural colleges, passed the first day of April, one thousand eight hundred and sixty-three," approved the eleventh day of April, one thousand eight hundred and sixty-six, be and the same is hereby repealed.

SEC. 2. That the one-tenth part of the entire proceeds of the lands donated by Congress to the State of Pennsylvania, by the act of the second day of July, one thousand eight hundred and sixty-two, in trust, and accepted by the act of the first day of April, one thousand eight hundred and sixty-three, to which this is a supplement, be and is hereby appropriated, and the commissioners, under the said act of April, one thousand eight hundred and sixty-three, are directed to pay the same to the Agricultural college of Pennsylvania to be expended in the purchase of lands for experimental farms.

SEC. 3. That the interest and income of the entire residue of the proceeds of the said lands be and are hereby appropriated, and the commissioners under the said act are also hereby directed to pay the same, as it shall accrue, to the Agricultural college of Pennsylvania, for the endowment, support and maintenance thereof, on condition that the trustees establish, conduct and maintain, in connection with the college, three experimental farms; one near the college, under the immediate supervision of the Professor of Agriculture in the institution; another east, and the other northwest, upon the lands of diversified quality, under the immediate supervision, respectively of an Assistant Professor of Agriculture.

On the question,

Will the House agree to the bill?

Mr. LEE. Mr. Speaker, I understand this bill to give to the Agricultural college absolute control of the proceeds of this fund, provided they shall purchase an experimental farm west and an experimental farm east.

The bill was

Agreed to.

On motion, the rules were suspended, and the bill read a third time by its title.

On the question,

Shall the bill pass?

Mr. EWING moved to go into committee of the whole for the purpose of special amendment, by substituting the following:

WHEREAS, The division of the proceeds of the land scrip donated by act of Congress into more than three parts, would defeat the object intended by the act;

And whereas, By such division, the act of Congress will be fully complied with, and the benefits derived mere equally distributed to the different sections of the State; therefore,

Be it enacted, &c., That one-third of the entire proceeds of the land donated by Congress to the State of Pennsylvania, by the act of the 2d day of July, A. D. 1862, and accepted by the act of the first day of April, A. D. 1863, be, and the same is, hereby appropriated to ——— institution, situated in the eastern part of the State, and the entire proceeds of the one-third of said land to ——— institution, situated in the western part of the State; and the commissioners under said act of April, A. D. 1863, are directed to pay the same to the said institutions, to be expended as hereinafter directed, leaving the remaining third to the Agricultural college of Pennsylvania.

SEC. 2. That the interest and income of the proceeds shall be applied exclusively to the maintenance and support of professorships of agriculture, and the industrial arts, in said institutions; and to the purchase of such chemical and other apparatus necessary to successfully maintain such professorships, and in acpordance with the design of the act of Congress.

On the question,

Will the House go into the committee of the whole?

It was not agreed to.

The question recurring, Shall the bill pass?

Mr. STUMBAUGH. Mr. Speaker, I do not desire to throw any obstacles in the way of the passage of this bill. But it is an important matter, and I have not yet had time to consider it. I hope the gentleman having the bill in charge will allow it to go over, that we may have time to consider it. I, therefore, move to postpone it until next Thursday.

Mr. KURTZ. Mr. Speaker, I hope the motion will not prevail. This bill has been on file almost if not quite a week; moreover, it has been laid on the desks of the members, in the shape of a memorial. Gentlemen have had full opportunity to examine the bill and the act of Congress. There is no necessity for a postponement. I believe the House is satisfied that this bill should pass. I hope the friends of the bill will not consent to its postponement.

Mr. STUMBAUGH. Mr. Speaker, as I understand the act of Congress this land is to be sold and the proceeds invested in stock, the interest of which is to be applied to an Agricultural college; but no portion of the principal may be taken. The second section of this bill, if I understand it, gives the agricultural college the entire fund, and is thus in direct violation of the act of Congress.

Mr. EWING. Mr. Speaker, the object of my amendment is to bring up the question whether the proceeds are to be divided or whether they are to go entirely to one institution. This fund is large enough for three institutions. It was the design of the act of Congress that the beneficial effects of this donation should reach different parts of the State. I do not wish to defeat the bill. I only desire the good sense of the House on this question.

Mr. WADDELL. Mr. Speaker, I have no desire to force legislation upon the House. At an early period of the session I introduced a long memorial from the parties who were interested in this school; it was referred to the proper committee. I followed it up immediately by introducing this act, which was referred regularly to the proper committee. It underwent, without doubt, a proper

consideration. That committee reported the bill when they felt it their duty to do so; it came out of committee in its regular time. It was printed, and read on the 30th of January, and went upon the files of this House, where it has been ever since. Now, if gentlemen have not examined this law it strikes me it is their misfortune. The same ojection is applicable to every bill placed upon the files of this House. Gentlemen are furnished with printed bills that they may inform themselves of their character and be prepared to legislate when called upon.

If this bill had been introduced and the rules suspended, and an endeavor made to force it through without opportunity for this House to consider it, I would be the last man to ask that it be disposed of at this time. But when a bill has taken the course that this one has, I am at a loss to see why gentlemen should ask for further time to examine its contents.

Mr. LEE. Mr. Speaker, it is well known that the proposition to thus dispose of the proceeds of this fund has been steadily resisted for three or four years past. If, however, it is the intention of this act to give to that college the entire control of this fund I am opposed to it. I think there are institutions that could control this fund, in the east and in the west, just as well as the Agricultural college; indeed, much better, if we may judge from its condition two or three years ago. I am perfectly willing that the House should pass this bill, but I would like gentlemen to understand what they do. I prefer that the funds be divided into three parts, one part to be given to the Agricultural college, another part should be given to an institution in the east and a third part to an institution in the west.

Mr. SHARPLES. Mr. Speaker, I desire to say one word for the farmer and industrial classes of the State.

The design of the gentleman from Philadelphia [Mr. LEE] seems to be to give a portion of this fund to different schools. We make no opposition to those schools; we desire their prosperity; but the question arising here is: whether the act of Congress shall be carried out. If the Agricultural college in Centre county has never come up to the wishes of the gentleman from Philadelphia, it is simply because the college has had no opportunity. If he will look at the successful colleges in this country and elsewhere, he will find they have had large funds at their control. If this fund is divided into three parts, it becomes useless. The college cannot be maintained and carried out in its completeness unless it has the means so to do. The object of this bill is that the college may be made a good institution—that it may be a benefit to the industrial classes of the State, and that we may have two model farms on which experiments may be made.

Mr. LEE. Mr. Speaker, if the gentleman will permit me to interrupt him, I would like to inquire what he understands by the term 'experimental farm?' Is that an acre, or two acres, or a thousand acres?

Mr. SHARPLES. Mr. Speaker, I believe it is stated the farms are to contain about one hundred acres of land. That is my understanding—I have consulted with the trustees.

The motion to postpone the consideration of the bill now before the House was here withdrawn.

Mr. BOYD. Mr. Speaker, if I understand the act of Congress, this grant was made for a specific purpose, and the question arises: How can we best carry out that purpose? Congress granted us lands which are now worth about four hundred and fifty thousand dollars, and it is claimed that this amount is too large as the endowment of an agricultural college. But if we look at the history of the most successful colleges in the other States we must come to the conclusion that it is not too large. This bill provides for the setting apart of a portion of this fund for the purchase of lands for experimental farms, with the necessary buildings, of course. The sum is one-tenth of the entire amount—surely that is not too much for this purpose.

It is proposed to divide this fund. I believe there is not a college in the State to-day whose instruction has direct reference to mathematics, the natural sciences, literature, classics, &c. Those institutions, generally, are under the control of certain Christian denominations. If you divide this fund and give it to three institutions, you endow two-thirds of it upon institutions under the control of sectarian or other influences, and you discriminate in their favor by enabling them to give instruction at rates lower than others of similar character. Every college in the State can come in and demand a right to a participation in this fund, by simply creating a department in agriculture and the mechanic arts. I ask what will be the result of this policy? Can any good result arise? Another point in favor of this bill is, that this institution is as independent of and free from all sectarian and local influences as it could well be. I will read from the act incorporating the Farmers' High School of Pennsylvania.

Section three was here read.

Now, this bill is under control of the farming interests of this State. Every portion of the State can be represented there. The president and secretaries of the various county agricultural societies form the board of trustees, and have the management of the institution. It is wholly free from sectarian and local influence.

Mr. KOON. Mr. Speaker, I would like to ask the gentleman how he knows this institution is free from sectarian rules.

Mr. BOYD. Mr. Speaker, by sectarian influences, I mean those colleges that are gotten up by sects, whose customs and forms are adopted.

The management of this institution is in the hands of representatives from the different agricultural societies, elected without regard to their sectarian views.

I hope the bill will pass as it now stands.

Mr. ALLEN. Mr. Speaker, I did not suppose, when I noticed this bill printed and upon file, that it would pass so far without interruption, or I would have paid a little more attention to it. I have as much desire for the development of the Agricultural knowledge of the State of Pennsylvania as the gentlemen who are so much interested in this bill. But my interest is not as local as theirs seems to be. The State of Pennsylvania, I think, ought to appropriate the fund so as to benefit all portions of the State. Gentlemen must admit that in the western part of Pennsylvania we have mining interests to be looked after. Those who attend this institution do not receive their education free; they must pay for it.

The donation to the State of four hundred thousand dollars might better be appropriated to different colleges in the State. The sum is too large for a single institution. I will, therefore, oppose the bill.

Mr. EWING. Mr. Speaker, I wish to make a few remarks in reply to the gentleman from York. The proceeds of this fund are to be applied exclusively to that part of the institution which relates to the agricultural and industrial arts. There will be no sectarian influences about it, and I am not opposed to the introduction of an amendment to that effect. Now, if we apply two-thirds of the proceeds of this fund to other institutions we gain some advantages. We have already the buildings, part of the institution is self-sustaining. We do not ask an appropriation for that portion of the college; we intend to apply the appropriation exclusively to those things designed in the act of Congress. It is only for a more equal distribution of the benefits of this large fund that we are striving for.

I am not clear, in my own mind, whether or not the benefit would be the same if we give it all to one institution. I am not opposing the bill. I am only inquiring as to how the object of the act of Congress shall be carried out. If the House decides that this fund shall not be divided, I am willing for it to go to the Agricultural college. But I hope the division of the funds will be seriously considered. If we decide to keep it together I am willing that it shall be appropriated where it can do the most good. If there are no institutions in this State with agricultural, mechanical and industrial departments attached, it is because they have not had the means wherewith to create those branches. Before the passage of the act of Congress there was not a single institution in the State that came within its provisions. I hope the House will pause before they pass this bill.

There is another view to be taken of this question. If this large appropriation is given to one institution it will overshadow others. It will necessarily attract to itself persons who wish merely a literary education. It will have the means wherewith to provide professors who have a reputation and character. I do not wish to break down institutions that are striving to place themselves upon a firm foundation. I do not say that this act will do harm; but I desire to distribute its benefits in such a way that it may do the most good.

Mr. PENNYPACKER. Mr. Speaker, I merely wish to say that I am in favor of the bill. I am authorized to say with reference to the initiation fees and the fees paid for tuition, that there will be a decrease in proportion to the aid received from this fund. With the money so received it is proposed to give the college power to place its benefits within the reach of every young man who wishes a practical agricultural and classical education.

Mr. MANN. Mr. Speaker, I think there is some misapprehension as to the power of this Legislature over the fund. It may be that I do not understand the amendment of the gentleman from Washington [Mr. EWING], but I believe it rend so as to divide the fund itself.

The CHAIR. The amendment was not adopted.

Mr. MANN. Mr. Speaker, I know the amendment was not adopted, but the whole argument has been as upon the basis of a proposition to divide this fund.

All I desire to say is that gentleman misapprehend the power of the Legislature over this fund. I referred to the act of Congress when the other bill relating to this matter was under discussion.

There can be no division of the fund; the question is, how the interest accruing from the invested fund shall be appropriated. The money received from the sale of this land may be invested in United States or other safe securities; the interest can be appropriated by this Legislature, with the exception that ten per cent. of the principal may be appropriated as this bill provides. That is all the division that can be made; therefore, upon that point, there can be no discussion in this House. The interest arising from that fund may be disposed of at pleasure by this Legislature.

Mr. ALLEN. Mr. Speaker, I move to go into commitee of the whole for the purpose

of considering a special amendment, to add the following proviso.

The proviso was read as follows:

Provided, That the Legislature reserves the right to revoke the appropriation hereby made, at such time as it may think proper.

Mr. ALLEN. Mr. Speaker, I hear it said that we have that right anyhow. But there might be a question in regard to this if the appropriation should once be made.

Mr. WADDELL. Mr. Speaker, this college wants no appropriation that is to be settled with that kind of a provision. If it receives this year an appropriation of the interest on four hundred thousand dollars, employs its professors, and makes all its arrangements on that basis, it is liable the next year, or the year thereafter, to have it all swept away. Rather such an one, they had better have no appropriation at all.

Mr. ALLEN. Mr. Speaker, I only desire that the members in voting to go into committee of the whole may understand what they do.

On the question,

Will the House go into committee of the whole?

The yeas and nays were required by Mr. ALLEN and Mr. KLINE, and were as follow, viz:

YEAS—Messrs. Allen, Boyle, Brennan, Day, Espy, Gallagher, Gregory, Hoffman, Josephs, Koon, Lee, Meily, Watt, Webb, Weller, Wilson, Worrall, Wright and Glass, *Speaker*—19.

NAYS—Messrs. Adaire, Armstrong, Barton, Boyd, Breen, Brown, Calvin, Cameron, Chadwick, Chalfant, Chase, Craig, Deise, Donohugh, Ewing, Fogel, Gordon, Harner, Headman, Heltzel, Humphrey, Hunt, Jones, Kennedy, Kimmell, Kinney, Kline, Kurtz, Leech, Linton, Long, M'Camant, M'Creary, M'Henry, M'Kee, Maish, Mann, Marks, Mechling, Meyers, Pennypacker, Phelan, Rhoads, Richards, Roath, Robinson, Rouch, Satterthwait, Sharples, Shuman, Steacy, Stehman, Waddell, Wingard and Woodward—55.

So the question was determined in the negative.

The question recurring on the final passage of the bill,

The yeas and nays were required by Mr. ALLEN and Mr. HOFFMAN, and were as follow, viz:

YEAS—Messrs. Adaire, Barton, Boyd, Boyle, Breen, Brennan, Brown, Calvin, Cameron, Chadwick, Chalfant, Chase, Craig, Deise, Donohugh, Fogel, Gallagher, Gordon, Gregory, Harner, Headman, Heltzel, Humphrey, Hunt, Jones, Josephs, Kennedy, Kimmell, Kinney, Kline, Kurtz, Leech, Linton, Long, M'Camant, M'Creary, M'Henry, M'Kee, Maish, Mann, Marks, Mechling, Meyers, Pennypacker, Rhoads, Richards, Roath, Robinson, Rouch, Satterthwait Seiler, Sharples, Shuman, Waddell, Watt, Wingard, Woodward and Worrall—58.

NAYS—Messrs. Allen, Armstrong, Day, Espy, Ewing, Hoffman, Koon, Meily, Phelan, Stehman, Webb, Weller, Whann, Wilson, Wright and Glass, *Speaker*—16.

So the question was determined in the affirmative, and

The bill

Passed finally.

MESSAGE FROM THE SENATE.

The Clerk of the Senate being introduced, returned bills from the House of Representatives numbered and entitled as follows, viz:

No. 76, an act to change the venue in the case of the Commonwealth of Pennsylvania vs. Jesse R. M'Carty, Joshua R. M'Carty and Charles Morton, from the court of quarter sessions of the peace of Sullivan county to the court of quarter sessions of the peace of Bradford county.

No. 445, a supplement to an act revising the charter of the municipal corporation of the city of Reading, approved the 26th day of April, A. D. 1864,

With information that the Senate has passed the same without amendment.

He also informed that the Senate has concurred in the amendments made by the House of Representatives to Senate bill numbered and entitled as follows, viz:

Senate bill No. 60, an act changing the time of holding the courts in the Sixteenth Judicial district.

The House went into the committee of the whole on House bill No. 235, Mr. BOYD in the chair.

The bill was read as follows:

AN ACT to authorize the completion of the military history of the Pennsylvania volunteers.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same*, That the military history of the Pennsylvania volunteers shall embrace an account of the organization and services in the field of each regiment, together with a roll giving the name, age and residence of each officer and soldier, the date and term of enlistment, the promotions, the charges and casualties, and the places of burial of those who died in the service, where the same can be ascertained, and that the work shall be completed under the direction of the Governor, by some competent person to be by him appointed; and that the sum of three thousand dollars is hereby appropriated, or so much thereof as may be necessary for the purposes of this act, which the Governor is authorized to draw, on his warrants, from the State Treasury from time to time as the work progresses.

The bill was

Agreed to.

The Speaker having resumed the chair,

Mr. BOYD, chairman of the committee on the whole, reported the bill without amendment.

The bill was again read.

On motion, the rules were suspended, the bill read a third time by its title, and

Passed finally.

The House went into committee on the whole on Senate bill No. 26, Mr. M'CAMANT in the chair.

The bill was read as follows:

AN ACT to authorize the payment of State Agents at Washington.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by authority of the same*, That the State Treasurer is hereby authorized to pay out of any money in the Treasury not otherwise appropriated, a sum not exceeding six thousand dollars for the necessary expenses of the Pennsylvania Agents at Washington, from the 1st day of December, 1866, to the 1st day of June, 1867, as authorized by the act of fourth May, one thousand eight hundred and sixty-four, and that said agency be abolished from and after the first day of February, 1868.

The bill was

Agreed to.

The Speaker having resumed the chair,

Mr. M'CAMANT, chairman of the committee of the whole, reported the bill without amendment.

The bill was again read.

Mr. BOYLE. Mr. Speaker, I move that this House do now adjourn.

The motion was

Agreed to.

The SPEKER proceeded to clear the table before adjourning the House.

A communication from the board of managers of the Pennsylvania Institution for the Blind was presented to the House, and read as follows:

PENNSYLVANIA INSTITUTION FOR THE INSTRUCTION OF THE BLIND, PHILADELPHIA, February, 13, 1867.

To the Hon. Speaker of the House of Representatives:

SIR—The managers of this institution, desirous of paying their respects to the Legislature, and to exhibit before the members the results of their benevolent appropriations for the education of the indigent blind of this State, respectfully ask the use of the hall for an exhibition of their exercises, on Wednesday evening next, February 20th.

I am, very respectfully, your obedient servant, WILLIAM CHAPIN, Principal.

Mr. MANN. Mr. Speaker, I offer the following resolution.

The resolution was read as follows:

Resolved, That the use of this hall be tendered to William Chapin, principal of the Pennsylvania institution for the instruction of the blind, on Wednesday evening next, February 20, for the purpose of an exhibition of the exercises of his pupils.

The resolution was read a second time, and

Agreed to.

The SPEAKER announced that Dr. Junkin would deliver a lecture in the House this evening.

The House then adjourned to meet tomorrow morning at 10 o'clock.

SENATE.

THURSDAY, February 14, 1867.

The Senate met at 11 o'clock, A. M.

Prayer was offered by Rev. Mr. Bailey, of Harrisburg.

The reading of the Journal, on motion of Mr. CONNELL, was dispensed with.

PETITIONS, REMONSTRANCES, &C.

Mr. CONNELL presented the petition of Rev. Charles Cooke, and one hundred and fifty male and female members of Mt. Zion Methodist Episcopal church, at Manayunk, protesting against submitting the Sunday car question to popular vote, and praying for a repeal of the license law.

Referred to the Committee on Vice and Immorality.

Also, the memorial of citizens of Philadelphia, praying for an act restraining the sale of spirituous liquors in Philadelphia.

Referred to the Committee on Vice and Immorality.

Also, the remonstrance of fifty citizens of the Twenty-second ward, Philadelphia, against the repeal of the act granting annuities to the soldiers of the war of 1812, and to their widows.

Referred to the Committee on Pensions and Gratuities.

Mr. M'CANDLESS, a petition against the repeal of the act granting annuities to the soldiers of the war of 1812.

Referred to the Committee on Pensions and Gratuities.

Mr. RIDGWAY, one of like import from citizens of Philadelphia.

Referred to the Committee on Pensions and Gratuities.

Mr. LOWRY, one of like import from citizens of Philadelphia.

Referred to the Committee on Pensions and Gratuities.

Mr. DONOVAN, one of like import from Philidelphians.

Referred to the Committee on Pensions and Gratuities.

Also, a petition against a bridge over the Schuylkill without a draw.

Referred to the Committee on Roads and Bridges.

Mr. WORTHINGTON, the memorial of the president and managers of the Philadelphia society for alleviating the miseries of public prisons, asking for the passage of a law authorizing the appointment of an officer or commissioners to visit the penetentiaries, prisons and alms-houses of the State.

Referred to the Committee on the Judiciary General.

Also, two petitions from Chester county, remonstrating against the passage of an act so as to permit the cars to run on the passenger railways on Sunday, in the city of Philadelphia, and, also, against submitting the question to a vote of the people.

Referred to the Committee on Vice and Immorality.

Also, the petition of citizens of Chester county, asking for a law to prevent the retailing goods and merchandise by hawkers and peddlers in the county of Chester.

Referred to the Committee on the Judiciary Local.

Mr. JONES, a remonstrance against the repeal of the act of March 30, 1866, an act to provide for the payment of gratuities and annuities to the soldiers of the war of 1812, and to their widows.

Referred to the Committee on Pensions and Gratuities.

Mr. SCHALL, the petition of citizens of Lehigh county, praying for the passage of an act regulating the salary of the treasurer of Lehigh county.

Referred to the Committee on the Judiciary Local.

Also, a petition from citizens of Lower Milford township, Lehigh county, praying for the passage of an act to pay the indebtedness incurred for bounty purposes.

Referred to the Committee on the Judiciary Local.

Mr. M'CONAUGHY, a petition of citizens of Adams county, praying for an appropriation in relief of citizens for property destroyed at the battle of Gettysburg.

Referred to the Committee on Finance.

Mr. STUTZMAN, two petitions of citizens of Somerset county, asking for the passage of a general railroad bill.

Laid on the table.

Mr. HAINES, a remonstrance of citizens of Philadelphia, against the passage of a law authorizing street cars to run on the Sabbath day.

Referred to the Committee on Vice and Immorality.

Mr. WALLACE, the petition of citizens of Clearfield county, for increase of pay of supervisors.

Referred to the Committee on the Judiciary Local.

Mr. SEARIGHT, the petition of citizens of Brownsville borough, Fayette county, for the passage of a law to prevent the school directors of said borough from levying and collecting a higher tax than five mills on the dollar for school and building purposes.

Referred to the Committee on Education.

Also, the proceedings of a public meeting in Fayette county, in favor of the restoration of the charter of the Pittsburg and Connellsville railroad company, and also in favor of Senator BIGHAM's railroad bill.

Laid on the table.

Mr. BIGHAM, the memorial of the town council of the borough of M'Keesport, in Allegheny county, asking the passage of an act to authorize the paving of the streets of said borough.

Referred to the Committee on Roads and Bridges.

Also, the memorial of St. Paul's Orphan Asylum of Pittsburg, asking to be reimbursed for the support and education of sundry orphan children of soldiers.

Referred to the Committee on Education.

Mr. GRAHAM, a remonstrance from citizens of Philadelphia, against Sunday car travel.

Referred to the Committee on Vice and Immorality.

Mr. SHOEMAKER, the petition of citizens of Providence, Luzerne county, praying for the repeal of the act incorporating the city of Scranton.

Referred to the Committee on the Judiciary Local.

Mr. JACKSON, a remonstrance of citizens of Columbia county, against submitting the Sunday car question in the city of Philadelphia to a vote of the people.

Referred to the Committee on Vice and Immorality.

Mr. GLATZ, a petition from citizens of York county, in relation to the rebuilding of the Columbia bridge.

Laid on the table.

Mr. BROWNE (Lawrence), the petition of all the employees of the Caledonia Mills, being ninety-nine citizens of Philadelphia, against Sunday car travel.

Referred to the Committee on Vice and Immorality.

Mr. BROWNE (referring to the above petition) said: In answer to the assertion that the working classes of the city of Philadelphia are in favor of Sunday car travel, I would call attention to the fact that all the employees of those mills ask that the laws on that subjecs shall remain as they are.

Mr. BROWNE (Lawrence) also presented the petition of eighty citizens of Germantown, protesting against any change of the Sabbath laws; also, against submitting such change, so far as Sunday cars are concerned, to a vote of the people; also, praying for more efficient restraints against liquor traffic and intemperance, especially on the first day of the week; which was read as follows, and

Referred to the Committee on Vice and Immorality:

To the Honorable the Senate and House of Representatives of the Commonwealth of Pennsylvania, in General Assembly met:

We, the subscribers, inhabitants of said Commonwealth, being of the age of eighteen years and over, do most respectfully show, viz: that

WHEREAS, Christianity lies at the basis of the common law of the State; *And whereas*, the Lord's day, commonly called Sunday, is an essential and indispensable part of Christianity, and was laid down a hundred and eighty-four years ago by Wm. Penn, the proprietor, as fundamental and organic law; and especially necessary for the protection of the morals and the freedom of working men—"to the end, that looseness, irreligion and atheism may not creep in under the pretense of conscience in this Province, be it further enacted," says Penn, "by the authority aforesaid, that according to the good example of the primitive Christians, and for the case of creation, every first day of the week, called the Lord's day, people shall abstain from their common toil, that whether masters, parents, children, or servants, they may the better dispose themselves to read the Scriptures of truth at home, or to frequent such meetings of religious worship abroad as may best suit their respective persuasions."—*Penn's Great Law.*

And whereas, Efforts are being put forth to procure the repeal, in whole or in part, of the laws, which have, from time to time, been enacted for the protection of labor from oppression, by securing to it a rest of one day in seven;

Now therefore, Item I., we your petitioners and remonstrants, do most respectfully protest and remonstrate against any such repeal, and pray that these laws may remain in full force, as they have been, in spirit and substance, from the foundation of the Republic; and rather that provision be made for their more full and perfect execution.

Item II. We understand that a law is proposed for the purpose of submitting the question of repeal, so far as Philadelphia city is concerned, to the popular vote.

Against this, also, we solemnly protest:

1. Because it would be subjecting a divine law laid down by Penn, at the basis of this Government, to a human tribunal, not the most reliable in point of morality.

2. Because the decision of a question, affecting the whole population of the State should not be left to the arbitrament of a small part.

3. Because special reasons exists why this small part is very incompetent to give an honest verdict. It is not to be questioned, and will not be, we suppose, that horse car companies, like other corporations, have no souls, and will therefore play into the hands of that most appalling of our city vices—the Sunday liquor trade. In fact, the Sunday cars and the Sunday liquor trade are essentially one interest, and both are adapted to grind down the poor and ignorant, and make them more so.

4. The plea for Sunday cars, that they facilitate church-going, is worse than a hollow pretense. The church-going people of Philadelphia, and of Pennsylvania, are all opposed to Sunday cars and Sunday drinking.

Item III. *And further*, We petition and pray that the license laws and laws prohibiting the sale of intoxicating liquors, and especially on the day of sacred rest, may undergo a thorough revision, and be made practically efficient against the evils of intemperance, one of the most fruitful sources of public calamity, and which, probably, more than all others, supplies our criminal courts with business, and fills our jails and penitentiaries with its unfortunate victims.

And your petitioners, as in duty bound, will ever pray for the blessings of Heaven upon your diligence and success in these premises.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

The Clerk of the House of Representatives being introduced, presented for concurrence bills numbered and entitled as follows:

No. 213, an act to incorporate the Pioneer River bridge company.

Referred to the Committee on Roads and Bridges.

No. 296, a supplement to the act to incorporate the Western transportation company, formerly the Oil Creek transportation company.

Referred to the Committee on Corporation.

No. 298, an act to incorporate the Pennsylvania Central thief detective and live stock insurance company.

Referred to the Committee on Corporations.

No. 308, an act to incorporate the Pennsylvania live stock insurance company, to insure against disease, accidents and death.

Referred to the Committee on Corporations.

No. 314, an act to divide the township of Plymouth into two election districts.

Referred to the Committee on Election Districts.

No. 315, an act to regulate the taking of fish from the ponds and lakes in Benton township, in Luzerne county.

Daily Legislative Record.

FOR THE SESSION OF 1867.

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[CONTINUED FROM PAGE 280.]

Referred to the Committee on the Judiciary Local.

No. 318, an act relative to bounty taxes in Marion township, Butler county.

Referred to the Committee on the Judiciary Local.

No. 322, an act to legalize the levy and collection of certain bounty taxes, to provide for a settlement, and authorize the school directors to lay an additional bounty tax in Lykens township, Dauphin county.

Referred to the Committee on the Judiciary Local.

No. 325, a further supplement to an act to incorporate the Pittsburg and Birmingham passenger railroad company, approved the 14th day of April A. D. 1859.

Referred to the Committee on Railroads.

No. 327, an act to incorporate the Allegheny and Saw Mill Valley passenger railway company.

Referred to the Committee on Railroads.

No. 328, an act to incorporate the Meadville Savings and Loan company.

Referred to the Committee on Banks.

No. 329, an act to incorporate the Mechanics' Savings Bank.

Referred to the Committee on Banks.

No. 331, an act extending an act relative to roads in Ewchlan township, Chester county, and East Bethlehem and East Pike Run townships, Washington county, to Peters and East Fallowfield townships, Washington county.

Referred to the Committee on Roads and Bridges.

No. 333, an act declaring Wiconisco creek, from Oak Dale forge, in Dauphin county, to the public road leading from Clark's valley to Tremont, in Schuylkill county, a public highway.

Referred to the Committee on Canals and Inland Navigation.

No. 336, an act to declare Freeman's run, in Potter county, a public highway.

Referred to the Committee on Canals and Inland Navigation.

No. 337, an act relative to the supervisors and road laws in Wiconisco township, Dauphin county.

Referred to the Committee on Roads and Bridges.

No. 338, an act to establish a ferry and foot bridge over the Driftwood Branch of the Sinnemahoning creek, near the mouth thereof, in Cameron county.

Referred to the Committee on Canals and Inland Navigation.

No. 340, a supplement to act to incorporate the Tidioute bridge company, approved the 17th day of April A. D. 1861.

Referred to the Committee on Roads and Bridges.

No. 343, an act relating to the poor laws of Delaware county.

Referred to the Committee on the Judiciary Local.

No. 344, an act relating to hawking and peddling in the county of Westmoreland.

Referred to the Committee on the Judiciary Local.

No. 346, an act authorizing the Governor to appoint six additional notaries public for the city of Philadelphia.

Referred to the Committee on the Judiciary Local.

No. 347, an act changing the time of meeting of the auditors of Hillsgrove township, Sullivan county.

Referred to the Committee on the Judiciary Local.

No. 348, an act relating to unseated lands in the county of Tioga.

Referred to the Committee on the Judiciary Local.

No. 350, a supplement to an act relative to the publication of local laws in the counties of Centre and Schuylkill, approved the 16th day of April, A. D. 1866.

Referred to the Committee on the Judiciary Local.

No. 345, an act increasing the fees of the several officers of the counties of Somerset and Mercer.

Referred to to the Committee on the Judiciary Local.

No. 351, an act repealing so much of the act authorizing the election of additional officers, and changing the manner of collecting taxes in the townships of Robinson and North Fayette, Allegheny county, approved March 13, A. D. 1866, as relates to the manner of collecting taxes in Robinson township.

Referred to the Committee on the Judiciary Local.

No. 354, a further supplement to an act to incorporate the city of Erie.

Referred to the Committee on the Judiciary Local.

No. 355, further supplement to an act to empower the town council of the borough of Bellefonte, in Centre county, to borrow money, approved the 14th day of February, A. D. 1863.

Referred to the Committee on the Judiciary Local.

No. 190, an act to incorporate the Rouseville bridge company.

Referred to the Committee on Roads and Bridges.

No. 200, an act to incorporate the Boyd Farm and Petroleum Centre bridge company.

Referred to the Committee on Roads and Bridges.

No. 330, an act to establish a ferry over the Allegheny river, in Kinzua township, Warren county.

Referred to the Committee on Canals and Inland Navigation.

No. 339, an act to incorporate the Greenwood Avenue turnpike company.

Referred to the Committee on Roads and Bridges.

He also returned bill from the Senate numbered and entitled as follows:

No. 124, a supplement to an act to unite and consolidate Marshall college, now at Mercersburg, with Franklin college, now at Lancaster, under the name of Franklin and Marshall college, as a corporation to be located in the city of Lancaster, or its immediate vicinity, approved the 19th day of April, A. D. 1850, changing the trustees thereof, and the manner of selecting such trustees, and their term of office,

With information that the House of Representatives has passed the same without amendments.

He also returned a bill from the Senate numbered and entitled as follows:

No. 60, an act changing the time of holding courts in the Sixteenth Judicial district,

With information that the House of Representatives has passed the same with amendments, in which the concurrence of the Senate is requested.

He also informed the Senate that the House of Representatives had concurred in the amendments made by the Senate to bill from the House of Representatives numbered and entitled as follows:

No. 161, an act of Assembly, passed the 11th April, 1866, entitled An act to provide for the purchasing of real estate and erection of a poor house in Montour county.

He also presented for concurrence a bill numbered and entitled as follows:

No. 445, a supplement to an act revising the municipal charter of the city of Reading, approved 26th April, 1664.

Referred to the Committee on Education.

REPORTS FROM COMMITTEES.

Mr. CONNELL, from the Committee on Finance, reported as committed, a bill entitled An act for the relief of Nido R. Adams, treasurer of Beaver county.

Mr. WALLS (same), as committed, a bill entitled An act for the relief of Benjamin Scott, junior.

Mr. SHOEMAKER, from the Committee on the Judiciary General, reported, as committed, a bill entitled An act to annul the marriage contract between Samuel E. Shick and Sarah E., his wife.

Also (same), with a negative recommendation, a bill entitled An act to incorporate the Franklin Library association of the city of Philadelphia.

The bill was ruled out of order by the SPEAKER, on the ground the courts have jurisdiction.

Mr. BIGHAM (same), with a negative recommendation, a bill entitled An act to incorporate the Milford cemetery.

The bill was ruled out of order by the SPEAKER.

Also (same), with a negative recommendation, a bill entitled An act for the promotion of medical science.

Mr. M'CONAUGHY (same), as committed, a bill entitled A further supplement to an act increasing the fees of the several county officers of this Commonwealth, except in the

city of Philadelphia and the counties of Allegheny, Bradford, Susquehanna and Sullivan, approved March 30, A. D. 1865.

Also (same), with a negative recommendation, a bill entitled An act to extend the powers of the courts of quarter sessions in road cases.

Mr. SCHALL (same), with a negative recommendation, a bill entitled An act to incorporate the mission house of the Protestant Episcopal Church in the United States.

The bill was ruled out of order by the SPEAKER.

Mr. WALLACE (same), with a negative recommendation, a bill entitled An act to incorporate the Crozer Theological seminary.

The bill was ruled out of order by the SPEAKER.

Also (same), with amendments, a bill entitled An act to regulate the carriage of baggage by railroad companies, and to prescribe the duties and obligations of carriers and passengers in relation thereto.

Mr. COWLES, from the Committee on the Judiciary Local, as committed, a bill entitled An act to prevent the burning of the woods in the counties of Clearfield and Elk.

Also, (same), as committed, a bill entitled An act to increase the pay of the supervisors and commissioners in the county of Clearfield.

Also, (same), as committed, a bill entitled An act to extend the time for the payment of the enrollment tax on an act to incorporate the Keating coal and iron company, approved April 11, 1866.

Mr. STUTZMAN (same), as committed, a bill entitled A supplement to the act of General Assembly, incorporating the borough of Mechanicsburg, Cumberland county, passed the 12th day of April, A. D. 1828, as amended by the act regulating boroughs, approved April 3d, 1851, and adopted by said borough August 23th, A. D. 1857.

Also, (same), as committed, a bill entitled An act relative to auctioneers and gift enterprises in the county of Mercer.

Mr. WHITE (same), as committed, a bill entitled An act to legalize the levying and collection of a certain tax in the borough of Sharon, in Mercer county, and authorizing the laying and collection of a tax not exceeding ten mills on the dollar of valuation for general borough purposes, in said borough.

Also (same), with a negative recommendation, a bill entitled an act regulating the time of making returns by justices of the peace in Mercer county.

Mr. DAVIS (same), as committed, a bill entitled A supplement to an act incorporating the borough of Jonestown.

Also (same), as committed, a bill entitled An act relating to the disposition of fines and forfeited recognizances in the county of Susquehanna.

Also (same), as committed, a bill entitled An act extending the time for the payment of the enrollment tax of the People's Accident insurance company of Pennsylvania, and changing the corporators.

Mr. M'CONAUGHY, from the Committee on Estates and Escheats, with a negative recommendation, a bill entitled An act relating to the estate of Jacob Coon, deceased.

The bill was ruled out of order by the SPEAKER.

Mr. RIDGWAY, from the Committee on Corporations, as committed, a bill entitled An act to enable the Ravenna Extension silver mining company of Nevada to issue bonds, and to secure the payment of the same by mortgage.

Also (same), as committed, a bill entitled An act to incorporate the Fountain Hill park association.

Also (same), as committed, a bill entitled An act to incorporate the Pennsylvania Club.

Also (same), as committed, a bill entitled A supplement to an act to incorporate the Mineral Spring coal company, approved 3d day of April, 1866.

Mr. ROYER (same), as committed, a bill entitled An act to incorporate the Kensington Mutual Co-operative association of the city of Philadelphia.

Also (same), as committed, a bill entitled A supplement to an act to incorporate the Columbia gas company, relative to the election of assessors and constables in Salisbury and Caernarvon townships, Lancaster county, to lay out a State road from Marietta to Portsmouth, to require the State Treasurer to refund certain moneys to the administrators of Ann Kimmel, deceased, approved April 10th, A. D. 1851.

Mr. HAINES (same), as committed, a bill entitled A supplement to the act to incorporate the Odd-Fellows' association of Waynesburg, Greene county, Pennsylvania, passed 27th of March, 1862.

Also (same), as committed, a bill entitled An act to incorporate the Erie Co-operative society.

Mr. JAMES (same), as committed, a bill entitled A further supplement to an act to incorporate the Birmingham, East Birmingham and South Pittsburg gas company, approved April 15th, 1856.

Also (same), as committed, a bill entitled A further supplement to an act entitled An act to incorporate the Northampton iron company, approved the 10th day of March, 1857.

Mr. GLATZ (same), as committed, a bill entitled An act to incorporate the Industrial association of Summit Hill.

Also (same), as committed, a bill entitled An act to incorporate a State Camp of the Order of the Junior Sons of America.

Mr. BILLINGFELT, from the Committee on Roads and Bridges, with amendments, a bill entitled A further supplement to an act passed May 16th, 1861, entitled An act to authorize the erection of a free bridge over the river Schuylkill at South street in the city of Philadelphia.

Mr. GRAHAM, from the Committee on Vice and Immorality, as committed a bill entitled An act to prohibit the issuing of licenses within two miles of the station house at Kane in M'Kean county.

During the reading of the foregoing reports of committees, a number of bills were reported negatively, in regard to which the courts had power to act.

The SPEAKER stated that unless the Senate should otherwise direct, all bills reported with a negative recommendation would not be put on the calendar, but would be printed.

Mr. CONNELL. I propose to alter the rule as indicated by the Chair.

The SPEAKER. The question is one for the Senate and not for the Chair.

Mr. CONNELL. I move that no bill, reported from committees with a negative recommendation, shall be printed unless at the instance of a Senator, and that bills ruled out of order shall not be printed.

The motion was

Agreed to.

BILL RE-COMMITTED.

Mr. BIGHAM. In deference to the wish expressed by the Senator for Chester, and some outside parties, I move that the bill relative to medical science, etc., be recommitted to the Judiciary (General) Committee.

The motion was

Agreed to.

INVESTIGATION OF ALLEGED FRAUD IN THE ELECTION OF UNITED STATES SENATOR.

Mr. SEARIGHT submitted the following:

The undersigned, a committee appointed under a joint resolution by the Legislature, passed January 8th, A. D. 1867, and charged with the duty of investigating alleged improper influences in connection with the election of a United States Senator, on the 15th ult., report the following as the result of their investigation in the premises:

On the day upon which the committee was appointed, they met and organized, and at once proceeded to the examination of witnesses. The committee continued to meet from day to day until all the witnesses, suggested to them, had been examined.

They then gave a general invitation to any person to appear before the committee, and give such information as he might possess touching the subject under inquiry, and after waiting some ten days or more (no one appearing), the committee ceased their labors.

No evidence was produced to implicate any member of this Legislature in the alleged corruption, nor were any of the distinguished persons named in connection with the office of United States Senator in any manner therein involved.

The evidence in detail taken by the committee is herewith presented for the information of the two Houses. All of which is respectfully submitted.

F. S. STUMBAUGH,
J. N. MARKS,
L. WESTBROOK,
Committee on the part of the House.
MORROW B. LOWRY,
THOS. B. SEARIGHT,
JAS. L. GRAHAM,
Committee on the part of the Senate.

[For accompanying testimony see House proceedings.]

BILLS IN PLACE.

Mr. LANDON read in his place and presented to the Chair a bill entitled A further supplement to the act incorporating the Pennsylvania fiscal agency.

Referred to the Committee on Finance.

Mr. BROWN (Mercer), a bill entitled An act authorizing the commissioners of Mercer county to purchase a lot of ground for a jail, and to sell the jail now erected.

Referred to the Committee on the Judiciary Local.

Mr. JAMES, a bill entitled An act to legalize the assessment, levying and collection of taxes for bounty purposes in the township of Springfield, Bucks county.

Referred to the Committee on the Judiciary Local.

Mr. DONOVAN, a bill entitled An act to authorize the appointment of two assistant reporters in the district courts of Philadelphia.

Referred to the Committee on the Judiciary Local.

Mr. SCHALL, a bill entitled An act to incorporate the Continental slate company.

Referred to the Committee on Corporations.

Also, a bill entitled An act to incorporate the Empire slate company.

Referred to the Committee on Corporations.

Mr. COLEMAN, a bill entitled An act to authorize the chief burgess and town council of the borough of Lebanon to borrow money for the purpose of building an engine house for the use of the Perseverance steam fire engine and hose company, and the purchasing of hose for use in the fire department of said borough.

Referred to the Committee on the Judiciary Local.

Also, a bill entitled An act to incorporate the Lebanon county soldiers' and sailors' monument association.

Referred to the Committee on Military Affairs.

Mr. BROWNE (Lawrence), a bill entitled

An act to establish a law library in the county of Armstrong.

Referred to the Committee on the Judiciary Local.

Mr. RANDALL, a bill entitled An act to divide the borough of Port Carbon, Schuylkill county, into two wards.

Referred to the Committee on the Judiciary Local.

Mr. CONNELL, a bill entitled An act to incorporate the Continental slate company.

Referred to the Committee on Corporations.

Also, a bill entitled An act increasing the compensation of judges of elections in the Twenty-first, Twenty-second, Twenty-third and Twenty-fifth wards of the city of Philadelphia.

Referred to the Committee on Election Districts.

Mr. RIDGWAY, a bill entitled An act to incorporate the Union iron mills.

Referred to the Committee on Corporations.

Also, a bill entitled An act to incorporate the Mænnerchor of Philadelphia.

Ruled out of order by the SPEAKER.

Mr. SEARIGHT, a bill entitled An act authorizing the Governor to incorporate a company to erect a bridge over the Youghiogheny river at a point between the mouth of Dickerson run and Taylor's fording, in the county of Fayette.

Referred to the Committee on Roads and Bridges.

AN AFTERNOON SESSION.

Mr. CONNELL offered the following resolution:

Resolved, That the Senate will hold a session this afternoon, commencing at 3 o'clock.

The resolution was twice read, considered and adopted.

ENLARGEMENT OF GOVERNOR'S RESIDENCE.

Mr. COLEMAN offered the following resolution:

Resolved, That the Committee on Public Buildings be directed to inquire into the propriety of enlarging the Governor's residence and present to the Senate an estimate of the cost and plan of such enlargement, if found to be desirable.

The resolution was twice read, considered and adopted.

HOUSE AMENDMENTS

To Senate bill No. 60, entitled An act changing the time of holding courts in the Sixteenth Judicial district.

Were, on motion of Mr. STUTZMAN, concurred in.

CHANGE OF VENUE FROM SULLIVAN COUNTY TO BRADFORD COUNTY.

House bill No. 76, entitled An act to change the venue in the case of the Commonwealth of Pennsylvania *versus* Jesse R. M'Carty, Joshua R. M'Carty and Charles Morton, from the court of quarter sessions of the peace of Sullivan county, to the court of quarter sessions of the peace of Bradford county,

Came before the Senate on the orders of the day.

The bill was read as follows:

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same*, That the venue in the case now pending in the court of general quarter sessions of the peace of Sullivan county, of the Commonwealth of Pennsylvania versus Jesse R. M'Carty, Joshua R. M'Carty and Charles Morton, returned to December sessions, one thousand eight hundred and sixty-six, of said court, be, and the same is, hereby removed to the court of general quarter sessions of the peace of the county of Bradford, to the next May sessions, or any subsequent term within the present year, of said court of quarter sessions, where it shall be tried, and verdict, and judgment, and sentence be had thereon with the same effect as if it had been tried in the county of Sullivan, and all the records in the case shall be certified and transferred by the proper officers of the said court of the county of Sullivan, to the said court of he county of Bradford, and all expenses incurred by the said county of Bradford by reason of the said change of venue shall be paid by the commissioners of the said county of Sullivan.

The question then being on the final passage of the bill,

The yeas and nays were required by Mr. JACKSON and Mr. LANDON, and were as follow, viz:

YEAS—Messrs Bigham, Billingfelt, Browne (Lawrence), Brown (Mercer), Coleman, Connell, Cowles, Graham, Haines, Landon, Lowry, M'Conaughy, Ridgway, Royer, Shoemaker, Stutzman, Taylor, White, Worthington and Hall, *Speaker*.

NAYS—Messrs. Burnett, Davis, Donovan, Glatz, Jackson, James, M'Candless, Randall, Schall, Searight, Wallace and Walls.

During the calling of the roll,

Mr. WHITE (when his name was called) said: Mr. Speaker, I have just one word to say in justification of my vote here. On a question of this kind, I do not wish it to be understood that I always vote through partisan spirit. I merely wish to remark that there is no man more sensitive about keeping pure the fountains of justice than myself.

Cases of changes of venue have been more frequent of late than formerly, as has been stated by the Senator from Clearfield [Mr. WALLACE]. The causes of it are manifest and palpable. A condition of war in the country creates a peculiar feeling—particularly such a war as we have had—and this is especially the case in the border counties of this Commonwealth. Public sentiment there has been aggravated, the people have taken sides, and in the multiplicity of legislation many questions have arisen, under the statutes of this Legislature, which have more or less, a political character. The courts have to pass on these. The case in question involves one of those questions; and it occurs to me that the first inquiry that every conscientious man ought to address to himself is this: Is there such a case presented here as satifies me that fair and impartial justice cannot be administered in the county where the offense was committed. As a member of the Local Judiciary Committee of this body, as also a member of this body, I have had such a *prima facie* case at least presented before me as satisfies my judgment of that fact. And if I had been unsatisfied before, the character of the discussion which I have heard here would have been sufficient to satisfy me. The remarks which have been made by the Senator from Sullivan [Mr. JACKSON], the political character of the discussion here relating to this bill certainly go into that region and must change the fountains of justice there.

I do not, sir, make any reflections upon the character of the judge or upon the character of the juries there; it is sufficient to know that this is a political question. I furthermore have the petition of over a hundred respectable men in the county in which the offense was committed, representing that justice cannot be done there. I furthermore have the statement of an attorney of that court, who is acting under oath; and if he represents what is not true, why, of course, he is obnoxious to the punishment of the courts there for disregarding his duty as an officer of the court. I have these facts *prima facie* for verity.

Now, sir, I have heard the statement of the Senator from Sullivan [Mr. JACKSON], that if there is any prejudice in the minds of the associate judges of the court, they are willing to retire from the bench. I find in the Constitution of this Commonwealth, that if they did retire from the bench they would fail to be a court of quarter sessions, within the meaning of our Constitution. In section seventh, I discover that "the judges of the court of common pleas of each county, any two of whom shall be a quorum, shall compose the court of quarter sessions of the peace, and orphans' court thereof." Hence, if the associate judges, against whom the complaint is made here, were to retire from the bench, there would be no court to have jurisdiction,

For these reasons, I believe myself justified in voting for the change of venue in this case, apart from any political reasons whatever. I vote *aye*.

The result of the vote was then announced as follows: yeas, 20; nays, 12.

So the bill

Passed finally.

PITTSBURG AND CONNELLSVILLE RAILROAD.

The SPEAKER. The next order is Senate bill No. 314, entitled An act to repeal an act of the General Assembly of the State of Pennsylvania, which became a law on the nineteenth day of August, one thousand eight hundred and sixty-four, entitled An act relative to the Pittsburg and Connellsville railroad company.

The bill is on second reading.

The Clerk then read the first and only section of the bill as follows:

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same*, That the act of the General Assembly of the Commonwealth of Pennsylvania, which was passed on the twenty-ninth day of April, Anno Domini one thousand eight hundred and sixty-four, and which became a law on the nineteenth day of August, one thousand eight hundred and sixty-four, entitled An act relative to the Pittsburg and Connellsville railroad company, be and the same is hereby repealed and declared to be of no force or effect, and the said Pittsburg and Connellsville railroad company is hereby required to put their road under contract within six (6) months, and complete the same to the State line within three (3) years from the passing of this law, according to the route and plan delineated upon the map filed by the said company in the office of the Secretary of this Commonwealth: *Provided, however*, That nothing herein shall be construed to prevent the Connellsville and Southern Pennsylvania railway company from building a road, according to the terms of their charter, upon another route or location, and under their own or other franchises than those pertaining to the Pittsburg and Connellsville railroad company.

Mr. SEARIGHT. Mr. Speaker, I offer the following amendment to the bill, to come in at the end of the section,

Provided further, That the said Connellsville and Southern Pennsylvania railroad company shall have the right to make connections with the Pittsburg and Connellsville railroad at any points on the line of said road.

The amendment

Was adopted.

Mr. SEARIGHT said: Mr. Speaker, at the commencement of the discussion upon this bill I stated to the Senate that the friends of the bill urged its passage solely upon its merits. And I say now, sir, it appears to me

that the bill is so eminently just and right in itself that any attempt at argument in its favor would be a work of supererogation. Such an attempt, it appears to me, would be like an effort to prove an axiom. When I called up this bill I appealed to Senators who intended to vote against it to furnish some good and substantial reasons why it should not be passed. I was confident then that no such reasons could be adduced, and now, after much discussion of the subject, I am equally confident that upon its merits the bill stands unimpeached and unimpeachable.

The first voice raised against the passage of this bill was that of my kind-hearted friend, the Senator from Philadelphia [Mr. M'CONNELL], and the point which he urged doubtless made an impression upon the minds of some Senators, for that Senator is always impressive, and is invariably listened to with great respect and consideration. He raised the point, sir, that the whole question involved in this bill was now pending before the Supreme Court of Pennsylvania, and would be finally settled and adjudicated as early as next May. Now, sir, the Senator from Philadelphia is entirely mistaken; the question pending before the Supreme Court of this State is a *quo warranto* granted at the instance of the Attorney General, and directed to the Pittsburg and Connellsville railroad company, to inquire of them by what authority they have been prosecuting their work east of Connellsville since the passage of the act repealing the charter of that company. This is the question pending before the Supreme Court of Pennsylvania, but I am informed that proceedings upon this question have been discontinued, and that the matter will not be prosecuted. I am not aware that such is the fact, but I have been so informed, and I give the information for what it is worth. But it makes no difference, sir, whether these proceedings are to be continued or discontinued; it does not affect materially the main question involved in the legislation which is now desired. It is true that the question, as has been repeatedly stated here, is pending before the courts, but the vital issue, or one of the vital issues, is pending before the Supreme Court of the United States upon a writ of error to the circuit court of the United States in Pennsylvania. Senators are all familiar with the fact that the circuit court of the United States for the Western district of Pennsylvania has decided that the repealing act of this Legislature was unconstitutional—that a jury in that court found that there had been no misuse or abuse of the charter on the part of the Pittsburg and Connellsville railroad, as had been alleged, and alleged as the basis for the repeal of the charter of that company. It is that case that is now pending before the Supreme Court of the United States. And one of the reasons why the Pittsburg and Connellsville railroad come here at this time and desire the passage of this bill is, that while entirely confident of ultimate success in the case, they do not wish to be subjected to the delay which must necessarily follow before the decision of the court is rendered. Not only is the company unwilling to be subjected to this delay, but the people of the southwestern counties of the State are impatient under the restraint, and, if it can possibly be avoided, will not brook longer delay.

The next Senator who raised his voice in opposition to this just bill, as I conceive it to be, was the gentleman from Philadelphia [Mr. M'CANDLESS], whose pleasant countenance I now observe in the chair. That gentleman objected to the passage of this bill because of a counter interest, which counter interest existed in the great city of Philadelphia, to which he is so devotedly and so justly attached. Now, I wish to say right here, Mr. Speaker, that a counter interest as against the great city of Philadelphia is not even contemplated; and to show the sincerity of the friends of the bill in this position and in this statement, I have prepared the amendment which has just been read, which gives the Southern Pennsylvania railroad company (which is a Philadelphia company) the right to connect with the Pittsburg and Connellsville railroad company at any point between the city of Pittsburg and the State line. This, sir, will afford the city of Philadelphia an opportunity to compete for the trade of that rich region of country through which it is proposed to build this road. No, sir; we have no counter interest as against Philadelphia. We entertain no unkind feelings towards the city of Philadelphia; and it matters not, sir, whether this road be built or not, the people of my region of country will still go to the great city of Philadelphia. But, sir, aside from that fact, Philadelphia is not so young and so weak as to be injuriously affected by the passage of this bill or any other; she has existed, sir, in her strength and her majesty, for more than a hundred years, and she has grown too strong to be affected by any legislation at this late day. Why, sir, look at the fact. Under existing circumstances, without a road through the rich region of country lying to the southwest of Pennsylvania—there is no trade to affect Philadelphia one way or the other. What we ask, sir, is to develop that region of country, and there can be no doubt that if the resources of that country be developed by such legislation as may be necessary, the city of Philadelphia will reap her share of the benefits that will result therefrom.

Now, Mr. Speaker, I do not think there is much in the argument that has been adduced here that by the construction of this Pittsburg and Connellsville road to the State line merchants in the west and southwest will buy their goods in Baltimore instead of in the city of Philadelphia. Why, sir, what are the facts? Our merchants in the west and the southwest now go to the city of Philadelphia when they go east; but, sir, it does not necessarily follow that because they are compelled to go to Philadelphia they, therefore, buy their goods there. Sir, the truth is that the bulk of merchandise bought by western merchants is purchased in the city of New York. And there is no way of preventing that; and I say here there should be no way of preventing it. Our merchants go to Philadelphia; they look around that market, and if that market does not satisfy them they go onto the city of New York and there they purchase their goods. It matters not, sir, whether railroads lead to Philadelphia or do not lead there, merchants will buy their goods where they can be purchased upon the best terms. And the main object of this bill is to develop the hidden but rich resources of one of the best sections of the great State of Pennsylvania—a country, I repeat, that is unexcelled in the wealth of its resources by any other region of country in Pennsylvania or in the habitable globe.

Now, sir, I ask will not the developing of those resources be an advantage instead of a detriment to the great city of Philadelphia? I assert that Philadelphia is to be benefited, necessarily benefited by the building of this railroad. Pittsburg—a city of Pennsylvania, sir—is to be the western terminus of this road, and Pittsburg is in immediate connection with the city of Philadelphia by the great Pennsylvania central route. Sir, as you benefit western counties and western cities within the Commonwealth of Pennsylvania, you at the same time benefit Philadelphia, in which all Pennsylvanians feel a just pride. There is no counter interest, sir, contemplated by this bill. On the contrary, if it be passed, and the road built, Philadelphia will be benefited by it. The interests of Philadelphia and the interests of Pennsylvania are identical. We propose by this bill to do—what? To develop the resources of a portion of Pennsylvania which must lie hidden forever unless this bill be passed and capital have an opportunity to bring out the resources of this section. We do not propose to cut off Philadelphia or to divert our trade from her; we invite her to make her road into that region of country, and we will reach out our strong arms and welcome her iron rails when they come there to receive our produce. That is the feeling of the people of Southwestern Pennsylvania. Let the Southern Pennsylvania company, coming up from Philadelphia, make their connection with this Pittsburg and Connellsville railroad. We hope they will do this; we invite them to do it; will assist them with all our ability to do it, and we will gladly welcome the day when they undertake the work. We want to go to Philadelphia; we want to go to Baltimore; we want to go to Pittsburg; we want to build up the prosperity of Pennsylvania; we want to take care of the interests of a rich and growing section of our great State; and I appeal to Senators to aid us in accomplishing these objects as a simple act of justice.

Mr. Speaker, much has been said with regard to the long delay of the Pittsburg and Connellsville railroad company, in the matter of completing their road. It has been alleged, sir, and repeated here over and over again that they received their charter in 1837, and that thirty years have therefore elapsed without a road having been built. To my mind, sir, that fact of history presents an argument in favor of this route. Why, sir, where were the railroads of this Commonwealth in the year 1837? I ask Senators to point me to the railroads that were in existence at that time? Where was your gigantic Pennsylvania Central in the year 1837? Why, sir, it was not incorporated until the year 1846, and it was not finished to the city of Pittsburg until, I think, in the year 1852. Now, the fact that public attention was directed to this route at so early a period as the year 1837, shows that it is a route that ought to be fostered and developed by the legislation of Pennsylvania. It is a route which attracted the attention of the people long before the route of the Pennsylvania Central was determined upon. Why, sir, it is a matter of history that this route of the Pittsburg and Connellsville railroad was indicated by the Father of his country. We have evidence that Washington felt and expressed a deep interest in the construction of a line of communication along this route to connect the East with the West; and it was in view of the eligibility of this route—a route that presented advantages far superior to any other route—that induced the Legislature at so early a period as the year 1837, to incorporate a company to build a railroad from Pittsburg to Connellsville, as was then contemplated by the act, with the view, sir, of connecting at that time with—what? Not with any other railroad, but with the Chesapeake and Ohio canal. At that early day, sir, canals were the means of transporting produce and passengers, and the only means aside from the old mode of traveling on horseback, in wagons and on foot; railroads were very little thought of at that day. This company was incorporated in 1837, to build a road only from Pittsburg to Connellsville, and there they stopped; there they were limited. Well, sir, they have built that road from Pittsburg

to Connellsville, and it is in working order at this day, and all they ask by this bill is the privilege of constructing the road on from Connellsville, eastwardly, so as to develop the region of country east of Connellsville. In 1843, sir, only three years before the Pennsylvania Central was incorporated, the Connellsville company received the charter which gave it vitality, and it is neither fair nor candid to go back beyond that year, 1843, because that was the time when the legislation which gave this company vitality was obtained.

Now, sir, I have a few words to say in answer to the argument that has been made here that this Pittsburg and Connellsville road is an interest foreign to the Commonwealth of Pennsylvania. Why, sir, do not Senators know that one hundred and fifty miles of this road pass through the State of Pennsylvania, and not more than ten miles of it are designed to go through another State? And yet we are told that it is not a Pennsylvania road. I say, sir, that it is essentially a Pennsylvania road. Pennsylvania capital and Pennsylvania labor will be required in its construction, and Pennsylvania resources will be developed by its completion. There is no force, then, sir, in the argument that it is a foreign road; it is to all intents and purposes a Pennsylvania road; and we of Southwestern Pennsylvania come here and ask the Legislature of Pennsylvania to give us the right to make a road through our section of the State, so that we may be put on an equality with other sections of the State in the matter of the means of transportation for our people and their produce.

Mr. Speaker, in regard to the legal difficulties which have been referred to in connection with this subject, my opinion is that it matters not how the courts may ultimately decide the constitutional question involved in the controversy. We have hope, sir, and a well grounded hope, that the court of ultimate resort will decide the question in favor of the Pittsburg and Connellsville road. But, sir, even supposing the decision to be adverse to this road—supposing it to be decided by the Supreme Court of the United States that the act of this Legislature, repealing the charter of the Pittsburg and Connellsville railroad, was constitutional—it does not follow that it was right. The Legislature of Pennsylvania has the constitutional right to do many things, yet it by no means follows that they should do those things simply because they are constitutional. The question is, is this measure right, is it just, is it proper; and we press it upon the consideration of Senators in this view. Sir, much stress has been laid upon the fact that a number of members and Senators representing this southern tier of counties, largely interested in the construction of this railroad, voted with the majority of the Legislature in favor of the repeal of the Pittsburg and Connellsville charter, and in favor of the act incorporating the Southern Pennsylvania railroad company. Now, Mr. Speaker, there were some reasons for that to which I desire to refer. At that time, as at present, there existed among the people of Southwestern Pennsylvania an intense desire to have a railroad. The Pennsylvania railroad came here, and with all their power and with all their prestige made the pledge to the members of the Legislature from the Southwestern portion of this State, that they would build a road into that region of country. Those members knew, sir, that the company had the ability to build a road, and they were glad to be enabled to improve the opportunity which appeared to be thus extended. And for that reason they voted for the repeal of this charter and for the incorporation of the Southern Pennsylvania road; and in order to make the matter sure and beyond doubt or contingency they put a provision in the bill incorporating the Connellsville and Southern Pennsylvania railroad to this effect: "That the said company shall perfect the organization of their company within three months after the passage of this act, and proceed immediately to locate and construct said road and complete their main line within three years."

There was the promise, sir, on the part of the Pennsylvania railroad company enacted into solemn law—that a road should be commenced by them within three months and completed within three years, which should reach out into that section of country. And this was the argument by which members from that region of country were induced to vote for the incorporation of this Southern Pennsylvania company. The people there were anxious for a road. They did not care who made it, and they do not care to-day who makes it, so that the road be made. But, has this company been faithful to its promises given on that occasion? I say, Mr. Speaker, that it has not been, because in the year 1866, an act was passed with a section in it in this language: "That so much of the said act incorporating the Connellsville and Southern Pennsylvania railroad company as limits the time for the construction of the main line of their road to three years from the passages thereof, be and the same is hereby repealed."

Now, there, Mr. Speaker, is an act repealing the act which required the Southern Pennsylvania railroad company to build a road along the route of the Pittsburg and Connellsville line within one year. Here we see the very essence, the substance and vital point of the act incorporating the Southern Pennsylvania railroad company, so far as the people of the Southwestern counties are concerned, is repealed; and it is provided further "that the time for the commencement of the construction thereof shall be extended for one year, and the time for its completion to eight years from the passage of this act."

Now, Mr. Speaker, in view of this enactment, I submit whether the argument which is made against the Pittsburg and Connellsville company, that they are chargeable with unnecessary delay, does not come with very bad grace. First, the Pennsylvania Central obtained the votes of a number of members of the southern and southwestern tier of counties for their bill by putting in a provision that in three months they would begin the road and within one year finish it. Having got their bill passed under that promise, they then come to this Legislature and get the time extended for eight years and yet the Pittsburg and Connellsville company must be abused and denounced for delay in not completing their road. I repeat, sir, arguments against the Pittsburg and Connellsville company, on the ground of delay, come with ill grace from Senators who are favorable to the Southern Pennsylvania railroad company, in view of the facts I have adverted to.

So far as concerns the Pennsylvania Central railroad company, I will say that I have no word of censure and no matter of grievance to utter here against that company, and it is not my purpose to attack it. I make no issue with the Senator from Philadelphia [General M'CANDLESS], in the allegation that the city of Philadelphia has invested many millions of money for the purpose of constructing the Central road, with the view of developing many counties in the western section of this State. That is true, sir; and we are proud of the fact, and tender our acknowledgments to the city of Philadelphia for the beneficent act. We are, likewise, proud of the thorough efficiency and complete equipment of the Pennsylvania railroad, and we properly appreciate those essential elements of good railroad management.

But, sir, this Pennsylvania railroad company does not come into those regions of this Commonwealth, which are here to-day, by their representatives, asking for the passage of this Pittsburg and Connellsville railroad bill; and upon that fact is based the most forcible argument, as we conceive, that could be offered—certainly all that is needed to justify us—for insisting that this legislation should be granted. I would say further, in reply to the Senator from Philadelphia, that all the trade of the west that Philadelphia expected to secure by means of the Pennsylvania Central when she made that large subscription of stock she has secured, and it cannot be taken from her. But, while the west fully appreciates and would not, under any circumstances, relinquish the opportunities furnished by Philadelphia and the Pennsylvania railroad company for transportation and communication, there are regions of country in this great State of Pennsylvania which are not penetrated by this Pennsylvania railroad; and these counties are anxiously seeking an outlet for the productions of their enterprise, labor and energy; and the only practical means of affording that outlet, it seems to me, sir, would be the passage of this bill. This measure is virtually the key to a policy which involves the best interests of those comparatively isolated regions of country; let it be but turned, sir, in the right direction and that country will rise up like a giant and pour forth its contribution to the general prosperity of the Commonwealth and the country. Let us, Mr. Speaker, compel our sister States to acknowledge what we believe and know to be the truth, that in mineral wealth and internal resources as well as in geographical situation, our Commonwealth is, indeed, the greatest State of the American Union; and by no means can we so rapidly and so surely accomplish that object as by the adoption of a just and liberal railroad system throughout our entire length and breadth. Therefore, as a Pennsylvanian—one who is desirous of seeing Pennsylvania go forward in an uninterrupted career of greatness and prosperity. I urge this bill as one means to that end. Let not Senators be deceived into the fallacy that the east and the north and the centre comprise all the elements of wealth and prosperity which characterize this great Commonwealth. The country along the Pittsburg and Connellsville railroad, as to natural advantages, is fully equal, if not superior, to any other region of country in the Commonwealth of Pennsylvania. Only let that region of country be developed, Mr. Speaker, and it will become one of the most prosperous and powerful, as it is naturally one of the richest and most beautiful sections of the State of Pennsylvania.

Now, sir, I say in all candor, that I am fully persuaded that the passage of this bill will ultimately benefit rather than injure the interests of the city of Philadelphia and of the Pennsylvania railroad company. And without intending or entertaining the slightest reflection upon that railroad, which, in its management, in its equipment, and in all its departments, is a credit to this State, and would be a credit to any State, I think that this bill is so full of honest merit and truth and justice, that it should receive the approbation of a majority of Senators, and I hope it will.

The Speaker *pro tem.* (Mr. M'CANDLESS in the chair.) The hour of one having arrived, the Senate stands adjourned until three o'clock this afternoon.

AFTERNOON SESSION.

The Senate met at three o'clock, P. M.

MUNICIPAL CORPORATION OF READING.

Mr. DAVIS. Mr. Speaker, I am obliged to ask the indulgence of the Senate for about two minutes.

A bill passed the House this morning, on the recommendation of the School Department, in regard to the school board of Reading. I would ask the Senate to proceed to its consideration. I therefore move that the Senate proceed to the consideration of the bill, and suspend the rules to allow its passage.

The motion of Mr. DAVIS was agreed to, and the bill was taken up and read, the title being as follows:

A supplement to an act revising the charter of the municipal corporation of the city of Reading, approved 22d of April, A. D. 1864.

The bill

Passed finally.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

The Clerk of the House of Representatives being introduced, presented for concurrence bills numbered and entitled as follows, viz:

No. 146, an act supplementary to an act relating to corporations for mechanical, manufacturing, mining and quarrying purposes, approved July 18, 1862.

No. 148, an act relative to certain foreign insurance companies.

Referred to the Committee on Corporations.

He also returned bill from the Senate numbered and entitled as follows, viz:

No. 155, a supplement to an act to incorporate the Pottstown iron company, approved the 27th day of March, Anno Domini, 1866, authorizing them to increase their capital stock and the number of directors,

With information that the House of Representatives has passed the same without amendments.

He also returned bill from the Senate numbered and entitled as follows, viz:

No. 197, a further supplement to the act to charter the Harrisburg bridge company, enabling the company to rebuild the bridge,

With information that the House of Representatives has passed the same with amendments, in which the concurrence of the Senate is requested.

On motion of Mr. COLEMAN, the amendments were read twice, considered and concurred in.

CHANGE OF VENUE—AMENDMENT.

The Clerk of the House of Representatives being again introduced, presented an extract from the Journal of the House of Representatives, which was read as follows:

IN THE HOUSE OF REPRESENTATIVES, }
February 14, 1867. }

Resolved (if the Senate concur), That the Clerk of the House be directed to change the name of "Charles Morton" to that of "Charles Norton," where it occurs in bill No. 76 of the House, entitled An act to change the venue in the case of the Commonwealth of Pennsylvania vs. Jesse R. M'Carty, Joshua R. M'Carty and Charles Morton, from the quarter sessions of the peace of Sullivan county to the court of quarter sessions of the peace in Bradford county, which bill has passed both Houses, but not yet presented to the Governor.

On motion of Mr. LANDON, said resolution was twice read, considered and concurred in.

RETURN OF A BILL.

The Clerk of the House of Representatives being introduced, presented an extract from the Journal of the House of Representatives, which was read as follows:

Resolved (if the Senate concur), That the Governor be requested to return House bill No. 97, incorporating the Real Estate savings institute, to this House, for the purpose of special amendment.

On motion of Mr. WALLS, the resolution was read a second time, considered and concurred in.

PITTSBURG AND CONNELLSVILLE RAILROAD.

The SPEAKER. The special order of the afternoon is Senate bill No. 314, entitled An act to repeal an act of the General Assembly of the State of Pennsylvania, which became a law on the nineteeth day of August, one thousand eight hundred and sixty-four, entitled An act relative to the Pittsburg and Connellsville railroad company.

The first and only section of the bill was read as follows:

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same*, That the act of the General Assembly of the Commonwealth of Pennsylvania, which was passed on the twenty-ninth day of April, Anno Domini one thousand eight hundred and sixty-four, and which became a law on the nineteenth day of August, one thousand eight hundred and sixty-four, entitled An act relative to the Pittsburg and Connellsville railroad company, be and the same is hereby repealed and declared to be of no force or effect; and the Pitsburg and Connellsville railroad company is hereby required to put their road under contract within six (6) months, and complete the same to the State line, within three (3) years from the passing of this law, according to the route and plan delineated upon the map filed by the said company in the office of the Secretary of the Commonwealth: *Provided however*, That nothing herein shall be construed to prevent the Connellsville and Southern Pennsylvania railway company from building a road according to the terms of their charter, upon another route or location, and under their own or other franchises, than those pertaining to the Pittsburg and Connellsville railroad company.

Mr. GRAHAM. Mr. Speaker, before there is any further discussion upon this bill, I ask that the Clerk be permitted or requested to read the proceedings of a large citizens' meeting held in the city of Pittsburg, and the resolutions adopted at that meeting.

The SPEAKER. The Clerk will be kind enough to read the proceedings of a Pittsburg meeting relative to the Pittsburg and Connellsville railroad.

The Clerk read as follows:

"*Connellsville Railroad Charter.—Large and Influential Meeting of Citizens.—The Matter Fully and Freely Discussed.—The Legislature Asked to Re-Issue the Charter.—Committee Appointed to Visit Harrisburg.*

In accordance with the published call of Mayor M'Carthy, a public meeting of citizens was held last evening, at the Board of Trade Rooms, on Wood street, for the purpose of taking into consideration the proposed action of the Legislature in reference to the Pittsburg and Connellsville railroad, and the general interests of the city of Pittsburg. The attendance was very large, and a number of our most prominent merchants and business men were present.

The meeting was called to order by Wm. S. Bissell, Esq., upon whose motion John Shipton, Esq., was called to the Chair. The Chairman read the call issued by Mayor M'Carthy, and stated that the next business would be the appointment of Vice Presidents and Secretaries. The following gentlemen were chosen:

Vice Presidents—Messrs. James I. Bennett, John P. Pears, John M'Creery, N. Vieghtly, N. J. Bigley.

Secretaries—Reporters of the Press.

B. F. Jones, Esq., moved that a committee of seven be appointed to prepare resolutions for the consideration of the meeting. The motion was adopted, and the following gentleman appointed said committee: Messrs. B. F. Jones, James I. Bennett, John M'Creery, J. D. Scully, James M. Bailey, Wm. S. Bissell and Charles H. Armstrong.

During the absence of the committee, the Chairman stated that a bill had been reported in the Senate, conditionary that the road should be commenced within three months, and finished in three years. Not being conversant with the matter he hoped some gentleman would enter into an exposition of its provisions.

Colonel Biddle Roberts was called upon and stated that owing to his long absence from the City News was not familiar with the subject, but thought from what he knew of Harrisburg, that if the right kind of men were sent there to press the matter upon the Legislature, they could do more than the largest meeting or the strongest resolutions would effect.

George Shiras, Jr., Esq., supposed that the position of the Pittsburg and Connellsville railroad, and the particular occasion of the meeting was well understood in the community. The charter of the road was granted many years ago, and in view of the fact that the course of the Legislature appeared highly favorable to the route, our citizens had invested large sums of money to aid its completion. Two years ago, after its managers had advertised for proposals to finish the road, an effort had been made to take from it its charter, and a bill to that effect had passed both branches of the Legislature. The matter was brought before the United States circuit court, and after a fair and impartial trial, a decree was given in favor of the road. The act, however, still stands upon the statute books, and an effort is now being made to repeal it. The speaker concurred with Colonel Roberts that a committee consisting of citizens of weight and influence should be appointed to visit Harrisburg and urge the repeal of the bill.

Isaiah Dickey, Esq., desired to impress upon the meeting and the community the importance of repealing the bill. The speaker was at Williamsport when the case was tried, and the court, jury and witnesses appeared to be all on one side. They thought it strange that the case should be brought up, and appeared satisfied that the only object to view was to detain and embarrass the progress of the road.

C. D. Brigham, Esq., said that General J. B. Sweitzer was present, and suggested that the meeting would be glad to hear from him.

Gen. Sweitzer, in response, stated that he was heartily in favor of the Connellsville railroad, as it would prove, when completed, a great and lasting benefit to the city of Pittsburg and Western Pennsylvania. He did not believe that one man could be found in the community who would say a word in opposition to the road, unless directly interested in the great monopoly that desired to control the Commonwealth. He had no desire to mince matters, and would say that he alluded to the Pennsylvania Central railroad. It had become a by-word that no man, however great his capital, could enter into any public enterprise, without first propitiating Tom Scott and the Pennsylvania railroad. Is it not a burning shame that this great line

of industry should be ruled by a set of men who were using their official positions for their personal aggrandizement? The stockholders of the road did not make one solitary dollar, while it was an undoubted fact that those who controlled it made thousands. They wanted the control of the Connellsville road in order to get hold of the minerals along its line, and it was certainly time for us to make use of all the means in our power to defeat them. A bill was now before the Legislature to put the road again on its feet, and to push it forward to completion, and a proper committee should be appointed to go to Harrisburg and aid in its passage.

The Committee on Resolutions then submitted the following report:

WHEREAS, The Commonwealth of Pennsylvania, by the incorporation of the Pittsburg and Connellsville railroad company, and by a long course of friendly legislation in regard to the said company, invited and encouraged the city of Pittsburg, the county of Allegheny, various boroughs and counties of Southwestern Pennsylvania, the city of Baltimore, together with the citizens thereof, to expend large sums of money in the partial construction of the road of that company, with a view to the creation of an additional outlet to the commerce and products of the west; and whereas, the Legislature of Pennsylvania, at the session of 1864, did under the alleged abuse and misuse of their corporate privileges by the said the Pittsburg and Connellsville railroad company, undertake to revoke and recall certain powers conferred upon the said company, and to thereby convert the proposed national thoroughfare into an insignificant local road; and whereas, the Pittsburg and Connellsville railroad company have recently, after a thorough investigation before an impartial jury and a court of distinguished ability, demonstrated the charges of abuse and misuses of their corporate powers to have been false and groundless; and

Whereas, A bill to rescind the said unjust legislation of 1864 is now pending before the Legislature; therefore, be it

Resolved, 1. That the producers and manufacturers of the east and west have a vested right in a free and untrammeled communication with each other, and that any monopoly interfering with such right is unjust, oppressive, and contrary to the spirit of American institutions.

2. That we desire to hereby express our conviction of the national importance of the designed route of the Pittsburg and Connellsville railroad, our appreciation of the zeal and earnestness of the president and board of directors of that company, and our gratification at their recent successful vindication of the management of their company against charges of misconduct urged against them as a pretext for unjust and unconstitutional legislation.

3. That we call upon our particular representatives, and upon right-minded legislators from all parts of our State, by rescinding the improper legislation of 1864, to keep pure and unsullied the faith of the Commonwealth of Pennsylvania, pledged to these communities by a long course of legislation.

4. That while we claim that it is within the *power*, and is the consequent *duty* of the Legislature, by the passage of a judicious general railroad law, to greatly promote the welfare of all parts of our State, we do not recognize such a general law as by any means a substitute for the particular relief herein before demanded.

5. That the West have a vital interest in this question, and the interests involved are too great to be overshadowed, and that the question of untrammeled intercourse between tidewater and the Ohio, and the great lakes, demand the prompt removal of every obstruction.

6. That the time has come when the business of the western part of the State requires another outlet to tidewater, and that we must have the same rights that are given to the eastern part of the State; and that if the present opportunity should pass without the relief required being granted, that we recommend to the citizens of Pennsylvania, to make the subject of uncontrolled railroad legislation the basis of the next election for Representatives.

7. That a committee of twenty be appointed by the chairman of this meeting to carry a copy of these resolutions to Harrisburg, and to cause it to be laid before the Senate and House of Representatives.

Joseph E. King, Esq., moved that the report of the committee be adopted, and stated that he fully agreed with the resolutions. They were not abusive in their language, and did not charge faults upon others which properly belonged to us alone. No enterprise in the State had done so much to aid us as the Pennsylvania railroad, and it was only owing to the apathy of our citizens that the Connellsville railroad had not been completed. We had neglected our duty in this as in other public measures, and had literally done nothing to aid our railroads. The oil trade which, owing to our geographical position, properly belonged to us, is being carried to Cleveland, because the business men of Pittsburg had not sufficient energy or enterprise to improve the navigation of the Allegheny.

Mr. Shipton—Mr. King you must not say that we have done nothing for our railroads, until the four millions of dollars subscribed to them by the city and county has been paid.

The question on the adoption of the resolutions was then put, and carried unanimously.

The following gentlemen were then appointed as the committee provided for in the resolutions to visit Harrisburg:

Messrs. B. F. Jones, William S. Bissell, General J. Bowman Sweitzer, J. W. Riddell, P. H. Laufman, James M. Bailey, John A. Caughey, Alexander M. Watson, A. Garrison, John F. Dravo, John Black, Thomas M. Marshall, Jake Hill, A. Patterson, C. G. Hussey, C. D. Brigham, John M. Kirkpatrick, J. F. Richards, Alexander Miller, Thomas Moore.

The chairman announced that the train would depart for Harrisburg within an hour, and suggested that those members of the committee whose business arrangements would permit should leave at that time. The committee then retired to an adjoining room, and selected General Sweitzer as chairman.

There being no further business the meeting adjourned.

Mr. BILLINGFELT. Mr. Speaker, I would certainly not undertake to make any remarks on this question now before us, were it not for two reasons—one of which was brought about by the speech made by my colleague [General FISHER], and the other is from the fact that I have reason to believe my vote on this question, upon this occasion, will stand isolated and alone from that of the balance of our delegates in both branches of the Legislature.

The same fact existed three years ago, when the act now intended to be restored was then repealed, I then having the honor, in part, to represent my constituents in the House. It is true, the people of my great county are as yet not much exercised about this question. It is equally true that the main portion of them have other and, to them, more important matters to interest themselves in, than that of looking after the raging conflict between rival corporations; yet it is nevertheless a fact, that my constituents greatly prefer seeing their representatives here act wisely and justly, in all matters that may be presented to them during their legislative career. And whilst some of them may even now have their eyes upon us about this very question, others may hereafter search the *Record* and scrutinize our action, and finding that I alone, of our delegates, have voted contrary to that of my other colleagues, they may very naturally inquire for the reason, why this is so. This, to my mind, requires of me to give my reasons, and explain very briefly and to the best of my ability what governs my course of action on this subject.

I deem it unnecessary to go back and trace up the full history of this Pittsburg and Connellsville railroad company, and the various acts of the Legislature that brought it into existence and kept it alive until that memorable session of 1864, before alluded to, passed an act and killed it. Suffice it to say that company was chartered, as my colleague stated, thirty years ago, to build a railroad from Pittsburg to Connellsville, a distance of sixty miles. That far the road has been built—is in running order now—pays well and is of immense benefit, as well as a great blessing to that portion of the community through which it passes. It appears that by subsequent enactment they were allowed to extend the road through the counties of Fayette, Somerset and Bedford to the Maryland line—thence to connect with the Baltimore and Ohio railroad, and thereby shortening the distance to the city of Washington seventy miles—a great and undeniable advantage to all western travel to and from the capital of the nation.

We have already heard, through the able remarks made by various Senators on this floor, how indispensable the completion of this road is to its terminus—how vastly beneficial it will be to the people of the western and southwestern portion of this great Commonwealth—how rich in resources these counties are, through which this road is proposed to be built.

They seem to be unsurpassed in timber, in coal, and other mineral wealth.

And yet it seems they are to be deprived, through the act of an ungrateful Legislature, of the only means by which these resources are to developed, in denying them the poor privilege of completing this railroad, proposed to be built along the only practicable route, that will afford these injured people an outlet to reach a market. The inquiry very naturally arises, why is this so, how was it done, and why is it still to be persisted in?

Now, sir, I have been, from the very inception of this question in 1864 up to the present time, a disinterested individual as far as the different corporations engaged in the controversy are concerned. I am neither partial to the western nor the eastern portion of our great State. I have patiently listened to all the argument for and against this measure—both inside of this Chamber and outside, wherever parties wished to have my attention. My sole aim is to do equal and exact justice to all, and endeavor to prevent injustice being done to any.

This unfortunate state of affairs exists because of the inability of the Pittsburg and Connellsville railroad company to complete their road at a time when they were met with a train of misfortune, unavoidable on their part, such as the panic of 1857; the absconding of one of their officers with a quarter of a million of their funds, followed with the great and monster rebellion, which not only shook this nation of ours from centre to circumference, but paralyzed nearly every public enterprise in the country.

The wrong was done (for as such I shall

ever term it) during that never to be forgotten session of the Pennsylvania Legislature of 1864—when the charter of this company was repealed—at the instance of the Pennsylvania railroad company, and a new company chartered to complete the road at the very time when the Pittsburg and Connellsville railroad company had recovered from their shock—at the very time when they gave evidence of a replenished treasury—at the very time when they were receiving proposals and were ready to put the balance of their road under contract.

Their charter was repealed. The sick man was killed by a single blow at the very moment when his recovery was apparent, under the plea of misusing and abusing their charter—lawyers call it *non user*, I believe. I would strike out the word *non* in this case, and say because of the expected *user*. I firmly believe that had the *user* not been feared the *non user* would have never been thought of by those who were afraid of a rival route to the great west.

This great wrong is persisted in by whom? Not by the people along this proposed route, whom it is intended to benefit; not by the citizens of Philadelphia, whose interests are alleged to be endangered thereby; not by my constituents; not by the people in general throughout the Commonwealth; but, sir, by an already overgrown monopoly—the Pennsylvania railroad company, whose power is already co extensive with, if not greater than that of this great State of ours. I am a friend of all railroads, and would give my vote to further the projects of any and every railroad company that would come to the Legislature for all necessary rights and privileges. I am in favor of making a perfect gridiron of railroads all over the State. But, sir, I would not, by my vote and voice, assist either the Pennsylvania railroad company or any other company to paralyze the efforts of another corporation, who may have in contemplation the building of a necessary rival route. From all the information I can obtain, not only the members representing those districts immediately interested in this road, but the people in those districts, with a unanimity unsurpassed, are in favor of restoring the rights and privileges to the Pittsburg and Connellsville railroad company, of which they were unlawfully, unjustly and outrageously deprived; whilst, on the other hand, I see with my own eyes, and hear with my own ears, that the only parties who are most anxious to keep from this outraged company their undisputed rights is the Pennsylvania railroad company, their agents, their attorneys, and such other persons who are either directly or indirectly interested in that corporation. I am only alluding to those outside of this body, who are here now, and to others who have lately been here, clamoring to prevent this righteous legislation proposed by this bill.

I respect the energy and enterprise exhibited by the Pennsylvania railroad company. I will sustain it in all that is just and right. But, sir, I do protest against the manner in which they make their influence felt all over State.

This repealing act—which we propose to pass—reserves a right that will still enable the Pennsylvania railroad company to build a railroad—from the same point to any other point in the State.

It must be remembered when they repealed the charter of the Pittsburg and Connellsville railroad company, they immediately followed with an act to charter what is called the Connellsville and Southern Pennsylvania railroad company, with unlimited power, the privilege to occupy every inch of ground over the whole southwestern portion of the State, thereby preventing every other company to build a foot of railroad. Do not we all know that the Pennsylvania railroad company never yet asked for anything but what it was given to them? Have they not now chartered privilege to traverse this whole State with railroads?

Who but does not remember that when they purchased the Sunbury and Erie railroad, and were in trouble for want of means to complete it, the Legislature, in 1861, stepped forward—reached out a helping hand toward them—cancelled our first mortgage to the amount of three million five hundred thousand dollars, permitted the company to create a first mortgage to foreigners, while we were content to exchange those of the State for a second mortgage? And who fails to remember that during the same session, when this same Pennsylvania railroad company were in trouble, the same Legislature stepped forward to help them out, by not only repealing a solemn covenant—the payment of the tonnage tax—but, sir, in addition to that, exempted the company from the payment of nearly a million of dollars of tonnage tax that was then due and owing to the Commonwealth? All this was done—and how much more would have been done if it had been asked for? In view of all these facts, ought we not now show some magnanimity, by merely permitting an outraged people to recover their rights, of which they have been so unjustly deprived, because the Pittsburg and Connellsville railroad company had for a time been in the same dilemma as was the Pennsylvania railroad company? Let us wipe out of existence that unjust act of the session of 1864, which at one fell swoop, without cause and without even investigating the charges contained in the preamble of the bill, swept out of existence the dearest rights of the people in Southwestern Pennsylvania, only because this monster unlawfully so willed it.

A few words in regard to the remarks of my colleague, General FISHER, who seems to be so very closely attached to the interests of Philadelphia. He cannot be more so than I, and I glory in her prosperity, yet I cannot believe with him that this great State of ours should so far isolate herself from the rest of mankind as to prevent our railroads from connecting with those of other States for fear of building up rival cities. How long could Philadelphia continue to prosper under such a state of things? How could she have prospered had we fostered such a narrow-minded policy like the one under contemplation, of preventing the development of the resources in the southwestern counties, just because they may find an outlet to a market in a city of a neighboring State? Shall we deny the people in those counties the privilege of choosing whether they shall take their produce to the city of Philadelphia or to Baltimore and Washington? I am somewhat engaged in the manufacturing business myself, and will as readily send my goods to Baltimore as to any other place, provided I can obtain a fair price for them; and sir, where is the manufacturer or the merchant, either in Philadelphia or any other part of our State, who would hesitate to do the same? And yet if we should follow the advice of my colleague, we would be compelled to shut out all trade from other States and confine it within our own limits. My colleague alleges that the city of Philadelphia pays the quater portion of the taxes into the State Treasury. Can we wonder at that, since she persists, according to his argument, in preventing the development of the resources of the richest portion of our State?

Again, if we are to pursue the policy laid down by him, what need could we have to rebuild the Columbia bridge, which I hope may be completed without delay? And yet, sir, this very bridge is needed to complete a link in that great line of railway extending from New York to that very city of Baltimore. We certainly ought to be consistent. He very truly said that the "Old Guard" sent us to this body with the full confidence that we would faithfully serve them. The question very naturally arises, who of us serves them most faithfully on this important question? Either the one or the other must certainly be in the wrong. I leave it for them to decide. We both claim to have equal rights and to have justice done us; it is our duty, also, to mete out equal and exact justice to others. Our constituents are blessed with all the rights and privileges necessary for them to pursue the even tenor of their way. Whilst enjoying all these, shall we deny it to our sister counties, who are deprived of all because a great monopoly desires it?

I regret sincerely the inability of my colleague to give sufficient force to his argument without dragging in the name of our distinguished friend, Mr. Stevens, because a member of Congress from the southwestern part of the State thought proper to request him to call the attention of my colleague to this subject. Mr. Stevens did certainly not desire it. It was uncalled for. He also seems to be greatly exercised and troubled with what he terms the Ghost of Banquo, hovering around and shaking his gory locks at him. Of that I know nothing; I never saw it; it never troubled nor haunted me with a visit, nor have I heard a single Senator on this floor, during the whole course of their extended remarks on this subject, even intimate that he "did it." It must certainly be all imagination on his part, which is the most charitable construction that I can place upon his fears.

I, sir, have as yet found no sufficient reason to change my views upon this subject since 1864, and to satisfy me of the insincerity on the part of the Pennsylvania railroad company of their reasons as contained in that long string of preambles contained in the bill repealing said charter. I need only refer to the amendment offered by my friend, Mr. BIGHAM, of Allegheny, then a member of the House, to the bill proposing to charter the Connellsville and Southern Pennsylvania railroad company, to take the place of the Pittsburg and Connellsville railroad company, which was as follows:

"*Provided*, That if the Pittsburg and Connellsville railroad company put their road from the Maryland line, in Bedford county, to Connellsville, under contract, within three months, and expend at least one million and five hundred thousand dollars, within eighteen months from the passage of this act, and complete the road within two years and a half, then the rights, privileges and powers granted by the first section of this act shall be, and are hereby restored, to the construction of a road to connect with the Pittsburg and Connellsville railroad at Turkey Foot confluence, or any other point east thereof."

Which was rejected by a vote of ayes 26, nays 67.

This proves conclusively, to my mind, that the charter of the Pittsburg and Connellsville railroad company was not repealed for the reasons given in the preamble, nor for the reasons alleged by those opposed to reinstate the charter of the first named company.

In conclusion and in answer to another point or charge in the argument of my colleague, is the fact that the Baltimore and Ohio railroad company purchased at a low price and is now the owner of a portion of the stock or bonds of this Pittsburg and Connellsville railroad company. Is this an exception? Is not most of the stock as well as most of the bonds of the Philadelphia and Reading railroad, as well as of the Pennsylvania railroad company, now owned and

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[CONTINUED FROM PAGE 288.]

held by foreigners? And yet no complaint is made.

I say give to those people of the southwestern counties, as well as to all others who may need it, a liberal and fair opportunity of railroad facilities, no matter "who becomes the owner of its bonds or stocks." I shall cast my vote for the repeal of this act of 1864, which I consider one of the most flagrant acts of the Legislature upon our statute books. I do it, sir, with a full consciousness of the rectitude of my intention, and with the firm belief that in so doing, it will meet with the approbation of that great people of Lancaster county, whom I feel proud to represent in this body.

Let the record made by us on this question, both of my colleague and myself, go before that great people, and, sir, I am not afraid of their verdict.

Messrs. JACKSON, BROWNE (of Lawrence) and BIGHAM severally addressed the Senate. Their remarks are published in the *Appendix*.

EVENING SESSION.

The Senate met at 7½ o'clock, P. M.

Messrs. BURNETT, WORTHINGTON, DAVIS, LOWRY, BIGHAM, SEARIGHT, COLEMAN, LANDON and HALL, *Speaker*, severally addressed the Senate. Their remarks, with the remainder of the session, and the discussion on the Pittsburg and Connellsville railroad, will be found in the *Appendix*.

SENATE.

FRIDAY, February 15, 1867.

The Senate met and was called to order at 10 o'clock, A. M., by the SPEAKER.

Prayer was offered by Mr. GRAHAM, Senator from Allegheny.

On motion of Mr. CONNELL, the reading of the Journal of yesterday was dispensed with.

Mr. GRAHAM. Mr. Speaker, I move that the regular morning orders be dispensed with, and that we proceed immediately to the consideration of the Connellsville railroad bill. The friends of the bill think that, as we have consumed so much time in the discussion of this question, it would be best to consume as little time as possible upon it this morning, as I find there is a very general desire on the part of Senators to take up the private calendar.

The motion of Mr. GRAHAM was agreed to. The bill was read by its title.

On the question,

Will the Senate agree to the first and only section of the bill, as amended?

The yeas and nays were required by Mr. GRAHAM and Mr. RIDGWAY, and were as follow, viz:

YEAS—Messrs. Bigham, Billingfelt, Browne (Lawrence), Brown (Mercer), Coleman, Davis, Graham, Lowry, Searight, Stutzman, Taylor, Wallace and White—13.

NAYS—Messrs. Burnett, Connell, Donovan, Glatz, Haines, Jackson, James, Landon, M'Candless, Randall, Ridgway, Royer, Schall, Shoemaker, Walls, Worthington and Hall, *Speaker*—17.

So the question was determined in the negative.

Mr. M'CONAUGHY was excused from voting. His reasons therefor will appear in the *Appendix*.

During the call,

Mr. BURNETT said: Mr. Speaker, I desire to have an opportunity of stating to the Senate the reasons for my vote on this bill. I do not desire to occupy the time of the Senate; I would, therefore, ask leave to print my reasons for my vote in the *Record*.

Leave was granted.

Also, during the call,

Mr. COLEMAN said: Mr. Speaker, I would like to say two or three words, giving the reasons for my vote on this bill. There is a conflicting sentiment in my mind as to how I should vote on this subject; one strongly induces me to vote against the passage of this bill, because I see, if we continue in our action, in the repeal of this bill, it acknowledges a right which I am very desirous this Legislature should have in regulating and repealing obnoxious charters passed by previous Legislatures. It is a right we ought to have if we have not got it. We have, I believe, that right, under the present Constitution, in regard to charters passed since 1857; but with regard to this charter, it seems to me somewhat doubtful. From all the evidence brought forward by the decisions of the judges, it seems, to my mind, that we have not that right in this case, at any rate, without giving these parties a fair hearing, which we must acknowledge they did not have in 1864. I therefore would like very much to vote conscientiously on this subject, because it will give us power over all these corporations; and it is almost my hope that this thing will carry, and that the Supreme Court of the United States will so decide. But I fear that such will not be the result. I cannot conscientiously believe that we had the right, in 1864; I believe the act unconstitutional; I believe the Connellsville railroad company were deprived of their charter, without any hearing, and in the most unjust manner. However, I would like this precedent, because it would give us the power, which I am very anxious to obtain, over these corporations. It seems to me madness in the company, which, we all know, could force this legislation upon us, because it will give us power over that corporation, which many of us desire to have, and it seems to me madness on their part to urge this sort of legislation on any small corporation; because, Mr. Speaker, if they do succeed in this, the day will not be far distant when some of us, or our successors, can draw an equally beautiful preamble, and pass laws repealing charters. I hope that day may come soon, as I cannot conscientiously vote—I shall vote for the first section of this bill.

Also, during the call,

Mr. COWLES said: Mr. Speaker, inasmuch as I cannot vote on the bill to-day (having paired off), and do not wish to detain the Senate, I ask permission to print my reasons for my final vote in the *Record*.

Leave was granted.

Also, during the call,

Mr. LANDON said: Mr. Speaker, I desire to say one word. I have taken no part in the discussion of this measure. The word I wish to say is this: First, I desire to vote correctly. I shall be very sorry if my vote shall do injustice to any class of enterprising, high-minded men. In 1864 the Legislature repealed the Connellsville charter. Of the merits of this act I have said nothing; I have nothing to say now. After that repeal, the Connellsville charter men took their case to the court. They have received a decision upon their case, as I understand it, in their favor. The case is still in the hands of the court, undergoing investigation. Believing that, inasmuch as it is in the court, the court is competent to consider and adjudicate, and believing that there will be a speedy decision of the thing, and believing it better for that court to finally decide it than to reverse the legislation of 1864, I vote "no."

Also, during the call,

Mr. SCHALL said: Mr. Speaker, as it is desirable to go through this calendar to-day, I ask leave to have the reasons for my vote printed in the *Record*.

Leave was granted.

Mr. SHOEMAKER also made a similar request, which was granted.

Also, during the call,

Mr. TAYLOR said: Mr. Speaker, I ask leave to give one reason for my vote. The Senator from Adams [Mr. M'M'CONAUGHY] seems astonished at our opposition to railroad corporations. I expect my vote to show that I am in favor of at least one railroad corporation; and while the gentleman to whom I have alluded is amazed at the declamations against such corporations, it will be seen that he is himself opposed to at least one of them. Now, sir, I think that I am consistent in voting for this section of the bill, and, at the same time, saying that I am as much opposed to railroad corporations as is the gentleman to whom I have referred, though perhaps not so much in favor of a particular corporation as that gentleman may be. I am in favor of all the railroads needed by the State. Therefore, I vote "aye."

Mr. WALLACE, also, during the call, said: Mr. Speaker, I have refrained from saying anything upon the merits of this bill. My position upon it has been well understood. I voted against the bill to repeal the corporate franchises of the Pittsburg and Connellsville road, and shall continue to occupy the pos-

tion I then occupied. My reason for this is that I believe that Pennsylvania occupies the great thoroughfare from the West to the Atlantic seaboard; that we are in the position of a stop-gap to that passage; that it is our duty to provide for easy transit for the varied products of the world to the great valleys of the West, as well as their products in return; that a restrictive policy, administered by us, will tend to injure the people and the cities of Pennsylvania; that our geographical position compels us to open the way and not to block it; that our duties, as Pennsylvanians as well as members of the great family that composes the Republic of the United States, compels us to open the way; as Pennsylvanians, as citizens of the United States, as members of a great and powerful family, we should aim to bind these great and powerful States together by Briarean arms that shall reach from one sea to the other. I am against any policy that will shut up our State. I am for a policy that will open the door and invite the wealth of the entire Republic from seaboard to seaboard, the wealth of the entire world to pass through our borders. I am for a liberal policy on this subject, and I regard the repeal of the bill granting the Connellsville railroad the right of way through our limits, as an unjust bill, loaded with a fatal policy; and I shall therefore vote to repeal the bill that repealed its corporate franchises. I vote "aye."

Also, during the call,

Mr. WHITE said: Mr. Speaker, it seems to be common for Senators to give their reasons for voting. I had the privilege, the other day, of giving my reasons. I am satisfied with that; but I will just add one more reasons here. This is an act to repeal an act which repealed the charter of the Connellsville railroad company.

Now, sir, ever since I have been a member of this Senate, I have tried to be consistent in casting my votes upon the railroad policy of this Commonwealth. If any gentleman, from any section of the State, came to me, and told me that he had a railroad corporation for which he wished me to vote, I always, when I understood that its provisions were clear, and that it was in the hands of responsible parties, I always said, I am all right on that subject. I will vote for your bill. That has always been my rule. And I think that in my voting for this bill, which repeals the charter of a company, which had an existence for many years in this Commonwealth—a charter which was repealed at a time when there was every promise of a sure success—I think I would be consistent with the policy I have pursued all along, in voting favorably upon this bill. Guided by these reasons, I vote "aye."

Mr. CONNELL moved that the Senate reconsider the vote on the first and only section of the bill.

Mr. LOWRY moved to postpone the further consideration of the subject for the present.

Mr. RIDGWAY moved to amend the motion, by striking out the words "for the present," and inserting in lieu thereof the word "indefinitely."

The amendment was agreed to.

And the question recurring,

Will the Senate agree to postpone the further consideration of the subject indefinitely?

The yeas and nays were required by Mr. RIDGWAY and Mr. CONNELL, and were as follow, viz:

YEAS—Messrs. Burnett, Connell, Donegan, Glatz, Haines, Jackson, James, Landon, M'Candless, Randall, Ridgway, Royer, Schall, Shoemaker, Walls, Worthington and Hall, *Speaker*—17.

NAYS—Messrs. Bigham, Billingfelt, Browne (Lawrence), Brown (Mercer), Coleman, Davis, Graham, Lowry, Searight, Stutzman, Taylor, Wallace and White—13.

So the question was determined in the affirmative.

During the call,

Mr. BROWN (Mercer) said: Mr. Speaker, it does seem to me that this bill is killed dead enough, without trampling it under our feet after having thus slain it. It seems to me that the majority in this Senate ought to be sufficiently magnanimous to permit the consideration of the bill, after having resolved to reconsider, to lie by for a few days. I take it, that when a motion is made to reconsider, it is made in earnest. What time have we now for reconsideration, in case a motion follows to postpone indefinitely? It seems to me, the bill is dead enough for the present, and if the motion to reconsider is made seriously, let us have time to reconsider. I hope, in our cool, calm moments, we will resolve yet to do justice to this corporation. I therefore vote "no" on the motion to postpone indefinitely.

THE GENERAL FREE RAILROAD BILL.

Mr. RIDGWAY moved that the bill entitled An act to authorize the formation of railway corporations, be made the special order for Tuesday morning next, and that its consideration be continued until disposed of.

The motion was

Agreed to.

The SPEAKER stated that it should be understood that the consideration of the bill could not be proceeded with at that time until after the regular orders had been gone through with.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

The Clerk of the House of Representatives being introduced, presented for concurrence bills numbered and entitled as follows:

No. 149, an act to provide for the sale of seated lands for the non-payment of taxes.

Referred to the Committee on the Judiciary General.

No. 151, an act compelling the holder of a mortgage, &c., proceedings to collect it having been instituted, to assign it, &c.

Referred to the Committee on the Judiciary General.

No. 195, a supplement to an act to entitle the stockholders of any railroad company incorporated by the laws of this Commonwealth, accepting this act, to one vote for each share of stock, approved the 20th day of May, A. D. 1865, extending the same to bridge companies and hall associations.

Referred to the Committee on Railroads.

No. 215, an act relating to the Agricultural college of Pennsylvania, and to the establishment of experimental farms in connection therewith.

Referred to the Committee on Agriculture and Domestic Manufactures.

No. 235, an act to authorize the completion of the military history of the Pennsylvania volunteers.

Referred to the Committee on Finance.

No. 362, joint resolution relative to the printing of the Agricultural society's reports.

Referred to the Committee on Agriculture and Domestic Manufactures.

He also returned bill from the Senate numbered and entitled as follows:

No. 30, a supplement to an act relative to landlords and tenants, approved December 14, 1863, extending the provisions thereof to cases of descent and purchase,

With information that the Senate has passed the same without amendments.

He also returned bill from the Senate numbered and entitled as follows, to which the concurrence of the Senate is requested:

No. 59, an act to confer upon a lunatic or habitual drunkard the power to institute actions of partition.

On motion of Mr. DAVIS, the amendments were concurred in.

He also informed that the House of Representatives has concurred in the amendments made by the Senate to bill from the House of Representatives numbered and entitled as follows:

No. 360, an act to change the place of holding elections for Howard township to the school in the borough of Howard, in the county of Centre.

RECALL OF BILL FROM THE GOVERNOR.

On leave,

Mr. LOWRY offered the following resolution:

Resolved, That the Governor be requested to return to the Senate for amendment House bill No. 81, entitled An act relative to auctioneers in Erie county.

The resolution

Was adopted.

PRIVATE CALENDAR.

The Senate then proceeded to the second reading of bills on the private calendar, numbered and entitled as follows, and said bills were disposed as stated:

No. 253, an act to incorporate the National Deposit company.

Laid over.

No. 254, an act supplementary to an act entitled An act appointing commissioners to lay out and open a State road in the counties of M'Kean, Elk, Forest and Clarion, approved May 1, 1861, reviving the third section of said act, and authorizing the commissioners to borrow money.

Laid over.

House bill No. 94, an act relating to restaurants and beer houses in the county of Washington.

The bill was amended by adding a new section.

The title was also amended, and the bill

Passed finally.

House bill No. 96, an act to extend the provisions of the act to prohibit the granting of licenses to sell intoxicating drinks within the county of Potter, approved April 11, 1866, to the county of Beaver.

Passed finally.

No. 264, an act to incorporate the Pennsylvania Boat House association of Philadelphia.

Passed finally.

No. 273, an act to authorize courts to punish, by moderate fine, any Republican hotel keeper who shall refuse to entertain, with all the privileges of the house, any person on account of race or color.

Objected off.

No. 275, an act to provide an associate law judge of the several courts in the Twenty-first Judicial district.

Laid over.

House bill No. 121, a further supplement to an act increasing the fees of the several county officers of this Commonwealth, except in the city of Philadelphia and the counties of Allegheny, Bradford, Susquehanna and Sullivan, approved March 30, A. D. 1865.

Laid over.

House bill No. 43, an act to revive an act to empower the justices of the Supreme Court to supply defects in the titles to lands occasioned by the loss of deeds or writings respecting the same, or where they have been defaced or rendered illegible by time or accident, passed the 28th day of March, A. D. 1786, and its several supplements, and to extend the same to the county of Cameron.

Laid over.

No. 281, an act for vacating the old burial ground in the borough of Sewickley, and removing the bodies therefrom.

Passed finally.

No. 282, an act to extend the provisions of an act entitled An act to require the register of wills, in and for Luzerne county, to record in a book or books the appraisements, inventories and vendue lists of personal property, to the county of Monroe.

Passed finally.

No. 283, an act repealing a part of an act relating to the appointment of a county auctioneer for the county of Mercer.

Postponed indefinitely.

No. 285, an act authorizing the trustees of the proprietors of Hanover township, in Luzerne county, to collect and pay over moneys to the Central poor district.

Passed finally.

No. 286, an act to authorize the directors of the poor of Fayette county to buy and sell real estate.

Postponed indefinitely.

No. 287, an act relative to livery stable keepers in Mercer county.

Passed finally.

No. 288, an act relative to the clerk of the orphans' court, courts of oyer and terminer and quarter sessions, in Lehigh county.

Passed finally.

No. 289, an act to authorize the Governor to appoint an additional notary public for the county of Mercer, to reside in the borough of Sharon, in said county.

Amended, on motion of Mr. WALLACE, to authorize the appointment of an additional notary public for Centre county, to reside in Phillipsburg.

Passed finally.

House bill No. 120, an act authorizing the court of common pleas of Northampton county to appoint a trustee to make sale of certain real estate held in trust for A. Wolle & Co.

Passed finally.

House bill No. 116, a supplement to act to change the mode of criminal proceedings in Erie and Union counties, extending the same to the county of Warren.

Laid over.

No. 292, an act to increase the pay of assessors of Lehigh county.

Passed finally.

House bill No. 115, an act relating to the fees of the treasurer of the county of Snyder.

Laid over.

No. 295, an act relating to the duties of clerk of the orphans' court for the county of Dauphin.

Passed finally.

No. 296, a supplement to an act entitled An act to authorize the erection of a poor house by the township of Wilkesbarre, in Luzerne county, approved April 2, A. D. 1860.

Passed finally.

No. 297, an act to incorporate the Philadelphia coal company.

Objected off.

No. 298, an act to allow the Madera coal and improvement company to hold more land, and changing the par value of their stock.

Passed finally.

No. 299, an act to incorporate the Rob Roy gold and silver mining company.

Laid over.

No. 300, an act to incorporate the International patent fuel company.

Amended by adding the "Lackawanna clause," and

Passed finally.

No. 301, an act supplementary to an act to incorporate the Union hall association of Pottsville.

Passed finally.

No. 303, a supplement to an act entitled An act to incorporate the Penn gas coal company, approved the 1st day of March, A. D. 1861.

Passed finally.

No. 304, an act to incorporate the Atlantic brick manufacturing company.

Amended by adding the "Lackawanna" clause.

Passed finally.

No. 306, an act to incorporate the Wyoming Valley manufacturing company.

Passed finally.

No. 307, an act to authorize the Wyoming slate company to create and issue preferred stock.

Passed finally.

No. 308, an act to incorporate the Philadelphia Enterprise gold and silver mining company of Montana.

Passed finally.

No. 309, an act to establish a ferry over the Allegheny river in Warren county.

Passed finally.

No. 310, an act to establish a ferry over the Youghiogheny river, at Layton Station, in Fayette county, on the line of the Pittsburg and Connellsville railroad.

Objected off.

No. 311, a supplement to an act to establish a ferry over the Monongahela and Youghiogheny rivers, and to vest the rights in John M'Kee, his heirs and assigns forever, approved the 5th day of February, 1781.

Laid over.

No. 312, an act to extend the time for the payment of the enrollment tax upon an act entitled An act to authorize the Western Maryland railroad company to locate a portion of their road through Adams and Franklin counties, Pennsylvania, approved the 23d day of March, 1865.

Passed finally.

No. 316, an act to incorporate the Dickinson Run railroad and bridge company.

Passed finally.

No. 317, supplement to an act entitled An act to incorporate the Allentown passenger railway company, approved the 25th day of March, A. D. 1864.

Amended by adding several corporators.

Passed finally.

No. 319, an act to incorporate the Sandusky and Irwin Street bridge company.

Amended, on motion of Mr. BIGHAM, and

Passed finally.

No. 320, an act authorizing the supervisors of Jackson township, in Luzerne county, to collect, in money, one-third of the tax levied for road purposes, in said township.

Passed finally.

No. 321, supplement to the charter of the Chestnut Hill and Spring House turnpike company, authorizing said company to reopen old water courses.

Laid over.

No. 322, an act authorizing the supervisors of Blythe township, Schuylkill county, to make and repair the public road bridges and culverts in said township.

Passed finally.

House bill No. 12, an act to extend the provisions of the first section of the act approved the 11th day of April, 1866, relative to the regulating the fees of district attorney in Bradford county, to the county of Centre.

Laid over.

No. 115, an act for the more impartial selection of persons to serve as jurors in York county.

Laid over.

No. 143, an act to divide the Twenty-first ward, in the city of Philadelphia, into two wards, and to create a new ward, to be called the Twenty-eighth ward.

Amended.

Passed finally.

No. 144, an act to prohibit others than regularly licensed druggists and graduated physicians from vending and practising medicine in Mercer county.

Laid over.

House bill No. 44, an act to regulate the fees of the county treasurer of Northumberland county.

Passed finally.

No. 184, an act to change the name of the Carson gold mining company of North Carolina, and the par value of the stock of said company.

Laid over.

No. 185, a further supplement to the act to incorporate the city of Philadelphia, approved February 2, 1854, relative to vacancies in election officers.

Laid over.

No. 186, an act to regulate the rates of fare on certain passenger railroads, in the county of Allegheny.

Passed finally.

No. 196, an act regulating roads and bridges in Wayne county.

Laid over.

House bill No. 61, an act limiting the burgess and town council of the borough of Oil City, Venango county, in the levying and collection of taxes.

Passed finally.

House bill No. 112, an act to authorize the election of an officer, to be called constable and collector, in the several townships and boroughs in the county of Cameron, and regulate his duties.

Amended, on motion of Mr. WALLACE.

Laid over.

House bill No. 118, an act to extend the provisions of an act relating to costs in Luzerne county, approved the second day of April, A. D. 1863, to the county of Dauphin, with a proviso.

Objected off.

House bill No. 133, an act to authorize the school directors of Swatara school district, Dauphin county, to raise an additional building tax.

Passed finally.

BILLS CONSIDERED AND PASSED.

On motion of Mr. RANDALL, the rules were dispensed with, and the Senate proceeded to the consideration of bill entitled An act to incorporate the Philadelphia coal company, which bill had been objected off the private calendar.

The bill was read a second and third time, and

Passed finally.

On motion of Mr. WHITE, the rules were dispensed with, and the Senate proceeded to the consideration of bill entitled A further supplement to an act increasing the fees of the several county officers of this Commonwealth, except in the city of Philadelphia and the counties of Allegheny, Bradford, Susquehanna and Sullivan, approved March 30, A. D. 1865, which bill had been laid over on the private calendar.

In committee of the whole, [Mr. COWLES in the chair], the bill was read and reported to the Senate without amendments.

The bill was again read.

Mr. WALLACE said: Mr. Speaker, this is an important bill, affecting the entire State. There are but a few Senators here, and I trust that the bill will be allowed to lie over.

Mr. WHITE. Mr. Speaker, it is the extension of the act of 1865, which authorized the addition of twenty per cent. to the fees of all the county officers in this Commonwealth, excepting certain counties. The provisions of this bill are familiar to every person here. It is merely to continue the existing law. I would like to have it go over to third reading.

The bill was then laid over on third reading.

On motion of Mr. HAINES, the Commit-

mittee on Railroads was discharged from the further consideration of a bill entitled A further supplement to an act to incorporate the Mifflin and Centre County railroad company.

And the rules having been dispensed with, the bill was read a second and third time, and

Passed finally.

BILLS TO BE CALLED UP.

Mr. SEARIGHT gave notice that he would now call up the resolution fixing the time of final adjournment, unless objected to.

Mr. CONNELL. I object.

Mr. SEARIGHT. Then I will call it up early next week.

Mr. DONOVAN gave notice that he would call up, at the first opportunity, the bill in reference to the salting of the streets in the city of Philadelphia.

PERSONAL EXPLANATION.

Mr. WHITE having asked and obtained leave to make a statement, said:

Mr. Speaker, I ask leave to make a statement personal to myself. A few days ago, when the final vote was taken on the bill to punish by fine any railroad corporation within this Commonwealth for excluding persons from their cars on account of color, I was in the Executive chamber attending to some business for one of my constituents before the Governor.

In the whole fight of the bill, and about the principles involved therein, I was present and participated. The whole matter was settled by all the previous votes, and the final vote, after the bill had passed second reading, was a mere formality, and for the reason stated I was not in the chamber when the yeas and nays were called on the final vote. Everybody knows I am and have been most heartily in favor of the bill. I now ask leave to record my vote in favor of the final passage of the bill.

Leave was accordingly given.

On motion of Mr. DONOVAN, the Speaker adjourned the Senate until 7½ o'clock on Monday evening.

HOUSE OF REPRESENTATIVES.

FRIDAY, February 15, 1867.

The House met at 10 o'clock, A. M.

Prayer was offered by Rev. JACOB KENNEDY, member from Wyoming.

The SPEAKER announced a quorum of members present.

The Journal of yesterday was partly read, when,

On motion of Mr. DAVIS, the further reading of the same was dispensed with.

Mr. LEE. Mr. Speaker, I move that the rules be suspended, and that the House proceed to the consideration of Senate bill No. 324, an act relating to the Pennsylvania railroad company.

Mr. QUAY. I call for a division of the question,

On the question,

Will the House agree to suspend the rules generally? It was

Not agreed to.

MESSAGE FROM THE SENATE

The Clerk of the Senate being introduced, informed the House of Representatives that the Senate has concurred in the amendments made by House of Representatives to Senate bill numbered and entitled as follows, viz:

Senate bill No. 59, an act to confer upon the committee of a lunatic or habitual drunkard the power to institute actions of partition.

He also presented the following extract from the Journal:

IN THE SENATE, February 15, 1867.

Resolved (if the House concur), That the Governor be requested to return to the House of Representatives, for amendment, House bill No. 80, relative to auctioneers in Erie county.

PETITIONS AND REMONSTRANCES.

Mr. SHUMAN presented to the Chair a remonstrance from seventy of the inhabitants of Toboyne township, Perry county, against granting a charter of incorporation to New Germantown.

Referred to the Committee on Municipal Corporations.

Mr. MARKS, a petition from citizens of Philadelphia, praying for the passage of an act restraining the retailing of spirituous liquors in said city.

Referred to the Committee on Vice and Immorality.

Mr. EWING, two petitions from citizens of Washington county, praying for the passage of a free railroad law.

Referred to the Committee on Railroads.

REPORTS OF COMMITTEES.

Mr. KINNEY reported from the Committee on Ways and Means, as committed, bill No. 491, an act to exempt the parsonage of the Park Presbyterian church congregation, in the city of Erie, Pennsylvania, from taxation.

Mr. WORRALL (Military), as amended, bill No. 492, a futher supplement to an act to provide for the adjudication and payment of certain military claims, approved April 16th, 1862.

Mr. WOODWARD (same), as committed, Senate bill No. 225, an act to legalize a tax laid by the acting supervisors of Kingston township, Luzerne county, in 1864, for bounty purposes.

Mr. ALLEN (same), as amended, bill No. 494, an act to authorize the school board of North Hiedelburg township, in the county of Berks, to levy and collect an additional bounty tax.

Mr. DAY (same), as amended, bill No. 495, an act authorizing the supervisors of Green township, in the county of Mercer, to collect a tax and pay certain bounties, and refund money advanced to pay bounties.

Mr. ESPY (same), as committed, bill No. 496, a supplement to an act in relation to the payment of bounties to volunteers from the township of Farmington, Tioga county, during the late rebellion.

Mr. GALLAGHER (same), as committed, bill No. 497, an act to levy an additional tax in Sheffield township, Warren county, for bounty purposes.

Mr. GORDON (same), as committed, Senate bill No. 226, a supplement to an act to authorize the raising of money and payment of bounties to volunteers in the borough of Scranton, in the county of Luzerne, approved April 1st, A. D. 1864, to facilitate the collection of taxes levied for the liquidation of the bounty debt.

Mr. DAVIS (Federal Relations), as committed, Senate bill No. 259, a joint resolution requesting our Senators and Representatives in Congress to urge the passage of the pending tariff bill.

Mr. LEE (same), with a negative recommendation, No. 500, a joint resolution instructing our Senators and requesting our members in Congress to procure the passage of a law authorizing the National Government to reimburse the loyal States for all moneys advanced for the payment of bounties to volunteers during the late rebellion.

Mr. PENNYPACKER (same), as committed, Senate bill No. 109, a joint resolution protesting against the confirmation of Edgar Cowan as Minister to Austria.

Mr. BARTON (same), as committed, No. 502, a joint resolution relating to the reconstruction of the late rebellious States.

Mr. DAVIS (same), with a negative recommendation, bill No. 503, a joint resolution instructing members of Congress from this State to use their influence to repeal the act of Congress imposing a tax on State circulation.

Mr. WADDELL (same), as committed, bill No. 504, a joint resolution instructing our Senators and requesting our Representatives in Congress from this State, relative to the American Atlantic Cable telegraph company, for right of way from Bermuda to Cape Charles.

Mr. PHELAN (same), as committed, bill No. 505, a joint resolution instructing our Senators and requesting our Representatives in Congress to favor a repeal of the neutrality laws.

Also (Ways and Means), as amended, bill No. 506, an act to ascertain and appoint the fees to be received by the several officers of this Commonwealth.

BILLS IN PLACE.

Mr. FREEBORN read in his place and presented to the Chair an act donating one equal third part of the annual interest and proceeds, arising from the sale of the public lands, to the Polytechnic college of the city of Philadelphia.

Referred to the Committee on Ways and Means.

Mr. STUMBAUGH, an act for the relief of citizens of the counties of Adams, Franklin, Fulton, Bedford, Perry, York and Cumberland, whose property was destroyed, damaged or appropriated for the public service, and in the common defense in the war to suppress the rebellion.

Referred to the Committee on Ways and Means.

Mr. SEILER, an act to provide for the payment of the damages awarded the Harrisburg Park association, by reason of the occupation of their lands by the Commonwealth of Pennsylvania, under the act of May 15, A. D. 1861.

Referred to the Committee on Ways and Means.

Mr. MECHLING, an act for the relief of Major S. P. Townsend, of Armstrong county.

Referred to the Committee on Ways and Means.

Mr. DHISE, an act to exempt the bonds of the Great Island Lodge, No. 320, Independent Order of Odd Fellows, from taxation.

Referred to the Committee on Ways and Means.

Mr. WADDELL, an act directing the entry of liens for moneys due the Commonwealth on lands held by virtue of location or other office titles, requiring the survey of lands not heretofore surveyed and returned to the Surveyor General's office, and payment to be made for the same; and regulating the fees in the office of the Surveyor General.

Referred to the Committee on Ways and Means.

Mr. MARKLEY, an act relative to the assessment of personal property in this Commonwealth.

Referred to the Committee on Ways and Means.

Mr. HOFFMAN, an act relative to the claim of George Reed.

Referred to the Committee on Ways and Means.

Mr. WADDELL, an act for the relief of George C. M. Eicholtz, late register of Chester county, for moneys overpaid by him to the Commonwealth.

Referred to the Committee on Ways and Means.

Mr. GREGORY, an act relative to the Southwark library company of Philadelphia.

Referred to the Committee on Ways and Means.

Mr. SATTERTHWAIT, an act to exempt from taxation the property of the "Ladies' Soldiers' Aid of Weldon."

Referred to the Committee on Ways and Means.

Mr. SEILER, an act for the relief of Theo. Fenn.

Referred to the Committee on Ways and Means.

Mr. WHANN, an act authorizing the reduction of the capital stock of oil companies, and the equalizing of the taxes relative thereto.

Referred to the Committee on Ways and Means.

Mr. SHARPLES, a supplement to an act entitled An act relating to the lien of mechanics and others upon buildings, approved the 16th day of June, 1836.

Referred to the Committee on the Judiciary General.

Mr. THARP, a further supplement to the act to secure the rights of married women, &c., passed the 11th of April, 1848.

Referred to the Committee on the Judiciary General.

Mr. MANN, an act to prevent fraudulent insolvencies.

Referred to the Committee on the Judiciary General.

Mr. SEILER, an act enlarging the jurisdiction of the courts of quarter sessions, relative to roads and highways.

Referred to the Committee on the Judiciary General.

Mr. WINGARD, an act to regulate the practice of entering judgments and issuing process in the several counties of this Commonwealth.

Referred to the Committee on the Judiciary General.

Also, an act to authorize John DuBois to erect cribs and form a log harbor in the West Branch of the Susquehanna river.

Referred to the Committee on the Judiciary General.

Mr. MANN, an act to limit the lien of foreign attachments, and to regulate the manner of liquidating judgment on said writs.

Referred to the Committee on the Judiciary General.

Mr. M'CREARY, an act relative to the jurisdiction of and practice before justices of the peace, aldermen, burgesses, or mayors, and relative to affidavits of defense in appeals therefrom.

Referred to the Committee on the Judiciary General.

Mr. GALLAGHER, an act extending the jurisdiction of justices of the peace in this Commonwealth.

Referred to the Committee on the Judiciary General.

Also, a further supplement to an act concerning the sale of railroads, turnpikes, bridges and plank roads, aproved April 8th, 1861.

Referred to the Committee on the Judiciary General.

Mr. WEBB, a supplement to an act entitled An act to enable the Governor to appoint notaries public, &c.

Referred to the Committee on the Judiciary General.

Mr. COLVILLE, an act relating to pawnbrokers in Allegheny county.

Referred to the Committee on the Judiciary Local.

Mr. HARBISON, an act relating to the duties of the treasurer of Lawrence county.

Referred to the Committee on the Judiciary Local.

Mr. STUMBAUGH, a supplement to an act entitled An act to legitimate George Humphrey Stump and Abraham Harrison Stump, approved the 28th day of April, A. D. 1854.

Referred to the Committee on the Judiciary Local.

Mr. M'CREARY, an act relating to the fees of notaries public in Erie county.

Referred to the Committee on the Judiciary Local.

Mr. WRIGHT, an act relating to the appointment of road viewers and their duties, in the county of Snyder.

Referred to the Committee on the Judiciary Local.

Mr. ROUSH, an act to increase the compensation of the supervisors, assessors and auditors of the township of Gregg, in the county of Union.

Referred to the Committee on the Judiciary Local.

Mr. FOGEL, an act to authorize the commissioners of Lehigh county to borrow money.

Referred to the Committee on the Judiciary Local.

Mr. BRENNAN, an act relating to contractors in the county of Luzerne.

Referred to the Committee on the Judiciary Local.

Mr. M'HENRY, an act to authorize the Governor to appoint a notary public in the borough of Hazleton, Luzerne county.

Referred to the Committee on the Judiciary Local.

Mr. WINGARD, an act authorizing the commissioners of Lycoming county to borrow money to build a new jail.

Referred to the Committee on the Judiciary Local.

Mr. PHELAN, an act relating to hawkers and peddlers of ready made clothing in Greene county.

Referred to the Committee on the Judiciary Local.

Mr. THARP, an act to increase the pay of the county auditor and the supervisors and township auditors of the several townships of Northumberland county.

Referred to the Committee on the Judiciary Local.

Mr. HOFFMAN, an act to authorize the Governor to appoint two additional notaries public for the county of Dauphin.

Referred to the Committee on the Judiciary Local.

Mr. MAISH, a supplement to an act entitled An act in relation to huckstering in the counties of Bedford, Cumberland, Franklin, Fulton and York, approved the 18th day of May, A. D. 1866.

Referred to the Committee on the Judiciary Local.

Mr. CRAIG, an act to authorize and empower the Governor to issue a commission to Thomas M'Neish.

Referred to the Committee on the Judiciary Local.

Also, an act relative to the costs and fess of criminal cases in Carbon county.

Referred to the Committee on the Judiciary Local.

Mr. LINTON, a further supplement to an act increasing the fees of the several county officers of this Commonwealth, except in the city Philadelphia and the counties of Allegheny Bradford, Susquehanna and Sullivan, approved March 30th, A. D. 1865.

Referred to the Committee on the Judiciary Local.

Mr. PILLOW, an act repealing an act entled An act relative to the purchase of a law library in the county of Butler.

Referred to the Committee on the Judiciary Local.

Mr. KINNEY, a supplement to an act entitled An act increasing the fees of justices of the peace and constables in the counties of Bradford, Wyoming and Susquehanna.

Referred to the Committee on the Judiciary Local.

Mr. EWING, an act relative to the purchase of a law library in the county of Washington.

Referred to the Committee on the Judiciary Local.

Mr. KINNEY, a further supplement to an act to provide for the regulation and inspection of buildings in the city of Philadelphia, and for the better protection of life and property, passed the 7th day of May, A. D. 1855.

Referred to the Committee on the Judiciary Local.

Mr. GALLAGHER, an act providing for the election of an additional supervisor in Penn township, Westmoreland county.

Referred to the Committee on the Judiciary Local.

Mr. MEYERS, an act providing for the compensation of the commissioners of Northampton county.

Referred to the Committee on the Judiciary Local.

Mr. HUMPHREY, a supplement to an act entitled An act to authorize the erection of a poor house in the county of Tioga, approved the 12th day of March, A. D. 1866.

Referred to the Committee on the Judiciary Local.

Mr. WHANN, an act to authorize the auditors of Venango county to open and resettle the account of Henry Dubbs, late treasurer of said county.

Referred to the Committee on the Judiciary Local.

Mr. GALLAGHER, an act providing for the manner of electing school directors, supervisors, and township auditors, in the township of Penn, Westmoreland county.

Referred to the Committee on the Judiciary Local.

Mr. KENNEDY, an act to change the venue in the case of G. W. Scofield *vs.* Martin Brunges, from the court of common pleas of Wyoming county to the court of common pleas of Bradford county.

Referred to the Committee on the Judiciary Local.

Mr. CHASE, an act to authorize the school directors of Riceville, Crawford county, to borrow money, and for other purposes.

Referred to the Committee on Education.

Mr. DEISE, an act to authorize the school directors of the borough of Renovo, in the county of Clinton, to borrow money for building purposes.

Referred to the Committee on Education.

Mr. QUAY, an act to change the number of school directors in the township of Ohio, in the county of Beaver.

Referred to the Committee on Education.

Mr. HELTZEL, an act to annex the farm of Daniel Sell, of Germany township, Adams county, to the borough of Littlestown, for school purposes.

Referred to the Committee on Education.

Mr. CAMERON, an act to authorize the board of school directors of the township of Brooklyn, Susquehanna county, to levy and collect a tax to pay outstanding bonds, and for other purposes.

Referred to the Committee on Education.

Mr. THARP, an act to authorize the school directors of Lower Mahanoy township, Northumberland county, to borrow money for school purposes.

Referred to the Committee on Education.

Mr. SHUMAN, an act erecting the village of New Germantown, in the county of Perry, into a separate district, for school and road purposes.

Referred to the Committee on Education.

Mr. CHADWICK, an act to authorize the school directors of Harrison township, Allegheny county, to borrow money.

Referred to the Committee on Education.

Mr. PILLOW, an act authorizing the school

directors of the borough of Butler to transfer certain funds.

Referred to the Committee on Education.

Mr. GALLAGHER, an act to appropriate the excess of money collected for bounty purposes in the township of East Huntingdon, Westmoreland county, and directing the board of school directors in said township to use the same for school and building purposes.

Referred to the Committee on Education.

Mr. M'CREARY, an act relating to public schools in the borough of Wattsburg, in the county of Erie.

Referred to the Committee on Education.

Mr. STUMBAUGH, an act to authorize and require the school directors of Antrim township, in the county of Franklin, to refund to Joseph Snively and Jacob Shank, certain moneys advanced said township for bounty purposes, and to appropriate the balance of bounty funds in the hands of the treasurer to school purposes.

Referred to the Committee on Education.

Mr. CAMERON, an act to relinquish a part of a certain annuity for the benefit of school purposes in the borough of Susquehanna Depot, in Susquehanna county, with powers to sell and dispose of old school houses, &c., and build new ones.

Referred to the Committee on Education.

Mr. WINGARD, an act to authorize the payment of the salary of Hunter Comley, as brigade inspector.

Referred to the Committee on Military.

Mr. FOGEL, an act to legalize certain acts of committee and school directors of the township of Lower Milford, in the county of Lehigh, relative to the payment of bounties to volunteers.

Referred to the Committee on Military.

Mr. BOYLE, an act to authorize the school directors of Jefferson township, Fayette county, to levy and collect a bounty tax.

Referred to the Committee on Military.

Mr. PENNYPACKER, an act to authorize the recorder of deeds in the several counties of this Commonwealth to record the discharge of all honorably discharged officers and soldiers.

Referred to the Committee on Military.

Mr. DEISE, a supplement to an act entitled An act to incorporate the Bald Eagle boom company, approved the 13th day of April, A. D. 1859.

Referred to the Committee on Corporations.

Mr. MARKS, an act to incorporate the Pennsylvania society for the prevention of cruelty to animals.

Referred to the Committee on Corporations.

Mr. WINGARD, an act to incorporate the Lycoming trout, &c., improvement company.

Referred to the Committee on Corporations.

Mr. DAVIS, an act to incorporate the Carpenters' and Joiners' Protective and Beneficial Union, number one, of Pennsylvania.

Referred to the Committee on Corporations.

Mr. WORRALL, an act to incorporate the Paros coal mining and lumber company of Pennsylvania.

Referred to the Committee on Corporations.

Mr. GALLAGHER, an act to incorporate the Greensburg Masonic fund.

Referred to the Committee on Corporations.

Mr. WHANN, an act to incorporate the Oil City brewing company.

Referred to the Committee on Corporations.

Mr. KERNS, an act to incorporate the Mennerchor of the city of Philadelphia.

Referred to the Committee on Corporations.

Mr. M'CAMANT, an act to incorporate the Empire Hook and Ladder company, number one, of Altoona, Blair county.

Referred to the Committee on Corporations.

Mr. KINNEY, an act requiring the Auditor General to open the account of E. O. Goodrich, late prothonotary of Bradford county, for re-settlement.

Referred to the Committee on Corporations.

Mr. JONES, a supplement to an act for incorporating the German Reformed congregation, in the borough of Reading, in the county of Berks, enacted the 25th day of August, A. D. 1786.

Referred to the Committee on Corporations.

Mr. WILSON, an act to incorporate the Eagle cotton manufacturing company.

Referred to the Committee on Corporations.

Mr. BARTON, an act to charter the Linwood Mutual association of Delaware county, for insuring against horse stealing and detecting horse thieves.

Referred to the Committee on Corporations.

Mr. BARTON, an act to incorporate the Felton House company, at Thurlow, in the county of Delaware.

Referred to the Committee on Corporations.

Mr. WATT, an act to incorporate the Fifth Street market company of Philadelphia.

Referred to the Committee on Corporations.

Mr. LEE, an act to incorporate the Philadelphia grain, warehousing and drying company.

Referred to the Committee on Corporations.

Also, an act to incorporate the Resource domestic company.

Referred to the Committee on Corporations.

Also, an act to incorporate the Silver Bullion mining company.

Referred to the Committee on Mining and Manufacturing Companies.

Also, an act to incorporate the Big Creek mining company.

Referred to the Committee on Mining and Manufacturing Companies.

Mr. WADDELL, an act to incorporate the Octorara gold and silver mining company.

Referred to the Committee on Mining and Manufacturing Companies.

Mr. LEE, an act to incorporate the Empire and Gem mining, manufacturing and tunneling company of Nevada.

Referred to the Committee on Mining and Manufacturing Companies.

Mr. LEECH, an act to alter the line between Lawrence and Mercer counties, so that the farm of Edward Hanna shall all be in Mercer county.

Referred to the Committee on Counties and Townships.

Mr. DEISE, an act for the relief of Jane Leynn, widow of John Leynn, a deceased soldier of the Revolutionary war.

Referred to the Committee on Pensions and Gratuities.

Mr. BROWN, an act to enable the standing committee of the Protestant Episcopal Church of the Diocese of Pennsylvania to convey real estate in Mifflin county.

Referred to the Committee on Estates and Escheats.

Mr. COLVILLE, an act to annul the marriage contract between Henry Welsh and his wife Margaret.

Referred to the Committee on Divorces.

Mr. THARP, an act to annul the marriage contract between John Schneck, of the State of New York, and Margaret Schneck, of Northumberland county.

Referred to the Committee on Divorces.

Mr. QUAY, an act to annul the marriage contract between William C. Gray and Lucinda Campbell Gray, late Lucinda Campbell.

Referred to the Committee on Divorces.

Mr. BRENNAN, a supplement to an act to incorporate the Keystone coal and transportation company.

Referred to the Committee on Coal and Iron Companies.

Mr. LEE, an act to incorporate the Black Band iron and coal company.

Referred to the Committee on Coal and Iron Companies.

Mr. GHEGAN, an act to incorporate the Commonwealth iron company.

Referred to the Committee on Coal and Iron Companies.

Mr. MEILY, an act to incorporate the Keystone iron company.

Referred to the Committee on Coal and Iron Companies.

Mr. MAISH, an act to authorize the election of town supervisors in the townships of Dover and Manchester, in the county of York.

Referred to the Committee on Roads, Bridges and Ferries.

Mr SHUMAN, an act to regulate the width of mountain roads in Madison township, Perry county.

Referred to the Committee on Roads, Bridges and Ferries.

Mr. DAY, an act to establish a ferry on the Monongahela river at the borough of Greenfield, Washington county.

Referred to the Committee on Roads, Bridges and Ferries.

Mr. QUAY, an act to incorporate the Phillipsburg and Rochester ferry company.

Referred to the Committee on Roads, Bridges and Ferries.

Mr. LINTON, an act to authorize the Johnstown and Scalp Level turnpike company, of Cambria county, to increase the rate of toll in said turnpike.

Referred to the Committee on Roads, Bridges and Ferries.

Mr. CRAIG, an act to repeal an act entitled An act to repeal an act entitled An act extending the act relating to the selling of the repairing of the public roads in certain townships in Schuylkill county, to Mauch Chunk township, Carbon county, approved the 5th day of March, A. D. 1863.

Referred to the Committee on Roads, Bridges and Ferries.

Mr. KURTZ, a supplement to an act entitled An act declaring Forge run, in Centre county, a public highway.

Referred to the Committee on Roads, Bridges and Ferries.

Mr. DEISE, an act declaring Beech creek, in Centre and Clinton counties, a public highway.

Referred to the Committee on Roads, Bridges and Ferries.

Mr. MECHLING, an act authorizing the supervisors of roads of the township of Allegheny, in the county of Armstrong, to levy additional taxes for road purposes.

Referred to the Committee on Roads, Bridges and Ferries.

Mr. HUNT, an act to repeal an act entitled An act to view and lay out a State road in the counties of Clarion and Forest, approved the 11th day of March, A. D. 1863.

Referred to the Committee on Roads, Bridges and Ferries.

Mr. BOYLE, an act to establish a ferry over the Monongahela river, where the State road crosses the same at Greenfield, in the county of Washington.

Referred to the Committee on Roads, Bridges and Ferries.

Mr. MANN, an act to amend the road laws of Tioga and Potter counties.

Referred to the Committee on Roads, Bridges and Ferries.

Mr. CAMERON, an act relating to the election of supervisors in the township of Middletown, county of Susquehanna, and for other purposes.

Referred to the Committee on Roads, Bridges and Ferries.

Mr. HARBISON, an act to repeal the fifth section of an act entitled An act relating to roads and bridges in certain townships in the county of Lawrence.

Referred to the Committee on Roads, Bridges, and Ferries.

Mr. MECHLING, an act to incorporate the Armstrong savings bank.

Referred to the Committee on Banks.

Mr. BROWN, an act relating to public printing in the county of Juniata, and State of Pennsylvania.

Referred to the Committee on Printing.

Mr. KURTZ, an act to incorporate the Willow Bank and Burns Spring railroad company.

Referred to the Committee on Railroads.

Mr. WHANN, a supplement to an act incorporating the Farmers' land improvement and railroad company.

Referred to the Committee on Railroads.

Mr. QUAY, an act to repeal the act entitled An act to incorporate the Manufacturers' and Consumers' Athracite railroad company, and the supplement thereto.

Referred to the Committee on Railroads.

Mr. KENNEDY, an act to extend the provisions of an act to prohibit the granting of licenses to sell intoxicating drinks, within the county of Potter, approved April 11th, A. D. 1866, to the county of Wyoming.

Referred to the Committee on Vice and Immorality.

Mr. KURTZ, an act regulating licenses to eating houses or restaurants, in the county of Centre.

Referred to the Committee on Vice and Immorality.

Mr. ARMSTRONG, an act amending the charter of the municipal corporation of the city of Lancaster, and dividing the same into nine wards.

Referred to the Committee on Municipal Corporations.

Mr. DEISE, an act to authorize the borough of Lock Haven to erect water works.

Referred to the Committee on Municipal Corporations.

Mr. QUAY, an act to divide the borough of New Brighton into three wards.

Referred to the Committee on Municipal Corporations.

Mr. WILSON, an act in relation to grading, paving, macadamizing and curbing the streets, and paving the side-walks in the borough of M'Keesport, in the county of Allegheny.

Referred to the Committee on Municipal Corporations.

Mr. BROWN, a further supplement to an act, approved March 23d, 1865, entitled An act to provide for the erection of a poor house in the townships of Milford, Tuscarora, Spruce Hill, Tuscarora, Lack and Beale, and the boroughs of Perryville and Patterson, in the county of Juniata.

Referred to the Committee on Municipal Corporations.

Mr. MEYERS, an act providing for the purchase, erection and construction of public water works for the borough of Easton, Northampton county, by the corporate authorities of said borough.

Referred to the Committee on Municipal Corporations.

Mr. PILLOW, an act changing the number of overseers of the poor in the borough of Butler, and authorizing the overseers of said borough to make sale of certain real estate.

Referred to the Committee on Municipal Corporations.

Mr. WADDELL, an act relating to the borough of Kennett Square, in the county of Chester.

Referred to the Committee on Municipal Corporations.

Mr. M'KEE, a further supplement to an act incorporating the town of Lawrenceville into a borough, approved the 18th day of February, A. D. 1834.

Referred to the Committee on Municipal Corporations.

Mr. MECHLING, an act to vacate certain streets and alleys in the town of Van Buren.

Referred to the Committee on Municipal Corporations.

Mr. COLLINS, an act authorizing the town council of the borough of Mahanoy City to borrow money, and regulating the collection of taxes.

Referred to the Committee on Municipal Corporations.

Mr. CAMERON, an act to legalize the action of the burgess and town council, in the borough of Montrose, in the county of Susquehanna, and to fix the limits of said borough.

Referred to the Committee on Municipal Corporations.

Mr. LEE, an act to prevent injury to privy wells in the city of Philadelphia.

Referred to the Committee on Municipal Corporations.

Mr. KOON, a supplement to an act entitled an act to incorporate the city of Scranton, approved April 23, 1866.

Referred to the Committee on Municipal Corporations.

Mr. LONG, an act to vest the title of Market Square, in the borough of Mechanicsburg, Cumberland county, in said borough.

Referred to the Committee on Municipal Corporations.

Mr. SEILER, a further supplement to the act incorporating the city of Harrisburg, providing for authority to borrow two hundred thousand dollars.

Referred to the Committee on Municipal Corporations.

Also, an act to vacate a certain portion of ground on Sixth street in the city of Harrisburg.

Referred to the Committee on Municipal Corporations.

Mr. MARKS, an act appropriating ground for public purposes in the city of Philadelphia.

Referred to the Committee on Municipal Corporations.

Mr. ESPY, an act to prevent cattle, horses, &c., from running at large in the county of Crawford.

Referred to the Committee on Agriculture.

Mr. MECHLING, an act to extend the provisions of an act for the protection of sheep in certain counties, approved the 18th day of April, A. D. 1862, to the county of Armstrong.

Referred to the Committee on Agriculture.

Mr. HUMPHREY, an act to authorize the Tioga County Agricultural society to borrow money.

Referred to the Committee on Agriculture.

Mr. SHUMAN, an act to extend the provisions of an act entitled An act relating to the passage of fish in the Susquehanna river and certain of its tributaries.

Referred to the Committee on Agriculture.

Mr. THARP, an act relative to drainage of certain lands in Point township and the borough of Northumberland, Northumberland county.

Referred to the Committee on Agriculture.

Mr. SHARPLES, an act authorizing the Governor to appoint an inspector of fertilizers.

Referred to the Committee on Agriculture.

Mr. M'CAMANT, an act to extend to Allegheny township, Blair county, the provisions of an act to prevent swine from running at large in the township of Blair, in the county of Blair.

Referred to the Committee on Agriculture.

Mr. COLLINS, a supplement to an act for the better preservation of game within the county of Schuylkill, approved the 11th day of April, A. D. 1866.

Referred to the Committee on Agriculture.

Mr. JONES, an act for the protection and preservation of fish within the county of Berks.

Referred to the Committee on Agriculture.

Mr. RHOADS, a supplment to an act, approved the 11th day of April, A. D. 1866, entitled An act for the protection of farmers and land owners, and the prevention of the destruction of fences and crops by cattle, in the townships of Maiden Creek and Ontelawnee, extending the provisions of the same to the townships of Maxatawny and Hereford, in Berks county.

Referred to the Committee on Agriculture.

Mr. HARBISON, an act to repeal the fourth section of the act, entitled An act to incorporate the Pennsylvania State Agricultural society, so far as it extends to the county of Lawrence.

Referred to the Committee on Agriculture.

Mr. CHADWICK, an act to extend the provisions of an act for the better regulation of the Mercer County, Shenango Valley, Monour, and Allegheny County agricultural societies (relative to the prohibition of shows, erection of tents, booths, &c.), to the Pennsylvania Agricultural society.

Referred to the Committee on Agriculture.

Mr. HARBISON, an act to prevent cattle, horses, mules, sheep and hogs from running at large in Pulaski and Little Beaver townships, Lawrence county.

Referred to the Committee on Agriculture.

Mr. WINGARD, an act to re-enact an act, entitled An act to courage the destruction of noxious animals in certain counties, approved the 14th day of February, A. D. 1800.

Referred to the Committee on Agriculture.

Mr. ARMSTRONG, a supplement to an act to incorporate the borough of Columbia.

Laid on the table.

Mr. ALLEN, an act to repeal an act authorizing the board of commissioners of Sugar Grove township, Warren county, to levy additional road tax, approved February 17th, 1865.

Laid on the table.

Also, an act to repeal an act authorizing a public ferry over the Allegheny river in Warren county, approved April 10th, 1862.

Laid on the table.

Mr. EWING, a supplement to an act for the incorporation of the Merchants' National telegraph company, approved the 18th day of April, A. D. 1866.

Laid on the table.

Mr. ADAIRE, an act to incorporate the Union transfer company.

Laid on the table.

BILLS ON THIRD READING.

House bill No. 320, entitled An act authoriz-

ing the supervisors of Ulysses township to levy a tax to refund to Perry Lewis, in said township, the sum of four hundred dollars, it being for money advanced to volunteers,

Came up in order on third reading.

Mr. MANN. Mr. Speaker, I move that this bill be postponed for the present.

The motion was

Agreed to.

MESSAGE FROM THE SENATE.

The Clerk of the Senate being introduced, informed the House of Representatives that the Senate has concurred in the amendment made by the House of Representatives to Senate bill numbered and entitled as follows, viz:

Senate bill No. 197, a further supplement to the act to charter the Harrisburg bridge company, enabling the company to raise money to rebuild the bridge.

He also informed that the Senate has concurred in the resolution from the House of Representatives requesting the Governor to return House bill No. 97, incorporating the Real Estate savings institution, to the House of Representatives, for the purpose of special amendment.

He further informed the House that the Senate has concurred in the resolution from the House of Representatives, directing the Clerk of the House to change the name of Charles Morton to that of Charles Norton, where it occurs in bill No. 76 of the House, entitled An act to change the venue in the case of the Commonwealth of Pennsylvania versus Jesse R. M'Carty, Joshua R. M'Carty, and Charles Morton, from the court of quarter sessions of the peace of Sullivan county to the court of quarter sessions of the peace of Bradford county.

BILLS ON THIRD READING CONTINUED.

Senate bill No. 324, entitled An act to repeal an act entitled A further supplement to the act incorporating the Pennsylvania railroad company, authorizing an increase of capital stock and to borrow money, approved the 21st day of March, A. D. 1866, to authorize the Pennsylvania railroad company to increase its capital stock, to issue bonds, and to secure the same by mortgage, came up on third reading.

The bill was read as follows:

Be it enacted, &c., That the act entitled A further supplement to the act incorporating the Pennsylvania railroad company, authorizing an increase of capital stock, and to borrow money, approved the 21st day of March, A. D. 1866, be and the same is hereby repealed.

SEC. 2. That, for the purpose of retiring the present indebtedness of the Pennsylvania railroad company, whether by bond or otherwise, providing the facilities required by the increase of the business of said company, upon its road and connections, and for such other purposes connected with its business as the board of directors of said company may deem expedient, it shall be lawful for the said board of directors, from time to time, to issue additional shares of capital stock of said company to such amount as they may determine, and to apportion or dispose of the said shares in such manner and upon such terms as they may think best; and, also, for either or all of the said purposes, to issue, from time to time, bonds of the said company, payable at such time as they may appoint, bearing interest at a rate not exceeding six per centum per annum, with or without provision for the payment, by the company, of any or all taxes on the principal or interest thereof; and to secure the said bonds by one or more mortgages of the whole or any portion of the railroad, estate, real and personal, and corporate rights and franchises acquired, and to be acquired, of the said company: *Provided, however*, That no bond shall, at any time, be issued in excess of the amount of the capital stock of the said company, outstanding at the time of such issue; but any such mortgage or mortgages, may, at the option of, and to the amount fixed by the said board, be made to secure with some rights, lien and privileges, bonds which subsequent increase of capital stock may enable the said board to issue, as well as to those which may lawfully be issued, at the date of the execution of said mortgage.

SEC. 3. That any mortgage or mortgages, executed and delivered as authorized by this act, shall be recorded in the office of the recorder of deeds for the city and county of Philadelphia, and shall thereupon, without further record, be a lien on the property mortgaged, wherever situated, as fully and effectually as if it had been recorded in each of the several counties in which the mortgaged premises, or any part thereof, are or may be situated.

Mr. MEYERS. Mr. Speaker, I ask that the bill of 1865, which is proposed to be repealed by this act, be read for the information of the House.

The bill was read as follows:

No. 249, a further supplement to the act incorporating the Pennsylvania railroad company, authorizing an increase of capital stock, and to borrow money.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same*, That the board of directors of the Pennsylvania railroad company shall have authority to increase, from time to time, the capital stock of the company; such increase not to exceed two hundred thousand shares.

SEC. 2, That the board of directors of the Pennsylvania railroad company, for the purpose of retiring their present mortgage bonds at maturity, increasing their motive power and cars, and providing suitable facilities along the line of their road, and at Philadelphia and Pittsburg, for the reception and accommodation of travelers, and storage of freight, and for other purposes necessary for, and connected with, the business of said company, be, and they are hereby, authorized to borrow, from time to time, such sums of money as they may deem needful, and to issue bonds therefor, in sums of not less than one hundred dollars, with coupons attached, bearing interest at the rate of six per centum per annum, and to secure the same by a mortgage of their railroad, constructed, or to be constructed, and all their property, real and personal, acquired, and all their corporate rights and franchises; *Provided*, That the amount of loans, hereby authorized shall not, at any time, exceed the amount of capital stock paid in.

(Signed) E. W. DAVIS,
Speaker *pro tem.* of the House of Representatives.

(Signed) DAVID FLEMING,
Speaker of the Senate.

Approved the 21st day of March, Anno Domini one thousand eight hundred and sixty-six.

(Signed) A. G. CURTIN.

Mr. MEYERS. Mr. Speaker, the House will recollect that this bill came up the other day under a suspension of the rules, and that the House then refused to further suspend the rules for the passage of the bill. My suspicions that were aroused by hearing the bill read, are confirmed to some extent as to the nature and character of this bill, and also as to the nature and character of the bill proposed to be repealed by the first section. Now, I am the last man upon this floor to cripple in any way a large public work. I am willing that the Pennsylvania railroad company, as well as any other company, shall have privileges to the full extent of its necessities, so far as they do not encroach upon the rights and privileges of others.

It is a fact, Mr. Speaker, notorious in the history of the Legislature of Pennsylvania, that not a single bill of the Pennsylvania railroad company is ever placed upon the private calendar, but every bill, either in this House or in the other, is passed by suspension of the rules, or placed upon the third reading, and the privilege not given to have the bill printed. I am at a loss to know why this is so. It was at least my experience here last winter, and it is known to be a notorious fact, that while almost every other local bill uncertain in its character must travel along the record over and over again, and must be placed properly on the calendar and printed for the instruction of the House, before it can pass here. But this corporation uniformly, and almost defiantly pass their bills through this House without having them printed. In other words, they put them in such a shape that they cannot be printed without the direct and positive action of the House. I am not opposed to the Pennsylvania railroad company having their capital stock increased, but I am opposed to this kind of legislation. Last winter, upon the assumption that they wanted to increase their capital stock for the purpose of retiring a portion of their indebtedness, they had the Legislature pass a bill authorizing them to issue stock to the amount of one million of dollars, and to issue bonds to the number of two hundred thousand. Now, what I am opposed to is, that, after they have taken advantage of that act, certain men, acting under the authority of that company, should come here and ask to have that act repealed, and that they shall have unlimited power in the increase of their stock. Nothing short of that is contained in this bill, to give to that company the power to issue stock to any amount that they desire, whether it be ten, twenty, or five thousand millions of dollars. The reasons urged for that are spread upon the act and are spread upon it in such a way that it is impossible to tell what the object and purpose of the bill is.

"That for the purpose of retiring the present indebtedness of the Pennsylvania railroad company, whether by bond or otherwise, providing the facilities required by the increase of the business of said company upon its road and connections, and for such other purposes connected with its business, as the board of directors of said company may deem expedient, it shall be lawful for the said board of directors, from time to time, to issue additional shares of capital stock of said company to such amount as they may determine and to apportion or dispose of the said shares in such manner and upon such terms as they may think best."

Here is given, by the express sanction of this Legislature, if this bill is passed here, the power to the Pennsylvania railroad company to issue stock to any amount that they choose. Who has ever before heard of such legislation in this House? When has there ever been a bill passed which did not fix a limit to the amount of capital stock to be issued by an incorporation? If the Pennsylvania railroad company require additional stock to be issued to raise money for the purpose of retiring a portion of their debt, or for the purpose of increasing their facilities and their business upon the road, let those facts be set forth, and let us know the figures in reference to the stock they want to issue, and if the representations are reasonable and plausible, and likely to be true, let the House

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[CONTINUED FROM PAGE 290.]

grant them what is asked. Personally, I desire to throw no obstacle in the way of this road, but when they come here, after having received the benefit of the act passed last winter, giving them power to increase their capital stock (and I do not know how many more have been passed before for the same purpose), I am opposed to giving them power now to issue stock for all time to come, and to an unlimited amount. And when you do so, you do it for what purpose? As the bill says:

"That for the purpose of retiring the present indebtness of the Pennsylvania railroad company, whether by bond or otherwise, providing the facilities riquired by the increase of the business of said company upon its road and connections, and for such other purposes, connected with its business, as the board of directors of said company may deem expedient."

Now, that is very general in its terms. This company require a large amount of material in the transaction of its business. They require iron, they require coal, they require rails, they require locomotives, they require cars, and it may be that they would put such a construction upon this act as to enable them to engage in any kind of business, which, in any way or form, may be connected with their business, for the purpose of using that immense capital they ask to be issued. What would be the result to the proud Commonwealth of Pennsylvania? Is it not to-day subservient to the power of this soulless corporation? If we do not stop somewhere I believe that in less than twenty-five years it will be dragged down, and tied hand and foot under this power, and that all the interests, all the rights, all the privileges that we have demanded of this Legislature as right, to which the people are entitled, can only be granted at the instance and recommendation of this soulless power. Now, sir, they not only ask by this bill the power to increase their capital stock, but they further ask the power to issue bonds to an unlimited extent.

"And for such other purposes connected with its business as the board of directors of said company may deem expedient, it shall be lawful for the said board of directors, from time to time, to issue additional shares of capital stock of said company, to such amount as they may determine, and to apportion or dispose of the said shares in such manner and upon such terms as they may think best; and, also, for either or all of the said purposes, to issue, from time to time, bonds of the said company, payable at such time as they may appoint, bearing interest at a rate not exceeding six per cent. per annum, with or without provision for the payment by the company of any or all taxes on the principal or interest thereof, and to secure the said bonds by one or more mortgages of the whole or any portion of the railroad's estate, real and personal, and corporate rights and franchises acquired, and to be acquired, of the said company: *Provided, however*, That no bond shall, at any time, be issued in excess of the amount of the capital stock of the said company, outstanding at the time of such issue; but any such mortgage or mortgages may, at the option of and to the amount fixed by the said bond, be made to secure, with the same rights, lien and privileges, bonds which a subsequent increase of capital stock may enable the said board to issue, as well as to those which may lawfully be issued at the date of the execution of said mortgage."

Thus you will see, Mr. Speaker, that in addition to this grant of power to issue stock to an unlimited extent, they demand an additional privilege to enable them to issue bonds to an unlimited amount. In other words, it provides that not a single bond issued—it does not say all the bonds, mark you, but not a single bond—shall exceed in amount the capital stock outstanding, but, at the same time, they can issue bonds to an unlimited number. It amounts to placing in the hands of this corporation a power unlimited in extent and incalculable in its effects; for, if its effect is evil when that power is weak, what will be the effect when that power is great? Why, sir, it cannot be measured by the imagination of man; it can only be measured by the consequences which must fall upon the people of this Commonwealth, when it is too late to rectify the evil we have authorized.

Whoever drew this bill, Mr. Speaker, played well the part of a diplomatist, and kept well in view the rule laid down for the guidance of those persons, that the object of a diplomatist is not to put his ideas in language to be understood, but in language to conceal them. I have always thought that when a law is to be spread upon your statute books, the first idea was to clothe it in the shortest, briefest language, easy to be understood, easy to be comprehended, that there may be no question about its meaning, and that when it required interpretation the plain common sense of a common mind would at once understand its force and the extent of the power it conferred. What does this provision mean?

"*Provided however*, That no bond shall at any time be issued in excess of the amount of the capital stock of the said company outstanding at the time of such issue, but any such mortgage or mortgages may, at the option of and to the amount fixed by the said bond, be made to secure, with the same rights, lien and privileges, bonds which a subsequent increase of capital stock may enable the said board to issue, as well as to those which may lawfully be issued at the date of the execution of said mortgage."

I never before saw such language in my life, I am unable to understand its meaning or signification.

Now, if some person who is acquainted with this bill will tell me what it means, and the extent of that proviso, or tell me wherein exists the necessity of the unlimited power to issue bonds and stock for the purpose of retiring their indebtedness and increasing the business facilities of the road, then, sir, I am willing to vote for the bill. But unless that can be shown, I shall insist that this bill shall be defeated, or, if not defeated, that it shall be so amended as to limit the issue of stock to a reasonable amount.

Mr. LEE. Mr. Speaker, I do not intend to occupy much of the time of this House in reference to this matter, for I do not think it is necessary. The gentleman's bugbear of his own conception has not scared me. The gentleman's wholesale charge of corruption does not disturb my equanimity at all. I have no apprehension that this company, or any other company that can be organized by this Legislature, that any creature of this body can get control of the State of Pennsylvania to such an extent as to lead it to its ruin. That is simply absurd, and simply ridiculous, and it is only used here for the purpose of scaring men out of their propriety, and convincing the majority of this House that it is not proper to do anything against the wishes of the gentleman from Northampton [Mr. MEYERS]. I am not one of those to participate in that apprehension at all, and that gentleman does not entertain that apprehension in any way or degree, because that charge can only be sustained by the broad proposition that by influences that are improper and corrupt that this railroad company can get advantages here such as he talks about.

Now, sir, what does this bill provide? It provides about precisely, and in almost the same terms, what the bill of last winter did, that this company shall be authorized to issue stock for legitimate purposes to promote the operations of that road. I take it, that it provides for nothing more—nothing less. The idea that this company, or any other company, would issue stock to the extent of five thousand millions of dollars, and bonds to the same extent, is absurd as an argument, and has no force in it, because the men are not fools that are operating in this matter. What do they want of five thousand millions of stock or five thousand millions of bonds, or any amount of stock or bonds in excess of what the necessities of the road absolutely require? And that is all the bill proposes to give them. The gentleman had much to say about this road coming here last winter and having a bill passed, and that after having derived all the advantages of that law, they now seek the passage of another bill. I am authorized to say that nothing was done under that law of last winter, and for this reason: It was found, as will be apparent upon reading the bill, that the bank stockholders in the city of Philadelphia to the extent of five millions of dollars, were not entitled under the act to receive any of this stock or to participate in the advantages of this bill. That was so determined by the solicitor of this company. In order to give that

advantage to the stockholders of the city of Philadelphia is mainly the reason why this bill is introduced. I cannot say, as the gentleman did, that there is anything else. He says that it is impossible for anybody to understand this bill, and that it is written by the hand of an astute diplomatist. If that is true, then why did the gentleman waste an hour's time of this House elucidating and portraying the enormities of a thing that no man can understand?

Mr. MEYERS. I did not say that of the whole bill, but only of a part of it.

Mr. LEE. Then why say anything about it if neither he nor anybody else could understand it?

Mr. MEYERS. I did not say anything about a portion of it, because I am afraid there is a snake in it.

Mr. LEE. What kind of a snake?

Mr. MEYERS. Well, a copperhead.

Mr. LEE. Mr. Speaker, it is the practice of some whose vision is jaundiced to see a snake in everything they do not approve of themselves. Everything presented here, however fair and proper, that he does not favor appears to him to have a snake in it. Those who are so very familiar with those reptiles seem to be troubled with them in their dreams as well as in their waking hours. What this company wants is the power to increase its facilities so as to better carry on the business that it is doing for this Commonwealth and other States. But the gentleman says, "give us the exact penny; tell us exactly how much you want." It is as literally impossible for them to do that as for me to tell him how much the gentleman shall eat between this and the first of January next. This company cannot tell. How shall they tell how many passengers will come up here to-morrow from Philadelphia? How shall it tell how great facilities it will want during the coming year, or during any coming time? How shall it tell how many rails and crossties, and this, and that, and the other thing it will want? It cannot possibly arrive at a knowledge of the contingencies, and hence the propriety of this bill. They ask for that which the purpose and object of the road require them to do, the power to accommodate the people, and I trust that this House will not be scared out of its propriety by this five thousand million idea of the gentleman from Northampton, for it amounts to nothing. Talk about diplomacy! I look upon that as a sheer piece of diplomacy. This bill is fair and just in its provisions, and asks for nothing but what is absolutely necessary for the accommodation of the people along the line of this road, and those who feel disposed to ship over it. This company desire to do that which will promote the interests of this State, and I trust this Legislature will enable them to do so.

Mr. SATTERTHWAIT. Mr. Speaker, my objections to this bill are not that I am scared or anything of that sort, but I do not like to vote for a bill that I cannot understand. The other day, when this bill came up, we had had no opportunity to examine it, and we asked that it might be printed that we might learn the provisions contained in it. The gentlemen having charge of the bill refused us that favor. It does seem to me that the bill is worded in language so obscure that it is almost impossible to understand it with the bill before you. If the matter asked or by this company is so simple in its features as the gentleman from Philadelphia [Mr. LEE] has stated—a simple proposition for the power to increase their capital stock—why could they have not asked that in plain terms? I think I could have expressed that in three lines, and given the city of Philadelphia the right to take stock too.

It does seem to me there must be something more in this bill; something that is not so simple. If I can make anything out of it, from hearing it read, there is some provision exempting the bonds from taxation, if they see fit to do so, and a great many other things that I cannot properly understand. I will not vote for this bill until I can see it printed and examine it, and then, if I find nothing more in it than the gentleman from Philadelphia has stated, I will be willing to favor it. I am in favor of giving this, and every other great public work, all the conveniences it wants. But I am opposed to and cannot favor this kind of legislation.

Mr. BOYLE. Mr. Speaker, I have determined to make it a rule that I will not vote for any railroad matter that I do not understand. You will remember that during the last session of the Legislature a bill was introduced here relative to the Philadelphia and Erie railroad, which was spurred and whipped through under a suspension of the rules. I happened, and so happened merely by chance, to vote right on that bill, while nine-tenths of the members of the House, I think, voted wrong, and a very considerable number of those who voted for the bill changed their votes after they saw what it was. It had the biggest kind of an anaconda in it. Then there was another bill in reference to what was called the Manufactures' and Consumers' Anthracite company, or something of that kind. It was introduced and rushed through in the same way and no man knew what was in it. That is, perhaps, a little too broad an assertion, however, for I suppose some did know what was in it, but some who voted for it did not. Now, I mean to vote for no bill of this character, no bill that has the odor about it that this one has, until I see it and examine it. This bill was introduced here the other day, in a very innocent sort of a way, and there existed the most overwhelming reasons why it should pass at that time, and we were told by the gentleman from Philadelphia [Mr. LEE] that if it did not pass that particular day it would not make a particle of difference whether it passed at all or not.

Mr. LEE. Mr. Speaker, I think the gentleman must have misunderstood me. He is wrong in his statement, and wrong in his premises. In the first place, I did not say that about it, and in the second place, I did not introduce the bill.

Mr. BOYLE. Mr. Speaker, I think the gentleman introduced the bill, and I leave it to him to say if he did not make the statement that there was to be a meeting of the directors of the company the next day, and if the bill did not pass in time for them to receive it at their meeting it would be of no use.

Mr. LEE. That is true, about half of it. I did say it was important they should have it at that time, and it is now, because the directors have adjourned from day to day awaiting the action of this House.

Mr. BOYLE. Mr. Speaker, I would then suggest that they continue to adjourn from day to day until we have an opportunity to have the bill printed and examine it. And I shall insist that the directors of the Pennsylvania railroad company shall go on adjourning from day to day until we can know what we are doing, before we pass this bill for them. I am acting under oath, and I am not going to vote in the dark for something that I do not understand to accommodate the directors of the Pennsylvania railroad company. The people of my section are under no obligation to the Pennsylvania railroad company or the officers of that company. I think I shall vote against this bill in the end, and I certainly shall unless it is printed and we have an opportunity to examine it. It does, I believe, what has never knowingly been done in this body before.

It authorizes this company, already overwhelmingly overgrown, and already controlling much of the legislation of this State, to increase its capital stock without limit. It is true that one or two mining bills introduced here did the same thing, but the case was different with these companies. This bill allows this company, already having a gigantic power in this State, and growing every day, to increase its capital stock without limit, and thereby increase its power in the same proportion. That is one reason why I shall vote against it. Then, it seems to contain some mysterious provisions (which, however, may be plain enough upon consideration), giving this company the right to issue bonds of an amount not exceeding its capital stock, and to secure these bonds by mortgages, and makes some arrangement about paying taxes upon them by the company, or by the holders, or perhaps by nobody at all. I do not understand it, and I want the bill in good plain letters, in good round print, that I may see just what it does mean in reference to the taxation of this issue of an unlimited amount of stock and bonds. Then, there is another objection. It allows that these bonds, so issued, shall be secured by mortgages on the property of the company, wheresoever situated. This company owns property in one county and another all over this Commonwealth, and in a very considerable number of counties it owns real estate.

Now, the third section of this bill requires that the mortgage shall be recorded in the city of Philadelphia, and, of course, it takes precedence as a lien upon that property wherever situated. Now, that company owning property in Fayette county and having mortgages recorded in Philadelphia against it, any persons in Fayette county desiring to purchase that property have no way of knowing whether that property is encumbered or not. That information cannot be obtained in the county of Fayette, and mortgages to any extent may exist against it in Philadelphia which they know nothing about.

Mr. LEE. I would like to ask the gentleman, if he was going to buy a piece of property from this company, which they alone had the right to sell, if he would not look out for this matter of encumbrance?

Mr. BOYLE. I do not want to be obliged to go to the city of Philadelphia to get the information. I want this company to be situated like any other land seller in Fayette county, required to record the encumbrances on their property in the county.

I will vote against this bill if it is forced to a passage now, and I think I will vote against it if it is allowed to go over for the present. But I demand here that this bill shall be printed, and shall not be forced through now, as a right due the members of this House, that we shall have an opportunity, before acting upon it, to examine such a bill as this, that may vitally affect the interests of the State.

Mr. LEE. Mr. Speaker, then I understand that no further action can be had upon this bill at all if that demand is enforced. If that demand is to control a majority of this House we might just as well stop here. That will do as a piece of rhapsody, but, I suppose, whatever the gentleman may demand, if I interpose my demand here, it will be just as good as his. I suppose what a majority of this House says about it will be the law, whatever the gentleman may demand.

Mr. BOYLE. Mr. Speaker, that I have learned to my sorrow. I have learned by experience that when the gentleman from Philadelphia [Mr. LEE] demands anything on the railroad question that my counter demand does not amount to much.

Mr. MEYERS. Mr. Speaker, I move that the further consideration of this bill be postponed until next Friday morning, and that the bill be printed and placed upon the private calendar.

Mr. MANN. Mr. Speaker, I ask the gentleman to withdraw his motion until I make a few remarks.

Mr. MEYERS. Mr. Speaker, I withdraw the motion for the present.

Mr. MANN. Mr. Speaker, as I have but a few remarks to make upon this bill I prefer to make them now, as I may not be present when the bill comes up again in case it is postponed. I have no doubt, however, that it is ordered that this bill is to be passed at this time, because we have had the same experience in reference to bills of this kind for years. My experience has taught me that motions made by certain gentlemen here representing the interests of the Pennsylvania railroad company carry. From the time that I first occupied a seat upon this floor up to this time, that has been the fact when a motion simply required a majority. Therefore, I have no doubt that this bill will go through. But before it does I desire to put my protest upon record against this method of legislation, as regards this bill, as well as all bills of this character.

I have no feeling against the Pennsylvania railroad, and never had. I have not an unkind feeling against any gentleman here representing that road, and never had. But I have convictions upon this method of legislation which I propose to utter upon all suitable occasions in the hope that the people of Pennsylvania will listen to this protest, and will, in time, demand that the rules of this House shall be applied to bills affecting the Pennsylvania railroad as to all other bills. That is one reason why I protest against the passage of this bill. And I desire here to say that I think the gentleman from Philadelphia [Mr. LEE] had no excuse for introducing the word corruption here. The gentleman from Northampton [Mr. MEYERS], so far as I understood him, never intimated corruption here, and no person opposed to this bill has intimated or used an expression which can, by any possible construction, be made to so infer. I say, myself, that I believe the Pennsylvania railroad company has a controlling influence in this Legislature, but by no means do I say that it is a corrupt influence. It may be a legitimate influence; it may be that the Pennsylvania railroad company never presents such bills as do not command at once a unanimous expression of favor on the part of the members of this House; it may be because their agents here are of that intelligent character that they present to the members of this House such fair and legitimate arguments that they induce them to favor its bills. I do not intimate that an improper influence is or ever has been brought to bear here by this company. I concede that every member upon this floor is as honest as myself when he votes upon this bill. I, therefore, protest against this logging in of questions irrelevant. I repeat that the Pennsylvania railroad has a controlling influence in this House, and it has ever since I have been here. It never has had its bills printed and placed on the tables of members. It has that controlling influence here which enables it to put its bills through here out of the regular order. Other bills have to be referred to appropriate committees, and printed, but the bills of this railroad company are never printed, so that we are not able to give them an examination that will enable us to tell what they are.

I repeat the assertion of the gentleman from Northampton [Mr. MEYERS], there are not ten men upon this floor who can tell what is in this bill. I confess that I am unable to understand it and I believe I have ordinary capacity for understanding bills, having made their study a business for twenty-five years.

Now, this bill of 1866 provides for the very thing apparently that the bill now before us does, with one exception. That limits the amount of increase of stock to two hundred thousand shares. The bill before us has no limit. The bill of last year, so far as I am able to see, accomplishes the same purpose that the bill before us does, with the exception that it limits the amount of capital stock to be issued, whereas the other does not. But the gentleman from Philadelphia [Mr. LEE] states that under this act of 1866, the city of Philadelphia, which is a large stockholder, was not able to receive the benefits of this act.

Now, Mr. Sppeaker, if the whole object of this bill is to cure that defect, how easy to say so. Instead of coming with a bill to repeal the act of 1866, why not come in with a supplement to it providing that the city of Philadelphia shall receive the benefits of that act? That is what I cannot comprehend. Hence, I submit that the difficulty in understanding this bill is apparent because the gentleman from Philadelphia [Mr. LEE] gives a reason for introducing it here, which would be very easy to put into a bill which would be plain to everybody. But this bill is not plain.

I cannot, for the life of me, tell what it is for. This bill of 1866, it seems to me, reads so as to cover everything for which it is said this road asks, that of giving it the power to furnish additional rolling stock to meet its increased business. The act of 1866 does that very thing by enabling it to increase its capital stock to the extent of two hundred thousand shares. It seems to me that this ought to be sufficient. The gentleman from Philadelphia does not say that it is not sufficient. There is no allegation made here that the act of 1866 would not enable it to increase its capital stock to the desired extent. The statement, however, is made that the city of Philadelphia cannot come in under the provisions of that act. That defect could, however, be very easily remedied without repealing the act of 1866. Anybody can understand the act of 1866, and nobody had any objection to its passage, simply because everybody could understand it.

The gentleman from Philadelphia asks why we talk about a thing we do not understand. Mr. Speaker, those are the very things we need to talk about in this Hall. We do not intend to pass bills until we know what they are, and I add to the demand of the gentleman from Fayette (Mr. BOYLE), that this bill shall be printed; that it be explained so we can understand it before it is passed. I do not understand it, and I do not believe there are ten men upon this floor who do understand it. What is it for? This act of 1866 already gives the Pennsylvania railroad the power to increase its means to accommodate the public, and if it is not sufficient give us any evidence of the fact and I will vote for giving it the power to make a further increase. I have no unfriendly feeling toward this road, and I will cheerfully and gladly vote for every bill to give it all the needed facilities that it requires. I am in favor of railroad facilities, and always have been. If this act of 1866 does not give it sufficient means give them power to increase its means. This act is so plain and straightforward that I can understand it. If it does not give to the city of Philadelphia the advantages of this act, make a supplement to it that will bring Philadelphia within its provisions. Then, it seems to me, there will have been accomplished all that it is alleged this new bill is intended to accomplish. I shall, therefore, object to the passage of this bill in this form. I object, also, because it is not to be passed in the way that the rules of this House say all bills shall pass—that they shall be referred to the appropriate committee, printed and laid on our desks. And, Mr. Speaker, I ask what earthly reason there is for referring any bill that does not apply to this one? If such bills as this are to be rushed through without being reported, what is the use of having any committees? There has not been a bill read by the members of this House that required reference so much as this one does, for there has not been a bill introduced heretofore that used such obscure language and appeared to include so many things.

The gentleman from Fayette [Mr. BOYLE] has referred to one objectionable feature, that in reference to taxation. What does that provision mean? Read it and then tell me what it means. I confess I do not understand it. I ask the Clerk to read that portion of the bill.

The Clerk read as follows:

"That for the purpose of retiring the present indebtedness of the Pennsylvania railroad company, whether by bond or otherwise, providing the facilities required by the increase of the business of said company upon its road and connections, and for such other purposes connected with its business as the board of directors of said company may deem expedient, it shall be lawful for the said board of directors, from time to time, to issue additional shares of capital stock of said company, to such amount as they may determine, and to apportion or dispose of the said shares in such manner and upon such terms as they may think best, and also for either or all of the said purposes to issue, from time to time, bonds of the said company, payable at such time as they may appoint, bearing interest at a rate not exceeding six per centum per annum, with or without provision for the payment by the company of any or all taxes on the principal or interest thereof, and to secure the said bonds by one or more mortgages of the whole or any portion of the railroad's estate, real and personal, and corporate rights and franchises acquired and to be acquired of the said company: *Provided, however*, that no bond shall at at any time be issued in excess of the amount of the capital stock of the said company, outstanding at the time of such issue, but any such mortgage or mortgages may, at the option of and to the amount fixed by the said bond, be made to secure, with the same rights, lien and privileges, bonds which a subsequent increase of capital stock may enable the said bondholder to issue, as well as to these which may lawfully be issued at the date of the execution of said mortgage."

Mr. LEE. Will the gentleman allow me to explain that portion of the bill?

Mr. MANN. I prefer that the gentleman should explain it in a speech of his own without interpolating his remarks in mine.

The point I was endeavoring to enforce when I asked for the reading of this portion of the bill was that if there was any necessity for referring any bill to a committee it was necessary to refer such a bill as this. And if such a bill as this is not to be printed then save the expense of a State printer, and stop printing any bills. It will be quite a saving to the State, in the item of printing, to pass all bills in this way, and if such a bill as this is not to be printed there is no use in printing any bills, for there has been no bill passed here this session which could not be as well, and I think better, understood than this one by listening to the reading of it from the Clerk's desk. I will venture to say that no three men can sit down and read this bill and agree as to what it means, unless they had held a caucus beforehand, and de-

cided that matter. It is utterly impossible to tell what it does mean, for the reasons that I have given, and it is utterly impossible to dispense with the printing of such a bill, unless we dispense with one of the great rights of this House—the right to understand what is before it. These are the reasons which demand a postponement of this bill, or, if now pressed to a vote, its defeat; that it is so obscure in its language that members cannot understand it; that it is so important in its character that it ought not to be passed without a reference; and that it gives to the Pennsylvania railroad company an unlimited power in the issue of stock, a power which no railroad in this Commonwealth ever possessed up to this time, if I am correctly posted in regard to such matters. The bill of last winter limits the power of this railroad company; the one before us does not. The Legislature, up to this time, has deemed it a wise provision in all corporations, that, beyond a certain point, they shall not go in their strength.

I submit that when a corporation has acquired a power, an influence, and a wealth that this one has, it is time to put some limit to its strength. It is already, by its vast wealth, enabled to have upon this floor its paid attorneys, numbers of them, and it possesses the power to have a paid attorney in every county in the Commonwealth.

How do I know but that a portion of the means to be acquired by this bill is to be used in that way? There is nothing to show why this company requires such unlimited power, and no reason given by the friends of the bill. It has already its paid attorneys from Philadelphia to Pittsburg wherever it chooses to have them, and I do not know but it purposes to have them all over the Commonwealth.

But about that I have not much to say. I have always favored the employment of attorneys, and have always believed that they should have good fees. But I submit that it is somewhat dangerous to give this company unlimited power. I have known before now of wealthy individuals, having suits in court, who employed all the able attorneys in the neighborhood, much to the disadvantage of the other parties in the case. And, I tell you, it will be dangerous to the people of Pennsylvania if all the able attorneys in the State are employed by this company, and nothing left but the weak ones like the attorney that is attempting to advocate the rights of the people upon this floor at the present time.

Unless some tangible reasons are given before this House why this unlimited power should be given to this company, and why this bill should be passed in this way, I hope the House will insist upon having this bill postponed and printed, that we may have an opportunity to examine it.

Mr. LEE. Mr. Speaker, I wish to say a word about the tax part of this bill, and I do not think it needs any other explanation than the gentleman from Potter [Mr. MANN] himself gave to it. He asks to have it read, and when it was read it was so plain that he did not venture to touch it afterwards. This bill cannot relieve this company from State taxes, and it is but right this company should say whether the bondholders, by virtue of holding this stock, shall pay the tax or the company pay it. I think it is perfectly plain, and the gentleman evidently so regarded it or he would have said something about it after it was read. I do not know about this company having paid attorneys all over the State. The gentleman shows that he knows more about that than I do. I hope this bill will either pass or be defeated to-day.

Mr. JENKS. Mr. Speaker, we ought not to vote upon a bill as important as this without knowing exactly what it means. In order that we may know something about this bill let us analyze the second section. The first clause declares "that for the purpose of retiring the present indebtedness of the Pennsylvania railroad company, whether by bond or otherwise." The second clause, "providing the facilities required by the increase of the business of said company upon its road and connections." The third clause, "and for such other purposes connected with its business as the board of directors may deem expedient." For all these purposes "it shall be lawful for said board of directors, from time to time, to issue additional shares of capital stock of said company to such amount as they may determine, and to apportion or dispose of the said shares in such manner and upon such terms as they may think best; and, also, for either or all of the said purposes, to issue, from time to time, bonds of the said company, payable at such time as they may appoint, bearing interest at a rate not exceeding six per centum per annum, with or without provision for the payment, by the company, of any or all taxes on the principal or interest thereof, and to secure the said bonds by one or more mortgages of the whole or any portion of the railroad's estate, real and personal, and corporate rights and franchises acquired, and to be acquired of the said company: *Provided however*, That no bond shall at any time be issued in excess of the amount of capital stock of said company outstanding at the time of such issue, but any such mortgage or mortgages may, at the option of, and to the amount fixed by the said bond, be made to secure, with the same rights, lien and privileges, bonds which a subsequent increase of capital stock may enable the said board to issue, as well as to those which may lawfully be issued at the date of the execution of said mortgage."

For the purpose of retiring its indebtedness is one object. The second object alleged is to provide the facilities required by the increased business upon said road and its connections. Both these objects may be lawful. It might be proper to give the power to raise money to accomplish both of these purposes. It may be proper to give the right to raise money to pay the debts or retire the indebtedness of the company. It also may be proper to give power to raise money to provide the facilities required by the increased business upon its road and connections. But for the third purpose here expressed, unless we know more about it than we now know, it would be an act of great indiscretion on the part of a body of representatives under obligations to regard the interests of every man and every corporation of this Commonwealth. The third object is "for such other purposes connected with its business as the board of directors of said company may deem expedient."

Now, I submit, sir, whether the object of paying its debts, and the object of providing the facilities necessary to its increased business, do not include all for which the road has a right to ask. Why, then, is this third clause inserted? "Such other purposes." What other purposes? "Purposes connected with its business." "Such other purposes connected with its business as the board of directors of said company may deem expedient," leaving the question in the breasts of the board to determine what their other purposes are; what they may think necessary to secure the interests of this road. Not to pay its debts, not to increase its conveniences for carrying on transportation, but to give it power to raise money to an unlimited amount to secure such purposes as the board of directors may imagine necessary for the interest of the company. Vote for this and we give power to control the operations of every corporation in the State. To show that this road will exercise this power injuriously to the interests of others, all that is necessary is to refer to the history of the last few disgraceful years. I am not now, sir, about to assail this company. As a representative, I feel bound to protect all the legitimate interests of that company just as much as I do to protect the legitimate interests of any other company. I feel bound to it as a creation of our own, just as I feel bound to every other creation to which we have given existence. But I am no more bound to that company and I do not feel inclined to give it any more power than any other company. It has the same rights under the law that any other company has—no more, no less. But here it proposes to secure the power to raise all the money that the directors may imagine necessary. Not simply to pay its debts, not simply to carry on its increased transportation, but to secure such other business advantages as in the judgment of the directors may be necessary, their judgment being the rule by which this power is to be exercised.

If they imagine it necessary for the business prosperity of the company to crush out another company they are authorized to raise money sufficient to accomplish that purpose. I repeat, all we have to do is to look at the history of this company for the last few years to tell how it will exercise its power. Look at the disgraceful manner in securing the repeal of the tonnage tax. Look at the crushing out of the Connellsville railroad through the influence of this company, than which there could be a no more disgraceful piece of legislation. Look at the intermeddling with the Atlantic and Great Western railroad, and thereby locking up the resources of eight or nine thousand square miles of territory in the section I represent. Not a railroad can be gotten there, although their resources in iron and coal are greater than any other territory of equal size in Pennsylvania. With these facts before us, you ask me to vote to give this unlimited power to this company—a power to be determined by the will of the company and without knowing what purposes it desires to accomplish with that power.

You ask me to do what I cannot do—what no man who knows and regards the will of his constituents dare do. I have just returned from the western part of the State. The people there want to give this road its rights, but they do not want it to control their affairs. You propose by this bill, to give it unlimited power to raise money, and to allow the directors to decide the object for which it shall be raised. You leave it to their discretion, and place in their hands the power to bind the State hand and foot. No, sir, I will not vote for this bill. Let the bill be published, let the people see the bill, let our constituents know what we are doing here. I am willing to give the company power to raise money to pay its debts; I am willing to give it power to raise money to carry on its legitimate business; but when it asks that the amount shall be determined by the will of the directors, and that the necessity for it shall also be so determined, I cannot give my consent. I therefore hope the bill will be postponed and printed, and that we will have an opportunity of voting understandingly upon it.

Mr. MEYERS. Mr. Speaker, I now renew my motion in reference to postponing and printing this bill.

On the motion to postpone,

The yeas and nays were required by Mr. JOSEPHS and Mr. MEYERS, and were as follow, viz:

YEAS—Messrs. Armstrong, Boyd, Boyle, Breen, Brennan, Brown, Chadwick, Chalfant, Chase, Colville, Craig, Day, Espy, Ewing,

Fogel, Gallagher, Gordon, Harner, Heltzel, Hunt, Jenks, Jones, Kimmell, Kinney, Kline, Leech, Linton, Long, M'Camant, M'Creary, M'Kee, M'Pherrin, Maish, Mann, Mechling, Meyers, Peters, Phelan, Pillow, Rhoads, Richards, Roath, Satterthwait, Steacy, Tharp, Webb, Weller, Wilson, Woodward, Worrall, Wright and Glass, *Speaker*—52.

NAYS—Messrs. Adaire, Barton, Calvin, Cameron, Davis, DeHaven, Ghegan, Gregory, Headman, Hoffman, Humphrey, Josephs, Kerns, Koon, Lee, M'Henry, Markley, Marks, Meily, Quay, Robinson, Rouch, Shuman, Stehman, Stumbaugh, Watt, Whann and Wingard—28.

The SPEAKER. Two-thirds not having voted in the affirmative, the question is decided in the negative.

Mr. BOYLE. Mr. Speaker, I rise to inquire if it requires a two-thirds vote to postpone to a day certain? I did not understand that it was proposed to make it a special order.

Mr. MEYERS. Mr. Speaker, I did not move to make it a special order. I framed my motion in reference to this very matter.

The SPEAKER. The motion of the gentleman from Northampton [Mr. MEYERS], as indicated by myself, was that this House postpone the further consideration of this bill until Friday next, and that it be made a special order. But as there seems to be some misapprehension in reference to the motion the Chair will order that the yeas and nays be called again.

Mr. WINGARD. Mr. Speaker, I ask if the motion to postpone to a certain hour on Friday does not make it a special order?

Mr. MEYERS. Mr. Speaker, my motion is that this bill be postponed until next Friday, and printed and laid upon the desks of the members. I fix no hour or time of day.

Mr. DAVIS. Mr. Speaker, I have no feeling, especially, upon this question, but I hope the House will not place the bill in a position where it cannot be again reached.

I ask that the friends of this bill shall have fair play as well as the opponents. I have no objection to its being published, and postponed for one week, or two weeks, or as long as the gentlemen may please. I move to amend the motion by making it a special order.

Mr. MANN. Mr. Speaker, if this bill is postponed until next Friday, it comes up on the regular order, just as it did to-day, and there is no injury done.

The SPEAKER. It will be before the House when it is reached in its order, as to-day.

Mr. DAVIS. I withdraw my amendment.

Mr. QUAY. I desire to inquire how soon the bill can be printed?

The SPEAKER. The Clerk informs me that it can be printed in one day.

Mr. QUAY. Mr. Speaker, I then move to amend by postponing until Monday evening.

In explanation of the amendment, I desire to say that if this bill is passed in order that it may be of any advantage to the company, it must be submitted to the next annual meeting of the stockholders of the Pennsylvania railroad company, which occurs on the 19th inst. The motion of the gentleman will postpone it beyond that time.

Mr. MANN. I only desire to say that I feel a deep interest in this bill and I ask that it may go over until Thursday, as I will probably be obliged to be absent until that time. If the gentleman will modify his amendment so as to make it Thursday, I will vote for it.

The orders of the day were then called for, it being now 1 o'clock.

The SPEAKER proceeded to clear the table.

The following extract from the Journal of the Senate was read:

IN THE SENATE, February, 15, 1867.

Resolved (if the House concur), That the Governor be requested to return to the House of Representatives, for amendment, House bill No. 80, relative to auctioneers in Erie county.

On motion of Mr. M'CREARY, the resolution was concurred in.

The hour one o'clock having arrived,

The SPEAKER adjourned the House until next Monday evening at 7½ o'clock.

SENATE.

MONDAY, February 18, 1867.

The Senate met and was called to order at 7½ o'clock, P. M.

Prayer was offered by the Rev. Mr. Bailey, of Harrisburg.

On motion of Mr. GLATZ the reading of the Journal of Friday last was dispensed with.

LEAVE OF ABSENCE.

Mr. DAVIS asked and obtained leave of absence for Mr. M'CANDLESS for a few days from to-day.

Mr. WHITE asked and obtained leave of absence for Mr. WORTHINGTON, on account of illness, for a few days from to-day.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

The Clerk of the House of Representatives being introduced, presented for concurrence bills numbered and entitled as follows:

No. ——, an act to extend the provisions of the act approved 31st day of July, 1863, to the counties of Centre and Huntingdon.

No. 522, a supplement to an act approved March 5, 1828, entitled An act to authorize the Governor to incorporate a company to erect a bridge over the Juniata river at the town of Mifflin, in the county of Mifflin.

No. 510, a supplement to an act for the incorporation of the Merchants' National telegraph company, approved April 18, A. D. 1866.

He also informed the Senate that the House of Representatives has concurred in the resolution from the Senate relative to the recalling from the Governor House bill numbered and entitled as follows:

No. 80, an act in relation to actioneers in the county of Erie.

PETITIONS, REMONSTRANCES, &C.

Mr. CONNELL presented the remonstrance of T. E. Thurston, of Brandywine street, and one hundred other citizens of Philadelphia, praying the Legislature to restrain the sale of intoxicating liquors in that city.

Referred to the Committee on Vice and Immorality.

He also presented a letter of the Hon. Richard Vaux, on the subject of Pennsylvania's system of prison discipline, and stated that although the letter was a private one he thought it of sufficient importance to the public generally as to merit its publication. It was read as follows, and

Referred to the Committee on the Judiciary General:

PHILADELPHIA, February 16, 1867.

Senator: You have always taken an interest in our system of Pennsylvania discipline. In this age, why it is need not be considered, questions of science seem to have but little attraction for any but those who have, best to express it, a predilection for such studies. The subject of penal science, above all others, is repulsive, except to those few in the world who have a peculiar interest in it, as an element in social progress.

Pennsylvania, to-day, is far beyond all other States or nations in her system of convict punishment. The civilized world looks now to this State for teachings on this subject, because for fifty years, mind, devoted to it in all its large and comprehensive relations to social condition, has given the highest evidence of its thorough understanding of its importance.

My object in these lines is only to ask you a few questions. Do you not think that the thought and experience of twenty years in penitentiary discipline is of some value to the legislative authority which is called upon to consider its present condition?

Do you not think that the practical lessons taught during the period are worth something in determining legislation on the subject?

Do you not think that "worldly wisdom" would affirm the worth of such thought and experience in any matter of ordinary character, much more one which largely partakes of a scientific character?

Now, my dear sir, these remarks to you are sufficiently suggestive, and for the sake of our penal system, for its past history, for what it has done, for the worth of its great achievements in other countries, let us try to aid and strengthen its effects in the future, from a just appreciation of the past.

You know I feel very deep interest in the subject, and if committees, or members of committees, in either House, wish to hear such information, which is given by one only devoted to the Pennsylvania system, and for no other reason, I am ready, night or day, for this important object. I do not wish to obtrude, nor appear in any way to interfere or intermeddle, and, therefore, to you, as our friend, the friend of our system, I thus write.

There is, as you know, very much to learn in order to comprehend the leading ideas of penal science, as applied to penal institutions. Prisons are not mere stone and iron, any more than schools are brick and mortar, or hospitals are large and massive structures. It is the principles which are realized by their full understanding, taught through practical operation, which make them useful or hurtful to society.

Always, most truly,
Your friend,
RICHARD VAUX.

HON. GEORGE CONNELL, Harrisburg.

Mr. BILLINGFELT, the petition of citizens of the borough of Columbia, praying for the passage of an act compelling the Columbia bridge company to rebuild the bridge over the Susquehanna.

Laid on the table.

Also, the petition of citizens of Lancaster and York counties, to change the act of March 30, 1866, relative to fisheries in the Susquehanna and its tributaries.

Referred to the Committee on Canals and Inland Navigation.

Mr. SCHALL, a remonstrance of citizens of Lehigh county, against any change in the Sunday laws.

Referred to the Committee on Vice and Immorality.

Also, a petition from the citizens of Lehigh county, for the passage of an act to fix the salary of the county treasurer.

Referred to the Committee on the Judiciary Local.

Mr. GLATZ, the petition of citizens of Lancaster and York counties, asking for a change in the act of March 30, 1866, relating to fisheries in the Susquehanna and its tributaries.

Referred to the Committee on Canals and Inland Navigation.

Mr. RANDALL, the remonstrance of citizens of Schuylkill county against Sunday cars.

Referred to the Committee on Vice and Immorality.

Mr. FISHER, a remonstrance against running passenger cars on Sunday.

Referred to the Committee on Vice and Immorality.

Also, a remonstrance of ladies of Lancaster city, against any law violating the Sabbath, and petition for a change in the license laws.

Referred to the Committee on Vice and Immorality.

Also, a petition of citizens of Howard township, Centre county, asking for a change in place of holding their elections.

Laid on the table.

Also, a petition of citizens of Bart township, Lancaster county, asking for a change in the road laws.

Referred to the Committee on Roads and Bridges.

Also, a petition of citizens of Lancaster and York counties, asking for a change in the act of March 30th, 1866, relating to fisheries in the Susquehanna and its tributaries.

Referred to the Committee on Canals and Inland Navigation.

Also, a petition of the heirs of Veronica Gable, asking for the release of Elias Tome.

Referred to the Committee on the Judiciary Local.

Mr. SHOEMAKER, a remonstrance of Rev. William J. Judd and one hundred and ninety-eight others, citizens of Luzerne county, against the repeal of the Sunday law.

Referred to the Committee on Vice and Immorality.

Also, one from David H. Taylor and one hundred and eighteen others, citizens of Northampton county, against any repeal of the Sunday law, and against the selling of liquor on Sunday.

Referred to the Committee on Vice and Immorality.

Also, a petition of citizens of Providence, for repeal of the act to incorporate the city of Scranton.

Referred to the Committee on the Judiciary Local.

Mr. SEARIGHT, the petition of the burgess, town council and citizens of Irwin borough, Westmoreland county, praying for a law authorizing the authorities of said borough to levy and collect a special tax to be applied to the opening and grading of streets.

Referred to the Committee on Roads and Bridges.

Also, a remonstrance from citizens of Westmoreland county, against the repeal of an act prohibiting the granting of liquor license to any persons but hotel keepers in Westmoreland, Blair and Indiana counties, and a petition from the same citizens in favor of a general prohibitory liquor law.

Referred to the Committee on Vice and Immorality.

Mr. BROWNE (Lawrence), a petition of twenty-two citizens of Philadelphia, against Sunday car travel and for restrictions of the liquor traffic.

Referred to the Committee on Vice and Immorality.

Mr. COLEMAN, a petition from the Young Men's Christian association of Harrisburg, protesting against the passage of any law by the Legislature which may allow Sunday car travel.

Referred to the Committee on Vice and Immorality.

Mr. WALLS, two petitions from members of the Presbyterian church, Muncy, Lycoming county, against Sunday cars.

Referred to the Committee on Vice and Immorality.

Mr. M'CONAUGHY, petition of citizens of Gettysburg, Adams county, against the repeal of Sunday laws, and for revision of the license laws, to arrest the evil of intemperance.

Referred to the Committee on Vice and Immorality.

Mr. WHITE, petition of fifty-nine citizens of Philadelphia, against any repeal of Sunday laws and in favor of temperance reform.

Referred to the Committee on Vice and Immorality.

Mr. WALLACE presented the petition of citizens of Clearfield county, for a supplement to the bounty laws affecting said county, which was read as follows and,

Referred to the Committee on the Judiciary Local:

To the Honorable the Senate and House of Representatives of the State of Pennsylvania, in General Assembly met:

The petition of the subscribers, citizens of Clearfield county, humbly showeth:

That under and by virtue of an act of your General Assembly, approved 27th February, 1865, the county of Clearfield paid three hundred dollars to each citizen who had been drafted since 25th August, 1864, or had put in a substitute in room thereof, but that the township of Burnside, and the borough of Lumber City, in said county, after the 25th August, 1864, filled their quota of the then pending draft by obtaining substitutes for the districts; that said act of 27th February, 1865, did not reach and cover their case, but by its terms they were excluded from receiving the three hundred dollars for each of said men so put forth, but that they are nevertheless assessed for and pay their equal proportion of taxes assessed to pay the three hundred dollars for each of the other drafted men and substitutes in the county, as well as for their own quota.

Whereupon, showing this manifest injustice, they pray the passage of a law authorizing the commissioners of Clearfield county to pay to them three hundred dollars for each man so put in, to fill their quota, or to relieve them from payment of an equal amount of their taxes assessed for payment of bounty by the said commissioners. And they will ever pray.

Signed by Jackson Patchin, A. W. Patchin, C. P. Patrick and others.

SPECIAL REPORT FROM THE COMMITTEE ON JUDICIARY GENERAL.

Mr. WALLACE, from the Committee on the Judiciary General, submitted the following report, which was read as follows;

The General Judiciary Committee of the Senate, to whom the resolution of January 29, 1867, committed certain duties, respectfully report:

That under said resolution, which is in words following:

"That the General Judiciary Committee be instructed to inquire into the power of this Legislature to control the railroad corporations of this State by direct legislation on the subject of charges for passengers and freight, to rescue the private citizens of the State from inordinate and extravant demands, to assert the sovereignty of the people of the State over all such corporations within its limits for the general good, and that said committee have power to send for persons and papers, and to compel testimony under oath; that said committee is instructed to report to the Senate at the earliest possible period, by bill or otherwise."

Your said committee have proceeded partially to investigate the subjects referred to them, and find just reason to press their regearches further, that the great field occupied by the different classes of freight, the large number of corporations included within the terms of the resolution and the number and conflicting character of the acts of Assembly regulating said corporations, render it impossible to do justice to the subjects or to even informally prepare and report for action any bill or system calculated to protect the citizens of the Commonwealth. Your committee find great complaints existing among the citizens of the Commonwealth that exorbitant rates of freight are charged upon articles carried to points within the State, and unjust discrimination is made against them and in favor of non-residents; and charges are made that the plain terms of positive statutes are violated in many instances by corporations which owe their existence to those statutes.

Your committee deem this subject one of great importance to the commercial interests of the Commonwealth, and one that it is peculiarly the province of the Legislature to supervise for the interests of the people; and, therefore, respectfully report for action the following resolution:

Resolved, That the Judiciary Committee of the Senate have full power and authority to sit during vacation, in Harrisburg or elsewhere, to investigate the subject matters contained in the foregoing resolution, with power to send for persons and papers, examine witnesses on oath, employ a clerk or clerks, and take such other action for full investigation thereof, as they deem proper, and report to the next Legislature, by bill or otherwise, accompanied by the testimony taken.

L. D. SHOEMAKER,
T. J. BIGHAM,
WM. A. WALLACE,
D. M'CONAUGHY,
GEO. B. SCHALL.

The resolution was adopted.

REPORTS FROM COMMITTEES.

Mr. SHOEMAKER, from the Committee on the Judiciary General, reported, as committed, a bill entitled An act relative to the county prisons and alms houses of the Commonwealth.

Mr. WALLACE (same), as committed, a bill entitled A supplement to an act to validate certain conveyances made by married women since April 11, 1848, approved 22d April, 1863, restraining conveyances in cases in which the instrument vesting title withholds such power.

Mr. COWLES, from the committee on Judiciary Local, as committed, a bill entitled An act to divide the borough of Port Carbon, Schuylkill county, into two wards.

Also (same), as committed, a bill entitled A supplement to the act of March 19th, 1860, making further provisions for the government of the city of Harrisburg.

Also (same), as committed a bill entitled An act changing the time of meeting of the auditors of Hillsgrove township, Sullivan county.

Also (same), as committed a bill entitled An act authorizing and requiring the school directors of Mercer township and Harrisville borough, in the county of Butler, to levy a bounty tax and for the repeal of all former acts relating to bounties in said district.

Mr. FISHER (same), as committed, a bill entitled An act authorizing the commissioners of Mercer county to purchase a lot of ground for a jail, and to sell the jail now erected.

Also (same), as committed a bill entitled An act relating to the poor laws of Delaware county.

Also (same), as committed a bill entitled An act relative to bounty taxes in Marion township, Butler county.

Also (same), as committed a bill entitled An act to authorize the commissioners of Wyoming county to levy an additional tax for the purpose of erecting a new county jail and sheriff's house in said county of Wyoming, and for other purposes.

Mr. SPUTZMAN (same), as committed, a bill entitled An act authorizing the Governor

to appoint six additional notaries public for the city of Philadelphia.

Also (same), as committed, a bill entitled An act increasing the fees of the several officers in the counties of Somerset and Mercer.

Also (same), as committed, a bill entitled A supplement to an act relative to the publication of local laws in the counties of Centre and Schuylkill, approved the 16th day of April, A. D. 1866.

Also (same), as committed, a bill entitled An act repealing so much of the act authorizing the election of additional officers, and changing the manner of collecting taxes in the townships of Robison and North Fayette, Allegheny county, approved March 13, A. D. 1866, as relates to the manner of collecting taxes in Robison township.

Mr. DAVIS (same), as committed, a bill entitled An act to establish a law library in the county of Armstrong.

Also (same), as committed, a bill entitled An act to authorize the appointment of two assistant reporters in the district court of Philadelphia.

Also (same), as committed, a bill entitled A further supplement to an act passed March 29th, 1803, to establish a board of wardens and for other purposes securing certain rights to pilots.

Also (same), as committed, a bill entitled Further supplement to an act to empower the town council of the borough of Bellefonte, in Centre county, to borrow money, approved the 14th day of February, A. D. 1866.

Mr. WHITE (same), as committed, a bill entitled An act to legalize the assessment, levy and collection of borough tax, and to provide for the collection of the same for bounty purposes, in Springfield township, Bucks county.

Also (same), as committed, a bill entitled An act to regulate the taking of fish from the ponds and lakes in Benton township in Luzerne county.

Also (same), as committed, a bill entitled An act to legalize the levy and collection of certain bounty taxes, to provide for a settlement, and authorize the school directors to lay an additional bounty tax in Lykens township, Dauphin county.

Mr. ROYER, from the Committee on Corporations, with amendments, bill entitled An act relative to certain foreign insurance companies.

Mr. BROWNE (Lawrence), from the Committee on Education, as committed, a bill entitled an act to authorize the school directors of the borough of Lock Haven, county of Clinton, to borrow money for building purposes.

Mr. BROWN (Mercer) same, as committed, a bill entitled an act to attach the farm of David Dietz in Pennsboro' township, Cumberland county to the township of Hampden, in said county, for school purposes.

Also (same), as committed, a bill entitled An act to authorize the treasurer of the bounty fund of Schuylkill township, Chester county, Pennsylvania, to pay over to the treasurer of the school board of said township the funds remaining in his hands.

Also (same), as committed a bill entitled An act to authorize school directors to Millville school district, Cambria county, to use surplus school tax for building purposes.

Also (same), as committed, a bill entitled An act to authorize the school directors of borough of Punxatawney to borrow money.

Also (same), as committed, a bill entitled An act to annex the farms of Samuel Powers, John Hunter, James Cunningham, John Conway and James Rutledge, of Derry township, to Livermore borough, Westmoreland county, for school purposes.

Also (same), as committed, a bill entitled A supplement to an act to enable the school directors of Kittanning borough to borrow money, approved the 12th day of March, A. D. 1866.

Mr. COWLES (same), as committed, a bill entitled An act to enable the board of school directors of the borough of Goldsboro', in the county of York, to borrow money for building purposes.

Also (same), as committed, a bill entitled A supplement to an act to empower the school directors of Chambersburg to borrow money to build a new school house, approved the 12th day of May, A. D. 1857, further extending the provisions of the second section thereof.

THE LAND GRANT.

Mr. HAINES, from the Committee on Agriculture and Domestic Manufactures, reported as committed, a bill entitled an act relating to the Agricultural college of Pennsylvania, and to the establishment of experimental farms in connection therewith.

On motion of Mr. HAINES, the rules were dispensed with, and the Senate proceeded to the consideration of said bill.

The bill was read as follows:

WHEREAS, The trustees of the Agricultural college of Pennsylvania, from the want of adequate funds, have deferred the establishment of the experimental farm contemplated in the original plan of the institution;

And whereas, The farm is essential to the success of the college;

And whereas, To secure greater diversity of soil and climate, and add to the interest and importance of the experiments, it is thought best that three experimental farms should be established in Pennsylvania:

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same.* That the proviso to the first section of the act entitled A supplement to the act to accept the grant of public lands by the United States to the several States for the endowment of agricultural colleges, passed the first day of April, one thousand eight hundred and sixty-three, approved the eleventh day of April, one thousand eight hundred and sixty-six, be and the same is hereby repealed.

SEC. 2. That the one-tenth part of the entire proceeds of the lands donated by Congress to the State of Pennsylvania, by the act of the second day of July, one thousand eight hundred and sixty-two, in trust, and accepted by the act of the first day of April, one thousand eight hundred and sixty-three, to which this is a supplement, be and is hereby appropriated: and the commissioners under said act of April, one thousand eight hundred and sixty-three, are directed to pay the same to the Agricultural college of Pennsylvania, to be expended in the purchase of lands for experimental farms.

SEC. 3. That the interest and income of the entire residue of the proceeds of the said lands be, and are hereby appropriated, and the commissioners, under the said act, are also hereby directed to pay the same, as it shall accrue, to the Agricultural college of Pennsylvania for the endowment, support and maintenance thereof, on condition that the trustees establish, conduct and maintain in connection with the college three experimental farms, one near the college, under the immediate supervision of the professor of agriculture in the institution, another east, and the other west, upon lands of diversified quality, under the immediate supervision, respectively, of an assistant professor of agriculture.

Various amendments were proposed and debated by Messrs. HALL, Speaker, BIGHAM, LOWRY, M'CONAUGHY, GRAHAM, BROWNE (Lawrence), BROWN (Mercer), and others, which will appear in the *Appendix*.

The bill was passed to a third reading,

When, on motion of Mr. SCHALL, the Speaker adjourned the Senate till eleven o'clock to-morrow morning.

HOUSE OF REPRESENTATIVES.

MONDAY, February 18, 1867.

The House met at 7½ o'clock, P. M.

The Journal of Friday was partly read, when,

On motion of Mr. LEE, the further reading of the same was dispensed with.

BILL PASSED.

Mr. WHARTON. Mr. Speaker, I ask leave to make a statement.

Leave was granted.

Mr. WHARTON. Mr. Speaker, on Thurday of last week the House very kindly suspended its rules, and passed, on my suggestion, a special act in relation to Huntingdon county. Owing to the hasty manner of its preparation an error crept into it which it is important to correct. It is possible that it would bear the construction of repealing the penalties imposed absolutely, while it was the intention only to repeal the penalties for violations previous to its passage. I also desire to include the county of Centre. I now move that the rules be suspended and that the House proceed to the consideration of the following bill:

House bill No. 512, an act to extend the provisions of the act, approved 31st July, 1863, to the counties of Centre and Huntingdon.

The motion was

Agreed to.

The bill was read, and

Agreed to.

On motion,

The rules were suspended, the bill was read a second and third times, and

Passed finally.

LEAVE OF ABSENCE.

Leave of absence was asked for and obtained for Messrs. KENNEDY and RICHARDS.

BILLS PASSED.

Mr. CHADWICK. Mr. Speaker, I ask leave to make a statement.

Leave was granted.

Mr. CHADWICK. The Midas petroleum and improvement company now have their office in the city of New York. This bill provides for the removal of the same to the city of Pittsburg. Their election is held on the second Wednesday of March, and they are required to give ten days' notice. It is important that this bill be passed immediately, in order that this notice be given. I ask, therefore, that the rules be suspended and the following bill allowed to pass at the present time.

The motion was

Agreed to.

The bill entitled (No. 519), a supplement to an act to incorporate the Midas petroleum and improvement company of Pittsburg and New York, approved the 22d day of March, A. D. 1865,

Was read, and

Agreed to.

On motion,

The rules were suspended, the bill read a second and third times, and

Passed finally.

Mr. WILSON. Mr. Speaker, I read in my place and present to the Chair a supplement to an act to authorize the board of school

directors of the Seventh ward of the city of Pittsburg, in the county of Allegheny, to borrow money, approved April 19th, 1864.

Mr. WILSON. Mr. Speaker, I ask leave to make a statement.

Leave was granted.

Mr. WILSON. This is a simple bill, of a local character, to enable to board to borrow money. The parties have an opportunity now to borrow money better, possibly, than they will have again. I therefore ask a suspension of the rules to allow the bill to pass now.

The motion was

Agreed to.

The bill was read and

Agreed to.

On motion

The rules were suspended, the bill read a second and third times, and

Passed finally.

MESSAGE FROM THE SENATE.

The Clerk of the Senate being introduced, presented for concurrence bills numbered and entitled as follows, viz:

Senate bill No. 143, an act to divide the Twenty-first ward, in the city of Philadelphia, into two wards, and to create a new ward, to be called the Twenty-eighth ward.

Senate bill No. 186, an act to regulate the rates of fare on certain passenger railroads in the county of Allegheny.

Senate bill No. 264, an act to incorporate the Pennsylvania Boat House association.

Senate bill No. 281, an act vacating the old burial ground in the borough of Sewickley, and removing the bodies therefrom.

Senate bill No. 282, an act to extend the provisions of an act entitled An act to require the register of wills, in and for Luzerne county, to record in a book or books the appraisements, inventories and vendue lists of personal property, to the county of Monroe.

Senate bill No. 285, an act authorizing the trustees of the proprietors of Hanover township, in Luzerne county, to collect and pay over moneys to the Central poor house.

Senate bill No. 287, an act relative to livery stable keepers in Mercer county.

Senate bill No. 288, an act to authorize the clerk of the orphans' court, courts of oyer and terminer, and quarter sessions, to appoint deputies in Lehigh county.

Senate bill No. 289, an act to authorize the Governor to appoint an additional notary public for the county of Mercer, to reside in the borough of Sharon, in said county.

Senate bill No. 292, an act to increase the pay of assessors in Lehigh county.

Senate bill No. 295, an act relating to the duties of clerk of the orphans' court for the county of Dauphin.

Senate bill No. 296, a supplement to an act entitled An act to authorize the erection of a poor house by the township of Wilkesbarre, in Luzerne county, approved April 2, A. D. 1860.

Senate bill No. 297, an act to incorporate the Philadelphia coal company.

Senate bill No. 298, an act to allow the Madera coal and improvement company to hold more land, and changing the par value of their stock.

Senate bill No. 300, an act to incorporate the International patent fuel company.

Senate bill No. 301, an act supplementary to an act to incorporate the Union hall association of Pottsville.

Senate bill No. 303, a supplement to an act entitled An act to incorporate the Penn Gas coal company, approved the 1st day of March, A. D. 1861.

Senate bill No. 304, an act to incorporate the Atlantic brick manufacturing company.

Senate bill No. 306, an act to incorporate the Wyoming Valley manufacturing company.

Senate bill No. 307, an act to authorize the Wyoming slate company to create and issue preferred stock.

Senate bill No. 308, an act to incorporate the Philadelphia Enterprise gold and silver mining company of Montana.

Senate bill No. 309, an act to establish a ferry over the Allegheny river, in Warren county.

Senate bill No. 316, an act to incorporate the Dickinson Run railroad and bridge company.

Senate bill No. 317, supplement to an act entitled An act to incorporate the Allentown passenger railway company, approved the 25th day of March, A. D. 1864.

Senate bill No. 319, an act to incorporate the Sandusky and Irwin Street bridge company.

Senate bill No. 320, an act authorizing the supervisors of Jackson township, in Luzerne county, to collect, in money, one-third of the tax levied for road purposes, in said township.

Senate bill No. 322, an act authorizing the supervisors of Blythe township, Schuylkill county, to make and repair the public road bridges and culverts in said township.

Senate bill No. 440, a further supplement to an act to incorporate the Mifflin and Centre County railroad.

He also returned bills from the House of Representatives numbered and entitled as follows, viz:

No. 44, an act to regulate the fees of the county treasurer of Northumberland county.

No. 61, an act limiting the burgess and town council of the borough of Oil City, Venango county, in the levying and collection of taxes.

No. 96, an act to extend the provisions of the act to prohibit the granting of licenses to sell intoxicating drinks within the county of Potter, approved April 11, 1866, to the county of Beaver,

No. 120, an act authorizing the court of common pleas of Northampton county to appoint a trustee to make sale of certain real estate held in trust for A. Welle & Co.

No. 128, an act to authorize the school directors of Swatara school district, Dauphin county, to raise an additional building tax,

With information that the Senate has passed the same without amendment.

He also returned bill from the House of Representatives numbered and entitled as follows, viz:

No. 94, an act relating to restaurants and beer houses in the county of Washington,

With information that the Senate has passed the same with amendments, in which the concurrence of the House of Representatives is requested.

Mr. MECHLING. Mr. Speaker, I ask leave to make a statement.

Leave was granted.

Mr. MECHLING. I read in place the other day a bill to open the executor's account of George P. Crawford, deceased. As the courts of that county are now in session, and it is important the matter be taken up in the courts, I ask for a suspension of the rules that the bill may pass to-night.

The motion was

Agreed to.

The bill, No. 366, reads:

An act to open the administration account of Samuel Hill and James Fitzgerald, executors of the estate of George T. Crawford, deceased, and of Samuel Hill and J. B. Parkes, executors of James Fitzgerald, who was one of the executors of George T. Crawford, deceased, and of Samuel Hill, surviving executor of the last will and testament of George T. Crawford, deceased, late of Allegheny township, Westmoreland county, Pennsylvania.

Was read and agreed to.

Mr. MECHLING. Mr. Speaker, I move to amend the title by substituting the following.

The amendment was read.

An act to authorize the orphans' court of Westmoreland county, if by it deemed proper, to re-examine the accounts filed in the estate of George T. Crawford, deceased, notwithstanding the provisions of the act of 13th October, 1840, entitled An act relating to orphans' court, and for other purposes.

The amendment was

Agreed to.

On motion,

The rules were suspended, the bill read a second and third times, and

Passed finally.

Mr. QUAY. Mr. Speaker, I read in my place and present to the Chair bill No. 52, entitled An act to incorporate the Farmers' Union Mutual fire insurance company of Pennsylvania.

Mr. QUAY. Mr Speaker, I move that the rules be suspended and that the House proceed to the consideration of that bill.

Mr. MEYERS. I call for a division of the question.

Mr. QUAY. I withdraw my motion.

Mr. BROWN. Mr. Speaker, I read in my place and present to the Chair bill

No. 522, entitled a supplement to an act approved March 5th, 1828, entitled An act to authorize the Governor to incorporate a company to erect a bridge over the Juniata river, at the town of Mifflin, in the county of Mifflin.

Mr. BROWN. Mr. Speaker, I move that the rules be suspended and that the House proceed to the consideration of the bill.

The motion was

Agreed to.

On motion,

The rules were suspended, the bill read a second and third times, and

Passed finally.

Mr. SHUMAN. Mr. Speaker, I read in my place and present to the Chair bill No. 523, entitled

An act to authorize the election of additional officers in the township of Madison, Perry county.

Mr. SHUMAN. Mr. Speaker, I move that the rules be suspended, and that the House proceed to the consideration of that bill.

The motion was

Agreed to.

On motion,

The rules were suspended, the bill read a second and third times, and

Passed finally.

Mr. GREGORY. Mr. Speaker, I read in my place and present to the Chair,

An act for the better regulation of public halls and places of amusement in the city of Philadelphia.

Mr. GREGORY. Mr. Speaker, I move that the rules be suspended, and that the House proceed to the consideration of that bill.

The motion was

Agreed to.

The bill was read

And agreed to.

On motion,

The rules were suspended, the bill read a second and third times, and

Passed finally.

Mr. WRIGHT. Mr. Speaker, as the privilege has been tendered to several gentlemen to make a statement, I ask to be similarly indulged.

Some time ago an act was passed taking in quite a large amount of the land to the borough of Montoursville in Lycoming county from the township of Fairfield. Both parties now desire that the old line should be had, and this land given back to the township.

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[CONTINUED FROM PAGE 304.]

I hold in my hand a bill for that purpose; their elections are to be held in a few days, and it is important that the matter be taken up now. I, therefore, ask that the rules be suspended for the purpose of its consideration.

The motion was

Agreed to.

The bill No. 525, entitled An act to anuex a portion of the borough of Montoursville, in Lycoming county, Pa., to Fairfield township, in said county, was read.

Mr. BOYLE. Mr. Speaker, I do not rise for the purpose of offering any opposition to the gentleman's bill; but if it undertakes to change township lines, it is assuming to do that which we have no right to do. The courts have the power of changing the lines of townships; therefore, the Legislature has not.

Mr. WRIGHT. Mr. Speaker, I confess I do not know very much about this question, any more than parties, residents of Fairfield township, and the borough of Montoursville, desire this. It will not be long until they hold their elections, and, in consequence, the bill is now offered.

The bill was

Agreed to.

On motion,

The rules were suspended, the bill read a second and third times, and

Passed finally.

Mr. EWING. Mr. Speaker, I ask leave to make a statement.

Leave was granted.

Mr. EWING. There is a bill on the table, No. 510, in relation to the National telegraph company, to enable it to borrow money.

I ask that the rules be suspended, and the consideration of the bill be proceeded with.

The motion was

Agreed to.

The bill, No. 510, entitled A supplement to an act for the incorporation of the Merchants' National telegraph company, approved the 18th day of April, A. D. 1866,

Was read, and

Agreed to.

On motion,

The rules were suspended, the bill read a second and third times, and

Passed finally.

Mr. HOOD. Mr. Speaker, I ask leave to make a statement.

Leave was granted.

Mr. HOOD. I ask that bill No. 363, on the Clerk's desk, be called up for the purpose of changing the venue from Montgomery county to Philadelphia county. It is an important matter and should be passed now.

The bill entitled An act to change the venue in the case of the Commonwealth of Pennsylvania *versus* John Shupe, Moricty Leib, Charles W. Everhart, Robert Alsop and Jonathan A. Waters, from the court of quarter sessions of the peace of Montgomery county, to the court of quarter sessions of the peace in and for the city and county of Philadelphia, was read.

Mr. SATTERTHWAIT. Mr. Speaker, the representatives of our county, to which this bill refers, have not been consulted. We should have had an opportunity to know something about it before it is acted upon.

Mr. HOOD. Mr. Speaker, I am informed that the bill relates to some oil territory sold by gentlemen in Montgomery and Philadelphia counties to certain gentlemen of Montgomery county. They are not satisfied with their bargain, and they are taking the course of oil speculators, of late, who have been victimized, by commencing a suit in the criminal courts, charging an obtaining of money under false pretense. I will state to my friend, that the reason he has not been consulted about the matter is this: I knew nothing about it until I returned from Philadelphia, in the latter part of last week, or I should have given him all the information in my power.

Mr. SATTERTHWAIT. Mr. Speaker, I cannot help that. The bill was read more than a week ago, I believe, and plenty of time existed for us to be informed of this.

I call for a division of the question.

Mr. MAISH. Mr. Speaker, I trust the House will not suspend the rules. I desire to present bills in place, and, if a debate should arise, my county would be shut off.

On the question,

Will the House agree to suspend the rules generally?

It was

Not agreed to.

Mr. COLVILLE. Mr. Speaker, I move to discharge the Committee on Vice and Immorality from the further consideration of a bill extending to the city of Pittsburg the provisions of an act relating to licenses in the city of Philadelphia.

The motion was

Agreed to.

Mr. COLVILLE. I move that the rules be suspended and that the House proceed to the consideration of the bill.

The SPEAKER. The chairman of the Committee on Vice and Immorality is absent, and the bills of that committee cannot be obtained at the present time.

PETITIONS, MEMORIALS, &C.

Mr. CHADWICK presented to the Chair a memorial from the State Agricultural society of Pennsylvania.

Referred to the Committee on Agriculture.

Mr. HARBISON, a petition from citizens of Little Beaver township, Lawrence county, praying for the passage of a law to prevent stock from running at large.

Referred to the Committee on Agriculture.

Mr. WADDELL, a petition from the Philadelphia society for alleviating the miseries of public prisons, asking the passage of a law authorizing the appointment of an officer to exercise the general supervision of the penitentiaries, prisons and alms houses in the State.

Referred to the Committee on the Judiciary General.

Mr. JENKS, a petition from citizens of Pennsylvania, praying that the laws which prohibit worldly employment on the Sabbath day shall not be repealed; also, praying that laws prohibiting the sale of intoxicating liquors upon the Sabbath day shall be made more efficient.

Referred to the Committee on Vice and Immorality.

Mr. WILSON, a petition of inhabitants of Allegheny county, praying for a change of place of holding elections in Jefferson township, in said county.

Referred to the Committee on Election Districts.

Mr. LINTON, a petition of merchants of Columbia county, praying for an act abolishing the office of sealer of weights and measures in said county.

Referred to the Committee on the Judiciary Local.

Mr. WESTBROOK, a petition of citizens of Wayne county, praying for the passage of an act authorizing the resettling of the accounts of Wm. R. M'Creary and Butler Hamlin, late associate judges of said county.

Referred to the Committee on the Judiciary Local.

Mr. STUMBAUGH, two remonstrances of sixty-two citizens of Franklin county, against any change in the Sunday law.

Laid on the table.

Mr. JENKS, four petitions from citizens of Clarion county, praying for the passage of an act authorizing the commissioners of said county to purchase the bridge erected across the Clarion river near Buchanan's dam.

Referred to the Committee on Roads, Bridges and Ferries.

Mr. WINGARD, a petition from citizens of Northumberland and Lycoming counties, praying for a change of venue in the case of John M'Farland vs. Joseph Shoemaker—slander.

Referred to the Committee on the Judiciary Local.

Mr. FOGEL, three petitions from inhabitants of the county of Lehigh, praying for the passage of an act regulating the salary of the treasurer of said county.

Referred to the Committee on the Judiciary Local.

Mr. KLINE, five petitions from citizens of Lehigh county, praying for the passage of an act regulating the salary of the treasurer of said county.

Referred to the Committee on the Judiciary Local.

Mr. WADDELL, a petition from citizens of Chester county, asking for the passage of an act relating to hawkers and peddlers for said county.

Referred to the Committee on the Judiciary Local.

Mr. RICHARDS, a petition from Wm. M. Patterson and other citizens of Fulton coun-

ty, praying for the passage of a free railroad law.

Referred to the Committee on Railroads.

Also, a petition from inhabitants of Bedford county of like import.

Referred to the Committee on Railroads.

Mr. LONG, a petition from citizens of Cumberland county, praying for an election district.

Referred to the Committee on Election Districts.

Mr. PILLOW, a petition from citizens of the borough of Millerstown, Butler county, praying for the passage of an act authorizing the collection of bounty tax.

Referred to the Committee on Military.

Also, a remopstrance against the passage of an act authorizing the collection of bounty tax in Millerstown, Butler county.

Referred to the Committee on Military.

Mr. HOOD, a petition from citizens of Philadelphia, against the erection of any bridge over the Schuylkill river, below Chestnut street, without a draw.

Referred to the Committee on Municipal Corporations.

Also, a remonstrance from citizens of Philadelphia, against the passage of any law repealing the act providing for the payment of gratuities and annuities to the soldiers of the war of 1812, and to their widows.

Referred to the Committee on Pensions and Gratuities.

Mr. DEISE, affidavits of citizens of Clinton county, relating to relief of Jane Lynn, widow of John Lynn, a soldier of the war of 1812.

Referred to the Committee on Pensions and Gratuities.

Mr. DeHAVEN, a petition from citizens of Philadelphia, against the erection of a bridge over the river Schuylkill (below Chestnut) without a draw.

Referred to the Committee on Municipal Corporations.

Mr. QUAY, a remonstrance from citizens of Bridgewater, Beaver county, against the passage of an act vacating a portion of Clarion street, in said borough.

Referred to the Committee on Municipal Corporations.

Mr. STEACY, a petition from citizens of Bainbridge, against incorporating said village into a borough.

Referred to the Committee on Municipal Corporations.

Mr. BRENNAN, a petition from citizens of the First and Second wards of the city of Scranton, praying to be released from all connection with said city.

Referred to the Committee on Municipal Corporations.

Mr. JENKS, a petition from citizens of Jefferson county, praying for the repeal of the law which authorizes the county treasurer to grant licenses for eating houses.

Referred to the Committee on Vice and Immorality.

Also, a petition from citizens of Jefferson county, praying that the law regulating the granting of licenses for eating houses by the treasurer should not be repealed.

Referred to the Committee on Vice and Immorality.

Mr. PILLOW, a petition from citizens of Butler county, praying for the Legislature to extend to Butler county the law of Allegheny county in regard to granting licenses for bagatelle tables and rooms.

Referred to the Committee on Vice and Immorality.

Mr. M'HENRY, a petition from Nathan B. Durel and one hundred and eighteen other citizens of Northampton county, against any repeal of the Sunday law, and against the selling of liquor on Sunday.

Referred to the Committee on Vice and Immorality.

Mr. CHASE, a petition from seventy-five citizens of Forest county (formerly in Venango county), praying for the passage of an act repealing the act increasing the boundaries of Forest county.

Referred to the Committee on Counties and Townships.

Mr. QUAY, a petition from citizens of Ohio township, Beaver county, for the passage of a law changing the number of school directors in said township.

Referred to the Committee on Education.

Mr. PILLOW, a petition from citizens of Butler county, for a road in Allegheny and Butler counties.

Referred to the Committee on Roads, Bridges and Ferries.

Mr. HOFFMAN, a petition from citizens of Millersburg, Dauphin county, asking for a law in Dauphin county to require each district to pay their own road damages.

Referred to the Committee on Roads, Bridges and Ferries.

Mr. STEACY, a petition from seventy-five citizens of Bart township, Lancaster county, asking to extend the provisions of several sections of an act approved March 26th, 1863, relating to roads in Birmingham township, Delaware county, to Bart township, Lancaster county.

Referred to the Committee on Roads, Bridges and Ferries.

Mr. HUNT, a petition from the inhabitants of Forest county, praying for an act protecting farmers against the ravages of wild cats in said county.

Referred to the Committee on Agriculture.

Mr. PILLOW, a petition from citizens of Clinton township, Butler county, praying for the passage of an act to prevent cattle from running at large in said township.

Referred to the Committee on Agriculture.

Mr. LONG, a petition from citizens of Cumberland county, praying for the passage of an act for the protection of fish in Canadoguinit creek in said county.

Referred to the Committee on Agriculture.

Mr. DAVIS, two petitions from citizens of Philadelphia, praying for an act restraining the sale of spirituous and intoxicating drinks in said city.

Referred to the Committee on Vice and Immorality.

Mr. ROATH, a petition from one hundred and sixty citizens of Marietta, Lancaster county, Pennsylvania, against the sale of intoxicating liquors and running cars on Sunday.

Referred to the Committee on Vice and Immorality.

Mr. KOON, a remonstrance from one hundred and ninety-eight men, women and children, against Sunday street cars.

Laid on the table.

Mr. HOFFMAN, a remonstrance from citizens of Halifax township, Dauphin county, against running cars on Sunday.

Laid on the table.

Mr. FREEBORN, four petitions from citizens of the city of Philadelphia, in favor of allowing persons of color to ride in passenger railway cars in said city.

Laid on the table.

Mr. ARMSTRONG, a remonstrance from citizens of Mount Joy, Lancaster county, against running street cars in Philadelphia on the Sabbath day.

Laid on the table.

Mr. WINGARD, two remonstrances from citizens of the city of Williamsport, and of Lycoming county, against the running of street cars on Sunday in the city of Philadelphia.

Laid on the table.

Also, a petition from citizens of Jersey Shore borough, praying for a change in the boundaries of said borough.

Laid on the table.

Mr. KLINE, a remonstrance from citizens of Lehigh county, against any change in the Sunday laws.

Laid on the table.

Mr. JENKS, a petition from citizens of Pennsylvania, praying that the laws which forbid worldly employment upon the Sabbath day shall not be repealed in any locality.

Laid on the table.

Mr. WALLACE, a petition from the citizens of the city of Philadelphia, against the passage of an act allowing passenger cars to run on the Sabbath day.

Laid on the table.

Mr. LONG, a petition from two hundred citizens of the Evangelical Lutheran church of Newville, Cumberland county, Pennsylvania, against the running of street cars on Sunday, and praying for a revision of the license laws of this Commonwealth.

Laid on the table.

REPORTS FROM COMMITTEES.

Mr. HOOD (Roads, Bridges and Ferries), as committed, bill No. 513, an act changing the time of holding the annual meeting and election of president, managers and treasurer of the Green Lane and Goshenhoppen turnpike road company, and the time for declaring the dividends of said company.

Mr. BOUCH (Agriculture), with amendments, bill No. 514, an act for the protection of sheep and taxation of dogs within this Commonwealth.

Mr. FOGEL (same), as committed, bill No. 515, an act relating to the passage of fish in Middle creek, in the county of Snyder.

Mr. GORDON (same), as committed, bill No. 516, an act to prevent the hunting of deer with dogs in the county of Wyoming.

Mr. BREEN (same), as committed, bill No. 517, an act to repeal a supplement to an act to prevent cattle, horses, sheep and dogs from running at large in the county of Delaware, extending the same to Lebanon county, approved the 11th day of April, A. D. 1866.

Mr. BROWN (Vice and Immorality), as committed, bill No. 518, an act to prohibit the sale of intoxicating drinks in the townships of Economy and Independence, in the county of Beaver.

REPORT FROM COMMITTEE ON COMPARE BILLS.

Mr. WATT, from the Committee appointed to Compare Bills, and present them to the Governor for his approbation, made report, which was read as follows:

That in conjunction with a similar committee from the Senate, they have compared, and on the 14th presented to the Governor, for his approbation, the bills as follows, to wit:

No. 161, an act to repeal the act of Assembly, passed the 11th day of April, 1866, entitled An act to provide for the purchasing of real estate and erection of a poor house in Montour county.

No. 82, a supplement to an act relating to the lien of mechanics and others upon buildings, extending it to York county.

No. 37, a supplement to an act passed the 16th day of February, A. D, 1865, to increase the pay of county commissioners, county auditors, poor directors, jurors and witnesses in the county of Mercer.

No. 33, an act authorizing the school directors of the borough of Oil City, in Venango county, to borrow money.

No. 110, an act relating to the sale of lands for taxes in Potter, Warren and Bradford counties.

No. 134, an act to extend the time for the payment of the enrollment tax on an act to incorporate the Meadville city passenger railroad company, approved the 11th of April, 1866.

No. 49, an act in relation to the fees of certain county officers and district attorney in the county of Washington.

No. 30, an act to incorporate the Oxford Hall association.

No. 59, an act authorizing the assessment of railroad taxes in the borough of Kittanning, Armstrong county.

No. 88, an act to incorporate the Mechanics' and Miners' Co-operative association of Scranton.

No. 85, a supplement to an act authorizing appeals from interlocutory orders or decrees granting special injunctions, approved the 14th day of February, A. D. 1866, extending the provisions of said act to special injunctions granted by the court of *nisi prius* at Philadelphia.

No. 83, an act to repeal the fourth section of an act relating to fees of certain officers in Erie county.

No. 81, an act relating to auctioneers in the city and county of Erie.

No. 79, an act fixing the rate of compensation of the sheriffs of Northampton, Fayette and Carbon counties, for boarding prisoners.

No. 78, an act to repeal an act providing for compensation of damages to public roads in Bethlehem and Palmer townships, Northampton county, by the construction of the Lehigh and Delaware Water Gap railroad, approved the 11th day of April, A. D. 1866.

No. 63, a supplement to an act to incorporate the borough of South Erie.

No. 68, an act authorizing the trustees of the Brookville academy to sell the same to the Brookville school district.

No. 67, an act to annex David S. Walker, Francis Cunningham and Wesley Smith, of Jefferson township, Washington county, to Cross Creek township, in the same county, for school purposes.

No. 38, a supplement to an act passed the 13th day of April, A. D. 1859, relating to billiard saloons, et ceterra, in the counties of Chester and Delaware, extending the same to the county of Bradford.

No. 71, a supplement to an act to change the mode of criminal proceedings in Erie and Union counties, extending the same to the county of Bradford.

No. 48, an act repealing the provisions of an act relative to the fees of district attorney in certain counties of this Commonwealth, so far as they relate to the county of Bradford.

No. 39, an act authorizing the commissioners of Erie county, to exonerate William F. Brockway, collector of the township of Springfield, in said county, from the payment of certain tax.

No. 58, an act to change and amend the charter of the borough of Emporium, in the county of Cameron.

No. 57, a further supplement to an act to incorporate the city of Philadelphia, approved February 2d, A. D. 1854.

No. 54, an act in relation to the weighing of hay, coal and lime in the borough of Washington.

No. 445, a supplement to an act revising the charter of the municipal corporation of the city of Reading, approved the 26th day of April, A. D. 1864.

Senate bill No. 155, a further supplement to an act to incorporate the Pottstown iron company, approved the 27th day of March, A. D. 1866, authorizing them to increase their capital stock and the number of directors.

Senate bill No. 60, an act changing the time of holding courts in the Sixthenth Judicial district.

Senate bill No. 124, a supplement to an act to unite and consolidate Marshall college, now at Mercersburg, with Franklin college, now at Lancaster, under the name of Franklin and Marshall college, as a corporation, to be located in the city of Lancaster or its immediate vicinity, approved the 19th day of April, A. D. 1850, changing the trustees thereof, and the manner of selecting such trustees and their terms of office.

BILLS IN PLACE.

Mr. ALLEN read in his place and presented to the Chair an act to incorporate the Tidioute oil pipe association.

Referred to the Committee on Corporations.

Mr. BOYD, an act to change the boundary lines of the borough of Wrightsville, in the county of York.

Referred to the Committee on Municipal Corporations.

Mr. BOYLE, an act to repeal the first section of an act to provide additional revenue for the use of the Commonwealth, approved 25th day of August, 1864.

Referred to the Committee on Ways and Means.

Also, a supplement to an act estilled An act authorizing appeals from interlocutory orders and decrees granting special injunctions, approved 14th day February, 1866.

Referred to the Committee on the Judiciary General.

Mr. CAMERON, an act to incorporate the Susquehanna Depot Protective Union, of Susquehanna county.

Referred to the Committee on Municipal Corporations.

Mr. CHALFANT, an act to provide for election of burgess and town council in the borough of Danville, Montour county, Pennsylvania.

Referred to the Committee on Municipal Corporations.

Mr. CAMERON, an act relating to the payment of bounties to volunteers.

Referred to the Committee on Military.

Also, an act to repeal the Lenox road law, in the township of Lenox, in the county of Susquehanna, and for other purposes.

Referred to the Committee on Roads, Bridges and Ferries.

Mr. CHALFANT, an act to prevent fishing with nets, seines and baskets, in the waters of Big Fishing creek and its tributaries, in the counties of Columbia and Luzerne, Pennsylvania.

Referred to the Committee on Agriculture.

Mr. COLVILLE, an act to annul the marriage contract between James R. Weyman and Ida M., his wife.

Referred to the Committee on Divorces.

Mr. DAY, an act for the protection of the people against imposition and quackery.

Referred to the Committee on the Judiciary General.

Mr. DEISE, an act to regulate the fees of district attorneys in the county of Cameron.

Referred to the Committee on the Judiciary Local.

Mr. DONOHUGH, an act to exempt from taxation certain real estate in Philadelphia belonging to the Jewish Hospital association of Philadelphia.

Referred to the Committee on Ways and Means.

Also, an act for the relief of N. R. Harris, a commissioned captain of company D, in the One Hundred and Sixteenth regiment Pennsylvania volunteers.

Referred to the Committee on Military.

Mr. FREEBORN, an act to exempt the Boarding Home for young women of Philadelphia from taxation.

Referred to the Committee on Ways and Means.

Also, an act to incorporate the Oakdale Skating Park and Physical Institute of Philadelphia.

Referred to the Committee on Corporations.

Also, a supplement to an act relating to the mechanics' lien law, approved the 16th day of June, 1836, and the several supplements thereto.

Referred to the Committee on the Judiciary General.

Also, an act to confirm the title of William B. Hughes in and to a certain lot or piece of ground, situated on the north side of High or Market street, seventy feet six and a-half inches from the west side of Nineteenth street, in the city of Philadelphia.

Referred to the Committee on Municipal Corporations.

Mr. GALLAGHER, a supplement to an act relative to the election of supervisors in the township of Salem, in the county of Westmoreland.

Referred to the Committee on Roads, Bridges and Ferries.

Also, an act to extend the term of the county treasurer of Westmoreland county.

Referred to the Committee on the Judiciary Local.

Mr. HARNER, an act to incorporate the Reading and Treverton railroad company.

Referred to the Committee on Railroads.

Mr. HEADMAN, an act authorizing the owners of certain mills on the Delaware river at Morrisville to extend their wing dams.

Referred to the Committee on the Judiciary Local.

Mr. HOOD, an act relative to unclaimed dividends in insolvent assigned estates.

Referred to the Committee on the Judiciary General.

Mr. HUNT, an act for the protection of farmers against the ravages of wild cats in the county of Forest.

Referred to the Committee on Agriculture.

Mr. JENKS, an act providing for the payment to the school treasurer of Monroe township, Clarion county, the balance of the money raised for the payment of local bounties, after the payment of all claims on said township for local bounty.

Referred to the Committee on Military.

Mr. JONES, an act to incorporate the Citizens' insurance company.

Referred to the Committee on Corporations.

Mr. KERNS, an act to incorporate the Pennsylvania society for the prevention of cruelty to animals.

Referred to the Committee on Corporations.

Also, an act to incorporate the Philadelphia and Bridgeport steamboat company.

Referred to the Committee on Corporations.

Also, an act to incorporate the Otter Point fish house company.

Referred to the Committee on Corporations.

Mr. KINNEY, an act to authorize John F. Satterly to erect an eel weir in the Susquehanna river, Sheshequin township, Bradford county.

Referred to the Committee on Agriculture.

Mr. KOON, an act to authorize the school directors of the borough of White Haven to borrow money.

Referred to the Committee on Education.

Also, an act to authorize the supervisors of Abington township, Luzerne county, to levy a special bounty tax.

Referred to the Committee on Military.

Mr. LONG, an act relating to the appointment of auctioneers in the county of Cumberland.

Referred to the Committee on the Judiciary Local.

Mr. M'CREARY, an act authorizing the board of directors of the city of Erie to appoint a superintendent for the schools of said city.

Referred to the Committee on Education.

Mr. MAISH, an act to empower the Ashland iron company of Baltimore county, in the State of Maryland, to hold land, and manufacture and sell iron in the State of Pennsylvania.

Referred to the Committee on Iron and Coal Companies.

Mr. MARKS, an act to provide for the appointment of controllers of the public schools of First school district of Pennsylvania.

Referred to the Committee on Education.

Mr. MEYERS, an act to incorporate the Delaware Valley railroad company.

Referred to the Committee on Railroads.

Also, a further supplement to the act incorporating the Lehigh and Delaware Water Gap railroad company.

Referred to the Committee on Railroads.

Mr. QUAY, an act to incorporate the Union Mutual fire insurance company of Northampton and Lehigh counties.

Referred to the Committee on Corporations.

Mr. QUIGLEY, an act to authorize the board of military claims to adjust the claim of William D. Schoeneleber.

Referred to the Committee on Military.

Also, an act to authorize the city of Philadelphia to sell certain grounds in the Eleventh ward.

Referred to the Committeee on Municipal Corporations.

Mr. SATTERTHWAIT, an act to prevent cattle from running at large in Abington township, Montgomery county.

Referred to the Committee on Agriculture.

Mr. STEACY, a supplement to an act to incorporate the Coatesville, Mortonville and Doe Run plank road company, and relative to the repair of public roads in Birmingham township, Delaware county, and relative to the Darby and Upper Darby plank road company.

Referred to the Committee on Roads, Bridges and Ferries.

Mr. STUMBAUGH, an act in relation to fishing in the stream known as the Antietam, or any of its branches, in the county of Franklin.

Referred to the Committee on Agriculture.

Mr. WESTBROOK, an act for the relief of the associate judges of Wayne county.

Referred to the Committee on Ways and Means.

Also, a joint resolution relative to the military history of the Pennsylvania reserve corps.

Referred to the Committee on Military.

Mr. WHANN, a further supplement to an act authorizing the Cranberry coal company to construct a railroad.

Referred to the Committee on Iron and Coal.

Mr. WADDELL, an act to incorporate the Penn Mutual fire insurance company of Chester county.

Referred to the Committee on Corporations.

Also, an act to change the place of holding elections in Jefferson township, in the county of Allegheny.

Referred to the Committee on Election Districts.

Mr. WHARTON, an act relating to the filing of liens and collection of taxes in the borough of Petersburg.

Referred to the Committee on the Judiciary Local.

Mr. WELLER, an act in relation to fishing and hunting in the township of Jefferson, in the county of Somerset.

Referred to the Committee on Agriculture.

Mr. WEBB, an act declaring Clear creek, in the county Cameron, a public highway.

Referred to the Committee on Roads, Bridges and Ferries.

Mr. WINGARD, an act to change the venue in the case of John M'Farland vs. Joseph Shoemaker, from the court of common pleas of Northumberland county to the court of common pleas of Union county, in this Commonwealth.

Referred to the Committee on the Judiciary Local.

Mr. WORRALL, an act to authorize an examination into the military services of A. F. Reightmyer.

Referred to the Committee on Military.

SPEAKER'S TABLE.

The SPEAKER laid before the House the annual report of the board of directors of the institution for the instruction of the blind;

Also, the annual report of the Philadelphia Savings Fund society.

Which were severally read, and

Laid on the table.

The following resolutions were read and laid on the table:

Pittsburg and Connellsville Railroad—Meeting at Connellsville.

The citizens of Connellsville met this evening (February 14th), at the Tough House, for the purpose of expressing their sentiments in regard to the restoration of the charter of the Pittsburg and Connellsvile railroad.

The meeting was organized by the election of the following officers:

President—Hon. P. M'Cormick.

Vice Presidents—General J. C. Cummings, Samuel Freeman, J. Enas, George Nickel, R. A. M'Ilvaine, Aaron Bishop and H. Walter.

Secretaries—J. T. M'Cormick and General R. F. Galloway.

On motion of Dr. Lindley, the chair was authorized to appoint a committee on resolutions.

The following gentleman were named;

Dr. L. Lindley, Jos. Johnston, John Greenland, George Orth, H. O. Overholt, Major B. Pritchard, Josiah Kurtz, M. B. Stouffer and David Connell.

The committee reported the following resolutions, which were ordered to be sent to Pittsburg papers for publication, and a copy to be forwarded to the Speaker of the House of Representatives:

Resolutions.

WHEREAS, The act of the Legislature annulling the charter of the Pittsburg and Connellsville railroad company has been decided, by the highest courts of the State, to be unconstitutional and void, and the act itself a gross violation of the rights of the people, and a monstrous fraud upon the vested rights of the company, and as it is universally believed that the passage of said act was procured by unjust and corrupt means; therefore,

Resolved, That we, as a people whose rights have been violated and whose interests have been deeply and unjustly injured by the passage of said act, do appeal to the present Legislature and demand a restoration of our rights by the prompt repeal of the unjust and fraudulent act.

Resolved, That full justice would require, not only the repeal of the act, but would also require that ample reparation should be made by the State for the great damage which the interests of the company have sustained by reason of the fraud upon its vested rights, which the State, through its Legislature, has committed.

Resolved, That we do not ask it as a favor, but we demand it as a perfect and undeniable right that the act be repealed, and we will hold those members of the Legislature who refuse to vote for its repeal to a strict accountability, both in public and in private, holding them up to the scorn and derision of all honest men, without regard to party.

Resolved, That we are in favor of the passage of the general railroad law, lately read in place by Senator Bigham, and ask its passage as read.

Resolved, That a copy of the proceedings and resolutions of this meeting be forwarded to the Speaker of the House of Representatives, with a request that it be read before the House as an expression of the universal sentiment and feeling of the people of Western Pennsylvania, and the opinion of honest and impartial men everywhere.

P. M'CORMICK,
President.

J. T. M'CORMICK, R. F. GALLOWAY, } Secretaries.

The SPEAKER presented to the House, for concurrence, Senate bills numbered and entitled as follows, viz:

Senate bill No. 143, an act to divide the Twenty-first ward, in the city of Philadelphia, into two wards, and to create a new ward, to be called the Twenty-eighth ward.

Referred to the Committee on Municipal Corporations.

Senate bill No. 186, an act to regulate the rates of fare on certain passenger railroads in the county of Allegheny.

Referred to the Committee on Passenger Railways.

Senate bill No. 264, an act to incorporate the Pennsylvania Boat House association of Philadelphia.

Referred to the Committee on Corporations.

Senate bill No. 281, an act vacating the old burial ground in the borough of Sewickley, and removing the bodies therefrom.

Referred to the Committee on the Judiciary Local.

Senate bill No. 282, an act to extend the provisions of an act entitled An act to require the register of wills, in and for Luzerne county, to record in a book or books the appraisements, inventories and vendue lists of personal property, to the county of Monroe.

Referred to the Committee on the Judiciary Local.

Senate bill No. 285, an act authorizing the trustees of the proprietors of Hanover township, in Luzerne county, to collect and pay over moneys to the Central poor house.

Referred to the Committee on the Judiciary Local.

Senate bill No. 287, an act relative to livery stable keepers in Mercer county.

Referred to the Committee on the Judiciary Local.

Senate bill No. 288, an act to authorize the clerk of the orphans' court, courts of oyer and terminer and quarter sessions, to appoint deputies in Lehigh county.

Referred to the Committee on the Judiciary Local.

Senate bill No. 289, an act to authorize the Governor to appoint an additional notary public for the county of Mercer, to reside in the borough of Sharon, in said county.

Referred to the Committee on the Judiciary Local.

Senate bill No. 292, an act to increase the pay of assessors of Lehigh county.

Referred to the Committee on the Judiciary Local.

Senate bill No. 295, an act relating to the duties of clerk of the orphans' court for the county of Dauphin.

Laid on the table,

Senate bill No. 296, a supplement to an act entitled An act to authorize the erection of a poor house by the township of Wilkes-

barre, in Luzerne county, approved April 2, A. D. 1860.

Referred to the Committee on the Judiciary Local.

Senate bill No. 297, an act to incorporate the Philadelphia coal company.

Referred to the Committee on Iron and Coal Companies.

Senate bill No. 298, an act to allow the Madera coal and improvement company to hold more land, and changing the par value of their stock.

Referred to the Committee on Iron and Coal Companies.

Senate bill No. 300, an act to incorporate the International patent fuel company.

Referred to the Committee on Corporations.

Senate bill No. 301, an act supplementary to an act to incorporate the Union hall association of Pottsville.

Referred to the Committee on Corporations.

Senate bill No. 303, a supplement to an act entitled An act to incorporate the Penn gas coal company, approved the 1st day of March, A. D. 1861.

Referred to the Committee on Coal and Iron Companies.

Senate bill No. 304, an act to incorporate the Atlantic brick manufacturing company.

Referred to the Committee on Corporations.

Senate bill No. 306, an act to incorporate the Wyoming Valley manufacturing company.

Referred to the Committee on Corporations.

Senate bill No. 307, an act to authorize the Wyoming slate company to create and issue preferred stock.

Referred to the Committee on Corporations.

Senate bill No. 308, an act to incorporate the Philadelphia Enterprise gold and silver mining company of Montana.

Referred to the Committee on Mining and Manufacturing Companies.

Senate bill No. 309, an act to establish a ferry over the Allegheny river in Warren county.

Referred to the Committee on Roads, Bridges and Ferries.

Senate bill No. 316, an act to incorporate the Dickinson Run railroad and bridge company.

Referred to the Committee on Railroads.

Senate bill No. 317, supplement to an act entitled An act to incorporate the Allentown passenger railway company, approved the 25th day of March, A. D. 1864.

Referred to the Committee on Passenger Railroads.

Senate bill No. 319, an act to incorporate the Sandusky and Irwin Street bridge company.

Referred to the Committee on Roads, Bridges and Ferries.

Senate bill No. 320, an act authorizing the supervisors of Jackson township, in Luzerne county, to collect, in money, one-third of the tax levied for road purposes, in said township.

Referred to the Committee on Roads, Bridges and Ferries.

Senate bill No. 322, an act authorizing the supervisors of Blythe township, Schuylkill county, to make and repair the public road bridges and culverts in said township.

Referred to the Committee on Roads, Bridges and Ferries.

Senate bill No. 440, a further supplement to an act to incorporate the Mifflin and Centre County railroad company.

Referred to the Committee on Railroads.

House bill No. 94, an act relating to beer houses and restaurants and licenses now granted by the treasurer of Washington county,

Returned from the Senate with amendments.

On motion of Mr. EWING,

The amendments were concurred in.

BILL PASSED.

Senate bill No. 295, an act relating to the duties of clerk of the orphans' court for the county of Dauphin.

Mr. HOFFMAN. Mr. Speaker, I move that the rules be suspended, and that the House proceed to the consideration of that bill.

The motion was

Agreed to.

The bill was read as follows:

WHEREAS, The Legislature of Pennsylvania, at is session of one thousand eight hundred and sixty-six, did enact a law transferring the duties of clerk of orphans' court, for the county of Dauphin, to that of the register of said county;

And whereas, His honor, John J. Pearson, president judge of that judicial district, declares said act unconstitutional, and the citizens of said county having, at the election held on the ninth day of October last, elected a recorder of deeds and clerk of the orphans' court; therefore,

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same*, That the person duly elected and holding said certificate of election, be and is hereby empowered and authorized to discharge said duties of clerk of the orphans' court, in and for said county, and receive the emolunents for the same.

SEC. 2. That the act approved the eleventh day of April, one thousand eight hundred and sixty-six, relating to the change or transfer of the duties of clerk of the orphans' court of Dauphin county, be and is hereby repealed.

The bill was

Agreed to.

On motion,

The rules were suspended,

The bill read a second and third time, and

Passed finally.

COMMITTEE APPOINTED TO PRESENT THE HANCOCK CHAIR AND TABLE.

Mr. LEE. Mr. Speaker, I ask leave to offer a resolution.

Leave was granted.

Mr. LEE. I offer the following resolution.

The resolution was read as follows:

Resolved, That a committee of five members of this House be appointed to act in connnction with a similar committee from the Senate, should the Senate appoint such a committee, to represent this Legislature in the ceremonies of depositing the Hancock Chair and the Independence Table in the Hall of Independence in Philadelphia on the 22d inst.

The resolution was read a second time, and

Agreed to.

The SPEAKER appointed the following gentlemen as members of the committee:

Messrs. LEE, M'CREARY, CHASE, LINTON and MAISH.

Mr. CHADWICK. Mr. Speaker, I offer the following resolution.

The resolution was read as follows:

Joint resolution authorizing the Governor to dispose of certain perishable military stores in the State arsenal.

Resolved, by the Senate, &c., That the Governor be, and is hereby, authorized to deliver, as a donation from the State, to the soldiers' home, located in the Ninth ward of the city of Pittsburg, the following quartermaster's stores, now in the State arsenal, and in good condition, but liable to be wasted by moth, and to become of no value to the Department, viz: two lined blouses, seven overcoats, forty-eight pair of pants, thirty-five unlined blouses, twenty-one shirts (flannel and cotton), fifty-eight pairs of trawers, eleved pairs of stockings, six pairs of bootees, eleven caps and one hundred and three German overcoats.

The resolution was read a second time, and

Agreed to.

Mr. WOODWARD. Mr. Speaker, I move that we now adjourn.

Mr. KERNS. I hope not, Mr. Speaker. The members from Philadelphia are very anxious to take up and pass the Sunday car bill to-night.

The SPEAKER. Debate on a motion to adjourn is not in order.

The question is on the motion to adjourn.

On the question,

The yeas and nays were required by Mr. JOSEPHS and Mr. GREGORY, and were as follow, viz:

YEAS—Messrs. Adaire, Allen, Armstrong, Boyle, Brennan, Brown, Cameron, Chadwick, Chalfant, Chase, Colville, Day, Espy, Ewing, Freeborn, Gallagher, Gordon, Harbison, Harner, Heltzel, Hoffman, Humphrey, Hunt, Jenks, Jones, Kinney, Leech, Linton, Long, M'Camant, M'Creary, M'Henry, M'Pherrin, Markley, Mechling, Meyers, Phelan, Quay, Rhoads, Roath, Rouch, Shuman, Steacy, Subers, Waddell, Wallace, Watt, Weller, Wham, Wilson, Wingard, Woodward, Wright and Glass, *Speaker*—54.

NAYS—Messrs. Barrington, Boyd, Davis, DeHaven, Deise, Donohugh, Fogel, Ghegan, Gregory, Headman, Hood, Josephs, Kerns, Kimmell, Koon, Lee, Marks, Meily, Peters, Quigley, Robinson, Satterthwait, Seiler, Stehman, Stumbaugh, Webb, Westbrook and Worrall—28.

So the question was determined in the affirmative.

Whereupon

The SPEAKER adjourned the House until to-morrow morning at 10 o'clock.

HOUSE OF REPRESENTATIVES.

TUESDAY, February 19, 1867.

The House met at 10 o'clock, A. M.

The SPEAKER announced a quorum of members present.

On motion of Mr. KURTZ, the reading of the Journal of last night was dispensed with.

PRIVATE CALENDAR.

Agreeably to order,

The House proceeded to the consideration of the bills on the private calendar.

The following bills were read the first time and laid over for a second reading:

Senate bill No. 326, a further supplement to an act for the better preservation of the records contained in the public offices of the several counties of this Commonwealth, approved the 29th day of March, A. D. 1827, so far as relates to the county of Lancaster.

No. 381, an act to authorize the Governor to appoint an additional notary public for the borough of Milton, Northumberland county.

No. 382, an act to extend the provisions of an act, entitled An act relative to mechanics' liens in the counties of Luzerne and Schuylkill, approved February 17, A. D. 1858, to the county of Northumberland.

Senate bill No. 118, an act to authorize the appointment of seven additional notaries public for the city of Philadelphia.

No. 284, an act to authorize the qualified

electors of Lycoming county to vote for or against a poor house in said county.

Amended by Mr. WINGARD.

No. 385, an act relative to the pay of auditors in the county of Butler.

No. 387, an act relative to the fees of the coroner of Allegheny county.

Senate bill No. 158, an act relating to the Dauphin county prison.

No. 390, an act authorizing William S. Zeigler to act as justice of the peace in the borough of Butler, Butler county, while residing outside the limits of said borough.

No. 391, an act to authorize the Governor to appoint two additional notaries public for the city of Philadelphia.

No. 392, an act for the relief of Elias Tome, of York county.

No. 393, an act to repeal an act entitled An act to regulate the practice of entering judgments and issuing processes in Armstrong county.

No. 395, an act relating to the fees of district attorney for the county of Greene.

No. 396, an act to regulate the salaries of the county auditors, and also the salaries of the township auditors and their clerks, in the county of York.

No. 397, a further supplement to an act passed the 13th day of March, 1862, to authorize the arrest of professional thieves, burglars, et cetera, in the city of Philadelphia.

No. 398, an act to increase the pay of the assessors of Lehigh county.

Senate bill No. 191, a supplement to an act approved 16th day of April, A. D. 1866, appointing commissioners to lay out and open a State road in M'Kean county, from the borough of Smethport to Lafayette Corners.

No. 400, an act repealing an act relative to the corner of Armstrong county.

No. 401, an act relating to hawkers and peddlers in the county of Chester.

No. 402, an act relating to courts of equity in cases of partitions, in the several counties composing the Sixth Judicial district of Pennsylvania.

No. 403, an act to establish an additional notary public in Chester county.

No. 404, an act authorizing and requiring the prothonotary of Cambria county to keep an extension docket.

No. 406, an act in relation to original writs and executions in the county of Franklin.

Senate bill No. 120, an act to prevent and punish desertion in the counties of Lawrence and Luzerne.

Senate bill No. 158, an act to extend an act authorizing the Secretary of the Commonwealth to distribute copies of the standard of weights and measures, and for the appointment of sealers, to the county of Montgomery.

No. 409, an act to regulate the fees of the clerk of the courts of oyer and terminer and general quarter sessions of the peace of Crawford county.

No. 411, an act in relation to lost records, deeds and other papers in the county of Franklin.

No. 412, an act to incorporate the Pithole gas and water company.

No. 413, an act supplementary to an act incorporating the town of Lawrenceville, in the county of Allegheny, into a borough, approved the 13th day of February, A. D. 1834.

No. 414, an act to vacate a portion of Clarion street, in the Borough of Bridgewater, Beaver county, authorizing the portion vacated to be disposed of for the benefit of said borough.

Amended by Mr. QUAY.

No. 415, an act giving the town council of the borough of Mauch Chunk the right to make and build drains, sewers and sluices in said borough.

Amended by Mr. CRAIG.

No. 416, an act authorizing the burgess and town council of the borough of Irwin, in Westmoreland county, to levy and collect a special tax for borough purposes.

No. 418, an act relative to the per capita tax to be assessed by the water directors of the town of Aaronsburg, county of Centre.

Amended by Mr. KURTZ.

No. 419, an act to authorize an increase of taxes for borough purposes, in the borough of West Elizabeth, Allegheny county.

Senate bill No. 152, an act to authorize the borough of St. Mary's to borrow money, and to extend the width of St. Michael's street, in said borough.

Senate bill No. 131, an act to authorize the town council of the borough of Middletown, in the county of Dauphin, to borrow money to pay off the present indebtedness of said borough.

Senate bill No. 354, an act to authorize the select and common councils of the city of Williamsport to levy and collect a special tax for city purposes.

No. 423, an act to enable the South ward, in the city of Chester, to procure a supply of water.

Senate bill No. 242, an act to authorize the school directors of Minersville borough, in the county of Schuylkill, to borrow money.

Senate bill No. 62, an act changing the number and manner of electing councilmen in the borough of Bellevernon.

No. 427, an act authorizing the borough council of Shenandoah, Schuylkill county, to borrow money, and the voters to elect six town councilmen, &c., &c.

No. 428, an act to authorize the borough of Indiana to increase their taxation for borough purposes.

No. 429, an act to extend an act to authorize the burgess and town council of the borough of Kittanning to grade, curb and pave certain sidewalks.

No. 430, an act supplementary to an act incorporating the town of Lawrenceville into a borough, approved the 13th day of February, A. D. 1834.

Senate bill No. 42, a supplement to an act to incorporate the Wilkesbarre and Pittston railroad company, approved April 15, A. D. 1851.

Senate bill No. 248, an act to extend the time to pay the enrollment tax on an act entitled A supplement to the act incorporating the Littlestown railroad company, approved the 17th day of February, A. D. 1854, approved April 8, A. D. 1864.

No. 433, an act to incorporate the Wellsborough and Lawrenceville railroad company.

Senate bill No. 123, an act to incorporate the Wilkesbarre and Sugar Notch Passenger railway company.

No. 435, an act incorporating the Morrison's Cove railroad company.

Senate bill No. 349, an act to enable the Pennsylvania Cannel coal and railroad company to borrow money, and change the corporate name of said company.

Senate bill No. 350, an act to extend the time for the payment of the enrollment tax on a certain act approved March 10, 1865, entitled A further supplement to an act to incorporate the Powelton coal and iron company, approved May 1, 1861, extending the time of charter of said company.

Senate bill No. 133, an act to amend the charter of the Cambria iron company, authorizing an increase of capital stock and the issue of bonds, and authorizing the manufacture of iron and steel in any shape.

No. 439, a supplement to an act to incorporate the Penn Gas coal company, approved 1st day of March, A. D. 1861.

No. 441, an act to incorporate the Pacific Railroad Gold mining company.

Senate bill No. 121, an act to incorporate the M'Connell mineral company of Pennsylvania.

Senate bill No. 199, a further supplement to an act entitled An act to incorporate the Kensington and Oxford turnpike road company, approved the 17th day of March, 1842.

Senate bill No. 195, an act relative to the Lancaster and Litiz turnpike road company, in Lancaster county.

No. 449, an act to incorporate the Pine Creek bridge company.

No. 451, a supplement to an act incorporating the Hollidaysburg and Altoona plank road company.

No. 452, an act relative to the Allegheny and St. Mary's cemeteries, in Allegheny county.

Amended by Mr. M'KEE.

Senate bill No. 198, an act to incorporate the Sullivan and Pocono Summit plank road or turnpike company.

No. 455, an act relative to the payment of street and road damages in the county of Dauphin.

No. 456, an act to authorize Adam Lerew, trustee of Hiram Albert, to purchase real estate.

No. 457, an act relating to the estate of William Wurts, deceased.

No. 458, an act to confirm the title of John Hanley to certain real estate in the city of Philadelphia.

No. 459, a supplement to an act to incorporate the Fidelity insurance, trust and safe deposit company of the city of Philadelphia, passed the 22d day of March, A. D. 1866.

Senate bill No. 150, a supplement to an act to incorporate the Corn Exchange association of Philadelphia, authorizing said association to make certain by-laws, and regulating the assessment and payment of dues, fines, et cetera.

Senate bill No. 180, an act to incorporate the Co-operative association of Hyde Park, No. 1, in the city of Scranton, for mercantile purposes.

Senate bill No. 134, an act to incorporate the Richland Township Mutual insurance company.

Senate bill No. 179, an act to incorporate the University of St. Augustine.

No. 465, an act to incorporate the American University of Philadelphia.

Senate bill No. 84, an act to incorporate the Hand-in-Hand Mutual life insurance company.

No. 467, an act to incorporate the Spruce Grove lumber and land company.

Senate bill No. 122, an act to incorporate the Granite insurance company.

Senate bill No. 225, a supplement to an act to incorporate the Trout Run navigation company, authorizing change of time and place of organization thereof.

Senate bill No. 353, a supplement to an act of Assembly entitled An act to incorporate the Union Park skating association of Allegheny city, approved the 23d day of March, A. D. 1865.

No. 471, an act to incorporate the Lincoln Steam Fire hose company, in the city of Philadelphia, and to authorize said company to erect a market house.

No. 472, a supplement to an act incorporating the Girard Electrical insurance company, approved the 2d day of March, A. D. 1866.

Senate bill No. 174, an act relating to New Castle gas light company.

No. 474, an act to incorporate the Odd Fellows' Temple of the city of Philadelphia.

Senate bill No. 181, an act to incorporate the Providence gas and water company, in Luzerne county.

No. 476, an act to correct an act to incorporate the Williamsport hall and market company, approved April 30, 1866.

No. 478, An act to prohibit the entrapping, ensnaring or capturing of wild turkeys and partridges by any other means than shooting, in the county of Blair.

Amended by Mr. M'CAMANT.

No. 479, an act to prevent the growth of noxious weeds in the county of Chester.

No. 480, an act to extend the provisions of an act laying a tax on dogs in certain townships in the county of Chester; relative to elections in West Philadelphia, and to assessors in Millerstown, Perry county, approved March 11, 1850, so far as provides for the taxing of dogs, to the township of Londonderry, in the county of Chester.

No. 481, an act relating to fish and game in the county of Lawrence.

No. 482, an act to extend the provisions of an act to prohibit the issuing of licenses within certain boroughs in the counties of Armstrong, Potter, Indiana and Perry, or within two miles of the same, in the counties in which such boroughs are located, approved 27th day of March, 1866, to the boroughs of New Alexandria and Bolivar, in the county of Westmoreland.

No. 483, supplement to the act approved the 14th day of February, A. D. 1866, relative to the assessment of an additional bounty tax in the township of Haines, county of Centre.

No. 485, an act to annul the marriage contract between William Riley and Martha Willets.

No. 486, an act to annul the marriage contract between Daniel Wilson and his wife.

Senate bill No. 201, an act to incorporate the Erie City passenger railway company.

No. 488, supplement to an act to incorporate the Norristown passenger railway company.

Amended by Mr. MARKLEY.

Senate bill No. 68, an act to incorporate the Scranton savings bank.

OBJECTED BILLS OF LAST WEEK.

The following objected bills of last week were laid aside for a second reading:

No. 254, an act to vacate part of Woodpecker or Rising Sun lane, in the Twenty-first ward in the city of Philadelphia.

No. 284, an act to repeal an act of the General Assembly of the State of Pennsylvania, which became a law on the 19th day of August, 1864, entitled an act relating to the Pittsburg and Connellsville railroad.

No. 302, an act relative to the estate of George Frey, deceased.

No. 310, an act relative to the fees of certain township and county officers in the county of Beaver.

No. 311, an act to authorize the supervisors of West Branch township, Potter county, to levy an additional road tax.

No. 335, an act to establish a ferry over the Youghiogheny river at Layton station, in Fayette county, on the line of the Pittsburg and Connellsville railroad.

No. 349, an act appropriating certain moneys arising from fines and forfeitures in Chester county.

The following objected bills of last week were not laid aside:

No. 255, an act to vacate Elk, Ellen, Kepner and Watson alleys, in the city of Harrisburg.

Senate bill No. 29, a further supplement to an act for the better security of the city of Philadelphia from dangers incident to the refining or improper or negligent storage of petroleum, benzine or naptha, approved March 2, A. D. 1865, construing the same.

OBJECTED BILLS.

The following bills were objected to, and, under the rules, will be laid over until next week:

By Mr. SATTERTHWAIT,

No. 363, an act to chang the venue in the case of the Commonwealth of Pennsylvania vs. John Sharpe, Moriety Leib, Charles W. Evesbart, Robert Alsop and Jonathan A. Waters, from the court of quarter sessions of the peace of Montgomery county to the court of quarter sessions of the peace in and for the city and county of Philadelphia.

Senate bill No. 117, an act relative to the appointment of the collectors of taxes in Montgomery county.

No. 417, an act to vacate Second street from North to Briggs, and to extend Briggs street, from Second street to the Harrisburg and Millerstown turnpike, in the city of Harrisburg.

By Mr. KERNS,

No. 394, an act authorizing the Governor to appoint an additional notary public for the city of Philadelphia.

By Mr. GREGORY,

Senate bill No. 208, an act relative to the courts of oyer and terminer, general jail delivery and quarter sessions of the peace for the city and county of Philadelphia.

By Mr. THARP,

No. 410, an act to provide for the appointment and election of an additional law judge in the Eighth Judicial district of this Commonwealth.

By Mr. BARRINGTON,

Senate bill No. 224, a supplement to an act authorizing the borough council of the borough of Bethlehem, Pennsylvania, to purchase the water works, real estate and improvements of the Bethlehem water company; also to make all such necessary improvements and extensions required, to borrow money, and appoint water commissioners to carry out said object, approved March 13, 1866.

By Mr. LEE,

No. 447, an act providing for the reconstruction of the Columbia bridge across the Susquehanna.

By Mr. KOON,

Senate bill No. 178, an act to incorporate the Local Express company of Wilkesbarre.

By Mr. JOSEPHS,

No. 490, an act to incorporate the Peoples' Savings Fund and Safe Deposit company.

The following remarks were made during the first reading of the private calendar.

Mr. MAISH. Mr. Speaker, my attention was called away from the business before the House when bill No. 392 was read. I desire to object to that bill, for the reason that the parties interested in the release of this person have not had an opportunity to be heard from.

The SPEAKER. The Chair would suggest to the gentleman to move the postponement of the bill when it comes up on the second reading. It is too late to object to the bill now.

On Senate bill No. 208,

Mr. GREGORY. Mr. Speaker, I object to that bill. One of the sections is very hard on the sitting magistrates of the city of Philadelphia, and I want to get the views of some of these parties before the bill is passed.

On bill No. 410,

Mr. WINGARD. Mr. Speaker, I move to amend by striking out the words "shall be chosen from the county of Lycoming in said district, and," in the fifth section.

Mr. THARP. Mr. Speaker, I move to amend by striking out the whole of the fifth section; that section is rather exclusive. It provides that the judge shall be elected from the county of Lycoming and shall reside in the city of Williamsport. I have consulted with the gentleman from Lycoming [Mr. WINGARD] in reference to this section, and the amendment we agreed upon was, that the part providing that the judge shall be selected from the county of Lycoming be stricken out, and the part requiring him to reside in the city of Williamsport be allowed to remain. But upon further consultation I think it is objectionable to his constituents, and may possibly be to mine. I therefore move to strike out the entire section.

Mr. WINGARD. Mr. Speaker, I hope, sir, the bill will not be amended. One of the great objects of this bill is to have a resident judge in Lycoming county. A great portion of the business of the district is in that county, and there is the greatest necessity for a judge there. It has been in contemplation by the citizens of my county to introduce a bill for a separate judicial district to be formed out of that county, and there is really great necessity for such a bill. But there is one objection to that, that it will legislate out of the district one of the most excellent men and one of the very best judges of the State—a judge to whom the bar and people of Lycoming county are very much attached. It was only on this account that this bill was introduced at all, otherwise a bill would have been introduced to make it a separate district. I cannot agree to have that section entirely stricken out, but I am perfectly willing, as it is the sense and wish of my constituency that the judge may be selected from any portion of the district, but that he shall be required to reside in the city of Williamsport. If that provision of the section should be stricken out, the bill would amount to but very little to us.

Mr. THARP. Mr. Speaker, I would ask that the bill go over, under the head of objected bills, that I may have an opportunity to further consult with my constituents in reference to it.

On Senate bill No. 224,

Mr. BARRINGTON. Mr. Speaker, I object to this bill, because I have been requested to do so in order that the people of Bethlehem may have an opportunity to further express their views in reference to it.

On bill No. 447,

Mr. LEE. Mr. Speaker, I understand there is an arrangement about being made in relation to this matter. I therefore put this bill off so as to have it go over for another week.

On Senate bill No. 29,

Mr. HOOD. Mr. Speaker, I move to amend by striking out the House committee amendment.

Mr. GHEGAN. Mr. Speaker, I object to the amendment and the whole bill. That bill relates to my district alone. Of the same seven refiners that were included in the supplement to this act passed last year, all have removed except this one. The proprietor of this one declares that he will not remove anyhow, no matter what the action of this Legislature may be, saying that it is unconstitutional. I ask for the postponement of the whole matter indefinitely.

Mr. HOOD. Mr. Speaker, I do not admit that the gentleman on the other side of the House has more regard for the protection of the people of Philadelphia than I have. Although this is an institution in his district, this is a matter that belongs to the whole city. I contend that this one does not properly come under the act of Assembly prescribing the other refiners of Philadelphia. It is located at the extreme outskirts of the city, and is entirely fire-proof. I am personally acquainted with this fact, as, I believe, are several other members of this House. The time may come when its removal will be necessary. When that time comes I will most heartily vote for it. I therefore ask that the amendment be adopted.

On the question,

Shall the bill be laid aside?

It was not agreed to.

On House bill No. 284,

Mr. BOYLE. Mr. Speaker, the bill next in order will probably be discussed at some length by gentlemen on both sides of this Chamber. I presume it is not desirable much time shall be occupied in that manner to-day, and that all desire to go through with the private calendar. Therefore, if I am in order, I move to postpone the consideration of House bill No. 284 until to-morrow evening, and that it then be made the special order.

The SPEAKER. The Chair would suggest that the proper way to accomplish the object in view would be to permit the bill to be laid aside for a second reading, and then move to postpone when it comes up.

Mr. BOYLE. Mr. Speaker, I wish to inquire whether it will be in order when this bill comes up on the second reading to move to amend?

The SPEAKER. It will be in order.

Mr. BOYLE. I then withdraw my motion.

On House bill No. 302,

Mr. ARMSTRONG moved to amend so as to reduce the time of its lease from two hundred to fifty years, &c.

Mr. HOFFMAN. Mr. Speaker, I have no objection to the amendment, only that part limiting the lease to fifty years. If that is adopted I think it will defeat the object of the bill.

Mr. ARMSTRONG. Mr. Speaker, I think fifty years is sufficiently long time for it to run under the circumstances.

Mr. HOFFMAN. Mr. Speaker, the object is to give an opportunity to put up buildings, saw mills, grist mills, &c., and fifty years is too short a time.

I object to the amendment being inserted at this time.

The SPEAKER. The gentleman from Lancaster [Mr. ARMSTRONG] can offer his amendment when the bill is on second reading.

Mr. ARMSTRONG. I then withdraw my motion to amend.

The SPEAKER. There seems to be a misapprehension among members as to the time when amendments may be made to bills. The Chair would state that when bills are on second reading the House can amend or make such other disposition of bills as they may think proper.

MESSAGE FROM THE SENATE.

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows, viz:

No. 215, an act relating to the Agricultural college of Pennsylvania, and to the establishment of experimental farms in connection therewith,

With information that the Senate has passed the same without amendment.

The Clerk of the Senate being introduced, presented for concurrence bills numbered and entitled as follows, viz:

Senate bill No. 490, supplement to an act to incorporate the Bradford County railroad company, approved May 9, 1866.

He also returned bills from the House of Representatives numbered and entitled as follows, viz:

No. 366, an act to authorize the orphans' court of Westmoreland county, if by it deemed proper, to re-examine the accounts filed in the estate of George T. Crawford, deceased, notwithstanding the provisions of the act of the 13th of October, 1840, entitled An act relating to orphans' courts, and for other purposes.

No. 512, an act to extend the provisions of the act, approved July 31, 1863, to the counties of Centre and Huntingdon.

No. 522, a supplement to an act approved March 5, 1828, entitled An act to authorize the Governor to incorporate a company to erect a bridge over the Juniata river, at the town of Mifflin, in the county of Mifflin,

With information that the Senate has passed the same without amendment.

The SPEAKER announced from the Senate bill numbered and entitled as follows, viz:

Senate bill No. 490, supplement to an act to incorporate the Bradford County railroad company, approved May 9, 1866.

Mr. STUMBAUGH. Mr. Speaker, I move that the rules be suspended, so that the House proceed to the consideration of that bill.

The motion was

Agreed to.

The bill was read, and

Agreed to.

On motion,

The rules were suspended, the bill was read a second and third times, and

Passed finally.

MESSAGES FROM THE GOVERNOR.

The Deputy Secretary of the Commonwealth being introduced, presented the following messages, in writing, from the Governor, which were read as follows:

EXECUTIVE CHAMBER,
HARRISBURG, February 16, 1867.

To the Senate and House of Representatives of the Commonwealth of Pennsylvania:

GENTLEMEN—I herewith return to the House of Representatives, in which it originated, bill No. 97, entitled An act incorporating the Real Estate savings institution, with my objections to the same.

1st. The title of the bill is not in compliance with the eighth section of the eleventh article of the Constitution. It holds out the idea of business to be done on a real estate basis and upon real estate security; and yet from a perusal of the fourth section it is evident this is a mere delusion. Express authority is given to invest in other securities, and it can hardly be presumed that any board of directors would be troubled with real estate securities at six per cent. in currency, when others are always at hand at six per cent. in gold, and seven and three-tenths in currency, clear of taxes. The objection is not to any of the securities named; but that the *one* should be used in the title, and the *other* in the *bill*.

2d. There is an apparent attempt in the fourth section to make the securities of the corporation first liens on all real estate. If by this it is intended to override or supplant the liens of others previously entered, it is impracticable. If anything short of this is intended, the requirements are merely directory and amount to nothing for want of penalties to enforce them.

3d. The seventh section is wholly useless, being a mere repetition of powers and privileges granted in the preceding sections.

4th. In the sixth section there seems to be an intention to establish an individual liability clause, but no means are provided to enforce it.

5th. There is no provision for the customary bonus on the capital stock, and instead of the usual annual tax on dividends, as provided by the general laws of 30th April, 1864, there is a plan proposed which would possibly result in giving the State one tax in twenty years, but probably in never securing the State anything.

6th. If the ninth section of the bill be strictly enforced, as the courts say all corporate powers must be, then would the act be wholly inoperative for the purpose intended. Instead of prohibiting the corporation from discounting privileges, and the right to issue bills, it is expressly deprived of all power "to do or carry on any banking business" whatever. The right to receive deposits, to secure them, and to pay them back to depositors, are the very objects this bill is intended to secure; and yet they are, by the bill itself, clearly prohibited.

Besides these specific objections the bill is crudely and badly drawn, and is returned without my approval.

JOHN W. GEARY.

Agreeably to the provisions of the Constitution, the House proceeded to the reconsideration of said bill.

And on the question,

Shall the bill pass, notwithstanding the objections of the Governor?

Agreeably to order,

The further consideration of the same was postponed for the present.

The Deputy Secretary of the Commonwealth also presented a message from the Governor, which was read as follows, viz:

EXECUTIVE CHAMBER,
HARRISBURG, February 18, 1867.

To the Senate and House of Representatives of the Commonwealth of Pennsylvania:

GENTLEMEN—I herewith return, without my approval, to the House of Representatives, in which it originated, bill No. 58, entitled An act to change and amend the charter of the borough of Emporium in the county of Cameron.

This bill is substantially the same as House bill No. 63, (South Erie, &c.,) which I have this day returned to the House with my objection, and I respectfully refer the House to my message accompanying the same for the reasons for withholding approval from this.

JOHN W. GEARY.

Agreeably to the provisions of the Constitution, the House proceeded to the reconsideration of said bill; and

On the question,

Shall the bill pass, notwithstanding the objections of the Governor?

Agreeably to order,

The further consideration of the same was postponed for the present.

The Deputy Secretary of the Commonwealth being introduced, presented the following message from the Governor, which was read as follows, viz:

EXECUTIVE CHAMBER,
HARRISBURG, February 18, 1867.

To the Senate and House of Representatives of the Commonwealth of Pennsylvania:

GENTLEMEN—I herewith return, without my approval, to the House of Representatives, in which it originated, bill No. 139, entitled An act to incorporate the Masonic Hall association of the borough of Brookville, in the county of Jefferson.

The objects of this bill are clearly indicated by the title. By the act of 13th of October, 1840, the courts of common pleas of the several counties were empowered to create corporations, "for any literary, charitable or religious purpose, * * or beneficial societies or associations."

By the third section of the act, approved May 7th, 1855, this power is extended so as to embrace "Odd Fellows', Free Masons and town and city hall associations."

The ninth section of the eleventh article of the Constitution of the Commonwealth declares that: "No bill shall be passed by the Legislature granting any power or privilege, in any case, where the authority to grant such power or privilege has been, or may hereafter be, conferred upon the courts of this Commonwealth."

This bill, in my judgment, is in direct conflict with this plain provision of the Constitution, and cannot, therefore, be approved.

It has become too common, of late, to insert some proviso, or other clause, in bills of

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[CONTINUED FROM PAGE 312.]

this character, conferring some right or privilege not conferred by the general law or by the courts, and then to insist that the bill should be made an exception. This cannot be permitted; for it must be apparent that such a course would result in a complete nullification of that clause of the Constitution.

If special powers or privileges, not within the jurisdiction of the courts, are needed, they can be claimed in bills for the purpose, unencumbered with provisions for other powers and privileges which the courts have the right to confer, and they will be duly considered. But part of a law cannot be approved and another part disapproved, and hence, in such cases, my regard for the Constitution leaves me no alternative but to veto the whole.

Were it a matter of choice, I would much rather approve than disapprove the enactments of the Legislature; but this is one of the duties imposed upon me by my oath of office, and which I am not at liberty to disregard.

I am the less reluctant to withhold my approval, in view of the fact that the courts of the State have repeatedly held that bills passed in violation of that clause of the Constitution with which this bill conflicts, are null and void, and confer no rights or privileges on the corporators.

It is better for all concerned that such legislation be arrested at once, before innocent parties have been induced on the faith of such enactments to invest their money.

JNO. W. GEARY.

Agreeably to the provisions of the Constitution, the House proceeded to the reconsideration of said bill; and

On the question,

Shall the bill pass, notwithstanding the objection of the Governor?

Agreeably to order,

The further consideration of the same was postponed for the present.

The Deputy Secretary of the Commonwealth also presented a message from the Governor, which was read as follows:

EXECUTIVE CHAMBER,
HARRISBURG, February 18, 1867.

To the Senate and House of Representatives of the Commonwealth of Pennsylvania:

GENTLEMEN—Herewith is returned, without my approval, to the House of Representatives, in which it originated, bill No. 63, entitled A supplement to an act to incorporate the borough of South Erie.

The acts of 1st April, 1834, and of 3d April, 1851, confer upon the courts of quarter sessions, in the several counties, the power to incorporate boroughs, and also to alter and amend the charter of boroughs heretofore incorporated. The act of 1851 was carefully prepared and creates a complete and detailed system of borough laws, and provides that any borough, on application to the court, may have its full benefit of the system thereby established.

The ninth section of the eleventh article of the Constitution declares that: "No bill shall be passed by the Legislature granting any powers or privileges, in any case, where the authority to grant such powers or privileges has been, or may hereafter be, conferred upon the courts of this Commonwealth."

The bill herewith returned, in my judgment, is in direct conflict with this plain provision of the Constitution, and cannot, therefore, be approved. It may be argued that this bill should be made an exception, because it confers some few privileges not given by the general law, such as to borrow money at a greater rate of interest than six per cent. or to levy a heavier tax than the general law allows. Did the bill contain these provisions only, or others of like character in that respect, they might properly be signed. But this can afford no justification or excuse for including some ten or more other sections, embracing subjects over which the jurisdiction of the courts is clear and unquestioned.

Part of a bill cannot be approved, and another part disapproved; and in all such cases my regard for the supreme law of the State, leaves no alternative but to veto the whole. It must be apparent to the most superficial observer that any other course would result in the complete nullification of that clause of the Constitution just cited.

Were it a matter of choice or discretion, it would afford me much greater pleasure to approve than to disapprove acts passed by the Legislature. But I regard it as a matter of plain and imperative duty; and I am the less reluctant to discharge it because of the conviction that unconstitutional acts, even if approved by me, would remain unconstitutional, and be so declared by the courts whenever brought before them.

JOHN W. GEARY.

Agreeably to the provisions of the Constitution, the House proceeded to the reconsideration of said bill; and

On the question,

Shall the bill pass, notwithstanding the objections of the Governor?

Agreeably to order,

The further consideration of the same was postponed for the present,

The Deputy Secretary of the Commonwealth also presented a message from the Governor, which was read as follows, viz:

EXECUTIVE CHAMBER,
HARRISBURG, February 19, 1867.

To the Senate and House of Representatives of the Commonwealth of Pennsylvania:

GENTLEMEN—The bill entitled "An act to incorporate the Hollen knitting machine company of Indiana, Pennsylvania," was presented to me on the 30th ult., and not having been returned to the Senate, in which it originated, within ten days (Sundays excepted) after its presentation, it has, agreeably to the Constitution, become a law in like manner as if I had signed it.

JNO. W. GEARY.

The Deputy Secretary of the Commonwealth also presented a message from the Governor, which was read as follows, viz:

EXECUTIVE CHAMBER,
HARRISBURG, Pa., February 18, 1867.

To the Senate and House of Representatives of the Commonwealth of Pennsylvania:

GENTLEMEN—I have approved and signed the following acts of the General Assembly, to wit:

On the 13th instant:

An act to divide the Northwest ward in the city of Lancaster into election precincts and separate election districts.

An act to extend the jurisdiction of the orphans' court of York and Fayette counties.

An act to incorporate the German insurance company of Erie.

An act to consolidate the Union coal company and the Howard coal and iron company.

An act to extend the provisions of the act, approved the thirty-first day of July, one thousand eight hundred and sixty-three, to the county of Huntingdon.

An act to incorporate the Caledonia and South Mountain railroad company.

A supplement to an act to incorporate the Female Seminary of Eden Hall in the county of Philadelphia, by the style and name of the Institute of Ladies of the Sacred Heart, and to take and hold lands, tenements, et cetera, and to sell or mortgage all or any part thereof.

A further supplement to an act to incorporate the Pittsburg, Allegheny and Manchester passenger railway company, authorizing said company to change certain parts of its route, to subscribe for stock in a new bridge, and to have viewers appointed to fix compensation for crossing bridges.

On the 14th instant:

A further supplement to an act to incorporate the Girard life insurance, annuity and trust company, of Philadelphia, passed the seventeenth day of March, Anno Domini one thousand eight hundred and thirty-six, authorizing said company to make sales by order of court, without giving security.

An act to repeal the act of Assembly passed the eleventh day of April, one thousand eight hundred and sixty-six, entitled an act to provide for the purchasing of real estate, and erection of a poor house in Montour county.

An act relative to the road laws in certain townships in Sullivan county.

A further supplement to an act to incorporate the Mutual fire insurance company of Montgomery county, passed the thirty-first day of March, Anno Domini one thousand eight hundred and forty-one, authorizing said company to insure against storms and hurricanes.

A supplement to an act to incorporate the

Brady's Bend iron company, approved the ninth day of April, Anno Domini one thousand eight hundred and sixty-one, authorizing the conveyance of real estate in the several counties of the Commonwealth on the recording of the resolutions of the board of directors of said company.

A further supplement to an act to authorize Woodland street, in the Twenty-fourth ward of the city of Philhdelphia, to be graded, curbed and paved, approved the twenty-seventh day of May, Anno Domini, one thousand eight hundred and sixty-three, repealing the proviso to the first section of the supplement thereto, approved the seventeenth day of April, Anno Domini one thousand eight hundred and sixty-six.

An act to repeal an act entitled An act relative to bounties in Brady township, Butler county, which became a law on the fourth day of January, Anno Domini one thousand eight hundred and sixty-seven.

An act authorizing the school directors of the borough of Sewickley to collect the balance of bounty tax in said borough.

A supplement to an act to incorporate the Cooper Fire-arms manufacturing company, approved third April, one thousand eight hundred and sixty-three, and the supplement to the same.

An act relative to roads in Valley township, Chester county.

An act relating to the prison in the county of Delaware and changing the time of appointing prison inspectors in said county.

An act to exempt the property of the Beaver cemetery association from taxation.

A supplement to an act fixing the terms of the courts of common pleas, oyer and terminer and general jail delivery, quarter sessions of the peace and orphans' court in the county of Allegheny, and regulating proceedings therein, approved the twenty-second day of March, Anno Domini one thousand eight hundred and sixty-six, repealing sections fifth and sixth of said act.

An act to authorize the school directors of Saegertown, Crawford county, to borrow money and for other purposes.

An act relating to the granting of tavern licenses in Washington county.

A supplement to an act to empower the commissioners of Washington county to compromise with the holders of the county bonds, and for the more prompt and economical collection of taxes in said county.

An act to enable the school directors of the borough of East Birmingham, Allegheny county, to borrow money for the erection of school buildings.

A supplement amendatory to an act to incorporate the Farmers' market of the Fifth ward of the borough of York.

An act to authorize the election of an additional justice of the peace in the township of Cherry Hill, in the county of Indiana.

An act extending to the city of Pittsburg the provisions of a further supplement to an act to incorporate the city of Philadelphia, relating to fire alarm and police telegraph, approved the twenty-eighth day of February, Anno Domini one thousand eight hundred and sixty-five.

An act to authorize the borough of Troy to increase their taxation for borough purposes.

An act authorizing the school directors of the city of Williamsport, in the county of Lycoming, to borrow money.

A supplement to an act revising the charter of the municipal corporation of the city of Reading, approved the twenty-sixth day of April, Anno Domini one thousand eight hundred and sixty-four.

A supplement to an act to change the mode of criminal proceedings in Erie and Union counties, extending the same to the county of Bradford.

An act defining the duties of the inspectors of the Philadelphia county prison.

An act to incorporate the Mechanics' and Miners' Co-operative association of Scranton.

An act fixing the rate of compensation of the sheriff of Northampton, Fayette and Carbon counties for boarding prisoners.

A supplement to an act to annex the farm of William Steel, of Salem township, to Hempfield township, Westmoreland county, for school purposes, approved eleventh of April, one thousand eight hundred and sixty-six.

An act to annex certain lands in Pine Creek township, Jefferson county, owned and occupied by Sarah G. Evans, to the borough of Brookville for school purposes.

An act to authorize the board of school directors of Harford township, Susquehanna county, to levy and collect a special tax to build and repair school houses in said township.

An act supplementary to a supplement to an act relating to the collection of State and county taxes in the county of Bucks, approved thirty first day of March, one thousand eight hundred and sixty-four.

An act regulating the fees of the commissioners of the county of Snyder.

An act to legalize certain assessments taken in the county of Cameron.

An act to incorporate the Bachelors' Barge Club of the city of Philadelphia.

An act repealing the provisions of an act relating to the fees of district attorney in certain counties of this Commonwealth, so far as they relate to the county of Bradford.

A supplement to an act passed the thirteenth day of April, Anno Domini one thousand eight hundred and fifty-nine, relating to billiard saloons, et cetera, in the counties of Chester and Delaware, extending the same to the county of Bradford.

An act authorizing the trustees of the Brookville academy to sell the same to the Brookville school district.

A further supplement to an act to incorporate the city of Philadelphia, approved February second, one thousand eight hundred and fifty-four.

An act in relation to the fees of certain county officers and district attorney in the county of Washington.

An act to annex David S. Walker, Francis Cunningham and Wesley Smith, of Jefferson township, Washington county, to Cross Creek township, in the same county, for school purposes.

An act to incorporate the Oxford Hall association.

An act to repeal the fourth section of an act relating to fees of certain officers in Erie county.

An act in relation to the weighing of hay, coal and lime, in the borough of Washington.

A supplement to an act authorizing appeals from interlocutory orders or decrees granting special injunctions, approved the fourteenth day of February, Anno Domini one thousand eight hundred and sixty-six, extending the provisions of said act to special injunctions granted by the court of *Nisi Prius* of Philadelphia.

An act authorizing the commissioners of Erie county to exonerate William F. Brockway, collector of the township of Springfield, in said county, from the payment of certain tax.

An act authorizing the school directors of the borough of Oil City, in Venango county, to borrow money.

A supplement to an act passed the sixteenth day of February, Anno Domini one thousand eight hundred and sixty-five, to increase the pay of county commissioners, county auditors, poor directors, jurors and witnesses in the county of Mercer.

A supplement to an act relating to the lien of mechanics and others upon buildings, extending it to York county.

An act to extend the time for the payment of the enrollment tax on an act to incorporate the Meadville city passenger railroad company, approved the eleventh day of April, one thousand eight hundred and sixty-six.

On the 16th instant:

A supplement to an act to incorporate the Pottstown iron company, approved the twenty-seventh day of March, Anno Domini one thousand eight hundred and sixty-six, authorizing them to increase their capital stock, and the number of directors.

An act to change the venue in the case of the Commonwealth of Pennsylvania vs. Jesse R. M'Carty, Joshua R. M'Carty and Charles Norton, from the court of quarter sessions of the peace of Sullivan county to the court of quarter sessions of the peace of Bradford county.

On the 16th instant:

An act relating to the sale of lands for taxes in Potter, Warren, Bradford and Sullivan counties.

An act changing the time of holding courts in the Sixteenth Judicial district.

A supplement to an act to incorporate the Lehigh County Mutual horse insurance company, approved April the twenty-eighth, Anno Domini eighteen hundred and fifty-seven.

A supplement to an act to unite and consolidate Marshall college, now at Mercersburg, with Franklin college, now at Lancaster, under the name of Franklin and Marshall college, as a corporation, to be located in the city of Lancaster or its immediate vicinity, approved the nineteenth day of April, Anno Domini one thousand eight hundred and fifty, changing the trustees thereof and the manner of selecting such trustees and their terms of office.

An act authorizing the assessment of railroad taxes in the borough of Kittanning, Armstrong county.

An act to change the time of holding the election of officers of the Independent company, of Montgomery and Bucks counties, for the recovery of stolen horses and detection of thieves.

An act to change the place of holding elections for Howard township to the school house in the borough of Howard, in the county of Centre.

On the 13th instant:

Joint resolution to ratify the amendment to the Constitution of the United States.

JNO. W. GEARY.

The hour of one o'clock having arrived, the SPEAKER adjourned the House until this afternoon at three o'clock.

SENATE.

TUESDAY, February 19, 1867.

The Senate met and was called to order at 11 o'clock, A. M., by the SPEAKER.

Prayer was offered by the Rev. Mr. Bailey, of Harrisburg.

On motion of Mr. CONNELL, the reading of the Journal of yesterday was dispensed with.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

The Clerk of the House of Representatives being introduced, presented for concurrence bills numbered and entitled as follows:

No. 336, an act to authorize the orphans' court of Westmoreland county, if by it deemed proper, to re-examine the accounts filed in the estate of George T. Crawford, deceased, notwithstanding the provisions of the act of

13th October, 1840, entitled An act relative to orphans' court and for other purposes.

Referred to the Committee on the Judiciary Local.

No. 519, a supplement to an act to incorporate the Midas petroleum and improvement company of Pittsburg and New York, approved March 22, A. D. 1865.

Referred to the Committee on Corporations.

No. 520, a supplement to an act to authorize the board of school directors of the Seventh ward of the city of Pittsburg, county of Allegheny, to borrow money, approved April 19, 1864.

Referred to the Committee on Education.

No. 523, an act to authorize the election of additional officers in the township of Madison, Perry county.

Referred to the Committee on the Judiciary Local.

No. 524, an act for the better regulation of public halls and places of amusement in the city of Philadelphia.

Referred to the Committee on Vice and Immorality.

No. 525, an act to annex a portion of the borough of Montoursville, in Lycoming county, Pennsylvania, to Fairfield township, in said county.

Referred to the Committeee on New Counties and County Seats.

No. 530, joint resolution authorizing the Governor to dispose of certain perishable mendable stores in the State arsenal.

Referred to the Committee on Military Affairs.

He also returned bill from the Senate numbered and entitled as follows, viz:

No. 295, an act relating to the duties of the clerk of the orphans' court for the county of Dauphin,

With information that the House of Representatives has passed the same without amendments.

He also informed that the House of Representatives has concurred in the amendments made by the Senate to bill from the House of Representatives numbered and entitled as follows:

No. 94, an act relating to beer houses, restaurants and licenses now granted by the treasurer of Washington county.

PETITIONS, REMONSTRANCES, &c.

Mr. CONNELL presented the remonstrance of citizens of Nicetown, against the repeal of the act granting gratuities and annuities to the soldiers of 1812, and their widows.

Referred to the Committee on Pensions and Gratuities.

Also, a petition of A. H. Franciscus and other citizens of Philadelphia, praying for a law restraining the sale of liquors in the city of Philadelphia.

Referred to the Committee on Vice and Immorality.

Mr. M'CANDLESS, one of like import.

Referred to the Committee on Vice and Immorality.

Also, the petition for no bridge over the river Schuylkill below Chestnut, without a draw.

Referred to the Committee on Roads and Bridges.

Mr. DONOVAN, a remonstrance against the repeal of the act of 1866, granting gratuities and annuities to the soldiers of the war of 1812.

Referred to the Committee on Pensions and Gratuities.

Mr. M'CONAUGHY, a petition from citizens of Pennsylvania, against legalizing Sunday car travel.

Referred to the Committee on Vice and Immorality.

Also, a remonstrance against the repeal of the law of 1866, relative to the granting of annuities and gratuities to the soldiers of 1812 and their widows.

Referred to the Committee on Pensions and Gratuities.

Mr. JAMES, a remonstrance of like import.

Referred to the Committee on Pensions and Gratuities.

Mr. SCHALL, the petition of the members of the bar of Lehigh county, praying for the passage of an act fixing an additional term of court for said county.

Referred to the Committee on the Judiciary Local.

Also, a petition from citizens of Lehigh county, for an act fixing the salary of the county treasurer.

Referred to the Committee on the Judiciary Loal.

Also, a remonstrance against the violation of the Sabbath laws and in reference to the liquor laws.

Referred to the Committee on Vice and Immorality.

Mr. BURNETT, the petition of citizens of Mauch Chunk, Carbon county, for the repeal of an act of the General Assembly, approved March 16, 1866.

Mr. LANDON, a remonstrance in reference to the Sabbath and liquor laws.

Referred to the Committee on Vice and Immorality.

Mr. SHOEMAKER, one of like import.

Referred to the Committee on Vice and Immorality.

Mr. WALLS, one of like import.

Referred to the Committee on Vice and Immorality.

Mr. GLATZ, a petition from citizens of York and Lancaster, praying for the repeal of the law, approved March 30th, 1866, relating to the passage of fish in the Susquehanna river.

Referred to the Committee on Canals and Inland Navigation.

Mr. WALLACE, two remonstrances from citizens of Philadelphia, against the repeal of the Sunday laws, &c.

Referred to the committee on Vice and Immorality.

Also, the petition of citizens of Clearfield county, for a supplement to the bounty laws affecting said county.

Referred to the Committee on the Judiciary Local.

Mr. GRAHAM, a petition against legalizing Sunday car travel.

Referred to the Committee on Vice and Immorality.

Mr. BROWNE (Lawrence), the petition of sixty-nine citizens of South Buffalo township, Armstrong county, for exoneration from local bounty tax of persons in said township, who were drafted and furnished substitutes, or paid three hundred dollars commutation.

Referred to the Committee on the Judiciary Local.

Mr. LOWRY, a petition of the soldiers of the war of 1812, on the subject of the repeal of a law of the last session.

Referred to the Committee on Pensions and Gratuities.

Also, a remonstrance against legalizing Sunday car travel.

Referred to the Committee on Vice and Immorality.

Mr. BILLINGFELT, a petition from citizens of Marietta, Lancaster county, in favor of rebuilding the Columbia bridge across the Susquehanna.

Laid on the table.

Mr. STUTZMAN, a remonstrance against legalizing Sunday car travel.

Referred to the Committee on Vice and Immorality.

Mr. WHITE, the petition of fifteen citizens of Philadelphia, against the repeal of an act, approved March 30, 1866, providing for the payment of gratuities and annuities to soldiers of 1812.

Referred to the Committee on Pensions and Gratuities.

He also presented a petition of one hundred and twenty voters of Indiana borough, Democrats and Republicans, asking for the passage of a law submitting the question of license to sell intoxicating liquors as a beverage to a vote of the people of said county.

Mr. LOWRY. Mr. Speaker, I would inquire if it is for a general law, or merely for a local law.

Mr. WHITE. Mr. Speaker, it is for a local law. It is for the passage of a law submitting the question of the sale of intoxicating liquors, as a beverage, in the county of Indiana, to a vote of the people at the coming fall election, the result of which election is to be reported to the next Legislature. And, sir, I wish the petition to be referred to the Committee on Vice and Immorality, who shall report a bill in obedience to the petition.

Mr. LOWRY. This is presented, I presume, by my friend, the Senator from Indiana [Mr. WHITE], in the interest of the friends of temperance. Now, Mr. Speaker, I am a friend of the temperance cause, and always bid its success God's speed; but, sir, I question the wisdom of such special laws as are asked for in the petition just presented. I presumo it is merely asked, and only expected for one county alone, while all the counties around it are under the general license law. I do not think such a special law will advance the great moral cause in view. Moral questions should be controlled by law of general application. A great convention is soon to assemble in this city in the temperance movement. Some decided steps will most likely be taken. In view of these considerations, I trust the Senator from Indiana will not press any merely local temperance laws, and that the Senate will not pass them.

Mr. BIGHAM. Mr. Speaker, I believe these things should be controlled by general laws.

Mr. WHITE. Well, Mr. Speaker, I want this petition referred to the appropriate committee. It comes from a large, intelligent number of my constituents, both Democrats, for some of the prominent Democrats of my county, and many Republicans, are to the petition.

Let it go to committee, and let the committee report a bill, and the Senators around me, who now object, can then be pleased.

The petition was

Referred to the Committee on Vice and Immorality.

REPORTS FROM COMMITTEES.

Mr. COWLES, from the Committee on Corporations, reported, as committed, a bill entitled An act to regulate the terms of the several courts in the Sixth Judicial district.

Mr. RIDGWAY, from the Committee on Corporations, as committed, a bill entitled An act to extend the provisions of the act incorporating the Erie gas company, over South Erie and a portion of Mill Creek township, and to authorize the said company to introduce water wherever it is authorized to introduce gas, and to increase the capital stock, and to borrow money.

Also (same), as committed, a bill entitled An act to incorporate the Pennsylvania Central thief detective and live stock insurance company.

Mr. ROYER (same), as committed, a bill entitled A supplement to the act to incorporate the Western transportation company, formerly the Oil Creek transportation company.

Mr. LANDON, from the Committee on Railroads, as committed, a bill entitled A supplement to an act to entitle the stockholders of any railroad company incorporated by the laws of this Commonwealth, accepting this act, to one vote for each share of stock, approved May 20th, 1865, extending the same to bridge companies and hall associations.

Mr. LOWRY (same), as committed a bill entitled A further supplement to an act to incorporate the Pittsburg and Birmingham passenger railroad company, approved the 13th day of April, A. D. 1859.

Mr. GRAHAM (same), as committed, a bill entitled a further supplement to the act to incorporate the Allentown railroad company, approved April 19th, A. D. 1853.

Mr. RANDALL (same), as committed, a bill entitled An act to incorporate the Allegheny and Saw Mill Valley passenger railway company.

Mr. SHUTZMAN, from the Committee on Election Districts, as committed, a bill entitled An act relative to election precincts in Allegheny county.

Also (same), as committed, a bill entitled An act to divide the township of Plymouth into two election districts.

Mr. JAMES (same), as committed, a bill entitled An act to repeal the fourth section of an act relating to certain election districts.

Mr. GRAHAM (same), as committed, a bill entitled An act to change the time of holding borough elections in the borough of Minersville, Schuylkill county.

Mr. JACKSON (same), as committed, a bill entitled An act increasing the compensation of judges of elections in the Twenty-first, Twenty-second, Twenty-third and Twenty-fifth wards in the city of Philadelphia.

Mr. WHITE (same), with a negative recommendation, a bill entitled An act relative to contested elections.

Also, from the Committee on Military Affairs, as committed, a bill entitled An act to incorporate the Lebanon County Soldiers' Monument association.

Mr. LANDON, from the Committee on Roads and Bridges, as committed, a bill entitled An act relative to the supervisors and road laws in Wiconisco township, Dauphin county.

Mr. HAINES, from the Committee on Corporations, as committed, a bill entitled An act to incorporate the Pennsylvania Live Stock insurance company, to insure against disease, accident and death.

BILLS IN PLACE.

Mr. GLATZ read in place and presented to the Chair a bill entitled An act relative to weights and measures.

Referred to the Committee on Agriculture.

Mr. RANDALL, a bill entitled An act relative to hawking, and peddling and selling by sample in the county of Schuylkill.

Referred to the Committee on the Judiciary Local.

Mr. WHITE, a bill entitled A supplement to an act to increase the compensation of the county commissioners, auditors, jurors, assessors, witnesses, and supervisors of Indiana, and to authorize the collection of road taxes in Bruce township, in said county, in money, approved April 11, A. D. 1866.

Referred to the Committee on the Judiciary Local.

Mr. DAVIS, a bill entitled A supplement to an act entitled An act to incorporate the Reading passenger railway company, approved the 21st day of March, 1865.

Referred to the Committee on Railroads.

Mr. SCHALL, a bill entitled An act relative to the courts of Lehigh county.

Referred to the Committee on the Judiciary Local.

Also, a bill entitled An act to incorporate the Coopersburg Savings Institution.

Referred to the Committee on Banks.

Mr. COLEMAN, a bill entitled An act relative to the fees of notaries public in the counties of Dauphin and Lebanon.

Referred to the Committee on the Judiciary Local.

Mr. BIGHAM, a bill entitled An act to authorize the use of the metric system of weights and measures.

Referred to the Committee on the Judiciary General.

Also, a bill entitled A further supplement to an act approved August 10, 1864, entitled A supplement to an act relating to the authentication of letters of attorney, protests of notaries public and assessments made out of the State, and to the acknowledgment of deeds, approved the 4th day of December, 1854.

Referred to the Committee on the Judiciary General.

Also, a bill entitled An act allowing the mercantile appraisers of Allegheny county the same fees allowed in other counties of the State.

Referred to the Committee on the Judiciary Local.

Also, a bill entitled a further supplement to an act to incorporate the Birmingham and Pittsburg bridge company.

Referred to the Committee on Roads and Bridges.

Mr. BROWNE (Lawrence), a bill entitled An act to incorporate the Quaker City Barge Club of Philadelphia.

Referred to the Committee on Corporations.

Mr. BILLINFELT, a bill entitled An act to incorporate the Prairie Du Chien mining company of Nevada.

Referred to the Committee on Corporations.

Mr. WALLACE, a bill entitled An act to confer upon the courts of quarter sessions of this Commonwealth power to annex persons resident in one district to another district for school purposes.

Referred to the Committee on the Judiciary General.

Also, a bill entitled A supplement to an act relative to the payment of bounties by the county of Clearfield, approved February 27, 1865, extending the same.

Referred to the Committee on the Judiciary Local.

Also, a bill entitled An act to extend the time for the payment of the enrollment tax on a supplement to the Karthaus iron, coal and railroad company.

Referred to the Committee on the Judiciary Local.

Also, a bill entitled An act to authorize a special election for school directors in an independent school district in Cameron county.

Referred to the Committee on Education.

Mr. CONNELL, a bill entitled An act repealing the tax on sales of loans and stocks by auctioneers.

Referred to the Committee on the Judiciary Local.

Also, a bill entitled A supplement to an act entitled An act to amend the penal laws of this Commonwealth, approved 31st of March, 1860.

Referred to the Committee on the Judiciary General.

Also, a bill entitled An act in relation to taxation upon the stockholders of corporations.

Referred to the Committee on the Judiciary General.

Mr. GRAHAM, a bill entitled An act authorizing and providing powers and means for the conversion of the common grounds in the city of Allegheny into public parks.

Referred to the Committee on the Judiciary Local.

Also, a bill entitled An act authorizing the city of Allegheny to issue bonds to the amount of sixty-five thousand dollars, to be applied to building a market house in said city.

Referred to the Committee on the Judiciary Local.

Also, a bill entitled An act to authorize the school directors of Marshall township, Allegheny county, to apply the surplus of bounty tax in their hands to school purposes.

Referred to the Committee on Education.

Mr. BURNETT, a bill entitled An act to incorporate the Delaware Water Gap and Port Jervis railroad company.

Referred to the Committee on Railroads.

Mr. COWLES, a bill entitled An act to exempt from taxation certain land set aside as a public park in or near the borough of Kane, in M'Kean county.

Referred to the Committee on the Judiciary Local.

Also, a bill entitled a further supplement to an act entitled An act to incorporate the M'Kean and Elk land and improvement company, approved the 6th day of February, A. D. 1856, authorizing said company to borrow money and mortgage lands.

Referred to the Committee on the Judiciary Local.

Mr. HAINES, a bill entitled an act to incorporate the Enterprise mining and exploring company.

BRADFORD RAILROAD COMPANY.

Mr. LANDON read in his place and presented to the Chair a bill entitled an act supplementary to an act entitled An act to incorporate the Reading passenger railway company, approved March 21st, A. D. 1865.

Mr. LANDON. Mr. Speaker, I ask leave to make a statement.

Leave was granted.

Last winter the charter of the Bradford County railroad company was granted; it was approved by the Legislature on the 9th of May. Yesterday the parties came to take their act and proceed to work according to its terms. They paid tax upon it. A careful reading, however, discovered a clerical error in regard to the number of shares of capital stock, which renders the bill worthless. It is to correct that error that I introduce this subject.

I move that the committee be discharged from the further consideration of the bill, that the rules be suspended and the Senate proceed to its consideration.

The motion was

Agreed to.

The bill was read a second and third time, and

Passed finally.

MESSAGES FROM THE GOVERNOR.

The Deputy Secretary of the Commonwealth being introduced, presented a message from the Governor approving certain bills.

[See House proceedings.]

He also presented a message from the Governor returning, with his objections, bill No. 21, entitled An act to incorporate the Sisters of Mercy in the city of Philadelphia, which was read as follows:

EXECUTIVE CHAMBER,
HARRISBURG, February 18, 1867.

To the Senate and House of Representatives of the Commonwealth of Pennsylvania:

GENTLEMEN—I herewith return, without my approval, to the Senate, in which it originated, bill No. 21, entitled "An act to incorporate the Sisters of Mercy in the city of Philadelphia."

The objects of this enactament are already defined in the second section as follows:

"SECTION 2. The essential objects of the said corporation shall be the relief and support of sick, destitute and dependent persons, the maintenance of orphans, and the care and education of youth."

The ninth section of the eleventh article of the Constitution of this Commonwealth declares:

"No bills shall be passed by the Legislature, granting any power or privileges in any case, where the authority to grant such powers or privileges has been, or may hereafter be, conferred upon the courts of this Commonwealth."

The thirteenth section of the act approved the 13th of October, 1840, expressly authorizes the courts of common pleas of the several counties to incorporate associations for any literary, charitable or religious purpose * * or beneficial society, or association.

In my judgment, this bill is most clearly within the constitutional prohibition before cited, and cannot, therefore, receive my approval. The objects contemplated are meritorious, and meet my cordial approbation, but the ends sought cannot be attained in a manner prohibited by the supreme law of the State.

It has become too common of late to insert some proviso or other clause, in bills of this character, conferring some right or privilege not conferred by the general law, or by the court, and then to contend that the bill should be made an exception. This cannot be permitted; for it must be apparent that such a course would result in the entire nullification of that clause in the Constitution.

If special powers or privileges, not within the jurisdiction of the courts are needed, they can be claimed in bills for the purpose, unencumbered with provisions for other powers and privileges which the courts have the right to confer, and they will be duly considered. But I cannot approve part of a law, and disapprove another part; and hence, in such cases, my regard for the Constitution leaves me no alternative but to veto the whole.

I am the less reluctant to withhold my approval in view of the fact that the courts of the State have repeatedly held that bills passed in violation of that clause of the Constitution now under consideration are null and void, and confer no powers on the corporators. It is better for all concerned that such legislation be arrested at once, before innocent parties have been induced on the faith of such enactments to invest their money.

JNO. W. GEARY.

Laid on the table.

Agreeably to the provisions of the Constitution, the Senate proceeded to the reconsideration of the bill referred to in the foregoing message.

And the bill being again before the Senate,

On the question,

"Shall the bill pass, notwithstanding the objections of the Governor?"

The yeas and nays were taken, agreeably to the provisions of the Constitution, and were as follows:

YEA—Mr. Donovan—1.

NAYS—Messrs. Bigham, Billingfelt, Browne (Lawrence), Burnett, Coleman, Connell, Cowles, Graham, Haines, James, Landon, Lowry, M'Conaughy, Ridgway, Royer, Searight, Shoemaker, Stutzman, Taylor, White and Hall, *Speaker*—21.

So the question was determined in the negative.

He also presented another message from the Governor, returning, with his objections, bill No. 19, entitled An act to incorporate the Catholic Philopatrian institute of Philadelphia, which was read, as follows:

EXECUTIVE CHAMBER,
HARRISBURG, February 8, 1867.

To the Senate and House of Representatives of the Commonwealth of Pennsylvania:

GENTLEMEN—I herewith return, without my approval, to the Senate, in which it originated, bill No. 19, entitled An act to incorporate the Catholic Philopatrian institute of Philadelphia.

This bill is substantially the same as Senate bill No. 21, to incorporate the Sisters of Mercy of Philadelphia, and is liable to the same objection; and I respectfully refer to my message of this date returning the latter for my reasons for withholding my approval from this.

JNO. W. GEARY.

Laid on the table.

Agreeably to the provisions of the Constitution, the Senate proceeded to the reconsideration of the bill referred to in the foregoing message.

And the question being again before the Senate,

On the question,

Shall the bill pass, notwithstanding the objections of the Governor?

The yeas and nays were taken, agreeably to the provisions of the Constitution, and were as follows:

YEA—Mr. Donovan—1.

NAYS—Messrs. Bigham, Billingfelt, Browne (Lawrence), Coleman, Connell, Cowles, Graham, Haines, Landon, Lowry, M'Conaughy, Ridgway, Royer, Searight, Shoemaker, Stutzman, Taylor, White and Hall, *Speaker*—19.

So the question was determined in the negative.

He also presented a message from the Governor, returning, with his objections, bill No. 67, entitled An act to incorporate the Brokers' Beneficial association of Philadelphia, which was read as follows:

EXECUTIVE CHAMBER,
HARRISBURG, February 18, 1867.

To the Senate and House of Representatives of the Commonwealth of Pennsylvania:

GENTLEMEN—I herewith return, without my approval, to the Senate, in which it originated, bill No. 67, entitled An act to incorporate the Brokers' Beneficial association of Philadelphia. It appears, from both the title and the face of this bill, that it is merely a charitable and beneficial association, which the court of common pleas have ample power to incorporate, under the thirteenth section of the act of 13th October, 1840.

It is, therefore, in violation of the ninth section of the eleventh article of the Constitution; and for the reasons for withholding my approval, I respectfully refer the Senate to my message of this date, returning, with my objections, Senate bill No. 21, entitled An act to incorporate the Sisters of Mercy in the city of Philadelphia.

JNO. W. GEARY.

Agreeably to the provisions of the Constitution, the Senate proceeded to the reconsideration of the bill referred to in the foregoing message.

And the bill being again before the Senate,

On the question, Shall the bill pass, notwithstanding the objections of the Governor?

A motion was made by Mr. CONNELL to postpone the question, together with the further consideration of the subject, for the present.

The motion was

Agreed to.

He also presented the following message from the Governor, which was read as follows and laid on the table:

EXECUTIVE CHAMBER,
HARRISBURG, February 15, 1867.

To the Senate and House of Representatives of the Commonwealth of Pennsylvania:

GENTLEMEN—The bill entitled An act to incorporate the Hollen Knitting Machine company, of Indiana, Pennsylvania, was presented to me on the 20th ultimo, and not having been returned to the Senate, in which it originated, within ten days (Sundays excepted) after its presentation, it has, agreeably to the Constitution, become a law in like manner as if I had signed it.

JNO. W. GEARY.

Laid on the table.

ORIGINAL RESOLUTIONS.

Mr. WHITE offered the following resolution, which was twice read:

Resolved, That the State printer be, and is hereby, required to furnish to the Senate the message of Governor Curtin, and the proceedings had in reference to an act approved December 4, 1866, entitled An act declaratory of the law relating to taking up lumber, and prohibiting the floating of loose saw logs within the Susquehanna river, between the town of Northumberland and the Maryland line.

The resolution was adopted.

Mr. WALLACE offered the following resolution, which was twice read:

Resolved, That the Clerk shall prepare a calendar of all public bills reported by the respective committees, whether favorably or negatively, which said calendar shall be the special order for the session of Thursday morning of each week, in the same manner and under like instruction as provided for calendar of private bills.

The resolution was adopted.

Mr. WALLACE also offered the following resolution:

Resolved, by the Senate of Pennsylvania:

First. That the Constitution, and the laws of the United States made in pursuance thereof, are the supreme law of the land, extending over and binding every citizen of the Republic in every portion thereof.

Second. That the privilege of the writ of *habeas corpus* ought not to be suspended, when the courts are open and civil law in full force.

Third. No person should be held to answer for a crime unless on presentment and indictment by a grand jury, nor be deprived of life, liberty and property without due process of law.

Fourth. That peace exists. That the right of trial by jury should remain inviolate in every part of the Republic. That the military power should now, in all cases, be in strict subordination to the civil power.

Mr. WALLACE moved that the Senate proceed to the second reading and consideration of the resolution.

On the question, Will the Senate agree to the motion?

Mr. WHITE moved that the resolution be committed to the Committee on Federal Relations.

On the question, Will the Senate agree to the motion?

The yeas and nays were required by Mr. WHITE and Mr. WALLACE, and were as follow, viz:

YEAS—Messrs. Bigham, Billingfelt, Browne (Lawrence), Brown (Mercer), Coleman, Connell, Cowles, Graham, Haines, Landon, Lowry, Ridgway, Royer, Shoemaker, Stutzman, White and Hall, *Speaker*—17.

NAYS—Messrs. Burnett, Davis, Donovan, Glatz, Jackson, James, M'Candless, Randall, Schall, Searight, Wallace and Walls—12.

So the question was determined in the affirmative.

Mr. LOWRY offered the following resolution, which was twice read:

Resolved, That the Clerk of the Senate be requested to furnish two hundred legislative hand books for the use of the Senate.

Mr. LOWRY. Mr. Speaker, I would state that number of the hand books are at the State printer's. The other branch of this Legislature have ordered three thousand, while we have had but one hundred—this resolution will give us three hundred altogether.

Mr. RIDGWAY. Mr. Speaker, I am not disposed to encourage this kind of jobbing any longer. There is an individual in the town of Harrisburg who makes it his business to get up books of this kind. He acts without the authority of the Legislature; and I think he had better have two hundred copies on his hand for gratuitous distribution.

Mr. LOWRY. Mr. Speaker, I do not think there has ever been before the Legislature a book that has been so much desired as this. These books are already printed; somebody has paid for them. I do not see how they can cause any additional expense. Indeed the author of the work told me there were two hundred copies there, and we could have them as well as not.

Mr. DAVIS. Mr. Speaker, I think the resolution for three thousand copies was passed in the House under a misapprehension. I am informed that it was understood in the House that we had ordered one thousand copies.

Mr. SEARIGHT. Mr. Speaker, as the Senator from Erie [Mr. LOWRY] states these books are all printed and paid for, and can be obtained simply for the asking, I do not see, therefore, the force of the resolution or the necessity of its passing.

Mr. LOWRY. Mr. Speaker, if the resolution is to draw forth any discussion, I will withdraw it. I will not place myself on the record as being engaged in getting up a job for anybody.

The resolution was accordingly withdrawn.

EXTRACT FROM THE JOURNAL OF THE HOUSE OF REPRESENTATIVES.

The Clerk of the House of Representatives being introduced, presented the following extract from the Journal of the House of Representatives:

IN THE HOUSE OF REPRESENTATIVES, February 18, 1867.

Resolved, That a committee of five members of this House be appointed to act in conjunction with a similar committee from the Senate, should the Senate appoint such a committee, to represent this Legislature in the ceremonies of depositing the Hancock Chair and the Independence Table in the Hall of Independence in Philadelphia on the 22d instant.

Ordered, That Messrs. LEE, M'CREARY, MAISH, CHASE and LINTON, be the committee on the part of the House.

BILLS ON THIRD READING.

Agreeably to order,

The Senate proceeded to the third reading and consideration of bill entitled An act to authorize the election of an officer to be called constable and collector in the several townships and boroughs in the county of Cameron, and to regulate his duties.

The bill

Passed finally.

Agreeably to order,

The Senate proceeded to the third reading and consideration of bill entitled A further supplement to an act increasing the fees of the several county officers of this Commonwealth, except in the city of Philadelphia and the counties of Allegheny, Bradford, Susquehanna and Sullivan, approved March 30th, A. D. 1865.

Mr. BROWN (Mercer). Mr. Speaker, the proviso, at the end of the first section, excludes the county of Venango. I desire to have that county included. A special act for Venango county was passed, but it has expired by limitation.

By unanimous consent the proviso, at the end of the first section, was stricken out.

The bill then

Passed finally.

Agreeably to order,

The Senate proceeded to the third reading and consideration of bill entitled An act relating to the Agricultural College of Pennsylvania, and to the establishment of experimental farms in connection therewith.

Mr. CONNELL. Mr. Speaker, I think it is four years ago that I advised the friends of the three institutions in Philadelphia—the University of Pennsylvania, the Polytechnic College and the Wagner Free Institute—that if they desired to avail themselves of the benefits of this fund, they must comply with the acts of Congress in regard to it. I have again and again urged it upon them, but I am sorry to say that up to this time they have done nothing towards putting themselves in the proper position.

Mr. RIDGWAY. Mr. Speaker, The Polytechnic College has.

Mr. CONNELL. In consequence of their failure to do so the disposition has been growing, the feeling of the public has been gravitating toward this single institution. I do not deem it worth while to consume the time of the Senate in the vain effort to secure a portion of this fund for the city of Philadelphia.

Mr. LOWRY. Mr. Speaker, all I have to say is that Allegheny has put herself in position to receive the benefits of this donation; but after placing herself in that position, at great expense, and offering to take this land scrip, or a portion of it, at a dollar an acre, this Senate gave only five votes in her behalf.

The bill

Passed finally.

ADJOURNMENT—GENERAL RAILROAD LAW.

On leave,

Mr. LOWRY. Mr. Speaker, I move that when the Senate adjourn it be to meet again at 3 o'clock this P. M., and that the free railroad bill be made the special order.

Mr. RIDGWAY called for a division of the question, which was subsequently withdrawn.

The SPEAKER stated the question was on the first part of the motion, that when the Senate adjourns it be to meet again at 3 o'clock this P. M.

Mr. SEARIGHT. Mr. Speaker, I have this objection to that motion: We were here last night until 12 o'clock, and did two days' work in one. I am in favor of meeting often as much as any Senator, when we can do so conveniently. Under the present circumstances I am not disposed to have an afternoon session.

Mr. BROWNE (Lawrence). Mr. Speaker, I think we will make more speed if we make less haste. I shall vote against this motion for an afternoon session.

Mr. COLEMAN. Mr. Speaker, I see no benefit in dividing the question on the motion. My understanding is that the railroad bill will be the special order when we meet again.

Mr. LOWRY. Mr. Speaker, I accept the suggested modification.

I move that when we adjourn it be to meet at three o'clock this P. M.

Mr. SCHALL. Mr. Speaker, I hope we will not have an afternoon session. The committees must have some time to meet, and there is a great deal of work on hand.

Mr. LOWRY. Mr. Speaker, the session is now far advanced. We must meet twice a day if we would adjourn before the first of May. Not a single public bill, I believe, except the bill passed this morning relative to the public land scrip, has been before the Senate. The people were pledged by both parties, at the last election, that they should have a general railroad law. Therefore, they are anxious on the question. I hope we will have a session this afternoon and continue to have two sessions a day until this and every other question of a public nature is disposed of.

Mr. WALLACE. Mr. Speaker, I, too, believe in making haste slowly. We would obtain much better results if we took more time. The bill that has been made a special order is a very important one. I have not had time to examine it. I want a general railroad law, but I desire to know in what a bill is beneficial and in what it is defective. I think this afternoon can well be devoted to its examination.

Mr. BIGHAM. Mr. Speaker, the recent remarks have convinced me that we should meet an hour earlier in the morning. When we meet at eleven o'clock, in consequence of the orders, there is very little progress. Moreover, I think we are better prepared to take up important legislation in the morning. I would propose that the motion to adjourn be amended so that we may meet at ten o'clock to-morrow morning.

Mr. M'CANDLESS. Mr. Speaker, I hope the motion to hold an afternoon session will not prevail.

I agree with my colleague from Clearfield [Mr. WALLACE] with regard to having ample time to examine the provisions of this bill. It is a very important piece of legislation, and ought to be approached with great consideration.

Mr. BIGHAM. Mr. Speaker, one word as to what I understand to be the order. The private calendar is a matter of sufferance here; it is not fixed, as it is in the House, by a positive rule. It is taken up on convenience, and generally on Wednesday, but there is no rule about it.

Mr. LOWRY. Mr. Speaker, I am willing that the Senator from Allegheny [Mr. BIGHAM] shall amend the motion to adjourn so that we meet at 10 o'clock to-morrow morning.

The SPEAKER. In order that the Senate may understand this question the Chair directs the Clerk to read the resolution in regard to the private calendar.

The resolution was read as follows:

Resolved, That on Wednesday of each week, and on each succeeding Wednesday, immediately after the morning orders are disposed of, the Senate will proceed to the consideration of private bills of the Senate and House of Representatives, which have been reported from the standing committees, and to which there are no objections, in their numerical order—the calendar of which bills shall be prepared by the Clerk and printed on the day previous to that on which they are to be acted upon; and that the Clerk shall not be required to journalize any amendments made to said bills, except where the yeas and nays are called.

Mr. BIGHAM. Mr. Speaker, I move to amend the resolution to adjourn so as to make it read that when this Senate do adjourn it adjourn to meet to-morrow morning at ten o'clock.

The question being on the motion as amended,

The yeas and nays were required by Mr. DONOVAN and Mr. LOWRY, and were as follow, viz:

YEAS—Messrs. Bigham, Billingfelt, Browne (Lawrence), Brown (Mercer), Coleman, Cowles, Davis, Graham, Jackson, Lowry, Ridgway, Royer, Taylor, Wallace, White and Hall, *Speaker*—16.

NAYS—Messrs. Burnett, Connell, Donovan, Glatz, Haines, James, Landon, M'Candless, M'Conaughy, Randall, Searight, Shoemaker, Stutzman and Walls—14.

So the question was determined in the affirmative.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

The Clerk of the House of Representatives being introduced, returned bills from the Senate numbered and entitled as follows:

No. 28, an act to extend the provisions of the act concerning the sale of railroads, canals, turnpikes, bridges, plank roads, to sales made or to be made under or by virtue of a power of sale of mortgage or deed of trust without judicial process or decree.

No. 490, a supplement to an act entitled An act to incorporate the Bradford County railroad company, approved May 9, 1866,

With information that the Senate has passed the same without amendments.

BILLS PASSED.

On motion of Mr. BROWNE (Lawrence), the Committee on the Judiciary Local was discharged from the further consideration of bill entitled An act to authorize the orphans' court of Westmoreland county, if by it deemed proper, to re-examine the accounts filed in the estate of George T. Crawford, deceased, notwithstanding the provisions of the act of October 13, 1840, entitled An act relating to orphans' court, and for other purposes.

And the rules having been dispensed with, the bill was read a second and third time, and

Passed finally.

On motion of Mr. CONNELL, the Committee on the Judiciary Local was discharged from the further consideration of bill entitled An act to extend the provisions of the act approved the 31st day of July, 1863, to the counties of Centre and Huntingdon.

And the rules having dispensed with, the bill was read a second and third time, and

Passed finally.

On motion of Mr. HAINES, the Committee on Roads and Bridges was discharged from the further consideration of a bill entitled A supplement to an act approved the 5th day of March, 1828, entitled An act to authorize the Governor to incorporate a company to erect a bridge over the Juniata river, at the town of Mifflin, in the county of Mifflin.

And the rules being dispensed with, the bill was read a second and third time, and

Passed finally.

On motion of Mr. DAVIS, the rules were dispensed with, and the Senate proceeded to the consideration of a bill entitled An act to incorporate the Allentown passenger railway company, approved April 19th, A. D. 1853.

The bill was read a second and third time, and

Passed finally.

On motion of Mr. LOWRY, the rules were dispensed with, and the Senate proceeded to the consideration of a bill entitled An act to extend the provisions of the act incorporating the Erie gas company, over South Erie, and a portion of Mill Creek, and to authorize the said company to introduce water wherever it is authorized to introduce gas, and to increase its capital stock and to borrow money.

The bill was read a second and third time, and

Passed finally.

On motion of Mr. TAYLOR, the Committee on Corporations was discharged from the further consideration of a bill entitled A supplement to the act for the incorporation of the Merchants' National telegraph company, approved the 18th day of April, A. D. 1866.

And the rules having been dispensed with, The bill was read a second and third time, and

Passed finally.

On motion of Mr. GRAHAM, the Committee on the Judiciary Local was discharged from the further consideration of a bill entitled An act authorizing the city of Allegheny to issue bonds to the amount of sixty five thousand dollars to be applied to building a market house in said city.

And the rules having been dispensed with, The bill was read a second and third time, and

Passed finally.

On motion of Mr. COLEMAN, the rules were dispensed with and the Senate proceeded to the consideration of a bill entitled An act to incorporate the Pennsylvania Central thief detective and live stock insurance company.

The bill was read a second and third time, and

Passed finally.

On motion of Mr. BIGHAM, the Committee on Corporations was discharged from the further consideration of bill entitled A supplement to an act to incorporate the Midas petroleum and improvement company of Pittsburg and New York, approved the 22d day of March, A. D. 1866.

And the rules having been dispensed with, The bill was read a second and third time, and

Passed finally.

On motion of Mr. BROWNE (Lawrence), the Committee on Canals and Inland Navigation was discharged from the further consideration of a bill entitled An act to establish a ferry over the Allegheny river at or near Red Bank Furnace.

And the rules having been dispensed with, The bill was read a second and third time, and

Passed finally.

On motion of Mr. JACKSON, the rules were dispensed with, and the Senate proceeded to the consideration of a bill entitled An act changing the time of meeting of the auditors of Hillsgrove township, Sullivan county.

The bill was read a second and third time, and

Passed finally.

On motion of Mr. GRAHAM, the rules were dispensed with, and the Senate proceeded to the consideration of a bill entitled A further supplement to an act to incorporate the Birmingham, East Birmingham and South Pittsburg gas company, approved April 15th, 1856.

The bill was read a second and third time, and

Passed finally.

On motion of Mr. GLATZ, the rules were dispensed with, and the Senate proceeded to the consideration of a bill entitled An act to enable the board of school directors of the borough of Goldsboro', in the county of York, to borrow money for building purposes.

The bill was read a second and third time, and

Passed finally.

On motion of Mr. BROWN (Mercer), the rules were dispensed with, and the Senate proceeded to the consideration of a bill entitled A supplement to the act to incorporate the Western transportation company, formerly the Oil Creek transportation company.

The bill was read a second and third time, and

Passed finally.

On motion of Mr. WALLACE, the Committee on Judiciary Local was discharged from the further consideration of a bill entitled A supplement to an act relative to the payment of bounties by the county of Clearfield, approved February 27, 1865, extending the same.

And the rules having been dispensed with, The bill was read a second and third time, and

Passed finally.

On motion of Mr. COWLES, the Committee on Judiciary Local was discharged from the further consideration of a bill entitled A further supplement to an act to incorporate the M'Kean and Elk land and improvement company, approved the sixth day of February, A. D. 1856, authorizing said company to borrow money and mortgage lands.

And the rules having been dispensed with, The bill was read a second and third time, and

Passed finally.

The hour of one o'clock having arrived, the SPEAKER adjourned the Senate until tomorrow morning at ten o'clock.

HOUSE OF REPRESENTATIVES.

TUESDAY, February 19, 1867.

AFTERNOON SESSION.

The House met at 3 o'clock, P. M.

Mr. SHARPLES. Mr. Speaker, I ask leave to make a statement.

Leave was granted.

Mr. SHARPLES. On last Thursday, when public bills were in order, we failed to reach a very important bill to the parties who are to be affected by it. I therefore ask a suspension of the rules, and that the House now take up Senate bill 28. It is simply to extend an act we now have in reference to cases under judicial processes to cases where they are under mortgages. The committee of the Clearfield and Tyrone railroad are now in session, and desire to reorganize under the provisions of that bill.

The motion was

Agreed to.

The bill was read as follows:

AN ACT to extend the provisions of the act concerning the sale of railroads, canals, turnpikes, bridges and plank roads, to sales made or to be made under or by virtue of a power of sale in mortgage or deed of trust without judicial process or decree.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same*, That all the provisions of the act entitled An act concerning the sale of railroads, canals, turnpikes and plank roads, approved the eighth day of April, Anno Domini one thousand eight hundred and sixty-one, shall extend and apply to sales and conveyances heretofore or hereafter made, under or by virtue of a power of sale contained in mortgage or deed of trust, without any process or decree of court in the premises; and the person or persons for or on account of whom such railroad, canal, turnpike, bridge or plank road shall have been or hereafter may be purchased, shall have and enjoy all the rights and privileges granted and conferred by the said act upon the person or persons purchasing under judicial process or decree as in said act mentioned.

The bill was

Agreed to.

On motion,

The rules were suspended, the bill read a second and third times, and

Passed finally.

Mr. WINGARD. Mr. Speaker, I ask leave to offer a resolution.

Leave was granted.

Mr. WINGARD. Mr. Speaker, I offer the following resolution:

The resolution was read as follows:

Resolved, That the Senate be requested to return to this House, where it originated, bill No. 348.

The resolution was read a second time, and

Agreed to.

Mr. PETERS. Mr. Speaker, I move that the rules be suspended, and that the House proceed to the consideration of House bill No. 528, entitled An act extending to Allegheny county the laws regulating the granting of licenses to eating houses and taverns in the city of Philadelphia.

Mr. WILSON. Mr. Speaker, is it not necessary to postpone the private calendar before that can be reached?

The SPEAKER. The House has done that already on the other bills. If the gentleman wishes to object to the bill he can do it only by calling for a division of the question.

Mr. WILSON. Mr. Speaker, it does seem to me it is not proper to suspend the rules now to take up that bill. Last night a motion was made and carried to discharge the committee from the further consideration of the bill. The chairman of the committee was absent, and certainly this action is not very courteous to him. I understand that it was the wish and intention of the friends of this bill to have it printed, and that it would not come up for a week yet. Now an effort is being made to suspend the rules, in order to pass it to-day, to which I shall, of course, object. I call for a division of the question.

On the question,

Will the House agree to suspend the rules generally? It was

Not agreed to.

PRIVATE CALENDAR.

Agreeably to order,

The House proceeded to the consideration of the bills on the private calendar.

The following bills were read a second time, and disposed of as stated:

Senate bill No. 326, a further supplement to an act for the better preservation of the records contained in the public offices in the several counties of this Commonwealth, approved the 29th day of March, A. D. 1827, so far as relates to the county of Lancaster.

Passed finally.

No. 381, an act to authorize the Governor to appoint an additional notary public for the borough of Milton, Northumberland county.

Passed finally.

No. 382, an act to extend the provisions of an act entitled An act relative to mechanics' liens in the counties of Luzerne and Schuylkill, approved February 17, A. D. 1858, to the county of Northumberland.

Passed finally.

Senate bill No. 118, an act to authorize the appointment of seven additional notaries public for the city of Philadelphia.

Passed finally.

No. 384, an act to authorize the qualified electors of Lycoming county to vote for or against a poor house in said county.

Passed finally.

No. 385, an act relative to the pay of auditors in the county of Butler.

Passed finally.

No. 387, an act relative to the fees of the coroner of Allegheny county.

Passed finally.

Senate bill No. 138, an act relating to the Dauphin county prison.

Passed finally.

No. 390, an act authorizing William S. Ziegler to act as justice of the peace in the borough of Butler, Butler county, while residing outside the limits of said borough.

Passed finally.

No. 391, an act to authorize the Governor to appoint two additional notaries public for the city of Philadelphia.

Passed finally.

No. 393, an act to repeal an act entitled An act to regulate the practice of entering judgments and issuing processes in Armstrong county.

Passed finally.

No. 395, an act relating to the fees of district attorney for the county of Greene.

Passed finally.

No. 396, an act to regulate the salaries of the county auditors, and also the salaries of the township auditors and their clerks, in the county of York.

Passed finally.

No. 397, a further supplement to an act passed the 13th day of March, 1862, to authorize the arrest of professional thieves, burglars, et cetera, in the city of Philadelphia.

Passed finally.

No. 398, an act to increase the pay of the assessors of Lehigh county.

Passed finally.

Senate bill No. 191, a supplement to an act approved 16th day of April, A. D. 1866, appointing commissioners to lay out and open a State road in M'Kean county, from the borough of Smethport to Lafayette Corners.

Passed finally.

No. 400, an act repealing an act relative to the coroner of Armstrong county.

Passed finally.

No. 401, an act relating to hawkers and peddlers in the county of Chester.

Passed finally.

No. 402, an act relating to courts of equity in cases of partitions, in the several counties composing the Sixth Judicial district of Pennsylvania.

Passed finally.

No. 403, an act to establish an additional notary public in Chester county.

Passed finally.

No. 404, an act authorizing and requiring the prothonotary of Cambria county to keep an extension docket.

Passed finally.

No. 406, an act in relation to original writs and executions in the county of Franklin.

Passed finally.

Senate bill No. 120, an act to prevent and punish desertion in the counties of Lawrence and Luzerne.

Passed finally.

Senate bill No. 158, an act to extend an act authorizing the Secretary of the Commonwealth to distribute copies of the standard weights and measures, and for the appointment of sealers, to the county of Montgomery.

Passed finally.

No. 409, an act to regulate the fees of the clerk of the courts of oyer and terminer and general quarter sessions of the peace of Crawford county.

Passed finally.

No. 411, an act in relation to lost records, deeds and other papers in the county of Franklin.

Passed finally.

No. 412, an act to incorporate the Pithole gas and water company.

Passed finally.

No. 413, an act supplementary to an act incorporating the town of Lawrenceville, in the county of Allegheny, into a borough, approved the 13th day of February, A. D. 1834.

Passed finally.

No. 414, an act to vacate a portion of Clarion street, in the borough of Bridgewater, Beaver county, authorizing the portion vacated to be disposed of for the benefit of said borough.

Passed finally.

No. 415, an act giving the town council of the borough of Mauch Chunk the right to make and build drains, sewers and sluices in said borough.

Passed finally.

No. 416, an act authorizing the burgess and town council of the borough of Irwin, in Westmoreland county, to levy and collect a special tax for borough purposes.

Passed finally.

No. 418, an act relative to the per capita tax to be assessed by the water directors of the town of Aaronsburg, county of Centre.

Passed finally.

No. 419, an act to authorize an increase of taxes, for borough purposes, in the borough of West Elizabeth, Allegheny county.

Passed finally.

Senate bill No. 152, an act to authorize the borough of St. Mary's to borrow money, and to extend the width of St. Michael's street, in said borough.

Passed finally.

Senate bill No. 131, an act to authorize the town council of the borough of Middletown, in the county of Dauphin, to borrow money to pay off the present indebtedness of said borough.

Amended by Mr. SATTERTHWAIT, and

Passed finally.

Senate bill No. 354, an act to authorize the select and common councils of the city of Williamsport to levy and collect a special tax for city purposes.

Passed finally.

No. 423, an act to enable the South ward, in the city of Chester, to procure a supply of water.

Passed finally.

Senate bill No. 242, an act to authorize the school directors of Minersville borough, in the county of Schuylkill, to borrow money.

Passed finally.

Senate bill No. 62, an act changing the number and manner of electing councilmen in the borough of Bellevernon.

Passed finally.

No. 427, an act authorizing the borough council of Shenandoah, Schuylkill county, to borrow money, and the voters to elect six town councilmen, &c., &c.

Passed finally.

No. 428, an act to authorize the borough of Indiana to increase their taxation for borough purposes.

Passed finally.

No. 429, an act to extend an act to authorize the burgess and town council of the borough of Kittanning to grade, curb and pave certain side-walks.

Passed finally.

No. 430, an act supplementary to an act incorporating the town of Lawrenceville into a borough, approved the 13th day of February, A. D. 1834.

Amended by Mr. CHADWICK, and

Passed finally.

Senate bill No. 42, a supplement to an act to incorporate the Wilkesbarre and Pittston railroad company, approved April 15, A. D. 1859.

Passed finally.

Senate bill No. 248, an act to extend the time to pay the enrollment tax on an act, entitled A supplement to the act incorporating the Littlestown railroad company, approved the 17th day of February, A. D. 1854, approved April 8, A. D. 1864.

Passed finally.

Senate bill No. 123, an act to incorporate the Wilkesbarre and Sugar Notch passenger railway company.

Passed finally.

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TERMS OF THE DAILY RECORD.

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[CONTINUED FROM PAGE 320.]

No. 435, an act incorporating the Morrison's Cove railroad company.

Passed finally.

Senate bill No. 349, an act to enable the Pennsylvania Cannel coal and railroad company to borrow money, and change the corporate name of said company, and confirm the title to real estate belonging to said company.

Amended by Mr. JENKS, and

Passed finally.

Senate bill No. 350, an act to extend the time of the payment of the enrollment tax on a certain act approved March 10, 1865, entitled A further supplement to an act to incorporate the Powelton coal and iron company, approved May 1, 1861, extending the time of charter of said company.

Passed finally.

Senate bill No. 133, an act to amend the charter of the Cambria iron company, authorizing an increase of capital stock and the issue of bonds, and authorizing the manufacture of iron and steel in any shape.

Passed finally.

No. 439, a supplement to an act to incorporate the Penn Gas coal company, approved 1st day of March, A. D. 1861.

Passed finally.

No. 441, an act to incorporate the Pacific Railroad gold mining company.

Passed finally.

Senate bill No. 121, an act to incorporate the M'Connel mineral company of Pennsylvania.

Passed finally.

Senate bill No. 195, an act relative to the Lancaster turnpike road company, in Lancaster county.

Passed finally.

No. 449, an act to incorporate the Pine Creek bridge company.

Passed finally.

No. 451, a supplement to an act incorporating the Hollidaysburg and Altoona plank road company.

Passed finally.

No. 452, an act relative to the Allegheny and St. Mary's cemeteries, in Allegheny county.

Passed finally.

Senate bill No. 198, an act to incorporate the Sullivan and Pocono Summit plank road or turnpike company.

Passed finally.

No. 455, an act relative to the payment of street and road damages in the county of Dauphin.

Passed finally.

No. 456, an act to authorize Andrew Lerew, trustee of Hiram Albert, to purchase real estate.

Passed finally.

No. 458, an act to confirm the title of John Hanley to certain real estate in the city of Philadelphia.

Passed finally.

No. 459, a supplement to an act incorporate the Fidelity insurance, trust and safe deposit company of the city of Philadelphia, passed the 22d day of March, A. D. 1866.

Passed finally.

Senate bill No. 156, a supplement to an act to incorporate the Corn Exchange association of Philadelphia, authorizing said association to make certain by-laws, and regulating the assessment and payment of dues, fines, et cetera.

Passed finally.

Senate bill No. 180, an act to incorporate the Co-operative association of Hyde Park, No. 1, in the city of Scranton, for mercantile purposes.

Passed finally.

Senate bill No. 134, an act to incorporate the Richland Township Mutual insurance company.

Passed finally.

Senate bill No. 179, an act to incorporate the University of St. Augustine.

Passed finally.

No. 465, an act to incorporate the American University of Philadelphia.

Passed finally.

Senate bill No. 84, an act to incorporate the Hand-in-Hand Mutual life insurance company.

Passed finally.

Senate bill No. 122, an act to incorporate the Granite insurance company.

Passed finally.

Senate bill No. 325, a supplement to an act to incorporate the Trout Run navigation company, authorizing change of time and place of organization thereof.

Passed finally.

Senate bill No. 353, a supplement to an act of Assembly entitled An act to incorporate the Union Park skating association of Allegheny city, approved the 23d day of March, A. D. 1865.

Passed finally.

No. 471, an act to incorporate the Lincoln Steam Fire hose company, in the city of Philadelphia, and to authorize said company to erect a market house.

Passed finally.

No. 472, a supplement to an act incorporating the Girard Electrical insurance company, approved the 2d day of March, A. D. 1866.

Passed finally.

Senate bill No. 174, an act relating to New Castle gas light company.

Passed finally.

No. 474, an act to incorporate the Odd Fellows' Temple of the city of Philadelphia.

Passed finally.

Senate bill No. 181, an act to incorporate the Providence gas and water company, in Luzerne county.

Passed finally.

No. 476, an act to correct an act to incorporate the Williamsport hall and market company, approved April 20, 1866.

Passed finally.

No. 478, an act to prohibit the entrapping, ensnaring or capturing of wild turkeys and partridges by any other means than shooting, in the county of Blair.

Passed finally.

No. 479, an act to prevent the growth of noxious weeds in the county of Chester.

Amended by Mr. SHARPLES, and

Passed finally.

No. 480, an act to extend the provisions of an act laying a tax on dogs in certain townships in the county of Chester; relative to elections in West Philadelphia, and to assessors in Millerstown, Perry county, approved March 11, 1850, so far as provides for the taxing of dogs, to the township of Londonderry, in the county of Chester.

Passed finally.

No. 481, an act relating to fish and game in the county of Lawrence.

Passed finally.

No. 482, an act to extend the provisions of an act to prohibit the issuing of licenses within certain boroughs in the counties of Armstrong, Potter, Indiana and Perry, or within two miles of the same, in the counties in which such boroughs are located, approved 27th day of March, 1866, to the boroughs of New Alexandria and Bolivar, in the county of Westmoreland.

Passed finally.

No. 483, supplement to the act, approved the 14th day of February, A. D. 1866, relative to the assessment of an additional bounty tax in the township of Haines, county of Centre.

Passed finally.

No. 485, ad act to annul the marriage contract between William Riley and Martha Willets.

Passed finally.

Senate bill No. 201, an act to incorporate the Erie City passenger railway company.

Passed finally.

No. 488, supplement to an act to incorporate the Norristown passenger railway company.

Passed finally.

Senate bill No. 68, an act to incorporate the Scranton Savings Bank.

Passed finally.

OBJECTED BILLS OF LAST WEEK.

No. 254, an act to vacate part of Woodpecker or Rising Sun lane, in the Twenty-first ward of the city of Philadelphia.

Passed finally.

No. 310, an act relative to the fees of certain township and county officers in the county of Beaver.

Passed finally.

No. 311, an act to authorize the supervisors of West Branch township, Potter county, to levy an additional road tax.

Passed finally.

No. 349, an act appropriating certain moneys arising from fines and forfeitures in Chester county.

Passed finally.

BILLS POSTPONED.

No. 392, an act for the relief of Elias Tome, of York county.

Postponed and made the special order for next Tuesday morning at 10 o'clock.

No. 433, an act to incorporate the Wellsboro' and Lawrenceville railroad company.

Postponed and made the special order for Tuesday afternoon, the 26th inst., 3 o'clock, P. M.

Senate bill No. 199, a further supplement to an act entitled An act to incorporate the Kensington and Oxford turnpike road company, approved the 17th day of March, 1842.

Postponed until Tuesday next.

No. 467, an act to incorporate the Spruce Grove lumber and land company.

Postponed, and made the special order for next Tuesday afternoon, at 3½ o'clock.

No. 486, an act to annul the marriage contract between Daniel Wilson and his wife.

Postponed for the present.

No. 302, an act relative to the estate of George Frey, deceased.

Postponed indefinitely.

No. 335, an act to establish a ferry over the Youghiogheny river at Layton station, in Fayette county, on the line of the Pittsburg and Connellsville railroad.

Postponed indefinitely.

No. 457, an act relating to the real estate of William Wurts, deceased.

Not agreed to, on second reading.

No. 284, an act to repeal an act of the General Assembly of the State of Pennsylvania, which became a law on the 19th day of August, 1864, entitled An act relating to the Pittsburg and Connellsville railroad.

Amended by Mr. BOYLE.

Passed to third reading, and ordered to be transcribed.

The following remarks were made during the consideration of the calendar:

On bill No. 392,

Mr. MAISH. Mr. Speaker, I move that this bill be postponed until Tuesday next, and placed upon the private calendar for that day.

The SPEAKER. The rules of the House require that no bill shall be placed upon the calendar after it has been acted upon. The gentleman can move to make it a special order for some particular time.

Mr. MAISH. Mr. Speaker, I then move that it be postponed until Tuesday morning next, and made the special order at ten o'clock.

The motion was

Agreed to.

On Senate bill No. 131,

Mr. SATTERTHWAIT moved to amend the bill.

The amendment was

Agreed to.

Mr. HUMPHREY moved to amend, and afterward said:

The amendment was handed to me a few moments ago by one of the parties interested. I supposed the amendment was one that met the approbation of the parties concerned, but I understand the members of this House from that county are opposed to it. I therefore wish to withdraw it.

On bill No. 433,

On the question,

Will the House suspend the rules and read the bill a third time by its title?

Mr. LEE. Mr. Speaker, I am sorry to be under the necessity of asking that this bill should go over on third reading. I do not know that there is anything wrong about it, but I should like to be sure of the fact. Some time ago, as probably some of the members will recollect, there was an improvement projected by a number of gentlemen of the valley of the Tioga river, called the Tioga navigation company, and the State guaranteed the payment of some fifteen or twenty thousand dollars of the bonds per year. The State went on and paid that for some time. Subsequently a party of gentlemen from Philadelphia and other places interested, took hold of the project and relieved the State from further payments, thereby saving it hundreds of thousands of dollars, and they got an act incorporating what is called the Blossburg and Corning railroad, running from Blossburg to the New York line, and there connecting with a road owned by a man by the name of M'Gee. Now, there is a million of dollars of stock of the Blossburg and Corning railroad owned in Philadelphia, besides what is owned in other parts of the State. The purpose of this bill, if I understand it (and it can do no harm for it to go over a week if I do not understand it), is to continue the road that this man M'Gee has already from Falls Brook, up beyond Blossburg and Wellsboro', and from there to the termination of his road at Lawrenceville, to get the contol of this Tioga road and ruin it. For a number of years this Tioga road worked for the benefit of that part of the State without receiving any return at all, and I now submit whether it is right to divert the travel from it just as it is beginning to pay. It seems to me that this is the construction of the act, and, by reference to the map, that the position is uncontrovertible. I, therefore, ask that this bill pass over for a week at any rate. I did not object it off the calendar, because I did not want to put it in the position that would place it in. I think the House will see the propriety of not allowing foreign corporations to come in and appropriate the fruits of home institutions.

Mr. HUMPHREY. Mr. Speaker, I have no objection to the bill going over. I desire, however, to say to my friend from Philadelphia [Mr. LEE] that this road is not intended to conflict with the interests of the Tioga road. It is merely a road leading to the State line, to connect at the terminus of that road, and does not run parallel with it, except, perhaps, for two or three miles on the other side of the river. It is purely a local road for the interests of that county. It is not intended to be in opposition to the Tioga road, and further, Mr. M'Gee is not interested in it. The corporators are people of our county, and all interested belong to our county. I am unable to see any injury that would result from that road to the Tioga road. The president and directors are now living in Philadelphia, I believe. We have not been hasty in preparing this bill or having it submitted to the House, and being of a local character, I would desire to have it pass through.

Mr. WADDELL. Mr. Speaker, I judge that the object of the gentleman from Philadelphia [Mr. LEE] will not be attained by his suggestion. He is liable to have this bill called up to-morrow, in case we get through the orders of the day, to bills on the third reading. Consequently he will not accomplish his object, if he desires to have a week's time.

Mr. LEE. Mr. Speaker, I understood that you ruled once to-day that any bill once considered on the private calendar, cannot be placed upon it a second time. If that could be done I would be willing to do it.

The SPEAKER. It can be made a special order.

Mr. LEE. I would then move that it be made the special order for this day week, at three o'clock in the afternoon.

Mr. HUMPHREY. Mr. Speaker, I would object to disposing of this bill in that way. I would desire that it come up in the regular order, and be acted upon on the third reading. We have had the bill properly before the House in the regular order. It proposes nothing more than to accommodate my constituents in my county. By reading the bill no man can see where it will conflict with this Tioga railroad company. It merely connects with this Tioga road at the State line on the north. In the second section there is also a provision made by which it can extend its line to the coal mines of Tioga for the purpose of benefiting the inhabitants of the interior portions of our county in getting coal.

In reply to the gentleman in reference to passengers, I would say that there will be no passengers that can be taken from the Tioga Valley road. It does not run in that direction, and that road is almost exclusively for the purpose of bringing coal from those mines. This is intended as a passenger railroad and not as a coal railroad, and I cannot see how their interests can conflict. This is so understood by my constituents, and they also state that Mr. M'Gee is not interested in this road at all. It is wholly and purely a local matter, and I therefore desire as a favor that this bill may pass rather than to postpone to any time for a special session.

Mr. LEE. Mr. Speaker, no man in this House would accommodate the gentleman sooner than I would, but I consider there are other interests to be attended to than those of the immediate constituents he represents. There is one fact that this man M'Gee owns this road from Falls Brook to Wellsboro'——

Mr. HUMPHREY. Mr. Speaker, if the gentleman will allow me to explain, I will state that there is no railroad to Wellsboro'. I understand that Mr. M'Gee owns the railroad from Corning to the State line, and then the road from the State line is owned by the Tioga company. What this road proposes is to establish a railroad from the State line to Wellsboro'.

Mr. LEE. Mr. Speaker, that is what I understand. This M'Gee owns a railroad from Falls Brook to Blossburg, and further he has a charter for one from Blossburg to Wellsboro'. Now, by this bill, he proposes to get a road from Wellsboro' to Lawrenceville, the termination of this Tioga railroad. Now the interests of this road depend upon transporting coal to the New York line, and thence over this road owned by M'Gee to Corning, so as to reach New York and the lakes, and other points to which the coal is shipped. This road proposed to be built from Wellsboro' to Lawrenceville also depends upon that road in New York, owned by M'Gee, and will not this man certainly discriminate in favor of his own road?

If there is anything wrong about this bill I can see the propriety of pressing it through to-day. But if there is nothing wrong about it, no injury will be effected by allowing it to be postponed for a week until it can be more fully examined.

Mr. HUMPHREY. Mr. Speaker, I will withdrew my objections to the postponement of the bill for the present.

Mr. LEE. Mr. Speaker, I move that its further consideration be postponed until next Thursday week, and that it be made the special order for that day. If, upon examination, I find that the bill is what the gentleman avers it to be I shall cheerfully vote for it.

The motion was

Agreed to.

On Senate bill No. 199,

Mr. LEE. Mr. Speaker, I move to amend by re-inserting the second section.

The section was read as follows:

SEC. 2. That it shall be lawful for the said company to collect and receive from all persons using said turnpike road, two cents per mile for each horse, whether led, ridden or attached to any vehicle: *Provided*, That nothing herein contained shall be construed to repeal the provisions of any supplement to the act to which this is a further supplement,

Mr. SATTERTHWAIT. Mr. Speaker, this is a very important turnpike in my section of country. This section proposed to be reinserted gives this turnpike company power to increase their tolls three and four hundred, and in some instances, five hundred per centum above the rates allowed by the general turnpike laws of this Commonwealth. When this bill came up before the committee, they were unanimous in their action in striking out that section. To show that I am not mistaken in my statement in reference to the increase, I will read what the general turnpike law says in regard to tolls. *Purdon's Digest*, page 984, says that the toll shall be two cents for every five miles, "for every cart or wagon whose wheels shall be four inches, and not exceeding seven inches, two cents for every horse drawing the same."

Now, the great majority of the travel on this road is with vehicles with wheels four inches in breadth. This section gives the right to charge two cents per mile, while the general turnpike law requires only two cents for five miles, this section thus increasing the toll in this case five hundred per centum above that allowed by the general turnpike law. Can the gentleman from Philadelphia be in earnest in making a proposition so monstrous as that?

Mr. LEE. Mr. Speaker, I am in earnest about this matter, and should like to have this section reinstated, and I would advocate it if I stood here alone, because I look upon it as a matter perfectly just. There is a company of men that, at a large expense, have constructed and keep up a good, substantial road for my Montgomery county friend and his constituents to go to the city of Philadelphia. I do not know what interest my friend from Montgomery has in the stock of this road, but I presume he has not invested in it very heavily. I know that the stock is mainly owned by persons who live in my district. I know that they keep up a good road; I know that parties from Montgomery county use it as a means of ingress and egress to and from the city of Philadelphia; I know that the gentlemen of this company are constantly paying money out of their pockets to keep that road in repairs, and that the tolls they collect are insufficient to pay for doing any such thing. Is it not unfair and unjust that my friend and his constituents should ask the privilege of passing over a great public improvement like this, without the company being allowed a fair remuneration? They do not ask for any dividend, but they simply ask to be secured against this constant drain upon their purses to keep the road in order. The gentleman knows that the rate of toll authorized in the general law is wholly inadequate to maintain any road in any decent condition. He knows that when that law was passed labor, stone, and everything that goes to make a turnpike was five hundred per centum lower than it is to-day. I do not know whether two cents per mile is too much or not, but the gentlemen who have spoken to me upon this subject state that this would about pay the expenses. They do not desire to make a dividend upon their stock. They simply desire that they shall not be subject to the necessity of putting their hands in their pockets every year to keep that road in repair in order to accommodate my friend from Montgomery and his constituents who are constantly traveling over it.

Mr. SATTERTHWAIT. Mr. Speaker, I do not know how much truth there is in the statements made by the gentleman in reference to this road not paying expenses. He states that this company do not desire to pay a dividend, but merely ask by this bill that they may be able to keep up the expenses of the road from the tolls received. Now, if his statements in regard to this are not more reliable——

Mr. LEE. Will the gentleman permit me to say one word? I do not know anything about this personally at all. I do not know that there is not a dividend of one hundred per centum on their stock. I know simply what gentlemen interested in this matter told me, and have so averred and have said nothing in reference to the road upon my personal knowledge. These gentlemen who have given me this information are persons in whose veracity I have full confidence.

Mr. SATTERTHWAIT. Mr. Speaker, I think that is about like his statement that when the general turnpike law was passed, things were five hundred per centum lower than they are now. It is my opinion that this company is doing well enough, and that it is paying as well as other turnpike companies throughout the country are paying at the present rate of toll. There never was a time since this law was passed, when material for making turnpikes could be obtained at one-half the price that it can be now.

Mr. LEE. Mr. Speaker, I know that when this bill was passed you could get men to work for fifty cents per day, and you cannot get them now without paying two dollars and a half per day.

Mr. SATTERTHWAIT. Mr. Speaker, I have had considerable experience with turnpikes, and I have never seen the time when they could be kept up at half the expense they can now.

Two years ago, when expenses of this kind were the highest, I attempted to have a bill passed here increasing the rate fifty per centum on a road running parallel with this one, and I could not get it through. It was opposed by the gentleman from Bucks [Mr. HEADMAN], who was interested in the road, and defeated. That was a time when things were much higher than they are now.

There is a bill, at the present time, pending in the Senate, increasing the rate of toll on a road running parallel to this. That road was not chartered under the general turnpike law which increases the toll fifty per centum, and they cannot get it through. Here is a proposition to increase the toll five hundred per centum. This company was not chartered under the general turnpike law, and they are allowed to charge now much higher than the general law provides.

Mr. HOOD. Mr. Speaker, I move to postpone this bill until next Tuesday week. My reason for doing so is that I have in my possession a large number of remonstrances from those who are most interested, protesting against this increase of toll.

The motion was

Agreed to.

On bill No. 457,

Mr. WADDELL. Mr. Speaker, I do not know who has this bill in charge, but it strikes me that if he desires the Governor to sign it he had better strike out the preamble, for it clearly sets forth that the courts have jurisdiction in the matter. But, because it will be a little expense to go into the courts, the party concerned prefers that the Legislature should pass the bill. I hope the Governor's veto messages this morning will satisfy the gentleman who has this bill in charge that he cannot get it through with the consent of the Attorney General of the State—at least with this preamble. It seems to me that this House should not pass a bill of this kind. I do not want to interfere with the bills of anybody else, but it is a very serious question in my mind whether a bill of this kind can be passed without a preamble, and certainly we should not pass it with this preamble.

The bill was

Not agreed to.

On bill No. 467,

Mr. CRAIG. Mr. speaker, I do not know who has this bill in charge, but I understand by the reading of the bill that it applies to one of the counties I represent. It is an important bill, and one that I do not think should pass, but I am not disposed to be factious about it. I therefore ask that it be postponed until Tuesday next and made the special order for 3½ o'clock. P. M.

The motion was

Agreed to.

On bill No. 486,

Mr. WADDELL. Mr. Speaker, I should like to hear some reason for the passage of this bill. I believe I have never seen done before what is here proposed. I should like to hear the grounds for this act. We have no reasons set forth here—only a bill to annul the marriage contract. I never before saw bills of this kind put through at this railroad speed. This House should certainly call for some information in regard to bills of this character annulling the marriage contract. We should know the whys and wherefores of such bills, and not press them simply because they are put on the private calendar. If the gentleman who has this bill in charge is present, I should like to hear the grounds for its introduction.

Mr. GREGORY. Mr. Speaker, I cannot see that this bill has been rushed through any more than any other bill. It came regularly from the Committee on Divorces and has taken the regular course. The chairman of that committee has the papers in reference to the case in his possession, and I presume can give you all desired information.

Mr. BOYLE. Mr. Speaker, I think the objection of the gentleman from Chester [Mr. WADDELL] is well taken. I have an indistinct recollection that it has been held that in cases of this kind, where it is a question whether the right to pass a bill belongs to the Legislature, there must be a statement of facts upon which the Legislature acts. There certainly ought to be a statement of this kind in a preamble to this bill. I shall feel constrained to vote against all bills of this kind until the facts are clearly set forth.

Mr. QUIGLEY. Mr. Speaker, I know nothing at all about this bill myself. It is in charge of one of my colleagues (Mr. JOSEPHS), who is not present. The petitions and other papers are in the hands of the Committee on Divorces, and I suggest that the bill be laid over until the gentleman who has it in charge is in his seat.

Mr. GREGORY. Mr. Speaker, I would inquire what was the fate of the previous bill? That was a divorce bill also, and I heard no objection to it.

The SPEAKER. The Chair decided that it had passed.

Mr. WADDELL. Mr. Speaker, my objection will extend to the other bill as well as this one. I most assuredly should have objected to that bill, had I been in my seat at the time it came up. I only reached here in time to catch the title of this bill from the Speaker. I take it that one is as objectionable as the other, and it is a duty this House owes to itself that it should understand why it is granting this bill of divorce. I have no particular object in this matter. The grounds laid here may be sufficient, but that is for this House to judge and not for the Committee on Divorces. If the committees are to decide upon every bill that comes before them and this House is obliged to pass every bill that is favorably reported here, then we need no House, and we may just as well resolve ourselves into committees to legislate for this State. I have no doubt that the committee have well considered this bill, but this House is also entitled to a right to consider it. We want the information

given to this House, and if it is a right, true, honest bill then that information cannot injure it. If it is proper it should be passed, then let us pass it, but if it is not proper, it is time to stop its passage. I should like to hear from the chairman of the Committee on Divorces what the grounds are for this application.

Mr. KINNEY. Mr. Speaker, I desire simply to say that when in the course of our legislation, petitions are presented to the Chair, if the reading is called for they are read on this or other subjects. In this case the reading not being called for, I presume, by the House, the petition was referred to the proper committee. I believe the committee have carefully considered this bill and have deemed the application based on sufficient grounds to report the bill affirmatively. If gentlemen call for the petition, it is in my possession and can be read. Perhaps the best evidence in this case is the petition itself, and if any gentlemen desire to hear the petition it will be sent up to the Chair.

Mr. SATTERTHWAIT. Mr. Speaker, I am not satisfied this bill should pass without further information about it. I have the honor of being a member of the Committee on Divorces, and I am not satisfied with the way bills have been put through that committee—that is to say, the way that committee has been called together. This bill was acted upon when the committee was called together without my being notified, and I protest against putting bills through in that way. I think that if bills are to be passed, the whole committee should be notified.

Mr. WINGARD. Mr. Speaker, I have no personal knowledge of the merits or demerits of the bill now under consideration. I know, however, in regard to the bill which preceded it, and which has been passed. And I have to say, to the credit of the Committee on Divorces, that they required the most stringent proofs before they would agree to pass that bill. I was prepared to-day, and expected to be obliged to produce satisfactory reasons to this House why this bill should be passed. But it was not objected to, and passed in the usual way. All I have to say is, that if the committee subjected this bill of my friend to the scrutinizing agony to which my bill was subjected, I think the House may safely pass it without running any risk. In view of the fact that the gentleman who has this bill in charge is not present, and my knowledge of the attention that committee gives to subjects presented to them, I trust this bill will not be killed, at least until the gentleman who presented it shall have an opportunity to be heard before the House.

Mr. KINNEY. Mr. Speaker, I wish to make a further remark as to the action of that committee on bills generally. I think the committee will bear me out in my statement, when I say that I have often been to considerable labor to get that committee together. I am sorry that any gentleman should feel that he had been neglected at a general call for the meeting of the committee. I know that there has been no design to slight any one by the chairman of that committee, or any member.

Mr. QUIGLEY. Mr. Speaker, I think, sir, in justice to the chairman of the Committee on Divorces, I should say that it is one of the very few committees of this House that have a regular stated time of meeting. That is on Tuesday morning, so that every gentleman on that committee knows when it meets. I think my friend from Montgomery [Mr. SATTERTHWAIT] is altogether mistaken about not receiving notice. I know when that committee meets, and I always go to the meeting at that time. The gentleman from Montgomery certainly knows that the committee adjourns from time to time—from one Tuesday morning until the next Tuesday morning, to meet at the same hour and place. I, therefore, suppose this was the reason why he was not notified, because the committee has a regular stated time of meeting.

Mr. SATTERTHWAIT. Mr. Speaker, I think the gentleman is mistaken in his statement in reference to the meetings of the committee? I think the members of the committee should be notified when the House is in session. I am always in my place when the House is in session, and it is the easiest thing in the world to then send a page around and give the notice to the members of the committee.

Mr. MEYERS. Mr. Speaker, every lawyer upon this floor is aware that the Legislature has, from time to time, extended the jurisdiction of the courts to new causes and new reasons for divorces, and I am at a loss to know why, where the courts have such extensive jurisdiction, bills granting divorces should be passed by this House unless the House actually knows that they do not come within the jurisdiction of the courts. Now, I do not know upon what grounds this divorce is claimed—whether it comes within the provisions of the acts of Assembly giving the courts jurisdiction or not. If it does come within those provisions, then a divorce granted by this Legislature would be worthless, if the Governor insists upon maintaining the constitutional provisions and will not sign a bill where the courts have jurisdiction in the case. He has already indicated his intention in this direction, and I trust he will not deviate from it in matters of this kind. Unless the gentleman who has this bill in charge is here to state the reasons why it is requested, I ask that the bill be recommitted to the Committee on Divorces, and they instructed to report the facts on which this demand is founded.

Mr. GREGORY. Mr. Speaker, Mr. JOSEPHS, the gentleman who has this bill in charge, is not present, and there is no way in which the gentleman from Northampton (Mr. MEYERS) can well be answered while he is absent. The only answer I can give in reference to the jurisdiction of the courts in this case is to have the petition read by the Clerk.

The SPEAKER. The petition will be read by the Clerk for the information of the House.

The petition was read as follows:

To the Honorable the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met:

The petition of Daniel Wilson, of the county of Philadelphia, in the said Commonwealth, humbly showeth:

That your petitioner, on the twenty-fourth day of June, Anno Domini one thousand eight hundred and fifty-four, was bound in matrimony, and married to a certain Mary Smith of said county, and from that time continued to live and cohabit with her until about the tenth day of May, Anno Domini one thousand eighteen hundred and fifty-eight, at which time your petitioner and his said wife separated.

From a period of time prior to the last mentioned date up to the present, the said Mary, wife of your petitioner, has lived a dissolute, wanton and abandoned life. This occasioned the separation of your petitioner from his said wife, since which time she has been constantly growing worse, and wandering about from one low resort to another. Her associates are prostitutes, thieves and abandoned vagabonds of both sexes, black and white. With these people she frequents dance houses, low drinking houses, and other dens of vice, and sleeps oftentimes upon the open lots, or wherever else she can find a resting place for the night. She long since became utterly demoralized, losing all self-respect and regard for common decency. She is, and long has been, a common drunkard, and has several times been arrested and locked up in prison for drunkenness, disorderly conduct and fighting in the streets. She is incorrigible and incurable. Your petitioner, at one time, took her to his home (since their separation), treated her with kindness, and made an earnest effort to reform her and wean her away from her evil associates and vicious habits. On this occasion she would get drunk whenever she could lay hold of intoxicating drink. She abused the child of your petitioner by holding him under the hydrant, and your petitioner himself with foul words and noisy, quarrelsome conduct, and outraged all decency by stripping herself naked, and exposing her person to the public gaze, and finally wandered off with her worthless companions.

Your petitioner, therefore, humbly prays your honorable bodies will be pleased to pass an act dissolving the marriage contract between him and the said Mary, so that they may be freed and separated from each other in all time to come. And as in duty bound, he will ever pray, &c.

his
DANIEL ⋈ WILSON,
mark
No. 1 Queen street,
Philadelphia.

Mr. BOYLE. Mr. Speaker, now, sir, I suppose if there was any doubt before as to the propriety of passing this bill, it is dispelled by the reading of this petition. It alleges half a dozen reasons, each sufficient for any court in this Commonwealth to grant a divorce, if they are proved true. That being the case, I take it that we have no right to pass this bill. We ought not to do so. We ought not to stultify ourselves as we are doing every day by passing bills that are clearly unconstitutional. I thank the Governor for having thrown back upon us the batch of bills we have sent him, many of which members knew were unconstitutional, but, from force of habit, they were passed through. I trust the House, out of respect for common intelligence, which we are, at least, presumed to have, will defeat this bill at once, because it is very clearly set forth in this petition that the courts have jurisdiction and could give this petitioner a divorce. A divorce, given by this House in this case, I hold would not be a divorce at all. I trust the bill will be voted down.

Mr. GREGORY. Mr. Speaker, I hope the courtesy of the House will be extended to the gentleman who has this bill in charge and that it will not act upon this bill in his absence. If it must be defeated let it be defeated in his presence. I move to postpone the bill for the present.

Mr. MEYERS. Mr. Speaker, I withdraw my motion to recommit to the Committee on Divorces.

The motion to postpone was agreed to.

Mr. MEYERS. Mr. Speaker, I rise to a privileged question. I move that we reconsider the bill just passed. House bill No. 485.

Mr. WINGARD. Mr. Speaker, I think this is only captiousness, and I trust the gentleman will not carry his feeling to this extent in this matter. The bill which has already passed the House was passed upon grounds——

Mr. MEYERS. Mr. Speaker, I rise to a point of order. This question is not debatable.

On the question,

Will the House agree to reconsider?

The yeas and nays were required by Mr. MEYERS and Mr. FOGEL, and were as follow, viz:

YEAS—Messrs. Barrington, Barton, Boyd,

Boyle, Breen, Chadwick, Chalfant, Deise, Ewing, Fogel, Freeborn, Gallagher, Harner, Heltzel, Hunt, Jenks, Jones, Kimmell, Kline, Kurtz, Lee, Leech, Linton, Long, M'Creary, M'Pherrin, Meyers, Mullin, Phelan, Rhoads, Roath, Robinson, Satterthwait, Seiler, Sharples, Waddell, Wallace and Weller—38.

NAYS—Messrs. Adaire, Allen, Cameron, Chase, Colville, Craig, Davis, Day, DeHaven, Donohugh, Espy, Ghegan, Gregory, Harbison, Headman, Hoffman, Hood, Humphrey, Josephs, Kerns, Koon, M'Camant, M'Henry, M'Kee, Markley, Marks, Mechling, Peters, Quay, Quigley, Rouch, Shuman, Steacy, Stehman, Stumbaugh, Subers, Tharp, Watt, Webb, Westbrook, Wham, Wharton, Wilson, Wingard, Woodward, Worrall, Wright and Glass, *Speaker*—48.

So the question was determined in the negative.

On bill No. 284,

Mr. BOYLE moved to amend the bill.

The motion was

Agreed to.

Mr. BOYLE moved to amend the title by substituting the following:

"An act to restore the corporate franchises of the Pittsburg and Connellsville railroad company."

The motion was

Agreed to.

Mr. LEE. Mr. Speaker, there have been several important amendments made to this bill. The hour of adjournment has nearly arrived, and as these amendments may involve considerable discussion, and as all parties desire a fair chance to be heard, I move that this bill be postponed and made the special order for to-morrow night week at 7½ o'clock.

Mr. BOYLE. Mr. Speaker, I trust that the motion of the gentleman from Philadelphia (Mr. LEE) will not prevail. This morning I made the suggestion that it go over until to-morrow. I did that because I apprehended that the discussion would take place on the first reading. I know that there has been some argument on the first reading of bills, and I thought the amendments ought to come in on the first reading. The bill, however, has been ordered to be read a second time, the amendments have been adopted, and nothing is to be gained by a postponement. It may be, and I trust it is the fact, that there will not be a great deal of discussion on this bill. I therefore hope the motion will not prevail.

The bill was ordered to be transcribed.

On the question,

Will the House suspend the rule and read the bill a third time by its title?

The yeas and nays were required by Mr. BOYLE and Mr. LEE, and were as follow, viz:

YEAS—Messrs. Barrington, Boyd, Boyle, Brennan, Chadwick, Chalfant, Colville, Craig, Day, Deise, Espy, Ewing, Gallagher, Harner, Heltzel, Hunt, Jenks, Jones, Kimmell, Leech, Linton, M'Creary, M'Kee, M'Pherrin, Maish, Mechling, Meily, Meyers, Peters, Phelan, Pillow, Quay, Tharp, Weller, Wham, Wilson, Woodward and Glass, *Speaker*—38.

NAYS—Messrs. Adaire, Allen, Armstrong, Barton, Breen, Cameron, Chase, Davis, DeHaven, Donohugh, Fogel, Freeborn, Ghegan, Gregory, Harbison, Headman, Hoffman, Hood, Humphrey, Josephs, Kerns, Kinney, Kline, Kurtz, Lee, Long, M'Camant, M'Henry, Markley, Marks, Mullin, Quigley, Rhoads, Roath, Robinson, Rouch, Satterthwait, Seiler, Sharples, Shuman, Steacy, Stehman, Stumbaugh, Subers, Waddell, Wallace, Watt, Webb, Westbrook, Wharton, Wingard, Worrall and Wright—53.

So the question was determined in the negative.

On bill No. 302.

The following is a copy of the bill:

AN ACT relative to the estate of George Frey, deceased.

WHEREAS, The buildings, fences and other property belonging to the estate of George Frey, late of Middletown, Dauphin county, deceased, and devised by him for charitable purposes, are much out of repair;

And whereas, The present revenues of said estate are insufficient to make said repairs and meet the ordinary expenses incident to the conducting of the beneficiaries connected therewith;

And whereas, In the opinion of the principal and trustees of said estate, the revenues and usefulness thereof may be greatly enhanced and the objects of said charity much enlarged by extending the provisions of the eighth section of the act approved June twenty-fifth, Anno Domini one thousand eight hundred and thirty-nine, entitled An act relative to the estate of George Frey, deceased, so as to embrace the grist-mill, saw-mill, seat-dam and water power with ten acres of land adjoining to and connected therewith, the same being part of said estate, and by enlarging the term for which leases are now authorized to be made, including therein as well the lands now leased as such as may be leased hereafter; therefore,

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same*, That it shall and may be lawful for the principal and trustees of the Emans Orphan house to lease, in addition to the land they are now authorized by law to lease, the grist-mill, saw-mill, seat-dam and water power, and ten acres of land adjacent thereto belonging to the estate of Geo. Frey, late of Middletown, Dauphin county, deceased, either by private or public contract, upon such rent as may be agreed upon, to be paid half-yearly for any term not exceeding two hundred years, and for the term agreed upon, to execute and deliver leases under the hand of the principal and the seal of the said corporation: *Provided*, That any person holding, by lease, any portion of said estate for a longer term than twenty-one years, shall have all the rights and privileges of a freeholder during the term for which he shall so hold: *And provided also*, That the provisions of this act shall apply, also, to such portions of the real estate of said deceased as is now held under lease where the said principal and trustees can agree with the lessees thereof upon the terms for the extension of such lease.

SEC. 2. That for the purpose of making such needful and necessary repairs as the present condition of the buildings and other property belonging to said estate requires, it shall and may be lawful for the said principal and trustees to borrow any sum of money not exceeding five thousand dollars, for any term of time not exceeding twenty years, and to mortgage any portion of said estate to secure the payment of the same, the interest thereof to be paid annually, and both the principal of said loan and the interest accruing thereon to be paid out of the funds of said estate arising from the rents thereof, as the same may accumulate in the hands of the said principal and trustees.

SEC. 3. That before the said principal shall receive any of the moneys belonging thereto, either from the loan aforesaid or from rents accruing therefrom, he shall give bond (if he has not already done so) in the sum of ten thousand dollars, with such security as the court of common please of Dauphin county shall approve, conditioned for its faithful application according to the true intent and meaning of this act, and the last will and testament of the said George Frey, deceased.

SEC. 4. That an act entitled An act relative to the estate of George Frey, deceased, approved April twenty-first, Anno Domini one thousand eight hundred and forty-six, be and the same is hereby repealed; also so much of the act entitled An act relative to the estate of George Frey, deceased, approved June twentieth, Anno Domini one thousand eight hundred and thirty-nine, as is inconsistent with or supplied by the provisions of this act, be and the same is hereby repealed.

Mr. ARMSTRONG. Mr. Speaker, I move to amend by inserting the following, to come in after the word "deceased," in the eighth line, first section:

"By public outcry, after fifteen days' public notice given by printed handbills posted in the most public places; and such rent as may be agreed upon, to be paid half-yearly, for any term not exceeding one hundred years."

Mr. HOFFMAN. Mr. Speaker, I did not introduce this bill, and know but very little about it, but I understand the parties having possession of this property have already this privilege of leasing it for one hundred years. A body of men of the highest standing have come here and asked for the passage of this bill, probably considering it the best they could get. I would not like to see the amendment adopted. I have no objection but to the part limiting the lease to one hundred years. I trust the amendment will not be adopted.

Mr. ARMSTRONG. Mr. Speaker, I have no personal interest in this bill and know but very little about it. All that I know of it is, that it is a trust for the benefit of certain orphan children. We all know that the advance in the value of property is rapid, and I think the parties getting possession of this property will be fully remunerated in one hundred years for the improvements they may make, and I think, as guardians of this trust, it is our bounden duty to guard it against any dishonorable or dishonest use. Certain parties may feel anxious to get hold of this property for two hundred years, for a small amount, which is equal to buying it and holding it in fee simple. I wish, by my amendment, to guard this trust against any improper use, and for the benefit of those to whom it rightfully and justly belongs, and I hope the amendment will be adopted.

Mr. SHARPLES. Mr. Speaker, I have visited this estate and have some personal knowledge of it, and it has been represented to me by parties, in whom I have confidence, that this bill is absolutely necessary in the form that it now stands in order to make the most profitable disposition of the property. I know that the trustees of that institution are very much in need of funds for the improvement of the school. I know that it is necessary that they should have the privilege of transferring the property in some way like this. I have been upon the ground and have seen the premises, and am convinced of the necessity of something of this kind. I have no desire to injure the trustees or to affect adversely the interests of the orphan children of that school, and I feel satisfied the bill ought to pass in something like its present shape.

Mr. HOFFMAN. Mr. Speaker, so far as my knowledge extends this bill only refers to the water power. They do not wish to lease the whole of the property, which consists of some two or three hundred acres of very valuable land. They only wish to lease this water power to parties who are anxious to erect a saw mill and grist mill on this property.

Mr. WINGARD. Mr. Speaker, it strikes me, from what little attention I have given it, that this is a most extraordinary bill. If I

understand the matter aright, this John Frey, a wealthy man of this county, at one time made a large bequest for the benefit of orphan children. I believe that the property consists of a grist mill and a very valuable water power, and has some three or four farms connected with it. Some twenty or thirty orphan children have been maintained there. This bill proposes to lease, by private contract, this property for a period of two hundred years, during which the memory of man "runneth not to the contrary." It is a bequest which does credit to the memory of the deceased, and I cannot think it was ever his intention that this property should be bound up in the hands of any party for such a length of time. It has been well said by one of the gentlemen here that property is advancing with rapid strides in this Commonwealth. There is no satisfactory way of estimating its value ten or twenty years hence, let alone two hundred years. Within that time this water power may become one of the most valuable in this county or, perhaps, in this State. I say the proposition is startling. I have no interest in this matter except the general interest and sympathy which every man feels for those who are destitute, and the praise which every man is willing to accord to those who leave those worldly gifts which God, in his blessings, has bestowed upon them, for such benevolent purposes.

There is another objectionable feature in this bill. In the first section it is "*Provided*, That any person holding, by lease, any portion of said estate for a longer term than twenty-one years shall have all the rights and privileges of a freeholder during the term for which he shall so hold."

Now, what are the rights and privileges of a freeholder? A freehold estate is the highest estate by which tenements and hereditaments can be held. And you propose to put, by this bill, into the hands of the parties who lease this land the rights and privileges pertaining to the highest estate known to law. I ask you, after two hundred years, who will there be to inquire after this property?

Mr. HOFFMAN. Mr. Speaker, I understand that some of this property has been laid out into town lots in the town of Middletown. Private houses have been erected upon some of these lots, at a cost of more than ten thousand dollars, and these parties are not freeholders in that town.

Mr. WINGARD. Mr. Speaker, the more facts I obtain the more I am satisfied that this bill is wrong. Already some of this property is so valuable that it is embraced within the town limits and houses upon it costing over ten thousand dollars. That town, in the course of two hundred years, may be larger than Harrisburg. And here you propose to allow this property to go into the hands of parties for two hundred years, property that is now so valuable that the directors are letting it out in town lots for building purposes. I say the proposition is monstrous. If the object the deceased had in view is creditably carried out, within two hundred years, instead of twenty or thirty being instructed, within twelve miles of Harrisburg, from the proceeds of this bequest, two hundred orphans may be instructed. There is no reason why this may not be, for this now valuable property will vastly increase in value.

I am opposed to the whole bill, and move its indefinite postponement.

Mr. SHARPLES. Mr. Speaker, the gentleman from Lycoming [Mr. WINGARD] is laboring under something of a misapprehension. The object the gentleman desires should not be accomplished is best obtained by the indefinite postponement of this bill. There are lots in the town of Middletown that the trustees of this bequest can make no good use of unless they have authority to let other parties have them. I visited the school some ten days ago and spent several hours there. I know, from personal observation, that the school building needs repairs and improvement, and they have no means with which to make them. They have a saw-mill that is almost rotted down and no means with which to rebuild it. They have a grist-mill, but the wheels are cracked and they have no money for repairs.—They simply ask, if I understand it, that a part of this property may be spent in such a shape that it may be made available for the benefit of the orphans and the school. That is their desire. I have not examined this bill. It may be imperfectly drawn and some parts may require amendment, but I know the object of the bill is to further the interests of the school.

WINGARD. Mr. Speaker, I have been informed, and I believe credibly, that the gross income from this estate amounts to over seven thousand dollars a year. If this is so I think there is enough to keep the property in repair.

Mr. M'CREARY. Mr. Speaker, it seems to me we are legislating upon a very singular subject. I doubt very much whether anything of this kind has ever previously been brought before this Legislature or any other. Gentlemen do not consider how long a time two hundred years is. It is beyond calculation when you come to apply it to practical affairs. Six generations may come and disappear before this lease expires. Two hundred years will take you back to almost the time when the Pilgrim Fathers landed at Plymouth Rock.

How can gentlemen conceive of any law passed thus, having any force upon us whatever? The lapse of time would absolutely destroy it. They may just as well lease this property for the term of nine hundred and ninety-nine years and be done with it. They may as well give them the fee simple. I would just as soon have a lease for two hundred years as the fee simple. What do I care, after half a dozen generations following me have passed away, what the title to the land may be? I see in the will of this deceased gentleman (a very lengthy document, too) there is the following provision:

"But it is emphatically my intention, and I do hereby declare it to be my will, that no part of the estate hereinbefore devised to the said trustees, shall ever hereafter be sold, or in any manner severed from the orphan house, but that it shall remain united thereto, whole and undivided forever."

Now, I say that to lease this property for two hundred years is equivalent to selling it, in every way. I say we have no right to legislate in this manner for those coming after us two hundred years hence. This is not only beyond the lifetime of generations of men, but it is beyond the usual lifetime of governments. I would not be willing to put in a longer time than twenty-one years. That is the length of time in which a person can acquire a title by holding property adversely. It seems to me that there is somebody behind the parties represented to be concerned in the passage of this bill, who are at the bottom of it. I do not desire to say that it is those who are advancing this bill, but I cannot help thinking those who ask for such extraordinary privilege are seeking some undue advantage. How can we tell what will be the value of this property two hundred years hence? Go back, twenty-five years, even, and could anybody then have imagined the improvement and increase in the value of property that has taken place? And yet we are asked to grant this lease for two hundred years. As I have said before, it is beyond the usual lifetime of governments. We have no business to legislate in this kind of a way.

Mr. MEYERS. Mr. Speaker, the extraordinary provisions of this bill strike me as entirely unprecedented both as regards the legislation asked, and the facts stated upon this floor. From the information derived from this bill and the statements made by gentlemen, it appears that George Frey, some years ago, made a donation of a large amount of property to be applied for certain purposes. And it strikes me that we cannot legislate upon this matter with any degree of intelligence unless we first know the provisions of that will and ascertain whether the Legislature of the State has any authority to interfere in the manner in which this trust is to be executed and carried out. It may be possible that this legislation asked for is in direct violation of the provision of that will. In the next place, there are provisions in this bill to repeal two special acts, one passed in 1839, and the other in 1846, to carry out the provisions of this charity. Now they come here and in addition to these extraordinary provisions in this bill, ask that the acts, upon which the carrying out of this whole bequest may depend, shall be repealed without stating one word or syllable contained in those acts of Assembly. These are two reasons which ought to have weight in the minds of every member of this House, and we ought not to vote for this bill until we at least understand the provisions of this will and the acts of Assembly proposed to be repealed. The extraordinary provision that this property is to be leased for two hundred years does not accord with the reasons set forth in the preamble. It is alleged that this bill is only for the purpose of leasing the water power. Now that may be the most valuable part of the property. I want this House to have an opportunity to examine this bill and these acts of Assembly, and if the bill is then considered a proper one, it should of course be passed, But if it is to divert the object of this noble bequest from its true intent and purpose, it should not be passed, but we should legislate in such a way as will make it most valuable. I therefore ask that this bill be postponed until Friday next.

The SPEAKER. The gentleman from Lycoming [Mr. WINGARD] has already moved to postpone indefinitely.

The motion was

Agreed to.

On bill No. 335,

Mr. BOYLE. Mr. Speaker, I offer a remonstrance against this bill, and ask that it may be read.

The remonstrance was read by the Clerk as follows:

To the Honorable the Senate and House of Representatives of the Commonwealth of Pennsylvania, in General Assembly met:

The petition of the subscribers, citizens of Perry township, in the county of Fayette, respectfully showeth:

That, whereas, there is now pending before your honorable bodies a certain bill "granting to James Carson and Doctor James Robison, their heirs and assigns, the privilege of establishing a public ferry across the Youghiogheny river, at a place called Layton Station, in Fayette county, at a point where the road from Perryopolis to Mount Pleasant crosses said river;

Therefore, we, the subscribers, being deeply interested in having a public ferry across said river, in order to reach said station, do hereby remonstrate against the passage of said bill, for the following reasons, to wit: That the point where said bill proposes to establish said ferry is altogether impracticable, and has long since been abandoned, as a place of crossing, for the reason that the road leading to and from said point is, a great portion of the time, impassable from high waters

and from ice, which is the case at present and has been so for the last two months, whilst the river, at a point lower down, has been open and navigable the whole winter.

We further respectfully show, that the only practicable point where said river could be crossed, in order to reach said station, would be the place where the river is now being crossed, and where the bill now pending before your honorable bodies, granting a ferry right to John Fuller, proposes to establish a public ferry, and we earnestly recommend the immediate passage of Mr. Fuller's bill, as being a public necessity. And your petitioners will ever pray, &c.

Mr. WILSON. Mr. Speaker, I offer a petition in favor of this bill, and ask that it be read. The petition was read by the Clerk as follows:

To the Honorable, the Speaker and Members of the House of Representatives of the Commonwealth of Pennsylvania:

Your petitioners, citizens of Fayette county, respectfully set forth that there is now a ferry over the Youghiogheny river, at or near Layton Station, where it has been located for the past fifty years, or thereabouts, and that Dr. James Robison and James Carson are the owners of the land on both sides of the river, and that they are now preparing boats, &c., for the efficient operating of said ferry, and as a guarantee to themselves and the public are seeking a charter at your hands.

Your petitioners would, therefore, most respectfully and earnestly remonstrate against the granting of a charter to any other parties than those now owning the shore on both sides of the river within the present bounds, as such an act would be a flagrant act of injustice to the parties now owning the ferry, unwarranted by the principles of common justice.

Mr. WILSON. Mr. Speaker, a number of the same persons who signed that remonstrance did so under a misapprehension, and their names will be found affixed to this petition. The facts are these: The ground where this ferry referred to is located, belongs to the parties who ask the passage of this bill. A ferry has been in existence at this very point for forty years. The parties own the land on each side for half a mile, while the parties who signed this remonstrance own none in the vicinity. In the first place, a bill proposed by the gentlemen who signed this remonstrance came over from the Senate. The Committee on Roads, Bridges and Ferries rejected that bill and substituted this one. The members of that committee will sustain me in this statement. Now, I regard this as a very just and fair measure. These parties have had a ferry there for forty years and this charter is asked for the purpose of putting them in a fair position. The parties have already spent considerable money in the construction of the ferry, and I think it is but justice that we should grant them what they ask.

Mr. BOYLE. Mr. Speaker, the county of Allegheny is a large county and requires considerable legislation, and I think if the gentlemen who have the honor of representing that county will confine themselves to legislating for their own local matters they will have quite as much as they can do.

Now, this ferry is altogether in my own county—the county of Fayette. I ask that the House shall extend the courtesy of allowing me to control the legislation of that county, except in extraordinary cases. Of course when the questions are political ones, or anything of that kind, I shall not ask for favors at the expense of the political opinions of others. It is true that the bill originated in the Senate, and went to the Committee on Roads, Bridges and Ferries in the House. I spoke to the chairman of that committee about the bill, and requested that I should be notified when it was brought before the committee. The next day the committee came in and reported that bill negatively without giving me any opportunity of being heard before the committee. About the same time the committee reported the bill of the gentleman from Allegheny [Mr. WILSON], which was introduced after the other bill came from the Senate, and reported it affirmatively.

I do not charge misrepresentation upon anybody, but I do charge misunderstanding. The gentleman from Allegheny, who has this bill in charge for the county of Fayette, does not precisely understand the condition of affairs there now. The place at which it is proposed to cross this river in the bill that came from the Senate is not the place where the present ferry is located at all; it is one-half or three-fourths of a mile above the present ferry. It is true that where they propose to locate this ferry the road was laid out to cross the river, but that was long before the construction of the Pittsburg and Connellsville railroad, and long before the location of the Layton station. When that station was located it became necessary to change the ferry, and it was changed and put up where my bill proposes.

It is true, at the point where this bill proposes to locate the ferry, these gentlemen are the owners of the land, but, at the place where the ferry is now located, they are not the owners of the land at all. Dr. Robison owns on the one side, but Mr. Carson does not on the other, but a Mr. Burdwell does, who signs the Fuller petition. The object of Dr. Robison is this: where the ferry now crosses, and where it would cross under the Fuller bill, is some distance below the place where this bill proposes to locate it, and it necessitates a road on the opposite side of the river, over certain land belonging to Dr. Robison. They must then come up the stream about one-fourth of a mile on his land. If that road were vacated as it could be if this bill passes, then Dr. Robison would get possession of his land where this road runs.

But, I think the remonstrance states very fully why this bill should not be passed. I know myself that the spot indicated by the bill is altogether out of the way, and at some seasons of the year it is impossible to cross with a ferry. This remonstrance is signed by one hundred and twenty-six citizens of that township—almost the entire number in the township, and the gentleman from Allegheny is mistaken, I think, when he says that he has names upon his petition that are upon this remonstrance. He may have a few that were upon the petition of Mr. Fuller for his ferry, but I do not think that he has any of those that are upon this remonstrance. I ask that this House should give this bill the go-bye, and let the Fuller bill take its chance, as it has been reported negatively; however, I do not suppose it will pass, but I do not think action in regard to it should be prejudiced by the passage of this bill. We do not want to be compelled to climb the hills and follow along the water courses in order to be able to cross the river.

Mr. WILSON. Mr. Speaker, I did not intend to interfere with the legislation in regard to the gentleman's district, but, I understood from Mr. SEARIGHT, the Senator from that district, that he had no particular interest in this matter, and that when it came up there would be no opposition to this bill. I would ask the gentleman if the public roads do not come down to this ferry, and I would ask him if the ferry is made where this Fuller bill places it, if it would not involve the cutting up of land which is already cut up by the railroad passing through it? I have only a letter to show that some of the same parties who signed his remonstrance, also signed this petition.

Mr. BOYLE. Mr. Speaker, in reply to the gentleman, I would say that the place at which it is proposed to locate this ferry is not where the ferry is now in operation. It says, "it shall be located where the road crosses."

The road does not come to the river at that place, but it is intended to locate it further up the river. I move the indefinite postponement of the bill

The motion was

Agreed to.

SENATE MESSAGE.

The Clerk of the Senate being introduced, returned bills from the House of Representatives numbered and entitled as follows, viz:

No. 198, an act to establish a ferry over the Allegheny river, at or near Red Bank furnace.

No. 294, an act to enable the board of school directors of the borough of Goldsboro', in the county of York, to borrow money for building purposes.

No. 295, a further supplement to an act to incorporate the Birmingham, East Birmingham and South Pittsburg gas company, approved April 15, 1856.

No. 296, a supplement to the act to incorporate the Western transportation company, formerly the Oil Creek transportation company.

No. 298, an act to incorporate the Pennsylvania Central thief detective and live stock insurance company.

No. 347, an act changing the time of meeting of the auditors of Hillsgrove township, Sullivan county.

No. 510, a supplement to an act for the incorporation of the Merchants' national telegraph company, approved April, 1866.

No. 519, a supplement to an act to incorporate the Midas petroleum and improvement company of Pittsburg and New York, approved the 22d day of March, 1865,

With information that the Senate has passed the same without amendments.

On motion

The House adjourned until to-morrow morning at ten o'clock.

SENATE.

WEDNESDAY, February 20, 1867.

The Senate met and was called to order at 10 A. M., by the SPEAKER.

The reading of the Journal of yesterday was dispensed with.

SPEAKER'S TABLE.

The SPEAKER laid before the Senate the annual report of the Philadelphia Saving Fund society.

Also, the annual report of the board of directors of the Pennsylvania Institution of the blind.

Also, the annual report of the Mine Hill and Schuylkill Haven railroad company.

Laid on the table.

THE TWENTY-SECOND OF FEBRUARY.

On motion of Mr. SHOEMAKER, the resolution from the House of Representatives was read as follows:

Resolved, That a committee of five members of this House be appointed to act in conjunction with a similar committee from the Senate, should the Senate appoint such committee, to represent this Legislature in the ceremonies of depositing the Hancock Chair, and the Independence Table in the Hall of Independence, in Philadelphia, on the 22d inst., was read a second time.

Mr. BIGHAM. I move that the Senate concur, and that the Speaker be chairman of the committee on the part of the Senate.

The SPEAKER declined.

The resolution was concurred in, and the SPEAKER appointed Messrs. SHOEMAKER, DONOVAN, COWLES, FISHER and BURNETT the committee on the part of the Senate.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

The Clerk of the House of Representatives being introduced, presented for concurrence bills numbered and entitled as follows, viz:

No. 310, an act relative to the fees of certain township and county officers in the county of Beaver.

Referred to the Committee on the Judiciary Local.

No. 311, an act to authorize the supervisors of West Branch township, Potter county, to levy an additional road tax.

Referred to the Committee on the Judiciary Local.

No. 349, an act appropriating certain moneys arising from fines and forfeitures in Chester county.

Referred to the Committee on the Judiciary Local.

No. 381, an act to authorize the Governor to appoint an additional notary public for the borough of Milton, Northumberland county.

Referred to the Committee on the Judiciary Local.

No. 382, an act to extend the provisions of an act, entitled An act relative to mechanics' liens in the counties of Luzerne and Schuylkill, approved February 17, A. D. 1858, to the county of Northumberland.

Referred to the Committee on the Judiciary Local.

No. 384, an act to authorize the qualified electors of Lycoming county to vote for or against a poor house in said county.

Referred to the Committee on Election Districts.

No. 385, an act relative to the pay of auditors in the county of Butler.

Referred to the Committee on the Judiciary Local.

No. 387, an act relative to the fees of the coroner of Allegheny county.

Referred to the Committee on the Judiciary Local.

No. 390, an act authorizing William S. Ziegler to act as justice of the peace in the borough of Butler, Butler county, while residing outside the limits of said borough.

Referred to the Committee on the Judiciary Local.

No. 391, an act to authorize the Governor to appoint two additional notaries public for the city of Philadelphia.

Referred to the Committee on the Judiciary Local.

No. 393, an act to repeal an act entitled An act to regulate the practice of entering judgments and issuing processes in Armstrong county.

Referred to the Committee on the Judiciary Local.

No. 396, an act to regulate the salaries of the county auditors, and also the salaries of the township auditors and their clerks, in the county of York.

Referred to the Committee on the Judiciary Local.

No. 397, a further supplement to an act passed the 13th day of March, 1862, to authorize the arrest of professional thieves, burglars, et cetera, in the city of Philadelphia.

Referred to the Committee on the Judiciary Local.

No. 398, an act to increase the pay of the assessors of Lehigh county.

Referred to the Committee on the Judiciary Local.

No. 400, an act repealing an act relative to the corner of Armstrong county.

Referred to the Committee on the Judiciary Local.

No. 401, an act relating to hawkers and peddlers in the county of Chester.

Referred to the Committee on the Judiciary Local.

No. 402, an act relating to courts of equity in cases of partitions, in the several counties composing the Sixth Judicial district of Pennsylvania.

Referred to the Committee on the Judiciary General.

No. 403, an act to establish an additional notary public in Chester county.

Referred to the Committee on the Judiciary Local.

No. 404, an act authorizing and requiring the prothonotary of Cambria county to keep an extension docket.

Referred to the Committee on the Judiciary Local.

No. 406, an act in relation to original writs and executions in the county of Franklin.

Referred to the Committee on the Judiciary Local.

No. 416, an authorizing the burgess and town council of the borough of Irwin, in Westmoreland county, to levy and collect a special tax for borough purposes.

Referred to the Committee on the Judiciary Local.

No. 409, an act to regulate the clerk of the courts of oyer and terminer and general quarter sessions of the peace of Crawford county.

Referred to the Committee on the Judiciary Local.

No. 411, an act in relation to lost records, deeds and other papers in the county of Franklin.

Referred to the Committee on the Judiciary Local.

No. 412, an act to incorporate the Pithole gas and water company.

Referred to the Committee on Corporations.

No. 413, an act supplementary to an act incorporating the town of Lawrenceville, in the county of Allegheny, into a borough, approved the 13th day of February, A. D. 1834.

Referred to the Committee on the Judiciary Local.

No. 414, an act to vacate a portion of Clarion street, in the borough of Bridgewater, Beaver county, authorizing the portion vacated to be disposed of for the benefit of said borough.

Referred to the Committee on Roads and Bridges.

No. 418, an act relative to the per capita tax to be assessed by the water directors of the town of Aaronsburg, county of Centre.

Referred to the Committee on Canals and Inland Navigation.

No. 419, an act to authorize an increase of taxes, for borough purposes, in the borough of West Elizabeth, Allegheny county.

Referred to the Committee on the Judiciary Local.

No. 423, an act to enable the South ward, in the city of Chester, to procure a supply of water.

Referred to the Committee on the Judiciary Local.

No. 427, an act authorizing the borough council of Shenandoah, Schuylkill county, to borrow money, and the voters to elect six town councilmen, &c., &c.

Referred to the Committee on the Judiciary Local.

No. 428, an act to authorize the borough of Indiana to increase their taxation for borough purposes.

Referred to the Committee on the Judiciary Local.

No. 429, an act to extend an act to authorize the burgess and town council of the borough of Kittanning to grade, curb and pave certain side-walks.

Referred to the Committee on Roads and Bridges.

No. 430, an act supplementary to an act incorporating the town of Lawrenceville into a borough, approved the 13th day of February, A. D. 1834.

Referred to the Committee on the Judiciary Local.

No. 435, an act incorporating the Morrison's Cove railroad company.

Referred to the Committee on Railroads.

No. 439, a supplement to an act to incorporate the Penn Gas coal company, approved 1st day of March, A. D. 1861,

Referred to the Committee on Corporations.

No. 472, a supplement to an act incorporating the Girard Electrical insurance company, approved the 2d day of March, A. D. 1866.

Referred to the Committee on Corporations.

No. 479, an act to prevent the growth of noxious weeds in the county of Chester.

Referred to the Committee on Agriculture and Domestic Manufactures.

No. 480, an act to extend the provisions of an act laying a tax on dogs in certain townships in the county of Chester; relative to elections in West Philadelphia, and to assessors in Millerstown, Perry county, approved March 11, 1850, so far as provides for the taxing of dogs, to the township of Londonderry, in the county of Chester.

Referred to the Committee on the Judiciary Local.

No. 482, an act to extend the provisions of an act to prohibit the issuing of licenses within certain boroughs in the counties of Armstrong, Potter, Indiana and Perry, or within two miles of the same, in the counties in which such boroughs are located, approved 27th day of March, 1866, to the boroughs of New Alexandria and Bolivar, in the county of Westmoreland.

Referred to the Committee on Vice and Immorality.

No. 483, supplement to the act approved the 14th day of February, A. D. 1866, relative to the assessment of an additional bounty tax in the township of Haines, county of Centre.

Referred to the Committee on the Judiciary Local.

No. 485, an act to annul the marriage contract between William Riley and Martha Willets.

Referred to the Committee on the Judiciary General.

No. 488, supplement to an act to incorporate the Norristown passenger railway company.

Referred to the Committee on Railroads.

No. 452, an act relative to the Allegheny and St. Mary's cemeteries, in Allegheny county.

Referred to the Committee on the Judiciary General.

He also returned bills from the Senate numbered and entitled as follows, viz:

No. 42, a supplement to an act entitled An act to incorporate the Wilkesbarre and Pittston railroad company, approved April 15, A. D. 1859.

No. 62, an act changing the number and manner of selecting councilmen in the borough of Bellevernon.

No. 68, an act to incorporate the Scranton Savings Bank.

No. 84, an act to incorporate the Hand-in-Hand Mutual life insurance company.

No. 120, an act to prevent and punish desertion in the counties of Lawrence and Luzerne.

Daily Legislative Record.

FOR THE SESSION OF 1867.

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[CONTINUED FROM PAGE 328.]

No. 122, an act to incorporate the Granite insurance company.

No. 123, an act to incorporate the Wilkesbarre and Sugar Notch passenger railway company.

No. 133, an act to amend the charter of the Cambria iron company, anthorizing an increase of capital stock, and the issue of bonds, and authorizing the manufacture of iron and steel in any shape.

No. 134, an act to incorporate the Richland township insurance company.

No. 138, an act relating to the Dauphin county prison.

No. 156, a supplement to an act to incorporate the Corn Exchange association of Philadelphia, authorizing said association to make certain by-laws, and regulating the assessment and payment of dues, fines, etc.

No. 158, an act to extend an act entitled An act authorizing the Secretary of the Commonwealth, to distribute copies of the standard of weights and measures, and for the appointment of sealers, to the county of Montgomery.

Senate bill No. 174, an act relating to New Castle gas light company.

No. 179, an act to incorporate the University of St. Augustine.

No. 180, an act to incorporate the Co-operative association of Hyde Park, number one, in the city of Scranton, for mercantile purposes.

No. 181, an act to incorporate the Providence gas and water company, in Luzerne county.

No. 195, an act relative to the Lancaster and Litiz turnpike road company, in Lancaster county.

No. 198, an act to incorporate the Sullivan and Pocono Summit plank road or turnpike company.

No. 201, an act to incorporate the Erie City passenger railway company.

No. 242, an act to authorize the school directors of Minersville borough, in the county of Schuylkill, to borrow money.

No. 248, an act to extend the time for the payment of the enrollment tax on an act entitled A supplement to the act incorporating the Littlestown railroad company, approved February 17, 1854, and April 8, 1864.

No. 325 a supplement to an act to incorporate the Trout Run navigation company, authorizing change of time and place of organization thereof.

Senate bill No. 326, a further supplement to an act for the better preservation of the records contained in the public offices of the several counties of this Commonwealth, approved the 29th day of March, A. D. 1827, so far as relates to the county of Lancaster.

No. 350, an act to extend the time of payment of the enrollment tax on a certain act approved March 10th, 1865, entitled A further supplement to an act to incorporate the Powelton coal and iron company, approved May 1st, 1861, extending the time of charter of said company.

Senate bill No. 353, a supplement to an act of Assembly entitled An act to incorporate the Union Park skating association of Allegheny city, approved the 23d day of March, A. D. 1865.

No. 354, an act to authorize the select and common councils of the city of Williamsport to levy and collect a special tax for city purposes.

No. 191, a supplement to an act approved the 16th day of April, A. D. 1866, appointing commissioners to lay out and open a State road in M'Kean county, from the borough of Smethport to Lafayette Corners,

With information that the House of Representatives has passed the same without amendments.

He further returned bills from the Senate numbered and entitled as follows, viz:

No. 152, an act to authorize the borough of St. Mary's to borrow money and to extend the width of St. Michael street, in said borough.

No. 118, an act to authorize the appointment of six additional notaries public for the city of Philadelphia.

Senate bill No. 121, an act to incorporate the M'Connell mineral company of Pennsylvania.

No. 349, an act to enable the Pennsylvania Cannel coal and railroad company to borrow money and to change the corporate name of said company,

With information that the House of Representatives has passed the same with amendments, in which the concurrence of the Senate is requested.

On motion of Mr. CONNELL, said amendments were twice read, considered and concurred in.

He also returned bill No. 131, entitled An act to authorize the town council of the borough of Middletown, in the county of Dauphin, to borrow money to pay off the present indebtedness of said borough, and to build a bridge over the Pennsylvania canal on Wood street, and to provide for the payment thereof, as also for the future government of said borough by an increased rate of taxation,

With information that the House of Representatives has passed the same with amendments, in which the concurrence of the Senate is requested.

On motion of Mr. COLEMAN, the amendments were not concurred in, and Messrs. COLEMAN, ROYER and HALL were appointed a committee to confer with a similar committee of the House of Representatives, if the House of Representatives shall appoint such committee, on the subject of difference existing between the two Houses.

He also again presented bill No. 181, entitled An act relating to the auctioneers in the city of Erie,

Which bill was returned to the House of Representatives by the Governor, in pursuance of a resolution adopted by both Houses,

With information that the House of Representatives has reconsidered and passed the same with an amendment, in which the concurrence of the Senate is requested.

On motion of Mr. LOWRY, the amendments were read a second and third time and concurred in.

PETITIONS.

Mr. ROYER presented a remonstrance of Rev. E. T. Jeffries, pastor of United Presbyterian church of Oxford, Chester county, and forty other signers, against any law allowing the running of cars on Sunday, and also a petition of same persons for the prohibition of the liquor traffic on that day.

Referred to the Committee on Vice and Immorality.

Also, one from Rev. Geo. Sell, pastor of Whitemarsh Lutheran church, and sixty-six other citizens, of like import.

Referred to the Committee on Vice and Immorality.

Also, a petition of citizens of Montgomery and Bucks counties, asking for a law authorizing the appointment of commissioners to extend Broad street from its present terminus to the Delaware river.

Referred to the Committee on Roads and Bridges.

Mr. M'CONAUGHY, two remonstrances of citizens of Chester county, against cars running on Sunday.

Referred to the Committee on Vice and Immorality.

Also, one from citizens of Philadelphia of like import.

Referred to the Committee on Vice and Immorality.

Mr. JAMES, a remonstrance from citizens of Bucks county, against repealing the act granting pensions to the soldiers of the war of 1812.

Referred to the Committee on Pensions and Gratuities.

Mr. SCHALL, a petition of citizens of Lehigh county, praying for the passage of an act declaring the Little Lehigh creek a public highway.

Referred to the Committee on Canals and Inland Navigation.

Also, a remonstrance of citizens of the borough of Allentown, against the passage of an act to repeal the laws for the observance of the Sabbath.

Referred to the Committee on Vice and Immorality.

Also, a petition of citizens of the borough of Easton, praying for the passage of an act to authorize the erection of public water works.

Referred to the Committee on the Judiciary Local.

Also, a petition of citizens of Lehigh county, praying for the passage of an act to fix the salary of the county treasurer.

Referred to the Committee on the Judiciary Local.

Mr. SHOEMAKER, a petition of citizens

of Luzerne county, praying for a revision of the license laws of the Commonwealth relative to the sale of intoxicating liquors.

Referred to the Committee on Vice and Immorality.

Mr. WALLS, a petition from citizens of Lycoming county, praying for an act to encourage the destruction of noxious animals in said county.

Referred to the Committee on Agriculture and Domestic Manufactures.

Also, a petition from the university at Lewisburg, against Sunday cars.

Referred to the Committee on Vice and Immorality.

Also, one from the females at Lewisburg university of like import.

Referred to the Committee on Vice and Immorality.

Mr. BILLINGFELT, a petition of citizens of Lancaster county, in favor of rebuilding the Columbia bridge.

Laid on the table.

Also, a remonstrance of the citizens of New Holland, Lancaster county, against the passage of an act allowing passenger cars to run on the Sabbath.

Referred to the Committee on Vice and Immorality.

Also, one from citizens of Martic township, Lancaster county, of like import.

Referred to the Committee on Vice and Immorality.

Mr. FISHER, a remonstrance of citizens of the village of Bainbridge, Lancaster county, against the said village being erected into a borough.

Referred to the Committee on the Judiciary Local.

Also, a petition of citizens of Lancaster county, in favor of rebuilding the Columbia bridge.

Laid on the table.

Also, a remonstrance from citizens of Lancaster county, against the desecration of the Sabbath, and petitions for a change in the license law.

Referred to the Committee on Vice and Immorality.

Mr. HAINES, a petition of citizens of Lancaster county, in favor of rebuilding the Columbia bridge.

Laid on the table.

Also, four remonstrances of citizens of Pennsylvania, against Sunday cars, and petitions in favor of change of license law.

Referred to the Committee on Vice and Immorality.

Also, a remonstrance of citizens of Newry, Blair county, against the incorporation of said town into a borough.

Referred to the Committee on the Judiciary Local.

Also, a remonstrance of citizens of Philadelphia, against the repeal of existing laws relating to gratuities and annuities to soldiers of the war of 1812 and their widows.

Referred to the Committee on Pensions and Gratuities.

Mr. BIGHAM, a memorial of citizens of Pittsburg, asking to be incorporated as a silver mining company of Nevada.

Referred to the Committee on Corporations.

Mr. GRAHAM, a remonstrance of citizens of Allegheny, against legalizing the running of cars of the Sabbath, and also for a change in the license law.

Referred to the Committee on Vice and Immorality.

Mr. BROWNE (Lawrence), a petition of citizens of Philadelphia, against legalizing Sunday car travel.

Referred to the Committee on Vice and Immorality.

Mr. GLATZ, a petition of three hundred and thirty-one citizens of York county, praying for the repeal of so much of the law, passed March 30th, 1866, as does injustice to owners of fisheries near the Columbia dam.

Referred to the Committee on Canals and Inland Navigation.

Also, a petition of citizens of York county, against the running of passenger cars and the Sunday liquor trade.

Referred to the Committee on Vice and Immorality.

Mr. SHOEMAKER, a petition of citizens of Benton township, Luzerne county, to enable school directors of said township to apply surplus bounty funds to school purposes.

Referred to the Committee on Education.

Mr. CONNELL, a petition of Rev. J. W. Crowell and other citizens of Philadelphia, against repeal of the Sunday laws and for revision of license laws.

Referred to the Committee on Vice and Immorality.

Also, a petition of Henry E. Walker and one hundred citizens of Philadelphia, praying the Legislature to restrain the retailing of spirituous liquors in the city of Philadelphia.

Referred to the Committee on Vice and Immorality.

REPORTS FROM COMMITTEES.

Mr. GRAHAM, from the Committee on Finance, reported, as committed, a bill entitled An act in relation to taxation upon the stockholders of corporations.

Mr. COWLES, from the Committee on Judiciary Local, as committed, a bill entitled An act to exempt from taxation certain land set aside as a public park in or near the borough of Kane, M'Kean county.

Also (same), as committed, a bill entitled An act to authorize the chief burgess and town council of the borough of Lebanon to borrow money for the purpose of building an engine house for the use of the Perseverance steam fire engine and hose company, and the purchasing of hose for the use of the fire department of said borough.

Also (same), as committed, a bill entitled A further supplement to an act relating to local bounties, approved March 15, 1865.

Mr. COLEMAN (same), with a negative reccommendation, a bill entitled A further supplement to an act to incorporate the city of Carbondale.

Mr. STUTZMAN (same), with a negative recommendation, a bill entitled An act supplementary to an act establishing and constituting the Southeast ward of the borough of Pottsville, approved the 11th day of April, A. D. 1866.

The bill was ruled out of order by the SPEAKER.

Also (same), as committed, a bill entitled an act relative to hawking and peddling and selling by sample in the county of Schuylkill.

Also (same), as committed, a bill entitled An act relative to the courts of Lehigh county.

Mr. FISHER (same), with a negative recommendation, a bill entitled An act authorizing the commissioners of Schuylkill county to sell real estate and to apply the proceeds to the building of a tenant house for the janitor of the court house in said county.

The bill was ruled out of order by the SPEAKER.

Also (same), as committed, a bill entitled An act authorizing and providing powers and means for the conversion of the common grounds of the city of Allegheny into public parks.

Also (same), as committed, a bill entitled A supplement to an act to increase the compensation of the county commissioners, auditors, jurors, assessors, witnesses and supervisors of Indiana county; and to authorize the collection of road taxes in Burrell township in said county, in money, approved April 11, 1866.

Mr. DAVIS (same), as committed, a bill entitled An act allowing the mercantile appraisers of Allegheny county, the same fees allowed as in other counties of the State.

Also (same), as committed, a bill entitled An act relative to the fees of notaries public in the counties of Dauphin and Lebanon.

Also, (same), as committed, a bill entitled An act to extend the time for payment of enrollment tax on a supplement to the Karthaus iron, coal and railroad company.

Mr. FISHER, from the Committee on Pensions and Gratuities, a bill entitled An act to authorize the payment to Michael Dunn, a soldier in the war to suppress the rebellion, a gratuity on account of the loss of both his legs.

Mr. JACKSON (same), as committed, a bill entitled An act for the relief of Peter Roberts, a soldier of the war of 1812.

Mr. RIDGWAY, from the Committee on Corporations, as committed, a bill entitled An act to incorporate the Continental slate company.

Also (same), as committed, a further supplement to an act to incorporate the North American shaft company, approved March 22d, 1862.

Also (same), as committed, a bill entitled An act to incorporate the Quaker City barge club of Philadelphia.

Mr. ROYER (same), as committed, a bill entitled An act to incorporate the Moshannon land and lumber company.

Also (same), as committed, a bill entitled An act to confer upon the Pittsburg forge and iron company all the powers, rights and privileges of the Jones and Minnich manufacturing company by the act approved April, 1868.

Mr. HAINES (same), as committed a bill entitled An act to incorporate the Enterprise mining and exploring company.

Also (same), as committed, a bill entitled An act to establish a ferry over the Allegheny river at the mouth of Sandy creek, in the county of Venango.

Also (same), as committed, a bill entitled An act to establish a ferry over the Allegheny river at or near Bear creek landing.

Also (same), as committed, a bill entitled An act to declare a portion of Freeman's run, in Potter county, a public highway.

Also (same), as committed, bill entitled An act to establish a ferry and foot bridge over the Driftwood Branch of the Sinnemahoning creek, near the mouth thereof, in Cameron county.

Mr. ROYER (same), as committed, a bill entitled An act to declare that branch of Mill creek, in the county of Jefferson, known as the Five Mile run, a public highway.

Also (same), as committed, a bill entitled An act declaring Wiconisco creek, from Oak Dale forge, in Dauphin county, to the public road leading from Clark's valley to Tremont, in Schuylkill county, a public highway.

Also (same), as committed, a bill entitled A supplement to an act to incorporate the Red Bank navigation company.

Mr. SHOEMAKER (same) as committed, a bill entitled An act to establish a ferry over the Allegheny river in Kinzua township, Warren county.

Also (same), as committed, a bill entitled An act establishing a ferry over the Monongahela river, at the borough of California, in the county of Washington.

Also (same), as committed, a bill entitled An act to declare Montgomery creek, in the county of Clearfield, a public highway.

Mr. SEARIGHT, a bill entitled An act to repair the Cowanesque river in the county of Tioga.

Also (same), as committed, a bill entitled An act to establish a ferry on the Allegheny

river at Patterson's Falls, in the county of Venango.

Also (same), as committed, a bill entitled An act construing portions of the first section of an act approved February 17, A. D. 1865, granting to Samuel Stock the right to erect a ferry at foot bridge over Oil creek, at or near the Noble well, in the township of Cornplanter, Vanango county.

Mr. BILLINFELT, from the Committee on Agricultural and Domestic Manufactures, with a negative recommendation, a bill entitled An act to grant one-third of the United States land scrip given under the act of Congress of July 2d, 1862, to the State of Pennsylvania, to the Polytechnic College of Philadelphia.

Mr. HAINES (same), with amendments, a bill entitled An act relative to weights and measures.

Mr. ROYER (same), as committed, a bill entitled An act authorizing the sale of agricultural land scrip.

Mr. BROWN, of Mercer, (same), as committed, a bill entitled an act repealing the provisions of the act for the protection of sheep and taxing of dogs in the county of Blair, and extended to the county of Monroe, so far as the samerelates to the township of Pocono, in the said county of Monroe.

Mr. BILLINGFELT, from the Committee on Roads and Bridges, as committed, a bill entitled An act authorizing the president and managers of the Limekiln turnpike company, and the president and managers of the Jarrettstown and Horsham turnpike company, to charge certain rates of toll.

Also (same) as committed, a bill entitled An act authorizing the Governor to incorporate a company to erect a bridge over the Youghiogheny river, at a point between the mouth of Dickinson run and Taylor's fording, in the county of Fayette.

Also (same) as committed, a bill entitled An act to incorporate the Springfield and Garrettford turnpike company.

Also (same), as committed, a bill entitled An act to incorporate the Boyd Farm Petroleum Centre bridge company.

Mr. TAYLOR (same), as committed, a bill entitled An act to amend an act and correct an error therein, entitled A supplement to an act entitled An act appointing commissioners to lay out and open a State road in the counties of Cameron and Potter, approved 21st day of March, A. D. 1865, approved 4th day of April, A. D. 1866.

Also (same), as committed, a bill entitled An act to incorporate the Pioneer River bridge company.

Also (same), with negative recommendation, a bill entitled An act to lay out Broad street from its present terminus to the river Delaware, Bucks county.

Mr. WALLS, (same), as committed, a bill entitled A supplement to an act to incorporate the Tidioute bridge company, approved the 17th day of April, A. D. 1861.

Also (same), as committed, bill entitled A supplement to an act entitled An act to incorporate the Factoryville and Abington turnpike and plank road company, approved the 17th day of April. A. D. 1856.

Mr. GLATZ (same), as committed, bill entitled An act to macadamize the Temperanceville and Allentown turnpike and plank road, and charge the same upon the propery benefited.

Also (same), as committed, bill entitled An act to repeal an act to incorporate the Pine Creek bridge company, approved the third day of March, A. D. 1862.

Also (same), as committed, a bill entitled An act to incorporate the Greenwood Avenue turnpike company.

Mr. LANDON (same), as committed, a bill entitled An act extending an act relative to roads in Uwchlan township, Chester county, and East Bethlehem and East Pike Run townships, Washington county, to Peters and Fallowfield townships, Washington county.

Also (same), as committed, a bill entitled An act to incorporate the Rouseville bridge company.

Mr. BROWN (Mercer), from the Committee on New Counties and County Seats, as committed, a bill entitled An act to reannex a portion of the borough of Montoursville, in Lycoming county, Pennsylvania, to Fairfield township in said county.

Mr. JACKSON, from the Committee to Compare Bills, made a report, which was read as follows and laid on the table:

That in conjunction with with a similar committee from the House of Representatives, they have compared, and on February 12th, presented to the Governor for his approbation, the bills as follow, to wit:

House bill No. 32, an act requiring the bounty commissioners of Forks township, Northampton county, to render an account to the auditors of said township, and providing for auditing the same.

Also, on February 13th:

House bill No. 36, a supplement to an act fixing the terms of the courts of common pleas, oyer and terminer and general jail delivery, quarter sessions of the peace and orphans' court in the county of Allegheny, and regulating proceedings therein, approved the 22d day of March, A. D. 1866.

House bill No. 90, supplement to the act incorporating the Cooper Fire-arms manufacturing company, approved April 3, 1863, and the supplement to the same.

House bill No. 92, an act to incorporate the Bachelors' Barge Club of the city of Philadelphia.

House bill No. 113, an act to legalize certain assessments taken in the county of Cameron.

House bill No. 117, an act regulating the fees of the commissioners of the county of Snyder.

House bill No. 119, an act supplementary to a supplement to an act relating to the collection of the State and county taxes in the county of Bucks, approved 31st day of March, 1864.

House bill No. 123, an act to authorize the board of school directors of Hartford township, Susquehanna county, to levy and collect a special tax to build and repair school houses in said township.

House bill No. 125, an act to annex certain lands in Pine Creek township, Jefferson county, owned and occupied by Sarah G. Evans, to the borough of Brookville, for schoo purposes.

House bill No. 126, a supplement to an act to annex the farm of William Steel, of Salem township, to Hempfield township, Westmoreland county, for school purposes, approved, 11th April, 1866.

House bill No. 127, an act authorizing the school directors of the city of Williamsport, in the county of Lycoming, to borrow money.

House bill No. 133, an act relating to the granting of tavern licenses in Washington county.

House bill No. 132, an act to authorize the school derectors of Saegertown, Crawford county, to borrrw money, and for other purposes.

House bill No. 139, an act to incorporate the Masonic Hall association of the borough of Brookville, in the county of Jefferson.

House bill No. 154, a supplement to an act to empower the commissioners of Washington county to compromise with the holders of the county bonds, and for the more prompt and economical collection of taxes in said county.

House bill No. 66, an act to enable the school directors of the borough of East Birmingham, Allegheny county, to borrow money for the erection of school buildings.

House bill No. 9, an act to exempt the property of the Beaver cemetery association from taxation.

House bill No. 230, a supplement amendatory to an act to incorporate the Farmers' market of the Fifth ward of the borough of York.

House bill No. 222, an act to change the time of holding the election of officers of the Independent company of Montgomery and Bucks counties, for the recovery of stolen horses and the detection of thieves.

House bill No. 107, an act relative to roads in Valley township, Chester county.

House bill No. 84, an act to authorize the election of an additional justice of the peace in the township of Cherry Hill, Indiana county.

House bill No. 109, an act to extend the jurisdiction of the orphans' court of York and Fayette counties.

House bill No. 53, an act extending to the city of Pittsburg the provisions of a further supplement to an act to incorporate the city of Philadelphia, relating to fire alarm and telegraph, approved the 28th day of February, A. D. 1865.

House bill No. 62, an act to authorize the borough of Troy to increase their taxation for borough purposes.

House bill No. 45, an act defining the duties of the inspectors of the Philadelphia county prisons.

House bill No. 42, an act relating to the prison of the county of Delaware.

House bill No. 361, an act to extend the provisions of the act approved the 31st July, 1863, to the county of Huntingdon.

Senate bill No. 315, a further supplement to an act to incorporate the Pittsburg, Allegheny and Manchester passenger railway company, authorizing said company to change certain parts of its route, to subscribe for stock in a new bridge, and to have viewers appointed to fix compensation for crossing bridges.

Senate bill No. 72, a further supplement to an act to authorize Woodland street, in the Twenty-fourth ward of the city of Philadelphia to be graded, curbed and paved, approved the 27th day of May, A. D. 1863, repealing the proviso to the first section of the supplement thereto, approved the 17th day of April, A. D. 1866.

Senate bill No. 232, an act to incorporate the Caledonia and South Mountain railroad company.

Senate bill No. 54, a further supplement to an act to incorporate the Girard life insurance, annuity and trust company of Philadelphia, passed March 17th, 1836.

Senate bill No. 79, a supplement to an act to incorporate the Brady Bend iron company, approved the 9th day of April, A. D. 1861, authorizing the conveyance of real estate in the several counties of the Commonwealth on the recording of the resolutions of the board of directors of said company.

Senate bill No. 86, a supplement to an act to incorporate the Lehigh County Mutual horse insurance company, approved April the 28th, A. D. 1857.

Senate bill No. 53, a further supplement to an act to incorporate the Mutual fire insurance company of Montgomery county, passed the 31st day of March, A. D. 1841, authorizing said company to insure against storms and hurricanes.

Senate bill No. 67, an act to incorporate the Brockers' Benficial association of Philadelphia.

Senate bill No. 50, an act to repeal an act entitled An act relative to bounties in Brady

township, Butler county, which became a law on the 4th day of January, A. D. 1867.

Senate bill No. 36, an act authorizing the school directors of the borough of Sewickley to collect the balance of county tax in said borough.

Senate bill No. 19, an act to incorporate the Catholic Philopatrian institute of Philadelphia.

Senate bill No. 22, a supplement to an act to incorporate the Female Seminary of Eden Hall, in the county of Philadelphia, by the style and name of the Institute of Ladies of the Sacred Heart, and to take and hold lands, tenements, et cetera, and to sell or mortgage all or any part thereof.

Senate bill No. 55, an act to incorporate the German insurance company of Erie.

Senate bill No. 3, joint resolution to ratify the amendment to the Constitution of the United States.

Senate bill No. 82, an act to consolidate the Union coal and the Howard coal and iron company.

Senate bill No. 71, an act to divide the Northwest ward in the city of Lancaster into election precincts and separate election districts.

Senate bill No. 21, an act to incorporate the Sisters of Mercy in the city of Philadelphia.

Also, on February 14th:

House bill No. 89, an act to incorporate the Oxford Hall association.

House bill 59, an act authorizing the assessment of railroad taxes in the borough of Kittanning, Armstrong county.

House bill No. 161, an act to repeal the act of Assembly passed the 11th day of April, 1866, entitled an act to provide for the purchasing of real estate and erection of a poor house in Montour county.

House bill No. 82, a supplement to an act relating to the lien of mechanics and others upon buildings, extending it to York county.

House bill No. 37, a supplement to an act passed the 16th day of February, A. D. 1865, to increase the pay of county commissioners, county auditors, poor directors, jurors and witnesses in the county of Mercer.

House bill No 110, an act relating to the sale of lands for taxes in Potter, Warren and Bradford counties.

House bill No. 33, an act authorizing the school directors of the borough of Oil City, in Venango county, to borrow money.

House bill No. 134, an act to extend the time for the payment of the enrollment tax on an act to incorporate the Meadville City passenger railroad company, approved the 11th day of April, 1866.

House bill No. 49, an act in relation to the fees of certain county officers and district attorney in the county of Washington.

House bill No. 88, an act to incorporate the Mechanics' and Miners' Co-operative association of Scranton.

House bill No. 85, a supplement to an act authorizing appeals from interlocutory orders or decrees granting special injunctions, approved the 14th day of February, A. D. 1866, extending the provisions of said act to special injunctions granted by the court of *nisi prius* at Philadelphia.

House bill No. 83, an act to repeal the fourth section of an act relating to fees of certain officers in Erie county.

House bill No. 81, an act relating to auctioneers in the city and county of Erie.

House bill No. 79, an act fixing the rate of compensation of the sheriffs of Northampton, Fayette and Carbon counties, for boarding prisoners.

House bill No. 63, a supplement to an act to incorporate the borough of South Erie.

House bill No. 78, an act to repeal an act providing for compensation of damages to public roads in Bethlehem and Palmer townships, Northampton county, by the construction of the Lehigh and Delaware Water Gap railroad, approved the 11th day of April, A. D. 1866.

House bill No. 68, an act authorizing the trustees of the Brookville academy to sell the same to the Brookville school district.

House bill No. 67, an act to annex David S. Walker, Francis Cunningham and Wesley Smith, of Jefferson township, Washington county, to Cross Creek township, in the same county, for school purposes.

House bill No. 38, a supplement to an act passed the 13th day of April, A. D. 1859, relating to billiard saloons, et cetera, in the counties of Chester and Delaware, extending the same to the county of Bradford.

House bill No. 51, a supplement to an act to change the mode of criminal proceedings in Erie and Union counties, extending the same to the county of Bradford.

House bill No. 48, an act repealing the provisions of an act relative to the fees of district attorneys in certain counties of this Commonwealth so far as they relate to the county of Bradford.

House bill No. 39, an act authorizing the commissioners of Erie county to exonerate Wm. F. Brockway, collector of the township of Springfield, in said county, from the payment of certain tax.

House bill No. 58, an act to change and amend the charter of the borough of Emporium, in the county of Cameron.

House bill No. 97, a further supplement to an act to incorporate the city of Philadelphia, approved February 2d, A. D. 1854.

House bill No. 54, an act in relation to the weighing of hay, coal and lime in the borough of Washington.

House bill No. 445, a supplement to an act revising the charter of the municipal corporation of the city of Reading, approved the 26th day of April, A. D. 1864.

Senate bill No. 155, a further supplement to an act to incorporate the Pottstown iron company, approved the 27th day of March, A. D. 1866, authorizing them to increase their capital stock and the number of directors.

Senate bill No. 60, an act changing the time of holding courts in the Sixteenth Judicial district.

Senate bill No. 124, a supplement to an act to unite and consolidate Marshall college, now at Mercersburg, and Franklin college, now at Lancaster, under the name of the Franklin and Marshall college as a corporation, to be located in the city of Lancaster or its immediate vicinity, approved the 19th day of April, A. D. 1850, changing the trustees thereof and the manner of selecting such trustees and their terms of office.

Laid on the table.

BILLS IN PLACE.

Mr. BROWNE (Lawrence) read in his place and presented to the Chair a bill entitled An act to refund John Martin, administrator, the amount of collateral inheritance tax paid in error.

Referred to the Committee on Finance.

Mr. SHOEMAKER, a bill entitled An act to transfer the counties of Monroe, Pike, Wayne, Susquehanna, Bradford, Wyoming, Luzerne and Carbon, and add the same to the Northern district of the Supreme Court.

Referred to the Committee on the Judiciary General.

Also, a bill entitled An act to legalize the assessment levied by the school directors of the borough of Kingston, Luzerne county, for the payment of money advanced for the purpose of paying bounties to volunteers.

Referred to the Committee on the Judiciary Local.

Also, bill entitled An act to authorize the supervisors of Kingston township, Luzerne county, to collect their own duplicate.

Referred to the Committee on the Judiciary Local.

Also, a bill entitled An act to incorporate the Scranton base ball club association.

Referred to the Committee on Corporations.

Also, a bill entitled An act to incorporate the Dunmore gas and water company.

Referred to the Committee on Corporations.

Also, a bill entitled A supplement to an act entitled An act to incorporate the Susquehanna and Delaware railroad company.

Referred to the Committee on Railroads.

Also, a bill entitled An act to enable the board of directors of common schools of Benton township, Luzerne county, to apply surplus of bounty funds to common school purposes.

Referred to the Committee on Education.

Also, a bill entitled An act to authorize the school directors of the borough of White Haven, in Luzerne county, to borrow money to build school houses.

Referred to the Committee on Education.

Also, a bill entitled An act to incorporate the Wyoming bridge company.

Referred to the Committee on Roads and Bridges.

Also, a bill entitled An act providing for changes in the State road, in Plymouth township, between the westerly boundary of Plymouth borough and Harvey's creek, in Plymouth township.

Referred to the Committee on Roads and Bridges.

Also, a bill entitled A supplement to the Nanticoke and Hughesville turnpike road company, approved April 1st, 1836.

Referred to the Committee on Roads and Bridges.

Mr. BURNETT, a bill entitled An act to increase the compensation of the county commissioners and auditors of the county of Monroe.

Referred to the Committee on the Judiciary Local.

Mr. RANDALL, a bill entitled An act authorizing the burgess and town council of the borough of Fremont, Schuylkill county, to levy a tax.

Referred to the Committee on the Judiciary Local.

Also, a bill entitled An act to repeal the act to incorporate the Odd Fellows' Hall association of Fremont, in the county of Schuylkill, and to vest the rights of said association in the board of trustees of Fremont Lodge, No. 245, of Independent Order of Odd Fellows of Pennsylvania.

Referred to the Committee on the Judiciary Local.

Also, a bill entitled An act to incorporate the Fremont gas and water company.

Referred to the Committee on Corporations.

Also, a bill entitled An act to incorporate the Washington Township mining, manufacturing and improvement company of Schuylkill county.

Referred to the Committee on Corporations.

Mr. CONNELL, a bill entitled An act relating to the coroner of the city and county of Philadelphia.

Referred to the Committee on the Judiciary Local.

Also, a bill entitled An act to change the venue of certain suits from the county of Allegheny to the city of Philadelphia.

Referred to the Committee on the Judiciary Local.

Also, a bill entitled an act to authorize

the Philadelphia City passenger railway company to borrow money and issue bonds.

Referred to the Committee on Railroads.

Mr. RIDGWAY, a bill entitled A supplement to the act incorporating the Chestnut Hill and Cheltenham railroad company.

Referred to the Committee on Railroads.

Mr. SCHALL, a bill entitled An act to repeal the third section of a supplement to an act relating to the Catasauqua and Fogelsville railroad company, passed the 26th day of May, A. D. 1863.

Referred to the Committee on Railroads.

Also, a bill entitled Supplement to an act entitled An act to incorporate the Lehigh Valley fire insurance company, approved the 30th day of March, A. D. 1863.

Referred to the Committee on Corporations.

Also, a bill entitled An act to repeal the first section of an act passed the first day of April, A. D. 1792, declaring the Little Lehigh a public highway.

Referred to the Committee on Canals and Inland Navigation.

Also, a bill entitled An act regulating the salary of the treasurer of Lehigh county.

Referred to the Committee on the Judiciary Local.

Also, a bill entitled A further supplement to the borough of Easton, authorizing the town council of said borough to construct and provide public water works, and to authorize the election of water commissioners.

Referred to the Committee on the Judiciary Local.

Mr. M'CANDLESS, a bill entitled A supplement to an act to incorporate the the Point Breeze Park association, approved February 8, 1855.

Referred to the Committee on Corporations.

Mr. BIGHAM, a bill entitled An act to incorporate the Shakespeare and Lydia Allen Consolidated silver mining company of Nevada.

Referred to the Committee on Corporations.

Mr. BROWN (Mercer), a bill entitled An act authorizing Allen K. Williams to construct a ferry over Oil creek, at or near the township lines of Allegheny and Cherry Tree, in Venango county, Pennsylvania.

Referred to the Committee on Canals and Inland Navigation.

Mr. WALLS, a bill entitled An act to encourage the destruction of noxious animals in Lycoming county.

Referred to the Committee on Agriculture and Domestic Manufactures.

Mr. GLATZ, a bill entitled A supplement to the act for the better preservation of game and insectiverous birds, approved the 21st day of April, A. D. 1858.

Referred to the Committee on Agriculture and Domestic Manufactures.

Mr. GRAHAM, a bill entitled An act supplemental to an act incorporating the Birmingham and Brownsville macadamized turnpike road company.

Referred to the Committee on Roads and Bridges.

RECOMMITTAL OF BILL.

Mr. WHITE moved that the bill entitled An act to declare that branch of Mill creek, in the county of Jefferson, known as the Five Mile run, a public highway, be recommitted to the Committee on Canals and Inland Navigation.

The motion was

Agreed to.

BILL RECONSIDERED.

Mr. M'CONAUGHY moved that the Senate reconsider the vote on the final passage of a bill entitled An act to extend the time for the payment of the enrollment tax upon an act entitled An act to authorize the Western Maryland railroad company to locate a portion of their road through Adams and Franklin counties, Pennsylvania, approved March 23, 1865.

The motion was

Agreed to.

And the bill being again before the Senate,

Mr. M'CONAUGHY asked and obtained the unanimous consent of the Senate to amend the same by adding two new sections.

The bill, as amended, then

Passed finally.

AN AFTERNOON SESSION.

Mr. BIGHAM moved that when the Senate adjourns, it will adjourn to meet this afternoon at three o'clock.

The motion was agreed to

INVITATION FROM THE BLIND ASYLUM.

The SPEAKER laid before the Senate the following invitation which was read:

HARRISBURG, February 20, 1867.

To the Speaker of the Senate:

DEAR SIR—The members of the Senate are respectfully invited to an exhibition by the blind pupils of the Pennsylvania Institution of the Blind, this evening at a quarter before eight o'clock, in the Representative chamber: also, to a concert by the pupils in the Court House, to-morrow evening, tickets for which will be furnished so the members.

Very respectfully,

Your obedient servant,

WILLIAM CHAPIN,

Principal.

FINAL ADJOURNMENT.

Mr. SEARIGHT moved that the Senate proceed to the consideration of the joint resolution providing for the final adjournment of the Legislature.

The motion was not

Agreed to.

BILL ACTED ON

Mr. WALLS moved that the Committee on Agriculture and Domestic Manufactures be discharged from the further consideration of bill entitled An act to encourage the destruction of noxious animals in Lycoming county, and that the rules and orders of the day be dispensed with and the Senate proceed to its consideration.

Mr. BIGHAM said he was aware that half a dozen members desired to call up bills, but he should call the orders of the day on every bill, in order to reach the general railroad bill.

Messrs. RIDGWAY and SCHALL thought it would only be fair to allow the Senator from Union to call up this bill, as others had been granted the same privilege.

Mr. GRAHAM. Mr. Speaker, I think it would be well to allow the Senator to call up his bill and pass it, with the understanding that after that the orders of the day shall be taken up, as this courtesy has been extended to other Senators this morning.

The motion of Mr. WALLS was

Agreed to,

And the bill

Passed finally.

CHANGE OF VENUE.

Mr. FISHER moved that the rules be suspended, and that the Senate proceed to the consideration of bill entitled An act to change the venue in the case of Jane E. Caldwell vs. the Catawissa railroad company from the Supreme Court of *nisi prius* in Philadelphia to the court of common pleas of Lycoming county.

Mr. COLEMAN. Mr. Speaker, I call for the orders of the day.

Mr. FISHER said that the lady referred to in this bill was severely injured by the cars some time ago, and was crippled for life, and had been seeking redress from the railroad company, but could not serve a writ on the company, being unable, physically and financially, to go to Philadelphia; she now asked for a change of venue, so as to reach the courts; there is no objection to the bill.

Mr. COLEMAN said he had been written to by the counsel of the company, asking that the bill be not passed.

Mr. FISHER. This lady is very anxious that this bill should pass, and she is here. I am sure that if the Senate had an opportunity to see her, not one of them would hesitate to act promptly upon this bill.

Mr. LOWRY. Mr. Speaker, it was understood yesterday, on all hands, that we should take up the general railroad law to-day. Some bills were taken up this morning which were proper and right; but it now seems to be the object to stave off this bill; we cannot shut our eyes to the fact.

Mr. FISHER. I have no such object.

Mr. LOWRY. That may be. This bill may be proper; but I am not prepared to consider it; but I think we are all prepared to take up the general railroad law.

Mr. FISHER was understood to say that the president of this railroad had agreed that the bill should pass, with certain amendments.

On the question,

Will the Senate suspend the rules, and proceed to the consideration of this bill?

The yeas and nays were required by Mr. LOWRY and Mr. FISHER, and were as follow, viz:

YEAS—Messrs. Billingfelt, Browne (Lawrence), Burnett, Connell, Cowles, Davis, Donovan, Fisher, Glatz, Haines, Jackson, James, Landon, M'Candless, M'Conaughy, Randall, Ridgway, Royer, Schall, Searight, Shoemaker, Stutzman, Taylor, Walls, White and Hall, *Speaker*—26.

NAYS—Messrs. Bigham, Coleman, Graham and Lowry—4.

So the question was determined in the affirmative.

During the call,

Mr. COWLES said: Mr. Speaker, I will vote for the suspension, with the understanding that this thing goes no further.

Also, during the call,

Mr. TAYLOR said: Mr. Speaker, with the understandiug that this extends to this bill only, I vote "aye."

The bill was read, and, on motion of Mr. FISHER, amended by striking out the word "Lycoming" where it occurred, and inserting, in lieu thereof, the word "Northumberland."

The amendment was

Agreed to.

The section, as amended, was

Agreed to.

The title being under consideration,

On motion of Mr. FISHER, it was amended by striking out the word "Lycoming," and inserting in lieu thereof the word "Northumberland."

The bill as amended

Passed finally.

THE GENERAL RAILROAD LAW.

Agreeably to order, the Senate proceeded with the second reading and consideration of bill entitled An act to authorize the formation of railway corporations.

In committee of the whole (Mr. M'CONAUGHY in the chair), the first section was read as follows:

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That any number of citizens of

Pennsylvania, not less than nine, may form a company for the purpose of constructing, maintaining and operating a railway, to be operated by steam power, for public use, in the conveyance of persons and property, and for that purpose may make and sign articles of association, in which shall be stated the name of the company, the number of years the same is to continue, the places from and to which the railway is to be constructed, or maintained and operated, the length of such railway, as near as may be, and the name of each county in this State through or into which it is made, or intended to be made, the amount of capital stock of the company, which shall not be less than fifteen thousand dollars for every mile o railway constructed, or proposed to be constructed, and the number of shares of which said capital stock shall consist, and the names and places of residence of a president, and not less than six nor more than twelve directors of the company, who shall manage its affairs for the first year, and until others are chosen in their places; each subscriber to such articles of association shall subscribe thereto his name, place of residence and the number of shares of stock he agrees to take in said company; on compliance with the provisions of the second section of this act, such articles of association shall be acknowledged by at least three of the directors, before some officer competent to take acknowledgment of deeds, in the county where the principal officer is designed to be located, and filed in the office of the Secretary of the Commonwealth, who shall endorse thereon the day they were filed, and record the same in a book to be provided by him for that purpose, and thereupon the said articles of association shall become, and be a charter for the said company, and the persons who have so subscribed such articles of association, and all persons who shall become stockholder in such company, shall be a corporation by the name specified in such articles of association or charter, and shall possess the powers and privileges following, to wit:

First. To have succession by its corporate name for the period limited in its articles of association.

Second. To sue and be sued, complain and defend, in any court of law or equity.

Third. To make and use a common seal, and alter the same at pleasure.

Fourth. To hold, purchase and convey such real and personal estate as the purposes of the corporation shall require, not exceeding the amount needful for the business thereof, and which shall be so limited in the articles of association.

Fifth. To appoint such subordinate officers and agents, as the business of the corporation shall require, and to allow them a suitable compensation.

Sixth. To make by-laws not inconsistent with any existing law for the management of its property, and regulation of its affairs, and for the transfer of its stock.

Mr. COLEMAN. Mr. Chairman, before entering into this general subject, or amending or altering this law, if the committee will agree, I would like to say a few words on the general subject of our railroad legislation. It seems to me that this is the proper time, before we consider any amendments, to look at the present system, and I would ask leave to say what I have to say at the present time.

Mr. Chairman, my earnest desire is to give to the people of this State the freest possible facilities of intercommunication, and to encourage the development of the great agricultural and mineral resources which the Creator has so bountifully supplied us with.

The State of Pennsylvania at an early day realized the importance of giving such facilities, and aided the people by constructing, at the expense of the State, what at that time was considered a grand system of public improvements. These improvements answered the desired end for a time; but it was discovered that the State management of these works was a great source of political power and corruption, and that the management of these works by the State was, perhaps, the most expensive that could be desired. It was then wisely, in my opinion, decided that the State should sell these works, and intrust the development of the resources of the State to private enterprise and capital. But it did not seem to see the danger of creating creatures who might become greater than the creator. Such has, unfortunately, been the result. Having given birth to monsters, and from the day of their birth fed them with strong pap, they are waxing fat and kicking in all directions. The food administered to these infants has not been judiciously selected; it has been too stimulating, and produced in these bodies corporate powers for evil as well as for good. This, perhaps, is only natural, for the first-born is apt to be improperly indulged by the parents.

And now we are called upon to test the question whether the parent or the child is the master.

The State having decided to intrust the development of its resources to corporate bodies, it seemed only to look at the good that might be accomplished, and granted them almost unlimited powers; and, from that day to this, has been adding instead of diminishing these powers, till these spoiled children defy the power of the State, and the big one is almost universally acknowledged to be master, not only of the parent, but of its little brother—an example of its power we saw only a few days ago.

Now, the question arises: can these evils, if they do exist, be remedied? In order to obtain some light on this subject for our future guidance, I introduced in the early part of this session the following resolution:

Resolved, That the General Judiciary Committee be instructed to inquire into the power of this Legislature to control railroad corporations of this State by direct legislation on the subject of charges for passengers and freight, to secure the private citizens of the State from inordinate and extortionate demands, to assert the sovereignty of the people of the State over all such corporations within its limits for the general good, and that said committee have power to send for persons and papers, and to compel testimony under oath; that said committee is instructed to report to the Senate at the earliest possible period, by bill or otherwise.

And I hope the people of the State having complaints to make, will appear before this committee, and that the committee will be able to report, at an early day, some feasible plan to remedy existing evils. Over some of these corporations—those chartered since the adoption of the Constitution, passed in 1857—we have undoubted power. That amendment reads as follows:

"The Legislature shall have the power to alter, revoke, or annul any charter of incorporation hereafter conferred by or under any special or general law, whenever, in their opinion, it may be injurious to the citizens of the Commonwealth, in such manner, however, that no injustice shall be done to the corporators."

Over others, the case may be more doubtful. In order to understand our exact position, we must ascertain what sort of creatures these corporations are; and as I find this much more ably stated than I can state it, in an article headed "Coal and Coal Monopolies," in the Luzerne *Union*, of August 15, 1866, I will use the definition I find there. It is as follows:

"What is a railroad or a canal, as respects the rights of the public and the rights of those who are shareholders? Are they public highways, bound by all the rules of common law applicable to common carriers, or are they private schemes of a class of men who buy the franchises of the people at the price named by a venal 'ring' in our Legislature? This is answered by an unquestionable utterance. We quote from the able opinion of Chief Justice Black in the celebrated case of Sharpless *versus* Mayor of Philadelphia, reported in volume 21 of the *Pennsylvania State Reports*, pages 169 and 170. This is the language of the Supreme Court:

"'A railroad is a public highway for the public benefit, and the right of a corporation to exact a uniform, reasonable, stipulated toll, from those who pass over it, does not make its main use a private one. The public has an interest in such a road, when it belongs to a corporation, as clearly as they would have if it were free, or as if the tolls were payable to the State, because travel and transportation are cheapened by it to a degree far exceeding all the tolls and charges of every kind, and this advantage the public has over and above those of rapidity, comfort, convenience, increase of trade, opening of markets, and other means of rewarding labor and promoting wealth. In Bonaparte *versus* The Camden and Amboy Railroad Company (1 Baldwin, 233), although the charter of the defendants had more features in it of a close monopoly, for the mere private emolument of the stockholders, than any other similar company in the country, yet the road was held to be a public work, and the plaintiff's land, taken to build it upon, was decided to have been taken for public use.

"'It being the duty of the State to make such public improvements, if she happen to be unable or unwilling to perform it herself to the full extent desired, she may accept the voluntary assistance of an individual, or a number of individuals associated together and incorporated into a company. The company may be private, but the work they are to do is a public duty; and along with the public duty there is delegated a sufficient share of the sovereign power to perform it. The right of eminent domain is always given to such corporations. But the right of eminent domain cannot be used for private purposes; and, therefore, if a railroad, canal or turnpike, when made by a corporation, is a mere private enterprise, like the building of a tavern, store, mill, or blacksmith shop, there never was a constitutional charter given to an improvement company, and every taking of land or materials under any of them was a flagrant trespass.'"

I will now proceed to examine briefly what, in my opinion, are a few of the abuses of the existing corporations, or some of them, leaving the fuller examination to the able members of the Judiciary Committee of the Senate.

1. The first abuse is the unjust discrimination against what is known as the local trade of the State.

2. That many corporations make private arrangements with transporters, charging lower rates to favorites than to the public.

3. That many corporations allow the officers to be interested in transporting lines, both of passengers and freights.

4. That many of these corporations engage in other business than that for which they are incorporated—some in the hotel business, some in the manufacturing business.

I could name many other abuses and injuries to the citizens of the Commonwealth,

but I leave them to the people and the Judiciary Committee.

Now, let us examine these four questions. I contend that if we can remedy these abuses, that we not only will benefit the public, but the corporators themselves; for I fear that many of these companies are used more for the benefit of the officers than for the benefit of the public or the stockholders.

Now let us examine these questions:

1. The discrimination against the local trade. I contend that both the public and the stockholders will be benefited by a change of policy. I contend that the local trade is more profitable than the through trade, and its development certainly more beneficial to the State.

Every manufactory that a company can induce parties to erect on the line of their road, every mine that is opened, is a permanent source of profit—so much so that, instead of burdening them by charges, if they would carry to points along their roads the bulky and low-priced articles—the staples of our State, coal and iron—for barely cost, or even below cost, I believe they would be gainers in the end. Every house built along the line of their road is worth a certain sum to them, so long as that house is occupied. I care not how humble a hut it may be, the occupants will probably at some time travel over the road, or their friends will visit them. A certain amount of food, also, will be consumed, clothing will be required, the number of stores be increased, villages, towns and cities spring into existence, where there is now nothing but farms or a wilderness. What is the result of the present policy of most of our roads, of low through rates and high local rates?—for many of them seem to prefer to carry freight and passengers out of the State, to rival cities and States, rather than to any point within the State. The result is to drive business to the ends of the roads, or even beyond them, into other States; and such has been the result. Now, cannot we alter this, and benefit instead of injure the corporators? At the end of the principal roads will generally be found large cities or towns, where rival roads exist. For example, I ask, whether a factory at Lancaster, or at Philadelphia, would be most profitable to the Pennsylvania railroad? To my mind, there is but one answer, and that is, the factory at Lancaster would be worth many times more to the company than the one in Philadelphia, or New York. Every person living in Lancaster, has a money ed value to the road; he increases the business of the road. The very infant there has a value, causing freight to be carried over the road; the castor oil, ipecac and other necessaries of infancy, create business for the road as well as the clothing and groceries required for the adult population.

Now, I ask: How much of the castor oil, ipecac, clothing, groceries, etc., consumed by the employees of a factory in Philadelphia or New York, is carried over the Pennsylvania railroad? Did I not fear to tire the Senators by these dull details, I would elaborate these points more fully. I will here merely say, that the large cities have nothing to fear from this change of policy; if our inland towns prosper, our large cities at the ends of the roads will share in their prosperity, for it is to them that the country must look for their supplies of clothing, groceries, &c. I therefore think I have proved that this change of policy will benefit the corporators and the public.

2. I now come to my second charge, that many companies make private arrangements, charging some transporters less than others. This, it seems to me, must be illegal; if not, it ought to be made so. I am informed, and believe it to be true, that it is customary for many roads to say to parties: If you will send a large amount of coal over our road, we will make a deduction on the rates. Now, this is evidently unfair to the smaller coal operator, and, I am told, has in some part of our State thrown the whole trade into the hands of wealthy corporations; and I ask the Judiciary Committee to examine this abuse.

I will now pass to my third charge:

That many of the companies allow their officers to be interested in transporting lines, both of passengers and freight, over their lines, to the injury of citizens of the Commonwealth. I find in *Purdon's Digest*, page 90, "that it shall not be lawful for the cashier of any bank to engage in any other profession or calling, either directly or indirectly, than that of the duties appertaining to the office of cashier;" and if any cashier does so, heavy penalties are exacted. Now, would it not benefit citizens of the State, and the stockholders of the company, if we were to pass laws, so as to at least prevent the president, vice president and superintendent of the railroad companies in this State from being interested, directly or indirectly, in the transporting companies doing business over their roads, and oblige them to look more closely to the profits due to stockholders, and not to their own personal interests? For at present, if rumor is true, there is no more certain way to fortune than to be elected president or vice president of a large railroad corporation.

Fourth charge:

That they engage in other business than that for which they were chartered. This, to my mind, is a gross abuse of power; and though the excuse is, that it is for the benefit of the road, where will this lead us to? If they must keep a hotel, would it not be well for them to have a farm to supply the hotel, and a mill to make flour for supplying the hotel? If they must manufacture locomotives and cars, why not have coal mines, iron mines, timber lands, &c., to supply these locomotive and car works with materials? If, as one company in its late report recommends, they erect rolling mills, to make their own rails, why should they not have furnaces to supply the rolling mill? Where is this to stop?

When the Legislature charters a railroad, it is for transporting freight and passengers. When we subscribe our money to build that road, we do not subscribe for a hotel, or for a furnace, or rolling mill; and it is a fraud for the directors to use our money for that purpose.

These, Mr. Speaker, are a few of the reasons why I am in favor of a general railroad law, which shall be made to apply not only to corporations to be created, but to all we can reach—namely, those created since the adoption of the amendment to the Constitution in 1857.

Those created before that time, the old constitution gave other remedies for abuses.

With the details of the bill before us, I have nothing to say at present. I will wait till abler men have discussed its merits and demerits.

But, before closing, I demand from this Senate, and from this Legislature, as one of the people, and as the chosen representative of many of them, that they do not adjourn before they do all in their power to remedy the evils now existing; and I ask Senators who talk so eloquently about freedom from oppression of other kinds, to aid the people of this State, by their eloquence, in throwing off the shackles of the slavery we are subjected to by the railroad corporations of this State.

Mr. Speaker, I think we should all follow the example of the Senator from Bradford, and occasionally examine into our sanity; and I suggest, also, an examination into our identity. Let us find out, not only whether we are sound in mind, but also whether we are the same persons now that we were a few days ago. Whether it is possible for the same man to talk eloquently about the hardships of Southern slavery one day, and a few days after cast his vote to preserve the power of these mammoth corporations over our own people, thereby keeping us all in bondage.

As that Senator told us the story of the poet Burns and louse, and quoted the lines written on that occasion, I will repeat an old nursery rhyme:

"There was an old woman, as I've heard tell,
She went to market, her eggs for to sell;
She went to market all on a market day,
And she fell asleep on the King's highway.

"There came a peddler, whose name was Stout,
He cut her petticoats all round about;
He cut her petticoats up to her knees,
Which made the old woman to shiver and freeze.

"When this old woman first did wake,
She began to shiver and she began to shake;
She began to wonder and she began to cry,
Lauk-a-mercy on me, this is none of I.

"But if it be I, as I do hope it be,
I've a little dog at home, and he'll know me;
If it be I, he'll wag his little tail,
And if it be not I, he'll loudly bark and wail.

"Home went the little woman, all in the dark;
Up got the little dog, and he began to bark;
He began to bark, and she began to cry,
Lauk-a-mercy on me, this is none of I."

Now, Mr. Speaker, I hope that we will not fall asleep, as the old woman did, and have our garments cut off up to our knees; and, that, when we go home, our little dogs will wag their little tails.

Mr. SEARIGHT moved that the committee rise, report progress, and ask leave to sit again.

Mr. BIGHAM. Mr. Chairman, I hope we will give some attention to the bill. I cannot conceive why the committee is asked to rise at this time.

Mr. LOWRY. Mr. Chairman, would it be in order to move to strike out all after the enacting clause in that bill and substitute therefor the bill prepared by the Senator from Allegheny [Mr. BIGHAM]?

The CHAIRMAN said it would not be in order, as a motion was pending.

Mr. LOWRY. If that motion is withdrawn would it be in order?

The CHAIRMAN said that, until that occurred, he could not answer the Senator's question.

The motion of Mr. SEARIGHT was then agreed to,

And the committee rose, reported progress, and asked leave to sit again.

Mr. SEARIGAT moved that the committee have leave to sit again next Tuesday, for the consideration of this bill.

Mr. LOWRY. I move that the committee have leave to sit this afternoon.

Mr. DONOVAN said that in the absence of the Senator from Clearfield [Mr. WALLACE] he hoped that the motion of Mr. SEARIGHT would be adopted.

Mr. BIGHAM. Mr. Speaker, this Senate has three times declared that when this subject came up it was to have preference over all local business. Some three weeks ago I offered a resolution instructing the committee to report, and declaring that when they did report, this subject should have the preference. A discussion came up a few days after, and my colleague offered a resolution

instructing the committee to report last Wednesday, and that resolution expressly declared that it would be the order of the day until disposed of. We then again expressly fixed yesterday morning. Finding an indisposition yesterday morning to take up this subject it was put over until this morning, with the understanding that we were to meet at ten o'clock. We met at ten o'clock and were occupied until twelve with the morning orders—I do not know whether intentionally or not. And now, after a few remarks from the Senator from Lebanon [Mr. COLEMAN], it is proposed that the committee rise and that this matter be postponed until next week. My constituents believe that this is the most important bill before us. They hold me to the responsibility of urging this Senate to act on this question. That I certainly shall do. I therefore shall vote for the earliest hour—three o'clock this afternoon.

Mr. WHITE. Mr. Speaker, I have one word to say. It is a common opinion in Pennsylvania, among the people, that the Legislature has done but little this winter; although, when the laws are published, they will see that we have done a great deal—possibly more than we ought to have done. But it is perfectly clear that the people desire us to pass a general railroad law more than anything else; and I, for one, being a friend of that measure, and knowing my people to be friendly to it, want to see it pass the Senate at the earliest possible day. It is manifest that this bill will provoke some discussion. I understand that it is a Senate bill, and after it passes the Senate here, it must go over to the House. Now, we are past the middle of February; we will certainly adjourn about the 1st of April. When we consider these things, it is necessary for us to make all the haste we possibly can to secure the passage of bills. I trust, then, in view of the anxiety of the people, in view of the advanced stage of the session, in view of the delays which will necessarily attach to the discussion and passage of this bill, that we will refuse to postpone its consideration any longer, but devote every possible hour to it, and at the earliest possible time. I, therefore, am opposed to the motion of the Senator from Fayette (Mr. SEARIGHT).

Mr. SEARIGHT. Mr. Speaker, for the reasons given by the Senators from Allegheny and Indiana, I propose to devote the whole of next week to the discussion of this subject. We will not have time to consider it this week. It required a whole week to dispose of the Connellsville bill; and, from the intimation of Senators, this is regarded as a more important bill, and, therefore, will require at least a week. I do not propose to introduce any interruption of the subject, after getting headway, in the beginning of next week; and, inasmuch as it is a very important subject, it would be proper and right that Senators have an opportunity to examine it in all its phases. The Senator from Clearfield [Mr. WALLACE], who is, I believe, an active friend of this bill, objected yesterday to taking it up at this time, for the reason that he had not had an opportunity to examine it; and that is one of the reasons why I desire that it be postponed, in order that we may have the assistance and aid of that gentleman's experience in ventilating this subject.

Mr. COLEMAN. The understanding was that this was to come up on Tuesday of this week, and if we had considered it from that time to this, we should have made fair progress. I understood that this week was to be devoted to it. Now, what guaranty have we that, if we postpone it now, the same sort of opposition will not be made next week?

Mr. SEARIGHT. I will give the guaranty that I will vote on the bill next week.

Mr. COLEMAN. Mr. Speaker, nobody, I suppose, is perfectly satisfied with the bill as it is now. There may be amendments that will take considerable time, and I do not know what better time we have to devote to this bill than now. And next week, after having it fully discussed, we can act better upon it by exchanging opinions here than in our own rooms.

Mr. BROWN (Mercer). Mr. Speaker, I did not expect to vote upon this bill before the time named by the Senator from Fayette [Mr. SEARIGHT]; but really I cannot see that it is proper now to defer the consideration of this bill until that time. Let us take it up, and proceed with it, and render it as perfect as possible; it is going to take some time. Let us take it up at once, and proceed to its consideration. I shall not cast a vote here that can, by any manner of interpretation, be regarded as an effort to put off the consideration of this bill any longer. As has been remarked by the Senator from Allegheny, the people of the western part of the State, and I believe of the entire State, look upon this measure as the great measure of the session; and I have learned, sometimes to my sorrow, that delays are dangerous. There is no more effectual way of killing a liberal, just consideration of a bill, than by delaying its consideration, until near the close of the session; and, sir, I protest against any further delay in the consideration of this subject.

Mr. SEARIGHT. Mr. Speaker, Senators who favored the passage of the Connellsville bill, will recollect that we brought up that bill, and were very anxious to have it delayed. It got into the hands of enemies, and was forced to its fate and defeated; let the friends of this bill take warning, and not realize that experience with regard to this bill.

Mr. FISHER. Mr. Speaker, I have not had an opportunity to examine any of the amendments proposed to this bill by the committee, and shall vote for the postponement.

Mr. LOWRY. Mr. Speaker, if the length of time is to be occupied that the Senator from Fayette [Mr. SEARIGHT] thinks will be, on this bill, the sooner we get at it the better. The Senator from Clearfield [Mr. WALLACE] will certainly be here by that time. The Senator from Fayette [Mr. SEARIGHT] says he expects to go away himself this week; then there is more necessity for taking up the bill now.

Mr. SEARIGHT. I would like to be in at the death.

Mr. LOWRY. Well, I think the Senator will be in at the death of any law, this session, that has the idea of building roads. I have seen enough to satisfy me that it is useless to talk upon this bill. I spoke upon the Connellsville bill, and you also gave me leave to publish what I might wish to say in the *Record*, and I am not going to inflict a speech upon the Senate now. I think that all understand the matter. A bill was framed which the friends of a general law desired; the committee reported a bill which, if we are to believe all that we hear, is desired to be passed, as a kind of tub to the whale, by the gigantic monopoly that overshadows us all. Therefore, I made the motion to proceed to the consideration of this bill this afternoon, and to continue it every day.

Mr. BILLINGFELT said he believed the best mode was to have this bill discussed; hence, he would vote against any postponement.

Mr. GRAHAM. Mr. Speaker, I believe this bill was made the order of the day upon my motion, and that it was to continue to be the order of the day until finally disposed of. Now, sir, it was to have been brought up on Tuesday of this week, and, having come up regularly to-day, I cannot see any propriety in postponing its discussion any further. It is certainly the bill of the session. It is a bill which has excited more attention, and to which the people of this State are looking with more intense interest than any bill that has been up, or will be up, this session. We can gain nothing by postponing its consideration to next week, save the loss of precious time. We can take it up just as well to-day as next week, and will have just that much more time to devote to its thorough, patient and attentive consideration, and I trust that we will not delay its consideration one moment longer than is absolutely necessary.

Mr. BIGHAM. Mr. Speaker, there are two bills before us—one which I had the honor to prepare, and another reported from the committee. Now, I did hope that the committee of the whole would at least act, and that we should have some indication of what is going to be done. This thing is as well understood outside as inside. I will read an extract from a letter written by one of the most intelligent men in Pennsylvania, probably the wealthiest constituent that I have, who reads the *Record* all through every day, and is about as well posted in what we do here as I myself am. He proposes that the title of this bill, reported by the committee, should be amended so as to make it read "a bill to prevent the formation of railway companies." "It is a thoroughly obstructive one; it will not do to permit such a bill as that to pass; if it is certain that no fair bill can pass, then do not stultify yourselves and the friends of a free railroad law, by passing a bogus bill." Now, if we are to be voted down, so be it. It is just as well understood outside as inside. We have three times resolved that this question shall have precedence over other legislation.

Mr. DAVIS. Mr. Speaker, without noticing the remarks made by the gentleman who has just taken his seat [Mr. BIGHAM], which I do not think worthy of notice by any of the friends of a free railroad law, I will say that I intend to vote for the postponement of the bill till next Tuesday, for several reasons. First, it is probable that one of the two bills will be passed. I have not had an opportunity of comparing the two bills; in fact, I scarcely knew, except as I asked the question this morning, the difference between those two bills. For that reason, I am opposed to having a session to-day, and so far as taking up and discussing it on Tuesday, the difference is but two days, and it is simply a loss of two days. In matters of this kind, the more hurry, sometimes, the less speed. I would like to see passed a general railroad law, as fair as we can get it. I believe that nine-tenths of the people of the State demand it, and I am willing to gratify them to the best of my ability; but, for the reason that some gentlemen who are friends to the bill are obliged to be absent, I shall vote to postpone it till next week.

Mr. COLEMAN. Mr. Speaker, I appeal to the friends of this measure not to vote as the Senator from Berks indicates. If he wants information on the subject, I see no better way for him to get it than to go into committee of the whole and have the differences between these two bills discussed; he can then get the views of members. Therefore, I think he would be gaining information by coming here this afternoon and hearing this thing discussed. There is no idea of pressing it to a vote to-day.

On the question,

Will the Senate agree to the motion of Mr. SEARIGHT, that the committee have leave to sit again on Tuesday next?

The yeas and nays were required by Mr. LOWRY and Mr. SEARIGHT, and were as follow, viz:

YEAS—Messrs. Burnett, Connell, Cowles,

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[CONTINUED FROM PAGE 336.]

Davis, Donovan, Fisher, Glatz, Haines, Jackson, James, Landon, M'Candless, M'Conaughy, Randall, Ridgway, Royer, Schall, Searight, Shoemaker, Stutzman and Walls—21.

NAYS—Messrs. Bigham, Billingfelt, Browne (Lawrence), Brown (Mercer), Coleman, Graham, Lowry, Taylor, White and Hall, *Speaker*—10.

So the question was determined in the affirmative.

During the call,

Mr. JACKSON said: Mr. Speaker, I have sent copies of the different bills upon this subject to a number of my constituents, who are friends of a free railroad law, with a request that they give me their opinions upon them. Before casting my vote upon the subject, I desire to hear from them, and to have an opportunity of thoroughly examining the subject myself, so as to vote intelligently and for the best interests of my constituents.

I vote "aye."

Also, during the call,

The SPEAKER said: I cannot agree to any postponement of the bill. I, therefore, vote "no."

TEMPORARY ADJOURNMENT.

The Clerk of the House of Representatives being introduced, presented an extract from the Journal of the House of Representatives, which was read as follows:

IN THE HOUSE OF REPRESENTATIVES, February 20, 1867.

WHEREAS, Friday next, February 22d, is the anniversary of the birth of that Sage, Patriot, Statesman and General—George Washington, father of his country;

And whereas, It is eminently proper that the Legislature of this State should, in a fitting manner, honor and respect the recurrence of the same; therefore, be it

Resolved (if the Senate concur), That when the two Houses adjourn on Thursday next, February 21st, that it be to meet again on Tuesday, February 26th, 1867, at 10 o'clock, A. M., and that the National and State colors be displayed from the dome of the capitol from sunrise to sunset on the 22d instant.

Mr. RIDGWAY. Mr. Speaker, it is not necessary to have a joint resolution to enable the Senate to adjourn over from Thursday until Monday. I have some important business, and would like to be absent until Tuesday. We never do much business on Monday evening, I therefore move to amend the resolution by striking out the words, "Monday, February 25, 1867, at 7½ o'clock, P. M.," and in inserting in lieu thereof the words, "Tuesday, February 26, 1867, at 10 o'clock, A. M."

Mr. GRAHAM. Mr. Speaker, I do not think we ought to adjourn until Tuesday. You know that a number of gentlemen have been invited, and propose to visit Washington a week from next Monday, to witness the inauguration of our distinguished friend and fellow citizen, Simon Cameron, into the Senate of the United States. This will bring the adjournments rather close together.

Mr. RIDGWAY said he had received no invitation of that kind.

Mr. FISHER. Mr. Speaker, for the reasons given by the Senator from Allegheny [Mr. GRAHAM], I hope we will not adjourn until Tuesday.

On the question,

Will the Senate agree to the amendment of Mr. RIDGWAY?

The yeas and nays were required by Mr. RIDGWAY and Mr. GRAHAM, and were as follow, viz:

YEAS—Messrs. Brown (Mercer), Burnett, Donovan, Glatz, Haines, Jackson, M'Candless, M'Conaughy, Randall, Ridgway, Royer, Schall, Searight, Stutzman, Taylor and Walls—16.

NAYS—Messrs. Bigham, Billingfelt, Browne (Lawrence), Coleman, Connell, Cowles, Davis, Fisher, Graham, James, Landon, Lowry, Shoemaker, White and Hall, *Speaker*—15.

So the question was determined in the affirmative.

The resolution, as amended, was adopted.

During the call,

Mr. BIGHAM said: Mr. Speaker, I hope we will not adjourn until Tuesday, because the whole of the day would be occupied on miscellaneous business.

Also, during the call,

Mr. BROWN (Mercer) said: Mr. Speaker, I am in favor of adjourning until Tuesday morning, because I cannot be here. Those living in the western portion of the State cannot be here on Monday evening, unless they leave home on Saturday; therefore I vote for the adjournment.

Also, during the call,

Mr. FISHER said: Mr. Speaker, I stated some time ago that I would vote against all adjournments that interfere with the business of the session, and especially with this bill; I therefore vote "no."

BILLS PASSED.

On motion of Mr. BURNETT, the Committee on Roads and Bridges was discharged, and the Senate proceeded to the consideration of bill entitled An act to incorporate the Equinunk bridge company.

The rules having been dispensed with, the bill was read a second and third time, and

Passed finally.

On motion of Mr. BROWNE (Lawrence), the Committee on Finance was discharged from the further consideration of a bill entitled An act to refund John Martin, administrator, amount collateral inheritance tax paid in error.

And the rules having been dispensed with, the bill was read.

In connection with this bill, Mr. BROWNE (Lawrence) asked that the following affidavit be read:

Lawrence county, ss:

Personally appeared before me, a justice of the peace in and for said county, John Martin, who, being duly sworn according to law, deposes and says: That he is administrator of the estate of John Lowden, deceased; that he paid forty-one dollars and forty cents collateral tax to the Commonwealth of Pennsylvania under a mistake as to his duty. The mother of the said John Lowden is yet living, or was living last August or September.

Sworn and subscribed before me this 28th day af January, A. D. 1867.

ROBERT BENTLEY,
Justice of the Peace.

Mr. BROWNE (Lawrence) said he was acquainted with the facts in the case, and that the bill was correct: that this man was a soldier of the One Hundredth regiment, aud his mother had a right to this money.

The bill

Passed finally.

On motion of Mr. SHOEMAKER, the Committee on the Judiciary Local was discharged from the further consideration of a bill entitled An act to legalize the assessment of taxes levied by the school directors of the borough of Kingston, Luzerne county, for the payment of money advanced for the purpose of paying bounty to volunteers.

And the rules having beeu dispensed with,

The bill was read a second and third time, and

Passed finally.

On motion of Mr. LOWRY, the Senate proceeded to the consideration of bill entitled An act to regulate the terms of the several courts in the Sixth Judicial district.

In committee of the whole (Mr. RANDALL in the chair),

The bill was read a second aud third time, and

Reported with amendments.

The bill

Passed finally.

The hour of one o'clock having arrived,

The SPEAKER adjourned the Senate until this afternoon at three o'clock.

AFTERNOON SESSION.

The Senate reassembled at 3 o'clock.

RECOMMITTAL OF BILL.

Mr. HAINES moved that the bill entitled An act authorizing the sale of Agricultural land scrip be recommitted to the Committee on Agriculture and Domestic Manufactures.

The motion was

Agreed to.

BILLS IN PLACE.

On leave,

Mr. GRAHAM read in his place and presented to the Chair a bill entitled An act annexing the borough of Manchester to Allegheny city.

Referred to the Committee on the Judiciary Local.

THE INSANE ASYLUM.

The Deputy Secretary of the Commonwealth being introduced, presented a message from the Governor, which was read as follows:

EXECUTIVE CHAMBER,
HARRISBURG, PA., Feb. 20, 1867.

To the Honorable Senate of Pennsylvania:

SENATORS—I do hereby nominate for the advice and consent of the Senate, in conformity with the requirements of the fifth section of the act of Assembly of the 14th day of April, A. D. 1845, establishing an asylum for the insane poor of the Commonwealth, Henry Gilbert, Esq., of the county of Dauphin, George Bergner, Esq., of the county of Dauphin, and William Lowther, Esq., of the county of Perry, to be trustees of the Pennsylvania State Lunatic hospital, for three years, to be computed from the seventh day of February last past.

JNO. W. GEARY,
Governor.

Laid on the table.

On motion of Mr. COLEMAN, the rule which requires executive nominations to be laid on the table five days, was in this case dispensed with, and the Senate resolved itself into executive session.

A motion was made by Mr. COLEMAN that the Senate do advise and consent to the appointment of Henry Gilbert, Esq., of the county of Dauphin, agreeably to the nomination of the Executive.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken, agreeably to the Constitution, and were as follows, viz:

YEAS—Messrs. Bigham, Billingfelt, Browne (Lawrence), Brown (Mercer), Coleman, Connell, Cowles, Fisher, Glatz, Graham, Haines, Jackson, Landon, Lowry, M'Conaughy, Randall, Ridgway, Royer, Shoemaker, Stutzman, Taylor and Hall, *Speaker*—22.

NAYS—None.

So it was

Resolved, That the Senate do advise and consent to the appointment of Henry Gilbert Esq., to be a trustee of the Pennsylvania State Lunatic hospital at Harrisburg, agreeably to the nomination of the Executive.

A motion was made by

Mr. COLEMAN, that the Senate do advise and consent to the appointment of George Bergner, Esq., of the county of Dauphin, agreeably to the nomination of the Executive.

On the question

Will the Senate agree to the motion?

The yeas and nays were taken, agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—Messrs. Bigham, Billingfelt, Browne (Lawrence), Brown (Mercer), Coleman, Connell, Cowles, Fisher, Glatz, Graham, Haines, Jackson, Landon, Lowry, M'Conaughy, Randall, Ridgway, Royer, Shoemaker, Stutzman, Taylor and Hall, *Speaker*—22.

NAYS—None.

So it was

Resolved, That the Senate do advise and consent to the appointment of George Bergner, Esq., to be a trustee of the Pennsylvania State Lunatic hospital, at Harrisburg, agreeably to the nomination of the Executive.

A motion was made by Mr. HAINES, that the Senate do advise and consent to the appointment of William Lowther, Esq., of the county of Perry, agreeably to the nomination of the Executive.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken, agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—Messrs. Bigham, Billingfelt, Browne (Lawrence), Brown (Mercer), Coleman, Connell, Cowles, Fisher, Glatz, Graham, Haines, Jackson, Landon, Lowry, M'Candless, M'Conaughy, Randall, Ridgway, Royer, Shoemaker, Stutzman, Taylor, White and Hall, *Speaker*—24.

NAYS—None.

So it was,

Resolved, That the Senate do advise and consent to the appointment of William Lowther, Esq., to be a trustee of the Pennsylvania State Lunatic hospital, at Harrisburg, agreeably to the nomination of the Executive.

THE COLUMBIA BRIDGE BILL.

On motion of Mr. FISHER, the Senate proceeded to third reading and consideration of bill entitled An act relating to the Columbia bridge company.

Mr. FISHER asked and obtained the unanimous consent of the Senate to amend the bill in the twelfth line of the first section, by striking out the word "three," and inserting in lieu thereof the word "six."

The bill then

Passed finally.

PRIVATE CALENDAR.

The Senate then proceeded to the second reading and consideration of bills on the private calendar numbered and entitled as follows, and said bills were disposed of as stated:

House bill No. 239, an act relative to the pay of surveyors appointed by the courts of Crawford and Mercer counties.

Passed finally.

House bill No. 159, a supplement extending the provisions of an act, approved the 17th day of April, A. D. 1866, relative to fees on unseated lands in the county of Centre.

Laid over.

House bill No. 166, an act to divide the borough of Plymouth into two wards.

Laid over.

House bill No. 231, a supplement to an act to incorporate the town of Haley, in the county of Perry, into a borough, approved the 12th day of April, 1866, changing the name of said borough of Haley to Marysville, and forming the same into a separate election district.

Passed finally.

House bill No. 175, an act for the relief of Joseph A. Allen and E. Mayes.

Passed finally.

House bill No. 163, a further supplement to the act incorporating the borough of Washington.

Passed finally.

House bill No. 178, an act extending the provisions of the act relating to corporations for mechanical, manufacturing and quarrying purposes, approved the 19th day of July, A. D. 1863, and the supplements thereto, to the county of Northumberland.

Passed finally.

House bill No. 160, an act relating to the fees of the district attorney of Huntingdon county.

Passed finally.

House bill No. 173, an act to change the provisions of the thirtieth section of an act regulating boroughs, approved the 3d day of April, A. D. 1851, so far as the same relates to the borough of Mount Pleasant, Westmoreland county.

Passed finally.

House bill No. 169, a supplement to an act approved the 1st day of April, A. D. 1863, for the protection of owners of wharves or landings in the borough of Oil City, Venango county.

On motion of Mr. BROWN (Mercer), the bill was indefinitely postponed.

House bill No. 232, a supplement to an act to compel the manufacturers of firkins, kegs and tubs intended for the packing of butter or lard, in the counties of Erie, Crawford and Warren, to mark the weight thereon, extending the same to the county of Bradford.

Passed finally.

No. 340, an act to enable the board of directors of the Swatara Falls coal company to borrow money, and to mortgage the corporate rights and privileges, estate, real and personal, of every description, or any part thereof, now held or that may hereafter be held by said company.

Passed finally.

No. 341, a supplement to an act entitled An act to incorporate the West Buck Mountain coal and iron company, approved May 3, 1864.

Passed finally.

House bill No. 183, an act to incorporate the Monroe mining company.

Passed finally.

House bill No. 229, an act authorizing the Union Mutual Fire insurance company of Montgomery county to change the time of holding its elections.

Passed finally.

House bill No. 184, an act to incorporate the Harmony gold and silver mining company.

Passed finally.

No. 347, an act for the protection of farmers in the markets of Philadelphia.

The bill was read.

Mr. DONOVAN. Mr. Speaker, I would object this bill off the calendar, but I desire to have it voted down. It has been defeated in the Senate for the last five years. The public press of Philadelphia is against the passage of this bill. If any Senator from Philadelphia wishes it to apply to his district, I am satisfied, but I do not want it to be generally applied there. It is a question between the rich corporators and the poor man.

Mr. ROYER said that this bill was presented here by his colleague, Mr. WORTHINGTON, and he felt a great interest in it. He could see no reason why it should not pass.

Mr. LOWRY. Mr. Speaker, I have been written to by an eminent gentleman from Chester county, who desires me to favor the passage of this bill. I think in deference to my friend, Dr. WORTHINGTON, that we should lay it over.

Mr. CONNELL stated that his colleague [Mr. DONOVAN] was mistaken when he stated that this bill had been defeated several times in the Senate. This is an entirely different bill, though it is designed to meet the same cases.

The bill was

Laid over.

No. 356, an act relative to the duties of district attorney, in the county of Erie.

Passed finally.

House bill No. 114, an act for the relief of wives and children, deserted by their husbands and fathers, in certain counties of this Commonwealth.

Amended on motion of Mr. SHOEMAKER, by excluding Luzerne county from its provisions.

Passed finally.

House bill No. 164, an act supplementary to an act erecting the village of East Birmingham into a borough, approved the 10th day of April, A. D. 1849.

Passed finally.

House bill No. 167, a further supplement to an act for the registration of births, marriages and deaths, in the city of Philadelphia, passed March 8, A. D. 1860, and supplements thereto.

Passed finally.

No. 360, an act in relation to the fees of notaries public in the counties of Bedford, Fulton and Somerset.

Passed finally.

No. 361, an act to authorize the commissioners of Lehigh county to borrow money.

Amended on motion of Mr. SCHALL.

Passed finally.

House bill No. 168, an act to authorize the town council of the borough of Mill Hall, in the county of Clinton, to levy and collect additional taxes for borough purposes.

Passed finally.

House bill No. 158, an act authorizing the commissioners of the county of Delaware to create a five per centum loan.

Amended on motion of Mr. ROYER.

Passed finally.

House bill No. 182, an act to incorporate the Hesperian mining company.

Amended on motion of Mr. CONNELL.

Passed finally.

No. 365, an act to incorporate the Manta Grandee silver mining and commercial company.

Amended on motion of Mr. CONNELL.

Mr. LOWRY here made some extended remarks, which will appear in the *Appendix*.

The bill

Passed finally.

House bill No. 225, a further supplement altering and amending an act to incorporate the St. Clair cemetery association of the borough of Greensburg, in Westmoreland county, approved the 19th day of April, A. D. 1856.

Passed finally.

House bill No. 220, a supplement to an act to incorporate the Mechanicsburg hall and market company, approved the 24th day of March, A. D. 1865.

Passed finally.

House bill No. 226, an act to incorporate the Mahanoy Valley insurance company.

Passed finally.

House bill No. 227, an act to incorporate the Oak Hall association of Weatherly.

Passed finally.

House bill No. 185, an act to incorporate the California and Philadelphia gold mining company.

Passed finally.

House bill No. 180, an act to incorporate the Equitable gold and silver mining company.

Amended.

Passed finally.

No. 373, an act to incorporate the Macungie Savings Bank.

Laid over.

No. 376, an supplement to an act to authorize the school directors of the borough of West Greenville, in Mercer county, to borrow money to erect a public school house in said borough.

Passed finally.

No. 378, an act to authorize the school directors of the borough of Honesdale, in Wayne county, to borrow money, issue bonds and levy and collect taxes for payment thereof.

Passed finally.

House bill No. 224, an act supplementary to an act incorporating Andalusia college, at Andalusia, Bucks county, Pa., approved the 30th day of March, A. D. 1866.

Passed finally.

House bill No. 131, an act to enable the board of directors of common schools of East Lampeter township, Lancaster county, to apply surplus of bounty fund to common school purposes.

Passed finally.

No. 381, a supplement to an act, approved April 11, A. D. 1866, establishing the board of controllers of the public schools of the borough of Allentown.

Amended on motion of Mr. GLATZ.

Passed finally.

House bill No. 186, an act to repeal the Lenox road law, in the township of Apolocon, in Susquehanna county, and for other purposes.

Objected off.

House bill No. 187, an act to repeal the charter of the Tuckahoe and Mount Pleasant plank road company.

Passed finally.

House bill No. 207, a further supplement to the road laws of Bradford county.

Passed finally.

House bill No. 208, an act to declare Cedar run a public highway, in the township of Elk, county of Tioga.

Passed finally.

House bill No. 210, a supplement to an act of Assembly, entitled An act to incorporate the Easton and Wilkesbarre turnpike road company, approved February 11, A. D. 1803.

Passed finally.

House bill No. 211, an act to incorporate the Wyoming county bridge company.

Passed finally.

House bill No. 212, a supplement to an act to incorporate the Cresheim turnpike and bridge company, approved the 16th day of March, A. D. 1866.

Laid over.

No. 389, an act fixing the pay of road jurors, in the city of Philadelphia.

Passed finally.

House bill No. 223, a further supplement to the act incorpoating the Watsontown bridge company.

Passed finally.

House bill No. 205, an act to incorporate the Emlentown and Shippenville turnpike company.

Passed finally.

House bill No. 189, an act to incorporate the Douglasville and Yellow House turnpike road company.

Passed finally.

House bill No. 191, a supplement to the act incorporating the Clarion and Allegheny River turnpike road company.

Passed finally.

House bill No. 204, a supplement to an act to amend the road laws of Erie county, approved the 26th day of March, A. D. 1846.

Passed finally.

No. 395, an act to vacate parts of Railroad street, in the borough of Pottsville.

Passed finally.

No. 396, an act to vacate Fairview street, running west from Twenty-first street to Twenty-second street, south of Spring Garden street one hundred feet, in the city of Philadelphia.

Passed finally.

No. 397, an act appointing commissioners to lay out and open a State road in the counties of Cameron, Elk and Clearfield, from Sinnemahoning to the West Branch of the Susquehanna.

Laid over.

House bill No. 202, a supplement to an act to authorize the Governor to incorporate a company to erect a bridge over the West Branch of the Susquehanna, at the borough of Milton, et cetera, passed the 6th day of April, A. D. 1830.

Passed finally.

House bill No. 282, an act for the relief of Milo R. Adams, treasurer of Beaver county.

Passed finally.

House bill No. 107, an act for the relief of Benjamin Scott, Jr.

Passed finally.

No. 405, an act to annul the marriage contract between Samuel E. Shick and Sarah E., his wife.

The bill was read.

Mr. SHOEMAKER. Mr. Speaker, this case was examined very carefully and thoroughly before the committee and they were unanimously of the opinion that it was properly before the Legislature. The evidence is here, if any Senator desires to see it. It is very interesting, particularly to the ladies.

Mr. GRAHAM. Mr. Speaker, I think this bill should not pass without some explanations.

Mr. SHOEMAKER. The testimony is not proper to be read before an open Senate. It was the unanimous opinion of the committee that it is a perfect case.

Mr. FISHER. Mr. Speaker, is this bill susceptible of amendment? If so, I desire to make it apply to the case of Reuben Baird and Sarah, his wife.

The SPEAKER *pro tem.* [Mr. BIGHAM]. No, sir; it is not.

The bill then

Passed finally.

No. 414, an act to prevent the burning of the woods in the counties of Clearfield and Elk.

Laid over.

No. 415, an act to increase the pay of the supervisors and commissioners in the county of Clearfield.

Passed finally.

No. 416, an act to extend the time for the payment of the enrollment tax on an act to incorporate the Keating coal and iron company, approved the 11th day of April A. D. 1866.

Passed finally.

House bill No. 172, a supplement to the act of General Assembly incorporating the borough of Mechanicsburg, Cumberland county, passed the 12th day of April, A. D. 1828, as amended by the act regulating boroughs, approved the 3d day of April, A. D. 1851, and adopted by said borough the 24th day of August, A. D. 1857.

Passed finally.

No. 418, an act relative to auctions and gift enterprises in the county of Mercer.

Amended on motion of Mr. BROWN (Mercer), and

Passed finally.

No. 419, an act to legalize the levying and collection of a certain tax in the borough of Sharon, in Mercer county, and authorizing the levying and collection of a tax not exceeding ten mills on the dollar of valuation, for general borough purposes, in said borough.

Passed finally.

No. 421, a supplement to an act incorporating the borough of Jamestown.

Passed finally.

House bill No. 238, an act relating to the disposition of fines and forfeited recognizances in the county Susquehanna.

Passed finally.

House bill No. 269, an act extending the time for the payment of the enrollment tax of the People's accident insurance company of Pennsylvania, and changing the corporators.

Passed finally.

House bill No. 259, an act to enable the Revenue Extension silver mining company of Nevada to issue bonds and to secure the payment of the same by mortgage.

Passed finally.

No. 426, an act to incorporate the Fountain Hill park association.

Passed finally.

No. 427, an act to incorporate the Pennsylvaia club.

Passed finally.

No. 428, a supplement to an act to incorporate the Mineral Spring coal company, approved the 3d day of April, A. D. 1866.

Passed finally.

House bill No. 268, an act to incorporate the Kensington Mutual Co-operative association of the city of Philadelphia.

Laid over.

House bill No. 218, a supplement to an act to incorporate the Columbia gas company, and relative to the election of assessors and constables in Salisbury and Carnarvon town-

ships, Lancaster county; to lay out a State road from Marietta to Portsmouth; to require the State Treasurer to refund certain moneys to the administrators of Ann Kimmel, deceased, approved the 10th day of April, A. D. 1851.

Passed finally.

House bill No. 303, a supplement to an act to incorporate the Odd Fellows' association of Waynesburg, Greene county, Pennsylvania, passed the 27th day of March, 1862.

Passed finally.

No. 432, an act to incorporate the Erie Co-operative society.

Passed finally.

House bill No. 288, a further supplement to an act entitled An act to incorporate the Northampton iron company, approved the 10th day of March, 1857.

Passed finally.

House bill No. 272, an act to incorporate the Industrial association of Summit Hill.

Passed finally.

House bill No. 270, an act to incorporate a State Camp of the Patriotic Order of the Junior Sons of America.

Passed finally.

No. 437, a further supplement to an act, passed May 16, A. D. 1861, entitled An act to authorize the erection of a free bridge over the river Schuylkill, at South street, in the city of Philadelphia,

The title and bill amended on motion of Mr. CONNELL.

Passed finally.

No. 438, an act to prohibit the issuing of licenses within two miles of the Station house at Kane, in M'Kean county.

Passed finally.

No. 115, an act for the more impartial selection of persons to serve as jurors in York county.

Mr. GLATZ. I desire to have that bill lie over.

Mr. FISHER. Mr. Speaker, I desire to say to the Senator from York [Mr. GLATZ], that I will call up that bill before many days, but I am willing that it shall lie over for the present.

Mr. SHOEMAKER. I desire to state that a general bill will be reported that will apply to this case.

Mr. GLATZ. Well, then, sir, I am satisfied.

The bill was laid over.

No. 144, an act to prohibit others than regularly licensed druggists and graduated physicians from vending and practicing medicine in Mercer county.

Objected off.

No. 184, an act to change the name of the Carson gold mining company of North Carolina, and the par value of the stock of said company.

Passed finally.

No. 185, a further supplement to the act to incorporate the city of Philadelphia, approved February 2, 1854, relative to vacancies in elective officers.

Laid over.

No. 196, an act regulating roads and bridges in Wayne county.

Laid over.

No. 253, an act to incorporate the National Deposit company.

Laid over.

No. 254, an act supplementary to an act entitled An act appointing commissioners to lay out and open a State road in the counties of M'Kean, Elk, Forest and Clarion, approved May 1, 1861, reviving the third section of said act, and authorizing the commissioners to borrow money.

Passed finally.

No. 275, an act to provide an associate law judge in the several courts in the Twenty-first Judicial district.

Objected off.

No. 299, an act to incorporate the Rob Roy gold and silver mining company.

Passed finally

No. 311, a supplement to an act to establish a ferry over the Monongahela and Youghiogheny rivers, and to vest the right in John M'Kee, his heirs and assigns forever, approved the 5th day of February, 1784.

Laid over.

No. 321, supplement to the charter of the Chestnut Hill and Spring House turnpike company, authorizing said company to reopen old water courses.

Laid over.

House bill No. 12, an act to extend the provisions of the first section of the act approved April 11, A. D. 1866, relative to the regulating the fees of district attorney, in the county of Bradford, in the court of quarter sessions in the county of Centre.

Objected off.

House bill No. 43, an act to revive an act to empower the justices of the Supreme Court to supply defects in the titles to lands occasioned by the loss of deeds or writings respecting the same, or where they have been defaced or rendered illegible by time or accident, passed the twenty-eighth day of March, Anno Domini one thousand seven hundred and eighty-six, and its several supplements, and to extend the same to the county of Cameron.

Objected off.

House bill No. 115, an act relating to the fees of the treasurer of the county of Snyder.

Objected off.

PASSAGE OF THE MILITARY RECONSTRUCTION BILL BY CONGRESS.

While the Senate was engaged in the consideration of the bills on the private calendar, the following dispatch was handed to the Speaker, and read as follows:

WASHINGTON, February 20, 1867.

To Hon. John W. Geary:

The House has just declared in favor of Senate reconstruction bill, after amending it to the satisfaction of the radicals. It is now before the Senate. Reverdy Johnson has just declared in its favor, and the rumor is that the President will sign it. It will sweep the country like a whirlwind.

J. W. FORNEY.

BILLS PASSED.

On motion of Mr. SCHALL, the Committee on Railroads was discharged from the further consideration of a bill entitled An act to repeal the third section of a supplement to an act relating to the Catasauqua and Fogleville railroad company, passed the 26th day of May, A. D. 1863.

And the rules having been dispensed with,

The bill was read a second and third time, and

Passed finally.

On motion of Mr. GRAHAM, the Committee on the Judiciary Local was discharged from the further consideration of a bill entitled An act annexing the borough of Manchester to Allegheny city.

And the rules having been dispensed with,

The bill was read a second and third time, and

Passed finally.

On motion of Mr. GLATZ, the rules were dispensed with, and the Senate proceeded to the consideration of a bill entitled An act to annex the farm of David Deitz in Pennsboro' township, Cumberland county, to the township of Hampden, in said county, for school purposes.

The bill was read a second and third time, and

Passed finally.

On motion of Mr. JAMES, the rules were dispensed with, and the Senate proceeded to the consideration of a bill entitled An act to legalize the assessment, levy and collection of bounty tax, and to provide for the collection of the same for bounty purposes, in Springfield township, Bucks county.

The bill was read a second and third time, and

Passed finally.

On motion of Mr. COLEMAN, the rules were dispensed with, and the Senate proceeded to the consideration of a bill entitled An act to authorize the chief burgess and town council of the borough of Lebanon to borrow money for the purpose of building an engine house for the use of the Perseverance steam fire engine and hose company, and the purchasing of hose for use in the fire department of said borough.

The bill was read a second and third time, and

Passed finally.

On leave,

Mr. WALLS read in his place and presented to the Chair a bill entitled A supplement to an act to enable the stockholders to rebuild the Lewisburg bridge, and to establish, in the meantime, a ferry.

Referred to the Committee on Roads and Bridges.

On motion of Mr. WALLS, the Committee on Roads and Bridges was discharged from the further consideration of said bill,

And the rules having been dispensed with, the bill was read a second and third time, and

Passed finally.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

On motion of Mr. CONNELL, the Committee on the Judiciary Local was discharged from the further consideration of bill entitled An act relating to the coroner of Philadelphia.

The rules having been dispensed with, the bill was read a second and third time.

On the question, Shall the bill pass?

The yeas and nays were required by Mr. DONOVAN and Mr. CONNELL, and were as follow, viz:

YEAS—Messrs. Bigham, Billingfelt, Browne (Lawrence), Brown (Mercer), Coleman, Connell, Cowles, Fisher, Haines, Landon, Lowry, M'Conaughy, Ridgway, Royer, Shoemaker, Stutzman, Taylor, White and Hall, *Speaker*—19.

NAYS—Messrs. Donovan, Glatz, James, M'Candless, Schall and Searight—6.

So the question was determined in the affirmative.

On motion of Mr. M'CANDLESS, the Committee on Corporations was discharged from the further consideration of a bill entitled A supplement to an act to incorporate the Point Breeze Park association, approved February 5, 1865.

And the rules having been dispensed with, the bill was read a second and third time, and

Passed finally.

On motion of Mr. BROWN (Mercer), the rules were dispensed with, and the Senate proceeded to the consideration of a bill entitled An act for the relief of Peter Roberts, a soldier of the war of 1812.

The bill was read a second and third time, and

Passed finally.

On motion of Mr. SCHALL, the SPEAKER adjourned the Senate until to-morrow morning at 11 o'clock.

HOUSE OF REPRESENTATIVES.

WEDNESDAY, February 20, 1867.

The House met at ten o'clock A. M.

Prayer was offered by the Rev. George Jenkins.

The SPEAKER announced a quorum of members present.

The Journal of yesterday was partly read, when,

On motion of Mr. DAVIS,

The further reading of the same was dispensed with.

Mr. M'CREARY. Mr. Speaker, I ask leave to take up House bill No. 81, for the purpose of adding a proviso.

Leave was granted.

The bill was read as follows:

No. 81, an act to authorize and relating to the appointment of auctioneers in the city of Erie, in the county of Erie, and his powers and duties.

Mr. M'CREARY. Now, Mr. Speaker, I move to add the following proviso.

The proviso was read as follows:

Provided, That this act shall not be so construed as to interfere with any sales authorized by the courts of said city or county, or in consequence of any legal proceeding whatever, or of personal property sold by the owner thereof, in person, in consequence of said owner declining business or housekeeping.

The proviso was

Agreed to.

The bill as amended was

Agreed to.

ORIGINAL RESOLUTIONS.

Mr. STUMBAUGH. Mr. Speaker, I offer the following resolution.

The resolution was read as follows:

WHEREAS, It is alleged that certain officers and others connected with certain railroads, incorporated by the laws of this Commonwealth, use undue means to divert the transportation of freight from the regular lines, to and in favor of certain express and other transportation companies, at rates of freight higher than the regular rates fixed by the railroad companies over which said express and transportation companies convey freight, whereby these parties make large gains, to the detriment of the interests of the shippers;

And whereas, It is right and proper that all stockholders, in any railroad company, should participate in all the profits of such road, according to the amount of stock held by them respectively; therefore,

Resolved, That a committee of five be appointed to inquire into the matter, and report by bill or otherwise to this House, in order that such evil, if any exists, may be corrected.

The resolution was read a second and third time, and

Agreed to.

The following gentlemen were appointed by the SPEAKER as members of the committee:

MESSRS. STUMBAUGH, MARKS, CAMERON, HEADMAN and KURTZ.

Mr. CHASE. Mr. Speaker, I offer the following resolution.

The resolution was read as follows:

WHEREAS, Friday next, February 22d, is the anniversary of the birth of that sage, patriot, statesman and general, George Washington, Father of his country;

And whereas, It is eminently proper that the Legislature of this State should, in a fitting manner, honor and respect the recurrence of the same; therefore, be it

Resolved (if the Senate concur), That when the two Houses do adjourn on Thursday next, February 21st, that it be to meet again on Tuesday, February 26, 1867, at 11 o'clock A. M., and that the national and State colors be displayed from the dome of the capitol from sunrise on the 22d instant.

The resolution was read a second time.

Mr. SEILER. Mr. Speaker, I move to amend by providing that we shall meet on Monday evening at 7½ o'clock.

The amendment was accepted.

Mr. GREGORY. Mr. Speaker, I offer the following substitute.

The substitute was read as follows:

Resolved. That when this House meets on Friday, the 22d of February, it will meet at eleven o'clock, to listen to the reading of Washington's farewell address to his countrymen; and that the Governor and the Heads of the Departments and the Senate be invited to be present, and that a committee of the members be appointed to extend the invitation to the Governor, Heads of Departments and Senate to be present.

The resolution was read a second time, and

Not agreed to.

The question recurring on the resolution of Mr. CHASE, it was

Agreed to.

Mr. LEE. Mr. Speaker, I offer the following resolution.

The resolution was read as follows:

WHEREAS, The business of dealing in lottery policies and selling lottery tickets is carried on to an alarming extent in the city of Philadelphia, in violation of law, and in derogation of public morals;

And whereas, Thousands of dollars are annually taken from the dupes of this and other nefarious gambling schemes, and hundreds of youths driven into dissolution and ruin; therefore,

Resolved, That a committee of five members of this House be appointed, whose duty it shall be to inquire into the above named abuses, and report to this House by bill or otherwise.

The resolution was read a second time, and

Agreed to.

REPORTS FROM COMMITTEES.

Mr. GREGORY, from the Committee of Ways and Means, reported, with a negative recommendation, No. 532, an act relative to the Southwark library company, of Philadelphia.

Mr. WADDELL (same), with a negative recommendation, Senate bill No. 136, an act exempting the property of the Ladies' United Aid society, of the Methodist Episcopal church of Philadelphia, from taxation.

Mr. LEE (same), with a negative recommendation, bill No. 534, an act to exempt Calvary Monumental church of Philadelphia from taxation.

Mr. BOYLE (same), with a negative recommendation, bill No. 535, an act to provide for compensation to John J. Glass, a contestant for the seat of JOHN P. LINTON, a member of the House of Representatives from Cambria county.

Mr. WHANN (same), with a negative recommendation, bill No. 536, an act to exempt the Boarding Home for young women, of Philadelphia, from taxation.

Mr. M'CAMANT (same), with a negative recommendation, bill No. 537, an act to exempt from taxation certain real estate in Philadelphia, belonging to the Jewish hospital association of Philadelphia.

Mr. MEYERS (same), as committed, bill No. 538, an act regulating interest on public accounts.

Mr. M'CREARY (Judiciary Local), as committed, bill No. 539, an act to authorize the commissioners of Lehigh county to borrow money.

Also (same), as committed, bill No. 540, an act to increase the pay of the county auditor, and the supervisors and township auditors of the several townships of Northumberland county.

Mr. BARTON (same), as committed, bill No. 541, an act to authorize the Governor to appoint two additional notaries public for the county of Dauphin.

Also (same), as committed, bill No. 542, an act to increase the compensation of the supervisors, assessors and auditors of the township of Gregg, in the county of Union.

Mr. EWING (same), as committed, bill No 543, an act providing for the compensation of the commissioners of Northampton county.

Also (same), as committed, bill No. 544, an act relative to the purchase of a law library in the county of Washington.

Mr. HARBISON, (same), as committed, bill No. 545, an act relating to fees of notaries public in the county of Erie.

Also (same), as committed, bill No. 546, an act repealing an act relative to the purchase of a law library in the county of Butler.

Mr. THARP (same), with an amendment, bill No. 547, an act to authorize the Governor to appoint a notary public in the borough of Hazleton, Luzerne county.

Mr. CRAIG (same), as committed, bill No. 548, supplement to an act increasing the fees of justices of the peace and constables in the counties of Bradford, Wyoming and Susquehanna.

Mr. JONES (same), as committed, bill No. 549, a supplement to an act in relation to huckstering in the counties of Bedford, Cumberland, Franklin, Fulton and York, approved the 18th day of May, A. D. 1866.

Also (same), as committed, bill No. 550, an act authorizing the commissioners of Lycoming county to borrow money to build a new jail.

Mr. ALLEN (same), as committed, bill No. 551, an act to authorize the auditor of Venango county to open and re-settle the account of Henry Dubbs, late treasurer of said county.

Also (same), as committed, bill No. 552, an act providing for the erection of an additional supervisor in Penn township, Westmoreland county.

Mr. WORRALL (same), as committed, bill No. 553, an act relative to the costs and fees of criminal cases in Carbon county.

Also (same), as committed, bill No. 554, an act relating to the appointment of road viewers and their duties, in the county of Snyder.

Mr. HEADMAN (same), as committed, bill No. 555, an act to authorize the owners of certain mills on the Delaware river, at Morrisville, to extend their wing dam.

Mr. PHELAN (same), as committed, bill No. 556, an act relating to hawkers and pedlers of ready made clothing in the county of Greene.

Mr. KERNS (Railroads), as committed, bill No. 557, an act relating to the election of officers and directors of railroads in the State of Pennsylvania.

Mr. STUMBAUGH (same), as committed, bill No. 558, a further supplement to the act incorporating the Lehigh and Delaware Water Gap railroad company.

Mr. DAVIS (same), as committed, bill No. 157, an act relative to the eligibility of the officers of the Tioga railroad company, and to the time of holding meetings of said company.

Mr. KIMMELL (same), as committed, Senate bill No. 316, an act to incorporate the Dickinson Run railroad and bridge company.

Mr. PILLOW (same), as committed, bill No. 561, an act to incorporate the Delaware Valley railroad company.

Mr. STEHMAN (same), with amendment, Senate bill No. 440, a further supplement to

an act to incorporate the Mifflin and Centre County railroad company.

Mr. WALLACE (Iron and Coal), as committed, bill No. 563, a further supplement to an act to authorize the Cranberry coal company to construct a railroad.

Mr. SUBERS (same), as committed, bill No. 564, an act to incorporate the Commonwealth iron company.

Mr. MARKS (same), as committed, bill No. 565, a supplement to an act to incorporate the Swatara company, passed March 7th, 1849.

Mr. ROATH (Roads, Bridges and Ferries), as committed, bill No. 566, an act to establish a ferry across the Allegheny river, at or near the borough of Tidioute, in the county of Warren.

Mr. GALLAGHER (same), with a negative recommendation, bill No. 567, an act to lay out a State road in Allegheny and Butler counties.

Mr. MEILY (same), as committed, bill No. 568, a supplement to an act to incorporate the White Deer bridge company, approved the 23d day of March, A. D. 1849.

Mr. LEECH (same), as committed, bill No. 569, an act authorizing the supervisors of Blythe township, Schuylkill county, to make and repair the public roads, bridges and culverts in said township.

Mr. M'KEE (same), as committed, bill No. 570, an act to incorporate the Shickshinny and Cambria turnpike road company, in the county of Luzerne.

Mr. DAY (same), as committed, bill No. 571, an act to repeal the fifth section of an act entitled An act relating to roads and bridges in certain townships in the county of Lawrence.

Mr. HOOD (same), as committed, Senate bill No. 65, an act to increase the compensation of the supervisors of roads in the township of Solebury, Bucks county.

Mr. SATTERTHWAIT (same), with a negative recommendation, bill No. 573, a further supplement to an act to incorporate the Kensington and Oxford turnpike road company, approved the 17th day of March, 1842.

Mr. MECHLING (Estates and Escheats), as committed, bill No. 574, an act to confirm the title to a certain lot of ground in the Twentieth ward of the city of Philadelphia.

Mr. STEHMAN (Corporations), as committed, Senate bill No. 307, an act to authorize the Wyoming slate company to create and issue preferred stock.

Mr. ALLEN (same), as committed, bill No. 576, an act to incorporate the Lycoming trout and improvement company.

Also (same), as committed, bill No. 577, an act to incorporate the Philadelphia County real estate association.

Mr. ADAIRE (same), as committed, bill No. 578, an act to incorporate the Empire hook and ladder company, No. 1, of Altoona, Blair county.

Mr. KINNEY (same), as committed, Senate bill No. 301, an act supplementary to an act to incorporate the Union Hall association of Pottsville.

Mr. ESPY (same), as committed, bill No. 580, an act to incorporate the Maennerchor of the city of Philadelphia.

Mr. KERNS (same), as committed, bill No. 581, an act to incorporate the Eagle Assembly of the city of Philadelphia.

Mr. PETERS (same), as committed, bill No. 582, an act to authorize William Loesch to run a line of omnibuses from the south line of the borough of South Erie to the harbor.

Mr. DONOHUGH (same), as committed, bill No. 583, an act to incorporate the Pneumatic tube company of the city of Philadelphia.

Mr. QUIGLEY (same), as committed, bill No. 584, a supplement to an act for incorporating the German Reformed congregation, in the borough of Reading, in the county of Berks, enacted the 25th day of August, A. D. 1786.

Mr. KURTZ (same), as committed, bill No. 585, an act to incorporate the Pennsylvania society for the prevention of cruelty to animals.

Mr. MARKLEY (same), as committed, bill No. 586, an act to incorporate the Teachers' Institute of the city and county of Philadelphia.

Mr. RHOADS (same), as committed, bill 587, an act to incorporate the Greensburg Masonic fund.

Mr. JOSEHPS (same), as committed, Senate bill No. 264, an act to incorporate the Pennsylvania boat house association of Philadelphia.

Mr. SATTERTHWAIT (same), as committed, bill No. 589, an act to incorporate the Union Mutual fire insurance company of Northampton and Lehigh counties.

Mr. EWING (Agriculture), as committed, bill No. 590, an act relative to drainage of certain lands in Point township and borough of Northumberland, Northumberland county.

Mr. M'PHERRIN (Divorces), as committed, bill No. 591, an act to annul the marriage contract between James Dewey and his wife.

Mr. ADAIRE (Passenger Railways), as committed, Senate bill No. 186, an act to regulate the rates of fare on certain passenger railroads in the county of Allegheny.

Mr. CHADWICK (same), as committed, bill No. 593, an act to incorporate the East and West Pittson Street passenger and freight railway company.

Mr. WEBB (Judiciary Local), as committed, bill No. 594, an act to authorize and empower the Governor to issue a commission to Thomas M'Neish.

Also (same), as committed, bill No. 595, an act relating to the duties of the treasurer of Lawrence county.

Mr. DeHAVEN (Roads, Bridges and Ferries), as committed, Senate bill No. 162, an act to incorporate the New Britain and Doylestown turnpike road company.

REPORT FROM COMMITTEE TO COMPARE BILLS.

Mr. STEHMAN, from the Committee appointed to Compare Bills and present them to the Governor for his approbation, made report, which was read as follows, viz:

That in conjunction with a similar committee from the Senate they have compared, and on the 15th inst. presented to the Governor for his approbation, bills as follow, to wit:

House bill No. 360, an act to change the place of holding elections for Howard township, to the school house in the borough of Howard, in the county of Centre.

House bill No. 76, an act to change the venue in the case of the Commonwealth of Pennsylvania vs. Jesse R. M'Carty, Joshua R. M'Carty and Charles Norton, from the court of quarter sessions of the peace of Sullivan county to the court of quarter sessions of the peace of Bradford county.

Also, on the 19th:

House bill No. 61, an act limiting the burgess and town council of the borough of Oil City, Venango county, in the levying and collection of taxes.

House bill No. 44, an act to regulate the fees of the county treasurer of Northumberland county.

House bill No. 96, an act to extend the provisions of the act to prohibit the granting of licenses to sell intoxicating drinks within the county of Potter, approved April 11, A. D. 1866, to the county of Beaver.

House bill No. 120, an act authorizing the court of common pleas of Northampton county to appoint a trustee to make sale of certain real estate held in trust for A. Wolle and Company.

House bill No. 128, an act to authorize the school directors of Swatara school district, Dauphin county, to raise an additional building tax.

House bill No. 94, an act relating to beer houses and restaurants, and licenses now granted by the treasurer of Washington county.

House bill No. 215, an act relating to the Agricultural college of Pennsylvania, and to the establishment of experimental farms in connection therewith.

House bill No. 512, an act to extend the provisions of the act, approved 31st July, 1863, to the counties of Centre and Huntingdon.

House bill No. 522, a supplement to an act, approved March 5th, 1828, entitled An act to authorize the Governor to incorporate a company to erect a bridge over the Juniata river at the town of Mifflin, in the county of Mifflin.

House bill No. 366, an act to authorize the orphans' court of Westmoreland county, if by it deemed proper, to re-open the accounts filed in the estate of George T. Crawford, deceased, notwithstanding the provisions of the act of 13th October, 1840, entitled An act relating to orphans' courts, and for other purposes.

Senate bill No. 490, supplement to an act entitled An act to incorporate the Bradford County railroad company, approved May 9th, 1866.

Senate bill No. 28, an act to extend the provisions of the act concerning the sale of railroads, canals, turnpikes, bridges and plank roads, to sales made or to be made under or by virtue of a power of sale in mortgage or deed of trust without judicial process or decree.

Senate bill No. 295, an act relating to the duties of clerk of the orphans' court for the county of Dauphin.

Senate bill No. 59, an act to confer upon the committee of a lunatic or habitual drunkard the power to institute actions of partition and prosecute those already commenced.

No. 330, a supplement to an act relative to landlords and tenants, approved December 14th, 1863, extending the provisions thereof to cases of descent and purchase.

MESSAGE FROM THE SENATE.

The Clerk of the Senate being introduced, presented for concurrence bills numbered and entitled as follows, viz:

Senate bill No. 474, an act to extend the provisions of the act incorporating the Erie gas company, over South Erie and a portion of Mill Creek township, and to authorize the said company to introduce gas and increase its capital stock, and to borrow money.

Senate bill No. 479, a further supplement to the act entitled An act to incorporate the Allentown railroad company, approved the 19th day of April, A. D. 1853.

Senate bill No. 495, an act authorizing the city of Allegheny to issue bonds to the amount of sixty-five thousand dollars, to be applied to building a market house in the said city.

Senate bill No. 498, a supplement to an act relative to the payment of bounties to the county of Clearfield, approved the 27th day of February, 1865, extending the same.

Senate bill No. 499, a further supplement to the act entitled An act to incorporate the M'Kean and Elk land and improvement company, approved the 6th day of February, A. D. 1856, authorizing said company to borrow money and mortgage bonds.

Senate bill No. 555, an act to incorporate the Equinunk bridge company.

He also returned bills from the House of Representatives numbered and entitled as follows, viz:

No. 112, an act to authorize the election of an officer, to be called constable and collector, in the several townships and boroughs in the county of Cameron, and regulate his duties.

No. 121, a further supplement to an act in creasing the fees of the several county officers of this Commonwealth, except in the city of Philadelphia and in the counties of Allegheny, Bradford, Susquehanna and Sullivan, approved the 30th day of March, A. D. 1865,

With information that the Senate has passed the same with amendments, in which the concurrence of the House of Representatives is requested.

He also informed that the Senate has concurred in the resolution relative to representing the Legislature in the ceremonies of depositing the Hancock Chair and the Independence Table in the Hall of Independence, in Philadelphia, on the 22d instant, and has

Ordered, That Messrs. SHOEMAKER, DONOVAN, COWLES, FISHER and BUANETT be the committee on the part of the Senate.

SPEAKER'S TABLE.

The SPEAKER cleared his table of bills numbered and entitled as follows:

No. 112, an act to authorize the election of an officer, to be called constable and collector, in the several townships and boroughs in the county of Cameron, and regulate his duties.

Returned from the Senate with amendments.

On motion,

The amendments were concurred in.

No. 121, a further supplement to an act increasing the fees of the several county officers of this Commonwealth, except in the city of Philadelphia and the counties of Allegheny, Bradford, Susquehanna and Sullivan, approved March 30, A. D. 1865.

Returned from the Senate with amendments.

On motion,

The amendments were concurred in.

Senate bill No. 474, an act to extend the provisions of the act incorporating the Erie gas company, over South Erie and a portion of Mill Creek township, and to authorize the said company to introduce water wherever it is authorized to introduce gas, and increase its capital stock and to borrow money.

Referred to the Committee on Municipal Corporations.

Senate bill No. 479, a further supplement to the act entitled An act to incorporate the Allentown railroad company, approved the 19th day of April, A. D. 1833.

Referred to the Committee on Railroads.

Senate bill No. 495, an act authorizing the city of Allegheny to issue bonds to the amount of sixty-five thousand dollars, to be applied to building a market house in the said city.

Referred to the Committee on Municipal Corporations.

Senate bill No. 498, a supplement to an act relative to the payment of bounties to the county of Clearfield, approved the 27th day of February, 1865, extending the same.

Referred to the Committee on Military.

Senate bill No. 499, a further supplement to the act to incorporate the M'Kean and Elk land and improvement company, approved the 6th day of February, A. D. 1856, authorizing said company to borrow money and mortgage lands.

Referred to the Committee on Corporations.

Senate bill No. 555, an act to incorporate the Equinunk bridge company.

Referred to the Committee on Roads, Bridges and Ferries.

The following communication from the principal of the Institution for the instruction of the blind was read, and

Laid on the table:

HARRISBURG, February 20, 1867.

Hon. Speaker of the House of Representatives:

DEAR SIR—The members of the House are respectfully invited to be present in their Hall, this evening, at an exhibition by the blind pupils, to commence at 7½ o'clock.

And also to-morrow (Thursday) evening, at a concert of music by the pupils, in the Court House, tickets of admission for which are furnished to the members.

Very respectfully,

Your obedent servant,

WILLIAM CHAPIN,

Principal.

BILLS IN PLACE.

Mr. PILLOW read in his place and presented the Chair an act exempting soldiers' discharges from the State tax required to be paid when recorded.

Referred to the Committee on the Judiciary General.

Mr. MECHLING, an act relative to the estates of decedents.

Referred to the Committee on the Judiciary General.

Mr. PETERS, a further supplement to an act, approved August 10th, 1864, entitled Supplement to an act relating to the authentication of letters of attorney, protests of notaries public, and assignments made out of the State, and to the acknowledgment of deeds, approved the 14th day of December, 1854.

Referred to the Committee on the Judiciary General.

Mr. SEILER, an act relating to the indebtedness of the county of Dauphin.

Referred to the Committee on the Judiciary Local.

Mr. PILLOW, an act relating to the compensation of the sheriff of Butler county for boarding prisoners.

Referred to the Committee on the Judiciary Local.

Mr. M'CAMANT, a supplement to an act relating to the lien of mechanics and others upon buildings, extending it to the counties of Blair and Armstrong.

Referred to the Committee on the Judiciary Local.

Mr. LONG, an act relating to the fees of the sheriff of the county of Cumberland.

Referred to the Committee on the Judiciary Local.

Mr. M'KEE, an act to prevent the depositing of unwholesome matter in the running streams of Allegheny county, and to provide for the better preservation of the public health in said county.

Referred to the Committee on the Judiciary Local.

Mr. WEBB, an act to authorize the Governor to appoint an additional notary public for the county of Bradford.

Referred to the Committee on the Judiciary Local.

Mr. MEILY, an act relating to hawkers and peddlers, or traveling merchants, in the county of Lebanon.

Referred to the Committee on the Judiciary Local.

Also, a supplement to an act relative to hucksters in the county of Lebanon, approved the 10th day of May, A. D. 1866.

Referred to the Committee on the Judiciary Local.

Mr. M'PHERRIN, an act authorizing the Governor to appoint an additional notary public for the county of Mercer.

Referred to the Committee on the Judiciary Local.

Mr. MARKLEY, an act extending the auction law to Pottstown borough.

Referred to the Committee on the Judiciary Local.

Mr. DAVIS, an act to incorporate the Ringgold Library company of Philadelphia.

Referred to the Committee on Corporations.

Mr. MAISH, a further supplement to an act to incorporate the First Reformed congregation, of the borough of York and its vicinity, approved March 14, 1849.

Referred to the Committee on Corporations.

Mr. QUAY, an act to extend the time of payment of enrollment tax on an act to incorporate the Union insurance company.

Referred to the Committee on Corporations.

Also, an act to incorporate the Bennehoff Farm tubing and transportation company.

Referred to the Committee on Corporations.

Mr. M'KEE, an act to incorporate the German Saint Franciscus hospital, of Lawrenceville, Allegheny county.

Referred to the Committee on Corporations.

Mr. CHASE, an act to legalize certain loans made by the city of Titusville.

Referred to the Committee on Municipal Corporations.

Mr. CHALFANT, an act to incorporate the Danville water company.

Referred to the Committee on Municipal Corporations.

Mr. WADDELL, an act to authorize the burgess and town council of the borough of Oxford, in the county of Chester, to borrow money.

Referred to the Committee on Municipal Corporations.

Mr. BARTON, an act to incorporate the Chester passenger railroad company.

Referred to the Committee on Passenger Railways.

Mr. GREGORY, an act to incorporate the Philadelphia High School.

Referred to the Committee on Education.

Mr. MECHLING, an act to erect an independent school district out of a part of the township of Franklin, in the county of Armstrong.

Referred to the Committee on Education.

Mr. M'CAMANT, an act to authorize the school board of Tyrone City, Blair county, to sell certain real estate, now used for school purposes, and to appropriate the money arising from said sale to the purchase of a better location, and erecting a more suitable building for school purposes, and to borrow any sum of money not exceeding ten thousand dollars, at a rate of interest not exceeding ten per centum per annum, to assist them in procuring the same.

Referred to the Committee on Education.

Mr. CRAIG, an act to enable the school directors of the borough of Lehighton, Carbon county, to borrow money for the erection of school buildings.

Referred to the Committee on Education.

Mr. M'CREARY, an act to authorize the board of school directors of the borough of Albion, in the county of Erie, to borrow money for building purposes.

Referred to the Committee on Education.

Mr. MAISH, an act relative to billiard rooms, bowling saloons and ten-pin alleys, in the county of York.

Referred to the Committee on Vice and Immorality.

Mr. WADDELL, an act to incorporate the Senator Nye mining and exploring company.

Referred to the Committee on Mining and Manufacturing Companies.

Mr. GREGORY, an act to incorporate the Montana and Nevada gold and silver mining and commercial company.

Referred to the Committee on Mining and Manufacturing Companies.

Mr. CHADWICK, an act to incorporate the Shakespeare and Lydia Allen Consolidated silver mining company.

Referred to the Committee on Mining and Manufacturing Companies.

Mr. BOYD, an act to enable the board of school directors of the township of Chanceford, in the county of York, to levy and collect at once a tax sufficient to liquidate the remaining indebtedness of said township, for borough purposes.

Referred to the Committee on Military.

Mr. BARTON, an act relating to the payment of bounties in the township of Birmingham, county of Delaware.

Referred to the Committee on Military.

Mr. ARMSTRONG, a supplement to an act to secure bounty taxes in certain wards of the city of Lancaster, approved April 4th, 1864.

Referred to the Committee on Military.

Mr. M'CAMANT, an act to increase the pay of the supervisors of Logan township, Blair county.

Referred to the Committee on Roads, Bridges and Ferries.

Mr. ALLEN, an act to legalize the acts of the road commissioners of Columbia township, Warren county, in levying additional road tax.

Referred to the Committee on Roads, Bridges and Ferries.

Mr. LEE, a supplement to an act to incorporate the president, managers and company of the Bustletown and Summertown turnpike road company, authorizing them to increase their rates of toll for stage wagons.

Referred to the Committee on Roads Bridges and Ferries.

Mr. KOON, an act to protect game and fish in Luzerne county.

Referred to the Committee on Agriculture.

Mr. WEBLER, an act to authorize the Evangelical Lutheran congregation of Berlin, in the county of Somerset, to sell real estate.

Referred to the Committee on Estates and Escheats.

Mr. WORRALL, an act to annul the marriage contract between David Stackhouse and Anna Stackhouse, his wife, in the city of Philadelphia.

Referred to the Committee on Divorces.

Mr. M'CREARY, an act to annul the marriage contract between William M'Clellan and Hannah M'Clellan, his wife.

Referred to the Committee on Divorces.

Also, an act to annul the marriage contract between Clark D. Reynolds and Susan Reynolds, his wife.

Referred to the Committee on Divorces.

Mr. FREEBORN, an act requiring the superintendent of public printing to advertise for proposals for supplying the State with printing and bill paper.

Referred to the Committee on Printing.

PETITION.

Mr. MECHLING, on leave, presented a petition from citizens of Franklin township, Armstrong county, for an act to erect an independent school district.

Referred to the Committee on Education.

MESSAGE FROM THE SENATE.

The Clerk of the Senate being introduced, informed that the Senate has concurred in the amendments made by the House of Representative to Senate bills numbered and entitled as follows, viz:

No. 118, an act to authorize the appointment of six additional notaries public for the city of Philadelphia.

No. 121, an act to incorporate the M'Connell mineral company of Pennsylvania.

No. 152, an act to authorize the borough of St. Mary's to borrow money, and to extend the width of St. Michael street, in said borough.

No. 347, an act to enable the Pennsylvania Cannel coal and railroad company to borrow money, and to change the corporate name of said company.

He also informed that the Senate has nonconcurred in the amendments made by the House of Representatives to Senate bill numbered and entitled as follows, viz:

No. 131, an act to authorize the town council of the borough of Middletown, in the county of Dauphin, to borrow money to pay off the present indebtedness of said borough, and to build a bridge over the Pennsylvania canal, on Wood street, and to provide for the payment thereof, as also for the future government of said borough by an increased rate of taxation,

And has appointed Messrs. COLEMAN, ROYER and WALLS a committee of conference on the part of the Senate to confer with a similar committee on the part of the House of Representatives (if the House of Representatives shall appoint such committee), on the subject of the differences existing between the two Houses in relation to said bill.

He also again returned bill from the House of Representatives, which was re-called from the Governor on the 19th instant, for amendment, numbered and entitled as follows, viz:

No. 81, an act relating to auctioneers in the city and county of Erie.

With information that the Senate has concurred in the amendment made by the House of Representatives to said bill.

Mr. COLVILLE. Mr. Speaker, I now move that the House proceed to the consideration of the resolution of the gentleman from Philadelphia [Mr. DAVIS] relating to the testimony in the case of the Venango County Bank.

Mr. LEE. Mr. Speaker, I would like to inquire of any person who knows what possible necessity there can be for the publication of this testimony now. What right has the House to publish this testimony? A court having competent jurisdiction of this question has decided it.

It seems to me that we would be stultifying ourselves were we to publish *ex parte* testimony in this or any other case. I think it would have been bad enough, as forestalling public opinion, to have printed this testimony, and sent them broadcast before the trial; I think it utterly useless now to publish this testimony if it was calculated to serve any purpose affecting the trial of this case.

This Culver business is all settled; and why we should spread this *scandalum magnatum* I cannot understand. I hope this resolution will be promptly voted down.

Mr. CHASE. Mr. Speaker, the report of the committee appointed in the case of the Venango Bank has been obtained from the printer of this House in some way, taken to Philadelphia, there published, and circulated in Venango county prior to the trial, which came off, I think, on the last Monday of January. The trial has resulted in the acquittal of Mr. Culver. There can be no necessity for the publication of this testimony. I do not think the State should be allowed to pay for the printing of it. I hope the House will vote down the resolution. Whether it was the intention to injure Mr. Culver, is for the public to judge.

Mr. DAVIS. Mr. Speaker, certainly I have no feeling upon this subject, but I will permit no gentleman, whether from Philadelphia or Crawford county, to say that I offered this resolution as a personal reflection upon Mr. Culver or anybody else. Sir, I am as much the friend of Mr. Culver as the gentleman from Philadelphia [Mr. LEE]. I have nothing against him. But the Venango Bank is very different from Mr. Culver. If he is responsible for the failure of that bank, it will do no harm to let the evidence go before the world. I had no intimation that the gentleman from Allegheny [Mr. COLVILLE] intended to call up the resolution at this time, nor do I care anything about it since it is called up. I offered the resolution merely to submit to Venango county certain testimony taken with regard to the failure of a bank which was organized under the laws of Pennsylvania, to show whether one or more individuals were responsible for the frauds perpetrated on the people of Venango county. It had nothing to do with the forestalling of public opinion with regard to Mr. Culver. He was not being tried for his complications with the Venango Bank, but upon personal charges of fraud. This testimony taken under authority of the Auditor General; the object of its being published to the world is that the men who have been defrauded may know by whom and why it was done. Mr. Culver has been acquitted, and I am glad of it. But I know the Venango Bank was organized under the laws of this State; I know it failed, and the people have a right to know why it failed.

Mr. COLVILLE. Mr. Speaker, it appears that the gentleman from Philadelphia [Mr. LEE] and the gentleman from Chester [Mr. WADDELL] work upon different tactics in this case. The gentleman from Chester desired to suppress this testimony before the trial came off, lest it should be the means of prejudicing the community against Mr. Culver, and render it difficult for him to get a fair and impartial trial. Now, the trial has been had; Mr. Culver has been acquitted. I again call up this resolution, and ask its passage, that we may have the evidence in regard to this bank, when we have the objection that it is entirely unnecessary since the trial is over. I submit that this is the proper time for the publishing of this testimony, and sending it broadcast throughout the world. It can now have no effect in prejudicing the minds of any community.

Mr. LEE. Mr. Speaker, I rise to make an explanation.

I trust the gentleman from Philadelphia [Mr. DAVIS] will so far detach himself from the resolution under consideration as to not appropriate remarks in an offensive sense to himself. I had no intention that such a construction should be put upon my words. But I say when a gentleman presents a resolution he certainly subjects it to such criticism as members are disposed to give it. This is my right, when I make remarks upon any resolution the gentleman may offer. I hope he will not take them to himself, for they are not personal.

If the depositors in this bank have been defrauded they have a mode of redress prescribed by the law. If it is their desire I hope they will resort to it, and not come here and ask this House to—so far as the publishing of purely *ex parte* testimony is concerned—prejudice their case. Let them go before the courts with unentrammeling circumstances.

Mr. DAVIS. Mr. Speaker, I had not the remotest idea of reflecting on any gentleman. I merely wished to explain that the gentleman from Philadelphia [Mr. LEE] and the gentleman from Crawford [Mr. CHASE] did not understand me. I merely desired to have the subject investigated.

I do not know about this testimony being *ex parte*, but I do know from the people of Venango that Mr. Culver was present when the evidence was taken.

Daily Legislative Record.

FOR THE SESSION OF 1867.

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TERMS OF THE DAILY RECORD.

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Single copy for the session.....$2 00

Members desiring extra copies of the Record, will please leave their names and the number of copies wanted at the publication office. GEO. BERGNER.

[CONTINUED FROM PAGE 344.]

Mr. CHASE. Mr. Speaker, I have no feeling with the gentleman from Philadelphia [Mr. DAVIS] in this matter. But the very fact that some officer of the Venango County Bank, having obtained this testimony, had it printed and sent over the State, denies the statement of the gentleman that it was not done to injure Mr. Culver. I know what I say, and I can prove it. The object that was to be attained by this testimony has been accomplished. It was published before the trial; the people of Venango know all about it.

There is no necessity that the State should pay for its being republished; it is already in Venango county, and the people want to hear no more of it.

Mr. DAVIS. Mr. Speaker, there must be something very peculiar about this testimony. I have no knowledge of what it is. After the trial is over we find the friends of Mr. Culver afraid to see it published. Personally, I care very little about it. But it seems to me, if I was a friend of Mr. Culver, I would like to see this testimony.

Mr. WADDELL. Mr. Speaker, when this matter was before the House some weeks ago, I asked the House to reconsider the resolution that had passed for the printing of this testimony, and placed my application upon three grounds. The gentleman from Allegheny (Mr. COLVILLE) has designated one of them, viz: That this gentleman was then under indictment in the county of Venango and in the county of Dauphin, and that the publication of this testimony would probably work injustice in the course of his trial. I, however, sir, went further, and placed it upon two other grounds; one was that the testimony, which was here sought to be published, was *ex parte*, taken when it was not called for, and in the absence of Mr. Culver. The gentleman from Philadelphia [Mr. DAVIS] says that Mr. Culver was present. I know nothing about it except from Mr. Culver's own statement. He says that he was called before the committee as a witness. He was examined, and retired; and that was all the notice or invitation he had to be present at the time the testimony was taken. You have his word for it, and nothing more. Whether he tells the truth I do not know, I give you what he says.

The third ground was, that it was such a matter that the State itself should not be put to the expense of publishing. Now what is it? We are asked here to publish this testimony, taken in the Culver case or the Venango Bank, if you please; but if the gentleman from Crawford [Mr. CHASE] is right, then there is a double reason why we should not do so. It is published already. Private parties have taken the trouble and gone to the expense of publishing this testimony. Now why should the State be called upon to go to any further expense in the matter? It has been published in pamphlet form and distributed in the county of Venango, and I apprehend that any gentleman in the Commonwealth, who desires a copy, can get it. I heard, more than two weeks ago, that this testimony was published.

I do not know whether it was obtained properly or not, but it was taken and put in the hands of the printer, and has now been published to the world. The friends of Mr. Culver, or the gentlemen who are opposing this resolution, cannot desire to restrain it. They cannot desire to withhold the information, because that information is now furnished to the world. Why should the State of Pennsylvania be called upon to publish one thousand, or two thousand, or probably five thousand copies of this testimony? I would like to hear some reason from the gentlemen who are asking this of the State. I say it is uncalled for, because it is a matter in which the State has no interest, not a particle. The gentlemen in Venango county, who feel themselves aggrieved, have their remedy. The State has not been aggrieved or injured; the State has nothing to do with this bank. It was a National bank, under the control of the United States Government, and if the Government has been aggrieved it is the party to raise a committee to investigate the matter of embezzlement and fraud, if they think it necessary. I say it is unfair to any man in society to publish testimony of this character; and why?—because the committee who took it exceeded the limit of their instructions. I do not know whether Mr. Culver was there or not; but it was *ex parte* upon their part. They were appointed by the Auditor General of this Commonwealth, to inquire whether that bank was solvent or insolvent. They had but that duty to perform. Two gentlemen of that committee understood their duties, and refused to make a report any further than the act of Assembly and the Auditor General required of them. The third gentleman thought he understood the matter better than the others, and that he had the right to inquire into everything. When the Auditor General refused to accept a report upon a matter foreign to the purpose for which the committee was appointed, the House passed a resolution asking the gentleman to lay his testimony before it. I believe, if this House had understood the matter when it came up before, it would not have passed that resolution. I was under the impression, at the time the resolution was before the House, that this testimony was in the hands of the Auditor General, as a State paper, and that this House was merely calling for information deposited in the archives of the Government; instead of that it was in the pigeon holes of a private individual of this town. The State never had recognized it and had no control over it. We were calling upon a citizen of Harrisburg to present to this House a public document, as we supposed, and then followed it up by a resolution that five thousand copies be printed and circulated throughout the State. This is the most farcical operation that the House was ever guilty of. In my opinion, therefore, I say if the House had understood the position of this matter when the resolution was introduced, they never would have passed it and called this testimony before them. And I say that after they do understand it, that it is for the House to act as they would have acted at the outset, and refuse to recognize this as a State document and spread it throughout the Commonwealth.

The only object these gentlemen can have in view, is to make this a State document, to have the Legislature of Pennsylvania recognize it as such, and then spread it before the world with their endorsement. If these gentlemen desire this testimony, they can go to the expense of publishing it themselves, or take that which has already been published by private enterprise. I ask of this House to let the resolution slumber where it is; it is in its right position. It is not such a document as the Legislature of Pennsylvania should go to the expense of printing.

Mr. WHANN. Mr. Speaker, I had not intended to say anything on this occasion, nor would I were it not for the remarks indulged in by those opposing this resolution. They started out with the assumption that the publication of this document is intended to injure Mr. Culver, and in pursuance of no other purpose. The intent of this publication has been explained before us as fully, perhaps, as it can be done now. We have said before that this swindle (the term is not too strong) has taken place under our general banking system. If the fault is in this banking system the matter should be investigated; if it lies in the directors of the bank that should be understood. Here is the whole matter. If this is the proper point from which to investigate this subject, we say now is the time to do it. This is all we have asked. The charge of our antagonism to Mr. Culver is incorrect. We have no feeling against Mr. Culver as an individual.

The gentleman who was the fiercest in this respect was the one who proposed to print three thousand copies of this testimony. This was his position until he fell in company with Mr. Culver; since that time he has been opposed to any further steps being taken in the matter.

If this testimony has not an *ex parte* character, and we believe it has not, it is right that we, who are more especially interested in it, should know its contents. As this was a National bank, of course the great State of Pennsylvania is especially interested. For this reason I hope the resolution will pass.

In regard to the publication of this testimony in pamphlet form, I am not aware that such is the case.

I was in Venango county recently, and no such document was shown to me. I am ready to be corrected if I am wrong.

In justice to myself I thought I should make these remarks.

Mr. CHASE. Mr. Speaker, I have no doubt that my friend from Venango [Mr.

WHANN] is right in saying he was not aware of the publication of this matter, but he did not receive a copy of it. I suppose if the people of Venango had thought it necessary to inform him on the subject they would have sent him a copy. Nevertheless the testimony was printed—that is patent. It was published in the office of the Philadelphia *Dispatch* and sent to Venango. If any gentleman wishes he can get several copies of it.

I have occupied the attention of the House probably longer than I should upon this matter. But I have no hesitation in repeating what I have already said, that the object of this testimony has been accomplished. I do not think it necessary to tax the people of the United States, or of this State, or of Venango county with the cost of its republication.

Mr. DAVIS. Mr. Speaker, I desire to say a word or two, that the House may understand this matter. But whatever they may do in this question I shall not feel very bad about it.

Those gentlemen on this floor who are such ticklers for the protection of the honor and rights of this State are certainly interested in the publication of this document. While the gentleman from Chester [Mr. WADDELL] was speaking he brought it forcibly to my mind. This was a State bank, organized under the laws of the State. This testimony was taken to show why the bank failed. Now, I want the members of this House to listen to one reason, at least, and then vote as they see fit. It is alleged that somebody, contrary to law and right, came here, to the city of Harrisburg, and procured the bonds that secured the notes of depositors in that bank, used them for his own purpose, and allowed the bank to fail and fraud to be perpetrated. Is not the State interested in knowing whether his is true or not?

The general banking law of the State of Pennsylvania requires the bonds to be paid up securities, to be pledged with the Auditor General, to protect the noteholders of and depositors in the bank. When this bank failed, and an investigation came to be had, it was found that every security held by the Auditor General had been taken away, and used for other purposes than that intended by the bank, and this is the evidence. I ask if this House is not competent to investigate it? When this Legislature created a free banking law, and put into that law a provision to protect the noteholders and secure the bank, I ask who has the right to investigate infractions of that law if not the power that created it?

The Legislature created that bank; it put in the general banking law the provision that bonds must be placed in the care of the proper officer at the State capital to secure every man who deposited in that bank, or had any of its circulation. Suddenly, one morning, the people were aroused to find that this bank had no foundation; that securities amounting to six hundred thousand dollars had been taken away from Harrisburg, and the bank was left minus every dollar. The noteholders and depositors had lost their money. I ask if you are not stultifying yourselves in regard to this testimony? I have been unwell several days, and do not wish to make a speech.

The gentleman from Allegheny [Mr. COLVILLE] will bear me out when I say I knew nothing of his intention to bring up this subject. I have only to ask this House if, when the provisions of any law passed by the Legislature are violated, they will allow the scapegrace to go at large without giving the evidence of his rascality?

Mr. WADDELL. Mr. Speaker, I am glad to hear from the gentleman from Philadelphia [Mr. DAVIS]. His remarks exemplify, exactly, the character of the testimony which we are asked to publish. He says the testimony shows that every dollar that was deposited with the Auditor General for the protection of noteholders has been taken away. If that is what the testimony shows then the testimony lies, because such is not the case.

Mr. DAVIS. Mr. Speaker, then why does not the gentleman let us have the testimony?

Mr. WADDELL. Mr. Speaker, no, sir; if such is the testimony, we do not want it. Upon the authority of the Government officer now on the floor of this House, I say there is in the possession of the department a sufficient amount to protect every dollar of the notes this bank has in circulation. Such assertions as we have heard this morning form a part and parcel of this case.

Mr. DAVIS. Mr. Speaker, I again ask why the gentleman objects to the publication of this testimony?

Mr. WADDELL. Because, Mr. Speaker, it does not tell the truth.

Mr. DAVIS. Mr. Speaker, the gentleman does not know what is in the testimony.

Mr. WADDELL. Mr. Speaker, the gentleman from Philadelphia has just told us what is in it.

Mr. WHANN. Mr. Speaker, if the gentleman from Chester [Mr. WADDELL] will allow himself to be interrupted, I would like to ask what evidence he has that the testimony is false?

Mr. WADDELL. Mr. Speaker, I have the assurance of the government officer himself in whose hands the securities were deposited, that he has in his possession, and under his control, sufficient securities to protect every dollar that this bank has in circulation.

The gentleman from Philadelphia [Mr. DAVIS] says every dollar of deposited security has been surreptitiously taken away. I deny that part of the testimony, but not the gentleman's allegations; because I understand that is just what the testimony shows. I have not read it; I have merely his word for it. So far from this being true, however, there are sufficient deposits to protect every holder of a note of this bank.

Mr. Speaker and gentlemen of this House, do not understand me as standing here at Mr. Culver's request, to screen an investigation. There is not a man in this Commonwealth—and I say it by his own directions—there is not a man in this Commonwealth who will be more ready to have an investigation into the conduct and character of this bank than Mr. Culver himself. He is ready and willing to have this House make an investigation. All he asks, and all I ask for him, is that this *ex parte* testimony shall not be thrown broadcast upon the land. He says to you: Appoint a committee to investigate this whole matter, give them power to send for persons and papers, and there is no man in the Commonwealth who will do more to facilitate the labors of this committee than Mr. Culver. He does not ask to screen himself; he only asks that you shall not publish testimony taken under circumstances such as those under which this was taken, and in the manner in which it is asked that this testimony shall be published.

This is precisely the position of this matter, and I have nothing more to say, except to ask the gentleman from Venango [Mr. WHANN] if he referred to me when he spoke of the gentleman who was in favor of publishing three thousand copies of the testimony?

Mr. WHANN. Mr. Speaker, I had no allusion to the gentleman from Chester [Mr. WADDELL]. But, Mr. Speaker, the gentleman from Chester has given us several very elaborate speeches in this case, and I think I understand him correctly, as never having seen this testimony. Then the gentleman from Chester has been telling us what Mr. Culver told him; but, of course this is not *ex parte*.

Mr. WADDELL. Mr. Speaker, will the gentleman allow me to explain?

Did I not state to the House that all the information I had on the subject was from Mr. Culver himself? I gave it as his word, to be believed or not, that he was invited before the committee simply as a witness, was examined and retired. That was all the opportunity he had of being present. I say again, I give this upon his own assertion, nothing more, nothing less. I presume the testimony would not show it if it was published.

Mr. WHANN. Mr. Speaker, the gentleman from Chester wishes us to take Mr. Culver's word through him; to take Mr. Culver's statement through him; but of course there is nothing *ex parte* about that. Now, such is the manner in which this has been thrown upon this House. I protest against such proceedings. The gentleman has not seen the testimony; he has no ground for saying it was *ex parte*. But he meets the party interested, who tells him this testimony is so and so, and it is all *ex parte*, and then he comes to the House and proclaims it. Perhaps I had better go to the gentleman and get an explanation of *ex parte*.

I have no personal feeling on this subject; but I have a constituency that have a deep interest in this matter. Hundreds of them are almost beggars; and I would like to know as much as I can on this subject. To say that I have any personal feeling in this regard is false. Mr. Culver and myself are on as intimate terms of friendship as perhaps any two persons in this House.

I have nothing more to say on the subject.

Mr. CHASE. Before the vote is taken on this question, I have one thing to say. When this matter was before this House some time ago, Mr. Culver authorized me to say if it did come up that he had made a proposition to parties resident in Venango county, that he would pay half of the expenses of publishing fifty or one hundred thousand copies of the testimony in this case, and in the other cases wherein his name was used in connection with the Venango County Bank; and that he would furnish a phonographic reporter at every place where the question might arise, provided the other party would pay the other half of the expenses. But they did not seem inclined to agree to such a proposition.

Mr. SHARPLES. Mr. Speaker, I move that the further consideration of this subject be indefinitely postponed.

Mr. DAVIS. Mr. Speaker, I simply wish to be placed right in every statement I make to this House. I said that the securities deposited in this city by the Venango Bank had been taken away. The Venango Bank was organized under the general free banking law of Pennsylvania. A few months previous to its failure the stockholders decided to make it a national bank under the general national banking law. They went to work, called in their circulation, and after collecting their notes at different times, so as to get their securities, then at Harrisburg, and take them to Washington to form the basis of a national bank, by some legerdemain, the parties who brought the notes have removed those securities and consigned them to Culver, Penn & Co., in New York; and, while the president and directors of the bank in Venango thought the securities were in Washington and they were going to have a national bank, Culver, Penn & Co. used those securities in New York. I do not know what or what is in the testimony, but I know it to be a fact.

Mr. SHARPLES. Mr. Speaker, I renew my motion to indefinitely postpone,

Mr. BOYLE. Mr. Speaker, may I inquire what is the motion before the House?

The SPEAKER. The motion before the House now is to postpone indefinitely the further consideration of this resolution.

Mr. BOYLE. May I further inquire what has been the motion pending upon which this discussion has been had?

The SPEAKER. The question was upon the motion of the gentleman from Allegheny [Mr. COLVILLE], that the House resume the consideration of the resolution.

Mr. BOYLE. Mr. Speaker, I make the point of order that this resolution, when it was reconsidered, was postponed for the present, and that now, under this order, it will require two-thirds to take it up, and until it is taken up there can be no motion to postpone it indefinitely.

The SPEAKER. The order of business before the House is, "items of unfinished business." The Chair is of the opinion that the majority can proceed to its consideration.

The question before the House is on the indefinite postponement of this resolution.

Mr. BOYLE. Mr. Speaker, if I am allowed, I would say, if it was postponed for the present, that it is not an item of unfinished business. It is in a position then that it can be taken up under no order until the orders are exhausted, and then it would require a two-thirds vote.

Mr. DAVIS. Mr. Speaker, I rise to a privileged question.

I submit that the gentleman's point of order is not well taken, and I submit also, that after an hour's discussion of a bill it is too late to raise a point of order if it has been acted upon.

The SPEAKER. The Chair permitted the discussion to proceed this morning out of order. The question before the House was on the motion of the gentleman from Allegheny [Mr. COLVILLE], that the House resume the consideration of the resolution. The resolution was not properly before the House.

Mr. BOYLE. Then, Mr. Speaker, I make the point of order now, that it will require a two-thirds vote to carry the motion of the gentleman from Allegheny.

The SPEAKER. The Chair is clearly of the opinion that a majority of the House can proceed to the consideration of the resolution.

Mr. WHANN. Mr. Speaker, I hope this motion will be withdrawn. I do not think there is any wish to press this matter.

Mr. CHASE. I hope not. I want to see this thing killed, as it ought to be.

On the question,

Will the House postpone indefinitley the motion of the gentleman from Allegheny [Mr. COLVILLE]?

The yeas and nays were required by Mr. MEYERS and Mr. KURTZ, and were as follow, viz:

YEAS—Messrs. Armstrong, Barton, Boyle, Chadwick, Chase, Day, Deise, Espy, Ewing, Fogel, Freeborn, Gallagher, Gordon, Harbison, Hamer, Headman, Hood, Hunt, Kerns, Kimmell, Kinney, Koon, Kurtz, Lee, Leech, M'Camant, M'Kee, Mechling, Meily, Phelan, Quigley, Roath, Robinson, Rouch, Sharples, Shuman, Steacy, Stehman, Stumbaugh, Waddell, Webb, Weller, Westbrook, Worrall and Glass, *Speaker*—45.

NAYS—Messrs. Adaire, Allen, Barrington, Boyd, Brennan, Calvin, Chalfant, Colville, Craig, Davis, DeHaven, Donohugh, Ghegan, Heltzell, Humphrey, Jenks, Jones, Josephs, Kennedy, Kline, Linton, M'Creary, M'Henry, M'Pherrin, Maish, Markley, Meyers, Mullin, Peters, Pillow, Quay, Rhoads, Satterthwait, Sabers, Tharp, Wallace, Watt, Whann, Wilson, Wingard, Woodward and Wright—42.

So the question was determined in the affirmative.

THE SUNDAY CAR QUESTION.

Mr. QUIGLEY. I move that the House proceed to the consideration of House bill No. 826, entitled An act to ascertain the views of the qualified electors of the city and county of Philadelphia, upon the subject of allowing the passenger railway companies of said city to run their cars on the first day of the week, commonly called Sunday.

And the question being on the final passage of the bill,

Mr. QUIGLEY said: Mr. Speaker, I desire to amend the title, by inserting after the word Sunday "and authorizing them to run their cars on all days of the week;" which was

Agreed to.

The question recurring on the final passage of the bill,

Mr. WHARTON moved that the House go into committee of the whole for the purpose of considering the following special amendment:

"In the fifth and sixth lines strike out 'the several wards and divisions of the city of Philadelphia,' and insert 'the several counties of the Commonwealth of Pennsylvania;' and in the eighth line to strike out 'the passenger railway companies of the city of Philadelphia,' and insert 'all the railway companies of the State of Pennsylvania.'"

The question was on the motion of Mr. WHARTON to go into committee of the whole.

Mr. QUIGLEY. I rise to a point of order, that the amendment transforms a private bill into a public one; it is, therefore, not in order.

The SPEAKER. The Chair is of opinion that it will be proper for the House to change a private bill, so as to make it a public one.

The Chair is aware of the fact that, last winter, a similar proposition was introduced in the House, and that the Speaker *pro tem.* [Mr. DAVIS] decided that it was not in order.—The House decided that the point of order taken by the acting Speaker was well taken; but within one or two days thereafter, the Speaker of the House [Mr. KELLEY] decided that point of order was not well taken, and that the House was competent to change a private bill into a public one.

The Chair is of the opinion that the House is competent to change this bill so as to make it a public one.

The Clerk read from the Legislative Hand-Book as follows:

The SPEAKER decided that it was in order to amend a private bill, so as to make it general in its provisions. An appeal was taken. The House sustained the dicision.—*Journal House of Representatives*, 1866, *page* 797.

On the question,

Will the House go into committee of the whole for the purpose of considering the amendment?

Mr. DAVIS took the floor, and said: Mr. Speaker, I simply desire that the House shall understand this question. The members from the city of Philadelphia, with probably but one exception, are unanimously in favor of submitting this question to the vote of the people of Philadelphia. This amendment can have no other purpose than to defeat the bill.

Now, as a member of this House, and as one of the delegation of eighteen on this floor, I hereby ask that this question shall have a fair test. Those persons who are in favor of the people of Philadelphia deciding for themselves whether they shall ride in the cars on Sunday, should vote against going into committee of the whole, because saddling it with any amendment like this is equivalent to its defeat.

If the gentleman will present his proposition in a separate bill, the question will come before the House, and each member will have an opportunity, as he has the right, to decide for himself. I want this question to stand upon its merits, and if the House takes the responsibility of voting it down, upon them alone must the responsibility rest. I do hope the House will adopt no amendment that is offered simply for the purpose of defeating the bill.

Mr. QUIGLEY. I suppose it is patent to every member of the House that this amendment was not offered for the purpose of giving to the citizens of all the counties of the State special privileges. It is well known that in but very few counties in the State have passenger railways been built. What interest could the constituents of the gentleman from Huntingdon [Mr. WHARTON] have, where there are no passenger railways? There is no question in my mind, and I doubt whether there is in the mind of any gentleman on this floor, that this amendment was offered for the purpose of defeating this bill. The gentleman has not, I believe, voted once with the friends of this bill on any question connected with it. He has been with the minority in this House on all occasions, and at all times, retarding the passage of this bill. I trust, therefore, the friends of this measure, understanding the object of the gentleman from Huntingdon, will refuse to go into committee of the whole. If the gentleman wants a passenger railway in his county to run on Sunday, I would give it to him.

I trust, Mr. Speaker, the friends of Sunday travel will vote down the amendment of the gentleman from Huntingdon.

Mr. KERNS. Mr. Speaker, I hope the House will not be delayed this morning in reaching a vote in reference to this matter. The bill provides that the qualified electors of the city of Philadelphia shall meet on the 5th of March next, for the purpose of holding a special election on this matter. The sheriff will be obliged to give, I think, ten days' notice to that effect. I hope this bill will be acted upon now, as this will be the last opportunity that will be offered this week, because the balance of the week's session will be taken up with public bills, and it will require a two-thirds vote to bring the attention of this House again to this matter. This is a matter in which the people are interested at heart; where the poor man cannot understand how his fellow, who rides in his carriage to church on Sunday, can reach Heaven, while he, who is obliged to take the street cars, will go to hell. I ask that this bill be passed, that the people may have a chance to vote upon this question.

Mr. M'CAMANT. I would ask the gentleman why he voted against such a bill last year?

Mr. KERNS. Mr. Speaker, I was here as a representative from my district; and whatever might have been the opinion I then held, I supposed that the people I represented were opposed to such a measure. After returning home, I made it my business to canvass my district, and I am now perfectly satisfied that I sustain the wishes of my constituents by voting for this bill.

Mr. KENNEDY. Mr. Speaker, I am in favor of the proposed amendment. I am as tenacious in my desire to gratify my constituents as the gentleman who has just taken his seat. I know that my constituents are opposed to a measure of this kind, and I know that the constituents of a principal portion of the members of this House are also opposed to the passage of a bill of this description. It strikes me that this is a Philadelphia measure pretty much altogether, and

I know that the influence of the delegation from Philadelphia is strong in this body. I am aware of this, and I will be very happy to go with that body in any measure I deem proper and right. Now, I do believe, if it is going to improve the morals of the citizens of Philadelphia to ride in the cars on the Sabbath that it will improve the morals of the people in other portions of the State. If there are advantages in this thing, we of the west have a right to them as well as the people of Philadelphia.

Mr. QUIGLEY. I would like to ask the gentleman a question, if he will be kind enough to answer. I understand he is in favor of the amendment of the gentleman from Huntingdon [Mr. WHARTON], but that he is opposed to the original bill, which submits this question to the people of our county. He is in favor of submitting it to all counties.

Mr. KENNEDY. I am in favor of the amendment, conditionally.

Mr. WADDELL. I only desire to know whether or not the amendment of the gentleman from Huntingdon [Mr. WHARTON] does not make the bill apply to all railroads in the State? All railroads are now interdicted by the same law that interdicts the running of cars in Philadelphia. I understand that all railroad companies in the State have the power to run their cars at all times, if this amendment is agreed to.

On the question, Will the House agree to go into committee of the whole?

The yeas and nays were required by Mr. GREGORY and Mr. QUIGLEY, and were as follow, viz:

YEAS—Messrs. Armstrong, Boyle, Chadwick, Chalfant, Craig, Day, Espy, Ewing, Gallagher, Gordon, Harbison, Jenks, Kennedy, Kimmell, Kurtz, Leech, Linton, Long, M'Camant, M'Creary, Meily, Pillow, Roath, Seiler, Steacy, Stehman, Tharp, Waddell, Wallace, Weller, Wharton, Wilson, Wingard, Woodward, Wright and Glass, *Speaker*—34.

NAYS—Messrs. Adaire, Allen, Barrington, Boyd, Breen, Brennan, Calvin, Cameron, Colville, Davis, DeHaven, Deise, Donohugh, Fogel, Freeborn, Ghegan, Gregory, Harner, Headman, Heltzel, Hood, Humphrey, Jones, Josephs, Kerns, Kinney, Kline, Koon, Lee, M'Henry, M'Pherrin, Maish, Markley, Marks, Mechling, Meyers, Mullin, Peters, Phelan, Quay, Quigley, Rhoads, Robinson, Rouch, Satterthwait, Shuman, Subers, Watt, Webb, Westbrook, Whann and Worrall—52.

So the question was determined in the negative.

Mr. KERNS. Mr. Speaker, I now call the previous question on the bill.

The call for the previous question was sustained by Messrs Webb, Davis, Marks, Donohugh, Ghegan, Humphrey, Josephs, Quigley, Gregory, Colville, Mullin, Hood and Worrall.

On the question,

Shall the main question be now put?

Mr. JENKS. Mr. Speaker, may I be permitted to ask a question?

Leave was granted.

Mr. JENKS. I wish to ask the gentlemen from Philadelphia whether they desire to legalize the transaction of that kind of worldly business called the running of cars on the Sabbath day in the city of Philadelphia, without permitting a discussion by the people of the Commonwealth, as to whether it ought or ought not to be done, and I want that question answered.

The question recurring, Shall the main question be now put?

The yeas and nays were required by Mr. WADDELL and Mr. THARP, and were as follow, viz:

YEAS—Messrs. Barrington, Boyd, Breen, Brennan, Calvin, Cameron, Colville, Davis, DeHaven, Donohugh, Ghegan, Gregory, Harner, Heltzel, Hood, Humphrey, Jones, Josephs, Kerns, Kinney, Kline, Koon, Lee, M'Henry, Maish, Markley, Marks, Mechling, Mullin, Peters, Phelan, Quay, Quigley, Rhoads, Robinson, Satterthwait, Subers, Watt, Webb, Whann and Worrall—41.

NAYS—Messrs. Adaire, Armstrong, Boyle, Chadwick, Chalfant, Craig, Day, Deise, Espy, Ewing, Fogel, Freeborn, Gallagher, Gordon, Harbison, Headman, Hunt, Jenks, Kennedy, Kimmell, Kurtz, Leech, Linton, Long, M'Camant, M'Creary, M'Pherrin, Meily, Meyers, Pillow, Roath, Rouch, Seiler, Steacy, Stehman, Tharp, Waddell, Wallace, Weller, Westbrook, Wharton, Wilson, Wingard, Woodward, Wright and Glass, *Speaker*—46.

So the question was determined in the negative.

Mr. MYERS. Mr. Speaker, I move to go into committee of the whole for the purpose of making the following amendment:

To add to the bill,

Provided, That the several passenger railway companies are prohibited from charging on Sunday more than two-thirds of the rates charged by them on other days of the week.

Mr. COLVILLE. Mr. Speaker, I raise the point of order, that no business has intervened since the last motion to go into committee of the was disposed of.

The SPEAKER. This a different amendment and therefore in order.

Mr. QUIGLEY. Mr. Speaker, I call for the previous question on the amendment.

Mr. EWING. Mr. Speaker, I raise the point of order, that the question has just been voted upon.

The SPEAKER. It has not been voted upon at all.

Mr. EWING. Does it not involve the main question?

The SPEAKER. It involves the main question, but the character of the amendment of the gentleman from Northampton [Mr. MEYERS] is altogether different from that which has been voted upon.

The call for the previous question was sustained by Messrs. Quay, Heltzel, Kerns, Gregory, Maish, Worrall, Colville, Ghegan, DeHaven, Hood and Mullin.

On the question,

Shall the main question be now put?

Mr. COLVILLE. Mr. Speaker, I insist on my point of order.

The SPEAKER. The Chair will not recognize the point of order.

Mr. WADDELL. Mr. Speaker, allow me to ask one question. I only desire that the House may understand exactly where we are, and I desire to know myself. In what way must gentlemen vote who are in favor of going into committee?

Mr. MEYERS. Mr. Speaker, as I offered this amendment, and am responsible for the confusion that is growing out of it, I think it is fair and right that this House should fairly understand how they vote, and what they vote upon.

As soon as my amendment was offered the gentleman from Philadelphia [Mr. QUIGLEY] moved the previous question.

The question now is,

Shall the main question be put?

We merely vote, shall the main question be put, to cut off any further amendments and all debate. If the House decide that the main question shall be put, then the question is not whether we shall go into committee of the whole, as we had not only voted upon going into committee of the whole, but we had voted upon the amendment directly, because we have to amend before going into committee of the whole.

The question recurring,

Shall the main question be now put?

The yeas and nays were required by Mr. WADDELL and Mr. GREGORY, and were as follow, viz:

YEAS—Messrs. Allen, Barrington, Barton, Breen, Calvin, Cameron, Colville, Davis, DeHaven, Donohugh, Ghegan, Gregory, Headman, Heltzel, Hood, Humphrey, Jones, Josephs, Kerns, Kinney, Kline, Koon, Lee, M'Henry, Maish, Markley, Marks, Mechling, Mullin, Peters, Phelan, Quay, Quigley, Rhoads, Robinson, Satterthwait, Subers, Watt, Webb, Wingard, Worrall and Glass, *Speaker*—42.

NAYS—Messrs. Adaire, Armstrong, Boyle, Brennan, Chadwick, Chalfant, Craig, Day, Deise, Espy, Ewing, Fogel, Freeborn, Gallagher, Gordon, Harbison, Harner, Hunt, Jenks, Kennedy, Kimmell, Kurtz, Leech, Linton, Long, M'Camant, M'Creary, M'Pherrin, Meily, Meyers, Pillow, Roath, Rouch, Seiler, Steacy, Stehman, Tharp, Waddell, Wallace, Weller, Westbrook, Wharton, Wilson, Woodward and Wright—44.

So the question was determined in the negative.

SPEAKER'S TABLE.

The SPEAKER cleared his table of Senate bill No 131, returned from the Senate, with information that the Senate, had non-concurred in the amendments made by the House of Representatives.

Mr. SEILER. Mr. Speaker, I move that the House of Representatives insist on its amendments, and that a committee of conference be appointed.

The motion was

Agreed to.

The SPEAKER appointed the following gentlemen as members of the committee:

Messrs. SEILER, HOFFMAN and SATTERTHWAIT.

The hour of 1 o'clock having arrived,

The SPEAKER then adjourned the House until 3 o'clock this afternoon.

SENATE.

THURSDAY, February 21, 1867.

The Senate met and was called to order at 11 o'clock, A. M. by the SPEAKER.

Prayer was offered by Rev. Mr. Bailey, of Harrisburg.

The reading of the Journal of yesterday was dispensed with.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

The Clerk of the House of Representatives being introduced, presented for concurrence bills numbered and entitled as follows:

No. 254, an act to vacate part of Woodpecker or Rising Sun lane, in the Twenty-first ward of the city of Philadelphia.

Referred to the Committee on Roads and Bridges.

No. 415, an act giving the town council of the borough of Manch Chunnk the right to make and build drains, sewers and sluices in said borough.

Referred to the Committee on the Judiciary Local.

No. 441, an act to incorporate the Pacific Railroad gold mining company.

Referred to the Committee on Corporations.

No. 449, an act to incorporate the Pine Creek bridge company.

Referred to the Committee on Corporations.

No. 451, a supplement to an act incorporating the Hollidaysburg and Altoona plank road company.

Referred to the Committee on Roads and Bridges.

No. 455, an act relative to the payment of street and road damages in the county of Dauphin.

Referred to the Committee on the Judiciary Local.

No. 456, an act to authorize Adam Drew, trustee of Hiram Albert, to purchase real estate.

Referred to the Committee on the Judiciary General.

No. 458, an act to confirm the title of John Hawley to certain real estate in the city of Philadelphia.

Referred to the Committee on Estates and Escheats.

No. 459, a supplement to an act to incorporate the Fidelity insurance, trust and safe deposit company of the city of Philadelphia, passed the 22d day of March, A. D. 1866.

Referred to the Committee on Corporations.

No. 455, an act to incorporate the American University of Philadelphia.

Referred to the Committee on Corporations.

No. 471, an act to incorporate the Lincoln Steam Fire hose company, in the city of Philadelphia, and to authorize said company to erect a market house.

Referred to the Committee on Corporations.

No. 474, an act to incorporate the Odd Fellows' Temple of the city of Philadelphia.

Ruled out of order.

No. 476, an act to correct an act to incorporate the Williamsport hall and market company, approved April 20, 1866.

Referred to the Committee on the Judiciary Local.

No. 478, an act to prohibit the entrapping, ensnaring or capturing of wild turkeys and partridges by any other means than shooting, in the county of Blair.

Referred to the Committee on Agriculture and Domestic Manufactures.

No. 481, an act relating to fish and game in the county of Lawrence.

Referred to the Committee on Agriculture and Domestic Manufactures.

He also informed the Senate that the House of Representatives has concurred in amendments made by the Senate to bills from the House of Representatives numbered and entitled as follows:

No. 112, an act to authorize the election of an officer, to be called constable and collector, in the several townships and boroughs in the county of Cameron, and regulate his duties.

No. 121, a further supplement to an act in creasing the fees of the several county officers of this Commonwealth, except in the city of Philadelphia and in the counties of Allegheny, Bradford, Susquehanna and Sullivan, approved the 20th day of March, A. D. 1865.

No. 122, an act to regulate the terms of the several courts in the Sixth Judicial district.

He also informed the Senate that the House of Representatives has concurred in amendments made by the Senate to resolution from House relative to temporary adjournment.

He further informed that the House of Representatives insists in its amendments, non-concurred in by the Senate, numbered and entitled as follows,

No. 131, an act to authorize the town council of the borough of Middletown, in the county of Dauphin, to borrow money to pay off the present indebtedness of said borough, and to build a bridge over the Pennsylvania canal on Wood street, and to provide for the payment thereof, as also for the future government of said borough by an increased rate of taxation,

And has appointed Messrs. SELLER, HOFFMAN and SATTERTHWAIT a committee of conference on the part of the House to confer with a similar committee of the Senate, already appointed, in relation to the differences on said bill.

PETITIONS, REMONSTRANCES, &C.

Mr. LANDON presented a petition of citizens of Bradford county, praying for a change of the rate of interest,

Which was read as follows:

To the Senate and House of Representatives of the Commonwealth of Pennsylvania:

GENTLEMEN—Your petitioners, residents of northern Pennsylvania, would most respectfully and earnestly ask your attention to the subject of an increase of the lawful rate of interest in our State. As the lawful interest of the State of New York is seven (7) per cent., the capital of our border counties has been attracted by the better investment, and it has long been a notorious fact that the business interests and prosperity of this section of the State was suffering thereby. So long as first-class investments are inviting capital at seven per cent. as a lawful rate, and so long as our statute restricts discounts to six, the result is that our business prosperity is sacrified in this respect.

Your petitioners hold it to be a self-evident fact, that the present low rate of interest is an effectual bar to a large class of legitimate borrowers; and further, that should the lawful rate of interest be changed to seven per cent. [the same as in New York State], it would be to the interest of all banks, bankers and private capital to seek investments in legitimate home channels, thus adding to the prosperity and wealth of our own State, and would prevent the diversion of capital from the State.

Believing that the time has fully arrived when the interests of both borrowers and lenders favor the increase, and that a protection to our home interests which will place us on an equality with our sister States demands it, we would most earnestly ask that your honorable body so change or amend the present statute as to make the lawful rate of interest of our Commonwealth seven (7) per cent.

Signed H. S. Scott and others.

Referred to the Committee on the Judiciary Local.

Also, a remonstrance of citizens against Sunday cars and the sale of spirituous liquors.

Referred to the Committee on Vice and Immorality.

Mr. BOYER, a petition of citizens of the borough of Pottstown, and township of Pottsgrove, for a law extending the auction law to said borough and township, and to authorize the Governor to appoint an auctioneer to reside in Pottstown, &c.

Referred to the Committee on the Judiciary Local.

Mr. TAYLOR, a petition asking for the incorporation of a portion of Borough township and Bridgewater township, into the borough of Bridgewater.

Referred to the Committee on the Judiciary Local.

Also, a petition from citizens of Darlington, Beaver county, against Sunday cars.

Referred to the Committee on Vice and Immorality.

Also, a petition and remonstrance of fifty-one citizens of Economy, in relation to the running of cars on the Sabbath.

Referred to the Committee on Vice and Immorality.

Mr. BURNETT, a petition of school board and citizens of the borough of Lehighton, Carbon county, asking for a law authorizing said school board to borrow money for erecting school buildings.

Referred to the Committee on Education.

Also, a petition of citizens of Coolbaugh township, Monroe county, for an act to prohibit the taking of fish by nets in said township.

Referred to the Committee on Agriculture and Domestic Manufactures.

Mr. FISHER, a remonstrance from citizens of Philadelphia, against the repeal of the act of March 30, 1866, giving gratuities and annuities to soldiers, &c.

Referred to the Committee on Pensions and Gratuities.

Also, a petition of citizens of Pennsylvania, against Sunday cars.

Referred to the Committee on Vice and Immorality.

Also, petition of citizens of Lancaster, for the protection of the Sabbath from desecration.

Referred to the Committee on Vice and Immorality.

Mr. BILLINGFELT, a petition of citizens of Lancaster and York counties, praying for the passage of an act to change the law in relation to the passage of fish in the Susquehanna river.

Referred to the Committee on Agriculture and Domestic Manufactures.

Mr. COLEMAN, a petition of citizens of Mill Creek township, Lebanon county, asking for the repeal of the Lebanon county cattle law, approved April 11, 1866.

Referred to the Committee on Agriculture and Domestic Manufactures.

Mr. SCHALL, a petition of citizens of Lehigh county, praying for the passage of a law fixing the salary of the county treasurer.

Referred to the Committee on the Judiciary Local.

Mr. COWLES, a remonstrance of many citizens of Tioga county, against an act for the repair of the Cowanesque river at the expense of Tioga county.

Referred to the Committee on Canals and Inland Navigation.

Mr. JACKSON, a remonstrance of two hundred and twenty-five citizens and others of Bloomsburg, Columbia county, against the passage of a law allowing cars to run on Sunday.

Referred to the Committee on Vice and Immorality.

Mr. CONNELL, a memorial of Rev. Anthony Atwood and three hundred and ninety-six male and female members of St. Paul's M. E. Church, of Philadelphia, against Sunday cars and the sale of liquor on Sunday.

Referred to the Committee on Vice and Immorality.

Also, the memorial of Rev. Anthony Atwood and one hundred citizens of Philadelphia, praying that the retailing of spirituous liquors shall be restrained by law in Philadelphia.

Referred to the Committee on Vice and Immorality.

Mr. BROWNE (Lawrence,) a petition of forty-six citizens of Butler, against repeal of Sabbath laws or submitting same to vote of citizens of Philadelphia, and in favor of further restraining liquor traffic.

Referred to the Committee on Vice and Immorality.

Also, one from twenty-four citizens of Butler county, of like import.

Referred to the Committee on Vice and Immorality.

Mr. WALLS, a remonstrance of the inhabitants of the borough of Lewisburg, Union county, against the running of cars on Sunday in the city of Philadelphia.

Referred to the Committee on Vice and Immorality.

Mr. HAINES, for the Speaker, a remonstrance of one hundred and ten members of the German Reformed Church of Blair county, against Sunday car travel and petitioning in favor of a revision of the license law.

Referred to the Committee on Vice and Immorality.

Also, a remonstrance of sixty-eight members of the Presbyterian Church in Huntingdon, against Sunday car travel and petitioning in favor of a revision of the license law.

Referred to the Committee on Vice and Immorality.

Mr. GLATZ, a petition of citizens of the borough of York, remonstrating against Sunday cars and Sunday drinking.

Referred to the Committee on Vice and Immorality.

REPORTS FROM COMMITTEES.

Mr. SHOEMAKER, from the Committee on the Judiciary General, reported as committed, a bill entitled An act to transfer the counties of Monroe, Pike, Wayne Susquehanna, Bradford, Wyoming, Luzerne and Carbon, and add the same to the Northern district of the Supreme Court.

Mr. M'CONAUGHY (same) with amendments, a bill entitled An act relative to the Allegheny and St. Mary's cemeteries, in Allegheny county.

Mr. COWLES, from the Committee on the Judiciary Local, as committed, a bill entitled An act to authorize the clerks of the mayor or aldermen of the city of Pittsburg to administer oaths.

Also (same), as committed, a bill entitled An act to increase the compensation of the county commissioners and auditors of the county of Monroe.

Also (same), as committed, a bill entitled An act repealing the tax on sales of loans and stocks by auctioneers.

Also (same) as committed, a bill entitled An act for the relief of Elias Tome, of York county.

Mr. STUTZMAN (same), as committed, a bill entitled An act supplementary to an act incorporating the town of Lawrenceville, in the county of Allegheny, into a borough, approved the 11th day of February, A. D. 1834.

Also (same), as committed, a bill entitled An act to establish an additional notary public in Chester county.

Also (same), as committed, a bill entitled An act relating to hawkers and peddlers in the county of Chester.

Also (same), as committed, a bill entitled An act to enable the South ward, in the city of Chester, to procure a supply of water.

Mr. DAVIS (same), as committed, a bill entitled An act authorizing the burgess and town council of the borough of Irwin, in Westmoreland county, to levy and collect a borough tax for special purposes.

Also (same), as committed, a bill entitled An act in relation to original writs and executions in the county of Franklin.

Also (same), as committed, a bill entitled An act appropriating money's arising from fines and forfeitures in Chester county.

Mr. FISHER (same), as committed, a bill entitled A further supplement to the borough of Easton, authorizing the town council of said borough to construct and provide public water works, and to authorize the election of water commissioners.

Also (same), as committed, a bill entitled An act to authorize the supervisors of Kingston township, Luzerne county, to collect their own duplicate.

Also (same), as committed, a bill entitled An act to regulate the salary of the treasurer of Lehigh county.

Mr. WHITE (same), as committed, a bill entitled An act authorizing and requiring the prothonotary of Cambria county to keep an extension docket.

Also (same), as committed, a bill entitled An act to authorize the borough of Indiana to increase their taxation for borough purposes.

Also (same), as committed, a bill entitled An act to authorize an increase of taxes for borough purposes in the borough of West Elizabeth, Allegheny county.

Mr. RIDGWAY, from the Committee on Corporations, as committed, a bill entitled An act to incorporate the Shakespeare and Lydia Allen Consolidated silver miningcompany of Colorado.

Also (same), as committed, a bill entitled An act to incorporate the Tremont gas and water company.

Also (same), as committed, a bill entitled An act to incorporate the Keystone telegraph company.

Mr. HAINES (same), as committed, a bill entitled An act to incorporate the Union iron mills.

Also (same), as committed a bill entitled A supplement to an act to incorporate the Boatman's insurance and transportation company, and to increase the powers thereof, approved April 17, 1866.

Mr. JAMES (same), as committed, a bill entitled An act to incorporate the Scranton base ball club, of Scranton.

Also (same), as committed, a bill entitled A supplement to an act to incorporate the Penn gas coal company, approved 1st day of March, A. D. 1861.

Mr. GLATZ (same), as committed, a bill entitled An act to incorporate the Pithole gas and water company.

Also (same), as committed, a bill entitled A supplement to an act incorporating the Girard electrical insurance company, approved the 2d day of March, A. D. 1866.

Mr. LANDON, from the Committee on Railroads, as committed, a bill entitled An act to authorize the Lehigh coal and navigation company to build branch railroads.

Mr. GRAHAM (same), as committed, a bill entitled A further supplement to an act incorporating the Lackawanna and Bloomsburg railroad, approved April 5, 1852.

Mr. RIDGWAY (same), as committed, a bill entitled An act to authorize the Philadelphia City passenger railway company to borrow money and issue bonds.

Mr. LOWRY (same), as committed, a bill entitled A supplement to an act to incorporate the Reading passenger railroad company, approved March 21, 1856, extending the time of building the same.

Mr. RANDALL (same), as committed, a bill entitled An act to incorporate the Norristown passenger railroad company.

Also (same), as committed, a bill entitled An act to incorporate the Morrison's Cove railroad company.

Mr. STUTZMAN, from the Committee on Election Districts, as committed, a bill entitled An act to authorize the qualified electors of Lycoming county to vote for or against a poor house in said county.

Mr. BROWNE (Lawrence), from the Committee on Education, as committed, a bill entitled A supplement to an act to authorize the school board of the Seventh ward, city of Pittsburg, to borrow money.

Mr. BROWN (Mercer) (same), as committed, a bill entitled An act to authorize the school directors of the borough of White Haven, Luzerne county, to borrow money to build school houses.

Also (same), as committed, a bill entitled An act to authorize the school directors of Marshall township, Allegheny county, to apply the surplus of bounty tax in their hands to school purposes.

Mr. COWLES (same), with a negative recommendation, a bill entitled An act to authorize a special election for school directors in an independent school district, Cameron county.

The bill was ruled out of order.

Mr. SEARIGHT (same), as committed, a bill entitled An act to enable the board of school directors of Benton township, Luzerne county, to apply surplus of bounty fund to common school purposes.

Mr. HAINES, from the Committee on Agriculture and Domestic Manufactures, with amendment, a bill entitled An act to prevent the growth of noxious weeds in the county of Chester.

Mr. BILLINGFELT (same), as committed, a bill entitled A supplement to an act for the better preservation of game and insectiverous birds, approved April 21, 1858.

Mr. WALLS, from the Committee on Roads and Bridges, as committed, a bill entitled An act to incorporate the Wyoming bridge company.

Also (same), as committed, a bill entitled An act to vacate a portion of Clarion street, in the borough of Bridgewater, Beaver county, authorizing the portion vacated to be disposed of for the benefit of said borough.

Mr. GLATZ (same), as committed, a bill entitled A further supplement to an act to incorporate the Birmingham and Pittsburg bridge company.

Also (same), as committed, a bill entitled A supplement to the Nanticoke and Hughesville turnpike road company, approved April 1st, 1836.

Mr. TAYLOR (same), as committed, a bill entitled An act to extend an act to authorize the burgess and town council of the borough Kittanning to grade, curb and pave certain sidewalks.

Mr. BILLINGFELT (same), as committed, bill entitled An act providing for changes in the State road in Plymouth township, Luzerne county, between the westerly boundary of Plymouth borough and Harvey's creek, in said township.

Also, (same), as committed, a bill entitled An act supplemental to an act incorporating the Birmingham and Brownsville macadamized turnpike road company.

MESSAGE FROM THE GOVERNOR.

The Deputy Secretary of the Commonwealth being introduced, presented a message from the Governor, in writing, which was read as follows, viz:

EXECUTIVE CHAMBER,
HARRISBURG, February 21, 1867.

To the Senate and House of Representatives of the Commonwealth of Pennsylvania:

GENTLEMEN—I have approved and signed the following acts of the General Assembly, to wit:

On the 19th inst.:

An act relating to the duties of clerk of the orphans' court for the county of Dauphin.

A supplement to an act approved March fifth, one thousand eight hundred and twenty-eight, entitled An act to authorize the Governor to incorporate a company to erect a bridge over the Juniata river, at the town of Mifflin, in the county of Mifflin.

An act to extend the provisions of the act, approved thirty-first day of July, one thousand eight hundred and sixty-three, to the counties of Centre and Huntingdon.

An act to extend the provisions of the act concerning the sale of railroads, canals, turnpikes, bridges and plank roads, to sales made or to be made under or by virtue of a power of sale in mortgage or deed of trust, without judicial process or decree.

An act relating to the Agricultural college of Pennsylvania and to the establishment of experimental farms in connection therewith.

An act to authorize the orphans' court of Westmoreland county, if by it deemed proper, to re-examine the accounts filed on the estate of George T. Crawford, deceased, notwithstanding the provisions of an act of thirteenth October, one thousand eight hundred and forty, entitled An act relating to orphans' courts, and for other purposes.

Supplement to an act entitled An act to incorporate the Bradford County railroad company, approved May 9th, 1866.

On the 20th instant:

An act relating to beer houses and restaurants, and licenses now granted by the treasurer of Washington county.

A supplement to an act relative to landlords and tenants, approved December 14th, 1863, extending the provisions thereof to cases of descent and purchase.

An act to confer upon the committee of a lunatic or a habitual drunkard the power to institute actions of partition and prosecute those already commenced.

An act to regulate the fees of the county treasurer of Northumberland county.

An act to authorize the school directors of Swatara school district, Dauphin county, to raise an additional building tax.

An act limiting the burgess and town council of the borough of Oil City, Venango county, in the levying and collection of taxes.

An act to enable the board of school directors of the borough of Goldsboro', in the county of York, to borrow money for building purposes.

An act to extend the provisions of the act to prohibit the granting of licenses to sell intoxicating drink within the county of Potter, approved April 11th, Anno Domini 1866, to the county of Beaver.

An act changing the time of meeting of the auditors of Hillsgrove township, Sullivan county.

A supplement to an act for the incorporation of the Merchants' National telegraph company, approved the 18th day of April, Anno Domini 1866.

An act to enable the Pennsylvania Cannel coal and railroad company to borrow money and to change the corporate name of said company, and confirm the title to real estate belonging to said company.

A further supplement to the act to charter the Harrisburg bridge company, enabling the company to raise money to rebuild the bridge.

An act to extend an act entitled An act authorizing the Secretary of the Commonwealth to distribute copies of the standard of weights and measures, and for the appointment of sealers to the county of Montgomery.

On the 21st instant:

A supplement to an act to incorporate the Midas petroleum and improvement company of Pittsburg and New York, approved the 22d day of March, Anno Domini one thousand eight hundred and sixty-five.

An act to incorporate the Pennsylvania Central thief detective and live stock insurance company.

An act relating to auctioneers in the city and county of Erie.

A further supplement to an act to incorporate the Birmingham, East Birmingham and South Pittsburg gas company, approved April 15th, 1856.

An act to establish a ferry over the Allegheny river at or near Red Bank furnace.

A further supplement to an act increasing the fees of the several county officers of this Commonwealth, except in the city of Philadelphia, and the counties of Allegheny, Bradford, Susquehanna and Sullivan, approved March 30th, Anno Domini one thousand eight hundred and sixty-five.

JNO. W. GEARY.

BILLS IN PLACE.

Mr. M'CANDLESS read in his place and presented to the Chair a bill entitled An act to change the name of Charles Carroll de Taillevis.

Referred to the Committee on the Judiciary Local.

Also, a bill entitled An act to promote the public health, and prevent the sale of diseased meats in the city of Philadelphia.

Referred to the Committee on Corporations.

Also, a bill entitled An act to incorporate the Goodwin Consolidated mining company.

Referred to the Committee on Corporations.

Mr. COWLES, a bill entitled An act to authorize the poor-masters of Hamlin township, M'Kean county, to levy additional poor tax.

Referred to the Committee on the Judiciary Local.

Mr. TAYLOR, a bill entitled an act to incorporate the Union Mutual fire insurance company.

Referred to the Committee on Corporations.

Mr. SHOEMAKER, a bill entitled An act to incorporate the Silver Brook coal company.

Referred to the Committee on Corporations.

Also, a bill entitled An act to incorporate the Hillside coal and iron company.

Referred to the Committee on Corporations.

Mr. CONNELL, a bill entitled An act to incorporate the American dredging company.

Referred to the Committee on Corporations.

Mr. RIDGWAY, a bill entitled An act to incorporate the National peat company.

Referred to the Committee on Corporations.

Mr. BURNETT, a bill entitled An act to reduce the capital stock of the Stroudsburg Bank.

Referred to the Committee on Banks.

Also, a bill entitled An act to prohibit the taking of fish by nets, seines, &c., to Monroe county.

Referred to the Committee on Agriculture and Domestic Manufactures.

Mr. DAVIS, a bill entitled A further supplement to an act relating to the elections of this Commonwealth, approved July 2, 1839.

Referred to the Committe on Election. Districts.

RE-COMMITTAL OF A BILL.

Mr. BIGHAM moved that bill entitled An act regulating the rate of interest, be recommitted to the Committee on the Judiciary General.

The motion was

Agreed to.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

The Clerk of the House of Representatives being introduced, returned bill from the Senate numbered and entitled as follows:

No. 561, a supplement to an act to enable the stockholders to rebuild the Lewisburg bridge, and re-establish, in the meantime, a ferry.

With information that the House of Representatives has passed the same without amendment.

BILLS ON THIRD READING.

Agreeably to order,

The Senate proceeded to the third reading of bill entitled An act to incorporate the Macungie Savings' Bank.

The bill was read by its title.

Mr. M'CONAUGHY said that the only question in regard to the bill was whether the required notice had been given; if not it would only be returned vetoed.

Mr. SCHALL said that there was a difference of opinion in regard to the notice to be given in the case of savings and deposit banks. Publication was required by banks of issue, but he thought there was no question in regard to this case.

Mr. BIGHAM. The Committee on Banks have changed their policy in regard to this subject. In the early part of last session we agreed that the publication clause did not apply to this class of banks. The attention of the Attorney General was called to it. It is claimed by the counsel that it is not necessary to give notice; it has been practiced both ways. The last and most authoritative decision is that publication is required.

Mr. COLEMAN. Mr. Speaker, it gives me great pleasure to know that the Committee on Banks have a policy; I am a member of that committee, but I was not aware they had a policy.

Mr. SCHALL said that bills of the same nature had been passed this session by both branches of the Legislature, and he desired the question to be decided before the Attorney General.

The bill

Passed finally.

Agreeably to order,

The Senate proceeded to the third reading and consideration of bill entitled A supplement to an act to change the mode of criminal proceedings in Erie and Union counties, extending the same to the county of Warren.

The bill

Passed finally.

HOME FOR INVALID SOLDIERS.

On leave given at this time,

Mr. FISHER offered the following resolution, which was twice read:

Resolved, That the Committee on Military Affairs be, and they are hereby, instructed to inquire into the propriety of purchasing a house and grounds for the purpose of providing a home for invalid soldiers, and report by bill or otherwise.

Mr. WHITE. Mr. Speaker, I trust the Senator from Lancaster [Mr. FISHER] will not press this resolution to its passage. The late Governor called the attention of the Legislature, in his message, to the fact that many invalid soldiers, lame and wounded, were in the alms houses of different parts of the Commonwealth. I had the honor to offer a resolution for a joint committee, to which this portion of the message was referred; that committee is proceeding in its investigations; the Senator from Lancaster is a member of that committee, and it is designed to make a formal report, and submit something to the Legislature for its action; and in view of that fact I trust the Senator will not press this resolution, because it may raise a conflict between the bodies to which this has been referred.

Mr. FISHER. I do not think it can interfere in the slightest degree. There will probably be some suggestions made that will be of advantage. I trust the resolution will pass. It can do no harm.

Mr. BIGHAM said he thought a better arrangement could be made, as a building had been granted for this purpose in Western Pennsylvania, and a fund of seventy-five thousand dollars appropriated for the deficiency. He thought a much more economical arrangement could be made, but had no objection to its being inquired into.

Mr. FISHER. If Western Pennsylvania will contribute an institution of that kind so much the better. This is simply a matter of inquiry.

Mr. M'CONAUGHY. Mr. Speaker, I heartily concur in the resolution offered by the Senator from Lancaster [Mr. FISHER]; and, as the subject is up, I desire to say that there are gentlemen in this Commonwealth who have in contemplation an individual effort, which I think will contribute largely for this purpose, and give an opportunity to the generous people of the State to furnish a home,

without calling upon the public treasury for the purpose.

Mr. FISHER. So much the better; let the inquiry be made.

The resolution was adopted.

PUBLIC CALENDAR.

The Senate proceeded to the consideration of bills on the public calendar, the first of which was a bill entitled An act to authorize married women to contract for the renting of houses and the payment of rent, and defining the manner in which the same may be recovered.

Mr. M'CONAUGHY. Mr. Speaker, I desire to call attention to the fact that that bill was reported with a negative recommendation.

Mr. WALLACE said he hoped the bill would be negatived; it was drafted with that view, in order to dispose of that class of bills at once.

The first and only section was read as follows:

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same*, That it shall be lawful for a married woman, whose husband is, at the time, absent from the county, notwithstanding her coverture, to contract for the renting, payment of rent, and occupancy of any dwelling or store in the said county of her residence, and any proceeding to recover the rent or the possession of said premises may be had and taken, either against the woman alone, or against the husband and wife, and in any such proceeding no plea of coverture or disability for such cause shall be allowed, and judgment may be entered against the wife alone or against the husband and wife, as may be: *Provided, however*, That no such judgment shall institute any personal liability against the husband unless it clearly appears that the process was duly served upon him while in the county and according to law.

On the question,

Will the Senate agree to the section?

It was not

Agreed to.

So the bill fell.

SELECTION OF JURORS.

The next bill on the public calender was Senate bill No. 89, entitled An act for the better and more impartial selection of persons to serve as jurors in the several courts of this Commonwealth.

Mr. WHITE. Mr. Speaker, I merely wish to remark that I hope the Senate will not proceed to the consideration of that bill now. I am interested in that question, and did not think that it would come up at all to-day. This is a question that effects this whole Commonwealth vitally. Every district represented on this floor, every Senator, more or less, has a decided policy upon this subject, and I trust we will not proceed to the consideration of it to-day. It is the common understanding of Senators upon this side of the house, at least, that it was not to be considered to-day.

Mr. BIGHAM said that as the other branch were considering a bill of this kind last evening when they adjourned, he did not think it best to waste time in considering a different bill here.

Mr. HAINES. Mr. Speaker, I hope the Senate will not defer the consideration of this bill. We all know what this bill is. It is already in operation in two counties I represent, and the people are perfectly satisfied with it. I feel satisfied that the people at large require such a law, and I hope the Senate will proceed to the consideration of the bill; we may as well discuss it now as at any other time.

Mr. SHOEMAKER. Mr. Speaker, I feel auxious that this subject should be disposed of as early in the session as possible. The bill has been printed for a long time and sent to our constituents, and, so far as I have been able to ascertain from the papers and from private sources, it is an acceptable bill, and the people are auxious to have it disposed of. From the fact that it is a general bill, it is the more important that it should be disposed of early. I can see no objection to taking it up now, and affixing any clause in the bill that is not objected to; then we can postpone it, if desirable; but I think we might as well take it up now, and see how far we can progress with it.

Mr. WHITE. Mr. Speaker, just one word more. As I remarked before, this bill interests every Senator on this floor. It affects the administration of justice in this Commonwealth to the fountain head. I have never read it; I have never supposed that there was to be an effort made here to pass this bill as it is upon the file; I have not had an opportunity to make the examination of it that its merits certainly require, and I do trust and hope that the Senators on this floor will not attempt to pass this bill at this time; and I appeal to the Senator from Perry [Mr. HAINES] and the Senator from Luzerne [Mr. SHOEMAKER] to desist from pressing the bill at this time. The bill is up in the House, and is receiving consideration there; our action here, if we take any action, may be in direct conflict with that of the House. Let them get through with it, and adopt a policy upon this subject, if they see fit. The Senator from Allegheny [Mr. BIGHAM] has told you that the House adjourned last evening, with this bill before them. There is no occasion for haste in this matter whatever; and I trust and hope that the Senator who has just spoken, and urged the consideration of the bill, will appreciate the propriety of what I suggest.

Mr. DAVIS. Mr. Speaker, the Senator from Indiana [Mr. WHITE] gives as a reason for not wishing to proceed with the consideration of this bill, that he has not had time to examine it. I believe the provisions of it are similar to the one he has in charge, and I hope the bill will be considered.

Mr. FISHER. Mr. Speaker, I have had perhaps more trouble on this question than any other that has arisen since the commencement of the session. It so happens that I have in charge a bill from one of the counties of this Commonwealth on this very subject, and it is very unpleasant to me, and has been all along, to have that bill called up. I was in hopes that some general bill would be introduced here that would cover that county. Whilst I am very sure that there has been no complaint in the county which I in part represent, on this subject of drawing jurors, yet I dislike to discriminate between counties on this question. I therefore hope that we will pass, as speedily as possible, a bill to meet the complaints that have been made upon this subject in different counties; I am, therefore, in favor of proceeding to the consideration of this bill at once.

Mr. M'CONAUGHY. Mr. Speaker, I am very earnestly in favor of granting the relief so urgently required for abuses existing at present in the Commonwealth in relation to the jury system. I desire to grant that relief, if possible, by general legislation; but, sir, I hope that the friends of this relief will act deliberately, and that the consideration of the subject will not be precipitated upon us. Let us confer upon it, and endeavor to act with unanimity. I shall, sir, disregard my own personal preferences, in order to have united and concentrated action upon this matter. I ask those who desire to grant this relief in any practical form, not to press its consideration at this time.

On the motion of Mr. HAINES, to proceed to the consideration of the bill,

The yeas and nays were required by Mr. WHITE and Mr. TAYLOR, and were as follow, viz:

YEAS—Messrs. Brown (Mercer), Burnett, Coleman, Connell, Davis, Donovan, Fisher, Glatz, Haines, Jackson, James, Landon, M'Candless, Randall, Ridgway, Royer, Schall, Searight, Shoemaker, Wallace, Walls and Hall, *Speaker*—22.

NAYS—Messrs. Bigham, Billingfelt, Browne (Lawrence), Cowles, Graham, Lowry, M'Conaughy, Stutzman, Taylor and White—10.

So the question was determined in the affirmative.

During the call,

Mr. BROWNE (Lawrence) said he did not know how he should vote finally on the bill, but thought it would only be wasting time to take it up now; hence, he voted "no."

Also, during the call,

Mr. BROWN (Mercer) said he should vote against the bill when it came up, but was not disposed to delay its consideration, and therefore voted "aye."

Also, during the call,

Mr. FISHER said that he thought his constituents did not desire this bill; but as he did not want to do justice to one part of the Commonwealth, and cut other parts out, he would vote "aye."

Also, during the call,

Mr. LOWRY said: Mr. Speaker, I intend, sir, to vote for this bill, or one similar to it, but I have no disposition to have it urged through against the protestations of the friends of the measure; I shall therefore vote against taking it up now. I vote "no."

Also, during the call,

Mr. M'CANDLESS said that, as the chairman of the General Judiciary Committee had submitted this bill for consideration, he would vote "aye."

In committee of the whole [Mr. GRAHAM in the chair], the first section of the bill was read as follows:

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same*, That at the general election to be held on the second Tuesday of October, Anno Domini one thousand eight hundred and sixty-seven, and triennially thereafter, at such election, the qualified electors of the several counties of this Commonwealth shall elect, in the manner now provided by law for the election of other county officers, two sober, intelligent and judicious persons, to serve as jury commissioners, in each of said counties, for the period of three years ensuing their election, but the same person or persons shall not be eligible for re-election more than once in any period of six years: *Provided*, That each of said qualified electors shall vote for one person only as jury commissioner, and the two persons having the greatest number of votes for jury commissioner shall be duly elected jury commissioners for such county.

On the question,

Will the Senate agree to this section?

It was agreed to.

The second section was read as follows:

SEC. 2. It shall be the duty of said jury commissioners to meet at the seat of justice of the respective counties, at least thirty days before the first term of the court of common pleas, in every year, and thereupon proceed, with due diligence, to select, alternately, from the whole male taxable citizens of the respective county at large, a sufficient number of sober, intelligent and judicious persons to

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[CONTINUED FROM PAGE 352.]

serve as jurors in the several courts of such county during that year; and as soon as the said selection shall be completed, the said jury commissioners shall, in the mode and manner directed by law, place the names of the persons so selected in the proper jury wheel.

Mr. SHOEMAKER moved to amend the section by striking out the words "alternately" and "sufficient," and inserting the words "at large a number," the words "such as, at the term of the court of common pleas next proceeding, shall by the same court be designated," so that it would read, "and thereupon proceed, with due diligence, to select from the male taxable citizens of the respective county at large, a number such as, at the the term of the court of common pleas next preceding, shall by the said court be designated," etc.

The amendment was

Agreed to.

Mr. SHOEMAKER also moved to amend the same section by striking out all after the words "persons to serve as jurors in the several courts of such county during that year, and" and inserting, in lieu thereof, the following: "if the said commissioners cannot agree upon the names of the persons to be selected by them as jurors, they shall proceed as follows: each of the said commissioners shall make a list containing the names of one-half of the requisite number of persons, and ten per centum in addition thereto, and the proper number shall be obtained by each of said commissioners striking from the list furnished by the other a number equal to the said addition, and the names not stricken out shall be the selection of the names of jurors; and the said jury commissioners shall, in the mode and manner now directed by law, place the names of persons so selected in the proper jury wheel, and the said jury wheel, locked, as now required by law, shall remain in the custody of the said jury commissioners, and the keys thereof in the custody of the sheriff of said county.

Mr. FISHER said he thought he could propose an amendment which would be satisfactory to the Judiciary Committee. He proposed to amend the section so as to have the sheriff meet with the jury commissioners, as a controlling power, in case of disagreement.

Mr. SHOEMAKER. Mr. Chairman, I would say, in regard to that amendment, that the object of this bill is to put both parties upon an entire equality in the jury box; that is the peculiar feature of this bill, and the amendment proposed by the Senator from Lancaster [Mr. FISHER] would destroy the equality utterly. The friends of the bill desire to pass it as a bill which will place suitors upon an absolute equality, and the impression of those who favor this bill is, that it will do away with partisan feeling in the jury box, and I would therefore object, and ask the friends of this bill to object, to anything that will mar that peculiar feature in the bill which puts parties upon an equality in the jury box.

Mr. WHITE. Mr. Chairman, I am surprised at the remarks of the Senator from Luzerne [Mr. SHOEMAKER]. So far as I am concerned, in connection with this bill, I feel it my duty to my constituents to oppose its passage, first, last, and all the time, and, in so doing, I am prompted by no factious spirit. It may be the impression that there is a majority of this Chamber in favor of the passage of this bill; I do not think there is. I am certain that it was the understanding of every Senator, made in a solemn and formal manner, that no premature action should be had upon this measure without having had a previous satisfactory understanding, if possible. It is unnecessary for me to now, and here, recite what the arrangement was, or as to how it was to be effected. My friend, the Senator from Luzerne, knows as well as I do, that that was the understanding, and I am induced to call his attention to this understanding from the character of the remarks he has made, calling upon the friends of this bill to stand by it. I am sorry, furthermore, that anything has been said about politics in connection with this subject, upon this floor. So far as regards the administration of justice in my district, politics have nothing whatever to do with it; and it is my pride and my boast that politics do not enter into the administration of justice there; and when this bill comes up for its final passage, I will ask the privilege of having my district exempted from its provision. But, sir, I would like to understand from the Senator from Luzerne what is the character of the amendment he has offered. I confess I am opposed to it, because it is too complicated in my mind; and, if that amendment is rejected, I am going to follow it with an amendment, and I will indicate to the Senator now what that amendment is: I am going to propose to amend the second section by inserting, after the words "duty of said jury commissioners," the words "and sheriff;" and also striking out the words "at least thirty days before," and inserting in lieu thereof the words, "in open court on the second day of." The Chairman will understand that I am merely opposing the amendment of the Senator from Luzerne, by indicating the character of the amendment which I wish to offer. When his amendment is voted down, if it is designed to let politics interfere with the consideration of the bill, I want it arranged so that it will be equal, and give the dominant party, and the party in the minority, an equality in proportion to their numbers, in the selection of jurors; and the incorporation of the sheriff in this bill, together with the jury commissioners, will give this equality; and the selection of these jurors in open court will give to the thing a sanctity and solemnity that is very much to be desired. I trust, therefore, in consideration of the merits of the amendment which I design to offer, that the amendment of the Senator from Luzerne [Mr. SHOEMAKER] will be voted down.

Mr. SEARIGHT. Mr. Chairman, the Senator from Indiana [Mr. WHITE] has said that he is opposed to having this bill apply to his district, and if it was going to be passed, he would ask that his district be exempted from its operations. I want to ask him if he is in favor of imposing its operations upon my district; I understood that he was in favor of that.

Mr. WHITE. Mr. Chairman, I do not know, specially, that I am in favor of the passage of this bill, so as to apply to the district or county in which the Senator from Fayette [Mr. SEARIGHT] resides. I very frankly admit to the Senators from Fayette that I am in favor of a bill which some very fair-minded gentlemen from his county sent to me, and requested me to pass; and there is no gentleman upon this floor who is more sensitive about interfering with the legislation for the districts of other Senator than I am. If any Senator knows to the contrary, I would be very glad for him to speak out. If my friends, the Senator from York [Mr. GLATZ] or the Senator from Lehigh [Mr. SCHALL], think that I ever interfered with their districts, I will only remark that if I did so, it was done at the instance of gentlemen in the majority there. Now, as to the Senator from Fayette, it is true I read in place, and presented a bill here which I would not have presented, had I not been assured by some upright men in that county—men whose names I am perfectly willing to mention here, and let go upon the *Record*—that the administration of justice there actually required—Allow me to remark that people do not all have the same ideas. When that question comes up I am willing to submit a memorial which I have in my possession, reciting specific acts of injustice which are attributed to the manner of selecting jurors in that county. If the Senator from Fayette desires to hear that memorial read in justification of my action, I will cheerfully submit it.

Mr. SEARIGHT. I do not desire to occupy the time of the Senate by having any memorial read at this time, but I will trust the Senator as the representative of his district, and may I ask that the same courtesy be extended to me. There is a golden rule, accepted everywhere; I merely commend that to the Senator.

Mr. WHITE. Will the Senator allow me to reply to him, so that I may be consistent in this matter. In the memorial which I have, and which I do not desire to read just now, unless the Senator requires it, specific acts of injustice and wrong are stated as to the manner of selecting jurors, and I must believe that statement. Now, if the Senator will go into my county and find respectable men who reside there, who can recite such acts of injustice as are recited in this memorial, I will

have no objections whatever to his reading a bill in place which will rectify such injustice, and attempting to put it upon its passage. I throw the challenge to him.

Mr. SEARIGHT. I simply insist upon being the representative of the people of my district; that is all. I extend the same courtesy to the Senator from Indiana.

Mr. WHITE. Mr. Chairman, this does not relate exactly to this bill, but I trust the Senator from Luzerne [Mr. SHOEMAKER] will appreciate the force of the amendment which I have suggested, and I hope he will not press the passage of this amendment.

Mr. SHOEMAKER. Mr. Chairman, I do not know that any remarks are necessary. What I said before, I will repeat now, that the amendment suggested by the Senator from Indiana [Mr. WHITE] would simply defeat the object of this bill. The object of it is to put jurors on a perfect equality. If you permit the sheriff to be added to the commissioners you give two-thirds of the jury to the majority. I would appeal to the Senator if he thinks that would be fair. I ask him, supposing he had a suit, if he would be prepared to go before a jury two-thirds of whom he knew to be opposed to him? The idea is to put them on an equality. That is what every man, laying aside political bias, ought to agree to. Now, adding the sheriff destroys this equality and the whole feature of this bill, and if the sheriff is inserted, you might as well remain under the old system. The reason for urging the bill now is because it is the best time that we can have; next week we shall be engaged on the general railroad bill, which will probably take all the week, and I hope we will be pardoned for insisting upon this matter.

Mr. FISHER. Mr. Chairman, I am very decidedly in favor of this bill, but I want it to assume something like a reasonable shape. I do not believe we can accomplish anything by placing this power in the hands of men of opposite politics; you must have a balance of power somewhere—some controlling influence—and, unless you add the sheriff, or the judges, or some officers, so as to give the casting vote where a dispute arises, I do not believe there is any necessity for passing this bill. Without adding the sheriff, you will have a majority of Democrats, in Democratic counties, and in Republican counties, a majority of Republicans. I am credibly informed by members of the Schuylkill county bar, that there has not been a Republican on the jury here for some years.

I know that it is the case in York county. I have not been informed that it is so in Fayette. We want to break up this thing, and keep politics out of the jury box. But, at the same time, in a county where one party has the majority, you must have some check upon the dominant party, which can be done by adding the sheriff. I do think we should have a controlling power somewhere, and I know of no person in whose hands that power can better be placed than in the hands of the sheriff.

Mr. LOWRY moved that the committee rise, report progress, and have leave to sit again.

Mr. WALLACE said he hoped the motion would not prevail in the condition that the bill then was.

Mr. LOWRY. It is now one o'clock; the bill cannot pass to-day. Some Senators desire to go away at one o'clock, and I am one of them.

Mr. WALLACE said he hoped the section would be perfected before adjourning.

Mr. WHITE. This amendment is most vital; we want time to consider it.

The motion of Mr. LOWRY was

Not agreed to.

The amendment of Mr. SHOEMAKER was then

Agreed to.

The section, as amended, was

Agreed to.

The third section was read as follows:

SEC. 3. The said jury commissioners and the sheriff of the respective county, or any two of the three, shall draw from the proper jury wheel panels of jurors for the trial of issues in fact, which may be taken in any action in any of the courts of the several counties aforesaid, in the manner now practised and allowed; but before the said jury commissioners and sheriff shall proceed to select or draw jurors in the manner aforesaid, they shall severally take the oath or affirmation now prescribed by law to be taken by the sheriff and county commissioners before selecting and drawing jurors.

On the question, Will the Senate agree to the section?

Mr. SHOEMAKER moved to amend so that it would read as follows:

"SEC. 3. The said jury commissioners, and the sheriff of the respective county, or any two of three, shall draw from the proper jury wheel panels of jurors, as grand jurors for the respective county, and as petit and traverse jurors for the trial of issues in fact which may be taken in any action in any of the courts of the several counties aforesaid," et cetera.

The amendment was

Agreed to.

Mr. WHITE. Mr. Chairman, I do not want to be factious, but my constituents are interested in this bill, and I give notice that I shall vote first, last, and all the time, against it. A Senator saw fit to call up this bill, against the protest of Senators interested in it.

Mr. SEARIGHT. Mr. Chairman, I am glad to hear the Senator from Indian [Mr. WHITE] speak in the earnest terms in which he has just spoken; and I am glad to hear him proclaim here that he intends to stand by the rights and interests of his constituents. That is right; and I ask him to permit other Senators on this floor to do the same thing.

Mr. WHITE. If the remarks of the Senator from Fayette have a personal reflection on me, for offering a bill to affect his district, I will send this memorial up to the Clerk's desk to be read.

Mr. M'CONAUGHY. Mr. Chairman, I desire to say that, in any amendments which I offer, I have in view the perfecting of this bill; I desire to have it in the most perfect form, but I reserve my discrimination to vote ultimately as I think best. I move to amend the third section, by inserting after the words "in any of the courts," the words "civil and criminal."

The amendment was

Agreed to.

The section as amended was then

Agreed to.

The fourth section was read as follows:

SEC. 4. That so much of any act or acts of Assembly of this Commonwealth as makes it the duty of the sheriff and county commissioners of any of said counties to select and draw jurors, shall be repealed, and cease to have any force or effect, from and after the second Tuesday of October next, one thousand eight hundred and sixty-seven: *Provided*, That all acts and parts of acts of Assembly now in force in relation to the custody, sealing and unsealing, locking and opening of the jury wheel of the respective county, and all acts and parts of acts of Assembly now in force, imposing any penalty or punishment on the sheriff and county commissioners, or either of them, for anything done or omitted by them, or either of them, in relation to the keeping, locking, opening, sealing, or breaking the seal of any jury wheel, or in relation to the selecting or drawing of jurors, shall be taken, deemed and held to apply to the said jury commissioners and sheriff.

On the question,

Will the Senate agree to the section?

Mr. SHOEMAKER moved to amend by striking out the words, "second Tuesday of October," and inserting in lieu thereof the words, "first day of December."

The amendment was

Agreed to.

The section as amended was then

Agreed to.

The fifth section was read as follows:

SEC. 5. Each of the said jury commissioners shall be allowed and paid out of the respective county treasury the same compensation per day as is paid by the respective counties to the county commissioners.

On the question,

Will the Senate agree to the section?

Mr. SHOEMAKER moved to amend so that it would read as follows:

SEC. 5. Each of said jury commissioners shall be allowed and paid out of the respective county treasury two dollars and fifty cents per day, and four cents per mile circular from the residence of the commissioners to the court house.

Mr. M'CONAUGHY. Mr. Chairman, I hope that amendment will not prevail, and I will state to the Senate why it should not. The compensation of commissioners varies very materially. Some of the counties pay salaries and some pay a *per diem*, and I think it is improper to attach mileage where compensation is different.

The amendment of Mr. SHOEMAKER was

Agreed to.

The section as amended was then

Agreed to.

The sixth section was read as follows:

SEC. 6. It shall be the duty of each of said jury commissioners to take upon himself and discharge the duties of his said office, under a penalty of one hundred dollars for each and every neglect or refusal to attend the same, to be sued for and recovered before any justice of the peace of the proper county, as debts of like amount are now by law recoverable, ten dollars of which shall go to the person suing, and the residue to be paid by the said justice to the treasurer of the respective county for the use of the same.

On the question,

Will the Senate agree to the section?

It was agreed to.

The seventh section was read as follows:

SEC. 7. In case of the inability of either or both of the said jury commissioners by sickness, death, or other unavoidable causes, to discharge the duties of said office, it shall be the duty of the president judge in such county wherein said vacancy may have occurred, to appoint a suitable person or persons, as the case may be, possessing the qualifications aforesaid, to perform the duties of said office during such vacancy; and such person or persons, after having complied with the requirements of the third section of this act, shall proceed to discharge the duties of said office the same as if elected by the people.

On the question,

Will the Senate agree to the section?

Mr. SHOEMAKER moved to amend by inserting after the words "causes to discharge the duties of said office," the following words: "or, in case of neglect or refusal to serve thereon."

The amendment was

Agreed to.

Mr. WALLACE moved to amend the section by adding at the end thereof the following words; "until the next general election,

when the people shall elect a commissioner in lieu thereof."

The amendment was

Agreed to.

The section as amended was

Agreed to.

Mr. WHITE moved to amend the bill so that its provisions should not apply to the counties of Indiana, Cambria and Jefferson.

The motion so to amend was not

Agreed to.

Mr. WHITE. Mr. Chairman, I merely ask for my district what other Senators ask for. The Senators from Philadelphia ask that the provisions of the bill be excepted for their county, because there is no complaint in regard to jurors there. I ask the same privilege for my county.

The committee then rose and reported the bill with amendments.

BILL PASSED.

On motion of Mr. BURNETT, the Committee on Banks was discharged from the further consideration of bill entitled An act to reduce the capital stock of the Stroudsburg Bank.

And the rules having been dispensed with, the bill was read was read a second and third time, and

Passed finally.

The hour of one o'clock having arrived, the SPEAKER adjourned the Senate until Tuesday next at 11 o'clock, A. M.

HOUSE OF REPRESENTATIVES.

WEDNESDAY, February 20, 1867.

AFTERNOON SESSION.

The House met at 3 o'clock.

PUBLIC CALENDAR.

The SPEAKER. The special order for this afternoon is the consideration of the bills on the public calendar.

The first bill in order is House bill No. 246.

Mr. WADDELL. Mr. Speaker, I ask the consent of the House to finish the consideration of Senate bill No. 26, at this time.

I received a letter this morning from the department urging me to call the attention of the House to this matter. There are no funds to pay these officers. They are behind in their payments two or three months, and feel exceedingly anxious that the House should make some disposition of this bill.

Agreed to.

The bill was read as follows:

AN ACT to authorize the payment of State agents at Washington.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same*, That the State Treasurer is hereby authorized to pay, out of any money in the Treasury not otherwise appropriated, a sum not exceeding six thousand dollars, for the necessary expenses of the Pennsylvania agents at Washington, from the first day of December, 1866, to the 1st day of June, 1867, as authorized by the act of fourth May, one thousand eight hundred and sixty-four, and that said agency be abolished from and after the 1st day of February, 1868.

Mr. WILSON. Mr. Speaker, I offer the following amendment:

Provided, That if, in the opinion of the Governor of the Commonwealth, the necessity for said office has ceased to exist.

Mr. WOODWARD. Mr. Speaker, I hope the amendment of the gentleman from Allegheny [Mr. WILSON] will prevail. I have had a conversation with the Governor on this subject, and he feels that it will be better not to indicate that the office shall be closed at a particular time, from the fact that according to a late act of Congress a great deal of new business will necessarily pass through that office. It is contemplated to advertise very extensively that claims will be collected by this agency free of charge. I think it is no more than is due to the soldier. The principal cause of the opposition to the bill as it is now is this: the comparatively small number of claims passed through that agency and paid to soldiers. That objection, I think, will be remedied. The Governor gave me the privilege of stating that he would pledge himself to have that especially in view; if he found it necessary or expedient to close up the office at the time mentioned in the bill he would so recommend.

I hope the House will agree to this amendment.

Mr. BOYLE. Mr. Speaker, I have no objection to the passage of this bill providing for the payment of persons employed in that agency. I do, however, think the agency ought to be abolished. The truth is, the agency, as I understand it, has no legal existence. I know of no act of Assembly authorizing its establishment. The agency was created during the war; and the action of the Governor is to be commended, although it was without legal authority; there was a necessity for it at that time. I have no doubt that during the war it performed many very valuable services of the soldiers at Washington; but I submit that since the war has come to a close, there no longer exists any necessity whatever for this agency. The object for which the agency was established no longer exists. There are now no Pennsylvania soldiers to be taken care of; the only duty that the agent and his assistant now perform is the collection of claims. I think, for a year past, the State agent at Washington has done nothing whatever except to collect claims.

I have the report of the State agent before me, and I find that in this particular the agency has done comparatively little. We know that in this State, at this time, there are a great many soldiers prosecuting claims against the General Government, yet this agency, which is maintained at a very large expense to the State, has collected only one thousand five hundred claims during the past year. Compared with the whole number this one thousand five hundred is almost nothing.

A large majority of the soldiers of the State, who are prosecuting claims against the General Government, are compelled to resort to claim agents; and these fifteen hundred are all who have availed themselves or who have been able to avail themselves of the offices of this agency. Now, I understand that the agency costs about twelve thousand dollars per year, so it costs about ten dollars apiece for each of these claims; it costs the State more to collect these claims than it would cost if they were put in the hands of private claim agents.

The officers of this agency, I believe, are an agent coming from the county of Allegheny, at this time, and an assistant agent, I think William A. Cook, who was formerly a resident of Allegheny, but for some years past a citizen of Iowa.

I learn from the gentleman who formerly filled the position of agent that the office of assistant agent cost about three thousand five hundred dollars a year, and that the duties could be performed by a clerk. Now, if this bill is to pass, I trust the office of assistant agent will be abolished altogether, and that in his stead, there will, if necessary, be substituted a clerk who certainly can perform all the duties. The bill as amended by the Committee of Ways and Means provides for the abolishing of the agency on the first of February of next year, and leaves it discretionary with the Governor whether it shall be abolished at that time or not.

Now, having the utmost confidence in the Governor, I should like to recommend what seems to be right. You know that here are two good "places;" we all know that there is a very great anxiety to get good "places;" and when the time comes for the abolishing of this agency there will be a State agent from the county of Allegheny, and an assistant agent from the State of Iowa, who will not at all like to be turned out in the cold. The probability will be that the Governor, who, like Ichabod Crane, may have a soft and foolish heart will hesitate long before he strips himself of the patronage of two agents and several clerks. I submit to the House that the object for which the agency was established has ceased to exist; that it is no longer a legitimate institution; and has effected no good to the body of soldiers of this State. I believe I state nothing more than the truth when I say the soldiers in my county know nothing of this agency. We have several very efficient claim agents, and they look after the interests of the soldier, I believe, as properly and at a less rate than it costs the State to keep up this branch.

I trust the amendment of the gentleman from Allegheny [Mr. WILSON] will be voted down.

I wish to offer an amendment that this agency shall cease to exist after the first of June next, if the amendment now before the House is not agreed to.

Mr. WOODWARD. Mr. Speaker, I am very sorry to hear the reflections of the gentleman upon the Governor. His character for firmness and——

Mr. BOYLE. Mr. Speaker, I rise to explain: I expressly disclaim all reflections upon the Governor, and any intention to reflect upon him. I stated so at the time; and I want it clearly understood that I intended nothing of the kind.

Mr. WOODWARD. Mr. Speaker, I understood the gentleman to say that a soft and simple heart might prevent the Governor from doing what he thought was right in the premises.

The objection made to this bill by the gentleman from Fayette [Mr. BOYLE] will lose much of its force when we remember that he is an attorney himself. It is not to be wondered that few in his locality know of this agency. Perhaps some of these claims have passed through his hands or the hands of other attorneys in his district. The soldiers of Pennsylvania have been terribly wronged by these agents. As I said before, the proposition is to advertise extensively to the soldiers that their claims will pass through this agency promptly and without any expense to them; knowing this fact, I believe they have sense enough to avail themselves of it. The expense to the State, I admit, for the last year has been considerable; somewhere about four per cent. of the amount collected; but it requires no more expense to sustain the department if a million dollars pass through the agency than if it collect but seventy thousand dollars or eighty thousand dollars. It seems to me that this State, having furnished three hundred thousand troops to the army, can afford this small outlay.

I am willing that the bill should be amended so as to put the office within the hands of different parties if it can be managed with a less amount of money and the same efficiency. I doubt whether that can be done, from the fact that the pay generally commands a proportionate amount of talent. The agency, as now existing, has one person with the rank and pay of colonel, and one with the rank and pay of lieutenant colonel, who is the clerk. The probabilities are, if the office of

assistant is abolished and a clerk put in his place, we will not get as good and efficient a man as we have at present, and partially, if not wholly, from the fact that the remuneration is not as great.

Mr. BARTON. Mr. Speaker, I trust the amendment of the gentleman from Allegheny [Mr. WILSON] will prevail. I can see no reason for the anxiety of the opponents of this agency, to close it up in so short a time. It is claimed by them to be simply a claim agency established and carried on for the purpose of collecting moneys or claims for the soldiers; and this, they think, can be done by means of local claim agents. The expense of maintaining this agency, as appears by the records, is about twelve thousand dollars. I think the amount of money collected for the soldiers of Pennsylvania during the last year was some three hundred thousand dollars. I commend it to the favorable consideration of this Legislature.

I think that agency at Washington, in common with similar agencies of other States, was one of the best institutions which Pennsylvania established for the careful supervision and protection of our soldiers in the armies of the Union. If the only object of this agency is to collect bounties due to the soldiers of Pennsylvania, I hope it will still be continued. If it cost twelve thousand dollars for the State of Pennsylvania to collect three hundred thousand dollars, I ask what it would cost the soldiers themselves to collect it? If they had to go to these local claim agents, these leeches, as it were, upon the body politic, it would cost them almost fifty per cent. of the three hundred thousand dollars.

I think we owe our protection to the soldiers who fought for us in the late contest, and should evidence it by sustaining this agency. But I apprehend there are other duties devolving upon this agency than the mere collection of bounties; for that is provided for by an act of Congress. This agency, certainly, has been largely engaged in alleviating the distresses and miseries of Pennsylvania soldiers in the hospitals throughout the Union; and if there are any still in the hospitals in different parts of the country they have to perform the duty of attending to them.

I hope the amendment of the gentleman from Allegheny [Mr. WILSON] will be adopted, and that this agency will not be closed on the first of February next, unless it is deemed desirable by the Governor.

Mr. M'CREARY. Mr. Speaker, I do not see where the gentleman from Fayette [Mr. BOYLE] obtains, as the number of applications paid within the last year, the number of fifteen hundred.

It is well known that many claims are presented that, after careful investigation, are laid aside, and not paid at all. Yet those persons making applications are entitled to have some action upon them.

I see by report of Colonel Jordan, that two thousand and thirty claims had been prepared and filed during the last year, and the sum of three hundred and eleven thousand seven hundred and three dollars and eleven cents had been collected. In addition to that, last summer acts of Congress were passed increasing the pensions and bounties, applications for which are just being sent in:

The act of Congress, approved the 6th of June, 1866, increasing the bounties of soldiers who had lost both eyes, &c., &c.,

Another act approved July 25, 1866, granting pensions to widows with children under sixteen years of age.

Now, it was some time before the rules and regulations were prescribed, by which these bounties could be received. The class of persons named in these acts, are just the persons the agency is intended to benefit. Not so much the soldier who came out safe and sound, able to make his own application, or to pay somebody for making the application in his stead; but the man who lost his leg, or both the legs, or an eye or both eyes; or a widow with children under sixteen years of age. How are they to have their claims attended to, unless they employ a person in their behalf? I will state another fact with regard to this agency: within ten days after the present incumbent entered on the duties of his office between seven thousand and eight thousand letters were received at the agency respecting the claims then on file or placing claims on file. Now, this shows that there is an immense amount of work to be done. If, in the course of ten days, they received seven thousand or eight thousand letters, it would amount to nearly forty thousand at the end of the year. On the 28th of July last an act of Congress was passed giving pensions to soldiers of 1861 and 1862, who had received but one hundred dollars bounty when they went out. It is well known that it was at least four or five months after the passage of this act before they could receive any benefit from it. But all the difficulties were not yet met, and by a joint resolution, which I had the honor of introducing, Congress was requested to pass an act to aid soldiers in the collection of their bounties, after the loss of their discharge papers.

With regard to the expense attending the collection of claims I am satified that three hundred thousand dollars cannot be collected by local agents for less than fifty thousand dollars, and that would come out of the pockets of the one-armed and one-legged men of the State. It seems to me Pennsylvania should not hesitate or halt a moment when she can protect this portion of her citizens at the small expense of ten or twelve thousand dollars.

The act of 1864 provided for the enlargement of the agency which had been established by Governor Curtin, and specified its duties. This is the first time I have heard that the agency has failed. It is objected that they have a clerk, a resident of Iowa; but that does not necessarily militate against the soldiers. However, I understand he is a resident of Westmoreland county, though he may, at some time, have gone to Iowa. It was much better for him to go to Iowa than to Fayette county.

Mr. JONES. Mr. Speaker, will the gentleman allow me to interrupt him?

In that act specifying the duties of this officer, I would ask the gentleman whether this agent is required to advertise generally his address and notify people everywhere of the fact that he will attend to their claims without compensation?

Mr. M'CREARY. I do not know that he is; but it is required that the rules and regulations, and the agency is published in all the papers of the State that are friendly.

Mr. JONES. Mr. Speaker, I ask the question for the reason that the member from Erie [Mr. WOODWARD] said it was the intention and design to have this matter generally advertised. I would like to know whether the advertising is discretionary with the agent at Washington. If it was left to his discretion of course it would be to his advantage not to advertise at all, because his compensation is fixed—the same whether he attends to ten claims or ten thousand claims.

Mr. M'MCREARY. Mr. Speaker, in answer to the gentleman's inquiry as to whether this matter is advertised, I will refer him to the Philadelphia *Press* of to-day, which publishes the advertisement of the agency in a very conspicuous place.

I will read it:

"Pennsylvania State Agency, Washington, D. C. By order of His Excellency, John W. Geary, Governor of Pennsylvania, notice is given that the Pennsylvania State Agency at Washington, D. C., will attend with promptness, and without charge, to the adjustment of the claims of soldiers for pensions, bounties, etc., from the United States, as well as to those of widows, orphans, and other relatives. That claims can be sent directly to the parties interested in them, or, if they prefer it, through local agents or attorneys.

The Agency was originated for the benefit of the living soldiers and the widows and orphans of those who died in defense of the country; and it is the special desire of the Governor that it be continued for the meritorious purpose for which it was established, and that no effort be omitted to increase its efficiency. Blanks and instructions can be furnished.

Communications may be addressed, "Pennsylvania State Agency, Washington, D. C., Lock Box 71."

JOHN H. STEWART,
Colonel and Military Agent.
WILLIAM A. COOK,
Lieut. Col., and Asst. Military Agent."

Mr. LINTON. Mr. Speaker, I think, in its practical workings, the agency has failed to provide the means by which these claims can be procured and credited to the Government, without any expense to the soldiers or their widows. I shall vote for the original bill, to dispense with the agency after next February. I know that soldiers are not required to pay anything to this agency, directly, for collecting those claims, but oftentimes, in fact, they are compelled to pay to have these services performed. A soldier, seeing one of these advertisements, forwards to Washington letters, stating his case; he receives in return a certain amount of blanks. Now, probably, of all the soldiers who have served in this war, but a very small portion of them are able to fill these blanks. Hence they are constrained, from the necessity of the case, to apply to those who make the collecting of claims a business in order to have the blanks filled; and for this they are charged probably as much as though the claim itself had been prosecuted. These blanks are sent throughout the country, but soldiers must pay for their proper filling up. Therefore, the agency having failed to accomplish the purpose for which it was established, I am opposed to its being longer continued at the expense of the State. If the agency did accomplish the purpose for which it was created, if it enabled soldiers to collect their claims free of expense, I would say: Let the agency continue. But I believe in only a few cases is such the practical working of this institution. All the money expended in its maintenance is uselessly taken from the pockets of the taxpayers of this Commonwealth.

I will, therefore, vote for the bill to dispense with this agency after February next.

Mr. M'CREARY. Mr. Speaker, I wish to call the attention of the House to one important fact which I had forgotten. A short time ago Congress passed a law providing for the equalization of bounties, which will involve an expenditure of many millions of dollars.

In my opinion, if there ever was a time when the services of this agency were needed at Washington, that time is now.

Mr. BOYLE. Mr. Speaker, the gentleman from Erie [Mr. WOODWARD] intimated that I was a claim agent. I expressly deny that I am engaged in any such business. I have never prosecuted claims against the General Government; so I have no aims of my own to subserve by abolishing this agency.

I am informed much has been said about the passage of this recent act of Congress, and which is supposed to necessitate the continuance of this agency. I am informed by a gentleman who knows that this act of Con-

gress contains a provision that no charge of more than five dollars shall be made for prosecuting claims under it; and that it contains a further provision that the claim shall be sent directly to the soldier himself, and not given to any agent. If that be the case I maintain that Congress considered it would be better to abolish this agency, and to let the claims be prosecuted by claim agents or attorneys. It has been stated that the report of the military agent shows that the amount collected last year was three hundred thousand dollars, and the expense of collecting it twelve thousand dollars, or about four per cent. of the sum collected. I maintain, in defense of the much abused agents, that it does not cost that much to collect claims against the Government. I do not believe it costs four per cent. of a claim to collect it. The claim agents in my part of the State are principally Republicans, and I have no idea that Republicans would deal otherwise than fairly with the soldiers.

I will ask the Clerk to read the bill as it stands on the proposed amendment.

The bill was read as follows:

AN ACT to authorize the payment of State agents at Washington.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same*, That the State Treasurer is hereby authorized to pay, out of any money in the Treasury not otherwise appropriated, a sum not exceeding six thousand dollars, for the necessary expenses of the Pennsylvania agents at Washington, from the first day of December, 1866, to the 1st day of June, 1867, as authorized by the act of fourth May, one thousand eight hundred and sixty-four, and that said agency be abolished from and after the 1st day of February, 1868:

Provided, That if, in the opinion of the Governor of the Commonwealth, the necessity for such office has ceased to exist.

Mr. BOYLE. Mr. Speaker, I now move to strike out the words proposed to be inserted, together with the words, "first day of February, 1868," and insert in lieu thereof the words "the said first day of June."

I think that will be ample time. It is the period for which a provision for payment is made in this bill. This will afford ample time to wind up the affairs of the agency.

Mr. WADDELL. Mr. Speaker, I have avoided saying anything on this question, simply because there was a diversity of opinion in the committee who had this matter in charge, and I did not wish to interfere with the bill in the House. I cannot approve of the amendment offered by the gentleman from Fayette [Mr. BOYLE]. With regard to the amendment offered by the gentleman from Allegheny [Mr. WILSON], I feel somewhat indifferent as to whether it is accepted or not, simply because the bill as it stands reported from the committee, in my opinion, places it in the power of the next Legislature to say whether the office shall be abolished or not.

The amendment of the gentleman from Allegheny simply places the discretionary power in the hands of another tribunal. But the amendment of the gentleman from Fayette [Mr. BOYLE] will close this agency on the first of June, notwithstanding it may not be in a condition to be closed. Its business must cease at that time and there is no power that can interfere, one way or the other. Now, the amendment of the committee was simply to avoid this difficulty. When the first of February, 1868, arrived, if the department could satisfy the Legislature, then in session, that it was important to continue the agency, the period of its existence could be prolonged. But if the amendment of the gentleman from Fayette should prevail, then, no matter what necessity might exist on the first of June, no matter how important it might appear to the Executive of this State that the agency should continue, he would be compelled to stop it; whatever work the agency may have on hand must rest where it may happen to be on the first day of June.—Now, I think the majority of the committee were opposed to this. They were satisfied that the agency should cease at a particular time, and they proposed the first of February, because the Legislature, being then in session, could continue the agency if the necessity for such continuance should exist. If the necessity did not exist, the agency could then be closed without injury to anybody. I am, therefore, opposed to the amendment of the gentleman from Fayette.

Mr. WOODWARD. Mr. Speaker, I would like to ask the gentleman from Chester one question: If it is decided to close the agency on the first of February, I would like to inquire whether its operations will not be interfered with, for the reason that if this fact is known generally, claims will cease to be presented? What will be the effect of the amendment of the gentleman from Allegheny [Mr. WILSON]?

Mr. WADDELL. Mr. Speaker, I do not think the amendment of the gentleman from Allegheny remedies that. The people will not know what the sentiments of the Governor are; he will hardly know, himself, probably, until it comes near the time specified, the first of February. He has the power then to determine. He cannot advertise that he will close the agency at that time. I do not think the difficulty well founded.

Mr. WILSON. Mr. Speaker, as I understand, the bill itself simply states that the Legislature may continue this office at Washington, but there is no express provision. The amendment I offered contains an express provision. In my judgment it is simply a question as to whether we shall trust the Governor with this power or not. It certainly can do no harm to pass this amendment. If the necessity for this amendment does not exist, of course the Governor will not continue it.

The question being on the adoption of the amendment of the gentleman from Fayette [Mr. BOYLE], to the amendment of the gentleman from Allegheny [Mr. WILSON],

The yeas and nays were required by Mr. BOYLE and Mr. RHOADS, and were as follow, viz:

YEAS—Messrs. Boyd, Boyle, Breen, Brennan, Calvin, Chalfant, Craig, Davis, Deise, Fogel, Freeborn, Gregory, Harner, Headman, Heltzel, Hood, Hunt, Jenks, Jones, Kerns, Kline, Koon, Kurtz, Linton, Long, M'Henry, M'Pherrin, Markley, Mullin, Phelan, Pillow, Quay, Quigley, Rhoads, Robinson, Rouch, Satterthwait, Tharp, Webb, Westbrook and Wingard—42.

NAYS—Messrs. Adaire, Allen, Barton, Cameron, Chadwick, Chase, Colville, Day, Donohugh, Espy, Ewing, Gallagher, Gordon, Harbison, Humphrey, Kennedy, Kimmell, Lee, Leech, M'Camant, M'Creary, M'Kee, Marks, Mechling, Meily, Peters, Roath, Seiler, Waddell, Watt, Weller, Whann, Wharton, Wilson, Wingard, Woodward Worrall, Wright and Glass, *Speaker*—38.

So the question was determined in the affirmative.

The question recurring on the amendment as amended,

The yeas and nays were required Mr. DAVIS and Mr. M'KEE, and were as follow, viz:

YEAS—Messrs. Adaire, Boyd, Boyle, Breen, Brennan, Calvin, Cameron, Chalfant, Craig, Davis, Deise, Fogel, Freeborn, Gregory, Harner, Headman, Heltzel, Hood, Hunt, Jenks, Jones, Josephs, Kerns, Kinney, Kline, Koon, Kurtz, Linton, Long, M'Henry, M'Pherrin, Maish, Markley, Meyers, Mullin, Phelan, Pillow, Quay, Quigley, Rhoads, Robinson, Rouch, Satterthwait, Subers, Tharp, Webb and Westbrook—47.

NAYS—Messrs. Allen, Barton, Chadwick, Chase, Colville, Day, Donohugh, Espy, Ewing, Gallagher, Gordon, Harbison, Humphrey, Kennedy, Kimmell, Lee, Leech, M'Camant, M'Creary, M'Kee, Marks, Mechling, Meily, Peters, Roath, Seiler, Waddell, Watt, Weller, Whann, Wharton, Wilson, Wingard, Woodward Worrall, Wright and Glass, *Speaker*—37.

So the question was determined in the affirmative.

The question now being on agreeing to the bill as amended,

Mr. BOYLE offered the following amendment, to be put at the end of the bill:

Provided, That the office of assistant agent is hereby abolished, and the State agent is authorized, if necessary, to employ an additional clerk in the place of said assistant.

Which was read.

Mr. BOYLE. Mr. Speaker, I only wish to say that I have the very highest authority, good Republican authority, for saying that the office of assistant agent is not at all necessary, and that his duties could very well be performed by a clerk. The assistant agent has the rank, I believe, of Lieutenant Colonel, and his pay amounts to about thirty-five hundred dollars. I suppose an efficient clerk could be employed for about fifteen hundred dollars. It would be a saving to the State of at least two thousand dollars. I think it is our duty to economise; I, therefore, offer this amendment.

Mr. JONES. Mr. Speaker, the gentleman from Erie [Mr. WOODWARD] said it was proposed to advertise the privilege of this agency generally throughout the State. It seems that the original act does not provide for this advertising, and the agent is allowed to use his own discretion in the matter. I think that ought not to be. I think it well that the soldiers throughout this Commonwealth, if this agency affords them any advantages, should be advised of it. I know that soldiers generally in my own county procure their claims through local agents. I think, therefore, it is not only well that the privileges of this agency should be advertised, but that such advertising should be required, so that not a few, but every soldier in the Commonwealth may avail himself of the aid of this department.

I therefore offer as an amendment a second section.

Which was read as follows:

SEC. 2. That the privileges accruing to the soldiers of Pennsylvania, by virtue of the continuance of this agency, shall be made known to them by advertisement for three successive weeks in the paper having the largest circulation, respectively, in each and every county of this Commonwealth; the expense of advertising to be paid out of the money appropriated in the first section of this act; and it shall be the duty of the Adjutant General of Pennsylvania to execute the provisions of this section.

Mr. WADDELL. Mr. Speaker, I do not apprehend that it is worth while for the State to go to the expense of this advertising, since this agency is to cease on the first of June next, and since it will require that time to get the advertisement in the papers of the several counties of this Commonwealth. I apprehend that the less knowledge we have of this agency the better, because it will only accumulate business there that cannot be attended to by the first of June. I think if there is any publication authorized it should be that the agency will cease. It will take until

the first of June to close up the business now in the hands of the agents. We should not delude soldiers into the belief that the agency can attend to the prosecution of their claims, no matter at what time those claims may have been forwarded. The money appropriated by this bill is for the purpose of paying what is due to the agents of that department. It appears to me that the only amendment which should be made is to make the payment correspond with the time when this agency is to cease. The appropriation in the first section was made when it was supposed the agency would continue until the first day of February, 1868.

Mr. BOYLE. Mr. Speaker, I think the bill as it is now provides that this payment shall be made up to the first of June, and on that day the agency shall cease.

Mr. WADDELL. Mr. Speaker, we had better not appropriate an amount of money which the section appropriates.

Mr. BOYLE. Mr. Speaker, I will state that it is presumed that six thousand dollars will be required for the expense to the first of June, and the act appropriates not exceeding six thousand dollars.

Mr. WADDELL. Probably that view is correct. Then there is no money that can be used for this advertising.

The question being on the amendment of of the gentleman from Berks [Mr. JONES], it was put and

Not agreed to.

The question recurring on the bill as amended,

The yeas and nays were required by Mr. M'CREARY and Mr. MECHLING, and were as follows, viz:

YEAS—Messrs. Allen, Barrington, Boyd, Boyle, Breen, Brennan, Calvin, Chalfant, Craig, Day, Deise, Ewing, Fogel, Gregory, Harbison, Harner, Headman, Heitzel, Hood, Hunt, Jenks, Jones, Josephs, Kline, Koon, Kurtz, Linton, Long, M'Henry, M'Pherrin, Maish, Markley, Meyers, Mullin, Phelan, Pillow, Quay, Quigley, Rhoads, Robinson, Satterthwait, Tharp, Westbrook, Wingard and Wright—45.

NAYS—Messrs. Adaire, Barton, Cameron, Chadwick, Chase, Colville, Davis, Donohugh, Espy, Freeborn, Gallagher, Gordon, Humphrey, Kennedy, Kerns, Kimmell, Kinney, Lee, Leech, M'Camant, M'Creary, M'Kee, Marks, Mechling, Meily, Peters, Roath, Seiler, Steacy, Subers, Waddell, Watt, Webb, Weller, Wham, Wharton, Wilson, Woodward, Worrall and Glass, *Speaker*—40.

To the question was determined in the affirmative.

On motion of Mr. BOYLE, the title was amended so to read, "and to close the State agency and abolish the office of assistant agent."

The question now being on transcribing the bill and reading it a third time by its title, it was put, and

Not agreed to.

TELEGRAM.

The SPEAKER announced the following telegram, which was read by the Clerk:

WASHINGTON, February 20, 1867.

Hon. John W. Geary:

The House has just declared in favor Senate reconstruction bill, after amending it to the satisfaction of the radicals. It is now before the Senate. Reverdy Johnson has just declared in its favor, and the rumor is that the President will sign it. It will sweep the country like a whirlwind.

(Signed) J. W. FORNEY.

COMMITTEE OF THE WHOLE.

The House went into committee of the whole on House bill No. 246, Mr. GREGORY in the chair.

The bill was read as follows:

AN ACT for the better and impartial selection of persons to serve as jurors in each of the counties of this Commonwealth.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That at the general election to be held on the second Tuesday of October, one thousand eight hundred and sixty-seven, and every second year thereafter, at such election, the qualified electors of each of the counties of this Commonwealth, shall elect, in the manner now provided by law for the election of other county officers, two sober, intelligent citizens of said counties to serve as jury commissioners, for the period of two years: *Provided,* That each of said qualified electors shall vote for one person as jury commissioner, at any such election, and the persons having the greatest number of votes for jury commissioner, shall be duly elected.

SEC. 2. It shall be the duty of said jury commissioners to meet with the sheriff at the seat of justice of each county, respectively, at least twenty days before the first term of court of common pleas, in every year, and thereupon proceed, with due diligence, to select, alternately, from the adult male taxable citizens of the county at large, a sufficient number of sober, intelligent and judicious persons, to serve as jurors in the several courts of each county, during that year; and as soon as the said selection shall be completed, the said jury commissioners and sheriff shall, in the mode and manner directed by law, place the names of the persons so selected in the proper jury wheel.

SEC. 3. The said jury commissioners, and the sheriff of each county, respectively, or any two of them, shall draw from the proper jury wheel panels of jurors for the trial of issues in fact, which may be taken in any action in court, in the manner now practiced and allowed; but before the said jury commissioners and sheriff of each county, respectively, shall proceed to select or draw jurors, in the manner aforesaid, they shall severally take the oath or affirmation now prescribed by law, to be taken by the sheriff and county commissioners, before selecting and drawing jurors.

SEC. 4. That all acts and parts of acts of Assembly now in force in relation to the custody, sealing, unsealing, locking and opening of the jury wheels, and all acts and parts of acts of Assembly now in force, imposing any penalty or punishment on the sheriff and county commissioners, or either of them, for anything done or omitted by them, or either of them, in relation to the keeping, locking, opening, sealing or breaking the seal of any jury wheel, or in relation to the selecting or drawing of jurors, shall be taken, deemed and held to apply to the said jury commissioners and sheriff.

SEC. 5. Each of said jury commissioners shall be allowed and paid the same compensation per day as is paid to the county commissioners.

SEC. 6. It shall be the duty of each of said jury commissioners to take upon himself and discharge the duties of said office, under a penalty of one hundred dollars for each and every neglect and refusal to attend the same, to be sued for and recovered before any justice of the peace of the proper county, as debts of like amount are now by law recoverable, ten dollars of which shall go to the person suing, and the residue to be paid by the said justice to the treasurer of the county for the use of the same.

SEC. 7. In case of the inability of either or both of the said jury commissioners by sickness, death or other unavoidable causes, to discharge the duties of said office, it shall be the duty of the president judge of such county wherein said vacancy shall have occurred, to appoint a suitable person or persons, as the case may be, possessing the qualifications aforesaid, to perform the duties of said office during such vacancy, and such person or persons, after having complied with the requirements of the third section of this act, shall proceed to discharge the duties of said office, the same as if elected by the people.

SEC. 8. That all acts and parts of acts inconsistent with the provisions of this act are hereby repealed.

The first section of the bill was read and

Agreed to.

On the reading of the second section,

Mr. MEYERS moved to amend the fourth line, after the word "thereupon," by inserting "the said commissioners and sheriff shall."

Mr. WINGARD. Mr. Chairman, I move to amend the amendment just offered by striking out the word "sheriff."

Mr. MEYERS. Mr. Chairman, I hope that will not prevail. This bill was reported by the committee and returned to the House; I cannot see why the word "sheriff" should be stricken out.

Mr. WINGARD. Mr. Chairman, the reason for the amendment is this: the question came up in committee, and it leaves the act in precisely this shape. The object of this bill is, as the title states, a bill for the better selection of jurors, and to enable political parties to be equally represented in the selection of jurors. Now, if the sheriffs happen to be Democratic or Republican, there would be two of one party, and one of another. If, however, the commissioners are chosen, one from each party, and act alone in the selection of jurors, there will be no preponderance. As I understand this bill, its main object is to insure entire impartiality, politically, in the selection of jurors. And this cannot be secured if two-thirds of the jurors are selected by one party.

Mr. MEYERS. Mr. Chairman, the committee will perceive that the aim of the selection was that it should be alternative. It is not to be assumed that the commissioners will act on political grounds. There can be no objection to allowing this bill to stand as it is, because it allows the sheriff and commissioners to select jurors alternately. It cannot be supposed that in making the selection each member would draw all of his own party. In Northampton county the board of commissioners to select a jury, and the sheriff, are all Democrats. Does it follow that none but Democrats are put in the jury wheel? Not at all. There are as many Republicans in the jury wheel in Northampton county, in proportion to the number of voters, as there are Democrats. In my county there is a Democratic majority of three thousand; the number of persons voting the Republican ticket is not large, and in many cases half the Republicans in the jury wheel are drawn.

I think this question ought not to be presented in the shape it has assumed; it conveys the idea that persons should act for political reasons, where they should have reference only to judicial matters for the purpose of obtaining justice between man and man.

I hope, therefore, the amendment will be voted down.

Mr. KENNEDY. Mr. Chairman, the remedy sought does not appear in what has been proposed. The idea in getting up a bill of this description is equalization. In some counties (by this bill) Republicans will lose in representation; in other counties Democrats will lose. In Wyoming a bill of this description will not answer, since there is a

difference of only fifty votes between the two parties.

I feel satisfied if a jury is equally drawn everything will pass off without difficulty.

With a one-third or two-third arrangement we shall not be able to remedy evils.

For that reason I am opposed to the bill in that shape.

Mr. M'CREARY. Mr. Chairman, my idea was that the main object of this bill was to settle the difficulties that arose in the selection of jurors. Of late years it has become a notorious fact that questions of a political character have been more or less mixed up in our courts. I presume there is no one in this House who supposes we can pass a bill satisfactory to all persons. We wish to do away with the difficulties that now exist in counties where majorities are strongly Republican, or strongly Democratic. There is too much favor shown to the dominant party in the jury box; sometimes there are not enough left of the minority to fill up the panel. One party can challenge the other of the jury. Now, we want to protect these men in their rights. We will take York county, where the Democratic majority is very strong. If the Republicans have one-third in the jury-box, do you not see that one-third will be sufficient protection to the man who is being tried for a political offense? It thus becomes impossible for one party to challenge off the other. Look at Allegheny county—strongly Republican. If the Democrats have one-third of the jurors, do you not see that one-third is sufficient to protect them? Take, for instance, the county of Erie—strongly Republican. The Democrats have never raised a political objection to the selection of jurors. But suppose they had. Suppose some claim involving politics should come up. If the Democrats had one-third of the jury, would not that be sufficient to protect the accused? Would his rights necessarily be impaired? Let us go to the county of Schuylkill. The Republicans have one-third of the jurors, and they are protected thereby. Therefore I say this bill is right. It gives to the different counties the preponderance of the jurors to the party holding the majority in that county. I know, in my own county, I can point to certain towships where there are not over twenty of one party to three hundred of the other.

Now, we would have these twenty men going to court as jurors as often as the three hundred Republicans. It would keep them attending court all the time, to keep the proportion in the jury box. In York county, or Fayette county, where the Republicans are so scarce, they would be kept going to court all the time. As I said in the first place, the object of this bill is not to give each party one-half the jurors in all the counties in the State, but to give each party in its respective county enough to protect its liberties and its integrity. I am not willing that the Democrats of Erie county, should have as many jurors as Republicans, because that would be saying that one man is entitled to the same privileges and power that three men are. We have nearly four thousand majority, and is it right that Democrats should go into the jury box represented equally with the Republicans? In the county of Berks, on the other hand, by this rule the Republicans must have as many persons as the Democrats. All I ask is that we shall have enough in the jury box to see that our rights are protected in all political cases—The amendment the gentleman from Northampton [Mr. MEYERS] proposes will insure at least one-third of the jurors to each political party. I trust thou that the amendment will be adopted. It contains, certainly, the original object of this bill.

Mr. WINGARD. Mr. Chairman, as I understand it, the whole scope of this bill is to equalize the parties in the jury box. What is meant by the words "for the better and more impartial selection of jurors?" It means, in this instance, equality with reference to parties. Now, I ask where is the equality if two-thirds are selected from one party and one-third from another party? If equality be introduced by the selection of one-third of one particular party, I ask if equality will not be complete by the selection of one-half from each party? There can be no reply to that. If you come to equality, then I say, a fair and equal division.

Mr. M'CREARY. Mr. Chairman, I would like to inquire of the gentleman, if, in a county where there is a Republican majority of three thousand, he would be willing to give Democrats privileges equal with those of the opposite party?

Mr. WINGARD. Mr. Chairman, that is where the shoe pinches—that is the difficulty with this bill. It was proposed last winter to extend the provisions of this law to certain counties. I opposed it, and I obtained a reputation for being rather fishy. I said I would support the measure if it was a general bill, having no other object than the better and more impartial selection of jurors. Now, in the gentleman's county, which is strongly Republican, it would be very well, probably, to have the sheriff and one Republican commissioner select the jurors. But in my county, which is Democratic, this would not do so well. There the Democrats would have two jurors to the one which we Republicans would have. Hence, I say this is partial; it is not a bill for the better and more impartial selection of jurors where there are two selected from one party and only one from the other. If we are honest in what we are doing let us carry this matter to its proper termination.

If we can make it a general bill, let it extend to every county in the State. If we are not sincere, let us postpone this bill indefinitely. I believe the bill would work well if it was passed in the manner in which it purports to come before the country. But I challenge a denial of the positions I have taken: that there cannot be impartiality where there are two jurors of one party selected to but one of the other party. I care very littly about this bill. In my county I have never had occasion to complain of the selection of jurors. At one time, since my residence in Lycoming county, a majority of the commissioners were Republican; but I heard no complaints from the Democrats. To this time I have never had occasion to complain of the selection of jurors there. Yet I will state this: at our last court, one of the most prominent Democrats of our bar complained seriously of the manner in which jurors were selected. He happened to be engaged in behalf of an American citizen of African descent, who had been most foully beaten. He had prosecuted his assailant; a bill had been found by the grand jury, and it came to be tried by the traverse jury. But the jury found the defendant not guilty, and compelled the prosecutor to pay costs, and this for no earthly reason than that his skin was black. The gentleman who was the attorney for this colored man, if I were to name him, would be recognized, perhaps, by some gentlemen on this floor as a highly respectable member of the bar, and an unflinching Democrat. He came and appealed to me to sustain a law for the better and more impartial selection of jurors.

In regard to the objection urged by my friend from Erie [Mr. M'CREARY], where one party is so sparse that they would be kept trotting to court all the year, I would remind him of an act of Assembly providing that a man shall be obliged to attend court only a certain number of times during the year. I have not felt any very great desire for the passage of this bill. What we want is a more impartial selection of jurors. I am opposed to the bill as it stands at present.

Mr. MEYERS. Mr. Chairman, I am somewhat astonished at the remarks of my friend from Lycoming [Mr. WINGARD]. He assumes that for the proper administration of justice there should be an equal number of both parties represented. If there are more than two parties, then more than two parties should be represented. It seems to me that the whole line of his argument goes on the assumption that the courts are based upon political matters, as if a question of murder, or a question of titles to lands, or a suit to recover money, or a question of the rights of widows and orphans, should come into courts of justice and be determined upon political grounds, and that if both parties are not equally represented in the jury-box the parties litigant cannot receive justice in this Commonwealth.

Mr. WINGARD. Mr. Chairman, will the gentleman allow me to ask him a question? I would like to have him explain what the meaning of this bill is; whether its object is not to exclude politics from the deliberations of the jury.

Mr. MEYERS. Mr. Chairman, I will come to that very soon. But I will answer it in this way now, that this bill has no reference at all to politics on its face. The very moment you introduce politics into the judiciary, that moment you destroy the virtue and honesty of that judiciary. The very moment you make questions of law subservient to political interests and political rights, then you destroy the rights of the people under the law.

The bill, by its title, says that it shall be an act for the better and more impartial selection of persons concerned as jurors in each of the counties of this Commonwealth. Now, what is required of a juror? He is required to be a sober, honest and intelligent citizen, with enough intelligence to be able to determine questions that come before him in the capacity of a juror, and that he shall have sufficient honesty and integrity to decide the question according to the law and evidence. The complaint that is urged against the present selection of jurors of this Commonwealth is because the selection is referred to commissioners and sheriffs who are not expressly selected for that purpose, but who are elected for other and independent purposes. The bill provides there shall be two sober and intelligent citizens elected with special reference to their capacity to select the proper kind of men in each county to serve as jurors. It is an office more of honor than of profit; it is an office that has no appointment under it. They will merely be required to perform certain duties in reference to the rights of the people under the law, without much pay, but with some thanks from the people for the proper performance of their duties. The complaint against the selection of ignorant men is not a complaint against their politics. In my county there are a large number of persons who cannot speak the English language. There are others who cannot well understand the proceedings of a court. These are not the men for the jury box. Over and over again, in important trials, they are excluded from sitting upon a jury for the simple reason that they cannot understand the English language. When we ask for an impartial selection of a jury, we ask for a selection of honest and intelligent men. We do not ask that they be selected, the one from this party and the other from that. If we say there must be six of this party and six of that party, then instead of being an impartial you make it a partial jury, and you defeat the very object contended for by the gentlemen who wish a more impartial

selection of jurors. Now, is it to enable an equal number of persons of each party to sit upon a jury, so that each will be entitled to receive the same amount of compensation during the year? Is it dollars and cents that is being advocated? Is it that there shall be so many Republicans and so many Democrats, and that they shall receive the same amount of money? That certainly cannot have reference to the performance of their duties. When a trial is began in a court of justice the commissioners must sit down and strike off the list of jurors on account of their political principles, unless, perhaps, in some cases where there might be a political question growing out of the issue. But, how can you prevent it? By having half the jurors Democrats and half Republican? You would get a jury in the panel on political grounds, and you would never get a verdict. Must questions arising in the courts be decided on political grounds? Not at all. The jury must decide upon the evidence and upon the law. They must decide as honest and conscientious men. It takes twelve men to agree on a verdict, and if you systematically divide a jury for political reasons, one man, making up his verdict in a party view, might defeat the ends of justice. Now, my idea in introducing this amendment was not that the commissioners would, of course, select each a Republican and each a Democrat. The commissioners to be elected are named in the bill to be two sober and intelligent citizens. It may be in the nature of things that two Republicans or two Democrats possessing these qualifications would be elected. We do not select them as partisans, but as sober and intelligent citizens, and that is what you want in Pennsylvania in place of the commissioners who are now selected, so we can have men who are especially fitted for the selection of jurors.

Now, if this bill passes, with the amendment proposed to section second, it prevents the putting in of persons entirely of one political persuasion, and that is all that is necessary. In the county of Northampton this is never done. The commissioners there are all Democratic, and the sheriff is always a Democrat. The majority is large, and in the nature of things, this might happen—and it might happen in a Republican county. By this bill you prevent the majority from putting in the jury box persons of one political persuasion. It prevents the Republican party of Erie county from putting in the jury wheel all Republicans. It prevents the Democratic party of Berks county from putting in the jury wheel all Democrats. It regulates this all over the State. It brings down the commissioners to the necessity of putting in men who are honest, efficient and capable to discharge their high duties as jurors irrespective of political qualifications and considerations. I say, therefore, that this idea of a careful and impartial selection of a jury is not based upon political considerations. It is based upon the higher, purer and nobler idea of justice and right; which you can gain only when you put it in the hands of the people to elect persons who are to be especially qualified for the performance of the duty of selecting these kind of jurors.

Mr. KENNEDY. Mr. Chairman, I cannot see the force of the gentleman's remark. If he wishes to make an impartial matter of this why can he not consent to dividing these jurors equally, rather than divide them two to one? I believe this is a question that ought to be decided, to a great extent, by counties where the political parties are nearly balanced. In Wyoming the Democracy are about fifty in majority: we are willing to give them half the jurors and take half ourselves. I think it would be giving the Democracy of this State as much power as is allowed to the Republicans if we divide the jurors half and half, politically. Were it not that matters of this kind in Wyoming are in their present shape, I would pay but little attention to this bill. As it is, for a number of terms, we (the Republicans) have had five jurors out of thirty-six, and two grand jurors out of the total number of jurors. That is the way selections have been made. Not long ago three or four liquor dealers were arrested for violating the license law. In each case the charges were made as clear as the light, but the grand jury ignored the bill. This is the manner in which we have been treated. I feel as though an equal division should be made. I presume there is no person on this floor, unless he wants to retain the balance of power on his side, will object to such a division.

Mr. SHARPLES. Mr. Chairman, I intend to take but very little part in the discussion of this bill, and that in favor of the gentleman from Northampton [Mr. MEYERS]. I wish to make the suggestion to gentlemen desiring the passage of this bill, that it would be advisable for them to put it in such shape that it would be acceptable to those who do not wish the bill at all. The county of Chester asks for no change. We have a large Republican majority, but no complaint has been made. We do not select jurors with reference to politics. But if we are to have a bill of this kind we want it in the least objectionable form, conceding, at the same time, advantages to the Democratic majorities equal to those possessed by ourselves. I, for one, will not vote upon this bill while it is in its present shape. I am, therefore, in favor of the amendment of the gentleman from Northampton.

Mr. KOON. Mr. Chairman, I am opposed to the whole bill. I think that instead of getting politics out of the jury box it is just calculated to introduce politics. It will be well known to a jury drawn under this bill that they have been drawn with respect to their politics, and each man will go into the jury box as a political juror. It is a sad day for our State when this question is bandied about in this hall; Democratic jurors talked of! Republican jurors talked of! It is calculated to bring disgrace on the jury system of our State. Pennsylvania is the only State that has hatched up this subject, and it has now been brought so far to the attention of the people that they begin to look upon the jury box as a political institution. On principle, I am opposed to the whole thing. In my county the Democratic party is superior, yet I have never heard the slightestest complaint from the Republican gentlemen of the bar. In fact Republican lawyers of our county have frequently expressed themselves in my hearing to the effect that the drawing of jurors was conducted with perfect impartiality. I have heard Republican gentlemen express themselves against any legislation on this subject. They view this thing in Luzerne county as a direct stab at the judiciary of Pennsylvania. This matter should never have come into this Hall; it never should have been mentioned anywhere. I repeat, instead of a board of non-political officers—instead of non-political jurors, it will be exactly the reverse; and where there is a disposition to enter into controversy, it will be impossible, at any time, to get a verdict.

I have no particular interest in this matter. In Luzerne county we always do justice. If the majority of this House desire to pass this general bill, myself and my colleagues will not oppose it. We will show, by our votes, that we are not afraid to do justice at all times and everywhere. Still we regret that politics have invaded the judiciary system of Pennsylvania; we regret that this matter has been bandied in this House and made light of. Still, if the Republican gentlemen of this House are honest in giving us a fair bill we shall say "amen" to it. If this bill is to pass I am in favor of the amendment of the gentleman from Northampton [Mr. MEYERS.]

I could not help feeling sorry for my friend from Wyoming [Mr. KENNEDY], where the Democratic majority is only fifty. I believe he has a right to complain. I would advise him to go right home and lecture the people of the county of Wyoming, and overcome that fifty majority. I have no doubt if the gentleman will begin to make stump speeches, that fifty Democratic majority will vanish at once.

Mr. KURTZ. Mr. Chairman, I move that the committee rise, report progress and ask leave to sit again.

The motion was put and

Not agreed to.

The question recurring on agreeing to the amendment of the gentleman from Lycoming [Mr. WINGARD], to the amendment of the gentleman from Northampton [Mr. MEYERS], to strike out the word "sheriff" in the fourth line of the second section, it was put and

Not agreed to.

The question now being on the amendment of the gentleman from Northampton [Mr. MEYERS], to insert in the fourth line of the second section, after the word "thereupon," the words "the said commissioners and sheriffs shall," it was put and

Agreed to.

The question being on the section as amended,

Mr. BOYLE offered the following amendment, which was read: To insert the word "white" after the word "adult" in the fourth line.

Mr. BOYLE. Mr. Chairman, I only desire to see that it is not the intention of the Republicans here to provide by law that jurors may be selected from among the colored population.

Mr. DAVIS. Mr. Chairman, I do not think there is anything existing in the laws of the State of Pennsylvania having reference to the race or color of any individual who shall sit upon a jury. I hope the committee will not stultify itself by inserting any such amendment. The word "white" has never been placed in our laws.

Mr. BOYLE. Mr. Chairman, the gentleman from Philadelphia [Mr. DAVIS] says there is nothing in the existing laws of the State to provide from what class jurors are to be selected. That is true, because heretofore it has been considered that this country belonged to white people. Under Democratic constructions only white people were citizens, and the selection of jurors has heretofore been confined to citizens. But a change has occurred, and new constructions have been given to the Constitution, and laws must be made in accordance therewith.

There is no doubt if the bill passes as it now reads, that it, that jurors shall be selected from the adult male taxable citizens, that under the Republican construction negroes will be included.

Mr. DAVIS. Mr. Chairman, the discussion on this bill has been entirely of a political character; and the object of the amendment of the gentleman from Fayette [Mr. BOYLE] is simply to acquire a little political capital.

Mr. MEYERS. Mr. Chairman, the gentleman says the word "white" has never been introduced in any law or statute of the State. I wish to ask him if it was not introduced in the statute stating the qualification of voters?

Mr. BOYLE. Mr. Chairman, I believe the gentleman from Beaver [Mr. QUAY] has offered a resolution calling a convention to amend the Constitution. I would ask him

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[CONTINUED FROM PAGE 360.]

whether one of the objects of that convention will have in view is not to strike the word "white" out of the statute books?

Mr. QUAY. Mr. Chairman, the bill to which the gentleman alludes is simply to authorize the people to vote at the next general election whether they desire the Constitution amended. The amendment proposed was not indicated.

Mr. DAVIS. Mr. Chairman, I have nothing further to say on this subject, except that I am opposed to ringing in such political capital on the question of the better selection of jurors. I hope the attempt will be promptly voted down.

Mr. KOON. Mr. Chairman, a day or two after the resolution of the gentleman from Beaver [Mr. QUAY] was offered, there was a commendatory article in the HARRISBURG TELEGRAPH on the subject, in which it was distinctly stated that it was proposed to strike out the word "white"——

Mr. DAVIS. Mr. Chairman, I rise to a point of order.

The question being on the amendment of the gentleman from Fayette [Mr. BOYLE], to insert the word "white" after the word "adult," in the fourth line, it was put and

Not agreed to.

The question recurring on the section as amended, it was

Agreed to.

The third section was read.

And on the question,

Will the committee agree to the section?

It was agreed to.

The fourth section was read.

And on the question,

Will the committee agree to the section?

It was agreed to.

The fifth section was read.

Mr. EWING moved to amend by inserting "for each day necessarily employed in their duty."

Not agreed to.

The sixth section was read and

Agreed to.

The seventh section was read and

Agreed to.

The eighth section was read and

Agreed to.

In the House, the Speaker having resumed the chair,

Mr. GREGORY, chairman of committee of the whole, reported the bill as amended.

The bill was read as amended.

On the question,

Will the House agree to the section?

It was agreed to.

The second section was read.

On the motion of Mr. BOYLE to amend the section by inserting the word "white" after the word "adult" in the fourth line,

The yeas and nays were required by Mr. BOYLE and Mr. GREGORY, and were as follow, viz:

YEAS—Messrs. Barrington, Boyd, Boyle, Breen, Brennan, Calvin, Chalfant, Craig, Deise, Fogel, Gregory, Harner, Headman, Heltzel, Hood, Hunt, Jenks, Jones, Josephs, Kline, Koon, Kurtz, Linton, Long, M'Henry, Maish, Markley, Meyers, Mullin, Phelan, Quigley, Rhoads, Ronch, Satterthwait, Tharp and Westbrook—36.

NAYS—Messrs. Adaire, Allen, Armstrong, Barton, Cameron, Chadwick, Chase, Colville, Davis, Day, Donohugh, Espy, Ewing, Freeborn, Gallagher, Gordon, Harbison, Humphrey, Kennedy, Kimmell, Kinney, Lee, Leech, M'Camant, M'Creary, M'Kee, M'Pherrin, Mechling, Meily, Peters, Pillow, Quay, Roath, Seiler, Sharples, Steacy, Stehman, Sulsers, Webb, Weller, Whann, Wharton, Wilson, Wingard, Woodward, Worrall, Wright and Glass, *Speaker*—48.

So the question was determined in the negative.

Mr. KURTZ. Mr. Speaker, I offer the following amendment.

The amendment was read as follows:

Provided, That none but the name of qualified voters, under the election laws of this Commonwealth, shall be placed in the jury wheel by said commissioners.

Mr. WINGARD. Mr. Speaker, I think under the present law for the selection of jurors that the amendment is totally unnecessary; the law so provides at the present time. I can see no use in lumbering the bill with unnecessary matter.

The question on the amendment was put, and it was

Not agreed to.

The fourth, fifth, sixth, seventh and eighth sections were read and

Agreed to.

The question now being,

Will the House agree to the bill as amended?

The yeas and nays were required by Mr. M'CREARY and Mr. COLVILLE, and were as follow, viz:

YEAS—Messrs. Adaire, Barrington, Barton, Boyd, Boyle, Breen, Brennan, Calvin, Chalfant, Craig, Davis, Deise, Fogel, Freeborn, Gregory, Harner, Heltzel, Hood, Hunt, Jenks, Jones, Josephs, Kerns, Kinney, Kline, Koon, Kurtz, Linton, Long, M'Henry, M'Pherrin, Markley, Meyers, Mullin, Phelan, Pillow, Quay, Quigley, Rhoads, Ronch, Satterthwait, Sharples, Sulsers, Waddell, Webb, Westbrook and Wingard—47.

NAYS—Messrs. Allen, Cameron, Chadwick, Chase, Colville, Day, Donohugh, Espy, Ewing, Gallagher, Gordon, Harbison, Humphrey, Kennedy, Kimmell, Lee, Leech, M'Camant, M'Creary, M'Kee, Marks, Mechling, Peters, Roath, Seiler, Watt, Weller, Whann, Wharton, Wilson, Woodward, Worrall, Wright and Glass, *Speaker*—34.

So the question was determined in the affirmative.

MESSAGE FROM THE SENATE.

The Clerk of the Senate being introduced, presented for concurrence bill numbered and entitled as follows, viz:

Senate bill No. 556, an act to refund John Martin, administrator, amount of collateral inheritance tax paid in error.

He also returned bill from the House of Representatives numbered and entitled as follows, viz:

No. 122, an act to regulate the terms of the several courts in the Sixth Judicial district.

With information that the Senate has passed the same with amendments, in which the concurrence of the House of Representatives is requested.

He also informed that the Senate had concurred in the preamble and resolution from the House of Representatives relative to the temporary adjournment of the Legislature,

With an amendment, in which the concurrence of the House of Representatives is requested.

The amendment of the Senate is to strike out the words "Monday, February 25, 1867, at 7½ o'clock, P. M." and by inserting in lieu thereof the words "Tuesday, the 26th of February, 1867, at 10 o'clock, A. M."

SPEAKER'S TABLE.

The SPEAKER proceeded to clear the table.

Senate bill No. 556, an act to refund John Martin, administrator, amount of collateral inheritance tax, paid in error.

Referred to the Committee on Ways and Means.

No. 122, an act to regulate the terms of the several courts in the Sixth Judicial district.

Returned from the Senate with amendments.

On motion of Mr. M'CREARY, the House concurred.

The following extract from the Journal of the Senate was read:

"IN THE SENATE,
Wednesday, February 20, 1867,

The Senate amends the resolution of the House relative to a temporary adjournment of the Legislature, by striking out the words "Monday, February 25, 1867, at 7½ o'clock, P. M." and by inserting in lieu thereof the words "Tuesday, the 26th of February, 1867, at 10 o'clock, A. M.

Mr. GREGORY. Mr. Speaker, I move that the House concur.

The motion was

Agreed to.

On motion of Mr. LEE, the House adjourned until to-morrow morning, at 10 o'clock.

HOUSE OF REPRESENTATIVES.

THURSDAY, February 21, 1867.

The House met at 10 o'clock, A. M.

Prayer was offered by the Rev. George Junkin, of Philadelphia.

On motion of Mr. LEE, the reading of the Journal was dispensed with.

MESSAGE FROM THE SENATE

The Clerk of the Senate being introduced, presented for concurrence bills numbered and entitled as follows, viz:

Senate bill No. 330, an act to change the venue in the case of James E. Caldwell vs. Catawissa railroad company, from the Supreme Court of *nisi prius*, in Philadelphia, to the court of common pleas of Lycoming county.

Senate bill No. 340, an act to enable the board of directors of the Swatara Falls coal company to borrow money, and to mortgage the corporate rights and franchises, mining rights and privileges, estate, real and personal, of every description, or any part thereof, now held or that may hereafter be held by said company.

Senate bill No. 341, a supplement to an act entitled An act to incorporate the West Buck Mountain coal and iron company, approved May 3, 1864.

Senate bill 346, an act relating to the Columbia bridge company.

Senate bill No. 356, an act relative to the duties of district attorney in the county of Erie.

Senate bill No. 360, an act in relation to the fees of notaries public in the counties of Bedford, Fulton and Somerset.

Senate bill No. 361, an act to authorize the commissioners of Lehigh county to borrow money.

Senate bill No. 365, an act to incorporate the Manta Grandee silver mining and commercial company.

Senate bill No. 376, a supplement to an act to authorize the school directors of the borough of West Greenville, in Mercer county, to borrow money to erect a public school house in said borough.

Senate bill No. 378, an act to authorize the school directors of the borough of Honesdale, in Wayne county, to borrow money, issue bonds and levy and collect taxes for payment thereof.

Senate bill No. 381, a supplement to an act, approved April 11, A. D. 1866, establishing the board of controllers of the public schools of the borough of Allentown.

Senate bill No. 389, an act fixing the pay of road jurors, in the city of Philadelphia.

Senate bill No. 395, an act to vacate parts of Railroad street, in the borough of Pottsville.

Senate bill No. 396, an act to vacate Fairview street, running west from Twenty-first street to Twenty-second street, south of Spring Garden street one hundred feet, in the city of Philadelphia.

Senate bill No. 405, an act to annul the marriage contract between Samuel E. Shick and Sarah E., his wife.

Senate bill No. 415, an act to increase the pay of the supervisors and commissioners in the county of Clearfield.

Senate bill No. 416, an act to extend the time for the payment of the enrollment tax on an act to incorporate the Keating coal and iron company, approved the 14th day of April, A. D. 1866.

Senate bill No. 418, an act relative to auctions and gift enterprises in the county of Mercer.

Senate bill No. 419, an act to legalize the levying and collection of a certain tax in the borough of Sharon, in Mercer county, and authorizing the levying and collection of a tax not exceeding ten mills on the dollar of valuation, for general borough purposes, in said borough.

Senate bill No. 421, a supplement to an act incorporating the borough of Jamestown.

Senate bill No. 426, an act to incorporate the Fountain Hill park association.

Senate bill No. 427, an act to incorporate the Pennsylvania Club.

Senate bill No. 428, a supplement to an act to incorporate the Mineral Spring coal company, approved the 3d day of April, A. D. 1866.

Senate bill No. 432, an act to incorporate the Erie Co-operative society.

Senate bill No. 437, a further supplement to an act, passed May 16, A. D. 1864, entitled An act to authorize the erection of a free bridge over the river Schuylkill, at South street, in the city of Philadelphia.

Senate bill No. 438, an act to prohibit the issuing of licenses within two miles of the Station house at Kane, in M'Kean county.

Senate bill No. 459, an act to legalize the assessment, levy and collection of bounty tax, and to provide for the collection of the same, for bounty purposes, in Springfield township, Bucks county.

Senate bill No. 464, an act to attach the farm of David Deitz, in Pennsboro' township, Cumberland county, to the township of Hampden, in said county, for school purposes.

Senate bill No. 502, an act to authorize the chief burgess and town council of the borough of Lebanon to borrow money for the purpose of building an engine house, for the use of the Perseverance steam fire engine and hose company, and the purchasing of hose for use in the fire department of said borough.

Senate bill No. 557, an act to legalize the assessment of taxes levied by the school directors of the borough of Kingston, Luzerne county, for the payment of money advanced for the purpose of paying bounty to volunteers.

Senate bill No. 558, an act to encourage the destruction of noxious animals in Lycoming county.

Senate bill No. 559, an act to repeal the third section of a supplement to an act relating to the Catasauqua and Foglesville railroad company, passed the 26th day of May, A. D. 1865.

Senate bill No. 560, an act annexing the borough of Manchester to Allegheny city.

Senate bill No. 562, an act relating to the coroner of the city and county of Philadelphia.

Senate bill No. 563, a supplement to an act to incorporate the Point Breeze park association, approved February 8th, 1856.

Senate bill No. 561, a supplement to an act to enable the stockholders to rebuild the Lewisburg bridge, and to establish, in the meantime, a ferry.

Senate bill No. 254, an act supplementary to an act entitled An act appointing commissioners to lay out and open a State road in the counties of M'Kean, Elk, Forest and Clarion, approved May 1, 1861, reviving the third section of said act, and authorizing the commissioners to borrow money.

Senate bill No. 299, an act to incorporate the Rob Roy gold and silver mining company.

Senate bill No. 312, an act to extend the time for the payment of the enrollment tax upon an act entitled An act to authorize the Western Maryland railroad company to locate a portion of their road through Adams and Franklin counties, Pennsylvania, approved the 23d day of March, 1865, and relating to the location of the said railroad, and the connection of the Gettysburg railroad therewith.

He also returned bills from the House of Representatives numbered and entitled as follows:

No. 107, an act for the relief of Benjamin Scott.

No. 131, an act to enable the board of directors of common schools of East Lampeter township, Lancaster county, to apply surplus of county fund to common school purposes.

No 160, an act relating to the fees of the district attorney of Huntingdon county.

No. 163, a further supplement to the act incorporating the borough of Washington.

No. 164, an act supplementary to an act erecting the village of East Birmingham into a borough, approved the 10th day of April, A. D. 1849.

No. 167, a further supplement to an act for the registration of births, marriages and deaths, in the city of Philadelphia, passed March 8, A. D. 1860, and supplements thereto.

No. 168, an act to authorize the town council of the borough of Mill Hall, in the county of Clinton, to levy and collect additional taxes for borough purposes.

No. 172, a supplement to the act of General Assembly incorporating the borough of Mechanisburg, Cumberland county, passed the 12th day of April, A. D. 1828, as amended by the act regulating boroughs, approved the 3d day of April, A. D. 1851, and adopted by said borough the 24th day of August, A. D. 1857.

No. 173, an act to change the provisions of the thirtieth section of an act regulating boroughs, approved the 31st day of April, A. D. 1851, so far as the same relates to the borough of Mount Pleasant, Westmoreland county.

No. 175, an act for the relief of Joseph A. Allen and E. Mayes.

No. 178, an act extending the provisions of the act relating to corporations for mechanical, manufacturing and quarrying purposes, approved the 18th day of July, A. D. 1863, and the supplement thereto, to the county of Northumberland.

No. 183, an act to incorporate the Montrose mining company.

No. 184, an act to incorporate the Harmony gold and silver mining company.

No. 185, an act to incorporate the California and Philadelphia gold mining company.

No. 187, an act to repeal the charter of the Tuckahoe and Mount Pleasant plank road company.

No. 189, an act to incorporate the Douglasville and Yellow House turnpike road company.

No. 191, a supplement to the act incorporating the Clarion and Allegheny River turnpike road company.

No. 202, a supplement to an act to authorize the Governor to incorporate a company to erect a bridge over the West Branch of the Susquehanna, at the borough of Milton, et cetera, passed the 6th day of April, A. D. 1830.

No. 204, a supplement to an act to amend the road laws of Erie county, approved the 26th day of March, A. D. 1846.

No. 205, an act to incorporate the Emlentown and Shippenville turnpike company.

No. 207, a further supplement to the road laws of Bradford county.

No. 208, an act to declare Cedar run a public highway, in the township of Elk, county of Tioga.

No. 210, a supplement to an act of Assembly, entitled An act to incorporate the Easton and Wilkesbarre turnpike road company, approved February 11, A. D. 1803.

No. 211, an act to incorporate the Wyoming County bridge company.

No. 219, a supplement to an act to incorporate the Columbia gas company, and relative to the election of assessors and constables in Salisbury and Cæernarvon townships, Lancaster county; to lay out a State road from Marietta to Portsmouth; to require the State treasurer to refund certain moneys to the administrators of Ann Kimmel, deceased, approved the 10th day of April, A. D. 1851.

No. 220, a supplement to an act to incorporate the Mechanicsburg hall and market

company, approved the 21th day of March, A. D. 1865.

No. 223, a further supplement to the act incorporating the Watsontown bridge company.

No. 224, an act supplementary to an act incorporating Andalusia college, at Andalusia, Bucks county, Pennsylvania, approved the 30th day of March, A. D. 1866.

No. 225, a further supplement altering and amending an act to incorporate the St. Clair cemetery association of the borough of Greensburg, Westmoreland county, approved the 19th day of April, A. D. 1856.

No. 226, an act to incorporate the Mahanoy Valley insurance company.

No. 227, an act to incorporate the Oak Hall association of Weatherly.

No. 229, an act authorizing the Union Mutual fire insurance company of Montgomery county to change the time of holding its elections.

No. 231, a supplement to an act to incorporate the town of Haley, in the county of Perry, into a borough, approved the 12th day of April, 1866, changing the name of said borough of Haley to Marysville, and forming the same into a separate election district.

No. 232, a supplement to an act to compel the manufacturers of firkins, kegs and tubs intended for the packing of butter or lard, in the counties of Erie, Crawford and Warrren, to mark the weight thereon, extending the same to the county of Bradford.

No. 238, an act relating to the disposition of fines and forfeited recognizances in the county of Susquehanna.

No. 239, an act relative to pay of surveyors appointed by the courts of Crawford and Mercer counties.

No. 269, an act extending the time for the payment of the enrollment tax of the People's Accident insurance company of Pennsylvania, and changing the corporators.

No. 259, an act to enable the Revenue Extension silver mining company of Nevada to issue bonds and to secure the payment of the same by mortgage.

No. 270, an act to incorporate a State Camp of the Patriotic Order of the Junior Sons of America.

No. 282, an act for the relief of Milo R. Adams, treasurer of Beaver county.

No. 288, a further supplement to an act, to incorporate the Northampton iron company, approved the 10th day of March, 1857.

No. 272, an act to incorporate the Industrial association of Summit Hill.

No. 303, a supplement to an act to incorporate the Odd-Fellows' association of Waynesburg, Greene county, Pennsylvania, passed the 27th day of March, 1862.

No. 177, an act for the relief of Peter Roberts, a soldier of the war of 1812,

With information that the Senate has passed the same with amendments.

He also returned bills from the House of Representatives numbered and entitled as follows, viz:

No. 114, an act for the relief of wives and children, deserted by their husbands and fathers, in certain counties of this Commonwealth.

No. 158, an act authorizing the commissioners of the county of Delaware to create a five per centum loan.

No. 182, an act to incorporate the Hesperian mining company.

No. 180, an act to incorporate the Equitable gold and silver mining company,

With information that the Senate has passed the same with amendments, in which the concurrence of the House of Representatives is requested.

SPEAKER'S TABLE.

The SPEAKER cleared his table of Senate bills numbered and entitled as follows:

Senate bill No. 230, an act to change the venue in the case of James E. Caldwell vs. Catawissa railroad company, from the Supreme Court of *nisi prius*, in Philadelphia, to the court of common pleas of Lycoming county.

Referred to the Committee on the Judiciary Local.

Senate bill No. 340, an act to enable the board of directors of the Swatara Falls coal company to borrow money, and to mortgage the corporate rights and franchises, mining rights and privileges, estate, real and personal, of every description, or any part thereof, now held or that may hereafter be held by said company.

Referred to the Committee on Coal and Iron Companies.

Senate bill No, 341, a supplement to an act entitled An act to incorporate the West Buck Mountain coal and iron company, approved May 3, 1864.

Referred to the Committee on coal and Iron Companies.

Senate bill No. 346, an act relating to the Columbia bridge company.

Laid on the table.

Senate bill No. 356, an act relative to the duties of district attorney, in the county of Erie.

Referred to the Committee on the Judiciary Local.

Senate bill No. 360, an act in relation to the fees of notaries public in the counties of Bedford, Fulton and Somerset.

Referred to the Committee on the Judiciary Local.

Senate bill No. 361, an act to authorize the commissioners of Lehigh county to borrow money.

Referred to the Committee on the Judiciary Local.

Senate bill No. 365, an act to incorporate the Manta Grandee silver mining and commercial company.

Referred to the Committee on Mining and Manufacturing Companies.

Senate bill No. 376, a supplement to an act to authorize the school directors of the borough of West Greenville, in Mercer county, to borrow money to erect a public school house in said borough.

Referred to the Committee on Education.

Senate bill No. 378, an act to authorize the school directors of the borough of Honesdale, in Wayne county, to borrow money, issue bonds and levy and collect taxes for payment thereof.

Referred to the Committee on Education.

Senate bill No. 391, a supplement to an act, approved April 11, A. D. 1866, establishing the board of coatrollers of the public schools of the borough of Allentown.

Referred to the Committee on Education.

Senate bill No. 389, an act fixing the pay of road jurors, in the city of Philadelphia.

Referred to the Committee on Municipal Corporations.

Senate bill No. 395, an act to vacate parts of Railroad staeet, in the borough of Pottsville.

Referred to the Committee on Municipal Corporations.

Senate bill No. 396, an act to vacate Fairview street, running west from Twenty-first street to Twenty-second street, south of Spring Garden street one hundred feet, in the city of Philadelphia.

Referred to the Committee on Municipal Corporations.

Senate bill No. 405, an act to annul the marriage contract between Samuel E. Shick and Sarah E., his wife.

Referred to the Committee on Divorces.

Senate bill No. 415, an act to increase the pay of the supervisors and commissioners in the county of Clearfield.

Referred to the Committee on Roads, Bridges and Ferries.

Senate bill No 416, an act to extend the time for the payment of the enrollment tax on an act to incorporate the Keating coal and iron company, appaoved the 11th day of April, A. D. 1866.

Referred to the Committee on Iron and Coal Companies.

Senate bill No. 418, an act relative to auctions and gift enterprises in the county of Mercer.

Referred to the Committee on the Judiciary Local.

Senate bill No. 419, an act to legalize the levying and collection of a certain tax in the borough of Sharon, in Mercer county, authorizing the levying and collection of a tax not exceeding ten mills on the dollar of valuation, for general borough purposes, in said borough.

Referred to the Committee on Municipal Corporations.

Senate bill No. 421, a supplement to an act incorporating the borough of Jamestown.

Referred to the Committee on Corporations.

Senate bill No. 426, an act to incorporate the Fountain Hill park association.

Referred to the Committee on Corporations.

Senate bill No. 427, an act to incorporate the Pennsylvania Club.

Referred to the Committee on Corporations.

Senate bill No. 428, a supplement to an act to incorporate the Mineral Spring coal company, approved the 3d day of April, A. D. 1866.

Referred to the Committee on Iron and Coal Companies.

Senate bill No. 432, an act to incorporate the Erie Co-operative society.

Referred to the Committee on Corporations.

Senate bill No. 437, a further supplement to an act passed May 16, A. D. 1861, entitled An act to authorize the erection of a free bridge over the river Schuylkill, at South street, in the city of Philadelphia.

Referred to the Committee on Municipal Corporations.

Senate bill No. 438, an act to prohibit the issuing of licenses within two miles of the station house at Kane, in M'Kean county.

Referred to the Committee on Vice and Immorality.

Senate bill No. 459, an act to legalize the assessment, levy and collection of bounty tax, and to provide for the collection of the same for bounty purposes, in Springfield township, Bucks county.

Referred to the Committee on Military.

Senate bill No. 464, an act to attach the farm of David Deitz, in Pennsboro township, Cumberland county, to the township of Hampden, in said county, for school purposes.

Referred to the Committee on Education.

Senate bill No. 502, an act to authorize the chief burgess and town council of the borough of Lebanon to borrow money for the purpose of building an engine house for the use of the Perseverance steam fire engine and hose company, and the purchasing of hose for use in the fire department of said borough.

Referred to the Committee on Municipal Corporations.

Senate bill No. 557, an act to legalize the assessment of taxes levied by the school directors of the borough of Kingston, Luzerne county, for the payment of money advanced for the purpose of paying bounty to volunteers.

Referred to the Committee on Education.

Senate bill No. 558, an act to encourage

the destruction of noxious animals in Lycoming county.

Referred to the Committee on Agriculture.

Senate bill No. 559, an act to repeal the third section of a supplement to an act relating to the Catasauqua and Foglesville railroad company, passed the 26th day of May, A. D. 1863.

Referred to the Committee on Railroads.

Senate bill No. 560, an act annexing the borough of Manchester to Allegheny city.

Laid on the table.

Senate bill No. 562, an act relating to the coroner of the city and county of Philadelphia.

Referred to the Committee on Municipal Corporations.

Senate bill No. 563, a supplement to an act to incorporte the Point Breeze park association, approved February 8th, 1856.

Referred to the Committee on Municipal Corporations.

Senate bill No. 561, a supplement to an act to enable the stockholders to rebuild the Lewisburg bridge, and to establish, in the meantime, a ferry.

Laid on the table.

Senate bill No. 254, an act supplementary to an act, entitled An act appointing commissioners to lay out and open a State road in the counties of M'Kean, Elk, Forest and, Clarion, approved May 1, 1861, reviving the third section of said act, and anthorizing the commissioners to borrow money.

Senate bill No. 299, an act to incorporate the Rob Roy gold and silver mining company.

Senate bill No. 312, an act. to extend the time for the payment of the enrollment tax upon an act entitled An act to authorize the Western Maryland railroad company to locate a portion of their road through Adams and Franklin counties, Pennsylvania, approved the 23d day of March, 1865, and relating to the location of the said road, and the connection of the Gettysburg railroad therewith.

Referred to the Committee on Railroads.

The following bills were returned from the Senate with amendments.

House bill No, 114, an act for the relief of wives and children, deserted by their husbands and fathers, in certain counties of this Commouwealth.

On motion,

The amendments were concurred in.

House bill No. 158, an act authorizing the commissioners of the county of Delaware to create a five per centum loan.

On motion,

The amendments were concurred in.

House bill No. 180, an act to incorporate the Equitable gold and silver mining company.

On motion,

The amendments were concurred in.

House bill No. 182, an act to incorporate the Hesperian mining company.

On motion,

The amendments were concurred in.

BILL PASSED.

Senate bill No. 561, a supplement to an act to enable the stockholders to rebuild the Lewisburg bridge, and to establish, in the meantime, a ferry.

On motion of Mr. ROUCH, the rules were suspended,

The bill was read a second and third time, and

Passed finally.

MESSAGE FROM THE GOVERNOR.

The Deputy Secretary of the Commonwealth being introduced, presented a message from the Governor, which was read as follows, viz:

EXECUTIVE CHAMBER,
HARRISBURG, February 21, 1867.

To the Senate and House of Representatives of the Commonwealth of Pennsylvania:

GENTLEMEN—I have approved and signed the following acts of the General Assembly, to wit:

On the 19th instant:

An act relating to the duties of clerk of the orphans' court for the county of Dauphin..

A supplement to an act, approved March 5th, 1828, entitled An act to authorize the Governor to incorporate a company to erect a bridge over the Juniata river, at the town of Mifflin, in the county of Mifflin.

An act to extend the provisions of the act, approved the 31st July, 1863, to the counties of Centre and Huntingdon.

An act to extend the provisions of the act concerning the sale of railroads, canals, turnpikes, bridges and plank roads, to sales made or to be made under or by virtue of a power of sale in mortgage or deed of trust, without judicial process or decree.

An act relating to the Agricultural college of Pennsylvania, and to the establishment of experimental farms in connection therewith.

An act to authorize the orphans' court of Westmoreland county, if by it deemed proper, to re-examine the accounts filed in the estate of George T. Crawford, deceased, notwithstanding the provisions of the act of 13th October, 1840, entitled An act relating to orphans' courts, and for other purposes.

Supplement to an act, entitled An act to incorporate the Bradford County railroad company, approved May 9th, 1866.

On the 20th instant:

An act relating to beer houses and restaurants and licenses now granted by the treasurer of Washington county.

A supplement to an act relative to landlords and tenants, approved December 14th, 1863, extending the provisions thereof to cases of descent and purchase.

An act to confer upon a committee of a lunatic, or a habitual drunkard, the power to institute actions of partition and prosecute those already commenced.

An act to regulate the fees of the county treasurer of Northumberland county.

An act to authorize the school directors of Swatara school district, Dauphin county, to raise an additional building tax.

An act limiting the burgess and town council of the borough of Oil City, Venango county, in the levying and collection of taxes.

An act to enable the board of school directors of the borough of Goldsboro', in the county of York, to borrow money for building purposes.

An act to extend the provisions of the act to prohibit the granting of licenses to sell intoxicating drinks withia the county of Potter, approved April 11th, A. D. 1866, to the county of Beaver.

An act changing the time of meeting of the auditors of Hillsgrove township, Sullivan county.

A supplement to an act for the incorporation of the Merchants' national telegraph company, approved the 18th day of April, A. D. 1866.

An act to enable the Pennsylvania Cannel coal and railroad company to borrow money, and to change the corporate name of said company, and confirm the title to real estate belonging to said company.

A further supplement to the act to charter the Harrisburg bridge company, enabling the company to raise money to rebuild the bridge.

An act to extend an act entitled An act authorizing the Secretary of the Commonwealth to distribute copies of the standard of weights and measures, and for the appointment of sealers to the county of Montgomery.

On the 21st instant:

A supplement to an act to incorporate the Midas petroleum and improvement company, of Pittsburg and New York, approved the 22d day of March, A. D. 1865.

An act to incorporate the Pennsylvania Central Thief Detective and Live Stock insurance company.

An act relating to auctioneers in the city and county of Erie.

A further supplement to an act to incorporate the Birmingham, East Birmingham and South Pittsburg gas company, approved April 15th, 1856.

An act to establish a ferry over the Allegheny river, at or near Red Bank furnace.

A further supplement to an act increasing the fees of the several county officers of this Commonwealth, except in the city of Philadelphia and the counties of Allegheny, Bradford, Susquehanna and Sullivan, approved March 30th, A. D. 1865.

(Signed) JNO. W. GEARY.

PUBLIC CALENDAR.

The House resumed the consideration of the bills and the public calendar.

House bill No. 150 was made the special order.

The bill was read as follows:

AN ACT relating to the law of evidence.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That on the trial of any issue joined, or of any matter or question, or in any inquiry arising in any suit, action or other proceeding, in any court of this Commonwealth, or before any person, having by law, or by consent of parties, authority to hear, receive and examine evidence thereto, and the person in whose behalf any such action or other proceeding may be brought or defended, and any, and all persons interested in the same, shall, except as hereinafter excepted, be competent to give evidence *viva voce* on behalf of either or any of the parties to the said action or other proceeding, and by deposition, in questions where by the practice of the court the evidence on such question is required to be made by deposition: *Provided,* That nothing herein contained shall render any person who is charged with any criminal offense, in any criminal proceeding, competent or compellable to give evidence for or against himself or herself, or shall render any person compellable to answer any question tending to criminate himself or herself, or shall, in any criminal proceeding, render any husband competent or compellable to give evidence for or against his wife, or any wife competent or compellable to give evidence for or against her husband, or in any proceeding instituted in consequence of adultery; nor shall any husband be competent to disclose any communication made to him by his wife during the marriage; nor shall any wife be competent to disclose any communication made to her by her husband during the marriage: *And provided further,* That if either of the parties to the original cause or owners of the subject matter of the action shall have died either before or after suit brought, whereby he, she or they, who prosecute, or defend the same, do so as legal representatives, heirs-at-law, or purchasers, or assignees of the right of such deceased owner, the rules of evidence shall not be affected by this act, but remain as heretofore.

SEC. 2. The testimony of the parties to any civil action or proceeding authorized to testify by the provisions of the act of the twenty-seventh of March, Anno Domini one thou-

sand eight hundred and sixty-five, shall not be conclusive, but the party calling for such examination may rebut it by other testimony.

SEC. 3. That the act entitled An act relative to the admission of parties to judicial proceedings as witnesses in certain cases, approved the twenty-seventh day of March, Anno Domini one thousand eight hundred and sixty five, be and the same is hereby repealed.

The question was on the first section.

Mr. HUMPHREY. Mr. Speaker, I move to amend by adding the following proviso.

The proviso was read as follows:

"*Provided*, That nothing within the provisions of this act shall apply to any claim now existing, but that it shall be prospective in its character."

The motion was

Agreed to.

Mr. MEYERS. Mr. Speaker, I move to amend by striking out all after the enacting clause and inserting the first section of bill No. 375.

The first section of bill No. 375 was read as follows:

That no person shall be disqualified as a witness, in any suit or proceedings at law or in equity, by reason of his or her interest in the event of the same, as a party or otherwise; but such interest may be shown for the purpose of affecting his or her credit: *Provided, nevertheless*, That no female shall be admitted as a witness for or against her husband, except when the suit or proceedings is between her and her husband, or shall any party be sworn in any case when the opposite party is prohibited, by any legal disability, from being sworn as a witness, or either of the parties in a cause sue or are sued in a representative capacity.

The SPEAKER. The question is on agreeing to the amendment.

Mr. MEYERS. Mr. Speaker, this bill No. 150, is, I think, the same one that was under consideration last winter, and passed this House notwithstanding some very serious objections made by some legal gentlemen upon this floor. It failed to pass the Senate, for what reason I am unable to say. This bill, No. 375 (the first section of which is the amendment I propose), was offered by myself, and I stated at the time that it was an exact transcript of a law of New Jersey passed in 1833 or 1834, which has stood the test there up to this time without any amendments whatever. In my opinion this bill, No. 375, is briefer and more succinct than the other bill, and covers the entire ground. The objects and purpose of this law is to enable parties to be witnesses in their own causes. That is to say, the plaintiff can be a witness if he chooses to go upon the witness stand, and the defendant can be a witness, if he deem it proper and right. There is a provision in the law now in force in this State which authorizes both parties to call the adverse parties if they choose to do so. This law allows either party to be a witness in the case. There is a proviso in this amendment which prohibits a female from being a witness for or against her husband except when the suit or proceeding is between her husband, nor shall any party be sworn in any case when the opposite party is prohibited by any legal disability from being sworn as a witness, or when either of the parties in a cause sue or are sued in a representative capacity. The latter part of that proviso is intended to cover the kind of cases where a suit is brought by a person in his own name against a person in a representative capacity, the party bringing the suit in his own name is not competent to be a witness in his own case, for the reason that the adverse party, acting in a representative capacity, would not be aware of the facts upon which the suit was brought, and, therefore, could not testify knowingly, and, consequently, it would not be appropriate for the other party to be a witness. There is, however, a provision in this proviso which declares that in any case where the opposite party is prohibited by any legal disability from being sworn as a witness none of the parties shall testify. In such cases neither party ought to testify. Suppose the suit is brought in the name of a lunatic. Of course the lunatic is under a disability and could not be a witness. Or suppose one of the parties to be an infant of very tender years. The infant could not testify and that fact ought to prevent the other party from testifying. The general provision was put in that where one party, for any reason whatsoever, should not testify in his own case, the other party also should not be allowed to testify.

Upon a careful examination of this amendment, it seems to me that it covers all the ground contemplated by bill No. 150, taking all the sections together, with this difference, that the amendment is briefer, more succinct, more comprehensive, less difficult in its interpretation, and that there is less difficulty in applying it to cases which come before courts.

Upon the general question, whether this bill ought to pass, I shall not, at this time, make any extended remarks. It is a question which you cannot demonstrate like a mathematical proposition. You cannot prove that a man ought to be a witness in his own case. You can only determine that question by a series of experiences upon the question, and by looking at human nature in its different stages of civilization, intelligence and Christianity. Men come to courts of justice for the purpose of securing their rights in all the varied relations which grow out of society, whether in lands, in money, or to recover the rights of persons on property or character. They are so numerous, and so varied, and of such a manifold character, that it is almost impossible to give a detailed account of the variety. In all circumstances where there is a difficulty between two men, everybody is willing to hear the statements of the parties themselves. Nobody undertakes to judge any man unless you give him an opportunity to make an explanation himself of the matter. That is a consideration which enters into all our relations of life outside of the court house, and outside of judicial proceedings. No man, for a moment, pretends to deny any individual the right to make a statement, either in behalf of any claim that he may have, or in defense of a claim made by others in other matters that would not be brought into a court of justice. Why should a party be excluded then from making his statement under oath in a court of justice? Why should those parties, who, above all parties, know more about the case than strangers, be excluded from giving the facts they have in relation thereto? The answer to that demand, by the opponents of this bill, is that you would open the gates to perjury, and you say that because a man in a court of justice, has a claim for five dollars, if you allow him to testify, he will perjure himself, and will condemn his soul to eternal damnation for five dollars. This is the judgment which the opponents of this bill pronounce upon humanity, and the judgment they express upon our intelligence, advancement, civilization and Christianity. I cannot come to that conclusion—I have a better opinion of mankind—I have a better opinion of their desire to tell the truth. If a man would be mean enough to perjure himself for the sake of a small amount of money, or for the sake of property, or for the sake of securing some rights, why, sir, he could go into a community and induce others to perjure themselves for the same end. As I said before, this is not a proposition which you can demonstrate—which you can prove. You cannot lay down any formula or premises and come to any definite conclusion. But you must look at human nature and judge from that whether it is right or wrong. By this measure you allow the parties themselves to go into court under oath and make a statement of the facts in the case. Neither party, however, is bound to be examined as a witness unless, under the press of law, the adverse party causes him. But, if he chooses to do so, he may make a statement of all the facts, so far as he knows them. This is a right he, and also the other party, ought to have. It would be very seldom that a case would be determined upon the evidence of the parties alone, because there are in every case, other circumstances, and other evidence which throws light upon the transaction. It would then be for the jury to say between the corroborative evidence furnished by the plaintiff and defendant which statement given by the parties was true—in other words, upon which side was the weight of evidence. In a great many transactions the plaintiff has forgotten some of the facts and the defendant others, and when you come to dove-tail them together, you have an entire and connected story. Now, by the practices of courts and the law of the land you give the parties the right to make an affidavit in suits in the district court of Philadelphia, and probably in every county in this Commonwealth, in a number of cases arising out of book accounts and out of bonds, notes, mortgages and other securities which are subject to book account. By the rules of the courts and by legislation you give the parties the opportunity to come into court and make their affidavits, and, if the defendant fails to make a counter affidavit, the plaintiff has judgment against him. What is that, in fact, but allowing the parties to testify in their own cases? In proceedings in equity the plaintiff brings his bill into court, sworn to, and the defendant comes in with his sworn answer, and what is not denied in the answer is considered true, and only in reference to that which is denied is the issue raised and the testimony taken. In the cases of book accounts, which are the more numerous of this class of litigations, the plaintiff comes into a court of justice and swears to his original book of entries, and upon that evidence, and the evidence of the plaintiff himself, he can get his money. What is that but parties testifying in their own cases? It may be said that these are cases of necessity. But are the statements of the parties to be more relied upon in these transactions than in others? It is very seldom disputed that a party does not tell the truth. The only argument against this mode of procedure is that parties, because they are interested, to gain their case, would come into a court of justice and perjure themselves. Now, the law of evidence has undergone great changes during the last hundred years. I know that in England years ago, this doctrine was not tolerated. I know that the common law upon the subject did not allow any person who had the remotest interest in the issue in question to testify, but to-day even in monarchial England they are in advance of us, and allow all parties to testify. And the judgment of the judiciary of England is that more justice is obtained by that rule of law of allowing all parties to testify than previous to the abrogation of the old common law. In the United States, Ohio, New York, New Jersey and other States have followed the plan of the English judiciary, and I have not heard one word against its operations in any of these States, but I have

conversed with a number of gentlemen residing in these States, and they would not, under any consideration, have the law repealed from their statute books.

Whenever a case comes before a court and jury by the forms of law, by the machinery which is there put in force and power, it is the object and design to get at the truth, the whole truth, and nothing but the truth, and every avenue ought to be opened for the purpose of getting the truth. Every person who can, ought to have the opportunity of throwing light upon the subject under consideration, and when you close the mouth of one man who knows anything about it you exclude just so much light from it. I take it that the time is not far distant when this principle will be extended to criminal cases, and a man who is upon trial for his life or liberty will be allowed to come into court and make his statement, under oath, as to the facts of the charge against him. But this bill does not contemplate going so far at this time. We are willing to take a grain of the common good, and leave to future legislation the abrogation of the monstrous doctrine that because a party is interested in the decision upon a criminal charge he cannot become a witness in his own case. The object of all judicial proceeding is to get at the whole truth, and to do this you must allow every person to testify who has any knowledge of the facts in dispute; you must allow every fact to come before that court, either by record, or by parol evidence, or by any circumstance which will in any way throw light upon the question at issue. And I take it, sir, that in nine-tenths of human transactions between man and man the parties interested, themselves know nine-tenths more of the facts at issue than outside parties possibly can, for the simple reason that the parties interested, have the subject matter impressed upon their minds by virtue of that very interest. Every third party who may have any knowledge of the facts have them very frequently by incidental conversation or overhearing, and they do not make that impression upon his mind as upon the parties themselves. In allowing each party to testify you set down the main facts of the case. You allow each party to give a statement of the facts of the whole transaction, as he recollects them, and then, by allowing the corroborative evidence to come in, you can tell which side is the correct story—upon which side this corroborative evidence will dove-tail in, and the jury will have less difficulty in arriving at the truth.

Again, Mr. Speaker, if you allow the interested parties to testify you will stop one-half the litigation in this Commonwealth, and though a lawyer by profession, and speaking against my own professional interest, I speak in the interest of peace and harmony, and against litigation. I say to you, and deliberately say it, that the introduction of this rule of evidence will cut down one-half the litigation in this Commonwealth, for the simple reason that in many cases parties bring their causes upon unjust claims for the reason that they cannot testify. In many cases parties refuse to pay just claims, and the other parties having no evidence against them except circumstantial evidence, they fail to bring suit, or in case they do, fail to establish their claims for the simple reason that they, as interested parties, cannot testify. It very often happens that a party will come to you and say, "the plaintiff has got no proof and I will not pay this claim." If you put the question, "do you owe this money?" "O, yes, I owe the money;" or, "Did you do this injury?" "Yes, I did;" or, "Are you guilty of this nuisance?" "O, yes." But the plaintiff may have no evidence, and he may risk the chances of a trial. But when this rule is established by which you allow the plaintiff to come into court and testify, knowing full well that the plaintiff has the evidence in his own breast, and that he can make clear to the court and jury the justness of his cause, he will make peace with his enemy before he comes into a court of justice and will satisfy his just demands. In that way you prevent litigation, and enable the parties to get their rights by the mere operation of the law without enforcing it. In other cases a man may have an unjust claim against another, but knowing that the case is *prima facie* in his favor, he goes into court with the knowledge that the defendant has no evidence to meet it, and he then gets judgment and execution against him, and strips him of house and home. But when he knows that the party come into court and testify to losing the receipt, or make such other statement as will throw light upon his having discharged the debt, a man will hesitate before he brings an unjust claim into court. This matter might be discussed in various other ways. It might be argued upon the ground of the benefit that might flow out to individuals, to communities, and to States, but it is hardly necessary. The example of the other States, and the example of our own mother country, from which we draw nearly all our laws, speak in a voice that ought to be heeded; and the experiences they give us, and the lessons they teach us ought to be an argument in its favor. But it strikes me that the strongest and most potent argument is that it will prevent litigation to some extent; and the more you keep the doors of your court houses closed against litigation, which is the author of strife and social dissensions, to that extent we add peace and harmony to a community.

For these reasons I think this law ought to be passed. Although I am not particularly tenacious as to whether the original bill is passed or the amendment, I say that some law should be passed that will allow the parties in a cause to go into a court of justice, and themselves testify—not to testify merely in their own interest, but upon the facts of the case before the court and jury.

Mr. WADDELL. Mr. Speaker, I am not at all tenacious as to which of these bills should pass. The lean of my mind is decidedly in favor of allowing parties to testify in cases of law and equity. And the lean of my mind is also in favor of the original act, No. 150. Yet I say I am not at all tenacious about the matter, so that we have the law allowing parties to testify in their own cases. I only feel inclined to support the act, No. 150, for the reason that I know that it was prepared with a great deal of care. It was prepared by the Judiciary Committee last winter, over which I had the honor to preside, and upon which were several members of the present session. We prepared it after a considerable correspondence with the bar in various sections of the State, and after learning their views, receiving their suggestions, and to some extent, embodying their views in the act itself.

I, therefore, say that it was prepared with a great deal of care and consideration; and I think it is as nearly right as we can well get a law of this kind. Undoubtedly it may need some alterations. Experience (if we should pass the act) would teach us that some alterations are necessary. But, so far as I now can see, it seems to me that the provisions of the act, No. 150, well cover the ground. I am aware, sir, that it is longer than the act which it is proposed to substitute for it, and appears to be verbose. But, sir, that arises from the necessity of having the act as clear and explicit as it can be; and to meet all the points that have been suggested, as far as possible.

Now, sir, as the law now stands, it seems to me that there is either a necessity for repealing the acts which we have, or passing a law of this character. We have upon the statute books an act which allows a party to call his adversary, and make a witness of him.

[The Clerk of the Senate was here introduced, and read a message from the Senate, which will be found elsewhere.]

Mr. WADDELL. I was saying, Mr. Speaker, that it seemed to me to be necessary either to repeal the laws which we have, or pass an act of this kind. We have upon the statute book an act passed in 1865, allowing a party to call his adversary.

Under decisions of the Supreme Court, a party thus calling his adversary, makes that adversary a good witness for himself; and for testifying upon the points to which he may be called by the adversary, who can offer himself as a witness to testify in his own behalf.

The Supreme Court have, very particularly, said, that by calling your adversary, you remove the only objection that can be pressed to him, to wit: necessary credibility; and having put him upon the stand, you make him a competent witness for every point in the case. Therefore, I say, under that act, you are at the mercy of your adversary; and yet you cannot call your own client to make any testimony which he may offer himself.

Now, it strikes me that this is placing the parties in an unfair position, and that we ought either to exclude entirely every party in the case, or we ought to admit every party to testify even in his own behalf. This, sir, is one reason why I advocate the passage of an act of this kind.

There are other reasons which have been suggested by the gentleman from Northampton [Mr. MEYERS]; but, as I said before, I do not feel at all tenacious in regard to which of these acts this House shall pass, so that we get one which will allow parties in a case to testify in their own behalf. It seems to me, however, that the act which we have under consideration (No. 150) is the better act of the two; and I, so far as I am personally concerned, would prefer to have the House pass it.

Mr. MEYERS. Mr. Speaker, I move to modify my amendment by adding the word "civil" before the word "suit," in the fifth line; and in the eleventh line, before the word "either," insert the word "when."

The motion was

Agreed to.

Mr. MANN. Mr. Speaker, I move to amend the amendment in the seventh line, by striking out the word "female," and inserting the word "woman."

Mr. MEYERS. I accept the amendment.

Mr. BOYLE. Mr. Speaker, I do not propose to occupy the time of this House in discussing these bills, as I am rather opposed to the passage of either of them. But if one is to pass, I desire that it shall be as nearly perfect as possible. I prefer bill No. 150 to the other one. It seems to me the better bill, and will be the better law in every particular. But I suggest that it might be amended and made better than it is on the file. I would only intimate that in case the amendment should be voted down, I will move to amend by inserting the word "civil" before "proceeding." That will confine the portion of this act to civil proceedings and exclude criminal proceedings, just as fully and clearly as defined in the proviso. Then I will move to strike out all after the word "shall" in the fourth line, down to and including the word "proceedings," in the eighth line. In my opinion that part of the bill will be supplied by the word "civil," to be inserted in the fifth line. Then I will move to strike out all after the word "hus-

band," in the twentieth line, down to and including the word "adultery," in the twenty-first line. One objection to bill No. 375 is, that it will allow parties, in any proceedings, to testify by deposition, and I take it that this is a very considerable objection. It is very desirable if parties are to be admitted at all, that they shall be brought into court, that they may be there cross-examined, and the jury allowed to see how they deport themselves. If a man can have his deposition taken, and be absent, for instance, from the county or State, at the time, you have no adequate safegard against the crime of perjury.

I trust the substitute will be voted down, and that these amendments will be adopted.

Mr. MEYERS. Mr. Speaker, I agree with the gentleman from Chester [Mr. WADDELL] that it is a matter of not much consequence which of these bills pass. I only had bill No. 375 read in place and offered it as an amendment to bill No. 150, because I believed it to be more comprehensive in its provisions and better adapted to all the circumstances. It was drawn by one of the ablest lawyers in the State of New Jersey, and has been in operation in that State some thirty years without amendment. It is confined to civil proceedings, but it does not, like bill No. 150, specify the particular cases in which parties can testify. That is, in my opinion, a great objection to bill No. 150, because, by stipulating in what cases and under what circumstances the evidence of the parties shall be taken, you exclude possibly by interpretation all others not expressed in this bill. Bill No. 375 proposes simply to take away by one sweeping clause this disqualification. The law is now that a party having an interest in the question at issue, or being a party in the suit, is incompetent to testify. This amendment sweeps away the disqualification and says that every party, whether a party of the record or having any interest, is a competent witness, and makes only the exception contained in the proviso. These are my arguments in favor of bill No. 375, and the reasons for my preference for it rather than bill No. 150. The House, however, has the matter in charge and can adopt whichever it sees proper.

Mr. M'CREARY. Mr. Speaker, I presume the object of the two bills is precisely the same, and, if properly construed, will perhaps attain the same result. Our object should be, in choosing between these two bills (for it seems rather to be a choice of bills than the effect of any particular bill passed), to choose the bill which, in the fewest words, expresses what is desired in the best language. It seems to be that there is a comprehensiveness and explicitness about bill No. 375 that seems to say, in a few words, what is wanted, and nothing more. I notice that bill No. 150 (which, I believe, is a transcript of the bill which passed this House last winter) is cumbersome in its details. It says, over and over, things which seem to me to be unnecessary. The use of the word "compellable," in one or two places, seems to me, if not non-judicial, to be, at least, injudicious. I do not like the sound of the word as a judicial word. I know that an able member last winter, now a judge on the bench (a man of most excellent judicial mind, and an excellent judge), objected to the bill on account of that one word. I presume the object of both bills is precisely the same, to allow parties to a suit to testify; but I prefer bill No. 375, simply because, in a few well chosen words, it expresses exactly the meaning of the bill. Laws are sometimes like speeches—you lose the point of them by too many words, not aptly chosen. I hope, therefore, the House will choose bill No. 375, instead of bill No. 150.

I presume there is but little difference of opinion as to the propriety of this House passing one of these bills. I think that the public sentiment throughout the State is decidedly in favor of such a measure, We are behind in this respect. Other States have passed this law and the universal opinion in these States is, that it works well and is diminishing litigation. It is well known that many parties defend a suit, not because they do not owe the debt, but because they think the opposite party cannot prove it. I have seen many a man remain silent when presented to him, and would take advantage of the legal difficulty that they could not prove it, and gain the suit. But you call that man to testify and he would not deny it.

The French system is to allow everything which has any connection with the case to be brought out, and to allow every person to tell everything, and then let the jury select the truth from the mass of testimony given.

If an accident occurs on a railroad, to get the facts of that accident you go to one of the parties who saw it, or to one of the men who was injured. You do not go to a man to get somebody else's say so to get the facts, but to the parties themselves. So in a court of justice, the parties in a cause are the persons above all others who do know the facts. So far as committing perjury is concerned, I think if a man wishes to commit perjury he can procure persons to commit perjury for him, and such persons can be found.

I hope the House will pass bill No. 375, for the reasons that I have given.

Mr. SATTERTHWAIT. Mr. Speaker, I just wish to say a word. It is not the lawyers alone, and the judges, who have to do with the law; but this is a matter that will apply to several thousand magistrates throughout the Commonwealth, who are not generally versed in legal lore. And it is a matter of the greatest importance that laws of this kind should be as short and comprehensive as possible. Taking that view, I much prefer the amendment of the gentleman from Northampton [Mr. MEYERS]. I think it is entire and comprehensive, and will be much easier understood by those who are not well versed in legal learning.

Mr. JENKS. Mr. Speaker, I cannot say that I am favorable to either of these bills. I do not, however, feel like opposing either of them very decidedly. There seems to be a general desire to change the law of evidence. If it can be changed for the better I am satisfied. As we are about making that change it is well to change wisely, and of two laws to select the better one. On examining bill No. 150 and bill No. 375, I believe that bill No. 150, properly amended, is the better bill. I hope, therefore, the amendment of the gentleman from Northampton will not be agreed to. Bill No. 375 would seem to permit the testimony of a party to be taken by deposition and thus enable a party not interested, distant from the trial, to be heard. Now, I do not believe that to be a wise provision. We want to get at the truth; and to accomplish that end we want all the advantages of a cross-examination, and we want to see the party on the stand. Very often we can tell by the manner of a person testifying whether he is telling the truth or not; but if his deposition is taken that advantage is removed. If we permit a party to testify, where we have the opportunity of cross-examining him before the judge and jury, they can tell by his manner whether his testimony is not entirely shaped by his interests. I, therefore, think the provisions are too broad. The bill, No. 150, provides against that evil. There is another defect in bill No. 375, which is remedied by bill No. 150. There are many others, but I confine myself now to one more. Bill No. 150 provides that no husband shall "be competent to disclose any communication made to him by his wife during the marriage, nor shall any wife be competent to disclose any communication made to her by her husband during the marriage." Bill No. 375 permits the husband or wife, after divorce, to detail confidential communications between them while they were united in marriage. This is against the policy of the law, and should not be permitted. I, therefore, oppose the amendment, and hope it will be voted down. If we should go into an extended analysis of these bills, we could show there are many things included in the general terms, in which bill No. 375 is couched, which ought to be qualified or excluded. This does not pertain to so great an extent to bill No. 150. I shall, therefore, vote against the amendment, and endeavor to make bill No. 150 as correct as possible.

Mr. ALLEN. Mr. Speaker, in accordance with the declaration of the gentleman from Jefferson [Mr. JENKS], I have no particular desire to change the law of evidence, for I see no special wish for it in our locality. Yet, I am not disposed to oppose a change, if it would be beneficial. I think I understood, in the remarks of the gentleman from Montgomery [Mr. SATTERTHWAIT], that he said he was in favor of bill No. 375, for the reason that it was so simple and plain that all who were not lawyers could easily understand it. But I must say that I consider the bill No. 150 much plainer, and much more easily understood than bill No. 375. The latter has its various ways of construction, and lawyers may construe it according to their particular views. Bill No. 150 is pointed and plain in its declarations. I think, therefore, that bill No. 150 should be adopted, as it is one that can be understood by all men, without reference to the various opinions given by lawyers. I shall, therefore, vote in favor of that bill.

On the question,

Will the House agree to the amendment of Mr. MEYERS?

It was

Not agreed to.

The question recurring on bill No. 150,

Mr. BOYLE. I now move to amend by inserting the word "civil" before the word "proceeding," in the fifth line; to strike out all after the word "shall," in the fourteenth line, down to and including the word "proceeding," in the eighteenth line; and all after the word "husband," in the twentieth line, down to and including the word "adultery," in the twenty-first line.

Mr. SATTERTHWAIT. Mr. Speaker, the object of that amendment is, I suppose, to prevent this law from applying to criminal proceedings in all cases. I am opposed to that, and I hope the amendment will not be adopted. I think there are as good grounds, and in many cases better, for allowing a party to testify in his own case, in criminal proceedings, than there are in civil proceedings. There are many cases of great hardship, I know, in which defendants are not allowed to testify, and I can see no harm in letting them be heard in their own cases. Of course, the judge and jury will be competent to make all allowance; but I think it should apply to criminals as well as civil proceedings.

Mr. LINTON. Mr. Speaker, there is one objection, I think, to the amendment of the gentleman from Fayette [Mr. BOYLE] which, perhaps, may not appear to the House at first view. There are a certain class of cases which are of a criminal nature, but the proceedings are rather civil than criminal. A case, for example, requiring money penalties, where you

have a *quasi* civil suit before a court. I presume this bill, as framed, was to meet cases of this kind. There may be trouble if the amendment is adopted; but there can be no misconstruction, as the bill was reported from committee. I want to know whether, in case the amendment is adopted, a case coming before a justice of the peace, for a violation of law, the parties in the case are competent witnesses or not. There can be no doubt about it, in the bill as reported, but if we make this amendment it seems to me there may be a doubt. I therefore prefer the original bill without the amendment of the gentleman from Fayette.

Mr. BOYLE. Mr. Speaker, I think there is no trouble in the point raised by the gentleman from Cambria [Mr. LINTON.] The kind of actions that he has referred to are considered to be civil actions. Cases where the parties are entitled to a part of the fine are also cases of that character. These certainly are cases of civil action, and the parties ought to be witnesses. There are many cases in which a party prosecuting a person for a crime, the prosecutor is entitled to half the fine, or a reward, and is, of course, interested, and is allowed to testify in the case. This word "civil' covers everything, I think, and there is no trouble about it.

Mr. MEYERS. Mr. Speaker, it strikes me that the word "competent" and the word "compellable," in the eighteenth and nineteenth lines, are inconsistent. If husbands and wives are not competent witnesses, how can you compel them? It seems to me that the gentleman from Fayette [Mr. BOYLE] ought to include in his amendment the striking out of the words "or compellable."

Mr. BOYLE. Mr. Speaker, I accept that as a part of my amendment. If a party is not competent, of course he is not compellable.

Mr. MEYERS. Mr. Speaker, I hope the gentleman from Tioga [Mr. HUMPHREY] will withdraw his amendment providing that this act shall not apply to cases now pending. I would like to hear from the gentleman from Tioga why he desires that amendment.

Mr. HUMPHREY. Mr. Speaker, I offered that amendment for the reason that my constituents are opposed to the bill. I was requested to attach that amendment by parties living near the State line. There being a law similar to that in New York, they would be satisfied with an amendment of that kind.

Mr. MEYERS. Mr. Speaker, it seems to me if this would be a good law for subsequent cases, it would be a good law for cases now pending.

The SPEAKER. The question is on the amendment offered by the gentleman from Fayette [Mr. BOYLE.]

The amendment was

Agreed to.

The question recurring on the section as amended,

Mr. JONES. Mr. Speaker, does not the question now recur on the amendment of the gentleman from Tioga [Mr. HUMPHREY]? As I understand it, the gentleman from Tioga offered an amendment. The gentleman from Northampton [Mr. MEYERS] then offered an amendment to the amendment. I may have been mistaken in that——

Mr. HUMPHREY. Mr. Speaker, if the gentleman from Berks [Mr. JONES] will permit me to explain, my amendment was the first one offered, and was agreed to before the gentleman from Northampton (Mr. MEYERS] offered his amendment.

Mr. MEYERS. Mr. Speaker, it seems to me that the amendment of the gentleman from Tioga [Mr. HUMPHREY] got in there without the House having anything to say on the subject.

The SPEAKER. The amendment of the gentleman from Tioga was the first one offered. I think all the members understood it, and it was agreed to.

Mr. M'CREARY. Mr. Speaker, I am very much afraid that by the time we get through with this bill it will puzzle a dozen Philadelphia lawyers to understand it. Some persons seem to have a great desire to toggle up matters, and I believe there are certain persons who would amend the ten commandments if they had the privilege of doing so. Either of these bills was originally a very fair bill, but I preferred bill No. 375 to the other, for reasons I have stated.

Mr. JONES. I would like to ask when the gentleman speaks of amending the ten commandments whether he refers to such an amendment as would allow the cars to run on Sunday?

Mr. M'CREARY. I do refer to just that. But I think the more we work upon this bill the worse it gets. I understood it very well when we commenced, but we have now got it so mixed up that I would like to have it laid over. I had a preference for bill No. 375, but I gave way to the preference of the House. But now, from the manner in which this bill is worked up, I have but little idea of what it is. I am afraid members are not paying much attention to it. They are doing as I have been doing a portion of the time, writing letters and attending to other matters while we are passing a very important bill. I mistrust that bill No. 375 would not have been voted down if members had been giving sufficient attention to the bill.

Mr. MANN. Mr. Speaker, I do not see that there need be any difficulty about this matter. Let the bill proceed to a third reading, and if there is a majority of the House in favor of striking out this proviso it is very easily done. I do not see why we need waste any time about the matter. The question is now on the section as amended. If the House desire to pass this bill now they can do it immediately. It seems to me plain, and straightforward, and I hope the question will be taken now upon the section as amended.

The question being,

Will the House agree to the section as amended?

It was

Agreed to.

The second section was read and

Agreed to.

The third section was read and

Agreed to.

The title was read and

Agreed to.

The rules were suspended and the bill read a third time by its title.

On the question,

Shall the bill pass?

Mr. MEYERS. Mr. Speaker, I move that the House now go into the committee of the whole, for the purpose of making a special amendment by striking out the proviso of the gentleman from Tioga [Mr. HUMPHREY].

The motion was

Agreed to.

The House went into committee of the whole, Mr. CHASE in the chair, for the purpose of making the special amendment.

The Speaker having resumed the chair,

Mr. CHASE, chairman of the committee, reported the bill amended, as directed by the vote of the House.

The question recurring, Shall the bill pass?

Mr. MEYERS. Mr. Speaker, the remarks made by the gentleman from Erie [Mr. M'CREARY] that proper attention has not been given to this bill, and my own impression in regard to the matter, I think indicate that it is doubtful as to which of these bills a majority of the House favors. I, therefore, move that the House go into the committee of the whole for the purpose of considering an amendment to strike out the first section of bill No. 150 and insert the first section of bill No. 375.

Mr. WADDELL. Mr. Speaker, before that question is put I hope it will be fully understood by the House. If they agree to the motion that necessarily inserts the amendment which the gentleman from Northampton [Mr. MEYERS] asks to be inserted. It does not leave it open for discussion hereafter. If they vote to go into the committee of the whole they necessarily adopt bill No. 375. I want the House to understand what will be the effect of this vote and then do as they think proper.

Mr. BOYLE. Mr. Speaker, I rise to this question of order, that it is not in order to strike out this bill and insert another bill not before the House.

Mr. MEYERS. Mr. Speaker, I do not insert another bill. I only change the bill by an amendment. I do this simply to direct the attention of the House to the import of this bill, and in accordance with the suggestions of the gentleman from Erie [Mr. M'CREARY] that the House has not paid close attention to this matter. I am satisfied from indications and from remarks made by members upon this floor, that this House at one time preferred bill No. 375 to bill No. 150. And though I might have some personal pride in bill No. 150, having been on the Judiciary Committee of last year that prepared it, and this bill No. 375 having been prepared by the Legislature of New Jersey, yet I make this motion that the Legislature may have an opportunity to give it that consideration that it deserves.

Mr. ALLEN. Mr. Speaker, I am a little surprised that the gentleman from Northampton [Mr. MEYERS] should say here that this House is voting upon any measure without knowing what they are doing. I think gentlemen here are competent to understand what they have been doing, unless some reason to the contrary is given. I hope the House also understands that by voting for the motion of the gentleman from Northampton [Mr. MEYERS] they are voting contrary to what this House decided by a vote a few moments ago.

Mr. MEYERS. Mr. Speaker, I have made no assertion that the House is not competent to tell what it is doing. I, however, make the assertion that it is my recollection that not one half the members upon this floor voted; and I made this motion upon the suggestion of the gentleman from Erie [Mr. M'CREARY], that the House, from inattention (as is often the case when bills in which most of the members have no particular interest are being passed), did not give the matter the consideration its importance demands.

Mr. M'CREARY. Mr. Speaker, this is an important bill, and I am satisfied that not many votes were given, and that when the bill was up it did not receive the attention it ought.

The SPEAKER. Does the gentleman from Fayette insist on his point of order?

Mr. BOYLE. I will withdraw it.

On the question,

Will the House go into committee of the whole?

The yeas and nays were required by Mr. MEYERS and Mr. M'CREARY, and were as follow, viz:

YEAS—Messrs. Barrington, Brennan, Chase, Gordon, Kimmell, Kinney, M'Camant, M'Creary, M'Kee, Meily, Meyers, Mullin, Peters, Rhoads, Satterthwait, Watt, Webb, Weller and Wharton—18.

NAYS—Messrs. Adaire, Allen, Barton, Boyle, Breen, Brown, Calvin, Cameron, Chadwick, Chalfant, Collins, Craig, Davis, Day, DeHaven, Deise, Donohugh, Espy, Ewing, Fogel, Freeborn, Gallegher, Gregory, Harbison, Harner,

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[CONTINUED FROM PAGE 368.]

Headman, Hood, Humphrey, Hunt, Jenks, Jenes, Josephs, Kennedy, Kerns, Kline, Leech, Linton, Long, M'Henry, Maish, Mann, Marks, Mechling, Phelan, Pillow, Quay, Quigley, Roath, Robinson, Rouch, Seiler, Sharples, Shuman, Steacy, Stumbaugh, Sabers, Tharp, Waddell, Wallace, Westbrook, Whann, Wilson, Wingard, Worrall, Wright and Glass, *Speaker*—66.

So the question was determined in the negative.

The question recurring,

Shall the bill pass?

Mr. CHALFANT. Mr. Speaker, this is an important bill, relating to the law of evidence. I understand that the bill has been so mutilated by amendments that the probability is that not half the gentlemen on this floor understand it. The gentleman from Northampton [Mr. MEYERS] says we have not all paid attention, and there have been so many amendments that scarcely any man can tell how it is amended. For these reasons, and because not half the legal minds of this State have been consulted upon the question, I hope the House will vote down the bill.

Mr. WADDELL. Mr. Speaker, the objection that the bill has been so amended that it is not understood can only be made by those who are opposed to the bill. I dare say that there is not a gentleman in this House who cannot, by five minutes' attention to the bill, understand the effect of these amendments. They are as plain as A B C, and I say the gentleman who demands the defeat of the bill because it is amended does so because he is opposed to the bill. I will not pretend to say that this bill has been submitted to half the legal minds in this State, but I will undertake to say that it has been sent to members of the profession in every county of this Commonwealth. The Judiciary Committee have received letter after letter in regard to it, and the decided opinion on the part of the profession, so far as the letters received show, was in favor of the bill. Several suggestions were made in those letters, which were considered, some of them adopted, and others rejected. The bill was carefully prepared, and carefully considered by a special committee of that committee, and, after taking months to consider and perfect it, the bill was submitted to the House.

Now, I have said before that I was not tenacious in regard to whether this bill No. 150 or bill No. 375 passed, therefore I have been careful and guarded in saying anything in regard to the merits of either bill. I have kept my seat and have not introduced any opposition to either one of the bills. But it does strike my mind that gentlemen who were in favor of bill No. 375, and proclaimed they were not tenacious about that bill passing, have shown a degree of spirit which has satisfied me that there was at least some tenaciousness as to which bill should pass.

Now, if gentlemen are honest in their convictions, I appeal to them to withdraw that point of opposition.

Mr. MEYERS. Does the gentleman refer to me as in opposition to that bill?

Mr. WADDELL. I do, and I think from the remarks the gentleman has made, he was tenacious that bill No. 375 should pass.

Mr. M'CREARY. Does the gentleman refer to me as in opposition to the bill?

Mr. WADDELL. No, sir, I do not refer to the gentleman from Erie. I do not think the suggestion of the gentleman from Erie ought to warrant the motion that we go into committee of the whole and strike out bill No. 150 and insert bill No. 375. The suggestions of the gentleman from Erie were proper, and I have no fault to find with them, and I should have no fault to find with the motion of the gentleman from Northampton if he had not suggested at first that he was not tenacious as to which bill passed.

Mr. MEYERS. Mr. Speaker, I am sorry that the remarks of the gentleman and the tenor of his arguments seem to indicate that I was opposed to the principle of the law contained in either of these bills. He knows better than that. I am in favor of a law of this kind.

Mr. WADDELL. Mr. Speaker, I did not say that the gentleman was opposed to the passage of a bill of this kind; I only said that his course indicated that he was tenacious about bill No. 375, and that he had a pride in having that bill passed instead of bill No. 150.

I am satisfied that he is in favor of a change in the law of evidence.

Mr. MEYERS. Mr. Speaker, I do not know, then, why the gentleman should direct his remarks to me when replying to the gentleman from Montour [Mr. CHALFANT], who demanded the defeat of this bill. He might have thought that I was a little tenacious on making my motion to go into committee of the whole. But I repeat that I did not do it from any opposition to the bill, but to convince myself and other members that the House was fully satisfied with their previous action on the bill. I am now perfectly convinced, and shall vote hand in hand with the gentleman from Chester, and do everything that I can to ensure the passage of this bill.

Mr. DEISE. Mr. Speaker, I have simply one word to say upon this question. While it always procures me a great deal of pleasure to listen to the gentleman from Chester [Mr. WADDELL], I consider that his remarks are, perhaps, misunderstood.

I intend to vote against this bill, and I intended to do so without saying anything upon the question; for the simple reason that the more we attempt to fix up the laws of evidence, instead of simply fixing them, the more we get into difficulty; and I want the House to understand that, although an attorney by profession, I am opposed to the passage of this law. I believe it will open up a system of litigation and a system of reckless swearing that will be injurious to the profession and to the entire people outside. It will be the means of increasing litigation; and I, therefore, intend to vote against this bill, or any other of a similar character.

I admit that if you leave the matter in the hands of attorneys, you will have a pretty mess before you get through, as has already been witnessed upon this floor. Our laws are good enough; all we need is to get good paying clients and good laws, and we will get along. The further we get away from the old land marks, the further we get from security. I say this bill, and all similar innovations, should be voted down.

Mr. MANN. Mr. Speaker, I had not intended to say a word upon this bill, but, after the remarks of my friend from Clinton [Mr. DEISE], I cannot permit a vote to be taken without expressing a hope that the House will adopt the bill.

I think that all the remarks made, as to the way this bill has been amended and the attempts to amend it, are, to say the least, of no force. We have amended this bill just as we have amended all bills that come before us, that may not exactly coincide with the views of the House. Every amendment proposed has been a plain and simple one that any person, upon hearing it read, it seems to me, ought to have understood it.

The first amendment was apparently to make it apply to civil cases, without employing the numerous words used in the original bill; afterwards the gentleman from Fayette [Mr. BOYLE] introduced the word "civil," which seemed to make several lines of the bill unnecessary, and made the bill plainer than it was before. I can, therefore, see no possible propriety in this reference to the manner in which the bill has been amended.

Then, as to the statement of the gentleman from Clinton, that our laws are well enough as they are, I would ask, if that is so, what is the Legislature of Pennsylvania for? I suppose we come here for the purpose of inquiring into the defects of the law and endeavoring to amend them if we could. That is our business here.

This bill has been discussed and agitated and talked about for two sessions, more or less. It has been before two Judiciary Committees of this House and has received their attention, and has received the attention of the House; and it has now been perfected and amended to meet the demands of the people for progress in this respect; and it has arrived at that point where the vote of this House, so far as we are concerned, will make it the law of the State; and I hope we will now proceed to give it the finishing touch.

I assert that the people of Pennsylvania demand this law, and they are astonished that we did not give it to them a year ago.

I believe that copies of this law, as stated by the gentleman from Chester [Mr. WADDELL], went into every county in this State. Although not then a member of that Judiciary Committee, I sent them myself, as a representative, desiring to ascertain the will

of the people, into a very large number of counties, and from every one that I received a reply the response was that the people wanted such a law. No gentleman has produced a single response to this bill except in its favor, and I infer from this that it is more acceptable to the people and more demanded by them than any other public bill which has been before the people since the first of January. It is unanimous with both the people and the profession, and there is not a judge who has expressed his opinion who has not been in favor of it. All the people are in its favor, and why should it not pass and pass now?

Mr. CHALFANT. Mr. Speaker, unlike the gentleman from from Potter [Mr. MANN], I have just understood that the bill was sent to the bar of Northumberland county, and the most able mind of that bar, a member of the Republican party, and made their candidate for the Supreme bench, was decidedly opposed to it. I can say that the presiding judge of our judicial district is decidedly opposed to the bill, and I say that in reply to the remark that the legal mind of the State are unanimously in favor of it, I merely speak for my own judicial district, for that is the proper one I should speak of. But I suppose if I was to inquire I would find that such would be the case in many other sections of the State. I am totally opposed to the bill, and I say this candidly in reply to the gentleman from Chester [Mr. WADDELL]. Besides that the bill has been amended so as not to apply to criminal proceedings, and that provision has not been sent to the people for their opinion.

Mr. WEBB. Mr. Speaker, I would just like to say, in reply to the gentleman from Montour [Mr. CHALFANT], that the present judge of his district, Judge Elwood, wrote a very strong letter a year ago to a member of this House [Mr. Osterhout] in favor of this bill.

Mr. CHALFANT. Mr. Speaker, the gentleman does not understand the matter in our county. Judge Jordan is the president judge of our judicial district—what Judge Elwood's opinion is, I do not know.

The bill was read as amended as follows:

AN ACT relating to the law of evidence.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same*, That on the trial of any issue joined, or of any matter or question, or in any inquiry arising in any suit, action or other civil proceeding in any court of justice in this Commonwealth, or before any person having, by law or by consent of parties, authority to hear, receive and examine evidence to parties thereto; and the persons in whose behalf any such action or other proceeding may be brought or defended, and any and all persons interested in the same, shall, except as hereinafter excepted, be competent to give evidence, *viva voce*, on behalf of either or any of the parties to the said action or other proceeding, and by deposition in questions where, by the practice of the court, the evidence on such question is required to be made by deposition: *Provided*, That nothing herein contained shall render any husband competent to give evidence for or against his wife, or any wife competent to give evidence for or against her husband; nor shall any husband be competent to disclose any communication made to him by his wife during the marriage, nor shall any wife be competent to disclose any communication made to her by her husband during the marriage: *And provided further*, That if either of the parties to the original cause, or owners of the subject matter of the action, shall have died, either before or after suit brought, whereby he, she, or they, who prosecute or defend the same, do so as legal representatives, heirs-at-law, or purchasers, or assignees of such deceased owner, the rules of evidence shall not be affected by this act, but remain as heretofore.

SEC. 2. The testimony of the parties to any civil action or proceeding, authorized to testify by the provisions of the act of the twenty-seventh of March, Anno Domini one thousand eight hundred and sixty-five, shall not be conclusive, but the party calling for such examination may rebut it by other testimony.

SEC. 3. That the act entitled An act relative to the admission of parties to judicial proceedings as witnesses in certain cases, approved the twenty-seventh day of March, Anno Domini one thousand eight hundred and sixty-five, be and the same is hereby repealed.

On the question,

Shall the bill pass?

The yeas and nays were required by Mr. CHALFANT and Mr. MEYERS, and were as follow, viz:

YEAS—Messrs. Adaire, Allen, Barrington, Boyd, Cameron, Chadwick, Chase, Collins, Craig, Davis, Day, DeHaven, Donohugh, Espy, Ewing, Freeborn, Gallegher, Gordon, Gregory, Harbison, Hood, Jones, Josephs, Kennedy, Kimmell, Kinney, Lee, Leech, Long, M'Creary, M'Kee, M'Pherrin, Maish, Mann, Markley, Marks, Mechling, Meyers, Peters, Phelan, Pillow, Quay, Quigley, Roath, Robinson, Rouch, Satterthwait, Seiler, Sharples, Shuman, Steacy, Stehman, Stumbaugh, Subers, Waddell, Wallace, Watt, Webb, Weller, Wharton, Wilson, Wingard, Woodward, Wright and Glass, *Speaker*—65.

NAYS—Messrs. Boyle, Breen, Brown, Calvin, Chalfant, Deise, Fogel, Harner, Headman, Humphrey, Hunt, Jenks, Kline, Koon, Linton, M'Camant, M'Henry, Rhoads, Tharp, Westbrook and Whann—21.

So the question was determined in the affirmative.

And the bill

Passed finally.

House bill No. 188, being next in order, was taken up.

The bill was on second reading.

The bill reads as follows:

AN ACT to extend to plank roads the provisions of the eighth and ninth sections of the act, approved April nineteenth, one thousand eight hundred forty-four, entitled An act concerning certain State and turnpike roads.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same*, That the provisions of the eighth and ninth sections of an act, approved April nineteenth, one thousand eight hundred and forty-four, entitled An act concerning certain State and turnpike roads, be, and the same are hereby, extended to plank roads: *Provided*, That whenever the charter of any turnpike or plank road company has been, or shall be, repealed, it shall not be necessary for supervisors of townships to keep an account of the expenses incurred upon the turnpike or plank road of such company.

On the question,

Will the House agree to the bill?

It was agreed to.

The title was read and

Agreed to.

The rules were suspended, the bill was read the third time by its title, and

Passed finally.

The House went into committee of the whole on House bill No. 248, Mr. ADAIRE in the chair.

The bill was read as follows:

AN ACT for the relief of wives and children deserted by their husbands and fathers within this Commonwealth.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same*. That in addition to the remedies now provided by law, if any husband or father, being within the limits of this Commonwealth, has, or hereafter shall, separate himself from his wife or from his children, or from wife and children, without reasonable cause, or shall neglect to maintain his wife or children, it shall be lawful for any alderman, justice of the peace, or magistrate of this Commonwealth, upon information made before him under oath or affirmation by his wife or children, or either of them, or by any other person or persons, to issue his warrant to the sheriff, or to any constable, for the arrest of the person against whom the information shall be made as aforesaid, and bind him over, with one sufficient surety, to appear at the next court of quarter sessions, there to answer the said charge of desertion.

SEC. 2. The warrant aforesaid shall be returned to the next court of quarter sessions, when it shall be lawful for said court, after hearing, to order the person against whom complaint has been made, being of sufficient ability to pay such sum as said court shall think reasonable and proper for the comfortable support and maintenance of the said wife or children, or both, not exceeding one hundred dollars per month, and to commit such person to the county jail, there to remain until he comply with such order or give security, by one or more sureties, to the Commonwealth, and in such sum as the court shall direct for the compliance therewith.

SEC. 3. That the cost of all proceeding by virtue of this act shall be the same as are now allowed by law in cases of surety of the peace, to be imposed in like manner, and all proceedings shall be in the name of the Commonwealth, and that any wife so deserted shall be a competent witness on the part of the Commonwealth.

SEC. 4. That should any such person abscond, remove, or be found in any other county of the Commonwealth than the one in which said warrant issued, he may be arrested thereon by the said warrant, being backed by any alderman or justice of the peace of the county in which such person may be found, as is now provided for backing warrants by the third section of the act of the thirty-first of March, one thousand eight hundred and sixty.

The first section was

Agreed to.

Mr. ROATH. Mr. Chairman, I move to amend in the second section, by inserting, after the word "aforesaid," in the first line, the words "information and proceedings therein."

The amendment was

Agreed to.

Mr. WINGARD. Mr. Chairman, I move to amend by adding, at the end of the second section, the following proviso:

Provided, That nothing in this act shall deprive any person of his right to be discharged, under the provisions of the insolvent law of this Commonwealth.

Mr. MANN. Mr. Chairman, I hope that proviso will not be adopted. If it is adopted it will prevent the court from making persons comply with its decree. The benefits of the insolvent laws are never given in such cases, and why should they be in this one? It would simply defeat the whole action of the bill. I suppose every person feels that if a man is able to labor and support himself, he should support his wife and children; but, under this proviso, if he chooses to take ad-

vantage of the insolvent laws, then the whole object of this section is defeated. It is making an exception in the case of a man who abandons his family, and providing that in such cases the decree of the court shall not apply.

Mr. WINGARD. Mr. Chairman, as the law now stands, if a man has property the courts can enforce the use of a certain part of it for the maintenance of his family. It strikes me that this section, unless amended, would be exceedingly harsh and place a man entirely at the mercy of some virago, who could put him in jail and keep him there. I think this law ought to come under the general provisions of the insolvent, law so that from the mere caprice of some worthless woman, a man should not be obliged to lie in jail, where he will be of no use to anybody and an expense to the county.

Mr. JENKS. Mr. Chairman, I hope that proviso will not be adopted. By reading the section it will be found that sufficient provision is made for the discharge of any person who ought to be discharged. The court have it in their power to make such an order as will secure the ends of justice. It is, therefore, unnecessary to attach any such amendment.

Mr. WADDELL, Mr. Chairman, the effect of the second section in this act, as I understand it, is simply to authorize the courts of this Commonwealth, after they have made a decree, and the party against whom they have made the decree refuses to comply, to enforce that decree by imprisonment. I hope this Legislature will not undertake to interfere with a court that has made a decree, when it attempts to enforce that decree by an attachment for contempt, by allowing the party to get out by applying the benefits of the insolvent law. Such a course of proceeding is not known now in the statute books. These parties come before the courts, and their case is heard, and if, after the hearing, the court is satisfied he should protect and maintain his wife and children, they order him to do so, and pay so much for their maintenance; and if the party refuses to obey the order of the court, they may punish him by imprisonment. They can enforce their order, because he is in contempt of court, and he can only relieve himself by obeying the decree of the court. If the court find that his circumstances will not warrant a decree, they make no decree. I, therefore, hope this Legislature will not undertake to say that a court cannot enforce their decree, and enable a party to get off in this way.

Mr. WINGARD. Mr. Chairman, the Legislature of Pennsylvania has already said, that where a man has been convicted of an offense, and has received the sentence of the court, and has been sent to prison, he may be discharged in certain cases under the insolvent law; that is much beyond the case of a mere decree which the gentleman from Chester [Mr. WADDELL] has put. It might be possible that in some instances a court might make a decree and send him to jail, and he might remain there until the end of time. His hands would be tied, and he would be obliged to lie in prison at the expense of the county. I think the proviso is a proper one and it ought to be inserted.

On the question,

Will the House agree to the proviso? It was

Not agreed to.

Mr. ROATH. Mr. Chairman, I move to amend in the seventh line by striking out the word "jail," and inserting the word "prison."

The motion was

Agreed to.

The section as amended was

Agreed to.

The third section was read.

Mr. WINGARD. Mr. Chairman, I move to amend the fourth line by striking out the words, "any wife so deserted," and inserting the words "either party."

Mr. BOYLE. Mr. Chairman, one of the parties in that case is the Commonwealth.

Mr. JENKS. Mr. Chairman, that is permitting a criminal to be a witness in his own defense, for I hold, sir, that a man who will take a woman from her home and then desert her, as contemplated in this act, is a criminal in the very highest sense. I will vote for such a one not being a witness, for were he a witness I would not believe him under oath; that is, if he deserts his wife under the circumstances contemplated by this act. I am in favor of making men, when they take to themselves wives, stand by these women and protect them and the children they beget.

Mr. WINGARD. Mr. Chairman, I do not understand this to be a criminal proceeding. This is, to the contemplation of the law, a civil proceeding before the court, and it is for the consideration of the court entirely. It seems to me that we have made one step further this morning in reference to the law of evidence, and that this amendment would be in proper harmony with that step we have taken.

I would not like to have my friend from Jefferson [Mr. JENKS] a judge in any case in which I was concerned, if he was inclined to pre-judge every case, and suppose that every case that came up before him necessarily came under the provision of this act.

Mr. MANN. Mr. Chairman, it seems to me that the word "wife" ought not to be struck out. I would suggest that the words "provided that the husband shall also be a competent witness" be added to the end of the section.

Mr. WADDELL. Mr. Chairman, I do not know whether that is what the gentleman from Lycoming [Mr. WINGARD] intended or not, but that would seem to qualify the right of the wife being a witness, and that, should the husband refuse to be a witness, would prevent the wife from being a witness on the part of the Commonwealth. I have no objection to have all parties heard, and that is the custom in our court. The judge hears all parties and then uses his own discretion. I would suggest that the word "provided" be struck out and make the amendment read, "and that the husband shall also be a competent witness."

Mr. WINGARD. That is my desire, and I accept the suggestion.

Mr. ROATH. I hope the amendment will not pass. Both parties are generally heard in these cases. Such an amendment as that will destroy the features of the whole bill.

Mr. M'CREARY. Mr. Chairman, it seems to me that we are assuming here, at once, that the fault is always on the part of the husband. There is not a member, probably, who cannot call to mind cases where the fault is on the other side; but the woman can come up and testify and the husband must stand back and keep his mouth shut and say nothing. If I understand this amendment it is to allow both parties to make their statement, but the gentleman from Jefferson [Mr. JENKS] and others seem to assume that the husband is always to blame, and therefore has no right to say anything. I do say that both parties ought to make their statement, and if the statements are corroborated by the evidence, then justice will be done. It is really a simple matter.

Mr. WADDELL. There is another matter. This is a proceeding before a judge and not before a jury. He hears the testimony and weighs the whole testimony. It is not like going before a jury of twelve men, but you go before a judge, who is better able to weigh and discriminate than a jury, and in nine cases out of ten, the courts will prefer, I think, hearing the testimony on both sides. It is not like opening up the door before a jury. Courts will exercise their own discretion, and it is a matter entirely for their discretion.

The amendment was

Agreed to.

The section as amended was

Agreed to.

Section four was read and

Agreed to.

The Speaker having resumed the chair,

Mr. ADAIRE, chairman of the committee of the whole, reported the bill with amendments.

The first section was read and

Agreed to.

The second section was read.

The question was on the section.

The hour of one o'clock having arrived,

The SPEAKER adjourned the House until three o'clock this afternoon.

AFTERNOON SESSION.

The House met at 3 o'clock.

PUBLIC CALENDAR, CONTINUED.

Agreeably to order,

The House proceeded to the further consideration of House bill No. 104, entitled An act to provide for the payment of gratuities and annuities to the soldiers of the war of 1812, and to their widows, and to repeal the present laws on that subject.

When the bill was last considered,

Mr. MANN offered the following amendment:

Strike out all after the enacting clause and insert:

That hereafter all applications for gratuities and annuities on account of services rendered as a soldier of the war of one thousand eight hundred and twelve, or as the widow of such a soldier, shall be made to the Auditor General, who shall require the applicant to make an affidavit that he served at least two months as a soldier in said war beyond the limits of the State of Pennsylvania; that he was at the time, and now is, a citizen of Pennsylvania; that he voluntarily enlisted in a State organization, raised for the defense of the country; that during the term of his enlistment he did not desert from his company or regiment, but retired from the service honorably discharged; that he or she is in destitute circumstances, and that his or her earnings and income, from all sources, is not sufficient for his or her proper maintenance and comfort, and that he or she has no child, or children, living, who are in proper circumstances to support him or her; and in case the applicant is the widow of a soldier, the Auditor General shall further require, by affidavit of the applicant, that she was the wife of said soldier at the time of the services rendered, and lived with him as such until his death; that she is now a widow, and has been since his death; that she is now living in the State of Pennsylvania.

SEC. 2. That the Auditor General is authorized and required to examine these applications as to the services, and if he shall be satisfied, either from the affidavit, the records of the Auditor General's office, the records of the War Department at Washington, or such other testimony that he may require, that the services were rendered, he shall so certify to an associate judge of the city or county in which the applicant lives, and also give notice to the applicant that he shall cause to appear before said judge at least two

credible and disinterested witnesses from his or her own neighborhood.

SEC. 3. That the said judge is authorized and required to examine such witnesses, or such other witnesses he may think proper, as to the truth or falsity of the affidavit of the applicant, except as to the services, and after a full examination shall certify to the Auditor General whether or not the affidavit of the applicant has been fully sustained by certain witnesses, naming them.

SEC. 4. The Auditor General, upon receiving such certificate from a judge sustaining affidavit, is authorized and required to certify to the State Treasurer that the applicant therein named is entitled to the provisions of this act, and who shall thereupon cause to be paid to the applicant, by his city or county treasurer, out of any moneys in the treasury not otherwise appropriated, a gratuity of forty dollars, excepting to them who have already received the same, and thereafter an annuity of forty dollars, commencing on the first day of January preceding the application, which shall be paid semi-annually on the first day of January and the first day of July in each year, and shall continue during the natural life of said applicant.

SEC. 5. Should any person or persons swear falsely in regard to the facts required to be established by this act, he, she or they shall be guilty of perjury, and liable to prosecution the same as if the perjury had been committed in a legal proceeding.

SEC. 6. The Auditor General is hereby authorized to appoint one clerk, at a salary not to exceed fourteen hundred dollars per annum, to assist him in carrying out the provisions of this act.

SEC. 7. That the city or county treasurer shall receive one per centum upon the amount paid out under the provisions of this act for their services.

SEC. 8. That the act of the thirtieth day of March, Anno Domini one thousand eight hundred and sixty-six, entitled An act to provid for the payment of gratuities and annuities to the soldiers of the war of one thousand eight hundred and twelve, and to their widows, and all special laws granting annuities to soldiers of the war of one thousand eight hundred and twelve, or their widows, be, and the same are hereby, repealed.

Mr. STUMBAUGH moved to amend in the fifth line of the first section, by striking out the words "two months," and inserting in lieu thereof the words "twenty days."

The question was on the amendment of Mr. STUMBAUGH.

The amendment was

Agreed to.

The question recurring on the amendment of Mr. MANN,

Mr. ESPY moved to amend in the fifteenth and sixteenth lines, by striking out all after the word "soldier" in the fifteenth line up to and including the word "rendered" in the sixteenth line.

Mr. STUMBAUGH. Mr. Speaker, it strikes me that this amendment ought to prevail in this House. There were of course many men soldiers in the war of 1812 who were at the time single men, and have married since, and their widows are now in necessitous circumstances. If we leave the bill as it now stands it will exclude them from its provisions.

Mr. WINGARD. Mr Speaker, I cannot see any particular merit that a woman would acquire by having become the wife of a soldier when the war was all over. If she was his wife during the war, she suffered privations during the war thereby, and it would then, certainly, be a meritorious case. But if she was a single woman at the time of the war and afterwards became his wife—it may be several years after—I cannot see any claim that she would acquire by that act.

Mr. WILSON. Mr. Speaker, it strikes me that because a man was not married at the time of the war it ought not to militate against his widow. I want this thing as though it naturally belonged to him, and at his death would go to his widow. Is she a widow of a soldier of the war of 1812? and did she live with him at the time of his death? I think should be the only questions in respect to that, without inquiring whether they were married or not during the war.

Mr. CHASE. Mr. Speaker, in recruiting men for the service a man is not asked whether he is married, or whether he is going to be married, or whether he is going to remain single during life. In paying these annuities and gratuities I think we should take the same ground. I, therefore, hope the amendment will prevail in this House.

Mr. HEADMAN. Mr. Speaker, there were a great many persons in the war of 1812 who were minors at the time—probably eighteen or twenty years of age, and perhaps not married until several years after the war. Unless this amendment is agreed to the widows of these men are excluded from the provision of this bill. I see no reason why they should be excluded, and therefore I hope the amendment will not be agreed to.

On the question,

Will the House agree to the amendment of Mr. ESPY?

The yeas and nays were required by Mr. HEADMAN and STUMBAUGH, and were as follow, viz:

YEAS—Messrs. Adaire, Armstrong, Boyle, Brennan, Brown, Calvin, Cameron, Chalfant, Chase, Craig, Davis, Day, Deise, Donohugh, Espy, Fogel, Freeborn, Gallagher, Harner, Headman, Heltzel, Humphrey, Jenks, Jones, Josephs, Kennedy, Kerns, Kimmell, Kinney, Kline, Leech, Linton, Long, M'Camant, M'Creary, M'Kee, M'Pherrin, Maish, Markley, Mechling, Meily, Peters, Phelan, Pillow, Roath, Robinson, Rouch, Sharples, Stehman, Stumbaugh, Tharp, Webb, Weller, Westbrook, Whann, Wharton, Wilson, Worrall, Wright and Glass, *Speaker*—60.

NAYS—Messrs. Ewing, Gordon, Mann, Satterthwait, Wingard and Woodward—6.

So the question was determined in the affirmative.

The question recurring on the amendment as amended,

Mr. MANN. Mr. Speaker, I move to amend by adding after the word "Pennsylvania," in the sixth line, the words "or within the limits of the county of Erie." I would state that I offer this amendment to cover troops who were called there and stationed there, and if anybody is to be paid, those who served there and in the battles of the lake should be paid.

Mr. M'CREARY. Mr. Speaker, the county of Erie, I believe, is the only county in the State in which any actual service was done during the war. From the harbor of Erie Perry's fleet was sent out, and it is the place to which it returned. The troops stationed there were kept on duty all the time to protect the fleet while building. I know of a number of companies that came from the centre of the State, and did service there, that would be cut off by this amendment.

Mr. BOYLE. Mr. Speaker, I think the amendment is objectionable in this view. The object of the original substitute offered by the gentleman from Potter [Mr. MANN] is to prevent the payment of all persons who were not in active service. This amendment would include the soldiers who entered the service in Erie county, whether they had seen actual service or not in Erie county, or outside the State.

Mr. M'CREARY. Mr. Speaker, it was at that point the troops were assembled, and the amendment would no more benefit those of Erie county than others.

Mr. BOYLE. Mr. Speaker, it would place the citizens of Erie county who entered the service, and saw no actual service, if they had been mustered in for twenty days, in a position by which they would be entitled to the annuities and gratuities under this bill, while those in other counties would not.

Mr. M'CREARY. Mr. Speaker, those persons who were called out from Erie county all did serve.

Mr. BOYLE. Mr. Speaker, I presume the gentleman does not know that. There were, doubtless, a great many persons who were enrolled and talked of entering the service, and who are no more entitled to the benefits of this bill than many other persons in other parts of the State who never saw any service.

Mr. HEADMAN. Mr. Speaker, I am opposed to this whole bill, as I believe it will do great injustice to the persons whom it is intended to relieve.

The question now before the House is, are we to repeal a law which was enacted for the purpose of relieving the wants or distresses of the old soldiers of the war of 1812, and their widows; or are we to substitute a new law whereby they will receive nothing to alleviate their sufferings?

The law asked to be repealed is one that was passed last winter by, I believe, the unanimous vote of the Legislature at that time. The object of that law was to save the State the expense of legislating on each application, and to give a gratuity of forty dollars and a pension of the same amount to each soldier of the war of 1812 having served two months, or to their widows in necessitous circumstances. These people have to make application, according to law, to get this pension, and the law is very stringent. The Auditor General has everything in his favor, so that the State cannot be defrauded. I will read a portion of the law:

AN ACT to provide for the payment of gratuities and annuities to the soldiers of the war of one thousand eight hundred and twelve, and to their widows.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That hereafter all applicants for gratuities, annuities, or pensions, on account of services rendered as a soldier in the war of one thousand eight hundred and twelve, or as the widow of such soldier, shall be made to the Auditor General, who shall require the applicant to make an affidavit that he served, at least two months, as a soldier in said war, or that he was wounded or otherwise disabled, while in said service; that he was at the time, and now is, a citizen of Pennsylvania, and that he is, at the time of making application, in necessitous circumstances; the Auditor General shall also require additional proof, by one disinterested and credible witness, or by such other evidence as may be satisfactory to the Auditor General, that the facts set forth in the affidavit of the applicant are true and correct, and that the witness has no pecuniary interest in the prosecution of the claim; such proof being made, to the satisfaction of the Auditor General, he is hereby authorized and required to so certify to the State Treasurer, who shall thereupon pay to said applicant, or his order, out of any moneys in the treasury, not otherwise appropriated, a gratuity of forty dollars, and thereafter an annuity of forty dollars, commencing on the first day of January preceding the said application; which annuity shall be paid semi-annually, on the first day of January and the first day of July, in each year, and

shall continue during the natural life of said applicant.

SEC. 2. That in case the applicant is a widow of a soldier, the Auditor General shall require, besides the affidavit of the said applicant, to the facts set forth in her claim, proof, by one credible witness, that he, or she, is personally acquainted with her, and that the witness knew her deceased husband, and that the witness knew that he did serve, at least two months, as a soldier, in the war of one thousand eight hundred and twelve, or that he was killed, wounded, or otherwise disabled, whilst in said service; that the applicant was his wife, and lived with him, as such, until his death; that she is now a widow, and in necessitous circumstances, or such other evidence as may be satisfactory to the Auditor General; when such proof is furnished, the Auditor General shall certify, to the State Treasurer, that the applicant is entitled to the benefits of the provisions of the first section of this act; *Provided, however*, That should said widow again marry, after making the application, the annuity shall thereafter cease.

SEC. 3. Should any person, or persons, swear falsely in regard to the facts, required to be established by this act, he, she, or they, shall be guilty of perjury, and liable to prosecution, the same as if the perjury had been committed in a legal proceeding.

Is not that sufficient to protect the State Treasury? It is truly said that the oath is an iron-clad one.

But what are the arguments for the repeal of this law? The first is, that these poor people are the prey of sharks—that is, pension agents; and that they charge or take one-fifth of the whole amount to procure it. I cannot tell, in all cases, what is charged, but I do know some five or six cases where the charge was but five dollars, and I thought it was reasonable enough. That is the only charge they are subject to, and they appear satisfied with it. To get a separate law for each and every person so applying, passed by the Legislature, would not only subject them to at least that expense, but it would cost the State, for the time of legislating on these applications, thousands of dollars. The other objection to the bill is, that there are some receiving this bounty who are not entitled to it. Well, suppose they are not, and, I have no doubt but it is so in some cases. In all things we have to take the evil with the good, and my views are, where the good is greater than the evil, to let the good prevail. It is further said that this law is taken advantage of. Probably it is; but, sir, Sodom and Gomorrah were offered to be saved if there were but ten righteous men in it. Now, why not save this bill, if there are but ten just and honorable applicants receiving relief from its provisions?

The State Treasurer, in his report (so I have understood), says that the entire revenue of the State, for the next forty years, will be required for the relief of these soldiers. What sane man could believe such a thing as that? Why, sir, five-sixths of these people living to-day are beyond seventy-five years of age. Now add forty years to that and you have one hundred and fifteen years. How many will be alive at that age to take the entire revenue of the State? The idea is preposterous. The new bill proposes to abolish the sharks, as they are called. And, sir, in my opinion, this bill substitutes a whale to receive a salary from the State treasury of fourteen hundred dollars per year. Therefore, instead of curtailing the expense to the State, it would be adding to it, and still not abolish the sharks. Of the one hundred and sixty thousand dollars expended last year, one hundred and twelve thousand dollars were for gratuities, which will never be required again by the two thousand eight hundred persons who have already received it. The additional applicants, I can safely venture to predict, will be very small, and in a few short years all of them will have found their homes in the silent city of the dead.

I believe I have shown pretty clearly that there will be no danger of the entire revenue of the State being exhausted during the next forty years, and that neither the repeal of the old act, or the passage of the new one, will abolish the offices of pension agents.

I will, therefore, close with that, and now appeal to the generosity of this House, in behalf of the old, gray-headed men and women entitled to this little relief from the State. I look upon it as an acknowledgment on the part of the people (through their representatives), that they appreciate true worth, and I think if this question was left to the people it would receive their almost unanimous vote. I have yet to see the first taxpayer that wishes the old act repealed; on the contrary, all those I have spoken to on the subject say it would be an outrage.

These people become more sensitive the older they grow, and to stop this pension on those that are now receiving it, would be to hurry them to their graves. They feel as if it was an act of Providence ministered for their relief; and let me tell all of you, gentlemen, here to-day, the soldiers of the late war are watching you with an eagle eye; they are looking to see who are the soldiers' friends. They think if the soldiers of 1812 are set aside, they, too, will share the same fate when they grow old. It is said that the soldiers of 1812 did no service. Now, let us look at this point, and ascertain the cause, and what induced these men to spring to arms. Our flag was trampled upon by an insolent foe. Our friends, brothers and neighbors were seized and taken from the decks of vessels bearing our flag, on the high seas. Yes, sir! not only on the high seas, but even in our harbors. The honor and dignity of our country and flag were scoffed at. England claimed to be mistress of the seas. Then it was, for the love of country and our country's honor, that the intrepid Lawrence nailed his flag to the mast, and cried out with his dying words, "Don't give up the ship!" Then it was, by his bravery, that Stewart gained the sobriquet of "Old Ironsides." Look at the valiant Decatur—the immortal Perry, who said, "We have met the enemy, and they are ours." See Scott, Jackson, Johnson, and all those brave men of the army, who sacrificed their lives.

And now, Mr. Speaker, let me say to this House, that if it had not been for the very men who are at our doors praying for us to take from them, in their declining years, the small pittance we have granted them, these brilliant victories would never have been achieved, and this country to-day would have been under British rule.

How can you turn a deaf ear and deny them this little boon? England, not satisfied with being the mistress of the seas, wanted to rule the land. Cast your eyes down the Chesapeake and see the enemy landed on our shores, and mark their progress. Towns were laid waste, villages and hamlets were sacked and burned. Their course was like the Monsoon of the desert; and, sir, it was only by the sacrifice of two noble lives, on the altar of their country, that General Ross was prevented from taking Baltimore. No doubt you all remember his words—"To-morrow I will take my dinner in Baltimore or in h—l." The same spirit actuated those young men actuated these old pensioners of to day at that time. Was there ever anything in ancient or modern history to equal the act of those two noble beardless youths of Maryland? They knew their fate whether they succeeded or not. Their bodies were riddled by British bullets and dragged in the dust. The sacrifice of their lives ended the war in that quarter. Can you forget that it was at this time that a British man-of-war was riding at anchor almost within range of the guns of Fort M'Henry, with a number of American soldiers on board as prisoners? It was on board this ship that Francis Key strained his eyes in the direction of the fort to see whether the old flag still waved over it, and was inspired with the poet's fire, and composed the song—which sends the heart's blood thrilling through every patriot's veins—of the "Star Spangled Banner." That good old song has since become the property of the nation, and will be sung by millions of American freemen yet unborn.

But the war was renewed with greater vigor in another section. Look Southward and see what the enemy was doing there—the men of the West, under Gen. Jackson, clothed in their native garb of deer skins, hunting shirts, leggings and moccasins, with their unerring rifles grasped, went forth determined to do or die. No railroad or steamboat transportation then. They had no Government clothing or rations; they marched over a thousand miles through a wild and almost unknown country, and fought the battle of New Orleans. Six thousand (6,000) of our country's enemies bit the dust. This was the greatest victory every yet achieved. That ended the war in that direction, and yet it is said these old soldiers of 1812 did nothing.

I will now relate a little incident that occurred a few days since. I met an old man of an adjoining county, whose gray hairs and weather-beaten countenance attracted my attention. In speaking of this bill, he said: "I was mustered into service one day, and started off the next. It was in the winter season, and we were compelled, by forced marches, to travel a dreary wilderness, and at night slept on the ground, without blankets or any other covering except the broad canopy of heaven. Our route was toward the lakes. We had no uniform or clothing furnished by the Government, and at one time we were four days without rations. We had several skirmishes, and wound up with the battle of Lundy's Lane. All this occurred within the short period of two months.—When we came home our clothes were in rags, and we had no shoes to our feet. We were then paid six dollars by the State, and the same amount by the general Government for the two months' service."

I must confess I never in my life had had such feelings as when this old man took my hand in both of his and related to me what he had went through at that time, and what good the little relief he received from the State was now doing him, and then asked me to do what I could to prevent the repeal of the act. I thought then of the lines I was taught in my boyhood days:

"Pity the sorrows of a poor old man
Whose trembling limbs have borne him to your door,
Whose days are dwindled to the shortest span,
Oh, give relief and heaven will bless your store."

You will bear in mind these men received no bounty. The volunteers provided their own uniforms, the officers their side-arms, and the miliatiamen their clothing at their own expense. I now entreat you, gentlemen, to not let this law be repealed. Let it remain as it is; it will not be long that these old men and women will need it. Let me say that you will be more than repaid for this act, if you should meet one of these old patriots, and he would recognize you as having voted against the repeal of this bill, he would grasp you by the hand, lift his eyes to

Heaven, and utter that short but fervent prayer—"God bless you."

Mr. WINGARD. Mr. Speaker, I would ask the gentleman what book he quoted from when he referred to Sodom and Gomorrah?

Mr. HEADMAN. Not from "Helper."

Mr. MANN. Mr. Speaker, it seems to me that this is a pretty long speech to make on the amendment I have offered. The amendment I offered is to include the soldiers of the county of Erie in the provisions of this bill. I supposed that was the subject under consideration; and I cannot see what has induced the gentleman to make this long speech, except it is from the prickings of conscience for having opposed the soldiers for years past so constantly and persistently, that he now wants to relive himself by speaking in their favor. I cannot see the connection between his speech and this amendment; and that is, I conceive, the only question now before the House. I think there is some force in the objection made by the gentleman from Fayette (Mr. BOYLE) to this amendment, yet I do not know very well how to provide for the payment of certain meritorious cases, without the introduction of this amendment, because, in Erie county was the point of danger at that time, and the soldiers were called there, and were in service there; and it did seem to me as though, if we are going to pay the soldiers of the war of 1812, we ought to pay those who had gone into the service there, and had been at the post of danger. It was for that reason I offered the amendment.

While upon this subject, I wish to say that there has been a great deal of unnecessary talk about not remunerating the soldiers of the war of 1812. Who, on this floor, has said a word against paying them? Who has the right to say that this bill is offered with the view of preventing them being paid? The very purpose of this substitute is to secure to the soldiers of the war of 1812 this gratuity and annuity; and I submit it is far-fetched for gentlemen to stand upon this floor and argue, because we are for amending the laws, that we seek to deprive the soldiers of their annuity. I maintain that any person who says this bill is an attempt to deprive the soldiers of the war of 1812 of their just dues, who claim to see that in it is using sophistry, and is attempting to make political capital; and that is the object of this long speech, and nothing else—because there is nothing in the bill, from beginning to end, that warrants any such conclusions. It is based upon the idea that those who performed service shall be paid; but those who did not, shall not receive anything. It does seek to guard the treasury against the frauds that have been notoriously committed under the act of last year. The gentleman conceded that, and that is all this amendment seeks to do, to guard the treasury against the improper withdrawing from the funds. I cannot conceive of a more imperative duty resting upon us. It is very easy to open the treasury of the State; but it is a very difficult matter to close it when it is once open. It is an easy matter to open it, so that the hands of various individuals can reach in there and withdraw from it the hard earnings of the people, but when once open, it seems that it is almost impossible to guard it against even the improper subtraction of money. I am astonished that gentlemen who claim to be in favor of economy and the rights of the people, and admitting that, under this bill, great frauds were committed, yet refuse to do anything to close up these loop-holes, and to prevent a further commission of these frauds. I hope the rest of this discussion will treat this bill upon its merits. If we do so, we shall do the State a great service; and we will secure the gratuities and annuities to those who performed service in the war of 1812, beside preventing those who did not from drawing money from the treasury. But if we are to treat this in the spirit of demagogism, appealing to the prejudices of the people and suggesting ideas in it that do not exist, it then becomes a much more difficult matter to amend as it ought to be, and to secure to meritorious cases their dues and withhold from others what they ought not to receive. I hope, therefore, the amendment which I have offered will be adopted, and if it needs any additional amendments they will be suggested and agreed to. I desire only that we shall frame this bill so that meritorious persons shall receive what they ought, and others who are not meritorious receive nothing.

Mr. BOYLE. Mr. Speaker, I have no desire to make any political capital out of this bill—none whatever. I was friendly to the passage of the bill last year. I admit that it has been subject to very great abuses, and that something of this kind is needed. Some check is needed to be put upon the prosecution of claims of this character. Many of the provisions of the substitute before us are wholesome, and will effect the purpose desired. I think, however, the present amendment ought not to be adopted. I am further of the opinion that the words "beyond the limits of the State of Pennsylvania" ought to be stricken out. If a person at that time, entered the service and saw this requisite term of service, he ought to be allowed this pension, though he did not cross the State line. The mere fact of his crossing the State line, and having seen service somewhere else, has no particular merit in it.

I trust this amendment will be voted down, and that we shall strike out these words I have indicated, so that we shall put all men who entered the service, and served for twenty days, upon an equality. If they served twenty days, let them have the gratuity and annuity, wherever the service was rendered.

Mr. M'CREARY. Mr. Speaker, I think if the words indicated by the gentleman from Fayette [Mr. BOYLE] are stricken out, that the real object of the bill is defeated. It throws open the treasury to the same class of persons that came last year. I understand the object is to cut off the cases that were not meritorious last year. If you allow every person who saw service this gratuity and annuity, then it opens up the whole thing as before. It is a well known fact that no service was done in the State, to be called service, except that on the border and on the lake. Several attempts were made to land there, and destroy the fleet, which were repulsed by the troops there, and when the fleet was crossing the bar into the lake, the troops were called out to protect it. From the announcement of the building of the fleet, early in the spring, until September, when the battle was fought, which reflected so much honor and glory on American arms, and which was fought about a week after the fleet left the harbor, the troops there were constantly in service. Some troops were called there from Cumberland county, and perhaps from Fayette county, and from all over the State. They were in actual service there, many of them for at least six months, and they certainly ought to be paid for their services, if any are paid. But if you give this gratuity and annuity to the men throughout the State, who served in all twenty days, you grant it to many who were never called upon, and who never submitted to any hardships. This does not affect the people of Erie county any more than any other county. There are very few cases there, that I know of, that would come under this bill. Therefore, I say that the men who went from Dauphin county, from Sullivan county, and from other counties, and who served three or six months there ought to be remunerated, rather than the men who served only twenty days outside of the State.

The question being on the amendment to the amendment,

It was

Agreed to.

The question recurring on the amendment,

Mr. LINTON. I move to amend, by striking out in the twelfth and thirteenth lines, the words "and that he or she has no child or children living who are in proper circumstances to support him or her." The object of this bill, as I understand it, is to give gratuities and annuities to a similar amount to the soldiers of the war of 1812, who are in destitute circumstances. Of course, the amount that the State would be able to give, and which it proposes to give, will not be sufficient to support them. Forty dollars a year in these days, and perhaps at no time, would support a man. He will still require assistance from other sources. But it strikes me, it would be improper to deprive him of this aid, simply because he has some children living, who manifest their filial feelings by assisting him in his old age.

The amendment was

Agreed to.

Mr. BOYLE. Mr. Speaker, I move to strike out the words "voluntarily enlisted," in the seventh line, and insert the word "served."

Mr. STUMBAUGH. Mr. Speaker, I would suggest that the gentleman had better modify that amendment by merely inserting, after "enlisted," the words "and served." It may be possible that a man may have been drafted at that time. I am not positive, however.

Mr. BOYLE. Yes! it is possible—nearly everybody was drafted.

Mr. STUMBAUGH. Then, Mr. Speaker, I appeal to the soldiers in this House, that they do not permit this bill to be killed in that way.

Mr. LINTON. Mr. Speaker, I think, perhaps, the wording of the section would include a class of persons whom it is not designed this amendment should apply to. For instance, men who were only in the army as wagon-masters.

Mr. BOYLE. The gentleman will see, by reading the remainder of the line, that he must have served as a soldier.

The amendment was

Agreed to.

Mr. CHASE. Mr. Speaker, I move to strike out, in the fifth and sixth lines, the words, "beyond the limits of the State of Pennsylvania."

Mr. BOYLE. Mr. Speaker, my objection that amendment is, that it would then only give the gratuity and annuity to those who served in Erie county. If the gentleman strikes out those words he ought to strike out the words "Erie county" also.

Mr. CHASE. Mr. Speaker, I withdraw my amendment.

Mr. BOYLE. I renew it, and include the words "Erie county."

Mr. MANN. Mr. Speaker, I hope the amendment will not be adopted. We have already amended this bill so much that it will very soon be worse than the bill of last year. It will take more money out of the treasury, and cause more fraud, than the bill now in force. The bill of last year requires two months' service, and now we have got it down to twenty days. If, in addition to that, we allow everybody who got up a company in any county, and simply served twenty days, at home, doing nothing, to obtain this gratuity, we have made a far worse bill than we

ever tried to correct. I heard a very intelligent gentleman from Lancaster county (I do not speak from my own knowledge, but from what he said) say that nine-tenths of the soldiers of the war of 1812, in that county, were never beyond the county lines, and never served in the sense in which we term it. But if this amendment is carried under this bill, they would be entitled to be paid; and it will increase the number to be paid very largely. They are now coming in at the rate of five to six per day. These men will increase with astonishing rapidity; and there will be more next year than last, unless we do something to check the frauds. This amendment will throw open the door, and it will be impossible to say within a hundred thousand dollars of how much will be taken from the treasury under this bill during the next year. The Auditor General reports now the filing of five or six applications per day. A thousand dollars per day are now asked for under the bill of last year. Make this amendment, and it will double the amount, and it will require two thousand dollars per day for the coming year to meet the provisions of this bill. Certainly the best thing we can do is to say that we are helpless, having passed a bill that throws open the door of the treasury to fraud, if we are unable to remedy the difficulty.

Mr. WADDELL. Mr. Speaker, the action of this House, it strikes me, should be somewhat consistent. When this bill was under consideration, a few days ago, the gentleman from Franklin [Mr. STUMBAUGH] moved that the bill should be amended so as to reduce the time which a man was required to serve, before receiving the benefit of this act, to twenty days. The objection made was, that many men went into service and raised a company at some tavern or cross road, and spent twenty days there without going away from home. At the time, I called the attention of the House to this fact, and it was remedied by requiring that they should have served beyond the limits of the State. That seemed satisfactory to the House then, and probably that time, inasmuch as they had to serve beyond the limits of the State, was satisfactory. Now, it is proposed to strike out of the bill the point which was then made, and enable those who enlisted at the taverns and cross roads, and spent the twenty days there, to receive the benefits of this act. Is it consistent and right, and proper, after agreeing to an amendment, that they should have served beyond the limits of the State, to then turn around and ask that that very provision be stricken out? If this bill is to be shorn of the protection, as suggested by the gentleman from Potter [Mr. MANN], which it endeavors to throw around the treasury, then we had better keep the old bill, without subjecting the parties to making their applications over again.

Mr. STUMBAUGH. Mr. Speaker, in reply to the gentleman from Chester [Mr. WADDELL], I would say that I am not in favor of the amendment of the gentleman from Fayette [Mr. BOYLE], simply because this House has fixed the time of service at twenty days, and I am willing to let the bill stand as amended by the gentleman from Potter [Mr. MANN], to include the county of Erie.

Mr. ARMSTRONG. Mr. Speaker, I did not intend, sir, to intrude myself upon the patience of this House, in discussing this bill, although I must say that I would rather see this bill defeated, and let the old bill stand as it is, for the very good reason just thrown out by the gentleman from Chester [Mr. WADDELL]. The great majority, if not all the applications in the State, have already been made. The papers are already on file in the proper office. The claims are established, and whatever loss or inconvenience those parties making the claims may have been subjected to by the sharks, which are said to exist throughout the length and breadth of the State, has been made. Those claims have been established, and those persons can draw, without further trouble, what rightly belongs to them. So far as I am acquainted with the working of that law, and the character of the applicants under it, I believe it to be in the main right and just, although it has been stated upon this floor that from the county I have the honor, in part, to represent (the county of Lancaster), that nine-tenths of the soldiers who are applicants for this benefit never went outside that county. I do not know of a man there, nor the widow of a man, who has made application for this bounty, unless the soldier had served outside the county. I do not know a solitary case where the service had not been rendered outside of the county. I care not how responsible the gentleman may be who gave to the gentleman from Potter [Mr. MANN] that information, I believe I know as much about the county of Lancaster as either of them. I stand here to-day to vindicate the character of the old soldiers of the war of 1812—my constituents of the county of Lancaster. I hold in my hand a list of thirteen companies, that were raised during the war of 1812 within the limits of the county, and every man of them went out into the adjoining State of Maryland. Whether they were in action there or not, I am not prepared to say. I know, at least, they showed their willingness to serve.

Mr. STUMBAUGH. Is the ex-President included in that list?

Mr. ROATH. Not in that list. He was on a separate list, by himself, and he stood by himself.

Mr. ARMSTRONG. Mr. Speaker, I stand here to vindicate the character of the parties claiming pensions in the county of Lancaster; and from the fact that I know their standing, and speaking for them, I oppose this bill altogether and hope it will be voted down, and that such claims as are already established in the proper office, by the parties claiming their due, will not have to again establish their claims; and that they will be kept out of the hands of these miserable sharks who are spread over all the land. If I were to venture my own opinion, it would be that this new bill has been gotten up in the interest of those very men, to give them another chance to feed upon that which does not belong to them, and which should go into the pockets of those who are worthy of receiving pensions from the State of Pennsylvania.

I hope the whole bill will be voted down, and that the law will remain as it was last year.

On the question,

Will the House agree to the amendment of Mr. BOYLE?

It was

Not agreed to.

Mr. SATTERTHWAIT. Mr. Speaker, I offer the following amendment:

"And if a soldier, that he was permanently disabled, either from wounds or sickness incurred in the said service; or, if a widow, that her husband was so disabled."

Mr. SATTERTHWAIT. Mr. Speaker, of course I know that that amendment will not be adopted. But I offer it for the purpose of putting myself on the record in reference to this matter. That is in accordance with my idea of what should be done in this matter. I am willing to go as far as any one in this House to assist those who have been disabled in the service of their country. I must confess that I am not boiling over with patriotism, like my friend from Bucks [Mr. HRIGMAN]. At least, it does not run in that direction. But I will go as far as the gentleman from Bucks, or any other man in this House, to relieve or support those who have been disabled in the service of their country. But, notwithstanding, Quaker, as I am, I am one of those who believe it is no more than my duty, and the duty of every able-bodied man in this Commonwealth, when his services are required, to defend his country, to go forth and defend it. He is doing nothing more than his duty.

Mr. DAVIS. Mr. Speaker, I merely want to state, if I am properly informed on the subject, that those who were permanently disabled were provided with pensions by the United States Government.

Mr. SATTERTHWAIT. I know that; but my opinion is that the pension is very insufficient. Now, I am willing to give them this additional gratuity of the State, and am also willing to give it to anybody else who was disabled in the service of his country. We have, in this State, thousands upon thousands of persons who have been permanently disabled in the service of their country, who actually need assistance from the State. Are we to overlook all those, and give this gratuity and annuity to men who have never seen an enemy? I take it from the highest authority that not one in twenty, if not one in a hundred, of those to whom this bill applies, ever saw the face of the enemy. I consider it to be perfectly ridiculous—this whole thing.

Mr. DAVIS. Mr. Speaker, I would like to ask the gentleman from Montgomery [Mr. SATTERTHWAIT] where he finds anything that would prohibit a disabled soldier of the war of 1812 from receiving the benefits of this act?

Mr. SATTERTHWAIT. Mr. Speaker, those are the ones I desire to benefit, and I wish to prevent every one else from receiving the benefit of the act. I am willing to put myself on that record.

Mr. DAVIS. Mr. Speaker, I suppose if they were permanently disabled they would all be dead.

Mr. SATTERTAWAIT. Mr. Speaker, I do not know as that necessarily follows. They may have been disabled for a long time and recovered for all that I know.

The amendment was

Not agreed to.

Mr. ARMSTRONG. Mr. Speaker, I move to amend by striking out in the fourth and fifth lines the words "at least twenty days."

Mr. STUMBAUGH. Mr. Speaker, I desire to be as liberal as to time as anybody in this House, but I think this amendment would make it a little more liberal than the Legislature ought to agree to. It seems to me that if the gentleman's amendment prevails a man who served one day outside the limits of the Commonwealth would be entitled to the benefits of the bill. I hope the amendment will not pass.

On the question,

Will the House agree to the amendment of Mr. ARMSTRONG, it was

Not agreed to.

The question recurring on the amendment of Mr. MANN,

Mr. LINTON. Mr. Speaker, I move to amend in the fourth line by striking out the word "he" and inserting the words "said soldier."

The amendment was

Agreed to.

Mr. WOODWARD. Mr. Speaker, I move to amend in the sixth line by inserting, after the word "Erie," the words "or that he was engaged in actual battle with the enemy."

Mr. Speaker, my intention is not to cast off another class of persons, but to include another class. I wish to include that class who may not have been in service twenty

days, but who have been engaged in battle. I think the men who went in and fought are entitled to as much benefit as those who were in twenty days and did not fight at all.

The amendment was

Agreed to.

Mr. BOYLE. Mr. Speaker, I move to amend by inserting after the word "treasury," in the fifth line of the fourth section, the words "belonging to the State," so that it shall be clear that the money is to be paid out of the State funds and not from those belonging to the counties.

The amendment was

Agreed to.

Mr. LEECH. Mr. Speaker, I move to amend [by striking out in the eighth section all after the word "widows," in the fourth line, down to and including the word "widows" in the eighth line.

Mr. BOYLE. Mr. Speaker, I think that amendment ought not to be adopted. If the soldiers of 1812 are to have pensions let them all stand upon the same ground—all be under the same law.

Mr. LEECH. Mr. Speaker, there are many special laws that are necessary to reach cases that are not covered by this act at all, and if they are repealed it will subject these old soldiers to the necessity of coming here and making their application to the Legislature again. We have had such cases before us already this winter. I, therefore, hope this amendment will be adopted.

The amendment was

Not agreed to.

Mr. MANN. Mr. Speaker, I move to strike out the word "legal" in the fourth line of the fifth section and insert the word "judicial."

The motion was

Agreed to.

Mr. BOYLE. Mr. Speaker, I move to amend by striking out the sixth section. Under this bill the duties of the Auditor General will not be near so onerous as under the present law. I have heard no complaint yet of a want of clerical force in the Auditor General's Department. If they can say that there are not enough clerks there at this time, I shall then be willing to give them an additional one.

Mr. MANN. Mr. Speaker, the Auditor General informs me that, under the bill we passed last year, the business of that office has been so largely increased that it is impossible for the clerical force in his office to meet the demands upon it, and the gentleman from Fayette [Mr. BOYLE] will see that, under this bill, the demands are not calculated to decrease much from what they were under the old bill. These claims are to be investigated and they are continually increasing in number. This law has caused a vast amount of business, and not only the Auditor General, but the State Treasurer said that if the old bill was left without amendment it would require a bureau of itself. It was utterly impossible to go on with the business it created without organizing a bureau for it. I do think, from all I have seen of the business there, that this clerk is needed.

Mr. HEADMAN. Mr. Speaker, I move to indefinitely postpone this whole matter.

Mr. M'CREARY. I would inquire whether that motion, if agreed to, will carry the gentleman's speech along with it?

Mr. WINGARD. If the gentleman will explain what book he quoted from in reference to Sodom and Gomorrah I will support his motion. I shall vote against the bill anyway, for I think it is worse than the old one.

On the question,

Will the House agree to postpone the subject indefinitely?

The yeas and nays were required by Mr. WINGARD and Mr. MANN, and were as follow, viz:

YEAS—Messrs. Armstrong, Breen, Brennan, Calvin, Craig, Deise, Donohugh, Fogel, Harner, Headman, Heltzel, Jenks, Jones, Kline, Leech, Linton, Long, M'Kee, M'Pherrin, Maish, Marks, Peters, Phelan, Pillow, Rhoads, Roath, Robinson, Steacy, Weller and Wingard—30.

NAYS—Messrs. Adaire, Allen, Barton, Boyle, Brown, Chadwick, Chalfant, Chase, Davis, Day, DeHaven, Espy, Ewing, Freeborn, Gallagher, Gordon, Harbison, Josephs, Kennedy, Kerns, Kimmell, M'Camant, M'Creary, Mann, Markley, Mechling, Quay, Rouch, Satterthwait, Seiler, Sharples, Shuman, Stehman, Stumbaugh, Tharp, Waddell, Watt, Westbrook, Wharton, Wilson, Woodward, Worrall, Wright and Glass, *Speaker*—44.

So the question was determined in the negative.

The question recurring on the amendment of Mr. BOYLE, to strike out the sixth section,

The yeas and nays were required by Mr. WINGARD and Mr. RHOADS, and were as follow, viz:

YEAS—Messrs. Allen, Boyd, Boyle, Breen, Brennan, Calvin, Chalfant, Craig, Deise, Fogel, Harner, Headman, Jenks, Jones, Kline, Linton, Long, M'Pherrin, Maish, Marks, Meily, Peters, Phelan, Pillow, Rhoads, Roath, Robinson, Tharp, Watt and Westbrook—30.

NAYS—Messrs. Adaire, Armstrong, Barton, Brown, Chadwick, Chase, Davis, Day, DeHaven, Donohugh, Espy, Ewing, Freeborn, Gallagher, Gordon, Harbison, Heltzel, Hoffman, Josephs, Kennedy, Kerns, Kimmell, Leech, M'Camant, M'Creary, M'Kee, Mann, Mechling, Rouch, Satterthwait, Seiler, Sharples, Shuman, Steacy, Stehman, Stumbaugh, Weller, Wharton, Wilson, Wingard, Woodward, Worrall, Wright and Glass, *Speaker*—44.

So the question was determined in the negative.

During the call,

Mr. QUAY said: Mr. Speaker, I forgot until this moment that I am paired off with Mr. HOOD. I, therefore, cannot vote.

Mr. STEHMAN. Mr. Speaker, I now move to strike out the whole of the seventh section. I do not see why this section was inserted at all. There is none of this money to go through the hands of the county treasurers, as I understand it.

Mr. M'CREARY. Mr. Speaker, the law, I believe, provides that the county shall pay this money to the applicants in the particular counties in which they reside. It is asking a little too much that they shall go to all this trouble and get no compensation at all. I think the House does not understand it.

Mr. STUMBAUGH. Mr. Speaker, it strikes me the county treasurer gets paid for handling the State funds any way, and I do not think he should be paid twice.

Mr. MECHLING. Mr. Speaker, if the gentleman from Lancaster [Mr. STEHMAN] will refer to the fourth section of this bill, he will see that the county treasurer is authorized to receive and disburse this money.

The amendment of Mr. STEHMAN was

Not agreed to.

The question recurring on the amendment of Mr. MANN, as amended,

It was

Agreed to.

The question being on the bill as amended,

Mr. LINTON. Mr. Speaker, I desire to ask those gentlemen who have had this matter especially in charge, what class of claims are excluded by this bill which are included in the terms of the former bill, and what additional evidence is required now to what is required under the former bill. Unless there is some discrimination of importance it seems to me that we should not at this time adopt this bill as a substitute for the one passed last year. I think the gentleman from Lancaster [Mr. ARMSTRONG] is entirely right when he says that the effect of such a course will be to force the applicant under this bill to again submit to the extortions of agents in order to receive anything under this bill. I cannot think of a class included in the old bill which is not included in this one, and I do not know that any more stringent testimony is required than under the bill of last year. If I am right, I do not think it is proper to force them to make these applications again. If I am not under a misapprehension, I think the House should vote down this bill, as in no way remedying the evil of the bill of last year.

Mr. MANN. Mr. Speaker, a very few words will show some of the differences between this bill and the present law. Additional evidence is required from those who make application. It has been proved before the disbursing officers of the State that a large number of the persons who received this money were not in necessitous circumstances, and a great many of them were made to perjure themselves, by swearing to papers of which they did not know the contents. The only evidence those who have received benefits under the present law will be required to furnish under this new bill, is as to this point. No new evidence will be required. The Auditor General is to examine this, and it will be submitted to the judge in the county where the applicant resides. They will have to prove, before the judge, that they are entitled to the money under the former bill. In that way there will cease to be the misapprehension under the old bill. For instance, it is alleged that one claim agent presented claims to the State Treasurer to the amount of more than forty thousand dollars under the old bill—that the forms of applications were made up and printed—and some of the applicants were astounded when they came to know what they had been made to swear to by the agent. Under this bill this will be remedied, because the evidence will be taken before the judge and they will be required to prove that they are in necessitous circumstances in the ordinary way, and there will be no misapprehensions as to what is being proved. That is one safeguard of the bill. And it seems to me that it has been sufficiently shown since this discussion commenced to satisfy any person who desires to guard the treasury that this bill ought to be passed.

Mr. CHALFANT. Mr. Speaker, as I understand this bill it requires every person receiving its benefits to make a second application. He has to incur the expense of making another application. I think this is very wrong, and I hope the friends of the old soldiers will vote down this bill if that is the case.

Mr. CRAIG. Mr. Speaker, I hope the House will vote down this substitute. I have been waiting to hear why we should adopt this substitute for the old act, and we have had the explanation from the gentleman from Potter [Mr. MANN], and that is in reference to the evidence of the applicants for this gratuity and annuity. Why was the old act passed? You will recollect that applications were presented here almost every day in relation to this matter. Then it was thought proper that we should have a general act upon the subject. The House took the matter under consideration and passed this act.

What are the abuses under that act? The abuses are said to be that a large number of applications are granted by the Auditor General which should not have been paid. Now, if that is the case, it is an abuse which ought

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[CONTINUED FROM PAGE 376.]

to be remedied. But the question is, "Is this bill a remedy?" If it does remedy it, I shall vote for it, because I am as willing as any man in this House to guard the treasury. Now, as I understand it from the gentleman from Potter [Mr. MANN], there is no difference as to the applications, but the simple difference is as to the evidence required. And what is that evidence—the evidence which is to be given before the associate judges of the different counties? If I read the original bill right, it seems to me that the old bill is ample for that purpose. And in what I say upon this subject I do not desire to reflect upon the Auditor General. Now, this is what the old act requires:

"The Auditor General shall also require additional proof, by one disinterested and credible witness, or by such other evidence as may be satisfactory to the Auditor General, that the facts, set forth in the affidavit of the applicant, are true and correct."

Now, I say, under the old act, the Auditor General can require any additional evidence he requires in reference to any particular claim; therefore, I say this substitute does not, in any way, remedy the evil. The old act gives the Auditor General power to prescribe such regulations as will remedy any of the abuses and evils complained of. I shall, therefore, vote against this substitute for the simple reason, that I take it under the old act the Auditor General shall prescribe such rules and regulations in reference to substantiating the claims as will meet the abuses which are complained of.

Mr. ARMSTRONG. Mr. Speaker, I shall vote against this bill, as I think, for good reasons. I have listened to the various speeches that have been made in its favor, I have waited patiently for the gentleman from Potter (Mr. MANN) to clear up some doubts in my mind in regard to its utility and propriety, but I have waited in vain. The fact is that every argument that has been presented in favor of the bill itself, has only tended to strengthen my views as to its impropriety and to satisfy me that we ought to defeat it.

As I have already said, under the old act I presume the great majority—ninety-nine out of every hundred cases that will be presented—have been presented to the Auditor General and by him adjudicated. Their claims stand in that position in his office, and it will require the parties, to receive these benefits from the State, to go to no more expense than applying for and receiving that which is their due. So far as abuses are concerned, these abuses are already passed. If they are not, I conceive that the Auditor General has sufficient authority granted him under the old act to enable him to ferret out these frauds, and as a faithful public officer he should do it.

If any party is satisfied frauds are being committed they should use every means in their power to ferret out these frauds and the offenders. I would, for one, rather defeat this bill, and, if it be absolutely necessary, I would vote to give the Auditor General an additional clerk, and make it his special duty to ferret out these frauds, and punish the offenders. I am willing to defeat this bill and let the old bill stand, and if indeed necessary to guard the treasury of the State, I would vote for an amendment to that act, allowing the Auditor General an additional clerk at a salary of fourteen hundred dollars, to ferret out these frauds and punish the offenders. But save us, and save these old soldiers, and the widows of these old soldiers, from passing through this terrible ordeal another time before their gray hairs go down to the grave. We are told that these claims are increasing daily—that they are coming in by scores and hundreds. Now, I cannot, for the life of me, tell how this can be. I was under the impression that the old soldiers of the war of 1812 and their widows were passing away like the leaves in autumn. But we are told, upon this floor, that they are daily and hourly increasing. I have had no explanation of this declaration. We have been told that this is the fact, but how or why we have not been told.

Mr. MANN. I said that the Auditor General stated that these papers were coming in at the rate of five and six a day. That is on the authority of the Auditor General.

Mr. ARMSTRONG. That may be, sir. There must be a wrong. And we want that wrong stopped, and if it is necessary the old act should be amended to protect the treasury, I am ready and willing to amend it. But I am not willing to sweep away the act under which the parties are now receiving the benefits from the State, and subject them to another ordeal such as they have been compelled to pass through during the last year.

For these reasons I shall oppose this bill, and hope it will fall. Then, if necessary, let us attach an amendment to the old bill such as will guard the treasury against the frauds complained of. Ask me to vote an additional clerk whose business it shall be to attend exclusively to the detection of these frauds and I will agree to it. but I will vote against this bill which will submit those old, tried soldiers, who are at this time on the verge of the grave, many unable to travel two or three miles even to a justice of the peace, and much less to the county seat, to another such ordeal as that through which they have passed during the last year.

Mr. STUMBAUGH. Mr. Speaker, I have no hesitation in saying that I feel considerable interest in this bill. I had the honor to be in the House last year when the bill we are now trying to repeal was passed by this House. I then voted for that bill, but experience has taught me that it was very defective. First, because it did not guard the treasury as it ought to have done; and, second, because it discriminated between persons who ought to have participated in the benefits derived from the bill. I am not one, sir, who desires, by any act of mine, to deprive any one who has served his country at any time, from any benefits or emoluments that ought to accrue to him, and more especially to those who are in destitute circumstances. I take it that this bill guards the treasury, while it will amply provide for all those who are in necessituous circumstances; and when that is done it seems to me that is all that should be asked by the Legislature. I apprehend that the gentleman from Montour [Mr. CHALFANT] has misapprehended this, as I understand him, as well as the gentleman from Carbon [Mr. CRAIG], and the gentleman from Lancaster [Mr. ARMSTRONG]. They have fallen into error, that hereafter all these parties who have applied for gratuities and annuities will again have to make their applications, or else they will fail to receive anything. I do not understand that, by the terms of this bill, they will have to commence *de novo* their applications. Now, I say that it is not the terms of this bill, for it specially provides, in the first section, "that hereafter all applications for gratuities and annuities" shall be made under the provisions of this bill. I hold that in those cases where applications have been already made, there is no necessity for making application again for that which they have received. But, if they apply for the annuity, they may have to prove to the court that they are in necessitous circumstances, and it seem to me that is right and proper. But, as they have already received the gratuity, there will be no necessity, of course, for their again making application for that, and commencing *de novo*. As I understand the terms of this bill that has been under discussion this afternoon, it simply provides that when these applications are made to the Auditor General he shall refer them to some judge of the court of the proper county, who shall make inquiry into the facts, whether the partiesare in necessitous circumstances, and upon returning that fact to the Auditor General the annuity and gratuity will be paid. This seems to me fair, and I appeal to the friends of the soldiers to vote this bill right square through.

Mr. CRAIG. Mr. Speaker, I would like to ask the gentleman from Potter [Mr. MANN] whether it would be necessary for these persons to again make application for their annuity. The gratuity is, of course, paid.

Mr. MANN. Mr. Speaker, they will not have to make application for each annuity, but the applications already on file and passed by the Auditor General will be sent to the judge of the county where the applicant lives and they will there make their claims for annuity. That will be all the labor they will have to perform under this bill.

Mr. CRAIG. Mr. Speaker, I do not understand this act in that way. If I understand this act it repeals the act of 1866. Now,

when that is repealed of course the whole application will fall. Therefore, I take it that it will be necessary for that soldier who has obtained his annuity to make out his application again. I take that to be a fair construction of this law. If the act of 1866 is repealed, then the application under that act of course goes by the board.

On the question,

Will the House agree to the bill as amended?

The yeas and nays were required by Mr. HOFFMAN and Mr. ADAIRE, and were as follows, viz:

YEAS—Messrs. Barton, Boyle, Chase, Davis, Day, DeHaven, Espy, Ewing, Freeborn, Harbison, Josephs, Kennedy, Kerns, Kimmell, M'Creary, M'Kee, Mann, Mechling, Satterthwait, Sharples, Shuman, Stumbaugh, Waddell, Watt, Wilson, Wingard, Woodward and Glass, *Speaker*—28.

NAYS—Messrs. Adaire, Armstrong, Boyd, Breen, Brennan, Brown, Calvin, Chadwick, Chalfant, Craig, Deise, Donohugh, Fogel, Gallagher, Gordon, Harner, Headman, Hoffman, Jenks, Jones, Leech, Linton, Long, M'Camant, M'Cherrin, Maish, Markley, Marks, Meily, Mullin, Peters, Phelan, Pillow, Rhoads, Roath, Robinson, Seiler, Steacy, Stehman, Weller, Westbrook, Wharton, Worrall and Wright—44.

So the question was determined in the negative.

MESSAGE FROM THE SENATE.

The Clerk of the Senate being introduced, presented for concurrence bill numbered and entitled as follows, viz:

Senate bill No. 613, an act to reduce the capital stock of the Stroudsburg Bank.

He also returned bill from the House of Representatives numbered and entitled as follows, viz:

No. 116, a supplement to an act to change the mode of criminal proceedings in Erie and Union counties, extending the same to the county of Warren,

With information that the Senate has passed the same with amendments, in which the concurrence of the House of Representatives is requested.

SPEAKER'S TABLE.

The SPEAKER cleared his table of Senate bills numbered and entitled as follows:

Senate bill No. 613, an act to reduce the capital stock of the Stroudsburg Bank.

Referred to the Committee on Banks.

He also laid before the House bill No. 116, returned from the Senate with amendments, numbered and entitled as follows:

No. 116, a supplement to an act to change the mode of criminal proceedings in Erie and Union counties, extending the same to the county of Warren.

Mr. ALLEN. Mr. Speaker, I move that the House non-concur.

The motion was

Agreed to.

House bill No. 246 was next in order.

The following is a copy of the bill:

AN ACT for the better and more impartial selection of persons to serve as jurors in each of the counties of this Commonwealth.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That at the general election to be held on the second Tuesday of October, one thousand eight hundred and sixty-seven, and every second year thereafter, at such election, the qualified electors of each of the counties of this Commonwealth, shall elect, in the manner now provided by law for the election of other county officers, two sober, intelligent citizens of said counties to serve as jury commissioners, for the period of two years: *Provided,* That each of said qualified electors shall vote for one person as jury commissioner, at any such election, and the persons having the greatest number of votes for jury commissioner, shall be duly elected.

SEC. 2. It shall be the duty of said jury commissioners to meet with the sheriff at the seat of justice of each county, respectively, at least twenty days before the first term of court of common pleas, in every year, and thereupon proceed, with due diligence, to select, alternately, from the adult male taxable citizens of the county at large, a sufficient number of sober, intelligent and judicious persons, to serve as jurors in the several courts of each county, during that year; and as soon as the said selection shall be completed, the said jury commissioners and sheriff shall, in the mode and manner directed by law, place the names of the persons so selected in the proper jury wheel.

SEC. 3. The said jury commissioners, and the sheriff of each county, respectively, or any two of them, shall draw from the proper jury wheel panels of jurors for the trial of issues in fact, which may be taken in any action in court, in the manner now practiced and allowed; but before the said jury commissioners and sheriff of each county, respectively, shall proceed to select or draw jurors, in the manner aforesaid, they shall severally take the oath or affirmation now prescribed by law, to be taken by the sheriff and county commissioners, before selecting and drawing jurors.

SEC. 4. That all acts and parts of acts of Assembly now in force in relation to the custody, sealing, unsealing, locking and opening of the jury wheels, and all acts and parts of acts of Assembly now in force, imposing any penalty or punishment on the sheriff and county commissioners, or either of them, for anything done or omitted by them, or either of them, in relation to the keeping, locking, opening, sealing or breaking the seal of any jury wheel, or in relation to the selecting or drawing of jurors, shall be taken, deemed and held to apply to the said jury commissioners and sheriff.

SEC. 5. Each of said jury commissioners shall be allowed and paid the same compensation per day as is paid to the county commissioners.

SEC. 6. It shall be the duty of each of said jury commissioners to take upon himself and discharge the duties of said office, under a penalty of one hundred dollars for each and every neglect and refusal to attend the same, to be sued for and recovered before any justice of the peace of the proper county, as debts of like amount are now by law recoverable, ten dollars of which shall go to the person suing, and the residue to be paid by the said justice to the treasurer of the county for the use of the same.

SEC. 7. In case of the inability of either or both of the said jury commissioners by sickness, death or other unavoidable causes, to discharge the duties of said office, it shall be the duty of the president judge of such county wherein said vacancy shall have occurred, to appoint a suitable person or persons, as the case may be, possessing the qualifications aforesaid, to perform the duties of said office during such vacancy, and such person or persons, after having complied with the requirements of the third section of this act, shall proceed to discharge the duties of said office, the same as if elected by the people.

SEC. 8. That all acts and parts of acts inconsistent with the provisions of this act are hereby repealed.

The question was on the second section,

It was

Agreed to.

The third, fourth, fifth, sixth and seventh sections were read and

Agreed to.

Mr. MARKS. Mr. Speaker, I offer the following amendment to come in at the end of the seventh section:

Provided, That the provisions of this act shall not apply to the county of Philadelphia.

Mr. ALLEN. Mr. Speaker, I move to include the county of Warren in the amendment.

Mr. WADDELL. Mr. Speaker, we might just as well meet this matter right here.

I apprehend if this is to be a general law that we had better let it be a general law. I have been opposed to any change in the present system. No party in my county, so far as I am informed, ask for any change. I have consulted with the leading men of both parties, and there has not one of them signified his desire to me to have a change. Yet I have said here if this was to be a general bill I propose it shall apply to Chester county as well as to any other county in the State. But if any county is to be excepted my constituents will require me to have the county of Chester also excepted. I do not desire to be placed in that position. I do not know what the system is in Philaelphia. I know they have a different system there from what we have in the country in many things. If their system in Philadelphia is to all intents and purposes the same as in the country I am opposed to having it excepted. I know that their license laws differ, and that several other matters differ, and if their system of selecting jurors is radically different, perhaps it is right it should be excepted.

Mr. ALLEN. Mr. Speaker, my objections to the bill are that my people are satisfied with what they have. There is no disposition nor necessity to change the system of selecting jurors. I do not know whether it is because our men are more honest or better men, but we have no necessity for the bill. All they ask is to be let alone and they will behave themselves. I do not think a majority of this Commonwealth desire a change. I think a majority of the counties, if they were to vote, would vote to retain the present system. I do not consider that our people desire a change at all. I think we are better off with the present system.

Mr. FREEBORN. Mr. Speaker, the reason why Philadelphia should be excepted, is that we have a system that works well.

[The balance of the speaker's remarks were inaudible at the reporter's desk, owing to the distance of the speaker and the confusion in the Hall.]

Mr. SHUMAN. Mr. Speaker, in regard to the gentleman from Warren, I think if he was to ask his Democratic friends, I think he would find that they are perhaps not so well satisfied.

Mr. ALLEN. Mr. Speaker, I speak for my Democratic friends. There is no disposition to find fault.

Mr. SHUMAN. Mr. Speaker, we have this jury commissioner bill in operation in our county. It has been in operation some four or five years and both parties are very well satisfied with it. It was put it operation while the county was Democratic. The bill was got through the House at the request of the Republicans. Now, the county is Republican and yet we are satisfied to leave it just as it is. The judge of our court has expressed himself that he finds a better class of jurors than he did before.

Mr. WILSON. Mr. Speaker, we are perfectly satisfied in our county with the law we have got. We do not desire any change, and if there are any exceptions to be made, I would ask an exception for our county.

The SPEAKER. It is not in order to make a motion to that effect now.

Mr. WILSON. I merely wish to state that I am opposed to any county being excepted. I believe that a general law is the law we should pass if we pass any. I am, therefore, opposed to excepting in favor of any county whatever. I hope the law if passed will be a general law, and apply to every county in the State.

Mr. DAVIS. Mr. Speaker, the reasons, I suppose, that my colleague moved to strike out Philadelphia are very apparent to every person who has examined the law in regard to it. There is a special law in the city of Philadelphia which goes a great deal further than this general law. If the law for the city of Philadelphia was applied to the whole State in the selection of jurors, I think it would be a very good law. If this general law is adopted, it will not be half so stringent as the present law of the city of Philadelphia. We do not wish to be relieved from the provisions of the present law. At the same time we do not wish the restrictions that are thrown around the selection of jurors to be taken away. One of the sections of the law of the city of Philadelphia will show that the present law goes much further than this general law proposes. It says:

"82. The judges of the Supreme Court, when sitting in the city of Philadelphia, of the district court and the court of common pleas of the city of Philadelphia, with the sheriff thereof, shall constitute a board for superintending and managing the drawing and selecting jurors, to serve in the several courts of the said city; one member of any two of the said courts, with the said sheriff or his duly authorized deputy, shall be a quorum of said board for the transaction of business."

So that the Supreme Court of the State of Pennsylvania presides over the selection of jurors. I do not think we need any further restrictions. The law you will find on page 586 of *Purdon's Digest*, and you will find that it goes a great deal further than this law. The restrictions are far more stringent than they can be under this law. I think this bill is an improvement upon the method of drawing jurors in the country, and in a few years they will probably come up to that of Philadelphia, but we do not wish to retrograde.

Mr. ALLEN. Mr. Speaker, I will say in answer to the gentleman from Philadelphia [Mr. DAVIS], that I think he takes a very singular position. He argues here against the amendment I have offered, for the simple reason that the bill ought to be general. He says that the bill ought to be general for the State, except Philadelphia, for the reason that Philadelphia is satisfied with the way the jurors are drawn there.

Mr. DAVIS. I did not use the word "satisfied." I said that the law for Philadelphia was a more stringent law.

Mr. ALLEN. Then I understand him that they are satisfied and do not desire anything else. I have the same reasons for desiring Warren county excepted. I think it is a very singular position for the gentleman from Philadelphia to take, that in measures of this kind the Philadelphia delegation shall act earnestly to the finishing up of a bill, and then at the last moment ask for the exclusion of Philadelphia. How, in justice, can they urge upon other counties in the State what they do not desire themselves? If the gentlemen desire Philadelphia to be excluded, why urge it upon others who do not desire it, who say that their constituents are satisfied? Now, if there is justice in their position, I cannot see it. I say, sir, that if Philadelphia is to be excluded, I have got the same right to ask for the exclusion of my people, because they are satisfied with the manner in which they are working. It has been said here that other counties desire to be excepted also. I cannot see what justice there is in the gentlemen from Philadelphia voting for a measure which they refuse to accept themselves. I do not see any improvement to the morals of the people of Philadelphia, or their representatives, or anything in them in that respect different from those in the country. I think we all stand about on an equality, and I do not think the gentleman can insinuate that we are retrograding, and ask us to improve. I think we are all standing about on the same footing.

Mr. DAVIS. Mr. Speaker, I think the gentleman from Warren [Mr. ALLEN] either intends to make a small speech for buncombe or else he entirely misunderstands the drift of my argument. I remarked distinctly that Philadelphia already had a special law, which not only contained provisions equal to those in this general law, but went further. They do not take the judges of the city of Philadelphia to select their jurors, but they bring the judges of the Supreme court of Pennsylvania for that purpose. The argument I wish to make is that they have to be so much more critical in Philadelphia that, as much of an improvement as I believe this law to be, even this law does not go far enough to protect the jury boxes in Philadelphia. We require more. We require all the restrictions that can possibly be thrown around the jury boxes. I have said nothing about the gentleman's friends being dissatisfied, but they have no special law to protect the minority of the county from fraud if the majority do not see fit to protect it. I have never heard of any special law in the county of Warren, but we have a special law in the city of Philadelphia that goes a great deal further than this general law, and we do not desire to take away any of the restrictions that we now have.

Mr. ALLEN. Mr. Speaker——

Mr. QUAY. Mr. Speaker, I rise to a point of order; the gentleman from Warren [Mr. ALLEN] has already spoken twice on this subject.

The SPEAKER. The Chair is of the opinion that the point of order is well taken.

Mr. MECHLING. Mr. Speaker, I suppose the gentlemen of this House who were here last winter, will remember the difficulty we had on this very question. A bill was offered to remedy the evil that was gotten up in Fayette county, and I believe the members of the committee attached Montgomery county and York county and other counties to it. We had a terrible fight over this, and the gentlemen who represented those counties, made great complaint that the thing was entirely unfair, to subject some counties to such a law, while others were left out. The thing was fought very hard and finally postponed. It was again brought up this session, and it was considered of so much importance that the Republican members of the House and Senate had a caucus on this subject, and I believe this bill was reported by that caucus. We understood that it was to be a general bill, and that no county was to be exempted from it. Now, it will not do, if we wish to carry out his bill which we have argued before and taken up section by section, to permit the gentleman from Warren to have his county exempted; because his county is like every other county in the State—except in the city of Philadelphia—the jurors are drawn by the sheriff and county commissioners.

This bill is to remedy the evil that might arise on account of partisan feelings on the part of the officers who draw the jurors. We know that last winter a bill was passed by which the votes of deserters are to be rejected, which has caused many trials in the courts of this Commonwealth, and where there is this unfairness of drawing jurors in counties largely Democratic or largely Republican, there are so few left of the opposite party that they can be challenged off, and no fair trial can be had. The provisions of this bill is to remedy this evil and to provide that at least one-third of the opposite party can be called to act as jurors, so that every person can have a fair trial.

So far as the city of Philadelphia is concerned she has a different mode of drawing her jurors.

Mr. DEISE. I would like to ask the gentleman if he thinks a jury of twelve Republicans who hold this law to be constitutional would not be unfit?

Mr. MECHLING. I do not know. I never knew twelve Republicans to vote together to do a dishonest act, and I say this is the very provision of this law that there cannot be twelve Republicans on any jury, but there must necessarily be at least one-third of them Democrats and vice versa. I do not speak of the law of Philadelphia. The gentleman from Philadelphia [Mr. DAVIS] has fairly stated that it is a law, the provisions of which throw around the jury box every safeguard that can be well thought of. I say it would be proper to exempt Philadelphia, but no other county in the Commonwealth, because, if the gentleman from Warren is allowed to exclude his county, then I have a right, and perhaps will ask to have my county excluded, because there is no complaint in my county. I suppose, in case the county of Warren is excluded, there will be twenty gentlemen here who will get up and ask to have their counties excluded. That would merely destroy the bill.

This bill has received every consideration that this House could give it. It has been drawn up by the best legal minds in both Houses, and I ask that the Republican and Democratic members will vote for this bill in a body, for the protection of their respective counties.

Mr. ALLEN. Mr. Speaker, I rise to make an explanation in answer to the presumption of the gentleman from Philadelphia, that I was talking for buncombe. Feeling that his experience and knowledge of buncombe is much better than mine, I will allow him to judge of what it is.

Mr. SHARPLES. Mr. Speaker, it has been stated that in the county of Chester we ask no change. We are willing, however, to take this bill if it is made general throughout the Commonwealth. But if gentlemen are to rise here and ask that their counties may be exempted, we shall want the county of Chester exempted also.

The gentleman from Armstrong [Mr. MECHLING] has labored under a mistake when he says that the bill was reported by a Republican caucus. It was not reported by a Republican caucus, as I understand it, as a general bill. I desire, if this bill pass, that it shall be passed for the good of the people of the State without respect to party. We wish to keep party politics out of the jury box as much as possible. If I am called to vote for this bill for the county of Chester, I shall do it on the ground that it is to be a general bill.

Mr. MECHLING. Mr. Speaker, I perhaps may have been mistaken in saying that the bill was reported by a Republican caucus, but it was reported by a caucus of the members of both Houses, because I was present, and Mr. SHOEMAKER, of the Senate, was the chairman. I know that we ran over the provisions of this act, and it was agreed upon.

Mr. WADDELL. The gentleman from Armstrong [Mr. MECHLING] is probably right in some particulars. This bill, if I recollect aright, was submitted to some of

the members of the Judiciary Committees of the Senate and House. No conclusion was come to as to what should be done with it. They merely met in consultation to see if any improvement could be made, or whether this was satisfactory, and without attempting to recommend it for passage or defeat the bill was submitted to the House for consideration.

Mr. JONES. Mr. Speaker, as there seems to be some difference of opinion as to the action of that caucus, if I am in order I would call for the reading of the Journal of the caucus.

The question was on the amendment of Mr. ALLEN.

It was
Not agreed to.

The question recurring on the amendment of Mr. MARKS to exclude Philadelphia.

It was
Agreed to.

The question recurring on the seventh section, as amended,

It was
Agreed to.

The eighth section was read and
Agreed to.

The title was read and
Agreed to.

The rules were suspended and the bill read a third time by its title.

On the question,
Shall the bill pass?

Mr. BOYLE. Mr. Speaker, I only want to say, in reference to this bill, that there are many of its provisions that I desire. I am not, however, altogether in love with the system, but it is alleged that there is unfairness in some of the counties in the Commonwealth. Such is the charge in my own county, and I am willing to say to the gentlemen that I will meet them half-way, and take it in our county, if they will in theirs.

Mr. MAISH. Mr. Speaker, my own county is also among the number which is represented as being unfair in the drawing of jurors. I do not suppose I would ask a change myself, but I approve of this bill, because I believe in its provisions. It is calculated to select jurors more impartially than is now done.

One thing is manifest, that there is a growing dissatisfaction throughout the Commonwealth at the old system of selecting jurors; it exists in my own county; it exists in Dauphin county, and in many counties in the Commonwealth. I believe this law will remedy many of the evils, and I shall vote for it. And I will say, as the gentleman from Fayette [Mr. BOYLE], that I will meet the gentlemen on the other side half-way, and will vote for this bill.

Mr. ARMSTRONG. Mr. Speaker, so far as Lancaster county is concerned, we are perfectly satisfied, and were I to consult my own feelings, and I think the sentiments of nine-tenths of the people of my county, I would ask that my county be exempted from the provisions of this bill. But, from the fact that there is a disposition to make the bill general, and if by so doing we will cure the evils that exist in some counties in this Commonwealth, I think that to exempt my own county is not sufficiently material to defeat the bill. We are in the habit of giving the opposition their full share of all that they are entitled to, and I think more, and I do not think they will get much more than they now do under the operations of this law. Therefore, I shall vote for the bill with a view of curing some of the evils and defects that exist in counties that do not act so fairly and impartially as old Lancaster county does.

Mr. KENNEDY. Mr. Speaker, this is a matter that I have felt a good deal of interest in from the opening of the session. But it strikes me that we are not going to realize just what we desire. We shall probably get twelve out of thirty-six jurors—four of these may be set aside and the balance may be put upon some little trial, and we will lose all the strength that we want upon important matters and it will amount in reality to nothing. I would like it if this bill could be so arranged as to equally divide the jurors.

During the call of the yeas and nays on the final passage of the bill,

Mr. LINTON. Mr. Speaker, I desire to say that I will vote in the affirmative now as a choice between two evils. I have no alternative but to take this general law or to pass special bills for certain counties.

The SPEAKER. If gentlemen desire to give their reasons for voting they can do so in writing, and they will be spread upon the Journal.

On the question,
Shall the bill pass?

The yeas and nays were required by Mr. MANN and Mr. ALLEN, and were as follow, viz:

YEAS—Messrs. Adaire, Armstrong, Barton, Boyd, Boyle, Brown, Chadwick, Chase, Davis, DeHaven, Espy, Fogel, Freeborn, Gordon, Josephs, Kennedy, Kerns, Kline, Linton, Long, M'Creary, M'Kee, Maish, Mann, Markley, Mechling, Mullin, Peters, Phelan, Quay, Roath, Robinson, Rouch, Satterthwait, Seiler, Sharples, Shuman, Stehman, Stambaugh, Waddell, Watt, Weller, Wham, Wilson, Wingard, Woodward, Worrall and Glass, *Speaker*—48.

NAYS—Messrs. Allen, Breen, Brennan, Calvin, Chalfant, Craig, Day, Deise, Donohugh, Ewing, Gallagher, Harbison, Harner, Headman, Heitzel, Hoffman, Jenks, Jones, Kimmell, Leech, M'Camant, M'Pherrin, Meily, Pillow, Rhoads, Steacy, Tharp, Westbrook, Wharton and Wright—30.

So the question was determined in the affirmative.

The bill
Passed finally.

REASONS FOR VOTE.

Mr. ESPY presented the following, which he desired to have entered on the Journal:

I desire to place upon the record my reasons for casting my vote in the affirmative.

I think my constituents will bear me out in saying that we need no such enactment, as the present mode of selecting jurors has thus far been satisfactory to the people of Crawford.

But in order that we may have a general system, that will apply to the whole State, and in order that we may, if possible, cripple the bone of our Legislature—local enactments—and that we may remedy evils that do exist in different parts of our State, under the present code; and feeling willing to concede as much as my friend over the way, from Fayette [Mr. BOYLE], in meeting us half-way, and laying aside all personal feelings and preferences on the subject, for the general good of our Commonwealth, and believing that my vote will be sustained by all true philanthropists who desire to see the minorities protected, I heartily and willingly vote for the passage of the bill.

(Signed) J. BOYD ESPY.

On motion of Mr. KERNS,

The House adjourned until next Tuesday morning at 10 o'clock.

SENATE.

TUESDAY, February 26, 1867.

The Senate met and was called to order at 11 o'clock, A. M., by the SPEAKER.

The SPEAKER stated that there was not a quorum of Senators present, the general impression prevailing that the session would not convene until 11 A. M. He suggested that the Senate take a recess until that hour.

On motion of Mr. SCHALL, the recess was accordingly taken.

RE-ASSEMBLING OF THE SENATE.

The hour of 11 o'clock having arrived, the Senate re-assembled and was called to order by the SPEAKER.

Prayer was offered by the Rev. Mr. Bailey, of Harrisburg.

SPEAKER'S TABLE.

The SPEAKER laid before the Senate a communication from the secretary of a meeting of Pennsylvanians, held in Washington, D. C., on the 23d instant, in reference to the abolition of the State agency at Washington, which was read as follows:

WASHINGTON, D. C.
FEBRUARY 25, 1867.

SIR:—I have the honor to transmit herewith a copy of the resolution passed by a unanimous vote at a meeting of Pennsylvanians, residents of this city, held on Saturday evening, the 23d instant, and would request that the same may be laid before the Senate, or otherwise disposed of, as you may in your judgment deem proper.

I have the honor to be, sir, very respectfully, your obedient servant,

S. FRANK SCHWARTZ, Secretary.

Hon. LOUIS W. HALL, Speaker of the Senate, Harrisburg, Pa.

To the Senate and House of Representatives:

Resolved, That in view of the benefits heretofore derived by the widows and orphans of our fallen heroes from the "State agency" in this city, and in view of the necessities that still exist, and are likely to continue for such agency for some time to come, by the act of Congress providing bounties and pensions for the soldiers, their widows and orphans, we have learned with unfeigned regret of the contemplated abolition of that office by the Legislature, and we most earnestly deprecate such action, or indeed any action whatever that will tend to lessen in any degree the only facilities they had of obtaining promptly and without expense the benefits of the provisions made for them by the General Government.

CHARLES ROBS, President.

Attest:
S. FRANK SCHWARTZ, Secretary.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

The Clerk of the House of Representatives being introduced, presented for concurrence bills numbered and entitled as follows:

No. 150, an act relating to the law of evidence.

Referred to the Committee on the Judiciary General.

No. 188, an act to extend to plank roads the provisions of the eighth and ninth sections of the act approved April 19th, 1844, entitled An act concerning certain State and turnpike roads.

Referred to the Committee on Roads and Bridges.

No. 246, an act for the better and more impartial selection of persons to serve as jurors in each of the counties of this Commonwealth.

Referred to the Committee on the Judiciary General.

He also informed the Senate that the

House of Representatives has non-concurred in the amendment made by the Senate to bill from the House of Representatives numbered and entitled as follows:

No. 116, a supplement to an act to change the mode of criminal proceedings in Erie and Union counties, extending the same to the county of Warren.

He also informed the Senate that the House of Representatives has concurred in the amendments made by the Senate to bills from the House of Representatives numbered and entitled as follows:

No. 114, an act for the relief of wives and children deserted by their husbands and fathers in certain counties of this Commonwealth.

No. 158, an act entitled An act authorizing the commissioners of the county of Delaware to create a four per cent. loan.

No. 180, an act to incorporate the Equitable gold and silver mining company.

No. 182, an act to incorporate the Hesperian mining company.

LEAVE OF ABSENCE.

Mr. SHOEMAKER asked and obtained leave of absense for Mr COWLES for a few days from to-day.

Mr. M'CANDLESS asked and obtained leave of absence for Mr. BURNETT for a few days from to-day.

Mr. WALLACE asked and obtained leave of absence for Mr. JACKSON for a few days from to-day.

PETITIONS, REMONSTRANCES, &C.

Mr. CONNELL presented the memorial of Rev. Jacob Dahlman and twenty-nine *bona fide* members of the Emanuel German Reformed church of Philadelphia, remonstrating against submitting the Sunday car question to popular vote.

Referred to the Committee on Vice and Immorality.

Also, a petition of Louis Wagner and one hundred citizens of Philadelphia, praying the Legislature to restrain the sale of intoxicating liquors in the city of Philadelphia.

Referred to the Committee on Vice and Immorality.

Also, one from David Pooley and citizens of Germantown, praying for the passage of an act reducing the width of Lehman street.

Referred to the Committee on Roads, Bridges and Ferries.

Also, a memorial from twenty-one Baptist ministers of the city of Philadelphia, remonstrating against submitting the Sunday car question to popular vote, which was read as follows, and referred to the Committee on Vice and Immorality:

To the Senate and House of Representatives of Pennsylvania:

The memorial of the undersigned respectfully represents that they have noticed with great concern and solicitude that applications have been made to your honorable bodies for such a change of the laws of the Commonwealth, as will allow certain secular employments to be carried on on the Sabbath day, and that, failing to obtain such a change, application is now made to submit the question to a vote of the people of Philadelphia. They allude to the application to permit passenger cars to run on the Sabbath day. They have noticed with much gratification that in one branch of the Legislature the question has been referred to the Committee on Vice and Immorality—a reference they think eminently proper, as the subject so manifestly belongs to and refers to the moral and religious welfare of the community.

Your memorialists, in their judgment, believe that the commandments of the Decalogue are of equal force and validity, and that the command to observe the Sabbath day and keep it holy is as binding upon the conscience and conduct of all men as any other, and they respectfully submit that a proposition to submit either to a popular vote approximates, if it is not altogether a contempt of the authority of the Divine command. They represent that this Commonwealth was founded by Christian and God-fearing men, and that the act of 1701 by the immediate founders of the Commonwealth, and that of 1793 by their descendants—men of the same moral and religious character—have well expressed not only the reverence due to the Almighty, and the obedience due to his commands, but have represented and reflected the sentiments of a people who have been eminently prospered and grown in a great Commonwealth under the influence of such sentiments and the favor of the Almighty.

Your memorialists entertain the confident conviction that a question of so general a character and of such wide spreading influence, belongs not to a local population merely for its decision, but to the deliberate and careful and prayerful consideration of the people of the whole State, of which we are but a part or the representatives. They represent that a proposition to submit this question to a vote of the people of a particular locality is no more reasonable nor fair for the general interests, than would be a proposition to submit to a vote of a particular locality whether they shall be permitted by law to practice a system of polygamy in opposition to the Christian institution of marriage, and that they cannot but regard that now pending before your honorable bodies as being specious, insidious and calculated to deceive.

This proposition apparently prevents the application of that portion of our local population who, engaged in their various occupations during the week, have no other day for recreation and visits to the suburbs than the Sabbath day, and that for their health and amusement the facility offered by the cars for reaching the suburbs and rural parts would be a privilege and a boon.

But your petitioners believe that there are interested parties who present this argument, who believe they will gain largely in a pecuniary way by carrying the persons for whom they thus speak, and others also desire it who would expect to gain by obtaining great numbers of customers for beer gardens and other places of refreshment located in the rural sections at and near the terminations of such roads. And your memorialists apprehend that a combination of such interests of those who would have the carrying of such passengers, and of those who have a profit from their entertainment at the places referred to, and of those whose appetites for drink exercise so great a control over their conduct, would produce such a combination of particular interests as would give to them a degree of influence and power in such a question beyond what they are justly entitled to or is consistent with the public good.

And your memorialists are also of the opinion that it would be far better for the health and welfare, in all particulars, of the portions of our population, as is professedly asked, if this temptation and lucre were not placed in their way, and that it would be more conducive to their well-being and the good of society if they would spend their Sabbaths with their families at their homes, or at church, if they will, and thus save the expense of car fares and recreation, which it is asked they may be tempted with. They are persuaded that the religious and moral interests of our people would be much better promoted by the observance of the Lord's day under existing laws than by having it converted into a day of amusement and dissipation, with the attendant evils of frequent excesses in drink and consequent violations of the peace, which would almost certainly lead to an increase in the business of our criminal courts, and the number of inmates in our public prisons, and add also to our feeble burdens by increasing the expense of our civil institutions. Your memorialists have a deep conviction that the honor, welfare and future prosperity of our whole community will be better and more surely promoted by following the line of policy laid down by the founders of the Commonwealth in regard to the sanctity of the Sabbath, and all moral commands, than by allowing any new elements that may come among and intermix with our population, to alter our laws and customs to so conform them to those of other nations who have not the same reverence for God's holy day, and they respectfully ask that all application, from whatever source and under whatever pretense, for a change of our moral and religious institutions may meet with a constant and decided refusal.

And they will ever pray, &c.

Howard Malcom, President of the Baptist Historical Society.

Benjamin Griffith, 530 Arch street, Corresponding Secretary American Baptist Publication Society.

Geo. A. Peltz, 217 North Twentieth street, Pastor Tabernacle Baptist Church.

James Cooper, Pastor of the Berean Baptist Church, West Philadelphia.

David Spencer, Pastor the Roxborough Baptist Church.

John H. Castle, Pastor First Baptist Church, West Philadelphia.

W. W. Case, Pastor Chestnut Hill Baptist Church, Philadelphia.

Kendall Brooks, Editor of National Baptist.

P. S. Henson, Pastor Broad street Baptist Church.

W. P. Hellings, Pastor of Second Baptist Church, Germantown.

D. T. Davies, Baptist Clergyman.

L. P. Hornberger, Pastor of Spring Garden Baptist Church.

A. H. Long, Pastor of First Baptist Church, Germantown, Philadelphia.

Owen P. Eaches, Pastor Nicetown Baptist Church.

R. Tharin, Pastor Eleventh Baptist Church.

James E. Wilson, Pastor Blockley Baptist Church.

E. D. Fendall, American Baptist Publication Society, 530 Arch street.

James Waters, Pastor of Manayunk Baptist Church.

William Smith, Minister of the Gospel Church, Broad street.

J. Newton Brown, Editor of *Evangelist*, Germantown.

William Swinden, Pastor Milestown Baptist Church.

Mr. RIDGWAY, a petition of citizens of Philadelphia, asking a change in the license laws.

Referred to the Committee on Vice and Immorality.

Also, a remonstrance of citizens of Philadelphia, against the building of a bridge on the river Schuylkill without a draw.

Referred to the Committee on Roads and Bridges.

Mr. ROYER, a remonstrance of Rev. Alex. W. Sproull, pastor of First Presbyterian church of Chester, Pa., and one hundred and seventy-six other signers, against any law allowing the running of cars on Sunday, and also a petition of same signers for a revision of the license law.

Referred to the Committee on Vice and Immorality.

Also, one from Rev. R. M. Patterson, pastor of Great Valley Presbyterian church, and forty-seven other persons, of like import.

Referred to the Committee on Vice and Immorality.

Also, one from Rev. Nicholas Gehr, pastor of German Reformed Zion's church of Philadelphia, and thirty-eight other signers, of similar import.

Referred to the Committee on Vice and Immorality.

Also, one from Rev. A. B. Spenkle, pastor of German Reformed church of Trappe, Pa., and eight others, of like import.

Referred to the Committee on Vice and Immorality.

Also, a petition of citizens of the Commonwealth, asking the passage of a law repealing all laws or parts of laws taxing moneys at interest.

Referred to the Committee on the Judiciary General.

Also, a protest of the managers of the Hatborough and Warminster turnpike, against the enactment of a law laying out and opening Broad street to the Delaware river.

Referred to the Committee on Roads and Bridges.

Also, a petition of citizens of Aston township, Delaware county, for a law changing the place of holding the elections in said township.

Referred to the Committee on Election Districts.

Mr. JAMES, a remonstrance from citizens of Bucks county, against any change in the Sunday law.

Referred to the Committee on Vice and Immorality.

Also, a petition of citizens of Hilltown township, Bucks county, asking for increased pay for supervisors of roads of said township.

Referred to the Committee on roads and Bridges.

Mr. SCHALL, a petition of the town council of the borough of Allentown, praying for additional power to levy taxes in said borough.

Referred to the Committee on the Judiciary Local.

Mr. SHOEMAKER, a remonstrance of Rev. James M. Seaman and seventy-one citizens of Luzerne county, against permitting cars to run on the Sabbath.

Referred to the Committee on Vice and Immorality.

Mr. WALLS, a petition from citizens of the borough of Lewisburg, Union county, relating to auctioneers.

Referred to the Committee on the Judiciary Local.

Mr. COLEMAN, a petition of citizens of Schuylkill county, for an act entitled An act for the better and more impartial selection of persons to serve as jurors.

Laid on the table.

Mr. FISHER, one of like import.

Laid on the table.

Also, a remonstrance against the desecration of the Sabbath.

Referred to the Committee on Vice and Immorality.

Mr. BILLINGFELT, a remonstrance of the members of the Chestnut Level church, in the county of Lancaster, against the running of passenger cars on the Sabbath.

Referred to the Committee on Vice and Immorality.

Mr. M'CONAUGHY, a remonstrance of citizens of Gettysburg, against repeal of Sunday laws, and against Sunday cars, and for revision of license laws.

Referred to the Committee on Vice and Immorality.

Mr. STUTZMAN, a petition of citizens of Bedford county, for the protection of bass fish in the waters of the Raystown Branch of the Juniata.

Referred to the Committee on Agriculture and Domestic Manufactures.

Also, one from citizens of Cumberland Valley township, Bedford county, for the protection of bass fish in Everts creek.

Referred to the Committee on Agriculture and Domestic Manufactures.

Mr. HAINES, a remonstrance of one hundred and sixty-seven citizens of South Easton, against Sunday car travel, and petitioning for a revision in the license laws of this Commonwealth.

Referred to the Committee on Vice and Immorality.

Also, one from one hundred and twenty citizens of Mapleton, Huntingdon county, of similar import.

Referred to the Committee on Vice and Immorality.

Also, a remonstrance of citizens of Buffalo township, Perry county, against any change in the election laws of said county.

Referred to the Committee on Vice and Immorality.

Also, a petition of seventy-three citizens of Perry county, praying for a law giving to the courts greater power over the granting of licenses, repealing the law authorizing the county treasurer to grant licenses, prohibiting the sale of liquors on election day, and increasing the amount to be paid for licenses.

Referred to the Committee on Vice and Immorality.

Mr. WHITE, a petition of citizens of Indiana county, Pennsylvania, against Sunday cars, and for a modification of license laws.

Referred to the Committee on Vice and Immorality.

Also, one of citizens of Jefferson county, against any modification of the license laws in said county.

Referred to the Committee on Vice and Immorality.

Mr. SEARIGHT, a remonstrance of citizens of Brownsville, Fayette county, against any change of the school laws affecting said place.

Referred to the Committee on Education.

Mr. BIGHAM, a petition of citizens of Schuylkill county, for an act entitled An act for the better and more impartial selection of persons to serve as jurors.

Laid on the table.

Also, a memorial of the county commissioners and controllers of Allegheny county, asking that the time of the county treasurer assuming the duties of his office may be changed from January 1st to March 1st.

Referred to the Committee on the Judiciary Local.

Also, one from four townships, for a prohibitory liquor law.

Referred to the Committee on Vice and Immorality.

Also, one from the same districts, objecting to the extension of the Philadelphia liquor law.

Referred to the Committee on Vice and Immorality.

Mr. GRAHAM, a petition numerously signed by citizens of Sharpsburg, Allegheny county, asking for the passage of a law giving to the courts greater power over the granting of licenses, repealing the law authorizing the county treasurers to grant licenses, prohibiting the sale of liquor on election days and increasing the amount to be paid for license.

Referred to the Committee on Vice and Immorality.

Also, a remonstrance numerously signed by citizens of Allegheny county, against the passage of an act to macadamise the Noblestown and Temperanceville plank road.

Referred to the Committee on Roads and Bridges.

Mr. TAYLOR, a petition of citizens of Bridgewater borough, asking for a law authorizing the town council to sell part of Clarion street, in said borough.

Referred to the Committee on the Judiciary Local.

Mr. BROWNE (Lawrence), a petition of ninety-five citizens of Lawrence county, against legalizing Sunday cars and against liquor traffic.

Referred to the Committee on Vice and Immorality.

Also, one from same of similar import.

Referred to the Committee on Vice and Immorality.

Also, a memorial of sixty-seven citizens of Armstrong county, against Sunday cars and liquor traffic.

Referred to the Committee on Vice and Immorality.

Also, a petition of twenty-two citizens of Philadelphia, of like import.

Referred to the Committee on Vice and Immorality.

Also, one from forty-one citizens of Lawrence county, of like import.

Referred to the Committee on Vice and Immorality.

Also, a petition of citizens of Van Buren, Armstrong county, against the passage of an act to vacate certain streets and alleys.

Referred to the Committee on Roads and Bridges.

Mr. BROWN (Mercer), a remonstrance of citizens of Mercer county, against the repeal of the Sabbath laws, and petition in favor of a revision of the license laws of this Commonwealth.

Referred to the Committee on Vice and Immorality.

Also, a petition of citizens of Mercer county, praying for the passage of a law more effectively to suppress the vice of intemperance in said county.

Referred to the Committee on Vice and Immorality.

Also, one from same of like import.

Referred to the Committee on Vice and Immorality.

On motion of Mr. SCHALL, it was determined that hereafter petitions, remonstrances, etc., will be presented only on Tuesdays and Thursdays.

REPORTS FROM COMMITTEES.

Mr. SHOEMAKER, from the Committee on the Judiciary General, reported, with a negative recommendation, a bill entitled An act to provide for the sale of seated lands for the non-payment of taxes.

Also (same), with a negative recommendation, a bill entitled An act compelling the holder of a mortgage, et cetera, when proceedings to collect it have been instituted, to assign it, et cetera.

Mr. WALLACE (same), as committed, a bill entitled An act to confer upon the court of quarter sessions of this Commonwealth power to annex the land, or parts thereof, of persons resident in one district to another district, for school purposes.

Also (same), as committed, a bill entitled Joint resolutions relative to the revisal of the civil laws of Pennsylvania.

Mr. M'CONAUGHY (same), as committed, a bill entitled A supplement to an act entitled An act to amend the penal laws of Pennsylvania, approved the 31st of March, A. D. 1860.

Also (same), with a negative recommendation, a bill entitled An act declaratory of the law in reference to the barring of entails.

Mr. SCHALL (same), as committed, a bill entitled An act supplementary to an act relating to corporations for mechanical, manufacturing, mining and quarrying purposes, approved July 18th, 1863.

Also (same), with a negative recommendation, a bill entitled An act to change the name of Charles Carroll de Taillevis.

The bill was ruled out of order by the SPEAKER.

Mr. BIGHAM (same), as committed, a bill entitled An act relating to courts of equity in cases of partition in the several counties comprising the Sixth Judicial district of Pennsylvania.

Also (same), with amendments, a bill entitled An act to authorize the use of the metric system of weights and measures.

Mr. WHITE, from the Committee on the Judiciary Local, as committed, a bill entitled An act relating to bounties in the borough of Dillsburg, York county, validating and legalizing the assessment, duplicate and warrant to collect bounty tax assessed in June, 1864, for said borough.

Also (same), as committed, a bill entitled An act to authorize the poormasters of Hamlin township, McKean county, to levy additional poor tax.

Also (same), as committed, a bill entitled An act to correct an act to incorporate the Williamsport hall and market company, approved April 20, 1866.

Also (same), as committed, a bill entitled An act to extend the provisions of an act laying a tax on dogs in certain townships in the county of Chester; relative to elections in West Philadelphia, and to assessors in Millerstown, Perry county, approved March 11, 1850, so far as provides for the taxing of dogs, to the township of Londonderry, in the county of Chester.

Also (same), as committed, a bill entitled An act relative to the payment of street and road damages in the county of Dauphin.

Mr. FISHER (same), as committed, a bill entitled An act to authorize the election of additional officers in the township of Madison, Perry county.

Also (same), as committed, a bill entitled An act to regulate the salaries of the county auditors, and also the salaries of the township auditors and their clerks, in the county of York.

Also (same), as committed, a bill entitled A further supplement to an act passed the 13th day of March, 1862, to authorize the arrest of professional thieves, burglars, et cetera, in the city of Philadelphia.

Also (same), as committed, a bill entitled An act to increase the pay of the assessors of Lehigh county.

Also (same), as committed, a bill entitled An act repealing an act relative to the coroner of Armstrong county.

Mr. STUTZMAN (same), as committed, a bill entitled An act relating to the fees of district attorney for the county of Greene.

Also (same), as committed, a bill entitled An act supplementary to an act incorporating the town of Lawrenceville into a borough, approved the 13th day of February, A. D. 1834.

Also (same), as committed, a bill entitled An act relative to the fees of certain township and county officers in the county of Beaver.

Also (same), as committed, a bill entitled An act to authorize the Governor to appoint an additional notary public for the borough of Milton, Northumberland county.

Also (same), as committed, bill entitled An act to authorize the supervisors of West Branch township, Potter county, to levy an additional road tax.

Mr. DAVIS (same), as committed, a bill entitled An act to extend the provisions of an act, entitled An act relative to mechanics' liens in the counties of Luzerne and Schuylkill, approved February 17, A. D. 1858, to the county of Northumberland.

Also (same), as committed, a bill entitled An act relative to the pay of auditors in the county of Butler.

Also (same), as committed, a bill entitled An act relative to the fees of the coroner of Allegheny county.

Also (same), as committed, a bill entitled An act to authorize the Governor to appoint two additional notaries public for the city of Philadelphia.

Also (same), as committed, a bill entitled An act giving the town council of the borough of Mauch Chunk the right to make and build drains, sewers and sluices in said borough.

Mr. RIDGWAY, from the Committee on Corporations, with amendments, a bill entitled An act to incorporate the Whitmers Run navigation company, in the county of Clearfield.

Also (same), as committed, a bill entitled An act to incorporate the Goodwin Consolidated mining company.

Also (same), as committed, a bill entitled An act to incorporate the Union Mutual fire insurance company of Pennsylvania.

Also (same), as committed, a bill entitled An act to incorporate the Prairie du Chien mining company of Colorado.

Also (same), as committed, a bill entitled An act to incorporate the Lincoln steam fire hose company, in the city of Philadelphia, and to authorize said company to erect a market house.

Also (same), as committed, a bill entitled An act to incorporate the American University of Philadelphia.

Mr. ROYER (same), as committed, a bill entitled An act to incorporate the Superior iron company.

Also (same), as committed, a bill entitled An act to incorporate the National peat company.

Also (same), as committed, a bill entitled A supplement to an act to incorporate the Montana gold and silver mining company, approved the 23d day of March, 1865.

Mr. HAINES (same), as committed, a bill entitled An act to incorporate the Dunmore gas and water company.

Mr. JAMES (same), as committed, a bill entitled An act to incorporate the Pacific Railroad gold mining company.

Also (same), as committed, a bill entitled A supplement to an act to incorporate the Fidelity insurance, trust and safe deposit company of the city of Philadelphia, passed the 22d day of March, A. D. 1866.

Mr. HAINES, from the Committee on Canals and Inland Navigation, a bill entitled An act to repeal parts of an act approved the 11th of April, A. D. 1866, entitled A further supplement to an act to authorize the Governor to incorporate the Susquehanna Canal company, approved April 15, A. D. 1835.

Mr. STUTZMAN, from the Committee on Elections and Election Districts, a bill entitled A further supplement to an act relating to the elections of this Commonwealth, approved July 2d, 1839.

REPORT OF A JOINT COMMITTEE.

Mr. SHOEMAKER, from the joint committee appointed to present to the authorities of the city of Philadelphia the table on which the Declaration of Independence was signed, and the chair in which John Hancock sat as President of Congress at that time, made a report, which was read as follows, viz:

That in pursuance of the duty assigned them they proceeded to Philadelphia in charge of the articles in question, accompanied by the Hon. Louis W. Hall, Speaker of the Senate, arriving there on Thursday evening, and being hospitably entertained by the municipal authorities of the city. On Friday morning, the 22d instant, being the anniversary of the birthday of Washington, the committee and Speaker Hall met the committee of the Historical Society, the Mayor and City Councils at the City Hall and proceeded in a body to Independence Hall, the scene where the Declaration was signed, and where the chair and table were henceforth to find their appropriate resting place. At the Hall the concourse was joined by the judges of the supreme and local courts, General Meade and staff, and a delegation of the veteran soldiers of the war of 1812. The ceremonies of the occasion were opened with a prayer by the Rev. Robert D. Morris, a member of the Historical Society Committee. By request of your committee the Speaker of the Senate then, in a neat and appropriate speech, presented the chair and table to the municipal authorities of the city, to be by them carefully preserved as mementoes of a glorious past. On behalf of the city corporation these relics were accepted by the Mayor of the city, the Hon. Morton McMichel, in an eloquent speech. Col. J. Ross Snowden, Prothonotary of the Supreme Court of Pennsylvania, then in behalf of the Historical Society returned the thanks of that institution to the General Assembly of the Commonwealth for this precious gift. The chair and table were then placed in their ancient positions in the time honored Hall, by the Chief Justice of the Supreme Court of the Commonwealth, Hon. Geo. W. Woodward, the president judge of the district court of Philadelphia, Hon. Judge Sharswood, the judge of the United States district court for Eastern Pennsylvania, Hon. John Cadwalader, who then formally delivered them to the city, Mayor M'Michael accepting them with a fervent trust that they might be guarded with scrupulous fidelity. The hall being then thrown open to the public not less than twenty thousand persons passed through it in procession to see the relics. The day was observed with unusual ceremony as a holiday all over the city. Your committee cannot refrain from making their acknowledgments to the Mayor and Councils of Philadelphia, for the handsome manner in which they were received and cared for during their brief sojourn, and to express their rejoicing that these invaluable relics are now in the places they occupied on the day rendered immortal by the Declaration.

Having discharged the duties entrusted to them, your committee respectfully beg to be discharged.

L. D. SHOEMAKER,
C. M. DONOVAN,
J. W. FISHER,
WARREN COWLES,
CHARLTON BURNETT,
Senate Committee.
EDWARD G. LEE,
D. B. M'CREARY,
JNO. P. LINTON,
J. T. CHASE,
LEVI MAISH,
House Committee.

Laid on the table.

FULL PROCEEDINGS OF THE CEREMONIES.

THE JOHN HANCOCK CHAIR.

The chair stood in the centre of the Hall, upon the table on which the Declaration of Independence was signed. It is a massive piece of furniture, of antique form, and ornamented with curious and grotesque carvings. It is made of Spanish mahogany, covered apparently with several coats of varnish. The back of the chair is about five feet high, and is ornamented at the top with a figure of the sun, in gilt, surmounted by a small gilt liberty pole and cap. The legs are very ponderous, being square, and about 3 inches in diameter. They are tipped with brass at their lower extremities. The covering of the seat is of red leather, of apparently modern manufacture, but the arms are covered with leather that was once of the same color, but is now bleached and stained with age and dirt. The

chair would be considered decidedly uncomfortable in these modern days of luxurious sofas and spring cushions, but doubtless was once considered quite a triumph of the cabinetmaker's art.

THE TABLE.

The table upon which the chair stood is that upon which the Declaration of Independence was signed. It also is made of Spanish mahogany, and is of an antique pattern. It is a cabinet table, arranged so that the person who uses it can sit by the centre and have the drawers upon each side of him. There are six drawers in all. Three of them are furnished with old fashioned swinging handles made of brass, but those that were upon the right hand side have been torn off, probably from having been used more frequently. The table is supported by eight legs of that uncouth and ugly shape which is so common in old furniture. It is covered with black oil cloth of modern manufacture and very uncleanly appearance.

There was something peculiarly impressive and suggestive in the contemplation of these relics of antiquity. The table on which the Declaration was signed; the chair in which great Hancock sat, during the performance of that immortal deed; the old bell which rang out the glad tidings to a people redeemed and disenthralled, were grouped together again after the lapse of nearly a century, while around them the portraits of mighty men of yore seemed to look out from the canvas and smile approval upon the men who had come to honor their memories and the memory of the immortal Washington.

CEREMONIES IN THE HALL.

After the procession had got into the Hall, and quiet had been restored, Col. J. Ross Snowden, Chairman of the Committee of Arrangements, announced that the hour for the presentation of the valuable relics had arrived, and the proceedings would be opened with prayer.

PRAYER BY REV. DR. MORRIS.

Rev. Robert D. Morris, a member of the Pennsylvania Historical Society, then delivered the following prayer:

Almighty and most merciful God, we thank Thee for this day and for this day's service; and we implore Thy presence and blessings upon this occasion. Thou art the God of nations; Thou hast been the God of our father, and now we invoke Thee to be our God and the God of our nationality. Vouchsafe Thy blessing upon our President; upon the National Congress; upon all the Governors of States; upon all our magistrates, and upon all the people. Give us true religion; give us liberty and perpetuity as a nation among the nations of the earth. Inspire the people with wisdom, patriotism, justice, and with Thy salvation. Be with us and direct in the thoughts that may be inspired and the words that may be uttered. May Thy blessing fall upon the interesting services of this day, through Jesus Christ, our Redeemer. Amen.

ADDRESS OF SPEAKER HALL.

Hon. LOUIS W. HALL, Speaker of the State Senate, then said:

Honored and respected Sirs, Mayor of Philapelphia, Gentlemen of the Select and Common Council of the Corporation of Philadelphia—I have been requested by the General Assembly of the State of Pennsylvania, acting through a committee appointed by the Senate and House of Representatives, to present to the Corporation of the City of Philadelphia the chair in which John Hancock sat, and the table on which our venerated fathers so many years ago signed our Declaration of Independence. The object of this presentation upon the part of the Legislature of Pennsylvania is that these venerated and holy relics may be deposited for safe keeping in old Independence Hall. It is not necessary, sir, that I should refer to their history; it is not necessary that I should more than refer to the fact that these relics were temporarily loaned by the Provincial Assembly of Pennsylvania to the Continental Congress, when they were holding their deliberations in Philadelphia; that the Provincial assembly resumed their possession when Congress removed to New York. When the capital of the State was removed to Harrisburg, these articles were taken along. There they have been from that time to this. That chair has been the seat, almost all the time, of the Speaker of the House of Representatives; and the table has occupied a conspicuous place in the Public Library of the State. The Legislature of Pennsylvania thought it was fit and proper that on this day, the anniversary of the birth of the father of our country, in this place, in this sacred room—this room more loved by Americans than any one spot on the habitable globe—this room, with all its happy associations of the past, with all its holy associations of the present—that here and now, in Independence Hall, these articles should be placed in trust to remain forever. Is it necessary, Mr. Mayor, that I should refer to the band of patriots who stood around John Hancock, and who sat around this table? Is it necessary that I should refer to the Declaration they enacted and adopted? Is it necessary that I should refer to the struggle that followed—that struggle that tried men's souls—that struggle that ended in making America free? (Applause.) Hancock, the affluent citizen, the accomplished statesman and orator, and popular idol, as with bold hand he signed his name to that venerated document! His name is alone sufficient to recall to us his services to his country. Then a nation was born in a day, and the influence of that nation has been most happy from that day down to this. (Applause.). Philadelphia should have these holy relics; she should preserve them well, so that in the future, lovers of liberty in coming here may come as pilgrims to a sacred shrine, to pay homage to this holy place. (Applause.) May we not hope that as these relics are preserved, the principles they represent—the principles of religious and civil liberty—may be preserved and our nationality made perpetual! The city of Philadelphia! Fitting home for Independence Hall; fitting place to put such relicts as these! What city in the United States has so honored herself and so aided in preserving this land, as the city of Philadelphia? (Applause.) What city and what public and private citizens of what city have contributed so largely of their means, and have raised so many regiments and supported them when in the field, as did Philadelphia during the trying time of the Republic? (Applause.) What city so kind to the soldiers in the field? What city established such places for their comfort as they passed to and from the battlefields of the Rebellion? Proud is the State of her city, as she is proud of this Hall. On behalf of the Legislature, in trust, we deposit these relics, well satisfied that this is the time and this the place they should be deposited. (Applause.)

REMARKS OF MAYOR M'MICHAEL.

Gentlemen of the Senate and House of Representatives: The city of Philadelphia accepts the trust which the Commonwealth of Pennsylvania confides to her. To mark her sense of its importance, she has assembled here, as participants and spectators, the honored dignitaries who administer justice within her borders; the favored citizens to whom she has delegated her authority to make and execute laws; the noble old men whom more than half a century ago she sent out to repel foreign invasion; the younger soldiers, chief among whom is her own gallant son, who recently perilled their lives in aiding to crush domestic treason; the learned expositors of her historic legends and traditions, and the members of the press, which daily records her progress and opinions. In this presence she makes public declaration that she esteems the custody of these precious relics a rare privilege, and offers a solemn pledge that she will guard them with scrupulous fidelity, and preserve them with assiduous care.

It is proper they should be here. It was here they were associated with the deeds which have given to these simple pieces of furniture a value beyond all price; it is here they can be best seen by the countless generations which the fame of this sacred edifice will attract hither so long as civilization and freedom survive. Memorials identified with striking epochs of their career are justly held in veneration by all nations. To the Italian, the iron crown of Charlemagne symbolizes a national unity that has inspired him with hope amid the degradation and disasters of centuries; to the Scotchman, the heart of the Bruce, in all climes and under all vicissitudes, is a cherished trophy of national renown; to the American, these humbler emblems are significant, not only of a glorious past, but of a marvelous future, which will include the occupation of many lands, the dominion of many seas and the compact of many peoples, joined together by the all-embracing bonds of free institutions and individual rights.

Since these relics were separated from this hall, a period less than the scriptural limit of a man's life has intervened; but in that period the developments of science and the achievements of art have surpassed the wildest imaginations of theorists, and political revolutions have taken place in which ancient dynasties have been shattered and scattered, and out of which radical changes of government have been evolved, and these developments and these achievements and these revolutions have co-operated, and are still co-operating, to produce on this continent an empire wider in territorial extent, stronger in physical power, richer in material wealth, higher in intellectual culture, and grander in patriotic aims than any the world has witnessed. The men who sat in this seat and wrote at this table, while engaged in the erection of a new Republic, had keen insight and profound wisdom, and as they intended the structure to be reared by their descendants should tower to the heavens, they laid their foundations as broad as the earth and as deep as the ocean. And, verily, they shall have their reward, for long after the votaries of false prophet, whose throne is crumbling in the east, shall abandon their senseless pilgrimages to his fabled tomb, and his name shall only be remembered as a synonym of lust and rapine, the followers of these true prophets shall gather round this living shrine, not in abject ignorance to adore, but with grateful recognition to bless the memories of those who first preached the evangel of universal liberty, and some of whom attested their faith through the ordeals of martyrdom and by the baptism of blood.

The time for this restoration has been well chosen. An act so blended with joyful feelings should be performed in the midst of festive surroundings. The booming cannon that shook this mornings's sky—the martial strains that float upon the air—the streaming flags that denote the presence of a holiday—these have rightly ushered in and illustrated the day set apart for such a service. But in the day itself there is even

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[CONTINUED FROM PAGE 381.]

more essential fitness. What occasion so suitable as the birthday of Washington for depositing, among kindred objects, in this chamber, which his stately form has so often dignified and adorned, these memorials of an era with which his name is indissolubly connected? Especially is this so when we consider that the ends for which he prayed and labored and suffered are approaching towards consummation, and that the Union to which his great heart was dedicated, after being purged and purified in the alembic of civil war, is brighter, purer, better and firmer than ever before. And, my friends, as we gaze on his serene and majestic features, pictured on yonder wall, may we not be permitted to indulge the fancy that his spirit hovers near us, and that if it could kindle in those eyes the light of life, and impart to those lips a human utterance, he would smile approvingly on this ceremonial, and proclaim his satisfaction that in all parts of the magnificent domain he so largely helped to establish—in the South as well as the North; in the West not less than the East—the cardinal doctrine of the Declaration of Independence—the sublime announcement that all men are created free and equal—has become a fixed and immutable fact.

SPEECH OF COL. SNOWDEN.

Col. J Ross Snowden, Chairman of the Committee of Arrangements, then said:

Before pronouncing the few words I have prepared for this occasion, I beg to say a word of explanation. The committee appointed by the Historical Society was raised for the purpose only of co-operating with the State and city authorities in such ceremonies as might be appropriate when the chair of Hancock and the table of Independence were replaced in this venerable Hall.

The committee addressed his honor the Mayor on the subject, and, by his request, the committee took the general charge of the arrangements. The Mayor suggested this day as an appropriate day, and in every step of our proceedings he has been consulted and his suggestions adopted.

The Historical Society of Pennsylvania regard with peculiar interest the return of the chair of Hancock and the table of Independence to this venerable Hall.

On behalf of the Society, and as Chairman of the Committee of Arrangements, I am authorized to express its hearty thanks to the Legislature of Pennsylvania, for the well-considered and patriotic resolutions which authorized the replacement of those interesting historical relics in this sacred Hall where they so appropriately belong. In this hall the old Colonial Assembly convened, and this chair was occupied by the Speakers of the House of Representatives of this State.

And when the State government was removed to Lancaster in 1799, it was carried to that city with other property and archives of the State, where it remained until the year 1812, when the seat of government was established at Harrisburg, and up to the present time it has been occupied by the successive Speakers of the House of Representatives.

Its chief historical interest, however, is associated with the Continental Congress of 1776, and the Constitutional Convention of 1787. It is the chair of Washington, as well as of Hancock; and thus marks the two greatest events in our history.

And here, also, we have returned to this Hall, the Table of Independence, around which gathered Jefferson, Franklin, John Adams, Sherman and R. R. Livingston, when the immortal Declaration was reported to Congress, and upon which that memorable document was signed. The principles of liberty and independence thus announced were successfully maintained by the sword; and eleven years afterwards the fathers of the Republic, with Washington occupying this chair, again assembled in this Hall, and formed the union of the States by adopting the Constitution of the United States, which was subsequently ratified by the several States. And here, on this table, that instrument of constitutional liberty and Union was signed.

The chair of Hancock and of Washington! The table of Jefferson and of Madison! What sublime emotions do not the enunciation of these names produce; and what glorious associations cluster around these sacred relics!

I have left to other and abler hands upon this interesting occasion the pleasing task of enlarging upon those soul-stirring scenes and memorable events.

I beg to refer, however, to one incident which the representation on the back of this remarkable chair recalls to our recollection. It will be observed that it presents a picture of the Sun, with half its rise above the horizon. When the resolution for Independence was adopted by Congress, it is stated that Franklin remarked: "I have frequently, during the last session of Congress, regarded the representation on the back of the President's chair with deep solicitude and anxiety whether it were the rising or the setting sun; but now that Independence is declared I am confident it is the rising sun which will eventually illuminate the world." (Applause.)

A similar incident is related of Madison, in 1787, after the adoption of the Federal Constitution. Which of these incidents is the true one, or whether they are both true, I have not investigated. Certainly, one or the other, if not both, did actually occur. And whether the remarks were made by Franklin or Madison it is an interesting illustration of the picture upon this venerable chair, and exhibits the great confidence of our revolutionary patriots in the future destiny of our country. May we not hope that the grand edifice of constitutional liberty and union which they erected will stand the test of time, and be of perpetual duration?

PLACING THE RELICS IN POSITION.

The chair and table were then placed in position in the Hall by the Hon. Joseph R. Ingersoll, President, and Hon. John M. Read, Vice President Historical Society of Pennsylvania; Hon. George W. Woodward, Chief Justice of Pennsylvania; Hon. Geo. Sharswood, President Judge District Court of Philadelphia; Hon. Joseph Allison, President Judge Court Common Pleas of Philadelphia; Hon. John Cadwalader, Judge United States District Court; Gen. Geo. G. Meade, United States Army.

The table was placed near the centre of the hall, and the chair behind it.

Judge Woodward then conducted the Mayor to the chair and he sat down in it.

Mayor McMichael then remarked:

On behalf of myself and all my successors, I renew the pledge that Philadelphia will never forget the solemn duty she has this day assumed.

CONCLUSION.

Col. Snowden then announced that the ceremonies had been concluded.

The guests of the occasion then filed out of the hall, while the band, stationed in the entry, performed a march, and Independence Hall soon assumed its usual quiet appearance.

BILLS IN PLACE.

Mr. BROWNE (Lawrence), read in his place and presented to the Chair a bill entitled An act authorizing the State Treasurer to repay to the Kittanning Bank the amount of money overpaid by it, and in the treasury.

Referred to the Committee on Finance.

Also, a bill entitled An act to incorporate the Harmony Saving's Bank, of the village of Harmony, Butler county.

Referred to the Committee on Banks.

Mr. LOWRY, an act to provide for the enlargement of the Erie canal, to authorize the mortgaging of the same, and the issue of bonds, and to increase the capital stock and regulate the tolls.

Referred to the Committee on Canals and Inland Navigation.

Also, a bill entitled A further supplement to an act incorporating the city of Corry, approved April 8, 1866.

Referred to the Committee on Corporations.

Mr. FISHER, a bill entitled Supplement to an act to incorporate the borough of Columbia, approved April 16, 1866.

Referred to the Committee on Corporations.

Also, a bill entitled An act to change the mode of granting license for the sale of intoxicating liquors.

Referred to the Committee on Vice and Immorality.

On motion of Mr. FISHER, the bill was ordered to be printed before being referred to the committee.

Mr. M'CONAUGHY, a bill entitled An act to prevent and punish prize fighting, which was read as follows and

Referred to the Committee on the Judiciary General:

Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That from and after the passage of this act, whoever shall engage or participate in any prize fight within this Commonwealth, or any fight or pugilistic contest, on the result of which any money or valuable thing is bet or waged, shall be guilty of a high misdemeanor, and, on conviction thereof, shall be fined in a sum not exceeding one thousand dollars, and imprisoned in the penitentiary or the jail of the proper county for a period not exceeding two years; and every person being present at such fight, or laying any bet or wager upon the result thereof, whether present or not, shall be considered a participant therein, and as giving encouragement thereto, and may, at the discretion of the court, be punished in like manner.

In connection with this bill Mr. M'CONAUGHY submitted a communication from the Attorney General, which was read as follows:

COMMONWEALTH OF PENNSYLVANIA,
OFFICE OF ATTORNEY GENERAL,
HARRISBURG, Feb. 22, 1867.

My Dear Sir:—With this I send to you the draft of a bill proposed by Judge Pearson, and the adoption and passage of which I most cordially recommend.

The recent disgraceful prize fight in York county induced the Governor to direct me to call the attention of the judge of that district and the prosecuting officer, to the necessity of prompt and efficient action to punish the aiders, abettors and actors in that transaction. To that communication Judge Fisher promptly replied, assenting to the request of the Governor, and engaging to direct immediate action. The prosecuting officer also wrote to me, and undertook to act without delay, and begin proceedings, so that the Governor might demand the delivery of all parties accused who were non-residents of the State. It was suggested in this correspondence that the law was deficient in this regard, and that while indictments for a riot, for the unlawful assembly for an affray, for a conspiracy to break the peace, and for assault and battery, would lie, that yet as to this especial offense no special act existed. In a recent conversation with Judge Pearson the same want was alluded to, and as the judge suggested the propriety of including those who wagered money, or are otherwise concerned in getting up such fights, I invited him to prepare an act to meet the views he expressed to me. This he has done, and it is the bill I send you. Its phraseology conforms to that of the penal code, and its provisions are eminently proper and necessary. I have submitted the matter to the Governor, and he cordially approves of it. It will deter all such projects for the future, and will punish with suitable severity all such violations of the public peace and of public morals.

I am sir, with respect,
Truly your ob't servant,
BENJAMIN HARRIS BREWSTER,
Attorney General.

The Honorable DAVID M'CONAUGHY, Senator from the Nineteenth district, Senate, Harrisburg, Pennsylvania.

Referred to the Judiciary General Committee, and ordered to be printed in the *Record*.

Mr. ROYER, a bill entitled A further supplement to an act entitled An act in relation to the construction and repairs of roads and bridges in Lower Marion township, Montgomery county, approved March 2d, A. D. 1866.

Referred to the Committee on Roads and Bridges.

Also, a bill entitled An act to incorporate the Downingtown gas and water company.

Referred to the Committee on Corporations.

Mr. SCHALL, a bill entitled An act to authorize the appointment of phonographic reporters in the several courts of common pleas of this Commonwealth.

Referred to the Committee on the Judiciary General.

Also, a bill entitled a further supplement to an act incorporating the borough of Allentown.

Referred to the Committee on Corporations.

Also, a bill entitled an act to incorporate the city of Allentown.

Referred to the Committee on Corporations.

Also, a bill entitled An act to lay out and open a State road in Lehigh and Bucks counties.

Referred to the Committee on Roads and Bridges.

Also, a bill entitled An act to repeal a certain act relative to the public roads in Mauch Chunk township, Carbon county, approved 16th March, A. D. 1866.

Referred to the Committee on Roads and Bridges.

Mr. STUTZMAN, a bill entitled An act to regulate the fees of the directors of the poor and house of employment of the county of Bedford.

Referred to the Committee on the Judiciary Local.

Also, a bill entitled An act relative to the fees of district attorneys of certain counties of this Commonwealth.

Referred to the Committee on the Judiciary Local.

Also, a bill entitled An act to prevent the destruction of bass in Everts creek and tributaries, and the Raystown branch of the Juniata and tributaries, in the county of Bedford.

Referred to the Committee on Agriculture and Domestic Manufactures.

Mr. SEARIGHT, a bill entitled An act for the relief of John Tiernan, late treasurer of Fayette county.

Referred to the Committee on Finance.

Mr. M'CONAUGHY, a bill entitled A supplement to the act entitled An act for the erection of the Gettysburg Gymnasium into a college, and for other purposes, approved April 7th, 1832.

Referred to the Committee on Education.

Mr. CONNELL, a bill entitled An act to reduce the width of Lehman street, in the Twenty-fourth ward of the city of Philadelphia.

Referred to the Committee on Roads and Bridges.

Also, a bill entitled A further supplement to an act consolidating the city of Philadelphia, limiting the fees of certain officers.

Mr. CONNELL. I desire to state that this bill was prepared by the city solicitor by order of the city councils.

Referred to the Committee on Corporations.

Mr. TAYLOR, a bill entitled An act to authorize the burgess and town council of the borough of Bridgewater to sell part of Clarion street in said borough.

Referred to the Committee on the Judiciary Local.

Also, a bill entitled An act to perfect the title of Reuben Watt to certain lands in South Beaver township, Beaver county.

Referred to the Committee on Estates and Escheats.

Also, a bill entitled An act to incorporate the Monongahela Valley railway company.

Referred to the Committee on Railroads.

Mr. RANDALL, a bill entitled An act to incorporate the United States gas light company.

Referred to the Committee on Corporations.

Also, a bill entitled An act to extend the time of the commencement and completion of the People's railway company.

Referred to the Committee on Railroads.

Also, a bill entitled An act to incorporate the Good Intent steam fire engine company, No. 1, of Pottsville.

Referred to the Committee on the Judiciary General.

Mr. WALLS, a bill entitled An act relative to auctioneer in the borough of Lewisburg, Union county.

Referred to the Committee on the Judiciary Local.

Mr. JAMES, a bill entitled An act to increase the compensation of supervisors of roads in the township of Hilltown, Bucks county.

Referred to the Committee on the Judiciary Local.

Also, a bill entitled An act to revive the charter of the New Hope, Doylestown and Norristown railroad company, passed the 23d day of March, 1836, and its several supplements.

Referred to the Committee on Railroads.

On motion of Mr. JAMES, the rules were suspended, and the bill read a second and third time, and

Passed finally.

Mr. BIGHAM, a bill entitled An act relating to the office of county treasurer in Allegheny county.

Referred to the Committee on the Judiciary Local.

Also, a bill entitled An act relating to increase of tolls on the Greensburg and Pittsburg turnpike road.

Referred to the Committee on Roads and Bridges.

Also, a bill entitled An act to incorporate the Monongahela inclined plane company.

Referred to the Committee on Corporations.

Mr. BILLINGFELT, a bill entitled A supplement to an act to provide for the payment of gratuities and annuities to the soldiers of the war of 1812, and their widows, approved March 30, 1866.

Referred to the Committee on Pensions and Gratuities.

Also, a bill entitled A supplement to an act incorporating the Ephrata and Lancaster railroad company, approved the —— day of ——, A. D. 1866, authorizing the extension of the said road to the Conestoga creek below the city of Lancaster.

Referred to the Committee on Railroads.

Mr. SHOEMAKER, a bill entitled An act to authorize the trustees of the public school fund of the townships of Wilkesbarre and Plaines, in Luzerne county, to appropriate the whole or any portion of said fund for the purchase of land for a public cemetery or grave yard for said townships.

Referred to the Committee on Education.

Mr. WHITE, a bill entitled A supplement to an act establishing a mode of selecting jurors in and for the city of Philadelphia, approved April 20th, 1858.

Referred to the Committee on the Judiciary Local.

IRREGULARITIES IN THE MAILS.

Mr. WHITE offered the following resolution, which was twice read:

WHEREAS, complaints are made from different parts of the Commonwealth, about the irregularities of the United States mails, in transmitting letters and public documents; therefore,

Resolved, That a committee of three members of the Senate be appointed to inquire and ascertain immediately, if possible, the cause of the irregularities and delays in the United States mails complained of, and report the same, together with a method of correcting the difficulty.

Mr. WHITE. Mr. Speaker, I would just state that I do not know upon what standing committee was devolved the duty indicated by this resolution; hence, I made it a special committee. The occasion for inquiring into this matter is very great and manifest. I have just returned from my constituents, and I know of several instances in which I have sent communications and public documents to them which have not arrived at their destination. The same kind of complaints are made all over the Commonwealth. There is some occasion for inquiry here; hence, I offered the resolution.

Mr. SCHALL. Mr. Speaker, I would state, in this connection, that the same complaint was made to me by the postmaster at Harrisburg. The difficulty seems to be that the documents are wrapped in such poor paper that the directions are torn off. In a great many cases the wrappers of the documents are torn off. I suppose it must be the fault of somebody here.

Mr. RIDGWAY said that he had great complaints from his constituents, as not receiving public documents.

Mr. DONOVAN said that he trusted there would be no more special committees, as they never amounted to anything, and never would.

Mr. LOWRY said he believed the committee was not empowered to send for persons and papers.

Mr. BIGHAM was understood to say that the postoffice department had made complaints against the officers of the Legislature for not properly securing documents.

Mr. SEARIGHT. Mr. Speaker, I am satisfied, sir, that this will result in no practical good, although I am willing that it should pass. The same state of things has existed here for years, and I am not sure that any remedy can be had.

The resolution was adopted.

AN AFTERNOON SESSION.

Mr. BIGHAM. Mr. Speaker, I move that when this Senate adjourn, it adjourn to meet at three o'clock this afternoon, for the purpose of proceeding with the regular orders.

Mr. WHITE. Mr. Speaker, I have just one word to say. I want to see the general railroad law disposed of, as much as the Senator from Allegheny [Mr. BIGHAM], or the Senator from Erie [Mr. LOWRY], or any other Senator. But I call attention to the fact that there is to be a State temperance convention to be in session this afternoon, which convention has been called, in part, at least, at the request of the Governor and members of the Legislature. Senators upon this floor will remember that they signed a petition requesting a meeting of this character. I observe many delegates here from all parts of the State, among whom are many of the constituents of members. I trust, therefore, that the motion for an afternoon session will not prevail.

Mr. FISHER. Mr. Speaker, the Senator from Indiana [Mr. WHITE] has expressed his sentiments upon this question so fully that I need not say a single word. I hope the Senate will not hold an afternoon session.

Mr. BROWNE (Lawrence). Mr. Speaker, the convention will probably be in session this evening as well as this afternoon. After traveling last night, I think one session is as much as we are fit for. I would much prefer not to have a session either this afternoon or evening.

Mr. BIGHAM. Mr. Speaker, I will modify my motion so as to read, that "when this Senate adjourns, it will adjourn to meet at ten o'clock to-morrow morning."

The motion as amended was

Agreed to.

RETURN OF A BILL FROM THE GOVERNOR.

Mr. LOWRY offered the following resolution, which was twice read:

Resolved, That (if the House of Representatives concur,) the Governor be requested to return to the Senate, for amendment, bill No. 201, entitled An act to incorporate the Erie City passenger railway company.

The resolution was adopted.

RECOMMITTAL OF A BILL.

Mr. BIGHAM moved that bill No. 80, on second reading, entitled An act for the better and more impartial selection of persons to serve as jurors in the several courts of this Commonwealth, be recommitted to the Committee on the Judiciary General.

The motion was

Agreed to.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

The Clerk of the House of Representatives being introduced, informed the Senate that the House of Representatives had concurred in the resolution from the Senate requesting the Governor to return to the Senate, for amendment, bill No. 201, entitled An act to incorporate the Erie City passenger railroad company.

BILLS PASSED.

On motion of Mr. ROYER, the Committee on Corporations was discharged from the further consideration of a bill entitled An act to incorporate the Downingtown gas and water company.

And, the rules having been dispensed with, the bill was read a second third time, and

Passed finally.

Mr. HAINES moved that the rules be dispensed with, and that the Senate proceed to the consideration of bill entitled An act to authorize the election of additional officers in the township of Madison, Perry county.

Mr. HAINES stated that this was a very important bill, and should be passed as soon as possible. He hoped the Senate would indulge him, and allow the bill to pass now.

The motion of Mr. HAINES was

Agreed to,

And the bill was read a second and third time, and

Passed finally.

Mr. SCHALL moved that the Committee on Roads and Bridges be discharged from the further consideration of a bill entitled An act to repeal a certain act relative to the public roads in Mauch Chunk township, Carbon county, approved 16th day of March, A. D. 1866, and that the Senate proceed to its consideration.

Mr. SCHALL. This bill was in charge of the Senator from Monroe [Mr. BURNETT], who is absent. He is desirous that it be passed at once, in order to dispense with the election of certain officers this spring.

Mr. LOWRY. Mr. Speaker, this day was set apart for the consideration of the general railroad bill. Whenever that subject has come up, gentlemen have uniformly a large number of pressing bills to pass, and the consideration of the subject has been crowded off. Now, Mr. Speaker, I object, for one, to the consideration of any bill whatever until that is taken up.

Mr. SCHALL. I wish to remind the Senator from Erie [Mr. LOWRY] that this is not my bill. I am doing this as a personal favor to the Senator from Monroe, and I hope the Senator will not put this to my account.

The SPEAKER. Does the Senator from Erie withdraw his objection?

Mr. LOWRY. Mr. Speaker, if the objection is withdrawn in one case it must be in another. There are other Senators who have stated to me this morning that they desired to have bills passed; and if we break the rule in this case, we shall be bound to in every case.

The motion of Mr. SCHALL was

Agreed to.

And the rules having been dispensed with, the bill was read a second and third time, and

Passed finally.

Mr. M'CONAUGHY moved that the Committee on Education be discharged from the further consideration of bill entitled A supplement to the act entitled An act for the erection of the Gettysburg gymnasium into a college, and for other purposes, approved the 7th of April, 1832, and that the Senate proceed to its consideration.

Mr. M'CONAUGHY. Mr. Speaker, I ask leave to make a statement.

Leave was given.

Mr. M'CONAUGHY. Mr. Speaker, I have to leave town at noon, and it is very desirable that this bill should pass. It gives our college authority to borrow money for the purpose of erecting additional buildings. It is very brief, and I ask that the orders be suspended, and that it be passed. I ask that the committee be discharged.

The motion was

Agreed to.

And the rules having been dispensed with, The bill was read a second and third time, and

Passed finally.

On motion of Mr. JAMES, the Committee on Railroads was discharged from the further consideration of the bill entitled An act to revise the charter of the New Hope, Doylestown and Norristown railroad company, passed the 23d day of March, 1836, and its several supplements.

And the rules having been dispensed with, the bill was read a second and third time, and

Passed finally.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

The Clerk of the House of Representatives being introduced, returned bill from the House of Representatives numbered and entitled as follows:

No. 52, an act to vacate a portion of Spruce Alley, in the Ninth ward of the city of Pittsburg,

With information that the House of Representatives has passed the same without amendments.

THE GENERAL RAILROAD LAW.

Agreeably to order,

The Senate proceeded to the consideration of bill entitled An act to authorize the formation of railway corporations.

In committee of the whole (Mr. M'CONAUGHY in the chair), the first section was read as follows:

SEC. 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same*, That any number of citizens of Pennsylvania, not less than nine, may form a company for the purpose of constructing, maintaining and operating a railway, to be operated by steam power, for public use in the conveyance of persons and property, and for that purpose may make and sign articles of association, in which shall be stated the name of the company, the number of years the same is to continue, the places from and

to which the railway is to be constructed or maintained and operated, the length of such railway, as near as may be, and the name of each county in this State through or into which it is made, or intended to be made, the amount of the capital stock of the company, which shall not be less than fifteen thousand dollars for every mile of railway constructed, or proposed to be constructed, and the number of shares of which said capital stock shall consist, and the names and places of residence of a president, and not less than six nor more than twelve directors of the company, who shall manage its affairs for the first year and until others are chosen in their places; each subscriber to such articles of association shall subscribe thereto his name, place of residence and the number of shares of stock he agrees to take in said company, on compliance with the provisions of the second section of this act; such articles of association shall be acknowledged by at least three of the directors, before some officer competent to take acknowledgment of deeds in the county where the principal officer is designed to be located, and filed in the office of the Secretary of the Commonwealth, who shall endorse thereon the day they were filed, and record the same in a book to be provided by him for that purpose; and thereupon the said articles of association shall become and be a charter for the said company, and the persons who have so subscribed such articles of association, and all persons who shall become stockholders in such company, shall be a corporation by the name specified in such articles of association or charter, and shall possess the powers and privileges following, to wit:

First, To have succession, by its corporate name, for the period limited in its articles of association;

Second, To sue and be sued, complain and defend, in any court of law or equity;

Third, To make and use a common seal, and alter the same at pleasure.

Fourth, To hold, purchase and convey such real and personal estate, as the purposes of the corporation shall require, not exceeding the amount needful for the business thereof, and which shall be so limited in the articles of association;

Fifth, To appoint such subordinate officers and agents as the business of the corporation shall require, and to allow them a suitable compensation;

Sixth, To make by-laws, not inconsistent with any existing law, for the management of its property and regulation of its affairs, and for the transfer of its stock.

On the question,

Will the committee agree to the section?

Mr. BIGHAM moved to amend the same, by adding after the words "proposed to be constructed, and the number of shares," the words "at fifty dollars each."

The amendment was

Agreed to.

Mr. BIGHAM also moved to amend, by striking out the words "at least three," and inserting in lieu thereof the words "a majority," so that it would read "such articles of association, and shall be acknowledged by a majority of the directors."

The amendment was

Agreed to.

Mr. BIGHAM also moved to amend, by striking out, at the end of the fourth privilege, the words, "and which shall be so limited in the articles of association."

The amendment was

Not agreed to.

On the question,

Will the committee agree to the section as amended?

Mr. COLEMAN moved to amend the same by striking out, at the commencement of the section, the words, "to be operated by steam power."

Mr. COLEMAN. In a general railroad law, it might be desired to have railroads where horse power could be used. I do not want this to reach the system of passenger railways in our cities. We can remember when the State road was operated by horse power, and there is no knowing whether we may not some day use electricity.

The amendment was

Agreed to.

On the question,

Will the committee agree to the section as amended?

Mr. BIGHAM moved to amend the same by striking out the word "fifteen," and inserting, in lieu thereof, the word "ten," so that it would read, "ten thousand dollars for every mile of railway constructed."

Mr. COLEMAN. Mr. Chairman, I hope it will be altered to ten thousand; fifteen thousand is rather heavy. I hope to see the day when we can lay down tracks on our turnpikes and plank roads, for we can now overcome grades with very great facility. I have one on my own property, which runs at a grade of two hundred and twelve feet to the mile. It seems to me that ten thousand dollars a mile is very liberal.

Mr. RIDGWAY. Suppose parties think they can build a road at ten thousand dollars a mile, and then depend upon borrowing.—After they start, they often find that it will cost thirty thousand. They would then be tied up. But if they are at liberty to take ten thousand, with the privilege of borrowing fifteen thousand, they can make their road.

Mr. COLEMAN. I think the Senator will find that they have power to increase their stock, for necessary purposes, indicated in this bill.

Mr. BIGHAM. I suppose the leading object of going into committee of the whole is to perfect the bill. This bill will apply mainly to the building of local roads. While it is true that a first-class road may cost the price indicated by the Senator from Philadelphia [Mr. RIDGWAY], it is within my own knowledge that roads are built and operated very largely by private individuals, for the purpose of carrying coal, the whole expense of which does not exceed two thousand five hundred dollars a mile. There are cases in which high rates of speed are required, but for freight purposes a road can be built, which will answer the purposes at an expense of ten thousand dollars per mile. And remember that this amendment only says that it shall not be less than ten thousand; it may be made fifty thousand, if they please.

Mr. WALLACE. Mr. Chairman, the intent and purpose of this bill is to facilitate the construction of railroads through the Commonwealth. The locality in which a railroad could be the most cheaply constructed, would more likely be selected for its construction than a locality in which it would be more expensive to construct. Therefore, we should so frame the law that, in localities in which railroads can be cheaply constructed, the people may have the opportunity to build them. If we make the minimum fifteen thousand dollars, and there are localities where roads can be constructed for ten thousand per mile, we simply exclude those people from the benefits of the law; or you oblige them to pay a tax on a larger amount of capital than is necessary. Hence, it appears to me, that, inasmuch as the bill purports to be a bill to facilitate the building of free railroads, we should make it as free as we possibly can, and do away with all restriction, not absolutely necessary; and I think that the proposition of the Senator should be adopted.

Mr. RIDGWAY. I would like to ask where they can build a railroad for less than fifteen thousand dollars per mile, anywhere. It costs, in Philadelphia, now, fifteen thousand dollars per mile.

Mr. COLEMAN. The prices of everything are excessively high. The present rate of labor and material is not going to last forever; we shall come down to the old prices again, when railroad iron has been sold for fifty dollars a ton. The object of the bill is to develop the interests of the State.

Mr. BIGHAM. I am told that the road from Connellsville to Uniontown—some twelve miles long—which was built at the breaking out of the war, and which is run by steam—I am told that the cost of that road did not exceed ten thousand dollars per mile.

Mr. WHITE. Just a word on this subject. I apprehend that all want to be practical in this matter, and this is simply a practical question. The question is, are there any roads in this Commonwealth which can be built at the rate of ten thousand dollars per mile, and if there are, then this provision ought to be in. Now, sir, I know of one road, the estimated cost of which was ten thousand dollars per mile; whether it was built for that, I do not know; but I can lay my hand upon the official report in a short time. It certainly did not exceed twelve thousand per mile. And furthermore, look at the laws of the Western States, which have been ribbed over with railroads. In the States of Ohio and Indiana, you will find it ten thousand per mile, and I think the same in Illinois. In our sister State, New York, it is certainly ten thousand per mile. We should let trade protect itself.

Mr. LOWRY. Mr. Chairman, the Senator from Clearfield [Mr. WALLACE] has so well expressed my feelings in this matter, that I will not follow up the subject. If we intend to be practical, we will not require more than ten thousand dollars per mile. If this bill is intended to facilitate the building of railroads, this Senate will not ask more than that. I know, Mr. Chairman, of many portions of this Commonwealth, where four thousand dollars will grade a road; and I, sir, would be willing to vote for a railroad law by which the stock subscribed should grade the road, and I repeat, sir, that I know of roads in Pennsylvania that have been graded for four thousand five hundred dollars a mile; and many of the roads yet to be built in Pennsylvania are of that character, and can be cheaply graded. They will pass over the surface of the earth by removing but little dirt.

Mr. WALLACE. I understand the bill to provide that mortgage may be made upon the road bed to an amount not exceeding twenty thousand dollars per mile. Now, sir, it seems to me that the purpose of the law should be to facilitate the construction of railroads. Ten thousand dollars per mile, in my own section, which is mountainous, is sufficient. Why must we make our capital stock be more than is necessary? Why not mortgage the road bed for enough to iron it? Here, it appears to me, is a liberal policy, fixing the amount at the mimimum, and allowing a mortgage on the road for sufficient to iron it. Thus you encourage men to go upon the ground. If the trade and travel of the locality appear to demonstrate that it will be a paying road, the money can be obtained on the mortgage taken, the road constructed and the State benefited. It seems to me that we should adopt this amendment.

Mr. BROWNE (Lawrence). Mr. Chairman, let us contrast our policy with that of neighboring States. Suppose that in New York there are greater facilities for building roads than in Pennsylvania; the result will be that more roads will be built there. There

are more roads in Ohio than in Pennsylvania. West of the Pennsylvania line, the country is covered with railroads. When you come to Pennsylvania they are comparatively few. In any law of this kind, we should see to it that we give our citizens an equality with other States. If we give facilities for railroad communication, east and west, we give facilities for all the resources of our State.—For this and other reasons, we should adopt a liberal policy.

Mr SEARIGHT. Mr. Chairman, I wish merely to make a statement in regard to the construction of the Fayette County railroad. That road is twelve miles long, and the report shows that it cost one hundred and thirty thousand dollars. That is a little over ten thousand dollars per mile. I have a report of the president of the road, and he adds that if you include the ironing, the cost would be greater. There is no tunneling upon it, and no cuts of any importance.

On the question,

Will the committee agree to the amendment offered by Mr. BIGHAM?

It was

Agreed to.

And the question recurring,

Will the committee agree to the section as amended?

It was

Agreed to.

The second section was read as follows:

SEC. 2. Such articles of association shall not be filed and recorded in the office of the Secretary of the Commonwealth until at least ten thousand dollars of stock, for every mile of railway proposed to be made, is subscribed thereto, and ten per centum paid thereon in good faith and in cash to the directors named in said articles of association; nor until there is endorsed thereon, or annexed thereto, an affidavit, made by at least three of the directors named in said articles, that the amount of stock required by this section has been in good faith subscribed, and ten per centum paid in cash thereon, as aforesaid, and that it is intended in good faith to construct and to maintain and operate the railway mentioned in such articles of association; which affidavit shall be recorded with the articles of association, as aforesaid; and the stockholders of all corporations, organized under this act, shall be individually liable, to the amount of their stock, for the payment of wages, of labor, materials furnished, right of way, property used, and damages incurred in the construction, maintenance, and operation of their respective railways, that may be due and unpaid by the company for a period not exceeding six months: *Provided*, That demand for the same shall be made upon any stockholder, or stockholders, within the six months before mentioned.

On the question,

Will the committee agree to the section?

Mr. FISHER moved to amend the same by adding to the end thereof the following:

"*Provided*, That in all cases where lands shall be taken for the use of any railroad, the company shall pay such sum as shall be awarded by appraisers, appointed under the provisions of the general railroad law, subject to appeal to the court of common pleas of the county in which such road may be located; and when such damages shall have been paid, that the railroad company shall hold the said land in fee simple; and,

Provided further, That in the event of an appeal from the award of damages of any such board of appraisers to the court of common pleas of the county in which such road may pass, and the landholder or landholders fail to recover a greater amount than was awarded by the said board of appraisers, that the said appellant shall pay all costs on account of such appeal."

Mr. FISHER. Mr. Chairman, my reason for offering that amendment is this: In all cases where railroads are located in this Commonwealth, where the company pays for the damages to the landholder, the landholder still has an interest in the property, and whenever they change the location of that road, that land reverts back to the original owner, who calls for a payment of the damages a second time. I think that in all cases where roads are built, and the highest damages paid, that the road should require a fee simple of the land. In cases of an appeal from the decisions of appraisers, it very often occurs that the person appeals to the courts, and, no matter what the decision may be, the costs fall upon the railroad company, whether the same amount of damages is allowed or not. That I think is unfair. Hence, this second proviso, that where parties appeal, they ought to pay the costs of the appeal.

Mr. BIGHAM. Mr. Chairman, this involves some consideration, and I wish briefly to say a few words. The original idea of this bill was to provide the machinery by which companies should be organized, and to put them in the same condition that they were after ironing here and getting a special act of the Legislature, and to use the existing laws of the State, the act of 1849 and its supplements. Therefore, whether I think these laws are wise or unwise, I intend to endeavor to keep to that idea. I do not want two systems in Pennsylvania. Whenever we are satisfied that the law of 1849 and its supplements is unwise, I want the influence of every member who is interested in railroads to revise it.

This amendment adopts a radical change. From the days of William Penn to this time the practice in reference to all public roads has been, that the public has simply a right of way. The consequence is, that when a country or State road is vacated, it ceases. The public had simply a right of way, and that property reverts to the owner. The owner is willing to allow a road to go through his farm, but a fee simple is hostile to his views; he will not consent to it. Therefore, without reverting to whether this is the wisest system or not, I hope this amendment will be voted down; it changes the whole public road law of Pennsylvania, and introduces a new feature. If it is thought wiser to change that law, very well.

Mr. WALLACE. Mr. Chairman, the Senator from Allegheny [Mr. BIGHAM] expresses my views very well in regard to the general subject. But let us suppose another case. In my section we have coal mines, and the fee extends indefinitely upwards as well as downwards. The owner now can dig indefinitely under the surface. But suppose you give the railroad company, by this process, the fee, and they go downward, and prevent the owner from going downward. You present an obstacle to the owner, if you change this law and give them the fee. It appears to me this would be an objection to the proposition.

Mr. WHITE. Mr. Chairman, I think the Senator from Lancaster [Mr. FISHER] has not, probably, reflected upon this feature, or he would not have introduced it. My friend, the Senator from Allegheny [Mr. BIGHAM], has very well stated the constitutional power given to every man to protect his property. Every man has a right to his property, and cannot be deprived of it without proper compensation therefor; that is in the declaration of rights. Our Supreme Court has made decisions upon that principle, and the general railroad law of 1849 has provided for the assessment of damages where private property is taken for public purposes. It is made the duty of certain parties to agree with the propertyholder as to compensation. If they fail to do so, then viewers are appointed to view the ground and make a calculation of the value of the land taken, and the amount of compensation necessary, and they make a report, taking into consideration the advantages and disadvantages resulting to the owner from the construction of the road. If the court confirms the report the matter stands. Upon payment the right of the company to ingress and egress from that ground is complete. But the Supreme Court have decided that it was not in the power of the Legislature to give the right to any railroad company to take the absolute fee. The reverting interest always remains in the propertyholder. I hope that this amendment will not prevail.

On motion of Mr. RIDGWAY, the committee rose, reported progress, and asked leave to sit again.

On the question,

Shall the committee of the whole have leave to sit again?

It was determined in the negative.

[As the committee of the whole failed to get leave to sit again, the amendments already adopted fell.]

Pending the question,

Will the Senate agree to the first section?

The hour of one o'clock having arrived,

The SPEAKER adjourned the Senate until ten o'clock to-morrow morning.

HOUSE OF REPRESENTATIVES.

TUESDAY, February 26, 1867.

The House met at 10 o'clock, A. M.

Prayer was offered by the Rev. J. KENNEDY, member from Wyoming.

The SPEAKER announced a quorum of members present.

The Journal of Thursday of last week was partly read, when,

On motion of Mr. STUMBAUGH, the further reading of the same was dispensed with.

Mr. LEE. Mr. Speaker, there was a bill upon the private calendar this day two weeks ago that was objected off. Last week there was a motion made and carried to refuse to lay it aside for a second reading.

This bill provided for the removal of the petroleum refineries in the city of Philadelphia.

All the parties immediately interested about the firm have petitioned that this bill should pass. And I understand that all the parties in this body that had any objections to it have withdrawn that opposition, at least they do not interpose, and are willing to be governed by the petitions that have been sent here. I therefore move that the orders of the day be suspended for the consideration of Senate bill No. 25.

Mr. JOSEPHS. Mr. Speaker, I think the gentleman is mistaken about all the objections being withdrawn. The majority of the Philadelphia delegation are against the bill. It is a very important bill, and ought not to pass this House.

Mr. MANN. Mr. Speaker, how does this discussion become in order now?

The SPEAKER. It is not in order. The gentleman from Philadelphia moves that the orders of the day be suspended for the purpose of considering Senate bill No. 29.

Mr. JOSEPHS. Mr. Speaker, I call for a division of the question.

Mr. LEE. Mr. Speaker, I withdraw my motion. I had no idea there was going to be any objection to it. The matter has been misrepresented to me.

PRIVATE CALENDAR.

Agreeably to order,

The House proceeded to the consideration of the bills on the private calendar.

The following bills were read the first time and laid aside for a second reading:

No. 491, an act to exempt the parsonage of the Park Presbyterian congregation, in the city of Erie, Pennsylvania, from taxation.

Senate bill No. 225, an act to legalize a tax laid by the acting supervisor of Kingston township, Luzerne county, in 1864, for bounty purposes.

No. 494, an act to authorize the school board of North Heidleburg township, in the county of Berks, to levy and collect an additional bounty tax.

No. 495, an act authorizing the supervisors of Greene township, in the county of Mercer, to collect a tax and pay certain bounties and refund money advanced for to pay bounties.

Amended by Mr. M'PHERRIN.

No. 496, a supplement to an act in relation to the payment of bounties to volunteers from the township of Farmington, Tioga county, during the late rebellion.

No. 497, an act to levy an additional tax in Sheffield township, Warren county, for bounty purposes.

Senate bill No. 226, a supplement to an act to authorize the raising of money and payment of bounties to volunteers in the borough of Scranton, in the county of Luzerne, approved April 1, A. D. 1864, to facilitate the collection of taxes levied for the liquidation of the bounty debt.

No. 507, a supplement to an act to incorporate the borough of Columbia.

No. 508, an act to repeal an act authorizing the road commissioners of Sugar Grove township, Warren county, to levy additional road tax, approved February 17, 1865.

No. 509, an act to repeal an act authorizing a public ferry over the Allegheny river, in Warren county, approved April 10, 1862.

No. 511, an act to incorporate the Union transfer company.

No. 513, an act changing the time of holding the annual meeting and election of president, managers and treasurer of the Green Lane and Goshenhoppen turnpike road company, and the time for declaring the dividends of said company.

No. 516, an act to prevent the hunting of deer with dogs in the county of Wyoming.

No. 517, an act to repeal a supplement to an act to prevent cattle, horses, sheep and hogs from running at large in the county of Delaware, extending the same to Lebanon county, approved the 11th day of April, A. D. 1866.

No. 518, an act to prohibit the sale of intoxicating drinks in the townships of Economy and Independence, in the county of Beaver.

No. 521, an act to incorporate the Farmers' Union Mutual fire insurance of Pennsylvania.

No. 526, an act to authorize the board of school directors of Venango City, Venango county, to borrow money.

No. 527, an act to change the place of holding elections in Allegheny township, Venango county.

No. 539, an act to authorize the commissioners of Lehigh county to borrow money.

Ns. 540, an act to increase the pay of the county auditors and the supervisors and township auditors of the several townships of Northumberland county.

No. 541, an act to authorize the Governor to appoint two additional notaries public for the county of Dauphin.

Amended by Mr. BARTON and Mr. MAISH.

No. 542, an act to increase the compensation of the supervisors, assessors and auditors of the township of Gregg, in the county of Union.

No. 543, an act providing for the compensation of the commissioners of Northampton county.

No. 544, an act relative to the purchase of a law library in the county of Washington.

No. 545, an act relating to fees of notaries public in the county of Erie.

No. 546, an act repealing an act relative to the purchase of a law library in the county of Butler.

No. 547, an act to authorize the Governor to appoint a notary public in the borough of Hazelton, Luzerne county.

No. 548, supplement to an act increasing the fees of justices of the peace and constables in the counties of Bradford, Wyoming and Susquehanna.

No. 549, a supplement to an act in relation to huckstering in the counties of Bedford, Cumberland, Franklin, Fulton and York, approved 18th day of May, A. D. 1866.

No. 550, an act authorizing the commissioners of Lycoming county to borrow money to build a new jail.

No. 551, an act to authorize the auditors of Venango county to open and resettle the accounts of Henry Dubbs, late treasurer of said county.

No. 552, an act providing for the election of additional supervisors in Penn township, Westmoreland county.

No. 553, an act relative to the costs and fess in Carbon county.

No. 555, an act to authorize the owners of certain mills on the Delaware river, at Morrisville, to extend their wing dam.

No. 556, an act relating to hawkers and peddlers of ready made clothing in the county of Greene.

No. 558, a further supplement to the act incorporating the Lehigh and Delaware Water Gap railroad company.

Senate bill No. 157, an act relative to the eligibility of the officers of the Tioga railroad company, and the time of holding meetings of said company.

Senate bill No. 316, an act to incorporate the Dickinson Run railroad and bridge company.

No. 561, an act to incorporate the Delaware Valley railroad company.

Senate bill No. 440, a further supplement to an act to incorporate the Mifflin and Centre County railroad company.

No. 563, a further supplement to an act to authorize the Cranberry coal company to construct a railroad.

No. 564, an act to incorporate the Commonwealth iron company.

Amended by Mr. BOYLE,

Mr. BOYLE. Mr. Speaker, I do not wish to object to this bill, but I want to call the attention of the gentleman who has charge of it to one of its provisions. In the fourth section there is a provision making the company subject to a tax on dividends. I do not know what the purpose of putting that provision in is, but there is a question now being considered in the Committee of Ways and Means and by the State Treasurer concerning these taxable dividends, and I am fearful that this may be put in for an improper purpose. The act of Assembly putting a tax on capital stock is thought by some to be a tax on dividends, but it is not so held by the Auditor General, the Treasurer and the courts. I would like to know what the provision was put in here for. The reason is probably the act of 1866 imposes a tax on net earnings and provides that companies which lay a tax on dividends shall not pay a tax on net earnings, which makes a very great difference as to the tax to be levied.

Mr. DAVIS. Mr. Speaker, the bill was read in place by my colleague [Mr. SUBERS], and he authorized me to say that he would not object to an amendment of that kind.

Mr. BOYLE. Mr. Speaker, I move to amend by striking out in the tenth line of the fourth section the words "on dividends" and inserting the word "other" before the word "taxes" in the same line.

The motion was

Agreed to.

No. 565, a supplement to an act to incorporate the Swatara company, passed March 7, 1849.

No. 568, a supplement to an act to incorporate the White Deer bridge company, approved the 23d day of March, A. D. 1849.

No. 569, an act authorizing the supervisors of Blythe and Norwegian townships, Schuylkill county, to make and repair the public roads, bridges and culverts in said township.

Amended by Mr. BREEN.

No. 570, an act to incorporate the Shickshinny and Cambria turnpike road company.

No. 571, an act to repeal the fifth section of an act entitled An act relating to roads and bridges in certain townships in the county of Lawrence.

Senate bill No. 65, an act to increase the the compensation of the supervisors of roads in the township of Solebury, Bucks county.

No. 574, an act to confirm the title to a certain lot of ground in the Twentieth ward of the city of Philadelphia.

Senate bill No. 307, an act to authorize the Wyoming slate company to create and issue preferred stock.

No. 576, an act to incorporate the Lycoming trout and improvement company.

No. 577, an act to incorporate the Philadelphia County real estate association.

Amended by Mr. DONOHUGH.

Senate bill No. 301, an act supplementary to an act to incorporate the Union Hall association of Pottsville.

No. 580, an act to incorporate the Maenerchor of the city of Philadelphia.

No. 583, an act to incorporate the Pneumatic tube company, of the city of Philadelphia.

Amended by Mr. GREGORY.

No. 585, an act to incorporate the Pennsylvania society for the prevention of cruelty to animals.

No. 586, an act to incorporate the Teachers' institute of the city and county of Philadelphia.

No. 587, an act to incorporate the Greensburg Masonic fund.

Senate bill No. 264, an act to incorporate the Pennsylvania boat house association of Philadelphia.

No. 591, an act to annul the marriage contract been James Dewey and his wife.

Senate bill No. 186, an act to regulate the rates of fare on certain passenger railroads in the county of Allegheny.

No. 593, an act to incorporate the East and West Pittston Street Passenger and Freight railway company.

OBJECTED BILLS.

The following bills were objected to, and under the rule, will be laid over until next week:

No. 515, an act relating to the passage of fish in Middle creek, in the county of Snyder.

Mr. WRIGHT. Mr. Speaker, I desire to have this bill laid over a week, for the purpose of allowing those who are opposed to it an opportunity to be heard—not that I have any objection to the bill, for I am in favor of it myself.

No. 528, an act extending to Allegheny county the laws regulating the granting of licenses to eating houses and taverns in the city of Philadelphia.

Mr. M'KEE. Mr. Speaker, I am informed that the friends of temperance are preparing a remonstrance against this bill, and I object to it for the purpose of giving them an op-

portunity of presenting this remonstrance before the bill is considered.

By Mr. WOODWARD,

No. 554, an act relating to the appointment of road viewers, and their duties, in the county of Snyder.

By Mr. ALLEN,

No. 566, an act to establish a ferry across the Allegheny river, at or near the borough of Tidioute, in the county of Warren.

By Mr. M'CAMANT,

No. 578, an act to incorporate the Empire hook and ladder company, No. 1, of Altoona, Blair county.

By Mr. DONOHUGH,

No. 581, an act to incorporate the Eagle assembly, of the city of Philadelphia.

By Mr. WOODWARD,

No. 582, an act to authorize William Loesch to run a line of omnibuses from the south line of the borough of South Erie to the harbor, in the city of Erie.

By Mr. JONES,

No. 584, a supplement to an act for incorporating the German Reformed congregation in the borough of Reading, in the county of Berks, erected the 25th day of August, in the year of our Lord 1786.

By Mr. M'CAMANT,

No. 590, an act relative to drainage of certain lands in Point township and borough of Northumberland, Northumberland county.

By Mr. MEYERS,

No. 589, an act to incorporate the Union Mutual fire insurance company of Northampton and Lehigh counties.

MESSAGES FROM THE SENATE.

The Clerk of the Senate being introduced, presented for concurrence bills numbered and entitled as follows, viz:

Senate bill No. 373, an act to incorporate the Macungie Savings Bank.

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

No. 523, an act to authorize the election of additional officers in the township of Madison, Perry county,

With information that the Senate has passed the same without amendments.

He also informed that the Senate has concurred in the amendments made by the House of Representatives to Senate bill numbered and entitled as follows, viz:

Senate bill No. 121, an act to incorporate the M'Connell mineral company of Pennsylvania.

The hour of 10½ o'clock having arrived, The SPEAKER. The special order for this hour will now be taken up; it being the consideration of House bill No. 392, entitled An act for the relief of Elias Tome, of York county.

Mr. MAISH. Mr. Speaker, I move that that bill be recommitted.

Mr. ROATH. Mr. Speaker, I hope that motion will not be carried. I think this bill should be passed. When this bill was passed by the committee, I had occasion to write to York county for some information in reference to this matter. I received a communication from the Hon. Thomas E. Cochran, and he makes the following statement:

"I can only add, that if Tome is to be remitted to the committee, and the habeas corpus, he will never be discharged from imprisonment. He has already been in jail five years and three months; and under his present commitment will only be discharged by death.

"Yours respectfully,

(Signed) "THOS. E. COCHRAN.

"To E. D. ROATH, Esq."

This man has already been in jail five years and three months, and his present commitment will only be discharged by his death, unless some action is taken by this Legislature.

Now, I hope this bill will pass. This is an unjust commitment, and when any man is committed unjustly I think the Legislature should take some action in the premises, and have him released.

I hope the gentleman from York [Mr. MAISH] will withdraw his motion.

Mr. MAISH. Mr. Speaker, I do not wish to enter into a discussion of the merits or demerits of this bill. My purpose in making my motion is merely to give the parties who are interested an opportunity to be heard. The gentleman does not know whether this is an unjust imprisonment or not. He has received his information from parties who are employed as counsel to get him out of prison. Those are not the persons to whom we should go for information at all.

Mr. Tome was imprisoned for contempt of court. Personally I have no enmity towards Mr. Tome, and I should be rejoiced to see him released myself, but the heirs he has defrauded are anxious to have a hearing before the committee, and I think that the opportunity should be afforded. This matter was put through committee in a sort of slandestine manner. The parties interested did not have an opportunity to be heard; they did not have an opportunity to present their case to the committee, and they are anxious to do so. They are anxious to come up here and present their case to the committee, and they will be perfectly satisfied if that committee shall choose to release this man after they are heard. That is my motive for making this motion. They have written to me and urged me to have this matter recommitted, so that they can be heard before the committee. I do not believe that this bill will have the effect of releasing this man, even if it is passed. I do not believe that this Legislature has a right to interfere with the courts in this way, but be that as it may, it is perfectly proper that the heirs whom this man has defrauded, and whose money he has now in his possession, should be heard.

Mr. ROATH. Mr. Speaker, this man Tome has suffered the penalty of his crime according to law, and has been relieved from the fine that was inflicted upon him by the Governor of the Commonwealth. He has served his time in prison, and it is also stated that the heirs have signified their willingness to have him released, but he was committed for alleged contempt of the orphans' court, and in the manner that he was committed, he should not have been held in prison over three months, as you will find by the *Digest*, and he has now been in prison over three years. The judge alone can issue a writ to have him released. If General M'CREARY was in his seat, he would have a memorial read from him setting forth why he is held thus, but he is not in his seat, and it is not to be got at. But everything I say is fair and proper.

In regard to this bill getting through committee clandestinely, I know that it is no such thing. The bill was laid over from time to time, in order to give an opportunity to parties to furnish information thus desired. The committee has acted fairly in the premises, and thus have reported this bill to the House. The gentleman from York [Mr. MAISH] objected it off the calendar last week. It was made the special order this morning, and there was plenty of time for all parties to be present, and I would like to see the bill passed.

Mr. BARTON. Mr. Speaker, in the absence of the chairman of the Judiciary Committee, the committee which had this bill before them for consideration, I would state, in reply to the gentleman from York [Mr. MAISH], that this bill was fully and fairly considered, in my judgment, in the committee. It was considered upon one or two occasions, and was thoroughly discussed by the parties having the bill in charge, and also by some gentlemen who are opposed to the passage of the bill. I say this much, in reply to the gentleman from York, who asserted that this bill was put through the committee clandestinely.

Mr. JONES. Mr. Speaker, as there seems to be a sort of general discussion upon this bill, I need only say, in justification of the position of the gentleman from York, that the bill did not, perhaps, have a fair consideration in the hands of the committee. I did not understand the gentleman to say that the bill was put before the House clandestinely. The gentleman from Lancaster [Mr. ROATH] represented one party interested in the passage of this bill before the committee. He was there asked whether the judge of that court had any notice of these proceedings, and the committee was informed by the gentleman from Lancaster that it was not, to his knowledge, known to the judge. I suggested that the committee ought not to act upon it until the court had been heard from; and upon that ground, I voted against the bill. I do not know what the merits of it are; I have no doubt that the gentleman from Lancaster fairly states what he believes to be the facts of the case.

But I think it would be very well, although I am aware that the committee have no wish to act upon it again, that we should recommit, in order that all parties may be heard; and if there is then no objection to the bill, the matter might be fully discussed. I do not know anything about the circumstances connected with the case.

The gentleman from Delaware [Mr. BARTON] made a statement of what passed in the committee, and I only know that it is proper that all the parties interested should be made acquainted with the matter and heard before the committee in case they desire to be.

Mr. ROATH. Mr. Speaker, as the gentleman from Erie [Mr. M'CREARY] is now in his seat, I would ask that the memorial from Mr. Tome be read.

Mr. M'CREARY. Mr. Speaker, I have a memorial from Mr. Tome in this case. I would state in regard to this matter that it presented a very curious case before the committee. Very few there had any knowledge of a case like it, yet it was evident to my mind that this man Tome was suffering a great injustice, and I have seen a letter from Mr. Thomas E. Cochran, a gentleman well known to nearly all the citizens of this State, in which he gave it as a fact that it was utterly impossible for this man to be released unless the Legislature intervenes in his behalf. It seems that he was the administrator or executor or guardian of an estate, and held money in his hands belonging to the estate; that through some difficulties or mismanagement or otherwise, he expended this money and was unable to replace it when called upon to do so. I understand that he had been cited to file his account, and not wishing to set forth how he had expended the money, he failed to render his account, and was committed for contempt.

Mr. MANN. I want this matter understood. I have been told that this man is committed, because he refuses to tell how he lost that money, what became of it. I want to ask if that is the case?

Mr. M'CREARY. Mr. Speaker, if I understand the gentleman from Potter [Mr. MANN], he gives as the cause for this man's being imprisoned that he refuses to tell how he spent this money. Now, I do not think a man could be put in that position. If an executor of an estate, when he comes to file his

account, should not produce the money, the proper way to proceed is to compel him to pay it. He cannot be made to come and tell how he spent the money. It is sufficient for the court to know that he could not produce the money when called upon.

Mr. MANN. Will the gentleman from Erie permit me to ask him a question? I want to get at the facts, and the gentleman may argue the reasons for it afterwards. I want to know if the gentleman can tell for what this man is in contempt?

Mr. M'CREARY. As near as I can find out, when he was cited to file his account he could not do so, and as a matter of course he would be in contempt; that is the order in all courts.

There was nothing very definite in reference to the matter before the committee. But the reason was not given, because he refused to tell for what he spent this money.

Mr. BOYLE. Will the gentleman allow me to ask him a question?

Mr. M'CREARY. Certainly.

Mr. BOYLE. May not this man be released at any time by filing his account according to this order of the court, if it is for that he is in contempt?

Mr. M'CREARY. I suppose he could if he could file his account, but I suppose he cannot well do that.

Mr. BOYLE. Is it not the duty of an executor or an administrator to file an account, and is it not customary, in case the executor or administrator refuses to obey the citation of the court, to commit him; and would not the court, at any time, have the right to release him?

Mr. M'CREARY. Yes, sir.

Mr. BOYLE. In reply to the statement of Mr. Cochran that this man can only be released by death, I would ask if he would not be released by purging himself of this contempt?

Mr. M'CREARY. I have no doubt of that; the way that he squandered the money, I presume, is in a way such that he does not desire to file an account.

He was committed for embezzlement for two years, and then was imprisoned for contempt, and has remained there three years longer.

Mr. MANN. I want to get at the facts. Is it true that this man is in jail simply because he refuses to file his account?

Mr. M'CREARY. We had so few facts before the committee that I had to infer in a great measure the truth of the facts. My inference is that he was cited to file an account and he refuses to put upon paper the way in which he squandered the money, and he was put into jail for contempt and the court cannot now well relieve him.

Mr. BOYLE. Did I understand the gentleman to say that he refuses to file his account because it would put him upon record as having squandered the money?

Mr. M'CREARY. I did not say that was the fact. I merely inferred that the man does not wish to put himself upon record as having squandered the money. I understand that the parties interested are willing that he should be released, but the court do not wish to release him because it will be a falling back from its dignity to do so.

I do not see how the judge can do so without backing down. It is a question whether the judge shall back down or whether the man shall come up to put upon paper the evidence that he is a rascal. He was tried and imprisoned two years for embezzlement, and has now been three years in prison for contempt. If the parties interested now desire that he should get out. He proposes to pay the money dollar for dollar if they will let him out. The man was wrong in the first place, doubtless, but I submit, that five years of imprisonment is enough. It is, perhaps, through his fault that he became involved and squandered the money; and because he refuses to file his account, he was properly committed to jail. He has remained there years for that contempt, and I think it is time enough. It is a mere question of jail and court etiquette, as near as I can understand it.

Mr. MEYERS. I would like to know from the chairman of the committee, whether, upon the consideration of the reasons he has given to the House here, he has reported in favor of this bill, and if those were the only reasons?

Mr. M'CREARY. Mr. Speaker, I believed from the statements made before the committee, and all the evidence I could gain upon the question, that this man had suffered imprisonment long enough. He was in there for no crime, except a refusal to render his accounts—it was merely for contempt of the court. He was not sentenced for a crime. He was sentenced two years for embezzlement, and the remaining three years he has remained in prison for contempt of court; and I say that is long enough for any man, and I would do everything to aid such a bill, after so long an imprisonment, any day that it came before me.

Mr. MEYERS. In my opinion, persons acting in the fiduciary capacity of executors of an estate, as guardians of minors, the court cannot be too stringent in requiring to perform their duty and their whole duty.

Mr. M'CREARY. If this man should not now be taken out of prison, will the gentleman tell me any time in his life that he could get out?

Mr. MEYERS. Yes, sir. He could get out to-morrow morning. As I said before, if there are any persons who should be held stringently, it is those who stand in the fiduciary capacity of the guardians of minors, or lunatics, or any similar class. This party, if I understand from the information before the House, was a guardian and was owing these minor children, and some of their friends presented a petition to the court, by which a citation was issued against this man and he failed to answer that citation. In that failure there are two things to be considered; first, what account has he failed to answer to the court? The court could not file an account on their own motion. They could not get exactly at the facts set forth as *pro confesso*, but they could appoint an auditor and take an account by reason of his failure to do so for the benefit of the court. If, upon the filing of that account by the auditor, this person fails to pay over the money which is coming to the minors they can proceed against them in a criminal court. I understand that proceedings were had against this man for embezzlement, that he was convicted, sentenced and punished.

He then failed to answer the citation of the court, and because he set himself up in opposition to the mandate of the court, and refuses to comply with their citation, he was again committed to the county jail, and was properly so committed. Now, what is the position of any person who fails to perform his duty and obey the command of a court of proper jurisdiction? Why, sir, if he wishes to be discharged from that contempt, he must purge himself from that contempt, and if he can purge himself without actually criminating himself, he is bound to do so; unless he does this, he can be held for his lifetime. What should he do in this case to purge himself? If I understand the facts, all that is necessary is to render his accounts; in other words, he must render to the court an account of the money which he has received, when he received it, what amount of interest he got from that money, and how much he has necessarily spent in the proper discharge of his duties.

Mr. WADDELL. Mr. Speaker, the difficulty with the House, it seems to me, is to get at a clear understanding of the case. The House seemed to be under the impression that this man is committed there for contempt in not filing an account. The statement is also made that he was committed for contempt of court in not paying over the balance of the account in his hands to the heirs.

Mr. M'CREARY. I would like to ask the gentleman from Chester [Mr. WADDELL], whether a man could be put in jail for that contempt?

Mr. WADDELL. Yes sir, if a person, filing an account, shows a balance against him, the parties interested can ask for a rule of the court compelling him to pay it over, and if he refuses to do it, the court may commit him for contempt. That then becomes contempt, for the court has no other contempt. That I understand to be the position, and I would ask the memorial to be read for the information of the House.

The memorial was read as follows:

To the Honorable, the Senate and House of Representatives of Pennsylvania, in General Assembly met:

The petition of the undersigned would respectfully represent: That his aunt, Veronica Gable, late of the township of Manchester, county of York, died in the year 1857, leaving a will, in which she appointed him one of the executors of her estate; that the will was proven on the fourteenth day of October of the same year, and letters testamentary granted to your petitioner by the register of the county aforesaid; that in pursuance of said trust he commenced the discharge of his duties, and, as he resided some twenty miles distant from the property, incurred heavy expenses in settling the same; that on the 31st day of August, 1861, the letters granted to your petitioner were vacated, and he was ordered to pay over the amount in his hands, of the estate of the said Veronica Gable, deceased; that not being able to do so, having sustained losses in various ways to a large sum or sums, at the January session of the court in 1862, a bill of indictment was found against your petitioner for embezzling the moneys in his hands belonging to said estate; that at the April session of the court, the said bill was tried and your petitioner convicted, and sentenced to pay a fine of one thousand dollars, and moreover to undergo an imprisonment in the jail of York county, for a period of two years, and costs of prosecution; that said term of imprisonment has long since expired, the fine has been remitted by the Governor of the Commonwealth, and the county commissioners are ready and willing to release the costs. But your deponent and petitioner would aver that notwithstanding he is still held in confinement and detained in prison by the orphans' court of the county of York, for an alleged contempt in not paying over the sum stated to be in his hands, and has been so held and detained since the expiration of the term of his imprisonment for an additional period of nearly three years for the contempt aforesaid. Your petitioner would aver that it never was his design to commit any contempt of court, that he has no portion of the estate of the said Veronica Gable in his hands, and that he is entirely unable to pay the same at present, and that he certainly never can pay the same, or any portion thereof, while kept in confinement; that of the moneys which came into his hands of the estate of the said Veronica Gable, he paid a portion of it to the heirs of the said Veronica, and the balance he lost in various ways, incurring heavy expenses in traveling, council fees, &c., of which he kept no correct account.

Daily Legislative Record.

FOR THE SESSION OF 1867.

PUBLISHED BY AUTHORITY OF THE LEGISLATURE OF PENNSYLVANIA. No. 50.

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Single copy for the session.....$2 00

Members desiring extra copies of the Record, will please leave their names and the number of copies wanted at the publication office.

GEO. BERGNER.

[CONTINUED FROM PAGE 392.]

Your petitioner is anxious to do justice to the heirs of the said Veronica Gable and pay them off dollar for dollar, but such thing is impossible under his present imprisoned condition; that the said heirs have signed petitions for his release, but the court will not taks any further action in the matter, and refuses to discharge your petitioner; that he has now been in confinement in the York county prison for a period of nearly five years. Your petitioner would, therefore, pray your honorable bodies to pass a law discharging him from the further custody of the jail keeper of the county of York; and he will ever pray, &c. ELIAS TOME.

York County, ss:

Elias Tome, being duly sworn according to law, deposes and says that the facts set forth in the foregoing petition are true and correct.

ELIAS TOME.

Sworn and subscribed this 9th day of July, 1866. LEBRECHT TREAGER, J. P.

Mr. MEYERS. Mr. Speaker, whether the facts set forth in that memorial are true or not, it would appear from the remarks of the gentleman from Erie [Mr. M'CREARY] that he has hardly read the memorial or had any evidence before him in reference to these facts at all. It seems to me, Mr. Speaker, that the orphans' court had authority to require this man to pay over the balance of the money in his hands; they had equal authority to commit him for that contempt. He could purge himself of that contempt, by answering that it was impossible, for want of means, to pay this money, and no court of justice, I hold, would hold any person in imprisonment for contempt, if he answered that he was unable to perform that which would purge him. If he has not the means in his power to meet that decree of the court, if he could not purge himself in the sense in which a man can purge himself, if he would say that he was unable to pay by reason of losses or any other reason, the court could not require him to make any statement that would criminate himself, even for the purpose of purging himself. Now, if the judge of York county refuses to issue a writ of habeas corpus, he cannot go to the Supreme Court and there be relieved, if by his sworn answer he states that he is unable to pay, and under oath he says that he cannot be purged in that manner. He can be relieved of this contempt just as all other persons, but he must be relieved directly by the court in which this contempt was perpetrated.

Mr. MANN. Mr. Speaker, it is very evident that this motion ought to prevail, because we do not know what we are acting about. It is very evident that we do not know for what this man is in contempt. If this memorial is true, then whatever facts were presented to the committee who had this matter in charge, the committee did not so understand them, for the chairman of that committee is a lawyer, and he would know the bearing of the points of evidence on this case, and would be able to say for what this man is in contempt. Now, here we have this bill offered to take this man out of the hands of a court without knowing for what he has been committed. Therefore, I say, the motion of the gentleman from York [Mr. MANN] is very proper. You do not know for what he is in contempt. Is he in contempt for disobeying the order of a court making him do a thing which he is unable to do? If so, I will vote to discharge him instantly, but if he is in contempt for refusing to obey an order that he can obey, I will let him stay in the jail of York county and rot before I will take him out by my vote. If he can do it, it is his business to do it; and why should he not? This is the only question there is about this case: Has the court required this man to do anything which he cannot do, or not? If he is in jail for refusing to do that which he cannot do, I am in favor of relieving him, but if he is in jail because he refuses to comply with the order of the court in requiring him to file an account (and he does not allege in his memorial that he has filed one, and the memorial corroborates the statements which have been made to me that he has not filed one), if that is so, so far as I am concerned, he will stay there until he does file one. It is monstrous that this Legislature should undertake to interfere with the decree of the orphans' court of this Commonwealth, and to say to this person that he shall file his account or not as he chooses.

If this is what he is in contempt for, this bill is a monstrous proposition. I do not know whether this is the reason or not. I want to know, and this is why I made my inquiry from the gentleman from Erie [Mr. M'CREARY]. If he had the facts so that he could answer, I would be prepared at once. The memorial does not allege that any account was ever filed, and I am of the opinion that everything that this man is required to do to purge himself is to file his account. And furthermore, I am told that this matter has gone to the Supreme Court of this State and they have refused to interfere. If they have referred to the case, I presume that they gave it a fair and just examination, and they decided this question in a proper manner.

It is to be presumed the Supreme Court of Pennsylvania would not require a man to do what he cannot do. It is the very thing the House ought to know, what this man is in contempt for. That is the question I asked the chairman of the Judiciary Committee, and I think, from the answer given, that he is not prepared to say, nor is the committee prepared to say for what that man is in contempt, and therefore I contend that this House is not prepared to vote upon this question.

Mr. WADDELL. Mr. Speaker, I would like to ask whether the committee have in their possession the certified record of these proceedings?

Mr. M'CREARY. Mr. Speaker, it would be supposed, by the indignation manifested here, that the committees of this House are fully supplied with all the evidence and information necessary in cases that come before them. One would also suppose, from the remarks made here, that the Judiciary Local Committee is an exception. I am, however, obliged to believe that many bills that are reported from their committees, come about as they do from the Judiciary Local. I am inclined to think that perhaps the Judiciary General Committee, at times, find some difficulty in getting full information on matters that are before it.

Mr. WADDELL. Mr. Speaker, with all respect to the chairman of the Judiciary Local Committee, my inquiry was not made with any disrespect to the chairman. I can appreciate the labors he has on his shoulders. I know that the labors are very arduous, perhaps more so than any other committee in the House, and perhaps they are as little appreciated as those of any other committee in the House.

I suppose, from the memorial, that this man was not committed for not paying over the balance which the account showed to be in his hands—but this point is not very clear. I think, however, from the reading of the memorial, that it shows that he has filed his account. It is merely from inference that I would draw that conclusion; yet, some courts will make a decree for parties to pay over a balance in their hands without filing an account; and if this is so, he ought certainly to pay over the balance in his hands, some way or other. It would be going back to the same result, if the court should compel him to file an account of the balance in his hands; and if he did so, again commit him for not being able to pay the balance under the decree of the court. It is a question, is it worth while for this House to send him back into the court of York county, where they may commit him again for contempt for not being able to pay over the money under the decree of the court?

Mr. M'CREARY. Mr. Speaker, as I have said before, the committee had not full and satisfactory information upon this bill as it came before them; and I presume there are other bills that come before the committees in this House without satisfactory information to enable the committee to act in all cases conscientiously and judiciously upon them. There seems to be some good reason, without being entirely apparent, why some bills that come before us should go through, and with the expectation that the members in the House who have an interest in the matter will be heard and furnish the information necessary, they are reported. That was the case with this bill. The impression that I received from the gentleman from Lancaster [Mr. ROATH] was that this man Tome had refused to file his account in compliance with the citation of the court, and that he was therefore committed for contempt. In

looking over this memorial, it seems to me that he has stated distinctly enough that he has filed his account, and then he is committed for contempt in not paying the money over. I believe that men should not be held in jail for contempt of this kind. Perhaps this Hall would suffer depopulation to a certain extent if men who did not pay the debts they owe are to be put in jail for contempt in not so doing. I read in this memorial:

"He is still held in confinement and detained in prison by the orphans' court of the county of York, for an alleged contempt, in not paying over the sum stated to be in his hands, and has been so held and detained since the expiration of his term of imprisonment, for an additional period of three years, for the contempt aforesaid."

Stated how? Why, stated by himself when he filed his account in court. He says he was committed for contempt in not paying over the sum stated to be in his hands. Who stated it to be in hands, if he did not state it, and state it in court? If somebody else stated it, they might have stated something they knew nothing about. And he further states that the heirs interested in this estate are anxious he should be released.

Mr. MAISH. Mr. Speaker, perhaps some of the heirs may have signed a petition for his release, but some certainly have not, and are very anxious to be heard before the committee.

Mr. M'CREARY. A gentleman who holds a high position in this Commonwealth for his unimpeachable integrity as well as a man of great ability, Thomas E. Cochran, says in reference to this case——

Mr. BOYD. Was not Mr. Cochran the attorney for this man?

Mr. M'CREARY. I do not think because he is his attorney he is compelled to say that which is wrong. He states:

"I can only add that if Tome is to be remitted to the committee, and the habeas corpus, he will never be discharged from imprisonment. He has already been in jail five years and three months; and under his present commitment, will only be discharged by death.

"Yours, respectfully,
(Signed) "THOMAS E. COCHRAN.
"To E. D. ROATH, Esq."

Now, I am not willing to say that a man shall rot in jail because he does not comply with some technical order of the court.

Mr. MANN. I hope the gentleman does not mean that I said that. I say that if this man is required to do a thing which he cannot do, I will vote to let him out. But if he is required to do a thing which he can do and he refuses to do it, I will vote to keep him in.

Mr. M'CREARY. It is stated that this man is in jail for contempt in not complying with the order of the court, requiring him to pay over the sum in his hands, and I presume that to be the facts of the case. The gentleman from York [Mr. MAISH] does not tell us that this man has committed some heinous crime. Any crime that would commit a man for five years would send him to the penitentiary at once. The very fact that he has been held in the county jail for this length of time, shows that he is held for some technical rule of the court.

Mr. BOYD. Will the chairman of the committee permit the prosecutors to be heard before that committee?

Mr. M'CREARY. I have no objection to that. I have heard no argument in reference to that. The arguments have been upon the merits of the case and some reflections upon the committee for reporting the bill. This bill has been postponed two or three times already, and at least one of the gentlemen from York have had information of these postponements. I think they will bear me out in saying this, and that it was held in our hands several weeks for the purpose of getting further information. I would call upon the gentleman from Northumberland [Mr. THARP] to state if such was not the case.

Mr. THARP. It is my recollection that this bill was laid over several times for the purpose of having all the parties heard before the committee.

Mr. BOYD. Mr. Speaker, so far as I am concerned, sir, I knew nothing of this bill until it was reported to the House. Now, with regard to those statements and averments made in that memorial. Are you going to take these statements as true, and without question, when they come from the man who has defrauded the heirs out of some twelve or fourteen thousand dollars worth of property? If this is the fact, what are those statements worth coming from him? Are they sufficient to justify us in passing a bill of this kind in very opposition to law? For if that man is held there it is in accordance with law. If I am correctly informed, that committee had but one witness before it, and he is a gentleman who is not a resident of the county, and knows nothing about the case except from *ex parte* statements made to him. And, sir, are we going to act so indiscreetly and so precipitately in a matter of this kind? Has the judge of that court ever been charged with being unduly severe?

Mr. M'CREARY. Was not this bill up for two weeks for the purpose of allowing the parties to make their statements?

Mr. BOYLE. That was so, but why not allow this bill to again go before this committe that the parties may now be heard?

Mr. M'CREARY. Have you had any information since last week that would justify you in asking that this bill should again go before the committee?

Mr. BOYD. I have not, sir. I do not think witnesses can be heard before this House. All I ask is that this bill may be referred back to the committee that all parties may be heard.

Mr. KENNEDY. Mr. Speaker, I do not consider myself capable of entering into an analytical view of the law in this matter, but it does strike me that the gentlemen who are opposing the passage of this bill can state their reasons here why that individual is held in jail by virtue of contempt. This bill has already passed the committee, and has come before the House and is waiting its action, and it does strike me that those who are opposing the passage of this bill can give here the reasons why this person is held for contempt.

Mr. MAISH. Mr. Speaker, I do not wish to enter into a discussion of the merits of this bill at all. I think the proper place to hear the facts in this case is before the committee, and that there is no use in spending the time of the House at all with it. I do not wish to reflect upon this committee in the least. I should be sorry if I had done so. But this I will say, that I had no knowledge whatever that there was such a bill before the committee, and it certainly was not postponed on my account, for the purpose of giving me or anybody else a hearing. I never had the slightest intimation that such a bill was before the committee, and I was amazed when the gentleman from Carbon [Mr. CRAIG] informed me that such a bill had passed the committee. Now, I think I had a right to know something about it. The parties interested are from my own county. Neither my colleague nor myself had any intimation that such a bill was here. I have always been on friendly terms with Mr. Tome, and I have nothing personally against him. I stand in precisely the same position as a gentleman who has spoken before me does. I do not know whether I shall vote for or against this bill. All I ask is that the parties concerned shall have a fair and impartial hearing. This case has been before the Supreme Court of Pennsylvania and is lengthily reported in 14th Wright, and to have all the facts in the case it might be necessary to bring in that report and have it read before the House. But I do not wish to consume the time of this House with this matter, and therefore wish it referred back to the committee in order that they may hear the parties who are thoroughly informed in regard to the matter. I do not pretend to know all about it. In fact I know but very little about its merits, and it may be I will vote for his release. I do not want to see a man imprisoned, if he is imprisoned for contempt and cannot purge himself of that contempt at all. But I say that it is no more than right and just that this House shall give all the parties concerned a hearing before that committee. They cannot be heard before the House, and I am a very poor representative of them myself, for I know but very little about the case. I have received some information since last Tuesday, and the attorney for the heirs is very anxious to have a hearing. I hold a letter in my hand from him in which he makes that statement. He represents the heirs as Mr. Cochran represents Mr. Tome, and both are representative men.

Mr. ROATH. Mr. Speaker, I would state that Mr. Cochran is not the attorney for Mr. Tome at present. He has been his attorney, but has since withdrawn.

Mr. MAISH. I know that he has been his attorney and he is represented as his attorney at present. He certainly has been, and was, when this case was reported in the Supreme Court.

I say that it is just and proper that this House should give those parties a hearing in the only place they can be heard. Then, if the committee again report the bill favorably, I shall examine into the merits of the bill, and if I think this man is wrongly held I shall vote for his release.

Mr. M'CREARY. Mr. Speaker, I would like it very much if some of the gentlemen from York would tell us why this man is in jail. I am free to say that no man could spend three years for contempt in a jail in my county without my knowing why. The people would demand to know why. And I want to know why such a thing can be done in York county and the representatives come here without knowing why he is imprisoned. It seems to me the gentlemen from York would confer a favor upon the House if they would state the reasons. To be in jail for contempt of court is a very unusual thing. It is but a very few years, I remember, since a gentleman was put in jail for contempt of court, and every man, woman and child throughout the State knew it. Imprisonment for contempt of court is something that perhaps does not happen in this State once in half a century. Yet, gentlemen come here from that county, after this man has been imprisoned these three years for contempt, and inquire for information why he is there.

Mr. HOOD. Mr. Speaker, I have heard the discussion on this subject on both sides. I have listened with considerable attention to understand the subject properly. I understand the matter before the House; this man was in the character of an executor of an estate. For some cause not explained, the letters testamentary were vacated. That is what I understand, and it is so admitted, I believe, by both sides. Subsequently, or about that time, this man was prosecuted by the criminal court of York county for embezzling the property of that estate, was convicted of the offense, sentenced, and served the term of this sentence. Therefore, in the

eyes of the law, it would seem that the debt has been paid. After being discharged from prison, he was called upon by the orphans' court to pay over the money which had been due. A citation is issued and he is required to pay over the balance, after he has virtually paid it by his imprisonment. He is called upon by that court, and because he is unable to pay the money (I think that is conceded by both sides), the court then commit him for contempt.

Mr. MANN. How is that fact arrived at? That is what I want to know. That is the very question in dispute, what he was committed for.

Mr. HOOD. I believe both sides have conceded that. I say he was tried, convicted and imprisoned for embezzlement, and after he had served the term of his sentence he was called upon by the orphans' court of that county to pay over that money, and committed for contempt in not doing so. Now, there is no error in this proceeding and the Supreme Court cannot interfere. The orphans' court did right and proper in committing him for not refunding the money and thereby holding the decree of the court in contempt. It is a very plain question of law, and I cannot see any trouble at all in the matter. I am willing to accept the statements of both sides, and I am willing to say that I am firmly convinced that he has been in prison long enough, and I shall, therefore, vote for his liberation.

Mr. WADDELL. Mr. Speaker, I think I have the key that will unlock the whole difficulty. From the suggestion of the gentleman from York [Mr. MAISH] I have sent for 14th Wright, which contains the full report of the proceedings in this case in the Supreme Court, and I propose to read it to the House.

Mr. BOYLE. Does it take up half the book?

Mr. WADDELL. Just about. I propose to read it as my speech.

Mr. BOYLE. It covers fifteen pages, and I rise to a point of order, that this discussion is out of order.

The SPEAKER. The Chair is of the opinion that this discussion is entirely in order.

Mr. DAVIS. Mr. Speaker, with the permission of the gentlemen from Chester [Mr. WADDELL], I would just say, that it has been suggested to me by a number, that if we allow the lawyers of this House to much longer proceed in the way they have been doing for the last two or three hours, there will not be a man in the House who will understand the matter.

A citizen of this Commonwealth is incarcerated in jail for five years. The Local Judiciary report a bill to this House to release him from jail. I believe that if the subject is no more mystified by the lawyers, and no more lengthy discussion had upon it, that the House will pass the bill, and I do hope the gentleman from Chester [Mr. WADDELL] will not inflict forty-eight pages of Supreme Court upon us.

Mr. WADDELL. It is only fifteen.

Mr. DAVIS. Fifteen then. Every speech that has been made has led us further from the subject, and more mystified it.

Mr. WADDELL. I propose to brush away the cobwebs and make this case plain. I read the case as reported in 14th Wright:

TOME'S APPEAL.

Dismissed executor, how compelled to deliver to his successor the effects of estate in his hands.

The Orphans' Court has power to enforce, against the person of a dismissed executor, by process of attachment a decree that he should pay and deliver over to his successor all the goods, chattels, and effects of the estate in his hands.

"Appeal from the Orphans' Court of York county.

"This was an appeal by Elias Tome from the decree of the Orphans' Court of York county, directing that he be recommitted to the county prison.

"The case was this:—

"Elias Tome, the appellant, who was one of the executors of Veronica Gable, deceased, filed his first separate account, which was presented to the Orphans' Court on the 18th day of March, 1859, and, after being referred to an auditor, the balance thereon was adjusted at $6,488 35, and, on the same day, a distribution of that balance among the legatees was decreed by the Orphans' Court. An appeal was taken to the Supreme Court at May Term, 1861, when the distribution was modified as to part, and, with that alteration and a recommendation indicated in the opinion of the Supreme Court, the decree was affirmed and the appeal dismissed at the cost of the appellants. See appeal of Gable's Executors, 4 Wright 231.

"The appellant filed his second account as executor, which was presented to the Orphans' Court on the 3d day of February, 1860, and on which the balance was fixed by the report of an auditor on exceptions made to said court on the 28th day of March, 1861, at $3,758 13.

"On the 26th day of April, 1861, on the petition of George Fox and others, claiming to be legatees under the will of Veronica Gable, deceased, a citation was issued to Elias Tome and his co-executor, requiring them to show cause why they should not give security for the performance of their trust, which matter was so proceeded in that on the 31st day of August, 1861, they were ordered to give security in twenty days after notice. At a special Orphans' Court, held on the 1st day of October, 1861, a decree or order was made by the court, reciting that 'proof was made before the said court, that a copy of the order and decree of the court, made on the 31st day of August, A. D. 1861, in the matter of the petition of certain legatees of Veronica Gable, deceased, complaining against Michael Gable and Elias Tome, executors of said testatrix, and praying that they may be required to give security, was duly served upon the said Michael Gable and Elias Tome, in the manner directed and required in and by the said order and decree; and, it appearing to the court that the said executors have neglected to give security as in and by the said decree they are directed and required to do, the court does therefore vacate the letters testamentary granted to the said Michael Gable and Elias Tome, on the estate of the said Veronica Gable, deceased, and award new letters to be granted by the register of wills of the said court; and the court does hereby further order and direct the said Michael Gable and Elias Tome, and each of them, to pay over and deliver to their successor all the goods, chattels, effects and estates of the said testatrix in their hands, or in the hands of either of them respectively.'

"On the 16th of November, 1861, a petition signed William L. Keech, and affirmed to by him, was presented to the Orphans' Court, setting forth that he was administrator *de bonis non*, with the will annexed, of said Veronica Gable; that as administrator as aforesaid he had demanded severally of Elias Tome and Michael Gable, her former executors, who had been dismissed from the trust, and since the order of the court was made, the moneys and effects of the said Veronica Gable in their hands, since their dismission as aforesaid, and that, they severally refused to comply with said request. On the same day, the court awarded a writ or writs of sequestration against said Tome and Gable, returnable December 12th, 1861. On the first of these writs, Tome's interest in a tract of land in Chanceford township was 'sequestered and levied' by the sheriff; on the second, allowed and awarded on the 29th of April, 1862, a leather trunk, containing about half a dozen paper writings and papers with calculations thereon was levied, attached, and sequestered by the sheriff, as already stated, 'which property,' he, in his return of the said last mentioned date, said, 'I detain and keep under sequestration in my hands.'

"At January Sessions, 1862, on information previously made by said William K. Leech, an indictment was preferred against the appellant in the Court of Quarter Sessions of York county, for the offense of embezzlement, charging in the first count that the said Elias Tome, as executor of the said Veronica Gable, did receive and take into his possession a large amount of the assets, effects and moneys of the estate of the said Veronica Gable, deceased, the same being property then and there held by him, for the greater part, for the benefit of Jacob Gable, John Gable, Elizabeth Gohn, and other persons, unknown, legatees of said testatrix, of great value, to wit, of the value of $12,000, and that the said Elias Tome, with intent to defraud these legatees, unlawfully and fraudulently converted and appropriated to his own use, a large portion thereof, to wit, of the value of $7,000, and did unlawfully and fraudulently secrete and dispose of the same with intent to appropriate and convert the same to his own use. The second count charged the defendant with having is his possession as executor a large sum of money, to wit, $10,000, part of the estate of said testatrix, the property in part of the persons above named, and with unlawfully and fraudulently appropriating and converting the same to his own use, and with secreting and disposing of the same with intent to appropriate and convert the same to his own use. The third count charged him with having the like sum of money as executor, and with unlawfully and fraudulently concealing, secreting, and disposing thereof with intent to defraud the said Jacob Gable and others. At April Term, 1862, to wit, on the 1st day of May, 1862, a trial was had on this indictment, and the defendant found guilty. On the 10th of May, 1862, the court sentenced the defendant to undergo an imprisonment in the county jail for the term of two years, pay a fine of $1,000, pay the costs of prosecution, and stand committed until the sentence be complied with.

"On the 26th of February, 1864, the court awarded an *alias* order on Elias Tome to pay over to William L. Keech, administrator with the will annexed of Veronica Gable, deceased, 'the amount of the moneys in his hands belonging to the estate of Veronica Gable, deceased, of which he was executor,' and the court ordered that the said money be paid within five days of the service of said notice. Endorsed on this order, is an affidavit subscribed and sworn to by Jacob Eichelberger, saying, 'On this 26th day of February, A. D. 1864, he served the within order on Elias Tome therein named by reading the same to him, and leaving with him a copy thereof duly certified from the record.' This was marked 'filed April 5th, 1864.' On the last mentioned day an attachment was awarded against Elias Tome by the court, which was directed to the sheriff of the county, commanding him to 'attach the said Elias Tome, late executor, &c., so that you have him before the judges of our said Orphans' Court at a court to be held on the 29th day of April, 1864, then and there to answer as well touch-

ing said contempt in not complying with the said order of our said court, as also such other matters as shall be then and there laid to his charge, and further to perform and abide such order as our said court shall make in this behalf.' This writ was returned, 'Attached Elias Tome, whose body is in custody in the jail of York county under sentence of the Court of Quarter Sessions for embezzlement, which has not yet expired.'

"On the 29th day of April, 1864, an *alias* attachment was awarded against him, to which a return was made in the same words, with the sentence of the Court of Quarter Sessions of May 10th, 1862, above quoted, added at length. This *alias* attachment was returnable on the 31st day of May, 1864.

"On the 31st day of May, 1864, a *pluries* attachment was awarded, returnable on the 26th day of August, 1864, against the said Elias Tome, to which, under date of May 31st, 1864, the sheriff made the same return as on the *alias*.

"On the 29th day of August, 1864, the respondent moved to set aside and supersede the *pluries* writ of attachment in this case, for the following reasons:

"1st. The *alias* rule directing him to pay over to William L. Keech, administrator of Veronica Gable, deceased, contained no statement of the amount of moneys demanded or required to be paid.

"2d. The service of the said rule by Jacob Eichelberger was insufficient to found upon it a writ of attachment, said Eichelberger not being the person entitled to receive the moneys and things mentioned in the said rule, nor having any authority to do so.

"3d. No opportunity was afforded to the said Elias Tome to comply with the order of court in said *alias* rule made.

"4th. The said Elias Tome, being imprisoned in the jail of York county on a conviction for embezzlement by sentence of the Court of Quarter Sessions of said county, could not be guilty of contempt against the Orphans' Court in not paying over the moneys or delivering securities, papers, &c., to William L. Keech, who never demanded them under said rule, nor offered said Elias Tome any opportunity to comply therewith.

"5th. That the said Elias Tome is not subject to be arrested and taken in execution upon the *pluries* writ of attachment in this case.

"6th. That the writ of *pluries* attachment issued in this case is unauthorized by law, a writ of sequestration in the same matter having been previously sued out by William L. Keech, administrator *de bonis non*, &c., of Veronica Gable, deceased, for the same moneys mentioned in the said writ of attachment, and execution thereof made by the sheriff.

"On the same day, the court fixed Friday, the 9th day of September, 1864, at 10 A. M., for the hearing of the motion to squash the attachment, and remanded the respondent to the custody of the sheriff. On the said last mentioned day, the court overruled the objections to the writ, and ordered the respondent to answer in writing and under oath the contempt alleged against him on Friday, the 16th day of this same month, and stand committed in the meantime. On the same day, counsel for administrator and the legatees moved the court to order the recommitment of the defendant to the custody of the sheriff of the jail of York county, for not complying with the order and decree of the court against him in the premises. The order of the court of the same date was returned by the sheriff under date of September 10th, 1864, served on Elias Tome by reading it to him and handing him a duly certified copy made by the clerk of the Orpeans' Court.

"On the 19th day of September, 1864 (to which time the case had been adjourned by the court from the 16th), a paper purporting to be an answer was filed by Elias Tome, duly affirmed to on the same day, in which, after protesting that he was not bound to answer as required by the order of the court of the 9th day of the same month, no interrogatories or other particulars, in writing or otherwise, being exhibited or specified as to which his answer was required, and saving and reserving to himself all and all manner of exceptions to the many deficiencies, irregularities and substantial defects of the proceedings had against him in the matter of said alleged contempt, and disclaiming all purpose or design whatever to resist the proper authority of said court, or to show contempt to, or disregard its orders and decrees, and showing to the court that by reason of his imprisonment in the common jail since the — day of November, 1861, he was unable to answer otherwise than from memory as any of the matter objected or alleged against him, and being so imprisoned and held in durcss, but desiring to comply to the best of his ability with the order of the court in the premises, without surrendering any rights, advantages, exceptions, motions or reasons assigned why the attachment in this case should not be vacated or set aside, the benefit of which he expressly reserved, for answer to said order, said: 'That his aunt, Veronico Gable, died on the 9th day of October, 1857, leaving a last will and testament, of which he and one Michael Gable were appointed executors, who duly proved the will, and assumed the trust; that when his aunt died he had scarcely any money, having expended his own and money he had borrowed on a visit he had recently made to Philadelphia, and he borrowed money to pay his expenses when he undertook the duties of executor; that he resided twenty miles from where the property of testatrix was, and incurred heavy expenses in traveling, boarding, and for clothing, in attending to the business; that the testatrix, who was blind, left a large personal estate, which was in great disorder, and he gave his whole time and attention to the business, having been engaged forty-six days in preparing her property for appraisement and sale, and examining and arranging her securities and papers; that he worked earnestly to make the best possible returns of the assets, and collected considerable sums of money, regarded by testatrix as lost, many being barred by limitation and others owed by irresponsible parties; that difficulties arose in the settlement of the estate on account of a claim preferred by the heirs at law of Frederick Gable, deceased, to the real estate acquired by him after the date of his will, and litigation grew out of that; that when he filed his first administration account in January, 1859, exceptions were made, which caused more litigation, and postponed settlement; that he believed that he was acting in the line of his duty, both to himself and the interests committed to his care, in that litigation; that the compensation of counsel cost a great deal, of which he kept no account; that his health was impaired in traveling, and that he paid considerable sums to physicians, of which he had no account; that on one occasion he put money and papers, both private and belonging to the estate, in a desk of testatrix's late dwelling, which he locked and kept the key, but when he returned the desk was broken open and the contents gone; that he paid money to several of the legatees, and others were indebted on the vendue lists, but in his then present situation he could not specify the amounts; that during the long delay in the transaction of the business of the estate, and following the settlement of his accounts, he was frequently from home at different places to see and consult counsel and on other business, and on these journeys fell into company with individuals among whom he was the loser of large sums of money, which he regrets, but was then unable to replace them; that he was then unable to pay the money ordered by the court to be paid to Keech, having been imprisoned for nearly three years, and unable to attend to any business, and having incurred and suffered expenses and losses as before stated; that he had never declared that he would pay the legatees, or any person legally entitled to receive it, the amount due to them, and the testimony given before the court as to this was erroneous and mistaken, but was desirous and anxious to do so, and would do so whenever he had the ability, but could do nothing on that behalf so long as he was confined in prison. And further averring that he never intended or designed to resist the process or commit any contempt against the authority of the court, he prayed that he might be discharged from imprisonment under said process of attachment.'

"On the same day on which this answer was filed, the court issued its writ, directed to the sheriff of York county, in which, after reciting previous proceedings, and that the sum of $10,240 83, with interest, &c., was in the hands of said Elias Tome of moneys of the estate of said Veronica Gable, deceased, whereof $6,482 70 was the balance on his first account according to the decree of the court on the 21st day of March, 1860, on the exceptions to said account, and $3,758 13 on the 28th of March, 1861, according to the decree of the court of that date on the auditor's report on exceptions to his second account, the writ proceeded: 'Now these are therefore to command you that you take the body of the said Elias Tome and him safely keep in your custody in the jail of said county until he shall pay the said aggregate sums of money, and interest as aforesaid, and shall abide by the orders and decrees of our court on the premises, or such other order or orders as may be made hereafter on the premises, or be otherwise duly discharged according to law.' On the same day, the following was endorsed on said writ by the court: 'September 19th, 1864, Elias Tome having filed his answer to the proceedings against him for a contempt, as ordered on the 9th of September, 1864, the court decree the same insufficient, and direct that he be recommitted to the prison of York county for the reasons set out in the within writ.'

"This appeal was then entered by defendant, for whom the following errors were assigned.

"1st. The Orphans' Court of York county erred in awarding a writ of attachment against the appellant in this case, founded on the *alias* order of said court issued the 26th day of February, 1864, commanding him to pay over to William L. Keech, administrator with the will annexed of Veronica Gable, deceased, the amount of the moneys in his hands belonging to the estate, and the return of service made thereon by Jacob Eichelberger.

"2d. The Orphans' Court erred in not setting aside and superseding the writ of *pluries* attachment issued in this case, for the reasons assigned in appellant's motion made August 29th, 1864, and overruled by said court on the 9th of September, 1864.

"3d. The Orphans' Court erred in issuing its writ or commitment on the 19th of September, 1864, directed to the sheriff of York county, commanding him to 'take the body of the said Elias Tome and him safely keep in your custody in the jail of the said county, until he shall pay the said aggregate sum of money and interest as foresaid, and shall

abide by the orders and decrees of our court in the premises, or such other order or orders as may be made hereafter on the premises, or be otherwise duly discharged according to law.'

"*Cochran & Hoy*, for appellant, argued that the Orphans' Court was a creature of the constitution and of the statute. . No chancery powers are given to it by the former. Its authority to 'grant relief in equity' is derived solely, under the constitution, from the power vested in it by the legislature, and the legislature has fixed bounds for it as to punishment by the summary process of attachment for contempt, by the Act of 1836. It can arrogate to itself no broader or greater powers than are possessed under that head by any other of the courts of the Commonwealth, by virtue of any inherent prerogative which sets it above and beyond the statute. That the law placed so much higher a value upon money than upon liberty, that it will not permit any citizen to be consigned to interminable imprisonment under the pretext of a technical contempt of the Orphans' Court, while it restrains the common-law tribunals in the enforcement of their judgments for money to the property of defendants.—That in the order and proceedings upon which the attachment in this case was founded —in the issuing and arrest under the attachment, and the decree of the court committing the appellant to the custody of the sheriff to be confined in jail without day, there was error; and that the appellant, who has already been the tenant of a cell for three years and a half, having served out the term of confinement to which he was sentenced, should be discharged by order of this court, leaving all the property which he now has, or may hereafter acquire, subject to be levied upon, sequestered, sold, or otherwise disposed of according to law in satisfaction of the decree of the Orphans' Court in the premises: citing and relying on United States *v.* Wayne, 1 Wall. Rep. 134; 2 Daniell's Ch. Pr. 706; Chew's Appeal, 8 Wright 247. 1 Chitts's Crim. Law 462; State *v.* Cooper, 1 Green (N. J.) 361; State *v.* Sheppard, 7 Conn. 76; Fiddler *v.* State, 7 Hump. 508; Duncan *v.* The Commonwealth, 6 Dana 295; Brightly's Equity 534, § 748; Estate of Hugg and Bell, 2 Penn. Law Jour. 156; Scott *v.* The Jailor, 1 Grant's Cases 237; Young *v.* Taylor, 2 Binn. 230; Burke *v.* McFall, 2 Br. 144; Allison *v.* Rheem, 3 S. & R. 142; Bank *v.* Latshaw, 9 S. & R. 9

"*E. V. Keesey, John Evans*, and *John L. Mayer*, for appellees.—In view of the Act of 1832, relating to Orphans' Courts, § 23, and of June 16th 1836, § 19, Bright. 765, there is no room to question the amplest jurisdiction of the Orphans' Court in this case, nor that the writ of attachment was an appropriate form of its power, as well as the writ of sequestration, nor that it had full discretion to determine what remedy the case required, as well as the manner of using it, 'until the end be fully attained.'

"The order to pay and deliver to his successor is a part of the decree superseding a defaulting executor. No such decree can be made except upon full notice, and proof of the facts, and failure to give security: Cohen's Appeal, 2 Watts 175. The party against whom the decree is made is in court, and cannot complain of want of notice. No particular sum of money, chattels, or effects are specified in the decree. The dismissed executor is 'to deliver and pay to his successor all and every the goods, chattels, and estates in his hands of the decedent,' &c.

"There is no analogy between this case and a suit in equity *inter partes*. There is no decree adjudging or ascertaining a sum of money to be due. 'In contemplation of law, the trust fund at all times remains in specie or invested as required by law, and the money or the proper securities are or should be in a situation to be delivered over at once:' Leaman *v.* Duryea, 1 Kernan 330. The case is more analogous to an order in chancery on an executor or trustee to pay the funds into court, or to the accountant-general of the court, on which no demand is necessary: 2 Daniel's Ch. Prac. 1251; 1 Smith's Ch. Prac. 669.

"The appellant did not deny, in his affidavit before the court, on the 19th of September, when he came up to purge himself of the contempt, that there was due service of the order and demand of the money.

"The writ of attachment in the first instance is in the nature of *mesne process*, 'the sole object of which is to bring the offender into court:' State *v.* Matthews, 37 N. Hamp. 450; M'Credie *v.* Senior, 4 Paige 281; State *v.* Matthews, *supra*; Matter of Vanderbilt, 4 John. Ch. R. 57. 'The respondent may submit his contempt to the court upon his own answer in the form of an affidavit, or he may demand of the prosecutor to file interrogatories for him to answer:' State *v.* Matthews, 37 N. Hamp. 450; Hummel & Bischoff, 9 Watts 416. In this case there was no demand for interrogatories.

"The *pluries* writ of attachment was merely the last in a series of *mesne process*, to bring the appellant before the court to answer to the contempt charged against him. To set aside the writ, if there had been ground for it, could not avail the appellant, if it appeared at the hearing that he was guilty of the contempt. The writ of attachment on which the defendant was committed contains all the substance necessary for the purpose: Leaman *v.* Duryea, 1 Kernan 330; People *v.* Nevins, 1 Hill 154. It embodies the particulars which the appellant complains were not in the place of the writ.

"It is argued that the Act of 1842, abolishing imprisonment for debt on contract, takes away the power of attaching a superseded executor, who fails to pay over to his successor. There is no contract, however, to enforce between the dismissed executor and his successor in the trust. The case of Chew's Appeal, 8 Wright 247, has fully disposed of the question on this point. See also Patrick *v.* Warner, 4 Paige 397. The present is stronger than Chew's case, for there the trustee was, as such, a party to the decree of distribution, any more than an executor would be. It is said that as he has been convicted of embezzling the funds of this estate he cannot be compelled to pay them over by the process of attachment, because it is a criminal proceeding as well as the indictment for embezzlement, and no man can be tried twice for the same offense. It is only necessary to state this proposition to see that it is no better in law than in morals. The offense of which he has been convicted is a misdemeanor, and the civil remedy never was merged in such cases in the offense.—This principle has been extended to felonies by our late criminal code. Act of 1860, ¶ 71, (Bright. 362.)

"The 'proceeding as for contempt to enforce civil remedies,' in the language of the exception in the Act of 1842 abolishing imprisonment for debt, recognizes the character of the process as very unlike an indictment for a criminal offense. It may be entitled in the original suit in chancery in which the contempt is alleged, or in the name of the people: The People *v.* Craft, 4 Paige 325.—The idea of pleading *autrefois convict* in such a case has perhaps never occurred before to the judicial mind. It is also said that because writs of sequestration were executed, no attachment could be issued in the case. The Act of Assembly provides for writs of attachment with or without sequestration, and for execution and suits at law 'at the same time,' 'until the end be fully attained.' If the appellant had shown to the court, when he moved to set aside the *pluries* attachment, and resisted the motion to recommit, that the money had been or could be realized upon the writs of sequestration, it would have been important, and secured his discharge. The mere facts that writs of sequestration were issued and laid upon things of no value, amounts to nothing: Pontius *v.* Nesbit, 4 Wright 309.

As to the idea that the 23d section of the Act of 1836, relative to the powers and jurisdiction of the courts, is a repeal of the Act of 29th of March, 1832, relative to the Orphans' Court, so far as respects the process of attachment, it is known that both these acts are parts of the code reported by commissioners appointed for that purpose; and it would be singular if, in the progress of their labors, they should undo their own work.

The appellant does not distinguish between the general power of all courts to punish for contempts in order to protect themselves from insult, disrespect, or other wrong done to the court, and those proceedings excepted out of the Non-imprisonment Act 'as for contempt, to enforce civil remedies:' Commonwealth *v.* Newton, 1 Grant's Cases 456; Williamson's Case, 2 Casey 18; Chew's Case, 8 Wright 247.

"The insolvent laws are still in force, and open to all debtors not directly relieved by the Non-imprisonment Act; and if the appellant chooses may he not avail himself of them, and thus put an end to his imprisonment, unless he has forfeited his claim to their benefit? If he has, it must be his own fault, and not that of the law, or of those who administer it.

"The opinion of the court was delivered, May 24th, 1865, by

"ACKEY, J.—The distinguishing feature of this case, scarcely noticed in the argument of the appellant, is the nature of the original decree under which the proceedings complained of arose. Elias Tome, one of the executors of the will of Veronica Gable, had undertaken the performance of his trust, and thereby come into possession of the effects of the estate. Having failed to give the security required of him by the Orphans' Court for some breach of duty which we are now bound to believe that court found correctly had taken place, he was dismissed from his trust, new letters were directed to be issued, and in the same decree he was ordered 'to pay and deliver over to his successor all the goods, chattels, effects, and estates of the testatrix in his hands.' Now this was a simple decree for the payment of money, but one much wider and more thorough in its operation, and was made under a special provision of law to reach a special state of the case. Having in possession not only the moneys, but the various effects of the estate, including the evidences of debt, documents, and papers necessary to the protection of its interests against claimants, as well as the preservation of claims, the 23d section of the Act 29th March, 1832, made it the duty of the Orphans' Court to make this order for delivery as well as payment, at the time of vacating his letters. The order is necessarily general in its terms and prospective in its operation. It became his duty, the moment his successor was appointed and qualified, to obey the order by delivering and paying over everything in his hands, so far as he was capable, whether he had settled an account or not. There was nothing to prevent the settlement of an account thereafter, if not already done, nor to prevent him from coming in to make answer to the order, and to ask the intervention of the court, required him to hand over at once everything to his successor, or to obtain such qualification of

the order as the court might deem necessary. Upon doing neither, he was clearly in contempt, and it became necessary for the court to enforce obedience to its order; not merely by way of punishment for his contempt, but as a means of reaching the purpose of the decree, and rescuing the effects of the estate held by him without security.

"Now, keeping the nature and purpose of the proceeding in view, all the objections raised to it will disappear. This being wholly dissimilar to the chancery decree for the payment of money, to which we are referred in 2 Daniel's Chancery Practice 703, it is unnecessary it should state a precise sum of money, or state to whom it should be paid, or that the party serving it should be authorized to receive the money. In the state of the case where the order is made, the court is necessarily uninformed of the amount to be paid over, and of the person who will be the successor in the administration; and some time must, from the nature of the requirement, elapse from the service of the order before the dismissed executor can gather up all the effects to deliver them over. It is unlike an execution or order for money where payment can be made immediately to the bearer of the writ. For the same reasons there was nothing irregular in the *alias* order by the court, after administration had been granted to William L. Keech, directing Tome to pay over the moneys of the estate in his hands to Keech within five days after the service, or in the service of it by a third party. The worst that can be affirmed of the *alias* order is, that it was unnecessary; but certainly Tome cannot complain that he was again warned to perform his duty, and allowed five days more to do it. But when we reach the attachment awarded against him for his disobedience, we find that it is founded not upon the *alias* order alone, but upon the original decree to which the *alias* is added as the evidence of still greater contumacy. Turning to the evidence of the service of the original order, we find that Keech himself, the successor and authorized party, made the demand and returns upon oath the refusal of Tome to comply. It is true, the *alias* was served by another, but it was unnecessary he should have authority to receive the money, for by the very terms of it five days were allowed for payment, and the command was to pay directly to Keech. The *alias* was therefore not the foundation of the attachment, but a very proper extension of the original decree, if the court deemed it necessary for the benefit and not to the prejudice of Tome.

The objection to the attachment that it is criminal process, and Tome having been convicted and sentenced in the Quarter Sessions for embezzlement of the estate in his hands, imprisonment upon the attachment is a double punishment, is unfounded. Whatever may be the criminal nature of the disobedience which brought him into contempt, the attachment in this case partakes of the nature of a civil remedy to enforce obedience to the decree, not merely to punish for the contempt. The sentence of the Court of Quarter Sessions operates simply to punish for the fraud, but not to restore the estate to rightful hands. It is to the attachment alone we can look to operate upon the contumacious trustee, who, after dismissal and without visible property, refuses to discover the effects which he conceals.

"For this he has not already rendered satisfaction, or made atonement under the sentence of the criminal court. The purpose of the law and the necessity of its enforcement still remain. There is not that identity of charge in which a double conviction consists, and although he has suffered the penalty of his fraud, he must yet yield obedience to the command to surrender all that he withholds, which embraces everything he should deliver as well as pay.

"There is more show of argument, though not more real force, in the next objection, that the body of Tome cannot be imprisoned under the attachment. Were it even true that there can be no imprisonment upon an attachment founded solely on a decree for the payment of money, which involves no more than a debt, answer already given, as to the nature and purpose of the decree, would be sufficient. But if nothing remained for Tome to do but to pay over all moneys in his hands as required in the *alias* order, yet we think the nature of the proceeding exempts it from the operation of the Non-Imprisonment Law of 1842. That act excepts "proceedings as for contempt to enforce civil remedies." I cannot add anything to the force of reasoning of my Brother Strong in Chew's Appeal, 8 Wright 241, to show that the exception in the act necessarily left all such attachments untouched by the non-imprisonment clause, but the nature of the case now before us brings into view other portions of the act, which strongly enforce his argument. In Chew's case, the order was simply to pay over a distributive portion or sum: but here the order is founded upon an abuse of the trust, and a fraudulent conversion of its funds: for an executor who refuses either to give security or pay over after he is dismissed, stands in the attitude of a speculator of the fund. Now, under the Act of 1842, in a case where *prima facie* the debtor is not liable to imprisonment, yet if he has 'fraudulently contracted the debt or incurred the obligation respecting which suit is brought,' or 'has property which he fraudulently conceals,' or 'unjustly refuses to apply to the payment of a judgment' his money or other property, he is liable to arrest and imprisonment until duly discharged by law. These provisions throw light upon the exception of attachments which used to force civil remedies, which embrace every variety of grounds demanding such enforcement, including all these fraudulent practices: and therefore take in all kinds of derelictions of duty. It would be difficult to define with precision and exactness those attachments which would simply enforce the payment of a debt and no more, and therefore the Legislature left all to be governed by the law as it stood before the Non-Imprisonment Act was passed.

"The next objection is that a writ of sequestration had been issued and partially executed; and it is alleged that no attachment could be simultaneously issued and enforced. The argument is founded upon the analogy of a *fi. fa.* and *ca. sa.*, taken out at the same time, but one of which only can be executed. But this reasoning overlooks the difference between the mere common law rules governing execution process and the statutory power of the Orphans' Court, given to enforce obedience to its decrees. The latter is much wider in its reach and more comprehensive in its purpose requiring a greater liberality in its interpretation. An order to deliver over all effects, cannot be satisfied as mere execution process can be by a sale of property. It may be a just privilege of the debtor to demand that his property seized in execution shall be first applied to his debt, before he shall be called to satisfy it with his person. But where his default is not only that of a debtor, but that of an offender against authority, he stands in a different relation. There, if we examine the statute, we discover a purpose which requires more enlarged power in the tribunal administering this branch of the law. All known remedies at law and equity are given, and the Orphans' Court may afford relief by sequestration, attachment, and common law forms of execution. Its jurisdiction begins by petition and citation, yet in the very beginning and before disobedience to its orders, the 17th article of the 57th section of the Act of 29th March, 1832, provides in the case of absconding defendants, or those about to depart from their usual place of abode, that attachment or sequestration or both together may issue. Looking then to this provision to compel an appearance merely, and to the fact that no limitation has been imposed upon the court as to the time of issuing or return of its process, and no intimation of repugnancy between the different forms, we are not prepared to say the Orphans' Court may not award both sequestration and attachment at the same time, and order their execution simultaneously. It is the act of the court, and therefore governed by discretion. The law does not forbid it, and the ends of justice require it. We may refer also to the case of Tams v. Wardle, 5 W. & S. 222, and Pontius v. Nesbit, 4 Wright 309, as furnishing analogies in practice.

"The last objection is that the imprisonment here is unlimited, and therefore contrary to the provisions of the Act of 16th June, 1836. But the restriction stated in the 23d section is upon the power to inflict *summary punishment* for contempt of court. This is rendered still more clear by the 24th section, which restricts the punishment of *imprisonment* for contempts to those committed in *open* court. Attachments to enforce civil remedies are plainly not within the enactment, for the reason that they are not used as punishment, but as the means of remedy: and for the reason that, if within the law, they are wholly abolished. The contempts which are punished by imprisonment are those only which are committed in open court, and therefore all such attachments that operate upon a party for non-performance of a duty *in pais*, or which (as in all these cases) must be performed outside of the walls of the court room, necessarily cannot be executed by imprisonment. The power to detain the party in jail is gone, and he can be punished only with a fine which fails of the very object of the writ as a remedy by way of enforcement.

"The appellant having filed an answer altogether unsatisfactory, and setting forth losses of the funds of the estate which we can understand in no other way than to refer to losses by gambling, we see nothing in the final order of the court subjecting him to imprisonment, either so irregular or erroneous, as to require correction.

"The decree of the Orphans' Court is therefore affirmed."

The Supreme Court says that the orphans' court had an undoubted right to do what was done in this case. Now, it is for this Legislature to decide whether this man is to be kept longer in prison for this offense.

Mr. MAISH. Mr. Speaker, there were two executors in this estate. One relented and paid over the money he had in his hands, but this man Tome persistently refuses to do so. It is believed that he has this money in his possession still. He has offered to compromise by paying four thousand dollars, and be released, I am reliably informed. It is believed he will disgorge before long if he is held in prison. But if he is released by the passage of this bill, these heirs will never get anything. I think it is proper that this bill be recommitted, and then the committee could act intelligently upon it, after all the parties had been heard.

Mr. BOYD. Mr. Speaker, I know nothing, personally, about this man Tome. I only wish to act in such a way as to protect the heirs. I have been told, however, that so far as this man being liable to die in jail is

concerned, that he does not live on prison fare, but that he subsists about as well as one could live at any of the hotels in town. From that I infer that he is paying his board there —perhaps with the interest on this four thousand dollars. I therefore do hope this Legislature will not take this matter out of the hands of the court.

Mr. THARP. Mr. Speaker, if gentlemen will give the parties interested an opportunity to be heard before the House I will vote for that. I am satisfied that the committee have got all the information that will be brought before them. I think this matter may now just as well be discussed in the House, and gentlemen may have an opportunity to bring before it all the facts in the case.

The question was,

Will the House agree to the motion to recommit?

It was

Not agreed to.

The question recurring on the bill,

Mr. BOYLE. Mr. Speaker, I regret very much that this bill was not sent back to the committee as it should have been. From what took place here before the gentleman from Chester [Mr. WADDELL] read the report of the case from 14th Wright, I am convinced that the case was but very superficially understood. The chairman of the committee that reported the bill knows nothing about it, because he said that he was committed for contempt in not filing his account.

Mr. M'CREARY. I said that I inferred that might be the case.

Mr. BOYLE. Then it was all from inference. He knows nothing about it one way or the other. I am opposed to voting to revise the decree of a court without knowing why I do it. I think I might probably have been able to vote for the bill had it been sent back to the committee, but I shall now vote against it and call for the yeas and nays on the question.

Mr. M'CREARY. Mr. Speaker, the gentleman from York [Mr. MAISH] is certainly mistaken in reference to not being heard before the committee. He appeared before that committee and made a statement of the facts. I think he has perhaps overlooked that fact.

On the question

Will the House agree to the bill?

The yeas and nays were required by Mr. BOYLE and Mr. KURTZ, and were as follow, viz:

YEAS—Messrs. Adaire, Allen, Armstrong, Barton, Brown, Chadwick, Chase, Colville, Davis, Day, DeHaven, Donohugh, Espy, Ewing, Freeborn, Gallagher, Ghegan, Gordon, Harbison, Hood, Humphrey, Kennedy, Kerns, Kimmell, Kinney, Lee, M'Camant, M'Creary, M'Kee, Meily, Pennypacker, Peters, Roath, Stacey, Stehman, Stumbaugh, Tharp, Waddell, Watt, Webb, Weiser, Wham, Wilson, Wingard, Worrall, Wright and Glass, *Speaker*—47.

NAYS—Messrs. Boyd, Boyle, Breen, Brennan, Calvin, Chalfant, Deise, Fogel, Gregory, Harner, Headman, Heltzell, Hunt, Jenks, Jones, Josephs, Kline, Kurtz, Leech, Linton, Long, Maish, Mann, Markley, Meyers, Mullin, Phelan, Pillow, Quay, Rhoads, Robinson, Rouch, Satterthwait, Seiler, Sharples, Wallace and Westbrook—37.

So the question was determined in the affirmative.

REASONS FOR A VOTE.

Mr. KENNEDY, presented to the Chair the following reasons for voting on bill No. 352:

My reasons for voting for the release of of Elias Tome from confinement, who has already been held therein two years for the embezzlement of certain funds in his hands as an executor of a certain estate, and for contempt of court, are,

1. The heirs of said estate should have required bail of said executors in order to security.

2. In my judgment he has lain long enough in confinement to atone for any offense, not sufficient to send him to the penitentiary.

3. The opponents to his release seem very unwilling to give any tangible reasons against his release.

(Signed) J. KENNEDY.

Mr. MAISH. Mr. Speaker, I ask leave to make a personal explanation.

Leave was granted.

Mr. MAISH. The gentleman from Erie [Mr. M'CREARY] has stated that I certainly appeared before that committee in regard to this bill. I am positive that I did not. I do not think my memory fails me in that respect. I think the gentleman has got a wrong impression. I appeared before that committee in regard to a mechanics' lien bill, and I think that must be the time the gentleman referred to, for that is the only time I have appeared before the committee.

Mr. M'CREARY. Mr. Speaker, I am very certain that I called the attention of the gentleman to the bill, and requested him to furnish information in regard to it, I am very certain now. The gentleman on my right [Mr. WEBB] recollects it.

Mr. MAISH. I called upon the gentleman after the bill had passed the committee and spoke to him in the House here about it in the evening. That was the first time I spoke about it.

SPEAKER'S TABLE.

The SPEAKER cleared his table of Senate bill numbered and entitled as follows:

Senate bill No. 373, an act to incorporate the Macungie Savings Bank.

Referred to the Committee on Banks.

He also presented the following, which was read:

WASHINGTON, D. C.,
February 25, 1867.

SIR:—I have the honor to transmit herewith a copy of a resolution passed by a unanimous vote, at a meeting of Pennsylvanians, residents of this city, held on Saturday evening, the 23d instant, and would request that the same may be laid before the House of Representatives, or otherwise disposed of as you may, in your judgment, deem proper.

I have the honor to be, sir,
Very respectfully,
Your obedient servant,
S. FRANK SCHWARTZ, Secretary.

HON. JOHN. P. GLASS, Speaker of the House of Representatives, Harrisburg, Pennsylvania.

To the Senate and House of Representatives:

Resolved, That in view of the benefits heretofore derived by the widows and orphans of our fallen heroes from the "State agency," in this city, and in view of the necessities that still exist, and are likely to continue for such "agency" for some time to come, by the acts of Congress, providing bounties and pensions for the soldiers, their widows and orphans, we have learned, with unfeigned regret, of the contemplated abolition of that office by the Legislature, and we most earnestly deprecate such action, or, indeed, any action whatever, that will tend to lessen, in any degree, the only facilities they have of obtaining promptly and without expense the benefits of the provisions made for them by the general government.

(Signed) CHARLES ROBE,
Chairman.

Attest:
S. FRANK SCHWARTZ, Secretary.

Laid on the table.

SENATE MESSAGE.

The Clerk of the Senate being introduced, presented the following extract from the Journal:

IN THE SENATE, February 26, 1867.

Resolved (if the House concur), That the Governor be requested to return to the Senate, for amendment, bill No. 201, entitled An act to incorporate the Erie City passenger railroad company.

The resolution was concurred in.

The hour of 1 o'clock having arrived,

The SPEAKER adjourned the House until 3 o'clock this afternoon.

AFTERNOON SESSION.

The House met at 3 o'clock, P. M.

WELLSBORO' AND LAWRENCEVILLE RAILROAD COMPANY.

The SPEAKER. The special order for this hour is the consideration of House bill No. 433, entitled An act to incorporate the Wellsboro' and Lawrenceville railroad company.

The bill was laid aside on second reading,

The question is on agreeing to the bill.

Mr. LEE. I dislike very much to oppose this bill; but there have been parties here to-day, who aver that if this bill passes, their interests, particularly in that railroad, are wholly destroyed. Now, I have said before that this man M'Gee, who owns this railroad, from the New York and Erie road to the State line, and who desires this road, owns the road from Brookville through to Gosboro' and Wellsboro', and that the construction of that road in conjunction with the construction of this road, utterly destroys the Corning route. It takes away its trade; and that, it seems to me, is clearly improper. The parties bought this road at an enormous expense, and relieved the Commonwealth from the payment of hundreds of thousands of dollars in guaranteed bonds.

Now, they are just beginning to realize, and I think it would be unfair in the extreme to subserve the interests of outside parties, and pass a bill that would break down this road most effectually. I trust this House will look at this matter. I trust they will not break down the interest of this people. I trust the interests of the holders of millions of stock in the city of Philadelphia will not be over-rid by this New York monopoly. I appeal to the people of the State, for the sake of their chief city, for the interests of the Commonwealth of Pennsylvania, that they will not do this great wrong. I do not think it is necessary to speak further on this subject, than merely to suggest the facts. If any one who has a map of Tioga county will open it, and look at Fallbrook, Gosboro', Wellsboro' and then at the direction that this new road proposes to take, down to Lawrenceville, he will see that this Tioga road is cut out, and its trade utterly destroyed. Are we going to do that wrong? I trust not. The gentleman having this matter in charge tells me that all those interests have been adjusted and arranged so as to be satisfactory all around. I do not know how that is. I am willing to take the gentleman's word and test that. I am willing that this bill shall lay over, in order that we may know that this is true, and that all parties are satisfied. I am willing that this bill shall go over and be made a special order for this day week at this hour; and that the private calendar may not be interfered with to-day. I make the motion that this bill be postponed, and that it be made a special order for this day week, at three o'clock in the afternoon.

Mr. HUMPHREY. Mr. Speaker, I have it from good authority, that there are no in-

terests now held by Philadelphians in this road. There has been a purchase made within the last few days. I saw one of the parties yesterday myself, and he says that the Tioga railroad has been sold; and, hence, Mr. Calcott and his friends living in Philadelphia have no interest in the railroad. The objection of the gentleman from Philadelphia [Mr. LEE] the other day was, that those gentlemen, stockholders, living in Philadelphia, and owning this Tioga railroad, would be interfered with. That objection is removed. The company now owning that road lives in the State of New York—some of the stockholders living near the terminus of the Bloomsburg road at Corning. Now, the gentleman who was interested in this road, told me yesterday that they would have no objection, in his opinion, to having this charter go through—to having this bill pass.

After removing these objections, and these parties having no interests in the road, I claim, as I did the other day, it is purely a local question, and I desire the members on this floor to stand by and assist me in passing this bill.

As I said before, the objection is removed. If the gentleman has any friends from Philadelphia, who are here, I would like to know who they are. I would like to know if they are the parties whom it is claimed would be injured by the passage of this act. I disclaim anything of that kind. There are no parties there owning shares or interest in this road, unless I am wrongly informed.

Mr. LEE. Dr. Junkin met me in the vestibule of this House within an hour, and said if this bill passes, it would ruin his interests, and he asked me to do what I could to prevent it being passed by this body.

Mr. HUMPHREY. I would ask the gentleman if this Dr. Junkin has an interest in this road—if he is a stockholder?

Mr. LEE. Of course.

Mr. HUMPHREY. I would ask the gentleman if this stockholder did not inform him that he had sold his interest—that every stockholder had sold his interest in the Tioga railroad. I think I am not incorrect in my statement. The parties from whom I obtained my information are reliable. They informed me that the stockholders had certainly sold their interests in that road.

Mr. LEE. Mr. Speaker, if that were true, I cannot conceive why Dr. Junkin should meet me and press me to prevent the passage of this bill, if possible. I do not pretend to say that what the gentleman from Tioga [Mr. HUMPHREY] says is untrue. I believe he is sincere in what he says on the subject. I believe he thinks these matters are settled, I do not think so, and have the reason that I gave. I trust the matter will go over until this day week. I promise him [Mr. HUMPHREY] if the interests of the people are not affected, if the vested rights of this road are not broken down, then I will vote for his bill most cheerfully.

The question being on agreeing to the motion of the gentleman from Philadelphia [Mr. LEE], that the further consideration of this bill be postponed for the present, and that it be made the special order for next Tuesday afternoon, February 5, at three o'clock.

It was put, and

Agreed to.

PRIVATE CALENDAR.

The House resumed the consideration of the bills on the private calendar.

The following bills were read the first time and laid aside for a second reading:

No. 594, an act to authorize and empower the Governor to issue a commission to Thomas M'Naish.

Senate bill No. 162, an act to incorporate the New Britain and Doylestown turnpike road company.

OBJECTED BILLS OF LAST WEEK.

No. 394, an act authorizing the Governor to appoint an additional notary public for the city of Philadelphia.

Amended by Mr. PENNYPACKER, and

Laid aside.

No. 410, an act to provide for the appointment and election of an additional law judge in the Eighth Judicial district of this Commonwealth.

Laid aside.

No. 417, an act to vacate Second street from North to Briggs, and to extend Briggs street, from Second street to the Harrisburg and Millerstown turnpike, in the city of Harrisburg.

Not laid aside.

No. 447, an act providing for the reconstruction of the Columbia bridge across the Susquehanna.

Amended and

Laid aside.

Senate bill No. 208, an act relative to the courts of oyer and terminer, general jail delivery and quarter sessions of the peace for city and county of Philadelphia.

Amended and

Laid aside.

Senate bill No. 117 an act relative to the appointment of the collectors of taxes in Montgomery county.

Laid aside.

Senate bill No. 224 a supplement to an act authorizing the borough council of the borough of Bethlehem, Pennsylvania, to purchase the water works, real estate and improvements of the Bethlehem water company; also to make all such necessary improvements and extensions required, to borrow money, and appoint water commissioners to carry out said object, approved March 13, 1866.

Laid aside.

No. 490, an act to incorporate the People's Savings fund and safe deposit company.

Laid aside.

No. 363, an act to change the venue in the case of the Commonwealth of Pennsylvania vs. John Sharpe, Moriety Leib, Charles W. Everhart, Robert Alsop and Jonathan A. Waters, from the court of quarter sessions of the peace of Montgomery county, to the court of quarter sessions of the peace in and for the city and county of Philadelphia.

Laid aside.

OBJECTED BILL.

The following bill was objected to, and, under the rules, will be laid over until next week.

No. 595, an act relating to the duties of the treasurer of Lawrence county.

Objected to by Mr. PILLOW.

During the consideration of the private calender, on first reading, the following remarks were made:

Mr. DONOHUGH. Mr. Speaker, I wish to withdraw my objections to bill No. 581.

The bill was then read, and laid aside for second reading.

On bill No. 363:

Mr. MARKLEY. Mr. Speaker, I move that the bill be indefinitely postponed. Our courts are now in session and I understand the case will be called up to-day for trial.

Mr. WATT. Mr. Speaker, I hope the bill will not be postponed. I am desirous that it pass to-day.

Mr. SATTERTHWAIT. Mr. Speaker, I hope the gentleman will give sufficient reasons why the bill should pass.

Mr. QUIGLEY. Mr. Speaker, I have no feeling, whatever, in this matter, but my colleague [Mr. HOOD], who has the bill in charge, is not in his seat.

I trust the House will not postpone the bill indefinitely, until he can be heard. I have sent for him. I trust we will not take advantage of his absence.

On the question,

Shall the bill be laid aside? It was

Agreed to.

On bill No. 410:

Mr. MANN. Mr. Speaker, as this bill in effect establishes a new judicial district, it seems to me that some reason should be given, before the House gives its consent. As it stands now I feel that the House ought to defeat it; but if there is any necessity for creating, in effect, a new judicial district in this Commonwealth, I shall vote for it.

Mr. THARP. Mr. Speaker, I believe the entire delegation representing the counties in this proposed judicial district are in favor of this bill. There is not a dissenting voice. We are in favor of it because the people demand it. We have presented to this House a petition from the bar of this county, signed unanimously by gentlemen from Northumberland. The gentleman from Lycoming [Mr. WINGARD] informs me he has had a petition signed by the bar of Lycoming county. The bar of Montour county are unanimously in favor of this bill, because the increase of business demands an additional law judge. The trial list at Williamsport has doubled within the last eight or ten years; the trial list in Northumberland has doubled in some cases within the last eight years. The business in these two counties has so much increased that an additional law judge is imperatively demanded. I hope that no objection will be made to this bill. There can be no reasonable objection offered. The judge who presides in this district is a man of considerable age and eminent ability; he has given entire satisfaction to the people and to the bar. But his labors are so burdensome that it is impossible for him to discharge the duties devolving upon him, and for his relief this bill has been prepared and presented to this Legislature.

Mr. MANN. Mr. Speaker, I had not the slightest idea of objecting to this bill. I was simply inquiring what necessity there was for its passage. I misconceived the district to which it applied. The necessity for this bill was explained so fully last year that I have no doubt it will be satisfactory to the House.

On the question,

Shall the bill be laid aside for a second reading?

It was

Agreed to.

SPECIAL ORDER.

The hour of 3½ o'clock having arrived, Mr. BARTON called the special order for that hour, which was House bill No. 467.

Mr. FREEBORN. Mr. Speaker, I move to amend the second section, in the fifth line, by striking out all after the word "hundred."

Agreed to.

Mr. BARTON. Mr. Speaker, I move to amend the first section, in the fourth line, by striking out the letter "J" after the word "John" and inserting the letter "S."

Agreed to.

The question being,

Will the House agree to the bill as amended?

It was

Agreed to.

The rules were suspended, the bill read a third time, and

Passed finally, as follows:

AN ACT to incorporate the Spruce Grove lumber and land company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That Edward M.

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[CONTINUED FROM PAGE 400.]

Paxson, Robert M. Taylor and John S. Taylor, and their associates, successors and assigns, and other persons, who shall become stockholders, be, and they are hereby, made and created a body politic and corporate, by the name and style of the Spruce Grove lumber and land company, and by the said name they shall, and may, have perpetual succession, and shall be in law capable of suing and being sued, pleading and being impleaded, in all courts and judicatures whatsoever, and also of contracting and being contracted with relative to the business and object of the said corporation, and they may have a common seal, and may change and alter the same at pleasure, and shall have power to take and hold lands in Mercer county, Pennsylvania, and in the adjoining counties.

SEC. 2. That it shall and may be lawful for the said company to issue so many certificates of stock, of the par value of one hundred dollars each, as in the opinion of said company may be expedient: *Provided, however*, That the whole number of shares so issued shall not exceed two thousand five hundred.

SEC. 3. That it shall and may be lawful for the said company to develop and improve the lands so held by them, to dig and mine for mineral or ores that may be contained therein, to erect mills and other buildings, and manufacture and sell lumber, and to open, make and repair roads for their exclusive use, through their own land or the lands of any other persons contiguous, or in the vicinity of the lands of said company: *Provided*, In the latter case the consent of the owners shall be first had and obtained.

SEC. 4. That it shall and may be lawful for the said company to sell, at any time, any portion of the land held by them, or to lease the same, in their discretion.

SEC. 5. That the stockholders shall, annually, on the first Monday of January, elect a president, a secretary and treasurer, and a board of three managers, and until the first Monday of January next, the corporators above named shall constitute the board of managers of said company, and shall choose from their own number, or from any of the other stockholders who may associate with them, a president and secretary and treasurer.

SEC. 6. The said company shall have authority to make and adopt such by-laws, rules and regulations for the government of the same as they may deem proper: *Provided*, That they do not conflict with the Constitution and laws of this Commonwealth.

SEC. 7. That the said company, if necessity require, shall have power, at any time, to borrow money to be applied to the improvement and development of their lands and the prosecution of their business, and to pledge their goods and chattels, property, franchises and effects, by mortgage or otherwise, for security and repayment of the same: *Provided*, That no bond shall be issued for less than one hundred dollars.

SEC. 8. That this corporation shall pay into the treasury of the Commonwealth a bonus of one-half of one per centum on the capital stock hereby authorized, in four equal annual instalments, and such other tax as is now or may hereafter be imposed by law on corporations; and the stockholders shall be individually liable for all debts due mechanics, workmen and laborers employed by said company, and for all materials and provisions furnished to said company, to be sued for and collected as provided in the twelfth, thirteenth and fourteenth sections of the act incorporating the Lackawanna coal and iron company, approved the fifth day of April, one thousand eight hundred and fifty-three.

CALENDAR RESUMED.

On bill No. 447:

Mr. STEHMAN. Mr. Speaker, I ask consent to strike out all after the enacting clause and substitute Senate bill 346, which is exactly the same.

The motion was

Agreed to.

The bill was read.

Mr. ROATH. Mr. Speaker, I move to amend in the first section, after the word "act" to strike out the words "to continue;" also, in the third section and twenty-ninth line, to strike out "three months" and insert "six months," to correspond with the first section.

The amendment was

Agreed to.

Mr. STEHMAN. Mr. Speaker, I move to strike out of the first section, fourteenth line, the words "from the said day" and insert the word "thereafter."

The amendment was

Agreed to.

Mr. LEE. Mr. Speaker, as the bill at present stands with this amendment, I cannot see necessity for it. I call attention to that part of the third section, in the twenty-eighth and thirty-fourth lines inclusive, after the word "provided." I move that all the third section after the word "direct" in the twenty-eighth line be stricken out.

Mr. BOYD. I object to the amendment.

On Senate bill No. 208:

Mr. GREGORY. Mr. Speaker, I desire to amend section five in the sixth line, by adding the words "charged with felony, and" in all other cases to make their returns to the district attorney."

Agreed to.

Mr. MARKS. Mr. Speaker, I offer the following amendment to come in as an additional section:

SEC. 7. Whenever the board for drawing and selecting jurors in the said city and county of Philadelphia, or a quorum thereof, shall be of opinion that it will be necessary to place additional names in the wheel, the said board, or a quorum thereof, shall select from the lists of taxables from which selections were made prior to the preceding tenth day of December, as provided in the second section of the act of April 20th, 1858, relating to the mode of drawing and selecting jurors for the city of Philadelphia, the names of such number of sober, healthy and discreet citizens as may, in their judgment, be necessary to supply all the *venires* that may be issued during the current year, which names, when so selected, shall be placed in the said wheel in the manner now provided by existing laws; and a list of the names, residences and occupations of the persons so selected and placed in said wheel, shall be certified by the members of the board then present, as required by existing laws, and the salary and the expenses of the clerks of said board shall be fixed by the said board, and paid by said city.

The amendment was

Agreed to.

Mr. DAVIS. Mr. Speaker, I do not think we are prepared to pass this bill. I am opposed to it entirely. It looks to me like a very big thing for two or three officeholders in Philadelphia.

Mr. MARKS. Mr. Speaker, the amendment I have offered was drawn under the direction of the court.

Mr. DAVIS. I have no objections to the amendment, but I am opposed to the bill.

Mr. HOOD. Mr. Speaker, in reference to the amendment inserted in the fifth section, I will say that the amendment was made at the suggestion of the aldermen of the city of Philadelphia, in connection with the district attorney—the district attorney, himself, wrote the amendment.

Mr. DAVIS. That is part of my objection. I do not think they have any right to make the laws.

Mr. HOOD. Mr. Speaker, they have a right to inform us what is necessary for that practice. So far as I am concerned, I am indifferent to the subject. But this is just such an amendment as is required to meet the circumstances of the case. As the case is all the felonies that are brought before a committing magistrate must be returned within forty-eight hours. That is just such an offense as aldermen have no jurisdiction over. [Owing to the confusion in the hall, the reporter was unable to hear some remarks at this point.]

I am sure my friend from Philadelphia [Mr. DAVIS] does not understand this question. He will see that the amendment is right.

Mr. DAVIS. Mr. Speaker, I reiterate, I have no objection to the amendment. I believe it an improvement to the bill, but I believe the whole bill to be entirely wrong. I presume that I know its object. I think I can see a very big thing for a few people. I move that the consideration of the bill be postponed for one week. If it is a fair and just bill, it can stand one week's criticism.

I believe this bill is one of those kind of anacondas that slimes itself through the Legislature.

The SPEAKER. As the bill is on first reading, the question is on laying the bill aside for a second reading.

It was laid aside.

On Senate bill No. 117:

Mr. SATTERTHWAIT. Mr. Speaker, I hope that the bill will not be laid over. It relates entirely to our county, and the people have not asked for it.

Mr. WADDELL. Mr. Speaker, I would ask the gentleman from Montgomery [Mr. SATTERTHWAIT] whom he regards as his people? I understand a very large portion of the people of Montgomery county have asked for this bill. I do not understand to whom he refers when he says "our people." If he means a particular branch of the people of Montgomery county he may be right. If it is the people generally of Montgomery county, then he is wrong.

Mr. SATTERTHWAIT. Mr. Speaker, if there have been any petitions presented to this Legislature, I have not heard of them. Perhaps the gentleman from Chester [Mr. WADDELL] has; and if so, I wish he would inform me with regard to them. I presume if he represents the county he will know whether anything of the kind has been offered here. I have heard of none. I say what I know to be the truth—that a majority of the people of Montgomery county are opposed to it, and I defy the gentleman from Chester, or anybody else, to say to the contrary. This is an experiment that has been tried nowhere that I know of. And I submit to this House that if experiments are to be tried, they should be tried in counties only where the majority of the people are willing.

Mr. WADDELL. Mr. Speaker, I of course do not desire to interfere with any local legislation, in which the gentleman may be interested. But there are certain rights and interests that should be protected by the House, whether it belongs to that gentleman's county or mine. Now, this law has been tried in Montgomery county. It was in existence there at one time, and gave general satisfaction. But when a particular party came into power, it was repealed. Now, those who enjoyed the privileges under that law ask that it be re-enacted. It is possible that the large majority of people, who are opposed to it, depends entirely on the majority which the ballot-box may show. I think there is a large part of the people of Montgomery county in favor of the law, and who desire this House to pass it. But whether there is a majority to oppose it, may depend on some other question. Now, all that the minority (if gentlemen are pleased to so speak) ask is, that they shall have the law re-established. If that is done, it will be satisfactory, I believe, to three-fourths of the county.

Mr. SATTERTHWAIT. Mr. Speaker, it seems to me to be very kind in the gentleman to take so much interest in the affairs of Montgomery county. I would like to know if it is a good regulation that constables shall be tax collectors? Why do they not try it in Chester? It has never been tried in Montgomery, so far as my recollection goes. The law was passed one year, but the very next, or a short time afterwards, it was repealed, without having been put in practice. The people do not want it. If the people of Montgomery county were so anxious for this measure, there would have been petitions sent here. But, on the contrary, not a single petition has been received.

Mr. MARKLEY. Mr. Speaker, I offer the following amendment.

The amendment was read as follows:

To insert, after the word "Montgomery," the words "and the commissioners of Chester county."

Mr. LEE. I object to that amendment.

The question being on postponing to second reading,

The yeas and nays were required by Mr. MARKLEY and Mr. QUIGLEY, and were as follow, viz:

YEAS—Messrs. Adaire, Allen, Armstrong, Barton, Brown, Cameron, Chadwick, Chase, Davis, Day, DeHaven, Donohugh, Espy, Ewing, Freeborn, Gallagher, Ghegan, Gordon, Harbison, Humphrey, Kennedy, Kerns, Kimmell, Kinney, Lee, Leech, M'Camant, M'Kee, M'Pherrin, Mann, Marks, Melly, Pennypacker, Peters, Pillow, Quay, Routh, Sharples, Steacy, Stebman, Stumbaugh, Subers, Waddell, Wallace, Watt, Webb, Weller, Wharton, Wilson, Worrall, Wright and Glass, *Speaker*—52.

NAYS—Messrs. Boyle, Breen, Brennan, Calvin, Chalfant, Fogel, Gregory, Harner, Headman, Heltzel, Hoffman, Hood, Hunt, Jenks, Jones, Josephs, Kline, Koon, Kurtz, Linton, Long, M'Henry, Markley, Meyers, Mullin, Phelan, Quigley, Rhoads, Robinson, Rouch, Satterthwait, Seiler, Tharp, Westbrook and Wham—35.

So the question was determined in the affirmative.

Mr. WADDELL. Mr. Speaker, before we proceed to the consideration of the private calendar I desire to make a report from the committee on the contested election case in the city of Philadelphia.

The report was read as follows:

To the House of Representatives of the Commonwealth of Pennsylvania:

The select committee of the House to try the matter of the petition of the electors of the Thirteenth Representative district of the city of Philadelphia, complaining of an undue election, and false return of Michael Mullin as a member elect from said city, respectfully report:

That upon the return of said election Michael Mullin appears to have received, in said district, three thousand and thirty-eight votes (3,038), and Enos C. Renner received one thousand seven hundred and ninety-three votes (1,793), and the said Michael Mullin was certified to be elected by a majority of one thousand two hundred and forty-five (1,245). Under these circumstances the law would presume him entitled to a seat in this House. The Constitution, however, provides that no person shall be a representative who shall not have attained the age of twenty-one years and have been a citizen and an inhabitant of the State three years next preceding his election, and the contest in this case grows out of this provision of the Constitution. The contestants claim that Michael Mullin, the sitting member, is a foreigner by birth, and was not a citizen and inhabitant of the State three years next preceding his election. Mr. Mullin claims to have been born in the city of Philadelphia, and to be a citizen of the State, as is required by the provisions of the Constitution.

Under the circumstances of the case, the presumptions of the law are in his favor, and it is incumbent upon those who deny his eligibility to prove that fact beyond a doubt. In this particular, your committee think the contestants have failed, and a majority are satisfied that the testimony shows Philadelphia to have been the birth-place of Mr. Mullin. This might be sufficient to enable him to retain his seat as a member of this House; but he claimed, further, that if the contestants had shown to the satisfaction of the committee that he was of foreign birth, yet his citizenship had been established by the naturalization of his father during his minority. Your committee, with one exception, considers that the testimony shows his father to have been naturalized as far back as 1842 or 1843. At that time he voted upon naturalization papers, which were duly examined by competent election officers more than once, and pronounced regular. He appears to have voted for a number of years, and been an active man in his party. It is true the contestants alleged that these papers on which the father based his right to vote were fraudulent, and your committee was asked to declare them so, but we do not consider that the testimony in the case would warrant us in so finding.

After a careful examination of the whole case, your committee do decide and report that the said Michael Mullin is entitled to retain the seat now held by him as a member of this House.

WM. B. WADDELL,
JOHN S. MANN,
M. S. QUAY,
SAMUEL CHADWICK,
W. C. HARBISON,
D. G. STEACY,
H. B. RHOADS,
PHILIP BREEN.

February 26, A. D. 1867.

Mr. WADDELL. Mr. Speaker, in this connection I would ask the House to pass this resolution.

The resolution was entitled and read as follows:

No. 599, joint resolution to pay Wm. H. Jenkins, for services as clerk of the committee in the matter of the petition of the electors of the Thirteenth Representative district of the city of Philadelphia, complaining of an undue election and false return of Michael Mullin as a member from said city.

The rules were suspended,

The bill was read a second and third time, and

Passed finally.

BILLS PASSED.

Mr. M'KEE. Mr. Speaker, I ask leave to make a statement at this time.

Leave was granted.

Mr. M'KEE. Some three weeks ago, this House had under consideration

Senate bill No. 52, entitled an act to vacate a part of Spruce alley in the Ninth ward of the city of Pittsburg.

The House refused to lay the bill aside for a second reading. Since that time the difficulty which was the origin of the bill, has been amicably arranged. I now move that the House proceed to the consideration of the bill.

The motion was

Agreed to.

The rules were suspended, the bill read a second and third times, and

Passed finally.

Mr. CHASE. Mr. Speaker, I wish to call up House bill No. 263, entitled A supplement to an act to incorporate the Titusville and Pithole plank road company, approved the 2d day of March, 1866.

It was postponed two weeks ago, to enable my friend from Venango [Mr. WHANN] to offer an amendment.

The House proceeded to the consideration of the bill.

The bill was read.

Mr. WHANN. Mr. Speaker, I move to amend by inserting the following, immediately after the enacting clause:

"That the stockholders of said company will agree that they will keep suitable persons for the collection of tolls; and that said toll agents shall be at all times in their places for the collection of tolls; and that whenever any person or persons shall attempt to evade."

The amendment was

Agreed to.

The bill as amended was

Agreed to.

The rules were suspended, the bill read a second and third times, and

Passed finally.

MESSAGE FROM THE SENATE.

The Clerk of the Senate being introduced, presented for concurrence bills numbered and entitled as follows, viz:

Senate bill No. 659, an act to incorporate the Downington gas and water company.

Senate bill No 660, an act to repeal a certain act relative to the public roads in Mauch Chunk township, Carbon county, approved the 16th day of March, A. D. 1866.

Senate bill No. 661, a supplement to the act entitled An act for the erection of the Gettysburg gymnasium into a college, and for other purposes, approved the 16th day of April, 1852.

Senate bill No. 662, an act to revive the charter of the New Hope, Doylestown and Norristown railroad company, passed the 23d day of March, 1836, and its supplements.

PRIVATE CALENDAR.

The following bills were read a second and third time and disposed of as stated:

No. 491, an act to exempt the parsonage of the Park Presbyterian congregation, in the city of Erie, Pennsylvania, from taxation.

Passed finally.

Senate bill No. 225, an act to legalize a tax laid by the acting supervisor of Kingston township, Luzerne county, in 1864, for bounty purposes.

Postponed for the present.

No. 494, an act to authorize the school board of North Heidelburg township, in the county of Berks, to levy and collect an additional bounty tax.

Passed finally.

No. 495, an act authorizing the supervisors of Greene township, in the county of Mercer, to collect a tax and pay certain bounties and refund money advanced for to pay bounties.

Passed finally.

No. 496, a supplement to an act in relation to the payment of bounties to volunteers from the township of Farmington, Tioga county, during the late rebellion.

Passed finally.

No. 497, an act to levy an additional tax in Sheffield township, Warren county, for bounty purposes.

Passed finally.

Senate bill No. 226, a supplement to an act to authorize the raising of money and payment of bounties to volunteers in the borough of Scranton, in the county of Luzerne, approved April 1, A. D. 1864, to facilitate the collection of taxes levied for the liquidation of the bounty debt.

Passed finally.

No. 507, a supplement to an act to incorporate the borough of Columbia.

Passed finally.

No. 508, an act to repeal an act authorizing the road commissioners of Sugar Grove township, Warren county, to levy additional road tax, approved February 17, 1865.

Passed finally.

No. 509, an act to repeal an act authorizing a public ferry over the Allegheny river, in Warren county, approved April 10, 1862.

Passed finally.

No. 511, an act to incorporate the Union transfer company.

Passed finally.

No. 513, an act changing the time of holding the annual meeting and election of president, managers and treasurer of the Green Lane and Goshenhoppen turnpike road company, and the time for declaring the dividends of said company.

Passed finally.

No. 516, an act to prevent the hunting of deer with dogs in the county of Wyoming.

Passed finally.

No. 517, an act to repeal a supplement to an act to prevent cattle, horses, sheep and hogs from running at large in the county of Delaware, extending the same to Lebanon county, approved the 11th day of April, A. D. 1866.

Passed finally.

No. 518, an act to prohibit the sale of intoxicating drinks in the townships of Economy and Independence, in the county of Beaver.

Passed finally.

No. 521, an act to incorporate the Farmers' Union Mutual fire insurance of Pennsylvania.

Passed finally.

No. 526, an act to authorize the board of school directors of Venango City, Venango county, to borrow money.

Passed finally.

No. 527, an act to change the place of holding elections in Allegheny township, Venango county.

Passed finally.

No. 539, an act to authorize the commissioners of Lehigh county to borrow money.

Amended by Mr. FOGEL, and

Passed finally.

No. 540, an act to increase the pay of the county auditors and the supervisors and township auditors of the several townships of Northumberland county.

Passed finally.

No. 541, an act to authorize the Governor to appoint two additional notaries public for the county of Dauphin.

Amended by Mr. DEHAVEN, and

Passed finally.

No. 542, an act to increase the compensation of the supervisors, assessors and auditors of the township of Gregg, in the county of Union.

Passed finally.

No. 543, an act providing for the compensation of the commissioners of Northampton county.

Passed finally.

No. 544, an act relative to the purchase of a law library in the county of Washington.

Passed finally.

No. 545, an act relating to fees of notaries public in the county of Erie.

Passed finally.

No. 546, an act repealing an act relative to the purchase of a law library in the county of Butler.

Passed finally.

No. 547, an act to authorize the Governor to appoint a notary public in the borough of Hazelton, Luzerne county.

Not agreed to.

No. 548, supplement to an act increasing the fees of justices of the peace and constables in the counties of Bradford, Wyoming and Susquehanna.

Amended by Mr. KINNEY, and

Passed finally.

No. 549, a supplement to an act in relation to huckstering in the counties of Bedford, Cumberland, Franklin, Fulton and York, approved 18th day of May, A. D. 1866.

Passed finally.

No. 550, an act authorizing the commissioners of Lycoming county to borrow money to build a new jail.

Passed finally.

No. 551, an act to authorize the auditors of Venango county to open and resettle the accounts of Henry Dubbs, late treasurer of said county.

Passed finally.

No. 552, an act providing for the election of additional supervisors in Penn township, Westmoreland county.

Passed finally.

No. 553, an act relative to the costs and fees in criminal cases in Carbon county.

Passed finally.

No. 555, an act to authorize the owners of certain mills on the Delaware river, at Morrisville, to extend their wing dam.

Passed finally.

No. 556, an act relating to hawkers and peddlers of ready made clothing in the county of Greene.

Passed finally.

No. 558, a further supplement to the act incorporating the Lehigh and Delaware Water Gap railroad company.

Passed finally.

Senate bill No. 157, an act relative to the eligibility of the officers of the Tioga railroad company, and the time of holding meetings of said company.

Passed finally.

Senate bill No. 316, an act to incorporate the Dickinson Run railroad and bridge company.

Passed finally.

No. 561, an act to incorporate the Delaware Valley railroad company.

Passed finally.

Senate bill No. 440, a further supplement to an act to incorporate the Mifflin and Centre County railroad company.

Passed finally.

No. 563, a further supplement to an act to authorize the Cranberry coal company to construct a railroad.

Passed finally.

No. 564, an act to incorporate the Commonwealth iron and coal company.

Amended by Mr. DEHAVEN, and

Passed finally.

During the consideration of the private calendar on second reading, the following remarks were made

On House bill No. 491:

Mr. SHARPLES. Mr. Speaker, I desire to amend the seventh line of the first section by striking out the word "school."

Agreed to.

Mr. MEYERS. Mr. Speaker, a number of bills of this character have been in Committee of Ways and Means, asking for an exemption of taxes upon societies for both religious and charitable purposes. They have all, so far as I have known, with the exception of this one, been returned with a negative recommendation. Inasmuch as this bill will come on the calendar, I do not see why it should be passed when the committee were almost unanimous in a negative recommendation of the other bills. To test the feeling of the House I move the indefinite postponement of this bill.

Mr. WADDELL. Mr. Speaker, the position of this bill, and the facts connected with it, are somewhat peculiar.

The gentleman from Northampton [Mr. MEYERS], I think, was not present when the bill was considered. As near as I can recollect the facts are these: Under the construction given to the general law a parsonage adjoining a church is exempt from taxation. Now, in this case, the building adjoining the church, being unsuitable for use as a parsonage, has been rented out for business purposes, and the church pays a tax upon it.

The church society has been compelled to rent a house a short distance from the church for the use of their minister. It is used as a parsonage in the same character in which it would be used if it was on the church grounds, and they ask that privilege be allowed it the same as though it adjoined the church, inasmuch as they pay taxes on the building, which, were it suitable, they would use and be free from taxation.

It was from a conviction that the State was losing by the operation that induced the committee to make the report they did.

Mr. MEYERS. Mr. Speaker, I withdraw my motion to postpone.

Mr. M'CREARY. Mr. Speaker, I understand that the school tax has been stricken out. I see no reason why it should be stricken out. This property, that would not have been taxed had the parsonage been on the back end of the church, now pays rather more school tax than would be paid where the parsonage is at present. Therefore, there is no use of making an exemption of the tax. I trust the gentleman from Chester [Mr. SHARPLES] will withdraw his amendment, inasmuch as more school tax is derived from the building that would otherwise be exempt than is now paid by the parsonage.

Mr. SHARPLES. Mr. Speaker, this seems to be a peculiar kind of a case. I have no desire, of course, to inflict any wrong upon the gentlemen who ask this bill. I am willing that the amendment shall be withdrawn.

The SPEAKER. Will the House give its unanimous consent to restore the word "school" in the first section?

Consent was given and the word restored.

The question being on agreeing to the bill, it was read a second and third time, and

Passed finally.

On Senate bill No. 225:

Mr. KOON. Mr. Speaker, as I was not in my seat on the first reading, I would like this bill to be postponed for the present, with a view to harmonizing the conflicting interests. I, therefore, move to postpone for the present.

The motion was

Agreed to.

On bill No. 521:

Mr. MEYERS. Mr. Speaker, I have no objection to this bill; but it does not say where the office of the company shall be. I hope the gentleman who has the bill in charge will amend it so as to fix the place at which the principal office shall be located.

Mr. QUAY. Mr. Speaker, the bill should pass in its present shape. If the gentleman desires I will fix the office of the company at Easton.

Mr. MEYERS. Mr. Speaker, I move to amend by adding, "and that the principal office of the company shall be at the city of Philadelphia."

Mr. QUAY. Mr. Speaker, I object to the amendment.

Mr. MEYERS. Then, Mr. Speaker, the bill ought not to pass. Insurers in this company have a right to know where its principal office is.

The question being on agreeing to the amendment of the gentleman from Northampton, [Mr. MEYERS], it was put, and the amendment was

Not agreed to.

On bill No. 547:

Mr. MANN. Mr. Speaker, when this bill was introduced it was supposed an act was necessary for the appointment. I understand the Governor has, within a few days past, made that appointment. Hence there is no necessity for the bill. I hope, therefore, it will be voted down.

On bill No. 563:

Mr. JONES. Mr. Speaker, I trust that motion will not prevail. I am a little surprised that this innocent bill should have attracted attention to so great an extent as to have the gentleman from Philadelphia [Mr. LEE] ask for its postponement. The object of this bill is to accomplish a very simple purpose. In order that I may bring the bill fairly to the attention of the House, I will give a short history of the way in which it came to be presented here.

This is a coal company, a majority of whose stock is held in my district. For the reason that I happen to be to some extent interested in this company I felt a delicacy in presenting it to the House, so I called the attention of the gentleman from Venango [Mr. WHANN] to the bill; in his district the lands of the company lie.

I feel, now, a delicacy in pressing this matter upon the House. But I know that little regard will be paid to my interest in the matter; and I feel it to be my duty, in justice to those of my constituents who are interested, to give, at least, a full explanation of the circumstances under which it is presented here, and ask the House to act accordingly.

This coal company was organized under the general manufacturing laws of 1865. In the following year, as the lands lie about five miles from Oil City, and some difficulty was found in bringing the coal to market, a charter was granted by this body authorizing the Cranberry coal company to construct a railroad. The provisions of the act clearly show that its intention was to enable this company to carry its own coal to market. The language of the act is, "That the Cranberry coal company be and they are hereby authorized to construct a railroad from their coal mines in Cranberry township, in the county of Venango, to Oil City, in said county, subject to the general provisions of railroad law. The clear intent and meaning of that act, therefore, was that this company should be allowed to carry its own freights to market. There is no other freight along the line of the road to be carried to market.

There are but few coal mines that are not owned by this company, either directly or indirectly, that is either in fee simple or by lease. In the township adjoining this, there are coal lands, the proprietors of which had a bill passed through this Legislature authorizing them to construct a railroad with this concluding provision:

Provided, That should said company not use steam as a motive power on said road, it shall not be subject to the second proviso of the twentieth section of the general railroad law of this Commonwealth, approved, &c.

That twentieth section is the section which relates to tariffs to be charged upon railroads. Being so excepted from the provisions of that section they were enabled, by their charter, to charge whatever rates of freight they pleased. They proposed to have that railroad constructed over the same lands as our own is built; but from the failure of Mr. Culver to enter into the designs they did not succeed in the construction of their road. The Cranberry company had made repeated endeavors to have the proprietors of the other lands join with them in the construction of this road, but always without success. Finally, the Cranberry coal company was compelled to construct the road itself. It is a little horse railroad upon which it is proposed to lay the strap iron rails.

The cost of transportation for the amount of freight they have, will really make it cost them eight or nine cents a ton for all the coal they take over their road. They do not propose to charge any one else additional rates. The gentlemen who make the application for the postponement of this bill are the persons who own the other charter, which is subject to no rates of tariff, and which they have offered, on more than one occasion, to sell to the Cranberry company. They propose now to transport their freight at our expense. They propose to pay the Cranberry company three or four cents a ton to carry their freight; whereas it will cost the Cranberry company, themselves, six or seven cents. It is provided in the act that the Cranberry coal company shall not be required to transport over their road any freight or merchandise not belonging to their company. The only object of this bill is, simply, that they shall not be required to transport the freight of other parties over their own road. A postponement is proposed, with the sole object of defeating this bill. That is very clear, because the parties interested in this bill are here, upon the floor of this House, as I understand, urging the defeat of this bill. It is not to be postponed, therefore, with the object of obtaining further information. This is a very simple bill; it proposes to put the Cranberry company on an equality with its neighbor. The other company has a charter—let them build it. I submitted the bill to the gentleman from Venango [Mr. WHANN]; he presented it; it was referred to the appropriate committee, and reported without comment. Since then, one of the parties interested in the charter has arrived in Harrisburg; hence, this opposition. I trust the motion to postpone will not prevail.

Mr. DAVIS. Mr. Speaker, I did not wish to argue this question. But the gentleman from Berks [Mr. JONES] assumes a great deal in his argument. He takes the whole responsibility on his own shoulders. Until this afternoon I never knew the gentleman from Berks had anything to do with this bill. It was read in place by the gentleman from Venango [Mr. WHANN]. He and I were talking about it this morning. He considered it unfair and unjust; he said he had not looked up the provisions of the bill, and agreed with me that it should be postponed until all the parties interested could see what was its intention.

The gentleman from Berks [Mr. JONES] says the Cranberry company have finished their railroad—I was not aware of the fact.

Now, it seems to me that his own argument proves that there is some advantage sought to be taken.

I know nothing about the other charter, or the men who hold it, nor do I know of any man who is interested in it. I may know some who have an interest in the charter, because I know almost every person in Venango. Nor has any man spoken to me about his interest. I know this bill has some object. The argument of the gentleman shows it. The Cranberry company have not finished their road, to my knowledge. I am not prepared to debate this question, nor do I wish to put it in an embarrassing situation. The gentleman says my object is to defeat the bill. Well, now, if the bill is right I have no objection to its passage. If it is improper it will receive no harm by lying over a few days. The gentleman from Venango [Mr. WHANN] read the bill in place and, as he says, without knowing its effect, and without examination. The gentleman from Berks [Mr. JONES] urges his own interest instead of that of his constituents, and then he charges me with being interested in the rival company. I am not prepared to go on with this discussion to-day. I trust the House, out of courtesy to the gentleman from Venango and myself, will let this bill go over.

Mr. JONES. Mr. Speaker, the gentleman from Philadelphia [Mr. DAVIS] says I have taken the responsibility entirely upon my own shoulder. It is true, so far as I have the responsibility of telling the facts of the case, and in undeceiving the House, and so far, as to an impression, which I would not have created, I have taken the responsibility. But I did not urge the passage of this bill on my own account. There are parties much more largely interested in this than I am. I thought it proper and due to the House not to urge it under false pretenses, but to confess the interest I had in it; and ask the House to disregard that interest. I could not, in justice to myself, ask to have this bill passed, without confessing that I had an interest in it myself, at the same time asking that that interest be wholly disregarded. I want that to be very distinctly understood.

But my constituents hold a majority, or

nearly a majority, of the stock of this company. And, without any discourtesy to the gentleman from Venango [Mr. WHANN], he will bear me out when I say, that before I made any move in this matter, I submitted the bill to his inspection; he read the bill, and with me, approved of its provisions. It was then referred to the committee. I told the members of that committee almost the same thing that I have stated to the House, in order that they might act advisedly; because I did not wish the bill to be adopted without a perfect understanding of all the circumstances of the case. It is not to defraud any one's rights; because I have read to the House the charter which was granted the other company the year after this charter was granted. They have only to build the railroad for themselves, just as this company did. I see no reason why this bill should be delayed, and in the end defeated, to aid another company to which this Legislature has granted precisely the same character of privileges. I am willing to submit this question to the House, and for it to make such disposition of the matter as it sees proper.

Mr. DAVIS. Mr. Speaker, I would like to ask the gentleman one question. I believe he states the Cranberry coal company had finished their railroad.

Mr. JONES. I did.

Mr. DAVIS. Where is its terminus?

Mr. JONES. Mr. Speaker, I will state that it is at Venango City. The Cranberry company has delivered coal in Venango City from those mines. All that is needed is to lay a strap rail. The cars are there, and the company is now in operation. I think the gentleman from Venango is advised of that fact. At all events, I know the fact, whether his attention has been called to it or not.

One word more with regard to the object of the gentleman from Philadelphia [Mr. DAVIS] in proposing to postpone the bill: I did not understand that the motion originated with the gentleman himself. I believe, and in fact I was informed, that the suggestion was made to him by some one else. I had no idea until a moment ago, that the motion originated with himself.

Mr. DAVIS. Mr. Speaker, the gentleman talked about his interest. I was not aware that he had any particular interest in the bill. The Cranberry coal company cannot reach Venango City without passing over property in which I own a large interest.

Now, I cannot see the propriety of passing a bill of this kind. To-day is the first time that I knew there was such a bill, to take any notice of it. I am particularly interested, with a large portion of the people of Venango county, and many residing in the city of Philadelphia. The object, in my opinion, of this bill, is to prevent all other parties who own coal on that side of the river, from reaching market, unless they make terms with the Cranberry coal company, who do not own the one-hundredth part of the coal in the township.

Mr. JONES. I would like the gentleman to tell me how many acres of coal lands there are in that township.

Mr. DAVIS. Mr. Speaker, I know that I sold the land on which the Cranberry coal company is located to parties in Philadelphia, and they sold it to the parties who own it now. I believe I state the truth when I say they do not own the one hundredth part of the coal that lies within ten miles around there. They wish to have an exclusive right in order to prevent all other parties who own coal lands from reaching market, unless they agree to their terms. I trust the House will see the necessity of putting this bill over for the present. If the Cranberry coal company have made the terminus of their road in Venango City, they have made it on my property and have never informed me of it.

Mr. JONES. Mr. Speaker, the gentleman assumes a good deal. Venango City is quite a large town. I believe I am correct when I say the gentleman from Philadelphia does not know at all that that company have made the terminus of their railroad on his property. It is a mere statement of fact in contradiction of what I have said. I know the gentleman is largely interested in that county. I disclaim my own personal interest in this matter, and I hope the House will take no notice of the personal interest of the gentleman from Philadelphia.

Mr. WHANN. Mr. Speaker, I wish to place myself in a proper position on this subject.

The gentleman from Berks [Mr. JONES] came to me with this bill, and proposed that I should read it. I did so, not understanding that I was aiding its passage. The bill was to stand on its own merits. I was not aware that there was any charter conflicting with it. I was not aware there would be any objection to it.

To-day, I ascertained that one of the parties interested in the other charter was present.

If this bill could be laid aside to a certain time I think all parties could be satisfied.

Mr. MEYERS. Mr. Speaker, I have no interest in this bill, but I would like to suggest to the gentleman from Berks the propriety of fixing a definite time.

[Owing to confusion and noise in the House the remainder of the remarks of the gentleman were wholly inaudible to the reporter.]

Mr. JONES. Mr. Speaker, I have no disposition to prevent proper examination of this bill. In fact, I would be glad to have it subjected to the very closest scrutiny. We know very well that if the bill goes over without being made the special order for some particular time, it will not be reached until near the end of this session, and perhaps not at all. I would call the attention of the gentleman from Philadelphia [Mr. DAVIS] to this proposition. As the object is merely to have a proper examination into the merits of this bill, I would suggest that it be allowed to go to third reading; and then that it be made the special order for some particular day.

Mr. DAVIS. Mr. Speaker, I will object to putting the bill in that situation; that is equivalent to passing it. I am also opposed to hurrying it through the House. If the House sees fit to pass this bill over my head, I am satisfied. But I am opposed to the bill, because I think it takes advantage of the other company, and because I think it takes advantage of the people of that section.

Mr. STUMBAUGH. Mr. Speaker, I desire to say but one word. This bill was considered in the committee and laid over some two or three meetings. I do not know how the gentleman from Philadelphia [Mr. DAVIS] could have passed it over without having heard of it until he came into the House to-day.

Mr. DAVIS. Mr. Speaker, I will call to the recollection of the gentleman the fact that I was unwell and attended in the committee only two evenings. I certainly never heard of the bill before to-day.

The question being on postponing for the present the further consideration of the bill, it was put, and

Not agreed to.

The question then being on agreeing to the bill,

The yeas and nays were required by Mr. DAVIS, and Mr. WATT, and were as follow, viz:

YEAS—Messrs. Barton, Boyd, Breen, Brennan, Calvin, Chadwick, Chalfant, Chase, Colville, Day, Espy, Ewing, Fogel, Gallagher, Gregory, Harbison, Harner, Headman, Hoffman, Hood, Hunt, Jenks, Jones, Josephs, Kerns, Kinney, Kline, Koon, Kurtz, Lee, Leech, Linton, Long, M'Creary, M'Henry, M'Kee, Markley, Meily, Meyers, Mullin, Pennypacker, Phelan, Quay, Quigley, Rhoads, Robinson, Satterthwait, Seiler, Stumbaugh, Tharp, Wallace, Weller, Westbrook, Wharton, Woodward and Glass, *Speaker*—56.

NAYS—Messrs. Adaire, Davis, DeHaven, Donohugh, Freeborn, Ghegan, Kennedy, Kimmell, Maun, Peters, Roath, Sharples, Steacy, Subers, Watt, Webb, Whann, Wilson, Worrall and Wright—20.

So the question was determined in the affirmative.

On suspending the rules,

The yeas and nays were required by Mr. DAVIS and Mr. GHEGAN, and were as follow, viz:

YEAS—Messrs. Barton, Boyd, Boyle, Breen, Brennan, Brown, Calvin, Chadwick, Chalfant, Chase, Colville, Day, Espy, Ewing, Fogel, Gallagher, Gregory, Harbison, Harner, Headman, Hood, Hunt, Jenks, Jones, Josephs, Kerns, Kinney, Kline, Koon, Kurtz, Lee, Leech, Long, M'Camant, M'Creary, M'Henry, Markley, Meyers, Mullin, Pennypacker, Phelan, Pillow, Quay, Quigley, Rhoads, Robinson, Roach, Satterthwait, Seiler, Stumbaugh, Tharp, Wallace, Weller, Westbrook, Wharton, Wingard and Glass, *Speaker*—57.

NAYS—Messrs. Adaire, Armstrong, Davis, DeHaven, Donohugh, Freeborn, Ghegan, Hoffman, Humphrey, Kennedy, Kimmell, Mann, Marks, Meily, Peters, Roath, Steacy, Subers, Watt, Webb, Whann, Wilson, Worrall and Wright—24.

So the question was determined in the affirmative.

The bill was then read a second and third time, and

Passed finally.

SPEAKER'S TABLE.

The SPEAKER cleared his table of Senate bills numbered and entitled as follows:

Senate bill No. 659, an act to incorporate the Downingtown gas and water company.

Referred to the Committee on Corporations.

Senate bill No. 660, an act to repeal a certain act relative to the public roads in Mauch Chunk township, Carbon county, approved the 16th day of March, A. D. 1866.

Referred to the Committee on Roads, Bridges and Ferries.

Senate bill No. 661, a supplement to the act entitled An act for the erection of the Gettysburg gymnasium into a college, and for other purposes, approved the 16th day of April, 1832.

Referred to the Committee on Corporations.

Senate bill No. 662, an act to revive the charter of the New Hope, Doylestown and Norristown railroad company, passed the 23d day of March, 1836, and its supplements.

Referred to the Committee on Railroads.

On motion of Mr. JOSEPHS, the House adjourned to meet to-morrow morning at ten o'clock.

SENATE.

WEDNESDAY, February 27, 1867.

The Senate met and was called to order at 10 o'clock, A. M., by the SPEAKER.

Prayer was offered by the Rev. Mr. Bailey, of Harrisburg.

On motion of Mr. CONNELL, the reading of the Journal of yesterday was dispensed with.

LEAVE OF ABSENCE.

Mr. SHOEMAKER asked and obtained leave of absence for Mr. M'CONAGHY for a few days from to-day.

REPORTS FROM COMMITTEES.

Mr. GRAHAM, from the Committee on Finance, reported, as committed, a bill entitled An act for the relief of John Tiernan, late treasurer of Fayette county.

Mr. SHOEMAKER, from the Committee on the Judiciary General, reported, with amendments, a bill entitled An act for the better and more impartial selection of jurors in each of the counties of this Commonwealth.

Mr. FISHER, from the Committee on the Judiciary Local, as committed, a bill entitled An act to incorporate the city of Allentown.

Mr. WHITE (same), as committed, a bill entitled A supplement to an act incorporating the borough of Allentown.

Mr. FISHER, from the Committee on Pensions and Gratuities, as committed, a bill entitled A supplement to an act to provide for the payment of gratuities and annuities to the soldiers of the war of 1812, and to their widows, approved March 30, 1866.

Mr. LANDON, from the Committee on Railroads, as amended, a bill entitled A supplement to an act entitled An act to incorporate the Susquehanna and Delaware railroad company.

Mr. BILLINGFELT, from the Committee on Roads and Bridges, as committed, a bill entitled A supplement to an act incorporating the Hollidaysburg and Altoona plank road company.

Also (same), as committed, a bill entitled An act to incorporate the Pine Creek bridge company.

Mr. TAYLOR (same), as committed, a bill entitled An act to reduce the width of Lebanon street in the city of Philadelphia.

Mr. WALLS (same), as committed, a bill entitled An act to extend to plank roads the provisions of the eighth and ninth sections of the act approved April 19th, 1844, entitled An act concerning certain State and turnpike roads.

Mr. LANDON (same), as committed, a bill entitled An act to vacate part of Woodpecker or Rising Sun lane, in the Twenty-first ward of the city of Philadelphia.

Also (same), as committed, a bill entitled A further supplement to an act in relation to the construction and repair of roads and bridges in Lower Marion township, Montgomery county, approved March 2d, A. D. 1866.

Mr. HAINES, from the Committee on Canals and Inland Navigation, as committed, a bill entitled An act to provide for the enlargement of the Erie canal, to authorize the mortgaging of the same and the issue of the bonds, and to increase the capital stock and regulate the tolls.

BILLS IN PLACE.

Mr. DAVIS, read in his place and presented to the Chair a bill entitled A supplement to an act to provide for the ordinary expenses of the government and other general and specific appropriations, approved April 11th, 1866, relative to the Keystone State normal school.

Referred to the Committee on Finance.

Mr. BIGHAM, a bill entitled An act creating a board for the erection of a city hall in the city of Pittsburg.

Referred to the Committee on the Judiciary Local.

Also, a bill entitled An act supplementary to an act incorporating the borough of Birmingham, in the county of Allegheny.

Referred to the Committee on the Judiciary Local.

Mr. COLEMAN, a bill entitled An act to authorize the Pennsylvania steel company to purchase and hold stock in other corporations.

Referred to the Committee on the Judiciary Local.

Mr. CONNELL, a bill entitled An act relating to practice in equity.

Referred to the Committee on the Judiciary General.

Also, a bill entitled An act declaratory of the statutes of limitation.

Referred to the Committee on the Judiciary General.

Also, a bill entitled An act to authorize the issue of registered bonds for the coupon bonds of the Commonwealth.

Referred to the Committee on Finance.

Also, a bill entitled An act relative to the estate of Eliza Howard Bard.

Referred to the Committee on Finance.

Mr. GLATZ, a bill entitled An act to incorporate the Peoples' bridge company of Harrisburg.

Referred to the Committee on Corporations.

Also, a bill entitled An act to permit an appeal from the register of Lebanon county in behalf of the heirs of Robert W. Coleman, deceased.

Referred to the Committee on the Judiciary General.

Mr. SHOEMAKER, a bill entitled An act to incorporate the Pittston Industrial Co-operative association.

Referred to the Committee on Corporations.

Also, a bill entitled An act to incorporate the People's gas company of Wilkesbarre.

Referred to the Committee on Corporations.

Also, a bill entitled An act to incorporate the Co-operative Association of Wilkesbarre.

Referred to the Committee on Corporations.

Also, a bill entitled An act authorizing the trustees, secretary and treasurer of the Proprietor's Fund of Plymouth township, to appropriate said fund toward the erection of school houses, and for school purposes.

Referred to the Committee on Education.

Mr. RANDALL, a bill entitled An act to authorize the Lehigh Valley railroad company to build branch railroads.

Referred to the Committee on Railroads.

Mr. JAMES, a bill entitled An act fixing the compensation for the commissioners for the county of Bucks.

Referred to the Committee on the Judiciary Local.

Also, a bill entitled An act relative to the collection of school tax in the township of Doylestown, Bucks county.

Referred to the Committee on Education.

Mr. WALLS, a bill entitled An act authorizing the school directors of Washington township, Snyder county, to appropriate certain school funds for bounty purposes.

Referred to the Committee on Education.

Mr. LOWRY, a bill entitled An act to enable the authorities of South Erie to increase taxation and lay sidewalks.

Referred to the Committee on the Judiciary Local.

Mr. WALLACE, a bill entitled An act to incorporate the Brandy Camp railroad company.

Referred to the Committee on Railroads.

Mr. WHITE, a bill entitled An act to incorporate the Enterprise gas light company.

Referred to the Committee on Corporations.

Mr. GRAHAM, a bill entitled An act for the vacation of the Methodist burial ground in the city of Pittsburg, and for removing the bodies therefrom.

Referred to the Committee on the Judiciary Local.

Also, a bill entitled An act supplementary to an act entitled An act concerning streets and sewers in the city of Pittsburg, approved January 6, 1864.

Referred to the Committee on the Judiciary Local.

Also, a bill entitled An act conferring additional power to the councils of the city of Pittsburg.

Referred to to the Committee on the Judiciary Local.

Mr. BROWNE (Lawrence), a bill entitled An act relating to the publication of local, general and private laws and of legal advertisements in the several counties of the Commonwealth of Pennsylvania.

Referred to the Committee on the Judiciary General.

Mr. BURNETT, a bill entitled An act to incorporate the City Passenger railroad company.

Referred to the Committee on Railroads.

Also, a bill entitled An act relative to the purchase of a law library in the county of Wayne.

Referred to the Committee on the Judiciary Local.

REPORT OF A COMMITTEE OF CONFERENCE.

Mr. COLEMAN, from the committee of conference to which was committed the subject of the differences existing between the two Houses, in relation to bill No. 131, Senate file, entitled An act to authorize the town council of the borough of Middletown, in the county of Dauphin, to borrow money to pay off all the present indebtedness of said borough, and to build a bridge over the Pennsylvania canal on Wood street, and to provide for the payment thereof, as also for the future government of said borough, by an increased rate of taxation,

Made a report, which was read as follows, viz:

That the committee had agreed to recommend

That the Senate should recede from its non-concurrence in the amendments made by the House of Representatives to said bill.

G. DAWSON COLEMAN,
HORACE ROYER,
JNO. WALLS,
Committee on the part of the Senate.

J. SEILER,
H. B. HOFFMAN,
EDWIN SATTERTHWAIT,
Committee on the part of the House.

Said report was read a second time, considered and adopted.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

The Clerk of the House of Representatives being introduced, presented for concurrence bills numbered and entitled as follows viz:

No. 467, an act to incorporate the Spruce Grove lumber and land company.

Referred to the Committee on Corporations.

No. 491, an act to exempt the parsonage of the Park Presbyterian congregation, in the city of Erie, Pennsylvania, from taxation.

Referred to the Committee on Finance.

No. 494, an act to authorize the school board of North Heidelburg township, in the county of Berks, to levy and collect an additional bounty tax.

Referred to the Committee on Education.

No. 495, an act authorizing the supervisors of Greene township, in the county of Mercer, to collect a tax and pay certain bounties and moneys advanced for to pay bounties.

Referred to the Committee on the Judiciary Local.

No. 496, a supplement to an act in relation to the payment of bounties to volunteers from the township of Farmington, Tioga county, during the late rebellion.

Referred to the Committee on the Judiciary Local.

No. 497, an act to levy an additional tax in

Sheffield township, Warren county, for bounty purposes.

Referred to the Committee on the Judiciary Local.

No. 507, a supplement to an act to incorporate the borough of Columbia.

Referred to the Committee on the Judiciary Local.

No. 508, an act to repeal an act authorizing the road commissioners of Sugar Grove township, Warren county, to levy additional road tax, approved February 17, 1865.

Referred to the Committee on Roads and Bridges.

No. 509, an act to repeal an act authorizing a public ferry over the Allegheny river, in Warren county, approved April 10, 1862.

Referred to the Committee on Canals and Inland Navigation.

No. 511, an act to incorporate the Union transfer company.

Referred to the Committee on Corporations.

No. 513, an act changing the time of holding the annual meeting and election of president, managers and treasurer of the Green Lane and Goshenhoppen turnpike road company, and the time for declaring the dividends of said company.

Referred to the Committee on Roads and Bridges.

No. 516, an act to prevent the hunting of deer with dogs in the county of Wyoming.

Referred to the Committee on the Judiciary Local.

No. 517, an act to repeal a supplement to an act to prevent cattle, horses, sheep and hogs from running at large in the county of Delaware, extending the same to Lebanon county, approved the 11th day of April, A. D. 1866.

Referred to the Committee on Agriculture and Domestic Manufactures.

No. 518, an act to prohibit the sale of intoxicating drinks in the townships of Economy and Independence, in the county of Beaver.

Referred to the Committee on Vice and Immorality.

No. 521, an act to incorporate the Farmers' Union Mutual fire insurance company of Pennsylvania.

Referred to the Committee on Corporations.

No. 526, an act to authorize the board of school directors of Venango City, Venango county, to borrow money.

Referred to the Committee on Education.

No. 527, an act to change the place of holding elections in Allegheny township, Venango county.

Referred to the Committee on Education.

No. 539, an act to authorize the commissioners of Lehigh county to borrow money.

Referred to the Committee on the Judiciary Local.

No. 540, an act to increase the pay of the county auditors and the supervisors and township auditors of the several townships of Northumberland county.

Referred to the Committee on the Judiciary Local.

No. 541, an act to authorize the Governor two appoint two additional notaries public for the county of Dauphin, one for the Nineteenth ward of the city of Philadelphia, and three to reside in the county of York.

Referred to the Committee on the Judiciary Local.

No. 542, an act to increase the compensation of the supervisors, assessors and auditors of the township of Gregg, in the county of Union.

Referred to the Committee on the Judiciary Local.

No. 543, an act providing for the compensation of the commissioners of Northampton county.

Referred to the Committee on the Judiciary Local.

No. 544, an act relative to the purchase of a law library in the county of Washington.

Referred to the Committee on the Judiciary Local.

No. 545, an act relating to fees of notaries public in the county of Erie.

Referred to the Committee on the Judiciary Local.

No. 546, an act repealing an act relative to the purchase of a law library in the county of Butler.

Referred to the Committee on the Judiciary Local.

No. 547, an act to authorize the Governor to appoint a notary public in the borough of Hazleton, Luzerne county.

Referred to the Committee on the Judiciary Local.

No. 548, an act increasing the fees of justices of the peace, road commissioners, auditors, &c., and constables in the counties of Bradford, Wyoming and Susquehanna.

Referred to the Committee on the Judiciary Local.

No. 549, a supplement to an act in relation to huckstering in the counties of Bedford, Cumberland, Franklin, Fulton and York, approved 18th day of May, A. D. 1866.

Referred to the Committee on the Judiciary Local.

No. 550, an act authorizing the commissioners of Lycoming county to borrow money to build a new jail.

Referred to the Committee on the Judiciary Local.

No. 551, an act to authorize the auditors of Venango county to open and re-settle the accounts of Henry Dubbs, late treasurer of said county.

Referred to the Committee on Finance.

No. 552, an act providing for the election of additional supervisors in Penn township, Westmoreland county.

Referred to the Committee on Roads and Bridges.

No. 553, an act relative to the costs and fees of criminal cases in Carbon county.

Referred to the Committee on the Judiciary Local.

No. 555, an act to authorize the owners of certain mills on the Delaware river, at Morrisville, to extend their wing dam.

Referred to the Committee on Canals and Inland Navigation.

No. 556, an act relating to hawkers and peddlers of ready made clothing in the county of Greene.

Referred to the Committee on the Judiciary Local.

No. 558, a further supplement to the act incorporating the Lehigh and Delaware Water Gap railroad company.

Referred to the Committee on Railroads.

No. 561, an act to incorporate the Delaware Valley railroad company.

Referred to the Committee on Railroads.

No. 563, a further supplement to an act to authorize the Cranberry coal company to construct a railroad.

Referred to the Committee on Corporations.

No. 599, joint resolutions to pay William H. Jenkins for services as clerk of the committee in the matter of the petition of the electors of the Thirteenth Representative district of the city of Philadelphia, complaining of an undue election and false return of Michael Mullin, as a member from said city.

Referred to the Committee on Finance.

He also returned bills from the Senate numbered and entitled as follows, viz:

No. 157, an act relative to the eligibility of the officers of the Tioga railroad company, and to the time of holding meetings of said company.

No. 226, a supplement to an act to authorize the raising of money and payment of bounties to volunteers in the borough of Scranton, in the county of Luzerne, approved April 1, A. D. 1864, to facilitate the collection of taxes levied for the liquidation of the bounty debt.

No. 316, an act to incorporate the Dickinson Run railroad and bridge company,

With information that the House of Representatives has passed the same without amendments.

He also returned bill from the Senate numbered and entitled as follows, viz:

No. 440, a further supplement to an act to incorporate the Mifflin and Centre County railroad company,

With information that the House of Representatives has passed the same with amendments, in which the concurrence of the Senate is requested.

On motion of Mr. HAINES, said amendments were twice read, considered and

Agreed to.

MESSAGE FROM THE GOVERNOR.

The Deputy Secretary of the Commonwealth being introduced, presented the following message, in writing, from the Governor:

EXECUTIVE CHAMBER,
HARRISBURG, February 27, 1867.

To the Senate and House of Representatives of the Commonwealth of Pennsylvania:

GENTLEMEN—I have approved and signed the following acts of the General Assembly, to wit:

On the 21st instant:

An act extending the time for the payment of the enrollment tax on the People's accident insurance company of Pennsylvania, and changing the corporators.

An act to amend the charter of the Cambria iron company, authorizing an increase of capital stock and the issue of bonds, and authorizing the manufacture of iron and steel in any shape.

A supplement to an act to enable the stockholders to rebuild the Lewisburg bridge, and to establish, in the meantime, a ferry.

On the 23d instant:

A supplement to the act to incorporate the Western transportation company, formerly the Oil Creek transportation company.

An act relative to the Lancaster and Litiz turnpike road company, in Lancaster county.

An act relating to the Dauphin county prison.

A supplement to the act of Assembly entitled An act to incorporate the Union Park skating association of Allegheny city, approved the 23d day of March, Anno Domini one thousand eight hundred and sixty-five.

An act to incorporate the Sullivan and Pocono Summit plank road or turnpike company.

An act to authorize the school directors of Minersville borough, in the county of Schuylkill, to borrow money.

A further supplement to an act for the better preservation of the records contained in the public offices in the several counties of this Commonwealth, approved the 29th day of March, Anno Domini one thousand eight hundred and twenty-seven, so far as relates to the county of Lancaster.

An act to incorporate the Wilkesbarre and Sugar Notch passenger railway company.

An act to incorporate the Hand-in-Hand Mutual life insurance company.

A supplement to an act to incorporate the Trout Run navigation company, authorizing change of time and place of organization thereof.

A supplement to an act to incorporate the Corn Exchange association of Philadelphia, authorizing said association to make certain by-laws, and regulating the assessment and payment of dues, fines, et cetera.

An act to incorporate the Granite insurance company.

An act to incorporate the Providence gas and water company in Luzerne county.

An act relating to Newcastle gas light company.

An act to authorize the select and common councils of the city of Williamsport to levy and collect a special tax for city purposes.

On the 25th instant:

An act to incorporate the Richland Township Mutual insurance company.

An act to authorize the borough of St. Marys to borrow money and to extend the width of St. Michael street in said borough.

An act to extend the time for the payment of the enrollment tax on an act, entitled A supplement to the act incorporating the Littlestown railroad company, approved the 17th of February, Anno Domini one thousand eight hundred and fifty-four, approved April 8th, one thousand eight hundred and sixty-four.

An act to extend the time of payment of the enrollment tax on a certain act, approved March 10th, one thousand eight hundred and sixty-five, entitled A further supplement to an act to incorporate the Powelton coal and iron company, approved May 1st, one thousand eight hundred and sixty-one, extending the time of charter of said company.

An act to repeal an act providing for compensation of damages to public roads, in Bethlehem and Palmer townships, Northampton county, by the construction of the Lehigh and Delaware Water Gap railroad, approved the 11th day of April, Anno Domini one thousand eight hundred and sixty-six.

On the 26th instant:

An act to incorporate the M'Connell mineral company of Pennsylvania.

An act to authorize the election of additional officers in the township of Madison, Perry county.

JNO. W. GEARY.

Laid on the table.

THE LINCOLN MONUMENT.

The Deputy Secretary of the Commonwealth also presented the following message from the Governor, which was read and with the accompanying correspondence was

Referred to the Committee on Finance:

EXECUTIVE CHAMBER,
HARRISBURG, February 26, 1867.

To the Senate and House of Representatives of the Commonwealth of Pennsylvania:

GENTLEMEN—I have the honor to submit herewith two communications from His Excellency, Richard J. Oglesby, Governor of the State of Illinois, upon the subject of an appropriation for the erection of a monument to Abraham Lincoln. I very respectfully refer the same to the consideration of the House.

JNO W. GEARY.

STATE OF ILLINOIS,
EXECUTIVE DEPARTMENT,
SPRINGFIELD, February —, 1867.

To His Excellency John W. Geary, Governor of Pennsylvania:

DEAR SIR—I am directed by the National Lincoln Monument association to address you upon this subject, and take the liberty respectfully to invite your attention to the enclosed memorial, and to request that you lay the same before the Legislature of your State, now in session, with such recommendations as you may feel the importance of the subject requires, and your own views may permit.

After nearly two years of continued efforts to secure the necessary means to build a monument over the remains of Mr. Lincoln by private subscriptions and donations, we feel satisfied that we have reached nearly the full amount that may be expected from these sources, and that a public duty next to our obligations to the memory of this great and good man, requires us to directly appeal to the several loyal States through their Legislatures, to aid the association in securing what is believed will be the necessary sum to build an appropriate and suitable monument over his remains.

The State of Illinois has responded to our memorials and petitions by granting an appropriation of fifty thousand dollars. We have, in the hands of our treasurer, invested interest-bearing national securities, donated by private subscriptions, after the payment of all expenses, seventy-five thousand dollars. We believe we will hardly be justified in attempting to build a monument for the purpose stated that will cost us less than two hundred and fifty thousand dollars. We have at present but one-half of this amount. We are not without hope that the Legislature of your State may feel disposed to approve our action, and the conclusion at which we have arrived, and to aid our association by such an appropriation as shall encourage us to hope that the laudable object we have in view is not to fail, but is to be supported by that just and liberal public opinion which, during his administration, so cheerfully and steadily supported him.

I shall be most happy to afford you any information you may desire about the history of the organization, and action of our association, and shall be much pleased to receive, either from yourself or from the Legislature of your State, any suggestions in reference to this subject.

Very respectfully,
Your obedient servant,
R. J. OGLESBY.

MEMORIAL.

To the Honorable the Senate and House of Representatives of the State of Pennsylvania:

Your memorialists, members of the National Lincoln Monument Association, would most respectfully solicit your attention to the accompanying articles of association and memorial, which they have had the honor to submit to the General Assembly of the State of Illinois, now in session.

The Legislature of Illinois has appropriated the sum of fifty thousand dollars in furtherance of the objects of the association. But a much larger amount, in the opinion of your memorialists, and, as they believe, in the judgment of the great body of the loyal American people, will be required to build a monument commemorative with the dignity and grandeur of the object and aim contemplated by the association.

In order, therefore, to impart to this enterprise that truly national character which we think it ought to assume, we respectfully ask the aid of your great State in rearing such a monument to the memory of Abraham Lincoln as will be worthy of his public services and fame, and as shall truly represent the love and reverence of the American people for the immortal principles of liberty and justice which ever found in him so able and fearless an advocate, and for his fidelity to which he lost his life.

Richard J. Oglesby,	O. M. Hatch,
Sharon Lyndal,	James C. Conkling,
Orlin H. Miner,	S. H. Melvin,
Newton Bateman,	John Williams,
John T. Stewart,	James H. Beveridge,
S. H. Treat,	Jacob Bunn,
Jesse K. Dubois,	John J. Dennis,
	David L. Phillips,

BILL RECONSIDERED AND PASSED.

On motion of Mr. LOWRY, the Senate reconsidered the vote had on the final passage of bill entitled An act to incorporate the Erie City passenger railway company—said bill having been returned from the Governor to the Senate, for amendment, in pursuance of a resolution adopted by both Houses.

And the bill being again before the Senate Mr. LOWRY asked and obtained the unanimous consent to amend the second section.

The bill then

Passed finally.

BILLS PASSED.

On motion of Mr. DAVIS, the Committee on Finance was discharged from the further consideration of a bill entitled A supplement to an act to provide for the ordinary expenses of the Government and other general and specific appropriations, approved April 11th, 1866, relative to the Keystone normal school.

And the rules having been dispensed with,

The bill was read a second and third time, and

Passed finally.

On motion of Mr. COLEMAN, the Committee on the Judiciary Local was discharged from the further consideration of bill entitled An act to authorize the Pennsylvania steel company to purchase and hold stock in other corporations.

And the rules having been dispensed with,

The bill was read a second and third time, and

Passed finally.

On motion of Mr. GLATZ, the rules were dispensed with, and the Senate proceeded to the consideration of bill entitled An act to regulate the salaries of the county auditors, and also the salaries of the township auditors and their clerk in the county of York.

The bill was read a second and third time, and

Passed finally.

On motion of Mr. LOWRY, the Committee on the Judiciary Local was discharged from the further consideration of bill entitled An act to enable the authorities of South Erie to increase taxation and lay side-walks.

And the rules having been dispensed with,

The bill was read a second and third time, and

Passed finally.

On motion of Mr. SHOEMAKER, the rules were dispensed with, and the Senate proceeded to the consideration of bill entitled A supplement to an act entitled An act to incorporate the Susquehanna and Delaware railroad company.

The bill was read a second and third time, and

Passed finally.

On motion of Mr. WHITE, the Committee on Finance was discharged from the further consideration of joint resolution to pay to William H. Jenkins for services, as clerk of the committee in the matter of the petition of the electors of the Thirteenth Representative district of the city of Philadelphia, complaining of an undue election and false return of Michael Mullin as a member from said city.

And the rules having been dispensed with,

The bill was read a second and third time and

Passed finally.

Mr. GRAHAM. Mr. Speaker, I ask the indulgence of the Senate to take up and consider bill entitled An act authorizing and providing power and means for the conversion of the common grounds of the city of Allegheny into public parks.

I move that the rules be dispensed with, and that the Senate proceed to the consideration of the bill.

The motion was agreed to.

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FOR THE SESSION OF 1867.

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[CONTINUED FROM PAGE 408.]

Mr. CONNELL moved that the further consideration of the bill be postponed for the present, in order to reach the general railroad bill.

The motion was agreed to.

Mr. RANDALL moved that the Senate do now proceed to the consideration of the private calendar.

Mr. BIGHAM. Mr. Speaker, the unfinished business of yesterday is the special order. I hope we will go on with the general railroad bill this morning, and hold an afternoon session for the consideration of the private calendar.

Mr. RANDALL withdrew his motion.

Mr. CONNELL then moved a reconsideration of his motion to postpone the further consideration of the billl called up by the Senator from Allegheny [Mr. GRAHAM], as his object was to reach the railroad bill.

Mr. RIDGWAY said he hoped that that motion would not prevail, and thought it better to go through with the private calendar.

Mr. GRAHAM. I followed the precedent of several gentlemen in calling up my bill.

The motion of Mr. CONNELL to reconsider was

Agreed to.

And the rules having been dispensed with, the bill was read a second and third time, and

Passed finally.

THE GENERAL RAILROAD BILL.

Agreeably to order, the Senate proceeded to the further consideration of bill entitled An act to authorize the formation of railroad companies.

The first section was read.

Mr. CONNELL. Mr. Speaker, I move that the further consideration of the bill be postponed until to-morrow morning, and made the special order for that day.

Mr. BROWN (Mercer). Mr. Speaker, I should like to hear some reason why this bill should be postponed.

Mr. CONNELL. We have on our files a private calendar, which we have been in the habit of taking up on Wednesday. We have some one hundred and seventy bills here, and, for the accommodation of the clerks, I think we should take up the calendar. I will agree to begin to-morrow morning, and sit all the week on the railroad bill.

Mr. BROWN (Mercer). Mr. Speaker, I have charge of some of the bills on that calendar, and I would rather that they would all fall than that this bill should be delayed longer. I regard this matter of far more importance than anything else.

Mr. COLEMAN. Mr. Speaker, this is the same question which we pledged ourselves, last week, should come up on Tuesday, and I suppose we shall have the same game as before. I am in the same predicament as other Senators, and have a number of bills on that calendar, but I do think that the interests of the State are of more importance than these petty bills.

Mr. CONNELL. The temperance convention was in session yesterday, and it was the pleasure of the Senate to attend that. As I said before, I am willing to go on with this bill to-morrow morning, and consider it the rest of the week.

Mr. BIGHAM. As has been said, this was made the special order for last Tuesday morning, it was crowded off until Wednesday; it was then postponed again, and we were assured that there should be no objection to taking it up this week.

Mr. CONNELL said that the bill was postponed last week on account of the absence of one of its friends.

Mr. BIGHAM. Well, sir, yesterday we reached it but half an hour before adjournment. Now, I want to propose an afternoon session. We can run through this private calendar in the afternoon; I am in favor of an afternoon session for that purpose. We can go on this morning with this bill.

Mr. FISHER. Mr. Speaker, as a matter of economy in time, I am in favor of the postponement of this bill, so as to work up this private calendar; let us get that out of the way.

Mr. SEARIGHT. Mr. Speaker, this bill was postponed and made the order for last Tuesday on my motion, but not for the reason alleged by the Senator from Allegheny, that the Senator from Clearfield [Mr. WALLACE] was absent. I stated on that occasion that the Senator from Clearfield was absent, and that I believed that he was an active friend of the bill, and that he had objected, on the day before, to its being taken up, because he had not had an opportunity of examining it. Now, I made no pledges on that occasion for any other member of the Senate than myself. I stated then that, so far as I was concerned, I would make no further objection, and I am perfectly willing to go on now and consider this bill, if it be the will of the Senate.

On the question.

Will the Senate agree to the motion of Mr. CONNELL to postpone the further consideration of the bill for the present?

The yeas and nays were required by Mr. LOWRY and Mr. CONNELL, and were as follow, viz:

YEAS—Messrs. Burnett, Connell, Donovan, Fisher, Glatz, James, Landon, M'Candless, Randall, Ridgway, Royer, Schall, Searight, Shoemaker, Stutzman and Walls—16.

NAYS—Messrs. Bigham, Billingfelt, Browne (Lawrence), Brown (Mercer), Coleman, Davis, Lowry, Taylor, Wallace, White and Hall, *Speaker*—11.

So the question was determined in the affirmative.

PRIVATE CALENDAR.

Agreeably to order, the Senate proceeded to the second reading and consideration of bills on the private calendar, numbered and entitled as follows, and said bills were disposed of as stated:

No. 443, an act to divide the borough of Port Carbon, Schuylkill county, into two wards.

Passed finally.

No. 444, a supplement to the act of March 19, 1860, making further provisions for the government of the city of Harrisburg.

The bill was read.

Mr. COLEMAN moved to amend the sixth section by inserting after the word "mayor," in the first line, the words "and president judge of this district," so as to confer the power of appointment equally on both the mayor and president judge.

Mr. DONOVAN objected to the sixth section, as proposed to be amended. The chief magistrate of the city certainly ought to have the selection of all his officers, without the appointing power on the part of the judge.

Mr. COLEMAN. Mr. Speaker, the county is put to the expense of a great portion of the police system, and the judge, being a representative of the county, the power is divided, as it were, between the county and the mayor. The county pays the great bulk of the expense of the system. I do not want to meddle with the gentleman's legislation in the city of Philadelphia, and hope he will not interfere in this.

Mr. DONOVAN. I am not interfering with the gentleman's legislation, but I think it is a wrong system. It is upon a question of principle that I object to this.

Mr. DAVIS said that, as he found no reason for such an extraordinary change in the police system, he would vote for the amendment; that he disliked to interfere with the police of the city, but it would make an entire change in the system. The mayor is responsible for the good order and security of property in the city in which he resides, and, in the absence of any reason why the judge should have this privilege, he would feel obliged to vote for the amendment.

Mr. COLEMAN said that in large cities, like New York, for instance, the Mayor had no appointing power; and thought the same principle should apply to Harrisburg.

Mr. DAVIS said that the reason why the mayor of New York had no appointing power, was owing to the same enterprising gentlemen at Albany.

The amendment of Mr. COLEMAN was then

Agreed to,

And the question recurring,

Shall the bill pass?

The yeas and nays were required by Mr. DONOVAN and Mr. RIDGWAY, and were as follow, viz:

YEAS—Messrs. Billingfelt, Browne (Lawrence), Brown (Mercer), Coleman, Connell, Fisher, Graham, Haines, Landon, Lowry, Ridgway, Royer, Shoemaker, Stutzman, Taylor and White—16.

NAYS—Messrs. Burnett, Davis, Donovan, Glatz, M'Candless, Randall, Schall, Searight, Wallace and Walls—10.

So the question was determined in the affirmative.

House bill No. 321, an act authorizing and

requiring the school directors of Mercer township, and Harrisville borough, in the county of Butler, to levy a bounty tax, and for a repeal of all former acts relating to bounties in said district.

Laid over on third reading.

No. 447, an act authorizing the commissioners of Mercer county to purchase a lot of ground for a jail, and to sell the jail now erected.

Amended, on motion of Mr. BROWN (Mercer).

Passed finally.

House bill No. 342, and act relating to the poor laws of Delaware county.

Passed finally.

House bill No. 318, an act relative to bounty taxes in Marion township, Butler county.

Amended, and

Passed finally.

House bill No. 313, an act to authorize the commissioners of Wyoming county to levy an additional tax, for the purpose of erecting a new county jail and sheriff's house in said county of Wyoming, and for other purposes.

Passed finally.

House bill No. 346, an act authorizing the Governor to appoint six additional notaries public for the city of Philadelphia.

Amended, on motion of Mr. CONNELL, by making the number of notaries public "ten" in lieu of "six."

Passed finally.

House bill No. 345, an act increasing the fees of the several officers in the counties of Somerset and Mercer.

The bill was negatived.

House bill No. 350, a supplement to an act relative to the publication of local laws in the counties of Centre and Schuylkill, approved the 16th day of April, A. D. 1866.

Passed finally.

House bill No. 351, an act repealing so much of the act authorizing the election of additional officers, and changing the manner of collecting taxes in the townships of Robinson and North Fayette, Allegheny county, approved March 13, 1866, as relates to the manner of collecting taxes in Robinson township.

Passed finally.

No. 455, an act to establish a law library in the county of Armstrong.

Passed finally.

No. 456, an act to authorize the appointment of two assistant reporters in the district court of Philadelphia.

Passed finally.

House bill No. 355, a further supplement to an act to empower the town council of the borough of Bellefonte, in Centre county, to borrow money, approved the 14th day of February, A. D. 1863.

Passed finally.

House bill No. 315, an act to regulate the taking of fish from the ponds and lakes in Benton township, in Luzerne county.

Passed finally.

House bill No. 322, an act to legalize the levy and collection of certain bounty tax, to provide for a settlement, and authorize the school directors to lay an additional bounty tax in Lykens township, Dauphin county.

Passed finally.

House bill No. 289, an act to authorize the school directors of the borough of Lock Haven, county of Clinton, to borrow money for building purposes.

Laid over.

House bill No. 278, an act to authorize the treasurer of the bounty fund of Schuylkill township, Chester county, Pennsylvania, to pay over to the treasurer of the school board of said township the funds remaining in his hands.

Passed finally.

House bill No. 265, an act to authorize the school directors of Millville school district, Cambria county, to use surplus school tax for building purposes.

Passed finally.

House bill No. 291, an act to authorize the school directors of the borough of Punxsutawney to borrow money.

Passed finally.

House bill No. 296, an act to annex the farms of Samuel Powers, John Hunter, James Cunningham, John Conway and James Rutlidge, of Derry township, to Livermore borough, in Westmoreland county, for school purposes.

Amended, on motion of Mr. SEARIGHT.

Passed finally.

House bill No. 292, a supplement to an act to enable the school directors of Kittanning borough to borrow money, approved the 12th day of March, A. D. 1866.

Passed finally.

House bill No. 193, a supplement to an act to empower the school directors of Chambersburg to borrow money to build a new school house, approved the 12th day of May, A. D. 1857, further extending the provisions of the second section thereof.

Passed finally.

House bill No. 325, a further supplement to an act to incorporate the Pittsburg and Birmingham passenger railroad company, approved the 13th day of April, 1859.

Passed finally.

House bill No. 327, an act to incorporate the Allegheny and Saw Mill Valley passenger railway company.

Passed finally.

No. 481, an act relative to election precincts in Allegheny county.

Amended, on motion of Mr. BIGHAM.

Passed finally.

House bill 314, an act to divide the township of Plymouth into two election districts.

Amended, on motion of Mr. SHOEMAKER.

Passed finally.

No. 483, an act to repeal the fourth section of an act relating to certain election districts.

The title was amended, and

Passed finally.

No. 484, an act to change the time of holding borough elections in the borough of Minersville, Schuylkill county.

Passed finally.

No. 485, an act increasing the compensation of judges of elections in the Twenty-first, Twenty-second, Twenty-third and Twenty-fifth wards of the city of Philadelphia.

On motion of Mr. CONNELL, the bill was amended.

On the final passage of the bill,

The yeas and nays were required by Mr. DONOVAN and Mr. RANDALL, and were as follow, viz:

YEAS—Messrs. Bigham, Billingfelt, Browne (Lawrence), Brown (Mercer), Burnett, Coleman, Connell, Fisher, Graham, Haines, Landon, Ridgway, Royer, Shoemaker, Stutzman, Taylor and White—17.

NAYS—Messrs. Donovan, Glatz, M'Candless, Schall and Wallace—5.

So the bill passed finally.

No. 487, an act to incorporate the Lebanon County Soldiers' and Sailors' Monument association.

Passed finally.

House bill No. 337, an act relative to the supervisors and road laws in Wiconisco township, Daughin county.

Passed finally.

House bill No. 308, an act to incorporate the Pennsylvania live stock insurance company, to insure against disease, accidents and death.

Objected off.

No. 501, an act to exempt from taxation certain land set aside as public park in or near the borough of Kane, in M'Kean county.

Passed finally.

No. 503, a further supplement to an act relating to local bounties, approved March 15, 1865.

The title and bill were amended on motion of Mr. BROWNE (Lawrence).

Passed finally.

No. 506, an act relative to hawking, peddling and selling by sample in the county of Schuylkill.

Passed finally.

No. 507, an act relative to the courts in Lehigh county.

Passed finally.

House bill No. 243, an act relating to hawking and peddling in the county of Westmoreland.

Passed finally.

No. 511, a supplement to an act to increase the compensation of the county commissioners, auditors, jurors, assessors, witnesses and supervisors of Indiana county, and to authorize the collection of road taxes in Burrell township, in said county, in money, approved April 11, A. D. 1866.

Passed finally.

No. 512, an act allowing the mercantile appraisers of Allegheny county the same fees allowed in other counties of the State.

Passed finally.

No. 513, an act relative to the fees of notaries public in the counties of Dauphin and Lebanon.

Passed finally.

No. 514, an act to extend the time for payment of enrollment tax on a supplement to the Karthaus iron, coal and railroad company.

Passed finally.

House bill No. 176, an act to authorize the payment to Michael Dunn, a soldier of the war to suppress the rebellion, a gratuity on the account of the loss of both his legs.

Passed finally.

No. 517, an act to incorporate Continental slate company.

Amended, and

Passed finally.

No. 518, a further supplement to an act to incorporate the North American shaft company, approved the 22d day of March, 1862.

Amended, and

Passed finally.

No. 519, an act to incorporate the Quaker City Barge Club of the city of Philadelphia.

Passed finally.

No. 520, an act to incorporate the Moshannon land and lumber company.

Amended, on motion of Mr. RIDGWAY.

Laid over on third reading.

No. 521, an act to confer upon the Pittsburg forge and iron company all the powers, rights and privileges of the Jones and Nimick manufacturing company, by the act approved the 1st day of April, 1863.

Passed finally.

No. 522, an act to incorporate the Enterprise mining and exploring company.

Passed finally.

House bill No. 214, an act to establish a ferry over the Allegheny river at the mouth of East Sandy creek, in the county of Venango.

Passed finally.

House bill No. 206, an act to establish a ferry over the Allegheny river at or near Bear Creek landing.

Passed finally.

House bill No. 336, an act to declare a portion of Freeman's run, in Potter county, a public highway.

Passed finally.

House bill No. 338, an act to establish a ferry and foot bridge over the Driftwood

branch of the Sinnemahoning creek, near the mouth thereof, in Cameron county.

Objected off.

House bill No. 333, an act declaring Wiconisco creek, from Oakdale forge, in Dauphin county, to the public road leading from Clark's valley to Tremont, in Schuylkill county, a public highway.

Passed finally.

House bill No. 271, a supplement to an act to incorporate the Red Bank navigation company.

Passed finally.

House bill No. 330, an act to establish a ferry over the Allegheny river in Kinzua township, Warren county.

Passed finally.

House bill No. 196, an act to establish a ferry over the Monongahela river, at the borough of California, in the county of Washington.

Amended, on motion of Mr. TAYLOR, and

Passed finally.

No. 532, an act to declare Montgomery creek, in the county of Clearfield, a public highway.

Passed finally.

House bill No. 102, an act to repair the Cowanesque river, in the county of Tioga.

Laid over.

House bill No. 194, an act to establish a ferry on the Allegheny river, at Patterson's Falls, in the county of Venango.

Passed finally.

House bill No. 195, an act construing portions of the first section of an act, approved February 17, A. D. 1865, granting to Samuel Stock the right to erect a ferry or foot bridge over Oil creek, at or near the Noble well, in the township of Cornplanter, Venango county.

Passed finally.

No. 539, an act repealing the provisions of the act for the protection of sheep and taxing of dogs in the county of Blair, and extended to the county of Monroe, so far as the same relates to the township of Pocono, in the said county of Monroe.

Passed finally.

No. 540, an act authorizing the president and managers of the Limerick turnpike company, and the president and managers of the Jarrettstown and Horsham turnpike company, to charge certain rates of tolls.

Passed finally.

No. 541, an act to incorporate a company to erect a bridge over the Youghiogheny river, at a point between the mouth of Dickerson's run and Taylor's fording, in the county of Fayette.

Passed finally.

House bill No. 262, an act to incorporate the Springfield and Garretford turnpike company.

Passed finally.

House bill No. 200, an act to incorporate the Boyd Farm and Petroleum Centre bridge company.

Amended, on motion of Mr. BROWN (Mercer), by adding several corporators.

Passed finally.

REPORT FROM A COMMITTEE.

On leave, Mr. GLATZ, from the Committee on Corporations, reported as committed, a bill entitled An act to incorporate the People's bridge company of Harrisburg.

AN AFTERNOON SESSION.

Mr. CONNELL moved that when the Senate adjourns it will adjourn to meet this afternoon at 3 o'clock.

The motion was

Agreed to.

The hour of one o'clock having arrived, the Senate then adjourned untill three o'clock this afternoon.

AFTERNOON SESSION.

The Senate met at 3 o'clock, P. M.

BILL PASSED.

On motion of Mr. BIGHAM, the Committee on the Judiciary General was discharged from the further consideration of a bill entitled An act creating a board for the erection of a city hall in the city of Pittsburg.

And the rules having been dispensed with, The bill was read a second and third times and

Passed finally.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

The Clerk of the House of Representatives being introduced, presented for concurrence bills numbered and entitled as follows, viz:

No. 65, an act to increase the compensation of the supervisors of roads in the township of Solebury, Bucks county.

No. 162, an act to incorporate the New Britain and Doylestown turnpike road company.

No. 186, an act to regulate the rates of fare on certain passenger railroads in the county of Allegheny.

No. 264, an act to incorporate the Pennsylvania Boat House association of Philadelphia.

No. 301, an act supplementary to an act to incorporate the Union hall association of Pottsville.

No. 307, an act to authorize the Wyoming slate company to create and issue preferred stock.

With information that the House of Representatives has passed the same without amendment.

PRIVATE CALENDAR—CONTINUED.

The Senate resumed the consideration of billls on the private calendar numbered and entitled as follows,

And said bills were read a second and third times, and disposed of as stated:

House bill No. 260, an act to amend an act and correct an error therein, entitled A supplement to an act entiled An act appointing commissioners to lay out and open a State road in the counties of Cameron and Potter, approved the 21st day of March, A. D. 1865, approved the 4th day of April, A. D. 1866.

Laid over.

House bill No. 213, an act to incorporate the Pioneer Run bridge company.

Passed finally.

House bill No. 340, a supplement to an act to incorporate the Tidionte bridge company, approved the 17th day of April, A. D. 1861.

Passed finally.

House bill No. 261, a supplement to an act entitled An act to incorporate the Factoryville and Abington turnpike and plank road company, approved the 17th day of April, A. D. 1856.

Passed finally.

No. 545, an act to macadamize the Temperanceville and Noblestown turnpike and plank road, and charge the same upon the property benefited.

Not agreed to.

House bill No. 264, an act to repeal an act to incorporate the Pine Creek bridge company, approved the 3d day of March, A. D. 1852.

Laid over.

House bill No. 339, an act to incorporate the Greenwood Avenue turnpike company.

Passed finally.

House bill No. 331, an act extending an act relative to roads in Uwchlan township, Chester county, and East Bethlehem and East Pike Run townships, Washington county, to Peters and East Fallowfield townships, Washington county.

Amended, on motion of Mr. TAYLOR.

Passed finally.

House bill No. 190, an act to incorporate the Rouseville bridge company.

Laid over.

House bill No. 525, an act to re-annex a portion of the borough of Montoursville, in Lycoming county, Pennsylvania, to Fairfield township, in said county.

Passed finally.

No. 564, an act to transfer the counties of Monroe, Pike, Wayne, Susquehanna, Bradford, Wyoming, Luzerne and Carbon, and add the same to the Northern district of the Supreme Court.

Laid over.

House bill No. 452, an act relative to the Allegheny and St. Mary's cemeteries, in Allegheny county.

Laid over.

No. 566, an act to authorize the clerk of the mayor or alderman of the city of Pittsburg to administer oaths.

Passed finally.

No. 567, an act to increase the compensation of the county commissioners and auditors of the county of Monroe.

Passed finally.

No. 569, an act for the relief of Elias Tome, of York county.

Laid over.

House bill No. 413, an act supplementary to an act incorporating the town of Lawrenceville, in the county of Allegheny, into a borough, approved the 13th day of February, A. D. 1834.

Passed finally.

House bill No. 403, an act to establish an additional notary public in Chester county.

Passed finally.

House bill No. 401, an act relating to hawkers and peddlers in the county of Chester.

Passed finally.

House bill No. 423, an act to enable the South ward, in the city of Chester, to procure a supply of water.

Passed finally.

House bill No. 416, an act authorizing the burgess and town council of the borough of Irwin, in Westmoreland county, to levy and collect a special tax for borough purposes.

Passed finally.

House bill No. 406, an act in relation to original writs and executions in the county of Franklin.

Passed finally.

House bill No. 349, an act appropriating moneys arising from fines and forfeitures in Chester county.

Passed finally.

No. 577, a further supplement to the borough of Easton, authorizing the town council of said borough to construct and provide public water works, and to authorize the election of water commissioners.

Passed finally.

No. 578, an act to authorize the supervisors of Kingston township, in Luzerne county, to collect their own duplicates.

Passed finally.

No 579, an act to regulate the salary of the treasurer of Lehigh county.

Passed finally.

House bill No. 404, an act authorizing and requiring the prothonotary of Cambria county to keep an extension docket.

Passed finally.

House bill No. 428, an act to authorize the borough of Indiana to increase their taxation for borough purposes.

Passed finally.

House bill No. 419, an act to authorize an increase of taxes for borough purposes in

the borough of West Elizabeth, Allegheny county.

Passed finally.

No. 583, an act to incorporate the Shakespeare and Lydia Allen Consolidated silver mining company of Nevada.

Passed finally.

No. 584, an act to incorporate the Tremont gas and water company.

Passed finally.

No. 585, an act to incorporate the Keystone telegraph company.

Passed finally.

No. 586, an act to incorporate the Union iron mills.

Passed finally.

No. 587, a supplement to the act to incorporate the Boatman's insurance and transportation company, and to increase the powers thereof, approved the 17th day of May, 1866.

Passed finally.

No. 588, an act to incorporate the Scranton Base Ball Club of Scranton.

Passed finally.

House bill No. 439, a supplement to an act to incorporate the Penn Gas coal company, approved the 1st day of March, A. D. 1861.

Amended, on motion of Mr. RIDGWAY, and

Passed finally.

House bill No. 412, an act to incorporate the Pithole gas and water company.

Amended, on motion of Mr. BROWN (Mercer), by adding several corporators, and

Passed finally.

House bill No. 472, a supplement to an act incorporating the Girard Electrical insurance company, approved the 2d day of March, A. D. 1866.

Amended and

Passed finally.

No. 592, an act to authorize the Lehigh coal and navigation company to build branch railroads.

Amended, on motion of Mr. RANDALL, and

Passed finally.

No. 593, a further supplement to an act entitled An act incorporating the Lackawanna and Bloomsburg railroad company, approved the 5th of April, 1852.

Passed finally.

No. 594, a supplement to an act to incorporate the Philadelphia City passenger railway company, passed March 26, 1859, authorizing said company to borrow money and issue bonds.

Passed finally.

No. 595, a supplement to an act to incorporate the reading passenger railway company, approved the 21st day of March, A. D. 1865.

Passed finally.

House bill No. 483, a supplement to an act to incorporate the Norristown passenger railroad company.

Passed finally.

House bill No. 435, an act to incorporate the Morrison's Cove railroad company.

Passed finally.

House bill No. 384, an act to authorize the qualified electors of Lycoming county to vote for or against a poor house in said county.

Passed finally.

House bill No. 520, a supplement to an act to authorize the board of school directors of the Seventh ward of the city of Pittsburg, in the county of Allegheny, to borrow money, approved April 19, 1861.

Passed finally.

No. 600, an act to authorize the school directors of the borough of White Haven, in thercounty of Luzerne, to borrow money to build school houses.

Passed finally.

No. 601, an act to authorize the school directors of Marshall township, Allegheny county, to apply the surplus of bounty tax in their hands to school purposes.

Passed finally.

No. 603, an act to enable the board of directors of common schools of Benton township. Luzerne county, to apply surplus of bounty fund to common school purposes.

Amended, on motion of Mr. SHOEMAKER.

Passed finally.

House bill No 479, an act to prevent the growth of noxious weeds in the county of Chester.

Passed finally.

No. 606, an act to incorporate the Wyoming bridge company.

Passed finally.

House bill No. 414, an act to vacate a portion of Clarion street, in the borough of Bridgewater, Beaver county, authorizing the portion vacated to be disposed of for the benefit of said borough.

Laid over.

No. 608, a further supplement to an act to incorporate the Birmingham and Pittsburg bridge company.

Passed finally.

No. 609, supplement to the Nanticoke and Hughesville turnpike road company, approved the first day of April, 1836.

Passed finally.

House bill No. 429, an act to extend an act to authorize the burgess and town council of the borough of Kittanning to grade, curb and pave certain sidewalks.

Passed finally.

No. 611, an act providing for changes in the State road in Plymouth township, between the westerly boundary of Plymouth borough and Harvey's creek, in Plymouth township.

Amended, on motion of Mr. SHOEMAKER.

Passed finally.

No. 612, an act supplementary to an act incorporating the Birmingham and Brownsville Macadamized turnpike road company.

Passed finally.

The following bills, laid over on the calendar of February 20, were read a second time and disposed of as stated:

No. 115, an act for the more impartial selection of persons to serve as jurors in York county.

Laid over.

No. 185, a further supplement to an act to incorporate the city of Philadelphia, approved February 2, 1854, relative to vacancies in elective offices.

Laid over.

No. 196, an act regulating roads and bridges in Wayne county.

Passed finally.

No. 253, an act to incorporate the National Deposit company.

Not agreed to.

No. 311, a supplement to an act to establish a ferry over the Monongahela and Youghiogheny rivers, and to vest the right in John M'Kee, his heirs and assigns forever, approved the 5th day of February, 1784.

Amended, on motion of Mr. GRAHAM, by striking out all after the enacting clause and inserting a new bill.

Passed finally.

No. 321, supplement to the charter of the Chestnut Hill and Spring House turnpike company, authorizing said company to reopen old water courses.

Amended, on motion of Mr. ROYER.

Passed finally.

No. 347, an act for the protection of farmers in the markets of Philadelphia.

The bill was read as follows:

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That from and after the passage of this act, it shall not be lawful to sell or expose for sale, in or upon any of the streets or highways, or upon any pavement which is intended for a public highway, in the city of Philadelphia, any meats, fish, or farm produce of any description, within six squares of any market house containing not less than two hundred stalls, which may or shall be held for the sale of meats or farm produce.

SEC. 2. Any person violating the provisions of this act shall be liable to a penalty of five dollars for each and every offense, to be sued for and recovered before any alderman of the said city of Philadelphia, in the name of the city and at the instance of any citizen, one-half of which penalty shall be paid into the city treasury, and one-half to the informer.

Mr. ROYER. Mr. Speaker, this bill was before the Senate a few days ago, and, on account of the absence of my colleague, the Senator from Chester [Mr. WORTHINGTON], it was laid over. I regret to state that he is still prevented by his illness from being present to-day. I know, however, his anxiety for the passage of this law. And in his behalf, and with the information thus far afforded us in support of the bill, I ask the Senate to proceed to its consideration and pass it.

The Senator from Erie [Mr. LOWRY] has in his possession a letter from one of the ablest men in our district and State, the Hon. Joseph J. Lewis, reviewing, at length, the reasons why this law should be enacted. Will he be kind enough to send it to the Clerk's desk, that it may be read for the information of the Senate?

The letter was read as follows:

WEST CHESTER, February 14, 1867.

Hon. M. B. Lowry:

DEAR SIR—I write now for the purpose of asking your attention to a bill which interests the farmers of Chester and other neighboring counties. I do not know the title of the bill, but it relates to the market houses in the city of Philadelphia, and the object is to do away with what are commonly known as the curbstone markets in all parts of the city where convenient and comfortable market houses have been erected for the accommodation of the people. Farmers who were in the habit of attending market suffered in health from exposure in the open sheds on the middle of the streets, and many took stock in the companies that were formed to build houses in which they might sell the produce of their farms in some degree of comfort, with the understanding that the city councils would tear down the sheds and clear the streets, as soon as accommodations were procured elsewhere. This consummation has been prevented by an influence which was not anticipated. There is a tribe of men about the purlieus of the city called shinners and hucksters, who prefer to pay nothing for market stands, and to sell from carts and wagons backed up to the curbstone, to going into the commodious market houses and competing on equal terms with farmers who bring the produce of their farms from the surrounding counties of Chester, Delaware, Montgomery and Bucks. These shinners and hucksters are near to their homes, and the exposure to them for a few hours is not of so much consequence as to the farmer who has a longer distance to come and return. As the curbstone privilege is allowed to them, the street markets are maintained, for farmers cannot sell in the houses as long as persons are allowed to sell in the streets. The market house accommodations thus become, in some instances, of

little use. One large and commodious house has been sold, as I learn, by the sheriff, and another is in danger of being. It is true that the privilege of street markets is specially reserved for the benefit of the farmers, but the shinners and hucksters claim and obtain the benefit of it. If he rents an acre of ground, he claims to be a farmer, and the law as it now stands is practically a dead letter. What is wanted is a law so general in its terms and so clear in its provisions that these curbstone markets shall not be allowed to interfere with the regular market houses, which have been generally built by companies duly incorporated for the specific purpose of furnishing Philadelphia with decent accommodations for a class of people whose wishes in this regard ought to be respected.

But besides this those street markets are really a nuisance. They ought not to be allowed unless the need be urgent. They clog up the streets and impede the passage of travelers. The streets of the city are public highways, in which all the citizens of the Commonwealth have an interest, and they ought not to be used as public markets for the sale of meats or vegetables, more than for the sale of sugar, tea, hardware or broad cloth. I know of no other city that tolerates the practice. The bill in question, I believe, prohibits these markets, only within a certain number of squares of the market houses. To such a prohibition it appears to me unreasonable that any opposition should be made. All that is required is that these street markets shall not interfere with the established market houses. There is room enough for both, and those that like to sell at the curbstone and are too parsimonious to pay stall rent and taxes can be indulged, and the substantial farmer who sells good provisions and wishes to be accommodated can also be satisfied.

The regular markets in the market houses are inspected—the curbstone markets are not. A curious fact was brought to light some time ago in relation to these curbstone markets, by a revenue inspector whom I appointed when commissioner. He ascertained that in a district of country near Philadelphia in which the shinners bought up calves to be slaughtered for the market, no calves were to be found over a week old.

The citizens that like young veal ought to insist on maintaining the curbstone markets. If such a practice obtains as to veal, it would not be surprising if other, equally disgusting should be found to exist as to beef and mutton. I should prefer, for my part, not to dine with a family or to stop at a hotel that patronizes a curbstone market.

I have not contemplated writing an argument, but only to solicit a favor, if consistent with your public duty—and that is to give your aid to the passage of the bill in question, if there shall be found to be any obstruction in the Senate. No such obstruction is anticipated, but it may occur. One of the city Senators may be opposed to it. He may deem it his interest to speak for a class who have no claims on the sympathies of country members.

I am, very respectfully and truly, yours,

JOSEPH J. LEWIS.

MORROW B. LOWRY, Esq., Senate of Pennsylvania.

On the question,

Will the Senate agree to the first section of the bill?

Mr. M'CANDLESS moved to amend the same, by inserting, after the words, "city of Philadelphia," the words, "north of Lombard street."

Mr. DONOVAN. Mr. Speaker, I have no reply to make to the letter which has been read; but I will ask the attention of the Senate for not over five or six minutes, to make a statement in reference to this bill. It may be of very little moment to Senators here; but it is of vital importance to me and to the people I represent. This bill has been defeated in the Senate of Pennsylvania—to the credit of Pennsylvania—for the last six years. The bill is entitled An act for the protection of farmers; but it ought to be entitled An act for the destruction of farmers. Mr. Speaker, if there can be found to-day in the city of Philadelphia six taxpayers who are in favor of the bill that we are asked to pass, I will vote for it. You cannot find a newspaper published in the city of Philadelphia of any class of politics, which has not spoken in thunder tones against this bill. It is monstrous. Mr. Speaker, this bill affects every poor man, woman or child in Philadelphia. In the dead of winter, when we have two or three feet of snow on the ground, the poor man or woman cannot, if this bill is passed, buy half a pound of meat at their own doors. By the provisions of this bill, you compel them to walk six squares.

Mr. Smedley, of Chester county, bought the Second Street market under the sheriff's hammer; he bought it for a song; it did not pay him, and he asks the Senate to put an extra price upon produce.

Now, Mr. Speaker, four years ago there was a suspicion that this bill might pass the Senate of Pennsylvania, when there was a combination of corporators here. The lobby of the Senate Chamber was flooded with people against this bill; every paper in Philadelphia wrote against it. Now, if this bill is postponed for one week, a horse and cart could not haul into this chamber the petitions that will come in against it. I will ask the Clerk to read an extract from a Philadelphia paper of last Wednesday. I have other papers, but they reflect upon Senators, and I will not ask to have them read.

The extract was read by the Clerk, as follows:

"AT IT AGAIN.—There is just now a committee of market house stockholders trying, for the sixth time, to drive the curbstone farmers into their buildings. The market houses are really very fine specimens of architecture, and we should like to see them duly supported; but the rents are high, and the lessees of stalls are, therefore, obliged to put a very heavy tariff on all the provisions they sell. The poorer classes of our citizens can buy what they want much cheaper from the curbstone farmers than from the butchers and hucksters in the palatial establishments which their owners are trying to force certain parties to occupy, by interrupting their sales on the street. This is a question which concerns thousands of worthy but indigent people, who should not be deprived of cheap food; and before the Legislature of the State consents to take that right or convenience away, it should take counsel of our poor, and not of our rich folks, and heed the Christian precept: 'Do unto others as you would have others do unto you.'"

Mr. DONOVAN. Mr. Speaker, I have no particular interest myself in this bill, but I plead for the people of my district, and I thank the Senate for never passing this bill over my head. If ever I understood the wishes of my people, it is upon this thing. I have letters upon this subject which would fill my desk. For six years, when this lobby has been packed with a committee of corporators of the market buildings of Philadelphia, we have defeated this bill, to the credit of the Senate, which will receive the thanks of every poor man, widow and orphan in the district I represent. You can search the *Record*, and search it in vain, to find a case where I have voted for a local bill over any Senator. I say, sir, that where party questions have not been concerned, if any Senator will show me where I have cast my voter over his head, for the past six years, this bill may pass over mine. If my colleague [Mr. M'CANDLESS] wants it for his district, I will vote for it. I ask the Senate of Pennsylvania not to pass this bill over my head, because I do not want it, and I know that there are not six taxpayers in my district who do want it.

The Senate will bear witness that I have asked very few favors here; but I ask this, sir, as a right, and not as a favor. I trust that Senators will not pass a bill so unanimously condemned by public opinion, and I hope it will not dare public opinion and the press of Philadelphia in this way. I ask the Senate to vote this bill down. It only applies to my district, and the Senator from Erie [Mr. LOWRY] ought to be the first man to vote against it, having a horror, as he does, against corporations. Here is a corporation against the poor man.

Mr. LOWRY said when he offered that letter he did not know how he should vote; but if the owners of market house in his city should come here and endeavor to get an act passed over his head to prevent the sale of produce there, he should be opposed to it. Therefore he would vote with the Senator from Philadelphia [Mr. DONOVAN] against this bill.

Mr. RIDGWAY. Mr. Speaker, I represent one of the Senatorial districts of Philadelphia, and I am in favor of passing this bill. They have five market houses there, and better accommodations than in any Senatorial district in Philadelphia. In regard to these "shinners," they pay no license tax or rent. They will sit down right before a farmer who has to pay rent, and sometimes even right before a man's store, who pays five hundred dollars rent. They have no expenses to pay. I have seen them pull their wagons out of an open lot and drag them back at night. It is a customary thing.

Mr. DONOVAN. Will the Senator allow me to ask how many market houses in his district have two hundred stalls?

Mr. RIDGWAY. Only one. But I consider these hucksters a nuisance. We need the streets for the business of the city. There is one of these nuisances within one square of my house, which this bill will break up. It is a nuisance which I want to see got rid of.

Mr. FISHER. Mr. Speaker, I do not wish to interfere with legislation of this kind. I believe I promised my friend, Mr. DONOVAN, some time ago, that I would oppose this bill; if they can procure their turnips better at the curbstone than at the market houses, I have no objection. As it is a family quarrel, I shall go with my friend, Mr. DONOVAN.

Mr. COLEMAN. Mr. Speaker, my experience in Philadelphia is, that in going up to Richmond, to visit manufacturing establishments there, it has always struck me as a great nuisance to see Second street blocked up as it is by these market wagons, and it strikes me, if I were representing Philadelphia, I would be very anxious to get rid of these things. But I should like to hear from the very able chairman of the Agricultural Committee on this subject, and also from the Senator from Blair [Mr. HALL], who takes an interest in agricultural matters.

Mr. DONOVAN. Mr. Speaker, the Senator from Lebanon [Mr. COLEMAN] may treat this bill lightly; but if you pass it, the farmer cannot sell his produce even to the storekeeper. I do not want it for my district, and I am sustained by every paper published in the city; I am sustained by thousands of petitions sent in here four years ago. If any Senator wants it for his district, he can have it; but I do ask the Senate not to pass it for my district, because my constituents do not want it.

Mr. LANDON. Mr. Speaker, I wish to ask the Senator one question. Does this retail of agricultural produce along the streets bring provisions to the common people at a lower rate than they can get them without it?

Mr. DONOVAN. Most undoubtedly. If you compel the people selling produce to go farther from the market, they certainly would have to put an extra price upon their produce.

Mr. LANDON. If a farmer can take a load of potatoes into the city, and sell them without having to pay the rent of a stall, of course he can sell them at a lower price than he could if he had to pay for a stall.

Mr. RIDGWAY. These persons are not farmers. Nine out of ten of the persons occupying curbstones are "shinners:" they are not farmers.

Mr. DONOVAN. Don't you know that produce can be bought by the poor man cheaper on Second street than in the market?

Mr. RIDGWAY. Perhaps he can obtain an inferior article cheaper.

Mr. COLEMAN. Mr. Speaker, I would ask the gentleman from Philadelphia [Mr. DONOVAN] another question. Can you not buy whisky cheaper from a man who does not pay a license than one who does?

Mr. DONOVAN. Certainly; and that is an answer to the question of the other Senator.

Mr. JAMES. Mr. Speaker, it appears to me that we are legislating for persons who do not ask it; this bill is not for the benefit of farmers, and they do not ask it. If they choose, they could go into the market houses without legislation. There are a great many people who have been selling on the streets for years, who are not "shinners," but persons extensively engaged in farming, and why force them into the market house against their will by legislation? Besides, the city authorities have control of the matter, and when, in their opinion, the curbstone market becomes a nuisance, they can regulate the matter themselves. For other reasons, I shall vote against the motion to postpone indefinitely.

Mr. HAINES. Mr. Speaker, as the Senator who has immediate charge of this bill is not here, I move that the further consideration of it be posponed for the present.

Mr. DONOVAN. Mr. Speaker, I trust the Senator from Perry [Mr. HAINES] will withdraw that motion. Let us meet this question here. There is no bill before this Senate in which the people of my district are more interested than in this one.

Mr. WHITE. Mr. Speaker, the Senator from Chester [Mr. WORTHINGTON] has this bill very much at heart. I had a conversation with him intervening at his rooms. He was hopeful of its passage, and suggested that, if there was any extended debate on the bill, it be laid over until he should be in his seat, which he hoped would be next week, and it is due to him that it should be done. I trust the Senator from Philadelphia [Mr. DONOVAN] will appreciate this.

Mr. DONOVAN. Yes, sir, I do appreciate, and I have consented once before to let it lay over. I have voted with the Senator from Indiana [Mr. WHITE] on his local bills.

Mr. WHITE. Does the Senator not appreciate that I have a right to extend an act of courtesy to a brother Senator, confined to his room by sickness?

Mr. DONOVAN. Certainly.

On the question,

Will the Senate agree to the motion of Mr. HAINES to postpone for the present?

Mr. DONOVAN moved to amend the same by striking out the words "for the present," and inserting, in lieu thereof, the word "indefinitely."

Mr. RIDGWAY. Mr Speaker, I trust the Senate will not do that. I think the Senator from Chester [Mr. WORTHINGTON] should be here to see to this bill. He wants to protect farmers and the people also. But he does not want to be imposed upon by these "shinners."

On the question,

Will the Senate agree so to amend the motion of Mr. HAINES?

The yeas and nays were required by Mr. DONOVAN and Mr. RIDGWAY, and were as follow, viz:

YEAS—Messrs. Barnett, Donovan, Glatz, James, M'Candless, Randall, Schall, Seariight, Wallace, Walls and Hall, *Speaker*—11.

NAYS—Messrs. Bigham, Billingfelt, Browne, (Lawrence), Coleman, Connell, Graham, Haines, Landon, Lowry, M'Conaughy, Ridgway, Royer, Shoemaker, Stutzman, Taylor, and White—16.

So the question was determined in the negative.

During the call,

Mr. M'CONAUGHY said: Mr. Speaker, I do not know how I will vote when this bill comes up on final passage, but I do not wish to have it disposed of finally until the Senator from Chester [Mr. WORTHINGTON], who has this bill in charge, can be here. I vote "no."

Also, during the call,

Messrs. LANDON and WHITE said that, for the same reasons expressed by the Senator from Adams [Mr. M'CONAUGHY] they would vote "no."

The motion to postpone for the present was then agreed to.

No. 397, an act appointing commissioners to lay out and open a State road in the counties of Cameron, Elk and Clearfield, from the Sinnemahoing to the West Branch of the Susquehanna.

Amended, on motion of Mr. WALLACE.

Passed finally.

No. 409, a further supplement to an act increasing the fees of the several county officers of this Commonwealth, except in the city of Philadelphia and counties of Allegheny, Bradford, Susquehanna and Sullivan, approved March 30, A. D. 1865.

Laid over.

No. 414, an act to prevent the burning of the woods in the counties of Clearfield and Elk.

Passed finally.

House bill No. 159, a supplement extending the provisions of an act, approved the 17th day of April, A. D. 1865, relative to the fees on unseated lands in the county of Centre.

Amended, on motion of Mr. HAINES.

Passed finally.

House bill No. 166, an act to divide the borough of Plymouth into two wards.

Passed finally.

House bill No. 212, a supplement to an act to incorporate the Cresheim turnpike and bridge company, approved the 16th day of March, A. D. 1866.

Laid over on third reading.

House bill No. 268, an act to incorporate the Kensington Mutual Co-operative association of the city of Philadelphia.

Passed finally.

BILL REFERRED.

Mr. GLATZ moved that bill No. 569, on the private calendar, which had been laid over, be committed to the Committee on the Judiciary General.

The motion was

Agreed to.

BILLS RECONSIDERED.

Mr. GRAHAM moved that the Senate reconsider the vote had on the final passage of a bill entitled An act regulating roads and bridges in Wayne county.

The motion was

Agreed to.

Mr. GRAHAM. Mr. Speaker, I have moved for a reconsideration of the vote on this bill not because I desire to interfere with the local system of any Senator, or for the reason that I have any personal knowledge of the propriety or impropriety of the provisions contained in it. There seems to be grave objections to its passage, however, judging from the communication I hold in my hand, forwarded to me by a gentleman familiar with all the circumstances, and acquainted with the palpable injustice that would or might result from its passage. Mr. Speaker, I ask that the Clerk may read the objections contained in this paper, and then I shall leave the matter to the action of the Senate.

The letter was read by the Clerk, as follows:

This bill is objectionable in its general features.

First. It creates at least seven additional officers in each township, at, of course, an additional expense. It does not do away with the present office of supervisor, because it makes no provision for the care of the poor.

Second. It gives to the officers the entire charge of laying out and building roads and bridges, assessing damages and making the ordinary repairs without making them responsible to any tribunal.

The very inadequate relief, that the commissioners of the different townships shall review one another's action in case questions arise, is no sufficient protection of the rights of citizens. [See section thirteen.]

Under this act a man's farm may be actually cut to pieces by vote of his township, and he have no relief.

Third. This act will virtually make all our road matters political questions—putting them all in control of elective officers.

Is this a better guarantee for rights of citizens than the ordinary course of appointing viewers by quarter sessions, with opportunity of review by the court on remonstrance filed?

Fourth. It is true there are many good provisions in the bill, but we have them all substantially in our existing law. All that is new in the bill is objectionable. Some of the townships in this county have been working under a law embodying the same general provisions of this bill; the law has created great difficulty, and the people are now discussing the question of its repeal.

We cannot see any possible advantage this bill possesses over the existing law.

SEC. 4. Where no subdivisions of townships into school districts, a township is itself a school district.

SEC. 11. Requires commissioners, whenever they have money unappropriated, to advertise for bids and contracts, and spend it.

SEC. 12. Makes no provision for notice to parties interested in the laying out of a road, or through whose land it may pass.

SEC. 13. Suppose a party does not find out for three months that a road has been laid out through his farm, as no notice to him is required.

This section makes no provision for filing annual report. It makes the commissioners of different townships the final arbiters of each other's difficulties.

The bill then

Passed finally.

Mr. M'CONAUGHY moved to reconsider the action had on bill No. 520, on the private calendar, entitled An act to incorporate the Moshannon land and lumber company.

Mr. FISHER said he was interested in the

lumber question, and desired to have an opportunity of examining this bill before it passed.

Mr. M'CONAUGHY. I assure the gentleman it does not touch the lumber question on the Susquehanna.

Mr. FISHER. I shall certainly object to the bill, and shall call the ayes and nays on suspending of the rules. I want to know something about it. Anything that affects lumber interests me.

Mr. M'CONAUGHY. I assure the Senator from Lancaster [Mr. FISHER] that the bill touches only the constituents of the Senator from Clearfield [Mr. WALLACE]. His attention has been called to it, and he is satisfied with it.

The bill was laid over on third reading.

BILLS PASSED.

On motion of Mr. LOWRY, the rule was dispensed with, and the Senate proceeded to the consideration of bill entitled An act to provide for the enlargement of the Erie canal, to authorize the mortgaging of the same and the issuing of bonds, and to increase the capital stock and regulate the tolls.

The bill was read a second and third time, and

Passed finally.

On motion of Mr. CONNELL, the rules were dispensed with, and the Senate proceeded to the consideration of a bill entitled An act to incorporate the Superior iron company.

The bill was read a second and third time, and

Passed finally.

On motion of Mr. FISHER, the Committee on Corporations was discharged from the further consideration of bill entitled An act to incorporate the Union transfer company.

And the rules having been dispensed with,

The bill was read a second and third time, and

Passed finally.

On leave given,

Mr. M'CANDLESS read in his place and presented to the Chair a bill entitled A further supplement to the act to incorporate the Pennsylvania fiscal agency, approved November 11th, 1859, empowering said company, now known as the "Credit Mobilier of America," to provide for the completion of certain contracts.

Referred to the Committee on Corporations.

On motion of Mr. M'CANDLESS, the committee was discharged from the further consideration of said bill, and the rules having been dispensed with,

The bill was read a second and third time, and

Passed finally.

The SPEAKER adjourned the Senate until to-morrow moring at 11 o'clock.

HOUSE OF REPRESENTATIVES.

WEDNESDAY, February 27, 1867.

The House met at 10 o'clock, A. M.

Prayer was offered by the Rev. J. KENNEDY, member from Wyoming.

The SPEAKER announced a quorum of members present.

The Journal of yesterday was partly read, when,

On motion of Mr. MEYERS, the further reading of the same was dispensed with.

PRIVATE CALENDAR.

Agreeably to order,

The House proceeded to the consideration of the bills on the private calendar.

The following bills were read a second and third time and disposed of as stated:

No. 565, a supplement to an act to incorporate the Swatara company, passed March 7, 1849.

Passed finally.

No. 568, a supplement to an act to incorporate the White Deer bridge company, approved the 23d day of March, A. D. 1849.

Passed finally.

No. 569, an act authorizing the supervisors of Blythe and Norwegian townships, Schuylkill county, to make and repair the public road bridges and culverts in said township.

Passed finally.

No. 570, an act to incorporate the Shickshinny and New Columbus borough turnpike road company.

Amended, by Mr. M'HENRY, and

Passed finally.

No. 571, an act to repeal the fifth section of an act, entitled An act relating to roads and bridges in certain townships in the county of Lawrence.

Passed finally.

Senate bill No. 65, an act to increase the compensation of the supervisors of roads in the township of Solebury, Bucks county.

Passed finally.

No. 574, an act to confirm the title to a certain lot of ground in the Twentieth ward of the city of Philadelphia.

Passed finally.

Senate bill No. 307, an act to authorize the Wyoming slate company to create and issue preferred stock.

Passed finally.

No. 576, an act to incorporate the Lycoming trout and improvement company.

Passed finally.

No. 577, an act to incorporate the Philadelphia County real estate association.

Passed finally.

Senate bill No. 301, an act supplementary to an act to incorporate the Union hall association of Pottsville.

Passed finally

No. 580, an act to incorporate the Manuerchor of the city of Philadelphia.

Mr. MANN. Mr. Speaker, I desire to make a slight amendment to this bill. I move to strike out, in the first line of the section, the word "white."

I desire to say a single word in relation to this question. It seems to me to be entirely out of character to be constantly inserting in our acts of legislation words that indicate class. If the words had been inserted in there, every Caucasian, or every Irishman, or every German, it would have been equally offensive to me, because, I think, in putting bills upon the statute books, we ought to make them general, instead of going back to the old feudal ages and legislating for classes. The word "white" occurs very few times in the legislation of Pennsylvania. There has been more effort made to insert it in bills during this session than any other session of which I have read the record. It is time we should be turning in the other direction, instead of going further in this way. Up to 1839, the word "white" was nowhere to be found upon the statute books of Pennsylvania, except possibly in relation to the laws abolishing slavery in Pennsylvania, and I am not sure that it occurs there. It is for this reason I wish this Legislature to go back to the good old days of the fathers, upon this question, and make our laws apply to all people without reference to special classes, and without putting such offensive terms in bills. I hope, therefore, this amendment will prevail.

Mr. BOYLE. Mr. Speaker, the gentleman from Potter [Mr. MANN] seems to have a horror of the word "white," and he assails it wherever he finds it. It might be consistent for the gentleman from Potter [Mr. MANN] on all political questions to insist that there should be no distinction between white men and black men. But here is a simple little bill incorporating a musical society, and the gentlemen who ask to have that society incorporated have seen proper to say that it ought to be composed of white men. Now, the gentleman from Potter says that it should not be—that the distinction between white men and black men shall nowhere be recognized. He asks us to go back to the earlier and better days of the Republic, when the word white nowhere appears. For one, I would be willing to go back with him to that time, because then a white man was a white man, and a black man was a black man, and when you talked about citizens it was everywhere understood that you meant white men, and it was not necessary to insert the word "white" to establish that idea.

But in the changes that have taken place in this country it has become necessary when we mean white men to say white men, and when a singing society desire that the society shall be composed of white men they have to say, as they have here, that their association shall be composed of white men. I suppose, if they had said that their association should be composed only of males over the age of twenty-one, there would have been no objection to that. Ought not this association to have the right to say of whom it shall be composed? It has been frequently charged, and just as frequently denied, that the object of the dominant party at this time is to establish social equality between the white and black races. There are many persons who believe that, and on the contrary, there are many persons of the Republican party who do not believe it. But, sir, I hold that this motion of the gentleman from Potter [Mr. MANN], to strike out this word "white" in this bill (which is for the incorporation of a society of a purely social character), proves, beyond a doubt, that he, at least, is in favor of social equality between the white and the black races; and if his motion be sustained here by this House, it would make it equally clear that the majority here are in favor of that equality. With that understanding, I hope gentlemen will vote, and for that reason I call for the yeas and nays.

Mr. KERNS. Mr. Speaker, I believe I had the honor to introduce this bill, and I cannot see any use for the word white being in it at all. These German incorporators will certainly have a controlling influence in the society, and if they choose to admit colored persons all right. If they do not want any colored persons in their society they can reject them.

Mr. MEYERS. Mr. Speaker, I supposed that the court had authority to incorporate this association, but upon a close examination of the act of Assembly I do not think it extends to this case. The amendment of the gentleman from Potter is to strike out the word "white," and he is indignant because that word white is introduced in this bill. But we hear no indignation expressed here because the word male is introduced, and that females, who are considered by all our good citizens to be the better half of creation, are excluded by the provisions of this bill. This is a local and private organization, and if we are to have full liberty and independence in this country, are not the people of this Commonwealth, or are not a portion of the people of the city of Philadelphia, entitled to the right to organize a society which shall embrace only whites, if they choose to have it that way, or blacks and whites, if they choose it that way, or blacks alone, if they so choose? This bill was introduced with the word white in it, although the gentleman who introduced it says that he, himself, has no objection to having it stricken out. Now, as he is not the framer of this bill, I say that he has not the right to say that this word white shall be

stricken out when the bill was placed in his hands by his constituents with the word white in it.

This is not a bill of a political character. This bill refers to a portion of the citizens of Philadelphia, who wish a charter of incorporation for personal matters—for matters of amusement—and if they had chosen to put in the word German, or the word Scotch, or the word Irish, the gentleman from Potter [Mr. MANN] would have no right to make objection on that ground, because, in this country, if individuals choose to form themselves into a society of this kind upon a basis of nationality, they have a right to do so, and nobody has a right to object. The gentleman from Philadelphia [Mr. KEAYS] says that if you strike out the word white, then if these Germans wish to admit blacks into their association they can do so, and if not they can reject them. Now, I will tell him that under the provisions of this bill, they are bound to receive them, and if they reject any black person who seeks admission into the association, he can go before a court and require them to receive him upon a writ of *mandamus*. Because the language of the bill is, "every male person of good character may become a member of this association." He may become a member if he chooses to make the application and comply with the provisions of their by-laws and charter, and the association is bound to receive him, and if they do not receive him they forfeit their charter.

Is this political question to be dragged in everywhere? Are we to have it upon every question? Cannot a church have an association of white people? Is a church association, or a religious society, or any society which desires to be incorporated by the courts or the Legislature of this Commonwealth, to be defeated because they choose to insert in their charter the word "white," and because the people who desire its organization wish to have a society which shall embrace only white male citizens? If you say that, then you strike at the root of liberty; you strike at the privileges I have a right to enjoy. If I wish to enjoy the association of a certain class of men, and if my prejudices and considerations are against joining in the company of the black man, you have not the right to take from me the privilege of carrying out my desire in that respect. If the gentleman from Potter thinks this association should not exist, and would be inconsistent with his own views and wishes, if the blacks are excluded, he interferes with my rights, for he says I cannot belong to this association unless the blacks are admitted. My rights, and my views, and my prejudices, and my considerations are all of as much moment as the views, prejudices and considerations of the gentleman from Potter. But, if we allow, in matters of this kind, every man to act according to his own opinions and views, then you do not trample upon my rights and liberties, nor upon those of the gentleman from Potter. If there is a company of white men and black men who desire to go together into an association they have the liberty, and my friend from Potter has the liberty of joining them if he chooses. But if another portion of the community desire an association to consist entirely of white men, he has no right to interfere with their wishes and prejudices by forcing black men into that association. These considerations are not considerations based upon political grounds. They are based upon the right which every freeman of this Commonwealth has to have his rights, and to be protected in those rights. I do not want to interfere with the rights of the friends of the gentleman from Potter, but I do not wish to interfere with the rights of the friends of this bill, who put this word white in it. The gentleman from Philadelphia has no right to argue that the word white shall be stricken out of this bill unless he can bring evidence that the parties who desire the passage of this bill say so. For these reasons I hope the amendment will not prevail.

Mr. WADDELL. Mr. Speaker, I do not think it worth while for this House to take up any more time in the discussion of this bill. If we should pass it, sir, to my mind, it is clearly unconstitutional. There is just as much power in the hands of the court to incorporate this institution as any other charitable or religious society. The act of 1846 gives to the court the power to incorporate certain societies and certain associations; the act of 1859 extends the provisions of the sections of that act to musical societies and associations. Now, if the court want any more power than this to incorporate this association, I do not think this Legislature can give it to them, and if this Legislature passes this bill the Governor will certainly veto it, as he has vetoed the bills of the same kind passed during this session. It is hardly worth while to take up our time discussing whether we shall make it a white man's society, or a black man's society, or an amalgamation of it. It seem to me that we have no power to pass the bill, and that we should refuse to do it, on the ground that it is unconstitutional, without regard to color or sex.

Mr. SATTERTHWAIT. Mr. Speaker, I suppose we will have to take a vote on this amendment, whether it is to be passed or not; and I wish to ask the gentleman from Potter [Mr. MANN] this question: Whether if an association of respectable colored people should come here and ask for an act of incorporation in which they put the word "colored" (there are such acts, I believe, in the statute books), whether he would object to that word being in, and would insist that it stricken out? Whether, if those people wished to exclude from their institution the white trash, the gentleman would insist that the word "colored" should be stricken out.

Mr. MANN. Yes, sir!

Mr. SATTERTHWAIT. It seems to me that we have come to a strange pass in this House, when even the colored people are not allowed to remain by themselves if they wish to do so. The gentleman says that he would strike out the word "colored," and would compel them to receive the white people among them; that he would not even allow colored people to remain by themselves if they wish to do so, but we are to be forced into their society and they into ours, even against the wish of both.

The SPEAKER. The Chair is clearly of the opinion that it is out of order to consider this bill.

I will, therefore, declare it out of order.

Mr. MANN. Mr. Speaker, after the false position that the gentleman from Montgomery [Mr. SATTERTHWAIT] has put me in, I think I ought to have the privilege of saying that I advocated no such views here, nor have I said anything that could be so construed. I simply say that when people come to the Legislature of Pennsylvania and ask us to act upon their bills, they should bring them here without these offensive words, "white" or "black," or "Irish" or "Dutch," or anything of the kind. I have no desire to force any association between the whites and blacks. I desire only to go back to the old days, and pass bills as we passed them up to 1839. Whether black or white people shall associate together or not is a voluntary matter; it is a matter over which we have no control, and nobody seeks to control it, and nobody is afraid of including all in the same laws except those gentleman who seem to be afraid that the black man will become their equal in some way or other. I have no such fears. I propose to stand upon my merits and to allow the black man to stand upon his.

Mr. BOYLE. Mr. Speaker, I desire——

Mr. DAVIS. I call the gentleman to order. There is no question before the House.

Mr. BOYLE. Mr. Speaker, the gentleman from Potter [Mr. MANN] was allowed to continue after the decision of the Chair that the consideration of the bill was out of order, and I hope the Chair will extend the same courtesy to the other side of the House.

Mr. DAVIS. I insist upon calling the gentleman to order. I think this thing has gone far enough.

The SPEAKER. The Chair is of opinion that the gentleman from Potter was not in order when he made his remarks; but, as he has been allowed——

Mr. BOYLE. I wish to inquire whether it is not now too late for the Speaker to decide this subject out of order after it is in the possession of the House, and an amendment has been proposed to it. It is our bill now, and I think, with all respect for the Chair (and I entertain a very high respect for the Chair), that the House should be allowed to dispose of the bill.

Mr. LEE. Mr. Speaker, this whole thing was wrong, *ab initio*, and no subsequent action can make it right. It was always out of order, and after the declaration that a bill or anything else is out of order, no subsequent action can make it right. We cannot make a thing right that is wrong.

The SPEAKER. The Chair is clearly of the opinion that when the Chair discovers that a bill is unconstitutional and out of order, it is his duty to rule it out of order, no matter at what stage it may be considered. If the gentleman desires to raise a point of order, the Chair will take it into consideration.

Mr. BOYLE. Then we shall be in the control of the Chair, as to the disposition of a bill.

Mr. DAVIS. I rise to a point of order: that, after the Chair has made his decision, no remarks are in order except to make an appeal from the decision of the Chair.

The SPEAKER. The Chair is of opinion that the point of order is well taken.

Mr. MEYERS. Mr. Speaker, one word. It seems to me that there is only one way to put this question at rest, and I only do it for the purpose of knowing whether the Chair has a right to decide a bill out of order after it is in the possession of the House. I appeal from the decision of the Chair.

Mr. DAVIS. Mr. Speaker, I move to lay the appeal on the table.

The SPEAKER. The decision of the Chair is that the bill is not before the House, and therefore the motion of the gentleman from Philadelphia is not in order.

The following appeal, taken by the gentleman from Northampton [Mr. MEYERS], and seconded by the gentleman from Philadelphia [Mr. JOSEPHS], was read:

The House having under consideration House bill No. 580, entitled An act to incorporate the Maennerchor of the city of Philadelphia, and an amendment having been offered by Mr. MANN, of Potter, on which the yeas and nays having been demanded, the Speaker ruled the bill out of order, on the ground that the same was unconstitutional, and that he was vested with power to make such decision—from which decision we respectfully appeal.

(Signed) O. H. MEYERS,
SAMUEL JOSEPHS.

The SPEAKER. The Clerk will read, for the information of the House, joint rule number 5.

The rule was read as follows:

Daily Legislative Record.

FOR THE SESSION OF 1867.

PUBLISHED BY AUTHORITY OF THE LEGISLATURE OF PENNSYLVANIA. No: 53.

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[CONTINUED FROM PAGE 416.]

RULE 5. No bill shall be passed by either House, granting any powers or privileges in any case where the authority to grant such powers or privileges has been conferred upon any of the courts of this Commonwealth.

The SPEAKER. The Chair is clearly of the opinion that the bill before the House comes within the provisions of the Constitution giving the authority to the courts.

The Chair believes, also, that it is his duty to decide points of order. He decides in this case that the point of order taken by the gentleman from Northampton is not well taken. An appeal has been taken, and the Chair submits the appeal to the House.

Mr. DAVIS. Mr. Speaker, I do not propose to debate this point of order, but I think it will save time to the House (and we have consumed nearly an hour upon a question which it is clear this House could not act upon). I, therefore, move that the appeal be laid upon the table, and upon that I call the previous question.

Mr. MEYERS. Mr. Speaker, the gentleman cannot make any such motion as that. There is no such a rule in this House. There is a rule in the House of Representatives at Washington of this character, but not in this House.

Mr. DAVIS. If the gentleman wants to be factious, he can rise to a point of order upon any question before the House. In the history of this House, there is no more common motion than to lay an appeal upon the table. If the gentleman was posted he would know that such was the case. He can easily find it in the *Record*. It must be apparent that the only object in this whole thing is either to create a little political capital or to delay the time of the House. The gentlemen who have raised this point of order, and have debated this question on the other side of the House, have no interest in this association whatever. They seem to either desire to delay the time of the House or to make a little political capital out of it. I wish to save the time of the House and come to a vote directly upon this question.

Mr. QUIGLEY. I would suggest that we would save as much time by taking the vote on the appeal. We will have the yeas and nays on it.

Mr. DAVIS. I will withdraw my motion if the gentlemen on the other side of the House will vote on it immediately.

Mr. MEYERS. I arise to the point of order; that the motion of the gentleman from Philadelphia to lay the appeal on the table, is not in order. There is no rule of the House authorizing any such motion.

The SPEAKER. The gentleman has with drawn his motion.

Mr. MEYERS. Mr. Speaker, I merely wish to say a few words—

Mr. MANN. Mr. Speaker, the motion was withdrawn on the consideration that we should come to a vote without further discussion.

Mr. MEYERS. I made no such agreement. This is a matter of importance.

Mr. MANN. That was the understanding under which the motion was withdrawn. The gentleman from Philadelphia withdrew his motion with the understanding that we should come to a vote at once.

The SPEAKER. The Chair is of the opinion that it is not binding upon the gentleman.

Mr. MANN. It is, at least, dishonorable.

Mr. DAVIS. Mr. Speaker, I did not withdraw the motion. I suggested that, if the gentleman desired to take a vote upon this question immediately, I would do so, without consuming the time of the House.

I insist upon my motion, and I call for the previous question.

Mr. MEYERS. I rise to the point of order: that the gentleman cannot make a motion to lay an appeal on the table.

The SPEAKER. The Chair would state that it has been the practice to entertain motions to lay an appeal from the decision of the Chair upon the table, and custom perhaps will prove that the gentleman from Philadelphia [Mr. DAVIS] is in order in making that motion.

The gentleman from Philadelphia moves that the appeal of the gentleman from Northampton [Mr. MEYERS] be laid upon the table, and upon that motion he calls the previous question.

The call for the previous question was sustained by Messrs. Quay, Kinney, Sharples, Chase, Roath, Wilson, DeHaven, Wright, M'Camant, Mann and Allen.

On the question,

Shall the main question be now put?

The yeas and nays were required by Mr. MEYERS and Mr. RHOADS, and were as follow, viz:

YEAS—Messrs. Adaire, Allen, Armstrong, Barton, Brown, Cameron, Chase, Davis, Day, DeHaven, Donohugh, Depy, Ewing, Freeborn, Gallagher, Gordon, Harbison, Hoffman, Humphrey, Kennedy, Kerns, Kummell, Kinney, Lee, Leech, M'Camant, M'Creary, M'Kee, M'Pherrin, Mann, Marks, Meily, Pennypacker, Peters, Pillow, Quay, Roath, Sharples, Shuman, Steacy, Stehman, Stumbaugh, Subers, Waddell, Wallace, Watt, Webb, Whann, Wharton, Wilson, Wingard, Woodward, Worrall, Wright and Glass, *Speaker*—55.

NAYS—Messrs. Boyd, Boyle, Breen, Brennan, Calvin, Chalfant, Deise, Fogel, Gregory, Harner, Headman, Heltzel, Hood, Hunt, Jenks, Jones, Josephs, Kline, Koon, Kurtz, Linton, Long, M'Henry, Maish, Markley, Meyers, Mullin, Phelan, Quigley, Rhoads, Robinson, Rouch, Satterthwait, Tharp and Westbrook—35.

So the question was determined in the affirmative.

The SPEAKER. The question is, Shall the decision of the Chair stand as the judgment of the House?

Mr. MEYERS. Mr. Speaker, this question was to lay this appeal on the table. The main question has been ordered. The question now is, whether it shall be laid on the table, and if it is, that is the end of it.

The SPEAKER. The previous question cuts off all dilatory motions.

Mr. BOYLE. We certainly have a right to vote upon this question some way.

Mr. DAVIS. I rise to the point of order: that there is no question in order now but the vote.

Mr. BOYLE. The gentleman from Philadelphia moves to lay the appeal on the table, and on that calls the previous question. Cannot we come to a vote upon that question? That is a question before the House, and I doubt very much if, after we have disposed of that, it will carry us farther towards the vote. The gentleman can make dilatory motions, himself, if he wishes, for the purpose of calling the previous question.

The SPEAKER. The House has already determined that. The House has already, by a vote, decided upon taking the vote upon the main question. That main question is on the decision of the Chair.

Mr. MEYERS. How can that be? I would like to inquire what motion was pending at the time the privious question was called? What was the motion when the yeas and nays were taken.

Mr. MANN. Mr. Speaker, I rise to the point of order; that this discussion is not in order.

Mr. MEYERS. It is in order when we want to know what is before the House.

The SPEAKER. Debate is not in order, but inquiries for information are.

Mr. MEYERS. I would like to ask, then, on what motion the yeas and nays were called?

Mr. MANN. Mr. Speaker, that question has been answered over and over again, and now are we to be delayed from the vote by dilatory remarks?

Mr. BOYLE. Mr. Speaker, as the gentlemen of the opposite seem determined to cut us off and give us no vote at all, I must appeal from the dicision of the Chair as to the vote just had.

Mr. DAVIS. I desire to make a few remarks, by permission of the House, if it will grant leave.

Leave was not granted.

The SPEAKER. Remarks are clearly out of order. The Chair will permit gentlemen to make inquiries, but not to debate.

Mr. DAVIS. The rules are plain. According to rule twenty-two:

"The object of a call for the previous question is to bring the House to a direct vote upon the main question, and before the adoption of Rule XXII, if the previous question was called and sustained, amendments, as well as amendments to amendments, and all other motions made in relation to the business in which the House was engaged, were

cut off, and the House brought to a direct vote on the main question. For example, suppose the question before the House to be on the first section of the bill, and an amendment had been offered, to which, also, an amendment was submitted, and a motion made to postpone the farther consideration of the whole subject for the present, which was followed by a motion for indefinite postponement, and then the previous question was called and sustained, all these motions were cut off, and the House brought at once to a vote on the first section of the bill. But since the rule has been adopted, amendments and amendments to amendments have been excepted, and now when the previous question is called and sustained, the vote is had first upon the amendment to the amendment, then on the amendment, and then on the main question."

It will thus be seen that all dilatory motions are cut off. The decision of the Speaker is not right, and no motion can be injected between the call for the previous question and the main question.

The SPEAKER. The Chair will direct the Clerk to read from the decisions of the House on page 127 of the *Manual*.

The Clerk read as follows:

"The SPEAKER decided that the previous question being called pending a motion to postpone indefinitely, the main question would be on the motion to postpone indefinitely. The House reversed the decision.—*Journal House of Representatives*, 1857, *p.* 493."

Mr. BOYLE. I admit that the call for the previous question does cut off all such questions, and the gentleman from Philadelphia rises to move to lay the appeal on the table, and in the same breath called for the previous question.

The SPEAKER. The Chair is clearly of the opinion that when the main question is ordered, it is ordered upon the subject matter before the House, that is upon the decision of the Chair.

The question is, Shall the decision of the Chair stand as the judgment of the House?

On the question,

The yeas and nays were required by Mr. MEYERS and Mr. PENNYPACKER, and were as follow, viz:

YEAS—Messrs. Adaire, Allen, Armstrong, Barton, Brown, Cameron, Chadwick, Chase, Davis, Day, DeHaven, Espy, Ewing, Freeborn, Gallagher, Gordon, Harbison, Hoffman, Hood, Humphrey, Kennedy, Kerns, Kimmell, Kinney, Lee, Leech, M'Camant, M'Creary, M'Kee, M'Pherrin, Mann, Marks, Meily, Pennypacker, Peters, Pillow, Quay, Quigley, Reath, Sharples, Shuman, Steacy, Stehman, Stumbaugh, Subers, Waddell, Watt, Webb, Weller, Whann, Wharton, Wilson, Wingard, Woodward, Worrall and Wright—56.

NAYS—Messrs. Boyd, Boyle, Calvin, Chalfant, Colville, Deise, Fogel, Gregory, Harner, Headman, Heltzel, Hunt, Jenks, Jones, Josephs, Kline, Koon, Linton, Long, M'Henry, Maish, Markley, Meyers, Mullin, Phelan, Rhoads, Robinson, Rouch and Westbrook—29.

So the question was determined in the affirmative.

The SPEAKER. The Chair would state now that whenever his attention is called to any bill which is clearly unconstitutional, over which the courts have jurisdiction, he will certainly rule it out of order. The Chair is clearly of the opinion that it is the right of the Chair to rule such bills out of order, and supported by the decision just given by the House he will so decide. He is as clearly of the opinion that he has the right to do this as he has to withhold his name from any bill that he thinks out of order for similar reasons.

Mr. MEYERS. Mr. Speaker, this same question came up last winter in the House, and Speaker Kelley decided that when a question was raised as to the constitutionality of a bill the House should dispose of it by voting it down. That was the practice last winter, and I believe that has been the uniform practice ever since I have known anything about the proceedings of the House.

The SPEAKER. The Chair will not rule a bill out of order until he is clearly of the opinion that it is out of order, and he will not be likely to so decide until after taking the advice of gentlemen who are better versed in constitutional law than he himself is.

No. 581, an act to incorporate the Eagle Assembly of the city of Philadelphia.

Mr. WADDELL. Mr. Speaker, I am of the opinion that this is a bill of the same character.

The SPEAKER. The Clerk will read the bill, that the House may understand it.

The bill was read by the Clerk, as follows:

AN ACT to incorporate the Eagle Assembly of the city of Philadelphia.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same*, That the members of the Eagle Assembly, of the city of Philadelphia, being desirous to perpetuate the same for the purpose of more effectually cementing the friendships, which have been formed, the following named persons: H. W. Buchanan, A. B. Frederick, James P. M'Culloch, S. Shidey, S. C. Maloney, George W. Gowen, Samuel P. Story, F. J. Timmins, H. C. Crawford, P. Lavet, Thomas S. Clifton, M. Clifton, G. W. Godshall, John M. Bevans, R. Edwards, E. L. Leclure, C. Fredericks, J. Aggards, C. Andrade, B. W. Naves, R. Dennison, John Crawford, Joseph Fell, John B. Merritt, William H. Stanton, Frederick Sands, Theodore Duboscq, George W. Dennis, Jacob Aaronson, L. Neubauer, Robert T. Cox, John H. Grear, A. G. Gœbel, A. Kappas, Thomas Siddons, F. Blyler, C. Geiger and H. Wiechard, and such others as they shall hereafter associate with themselves, are hereby erected into a body politic and corporate, by the name, style and title of the Eagle Assembly, of the city of Philadelphia, and by the same name, style and title, shall have perpetual succession, and may purchase, take and hold, by gift, demise, bargain and sale, devise and bequest, or by any other mode of lawful conveyance, any lands, tenements, goods or chattels, real, personal or mixed estate, and the same or any part thereof, from time to time may sell, alien, convey and dispose of, and may have a common seal, which they may alter and renew at their pleasure: *Provided always, nevertheless*, That the clear yearly value or income of the messuages, houses, lands, tenements, rents, annuities, or other hereditaments, and real estate of the said corporation, and the interests of the moneys by them lent, shall not exceed the sum of one thousand dollars.

SEC. 2. That the officers of the said corporation shall be a president, one vice president, recording secretary, financial secretary, librarian and treasurer, and such other officers as the said corporation may deem needful; the said officers shall be elected at an annual meeting, to be held at such time as may be hereafter designated; if an election shall not take place on the day selected, the corporation, for that cause, shall not be dissolved, but an election shall be held as soon thereafter as possible, and until such election the officers in place shall continue to act.

SEC. 3. That the duties and rights of the members of the said corporation, the powers and functions of the officers thereof, hereinbefore mentioned, and of such others as may hereafter be added, the mode of supplying vacancies in office, the times of meeting of the said corporation, the number which shall constitute a quorum at any such meetings, the mode of electing members, the terms of their admission, and the causes which shall justify their expulsion from the corporation, shall be regulated by the by-laws and ordinances of the said corporation hereafter to be made, which the said corporation is hereby authorized and empowered to make and alter in the manner which may be therein mentioned: *Provided*, That the said by-laws or ordinances shall not be repugnant to, or inconsistent with the Constitution or laws of the United States, or of this Commonwealth.

Mr. WADDELL. Mr. Speaker, now I would like to have the gentleman who has this bill in charge tell us what it is, for I have failed to see the object of the association. It might be for a banking institution, or for building a railroad, or anything else.

Mr. GREGORY. Mr. Speaker, I drew up that bill and introduced it myself. A bill of the same character—an act entitled An act to incorporate the Tinicum fishing company, passed here last winter. That bill is upon the statute books now as the law of the State. In order to make this bill as little objectionable as possible, I copied that bill, with only a few minor alterations, such as names and dates. If this is unconstitutional we have a great many unconstitutional acts upon our statute books.

Mr. MANN. Mr. Speaker, if the object of this bill is to establish a fishing association, it is inconsistent with that section of the Constitution which provides that no bill shall be passed containing more than one subject, and that shall be clearly expressed in the bill. This bill does not express its purpose in the title; on the contrary, no one will infer from the reading of it what its objects are. It is provided in the first section that they may purchase, hold and dispose of real estate, and may, as the gentleman from Philadelphia says, establish a banking association, or a company to build a railroad. If the object of the bill is simply to form a social association, let the bill be so worded as to confine them to that purpose. I do not wish to oppose the bill. I think it is a good thing for gentlemen of means to get up these social clubs. Only let the object be expressed, and if that is it, I will vote for the bill. But as the act stands now, I raise the point of order that it is unconstitutional—that it does not express the object of the bill in the title.

Mr. GREGORY. Mr. Speaker, so far as the objection to this bill in reference to selling real estate is concerned, there is a provision which says, "that the clear yearly value or income of the messuages, houses, lands, tenements, rents, annuities or other hereditaments and real estate of said corporation, and the interests of the moneys by them lent, shall not exceed the sum of one thousand dollars."

Now, it cannot be a very extensive real estate business when the amount involved is only one thousand dollars. The bill of which this is a copy, with but a few alterations, is an act incorporating the Tinicum fishing company. The object of that association was not at all for the purpose of fishing as a business, but it was for the amusement of fishing, and for other amusements of an assembly of gentlemen who had a fishing club house in the lower section of Philadelphia county. It no more expresses the object of the bill in the title than this section does.

Mr. MANN. It is very easy to amend this bill, if that is the purpose of it.

Mr. LEE. Mr. Speaker, I do not know

what they want to do; whether they wish to fish or gun, or what they want to do. There are a good many sorts of amusements in the city of Philadelphia, and some in New York, too. I have got a piece of poetry in my pocket, in reference to some of the amusements in New York.

Mr. GREGORY. I move to amend the title so as to read "to incorporate the Eagle fishing association of the city of Philadelphia."

Mr. KURTZ. I move to amend the amendment by inserting the word "white" before the word "fishing."

Mr. MANN. Mr. Speaker, the gentleman is commencing at the wrong place; he is amending the title. He should amend the bill first, and then the title to correspond with it.

Mr. GREGORY. I think the object is set forth in the fourth and fifth lines of the first section, which says: "The members of the Eagle Assembly of the city of Philadelphia, being desirous to perpetuate the same for the purpose of more effectually cementing the friendships which have been formed," &c. This is the object, I think, and in order to carry out their course of amusement they wish to go a fishing occasionally in a boat for amusement, or something of that kind.

Mr. KENNEDY. Mr. Speaker, being on the Committee of Vice and Immorality, I am somewhat interested in a bill of this kind. In bills of this nature I think the House ought to understand definitely the object of the association. I am informed by some gentlemen from the city of Philadelphia that it is quite customary to have corporations legalized in this body for the purpose of having a sort of bye-place for drinking and gambling on the Sabbath, and associating with ladies, and the like. Now, I would be very glad if the objects of this association could be drawn out.

Mr. GREGORY. Mr. Speaker, the gentleman from Wyoming [Mr. KENNEDY] may know something more about such matters than I do. I do not pretend to be very well booked up in reference to them. They do not run in my mind so much, perhaps, as in his. As far as the morality of the case is concerned, this association consists of some young men who have been associated for some eight or ten years. They have a room where they have a library; and they do not admit any intoxicating liquors or any ladies, except as visitors occasionally, I believe, and I have no doubt that if the gentleman from Wyoming visited them at any time, and brought a lady with him, they would be most happy to receive him.

I move to amend the bill, in the fifth line, so as to make it read "for the purpose of carrying on fishing and other amusements, and more effectually cementing," &c.

Mr. JOSEPHS. I would like to have the gentleman explain what he means by other amusements.

Mr. GREGORY. I think this amendment will meet the objection of the gentleman from Potter [Mr. MANN]. I would like to have the gentleman indicate an amendment that would meet with his views if this does not.

Mr. MANN. Mr. Speaker, I dislike to suggest amendments to the gentleman's own bill. I had not the slightest intention of making any amendment to the bill, because I do not know what it is intended for. If the gentleman will make an amendment at the end of the first section restricting the powers of this corporation simply to the object expressed, that of more effectually cementing friendships, I will withdraw my objections at once. It seems, by this bill, that they would have very extensive powers, and it is very easy to restrict them to the object of social meetings if the gentleman wishes to do it.

Mr. GREGORY. If the gentleman will make such an amendment, I will agree to it.

Mr. MANN. I offer an amendment to insert in the fifth line of the first section, before the word "move," the words "carrying on fishing and other social amusements."

The amendment was

Agreed to.

Mr. GHEGAN. I move to further amend by proposing two additional corporators, Joseph F. Money and T. M. Apple.

Mr. JOSEPHS. I desire to add the name of Austin Fish.

Mr. GREGORY. I hope this amendment will not be adopted.

The amendment to the amendment was not

Agreed to.

The amendment of Mr. GHEGAN, was

Not agreed to.

The question recurring on the bill,

It was

Agreed to.

The rules were suspended, the bill read a third time, and

Passed finally.

No. 583, an act to incorporate the Pneumatic tube company, of the city of Philadelphia.

Mr. LEE. I would like to know what the bill proposes to do.

Philadelphia is already pretty considerably dug up, and we want to understand if this will continue that job further? I understand that parties, under this bill, can dig under every street in the city of Philadelphia, and put down this tube anywhere and at any time. If that is the object, I want to know it.

Mr. HOOD. Mr. Speaker, I regret exceedingly, that I must oppose the passage of this bill. The corporators are my personal friends, but I must take the same exception to it that has been taken by my colleague: that it would give a privilege that I believe the people of Philadelphia are not prepared to give, in that of tearing open the streets of Philadelphia, and digging under the houses to drive their pipes wherever they desire, without regard to the wishes of the citizens. I am willing that the bill may be postponed, and that the people may be heard from upon the subject. So far as I am personally concerned, I am not opposed to it; but I am satisfied that my constituents are at least. I would like to have their views before giving my support to the bill.

Mr. GREGORY. If the gentleman from Philadelphia will show me the section of the bill that will give this company the power to undermine the houses of the city of Philadelphia, I will be very happy to be enlightened; but, from reading the bill, I do not see any such provision. It merely says "they shall have the right to lay out and construct, or cause to be laid out and constructed, a pneumatic tube in the city of Philadelphia, along or under such routes and streets as may be hereafter selected from time to time, as may be deemed most advantageous to the public." Now, if it is not advantageous to the public to undermine the houses, I think an injunction of the court would stop any such undertaking as that. The public are supposed to be the people at large in the city of Philadelphia. If it is not advantageous to the public, I think upon application to the court for an injunction, they would be restrained at any time. The gentleman from Philadelphia seems to be very much exercised all at once about the rights of the people being invaded. I hope he will bear that in mind in reference to a bill which I know he is very anxious to have passed, when it comes up, and which I know the people of Philadelphia are protesting against. I hope he will be consistent in his acts during our legislation for the city of Philadelphia, during the entire session, and that he will bear these facts in mind. I see nothing here that will interfere or work for the disadvantage of the citizens of Philadelphia.

Mr. HOOD. Mr. Speaker, I have nothing to say in reply to my colleague. It is my intention, as a member of this House, to the best of my ability, to represent my constituents, and the people of Pennsylvania, and in doing so, I hope, on all questions, my vote shall be honestly given, wisely given, and do no harm to those I represent. I only ask the gentleman to define to me what he means by "routes and streets?" It seems to me that the term is very comprehensive, and may be construed so as to give the privilege of passing under any property in the city of Philadelphia.

I am, therefore, opposed to the bill as it now stands, but when the people of Philadelphia know exactly what it is, and if they do remonstrate against it, I will then not oppose it. I therefore ask that this bill be postponed until a week from Tuesday and made the special order for that day.

Mr. LEE. Mr. Speaker, my colleague from Philadelphia says that this bill does not provide that this is to be here or there. Why, sir, it provides in as express terms as can be made for that very thing. A man may come to my house and say: "Here I am going to run this tube through your premises," and if it is five feet in diameter I cannot prevent it. If a man comes and sticks his tube at me I want to know what right he has to do so. The bill reads: "They shall have the right to lay out and construct or cause to be laid out and constructed a pneumatic tube in the city of Philadelphia, along or under such routes and streets as may be deemed most advantageous to the public." If my house stands in the way of that route I cannot prevent them. Who is to determine whether it is most advantageous to the public? Who is to decide whether it is to the advantage of the public; whether they shall run a tube through my property or not to accommodate this company? The gentleman says I can get an injunction. Here comes a man and says, "I am going to run this tube through you." I am driven to the necessity of getting an injunction; every man is then driven to the necessity of getting an injunction to save himself from the encroachment of this company.

This bill provides that these men shall go anywhere and how they please, and they are to decide whether it is right and proper. I am not willing that such a bill as that shall pass. I am not willing that every street in the city of Philadelphia shall be turned up and buildings undermined, for the benefit of a private corporation, in this way. If you will make the proper restrictions in reference to this matter, I would have no objection to it.

Mr. GREGORY. Mr. Speaker, I move to amend by inserting in the thirteenth line, in the first section, after the word "streets," the words "without damage to any building in said city."

Mr. LEE. I would like to have the gentleman go a little further and strike out, in the thirteenth line, the word "route."

Mr. GREGORY. I accept that.

The amendment was

Agreed to.

Mr. FREEBORN. Mr. Speaker, I move to further amend by adding at end of the section the following:

Provided, That the same shall not be done without the consent of the select and common council.

The amendment was

Agreed to.

Mr. HOOD. Mr. Speaker, I now move

that this bill be posponed until a week from next Tuesday, and that it be made the special order at 10 o'clock A.M.

Mr. GREGORY. Mr. Speaker, I hope that motion will not prevail. It is not proposed to force this tube through the city without the people of Philadelphia saying where it may go. It is merely an experiment at the best. I see nothing objectionable in it, and no reason why it should be postponed.

Mr. M'CREARY. Mr. Speaker, I do hope the House will cease postponing bill sthat are of no particular importance to this House, and making a special session for their consideration. Our special sessions are interfering with the regular business of the House very much. Nearly every unimportant bill to which there is any objection is made a special order.

Why cannot this question be decided now, or go over on the the third reading as any other bill? I hope the House will voto down all such motions.

Mr. HOOD. Mr. Speaker, I understand this bill was so modified that there will probably be no objection to it. I therefore withdraw my motion.

The SPEAEER. The question is on the final passage of the bill.

The yeas and nays were required by Mr. FREEBORN and WALLACE, and were as follow, viz:

NAYS—Messrs. Adaire, Barton, Boyd, Boyle, Breen, Brennan, Brown, Calvin, Cameron, Chalfant, Davis, Day, DeHaven, Deise, Donobugh, Gallagher, Ghegan, Gordon, Gregory, Harbison, Harner, Headman, Heltzei, Humphrey, Hunt, Jenks, Jones, Josepha, Kennedy, Kinney, Kline, Koon, Lee, Linton, Long, M'Creary, M'Henry, M'Kee, Mullin, Rennypacker, Peters, Phelan, Roath, Robinson, Rouch, Satterthwait, Sharples, Shuman, Watt, Weller, Wharton, Wilson, Wingard and Glass, *Speaker*—54.

YEAS—Messrs. Armstrong, Chadwick, Freeborn, Hood, Kerns, Leech, M'Camant, M'Pherrin, Mann, Markley, Marks, Pillow, Quay, Rhoads, Steacy, Tharp, Waddell, Wallace, Webb, Westbrook and Wright—21.

So the question was determined in the affirmative.

No. 585, an act to incorporate the Pennsylvania society for the prevention of cruelty to animals.

Passed finally.

No. 596, an act to incorporate the Teachers' institute of the city and county of Philadelphia.

Mr. WADDELL. Mr. Speaker, I desire to call the attention of the House to this bill. I ask the Clerk to read the second section.

The second section was read by the Clerk as follows:

SEC. 2. The objects and designs of the said corporation shall be the improvement of the teachers of the public schools of the city and county of Philadelphia, by means of lectures, essays and discussions upon educational topics, practical illustrations of modes of teaching, the formation of a teachers' library, by readings and other elocutionary exercises, and by such other means as may, from time to time, be determined, either by the by-laws or resolutions of said corporation; and it shall also be lawful for the said corporation to receive any real or personal estate by gift, grant, bargain, sale, will or bequest, from any person or persons whomsoever, and to hold the same upon trust, to apply the income thereof to the relief of those who have been, are, or may be, teachers in the public schools of the said city and county of Philadelphia, whom infirmity of years, sickness, or other disability, may need relief, in such manner, and under such restrictions and provisions as the said by-laws may provide: *Provided always*, That the by-laws and resolutions aforesaid shall not be inconsistent with this charter, or with the Constitution of the United States, or the Constitution and laws of this Commonwealth.

Mr. WADDELL. Now, the act of Assembly provides that "when any number of persons, citizens of the Commonwealth, are associated, or mean to associate, for any literary, charitable, or for any religious purpose, and shall be desirous to acquire and enjoy the immunities of a corporation, or body politic in law, it shall and may be lawful for such persons to prepare an instrument in writing, therein specifying the objects, articles, conditions and name, style or title, under which they have associated, or mean to associate, and the same to exhibit and present to the Attorney General of the Commonwealth for the time being, who is hereby required thereupon to peruse and examine the said instrument, and after such perusal and examination to transmit it, with a certificate thereon endorsed, testifying his opinion touching the lawfulness of the objects, articles and conditions therein set forth and contained, unto the Supreme Court of the Commonwealth; and the said court is hereby also required thereupon to peruse and examine said instrument, and to transmit it, with a certificate thereon endorsed, testifying also the opinion of the said court touching the lawfulness, objects, articles and conditions therein set forth and contained, unto the Governor of the Commonwealth; and if the said Attorney General and the said court shall certify their opinions as aforesaid to be, that the objects, articles and conditions in such instrument set forth are lawful, then the said Governor (and not otherwise) shall transmit the same (to the master of the rolls), with an order thereon endorsed, requiring him to enroll the same at the expense of the applicant; and upon the enrollment thereof, the persons so associated, or meaning to associate, shall, according to the objects, articles and conditions in the said instrument set forth and contained, become and be a corporation or body politic, in law and in fact, to have continuance by the name and title in such instrument provided and declared."

Mr. FREEBORN. Mr. Speaker, the president of this teachers' institute is a very distinguished lawyer of Philadelphia, and this bill was drawn up by him. If this bill is passed they also desire an appropriation out of the money for school purposes appropriated to the city of Philadelphia to carry out the object of this institute. I think this bill to be all proper and right, and there need be no difficulty.

Mr. JENKS. Mr. Speaker, I would like to call the attention of the gentleman from Chester [Mr. WADDELL] to the judicial definition of literary in this connection. It seems to me that this bill is not objectionable.

Mr. WADDELL. Mr. Speaker, I do not know what provisions may have been made in such cases as the gentleman probably refers to, that of medical colleges with power to confer degrees. I apprehend that no court could incorporate an association or college with powers to confer degrees. I merely take this bill upon the face of it, pointing out what its intentions are.

Now, if there is anything more than a literary association, for the benefit of those associated, then I am at a loss to see it. If that is the object it comes expressly within the terms of the provisions of the law putting in the hands of the courts the power to incorporate literary associations. I do not wish to raise any technical objections to this bill, but it seems to me this is a plain case.

Mr. JENKS. Mr. Speaker, I merely called the attention of the gentleman to the judicial definition of the terms in order to get his views. I think the idea of this association is to perfect themselves in the art of teaching. If that be the intention I do not see that it is objectionable.

Mr. FREEBORN. Mr. Speaker, I would state that that is the intention. The association is for the purpose of discussing methods of teaching, agreeing upon a uniformity of text books, and other objects connected with their profession as teachers. It is also proposed, as will be seen by one portion of section second, to raise means to support old teachers. It will be recollected that a year ago this Legislature allowed some of these teachers an annuity. There are some fourteen hundred teachers in the city of Philadelphia, and there seems to be a unity of opinion in regard to this matter.

Mr. WADDELL. Mr. Speaker, the House will not understand me as raising any objection to this bill. I have not a particle of objection to the objects which these parties have in view. They are very praiseworthy, and very commendatory, and I should be very far from objecting to their enjoying these privileges. I only make the suggestion at this time that it appears to mind that the act of Assembly covers the case. If those who constitute this institute are willing to take their chances of a veto from the Governor, on constitutional grounds, they are the parties interested and not myself.

Mr. MANN. Mr. Speaker, I do not feel quite like throwing the responsibility of passing this bill upon the friends of it. If it is unconstitutional I think the members of the House ought to take the responsibility. I think the suggestion of the gentleman from Chester [Mr. WADDELL] is a correct one, and that the courts have authority to do just what this bill proposes this Legislature shall do. Therefore I think this bill ought not to pass. I believe the provision of the act of Assembly we have been discussing was enacted for the very purpose of preventing this Legislature exercising this power, which the courts can better exercise than we can. If this is not a literary association, then I want to know how a literary association is to be formed? It has been decided within the last six months that some of the dodges which it seems were put into bills a year ago, christening companies, the main provisions of which the courts would have authority to grant, but putting in a provision or two that the courts could not grant; and therefore arguing that this Legislature ought to grant an incorporation, because there were provisions included that the courts could not give. I say the Supreme Court have decided that the provision of the Constitution cannot be avoided in this way.

And in all cases that have gone up to the Supreme Court, they have enforced this provision strictly I believe. Why should we be sending bills to the Governor, throwing upon him the responsibility, when they clearly come within this provision of the Constitution giving the jurisdiction to the courts? That is the position I take, that if the members of this House believe the courts can grant this charter of incorporation as it is asked here, they ought to say no, and not throw it upon the friends of the bill to take the responsibility.

Mr. BOYD. Mr. Speaker, I do not know what the law is in regard to matters of this kind, but I think this association is of a distinct professional character. It is not a literary institution in the ordinary sense of the word. All their discussions and all the lectures delivered before this association will, I presume, have direct reference to the profession of teaching. It is, I presume, intended to be professional in its character, as a medical or law school would be. Only such mat-

ters as have direct reference to teaching will be brought before the association. It also has a charitable purpose in view, that of making a provision for the support of old members. I suppose there is a law literature and a medical literature, but what I understand by a literary institution is one that has reference to cultivating a knowledge of biography, history, poetry, belle-lettres, and the like. If this association proposed to be incorporated by this bill is of a literary character, so would a medical college or a college in which the languages are taught be of a literary character. I, however, hold that this association is of a professional character and would not be considered of a literary character in the ordinary sense of the word.

Mr. JENKS. Mr. Speaker, I do not desire to occupy the time of the House unnecessarily. I desire, however, to refer the House to what is the intention of these persons in forming this association. The second section of this act says "the objects and designs of the said corporation shall be the improvement of the teachers of the public schools of the city and county of Philadelphia."

The improvement of the teachers of the public schools of Philadelphia is the object. This improvement is to be secured "by means of lectures, essays, discussions upon educational topics, practical illustrations of modes of teaching, the formation of a teachers' library, by readings and other elocutionary exercises, and by such other means as may, from time to time, be determined, either by the by-laws or resolutions of said corporation." The object then is the improvement of the teachers, and those means which are said to be the usual means employed by persons engaged in literary pursuits are merely means for the attainment of the subsequent end controlling the whole matter. Now, I think that interest takes it out of the act of Assembly.

Mr. WADDELL. Mr. Speaker, it strikes my mind that the Legislature, in using the term "literary," intended to use the broadest term that they could apply to associations of this kind. If the term is to be circumscribed in its limits; if, because an association, literary in its character, is to be confined to a particular branch of literature, and thereby get out of the provisions of the law, which confers upon courts the power to incorporate literary associations, then there is no use in employing the broad term they have used. I apprehend that the object of this association is, as has been suggested here, for the benefit of teachers. But they do not propose to turn this into a normal school and teach teachers. They propose to meet, and by an interchange of views, either by lectures, essays or discussions, to edify one another upon the avocations in which they are engaged, and no other literary subject.

Mr. BOYD. If their object is improvement in this particular branch, will not the effect be the same if they listen to instruction from one another as though they listened to some teacher?

Mr. WADDELL. It might or it might not. One might be a normal school and the other a literary association. Twenty or fifty persons might meet together and form an association for instruction in history and confine all their lectures and discussions to history, yet they would be a literary association, confining their investigations to one branch of literature. Another number of persons might come together and form an association for the purpose of learning civil engineering, or any other branch of literature. My idea is that the Legislature, in using the broad term "literary society," intended to include all branches of literary societies, no matter what the lectures might be upon, whether this week upon history, next week upon civil engineering, and the next week upon the art of teaching, or whether every week upon one subject.

Mr. SATTERTHWAIT. Mr. Speaker, I would like to know what we are to understand by the position of this House. I understand that the Speaker was to decide hereafter when his attention was called to the subject, whether bills were to be considered constitutional or not. That is a point I want information upon in voting upon this question. Are we to take it that because the Speaker has not decided that this is unconstitutional that we are to consider it constitutional?

The SPEAKER. The Speaker did not undertake to say that he would decide upon all bills. He stated that when his attention was called to a bill, and he was clearly of the opinion that it was unconstitutional, he would so decide. In the matter of the bill now before the House he is not clearly of the opinion that the bill is unconstitutional, as gentlemen upon the floor have expressed doubt upon that point.

The question being,

Shall the bill pass?

It was

Agreed to.

No. 587, an act to incorporate the Greensburg Masonic fund.

Passed finally.

Senate bill No. 264, an act to incorporate the Pennsylvania boat house association of Philadelphia.

Passed finally.

No. 591, an act to annul the marriage contract between James Dewey and his wife.

Mr. WEBB. Mr. Speaker, I offer as an amendment, a preamble to the bill, setting forth the facts in the case.

The amendment was

Agreed to.

Mr. BOYLE. Mr. Speaker, the only objection that I have to this bill is that the courts have jurisdiction here. It seems to me the courts can grant a decree of divorce in this case.

Mr. MANN. Mr. Speaker, I apprehend the gentleman misapprehends this case. This is something which occurred before marriage. I do not see how the courts would have jurisdiction for such an offense as that.

Mr. WADDELL. Mr. Speaker, I understand from the gentleman who has this bill in charge that the question was raised before the court of that district and it was decided that the court had no jurisdiction.

Mr. WEBB. Mr. Speaker, I have a letter from a lawyer in our county in which he tells me that he presented the petition to the court in the very words that it is presented here, and the court ruled that if the facts as set forth were true, the courts had no jurisdiction. There was at first some little difference of opinion among the members of the bar, but they almost unanimously came to the conclusion, upon examination of the law, that the ruling of the court was correct. There is no disputing the facts, and if there is any question as to that I have the evidence that I suppose would be satisfactory to any one.

Senate bill No. 186, an act to regulate the rates of fare on certain passenger railroads in the county of Allegheny.

Passed finally.

No. 598, an act to incorporate the East and West Pittston Street Passenger and Freight railway company.

Mr. KOON. Mr. Speaker, I desire to amend by inserting the names of two additional corporators.

The amendment was

Agreed to.

Mr. FREEBORN. Mr. Speaker, I move to further amend by adding the words "Provided that the same shall not distinguish between passengers on account of race, nationality or color."

Mr. KOON. Mr. Speaker, it seems to me that this amendment is not worth while.

There is no distinction there. There are no black people in our county. If the House sees fit to attach that amendment to the bill, I do not care much about it one way or the other.

Mr. HOOD. Mr. Speaker, I hope the gentleman will not encumber the bill in this manner. It seems as though every bill that comes up before this House must have some discussion upon this question of color. When the general question of colored people comes up let us then have a fair discussion upon it, but I trust this bill will not be amended in this manner.

Mr. DAVIS. Mr. Speaker, I take it that this is a proper question, and that there is nothing unfair upon the passage of railroad bills to say that no person shall be excluded on account of race, color or nationality.

Mr. JONES. Mr. Speaker, I would like to ask the gentleman if he did not particularly insist that it was unfair to insert such an amendment in the question relating to the running of cars on Sunday in the city of Philadelphia.

Mr. DAVIS. Mr. Speaker, this is a different question altogether. We are here incorporating a company to carry freight and passengers. I consider it entirely legitimate to say what kind of passengers that road shall carry, or whether any shall be excluded. It is not a question like the one to which the gentleman refers. At the time we were discussing that question a few days ago, I gave notice that I was ready to vote at all times, for all persons, of all color, to ride in all cars.

Mr. KERNS. Mr. Speaker, inasmuch as within a few days we will have a general bill upon this subject, I think my colleague from Philadelphia had better withdraw his amendment. We will soon have a bill before us covering the whole State in reference to all railroad cars, and I think then will be the proper time to vote on this subject.

Mr. QUIGLEY. Mr. Speaker, I agree with my colleague [Mr. KERNS] who has just taken his seat. A few days ago, when the Sunday car question came up for discussion in this House, an amendment of the same kind was offered by the gentleman from Allegheny [Mr. WILSON]. At that time, I believe every one of my colleagues from Philadelphia, except Mr. FREEBORN, voted against putting that clause in the bill. Now, if it has any effect at all it will have the effect of giving a number of votes on this side of the House against the bill. I know a number, sir, who will vote against it, who might otherwise favor it.

Inasmuch as we have a general bill before us, which has passed the Senate, I trust that the gentleman who voted against putting this clause in the Sunday car bill will see proper to vote against the clause being inserted in this one.

Mr. FREEBORN. Mr. Speaker, my reason for desiring this clause to be inserted is, that the general bill may not be reached this session. The bill was defeated last year, and it may not be touched this winter in the House. I think it is proper to ask all corporations that come before this House to have this clause inserted; when the general bill comes up they will have no right to complain of it.

Mr. MANN. Mr. Speaker, if this is the reason why the gentleman from Philadelphia [Mr. FREEBORN] desires this amendment, I think he may safely withdraw it. That general bill will certainly be brought up. It

is on the public calendar, and we have made two special sessions in the week to consider the calendar, and I propose, if I have an opportunity, to ask the House to make another special session on Friday afternoon. If that is the reason it was offered, it may safely be withdrawn.

I shall vote for the amendment, if it is pressed, but I am inclined to think, myself, that we had better settle that question, once for all, in a separate bill.

Mr. GREGORY. Mr. Speaker, the gentlemen who have charge of this bill may certainly object to this unfair legislation. It is not fair to the friends of the bill to assail it in this manner, for we are to have a general bill, and if it does not pass this winter it will certainly pass next winter, before this road goes into operation. I think this is unfair. The members on this side of the House, at least some of them, are in favor of the bill; but, if this amendment is put on, I have no doubt it will imperil the passage of the bill. If the amendment is adopted, I, for one, shall certainly vote against the bill.

Mr. HOOD. Mr. Speaker, I desire simply to say that I hope my colleague on the opposite side of the House will have the good judgment to withdraw this amendment. The gentleman from Potter [Mr. MANN] gives the information that a general bill regulating the matter throughout the entire State will come up in a few days, and I think there is no necessity for attaching such a provision to this individual bill.

Mr. FREEBORN. Mr. Speaker, I withdraw the amendment.

Mr. EWING. Mr. Speaker, I renew the amendment.

On the question,

Will the House agree to the amendment?

The yeas and nays were required by Mr. KURTZ and Mr. HOOD, and were as follow, viz:

YEAS—Messrs. Armstrong, Barton, Brown, Cameron, Chadwick, Colville, Davis, Day, DeHaven, Espy, Ewing, Freeborn, Gallagher, Gordon, Harbison, Humphrey, Kennedy, Kimmell, Leech, M'Camant, M'Creary, M'Kee, M'Pherrin, Mann, Meily, Pennypacker, Peters, Roath, Sharples, Shuman, Steacy, Stehman, Waddell, Wallace, Weller, Wham, Wharton, Wilson, Woodward, Wright and Glass, *Speaker*—41.

NAYS—Messrs. Adaire, Boyd, Boyle, Breen, Brennan, Calvin, Chalfant, Deise, Donohugh, Fogel, Gregory, Harner, Headman, Heltzel, Hoffman, Hood, Hunt, Jenks, Jones, Josephs, Kerns, Kinney, Kline, Koon, Kurtz, Lee, Linton, Long, M'Henry, Maish, Marks, Meyers, Mullin, Phelan, Pillow, Quay, Quigley, Rhoads, Robinson, Rouch, Satterthwait, Seiler, Stumbaugh, Subers Tharp, Webb, Westbrook, Wingard and Worrall—49.

So the question was determined in the negative.

REASONS FOR VOTE.

Mr. KINNEY. I vote against this amendment in the firm conviction that the object sought by it will be fully covered by a general bill.

Mr. WINGARD. Mr. Speaker, I vote "no," only because I do not wish to imperil the passage of this bill. All that is sought by the amendment will be accomplished by a general bill, now pending in this Commonwealth.

No. 594, an act to authorize and empower the Governor to issue a commission to Thomas M'Neish.

Passed finally.

Senate bill No. 162, an act to incorporate the New Britain and Doylestown turnpike road company.

Passed finally.

Mr. BARTON. Mr. Speaker, I move that the House proceed to the consideration of House bill No. 170, entitled An act to increase the duties of the Citizens' Association of Pennsylvania.

This bill is on third reading, and the gentlemen who have objected to it have prepared their amendments, which are satisfactory to all parties. I, therefore, move that the bill be taken up at this time.

The motion was

Not agreed to.

OBJECTED BILLS OF LAST WEEK.

No. 363, an act to change the venue in the case of the Commonwealth of Pennsylvania vs. John Sharpe, Moriety Leib, Chas. W. Everhart, Robert Aslop and Jonathan A. Waters, from the court of quarter sessions of the peace of Montgomery county, to the court of quarter sessions of the peace in and for the city and county of Philadelphia, was taken up.

On the question,

Shall the bill pass?

Mr. SATTERTHWAIT. Mr. Speaker, when this bill was read yesterday, I intended saying something upon it, but the gentleman from Philadelphia, who has charge, in part, of this bill, was not in his seat at the time. Now, I propose to say, in regard to the petition that was read, that, to the best of my knowledge and belief, it is nothing but a tissue of misrepresentation, and, therefore, I think the prayer of those petitioners should not be granted. There is one assertion in that petition which I know to be a deliberate and unmitigated falschood, and that is, that it is necessary the change of venue should be made on account of political prejudices. These parties, as I understand, all belong to one political party. It is a question in which politics cannot be brought. Therefore, I say that the assertion is nothing but an unmitigated falschood, and also that the charge that the jurymen in Montgomery county are selected, as that petition states, from one political party. That is not true, and I have the best of reasons to believe that all the other statements in that petition are on a par with this gross misrepresentation of facts. There is no reason, so far as I can understand, why this trial should be taken from Montgomery county.

To make this change will cause a great deal of additional trouble and expense to parties interested, and will, most probably, defeat the ends of justice entirely. I have no doubt, sir, that the object of this bill is that these parties, by taking this matter to Philadelphia, expect by delaying to prevent the case from ever being brought to trial. This is my opinion in regard to the bill, and I say that it ought not to pass.

Mr. GREGORY. Mr. Speaker, I think the only reason for bringing this matter of political prejudice into this petition was to influence the minds of the Republican side of the House. These parties, thinking that by making it appear a political question, would be the best way to attain their end in regard to changing the venue, and in that light the petition was gotten up. So far as the facts of the case are concerned, it is a matter that has nothing to do with political opinions at all. Some of these parties I know, and they stand in no enviable position in the city of Philadelphia, and I think they will stand just as little chance of escaping, by a trial in the city of Philadelphia, as the county of Montgomery. Political questions have no bearing on the case; but, to attain the end which they had in view, they put it in that shape in order to get the proclivities of the Republican members of this House in their favor. I think the question of politics had nothing to do with it. It is unwise legislation on the part of the House to change the venue on the grouud that they do not expect justice in a case of this kind from the hands of the jury in Montgomery county, or any other county where it happens to be.

Mr. HOOD. M. Speaker, I did not intend to make any remarks upon this subject. My friend from Montgomery has made reference to my having this bill in charge. I desire to say that I am not interested in the matter. I also desire to say to my colleague from the city of Phildelphia, that I do not consider it a political question. The fear is of the local prejudices in a place like Norristown. The inhabitants are well known to each other. The parties aggrieved are of the county of Montgomery, and I suppose of the town of Norristown.

The opposite parties, at least some of them, are from Philadelphia. They have little hope of a fair tirial where the prejudices are against them in the jury box, and I say that there is no case before this House where a change of venue is so much required as in this case. I want justice done to those parties, and they can have justice in the city of Philadelphia—a city of a population of over seven hundred thousand inhabitants, in which a jury can be selected from among them who have no prejudices, and who know none of the parties. I think that this question of politics has not yet been introduced in the jury box in the city of Philadelphia. I am sorry to see anything of that sort raised in this House this session.

Mr. GREGORY. Mr. Speaker, I do not bring this matter of politics into this question at all. If the gentleman had been in his seat when this petition was read he would have seen that that was one reason set forth asking for the change of venue.

Mr. HOOD. Mr. Speaker, I say that these men are afraid that injustice will be done them on account of local prejudices. The parties who are the aggressors, at least two of them, are from the city of Philadelphia, and they dread the local prejudices of the people of Montgomery county. It is natural that the sympathies of the people should be with those who are best known to them.

Mr. MANN. I want to know if there are any more local prejudices against these men than in ordinary cases?

Mr. HOOD. Mr. Speaker, I alleged, and I think it is a well demonstrated fact, that where parties are intimately acquainted, by daily intercourse with each other, that they are prejudiced in favor of those with whom they are acquainted and against strangers. The whole subject matter of this case, as I understand it, is, that some oil stock was sold by some gentlemen from Philadelphia to certain citizens of Montgomery county. Those parties did not meet with the success in the speculation that they expected. They did not make a hundred thousand dollars out of one thousand dollars, consequently they seek redress through the law, and are endeavoring to compel the money to be refunded. They made the bargain and should abide by it.

These people in the city of Philadelphia have passed through the same ordeal, and no high-toned gentleman would be guilty of going back upon a bargain of that kind. They are seeking to compel these men to refund this money. That is the whole secret. So far as my feeling is concerned, I am perfectly indifferent in regard to the case. All I ask is that justice shall be done. That they can get in Philadelphia, for the jury would know none of the parties and they can be tried without prejudice. I, therefore, say that this venue should be changed.

Mr. SATTERTHWAIT. Mr. Speaker, I cannot see that the gentleman has given any reason to show why these parties cannot be tried, and the end of justice obtained, just as well in Montgomery county as in Philadel-

phia. The people of Montgomery county, I take it, are intelligent enough to discriminate whether this is a proper prosecution or not. I do not know that they have anything to show to the contrary. If this is a matter of local prejudice, why I would have the gentleman know that the county of Montgomery is not all in the town of Norristown; that there are some seventy thousand inhabitants outside of the town, and that the juries are taken from the county at large. In case there should happen to be some three or four on the panel from that town, they can be challenged by the defendants in this case, and they would not have one on the jury from Norristown or vicinity.

Mr. HOOD. Mr. Speaker, is the gentleman aware of the number the defendants are entitled to challenge from the panel? They are entitled to challenge but four.

Mr. SATTERTHWAIT. Mr. Speaker, in all probability there would not be that number from Norristown on the whole panel. I do not suppose there is that number. Two of these defendants, we are told, are from the city of Philadelphia. I suppose that is so, but three of them are not. Well, now, why should all these prosecutors be compelled to go to the city of Philadelphia, and have all their witnesses taken there, to prosecute this case? If it is a case which should not be brought to the notice of the court, I presume that matter could be just as well decided and justice just as well obtained in Montgomery county as in Philadelphia.

Mr. GREGORY. Mr. Speaker, the gentleman from Philadelphia [Mr. HOOD] says this change of venue is asked for on account of local prejudices. That does not bear out the facts presented in the petition of the parties desiring the change. They ask it on the ground of political prejudices. Is local prejudice political prejudice? The parties in Norristown who bring this prosecution are the parties who think they have been swindled in this transaction. But I do not think that is a local prejudice, for those parties they have deceived, as a matter of course, have their feelings, but that any prejudice will be carried into the jury box and that the jurors will stultify themselves and disregard their oaths to render an unjust verdict for that reason, is, I think, a futile objection.

These parties, in their petition, state that it is on account of political prejudices, and I think, to be consistent, the gentleman from Philadelphia should take the same ground that they do; and I say that it is political prejudice, and not local prejudice.

But I think that, when this case is tried in the courts of Montgomery county, the jurors will not let the matter of politics so warp their feelings in favor of these men as to render a decision that will not meet the ends of justice.

SPEAKER'S TABLE.

The SPEAKER presented the following communications from the Governor, which were read:

EXECUTIVE CHAMBER,
HARRISBURG, February 26, 1867.

To the Senate and House of Representatives of the Commonwealth of Pennsylvania:

GENTLEMEN—I have the honor to submit herewith two communications from His Excellency, Richard J. Oglesby, Governor of the State of Illinois, upon the subject of an appropriation for the erection of a monument to Abraham Lincoln. I very respectfully refer the same to the consideration of the Legislature.

(Signed) JNO. W. GEARY.

STATE OF ILLINOIS,
EXECUTIVE DEPARTMENT,
SPRINGFIELD, February —, 1867.

To His Excellency John W. Geary, Governor of Pennsylvania:

DEAR SIR—I am directed by the National Lincoln Monument Association to address you upon this subject, and take the liberty respectfully to invite your attention to the enclosed memorial, and to request that you lay the same before the Legislature of your State, now in session, with such recommendations as you may feel the importance of the subject requires, and your own views may permit.

After nearly two years of continued efforts to secure the necessary means to build a monument over the remains of Mr. Lincoln by private subscriptions and donations, we feel satisfied that we have reached nearly the full amount that may be expected from these sources, and that a public duty, next to our obligations to the memory of this great and good man, requires us to directly appeal to the several loyal States through their Legislatures, to aid the association in securing what is believed will be the necessary sum to build an appropriate and suitable national monument over his remains.

The State of Illinois has responded to our memorial and petition by granting an appropriation of fifty thousand dollars.

We have in the hands of our Treasurer, invested in interest bearing national securities, donated by private subscriptions, after the payment of all expenses, seventy-five thousand dollars, We believe we will hardly be justified in attempting to build a monument for the purpose stated that will cost less than two hundred and fifty thousand dollars. We have at present but one half of this amount. We are not without hope that the Legislature of your State may feel disposed to approve our action and the conclusions at which we have arrived, and to aid our association by such an appropriation as shall encourage us to hope that the laudable object we have in view is not to fail, but is to be supported by that just and liberal public opinion which during his administration so cheerfully and steadily supported him.

I shall be most happy to afford you any information you may desire about the history of the organization, and action of our association, and shall be much pleased to receive, either from yourself or from the Legislature of your State, any suggestions in reference to this subject.

Very respectfully,
Your obedient servant,
R. J. OGLESBY.

MEMORIAL.

To the Honorable the Senate and House of Representatives of the State of Pennsylvania:

Your memorialists, members of the National Lincoln Monument Association, would most respectfully solicit your attention to the accompanying articles of association and memorial, which they have had the honor to submit to the General Assembly of the State of Illinois, now in session.

The Legislature of Illinois has appropriated the sum of fifty thousand dollars in furtherance of the objects of the association. But a much larger amount, in the opinion of your memorialists, and, as they believe, in the judgment of the great body of the loyal American people, will be required to build a monument commemorative with the dignity and grandeur of the object and aim contemplated by the association.

In order, therefore, to impart to this enterprise that truly national character which we think it ought to assume, we respectfully ask the aid of your great State in rearing such a monument to the memory of Abraham Lincoln as will be worthy of his public services and fame, and as shall truly represent the love and reverence of the American people for the immortal principles of liberty and justice which ever found in him so able and fearless an advocate, and for his fidelity to which he lost his life.

Richard J. Oglesby, O. M. Hatch,
Sharon Lyndal, James C. Conkling,
Orlin H. Miner, S. H. Melvin,
Newton Bateman, John Williams,
John T. Stewart, James H. Beveridge,
S. H. Treat, Jacob Bunn,
Jesse K. Dubois, Thomas J. Dennis,
David L. Phillips.

The hour of one o'clock having arrived, the SPEAKER adjourned the House until three o'clock this afternoon.

SENATE.

THURSDAY, February 28, 1867.

The Senate met and was called to order at eleven o'clock A. M., by the Speaker.

Prayer was offered by the Rev. Mr. Bailey, of Harrisburg.

On motion of Mr. WALLS, the reading of the Journal of yesterday was dispensed with.

PETITIONS, REMONSTRANCES, &C.

Mr. CONNELL presented a memorial of the rector, church wardens and vestrymen of St. Stephen's church of Philadelphia.

Referred to the Committee on Finance.

Also, ten remonstrances of owners of property, and residents and persons doing business on the line of the Philadelphia, Germantown and Norristown railroad, against the passage of any law prohibiting the use of steam power on certain portions of that road.

Referred to the Committee on Railroads.

Also, a remonstrance of the directors of the Twenty-seventh school section of Philadelphia, against changing the mode of electing school controllers.

Referred to the Committee on Education.

Also, a memorial of A. Campbell & Co. and forty-seven business men of Philadelphia, praying for the passage of an act prohibiting the Reading railroad company from charging more for carrying Chestnut and Pea coal than other coal.

Referred to the Committee on Railroads.

Also, thirteen petitions signed by two hundred and forty-two citizens of Philadelphia, imploring the Legislature to restrain the sale of intoxicating liquors in Philadelphia.

Referred to the Committee on Vice and Immorality.

Also, a remonstrance of fifteen owners of property on Lehman street, Philadelphia, against reducing the width of said street.

Referred to the Committee on the Judiciary Local.

Mr. DONOVAN, a petition of citizens of Philadelphia, against the running of Sunday cars.

Referred to the Committee on Vice and Immorality.

Mr. ROYER, a petition of citizens of Phoenixville, county of Chester, for a law giving the town council of said borough authority to appoint police officers, and to levy and collect tax for defraying the expenses of the same.

Referred to the Committee on the Judiciary Local.

Also, a petition of citizens along the line of the Chestnut Hill and Springhouse turnpike road, for the passage of an act authorizing the said company to reopen old water courses.

Laid on the table.

Mr. JAMES, a petition from citizens of Doylestown township, Bucks county, relating

to the collecting of school tax in said township.

Referred to the Committee on Education.

Also, one from citizens of Bucks county, in favor of making the commissioners of said county salaried officers.

Referred to the Committee on the Judiciary Local.

Mr. BURNETT, a petition of citizens of Eldred township, Monroe county, for the passage of an act authorizing the levy and collection of tax for payment of bounties, &c.

Referred to the Committee on the Judiciary Local.

Also, a remonstrance of citizens of Philadelphia, against the passage of a law authorizing the running of passenger railway cars on Sunday.

Referred to the Committee on Vice and Immorality.

Also, one from citizens of Wayne county, against the repeal, in whole or in part, of the Sunday laws, and especially against allowing cars to run on Sunday.

Referred to the Committee on Vice and Immorality.

Mr. LANDON, a petition of citizens of Bradford county, praying for an increase of the rates of interest.

Referred to the Committee on the Judiciary General.

Also, one from citizens of Tioga county, of like import.

Referred to the Committee on the Judiciary General.

Also, various remonstrances from citizens of Bradford and Wyoming counties, against Sunday cars and the sale of intoxicating liquors.

Referred to the Committee on Vice and Immorality.

Mr. SHOEMAKER, a remonstrance of one hundred citizens of Providence and Scranton, against any change of the limits of the city of Scranton.

Referred to the Committee on the Judiciary Local.

Also, a petition from citizens of Plymouth township, for a law authorizing the proprietors' fund to be invested in building school houses, &c.

Referred to the Committee on Education.

Also, one from sundry citizens of Luzerne county, praying for the repeal of an act passed the 15th of April, 1845, entitled An act authorizing the Secretary of the Commonwealth to distribute copies of the standard of weights and measures, and for the appointment of sealers so far as the same relates to Luzerne county.

Referred to the Committee on the Judiciary Local.

Also, a petition of sundry citizens of Luzerne county, praying for the passage of an act to authorize the supervisors of the township of Union to levy a tax to widen the road from Shickshinny borough to Town Hill to a width of forty feet.

Referred to the Committee on Roads and Bridges.

Also, one from citizens of Luzerne county, praying that a company may be incorporated to construct a railroad from Shickshinny, in said county, to the coal fields of Sullivan county.

Referred to the Committee on Railroads.

Mr. COWLES, a remonstrance of one hundred and fifty-three citizens of Clinton county, against any modification of the law so as to allow cars to run on Sunday, or to submit the question to a vote of the people of Philadelphia.

Referred to the Committee on Vice and Immorality.

Also, a petition of commissioners and auditors of Clinton county, for authority to appropriate unexpended relief funds to building a new court house.

Referred to the Committee on the Judiciary Local.

Mr. SCHALL, a petition of citizens of Lehigh county, praying for the passage of an act fixing the salary of the county treasurer.

Laid on the table.

Mr. SEARIGHT, a remonstrance of one hundred and fifty-seven inhabitants of Fayette county, against the passage of the act authorizing cars to run on Sunday, or any other law to desecrate the Sabbath.

Referred to the Committee on Vice and Immorality.

Also, one from ladies of Derry township, Westmoreland county, of like import.

Referred to the Committee on Vice and Immorality.

Also, one from citizens of Derry township, Westmoreland county, of like import.

Referred to the Committee on Vice and Immorality.

Also, the proceedings of a public meeting held in Greensburg, Westmoreland county, against the repeal of local laws restraining the sale of liquors.

Referred to the Committee on Vice and Immorality.

Also, a petition of citizens and inhabitants of the borough of Blairsville, and Burnell township, Westmoreland county, praying that an act, approved the 27th day of March, 1866, entitled An act to prohibit the granting of license in certain boroughs in the counties of Armstrong, Potter, Indiana and Perry, and within two miles of the same, may be extended so as to apply to the borough of Blairsville, and Burnell township, Indiana county, and Derry township, Westmoreland county.

Referred to the Committee on Vice and Immorality.

Mr. M'CANDLESS, a petition of temperance societies.

Referred to the Committee on Vice and Immorality.

Mr. BROWNE (Lawrence), a memorial of Rev. Robert M'Cachren and one hundred and twenty-three other citizens of Mechanicsburg, against Sunday car travel, or submitting same to vote in Philadelphia, and for revision of license laws.

Referred to the Committee on Vice and Immorality.

Also, the protest of Mrs. E. Ledyard, against running cars on the Holy Sabbath.

Referred to the Committee on Vice and Immorality.

Also, a petition of John Kushan and thirteen other citizens of Philadelphia, against Sunday car travel.

Referred to the Committee on Vice and Immorality.

Also, one from Alexander V. Murphy and fifty-six other citizens of Philadelphia, against Sunday car travel, or submitting the same to vote, and for revision of license laws.

Referred to the Committee on Vice and Immorality.

Also, one from George Henderson and ninety-nine other citizens of Luzerne county, of like import.

Referred to the Committee on Vice and Immorality.

Also, one from E. J. Ledyard and twenty-four other citizens of Philadelphia, of like import.

Referred to the Committee on Vice and Immorality.

Also, a memorial of Edward Clarence Smith and ten other citizens of Philadelphia, of like import.

Referred to the Committee on Vice and Immorality.

Also, a petition of William Armstrong and seventeen other citizens of Philadelphia, of like import.

Referred to the Committee on Vice and Immorality.

Also, one from N. W. Ledyard and twenty other citizens of Philadelphia, of like import.

Referred to the Committee on Vice and Immorality.

Also, one from J. A. Simpson and twenty-one other citizens of Philadelphia, of similar import.

Referred to the Committee on Vice and Immorality.

Also, a memorial of Rev. J. Walker Jackson and nineteen other citizens of Philadelphia, of similar import.

Referred to the Committee on Vice and Immorality.

Also, one from F. K. Hipple and other citizens of Philadelphia, of like import.

Referred to the Committee on Vice and Immorality.

Also, a petition of Henry Parker and twenty-two other citizens of Philadelphia, of like import.

Referred to the Committee on Vice and Immorality.

Mr. STUTZMAN, a petition of citizens of Napier township, Bradford county, to become attached to Schellsburg borough, for school purposes.

Referred to the Committee on Education.

Mr. FISHER, a petition of citizens of Philadelphia and elsewhere, against the repeal of the Fourth commandment.

Referred to the Committee on Vice and Immorality.

Mr. WALLS, two petitions of the congregation of Washington church, Union county, against Sunday cars, &c.

Referred to the Committee on Vice and Immorality.

Mr. BROWN (Mercer), a remonstrance of the pastor and sixty-four members of the German Evengelical association of Warren, against the proposed alteration of our State Sabbath laws.

Referred to the Committee on Vice and Immorality.

Also, one from the pastor of the First German Evangelical Lutheran church of Warren, and one hundred and six citizens, mostly Germans, against any change in the Sabbath laws of the State, and also petition in favor of a revision of the license laws of this Commonwealth.

Referred to the Committee on Vice and Immorality.

Mr. LOWRY, a petition of Elder E. C. Rogers and other citizens of Erie county, against the desecration of the Sabbath.

Referred to the Committee on Vice and Immorality.

Mr. TAYLOR, a petition and remonstrance from numerous citizens in reference to Sunday cars.

Referred to the Committee on Vice and Immorality.

Mr. GLATZ, a petition of citizens of York county, against the passage of a law allowing the running of cars on Sunday and the sale of liquors.

Referred to the Committee on Vice and Immorality.

Mr. M'CONAUGHY, a petition of citizens of Gettysburg, against repeal of Sunday cars and for revision of Sunday laws.

Referred to the Committee on Vice and Immorality.

Mr. WHITE, a petition of citizens of Indiana county, for repeal of the act prohibiting the licensing of any person to sell vinous, spirituous, malt or brewed liquors, passed March 27th, 1866.

(All legal voters).

Also, a petition of citizens of Armstrong

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[CONTINUED FROM PAGE 424.]

county, against Sunday cars and in favor of a modification of the license laws of the Commonwealth.

Referred to the Committee on Vice and Immorality.

Mr. WALLACE, a remonstrance of eighty-seven members of Olivet Church, Philadelphia, against repeal of Sunday laws.

Referred to the Committee on Vice and Immorality.

Also, a petition of sundry citizens of Clearfield county, for supplement bounty laws of said county.

Referred to the Committee on the Judiciary Local.

Mr. BILLLINGFELT, a petition of David Londer, Henry Londer and Sophia Londer, of Salisbury township, Lancaster county, praying for the passage of an act to invest a certain trust fund created under the will of Jacob Zug, deceased, in real estate.

Referred to the Committee on Estates and Escheats.

Mr. BIGHAM, a memorial from citizens of M'Keesport, asking the erection of a company to manufacture gas in said borough.

Referred to the Committee on Municipal Corporations.

Also, a memorial of a number of citizens of Lower St. Clair township, asking to be annexed to the borough of Birmingham.

Referred to the Committee on New Counties and County Seats.

Mr. GRAHAM, a remonstrance of citizens of Lawrenceville, against the passage of an act entitled An act relative to the Allegheny and St. Mary's cemetery, Allegheny county.

Laid on the table.

Mr. COLEMAN, a petition of two thousand three hundred and ninety-four citizens of Dauphin county, asking for the passage of a law which will require each city, township or borough within said county to pay damages for streets opened within its limits.

Laid on the table.

Also, petitions from citizens of Schuylkill county, for an act entitled An act for the better and more impartial selection of persons to serve as jurors.

Laid on the table.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

The Clerk of the House of Representatives being introduced, presented for concurrence bills numbered and entitled as follows viz:

No. 248, an act to enlarge the jurisdiction of the courts of common pleas of this Commonwealth, relative to granting charters of incorporation, and confirming those heretofore granted.

Referred to the Committee on the Judiciary General.

No. 249, an act to extend the provisions of the act, entitled An act relating to corporations for mechanical, manufacturing, mining and quarrying purposes, to fire insurance companies.

Referred to the Committee on the Judiciary General.

No. 250, an act supplementary to an act to amend certain defects in the law for the more just and safe transmission and secure enjoyment of real and personal estate, approved April 27, A. D. 1855, and to provide a mode for extinguishing mineral reservations in lands not owned by the Commonwealth.

Referred to the Committee on the Judiciary General.

No. 251, an act relative to evidence in actions of ejectment.

Referred to the Committee on the Judiciary General.

No. 252, a supplement to an act relative to the admission of parties to judicial proceedings as witnesses.

Referred to the Committee on the Judiciary General.

No. 263, a supplement to an act to incorporate the Titusville and Pithole plank road company, approved the 2d day of March, 1866.

Referred to the Committee on Roads and Bridges.

No. 564, an act to incorporate the Commonwealth iron and coal company.

Referred to the Committee on Corporations.

No. 565, a supplement to an act to incorporate the Swatara company, passed March 7, 1849.

Referred to the Committee on Corporations.

No. 568, a supplement to an act to incorporate the Whit Deer bridge company, approved the 23d day of March, A. D. 1849.

Referred to the Committee on Roads and Bridges.

No. 569, an act authorizing the supervisors of Blythe and Norwegian townships, Schuylkill county, to make and repair the public roads, bridges and culverts in said township.

Referred to the Committee on Roads and Bridges.

No. 570, an act to incorporate the Shickshinny and New Columbus Borough turnpike road company, in the county of Luzerne.

Referred to the Committee on Roads and Bridges.

No. 571, an act to repeal the fifth section of an act entitled An act relating to roads and bridges in certain townships in the county of Lawrence.

Referred to the Committee on Roads and Bridges.

No. 574, an act to confirm the title to a certain lot of ground in the Twentieth ward of the city of Philadelphia.

Referred to the Committee on Estates and Escheats.

No. 576, an act to incorporate the Lycoming trout and improvement company.

Referred to the Committee on Corporations.

No. 577, an act to incorporate the Philadelphia County real estate association.

Referred to the Committee on Corporations.

No. 581, an act to incorporate the Eagle Assembly of the city of Philadelphia.

Referred to the Committee on the Judiciary General.

No. 583, an act to incorporate the Pneumatic tube company of the city of Philadelphia.

Referred to the Committee on Corporations.

No. 585, an act to incorporate the Pennsylvania society for the prevention of cruelty to animals.

Referred to the Committee on Corporations.

No. 586, an act to incorporate the Teachers' institute of the city and county of Philadelphia.

Referred to the Committee on Education.

No. 587, an act to incorporate the Greensburg Masonic fund.

Referred to the Committee on the Judiciary General.

No. 591, an act to annul the marriage contract between James Dewey and his wife.

Referred to the Committee on the Judiciary General.

No. 493, an act to incorporate the East and West Pittston Street Passenger and Freight railway company.

Referred to the Committee on Railroads.

No. 594, an act to authorize and empower the Governor to issue a commission to Thomas M'Neish.

Referred to the Committee on Military Affairs.

He also informed that the House of Representatives has concurred in the amendments made by the Senate to bill from the House of Representatives numbered and entitled as follows, viz:

No. 346, an act to authorize the Governor to appoint ten additional notaries public for the city of Philadelphia.

He also informed that the House of Representative has concurred in the amendments made by the Senate to bill from the Senate numbered and entitled as follows, viz:

No. 201, an act to incorporate the Erie City passenger railway company,

Said bill having been returned to the Senate by the Governor, in pursuance of joint resolution requesting the same.

He further returned bill from the Senate numbered and entitled, as follows viz:

Senate bill No. 178, an act to incorporate the Local express company of Wilkesbarre,

With information that the House of Representative has passed the same without amendments.

REPORTS FROM COMMITTEES.

Mr. DAVIS, from the Committee on Federal Relations, reported, as committed, a bill entitled Joint resolutions relative to the reduction of the internal revenue tax on distilled spirits.

Mr. CONNELL, from the Committee on Finance, as committed, a bill entitled An act to authorize the issue of registered bonds for the coupon bonds of this Commonwealth.

Also, a joint resolution relative to the purchase of a railroad map to accompany the Auditor General's report.

The resolution was accompanied by a report from the Committee on Finance, which was read as follows:

The Finance Committeee having been instructed, by a resolution adopted February 6th, to inquire into the expediency of republishing a railroad map to accompany the report on railroads, beg leave to report:

That they have made some inquiry upon the subject as to the price of said map and the time necessary to have it prepared, and they find that it could not be furnished in time to permit the members of the Legislature to receive the usual number of copies of the Auditor General's report on railroads, and distribute the same amongst their constituents before the final adjournment of the Legislature. They have, however, ascertained that a map, suitable for the purpose, can be had at small cost for the present year, 1867, and they therefore submitted the above resolution.

Mr. M'CONAUGHY, from the Committee on Judiciary General, as committed, a bill entitled An act to permit an appeal from the register of Lebanon county, on behalf of the heirs of Robert W. Coleman, deceased.

Mr. COWLES, from the Committee on Judiciary Local, as committed, a bill entitled An act to regulate the fees of the directors of the poor and house of employment of the county of Bedford.

Mr. STUTZMAN (same), as committed, a bill entitled An act relating to the office of county treasurer in Allegheny county.

Mr. DAVIS (same), as committed, a bill entitled An act relative to auctioneers in the borough of Lewisburg, Union county.

Mr. WHITE (same), as committed, a bill entitled An act to increase the compensation of the supervisors of roads in the township of Hilltown, Bucks county.

Ms. RIDGWAY, from the Committee on Corporations, as committed, a bill entitled An act to incorporate the American dredging company.

Also (same), as committed, a bill entitled A further supplement to an act incorporating the city of Corry.

Also (same), as committed, a bill entitled An act to enable the parties interested under a certain indenture of trust from Christopher Loeser to William S. Wetmore and others, dated October 28th, 1855, to become a mining company.

Also (same), as committed, a bill entitled A further supplement to an act to authorize the Cranberry coal company to construct a railroad.

Mr. HAINES (same), as committed, a bill entitled An act to incorporate the Empire slate company.

Also (same), as committed, a bill entitled An act to incorporate the Monongahela inclined plane company.

Mr. ROYER (same), as committed, a bill entitled An act to incorporate the People's gas company of Wilkesbarre.

Also (same), as committed, a bill entitled An act authorizing Allen K. Williams to construct a ferry over Oil creek, at or near the township lines of Allegheny and Cherry Tree, in Venango county, Pa.

Also (same), as committed, a bill entitled An act to incorporate the Co-operative association of Wilkesbarre.

Mr. JONES (same), as committed, a bill entitled An act to incorporate the Enterprise gas light company.

Also (same), as committed, a bill entitled An act to incorporate the Pittston Industrial Co-operative association.

Mr. GLATZ (same), as committed, a bill entitled An act to incorporate the Spence Grove lumber and land company.

Also (same), as committed, a bill entitled An act to incorporate the Farmers' Union Mutual fire insurance of Pennsylvania.

Mr. M'CONAUGHY, from the Committee on Estates and Escheats, as committed, a bill entitled An act to confirm the title of John Hanley to certain real estate in the city of Philadelphia.

Mr. HAINES, from the Committee on Canals and Inland Navigation, as committed, a bill entitled An act to authorize the owners of certain mills on the Delaware river, at Morrisville, to extend their wing dam.

Mr. SHOEMAKER (same), as committed, a bill entitled An act to repeal the first section of an act passed the first day of April, A. D. 1792, declaring the Little Lehigh a public highway.

Mr. SEARIGHT (same), as committed, a bill entitled An act to repeal an act authorizing a public ferry over the Allegheny river, in Warren county, approved April 1, 1862.

Mr. LANDON, from the Committee on Railroads, as committed, a bill entitled A supplement to an act incorporating the Ephrata and Lancaster railroad company, approved A. D. 1866, authorizing the extension of said road to the Conestoga creek, below the city of Lancaster.

Mr. RANDALL (same), with amendments, a bill entitled An act to authorize the Lehigh Valley railroad company to build branch railroads.

Mr. STUTZMAN, from the Committee on Elections and Election Districts, as committed, a bill entitled An act to change the place of holding elections in Allegheny township, Venango county.

Mr. HAINES, from the Committee on Agriculture and Domestic Manufactures, as committed, a bill entitled Joint resolution relative to printing of the State agricultural society's report, &c.

Also (same), as committed, a bill entitled An act to prohibit the entrapping, ensnaring or capturing of wild turkeys and partridges by any other means than shooting, in the county of Blair.

Mr. BROWN, of Mercer (same), as committed, a bill entitled An act to prevent the destruction of bass in Evert's creek and tributaries, and the Raystown branch of the Juniata and tributaries, in the county of Bedford.

Mr. BILLINGFELT (same), as committed, a bill entitled An act to prohibit the taking of fish by nets, seines, &c., in Monroe county.

Mr. GRAHAM, from the Committee on Vice and Immorality, as committed, a bill entitled An act for the better regulation of public halls and places of amusement in the city of Philadelphia.

Mr. TAYLOR (same), as committed, a bill entitled An act to extend the provisions of an act to prohibit the issuing of licenses within certain boroughs in the counties of Armstrong, Potter, Indiana and Perry, or within two miles of the same, in the counties in which such boroughs are located, approved 27th day of March, 1866, to the boroughs of New Alexandria and Bolivar, in the county of Westmoreland.

Also (same), as committed, a bill entitled An act to prohibit the sale of intoxicating drinks in the townships of Economy and Independence in the county of Beaver.

BILLS IN PLACE.

Mr. CONNELL read in place and presented to the Chair, a bill entitled An act to incorporate the Homeopathic Medical Society of Pennsylvania.

Referred to the Committee on the Judiciary General.

Also, a bill entitled An act for the better protection of seamen in the port and harbor of Philadelphia.

Referred to the Committee on the Judiciary Local.

Also, a bill entitled A supplement to an act entitled An act relating to corporations for mechanical, manufacturing, mining and quarrying purposes, approved the 18th day of July, A. D. 1863, relating to the Williamsport manufacturing company.

Referred to the Committee on Corporations.

Also, a bill entitled A supplement to the act incorporating the Jackson mining company.

Referred to the Committee on Corporations.

Also, a bill entitled An act to open, straighten and widen Baltimore Avenue, in Twenty-seventh ward, in the city of Philadelphia.

Referred to the Committee on Roads and Bridges.

Mr. SEARIGHT, a bill entitled An act changing the names of Samuel Fleming Morrison, and Mary Caroline Morrison, to Samuel Fleming Bell, and Mary Caroline Bell, and declaring said Samuel Fleming Bell an adopted child of Samuel J. Bell.

Referred to the Committee on the Judiciary General.

Mr. COLEMAN, a bill entitled An act to regulate the publication of county business.

Referred to the Committee on the Judiciary General.

Also, a bill entitled An act to regulate the compensations of the treasurers of the different counties in Pennsylvania.

Referred to the Committee on the Judiciary General.

Mr. COWLES, a bill entitled An act authorizing the commissioners of Chester county to appropriate the unexpended relief fund of said county to building a new court house.

Referred to the Committee on the Judiciary Local.

Mr. SUTZMAN, a bill entitled An act to perfect title to one hundred and sixteen acres of land in Somerset county, heretofore owned by the Union coal and iron company.

Referred to the Committee on the Judiciary Local.

Also, a bill entitled An act to attach certain lands and tenements in Napier township, Bedford county, and the persons residing thereon, to Schellsburg borough, for school purposes.

Referred to the Committee on Education.

Mr. SHOEMAKER, a bill entitled A supplement to an act to appoint commissioners to re-survey and establish the lines of the main road running through a part of Wilkesbarre township, in the county of Luzerne, passed the 24th day of February, 1859.

Referred to the Committee on the Judiciary Local.

Mr. RANDALL, a bill entitled An act to authorize Patrick Gallagher, a justice of the peace of the borough of Ashland, Schuylkill county, to hold his office in either ward of said borough.

Referred to the Committee on the Judiciary Local.

Mr. BILLINGFELT, a bill entitled An act to authorize Daniel Lander and Henry Lander, trustees under the will and testament of Jacob Zug, late of Berks county, deceased, to invest the moneys in their hands received from the said deceased, and proceeding from his estate, for the use of his daughter, Sophia Lander, or her children, in the purchase of certain real estate.

Referred to the Committee on Estates and Escheats.

Mr. BIGHAM, a bill entitled An act to incorporate the M'Keesport gas company.

Referred to the Committee on Corporations.

Also, a bill entitled An act to incorporate the Co-operative association of East Birmingham, in the county of Allegheny, for mercantile purposes.

Referred to the Committee on Corporations.

Mr. FISHER, a bill entitled An act to incorporate the Caledonia iron company.

Referred to the Committee on Corporations.

Mr. GLATZ, a bill entitled An act to incorporate the Wrightsville iron company.

Referred to the Committee on Corporations.

Mr. M'CONAUGHY, a bill entitled An act to incorporate the Gettysburg asylum for invalid soldiers, and to raise funds therefor, and for the securing and preserving of the battle ground of Gettysburg.

Referred to the Committee on Corporations.

Mr. WALLACE, a bill entitled An act to incorporate the South Witmer Run navigation company in the county of Clearfield.

Referred to the Committee on Canals and Inland Navigation.

PURCHASE OF A RAILROAD MAP.

On motion of Mr. CONNELL, the rules were dispensed with, and the Senate proceeded to the consideration of joint resolution relative to the purchase of a railroad map to accompany the Auditor General's report.

The resolution was read a second and third time, and

Passed finally.

THE SENATORIAL CONTEST.

Mr. CONNELL. Mr. Speaker, I desire to offer a resolution. Previous to the election of United States Senator in the early part of this session, and indeed down to the present time, the character and motives of a large number of Senators have been impugned without stint, for the course they conscientiously pursued in making their choice from the various candidates whose claims and qualifications were presented for our consideration for that honorable office.

The newspapers especially, in the interest of certain aspirants, teemed with falsehoods and indecent abuse of the friends of the successful candidate. For myself, I had neither time nor inclination to enter into any refutation of these unmerited and baseless slanders, nor into any defense of my own course in that contest. Having long ago and from the first, declared my decided preference for the "Old Chief" who will take his seat on Monday next as the United States Senator from Pennsylvania, I knew that time would do justice to his friends, and vindicate the purity of their motives and the wisdom of their choice.

Looking at all the various names presented to us for that high position, contrasting the character and services of each in the past history of the country, and in defense of the great and peculiar interests of our State, I recognize in him one whose name is identified with Pennsylvania's prosperity, and is already historic, forever imperishably associated with the war for the suppression of the rebellion, a statesman whose decision of character and firmness of purpose distinguish him above all his rivals and competitors as one

"Constant as the Northern star,
Of whose true-fixed and sterling quality,
There is no fellow in the firmament."

Finding the whole subject of the Senatorial contest, in all its bearings, ably reviewed in a recent address of the estimable and distinguished Senator (my friend, Mr. GRAHAM), published in the HARRISBURG TELEGRAPH, of the 19th instant, I desire that that address, brief, compact, fair in all its particulars, and true in all its statements, characteristic of its respected author, shall be published in the *Legislative Record*, and I therefore make that motion, that the address of the Hon. JAMES L. GRAHAM to the operatives of the Lochiel Iron Works be printed in the *Legislative Record*.

Mr. FISHER. Mr. Speaker, I take very great pleasure in seconding the motion of the Senator from Philadelphia [Mr. CONNELL], I regard, sir, the election of United States Senator, which occured here this winter, as perhaps the greatest event in this State, in the nineteenth century. Nothing has occurred, since the signing of the Declaration of Independence, of so much importance to the people of Pennsylvania, and the people of this Union, as the election of the distinguished gentleman named in the remarks of the Senator from Philadelphia [Mr. CONNELL].

The motion of Mr. CONNELL was

Agreed to.

The following is the speech alluded to by the foregoing resolution:

GENTLEMEN, EMPLOYEES OF THE LOCHIEL IRON WORKS:—I thank you for having called me to preside at, and state the object of this meeting. You have convened for the purpose of bestowing upon the Hon. Simon Cameron a most beautiful and costly gift, as a testimonial of your affectionate regard for him as a man, and as an evidence of your appreciation of his distinguished services, for the promotion of the interests of the working classes, and the protection of the manufacturing interests of the country This unsolicited demonstration is the more significant and valuable, because it springs spontaneously from the hearts of those who are his immediate neighbors and know him best. You will pardon me, gentlemen, if I allude briefly to the late contest for the United States Senate, out of which Gen. Cameron emerged so triumphantly, and my own position and action in connection with that, the most intensely interesting contest which has ever occurred in Pennsylvania.

You know, gentlemen, that I hail from the cloud canopied cities of Pittsburg and Allegheny, where the hum of the spindle, the roar of the furnace and the clang of the hammer never cease, where not to be a laborer is not to be respected. For, gentlemen, we are eminently a manufacturing people. The healthful life current that courses through and gives vitality and wealth to every department of our business, receives its pulsations from our grand manufacturing establishments, which stand forth and speak most eloquently of the energy, industry and enterprise of our people. When I became a Senator, five years since, I came to Harrisburg with my mind filled with prejudice against Simon Cameron. I had heard him denounced by the public press, and held up as a corrupt and unscrupulous man. Previous to that time I had no personal acquaintance with him.

Since I have become personally acquainted with him, since I have learned from his neighbors of his large hearted benevolence, of his generous and unselfish benefactions, of the purity of his private character, of his loyal devotion to the best interests of his country, those prejudices have been gradually removed, and a genuine admiration and respect for the man have taken their place.

In determining my action in the late contest I did not act hastily, or without due consideration. There were three gentlemen named prominently as candidates: Thaddeus Stevens, Gov. A. G. Curtin and Gen. Simon Cameron.

Thaddeus Stevens I regarded as one of the greatest men of this or any other country, standing without a peer as a parliamentarian, one of the wonderful intellectual phenomena that but rarely break upon and adorn the world. He was, indeed, regarded by me as the "great Commoner"—radical, stern, inflexible—always standing up for the right and opposing the wrong; a man of whom I, as a Pennsylvanian, as an American, feel proud. "A man who, take him all in all, we ne'er shall look upon his like again." But, gentlemen, I believed—I still believe, that he occupied the very position that "God and nature" intended him for—a position in which he could do more honor to himself, and more effectually promote the interests of the nation, than he could if transferred to the Senate. He was at the head of the most important committees, the acknowledged leader of the House, wielding an influence there which, in my judgment, he could not have exerted in any other position. And as for the honor, could any position garland the brow of Thaddeus Stevens with an additional laurel?

Again, gentlemen, if elected to the Senate, I feared that his seat in the House might be filled by some inferior man. And then, again, his age; the young may die—the old must. Thaddeus Stevens has lived to a green old age, and, according to the inevitable laws of nature, must soon, very soon, pass to that silent house appointed for all the living—go, a trust, to have his head encircled with a wreath that will be incorruptible, undefiled, and shall never wither nor fall from the wearer's brow.

Gentlemen, a very few years work wondrous changes in the world—the political world especially. Elect Mr. Stevens to the Senate, and in the event of his decease (which Providence forbid), in two years the Democratic party might be in the ascendancy, and then we would have a Democratic United States Senator. Entertaining such views, and knowing as I thought I knew the impossibility of his election, I did not deem it to be my duty to vote for him.

I felt myself obliged, therefore, to choose between Gov. Curtin and Gen. Cameron. For myself I entertained none but the most kind and respectful feelings towards Governor Curtin; he had always treated me with great consideration. All acknowledged him to be a courteous, amiable and patriotic gentleman. I had been his friend and defender in Allegheny county, where he was assailed in some of our papers just as bitterly and unjustly as General Cameron has recently been attacked.

Yet, gentlemen, while none have been more honestly and unselfishly the friend of Andrew G. Curtin than myself, I could not vote for him for United States Senator, and why? Because my opportunities for studying his character, convinced me that the very amiability of his disposition, his want of firmness and decision, unfitted him at a time like this, when our country needs earnest, unyielding, radical men; men who will stand up like the surge repelling rock, unmoved by the warring elements; men whose party fealty has never been doubted. I will not say an unkind word of Governor Curtin. I have not uttered one against him, Yet I cannot refrain from assigning, as a reason for my not voting for him, his doubtful position, for a time at least, during the last Presidential contest, and his apparent adhesion to the man who, raised by the Republican party to the second office in the gift of the people, and then by the assassin's hand to the Presidency of the United States, basely betrayed those who had honored him, and is to-day using his position and patronage for their destruc-

tion. I say his apparent adhesion to President Johnson, after he had betrayed the Republican party, and that party had repudiated him. This adhesion may have been only in appearance, yet it was such as to cause many of his friends sincere regret.

On the other hand, my prepossessions on entering the Senate had been against General Cameron. I had heard the old charges against him, and I was disposed to judge him harshly. When, however, I came to know him better, to observe his life and conduct, and to ascertain what the people among whom he lived thought of him, I was compelled to disregard the slanders of his enemies and to form my own judgment of his character. My intercourse with him satisfied me that he was an upright and earnest statesman, thoroughly radical in his views, and devoted to the interests of Pensylvania. Moreover I felt sure that he would be found reliable in any contingency, and that the Radicals of this State would never have cause to regret that they had chosen him to represent them in the Senate of the United States. And again, gentlemen, the constituency which I represent are vitally interested in a protective tariff. The material prosperity of our immense manufacturing interests are in a great measure dependent upon proper protection. I remembered the fact that Simon Cameron, when in the Senate, elected to it by the Democratic party—when this question of protection to American industry was before that body, rose superior to party trammels, and in opposition to his party, advocated it in various speeches of great power. And then, gentlemen, I looked at his record, since the breaking out of the late terrible rebellion. He seemed to have a more perfect conception of its magnitude, than any man in public position. With prophetic eye, he seemed to scan it in all its gigantic proportions, and urged the calling out of one million men to crush the rebel armies. And after the war had continued for a time, and our forces seemed inadequate to subdue the rebellion, General Cameron was the very first statesman who advocated the arming of the negro, which he did in his report as Secretary of War, in December, 1861. And yet, again, when he saw that slavery was a great element of strength to the rebels—when he saw four millions of human beings, trodden down under the iron heel of oppression until almost every lineament of God-head and humanity was obliterated—he was among the first who urged the issuing of the proclamation of emancipation, thus striking off the shackles of four millions of human beings, and obliterating that deep, dark, damning stain that rested upon the escutcheon of our country.

I knew that he was in favor of negro suffrage in Pennsylvania as well as in the South—that he was in favor of punishing traitors instead of rewarding them with offices—that he was a progressive man and would always go forward—never backward.

For these reasons I resolved to vote for General Cameron; if any of my friends think I ought to have done otherwise I am sorry I cannot agree with them. I believed then and I still believe that in voting as I did I represented the best interests of the loyal and patriotic people of the State.

I knew that personally I had nothing to gain by casting my vote for General Cameron. I never asked for or received a favor from him—neither expected or desired any present or prospective advantage to myself, but upon the contrary, knew that I might alienate many valuable friends. Yet with my conceptions of duty under the solemnities of my oath as Senator, I could not do otherwise than I have done. And, gentlemen, employees of the Lochiel Iron Works, and you, gentlemen, his friends and neighbors, who now, with upturned, beaming, earnest faces, stand around me—if I needed an additional argument for having cast my vote for Gen. Cameron, you have furnished it to me in the earnest, enthusiastic greeting you have this day given him; in the cordial, kindly, brotherly feeling which seems to exist between you; in the genuine affection which you manifest for him, and the evident interest you take in him. Gentlemen, no ordinary man, no bad man, could ever win the hearts or secure a place in the affections of men such as comprise this assembly.

In reviewing the whole subject, my conclusion is this: by voting for General Cameron, I contributed my influence to elevate to power and place a man of known and reliable antecedents, largely and intimately identified with the material interests of this great State, a man of bold and radical avowals, holding a large place in individual affection and public esteem, and whose wide influence will be consecrated to the good of the whole land.—Firmly believing this, I most cheerfully submit my action to the sober judgment of the wise, the discreet, and the patriotic. Again, gentlemen, I thank you for the unexpected honor you have conferred upon me in calling me to preside at your meeting.

BILLS PASSED.

Mr. M'CONAUGHY moved that the Committee on Corporations be discharged from the further consideration of a bill entitled An act to incorporate the Gettysburg asylum for invalid soldiers and to raise funds therefor, and for the securing and preserving of the battle ground of Gettysburg, and that the rules be suspended, and that the Senate proceed to the consideration of the same.

Mr. RANDALL objected to bills being called up at this time, as the general railroad law was the special order.

Mr. M'CONAUGHY. Mr. Speaker, this bill is to establish an asylum for invalid soldiers.

Mr. RANDALL. I have no objection to the asylum, but I insist upon the orders.

On the question,

Will the Senate suspend the rules?

The yeas and nays were required by Mr. RANDALL and Mr. M'CONAUGHY, and were as follow, viz:

YEAS—Messrs. Billingfelt, Connell, Cowles, Davis, Donovan, Fisher, Graham, Haines, James, Landon, M'Candless, M'Conaughy, Royer, Searight, Shoemaker, Stutzman, Taylor, Wallace, Walls, White and Hall, *Speaker*—21.

NAYS—Messrs. Bigham, Browne (Mercer), Burnett, Coleman, Jackson, Lowry, Randall and Ridgway—8.

So the question was determined in the affirmative.

The bill was read a second and third time, and

Passed finally.

SESSIONS OF THE SENATE.

Mr. BIGHAM moved that the Senate will hold afternoon sessions on to-day and to-morrow, commencing at three o'clock.

Mr. WALLACE. Mr. Speaker, it seems to me that we should devote some little attention to public business. We devoted all of yesterday to private business.

On the question,

Will the Senate agree to the motion of Mr. BIGHAM?

The yeas and nays were required by Mr. RANDALL and Mr. CONNELL, and were as follow, viz:

YEAS—Messrs. Bigham, Browne (Lawrence), Brown (Mercer), Coleman, Cowles, Graham, Haines, Landon, Lowry, M'Conaughy, Shoemaker, Stutzman, Taylor, Wallace and Hall, *Speaker*—15.

NAYS—Messrs. Billingfelt, Burnett, Connell, Davis, Donovan, Fisher, Glatz, Jackson, James, M'Candless, Randall, Ridgway, Royer, Schall, Searight and Walls—16.

So the question was determined in the negative.

Mr. WALLACE moved that the Senate will hold a session this afternoon from 3 to 5, and a session this evening from 7½ to 10, for the consideration of public bills.

On the question,

Will the Senate agree to the motion?

The yeas and nays were required by Mr. WALLACE and Mr. CONNELL, and were as follow, viz:

YEAS—Messrs. Bigham, Billingfelt, Browne (Lawrence), Brown (Mercer), Coleman, Cowles, Davis, Donovan, Graham, Haines, Jackson, James, Landon, Lowry, M'Candless, Royer, Schall, Searight, Shoemaker, Stutzman, Taylor, Wallace, Walls, White and Hall, *Spiaker*—25.

NAYS—Messrs. Burnett, Connell, Fisher, Glatz, M'Conaughy, Randall and Ridgway—7.

So the question was determined in the affirmative.

Mr. BIGHAM moved that when the Sanate adjourn to-morrow, it will adjourn to meet on Tuesday afternoon next, at three o'clock.

The motion was

Agreed to.

BILL ON THIRD READING.

Agreeably to order,

The Senate proceeded to the third reading and consideration of a bill entitled An act to incorporate the Moshannon land and lumber company.

The bill

Passed finally.

THE GENERAL RAILROAD LAW.

Agreeably to order,

The Senate continued the second reading and consideration of the bill entitled An act to authorize the formation of railroad corporations.

The first section being under consideration, various amendments were offered, and debated at length.

The debate, together with the amendments, will appear in the *Appendix*.

The hour of one having arrived, the SPEAKER adjourned the Senate until this afternoon at three o'clock.

AFTERNOON SESSION.

The Senate met at three o'clock.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

The Clerk of the House of Representatives being introduced, presented for concurrence bills numbered and entitled as follows, viz:

No. 170, an act to increase the duties of the Citizens' association of Pennsylvania.

Referred to the Committee on the Judiciary General.

No. 394, an act authorizing the Governor to appoint three additional notaries public for the city of Philadelphia.

Referred to the Committee on the Judiciary Local.

No. 410, an act providing for the appointment of an additional law judge in the Eighth Judicial district in this Commonwealth.

Referred to the Committee on the Judiciary General.

No. 601, joint resolution relative to the pay of E. D. Pickett, as clerk to the committee trying the contested election case contesting the seat of Charles D. Roccu, from the district composed of the counties of Lycoming, Union and Snyder.

Referred to the Committee on Finance.

He also returned bills from the Senate numbered and entitled as follows:

No. 409, a further supplement to the act incorporating the Pennsylvania fiscal agency, approved November 1, 1859, empowering said company, now known as the Credit Mobilier of America, to provide for the completion of certain contracts,

With information that the House of Representatives has passed the same without amendments.

He also returned bill from the Senate numbered and entitled as follows:

No. 677, an act to enable the authorities of South Erie to increase taxation and lay sidewalks,

With information that the House of Representatives has passed the same with amendments, in which the concurrence of the Senate is requested.

On motion of Mr. LOWRY, the amendments were twice read, considered and concurred in.

BILL PASSED.

On leave,

Mr. TAYLOR read in his place and presented to the Chair a bill entitled An act to repeal an act for the repeal of an act changing the venue in certain actions of ejectment from Armstrong to Allegheny county.

Referred to the Committee on the Judiciary Local.

On motion of Mr. TAYLOR, the Committee on the Judiciary Local was discharged from the further consideration of said bill.

And the rules having been dispensed with,

The bill was read a second and third time, and

Passed finally.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

The Clerk of the House of Representatives being introduced, presented for concurrence bill numbered and entitled as follows, viz:

No. 822, a further supplement to an act relating to inspections, approved April 15th, A. D. 1830, and the several supplements thereto.

Referred to the Committee on Agriculture and Domestic Manufactures.

He also returned bill from the Senate numbered and entitled as follows:

No. 681, an act creating a board for the erection of a city hall in the city of Pittsburg;

With information that the House of Representatives has passed the same without amendments.

He also returned bills from the Senate numbered and entitled as follows:

No. 208, an act relative to the courts of oyer and terminer, general jail delivery, and quarter sessions of the peace for the city and county of Philadelphia.

No. 346, an act relating to the Columbia bridge company,

With information that the House of Representatives has passed the same with amendments, in which the concurrence of the Senate is requested.

On motion of Mr. FISHER, the amendments were twice read, considered and concurred in.

He also informed the Senate that the House of Representatives has adopted the report of the committee of conference appointed to confer upon the subject of the difference existing between the two Houses on bill from the Senate numbered and entitled as follows, viz:

No. 181, an act to authorize the town council of the borough of Middletown, in the county of Dauphin, to borrow money to pay off the present indebtedness of said borough, and to build a bridge over the Pennsylvania canal on Wood street, and to provide for the payment thereof, as also for the future government of said borough, by an increased rate of taxation.

The Clerk of the House of Representatives also returned bill numbered and entitled as follows, viz:

No. 224, a supplement to an act authorizing the borough council of the borough of Bethlehem, Pennsylvania, to purchase the water works, real estate and improvements of the Bethlehem Water Works company, also to make all such necessary improvemnnt and extension required, to borrow money and appoint water commissioners to carry out said object, approved March 20th, 1866,

With information that the House of Representatives has passed the same with amendments, in which the concurrence of the Senate is requested.

Said amendments were read the first time.

THE GENERAL RAILROAD LAW.

Agreeable to order, the Senate resumed the second reading and consideration of bill entitled An act to authorize the formation of railroad corporations.

Various amendments were proposed and disposed of, a full report of which, together with the remarks of the different Senators thereon, will appear in the *Appendix*.

The hour of 5 o'clock having arrived, the SPEAKER adjourned the Senate till 7½ o'clock this evening.

EVENING SESSION.

The Senate met at 7½ o'clock.

On motion of Mr. CONNELL, the Committee on Finance was discharged from the further consideration of a bill entitled Joint resolution relative to the pay of E. D. Pickett, as clerk to the committee trying the contested election case contesting the seat of Charles D. Rouch, from the district composed of the counties of Lycoming, Union and Snyder.

And the rules having been dispensed with, the bill was read a second time.

Mr. RIDGWAY. Mr. Speaker, I move to amend the bill by limiting the amount to be paid for mileage to one hundred dollars. This man comes from Erie county, and his mileage may amount to a considerable sum. Therefore, I make this motion.

Mr. LOWRY. It is no reason why, because this man came from Erie county, he should not have his rights here.

The amendment was

Not agreed to.

The bill then

Passed finally.

THE GENERAL RAILROAD LAW.

Agreeably to order, the Senate resumed the second reading and consideration of the bill entitled An act to authorize the formation of railway corporations.

Various amendments were proposed and debated, a full report of which will be found in the *Appendix*.

The first, second, third, fourth, fifth and sixth sections of the bill were agreed to, after being slightly amended.

A QUESTION OF PRIVILEGE.

During the debate on the railroad bill,

Mr. DONOVAN said: Mr. Speaker, I rise to a privileged question. I went into the other branch of the Legislature a few moments ago, to speak to my colleague [Mr. QUIGLEY] upon important business. I was prevented from doing so by the Sergeant-at Arms of that body. He told me that, in doing so, he was acting under the instructions of the Speaker of that body. I had an important message to deliver to him, but was not allowed to do so. This thing should be stopped. I would say that a Speaker who gave an order that a Senator should not go on to the floor of the House of Representatives and speak to his colleague, is, under the most charitable construction, a fool!

Mr. WALLACE (Speaker *pro tem.*) said that, as he was only a temporary incumbent of the chair, he would request the Senator to wait and state the case to the Speaker when he was in the chair.

Mr. DONOVAN. You are virtually the Speaker.

On motion of Mr. BIGHAM, the Senate then (at 11 P. M.) adjourned until 11 o'clock, to-morrow morning.

SENATE.

FRIDAY, March 1, 1867.

The Senate met and was called to order at 11 A. M. by the SPEAKER.

Prayer was offered by the Rev. Mr. Bailey, of Harrisburg.

On motion of Mr. CONNELL, the reading of the Journal of yesterday was dispensed with.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

The Clerk of the House of Representatives being introduced, presented for concurrence bills numbered and entitled as follows, viz:

No. 326, an act ascertaining the views of the qualified electors of the city and county of Philadelphia, upon the subject of allowing the passenger railway companies of said city to run their cars on the first day of the week, commonly called Sunday.

Referred to the Committee on Vice and Immorality.

No. 801, a supplement to an act to authorize the road commissioners of Freehold township to levy an additional tax, approved April 11, A. D. 1866.

Referred to the Committee on Roads and Bridges.

No. 825, an act legalizing the action of the burgess and town council of the borough of Montrose, Susquehanna county, and to fix the limits of said borough.

Referred to the Committee on the Judiciary Local.

He also informed the Senate that the House of Representatives has concurred in the amendments made by the Senate to bills from the House of Representatives numbered and entitled as follows, viz:

No. 159, supplement extending the provisions of an act approved the 17th day of April, A. D. 1867, relative to the fees on unseated lands in the county of Centre.

No. 260, an act to incorporate the Boyd Farm and Petroleum Centre bridge company.

No. 314, an act to divide the township of Plymouth into two election district.

No. 318, an act relative to bounty taxes in Marion township, Butler county.

No. 331, an act extending an act relative to roads in Uwchlan township, Chester county, and East Bethlehem and East Pike Run townships, Washington county, to Peters township, Washington county.

No. 412, an act to incorporate the Pithole gas and water company.

No. 439, a supplement to an act to incorporate the Penn Gas coal company, approved the first day of March, A. D. 1861.

No. 472, a supplement to an act incorporating the Girard Electrical insurance company, approved the 2d day of March, A. D. 1866.

No. 479, an act to prevent the growth of noxious weeds in the county of Chester.

He also informed that the House of Rep-

resentatives has non-concurred in the amendments made by the Senate to bill from House numbered and entitled as follows, viz:

No. 196, an act establishing a ferry on the Monongahela river, at the borough of California, in the county of Washington.

On motion of Mr. TAYLOR, the Senate receded from its amendments to said bill.

No. 266, an act to annex the farms of Samuel Powers, John Hunter, James Cunningham, John Conway and James Rutledge, of Derry township, to Livermore borough, in Westmoreland county, for school purposes.

On motion of Mr. SEARIGHT, the Senate insisted on its amendments, and a committee of conference was appointed.

REPORTS FROM COMMITTEES.

Mr. CONNELL, from the Committee on Finance, reported, as committed, a bill entitled An act to exempt the parsonage of the Park Presbyterian congregation, in the city of Erie, Pennsylvania, from taxation.

Mr. RIDGWAY, from the Committee on Corporations, reported as committed, a bill entitled An act to incorporate the Caledonia iron company.

Also (same), with amendments, a bill entitled An act authorizing the merger or consolidation of oil or other mining companies.

Also (same), as committed, a bill entitled A supplement to the act incorporating the Jackson mining company.

Also (same), as committed, a bill entitled An act to incorporate the Wilkesbarre transportation company.

Also (same), as committed, a bill entitled A supplement to an act to incorporate the Union coal company, approved the 29th day of April, A. D. 1864.

Also (same), as committed, a bill entitled An act to incorporate the Silver Brook mining company.

Mr. ROYER (same), as committed, a bill entitled An act to incorporate the Hill-side coal and iron company.

Also (same), as committed, a bill entitled An act to incorporate the Co-operative association of East Birmingham, in the county of Allegheny, for mercantile purposes.

Also (same), as committed, a bill entitled An act to incorporate the Pennsylvania society for the prevention of cruelty to animals.

Mr. GLATZ (same), as committed, a bill entitled An act to incorporate the River Side coal company.

Also (same), as committed, a bill entitled An act to incorporate the Wrightsville iron company.

Also (same), as committed, a bill entitled An act to incorporate the Lycoming trout and improvement company.

Mr. RANDALL, from the Committee on Railroads, as committed, a bill entitled An act to extend the time for the commencement and completion of the People's railway company, and giving additional powers.

Mr. BROWNE (Lawrence), from the Committee on Education, as committed, a bill entitled An act to attach certain lands and tenements in Napier township, Bedford county, and the persons residing thereon, to Shellsburg borough, for school purposes.

Mr. BROWN (Mercer) (same), as committed, a bill entitled An act to authorize the board of school directors of Venango City, Venango county, to borrow money.

Mr. SEARIGHT (same), as committed, a bill entitled An act relative to the collection of school tax in the township of Doylestown, Bucks county.

Also (same), with a negative recommendation, a bill entitled An act authorizing the school directors of Washington township, Snyder county, to appropriate certain funds for county purposes.

Mr. WHITE, from the Committee on Military Affairs, as committed, a bill entitled joint resolution authorizing the Governor to dispose of certain perishable military stores in the State arsenal.

Mr. M'CANDLESS (same), with amendments, a bill entitled An act to authorize the Governor to transfer to the Reynolds monument committee unserviceable and condemned ordnance.

Mr. BILLINGFELT, from the Committee on Roads and Bridges, as committed, a bill entitled An act to open, straighten and widen Baltimore avenue, in the Twenty-seventh ward in the city of Philadelphia.

Also (same), as committed, a bill entitled An act to lay out a State road in Bucks and Lehigh counties.

Also (same), as committed, a bill entitled An act to repeal the fifth section of an act entitled An act relating to roads and bridges in certain townships in the county of Lawrence.

Mr. TAYLOR (same), as committed, a bill entitled An act to authorize the Pittsburg and Greensburg turnpike road company to increase the tolls on said road.

Mr. TAYLOR (same), as committed, a bill entitled An act authorizing the supervisors of Blythe and Norwegian townships, Schuylkill county, to make and repair the public road bridges and culverts in said township.

Mr. WALLS (same), as committed, a bill entitled A supplement to an act to incorporate the White Deer bridge company, approved the 23d day of March, A. D. 1849.

Also (same), as committed, a bill entitled An act to incorporate the Shickshinny and New Columbus Borough turnpike road company, in the county of Luzerne.

Mr. LANDON (same), as committed, a bill entitled An act providing for the election of an additional supervisor in Penn township, Westmoreland county.

Also (same), as committed, a bill entitled A supplement to an act to incorporate the Titusville and Pithole plank road company, approved March 2d, 1866.

Mr. GLATZ (same), as committed, a bill entitled An act to repeal an act authorizing the road commissioners of Sugar Grove township, Warren county, to levy additional road tax, approved February 17, 1865.

Also (same), as committed, a bill entitled An act changing the time of holding the annual meeting and election of president, managers and treasurer of the Green Lane and Goshenhoppen turnpike road company, and the time for declaring the dividends of said company.

Mr. SHOEMAKER, from the Committee on the Judiciary General, with a negative recommendation, the courts having power, a bill entitled An act to incorporate the Homœopathic Medical society of Pennsylvania.

Ruled out of order by the SPEAKER.

Mr. BIGHAM (same), with a negative recommendation, the courts having power, a bill entitled An act changing the name of Samuel Fleming Morrison and Mary Caroline Morrison, to Samuel Fleming Bell and Mary Caroline Bell, and declaring the said Samuel Fleming Bell an adopted child of Samuel F. Bell.

Ruled out of order by the SPEAKER.

Mr. M'CONAUGHY (same), with a negative recommendation, the courts having power, a bill entitled An act to incorporate the Eagle assembly of the city of Philadelphia.

Ruled out of order by the SPEAKER.

Also (same), as committed, a bill entitled An act to incorporate the Greensburg Masonic fund, for the building of a Masonic hall.

Mr. SCHALL (same), with amendments, a bill entitled An act to authorize the appointment of phonographic reporters in the several courts of common pleas of this Commonwealth.

Also (same), with a negative recommendation, a bill entitled An act to provide for the appointment and election of an additional law judge in the Eighth Judicial district in this Commonwealth.

Also (same), with a negative recommendation, a bill entitled A supplement to an act relative to the admission of parties to judicial proceedings as witnesses.

Mr. WALLACE (same), as committed, a bill entitled An act relating to evidence in actions of ejectment.

Mr. WHITE, from the Committee on the Judiciary Local, as committed, a bill entitled An act to restrict the operations of the act of December 4, 1866, entitled An act declaratory of the law relating to the taking up lumber, and prohibiting the floating of sawlogs in the Susquehanna river, between the town of Northumberland and the Maryland line.

Mr. BIGHAM, from the Committee on Banks, as committed, a bill entitled An act to incorporate the Coopersburg Savings Institution.

Also (same), as committed, a bill entitled An act to incorporate the Mechanics' Savings Bank.

Also (same), as committed, a bill entitled an act to incorporate the Meadville savings and loan company.

Mr. HAINES, from the Committee on Canals and Inland Navigation, as committed, a bill entitled An act relative to the per capita tax to be assessed by the water directors of the town of Aaronsburg, county of Centre.

Also (same), as committed, a bill entitled An act to incorporate the South Witmer's Run navigation company, in the county of Clearfield.

Also, from the Committee on Agriculture and Domestic Manufactures, as committed, a bill entitled An act relating to fish and grain in the county of Lawrence.

Also (same), as committed, a bill entitled A further supplement to an act entitled An act relating to inspectors, approved April 15, 1830, and the several supplements thereto.

Mr. CONNELL, from the Committee on Finance, as committed, a bill entitled An act for the relief of Mary Ann Gordon, widow and executrix of Aaron B. Gordon, late register of wills, recorder of deeds and clerk of the orphans' court of Venango county.

REPORT OF THE COMMITTEE ON PUBLIC BUILDINGS.

Mr. COLEMAN, from the Committee on Public Buildings, made the following report, which was read:

That in obedience to the resolution of the Senate, directing them to examine into the propriety of enlarging the Governor's residence, and if desirable to present plan and cost of such enlaregment, they have examined the residence and recommend the enlargement, and present plans, specifications and estimate to the Senate for its consideration.

(Signed) G. DAWSON COLEMAN,
A. HEISTAND GLATZ,
JAMES C. BROWN.

On motion of Mr. CONNELL, the plans, specifications, &c., accompanying the foregoing report, were

Referred to the Committee on Finance.

BILLS IN PLACE.

Mr. BIGHAM read in his place and presented to the Chair, a bill entitled An act to enable police officers to enforce order in licensed houses, and to exterminate the unlicensed traffic.

Referred to the Committee on Vice and Immorality.

Mr. CONNELL, a bill entitled An act to provide for the discharge of trustees and other fiduciaries under physical and mental disabilities.

Referred to the Committee on the Judiciary General.

Also, a bill entitled A joint resolution authorizing a special agent to collect disallowed and suspended claims against the United States.

Referred to the Committee on Military Affairs.

Mr. FISHER, a bill entitled A further supplement to an act incorporating the Gettysburg railroad company.

Referred to the Committee on Railroads.

Mr. GRAHAM, a bill entitled An act authorizing the sale of the Allegheny poor house farm.

Referred to the Committee on Agriculture.

Also, a bill entitled A supplement to an act incorporating the city of Allegheny, approved March 13th, 1844.

Referred to the Committee on the Judiciary Local.

Mr. COLEMAN, a bill entitled An act to incorporate the Lebanon Valley college.

Referred to the Committee on Education.

Mr. JACKSON, a bill entitled An act to repeal an act to lay out a State road in Schuylkill and Columbia counties, approved April 4, 1866.

Referred to the Committee on Roads and Bridges.

Mr. ROYER, a bill entitled An act to exempt the German Reformed congregation of New Goshenhoppen, in the county of Montgomery, from taxation.

Referred to the Committee on Finance.

Mr. BROWN (Mercer), a bill entitled An act authorizing and empowering the corporate authorities of the borough of Greenville, Mercer county, to borrow money for the use of the borough.

Referred to the Committee on the Judiciary Local.

Mr. WALLACE, a bill entitled An act to repeal the second section of an act, approved April 11th, 1845, regulating the writing of opinions by the judges of the Supreme Court.

Referred to to the Committee on the Judiciary General.

Also, a bill entitled An act to authorize the Presbyterian congregation of Clearfield to convey certain real estate.

Referred to the Committee on Estates and Escheats.

Mr. HAINES, a bill entitled Supplement to an act to incorporate the Mattawano bridge company, approved March 3, 1848.

Referred to the Committee on Roads and Bridges.

Mr. SHOEMAKER, a bill entitled An act to extend the time of payment of the enrollment tax on an act entitled An act to incorporate the Madison improvement company, approved August 10th, 1864.

Referred to the Committee on the Judiciary Local.

MESSAGES FROM THE GOVERNOR.

The Deputy Secretary of the Commonwealth being introduced, presented the following messages, in writing, from the Governor, which were read as follows:

EXECUTIVE CHAMBER,
HARRISBURG, March 1, 1867.

To the Senate and House of Representatives of the Commonwealth of Pennsylvania:

GENTLEMEN—I have approved and signed the following acts of the General Assembly, to wit:

On the 27th ultimo:

An act to vacate a portion of Spruce alley, in the Ninth ward of the city of Pittsburg.

An act to enable the Revenue Extension silver mining company of Nevada to issue bonds and to secure the payment of the same by mortgage.

A further supplement to the act incorporating the borough of Washington.

An act relating to the fees of the district attorney of Huntingdon county.

An act for the relief of Peter Roberts, a soldier of the war of one thousand eight hundred and twelve.

An act supplementary to an act incorporating Andalusia College, at Andalusia, Bucks county, Pennsylvania, approved the thirtieth day of March, Anno Domini one thousand eight hundred and sixty-six.

An act to incorporate the Wyoming County bridge company.

A supplement to an act to incorporate the town of Haley, in the county of Perry, into a borough, approved April twelve, one thousand eight hundred and sixty-six, changing the name of said borough of Haley to Marysville, and forming the same into a separate election district.

An act to declare Cedar Run a public highway in the township of Elk, county of Tioga.

A further supplement to an act for the registration of births, marriages and deaths in the city of Philadelphia, passed March eight, Anno Domini one thousand eight hundred and sixty, and supplements thereto.

An act supplementary to an act erecting the village of East Birmingham into a borough, approved the tenth day of April, Anno Domini one thousand eight hundred and forty-nine.

An act authorizing the commissioners of the county of Delaware to create a five per centum loan.

An act relating to the disposition of fines and forfeited recognizances in the county of Susquehanna.

An act to repeal the charter of the Tuckahoe and Mount Pleasant plank road company.

An act extending the provisions of an act relating to corporations for mechanical, manufacturing and quarrying purposes, approved July eighteenth, one thousand eight hundred and sixty-three, and the supplements thereto, to the county of Northumberland.

An act for the relief of Benjamin Scott, Junior.

A supplement to an act to incorporate the Columbia Gas company, and relative to the election of assessors and constables in Salisbury and Caernarvon townships, Lancaster county, to lay out a State road from Marietta to Portsmouth, to require the State Treasurer to refund certain moneys to the administrators of Ann Kimmell, deceased, approved the tenth day of April, Anno Domini one thousand eight hundred and fifty-one.

A supplement to an act to compel the manufacturers of firkins, kegs and tubs intended for the packing of butter or lard in the counties of Erie, Crawford and Warren to mark the weight thereon, extending the same to the county of Bradford.

A supplement to an act to incorporate the Mechanicsburg hall and market company, approved the twenty-fourth day of March, Anno Domini one thousand eight hundred and sixty-five.

A further supplement to the act incorporating the Watsontown bridge company.

An act to incorporate the Industrial association of Summit Hill.

An act authorizing the Union Mutual insurance company of Montgomery county to change the time of holding its elections.

An act relative to the pay of surveyors appointed by the courts of Crawford and Mercer counties.

An act to incorporate the Hesperian mining company.

A further supplement to an act entitled An act to incorporate the Northampton iron company, approved the tenth day of March, one thousand eight hundred and fifty-seven.

An act for the relief of wives and children deserted by their husbands and fathers in certain counties of this Commonwealth.

A supplement to the act incorporating the Clarion and Allegheny River turnpike road company.

An act to change the provisions of the thirtieth section of an act regulating boroughs, approved the third of April, one thousand eight hundred and fifty-one, so far as the same relates to the borough of Mount Pleasant, Westmoreland county.

A further supplement to the road laws of Bradford county.

An act to incorporate the Mahaney Valley insurance company.

An act for the relief of Milo R. Adams, treasurer of Beaver county.

A supplement to an act to authorize the Governor to incorporate a company to erect a bridge over the West Branch of the Susquehanna at the borough of Milton, et cetera, passed the sixth day of April, Anno Domino one thousand eight hundred and thirty.

An act to incorporate the Emlenton and Shippenville turnpike company.

A supplement to an act to amend the road laws of Erie county, approved the twenty-sixth day of March, Anno Domino one thousand eight hundred and forty-six.

A supplement to an act entitled An act to incorporate the Wilkesbarre and Pittston railroad company, approved April fifteenth, Anno Domino one thousand eight hundred fifty-nine.

An act to incorporate the Co-operative association of Hyde Park, number one, in the city of Scranton, for mercantile purposes.

An act to prevent and punish desertion in the counties of Lawrence and Luzerne.

A supplement to an act approved the sixteenth day of April, Anno Domini one thousand eight hundred and sixty-six, appointing commissioners to lay out and open a State road in M'Kean county, from the borough of Smethport to Lafayette Corners.

An act to incorporate the University of St. Augustine.

An act to incorporate the Douglasville and Yellow House turnpike road company.

An act to enable the directors of common schools of East Lampeter township, Lancaster county, to apply surplus of bounty fund to common school purposes.

An act to incorporate the Equitable gold and silver mining company.

An act to incorporate the Montrose mining company.

An act to incorporate a State Camp of the Patriotic Order of the Junior Sons of America.

An act to authorize the town council of the borough of Mill Hall, in the county of Clinton, to levy and collect additional taxes for borough purposes.

A supplement to an act of General Assembly, incorporating the borough of Mechanicsburg, Cumberland county, passed the twelfth day of April, Anno Domini one thousand eight hundred and twenty-eight, as amended by the act regulating boroughs, approved April third, Anno Domini one thousand eight hundred and fifty-one, and adopted by said borough, August twenty-fourth, Anno Domini one thousand eight hundred and fifty-seven.

A supplement to an act of Assembly entitled An act to incorporate the Easton and Wilkesbarre turnpike road company, approved February eleven, one thousand eight hundred and three.

An act to incorporate the California and Philadelphia gold mining company.

An act to incorporate the Harmony gold and silver mining company.

On the 28th ultimo:

An act authorizing the Governor to appoint ten additional notaries public for the city of Philadelphia.

An act to incorporate the Union transfer company.

An act to authorize the appointment of seven additional notaries public for the city of Philadelphia.

A further supplement to the act to incorporate the Pennsylvania fiscal agency, approved November first, one thousand eight hundred and fifty-nine, empowering said company, now known as the Credit Mobilier of America, to provide for the completion of certain contracts.

An act to incorporate the Scranton Savings Bank.

On the 27th ultimo:

Joint resolution to pay William H. Jenkins for services as clerk of the committee in the matter of the petition of the electors of the Thirteenth Representative district of the city of Philadelphia, complaining of an undue election and false return of Michael Mullin as a member from said city.

JNO. W. GEARY.

Laid on the table.

THE REYNOLDS MONUMENT.

On motion of Mr. FISHER, the rules were dispensed with, and the Senate proceeded to the consideration of a bill entitled An act to authorize the Governor to transfer to the Reynolds Monument Committee unserviceable and condemned ordnance.

Mr. FISHER. Mr. Speaker, the State of Pennsylvania has neglected too long to do something to perpetuate the memory of the great and good Reynolds.

The bill was read.

Mr. M'CONAUGHY moved to amend the bill by adding to the end thereof the following proviso: "*Provided*, That the monument shall be erected on the spot where General Reynolds fell."

Mr. M'CANDLESS. Mr. Speaker, several of the officers who were with General Reynolds at the time he fell, state that the place where he fell is no place to erect a monument, that it is a low, swampy place, and that they have selected a site upon which they desire the monument shall be erected, on the battle-field.

Mr. FISHER. Mr. Speaker, I am not particular as to where the monument is erected; but, if there is any one man who was in the service of the State of Pennsylvania, to whose memory the State owes something of that kind, it is General John F. Reynolds; and if the grounds upon which he fell are not suitable for the purpose, there ought to be some spot selected.

Mr. M'CONAUGHY. Mr. Speaker, I desire to explain. I desire that this bill shall pass; I desire that the State of Pennsylvania shall do honor to itself and honor to her illustrious son, General Reynolds. But, sir, I desire that when she does honor to that noble man, whose bravery will be identified with her most sacred history—I desire, sir, that she will still do honor to the men who fought under him; that she will do honor to the man who struck the bold blow on the first day of the battle of Gettysburg, which blow gave the assurance of victory. I believe that in no other period of that battle was there a bolder blow struck than that struck under the lead of General Reynolds. I desire that that fact shall be commemorated, and that the spot be so indicated that it shall be historically preserved forever, as long as those hills shall remain. Sir, I cannot understand why any man who fought under General Reynolds should not have the *esprit du corps*, the pride that all true soldiers have in the force that did the glorious act, to erect that monument just where it occurred, so that it will make honorable not only his name, but those of his soldiers.

Sir, I do him all honor; I would detract nothing from his memory, nor from the honorable act in which he lost his life. But it did not stop there. When he fell, and was utterly insensible, the men whom he was leading went to the charge, and met the enemy in front and on both flanks, and they repelled one of the most splendid movements of the enemy in that battle. They were advancing a brigade in front and on either flank, and after he fell, and became insensible, the Iron Brigade went in and captured Archer; and afterwards went in on the right and captured Davis's brigade, thus consummating two blows which, in their moral force, were felt throughout the whole three days. Now, sir, why shall not this monument be erected there, forever to indicate the glorious act of General Reynolds, and the splendid, intrepid bravery of his men? In this matter I am controlled entirely by public, patriotic, historical considerations. I have no other motives whatever, and my judgment is entirely clear as to what is right and proper.

The action of the first day was on the west side of the town; the point at which this monument should be erected is accessible by an excellent turnpike, and is as near to the town as is the National Cemetery; it is on elevated ground, admirably adapted to the purpose. The very spot on which General Reynolds fell has been ascertained and identified by his own kindred, by his own personal family, and it is their desire—I know personally, that it is the desire of his own sister, that this monument shall be erected just where he fell. It is not on low ground; it is on high ground. I know it as familiarly as I know my own house; I have been upon it again and again. I have conversed with his sisters in regard to it, and I know it is the desire of the family.

But, I was going to say, that the action of the first day was fought on the west side of the town; the action of the second and third days, in which that corps took no conspicuous part, was fought on the south side. I desire that this monument shall be erected where the action of the first day took place, and not on Cemetery Hill, where he did not fight, and with which his corps is not identified, but where the Eleventh corps was in position; I desire this for the truth of history; the knowledge of that first day's scene of action will pass from the memory of man. Leading gentlemen in my town, who, like myself, feel very deep interest in the preservation of this battle-field, know the danger which exists of that first day's battle passing into oblivion. And I desire, sir, for those public considerations, that this monument shall be erected, so that it shall direct visitors to that field, forever, to the spot where General Reynolds and his corps fought, and where they triumphed on the first day of the battle.

Mr. M'CANDLESS. Mr. Speaker, I desire to make a statement in reference to the origin of this fund for the erection of a monument to General Reynolds. After his unfortunate death, a number of his comrades, officers and men, raised a fund by private subscription for the erection of this monument. A committee was formed from that body of men, to take charge of this fund. They desire to have an opportunity of selecting the spot where this monument shall be erected—as a matter of course, upon the field on which he fell. But since that time, there have been various endeavors made to obtain possession of the remains of Gen. Reynolds for other purposes than those for which they were originally intended. I would like to ask the Senator from Adams [Mr. M'CONAUGHY] how far it is from a grand hotel site to the proposed location for this monument. Now, sir, I do not desire to see the dust of my former comrade traded in for the advancement of any hotel. I desire that the men who did battle with him shall select the spot for a monument to perpetuate his memory.

Mr. M'CONAUGHY. I would like to ask the Senator if I understand him as saying that the Senator from Adams desires the erection of this monument for the benefit of any hotel?

Mr. M'CANDLESS. I have too much respect for the Senator to make any such allusion.

Mr. SEARIGHT. Mr. Speaker, this is a question about a certain spot. It is a classical subject, in view of the favored lore of the present age. The late lamented Abraham Lincoln, as he has been termed, once made a speech in Congress on the subject of a spot. The question was, on which particular spot the first blood was shed in the Mexican war. He was solicitous to ascertain that particular spot, for the reason that he was desirous of proving to the country that that spot was upon Mexican soil, and that the first blood was spilt on the Mexican soil, by an unjustifiable war made by the United States government. Now, in view of that remarkable historic fact, in view of the interest taken in reference to that particular spot, it is an important subject, and demands the serious consideration of the Senate. I am not certain whether Mr. Lincoln succeeded in ascertaining the particular spot, or not—whether he succeeded in satisfying the country whether the particular spot was in Mexico or in the United States of America. The gallant Senator from Philadelphia [Gen. M'CANDLESS] alleges that at the very spot where General Reynolds fell there is no eligible place for erecting a monument to his memory. As that Senator has been on the ground, that may be true. But one of the clerks of this body has just handed me this stick, which I hold in my hand, which he alleges grew on that very spot where General Reynolds fell. If that spot can produce such sticks as this, I contend that it would be an eligible spot upon which to erect a monument. It looks like a hickory stick, and nothing but good ground would produce such a stick of that size. I hope that our military friends in this body will be able to fix upon a suitable location for this monument. I do not design to show any disrespect for the memory of General Reynolds. I concede him to have been a patriotic, able and good man, as has been claimed for him by my distinguished friend and colleague, the Senator from Lancaster [Mr. FISHER]. As a Pennsylvanian, I participate fully in that pride which points to General Reynolds as one of our great and good men; but it is only in reference to the particular spot that I wish to speak, and my own inclination is that this monument ought to be erected on the particular spot where he fell. And if it be marshy, as has been suggested by the Senator from Philadelphia [Mr. M'CANDLESS], let the foundation be made deep under the marshy ground, and put on more expense so as to have the monument right there, which, I think, is the proper place for it.

Mr. FISHER. Mr. Speaker, I am not at all particular, sir, as to the precise spot where this monument shall be erected. I am solicitous, however, that some regard should be paid to the memory of one of the bravest men, one of the noblest and best men that this nation has ever seen. It was my fortune, sir, in connection with my friend, the Senator from Philadelphia [Mr. M'CANDLESS], to be for a considerable time under the command of General Reynolds. I know that that Senator will agree with me in saying that God never made a truer, braver, or bet-

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[CONTINUED FROM PAGE 132.]

ter man; he was a soldier and a gentleman. My friend from Fayette [Mr. SEARIGHT], may attempt as much as he pleases to cast ridicule and odium upon the name of that brave and gallant and good man, and I presume he would do——

Mr. SEARIGHT. I said particularly that I did not design to throw any disrespect upon the memory of General Reynolds. I esteem his memory as highly as any gentleman.

Mr. FISHER. Mr. Speaker, I did not suppose this matter would take such a turn as it has. What has this to do, sir, with any remark made by the lamented Lincoln, the martyr, or any principles that he held? and who was made a martyr, too, by the men who held, and who now hold, the same sentiments and principles held by my friend from Fayette [Mr. SEARIGHT]. What has that to do with it, sir? General Reynolds was a son of Pennsylvania, and I am proud to say, sir, that he was from the county I represent here. He was not only a Pennsylvanian; he was a patriot, and he laid down his life, and yielded his blood to his principles of patriotism, in defense of this Union and of republican government. I suppose, sir, that if a proposition was made here to erect a monument over Barksdale's remains, my friend, the Senator from Fayette, would vote for it. But it so happened that General Reynolds was struggling against that breed of dogs.

Now, sir, I do not care where this monument is put. My friend from Adams [Mr. M'CONAUGHY] understands the locality better than I do. My friend from Philadelphia, Gen. M'CANDLESS, happened to be off on the left, where he met some of the friends of the Senator from Fayette [Mr. SEARIGHT], and we thrashed them most beautifully. Now, if this ground is not eligible, then put the monument somewhere else; but let us erect a monument to the memory of one of the bravest men that the history of the late war brought to the surface. For what little I know of military affairs, I am indebted, in a very large degree, to the lamented Reynolds. He was not only a true man, a gallant man, but a man of experience, a man of wisdom; and I saw him, sir, on many occasions, where some of these gentlemen, who talk about the jokes of the lamented Lincoln would have quailed, and where he stood up like a beaten anvil to the stroke. I shall never forget that memorable day at Gaines' Hill, when he came to my own line and asked me to allow a few of my men to cease firing, so that he could take some observations. He rode at the front of the line, making calculations as to the point of attack, with the bullets flying like hailstones around his head, and coolly took a cracker from his pocket and ate it there. That, sir, was not the work for men who cast slurs upon the jokes of the sainted Lincoln. That was the work of a patriot, a soldier, a man who knew his duty, and had the manhood to do it; and, when we are talking about these precious relics of a great and good man, it is a sorry spectacle to me to hear odium and ridicule cast upon them. I I do not care where you put it, but I want a monument erected, so that his name may go down to generations yet unborn.

Mr. SEARIGHT. My remarks were eminently in order, but I do not think that the remarks made by the Senator from Lancaster [Mr. FISHER] were germain to the subject under consideration. As I understand it, the subject before the Senate is in reference to the location of this monument.

Mr. DAVIS. Mr. Speaker, this seems to be a good occasion to make "Buncombe" speeches, but I simply want to make a few remarks. Now, there has been some difference of opinion as to who is entitled to the credit of first selecting the battle ground at Gettysburg. The man who first selected the ground for that battle is entitled to more credit for the victory than any other man in the army, and so far as I have been able to learn, I think it is very likely that that merit is due to General Reynolds, and if that is so, the proper place for the monument is upon the hills which he selected, and upon which the battle was fought, and Pennsylvania saved; and I shall vote for putting that monument upon the hills around Gettysburg.

Mr. WHITE. Mr. Speaker, it is not my design to waste the valuable time of the Senate this morning, but this is no idle question. This is a business matter before this body. It is specific and direct, and, for its proper disposition, it is deemed necessary for the Senate to understand what the proposition is before this body. I do not rise, sir, for the purpose of pronouncing an eulogium upon the name or character of General John F. Reynolds; that name is dear to every Pennsylvanian, aye, and every patriot heart in this country, and I have listened with interest to the remarks of my friends, the gallant Senators from Lancaster and Philadelphia, who had the peculiar privilege here to pronounce eulogiums upon their late distinguished commander. They are eminently competent for the task, and to them will I trust its discharge. My friend, the Senator from Adams [Mr. M'CONAUGHY], also manifests good taste in matters of this kind, and has very properly and very plausibly demonstrated before this Senate the reason why this monument should be erected upon the specific spot upon which he fell; and allow me to remind him and the Senate that if that were the original proposition before this body, his remarks would be pertinent and proper. But what is the proposition before us? It is in the shape of a bill which has been referred to the Military Committee of this body, proposing to give authority to the Governor to examine and inspect certain unserviceable ordnance, which, when condemned, he should be authorized to turn over to the committee appointed for the purpose of erecting a monument to the memory of Gen. J. F. Reynolds. Is this measure proper or improper?

The Senator from Philadelphia [Mr. M'CANDLESS] and other officers of the First corps, eulogized by my friend from Adams [Mr. M'CONAUGHY], have recently formed an organization for the specific purpose of erecting a monument to perpetuate the memory of Gen. John F. Reynolds; that organization has had under consideration the erection of this monument; they have devised ways and means for its erection: they have a president, a secretary and a treasurer, and a finance committee for the purpose of raising money. The president of that organization is a distinguished soldier of this Commonwealth, a constituent of the Senator from Fayette [Mr. SEARIGHT], a gentleman who has the success of this enterprise much at heart, who contributed much to the success of the army on that day, and whose gallantry no man in the Senate of Pennsylvania will question; I allude to General Richard Coulter, of Westmoreland county, the president of that organization. Before the Military Committee had finally disposed of this bill, they consulted with the members of this organization, and they reported, through their president, that they had made their selection for the purpose of the erection of that monument in the cemetery appropriated for the burial of the soldiers at Gettysburg; that they had appointed their committee for the purpose of erecting it there; they design expending their money there, and no act of the Senate or Legislature can control these gentlemen—these gallant soldiers—in their right to erect this monument wherever they see fit. I think the people of Pennsylvania could not confide that duty to any more worthy or suitable persons. They, after having determined the selection, come to the State of Pennsylvania and ask for a poor pittance, for the purpose of aiding them in the execution of their duty; and I do not care how many provisos you put in this bill, it will not compel them to change their purpose. I was authorized by their president to thus represent their wishes upon the floor of the Senate in connection with this bill. I have attempted to do so, and I trust that the Senate will have regard for their wishes.

Mr. M'CONAUGHY. Mr. Speaker, while this discussion has perhaps developed some things which had better not have transpired, it has developed much of interest in connection with the memory of General Reynolds. It is a most interesting fact, sir, that it was owing to the sagacity of General John F. Reynolds, that the battle was fought where it was. I believe that it is a historical fact that as the head of his column reached the ground on that day, he despatched to headquarters that he would fight the enemy wherever he met him, in order to save the true positon for the army in the rear. He fought him just upon this ground where he fell. Now, sir, that is where the monument to him and to his corps should be erected.

I cannot apprehend the remarks of the Senator from Philadelphia [Mr. M'CANDLESS]. It was so foreign to my intention, that I cannot conceive what low mind could have insinuated to him such a thing as he happened to repeat.

Mr. M'CANDLESS. I would like to ask a question. How near to this spot on which it is proposed to erect this monument is this proposed hotel?

Mr. M'CONAUGHY. I believe there is a proposition, which has not yet taken shape, to erect a hotel within a quarter of a mile of this place. What will result from it I do not know. But I do know that what I have proposed here has no relation to that, and that it is foreign to the subject. Now, sir, General Reynolds has a funereal monument; his remains were taken to Lancaster, and a funereal monument erected over them. What we want now is a historical monument. I am hardly willing to give what is proposed in this bill for any other purpose than the erection of a historical monument to the memory of Reynolds and his corps, where they fought. I would not vote to erect a structure in the city of Philadelphia, or Pittsburg, or in any portion of the county of Adams, where General Reynolds did not fight. I propose to vote it, sir, for the purpose of erecting a proper historical structure where he fought and fell. Again, sir, the Senator from Philadelphia [Mr. M'CANDLESS] has well said that the money which is to be used for this purpose was contributed by his corps. If that is so, why not use it for the erection of a monument for them as well as him? Why not use it for a monument to the men who fought with him, as well as for himself? Let both be done, sir. Let the structure be erected just where the battle raged, and let the money which shall be contributed go to perpetuate the memory of that battle, that general and that corps.

Mr. COLEMAN. Mr. Speaker, as I understand this bill, it is a proposition to devote certain unserviceable guns in the possession of the State to assist an organization composed of the officers of the First army corps, commanded by the late General John F. Reynolds. That is the simple question, whether we shall assist them or not. Now, if the State of Pennsylvania is anxious to assist them, I should think they would vote for the bill just as it was reported by the Military Committee, as that was the way in which they desired it. I am just as anxious as any one to perpetuate the memory of General Reynolds, whom I knew for a long while; and I am perfectly willing to join with the Senator from Adams [Mr. M'CONAUGHY] in voting an appropriation for the erection of a monument commemorating the spot on which he fell in any appropriate manner; and if this is to be voted to the organization, I shall vote for the bill just as it comes here, without dictating to them how they shall commemorate the services of their commander.

Mr. M'CANDLESS. Mr. Speaker, I have only to say, sir, in addition to what I have already said, that this is a very small boon that the officers of the First corps ask from the State of Pennsylvania, and if they cannot have the selection of the place where this monument shall be erected, the State of Pennsylvania can keep its unserviceable ordnance, and with our private means we will erect it without aid from the State.

Mr. BIGHAM. Mr. Speaker, I would appeal to the Senator from Adams [Mr. M'CONAUGHY], in view of the remarks from the Senator from Philadelphia [Mr. M'CANDLESS], and the Senator from Indiana [Mr. WHITE], who understand this matter, to withdraw this amendment. I do not think it is generous to enforce a particular spot; it would be ungracious for us to do so. I have no doubt this organization will make a wiser selection than we can, and I hope the Senator will withdraw his amendment.

Mr. M'CONAUGHY. Mr. Speaker, the motives that prompted me in offering that amendment were considerations for historical truth, and interest in the cause, as well as for General Reynolds. Do I understand that General M'CANDLESS represents the First corps?

Mr. M'CANDLESS. I desire it to be understood, sir.

Mr. M'CONAUGHY. Then I withdraw my amendment.

The section was then agreed to, and the bill read a third time, and

Passed finally.

THE COMMON SCHOOL LAW.

Mr. WALLACE offered the following resolution, which was twice read:

WHEREAS, It is the duty of the law-making power of this Commonwealth to provide and maintain a system of common school education, equal in its benefits and equal in its burthens of taxation;

And whereas, Gross and manifest inequality now exists among the several counties of the Commonwealth, as well in reference to the number of months taught as to the amount of taxes paid, whereby great complaint is caused, and the system is rendered unpopular, and is, in many instances, really onerous; therefore,

Resolved, That the Committee on Education be, and they are hereby, directed forthwith to prepare and report to the Senate for action a bill embodying a system equal in its advantages and just and equitable in its taxation in every section of the Commonwealth.

Mr. WALLACE said that he had been looking over the report of the superintendent of schools, and found that in certain counties there was an unjust proportion of taxation, compared with the number of months when the schools were open, and thought it the duty of the Legislature to correct it.

Mr. WHITE said that he was glad the Senator from Clearfield [Mr. WALLACE] had called attention to the subject, as he represented one of the districts where this injustice and inequality existed.

The resolution was

Agreed to.

SALTING THE STREETS OF PHILADELPHIA.

Having asked and obtained leave to make a statement,

Mr. DONOVAN said: Mr. Speaker, last week I gave notice that I would call up a bill in reference to salting the streets in Philadelphia. I have received letters asking me why I do not call it up. The reason is, that I waited upon the mayor, in company with General M'CANDLESS. He told me that he was opposed to the Legislature passing any law upon this subject, for this reason, that the Legislature did not meet until the first Tuesday in January, and some conflict might arise before that time, in which he and the councils will have control. I do not wish to do anything to make a conflict with the councils. If they yield the point, they will have to give up the control of the paving of the streets, et cetera. But the councils, since that, have passed an ordinance imposing a fine of seventy-five dollars upon railroad companies for salting the streets, which I think is not stringent enough. I, therefore, give notice again that I shall call up the bill.

AN AFTERNOON SESSION.

Mr. WALLACE moved that the Senate will hold a session this afternoon, commencing at 3 o'clock and ending at 6½, for the consideration of public bills.

The resolution was

Not agreed to.

THE SOLDIERS' NATIONAL CEMETERY REPORT.

Mr. BILLINGFELT offered the following resolution, which was twice read:

Resolved, That three thousand copies of the report of the committee relative to the Soldiers' National cemetery be printed for the use of the Senate, and two hundred copies for the use of the officers of the said National cemetery.

The resolution was adopted.

RECEDING FROM AMENDMENTS.

Mr. BROWN (Mercer) moved that the Senate recede from its amendments to bill from the House of Representatives entitled A supplement to an act to change the mode of criminal proceedings in Erie and Union counties, extending the same to the county of Warren.

The motion was

Agreed to.

BILLS ON THIRD READING.

Agreeably to order,

The Senate proceeded to the third reading and consideration of bill entitled An act authorizing and requiring the school directors of Warren township and Harrisville borough, in the county of Butler, to levy a bounty tax, and for the repeal of all former acts relating to bounties in said district.

Mr. BROWNE (Lawrence) asked and obtained the unanimous consent of the Senate to amend the same by striking out all after the enacting clause and inserting in lieu thereof a new section.

The bill then

Passed finally.

Agreeably to order,

The Senate proceeded to the third reading and consideration of a bill entitled An act to provide for the enlargement of the Erie canal, to authorize the mortgaging of the same, and the issue of bonds, and to increase the capital stock and regulate the tolls.

The bill

Passed finally.

BILL REFERRED TO ANOTHER COMMITTEE.

On motion of Mr. BROWNE (Lawrence), the Committee on Education was discharged from the further consideration of a bill entitled An act to authorize the school board of North Heidleburg township, in the county of Berks, to levy and collect an additional tax.

And said bill was

Referred to the Committee on Military Affairs.

BILLS PASSED.

On motion of Mr. GLATZ, the rules were dispensed with, and the Senate proceeded to the consideration of a bill entitled An act to permit an appeal from the register of Lebanon county in behalf of the heirs of Robert W. Coleman, deceased.

The bill was read a second and third time, and

Passed finally.

On motion of Mr. COWLES, the rules were dispensed with, and the Senate proceeded to the consideration of a bill entitled An act to repair the Cowanesque river, in the county of Tioga.

In committee of the whole (Mr. COWLES in the chair), the bill was considered and reported to the Senate with amendments.

On the question,

Will the Senate agree to the title?

On motion of Mr. COWLES, it was amended so as to make it read "an act to change the bed of the Cowanesque river, in the county of Tioga."

The bill was read a second and third time, and

Passed finally.

On motion of Mr. DAVIS, the Senate re-

sumed the second reading and consideration of a bill entitled A further supplement to an act entitled An act granting a pension to Jacob Hurst, approved March 27th, 1866.

And the rules having been dispensed with,

The bill was read a second and third time, and

Passed finally.

TEMPORARY ADJOURNMENT.

Mr. GRAHAM said he thought it would be better to change the hour of meeting on Tuesday next, so as to give members visiting Washington time to reach Harrisburg before the session.

Mr. BIGHAM moved that the Senate reconsider the vote on the final passage of the resolution fixing the time of meeting on Tuesday next at 3 o'clock, P. M.

The motion was

Agreed to.

The resolution being again before the Senate,

Mr. BIGHAM moved to amend the same by striking out "three o'clock," and inserting, in lieu thereof, "seven-and-a-half o'clock."

The motion was

Agreed to.

And the hour of one o'clock having arrived, the SPEAKER adjourned the Senate until 7½ o'clock, on Tuesday evening next.

HOUSE OF REPRESENTATIVES.

WEDNESDAY, February 27, 1867.

AFTERNOON SESSION.

The House met at 3 o'clock, P. M., as per adjournment.

During this morning's session the following messages from the Governor were received and read:

MESSAGES FROM THE GOVERNOR.

The Deputy Secretary of the Commonwealth being introduced, presented the following message, in writing, from the Governor:

EXECUTIVE CHAMBER,
HARRISBURG, February 27, 1867.

To the Senate and House of Representatives of the Commonwealth of Pennsylvania:

GENTLEMEN—I have approved and signed the following acts of the General Assembly, to wit:

On the 21st instant:

An act extending the time for the payment of the enrollment tax on the People's accident insurance company of Pennsylvania, and changing the corporators.

An act to amend the charter of the Cambria iron company, authorizing an increase of capital stock and the issue of bonds, and authorizing the manufacture of iron and steel in any shape.

A supplement to an act to enable the stockholders to rebuild the Lewisburg bridge, and to establish, in the meantime, a ferry.

On the 23d instant:

A supplement to the act to incorporate the Western transportation company, formerly the Oil Creek transportation company.

An act relative to the Lancaster and Litiz turnpike road company, in Lancaster county.

An act relating to the Dauphin county prison.

A supplement to the act of Assembly entitled An act to incorporate the Union Park skating association of Allegheny city, approved the 23d day of March, Anno Domini one thousand eight hundred and sixty-five.

An act to incorporate the Sullivan and Pocono Summit plank road or turnpike company.

An act to authorize the school directors of Muerseville borough, in the county of Schuylkill, to borrow money.

A further supplement to an act for the better preservation of the records contained in the public offices in the several counties of this Commonwealth, approved the 29th day of March, Anno Domini one thousand eight hundred and twenty-seven, so far as relates to the county of Lancaster.

An act to incorporate the Wilkesbarre and Sugar Notch passenger railway company.

An act to incorporate the Hand-in-Hand Mutual life insurance company.

A supplement to an act to incorporate the Trout Run navigation company, authorizing change of time and place of organization thereof.

A supplement to an act to incorporate the Corn Exchange association of Philadelphia, authorizing said association to make certain by-laws, and regulating the assessment and payment of dues, fines, et cetera.

An act to incorporate the Granite insurance company.

An act to incorporate the Providence gas and water company in Luzerne county.

An act relating to Newcastle gas light company.

An act to authorize the select and common councils of the city of Williamsport to levy and collect a special tax for city purposes.

On the 25th instant:

An act to incorporate the Richland Township Mutual insurance company.

An act to authorize the borough of St. Marys to borrow money and to extend the width of St. Michael street in said borough.

An act to extend the time for the payment of the enrollment tax on an act, entitled A supplement to the act incorporating the Littlestown railroad company, approved the 17th of February, Anno Domini one thousand eight hundred and fifty-four, approved April 8th, one thousand eight hundred and sixty-four.

An act to extend the time of payment of the enrollment tax on a certain act, approved March 10th, one thousand eight hundred and sixty-five, entitled A further supplement to an act to incorporate the Powelton coal and iron company, approved May 1st, one thousand eight hundred and sixty-one, extending the time of charter of said company.

An act to repeal an act providing for compensation of damages to public roads, in Bethlehem and Palmer townships, Northampton county, by the construction of the Lehigh and Delaware Water Gap railroad, approved the 11th day of April, Anno Domini one thousand eight hundred and sixty-six.

On the 26th instant:

An act to incorporate the M'Connell mineral company of Pennsylvania.

An act to authorize the election of additional officers in the township of Madison, Perry county.

JNO. W. GEARY.

Laid on the table.

The Deputy Secretary of the Commonwealth also presented a message from the Governor, which was read as follows, viz:

EXECUTIVE CHAMBER,
HARRISBURG, February 26, 1867.

To the Senate and House of Representatives of the Commonwealth of Pennsylvania:

GENTLEMEN—I regret the necessity which compels me to return herewith, without my approval, to the House of Representatives, in which it originated, House bill No. 120, entitled An act authorizing the court of common pleas of Northampton county to appoint a trustee to make sale of certain real estate held in trust for A. Wolle and company.

It is fair to presume the preamble of the bill contains a correct statement of the facts; and if so, it presents a simple case of lands held in trust under a deed, where the trustee has died, and the beneficiaries desire the appointment of a new trustee, and a sale of the lands.

By the 23d section of the act of 14th June, 1836, the courts of common pleas of the several counties are authorized, on the application of any party in interest, to appoint another trustee where a preceeding one may have died. By the 25th section of the same act, it is declared the trustee so appointed "shall be liable to the same duties, shall have the same powers and authorites in relation to the trust as his predecessor or predecessors."

By the first and second sections of the act of 18th April, 1853, full powers are given to the courts to sell real estate held in trust in all cases like that described in this bill; and in the other sections of these acts a complete system is provided for the regulation of the whole subject in all its details.

Ample provision, therefore, having already been made by general laws for all such cases, it would be useless and improper to encumber the statute books with special laws for every case. For these reasons the bill cannot be approved.

I take this occasion to enter my protest against the use of the character "&c." and of the words "et cetera" in bills passed by the Legislature. Although not used in this bill they are found in a number of others presented for my approval. I regard them as wholly out of place whether in the title or body of a bill, and discreditable to all in anywise responsible for the legislation of the State.

JNO. W. GEARY.

The Committee on Compare Bills also made the following report which was read:

REPORT FROM COMMITTEE ON COMPARE BILLS.

Mr. BREEN, from the Committee appointed to Compare Bills, and present them to the Governor for his approbation, made report, which was read as follows, viz:

That in conjunction with a similar committee from the Senate, they have compared, and on the 26th instant presented to the Governor, for his approbation, bills as follows, to wit:

No. 303, a supplement to an act to incorporose the Odd Fellows' association, of Waynesburg, Greene county, Pennsylvania, passed the 27th day of March, 1862.

No. 177, an act for the relief of Peter Roberts, a soldier of the war of 1812.

No. 189, an act to incorporate the Douglasville and Yellow House turnpike road company.

No. 218, a supplement to an act to incorporate the Columbia gas company, and relative to the election of assessors and constables in Salisbury and Caernarvon townships, Lancaster county, to lay ont a State road from Marietta to Portsmouth, to require the State Treasurer to refund certain moneys to the administrator of Ann Kimmel, deceased, approved the 10th of April, A. D. 1851.

No. 224, an act supplementary to an act incorporating Andalusia college, Andalusia, Bucks county, Pennsylvania, approved the 30th day of March, A. D. 1866.

No. 225, a further supplement altering and amending an act to incorporate the St. Clair cemetery association, of the borough of Greensburg, Westmoreland county, approved April 19th, A. D. 1856.

No. 223, a further supplement to the act incorporating the Watsontown bridge company.

No. 220, a supplement to an act to incorporate the Mechanicsburg Hall and Market company, approved the 24th day of March, A. D. 1865.

No. 202, a supplement to an act to authorize the Governor to incorporate a company to erect a bridge over the West Branch of the Susquehanna at the borough of Milton, et cetera, passed the 6th day of April, 1830.

No. 204, a supplement to an act to amend the road laws of Erie county, approved the 26th day of March, A. D. 1846.

No. 205, an act to incorporate the Emlenton and Shippenville turnpike company.

No. 207, a further supplement to the road laws of Bradford county.

No. 220, an act to incorporate the Mahanoy Valley insurance company.

No. 191, a supplement to the act incorporating the Clarion and Allegheny River turnpike road company.

No. 131, an act to enable the board of directors of common schools of East Lampeter township, Lancaster county, to apply surplus bounty fund to common school purposes.

No. 282, an act for the relief of Milo R. Adams, treasurer of Beaver county.

No. 272, an act to incorporate the Industrial association of Summit Hill.

No. 211, an act to incorporate the Wyoming County bridge company.

No. 168, an act to authorize the town council of the borough of Mill Hall, in the county of Clinton, to levy and collect additional taxes for borough purposes.

No. 172, a supplement to the act of General Assembly incorporating the borough of Mechanicsburg, Cumberland county, passed the 12th day of April, A. D. 1828, as amended by the act regulating boroughs, approved April 3, A. D. 1851, and adopted by said borough, August 24, A. D. 1857.

No. 173, an act to change the provisions of the thirtieth section of an act regulating boroughs, approved the third day of April, 1851, so far as the same relates to the borough of Mount Pleasant, Westmoreland county.

No. 270, an act to incorporate a State Camp of the Patriotic Order of the Junior Sons of America.

No. 183, an act to incorporate the Montrose mining company.

No. 163, a further supplement to the act incorporating the borough of Washington.

No. 160, an act relating to the fees of the district attorney of Huntingdon county.

No. 107, an act for the relief of Benjamin Scott, Jr.

No. 208, an act to declare Cedar Run a public highway in the township of Elk, county of Tioga.

No. 239, an act relative to the pay of surveyors appointed by the courts of Crawford and Mercer counties.

No. 227, an act to incorporate the Oak Hall association of Weatherby.

No. 229, an act authorizing the Union Mutual fire insurance company of Montgomery county to change the time of holding its elections.

No. 210, a supplement to an act of Assembly entitled An act to incorporate the Easton and Wilkesbarre turnpike road company, approved February 11th, 1803.

No. 175, an act for the relief of Joseph A. Allen and E. Meyer.

No. 178, an act extending the provisions of an act relating to corporations for mechanical, manufacturing and quarrying purposes, approved July 18th, 1863, and the supplements thereto, to the county of Northumberland.

No. 187, an act to repeal the charter of the Tuckahoe and Mount Pleasant plank road company.

No. 232, a supplement to an act to compel manufacturers of firkins, kegs and tubs intended for the packing of butter or lard in the counties of Erie, Crawford and Warren to mark the weight thereon, extending the same to the county of Bradford.

No. 238, an act relating to the disposition of fines and forfeited recognizances in the county of Susquehanna.

No. 288, a further supplement to an act, entitled An act to incorporate the Northampton iron company, approved the 10th day of March, 1857.

No. 259, an act to enable the Revenue Extension silver mining company of Nevada to issue bonds and to secure the payment of the same by mortgage.

No. 167, a further supplement to an act for the registration of births, marriages and deaths in the city of Philadelphia, passed March 8th, 1860, and supplements thereto.

No. 164, an act supplementary to an act creating the village of East Birmingham into a borough, approved the 10th day of April, A. D. 1849.

No. 231, a supplement to an act incorporating the town of Haley, in the county of Perry, into a borough, approved April 12th, 1866, changing the name of said borough of Haley to Marysville, and forming the same into a separate election district.

No. 158, an act authorizing the commissioners of the county of Delaware to create a five per centum loan.

No. 114, an act for the relief of wives and children deserted by their husbands and fathers in certain counties of this Commonwealth.

No. 182, an act to incorporate the Hesporian mining company.

No. 523, an act to authorize the election of additional officers in the township of Madison, Perry county.

Senate bill No. 121, an act to incorporate the M'Connell mineral company of Pennsylvania.

Also, on the 27th:

No. 185, an act to incorporate the California and Philadelphia gold mining company.

No. 184, an act to incorporate the Harmony gold and silver mining company.

No. 180, an act to incorporate the Equitable gold and silver mining company.

No. 599, joint resolution to pay Wm. H. Jenkins for services as clerk to the committee in the matter of the petition of the electors of the Thirteenth Representative district of the city of Philadelphia, complaining of an undue election and false return of Michael Mullin as a member from said city.

Mr. DEHAVEN asked the unanimous consent of the House to offer a resolution.

It was granted, and the resolution was read as follows:

WHEREAS, The Hon. Richard Vaux has accepted the invitation of a large majority of the members of the Senate and House of Representatives, to deliver an address on the science of prison discipline; therefore, be it

Resolved, That the use of the Hall of this House be appropriated for that purpose, on Thursday evening, March 7th, 1867.

Agreed to.

Mr. QUIGLEY. Mr. Speaker, I desire to make a statement and ask leave for that purpose.

Leave granted.

Mr. QUIGLEY. After consultation with a number of the opponents of the bill relating to Sunday travel in the city of Philadelphia, together with a number of the friends of the bill, I have agreed to appoint a certain evening for the discussion of that bill, desiring to give every gentleman, who chooses to accept it, an opportunity to speak upon the subject.

In this connection I beg leave to offer the following resolution.

The resolution was read as follows:

Resolved, That this House will hold a session to-morrow (Thursday) evening, commencing at 7½ o'clock, for the purpose of considering House bill No. 326, relating to Sunday travel in the city of Philadelphia.

Mr. WADDELL. Mr. Speaker, I have no objection to the resolution if the friends of the bill will agree not to take a vote to-morrow night on the question.

Mr. QUIGLEY. Mr. Speaker, that is just what the friends of the bill desire. While wishing to give every gentleman who desires it, an opportunity to speak on the bill, I would remind the House that the day fixed for the election is the 5th of March. If we do not pass the bill immediately, it will amount to nothing at all. We only ask a fair chance for a vote on the bill. I trust the House will adopt the resolution.

Mr WADDELL. Mr. Speaker, I have no objection to the bill being discussed and voted upon; I do not wish to impose any delay. But I protest against a special session which interferes with the necessary meeting of committees.

The committee over which I have the honor to preside has been able to meet but once upon its regular meeting night. Its next regular meeting night happens to be the evening fixed by this resolution for the consideration of the Sunday car travel question. There is not a gentleman in the House who is not interested in this matter, either one way or the other. The committee is composed of twenty-one members, and it will be impossible to get them together, if the House proposes to hold a session to-morrow night. It is exceedingly important just at this time that the committee should meet, because the bills they have in charge must be reported to this House within a specified time. If their meeting is interfered with this cannot be done.

If the friends of the measure will fix an hour to-morrow evening when the vote will be taken, so that the gentlemen of the committee can come in and vote, if they desire so to do, I have no objection to the resolution.

Mr. QUIGLEY. Mr. Speaker, I have no objection at all. If gentlemen will designate the hour at which the debate shall cease and the vote be taken, the committee can be notified at that time.

Mr. WADDELL. If the friends of the bill will agree that the committee shall be notified, that is all we ask.

The question being on the adoption of the resolution, it was

Agreed to.

Mr. QUAY. Mr. Speaker, I move that the special order of the afternoon be postponed until the orders of reports from committees and bills in place have been gone through with.

The SPEAKER. Will the House give its unanimous consent to postpone the special order for the purpose indicated by the gentleman from Beaver?

The consent was not given.

The House went into committee of the whole on House bill No. 248, Mr. ARMSTRONG in the Chair.

The bill was read as follows:

AN ACT to enlarge the jurisdiction of the courts of common pleas of this Commonwealth relative to granting charters of incorporations, and confirming those heretofore granted.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same*, That from and after the passage of this act the several courts of common pleas of this Commonwealth shall have power and authority to grant charters of incorporation in all cases in which the same is authorized to be granted under existing laws by the Supreme Court of this Commonwealth.

SEC 2. That all charters of incorporation which have heretofore been granted by any of said courts of common pleas in cases wherein the Supreme Court only had power and authority to grant the same, be, and the same are hereby, validated and made of the same force and effect as if the same had been granted in pursuance of authority conferred upon said courts of common pleas.

SEC. 3. That the said courts of common pleas shall have power and authority to grant charters of incorparation in all cases wherein any number of persons, citizens of this Commonwealth, are associated for the purpose of insuring horses, cattle, and other live stock against loss by death, from disease or accident, or from being stolen, and also to grant charters of incorporation to water, and hook and ladder companies, and building associations.

The first and second sections were agreed to.

Mr. LINTON. Mr. Chairman, I move to amend the third section by adding "musical associations and teachers' institutes."

Mr. WADDELL. I desire to add "fire insurance companies."

The amendments were

Agreed to.

The bill as amended was

Agreed to.

In the House,

The Speaker having resumed the chair, Mr. ARMSTRONG, chairman of the committee of the whole, reported the bill with amendments.

The bill as amended was read.

Mr. ADAIRE. Mr. Speaker, I move to amend the third section by adding "and skating park associations."

The amendment was

Agreed to.

The bill as amended was

Agreed to.

The rules were suspended, the bill read a third time by its title, and

Passed finally.

The House went into committee of the whole on House bill No. 249, Mr. BARTON in the chair.

The bill was read as follows:

AN ACT to extend the provisions of the act entitled An act relating to corporations for mechanical, manufacturing, mining and quarrying purposes, to fire insurance companies.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the provisions of the act entitled An act relating to corporations for mechanical, manufacturing, mining and quarrying purposes, approved July 18th, one thousand eight hundred sixty-three, shall be and the same are extended to associations of persons or corporations for the purpose of insurance of property against loss by fire, and corporations for the said purpose may hereafter be organized in the manner provided by said act for corporations for manufacturing, mining, quarrying and mechanical purposes, and shall be entitled to all the privileges and subject to all the restrictions created by said act: *Provided*, That the forty-ninth section of said act shall not be construed to apply to corporations for insurance purposes.

The bill was

Agreed to.

In the House,

The Speaker having resumed the chair, Mr. BARTON, chairman of the committee of the whole, reported the bill without amendment.

The bill was read and

Agreed to.

The rules were suspended, the bill read a third time by its title, and

Passed finally.

The House went into committee of the whole on House bill No. 250, Mr. BOYLE in the chair.

The bill was read as follows:

AN ACT supplementary to an act to amend certain defects in the law for the more just and safe transmission and secure enjoyment of real and personal estate, approved April twenty-seventh, Anno Domini one thousand eight hundred and fifty-five, and to provide a mode for extinguishing mineral reservations in lands not owned by the Commonwealth.

WHEREAS, Many tracts of land, part of the lands called and known as proprietary tenths or manor, have been granted by the late proprietaries, or their heirs and legal representatives, subject to the charge of a certain portion of the ore or product of mines taken out of said lands;

And whereas, It is against the policy of this Commonwealth and the interest of her citizens, and preventive of the safe and just transmission of the title to lands, that real estate should be subject to incumbrances indefinite in their duration, and of no certain or ascertainable amount, without power in the owner of such real estate to relieve it therefrom:

Therefore, for remedy thereof;

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That when any lands shall have been, or may be, granted, reserving to the late proprietaries, their heirs or legal representatives, the right to receive or have any part of the ores or other minerals which may be taken therefrom, and the owner or owners of said lands cannot agree with owners of said rights for the proper compensation to be paid for the extinguishing thereof, the court of common pleas of the proper county, on the petition of the owner or owners of said lands, or any one or more of them, or any one, in his or their behalf, shall appoint nine discreet and disinterested freeholders of said county, neither of whom shall be the owner of lands subject to similar rights, to view and examine said lands, and determine the amount of compensation to be paid for extinguishing said rights; and the said court shall also fix a time, not less than twenty nor more than thirty days thereafter, for the said freeholders to meet at and upon said land, of which time and place fifteen days' notice shall be given by the petitioner to the freeholders, and to the other party, or his or their duly authorized agent, attorney, or other lawful representaitve, and the said freeholders, or any six of them, having been first duly sworn or affirmed faithfully, justly and impartially to perform the duties committed to them, shall view and examine the premises, and estimate and determine the value of said rights to the persons owning the same, taking into consideration all the circumstances, and make a true report to the court of their proceedings, and the value of said rights.

SEC. 2. That the said freeholders shall cause their said report to be filed in the office of the prothonotary of the proper court, within ten days after they shall have made the same; and it shall be the duty of the court, upon the application of any party interested, to appoint a time for the examination of said report, not less than thirty days after such application, of which at least twenty days' notice shall be given, by weekly publication, as the court may direct, in one or more newspapers published in the county in which the land may lie, and in one or more newspapers published in the city of Philadelphia, and such further notice, personal or otherwise, as the court may deem necessary; and the court, after fully considering said report, shall confirm, recommit, modify, or set aside the same according to law and equity, and shall decree how much shall be paid by the owner or owners of said lands to the owner or owners of said rights as a compensation for the same, and shall also direct by whom and in what proportions the cost of the proceeding, including such compensation to said freeholders as the court shall fix, shall be paid, and payment of said costs may be enforced by execution or otherwise, as the court shall direct: *Provided*, That at any time before the day appointed for the examination of said report by the court as aforesaid, either party may appeal from the same to the said court, under the same regulations as are required in case of appeals from awards of arbitrators, subject, nevertheless, to the power of the court as to costs as above provided for, with the right of either party to a writ of error.

SEC. 3. That the sum ascertained and decreed to be paid as aforesaid, shall be deemed and held to be a ground rent in fee, as if the same had been reserved out of said lands at the time the aforesaid rights were originally reserved, with all the rights, means of enforcing payment, and other incidents, which belong to ground rents, and the original petitioner or petitioners for a view, shall be deemed and treated as the grantor or grantors of such ground rent.

SEC 4. That it shall be the duty of the court, on the application of any person interested, to order and decree that the said ground rent shall be substituted for and in the place of the aforesaid rights, and that the lands aforesaid, which shall be accurately described in such decree, shall be thereafter forever discharged and relieved therefrom, except as secured by said ground rent, as fully and entirely, to all intents and purposes, as if they had never existed, or as if they had been released and extinguished by the owner or owners of said lands; and said decree, duly certified by the prothonotary of the proper court, shall, at the request of any person interested, be recorded in the recorder's office of the proper county, upon the payment of the fees allowed by law for like services in other cases.

The bill was

Agreed to.

In the House,

The Speaker having resgmed the chair, Mr. BOYLE, chairman of the committee of the whole, reported the bill without amendment.

The bill was read and

Agreed to.

The rules were suspended, the bill read a third time by its title, and

Passed finally.

The House went into committee of the whole on House bill No. 25, Mr. BREEN in the chair.

The bill was read as follows:

AN ACT relating to evidence in actions of ejectment.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That in all actions of ejectment against two or more persons, any of the defendants shall be competent as a witness for either plaintiff or defendant, as effectually as if not made a party to the record: *Provided*, That it shall appear to the court, upon the trial, that the party so offered as a witness has disclaimed, upon the record, all title to the premises in controversy, and paid into court the costs already accrued, or given security for the payment thereof, at the discretion of the court.

The bill was

Agreed to.

In the House,

The Speaker having resumed the chair,

Mr. BROWN, chairman of the committee of the whole, reported the bill without amendment.

The bill was read.

On the question,

Will the House agree to the bill?

Mr. MEYERS. Mr. Speaker, the House, a few days ago, having passed a bill to enable all parties, whether on record or not, to testify in their cases, it is unnecessary that this bill should pass. It does no more than allow any defendant to testify in the case, he being a party in interest. By the bill that passed the Senate, he would be allowed to testify anyhow. I think it would be improper to spread that act on the record, because it would interfere with some of the provisions of the bill passed a few days ago.

I, therefore, ask that this bill be indefinitely postponed.

Mr. PHELAN. Mr. Speaker, the other bill may not pass.

I hope, therefore, this bill will not be postponed.

Mr. MEYERS. Mr. Speaker, I withdraw the motion to postpone.

I hope the House will vote down the bill.

Mr. BOYLE. Mr. Speaker, I think the reason given by the gentleman from Greene [Mr. PHELAN] is sufficient for the passage of this bill. If the Senate should conclude to pass the other they may defeat this, and if the House act adversely to this bill and the Senate defeat the other, the gentleman who called up this bill [Mr. PHELAN] will not attain the object for which he is laboring.

The question recurring,

Will the House agree to the bill?

It was

Agreed to.

The rules were suspended and the bill read a third time by its title, and

Passed finally.

The House went into committee of the whole on House bill No. 252, Mr. CALVIN in the chair.

The bill was read as follows:

A SUPPLEMENT to an act relative to the admission of parties to judicial proceedings as witnesses.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same.* That so much of the act, entitled An act relative to the admission of parties to judicial proceedings as witnesses, in certain cases, approved March twenty-seventh, one thousand eight hundred and sixty-five, as prevents the persons or parties therein named, acting in a representative capacity, from being used as witnesses in actions now pending in any of the courts of this Commonwealth, be, and the same is hereby, repealed.

The bill was

Agreed to.

In the House,

The Speaker having resumed the chair,

Mr. CALVIN, chairman of the committee of the whole, reported the bill without amendments.

The bill was read and

Agreed to.

The rules were suspended, the bill read a third time by its title, and

Passed finally.

The House went into committee of the whole on House bill No. 290, Mr. CHADWICK in the chair.

The bill was read as follows:

A FURTHER SUPPLEMENT to an act for the regulation and continuance of a system of education by common schools, approved the eighth day of May, Anno Domini one thousand eight hundred and fifty-four.

I—THE SELECTION OF SITES FOR SCHOOL HOUSES.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That whenever the board of directors or controllers of any school district in this Commonwealth shall be unable to procure such eligible sites for the erection of school houses thereon as they may deem expedient, by agreement with the owner or owners of the land it shall and may be lawful for the board of directors, in behalf of the district, to enter upon and occupy sufficient ground for the purpose, which they shall designate and mark off, not exceeding in any case one acre, and to use and occupy the same for the purpose of erecting thereon a school house with its necessary or convenient appurtenances, and for all damage done and suffered, or which shall accrue to the owner or owners of such land by reason of the taking of the same for the purposes aforesaid, the funds of the district which may be raised by taxation, shall be pledged and deemed as security; and it shall and may be lawful for the court of common pleas of the proper county, on application thereto by petition, either by the said school district, through the president and secretary of the board of directors, or by the owner or owners of said land, or any one of them in behalf of all, to appoint a jury of viewers, consisting of three discreet and disinterested citizens of said county, who shall not be the owners of property or residents in the school district in which such land is taken as aforesaid, and appoint a time not less than twenty nor more than thirty days thereafter for said viewers to meet upon said land, of which time and place ten days' notice shall be given by the petitioners to the said viewers, and the other party and the said viewers, or any of them, having been first duly sworn or affirmed, faithfully, justly and impartially to decide, and a true report to make concerning all matters and things to be submitted to them; and having viewed the premises, they shall establish and determine the quantity and value of said land so taken to be used for the purposes aforesaid, and after having made a fair and just computation of the advantages and disadvantages, they shall estimate and determine whether any, and if any, what amount of damages has been, or may be sustained, and to whom payable, and make report thereof to said court; and if damages be awarded, and the report be confirmed by the said court, which shall be final, judgment shall be entered thereon, and if the amount thereof be not paid within thirty days after the entry of said judgment, execution to enforce the collection thereof may be issued, as in other cases of judgment against school districts; and each viewer shall be entitled to one dollar and fifty cents per day, for every day necessarily employed in the performance of the duties herein prescribed, to be paid by such district.

II—THE ESTABLISHMENT OF TEACHERS' INSTITUTES.

SEC. 2. That the county superintendent of each county in this Commonwealth is hereby authorized and required, once in each year, at such time and place as he or a properly authorized committee of teachers, acting with him, may deem most convenient, to call upon and invite the teachers of the common schools and other institutions of learning in his county to assemble together, and organize themselves into a teachers' institute, to be devoted to the improvement of teachers in the science and art of education, and to continue in session at least five days, including half a day for going to and half a day for returning from the place of meeting, said institute to be presided over by the county superintendent or by some one designated by him, and subject, in its general management, to his control.

SEC. 3. That each county superintendent, upon the assembling of the teachers' institute of his county, shall cause a roll of members to be prepared, which roll shall be called at least twice every day during the session of the institute, and all absentees carefully marked, and from which, upon the adjournment of the institute, he shall ascertain the exact number of teachers who were in attendance, and the length of time each attended, and upon the presentation of a certificate, at the close of the session of each annual institute, setting forth these facts, and signed by the county superintendent, to the treasurer of the proper county, he is hereby authorized and required to pay immediately, out of any money in the county treasury not otherwise appropriated, to the county superintendent, one dollar for every three days spent by teachers of the county in attendance at the institute for that year, or as much of it as may be needed; such money to be expended by the county superintendent in procuring the services of lecturers and instructors for the institute, and in providing the necessary apparatus, books and stationery for carrying on its work: *Provided,* That the amount which may be drawn from the county treasury shall in no case be less than one hundred nor more than two hundred dollars: *Provided further,* That all boards of directors may allow the teachers in their employ the privilege of attending such institutes, without making any deduction from their salaries, and that any teacher who absents himself from the institute of his county without a good reason, may have his want of professional spirit and zeal indicated by a lower mark on his certificate in the practice of teaching than he would otherwise have received.

SEC. 4. That each county superintendent who may draw money from the county treasury, for the purpose named in this act, shall file his account of all expenditures under the act, in the office of the county treasurer, with vouchers for the same, which shall be examined by the auditors of the county, in like manner as other county expenditures, and any misapplication of funds shall be punished in the same manner as collectors of State and county taxes for like offenses are now punished.

SEC. 5. That all county superintendents, upon the adjournment of the teachers' institutes held in their respective counties, are hereby required to report to the Superintendent of Common Schools the number of teachers in attendance, the names of the lecturers or instructors who officiated, the subjects upon which instruction was given, and the degree of popular interest awakened by the proceedings.

III.—TEXT BOOKS IN COUNTIES.

SEC. 6. That it shall be lawful for the school directors of any county in this Commonwealth, at any tri-ennial convention held for the purpose of electing a county superintendent, to appoint seven of their number, possessing the necessary qualifications, whose duty it shall be to agree upon and select a series of text-books adapted to the wants of the common schools of the county, and present them for adoption to the several boards of directors; this action, however, to be of no binding force unless confirmed at the annual meeting of directors and teachers held, as now pro-

vided by the twenty-third section of the act of May eighth, one thousand eight hundred and fifty-four; but when so confirmed the books shall not be changed until after the action of the next tri-ennial convention as aforesaid: *Provided*, That a majority of the boards of directors of any county may at any time call a special meeting of the directors of the county for the purpose of appointing a county committee on text-books as above indicated, whose action shall be valid until the meeting of the tri-ennial convention in the year one thousand eight hundred and sixty-nine.

IV—CITY AND BOROUGH SUPERINTENDENTS.

SEC. 7. The school directors of any city or borough in this Commonwealth, having a population of over ten thousand inhabitants, may on the first Tuesday of May, one thousand eight hundred and sixty-nine, and every third year thereafter, elect viva voce, by a majority of the whole number of directors present, one person of literary and scientific acquirements, and skill and experience in the art of teaching, as city or borough superintendent for the three succeeding school years, and the said school directors shall determine the amount of compensation for said city or borough superintendent, and shall pay the same by drafts on the treasurers of their respective school districts: *Provided*, That nothing in this act shall prevent the directors of any city or borough from electing a superintendent, to serve from the time of election, until the commencement of the school year, one thousand eight hundred and sixty-nine, from filling a vacancy, should any occur, for the unexpired term of said office, nor from increasing the salary of a superintendent at any time.

SEC. 8. That it shall be the duty of the president and secretary of the meeting of the directors of any city or borough, at which a city or borough superintendent has been elected, to certify to the Superintendent of Common Schools the name and address of the person elected city or borough superintendent, in pursuance of the provisions of this act, and those of all other candidates, who received votes, together with the amount of compensation fixed upon by said directors, upon the receipt of such certificate; if no valid objection be received within thirty days after the day of election, the Superintendent of Common Schools shall commission the person so elected, for the term for which he was elected, but if objection to issuing such commission be made within thirty days, the Superintendent of Common Schools shall proceed with like power, and in like manner, as he is now required to do where objections are made against issuing commissions to persons claiming to be elected county superintendent.

SEC. 9. That from and after the appointment of a city or borough superintendent, in any city or borough in this Commonwealth, and the proper notification of the Superintendent of Common Schools of the fact, such city or borough shall not be subject to the authority and jurisdiction of the county superintendent of the county in which such city or borough is located, except that in the matter of holding the annual teachers' institute, as provided by sections second, third, fourth and fifth of this act, in which the city or borough superintendent shall co-operate; and the quota of the annual State appropriation to said city or borough shall not be diminished by reason of any contribution to the salaries of county superintendents, nor shall the directors of such city or borough vote at any election for county superintendents.

SEC. 10. It shall be the duty of all city or borough superintendents to take a similar oath or affirmation to that now required of county superintendents, to perform, within the limits of their several jurisdictions, all the duties now by law enjoined upon county superintendents, and to discharge such other duties as the by-laws, rules and regulations of the respective boards of directors may require; and it shall be their further duty, in addition to an annual report, to report monthly, to the Department of Common Schools, such facts relating to their work, and the condition of the schools under their charge, as may be required by the Superintendent of Common Schools, and to attend meetings of superintendents called by said Superintendent of Common Schools.

V.—TEACHERS' CERTIFICATES.

SEC. 11. That after the passage of this act, no teacher in this Commonwealth shall receive from a county, city or borough superintendent, a certificate as a teacher, who has not a fair knowledge of orthography, reading, writing, geography, grammar, mental and written arithmetic, history of the United States, and the theory of teaching; and all certificates given to teachers shall set forth the branches in which those holding them have been found proficient, and indicate by suitable remarks the degree of that proficiency.

SEC. 12. County, city or borough superintendents shall issue two grades of teachers' certificates, one of which shall be called a provisional certificate, and shall be given to applicants possessing a fair knowledge of the branches named in section ten, or to those who, possessing a thorough knowledge of the branches, have little or no experience in teaching, and shall license the holder to teach in the county where issued for one year, and which shall not be renewed without a re-examination; and the other shall be called a professional certificate, and shall be given only to those who possess a thorough knowledge of the branches above named, and who have had successful experience in teaching, and shall license the holder to teach in the county, where issued, during the official term of the county, city or borough superintendent issuing it, and for one year thereafter: *Provided*, That all so-called professional certificates, heretofore issued by any county, city or borough superintendent, shall cease to be valid on the first Monday of June, one thousand eight hundred and sixty-seven, except those issued since the first Monday of June, one thousand eight hundred and sixty-six, which certificate shall be valid as long as others issued during the present term of the superintendency: *Provided*, That any professional certificate may be renewed by a county, city or borough superintendent without re-examination, after having fully satisfied himself, by personal observation in his or her school, of the competency and skill, as a teacher, of the person holding it.

VI—REPEALING SECTION.

SEC. 13. That all acts, or parts of acts, in opposition to, or inconsistent with this act, are hereby repealed.

Mr. MANN. Mr. Chairman, I move to amend the first section by striking from the thirty-fourth line, after the word "court," the words "which shall be final."

The amendment was

Agreed to.

Mr. SHARPLES. I move to amend the eleventh section in the fourth line, by inserting after the word "geography," the word "English."

The amendment was

Agreed to.

Mr. M'KEE. Mr. Chairman, I move to amend the twelfth section in the sixth line, by inserting after the word "county," the words "city or borough."

The amendment was

Agreed to.

Mr. HOOD. Mr. Chairman, I offer the following amendment:

To add at the end of the twelfth section, the words

"*Provided*, This act shall not apply to the city and county of Philadelphia."

The amendment was

Agreed to.

Mr. GLASS. Mr. Chairman, I move to amend the twelfth section by striking out the proviso.

Mr. SHARPLES. Mr. Chairman, I certainly do not desire to impose any legislation on any particular district, but I think, if the gentleman from Allegheny [Mr. GLASS] would take into consideration the fact that is so notorious in many parts of the State, he would be willing to allow this provision to remain. The fact is that this provision was inserted for the purpose of elevating and advancing teachers. I know it is a source of complaint in many portions of this State that parties holding these professional certificates, granted several years ago, when there was not so much required of teachers as there is now—parties holding these certificates, in many instances, are not as well qualified to teach school as those who are examined every year. It is certainly desirable that teachers should advance, that they should be going on, upward, and this class of teachers holding these certificates cannot be reached in any other way than by some provision of this kind. You will find that it is provided after each examination and a personal observation of the skill and competency of the teacher the certificate may be granted without examination. The design of this provision was simply that these teachers might be reached and held liable in some degree in the same manner as those holding the other kind of certificates. I know that in many instances the county superintendent has no jurisdiction over these teachers because they have a certificate that is perpetual. This provision was introduced for the purpose of advancing the system, and I hope it will be retained.

Mr. GLASS. Mr. Chairman, I trust that this proviso will be stricken out. Whilst at home, last week, there were three different committees of teachers who called upon me for the purpose of protesting against the passage of this proviso. If gentlemen will read it they will observe that every veteran teacher in the State—those who have devoted their five, ten, fifteen or twenty years to teaching, under this proviso will be obliged to subject themselves to another examination before a county superintendent who is not, perhaps, as competent as the teacher himself. It might, just as well, be asked of any professional gentleman—any lawyer, doctor or preacher who may have a diploma that was granted to him when he graduated from college, that he should have that diploma taken from him and be obliged to go back to that college for a re-examination. Yet you require these veteran teachers to go before a county superintendent again for a re-examination. I think it is an outrage. If gentlemen will look at it I think they will see that it is a regulation subjecting teachers to a re-examination where it is not needed.

Mr. WILSON. Mr. Chairman, I hope the amendment of the gentleman from Allegheny who has just sat down will prevail. Now, this section seems to me an absurdity. To require a teacher to come up to a certain standard, and when he comes up to that standard you ask him to surrender his certificate on the election of every county superintendent. You do not require this of any other professional man. If a gentleman studies law and he passes, he is never subjected to a second examination; if he studies medicine and gets a diploma, he is

never asked to go through the same process again, and yet you require teachers to do this very thing. Every third year, on the election of a superintendent, you require teachers to pass an examination similar to examinations they have gone through before. I agree with the gentleman who has just sat down that this is a gross outrage; it is an outrage on a portion of the community who have no voice in the legislation—the lady teachers of our common schools, who have no voice here. I think this fact should be considered.

I hope the amendment of the gentleman from Allegheny will prevail.

Another thing. There are no two of these superintendents who have the same standard. One may ask one series of questions, another may ask another series of questions. If the gentlemen were to know and see what I have seen in relation to this matter, they would agree with me that this section should not be passed. I have seen men and women study and toil day and night for years in order that they might secure one of those professional certificates.

Now, we are about to ask them to surrender those certificates to every superintendent who may be elected. I hope the amendment of the gentleman from Allegheny will prevail. I think it is so necessary, and fair and right that it should commend itself to the good judgment of every gentleman in this House.

Mr. SHARPLES. Mr. Chairman, the gentleman from Allegheny says we do not ask doctors and lawyers to be re-examined. We ask them to advance; if they do not advance they get behind the age and find that they are under a disadvantage. In relation to these toilers that he speaks so much about—these teachers that are so anxious to qualify themselves for teaching school—there will be no difficulty with them. All that is asked of them is, that they show themselves to be qualified. There is no attempt to injure a class of teachers. The question is, whether this provision in the law will advance the system of education?

Mr. WILSON. Mr. Chairman, the superintendent of Allegheny county is decidedly opposed to this measure. I had a conversation with him last month, and he is decidedly opposed to it; so are the teachers. I ask this House if it is right, after a party has qualified himself for the profession, that every two or three years he should be obliged to submit to a re-examination? The matter of incompetent teachers will cure itself. I know, from actual experience, being a member of a school board for years, that we will very soon find out who is qualified or who is not. If a teacher is not qualified he is permitted to carry his certificate in his pocket, but he is not employed. And so it will go on; the evil will cure itself.

Mr. ARMSTRONG. Mr. Chairman, we live in a progressive age. I think this provision is in accordance with the age in which we live. It is of a progressive character. The object of this bill and of this supplement is to advance the educational interests of our State. We can only do that effectually by advancing the qualifications of our teachers; and, so far as my experience goes in this matter—and I have been connected with school boards of the State for the last ten or fifteen years—I know that our good, efficient and well qualified teachers are willing at any and all times to meet the county superintendents, with their fellow-teachers, and submit to an examination. They are improving themselves while so doing. On the contrary, I know that teachers who have been in the harness for years past and who have in former times obtained professional certificates, now rely upon those certificates and have ceased to prosecute the studies they should pursue to qualify themselves for the proper discharge of their duties. I can see no good that can possibly result from the adoption of the amendment proposed by the gentleman from Allegheny [Mr. GLASS]. On the contrary, I can see that it will defeat, to a very great extent, the object of this bill. As I have already said, the object of the bill is to advance our teachers, to advance their qualifications, and thus advance the educational interests of the State. With this view of the question, I hope the House will see the impropriety of striking out this proviso and adopting the amendment proposed by the gentleman from Allegheny.

Mr. BOYD. Mr. Chairman, I hope that the amendment of the gentleman from Allegheny will not prevail. For the sake of the profession, for the sake of the teachers themselves, I trust that the bill will be adopted as it stands. It is a notorious fact, that quite a large proportion of those holding certificates are not what they purport to be; that is, they are not held by those who have anything like the knowledge of the branches required to be taught in the public schools. I think it is the testimony of nine-tenths that there are many in possession of certificates who should not hold them. It is a very difficult matter to reach this class of individuals.

Now, as the proviso reads we find that the holders of these certificates are permitted to hold them only one year after the time when the new superintendent assumes his office. So the superintendent will have one year in which to determine the capacity and qualification of the holders of these certificates. More than that, if the gentleman will read a little further in the second proviso he will find that the bill does not necessarily subject those holding certificates to a re-examination. The second proviso reads:

* * * person: *Provided*, That all so-called professional certificates heretofore issued by any county, city or borough superintendent, shall cease to be valid on the first Monday of June, one thousand eight hundred and sixty-seven, except those issued since the first Monday of June, one thousand eight hundred and sixty-six, which certificate shall be valid so long as others issued during the present term of the superintendency: *Provided*, That any professional certificate may be renewed by a county, city or borough superintendent without re-examination, after having fully satisfied himself, by personal observation in his or her school, of the competency and skill, as a teacher, of the person holding it.

Now, the superintendent has one year in which to do this, since the certificate will not terminate until one year after the commencement of the term of the new superintendent. I hope the bill will stand as it is. Another point: Our normal schools, only, have the right to grant professional certificates that are good all through the State and that entitle the holder to claim being a member of the profession—those certificates are free passes. Then he is relieved from further examination by county superintendents. He can go where he pleases, over any part of the State without being compelled to submit to a re-examination.

As I said before, many of those holding permanent certificates are not entitled to them, and who are not as far advanced in the branches requisite to be taught in these days as those teachers who now rank as number two. At our county convention a resolution was passed that all the certificates granted prior to 1864, should be annulled; for they stood in the way of progress. This bill, if adopted, does not subject the teachers necessarily to a re-examination. They have only to show that they are competent, and upon this the superintendent will have one year to determine. He may renew the certificate and not examine the holder at all.

Mr. WILSON. Mr. Chairman, I would like to ask the gentleman a question: whether those teachers are not compelled to surrender their certificates to every new superintendent?

Mr. BOYD. They will not necessarily be examined again. Their old certificates, I admit, are of no effect whatever, but the teachers have one year in which to show the superintendent that they hold that certificate justly.

Mr. BOYLE. Mr. Chairman, the gentleman has repeated several times that the teachers have one year. I would like to know what his authority is for saying that? My reading of the act is to the effect that their certificates are taken from them on the first of June next.

Mr. BOYD. Although the old certificates are dead, yet, according to the second proviso, those certificates may be renewed. The old certificates expire on the first day of June, I believe, but the new certificates that may be granted hereafter, will expire one year after the new superintendent comes in, so that the incoming superintendent will have one year in which to determine whether the holders of the certificates require a re-examination, or merely a renewal of their certificates.

Mr. BOYLE. Mr. Chairman, I would ask the gentleman again whether that does not apply exclusively to those issued previous to the first of June last?

Mr. BOYD. Not necessarily.

Mr. BOYLE. I think it does necessarily, because the act says so.

Mr. BOYD. I think not. The act says that the certificates may be renewed. Although the certificates in existence expire at the time specified, yet the county superintendent may renew them.

Mr. BOYLE. Suppose he does not renew them?

Mr. BOYD. If they are not renewed, it subjects the persons who hold them to an examination.

Mr. STUMBAUGH. Mr. Chairman, I would like to know whether a school board in any district is bound to give a school to a gentleman holding a professional certificate?

Mr. BOYD. No, sir.

As a teacher I have given this matter a good deal of thought. I think we should protect the profession and protect the children. Those who are worthy will, without doubt, have their certificates renewed, and of those who are incompetent, the sooner they are subjected to a re-examination the better.

Mr. WILSON. Mr. Chairman, the whole tenor of the gentleman's argument is simply this: Because there are a few parties who are not worthy of those certificates all the rest, no matter how competent they may be, must be subjected to a second examination. I submit to the House whether this is a fair way of dealing. I take it, it is not right. The gentleman says they are not compelled to be re-examined, but we find that they are placed in the hands of the superintendent. No matter what his feelings towards them, they are compelled to surrender their certificates. They are clearly in his power, bound hand and foot; they have no other alternative; they must submit. Of course, if he is magnanimous and lets them pass, all right! Gentlemen seem to take a view of this case different from what they do of other cases. They seem to think teachers may not be progressive. I believe it is impossible for a man to follow the profession of teaching without progressing in knowledge. And men progress in that as well as anything else. If a teacher was competent a year ago, he will be much more competent a year hence; con-

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[CONTINUED FROM PAGE 440.]

sequently, he should keep the certificate acquired by hard and patient study. He has toiled day and night to obtain it. You take away that certificate and he has nothing to encourage him, for he knows that every third year he will be put back where he commenced.

I do hope this will be stricken out and the amendment of the gentleman from Allegheny prevail.

Mr. EWING. Mr. Chairman, I hope this amendment will not prevail. If these persons who hold professional certificates are entitled to them, they should not fear to undergo a re-examination. The point is this: These professional certificates have been granted to many who are not entitled to them, and it may be that many who have them, and were entitled to them at the time they were given, will not get them under this provision. The idea is to raise the standard of these professional certificates. If we make any progress we cannot go on under the standard as it was heretofore. Let us raise the standard of the certificates. Let the teachers be re-examined. I must say it comes with a bad grace from those who hold these certificates not to submit themselves to a re-examination. If they were entitled to them at first and have been engaged in teaching ever since, they ought to be prepared to undergo a re-examination. I regard this as one of the best features of the bill. If we do not intend to make any progress in this matter, we may as well vote down the whole bill. It used to be said, that if a man is fit for nothing else, put him to school teaching. Now we wish to do away with this practice.—We wish these professional certificates to have some character. There will be no harm done to those teachers if they submit to re-examination. Those who fail to receive professional certificates will receive such certificates as they are entitled to.

I hope this provision of the bill will not be stricken out.

Mr. GLASS. Mr. Chairman, a single idea suggests itself after listening to the remarks of the gentleman from Chester [Mr. SHARPLES], the gentleman from Lancaster [Mr. ARMSTRONG], the gentleman from York [Mr. BOYD], and the gentleman from Washington [Mr. EWING]. The idea is this: That it is necessary to retain this provision in order that the qualification of the teachers may be advanced.

Now, I ask the question of those gentlemen if it would be right and proper to require all lawyers to be subjected to a re-examination before they could be permitted to practice at the bar? The case is precisely parallel. Here are teachers who have been teaching fifteen or twenty years, who are asked to subject themselves to the humiliation of going before a county superintendent, who is not, perhaps, as competent as the teacher himself. I know, as the gentleman from Chester has said, that the county superintendents throughout the Commonwealth have generally recommended this thing. I know, too, how anxious many of the county superintendents throughout the Commonwealth are to get power in their hands; and I know, if they get that power to what use some of them would put it. I say to the House again, and I do not weaken the force of my argument at all, that it is subjecting veteran teachers to a humiliation to which they should not be, in order that they may be permitted to continue their teaching.

Mr. SHARPLES. Mr. Chairman, I desire to say one word in reply to our Speaker. The argument he uses will be an argument against the whole system. What we desire is, that there shall not be a privileged class of teachers standing in the way of the advancement of the system; that is all. We do not require lawyers and doctors to be re-examined, but we do teachers that we may have good and finished instructors for our schools.

Mr. JONES. Mr. Chairman, I have only one word.

I do not feel any particular interest in this bill, but it is very apparent that the second section, if not the whole bill, was drawn by some county superintendent, with the idea and object of creating himself a petty despot. It is to have every teacher within the district of the superintendent under his control, that he may put an end to their commissions whenever he may please. If the object is progress, if the object of the examination of these teachers is to qualify them the better for the position which they hold, the same argument will apply to all the superintendents.

If the amendment of the gentleman from Allegheny [Mr. GLASS] should not prevail, I wish to offer the following, which I will read now, as it is very brief, in order to convey the idea I have of making this bill equal in its provisions:

"*Provided*, That the first business of the said teachers' institute shall be the examination, by the teachers assembled, of the county superintendent; and if, in the judgment of said teachers, members of the teachers' institute, he shall not be qualified to hold his office, the office of the county superintendent shall be thereby vacated.

I think it should apply to the superintendent as well as the teachers.

Mr. ARMSTRONG. Mr. Chairman, I must confess I am somewhat astonished at the remarks that have just fallen from the gentleman from Berks [Mr. JONES], I would be more so, however, if it came from any other locality in the State.

There appears to be, with certain parties, a detestation of all the county superintendents. They are looked upon as a set of tyrants by certain parties upon this floor, denounced as such, for what cause I do not know. The arguments that have been adduced, in my estimation, are lame. There is no man who has had any experience among teachers, who does not know that all good teachers are at any time willing to be examined.

My own experience, and I believe that of every man who has given attention to the subject, is that all good teachers unite in asking that this very provision of this act should stand as it now does. There is no good teacher in the Commonwealth who does not know that the profession is lowered by the class of teachers who now are permitted to thrust themselves forward with their professional certificates, obtained many years back, when the standard of education was not as high as it is at the present day; and it is to screen themselves from this very class that all good teachers now unite in asking this body to pass the law as it is now framed.

The gentleman who framed this bill is one of the greatest educators we ever had in Pennsylvania. No man in the State has done more for education than the man who framed this bill and put this clause in that proviso. He is a gentleman who stands prominent and pre-eminent as an educator in Pennsylvania, having done as much or more for education than any other man. The very idea of submitting the county superintendent to an examination by the teachers in their institute! If I was opposed to education, I would have used the same argument as the gentleman from Berks; if I was opposed to the enlightenment of the community, I would use the argument he did; if I was in favor of keeping my constituency in darkness, I would use the argument he did; I would bring ruin in that way, if I possibly could, upon the public school system. But, in favor, as I am, of education, and in favor, as I am, of advancing the interests of education in the State of Pennsylvania, I hope this proviso will stand as it is, without the crossing of a "t" or the dotting of an "i." I hope, for the honor of this House, that they will see this matter in its proper light, and give to the people what they really desire, and what they should have, the best teachers that can be obtained.

As I have already said, there is no good teacher who will shrink from an examination. It has been said that our veteran teachers may be subjected to a re examination by county superintendents who may not know as much as they themselves. So much the better for them. Where is the good teacher, where is the pre eminently good teacher, who has held a certificate for years, who fears to come before a superintendent who does not know as much as himself? I believe that it is all used for effect. If there is a difference of opinion between certain parties in the city of Pittsburg, or Allegheny county, let them settle it, but do not bring it in here and cripple this bill and destroy its influence.

I hope the amendment of the gentleman from Allegheny [Mr. GLASS] will be voted down, and that the bill as it is now before the House will pass.

Mr. KENNEDY. Mr. Chairman, in the early

part of my life, I had some little experience in teaching. I believe I know something about the ambition that generally characterizes teachers. I am satisfied that if a stand point can be taken at which a teacher shall aim, that it becomes a sort of stimulant, and when he has exerted himself and reached that point, I do not know why he is not as much entitled to the honors growing out of that result as any man in a professional department of life. Now, it has been said here by the gentleman who has just taken his seat, that no good teacher is afraid to go before a superintendent and be examined at any time. That may be true; but that is not the point of the difficulty. The idea that he has reached a certain point and has a paper declaring what his attainments are, and which have heretofore been considered a permanent matter—the idea of having that taken away from him and be placed back indiscriminately among others who have not spent the time that he has, nor exerted themselves to the extent that he has exerted himself to reach that point, is discouraging. I know of teachers having first class certificates who have sometimes gone voluntarily with classes before the superintent and answered questions in common with others. At the same time they prize certificates of the first class which they have already obtained. It is not that they are unwilling to be examined, but they do not wish to be placed back among teachers who have not reached the point that they have, and to be considered upon a par with them. I submit to this House that no professional man would be willing to be placed back in the class of students in law or any other profession after he has pursued his studies and received his diploma. It has been remarked here that there is no danger in coming before different superintendents. I know that superintendents are governed by the feelings of human nature, just as much as any other class of men, and if they prefer one teacher to another—it may not be because that one teacher is better qualified—he will get a better certificate, and that certificate will come from a feeling that is cherished on the part of the superintendent towards the teacher. I have seen this matter operate to quite an extent; I know teachers in my own district, in the second or third class, who are better qualified than some who hold first-class certificates. Those changes, of course, are common with superintendents. The issue at one time may be one thing, and at another time something else. I submit to this body that teachers who have taken pains to qualify themselves are not willing to be subjected to a course of this description. If a teacher has reached a certain point where he is qualified to have a certificate of the first class, and has been engaged for some time in the business of instructing, the probability is that he will not go back, as has been remarked. I do not know why superintendents should not be subjected to an examination. Superintendents may deteriorate and go back as well as teachers. Indeed, they are more apt to do so, because they are not engaged as constantly in the business of education. I am in favor of the amendment of the gentleman from Allegheny.

It was remarked by one gentleman here that the right to give permanent certificates existed nowhere but with the normal schools. There we may have teachers as competent as any in the land, who, because they have not attended the normal school, cannot have a certificate. I am opposed to anything of this character. Let teachers be put upon their merits and let the decision, with reference to them, be based upon their merits.

Mr. BOYD. Mr. Chairman, one word more with regard to these certificates. Any teacher who has a knowledge of the branches required to be taught in the public schools can get a certificate by going to the normal school, without remaining there one day. The normal school is compelled to give him a certificate that will last through his lifetime and relieve him from examination in any county in the State. These county certificates are nothing more than permits for the time being. A large portion of the teachers who are bringing this pressure to bear upon the members for the purpose of defeating this bill are the least qualified to pass through an examination at the normal schools, or anywhere else. Show me a competent teacher who is thorough in the branches required to be taught, and I will show you one who is not afraid of an examination by a county superintendent.

I must reiterate that this bill does not necessarily subject any teacher who holds a certificate to a re-examination. It does not necessarily subject him to a re-examination by the county superintendent, who would much rather renew the certificate than go to the trouble of re-examination. The county superintendent would have a year in which to determine, by visiting the schools, whether it was best to renew the certificate or subject the teacher to a re-examination.

Mr. BOYLE. I wish the gentlman from York [Mr. BOYD] would read that. I cannot find it and I would like to know where it is.

Mr. BOYD. It is contained in the proviso.

Mr. BOYLE. Well, then, I want to find it.

Mr. BOYD. I say these teachers who hold certificates may have them renewed, that any certificate may be renewed.

Mr. BOYLE. But suppose they come to an end at some time?

Mr. BOYD. Of course they do come to an end.

Mr. BOYLE. I see they come to an end on the first of June.

Mr. BOYD. They do cease on the first of June, but they may be renewed, and a re-examination is not necessary.

Mr. JONES. Mr. Chairman, will the gentleman allow me to ask him a question?

It depends, therefore, altogether upon the caprice of the county superintendent; in other words, when the first of June arrives, the county superintendent may exempt his friends from this examination, but compel the attendance of those with whom he is displeased.

Mr. BOYD. Then I understand the gentleman to strike at the whole system of county superintendents. The teachers have it in their power to protect themselves. They have one year in which to show their qualifications. The superintendents have one year in which to visit the scholars and ascertain the capabilities of the teachers. There can be no advantage taken, and I hope the amendment will not be adopted.

On the question,

Will the House agree to the amendment of the gentleman from Allegheny?

A division of the House was called for, when the yeas were 44, and the yeas 20.

So it was

Agreed to.

The question recurring on the section as amended, it was

Agreed to.

Mr. WEBB. Mr. Chairman, I offer the following amendment as additional section:

SEC. 18. That the number of directors and controllers, mentioned in the first section of this act, be reduced to the number of three; and that they each be allowed the sum of one dollar for every day necessarily spent in the transaction of business, to be paid out of the funds of said school district.

The amendment was

Not agreed to.

The bill as amended was

Agreed to.

In the House,

The Speaker having resumed the chair, Mr. CHADWICK, chairman of the committee of the whole, reported the bill with amendments.

The first section was read.

Mr. MANN. Mr. Speaker, I offer the following amendment, to come in at the end of the section:

Provided, That either party shall have the right to have reviewers appointed by said court.

The amendment was

Agreed to.

The section as amended was

Agreed to.

The second section was read.

Mr. JONES. Mr. Speaker, I offer the following amendment, to be put at the end of the section.

The amendment was read as follows:

Provided, That the first business of the said teachers' institute shall be the examination by the teachers assembled of the county superintendent; and if, in the judgment of said teachers, members of the teachers' institute, he shall not be qualified to hold office, the office of the county superintendent shall be thereby vacated.

Mr. SHARPLES. Mr. Speaker, I consider an amendment of that kind an insult to the directors who have elected the county superintendent. It is certainly a reflection upon the directors of the State.

Mr. BOYD. Mr. Speaker, I doubt very much whether the amendment is in order; but granting that, if the gentleman really wishes the county superintendent to be examined, let him go before those who are qualified to examine him and I have no objection. The idea of requiring the superintendent to be examined by the teachers whom he himself is required to examine, I think is absurd, to say the least. I do not think those of the teachers who are laboring for the good of the profession will thank the gentleman for his amendment. I trust it will not be adopted. I am perfectly willing that every man who presumes to hold the position of county superintendent shall be subjected to a rigid examination by the proper authority, but where is the justice of having that examination by those who may not hold permanent certificates? I think the teachers of the State will not thank the gentleman for introducing this amendment.

Mr. GREGORY. As some of the gentlemen have spoken four or five times on this subject, and as it seems to have become a question of the qualifications and disqualifications of county superintendents, and there seems to be no probability of agreeing, I move that the further consideration of the bill be postponed.

On the question,

Will the House agree to the motion?

It was

Not agreed to.

Mr. JONES. Mr. Speaker, may I ask what is now the question?

The SPEAKER. The question is on the amendment of the gentleman from Berks.

Mr. JONES. Mr. Speaker, as there seems to be some disposition to think I was not in earnest when I offered that resolution, I will state that I was in earnest, and I hope it will be adopted. I have a very proper respect for county superintendents throughout this Commonwealth, but I have at the same time a very high respect for the teachers of our public schools. The fact of a man being chosen by the school directors of a district to be county superintendent is no evidence of his superior qualifications over the teachers.

They are just as fit to examine him as he is to examine them.

This section puts altogether too much power in his hands; it gives him the privilege of making teachers of whom he pleases in his district. I think it is unfair and ought not to be adopted. But if it is adopted, its provisions should apply to county superintendents as well as teachers. The gentleman from Lancaster [Mr. ARMSTRONG], who took occasion a while ago to answer me (I suppose he answered, he spoke by inuendo, therefore I am not sure), alluded very forcibly to the darkness of his own district. As I live in a neighboring county, I can, to some extent, concur with him. I do not think his remarks were in order, therefore I will only reply to him so far as he alluded to me. Now, if the amendment——

Mr. ARMSTRONG. Mr. Speaker, if the gentleman will allow me, I would like to inquire of him if the people of Berks county generally have adopted the free school system?

Mr. JONES. They have.

Mr. ARMSTRONG. How long since?

Mr. JONES. Mr. Speaker, it is beyond my recollection. But in my opinion the number of teachers, the number of school houses and the number of pupils in Berks county exceeds those of the county of Lancaster.

There is one other point to which I wish to refer. I said this bill was probably drawn up by some county superintendent, who proposed to create himself a petty despot. At that time I did not know who drew the bill; I am glad I did not, because I meant no reflections upon any one personally. Since then I have learned who drew this bill. The gentleman was formerly a superintendent of common schools in Lancaster county. Therefore the eloquence of the gentleman representing that county upon this floor is easily accounted for. I have great respect for the gentleman who drew this bill. I believe he has the best interests of the community at heart; and what I have said of it, does not apply to him, because he will not have it in his power to examine the teachers. But I do not think that the office of county superintendent is such an exalted one that it cannot be criticized in the House of Representatives. I take the liberty of saying what I please about county superintendents, and I do not recognize the right of any gentleman to question my earnestness or my credit with my constituents, or with the constituents of other people, in this regard. I have as much respect for the teachers of this Commonwealth, generally, as I have for the county superintendents. I think they are all entitled to the same consideration here. I think they should be put upon an equality, but the provision does not put them upon an equality. I hope, therefore, the amendment will be adopted.

Mr. ARMSTRONG. Mr. Speaker, I really hope, for the credit of the House as well as that of the author of the amendment, that it will not be adopted.

Adopt this amendment, and I have no doubt that the learned gentleman from Berks [Mr. JONES] will next offer an amendment requiring the scholars of the school to examine the teacher before he commences to teach school in order that they may determine whether he is competent for the work before him.

Mr. JONES. Mr. Speaker, will the gentleman allow me to interrupt him? The gentleman is anticipating my course. He is not arguing the amendment before the House. He is arguing an amendment which he says may be offered. I promise not to offer such an amendment.

Mr. ARMSTRONG. I say with the same propriety, without anticipating anything about it—I say with the same propriety that attends the present amendment, he might offer the one I have mentioned. As well might the bar subject the judges of the court to an examination before they commence the duties of the week—examine the court to know whether it is competent for the position it occupies before they go into the trial of a cause. There is an absurdity in it that must strike any reasonable man at first sight. I say that any intelligent community that will look for one moment at the amendment offered by the gentleman from Berks, must feel astonished, perfectly astonished, that such an amendment can be entertained for a single instant, in any place outside of Berks county. I hope that the good sense of this House will vote down all such amendments, such quibbles and such stabs at the educational interests of our State.

Mr. WINGARD. Mr. Speaker, I have taken no part in the discussion this afternoon; but, really I cannot see anything so absurd is the idea of requiring county superintendents to be examined. A county superintendent has it in his power to examine all applicants for schools; all persons who desire to act in the capacity of teachers must submit to an examination by a county superintendent.

Now, I say it is due to the public that a county superintendent should respond by an examination to some tribunal. I am not prepared to say that the one embraced by the amendment of the gentleman from Berks——

Mr. ARMSTRONG. I would merely ask whether it is not now the rule that county superintendents shall, or may be, examined before entering upon the duties of their office?

Mr. WINGARD. I have never heard of one being examined.

Mr. ARMSTRONG. The State Superintendent has a right to examine and does examine all county superintendents, before they enter on their duties.

Mr. WINGARD. I will ask the gentleman from Lancaster whether this bill does not provide some manner in which a county superintendent may be examined?

Mr. ARMSTRONG. It is already provided for by law.

Mr. WINGARD. I would be obliged to the gentleman if he would refer me to it, for I am not cognizant of the fact.

But to return to the line of my remarks. I am not prepared to say that the tribunal embraced in the amendment of the gentleman from Berks would be the best one which could be selected for an examination of a county superintendent. But I do say it is the best that has been suggested. If any gentleman can suggest a better tribunal I will vote for that. I am not in favor of foisting upon the public a county superintendent who, by means of electioneering or otherwise, may succeed in obtaining that position. I am not in favor of allowing the public to be imposed upon when there is the means by which we can arrive at the qualifications of those who aspire to that position.

There is no analogy between the cases cited by the gentleman from Lancaster, in that of attorney and county superintendent. The office of a county superintendent is a salaried position—the office of an attorney is one which depends upon public patronage. An attorney responds to every man who employs him; a county superintendent is employed and paid a salary. If the Legislature of Pennsylvania will establish a salary for lawyers and make it large enough I will submit to an examination once a month.

I do not intend to consume the time of the House, but I cannot see anything so absurd in this amendment. Why should we place a county superintendent above all touch-stones and tests that apply to other persons who may be seeking a position in a salaired office?

I shall go for the amendment of the gentleman from Berks, unless something better is offered.

Mr. STUMBAUGH. Mr. Speaker, I move to amend the amendment by striking out the words "shall be thereby vacated," and inserting the words "the shall report to the State Superintendent for examination."

Mr. JONES. I accept the amendment.

The question was on the amendment as amended.

Mr. M'CREARY. Mr. Speaker, this amendment embraces about the same provision in substance. Now, I am afraid we have undertaken the same system of tinkering this bill as that by which we have tinkered to death two or three bill heretofore. It occurs to me that there is a disposition to kill this bill by amendment. I would much rather vote for or against the bill, than upon absurd amendments. By the time we get through there will be no one willing to own the bill.

Mr. JONES. Will the gentleman allow me to interrupt him?

The gentleman proposes to vote upon the merits of this bill. Now, it is a well known maxim that when argument ceases ridicule begins.

The gentleman wants to vote upon the merits of the bill. Now, I insist that not only the gentleman from Erie, but other gentleman who have entered into the discussion of this question, admit the weakness of their arguments by proclaiming the absurdity of these amendments. Why do not they discuss their merits? I protest against their characterizing these amendments as absurd.

Mr. M'CREARY. Mr. Speaker, I have not said the amendment of the gentleman is absurd. I will say, however, that his amendment, if not absurd, is a very impracticable one to say the least.

Now, I scarcely thought that the gentleman from Berks, when he offered this amendment, was in earnest. I rather thought it was by way of pleasantry, but he has been called in question so much for it that he is bound to put on a bold front and assume that he did intend it in earnest. Now, there is etiquette in school matters as well as in other matters. You go into military life and rank is everything? What would be thought were the officers of a brigade to assemble together and examine their commander sent to them by the President of the United States? Such a thing would be no more absurd than that which is proposed in the gentleman's amendment. It is presumed that the directors who have charge of selecting the teachers are just as competent to select the superintendent. It ought to be presumed that the directors, in selecting a superintendent, have selected a person fitted for the position. But this amendmeut contemplates that a superintendent so elected must come before the very persons that have come under his supervision. Is this not absurd? It would be no more extraordinary were a teacher to be examined by his pupils with regard to his fitness for their instruction.

On the question,

Will the House agree to the amendment of the gentleman from Berks [Mr. JONES]?

The yeas and nays were required by Mr. KIMMELL and Mr. GORDON, and were as follow, viz:

YEAS—Messrs. Allen, Breen, Brennan, Calvin, Chalfant, Colville, Deise, Gregory, Harbison, Harner, Headman, Hoffman, Hood, Jones, Josephs, Koon, Kurtz, Long, M'Pherrin, Markley, Mullin, Phelan, Quigley, Rhoads, Satterthwait, Shuman, Wingard and Glass, *Speaker*—28.

NAYS—Messrs. Adaire, Armstrong, Barton,

Boyd, Brown, Cameron, Chadwick, Chase, Davis, Day, Donohugh, Espy, Ewing, Fogel, Freeborn, Gallagher, Gordon, Heltzel, Humphrey, Hunt, Jenks, Kennedy, Kimmell, Kinney, Kline, Lee, Leech, Linton, M'Creary, M'Henry, M'Kee, Mann, Marks, Meyers, Pennypacker, Peters, Pillow, Seiler, Sharples, Steacy, Subers, Waddell, Webb, Weller, Whann, Wharton, Wilson, Woodward, Worrall and Wright—49.

So the question was determined in the negative.

MESSAGE FROM THE SENATE.

The Clerk of the Senate being introduced, presented for concurrence bills numbered and entitled as follows, viz:

Senate bill No. 443, an act to divide the borough of Port Carbon, Schuylkill county, into two wards.

Senate bill No. 447, an act authorizing the commissioners of Mercer county to purchase a lot of ground for a jail and to sell the jail now erected.

Senate bill No. 455, an act to establish a law library in the county of Armstrong.

Senate bill No. 456, an act to authorize the appointment of two assistant reporters in the district court of Philadelphia.

Senate bill No. 481, an act relative to election precincts in Allegheny county.

Senate bill No. 483, an act to repeal the fourth section of an act relating to certain election districts in Schuylkill county.

Senate bill No. 484, an act to change the time of holding elections in the borough of Minersville, Schuylkill county.

Senate bill No. 501, an act to exempt from taxation certain land set aside as a public park in or near the borough of Kane, in M'Kean county.

Senate bill bill No. 675, a supplement to an act to provide for the ordinary expenses of the Government, and other general and specific appropriations, approved April 11, 1866, relative to the Keystone State normal school.

Senate bill No. 503, a further supplement to an act relating to local bounties, approved March 15th, 1865, so far as relates to the township of Union, Lawrence county.

Senate bill No. 507, an act relative to courts in Lehigh county.

He also returned bill from House of Representatives numbered and entitled as follows, viz:

No. 346, an act authorizing the Governor to appoint six additional notaries public for the city of Philadelphia.

With information that the Senate has passed the same with amendments, in which the concurrence of the House of Representatives is requested.

He also returned joint resolution from the House of Representatives numbered and entitled as follows:

No. 579, joint resolution to pay Wm. H. Jenkins for services as clerk of the committee in the matter of the petition of the electors of the Thirteenth Representative district of the city of Philadelphia, complaining of an undue election and false return of Michael Mullin as a member from said city,

With information that the Senate has passed the same without amendment.

He also informed that the Senate has concurred in the amendments made by the House of Representatives to Senate bill numbered and entitled as follows, viz:

Senate bill No. 440, a further supplement to an act to incorporate the Mifflin and Centre County railroad.

He also again presented Senate bill numbered and entitled as follows, viz:

Senate bill No. 201, an act to incorporate the Erie City passenger railway company,

Which bill was returned to the Senate by the Governor on the 26th instant, in pursuance of a request contained in a resolution adopted by both Houses, with information that the Senate had reconsidered said bill, and passed the same with amendments, in which the concurrence of the House of Representatives is requested.

He also informed that the Senate has adopted the report of the committee of conference on the subject of the differences existing between the two Houses in relation to the amendments to Senate bill numbered and entitled as follows, viz:

Senate bill No. 131, an act to authorize the town council of the borough of Middletown, in the county of Dauphin, to borrow money to pay off the present indebtedness of said borough, and to build a bridge over the Pennsylvania canal, on Wood street, and to provide for the payment thereof, as also for the future government of said borough by an increased rate of taxation.

The Clerk of the Senate also presented for concurrence bill numbered and entitled as follows, viz:

Senate bill No. 444, a further supplement to the act of March 19th, 1860, making further provisions for the government of the city of Harrisburg.

SPEAKER'S TABLE.

The SPEAKER cleared his table of Senate bills numbered and entitled as follows, viz:

Senate bill No. 443, an act to divide the borough of Port Carbon, Schuylkill county, into two wards.

Referred to the Committee on Municipal Corporations.

Senate bill No. 447, an act authorizing the commissioners of Mercer county to purchase a lot of ground for a jail and to sell the jail now erected.

Laid on the table.

Senate bill No. 445, an act to establish a law library in the county of Armstrong.

Referred to the Committee on the Judiciary Local.

Senate bill No 457, an act to authorize the appointment of two assistant reporters in the district court of Philadelphia.

Referred to the Committee on the Judiciary Local.

Senate bill No. 481, an act relative to election precincts in Allegheny county.

Referred to the Committee on the Judiciary Local.

Senate bill No. 483, an act to repeal the fourth section of an act relating to certain election districts in Schuylkill county.

Referred to the Committee on Election Districts.

Senate bill No. 484, an act to change the time of holding borough elections in the borough of Minersville, Schuylkill county.

Referred to the Committee on Municipal Corporations.

Senate bill No. 501, an act to exempt from taxation certain land set aside as a public park, in or near the borough of Kane, in M'Kean county.

Referred to the Committee on Ways and Means.

Senate bill No, 675, a supplement to an act to provide for the ordinary expenses of the Government, and other general and specific appropriations, approved April 11, 1866, relative to the Keystone State normal school.

Referred to the Committee on Ways and Means.

Senate bill No. 503, a further supplement to an act relating to local bounties, approved March 15th, 1865, so far as relates to the township of Union, in Lawrence county.

Referred to the Committee on Military.

Senate bill No. 507, an act relative to courts in Lehigh county.

Referred to the Committee on the Judiciary Local.

He also cleared his table of Senate bill No. 201, an act to incorporate the Erie City passenger railway company,

With amendments, which were concurred in.

Senate bill No. 444, a further supplement to the act of March 19th, 1860, making further provisions for the government of the city of Harrisburg.

Referred to the Committee on Municipal Corporations.

House bill No. 346, an act authorizing the Governor to appoint six additional notaries public for the city of Philadelphia,

Returned with an amendment, to strike out "six" and insert "ten," in the title as well as in the body of the bill.

Amendments concurred in.

On motion of Mr. SUBERS, the House adjourned until to-morrow morning at ten o'clock.

HOUSE OF REPRESENTATIVES.

THURSDAY, February 28, 1867.

The House met at 10 o'clock, A M.

Prayer was offered by the Rev. J. KENNEDY, member from Wyoming.

The SPEAKER announced a quorum of members present.

The Journal of yesterday was partly read, when,

On motion of Mr. LEE, the further reading of the same was dispensed with.

Mr. MEYERS. Mr. Speaker, I move that the order of the consideration of bills at this time be suspended, to afford an opportunity for the reading of bills in place and the receiving reports from committees.

Mr. QUAY. Mr. Speaker, I move to amend the motion by providing that the private calendar be first gone through with.

Mr. MEYERS. We can take that up afterwards.

Mr. QUAY. I would prefer to have it first.

The SPEAKER. The gentleman from Northampton [Mr. MEYERS] moves that the special order for the day be postponed for the present, and that the House proceed to read bills in place, and to receive reports from committees. The gentleman from Beaver [Mr. QUAY] moves to amend by providing that the House first proceed with the consideration of the private calendar. The question is on the amendment.

The amendment was

Agreed to.

The question recurring on the motion as amended, it was

Agreed to.

OBJECTED BILLS OF LAST WEEK.

Agreeably to motion,

The House proceeded to the second reading of bills on the private calendar.

Objected bills of last week were considered and disposed of as indicated:

No. 363, an act to change the venue in the case of the Commonwealth of Pennsylvania vs. John Sharpe, Moriety Leib, Charles W. Everhart, Robert Alsop and Jonathan A. Waters, from the court of quarter sessions of the peace of Montgomery county, to the court of quarter sessions of the peace in and for the city and county of Philadelphia, was taken up.

On the question,

Shall the House supend the rules and read the bill a third time by its title?

The yeas and nays were required by Mr. SATTERTHWAITand Mr. MARKLEY, and were as follow, viz:

YEAS—Messrs. Adaire, Allen, Armstrong, Barton, Chadwick, Colville, Davis, Day, De-

Haven, Donohugh, Espy, Ewing, Gallagher, Harbison, Hood, Humphrey, Kennedy, Kimmell, Kinney, Lee, M'Camant, M'Kee, Meily, Peters, Pillow, Quay, Roath, Shuman, Steacy, Stehman, Stumbaugh, Subers, Watt, Weller, Wilson, Wingard, Worrall and Wright—38.

NAYS—Messrs. Boyd, Boyle, Breen, Brennan, Calvin, Cameron, Colville, Deise, Fogel, Freeborn, Gordon, Gregory, Harner, Headman, Heltzel, Hoffman, Hunt, Jenks, Jones, Josephs, Kline, Koon, Kurtz, Leech, Linton, Long, M'Creary, M'Henry, M'Pherrin, Maish, Manu, Markley, Marks, Meyers, Mullin, Quigley, Rhoads, Roach, Satterthwait, Seiler, Tharp, Wallace, Webb, Westbrook, Wharton, Woodward and Glass, *Speaker*—47.

So the question was determined in the negative.

No. 394, an act authorizing the Governor to appoint three additional notaries public in the city of Philadelphia.

Passed finally.

No. 410, an act to provide for the appointment and election of an additional law judge in the Eighth Judicial district in this Commonwealth.

Passed finally.

Senate bill No. 178, an act to incorporate the Local express company of Wilkesbarre.

Passsd finally.

No. 447, an act providing for the reconstruction of the Columbia bridge across the Susquehanna.

Passed finally.

Senate bill No. 208, an act relative to the courts of oyer and terminer, general jail delivery and quarter sessions of the peace for the city and county of Philadelphia, and relative to the drawing of jurors in said city.

Passed finally.

Senate bill No. 117, an act relative to the appointment of the collectors of taxes in Montgomery county.

Mr. MARKLEY. Mr. Speaker, I move to amend the first section by adding in the fifth line, after the word "Mongomery," the words "and Chester."

Mr. SHARPLES. Mr. Speaker, I do not know why the gentleman should make that amendment. I do not know why the county of Chester should be attached to that bill any more than any other county.

Mr. MARKLEY. That is the fix Montgomery county is in. We have not asked for this change, and I don't know as anybody ever has.

Mr. SHARPLES. Mr. Speaker, the people of the county of Montgomery, or at least a portion of them, are asking for this change. I desire to say that the people of Chester county, of either political party, are not asking for this change. The question is not raised there. In the county of Montgomery there is some reason for the change, and, in fact, a large portion of the people of that county are now asking for it. I did not intend to make any remarks on the bill, but as it has been moved to attach Chester county to the provisions, I desire to say that I cannot see any more necessity for attaching Chester county than any other county not asking for it. I hope the amendment will not pass.

Mr. HOOD. Mr. Speaker, I move to indefinitely postpone the bill. Neither parties seem to want the passage of it.

Mr. SATTERTHWAIT. Mr. Speaker, I just wish to say a few words in reply to the gentleman from Chester [Mr. SHARPLES]. He asks why we have made this motion to amend and attach the county of Chester to the provisions of this bill. The gentleman certainly knows that this bill has been pressed upon the attention of this House entirely by the gentleman from Chester [Mr. WADDELL], who, I am sorry, is not in his seat at this time. The gentleman from Chester certainly knows that there is no reason why, if this experiment is to be tried, it should not be tried in the county of Chester as well as in the county of Montgomery.

The gentleman says that nobody in Chester county has asked for it. I say, from all that appears here, nobody in Montgomery county asks for it. There has not been a single petition sent here asking for it. Our constituents have not said anything to us about it. We have not asked for it. I will undertake to say, and the gentleman from Chester cannot deny it, that if there was a possibility of such a thing being done here as to make this change in Chester county, as many siguers could be procured to a petition in favor of it as in Montgomery county. There is no reason why, if this experiment is to be tried, it should not be tried in Chester county as well as in Montgomery county. We would not have asked for this amendment had not the bill been pressed upon us by the gentleman from Chester. I say, sir, that no reason has been urged here for this change. The gentleman from Chester, with all the tact and all the ability he possesses, has not been able to show a single reason why this experiment should be tried in Montgomery county. He has not even attemptpd to do that. He has said that some persons in Montgomery county have asked for it. I will undertake to say, that if there was a probability of a proposal of this kind being passed here to apply to any Republican county, there would be some persons in the county who would ask for it. It is only because of the way Montgomery county is situated that this thing is pressed upon our county.

I am sorry, sir, to have to allude to things to which I do not wish to allude here, but I am forced to do it. It is well known that until the last apportionment we had from Montgomery county three representatives on this floor, and we had a member in the Senate from there. When that apportionment was made the county of Montgomery returned as the basis of the apportionment eighteen thousand and eight taxables. The county of Chester (I take these statements from the official tables) returned sixteen thousand four hundred and thirty-five taxables—about sixteen hundred less than Montgomery county. In the face of these facts, Montgomery county was assigned but two representatives, and Chester county three. Not satisfied with that——

Mr. MANN. Mr. Speaker, I rise to a point of order. The gentleman is not discussing the bill before the House. He is discussing the apportionment bill.

Mr. SATTERTHWAIT. Mr. Speaker, I am done with that. I did not want to allude to this, and I did not do it in this discussion with any intention of throwing any reflection upon any member of this House, or upon any person who has been a member at any time. I find no fault about it. I only mention this as one reason why I think Montgomery county should be treated, at any rate, with common fairness, and with a common degree of courtesy, and above all that we should not receive this discourtesy at the hands of the gentleman from Chester county. This is all I wish to say about that.

Now, sir, that is the reason why this thing is attempted to be forced upon Montgomery county, because we happen to be so unfortunately situated that the majority of the people of Montgomery county are not represented in the other branch of this Legislature. That is the way it has happened that this thing has been pressed upon us, and I do think we should be treated with common fairness and courtesy at any rate, as we have been treated most outrageously (as will be admitted) in the number of representatives we have been assigned in the apportionment. I just wish here to say that in the three years I have been a member of this House, I do not know of a single attempt that has ever been made of that kind that has approached this in what I cannot characterize as anything else than malignant partisan action. I do not know of a single attempt that has been made to force a bill upon a county whose representatives were in a minority here that will compare with this in malignity. I am sorry to have to use such a term, but I cannot characterize this attempt in any other way. These changes of venue cannot be compared with it. There have been bills of that kind forced through against the protests of members representing the counties from which the change was to be made, but they are nothing to be compared with a bill of this kind, which attempts to establish a permanent law upon the people of a county against their express wishes. I say, sir, I am sorry to state that if this thing is to be—if it is the deliberate and settled purpose of this House to force this thing upon us—the members from Montgomery county cannot regard it as anything but an indignity and discourtesy upon our county, and a personal indignity and discourtesy to the members from that county.

Mr. LEE. Mr. Speaker, so far as this apportionment argument goes, the only answer I have is that Philadelphia cannot be charged with unfairness, because Mr. Buckalew's constitutional amendment cuts them out of three Senators——

Mr. MANN. Mr. Speaker, I rise to a point of order; that the apportionment bill has nothing to do with the matter before the House.

Mr. LEE. Mr. Speaker, I made only an incidental allusion to it, and shall not say another word about it.

Now, it has been said that nobody wants this bill. You will remember, Mr. Speaker, that this is a Senate bill—passed by the Senate, and there urged by the representative from the gentleman's own district, for reasons that were sufficient to him, and it seems to me that the Senator's preferences and desires with reference to this matter should be regarded. There has not been a word of objection urged against this bill, except that it is casting an indignity upon the members from Montgomery county. It has not been said that it was improper to give to the people of that county who elect a certain officer the right to impose upon him certain duties—that has not been said at all. It has not been said of the constables of the districts in that county (the majority of whom belong, not to the party the gentleman belongs to, but to the other party) that it would be improper to give them this duty to perform. Nothing has been said about that. There has been no words uttered against the provisions of this bill, only that it is an indignity upon the members from Montgomery county.

I think, sir, unless they can show that the Senator from that district forced this matter through the Senate for improper purposes, and was actuated by improper considerations, they should hardly complain of its going through this House. I think it is a proper bill, and that the man to collect the taxes is the man that the people elected for that purpose, and not a man to be appointed. I ask why there should be any objection to giving that duty to the men whom the people elect and not to the men whom the commissioners appoint with special reference to their political proclivities? Now, it is not denied that a majority of the townships of Montgomery county are Republican; and yet, there is not a man in that whole county of that party who has, now, anything to do with this matter. If the gentlemen talk about fairness and

about propriety let them show some fairness and propriety in that matter.

That was the plan in that county until the Democratic party changed it. The very year after they elected the commissioners they gave the commissioners of Montgomery county the right to appoint these tax collectors. Those taxes were collected before by the constables, who were elected by the people, and immediately responsible to the people. I think it is proper, and fair, and right that the people of Montgomery county should have the liberty to say who shall collect their taxes. Then where there is a Democratic majority they gain the collectors, and so with the converse, where there is a Republican majority they gain the collectors. Their Senator has recommended this change; the people have demanded it, and have told him that he is an inefficient representative if he could not get this bill through with all the advantages he has. I trust the bill will pass.

Mr. PENNYPACKER. Mr. Speaker, I had not thought to say anything upon this subject at all until the gentleman from Montgomery [Mr. MARKLEY], in his goodness of soul, proposed this amendment. Of course, we can readily understand the object of this amendment. It is a flank movement. The proposition relates to Montgomery county, and as one of the members from Chester county favored the proposition, to call attention from the original question, the gentleman from Montgomery moved to make the provisions of the bill apply to Chester county. Now, I have a high regard and high respect for the gentlemen from Montgomery county. I appreciate them very highly, and I have no doubt they feel that they ought to try to get this bill defeated if they possibly can. But I do not like the manner of their attempt to defeat it. I do not see that because I choose to vote for or against a bill to apply to their county it shall apply to Chester county. I would like to hear some good, solid reason from the gentleman from Montgomery county why this bill should not be passed. I will say in this connection that Chester county is under the general act in this respect, and the Republicans of Montgomery county prefer, if they have a special act, to have this one apply to them. I should like to hear why this act should not apply to them. Give us some good reason why we should not vote for this bill. I have heard no reason why we should not, and until I do hear some valid reason I shall certainly vote for the measure, and ask the friends of this measure to vote against the amendment of the gentleman from Montgomery [Mr. MARKLEY], because I believe it was not put in meaning that it should apply to Chester county, but merely to embarrass a bill which he does not wish passed. I ask the gentlemen of this House to sustain us in voting down this amendment and in passing the original bill.

Mr. SATTERTHWAIT. Mr. Speaker, the gentleman from Chester [Mr. PENNYPACKER] asks us to give some reasons why this bill should not be passed, as applying to Montgomery county. In reply I will ask the gentleman to give some reasons why, if it is good for Montgomery county, it is not good for Chester county?

Mr. PENNYPACKER. I would ask the gentleman whether Montgomery county is under the general act?

Mr. SATTERTHWAIT. Most undoubtedly it is. It is in the same position Chester county is, and if this experiment is to be tried, why not try it in both counties? If the people of Chester county seem to think it is such a good thing, why not try it themselves? But the gentleman from Philadelphia [Mr. LEE] finds fault because we have not said anything against this bill. I have always thought that when a measure of this kind was introduced here, when a special act was made for one county in the Commonwealth differing from the general law under which all the other counties are, in regard to a matter of this kind or any other kind, that it was incumbent upon those asking for the measure to first show why it should be passed. Have they done that? Have they attempted to give a single reason for the passage of this bill? The practice has been for all that I know to the contrary, from time immemorial, that the tax collectors should be appointed by the proper officers of the county, who are responsible for the collection of taxes, and the presumption is that it is a good practice. I hold, therefore, that it is incumbent upon them to show first why this proposed change should be made, and then should they show that, I want them to show why it should be tried particularly in a county whose representatives upon this floor protest against it. Have they done that? They have not.

I ask the gentleman from Philadelphia to first show why this law should be enacted, and then we will attempt to show why it should not be. I could, sir, (but I do not desire to unnecessarily occupy the time of this House) give many and sufficient reasons why the constable should not in all cases be appointed tax collector. The gentleman from Philadelphia says that such was the custom formerly in Montgomery county. Such a law was passed and was in force some two or three years, and was then repealed. The gentleman says it was when our party got into power that it was repealed. I deny it, sir. I can show from the documents that it was when the Republican party was in power in both Houses, and had a Governor here, that it was repealed. It was over a year after that infamous apportionment bill was passed that it was repealed.

Mr. STUMBAUGH. I would like to ask the gentleman if it is not difficult to get constables to accept this office unless they can get the collection of tax es?

Mr. SATTERTHWAIT. We have no trouble about it in our county. If the gentleman finds it difficult in his county, I have no objection to his having the change there. Our people do not make any complaint. I admit that there are some persons in our county who would like to have this matter appointed among them. They would like to take the appointments out of the hands of the county officers, so that they could get some of them. We all know that it is so everywhere; in Republican counties they generally appoint Republicans, in Democratic counties they generally appoint Democrats. There is not a man in this House who does not know that if there was a chance to have that change that there are a great many in every county who would come here and ask for it.

The gentleman from Philadelphia makes another statement which I believe is not correct. He says that there are a majority of Republican townships in Montgomery county. There may have been elections where a majority of one or two townships voted that way, but as a general thing it is not so.

Mr. MANN. Mr. Speaker, it is very evident that we are to take up nearly all the forenoon session if this bill is fully considered, and as it is very necessary that bills in place should be read and that committees that have their hands full of bills should have an opportunity to report, I, therefore, move that the further consideration of this bill be postponed, and that it be put upon the next private calendar, with the objected bills.

Mr. SHARPLES. Mr. Speaker, I hope this motion will be voted down. I think this House has already discussed this matter sufficiently, and is ready for a vote. We might just as well settle it now as to defer it. It will only have the effect of taking up the time of the House nearer the close of the session, when business will be more pressing, and the discussion will all have to be gone over again. Let us do now what our hands find to do. I am willing that the vote should be taken at once, and I think the gentlemen on the other side of the House are willing. I think we are now nearer a vote than we would be at any other time if we put it off.

Mr. MANN. Mr. Speaker, I do not know how the gentleman can say that we are ready to vote. I confess that I am not ready to vote. This is a very grave question, and if compelled to vote to-day I say distinctly that I shall vote against the bill. I shall vote against the amendment because the amendment is as objectionable as the original bill. The principles of this bill commend themselves to my mind, and we now give the collection of the taxes to the constables in our county without a law requiring it. I like the principles of this bill and I may vote for it as it stands, but I am not prepared to do it today, and if driven to vote I shall vote against it. I ask time to consider it.

The SPEAKER. The question is on the motion of the gentleman from Potter [Mr. MANN], to postpone the further consideration of the bill for the present, and that it be placed with the objected bills on the next private calendar.

The yeas and nays were required by Mr. MANN and Mr. RHOADS, and were as follow, viz:

YEAS—Messrs. Boyd, Boyle, Breen, Brennan, Calvin, Chalfant, Chase, Collins, Colville, Deise, Espy, Fogel, Gregory, Harner, Headman, Heltzel, Hoffman, Hood, Hunt, Jenks, Josephs, Kline, Koon, Kurtz, Linton, Long, M'Camant, M'Creary, M'Henry, Maish, Mann, Markley, Meyers, Mullin, Peters, Phelan, Quigley, Rhoads, Robinson, Rouch, Satterthwait, Tharp, Webb, Westbrook, Whann, Wingard and Glass, *Speaker*—47.

NAYS—Messrs. Adaire, Allen, Armstrong, Barton, Brown, Cameron, Chadwick, Davis, Day, DeHaven, Donohugh, Ewing, Freeborn, Gallagher, Ghegan, Gordon, Harbison, Humphrey, Kennedy, Kerns, Kimmell, Kinney, Lee, Leech, M'Kee, M'Pherrin, Marks, Pennypacker, Pillow, Quay, Roath, Sharples, Shuman, Stehman, Stumbaugh, Subers, Wallace, Watt, Weller, Wharton, Wilson, Worrall and Wright—43.

So the question was determined in the affirmative.

MESSAGE FROM THE SENATE.

The Clerk of the Senate being introduced, presented for concurrence Senate bills numbered and entitled as follows, viz:

Senate bill No. 485, An act increasing the compensation of judges of elections in the Twenty-first, Twenty-second, Twenty-third and Twenty-fifth wards, of the city of Philadelphia.

Senate bill No. 487, an act to incorporate the Lebanon County Soldiers' and Sailors' Monument association.

Senate bill No. 506, an act relative to hawking, peddling and selling by sample in the county of Schuylkill.

Senate bill No. 510, an act authorizing and providing powers and means for the conversion of the common grounds of the city of Allegheny into public parks.

Senate bill No. 511, a supplement to an act to increase the compensation of the county commissioners, auditors, jurors, assessors, witnesses and supervisors of Indiana county, and to authorize the collection of road taxes in Burrell township, in said county, in money, approved April 11, A. D. 1866.

Senate bill No. 512, an act allowing the

mercantile appraisers of Allegheny county the same fees allowed in other counties of the State.

Senate bill No. 513, an act relative to the fees of notaries public in the counties of Dauphin and Lebanon.

Senate bill No. 514, an act to extend the time for payment of enrollment tax on a supplement to the Karthaus iron, coal and railroad company.

Senate bill No. 517, an act to incorporate Continental slate company.

Senate bill No. 518, a further supplement to an act to incorporate the North American shaft company, approved the 22d day of March, 1862.

Senate bill No. 519, an act to incorporate the Quaker City Barge Club of the city of Philadelphia.

Senate bill No. 521, an act to confer upon the Pittsburg forge and iron company all the powers, rights and privileges of the Jones and Nimick manufacturing company, by the act approved the 1st day of April, 1863.

Senate bill No. 566, an act to authorize the clerk of the mayor or aldermen of the city of Pittsburg to administer oaths.

Senate bill No. 567, an act to increase the compensation of the county commissioners and auditors of the county of Monroe.

Senate bill No. 577, a further supplement to the borough of Easton, authorizing the town council of said borough to construct and provide public water works, and to authorize the election of water commissioners.

Senate bill No. 578, an act to authorize the supervisors of Kingston township, in Luzerne county, to collect their own duplicate.

Senate bill No. 579, an act to regulate the salary of the treasurer of Lehigh county.

No. 196, an act regulating roads and bridges in Wayne county.

Senate bill No. 583, an act to incorporate the Shakespeare and Lydia Allen Consolidated silver mining company of Nevada.

Senate bill No. 584, an act to incorporate the Tremont gas and water company.

Senate bill No. 586, an act to incorporate the Union iron mills.

Senate bill No. 587, a supplement to the act to incorporate the Boatman's insurance and transportation company, and to increase the powers thereof, approved the 17th day of May, 1866.

Senate bill No. 588, an act to incorporate the Scranton base ball club of Scranton.

Senate bill No. 595 a supplement to an act to incorporate the Reading passenger railway company, approved the 21st day of March, A. D. 1865.

Senate bill No. 600, an act to authorize the school directors of the borough of White Haven, in the county of Luzerne, to borrow money to build school houses.

Senate bill No. 601, an act to authorize the school directors of Marshall township, Allegheny county, to apply the surplus of bounty tax in their hands to school purposes.

Senate bill No. 609, supplement to the Nanticoke and Hughesville turnpike road company, approved the 1st day of April, 1836.

Senate bill No. 611, an act providing for changes in the State road in Plymouth township, between the westerly boundary of Plymouth borough and Harvey's creek, in Plymouth township.

Senate bill No. 612, an act supplementary to an act incorporating the Birmingham and Brownsville Macadamized turnpike road company.

Senate bill No. 321, supplement to the charter of the Chestnut Hill and Spring House turnpike company, authorizing said company to re-open old water courses.

Senate bill No. 397, an act appointing commissioners to lay out and open a S tate road in the counties of Cameron, Elk and Clearfield, from the Sinnemahoning to the West Branch of the Susquehanna.

Senate bill No. 414, an act to prevent the burning of the woods in the counties of Clearfield and Elk.

Senate bill No. 532, an act to declare Montgomery creek, in the county of Clearfield, a public highway.

Senate bill No. 539, an act repealing the provisions of the act for the protection of sheep and taxing of dogs in the county of Blair, and extended to the county of Monroe, so far as the same relates to the township of Pocono, in the said county of Monroe.

Senate bill No. 540, an act authorizing the president and managers of the Limerick turnpike company, and the president and managers of the Jarrettstown and Horsham turnpike company to charge certain rates of tolls.

Senate bill No. 593, a further supplement to an act, entitled An act incorporating the Lackawanna and Bloomsburg railroad company, approved the 5th of April, 1852.

Senate bill No. 594, a supplement to an act to incorporate the Philadelphia City passenger railway company, passed March 26, 1859, authorizing said company to borrow money and issue bonds.

Senate bill No. 603, an act to enable the board of directors of common schools of Benton township, Luzerne county, to apply surplus of bounty fund to common school purposes.

Senate bill No. 668, a supplement to an act to incorporate the Susquehanna and Delaware railroad company.

Senate bill No. 667, an act to enable the authorities of South Erie to increase taxation and lay side walks.

Senate bill No. 681, an act creating a board for the erection of a city hall in the city of Pittsburg.

Senate bill No. 650, an act to incorporate the Superior iron company.

Senate bill No. 683, a further supplement to the act to incorporate the Pennsylvania fiscal agency, approved November 1st, 1859, empowering said company, now known as the Credit Mobilier of America, to provide for the completion of certain contracts.

He also returned bills from the House of Representatives numbered and entitled as follows, viz:

No. 343, an act relating to the poor laws of Delaware county.

No. 313, an act to authorize the commissioners of Wyoming county to levy an additional tax, for the purpose of erecting a new county jail and sheriff's house in said county of Wyoming, and for other purposes.

No. 350, a supplement to an act relative to the publication of local laws in the counties of Centre and Schuylkill, approved the 16th day of April, A. D. 1866.

No. 351, an act repealing so much of the act authorizing the election of additional officers and changing the manner of collecting taxes in the townships of Robinson and North Fayette, Allegheny county, approved March 13th, 1866, as relates to the manner of collecting taxes in Robinson township.

No. 355, a further supplement to an act to empower the town council of the borough of Bellefonte, in Centre county, to borrow money, approved the 14th day of February, A. D. 1866.

No. 316, an act to regulate the taking of fish from the ponds and lakes in Benton township, in Luzerne county.

No. 322, an act to legalize the levy and collection of certain bounty tax, to provide for a settlement, and authorize the school directors to lay an additional bounty tax, in Lykens township, Dauphin county.

No. 278, an act to authorize the treasurer of the bounty fund of Schuylkill township, Chester county, Pennsylvania, to pay over to the treasurer of the school board of said township the funds remaining in his hands.

No. 265, an act to authorize the school directors of Millville school district, Cambria county, to use surplus school tax for building purposes.

No. 291, an act to authorize the school directors of the borough of Punxsutawny to borrow money.

No. 292, a supplement to an act to enable the school directors of Kittanning borough to borrow money, approved the 12th day of March, A. D. 1866.

No. 293, a supplement to an act to empower the school directors of Chambersburg to borrow money to build a new school house, approved the 12th day of May, A. D. 1857, further extending the provisions of the second section thereof.

No. 325, a further supplement to an act to incorporate the Pittsburg and Birmingham passenger railroad company, approved the 13th day of April, 1859.

No. 327, an act to incorporate the Allegheny and Saw Mill Valley passenger railway company.

No. 337, an act relative to the supervisors and road laws in Wiconisco township, Dauphin county.

No. 344, an act relating to hawking and peddling in the county of Westmoreland.

No. 176, an act to authorize the payment to Michael Dunn, a soldier of the war to suppress the rebellion, a gratuity on account of the loss of both his legs.

No. 314, an act to establish a ferry over the Allegheny river at the mouth of East Sandy creek, in the county of Venango.

No. 206, an act to establish a ferry over the Allegheny river at or near Bear Creek landing.

No. 333, an act declaring Wiconisco creek from Oakdale forge, in Dauphin county, to the public road leading from Clark's valley to Tremont, in Schuylkill county, a public highway.

No. 336, an act to declare a portion of Freeman's run, in Potter county, a public highway.

No. 330, an act to establish a ferry over the Allegheny river in Kinzua township, Warren county.

No. 194, an act to establish a ferry on the Allegheny river, at Patterson's Falls, in the county of Venango.

No. 195, an act construing portions of the first section of an act approved February 17, A. D. 1865, granting to Samuel Stock the right to erect a ferry or foot bridge over Oil creek, at or near the Noble well, in the township of Cornplanter, Venango county.

No. 262, an act to incorporate the Springfield and Garretford turnpike company.

No. 213, an act to incorporate the Pioneer Run bridge company.

No. 340, a supplement to an act to incorporate the Tidioute bridge company, approved the 16th day of April, A. D. 1861.

No. 261, a supplement to an act entitled An act to incorporate the Factoryville and Abington turnpike and plank road company, approved the 17th day of April, A. D. 1856.

No. 329, an act to incorporate the Greenwood Avenue turnpike company.

No. 525, an act to reannex a portion of the borough of Montoursville, in Lycoming county, Pennsylvania, to Fairfield township, in said county.

No. 413, an act supplementary to an act incorporating the town of Lawrenceville, in the county of Allegheny, into a borough, approved the 13th day of February, A. D. 1834.

No. 403, an act to establish an additional notary public in Chester county.

No. 401, an act relating to hawkers and peddlers in the county of Chester.

No. 423, an act to enable the South ward, in the city of Chester, to procure a supply of water.

No. 416, an act authorizing the burgess and town council of the borough of Irwin, in Westmoreland county, to levy and collect a special tax for borough purposes.

No. 406, an act in relation to original writs and executions in the county of Franklin.

No. 349, an act appropriating moneys arising from fines and forfeitures in Chester county.

No. 404, an act authorizing and requiring the prothonotary of Cambria county to keep an extension docket.

No. 428, an act to authorize the borough of Indiana to increase their taxation for borough purposes.

No. 419, an act to authorize an increase of taxes for borough purposes in the borough of West Elizabeth, Allegheny county.

No. 488, a supplement to an act to incorporate the Norristown passenger railroad company.

No. 435, an act to incorporate the Morrison's Cove railroad company.

No. 384, an act to authorize the qualified electors of Lycoming county to vote for or against a poor house in said county.

No. 520, a supplement to an act to authorize the board of school directors of the Seventh ward of the city of Pittsburg, in the county of Allegheny, to borrow money, approved April 19, 1864.

No. 429, an act to extend an act to authorize the burgess and town council of the borough of Kittanning to grade, curb and pave certain side walks.

No. 268, an act to incorporate the Kensington Mutual Co-operative association of the city of Philadelphia.

No. 166, an act to divide the borough of Plymouth into two wards.

No. 396, an act to regulate the salaries of the county auditors, and also the salaries of township auditors and their clerks, in the county of York.

No. 200, an act to incorporate the Boyd Farm and Petroleum Centre bridge company,

With information that the Senate has passed the same with amendments, in which the concurrence of the House of Representatives is requested.

No. 511, an act to incorporate the Union transfer company,

With information that the Senate has passed the same without amendment.

He also returned bills from the House of Representatives numbered and entitled as follows, viz:

No. 318, an act relative to bounty taxes in Marion township, Butler county.

No. 266, an act to annex the farms of Samuel Powers, John Hunter, James Cunningham, John Conway and James Rutlidge, of Derry township, to Livermore borough, in Westmoreland county, for school purposes.

No. 314, an act to divide the township of Plymouth into two election districts.

No. 331, an act extending an act relative to roads in Uwchlan township, Chester county, and East Bethlehem and East Pike Run townships, Washington county, to Peters and Fallowfield townships, Washington county.

No. 439, a supplement to an act to incorporate the Penn Gas coal company, approved the 1st day of March, A. D. 1861.

No. 412, an act to incorporate the Pithole gas and water company.

No. 472, a supplement to an act incorporating the Girard Electrical insurance company, approved the 2d day of March, A. D. 1866.

No. 479, an act to prevent the growth of noxious weeds in the county of Chester.

No. 159, a supplement extending the provisions of an act, approved the 17th day of April, A. D. 1865, relative to the fees on unseated lands in the county of Centre.

OBJECTED BILLS ON PRIVATE CALENDAR RESUMED.

Senate bill No. 224, a supplement to an act authorizing the borough council of the borough of Bethlehem, Pennsylvania, to purchase the water works, real estate and improvements of the Bethlehem water company; also to make all such necessary improvements and extensions required, to borrow money, and appoint water commissioners to carry out said object, approved March 13, 1866.

Amended by Mr. MEYERS, and

Passed finally.

No. 490, an act to incorporate the People's savings fund and safe deposit company.

Mr. MANN. Mr. Speaker, there are several very serious objections to this bill, it seems to me.

The title of this bill is "An act to incorporate the People's Savings fund and safe deposit company." Now, the second section of this bill contains banking privileges, and the Constitution provides in the twenty-fifth section of the first article, that "No corporate body shall be hereafter created, renewed or extended, with banking or discounting privileges, without six months' previous public notice of the intended application of the same, in such manner as shall be prescribed by law." There has been no notice given in this case, and the second section of the bill clearly confers the power upon this institution to establish a bank with banking privileges. It gives them the power "to purchase, collect, adjust, settle, sell and dispose of notes, bonds, obligations and accounts of States and of individuals," the very terms used in incorporating banks. Although I have no experience in banking, and have never had much opportunity to show any skill in what could be done under acts of incorporation of this character, but from what little I have had, I think I could very soon establish a bank under the provisions of this second section. If so, it is very clear that the Constitution requires six months' notice to be given, which has not been done.

It is also liable to another objection, that of not complying with the provision of the Constitution which says that no bill shall be passed by the Legislature containing more than one subject, which shall be clearly expressed in the title. Now, this bill contains in its provisions several subjects. In addition to these objectionable features it gives this corporation unusual power—the power to increase their capital stock to one million of dollars. We are to give this corporation banking privileges to the extent of one million of dollars under this bill. The Constitution provides that no bank shall be incorporated in any amount of capital stock—not even five thousand dollars—unless they give six months' previous notice.

I do not care to occupy the time of the House with this matter. I presented constitutional objections to a bill the other day which did not seem to meet with much attention on the part of the House, and I do not know as these will; but I acquit myself, and discharge my own duty and responsibility, when I point out those provisions which clearly conflict with the provisions of the Constitution. I hope the bill will not pass, for the reasons that I have given.

Mr. M'CREARY. Mr. Speaker, I have no particular interest in this bill, but I think the gentleman from Potter [Mr. MANN] is mistaken in regard to the notice required to be given. This notice is required in cases where banks discount paper and issue notes. I fail to see in the provisions of this bill that they claim this privilege. The gentleman will notice that there is this distinction, that they must publish six months' notice, provided they claim the privilege of issuing paper and discounting notes. I do not understand that this privilege is claimed in this bill. I therefore think the objection urged by the gentleman from Potter [Mr. MANN] is not a good one.

Mr. MANN. Mr. Speaker, I think the remarks of the gentleman from Erie [Mr. M'CREARY] do not relieve this bill from the objections that I made. The Constitution says that "no corporate body shall be hereafter created, renewed or extended, with banking or discounting privileges, without six months' previous public notice of the intended application for the same." Now, this second section as clearly gives them discounting privileges as any provision could, and any man who reads it cannot be mistaken about it. That is the very purpose of it. It not only gives them discounting privileges, but incorporates these men, with a capital of a million of dollars, into an insurance company in violation of the provision of the Constitution which says that "no bill shall be passed by the Legislature containing more than one subject, which shall be clearly expressed in the title."

Now, the title does not express clearly any of the objects the bill seeks to accomplish. The title says it is a safety fund and deposit company, whereas it is a discounting body and insurance company. It contains two specific objects, and the title does not express either of them.

I am told, Mr. Speaker, that if the bill is allowed to get to a third reading, it shall go over on that reading. That is entirely satisfactory to me. I do not desire to oppose the bill myself, except, it seems to me, that this provision allowing them a capital stock of a million dollars is certainly very objectionable.

Mr. ADAIRE. Mr. Speaker, I offer the following amendment to be added at the end of the last section:

Provided, The said company shall pay to the State Treasurer, for the use of the State, a bonus of one-half of one per centum on the sum required to be paid in previous to the organization, in four equal annual instalments, the first payment to be made in one year after the payments of the capital stock shall be made, and also a like bonus on all subsequent payments on account of the capital stock of said company, or any increase thereof, payable in like manner; and in addition to such bonus, shall pay a like tax upon dividends, as is, or may be, imposed by law.

The amendment was

Agreed to.

Mr. JOSEPHS. Mr. Speaker, I move to amend by inserting the name of John Daily as an additional corporator.

The amendment was

Agreed to.

The bill goes over on third reading.

CITIZENS' ASSOCIATION BILL.

Mr. BARTON. Mr. Speaker, I ask the House to suspend the orders and take up at this time House bill No. 170, an act to increase the duties of the Citizens' association of Pennsylvania.

This bill is on the third reading. It was objected to some four weeks ago, and on the suggestion of the gentleman from Berks [Mr. JONES] and some others, it went over. They have now proposed amendments satisfactory to all parties, and I think it will take but a few moments to consider and pass this bill if the House will agree to take it up now.

The SPEAKER. The question is shall

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[CONTINUED FROM PAGE 448.]

the orders of the day be suspended for the purpose of taking up House bill No. 170, an act to increase the duties of the Citizens' association of Philadelphia?

The motion was

Agreed to.

The SPEAKER. The question is on the final passage of the bill.

Mr. JONES. Mr. Speaker, I move to go into committe of the whole for purpose of special amendment.

The motion was

Agreed to.

COMMITTEE OF THE WHOLE.

Agreeably to motion,

The House went into committee of the whole on House bill No. 70, Mr. CAMERON in the chair.

Mr. JONES. Mr. Chairman, I move to amend by striking out all after the first section and inserting the following:

SEC. 2. The committee of any habitual drunkard, found to be such by inquisition, according to the act of Assembly relating to lunatics and habitual drunkards, approved June 13th, 1836, may make application in writing to the president of the Citizens' association for the admission of said habitual drunkards to the custody of said association, and upon the receipt of such application by the president aforesaid, he shall make inquiry into the history and nature of the case, and if he be of the opinion that the person in whose behalf the application is made is a proper subject for admission, his certificate of approval, together with the application, may be submitted to the court of the county where the committee of said habitual drunkard may reside, either in open court or to the president judge, or at chambers; and if, in the judgment of the court, the said habitual drunkard shall be deemed a proper subject for treatment, with a view to his reformation, the said court is hereby empowered to commit him to the custody of the Citizens' association of Pennsylvania, for a term of not less than nine months or more than two years: *Provided*, That the relations by blood or marriage of said habitual drunkard shall have access to him at all times, subject to the rules and regulations of said association: *And provided further*, That said habitual drunkard may be released by the court making the commitment before the expiration of said term if, after a full hearing, the said court shall deem his release advisable: *And provided further*, That nothing in this act shall be so construed as to prevent the Citizens' association from receiving into their custody any person, upon his own application, without due process of law.

The amendment was

Agreed to.

In the House,

The Speaker having resumed the chair,

Mr. CAMERON, chairman of the committee of the whole, reported the bill as amended.

On the question,

Shall the House agree to the bill as amended by the committee of the whole?

It was

Agreed to.

The bill then

Passed finally.

SPECIAL ORDER.

The SPEAKER. The hour of eleven o'clock having arrived, the special order for this time, House bill No. 193, will be taken up.

House bill No. 193, a supplement to an act appointing commissioners to lay out and open a State road in the counties of Potter and Clinton, approved the sixteenth day of March, Anno Domini one thousand eight hundred and sixty-five, was read.

Mr. MANN moved to amend by changing the names of some of the corporators

The amendment was

Agreed to.

On the question,

Shall the bill pass?

Mr. DEISE. Mr. Speaker, when this bill was up before, I asked that it might be postponed for the purpose of allowing me an opportunity to hear from my constituents that are interested in its passage. Since that time I have taken pains to get an expression from the people of my county in this matter, and I find, without exception, that they are opposed to the bill. I believe I stated before that the original bill which passed the Legislature in 1865, resulted in a suit which was instituted in our county to determine the constitutionality of that act and that, after a full argument of the case by the parties, the court below decided that the act was unconstitutional.

I believe that this road is for the accommodation of a few parties who own land in this locality. I am informed that this road will be very expensive, and that it will require several years to construct it. I have, in my possession, four remonstrances against the passage of this act. They say that it is not only unnecessary, but that it will cause a burdensome and grievous tax on the citizens of that locality. I shall, therefore, with all deference to the gentleman from Potter [Mr. MANN], whom I should like to accommodate, be obliged to oppose the passage of this bill. If he can give any good reason why this entire length of road in Clinton county should be built by the townships of Chapman and Leidy, where the land is mostly owned by non-residents, I should like to hear it. This road will be of no use or interest to a large part of the owners of land in that township, and will be almost entirely for the accommodation of a few people in the county of Potter. I think, in all frankness, that our people have been taxed sufficiently for roads, when you take into consideration the fact that they have not a good road either in that or in Potter county. And if this bill is passed, they will not get a good road. This is not for the purpose of accommodating the people, but it is for the purpose of accommodating a few land speculators, who desire to pocket this money, and to increase the value of their lands. For these, and other reasons, I shall oppose the passage of this bill.

Mr. MANN. Mr. Speaker, I confess a good deal of astonishment at the continued opposition made to this bill. I ask the House to note the objection that is made to it. The gentleman from Clinton [Mr. DEISE] objects that two townships shall make a road running through those townships. Why, I understand that to be the general law of the State—that all townships make the roads in their own townships. That is just what this bill proposes to do. It proposes that the taxes on the lands of those two townships shall make a road through them. But the gentleman is mistaken when he says that it takes all the taxes of these townships for this road. It only takes one-half of them. That is the provision of the original act. There is but one other road in those townships which is traveled, and that is along the river. The people along the river do not want another road, and, therefore, ask that all those taxes on these lands shall be taken away and applied on the river road. But are the people of Potter county, who live back among the hills twenty-five or thirty miles from the railroads, to be kept from having a road to get out to the railroad because of the indisposition of those living along the river to allow them this road? This is all the gentleman's objections amount to, and that is all the objection of the gentleman's constituents here.

The gentleman makes a great mistake when he say there are no good roads in Potter county. When it was ascertained that the Philadelphia and Erie railroad was about to be completed, we had no road from Coudersport, our county seat, by which we could reach it. We were situated just as the people of Germania are now situated in regard to it. But we agitated this question, and this road bill was passed. Under that bill we have made a good road from Coudersport to the Pennsylvania railroad at Emporium. We made it at least a hundred per cent. cheaper than any other road in our county. The whole road was constructed under the supervision of three men whose characters were at stake, and they made the road in a short time, and at little expense compared with other roads. And, I presume, that if it had not been for one or two defects in this bill, by which the judge in Clinton county was able to block the way, the people at Germania would now have a good road to the railroad. This law secured a good road from Coudersport to Emporium, and I affirm by the same law the people of Germania can secure a good road to the railroad. The incorporators are good men, who are well known, and who have their reputations at stake. One of those was named by the gentleman from Clinton [Mr.

DEISE], and is a man known all over Clinton county and his character is at stake. I affirm that under this bill the funds will be properly and far more economically appropriated than if left to be expended in the ordinary way. I therefore ask that this bill shall pass.

Mr. DEISE. Mr. Speaker, I regret exceedingly to consume the time of this House in the discussion of this question, but it is one so vital to the interests of my constituents that I hope I will be indulged in an explanation. The gentleman is mistaken when he says that it was at my instance that one of the parties was named. If the gentleman will recollect, he came to me with three names that some of his friends in Potter county had selected and asked me which one I would prefer. Of course I selected the one I thought the best man—preferring the least objectionable one.

I would call the attention of the House to one practice in particular, in reference to this matter. For a number of years the unseated lands of our county, such as timbered, and iron ore lands, have been assessed at enormous rates, and parties living in Philadelphia and New York, owoing these lands, have been imposed upon in the way of taxation. In some townships in my county, a tax of thirteen mills on the dollar has been assessed, and some of the smaller townships have returned every year some fifteen or eighteen hundred dollars from the tax on unseated lands alone. Yet I affirm here, that the gentleman cannot ride ten miles in either county without being thrown out of his buggy.—There is not a good road in that vicinity. Yet those assessors and supervisors make it a rule to select themselves there every year, and they pocket this money and do not build the roads. I desire to also call the attention of the gentleman to the act of 1865, by which certain lands, through which this road passes, are exempted from the operations of this law. So it will be seen that the intention is simply to tax non-residents and those living at a remote distance from this road, while those living along the line of the roads will not be taxed at all. I understand this to be a supplement to that act. That act of Assembly is now before the Supreme Court of Pennsylvania for revision. All I desire is that the act of Assembly shall be reviewed in that court to which the clients have appealed. I say that this measure is gotten up for the benefit of a few people, and the gentleman from Potter cannot present a petition in favor of this act from a considerable number of citizens of either Potter or Clinton county. This comes from private individuals who desire to tax those lands for private uses. I hope, therefore, the bill will be voted down.

Mr. MANN. Mr. Speaker, I desire to correct the gentleman in one respect. This is a supplement to the original bill and it in no way affects any action of the court. The petition for the original bill did receive numerous signers in the townships of Abbott and Stewardson in the county which I represent.

Mr. Olmstead, the member from our county who passed this bill, told me that he also received petitions largely signed from the people of Clinton county asking for this original act. The opposition to this bill is merely an attempt to make capital here, and it has a very poor foundation when it is alleged that this road is for the benefit of a few individuals. It is for the benefit of all the people in the southwestern part of the county which I represent. This is the direct and only direct road they have to reach the railroad. They are at present obliged to go between forty and fifty miles to reach a railroad in New York State, whereas, by allowing them to build this road, they can reach the railroad in this State by going twenty-five miles. That is the only issue, whether you will compel them to go forty or fifty miles over a poor road to reach a railroad in New York State, or by making a road twenty-five miles you will let them out to a railroad in this State.

The question being on agreeing to the bill, The yeas and nays were required by Mr. DEISE and Mr. KURTZ, and were as follow, viz:

YEAS—Messrs. Adaire, Barton, Brown, Chadwick, Colville, Day, Donohugh, Espy, Ewing, Freeborn, Gallagher, Gordon, Harbison, Hoffman, Humphrey, Kennedy, Kerns, Kinney, Lee, Leech, M'Camant, M'Kee, Mann, Marks, Meily, Pillow, Quay, Satterthwait, Seiler, Sharples, Shuman, Stehman, Subers, Wallace, Webb, Weller, Wham, Wharton, Wilson, Wingard, Woodward, Worrall, Wright and Glass, *Speaker*—44.

NAYS—Messrs. Boyle, Breen, Calvin, Chalfant, Collins, Deise, Fogel, Ghegan, Harner, Headman, Heltzel, Hood, Hunt, Jenks, Jones, Josephs, Kline, Koon, Kurtz, Linton, Long, M'Henry, Maish, Markley, Meyers, Mullin, Pennypacker, Quigley, Rhoads, Roath, Robinson, Roush, Tharp and Watt—35.

So the question was determined in the affirmative.

The question being on the suspension of the rules to allow the bill to be read a third time by its title,

The yeas and nays were required by Mr. DEISE and Mr. FOGEL, and were as follow, viz:

YEAS—Messrs. Adaire, Allen, Barton, Cameron, Colville, Davis, Day, Donohugh, Espy, Ewing, Freeborn, Gallagher, Gordon, Harbison, Hoffman, Humphrey, Kennedy, Kerns, Kimmell, Kinney, Lee, Leech, M'Camant, M'Creary, M'Kee, Mann, Marks, Meily, Pennypacker, Peters, Pillow, Quay, Roath, Satterthwait, Seiler, Sharples, Shuman, Stehman, Stumbaugh, Subers, Wallace, Webb, Weller, Wham, Wharton, Wilson, Wingard, Woodward, Worrall, Wright and Glass, *Speaker*—51.

NAYS—Messrs. Armstrong, Boyd, Boyle, Breen, Brennan, Calvin, Chalfant, Collins, Deise, Fogel, Ghegan, Gregory, Harner, Headman, Heltzel, Hood, Hunt, Josephs, Kline, Koon, Kurtz, Linton, Long, M'Henry, M'Pherrin, Maish, Meyers, Phelan, Quigley, Rhoads, Tharp, Watt and Westbrook—33.

So the question was determined in the negative,

Two-thirds not voting in the affirmative, and the bill goes over on third reading.

REPORT FROM SELECT COMMITTEE.

Mr. M'CREARY. Mr. Speaker, I rise to a question of privilege. I present the report of the select committee on the contested election case of Marshall vs. Roush.

The report was read as follows:

To the House of Representatives of the State of Pennsylvania:

The undersigned, the committee appointed to try the matter of the contested election between James Marshall and Charles D. Roush, from the district composed of Lycoming, Union and Snyder counties, respectfully submit the following report:

The committee met and organized on the day of their appointment, and from day to day thereafter, they heard the statement and arguments of the parties and their counsel, examined witnesses at Harrisburg and Williamsport, and after carefully weighing the testimony submitted to them by both parties, they have concluded that Charles D. Roush, the sitting member, is entitled to his seat. All of which is respectfully submitted.

F. S. STUMBAUGH,
J. M'PHERRIN,
J. KENNEDY,
H. ALLEN,
GEO. Y. M'KEE,
GEO. A. SHUMAN,
HENRY PILLOW.

Mr. M'CREARY offered a joint resolution to pay E. D. Rickett for services as clerk for select committee on contested election case of Marshall vs. Roush.

The rules were suspended, and the resolution

Passed finally.

SENATE MESSAGE.

The Clerk of the Senate being introduced, presented for concurrence bills numbered and entitled as follows, viz:

Senate bill No. 490, a supplement to an act to establish a ferry over the Monongahela and Youghiogheny rivers, and to vest the right in John M'Kee, his heirs and assigns forever, approved the 5th day of February, 1784.

Senate bill No. 522, an act to incorporate the Enterprise mining and exploring company.

Senate bill No. 585, an act to incorporate the Keystone telegraph company.

Senate bill No. 608, a further supplement to an act to incorporate the Birmingham and Pittsburg bridge company.

Senate bill No. 676, an act to authorize the Pennsylvania steel company to purchase and hold stock in other corporations.

Senate bill No. 686, a joint resolution relative to the purchase of a railroad map to accompany the Auditor General's report.

Senate bill No. 719, an act to incorporate the Gettysburg asylum for invalid soldiers and to raise funds therefor, and for the securing and preserving of the battle grounds of Gettysburg.

REPORTS FROM COMMITTEES.

Mr. MANN, from the Committee of Ways and Means, reported, as committed, Senate bill No. 675, a supplement to an act entitled An act to provide for the ordinary expenses of the Government and other general and specific appropriations, approved April 11, 1866, relative to the Keystone State Normal school.

Mr. BARTON (same), with a negative recommendation, bill No. 603, an act to provide for the payment of the damages awarded the Harrisburg Park association, by reason of the occupation of their lands, by the Commonwealth of Pennsylvania, under the act of May 15, A. D. 1861.

Mr. ARMSTRONG (same), as amended, bill No. 604, an act for the relief of the associate judges of Wayne county.

Mr. M'PHERRIN (same), with a negative recommendation, bill No. 605, an act to exempt from taxation the property of the Ladies' Soldiers' Aid of Weldon.

Mr. FREEBORN (same), as committed, Senate bill No. 48, an act to authorize the payment of Theodore F. Scheffer for printing deserters' list.

Mr. MANN (Judiciary General), as committed, bill No. 607, an act to indemnify certain election officers of the Commonwealth for losses sustained, and fines imposed on them for acting in accordance with the provisions of the act of Assembly of June 4, A. D. 1866.

Also (same), with a negative recommendation, bill No. 608, an act for the protection of the people against imposition and quackery.

Mr. QUAY (same), as committed, bill No. 609, an act to prevent fraudulent insolvencies.

Mr. WINGARD (same), with a negative recommendation, bill No. 610, a further supplement to the act to secure the rights of married women, &c., passed 11th of April, 1848.

Also (same), with a negative recommendation, bill No. 611, an act relative to the jurisdiction of and practice before justices of the peace, aldermen, burgesses or mayors, and relative to affidavits of defense in appeals therefrom.

Mr. DAVIS (same), as committed, bill No. 612, a supplement to an act relating to the lien of mechanics and others upon buildings, approved the 16th day of June, 1836.

Also (same), with a negative recommendation, bill No. 613, a supplement to an act to enable the Governor to appoint notaries public, &c.

Mr. M'CREARY (same), as committed, bill No. 614, an act relative to unclaimed dividends in insolvent assigned estates.

Also (same), with a negative recommendation, bill No. 615, an act to regulate the practice of entering judgments and issuing processes in the several counties of this Commonwealth.

Mr. BOYLE (same), as committed bill No. 616, an act to limit the lien of foreign attachments, and to regulate the manner of liquidating judgment on said writs.

Also (same), with a negative recommendation, an act to change the mode of criminal proceedings in this Commonwealth.

Also (same), with a negative recommendation, bill No. 618, a supplement to an act relating to the mechanics' lien law, approved the 16th day of June, 1836, and the several supplements thereto.

Mr. JENKS (same), with a negative recommendation, Senate bill No. 114, an act regulating the sale by hawkers and peddlers of goods at wholesale.

Also (same), with a negative recommendation, bill No. 620, an act enlarging the jurisdiction of the courts of quarter sessions relative to roads and highways.

Mr. MEYERS (same), with a negative recommendation, bill No. 621, a supplement to the penal laws of Pennsylvania.

Also (same), as committed, bill No. 622, an act to authorize John Du Bois to erect cribs and form a log harbor in the West Branch of the Susquehanna river.

Mr. LINTON (same), with a negative recommendation, bill No. 623, a supplement to an act authorizing appeals from interlocutory orders or decrees granting special injunctions.

Also (same), with a negative recommendation, bill No. 624, an act extending the jurisdiction of justices of the peace in this Commonwealth.

Mr. M'CREARY (Judiciary Local), with a negative recommendation, Senate bill No. 287, an act relative to livery stable keepers in Mercer county.

Also (same), as committed, bill No. 626, an act to change the venue in the case of John M'Farland versus Joseph Shoemaker, from the court of common pleas of Northumberland county to the court of common pleas of Union county.

Also (same), as committed, bill No. 627, an act to legitimate Annie Crain, of Huntingdon county, and confer on her the rights and privilege of a child born in wedlock.

Also (same), as committed, bill No. 628, a supplement to an act to legitimate George Humphrey Stump and Abraham Harrison Stump, approved the 28th day of April, A. D. 1854.

Also (same), as committed, bill No. 629, a further supplement to an act increasing the fees of the several county officers of this Commonwealth, except in the city of Philadelphia and in the counties of Allegheny, Bradford, Susquehanna and Sullivan, approved March 30th, A. D. 1865.

Also (same), as committed, bill No. 630, an act to prevent the depositing of unwholesome matter in the running streams in Allegheny county, and to provide for the better preservation of the public health in said county.

Also (same), as committed, bill No. 623, a supplement to an act relating to the lien of mechanics and others upon buildings, extending it to the counties of Blair and Armstrong.

Mr. BARTON (same), as committed, Senate bill No. 495, an act authorizing the city of Allegheny to issue bonds to the amount of sixty-five thousand dollars, to be applied to building a market house in said city.

Also (same), as committed, an act to extend the term of the county treasurer of Westmoreland county.

Also (same), as committed, bill No. 634, an act extending the auction law to Pottstown borough.

Also (same), as committed, bill No. 288, an act to authorize the clerk of the courts of quarter sessions, oyer and terminer, orphans' court of Lehigh county, to appoint deputies.

Mr. EWING (same), as committed, Senate bill No. 296, a supplement to an act to authorize the erection of a poor house by the township of Wilkesbarre, in Luzerne county, approved 2d of April, 1860.

Also (same), as committed, bill No. 637, a supplement to an act relative to hucksters in the county of Lebanon, approved the 10th day of May, A. D. 1866.

Also (same), as committed, bill No. 638, an act to extend the provisions of an act regulating the fees of the district attorney in the county of Bradford, in the court of quarter sessions, approved the 11th day of April, A. D. 1866, to the county of Cameron.

Mr. HARBISON (same), as committed, bill No. 639, an act relating to the filing of liens and collection of taxes in the borough of Petersburg.

Mr. WEBB (same), as committed, bill No. 640, an act relating to the compensation of the sheriff of Butler county, for boarding prisoners.

Mr. WEBB (same), with a negative recommendation, bill No. 641, an act relating to contractors in the county of Luzerne.

Also (same), as committed, bill No. 642, an act relating to hawkers and peddlers, or traveling merchants, in the county of Lebanon.

Also (same), as committed. Senate bill No. 285, an act authorizing the trustees of the proprietors of Hanover township, in Luzerne county, to collect and pay over money to the Central poor district.

Also, (same), as committed, Senate bill No. 356, an act relative to the duties of district attorney for the county of Erie.

Mr. ALLEN (same), as committed, Senate bill No. 280, an act to authorize the Governor to appoint an additional notary public for the county of Mercer, to reside in the borough of Sharon, in said county, and an additional notary public for the county of Centre, to reside at Phillipsburg.

Also (same), as committed, Senate bill No. 281, an act for vacating the old burial grounds in the borough of Sewickley, and removing the bodies therefrom.

Also (same), with amendment, Senate bill No. 360, an act in relation to the fees of notaries public in the counties of Bedford, Fulton, Somerset and Delaware.

Also (same), as committed, bill No. 648, a supplement to an act to authorize the erection of a poor house in the county of Tioga, approved the 12th day of March, A. D. 1866.

Mr. WORRALL (same), as committed, bill No. 649, an act authorizing the Governor to appoint an additional notary public for the county of Mercer.

Also (same), with an amendment, bill No. 650, a further supplement to an act to provide for the regulation and inspection of buildings in the city of Philadelphia, and for the better preservation of life and property, passed the 7th day of May, A. D. 1855.

Also (same), as committed, Senate bill No. 282, an act to extend the provisions of an act entitled An act to require the register of wills in and for Luzerne county to record in a book or books the appraisements, inventories and vendue lists of personal property to the county of Monroe.

Also (same), as committed, Senate bill No. 330, an act to change the venue in the case of Jane E. Caldwell vs. the Catawissa railroad company, from the Supreme Court of *nisi prius* in Philadelphia to the court of common pleas of Northumberland county.

Mr. JONES (same), as committed, Senate bill No. 361, an act to authorize the commissioners of Lehigh county to borrow money.

Also (same), as committed, Senate bill No. 418, an act relative to auctions and gift enterprises in the county of Mercer.

Mr. PHELAN (same), as committed, bill No. 655, an act providing for the manner of electing school directors, supervisors and township auditors, in the township of Penn, Westmoreland county.

Also (same), as committed, bill No. 656, an act to authorize the guardians of the minor children of Michael Frock, late of Snyder county, deceased, to make certain improvements on the real estate of said minors.

Also (same), as committed, Senate bill No. 40, an act to change the venue in the case of Jesse Chronister vs. Howard Miller, George Hollinger and Daniel Harbolt from the court of common pleas of Adams county to the court of common pleas of Dauphin county.

Mr. THARP (same), as committed, bill No. 658, an act relating to pawn brokers in Allegheny county.

Also (Education), with a negative recommendation, bill No. 659, an act relating to the sale and purchase of property in the borough of Middleburg, in the county of Snyder, for school purposes.

Also (Judiciary Local), as committed, bill No. 660, an act relating to the appointment of auctioneers in the county of Cumberland.

Also (same), as committed, bill No. 661, an act relating to the indebtedness of the county of Dauphin.

Also (Education), as committed, Senate bill No. 378, an act to authorize the school directors of the borough of Honesdale, in Wayne county, to borrow money, issue bonds, and levy and collect taxes for payment thereof.

Mr. FREEBORN (Municipal Corporations), as committed, bill No. 663, an act to confirm the title of Wm. F. Hughes in and to a certain lot or piece of ground situated on the north side of High street, seventy feet six and one-half inches from the west side of Nineteenth street, in the city of Philadelphia.

Also (same), as committed, bill No. 664, an act appropriating ground for public purposes in the city of Philadelphia.

Mr. WORRALL (same), as committed, bill No. 665, an act to provide for the election of burgess and town council in the borough of Danville, Montour county.

Also (same), as amended, Senate bill No. 562, an act relating to the coroner of the city and county of Philadelphia.

Also (same), as committed, Senate bill No. 246, an act to incorporate the Marine hospital of Pennsylvania, in the county of Erie, to fix location of hospital in Erie city, and to grant real estate to said hospital.

Mr. SHARPLES (same), as committed,

Senate bill No. 419, an act to legalize the levying and collection of a tax not exceeding ten mills on the dollar of valuation for general borough purposes in said borough.

Mr. M'CREARY (same), as committed, bill No. 669, an act amending the charter of the municipal corporation of the city of Lancaster, and dividing the same into two wards.

Also (same), as committed, bill No. 670, an act to incorporate the Danville water company.

Mr. M'CAMANT (same), as committed, bill No. 671, an act relating to the borough of Kennett Square, in the county of Chester.

Also (same), as committed, Senate bill No. 143, an act to divide the Twenty-first ward in the city of Philadelphia into two wards, and to create a new ward, to be called the Twenty-eighth ward.

Mr. ARMSTRONG (same), as committed, bill No. 673, an act changing the number of overseers of the poor in the borough of Butler, and authorizing the overseers of said borough to make sale of certain real estate.

Also (same), as committed, bill No. 674, an act to incorporate the Susquehanna Depot Protective Union, of Susquehanna Depot, Susquehanna county.

Mr. CAMERON (same), as committed, bill No. 675, an act providing for the purchase, erection and construction of public water works for the borough of Easton, Northampton county, by the corporate authorities of said borough.

Also (same), as committed, Senate bill No. 127, an act opening Juniata avenue and vacating Nicetown lane, in the Twenty-fifth ward of the city of Philadelphia.

Mr. HUMPHREY (same), as committed, bill No. 678, an act to authorize the borough of Lock Haven to erect water works.

Also (same), as committed, Senate bill No. 474, an act to extend the provisions of the act incorporating the Erie gas company over South Erie, and a portion of Mill Creek township, and to authorize the said company to introduce water wherever it is authorized to introduce gas and to increase its capital stock, and to borrow money.

Mr. BARTON (same), as committed, bill No. 680, an act in relation to the grading, paving, macadamizing and curbing the streets, and paving the side walks in the borough of M'Keesport, in the county of Allegheny.

Mr. WILSON (same), as committed, bill No. 681, an act to divide the borough of New Brighton into three wards.

Also (same), as committed, Senate bill No. 421, a supplement to an act incorporating the borough of Jamestown.

Mr. FOGEL (same), as amended, bill No. 683, an act to provide for the erection of a bridge in the county of Philadelphia.

Mr. FOGEL (Municipal Corporations), as committed, Senate bill No. 395, an act to vacate parts of Railroad street in the borough of Pottsville.

Also (same), as committed, bill No. 684, an act to vacate part of Township Line road, in the Twenty-first ward of Philadelphia.

Mr. HEADMAN (Municipal Corporations), as committed, bill No. 686, an act to legalize the action of the burgess and town council, in the borough of Montrose, in the county of Susquehanna, and to fix the limits of said borough.

Also (same) as committed, bill No. 687, a further supplement to an act incorporating the town of Lawrenceville into a borough, approved the 18th day of February A. D. 1834.

Also (same), as committed, bill No. 688, an act to legalize certain loans made by the city of Titusville.

Mr. BREEN (Municipal Corporations), as committed, bill No. 689, an act to authorize the burgess and town council of the borough of Oxford, in the county of Chester, to borrow money.

Also (same), as committed, bill No. 690, an act relating to the assessment and collection of taxes in the city of Chester.

Mr. BREEN (Municipal Corporations), as committed, Senate bill No. 395, an act to vacate Fairview street, running west from Twenty-first street to Twenty-second street, south of Spring Garden street one hundred feet, in the city of Philadelphia.

Mr. LONG (Municipal Corporations), as committed, bill No. 692, an act to vest the title of Market Square, in the borough of Mechanicsburg, Cumberland county, in said borough.

Also (same), as committed, bill No. 693, an act to prevent injury to cess pools in the city of Philadelphia.

Mr. KOON (same), as committed bill No. 694, an act to vacate certain streets and alleys in the town of Van Buren, Armstrong county.

Also (same), with amendments, bill No. 695, supplement to the act incorporating the borough of Doylestown, entitled An act authorizing the Governor to incorporate the Bristol steam and towboat and transportation company, and for other purposes.

Mr. WINGARD (Pensions and Gratuities), as committed, Senate bill No. 160, an act granting a pension to William M'Farland.

Mr. MAISH (same), as committed, bill No. 697, an act granting a pension to Lewis Neudoerffer.

Mr. ADAIRE (same), as committed, bill No. 698, an act granting a pension to Samuel Hamilton.

Mr. CALVIN, (same), as committed, bill No. 699, an act granting a pension to Zeno Hoffmaster.

Mr. BARTON (Railroads), as committed, bill No. 700, a supplement to the act incorporating the Chester Creek railroad company.

Mr. SUBERS (same), with a negative recommendation, bill No. 701, an act in relation to a railroad bureau and a free railroad law.

Mr. WELLER (Railroads), as committed, Senate bill No. 233, an act to incorporate the Northern railroad and navigation company.

Mr. JENKS (same), with negative recommendation, bill No. 703, an act relative to the Erie and Pittsburg railroad company.

Mr. WATT (same), as committed, bill No. 704, an act to incorporate the National iron company.

Mr. HOFFMAN (Roads, Bridges and Ferries), with amendments, bill No. 705, an act to regulate the rates of ferriage in the county of Pike.

Also (same) (Roads, Bridges and Ferries), as committed, bill No. 706, an act to repeal an act entitled An act extending the act relating to the selling of the repairing of the public roads in certain townships in Schuylkill county, to Mauch Chunk township in Carbon county, approved 5th March, 1863.

Mr. DeHAVEN (same), as committed, bill No. 707, an act to amend the road laws of Tioga and Potter counties.

Also (same), as committed, bill No. 708, an act to regulate the width of mountain roads in Madison township, Perry county.

Mr. ROBINSON (same), as committed, Senate bill No. 320, an act authorizing the supervisors of Jackson township, in Luzerne county, to collect in money one-third of the tax levied for road purposes in said township.

Mr. ROATH (same), as committed, bill No. 710, a supplement to an act relative to the election of supervisors in the township of Salem, in the county of Westmoreland.

Also (same), as committed, bill No. 711, an act authorizing the road commissioners of Mill Creek township, in the county of Erie, to compel the owners of lands fronting the Ridge road to make side walks, and also to index and straighten the Ridge road in said township.

Mr. DAY (same), as committed, bill No. 712, an act to extend the time for completing the Clearfield and Coneautville turnpike pike road, and authorizing collection of tolls upon the portion now completed.

Mr. MEILY (same), as committed, Senate bill No. 132, an act relating to a certain highway, requiring the removal of a toll house and toll gate therefrom, in Germantown.

Mr. GALLAGHER (same), as committed, bill No. 713, an act to repeal the Lenox road laws in the township of Lenox, in the county of Susquehanna, and for other purposes.

Mr. LEECH (same), as committed, Senate bill No. 822, an act authorizing the supervisors of Blythe township, Schuylkill county, to make and repair the public roads, bridges and culverts in said township.

Mr. M'KEE (same), as committed, bill No. 716, an act to increase the pay of the supervisors of Logan township, Blair county.

Mr. CHASE (same), as committed, bill No. 717, an act relating to the election of supervisors in the township of Middletown, county of Susquehanna, and for other purposes.

Also (same), as committed, bill No. 718, an act to authorize the election of four supervisors in the townships of Dover and Manchester, in the county of York.

Mr. SATTERTHWAIT (same), as committed, bill No. 719, an act to legalize the acts of the road commissioners of Columbus township, Warren county, in levying additional road tax.

Mr. HOOD (same), as committed, bill No. 720, an act authorizing the supervisors of roads in the township of Allegheny, in the county of Armstrong, to levy additional taxes for road purposes.

Mr. HARNER (same), as committed, bill No. 721, an act to incorporate the Rochester and Phillipsburg ferry company.

Also (same), as committed, Senate bill No. 254, an act supplementary to an act entitled An act appointing commissioners to lay out and open a State road in the counties of M'Kean, Elk, Forest and Clarion, approved on the 1st day of May, A. D. 1861, reviving the third section of said act and authorizing the commissioners to borrow money.

Mr. SHARPLES (Education), as committed, bill No. 723, an act to authorize the school directors of the school district of the borough of Renovo, in the county of Clinton, to borrow money for building purposes.

Also (same), as committed, bill No. 724, an act to authorize the school board of Tyrone City, Blair county, to sell certain real estate, and to borrow money to be used for school purposes.

Mr. DAY (same), as committed, bill No. 725, an act to relinquish a part of a certain annuity for the benefit of school purposes in the borough of Susquehanna Depot, Susquehanna county, with powers to sell old school houses and build new ones.

Also (same), as committed, bill No. 726, an act to enable the school directors of the borough of Lehighton, Carbon county, to borrow money for the erection of school buildings.

Also (same), as committed, Senate bill No. 281, a supplement to the act approved April, 11, 1866, establishing the board of controllers of the public schools of the borough of Allentown.

Mr. PILLOW (same), as committed, bill No. 728, an act to authorize the board of school directors of the borough of Albion, in the county of Erie, to borrow money for building purposes.

Also (same), as committed, bill No. 729, an act authorizing the school directors of the

borough of Butler to transfer certain funds.

Mr. QUAY (same), with a negative recommendation, bill No. 730, an act to change the number of school directors of Ohio township, Beaver county.

Mr. KINNEY (same), as committed, bill No. 731, an act to appropriate the excess of money collected for bounty purposes in the township of East Huntingdon, Westmoreland county, and directing the board of school directors for said township to use the same for school and building purposes.

Mr. ARMSTRONG (same), with amendments, bill No. 732, an act to authorize the school directors of Harrison township, Allegheny county, to borrow money.

Mr. GORDON, (same), with a negative recommendation, an act to authorize the school directors of Lower Mahanoy township, Northumberland county, to borrow money for school purposes.

Mr. WHARTON (same), as committed, bill No. 734, an act to authorize and require the school directors of Antrim township, in the county of Franklin, to refund to Joseph Snively and Jacob Shank certain moneys advanced said township for bounty purposes, and appropriate the balance of bounty funds in the hands of their treasurer to school purposes.

Mr. MARKS (same), as committed, Senate bill No. 125, an act to attach certain lands and tenements in Bedford township, Bedford county, and the persons residing thereon, to Bedford borough, for school purposes.

Mr. MARKS (same), as committed, bill No. 736, an act to provide for the appointment of controllers of the public schools of the first school district of Pennsylvania.

Mr. SHARPLES (Municipal Corporations), as committed, bill No. 738, an act to vacate certain part of East State street, in the city of Harrisburg.

Mr. KLINE (Education), as committed, Senate bill No. 557, an act to legalize the assessments of taxes levied by the school directors of the borough of Kingston, Luzerne county, for the payment of money advanced for the purpose of paying bounties to volunteers.

Mr. BOYD (Education), with an amendment, bill No. 744, an act to authorize the school directors of Riceville, Crawford county, to borrow money, and for other purposes.

Also (same), as committed, Senate bill No. 376, a supplement to an act to authorize the school directors of the borough of West Greenville, in Mercer county, to borrow money to erect a public school house in said borough.

Mr. EWING (same), with a negative recommendation, bill No. 746, an act erecting the village of New Germantown, in the county of Perry, into a separate district for school purposes.

Mr. ROBINSON (same), with an amendment, bill No. 747, an act to authorize the school directors of the borough of White Haven to borrow money.

Mr. ALLEN (Corporations), as committed, bill No. 748, an act to incorporate the Ringgold library company of Philadelphia.

Also (same), as committed, bill No. 749, an act to incorporate the Oil City Acid factory.

Mr. ADAIRE (same), as committed, bill No. 750, an act to incorporate the Philadelphia Grain warehousing and drying company.

Also (same), as committed, bill No. 751, an act to incorporate the Oakdale skating park and physical institute of Philadelphia.

Mr. KINNEY (same), as committed, Senate bill No. 262, an act to incorporate the Schuylkill insurance company of Philadelphia.

Mr. DONOHUGH (same), as committed, bill No. 753, an act to incorporate the Pennsylvania society for the prevention of cruelty to animals.

Also (same), as committed, Senate bill No. 306, an act to incorporate the Wyoming Valley manufacturing company.

Mr. ESPY (same), as committed, Senate bill No. 432, an act to incorporate the Erie Co-operative society.

Also (same), as committed, bill No. 756, an act to incorporate the German Saint Franciscus hospital, of Lawrenceville, Allegheny county.

Mr. KERNS (same), as committed, bill No. 757, an act to incorporate the Mutual Steam navigation company.

Mr. RHOADS (same), as committed, bill No. 758, an act to incorporate the Otter Point fish house company.

Mr. PETERS (same), as committed, bill No. 759, an act to incorporate the Felton house company, at Thurlow, in the county of Delaware.

Mr. RQATH (same), as committed, bill No. 761, an act to incorporate the Citizens' insurance company.

Also (same), as committed, bill No. 762, an act to charter the Linwood Mutual association of Delaware county, for insuring against horse stealing and detecting horse thieves.

Mr. GHEGAN (same), as committed, Senate bill No. 563, a supplement to an act to incorporate the Point Breeze park association, approved February 8th, 1855.

Also (same), with amendments, bill No. 764, an act to incorporate the Fifth Street market company.

Mr. CHADWICK (same), as committed, Senate bill No. 304, an act to incorporate the Atlantic Brick manufacturing company.

Also (same), as committed, bill No. 766, an act to incorporate the Eagle cotton manufacturing company.

Mr. WOODWARD (same), as committed, bill No. 767, a further supplement to an act to incorporate the First Reformed congregation of the borough of York and its vicinity, approved March 14, 1849.

Also (same), as committed, Senate bill No. 499, a further supplement to the act entitled An act to incorporate the M'Kean and Elk land and improvement company, approved the 6th day of February, A. D. 1856, authorizing said company to borrow money and mortgage lands.

Mr. LONG (same), as committed, bill No. 769, an act to incorporate the Philadelphia and Bridgeport steamboat company.

Also (same), as committed, bill No. 770, an act to incorporate the Grand Encampment of the Order of soldiers and sailors of the war of 1861, of the State of Pennsylvania.

Mr. QUIGLEY (same) as committed, bill No. 771, an act to incorporate the Oil City brewing company.

Also, (same), as committed, Senate bill 426, an act to incorporate the Fountain Hill Park association.

Mr. JOSEPHS (same), as committed, bill No. 773, an act to incorporate the Pittsburg tunnel company.

Also (same), as committed, bill No. 774, a supplement to an act to incorporate the Orphan's Home of the Shepherd of the Lamb, approved February 17th, 1864, authorizing an increase of the number of its managers.

Mr. RHOADS (same), as committed, bill No. 775, an act to incorporate the Pennsylvania Mutual fire insurance company of Chester county.

Also (same), as committed, Senate bill No. 427, an act to incorporate the Pennsylvania club.

Mr. EWING (Agriculture), as committed, bill No. 777, an act to extend the provisions of an act for the better regulation of the Mercer County, Shenango Valley, Montour and Allegheny County Agricultural societies, relative to the prohibition of shows, erection of tents, booths, &c., to the Pennsylvania Agricultural society.

Mr. WEBB (same), with amendment, bill No. 778, an act in relation to fishing in the stream known as the Antietam, or any of its branches, in the county of Franklin.

Mr. MAISH (same), as committed, Senate bill No. 558, an act to encourage the destruction of noxious animals in Lycoming county.

Mr. M'PHERRIN (same), as committed, bill No. 780, an act to extend the provisions of an act for the protection of sheep in certain counties, approved the 8th day of April, A. D. 1862, to the county of Armstrong.

Mr. STEACY (same), as committed, bill No. 781, an act to prevent cattle, horses, mules, sheep and hogs from running at large in Pulaski and Little Beaver townships, Lawrence county.

Mr. GORDON (same), as committed, bill No. 782, an act to authorize the Tioga County Agricultural society to borrow money.

Mr. PETERS (same), as committed, bill No. 783, an act to prevent cattle, horses, &c., from running at large, &c.

Also, (same), as committed, bill No. 784, an act to protect game and fish in Luzerne county.

Mr. CHADWICK (same), with a negative recommendation, bill No. 785, an act to re-enact an act entitled An act to encourage the destruction of noxious animals in certain counties, approved the 14th day of February, A. D. 1862.

Mr. SHUMAN (same), as committed, bill No. 786, an act to authorize John R. Satterlee to erect an eel weir in the Susqehanna river, in Susquehanna township, Bradford county.

Mr. WRIGHT (same), as committed, bill No. 787, an act to extend to Allegheny township, Blair county, the provisions of an act to prevent swine from running at large in the township of Blair.

Also, (same), as committed, bill No. 788, an act to prevent the fishing with nets, seines and baskets in the waters of Big Fishing creek and its tributaries, in the counties of Columbia and Luzerne.

Mr. BREEN (same), with amendments, bill No. 789, an act authorizing the Governor to appoint an inspector of fertilizers.

Mr. WELLER (Agriculture), as committed, bill No. 790, an act in relation to fishing and hunting in the township of Jefferson in the county of Somerset.

Mr. ROUSH (same), as committed, bill No. 791, an act to prevent cattle from running at large in Abingdon township, Montgomery county.

Also (same), as committed, bill No. 792, an act to repeal the fourth section of an act to incorporate the Pennsylvania State Agricultural society, so far as it extends to the county of Lawrence.

Mr. FOGEL (same), as committed, bill No. 793, an act for the protection and preservation of fish within the county of Berks.

Also (same), as committed, bill No. 794, a supplement to an act for the better preservation of game within the county of Schuylkill, approved the 11th day of April, A. D. 1866.

Mr. COLLINS (same), as committed, bill No. 796, an act for the protection of farmers against the ravages of wild cats in the county of Forest.

Mr. KENNEDY (Vice and Immortally), as committed bill No. 796, an act regulating licenses to eating houses or restaurants in the county of Centre.

Mr. WEBB (same), with a negative recommendation, bill No. 797, an act relating

to billiard rooms, bowling saloons and ten-pin alleys in the county of York.

Mr. MULLIN (same), as committed, bill No. 798, an act to extend the provisions of an act to prohibit the granting of licenses to sell intoxicating drinks within the county of Potter, approved April 11, 1866, to the county of Wyoming.

Mr. SUBERS (Printing), as committed, bill No. 799, an act relating to public printing in the county of Juniata, and State of Pennsylvania.

Mr. WINGARD (same), as committed, bill No. 800, an act requiring the Superintendent of Public Printing to advertise for proposals for supplying the State with printing and bill paper.

Mr. WESTBROOK (Military), with a negative recommendation, bill No. 802, an act to authorize the directors of Carroll township, Washington county, to levy a tax for bounty purposes.

Mr. WORRALL (same), as committed, bill No. 803 an act for the relief of R. Harris, a commissioned captain of company D, in the One Hundred and Seventeenth regiment of Pennsylvania volunteers.

Also (same), as committed, Senate bill No. 459, an act to legalize the assessment, levy and collection of bounty tax, and to provide for the collection of the same for bounty purposes in Springfield township, Bucks county.

Mr. PENNYPACKER (same), as committed, bill No. 805, an act to authorize the recorder of deeds in the several counties of this Commonwealth to record the discharges of all honorably discharged officers and soldiers.

Mr. ROATH (same), as committed, bill No. 806, an act relating to the payment of indebtedness for bounty purposes by the township of Lower Mount Bethel, in the county of Northampton.

Mr. LINTON (same), with a negative recommendation, bill No. 807, an act to authorize the board of military claims to settle the claim of F. B. Nelson, First Lieutenant Battery H, Third Artillery.

Mr. ROUSH (same), as committed, bill No. 808, an act to authorize the board of military claims to adjust the claim of William D. Schoenleber.

Mr. M'HENRY (same), as committed, bill No. 809, an act relating to the payment of bounties to volunteers.

Mr. PILLOW (same), as committed, bill No. 810, an act to legalize the bonds issued by the school directors of Green township, in the county of Clinton, for bounty purposes, and to authorize the assessment and collection of a tax to pay the same.

Mr. COLVILLE (Divorces), with a negative recommendation, an act to annul the marriage contract between John K. Stetler and Lydia J., his wife.

Mr. M'PHERRIN (same), as committed, bill No. 812, an act to annul the marriage contract between John Schenck, of the State of New York, and Margaret Schenck, of Northumberland county.

Mr. M'CAMANT (same) as committed, bill No. 813, an act to annul the marriage contract between William C. Gray, and Lucinda Campbell Gray, late Lucinda Campbell.

Mr. CAMERON (Banks), as committed, Senate bill No. 402, an act to extend the time for receiving subscriptions to the capital stock of the Erie Dime Savings and Loan company, and to amend the act incorporating said company.

Mr. MAISH (Roads, Bridges and Ferries), as committed, bill No. 815, a supplement to an act to incorporate the Coatesville, Montourville and Doe Run plank road company, and relative to the repair of public roads in Birmingham township, Delaware county, and relative to the Darby and Upper Darby plank road company.

Mr. MAISH (same), as committed, Senate bill No. 415, an act to increase the pay of the supervisors and commissioners in the county of Clearfield.

Mr. MANN (Judiciary General), with amendment, bill No. 817, an act for the better protection of ministers of the Gospel in this State in their official duties in solemnizing matrimony.

Mr. DONOHUGH (same), as committed, Senate bill No. 405, an act to annul the marriage contract between Samuel E. Shick and Sarah E., his wife.

Mr. ARMSTRONG (Pensions and Gratuities), as committed, bill No. 819, an act for the relief of Jane Lynn, widow of John Lynn, a deceased soldier of the revolutionary war.

Mr. MARKS (Ways and Means), with a negative recommendation, bill No. 820, an act relating to the claim of George Reel.

Mr. HOOD (special committee on steam engines, &c.), an act to prohibit the Philadelphia and Trenton railroad company from running steam engines south of Lehigh avenue, city of Philadelphia.

REPORTS FROM COMMITTEE ON COMPARE BILLS.

Mr. BOYD, from the Committee appointed to Compare Bills, and present them to the Governor for his approbation, made report, which was read as follows, viz:

That in conjunction with a similar committee from the Senate, they have compared, and on the 20th instant presented to the Governor for his approbation, bills as follow, to wit:

House bill No. 510, a supplement to an act for the incorporation of the Merchants' National telegraph company, approved the 18th day of April, A. D. 1866.

House bill No. 347, an act changing the time of meeting of the auditors of Hillsgrove township, Sullivan county.

House bill No. 294, an act to enable the board of school directors of the borough of Goldsboro, in the county of York, to borrow money for building purposes.

House bill No. 295, a further supplement to an act to incorporate the Birmingham, East Birmingham and South Pittsburg gas company, approved April 15, 1856.

House bill No. 296, a supplement to the act to incorporate the Western transportation company, formerly the Oil Creek transportation company.

House bill No. 298, an act to incorporate the Pennsylvania Central thief detective and live stock insurance company.

House bill No. 519, a supplement to an act to incorporate the Midas petroleum and improvement company of Pittsburg and New York, approved the 22d day of March, A. D. 1865.

House bill No. 198, an act to establish a ferry over the Allegheny river at or near Red Bank furnace.

House bill No. 121, a further supplement to an act increasing the fees of the several county officers of this Commonwealth, except in the city of Philadelphia and the counties of Allegheny, Bradford, Susquehanna and Sullivan, approved March 30, A. D. 1865.

House bill No. 112, an act to authorize the election of an officer to be called constable and collector in the several townships and boroughs in the county of Cameron, and regulate his duties.

Senate bill No. 197, a further supplement to the act to charter the Harrisburg bridge company, enabling the company to raise money to rebuild the bridge.

Senate bill No. 158, an act to extend an act entitled An act authorizing the Secretary of the Commonwealth to distribute copies of the standard of weights and measures and for the appointment of sealers to the county of Montgomery,

Senate bill No. 349, an act to enable the Pennsylvania Cannel coal and railroad company to borrow money and to change the corporate name of said company, and to confirm the title to real estate belonging to said company.

Mr. KURTZ, from the Committee appointed to Compare Bills, and present them to the Governor for approbation, made report, which was read as follows, viz:

That in conjunction with a similar committee from the Senate, they have compared, and on the 20th instant presented to the Governor for his approbation, bills as follow, to wit:

House bill No. 269, an act extending the time for the payment of the enrollment tax of the People's Accident insurance company of Pennsylvania, and changing the corporators.

House bill No. 122, an act to regulate the terms of the several courts in the Sixth Judicial district.

Also, on the 21st instant:

Senate bill 152, an act to authorize the borough of St. Mary's to borrow money, and to extend the width of St. Michael street, in said borough.

Senate bill No. 120, an act to prevent and punish desertion in the counties of Lawrence and Luzerne.

Senate bill No. 118, an act to authorize the appointment of seven additional notaries public for the city of Philadelphia.

Senate bill No. 42, a supplement to an act entitled An act to incorporate the Wilkesbarre and Pittston railroad company, approved April 15, A. D. 1859.

Senate bill No. 62, an act changing the number and manner of electing councilmen in the borough of Bellevernon.

Senate bill No. 68, an act to incorporate the Scranton Savings Bank.

Senate bill No. 84, an act to incorporate the Hand-in-Hand Mutual life insurance company.

Senate bill No. 122, an act to incorporate the Granite insurance company.

Senate bill No. 123, an act to incorporate the Wilkesbarre and Sugar Notch passenger railway company.

Senate bill No. 133, an act to amend the charter of the Cambria iron company, authorizing an increase of capital stock and the issue of bonds and authorizing the manufacture of iron and steel in any shape.

Senate bill No. 138, an act relating to the Dauphin county prison.

Senate bill No. 156, a supplement to an act to incorporate the Corn Exchange association of Philadelphia, authorizing said association to make certain by-laws and regulating the assessment and payment of dues, fines, et cetera.

Senate bill No. 179, an act to incorporate the University of St. Augustine.

Senate bill No. 180, an act to incorporate the Co-operative association of Scranton for mercantile purposes.

Senate bill No. 174, an act relating to New Castle gas and light company.

Senate bill No. 195, an act relative to the Lancaster and Litiz turnpike road company, in Lancaster county.

Senate bill No. 181, an act to incorporate the Providence gas and water company in Luzerne county.

Senate bill No. 201, an act to incorporate the Erie City passenger railway company.

Senate bill No. 242, an act to to authorize the school directors of Minersville borough, in the county of Schuylkill, to borrow money.

Senate bill No. 325, a supplement to an act to incorporate the Trout Run navigation

company, authorizing change of time and place of organization thereof.

Senate bill No. 326, a further supplement to an act for the better preservation of the records contained in the public offices of the several counties of this Commonwealth, approved the 29th day of March, A. D. 1827, so far as relates to the county of Lancaster.

Senate bill No. 353, a supplement to the act of Assembly entitled An act to incorporate the Union Park skating association of Allegheny city, approved the 23d day of March, A. D. 1865.

Senate bill No. 191, a supplement to an act approved the 16th day of April, A. D. 1866, appointing commissioners to lay out and open a State road in M'Kean county, from the borough of Smethport to Lafayette Corners.

Senate bill No. 134, an act to incorporate the Richland Township Mutual insurance company.

Senate bill No. 350, an act to extend the time of payment of enrollment tax on a certain act approved March 10th, 1865, entitled A further supplement to an act to incorporate the Powelton coal and iron company, approved May 1st, 1861, extending the time of charter of said company.

Senate bill No. 198, an act to incorporate the Sullivan and Pocono Summit plank road (or turnpike) company.

Mr. QUIGLEY. Mr. Speaker, I move that the House meet this afternoon at 2 o'clock for the purpose of finishing the order of reports from committees and to read bills in place.

The motion was

Agreed to.

SPEAKER'S TABLE.

The SPEAKER cleared his table of Senate bills numbered and entitled as follows:

Senate bill No. 485, an act increasing the compensation of judges of elections in the Twenty-first, Twenty-second, Twenty-third and Twenty-fifth wards, of the city of Philadelphia.

Referred to the Committee on Election Districts.

Senate bill No. 487, an act to incorporate the Lebanon County Soldiers' and Sailors' Monument association.

Referred to the Committee on Corporations.

Senate bill No. 506, an act relative to hawking, peddling and selling by sample in the county of Schuylkill.

Referred to the Committee on the Judiciary Local.

Senate bill No. 510, an act authorizing and providing powers and means for the conversion of the common grounds of the city of Allegheny into public parks.

Referred to the Committee on Municipal Corporations.

Senate bill No. 511, a supplement to an act to increase the compensation of the county commissioners, auditors, jurors, assessors, witnesses and supervisors of Indiana county, and to authorize the collection of road taxes in Burrell township, in said county, in money, approved April 11, A. D. 1866.

Referred to the Committee on the Judiciary Local.

Senate bill No. 512, an act allowing to the mercantile appraisers of Allegheny county the same fees allowed in other counties of the State.

Referred to the Committee on the Judiciary Local.

Senate bill No. 513, an act relative to the fees of notaries public in the counties of Dauphin and Lebanon.

Referred to the Committee on the Judiciary Local.

Senate bill No. 514, an act to extend the time for payment of enrollment tax on a supplement to the Kartkaus iron, coal and railroad company.

Referred to the Committee on Coal and Iron Companies.

Senate bill No. 517, an act to incorporate the Continental slate company.

Referred to the Committee on Corporations.

Senate bill No. 518, a further supplement to an act to incorporate the North American shaft company, approved the 22d day of March, 1862.

Referred to the Committee on Corporations.

Senate bill No. 519, an act to incorporate the Quaker City barge club of the city of Philadelphia.

Referred to the Committee on Corporations.

Senate bill No. 521, an act to confer upon the Pittsburg forge and iron company all the powers, rights and privileges of the Jones and Nimick manufacturing company, by the act approved the 1st day of April, 1863.

Referred to the Committee on Coal and Iron Companies.

Senate bill No. 566, an act to authorize the clerk of the mayor or aldermen of the city of Pittsburg to administer oaths.

Referred to the Committee on the Judiciary Local.

Senate bill No. 557, an act to increase the compensation of the county commissioners and auditors of the county of Monroe.

Referred to the Committee on the Judiciary Local.

Senate bill No. 577, a further supplement to the borough of Easton, authorizing the town council of said borough to construct and provide public water works, and to authorize the election of water commissioners.

Referred to the Committee on Municipal Corporation.

Senate bill No. 578, an act to authorize the supervisors of Kingston township, in Luzerne county, to collect their own duplicate.

Referred to the Committee on Roads, Bridges and Ferries.

Senate bill No. 579, an act to regulate the salary of the treasurer of Lehigh county.

Referred to the Committee on the Judiciary Local.

Senate bill No. 196, an act regulating roads and bridges in Wayne county.

Referred to the Committee on Roads Bridges and Ferries.

Senate bill No. 583, an act to incorporate the Shakespeare and Lydia Allen Consilidated silver mining company of Nevada.

Referred to the Committee on Mining and Manufacturing Companies.

Senate bill No. 589, an act to incorporate the Tremont gas and water company.

Referred to the Committee on Corporations.

Senate bill No. 584, an act to incorporate the Union iron mills.

Referred to the Committee on Iron and Coal Companies.

Senate bill No. 587, a supplement to an act to incorporate the Boatman's insurance and transportation company, and to increase the powers thereof, approved the 17th day of May, 1866.

Referred to the Committee on Corporations.

Senate bill No. 588, an act to incorporate the Scranton base ball club of Scranton.

Referred to the Committee on Corporations.

Senate bill No. 595, a supplement to an act to incorporate the Reading passenger railway company, approved the 21st day of March, A. D. 1865.

Referred to the Committee on Passenger Railways.

Senate bill No. 600, an act to authorize the school directors of the borough of White Haven, in the county of Luzerne, to borrow money to build school houses.

Referred to the Committee on Education.

Senate bill No. 601, an act to authorize the school directors of Marshall township, Allegheny county, to apply the surplus of bounty tax in their hands to school purposes.

Referred to the Committee on Education.

Senate bill No. 609, supplement to the Nanticoke and Hughesville turnpike road company, approved the 1st day of April, 1836.

Referred to the Committee on Roads, Bridges and Ferries.

Senate bill No. 611, an act providing for changes in the State road in Plymouth township, between the westerly boundary of Plymouth borough and Harvey's creek, in Plymouth township.

Referred to the Committee on Counties and Townships.

Senate bill No. 612, an act supplementary to an act incorporating the Birmingham and Brownsville Macadamized turnpike road company.

Referred to the Committee on Roads, Bridges and Ferries.

Senate bill No. 321, supplement to the charter of the Chestnut Hill and Spring House turnpike company, authorizing said company to re-open old water courses.

Referred to the Committee on Roads, Bridges and Ferries.

Senate bill No. 397, an act appointing commissioners to lay out and open a State road in the counties of Cameron, Elk and Clearfield, from the Sinnemahoning to the West Branch of the Susquehanna.

Referred to the Committee on Roads, Bridges and Ferries.

Senate bill 414, an act to prevent the burning of woods in the counties of Clearfield and Elk.

Referred to the Committee on Agriculture.

Senate bill No. 532, an act to declare Montgomery creek, in the county of Clearfield, a public highway.

Referred to the Committee on Roads, Bridges and Ferries.

Senate bill No. 539, an act repealing the provisions of the act for the protection of sheep and taxing of dogs in the county of Blair, and extended to the county of Monroe, so far as the same relates to the township of Pocono, in the said county of Monroe.

Referred to the Committee on Agriculture.

Senate bill No. 540, an act authorizing the president and managers of the Limerick turnpike company, and the president and managers of the Jarrettstown and Horsham turnpike company to charge certain rates of tolls.

Referred to the Committee on Roads, Bridges and Ferries.

Senate bill No. 593, a further supplement to an act entitled An act incorporating the Lackawanna and Bloomsburg railroad company, approved the 5th day of April, 1852.

Referred to the Committee on Railroads.

Senate bill No. 594, a supplement to an act to incorporate the Philadelphia City Passenger railway company, passed March 26, 1865, authorizing said company to borrow money and issue bonds.

Referred to the Committee on Passenger Railways.

Senate bill No. 603, an act to enable the board of directors of common schools of Benton township, Luzerne county, to apply surplus of bounty fund to common school purposes.

Referred to the Committee on Education.

Senate bill No. 668, a supplement to an act to incorporate the Susquehanna and Delaware railroad company.

Referred to the Committee on Railroads.

Senate bill No. 667, an act to enable the authorities of South Erie to increase taxation and lay side walks.

Laid on the table.

Senate bill No. 681, an act creating a board for the erection of a city hall in the city of Pittsburg.

Laid on the table,

Senate bill No. 658, an act to incorpoaate the Superior iron company.

Laid on the table.

Senate bill No. 683, a further supplement to the act to incorporate the Pennsylvania Fiscal agency, approved November 1st, 1859, empowering said company, now known as the Credit Mobilier of America, to provide for the completion of certain contracts.

Laid on the table.

BILLS CONCURRED IN.

No. 318, an act relative to bounty taxes in Marion township, Butler county.

No. 266, an act to annex the farms of Samuel Powers, John Hunter, James Cunningham, John Coaway and James Rutlidge, of Derry township, to Livermore borough, in Westmoreland county, for school purposes.

Non-concurred in.

No. 314, an act to divide the township of Plymouth into two election districts.

No. 331, an act extending an act relative to roads in Uwchlan township, Chester county, and East Bethlehem and East Pike Run townships, Washington county, to Peters and Fallowfield townships, Washington county.

No. 439, a supplement to an act to incorporate the Penn Gas coal company, approved the 1st day of March, A. D. 1861.

No. 412, an act to incorporate the Pithole gas and water company.

No. 472, a supplement to an act incorporating the Girard Electrical insurance company, approved the 2d day of March, A. D. 1866.

No. 479, an act to prevent the growth of noxious weeds in the county of Chester.

No. 159, a supplement extending the provisions of an act approved the 17th day of April, A. D. 1865, relative to the fees on unseated lands in the county of Centre.

No. 200, an act to incorporate the Boyd Farm and Petroleum Centre bridge company.

The hour of one o'clock having arrived, the SPEAKER adjourned the House until two o'clock this afternoon.

AFTERNOON SESSION.

The House met at 2 o'clock,

SPEAKER'S TABLE.

The SPEAKER cleared his table of Senate bills numbered and entitled as follows, viz:

Senate bill No. 311, a supplement to an act to establish a ferry over the Monongahela and Youghiogheny rivers, and to vest the right in John M'Kee, his heirs and assigns forever, approved the 5th day of February, 1784.

Referred to the Committee on Roads, Bridges and Ferries.

Senate bill No. 522, an act to incorporate the Enterprise mining and exploring company.

Referred to the Committee on Mining and Manufacturing Companies.

Senate bill No. 585, an act to incorporate the Keystone telegraph company.

Referred to the Committee on Corporations.

Senate bill No. 608, a further supplement to an act to incorporate the Birmingham and Pittsburg bridge company.

Referred to the Committee on Roads, Bridges and Ferries.

Senate bill No. 676, an act to authorize the Pennsylvania steel company to purchase and hold stock in other corporations.

Referred to the Committee on Corporations.

Senate bill No. 686, a joint resolution relative to the purchase of a railroad map to accompany the Auditor General's report.

Referred to the Committee on Railroads.

Senate bill No. 719, an act to incorporate Gettysburg Asylum for invalid soldiers, and to raise funds therefor, and for the securing and preserving of the battle grounds of Gettysburg.

Laid on the table.

REPORT FROM A COMMITTEE OF CONFERENCE.

Mr. SATTERTHWAIT, from the committee of conference, to which committee the subject of the differences existing between the two Houses in relation to bill No. 131, Senate file, entitled

An act to authorize the town council of the borough of Middletown, in the county of Dauphin, to borrow money to pay off the present indebtedness of said borough, and to build a bridge over the Pennsylvania canal on Wood street, and to provide for the payment thereof, as also for the future government of said borough by an increased rate of taxation, made report:

That the committee have agreed to recommend that the Senate should recede from its non-concurrence in the amendments made by the House of Representatives to said bill.

G. DAWSON COLEMAN,
HORACE ROYER,
JNO. WALLS,
J. SEILER,
H. B. HOFFMAN,
EDWIN SATTERTHWAIT.

On motion, said report was twice read, considered and adopted, and

Ordered, That the Clerk inform the Senate of the same.

BILLS PASSED.

Mr. M'CREARY. Mr. Speaker, a few weeks ago a bill was passed relating to the borough of South Erie. It was vetoed by the Governor. Since then the objectionable portions of the bill have been stricken out. I ask that the rules be suspended, and that the House proceed to the consideration of the bill.

The motion was

Agreed to.

The bill was read and

Agreed to.

Mr. M'CREARY. I move to amend the title by substituting the following:

A further supplement to an act to incorporate the borough of South Erie.

The motion was

Agreed to.

The rules were suspended,

The bill was read a second and third time, and

Passed finally.

The hour of 3 o'clock having arrived,

The SPEAKER announced that the special order was the consideration of the public calender.

Mr. DAVIS. Mr. Speaker, I move that the special order be postponed until the order of reading bills in place is gone through with.

The motion was

Agreed to.

Mr. ADAIRE. Mr. Speaker, there was a bill, No. 760, reported with a negative recommendation. The committee were under the impression that the courts had jurisdiction in the case. They have since learned that they have not. The bill is an act to incorporate the Carpenters' and Joiners' Protective and Beneficial Union, No. 1. I move that it be recommitted to the Committee on Corporations.

The motion was

Agreed to.

BILLS PASSED.

Mr. DEHAVEN. Mr. Speaker, I ask leave to make a statement. I have a bill in which I am very much interested, and I ask the indulgence of the House to have it read and passed this afternoon.

The bill, entitled A further supplement to an act to incorporate the Pennsylvania fiscal agency, approved November 1, A. D. 1859, empowering said company, now known as the Credit Mobilier of America, to provide for the completion of certain contracts, was read and

Agreed to.

On motion of Mr. DEHAVEN, the rules were suspended, the bill read a second and third time, and

Passed finally.

Mr. ALLEN. Mr. Speaker, I ask leave to make a statement with regard to a bill I presented.

Agreed to.

Mr. ALLEN. It is bill No. 801, reported from Military Committee, having reference to the collection of taxes from soldiers. It is important that it be passed immediately. I ask a suspension of the orders for its consideration.

Agreed to.

The rules were suspended,

The bill was read a second and third time, and

Passed finally.

BILL PASSED.

Mr. CAMERON. Mr. Speaker, on the 15th of this month I presented a bill which was referred to the proper committee. So far as I can learn, it has not been reported to the House. Now, can it be found in the other committees who would be likely to have it? It is a matter of consequence.

I, therefore, ask that the orders be suspended and that the House proceed to the consideration of the following bill.

The motion was

Agreed to.

The bill was read as follows:

House bill No. 855, an act to legalize the action of the burgess and town council of the borough of Montrose, Susquehanna county, and to fix the limits of said borough.

The bill was

Agreed to.

The rules were suspended,

The bill was read a second and third time, and

Passed finally.

BILLS IN PLACE.

Mr. KERNS read in his place and presented to the Chair a supplement to an act to incorporate the Home for destitute colored children, approved the 11th day of April, 1856.

Referred to the Committee on Ways and Means.

Mr. FREEBORN, an act relative to the estate of Eliza Howard Burd.

Referred to the Committee on Ways and Means.

Mr. STEACY, an act regulating the salary of the associate judges of the several courts of common pleas of the Commonwealth of Pennsylvania.

Referred to the Committee on Ways and Means.

Mr. QUAY, an act for the payment of Enos C. Renner, contestant for the seat of Michael Mullin.

Referred to the Committee on Ways and Means.

Mr. WILSON, a joint resolution authoriz-

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[CONTINUED FROM PAGE 456.]

ing the Governor to appoint a commission to inquire into the various systems of prison discipline.

Referred to the Committee on Ways and Means.

Mr. WRIGHT, an act to authorize the payment to Nicholas Simon, a soldier in the war to suppress the rebellion, a gratuity on account of the loss of one of his hands.

Referred to the Committee on Ways and Means.

Mr. ——, a supplement to an act concerning the sale of railroads, canals, turnpikes, bridges and plank roads, approved the 8th day of April, A. D. 1861, and its supplement, approved the 17th day of April, A. D. 1861.

Referred to the Committee on the Judiciary General.

Mr. MANN, an act to authorize the formation of railroad corporations.

Referred to the Committee on the Judiciary General.

Also, a supplement to an act to consolidate, revise and amend the laws of this Commonwealth, relative to penal proceedings and pleadings, approved the 31st day of March, A. D. 1860.

Referred to the Committee on the Judiciary General.

Mr. THARP, an act relating to the publication of local, general and private laws, and of legal advertisements, in the several counties of the Commonwealth of Pennsylvania.

Referred to the Committee on the Judiciary General.

Mr. GHEGAN, a supplement to an act for the better preservation of game, approved April 14th, A. D. 1859.

Referred to the Committee on the Judiciary General.

Mr. ARMSTRONG, an act to enable the prothonotary to collect fees in suits on forfeited recognizances, &c.

Referred to the Committee on the Judiciary General.

Mr. SUBERS, an act to declare Lincoln's birth day a public holiday.

Referred to the Committee on the Judiciary General.

Mr. WORRALL, an act to make valid the will of Jarvis White, a deceased soldier.

Referred to the Committee on the Judiciary General.

Mr. SEILER, an act for the promotion of medical science, and to prevent the traffic in human bodies.

Referred to the Committee on the Judiciary General.

Mr. KINNEY, an act to permit disabled soldiers to peddle without procuring a license therefor.

Referred to the Committee on the Judiciary General.

Mr. WILSON, an act to repeal a supplement to an act relative to landlords and tenants, approved December 14th, 1863, certified as being a law on the 14th of March, 1865.

Referred to the Committee on the Judiciary General.

Mr. WOODWARD, an act relating to the appointment of justices of the peace.

Referred to the Committee on the Judiciary General.

Mr. ALLEN, an act to prevent the fraudulent voting of stock in oil and mining companies of this Commonwealth.

Referred to the Committee on the Judiciary General.

Mr. WATT, a supplement to the act for limitation of actions.

Referred to the Committee on the Judiciary General.

Mr. FREEBORN, an act supplementary to an act to enable joint tenants, tenants in common, and adjoining owners of mineral lands in this Commonwealth to manage and develop the same.

Referred to the Committee on the Judiciary General.

Also, an act relative to mining and manufacturing companies.

Referred to the Committee on the Judiciary General.

Mr. WILSON, a further supplement to an act relating to the liens of mechanics and others upon buildings, approved the 16th day of June, 1866.

Referred to the Committee on the Judiciary General.

Mr. COLVILLE, an act for commutation of sentences.

Referred to the Committee on the Judiciary General.

Mr. MAISH, an act legalizing the action of the York Building association, No. 2, and the York Building association, No. 3, of the borough of York, in the county of York.

Referred to the Committee on the Judiciary Local.

Also, an act to authorize Lebrecht Freazer a justice of the peace, to remove his office into the First ward, in the borough of York.

Also, an act to establish a law library in the county of York, and in relation to fines, penalties and forfeited recognizances in said county.

Referred to the Committee on the Judiciary Local.

Mr. WHANN, a supplement to an act to authorize the construction of a bridge over Oil creek, at or near the Old Furnace dam, on the Hasson farm, in the county of Venango.

Referred to the Committee on the Judiciary Local.

Also, an act increasing the fees of jurors, commissioners, auditors and witnesses in the county of Venango.

Referred to the Committee on the Judiciary Local.

Also, an act for the protection of owners of wharves or landings, in the borough of Venango City, county of Venango.

Referred to the Committee on the Judiciary Local.

Also, a supplement to an act increasing the fees of the several offices in Venango county, approved the 24th day of March, 1865.

Referred to the Committee on the Judiciary Local.

Mr. HUNT, an act changing the day of holding the annual meeting of the auditors of Jones township, Elk county, and regulating the term of office, and fixing the wages of the supervisors and other officers in said township.

Referred to the Committee on the Judiciary Local.

Mr. PILLOW, an act to repeal an act entitled An act to change the venue of certain suits from Butler to Armstrong county.

Referred to the Committee on the Judiciary Local.

Mr. ROATH, an act amendatory of an act to increase the salaries of the inspectors of the Lancaster County prison, passed the 27th day of March, A. D. 1866.

Referred to the Committee on the Judiciary Local.

Mr. EWING, an act relative to the coroner of Washington county.

Referred to the Committee on the Judiciary Local.

Mr. HARBISON, an act to relieve money at interest from taxation for local purposes, in the county of Lawrence.

Referred to the Committee on the Judiciary Local.

Mr. MEYERS, a supplement to an act authorizing the commissioners of Northampton county to purchase a law library, approved the 12th day of March, A. D. 1866.

Referred to the Committee on the Judiciary Local.

Also, an act to authorize the increase of pay of supervisors and other township officers in the township of Bethlehem, Northampton county.

Referred to the Committee on the Judiciary Local.

Mr. BREEN, a supplement to an act for the better securing of the payment of the wages of labor in certain counties of this Commonwealth, approved the 30th March A. D. 1859.

Referred to the Committee on the Judiciary Local.

Mr. MARKS, an act dividing the Twenty-fourth ward of Philadelphia into two assessment districts, and for the appointment of two additional assessors.

Referred to the Committee on the Judiciary Local.

Mr. FOGEL, an act relative to the purchase of a law library in the county of Lehigh.

Referred to the Committee on the Judiciary Local.

Mr. KOON, an act to validate the acts of C. W. Case, late justice of the peace for Jackson township, Luzerne county.

Referred to the Committee on the Judiciary Local.

Mr. MANN, an act to authorize the return

to the commissioners of Potter county, for collection, of certain duplicates of taxes and to fix the time when said duplicates shall hereafter be returned.

Referred to the Committee on the Judiciary Local.

Mr. WOODWARD, an act to repeal an act to authorize the highway commissioners of the township of Mill Creek, in the county of Erie, to establish the width of East lane, and to change its name.

Referred to the Committee on the Judiciary Local.

Mr. ESPY, an act to authorize the commissioners of Crawford county to borrow money.

Referred to the Committee on the Judiciary Local.

Mr. FREEBORN, an act to legitimate Edward A. Smith, Catharine V. Smith, and Thomas B. Smith.

Referred to the Committee on the Judiciary Local.

Also, an act relative to the courts of Philadelphia.

Referred to the Committee on the Judiciary Local.

Mr. WORRALL, a further supplement to an act relating to inspections, approved April 15th, A. D. 1855, and the supplement thereto, approved March 25th, 1856.

Referred to the Committee on the Judiciary Local.

Mr. JENKS, a supplement to a supplement to an act to provide for the erection of a poor house in Clarion county, approved the 21st day of March, 1865, approved the 11th day of April, A. D. 1866.

Referred to the Committee on the Judiciary Local.

Mr. SEILER, an act relative to the moneys collected as fines from persons intoxicated within the county of Dauphin.

Referred to the Committee on the Judiciary Local.

Mr. BROWN, an act to authorize the sale of the poor house and farm in Mifflin county.

Referred to the Committee on the Judiciary Local.

Mr. HOFFMAN, a supplement to an act relating to the lien of mechanics and others upon buildings, extending it to the county of Dauphin.

Referred to the Committee on the Judiciary Local.

Mr. LINTON, an act relating to the sale of lands by the commissioners of Cambria county.

Referred to the Committee on the Judiciary Local.

Also, a supplement to the act, approved April 11, 1866, entitled An act to increase the fees of township officers in the county of Wyoming, extending the same to Cambria county.

Referred to the Committee on the Judiciary Local.

Mr. JONES, an act extending the act, entitled An act relative to the fees of notaries public in the counties of Lancaster and Clinton, approved April 11, 1866, to the county of Berks.

Referred to the Committee on the Judiciary Local.

Mr. QUAY, an act to fix the number of jurors in cases of partition, in the courts of Beaver county.

Referred to the Committee on the Judiciary Local.

Mr. WILSON, an act concerning the levy and assessment of taxes in the city of Pittsburg.

Referred to the Committee on the Judiciary Local.

Mr. M'KEE, an act relating to public prisons in Allegheny county.

Referred to the Committee on the Judiciary Local.

Mr. BARTON, a supplement to the charter of the city of Chester.

Referred to the Committee on Municipal Corporations.

Also, an act conferring certain powers upon the city of Chester, in the county of Delaware.

Referred to the Committee on Municipal Corporations.

Mr. HUMPHREY, an act relating to roads, streets, bridges and side-walks in the borough of Lawrenceville, county of Tioga.

Referred to the Committee on Municipal Corporations.

Mr. WOODWARD, a further supplement to the charter of the city of Erie, to provide for the election of water commissioners, and define their powers and duties.

Referred to the Committee on Municipal Corporations.

Mr. RHOADS, an act to authorize the borough of Boyertown, in the county of Berks, to purchase the Fairmount fire engine house of said borough, and to levy and collect a tax for that purpose.

Referred to the Committee on Municipal Corporations.

Mr. JENKS, an act to incorporate the town of Big Run, in Jefferson county, into a borough.

Referred to the Committee on Municipal Corporations.

Mr. DEHAVEN, an act authorizing the gas committee of councils of the city of Philadelphia to attend all meetings of the Philadelphia gas trust.

Referred to the Committee on Municipal Corporations.

Mr. WALLACE, an act to vacate part of Manayunk avenue, in the Twenty-first ward of Philadelphia.

Referred to the Committee on Municipal Corporations.

Mr. LEE, an act to vacate Hill street, between Orchard street and Paul street, in Frankford, in the Twenty-third ward of the city of Philadelphia.

Referred to the Committee on Municipal Corporations.

Mr. GREGORY, an act limiting the debt of the city of Philadelphia.

Referred to the Committee on Municipal Corporations.

Mr. BRENNAN, a further supplement to an act to incorporate the city of Carbondale.

Referred to the Committee on Municipal Corporations.

Mr. ADAIRE, an act to repeal the third section of an act entitled An act to authorize the widening of Delaware avenue, in the city of Philadelphia.

Referred to the Committee on Municipal Corporations.

Mr. THARP, an act to divide the borough of Sunbury, in the county of Northumberland, into two wards.

Referred to the Committee on Municipal Corporations.

Mr. LINTON, an act requiring the Pennsylvania railroad company to furnish the Ebensburg and Cresson railroad company with a statement of the receipts and expenditures on said Ebensburg and Cresson railroad, and fixing the rates of toll on the same.

Referred to the Committee on Railroads.

Mr. BARTON, an act to incorporate the Darby and Upper Darby railroad company.

Referred to the Committee on Railroads.

Mr. SHARPLES, a further supplement to the act incorporating the East Brandywine and Waynesburg railroad company, approved March 31, A. D. 1854.

Referred to the Committee on Railroads.

Mr. ALLEN, a supplement to the act incorporating the Warren and Pinegrove railroad company.

Referred to the Committee on Railroads.

Mr. KINNEY, a supplement to an act incorporating the Barclay coal company.

Referred to the Committee on Railroads.

Mr. DEHAVEN, a joint resolution requesting our Senators and Representatives in Congress to favor a general exemption of United States revenue tax on producing and manufacturing interests, and impose a tax of one per cent. on all sales, wholesale or retail.

Referred to the Committee on Federal Relations.

Mr. KOON, an act to incorporate the Luzerne iron, coal and transportation company.

Referred to the Committee on Iron and Coal Companies.

Mr. QUAY, a supplement to the act incorporating the Brady coal oil company.

Referred to the Committee on Iron and Coal Companies.

Mr. M'PHERRIN, a supplement to an act to incorporate the Mercer iron and coal company, approved August 1, 1863.

Referred to the Committee on Iron and Coal Companies.

Mr. WALLACE, an act to repeal an act for the settlement of the affairs of the North Carbondale coal company.

Referred to the Committee on Iron and Coal Companies.

Mr. LEE, a supplement to an act to incorporate the North American mining company, approved June 2d, 1865.

Referred to the Committee on Mining and Manufacturing Companies.

Also, a supplement to an act to incorporate the Union mining company, approved March 30th, 1865.

Referred to the Committee on Mining and Manufacturing Companies.

Mr. SUBERS, an act to incorporate the Spanish Bar gold and silver mining company.

Referred to the Committee on Mining and Manufacturing Companies.

Mr. WATT, an act to incorporate the Beaver gold and silver mining company.

Referred to the Committee on Mining and Manufacturing Companies.

Mr. FREEBORN, a supplement to an act to incorporate the Franklin silver mining company, approved April 17th, 1866.

Referred to the Committee on Mining and Manufacturing Companies.

Also, an act to incorporate the Marathon silver mining company of Nevada.

Referred to the Committee on Mining and Manufacturing Companies.

Mr. JENKS, an act in relation to the assessment of road taxes and the election and pay of certain township officers and viewers of roads and highways in the county of Jefferson.

Referred to the Committee on Roads, Bridges and Ferries.

Also, an act to authorize the president and managers of the Licking bridge company, in Clarion county, to sell said bridge to the commissioners of said county.

Referred to the Committee on Roads, Bridges and Ferries.

Mr. WINGARD, a supplement to an act to incorporate the Larry's Creek plank road company.

Referred to the Committee on Roads, Bridges and Ferries.

Also, an act to declare Mill Run, in the county of Lycoming, a public highway.

Referred to the Committee on Roads, Bridges and Ferries.

Mr. STUMBAUGH, an act relative to roads in the county of Franklin.

Referred to the Committee on Roads, Bridges and Ferries.

Mr. QUAY, an act to establish a ferry over the Ohio river, between Baden and Economy, in the county of Beaver.

Referred to the Committee on Roads, Bridges and Ferries.

Mr. M'KEE, a supplement to an act relative to the laying out of a certain State road, from Curwinsville, Clearfield county, through the towns of Indiana and Saltsburg, in Indiana county, and through Westmoreland county to East Liberty, in Allegheny county, and for laying out certain other State roads, and for other purposes, approved April 16th, A. D. 1838.

Referred to the Committee on Roads, Bridges and Ferries.

Mr. PILLOW, an act relating to the pay of supervisors in the county of Butler.

Referred to the Committee on Roads, Bridges and Ferries.

Mr. BROWN, a supplement to an act authorizing and requiring the supervisors of Bratton township, Mifflin county, to erect gates across public roads in said township.

Referred to the Committee on Roads, Bridges and Ferries.

Mr. EWING, an act to establish a ferry over the Monongahela river at the town of Allenport, in Washington county.

Referred to the Committee on Roads, Bridges and Ferries.

Mr. DAY, a supplement to an act relative to roads in Machlin township, Chester county, and East Bethlehem and East Pike Run townships, Washington county.

Referred to the Committee on Roads, Bridges and Ferries.

Mr. KOON, an act to provide for the erection of a bridge across Nescopeck creek, in Nescopeck township, Luzerne county.

Referred to the Committee on Roads, Bridges and Ferries.

Mr. SEILER, an act relative to the pay of the supervisors in Wiconisco township, Dauphin county.

Referred to the Committee on Roads, Bridges and Ferries.

Mr. LONG, an act to incorporate the People's bridge company of Harrisburg.

Referred to the Committee on Roads, Bridges and Ferries.

Mr. KURTZ, an act to declare Marsh creek, in the county of Centre, a public highway.

Referred to the Committee on Roads, Bridges and Ferries.

Mr. ARMSTRONG, an act to incorporate the Bridgeport and Horse Shoe turnpike road company.

Referred to the Committee on Roads, Bridges and Ferries.

Mr. BRENNAN, an act authorizing the location and opening of a State road in Luzerne county.

Referred to the Committee on Roads, Bridges and Ferries.

Mr. MANN, an act to attach certain lands in Potter county to Condersport school district, for school purposes.

Referred to the Committee on Education.

Mr. MEYERS, an act extending the provisions of an act to authorize the school directors of Chester and Delaware counties to select sites for school houses, approved the 8th day of May, A. D. 1854, to the county of Northampton.

Referred to the Committee on Education.

Mr. HARBISON, an act to authorize the school directors of Taylor school district, in Lawrence county, to borrow money.

Referred to the Committee on Education.

Mr. M'PHERRIN, an act to attach the farms of James M'Kean, William Nichols, David Long and John Long, in Otter Creek township, in the county of Mercer, to Salem school district, for school purposes.

Referred to the Committee on Education.

Mr. HUMPHREY, an act relating to a school tax in the borough of Mainesburg, county of Tioga.

Referred to the Committee on Education.

Mr. WOODWARD, an act relating to a school-library in the city of Erie.

Referred to the Committee on Education.

Mr. PILLOW, an act to extend the time for the payment of the enrollment tax on an act to authorize Samuel Graham and Robert Graham, committee of Walter L. Graham, a lunatic, to sell certain real estate.

Referred to the Committee on Estates and Escheats.

Mr. KLINE, an act to authorize Catharine Floto, Mary K. Floto, George H. Floto and Emma G. Floto to sell and convey certain real estate.

Referred to the Committee on Estates and Escheats.

Mr. HOFFMAN, an act to incorporate the Home for the Friendless in the city of Harrisburg, and county of Dauphin.

Referred to the Committee on Corporations.

Mr. CHADWICK, an act to incorporate the M'Keesport gas company.

Referred to the Committee on Corporations.

Mr. STUMBAUGH, an act to incorporate the Chambersburg Hall and Market company.

Referred to the Committee on Corporations.

Mr. JONES, a further supplement to an act entitled An act to incorporate the Charles Evans cemetery company.

Referred to the Committee on Corporations.

Mr. MARKLEY, an act to incorporate the Anderson Marble quarrying company of Montgomery county.

Referred to the Committee on Corporations.

Mr. PENNYPACKER, an act to incorporate the Masonic Hall association of the borough of Phœnixville.

Referred to the Committee on Corporations.

Mr. SUBERS, an act to incorporate the United States Boiler insurance company.

Referred to the Committee on Corporations.

Mr. WINGARD, an act to incorporate the Petroleum tubing company.

Referred to the Committee on Corporations.

Mr. WESTBROOK, a supplement to an act authorizing the Governor to incorporate the Milford coal spring water company, passed the 6th day of April, 1840.

Referred to the Committee on Corporations.

Mr. WALLACE, an act to incorporate the Manayunk fire insurance company.

Referred to the Committee on Corporations.

Mr. BRENNAN, an act to incorporate the Crystal Lake water company.

Referred to the Committee on Corporations.

Mr. DAY, an act to incorporate the Odd Fellows' Mutual Co-operative association of Monongahela City, Washington county.

Referred to the Committee on Corporations.

Mr. MAISH, a supplement to an act to incorporate the Farmers' Mutual fire insurance company, of Paradise township, in the county of York, approved the 28th day of March, A. D. 1854.

Referred to the Committee on Corporations.

Mr. ALLEN, an act to reduce the number of directors of the Allegheny transportation company.

Referred to the Committee on Corporations.

Also, a supplement to the Broken Straw land company, approved the 17th day of April, A. D. 1866.

Referred to the Committee on Corporations.

Mr. QUIGLEY, an act to incorporate the Rev. Hugh M'Laughlin beneficial society of the city of Philadelphia.

Referred to the Committee on Corporations.

Also, an act to incorporate the Sons of Hermann Hall association of Philadelphia.

Referred to the Committee on Corporations.

Mr. MANN, an act to amend an act entitled An act to incorporate the Female Mutual college of Pennsylvania.

Referred to the Committee on Corporations.

Mr. WHANN, an act to incorporate the Chrystal gas and water company.

Referred to the Committee on Corporations.

Mr. COLLINS, an act to incorporate the Shenandoah water company.

Referred to the Committee on Corporations.

Also, an act to incorporate the Shenandoah cemetery association.

Referred to the Committee on Corporations.

Mr. COLVILLE, an act to incorporate the Mutual tranfer company.

Referred to the Committee on Corporations.

Mr. WILSON, an act to incorporate the Building and Saving association of the city of Pittsburg, in the county of Allegheny, and Commonwealth of Pennsylvania.

Referred to the Committee on Corporations.

Mr. WEBB, a supplement to an act approved December 9, 1866, authorizing the erection of a dam, and allowing an increase of tolls by the Susquehanna boom company.

Referred to the Committee on Corporations.

Mr. BARTON, an act to change the place of holding elections in the townships of Aston and Chester, in the county of Delaware.

Referred to the Committee on Election Districts.

Mr. KENNEDY, an act to prevent the destruction of fish in Breeche's pond or lake, in Clearfield township, Wyoming county.

Referred to the Committee on Agriculture.

Mr. BROWN, an act to prevent cattle from running at large on the flat of Jack's mountain, in Minno and Union townships, in the county of Mifflin.

Referred to the Committee on Agriculture.

Mr. JENKS, an act extending the provisions of an act entitled An act repealing existing laws relating to killing of beasts of prey so far as relates to the county of Venango, approved the 12th day of April, A. D. 1866.

Referred to the Committee on Agriculture.

Mr. M'KEE, an act prohibiting the hunting, catching or killing of game in North Fayette township, Allegheny county.

Referred to the Committee on Agriculture.

Mr. JONES, an act extending the provisions of an act entitled An act relating to dogs in Allegheny, Chester, Northampton, Schuylkill and Lancaster counties, approved the 6th day of April, 1854, to the county of Berks.

Referred to the Committee on Agriculture.

Mr. DEISE, an act to prevent the injury or destruction of fruit, ornamental or other trees, and to protect the owners thereof in the county of Clinton.

Referred to the Committee on Agriculture.

Mr. WHARTON, an act for the protection of wild turkeys and squirrels, and for other purposes, in the county of Huntingdon.

Referred to the Committee on Agriculture.

Mr. THARP, an act to repeal an act entitled An act to prevent horses, cattle, sheep and hogs from running at large in Chillesquaque township, Northumberland county, Kelley township, Union county, and certain townships in Luzerne county, so far as the same relates to Chillesquaque township.

Referred to the Committee on Agriculture.

Mr. M'HENRY, an act for preserving fish in the South Pond, in the townships of Union and Ross, county of Luzerne.

Referred to the Committee on Agriculture.

Mr. MEYERS, an act extending the provisions of an act, approved the 7th day of May, A. D. 1864, entitled An act to prevent cattle, horses, sheep or hogs from running at large in Bethlehem township, Northampton county, to Lower Nazareth, East Allen and Saucer townships, in said county.

Referred to the Committee on Agriculture.

Mr. COLLINS, an act to extend the time for the commencement and completion of the People's passenger railway company, and giving additional powers.

Referred to the Committee on Passenger Railways.

Mr. WINGARD, an act to incorporate the Newberry and Montoursville passenger railway company.

Referred to the Committee on Passenger Railways.

Mr. ESPY, an act to annul the marriage contract between William T. Gaugh and Loriuda, his wife.

Referred to the Committee on Divorces.

Mr. JOSEPHS, an act to annul the marriage contract between James Cunningham and Ingebra Cunningham, late Ingebra O'Conner.

Referred to the Committee on Divorces.

Mr. CAMERON, an act to incorporate the Safety Fund association of Susquehanna Depot, Susquehanna county.

Referred to the Committee on Banks.

Mr. KOON, ad act to incorporate the Miners' Savings Bank of Pittston.

Referred to the Committee on Banks.

Mr STUMBAUGH, an act to incorporate the Franklin savings fund and safe deposit company.

Referred to the Committee on Banks

Mr. WINGARD, an act to incorporate the Savings institution of the city of Williamsport, in the county of Lycoming.

Beferred to the Committee on Banks.

Mr. CRAIG, an act to incorporate the Mauch Chunk Savings Bank.

Referred to the Committee on Banks.

Mr. QUAY, an act to take the sense of the people of Beaver county upon the question of a prohibitory liquor law.

Referred to the Committee on Vice and Immorality.

Mr. BARTON, an act relating to license for sale of liquors in the city of Chester.

Referred to the Committee on Vice and Immorality.

Mr. WINGARD, an act regulating licenses for eating houses and prohibiting billiard saloons in the borough of Jersey Shore, in the county of Lycoming.

Referred to the Committee on Vice and Immorality.

Mr. JONES, a supplement to an act entitled An act to prevent the sale of intoxicating liquors on the first day of the week, commonly called Sunday, approved February 26, 1855, relating to the county of Berks.

Referred to the Committee on Vice and Immorality.

Mr. ROATH, an act to prohibit the issuing of licenses within two miles of the First Normal School, Millersville, Lancaster county.

Referred to the Committee on Vice and Immorality.

Mr. M'PHERRIN, an act relative to the illegal sale of intoxicating drinks in the county of Mercer.

Referred to the Committee on Vice and Immorality.

Mr. ADAIRE, an act to annex certain portions of the territory of Clarion county to Forest county.

Referred to the Committee on Counties and Townships.

Mr. BARTON, an act to vacate Johnson's Lane, in Radnor township, Delaware county.

Referred to the Committee on Counties and Townships.

Mr. BOYD, an act for the relief of Zachariah Stover, Jesse Mangeset al., of the township of North Codorus, in the county of York.

Referred to the Committee on Military.

Mr. PILLOW, an authorizing the school directors of the borough of Harmony and the township of Jackson, in the county of Butler, to levy and collect an additional bounty tax.

Referred to the Committee on Military.

Mr. HOFFMAN, an act to legalize the levy and collection of certain bounty tax, to provide for settlements and authorize the school directors to lay an additional bounty tax in Upper Paxton township and the borough of Gratztown, in the county of Dauphin.

Referred to the Committee on Military.

Mr. STUMBAUGH, a further supplement to an act entitled An act to legalize bounties paid volunteers and bonds issued therefor in certain townships in the county of Franklin, approved 4th day of April, 1866, extending the provisions of said act and the supplement thereto to the township of Hamilton, in said county.

Referred to the Committee on Military.

Mr. FREEBORN, a further supplement to an act, approved May 4th, A. D. 1864, entitled An act for the organization, discipline and regulation of the militia of the Commonwealth of Pennsylvania.

Referred to the Committee on Military.

Mr. JONES, an act to repeal the second section of an act entitled An act authorizing the collection of a tax in Jackson township, Dauphin county, and Jefferson township, Berks county, to refund money to pay bounties to volunteers.

Referred to the Committee on Military.

Mr. QUAY, an act to authorize the board of supervisors of Industry township, Beaver county, to levy a bounty tax.

Referred to the Committee on Military.

On motion of Mr. KERNS, the House adjourned until this evening at 7½ o'clock.

EVENING SESSION.

The House met pursuant to adjournment.

The SPEAKER. The Chair will announce that the special order for the consideration of which this House has been convened, is House bill No. 326, entitled An act to ascertain the views of the qualified electors of the city and county of Philadelphia, upon the subject of allowing the passenger railway companies of said city to run their cars on the first day of the week, commonly called Sunday. The bill is on third reading.

The pending motion is that of the gentleman from Northampton [Mr. MEYERS], to go into committee of the whole, for the purpose of specially amending by adding at the end of the bill the following words:

Provided, The several passenger railway companies are prohibited from charging, on Sunday, more than two-thirds of the rates charged by them on other days of the week.

The motion was

Agreed to,

And the amendment was inserted.

In the House,

The Speaker having resumed the chair,

Mr. CHALFANT, chairman of the committee of the whole, reported the bill as amended, in accordance with the instructions of the House.

The question was on the final passage of the bill.

Mr. QUAY. I move that the House now go into committee of the whole for general amendments.

The amendment is to strike out the amendment of the gentleman from Northampton [Mr. MEYERS], and all amendments made since the original introduction of the bill, and leave it simply as first introduced, providing for the vote of the people of Philadelphia on the question.

On the question,

Will the House go into committee of the whole for the purpose of general amendments?

The yeas and nays were required by Mr. QUAY and Mr. M'CAMANT, and were as follow, viz:

YEAS—Messrs. Boyd, Boyle, Brennan, Calvin, Collins, Davis, DeHaven, Deise, Donohugh, Fogel, Freeborn, Ghegan, Gregory, Harner, Headman, Heltzel, Hood, Josephs, Kerns, Kinney, Kline, Koon, Lee, M'Henry, Maish, Mann, Marks, Meily, Meyers, Mullin, Pennypacker, Peters, Phelan, Quay, Quigley, Rhoads, Robinson, Roush, Satterthwait, Shuman, Stumbaugh, Subers, Watt, Wingard and Worrall—45.

NAYS—Messrs. Adaire, Allen, Armstrong, Barton, Brown, Chadwick, Chalfant, Day, Espy, Ewing, Gallagher, Gordon, Harbison, Humphrey, Hunt, Jenks, Kennedy, Kimmell, Kurtz, Leech, Linton, Long, M'Camant, M'Kee, M'Pherrin, Pillow, Steacy, Tharp, Wallace, Weller, Westbrook, Wilson, Woodward, Wright and Glass, *Speaker*—35.

So the question was determined in the affirmative.

In committee of the whole, Mr. COLLINS in the Chair,

Mr. QUAY moved to strike out the sixth section.

The motion was

Agreed to.

Mr. KERNS moved to further amend by striking out the word "fifth" and inserting the word "twelfth," in the fourth line of the first section.

The motion was

Agreed to.

The title was then amended by striking out the words, "and authorizing them to run their cars on all days of the week."

In the House,

The Speaker having resumed the chair,

Mr. COLLINS, chairman of the committee of the whole, reported the bill with amendments.

The report was

Agreed to.

On the question,

Shall the bill pass?

The yeas and nays were required by Mr. GREGORY and Mr. JOSEPHS, and were as follow, viz:

YEAS—Messrs. Adaire, Boyd, Breen, Brennan, Calvin, Chalfant, Collins, Colville, Davis, DeHaven, Deise, Donohugh, Fogel, Freeborn, Ghegan, Gregory, Headman, Heltzel, Hood, Jones, Josephs, Kerns, Kinney, Kline, Koon, Lee, M'Henry, Maish, Mann, Markley, Marks, Meily, Meyers, Mullin, Peters, Quay, Quigley, Rhoads, Robinson, Roush, Satterthwait, Stumbaugh, Subers, Watt, Westbrook and Worrall—46.

NAYS—Messrs. Allen, Armstrong, Boyle, Brown, Chadwick, Day, Espy, Ewing, Gal-

laghcr, Gordon, Harbison, Hamer, Hunt, Jenks, Kennedy, Kimmell, Kurtz, Leech, Linton, Long, M'Camant, M'Kee, Pennypacker, Phelan, Pillow, Seiler, Sharples, Shuman Steacy, Tharp, Wallace, Weller, Wharton, Wilson, Woodward, Wright and Glass *Speaker*—38.

So the question was determined in the affirmative.

And the bill

Passed finally.

During the consideration of the bill, remarks (which will be found in the Appendix to the *Record*) were made by Messrs. JENKS, SATTERTHWAIT, EWING, HOOD, KERNS, QUIGLEY, KENNEDY, GREGORY and DAVIS.

REASONS FOR VOTE.

Mr. SHARPLES offered the following reasons for his vote on the final passage of the bill:

Mr. Speaker, in explanation of my vote and that I should not be considered inconsistent in my position with relation to this bill in its different stages, I desire to say that while I have always had doubts as to the propriety of running cars on this day, with the sale of liquor being tolerated at the same time, the results could not be anticipated, so certainly, for good, while this condition exists.

But, sir, while I do not endorse all the opposition to the bill have said or assumed, I think we should be satisfied that it is a necessity for the welfare and good of society, when we attempt such innovation upon long established law. A large number of my constituents have remonstrated against it, while not one of them has petitioned for it. This, alone, would require me to vote against this bill.

(Signed) N. J. SHARPLES.

Mr. PENNYPACKER presented the following reasons for his vote on the final passage of the bill:

Having received a large number of remonstrances from the citizens of Chester county against the bill, I am compelled, as their representative, to obey their wishes, and vote against the bill.

(Signed) N. A. PENNYPACKER.

Mr. KIMMELL presented the following reasons for his vote on the final passage of the bill:

Mr. Speaker, there appears to be a prevailing opinion among the Philadelphia members in this House, that western members should not oppose this bill, because it is local in its character.

I vote against this bill, not on account of its locality, but because I believe its direct tendency is to grant license to violate the Divine law with impunity, and that each in this House will be held to strict accountability for every vote he casts.

(Signed) A. W. KIMMELL.

SENATE MESSAGE.

The Clerk of the Senate being introduced, presented for concurrence bills numbered and entitled as follows, viz:

Senate bill No. 606, an act to incorporate the Wyoming bridge company

Senate bill No. 720, an act to repeal an act for the repeal of an act changing the venue in certain actions of ejectment from Armstrong to Allegheny county.

Senate bill No. 520, an act to incorporate the Moshannon land and lumber company.

He also informed that the Senate has concurred in the amendment made by the House of Representatives to Senate bills numbered and entitled as follows, viz:

No. 208, an act relative to the courts of oyer and terminer, general jail delivery, and quarter sessions of the peace for the city and county of Philadelphia.

No. 346, an act relating to the Columbia bridge company.

No. 677, an act to enable the authorities of South Erie to increase taxation and lay side walks.

The Clerk of the Senate also returned joint resolution from the House of Representatives numbered and entitled as follows, viz:

No. 601, joint resolution relative to the pay of E. D. Pickett, as clerk to the committee trying the contested election case, contesting the seat of Charles D. Roush from the district composed of the counties of Lycoming, Union and Snyder,

With information that the Senate has passed the same without amendment.

SPEAKER'S TABLE.

The SPEAKER clcared his table of Senate bills numbered and entitled as follows:

Senate bill No. 606, an act to incorporate the Wyoming bridge company.

Referred to the Committee on Roads, Bridges and Ferries.

Senate bill No. 720, an act to repeal an act changing the venue in certain actions of ejectment from Armstrong to Allegheny county.

Referred to the Committee on the Judiciary Local.

Senate bill No. 520, an act to incorporate the Moshannon land and lumber company.

Referred to the Committee on Corporations.

The SPEAKER then announced that the special order, for the consideration of which the House had convened, having been disposed of, the House stood

Adjourned until to-morrow at 10 o'clock.

HOUSE OF REPRESENTATIVES.

FRIDAY, March 1, 1867.

The House met at 10 o'clock, A. M.

Prayer was offered by the Rev. JACOB KENNEDY, member from Wyoming.

The SPEAKER announced a quorum of members present.

The Journal of yesterday was partly read, when,

On motion of Mr. DAVIS, the further reading of the same was dispensed with.

BILL PASSED.

Mr. LEECH. Mr. Speaker, I ask the indulgence of the House this morning, for an old soldier of the war of 1812. I move that the rules be suspended, for the purpose of taking up Senate bill No. 160, an act granting a pension to William W. Forland.

The motion was

Agreed to.

The bill taken up, passed through its several readings, and

Passed finally

BILLS TAKEN FROM THE SPEAKER'S TABLE.

Mr. STUMBAUGH. Mr. Speaker, on account of indisposition I was absent yesterday when the Chair cleared the table. There were then two bills laid on the table, which I desire to have taken from the table and referred to the proper committees. They are bills of incorporation, similar to bills that we have before the committee of which I have the honor to be chairman, and I therefore move that these bills be taken from the table and referred to the appropriate committees.

The motion was

Agreed to,

And the bills were taken from the Speaker's table and referred to the Committee on Iron and Coal Companies.

MOTION TO DISCHARGE A COMMITTEE FROM FURTHER CONSIDERATION OF A BILL.

Mr. QUAY. Mr. Speaker, I move to discharge the Judiciary Local Committee from the further consideration of House bill No. 730.

Mr. MECHLING. Mr. Speaker, I object to that, for the reason that in 1864 the Legislature, pending some action to be taken in Armstrong county——

Mr. MANN. Mr. Speaker, I rise to a point of order, that this motion cannot be made except by a suspension of the order.

The SPEAKER. The Chairman is of the opinion that the motion to discharge the committee is not in order unless the rules are suspended.

Mr. QUAY. Mr. Speaker, I move a suspension of the rules.

Mr. MANN. Mr. Speaker, upon that I call for a division of the question.

Mr. QUAY. Mr. Speaker, I withdraw the motion.

MOTION TO SUSPEND THE RULES TO READ A BILL IN PLACE.

Mr. EWING. Mr. Speaker, I ask leave to make a statement.

Leave was granted.

Mr. EWING. A few days ago a bill was passed in relation to the road laws of Washington county and I omitted to insert a certain township in the bill. I, therefore, ask for a suspension of the rules that I may read a bill in place and have it considered now.

Mr. MANN. Mr. Speaker, I ask if that will not be the order in a few moments if we proceed regularly?

The SPEAKER. It is one of the orders of the day.

Mr. EWING. I withdraw the motion.

SENATE BILL NO. 29.

Mr. LEE. Mr. Speaker, I ask leave to make a short statement.

Leave was granted.

Mr. LEE. There is a bill on the Senate file, bill No. 29, which I would very much like to have disposed of this morning some way or other. There is a gentleman whose interests are very materially affected by this bill. The passage of this bill is absolutely necessary to save him the proceeds of a life of toil. If this bill is not passed, he will, for a while, at any rate, be ruined. I, therefore, ask that the rules be suspended, and that the House take up Senate bill No. 29, a further supplement to an act entitled An act for the better security of the city of Philadelphia from dangers incident to the refining or improper and negligent storage of petroleum, benzine or naptha, approved March, 1865.

Mr. MEYERS. Mr. Speaker, I call for a division of the question.

Mr. LEE. Mr. Speaker, I hope the motion for the suspension of the rules will carry, and that this bill may be put on its passage.

Mr. MANN. Mr. Speaker, I call for the yeas and nays.

Mr. MEYERS. I second the call.

Mr. LEE. Mr. Speaker, I withdraw my motion.

PERSONAL EXPLANATIONS.

Mr. CRAIG. Mr. Speaker, I ask leave to make a personal explanation. Last night, when the vote was taken on the Sunday car bill, it appeared as if I had paired off with two gentlemen, and I desire to set myself right in regard to the matter. In company with Mr. BARTON I told him that I was quite unwell. He said he would pair off with me if I was unable to attend. I told him that I thought I should attend the evening session of the House, and that is all. I remember about it, so I did not think I had paired off with him. Subsequently, when I found I could not well attend I paired off with Mr. MARKLEY. It was simply a misunderstand-

ing between Mr. BARTON and myself, and I did not consider I was paired off with him.

Mr. BOYLE. Mr. Speaker, I rise to a personal explanation. A few days ago, when the bill for the better and more impartial selection of jurors was before the House, I gave my reasons why I should vote for it. I find myself reported in the *Record* as having said "that there are many of its provisions that I desire."

Now, Mr. Speaker, what I said was just on the contrary, that there were none of the provisions of that bill that I desired, and that I was against it altogether. I said I was opposed to the system last winter as well as this, but that I intended to vote for it simply to avert special bills from Democratic counties. I stated that my county was threatened with a bill of this kind, that other Democratic counties were threatened in the same way, and that although I was opposed to the system and decidedly opposed to many of the provisions of this bill, yet I would meet the gentlemen on the other side half way, and vote to establish this system in Democratic counties, if they would vote to establish it in Republican counties. I deem it just to myself that I should make this explanation.

Mr. LINTON. Mr. Speaker, while upon this subject, I also desire to say that I gave my reasons for voting on that bill in the affirmative, and I notice that the remarks in explanation of my vote are not in the *Record* at all. At that time I said I voted in favor of the passage of the bill as the better of two evils; because it appeared to me we had no other alternative, as between these two evils.

Mr. MANN. Mr. Speaker, I desire to ask the gentleman a question.

Did not the Speaker inform you that, if you would write out your reasons, they would be published?

Mr. LINTON. He did.

Mr. MANN. Did you write out your reasons?

Mr. LINTON. I did not.

Mr. MANN. You have no right, then, to complain.

The SPEAKER. The Chair would state in explanation, that the reporters frequently come to the Chair and ask him to preserve order, that they may hear the remarks of the members. The Chair can bear testimony to the faithfulness of the reports, and the great desire of the reporters to report the speakers correctly. The great marvel with the Chair is, that the reports are as correct as they are; for with the confusion that prevails at times, in the House, it is almost impossible to hear the remarks of the members. The Chair would bear witness that the reports, generally, are very correct.

Mr. BOYLE. Mr. Speaker, I deem it proper to say that I intended no reflection upon the reporters. It is a marvel that the reporters get anything correct that we says and I only wonder that they understand what we say at all. I know that it was a mistake, and I desire to cast no reflections, whatever, on the reporters.

Mr. M'CAMANT. Mr. Speaker, I ask leave to make a statement.

Leave was granted.

Mr. M'CAMANT. Mr. Speaker, a few days ago I read a bill in place to incorporate the town of Newry, in Blair county, into a borough. I am satisfied, after an examination of the law in the case, that the courts have full power to incorporate the town into a borough. The bill was referred to the Committee on Municipal Corporations, and I ask leave to withdraw it. The parties at home, who wished its passage, desire to have it returned.

Mr. DAVIS. Mr. Speaker, it seems to me the proper way would be to request the committee to report the bill negatively.

The SPEAKER. It is not in order for the gentleman to withdraw the bill at present.

MOTION TO SUSPEND THE RULES.

Mr. ARMSTRONG. Mr. Speaker, I move that the orders of the day be suspended for the purpose of offering a resolution.

The motion was not agreed to.

RESOLUTION IN REFERENCE TO EX-SPEAKER KELLEY.

Mr. QUAY. Mr. Speaker, I ask leave to offer a resolution. I will send it up to be read by the Clerk, and I think there will be no objection to it on the part of the House.

The SPEAKER. The resolution will be read for the information of the House.

The resolution was read by the Clerk as follows:

Resolved, That the privilege of the floor of this House be extended to the Hon. James R. Kelley, Speaker of the last House, during the present session.

Mr. WINGARD. Mr. Speaker, I would inquire if ex-Speaker Kelley has not the privilege of the floor of this House now, by virtue of his former position in this House?

Mr. QUAY. He has not, sir. He was expelled from the floor last night.

Mr. BOYLE. Mr. Speaker, my understanding was also similar to that of the gentleman from Lycoming [Mr. WINGARD], but there seems to be some doubt about this matter as to who are entitled to the privileges of the floor. I would like it some gentlemen on the floor would tell us, exactly, who are entitled to that privilege, because I see a number of gentlemen on the floor of this House who have no right here if ex-Speaker Kelley has not.

Mr. QUAY. The rule is positive, as stated in rule 43.

The SPEAKER. That part of rule 43, having a bearing on the question, will be read by the Clerk.

It was read as follows:

"RULE 43. None but members of the Senate, their officers, the Governor, Heads of Departments, judges of the courts of this Commonwealth and former members of the Legislature shall be permitted to come within the bar of the House during its session, unless specially introduced by a member; and no person, not a member of the Legislature, shall be allowed to come upon the floor of the House, or sit in any seats appropriated for members; or interrupt a member by speaking to him in his seat while the House is in session; and it shall be the duty of the Sergeant-at-Arms or Doorkeeper to give notice to any person offending against this rule."

Mr. QUAY. Mr. Speaker, the rule simply is, that the persons enumerated in the first part of the rule are admitted inside the bar of the House, but can go no further.

The SPEAKER. There is a distinction between the bar of the House and the floor of the House. The Chair has given instructions to the officers of the House to permit no person, not a member of the House, to pass upon the floor by the main passage way. The Chair is of the opinion that the officers have faithfully and courteously executed that order, and he expresses his obligations to them for so doing.

The resolution was

Agreed to.

LEAVE OF ABSENCE.

Mr. LEE asked and obtained leave of absence for Mr. PETERSON for a few days from to-day.

Mr. MEYERS asked and obtained leave of absence for Mr. BARTON for a few days from last Tuesday.

Mr. BROWN asked and obtained leave of absence for Mr. M'CAMANT for a few days from next Tuesday.

Mr. SHARPLES asked and obtained leave of absence for Mr. WADDELL for a few days from yesterday.

Mr. SUBERS asked and obtained leave of absence for Mr. WALLACE for a few days from to-day.

On motion of Mr. QUAY, leave was granted to the committee to investigate charges in reference to the transportation of freight and passengers on the Pennsylvania railroad to sit during the recess of the House.

Mr. HEADMAN asked and obtained leave of absence for Mr. CALVIN for a few days from to-day.

PETITIONS, MEMORIALS, &c.

Mr. FREEBORN presented to the Chair a petition from the rector, church wardens and vestrymen of St. Stephen's church, Philadelphia, for a return of the collateral inheritance last paid by the executors of Eliza Howard Burd, on the portion of the estate held by them.

Referred to the Committee on Ways and Means.

Mr. M'CAMANT, a petition from citizens of Blair county, praying for a law authorizing the payment of certain claims against the State for goods furnished the militia during the invasion of the State by the rebel army, under General Lee, in the year 1863.

Referred to the Committee on Ways and Means.

Mr. KOON, a petition from citizens of Luzerne county, asking an increase of the rates of interest.

Referred to the Committee on the Judiciary General.

Mr. MANN, a petition from citizens of Potter county, asking for such a change in the laws as will enable widows to inherit and control the property acquired by the joint efforts of the husband and wife in the same manner as the bonds control property on death of wife.

Referred to the Committee on the Judiciary General.

Mr. WEBB, three petitions from citizens of Bradford county, for a higher rate of interest.

Referred to the Committee on the Judiciary General.

Mr. M'KEE, a petition from the commissioners of the Allegheny County prison society, praying for the passage of a law authorizing them to visit the Western penitentiary, the Allegheny County jail and the House of Refuge.

Referred to the Committee on the Judiciary Local.

Also, a petition from inhabitants of North Fayette township, Allegheny county, praying for the repeal of an act, approved March 13th, A. D. 1866, authorizing the election of additional officers, and changing the mode of collecting taxes in said township.

Referred to the Committee on the Judiciary Local.

Also, a remonstrance from the Allegheny county solicitor, Allegheny county commissioners, Allegheny county guardians of the poor, Allegheny City guardians of the poor, and guardians of the poor in the city of Pittsburg, against the passage of any law authorizing the Western Pennsylvania hospital to increase the rates now fixed by law for maintaining public patients in said hospital.

Referred to the Committee on the Judiciary Local.

Mr. M'CAMANT, a petition from citizens of Tyrone township, Blair county, praying for a law authorizing the supervisors of said township to levy a cash tax, &c.

Referred to the Committee on the Judiciary Local.

Also, one from citizens of Logan township, Blair county, praying for the passage of a law increasing the wages of the supervisors of said township.

Referred to the Committee on the Judiciary Local.

Mr. PENNYPACKER, four petitions from citizens of Chester county, asking the passage of an act to prevent the sale of goods and merchandise in said county by hawkers and peddlers.

Referred to the Committee on the Judiciary Local.

Mr. M'PHERRIN, a petition from citizens of the borough of Jamestown, in the county of Mercer, for an act authorizing the Governor to appoint an additional notary public, to reside in said borough.

Referred to the Committee on the Judiciary Local.

Also, a petition from citizens of Jamestown borough, in the county of Mercer, praying for the passage of an act to validate an ordinance of the council of said borough.

Referred to the Committee on the Judiciary Local.

Mr. KLINE, a petition from inhabitants of the county of Lehigh, praying for the passage of an act regulating the salary of the treasurer of said county.

Referred to the Committee on the Judiciary Local.

Also, a petition from the members of the bar of Lehigh county for a law library.

Referred to the Committee on the Judiciary Local.

Mr. MANN, a petition from certain citizens of Harrison township, Potter county, asking for a law to authorize the return of certain duplicates.

Referred to the Committee on the Judiciary Local.

Also, a petition from citizens of Pleasant Valley township, Potter county, for authority to levy an additional tax.

Referred to the Committee on the Judiciary Local.

Also, a remonstrance from citizens of Potter county, against the building of a poor house in said county.

Referred to the Committee on the Judiciary Local.

Mr. CHASE, a petition from citizens of Crawford county, praying for the passage of an act increasing the pay of arbitrators, &c.

Referred to the Committee on the Judiciary Local.

Mr. CHALFANT, a petition from citizens of Valley township, Montour county, praying for a law allowing them to purchase real estate and erect a poor house in said township.

Referred to the Committee on the Judiciary Local.

Mr. FOGEL, two petitions from citizens of Lehigh county, praying for the passage of an act regulating the salary of the treasurer of said county.

Referred to the Committee on the Judiciary Local.

Mr. LINTON, a petition from commissioners of Cambria county, praying for the passage of an act extending the rule of *caveat emptor* to lands sold by said commissioners.

Referred to the Committee on the Judiciary Local.

Mr. MARKLEY, a petition from citizens of the borough of Pottstown, asking for the auction law.

Referred to the Committee on the Judiciary Local.

Mr. ROATH, a petition from the prison inspectors of Lancaster county, praying to be allowed the same mileage attending to their duties, as now allowed the commissioners of Lancaster county.

Referred to the Committee on the Judiciary Local.

Mr. CHADWICK, a petition from inhabitants of the borough of M'Keesport, in the county of Allegheny, praying for the passage of an act to incorporate a gas company.

Referred to the Committee on Corporations.

Also, a petition from inhabitants of Pittsburg, praying for the passage of an act entitled the Shakspeare Lydia Allen Consolidated silver mining company.

Referred to the Committee on Corporations.

Mr. KOON, remonstrance from citizens of Wilkesbarre, against the passage of Senate bill No. 178, to incorporate a Local express in Wilkesbarre.

Referred to the Committee on Corporations.

Mr. M'KEE, a petition from inhabitants of Allegheny county, praying for the passage of an act authorizing the incorporation of the German St. Franciscus Hospital of Lawrenceville, Allegheny county.

Referred to the Committee on Corporations.

Mr. DAY, a petition from Odd Fellows' association of Monongahela city, Pa., for incorporation.

Referred to the Committee on Corporations.

Mr. JENKS, a petition from citizens of Jefferson county, praying for the erection of a borough, to be called Big Run.

Referred to the Committee on Corporations.

Mr. KOON, four petitions from citizens of Scranton, for the repeal of certain provisions in the charter of said city.

Referred to the Committee on Municipal Corporations.

Mr. PENNYPACKER, a petition from citizens of Phœnixville, Chester county, asking that authority be granted to the burgess and town council to appoint police officers and levy and collect a tax to defray the expenses of the same.

Referred to the Committee on Municipal Corporations.

Mr. ADAIRE, a petition from owners and occupants of property on Delaware avenue, in the city of Philadelphia, asking for the repeal of the third section of the act of April the 15th, 1858, entitled An act to authorize the widening of Delaware avenue, in the city of Philadelphia.

Referred to the Committee on Municipal Corporations.

Mr. KOON, a petition from citizens of Sugar Notch and Warren Run, for incorporation into a borough.

Referred to the Committee on Municipal Corporations.

Mr. WALLACE, a petition from David Porley and twenty citizens of Germantown, praying for the passage of an act reducing the width of Lehmann street.

Referred to the Committee on Municipal Corporations.

Also, a remonstrance from property owners on Lehman street, in the Twenty-second ward in the city of Philadelphia, against widening said street.

Referred to the Committee on Municipal Corporations.

Mr. M'KEE, a remonstrance from the school directors of the Fourth ward of the city of Pittsburg, against the passage of an act absolving the control of said schools from the superintendency of the county superintendent.

Referred to the Committee on Education.

Mr. CHADWICK, a petition from citizens of Elizabeth township, in the county of Allegheny, praying for the passage of an act to compensate the school directors of said township for services in county business.

Referred to the Committee on Education.

Mr. WILSON, a remonstrance of the school directors of the Third and Tenth wards of the city of Pittsburg, against the passage of an act absolving the control of said schools from the superintendency of the county superintendent.

Referred to the Committee on Education

Mr. CRAIG, three petitions from school board and citizens of the borough of Lehighton, Carbon county, asking for a law authorizing said school board to borrow money for the erection of school buildings.

Referred to the Committee on Education.

Mr. WINGARD, a petition from citizens of Montoursville borough, praying for authority to borrow money for school purposes.

Referred to the Committee on Education.

Mr. KOON, two remonstrances from citizens of Benton township, Luzerne county, against the appropriation of certain moneys by the school directors of said township.

Referred to the Committee on Education.

Mr. M'PHERRIN, a petition from citizens of Salem and Otter Creek townships, for a law attaching the residences of certain citizes of Otter Creek township to Salem township, for school purposes.

Referred to the Committee on Education.

Mr. MANN, a petition from citizens of Potter, for a law to attach certain lands to Coudersport school district, for school purposes.

Referred to the Committee on Education.

Mr. MARKS, a remonstrance from the school board of the Twenty-seventh ward, Philadelphia, against the act to appoint school controllers by the courts.

Referred to the Committee on Education.

Mr. CAMERON, two petitions from inhabitants of Susquehanna county, praying for an extension of the school term from four to six months.

Referred to the Committee on Education.

Mr. WELLER, petition from citizens of Napier township, Bedford county, praying for the passage of an act to attach certain lands and tenements to Shellsburg borough, for school purposes.

Referred to the Committee on Education.

Mr. WALLACE, a petition from citizens of Philadelphia, praying for the passage of an act prohibiting the Reading railroad company from charging a greater rate of prices for the conveyance of Chestnut and Pea coal, than for other sizes of coal.

Referred to the Committee on Railroads.

Mr. WELLER, a petition from one hundred and fifteen citizens of Fayette county, praying for the passage of a free railroad law.

Referred to the Committee on Railroads.

Mr. SATTERTHWAIT, a remonstrance from owners of property, and residents and and persons doing business on the line of the Philadelphia, Germantown and Norristown railroad, against the passage of any law prohibiting the use of steam power on certain portions of that road.

Referred to the Committee on Railroads.

Mr. DAVIS, one of like import.

Referred to the Committee on Railroads.

Mr. FREEBORN, one of like import.

Referred to the Committee on Railroads.

Mr. WALLACE, three of like import.

Referred to the Committee on Railroads.

Mr. WATT, one of like import.

Referred to the Committee on Railroads.

Mr. MARKS, one of like import.

Referred to the Committee on Railroads.

Mr. MULLIN, one of like import.

Referred to the Committee on Railroads.

Mr. M'KEE, a remonstrance from the inhabitants of M'Keesport and vicinity, in Al-

legheny county, against the passage of a law granting Geo. W. Huey a charter for a ferry over the Monongahela river at said M'Keesport.

Referred to the Committee on Roads, Bridges and Ferries.

Also, a remonstrance from inhabitants of Allegheny county, against the passage of a law authorizing the managers of the Temperanceville and Noblestown plank road company to macadamize said road.

Referred to the Committee on Roads, Bridges and Ferries.

Mr. QUAY, a petition from citizens of Beaver county, for the passage of an act to establish a ferry over the Ohio river, between Baden and Economy, Blair county.

Referred to the Committee on Roads, Bridges and Ferries.

Mr. CHADWICK, a petition from inhabitants of the borough of M'Keesport, in the county of Allegheny, praying for the passage of an act for the protection of the ferry at that borough.

Referred to the Committee on Roads, Bridges and Ferries.

Mr. WHARTON, a petition from inhabitants of Porter and adjoining townships, for a law requiring the better improvement of their roads.

Referred to the Committee on Roads, Bridges and Ferries.

Mr. STEACY, a petition from forty-two citizens of Lancaster county, Pennsylvania, relative to the Susquehanna canal company.

Referred to the Committee on Roads, Bridges and Ferries.

Mr. KOON, a petition from citizens of Luzerne county, in favor of an act to incorporate the Newton and Hyde Park turnpike road company.

Referred to the Committee on Roads, Bridges and Ferries.

Also, a petition from citizens of Luzerne county, for an act to incorporate the Newton and Hyde Harke turnpike road company.

Referred to the Committee on Roads, Bridges and Ferries.

Also, a petition from citizens of Luzerne county, asking the repeal of the charter of the Wilkesbarre and Providence plank road.

Referred to the Committee on Roads, Bridges and Ferries.

Mr. CHALFANT, a petition from two hundred and ninety-five inhabitants of Columbia and Schuylkill counties, praying for the repeal of an act, approved April 4th, 1866, and April 11th, 1866, to lay out a State road in Columbia and Schuylkill counties.

Referred to the Committee on Roads, Bridges and Ferries.

Mr. MARKLEY, a petition from directors of the Green Lane turnpike company, praying for a change in time of holding their annual election.

Referred to the Committee on Roads, Bridges and Ferries.

Mr. SATTERTHWAIT, a petition from citizens of Montgomery and Berks counties, asking for an act to appoint commissioners to lay out Broad street from its present terminus in the city of Philadelphia, through Montgomery and Bucks counties to the river Delaware.

Referred to the Committee on Roads, Bridges and Ferris.

Mr. SUBERS, a petition from citizens of Philadelphia, asking that there be no bridge erected over the river Schuylkill, below Chestnut street, without a draw.

Referred to the Committee on Roads, Bridges and Ferries.

Mr. WALLACE, one of like import.

Referred to the Committee on Roads, Bridges and Firries.

Mr. CAMERON, three petitions from citizens of Susquehanna county, praying for a law to require the road masters to open roads where blocked with snow.

Referred to the Committee on Roads, Bridges and Ferries.

Also, a petition from citizens of Lenox, Susquehanna county, praying for the repeal of the Lenox road laws.

Referred to the Committee on Roads, Bridges and Ferries.

Mr. EWING, a petition from John W. Berryman, praying for the establishment of a ferry across the Monongahela river.

Referred to the Committee on Roads, Bridges and Ferries.

Mr. DAY, a petition from one hundred and forty-two citizens of West Bethlehem township, Washington county, praying for the passage of a road law.

Referred to the Committee on Roads, Bridges and Ferries.

Also, a petition from one hundred and fifteen citizens of West Pike Run township, Washington county, praying for the passage of a road law.

Referred to the Committee on Roads, Bridges, and Ferries.

Also, a remonstance from one hundred and fifty-seven citizens of West Bethlehem township, Washington county, against any change in the manner of keeping in repair the roads of said township.

Referred to the Committee on Roads, Bridges and Ferries.

Also, a remonstrance from citizens of Washington county, against a chartar for a ferry at the borough of Greenfield, Washington county, and for the benefit of L. Marchand.

Referred to the Committee on Roads; Bridges and Ferries.

Mr. GALLAGHER, a petition from citizens of Sewickley township, Westmoreland county, praying for an alteration in the road laws in said township.

Referred to the Committee on Roads, Bridges and Ferries.

Also, a remonstrance from the inhabitants of Allegheny township, Westmoreland county, against any change in the road laws of said township.

Referred to the Committee on Roads Bridges and Ferries.

Mr. RHOADS, a petition from citizens of Maxatawney and Greenwich townships, Berks county, praying for the passage of an act to prevent cattle from running at large.

Referred to the Committee on Agriculture.

Mr. GALLAGHER, a petition from citizens of Westmoreland county, praying for a law taxing dogs and for the protection of sheep.

Referred to the Committee on Agriculture.

Mr. WELLER, a petition from forty-six citizens of the township of Jefferson, in the county of Somerset, for the better preservation of fish and game in said township.

Referred to the Committee on Agriculture.

Mr. WINGARD, a petition from citizens of Brady towship, Lycoming county, praying for repeal of tax on dogs.

Referred to the Committee on Agriculture.

Mr. MANN, a petition from citizens of Pleasant Valley township. Potter county, for repeal of the act of 21st of March, 1865, taxing dogs.

Referred to the Committee on Agriculture.

Mr. KINNEY, remonstrance from citizens of Sheshequin, Bradford county, against taxing dogs and for the protection of sheep.

Referred to the Committee on Agriculture.

Mr. BOYD, a petition from citizens of York and Lancaster counties, praying for the modification of laws relating to fishing in the Susquehanna river.

Referred to the Committee on Agriculture.

Mr. WHARTON, a petition from citizens of Huntingdon county, relative to the killing of wild turkies in said county, between the 1st day of January and the 1st of October.

Rererred to the Committee on Agriculture.

Mr. M'KEE, a petition from inhabitants of North Fayette township, Allegheny county, praying for the passage of a law to prevent the hunting of wild game in said township.

Referred to the Committee on Agriculture.

Mr. WHARTON, a petition from citizens of Huntingdon county, for the better protection of game in said county.

Referred to the Committee on Agriculture.

Mr. WINGARD, a petition from four hundred citizens of Lycoming county, praying for a bounty on foxes, skunks, &c.

Referred to the Committee on Agriculture.

Mr. M'PHERRIN, a copy of minutes of Mercer iron and coal company, held June 6th and July 11th, 1866.

Referred to the Committee on Iron and Coal Companies.

Mr. PILLOW, a petition from seventy citizens of Jackson township and Harmony borough, in the county of Butler, asking authority to levy an additional bounty tax.

Referred to the Committee on Military.

Mr. DAY, remonstrance from citizens of Carroll township, Washington county, against the passage of any act for bounty purposes in said township.

Referred to the Committee on Military.

Mr. QUAY, a petition from citizens of Industry township, Beaver county, for an act to levy a bounty tax.

Referred to the Committee on Military.

Mr. BOYD, a remonstrance from citizens of Lower Windsor township, in the county of York, against the passage of an act to legalize the proceedings of school board of said township, in levying bounty tax.

Referred to the Committee on Military.

Mr. RHOADS, a remonstrance from citizens of Jefferson township, Berks county, against the repeal of a law in relation to bounties in said township, passed April 3, 1866.

Referred to the Committee on Military.

Mr. HARNER, a remonstrance from inhabitants of North Heidelburg township, Bucks county, against the passage of any law to authorize the raising of a tax to pay for substitutes in said township.

Referred to the Committee on Military.

Mr. STUMBAUGH, a petition from citizens of Hamilton township, Franklin county, praying for the extension of the bounty law of certain townships of said county, approved April 4th, 1866, to said township of Hamilton.

Referred to the Committee on Military.

Mr. BOYD, a petition from citizens of North Codorus township, in the county of York, praying for the passage of an act for the relief of Zacharian Stover and others.

Referred to the Committee on Military.

Mr. HUNT, a petition from inhabitants of Forest, formerly Venango county, praying for the repeal of an act to increase the boundaries of Forest county, and the supplement thereto, approved October 31, 1866.

Referred to the Committee on Counties and Townships.

Mr. CHALFANT, a petition from citizens of Conyngham township, Columbia county, praying that the act of Assembly, approved March 21st, 1861, and the act of April 11th, 1861, be repealed, so far as they relate to the township of Conyngham, Columbia county.

Daily Legislative Record.

FOR THE SESSION OF 1867.

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TERMS OF THE DAILY RECORD.

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[CONTINUED FROM PAGE 464.]

Referred to the Committee on Counties and Townships.

Mr. HUNT, a petition from citizens of Forest county, praying for an extension of the law, giving bounties on wild cats, in Dauphin, Clarion and Lycoming counties, approved April 11th, 1866, to the county of Forest.

Referred to the Committee on Counties and Townships.

Mr. HARBISON, a remonstrance from one hundred and nine citizens of Plain Grove township, Lawrence county, against changing the law of said county.

Referred to the Committee on Counties and Townships.

Mr. WELLER, a remonstrance from the school directors and other citizens of Bedford township, Bedford county, against an act read in place in Senate, January 24th, 1867, entitled An act to attach certain lands and tenements in Bedford township, and the persons residing thereon, to Bedford borough, for school purposes.

Referred to the Committee on Counties and Townships.

Mr. BOYD, a petition from town council of the borough of Wrightsville, in the county of York, praying for the passage of an act to alter the boundary lines of said borough.

Referred to the Committee on Counties and Townships.

Mr. MANN, a petition from citizens of Potter county, for a law to authorize the supervisors of Potter county to levy at least one day's labor.

Referred to the Committee on Counties and Townships.

Mr. WEBB, a petition from citizens of the First and Second wards of the city of Scranton, praying for the repeal of the act of April 26, 1866, attaching the borough of Providence to said city.

Referred to the Committee on Counties and Townships.

Mr. M'KEE, a petition from inhabitants of Lower Saint Clair township, Allegheny county, praying that a portion of said township be annexed to the borough of Birmingham, in said county.

Referred to the Committee on Counties and Townships.

Mr. JENKS, two petitions from citizens of Washington and Farmington townships, Clarion county, against annexing a part of said county to the county of Forest.

Referred to the Committee on Counties and Townships.

Mr. WELLER, a petition from members of the Evangelical Lutheran congregation of Berlin, in the county of Somerset, to sell certain real estate belonging to said congregation.

Referred to the Committee on Estates and Escheats.

Mr. KLINE, a petition from Catharine Floto, Mary K. Floto, George H. Floto and Emma G. Floto, praying for the passage of an act to sell and convey certain real estate.

Referred to the Committee on Estates and Escheats.

Mr. M'CAMANT, a petition from the school board of Tyrone City, Blair county, praying for the passage of a law authorizing them to sell certain real estate, and to borrow money.

Referred to the Committee on Estates and Escheats.

Mr. BOYD, five petitions from citizens of Hanover borough, in the county of York, asking for the passage of a law prohibiting sale of intoxicating drinks in said borough.

Referred to the Committee on Vice and Immorality.

Mr. MARKS, two petitions from citizens of Philadelphia, in favor of the passage of an act restraining the sale of spirituous liquors in said city.

Referred to the Committee on Vice and Immorality.

Mr. GALLAGHER, thirty petitions from citizens of Westmoreland county, praying for the repeal of an act relative to the granting of licenses in said county, approved 27th March, 1866.

Referred to the Committee on Vice and Immorality.

Mr. STEHMAN, a petition from three hundred and sixty citizens of Millersville and vicinity, praying for an act to prohibit the issuing of licenses within two miles of the First normal school, Millersville, Lancaster county.

Referred to the Committee on Vice and Immorality.

Mr. ROATH, three petitions from the faculty, trustees and three hundred students of First Normal school, of like import.

Referred to the Committee on Vice and Immorality.

Mr. HARNER, a memorial from one hundred and ten inhabitants of Berks county, remonstrating against the passage of any law to allow cars to run on Sunday, and petitioning in favor of a change in the license laws.

Referred to the Committee on Vice and Immorality.

Mr. STUMBAUGH, a petition from citizens of Peters township, in the county of Franklin, praying for more stringent license laws.

Referred to the Committee on Vice and Immorality.

Mr. GALLAGHER, two remonstrances from citizens of Westmoreland county, against repeal of an act prohibiting the liceosing of any persons, except hotel keepers, to sell liquors in the counties of Westmoreland, Blair and Indiana.

Referred to the Committee on Vice and Immorality.

Also, a petition from ladies of Blairsville and Burrell township, Indiana county, and Darby township, Westmoreland county, praying that the act approved the 27th day of March, 1866, an act to prohibit the issuing of licenses within certain boroughs in the counties of Armstrong, Potter, Indiana and Perry, be so extended as to apply to the borough of Blairsville and Burrell township, Indiana county, and Derry township, Westmoreland county.

Referred to the Committee on Vice and Immorality.

Also, seven petitions from citizens of said townships, of like import.

Referred to the Committee on Vice and Immorality.

Mr. CHALFANT, a petition from forty-five inhabitants of White Hall, Montour county, remonstrating against the repeal of all laws enacted for the protection of labor from oppression, by securing one day's rest in seven; also, for a revision of the license laws of the State.

Referred to the Committee on Vice and Immorality.

Also, a petition from two hundred and fifty-two inhabitants of Columbia county, of like import.

Referred to the Committee on Vice and Immorality.

Also, a petition from sixty-four inhabitants of Columbia county, of like import.

Referred to the Committee on Vice and Immorality.

Also, a petition from seventy-seven inhabitants of Bear Creek township, Columbia county, of like import.

Referred to the Committee on Vice and Immortality.

Mr. FREEBORN, a petition from citizens of the city of Philadelphia, in favor of the repeal of the present license laws in said city.

Referred to the Committee on Vice and Immorality.

Mr. GORDON, a petition from over five hundred citizens of Indiana county—all legal voters—for repeal of the special license law, passed March 27, 1866.

Referred to the Committee on Vice and Immorality.

Mr. M'PHERRIN, a petition from citizens of the county of Mercer, praying for the passage of an act for the better regulation of the sale of intoxicating liquors in said county.

Referred to the Committee on Vice and Immorality.

Mr. MECHLING, a remonstrance from fifty-two voters and taxpayers of Leechburg, Armstrong county, against the repeal of the Leechburg liquor law.

Referred to the Committee on Vice and Immorality.

Mr. WINGARD, a petition from citizens of Jersey Shore, Lycoming county, praying for a prohibitory law against billiard and eating saloons.

Referred to the Committee on Vice and Immorality.

Mr. PHELAN, a petition from citizens of Greene county, for an act relating to the granting of tavern licenses in said county.

Referred to the Committee on Vice and Immorality.

Mr. KIMMELL, two petitions from one hundred and twenty-three citizens of East Mahanoy township, Indiana county, praying for the passage of an act prohibiting the issuing of licenses for the sale of spirituous, vinous and malt liquors as a beverage in said township.

Referred to the Committee on Vice and Immorality.

Also, three petitions from eighty-five males and eighty-five females, of Burrell township, in the county of Indiana, praying that the provisions of an act, approved the 27th day of March, 1866, entitled An act to prohibit the issuing of licenses in certain boroughs in the counties of Armstrong, Potter, Indiana and Perry, be extended to said township and the borough of Blairsville, in said county, and Derry township in the county of Westmoreland.

Referred to the Committee on Vice and Immorality.

Also, a petition from one hundred and sixty-eight ladies of Blairsville, Indiana county, of like import.

Referred to the Committee on Vice and Immorality.

Also, a petition from ninety-seven voters of Blairsville, Indiana county, of like import.

Referred to the Committee on Vice and Immorality.

Also, a petition from sixty-four citizens of Grant township, in the county of Indiana, praying for the passage of an act to authorize the qualified voters to indicate, by ballot at the next general election, whether they desire the sale of ardent spirits by license continued or not in said county.

Referred to the Committee on Vice and Immorality.

Also, a petition from forty citizens of White township, Indiana county, of like import.

Referred to the Committee on Vice and Immorality.

Mr. CAMERON, two remonstrances from inhabitants of New Milford, Susquehanna county, against the running of cars on Sunday in the city of Philadelphia.

Laid on the table.

Mr. M'PHERRIN, a remonstrance from twenty-two citizens of Philadelphia, of like import.

Laid on the table.

Mr. CRAIG, remonstrance from forty citizens of Carbon county, of like import.

Laid on the table.

Mr. DAY, remonstrance from citizens of Philadelphia, of like import.

Laid on the table.

Mr. M'PHERRIN, a remonstrance from fifty-three citizens of Philadelphia, of like import.

Laid on the table.

Mr. FOGEL, two remonstrances from citizens of Lehigh county, of like import.

Laid on the table.

Mr. ROUSH, a remonstrance from inhabitants of the borough of Susquehanna, Snyder county, of like import.

Laid on the table.

Mr. GALLAGHER, a remonstrance from pastor and and members of Congruity church, Westmoreland county, of like import.

Laid on the table.

Also, one from Harmony church, Westmoreland county, of like import.

Laid on the table.

Also, one from pastor, members and others, Fairfield Union church, Westmorland county, of like import.

Laid on the table.

Mr. LEECH, a remonstrance from one hundred and seventy-five inhabitants of Mercer county, of like import.

Laid on the table.

Mr. M'KEE, a remonstrance from inhabitants of Allegheny county, of like import.

Laid on the table.

Mr. PENNYPACKER, a remonstrance from citizens of Chester county, of like import.

Laid on the table.

Mr. HARBISON, a remonstrance from Rev. Robert Dickson and fifty-one other citizens of Lawrence county, of like import.

Laid on the table.

Also, one from fifty-seven citizens of Philadelphia, of like import.

Laid on the table.

Mr. M'PHERRIN, a remonstrance from citizens of Philadelphia, of like import.

Laid on the table.

Mr. HARBISON, one of like import.

Laid on the table.

Also, a remonstrance from ninety-five citizens of Slippery Rock and Newport, Lawrence county, of like import.

Laid on the table.

Mr. WALLACE, a remonstrance from citizens of Philadelphia, of like import.

Laid on the table.

Mr. HARBISON, a remonstrance from forty-two citizens of New Castle, of like import.

Laid on the table.

Mr. KIMMELL, a remonstrance from one hundred and seventy-five citizens of Indiana, Indiana county, of like import.

Laid on the table.

Mr. KINNEY, a remonstrance from citizens of Rome, Bradford county, of like import.

Laid on the table.

Mr. QUAY, a remonstrance from citizens of New Brighton, Beaver county, of like import.

Laid on the table.

Mr. STEACY, a remonstrance from fifty-four citizens of New Holland and vicinity, Lancaster county, of like import.

Laid on the table.

Also, one from sixty-one citizens of Chestnut Level, Lancaster county, of like import.

Laid on the table.

Also, one from one hundred and fifteen citizens of Mt. Nebo, Lancaster county, of like import.

Laid on the table.

Mr. EWING, a remonstrance from citizens of Washington county, of like import.

Laid on the table.

Also, one from citizens of Philadelphia, of like import.

Laid on the table.

Mr. MARKS, one of like import.

Laid on the table.

Mr. WALLACE, five of like import.

Laid on the table.

Mr. QUAY, a remonstrance from citizens of Beaver county, of like import.

Laid on the table.

Mr. DEISE, a remonstrance from one hundred and fifty-three persons of Clinton county, of like import.

Laid on the table.

Mr. SATTERTHWAIT, a remonstrance from citizens of Montgomery county, of like import.

Laid on the table.

Mr. FREEBORN, a remonstrance from citizens of Philadelphia, of like import.

Laid on the table.

Mr. ADAIRE, a remonstrance of like import.

Laid on the table.

Mr. MARKLEY, two of like import.

Laid on the table.

Mr. WATT, one of like import.

Laid on the table.

Mr. PILLOW, two remonstrances from citizens of Butler county, of like import.

Laid on the table.

Mr. WATT, a remonstrance from citizens of Philadelphia, of like import.

Laid on the table.

Mr. WHARTON, a remonstrance from citizens of Mapleton, Huntingdon county, of like import.

Laid on the table.

Also, one from citizens of the borough of South Easton, Northampton county, of like import.

Laid on the table.

Also, one from citizens of the borough of Huntingdon, Huntingdon county, of like import.

Laid on the table.

Mr. KURTZ, a remonstrance from citizens of Ferguson township, Centre county, of like import.

Laid on the table.

Also, a remonstrance from citizens of Walker township, Centre county, of like import.

Laid on the table.

Also, a remonstrance from citizens of Centre county, of like import.

Laid on the table.

Mr. CHADWICK, a remonstrance from Hopewell church, Allegheny county, of like import.

Laid on the table.

Mr. BOYD, five remonstrances from citizens of York county, of like import.

Laid on the table.

Mr. PETERS, a remonstrance from citizens of Allegheny county, of like import.

Laid on the table.

Mr. WRIGHT, a remonstrance from citizens of Snyder county, of like import.

Laid on the table.

Mr. WINGARD, a remonstrance from Christians of Lycoming county, of like import.

Laid on the table.

Mr. STUMBAUGH, a remonstrance from certain citizens of Franklin county, of like import.

Laid on the table.

Mr. WINGARD, a remonstrance from one thousand Christians and others, of like import.

Laid on the table.

Mr. WESTBROOK, a remonstrance from citizens of Hawley, Wayne county, of like import.

Laid on the table.

Mr. WINGARD, a remonstrance from one thousand persons of various Christian denominations, of like import.

Laid on the table.

Mr. WELLER, a remonstrance from one hundred and eighty-four inhabitants of Petersburg, Somerset county, of like import.

Laid on the table.

Also, one from citizens of Woodbury township, Bedford county, of like import.

Laid on the table.

Mr. WILSON, a remonstrance from inhabitants of Allegheny county, of like import.

Laid on the table.

Mr. DAY, a remonstrance from citizens of Philadelphia, of like import.

Laid on the table.

Mr. RHOADS, two remonstrances from citizens of Hereford township, Berks county, against the passage of a law to prevent cattle from running at large in said township.

Laid on the table.

Mr. WRIGHT, a petition from one hundred and three citizens of the county of Snyder, praying for the passage of an act relating to the free passage of fish in Middle creek, in said county.

Laid on the table.

Mr. GHEGAN, a remonstrance from owners of property and residents and persons doing business on the line of the Philadelphia,

Germantown and Norristown railroad, against the passage of any law prohibiting the use of steam power on certain portions of that road.

Laid on the table.

Mr. STUMBAUGH, a petition from Henry Stevens and Jacob Harmon, for a change of venue from the court of quarter sessions of Adams county to the court of quarter sessions of Dauphin county.

Laid on the table.

Also, a remonstrance from citizens of Bridgewater, Beaver county, against the passage of an act changing the boundaries of said borough.

Laid on the table.

Mr. SUBERS, a petition from inhabitants of Philadelphia, praying for the passage of an act allowing colored persons to ride in the passenger railway cars.

Laid on the table.

Mr. GHEGAN, two of like import.

Laid on the table.

Mr. WORRALL, two of like import.

Laid on the table.

Mr. CHADWICK, a remonstrance from citizens of Philadelphia, against the repeal of the act of March 30, 1866, providing for the payment of gratuities, &c., to the soldiers of the war of 1812.

Laid on the table.

Mr. SUBERS, two remonstrances from old soldiers of the war of 1812, of like import.

Laid on the table.

Mr. GHEGAN, a remonstrance from citizens of Philadelphia, of like import.

Laid on the table.

Mr. MARKS, one of like import.

Laid on the table.

Mr. ADAIRE, one of like import.

Laid on the table.

Mr. WATT, one of like import.

Laid on the table.

Mr. DEISE, a remonstrance from citizens of Leidy township, in the county of Clinton, against the passage of the supplement to an act appointing commissioners to lay out a road in the counties of Potter and Clinton.

Laid on the table.

Also, three remonstrances from citizens of Leidy and Chapman townships, Clinton county, of like import.

Laid on the table.

REPORTS FROM COMMITTEES.

Mr. CHASE, from the Committee on Election Districts, reported, with a negative recommendation, Senate bill No. 483, an act to repeal the fourth section of an act relating to certain election districts of Schuylkill county.

Mr. MANN (Ways and Means), bill No 828, an act to provide for the ordinary expenses of the Government, and other general and specific appropriations.

This bill was recommitted to the Committee on Ways and Means, on motion of Mr. MANN.

Mr. WILSON (same), as committed, bill No. 829, entitled Joint resolution authorizing the Governor to appoint a committee to inquire into the various systems of prison discipline.

Mr. CRAIG (Judiciary Local), as committed, bill No. 830, an act to authorize the Governor to appoint an additional notary public, to reside in Athens borough, in the county of Bradford.

Mr. CRAIG (same), as committed, Senate bill No. 292, an act to increase the pay of the assessors of Lehigh county.

Mr. HUMPHREY (Election Districts), with negative recommendation, bill No. 832, an act to divide Chapman township, in the county of Clinton, into two election districts.

Mr. WELLER, (Election Districts), with negative recommendation, bill No. 833, an act to change the place of holding elections in Jefferson township, in the county of Allegheny.

REMOVAL OF THE CAPITAL.

Mr. MEYERS, a resolution for the appointment of a special committee of seven members of each House to inquire into the propriety of making Philadelphia the capital of the State instead of Harrisburg.

Mr. MEYERS moved to proceed to the consideration of this offered resolution, but the motion being opposed by Mr. SEILER, it was withdrawn.

BILLS IN PLACE.

Mr. CAMERON read in his place and presented to the Chair an act relating to the publication of local, general and private laws, and of legal advertisements, in the several counties of the Commonwealth of Pennsylvania.

Referred to the Committee on Ways and Means.

Mr. M'CAMANT, a joint resolution relative to the time of the adjournment of the Legislature.

Mr. MEYERS, a joint resolution for the appointment, by the Governor, of three competent persons, learned in the laws of this Commonwealth, as commissioners to revise collate and digest all the acts and statutes relating to or touching the subject of taxation in the Commonwealth.

Referred to the Committee on Ways and Means.

Mr. SUBERS, an act to extend the jurisdiction of alderman of the peace to certain criminal proceedings in the city and county of Philadelphia.

Referred to the Committee on the Judiciary Local.

Mr. CHALFANT, an act to authorize the purchase of real estate and erection of a poor house in Valley township, Montour county.

Referred to the Committee on the Judiciary Local.

Mr. MEYERS, an act requiring the commissioners of Northampton county to apply for and obtain copies of standards, and providing for the appointment of a sealer of weights and measures for said county.

Referred to the Committee on the Judiciary Local.

Mr. WEBB, an act to provide for the payment of costs in the removal of paupers in certain cases.

Referred to the Committee on the Judiciary Local.

Mr. KOON, an act to incorporate Sugar Notch and Warrior Run into a borough.

Referred to the Committee on Municipal Corporations.

Mr. M'KEE, an act to vacate part of Vine street, in the city of Pittsburg.

Referred to the Committee on Municipal Corporations.

Mr. STUMBAUGH, an act in relation to the election of officers of the Chambersburg and Bedford turnpike road company.

Referred to the Committee on Roads, Bridges and Ferries.

Also, an act in relation to the election of officers of the Chambersburg turnpike road company.

Referred to the Committee on Roads, Bridges and Ferries.

Mr. EWING, a supplement to an act relative to roads in East Bethlehem and East Pike Run townships, Washington county.

Referred to the Committee on Roads, Bridges and Ferries.

Mr. CHASE, an act to incorporate the Titusville oil storage and tubing company.

Referred to the Committee on Corporations.

Mr. WATT, an act to incorporate the American button-hole, overseaming and sewing machine company.

Referred to the Committee on Corporations.

Mr. KOON, an act to incorporate the Mill Creek and Nescopeck railroad company.

Referred to the Committee on Railroads.

Mr. PHELAN, an act relating to tavern licenses in Greene county.

Referred to the Committee on Vice and Immorality.

Mr. M'CAMANT, an act authorizing the board of election officers of Greenfield township, Blair county, to levy a special bounty tax.

Referred to the Committee on Military.

Mr. KURTZ, No. 835, an act supplementary to an act to enable the administrators of Hon. James T. Hale, late of Centre county, deceased, to sell real estate, passed the 11th day of April, A. D. 1866.

Laid on the table.

Mr. WHARTON, an act to authorize the school directors of the borough of Patterson. Juniata county, to levy a tax for the payment of certificates of bounty.

Referred to the Committee on Military.

Mr. SHARPLES, an act to repeal an act entitled An act to authorize and require the school directors of West Caln township, Chester county, to levy and collect taxes for the purpose of paying three hundred dollars each to persons who were drafted and furnished substitutes under the call of the President of July 18, 1864, approved the 22d day of March, A. D. 1866.

Referred to the Committee on Military.

TEMPORARY ADJOURNMENT.

Mr. CHASE. Mr. Speaker, I ask leave to offer a resolution in reference to the adjournment to-day.

Mr. MANN. Mr. Speaker, I ask if that does not require a suspension of the rules?

The SPEAKER. It does require a suspension of the orders. The question is on a suspension of the rules to allow the gentleman from Crawford [Mr. CHASE] to offer a resolution.

It was

Agreed to.

Mr. CHASE. Mr. Speaker, I offer the following resolution.

The resolution was read as follows:

WHEREAS, It is desired by a large number of the Senators and Representatives of this Commonwealth to visit Washington city to witness the out-going of the Thirty-ninth and in-coming of the Fortieth Congress of the United States; therefore, be it

Resolved (if the Senate concur), That when the two Houses adjourn this day, they do so to meet again on Wednesday, March 6th, 1867, at 3½ o'clock P. M.

Mr. MEYERS. Mr. Speaker, I move to amend by striking out the words "this day," and inserting "one o'clock."

Mr. MANN. Mr. Speaker, I have been entirely misled as to what this resolution was. I do not think it is hardly fair to get such a resolution before the House in that way. It was agreed last night that we would adjourn until Tuesday evening, and this resolution makes it until Wednesday evening. It was also agreed that we would hold a session this afternoon. I move to amend the resolution so that we shall hold a session this afternoon, and that when we adjourn then we will meet again at seven and a half o'clock on next Tuesday evening. We can go through with the private calendar on Tuesday evening, and if we do not, it will carry the private

calendar over out of its order, and thus confuse the orders all next week.

Mr. CHASE. Mr. Speaker, I accept the amendment suggested by the gentleman from Potter [Mr. MANN].

Mr. HOOD. Mr. Speaker, I have no doubt, sir, that the holding of a session this afternoon will be very convenient for the gentleman from Potter [Mr. MANN]. I apprehend that he will not go home, and it will therefore be particularly convenient for him. But to those who are desirous of returning to their homes this afternoon, it will be exceedingly inconvenient.

Mr. MANN. Mr. Speaker, I will state the reasons why we should meet this afternoon. The Committee on Ways and Means have been working day and night to perfect the general appropriation bill, which ought to be ready to report to this House, and it is very necessary they should meet this afternoon and evening.

Mr. HOOD. Mr. Speaker, the suggestion is, perhaps, a very proper one. If the Committee of Ways and Means desire to meet this afternoon, I have no objection. I am not on that committee, and it will not interfere with me. I am perfectly willing they should sit all the afternoon, and up to next Tuesday if they see fit. But I, with others, desire to leave on the afternoon train. If we fail to go on that train we are obliged to lie over until 2 o'clock at night. I think this is a harsh request to ask us to remain here this afternoon, and then adjourn over until Tuesday for the accommodation of those gentlemen who desire to go to Washington.

Mr. MANN. Mr. Speaker, is it fair to ask the Committee on Ways and Means to remain here and work and allow the other members to go home and enjoy themselves? The Committee on Ways and Means are compelled to meet this evening. We can have a meeting this afternoon, which will greatly facilitate the business of the House. There are important bills which can be reached by proceeding with business this afternoon. I will refer to one particularly—that is in relation to the rate of legal interest. We passed that bill here at so late a date last year that it did not come up for discussion in the Senate, and that is likely to be the case this session. It is but fair that the public bills should receive some attention as well as the private ones. Now, if the Committee on Ways and Means are compelled to remain here, is it fair for the other members to return to their homes? If the House adjourn at one o'clock there will be no meeting of the Committee of Ways and Means to-day, for a majority of that committee will say that they are not going to work if the other members are not.

The question being on the amendment of Mr. MEYERS,

It was

Not agreed to.

The question then recurring on the original resolution,

Mr. MEYERS. Mr. Speaker, I move to amend by striking out all after word resolved, and inserting the following:

"(If the Senate concur), That when the two Houses adjourn this day, they do so to meet again on Wednesday, March 6th, 1867, at 8½ o'clock, P. M.

Mr. DAVIS. Mr. Speaker, I think the original resolution is liberal enough. We will have but a small private calendar, and if we meet on Tuesday evening we can go through with it. I would say that I think this House has been extremely liberal in adjourning over from Friday at one o'clock, and it is now asking a little too much when they propose to adjourn until Tuesday evening to adjourn from one o'clock for the special accommodation of any gentleman who wishes to go to Philadelphia to attend to his business there.

Mr. CHASE. Mr. Speaker, when I offered this resolution for adjournment, I did not suppose its discussion would take up so much of the time of the House. The suggestion in reference to the adjournment came in such a way that I thought it necessary to have an adjournment until Wednesday. I am sorry that there has been so much discussion and feeling about the matter. It is of no interest to me to adjourn further than until Monday evening, but there are many gentlemen who desire to go to Washington, and it was at their suggestion I accepted the amendment of the gentleman from Potter [Mr. MANN]. I think the Committee on Ways and Means have worked very hard, but to the absence of the House I would suggest that the Committee on Vice and Immorality be left in charge of the Committee on Ways and Means, and that they work together.

The question being on the amendment of Mr. MEYERS,

The yeas and nays were required by Mr. KIMMELL and Mr. MANN, and were as follow, viz:

YEAS—Messrs. Adaire, Breen, Brennan, Cameron, Collins, Donohugh, Ghegan, Hood, Josephs, Koon, M'Henry, M'Pherrin, Meyers, Mullin and Quigley—15.

NAYS—Messrs. Allen, Armstrong, Barton, Boyd, Boyle, Brown, Calvin, Chadwick, Chalfant, Chase, Colville, Craig, Davis, Day, DeHaven, Deise, Espy, Ewing, Fogel, Gallagher, Gordon, Harbison, Harner, Headman, Heltzel, Humphrey, Hunt, Jenks, Kennedy, Kerns, Kimmell, Kinney, Kline, Kurtz, Lee, Leech, Lintou, Long, M'Camant, M'Kee, Maish, Manu, Marks, Mechling, Meily, Pennypacker, Peters, Phelan, Pillow, Quay, Rhoads, Roath, Roush, Satterthwait, Seiler, Sharples, Shuman, Stacey, Stumbaugh, Sübers, Webb, Weller, Westbrook, Wham, Wharton, Wilson, Wingard, Woodward, Worrall and Wright—70.

So the question was determined in the negative.

The question recurring on the original resolution,

Mr. MEYERS. Mr. Speaker, I offer the following amendment.

The amendment was read as follows:

Strike out all after the word resolved and insert, "That when this House adjourn this morning, it will adjourn to meet on Tuesday next, at 3 o'clock, P. M.

Mr. MEYERS. Mr. Speaker, the object and purpose of offering that amendment is to make the resolution accord with the practice of the Legislature to adjourn on Friday afternoon. That has been the practice from the beginning of the session to the end, and I think has been departed from on but very few occasions.

The members of this House made their arrangements in reference to that state of facts—that there is to be no session on Friday afternoon; and inasmuch as this House has had an evening session and two afternoon sessions this week, and in view of the fact that a large number of bills were reported on Thursday which must go on the private calendar on Tuesday, it is no more than right and proper that the clerks and officers of this House should have an opportunity to get up with their business, and the members of this House should have an opportunity to look after their business and the interests of their constituents, which they cannot do if they are to be in session all the time or dancing attendance on committees. I am opposed to this kind of continual legislation. It is utterly impossible for members to look after the interests of their constituents or attend to any other business, if they are obliged to be in session all of the time. If I had the authority, I would require the House to sit only every other day, and thus give the members an opportunity to study the questions that come before them for their consideration. I think it is no more than right to the officers of this House and to the members on this floor, and that we ought to pay some respect to the custome of this House, of not meeting on Friday afternoon, especially as we have been sitting three times this week out of the usual order. I hope, therefore, for these reasons, that this amendment will be agreed to. Gentlemen were very anxious for the first resolution to adjourn over until Tuesday—for what purpose? Simply for the purpose of giving some of the gentlemen upon this floor an opportunity to go to Washington to see Simon Cameron sworn in as Senator.

Where is the necessity, I ask, Mr. Speaker, that this House shall have an afternoon session, when it proposes to adjourn over until Tuesday evening, merely for the purpose of allowing some of the members to go to Washington? If that is the reason which urges gentlemen to favor this original resolution, I say that those gentlemen ought to sit here, instead of running off to Washington. It has been said by the Speaker that a general invitation is extended to the members and officers of this House to go to Washington to see the United States Senator sworn in, as if that was such an extraordinary proceeding that it required the presence of the Legislature of Pennsylvania.

I say that the officers and members of this House are not made entirely of bone and iron and steel, that they can stand all the pressure that can be put upon them. I have, myself, been obliged to remain up, most of the time, until after midnight, much to the injury and detriment of my health, for the purpose of looking after my matters and preparing myself for the business that will come before this Legislature. I trust, therefore, that this amendment will carry, and that the custom of this Legislature will be carried out, and that we will not meet on Friday afternoon.

Mr. SHARPLES. Mr. Speaker, I desire to say that there is always some excuse for these long adjournments, and that I do not generally favor them. But I am willing that this House shall have an opportunity to go to Washington, not merely to see Simon Cameron sworn in as United States Senator, but to consult with their representatives in reference to legislation. I shall not go solely for the purpose of seeing the Senator whom I have voted for, and whom I should vote for again if I had the opportunity, sworn into office. I think we ought to have a session this afternoon and then adjourn over until Tuesday evening.

Mr. KIMMELL. Mr. Speaker, I think the gentleman from Northampton [Mr. MEYERS] misunderstands the object of this adjournment. It is not so much, as I understand it, to see Simon Cameron sworn into office as to attend a funeral. There is to be a great show on the 4th of March at Washington. The little renegade is about to die out and we wish to see him to his last home.

Mr. JENKS. Mr. Speaker, I think it is a good idea to give the gentlemen an opportunity to be present at that very solemn occasion, that they may regard well their latter end, which is approaching very rapidly. I shall vote against this adjournment at one o'clock. I do not want any of these long adjournments; I want to work all the time. I am compelled to stay here; I cannot go home; I must stay here from the time the session commences until the close, unless the House give me leave of absence. I shall, therefore, vote against this amendment and against the

other resolution to adjourn until Tuesday evening.

On the question,

Will the House agree to the amendment?

The yeas and nays were required by Mr. KIMMELL and Mr. MANN, and were as follow, viz:

YEAS—Messrs. Armstrong, Breen, Brennan, Brown, Cameron, Collins, Donohugh, Fogel, Ghegan, Heltzel, Hood, Josephs, Kline, Koon, Linton, M'Henry, M'Pherrin, Maish, Marks, Mechling, Meyers, Mullin, Pennypacker, Peters, Quigley, Roath, Robinson, Subers, Wharton, Worrall and Glass, *Speaker*—32.

NAYS—Messrs. Adaire, Allen, Boyle, Calvin, Chalfant, Chase, Craig, Davis, Day, Deise, Espy, Ewing, Gallagher, Gordon, Harbison, Harner, Humphrey, Hunt, Jenks, Kennedy, Kimmell, Kinney, Kurtz, Leech, Long, M'Camant, M'Kee, Mann, Phelan, Pillow, Quay, Rhoads, Roush, Satterthwait, Seiler, Sharples, Shuman, Steacy, Stumbaugh, Tharp, Webb, Weller, Westbrook, Whann, Wilson, Woodward and Wright—48.

So the question was determined in the negative.

The question recurring on the original resolution,

Mr. MEYERS. Mr, Speaker, I move to amend by striking out the words "Tuesday evening," and inserting the words "Monday evening," and on that question I call the yeas and nays.

Mr. MANN. Mr. Speaker, if the purpose of these amendments is to waste the time of this forenoon, it will probably be accomplished. I can see that these dilatory notions will consume the time of this House, and that may defeat the will of majority twice expressed, besides preventing our reaching bills on third reading. There are bills before this House of importance that received the sanction of the majority of the House, which can only be reached on third reading.

Since there seems to be a determination to consume the entire time of the House with these motions, I feel compelled to call the previous question.

The call for the previous question was sustained by Messrs. Mann, Day, Stumbaugh, Hood, Kurtz, Colville, Seiler, Woodward, Webb, Barton, Mechling and Kennedy.

On the question,

Shall the main question be now put?

The yeas and nays were required by Mr. MEYERS and Mr. RHOADS, and were as follow, viz:

YEAS—Messrs. Adaire, Allen, Armstrong, Barton, Boyd, Brown, Cameron, Chase, Colville, Davis, Day, Espy, Ewing, Gordon, Harbison, Harner, Humphrey, Jenks, Josephs, Kennedy, Kimmell, Kinney, Kurtz, Lee, Leech, M'Camant, M'Kee, M'Pherrin, Maish, Mann, Marks, Mechling, Meily, Pennypacker, Peters, Pillow, Quigley, Roath, Robinson, Satterthwait, Seiler, Sharples, Shuman, Steacy, Stumbaugh, Subers, Webb, Weller, Wharton, Wilson, Wingard, Woodward, Worrall, Wright and Glass, *Speaker*—56.

NAYS—Messrs. Breen, Calvin, Collins, Craig, Donohugh, Fogel, Gallagher, Ghegan, Heltzel, Hood, Kline, Koon, Linton, Meyers, Mullin, Quay, Rhoads, Tharp, Wattand Westbrook—20.

So the question was determined in the affirmative.

On the question,

Will the House agree to the amendment of Mr. MEYERS?

The yeas and nays were required by Mr. MEYERS and Mr. KURTZ, and were as follow, viz:

YEAS—Messrs. Boyd, Boyle, Breen, Brennan, Calvin, Collins, Colville, Craig, Day, Deise, Ewing, Fogel, Gallagher, Ghegan, Harner, Headman, Heltzel, Hood, Hunt, Jenks, Josephs, Kline, Koon, Kurtz, Linton, Long, M'Camant, M'Pherrin, Maish, Meyers, Mullin, Pennypacker, Phelan, Quay, Rhoads, Robinson, Roush, Watt, Westbrook, Wharton and Worrall—41.

NAYS—Messrs. Adaire, Allen, Armstrong, Barton, Brown, Cameron, Chadwick, Chase, Davis, Donohugh, Espy, Gordon, Harbison, Humphrey, Kennedy, Kimmell, Kinney, Lee, Leech, M'Kee, Mann, Marks, Mechling, Meily, Peters, Pillow, Quigley, Roath, Satterthwait, Seiler, Sharples, Shuman, Steacy, Stumbaugh, Subers, Tharp, Webb, Weller, Whann, Wilson, Wingard, Woodward, Wright and Glass, *Speaker*—44.

So the question was determined in the negative.

The question recurring, Will the House agree to the original resolution?

The yeas and nays were required by Mr. MEYERS and Mr. DEISE, and were as follow, viz:

YEAS—Messrs. Adaire, Allen, Armstrong, Barton, Brennan, Brown, Cameron, Chadwick, Chase, Collins, Davis, DeHaven, Donohugh, Espy, Gordon, Harbison, Headman, Humphrey, Hunt, Josephs, Kennedy, Kimmell, Kinney, Lee, Leech, Long, M'Camant, M'Kee, Mann, Marks, Mechling, Meily, Pennypacker, Peters, Pillow, Quigley, Roath, Seiler, Sharples, Shuman, Steacy, Stumbaugh, Subers, Tharp, Watt, Webb, Weller, Whann, Wilson, Wingard, Woodward, Worrall, Wright and Glass, *Speaker*—53.

NAYS—Messrs. Boyd, Boyle, Breen, Calvin, Chalfant, Colvillo, Craig, Deise, Ewing, Fogel, Gallagher, Ghegan Harner, Heltzel, Hood, Jenks, Kline, Koon, Kurtz, Linton, M'Henry, M'Pherrin, Maish, Meyers, Mullin, Phelan, Quay, Rhoads, Robinson, Roush, Satterthwait, Tharp, Westbrook and Wharton—34.

So the question was determined in the affirmative.

REASONS FOR VOTE.

Mr. KINNEY presented, in writing, his reasons for vote, as follows:

Mr. KINNEY. A general anxiety, among the Republican members of this House, to visit Washington at the breaking up of the Thirty-ninth Congress and the heralding in of the Fortieth Congress, and especially to witness the swearing in and swearing out of the two antagonistic Senators from this State, induces me to vote to give sufficient time for such a purpose.

MESSAGE FROM THE GOVERNOR.

The Deputy Secretary of the Commonwealth being introduced, presented a message from the Governor, which was read as follows, viz:

EXECUTIVE CHAMBER,
HARRISBURG, March 1, 1867.

To the Senate and House of Representatives of the Commonwealth of Pennsylvania:

GENTLEMEN—I have approved and signed the following acts of the General Assembly, to wit:

On the 27th ultimo:

An act to vacate a portion of Spruce alley, in the Ninth ward of the city of Pittsburg.

An act to enable the Revenue Extension silver mining company of Nevada to issue bonds and to secure the payment of the same by mortgage.

A further supplement to the act incorporating the borough of Washington.

An act relating to the fees of the district attorney of Huntingdon county.

An act for the relief of Peter Roberts, a soldier of the war of one thousand eight hundred and twelve.

An act supplementary to an act incorporating Andalusia College, at Andalusia, Bucks county, Pennsylvania, approved the thirtieth day of March, Anno Domini one thousand eight hundred and sixty-six.

An act to incorporate the Wyoming County bridge company.

A supplement to an act to incorporate the town of Haley, in the county of Perry, into a borough, approved April twelve, one thousand eight hundred and sixty-six, changing the name of said borough of Haley to Marysville, and forming the same into a separate election district.

An act to declare Cedar Run a public highway in the township of Elk, county of Tioga.

A further supplement to an act for the registration of births, marriages and deaths in the city of Philadelphia, passed March eight, Anno Domini one thousand eight hundred and sixty, and supplements thereto.

An act supplementary to an act erecting the village of East Birmingham into a borough, approved the tenth day of April, Anno Domini one thousand eight hundred and forty-nine.

An act authorizing the commissioners of the county of Delaware to create a five per centum loan.

An act relating to the disposition of fines and forfeited recognizances in the county of Susquehanna.

An act to repeal the charter of the Tuckahoe and Mount Pleasant plank road company.

An act extending the provisions of an act relating to corporations for mechanical, manufacturing and quarrying purposes, approved July eighteenth, one thousand eight hundred and sixty-three, and the supplements thereto, to the county of Northumberland.

An act for the relief of Benjamin Scott, Junior.

A supplement to an act to incorporate the Columbia Gas company, and relative to the election of assessors and constables in Salisbury and Caernarvon townships, Lancaster county, to lay out a State road from Marietta to Portsmouth, to require the State Treasurer to refund certain moneys to the administrators of Ann Kimmell, deceased, approved the tenth day of April, Anno Domini one thousand eight hundred and fifty-one.

A supplement to an act to compel the manufacturers of firkins, kegs and tubs intended for the packing of butter or lard in the counties of Erie, Crawford and Warren to mark the weight thereon, extending the same to the county of Bradford.

A supplement to an act to incorporate the Mechanicsburg hall and market company, approved the twenty-fourth day of March, Anno Domini one thousand eight hundred and sixty-five.

A further supplement to the act incorporating the Watsontown bridge company.

An act to incorporate the Industrial association of Summit Hill.

An act authorizing the Union Mutual insurance company of Montgomery county to change the time of holding its elections.

An act relative to the pay of surveyors appointed by the courts of Crawford and Mercer counties.

An act to incorporate the Hesperian mining company.

A further supplement to an act entitled An act to incorporate the Northampton iron company, approved the tenth day of March, one thousand eight hundred and fifty-seven.

An act for the relief of wives and children deserted by their husbands and fathers in certain counties of this Commonwealth.

A supplement to the act incorporating the Clarion and Allegheny River turnpike road company.

An act to change the provisions of the thirtieth section of an act regulating boroughs, approved the third of April, one thousand eight hundred and fifty-one, so far as the

same relates to the borough of Mount Pleasant, Westmoreland county.

A further supplement to the road laws of Bradford county.

An act to incorporate the Mahanoy Valley insurance company.

An act for the relief of Milo R. Adams, treasurer of Beaver county.

A supplement to an act to authorize the Governor to incorporate a company to erect a bridge over the West Branch of the Susquehanna at the borough of Milton, et cetera, passed the sixth day of April, Anno Domino one thousand eight hundred and thirty.

An act to incorporate the Emlenton and Shippenville turnpike company.

A supplement to an act to amend the road laws of Erie county, approved the twenty-sixth day of March, Anno Domino one thousand eight hundred and forty-six.

A supplement to an act entitled An act to incorporate the Wilkesbarre and Pittston railroad company, approved April fifteenth, Anno Domino one thousand eight hundred fifty-nine.

An act to incorporate the Co-operative association of Hyde Park, number one, in the city of Scranton, for mercantile purposes.

An act to prevent and punish desertion in the counties of Lawrence and Luzerne.

A supplement to an act approved the sixteenth day of April, Anno Domini one thousand eight hundred and sixty-six, appointing commissioners to lay out and open a State road in M'Kean county, from the borough of Smethport to Lafayette Corners.

An act to incorporate the University of St. Augustine.

An act to incorporate the Douglasville and Yellow House turnpike road company.

An act to enable the directors of common schools of East Lampeter township, Lancaster county, to apply surplus of bounty fund to common school purposes.

An act to incorporate the Equitable gold and silver mining company.

An act to incorporate the Montrose mining company.

An act to incorporate a State Camp of the Patriotic Order of the Junior Sons of America.

An act to authorize the town council of the borough of Mill Hall, in the county of Clinton, to levy and collect additional taxes for borough purposes.

A supplement to an act of General Assembly, incorporating the borough of Mechanicsburg, Cumberland county, passed the twelfth day of April, Anno Domini one thousand eight hundred and twenty-eight, as amended by the act regulating boroughs, approved April third, Anno Domini one thousand eight hundred and fifty-one, and adopted by said borough, August twenty-fourth, Anno Domini one thousand eight hundred and fifty-seven.

A supplement to an act of Assembly entitled An act to incorporate the Easton and Wilkesbarre turnpike road company, approved February eleven, one thousand eight hundred and three.

An act to incorporate the California and Philadelphia gold mining company.

An act to incorporate the Harmony gold and silver mining company.

On the 28th ultimo:

An act authorizing the Governor to appoint ten additional notaries public for the city of Philadelphia.

An act to incorporate the Union transfer company.

An act to authorize the appointment of seven additional notaries public for the city of Philadelphia.

A further supplement to the act to incorporate the Pennsylvania fiscal agency, approved November first, one thousand eight hundred and fifty-nine, empowering said company, now known as the Credit Mobilier of America, to provide for the completion of certain contracts.

An act to incorporate the Scranton Savings Bank.

On the 27th ultimo:

Joint resolution to pay William H. Jenkins for services as clerk of the committee in the matter of the petition of the electors of the Thirteenth Representative district of the city of Philadelphia, complaining of an undue election and false return of Michael Mullin as a member from said city.

JNO. W. GEARY.

Laid on the table.

MESSAGE FROM THE SENATE.

The Clerk of the Senate being introduced, presented for concurrence bills numbered and entitled as follows, viz:

Senate bill No. 196, an act regulating roads and bridges in Wayne county.

Senate bill No. 541, an act authorizing the Governor to incorporate a company to erect a bridge over the Youghiogheny river, at a point between the mouth of Dickerson's run and Taylor's fording, in the county of Fayette.

BILLS ON THIRD READING.

Agreeably to order,

The House proceeded to the third reading of Senate bill No. 324, an act to repeal an act entitled A further supplement to the act incorporating the Pennsylvania railroad company, authorizing the increase of capital stock and to borrow money, approved March 21, 1866, to authorize the Pennsylvania railroad company to increase its capital stock, to issue bonds and secure the same by mortgage.

Mr. LEE. Mr. Speaker, it has been agreed generally by the friends of this bill, that it shall go over to-day. I move that it be postponed and made the special order for next Friday morning, at 11 o'clock.

The motion was

Agreed to.

Agreeably to order,

The House proceeded to the third reading of House bill No. 284, an act to repeal an act of the General Assembly of the State of Pennsylvania, which became a law on the 19th day of August, 1864, entitled An act relating to the Pittsburg and Connellsville railroad.

Mr. LEE. Mr. Speaker, Mr. WELLER, who is interested in this bill, especially, has received a telegram that his father is very sick; and he has had to leave. He desires that this bill shall go over. I, therefore, move that it be postponed, and made the special order for next Friday morning, after the bill just made the special order for that day is disposed of.

The motion was

Agreed to.

Agreeably to order,

The House proceeded to the third reading of Senate bill No. 26, an act to authorize the payment of State agents at Washington.

Mr. STUMBAUGH. Mr. Speaker, I would like to have the bill read.

Mr. MANN. Mr. Speaker, I would make a suggestion, which will probably avoid the necessity of having it read at this time.

The gentleman from Chester [Mr. WADDELL], chairman of the Committee on Ways and Means, took considerable interest in this bill, but he is now sick, and unable to be here. I would not like to have it defeated in his absence, and I do not know that it will; but I think that the best way would be to have the bill postponed for the present. It would certainly be discourteous to defeat the bill in the gentleman's absence.

Mr. M'CAMANT. Mr. Speaker, I think this bill is very thoroughly understood by this House, and that we are all ready to vote on it. I see no reason why it should be postponed any further.

Mr. STUMBAUGH. Mr. Speaker, I was obliged to be absent when this bill was discussed the other day, and for that reason ask for its reading. I am, however, perfectly willing that the bill should go over, from the fact that the chairman of the Committee on Ways and Means is absent.

The SPEAKER. The bill will be read by the Clerk.

The bill was read as follows:

AN ACT to authorize the payment of State agents at Washington, to close said agency, and to abolish the office of assistant agent.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same*, That the State Treasurer is hereby authorized to pay, out of any money in the Treasury not otherwise appropriated, a sum not exceeding six thousand dollars, for the necessary expenses of the Pennsylvania agents at Washington, from the 1st day of December, 1866, to the 1st day of June, 1867, as authorized by the act of fourth May, one thousand eight hundred and sixty-four; and that said agency be abolished from and after the said first day of June: *Provided*, That the office of assistant agent is hereby abolished, and the State agent is authorized, if necessary, to employ an additional clerk in the place of said assistant.

Mr. STUMBAUGH. Mr. Speaker, I move that the House go into committee of the whole for the purpose of general amendment.

Mr. QUAY. Mr. Speaker, I move to amend the motion by making it special amendment. I propose to restore the original bill as reported from the Committee on Ways and Means, and strike out all the provisions added by the House except that of the assistant State agent.

Mr. STUMBAUGH. Mr. Speaker, I hope the amendment will not prevail. My object in making my motion is for the purpose of striking out that provision, and all the amendments made to the bill; and I hope the friends of the administration will see that this matter is carried through properly, and that the House will go into committee of the whole for the purpose of general amendment.

Mr. MANN. Mr. Speaker, I claim to be as true a friend of the administration as stands upon this floor; and I hope the House will not do anything of the kind.

Mr. WILSON. Mr. Speaker, I hope the House will do it. Since we have been discussing this bill, there has been a great deal of public opinion elucidated in reference to the matter, and it strikes me it is absolutely necessary this business should be attended to by a State agent. I hope the amendment of the gentleman from Franklin [Mr. STUMBAUGH] will prevail.

Mr. DEISE. Mr. Speaker, I would ask the gentleman from Potter [Mr. MANN], and the gentleman from Franklin [Mr. STUMBAUGH], what administration they had reference to?

Mr. STUMBAUGH. The present State administration.

Mr. DEISE. I did not know but that it had reference to the other administration.

Mr. MANN. By no means.

Mr. BOYLE. Mr. Speaker, some of the members of this House find themselves, I have no doubt, in a rather awkward position at this time. I would prefer to have this bill passed just as it stands, before any outside influences are brought to bear upon members. I prefer, however, the motion of

the gentleman from Beaver [Mr. QUAY] to that of the gentleman from Franklin [Mr. STUMBAUGH], but I do not like either of them. I fear, however, that if I vote against the motion of the gentleman from Beaver, and it should be defeated, then the motion of the gentleman from Franklin might prevail; and we would be in a much worse condition than we would if the other motion prevailed. I am compelled, therefore, to vote for the motion of the gentleman from Beaver.

Mr. MANN. I call for the yeas and nays on the question.

Mr. QUAY. I second the call.

Mr. KIMMELL. Mr. Speaker, before this vote is taken, I wish to make an explanation in reference to an impression made upon some of the members of this House, by the remarks of the gentleman from Fayette (Mr. BOYLE], relative to the residence of the assistant agent. He declared, when this bill was under conideration before, that the assistant agent was a resident of the State of Iowa.

The assistant agent is a resident of Westmoreland county, and was a member of the Legislature from there in 1854. I think, if the gentleman from Fayette [Mr. BOYLE] would reflect, he would know, probably, in whose interests he then acted. He does not happen to be in the interest of the same party now. He lived, I believe, two years, or thereabout, in the State of Iowa, and afterwards returned to Greensburg, Westmoreland county. He then went to Washington, in the employ of the Government, about the first of April, 1861. I merely call the attention of the House to these facts for the purpose of correcting the impression that the remarks of the gentleman from Fayette [Mr. BOYLE] probably made.

Mr. BOYLE. Mr. Speaker, I think the gentleman has not corrected that impression. I do not think he can correct it, because I believe it to be true. I know the reputation of Cook very well. I remember, in 1856, when he was a blatant Democrat. Afterwards, it suited his purpose to go to the other side, and he is now just the same kind of a Republican. He did formerly live in Westmoreland county, and he did remove to the State of Iowa; but I deny that he ever returned to Westmoreland county. He came from Iowa, and may have stopped a day or two for the purpose of seeing his friends in that county. But he went to Washington, and his last legal residence outside of the city of Washington was in the State of Iowa.

Mr. KIMMELL. Mr. Speaker, is the gentleman aware or not, that he (the assistant State agent) still holds his residence in Westmoreland county? He has his law library, his furniture, &c., in Greensburg to-day.

Mr. BOYLE. Mr. Speaker, all I know about his residence is from information furnished me. My information is in effect what I here state. And I know that he has been practicing law in Washington city for some time past. I do not know what he has in Greensburg.

Mr. MANN. Mr. Speaker, I desire to correct another impression that, it seems to me, is wrong, and which a number of the members of this House seem to entertain. They are either mistaken, or I am. I may be; but with my present information, I believe that this State agency at Washington is entirely useless. I believe it is useless for this reason, that the heads of the departments through which all these applications for pensions and gratuities pass, are courteous, business gentlemen, and they will reply promptly to letters from soldiers, and give them all the information asked for. In the district that I am acquainted with, there is no soldier in any part of it, who does not make his application directly to the department, or get some friend to do it for him; and I do not believe there can be found a single person who has made his application directly to the department, that has not received all the information he could have received, if he had directed his application to this State agency.

Mr. KIMMELL. Mr. Speaker, I would like to have the gentleman from Potter [Mr. MANN] go to that agency and examine the letters on file, and there discover the grand mistake he is now laboring under.

Mr. MANN. Mr. Speaker, I think my friend from Indiana [Mr. KIMMELL] is laboring under the mistake. I concede that a vast amount of business is done at the State agency. But what I maintain is, that it is sent to the wrong place. If it was sent to Auditor French, or the Commissioner of Pensions, it would be attended to just as promptly as when sent to this agency. Auditor French and the Commissioner of Pensions will send all the blanks asked for, whenever application is made. Since I have had the honor of occupying a seat on this floor, after making application to all the departments at Harrisburg, with a view of getting information, I have sent directly to the Auditor or the Commissioner of Pensions, at Washington, and have never failed to get all the information desired. And I believe every soldier in Pennsylvania can be secured in the payment of his bounty, with as little delay, without this agency as with it, for the reason that I have given. If any man will say that he has ever addressed a letter to Auditor French, or the Commissioner of Pensions, without getting a reply to his letter, and all the papers and blanks and information he needed to get his pay, I may change my opinion somewhat.

But until then I must feel that this agency is not needed; and I maintain that the true way to sustain the administration of Governor Geary is to lop off all useless offices. We have upon this hill too many officers that are drawing pay and doing no duty. I think that the friends of Governor Geary ought to appoint a commissioner to ascertain whom these are, and have them dismissed at once. That is the true way to sustain the administration. For that reason I shall vote against going into committee of the whole to change this bill, because I think it would be a credit to this Legislature, and a credit to the administration, to pass it as it now stands.

Mr. STUMBAUGH. Mr. Speaker, I did not intend to say very much on this subject when I rose to make the motion to go into committee of the whole. But I deem it due to myself and those whom I have the honor in part to represent, to say that I disagree with my amiable friend from Potter [Mr. MANN], and that one cannot get all the information, and obtain all the benefits of the provisions of the act of Congress, by applying directly to Auditor French or the Commissioner of Pensions at Washington. I want it understood that I am not in the claim business myself, but I have a man in my office who has been doing a good deal in that line during the past two or three years, and it has come to my knowledge, frequently, that persons who have applied directly to Auditor French, for their pensions, have had letters returned acknowledging the receipt of their applications, but after waiting a year or more he would send papers, and say, "You must furnish additional evidence," and thus keep them from their pay, in some instances, two or three years without giving them the information they desired. Those persons who have sent their applications to the State agency have obtained the information they required, and in a very short time thereafter received their bounties and pensions. I insist that there is as much necessity for that State agency now as at any time. I insist that this attempt to abolish it is a direct strike at the soldiers of this Commonwealth. It is an attempt to place in the hands of claim agents the pensions and bounties of those who have been fighting for their country. We sit here, to day, from the fact that these soldiers defended our country when it was in its hour of peril. We are in our places here by virtue of the fact that they saved this Commonwealth, and it is our bounden duty to stand by those soldiers, and see that they get that which their services entitle them, with the least expense and difficulty possible. I say that there is no way in which they can do it so easily, and with so little expense, as through the State agency. It does seem to me that if it was right to keep this office in existence during the last administration, that we should not have it abolished during the present one, especially when we take into consideration the fact that Governor Geary is as true a friend to the soldier as can be found. For that reason, I made the motion to go into committee of the whole, for the purpose of general amendment, and I do hope that the friends of the soldiers will see to it that the amendment of my friend from Beaver [Mr. QUAY] will not prevail, and that my motion will.

Mr. DAVIS. Mr. Speaker, I presume that I am as good a friend of the State agency as the gentleman from Franklin [Mr. STUMBAUGH] is. I am willing to vote for the continuance of the State agency; but would ask the gentleman, now that the war is over, if it is necessary to have more than one State agent—if a clerk there, instead of an assistant, is not sufficient?

Mr. STUMBAUGH. Mr. Speaker. There seems to me to be as much business now as during the first two or three years. If I am not misinformed, there seems to be as great a demand for this agency now as ever; and, so long as there is a necessity for it, I apprehend that no gentleman who is a friend of the soldiers, will desire to have it abolished.

Mr. EWING. Mr. Speaker, I am in favor of the amendment of the gentleman from Beaver [Mr. QUAY], as I believe we can accomplish as much for the soldiers in that way as in any other. I am not willing to put myself upon the record as being opposed to the soldiers. I have as much at heart the interests of the soldiers as any one upon this floor, and I take the privilege of choosing the course in which I think I can say that I am so influenced for them.

Mr. BARTON. Mr. Speaker, it is difficult to understand the anomalous position of a part of the members of this House with reference to this agency. It certainly does seem to me, Mr. Speaker, that this is one of the most desirable institutions which the State has or can have. The General Government has appropriated bounties, gratuities and annuities to the soldiers who have served in the late rebellion to a large amount. We have an agency established at Washington, through which this money can reach the soldiers without any cost or expense to them; yet gentlemen, professing to be the friends of these soldiers, can get up on this floor and desire the abolishing or crippling of this agency, so as to make it less effective than it has been or is at the present time. As it has been stated heretofore in relation to this question, that it is a very small cost to the State of collecting so large an amount of money as the General Government has seen fit, in its beneficence, to give to the soldiers, I think, sir, that we should not grudge this small amount in order that we may collect it, free of charge, for these soldiers.

The gentleman from Potter [Mr. MANN] says that this can be done as easily through

the head of the department at Washington as through this State agency. He says they can get all the information they desire, by writing to the head of the department. They may get answers to their letters and blanks with requests to have them filled up and sent back to the department, but, sir, this is generally the last of it. They get their letters and blanks and fill them up, to send them back, and there they lie month after month, and year after year, unless some one else attends to them, until the soldier may grow gray with age and die. If we abolish or cripple this agency, we compel these one armed and one legged soldiers, and widows and orphans of soldiers, who have fought our battles through the great rebellion, to go to local claim agents and pay a large per centage of the bounties, gratuities and annuities which they receive from the General Government. I cannot understand the hostility to this measure. I hope the motion of the gentleman from Franklin [Mr. STUMBAUGH] will prevail.

Mr. CHALFANT. I would like to ask the gentleman a question. Is it not true that those soldiers and the widows of soldiers that he speaks about do not invariably apply to local agents who pass the claims over to the claim agency at Washington?

Mr. BARTON. If this is continued they need not apply to any local agency.

Mr. CHALFANT. It is invariably done.

Mr. STUMBAUGH. It is not done in my county or some other counties.

Mr. LINTON. Mr. Speaker, it was not my intention, when this question was first raised this morning, to say anything on this subject. I said the other day, when we had the bill before the House, all that I felt it necessary for me to say in order to justify my vote upon the question. But, in view of some of the remarks which have been made, I desire to say that I do not consider that voting to abolish this agency is voting against the interests of the soldiers of the late war or their widows and children. I do not believe that abolishing this agency will increase the expense which they would necessarily incur in order to receive from the Government what, in her beneficence, she has seen proper to allow them. Now, I deny that the State, in supporting this agency, supports an institution by means of, and through which, the soldiers of the late war or their widows or children can get pensions and gratuities or annuities any more readily than in the way which the General Government has provided. I say that, so far as the prosecution of these claims is concerned, this is nothing more than an institution for the distribution of blanks to soldiers, and I say that not one in a hundred of those soldiers can fill up these blanks without assistance.

Mr. STUMBAUGH. I would like to ask the gentleman a question. How many men in the regiment that he had the honor of commanding could not write their names?

Mr. LINTON. I do not know that any of them could not. Notwithstanding they could sign their names, and notwithstanding they received blanks with instructions, men having no experience in filling these blanks up required the same professional assistance to enable them to do it.

Mr. KIMMELL. Will the gentleman allow me to ask him a question?

Mr. LINTON. Yes, sir.

Mr. KIMMELL. Have you seen the blanks used by the State agency?

Mr. LINTON. I have.

Mr. KIMMELL. Are they not as plain as A B C to the comprehension of any man?

Mr. LINTON. Any professional man can fill them up, but I claim that only a small portion of those who were engaged in the late war can do it. I have filled up for soldiers in many instances myself.

This State agency at Washington is an institution for furnishing these blanks, but the soldiers must get a professional man to fill them up, and pay about what would be charged for prosecuting the claims from the beginning. In addition to that, I claim that they do not get their claims through so rapidly. If any additional evidence is required, they send back to the local agent and he immediately prepares it and sends it on. Now, here is a great drawback, so far as this State agency is concerned. It is imperfect, in this respect, in case additional evidence is required. When application is made through the State agency the department sends it back to the State agency and afterwards it is sent to the applicant, who is then generally required to call in the aid of a professional man to enable him to get this additional evidence. There is a want of directness. I contend, therefore, that those who vote for abolishing this institution are not voting against the interests of the soldiers. I contend that there is a disadvantage connected with its perpetuity. I contend that this is not giving to the soldier gratis the amount allowed by Government, but that it is in fact paying out of the State treasury some twelve or fifteen thousand dollars per annum without any commensurate benefit. I know that the amount is small, but when there is no use in it we can economize in that as well as in any other direction. I shall, therefore, vote against its continuance.

Mr. KIMMELL. I desire to ask the gentleman another question. Do you practice the claim agency business yourself?

Mr. LINTON. I desire to say that for a long time I did business through this State agency, until convinced that it was impossible to transact it satisfactorily through that agency. I then took out a license as an agent, on account of being applied to frequently by men of my own regiment. I do their business very frequently gratis.

Mr. STUMBAUGH. I would like to ask the gentleman what he charges for his services?

Mr. LINTON. I have more frequently done it gratis for the men of my regiment than the reverse.

Mr. BARTON. Mr. Speaker, the gentleman says that he abandoned the doing of business through the State agency because he could not do it satisfactorily to himself. That is probably true, because the State agent has stated that he always refuses to do business with the local claim agents, and that whenever an application was made through a local agent, it was discountenanced, because they wanted to protect the soldiers and relieve them from having to pay anything to local agents. That is the reason, I presume, that the gentleman has failed in this respect. Whenever it is possible, the State agency has desired that the application should be made directly by soldiers themselves.

Mr. LINTON. I have corresponded with the State agency, and have done some business through it, and I did not charge for any business done through that agency. These blanks came back frequently to be returned to the State agency, and I found there was trouble about getting them through directly, and that it was better to transact the business with the department at once. The department, I found, would furnish blanks just as full and complete as the State agency would.

Mr. ARMSTRONG. Mr. Speaker, I certainly feel an interest in this matter. I have heard this institution assailed by those professing to be warm and ardent friends of the soldiers and their widows and orphans, who have been made so during the late war through which we have passed. I have had considerable to do with this State agency in different ways. I have applied to the agency for assistance in recovering the remains of soldiers who have fallen in battle in the South. I have found them prompt in giving every information and assistance that was in their power. I have many friends who have received assistance in some manner from this agency. I have also made application for widows and orphans of the men who fell in the late rebellion, for pensions and arrears of pay and bounty, through this agency, and I stand here to-day to say that all the claims that I have had in the hands of that agency, have been promptly attended to and adjudicated. I know enough about the working of that agency to know that they have a preference to the department at Washington. I know that they have advantages in the department at Washington that no local claim agent can have. I have filled up gratuitously a dozen and a half or twenty claims in my own immediate neighborhood, and sent them on to Washington to that agency. Though not myself in the claim agency business, I have filled them up and have taken the parties to Lancaster frequently to obtain the requisite evidence, and paid the expense out of my own pocket, instead of having them pay it to these local agents, and they have received their money without expending one cent. In behalf of those soldiers who have to make application, in behalf of those who have the bodies of friends in the South, I stand here to defend that agency against the unjust charges that have been made against it on this floor. I hope, for the credit of the great State of Pennsylvania, that this institution will still be continued in full force and effect until every claim has been fully prosecuted, until the business is completely wound up, which cannot be done between this and the first of June or the first of February. What! shall we, for the paltry five or six thousand dollars a year, abolish that agency, that institution which is so decided a credit to the State of Pennsylvania—that has stood first and foremost among all the States of the Union, in taking care of her soldiers and their widows and orphans—shall we now, for the paltry sum of five or six thousand dollars, say that this institution shall be abolished? Shall we stand here and squander hundreds and thousands of dollars monthly and daily, squander it I say uselessly, and yet refuse to sustain that agency that has been of so much advantage and of such unbounded credit to the State of Pennsylvania?

I will go as far for retrenchment and reform in the right direction as any man on this floor, but I tell you that if I know it I will not be guilty of a mean act. I will not be guilty of enacting a law that will stand in the way of the soldiers, and the widows and orphans of the soldiers of the late rebellion. The maimed soldiers that we have all around us appeal to us, the widows and orphans of the soldiers of the late war appeal to us on every street corner, that we, in our efforts, shall act fairly and justly in their behalf.

I say that we should continue this agency for their protection against the sharks that would fleece them out of the trifling pittance that the Government is disposed to give them. I desire to protect them from those who would charge one-half or three-fourths of all that comes from the Government for their services. I say let us continue this institution through which every man, woman and child having anything to do with that department can do it easily and without expense. I have already said more on this subject than I intended to say. I will only add that I hope this agency will continue to stand as it is at present.

Mr. MANN. Mr. Speaker, I think it is in

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[CONTINUED FROM PAGE 472.]

exceedingly bad taste for members upon this floor to attempt to make out that they are the peculiar friends of the soldier, and that when any bill is to be carried, the claims of the soldier must always be brought up. I think that is in bad taste. Let us test this bill upon its merits. I have said that I was in favor of abolishing this agency because it does not benefit the soldiers. I am willing to go so far as any man can go in behalf of the soldiers. My constituents are nearly all soldiers. There was hardly a man between the ages of twenty-one and forty-five in my district, that was not in the army, and a great many above the age of forty-five. Am I likely to oppose the soldier? I resent the insinuation as an insult. I say show me that this does benefit them and I will vote for its continuance, whether it cost ten or a hundred thousand dollars. I do not care anything about the amount if it is to do good. I am willing to vote cheerfully any amount of money that is for the benefit of the soldiers or their widows or children, but I am not willing to vote a single dollar that is not needed. That is where I stand. I do not care if it is a dollar or ten thousand dollars, if it is not needed it ought not to be voted; but, if this bill is to go through, I do believe that those who consider that it is to benefit the soldiers are entirely mistaken.

Mr. ABMSTRONG. I would like to ask the gentleman if he knows any instances in which a soldier has been wronged or has suffered any wrong through this institution?

Mr. MANN. No, sir, not at all. What I say is, that they are not benefited by it, that they are delayed in the prosecution of their claims. And I will say here that Auditor French told me himself, in his own office, that claims were delayed by the introduction of agents of any description, and that soldiers and the widows and orphans of soldiers, by applying directly to him, would be likely to get their claims sooner than through any of the agents.

Mr. KIMMELL. Did he specify the State agency in that declaration?

Mr. MANN. No, sir; nor did he specify any particular agent. He said "any agent." I say that the testimony of Auditor French was, that the soldier who made application directly to him, without the intervention of any agency, would get his claim more certainly, readily and quickly than through the intervention of any agency. That is what he said. I, therefore, say that this attempt to put this bill through, because it will be a benefit to the soldier, is unfair. There is nothing in it. It seems to me, since this bill has been introduced, it has been discussed very thoroughly.

I have said that all my constituents are soldiers, but I have not received a letter from one of them asking for a continuance of this agency; and I venture to say that there is not a member upon this floor who has. But we have a resolution from Washington in favor of this bill, a personal application from men in position who are not soldiers, in favor of his agency. I concede that a few soldiers may have asked for the continuance of this agency, but what I assert is that I believe the majority of the members upon this floor have had no application asking them to retain this agency.—This resolution which was read from the Speaker's desk the other day, had a very suspicious tone to my mind. I dislike this attempt at dictation from such sources as that. Men here, confessedly in office at Washington, attempting to instruct the Legislature what to do to keep them there. That is simply what it means. If there had not been anything else here that would have determined my vote against a bill. I do not look for support coming from Washington, but I desire such as comes from my constituents. I have not received a single letter from one of my constituents asking for the continuance of this agency. I think that it is out of place for this Legislature to be instructed in this way; and it is further out of place to attempt to put a bill of this kind through on the claim that it is to benefit the soldiers, when there is not a man upon this floor who is not willing and anxious to benefit the soldiers every way that he can. The only question is how is that to be done, whether by retaining this agency in Washington, or by having the soldiers apply directly to the department where they can get all they desire, with less trouble.

The hour of one o'clock having arrived, the SPEAKER proceeded to clear the table.

SPEAKER'S TABLE.

The SPEAKER cleared his table of Senate bills numbered and entitled as follows, viz:

Senate bill No. 196, an act regulating roads and bridges in Wayne county.

Referred to the Committee on Roads, Bridges and Ferries.

Senate bill No. 341, an act authorizing the Governor to incorporate a company to erect a bridge over the Youghiogheny river, at a point between the mouth of Dickerson's run and Taylor's fording, in the county of Fayette.

Referred to the Committee on Roads, Bridges and Ferries.

The SPEAKER adjourned the House until three o'clock this afternoon.

AFTERNOON SESSION.

The House met at 3 o'clock, P. M., pursuant to adjournment.

Mr. CHADWICK. Mr. Speaker, I ask leave to make a statement.

Leave was granted.

Mr. CHADWICK. Mr. Speaker, I move that the rules be suspended, and that the House proceed to the consideration of House bill No. 223, entitled An act to authorize the auditors to allow the school directors of Elizabeth township, county of Allegheny, a compensation for attending to the bounty business of said township.

The committee to whom the bill was referred reported it negatively for the want of a petition. Since then a petition has been received. As the parties concerned in this bill are suffering for the want of its passage, I hope the House will proceed to its consideration.

The motion was

Agreed to.

The bill was read and

Agreed to.

On motion,

The rules were suspended, the bill read a second and third times, and

Passed finally.

Mr. STUMBAUGH. Mr. Speaker, I desire to ask the indulgence of the House to pass

Senate bill No. 719, entitled An act to incorporate the Gettysburg asylum for invalid soldiers and to raise funds therefor, and for the securing and preserving of the battle grounds of Gettysburg.

I move that the orders be suspended, and that the House proceed to the consideration of the bill.

The motion was

Agreed to.

The bill was read and

Agreed to.

On motion, the rules were suspended.

The bill was read a second and third time, and

Passed finally.

The SPEAKER announced the next business in order to be the consideration of the motion to go into the committee of the whole on the bill relating to the State agency at Washington.

Mr. DAVIS. Mr. Speaker, I move to postpone the consideration of the bill now before the House, and make it the special order for next Wednesday afternoon.

Mr. BARTON. Mr. Speaker, I hope the motion will not prevail. I do not see why we cannot occupy this afternoon in the consideration of this bill. A certain amount of time must be consumed in the consideration of this bill. I would state that the clerks in the employ of that agency have not been paid for two or three months, and are suffering on account of this non-payment. It is desirable to have this matter considered at the earliest possible moment.

Mr. MANN. Mr. Speaker, I desire to ask a modification of the motion before the House, and that the consideration of the bill be postponed until Wednesday morning next at 10 o'clock. I am seeking information. I will endeavor to obtain such information between this and next Wednesday morning as will clear up my own mind.

Mr. DAVIS. Mr. Speaker, I accept the amendment.

The question being on postponing the fur-

ther consideration of the bill until Wednesday morning next at 10 o'clock, and making it a special order for that time,

It was

Agreed to.

Mr. BREEN. Mr. Speaker, I move that Senate bill No. 483, be referred back to the Committee on Election Districts.

Agreed to.

Mr. LEE. Mr. Speaker, I move that this House do now adjourn.

On the motion,

The yeas and nays were required by Mr. MANN and Mr. JOSEPHS, and were as follow, viz:

YEAS—Messrs. Allen, Armstrong, Breen, Brennan, Chalfant, Colville, Harner, Headman, Hunt, Jones, Josephs, Koon, Lee, Linton, Long, M'Camant, M'Henry, M'Kee, Quay, Rhoads, Roath, Satterthwait, Shuman, Tharp, Westbrook and Wharton—26.

NAYS—Messrs. Adaire, Barton, Brown, Calvin, Cameron, Chadwick, Craig, Davis, Day, Donohugh, Ewing, Gallagher, Gordon, Harbison, Kerns, Kimmell, Kinney, Kurtz, Leech, M'Pherrin, Mann, Markley, Mechling, Peters, Phelan, Pillow, Sharples, Subers, Watt, Webb, Wham, Wilson, Wingard, Wright and Glass, *Speaker*—35.

So the question was determined in the negative.

Mr. EWING. Mr. Speaker, I ask leave to make a statement.

Leave was granted.

Mr. EWING. Mr. Speaker, this morning I read a bill in place which related to the road laws of a certain township in Washington county. It is necessary that the bill should pass before the spring election, which will be held in a few days.

I move the Committee on Roads, Bridges and Ferries be discharged from the further consideration of the bill.

The motion was

Agreed to.

Mr. EWING. I now move that the orders be suspended, and that the House proceed to the consideration of the bill.

Agreed to.

The bill was read and

Agreed to.

On motion, the rules were suspended.

The bill was read a third time, and

Passed finally.

BILLS ON THIRD READING.

The first bill in order was No. 392, an act for the relief of Elias Tome, of York county.

Mr. MANN. Mr. Speaker, I move that the further consideration of the bill be postponed.

Mr. ROATH. Mr. Speaker, I hope that motion will not prevail.

A division of the House being called, the motion to postpone was

Not agreed to.

The question being on the final passage of the bill,

Mr. JENKS. Mr. Speaker, I hope this bill will not pass.

I have examined the facts in the case, and it presents an attempt on the part of the Legislature to interfere with the jurisdiction of the courts in a most unjustifiable manner. This man's case was heard and decided; he was justly convicted of embezzlement and punished. The fine was remitted by the Governor. He was then in contempt of court; and an attachment was issued for that contempt. He refuses to obey the order of the court when he has it in his power substantially so to do, and return the money he has unjustly taken from others in violation of a trust.

Mr. BARTON. Mr. Speaker, I would inquire of the gentleman from Jefferson [Mr. JENKS] if he has proof that Tome is able to pay over that money?

Mr. JENKS. Mr. Speaker, I have here a statement of his case. His answers to the questions propounded to him are evasive, and he creates the impression that he has under his control a large portion of the money in dispute. I have it from the parties who tried the case, there is every reason to believe that he has under his control, although not immediately in his possession, the money he was ordered to pay. For his refusal to obey this order he has been imprisoned.

I have it also from those same persons that if the Legislature does not interfere in his case he will yield, in all probability, and return the money he had under his control. I consider it an act of immorality for any legislative body to interfere, except for the strongest possible reason, in favor of any person who, in violation of a trust, has squandered money committed to his care. When it is manifest that the punishment for his crime has not superinduced a disposition on his part to be honest and return that which he has unlawfully in his hands, when he persists in his wrong, it is a high act of immorality for the Legislature to interfere and release him.

To the courts have been committed the execution of the laws. They act upon a knowledge of all the facts, and what they do they do knowingly.

This is no light matter. There is no evidence that the court acted from passion or prejudice. There is no evidence that this man has not been heard. There is no evidence that he has been deprived of a single right. On the contrary, the evidence shows that he persists in his wrong.

Now, he comes and asks, on an insufficient petition, to be released from imprisonment. Any man conversant with judicial affairs will find, upon reading the petition, that it entirely fails to set out a case that justifies an interference on the part of the Legislature. He does not pretend to say that the court has not given him the full benefit of every doubt; he does not pretend to say that witnesses have not been heard in his behalf; he does not pretend to say that the court acted with passion or prejudice; he does not pretend to say that the judge has done wrong in imprisoning him. The petition tacitly admits that he is in the wrong.

Mr. CAMERON. Mr. Speaker, I would inquire the amount of money involved in this case, and to whom it is due?

Mr. JENKS. I believe there were about ten thousand dollars in his hands. I gather from the testimony that he has been living idly, and that the money has been squandered. It is supposed that a great part of it is under his control. It is said if the Legislature does not interfere in his case that he will compromise with the heirs and return the money.

Mr. STUMBAUGH. Mr. Speaker, I would like to know on what authority the gentleman presumes to say a compromise may be effected?

Mr. JENKS. On the statement of counsel.

Mr. ROATH. Mr. Speaker, if the gentleman will permit me, I will make a short statement of this case:

There were two executors. One of them lives in my town. They kept no account of the interest on the heavy expenses incurred for counsel fees, as they should have done. Besides the heirs there was an old woman who would like to have the handling of this estate. A suit was brought against the executors for embezzlement. The executor, who lives in the town in which I reside, had friends to compromise his case. The executor, now in prison, is so unfortunate as not to be able to compromise. The executor who lives in my town says he has not a dollar of that money in his possession.

I did not expect this bill to bring out a discussion. I have an engagement this evening; yet I desire to be present when a vote is taken on this bill. I will agree to have the bill laid over.

Mr. JENKS. That will be satisfactory.

Mr. ROATH. Mr. Speaker, I move that the further consideration of this bill be postponed for the present.

The motion was

Agreed to.

Mr. STUMBAUGH. Mr. Speaker, ought not that bill be made a special order?

The SPEAKER. It will come up in its order after bills on third reading have been gone through with on a subsequent day.

The next bill in order was House bill No. 193, a supplement to an act appointing commissioners to lay out and open a State road in the counties of Potter and Clinton, approved the 16th day of March, A. D. 1864.

The question being on the final passage of the bill,

It was agreed to,

And the bill

Passed finally.

Bill No. 490, an act to incorporate the People's saving fund and safe deposit company.

The question being on the final passage of the bill,

It was

Agreed to,

And the bill

Passed finally.

Bill No. 363, an act to change the venue in the case of the Commonwealth of Pennsylvania vs. John Shupe, Moritz Leib, Charles W. Everhart, Robert Alsop and Jonathan A. Waters, from the court of quarter sessions of the peace of Montgomery county to the court of quarter sessions of the peace in and for the city and county of Philadelphia.

The question being on the final passage of the bill,

The yeas and nays were required by Mr. WATT and Mr. MARKLEY, and were as follow, viz:

YEAS—Messrs. Adaire, Allen, Barton, Brown, Cameron, Chadwick, Chase, Colville, Day, Donohugh, Ewing, Gallagher, Gordon, Harbison, Humphrey, Josephs, Kennedy, Kerns, Kimmell, Kinney, Lee, Leech, M'Kee, M'Pherrin, Mechling, Meily, Peters, Pillow, Quay, Seiler, Sharples, Shuman, Stumbaugh, Watt, Wham, Wilson, Wingard, Wright and Glass, *Speaker*—39.

NAYS—Messrs. Boyd, Breen, Brennan, Calvin, Chalfant, Harner, Headman, Hunt, Jenks, Jones, Koon, Kurtz, Linton, Long, M'Henry, Maish, Mann, Markley, Phelan, Rhoads, Robinson, Satterthwait, Tharp, Webb and Westbrook—25.

So the question was determined in the affirmative,

And the bill

Passed finally.

Mr. MANN. Mr. Speaker, I move the House take up Senate bill No. 320, an act to pay Berry Lewis four hundred dollars.

Agreed to.

The bill was read and

Agreed to.

The rules were suspended, the bill read a second and third times, and

Passed finally.

Mr. SEILER. Mr. Speaker, I move that the orders be suspended for the purpose of considering Senate bill No. 444, a supplement to the act of March 19, 1866, making further provision for the government of the city of Harrisburg.

Mr. LINTON. Mr. Speaker, on that motion I call for a division of the question.

The bill, as I understand it, is objectiona.

ble to a portion of the inhabitants of the city of Harrisburg. This important bill ought not to be passed at this time, when so few of the members are present. It should be deliberately considered by the House.

The question being on the first division, which calls for a suspension of the rules generally,

The yeas and nays were required by Mr. LINTON and Mr. RHOADS, and were as follow, viz:

YEAS—Messrs. Adaire, Allen, Barton, Brown, Cameron, Chadwick, Chase, Colville, Davis, Day, Donohugh, Ewing, Gallagher, Gordon, Harbison, Kennedy, Kerns, Kimmell, Kinney, Lee, Leech, M'Kee, M'Pherrin, Mann, Mechling, Meily, Peters, Pillow, Quay, Seiler, Sharples, Shuman, Steacy, Stumbaugh, Subers, Watt, Webb, Whann, Wilson, Wingard, Wright and Glass, *Speaker*—42.

NAYS—Messrs. Boyd, Breen, Calvin, Chalfant, Craig, Harner, Hunt, Jenks, Josephs, Koon, Kurtz, Linton, Long, M'Henry, Maish, Markley, Phelan, Rhoads, Tharp and Westbrook—20.

So the question was determined in the affirmative.

The bill was read.

The first, second, third, fourth and fifth sections were

Agreed to.

In the sixth section Mr. LINTON moved to amend by striking out the words "president judge."

Mr. JENKS. Mr. Speaker, will any one who has the management of this bill, inform me why it is necessary to put in the power of the president judge to assist in the selection of constables?

By request of Mr. SEILER, the following extract from the auditor's report was read to show that police and constable fees were paid by the county of Dauphin:

CONSTABLES AND POLICE FEES.

John W. Davis, police, Harrisburg	$65 98
James B. Irwin, police, Harrisburg	2 46
Geo. W. Davis, police, Harrisburg	20 00
John B. Wright, police	124 91
Snyder and Wenrich, police, Harrisburg	84 16
Geo. W. Osler, police, Harrisburg	253 46
C. Weitzel, police, Harrisburg	1 00
J. B. Reis, police, Harrisburg	65 00
Geo. W. Dougherty, police, Harrisburg	13 46
John Starkey, police, Harrisburg	53 40
Solomon Snyder, police, Harrisburg	122 36
William M'Clintick, police, Harrisburg	11 50
John M'Granahan, police, Harrisburg	8 00
John Swiler, police, Harrisburg	26 00
John Hipple, police, Harrisburg	67 00
Michael M'Adams, police, Harrisburg	35 50
Edward Mason, police, Harrisburg	13 00
William Block, police, Harrisburg	6 50
John Houser, police, Harrisburg	81 30
Michael Hudson, police, Harrisburg	126 96
John Cline, police, Harrisburg	58 12
John Craig, police, Harrisburg	25 50
Godfrey Mauser, police, Harrisburg	29 50
Charles Baugh, police, Harrisburg	125 70
Thomas Costello, police, Harrisburg	42 50
D. K. Callendar, police, Harrisburg	111 00
Geo. Derstein, police, Harrisburg	114 16
John Nevin, police, Harrisburg	131 30
John Schultz, police, Harrisburg	24 35
B. Campbell, police, Harrisburg	463 94
J. M. Clark, police, Harrisburg	11 88
Garrett Murphy, police, Harrisburg	78 50
John Murphy, police, Harrisburg	8 35
	2,411 75

ALDERMEN'S FEES.

Peter Stucker, alderman, Harrisburg	60 40
George B. Cole, alderman, Harrisburg	295 20
John Maglaughlin, alderman, Harrisburg	748 99
M. S. Bower, alderman, Harrisburg	218 00
	1,322 68

MAYOR'S FEES.

A. L. Roumfort	819 20
O. Edwards	1,628 82
	2,448 02

Mr. JENKS. Mr. Speaker, I am inquiring for information, because there are some things so unusual in the manner in which this bill was gotten up, something so exceedingly shrewd; something that looks so like cunning about it; something so innocent, so childlike, so lamblike on the part of the gentleman who represents Dauphin county, that I suspected there was something wrong about it. And that is the reason I ask this question. It is said by one of the old authors, "We fear the Greeks when they carry gifts," and whenever I see a gentleman come up before this body with an extraordinary affectation of integrity, all over smiles, and kind and gentle, and lamblike, and amiable in his disposition; and when I take into consideration that he happens to be in that condition because he imagines he has two-thirds of his party friends here, and that he can force on a measure, then, sir, I am ready to suppose there is something unfair in the transaction.

This is nothing less than an attempt to deprive the city of Harrisburg of the rights which it has in the law that created it into a city; an attempt to change the organic law of the city without a fair hearing, to change it hurriedly, to change it without permitting the citizens thereof to be heard—and fairly heard—to change the entire direction of municipal affairs, and place them in the hands of a new set of authorities, and in the hands of a president judge who is under no special obligations to perform the duties required of him towards Dauphin county.

In the whole history of jurisprudence in this Commonwealth there is nothing like this, nothing like an attempt to deprive a city of its just right to control its own affairs. I know very well we are in the hands of a majority here. I know you can do as you please, gentlemen, in this matter; you can do this great wrong if you wish to. You have the numbers to do it. By the forms of law you have the power; but you have not the right. There is a difference between power and right. What is proposed this afternoon is for no good and sufficient reasons; but merely because there happens to be a power to accomplish the purpose.

Mr. DONOHUGH. Mr. Speaker, I would like to ask the gentleman whether the Supreme Court of Pennsylvania does not appoint local officers for Philadelphia?

Mr. JENKS. Mr. Speaker, I do not know what relation this Supreme Court sustains to the city of Philadelphia in all respects.

Mr. DONOHUGH. They appoint one-fourth of the guardians for the poor, one-fourth of the board of prison inspectors and one-fourth of the board of health.

Mr. JENKS. Mr. Speaker, if that be so, the city of Philadelphia requested their laws to be made in that manner. But that is not so with Harrisburg.

Mr. QUAY. Mr. Speaker, I understood the gentleman from Jefferson as desirous of avoiding an unnecessary consumption of the time of the House.

Mr. JENKS. Mr. Speaker, I do not intend to occupy the attention of this House unnecessarily, but I do intend by every possible means to prevent the passage of this bill at present.

Mr. LEE. Mr. Speaker, I heard the gentleman say he was determined to talk this session out, and not to let this bill pass. If he did not mean that I am willing to forgive him for the indiscreet expression.

Mr. JENKS. Mr. Speaker, the gentleman did not hear correctly. I said I could do it; and I said this bill should not pass if I could prevent it.

There are others to be heard. I don't wish to keep the House unnecessarily occupied.

Mr. COLVILLE. Mr. Speaker, I move that the House do now adjourn.

On the motion,

The yeas and nays were required by Mr. LINTON and Mr. LONG, and were as follow, viz:

YEAS—Messrs. Boyd, Breen, Brennan, Calvin, Chalfant, Colville, Craig, Gordon, Harner, Hunt, Jenks, Josephs, Koon, Kurtz, Linton, Long, M'Henry, Maish, Markley, Mechling, Phelan, Rhoads, Robinson, Satterthwait, Tharp and Westbrook—26.

NAYS—Messrs. Adaire, Allen, Barton, Brown, Cameron, Chadwick, Chase, Davis, Day, Donohugh, Ewing, Gallagher, Ghegan, Harbison, Kennedy, Kerns, Kimmell, Kinney, Lee, Leech, M'Kee, M'Pherrin, Mann, Meily, Peters, Pillow, Quay, Seiler, Sharples, Shuman, Steacy, Stumbaugh, Subers, Watt, Webb, Wilson, Wingard, Woodward, Wright and Glass, *Speaker*—40.

So the question was determined in the negative.

The SPEAKER announced the question as being on the amendment of the gentleman from Cambria [Mr. LINTON], to strike out the words "president judge."

Mr. QUAY. Mr. Speaker, I call the previous question.

The call for the previous question was sustainded by Messrs. Quay, Pillow, Harbison, Allen, Seiler, Mann, Brown, Chase, Steacy, Subers, Kinney and Kerns.

The SPEAKER. The question is,

Shall the main question be now put?

On the question,

The yeas and nays were required by Mr. LINTON and Mr. MAISH, and were as follow, viz:

YEAS—Messrs. Adaire, Allen, Barton, Brown, Chadwick, Chase, Davis, Day, Donohugh, Ewing, Gallagher, Gordon, Harbison, Kennedy, Kerns, Kimmell, Kinney, Lee, Leech, M'Kee, Mann, Mechling, Meily, Peters, Pillow, Quay, Seiler, Sharples, Shuman,

Steacy, Subers, Watt, Webb, Wilson, Wingard, Wright and Glass, *Speaker*—37.

NAYS—Messrs. Boyd, Breen, Brennan, Calvin, Chalfant, Colville, Craig, Harner, Hunt, Jenks, Josephs, Koon, Kurtz, Linton, Long, M'Henry, M'Pherrin, Maish, Phelan, Rhoads, Satterthwait and Westbrook—22.

So the question was determined in the affirmative.

The question being on the amendment of the gentleman from Cambria [Mr. LINTON] to strike out, in the sixth section, the words "president judge,"

The yeas and nays were required by Mr. CHALFANT and Mr. MARKLEY, and were as follow, viz:

YEAS—Messrs. Boyd, Breen, Brennan, Calvin, Chalfant, Colville, Craig, Harner, Hunt, Jenks, Josephs, Koon, Kurtz, Linton, Long, M'Henry, Maish, Markley, Phelan, Rhoads, Satterthwait, Westbrook and Glass, *Speaker*—23.

YEAS—Messrs. Adaire, Allen, Barton, Brown, Chadwick, Chase, Davis, Day, Donohugh, Ewing, Gallagher, Gregan, Gordon, Harbison, Kennedy, Kerns, Kimmell, Kinney, Lee, Leech, M'Kee, M'Pherrin, Mann, Mechling, Meily, Peters, Pillow, Quay, Seiler, Sharples, Shuman, Steacy, Stambaugh, Subers, Watt, Webb, Wham, Wilson, Wingard, Woodward and Wright—41.

So the question was determined in the negative.

Mr. JENKS. Mr. Speaker, I rise to a personal explanation

I have been told that I used language imputing dishonesty on the part of the gentleman from Dauphin [Mr. SEILER]. If I used that language it was in an unguarded moment. I will not wilfully do wrong to any man, much less to a member of this body. If any insinuation of that kind was made it is withdrawn. I certainly do not wish to imply that the gentleman from Dauphin is dishonest, or controlled by improper motives.

The seventh, eighth and ninth sections of the bill were then read and

Agreed to.

The title was then read, the bill ordered to be transcribed and passed to third reading.

Mr. LEE. Mr. Speaker, I ask the indulgence of the House to call up Senate bill No. 613, an act to reduce the capital stock of the Stroudsburg Bank, and ask that it be put upon its passage.

Agreed to.

On motion of Mr. LEE, the committee were discharged from the further consideration of the bill, and the House proceeded to its consideration.

The bill was read and

Agreed to.

The rules being suspended, the bill was read a second and third time, and

Passed finally.

Mr. HARBISON. Mr. Speaker, I move that the Committee on Education be discharged from the further consideration of bill No. 833, an act to authorize the school directors of Taylor school district, in Lawrence county, to borrow money..

Agreed to.

On motion, the House proceeded to its consideration.

The rules being suspended, the bill was read a second and third time, and

Passed finally.

Mr. LEECH. Mr. Speaker, I would ask that the House take up and proceed to the consideration of Senate bill No. 447, an act authorizing the commissioners of Mercer county to purchase a lot of ground for a jail, and to sell the jail now erected.

Agreed to.

The bill was read and

Agreed to.

The rules being suspended,

The bill was read a second and third time, and

Passed finally.

Mr. STUMBAUGH. Mr. Speaker, I read in my place and present to the Chair an act in relation to bounties in the township of Montgomery, in the county of Franklin.

The bill was read.

On motion of Mr. STUMBAUGH, the orders were suspended.

The bill was read a second time, and

Agreed to.

The rules being, in this case, dispensed with,

The bill was read a third time, and

Passed finally.

Mr. CHASE. Mr. Speaker, I read in my place and present to the Chair a supplement to the act regulating the courts of the Sixth Judicial district, passed ———, 1867.

I move that the rules be suspended, and that the House proceed to its consideration.

Agreed to.

The bill was read and

Agreed to.

The rules being dispensed with,

The bill was read a second and third time, and

Passed finally.

Mr. WRIGHT. Mr. Speaker, yesterday I read in my place and presented to the Chair bill No. 841, an act to authorize the payment to Nicholas Simon, a soldier in the war to suppress the rebellion, a gratuity and annuity on account of the loss of one of his hands.

It has been referred to the Committee on Ways and Means.

I move the committee be discharged from its further consideration.

Mr. LINTON. Mr. Speaker, I understand this is the case of a soldier of the late war. It might, perhaps, be proper to grant him a gratuity, but it is conferring an annuity at a time when it should not be conferred, because so few of the members of the House are present. It is a subject that should properly be considered by the Committee of Ways and Means. They should reflect upon it; because if we establish this precedent, doubtless there are many other cases that have the same right to be heard. I submit that it would perhaps be improper to consider the bill at this time.

Mr. WRIGHT. Mr. Speaker, I think when the gentleman hears an explanation he will be satisfied. The facts of the case are simply these. Nicholas Simon enlisted in April, 1861, at the very outset of the rebellion. He went through the whole war, and was discharged in June, 1865, without having been home in the meanwhile.

Upon returning to Harrisburg he found he could not be mustered out until after July. He then obtained permission from his Lieutenant-Colonel to visit his home. It was on the way thither that the musket of one of his comrades was accidentally discharged, tearing away his hand.

He can get no pension from the United Government. He is a poor man, and has a family to maintain. Unless Pennsylvania takes care of him he must depend upon private charity.

I hope the bill will be allowed to come before the House. If any gentleman can see anything wrong in it I am willing that it shall lie over.

Mr. MANN. Mr. Speaker, I would inquire the amount appropriated by this bill.

Mr. WRIGHT. It asks for a gratuity of one hundred dollars, and one hundred dollars annually thereafter. This is the only way this soldier can be provided for.

Mr. MANN. Mr. Speaker, this way of legislating is a little objectionable. This bill was referred to the committee but yesterday; of course it has been impossible to give it any attention. It is bringing the question upon the House in a way that is calculated, as has been remarked, to furnish a precedent.

Mr. WRIGHT. Mr. Speaker, I do not desire to rush anything of this kind through the House. But I fear the bill will probably not be reached this session. It is a meritorious case, and for that reason I have made my motion.

The committee having been discharged, the question was on the motion to proceed to the consideration of the bill.

It was

Agreed to.

The bill was read and

Agreed to.

The rules being suspended, the bill was read a second and third time, and

Passed finally.

Mr. QUAY. Mr. Speaker, I move to discharge the Committee on Corporations from the further consideration of

Bill No. 842, an act to incorporate the Home for the Friendless, in the city of Harrisburg, and county of Dauphin,

And that the House proceed to the consideration of the bill.

Agreed to.

The bill was read and

Agreed to.

The rules being suspended, the bill was read a second and a third time, and

Passed finally.

Mr. PILLOW presented the following resolution:

Resolved by the Senate and House of Representatives, That our Senators and members of Congress are requested to resist the confirmation of all appointments by the National Executive where, in their opinion, the appointees have sacrificed political principles to secure office.

Referred to the Committee on Federal Relations.

The following bills were returned from the the Senate with amendments, which were concurred in.

No. 102, an act to repair the Cowanesque river in the county of Tioga.

No. 234, an act to authorize the Governor to transfer to the Reynolds monument committee unserviceable and condemned ordnance.

MESSAGE FROM THE SENATE

The Clerk of the Senate being introduced, presented for concurrence bills numbered and entitled as follows, viz:

Senate bill No. 678, an act to provide for the enlargement of the Erie canal, to authorize the mortgaging of the same and the issue of bonds, and to increase the capital stock and regulate the tolls.

The Clerk of the Senate being introduced, presented for concurrence bill numbered and entitled as follows, viz:

Senate bill No. 687, an act to permit an appeal from the register of Lebanon county in behalf of the heirs of Robert U. Coleman, deceased.

He also returned bills from the House of Representatives numbered and entitled as follows, viz:

No. 102, an act to repair the Cowanesque river in the county of Tioga.

No. 234, an act to authorize the Governor to transfer to the Reynolds monument committee unserviceable and condemned ordnance,

With information that the Senate has passed the same with amendments, in which the concurrence of the House of Representatives is requested.

He also informed that the Senate has receded from its amendments non-concurred in by the House of Representatives to bill from

House of Representatives numbered and entitled as follows, viz:

No. 116, a supplement to an act to change the mode of criminal proceedings in Erie and Union counties, extending the same to the county of Warren.

SPEAKER'S TABLE.

The SPEAKER cleared his table of bills numbered and entitled as follows, viz:

Senate bill No. 678, an act to provide for the enlargement of the Erie canal, to authorize the mortgaging of the same, and the issue of bonds, to increase the capital stock and regulate the tolls.

Referred to the Committee on Roads, Bridges and Ferries.

Senate bill No. 687, an act to permit an appeal from the register of Lehanon county, in behalf of the heirs of Robert U. Coleman, deceased.

Referred to the Committee on the Judiciary Local.

The SPEAKER made the following announcement:

The Chair has been authorized to invite the members of the Legislature, without regard to party, to visit Washington on the occasion of the assembling of the Fortieth Congress, and the swearing in of Pennsylvania's United States Senator elect, Simon Cameron.

Cars will be in readiness at the depot tomorrow (Saturday) morning at 9 o'clock.

On motion of Mr. LINTON, the House then adjourned until Tuesday evening next, March 5, 1867, at 7½ o'clock.

SENATE.

TUESDAY, March 5, 1867.

The Senate met at 7½ P. M., and was called to order by the SPEAKER.

Prayer was offered by the Rev. Mr. Bailey.

On motion, the reading of the Journal of Friday last was dispensed with.

PETITIONS, REMONSTRANCES, &C.

Mr. RIDGWAY presented the petition of Lydia Longstreth, praying for the liberty of franchise for the freedmen.

The petition was read as follows:

To the Senate of Pennsylvania:

While the energies of the friends of freedmen are being directed to the liberty of franchise for the freedmen, the citizens of Pennsylvania might well show the example by giving to the colored people of this State the right to which they are justly entitled. How can we, with any degree of sincerity, ask the masters of slaves to give the freedmen this privilege, when Pennsylvania, foremost in all good works, withholds the boon that would at once insure the settlement of the States lately in rebellion?

The intelligence of so large number of the colored people demands that they should participate in a government that their orderly conduct and pecuniary means unite to support. We read that God made of one blood all nations of men for to dwell on all the face of the earth; then why deny a right to them which other nations, on certain limitation, are admitted to partake?

Believing the affairs of the country will never settle, until the inherent right is meted to all, I want a speedy action taken on this subject. It may be said thy brother's blood crieth to thee from the ground; lest that sin, that was aforetime, cling to us, let us hasten to do justice. LYDIA LONGSTRETH.

Messrs. BIGHAM, WHITE, BILLINGFELT and COLEMAN, the memorials of citizens of Pennsylvania, residing along the line of Pennsylvania railroad, complaining of the rates charged by said company on local freights, and asking for relief.

The petition was read as follows:

To the Senate and House of Representatives of the State of Pennsylvania:

The memorial of the undersigned, inhabitants of the interior of the State, on the line of the Pennsylvania railroad, represents: that they are seriously injured by the discriminating freight list of that company against them, by their construction of the following paragraph in the act of Assembly of March 7, 1861:

"The local rates from Philadelphia to Pittsburg, to stations on line of Pennsylvania railroad, shall at no time exceed the gross rates charged between Philadelphia and Pittsburg. Nor shall local rates between any two stations on the road exceed the through rates."

The Pennsylvania railroad company assume, by their interpretatiou of these words, that they may charge full rates for any distance they please on the road. They now charge, by their freight list (which we append), full rates for half distance—and less than half distance.

We ask your honorable body to amend this act, and prevent the discriminations of this company against the State that confers their privileges, and fix the local rates per mile on the ratio of through rates.

This "freight list" shows that on going westward they charge an average of fifty per centum more for the fourteen miles from Harrisburg to Duncannon than for the one hundred and twelve miles from Philadelphia to Harrisburg, which is charging four times more, or four hundred per centum more per mile, for these fourteen miles, than for the one hundred and twelve. Nearly the same ratio extends up the valley of the Juniata, until the heavy fourth class freight reaches the maximum at Mapleton, two hundred and one miles. From thence this company carry the same goods one hundred and fifty-nine miles, to Pittsburg, for nothing—as per the freight list.

The same evil system obtains eastward. Heavy class goods are charged full freight for less than half distance.

We are borne to the earth by these discriminating charges of the Pennsylvania railroad company. No man can carry on a manufacturing business near the centre of the line of this railroad to advantage. He has to pay a full freight on the whole amount of his supplies from either end of the road. After he manufactures he has to pay a full freight again to the other end of the road. This system is like a two-edged sword—it cuts him both ways. No farmer's land is worth any more in the centre of this railroad than at its western terminus. It costs full rates to ship his produce, and there are no manufactures to consume it. Our immense water power is valueless—our coal and ores undeveloped, or shipped at no profit—our timber is rotting—our towns are lying dead or dormant, and the greater part of our young population are emigrating. We are crushed by these charges, and we appeal to you for relief.

We ask you to legislate for the interests of the State of Pennsylvania—the cities of Philadelphia and Pittsburg—and those of the Pennsylvania railroad company—which we assert are identical. We insist that neither of these can thrive so well, as by having a thriving "Interior." That if our manufactures and population are doubled, their interests are doubled also.

The Pennsylvania railroad company aver that the coal freights do not pay so well as other freights. We ask that you will give us regular ratio "per mile" rates. We can then erect works to smelt our ores with our coal, and instead of sending the raw material to "tide water," at no profit to us, can make such manufactures of iron and steel as the Pennsylvania railroad company can double their money by carrying, and Philadelphia shall become a much greater iron and steel shipping port than Liverpool—as the coal and ores of Pennsylvania exceed those of England.

When, by a system of manufacturing, we double our population, their passenger list will also double.

We also ask you to revise the passenger list, that there may be no discrimination in that.

We, of the interior, are charged, on this line, one dollar and forty-five cents more than the regular through rates for each passenger.

And we will ever pray, &c.

Mr. SHOEMAKER, a petition from citizens of Luzerne county, praying for an increase in the rate of interest.

Referred to the Committee on the Judiciary General.

Mr. BILLINGFELT, the remonstrance of citizens and members of the Lancaster county bar, against any change in the law for the selection of jurors as far as the same relates to said county.

Referred to the Committee on the Judiciary Local.

Mr. ROYER, a remonstrance against the passage of an act to change the venue of the case of Commonwealth versus John Shupe, Moritz Leib, and others, from the courts of Montgomery county to the courts of Chester county.

Referred to the Committee on the Judiciary Local.

Mr. JACKSON, a petition of citizens of Conyngham township, Columbia county, praying for the repeal of acts of March 21, 1861, and April 11, 1861, so far as the same apply to the said township, and in favor of the increase of the pay of certain township officers.

Referred to the Committee on the Judiciary Local.

Mr. WORTHINGTON, a petition of citizens of Chester county, asking for a change in the law relative to retail hawkers and peddlers.

Referred to the Committee on the Judiciary Local.

Also, one of citizens of Chester, Delaware and Lancaster counties, in relation to the Chester Creek railroad.

Referred to the Committee on Railroads.

Mr. CONNELL, a resolution of the board of directors of the Twentieth school section of Philadelphia, against the passage of a bill changing the method of electing school controllers.

Referred to the Committee on Education.

Also, a petition of forty manufacturers and dealers in flour in the city of Philadelphia, praying for the passage of an act prohibiting the inspection of flour by persons not legally authorized to do so.

Referred to the Committee on Agriculture.

Mr. WORTHINGTON, a petition from the farmers' club of Kennett, Chester county, praying for a change of the game laws in said county.

Referred to the Committee on Agriculture.

Mr. ROYER, three petitions numerously signed by citizens of Montgomery county, in favor of the extension of Broad street to the Delaware river.

Referred to the Committee on Roads and Bridges.

Mr. SHOEMHKER, a petition from citizens of Plymouth, Luzerne county, praying for the appointment of commissioners to change the State road in said township.

Referred to the Committee on Roads and Bridges.

Mr. JAMES, a remonstrance signed by citizens of Bucks and Montgomery counties,

against laying out and opening Broad street.

Referred to the Committee on Roads and Bridges.

Mr. BIGHAM, a memorial of the managers of the Coal Hill and Upper St. Clair turnpike road, praying for the passage of an act to increase the rates of toll on said road.

Referred to the Committee on Roads and Bridges.

Messrs. CONNELL and DONOVAN, petitions from citizens of Philadelphia, praying that no bridge be built over the Schuylkill without a draw.

Referred to the Committee on Roads and Bridges.

The SPEAKER and Messrs. TAYLOR, JACKSON, BROWN (of Mercer), HAINES, WORTHINGTON, ROYER, JAMES, SHOEMAKER, BURNETT, LANDON, WALLS and WHITE, petitions and remonstrances from citizens of Pennsylvania, in reference to Sunday cars and liquor laws.

Referred to the Committee on Vice and Immorality.

Messrs. GRAHAM, HAINES, BIGHAM and WHITE presented remonstrances and petitions from citizens of Pennsylvania, in reference to the license laws of the State.

Referred to the Committee on Vice and Immorality.

Mr. COLEMAN, a protest of the council of the city of Harrisburg, against the passage of sections six and seven of the supplement to the city charter.

Laid on the table.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

The Clerk of the House of Representatives being introduced, presented for concurrence bills numbered and entitled as follows, viz:

No. 193, a supplement to an act appointing commissioners to lay out and open a State road in the counties of Potter and Clinton, approved the 16th day of March, A. D. 1865.

Referred to the Committee on Roads and Bridges.

No. 320, an act authorizing the supervisors of Ulysses township to levy and collect a tax to refund to Perry Lewis, in said township, the sum of four hundred dollars, it being for money advanced as bounty to volunteers.

Referred to the Committee on the Judiciary Local.

No. 323, an act to authorize the auditors to allow the school directors of Elizabeth township, county of Allegheny, a compensation for attending to the bounty business of said township.

Referred to the Committee on the Judiciary Local.

No. 338, an act to authorize the school directors of Taylor school district in Lawrence county to borrow money.

Referred to the Committee on the Judiciary Local.

No. 363, an act to change the venue in the case of the Commonwealth of Pennsylvania, versus John Shupe, Moritz Leib, Charles W. Everhart, Robert Alsop and Jonathan A. Waters, from the court of quarter sessions of the peace of Montgomery county to the court of quarter sessions of the peace in and for the city and county of Philadelphia.

Referred to the Committee on the Judiciary Local.

No. 490, an act to incorporate the People's savings fund and safe deposit company.

Referred to the Committee on Banks.

No. 836, a supplement to an act relative to road laws in East Bethlehem and East Pike Run townships, Washington county, extending the same to Cecil township, said county.

Referred to the Committee on Roads and Bridges.

No. 841, an act to authorize the payment to Nicholas Simon, a soldier in the war to suppress the rebellion, a gratuity and annuity on account of the loss of one of his hands.

Referred to the Committee on Pensions and Gratuities.

No. 839, an act in relation to bounties in the township of Montgomery, in the county of Franklin.

Referred to the Committee on the Judiciary Local.

No. 840, a supplement to the act regulating the courts of the Sixth Judicial district, passed 1867.

Referred to the Committee on the Judiciary Local.

No. 842, an act to incorporate the home for the friendless in the city of Harrisburg and county of Dauphin.

Referred to the Committee on Corporations.

He also returned bills from the Senate numbered ad entitled as follows:

No. 447, an act authorizing the commissioners of Mercer county to purchase a lot of ground for a jail and to sell she jail now erected.

No. 613, an act to reduce the capital stock of the Stroudsburg Bank.

No. 719, an act to incorporate the Gettysburg asylum for invalid soldiers and to raise funds therefor, and for the securing and preserving of the battle grounds of Gettysburg.

With information that the House of Representatives has passed the same without amendments.

He also informed that the House of Representatives has concurred in the amendments made by the Senate to bills from the Senate numbered and entitled as follows, viz:

No. 102, an act to change the bed of the Cowanesque river in the county of Tioga.

No. 234, an act to authorize the Governor to transfer to the Reynolds monument committee unserviceable and condemned ordnance.

REPORTS FROM COMMITTEES.

Mr. WORTHINGTON, from the Committee on Education, reported as committed, a bill entitled An act to provide for the continuance of the education and maintenance of the destitute orphans of the deceased soldiers and sailors of the State.

Ordered, That five hundred extra copies of said bill be printed for the use of the Senate.

BILLS IN PLACE.

Mr. BIGHAM read in his place and presented to the Chair a bill entitled An act to authorize the Coal Hill and Upper St. Clair turnpike to increase their tolls.

Referred to the Committee on Roads and Bridges.

Mr. ROYER, a bill entitled An act repealing the fifth section of an act entitled An act to enable the Governor to incorporate a company to make an artificial road from the east end of Perkiomen bridge, in the county of Montgomery, passing through Pottsgrove, and passing by the White Horse tavern, in Amity township, in Berks county, to the borough of Reading, approved the 20th day of March, A. D. 1810.

Referred to the Committee on Roads and Bridges.

Mr. CONNELL, a bill entitled an act to exempt from taxation the Foster House.

Referred to the Committee on Finance.

Mr. WHITE, a bill entitled An act to change the manner of criminal proceedings in a certain class of criminal cases in Indiana county.

Referred to the Committee on the Judiciary General.

Mr. SHOEMAKER, a bill entitled A supplement to an act to confer additional powers upon the burgess and town council of the borough of Wilkesbarre, approved 23d March, 1865.

Referred to the Committee on the Judiciary Local.

Mr. COLEMAN, a bill entitled An act to consolidate the boroughs of Lebanon and North Lebanon.

Referred to the Committee on the Judiciary Local.

Mr. BURNETT, a bill entitled An act providing for the election of a township treasurer in Middle Smithfield township, Monroe county.

Referred to the Committee on the Judiciary Local.

Also, a bill entitled An act to incorporate the Fort Allen iron company, in the county of Carbon.

Referred to the Committee on Corporations.

Mr. GLATZ, a bill entitled An act to authorize the burgess and council of the borough of Shrewsbury, York county, to erect or construct a lockup house.

Referred to the Committee on the Judiciary Local.

Also, a bill entitled An act establishing the Vinegar ferry.

Referred to the Committee on the Judiciary Local.

Mr. SCHALL, a bill entitled An act to incorporate the Lehigh County mining, manufacturing and improvement company.

Referred to the Committee on Corporations.

Also, a bill entitled A supplement to an act to incorporate the Ironton railroad company, approved the 8th day of April, A. D. 1859.

Referred to the Committee on Corporations.

Mr. SHOEMAKER, a bill entitled An act to incorporate the Scranton market company.

Referred to the Committee on Corporations.

Also, a bill entitled An act to incorporate the Federal coal and iron company.

Referred to the Committee on Corporations.

Also, a bill entitled An act to incorporate the Roaring Brook turnpike company.

Referred to the Committee on Corporations.

Mr. GRAHAM, a bill entitled A supplement to an act incorporating the Pittsburg and Arizona gold and silver mining company.

Referred to the Committee on Corporations.

Also, a bill entitled An act authorizing the school directors of the borough of Tarentum, Allegheny county, to assess and collect taxes for school purposes.

Referred to the Committee on Education.

Mr. WORTHINGTON, a bill entitled An act to incorporate the National Homestead at Gettysburg.

Referred to the Committee on Corporations.

Mr. CONNELL, a bill entitled An act to incorporate the Keystone Homestead company.

Referred to the Committee on Corporations.

Mr. WALLACE, a bill entitled An act to declare West creek, in the counties of Cameron and Elk, a public highway.

Referred to the Committee on Canals and Inland Navigation.

Mr. ROYER, a bill entitled A supplement to an act incorporating the Colebrookdale railroad company, approved the 23d day of March, A. D. 1865.

Referred to the Committee on Railroads.

Mr. HAINES, a bill entitled A further supplement to an act to incorporate the Moshannon railroad company, approved April 11, 1863.

Referred to the Committee on Railroads.

Mr. WHITE, a bill entitled An act to incorporate the Brockwayville and Brookville railroad company.

Referred to the Committee on Railroads.

Mr. LOWRY, a bill entitled An act to authorize the payment of a soldier's widow the expenses she incurred to procure the body of her husband who died in defense of his country.

Referred to the Committee on Military Affairs.

BILL RECONSIDERED.

On motion of Mr. SHOEMAKER, the Senate reconsidered the vote on the final passage of bill No. 592, entitled An act to authorize the Lehigh coal and navigation company to build branch railroads.

And the title being again before the Senate, Mr. SHOEMAKER asked and obtained the unanimous consent of the Senate to amend the same by striking out the manuscript proviso.

The bill as amended was then

Passed finally.

POWER OF COURTS TO CREATE CORPORATIONS.

On motion of Mr. WALLACE, the Senate proceeded to the consideration of bill entitled An act vesting in the courts of common pleas of this Commonwealth increased powers in the creation of corporations.

In committee of the whole (Mr. RIDGWAY in the chair), the bill was read as follows:

SEC. 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same*, That the provisions of the several acts of Assembly of this Commonwealth conferring on the respective courts of common pleas authority to incorporate literary, charitable, religious or beneficial associations, be, and they are hereby, extended to associations for the erection of market houses, public halls and buildings to be used for the purpose of beneficial associations; and such jurisdiction shall exist whether said buildings are to be used exclusively for such purposes, or partly therefor, and partly for other lawful purposes.

The committee rose and reported the bill without amendments.

The bill was read a second and third time, and

Passed finally.

COMMUTATION OF DEATH PUNISHMENT.

On motion of Mr. WALLACE, the Senate proceeded to the consideration of an act entitled An act authorizing the commutation of the death punishment in certain cases.

In committee of the whole, Mr. M'CONAUGHY in the chair, the first section was read as follows:

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same*, That in cases of conviction of, and sentence for, murder in the first degree, the Governor may, upon the petition of the person convicted, grant to such convict a pardon upon such conditions, with such restrictions, and upon such limitations, as he deems proper; and he may issue his warrant to all proper officers to carry such pardon into effect, which warrant shall be obeyed and executed instead of the sentence originally awarded, and the terms and conditions upon which such pardon is granted shall be specified and set forth in the warrant so as aforesaid issued: *Provided*, That in all cases in which sentence of death shall hereafter be pronounced no conditional pardon shall be granted unless a majority of the judges of the court before whom the convict hath been tried, one of whom shall be a presiding or law judge, shall advise and recommend such conditional pardon.

Mr. WALLACE. Mr. Chairman, the reasons for introducing this bill, and putting it upon its passage, are, that there are now in the prisons of this Commonwealth some twelve or fifteen persons under sentence of death, for whom no death warrants have been issued. The Governor, now in office, and his predecessors, did not deem it their duty to issue them. These men cannot be sent to prison for life, nor can they be executed; nothing can be done for them but to keep them in the prison in the county in which they were convicted. This is a state of affairs disgraceful to our judicial system and inhuman in its effect upon the criminal, and we should remedy it in some way. All persons familiar with the operations of our higher criminal courts know that cases of conviction occur in which the evidence is not strong enough to satisfy the judicial mind, although it may satisfy the jury; and in such cases, upon full examination of the facts, it seems to me to be wise that the power given by this bill should be vested in the Governor, and that he should have the right to grant a conditional pardon when such is recommended and advised by the court before whom the convict hath been tried. A great many other States in the Union have provisions of this kind; the bill before us has been drawn mainly from the Massachusetts statute, the terms of their Constitution upon the subject of pardon being similar to those of our own.

Mr. HALL. Mr. Chairman, might this not result in abolishing capital punishment?

Mr. LOWRY. I hope so.

Mr. HALL. I cannot say I do. I understand that there are, as the Senator from Clearfield [Mr. WALLACE] says, a certain number of persons in the prisons of the State who are under sentence of death, warrants never having been issued, and there they will remain forever, unless the Legislature does something. I think something should be done in these particular cases, and that the Legislature ought to take some action. But I understand this to go further. If the Governor happened to be opposed to capital punishment, and if the president judge, before whom the case was tried, happened to agree with the Governor, it would result in abolishing capital punishment as to the particular case. That may be right, as the Senator from Erie [Mr. LOWRY] thinks, and as the venerable editor of the New York *Tribune* has been preaching for a long time past, but he has not convinced me. Still, in these cases referred to, I agree, some power should be given.

Mr. WALLACE. Mr. Chairman, the purpose of the bill is not intended to produce the effect that the Senator from Blair [Mr. HALL] supposes it might have. When we have a general statute inflicting the death punishment, and there is no attempt made to repeal that statute, it seems scarcely possible that a judge, unless he has doubts as to the testimony, would agree to recommend that the death punishment should be commuted. It seems to me we can safely trust with the judiciary of this Commonwealth this power. I think that in the bill there are sufficient guards. I do not seek to abolish capital punishment, but simply to mitigate the rigors of the law, in cases where all feel that there might have been a lingering doubt. This is the whole purpose of the bill.

Mr. BIGHAM. Mr. Chairman, our attention has been called by the late Governor, two or three times, to this matter. I think that we ought by all means to legislate in the mode proposed. The operation of the Executive Department has been an exceedingly vexatious one, for the reason that the Executive is called upon once a year to revise the whole thing. Where a person is under sentence of death by the court, the record of which has been submitted to the Governor then in office, unless he issues a death warrant, the succeeding Governor has in no case, so far as I am aware, issued a death warrant. Of course there are cases which occur shortly before he comes into office, in which the proceedings perhaps have not been submitted. Whenever the Executive in office has had the papers in regard to a murder in the first degree submitted to him, the incoming Governor, I believe, has never issued a death warrant.

This bill does not abolish the death penalty, by any means. The Governor, president judge, and at least one of the associates, must concur before this can go into effect at all. It strikes me that those who favor a general abolition of the death penalty ought to vote for this bill, as meeting the most pressing and necessary cases. I shall support this bill very cordially; I think it will relieve the Executive, and enable him to make up his mind in cases of this kind. The last case was that of Cross, who was convicted, and is in the Philadelphia penitentiary.

Mr. CONNELL. No, sir; he is out.

Mr. BIGHAM. In that case a pardon was got on papers that were a forgery. He was taken to Washington, in charge of detectives: he was returned to the prison—a writ of *habeas corpus* having been taken out—and it was claimed that the pardon was absolute, and no conditions could be imposed; and I know that, in the opinion of Mr. Meredith, the right to grant conditional pardons, as suggested in this bill, is free from all doubt. Considering all these points, the concurrence of judicial authority, and the probable present phase of the public mind on this subject, I should be glad to see this bill pass.

On the question,

Will the Senate agree to the first section?

Mr. LOWRY moved to amend the same by striking out all after the word "provided," and inserting in lieu thereof the following:

"That in all cases where persons are convicted of murder in the first degree, and the criminal is under sentence of death, the Governor shall have authority to commute the sentence to imprisonment for life."

Mr. HALL. That will abolish capital punishment.

Mr. LOWRY. Not necessarily; but it carries out, in my judgment, the ends of justice. We find, sir, by our experience, that men are convicted of murder, and the courts have power either to sign a death warrant or a pardon. I do think that it is not asking too much to give the Governor of the Commonwealth power to say whether he will sign the death warrant of a man, or commit him to imprisonment for life. I will make no lengthy remarks. It is my desire to test the feelings of the Senate in regard to this question.

Mr. WALLACE. Mr. Chairman, the amendment offered by the Senator from Erie [Mr. LOWRY] will perhaps vitiate and destroy the whole bill. It has been drawn in the form of a bill for conditional pardon. The Constitution provides that the Governor of the Commonwealth shall have power to remit fines and grant pardons. There is no express power given to commute; hence the bill has been drawn in its present form.

Mr. LOWRY. Mr. Chairman, I think that the Senator entirely misapprehends this case. He brings in a bill to allow the Governor to commute the sentence of death, as he may see proper, and yet he denies that the Legislature has the power to say that the Governor may have the right to commute the sentence from death to imprisonment for life. Now, sir, I cannot spin out the law that fine. If

this Legislature has power over the subject at all, it has power to go as far as that amendment proposes. If the Legislature has power to say to the Governor that those already convicted shall have a conditional pardon, they have the power to say that those convicted hereafter shall have a conditional pardon. I think the Senator has not paid much attention to this amendment.

Mr. WALLACE. I have taken special pains not to use the word "commute" in any portion of the bill.

Mr. LOWRY. I will modify my amendment, then, so that it will read as follows:

"That in all criminal convictions for murder, and where the criminal is under sentence of death, the Governor may grant a conditional pardon from death to that of imprisonment for life."

Mr. WALLACE. Mr. Chairman, the purpose of the Senator from Erie is to vest this power in the Governor. Now, he had better be willing to take what this bill gives, than undertake to grasp more than he can perhaps get. He certainly does not wish to be impracticable. We do not know the temper of the Senate on this subject. Let us be satisfied with vesting this power in the Governor, with the assent of the majority of the court before whom the criminal is tried, to grant a conditional pardon. That is as far as it is advisable to go now, in my opinion. I think the Senate is not now prepared to enter upon the wide field, the debateable ground, of capital punishment. I do not intend to enter upon that at all. I desire the bill to pass as it is. In it I have used terms that are usual in such bills, and it seems to me that we should stand by words that have received a judicial construction, and not attempt to put upon the statute book words like these, that have not been well weighed and well considered.

Mr. HALL. Mr. Chairman, in Pennsylvania the law is, if a man is convicted of murder in the first degree, he shall be hung. That, of course, has to take place before a jury of his peers, and a judge learned in the law.

Now, the Senator from Erie [Mr. LOWRY] proposes an amendment, that, after all this is done, the Governor—one man—may come to the conclusion that the court and jury erred, and that he ought to have been convicted of murder in the second degree. In other words, he proposes to abolish the penalty altogether, or put it in the hands of one man, and that not the man who tried the case; and that this one man shall have the power to say: "This man shall not die, because he was improperly convicted of murder in the first degree." I have perfect confidence in the Governor, but that is a power which I never will agree to give to any Governor in the world. I do not object to this bill going as far as the Senator from Clearfield [Mr. WALLACE] desires. If I had the same views of the Senator from Erie [Mr. LOWRY], I would go the whole length, and go for abolishing capital punishment altogether.

Mr. LOWRY. Mr. Chairman, where the Governor, whether from conviction after reviewing the testimony, or whether from newly discovered evidence, or from any cause whatever—even that of repentance—where the Governor finds mitigating circumstances, I would give him the power to say to the criminal that he can be imprisoned for life. I would go further if I could. I would abolish capital punishment altogether. But this Senate is not prepared for that. But I trust they are prepared to say to the Governor of this State that, after reviewing the whole case, and the circumstances attending it, he may commute the death penalty to imprisonment for life.

Mr. DAVIS. Mr. Chairman, there seems to be a conflict of opinion in this case. I desire simply to make a suggestion which may perhaps remove all difficulties. If I understand the Senator from Clearfield [Mr. WALLACE], there are now sixteen persons in prison within this Commonwealth who have been found guilty of murder in the first degree. Bear that in mind, and also the number of persons hung yearly for that offense. It strikes me that life is not entirely secure in Pennsylvania, and, in view of that fact, might it not be well to apply to the authorities at Washington to have the State of Pennsylvania erected into a military department, and placed under a military despot, and in that way relieve the Governor from these troublesome questions? They would then have control, and could make such rules as to them seemed proper, and not be troubled by any constitutional questions, which seem to be growing out of fashion every day. We used to hear a great deal, a few years ago, as to the necessity of the institutions of this country becoming homogeneous, that the country could not exist half slave and half free, that it must be all the one thing or all the other, and perhaps it may be that this country cannot exist under a government half civil and half military. If there is no danger from that source, and we must believe, from the immense vote in favor of a military government, it may be well to consider the matter and ask ourselves whether we should not be doing the right thing to apply to the Congress of the United States to do what I have suggested.

Mr. LANDON. Mr. Chairman, I do not propose to discuss the question before us at all. I have sometimes had some doubts as to the mercy, not to say the justice and propriety of hanging. But really, after hearing the remarks of the Senator from Berks [Mr. DAVIS] upon this subject, I should not be prepared to-night to vote for the abolition of the death penalty by hanging. I think the rope should be kept in existence until some of the Democratic rebels in this country are disposed of.

Mr. DAVIS. I hope that when that time comes, I may meet the Senator from Bradford [Mr. LANDON].

Mr. LANDON. I should find myself in very bad company, that is all.

Mr. BIGHAM. If it is the intention to raise the whole question of abolishing capital punishment, I agree with the Senator from Clearfield [Mr. WALLACE], that we had better take things as we find them. I do not think this amendment will meet the views of the Senator from Erie [Mr. LOWRY]. If he wants to test the question, he had better move to strike out the proviso altogether.

On the question,

Will the committee agree to the amendment offered by the Senator from Erie?

It was

Not agreed to.

And the question recurring,

Will the Senate agree to the section?

Mr. WALLACE moved to amend the same, by adding to the end thereof the following:

"*And provided further*, That no right to expatriate any convict shall exist by virtue hereof."

Mr. WALLACE. Mr. Chairman, my reason for that amendment is to exact the conclusion that the Governor, in granting a pardon, shall not have power to send a person out of the country; otherwise, he might have that power.

The amendment

Was agreed to.

Mr. WHITE. Mr. Chairman, I do not propose to discuss this question. I feel very much like the Senator from Blair [Mr. HALL], and the Senator from Clearfield [Mr. WALLACE]. I have old-fashioned prejudices upon the subject, and, as long as this bill was designed to remedy some existing evil—as the first section is certainly designed to do, I would have no objection to it. But I confess that I am not altogether prepared to give this proviso my concurrence. I simply rise to ask the Senator from Clearfield [Mr. WALLACE] not to put the bill upon its final passage to-night.

Mr. WALLACE. I have no desire to press the bill; I wish a full deliberation.

Mr. WHITE. I understand from the Senator from Clearfield [Mr. WALLACE] that it is almost a transcript of the Massachusetts law. I merely wish to examine, and satisfy my own judgment in that regard.

The first section, as amended, was then

Agreed to.

The second section was read as follows:

SEC. 2. It shall be and it is hereby made the duty of the sheriffs, wardens, jailors and keepers of prisons, and each of them, to whom the custody of such would be committed, if the terms and conditions of such pardon had been the sentence of the court trying him, to receive the person of the convict under and in accordance with the terms, limitations and restrictions of the warrant of the Governor, and to do and perform those things in reference to his or her continued custody which it would be his or their duty to do if the terms and conditions of the said warrant had been the sentence of the court in which the convict was tried.

The section was

Agreed to.

The third section was read as follows:

SEC. 3. When a convict is pardoned upon conditions to be by him or her performed, or with restrictions and limitations, the officer to whom the warrant for that purpose is issued shall, as soon as may be, after executing the same, make return thereof, with his doings therein, to the office of the Secretary of the Commonwealth, and shall also file, in the clerk's office of the court in which the offender was convicted, an attested copy of the warrant, and return a brief abstract, whereof the clerk shall subjoin to the record of the conviction and sentence.

The section was

Agreed to.

The committee then rose and reported the bill as amended.

The bill was read a second time, and laid over for a third reading.

CODIFICATION OF THE LAWS OF THE STATE.

On motion of Mr. WALLACE, the Senate proceeded to the consideration of bill entitled Joint resolution relative to the revisal of the civil laws of Pennsylvania.

In committee of the whole (Mr. FISHER in the chair),

The first section was read as follows:

Be it resolved by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, That the Governor be, and he is hereby, authorized and required to appoint three persons, learned in the laws of this Commonwealth, as commissioners, to revise, collate and digest all such public acts and statutes of the civil code of this State as are general and permanent in their nature, excepting those statutes revised, codified and enacted under the resolution approved March twenty-third, one thousand eight hundred and thirty.

Mr. BIGHAM. Is it proposed to again revise the penal code?

Mr. WALLACE. It is solely in reference to civil laws; they have become so voluminous that it has become necessary to have a codification.

Mr. WHITE. Do you intend to include the tax laws?

Mr. WALLACE. No, sir; I do not intend

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[CONTINUED FROM PAGE 480.]

to include the tax laws; they are under another jurisdiction.

Mr. WHITE. Might I suggest the propriety of including them?

Mr. WALLACE. It seems to me it would not be wise; the same men who would collate the judicial system might not be capable of revising the tax laws.

Mr. COLEMAN. I would like to ask if it is not a fatal stab at my friend, Purdon?

Mr. WALLACE. I think it is, sir.

Mr. LOWRY. I am sorry to hear the Senator refuse to include the subject of taxation.

Mr. CONNELL. Mr. Chairman, the subject of taxation is totally foreign to that, and is as different as is the sun to the moon. It requires a totally different order of talent.

Mr. WHITE. Mr. Chairman, the inquiry about taxation was not by my own motion. I confess it was suggested to me by the financial officer of the Commonwealth; and, as I understand it, this bill is for the purpose of of collating the laws of the Commonwealth of general application, and I cannot see why the tax law should not be included. If it meets the approbation of the Senator who has this bill in charge, I would suggest that we increase this commission to five men, three of whom shall be learned in the law. That will authorize the Governor to appoint two persons of experience, who can give the legal gentlemen their suggestions.

Mr. WALLACE. I think it wise to have a separate commission for that purpose. It would be mingling the two things together, and create confusion. I have no doubt that there is as much necessity for a commission in that line as the other; but let three men be appointed who understand the subject.

Mr. WHITE. Very well, I do not make any motion.

Mr. LOWRY. Mr. Chairman, it may not be proper to include it in this bill, but I do say, if there is a subject in the Commonwealth that nobody understands, it is the tax laws of the State, and I think a reformation is wanted in that respect more than in any other; and I have just been reminded that it was some years ago proposed that the revenue law of the Commonwealth should be revised. Men were appointed for that purpose, but in consequence of the war coming on, the plan was never carried out.

Mr. CONNELL. The commission made a report.

Mr. COLEMAN. There was a commission appointed, who made a report, and afterwards there was a committee of the House appointed who reported a tax bill, and the Senate would not consider it.

Mr. WALLACE. Mr. Chairman, this discussion shows what difficulties we should get into by mixing these two matters. The one would interfere with the other.

Mr. M'CONAUGHY. I think we had better let the bill stand just as it is. The tax laws embrace a very large department, calling for experience and knowledge. Let us have men learned in the law to codify the laws of the State, and let us have a separate commission in regard to the tax laws.

Mr. BIGHAM. My suggestion would be that the State Treasurer, Auditor General, and two or three others, be named in the bill to revise the tax laws, inasmuch as there is a constitutional difficulty in the way of the Governor's naming anybody connected with legislation. The Governor, in 1862, I think, appointed a commission, who made report upon that subject; but we had better take this in the form in which it is, and then provide that the financial officers shall revise the tax laws.

The first section was then

Agreed to.

The second section was read as follows:

SEC. 2. That it shall be the duty of the revisers to carefully collect and reduce into one act the different acts and parts of acts which, from similarity of subjects, ought to be so arranged and consolidated, to divest the said acts of all useless verbiage, to arrange the several acts under proper titles and sections, to omit all such acts or parts of acts as shall have been repealed or supplied, or which have expired, to suggest to the Legislature such contradictions, omissions or imperfections as may appear in the statutes, and the mode in which the same may be reconciled, supplied or amended, to designate the acts or parts of acts which ought to be repealed, and recommend the passage of such new acts as such repeal may render necessary, and generally to execute the duties hereby confided to them, in such a manner as to render the statute laws of Pennsylvania more simple, plain and perfect: *Provided*, That in such revision of the statutes no such change shall be made in their phraseology as will in anywise impair, alter or affect their true intent and meaning, except in those instances in which it shall be expressly proposed to amend or change the existing provisions of said statutes.

The section was

Agreed to.

The third section was read as follows:

SEC. 3. That the said revisers shall, immediately upon the completion of their labors upon each specific head or subject embraced in said statutes, make report thereof to the Legislature, with the necessary bill prepared and notes of the changes proposed, if any, and shall also revise, collate, and digest, in connection with the statutes revised and enacted under the resolution approved March twenty-third, one thousand eight hundred and thirty, all legislation enacted upon those subjects since the date of said enactment, in such form that the Legislature may, if it deem proper, re-enact the whole in one code; and upon the entire completion of their labors, they shall make a final report, embodying the whole of the duties by them performed.

The section was

Agreed to.

The fourth section was read as follows:

SEC. 4. That the said revisers shall be allowed the term of two years, if necessary, to complete the duties assigned to them in and by these resolutions, and in the execution thereof, they shall have free access to any public records or papers of the State, without fee or reward.

The section was

Agreed to.

The fifth section was read as follows:

SEC. 5. That the sum of five thousand dollars be and the same is hereby appropriated, to be expended under the direction of the Governor and Auditor General, in payment of the compensation to the revisers appointed under the provisions of these resolutions, and the manner of the expenditure thereof shall be by the Auditor General reported to the next Legislature.

On the question,

Will the Senate agree to the fifth section?

Mr. WALLACE moved to amend the same by striking out the word "five," in the first line, and inserting in lieu thereof the word "nine."

The amendment was

Agreed to.

The section as amended was

Agreed to.

The committee rose and reported the bill as amended.

The bill was then read a second and third time, and

Passed finally.

FLOUR INSPECTORS IN PHILADELPHIA.

On motion of Mr. CONNELL, the rules were dispensed with, and the Senate proceeded to the consideration of bill entitled A further supplement to an act relating to inspectors, approved April 15th, A. D. 1830, and the several supplements thereto.

The bill was read.

Mr. LOWRY inquired if flour could be sold in Philadelphia without inspection.

Mr. CONNELL. Yes, sir; and this does not require flour to be inspected. We simply want that when a man puts his brand upon flour he must have authority for doing it.

The bill was read a third time, and

On the question,

Shall the bill pass?

The yeas and nays were required by Mr. DONOVAN and Mr. BILLINGFELT, and were as follow, viz:

YEAS—Messrs. Bigham, Brown (Mercer), Burnett, Coleman, Connell, Cowles, Davis, Fisher, Graham, Haines, James, Landon, Lowry, M'Conaughy, Royer, Shoemaker, Taylor, Walls, White and Hall, *Speaker*—20.

NAYS—Messrs. Billingfeltand Donovan—2.

So the question was determined in the affirmative.

So the bill

Passed finally.

BILLS PASSED.

On motion of Mr. ROYER, the Committee on Roads and Bridges was discharged, and the Senate proceeded to the consideration of bill entitled An act repealing the fifth section of an act entitled An act to enable the Governor to incorporate a company to make an artificial road from the east end of Perkiomen bridge, in the county of Montgomery, passing through Pottsgrove, and passing by the White Horse tavern, in Amity township, in Berks county, to the borough of Reading, approved the 20th day of March, A. D. 1810.

The bill was read a second and third time, and

Passed finally.

On motion of Mr. SCHALL, the Senate proceeded to the consideration of bill entitled An act to incorporate the city of Allentown.

In committee of the whole, the bill was read and reported with amendments.

And the rules having been dispensed with, the bill was read a second and third time, and

Passed finally.

On motion of Mr. ROYER, the Senate then adjourned until eleven o'clock to-morrow morning.

HOUSE OF REPRESENTATIVES.

TUESDAY, March 5, 1867.

The House met at 7½ o'clock, P. M.

Prayer was offered by the Rev. J. KENNEDY, member from Wyoming.

The SPEAKER announced a quorum of members present.

The Journal of last Friday was partly read, when,

On motion of Mr. LEE, the further reading of the same was dispensed with.

Mr. KURTZ. Mr. Speaker, I desire to offer a preamble and resolution.

Mr. MANN. Mr. Speaker, I object.

The SPEAKER. It will require unanimous consent.

Mr. DAVIS. Mr. Speaker, I would like to hear the reading of the preamble and resolution for information.

The SPEAKER. The preamble and resolution will be read for the information of the House.

The Clerk read the preamble and resolution as follows:

WHEREAS, The Hon. Simon Cameron, Senator elect from this State, did invite the Legislature to witness his "swearing in" on the 4th inst.; *And whereas*, A large portion of the members of this body did proceed to the National Capital in accordance with said invitation; *And whereas*, It is currently rumored that the United States Senate did refuse, by resolution, to admit said members to the floor of the Senate, and were thus deprived the privilege of witnessing the said interesting ceremony; therefore, be it

Resolved, That the members of this House who proceeded to Washington, in accordance with the aforesaid invitation, but *did not* witness the said "swearing in," are hereby requested to report to this House at their earliest convenience, and that they have power to send for persons and papers.

PRIVATE CALENDAR.

Agreeably to order,

The House proceeded to the consideration of the bills on the private calendar.

The following bills were read the first time and laid aside for a second reading:

Senate bill No. 560, an act annexing the borough of Manchester to Allegheny city.

Amended by Mr. WILSON.

Senate bill No. 43, an act to authorize the payment of Theodore F. Scheffer for printing deserters' lists.

No. 627, an act to legitimate Annie Crain, of Huntingdon county, and confer on her the right and privilege of a child born in wedlock.

No. 628, a supplement to an act to legitimate George Humphrey Stump and Abraham Harrison Stump, approved 28th day of April, A. D. 1864.

No. 604, an act for the relief of the associate judges of Wayne county.

No. 631, a supplement to an act relating to the lien of mechanics and others upon buildings, extending it to the counties of Blair, Armstrong, Lycoming, Dauphin, Westmoreland and Forest.

Amended by Messrs. WINGARD, HOFFMAN, GALLAGHER and JENKS.

Senate bill No. 495, an act authorizing the city of Allegheny to issue bonds to the amount of sixty-five thousand dollars, to be applied to building a market house in said city.

No. 633, an act to extend the term of the county treasurer of Westmoreland county.

No. 634, an act extending the auction law to the borough of Pottstown.

No. 288, an act to authorize the clerk of the courts of quarter sessions, oyer and terminer and orphans' court of Lehigh county, to appoint deputies.

Senate bill No. 296, a supplement to an act to authorize the erection of a poor house by the township of Wilkesbarre, in Luzerne county, approved 2d of April, 1860.

No. 638, an act to extend the provisions of an act regulating the fees of the district attorney in the county of Bradford, in the court of quarter sessions, approved the 11th day of April, A. D. 1866.

No. 639, an act relating to the filing of liens and collection of taxes in the borough of Petersburg.

No. 640, an act relating to the compensation of the sheriff of Butler and Indiana counties, for boarding prisoners.

Amended by Mr. KIMMELL.

House bill No. 629, a further supplement to an act increasing the fees of the several county officers of this Commonwealth, except in the city of Philadelphia and in the counties of Allegheny, Bradford, Susquehanna and Sullivan, approved March 30th, A. D. 1865.

No. 642, an act relating to hawkers and peddlers, or traveling merchants, in the counties of Lebanon and Wyoming.

Amended by Mr. KENNEDY.

Senate bill No. 285, an act authorizing the trustees of the proprietors of Hanover township, in Luzerne county, to collect and pay over money to the Central poor district.

Senate bill No. 356, an act relative to the duties of district attorneys for the county of Erie.

Senate bill No. 289, an act to authorize the Governor to appoint an additional notary public for the county of Mercer, to reside in the borough of Sharon, in said county, and an additional notary public for the county of Centre, to reside at Phillipsburg.

Senate bill No. 380, an act in relation to the fees of notaries public in the counties of Bedford, Fulton, Somerset and Delaware.

No. 648, a supplement to an act to authorize the erection of a poor house in the county of Tioga, approved the 12th day of March, 1866.

No. 649, an act to authorize the Governor to appoint an additional notary public for the county of Mercer.

Senate bill No. 282, an act to extend the provisions of an act entitled An act to require the register of wills in and for Luzerne county to record in a book or books the appraisements, inventories and vendue lists of personal property, to the county of Monroe.

Senate bill No. 418, an act relative to auctions and gift enterprises in the county of Mercer.

No. 655, an act providing for the manner of electing school directors, supervisors and township auditors, in the township of Penn, Westmoreland county.

No. 656, an act to authorize the guardians of the minor children of Michael Frock, late of Snyder county, deceased, to make certain improvements on the real estate of said minors.

No. 658, an act relating to pawnbrokers in Allegheny and Philadelphia counties.

Amended by Mr. DAVIS.

No. 660, an act relating to the appointment of auctioneers in the county of Cumberland.

No. 661, an act relating to the indebtedness of the county of Dauphin.

Senate bill No. 378, an act to authorize the school directors of the borough of Honesdale, in Wayne county, to borrow money, issue bonds, and levy and collect taxes for payment thereof.

No. 663, an act to confirm the title of Wm. T. Hughes in and to a certain lot or piece of ground situated on the north side of High street, seventy feet six and one-half inches from the west side of Nineteenth street, in the city of Philadelphia.

No. 665, an act to provide for the election of burgess and town council in the borough of Danville, Montour county, Pennsylvania.

Senate bill No. 246, an act to incorporate the Marine hospital of Pennsylvania, in the county of Erie, to fix location of hospital in Erie, and to grant real estate to said hospital.

Senate bill No. 419, an act to legalize the levying and collection of a certain tax in the borough of Sharon, in Mercer county, and authorize the levying and collection of a tax not exceeding ten mills on the dollar of valuation for general borough purposes in said borough.

No. 670, an act to incorporate the Danville water company.

No. 671, an act relating to the borough of Kennett Square, in the county of Chester.

Senate bill No. 143, an act to divide the Twenty-first ward in the city of Philadelphia into two wards, and to create a new ward, to be called the Twenty-eighth ward.

Amended by Mr. QUIGLEY.

No. 673, an act to change the number of overseers of the poor in the borough of Butler, and authorizing the overseers of said borough to make sale of certain real estate.

No. 674, an act to incorporate the Susquehanna Depot Protective Union, of Susquehanna Depot, Susquehanna county.

No. 675, an act providing for the purchase, erection and construction of public water works for the borough of Easton, Northampton county, by the corporate authorities of said borough.

Mr. MEYERS moved a suspension of the rules to enable him to make a further motion.

Agreed to.

Mr. MEYERS moved to discharge the Committee on Municipal Corporations from the further consideration of Senate bill No. 577.

Agreed to.

Mr. MEYERS asked the unanimous consent of the House to substitute Senate bill No. 577 for House bill No. 675.

Objected to by Mr. WATT.

Senate bill 127, an act opening Juniata avenue and vacating Nicetown lane, in the Twenty-fifth ward of the city of Philadelphia.

No. 678, an act to authorize the borough of Lock Haven to erect water works.

Senate bill No. 474, an act to extend the provisions of the act incorporating the Erie gas company, over South Erie and a portion of Mill Creek township, and to authorize the said company to introduce water

wherever it is authorized to introduce gas, and to increase its capital stock and to borrow money.

No. 680, an act in relation to grading, paving, macadamizing and curbing the streets and paving the sidewalks in the borough of M'Keesport, in the county of Allegheny.

No. 681, an act to divide the borough of New Brighton into three wards.

Amended by Mr. QUAY.

Senate bill No. 421, a supplement to an act incorporating the borough of Jamestown.

Senate bill No. 395, an act to vacate a part of Railroad street, in the borough of Pottsville.

No. 687, a further supplement to an act incorporating the town of Lawrenceville into a borough, approved the 18th day of February, A. D. 1834.

MESSAGE FROM THE SENATE.

The Clerk of the Senate being introduced, presented for concurrence bill numbered and entitled as follows, viz:

Senate bill No. 159, a further supplement to an act entitled An act granting a pension to Jacob Hurst, approved March 27th 1856.

He also returned bill from the House of Representatives numbered and entitled as follows, viz:

No. 321, an act authorizing and requiring the school directors of Mercer township and Harrisonville borough, in the county of Butler, to levy a bounty tax, and for the repeal of all former acts relating to bounties in said district,

With information that the Senate has passed the same with amendments, in which the concurrence of the House of Representatives is requested.

He also informed that the Senate has receded from its amendments, non-concurred in by the House of Representatives, to bill from the House of Representatives numbered and entitled as follows, viz:

No. 196, an act establishing a ferry on the Monongahela river, at the borough of California, in the county of Washington.

He also informed that the Senate has insisted on its amendments, non-concurred in by the House of Representatives, to bill from the House of Representatives numbered and entitled as follows, viz:

Senate bill No. 266, an act to annex the farms of Samuel Powers, John Hunter, James Cunningham, John Conway and James Rutlidge, of Derry township, to Livermore borough, in Westmoreland county, for school purposes,

And has appointed Messrs. SEARIGHT, SHOEMAKER and JAMES a committee of conference, to confer with a similar committee on the part of the House of Representatives (if the House of Representatives shall appoint such committee), on the subject of the differences existing between the two houses in relation to said bill.

OBJECTED BILLS.

The following bills were objected to, and, under the rules, will be laid over until next week.

By Mr. FOGEL,

Senate bill No. 364, an act to authorize the commissioners of Lehigh county to borrow money.

By Mr. STEHMAN,

No. 669, an act amending the charter of the municipal corporation of the city of Lancaster, dividing the same into nine wards.

By Mr. GHEGAN,

No. 664, an act appropriating ground for public purposes in the city of Philadelphia.

By Mr. HOOD,

Senate bill No. 562, an act relating to the coroner of the city of Philadelphia.

By Mr. HELTZEL,

Senate bill No. 40, an act to change the venue in the case of Jesse Chronister vs. Howard Miller, Geo. Hollinger and Daniel Harbolt, from the court of common pleas of Adams county to the court of common pleas of Dauphin county.

By Mr. WOODWARD,

No. 637, a supplement to an act relative to hucksters in the county of Lebanon, approved the 10th day of May, A. D. 1866.

By Mr. M'KEE,

No. 630, an act to prevent the depositing of unwholesome matter in the running streams in Allegheny county, and to provide for the better preservation of the public health in said county.

By Mr. QUIGLEY,

No. 650, a further supplement to an act to provide for the regulation and inspection of buildings in the city of Philadelphia, and for the better preservation of life and property, passed the 7th day of May, A. D. 1855.

By Mr. JOSEPHS,

No. 622, an act to authorize John Du Bois to erect cribs and form a log harbor in the West Branch of the Susquehanna river.

By Mr. THARP,

No. 626, an act to change the venue in the case of John M'Farland vs. Joseph Shoemaker, from the court of common pleas of Northumberland county to the court of common pleas of Union county.

By Mr. HOOD,

No. 683, an act to provide for the erection of a bridge in the county of Philadelphia.

By Mr. HEADMAN,

No. 164, an act to vacate part of Township Line road, in the Twenty-fourth ward of the city of Philadelphia.

By Mr. CAMERON,

No. 686, an act to legalize the action of the burgess and town council in the borough of Montrose, in the county of Susquehanna, and to fix the limits of said borough.

By Mr. HOOD,

Senate bill No. 330, an act to change the venue in the case of Jane E. Caldwell vs. the Catawissa railroad company, from the Supreme Court of *nisi prisis* in Philadelphia, to the court of common pleas of Northumberland county.

OBJECTIONS WITHDRAWN.

Mr. GHEGAN withdrew his objection to House bill No. 664.

Mr. HOOD withdrew his objection to Senate bill No. 562.

Mr. WATT withdrew his objection to the substitution of Senate bill No. 577 for House bill No. 675.

SPECIAL ORDER.

Senate bill No. 117, an act relative to the appointment of the collectors of taxes in Montgomery county, being the special order, was taken up.

On the question of agreeing to the amendment of Mr. MARKLEY to include Chester county in the provisions of the bill,

Mr. SHARPLES. Mr. Speaker, I desire to say, sir, that I am opposed to the amendment. I think that this House should consider the two questions separately. In Chester county we do not desire any change in our mode of appointing collectors, and I hope that the amendment will be voted down. I will submit the question as regards the county of Montgomery to the judgment of the House. The House have heard the argument both against and in favor of the passage of that bill, and have no doubt considered it and are prepared to act upon it. I submit that question to the House, but as regards the amendment to include the county of Chester, I do not see how any member can vote for it, inasmuch as nobody here has asked for it—not any party and any person—and I hope the House will vote it down.

Mr. SATTERTHWAIT. Mr. Speaker, I think probably if my colleague [Mr. MARKLEY] was here he would withdraw that amendment.

I am willing that the amendment shall be voted down, and I will then call for the yeas and nays on the bill.

The question being on the amendment, it was not

Agreed to.

The question recurring on agreeing to the bill,

The yeas and nays were required by Mr. SATTERTHWAIT and Mr. KLINE, and as follow, viz:

YEAS—Messrs. Adaire, Armstrong, Barton, Chadwick, Davis, DeHaven, Donohugh, Freeborn, Geghan, Harbison, Kennedy, Kerns, Kimmell, Kinney, Lee, Leech, M'Pherrin, Marks, Quay, Richards, Roath, Sharples, Shuman, Steacy, Stehman, Subers, Watt, Webb, Wharton, Wilson, Worrall and Wright—32.

NAYS—Messrs. Barrington, Brennan, Calvin, Chalfant, Chase, Collins, Craig, Deise, Ewing, Fogel, Gregory, Harner, Headman, Heltzel, Hood, Humphrey, Hunt, Jenks, Jones, Josephs, Kline, Koon, Kurtz, Linton, Long, M'Henry, Maish, Mann, Mechling, Meyers, Mullin, Phelan, Quigley, Rhoads, Robinson, Rouch, Satterthwait, Tharp, Westbrook and Wham—40.

So the question was determined in the negative.

MESSAGE FROM THE SENATE.

The Clerk of the Senate being introduced, presented for concurrence bill numbered and entitled as follows, viz:

Senate bill No. 592, an act to authorize the Lehigh coal and navigation company to build branch railroads.

He also returned bill from the House of Representatives numbered and entitled as follows:

No. 822, a further supplement to an act relating to inspectors, approved April 15th, 1830, and the several supplements thereto,

With information that the Senate has passed the same without amendments.

OBJECTED BILLS OF LAST WEEK.

The following objected bills of last week were taken up and disposed of as indicated:

No. 515, an act relating to the passage of fish in Middle Creek township, in the county of Snyder.

Read the first time and laid aside for a second reading.

No. 528, an act extending to Allegheny county the laws regulating the granting of licenses to eating houses and taverns in the city of Philadelphia.

Read the first time and laid aside for a second reading.

No. 554, an act relating to the appointment of road viewers and their duties, in the county of Snyder.

Read the first time and laid aside for a second reading.

No. 566, an act to establish a ferry across the Allegheny river, at or near the borough of Tidioute, in the county of Warren.

Read the first time, and,

On motion of Mr. ALLEN, Senate bill No. 309, an act to establish a ferry across the Allegheny river at Tidioute, Warren county, was substituted for the same.

No. 595, an act relating to the duties of the treasurer of Lawrence county.

Read the first time and laid aside for a second reading.

No. 578, an act to incorporate the Empire hook and ladder company, No. 1, of Altoona, Blair county.

Read the first time and laid aside for a second reading.

No. 582, an act to authorize Wm. Loesch to run a line of omnibuses from the south line of the borough of South Erie, to the harbor.

Read the first time and laid aside for a second reading.

No. 584, a supplement to an act for incorporating the German Reformed congregation in the borough of Reading, in the county of Berks, erected the 25th day of August, in the year of our Lord, 1786.

Read the first time and laid aside for a second reading.

No. 589, an act to incorporate the Union Mutual fire insurance company of Northampton and Lehigh counties.

Read the first time and laid aside for a second reading.

No. 590, an act relative to drainage of certain lands in Point township and borough of Northumberland, Northumberland county.

Read the first time.

Mr. SHARPLES. Mr. Speaker, I desire to ask the gentleman from Northumberland [Mr. THARP] for some explanation of this bill. Some of my constituents, one especially, being a landholder in that particular locality, are interested in this matter. I would like to have an explanation of it.

Mr. THARP. Mr. Speaker, this law is required by a very large majority of the people of the township to which this act is to apply. I have a petition before this House signed by nearly every landholder in the township. There is a great deal of wet land in that county which the owners cannot improve on account of others contiguous refusing to drain. There is but one person in the whole district described by that bill who is opposed to it. It is designed for the improvement of those localities where there is a great deal of wet and soggy land. My constituents, with but a single exception, are decidedly in favor of it, and I ask for its passage. There is no reason for any objection to this bill. There is nothing in the bill itself that any gentleman has found fault with, and I can see no necessity for objecting to this bill, except to accommodate a very gentlemanly (?) individual who does not want to drain his land. Every other one, so far as I am aware, is willing to join in mutual improvement.

Mr. KENNEDY. Mr. Speaker, I would state that the gentleman who opposes this bill does so on the ground that it will compel him to dig a ditch to drain the other man's land, when the other man has the same opportunity of draining his own land as the first one has. It will oblige him to dig a ditch about twice as long as is necessary for him to drain his land into the river. To compel a man to dig a ditch to drain another man's land, it seems to me is hardly in harmony with the Constitution of this Union.

The bill was laid aside for a second reading.

On motion of Mr. RICHARDS, the House adjourned until to-morrow morning at 10 o'clock.

SENATE.

WEDNESDAY, March 6, 1867.

The Senate met at 11 o'clock, A. M., and was called to order by the SPEAKER.

Prayer was offered by the Rev. Mr. Bailey.

On motion of Mr. WALLS, the reading of the Journal of yesterday was dispensed with.

REPORTS FROM COMMITTEES.

Mr. CONNELL, from the Committee on Finance, reported, as committed, a bill entitled An act to exempt the German Reformed congregation of New Goshenhoppen, in the county of Montgomery, from taxation.

Mr. STUTZMAN, from the Committee on the Judiciary Local, as committed, a bill entitled An act relating to the payment of certain bounties by the township of Eldred, Monroe county.

Also (same), as committed, a bill entitled An act to perfect title to one hundred and sixteen acres of land in Somerset county, heretofore owned by the Union coal and iron company.

Also (same), as committed, a bill entitled An act relative to the purchase of a law library in the county of Wayne.

Also (same), as committed, a bill entitled An act for the creation and sale of the Methodist burial ground in the city of Pittsburg, and for removing the bodies therefrom.

Mr. COWLES (same), as committed, a bill entitled A supplement to an act to confer additional powers upon the burgess and town council of the borough of Wilkesbarre, approved March 23, 1865.

Also (same), as committed a bill entitled A supplement to an act to appoint commissioners to re-survey and establish the lines of the main road running through a part of Wilkesbarre township, Luzerne county, approved February 24, 1859.

Also, (same), as committed, a bill entitled A supplement to an act relative to the fees of district attorney of certain counties of this Commonwealth.

Also (same), as committed, a bill entitled An act authorizing the commissioners Clinton county to appropriate the unexpended relief funds of said county to building a new court house.

Also (same), with a negative recommendation, a bill entitled An act to authorize Patrick Gallagher, a justice of the peace of the borough of Ashland, Schuylkill county, to hold his office in either ward of said borough

Ruled out of order by the SPEAKER.

Mr. FISHER (same), as committed, a bill entitled An act to authorize the burgess and town council of the borough of Bridgewater to sell part of Clarion street, in said borough.

Also (same), as committed, a bill entitled An act to authorize the burgess and town council of the borough of Shrewsbury, York county, to erect or construct a lockup house.

Also (same), as committed, a bill entitled a supplement to an act incorporating the borough of Birmingham, in the county of Allegheny, extending the boundaries of said borough and annexing a part of Lower St. Clair township to said borough.

Also (same), with amendments, a supplement to the act to incorporate the borough of Columbia, approved April 16, A. D. 1866.

Mr. DAVIS (same), as committed, a bill entitled An act giving additional power to the councils of the city of Pittsburg.

Also (same), as committed, a bill entitled An act to extend the time for the payment of the enrollment tax on an act entitled An act to incorporate the Madison improvement company, approved August 10, 1864.

Also (same), as committed, a bill entitled supplement to an act incorporating the city of Allegheny, in the county of Allegheny, approved March 13th, A. D. 1844.

Also (same), as committed, a bill entitled An act providing for the election of a township treasurer in Middle Smithfield township, Warren county.

Also (same), as committed, a bill entitled An act fixing the compensation for the commissioners of the county of Bucks.

Mr. WHITE (same), as committed, a bill entitled An act for the better protection of seamen in the port and harbor of Philadelphia.

Also (same), as committed, a bill entitled An act authorizing the sale of the Allegheny city poor house.

Also (same), as committed, a bill entitled An act supplementary to an act concerning streets and sewers in the city of Pittsburg, approved January 6, 1864.

Also (same), as committed, a bill entitled An act to consolidate the boroughs of Lebanon and North Lebanon.

Mr. M'CONAUGHY, from the Committee on Estates and Escheats, a bill entitled An act to authorize the Presbyterian congregation to convey certain real estate.

Mr. BURNETT (same), as committed, a bill entitled An act to confirm the title to a certain lot of ground in the Twentieth ward of the city of Philadelphia.

Mr. WALLACE (same), with amendments, a bill entitled An act to authorize Daniel Lander and Henry Lander, trustees under the will of Jacob Zug, late of Berks county, deceased, to invest the moneys in their hands received from the said deceased and proceeding from his estate for the use of his daughter, Sophia Lander, or her children, in the purchase of certain real estate.

Mr. RIDGWAY, from the Committee on Corporations, as committed, a bill entitled an act to incorporate the Philadelphia County real estate association.

Also (same), as committed, a bill entitled An act to incorporate the Scranton market company.

Also (same), as committed, a bill entitled An act to incorporate the National Homestead of Gettysburg.

Mr. ROYER (same), as committed, a bill entitled An act to incorporate the Keystone homestead company.

Mr. JAMES (same), as committed, a bill entitled An act to incorporate the Home for the Friendless, in the city of Harrisburg, in the county of Dauphin.

Mr. HAINES (same), as committed, a bill entitled An act to incorporate the M'Keesport gas company.

Mr. GLATZ (same), as committed, a bill entitled A supplement to an act incorporating the Pittsburg and Arizona gold and silver mining company.

Mr. ROYER, from the Committee on Canals and Inland Navigation, as committed, a bill entitled An act to declare West creek, in the counties of Cameron and Elk, a public highway.

Also (same), as committed, an act to establish the Vinegar ferry.

Mr. LANDON, from the Committee on Railroads, as committed, a bill entitled A further supplement to the act incorporating the Lehigh and Delaware Water Gap railroad company.

Mr. GRAHAM (same), as committed a bill entitled A supplement to an act incorporating the Colebrook Dale railroad company, approved the 23d day of March, A. D. 1865.

Mr. RANDALL (same), as committed, a bill entitled An act to incorporate the Brandy Camp railroad company.

Mr. WORTHINGTON, from the Committee on Education, as committed, a bill entitled An act to incorporate the Lebanon Valley college.

Mr. BILLINGFELT, from the Committee on Roads and Bridges, as committed, a bill entitled A supplement to an act relative to roads in East Bethlehem and East Pike Run townships, Washington county.

Mr. LANDON (same), as committed, a bill entitled An act to repeal an act to lay out a State road in Schuylkill and Columbia counties, approved April 4th, A. D. 1866.

Also (same), as committed, a bill entitled A supplement to an act, entitled An act to incorporate the Mattawana bridge company, approved March 8d, 1848.

Mr. GLATZ (same), as committed, a bill entitled A supplement to an act appointing commissioners to lay out and open a State road in the counties of Potter and Clinton,

approved the 16th day of March, A. D. 1865.

Also (same), as committed, bill entitled An act empowering the city of Philadelphia to take possession of a part of the Chestnut Hill and Spring House turnpike.

Mr. WALLS (same), as committed, a bill entitled An act to incorporate the Roaring Brook turnpike company.

Also (same), as committed, a bill entitled An act to authorize the Coal Hill and Upper St. Clair turnpike road company to increase their tolls.

Mr. TAYLOR (same), as committed, a bill entitled An act to authorize the Allegheny and Perrysville plank road company to fix their tolls and transfer a portion of their road.

Also (same), as committed, a bill entitled A supplement to an act to authorize the road commissioners of Freehold township to levy an additional tax, approved April 11, A. D. 1866.

Mr. GRAHAM, from the Committee on Vice and Immorality, with negative recommendation, a bill entitled An act to ascertain the views of the qualified electors of the city and county of Philadelphia upon the subject of allowing the Passenger railway companies of said city to run their cars on the first day of the week, commonly called Sunday.

Mr. BIGHAM, from the Committee on the Judiciary General, to which was recommitted bill entitled An act for the promotion of medical science and to prevent the traffic in human bodies, reported the same with amendments.

Mr. JACKSON, from the Committee appointed to Compare Bills, and present them to the Governor for his approbation, made report, which was read as follows, viz:

That in conjunction with a similar committee from the House of Representatives, they have compared, and on February 15th presented to the Governor for his approbation, the bills as follow, to wit:

House bill No. 360, an act to change the place of holding elections for Howard township to the school house in the borough of Howard, in the county of Centre.

House bill No. 76, an act to change the venue in the case of Commonwealth of Pennsylvania vs. Jesse R. M'Carty, Joshua R. M'Carty and Charles Norton, from the court of quarter sessions of the peace in Sullivan county to the court of quarter sessions of the peace in Bradford county.

Also, on February 19th:

House bill No. 61, an act limiting the burgess and town council of the borough of Oil City, Venango county, in the levying and collection of taxes.

House bill No. 44, an act to regulate the fees of the county treasurer in Northumberland county.

House bill No. 96, an act to extend the provisions of the act to prohibit the granting of licenses to sell intoxicating drinks within the county of Potter, approved April 11th, A. D. 1866, to the county of Beaver.

House bill No. 130, an act authorizing the court of common pleas of Northampton county to appoint a trustee to make sale of certain real estate held in trust for A. Wolle and company.

House bill No. 128, an act to authorize the school directors of Swatara school district, Dauphin county, to raise an additional building tax.

House bill No. 94, an act relating to beer houses and restaurants and licenses now granted by the treasurer of Washington county.

House bill No. 215, an act relating to the Agricultural college of Pennsylvania, and to the establishment of experimental farms in connection therewith.

House bill No. 512, an act to extend the provisions of the act approved the thirty-first day of July, 1863, to the counties of Centre and Huntingdon.

House bill No. 522, a supplement to an act, approved March 5th, 1828, entitled An act to authorize the Governor to incorporate a company to erect a bridge over the Juniata river at the town of Mifflin in the county of Mifflin.

House bill No. 366, an act to authorize the orphans' court of Westmoreland county, if by it deemed proper, to examine the accounts filed in the estate of George T. Crawford, deceased, notwithstanding the provisions of the act of the 18th of October, 1840, entitled An act relating to orphans' courts, and for other purposes.

Senate bill No. 490, supplement to an act entitled An act to incorporate the Bradford County railroad company, approved May 9, 1866.

Senate bill No. 28, an act to extend the provisions of the act concerning the sale of railroads, canals, turnpikes, bridges and plank roads, to sales made or to be made under or by virtue of a power of sale in mortgage or deed of trust without judicial process or decree.

Senate bill No. 295, an act relating to the duties of clerk of the orphans' court for the county of Dauphin.

Senate bill No. 59, an act to confer upon the committee of a lunatic or habitual drunkard the power to institute actions of partition and prsoecute those already commenced.

Senate bill No. 30, a supplement to an act relative to landlords and tenants, approved December 14, 1863, extending the provisions thereof, in cases of descent and purchase.

Also, on February 20th:

Senate bill No. 197, a further supplement to the act to charter the Harrisburg bridge company, enabling the company to raise money to rebuild the bridge.

Senate bill No. 158, an act to extend an act entitled An act authorizing the Secretary of the Commonwealth to distribute copies of the standard of weights and measures, and for the appointment of sealers, to the county of Montgomery.

Senate bill No. 349, an act to enable the Pennsylvania Cannel coal and railroad company to borrow money and to change the corporate name of said company, and confirm the title to real estate belonging to said company.

House bill No. 510, a supplement to an act for the incorporation of the Merchants' National telegraph company, approved the 18th day of April, A. D 1866.

House bill No. 347, an act changing the time of the meeting of the auditors of Hillgrove township, Sullivan county.

House bill No. 294, an act to enable the board of school directors of the borough of Goldsboro', in the county of York, to borrow money for building purposes.

House bill No. 295, a further supplement to an act to incorporate the Birmingham, East Birmingham and South Pittsburgh gas company, approved April 15th, 1856.

House bill No. 296, a supplement to the act to incorporate the Western transportation company, formerly the Oil Creek transportation company.

House bill No. 298, an act to incorporate the Pennsylvania Central chief detective and live stock insurance company.

House bill No. 519, a supplement to an act to incorporate the Midas petroleum and improvement company of Pittsburg and New York, approved the 22d day of March, A. D. 1865.

House bill No. 193, an act to establish a ferry over the Allegheny river at or near Red Bank furnace.

House bill No. 121, a further supplement to an act increasing the fees of the several county officers of this Commonwealth, except in the city of Philadelphia and the counties of Allegheny, Bradford, Susquehanna and Sullivan, approved March 30, A. D. 1865.

House bill No. 112, an act to authorize the election of an officer to be called constable and collector in the several townships and boroughs in the county of Cameron, and regulating his duties.

Also, on February 21st, 1867:

Senate bill No. 42, a supplement to an act entitled An act to incorporate the Wilkesbarre and Pittston railroad company, approved April 15th, A. D. 1859.

Senate bill No. 62, an act changing the number and manner of electing councilmen in the borough of Bellevernon.

Senate bill No. 68, an act to incorporate the Scranton Savings Bank.

Senate bill No. 84, an act to incorporate the the Hand-in-Hand Mutual life insurance company.

Senate bill No. 118, an act authorizing the appointment of seven additional notaries public for the city of Philadelphia.

Senate bill No. 120, an act to prevent and punish desertions in the counties of Lawrence and Luzerne.

Senate bill No. 122, an act to incorporate the Granit insurance company.

Senate bill No. 123, an act to incorporate the Wilkesbarre and Sugar Notch passenger railway company.

Senate bill No. 133, an act to amend the charter of the Cambria iron company, authorizing an increase of capital stock and the issue of bonds, and authorizing the manufacture of iron and steel in any shape.

Senate bill No. 134, an act to incorporate the Richland Township Mutual insurance company.

Senate bill No. 138, an act relating to the Dauphin county prison.

Senate bill No. 152, an act to authorize the borough of St. Mary's to borrow money and to extend the width of St. Michael street, in said borough.

Senate bill No. 156, a supplement to an act to incorporate the Corn Exchange association of Philadelphia, authorizing said association to make certain by-laws and regulating the assessment and payment of dues, fines, et cetera.

Senate bill No. 174, an act relating to New Castle gas and light company.

Senate bill No. 179, an act to incorporate the University of St. Augustine.

Senate bill No. 180, an act to incorporate the Co-operative association of Scranton for mercantile purposes.

Senate bill No. 181, an act to incorporate the Providence gas and water company in Luzerne county.

Senate bill No. 191, a supplement to an act approved the 16th day of April, A. D. 1866, appointing commissioners to lay out and open a State road in M'Kean county, from the borough of Smethport to Lafayette Corners.

Senate bill No. 195, an act relative to the Lancaster and Litiz turnpike road company, in Lancaster county.

Senate bill No. 198, an act to incorporate the Sullivan and Pocono Summit plank road (or turnpike) company.

Senate bill No. 201, an act to incorporate the Erie City passenger railway company.

Senate bill No. 242, an act to to authorize the school directors of Minersville borough, in the county of Schuylkill, to borrow money.

Senate bill No. 325, a supplement to an act to incorporate the Trout Run navigation company, authorizing change of time and place of organization thereof.

Senate bill No. 326, a further supplement to an act for the better preservation of the

records contained in the public offices of the several counties of this Commonwealth, approved the 29th day of March, A. D. 1827, so far as relates to the county of Lancaster.

Senate bill No. 353, a supplement to the act of Assembly entitled An act to incorporate the Union Park skating association of Allegheny city, approved the 22d day of March, A. D. 1865.

Senate bill No. 350, an act to extend the time of payment of enrollment tax on a certain act approved March 10th, 1865, entitled A further supplement to an act to incorporate the Powelton coal and iron company, approved May 1st, 1861, extending the time of charter of said company.

Senate bill No. 354, an act to authorize the select and common councils of the city of Williamsport to levy and collect a special tax for city purposes.

Senate bill No. 561, a supplement to an act to enable the stockholders to rebuild the Lewisburg bridge, and to establish, in the meantime, a ferry.

Senate bill No. 248, an act to extend the time for the payment of the enrollment tax on an act entitled A supplement to the act incorporating the Littlestown railroad company, approved the seventeenth day of February, A. D. 1854, approved April 5th, 1864.

House bill No. 269, an act extending the time for the payment of the enrollment tax of the People's Accident insurance company of Pennsylvania, and changing the corporators.

House bill No. 122, an act to regulate the terms of the several courts in the Sixth Judicial district.

Laid on the table.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

The Clerk of the House of Representatives being introduced, presented for concurrence bills numbered and entitled as follows:

No. 604, an act for the relief of the associate judges of Wayne county.

Referred to the Committee on the Judiciary Local.

No. 627, an act to legitimate Annie Crain, of Huntingdon county, and confer on her the rights and privileges of a child born in wedlock.

Referred to the Committee on the Judiciary Local.

No. 815, a supplement to an act to incorporate the Coatesville, Montoursville and Doe Run plank road company, and relative to the repair of public roads in Birmingham township, Delaware county, and relative to the Darby and Upper Darby plank road company, approved the 26th day of March, A. D. 1853, and extend the provisions of certain sections thereof to Bart township, Lancaster county.

Referred to the Committee on Roads and Bridges.

He also returned bill from the Senate numbered and entitled as follows, viz:

No. 160, an act granting a pension to Wm. M'Farland,

With information that the House of Representatives has passed the same with amendments, in which the concurrence of the Senate is requested.

On motion of Mr. BROWNE (Lawrence), said amendments were twice read, considered, and concurred in.

BILLS IN PLACE.

Mr. M'CONAUGHY read in his place and presented to the Chair a bill entitled An act requiring notices of applications for legislation, in certain cases.

Referred to the Committee on the Judiciary Local.

Mr. WALLACE, a bill entitled An act to allow the sheriff of Elk county fees for serving jury notices.

Referred to the Committee on the Judiciary Local.

Also, a bill entitled An act to incorporate the Shawsville bridge company, in the county of Clearfield.

Referred to the Committee on Roads and Bridges.

Mr. SCHALL, a bill entitled An act to change the name of the borough of South Bethlehem, Northampton county, to Tacker.

Referred to the Committee on the Judiciary Local.

Mr. SHOEMAKER, a bill entitled An act to authorize the appointment of one additional notary public in the county of Luzerne, to reside in the borough of Wilkesbarre, and repealing so much of the act of 14th of April, 1840, as renders justices of the peace ineligible to the office of notary public, so far as the same relates to the additional notary public authorized by this act.

Referred to the Committee on the Judiciary Local.

Also, a bill entitled A supplement to an act entitled An act to incorporate the Susquehanna and Delaware railroad company.

Referred to the Committee on Railroads.

Mr. BROWNE (Lawrence), a bill entitled An act relative to justices of the peace, burgesses and notaries public in the county of Lawrence.

Referred to the Committee on the Judiciary Local.

Mr. COLEMAN, a bill entitled A supplement to an act entitled An act relative to the estate of George Fry, deceased, approved the 20th day of June, A. D. 1829.

Referred to the Committee on Estates and Escheats.

Mr. STUTZMAN, a bill entitled An act to incorporate the Idaho mining and exploring company.

Referred to the Committee on Corporations.

Mr. GRAHAM, a bill entitled An act to incorporate the Pittsburg transportation company.

Referred to the Committee on Corporations.

Also, a bill entitled An act relative to the Grove Farm oil company.

Referred to the Committee on Corporations.

Mr. BROWN (Mercer), a bill entitled An act to incorporate the Greenville savings and loan company.

Referred to the Committee on Banks.

Mr. CONNELL, a bill entitled an act authorizing an increase of the capital stock of the Connecting railway company.

Referred to the Committee on Railroads.

Mr. COWLES, a bill entitled a supplement to an act incorporating the Lawrenceville and Oswego railroad company, approved the 1st day of May, A. D. 1852, reviving said act and appointing new commissioners.

Referred to the Committee on Railroads.

Mr. BILLINGFELT, a bill entitled an act to incorporate the Water Street railroad company of Lancaster.

Referred to the Committee on Railroads.

Mr. RIDGWAY, a bill entitled an act to authorize the erection of a free bridge over the Schuylkill river in the city of Philadelphia.

Referred to the Committee on Roads and Bridges.

Mr. RIDGWAY. Mr. Speaker, I am not committed in favor of this bill, but read it at the instance of a friend who sends it to me.

Also, a bill entitled a supplement to an act to incorporate the Broad Street Island railroad company, approved April 4, 1865.

Referred to the Committee on Roads and Bridges.

Mr. BURNETT, a bill entitled an act to authorize the county commissioners of the county of Carbon to assist in the building of a new road out of the borough of Mauch Chunk.

Referred to the Committee on Roads and Bridges.

Mr. GLATZ, a bill entitled An act to add part of Hanover township, Lehigh county, to Northampton county.

Referred to the Committee on New Counties and County Seats.

MESSAGE FROM THE GOVERNOR.

The Deputy Secretary of the Commonwealth being introduced, presented a message, in writing, from the Governor, which was read as follows, viz:

EXECUTIVE CHAMBER,
HARRISBURG, March 6, 1867.

To the Senate and House of Representatives of the Commonwealth of Pennsylvania:

GENTLEMEN—I have approved and signed the following acts of the General Assembly, to wit:

On the 1st instant:

An act to incorporate the Springfield and Garretford turnpike company.

An act creating a board for the erection of a city hall in the city of Pittsburg.

An act to re-annex a portion of the borough of Montoursville, in Lycoming county, Pennsylvania, to Fairfield township, in said county.

An act to incorporate the Erie City passenger railway company.

An act relative to the eligibility of the officers of the Tioga railroad company, and to the time of holding meetings of said company.

An act changing the number and manner of electing councilmen in the borough of Bellvernon.

An act to authorize the election of an officer to be called constable and collector in the several townships and boroughs in the county of Cameron, and regulate his duties.

A further supplement altering and amending an act to incorporate the Saint Clair cemetery association of the borough of Greensburg, Westmoreland county, approved April 19th, A. D. 1856.

An act authorizing the burgess and town council of the borough of Irwin, in Westmoreland county, to levy and collect a special tax for borough purposes.

An act to authorize the commissioners of Wyoming county to levy an additional tax for the purpose of erecting a new county jail and sheriff's house in said county of Wyoming, and for other purposes.

An act to incorporate the Allegheny and Saw Mill Valley passenger railway company.

An act to incorporate the Kensington Mutual Co-operative association of the city of Philadelphia.

An act to authorize an increase of taxes for borough purposes in the borough of West Elizabeth, Allegheny county.

An act to establish a ferry on the Allegheny river at Patterson's Falls, in the county of Venango.

An act to extend an act to authorize the burgess and town council of the borough of Kittanning to grade, curb and pave certain sidewalks.

An act declaring Wiconisco creek from Oakdale Forge, in Dauphin county, to the public road leading from Clark's Valley to Tremont, in Schuylkill county, a public highway.

An act to establish a ferry over the Allegheny river at the mouth of East Sandy creek, in the county of Venango.

An act to declare a portion of Freeman's run, in Potter county, a public highway.

A supplement to an act relative to the publication of local laws in the counties of Centre and Schuylkill, approved the sixteenth day of April, Anno Domini one thousand eight hundred and sixty-six.

A supplement to an act to authorize the board of school directors of the city of Pittsburg, in the county of Allegheny, to borrow money, approved April 19th, 1864.

An act to establish a ferry over the Allegheny river, at or near Bear Creek landing.

An act construing portions of the first section of an act, approved February 17th, A. D. 1860, granting to Samuel Stock the right to erect a ferry or foot bridge over Oil creek, at or near the Noble well, in the township of Cornplanter, Venango county.

An act relating to the poor laws of Delaware county.

A supplement to an act to incorporate the Tidioute bridge company, approved the 17th day of April, A. D. 1861.

Further supplement to an act to empower the town council of the borough of Bellefonte in Centre county, to borrow money, approved the 14th day of February, A. D. 1863.

An act to incorporate the Dickinson Run railroad and bridge company.

An act supplementary to an act to incorporate the Union hall association of Pottsville.

A supplement to an act to authorize the raising of money and payment of bounties to volunteers, in the borough of Scranton, in the county of Luzerne, approved April 1st, A. D. 1864, to facilitate the collection of taxes levied for the liquidation of the bounty debt.

An act to authorize the Wyoming slate company to create and issue preferred stock.

An act to incorporate the Pennsylvania Boat House association of Philadelphia.

An act to regulate the rates of fare on certain passenger railroads in the county of Allegheny.

An act to incorporate the New Britain and Doylestown turnpike road company.

An act to increase the compensation of the supervisors of roads in the township of Solebury, Bucks county.

On the 2d instant:

An act to regulate the taking of fish from the ponds and lakes in Benton township, in Luzerne county.

An act to incorporate the Morrison's Cove railroad company.

An act to authorize the school directors of the borough of Punxsutawny to borrow money.

An act to incorporate the Pioneer Run bridge company.

An act to incorporate the Boyd Farm and Petroleum Centre bridge company.

An act to authorize the qualified electors of Lycoming county to vote for or against a poor house in said county.

An act to authorize the school directors of Millville school district, Cambria county, to use surplus school tax for building purposes.

An act to authorize the treasurer of the bounty fund of Schuylkill township, Chester county, Pennsylvania, to pay over to the treasurer of the school board of said township the funds remaining in his hands.

An act to legalize the levy and collection of certain bounty tax, to provide for a settlement, and authorize the school directors to lay an additional bounty tax in Lykens township, Dauphin county.

A supplement to an act to incorporate the Pennsylvania Gas coal company, approved the first day of March, Anno Domini one thousand eight hundred and sixty-one.

An act to regulate the terms of the several courts in the Sixth Judicial district.

An act to enable the South ward in the city of Chester to procure a supply of water.

A further supplement to an act to incorporate the Pittsburg and Birmingham passenger railroad company, approved the thirteenth day of April, Anno Domini one thousand eight hundred and fifty-nine.

An act to establish a ferry over the Allegheny river in Kinzna township, Warren county.

An act to divide the township of Plymouth into two election districts.

An act to prevent the growth of noxious weeds in the county of Chester.

A supplement to an act to enable the school directors of Kittanning borough to borrow money, approved the twelfth day of March, Anno Domini one thousand eight hundred and sixty-six.

An act relative to bounty taxes in Marion township, Butler county.

An act for the relief of Joseph A. Allen and E. Mayes.

An act to establish an additional notary public in Chester county.

A supplement to an act incorporating the Girard Electrical insurance company, approved the second day of March, Anno Domini one thousand eight hundred and sixty-six.

An act extending an act relative to roads in Uwchlan township, Chester county, and East Bethlehem and East Pike Run townships, Washington county, to Peters, Fallowfield and West Pike Run townships, Washington county.

A supplement extending the provisions of an act approved the seventeenth day of April, Anno Domini one thousand eight hundred and sixty-six, relative to the fees on unseated lands in the county of Centre.

A supplement to an act to empower the school directors of Chambersburg to borrow money to build a new school house, approved the twelfth day of May, Anno Domini one thousand eight hundred and fifty-seven, further extending the provisions of the second section thereof.

A supplement to an act to incorporate the Norristown passenger railroad company.

An act to incorporate the Greenwood Avenue turnpike company.

An act relative to the supervisors and road laws in Wiconisco township, Dauphin county.

On the 5th instant:

A supplement to an act entitled An act to incorporate the Factoryville and Abington turnpike and plank road company, approved the seventeenth day of April, Anno Domini one thousand eight hundred and fifty-six.

An act to authorize the borough of Indiana to increase their taxation for borough purposes.

An act repealing so much of the act authorizing the election of additional officers and changing the manner of collecting taxes in the townships of Robison and North Fayette, Allegheny county, approved March thirteenth, Anno Domini one thousand eight hundred and sixty-six, as relates to the manner of collecting taxes in Robison township.

An act authorizing and requiring the prothonotary of Cambria county to keep an extension docket.

An act to divide the borough of Plymouth into two wards.

An act to authorize the payment to Michael Dunn, a soldier in the war to suppress the rebellion, a gratuity on account of the loss of both of his legs.

An act relating to hawkers and peddlers in the county of Chester.

An act relating to hawking and peddling in the county of Westmoreland.

An act to incorporate the Pithole gas and water company.

On the 1st instant:

Joint resolution relative to the pay of E. D. Pickett as clerk to the committee trying the contested election case contesting the seat of Charles D. Roush, from the district composed of the counties of Lycoming, Union and Snyder.

JNO. W. GEARY.

Laid on the table.

BILLS RE-COMMITTED.

Mr. FISHER moved that bill entitled An act to authorize the burgess and town council of the borough of Bridgewater to sell part of Clarion street in said borough, be re-committed to the Committee on Judiciary Local.

The motion was

Agreed to.

SESSIONS OF THE SENATE.

Mr. BIGHAM moved that 10 o'clock, A. M., be the standard hour for meeting hereafter.

Mr. CONNELL. I hope not; I would rather have afternoon sessions.

Mr. BIGHAM modified his motion so that, unless otherwise ordered, the Senate will hereafter hold afternoon sessions on Wednesday and Thursday of each week, commencing at 3 o'clock.

The motion was

Agreed to.

NATIONAL HOMESTEAD AT GETTYSBURG.

On motion of Mr. WORTHINGTON, the rules were suspended, and the Senate proceeded to the consideration of bill entitled An act to incorporate the National Homestead of Gettysburg.

The bill was read as follows:

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same*, That Matthew Simpson, Charles P. M'Ilvaine, Robert J. Breckinridge, Alfred Lee, George G. Meade, O. O. Howard, Nathaniel P. Banks, William Strong, Wilmer Worthington, Richard Newton, Alexander Henry, John Francis Bonrns, F. A. Muhlenberg, Jr., David M'Conaughy, Edward M'Pherson, Alexander Reed, Newton James, Cuthbertson Burns, J. Marshal Paul, George Bailey, Abraham Martin, John W. Mears, Peter B. Simons, Alfred S. M. Slocum, John T. Agnew, William H. Hayward, Thomas Wattson, Samuel Bancroft, and all other persons who shall become contributors agreeably to the provisions of this act, be, and the same are hereby, incorporated into an association by the name and title of "The National Homestead at Gettysburg," with all the rights, powers, privileges and incidents of a corporation under the laws of this Commonwealth, for the purpose hereinafter mentioned.

SEC. 2. That the members of the said association shall consist only of the persons hereinbefore named, and such persons who shall annually contribute and pay the sum of five dollars, and such persons who shall pay fifty dollars or more, at one time, as a contribution for life, to the purposes of the said association.

SEC. 3. That the said association may establish one or more institutions for the shelter, support and education of dependent children of such soldiers and seamen as may have died in the service of the United States, or died from wounds received, or disease contracted, in said service, under such rules and regulations as the said association may from time to time establish, not being repugnant to the laws of the United States, or of this State: *Provided*, That when orphans of soldiers and sailors, as aforesaid, cease to be presented in adequate numbers for admission to the said institution, the privileges thereof may be extended to other orphan children born within the United States.

SEC. 4. That the affairs of the said association shall be conducted by a board of directors, to consist of twenty-eight members of

the association, a majority of whom shall reside in the city of Philadelphia or its vicinity, to be elected annually, by ballot, on the third Thursday of May, in the said city, by the persons mentioned in the second section of this act as the members of the said association: *Provided*, That the failure to elect on the day named shall not dissolve the said corporation, but the election may be held on any subsequent day, and the directors in office shall continue therein until their successors are chosen: *And provided*, That the directors shall have power to fill vacancies in their own body that may be occasioned by the death, resignation, or removal, or neglect, or refusal to act of any member until the next ensuing election.

Ten days previous notice shall be given of every election of directors, by advertisement in two daily papers in the city of Philadelphia.

SEC. 5. That the persons named in this act as corporators, or any nine of their number, shall meet in the city of Philadelphia on the third Thursday of May next ensuing, and elect a board of directors to serve for one year, and until their successors are chosen; and upon due notice that such election has been held, to be filed in the office of the Secretary of the Commonwealth, the Governor shall issue letters patent to the corporation in the usual form, which shall confer upon the said association, by the name aforesaid, all the rights, powers, privileges and franchises granted by this act.

SEC. 6. That the board of directors at their first stated meeting held after their election annually, shall elect the officers of the association, to consist of a president, two or more vice presidents, a general secretary, a recording secretary and a treasurer, and shall adopt measures to secure the organization and assistance of an associated board, of not less than twenty citizens, residing nearer to the institution hereinbefore specified, for the better oversight and management of the same, in accordance with such rules, by-laws and regulations, as the said original board of directors may from time to time adopt: *Provided*, That not less than one-half the number of persons in the said associated board shall be gentlemen, and the majority of the whole board shall be residents in the borough or township in which said institution may be situated: *And Provided*, That the board of directors may appoint such officers, not hereinbefore provided for, as the true purpose of the association may require.

SEC. 7. That the said directors shall, in their discretion, take under their care and guardianship, such children as, by the third section of this act, are contemplated to be received into the aforesaid institution, and who shall be voluntarily surrendered by their parents or guardians to the care and control of the directors; they shall cause the children to be educated and instructed in a proper manner, and may, when in their judgment it shall appear proper, either return the said children to their parents or former guardians, or bind them, with their consent, as apprentices during their minority, to such persons, and at such places, and to learn such trades and employments as, in the judgment of the said directors, will be most conducive to the benefit and advantage of said children: *Provided*, That the charge and power of the said directors over the said children shall not, in the case of females, extend beyond the age of eighteen years: *And provided*, That the surrender of the children to the said institution as hereinbefore provided shall be in writing, under the hand of the proper parent or guardian, and all indentures of apprenticeship, or other instruments of writing, given by said institution shall be in the respective manner thereof, and sealed by their common seal and attested by the president and secretary.

SEC. 8. That the said institution, by its board of directors, may purchase and hold any such estate, real, personal or mixed, and the same, or any part thereof, from time to time may sell, mortgage or otherwise dispose of as may be required for the purposes hereby authorized; and may have a common seal, which the said directors may alter and renew at their pleasure: *Provided*, That the yearly income of all estate and property of the said corporation, exclusive of such part thereof as may be required to defray the current and necessary expenses of the aforesaid institution, shall not exceed ten thousand dollars.

SEC. 9. That no misnomer of the said institution, in any case of bequest made or designed therefor, shall affect the validity of said bequest.

The bill was read a second and third time, and

Passed finally.

PROMOTION OF MEDICAL SCIENCE.

On motion of Mr. BIGHAM, the rules were suspended, and the Senate proceeded to the consideration of bill entitled An act for the promotion of medical science, and to prevent the traffic in human bodies.

The bill was read as follows:

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same*, That any public officer in the city of Philadelphia and county of Allegheny, having charge thereof or control over the same, shall give permission to any physician or surgeon of the same city and county, upon his request made therefor, to take the bodies of deceased persons required to be buried at the public expense, to be by him used within the State for the advancement of medical science, preference being given to medical schools, public and private: and said bodies to be distributed to and among the same, equitably, the number assigned to each being proportioned to that of its students: *Provided, however*, That if the deceased person, during his or her last sickness, of his or her own accord, shall request to be buried; or if any person, claiming to be, and satisfying the proper authorities that he is kindred to the deceased, shall ask to have the body for burial, it shall be surrendered for interment; or, if such deceased person was a stranger or traveler, who died suddenly, the body shall be buried, and shall not be handed over as aforesaid.

SEC. 2. Every physician or surgeon, before receiving any such dead body, shall give to the proper authorities surrendering the same to him, a sufficient bond that each body shall be used only for the promotion of medical science within this State; and whosoever shall use such body or bodies for any other purpose, or shall remove the same beyond the limits of this State, and whosoever shall sell or buy such body or bodies, or in any way traffic in the same, shall be deemed guilty of a misdemeanor, and shall, on conviction, be imprisoned for a term not exceeding five years, at hard labor, in the county jail.

The first and second sections were

Agreed to.

And the bill being under consideration,

Mr. BIGHAM moved to amend the same, so that it would read, "An act for the promotion of medical science in the city of Philadelphia, and the county of Allegheny, and to prevent the traffic in human bodies."

The amendment was

Agreed to.

The title, as amended, was

Agreed to.

And the rules having been suspended,

The bill was read a third time, and

Passed finally.

THE GENERAL FREE RAILROAD BILL.

Agreeably to order, the Senate proceeded with the consideration of bill entitled An act to authorize the formation of railroad companies.

The seventh section being under consideration, Mr. WALLACE offered amendments to the same, which were discussed until the hour of adjournment.

[The amendments, together with the debate thereon, will appear in the *Appendix*.]

The hour of one having arrived, the SPEAKER adjourned the Senate until 3 o'clock this afternoon.

AFTERNOON SESSION.

The Senate re-assembled at 3 o'clock, P. M.

BILLS PASSED.

On motion of Mr. BILLINGFELT, the Committee on Roads and Bridges was discharged from the further consideration of a bill entitled A supplement to an act to incorporate the Coatesville, Mortonville and Doe Run plank road company, and relative to the repair of public roads in Birmingham township, Delaware county, and relative to the Darby and Upper Darby plank road company, approved the 26th day of March, A. D. 1853, and extending the provisions of certain sections thereof to Bart township, Lancaster county.

And the rules having been dispensed with,

The bill was read a second and third time, and

Passed finally.

THE GENERAL FREE RAILROAD BILL.

Agreeably to order, the Senate continued the consideration of the bill entitled An act to authorize the formation of railway corporations.

Various amendments were offered and rejected, which, together with the debate thereon, will appear in the *Appendix*.

[The bill was passed to a third reading, substantially as reported from the committee.]

HOUR OF MEETING TO-MORROW.

Mr. BIGHAM moved that when the Senate adjourns, it will adjourn to meet to-morrow morning at ten o'clock.

The motion was

Agreed to.

On motion of Mr. DONOVAN, the Senate then adjourned until ten o'clock to-morrow morning.

HOUSE OF REPRESENTATIVES.

WEDNESDAY, March 6, 1867.

The House met at 10 o'clock, A. M.

Prayer was offered by Rev. J. KENNEDY, member from Wyoming.

The SPEAKER announced a quorum of members present.

The Journal of yesterday was partly read, when,

On motion of Mr. MANN, the further reading of the same was dispensed with.

BILL PASSED.

Mr. STEACY. Mr. Speaker, I ask leave to make a statement.

Leave was granted.

Mr. STEACY. I ask for a suspension of the rules to take up House bill No. 815 at this time. The election will take place on the fifteenth of this month, and, unless the

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[CONTINUED FROM PAGE 488.]

bill is acted upon immediately, it will be of no use.

The question of suspending the rules was Agreed to.

No. 815, a supplement to an act to incorporate the Mortonville and Doe Run plank road company, and relative to the repairing of public roads in Birmingham township, Delaware county, and relative to the Darby and Upper Darby plank road company, approved the 26th day of March, A. D. 1862, was taken up and read.

Under a further suspension of the rules the bill was read a second and third time and

Passed finally.

SPEAKER'S TABLE.

The SPEAKER cleared his table of Senate bills numbered and entitled as follows, viz:

Senate bill No. 159, a further supplement to an act entitled An act granting a pension to Jacob Hurst, approved March 27th, 1866.

Referred to the Committee on Pensions and Gratuities.

Senate bill No. 592, an act to authorize the Lehigh coal and navigation company to build branch railroads.

Referred to the Committee on Railroads.

EXTRACT FROM MESSAGE FROM THE SENATE.

He also informed that the Senate has insisted on its amendments, non-concurred in by the House of Representatives, to bill from the House of Representatives numbered and entitled as follows, viz:

No. 266, an act to annex the farms of Samuel Powers, John Hunter, James Cunningham, John Conway and James Rutlidge, of Derby township, to Livermore borough, in Westmoreland county, for school purposes.

And has appointed Messrs. SEARIGHT, SHOEMAKER and JAMES a committee of conference, to confer with a similar committee on the part of the House of Representatives (if the House of Representatives shall appoint such committee), on the subject of the differences existing between the two Houses in relation to said bill.

The amendments made by the Senate to said bill were twice read, considered and non-concurred in, and ordered that Messrs. GALLAGHER, KIMMELL and BOYD be a committee on the part of the House, to confer with a similar committee, already appointed on the part of the Senate, on the subject of the differences existing between the two Houses in relation to said bill; and

Ordered, That the Clerk inform the Senate of the same.

No. 321, an act authorizing and requiring the school directors of Mercer township and Harrisville borough, in the county of Butler, to levy a bounty tax, and for the repeal of all former acts relating to bounties in said district, with amendments by the Senate.

On motion, the House concurred in the amendments of the Senate.

PRIVATE CALENDAR.

Agreeably to order,

The House proceeded to the second reading and consideration of the bills on the private calendar, numbered and entitled as follows, and said bills were disposed of as stated:

Senate bill No. 560, an act annexing the borough of Manchester to Allegheny city.

Passed finally.

No. 604, an act for the relief of the associate judges of Wayne county.

Passed finally.

Senate bill No. 48, an act to authorize the payment of Theodore F. Scheffer for printing deserters' lists.

Passed finally.

No. 627, an act to legitimate Annie Crain, of Huntingdon county, and confer on her the right and privilege of a child born in wedlock.

Passed finally.

No. 628, a supplement to an act to legitimate Geo. Humphrey Stump and Abraham Harrison Stump, approved 28th day of April, A. D. 1854.

Passed finally.

No. 629, a further supplement to an act increasing the fees of the several county officers of this Commonwealth except in the city of Philadelphia and the counties of Allegheny, Bradford, Susquehanna and Sullivan, approved March 30, 1865.

Passed finally.

Senate bill No. 495, an act to authorize the city of Allegheny to issue bonds to the amount of sixty-five thousand dollars, to be applied to building a market house in the said city.

Passed finally.

No. 633, an act to extend the term of the county treasurer of Westmoreland county.

Passed finally.

Senate bill No. 288, an act to authorize the clerk of the courts of quarter sessions, oyer and terminer and orphans' court of Lehigh county to appoint deputies.

Passed finally.

Senate bill No. 296, a supplement to an act to authorize the erection of a poor house by the township of Wilkesbarre, in Luzerne county, approved 2d of April, 1860.

Passed finally.

No. 638, an act to extend the provisions of an act regulating the fees of district attorney in the county of Bradford, in the court of quarter sessions, approved 11th day of April, A. D. 1866, to the county of Cameron.

Passed finally.

No. 639, an act relating to the filing of liens and collection of taxes in the borough of Petersburg.

Passed finally.

No. 640, an act relating to the compensation of the sheriff of Butler and Indiana counties for boarding prisoners.

Passed finally.

No. 642, an act relating to hawkers and peddlers, or traveling merchants, in the counties of Lebanon and Wyoming.

Passed finally.

Senate bill No. 285, an act authorizing the trustees of the proprietors of Hanover township, in Luzerne county, to collect and pay over moneys to the Central poor district.

Passed finally.

Senate bill No. 356, an act relative to the duties of district attorneys for the county of Erie.

Passed finally.

Senate bill No. 289, an act to authorize the Governor to appoint an additional notary public for the county of Mercer, to reside in the borough of Sharon, in said county, and an additional notary public for the county of Centre, to reside at Phillipsburg.

Passed finally.

Senate bill No. 380, an act in relation to the fees of notaries public in the counties of Bedford, Fulton, Somerset and Delaware.

Passed finally.

No. 649, an act to authorize the Governor to appoint an additional notary public for the county of Mercer.

Passed finally.

Senate bill No. 418, an act relative to auctions and gift enterprises in the county of Mercer.

Passed finally.

No. 655, an act providing for the manner of electing school directors, supervisors and township auditors in the township of Penn, Westmoreland county.

Passed finally.

No. 656, an act to authorize the guardians of the minor children of Michael Frock, late of Snyder county, deceased, to make certain improvements on the real estate of said minors.

Passed finally.

No. 660, an act relating to the appointment of auctioneers in the county of Cumberland.

Passed finally.

No. 661, an act relating to the indebtedness of the county of Dauphin.

Passed finally.

Senate bill No. 378, an act to authorize the school directors of the borough of Honesdale, in Wayne county, to borrow money, issue bonds and levy and collect taxes for payment thereof.

Passed finally.

No. 663, an act to confirm the title of Wm. T. Hughes and to a certain lot or piece of ground, situated on the north side of High or Market street, seventy feet six and one-half inches from the west side of Nineteenth street, in the city of Philadelphia.

Passed finally.

Senate bill No. 246, an act to incorporate the Marine hospital of Pennsylvania, in the county of Erie, to fix location of hospital in Erie, and to grant real estate to said hospital.

Amended by Mr. M'CREARY, and

Passed finally.

Senate bill No. 419, an act to legalize the

levying and collection of a certain tax in the borough of Sharon, in Mercer county, and authorize the levying and collection of a tax not exceeding ten mills on the dollar of valuation for general borough purposes in said borough.

Passed finally.

No. 670, an act to incorporate the Danville water company.

Passed finally.

No. 671, an act relating to the borough of Kennett Square, in the county of Chester, to enable said borough to borrow money to erect water works, changing the number of public ordinanees, and opening, widening and straightening the streets of said borough.

Amended by Mr. WADDELL, and

Passed finally.

Senate bill No. 143, an act to divide the Twenty-first ward, in the city of Philadelphia, into two wards, and to create a new ward, to be called the Twenty-eighth ward.

Amended by Mr. QUIGLEY, and

Passed finally.

No. 673, an act to change the number of the overseers of the poor in the borough of Butler, and authorizing the overseers of said borough to make sale of certain real estate.

Passed finally.

No. 674, an act to incorporate the Susquehanna Depot Protective Union of Susquehanna Depot, Susquehanna county.

Ammended by Mr. CAMERON, and

Passed finally.

No. 675, an act providing for the purchase, erection and construction of public water works for the borough of Easton, Northampton county, by the corporate authorities of said borough.

Passed finally.

Senate bill No. 127, an act opening Juniata avenue and vacating Nicetown lane, in the Twenty-fifth ward of the city of Philadelphia,

Passed finally.

No. 678, an act to authorize the borough of Lock Haven to erect water works.

Passed finally.

Senate bill No. 475, an act to extend the provisions of the act incorporating the Erie gas company, over South Erie and a portion of Mill Creek township, and to authorize the said company to introduce water wherever it is authorized to introduce gas, and to increase its capital stock, and to borrow money.

Passed finally.

No. 680, an act in relation to grading, paving, macadamizing and curbing the streets and paving the sidewalks in the borough of M'Keesport, in the county of Allegheny.

Passed finally.

No. 681, an act to divide the borough of New Brighton into three wards.

Passed finally.

Senate bill No. 421, a supplement to an act incorporating the borough of Jamestown, in the county of Mercer.

Passed finally.

Senate bill No. 395, an act to vacate part of Railroad street, in the borough of Pottsville.

Passed finally.

No. 631, a supplement to an act relating to the lien of mechanics and others upon buildings, extending it to the counties of Blair and Armstrong.

The bill is as follows:

SECTION 1. *Be enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the act entitled An act relating to the lien of mechanics and others upon buildings, approved the sixteenth day of June, Anno Domini one thousand eight hundred and thirty-six, together with the several supplements thereto, shall hereafter be held to apply to debts contracted for work done, and for materials furnished, for or about the repair, alteration of, or addition to, any house or other building, in the same manner as liens may now be had and filed for debts contracted for work done and materials found for or about the erection or construction of any house, or other building, under the aforesaid act, approved the sixteenth day of June, Anno Domini one thousand eight hundred and thirty-six, and the several supplements thereto: *Provided,* That nothing in this act shall render property liable to liens for repairs, alterations or additions where the same has been altered and repaired by any lessee or tenant without the written consent of the owner or owners, or his or her duly authorized agent, and that this act shall not apply to debts, such as aforesaid, where the same are of less amount than twenty dollars: *And provided also,* That this act shall apply only to the counties of Blair and Armstrong, and that the lien for repairs, authorized by this act, shall not have priority over any lien entered before the commencement of such repairs.

Mr. HEADMAN. Mr. Speaker, I move to amend by including the county of Bucks.

The amendment was

Agreed to.

Mr. CRAIG. Mr. Speaker, I move to amend by including the county of Carbon.

The amendment was

Agreed to.

Mr. LEE. Mr. Speaker, I move to amend by including the county of Philadelphia.

The amendment was

Agreed to.

Mr. MANN. Mr. Speaker, I move to amend by including the county of Potter.

The amendment was

Agreed to.

Mr. HUMPHREY. Mr. Speaker, I move to include the county of Tioga.

The amendment was

Agreed to.

Mr. STUMBAUGH. Mr. Speaker, I move to include the county of Franklin.

The amendment was

Agreed to.

Mr. KINNEY. Mr. Speaker, I move to include the county of Bradford.

The amendment was.

Agreed to.

Mr. HARBISON. Mr. Speaker, I move to amend by inserting the county of Lawrence.

The amendment was

Agreed to.

Mr. MEYERS. Mr. Speaker, I move to amend by including the county of Northampton.

The amendment was

Agreed to.

Mr. CHASE. Mr. Speaker, I move to amend by making it a general bill.

Mr. M'CREARY. Mr. Speaker, I think we had better know what the bill is.

Mr. MANN. Mr. Speaker, I would state for the information of the House what I understand this bill to be.

The law, as it now stands, does not enable a mechanic who makes repairs upon a building, no matter to what extent, to have a lien for those repairs upon the building. It only enables mechanics who build a building to have a lien. This bill provides that a mechanic who makes repairs to the amount of over twenty dollars, may file his lien upon the building for repairs.

If the members desire it to be a general bill, I am in favor of it myself.

Mr. LEE. Mr. Speaker, I think it ought to be a general bill A man may spend ten thousand dollars in improvements on a house, but if he leaves the house so that its general outline is not altered, the mechanic can have no lien upon it for those repairs. But i upon another part of his grounds he has a doghouse built, worth twenty-five dollars, the mechanic can have a lien upon that. There is no sense in this. I think that the labor and material furnished for one purpose is as valuable to the man who furnishes them as for another. The man who gives them, whether it be for building or for repairing, should have a lien upon the building. But, no matter how much a building may be improved under the present law, a mechanic can have a lien for that improvement.

Mr. MEYERS. Mr. Speaker, it seems to me that this ought to be a general law.

There was a case before our court very recently, in which extensive repairs were made to a dwelling house, but the evidence before the court established the fact that the general appearance of the house was not changed, and in pursuance of the decision of the Supreme Court the man who made these repairs, although of greater value than the original house, was deprived of his lien upon the building. I think that it is no more than just that a mechanic for repairs—no matter how much or how little they are—should have the benefit of the lien laws.

This is an important bill, and I think it is wise in its provisions, and it ought to be extended to the whole State.

Mr. WADDELL. Mr. Speaker, this is now the law in the county of Chester. We have had it there some two or three years, and so far as my experience goes, it works well and has given satisfaction to mechanics and everybody interested. But it strikes me that the whole proviso should be stricken out, because it does nothing more than the decision of the Supreme Court does now. Liens for repairs cannot affect liens that have been entered prior to the commencement of the building, or prior to the commencement of the repairs. The decision of the Supreme Court, if my recollection is correct, does not extend the lien of a mechanic to any time prior to the commencement of the work, and therefore the provisions of this proviso are not needed at all.

Mr. MANN. Mr. Speaker, I apprehend that it will be safer to leave this proviso, all except the words making it apply to the counties of Blair and Armstrong. I think the gentleman from Chester [Mr. WADDELL] would not have suggested striking out all this proviso if he had given this matter of liens thorough attention. It would certainly lead to litigation, and we should pass laws in such a way as to avoid that if possible. Let the bill stand with this proviso in it, that it shall not take priority of liens, and it will undoubtedly prevent litigation.

I hope, therefore, the modification making it a general law will be made, and that the House will see fit to retain this proviso.

Mr. LINTON. Mr. Speaker, as this is to be made a general law, I desire to offer an amendment to it. The reason, as I understand, why repairs were hitherto excluded from mechanics' liens was from the fact that there was no notice to purchasers, that, from the very nature of the case, there could be no notice to purchasers. Under the law, as it stands, a man has six months to file his lien. If any person makes a purchase of the building within that time the mechanic can make a lien upon the property, of which the purchaser was not aware at the time he made the purchase, and constrain him to pay more than he bargained for when he made the purchase. Now, in the case of buildings when erected this is not so. A man will know when an erection was made, and he is bound to inquire whether there is a lien upon the building or not, but repairs to a considerable extent may be made without anything being apparent, and the lien upon those repairs can be filed without the knowl-

edge of the purchaser of its existence. I, therefore, offer an amendment, to add the following proviso:

And provided further, That the claim entered in pursuance of this act shall be a lien from the date of its entry on record.

Mr. MANN. Mr. Speaker, I hope this amendment will not be adopted. If it is, it will defeat the whole object of this bill. This has no force in it that I can see. We may have as good notice of a lien for repairs upon a building as upon the building itself. The adoption of this amendment would clearly defeat the purposes of the bill, because the mechanic has to go on and complete his work before he can file his lien under the provisions of the bill, and he may have gone on and done ten thousand dollars worth of work, and a short time before he has completed his contract some man steps in and recovers judgment of, perhaps, the full value of the premises and he is defeated entirely in his claims. I knew a case of this kind, not in my own county, but in the county of Tioga, where a man furnished steam boilers for a steam mill. He put in the entire machinery of the mill, rigged it all over new, put in new gearing and everything of the kind, and everything new, and the court held because it was not a new building he had no lien upon it.

I desire to say that it is very apparent, I think, that this amendment which is offered will make it worse than no bill at all, because we shall hold out by the first provision of the bill an inducement that for all the repairs a mechanic makes to a building he shall have the right of his own lien, and he goes on with perfect confidence, feeling that the Legislature have enabled him to secure himself for all the work that he puts upon that building in repairs and all material that he furnishes; and if we now add this proviso, after he has done all this work and furnished all this material, another man steps in before him and secures a judgment covering the whole value of the property, and the mechanic, perhaps, finds that he is ruined by this proviso. He can only enter his lien after he has done his work and furnished his material, and therefore the favored creditor has the right to come in and secure this property before he can file his lien. It makes it far worse than not to pass any bill at all.

Mr. MEYERS. Mr. Speaker, I trust that this amendment will be defeated, for if it is carried you make a different rule in reference to liens for repairs than for the entire building. The laws indicate one subject, and it ought to be one, harmonious, but the effect of this amendment would operate injuriously upon persons making repairs. A building may be worth only five hundred dollars and the repairs increase its value to two thousand dollars, and if you allow other parties to obtain judgment against this property in the intervening time, of course you deprive the party making the repairs of all the benefit which this act confers upon him, and you might just as well have no law at all. Is not the fact that the repairs are about to be commenced and that the statute requires the party to file a lien, is not that notice that the purchaser shall not purchase this property until these repairs are finished and put upon record? I trust, therefore, that this amendment will not prevail. I would rather see the bill entirely defeated than to have its object and purpose defeated in this way.

Mr. LINTON. Mr. Speaker, I am not at all tenacious about the adoption of this amendment, only that I believe it would be an advantage and protection to purchasers of real estate.

Now, I agree with the gentleman from Northampton [Mr. MEYERS] that there will then be a difference between liens entered for erections, and liens under this act for repairs. I think this should be so for this reason: In case of an erection, or reconstruction, the change is so great that the purchaser is put upon his guard; but in case of repairs or alterations, there is nothing to put him on his guard—nothing to give him notice that there may be a dormant claim of this kind, and, therefore, nothing which will cause him to meet contingencies of this kind. There should be a difference, simply because there is a difference in the circumstances.

The amendment is designed to protect purchasers. If a man wishes to purchase property he will have no security against these liens, because he will have no knowledge of the fact that repairs are made. Now, if this amendment is adopted a man can enter his lien for repairs, but it will not have an antecedent effect. Purchasers, knowing this fact, will examine the record and will know from that what they will have to meet in purchasing the property.

Mr. MEYERS. I would like to ask the gentleman what benefit this law would be with this amendment to a person making an improvement?

Mr. LINTON. The benefit would be that immediately upon the completion of those repairs, he would enter a lien. Without this he would be constrained to bring suit and prosecute judgment, and in the meantime the property may be swept away. It will prevent its being swept away in that manner. Some person must suffer under those circumstances. The object of this amendment is to prevent the purchaser from suffering. Without it there is nothing to put him on his guard. I desire to further amend, at the suggestion of some gentleman, to make the amendment apply to purchases for a valuable consideration without notice.

Mr. WADDELL. Mr. Speaker, I do not, sir, feel as if I could favor this character of an amendment; although I confess, sir, that there is some reason why the time should be limited, so far as repairs are concerned. Now, this bill will give the mechanic six months after he has completed his repairs, within which to enter up his lien, as has been suggested by the gentleman from Cambria [Mr. LINTON]. Within that time all the repairs made may be covered up, and there will be nothing apparent; there will be no evidence to the purchaser that such repairs have been made. Now, we must not consider that all repairs are to cost five or ten thousand dollars. In the majority of cases, they do not amount to more than one or two hundred dollars; and they are such repairs as the outside world never see. Repairs take place inside a building, and probably one or two or three hundred dollars is spent in these repairs, which a coat of paint in twenty-four hours will cover entirely up, and no purchaser could perceive if he examined the building from top to bottom. A carpet or a piece of paper on the wall may cover up, or a pot-full of paint may destroy all evidence of it.

Now, the mechanic has six months, who has done that work, to enter up his lien. A purchaser might, within three months after the completion of those repairs, purchase that property, and within three months more, a lien of one or two or three hundred dollars would be entered upon the property for repairs. The difference in regard to new erections is that it gives every purchaser notice. There is a new building to be put up, and if there are mechanics' liens upon it, the purchaser will be able to ascertain that fact. He is put upon his guard. He can inquire and ascertain when the building was finished, and whether it has been within six months; if not so, then the liens, if any upon it, must be upon the record; and it seems to my mind that so far as repairs are concerned, there should be a less period of time within which a mechanic should be enabled to enter up his lien, say thirty days, or something of that kind. To my mind, I cannot see the reason that would give the mechanic six months after he had done his work, within which to make out his bill, and get it entered in the office of the court, in order to give him a lien. He can do it in six days as readily as in six months. He has done his work, and all he has got to do is to make out his bill, and file it. Now, a mechanic makes repairs which nobody can see, and you allow six months after he has done that, in which to enter up that lien, which may be against a subsequent purchaser. It seems to me that object would be attained if you confine them to a shorter time within which to enter up a lien—say twenty or thirty days. The same principle why a lien should revert to the commencement of an original erection, applies to repairs. The mechanic who makes the repairs, should have the same benefit of reverting to the time of commencing his repairs, as the mechanic in the other instance. Therefore, if he was required to enter up his lien within a short period of time, it would accomplish the same object, and put purchasers upon their guard in the same way.

Mr. WINGARD. Mr. Speaker, the provision in the mechanics' lien law which gives him six months' time in which to enter up his lien I consider to be a very wise provision. There is scarcely a mechanic who does a job of building or repairing, or anything of that sort, who does not feel persuaded in his own mind at the time that his employer is able and willing to pay for all the work he performs. He goes to work with that belief, and a mechanic is generally supposed to need his money about as fast as he earns it. If he waits six months he will then be able to ascertain pretty certainly whether it is the true intent of his employer to pay the money, or whether there is doubt about it. Hence I have always thought that provision giving six months' time in which to enter up a lien was a most beneficial provision in favor of the mechanic, and I can see no reason why this should not be the case in matters of repair. I think there is great reason why six months' time should be given in which to enter up a lien, and that less time would abridge mechanics' rights to a great extent.

Mr. HOOD. Mr. Speaker, I consider the amendment offered a very desirable one for the city of Philadelphia. It is also very desirable for the city of Pittsburg. In a city such as Philadelphia, containing one hundred and twenty-five or one hundred and fifty thousand houses, it is a most difficult matter for purchasers to ascertain what repairs have been made to buildings within six months. Houses built within six months bear evidence of that fact, and it is a matter subject to inquiry when a building was completed. But when it comes down to a question of repairs, suppose you put inside a house costing a hundred thousand dollars repairs to the amount of five or ten thousand dollars, the repairs are scarcely preceptible.

Now, if there are ten thousand dollars worth of repairs inside such a building, and it is impossible to ascertain whether there is a lien against the property or not, no one will consent to buy it. I have no objection, so far as I am individually concerned, that some time should be allowed in which to enter up a lien, say twenty days after the completion of repairs. The purchaser can readily ascertain whether any repairs have been completed within twenty days, and he can get information which will enable him to buy the premises with safety.

But if you allow six months in which to enter up liens for repairs it will destroy the

confidence which exists between the purchaser and seller in such cities as Philadelphia, and it would be far better in that case to have Philadelphia excluded from the provisions of this act. I, for one, do not want it, if repairs in that respect are to be put upon a footing with new property. In a county town it is different, for there nearly every person knows of every house built within ten or fifteen years, and of every particle of repairs made. It is not difficult to ascertain these facts in the country, but it is in a city like Philadelphia. I do sincerely hope that the amendment offered by the gentleman from Cambria [Mr. LINTON] will meet with the good sense and judgment of this House and will be adopted.

Mr. CHASE. Mr. Speaker, it seems to me we have said enough on this amendment. I think this bill should now go over on the third reading. I therefore move to postpone the bill and place it at the head of the calendar of public bills.

The motion was

Not agreed to.

The question recurring on the amendment of Mr. LINTON,

It was

Not agreed to.

Mr. MAISH. Mr. Speaker, I move to amend by inserting after the word "agent," in the seventeenth line, the words "a copy of which said written consent shall be filed with the said lien at the time of entering the same."

Mr. WADDELL. Mr. Speaker, I hope the House will adopt that amendment. Here we provide in the bill that when the lessee or tenant makes repairs, the mechanic shall not have the benefit of this law, unless he has the written consent of the landlord to make the repairs. Yet we provide no way by which that fact shall be generally known. If that consent is given in writing, and is necessary that the mechanic may enter his lien, why not give notice to the whole world of that fact by filing it along with this lien? I can see nothing unreasonable about it. It is done for the benefit of the mechanic himself. It seems to me that it is nothing unreasonable, and I hope the House will not object to this amendment.

The question being on the amendment of the gentleman from York [Mr. MAISH],

It was

Agreed to.

Mr. MEYERS. Mr. Speaker, I move to amend by adding to the section the following: *And Provided*, That all liens for repairs shall be filed within sixty days after such repairs are completed.

I offer this amendment to meet the force of the objections made by some gentlemen, that six months is too long a time in which to enter a lien for repairs. I think there is some force in that objection—especially when their liens are for a small amount. I therefore offer this amendment.

Mr. WINGARD. Mr. Speaker, I hope that amendment will not prevail. I consider it a direct attack upon the rights of the mechanic. The mechanic ought to have some time in which to exercise his discretion as to whether he shall enter a lien or longer trust the man who employs him to make the repairs. I can see no reason for any difference between the time that he should have in which to enter his lien for repairs and for the original erection of a building.

Mr. MEYERS. Mr. Speaker, this is not an attack, either directly or indirectly, upon the rights of the mechanic.

Why, sir, before this bill came before the House, the mechanic had no relief at all in this respect. He could file no bill at all for repairs, and therefore, according to the reason of the gentleman from Lycoming [Mr. WINGARD], the Legislature of 1836 made a direct attack upon the mechanic by not allowing him the right to file a lien for repairs. We go a step further, and entertaining the view that the law of 1836, and its supplements, were wrong in this particular, we give the mechanic the right to file his lien for repairs. I say that two months is long enough, and that there is some difference between repairs and the erection of a building. It is no attack at all upon the mechanic. If an attack at all, it is an attack on the original law.

Mr. WINGARD. Mr. Speaker, we extend this right now, because public policy and justice require it, but this is extending it in a niggardly and contracted way if we limit the time to sixty days.

On the question of agreeing to the amendment of Mr. MEYERS,

The yeas and nays were required by Mr. WINGARD and Mr. STUMBAUGH, and were as follow, viz:

YEAS—Messrs. Adaire, Armstrong, Cameron, Chadwick, Craig, Davis, DeHaven, Donohugh, Fogel, Freeborn, Gallagher, Headman, Heitzel, Hoffman, Hood, Hunt, Jenks, Jones, Josephs, Kerns, Kimmell, Kinney, Kline, Koon, Lee, Leech, Linton, Long, M'Creary, M'Henry, M'Kee, Mann, Markley, Marks, Mechliog, Meily, Meyers, Mullin, Pennypacker, Phelan, Quigley, Rhoads, Robinson, Satterthwait, Sharples, Shuman, Steacy, Stumbaugh, Subers, Waddell, Webb, Westbrook, Wilson and Worrall—54.

NAYS—Messrs. Barton, Boyd, Brown, Chalfant, Chase, Colville, Day, Deise, Espy, Ewing, Harbison, Humphrey, Kennedy, Kurtz, M'Pherrin, Maish, Peters, Pillow, Quay, Richards, Roath, Roush, Seiler, Stehman, Watt, Weller, Wham, Wharton, Wingard and Wright—30.

So the question was determined in the affirmative.

The question being on agreeing to the bill as amended,

It was

Agreed to.

Mr. STUMBAUGH. Mr. Speaker, I move to amend the title by striking out the words, "extending it to the counties of Blair and Armstrong."

The amendment to the title was

Agreed to.

Mr. WINGARD. Mr. Speaker, I move to further amend the title by adding the words, "in this Commonwealth."

The amendment to the title was

Agreed to.

Mr. HOOD. Mr. Speaker, I move that the further consideration of this bill be postponed until Tuesday week. I make this motion because I do not feel disposed to take the responsibility of voting either for or against this bill without first consulting with my constituents of Philadelphia.

The motion was

Not agreed to.

The question recurring on the final passage of the bill

It was

Agreed to.

SPECIAL ORDER.

The hour of 11 o'clock having arrived, the special order for the time, Senate bill No. 26, an act to authorize the payment of State agents at Harrisburg, was taken up.

Mr. MEYERS. Mr. Speaker, I notice the gentleman from Fayette [Mr. BOYLE], who has taken an active part in the discussion of this bill, is not in his seat. And inasmuch as the private calendar is fairly under way, I move that the further consideration of this bill be postponed, and that it be made the special order for eleven o'clock to-morrow morning.

The motion was agreed to.

MESSAGE FROM THE GOVERNOR.

The Deputy Secretary of the Commonwealth being introduced, presented a message, in writing, from the Governor, which was read as follows, viz:

EXECUTIVE CHAMBER,
HARRISBURG, March 6, 1867.

To the Senate and House of Representatives of the Commonwealth of Pennsylvania:

GENTLEMEN—I have approved and signed the following acts of the General Assembly, to wit:

On the 1st instant:

An act to incorporate the Springfield and Gamertsford turnpike company.

An act creating a board for the erection of a city hall in the city of Pittsburg.

An act to re-annex a portion of the borough of Montoursville, in Lycoming county, Pennsylvania, to Fairfield township, in said county.

An act to incorporate the Erie City passenger railway company.

An act relative to the eligibility of the officers of the Tioga railroad company, and to the time of holding meetings of said company.

An act changing the number and manner of electing councilmen in the borough of Bellvernon.

An act to authorize the election of an officer to be called constable and collector in the several townships and boroughs in the county of Cameron, and regulate his duties.

A further supplement altering and amending an act to incorporate the Saint Clair cemetery association of the borough of Greensburg, Westmoreland county, approved April 19th, A. D. 1856.

An act authorizing the burgess and town council of the borough of Irwin, in Westmoreland county, to levy and collect a special tax for borough purposes.

An act to authorize the commissioners of Wyoming county to levy an additional tax for the purpose of erecting a new county jail and sheriff's house in said county of Wyoming, and for other purposes.

An act to incorporate the Allegheny and Saw Mill Valley passenger railway company.

An act to incorporate the Kensington Mutual Co-operative association of the city of Philadelphia.

An act to authorize an increase of taxes for borough purposes in the borough of West Elizabeth, Allegheny county.

An act to establish a ferry on the Allegheny river at Patterson's Falls, in the county of Venango.

An act to extend an act to authorize the burgess and town council of the borough of Kittanning to grade, curb and pave certain sidewalks.

An act declaring Wiconisco creek from Oakdale Forge, in Dauphin county, to the public road leading from Clark's Valley to Tremont, in Schuylkill county, a public highway.

An act to establish a ferry over the Allegheny river at the mouth of East Sandy creek, in the county of Venango.

An act to declare a portion of Freeman's run, in Potter county, a public highway.]

A supplement to an act relative to the publication of local laws in the counties of Centre and Schuylkill, approved the sixteenth day of April, Anno Domini one thousand eight hundred and sixty-six.

A supplement to an act to authorize the board of school directors of the city of Pittsburg, in the county of Allegheny, to borrow money, approved April 19th, 1864.

An act to establish a ferry over the Allegheny river, at or near Bear Creek landing.

An act construing portions of the first section of an act, approved February 17th, A. D.

1865, granting to Samuel Stock the right to erect a ferry or foot bridge over Oil creek, at or near the Noble well, in the township of Cornplanter, Venango county.

An act relating to the poor laws of Delaware county.

A supplement to an act to incorporate the Tidioute bridge company, approved the 17th day of April, A. D. 1861.

Further supplement to an act to empower the town council of the borough of Bellefonte in Centre county, to borrow money, approved the 14th day of February, A. D. 1863.

An act to incorporate the Dickinson Run railroad and bridge company.

An act supplementary to an act to incorporate the Union ball association of Pottsville.

A supplement to an act to authorize the raising of money and payment of bounties to volunteers, in the borough of Scranton, in the county of Luzerne, approved April 1st, A. D. 1864, to facilitate the collection of taxes levied for the liquidation of the bounty debt.

An act to authorize the Wyoming slate company to create and issue preferred stock.

An act to incorporate the Pennsylvania Boat House association of Philadelphia.

An act to regulate the rates of fare on certain passenger railroads in the county of Allegheny.

An act to incorporate the New Britain and Doylestown turnpike road company.

An act to increase the compensation of the supervisors of roads in the township of Solebury, Bucks county.

On the 2d instant:

An act to regulate the taking of fish from the ponds and lakes in Benton township, in Luzerne county.

An act to incorporate the Morrison's Cove railroad company.

An act to authorize the school directors of the borough of Punxsutawny to borrow money.

An act to incorporate the Pioneer Run bridge company.

An act to incorporate the Boyd Farm and Petroleum Centre bridge company.

An act to authorize the qualified electors of Lycoming county to vote for or against a poor house in said county.

An act to authorize the school directors of Millville school district, Cambria county, to use surplus school tax for building purposes.

An act to authorize the treasurer of the bounty fund of Schuylkill township, Chester county, Pennsylvania, to pay over to the treasurer of the school board of said township the funds remaining in his hands.

An act to legalize the levy and collection of certain bounty tax, to provide for a settlement, and authorize the school directors to lay an additional bounty tax in Lykens township, Dauphin county.

A supplement to an act to incorporate the Pennsylvania Gas coal company, approved the first day of March, Anno Domini one thousand eight hundred and sixty-one.

An act to regulate the terms of the several courts in the Sixth Judicial district.

An act to enable the South ward in the city of Chester to procure a supply of water.

A further supplement to an act to incorporate the Pittsburg and Birmingham passenger railroad company, approved the thirteenth day of April, Anno Domini one thousand eight hundred and fifty-nine.

An act to establish a ferry over the Allegheny river in Kinzua township, Warren county.

An act to divide the township of Plymouth into two election districts.

An act to prevent the growth of noxious weeds in the county of Chester.

A supplement to an act to enable the school directors of Kittanning borough to borrow money, approved the twelfth day of March, Anno Domini one thousand eight hundred and sixty-six.

An act relative to bounty taxes in Marion township, Butler county.

An act for the relief of Joseph A. Allen and E. Mayes.

An act to establish an additional notary public in Chester county.

A supplement to an act incorporating the Girard Electrical insurance company, approved the second day of March, Anno Domini one thousand eight hundred and sixty-six.

An act extending an act relative to roads in Uwchlan township, Chester county, and East Bethlehem and East Pike Run townships, Washington county, to Peters, Fallowfield and West Pike Run townships, Washington county.

A supplement extending the provisions of an act approved the seventeenth day of April, Anno Domini one thousand eight hundred and sixty-six, relative to the fees on unseated lands in the county of Centre.

A supplement to an act to empower the school directors of Chambersburg to borrow money to build a new school house, approved the twelfth day of May, Anno Domini one thousand eight hundred and fifty-seven, further extending the provisions of the second section thereof.

A supplement to an act to incorporate the Norristown passenger railroad company.

An act to incorporate the Greenwood Avenue turnpike company.

An act relative to the supervisors and road laws in Wiconisco township, Dauphin county.

On the 5th instant:

A supplement to an act entitled An act to incorporate the Factoryville and Abington turnpike and plank road company, approved the seventeenth day of April, Anno Domini one thousand eight hundred and fifty-six.

An act to authorize the borough of Indiana to increase their taxation for borough purposes.

An act repealing so much of the act authorizing the election of additional officers and changing the manner of collecting taxes in the townships of Robison and North Fayette, Allegheny county, approved March thirteenth, Anno Domini one thousand eight hundred and sixty-six, as relates to the manner of collecting taxes in Robison township.

An act authorizing and requiring the prothonotary of Cambria county to keep an extension docket.

An act to divide the borough of Plymouth into two wards.

An act to authorize the payment to Michael Dunn, a soldier in the war to suppress the rebellion, a gratuity on account of the loss of both of his legs.

An act relating to hawkers and peddlers in the county of Chester.

An act relating to hawking and peddling in the county of Westmoreland.

An act to incorporate the Pithole gas and water company.

On the 1st instant:

Joint resolution relative to the pay of E. D. Pickett as clerk to the committee trying the contested election case contesting the seat of Charles D. Roush, from the district composed of the counties of Lycoming, Union and Snyder.

JNO. W. GEARY.

Laid on the table.

MESSAGE FROM THE SENATE.

The Clerk of the Senate being introduced, presented for concurrence bills numbered and entitled as follows, viz:

Senate bill No. 279, an act vesting in the courts of common pleas of the Commonwealth increased powers in the creation of corporations.

Senate bill No. 771, an act repealing the fifth section of an act, entitled An act to enable the Governor to incorporate a company to make an artificial road from the east end of Perkiomen bridge, in the county of Montgomery, passing through Pottsgrove and passing by the White House tavern, in Amity township, in Berks county, to the borough of Reading, approved the 20th day of March, A. D. 1810.

Senate bill No. 617, a joint resolution relative to the revisal of the civil laws of Pennsylvania.

Senate bill No. 665, an act to incorporate the city of Allentown.

PRIVATE CALENDAR RESUMED.

No. 634, an act extending the auction law to the borough of Pottstown.

Mr. SATTERTHWAIT. Mr. Speaker, I hope the House will not agree to this bill. This bill was read by my colleague [Mr. MERKLEY], but we find, upon examination, that it is not a proper bill, and that the people of Pottstown do not desire it to pass.

On the question?

Will the House agree to the bill?

It was

Not agreed to.

No. 648, a supplement to an act to authorize the erection of a poor house in the county of Tioga, approved 12th day of March, 1866.

Amended by Mr. HUMPHREY, and

Passed finally.

Senate bill No. 282, an act to extend the provisions of an act entitled An act to require the register of wills, in and for Luzerne county, to record in a book or books the appraisements, inventories and vendue lists of personal property, to the counties of Monroe and Carbon.

Amended by Mr. CRAIG, and

Passed finally.

No. 658, an act relating to pawnbrokers in Allegheny county.

Amended by Messrs. DAVIS and COLVILLE, and laid over for a third reading.

Senate bill No. 562, an act relating to the city and county of Philadelphia.

The question being on a agreeing to the bill,

Mr. LEE. Mr. Speaker, I do not know whether I am correct in my impressions or not, but my impression is that there is a provision in that bill authorizing the coroner, in case of an inquest, to summon this whole Commonwealth if he wishes to do so, and this very materially increases his fees. I do not know how it is, but if such is the case, it might be a source of great annoyance to the people without any possible object, save that of increasing the fees of the office. Not that I have any objection to our coroner being liberally and properly paid, but I do not think he should have the right to summon the whole Commonwealth merely for the purpose of increasing his compensation.

Mr. MULLIN. Mr. Speaker, I move to indefinitely postpone the further consideration of this bill.

Mr. DAVIS. Mr. Speaker, I hope that this bill will not be postponed. The bill passed the Senate, and has come over here. Several members of the House, however, objected to it, and in committee the objectionable features were stricken out; and so far as I know, it is now satisfactory to all concerned. The bill simply legalizes what the coroners have been doing for the past twenty years in the city of Philadelphia.

Mr. KERNS. Mr. Speaker, I think the bill is now perfectly satisfactory, and that there is no objection to it. I hope the bill will pass.

The question being,

Shall the bill be indefinitely postponed?

It was

Not agreed to.

On the question of suspending the rules to allow the bill to be read a third time by its title,

The yeas and nays were required by Mr. MULLIN and Mr. GREGORY, and were as follow, viz:

YEAS—Messrs. Allen, Cameron, Chadwick, Chase, Davis, Day, DeHaven, Donohugh, Espy, Ewing, Ghegan, Harner, Hoffman, Humphrey, Josephs, Kennedy, Kerns, Kimmell, Kinney, Lee, M'Creary, M'Kee, M'Pherrin, Marks, Mechling, Meily, Pennypacker, Peters, Pillow, Quay, Richards, Roath, Sharples, Shuman, Stehman, Stumbaugh, Subers, Waddell, Webb, Weller, Wham, Worrall, Wright and Glass—*Speaker*—44.

NAYS—Messrs. Adaire, Armstrong, Barrington, Boyd, Brennan, Brown, Chalfant, Collins, Craig, Deise, Fogel, Freeborn, Gallagher, Gregory, Headman, Hood, Jenks, Kline, Koon, Kurtz, Linton, Long, M'Henry, Maish, Markley, Meyers, Mullin, Phelan, Quigley, Robinson, Satterthwait, Steacy, Westbrook and Wharton—34.

So the question was determined in the negative, two-thirds not voting in the affirmative, and the bill goes over on third reading.

Senate bill No. 246, an act to incorporate the Marine hospital of Pennsylvania, in the county of Erie, to fix location of hospital in Erie, and to grant real estate to said hospital.

Amended by Mr. M'MCREARY, and

Passed finally.

No. 665, an act to provide for the election of burgess and town council in the borough of Danville, Montour county, Pennsylvania.

Passed finally.

No. 687, a further supplement to an act incorporating the town of Lawrenceville, Allegheny county, into a borough, approved the 18th day of February, A. D. 1834.

Amended by Mr. COLVILLE, and

Passed finally.

OBJECTED BILLS OF LAST WEEK.

The following bills were read the second time and disposed of as stated:

No. 515, an act relating to the passage of fish in Middle creek, in the county of Snyder.

Laid over for a third reading.

No. 528, an act extending to Allegheny county the laws regulating the granting of licenses to eating houses and taverns in the city of Philadelphia, and enforcing order therein.

An amendment was offered by Mr. PETERS.

On the question,

Will the House agree to the amendment?

Mr. WILSON. Mr. Speaker, there is hardly a matter of purely local character that is exciting so much feeling in the county of Allegheny as is this matter of tavern licenses. This arises from the fact that while it is a local subject, yet the tendencies of such bills go far beyond the confines of any particular county, and reach out into the community. Bills of this character, if not properly restricted, open the flood-gates of vice and immorality to permeate and demoralize the entire community.

These safeguards we endeavored to put in this bill. There has been some diversity of opinion among the representatives from Allegheny county on this subject, but they have agreed on this amendment, and there is a unanimity of feeling in the Allegheny county delegation in favor of its passage. And I say here to my friends from Allegheny county, who are here in pretty large numbers, that we are entirely agreed on this subject. And we ask this House now, as a favor, to pass it, believing it to be the best bill for the largest number of people in that county, and that it will give as much satisfaction as any other bill possibly could.

The amendment was

Agreed to.

And the bill as amended

Passed finally.

No. 554, an act relating to the appointment of road viewers and their duties in the county of Snyder.

Laid over on third reading.

Senate bill No. 209, an act to establish a ferry over the Allegheny river at Tidioute, Warren county.

Passed finally.

No. 578, an act to incorporate the Empire hook and ladder company, No. 1, of Altoona, Blair county.

Passed finally.

No. 582, an act to authorize Wm. Loesch to run a line of omnibuses from the south line of the borough of South Erie to the harbor.

Passed finally.

No. 584, a supplement to an act for incorporating the German Reformed congregation in the borough of Reading, in the county of Berks, erected the 25th of August, in the year of our Lord 1786.

On motion of Mr. RHOADS,

Referred to the Committee on the Judiciary Local.

No. 589, an act to incorporate the Union Mutual fire insurance company of Northampton and Lehigh counties.

On motion of Mr. QUAY, indefinitely postponed.

No. 590, an act relative to drainage of certain lands in Point township and borough of Northumberland, Northumberland county.

On the question,

Will the House agree to the bill?

Mr. LEE. Mr. Speaker, a gentleman of that county waited upon me this morning, and presented me a diagram, and if it says truth about it, this is a very unjust proposition. There are a number of properties in this Point township intervening between the West Branch of the canal and the West Branch of the Susquehanna river. There is a leakage in that canal, and it make it necessary that this land intervening should be drained. Now, there are a number of propertyholders that have trenched their property from the canal down to the river and thus got rid of this water from their own lands. The parties interested in this property and owning a portion of it come here to ask this Legislature to require other parties to dig a trench along the top or headland of this property to the southern or eastern boundary, whichever it may be, to this river, and thereby drain their land.

Now, they are not willing to dig a trench, as all the other propertyholders have done, from this canal down to the river and thereby have their land drained, but they want to require this gentleman, Mr. Kapp, to dig along his land from this point and down across his land to the river, thereby draining this other property. Now, I do not know, personally, anything about this location. The gentleman has given me a diagram, and if what he says is true and this diagram merits verity, then this bill ought not to pass. There is no reason why this gentleman should be forced to dig and drain across the top of his land down its whole length to get to the Susquehanna river, when he might drain it by digging straight down to the Susquehanna, as all other propertyholders have done. I throw out these suggestions in order that justice may be done to these parties. If that is true it certainly would be exceedingly unfair, and there is no reason why this Mr. Biddespach should not dig his own trench and drain his own land. There is no reason why he should force Mr. Kapp to drain his land and dig this trench of seven feet, or of any width, across the whole length of his property and then down to the river. Now, if he wants his land drained let him dig a trench, as Mr. Kapp is willing to do, across his own property, and thereby get rid of this nuisance of standing water.

Mr. WADDELL. Mr. Speaker, Chester county has some interest in this bill. Although it appears to be confined to Northumberland county in its provisions, yet I have the honor to represent, at least, one party residing in the county of Chester who has a deep interest in the provisions of this act. I hardly feel able, sir, to present my views upon the case to-day, but, inasmuch as the bill is reached, I hope it may be disposed of by the House, and that in a summary way. I think that, of all the bills that have been presented to the House this winter, this is the strangest that I have had the pleasure of reading. I desire to call the attention of the House to its provisions. It provides in the first section that certain parties shall be compelled to cut a canal through their lands—and for what reason? Why should they be compelled to do this, sir? It is because the land is otherwise rendered useless to the owners. They, therefore, should be compelled to ditch their lands because it is useless to them. Now, sir, it does strike my mind as if every owner of land, and every party in interest here, should at least be the judge of whether it is useless or not to them. I will read from the provisions of the bill itself:

It reads, "through which a wet drift passes, which, for want of draining, renders the land useless to the owners."

Now, it assumes that these owners do not know what is to their own benefit, what is good for them. It renders their land useless, and, therefore, this Legislature undertakes to say, "you shall make your land good and profitable to yourself, and we will require you to do what you do not consider is for your own interest." This is one reason why this land should be drained. Farther than that, there is another reason, and it is more important than the other one, and is the only reason, it seems to my mind, whereby the gentlemen advocating the bill can find any reason or propriety in calling upon this Legislature to interfere in this matter; and what is it? Why, sir, by reason of the stagnant water standing on the same, it is very detrimental to health. Now, sir, I would like to know whether any man keeping stagnant water upon his land, making it detrimental to the health of his neighbors, cannot be compelled, by the courts of this Commonwealth, to remove that nuisance? Is it necessary for those people to come here to the Legislature of Pennsylvania, and ask us to compel the drainage of the lands whereby the health of the neighborhood may be benefited? Why, sir, it is not necessary, I apprehend, for any man to do any more than to present the question to this Legislature, to have the response which every man knows, that the courts of this Commonwealth are vested with full power in the case. If I commit a nuisance upon my own land, is it necessary for my neighbor to come to this Legislature, and ask them to compel me to remove it by an act of Assembly? He steps into any court in this Commonwealth and presents his application there, and the court will compel me to remove that nuisance although standing upon my own land. It is a fundamental principle of law that I cannot use my own property so as to injure my neighbor. Every man in this Commonwealth has the right to enjoy his own property, his own proper personal enjoyments, if you please, but he must use it in such a way that he does not injure his neighbor; and whenever he does use it so as

to injure his neighbor, then the courts of this Commonwealth step in and compel him to restrain that use. Now, these are some of the reasons that are here presented for this Legislature to pass this kind of a law, compelling me to ditch my land because it will be more valuable to me, or because I have it in such enjoyment as is injurious to my neighbor. Now, I ask any man on the floor of this House to give any other reasons that what I have suggested, which the bill itself suggests. Is this Legislature to permit any such folly as to pass an act of this kind, to compel A, B and C to drain their land because it is not in as good condition as might be for their benefit, and because its condition is to the injury of their neighbors? If this Legislature is to permit such an act of folly as that, I am one who desires to know it, and I hope that those gentlemen who undertake to ask this Legislature to commit this act of folly will not hesitate to put themselves upon the record, so that we may all know who they are.

Mr. MEYERS. Mr. Speaker, I have no particular interest in the provisions of this bill. I supposed the object of this bill was intended to meet the decision of the Supreme Court, which prohibits any person from collecting any stagnant or standing water upon his land and throwing it upon his neighbor's land. The Supreme Court has decided to that effect in several cases that, where a man is owner of land and there are springs upon it and wet places, he has no right to collect the water in an artificial channel and throw it upon his neighbor's land; if he does so he subjects himself to an act of trespass. I would prefer very much if this was a general law instead of a local law, and that the objection made by the Supreme Court be set aside and rendered null and void, for the reason that, in the Commonwealth of Pennsylvania, wherever there is wet land, it is detrimental to the health of the community, or it requires drainage for the purpose of making that land arable.

I say the law of Pennsylvania ought to be to allow every party to drain land by artificial channels and pour the water upon his neighbor's land, and if he refuses to dig a channel for it he should suffer the consequences. Drainage in an agricultural community has become one of the sources by which they redeem land, and by which they throw into market additional soil for the purpose of raising cereals for supplying food for the community. It is no more than right, where land is situated as this is, that the law should require every person to drain his land, and allow every person who has wet land so to drain it; and if it is to the injury of his neighbors, then they should suffer the consequences of it. This bill provides by setting forth, first, the facts that this is wet land; that it is detrimental to the health of the community, and that by reason of this wetness a large portion of this land is deprived of cultivation, and that these things shall be remedied.

Now, is there anything wrong to anybody if you require those parties to drain this land, to do that which common sense dictates is right?

Here is a large drift of wet land of no earthly benefit to anybody. This bill requires that the owners shall dig a ditch across this wet land and pour this stagnant water into the natural courses. This is, to gain two things: first, the health of the community, and second to make an addition to the arable land for the purpose of raising cereals for the bread of the community. For these reasons I think the law is a good one and I hope it will pass.

Mr. WINGARD. Mr. Speaker, I do not live contiguous to the county of Northumberland, that is to say my county is not contiguous to it, but I think I know about as much about Northumberland county and the special case provided for in this bill as the gentleman from Northampton [Mr. MEYERS]. I cannot understand, sir, the language of the gentleman from Northampton; I cannot understand how stagnant water can be poured upon a man's neighbor.

Stagnant water conveys the idea of inertia, poured water conveys the idea of motion. What I have to say in regard to the remarks of the gentleman from Northampton is that I cannot understand the philosophy of his language. Neither can I see the force of his reasoning. He says that this bill states that this stagnant water is injurious to the neighborhood, and has a baleful and unhealthful influence. I contend, sir, that if such be the case it is the duty of the party upon whose land this stagnant water is to make the drainage.

Public policy and the common law of the land demand that he shall not maintain a nuisance. But, sir, what is the spirit of this bill? It comes here stating that there is certain standing water upon certain lands, and the owners of that land are the parties asking those whose lands have no stagnant water, who will not maintain a nuisance upon the community, to drain off the dirty, stinking and stagnant water on the land of the man who comes here and makes the complaint. We can understand a little of the reasons why the gentleman from Northampton is advocating the claims of this man Biddespach, against Mr. Kapp, whose name can be mentioned here or anywhere to the admiration of his friends and the honor of his name.

I regret, sir, that I have to differ with my esteemed friend from Northumberland [Mr. THARP] in regard to the passage of this bill. That gentleman is nearly always right in his convictions when not misled. I regret, sir, to differ with him, but, sir, that bill is presented here for certain purposes, which, for the sake of this bill, I will not mention at this time. And those who are advocating it on the floor of this House are, perhaps, the best indices of the motives for which this bill is brought here.

Mr. MEYERS Mr. Speaker, I call the gentleman from Lycoming to order. He talks about motives. I ask him to explain.

Mr. WINGARD. Mr. Speaker, I say that the gentleman from Northampton speaks without motives—that there is no motive in his speech.

I fully concur in what has been said by the gentleman from Philadelphia [Mr. LEE] and the gentleman from Chester [Mr. WADDELL], and I think it is a well settled principle, which has passed into a maxim of common law, that we shall use our own things so as not to be to the detriment of our neighbor. The parties who urge this bill are unwilling to dig a ditch to drain their own dirty, stinking land into the Susquehanna river, but they ask other parties to dig a ditch seven feet in width through the very best of land—land that belongs to these other parties—to accomplish their object. And I repeat, sir, in the language of the gentleman from Chester [Mr. WADDELL], in the original language of the motto *sic utere tuo ut alienam non laedas.*

The hour of one o'clock having arrived, the SPEAKER adjourned the House until three o'clock this afternoon.

SENATE.

THURSDAY, March 7, 1867.

The Senate met and was called to order at 10 A. M., by the SPEAKER.

Prayer was offered by the Rev. Mr. Bailey.

On motion, the reading of the Journal of yesterday was dispensed with.

PETITIONS, REMONSTRANCES, &C.

Mr. M'CANDLESS, a petition of grand jurors of Philadelphia, requesting an increase of pay.

Referred to the Committee on the Judiciary Local.

Also, a remonstrance of the pilots and mercantile community of the city of Philadelphia, against the change of pilotage laws for said port.

Referred to the Committee on the Judiciary Local.

Also, a petition against building bridge across the river Schuylkill without a draw.

Referred to the Committee on Roads and Bridges.

Mr. CONNELL, a number of petitions from citizens of Philadelphia, in favor of the repeal of the license laws in said city, and against the repeal of Sunday laws and legalizing Sunday cars.

Referred to the Committee on Vice and Immorality.

Mr. HAINES, a remonstrance of Rev. George Bowman, pastor of the Baptist church in Milesburg, Centre county, and one hundred and ten other persons, against Sunday car travel, and petitioning in favor of a revision of the law regulating the sale of intoxicating liquors.

Referred to the Committee on Vice and Immorality.

Mr. STUTZMAN, a remonstrance of one hundred and ninety-one citizens of Bedford county, against the passage of a law prohibiting fishing with nets, especially with dip-nets, in the waters of the Juniata.

Referred to the Committee on Canals and Inland Navigation.

Also, a remonstrance of the Evangelical Lutheran church of Berlin, Somerset county, Pennsylvania, against submitting the Sunday car question, so far as the city of Philadelphia is concerned, to the popular vote.

Laid on the table.

Mr. BROWNE (Lawrence), a petition of John Alexander and eighteen other citizens of Philadelphia, against legalizing or authorizing a vote upon Sunday car travel, and for revision of license laws.

Referred to the Committee on Vice and Immorality.

Also, one from Rev. Robert Dickson and fifty-one other citizens of Lawrence county, of similar import.

Referred to the Committee on Vice and Immorality.

Also, one from Rev. A. G. Kirk and thirty-five citizens of Lawrence county, of similar import.

Referred to the Committee on Vice and Immorality.

Also, one from Wm. M. Taylor and one hundred and sixty-two other citizens of Westfield, of similar import.

Referred to the Committee on Vice and Immorality.

Also, one of H. Pollock and ninety-two other citizens of Lawrence county, of similar import.

Laid on the table.

Also, one of Wm. Emory and one of fifty-nine other citizens of Lawrence county, of similar import.

Laid on the table.

Mr. BIGHAM, the proceedings of the Petroleum association of Pittsburg, remonstrating against a bill in the House in regard

to depositing unwholesome matter in streams in Allegheny county.

Referred to the Committee on the Judiciary Local.

Mr. COLEMAN, a remonstrance of freeholders and taxable citizens of the city of Harrisburg, against the passage of any law authorizing the authorities of the city of Harrisburg to borrow money.

Referred to the Committee on the Judiciary Local.

Mr. WHITE, a petition of citizens, voters and non-voters, inhabitants of Cherry Hill, Indiana county, asking for a law submitting the license question to a vote of the people.

Referred to the Committee on Vice and Immorality.

Also, a remonstrance of citizens of Indiana county against Sunday cars.

Laid on the table.

Mr. GRAHAM, a petition of citizens of Collins township, Allegheny county, asking for the passage of an act to authorize the supervisors of roads in said township to assess and collect a special tax not to exceed six mills to make and keep in repair foot walks in said township.

Referred to the Committee on Roads and Bridges.

Mr. SCHALL, a petition of citizens of Lehigh county, praying for the passage of an act to require the payment of all excess of bounty moneys to the school directors of the several districts.

Referred to the Committee on the Judiciary Local.

Mr. WALLS, a remonstrance of the members of the bar of the counties of Union and Snyder, against the passage of a law changing the rules of evidence.

Referred to the Committee on the Judiciary General.

Mr. M'CONAUGHY, a petition of citizens of York county, praying for an act to empower supervisors to construct a footway from Hanover to Plum creek on the public road to Littlestown, Adams county.

Referred to the Committee on the Judiciary Local.

Mr. BROWN (Mercer), a petition of Thos. Berry and forty-nine other citizens of Lawrence county, against repeal of the Sabbath laws.

Laid on the table.

Mr. JACKSON, a remonstrance of twenty-seven citizens of Orangeville, Pennsylvania, against Sunday cars and liquor selling.

Referred to the Committee on Vice and Immorality.

Mr. WORTHINGTON, a petition of citizens of Chester county, remonstrating against the running of Sunday cars, and in favor of the revision of the license laws.

Referred to the Committee on Vice and Immorality.

REPORTS FROM COMMITTEES.

Mr. SHOEMAKER, from the Committee on Judiciary General, with a negative recommendation, a bill entitled An act to incorporate the Good Intent steam fire engine company, No. 1, of Pottsville.

Ruled out of order by the SPEAKER.

Also (same), as committed, a bill entitled An act to annul the marriage contract between Wm. Reilly and Martha Willets.

Also (same), with a negative recommendation a bill entitled, A further supplement to an act approved, August 10, 1864, entitled Supplement to an act relating to the authentication of letters of attorney, protests of notaries public and assignments made out of the State, and to the acknowledgment of deeds, approved the 14th day of December, 1854.

Also, (same), as committed, a bill entitled An act to provide for the discharge of trustees and other fiduciaries under physical or mental disabilities.

M'CONAUGHY (same), as committed, a bill entitled An act to prevent and punish prize-fighting.

Also (same), with a negative recommendation, a bill entitled An act relating to the law of evidence.

Also (same), as committed, a bill entitled An act requiring notices of applications for legislation in certain cases.

Also (same), with a negative recommendation, a bill entitled An act relating to practice in equity.

Also (same), as committed, a bill entitled An act to increase the duties of the Citizens' association of Pennsylvania.

Mr. WALLACE (same), with amendments, a bill entitled An act to enlarge the jurisdiction of the courts of common pleas of this Commonwealth, relative to granting charters of incorporations, and confirming those heretofore granted.

Also (same), with amendments, a bill entitled An act relating to the publication of general, local and private laws in the several counties of this Commonwealth.

Also (same), with a negative recommendation, a bill entitled An act supplementary to an act to amend certain defects in the law for the more just and safe transmission and secure enjoyment of personal and real estate, approved April 27, A. D. 1865, and to provide a mode for extinguishing mineral reservations in lands not owned by the Commonwealth.

Mr. SCHALL (same), as committed, a bill entitled An act to regulate the publication of county business.

Also (same), with amendments, a bill entitled An act to regulate the compensation of treasurers in the counties of the State.

Also (same), with a negative recommendation, a bill entitled An act relating to the lien of the widow's dower upon the estates of decedents.

Mr. BIGHAM (same), with a negative recommendation, a bill entitled An act relating to the trial of civil actions in the courts of Philadelphia.

Also (same), with amendments, a bill entitled An act to extend the provisions of the act entitled An act relating to corporations for mechanical, manufacturing, mining and quarrying purposes to fire insurance companies.

Also (same), with amendments, a bill entitled An act declaratory of the statutes of limitation.

Mr. COWLES, from the Committee on the Judiciary Local, as committed, a bill entitled An act relative to justices of the peace, burgesses and notaries public in the county of Lawrence.

Also (same), as committed, a bill entitled An act authorizing William S. Zeigler to act justice of the peace in the borough of Butler, Butler county, while residing outside the limits of said borough.

Also (same), as committed, a bill entitled A supplement to the act regulating the courts of the Sixth Judicial district, passed 1867.

Also (same), as committed, a bill entitled Supplement to an act increasing the fees of justices of the peace and constables in the counties of Bradford, Wyoming and Susquehanna.

Also (same), as committed, a bill entitled An act to authorize the Governor to appoint two additional notaries public for the county of Dauphin, one for the Nineteenth ward of the city of Philadelphia, and three to reside in the county of York.

Also (same), with amendments, a bill entitled An act relating to fees of notaries public in the county of Erie.

Also (same), as committed, a bill entitled An act to legitimate Annie Crain, of Huntingdon county, and confer on her the rights and privileges of a child born in wedlock.

Also (same), with a negative recommendation, a bill entitled An act to increase the compensation of the supervisors, assessors and auditors of the township of Gregg, in the county of Union.

Also (same), with a negative recommendation, a bill entitled An act to authorize the auditors to allow the school directors of Elizabeth township, Allegheny county, a compensation for attending to the bounty business of said township.

Mr. STUTZMAN (same), with a negative recommendation, a bill entitled an act to regulate the fees of the clerks of the courts of oyer and terminer and general quarter sessions of the peace of Crawford county.

Also (same), as committed, a bill entitled An act to prevent the hunting of deer with dogs in the county of Wyoming.

Also (same), as committed, a bill entitled An act in relation to bounties in the township of Montgomery in the county of Franklin.

Also (same), as committed, a bill entitled An act to repeal the act to incorporate the Odd Fellows' hall association of Tremont, Schuylkill county, and to vest the rights of said association in the board of trustees of Tremont lodge, No. two hundred and forty-five of Independent Order of Odd Fellows of Pennsylvania.

Also (same), as committed, a bill entitled an act to authorize the appointment of one additional notary public for the county of Luzerne, to reside in the borough of Wilkesbarre, and repealing so much of the act of the 14th April, 1840, as renders justices of the peace ineligible to the office of notary public, so far as the same relates to the additional notary public authorized by this act.

Also (same), as committed, a bill entitled An act to allow the sheriff of Elk county fees for serving jury notices.

Mr. DAVIS (same), as committed, a bill entitled An act legalizing the action of the burgess and town council of the borough of Montrose, Susquehanna county, and to fix the limits of said borough.

Also (same), as committed, a bill entitled An act authorizing the Governor to appoint three additional notaries public for the city of Philadelphia.

Also (same), as committed, a bill entitled An act to levy an additional tax in Sheffield township, Warren county, for bounty purposes.

Also (same), as committed, a bill entitled A supplement to an act in relation to the payment of bounties to volunteers from the township of Farmington, Tioga county, during the late rebellion.

Also (same), as committed, a bill entitled An act authorizing the supervisors of Greene township, in the county of Mercer, to collect a tax and pay certain bounties and refund moneys advanced for to pay bounties.

Also (same), as committed, a bill entitled An act authorizing the supervisors of Ulysses township to levy a tax to refund to Perry Lewis in said township the sum of four hundred dollars, it being for money advanced as bounty to volunteers.

Also (same), as committed, a bill entitled An act to increase the pay of the county auditors and the supervisors and township auditors of the several townships of Northumberland county.

Also (same), with amendments, a bill entitled An act relating to hawkers and peddlers of ready made clothing in the county of Greene.

Mr. WHITE (same), as committed, a bill entitled An act to authorize the school direc-

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[CONTINUED FROM PAGE 496.]

tors of Taylor school district, in Lawrence county, to borrow money.

Also (same), as committed, a bill entitled An act relative to the costs and fees of criminal cases in Carbon county.

Also (same), as committed, a bill entitled An act to change the name of the borough of South Bethlehem, Northampton county, to Packer.

Also (same), as committed, a bill entitled An act in relation to lost records, deeds and other papers, in the county of Franklin.

Also (same), as committed, a bill entitled A supplement to an act in relation to huckstering in the counties of Bedford, Cumberland, Franklin, Fulton and York, approved 18th day of May, A. D. 1866.

Also (same), with a negative recommendation, a bill entitled An act for the relief of the associate judges of Wayne county.

Also (same), as committed, a bill entitled An act authorizing the commissioners of Lycoming county to borrow money to build a new jail.

Also (same), as committed, a bill entitled An act relative to the purchase of a law library in the county of Washington.

Also (same), as committed, a bill entitled An act providing for the compensation of the commissioners of Northampton county.

Mr. WORTHINGTON, from the Committee on Education, as committed, a bill entitled An act authorizing the trustees, secretary and treasurer of the Proprietors' fund of Plymouth township, county of Luzerne, to appropriate said fund toward the erection of school houses and for school purposes.

Mr. BROWNE (Lawrence) (same), with amendments, a bill entitled An act to authorize the trustees of the public school fund of the townships of Wilkesbarre and Plains, in Luzerne county, to appropriate the whole or any portion of said fund for the purchase of land for a cemetery or grave yard in said town ships.

Mr. BILLINGFELT, from the Committee on Roads and Bridges, as committed, a bill entitled An act to authorize the county commissioners of the county of Carbon to assist in the building of a new road out of the borough of Mauch Chunk.

Mr. GLATZ (same), as committed, a bill entitled An act to incorporate the Showsville bridge company, in the county of Clearfield.

Also (same), as committed, a bill entitled A supplement to an act to incorporate the Broad Street and Island road company, approved April 4, 1865.

Mr. JACKSON, from the Committee to Compare Bills and present them to the Governor for his approbation, made report, which was read as follows, viz:

That in conjunction with a similar committee from the House of Representatives, they have compared, and on February 26th presented to the Governor for his approbation the bills as follows, to wit:

Senate bill No. 121, an act to incorporate the M'Connell mineral company of Pennsylvania.

House bill No. 303, a supplement to an act to incorporate the Odd Fellows' association of Waynesburg, Greene county, Pennsylvania, passed the 27th day of March, 1862.

House bill No. 177, an act for the relief of Peter Roberts, a soldier of the war of 1812.

House bill No. 189, an act to incorporate the Douglasville and Yellow House turnpike road company.

House bill No. 218, a supplement to an act to incorporate the Columbia gas company, and relative to the election of assessors and constables in Salisbury and Canaervon townships, Lancaster county, to lay out a State road from Marietta to Portsmouth, to require the State Treasurer to refund certain moneys to the administrator of Ann Kimmell, deceased, approved April 10th, A. D. 1851.

House bill No. 224, an act supplementary to an act to incorporate the Andalusia college, Andalusia, Bucks county, Pennsylvania, approved 30th day of March, A. D. 1866.

House bill No. 225, a further supplement altering and amending an act to incorporate the St. Clair cemetery association of the borough of Greensburg, Westmoreland county, approved April 19th, A. D. 1856.

House bill No. 223, a further supplement to an act incorporating the Watsontown bridge company.

House bill No. 220, a supplement to an act to incorporate Mechanicsburg hall and market company, approved 24th day of March, A. D. 1865.

House bill No. 202, a supplement to an act to authorize the Governor to incorporate a company to erect a bridge over the West Branch of the Susquehanna at the borough of Milton, et cetera, passed 6th day of April, 1830.

House bill No. 204, a supplement to an act to amend the road laws of Erie county, approved the 26th day of March, A. D. 1846.

House bill No. 205, an act to incorporate the Emlenton and Shippenville turnpike company.

House bill No. 207, a further supplement to the road laws of Bradford county.

House bill No. 226, an act to incorporate the Mahanoy Valley insurance company.

House bill No. 191, a supplement to the act incorporating the Clarion and Allegheny River turnpike road company.

House bill No. 131, an act to enable the board of directors of common schools of East Lampeter township to apply surplus of bounty fund to common school purposes.

House bill No. 282, an act for the relief of Milo R. Adams, treasurer of Beaver county.

House bill No. 272, an act to incorporate the Industrial association of Summit Hill.

House bill No. 277, an act to incorporate the Wyoming County bridge company.

House bill No. 168, an act to authorize the town council of the borough of Mill Hall, in Clinton county, to levy and collect additional taxes for borough purposes.

House bill No. 172, a supplement to the act of General Assembly incorporating the borough of Mechanicsburg, Cumberland county, passed the 12th day of April, A. D. 1828, as amended by the act regulating boroughs, appproved April 3d, 1851, and adopted by said borough August 26, 1857.

House bill No. 270, an act to incorporate a State Camp of the Patriotic Order of the Junior Sons of America.

House bill No. 183, an act to incorporate the Montour mining company.

House bill No. 173, an act to change the provisions of the thirtieth section of an act regulating boroughs, approved April 3d, 1851, so far as the same relates to the borough of Mount Pleasant, Westmoreland county.

House bill No. 227, an act to incorporate the Oak Hall association of Weatherby.

House bill No. 163 a further supplement to an act incorporating the borongh of Washington.

House bill No. 160, an act relating to the fees of the district attorney of Huntingdon county.

House bill No. 107, an act for the relief of Benjamin Scott, Jr.

House bill No. 208, an act to declare Cedar run a public highway in the the township of Elk, county of Tioga.

House bill No. 239, an act relative to the pay of surveyors appointed by the courts of Crawford and Mercer counties.

House bill No. 229, an act authorizing the Union Mutual fire insurance company of Montgomery county to change the time of holding its elections.

House bill No. 210, a supplement to an act of Assembly entitled an act to incorporate the Easton and Wilkesbarre turnpike road company, approved February 11, 1803.

House bill No. 175, an act for the relief of Jos. A. Allen and E. Meyer.

House bill No. 178. an act extending the provisions of the act relating to corporations for mechanical, manufacturing and quarrying purposes, approved July 18, 1863, and a supplement thereto, to the county of Northampton.

House bill No. 187, an act to repeal the charter of the Tuckahoe and Mount Pleasant plank road.

House bill No. 232, a supplement to an act to compel the manufacturers of firkins, kegs, and tubs intended for the packing of butter or lard, in the counties of Erie, Crawford and Warren, to mark the weight thereon, extending the same to the county of Bradford.

House bill No. 238. an act relating to the disposition of fines and forfeited recognizances in the county of Susquehanna.

House bill No. 288, a further supplement to an act entitled An act to incorporate the Northampton iron company, approved the 10th day of March, A. D. 1857.

House bill No. 269, an act to enable the

Revenue Extension silver mining company of Nevada to issue bonds, and to secure the payment of the same by mortgage.

House bill No. 167, a further supplement to an act for the registration of births, marriages and deaths in the city of Philadelphia, passed March 8, 1860, and supplements thereto.

House bill No. 114, an act for the relief of widows and children deserted by their husbands and fathers, in certain counties in this Commonwealth.

House bill No. 164, an act supplementary to an act erecting the village of East Birmingham into a borough, approved the 10th day of April, A. D. 1849.

House bill No. 231, a supplement to an act incorporating the town of Haly, in the county of Perry, into a borough, approved April 12, 1866, changing the name of said borough of Haly to Marysville, and forming the same into a separate election district.

House bill No. 158, an act authorizing the commissioners in the county of Delaware to create a five per cent. loan.

House bill No. 182, an act to incorporate the Hisperian mining company.

House bill No. 523, an act to authorize the election of additional officers in the township of Madison, Perry county.

Also, on February 27th, 1867:

House bill No. 185, an act to incorporate the California and Philadelphia gold mining company.

House bill No. 184, an act to incorporate the Harmony gold and silver mining company.

House bill No. 180, an act to incorporate the Equitable gold and silver mining company.

House bill No. 599, joint resolution to pay Wm. H. Jenkins for services as clerk in the matter of petition of the electors of the Eighteenth Representative district of the city of Philadelphia, complaining of an undue election and false return of Michael Mullin, as a member from said city.

Senate bill No. 52, an act to vacate a portion of Spruce alley, in the Ninth ward, in the city of Philadelphia.

Also, on February 28, 1867:

Senate bill No. 65, an act to increase the compensation of the supervisors of roads, in the township of Solebury, Bucks county.

Senate bill No. 162, an act to incorporate the New Britain and Doylestown turnpike oad company.

Senate bill No. 186, an act to regulate the rates of fare on certain passenger railroads in the county of Allegheny.

Senate bill No. 269, an act to incorporate the Pennsylvania Boat House association.

Senate bill No. 301, an act supplementary to an act to incorporate the Union Hall association of Pottsville.

Senate bill No. 307, an act to authorize the Wyoming slate company to create and issue preferred stock.

Senate bill No. 440, a further supplement to an act to incorporate the Mifflin and Centre railroad company.

Senate bill No. 226, a supplement to an act to authorize the raising of money and payment of bounties to volunteers in the borough of Scranton, in the county of Luzerne, apprroved April 1st, A. D. 1864, to facilitate the collection of taxes levied for the liquidation of the borough debt.

Senate bill No. 157, an act relating to the eligibility of the officers of the Tioga railroad company, and the time of holding meetings of said company.

Senate bill No. 316, an act to incorporate the Dickinson Run railroad and bridge company.

Senate bill No. 683, a further supplement to the act to incorporate the Pennsylvania fiscal agency, approved November 1st, 1859, empowering said company, now known as the Credit Mobilier of America, to provide for the completion of certain contracts.

House bill No. 511, an act to incorporate the Union transfer company.

House bill No. 346, an act authorizing the Governor to appoint two additional notaries public for the city of Philadelphia.

Laid on the table.

BILLS IN PLACE.

Mr. SHOEMAKER read in his place, and presented to the Chair a bill entitled A further supplement to the act relating to the elections of this Commonwealth.

Referred to the Committee on the Judiciary General.

Also, a bill entided An act regulating certain sheriff's fees in Luzerne county.

Referred to the Committee on the Judiciary Local.

Also, a bill entitled A further supplement to an act entitled An act to incorporate the Scranton gas and water company, approved March 16, 1854.

Referred to the Committee on Corporations.

Mr. CONNELL, a bill entitled An act to levy a tax upon horses kept for pleasure or hire in the city of Philadelphia.

Referred to the Committee on the Judiciary Local.

Mr. COLEMAN, a bill entitled An to change the venue in the cases of the Commonwealth of Pennsylvania versus Louis S. Boner and Sylvester Hoffman, from the court of quarter sessions of the peace of Columbia county to the court of quarter sessions of the peace of Dauphin county.

Referred to the Committee on the Judiciary Local.

Mr. DAVIS, a bill entitled An to extend to the city of Reading the provisions of an act to authorize the arrest of professional thieves, burglars, et cetera, in the city of Philadelphia.

Referred to the Committee on the Judiciary Local.

Mr. SCHALL, a bill entitled An act relating to the collection of county taxes in the county of Lehigh.

Referred to the Committee on the Judiciary Local.

Mr. BILLINGFELT, a bill entitled An act to legalize and make valid an assessment made by the board of school directors of Strasburg township, Lancaster county, of one-half of one per centum on the 16th day of June, A. D. 1866, for bounty purposes.

Referred to the Committee on the Judiciary Local.

Mr. BIGHAM, a bill entitled an act extending to the borough of Mt. Washington the vehicle license law.

Referred to the Committee on the Judiciary Local.

Mr. JACKSON, a bill entitled A supplement to an act incorporating the M'Connell mineral company, changing the name thereof, increasing the quantity of land to be held by said company, and authorizing the extension of their railroad.

Referred to the Committee on Corporations.

Mr. ROYER, a bill entitled An act to incorporate the Pottstown water company.

Referred to the Committee on Corporations.

Mr. M'CANDLESS, a bill entitled A further supplement to an act approved May 4, A. D. 1864, entitled An act for the organization, discipline and regulation of the militia of the Commonwealth of Pennsylvania.

Referred to the Committee on Military Affairs.

Also, a bill entitled An act to provide for the enrollment of the militia, the organization and discipline of the National Guard of the State of Pennsylvania for the public defense.

Referred to the Committee on Military Affairs.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

The Clerk of the House of Representatives being introduced, presented for concurrence bills numbered and entitled as follows:

No. 528, an regulating the granting of licenses to eating houses and restaurants in the county of Allegheny and enforcing order therein.

Referred to the Committee on Vice and Immorality.

No. 578, an act to incorporate the Empire hook and ladder company, No. 1, of Altoona, Blair county.

Referred to the Committee on the Judiciary Local.

No. 582, an act to authorize William Loesch to run a line of omnibuses from the south line of the borough of South Erie to the harbor.

Referred to the Committee on the Judiciary Local.

No. 628, a supplement to an act to legitimate George Humphrey Stump and Abraham Harrison Stump, approved 28th day of April, A. D. 1854.

Referred to the Committee on the Judiciary Local.

No. 629, a further supplement to an act increasing the fees of the several county officers of this Commonwealth, except in the city of Philadelphia, and the counties of Allegheny, Bradford, Susquehanna and Sullivan, approved March 30, A. D. 1865.

Referred to the Committee on the Judiciary General.

No. 631, a supplement to an act relating to the lien of mechanics and others upon buildings, approved March 16, 1836.

Referred to to the Committee on the Judiciary General.

No. 633, an act to extend the term of the county treasurer of Westmoreland county.

Referred to the Committee on the Judiciary Local.

No. 638, an act to extend the provisions of an act regulating the fees of the district attorney in the county of Bradford, in the court of quarter sessions, approved the 11th day of April, A. D. 1866, to the county of Cameron.

Referred to the Committee on the Judiciary Local.

No. 639, an act relating to the filing of liens and collection of taxes in the borough of Petersburg.

Referred to the Committee on the Judiciary Local.

No. 640, an act relating to the compensation of the sheriff of Butler and Indiana counties, for boarding prisoners.

Referred to the Committee on the Judiciary Local.

No. 642, an act relating to hawkers and peddlers, or traveling merchants, in the counties of Lebanon and Wyoming.

Referred to the Committee on the Judiciary Local.

No. 648, a supplement to an act to authorize the erection of a poor house in the county of Tioga, approved the 12th day of March, 1866.

Referred to the Committee on the Judiciary Local.

No. 655, an act providing for the manner of electing school directors, supervisors and township auditors in the township of Penn, Westmoreland county.

Referred to the Committee on Education.

No. 649, an act to authorize the Governor to appoint an additional notary public for the county of Mercer.

Referred to the Committee on the Judiciary Local.

No. 656, an act to authorize the guardians of the minor children of Michael Frock, late of Snyder county, deceased, to make certain improvements on the real estate of said minors.

Referred to the Committee on Estates and Escheats.

No. 660, an act relating to the appointment of auctioneers in the county of Cumberland.

Referred to the Committee on the Judiciary Local.

No. 661, an act relating to the indebtedness of the county of Dauphin.

Referred to the Committee on the Judiciary Local.

No. 663, an act to confirm the title of Wm. T. Hughes in and to a certain lot or piece of ground situated on the north side of High street, seventy feet six and one-half inches from the west side of Nineteenth street, in the city of Philadelphia.

Referred to the Committee on Estates and Escheats.

No. 664, an act appropriating ground for public purposes in the city of Philadelphia.

Referred to the Committee on the Judiciary Local.

No. 670, an act to incorporate the Danville water company.

Referred to the Committee on Corporations.

No. 671, an act relating to the borough of Kennett Square, in the county of Chester, enabling said borough to borrow money to erect water works, changing the mode of publishing ordinances and opening, widening and straightening streets.

Referred to the Committee on the Judiciary Local.

No. 673, an act to change the number of overseers of the poor in the borough of Butler, and authorizing the overseers of said borough to make sale of certain real estate.

Referred to the Committee on the Judiciary Local.

No. 674, an act to incorporate the Susquehanna Depot Protective Union, of Susquehanna Depot, Susquehanna county.

Referred to the Committee on Corporations.

No. 678, an act to authorize the borough of Lockhaven to erect water works.

Referred to the Committee on the Judiciary Local.

No. 680, an act in relation to grading, paving, macadamizing and curbing the streets and paving the sidewalks in the borough of M'Keesport, in the county of Allegheny.

Referred to the Committee on the Judiciary Local.

No. 681, an act to divide the borough of New Brighton into three wards.

Referred to the Committee on the Judiciary Local.

No. 687, a further supplement to an act incorporating the town of Lawrenceville into a borough, approved the 18th day of February, A. D. 1834.

Referred to the Committee on the Judiciary Local.

He also returned bills from the Senate numbered and entitled as follows:

No. 48, an act to authorize the payment of Theodore F. Scheffer for printing deserters' lists.

No. 127, an act opening Juniata avenue and vacating Nicetown lane, in the Twenty-fifth ward of the city of Philadelphia.

No. 285, an act authorizing the trustees of the proprietors of Hanover township, in Luzerne county, to collect and pay over moneys to the Central poor district.

No. 288, an act to authorize the clerk of the courts of quarter sessions, oyer and terminer and orphans' court of Lehigh county to appoint deputies.

No. 289, an act to authorize the Governor to appoint an additional notary public for the county of Mercer, to reside in the borough of Sharon, in said county, and an additional notary public for the county of Centre, to reside at Phillipsburg.

No. 296, a supplement to an act to authorize the erection of a poor house by the township of Wilkesbarre, in Luzerne county, approved 2d of April, 1860.

No. 356, an act relative to the duties of district attorneys for the county of Erie.

No. 378, an act to authorize the school directors of the borough of Honesdale, in Wayne county, to borrow money, issue bonds and levy and collect taxes for the payment thereof.

No. 395, an act to vacate part of Railroad street, in the borough of Pottsville.

No. 418, an act relative to auctions and gift enterprises in the county of Mercer.

No. 419, an act to legalize the levying and collection of a certain tax in the borough of Sharon, in Mercer county, and authorizing the levying and collection of a tax not exceeding ten mills on the dollar of valuation for general borough purposes in said borough.

No. 474, an act to extend the provisions of the act incorporating the Erie gas company over South Erie, and a portion of Mill Creek township, and to authorize the said company to introduce water wherever it is authorized to introduce gas and increase the capital stock and to borrow money.

No. 495, an act authorizing the city of Allegheny to issue bonds to the amount of sixty-five thousand dollars, to be applied to building a market house in the said city,

With information that the House of Representatives has passed the same without amendments.

He also returned bills from the Senate numbered and entitled as follows, viz:

No. 143, an act to divide the Twenty-first ward, in the city of Philadelphia, into two wards, and to create a new ward, to be called the Twenty-eighth ward.

No. 245, an act to incorporate the Marine hospital of Pennsylvania in the county of Erie, to fix location of hospital in Erie, and to grant real estate to said hospital.

No. 282, an act to extend the provisions of an act entitled An act to require the register of wills in and for Luzerne county to record in a book or books, the appraisements, inventories and vendue lists of personal property for the county of Monroe.

No. 260, an act in relation to the fees of notaries public in the counties of Bedford, Fulton and Somerset.

No. 421, a supplement to an act incorporating the borough of Jamestown.

No. 560, an act annexing the borough of Manchester to Allegheny City.

No. 577, a further supplement to the borough of Easton, authorizing the town council of said borough to construct and provide public water works, and to authorize the election of water commissioners,

With information that the House of Representatives has passed the same with amendments, in which the concurrence of the Senate is requested.

On motion of Mr. CONNELL, said amendments were twice read, considered and concurred in.

The Clerk of the House of Representatives also returned bill numbered and entitled as follows, viz:

No. 309, an act to establish a ferry over the Allegheny river, at Tidioute, Warren county,

With information that the House of Representatives has passed the same with an amendment, in which the concurrence of the Senate is requested.

Said amendment was read the first time.

He also informed that the House of Representatives has concurred in the amendment made by the Senate to bill from the House of Representatives numbered and entitled as follows, viz:

No. 321, an act authorizing and requiring the school directors of Mercer township and Harrisonville borough, in the county of Butler, to levy a bounty tax, and for the repeal of all former acts relating to bounties in said district.

BILL RECOMMITTED.

Mr. RANDALL moved that bill No. 781, entitled An act to authorize Patrick Gallagher, a justice of the peace of the borough of Ashland, Schuylkill county, to hold his office in either ward of said borough, be recommitted to the Committee on Judiciary Local.

The motion was

Agreed to.

ORIGINAL RESOLUTIONS.

Mr. COLEMAN offered the following resolution, which was twice read:

WHEREAS, It is desirable to facilitate the development of the vast and various resources of Pennsylvania by the construction of railways, to be operated by steam power, and, in so doing, to protect the interests and property of the citizens, in any locality where railways may be constructed, from impositions in charges and fraud in the exercise of the corporate privileges to them granted; therefore,

Resolved, That the Railroad Committee be instructed to report no special charter without inserting the following provisions:

1. The capital stock shall be not less than fifteen thousand dollars per mile. Letters patent shall not be issued till ten thousand dollars per mile be subscribed, and ten per centum paid, in good faith, in cash; and the stockholders shall be individually liable to the amount of their stock for the payment of wages of labor, materials furnished, right of way, property used, and damages incurred in the construction, maintenance and operation of their respective railways, that may be due and unpaid by the company, for a period not exceeding six months: *Provided*, That demand for the same shall be made upon any stockholder or stockholders within the six months before mention.

2. The corporations shall begin the survey of the route, as set forth in their respective charters, within thirty days after the date thereof, and shall, within six months thereafter, file a complete map in the office of the Secretary of the Commonwealth, showing the final location of their railways; and if any such corporation shall fail to let the work needful to construct the railway to *bona fide* and responsible parties, and proceed, with reasonable diligence, to complete the same, then the right of priority of such corporation to the location shall cease.

3. The Legislature reserves the right, by special or general act, to amend, change, modify or repeal the charter of the said corporation, as fully as the same was provided in the thirteenth section of the act regulating the construction of lateral railroads, approved the fifth day of May, Anno Domini one thousand eight hundred and thirty-two.

Mr. RIDGWAY. Mr. Speaker, I am in favor of the passage of this resolution. As the Legislature is likely to pass a general railroad law, I think parties should operate under that law. If they can get no other law, I think they will operate under that.

Mr. COLEMAN. Mr. Speaker, if the

Railroad Committee will look at it, they will see that it will apply to all railroads hereafter, so that the Senate will show no favoritism to one road more than another.

Mr. WALLACE. Mr. Speaker, I hope the Senator will withdraw this resolution, and that we shall adopt no such policy. I shall certainly vote against the adoption of this resolution, and I shall vote as I have upon the bill during its discussion.

Mr. LOWRY. Because one bill is infamous, I do not think we should make those which we are to pass in the future of the same character.

Mr. COLEMAN. Mr. Speaker, every Senator here knows my views perfectly on the subject of the general railroad law that we have passed to a third reading. I think it is a very improper bill, but the Senate seems to have decided that this is to be their policy, and my view is that we should not make any distinction between corporations in this matter, and treat all alike; and my idea is that we should pass a law that would be really serviceable.

Mr. WHITE. Mr. Speaker, we all know the sentiments of the Senator from Lebanon [Mr. COLEMAN], and we know that there is a no more liberal minded man in the Senate, but it must be apparent to him and to the Senate that the passage of this resolution would place many gentlemen here, if they vote for it, in a false position. Now, that embodies the obnoxious features of the general railroad law, which we shall be called to vote upon, for or against, to-day. With those features in the bill it is obnoxious; with those features out of the bill it is not obnoxious. An obnoxious proposition is presented to us, and we are asked to vote for it, merely to be consistent—merely because the majority of the Senate are going to pass this general railroad law with those features in it, and the effort of our friend from Lebanon is to have the same rule apply to all other railroads that shall ask for special charters. It is well to be consistent, but I cannot vote for this resolution. As has been remarked, I trust the people will rise to this question, and decide what is the necessary policy under the circumstances. Hence, while many will vote for this bill, because it secures the general spirit of a free railroad law, although it may have obnoxious features, yet, of course, they will vote against the obnoxious features, if presented alone; hence, I trust the Senator will not press this resolution.

Mr. BROWN (Mercer). Mr. Speaker, I desire to unite with the Senator from Clearfield [Mr. WALLACE], and the Senator from Indiana [Mr. WHITE], in asking the Senator to withdraw this resolution; I cannot vote for it. If any railroads are to be built hereafter, they will be built under special charters; there is no doubt about that. The people are not going to build railroads under this bill, called the "Free Railroad Law." I do not want to tie up the hands of the Legislature and prevent them passing special charters. I have here a report of the chief engineer of the Bear Creek railroad, the grading of which is just finished, and the fact is revealed that the cost of the grading, masonry and ties, was eight thousand three hundred and thirty-three dollars. It is ready for the iron to-day at that cost. By their charter, they have the right to borrow money and equip their road. I do not want to tie up their hands.

Mr. HALL said he could not vote for any resolution of this kind, because it was entirely contrary to the express sentiment of the Senate since he had been here.

Mr. COLEMAN. Mr. Speaker, as my friends, with whom I have been acting, seem to desire that I should not press this at this time, I will withdraw the resolution.

THE GENERAL RAILROAD BILL.

Agreeably to order,

The Senate proceeded to the third reading of bill entitled An act to authorize the formation of railway corporations.

[The bill was read a third time, and passed finally—yeas, 27; nays, 4—substantially as reported from the Railroad Committee. The reasons of the various Senators for their votes on the final passage of the bill will appear in the *Appendix*, in connection with the preceding debate.]

COMMUTATION OF THE DEATH PUNISHMENT.

Agreeably to order,

The Senate proceeded to the consideration of bill entitled An act authorizing the commutation of the death punishment in certain cases.

The bill was read as follows:

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same*, That in cases of convictions of, and sentence for, murder in the first degree, the Governor may, upon the petition of the person convicted, grant to such convict a pardon, upon such conditions, with such restrictions, and upon such limitations, as he deems proper; and he may issue his warrant to all proper officers to carry such pardon into effect, which warrant shall be obeyed and executed instead of the sentence originally awarded; and the terms and conditions upon which such pardon is granted shall be specified and set forth in the warrant so as aforesaid issued: *Provided*, That in all cases in which sentence of death shall hereafter be pronounced no conditional pardon shall be granted, unless a majority of the judges of the court before whom the convict hath been tried, one of whom shall be a presiding or law judge, shall advise and recommend such conditional pardon: *And provided further*, That no right to expatriate any convict shall exist by virtue hereof.

SEC. 2. It shall be, and it is hereby, made the duty of the sheriffs, wardens, jailers and keepers of prisons, and each of them, to whom the custody of such convict would be committed, if the terms and conditions of such pardon had been the sentence of the court trying him, to receive the person of the convict, under and in accordance with the terms, limitations and restrictions of the warrant of the Governor, and to do and perform those things in reference to his or her continued custody, which it would be his or their duty to do, if the terms and conditions of the said warrant had been the sentence of the court in which said convict was tried.

SEC. 3. When a convict is pardoned upon conditions to be by him or her performed, or with restrictions and limitations, the officer to whom the warrant for that purpose is issued, shall, as soon as may be after executing the same, make return thereof, with his doings therein, to the office of the Secretary of the Commonwealth; and he shall also file, in the clerk's office of the court in which the offender was convicted, an attested copy of the warrant and return, a brief abstract whereof the clerk shall subjoin to the record of the conviction and sentence.

Mr. WHITE. Mr. Speaker, I have no disposition to discuss this bill, but I am not in favor of the proviso. I suppose it might as well be disposed of now.

Mr. M'CONAUGHY. Mr. Speaker, I should like to amend the first section by adding to the end of it the following amendment:

"*Provided*, That this act shall only apply to cases of persons convicted and now in confinement in this Commonwealth."

The SPEAKER said the amendment was not in order, as the bill was on its final passage.

Mr. WALLACE. That amendment would destroy the proviso in the bill.

Mr. WHITE. The Senator from Adams [Mr. M'CONAUGHY] can accomplish the same thing, perhaps, by striking out the proviso, which will only make it applicable to cases existing. I would move to amend the motion of the Senator from Adams, that we go into committee of the whole for the purpose of amending by striking out the proviso.

Mr. M'CONAUGHY. My impression was that the operations of the bill were confined to the future. If not, I will acquiesce.

Mr. WALLACE. Mr. Speaker, I trust this motion will not prevail. I embrace in this bill two classes of cases: those now in prison for whom no death warrants have been issued, and whose cases are a disgrace to the judicial system of the State, and also that class of cases, in which, as we all know, there is a lingering doubt in the minds of the Executive and of the judicial tribunal by which they were tried, as to the premeditation and deliberation that is necessary to constitute the crime of murder in the first degree. Premeditation and deliberation are the essence of the crime, and there are, in this class of cases, hesitancy and doubt as to their presence. In such cases, I am convinced amelioration of the rule is necessary, and I am in favor of leaving it to be determined by the Executive and the court, whether murder in that degree has been proven. If so, let the law take its course. Certainly, in so grave and important a matter as this, whether a man has or has not been guilty of the premeditation and deliberation that is necessary to constitute the crime that takes from him his life, we may well intrust to the Executive and the court the power to review the evidence.

The Supreme Court cannot do it; they can only review the law. It seems to me that this power should exist in the Governor of the Commonwealth. Its object is to mitigate the rigors of the law. I trust the Senate will not go into committee of the whole, and I trust that the bill will be passed as it stands. No injury can be done to our judicial system by it, but to my mind the very reverse will happen.

Mr. M'CONAUGHY. Mr. Speaker, I do not propose to reply to the argument of the Senator from Clearfield [Mr. WALLACE], but, in a matter of such vast importance as this, making a radical change in the criminal administration of the State, we should act with great deliberation. Let us go into committee of the whole for the purpose of considering this matter; let us carefully consider it and act. The discussion the other day was very hurried and brief, and I do not think it is the temper of this Senate to force this thing through without a careful discussion. I will reserve what I have to say on the main question until after we go into committee of the whole. I cannot believe the Senate will take this summary process upon this bill.

Mr. BIGHAM (Speaker *pro tem.*) I think it would be better to test the question on going into committee of the whole. The merits of the bill can be discussed on this motion. If the Senate refuse to go into committee of the whole it will be a virtual rejection of the amendment.

Mr. M'CONAUGHY. Mr. Speaker, I will merely say that, whilst our State Constitution does not give the power to commute, this bill gives practical commutation, and it is commutation at the discretion of the Executive, with the concurrence of two of the judges, so far as regards cases arising in the

future. It was conceded, the other day, by the Senator from Clearfield [Mr. WALLACE], that it was possible, under this act, that the death penalty could be commuted to imprisonment, by the judges and Governors who were opposed to the death penalty. In that way you make the matter merely contingent, so that the administration of justice will not be equal throughout this Commonwealth. It will not be the same in 1868, possibly, as in 1866; it will not be the same in one judicial district in this State as it is in another. Now, sir, this is a matter of too vast importance to be left wholly dependent upon the individual judgment of the then Executive, and concurrent opinion of two of the judges presiding in the courts. There is a peculiar class of cases at this time. The situation is such that I am not disposed to relax the rule. The Executive in office at the time of the death sentence, having hesitated to postponed the execution, the question is thus devolved upon a new Executive. Some of these cases, I believe, are protracted, the prisoners having been held for years, and there may be such exceptionable cases as may call for departure from the general rule. But, sir, while I agree with the Senator from Clearfield to that extent, I cannot agree with him, that we are to depart from the old policy of the death penalty in this State; and that, in so departing, we are not to do it, as in other States, by a clear and distinct change in our law, but by an equivocal, variable provision, which will be wholly dependent upon the individual judgments of the Governor and judges as to the question of punishment by death or confinement. If done, let it be done distinctly. Why, sir, what is the most powerful argument for the death penalty? It is to hold up before the man influenced by diabolical passion, and by the controlling power of malice, the conviction that, as surely as that passion is gratified by the death of a citizen, his death shall result; that death to him is as certain as the death to the victim. Now, sir, change your law, so that there will be an uncertainty in the mind of the Executive, who is opposed to the death penalty, or in the minds of two or three of the judges opposed to the death penalty, and you practically break down the death penalty and gain nothing in its place.

Sir, I do not believe that in a time of profound peace there was a drifting of the public mind towards the abolition of that penalty. I do not believe that the judicial mind of this country or the convictions of the people are in favor of the abrogation of the death penalty. And to whatever the country may have been drifting on that question, in a time of profound peace, we have been under circumstances which have forced upon the public mind of the country the conviction that there are contingencies in which the safety of the body politic demands that the administration of justice shall have its way, and an irresistible conclusion that the life of him who stands in its way shall be sacrificed for the public good, in order that the vital interests of the whole people shall not be sacrificed to save the life of one man. The great law of morals, and the settled convictions of humanity, require it. And, sir, I do not believe, with that question so recently settled, to the conviction of every mind in the nation—I do not believe that the nation is prepared now to abrogate the death penalty in its judicial tribunals. I ask, then, that we hesitate and examine the subject carefully, before making this radical change.

Mr. WHITE. Mr. Speaker, I support the Senator from Adams [Mr. M'CONAUGHY] in the position he takes in behalf of this motion, so that this question may be brought before the Senate. I do not propose to launch out into the sea of discussion on the general principles involved in this bill. I concur in the main with the remarks of the Senator from Adams. I can see the necessity of providing relief for the existing evil, but where any change is made in the law, it is well for legislators to consider the old law, the mischief, and the remedy.

Now, there is a mischief existing in the fact that there are certain convictions and sentences to death where the Governor has refused to sign the death warrant for reasons sufficient to satisfy his own conscience. That refusal has existed so long, and has been transmitted from Executive to Executive so many times, that there is no probability of the execution of these sentences. This fact has been called to the attention of the Legislature, from time to time, in the messages of the Governors. I do not know the exact number of these cases. I was informed this morning that his Excellency, the present Governor, had sent a letter of inquiry to the different counties to get the exact number, and that he had not received an answer, but intended to send in a message to-day specifying what he had received. Still, that does not affect the principle here. To remedy this mischief, we are called upon to act. To remedy any further mischief, I do not think we are called upon to act.

I do not think, sir, that every change is reform, and certainly a change in this respect is the very opposite from reform, and I trust that, in any legislation here, we will not mar the elegant symmetry of our criminal system as to the punishment of criminal offenses, which has been sanctified by time. Every lawyer who has practiced in our criminal courts certainly respects the decisions made; and any interference now, will mar, to my mind, the symmetry of the system. Change the certainty of the death penalty, and you change that which has been successful in securing, to a greater extent than anything else, the peace of the Commonwealth, by holding out the hope to the prisoner that discretion will be exercised by the judge by refusing to execute the sentences. The power of pardon that exists in the Executive of the Commonwealth has been wisely put there; and, as it now stands, is an independent power over the judiciary, to be exercised only in proper cases. Let it remain; do not interfere with it. As we have it now, we have it certain; the man who commits a crime knows what he is to get, and the judge knows his duty. I hope and pray that the motion to go into committee of the whole, for the purpose of striking out the first proviso, will not prevail. That proviso reads as follows:

"*Provided*, That in all cases in which sentence of death shall be pronounced no conditional pardon shall be granted, unless a majority of the judges of the court before whom the convict has been tried, one of whom shall be a presiding or law judge, shall advise and recommend such conditional pardon."

Mr. WALLACE. Senators misapprehend my position on the main question when they assume that I am in favor of the abolition of the death punishment. I have had the same kind of education that the Senator from Indiana [Mr. WHITE] has had. Senators set up a myth, it seems to me, and attempt to strike it down when they assert that this bill vests certain rights in indiscreet persons. Now, sir, let us see. They oppose this bill because there may be a power of commutation. Why, do not they know that, under the Constitution, the Governor can grant a conditional pardon? Do not they know that the right of pardon exists under the Constitution, and that the Supreme Court of Pennsylvania have expressly decided that a conditional pardon may be granted? Do not they know that it is simply to mould that provision, and give it legislative sanction, that this bill has been drawn? And certainly they will not deny that it were better that ninety-nine guilty men should escape, rather than that one innocent man should suffer. That the uncertainty that surrounds those now in prison is unjust, they do not dispute; but they do dispute the right that this bill recognizes in the Executive to commute or to grant a conditional pardon in cases in which there may be a doubt as to the essence of the crime of murder in the first degree.

Now, if the Governor may grant a conditional pardon, what does this bill do? Why, instead of giving him additional power, as they contend, it actually limits the power. Why? Because, before he can grant a conditional pardon, two of the judges of the court must consent to the commutation or the granting of a conditional pardon. This, sir, is the actual provision of the first section of the bill, and Senators are fighting a shadow. I believe that the power to mitigate the rigor of the law, as it now stands, should be vested in the Governor of the Commonwealth in special cases, and it is simply to recognize this right of the Governor that I have thus drafted this bill. Do they fear to vest in the Governor of the Commonwealth this power? I do not. I believe I am doing what is right. It vests no additional power. The reason why the Governor has not exercised the power is because there is no legislative provision moulding the conditions under which it shall be exercised. If there are doubtful cases, certainly the law can do no harm. It seems to me we should stand by the bill just as it is. We are not seeking to abolish capital punishment. It is simply allowing the Executive to do, by form of law, what the Constitution authorizes.

Mr. M'CONAUGHY. Mr. Speaker, I am only constrained by strong feelings on the subject. I have no personal pride as to how this matter shall be, and I know that I am joined in this by the Senator from Clearfield [Mr. WALLACE]. I do not wish to misapprehend him, nor do I desire to set up any myth. What I propose now is this: I understand that there are a number of cases of convictions of murder in the first degree, in which the defendants have been for some time confined awaiting execution of sentence, and that execution has been delayed. There are cases in which it may be proper to grant a conditional pardon, so as to commute or avoid the death penalty. Now, I will join hands with the Senator from Clearfield [Mr. WALLACE] in that. I am willing to forego my views and unite with him, and therefore I move to go into commitee of the whole so as to amend this bill. There is a proviso added to this bill which says that the bill is not designed to allude to that class of cases, but to all cases which may arise in the future. That proviso reads thus:

Provided, That in all cases in which sentence of death shall hereafter be pronounced no pardon shall be granted, unless a majority of the judges of the court before whom the convict hath been tried, one of whom shall be a presiding or law judge, shall advise and recommend such additional pardon.

Now, I propose to amend so as to cover the special class of cases now under conviction and sentence, by inserting at the commencement of the first section, after the words, "that in cases of," the words, "prisoners now in confinement under." Also, to amend the proviso, so that it will read, "that in all such cases no conditional pardon shall be granted, unless a majority of the judges of the court before whom the convict hath been tried, one of whom shall be a presiding or law judge, shall advise and recommend such conditional pardon."

Mr. BIGHAM. The vote on going into committee of the whole can much better test this question than voting on the amendments. An affirmative vote would be in favor of the amendments, and a negative vote against them. I prefer the bill as it stands. I am not in favor of abolishing the death penalty. I am in favor of inflicting the death penalty in all cases where there are no doubts. But there is evidently a class of cases in which there are doubts. No judges are likely to give their consent to a commutation unless there are doubts as to the malice, or doubts as to the sanity of the party convicted. There is another reason which strongly confirms me in favor of the bill as it stands. Two years ago I prepared a bill to meet this class of cases, exactly as the Senator from Adams [Mr. M'CONAUGHY] proposes to amend this.

It was suggested to leave it to the Attorney General, Mr. Meredith, who made an objection that it did not go far enough; that there were a class of cases outside of these, which had remained over from former Executives, which ought to be met. Therefore, this bill has the sanction of the late Attorney General, for whose opinion probably a large number of gentlemen here have a very profound respect on questions of this kind. I think that it permits this additional pardon wherever there are doubts. The Executive has the broad, absolute power to pardon. This does not extend the power at all.

It is a restriction; it limits him to a certain class of cases. It is clear from all constitutional difficulty. It meets the sentiment prevailing in the country that this death penalty is an extreme which should not be resorted to when there are doubts. And I think it will also satisfy the public that the death penalty should never be entirely abolished.

Mr. BROWNE (Lawrence). Mr. Speaker, I am in favor of going into committee of the whole, for the purpose of amending this bill, because, on examining it, I find it is a bill authorizing the commutation of the death punishment in certain cases. It places the responsibility in the hands of the Chief Magistrate first, but ultimately in the hands of the judiciary, and it will amount to that, I am afraid, upon the statute book. It is a very delicate responsibility, which I think the Chief Magistrate of this Commonwealth and the justices of the courts would not desire to be invested with; and it would amount to practical abolition, except in marked cases. I am opposed to any abolition of the death penalty, after the experience of the past few years. I think the right with which the Governor is now invested to pardon, is a better guard against an unjust penalty, and a far greater safeguard for public life, than we could have under the present bill. We need these securities for life, sir; and if we pass such a commutation act as this, I think it is very probable that very few sentences of death will be inflicted, and, secondly, we will not have these proper safeguards.

Mr. M'CONAUGHY. The bill, as it now stands, as has been said, will leave the matter at the discretion of the Governor, so that, in every case, if this becomes a law, the Executive will be resorted to, and subjected to a re-hearing of the case, and to the cry for pardon. I think there should be no such additional responsibility thrown upon him.

On the question,

Will the Senate agree to the motion to go into the committee of the whole, for the purpose of amending the bill as indicated?

The yeas and nays were required by Mr. WHITE and Mr. WALLACE, and were as follow, viz:

YEAS—Messrs. Billingfelt, Browne (Lawrence), Graham, M'Conaughy, White, Worthington and Hall, *Speaker*—7.

NAYS—Messrs. Bigham, Brown (Mercer), Burnett, Coleman, Connell, Cowles, Davis, Donovan, Haines, Jackson, James, Landon, Lowry, M'Candless, Randall, Ridgway, Royer, Schall, Shoemaker, Stutzman, Taylor, Wallace and Walls—23.

So the question was determined in the negative.

The bill then

Passed finally.

The hour of 1 o'clock having arrived, the SPEAKER adjourned the Senate until this afternoon at 3 o'clock

AFTERNOON SESSION.

The Senate reassembled at three o'clock, P. M.

The SPEAKER announced the public calendar as the order for the afternoon.

Mr. BIGHAM. Mr. Speaker, I think we are in better humor for general legislation in the forenoon. I move that we meet at ten o'clock to-morrow, for the consideration of the public calendar, and take up the private calendar for this afternoon.

The SPEAKER. I think we should be humoring the public by attending to public business.

The motion of Mr. BIGHAM was

Not agreed to.

PUBLIC CALENDAR.

Agreeably to order,

The rules were suspended, and the Senate proceeded to the second reading and consideration of bills on the public calendar, which were severally disposed of as follows:

An act for the better and more impartial selection of persons to serve as jurors in the several courts of this Commonwealth.

Laid over.

An act to authorize the Governor to appoint a person to visit prisons.

Laid over.

A supplement to an act entitled An act relating to the payment of bounties to veteran volunteers, approved the 1st day of May, A. D. 1866.

The bill was read as follows:

SECTION 1. *Be enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same*, That the place of residence, named on the mustering-in roll, shall be considered the place of credit to the said veteran volunteer, and conclusive evidence of the fact, and of sufficient authority to the officers, provided for in said act, to levy and raise the said tax, except in cases where the said veteran volunteer has been especially credited to some other locality.

Mr. SHOEMAKER said he had no objection to the bill. A number of soldiers who served faithfully, had been deprived of their bounty in consequence of a misdirection of papers.

The bill was laid over to a third reading.

An act to protect the rights of joint tenants and others.

Mr. BROWNE (Lawrence) said this bill had been sent to him, but that he was satisfied with the law as it now stands.

On the question,

Will the Senate agree to the first section?

It was

Not agreed to.

So the bill fell.

A further supplement to an act, entitled An act to enable joint tenants, et cetera, approved the 21st day of April, A. D. 1854.

The bill was read as follows:

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same*, That any company heretofore incorporated, or that may hereafter be incorporated, under the act to which this is a supplement, may increase or diminish its capital stock, either by increasing or diminishing the number of its shares, or by increasing or reducing the face or par value of each share of stock; and this increase or diminution of the capital stock of the said company may be made without any increase or diminution of the money capital, if any, of the said company, and without any reference to the money capital which may have been paid in or paid out by the said company; in all other respects, the proceedings for the increase or reduction of the capital stock of the company shall be governed and directed by the several sections of the act, approved on the tenth day of April, one thousand eight hundred and sixty-two, supplementary to the said act passed on the twenty-first day of April, one thousand eight hundred and fifty-four; and after the filing of the certificate, as therein directed, all taxes, now or hereafter due to the Commonwealth, shall be computed on the amount to which said capital stock may have been so increased or reduced, and without reference to the amount of capital mentioned in the original certificate or act of incorporation of the said company.

SEC. 2. That all companies now incorporated, or that may hereafter be incorporated, under an act of the General Assembly of this Commonwealth, approved the twenty-first day of April, one thousand eight hundred and fifty-four, and its several supplements, for the purpose of mining or boring, and preparing for market oil and other minerals, and selling or conveying the same, and the products thereof, shall not be required to pay any other or greater tax on the amount of the capital stock of each respective company, than such as is now required to be paid by companies incorporated or organized under and by virtue of an act approved on the eighteenth day of July, one thousand eight hundred and sixty-three, entitled An act relating to corporations for mechanical, mining and quarrying purposes.

On the question,

Will the Senate agree to the first section?

It was

Not agreed to.

So the bill fell.

An act relating to cemeteries was read as follows:

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same*, That every lot conveyed by the proper authorities of any cemetery incorporated by the courts of this Commonwealth, shall be held by the proprietor and his or her heirs or assigns, for the purpose of sepulture alone, transferable with the consent of a majority of the board of managers, and shall not be subject to attachment or execution, and that the property of every cemetery shall be forever exempt from taxation.

SEC. 2. That a certificate under the seal of the corporation of the ownership of any lot or lots in any cemetery, shall in all respects have the effect as any conveyance of such lot or lots would have if executed, acknowledged and recorded as conveyances of real estate are required to be by the laws of this Commonwealth.

On the question,

Will the Senate agree to the first section?

It was

Not agreed to.

So the bill fell.

Join resolution to pay the expenses of the inauguration of Governor Geary.

Laid over to a third reading.

Joint resolution providing for the final adjournment of the Legislature.

The bill was read as follows:

Resolved, That (if the House concur) the Legislature will adjourn *sine die* at twelve o'clock, M., Thursday, March the twenty-first.

Mr. WALLACE moved to amend by striking out the words "twenty-first," and inserting in lieu thereof the words "twenty-eighth."

Mr. BIGHAM. I do not believe we can adjourn until a week later than that. The appropriation bill has not been reported yet.

Mr. WALLACE. The Chairman of the Committee on Finance agreed to the twenty-eighth.

Mr. WHITE. Mr. Speaker, I would like the Legislature to adjourn on the twenty-eighth, if possible, but I think it is manifest to every Senator that it would be impossible to do so. A large number of public and private bills are to be acted upon. The House has not touched the general railroad law or appropriation bill yet.

I move to amend by making it the fourth of April.

Mr. CONNELL. Mr. Speaker, I think that we are not in condition to consider the resolution at present, therefore I move that its consideration be postponed for the present.

On the question,

Will the Senate agree to the motion?

The yeas and nays were required by Mr. RIDGWAY and Mr. RANDALL, and were as follow, viz:

YEAS—Messrs. Bigham, Billingfelt, Browne (Lawrence), Brown (Mercer), Coleman, Connell, Cowles, Donovan, Haines, Landon, Lowry, M'Conaughy, Shoemaker, Stutzman, Taylor, White, Worthington and Hall, *Speaker*—18.

NAYS—Messrs. Burnett, Davis, Glatz, Jackson, James, Randall, Ridgway, Schall, Wallace and Walls—10.

So the question was determined in the affirmative.

An act relating to the law of evidence was read as follows:

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same*, That in all civil actions or proceedings in law or equity there shall be no exclusion of any person, as a witness, by reason of his interest in the event of the same, or because he is a party on the record: *Provided*, This act shall not apply to actions by or against executors, administrators or guardians, nor where the assignor of the thing or contract in action may be dead.

SEC. 2. That a party to the record of any civil proceeding in law or equity, or a person for whose immediate benefit such proceeding is prosecuted, or defended, may be examined as if under cross examination, at the instance of the adverse party, or any of them, and for that purpose may be compelled, in the same manner and subject to the same rules for examination, as any other witness, to testify, but the party calling for such examination shall not be concluded thereby, but may re-but it by counter testimony.

SEC. 3. That the testimony of witnesses authorized by this act, may be had by deposition or commission, issued as the case may require, with such notice to the party to be examined, and to the adverse party, as is now, or may hereafter, be prescribed by the rules of the proper court, touching the taking of depositions and testimony on commission.

Mr. BIGHAM said he hoped the consideration of this bill would be postponed.

Mr. WALLACE. Every one knows how to vote upon it now. Why not dispose of it? I confess I have no sympathy with it.

Mr. WHITE. Mr. Speaker, the Attorney General arrived in town this morning. I sent him a copy of the bill, and there are one or two amendments which he wishes to suggest, but he has not had time to prepare them yet. I therefore hope that the matter will be postponed until he can prepare them.

Mr. COLEMAN. Mr. Speaker. the Senator from Clearfield [Mr. WALLACE] must be mistaken. The lawyers here may be prepared on this question, but certainly, for my part, I am not. I expected to be detained with lengthy debates between the legal gentlemen of the Senate, in order to convince me how to vote. I really do not understand the question, and have not made up my mind.

Mr. WHITE. I move that the whole subject be postponed for the present.

Mr. BIGHAM. Mr. Speaker, I hope the Senate will yield this courtesy. There are two or three members who take an interest in this subject, and who are not prepared to go into the matter. I speak for other persons, and not for myself. This is an important matter, and a week's time should be given to its friends to examine it.

Mr. WALLACE. I have no objections to an extension of time; I do not wish to be discourteous. But the bill has been before the Senate and on our files for the last four weeks. However, I assent that it may go over.

The bill was then laid over for the present.

An act relating to evidence.

Laid over for the present.

A supplement to an act entitled An act amending the law of evidence in Pennsylvania, approved the 27th day of March, 1865.

Laid over for the present.

An act relating to dower was read as follows:

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same*, That in case any person has died, or shall hereafter die, leaving a widow and last will and testament, and such widow has elected, or shall elect, not to take under the will, but claims dower at common law, and the same has not yet been fixed, it shall be lawful for the orphans' court of the county in which the land subject to such dower is situated, on petition of the widow and persons interested, to appoint seven men to appraise such real estate with its improvements.

SEC. 2. Or, on the petition of the widow or any one interested, to award an inquest to be held by the sheriff of the county, as is provided in cases of intestacy, to ascertain the value of the land, or such portions there of as may be asked to be appraised.

SEC. 3. After such appraisement, whether by seven men or by sheriff's inquest, has been had and confirmed by the orphans' court, the lands, or the respective parts thereof thus appraised, shall be charged with and subject to the yearly interest accruing on the one-third of the valuation moneys, which shall be paid to the widow annually during her life, by the owner or occupier of the said land.

SEC. 4. The interest accruing as aforesaid may be recovered in the same manner as the interest of the widows of intestates when the land has been appraised and accepted by the heirs under the intestate laws, is now recoverable, and such interest accruing on the one-third of the valuations made as aforesaid shall be in lieu of dower at common law.

The bill was read a third time, and

Passed finally.

An act regulating the jurisdiction of courts in proceedings by bills for injunctions and other relief in equity, and the service of process.

The bill was read a second time and laid over to third reading at the request of Mr. WALLACE.

A supplement to an act granting the courts of this Commonwealth power to appoint viewers to view certain streets and alleys in this Commonwealth, approved April fifteenth, one thousand eight hundred and forty-five, extending its provisions to all public or private roads, streets, or alleys, or any plan of lots, was read as follows:

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same*, That the powers of the court of quarter sessions of this Commonwealth to vacate public and private roads, streets and alleys, in any unincorporated village, are hereby extended to all public and private roads, streets or alleys, in any plan of lots now, or which may be hereafter, laid out in this Commonwealth, and the proceedings to vacate any such street, road or alley, shall be according to the provisions of the act, to which this is a supplement, approved April fifteenth, one thousand eight hundred and forty-five, which is hereby extended to apply to all such public or private roads, streets or alleys laid out and opened in any plan of lots as aforesaid.

The bill was read a third time and

Passed finally.

An act granting to the city of Erie the title of the Commonwealth to certain lands in and adjoining the harbor of Erie.

The bill was read.

On the question,

Will the Senate agree to the first section?

It was

Not agreed to.

So the bill fell.

A supplement to an act entitled An act to prevent the sale of intoxicating liquors on the first day of the week, commonly called Sunday, approved the 26th day of February, 1855.

The first and only section was read as follows:

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same*, That all penalties, fines or forfeitures imposed, incurred or paid, under the act to which this is a supplement, except so far as part thereof is payable to the prosecutor, shall be paid over to the guardians, directors or other representatives of the poor of the city or county in which the offense was committed.

Mr. WALLACE inquired what was the necessity for the bill?

Mr. GRAHAM. In Allegheny county we have three poor districts. Under the existing laws, the district in which information is made against any person for selling liquor on the Sabbath day, the fine goes to the district in which the information is made. This bill provides that the fine shall go to the poor directors of the district in which the offense is committed.

Mr. WALLACE said he thought the act of 1855 did precisely what this act would do.

Mr. M'CANDLESS. Will the Senator from Allegheny [Mr. GRAHAM] allow me to ask him a question? If this offense is committed in one of the districts adjoining the the city, how will you get at it by this bill?

Mr. GRAHAM. Wherever the house is located in which the offense is committed.

Mr. M'CANDLESS. As I understand, in the vicinity of Pittsburg there are certain

neighborhoods located in districts, which are neither towns nor cities, but a portion of the suburbs of Pittsburg, not incorporated.

Mr. GRAHAM. They form poor districts, however. This makes the fine come into the district in which the offense is committed.

Mr. CONNELL moved to amend the section by adding, after the word "city," the word "district."

The amendment was

Agreed to.

The section as amended was

Agreed to.

The bill was then read a third time, and

Passed finally.

An act to regulate the jurisdiction of justices of the peace.

The first section was read.

On the question,

Will the Senate agree to the first section?

It was

Not agreed to.

So the bill fell.

An act relating to appeals from justices of the peace in cases removing paupers in this Commonwealth.

The first and only section was read.

On the question,

Will the Senate agree to the first and only section?

It was

Not agreed to.

So the bill fell.

An act authorizing amendments in divorce cases.

The first and only section was read as follows:

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same*, That in all actions of divorce, *a vinculo matrimonii*, now pending, or which may be hereafter brought in any of the courts of this Commonwealth, the libellant shall be permitted, at any stage of the proceedings, before final decree, to amend the petition to an application for a divorce, *a mensa et thoro*, and the decree may be made accordingly, with allimony, with the same effect as if the original petition had been filed for a divorce *a mensa et thoro*.

On the question,

Will the Senate agree to the first and only section?

It was

Not agreed to.

So the bill fell.

A further supplement to an act entitled An act to enable joint tenants, tenants in common, and adjoining owners of mineral lands in this Commonwealth, to manage and develop the same, approved April twenty-first, Anno Domini one thousand eight hundred and fifty-four.

The first and only section was read as follows:

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same*, That any company heretofore incorporated under the provisions of the act of April twenty-first, Anno Domini one thousand eight hundred and fifty-four, entitled An act to enable joint tenants, tenants in common, and adjoining owners of mineral lands in this Commonwealth, to manage and develop the same, desiring to issue special stock under the provisions of the supplement to the said last recited act authorizing the issue of preferred stock, approved the thirty-first day of March, Anno Domini one thousand eight hundred and sixty-six, may issue such special stock in addition to the general stock then forming the capital stock of such company.

On the question,

Will the Senate agree to the first and only section?

It was

Not agreed to.

So the bill fell.

An act to regulate the carriage of passenger baggage by railroad companies, and to prescribe the duties and obligations of carriers and passengers in relation thereto.

The first section was read.

On the question,

Will the Senate agree to the first section?

It was not

Agreed to.

So the bill fell.

An Act supplementary to an act to encourage manufacturing operations in this Commonwealth, approved April seventh, Anno Domini one thousand eight hundred and forty-nine, authorizing companies to dissolve their organizations and relating to the bonus on tax thereon.

The first and only section was read as follows:

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same*, That companies which have filed certificates of incorporation, under the mining and manufacturing laws of this Commonwealth, but have been unable to commence and carry on the business for which the association was formed, shall be, and they are hereby authorized, with the consent of all the parties in interest, to resell and convey any real or personal property, that may have been purchased or contributed, and dissolve the organization of said company or companies: *Provided*, That a certificate to this effect, signed by the president and directors, under oath, shall be filed in all the offices in which was previously filed the certificate of incorporation, and said companies shall not be required to pay into the treasury of the Commonwealth the bonus required from companies that have gone into operation.

The section was

Agreed to.

The bill was read a third time, and

Passed finally.

An act to impose the death penalty on negroes and mulattoes who may be convicted of the crime of rape upon the persons of white females.

Mr. DAVIS. That bill was introduced by the Senator from Fayette [Mr. SEARIGHT], and I hope it will be laid over, as a matter of courtesy to him. I think we ought to hear from him.

The bill was laid over for the present.

A supplement to an act entitled An act providing for the adjustment of all indebtedness between an old township, or townships, and a new township or borough, erected therefrom, approved the twelfth day of April, Anno Domini one thousand eight hundred and sixty-six, was read as follows:

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same*, That every township erected, or borough incorporated, out of any township, townships, or borough, shall pay its just proportion of the indebtedness of such township, townships, or borough, existing at its erection or corporation.

SEC. 2. The court of common pleas sitting in equity, shall have power, upon application of any of the officers of any township, townships, or borough, interested by petition or bill in equity, to adjust the debts, expenses and taxes, between the old township, townships, or borough, and the new township or borough, and make decree accordingly; and such court shall have power, and they are hereby authorized to enforce payment by writs of execution and attachment, in like manner and with like effect as payment of judgments are enforced against townships.

SEC. 3. Service of such writs may be made upon the treasurer or collector of the township, and the burgess, or treasurer, or secretary of the town council of the borough; and the proper officers of such township, townships or borough liable to pay such indebtedness, shall have power to levy and collect separate rates of taxation, as decreed by the court for the payment of such indebtedness.

The various sections were

Agreed to.

And the bill was read a third time, and

Passed finally.

An act to authorize turnpike and plank road companies not paying dividends to increase their tolls.

The first and only section was read as follows:

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same*, That whenever any turnpike or plank road company shall not, for a period of three years consecutively, have made any dividend to its stockholders, nor have, within said period of three years, accumulated any contingent or sinking fund for future distribution among said stockholders, then, in any such case, the president and managers of said company may, by resolution of its board, order an increase of the toll or charge upon all persons using said road not exceeding, in the aggregate, fifty per centum upon the rates fixed in the general turnpike and plank road act of January twenty-six, one thousand eight hundred and forty-nine, or upon the rates fixed in the charter of said company regulating the amount of toll to be collected for the use of said road, and that no penalty shall be incurred by any collector for demanding and receiving such increased rate of toll: *Provided*, The toll collectors shall keep a certified copy of said order of the board to exhibit to all persons paying the increased rate of toll if its production be demanded: *Provided*, That before so increasing their rates of toll the said company shall present their petition to the court of common pleas in which the principal part of the said road is located, setting forth the facts and praying the court to allow such increase of tolls, when, after due notice of such application by publication during four weeks in one newspaper, the said court may examine the facts and make such decree as to them shall seem just and proper; and if the said court shall decree such increase of tolls the company shall have the right to take, receive and collect the same.

Mr. M'CONAUGHY. Mr. Speaker, I hope this bill will not pass in this form; I desire to amend it so that it shall apply only to the county of Allegheny. I am sure it is not necessary in my section.

Mr. CONNELL desired that Philadelphia should be excepted from the operations of the bill.

Mr. BIGHAM. Very well. I move to amend by inserting at the commencement of the section, after the words "plank road company," the words "in the county of Allegheny."

The amendment was

Agreed to.

The section as amended was

Agreed to.

The title being under consideration,

Mr. BIGHAM moved to amend the same, so that it would read as follows:

An act to authorize turnpike and plank road

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[CONTINUED FROM PAGE 504.]

companies in the county of Allegheny, not paying dividends, to increase their tolls.

The amendment was

Agreed to.

The title as amended was

Agreed to.

And the bill was read a third time, and

Passed finally.

An act granting an increase of capital to literary or charitable institutions becoming soldiers' orphan schools.

The first and only section was read as follows:

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same*, That the trustees, owner or owners of any literary or charitable institution now incorporated, erected, endowed or established, or that may hereafter be incorporated, erected, endowed or established by virtue of any law of this Commonwealth, he, and they are hereby, authorized and empowered to secure, by purchase, lease, bequest or otherwise, and to hold, enjoy and use lands and buildings not exceeding in value thirty-five thousand dollars, and to sell, lease or otherwise dispose of the same; and the lands and buildings thus secured and held, shall be exempted from all and every county, road, city, borough, poor and school tax: *Provided*, That these institutions be designated and employed as soldiers' orphan schools: *And provided also*, That the State shall never be asked or expected to pay any portion of the cost of said buildings and grounds.

The section was

Agreed to.

The bill was read a third time, and

Passed finally.

An act relative to certain foreign insurance companies.

Laid over.

An act to enable the State banks to settle and close up their affairs.

The bill was read a second and third time, and

Passed finally.

An act to regulate the carriage of baggage by railroad companies, and to prescribe the duties and obligations of carriers and passengers in relation thereto.

The bill was read as follows:

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same*, That each passenger upon a railroad, who shall have paid fare, shall have the right to have carried in the car, or place provided for that purpose in the train, in which he or she may be a passenger, without additional charge, above passage fare, his or her personal clothing not exceeding, inclusive of the trunk or box in which it may be contained, one hundred pounds in weight and three hundred dollars in value.

SEC. 2. That no railroad company shall, under any circumstances, be liable for loss of or damage to any baggage or property belonging to any such passenger beyond the said sum of three hundrnd dollars, unless it shall be proven that the excess in value thereof, over that sum, was truly declared to the agents of the company at the time of its delivery for transportation, and the sum charged by the railroad company for such transportation, over and above passage fare, was paid: *Provided, however*, That the said declaration shall not relieve the claimant from proving the actual value of the articles alleged to have been lost or damaged, but in no event shall there be any recovery beyond the value thus declared.

SEC. 3. That no railroad company providing a car or other place for the deposit of passengers' baggage, shall, under any circumstances, be liable for loss of, or damage to, any articles or property whatsoever, not there deposited by the passenger, or which are placed by him or her in the car in which he or she is to be transported.

Mr. BROWNE (Lawrence). Mr. Speaker, I think this last section a rather hard one. A man may wish to carry something in his hand, and I do not see why the company should not be liable for its safety.

Mr. BIGHAM. They have a place for its safety, and a passenger, if he carries it into the cars, does so at his own risk.

Mr. BROWNE (Lawrence). I have no objections to the law remaining as it is.

The bill was read a third time, and

Passed finally.

A SUPPLEMENT to an act relating to the payment of bounties of veteran volunteers, approved the first day of May, Anno Domini one thousand eight hundred and sixty-six.

The first and only section was read as follows:

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same*, That all veteran volunteers who have been regularly re-enlisted and remustered under general order number one hundred and ninety-one, from the war department, dated June twenty-fifth, Anno Domini one thousand eight hundred and sixty-three, and extending to April first, Anno Domini one thousand eight hundred and sixty-four, and who have been honorably discharged the service of the United States, and who have not received any local bounty nor given their credit to localities within or without this State, and who are credited to the State at large, shall each be paid a bounty of three hundred dollars by the State of Pennsylvania.

Mr. BROWN (Mercer) said he would like to ask the chairman of the Military Committee what caused them to report this bill with a negative recommendation. He thought this matter should not be overlooked by the Legislature.

Mr. WHITE. Mr. Speaker. this is a bill to provide for the payment of bounties to veteran volunteers from the State Treasury. It is commencing, at this late day, after the war, a system of paying bounties by the State which was refused during the existence of the war. If we commence the system now, there will be no end to it.

Mr. BROWN (Mercer). Mr. Speaker, I understand that the class of soldiers referred to in this bill are not by any means large. It simply provides for the payment of a bounty of three hundred dollars to those veteran volunteers who were not credited to any special locality, but to the State at large. Now, we have legislated here for the payment of bounties in special localities, and require them by law to pay bounties. Now, it looks to me, if it was right to do that, it would be right to pay this bounty of three hundred dollars to those who are credited to the State, and who never received local bounties.

Mr. BIGHAM. There would be no equality in this thing now. Counties that filled their quota, and paid heavy bounties, would be called upon by the lazy ones to pay theirs, too. I think this would be a premium for not doing it.

Mr. BROWN (Mercer). I cannot see it in that light at all. The bill recites that this is for those only who were credited to the State, and if the quota was made less, of course every county in the State was benefited by it. The thing was equal.

Mr. CONNELL. Mr. Speaker this question was discussed in various shapes during the war. It came once or twice in the shape of assuming the debts of various counties, and now we have it in a new shape. It is but the entering wedge to saddling the whole of the county bounties upon the Commonwealth.

Mr. RIDGWAY. Mr. Speaker, I would just say that Philadelphia has increased her taxation fifteen million dollars, by paying bounties to volunteers. If the State wants to pay that, I have no objection. If not, I would vote this bill down.

Mr. BROWNE (Lawrence). It is simply to pay bounty to those credited to the State; of course, the State at large had the credit. They received no bounty, because they were not credited to any counties in which they volunteered.

Mr. TAYLOR. Mr. Speaker, it is well known that a number—I think not a very large number—of soldiers re-enlisted, who were not credited to any particular locality, but to the State at large. They received no local bounty. Now, sir, if they are entitled to local bounties, if they could not receive any credit to a particular locality, the question arises, from what source shall they receive it? I know of two Pennsylvania regiments who re-enlisted, and about one-quarter of them were not credited to any particular

locality, but to the State at large. This bill, as I understand it, proposes to meet such cases, and I can see, for one, no injustice in it.

Mr. WHITE. Mr. Speaker, I have looked at this bill carefully; this matter was carefully examined by the committee, and there is no doubt, if this principle is adopted now, there will be more injury done to the finances of the Commonwealth than there will be justice done to individuals. There were no soldiers credited to the Commonwealth at large, specially. The Commonwealth adopted the system of crediting them to localities. It is hard to ascertain who were credited to the State at large. I think it is very unsafe, and I trust the Senate will not hastily adopt a policy of this kind, which may do great injustice to us as a State. And we cannot be insensible to the fact that the General Government has provided for the payment of a bounty, and these persons who have not received any, of course can get their bounty from the General Government. No man feels more for the soldier than myself; no man would go further to protect them in their rights. But it occurs to me that this bill is more in the interest of persons who collect claims than of men honestly entitled to it.

Mr. BROWN (Mercer). Mr. Speaker, I desire to say that, if no veteran volunteers were credited to the State, then there would be no money taken from the State treasury. So far as claim agents are concerned, I am opposed to them as much as my friend, the chairman of the Military Committee. I have never been in that business, and never expect to be. I do not refer to the Senator at all. I would ask that this bill be laid over for the next public calendar.

The bill was laid over.

An act repealing the first section of an act entitled An act to prevent the spread of Canada thistles, et cetera, approved March, one thousand eight hundred and sixty-two.

The first and only section was read as follows:

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the first section of an act entitled An act to provide for the destruction and to prevent the spread of Canada thistles, approved the twenty-second day of March, one thousand eight hundred and sixty-two, be, and the same is, hereby repealed.

Mr. LANDON. Mr. Speaker, the first section of the act of 1862 makes every person liable to a fine of fifty dollars who allows Canada thistles to grow on his premises. That opens a wide door to vexatious lawsuits. Seven suits grew out of it in our township last year. The second section of that act provides for their destruction. If a man sees thistles growing on a neighbor's land, and notifies him to cut them, if it is not done, he is authorized to cut them himself, and collect pay for it. The second section of that act is all that is needed in the case.

Mr. LOWRY. Will the gentleman be satisfied to have the law changed in his own county only?

Mr. LANDON. I am satisfied that, when Senators hear this bill of 1862 read, they will not want the first section of it to apply to their counties.

The act of 1862 was read by the Clerk as follows:

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That from and after the passage of this act, it shall be the duty of every person, or persons, and of every corporation holding lands in this Commonwealth, either by lease or otherwise, on which any Canada thistles, or weed commonly known as Canada thistle, may be growing, to cut the same, so as to prevent such weeds or thistles from going to seed, and the seed of the same from ripening; and any person or persons, or corporations as aforesaid, who shall or may have land as aforesaid, in the said counties, and who shall neglect or refuse to comply with the provisions of this act, shall forfeit and pay a fine of fifteen dollars, one-half to the county treasurer, and the other half to the use of the person suing for the same, who shall be a competent witness to prove the facts, to be recovered as other debts of the like amount before any justice of the peace, or in any court of record in said county.

SEC. 3. That if any person or persons, or corporations, so holding land as aforesaid, on which the Canada thistle, or the weed commonly known as such, shall be growing and likely to ripen seed thereon, shall neglect or refuse to cut and destroy the same, so as to prevent the seed thereof from ripening, it shall and may be lawful for any person or persons, who may consider themselves aggrieved, or about to be injured, by such neglect or refusal, to give five days' notice, in writing, to such person or persons, or corporation, to cut and destroy such weeds or thistles; and on their neglect or refusal to cut and destroy the same at the end of five days, it shall and may be lawful for any person or persons so aggrieved, or believing themselves about to be injured thereby, to enter upon, or have other persons to enter upon such premises, and cut down and destroy such Canada thistles; and the person or persons so employed, shall be entitled to recover from such person or persons, or corporation, owning or holding such land, compensation at the rate of two dollars per day, to be sued for and recovered as debts of like amount, before any justice or court in said county.

Mr. LANDON. Mr. Speaker, you will observe, sir, that if Mr. A, whose farm we will suppose adjoins mine, sees thistles growing on my farm, the law authorizes him to notify me to cut them; if they are not cut, the law authorizes him to cut them, and bring suit and collect pay for it. Strike out the first section and there can be no vexatious lawsuits, and the second section secures the destruction of the weed.

Mr. WORTHINGTON. Mr. Speaker, I do not know but what the proposition of the Senator from Bradford [Mr. LANDON] may be right. I only know this, that this is one of the most noxious weeds in the State, or anywhere else. It is by no means a well settled fact that cutting off this thistle will prevent its propagation; it has an immense number of roots, which perforate the ground. So long as there is a root remaining in the ground it will sprout; and although I know of no other way than to cut it off regularly, yet there are great doubts as to whether that will destroy it. But I think probably the second section of that law will be sufficient to prevent its spread, if that is possible. The seed will spread for a great distance. I shall not object to the repeal of that portion of the law, but the farmers ought to be on their guard against this thing. It monopolizes the ground wherever it takes root.

Mr. BROWNE (Lawrence). Mr. Speaker, I think that if the second section is a proper section, the first is proper also. If it is a matter of so much importance to the public to have it kept in subjection, then there is more cause why it should be everybody's business to put it down. It should be the business of every person who owns a quarter of an acre of land to keep this weed from his neighbor's land, as well as his own. I think the second section is all right, but you will prevent the necessity of enforcing the second section if you leave the first as it is. You make it my duty to protect myself by going on to my neighbor's land.

Mr. LANDON. I certainly have no serious object in pressing the repeal of that section. Every man who is a practical farmer will endorse the statement made by the Senator from Chester [Mr. WORTHINGTON] in regard to this weed. The very fact which he states is one grand reason for repealing that section. In my section, a man having dislike to his neighbor brought suit, and his neighbor was fined fifteen dollars. The thistles remained there, and the next spring the man prosecuted his neighbor, who is fined another fifteen dollars. The thing is so difficult to dig out that it will subject him to fines every year. It is a fixed fact that the most efficient way to destroy it, is to cut it down. The second section requires it to be cut. By repealing the first section we get rid of vexatious lawsuits, as well as the noxious weed.

Mr. LOWRY. Mr. Speaker, I have no objection whatever that the Senator from Bradford [Mr. LANDON] shall change the law for his own county, or any other county, except in my district. I would rather not have that first section of the law of 1862 repealed so far as my district is concerned.

Mr. BIGHAM. Mr. Speaker, unless the Agricultural Committee gives some good and sufficient reasons why this section should be repealed, I am in favor of letting it stand as it is. I have never heard of anybody suffering much from penalties that have been enforced under it. If they have, I have heard no complaints about it.

Mr. COLEMAN. Mr. Speaker, I would like to request the Agricultural chairman to perfect this bill, and give the plant its botanical name. Perhaps the chairman of the Railroad Committee would do it.

Mr. LANDON. I would suggest also that the Senator should ascertain what is the Latin for "dog."

Mr. CONNELL. Do I understand the Senator from Bradford [Mr. LANDON] to refuse to confine this repealing act to his own county?

Mr. LANDON. No, sir.

Mr. WHITE said that his neighbors did not want to be afflicted with lawsuits, and wanted to see the first section of the law of 1862 repealed.

Mr. LANDON. Mr. Speaker, I have only to say, sir, that during last summer seven suits grew out of that first section in my township, and there are just as many thistles now as ever.

Mr. BROWN (Mercer). Mr. Speaker as a member of the Agricultural Committee I desire to say that this bill was brought to my attention, but, being otherwise engaged, I did not give it much consideration, and was under the impression that it was a local bill; I would ask that my county should be excepted from its operations.

The bill was

Agreed to.

The title being under consideration,

Mr. LANDON moved to amend the same by adding to the end the words "so far as relates to the county of Bradford."

The amendment was

Agreed to.

The title as amended was

Agreed to.

And the bill was read a third time, and

Passed finally.

An act regulating the rate of interest.

The bill was read as follows:

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Common*

wealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That from and after the passage of this act, the legal rate of interest shall be seven per centum for the loan or use of money in all cases where no express contract shall have been made for a less rate.

SEC. 2. That all acts or parts of acts inconsistent with this act be and are hereby repealed.

Mr. WHITE moved to amend the first section so that it would not apply to existing contracts, but subsequently withdrew the motion.

Mr. WHITE. Mr. Speaker, I was going to observe that I was induced to offer this bill at the instance of many business men of Pennsylvania. I was induced to offer it to accomplish what I consider is required by many business men of the State. I have not at hand the report of the Board of Trade of Philadelphia upon this subject. But I recently had the honor to receive from that board a very comprehensive and conclusive memorial on this subject. I understand that the business men of Philadelphia want this increase. I think that a majority of the business men of the rural district want it. I think that, if the increase is made, it will not be merely for the benefit of the rich man, but also for the benefit of the man struggling along in business, who desires to raise money for the purpose of establishing himself; and it will be for the interest of this class, as well as for the interest of the capitalist. That is what induced me to offer this bill. I will merely remark that the present rate of interest is not requisite. Men cannot borrow money for the pursuit of legitimate business, merely because the United States Government has set the precedent of a larger rate of interest. If a man has money to invest, he will invest it in United States securities, which, in the end, will increase his rate of interest to seven per centum or over. Then, again, the States of New York, Ohio and Maryland have a legal rate of interest of seven per centum, contingent upon a provision that contracts may be made for a certain amount. Since we have been in session here, the State of New Jersey have repealed their usury laws, and the rate of interest is seven per centum, and it is right and proper to put this State upon the same footing as our sisters around us. The effect of the present law is, that millions of dollars of capital go out of Pennsylvania for investment, and the consequence is that the business men of the State are not secure. I think that we ought to be equal to the necessities of the times, and make the change in question.

My friend, the Senator from Allegheny [Mr. BIGHAM] has taken the trouble to write to the Clerk of the Massachusetts Senate, and has received a copy of the bill passed there this winter, repealing the usury laws. I will read it:

AN ACT concerning the rate of interest.

SECTION 1. *Be it enacted by the Senate and House of Representatives, in General Court assembled, and by the authority of the same, as follows:* When there is no agreement for a different rate of interest of money, the same shall continue to be at the rate of six dollars upon one hundred dollars for a year, and at the same rate for a greater or less sum, and for a longer or shorter time.

SEC. 2. It shall be lawful to contract to pay or reserve discount at any rate, and to contract for payment and receipt of any rate of interest; *Provided, however,* That no greater rate of interest than six per centum per annum shall be recovered in any action, except when the agreement to pay such greater rate of interest is in writing.

SEC. 3. Sections three, four and five of chapter fifty-three of the General Statutes, and all acts and parts of acts inconsistent herewith are hereby repealed.

SEC. 4. This act shall not affect any existing contract or action pending, or existing right of action, and shall take effect on the first day of July next.

Mr. WHITE. Mr. Speaker, Massachusetts has gone the whole length, and has wiped out of existence all the usury laws. I think we of Pennsylvania should be as progressive as our sister States.

Mr. WALLACE. Mr. Speaker, if the passage of this bill is to make us a progresive people, I am sorry to say that I am an "old fogy." I cannot assent to a change of the rate of interest at this time. A great many of the people of this Commonwealth are borrowers. It is a bad time to change the rate of interest, and I do not think the people of the Commonwealth wish it. Capitalists, who are making immense fortunes, and some business men may want an increase of the rate of interest; but I do not believe that the mass of the people desire it. If this bill was like the Massachusetts bill it might be more acceptable. I hope the bill will be voted down.

Mr. WHITE. The Senator will agree that the rate there is seven per cent.; does he not agree that a large amount of capital will go out of this State?

Mr. WALLACE. That has been the case for the last six years in regard to United States securities. I do not think the time needs any change.

Mr. M'CONAUGHY. Mr. Speaker, I hope this bill will be voted down. The proposition is a simple one. It is not that of the Massachusetts statute, but it is to increase the legal rate of interest from six to seven per cent. There has been no demonstration of an existing popular necessity for that change. The Senator from Indiana [Mr. WHITE] has failed to demonstrate it by facts. In my own region I know there is no occasion whatever for the increase. In the county that adjoins me on the east, where there is a large amount of money, loans at less than six per cent. have been very common. The proposition is a radical change throughout the entire Commonwealth. It will necessarily raise the rate of interest on loans by all the banks of the Commonwealth. It will, as a necessary consequence, require a cancellation of all the mortgages in the Commonwealth; it will result in the immediate calling in of all the immense amount of capital invested in mortgages, in order that it may be invested at an increased rate. These are among the many consequences that will result. As there is no public necessity existing for it, I think it would not only be impolitic, but exceedingly rash and disastrous legislation to adopt this proposition.

Mr. COLEMAN. Mr. Speaker, it really does amuse me to hear these legal arguments with the idea that we can make laws here to regulate the price of money; the thing is absolutely impossible; you might as well try to regulate lawyers' fees. You cannot regulate the price of money by any act that you may pass. I do not favor this bill particularly, but I would like to wipe out the whole of our legislation here, and pass a law similar to the Massachusetts law that has been read here. That would show some progress. If in order, I move to strike out all after the enacting clause, and insert in lieu thereof this Massachusetts law, which has been read. That seems to me to reach the point. Practically speaking, any man who desires to get twelve per cent. for his money, and can find anybody willing to give it he can get it. You cannot regulate this thing. It only prevents parties getting money on bond and mortgage, from raising money at the ordinary rate of interest. It strikes me as folly in attempting to legislate upon it.

Mr. LOWRY. It appears to me, Mr. Speaker, that there is a great public necessity that the standard rate of interest in Pennsylvania should be seven per cent. When the law regulating the rate of interest was passed, the Government paid but six per cent.; it now pays seven and three-tenths per cent. The States of New York and Ohio pay seven per cent., and my locality, lying between the two, is crucified in consequence of the low rate of interest there. I can name many cases where money has been loaned in my locality, and where you can just go across the State line, and take a mortgage at seven per cent., when parties at home, who are suffering for money, would be glad to get it at this rate of interest. The action of the Legislature of Pennsylvania, in refusing to create the same rate of interest in the State of Pennsylvania as in New York, is draining us of our money; we see that every day there. I do not know a money borrower in Erie or Crawford but who is in favor of the law being changed from six to seven per cent. Those who live in the interior, or in counties adjoining a State where the rate of interest is but six per cent., may not feel its inconvenience as we do. Hence, it is, sir, that I shall certainly vote to make the standard in Pennsylvania seven per cent. I agree with the Senator from Lebanon [Mr. COLEMAN] that we cannot regulate the price of money.

But still, sir, every well regulated community and State must have its standard, and Pennsylvania should not have a standard different from that of the States which surround her.

Mr. BROWN (Mercer). Mr. Speaker, I desire to say that I will vote for this bill, and will give my reasons. I find in the section of the State from which I come that the law regulating the rate of interest is a practical nullity. Invariably, in the bills of school directors, who borrow money, it is put in at seven per cent. It is well understood that seven per cent. can be got for money.—Now, then, if the law is a nullity, I see no reason why it should remain as it is; I am in favor of changing it. Even the banks have succeeded in making arrangements by which they can get seven per cent. or more. In discounting paper, they will charge one and one-half per cent. for exchange. If seven per cent. is the legal rate, it seems to me money would be more plenty in our State, and that borrowers would be accommodated more freely.

Mr. DAVIS. Mr. Speaker, I think that some time ought to be taken for considering this subject; I, therefore, move that the further consideration of this bill be postponed for the present.

The motion was

Agreed to.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

The Clerk of the House of Representatives being introduced, presented for concurrence bills numbered and entitled as follows, viz:

No. 710, a supplement to an act relative to the election of supervisors in the township of Salem, in the county of Westmoreland.

Referred to the Committee on the Judiciary Local.

No. 847, an act fixing the place of holding elections in the township of Harrison, county of Bedford, at the house of Jonathan Feightner.

Referred to the Committee on the Judiciary Local.

He also informed that the House of Representatives insists on its non-concurrence to amendments made and insisted upon by the

Senate to bill from the House of Representatives numbered and entitled as follows, viz:

No. 266, an act to annex the farms of Samuel Powers, John Hunter, James Cunningham, John Conway and James Rutlidge, of Derry township, to Livermore borough, in Westmoreland county, for school purposes.

And has appointed Messrs. GALLAGHER, KINMELL and BOYD a committee of conference on the part of the House, to confer with a similar committee of the Senate (already appointed) upon the subject of the difference existing between the two Houses on said bill.

BILL REFERRED TO ANOTHER COMMITTEE.

Mr. WHITE moved that the Committee on the Judiciary General be discharged from the further consideration of bill entitled An act to change the manner of criminal proceedings in a certain class of criminal cases in Indiana county, and that said bill be committed to the Committee on the Judiciary Local.

The motion of Mr. WHITE was

Agreed to.

REPORT FROM COMMITTEE.

On leave,

Mr. SHOEMAKER, from the Committee on the Judiciary General, reported, as committed, a bill entitled A further supplement to the act relating to the elections of this Commonwealth.

BILLS IN PLACE.

On leave,

Mr. SHOEMAKER read in his place and presented to the Chair a bill entitled An act to establish an additional State lunatic asylum.

Referred to the Committee on Finance.

Mr. BIGHAM, a bill entitled An act to authorize the Allegheny Valley railroad to mortgage its road and branches to complete the same.

Referred to the Committee on Railroads.

Mr. CONNELL, a bill entitled An act to authorize the Shafton coal company to borrow money.

Referred to the Committee on Corporations.

Mr. COLEMAN, a bill entitled An act to incorporate the Lebanon water company.

Referred to the Committee on Corporations.

Mr. JACKSON, a bill entitled An act increasing the pay of certain township officers in Conyngham township, Columbia county.

Referred to the Committee on the Judiciary Local.

Mr. M'CONAUGHY, a bill entitled An act supplementary to an act entitled An act relating to the sale and conveyance of real estate, approved April 18th, 1853, authorizing acknowledgments before one judge.

Referred to the Committee on the Judiciary General.

Mr. LOWRY, a bill entitled An act authorizing the erection of a house for school and township purposes in Mill Valley, Le Boeuf township, Erie county, and empowering the school directors to levy and collect additional tax.

Referred to the Committee on Education.

VOTE RE-CONSIDERED.

Mr. CONNELL moved that the Senate reconsider the vote had on concurring in the amendment made by the House to bill entitled An act to divide the Twenty-first ward, in the city of Philadelphia, into two wards, and to create a new ward to be called the Twenty-eighth ward.

The resolution was

Agreed to.

And the amendment being again before the Senate,

Mr. CONNELL moved to amend the amendments by adding to the end of the House amendment, to the fifth section, the words "and the city commissioners shall, immediately after the passage of this act, divide said Twenty eighth ward into not less than eight election divisions."

The amendment was

Agreed to.

And the amendments as thus amended were concurred in.

TO-MORROW'S SESSION.

Mr. BIGHAM moved that when the Senate adjourns this afternoon, it will adjourn to meet to-morrow morning at 10 o'clock, for the purpose of proceeding to the consideration of the private calendar, and that said calendar shall be the first business in order.

The motion was

Agreed to.

BILLS PASSED.

On motion of Mr. DONOVAN, the Senate proceeded to the consideration of a bill entitled An act relative to the Allegheny and St. Mary's cemeteries, in Allegheny county.

In committee of the whole (Mr. HAINES in the chair), the bill was considered and reported to the Senate with amendments.

Mr. DONOVAN moved to amend the title by making it read as follows:

An act relative to cemeteries in Allegheny county.

The motion was

Agreed to.

The title as amended was

Agreed to.

And the rules having been dispensed with, the bill was read a second and a third times, and

Passed finally.

On motion of Mr. BIGHAM, the Committee on Railroads were discharged from the farther consideration of a bill entitled An act to authorize the Allegheny Valley railroad to mortgage its road and branches to complete the same.

And the rules having been dispensed with, The bill was read a second and third times, and

Passed finally.

On motion of Mr. LOWRY, the Committee on Education was discharged from the further consideration of a bill entitled An act authorizing the erection of a house for school and township purposes in Mill Village, Le Boeuf township, Erie county, and compelling the school directors to levy and collect additional tax.

And the rules having been dispensed with, The bill was read a second and third times, and

Passed finally.

On motion of Mr. STUTZMAN, the Committee on the Judiciary Local was discharged from the further consideration of a bill entitled An act fixing the place of holding elections in the township of Harrison, county of Bedford, at the house of Jonathan Feichtner, and the Senate proceeded to the consideration of the same.

And the rules having been dispensed with, The bill was read a second and third times, and

Passed finally.

On motion of Mr. DAVIS, the rules were dispensed with, and the Senate proceeded to the consideration of bill entitled A further supplement to an act relating to the elections of this Commonwealth, approved July 2d, 1839.

The bill was read a second and third times, and

Passed finally.

On motion of Mr. BROWNE (Lawrence), the rules were dispensed with, and the Senate proceeded to the consideration of bill entitled An act relative to justices of the peace, burgesses and notaries public in the county of Lawrence.

The bill was read a second and third times, and

Passed finally.

On motion of Mr. DONOVAN, the Senate then adjourned until to-morrow morning, at 10 o'clock.

HOUSE OF REPRESENTATIVES.

WEDNESDAY, March 6, 1867.

AFTERNOON SESSION.

The House met at 3 o'clock P. M., pursuant to adjournment.

The SPEAKER announced the orders to be the consideration of the bills on the

PUBLIC CALENDAR.

The first bill in order was

House bill No. 290, a further supplement to an act for the regulation and continuance of a system of education by common schools, approved the 8th day of May, A. D. 1854.

The question being on the second section of the bill,

Mr. WINGARD offered an amendment, which was read as follows:

Provided however, That every county superintendent, before entering upon the duties of his office, shall present himself before the State Superintendent within thirty days after his election, by the school directors of the proper county, for examination; and in case any person so elected be found incompetent, the State Superintendent shall refuse to commission such person, but shall summon the person having the next highest number of votes before him, and shall examine him, and if found competent, shall commission him; but if he prove to be incompetent, then the State Superintendent shall appoint and commission a competent person to fill the office of county superintendent until the next triennial election of county superintendents.

Question on agreeing to the amendment.

Mr. M'CREARY. Mr. Speaker, it seems to me the amendment is impracticable. It is hardly possible for every superintendent, within thirty days, to repair to Harrisburg for examination. The amendment simply requires him to do what the law does not require him to do now. I believe the law as it stands at present says if any person is dissatisfied with the qualifications of the superintendent he can make known his objections to the State Superintendent, who, in person, or through another whom he may appoint, shall cause the superintendent to be examined. There are many cases where a whole community would at once assent that the person elected was competent, and there would be no necessity for his coming to Harrisburg to be examined. There are many cases also where there may be some doubt about the capability or qualifications of a superintendent; if any person objects to his competency the law already provides a remedy. It seems to me that the necessity for the amendment, although the object of it is good, is obviated by the existing law. I think it would impose a most burdensome duty upon the State Superintendent.

Mr. WINGARD. Mr. Speaker, when the bill was last before the House it was pretty thoroughly discussed. And it was deemed desirable, at that time, that there should be some place designated for the examination of superior teachers. An amendment was offered then by the gentleman from Berks [Mr. JONES]; but it did not seem to entirely meet the wishes of the House, inasmuch as the com-

mittee before whom the superintendent was to be examined was not thought to be sufficiently dignified or competent, or for some other reason. Certainly, there should be some place where superintendents are to be examined, and, it strikes me, that the very best place would be at headquarters. This amendment provides that the county superintendents shall report to the general superintendent, and if he approve of them they shall then be appointed. One object now is to perfect this bill as far as we can, whatever may be the provisions of the law at this time. In my judgment, this amendment would be a step forward in the right direction, and tend still further to complete the school laws of the State. I had no particular tenacity with regard to this amendment, but, it strikes me, as being the best that has yet been suggested.

Mr. BOYD. Mr. Speaker, I am certainly as much in favor of having superintendents elected, who are thorough scholars and qualified for the duties of the office, as any man in this House. But I can see no necessity for this amendment.

I will read from the school laws to show that provisions have already been made.

"CII. That the school directors of the several counties of the Commonwealth shall meet in convention, at the seat of justice of the proper county, on the first Monday of June next, and the first Monday of May, in each third year thereafter, and select *viva voce*, by a majority of the whole number of directors present, one person of literary and scientific requirements, and of skill and experience in the art of teaching."

"271. The 'literary and scientific acquirements' required by law, will be held, in all cases hereafter, to mean sufficient scholarship to enable the applicant to give sound and thorough instruction in all the studies taught in every common school of the county from the lowest to the highest, and consequently to examine teachers in any and all of those branches."

I am told it has been the practice, where objections have been made to a county superintendent, on account of disqualification, for three persons to be appointed to examine him. It is presumed, in every case, that a county superintendent is competent, if he has received a certificate.

With regard to the institutes, I will say that they are gotten up for the purpose of affording instruction to those teachers who have not yet come up to the standard required by law.

On agreeing to the amendment,

The yeas and nays were required by Mr. WINGARD and Mr. DAY, and were as follow, viz:

YEAS—Messrs. Allen, Colville, Craig, Gallagher, Gregory, Harbison, Josephs, M'Pherrin, Mechling, Peters, Quay, Stumbaugh, Wann and Wingard—13.

NAYS—Messrs. Adaire, Armstrong, Barrington, Barton, Boyd, Breen, Brennan, Chadwick, Chalfant, Davis, Day, Donohugh, Ewing, Fogel, Freeborn, Ghegan, Harner, Hoffman, Hunt, Jenks, Jones, Kennedy, Kerns, Kimmell, Kinney, Kline, Koon, Kurtz, Lee, Leech, Linton, Long, M'Creary, M'Henry, M'Kee, Mann, Marks, Meily, Meyers, Mullin, Pennypacker, Phelan, Pillow, Rhoads, Richards, Roath, Robinson, Roush, Satterthwait, Seiler, Sharples, Shuman, Stacey, Stebman, Tharp, Weddell, Webb, Welker, Westbrook, Wharton, Wilson, Worrall, Wright and Glass, *Speaker*—65.

So the question was determined in the negative.

Mr. STUMBAUGH. Mr. Speaker, I offer the following amendment.

The amendment was read as follows:

Provided, That the superintendent shall produce and cause the same to be read at the first meeting of such institute, after his election, a certificate of the State Superintendent, showing clearly that such superintendent is in every way well qualified to perform the duties of his office.

Mr. M'CREARY. Mr. Speaker, it seems to me that is the same thing as the other amendment. The words are changed and that is all. For how is the superintendent to obtain this certificate unless he complies with the provision as set forth in the amendment of the gentleman from Lycoming [Mr. WINGARD]?

The House has just voted down, by an extraordinarily large vote, an amendment requiring county superintendents to come here and get their certificates from the State Superintendent. Now, the gentleman from Franklin [Mr. STUMBAUGH], on the heels of that defeat, offers an amendment that requires precisely the same thing. For how can they produce a certificate from the State Superintendent, unless they have been examined by him? And this requires that they shall proceed to Harrisburg for that purpose. The gentleman surely does not expect the State Superintendent to travel round and examine every county superintendent. It seems to me this is a mere change of words with the same object. It is a piece of strategy which, I presume, the gentleman from Franklin has availed himself of for the purpose of securing what he lost by the vote just taken. I hope, therefore, those who voted against the former amendment will vote against this.

Mr. STUMBAUGH. Mr. Speaker, I do not think that the gentleman is able to ascertain my motives correctly, without having heard me on the subject. I did not propose the amendment offered by the gentleman from Lycoming [Mr. WINGARD]. I voted for it, but it does not necessarily follow that I offer this amendment, because I failed to obtain what I desired to obtain in the other.

The amendments are not alike. I am surprised that the gentleman, lawyer as he is, should attempt to assert that this amendment means precisely what the other did. I take it that the gentleman from Erie [Mr. M'CREARY], and others, who are trying to get this bill through—this bill, which is so perfect in itself that it cannot be altered or amended, because, if you dot an *i* or cross a *t*, then it will be wrong—I take it for granted that they mean to put this bill through, though superintendents are ignoramuses, though they do not know anything, so long as they are elected by the people. I know in my own county, and in some other counties, men are elected who are totally unfit for the position of superintendent. I do not desire to put any impediment in the way of passing this bill, and I submit there is nothing in my amendment to which any honest man could object.

Mr. M'CREARY. Mr. Speaker, it is not on account of the dishonesty of the amendment or of any improper motives on the part of the gentleman offering it that I have objected.

I said we had just voted down an amendment embodying the same idea precisely, but the gentleman fails to see it. The former amendment required a certificate from the State Superintendent to each county superintendent. The objection was raised that the law already provided a method by which county superintendents could be declared incompetent.

If anybody objected to the qualifications of a person elected county superintendent, the State Superintendent was then required to take the matter in hand, and see whether he was qualified or not. The amendment offered by the gentleman from Franklin [Mr. STUMBAUGH] says that he must produce a certificate from the State Superintendent, therefore he must go to the State Superintendent to be examined. That is just what we have voted down. I regret that the citizens of Franklin have been so unfortunate in the selection of their superintendents.

Mr. STUMBAUGH. Mr. Speaker, I do not want to interrupt the gentleman, but if he will go to the Auditor General's office, he will find there a written document, sent by one of the superintendents, who commences and ends his name with small letters—with a little "t."

Mr. M'CREARY. Mr. Speaker, I have shown that the law provides that such a man cannot draw warrants from the treasury, if anybody sees fit to raise an objection. If they are as unfortunate in Franklin county as has been represented, the citizens of that county have themselves alone to blame. They have their remedy.

It is not the object of the friends of the bill to drive it through. I never saw the bill until it came before the House. But I do say it will be with this as with all other good bills, it will be tinkered to death by trifling amendments. The most trifling objections are raised to a bill because one word may suit a gentleman better than another word. Good bills have been lost in this House by being tinkered. It may be that some gentlemen desire to kill this bill by this process of tinkering. I think the main design of the bill is good. There may be some features in it not just what we would want. I presume there is not a bill passed by this Legislature that is just as it should be in all particulars. There are faults in all bills. Whatever faults may exist in this bill can be remedied by future legislation.

I do not think the friends of the bill are trying to force it through, because the county superintendents ask it. I say the general desire is that a bill should be passed to promote the interests of the common schools throughout the Commonwealth, and that this bill has received a good deal of care and attention.

Mr. MEYERS. Mr. Speaker, I am in favor of a provision in this or some other law which will require county superintendents to be examined for the purpose of ascertaining whether they have the requisite qualifications. If teachers require an examination and a certificate from a county superintendent, to enable them to obtain district schools, why should not the superior officer in the county be subject to the same rules? While I am not particular how the law is framed for the purpose of meeting this difficulty, I have an amendment which I wish to offer after the amendment of the gentleman from Franklin is voted upon—an amendment which I think will cover the entire ground.

Mr. STUMBAUGH. Mr. Speaker, I do not think the remarks of the gentleman from Erie applied to me particularly, when he said we were throwing impediments in the way of the bill. I have not said a word upon the passage of the bill from the time it came up until this hour. I am not opposed to the bill. I only desire to get it as perfect as possible. I do not desire to reflect upon any gentleman who holds the position of superintendent, but I do desire to protect the people and the teachers from having men to preside over them who are not competent so to do. This section provides that the superintendent shall have power to convene the school teachers of the county for the purpose of forming an institute of learning. Now, suppose he is not competent to instruct the teachers, for he produces no certificate, he is examined nowhere. He can hold a meeting four or five days, and draw the public funds without having given a particle of instruction to the teachers.

Mr. CHALFANT. I would like to ask the

gentleman a question. Are not one-fifth of the directors competent to form an opinion whether a superintendent is qualified?

Mr. STUMBAUGH. I will say to the gentleman that it so happens in my county that a majority of his party get the school board, and I am satisfied that four-fifths of them are not much more than able to read. They have no education. They manage to get control of the county and elect a superintendent, and they do it by attending the elections in the spring, while my party stays at home.

Mr. CHALFANT. I suppose one-half of the gentleman's party must be particularly ignorant. One-fifth of the board of directors of a county have the power to send a petition to the State Superintendent preferring charges as to the incompetency of a county superintendent. That was done in my own county.

Mr. STUMBAUGH. Mr. Speaker, I would like to know how this proviso will prevent them from resorting to that measure. It is only to protect the teachers. Suppose that to be true, it does not protect the teachers in the institute from being taught by a man totally incompetent. That is no answer to my argument.

Mr. MANN. Mr. Speaker, the lack which the gentleman from Erie [Mr. M'CREARY] says is made up by the law as it stands, fails to meet my idea of what is required. I believe I am as anxious to promote the interests of the common schools of this State as any member upon this floor. I am in favor of some of the provisions of this bill—of most of them; I am not very clear that I am in favor of the amendment of the gentleman from Franklin, but I am clear in my own mind that there is, just here, in relation to this section, a difficulty in the school law, and a difficulty in this bill which is not supplied by the features of the law referred to by the gentleman from Erie; because under the law as it stands, when a man is elected by the directors of the county to the office of county superintendent, if any objection to him is made, it comes in the shape of a prosecution—that is its meaning, its purport and its spirit. Men very frequently, out of good feeling towards a superintendent, abstain from making any such prosecution because it is an odious business; hence prosecutions against those who have received the suffrages of a majority of the school board are very rare.

I know a number of county superintendents in Pennsylvania who, I think, would be improved by just such an examination as is contemplated by the amendment of the gentleman from Franklin. The present law does not secure that examination, for the reason, as I have stated, that any proceedings against a man, after he is elected under the present law, seem like prosecutions, and an odium attaches to them. When it is resorted to ill feeling is begotten, and that is injurious to the interests of the common schools. That, I believe, is the testimony of every State Superintendent who has had anything to do with counties under that provision. We should frame an act that will work harmoniously and smoothly, one which will not be continually creating disturbances. I think the amendment of the gentleman from Franklin is much preferable to the existing provisions, though I am not prepared to say it is what it ought to be. What I do say is, that I think the friends of this bill should ask for its postponement, and present something to the House that will embody the idea of this amendment, something which shall secure the competency of the party who holds the office of county superintendent.

The gentleman from Franklin is not particular in regard to his amendment, but he feels there is a difficulty in this bill, as do many others, and as I have felt. I do say we ought to make the school system an harmonious system; and to make it complete there should be as much necessity upon the part of the county superintendent to produce a certificate of his qualifications before the directors who are to elect him, as there is that the teacher should produce before the directors who hire him a certificate of his qualifications. I never could understand why there was this exemption on the part of candidates for county superintendents. I cannot understand why such suggestions as these should interfere with the passage of this bill. It seems to me that, under this section, is where such suggestions should come up. I deem it an important matter, and one that deserves a fair and candid consideration. Arguments in favor of it, to my mind, cannot very well be answered.

Mr. M'CREARY. Mr. Speaker, if I understood the remark made by the gentleman, he would require that before any person can be elected to the office of county superintendent, he must produce a certificate from the State Superintendent. Now, it seems to me this would create a great deal of confusion.—It would devolve upon the State Superintendent an immense amount of labor; moreover, school directors, when they meet, do not always select from the persons named; they may look elsewhere, find a man in some other calling in life, and conclude he was just the one for the position, and they would urge and entreat him to accept the office. He might not desire it, yet, the school directors, and the whole county, believing him to be the best fitted for the position, he might, from a sense of duty, accept the offer. But under this provision, he cannot be chosen, because he has no certificate from the State Superintendent.

Mr. MANN. Would there be any more hardship in that than there is in the fact that school directors when they meet and look around for some person who, in their opinion, is the best within their reach for the position of teacher, they may not be permitted to hire him unless he has a certificate?

Mr. M'CREARY. It is not necessary for a teacher to have a certificate when he is employed, nor, indeed, until he assumes his duties, but the county superintendent must have a certificate before he can be voted for.

Mr. SHARPLES. Mr. Speaker, I am authorized to say that a bill is in course of preparation providing for the difficulties which gentlemen seem to think exist, or an additional section may be introduced providing for a board of examiners or something of that nature in each normal school district.

Mr. STUMBAUGH. Did I understand the gentleman from Chester to say that the friends of the bill will offer another section which will cover the grounds now in dispute?

Mr. SHARPLES. Yes sir; or a new bill.

Mr. STUMBAUGH. A new bill may not answer the purpose, because it will not, probably, be passed this session.

Mr. MANN. I would suggest that we let this bill go to third reading and then we can consider what will be offered.

Mr. STUMBAUGH. With the understanding that the bill goes to third reading I will withdraw my amendment, and with the understanding also that a new section will be introduced at the instance of the general superintendent and friends of the bill that will cover the whole ground in some way.

Mr. EWING. I object to that understanding; if this bill is postponed two or three times more, it will be killed sure.

Mr. MANN. The gentleman is mistaken. We propose to let it go over on third reading to-day; it can then be disposed of at any time.

Mr. SHARPLES. I believe the friends of the bill are in favor of some action of this kind.

The motion of the gentleman from Franklin having been withdrawn,

The question recurred on the second section of the bill.

It was

Agreed to.

The third section was read.

Mr. MANN. Mr. Speaker, I move to amend in the seventeenth line by striking out "one hundred" and inserting "fifty dollars."

The object I have is that the commissioners of counties having a small population shall not be required to pay more than fifty dollars. This amount, in some counties, is equal to one thousand dollars in other counties. This bill only makes a difference of one half between the very wealthy counties and the very poor counties, whereas there is now a difference of more than ten to one. This amendment is intended simply to be more favorable to counties with a small population and small means.

Mr. DEISE. Mr. Speaker, I move further to amend by striking out after the word "superintendent" in the eighth line down to the word "dollars" in the eighteenth line.

The question was on the amendment to the amendment.

Mr. M'CREARY. Mr. Speaker, I suppose the object of this is to prevent any appropriation whatever. I trust the friends of this bill will give it a trial. It has already been brought before the public in a number of counties in this Commonwealth. The amount appropriated for the holding of the institutes designated in this bill is very small. In order that these meetings may be beneficial to teachers there must necessarily be some expense, and a competent person must be secured to lecture; apparatus must be had, then there are little expenses for stationery, &c., so that unless an appropriation of this kind is made it would be a great burden upon the teachers to meet at the institute. I hope, therefore, the amendment of the gentleman from Clinton [Mr. DEISE] will not be adopted. I think the gentleman from Potter makes a mistake, for the reason that the cost is as much to hold a meeting in sparsely settled counties as in districts more densely populated.

Mr. DEISE. Mr. Speaker, I only wish to state here that my objection to this part of the section is because I believe it to be against the interests of education in the different counties of this Commonwealth. It permits the county superintendent, with a few teachers, to control the workings of these institutes, for which they are to be paid at the rate of two hundred dollars, which money is to come from the taxpayers of the county. I think it is the experience of nearly every member on this floor that these institutes are not conducted as they should be; in nine cases out of ten they are the medium through which a new series of books are to be introduced; lecturers are invited who are nothing more than the agents of book concerns. These men take up the time of the teachers. It is left with the county superintendent and a few teachers to invite such lecturers as they see fit. And what lecturers are they? Why, the agents of Philadelphia and New York book concerns. I have attended these institutes; they are not teachers' conventions, but more like panoramas.

Mr. BOYD. Will the gentleman state on what authority he makes that assertion?

Mr. DEISE. I make it on self-knowledge.

Mr. BOYD. I deny the assertion.

Mr. DEISE. I do not know whether the gentleman has any little panorama in his county, but I know whereof I speak. In our

own borough we have thirteen schools and thirteen teachers. We pay them seventy-five dollars a month. We give them a week to attend the institutes in the county but we are not prepared, nor are we willing to say to these thirteen teachers that they may send to some fancy lecturer in New York, and divide the profits and the per centage on the sale of books. In many counties these teachers have become agents for the introduction of books in the common schools. I am in favor of a vigorous system of education. I am here to give the most liberal ground to the teachers of the Commonwealth. I am here to place the most power in the hands of the State Superintendent; but I say to the teachers, and I say to the county superintendents, that they shall not take money from our treasury to squander week after week in having fancy lecturers to introduce certain new books. If the teachers, as a class, are to be a profession, their own works should bring them before the Commonwealth. I am in favor of paying a good teacher a liberal salary; but what are the teachers asking by the provisions of this section? They are asking from the county treasury money that has been raised by taxes upon a people who are to-day groaning beneath the burden of oppressive taxation; and where is that money to go? It is to be expended by the county superintendents in procuring the services of lecturers and instructors in these institutes. Cannot the teachers instruct themselves? Must we bring up men to teach them? If they are not fit to conduct a school they had better quit and take up some other kind of business. Why bring lecturers to advertise the books of concerns that are too lazy or too stingy to bring their wares before the public by means of the daily and weekly papers of the Commonwealth? Why bring them up here and pay them two hundred dollars to learn teachers how to introduce books? I will vote against any section that will give a county superintendent such power as this. I suppose soon we will hear that Horace Greeley or James Buchanan has been invited to lecture at the expense of the county. I suppose the gentleman from Franklin [Mr. STUMBAUGH] will invite Horace Greeley, and I know in my county they will invite James Buchanan.

I want no such nonsense as this. The education of the poor is an important subject; it is a subject that lies near to my heart, and near to the heart of every member on this floor. But give us plain sailing and plan dealing. If our teachers are not competent without holding these institutes at our expense—and I say it in no unkindness to the gentleman from York [Mr. BOYD]—if we must get men to instruct our teachers we had better quit. What is the use of this section? Two hundred dollars is not much it is true, but two hundred dollars will educate many a poor boy in this Commonwealth, and give him the benefits of our common school system. And how are these two hundred dollars to be expended? Why, by having some white cravated gentleman ride up in the cars at our expense to lecture. Go into the counties of the Commonwealth, and you will find carload after carload of school books. Before a boy has been to school three months he has to change his books, and his daddy must walk very fast to and fro from the bookstore if he would keep up with the times. I say do not squander the poor people's money. I am totally opposed to this section.

Mr. BOYD. Mr. Speaker, it seems to me that the gentleman's lines have not fallen in pleasant places so far as teachers are concerned. I believe the teachers in Pennsylvania are quite as correct in their habits as any other class of men in the State.

Now, with regard to the objects of this bill, we start out with the assumption that the teachers of the State are not sufficiently qualified for their duties. Will the gentleman who last addressed the House, or any other gentleman, deny the assertion? Assuming that they are not sufficiently qualified and that it is impossible, or at least inconvenient, for them to attend the normal schools—since many of them have families—provision has been made for holding county institutes; and for what purpose? For the purpose of improving those teachers who are not as well qualified as they should be for the duties of their office. The object of these institutes is to benefit the scholars of the State by providing better instructors. I believe in every county in the State they now hold institutes, and in a majority of these counties the teachers are allowed time to attend the institutes. They are sent to the institute at the expense of the county, and we should by all means provide the very best instruction for them. Economy would so dictate.

I admit that these institutes will be controlled by, perhaps, a few. But have our teachers fallen so low; are they so selfish; have they so incorrect an idea of their duties to themselves and their pupils that they will squander the money and time allotted for their benefit?

This bill goes on to say that such money shall be expended by the county superintendent in securing the services of lecturers. Now, who are those lecturers? In nine cases out of ten they will be men of standing in the profession of teaching; not politicians, nor lawyers particularly, or doctors; but men who have worked their way up in their profession. Our colleges will provide a very large majority of the instructors for our teachers. I think I can speak from my experience in this matter. We have had a special law for our county, giving to our teachers' institute annually the sum of two hundred dollars to be expended as this bill provides. I can only say that, so far as my knowledge extends, no gentleman of intelligence, of any party, sect or creed has offered the slightest objection to that law.

It has worked well. We make it a point to secure the very best instructors. The gentleman seems to start out with the idea that book agents and demagogues will alone have control; that they will lecture our teachers. With regard to book agents in my county, we are so strict that we very seldom invite an agent to lecture at all; and when he does lecture it is generally without compensation. We allow no man with a sinister object in view to lecture in our county. I do hold that it is important we should provide our teachers with the very best instructors. If our teachers were graduates of normal schools then there would be no necessity for these institutes, except, probably, to provide ways and means for the enhancement of the interests of education.

The institutes are intended to be little normal schools gotten up in each county for a week or two, and they follow the design of normal schools as nearly as possible. I can see no objection to these institutes, provided counties can afford to pay for them. I am sure, if the teachers return from these institutes better qualified to teach, the benefit will react, and be carried out to the children, and operate upon them just as in any other profession. Those of you on this floor who have studied law have done so really at the expense of your clients. Those gentlemen who studied medicine did so really, in the end, at the expense of those they have attended. It is so in every kind of business. The great point here is, in the absence of thorough teachers, to get successful teachers; and, in the absence of a sufficient number of normal schools, to make good teachers. The object is to develop the qualifications of the teachers. The great drawback with many of our institutes lies in the fact that they have not the proper instructors to lead the classes. The reason why the instructors in many of these institutes are men who come there as book agents is because the county superintendent has not had the wherewith to employ the proper person. I hope the amendment will not prevail, and that you will provide your teachers throughout the State with the means of self-improvement. Those institutes will do a great deal of good where they are well managed, but they cannot be successful without funds.

On the question,

Will the House agree to the amendment of the gentleman from Clinton?

The yeas and nays were required by Mr. DEISE and Mr. MARKLEY, and were as follow, viz:

YEAS—Messrs. Allen, Barrington, Brennan, Chalfant, Collins, Colville, Craig, Deise, Fogel, Gregory, Hartshorn, Harper, Headman, Heitzel, Hofman, Hunt, Jenks, Jones, Josephs, Kline, Koon, Linton, Long, M'Henry, M'Pherrin, Markley, Meyers, Phelan, Rhoads, Roush, Shuman, Tharp, Weller, Westbrook and Wingard—35.

NAYS—Messrs. Adaire, Armstrong, Barton, Boyd, Cameron, Chadwick, Chase, Davis, Day, Donohugh, Espy, Ewing, Freeborn, Gallagher, Kennedy, Kimmell, Kinney, Lee, Leech, M'Creary, M'Kee, Mann, Marks, Meily, Pennypacker, Pillow, Richards, Roath, Sharples, Steacy, Stehman, Waddell, Watt, Webb, Whann, Wharton, Wilson, Worrall, Wright and Glass, *Speaker*—40.

So the question was determined in the negative.

The question recurred on the amendment of the gentleman from Potter, to strike out "one hundred" and insert "fifty" in the seventeenth line of the third section.

Mr. JENKS moved to amend in the seventeenth line, by striking out the words "less than one hundred nor."

The amendment was

Agreed to.

The question then recurred on the amendment as amended.

Mr. RHOADS. Mr. Speaker, I move to strike out the word "two" in the seventeenth line, and insert the word "one," so that the line will read "nor more than one hundred dollars."

Question on the amendment.

Mr. ARMSTRONG. Mr. Speaker, I hope, at least, the amendment to the amendment will not prevail. I am satisfied that the gentleman from Berks [Mr. RHOADS], or from other counties, shall put themselves down to one hundred, or fifty, or even ten dollars, if they see proper, but I ask that those who feel disposed to pay more liberally, may have permission to go to the extent of two hundred dollars at least. In the county I have the honor, in part, to represent, we have been in the habit of holding county institutes; we have been in the habit of procuring lecturers to attend upon these institutes, not for the purpose of introducing books or any other school furniture, but for the purpose of enlightening the minds of the teachers who are to take charge of our children in the public schools. We have found it highly beneficial, eminently so. Gentlemen from other parts may amend the act so as to give them an opportunity of paying as little as they please, or nothing at all; what we ask, and what the friends of education upon this floor ask, is that our hands be not tied—that we be left free to promote, in our own way, the interests of education in our respective districts. For this reason, I

hope that the amendment to the amendment will be voted down.

Mr. KOON. Mr. Speaker, I, in common with the gentleman from Lancaster [Mr. ARMSTRONG], agree that every county should have the power to regulate the matter according to its own liking. I am opposed to the entire features of the bill. I am satisfied that the people of my county would ask its delegation here to oppose any such measure. I would, therefore, suggest an amendment to the effect that this section be inoperative in such counties as gentlemen here may ask.

I move that this section do not apply to Luzerne county.

Mr. M'CREARY. Mr. Speaker, I rise to the point of order: That two amendments are already before the House, and, therefore, the gentleman cannot offer another.

THE SPEAKER. The Chair is of the opinion that the point of order is well taken.

The question being on agreeing to the amendment of the gentleman from Berks, to strike out "two hundred" and insert "one hundred," it was

Not agreed to.

The amendment of the gentleman from Potter [Mr. MANN], as amended by the gentleman from Jefferson [Mr. JENKS], was then

Agreed to.

The question recurring on the section as amended, it was

Agreed to.

The fourth and fifth sections were then read and

Agreed to.

The sixth section was read.

Mr. WILSON. Mr. Speaker, I move to strike out all after the word "convention" in the eleventh line to the end of the section.

My object is simply this: The section, as it reads now, requires that a convention shall select text books, which are to be good for three years; that is, until the next triennial convention. If we adopt this last proviso, it strikes me this provision is destroyed. It puts in operation a system of book peddling. I think this section would be very proper without the last proviso. Every one who knows anything about common school business is aware that, if they are bored by anything, it is this continual changing of books.

Mr. SHARPLES. Mr. Speaker, I desire to say one word in explanation. That provision was adopted in order that the benefits of this system might be available before the triennial convention of 1869. It is simply a provision allowing the directors to avail themselves of this privilege before the convention meets. As regards book peddling, it will be prevented by just some such system as this. If the directors of a county meet to appoint a committee to examine the different books and systems, and that committee report a system, after careful examination, it shuts out book peddling. This provision is simply that the directors may avail themselves of certain privileges before the next triennial convention, if they desire. There is nothing compulsory in the act.

Mr. WILSON. Mr. Speaker, if it were only made to apply to the present time, as the gentleman from Chester [Mr. SHARPLES] states, I would have no objection, but it strikes me there is an ambiguity in its terms; it may apply to this or any other time. If the gentleman will amend so as to make it apply to the present, I have no objection.

On the question,

Will the House agree to the amendment of the gentleman from Allegheny?

It was

Not agreed to.

The question recurring on the section,

It was

Agreed to.

The seventh section was read.

Mr. ARMSTRONG. Mr. Speaker, I move to amend by striking out in the ninth line, from and including the word "and," to and including the word "districts," in the tenth line, and insert the following: "to be paid by the same officers as pay the salaries of teachers in such school districts, and in the same manner as such salaries are now paid."

The amendment was

Agreed to.

Mr. SHARPLES. Mr. Speaker, a further amendment, to come in at the end of the seventh section.

The amendment was read as follows:

Provided, That the president of the board of directors or controllers of any city or borough in this Commonwealth, shall, at any time after the passage of this act, if so requested in writing by seven directors or controllers, call a convention, giving at least five days notice thereof, of all the directors of said city or borough, to determine whether they will elect a city or borough superintendent in accordance with the provisions of this act; and if, at such meeting, it shall be decided to hold such an election, the said directors shall again convene, at the time appointed by this section of the act, or any other time in accordance with its provisions, and at a place fixed upon by themselves, when they shall proceed to carry their determination into effect in the same manner as is done by conventions held for the election of county superintendents; and all subsequent conventions for carrying into effect the purposes of this act shall be called in the same manner by said president of the board of directors or controllers of such city or borough.

The amendment was

Agreed to.

Mr. CHALFANT. Mr. Speaker, I move to strike out, in the second line, the word "ten" and insert the word "twelve."

Mr. M'CREARY. Mr. Speaker, it seems to me the section is much better without this amendment. There are not many towns in this State that contain over ten thousand inhabitants. It occurs to me that a population of ten thousand should be allowed the privilege of electing the superintendents of their schools. Why the gentleman from Montour asks this amendment I cannot say. The State Superintendent has given this matter a careful consideration. It seems to me a town of ten thousand inhabitants is large enough to have a superintendent.

Mr. ARMSTRONG. Mr. Speaker, I hope the amendment will not prevail. The language of the act is that where the population amounts to ten thousand they may elect, if they see proper. It is not absolute. It is optional.

The amendment was

Not agreed to.

The question recurring on the section as amended,

It was

Agreed to.

The eighth, ninth and tenth sections were then read and

Agreed to.

The eleventh section was read.

Mr. MANN. Mr. Speaker, I offer the following amendment, to come in in the fifth line after the word "teaching:"

"Nor shall such certificate be given to any person who is in the habit of using, as a beverage, any intoxicating drinks."

Mr. KOON. Mr. Speaker, I hardly see how one can ascertain whether any person is in the habit of using intoxicating drinks. Such an amendment as this will give rise to backbiting and slander. It strikes me it is a very dangerous as well as a very useless amendment. I ask how it is to be determined whether a person uses intoxicating liquors? A man who is notoriously given to the use of intoxicating liquors has not the slightest opportunity of entering our schools in any official capacity. I think the public sentiment will guard this point sufficiently well.

The amendment of the gentleman from Potter is exceedingly mischievous.

Mr. PENNYPACKER. Mr. Speaker, I claim to stand among those who are opposed to drinking liquor as a beverage; but, sir, I do not think it right that this Legislature should place restrictions upon any man, whatever may be his association, while, at the same time, they legalize the right to sell that beverage. Why should we give power to parties to sell liquor and then say to those following a certain occupation you shall not drink it? I think we would be stultifying ourselves. While I, as a member of a school board, would oppose the employing of any teacher who would drink intoxicating liquors to excess; while I would place over children a man who is free from this one vice, at least, I think it entirely wrong that this Legislature should legalize the selling of liquors and then forbid persons of a certain calling from using the same. I know that the feeling in Pennsylvania—yes, in the United States—is growing in favor of temperance, and in opposition to wholesaling alcoholic drinks. But, I know, also, that the good sense of the directors in different localities prevents their employing men who are in the habit of becoming intoxicated. Therefore, on this very ground, I oppose this amendment.

Mr. SHARPLES. Mr. Speaker, I desire to amend the amendment by inserting the word "notoriously."

I desire to say further that at present the superintendents have the power to dismiss a teacher or refuse his application on the ground of intemperance.

"2093. Intemperance, dishonesty, or other immorality, is sufficient to justify the annulment of a certificate by a county superintendent. He is not merely to annul for want of professional knowledge. Propriety of character is as much a requisite of the teacher as literary attainments."

Mr. KINNEY. Mr. Speaker, it strikes me our friend from Potter [Mr. MANN] is traveling a little out of the way to introduce some favorite theory. I did expect the word "white" to be dragged in, but I hope such an amendment as this will not pass, nor the amendment of the gentleman from Chester. I think the section is better without either.

Mr. MANN. Mr. Speaker, I do not propose to occupy much of the time of the House in advocating this amendment; but when this question as to the qualifications of a teacher, as to what he shall be required to do and know, arose, I could not, in justice to my own convictions, permit the occasion to pass without attempting to correct an evil that I have noticed for many years. On more than one occasion I have observed that persons employed as teachers in schools have not only used intoxicating drinks, but they have used them to such an extent that they have been seen intoxicated in the presence of their scholars. I submit to any person what influence can such a teacher have? After the information that has been spread abroad upon this question of the use of intoxicating drinks, I ask what influence can a teacher, addicted to liquor, have upon his scholars? There is no child large enough to go to school who does not know that the use of intoxicating drinks is an injury to those who indulge in it, and that it leads to bad habits in various directions. A teacher must, of necessity, be lessened in the estimation of his scholars if he is given to this habit. It unfits him for the discharge of the duties devolving upon him.

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[CONTINUED FROM PAGE 512.]

A teacher is, necessarily, to some extent, in the position of a parent. The law places him there properly, and it requires that he shall be possessed of a good moral character, and I am merely attempting to add that he shall also be a person who abstains from the use of intoxicating drinks. I believe the one requisite is as necessary as the other. I think it is quite time the Legislature of Pennsylvania marked such people as unfit to teach schools.

I deem this amendment, if adopted, as the most important portion of the bill. I believe it will have a most salutary influence upon the schools of the State. I do not propose to dilate upon the evils of intemperance. I submit to my friend from Bradford [Mr. KINNEY] that, whatever my views may be on this question, I have occupied but very little time in laying them before this House, and I only do it now because we are legislating on the interests of the children of the State. I feel called upon to do all I can to preserve them from the evil influences that are hearing down upon the grown up people of the community.

As I have remarked, the teacher is necessarily placed in the position of a parent, and the children look up to him as such. I ask you if you are willing to send your children to a teacher whose influence is that of a person who uses intoxicating drinks? Many people, who themselves occasionally indulge in stimulants, would be exceedingly annoyed and disturbed to find their children following their example. I ask gentlemen on this floor if they can expect their children to refrain from using intoxicating drinks, if they have the example of their teacher to the contrary before them? The child has a perfect right to believe that what is permissible for his teacher is permissible for him. You have no right to say that the child shall not do what his teacher may do.

I hope this amendment will prevail. As to the word "notorious," I fail to see its effect. I think the amendment is much better without it; but, as the gentleman who offered it is chairman of the Committee on Education, and is presumed to know more about such things than I do, I am not very tenacious.

Mr. KINNEY. Mr. Speaker, the existing laws already provide so amply for the examination of applicants for the position of teacher, that it seemed to me somewhat useless to introduce the amendment. It is a very plain proposition, that no drinking man can retain a good moral character, especially is it so with regard to teachers; hence, it seems to me unnecessary to "lug in" that peculiar phraseology. I consider one of the best grounds for the frequent re-examination of the teachers, is the necessity of learning their moral character and standing. A man may pass an examination, and his moral character may stand high; but, perhaps, in six months or a year, he will be completely prostrated by the very evil which our friend from Potter has suggested. It seems to me the law provides for such cases, and such an amendment is unnecessary.

Mr. DEISE. Mr. Speaker, it occurs to me that upon this question we are bringing in very fine points. I do not care how much we legislate upon temperance, so long as we do not take the power out of the hands of the people, and put it in the hands of one man. The law, as it stands, requires the directors of the district to employ the teacher, and it specifically says no teacher shall be employed who does not possess a certificate. You will find one of the qualifications required is a good moral character. Now, it occurs to me that a man who will get notoriously drunk is not a moral man. It is desired to increase the restrictions so that a county superintendent must dismiss or refuse to give a certificate to any man who, he believes, takes occasionally a glass of whisky. The same principles applied still further will make it incumbent upon the superintendent to smell the man's breath. I admit if a man takes a drink of whisky in the neighborhood of Potter county he is not likely to get out of it—it will kill him before he reaches the next county. Under the law as it is proposed to make it, the superintendent may refuse the application of a teacher, not only for incompetency and other disqualifications, but because he drinks a little too much, in the opinion of that superintendent. I say if the directors have a man who is qualified, it is none of the superintendent's business whether he drinks Rhine wine or lager beer; all that is required is that a man has a good moral character. Do you suppose that the directors would stultify themselves by employing a man who is a notorious drunkard? Does the gentleman intend to insult the intelligence of the people of Pennsylvania? By-and-by the gentleman will say that a man cannot be county superintendent unless he has a revenue stamp pasted on his back.

We are legislating against the interests of the people. I believe power belongs to the people, and that every attempt to take it from them is despotism.

It occurs to me that we have agitated this whisky question long enough; the more you touch it the more people will drink.

In Potter county and that section of country, they have female teachers employed to ferret out who drinks whisky, and sometimes they are obliged to kiss you to tell how your breath smells. Besides that you are saying to a man that he must confine himself to the *ipse dixit* of the county superintendent. The gentleman does not pretend to say that a man who takes a glass of sparkling wine is not fit to teach school.

Mr. MANN. I do.

Mr. DEISE. Mr. Speaker, I would like to ask the gentleman where he would put Daniel Webster. He not fit to teach school? Then who is fit to teach the schools of Potter county? To assert that a drink of whisky makes a man incompetent to teach school is an insult to the intelligence of the age. Why, some of our ablest physicians, some of our most eloquent lawyers, some of the greatest men of our country make their best efforts, know the most and feel the best when they are inspired by a glass of good Monongahela. If you go into Potter county and convict a man for selling liquor that will kill a "nigger" within forty eight hours after he drinks it, I am with you. But if we go on in the road we are traveling, we will soon have it that a man can drink nothing stronger than coffee made out of pumpkin seeds. If we intend to legislate for the good of the country, let us not take the power from the people.

Mr. LEE. Mr. Speaker, I have been much amused at the efforts of the gentleman from Clinton [Mr. DEISE]. Now the gentleman's rhapsodies about whisky did not touch this point. He did not pretend to say that a man under the influence of intoxicating drinks was in no way qualified to teach school. He did not pretend to say that such an influence was not demoralizing. He did not pretend to say that the very worst possible example that a man could set was not when he was under the influence of intoxicating liquors. He did not pretend to say that a man who would give himself to such indulgences ought not to be a teacher. But we understand the gentleman's theory; we understand his purpose. His speech exhibits his *animus*. It is opposition to this school system; his opposition to education; his opposition to all that can elevate and reform a man. He asks us if some of the brightest minds of our country have not been inspired by liquor? I answer: yes—to the discredit of mankind some of the brightest minds that ever lived in this or any other country (Daniel Webster was one of them) have gone down to their graves through the influence of this accursed thing. The brightest minds of the bar of this State have gone down in the same way. This vice has invaded not only the rostrum but the pulpit.

Mr. DEISE. Mr. Speaker, if the gentleman will allow me I would like to ask him what was the first miracle that was performed upon the earth.

To answer the question for him I will state it was turning water into wine.

Mr. LEE. Mr. Speaker, I have heard enough to-day to convince me that the gentleman does not believe that miracle ever was performed. Show me the wine made by our Saviour and I will show you something very different from that upon which I think the gentleman has been regaling himself. Christ never turned water into wine to make mankind drunkards. He did not turn it into the splendid Monongahela that the gentleman has been lauding this afternoon. His whole speech was an excuse for the use of intoxicating drinks.

I am opposed to sending my children to a

man who is in the habit of using intoxicating liquors, because it is wonderful how quick scholars learn to imitate. We should get our teachers, those channels from whence the education of our children emanates, as pure as possible. And I am very certain you cannot get them pure if you permit them to be contaminated by this most corroding of all corroding streams.

The question being on the amendment to the amendment,

It was

Not agreed to.

The question recurring on the amendment to insert, after the word "teaching," the words "no such certificate shall be given to any person who is in the habit of using, as a beverage, intoxicating drinks,"

The yeas and nays were required by Mr. MANN and Mr. EWING, and were as follow, viz:

YEAS—Messrs. Adaire, Allen, Armstrong, Cameron, Chadwick, Day, Espy, Ewing, Freeborn, Gallagher, Harbison, Hoffman, Humphrey, Jenks, Kennedy, Kerns, Kimmell, Lee, Leech, M'Creary, M'Sherrin, Mann, Marks, Mechling, Meyers, Pillow, Richards, Roush, Satterthwait, Seiler, Sharples, Shuman, Steacy, Stehman, Stumbaugh, Subers, Waddell, Watt, Webb, Weller, Whann, Wharton, Wilson, Wright and Glass, *Speaker*—45.

NAYS—Messrs. Barrington, Barton, Breen, Chalfant, Chase, Colville, Craig, Davis, Deise, Fogel, Gregory, Harner, Headman, Heltzel, Hunt, Jones, Kinney, Kline, Koon, Kurtz, Linton, Long, M'Henry, M'Kee, Markley, Mullin, Pennypacker, Peters, Quigley, Rhoads, Roath, Robinson, Tharp, Westbrook, and Worrall—35.

So the question was determined in the affirmative.

The question being on the section as amended,

It was

Agreed to.

The twelfth section was read.

Mr. SHARPLES moved to amend by restoring the last proviso to the twelfth section.

The motion was

Agreed to,

And the proviso was restored.

The question being on the section as amended,

It was

Agreed to.

Mr. CHADWICK. Mr. Speaker, I offer the following as an additional section:

SEC. —. That the school directors in each county in this Commonwealth shall, at the triennial convention for the election of county superintendent, elect three qualified and competent persons, who shall be known as a board of appeal; and it shall be the duty of said board of appeal to meet in the month of September, in each year, at a convenient place within said county, having previously given ten days' notice, by advertisement, of the time and place of meeting, for the purpose of re examining applicants for certificates as teachers, who may have been refused certificates by the county superintendent; and if, in the opinion of a majority of said board of appeal, after due examination, that said applicant is fully qualified as a teacher, then said board shall issue to such applicant or applicants certificates as teacher or teachers. The necessary expenses attending the session of said board of appeal, including a per diem pay of three dollars to each member for each day actually employed in the performance of their duty, shall not exceed one hundred and fifty dollars in any one county or school district, having power to elect a superintendent; and it shall be paid out of the county treasury, upon orders properly certified by the president of said board of appeal.

Mr. BOYD. Mr. Speaker, I hope the section will not be adopted. What is our experience with regard to the conduct of superintendents? So far from withholding certificates from those entitled to them, I think they have been too liberal. I think those who elect a superintendent are certainly able to distinguish his qualifications. I am willing to vote for an amendment that will require a superintendent to be examined before he enters on the duties of his profession. At the same time I am just as willing to preserve every guard that is necessary to secure the honor and integrity of the profession.

Mr. CHADWICK. Mr. Speaker, without intending to make a speech, I desire to say it is well known in the county I have the honor in part to represent, that complaints are constantly being made by school teachers of the partiality of county superintendents. It is a well known fact there is no appeal, at the present time, from the award of a county superintendent. There are in Allegheny county some school teachers who are at the mercy of one man.

There is no parallel to this in our government. We have in church and State an opportunity of appeal. But in our public schools we have from five to six hundred individuals whose interests are carried in the hands of one individual. We hear, every day, complaints that unfairness is used. Now, I do not pretend to cast any reflection on county superintendents. I believe the school directors of the different counties are, perhaps, as intelligent men as can be found, and that in the exercise of their duties in electing county superintendents, they select the very best incumbent. But, unfortunately, county superintendents are men with the passions of men. They are given to prejudice at times; hence these complaints.

This provision is not intended to cast any reflection upon county superintendents. It strikes me it is designed for their protection as much as the teachers. Hence, I hope this section will be adopted.

Mr. ARMSTRONG. Mr. Speaker, after looking this subject fairly and squarely in the face I cannot but fear that, instead of this higher court of the gentleman's being a pacificator, it will tend to create confusion. My view of the matter is that it will only open the door for a few dissatisfied cavillers to beget disturbances. I take it that where the county superintendent holds his regular examination in each and every county and district within his jurisdiction in the presence of the directors and of the neighbors who may come in to witness the examination, it is not likely he will use harsh measures, or that he will set aside the plain rules laid down for him in the conducting of that examination.

I take it that the gentlemen who are elected to the high position of county superintendent are men of character. I have been pained to hear them assailed as they have been upon the floor of this House during the discussion on the various sections of this bill. A stranger who might have come in among us and heard the remarks of gentlemen on this floor would be induced to believe that we employed all our powers to find a set of felons to place in the position of county superintendents. Instead of selecting the best men, men of morals, men of character, men of understanding, men of acquirements, it would appear that we had just the worst men that could be found in our respective counties and districts. I take it for granted that other counties will compare favorably with my own. Still I know there are some who would foist themselves upon the community as teachers, and feel aggrieved because they cannot.

But, sir, I know in our county the superintendent has been pre eminently successful. I will go with the gentleman from Allegheny, or any other gentleman on this floor, for any measure whatever that will advance the educational interests of our country, and elevate the standard of our teachers and county superintendents, but until I am satisfied of the utility of a measure, I will not join in the request that it be established. It is the nature of our institutions that they must have a head; there must be a supreme head in all the departments of our Government. While the teachers are under the immediate supervision of a county superintendent, who has better opportunity than he to judge of the qualification of the parties whom he is to commission as teachers in his district? With these views I cannot but oppose the amendment of the gentleman from Allegheny. I do sincerely hope it will be voted down.

Mr. MEYERS. Mr. Speaker, I move that the House do now adjourn.

A division of the House being called, and 32 voting in the affirmative to 36 in the negative,

It was

Not agreed to.

The question being on the section,

It was

Not agreed to.

The thirteenth section was then read and

Agreed to.

The title was read and

Agreed to.

The bill was then

Passed to third reading.

MESSAGES FROM THE SENATE.

The Clerk of the Senate being introduced, presented for concurrence bill numbered and entitled as follows, viz:

Senate bill No. 408, an act for the promotion of medical science; and to prevent the traffic in human bodies in the city of Philadelphia and county of Allegheny.

He also informed that the Senate has concurred in the amendments made by the House of Representatives to Senate bill numbered and entitled as follows:

No. 696, an act granting a pension to William M'Farland.

The Clerk of the Senate being introduced, presented for concurrence bill numbered and entitled as follows, viz:

Senate bill No. 800, an act to incorporate the National Homestead, at Gettysburg.

He also returned bill from the House of Repsesentatives numbered and entitled as follows, viz:

No. 815, a supplement to an act to incorporate the Coatesville, Mortonville and Doe Run plank road company, and relative to the repair of public roads in Birmingham township, Delaware county, and relative to the Darby and Upper Darby plank road company, approved the 26th day of March, A. D. 1853, and extend the provisions of certain sections thereof to Bart township, Lancaster county,

With information that the Senate has passed the same without amendment.

SPEAKER'S TABLE.

The SPEAKER cleared his table of bills numbered and entitled as follows, viz:

Senate bill No. 408, an act for the promotion of medical science, and to prevent the traffic in human bodies in the city of Philadelphia and county of Allegheny.

Referred to the Committee on the Judiciary General.

Senate bill No. 279, an act vesting in the courts of common pleas of this Commonwealth increased powers in the creation of corporations.

Referred to the Committee on the Judiciary General.

Senate bill No. 771, an act repealing the

fifth section of an act, entitled An act to enable the Governor to incorporate a company to make an artificial road from the east end of Perkiomen bridge, in the county of Montgomery, passing through Pottsgrove and passing by the White House tavern, in Amity township, in Berks county, to the borough of Reading, approved the 20th day of March, A. D. 1810.

Referred to the Committee on Roads, Bridges and Ferries.

Senate bill No. 617, joint resolution relative to the revisal of the civil laws of Pennsylvania.

Referred to the Committee on the Judiciary General.

Senate bill No. 665, an act to incorporate the city of Allentown.

Laid on the table.

Senate bill No. 800, an act to incorporate the National Homestead, at Gettysburg.

Laid on the table.

Mr. MEYERS then moved that the House do now adjourn.

On the question,

The yeas and nays were required by Mr. MEYERS and Mr. KLINE, and were as follow, viz:

YEAS—Messrs. Adaire, Barrington, Breco, Brennan, Cameron, Chalfant, Colville, Craig, Fogel, Gregory, Harbison, Harner, Headman, Heltzel, Humphrey, Hunt, Jenks, Jones, Josephs, Kline, Koon, Lee, Linton, M'Henry, Mann, Meyers, Mullin, Phelan, Quigley, Rhoads, Robinson, Roush, Satterthwait, Shuman, Stehman, Stumbaugh, Waddell, Westbrook, Whann and Glass, *Speaker*—40.

NAYS—Messrs. Armstrong, Boyd, Chadwick, Day, Deise, Espy, Ewing, Freeborn, Gallagher, Hoffman, Kennedy, Kerns, Kimmell, Kurtz, Leech, M'Creary, M'Kee, M'Pherrin, Marks, Mechling, Meily, Pennypacker, Peters, Pillow, Richards, Roath, Seiler, Sharples, Steacy, Subers, Webb, Weller, Wharton, Wilson, Wingard, Worrall and Wright—37.

So the question was determined in the affirmative.

And the SPEAKER adjourned the House until to-morrow (Thursday) morning at 10 o'clock.

HOUSE OF REPRESENTATIVES.

THURSDAY, March 7, 1867.

The House met at 10 o'clock, A. M.

Prayer was offered by the Rev. J. KENNEDY, member from Wyoming.

The SPEAKER announced a quorum of members present.

The Journal of yesterday was partly read, when,

On motion, the further reading of the same was dispensed with.

BILL PASSED.

Mr. GALLAGHER. Mr. Speaker, I ask leave to make a statement.

Leave was granted.

Mr. GALLAGHER. Mr. Speaker, I ask to have House bill No. 710, a supplement to an act relative to the election of supervisors in the township of Salem, in the county of Westmoreland, taken up. The election takes place on the 17th of March. This act changes the number of supervisors, and it is necessary it should pass the House to-day, in order to go to the Senate in time to be of any use. I therefore move a suspension of the rules for the consideration of this bill at the present time.

The motion was

Agreed to.

The bill was taken up, passed through its several readings, and

Passed finally.

MOTION TO SUSPEND THE RULES.

Mr. FOGEL. Mr. Speaker, I ask leave to make a statement.

Leave was granted.

Mr. FOGEL. Mr. Speaker, Senate bill No. 665, an act to incorporate the city of Allentown, passed the Senate day before yesterday, and in order to give the proper notice of the election of the officers provided for by that bill, it is necessary it should be passed at once, as the election is to be held on the third Friday in March. I therefore move a suspension of the rules to allow the bill to pass at this time.

Mr. MANN. Mr. Speaker, I hope that motion will not prevail. If we proceed with the orders regularly——

The SPEAKER. Does the gentleman object?

Mr. MANN. Yes, sir.

The SPEAKER. It will require unanimous consent to suspend the rules.

BILL LAID ON THE TABLE.

Mr. RICHARDS. Mr. Speaker, I ask leave to make a statement.

Leave was granted.

Mr. RICHARDS. Mr. Speaker, the school house in Harrison township, Fulton county, in which elections were held, was burned down on the first day of March. The court does not meet in that county until the 19th of March, and the election comes off on the 15th of March, therefore the people have no place in which to hold their election. I ask for a suspension of the rules for the purpose of passing an act fixing the place of holding elections in Harrison township.

Objection was made.

Mr. WILSON. Mr. Speaker, this being a case of absolute necessity I hope the gentleman will not insist on objecting.

Mr. MANN. The bill can be reached to-morrow. One day can make but little difference.

Mr. RICHARDS. Mr. Speaker, as the bill cannot be passed to-day I ask that it be laid on the table.

Agreed to.

SPECIAL ORDER.

The hour of 11 o'clock having arrived,

The SPEAKER announced the special order for that time to be the consideration of Senate bill No. 26, an act to authorize the payment of State agents at Washington.

The bill was taken up.

When the bill was last under consideration

Mr. STUMBAUGH moved to go into committee of the whole for general amendment.

Mr. QUAY moved to amend by going into the committee of the whole for special amendment, to strike out all the House amendments and restore the bill as it came from the Committee on Ways and Means, except the proviso abolishing the office of assistant State agent and creating an additional clerk.

The question being on agreeing to the motion of Mr. QUAY,

Mr. JENKS. Mr. Speaker, I move that the further consideration of this bill be postponed until Tuesday a week. The gentleman from Fayette [Mr. BOYLE] desires to be present when this bill is considered, and it is at his request I move its postponement.

Mr. WILSON. Mr. Speaker, I hope not. The gentleman referred to has paired off on that question with my friend on the left here, and there is an absolute necessity that this bill should be passed in some shape or other.

Mr. QUAY. Mr. Speaker, it strikes me, since the gentleman from Fayette has taken considerable interest in this bill, and that the application for postponement is made in his behalf, it is but common courtesy that it should be postponed. I do not think the State agents would starve between this and this day a week.

Mr. MECHLING. Mr. Speaker, I hope that this motion of the gentleman from Jefferson [Mr. JENKS] will not prevail. It is very important this bill should pass as soon as possible. I am aware that these State agents at Washington have been nearly two years without one single dollar of pay. They have been living upon their own money, and have had nothing to support themselves except what they take out of their private funds. I hope this bill will pass now, for there is immediate necessity for it. The gentleman from Fayette [Mr. BOYLE] has paired off on this question, and it is his duty to be here if he wants to take part in the action on this matter. There are other gentlemen absent, who take an interest in this bill, who have not been waited upon, and there are those present as able as he is to take his side of the question. I hope this House will not allow this bill to go over another week.

Mr. WILSON. Mr. Speaker, I have been informed that the gentleman from Fayette [Mr. BOYLE] is in the city. I do not know how true it is.

The SPEAKER. The gentleman from Fayette [Mr. BOYLE] is now in his seat.

Mr. JENKS. Mr. Speaker, I withdraw my motion.

Mr. STUMBAUGH. Mr. Speaker, the last day this bill was up, I made the motion that we go into the committee of the whole for the purpose of general amendment. The gentleman from Beaver [Mr. QUAY] moved to amend that we go into the committee of the whole for the purpose of special amendment. I raise the point of order, that that amendment to my motion cannot be made, because all that could be accomplished by special amendment is merged in the motion of my own. The lesser is merged in the greater.

The SPEAKER. The Chair is of the opinion that if the point of order had been raised at the time the motion to amend was made, the Chair would have regarded it well taken; but the House having taken action before the point was raised, the Chair is of the opinion that it is not in order to raise that point of order now.

On the question of agreeing to the motion to go into the committee of the whole for special amendment,

The yeas and nays were required by Mr. QUAY and Mr. M'CAMANT, and were as follow, viz:

YEAS—Messrs. Adaire, Barrington, Boyd, Boyle, Breen, Brennan, Chalfant, Craig, Davis, Day, Deise, Ewing, Fogel, Freeborn, Harbison, Harner, Hunt, Jenks, Josephs, Kerns, Koon, Kurtz, Lee, Linton, Long, M'Pherrin, Maish, Mann, Meyers, Mullin, Phelan, Pillow, Quay, Quigley, Rhoads, Robinson, Satterthwait, Shuman, Wallace, Webb and Westbrook—41.

NAYS—Messrs. Allen, Armstrong, Barton, Cameron, Chadwick, Chase, Colville, Espy, Gallagher, Gregory, Headman, Hoffman, Humphrey, Jones, Kimmell, Kinney, Kline, Leech, M'Cammant, M'Creary, M'Kee, Marks, Mechling, Meily, Pennypacker, Peters, Richards, Roush, Seiler, Sharples, Steacy, Stehman, Stumbaugh, Subers, Waddell, Weller, Whann, Wharton, Wilson, Wingard, Woodward, Worrall, Wright and Glass, *Speaker*—44.

So the question was determined in the negative.

The SPEAKER. The question recurs on the motion of the gentleman from Franklin [Mr. STUMBAUGH], to go into the committee of the whole for general amendment.

Mr. BOYLE. Mr. Speaker, I understand that the motion is to go into committee of the whole for the purpose of general amendment.

If that is carried the bill will then be open to be placed in such position as the House may direct. I think the bill is in a good position now, and I shall therefore vote against the motion.

The question being on the motion to go into the committee of the whole for general amendment,

The yeas and nays were required by Mr. QUAY and Mr. DAY, and were as follow, viz:

YEAS—Messrs. Allen, Armstrong, Barton, Cameron, Chadwick, Chase, Colville, Day, Donohugh, Espy, Ewing, Gallagher, Harbison, Hoffman, Humphrey, Jones, Kennedy, Kerns, Kimmell, Kinney, Lee, Leech, M'Camant, M'Creary, M'Kee, Marks, Mechling, Metly, Pennypacker, Peters, Richards, Satterthwait, Seiler, Sharples, Steacy, Stehman, Stumbaugh, Subers, Waddell, Weller, Wham, Wharton, Wilson, Wingard, Woodward, Worrall, Wright and Glass, *Speaker*—48.

NAYS—Messrs. Adaire, Barrington, Boyd, Boyle, Breen, Chalfant, Collins, Craig, Davis, Deise, Fogel, Freeborn, Ghegan, Gregory, Harner, Heitzel, Hunt, Jenks, Josephs, Kline, Koon, Kurtz, Linton, Long, M'Henry, M'Pherrin, Maish, Mann, Markley, Meyers, Mullin, Phelan, Pillow, Quay, Quigley, Rhoads, Robinson, Wallace, Webb and Westbrook—41.

So the question was determined in the affirmative.

COMMITTEE OF THE WHOLE.

Mr. COLVILLE in the chair.

Mr. STUMBAUGH. Mr. Chairman, I move to amend by striking out all after the words "sixty-four" in the seventh line, so as to restore the bill as it originally came to the House.

Mr. QUAY. Mr. Chairman, I move to amend the motion of the gentleman from Franklin [Mr. STUMBAUGH] so as to make the motion to restore the bill as originally reported from the Committee on Ways and Means except the proviso striking out the assistant State agency.

Mr. STUMBAUGH. Mr. Chairman, I hope the amendment will not prevail. The House has already decided that they would not go into the committee of the whole for that special amendment. I think it should not prevail and hope it will not.

The question being on the motion of Mr. QUAY,

It was

Not agreed to.

The question recurring on the motion of Mr. STUMBAUGH.

Mr. JONES. Mr. Chairman, when these amendments were proposed in the House, I voted for them, and as I propose now to vote for the bill as it came from the Senate, I wish to say a few words in explanation of my position. I voted for the amendments, and for the abolition of the State agency, because I believed that it did not answer the purpose for which it was established. I thought that to be a good and sufficient reason. It was a question upon which I thought my constituents had no opinion (at least I had heard them express none), and I believe it is a matter of indifference to them now.

During the last recess, when at home, I was called upon by a number of soldiers of my district, who requested me to vote for this bill as it originally came from the Senate. I asked them whether the continuance of the agency would be an advantage to them, and they said that in their opinion it would, and in casting my vote upon this question, I am guided altogether by their opinion. I do not know as I am the best judge myself, as to whether it has answered the purpose for which it was established or not. I rather think I am not. But these men, who are deserving the benefits of the agency, were of a different opinion from myself, and they believed that if the agency were continued it would inure to their benefit, and requested me to vote for it as it came from the Senate. As the appropriation is not large, I believe my constituents would have me vote for the bill, for the reasons that I have given.

Mr. BOYLE. Mr. Chairman, the constituents of the gentleman have probably made a mistake. If it is according to the opinion of the men he has mentioned that he is voting, his constituents had better have sent those persons here instead of the gentleman.

Mr. JONES. The gentleman from Fayette [Mr. BOYLE] has made a very excellent suggestion, but I suppose the people of Berks, who are my constituents, are the best judges of what they ought to do.

Mr. BOYLE. I have great confidence in them.

Mr. JONES. I have no doubt of that, and I believe that it is proper and right that every member on this floor has the right to vote just as he judges is the best, and I think he is the best judge of what his constituents will approve. When it was proposed to go into the committee of the whole for general amendment, I overheard it suggested by some one that the gentleman from Fayette [Mr. BOYLE] did not have this House well drilled.

Mr. BOYLE. Does the gentleman say that I made a remark of that kind?

Mr. JONES. I did not. I say it was suggested by some one else that the gentleman from Fayette did not have this House well drilled.

Mr. BOYLE. I do not pretend to drill this House or any part of it.

Mr. JONES. When the question was raised to-day to go into committee of the whole for amending the bill, the gentleman from Fayette [Mr. BOYLE] said that it was very well as it stood, and he should therefore vote against the amendment. Now, as he has made a suggestion for me in behalf of my constituents, I will repeat that I am probably the best judge of that, and believing that I am acting in their interests, I shall vote for the bill.

Mr. BOYLE. The gentleman says that he is acting according to the best of his judgment, and I understood him to say a few moments ago that he left all judgment in the matter entirely to two or three soldiers.

Mr. JONES. I said I should vote according to my best judgment of the wishes of my constituents, and I think that it is not at all inconsistent with what I said in the first place, that I should vote upon this question in accordance with the wishes of a number of soldiers. And I may say for the benefit of any one that all those soldiers who spoke to me are Democrats. During the last campaign we had a soldiers' club organized in the city of Reading. It was a very influential body, and during that campaign every consideration was shown them, and very great preference was shown to them by my own party. It was some of the members of that club who requested me to cast my vote in favor of the bill as it came from the Senate. Now, I do not believe that those soldiers are the best judges of the wishes of my constituents, nor did they say that if I voted in this way my constituents would approve of it. They requested me to vote for the bill because it would inure to the benefit of the soldiers, and as this is a small appropriation, I believe that in voting for it I am voting in accordance with the wishes of my constituents.

Mr. QUAY. I desire to ask the gentleman if those soldiers understood what the bill was that came from the Senate, and if so what they stated it to be?

Mr. JONES. I do not know. We did not go into any discussion of the subject. They merely expressed their wishes as I have stated, and I suppose they understood what it was.

Mr. QUAY. Did they not merely say they desired the State agency should be continued?

Mr. BOYLE. Mr. Chairman, the gentleman from Berks [Mr. JONES] has seen proper to disclose to the House a private remark made this morning, and now I want to know when it was that he obtained this information from his constituents?

Mr. JONES. It was on Saturday last, in the afternoon.

Mr. BOYLE. That was what I wanted to know, whether the gentleman had not made up his mind on Friday to vote for reinstating this bill as it came from the Senate.

Mr. JONES. I had not.

Mr. WADDELL. Mr. Chairman, I rise to a point of order. I consider that this discussion (with all respect to the gentlemen who are carrying it on) as entirely out of order. The gentleman from Berks [Mr. JONES] has given his reasons why he desires to vote for the bill. If that is not satisfactory, I presume he will answer all questions on any other occasion. I desire to keep the House down to the question before them. I raise that point of order, that this discussion has nothing to do with the question before the House.

Mr. JONES. Mr. Chairman, one word more in explanation. I have given my reasons for my vote upon this bill, and I think those reasons are sufficient. I do not think myself that this is the proper place for a controversy of this sort; nevertheless, I wish it to be understood that I have no objection to being catechised here. I am perfectly willing to answer in detail and to give the most minute particulars. I have no objection to being asked any number of questions.

Mr. M'CREARY. While the gentleman may have no objection, the House has.

Mr. ALLEN. Mr. Chairman, when this bill first came before the House, I voted in favor of striking out the provision for the assistant State agency at Washington. I did so because I deemed it possible that the services there could be done at less expense, and fully as satisfactory, by a clerk, as to have an assistant State agent. I voted that way, feeling that I was doing justice to the soldiers and to my constituents. But since the various considerations which have been had upon this bill before the House, I am fully satisfied that the opposition to the bill, and the disposition to kill it, is not upon any principle of justice to the soldier.

The gentleman from Fayette [Mr. BOYLE] has shown his great tact and ability before in cross-questioning a member upon this floor because he was acting in accordance with the wishes of his constituents. I am pleased to see every man attend to his own business thoroughly, but I do not desire to see any man presume to attend to the business of every man in this House. I think other gentlemen have rights here as well as the gentleman from Fayette [Mr. BOYLE], and I think when a gentleman upon this floor gives a sufficient reason for his vote, that should satisfy any reasonable man, and any man who is actuated by any principle of right or justice. The evidence in this case is clear that the opposition of the gentleman from Fayette [Mr. BOYLE] is not on account of a desire to save money, nor on account of a disposition to benefit the soldier. That gentleman has never shown any sympathy for the soldier on any issue before this House during the present session or the past. His opposition has always been of the same frivolous technical nature—not a disposition to do what he feels is right, but a disposition to obstruct and dictate legislation before this House. I think gentlemen here have had enough of this. I simply desire to

do my duty and take the responsibility, and I ask the gentleman from Fayette to do the same.

Mr. BOYLE. Mr. Chairman, I think the gentleman from Warren [Mr. ALLEN] has traveled outside of what was possibly his duty to assail me on the question of supporting the soldier. Now, if that gentleman says I have factiously opposed any measure that was calculated to benefit the soldiers, I say he says what is not true, because I never have.

Mr. ALLEN. I will only refer the gentleman to his record.

The CHAIRMAN. Gentlemen will please confine themselves in their remarks to the question before the House.

Mr. BOYLE. Mr. Chairman, I do not think anything is required to vindicate myself against the charges of the gentleman from Warren [Mr. ALLEN], because it has become quite common slander in years past for a person having a weak cause to cover it with this soldiers' cloak for some ulterior purposes. I charge the gentleman from Warren that he has not changed his vote upon this subject from conviction, and he knows that I know it.

Mr. ALLEN. Mr. Chairman, I think in this case the gentleman from Fayette knows, what he always seems to know about other men's convictions, nothing at all. I changed my vote upon this subject because I think by so doing justice will be done to the soldier.

Mr. STUMBAUGH. Mr. Chairman, I understood the gentleman from Fayette [Mr. BOYLE] to say that the people of Berks county ought to have sent a soldier to this House. I desire to say that the gentleman from Berks [Mr. JONES] was a soldier and had a commission.

Mr. BOYLE. I did not say any such thing.

The question being on the motion of Mr. STUMBAUGH,

It was

Agreed to.

Mr. QUAY. Mr. Chairman, I now move to further amend the bill by adding the proviso in relation to the State agent.

Mr. STUMBAUGH. Mr. Chairman, I rise to a point of order, that this amendment cannot be made. That proviso has already been stricken out.

Mr. BOYLE. Mr. Chairman, I submit that the point is not well taken, because it was stricken out with other things.

The CHAIRMAN. The Chairman is of the opinion that that question has already been determined. The bill has been gone through with.

IN THE HOUSE.

Mr. COLVILLE, chairman of the committee of the whole, reported the bill to the House with amendment.

The question being on agreeing to the amendment of the committee of the whole,

The yeas and nays were required by Mr. GREGORY and Mr. QUAY, and were as follow, viz:

YEAS—Messrs. Adaire, Allen, Armstrong, Barton, Cameron, Chadwick, Chase, Colville, Day, Donohugh, Espy, Ewing, Gallagher, Ghegan, Harbison, Headman, Hoffman, Humphrey, Jones, Josephs, Kennedy, Kerns, Kimmell, Kinney, Lee, Leech, M'Camant, M'Creary, M'Kee, Markley, Marks, Mechling, Pennypacker, Peters, Richards, Roath, Roush, Satterthwait, Seiler, Sharples, Steacy, Stehman, Stumbaugh, Subers, Waddell, Watt, Weller, Whann, Wharton, Wilson, Wingard, Woodward, Worrall, Wright and Glass, *Speaker*—55.

NAYS—Messrs. Barrington, Boyd, Boyle, Breen, Brennan, Brown, Chalfant, Collins, Craig, Deise, Fogel, Freeborn, Gregory, Harner, Heltzel, Hunt, Jenks, Kline, Koon, Kurtz, Linton, Long, M'Henry, M'Pherrin, Mann, Meyers, Mullin, Phelan, Pillow, Quay, Quigley, Rhoads, Robinson, Wallace, Webb and Westbrook—36.

So the question was determined in the affirmative.

The question being on agreeing to the title of the bill,

It was

Agreed to.

Mr. QUAY. Mr. Speaker, I move now that the House go into the committee of the whole for the purpose of special amendment, to provide that the assistant State agent shall cease from and after this date, and that the State agent is authorized and empowered to employ an additional clerk, at a salary of fifteen hundred dollars a year.

On the question of agreeing to the motion,

The yeas and nays were required by Mr. STUMBAUGH and Mr. M'CAMANT, and were as follow, viz:

YEAS—Messrs. Barrington, Boyd, Boyle, Breen, Brennan, Brown, Chalfant, Collins, Craig, Day, Deise, Ewing, Fogel, Freeborn, Ghegan, Gregory, Harner, Heltzel, Hunt, Jenks, Kline, Koon, Kurtz, Linton, Long, M'Henry, M'Pherrin, Maish, Markley, Meyers, Mullin, Phelan, Pillow, Quay, Quigley, Rhoads, Robinson, Tharp, Wallace, Webb and Westbrook—41.

NAYS—Messrs. Adaire, Allen, Armstrong, Barton, Cameron, Chadwick, Chase, Colville, Davis, Donohugh, Espy, Gallagher, Hoffman, Humphrey, Jones, Josephs, Kennedy, Kerns, Kimmell, Kinney, Lee, Leech, M'Camant, M'Creary, M'Kee, Mann, Marks, Mechling, Pennypacker, Peters, Richards, Roath, Roush, Satterthwait, Seiler, Sharples, Shuman, Steacy, Stehman, Stumbaugh, Subers, Waddell, Watt, Weller, Whann, Wharton, Wilson, Wingard, Woodward, Worrall, Wright and Glass, *Speaker*—52.

So the question was determined in the negative.

Mr. QUAY. Mr. Speaker, I now move to go into the committee of the whole for the purpose of special amendment, making the State agency terminate on the first of February, 1868.

Mr. WADDELL. Mr. Speaker, I rise to a point of order, that this amendment is a part of the bill reported from the committee, and which this House has stricken out by its action this morning.

Mr. QUAY. It was a part, but not the whole.

The SPEAKER. The House has already decided that point. The Chair is clearly of the opinion that it is not in order to go into the committee of the whole for the purpose of making that amendment.

The question being on the final passage of the bill,

Mr. STUMBAUGH. I call for the previous question.

The call for the previous question was seconded by

Messrs. Stumbaugh, Colville, Wharton, Worrall, Weller, Chadwick, Leech, M'Kee, Kerns, Woodward, M'Creary, Armstrong, Richards and Espy.

On the question

Shall the main question be now put?

The yeas and nays were required by Mr. GREGORY and Mr. KURTZ, and were as follow, viz:

YEAS—Messrs. Allen, Armstrong, Barton, Cameron, Chadwick, Chase, Colville, Davis, Day, Espy, Ewing, Gallagher, Harbison, Hoffman, Humphrey, Josephs, Kennedy, Kerns, Kimmell, Kinney, Lee, Leech, M'Camant, M'Creary, M'Kee, Marks, Mechling, Pennypacker, Peters, Quigley, Richards, Roath, Satterthwait, Seiler, Sharples, Steacy, Stehman, Stumbaugh, Subers, Waddell, Watt, Webb, Weller, Whann, Wharton, Wilson, Wingard, Woodward, Worrall and Glass, *Speaker*—50.

NAYS—Messrs. Adaire, Barrington, Boyd, Boyle, Breen, Brennan, Brown, Chalfant, Craig, Deise, Fogel, Freeborn, Ghegan, Gregory, Harner, Heltzel, Hunt, Jenks, Jones, Kline, Koon, Kurtz, Linton, Long, M'Henry, M'Pherrin, Marsh, Markley, Meyers, Mullin, Phelan, Pillow, Quay, Rhoads, Robinson, Roush, Shuman, Wallace, Westbrook and Wright—39.

So the question was determined in the affirmative.

The question recurring on the final passage of the bill,

The yeas and nays were required by Mr. GREGORY and Mr. RICHARDS, and were as follow, viz:

YEAS—Messrs. Adaire, Allen, Armstrong, Barton, Cameron, Chadwick, Chase, Colville, Davis, Day, Donohugh, Espy, Ewing, Gallagher, Ghegan, Harbison, Headman, Hoffman, Humphrey, Jones, Josephs, Kennedy, Kerns, Kimmell, Kinney, Lee, Leech, M'Camant, M'Creary, M'Kee, M'Pherrin, Markley, Marks, Mechling, Mully, Pennypacker, Peters, Pillow, Richards, Roath, Roush, Satterthwait, Seiler, Sharples, Shuman, Steacy, Stehman, Stumbaugh, Subers, Waddell, Watt, Weller, Whann, Wharton, Wilson, Wingard, Woodward, Worrall, Wright and Glass, *Speaker*—60.

NAYS—Messrs. Barrington, Boyd, Boyle, Breen, Brennan, Brown, Calvin, Craig, Deise, Fogel, Freeborn, Gregory, Heltzel, Jenks, Kline, Koon, Kurtz, Linton, Long, M'Henry, Maish, Meyers, Mullin, Phelan, Quigley, Rhoads, Robinson, Wallace, Webb and Westbrook—30.

So the question was determined in the affirmative.

And the bill

Passed finally.

SUSPENSION OF THE ORDERS.

Mr. QUAY, Mr. Speaker, I move that the orders of the morning be postponed until reports from committees are received and bills in place are read.

Mr. MANN. Mr. Speaker, if the House will first consider a resolution I have to hold a special session to-morrow afternoon, I will make no objection to that motion. I ask to have it read for information.

The resolution was read as follows:

Resolved, That this House will hold a session to-morrow afternoon at three o'clock, for the special purpose of considering House bill No. 509, an act to ascertain and appoint value fees to be received by the several officers of this Commonwealth.

The SPEAKER. The question is on the motion of the gentleman from Beaver [Mr. QUAY], that the orders of the day be suspended until reports from committees are received and bills in place are read.

Mr. MANN. Mr. Speaker, I ask for a division of the question. I said if the House would permit this resolution to be introduced and read, I would make objection to this motion, and, Mr. Speaker, I make this point of order: that the gentleman from Beaver cannot make this motion to postpone the calendar. He cannot avoid asking for a suspension of the rules.

Mr. QUAY. Mr. Speaker, I have as good a right to move to postpone the whole calendar as to move to postpone any bill upon it.

Mr. MANN. Mr. Speaker, it is true the gentleman may move to postpone any bill, when it comes up, but the bills are not before the House at present.

The SPEAKER. The Chair is of the opinion that the public calendar being now the order of the day, it will be necessary to first suspend the orders before the House

can consider the motion of the gentleman from Beaver [Mr. QUAY].

Mr. DAVIS. Mr. Speaker, the object of the gentleman from Beaver is, I suppose, to get in reports from committees to-day that the bills may be placed on the private calendar for Tuesday. Unless we get reports from committees this morning it will be impossible to have any to-day, and if two-thirds will suspend the orders I hope it will be done.

The SPEAKER. The Chair would state that on Thursday last, bills were reported from committees that were to go to the printer on Friday morning, but owing to the lateness of the day when the bills were handed to the public printer it was impossible to have them printed on Tuesday. In fact some of them are not printed yet. The Chair would further state that unless bills are reported this forenoon, it is questionable whether any of the bills that the committees now hold and have agreed to report can be placed in the hands of the printer in time to appear on the private calendar for Tuesday.

The question is on the motion of the gentleman from Beaver to enable him to make a motion to present reports from committees and read bills in place.

Mr. MANN. Mr. Speaker, I desire to offer no opposition to getting bills reported to-day. What I do desire is to facilitate the passage of that in which we are all interested, and which is quite as important as private bills. If the House would assent to my resolution, all difficulty would be avoided. It does seem to me that bills that all are interested in, should not be put aside for private bills. If the gentleman will so amend his motion as to suspend the orders only for the purpose of making reports from committees, I will withdraw my motion.

Mr. QUAY. I agree to that modification.

Mr. MANN. I withdraw my objection.

The motion to suspend the orders to receive reports from committees was

Agreed to.

REPORTS FROM COMMITTEES.

Mr. WADDELL, chairman of the Committee of Ways and Means, reported back House bill No. 848, an act for the relief of David Andrews, late recorder of Chester county, for money over-paid by him to the Commonwealth.

Mr. MANN (Judiciary General), with amendment, Senate bill No. 617, joint resolution relative to the revisal of the civil laws of Pennsylvania.

Also (same), bill No. 850, a further supplement to an act for the better preservation of game, approved April 14, 1859.

Mr. QUAY (same), with a negative recommendation, bill No. 851, an act to consolidate, revise and amend the laws of this Commonwealth, relative to penal proceedings and pleadings, approved the 31st day of March, A. D. 1860.

Mr. WADDELL (same), with a negative recommendation, bill No. 852, an act relating to the appointment of justices of the peace.

Mr. WINGARD (same), with a negative recommendation, bill No. 853, an act to repeal a supplement to an act relative to landlords and tenants, approved December 14th, 1863, certified as being a law on the 14th of March, 1865.

Mr. DAVIS (same), as committed, bill No. 854, a supplement to an act concerning the sale of railroads, canals, turnpikes, bridges and plank roads, approved the 8th day of April, A. D. 1861, and its supplement, approved the 17th day of April, A. D. 1861.

Also (same), with request that the committee be discharged from the further consideration of the same, bill No. 855, an act to enable the prothonotary to collect fees in suits on forfeited recognizances, &c.

Mr. M'CREARY (same), as committed, bill No. 856, an act to permit disabled soldiers to peddle without procuring a license therefor.

Mr. BOYLE (same), with a negative recommendation, bill No. 857, an act to declare Lincoln's birthday a public holiday.

Mr. JENKS (same), with a negative recommendation, bill No. 858, an act for the commutation of sentence.

Also (same), as committed, Senate bill No. 408, an act for the promotion of medical science, and to prevent the traffic in human bodies in the city of Philadelphia and county of Allegheny.

Mr. MEYERS (same), with amendments, bill No. 860, an act relating to the publication of local, general and private laws, and of legal advertisements in the several counties of the Commonwealth of Pennsylvania.

Mr. LINTON (same), as committed, bill No. 861, an act to prevent the fraudulent using of stock in oil and mining companies of this Commonwealth.

Also (same), as committed, bill No. 862, an act supplementary to an act to enable joint tenants, tenants in common, and adjoining owners of mineral lands in this Commonwealth to manage and develop the same.

Mr. M'CREARY (Judiciary Local), with amendment, Senate bill No. 607, an act relative to courts in Lehigh county.

Also (same), as committed, Senate bill No. 456, an act to authorize the appointment of two assistant reporters in the district court of Philadelphia.

Also (same), as committed, Senate bill No. 567, an act to increase the compensation of the county commissioners and auditors of the county of Monroe.

Also (same), as committed, bill No. 867, an act to legitimate Edward A. Smith, Ellen I. Smith, Catharine V. Smith and Thomas B. Smith.

Also (same), as committed, Senate bill No. 566, an act to authorize the clerk of the mayor or aldermen of the city of Pittsburg to administer oaths.

Also (same), as committed, bill No. 868, an act to authorize the sale of the poor house and farm in Mifflin county.

Also (same), as committed, bill No. 869, an act to authorize the purchase of real estate and erection of a poor house in Valley township, Montour county.

Mr. BARTON (same), with a negative recommendation, bill No. 870, an act to authorize J. A. Dewar to erect a chute in the dam at Franklin, Venango county, and also authorizing the closing of the lock or not, as he may elect.

Also (same), with a negative recommendation, bill No. 871, a supplement to an act increasing the fees of the several officers in Venanago county, approved the 24th day of March, 1865.

Also (same), as committed, bill No. 872, a supplement to a supplement to an act to provide for the erection of a poor house in Clarion county, approved the 21st day of March, 1865, approved the 11th day or April, A. D. 1866.

Also (same), as committed, bill No. 873, an act to repeal an act entitled An act to change the venue of certain suits from Butler to Armstrong county.

Also (same), as committed, bill No. 874, an act to authorize Lebrecht Freazer, a justice of the peace, to remove his office into the First ward, in the borough of York.

Also (same), as committed, bill No. 875, an act dividing the Twenty-fourth ward of Philadelphia into two assessment districts, and for the appointment of two additional assessors.

Also (same), as amended, Senate bill No. 511, a supplement to an act to increase the compensation of the commissioners, auditors, jurors, assessors and supervisors of Indiana county, and to authorize the collection of road taxes in Burrell township, in said county, in money.

Also (same), as committed, Senate bill No. 512, an act allowing to the mercantile appraisers of Allegheny county the same fees allowed in other counties of the State.

Mr. EWING (same), as committed, Senate bill No. 730, an act to repeal an act for the repeal of an act changing the venue in certain actions of ejectment from Armstrong to Allegheny county.

Also (same), as committed, Senate bill No. 513, an act relative to the fees of notaries public in the counties of Dauphin and Lebanon.

Also (same), as committed, bill No. 881, a supplement to an act relating to the lien of mechanics and others upon buildings, extending it to the county of Dauphin.

Also (same), as committed, bill No. 882, an act to authorize the return to the commissioners of Potter county, for collection, of duplicates of taxes, and to fix the time when said duplicates shall hereafter be returned.

Also (same), as committed, bill No. 883, an act to validate the acts of C. W. Case, late justice of the peace for Jackson township, Luzerne county.

Also (same), as committed, bill No. 884, a supplement to an act authorizing the commissioners of Northampton county to purchase a law library, approved the 12th day of March, A. D. 1866.

Mr. HARBISON (same), as committed, Senate bill No. 506, an act relative to hawking, peddling and selling by sample in the county of Schuylkill.

Also (same), as committed, bill No. 886, an act relating to the sales of lands by the commissioners of Cambria county.

Also (same), as committed, bill No. 887, an act to relieve money at interest from taxation for local purposes in the county of Lawrence.

Also (same), as committed, bill No. 888, an act to change the venue in the case of G. W. Scofield vs. Martin Branges from the court of common pleas of Wyoming county to the court of common pleas of Bradford county.

Also (same), as committed, bill No. 899, an act to increase the salaries of the inspectors of the Lancaster county prison, passed the 27th day of March, A. D. 1866.

Also (same), as committed, bill No. 890, a supplement to an act to authorize the construction of a bridge over Oil creek at or near the old furnace dam, on the Hasson farm, in the county of Venango.

Mr. WEBB (same), as committed, bill No. 891, a supplement to the act, approved April 11, 1866, entitled An act to increase the fees of township officers in the county of Wyoming, extending the same to Cambria county.

Also (same), as committed, bill No. 892, an act to provide for the payment of costs in the removal of paupers in certain cases.

Also (same), as committed, bill No. 893, an act legalizing the acts of the York building association No. 2 and the York building association No. 3, of the borough of York, in the county of York.

Also (same), as committed, bill No. 894, an act to extend the jurisdiction of aldermen of the peace to certain criminal proceedings in the city and county of Philadelphia.

Also (same), with a negative recommendation, Senate bill No. 481, an act relative to election precincts in Allegheny county.

Mr. WORRALL (same), as committed,

bill No. 896, a further supplement to an act relating to inspectors, approved April 15th, A. D. 1835, and the supplement thereto, approved March 25th, 1850.

Also (same), as committed, bill No. 897, a supplement to an act for the better securing the payment of the wages of labor in certain counties of this Commonwealth, approved the 30th of March, A. D. 1859.

Also (same), with amendment, bill No. 898, an act requiring the commissioners of Northampton county to apply for and obtain copies of standards.

Also (same), as committed, bill No. 899, an act increasing the fees of jurors, commissioners, auditors and witnesses in the county of Venango.

Also (same), as committed, bill No. 900, an act to change the venue in a certain case from Schuylkill county to Dauphin county.

Also (same), as committed, bill No. 901, an act relating to public prisons in Allegheny county.

Mr. CRAIG (same), as committed, bill No. 902, an act to fix the number of jurors in cases of partition in the courts of Beaver, Lawrence, Northumberland and Bradford counties.

Mr. CRAIG (same), as committed, bill No. 903, an act for the protection of owners of wharves or landings in the borough of Venango City, county of Venango.

Also (same), as committed, bill No. 904, an act to authorize the increase of pay of supervisors, and other township officers, in the township of Bethlehem, Northampton county.

Also (same), as committed, Senate bill No. 455, an act to establish a law library in the county of Armstrong.

Mr. JONES (same), as committed, bill No, 906, an act relative to the purchase of a law library in the county of Lehigh.

Also (same), as committed, bill No. 907, an act extending the act entitled An act relative to the fees of notaries public in the counties of Lancaster and Clinton, approved April 11, 1866, to the county of Berks.

Also (same), as committed, Senate bill No. 687, an act to permit an appeal from the register of Lebanon county, in behalf of the heirs of Robert U. Coleman, deceased.

Mr. PHELAN (same), as committed, bill No. 909, an act changing the day of holding the annual meeting of the auditors of Jones township, Elk county, and regulating the term of office, and fixing the wages of the supervisors and other officers in said township.

Also (same), as committed, bill No. 910, an act to repeal an act to authorize the highway commissioners of the township of Mill Creek, in the county of Erie, to establish the width of East lane, and to change its name.

Mr. THARP (same), as committed, bill No. 911, an act to authorize the commissioners of Crawford county to borrow money.

Also (same), as committed, bill No. 912, an act relative to the moneys collected as fines from persons intoxicated within the county of Dauphin.

Also (same), as committed, bill No. 913, an act to establish a law library in the county of York, and in relation to fines, penalties and forfeited recognizances in said county.

Also (same), as committed, Senate bill No. 579, an act regulating the salary of the treasurer of Lehigh county.

Mr. FREEBORN (Municipal Corporations), as committed, bill No. 915, a supplement to the charter of the city of Chester.

Also (same), as committed, bill No. 916, an act to repeal the third section of an act entitled An act to authorize the widening of Delaware avenue in the city of Philadelphia.

Mr. WORRALL (same), as committed, bill No. 917, an act conferring certain powers upon the city of Chester, in the county of Delaware.

Mr. SHARPLES (same), as committed, bill No. 918, an act to incorporate the borough of Sugar Notch.

Also (same), as committed, Senate bill No. 484, an act to change the time of holding borough elections in the borough of Minersville, Schuylkill county.

Mr. M'CREARY (same), as committed, No. 920, a further supplement to the charter of the city of Erie, to provide for the election of water commissioners, and define their powers and duties.

Mr. M'CAMANT (same), as committed, bill No. 921, an act to change the boundary lines of the borough of Wrightsville, in the county of York.

Mr. ARMSTRONG (same), with a negative recommendation, bill No. 922, a further supplement to the act incorporating the city of Harrisburg, providing for authority to borrow two hundred thousand dollars.

Mr. CAMERON (same), with a negative recommendation, bill No. 923, an act to incorporate the borough of Newry.

Mr. HUMPHREY (same), as committed, bill No. 924, an act to vacate part of Vine street in the city of Pittsburg.

Also (same), as committed, bill No. 925, an act to authorize the borough of Boyerstown, in the county of Berks, to purchase the Fairmount fire engine house of said borough, and to levy and collect a tax for that purpose.

Mr. BARTON (same), as committed, bill No. 926, an act to vacate part of Manayunk avenue, in the Twenty-first ward of Philadelphia.

Also (same), as committed, Senate bill No. 437, a further supplement to an act passed May 16th, A. D. 1861, entitled An act to authorize the erection of a free bridge over the river Schuylkill, at South street, in the city of Philadelphia, making it the duty of the chief engineer to direct the building of a bridge, and providing that the same shall have a draw therein.

Mr. WILSON (same), as committed, bill No. 928, an act relating to roads, streets, bridges and sidewalks in the borough of Lawrenceville, county of Tioga.

Also (same), as committed, bill No. 929, an act to vacate Hilles street, between Orchard street and Paul street, in Frankford, in the Twenty-third ward of the city of Philadelphia.

Mr. FOGEL (same), as committed, bill No. 930, a further supplement to an act to incorporate the city of Carbondale.

Also (same), as committed, bill No. 931, an act to authorize the city of Philadelphia to sell certain ground in the Eleventh ward.

Mr. HEADMAN (same), as committed, bill No. 932, an act to divide the borough of Sunbury, in the county of Northumberland, into two wards.

Also (same), as committed, bill No. 933, an act to incorporate the town of Big Run, in Jefferson county, into a borough.

Mr. BREEN (same), as committed, bill No. 934, an act authorizing the gas committee of councils of the city of Philadelphia to attend all meetings of the Philadelphia gas trust.

Also (same), as committed, Senate bill No. 510, an act authorizing and providing power and means for the conversion of the common grounds of the city of Allegheny into public parks.

Mr. LONG (same), as committed, Senate bill No. 443, an act to divide the borough of Port Carbon, Schuylkill county, into two wards.

Also (same), with a negative recommendation, bill No. 937, an act authorizing the town council of the borough Mahanoy City to borrow money, and regulating the collection of taxes.

Mr. KOON (same), as committed, Senate bill No. 502, an act to authorize the chief burgess and town council of the borough of Lebanon to borrow money for the purpose of building an engine house for the use of the Perseverance steam fire engine and hose company, and purchasing of hose for use in the fire department of said borough.

Also (same), as committed, bill No. 939, a supplement to an act to incorporate the city of Scranton, approved April 23, 1866.

Mr. GHEGAN (Coal and Iron), as committed, bill No. 940, an act to repeal an act for the settlement of the affairs of the North Carbondale coal company, approved the 7th day of June, A. D. 1867.

Also (same), as committed, bill No. 941, an act to incorporate the Bert Allen iron company, in the county of Carbon.

Mr. QUAY (same), as committed, bill No. 942, an act to authorize the reduction of the capital stock of corporations organized under the general mining and manufacturing laws of the State.

Also (same), as committed, Senate bill No. 107, an act to incorporate the Myuga iron company.

Mr. LONG (same), as committed, bill No. 944, an act to incorporate the Black Band iron and coal company.

Mr. HEADMAN (same), as committed, Senate bill No. 45, a supplement to an act to incorporate the Lykon's Valley coal company in Dauphin county.

Mr. MEILY (same), as committed, bill No. 946, an act incorporating the Keystone iron company.

Mr. STUMBAUGH (same), as committed, Senate bill No. 297, an act to incorporate the Philadelphia coal company.

Mr. LEE (Mining and Manufacturing Companies), as committed, bill No. 948, an act to incorporate the Senator Nye mining and exploring company.

Also (same), Senate bill No. 365, an act to incorporate the Manta Grandee silver mining and commercial company.

Mr. GHEGAN (same), as committed, bill No. 959, an act to incorporate the Big Creek mining company.

Also (same), as committed, bill No. 951, supplement to an act entitled An act to incorporate the Franklin silver mining company, approved April 17, 1866.

Mr. WHARTON (same), as committed, bill No. 952, supplement to an act entitled An act to incorporate the Union mining company, approved March 30, 1865.

Mr. FREEBORN (same), as committed, bill No. 953, an act to incorporate the Marathon silver mining company of Nevada.

Mr. STUMBAUGH (same), as committed, Senate bill No. 299, an act to incorporate the Rob Roy gold and silver mining company.

Also (same), as committed, bill No. 955, an act to incorporate the Shakespeare and Lydia Allen Consolidated silver mining company.

Mr. HOFFMAN (same), as committed, bill No. 956, an act to incorporate the Silver Bullion mining company.

Also (same), as committed, Senate bill No. 308, an act to incorporate the Philadelphia Enterprise gold and silver mining company of Montana.

Mr. DeHAVEN (same), as committed, bill No. 958, supplement to an act entitled An act to incorporate the North American mining company, approved June 2, 1865.

Also (same), as committed, Senate bill No. 522, an act to incorporate the Enterprise mining and exploring company.

Mr. SHUMAN (same), as committed, bill No. 960, an act to incorporate the Montana

gold and silver mining and commercial company.

Also (same), as committed, bill No. 961, an act to incorporate the Octoraro gold and silver mining company.

Mr. WALLACE (same), as committed, bill No. 952, supplement to an act to incorporate the Specie Basis mining company, relieving them from the payment of the bonus of one-fourth of one per centum on their capital stock, and to extend their operations to Arizona.

Mr. WRIGHT (same), as committed, bill No. 963, an act to incorporate the Spanish Bar gold and silver mining company.

Mr. CHADWICK (same), as committed, bill No. 964, an act to incorporate the Ivanhoe silver mining company.

Mr. HUNT (same), as committed, bill No. 965, an act to incorporate the Beaver gold and silver mining company.

Mr. QUIGLEY (same), as committed, bill No. 966, an act to incorporate the Great Western mining company.

Mr. JOSEPHS (same), as committed, bill No. 967, an act to incorporate the Hidalgo gold and silver mining company.

Mr. LINTON (same), as committed, bill No. 968, an act to incorporate the Empire and Gem mining, manufacturing and tunneling company of Nevada.

Mr. MULLIN (same), as committed, bill No. 969, supplement to the act incorporating the Great Valley gold and silver mining company, approved 17th day of November, A. D. 1866, increasing the number of incorporators, and restricting the powers of said corporation.

Mr. HOFFMAN (Roads, Bridges and Ferries), as committed, Senate bill No. 397, an act appointing commissioners to lay out and open a State road in the counties of Cameron, Elk and Clearfield, from the Sinnemahoning to the West Branch of the Susquehanna.

Also (same), as committed, Senate bill No. 612, an act supplementary to an act incorporating the Birmingham and Brownsville macadamized turnpike road company.

Mr. DeHAVEN (same), as committed, bill No. 972, an act to provide for the erection of a bridge across Nescopeck creek, in Nescopeck township, Luzerne county.

Also (same), as committed, bill No. 973, an act to establish a ferry over the Ohio river, between Baden and Economy, in the county of Beaver.

Also (same), as committed, Senate bill No. 678, an act to provide for the enlargement of the Erie canal, to authorize the mortgaging of the same, and the issue of bonds, and to increase the capital stock and regulate the tolls.

Also (same), as committed, Senate bill No. 606, an act to incorporate the Wyoming bridge company.

Mr. DeHAVEN (same), as committed, Senate bill No. 578, an act to authorize the supervisors of Kingston township, Luzerne county, to collect their own duplicates.

Also (same), as committed, Senate bill No. 311, a supplement to an act to establish a ferry over the Monongahela and Youghiogheny rivers, and to vest the right in John M'Kee, his heirs and assigns forever, approved the 5th day of February, one thousand seven hundred and eighty-four.

Mr. ROATH (same), as committed, bill No. 196, an act regulating roads and bridges in Wayne county.

Also (same), as committed, bill No. 979, an act relative to locating, opening and repairing the public roads and highways in Sewickly township, Westmoreland county.

Also (same), as committed, bill No. 980, a supplement to an act authorizing a tax for road purposes in certain townships in Warren county, approved April 11, 1866.

Also (same), as committed, bill No. 981, a supplement to an act relative to the laying out of a certain State road from Curwensville, Clearfield county, through the towns of Indiana and Saltsburg, in Indiana county, and through Westmoreland county to East Liberty, in Allegheny county, and for laying out certain other State roads, and for other purposes, approved April 16, 1828.

Also, (same), as committed, bill No. 982, an act to establish a ferry over the Monongahela river, at the town of Allenport, Washington county.

Also (same), as committed, Senate bill No. 555, an act to incorporate the Equinunk bridge company.

Mr. GALLAGHER (same), as committed, bill No. 984, an act to incorporate the People's bridge company.

Also (same) as committed, Senate bill No. 532, an act to declare Montgomery creek, in the county of Clearfield, a public highway.

Mr. MEILY (same), as committed, bill No. 986, an act relative to the pay of supervisors in Wiconisco township, Dauphin county.

Also (same), as committed, bill No. 987, an act relative to roads in the county of Franklin.

Mr. RICHARDS (same), as committed, bill No. 988, an act declaring Marsh creek, in Centre county, a public highway.

Also (same), as committed, bill No. 989, an act to incorporate the Bridgeport and Horseshoe turnpike road company.

Mr. LEECH (same), as committed, bill No. 990, an act relating to the pay of supervisors, in the county of Butler.

Also (same), as committed, bill No. 991, an act in relation to the election officers of the Chambersburg and Bedford turnpike road company.

Mr. M'KEE (same), as committed, bill No. 992, an act in relation to the election of officers of the Chambersburg turnpike road company.

Also (same), as committed, Senate bill No. 355, an act to incorporate the Summit turnpike road company, in the county of Clearfield.

Mr. CHASE (same), as committed, bill No. 994, an act to authorize the president and managers of the Licking bridge company, in Clarion county, to sell said bridge to the commissioners of said county.

Also (same), as committed, bill No. 995, a supplement to an act authorizing and requiring the supervisors of Bratton township, Mifflin county, to erect gates across the public roads in said township.

Mr. SATTERTHWAIT (same), as committed, bill No. 996, supplement to an act to incorporate the Larry's Creek plank road company.

Also (same), as committed, bill No. 997, an act in relation to the assessment of road tax, and the election and pay of certain township officers and viewers of roads and highways in the county of Jefferson.

Mr. MAISH (same), as committed, bill No. 998, a supplement to an act relative to goods in Uwchland township, Chester county, and East Bethlehem and East Pike Run townships, Washington county.

Also (same), as committed, bill No. 999, a further supplement to an act to incorporate the Birmingham and Pittsburg bridge company.

Mr. HARNER (same), as committed, bill No. 1000, an act to declare Mill run, in the county of Lycoming, a public highway.

Also (same), as committed, bill No. 1001, a supplement to an act incorporating the Nanticoke and Hughesville turnpike road company, passed April first, one thousand eight hundred and thirty-six, with its supplements.

Mr. SHARPLES (Education), as committed, bill No. 1002, an act to attach certain lands in Potter county to Coudersport school district for school purposes.

Mr. DAY (same), as committed, bill No. 1003, authorizing the board of controllers of common schools to re-establish a school library in the city of Erie and to appropriate certain moneys therefor.

Also (same), as committed, Senate bill No. 601, an act to authorize the school directors of Marshall township, Allegheny county, to apply the surplus bounty tax in their hands to school purposes.

Mr. FREEBORN (same), as committed, bill No. 1005, an act to erect an independent school district out of a part of the township of Franklin, in the county of Huntingdon.

Mr. KINNEY (same), as committed, bill No. 1006, an act relating to school tax in the borough of Mainsburg, county of Tioga.

Mr. ARMSTRONG (same), as committed, Senate bill No. 600, an act to authorize the school directors of the borough of White Haven, in the county of Luzerne, to borrow money to build school houses.

Mr. EWING (same), as committed, Senate bill No. 605, an act to enable the board of directors of common schools of Benton township, Luzerne county, to apply surplus of bounty fund to common school purposes.

Mr. WHARTON (same), as committed, Senate bill No. 664, an act to attach the farm of David Deitz, in Pennsboro' township, Cumberland county, to the township of Hampden, in said county, for school purposes.

Mr. MANN (Estates and Escheats), as committed, bill No. 1010, an act to extend the time for the payment of the enrollment tax on an act to authorize Samuel Graham and Robert Graham, committee of Walter L. Graham, a lunatic, to sell certain real estate.

Mr. QUAY (same), as committed, bill No. 1011, an act to authorize the Evangelical Lutheran congregation of Berlin, in the county of Somerset, to sell certain real estate.

Mr. SHUMAN (same), as committed, bill No. 1012, an act to authorize Catharine Floto, Mary K. Floto, George H. Floto and Emma G. Floto, to sell and convey certain real estate.

Mr. KURTZ (same), as committed, bill No. 1013, an act to enable the standing committe of the Protestant Episcopal church of the diocese of Pennsylvania to convey real estate in Mifflin county.

Mr. STEHMAN (Corporations), as committed, bill No. 1014, an act to incorporate the Shenandoah water company.

Also (same), as committed, Senate bill No. 487, an act to incorporate the Lebanon County Soldiers' and Sailors' Monument association.

Mr. ALLEN (same), as committed, bill No. 1016, an act to reduce the number of directors of the Allegheny transportation company.

Also (same), as committed, Senate bill No. 519, an act to incorporate the Quaker City barge club, of the city of Philadelphia.

Mr. ADAIRE (same), as committed, bill No. 1018, an act to incorporate the Chambersburg hall and market company.

Also (same), as committed, bill No. 1019, an act to amend an act entitled An act to incorporate the Female Medical college of Pennsylvania.

Mr. KINNEY (same), as committed, bill No. 1020, an act to amend an act to incorporate the Potter County Forest improvement company, approved May 1st, A. D. 1861, and the supplement thereto, approved the tenth day of August, A. D. 1864.

Mr. DONOUGH (same), as committed, bill No. 1021, an act to incorporate the

Daily Legislative Record.

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[CONTINUED FROM PAGE 520.]

Paros coal, mining and lumber company o Pennsylvania.

Mr. ESPY (same), as committed, bill No. 1022, an act to incorporate the Downingtown gas and water company.

Mr. KERNS (same), as committed, bill No. 1023, an act to incorporate the M'Keesport gas company.

Mr. PETERS (same), as committed, Senate bill No. 661, a supplement to the act entitled An act for the erection of the Gettysburg gymnasium into a college, and for other purposes, approved the 7th of April, 1832.

Mr. ROATH (same), as committed, bill No. 1025, a further supplement to an act to incorporate the Charles Evans cemetery company.

Mr. GHEGAN (same), as committed, bill No. 1026, an act to incorporate the American button-hole, overseaming and sewing machine company.

Mr. CHADWICK (same), as committed, bill No. 1027, a supplement to an act authorizing the Governer to incorporate the Milford Cold Spring water company, passed the 3rd day of April, 1849.

Mr. WOODWARD (same), as committed, bill No. 1028, an act to incorporate the Anderson marble quarrying company of Montgomery county.

Mr. LONG (same), as committed, bill No. 1029, an act to incorporate the Masonic hall association of the borough of Phœnixville.

Mr. CHALFANT (same), as committed, Senate bill No. 584, an act to incorporate the Tremont gas and water company.

Mr. QUIGLEY (same), as committed, bill No. 1031, an act to incorporate the Odd Fellows' Mutual Co-operative association of Monongahela City, Washington county.

Also (same), as committed, bill No. 1032, an act to incorporate the Reverend Hugh M'Laughlin beneficial society of Philadelphia.

Also (same) as committed, bill No. 1033, an act to incorporate the Sons of Herman Hall association of Philadelphia.

Mr. KURTZ (same), as committed, bill No. 1034, an act to incorporate the Shenandoah cemetery association.

Mr. WHANN (Counties and Townships), as committed, bill No. 1035, an act to alter the line between Lawrence and Mercer counties, so that the farm of Edward Hanna shall all be in Mercer county.

Mr. HARBISON (Counties and Townships), as committed, bill No. 1036, an act to vacate Johnson's lane, in Radnor township, Delaware county, Pennsylvania.

Mr. WRIGHT (Agriculture) as committed, bill No. 1037, an act extending the provisions of an act approved the seventh day of May, A. D. 1864, entitled An act to prevent cattle, horses, sheep or hogs from running at large in Bethlehem township, Northampton county, to Lower Nazareth, East Allen and Saucon townships, in said county.

Mr. PETERS (same), as committed, bill No. 1038, an act to repeal an act to prevent horses, cattle, sheep and hogs from running at large in Chillisquaque township, Northumberland county, Kelly township, Union county, and certain townships in Luzerne county, so far as the same relates to Chillisquaque township.

Mr. CHADWICK (same), as committed, bill No. 1039, an act for the protection of wild turkeys and squirrels, and for other purposes, in the county of Huntingdon.

Mr. M'PHERRIN (same), as committed, bill No. 1040, an act extending the provisions of the act entitled An act relating to dogs in Allegheny, Chester, Northampton, Schuylkill and Lancaster counties, approved the 8th day of April, 1854, to the county of Berks.

Mr. COLLINS (same), as committed, bill No. 1041, an act extending the provisions of an act repealing existing laws relating to killing beasts of prey so far as relates to the county of Venango, approved the 12th day of April, A. D. 1866.

Mr. RICHARDS (same), as committed, bill No. 1042, an act to prevent the injury or destruction of fruit, ornamental or other trees, and to protect the owners thereof, in the county of Clinton.

Mr. FOGEL (same), as committed, bill No. 1043, an act to prevent the destruction of fish in Breeches pond or lake, in Overfield township, Wyoming county.

Mr. ROUSH. (same), as committed, bill No. 1044, an act prohibiting the hunting, catching and killing of game in North Fayette township, Allegheny county.

Mr. EWING (same), with a negative recommendation, bill No. 1045, an act to extend the provisions of an act relating to the passage of fish in the Susquehanna and certain of its tributaries.

Also (same), with an amendment, bill No. 1046, an act for preserving fish in the South Pond, in the townships of Union and Ross, county of Luzerne.

Mr. MAISH (same), as committed, bill No. 1047, an act in relation to hunting and killing wild game and deer in Lycoming, Clinton, Centre, Cameron, Clearfield, Elk, Potter and M'Kean counties, and in relation to dogs in said counties.

Mr. WEBB (same), as committed. Senate bill No. 414, an act prevent the burning of the woods in the counties of Clearfield and Elk.

Mr. KENNEDY (Vice and Immorality), as committed, bill No. 1049, an act to prohibit the issuing of licenses within two miles of the First Pennsylvania State normal school, Millersburg, Lancaster county, Pennsylvania.

Mr. WEBB (same), as committed, bill No. 1050, an act to take the sense of the people of Beaver county upon the question of prohibitory liquor laws.

Mr. DEISE (same), as committed, bill No. 1051, a supplement to an act to prevent the sale of intoxicating liquors on the first day of the week, commonly called Sunday, approved February 26, 1855, relating to the county of Berks.

Also (same), as committed, bill No. 1052, an act relating to tavern licenses in Greene county.

Mr. RICHARDS (same), as committed, bill No. 1053, an act relative to the illegal sale of intoxicating drinks in the county of Mercer.

Mr. MULLIN (same), as committed, bill No. 1054, an act relating to licenses for eating houses, and prohibiting billiard saloons in the borough of Jersey Shore, in the county of Lycoming.

Mr. WOODWARD (Military), as committed, Senate bill No. 498, a supplement to an act relative to the payment of bounties by the county of Clearfield, approved February 27, 1865, extending the same.

Also (same), as committed, bill No. 1056, an act to legalize the levy and collection of certain bounty tax, to provide for a settlement, and authorize the school directors to lay an additional bounty tax in Upper Paxton township, and the borough of Gratztown, in the county of Dauphin.

Mr. WORRALL (same), as committed, bill No. 1057, a further supplement to an act to legalize bounties paid volunteers, and the bounds issued therefor, in certain townships in the county of Franklin, approved the 4th day of April, A. D. 1866, extending the provisions of said act and the supplement thereto to the township of Hamilton, in said county.

Mr. DAY (same), as committed, bill No. 1058, an act to authorize the board of supervisors of Industry township, Beaver county, to levy a bounty tax.

Also (same), with a negative recommendation, bill No. 1059, an act to authorize the supervisors of Abington township, Luzerne county, to levy a special bounty tax.

Mr. ESPY (same), as committed, bill No. 1060, an act providing for the payment to the school treasurer of Monroe township, Beaver county, the balance of the money raised for the payment of local bounties, after the payment of all claims on said township, for local bounty.

Mr. GALLAGHER (same), as committed, bill No. 1061, an act to authorize the school directors of Conestoga township, Lancaster county, to levy and collect a tax to liquidate the debt on said township created to pay bounties to volunteers.

Also (same), as committed, Senate bill No. 503, a further supplement to an act relating to local bounties, approved March 15, 1865, so far as relates to the township of Union, in Lawrence county.

Mr. PENNYPACKER (same), as committed, bill No. 1063, an act to authorize the school directors of Jefferson township, Fayette county, to levy and collect a bounty tax.

Mr. ROATH (same), as committed, bill No. 1064, a supplement to an act to secure

bounty taxes in certain wards of the city of Lancaster, approved April 4th, 1866.

Mr. LINTON (same), as committed, bill No. 1065, an act to authorize the payment of the salary of Hunter Comley as brigade inspector.

Mr. WESTBROOK (same), as committed, bill No. 1066, an act to legalize certain acts of committees and school directors of the township of Lower Milford, in the county of Lehigh, relative to the payment of bounties to volunteers.

Mr. ROUSH (same), as committed, bill No. 1067, an act to enable the board of school directors of the township of Chanceford, in the county of York, to levy and collect at once a tax sufficient to liquidate the remaining indebtedness of said township for bounty purposes.

Mr. M'HENRY (same), as committed, bill No. 1068, an act to authorize the board of school directors of the township of Brooklyn, Susquehanna county, to levy and collect a tax to pay outstanding bonds, and for other purposes.

Mr. RHOADS (same), as committed, bill No. 1069, a further supplement to an act approved May 4th, A. D. 1864, for the organization, discipline and regulation of the militia of the Commonwealth of Pennsylvania.

Also (same), as committed, bill No. 1070, an act to repeal the second section of an act authorizing the collection of a tax in Jackson township, Dauphin county, and Jefferson township, Berks county, to refund money advanced to pay bounties to volunteers.

Mr. GREGORY (Divorces), as committed, bill No. 1071, an act to annul the marriage contract between James R. Weyman and Idah M., his wife.

Mr. SATTERTHWAIT (same), with a negative recommendation, bill No. 1072, an act to annul the marriage contract between Emanuel H. Shaeffer and Harriet Shaeffer.

Mr. MARKS (Passenger Railroads), with amendment, bill No. 1073, an act to incorporate the Chester Passenger railroad company.

Mr. KIMMELL (Banks), as committed, bill No. 1074, an act to incorporate the Safety Fund association of Susquehanna Depot, Susquehanna county.

Mr. STEACY (same), as amended, bill No. 1075, an act to incorporate the Armstrong County Savings Bank.

Mr. BREEN (same), as committed, Senate bill No. 373, an act to incorporate the Macungie Savings Bank.

Mr. M'HENRY (same), as committed, bill No. 1077, an act incorporating the Savings Institution for the city of Williamsport, in the county of Lycoming.

Mr. BARRINGTON (same), as committed bill No. 1078, an act to incorporate the Miners' Saving Bank of Pittston.

Mr. BRENNAN (same), as committed, bill No. 1079, an act to incorporate the Franklin Savings Fund and Safe Deposit company.

Mr. CHASE (same), as committed, bill No. 1080, an act to incorporate the Manch Chunk Savings bank.

Mr. MECHLING (Judiciary General), as committed, bill No. 1081, an act to make valid the will of Jarvis White, a deceased soldier.

Mr. LEE (Ways and Means), as committed, bill No. 537, an act to exempt from taxation certain real estate in Philadelphia, belonging to the Jewish hospital association of Philadelphia.

Recommitted to the Committee of Ways and Means.

The hour of one o'clock having arrived, the SPEAKER adjourned the House until 3 o'clock this afternoon.

AFTERNOON SESSION.

The House met at 3 o'clock, P. M., pursuant to adjournment.

BILLS PASSED.

On motion of Mr. RICHARDS,

No. 847, an act fixing the place of holding elections in the township of Harrison, county of Bedford, at the house of Jonathan Feichtner.

On motion of Mr. WRIGHT,

An act authorizing the directors of the Middle Creek railroad company to fill a vacancy in the office of the president of said railroad, caused by the death of Abner Thomson.

BILLS IN PLACE.

By Mr. LEE,

An act to authorize the sale of certain real estate of Drusula Hess.

Referred to the Committee on Estates and Escheats.

Mr. COLVILLE asked and obtained leave to withdraw the petition of ——— Welch from the Committee on Divorces, for the purpose of presenting it to the court.

PUBLIC CALENDER.

The SPEAKER announced the first bill in order to be House bill No. 290, a further supplement to an act for the regulation and continuance of a system of education by common schools, approved the eighth day of May, Anno Domini one thousand eight hundred and fifty-four.

Mr. SHARPLES. Mr. Speaker, it was understood, yesterday, when the bill was under consideration, that a new section would be prepared to meet the desires of gentlemen here, with reference to the examination of county superintendents. That section has been prepared. I, therefore, move that the House go into committee of the whole, for purpose of special amendment.

The motion was

Agreed to.

And the amendment was inserted as follows:

IV. ELECTION OF COUNTY SUPERINTENDENTS.

SEC. 13. That no person shall hereafter be eligible to the office of county, city or borough superintendent in any county of this Commonwealth, who does not possess a diploma from a college legally empowered to grant literary degrees, a diploma or State certificate, issued according to law, by the authorities of a State normal school, a professional certificate from a county, city or borough superintendent of good standing, issued at least one year prior to the election, or a certificate of competency from the State Superintendent of Common Schools; nor shall such person be eligible unless he have a sound moral character, and has had successful experience in teaching within three years of the time of his election, and for a period altogether of not less than three years: *Provided*, That serving as county, city or borough superintendent three years, shall be deemed equivalent to three years' teaching; and the president and secretary of each convention of school directors held in any county, city or borough to elect a county, city or borough superintendent, when certifying to the Superintendent of Common Schools the name and address of the person elected county, city or borough superintendent, shall at the same time state the kind and character of the evidence upon which said convention relied for proof of the eligibility of the person so elected; and the said Superintendent of Common Schools, if, upon examination of the evidence presented, it shall prove to be such as is required by this act, and no objection being made in accordance with section fourth of the act approved April seventeenth, Anno Domini one thousand eight hundred and sixty-five, he shall issue a commission to the person, elected as aforesaid, as now required by law; but if, upon examination of said evidence of competency, it shall not prove to be such as is required by this act, or if objection be made in accordance with said section of the act approved April seventeenth, Anno Domini one thousand eight hundred and sixty-five, the said Superintendent of Common Schools shall appoint two competent persons, himself being the third, to examine the person so elected county, city or borough superintendent, and if, upon examination, he be found duly qualified for the office, the said Superintendent of Common Schools shall issue to him the usual commission, but if not, the said Superintendent of Common Schools shall proceed in like manner in respect to the person receiving the next highest number of votes in the convention of directors, who, if found qualified, shall receive the commission as aforesaid as county, city or borough superintendent; but, if his qualifications are also found insufficient, the said Superintendent of Common Schools shall appoint, with the advice and consent of the Governor of the Commonwealth, some other person, with the required qualifications, county, city or borough superintendent for the ensuing term of such office.

The bill having been gone through with in the House, the SPEAKER resumed the Chair.

Mr. CRAIG, chairman of the committee of the whole, reported the bill with an amendment.

The report was

Adopted.

On the question,

Will the House agree to the bill?

The yeas and nays were required by Mr. CHALFANT and Mr. FOGEL, and were as follow, viz:

YEAS—Messrs. Adaire, Armstrong, Barrington, Barton, Boyd, Cameron, Chadwick, Chase, Colville, Craig, Davis, Day, Donohugh, Espy, Ewing, Freeborn, Gallagher, Harbison, Humphrey, Josephs, Kennedy, Kimmell, Kinney, Lee, Leech, M'Creary, M'Kee, M'Pherrin, Maish, Mann, Markley, Marks, Mechling, Meily, Meyers, Pennypacker, Peters, Pillow, Richards, Roath, Seiler, Sharples, Steacy, Stebman, Stambaugh, Subers, Waddell, Wallace, Webb, Weller, Whann, Wharton, Wilson Wingard, Woodward, Worrall, Wright and Glass, *Speaker*—59.

NAYS—Messrs. Boyle, Breen, Brennan, Chalfant, Collins, Deise, Fogel, Harner, Headman, Hoffman, Hunt, Jenks, Jones, Kline, Koon, Kurtz, Linton, Long, M'Henry, Mullin, Phelan, Rhoads, Roush, Satterthwait, Sharp and Westbrook—26.

So the question was determined in the affirmative.

And the bill

Passed finally.

On motion of Mr. MANN, the House proceeded to the consideration of bill

No. 316, an act further to regulate the granting of licenses to hotels and eating houses.

In committee of the whole the bill was read as follows:

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same*, That when an application is made to any court of quarter sessions of this Commonwealth, for license to sell intoxicating drinks, under existing laws, it shall be lawful for said court to hear petitions, in addition to that of the applicant, in

favor of, and remonstrances against the application for such license, and thereupon to refuse the same whenever, in the opinion of said court, such license is not necessary for the accommodation of the public and entertainment of strangers and travelers, and all laws inconsistent with this section are hereby repealed.

SEC. 2. That applications for license to keep an eating-house, authorizing the sale of domestic wines, malt and brewed liquors, shall hereafter be made in the same manner and to the same authority as application for license to keep a hotel: *Provided*, That the regulation in relation to bed-rooms and beds shall not apply to applicants for an eating-house license, and the tenth section of the act of twentieth April, one thousand eight hundred and fifty-eight, authorizing county treasurers to grant an eating-house or retail brewery license is hereby repealed.

SEC. 3. No license to keep an eating-house under the provisions of the second section of this act shall be granted in any incorporated city, for a less sum than fifty dollars, nor elsewhere for a less sum than twenty dollars.

SEC. 4. If any person, after the passage of this act, shall sell domestic wines, malt or brewed liquors, in a house kept open to the public, without having obtained a license to keep an eating-house, such person shall, on conviction in the court of quarter sessions, be fined, for the first offense, in any sum not less than fifty nor more than two hundred dollars, and for the second or any subsequent offense, such person shall be fined not less than one hundred dollars, and be imprisoned in the county jail not less than thirty nor more than ninety days.

SEC. 5. That the provisions of this act shall not apply to the city of Philadelphia.

The question was on agreeing to the first section.

Mr. MECHLING. Mr. Chairman, I move to amend in the tenth line by inserting after the word "travelers," the words "and upon sufficient cause being shown, the said court shall have power to revoke any license granted by them."

Mr. BOYLE. Mr. Chairman, I suggest that is the law now. The courts can revoke a license now.

Mr. MECHLING. They can for certain offenses. But not for selling liquor on Sundays, or to persons of intemperate habits, or to minors. I know this has been the case, and is now, in Armstrong county, where convictions have been had in court after court for infringements of the license law, but the court had not the power to revoke a license after it had once been granted.

I hope this amendment will pass.

The amendment was

Agreed to.

Mr. BOYLE. Mr. Chairman, I move to strike out, in the fifth line, the words "under existing laws." I think they serve no good purpose, and tend to mislead. They do not affect the bill in any way. If these words are stricken out, and there come a change in the license law, this bill can refer to the act that may be passed as well as the laws now existing.

The amendment was

Agreed to.

Mr. BOYLE. Mr. Chairman, I move to insert the words "the house for which," before the word "such," in the ninth line.

Mr. MANN. Mr. Chairman, I hope that amendment will not be adopted. It is the license that is to be granted, and not the house. Whether a license shall be granted is the only question before the court.

I certainly see no propriety in making a reference to the house—besides the word "house" has confused the minds of the people long enough. There is an attempt, always, to get up the idea that the license is to affect the house; and if there is no license granted there is to be no house. This has been argued over since I was old enough to hear anything said on this subject. But it has no foundation in truth. If there is any demand for a public house it will continue to exist whether a license is granted or not. A delusion has been running through the license laws of this State ever since licenses were granted. Any man who complies with the requirements of the law has a perfect right to keep a public house. But it is a question, and one which the courts have to determine, whether he shall sell intoxicating drinks in that house. This is the only question this act seeks to regulate, and the only one we ought to regulate.

I hope, therefore, the amendment will not be adopted.

Mr. BOYLE. Mr. Chairman, I offer this amendment with no desire other than to perfect the bill. I think it has been the policy of the law to license houses that were considered necessary for the accommodation of the traveling public. And whenever it could be made to appear that a public house was necessary to accommodate strangers and travelers, the law designed that the proprietor should have the right to sell liquors under the restrictions imposed by the law. Now, if this bill is passed in its present shape it will be nothing more than a deception. If it happens that a judge is upon the bench who is opposed to the selling of liquor he may decide, in every case, that it is wholly unnecessary for an hotel keeper to sell liquor—that the sale of liquor is not necessary for the accommodation of the traveling public. I do not know that it could be said that the sale of liquor was, in any case, absolutely necessary for the accommodation of the public. But it is the design of the law as it stands now that public licenses, where they are necessary, shall have the right to sell liquors. I do not understand that this bill is intended to be any departure from the present law, except in the matter of granting licenses. I think, therefore, this amendment should prevail.

The amendment was

Not agreed to.

The question recurring on the section as amended,

It was

Agreed to.

The second section was read.

Mr. STUMBAUGH. Mr. Chairman, I move to amend in the first line by inserting, between the words "eating house" and the word "authorizing," the words "beer house and restaurant." Also, in the fifth line to insert the same words "eating house."

It has been decided in our court recently that a restaurant is not a beer house; that a man may sell all under license, without keeping oysters on tables, and not come within the granting of licenses by the court.

The amendment was

Agreed to.

The question recurring on the section as amended,

It was

Agreed to.

The third section was read and

Agreed to.

The fourth section was read.

Mr. MEYERS. Mr. Chairman, I move to amend the seventh line by inserting, after the word "and," the words "in the discretion of the court."

The object of this amendment is to leave it a question with the court where this would not be too severe a punishment for the second offense.

The amendment was

Agreed to.

Mr. MANN. Mr. Chairman, I move to amend in the third line by striking out the words, "to keep an eating house," and inserting the words, "authorizing him so to do."

The amendment was

Agreed to.

Mr. BOYLE. Mr. Chairman, I desire to call attention to the fact that this bill imposes a penalty for selling domestic wines and malt liquors, for the first offense a fine of not less than fifty dollars nor more than two hundred dollars. While by the existing laws the penalty for selling whisky and other spirituous liquors is not less than twenty-five dollars (as I am informed—I thought it was not less than ten), nor more than one hundred dollars. The penalty imposed for selling ale will be twice that imposed for selling whisky. This cannot be the intention of the gentlemen who framed the bill. I therefore move to strike out the words "fifty" and "two hundred" in the fifth line, and insert the words "ten" and "fifty" in their stead.

Mr. MANN. Mr. Chairman, I hope that amendment will not prevail. My experience is, that more harm is done in this class of houses than in hotels where a regularly established and open business is carried on. A public house is for the accommodation of the traveling public. If they violate the law, at present, they are fined twenty-five dollars.—These houses that are open for the express purpose of inducing the towns people to come in and idle away their time, so far as is shown by the testimony I have been able to gather on this subject, are doing far more injury in Pennsylvania than the hotels. Yet the gentleman would impose a fine of only ten dollars! I hope the good sense of the House will preserve this section as it is. If that is the judgment of the House, I propose to do away with the inconsistency to which the gentleman refers, by increasing the fine upon hotels to fifty dollars. I think we should make these laws more stringent, rather than less so. The law we are now living under is no terror to evil-doers.

It was not intended, when it was passed, to be a terror to evil-doers. It was prepared in the interest of the men who are engaged in the business of liquor selling. There is no man engaged in the sale of intoxicating drinks who cannot afford to pay a fine of twenty-five dollars every court. There is not a restaurant in any town of the size of Harrisburg that could not afford to set this law at defiance if we make the fine ten dollars, as is proposed. I hope the good sense of the House will leave this section in this respect as it now stands.

Mr. BOYLE. Mr. Chairman, the gentleman from Potter [Mr. MANN] cannot go further than I will to prevent intemperance, but I cannot consent to have this incongruity in the laws. I find I was correct in my belief that the penalty now for selling whisky is not less than ten nor more than one hundred dollars. Here we are proposing to impose five times as much penalty for selling a glass of ale. This is not at all consistent. Laws are not more effective because of excessive punishments. If punishments are moderate and frequently inflicted, it will be found that the end is attained much more effectually.

Mr. JENKS. Mr. Chairman, I move to amend by striking out the word "twenty-five" and inserting the word "ten," and by striking out the word "one hundred" and inserting "fifty."

The amendment was not

Agreed to.

The question being on the amendment of the gentleman from Fayette [Mr. BOYLE] it was not

Agreed to.

Mr. MEYERS. Mr. Chairman, I move to

amend the fourth section in the first line by inserting after the word "sell" the words "spirituous and vinous liquors."

The amendment was

Agreed to.

Mr. BOYLE. Mr. Chairman, I move to insert after the word "liquors" the words "as a beverage."

The amendment was not

Agreed to.

The question being on the section as amendment, it was

Agreed to.

The fifth section was read.

Mr. COLVILLE, Mr. Chairman, I move to amend this section by adding, after the word "Philadelphia," the words, "or county of Allegheny."

The House is well aware that yesterday we passed a license law for the county of Allegheny; it was local in its character. We would be stultifying our former action by allowing this bill to apply.

On the question,

Will the House agree to the amendment?

A division was called, when thirty-six voting in the affirmative and twenty-three in the negative,

The amendment was

Agreed to.

Mr. GALLAGHER. Mr. Chairman, I move to amend the fifth section by adding the words, "or the counties of Westmoreland and Indiana."

We have a special law in our county, and that of Indiana, which was passed last winter, comprehending the licensing of houses in such county. As I understand this act the second section allows such houses to open in our county as well as others.

I ask, as a favor, the exemption of these counties.

Mr. KOON. Mr. Chairman, I move to amend by adding, "the county of Luzerne."

Not agreed to.

Mr. JONES. Mr. Chairman, I move to amend by adding, "or the county of Berks."

Not agreed to.

Mr. STUMBAUGH. Mr. Chairman, I hope the gentleman from Westmoreland [Mr. GALLAGHER] will withdraw his amendment. This act will not compel courts to grant licenses where there is a law forbidding it.

Mr. MANN. Mr. Chairman, if the gentleman will allow me I will offer an amendment which I think will cover the ground of his objection.

After the words, "Philadelphia and Allegheny," I move to insert the following: "Nor shall this act apply to any county, township or borough, where the courts have been prohibited by law from granting such license."

The amendment was accepted and

Agreed to.

The question being on the section as amended, it was

Agreed to.

The bill having been gone through with,

In the House, the SPEAKER having resumed the Chair,

Mr. DONOHUGH, chairman of the committee of the whole, reported the bill with amendments.

The report was

Adopted.

The question was on agreeing to the first section.

Mr WADDELL. Mr. Speaker, I would like to inquire wherein this bill differs from the act of 1859. It seems to me to be word for word with that act, without the proviso it contains.

Mr. MANN. Mr. Speaker, that is a very important proviso.

The bill is plain and straightforward, and shows upon its face precisely what authority the court has. The law, as it is now, is not plain. As evidence of that, some judges interpret it in one way, and some in another. Under this section I contend there will be no mistake. The courts everywhere interpret it in the same way.

Mr. WADDELL. Mr. Speaker, I would like to ask further whether that difficulty arises in the section?

Mr. MANN. In part it does.

Mr. WADDELL. Except this provision the law we are considering is word for word with the old law. I believe there is not a single change.

Mr. MANN. Mr. Speaker, there is just the change which the gentleman from Fayette [Mr. BOYLE] sought to have put in this section, and which was left out intentionally. This section says: whenever the court shall be satisfied that such license is not necessary, whereas the old bill says: "Such house." I affirm that word "house" has misled the people of the State for fifty years or more.

Mr. WADDELL. Mr. Speaker, I have another inquiry to make. Whether or not the friends of the bill (I believe all of us are its friends) intend to confine the discretion of the court to cases where there are remonstrances filed against an application, or whether they propose to make the discretion of the court broad enough to meet all cases; whether the reading of this section would restrict the discretion of the court to cases only where remonstrances are filed? It strikes my mind that some courts might construe this section to mean that where no remonstrances are filed against an application they would be bound to grant it. I do not know what views the courts have taken in other districts, but in the district which I have the honor to represent they have construed the act of 1859 (and properly, too, as I think) broad enough to allow them to act as they please. They have refused to grant a license wherever, in their opinion, a license is not necessary. I think the same power should be given to all the courts of the Commonwealth. The courts should have full discretionary power that they may act intelligibly. I would like to hear from the gentleman who has the bill in charge upon this point.

Mr. MANN. Mr. Speaker, it seems to me that this bill is about as clear and plain as it can well be made. I have looked over this bill frequently—thought on the subject a great deal. The gentleman from Bradford did not do me much injustice when he said this was one of my crotchets. I have all my life been deeply interested on the subject of the sale of intoxicating drinks. I came to this Legislature with the firm resolve that, so far as I could, I would so vote and so act as to elevate the laws in this regard. I think this law will be quite a step in advance. I believe under this bill the courts will have all the power that the people are asking for. I would suggest, if no objection is made to the granting of licenses, it is hardly worth while to inquire whether the court has power to object. If, after twenty years education on this subject, there is no person in a town or place where an hotel is to be licensed who will object to it, I for one will say let the license be granted.

Mr. WADDELL. Mr. Speaker, it seems to me that the word "thereupon," in the eighth line, would refer to cases where objection was presented or remonstrances filed against any application.

I therefore move to amend by striking out the word "thereupon" in the eighth line of the first section and insert the words "in all cases."

The amendment was

Agreed to.

The question being on the section as amended,

It was

Agreed to.

The second section was read and

Agreed to.

The third section was read.

Mr. BREEN moved to amend by striking out the word "fifty" and inserting the word "forty-five," and in the same line striking out the word "twenty" and inserting the word "fifteen."

The amendment was

Not agreeed to.

Mr. STUMBAUGH moved to amend by inserting the words "beer house or restaurant" between the words "eating house" and "under."

The amendment was

Agreed to.

The section as amended was

Agreed to.

The fourth section was read.

Mr. JONES. Mr. Speaker, the gentleman from Northampton [Mr. MEYERS] moved to amend the bill by inserting the words "in the discretion of the court" after the word "and." It seems to me that does not cover the idea. It has been my impression that imprisonment was a necessary part of the sentence; and it was to be in the discretion of the court whether the imprisonment should be for a longer or shorter period.

I move to amend by striking out the words "in the discretion of the court," and the word "and," inserting in its place the word "or," so the section shall read, "shall be fined not less than one hundred dollars, or be imprisoned in the county jail."

I move further to amend by inserting at the end of the line the words, "or both, in the discretion of the court."

The question being on the amendment,

Mr. MANN. Mr. Speaker, I hope that the amendment will not be adopted. It strikes at one of the efficient modes of enforcing this law; it would put it in the power of any two associate judges to leave out this fine entirely. It seems to me that it is not doing justice. The judges would be besieged by the friends of every person convicted under this act, asking for a remission of the fine. It seems to me, the court should be exempt from any such annoyance and temptation; besides, the act itself ought not to be shorn of its strength. A fine imposed upon conviction for an offense is the only way the courts and the people have of securing indemnity for a violation of the law. Where persons openly and notoriously defy public opinion, what inducement is there to maintain the majesty of the law? If you go into court and convict an offender, what inducement have you for a similar prosecution at another time, if the fine which ought to be imposed to prevent the commission of a like offense is omitted? I have had this experience, and I desire, so far as I can, to relieve all others from the difficulties and annoyances which my friends and myself have experienced in this respect. I have seen men attempt to secure respect for the law by prosecuting its violators; I have seen them with their witnesses prove a violation of the law, and, after all, the court has imposed a fine of the paltry sum of one dollar. Offenses under this law are precisely of that character. Such a contingency ought not to be in doubt. Here is a class of men making money out of the violation of the law.

There is scarcely a restaurant in any town in the State that would not have made twice the money that they would be fined by this section as it stands. It is a money making violation of law, and always has been. This bill, if enforced at every court against every one of the men who violate the law in this respect, would not take from their pockets a tithe of what they have taken from the pock-

ets of the idlers of the community for years past.

Mr. JONES. Mr. Speaker, the gentleman from Potter [Mr. MANN] says the effect of this bill as it at present stands may be to fritter away time and laudable efforts by the remission of fines. Whereas the section the gentleman drew imposes a minimum fine of one hundred dollars. It occurred to me that the bill might be made more explicit; and the object I had in presenting this amendment was to make the punishment follow as a certainty. I know very well that if this section is passed proposing a heavy fine and imprisonment, that in all minor cases it will go for naught. cases differ in magnitude. Wherever there is an offense for which the community would consider imprisonment an unreasonable punishment, you could not find a jury to convict a man if such a penalty was to be imposed upon him. I think to leave the matter in the discretion of the court is the best way to secure the punishment of all cases, both small and great. It was with that object that I proposed to amend the section.

I know men frequently escape punishment simply because the penalties attached to a small offense are greater than the community believe they deserve. I think the effect of the section will, perhaps, be lost in all minor cases, if this amendment should not be adopted.

Mr. WADDELL. Mr. Speaker, I think if there is an offense which should be punished by the law with severity, it is the offense of a man who deliberately, and with malice aforethought, if you please, sells intoxicating liquors. Now, the only man who can be punished under the provisions of this section is the man who makes up his mind to wilfully and deliberately violate the law. He cannot infringe the law through any mistake or misunderstanding; he cannot do it because he has never read the law. There is not a man in the Commonwealth of Pennsylvania who does not know as well to-day as he will a year hence, that it is a violation of law to sell liquor without a license. The man who deliberately sets himself up to violate the law by opening his door and dealing out liquor stealthily, attempting to evade the law, ought to be punished with the extremest penalty.

Now, I have some commiseration sometimes for a criminal, who, through necessity, as it were, is compelled to violate the law of the land; who, to keep body and soul together, is compelled to pilfer, in order to satisfy the claims of hunger, or to cover the nakedness of his necessity; but, I think no punishment is too great for a man who makes himself a criminal by violating such a law as this. If he wants to deal out intoxicating liquors let him apply to the court, obtain his license, and then present his claims to the public for support and encouragement. We punish the man even who has a license to sell; we punish the man who sells to an intoxicated person by fine and imprisonment; we punish the man who opens his house on Sunday, and deals out intoxicating drinks by fine and imprisonment; we punish the man who sells to a minor; who sells after notice has been given not to furnish a particular class of people—we punish him by fine and imprisonment; and yet the man who stealthily deals out the very same commodity without a license, him we propose to let go by a fine or imprisonment. Is there any reason for these distinctions? They are all dealing in the same commodity; if it is wrong for a man with a license to sell under certain circumstances, it is wrong for a man to sell at all, who is not authorized so to do by the law. Therefore, I hope this House will enforce the stringent provisions of the section, and require these men, if they want to deal in intoxicating liquors, to present their application to the proper tribunal and receive the authority of that tribunal for so doing. In this way they can avoid the penalty provided. If they do not take the requisite precaution let them bear the consequences, be they what they may.

Mr. DEISE. Mr. Speaker, I am entirely opposed to this section. I think it is intended for one of two reasons; either for the benefit of lawyers or else to drive a man into carrying whisky in his own pocket.

It occurs to me we are drifting along very rapidly on this question of selling intoxicating liquors. I am here to say that I am in favor of a law that will protect the public; but the more we legislate on this subject and attempt to get up despotic laws, the further we get from the main object in view. I protest here against and call the attention of the House to the section; that "no person after the passage of this act shall sell domestic wine, malt or brewed liquors, in a house kept open for that purpose, without having obtained a license." It does not say if a man intends to violate the law; it does not provide for a wilful violation of the law; but, if any person, "after the passage of this act, shall sell domestic wine, malt or brewed liquors." It occurs to me that is all wrong. I, therefore, will favor the amendment of the gentleman from Berks [Mr. JONES], because that leaves it in the hands of the court. Where else shall we leave it? Is it to be charged here that three judges, chosen at the court of quarter sessions, have not sufficient discretion to visit a proper infliction on a violator of the law? Do you, gentlemen of the House, intend to say that the courts *must* punish? That they shall not be the judges of whether parties shall be visited with imprisonment or simply a fine? Look at your present law on the subject of violating the Sabbath. Take the records of your courts where conviction after conviction has followed; the Governor of Pennsylvania has pardoned them as fast as they have been convicted. Why? From the recommendations of the courts themselves, because they believed the penalties were too severe. Here you are re-enacting the same clause. You are giving the court no chance to discriminate. You are not saying that three judges, coming from different parts of the county, shall be permitted to judge this question fairly.

Mr. MANN. The section can be amended so as to give the court discretion in the matter of imprisonment; and that is the amendment of the gentleman from Northampton [Mr. MEYERS].

Mr. DEISE. It will not admit of that construction. You talk about the evils of intemperance, but I say the greatest possible evils are those places where aristocratic, long coat-tailed chaps go and drink the best kind of whisky and get it for nothing.

I am in favor of this amendment, because it leaves it in the hands of the court, where it properly belongs.

The gentleman from Potter seems very much afraid lest offenders against the law may make some arrangements with associate judges. Why? If a man is not properly convicted, I hold it to be the duty of a Christian court to sentence him in accordance with the dictates of justice; and I hold it to be improper for this Legislature to pass laws leaving the court without discretion where a man may have offended the law, but not wilfully. I hold where there is no intention to violate the law there should be no moral guilt. I think we are diverging from the stand-point of the friends of temperance on this floor. I think the more we attempt to create stringent laws the more difficulty will ensue. You destroy more men, you create more sinners, if I may use the expression, more criminals, by these severe punishments, than you are aware of.

Mr. JONES. Mr. Speaker, I understood the gentleman from Chester [Mr. WADDELL] to say that because this was an offense against the law it should be punished with the greatest severity. The experience of the law has been that penalties should be graduated to offenses. I believe that is admitted throughout the civilized world. If there is to be no difference between the punishment of great offenses and small offenses, it would be as well for us at once to enact the Draconian code and punish every offense against the law with death, simply because there is no excuse for its commission. There is no excuse for the commission of any crime; every man is presumed to know the law—he is obliged to know the law. If he violates it he does it deliberately, no matter what his necessities may be; therefore, if a man is to be punished with such severity as to prevent the commission of this crime altogether, why not insert the penalty of death, and thus put an end to it forever?

The object I had in view was to bring the smaller offenders to punishment, and nothing else; because this law will be disobeyed and transgressed, as every other law has been. I think it is only proper that the courts should have discretion, so far as to be able to determine between the greater and the lesser offenders; and unless there is some such provision put in this act, I am sure that many small offenders will go without any punishment whatever; because grand juries will ignore their bills. Where offenders against the law have not yet disturbed the peace, where they have not done much harm yet, where they still may come within the provisions of this section, I believe grand juries will ignore their bills, and I believe that men will continue to violate this law in the confidence that they cannot be convicted, so long as the penalty attached to the violation is so severe. It was in this view that I proposed the amendment. I think it will make the law more effective; I think the object of the measure will be better answered in this way than if the bill remains as originally presented.

Mr. WADDELL. Mr. Speaker, I understood the object of the gentleman from Berks, and I appreciated his motives, but there is just that difference, probably, between his conceptions of crime and my own. Some men might consider larceny of a man's sustenance, larceny of the clothing to cover his nakedness, as a small offense; probably it would be, yet in the eye of the law it is a great one. It is larceny.

Now, I am aware that public sentiment is rather inclined to cavil at the selling of liquor without a license; I know the disposition of the community is to regard a man as a moral criminal who deals out to his fellow man intoxicating liquors without having a license for so doing; and it is desired to some extent to correct this erroneous impression. If this Legislature considers it a crime to sell liquor without a license, then they should punish it as a crime and let the community understand that they cannot go scot free, or cannot go clear with a small fine, which they make up in a month's time or less.

What is this provision? It is not to take advantage of a man who has innocently committed an offense for the first time. It rather overlooks the commission. It subjects him to what?—to a fine of fifty dollars probably—a sum not less than fifty nor more than a hundred dollars. It is a warning to him; it is the court saying, my dear sir, you have offended the law with your eyes open, probably. This time we will impose a penalty of fifty dollars upon you, but do not do it again. If you do—if you commit this offense a second time—

what? fine you fifty dollars again? Not at all. We will imprison you. You cannot say the second time that you did not know what the law was, and that you sinned ignorantly. Here is a warning; you have been before us; you have been convicted of a crime against the penal laws of the Commonwealth, but we let you escape this time with a fine of fifty or one hundred dollars. I am at a loss to know how a man can commit a crime a second time and not do it willfully, not do it with eyes open. What does "willfully" mean?

It means simply a premeditated determination to evade the law, a premeditated determination to do that which the law prohibits; and can a man violate the penal laws of this Commonwealth the second time and not do it willfully—not do it with a premeditated determination, knowing what the law is?

Now, gentlemen, whatever the law designed for the first offense, if it says that imprisonment shall be imposed for the second offense, and if a man comes into court the second time charged with the same crime, if he is subjected to this imprisonment, is it too great for the offense he has committed? Yet that is the position taken by the gentleman from Berks—that a second commission of an offense against the laws of the land is not such as should subject a man to imprisonment. There is where I take issue with him.

If the Legislature thinks that a man who has deliberately violated the law a second time should be punished by imprisonment, let them sustain the section as it is; if they think it is not such an offense, let them take the amendment that has been offered.

The question being on the amendment of the gentleman from Berks [Mr. JONES], a division was called; when, 32 voting in the affirmative and 26 in the negative, it was

Not agreed to.

The question recurring on the section,

Mr. MEYERS moved to further amend by inserting, in the first line, after the word "sell," the words, "other than for medicinal purposes."

Mr. MANN. Mr. Speaker, I hope that amendment will not be adopted. The law already provides for druggists selling for medicinal purposes, and defines how it shall be done. If the law is violated, it will be very easy for a man to prove by the person to whom he sold the liquor that it was sold for medicinal purposes.—There is nothing harsh in the law as it stands; any person who needs liquor for medicine can be supplied.

The question being on the amendment of the gentleman from Northampton [Mr. MEYERS], it was

Not agreed to.

Mr. MEYERS. Mr. Speaker, it strikes me that the penalties inflicted by this section are too stringent when we compare them with the penalty of selling liquor on Sunday in violation of the law.

I therefore move to amend by striking out in the fifth line the word "fifty" and inserting "twenty-five," and striking out the word "two hundred" and inserting "one hundred;" in the seventh line to strike out "one hundred" and insert "fifty;" also, to amend by striking out "thirty" and inserting "ten," by striking out "ninety" and inserting "sixty."

Question on the amendment.

Mr. MECHLING. Mr. Speaker, I hope the amendment will not carry. I think it is the experience of every gentleman in this House, the result of his observation, that the penalties in this regard heretofore have been too lenient; that it is impossible to preserve the observance of the laws of the State, by the penalties which have, hitherto, been imposed. I know in western Pennsylvania a man can violate this law and be brought up every term of the court and still make money by the infractions of the law. If the Legislature designs to prevent the illegal and abusive sale of liquors, they can do it only by inflicting such fines and such imprisonments as will deter men who are disposed to violate the law in this regard. There is no use in putting a fine of ten dollars upon a man. I know, by actual observation, that in the smallest village in the county of Armstrong they make more than that every day. We might as well not pass a law as to make a fine and imprisonment in the alternative discretionery with the court. Legislatures have been too lenient in this matter. It has been the complaint of the people that because this law is not strict enough, and the penalties inflicted have not been heavy enough, it has been continually violated. If the penalty was such that a man would be imprisoned for selling liquor without a license, then we might calculate on an observance of the laws. There is no use in passing a law, if we cannot have it carried into force and effect. I object to the amendment of the gentleman from Northampton [Mr. MEYERS], because I consider it entirely too lenient, if it is our desire to even have this law carried out according to its provisions.

Mr. MEYERS. Mr. Speaker, there is a mistaken opinion held by some gentlemen on this floor with regard to the punishment of this offense. They seem to think if a man is brought up before the court of quarter sessions and indicted for a violation of this law, he can be fined only once at that court. This is a mistaken notion. Every time a man sells in violation of the law he has committed a separate and distinct offense, and can be fined and punished for each infringement of the law. Where the period of the months intervenes between the terms of the court, a party may violate the law a number of times. Half a dozen indictments could be presented against him and he be convicted and sentenced upon each.

Gentlemen insist that for the purpose of preventing offenses, we must make punishment severe. Now, is it not well known that some States have gone so far as to abolish even the death penalty for murder, and why? For the very purpose of preventing that offense. The death penalty is a worse punishment than a mere imprisonment for life, yet in those States where they have adopted imprisonment for life, murders have been less than in those States where punishment is the death penalty. But the true rule is that we make punishment certain; or, in other words, we make it correspond with the aggravation of the offense. Punishments should be imposed always and certain. We never should deviate from that. When we have a criminal in our clutches, we should hold him and make out that which the law imposes. Make your punishments certain. Grade them according to the offenses, and when you have an offender, inflict that punishment upon him. If you make the punishment high, then parties will refuse to prosecute a man for small offenses. The danger is where punishment is of an aggravated character that men will escape conviction.

If you allow this bill to pass in its present shape you make a distinction between commissions of the same offense. For a violation of the law upon the Sabbath day you inflict only a small punishment; for a mere violation of the license law you inflict a punishment that is three or four times greater. There is an inconsistency and a contradiction in this that is neither fair nor proper. I hope, therefore, this amendment will not carry. I hope, also, to see done away with the idea that this selling of liquor is such a monstrous thing that it requires stringent and extraordinary punishment different from all other offenses. Why, the very fact that we license a man to sell liquors is a violation of the law. It is a license to do evil. For the paltry sum of twenty dollars, or fifty dollars, we allow a man to sell liquor wholesale or retail to every man, woman and child in the Commonwealth; yet, if any person sells without a license you must put upon him a punishment three or four times greater than would be imposed upon a man who has a license to sell liquor for the whole year. I am in favor of sobriety and temperance. I am in favor of a stringent license law.

On the question,

Will the House agree to the amendment of the gentleman from Northampton [Mr. MEYERS]?

It was

Not agreed to.

Mr. LINTON. Mr. Speaker, I offer the following amendment—to add at the end of the section the words:

"*Provided*, That nothing in this act shall prevent the sale of liquors by druggists and apothecaries under the provisions of the act of Assembly, passed the 31st of March, 1856."

That act reads in this way:

"5. The provisions of this act shall not extend to druggists and apothecaries, who shall sell unmixed alcohol, or compound or sell any admixtures of wine, alcohol, spirituous or brewed liquors, in the preparation of medicines, or upon the written prescription of a regular practicing physician: *Provided*, That no druggist or apothecary shall sell, or keep for sale, under any name or pretense, any preparation or admixtures as aforesaid, that may be used as a beverage; and any violation of this section shall be punished in the manner prescribed in the twenty-eighth section of this act."

I fear, unless some provision of this kind is put into this bill, it will be impossible to get liquor for either medicinal or sacramental purposes.

The amendment was

Agreed to.

The fifth section was read.

Mr. MECHLING. Mr. Speaker, I offer the following amendment:

"Nor to any locality where the sale of brewed, malt, spirituous or vinous liquors is restricted to hotel keepers."

The amendment was

Agreed to.

The question recurring on the section as amended, it was

Agreed to.

Mr. STUMBAUGH. Mr. Speaker, I ask the unanimous consent of the House to insert the words "beer house and restaurant" between the words "eating house" and "under," in the fifth line of the second section.

Consent was given, and

The amendment was

Agreed to.

Mr. BOYLE moved to go into committee of the whole for general amendments.

The motion was

Not agreed to.

The title of the bill was then read, and

Agreed to.

The rules were suspended, and the bill was read a second and a third time.

The question being on the final passage of the bill,

The yeas and nays were required by Mr. RHOADS and Mr. KLINE, and were as follow, viz:

YEAS—Messrs. Adaire, Armstrong, Barton, Boyle, Brown, Cameron, Chadwick, Chase, Colville, Davis, Day, DeHaven, Donohugh, Espy, Ewing, Freeborn, Gallagher, Ghegan, Harbison, Hoffman, Humphrey, Jenks, Ken-

nedy, Kerns, Kimmell, Kinney, Kurtz, Lee, Leech, M'Creary, M'Henry, M'Kee, M'Pherrin, Mann, Marks, Mechling, Meyers, Pennypacker, Phelan, Pillow, Richards, Roath, Satterthwait, Seiler, Sharples, Shuman, Steacy, Stehman, Stumbaugh, Subers, Waddell, Wallace, Watt, Webb, Weller, Wharton, Woodward, Worrall, Wright and Glass, *Speaker*—60.

NAYS—Messrs. Barrington, Breen, Brennan, Calvin Chalfant, Colline, Craig, Deise, Fogel, Gregory, Harner, Headman, Heltzel, Jones, Kline, Koon, Linton, Maish, Mullin, Rhoads, Robinson, Roush, Tharp and Westbrook—24.

So the question was determined in the affirmative,

And the bill

Passed finally.

The next bill in order was

No. 341, an act to exempt market companies from the payment of tax on their capital stock.

The House went into committee of the whole, Mr. DAY in the chair.

The bill was read as follows:

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That from and after the passage of this act, all market companies, whose capital stock is wholly invested in real estate, and pays a tax upon such real estate, shall be exempt from the payment of tax upon their capital stock.

And not

Agreed to.

The bill having been gone through with,

In the House,

The Speaker having resumed the chair, Mr. DAY, chairman of the committee of the whole, reported the bill negatively.

The question then was on agreeing to the report of the committee.

Mr. SATTERTHWAIT. Mr. Speaker, I wish to say on that bill, before the House takes any action upon it, that it was read by myself at the suggestion of a number of my constituents and others.

The complaint of these market houses is that they are assessed the same as other real estate, and pay all the taxes that other real estate pays. The companies have no other income than the rental of this real estate. In addition to that, these companies, merely for the sake of the privileges of the act of incorporation, the privilege to sue and be sued—pay, in addition to taxes on real estate, a tax upon their net income of five per cent. In addition to that, in some counties their capital stock is taxed for township purposes. One reason why this bill was introduced, is that the different counties construe the law on this subject differently. In some counties the stock of these market houses is taxed; in other counties it is not taxed, for the reason, as it is said, that the property is taxed the same as other property. There is no reason why its stock should be assessed. If there is great objection to exempting capital stock from State tax, I will so amend it that it will not apply to the capital stock at all. Surely if the counties that are immediately interested are willing to do that, there should be no objection from any other quarter. Now, I will offer that amendment to say, "except the State tax." Then it will affect nobody but the counties interested—the counties of Montgomery, Delaware and Chester. I think they are agreed to this. It can do no injury to any other part of the State and will settle the difficulty that exists there in regard to this question.

The SPEAKER. The Chair will state that it is not in order now for the gentleman to make that motion. The question is on agreeing to the report of the committee of the whole. If the bill properly comes before the House, then the motion is in order.

Mr. KERNS. Mr. Speaker, I trust the House will agree to the report.

As far as Philadelphia is concerned, the market house is a mere matter of speculation. Large revenues are derived from the rental of these market houses.

Mr. BARTON. Mr. Speaker, I would not concur with the majority of the committee when they agree to report this bill negatively. Nor do I think that the gentleman from Philadelphia should agree to accept the report of the committee of the whole. He states that these market houses are simply a matter of speculation. I think they were built for the benefit of the citizens of Philadelphia, as much as for the protection of persons carrying produce to market, and so far as speculation is concerned, every stall in the market house is taxed ten dollars. Many of them have four or five hundred stalls, making a very neat revenue from that source alone.

Now, I ask why we should impose this tax upon the capital stock when that capital stock is invested in real estate? I do not see why these companies should be made to pay a double tax upon the amount of their capital stock. They are taxed once upon their real estate. I think it is imposing a burden too heavy to require them to pay again on the capital stock. I think it should satisfy the gentleman from Philadelphia that each and every one of these stalls is required to pay a tax of ten dollars, which is the license fee; and from that source alone a revenue of four or five thousand dollars is derived.

Mr. SATTERTHWAIT. Mr. Speaker, the gentleman from Philadelphia [Mr. KERNS] is under a mistake when he supposes that these market houses were built for speculation. The farmers who formerly stood along the curb stones in the streets were driven therefrom by an act of Assembly. They had to go somewhere or quit going to market altogether. They built these market houses from necessity. They were a necessity to the farmers and a necessity to the citizens of Philadelphia. They are alike beneficial to both.

The passage of this act can do possible injury to Philadelphia. They pay the full tax on real estate the same as other property, and there is no reason why Philadelphia should be opposed.

Mr. PENNYPACKER. Mr. Speaker, I hope the House will not agree to the report of the committee. I think, if the House does not agree and we accept the amendment of the gentleman from Montgomery to except the State tax, the bill will be acceptable.

As the gentleman remarked, the stock is held in the counties, and in many parts it is not taxed at all. I am opposed to exempting property from State tax where it will take a revenue from the State; but, if this amendment is adopted, I think it will be entirely satisfactory to this House.

On the question,

Will the House agree to the report of the committee of the whole?

The yeas and nays were required by Mr. ADAIRE and Mr. FREEBORN, and were as follow, viz:

YEAS—Messrs. Armstrong, Boyle, Brown, Chadwick, Colville, Davis, Day, Deise, Espy, Ewing, Fogel, Freeborn, Gregory, Humphrey, Kerns, Kimmell, Kinney, Koon, Lee, Leech, Linton, M'Creary, M'Henry, M'Kee, M'Pherrin, Mann, Marks, Melly, Phelan, Pillow, Richards, Roath, Roush, Shuman, Steacy, Stehman, Stumbaugh, Subers, Waddell, Wallace, Watt, Weller, Westbrook, Wham, Wharton, Woodward, Worrall and Wright—48.

NAYS—Messrs. Adaire, Barrington, Barton, Cameron, Chalfant, Chase, Craig, DeHaven, Donohugh, Ghegan, Harner, Headman, Hoffman, Hunt, Jones, Josephs, Kennedy, Kline, Long, Maish, Markley, Mechling, Meyers, Mullin, Pennypacker, Peters, Rhoads, Satterthwait, Seiler, Sharples and Webb—31.

So the question was determined in the affirmative.

And the bill fell.

The House went into committee of the whole on Senate bill No. 97.

Mr. GREGORY in the Chair.

The bill was read as follows:

AN ACT authorizing tender of money to be made after suit brought.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That in all actions for the recovery of money hereafter brought in any of the courts of this Commonwealth, or before any of the justices of the peace or aldermen thereof, the defendant, or defendants therein, shall have the right, at any time, to make to the plaintiff, or plaintiffs, or to his or their attorney, a tender of lawful money, equal to the amount he or they shall admit to be due, with all lawful costs incurred in said action, up to the date of making such tender; and if the party to whom such tender shall be made refuses to accept the same, then, in the event of the plaintiff or plaintiffs failing to recover more than the principal sum, so as aforesaid tendered, with legal interest thereon, he or they shall pay all the costs legally incurred in the said action, after the time of the tender aforesaid: *Provided,* That the said defendant or defendants shall be required to keep up said tender at every trial of the action aforesaid.

On the question,

Will the committee agree to the first section?

Mr. WADDELL. Mr. Chairman, I move to amend, in the fourth line, by inserting after the word "money," the words, "founded on contract," and in the seventh line, after the word "time," by inserting the words, "before trial."

The amendment was

Agreed to.

In the House,

The Speaker having resumed the chair,

Mr. GREGORY, chairman of the committee of the whole, reported the bill with amendments.

The bill was read as amended.

On the question,

Will the House agree to the bill?

Mr. LINTON. Mr. Speaker, I did not realize, at first, the effect of the second amendment proposed by the gentleman from Chester [Mr. WADDELL.]

As I understand, he proposes to have inserted the words, "before trial."

Now, the purpose of this bill is to permit a tender to be made after a trial more especially. The trial goes on before a justice, the evidence is there developed, and it is then understood what is due the defendant from the plaintiff. It is proposed, in this bill, that the defendant may make a tender of what is actually due after the trial, and so save himself from subsequent cost. The rule is just the same in the case of a trial before arbitrators. There defendants may tender the amount which the plaintiff can recover, and so save any costs that may accrue.

If the amendment is adopted, then after the suit has been brought to a close before some inferior tribunal, the defendant may tender the amount actually due, and in that way avoid costs. I take it that the purpose of this bill cannot be accomplished if the gentleman's amendment remains.

I, therefore, move to strike out the words "before trial."

Mr. WADDELL. Mr. Speaker, it strikes me that the difficulty in the way of the gentleman from Cambria [Mr. LINTON] is met by adding to the words which I have inserted the words "in court," so it will read "before trial in court."

I, therefore, offer that amendment to his amendment.

Mr. LINTON. That is satisfactory; I accept the amendment.

The amendment was

Agreed to.

Mr. WINGARD. Mr. Speaker, I move to further amend the bill by striking out in the seventh line the words "or to his or their attorney."

The amendment was

Agreed to.

The bill as amended was

Agreed to.

The title was read, and

Agreed to.

The rules were suspended, the bill read a third time by its title, and

The bill

Passed finally.

Mr. MANN. Mr. Speaker, I desire to ask the attention of the House now to a resolution which I sought to offer at three o'clock, and that is that a session be held to-morrow afternoon for the purpose of considering House bill No. 506, an act to ascertain and appoint the fees to be received by the several officers of the Commonwealth.

It is suggested that the resolution be amended so as to read, "and none other." I ask that the Clerk so amend.

The resolution was amendend as requested, and was

Agreed to.

SPEAKER'S TABLE.

The SPEAKER read from his chair, for concurrence, Senate bill No. 879, an act to authorize the Allegheny Valley railroad to mortgage its road and branches, and to complete the same.

BILLS PASSED.

On motion of Mr. M'KEE, the House proceeded to the consideration of Senate bill No. 879, an act to authorize the Allegheny Valley railroad to mortgage its road and branches to complete the same.

The bill was read and

Agreed to.

The title was

Agreed to.

The rules being suspended, the bill was read a second and third times, and

Passed finally.

On motion of Mr. STUMBAUGH, the House proceeded to the consideration of bill No. 987, an act relative to roads in the county of Franklin.

The bill was read and

Agreed to.

The title being

Agreed to.

The rules were suspended, the bill read a second and third time, and

Passed finally.

By request of Mr. CRAIG, the Committee on Roads, Bridges and Ferries were discharged from the further consideration of Senate bill No. 660, an act to repeal a certain act relative to the public roads in Mauch Chunk township, Carbon county, approved 5th day of March, A. D. 1866.

On motion,

The orders were suspended and the House proceeded to the consideration of the bill.

The bill was read and

Agreed to.

The title having been

Agreed to,

The rules were suspended,

The bill was read a second and third time, and

Passed finally.

On motion of Mr. FOGEL, the House proceeded to the consideration of Senate bill No. 665, an act to incorporate the city of Allentown.

The first, second, third, fourth, fifth and sixth sections were read and

Agreed to.

Pending the consideration of the seventh section,

Mr. MANN moved that the further consideration of the bill be made the special order for Monday evening next, at 7½ o'clock.

The motion was

Agreed to.

MESSAGE FROM THE SENATE.

The Clerk of the Senate being introduced, presented for concurrence bill numbered and entitled as follows, viz:

Senate bill No. 879, an act to authorize the Allegheny Valley railroad to mortgage its road and branches, and to complete the same.

On motion of Mr. WADDELL, the House then adjourned to meet to-morrow (Friday) morning at 10 o'clock.

SENATE.

FRIDAY, March 8, 1867.

The Senate met and was call to order at 10 A. M., by the SPEAKER.

Prayer was offered by the Rev. Mr. Bailey.

On motion, the reading of the Journal of yesterday was dispensed with.

PRIVATE CALENDAR.

Agreeably to order, the rules were dispensed with, and the Senate proceeded to the second reading and consideration of bills on the private calendar, numbered and entitled as follows, and said bills were disposed of as stated:

House bill No. 402, an act relating to courts of equity in cases of partition in the several counties composing the Sixth Judicial district of Pennsylvania.

Passed finally.

No. 624, an act relating to bounties in the borough of Dillsburg, in the county of York and State of Pennsylvania, validating and legalizing the assessment duplicate and warrant to collect bounty tax assessed in June, 1864, in said borough.

Laid over.

No. 625, an act to authorize the poormasters of Hamlin township, M'Kean county, to levy additional poor tax.

Passed finally.

House bill No. 476, an act to incorporate the Williamsport hall and market company, approved the 20th day of April, 1866.

Passed finally.

House bill No. 480, an act to extend the provisions of an act laying a tax on dogs in certain townships in the county of Chester; relative to elections in West Philadelphia, and to assessors in Millerstown, Perry county, approved the 11th day of March, 1850, so far provides for the taxing of dogs, to the township of Londonderry, in the county of Chester.

Passed finally.

House bill No. 455, an act relative to the payment of street and road damages in the county of Dauphin.

Passed finally.

House bill No. 397, a further supplement to an act, passed the 18th day of March, 1862, to authorize the arrest of professional thieves, burglars, et cetera, in the city of Philadelphia.

Passed finally.

House bill No. 398, an act to increase the pay of the assessors of Lehigh county.

Not agreed to.

House bill No. 400, an act to repeal an act relative to the coroner of Armstrong county.

Passed finally.

House bill No. 395, an act relating to the fees of the district attorney for the county of Greene.

Amended, on motion of Mr. JACKSON, by making it apply to the county of Sullivan, and

Passed finally.

House bill No. 490, an act supplementary to an act incorporating the town of Lawrenceville into a borough, approved the 18th day of February, A. D. 1834.

Passed finally.

House bill No. 310, an act relative to the fees of certain township and county officers in the county of Beaver.

Laid over.

House bill No. 381, an act authorizing the Governor to appoint an additional notary public for the borough of Milton, Northumberland county.

Passed finally.

House bill No. 311, an act to authorize the supervisors of West Branch township, Potter county, to levy an additional road tax.

Amended, on motion of Mr. COWLES, and

Passed finally.

House bill No. 382, an act to extend the provisions of an act entitled An act relative to mechanics' liens in the counties of Luzerne and Schuylkill, approved February 17, A. D. 1858, to the county of Northumberland.

Passed finally.

House bill No. 385, an act relative to the pay of auditors in the county of Butler.

Passed finally.

House bill No. 387, an act relative to the fees of the coroner of Allegheny county.

Passed finally.

House bill No. 391, an act to authorize the Governor to appoint two additional notaries public for the city of Philadelphia.

Amended, on motion of Mr. CONNELL, by increasing the number of notaries to five.

Passed finally.

House bill No. 415, an act giving the town council of the borough of Mauch Chunk the right to make and build drains, sewers and sluices in said borough.

Passed finally.

No. 644, an act to incorporate the Whitmer Run improvement company, in the county of Clearfield.

Amended, on motion of Mr. WALLACE, by adding the word "North" before the word "Whitmer" wherever it occurs.

Passed finally.

No. 645, an act to incorporate the the Goodwin Consolidated mining company.

Amended and

Passed finally.

No. 646, an act to incorporate the Union Mutual fire insurance company of Pennsylvania.

Passed finally.

No. 647, an act to incorporate the Prairie du Chien mining company, of Nevada.

Amended.

Passed finally.

House bill No. 471, an act to incorporate the Lincoln steam fire hose company, in the city of Philadelphia, and to authorize said company to erect a market house.

Passed finally.

House bill No. 465, an act to incorporate the American university of Philadelphia.

Objected off.

Daily Legislative Record.

FOR THE SESSION OF 1867.

PUBLISHED BY AUTHORITY OF THE LEGISLATURE OF PENNSYLVANIA. No. 67.

TERMS OF THE DAILY RECORD.

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[CONTINUED FROM PAGE 528.]

No. 651, an act to incorporate the National peat company.

Amended.

Passed finally.

House bill No. 30, a supplement to an act to incorporate the Montana gold and silver mining company, approved the 23d day of March, A. D. 1865.

Passed finally.

No. 653, an act to incorporate the Washington Township mining, manufacturing and improvement company, of Schuylkill county.

Amended.

Passed finally.

No. 654, an act to incorporate the Dunmore gas and water company.

Passed finally.

House bill No. 441, an act to incorporate the Pacific gold mining company.

Passed finally.

House bill No. 559, a supplement to an act to incorporate the Fidelity insurance, trust and safe deposit company of the city of Philadelphia, passed the 22d day of March, A. D. 1866.

Passed finally.

No. 657, an act to repeal parts of an act, approved the 11th day of April, A. D. 1866, entitled A further supplement to an act to authorize the Governor to incorporate the Susquehanna canal company, approved April 15, 1835.

Objected off.

No. 663, an act for the relief of John Tiernan, late treasurer of Fayette county.

Passed finally.

No. 666, a further supplement to an act incorporating the borough of Allentown.

Passed finally.

House bill No. 451, a supplement to an act incorporating the Hollidaysburg and Altoona plank road company.

Passed finally.

House bill No. 419, an act to incorporate the Pine Creek bridge company.

Amended, on motion of Mr. COWLES.

Passed finally.

No. 671, an act to reduce the width of Lehman street, in the Twenty-second ward of the city of Philadelphia.

Passed finally.

House bill No. 254, an act to vacate part of Woodpecker or Rising Sun lane, in the Twenty-first ward of the city of Philadelphia.

Passed finally.

No. 674, a further supplement to an act in relation to the construction and repairs of roads and bridges in Lower Merion township, Montgomery county, approved March 2, 1866.

Passed finally.

No. 679, an act to incorporate the People's bridge company of Harrisburg.

Passed finally.

No. 688, an act to regulate the fees of the directors of the poor and house of employment in the county of Bedford.

Passed finally.

No. 689, an act relating to the office of county treasurer in Allegheny county.

Passed finally.

No. 690, an act relative to auctioneers in the borough of Lewisburg, Union county.

Passed finally.

No. 691, an act to increase the compensation of the supervisors of roads in the township of Hilltown, Bucks county.

Passed finally.

No. 692, an act to incorporate the American dredging company.

Passed finally.

No. 693, an additional supplement to the act to incorporate the city of Corry, approved the 8th day of March, A. D. 1866.

Passed finally.

No. 694, an act to enable the parties interested under a certain indenture of trust from Christopher Loeser to William S. Wetmore and others, dated October 28, 1854, to become a mining company.

Amended, and

Passed finally.

House bill No. 563, a further supplement to an act to authorize the Cranberry coal company to construct a railroad.

This bill being first laid over at the request of Mr. BROWN (Mercer), was reconsidered after the calendar had been gone through with at his request.

Mr. BROWN (Mercer) then explained that they were authorized by the act of 1864 to build a railroad from the coal mines to Oil City, and by the terms of that act they were compelled to be common carriers. So far as that railroad was concerned they were not to charge a greater toll than customary on other roads. This act proposes to relieve that company from the responsibility of common carriers. That is the gist of the bill. He would content himself with calling the yeas and nays on its final passage.

Mr. RIDGWAY said there was nothing wrong in the bill. The railroad was five miles in length, with a very heavy grade. It costs them seven cents a ton to carry, and they do not want to be forced to carry at the present rates, as it caused them to sustain a loss of about one-half.

On the final passage of the bill,

The yeas and nays were required by Mr. BROWN (Mercer) and Mr. RIDGWAY, and were as follow, viz:

YEAS—Messrs. Bigham, Billingfelt, Burnett, Connell, Davis, Donovan, Fisher, Glatz, Graham, Haines, James, Landon, Lowry, M'Candless, M'Conaughy, Randall, Ridgway, Royer, Schall, Taylor, Wallace, White, Worthington and Hall, *Speaker*—24.

NAYS—Mr. Brown (Mercer)—1.

So the bill

Passed finally.

No. 696, an act to incorporate the Empire slate company.

Passed finally.

No. 697, an act to incorporate the Monongahela inclined plane company.

Passed finally.

No. 698, an act to incorporate the People's gas company of Wilkesbarre.

Passed finally.

No. 699, an act to authorize Allen K. Williams to construct a ferry over Oil creek, at or near the township lines of Allegheny and Cherry Tree, in Venango county, Pennsylvania.

Passed finally.

No. 700, an act to incorporate the Co-operative association of Wilkesbarre, No. 1, in the borough of Wilkesbarre, for mercantile purposes.

Passed finally.

No. 701, an act to incorporate the Enterprise gas light company.

Passed finally.

No. 702, an act to incorporate the Pittston Industrial Co-operative association, No. 1, in the borough of Pittston, for mercantile purposes.

Passed finally.

House bill No. 467, an act to incorporate the Spruce Grove lumber and land company.

Amended, on motion of Mr. BURNETT, and

Passed finally.

House bill No. 521, an act to incorporate the Farmers' Union Mutual fire insurance company of Pennsylvania.

Passed finally.

House bill No. 458, an act to confirm the title of John Hanley to certain real estate in the city of Philadelphia.

Passed finally.

House bill No. 555, an act to authorize the owners of certain mills on the Delaware river, at Morrisville, to extend their wing dam.

Laid over.

No. 707, an act to repeal the first section of an act, approved the first day of April, A. D. 1792, declaring the Little Lehigh a public highway.

Passed finally.

House bill No. 509, an act to repeal an act authorizing a public ferry over the Allegheny river, in Warren county, approved April 10, A. D. 1862.

Passed finally.

No. 709, a supplement to an act incorporating the Ephrata and Lancaster railroad company, approved the 21st day of March, A. D. 1866, authorizing them to extend said railroad to the Conestoga creek, below the city of Lancaster.

Passed finally.

No. 710, an act to authorize the Lehigh Valley railroad company to build branch railroads.

Objected off.

House bill No. 527, an act to change the place of holding elections in Allegheny township, Venango county.

Laid over.

House bill No. 362, joint resolution relative to the printing of the Pennsylvania State Agricultural society's reports.

Objected off.

House bill No. 478, an act to prohibit the

entrapping, ensnaring or capturing of wild turkeys and partridges by any other means than shooting, in the county of Blair.

Passed finally.

No. 714, an act to prevent the destruction of bass in Evitt's creek and tributaries, and the Raystown Branch of the Juniata and tributaries, in the county of Bedford.

Laid over.

No. 715, an act to prohibit the taking of fish with nets in any of the streams of Monroe county.

Passed finally.

House bill No. 524, an act for the better regulation of public halls and places of amusement in the city of Philadelphia.

Amended, on motion of Mr. BIGHAM, by making it apply also to the cities of Allegheny and Pittsburg.

Passed finally.

House bill No. 482, an act to extend the provisions of an act to prohibit the issuing of licenses within certain boroughs in the counties of Armstrong, Potter, Indiana and Perry, or within two miles of the same, in the counties in which such boroughs are located, approved the 27th day of March, 1866, to the boroughs of New Alexandria and Bolivar, in the county of Westmoreland.

Passed finally.

House bill No. 518, an act to prohibit the sale of intoxicating drinks in the townships of Economy and Independence, in the county of Beaver.

Passed finally.

House bill No. 491, an act to exempt the parsonage of the Park Presbyterian church congregation in the city of Erie, Pennsylvania, from taxation.

Laid over.

No. 723, an act to incorporate the Caledonia iron company.

The title and bill were amended, on motion of Mr. M'CONAUGHY.

Passed finally

No. 725, a supplement to the act incorporating the Jackson mining company.

Passed finally.

No. 726, an act to incorporate the Wilkesbarre transportation company.

Laid over on third reading.

No. 727, a supplement to an act to incorporate the Union coal company, approved the 29th day of April, A. D. 1864.

Passed finally.

No. 728, an act to incorporate the Silver Brook coal company.

Passed finally.

No. 729, an act to incorporate the Hillside coal and iron company.

Laid over.

No. 730, an act to incorporate the Co-operative association of East Birmingham, in the county of Allegheny, for mercantile purposes.

Passed finally.

House bill No. 585, an act to incorporate the Pennsylvania society for the prevention of cruelty to animals.

Passed finally.

No. 732, an act to incorporate the Wrightsville iron company.

Amended and

Passed finally.

No. 733, an act to incorporate the Riverside coal company.

Amended and

Passed finally.

House bill No. 576, an act to incorporate the Lycoming trout and improvement company.

Objected off.

No. 785, an act to extend the time for the commencement and completion of the People's railroad company and giving additional powers.

Passed finally.

No. 736, an act to attach certain lands and tenements in Napier township, Bedford county, and the persons residing thereon, to Schellsburg borough for school purposes.

Passed finally.

House bill No. 526, an act to authorize the board of school directors of Venango City, Venango county, to borrow money.

Amended; on motion of Mr. BROWN (Mercer).

Passed finally.

No. 738, an act relative to the collection of school tax in the township of Doylestown Bucks county.

Passed finally.

No. 742, an act to open, straighten and widen Baltimore avenue, in the Twenty-seventh ward of the city of Philadelphia.

Passed finally.

No. 743, an act to lay out a State road in Lehigh and Bucks counties.

Passed finally.

House bill No. 571, an act to repeal the fifth section of an act, entitled An act relating to roads and bridges in certain townships in the county of Lawrence.

Passed finally.

No. 745, an act relating to an increase of tolls on the Greensburg and Pittsburg turnpike road.

Laid over.

House bill No. 569, an act authorizing the supervisors of Blythe and Norwegian townships, Schuylkill county, to make and repair the public roads, bridges and culverts in said townships.

Passed finally.

House bill No. 568, a supplement to an act to incorporate the White Deer bridge company, approved the 23d day of March, A. D. 1849.

Passed finally.

House bill No. 570, an act to incorporate the Shickshinny and New Columbus Borough turnpike road company, in the county of Luzerne.

Passed finally.

House bill No. 552, an act providing for the election of an additional supervisor in Penn township, Westmoreland county.

Passed finally.

House bill No. 263, a supplement to an act to incorporate the Titusville and Pithole plank road company, approved the 2d day of March, 1866.

Passed finally.

House bill No. 508, an act to repeal an act authorizing the road commissioners of Sugar Grove township, Warren county, to levy an additional road tax, approved February 17, 1865.

Passed finally.

House bill No. 513, an act changing the time of holding the annual meeting and election of president, managers and treasurer of the Greenlane and Goshenhoppen turnpike road company, and the time for declaring the dividends of said company.

Passed finally.

House bill No. 537, an act to incorporate the Greensbprg Masonic fund for the building of a Masonic hall.

Amended, on motion of Mr. WHITE.

Passed finally.

No. 761, an act to restrict the operations of the act entitled An act declaratory of the law relating to taking up lumber, and prohibiting the floating of loose saw logs in the Susquehanna river, between the town of Northumberland and the line of the State of Maryland, approved December 4, 1866.

Objected off.

No. 762, an act to incorporate the Coopersburg savings institution.

Amended.

Passed finally.

House bill No. 320, an act incorporating the Mechanics' Savings Bank.

Amended.

Passed finally.

House bill No. 328, an act to incorporate the Meadville savings and loan company.

Amended, on motion of Mr. LOWRY.

Passed finally.

House bill No. 418, an act relative to the *per capita* tax to be assessed by the water directors of the town of Aaronsburg, county of Centre.

Passed finally.

No. 766, an act to incorporate the South Witmer Run navigation company, in the county of Clearfield.

Passed finally.

House bill No. 481, an act relating to fish and game in the county of Lawrence.

Laid over on third reading.

No. 769, an act for the relief of Mrs. Mary Ann Gordon, widow and executrix of Hiram B. Gordon, deceased, late register of wills, recorder of deeds, and clerk of the orphans' court of the county of Venango.

The bill was read.

An explanation being desired,

Mr. BROWN (Mercer) said that the bill on its face sets forth many facts relative to the case. Mrs. Gordon is the widow of the late register and recorder of the county of Venango. At the time of the death of her husband, the amount named in this bill was due the Commonwealth from him, and owing to the failure of Culver, Penn & Co., and of other failures which followed in consequence thereof, not only this amount, but an amount ten times as great, was swept away.

Mrs. Gordon is the owner of a little house, probably worth one thousand five hundred dollars or two thousand dollars, in which she now resides, and if the Commonwealth enforces the collection of this amount it will sweep from her her last dollar, leaving her with a large family of small, helpless children to fight her way through the world, without means and without a place of shelter. The whole matter was presented to the Finance Committee, and after three or four weeks of deliberation, it was resolved to report this bill with an affirmative recommendation. I am prepared to vote for it, believing that it is right.

The bill

Passed finally.

House bill No. 253, a further supplement to an act to incorporate the city of Carbondale.

Passed finally.

The following bills, laid over on calendar of February 27, were read a second time and disposed of as stated:

No. 115, an act for the more impartial selection of persons to serve as jurors in York county.

Laid over.

No. 185, a further supplement to the act to incorporate the city of Philadelphia, approved February 2, 1854, relative to vacancies in elective officers.

Laid over.

No. 409, a further supplement to an act increasing the fees of the several county officers of this Commonwealth, except in the city of Philadelphia, and the counties of Allegheny, Bradford, Susquehanna and Sullivan, approved March 30, A. D. 1865.

Objected off.

House bill 289, an act to authorize the school directors of the borough of Lock Haven, county of Clinton, to borrow money for building purposes.

Passed finally.

House bill No. 271, a supplement to an act to incorporate the Red Bank navigation company.

Amended, on motion Mr. WHITE.

Passed finally.

House bill No. 260, an act to amend and correct an error therein entitled A supplement to an act entitled An act appointing commissioners to lay out and open a State road in the counties of Cameron and Potter, approved the 21st day of March, A. D. 1865, approved 4th of April, A. D. 1866.

Passed finally.

House bill No. 264, an act to repeal an act to incorporate the Pine Creek bridge company, approved the 3d day of March, A. D. 1852.

Passed finally.

House bill No. 190, an act to incorporate the Rouseville bridge company.

Passed finally.

No. 564, an act to transfer the counties of Monroe, Pike, Wayne, Susquehanna, Bradford, Wyoming, Luzerne and Carbon, and add the same to the Northern district of the Supreme Court.

Passed finally.

House bill No. 414, an act to vacate a portion of Clarion street, in the borough of Bridgewater, Beaver county, authorizing the portion vacated to be disposed of for the benefit of said borough.

Laid over.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

The Clerk of the House Representatives being introduced, presented for concurrence bills numbered and entitled as follows, viz:

No. 316, an act further to regulate the granting of licenses to hotels and eating houses.

Referred to the Committee on Vice and Immorality.

No. 987, an act relative to roads in the county of Franklin.

Referred to the Committee on Roads and Bridges.

No. 1082, an act authorizing the directors of the Middle Creek railroad company to fill the vacancy in the office of president of said railroad, caused by the death of Abner Thompson.

Referred to the Committee on Railroads.

No. 290, a further supplement to an act for the regulation and continuance of a system of education by common schools, approved the 8th day of May, A. D. 1854.

Referred to the Committee on Education.

He also returned bills from the Senate numbered and entitled as follows, viz:

No. 26, an act to authorize the payment of State agents at Washington.

No. 660, an act to repeal a certain act relative to the public road in Mauch Chunk township, Carbon county, approved 16th March, A. D. 1866.

No. 879, an act to authorize the Allegheny Valley railroad to mortgage its road and branches to complete the same,

With information that the House of Representatives has passed the same without amendments.

He also returned bill from the Senate numbered and entitled as follows, viz:

No. 97, an act authorizing the tender of money to be made after suit brought,

With information that the House of Representatives has passed the same with amendments in which the concurrence of the Senate is requested.

On motion of Mr. WALLACE, said amendments, were read a second time and concurred in.

BILLS IN PLACE.

On leave,

Mr. BROWNE (Lawrence) read in his place and presented to the Chair a bill entitled A supplement to an act to abolish imprisonment for debt, and to punish fraudulent debtors, approved July 12, 1847.

Referred to the Committee on the Judiciary General.

Mr. STUTZMAN, a bill entitled An act to extend the time for the payment of the enrollment tax on an act entitled An act to incorporate the Keystone coal and manufacturing company of Somerset county.

Referred to the Committee on the Judiciary Local.

Mr. WALLACE, a bill entitled An act supplementary to an act, approved February 20, 1867, entitled An act to enable the Pennsylvania Cannel coal and railroad company to borrow money, and to change the corporate name of said company, and confirm the title to real estate belonging to said company, and directing in what manner the mortgage authorized in said act shall be approved by the stockholders of said company, and to ratify the consolidation of certain companies under said act of Assembly.

Referred to the Committee on Corporations.

REPORTS FROM COMMITTEES.

On leave,

Mr. BROWNE (Lawrence), from the Committee on Education, reported, with amendments, a bill entitled An act relative to the election of school directors and supervisors of roads in the township of Allegheny, in the county of Armstrong.

Mr. SHOEMAKER, from the Committee on the Judiciary Local, as committed, a bill entitled An act supplementary to an act entitled An act relating to the sale and conveyance of real estate, approved April 18, 1853, authorizing acknowledgments before one judge.

BILLS PASSED.

On motion of Mr. M'CONAUGHY, the Committee on Roads and Bridges was discharged from the further consideration of bill entitled An act relative to roads in the county of Franklin, and the Senate proceeded to the consideration of the same.

And the rules having been dispensed with,

The bill was read a second and third time, and

Passed finally.

On motion of Mr. GRAHAM, the Committee on the Judiciary Local was discharged from the further consideration of bill entitled A further supplement to an act incorporating the town of Lawrenceville into a borough, approved February 10, A. D. 1834, and the Senate proceeded to the consideration of the same.

And the rules having been dispensed with,

The bill was read a second and third time, and

Passed finally.

On motion of Mr. HAINES, the Committee on Railroads was discharged from the further consideration of a bill entitled An act authorizing the directors of the Middle Creek railroad company to fill the vacancy in the office of the president of said railroad, caused by the death of Abner Thompson, and the Senate proceeded to the consideration of the same.

And the rules having been dispensed with,

The bill was read a second and third time, and

Passed finally.

On motion of Mr. JACKSON, the Committee on Corporations was discharged from the further consideration of a bill entitled A supplement to an act incorporating the M'Connell mineral company, changing the name thereof, increasing the quantity of land to be held by said company, and authorizing the extension of their railroad, and the Senate proceed to the consideration of the same.

And the rules having been dispensed with,

The bill was read a second and third time, and

Passed finally.

On motion of Mr. WALLACE, the Committee on Corporations was discharged from the further consideration of a bill entitled An act supplementary to an act, approved February 20, 1867, entitled Act to enable the Pennsylvania Cannel coal and railroad company to borrow money, and to change the corporate name of said company, and confirm the title to real estate belonging to said company, and directing in what manner the mortgage authorized in said act shall be approved by the stockholders of said company, and to ratify the consolidation of certain companies under said act of Assembly.

And the rules having been dispensed with,

The bill was read a second and third time, and

Passed finally.

On motion of Mr. BROWN (Mercer), the rules were dispensed with, and the Senate proceeded to the consideration of a bill entitled A supplement to an act to authorize the road commissioners of Freehold township to levy an additional tax, approved April 11, A. D. 1866, and the Senate proceeded to the consideration of the same.

The bill was read a second and third time, and

Passed finally.

On motion of Mr. TAYLOR, the rules were dispensed with, and the Senate proceeded to the consideration of a bill entitled A supplement to an act relative to road laws in East Bethlehem and East Pike Run townships, Washington county, extending the same to Cecil township, said county.

The bill was read a second and third time, and

Passed finally.

On motion of Mr. BROWNE (Lawrence), the Committee on the Judictary Local was discharged from the further consideration of a bill entitled An act changing the number of overseers of the poor in the borough of Butler, and authorizing the overseers of said borough to make sale of certain real estate, and the Senate proceeded to the consideration of the same.

And the rules having been dispensed with,

The bill was read a second and third time, and

Passed finally.

TEMPORARY ADJOURNMENT.

Mr. COLEMAN moved that when the Senate adjourn this morning it adjourn to meet at 10 o'clock on Tuesday morning next.

The motion was

Agreed to.

LECTURE BY JAMES R. SNOWDEN.

Mr. BIGHAM offered the following resolution, which was twice read:

Resolved (if the House of Representatives

concus), That the Hon. James R. Snowden, of Philadelphia, be invited to deliver his address on "Cornplanter," in the Hall of the House of Representatives, on next Thursday evening, March 14, at 8 o'clock.

The resolution was adopted.

VOTE RECONSIDERED.

Mr. RANDALL moved that the Senate reconsider the vote on the first section of a bill entitled A further supplement to an act entitled An act to enable joint tenants, tenants in common, and adjoining owners of mineral lands in this Commonwealth to manage and develop the same, approved April 21st, A. D. 1854.

The motion was

Agreed to.

The bill being again before the Senate,

Mr. RANDALL moved to postpone the further consideration of the same for the present.

The motion was

Agreed to.

MESSAGES FROM THE GOVERNOR.

The Deputy Secretary of the Commonwealth being introduced, presented the following message in writing from the Governor:

EXECUTIVE CHAMBER,
HARRISBURG, PA., March 8, 1867.

To the Senate of the Commonwealth of Pennsylvania:

GENTLEMEN—On the 13th February, ult., I received from your honorable body the following resolution:

"*Resolved*, That the Governor be requested to inform the Senate how many persons are in prison within this Commonwealth under sentence of death, or convicted of murder in the first degree, on the 5th day of January, 1867, together with the date of sentence, place of conviction, and such other facts as may be in his possession in regard thereto; and if such information be not in his possession, then to obtain the same and lay it before the Senate at an early day."

The desired information was not in this department, or that of the Secretary of the Commonwealth. On the 14th of February, I addressed to the sheriff of each county in the State (accompanied by a copy of said resolution) the following letter:

To the Sheriff of ——:

SIR—In compliance with the following resolution of the Senate of the Commonwealth of Pennsylvania, you will immediately, on receipt hereof, report to me all information required by said resolution so far as relates to the prison under your charge.

Very respectfully,
Your obedient servant,
JNO. W. GEARY,
Governor of Pennsylvania.

Replies have been received from all the counties except four, viz: Forest, Franklin, Snyder and Sullivan, which have failed to respond, although twice addressed upon the subject. As they probably have no criminals of the class referred to, rather than delay any longer, I communicate to your honorable body the information received in tabular statement, herewith submitted, giving the desired information as of the date of 14th February, 1867.

I have the honor to be,
Most respectfully,
Your obedient servant,
JNO. W. GEARY.

COUNTIES.	Name.	Murder in the 1st degree.	Under sentence of death.	Date of sentence.	REMARKS.
Adams					
Allegheny					
Armstrong					
Beaver					
Bedford					
Berks					
Blair					
Bradford					
Bucks					
Butler					
Cambria					
Cameron					
Carbon					
Centre					
Chester					
Clation					
Clearfield					
Clinton					
Columbia					
Crawford					
Cumberland					
Dauphin					
Delaware					
Elk					
Erie					
Fayette					
Forest					
Franklin					
Fulton					
Greene					
Huntingdon					
Indiana					
Jefferson					
Juniata					
Lancaster					
Lawrence					
Lebanon					
Lehigh					
Luzerne	Alex B. Wiley	1	1	Jan. 7, 1867.	Death warrant issued for execution of said Wiley on March 15, 1867.
Lycoming					
M'Kean					
Mercer					
Mifflin					
Monroe					
Montgomery	Jos. Haddopp alias Fred. Haddopp.	1	1	Nov 1866	Death warrant issued by Gov. Curtin Dec. 24, '66, for execution of said Haddopp on Feb. 6, '67—carried into effect on said day.
Montour					
Northumberland					
Perry					
Philadelphia	Ed. Ford,	1	1	May 31, 1851.	Death warrant never issued.
"	Jerry Dixon,	1	1	May 30, 1863.	" " "
"	Patrick Finigan,	1	1	Feb'y 9, 1863.	Death warrant issued May 18, '63, respited Sep. 11, '63, until Oct. 28, '63, respited Oct. 22, '63, indefinitely.
"	Newton Campion.	1	1	Dec. 1, 1866.	Death warrant not issued on account of insanity of said Campion.
Pike					
Potter					
Schuylkill					
Snyder					
Somerset					
Sullivan					
Susquehanna					
Tioga					
Union					
Venango					
Warren					
Washington					
Wayne					
Westmoreland					
Wyoming					
York	W. Donovan	1	1		Convicted Nov. ses., '66, of murder in the 1st degree—not sentenced—motion pending for new trial.

The Deputy Secretary of the Commonwealth also presented the following message from the Governor:

EXECUTIVE CHAMBER,
HARRISBURG, PA., March 8, 1867.

To the Senate and House of Representatives of the Commonwealth Pennsylvania:

GENTLEMEN—I have approved and signed the following acts of the General Assembly, to-wit:

On the 6th instant:

A further supplement to an act to incorporate the Mifflin and Centre County railroad.

An act to authorize the town council of the borough of Middletown, in the county of Dauphin, to borrow money to pay off the present indebtedness of said borough, and to provide for the payment thereof, also for the future government of said borough, by an increased rate of taxation.

A further supplement to an act relating to inspections, approved April 15, A. D. 1830, and the several supplements thereto.

An act to incorporate the Gettysburg asylum for invalid soldiers, and to raise funds therefor, and for the security and preserving of the battle ground of Gettysburg.

A supplement to an act to change the mode of criminal proceedings in the county of Warren.

A further supplement to the act incorporating the borough of South Erie.

An act to incorporate the Local Express company of Wilkesbarre.

On the 7th instant:

An act to reduce the capital stock of the Stroudsburg Bank.

An act authorizing the commissioners of Mercer county to purchase a lot of ground for a jail, and to sell the jail now erected.

An act granting a pension to William M'Farland.

An act relating to the Columbia bridge company.

An act to authorize the Governor to transfer to the Reynolds monument committee unserviceable and condemned ordnance.

A supplement to an act to incorporate the Coatesville, Mortonville and Doe Run plank road company, and relative to the repair of public roads in Birmingham township, Delaware county, and relative to the Darby and Upper Darby plank road company, approved March 28, 1853, and extending the provisions of certain sections thereof to Bart township, Lancaster county.

An act establishing a ferry on the Monongahela river at the town of California, in the county of Washington.

An act to change the bed of the Cowanesque river in the county of Tioga.

An act authorizing and requiring the school directors of Mercer township and Harrisville borough, in the county of Butler, to levy a bounty tax, and for the repeal of all former acts relating to bounties in said district.

JNO. W. GEARY.

Laid on the table.

The hour of one having arrived, the SPEAKER adjourned the Senate until Tuesday morning next at ten o'clock.

HOUSE OF REPRESENTATIVES.

FRIDAY, March 8, 1867.

The House met at 10 o'clock, A. M.

Prayer was offered by the Rev. J. KENNEDY, member from Wyoming.

The SPEAKER announced a quorum of members present.

The Journal of yesterday was partly read, when,

On motion of Mr. MARKLEY, the further reading of the same was dispensed with.

PETITIONS, MEMORIALS, &C.

Mr. BROWN, two petitions from citizens of Mifflin county, for the sale of the poor house and farm in said county.

Referred to the Committee on the Judiciary Local.

Mr. M'KEE, a remonstrance from inhabitants of North Fayette township, Allegheny county, against the repeal of an act, approved March 13th, A. D. 1866, relative to the election of additional officers, and changing the manner of collecting taxes in said township.

Referred to the Committee on the Judiciary Local.

Mr. CRAIG, two petitions from citizens of Monroe county, for the passage of an act requiring traveling hawkers and peddlers to take out license.

Referred to the Committee on the Judiciary Local.

Also, a petition from citizens of Hamilton township, Monroe county, for the passage of an act extending the provisions of an act approved April 11, 1866, entitled An act to increase the bounty tax in Stroud township, Monroe county, &c., to the township of Hamilton, in said county of Monroe.

Referred to the Committee on the Judiciary Local.

Mr. LINTON, a petition from citizens of Cambria county, praying for increase of pay to supervisors, township auditors, town clerks and assessors in said county.

Referred to the Committee on the Judiciary Local.

Mr. RICHARDS, a petition from fifty-five citizens of Fulton county, praying for the passage of a free railroad law.

Referred to the Committee on Railroads.

Also, a petition from one hundred and forty-nine citizens of Fulton county, of like import.

Referred to the Committee on Railroads.

Also, a petition from one hundred and forty-nine citizens of Fulton county, of like import.

Referred to the Committee on Railroads.

Mr. WEBB, a petition from citizens of Bradford county, praying for the passage of a law to compel the Northern Central railroad to fence the road now occupied by them, formerly known as the Williamsport and Elmira railroad.

Referred to the Committee on Railroads.

Mr. BOYD, a petition from citizens of York county, praying for a modification of the laws relating to catching lumber and saw logs, on the Susquehanna river.

Referred to the Committee on Roads, Bridges and Ferries.

Also, a petition from citizens of Peach Bottom township, in York county, praying for a modification of road laws of said township.

Referred to the Committee on Roads, Bridges and Ferries.

Mr. M'PHERRIN, three remonstrances from citizens of Crawford and Mercer counties, against the passage of a law to improve the navigation of the Shenango river.

Referred to the Committee on Roads, Bridges and Ferries.

Mr. GALLAGHER, a petition from citizens of Cook township, in the county of Westmoreland, praying for an act to levy taxes for the construction of a bridge.

Referred to the Committee on Roads, Bridges and Ferries.

Mr. QUAY, a remonstrance from citizens of Beaver county, against the passage of an act to authorize Thomas Christy to establish a ferry, &c.

Referred to the Committee on Roads, Bridges and Ferries.

Mr. M'KEE, a petition from the managers of the Upper St. Clair turnpike and plank road company, praying for the passage of a law authorizing said company to collect additional tolls on said road.

Referred to the Committee on Roads, Bridges and Ferries.

Mr. GALLAGHER, a petition from citizens of Irwin borough, Westmoreland county, praying for the passage of an act authorizing the directors of common schools to borrow money for school purposes.

Referred to the Committee on Education.

Mr. GALLAGHER, a petition from citizens of New Alexandria borough, Westmoreland county, for an act as shall prohibit the sale of intoxicating liquors in said county.

Referred to the Committee on Vice and Immorality.

Also, a petition from voters of New Alexandria, of like import.

Referred to the Committee on Vice and Immorality.

Mr. BOYD, a petition from citizens of York county, praying for a modification of the law for licensing hotels, &c.

Referred to the Committee on Vice and Immorality.

Mr. M'PHERRIN, a petition from inhabitants of Mercer county, against the passage of laws that would tend to the desecration of the Sabbath day, either in running cars, vending intoxicating liquors, &c.

Referred to the Committee on Vice and Immorality.

Mr. FREEBORN, a petition from citizens of the city of Philadelphia, against the repeal of the Sunday law, and restricting the sale of liquor on the day of sacred rest.

Referred to the Committee on Vice and Immorality.

Mr. CHALFANT, a petition from one hundred and twenty-one citizens of Columbia county, praying that no law be enacted to allow passenger cars to run on Sunday; also, praying for a revision of the license laws of the Commonwealth.

Referred to the Committee on Vice and Immorality.

Mr. HUNT, a petition from citizens of Forest county, praying for the passage of an act prohibiting any other persons from killing deer, except citizens of Forest county, without paying license.

Referred to the Committee on Agriculture.

Mr. WEBB, a petition from citizens of Bradford county, praying for the passage of a law taxing dogs.

Referred to the Committee on Agriculture.

Mr. FOGEL, a remonstrance from inhabitants of the borough of Allentown and vicinity, in the county of Lehigh, protesting against the enactment of a law prohibiting fishing in the Little Lehigh.

Referred to the Committee on Agriculture.

Mr. MANN presented a petition from citizens of Potter county, for an act relative to the equalization of school terms.

Referred to the Committee on Education.

Mr. JENKS, petition from citizens of Toby township, Clarion county, praying for the passage of an act to authorize the school directors of said township to levy a tax for the payment of local bonds.

Referred to the Committee on Education.

Mr. LINTON, petition from citizens of Cambria county, praying for a change in the school laws.

Referred to the Committee on Education.

Mr. MECHLING, petition from citizens of Manor township, Armstrong county, praying for an act to allow the school directors of said township to take ground for school purposes.

Referred to the Committee on Education.

Mr. STUMBAUGH, petition from certain citizens of Franklin county, praying for a general railroad law.

Referred to the Committee on Railroads.

Mr. PHELAN, petition from the members of the congregation of the Catholic church of St. Anne, in the borough of Waynesburg, Greene county, for a law authorizing them to sell certain real estate in the borough of Waynesburg, Greene county.

Referred to the Committee on Estates and Escheats.

Mr. WESTBROOK, two remonstrances from citizens of Wayne county, against the passage of the bill entitled An act regulating roads and bridges in the county of Wayne.

Referred to the Committee on Roads, Bridges and Ferries.

Also, remonstrances from citizens of Delaware township, Pike county, against the act to regulate the matter of ferriage in Pike county.

Referred to the Committee on Roads, Bridges and Ferries.

Mr. MECHLING, a petition from citizens of Cowanshanoe township, Armstrong county, for an act to increase the number of supervisors in said township.

Referred to the Committee on Roads, Bridges and Ferries.

Mr. MARKS, a petition from citizens of the Twenty-fourth ward, city of Philadelphia, in favor of opening thirty-fifth street in said ward.

Referred to the Committee on Roads, Bridges and Ferries.

Mr. STUMBAUGH, a petition from citizens of Lurgan township, in the county of Franklin, praying for a bounty law.

Referred to the Committee on Military.

Mr. MEYERS, a petition from sundry citizens of Upper Mt. Bethel township, Northampton county, for the passage of a law requiring the county commissioners of said township to settle their accounts.

Referred to the Committee on Military.

Mr. MECHLING, a petition from citizens of Kittanning township, Armstrong county, for an increase of pay to the person at whose house the township and general elections are held in said township.

Referred to the Committee on the Judiciary Local.

Mr. JENKS, petition from citizens of Clarion county, praying for the passage of an act authorizing the commissioners of Clarion county to purchase a bridge across Clarion run, near Buchanan's dam.

Referred to the Committee on the Judiciary Local.

Also, petition from citizens of Clarion county, praying for the passage of an act authorizing the commissioners to build a bridge across the Clarion run near Piney Beech.

Referred to the Committee on the Judiciary Local.

Also, petition from citizens of Jefferson, praying for the passage of a law changing the manner of assessing road tax in said county, and providing for a change in the election of certain township officers.

Referred to the Committee on the Judiciary Local.

Mr. HUNT, petition of citizens of Jones township, to increase the pay of supervisors and auditors in Elk county.

Referred to the Committee on the Judiciary Local.

Mr. LEE, petition from inhabitants of the city of Philadelphia, praying for the passage of a law to secure them from the ravages of intemperance.

Referred to the Committee on Vice and Immorality.

Mr. THARP, a petition from citizens of Indiana township, Northumberland county, for an act to enable the trustees of David's church to sell a piece of ground, &c.

Referred to the Committee on Estates and Escheats.

Mr. CRAIG, a petition from citizens of Smithfield township, Monroe county, asking for the repeal of so much of the bounty laws as authorizes the levying and collection of an additional or per capita tax over and above the regular per centage tax, so far as relates to said township.

Referred to the Committee on Military.

Mr. BOYD, a petition from citizens of York county, praying for the passage of an act to incorporate a company to construct a turnpike road over the Fisher road, in said county.

Referred to the Committee on Corporations.

Mr. CRAIG, petition from citizens of Summit Hill, Carbon county, against the running passenger railways on Sunday.

Laid on the table.

Mr. LEE, remonstrance from owners of property and residents, and persons living and doing business on the line of the Philadelphia, Germantown and Norristown railroad, against the passage of any law prohibiting the use of steam power on certain portions of their road.

Laid on the table.

Mr. LINTON, petition from citizens of Cambria and Clearfield counties, against permitting cars to run on the Sabbath.

Laid on the table.

Mr. JENKS, petition from citizens of Armstrong county, remonstrating against the passage of a law permitting cars to run on Sunday.

Laid on the table.

Also, petition of citizens of Armstrong county, remonstrating against the passage of a law permitting cars to run on Sunday.

Laid on the table.

Mr. STUMBAUGH, petition from citizens of Franklin county, praying for a change in the license law.

Referred to the Committee on Vice and Immorality.

Mr. MECHLING, petition from citizens of Armstrong county, for the better observance of the Sabbath.

Laid on the table.

Mr. HARBISON, a remonstrance from thirty-two citizens of Plain Grove township, Lawrence county, against running street cars on the Sabbath day.

Laid on the table.

Mr. STRACY, a remonstrance from citizens of Lancaster county, against the running of cars and the sale of liquor on Sunday.

Laid on the table.

Mr. HEADMAN, two remonstrances from citizens of Bucks county, of like import.

Laid on the table.

Mr. THARP, five remonstrances from citizens of Northumberland county, of like import.

Laid on the table.

Mr. BOYD, a remonstrance from citizens of York county, of like import.

Laid on the table.

Mr. M'HENRY, a remonstrance from citizens of Luzerne county, of like import.

Laid on the table.

Mr. WELLER, a remonstrance from seventy-three citizens of Berlin, Somerset county, of like import.

Laid on the table.

Also, a remonstrance from ninety-four citizens of New Centreville, Somerset county, of like import.

Laid on the table.

Also, a petition from certain citizens of Somerset township, Somerset county, for the repeal of the law annexing them to the school district of Somerset borough, county of Somerset.

Referred to the Committee on Education.

Mr. LEECH, a petition from school directors of West Middlesex, in Mercer county, to borrow money.

Referred to the Committee on Education.

Mr. LINTON, a petition from citizens of Cambria county, praying for the passage of an act transferring farm of Augustin Walters from Allegheny township, Cambria county, to Loretto borough, in the same county, for school purposes.

Referred to the Committee on Education.

Mr. MECHLING, a petition from presidents of State normal schools, for an additional appropriation to said schools.

Referred to the Committee on Education.

Mr. M'HENRY, a petition from the citizens of Plymouth township and borough, for the passage of an act to apply the proprietors' school fund to common school purposes.

Referred to the Committee on Education.

Mr. MECHLING, a petition from citizens of Western Pennsylvania, for the passage of an act to reduce the rates of charges for freight and passengers on the Pennsylvania railroad.

Referred to the Committee on Railroads.

Mr. DEHAVEN, a petition from citizens of Philadelphia, praying for a law for the better protection of life and limb to persons traveling on steam and passenger railroads in the city of Philadelphia.

Referred to Committee on Railroads.

Mr. BARRINGTON, a petition from citizens of Lower Mt. Bethel, Northampton county, remonstrating against the passage of an act authorizing the levying of a tax for the purpose of refunding certain moneys advanced for bounty purposes.

Referred to the Committee on Military.

Mr. CALVIN, a petition from two hundred and twenty-five citizens of Springfield township, in the county of Bucks, against an additional bounty tax.

Referred to the Committee on Military.

Mr. KLINE, a petition from the inhabitants of the township of Lower Macungie, in the county of Lehigh, praying for the passage of an act relating to bounty and school taxes.

Referred to the Committee on Military.

Mr. WEBB, a petition from one hundred and seventy-six citizens of Granville township, Bradford county, praying for a repeal of so much of the act of 1866, giving local bounty to veterans, as relates to said township.

Referred to the Committee on Military.

Mr. HARBISON, a petition from members of the Methodist Episcopal church of Mount Jackson, Lawrence county, for the passage of a law to authorize them to convey certain real estate.

Mr. WHARTON, a petition from James Edwards, of Huntingdon county, for a divorce.

Referred to the Committee on Divorces.

Mr. M'HENRY, a petitition from citizens of Shickshinny and vicinity, praying for the passage of an act to construct a railroad from Shickshinny, in Luzerne county, to the Sullivan county coal fields in Sullivan county.

Referred to the Committee on Railroads.

Mr. M'KEE, a remonstrance from inhabitants of Birmingham borough, against the passage of a law authorizing the annexation of a portion of St. Clair township to said borough.

Referred to the Committee on Counties and Townships.

Mr. ROATH, a petition from the officers and members of the Empire hook and ladder fire company, No. 1, of Lancaster, Pennsylvania, praying for an appropriation to cover

damages done their hall by the military, in 1860 and 1861.

Mr. QUIGLEY, a remonstrance from the pilots and mercantile community of the city of Philadelphia, against any change of the pilotage laws of said port.

Referred to the Committee on the Judiciary Local.

Mr. SHARPLES, a petition of citizens of Philadelphia, against a proposed change of the inspection laws, in reference to flour inspection in Philadelphia.

Referred to the Committee on the Judiciary Local.

Mr. STEHMAN, a petition from citizens of Lancaster, in favor of dividing the North-west ward of the city of Lancaster.

Laid on the table.

Mr. CHADWICK, two remonstraeces from citizens of Harrison township, and Tarentum borough, against the passage of the Philadelphia license law.

Laid on the table.

Also, a remonstrance from citizens of Allegheny county, of like import.

Laid on the table.

Mr. HEADMAN, a remonstrance of citizens of Bensalem township, Bucks county, against the passage of any law repealing the act of March 30, 1866, entitled An act to provide for the payment of gratuities and annuities to the soldiers of the war of 1812, and their widows.

Laid on the table.

Mr. WINGARD, a petition from the citizens of the West ward of the city of Williamsport, praying for a change of the place of holding elections.

Referred to the Committee on Election Districts.

Mr. QUAY, a remonstrance from citizens of Bridgewater, Beaver county, against the passage of an act extending the boundaries of said borough.

Laid on the table.

Mr. CHADWICK, a petition from citizens of Tarentum borough, and Harrison and East Deer townships, praying for a prohibitory liquor law for said borough and townships.

Referred to the Committee on Vice and Immortality.

Mr. STEHMAN, three petitions from citizens of Lancaster county, in favor of the erection of a bridge at Columbia.

Laie on the table.

Mr. SATTERTHWAIT, three petitions from citizens of Bucks and Montgomery counties, for the passage of a law to lay out and open Broad street to the Delaware river.

Referred to the Committee on Roads, Bridges and Ferries.

Mr. M'KEE, a petition from inhabitants of Allegheny and Washington counties, praying for the passage of a law authorizing the laying out and construction of a State road from the mouth of Coal Pit run, in Allegheny county, to a bridge near Venice, in Washington county.

Referred to the Committee on Roads, Bridges and Ferries.

Mr. CHADWICK, a petition from inhabitants of Collins township, in the county of Allegheny, praying for the passage of an act requiring the supervisor of said township to build side-walks along the public roads.

Referred to the Committee on Roads, Bridges and Ferries.

Mr. M'HENRY, a petition from citizens of Union and adjoining townships, to repair a road leading from Slickshinny to Town Hill, in Luzerne county.

Referred to the Committee on Roads, Bridges and Ferries.

Mr. BOYLE, two petitions from citizens of Fayette county, for authority to build a bridge over the Youghiogheny river, at or near Layton's station, in Fayette county.

Referred to the Committee on Roads, Bridges and Ferries.

Mr. PILLOW, a petition from citizens of Butler county, praying for the passage of a law regulating the pay of supervisors in said county.

Referred to the Committee on Roads, Bridges and Ferries.

Mr. STEHMAN, a petition from citizens of Manor township, Lancaster county, praying for the construction of a turnpike road.

Referred to the Committee on Roads, Bridges and Ferries.

Mr. CALVIN, two petitions signed by citizens of Doylestown borough, asking for increased borough privileges.

Referred to the Committee on Municipal Corporations.

Mr. HEADMAN, two remonstrances from inhabitants of the borough of Doylestown, Bucks county, against the passage of an act extending the powers of the town council of said borough.

Referred to the Committee on Municipal Corporations.

Mr. LEE, a petition in favor of the passage of a law protecting the brokers and business men from counterfeiters and forgers.

Referred to the Committee on the Judiciary General.

Mr. LINTON, a petition from township officers in Cambria county, asking for an increase of pay.

Referred to the Committee on the Judiciary Local.

Mr. ROUSH, a petition from inhabitants of Gregg township, in the county of Union, praying for the passage of an act increasing the salary of said township officers.

Referred to the Committee on the Judiciary Local.

Mr. ARMSTRONG, a petition from nine citizens of Lancaster, praying for a law to secure to the prothonotary and sheriff of Lancaster the proper fees for prosecuting forfeited recognizances, &c.

Referred to the Committee on the Judiciary Local.

Mr. CHALFANT, a petition from inhabitants of Hemlock township, Columbia county, praying for the passage of an act to provide for the erection of a house for the employment and support of the poor in the township of Hemlock, Columbia county.

Referred to the Committee on the Judiciary Local.

Mr. LEECH, a petition from fifty-three inhabitants of Mercer county, praying for the passage of a law requiring distillers to take out license from the court of quarter sessions.

Referred to the Committee on the Judiciary Local.

Mr. M'PHERRIN, two petitions from inhabitants of the county of Mercer, praying for the passage of a law regulating the granting of licenses to distilleries, breweries and wholesale liquor dealers, &c.

Referred to the Committee on Vice and Immorality.

Mr. ARMSTRONG, a remonstrance from fifty-five citizens of Philadelphia, against Sunday cars and the liquor trade.

Referred to the Committee on Vice and Immorality.

Also, a remonstrance from twenty-seven citizens of Orangeville, of like import.

Referred to the Committee on Vice and Immorality.

Mr. PILLOW, a petition from citizens of Muddy Creek township, praying for the passage of an act extending to the county of Butler the act of April 11, 1866, relative to the sale of intoxicating liquors in Lawrence county.

Referred to the Committee on Vice and Immorality.

Mr. MANN, a petition from citizens of Coudersport, for a law to prevent the erection or maintenance of billiard rooms or ten-pin alleys in said borough.

Referred to the Committee on Vice and Immorality.

Mr. CAMERON, eleven petitions from three hundred and nineteen inhabitants of Wyoming county, praying for a law to prevent the running at large of horses, cattle, sheep and hogs in said county.

Referred to the Committee on Agriculture.

Mr. SHARPLES, a petition from the Kennett farmers' club, asking for the more complete protection of birds.

Referred to the Committee on Agriculture.

Mr. LEE, a memorial from the Philadelphia society for promoting agriculture, relative to an inspector of fertilizers.

Referred to the Committee on Agriculture.

Mr. LEECH, a petition from citizens of Mercer county, for an act to prevent cattle, horses, sheep and hogs from running at large in Mill Creek township.

Referred to the Committee on Agriculture.

Mr. THARP, a petition from citizens of Chillesquaque township, Northumberland county, for the repeal of the act of 1865, in relation to the running at large of cattle in said township.

Referred to the Committee on Agriculture.

Mr. ROATH, a petition from three hundred and twelve citizens of Lancaster county, praying for an act to extend the provisions of an act relating to the passage of fish in the Susquehanna river, and certain of its tributaries, to the Conestoga creek, in Lancaster county.

Referred to the Committee on Agriculture.

MESSAGE FROM THE SENATE.

The Clerk of the Senate being introduced, presented for concurrence bills numbered and entitled as follows, viz:

Senate bill No. 170, an act relating to dower.

Senate bill No. 209, a supplement to an act granting the courts of this Commonwealth power to appoint viewers to view certain streets and alleys in this Commonwealth, approved April 15th, 1845, extending its provisions to all public or private roads, streets or alleys in any plan of lots.

Senate bill No. 258, a supplement to an act to prevent the sale of intoxicating liquors on the first day of the week, commonly called Sunday, approved February 26th, 1855.

Senate bill No. 272, an act supplementary to an act to encourage manufacturing operations in this Commonwealth, approved April 7th, A. D. 1849, authorizing companies to dissolve their organizations and relating to the bonus or tax thereon.

Senate bill No. 276, a supplement to an act providing for the adjustment of all indebtedness between an old township or townships and a new township or borough erected therefrom, approved the 12th day of April, A. D. 1866.

Senate bill No. 278, an act to authorize turnpike and plank road companies, in the county of Allegheny, not paying dividends, to increase their toll.

Senate bill No. 318, an act repealing the first section of an act, entitled An act to prevent the spread of Canada thistles, et cetera, approved March 22d, 1862, so far as relates to the county of Bradford.

Senate bill No. 375, an act to authorize the formation of railway companies.

Senate bill No. 377, an act granting an increase of capital to literary or charitable institutions becoming soldiers' orphan schools.

Senate bill No. 418, an act to regulate the carriage of baggage by railroad companies, and to prescribe the duties and obligations of carriers and passengers in relation thereto.

Senate bill No. 658, a further supplement to an act relating to the elections of this Commonwealth, approved July 2d, 1839.

Senate bill No. 826, an act to prevent and punish prize fighting.

Senate bill No. 840, an act relative to justices of the peace, burgess and notaries public in the county of Lawrence.

Senate bill No. 880, an act authorizing the erection of a house for school and township purposes in Millville village, Le Boeuf township, Erie county, and empowering the school directors to levy and collect additional tax.

He also returned bills from the House of Representatives numbered and entitled as follows, viz:

No. 99, an act to enable State banks to settle and close up their affairs.

No. 847, an act fixing the place of holding elections in the township of Harrison, county of Bedford, at the house of Jonathan Feightner.

With information that the Senate has passed the same without amendment.

He also returned bill from the House of Representatives numbered and entitled as follows, viz:

No. 452, an act relative to the Allegheny and St. Mary's cemeteries, in Allegheny county,

With information that the Senate has passed the same with amendments, in which the concurrence of the House of Representatives is requested.

The amendments made by the Senate to said bill were twice read, considered and concurred in, and

Ordered, That the Clerk inform the Senate of the same.

He also informed that the Senate has concurred in the amendments made by the House of Representatives to Senate bills numbered and entitled as follows, viz:

Senate bill No. 246, an act to incorporate the Marine Hospital of Pennsylvania, in the county of Erie, to fix location of hospital in Erie city, and to grant real estate to said hospital.

Senate bill No. 282, an act to extend the provisions of an act to require the register of wills in and for Luzerne county, to record in a book or books the appraisement, inventories and vendue lists of personal property in the county of Monroe.

Senate bill No. 360, an act in relation to the fees of notaries public in the counties of Bedford, Fulton and Somerset.

Senate bill No. 421, a supplement to an act incorporating the borough of Jamestown.

Senate bill No. 577, a further supplement to the borough of Easton, authorizing the town council of said borough to construct and provide public water works, and to authorize the election of water commissioners.

He also informed that the Senate has concurred in the amendments made by the House of Representatives to Senate bill numbered and entitled as follows:

Senate bill No. 143, an act to divide the Twenty-first ward in the city of Philadelphia into two wards, and to create a new ward, to be called the Twenty-eighth ward,

With an amendment, in which the concurrence of the House of Representatives is requested.

The amendments made by the Senate to the amendments made by the House to said bill were twice read, considered and concurred in, with an amendment, and

Ordered, That the Clerk inform the Senate of the same.

ACT TO INCREASE REVENUE OF COMMONWEALTH.

Mr. WADDELL. Mr. Speaker, I would ask the unanimous consent of the House to introdnce and pass an important bill relative to the revenue of the Commonwealth. It is a bill in which the State auditor is much interested, and is exceedingly anxious it should be considered at once and disposed of.

Consent was given.

Mr. WADDELL. Mr. Speaker, I introduce and ask the House to consider at this time bill No. 1085, an act to increase the revenue of the Commonwealth.

The following is a copy of the bill:

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same.* That from and after the passage of this act, every railroad, canal or transportation company which possesses the right to mine coal, or purchase, or lease and sell the same, shall, quarterly, on the first days of January, April, July and October, make a report, under oath or affirmation, stating the amount of coal mined by them, and from property owned and leased by them, and also the amount of coal purchased by them, or mined from property owned by them, that may be leased to other parties during the preceding three months, and shall pay the Commonwealth, within thirty days thereafter, a tax of ten cents per ton upon each and every ton so purchased or mined, the accounts to be settled by the Auditor General and State Treasurer; and in case of default in payment, to be recoverable as other taxes due the Commonwealth are now by law recoverable: *Provided*, That the amount of coal consumed in the ordinary transportation of their business shall not be included in their return.

SEC. 2. If any such company or corporation shall fail to make return, provided for in the preceding section, for a period of thirty days, after the date therein fixed for the same, such company shall be liable to a penalty of twenty-five per centum for the gross amount of the tax which shall be, ascertained to be due to the Commonwealth.

SEC. 3. If any such company or corporation shall neglect or refuse to pay the amount of tax due the Commonwealth, under the first section of this act, together with any penalty they may be liable for, under the second section, for a period of thirty days after the settlement of their accounts, by the Auditor General and State Treasurer, the said company or corporation shall forfeit and pay to the Commonwealth a penalty of twenty-five per centum upon the amount of said account, as settled, with such interest upon the entire amount due thereon as is or may be provided by law: *Provided*, That any corporation failing to make the return required by the first section of this act within the specified time, and also failing to make payment on the settlement as provided for in this section, shall be liable to both penalties, viz: Twenty-five per centum for neglect to return, and twenty-five per centum and interest for neglect or refusal to pay the same.

Going into the committee of the whole, by consent, being in this case dispensed with, the several sections of the bill were separately taken up, considered and agreed to.

The question being,

Will the House agree to the title?

Mr. MECHLING, in the chair.

Mr. HOFFMAN. Mr. Speaker, this is a bill of great importance, particularly to the mining districts of Pennsylvania, and they are heavily taxed already. I am opposed to passing this bill. I am in favor of having it laid over.

Mr. GLASS. Mr. Speaker, this is a bill certainly of most extraordinary provisions and affects my constituents very much. Involving, as it does, so many great financial considerations, I ask the House to allow the bill to go over for the present.

Mr. KOON. Mr. Speaker, I join the gentleman from Allegheny [Mr. GLASS] and the gentleman from Dauphin [Mr. HOFFMAN] in that request. I think this bill will operate very harshly on some of the mining portions of our country, and that it should not be passed without proper consideration. I want an opportunity to see and examine the bill.

Mr. BARTON. Mr. Speaker, this bill also affects my constituents very much. They are very much interested in having the revenue of the State properly maintained and supported, and it seems to me that these companies are as well and perhaps better able to pay this small per centum than many other corporations and individuals that have been heavily taxed. I think it is nothing more than right that these companies so abundently able should be so taxed.

Mr. HARBISON. Mr. Speaker, I trust that this bill will not be rushed through in this rapid manner. It is a bill that affects my constituents very materially. I hope that it will be printed and that we will have time to consider it before acting upon it finally.

Mr. GLASS. Mr. Speaker, I have the honor of representing one of the most wealthy coal districts perhaps in the State. I believe, sir, that I do not exaggerate when I say that there is coal enough in the county of Allegheny, which, if mined and at the tipples, would pay the entire debt of the General Government. Now, the State of Ohio and the State of Virginia, bordering upon Pennsylvania, have their coal beds also. Those States do not inflict any tax upon coal mined from the beds of those States, and if the coal beds of Pennsylvania are to be taxed, I ask what hope will there be for the coal interests of Pennsylvania? I say that this is one of the most outrageous and villainous propositions that has been submitted to the Legislature of the State of Pennsylvania. I do not know how it may affect the coal interests in the northern and eastern part of Pennsylvania, but I tell you it will destroy the coal interests of Western Pennsylvania. Why the gentleman from Chester [Mr. WADDELL], representing the Committee on Ways and Means, should lend himself to introduce a bill so villainous in its consequences, is more than I can comprehend.

Mr. WADDEL. Mr. Speaker, I am sorry, sir, that my actions should be impugned in a matter of this kind. I am satisfied that the House do not understand the character of this bill. I am not particularly tenacious about it, and I do not desire to snake the bill through. There are but three or four companies in the Commonwealth that this bill will reach, and these are only those companies which have the power to mine and transport. Under the recent decision of the courts in regard to the laws in reference to tonnage these companies escape every dollar of tonnage tax and go scot free. They are companies that mine coal here and run it off to New York, and escape the provisions of the law as it now stands. This bill is intended to reach those companies and none others, and will not affect a company in the county of Allegheny. It will not affect a company in that section of the State. It will only reach three or four, and those companies run their coal into the State of New York. I do not want gentlemen to suggest here that the bill is villainous without understanding the character of it.

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[CONTINUED FROM PAGE 536.]

The bill was drawn up by Government officials, and was submitted to a gentleman who has reviewed the laws in a legal capacity as they now stand, and who has made a decision under them and through the department, and this is the only way in which those companies can be reached, as he has been compelled to adjudicate the law as it exists. If there is anything villainous in this, I am satisfied that the bill should fall. If this House considered that, as chairman of the Committee on Ways and Means, I have lent myself to introduce a villainous measure, then I want it to be condemned by the House, but I would like to have the House understand before doing that what the character of this bill is.

Mr. QUAY. Mr. Speaker, I desire to ask the gentleman from Chester [Mr. WADDELL] in what quarter of the State these companies are located?

Mr. WADDELL. They are located in the northern tier of the counties of the State, within five and ten miles of the State of New York, and all the coal that is mined there runs over roads into New York without paying any tonnage tax, and no tax at all to the State.

Mr. QUAY. These companies are located in the Anthracite coal fields, are they?

Mr. WADDELL. Yes, sir; they are located in the Anthracite coal fields.

Mr. QUAY. Mr. Speaker, I then move to amend by inserting the word "Anthracite" before the word "coal."

The SPEAKER. The Chair will state that amendments are not now in order. The bill having been gone through with, the question is on agreeing to the bill.

It was

Agreed to.

The question being on the final passage of the bill,

Mr. WADDELL. Mr. Speaker, I ask that by general consent the word "Anthracite" may go into the bill before the word "coal."

Objection was made.

Mr. WADDELL. Mr. Speaker, I only meant to say this further to what I have said, that the difficulty which suggests itself to the minds of gentlemen here, is that they do not draw the distinction that the bill provides. Its provisions apply only to companies that have the power of mining and transporting. Now, there is not a company in Schuylkill county, or in any of the many mining districts in this State, that by its charter has the power of mining and transporting. They have the power of mining, but they have not the power of transporting their coal. That is done by other corporations, and this bill will not reach them. I am assured by the State Treasurer that from the returns made from these various companies and by their charters, there are but four companies in the Commonwealth that this bill will reach, and these escape every dollar of taxation under the laws as they now exist.

Mr. WINGARD. Mr. Speaker, this bill may be all right, sir. It may be endorsed by the Government officials. The Government officials are not the law-making power, and if this bill is only to affect some three or four companies, I cannot see why these companies should not be named in this bill, so that they may be patent to all. For one I am unwilling that a bill of such importance as this one should be granted a hasty passage. I think it should receive further consideration before being acted upon, and therefore move that it be referred to the Committee on Ways and Means and printed.

Mr. DAVIS. Mr. Speaker, with due respect to all others, I wish to suggest a word. When this bill was first read it struck me as being of the same objectionable character as it has appeared to others on this floor. But after hearing the explanation of the chairman of the Committee of Ways and Means, I am satisfied that this is a very just and proper bill. We all understand that within the last two years the people of this State have not been paying any direct State tax at all upon the very principle embodied in this bill; that we have been raising the fund that would otherwise have to be raised by a State tax from other sources, such as taxes on corporations. We are told by the chairman of the Committee on Ways and Means, who ought to be posted upon the subject, and the House knows that he is, that there are but four corporations that escape the provisions of the statute by which the farmers and citizens generally of the State are relieved from the State tax, and these four are mining and transportation companies. They should have no right to mine coal and carry it out of this State without paying any tax at all. I submit that the railroad companies and other corporations of this State are bound to pay sufficient tax, without levying one mill of State tax. It is not right that four companies of this kind should escape all taxes.

Mr. HOFFMAN. I would like to have the gentleman name those companies.

Mr. DAVIS. I take the statement of the chairman of the Committee on Ways and Means. I knew nothing about the matter until it was introduced this morning.

Mr. M'CAMANT. Mr. Speaker, I understand the gentleman from Allegheny [Mr. GLASS] in his remarks to reflect upon the chairman of the Committee on Ways and Means for reporting that bill as chairman of that committee. I have no knowledge that the Committee of Ways and Means have ever seen that bill. I understand that the gentleman from Chester [Mr. WADDELL] introduced the bill on his own responsibility.

Mr. LEE. If the gentleman from Blair [Mr. M'CAMANT] had been at the meeting of the committee last night he would have known better than that.

The question being on the motion of Mr. WINGARD to re-commit the bill to the Committee on Ways and Means, and have it printed,

It was

Agreed to.

MESSAGE FROM THE GOVERNOR.

The Deputy Secretary of the Commonwealth being introduced, presented a message from the Governor, which was read as follows, viz:

EXECUTIVE CHAMBER,
HARRISBURG, March 8, 1867.

To the Senate and House of Representatives of the Commonwealth of Pennsylvania:

GENTLEMEN—I have approved and signed the following acts of the General Assembly, to wit:

On the 6th instant:

A further supplement to an act to incorporate the Mifflin and Centre County railroad company.

An act to authorize the town council of the borough of Middletown, in the county of Dauphin, to borrow money to pay off the present indebtedness of said borough, and to provide for the payment thereof, as also for the future government of said borough, by an increased rate of taxation

A further supplement to an act relating to inspections, approved April fifteenth, Anno Domini one thousand eight hundred and thirty, and the several supplements thereto.

An act to incorporate the Gettysburg asylum for invalid soldiers and to raise funds therefor, and for the securing and preserving of the battle grounds of Gettysburg.

A supplement to an act to change the mode of criminal proceedings in Erie and Union counties, extending the same to the county of Warren.

A further supplement to the act incorporating the borough of South Erie.

An act to incorporate the Local express company of Wilkesbarre.

On the 7th instant:

An act to reduce the capital stock of the Stroudsburg Bank.

An act authorizing the commissioners of Mercer county to purchase a lot of ground for a jail, and to sell the jail now erected.

An act granting a pension to Wm. McFarland.

An act relating to the Columbia bridge company.

An act to authorize the Governor to transfer to the Reynolds Monument committee unserviceable and condemned ordnance.

A supplement to an act to incorporate the Coatesville, Mortonville and Doe Run plank road company, and relative to the repair of public roads in Birmingham township, Delaware county, and relative to the Darby and Upper Darby plank road company, approved the twenty-sixth day of March, Anno Domini one thousand eight hundred and fifty-three, and extend the provisions of certain sections thereof to Bart township, Lancaster county.

An act establishing a ferry on the Monongahela river at the borough of California, in the county of Washington,

An act to change the bed of the Cowanesque river, in the county of Tioga.

An act authorizing and requiring the school directors of Mercer township and Harrisville borough, in the county of Butler, to levy a bounty tax, and for the repeal of all former acts relating to bounties in said district.

JNO. W. GEARY.

Laid on the table.

SPECIAL ORDERS.

The SPEAKER announced the special order to be the consideration of Senate bill No. 824, an act to repeal an act entitled A further supplement to an act incorporating the Pennsylvania railroad company, authorizing an increase of the capital stock, and to borrow money, approved the 21st day of March, A. D. 1866, to authorize the Pennsylvania railroad company to increase its capital stock, to issue bonds and to increase the loans by mortgage.

The question being on the final passage of the bill, the remarks made thereon and the proceedings had in reference thereto will be given in the *Appendix*.

On the final passage of the bill the vote was as follows:

The yeas and nays were required by Mr. MEYERS and Mr. SUBERS, and were as follow, viz:

YEAS—Messrs. Adaire, Allen, Armstrong, Barton, Breen, Brown, Calvin, Cameron, Collins, Davis, Donohugh, Fogel, Freeborn, Ghegan, Gregory, Harbison, Headman, Hoffman, Humphrey, Josephs, Kennedy, Kerns, Kimmell, Kinney, Koon, Kurtz, Lee, Long, M'Camant, M'Henry, Markley, Marks, Meily, Mullin, Pennypacker, Pillow, Quay, Quigley, Rhoads, Roath, Robinson, Roush, Satterthwait, Seiler, Sharples, Shuman, Steacy, Stehman, Stumbaugh, Subers, Waddell, Wallace, Watt, Webb, Westbrook, Wharton, Wiogard, Worrall and Wright—59.

NAYS—Messrs. Barrington, Boyd, Boyle, Brennan, Chadwick, Chalfant, Chase, Craig, Day, Espy, Ewing, Gallagher, Heltzel, Hunt, Jenks, Jones, Leech, Linton, M'Creary, M'Pherrin, Maish, Mann, Mechling, Meyers, Peters, Phelan, Richards, Tharp, Weller, Wilson, Woodward and Glass, *Speaker*—32.

So the question was determined in the affirmative.

Mr. MARKS. Mr. Speaker, I ask leave to make a statement.

Mr. MEYERS. I object.

SPEAKER'S TABLE.

The SPEAKER cleared his table of bills numbered and entitled as follows:

Senate bill No. 170, an act relating to dower.

Referred to the Committee on the Judiciary General.

Senate bill No. 209, a supplement to an act granting the courts of this Commonwealth power to appoint viewers to view certain streets and alleys in this Commonwealth, approved April 15th, 1845, extending its provisions to all public or private roads, streets or alleys in any plan of lots.

Referred to the Committee on the Judiciary General.

Senate bill No. 258, a supplement to an act to prevent the sale of intoxicating liquors on the first day of the week, commonly called Sunday, approved February 26, 1855.

Referred to the Committee on Vice and Immorality.

Senate bill No. 272, an act supplementary to an act to encourage manufacturing operations in this Commonwealth, approved April 7th, A. D. 1849, authorizing companies to dissolve their organizations, and relating to the bonus or tax thereon.

Referred to the Committee on Ways and Means.

Senate bill No. 276, a supplement to an act providing for the adjustment of all indebtedness between an old township or townships, and a new township or borough erected therefrom, approved the 12th day of April, A. D. 1866.

Referred to the Committee on the Judiciary General.

Senate bill No. 278, an act to authorize turnpike and plank road companies in the county of Allegheny, not paying dividends, to increase their tolls.

Referred to the Committee on Roads, Bridges and Ferries

Senate bill No. 318, an act repealing the first section of an act entitled An act to prevent the spread of Canada thistles, &c., approved March 22d, 1862, so far as relates to the county of Bradford.

Referred to the Committee on Agriculture.

Senate bill No. 375, an act to authorize the formation of railway companies.

Referred to the Committee on Railroads.

Senate bill No. 377, an act granting an increase of capital to literary or charitable institutions becoming soldiers' orphan schools.

Referred to the Committee on Education.

Senate bill No. 413, an act to regulate the carriage of baggage by railroad companies, and to prescribe the duties, and obligations of carriers and passengers in relation thereto.

Referred to the Committee on the Judiciary General.

Senate bill No. 658, a further supplement to an act relating to the elections of this Commonwealth, approved July 2d, 1839.

Referred to the Committee on the Judiciary General.

Senate bill No. 826, an act to prevent and punish prize fighting.

Referred to the Committee on the Judiciary General.

Senate bill No. 840, an act relative to justices of the peace, burgesses and notaries public in the county of Lawrence.

Laid on the table.

Senate bill No. 880, an act authorizing the erection of a house for school and township purposes in Millvillage Le Bouef township, Erie county, and empowering the school directors to levy and collect additional tax.

Referred to the Committee on Education.

EXTRACT, SENATE JOURNAL.

The Clerk of the Senate being introduced, presented the following extract form the Journal of the Senate:

IN THE SENATE March 8, 1867.

Resolved (if the House of Representatives concur), That the Hon. James R. Snowden, of Philadelphia, be invited to deliver his address on Cornplanter in the Hall of the House of Representatives on next Thursday evening, March 14, at eight o'clock.

[Extract from the Journal.]

On motion,

Said resolutoin was twice read, considered and concurred in, and

Ordered, That the Clerk inform the Senate of the same.

Mr. M'KEE. Mr. Speaker, I desire to withdraw my objections to the passage of the railroad bill, asked to be laid on the table by the gentleman from Schuylkill.

Mr. JENKS. Mr. Speaker, I move that the consideration of the Pittsburg and Connellsville railroad bill be made the special order for Wednesday morning next, at 10 o'clock.

The SPEAKER. The bill is not before the House.

The hour of 1 o'clock having arrived, the SPEAKER adjourned the House until 3 o'clock this afternoon.

AFTERNOON SESSION.

The House met at 3 o'clock.

The SPEAKER announced the special order to be the consideration of House bill No. 506, entitled An act to ascertain and appoint the fees to be received by the several officers of this Commonwealth.

On motion of Mr. MANN, the House dispensed with going into committee of the whole on the bill.

After some discussion, which will appear in the Appendix to the *Record*,

The bill passed finally, as follows:

AN ACT to ascertain and appoint the fees to be received by the several officers of this Commonwealth.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same*, That the fees of the several officers throughout this Commonwealth shall be the same as hereinafter ascertained and appointed.

SEC. 2. Serving capias, with commitment or bail bond and return, one dollar and twenty-five cents.

Each defendant besides the first, fifty cents.

Assigning bail bond, twenty-five cents.

Serving summons or certiorari summons in partition of landlord against tenant, scire facias, replevin or foreign attachment, one dollar.

Each defendant besides the first, fifty cents.

Copy of summons, twenty-five cents.

Copy of scire facias, replevin or foreign attachment, forty cents.

Taking and filing replevin or attachment bond or other indemnification to be furnished by the sheriff, fifty cents.

Traveling expenses on each writ, for each mile traveled, six cents.

Delivering lands to creditor or his agent or attorney, and no commission in such case to be taken, two dollars and forty cents.

Receiving and paying money to plaintiff or his attorney, recovered upon any process, decree or order of court, for every dollar not exceeding five hundred, in addition to fee for executing writ, two and one-half cents.

For every dollar above five hundred, one cent.

Same commission to be allowed where money is paid, with or without sale; if paid without sale, no commission shall be allowed for more than is paid over to creditor.

Advertising goods for sale, each case, two dollars and seventy-five cents.

Advertising lands for sale, each case, in addition to printer's bill, two dollars and seventy cents.

Vendue crier, for each sale, one dollar.

Summoning jury, taking inquisition and return, four dollars.

When sheriff shall have more than one writ of execution against same defendant, returnable to same term, he shall be allowed costs for only one inquisition, but it shall be his duty to lay said writs before the jury and enter their finding thereon, and make return thereof, for which he shall be entitled on each writ sixty cents.

Executing writs and orders of partition or valuation, swearing jury and return, for each day, three dollars.

Deed for sale of land, including fee to prothonotary for acknowledgment, to be paid by the purchaser, three dollars.

Executing habere facias, retorno habendo, levari facias, fieri facias, venditioni exponas or liberari facias, each one dollar.

Return of non est inventus, tarde venit or nulla bona, twenty-five cents.

Serving subpœna, each service, fifty cents.

Subpœna in divorce, one dollar and twenty-five cents.

Making proclamation in divorce, in addition to printer's bill, one dollar and fifty cents.

Serving process on indictment, one dollar and twenty-five cents.

Fee on indictment in every capital case, three dollars.

Fee on every other crimal case, one dollar and twenty-five cents.

Levying fines, per dollar, three cents.

Fee for discharging prisoner in civil case, fifty cents.

Fee on commitment for any criminal matter, fifty cents.

Serving attachment against witness or for contempt, one dollar.

Serving citation and return, seventy-five cents.

Executing bail piece, one dollar.

Executing death warrant, fifteen dollars.

Advertising general or special election, in addition to printer's bill, to be paid by the county, one dollar.

Where no paper is printed in the county, five dollars.

In special election, serving notice on judge of each election district, seventy-five cents.

For each juror summoned to attend at court and return of venire, to be paid by county, without mileage, thirty cents.

Appraisement and return of property retained by a debtor under the provisions of the act of April nine, one thousand eight hundred and forty-nine, two dollars and fifty cents.

Removing insane persons to any lunatic hospital, for each day spent, in addition to expenses actually incurred, four dollars.

Removing convict to penitentiary or house of refuge, for each day, in addition to all expenses, four dollars.

Serving any rule, process, decree or order of court, not hereinbefore specially provided for, in addition to mileage, and to be recovered as other fees from the party against whom the judgment, decree or order is made, one dollar.

For summoning and returning a street and special jury, to be paid by the party losing the cause, ten dollars, and six cents mileage each mile circular.

FEES OF PROTHONOTARY.

SEC. 3. The fees to be received by the several prothonotaries of the courts of common pleas, and of the district courts of this Commonwealth, shall be as follows:

Every writ of summons, capias or certiorari and docketing the same, including filing papers, entering return and services at first court, one dollar and fifty cents.

Every alias summons or capias, sixty cents.

Every other writ, and filing papers, stationery and services at first court, one dollar and seventy-five cents.

Every alias scire facias, ninety cents.

Every subsequent court, where cause is put down for trial, including issue list, twenty-five cents.

All services during trial of cause, including swearing jury, witnesses and a constable, one dollar.

Venire on each case tried by jury, seventy-five cents.

Taking a recognizance, twenty-five cents.

Entering motion and filing reasons in arrest of judgment or for a new trial, twenty-five cents.

Entering satisfaction of judgments or discontinuance of suit, twenty cents.

Issuing subpœna under seal, with two names, thirty cents.

Every name after the first, three cents.

Issuing attachment and motion therefor, fifty cents.

Copy of record or paper filed, for every ten words, two cents.

Certificate and seal, thirty cents.

Drawing special jury, striking same, and copies for parties, seventy-five cents.

Every search where no other service is performed to which there is any fee attached, fifteen cents.

Fi. fa. or ca. sa. and entering return, sixty cents.

Venditioni exponas, levari facias, or other writ in the nature of an execution, and entering return, ninety cents.

Entering judgment on warrant of attorney, or upon confession by defendant, or on motion, in open court, or for want of an affidavit of defense and a verdict of jury, including judgment docket entry and statement to plaintiff, seventy-five cents.

Entering amicable action, filing papers, stationery, and services at first court, one dollar and twenty-five cents.

Taxing bill of costs other than prothonotary's, twenty-five cents.

Re-taxing bill of costs and report thereon, fifty cents.

Taking testimony in same, for every ten words, two cents.

Making return to writ of error, one dollar.

Entering proceedings of Supreme Court, fifty cents.

Entering transcript of judgment from justice of the peace, including judgment and docket entry, fifty cents.

Entering appeal from justice, including stationery, filing papers, and services at first court, one dollar and twenty-five cents.

Citation and seal, and motion therefor, fifty cents.

Suggesting death of a party, or diminution of record, or substituting a party, each fifteen cents.

Administering oath, other than on trial of a cause, ten cents.

Amending record on motion, et cetera, twenty cents.

Entering appointment of guardian, ad litem, twenty cents.

General certificate for jurors' and constables' pay, to be paid by the county, seventy-five cents.

Filing petition, and all other papers relating to application of insolvent debtors, recording order, et cetera, one dollar.

Subpœna in divorce or alias subpœna, one dollar.

All other proceedings, except subpœnas for witnesses, or commission to take testimony, two dollars and fifty cents.

Reading and filing bill to perpetuate testimony, order of court thereon, and recording same, one dollar and thirty-five cents.

Commission to take testimony and entering return, one dollar.

Certified copy of rule to take deposition, thirty cents.

Certified copy of any other rule, thirty cents.

All proceedings on application to enforce contract, one dollar.

All proceedings on petition of administrator or guardian to make deed, one dollar.

All proceedings on petition for sheriff to make deed for land sold by former sheriff, one dollar.

Entering acknowledgment of sheriff's or treasurer's deed, including certificate of same, one dollar.

All proceedings in acknowledging a deed, barring estates tail, one dollar.

Filing all election returns, at each general election, to be paid by the county, one dollar.

Filing and docketing balances due from collectors, including judgment docket entry, each case, forty cents.

Filing and entering county auditors' reports, each, to be paid by the county, fifty cents.

Notifying county commissioners, auditors, or directors of the poor, of their election and time of meeting, to be paid by the county, each fifteen cents.

Filing any paper not relating to any suit pending, and not hereinbefore provided for, twenty-five cents.

Every docket entry not relating to any suit pending or judgment entered, and for which no provision is made in this fee bill, filing papers in same, seventy-five cents.

Entering rule of reference and copy, under seal, sixty cents.

Entering appointment of arbitrators, including proof of service of rule, fifty cents.

Each copy of rule or notice to arbitrators, twenty-five cents.

Filing and entering report of arbitrators, including judgment docket entry, fifty cents.

Receiving and entering appeal from award of arbitrators, taking recognizance and affidavit, receiving and paying costs, seventy-five cents.

Filing petitions in lunacy, or habitual drunkard, and entering order of court thereon, one dollar.

Issuing commission and entering return, one dollar.

Writ to sheriff, seventy-five cents.

Entering confirmation of inquisition, and appointment of committee, one dollar.

Taking and filing bond of committee, fifty cents.

All services on sale of lunatic's estate, or habitual drunkard, including the filing of committee's account, two dollars.

Filing each subsequent annual account thereafter, fifty cents.

Transmitting to Secretary of the Commonwealth copies of election returns for each person returned, to be paid by the county, twenty-five cents,

Writ of habeas corpus and proceedings thereon, one dollar.

Application for maintenance or alimony, one dollar.

Filing and entering mechanics' lien, one dollar.

Entering scire facias to continue lien on judgment docket, twenty-five cents.

For each application of naturalization, fifty cents.

For such proceeding or application in naturalization in court, including certificate of prothonotary, two dollars.

Entering ejectment suit on ejectment index, twenty-five cents.

Entering testatum, fi. fa. ca. sa. or vend. expo., one dollar.

Furnishing list of liens, except certificate, and seal, each judgment, ten cents.

Receiving and distributing money paid into court, for each dollar under five hundred, one cent.

For each dollar exceeding five hundred, one-half cent.

For any other service not hereinbefore provided for, the same fees allowed for other service of like fees of the clerks of quarter sessions.

SEC. 4. The fees of the several clerks of the courts of quarter sessions of the several counties of this Commonwealth shall be as follows, to wit:

Venire for and swearing grand jury, to be paid by the county, ninety cents.

Filing and entering, if necessary, all papers relating to one prosecution, where true bill is found, including arraignment of defendant, entering pleas and stationery, one dollar and fifty cents.

The same services where bill is returned

ignoramus, including discharge by proclamation, seventy-five cents.

Calling recognizance and entry of forfeiture, twenty cents.

Taking recognizance in court, each person, twenty-five cents.

Respiting or discharging forfeited recognizance, and motion therefor, fifteen cents.

Every other motion and rule, twenty-five cents.

Continuance, ten cents.

Entering retraction of pleas or nolle prosequi, twenty cents.

Entering submission and judgment, sixty cents.

Swearing jury, witnesses, constable and entering verdict and judgment, sixty cents.

All services in cases of surety of the peace, except subpœnas or attachments, or for taking recognizances, sixty cents.

Process on indictment docket, entry and return, seventy-five cents.

Copy of rule or order of court, with certificate and seal, forty cents.

Filing petition and order thereon, twenty cents.

Filing petition for a view or review of a road or bridge and order under seal, ninety cents.

Recording return of viewers and confirmation, for every eight words, one cent.

Order to open road under seal, one dollar and twenty-five cents.

Certificate for pay of road or bridge viewers, to be paid by the county, each case, thirty cents.

Constable's bonds, twenty-five cents.

Receiving and entering constable's return, to be paid by county, fifteen cents.

Filing and recording returns of borough and township elections, each person elected, to be paid by the county, ten cents.

Issuing subpœna under seal, thirty cents.

Each name after the first, two cents.

Issuing attachment, entering motion therefor and return, forty cents.

Copy of record, or of any paper filed, for every eight words, one cent.

Certificate and seal, thirty cents.

Every search where no other service is performed to which any fee is attached, fifteen cents.

Taxing costs other than the clerk of the sessions, twenty-five cents.

Re-taxing parties' bill of costs and making report, fifty cents.

Making return to writ of error, one dollar.

Entering proceedings of Supreme Court, forty cents.

Entering appeals from justice, forty cents.

Certificate for pay of jurors, crier and constables, paid by the county, fifty cents.

Issuing notice to defaulting jurors, each twenty-five cents.

Issuing fi. fa. against defaulting jurors, fifty cents.

Filing any paper not relating to any suit pending and not hereinbefore provided for, fifteen cents.

All proceedings in tavern or eating house licenses, except certificate, one dollar and fifty cents.

All proceedings on peddlers' licenses, one dollar.

Every warrant of seizure and proceedings thereon, one dollar.

For any service not herein provided for, the same fees allowed for other service of like nature.

FEES OF CLERKS OF OYER AND TERMINER.

SECTION 5. All services performed in any one prosecution where a bill is found, except for subpœnas, attachments for witnesses, or process on indictment, four dollars.

When bill is returned ignoramus, one dollar and twenty-five cents.

For subpœnas, attachment, seal and certificate and capias, same fees as are allowed to clerk of quarter sessions.

FEES OF CLERK ORPHANS' COURT.

SEC. 6. For filing and entering petition for appointment of guardian and issuing appointment, one dollar.

Filing and entering list of property selected and retained by widow, under the act of Assembly, fifty cents.

Entering judgment, order or rule of court, twenty-five cents.

Confirmation of accounts of executors, administrators or guardians, one dollar and twenty-five cents.

Filing petition for pension, order, copy and seal, forty-five cents.

All proceeding on inquisition on real estate, including petition, order, return, confirmation, rule and recording, two dollars and seventy-five cents.

Taking and docketing recognizance, forty cents.

All proceedings for sale of real estate, three dollars and fifty cents.

Filing and entering bond, thirty cents.

Entering motion and rule of court thereon, twenty-five cents.

Issuing subpœna, with seal, thirty cents.

Each name after the first on such subpœna, two cents.

Issuing citation, with seal, and recording petition therefor, fifty cents.

Issuing attachments, with seal, and entering motion therefor, fifty cents.

Copy of record, or any paper filed, or any part thereof, for every eight words, one cent.

Every search, where no other service is performed, fifteen cents.

Filing any paper not specially provided for, fifteen cents.

Recording a draft, twenty-five cents.

Making out order, under seal, to auditors appointed to apportion intestate's property among creditors, and to auditors appointed to settle and adjust accounts of administrators, executors or guardians, seventy-five cents.

Filing auditor's report and entering approval of court thereon, twenty cents.

Copy of said report for either party, each item, one cent.

Accounts of administrators, executors or guardians, and auditors' reports, for every eight words, or every sixteen figures, one cent.

Certificate and seal, thirty cents.

Receiving and distributing money paid into court, for each dollar under five hundred, one cent.

For each dollar exceeding five hundred, one-half cent.

For any other services not hereinbefore provided for, the same fees for other services of a like nature.

FEES OF REGISTER OF WILLS.

SEC. 7. For probate of will and granting letters testamentary thereon, one dollar and twenty-five cents.

For recording same, for every eight words, one cent.

For letters of administration, one dollar.

For bond of administrators, one dollar and fifty cents.

For filing renunciation of widow, executor or administrator, fifty cents.

For annexing copy of will, for every eight words, one cent.

For issuing citation or attachment, with seal, sixty cents.

For entering caveat, twenty-five cents.

For issuing commission to take testimony of witnesses, seventy-five cents.

For issuing precept, for an issue, fifty cents.

For issuing subpœna, forty cents.

For administering oath or affirmation, ten cents.

For filing list of articles appraised, and lists of articles sold, each twenty-five cents.

For examining, passing and filing accounts of executors, or administrators, or guardians, three dollars.

For advertising executor's, administrator's or guardian's account, including printer's bill, two dollars and fifty cents.

For every copy of said accounts, if demanded, not exceeding seventy-five items, one dollar and twenty-five cents.

For every additional item, one cent.

For entering exceptions to administrator's and executor's bonds and hearing the same, seventy-five cents.

For holding register's court, per day, two dollars and fifty cents.

For every search when no other service is performed, fifteen cents.

For certificate and seal, forty-five cents.

For copy of any bond filed, fifty cents.

For commission on taxes received for the use of the Commonwealth in proceedings in office, on every dollar, three cents.

Provided, That in all cases where the value of the estate of the decedent shall not exceed two hundred and fifty dollars, the register shall receive, in lieu of all fees for official services hereinbefore specified, to be performed after the granting letters, the sum of two dollars and fifty cents.

Register to demand and to receive, for the use of the Commonwealth, on every probate of a will and letters testamentary thereon, fifty cents.

On every letter of administration granted, fifty cents.

For any other services not hereinbefore provided for, the same fees allowed for other services of a like nature.

FEES FOR RECORDER OF DEEDS AND CLERK OF THE COURTS.

SECTION 8. For recording and exemplifying deeds and other writings, for every eight words, one cent.

Certificate and seal, forty-five cents.

Every search, when no other service is performed for which fees are allowed, fifteen cents.

Entering satisfaction, with certificate, sixty cents.

Taking acknowledgment of a deed or other writing, each person, twenty-five cents.

All fees for services to be performed shall be considered due and payable to the officer in advance by the party requiring the service.

The prothonotaries or clerks of the Supreme Court, of common pleas, of the courts of nisi prius, of the courts of quarter sessions of the peace, of the orphans' court, the registers of wills and the recorders of deeds of this Commonwealth, shall pay into the treasury, for the use of the Commonwealth, fifty per centum on the amount of any excess over and above the sum of two thousand dollars, after deduction of the amount actually paid for clerk hire and office expenses, which shall be found, by the auditor appointed by the court to settle accounts of county officers, to have been received by any officer in any one year.

That any law now in force, which is supplied by, or is inconsistent with this act, is hereby repealed.

ATTORNEYS-AT-LAW.

SEC. 9. The attorneys-at-law of the several courts of this Commonwealth shall be entitled to receive:

For every suit prosecuted to judgment, discontinuance or non pros., the sum of five dollars.

For each judgment entered by warrant of attorney, five dollars.

For judgment obtained in amicable actions, or the filing of a declaration and confession of judgment thereon, five dollars.

ALDERMEN AND JUSTICES OF THE PEACE.

SEC. 10. The fees of aldermen and justices of the peace, except in the city of Philadelphia, shall be as follows:

Information or complaint, on behalf of the Commonwealth, for every ten words, two cents.

Docket entry, on behalf of the Commonwealth, twenty cents.

Warrant or mittimus, on behalf of the Commonwealth, forty cents.

Writing an examination on complaint of defendant, or a deposition, for every ten words, two cents.

Administering an oath or affirmation, ten cents.

Taking a recognizance in any criminal case and returning the same to court, fifty cents.

Entering judgment on conviction for fine, twenty cents.

Recording conviction, or copy thereof, for every ten words, two cents.

Warrant to levy fine or forfeiture, forty cents.

Bail piece and return, or supersedeas, twenty-five cents.

Discharge to jailor, twenty-five cents.

Entering discontinuance in case of settlement before the justice, forty cents.

Entering complaint of master, mistress, or apprentice, twenty cents.

Notice to master, mistress, or apprentice, twenty-five cents.

Hearing parties and discharging complaint, forty cents.

Holding inquisition under landlord and tenant act, or, in case of forcible entry, each day, two dollars.

Precept to sheriff, fifty cents.

Recording proceedings, one dollar.

Writ of restitution, fifty cents.

Warrant to appraise damages, forty cents.

Warrant to sell strays, fifty cents.

Warrant to appraise swine, entering return, advertising, et cetera, one dollar and fifty cents.

Entering action in civil case, twenty cents.

Summons cap. or sub., each, twenty cents.

Every additional name after the first, five cents.

Subpœna duces tecum, twenty-five cents.

Entering return of summons, and qualifying constable, fifteen cents.

Entering capias and bail bond, ten cents.

Every continuance of a suit, forty cents.

Trial and judgment, fifty cents.

Entering judgment, by confession or by default, twenty-five cents.

Taking special bail, twenty-five cents.

Entering satisfaction, ten cents.

Entering amicable suit, twenty cents.

Entry rule to take depositions for witnesses, ten cents.

Rule to take depositions of witnesses, ten cents.

Interrogatories, for every ten words, two cents.

Entering return of rule, ten cents.

Entering rule to refer, ten cents.

Rule of reference, fifteen cents.

Notice to each referee, ten cents.

Notice to a party, in any case, fifteen cents.

Entering a report of referee and judgment thereon, fifteen cents.

Execution, twenty-five cents.

Entering return of execution, or stay of plaintiff nulla bona non est inventus, or otherwise, fifteen cents.

Entering discontinuance or satisfaction, ten cents.

Sci. fa. in any case, thirty cents.

Opening judgment for re-hearing, twenty cents.

Return of proceedings in certiorari or appeal, including recognizance, fifty cents.

Transcript of judgments, including certificates, forty cents.

Receiving amount of judgment before execution, or where execution was issued, and special bail had been entered, within twenty days after judgment, and paying the same over, if not exceeding ten dollars, twenty cents.

If above ten dollars, and not exceeding forty dollars, fifty cents.

If above forty dollars, and not exceeding sixty dollars, seventy-five cents.

If above sixty dollars, one dollar.

Every search where no other service is rendered to which any fee or fees are attached, fifteen cents.

Entering complaint in writing in case of attachment and qualifying complainant, thirty cents.

Attachment, thirty cents.

Entering return and appointing freeholders, fifteen cents.

Advertisements, each fifteen cents.

Order to sell goods, twenty-five cents.

Order for the relief of a pauper, each justice, forty cents.

Order for removal of a pauper, one dollar.

Order to seize goods for maintenance of wife or children, thirty cents.

Order for premium for wolf or fox scalps, to be paid by the county, fifteen cents.

Every acknowledgment or probate of a deed or other instrument of writing, twenty-five cents.

Taking and signing acknowledgment of indenture of an apprentice, for each indenture, twenty-five cents.

Cancelling indenture, twenty-five cents.

Comparing and signing tax duplicate, fifty cents.

Marrying each couple, making record thereof and certificate to parties, three dollars.

Certificate of approbation of two justices to binding an apprentice by directors or overseers of the poor, fifty cents.

Certificate to obtain land warrant, fifty cents.

In proceedings under act of one thousand eight hundred and forty-two, and one thousand eight hundred and forty-five, attachment, forty cents.

Entering returns, twenty-five cents.

Affidavit, ten cents.

Bond, twenty-five cents.

Entering rule, et cetera, on garnishee, each, ten cents.

Interrogatories, every ten words, two cents.

Notice to garnishee, ten cents.

CONSTABLES' FEES.

SEC. 11. Executing warrant on behalf of the Commonwealth, fifty cents.

Conveying to jail on mittimus or warrant, fifty cents.

Arresting a vagrant, disorderly person, or other offender against the laws (without process) and bringing before a justice, fifty cents.

Levying fine or forfeiture on a warrant, thirty cents.

Taking the body into custody on mittimus, where bill is afterwards entered before the prisoner is delivered to the jailor, fifty cents.

Serving subpœna, fifteen cents.

Serving summons or notice on referee, suitor, master, mistress or apprentice, personally or by copy, each, twenty cents.

Arresting on capias, fifty cents.

Taking bail bond on capias or for delivery of goods, twenty cents.

Notifying plaintiff where defendant has been arrested on capias, to be paid by plaintiff, twenty cents.

Executing landlord's warrant or serving execution, fifty cents.

Taking inventory of goods, each item, two cents.

Levying or distraining goods, or selling the same, for each dollar not exceeding thirty dollars, eight cents.

For each dollar above thirty dollars, six cents.

And half the commission shall be allowed where the money is paid after levy without sale, but no commission shall in any case be taken on more than the real debt.

Advertising the same, fifty cents.

Executing attachment, thirty-five cents.

Copy of vendue paper, when demanded, each item, two cents.

Putting up notices of distress at mansion house or other public place on the premises, twenty cents.

Serving scire facias personally, twenty cents.

Serving by leaving a copy, twenty cents.

Executing a bail piece, thirty cents.

Traveling expenses in all cases, for each mile circular, six cents.

Making returns to the court of quarter sessions of the proper county, one dollar each for one day, and three cents per mile for each mile circular, counting from the residence of the constable to the court house.

SEC. 12. The fees of the coroner of the several counties of this Commonwealth, shall be the same as that received by the sheriffs for serving processes and executing writs: *Provided*. That in the counties where the fees of the officers enumerated in this act have been increased beyond the provisions of this bill by former enactments, they shall receive the same fees they are now by law allowed.

The House adjourned until Monday evening at 7½ o'clock.

HOUSE OF REPRESENTATIVES.

MONDAY, March 11, 1867.

The House met at 7½ o'clock, P. M.

Prayer was offered by the Rev. J. KENNEDY, member from Wyoming.

The SPEAKER announced a quorum of members present.

The Journal of yesterday was partly read, when,

On motion of Mr. RHOADS, the further reading of the same was dispensed with.

Mr. DEHAVEN. Mr. Speaker, I rise to a privileged question. I move to reconsider the vote on concurring in the Senate amendment to Senate bill No. 143, an act to divide the Twenty-first ward of the city of Philadelphia.

This is a Senate bill; it passed the Senate and came over to this House. It was amended here, sent back to the Senate, amended thre, again came back here, and the House concurred in the amendments. The bill as it now stands is not worth the paper it is written on. I therefore move to reconsider the vote by which the House concurred in the amendment of the Senate.

The motion was

Agreed to.

The question then recurring,

Will the House concur in the amendment of the Senate?

It was

Not agreed to.

Mr. DEHAVEN. Mr. Speaker, I move that the House insist upon non-concurring, and that a committee of conference be appointed.

The motion was

Agreed to.

Mr. HUMPHREY. Mr. Speaker, I rise to a privileged question. I renew my motion of the other day, to consider the vote negativing Senate bill No. 117, an act relative to the appointment of collectors of taxes in Montgomery county.

On the question,

Will the House agree to the motion?

The yeas and nays were required by Mr. SATTERTHWAIT and Mr. MARKLEY, and were as follow, viz:

YEAS—Messrs. Adaire, Allen, Armstrong, Barton, Brown, Day, DeHaven, Espy, Ewing, Freeborn, Gallagher, Ghegan, Harbison, Humphrey, Kennedy, Kimmell, Kinney, Lee, Leech, Marks, Meily, Quay, Richards, Sharples, Shuman, Steacy, Webb, Weller, Wharton and Wright—30.

NAYS—Messrs. Boyd, Boyle, Breen, Brennan, Calvin, Chalfant, Chase, Collins, Colville, Craig, Deise, Fogel, Harner, Headman, Heitzel, Hoffman, Hood, Hunt, Jenks, Jones, Josephs, Kline, Koon, Kurtz, Linton, Long, M'Creary, Maish, Mann, Markley, Mechling, Meyers, Phelan, Quigley, Rhoads, Robinson, Roush, Satterthwait, Seiler, Tharp, Westbrook and Woodward—41.

So the question was determined in the negative.

Mr. HOOD. Mr. Speaker, I ask leave to make a statement.

Leave was granted.

Mr. HOOD. Mr. Speaker, last Friday I was necessarily absent from this House, on professional business, in Philadelphia. During my absence, that day, House bill No. 821, in reference to the running of steam engines in the built up portions of Philadelphia, was referred to Committee on Railroads. It is a bill which I, as chairman of a special committee, reported to this House. I cannot see the object in referring it to the Committee on Railroads. It was reported by a special committee and was so recognized when reported. I cannot see any other object in this than delay. Let us deal fairly with this matter. I say that it is unfair to refer it in this way for the sake of delay. I, therefore, move that the Railroad Committee be discharged from the further consideration of the bill.

Mr. LEE. Mr. Speaker, I would like to make an inquiry of the gentleman from Philadelphia [Mr. HOOD] before that question is put, and that is this: How does it occur that while the Philadelphia and Trenton railroad company run their cars in a portion of the city where they do not pass probably more than twenty houses on the line of their street—certainly they do not pass anything like one-fourth the built-up portions of the city that the Germantown and Norristown railroad or the Reading railroad do—how it is that that road is singled out and made the specific object of that committee's care and solicitude? I would like to be satisfied upon that point. I do not know why that is. I do not express any opinion one way or the other with reference to the propriety of the bill, but I——

Mr. HOOD. Mr. Speaker, I would say in reply to the gentleman that we intend to report a bill to-night in reference to the Norristown railroad, and that we will probably report a bill concentrating all the roads at one depot in one part of the city. We do not intend to look over any one of them.

Mr. BOYLE. Mr. Speaker, the orders have not been suspended to allow any motion to be made, and I raise the point of order that the motion of the gentleman from Philadelphia [Mr. HOOD] is not in order.

The SPEAKER. The Chair is of the opinion that the point of order is well taken

Mr. HOOD. Mr. Speaker, I then move that the orders of the day be suspended for the purpose of enabling me to make a motion.

The motion was

Not agreed to.

The SPEAKER then announced the special order to be the consideration of Senate bill No. 665, an act to incorporate the city of Allentown.

The question was on agreeing to the seventh section.

It was

Agreed to.

The eighth, ninth, tenth, eleventh, twelfth, thirteenth, fourteenth, fifteenth, sixteenth, seventeenth, eighteenth, nineteenth, twentieth, twenty-first, twenty-second, twenty-third, twenty-fourth, twenty-fifth, twenty-sixth, twenty-seventh and twenty-eighth sections were read, and

Agreed to.

On motion of Mr. FOGEL, the twenty-ninth section was amended by inserting the words "four dollars" in place of "one dollar."

The section as amended was

Agreed to.

The bill was

Agreed to.

On the question?

Will the House suspend the rules and read the bill a third time by its title?

Mr. PENNYPACKER. Mr. Speaker, this is an important bill. I think the provisions should be inquired into. I, therefore, suggest that the House do not suspend the rules, but let the bill go over on third reading, and upon the question of suspending the rules I call the yeas and nays.

Mr. QUIGLEY. Mr. Speaker, I hope the gentleman from Chester [Mr. PENNYPACKER] will state, for the information of the House, what objection, if any, there is to suspending the rules on this bill. I hope the gentleman will state whether the mere fact that the bill applies to a Democratic county makes it objectionable.

I think that is the only objection I have heard.

Mr. PENNYPACKER. Mr. Speaker, nearly every time there is a question raised upon a certain point I find some gentlemen on the other side of the House who are crying upon us politics. They are dragging politics into every subject. I submit to this House that this is a bill to incorporate a city—a bill too important to be passed under a suspension of the rules. The other evening when we were in great commotion, and members were leaving the House, at a very late hour indeed, this bill was introduced under a suspension of the rules. I believe we had a special session that evening.

Small bills of no particular importance except to the immediate locality to which they apply have to go upon the calendar to be printed and passed through their regular routine. Here is a bill to incorporate a city which we are about to pass without any of these preliminaries which uniformly attach to bills of minor importance.

This is a bill into which we should look carefully that the interests of not merely Republicans but Democrats should be taken care of. I do not make this a political matter. I have no particular objections to the bill, but I am opposed to passing a matter of this importance under a suspension of the rules.

Mr. QUIGLEY. Mr. Speaker that is just the very reason why I asked the gentleman from Chester his reason for wanting this bill to lay over. It is well known the bill was up for consideration last week. It was postponed and made the special order for this evening—for what purpose? Simply in order to give the gentleman from Chester, and every other gentleman, an opportunity to examine it. The gentleman has had time to do so, but has he done it? If he has examined the bill let him point out his objection.

Mr. FOGEL. Mr. Speaker, the bill was drawn by a Republican council of Allentown.

Mr. PENNYPACKER. Mr. Speaker, I should like to insist that I make no political objection to this bill. If this was from my own county I would not ask a suspension of the rules.

Mr. QUIGLEY. Mr. Speaker, I would like to ask the gentleman if he has not had time to examine the bill since its postponement?

Mr. PENNYPACKER. I have not.

Mr. JONES. Mr. Speaker, I am told that the election is to be held on Friday next, and if this bill should not be passed under a suspension of the rules it cannot be passed at all. The object for which it is presented will be defeated. I understand the people of Allentown have made no objection to it at all. It has passed the Senate, and I believe it is the general desire of the people of Allentown that they be incorporated into a city.

I am informed this bill was drawn by the Republican council of Allentown, therefore, there can be no political objection.

The only necessity for having this bill passed now, arises from the fact that the election in Allentown is to be held on Friday next. If the House does not agree to suspend the rules and pass the bill now, it will put both parties to a very great inconvenience. I trust, therefore, the gentleman will either withdraw his call, or else that the House will grant this indulgence to the people of Allentown, as it is a matter to them of very great importance.

The call for the yeas and nays was withdrawn.

The question recurring, Will the House suspend the rules?

It was

Agreed to.

The bill was read a third time, and

Passed finally.

CONNELLSVILLE RAILROAD BILL MADE A SPECIAL ORDER.

Mr. QUAY. Mr. Speaker, I ask the unanimous consent of the House to be allowed to make a motion.

Consent was given.

Mr. QUAY. I move to make Senate bill No. 284, with reference to the Connellsville railroad, a special order for Wednesday morning next at 10 o'clock.

The motion was

Agreed to.

BILL RECOMMITTED.

On motion of Mr. SUBERS, House bill No. 916, an act relative to widening Delaware avenue, in the city of Philadelphia, was recommitted to the Committee on Municipal Corporations.

PRIVATE CALENDAR.

The SPEAKER announced that the next order of business was the further consideration of the private calendar.

The first bill in order was House bill No. 590, an act relative to drainage of certain lands in Point township and borough, Northumberland county.

The bill was

Postponed for the present.

The next bill in order was House bill No. 595, an act relating to the duties of the treasurer of Lawrence county.

The bill was

Laid over on third reading.

The next bill in order was House bill No. 665, an act to provide for the election of burgess and town council in the borough of Danville, Montour county.

The bill was read.

Mr. CHALFANT moved to strike out all after the enacting clause and insert a new bill.

The motion was

Agreed to.

The bill as amended was

Agreed to.

The title was read and

Agreed to.

The rules were suspended, and the bill read a third time by its title.

On the question,

Shall the bill pass?

Mr. ARMSTRONG. Mr. Speaker, I hope the bill will not pass. I think it is a new mode to obtain a charter for a borough without first submitting it to a committee. The bill, of which this proposes to be an amendment, was before the proper committee. By them it was considered and reported.

The gentleman has taken advantage of circumstances, in my opinion, to strike out all after the title and insert an entirely new bill. He springs upon this House and asks it to pass a bill incorporating a borough without allowing time for the consideration of its provisions. Under the circumstances, I hope the House will not agree to the motion.

If in order, I would move that the bill be referred to the appropriate committee; that it be there considered, and by them reported to this House.

Mr. CHALFANT. Mr. Speaker, I would state to the gentleman that I do not propose to get a new charter for the town of Danville. It is already chartered. This is a bill providing merely for two additional wards to that borough. It has received the consent of nearly every inhabitant of Danville.

Mr. ARMSTRONG. Mr. Speaker, if the gentleman's statement is correct, and I believe it is, I suppose the courts have jurisdiction in this matter. I believe the court would have authority to grant a charter for the borough of Danville. Why it is that this matter is brought in, in this way, I cannot understand. I hope the motion to recommit the bill will prevail.

Mr. MANN. Mr. Speaker, I think the gentleman from Lancaster [Mr. ARMSTRONG] has made the point now that should prevail. I will read the provisions of the law on this subject.

"5." The courts of quarter sessions aforesaid shall also have power, with the concurrence of the grand jury of the county, and upon the application in writing of two thirds of the taxable inhabitants of any borough now incorporated, or that may hereafter be incorporated, to annul or alter the charter of the same, and similar proceedings shall be had on such application, as in the case of incorporating a borough."

Mr. LEE. Mr. Speaker, I think this an important question to decide.

I hope the bill will be suspended for the present.

I think this House is manifesting but very little judgment in matters of this sort, if they persist in passing bills that the Governor must necessarily veto.

I do not know what pressing necessity there may be for the passage of this bill; but, if the courts have power to do this thing it will come back to us vetoed; affording another cause of shame for not appreciating what has been so thoroughly, ably and fully set forth.

Mr. CHALFANT. Have the courts the power?

Mr. LEE. If they have the right to create a borough, they have the right to create its wards, designate how many wards the borough shall have, and alter them at any time.

I am not opposed to the gentleman's bill, but I am opposed to passing laws that will come back to us vetoed, because we have no right to act upon them. I think we should exercise our judgment and common sense.

Mr. LINTON. Mr. Speaker, I think if the gentleman will further examine the law, he will find the courts have not authority to divide a borough into wards. They have authority to incorporate boroughs and extend the limits of boroughs; but there is no provision in the law which authorizes the courts to divide a borough into wards.

I understand the provisions of this bill are simply to divide the borough there designated into wards. I feel confident in making the assertion that the courts have not that authority. They can incorporate a borough, and they can extend its limits, but no more. It is not an unusual thing for boroughs to be divided into wards by act of Assembly. The borough in which I reside was thus divided, as also was the borough of York. So I am informed by the gentleman representing that county.

Mr. MANN. Mr. Speaker, I think this general bill providing for the manner of chartering boroughs and for their government was intended to govern boroughs, and that its purport was to take that subject out of the hands of the Legislature. I think this attempt to evade the provisions of that act of Assembly by dividing boroughs into wards is an evasion, and that this bill will come back vetoed, if we pass it. I can think of no reason why the Legislature should have taken the pains to elaborate a bill so carefully as they have this one, defining the powers and duties of a borough, giving the courts full power to charter them, with authority to change their character on application, if year after year we are to be called upon to change these very borough laws. I undertake to say the object of this general bill was to prevent just such legislation as that which is now asked for. It could have had no other purpose. They have taken great pains with this bill; they have determined what officers shall be in a borough; what powers they shall have, and what powers the courts shall have.

It is said, because this bill proposes to divide a borough into wards, therefore it does not come within the law. I believe it was intended that boroughs should be as defined by this act of Assembly. That is my conviction. I may be mistaken, but that is the way the law reads.

Mr. JENKS. Mr. Speaker, I read in section nine, article eleven, of the Constitution, which provides as follows:

SEC. IX. No bill shall be passed by the Legislature granting any powers or privileges, in any case, where the authority to grant such powers or privileges has been, or may hereafter be, conferred upon the courts of this Commonwealth.

Now, the powers and privileges proposed to be conferred by this act are not such powers and privileges as the courts have authority to confer, therefore, there is no constitutional objection to the passage of the bill.

I read further:

"Every borough within this Commonwealth that hereafter may be incorporated by an act of the General Assembly, or by the court of quarter sessions of any county, shall have power," &c.

This gave concurrent jurisdiction to the courts with the Legislature.

Now, in construing the provisions of the Constitution and in construing the act of Assembly, you must give that reasonable, common sense construction which leads to something like truthfulness. In some cases the courts have exclusive authority. Now, this act proposes to create two additional wards and further enlarge the corporate powers of the borough. The power has not been given by the Legislature, as I understand, to the courts, and hence the necessity of this act. Hence the objection to it was not well founded. It is not to incorporate the town—that has been done already. It is to create new relations that the court itself has no power to create. I think, therefore, that the objection of the gentleman is not well founded.

Mr. LEE. Was not the right to grant divorces, before the passage of the constitutional amendment, concurrent with the Legislature and with the court; and if so, why may me not pass divorce bills now, where we have acted hitherto?

Mr. JENKS. In answer to the question, I would state that the right to grant divorces was, in some measure, concurrent. By the act of Assembly, the right of the court to grant divorces was founded upon willful desertion, and cases of such hard treatment and cruelty by either of the parties that made the life of the other unendurable, and to cases of incompetency. These are all I now think of. There are cases, outside of these, that the Legislature have power to act upon, and hence applications before this Legislature for divorces for causes outside of those which have been specified by act of Assembly. So in cases of the incorporation of boroughs.

Mr. LEE. Where the courts and the Legislature had concurrent rights in this matter, concurrent jurisdiction, I ask whether that concurrent jurisdiction has not been taken away by the recent amendments to the Constitution; and if so, has it not destroyed the concurrent jurisdiction of the courts with this Legislature everywhere?

Mr. JENKS. When I use the term concurrent I use it in this sense: to suggest the distinction which arises between the creation of a corporation and such modification of a corporate power as has not been provided for already by act of Assembly. The act proposes to modify the corporate power and give it a new direction. This modification has not been, as I apprehend, vested in the courts. Remember this is not an act to incorporate, but an act to change the corporate authority—the matter of exercising corporate power—an act to create new wards, to change certain relations therein. I do not think that is included in the power which authorizes the courts to incorporate.

Mr. WEBB. Mr. Speaker, on the 886th page of *Purdon* I find this section:

144. The courts of quarter sessions shall have authority, within their respective counties, to divide any borough, ward or township, into two or more election districts; to alter the bounds of any election district, or to form an election district out of parts of two or more adjoining townships, so as to suit the convenience of the inhabitants thereof, and to fix the place of holding elections, and appoint the election officers, pursuant to the provisions of section second of this act.

Mr. JENKS. That does not change the case; that is not what is proposed here.

Mr. WEBB. What is proposed?

Mr. JENKS. To create two wards.

Mr. WEBB. Does not that make election districts necessarily?

Mr. LEE. I simply desire to say that one of the most eminent jurists in this State, Judge Taylor, has fully examined this subject. He said the courts had full power, and he would get the borough divided as this bill provides.

Mr. M'CREARY. Mr. Speaker, it seems to me that this House is taking up time discussing a question that should have been examined before we came here; and for that reason I think the motion of the gentleman from Lancaster is a very proper one. This question can be examined before a committee; they can have the law before them—examine it carefully. Time that should be devoted to reading bills in place and going through with the private calendar would not then be inter-

fered with. I think, whether the courts have power or not, bills of this kind should go before a committee for the purpose of ascertaining that particular fact whether they have that power.

I was not here when the bill was read, but I am told that it is for the purpose of dividing the town of Danville into wards. Now, there are eleven sections in that substitute. I would like to inquire how many wards are to be constructed in the town of Danville in order to make it necessary to have eleven sections?

It seems to me there must be more in this bill than the division of the town of Danville into wards. I cannot understand how it is necessary to have eleven sections to divide a town into two wards.

This bill should go before a committee. If the Governor vetoes all these bills it is his duty to do so, and it is our duty just as much not to pass these bills as it is his duty to veto them.

Therefore we should examine them in committee, where all those little points that determine the character of a bill can be examined.

I hope we will come to a vote on the motion at once.

Mr. THARP. Mr. Speaker, I have a bill now before this House to divide a borough into wards. That bill was prepared by eminent counsel, whose opinion it was that the courts had no jurisdiction.

[Owing to confusion in the House it was impossible to hear the conclusion of the gentleman's remarks.]

Mr. CHALFANT. Mr. Speaker, my anxiety to get this bill passed to-night is because the people of the town are very anxious for these additional wards. I thought if the House would pass it this evening, the Senate would get it to-morrow to take a vote on it. If the bill is unconstitutional, I suppose the Governor will veto it. I am no lawyer myself, but I am told that this bill was drawn by the ablest legal minds at the bar of Montour county, and I suppose the gentlemen who drew the bill had examined the question fully beforehand.

I hope the House will agree to let the bill pass.

Mr. EWING. Mr. Speaker, I have in my hand the opinion of the ablest lawyer in the State, who says this:

"The act of 1863 only applies to cases where the court has made corporate, and does not recognize the right of a court where the borough owes its existence to the Legislature."

On the question,

Will the House agree to the motion to recommit the bill?

The yeas and nays were required by Mr. CHALFANT and Mr. FOGEL, and were as follow, viz:

YEAS—Messrs. Armstrong, Barton, Brown, Chadwick, Day, DeHaven, Espy, Ewing, Freeborn, Gallagher, Ghegan, Hoffman, Humphrey, Kennedy, Kimmell, Lee, Leech, M'Camant, M'Creary, Mann, Marks, Mechling, Meily, Pennypacker, Richards, Sharples, Steacy, Stumbaugh, Subers, Watt, Webb, Weller, Whann, Wharton, Worrall, Wright and Glass, *Speaker*—36.

NAYS—Messrs. Adaire, Boyd, Boyle, Breen, Brennan, Calvin, Chalfant, Colville, Craig, Deise, Fogel, Harner, Headman, Hunt, Jenks, Jones, Josephs, Keros, Kinney, Kline, Koon, Kurtz, Linton, Long, Maish, Markley, Meyers, Phelan, Quigley, Rhoads, Robinson, Roush, Satterthwait, Shuman, Tharp, Westbrook and Wingard—37.

So the question was determined in the negative.

The question recurring on the final passage the bill,

The bill

Passed finally.

REPORTS FROM COMMITTEES.

Mr. BARTON, from the Committee on Judiciary Local, reported from that committee, with an amendment, bill No. 1088, an act relative to the commissioners, sheriff and treasurer of Cumberland county.

Mr. DEHAVEN (Roads, Bridges and Ferries), as committed, bill No. 1089, an act to declare Cedar creek, in Cameron county, a public highway.

Mr. BARTON (Election Districts), with a negative recommendation, bill No. 1091, an act to change the place of holding elections in the townships of Astor and Chester, in the county of Delaware.

Mr. HUMPHREY (same), as re-committed, Senate bill No. 483, an act to repeal the fourth section of an act relating to certain election districts in Schuylkill county.

Mr. QUIGLEY (Divorces), with a negative recommendation, bill No. 1092, an act to annul the marriage contract between David Stackhouse and Anna Stackhouse, his wife, in the city of Philadelphia.

Mr. BARTON (Judiciary Local), as committed, bill No. 1093, an act relative to the courts of Philadelphia.

Mr. WADDELL (Ways and Means), as amended, bill No. 1094, an act regulating the salary of the associate judges of the several courts of common pleas of the Commonwealth of Pennsylvania.

Mr. STEHMAN, from the Committee appointed to Compare Bills, and present them to the Governor for his approbation, made report, which was read as follows, viz:

That in conjunction with a similar committee from the Senate, they have compared, and on the 6th instant presented to the Governor, for his approbation, bills as follow, to wit:

House bill No. 196, an act establishing a ferry over the Monongahela river at the borough of California, in the county of Washington.

House bill No. 822, a further supplement to an act relating to inspections, approved April 15, A. D. 1830, and the several supplements thereto.

House bill No. 234, an act to authorize the Governor to transfer to the Reynolds monument committee unserviceable and condemned ordnance.

House bill No. 102, an act to repair the Covington river in the county of Tioga.

House bill No. 116, a supplement to an act to change the mode of criminal proceedings in Erie and Union counties, extending the same to the county of Warren.

On the 7th instant:

House bill No. 321, an act authorizing and requiring the school directors of Mercer township and Harrisville borough, in the county of Butler, to levy a bounty tax, and for the repeal of all former acts relating to bounties in said district.

House bill No. 815, a supplement to an act to incorporate the Coatesville, Mortonville and Doe Run plank road company, and relative to the repair of public roads in Birmingham township, Delaware county, and relative to the Darby and Upper Darby plank road company, approved the 26th day of March, A. D. 1853, and extend the provisions of certain sections thereof to Bart township, Lancaster county.

Also, on the 8th:

House bill No. 847, an act fixing the place of holding elections in the township of Harrison, county of Bedford, at the house of Jonathan Feichtner.

House bill No. 99, an act to enable State banks to settle and close up their affairs.

House bill No. 452, an act relative to cemeteries in Allegheny county.

House bill No. 387, an act relative to the fees of the coroner of Allegheny county.

Senate bill No. 26, an act to authorize the payment of State agents at Washington.

Senate bill No. 288, an act to authorize the clerk of the court of quarter sessions, oyer and terminer, and orphans' court of Lehigh county to appoint deputies.

Senate bill No. 356, an act relative to the duties of district attorney for the county of Erie.

Senate bill No. 296, a supplement to an act to authorize the erection of a poor house by the township of Wilkesbarre, in Luzerne county, approved 2d of April, 1860.

Senate bill No. 378, an act to authorize the school directors of the borough of Honesdale, in Wayne county, to borrow money, issue bonds and levy and collect taxes for payment thereof.

Senate bill No. 395, an act to vacate parts of Railroad street, in the borough of Pottsville.

Senate bill No. 419, an act to legalize the levying and collection of a certain tax in the borough of Sharon, in Mercer county, and authorizing the levying and collection of a tax, not exceeding ten mills on the dollar of a valuation, for general borough purposes in said borough.

Senate bill No. 474, an act to extend the provisions of the act incorporating the Erie gas company over South Erie, and a portion of Mill Creek township, and to authorize the said company to introduce water wherever it is authorized to introduce gas, and increase its capital stock, and to borrow money.

Senate bill No. 418, an act relative to auctions and gift enterprises in the county of Mercer.

Senate bill No. 495, an act authorizing the city of Allegheny to issue bonds to the amount of sixty-five thousand dollars, to be applied to building a market house in said city.

Senate bill No. 289, an act to authorize the Governor to appoint an additional notary public for the county of Mercer, to reside in the borough of Sharon, in said county, and an additional notary public for the county of Centre, to reside at Phillipsburg.

Senate bill No. 285, an act authorizing the trustees of the proprietors of Hanover township, in Luzerne county, to collect and pay over moneys to the central poor district.

Senate bill No. 127, an act opening Juniata avenue and vacating Nicetown lane, in the Twenty-fifth ward of the city of Philadelphia.

Senate bill No. 48, an act to authorize the payment of Theodore F. Scheffer for printing deserters' lists.

No. 560, an act annexing the borough of Manchester to Allegheny city.

Senate bill No. 282, an act to extend the provisions of an act to require the register of wills in and for Luzerne county to record in a book or books the appraisement, inventories and vendue lists of personal property in the county of Monroe.

Senate bill No. 577, a further supplement to the borough of Easton, authorizing the town council of said borough to construct and provide public water works, and to authorize the election of water commissioners.

Senate bill No. 360, an act in relation to the fees of notaries public in the counties of Bedford, Fulton and Somerset.

Senate bill No. 246, an act to incorporate the Marine Hospital of Pennsylvania, in the county of Erie, to fix location of hospital in Erie city, and to grant real estate to said hospital.

Senate bill No. 421, a supplement to an act incorporating the borough of Jamestown, in the county of Mercer.

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[CONTINUED FROM PAGE 544.]

Senate bill No. 879, an act to authorize the Allegheny Valley railroad to mortgage its road and branches, and to complete the same.

Also, on the 11th:

House bill No. 563, a further supplement to an act to authorize the Cranberry coal company to construct a railroad.

House bill No. 381, an act to authorize the Governor to appoint an additional notary public for the borough of Milton, Northumberland county.

House bill No. 801, a supplement to an act to authorize the road commissioners of Freehold township to levy an additional tax, approved April 11, A. D. 1866.

House bill No. 467, an act to incorporate the Spruce Grove lumber and land company.

No. 1082, an act authorizing the directors of the Middle Creek railroad company to fill the vacancy of the office of president of said railroad, caused by the death of Abner Thompson.

BILLS IN PLACE.

Mr. CHADWICK read in his place and presented to the Chair an act for the improvement of Coal Hill road, in the township of Collins, in the county of Allegheny.

Referred to the Committee on Roads, Bridges and Ferries.

Also, an act to authorize the burgess and town council of the borough of Sharpsburg, Allegheny county, to borrow money for grading and paving purposes, and for the general improvement of the borough.

Referred to the Committee on Municipal Corporations.

Also, an act regulating the fees of notaries public in the county of Allegheny.

Referred to the Committee on the Judiciary Local.

Also, an act to authorize the road supervisors of Collins township, in the county of Allegheny, to levy an additional tax and make sidewalks along the public roads in said township.

Referred to the Committee on the Judiciary Local.

Mr. COLVILLE, an act to incorporate the South Pittsburg Co-operative association of Allegheny county.

Referred to the Committee on Corporations.

Also, a supplement to an act to lay out a State road from the borough of Tarentum, in Allegheny county, by the town of Bakerstown, to the State road leading from Perrysville to the Glade Mills, on lands of George Gocher, in Butler county.

Referred to the Committee on Roads, Bridges and Ferries.

Mr. MECHLING, an act to incorporate the Kittanning and Rural Village Macadamized turnpike road company in the county of Armstrong.

Referred to the Committee on Roads, Bridges and Ferries.

Also, an act to increase the number of supervisors of roads in Cowanshanoe township, Armstrong county.

Referred to the Committee on Roads, Bridges and Ferries.

Also, an act to repeal the second section of an act authorizing the assessment of railroad taxes in the borough of Kittanning, Armstrong county, approved the 16th day of February, A. D. 1867.

Referred to the Committee on the Judiciary Local.

Mr. QUAY, a supplement to an act to incorporate the Brady coal and iron company.

Referred to the Committee on Coal and Iron Companies.

Mr. CHADWICK, a further supplement to an act to incorporate the Youghiogheny shaft company.

Referred to the Committee on Corporations.

Mr. QUAY, supplement to an act to incorporate the Ohioville railroad company, approved the 27th day of March, 1866.

Referred to the Committee on Railroads.

Mr. WEBB, an act to reduce the number of school directors in the several school districts in the county of Bradford, and to pay the same.

Referred to the Committee on Education.

Mr. KINNEY, an act to extend the act providing for the assessment of seated lands in the townships where the mansion house is situated, to the borough of Rome, in the county of Bradford, for school purposes.

Referred to the Committee on Education.

Mr. LINTON, an act transferring the farm of Augustin Walters from Allegheny township, Cambria county, to Loretto borough, in same county, for school purposes.

Referred to the Committee on Education.

Also, an act extending the provisions of an act relating to the licensing of billiard rooms, bowling saloons, and nine or ten pin alleys, at Cresson Springs, in the county of Cambria, to the Loretto Springs, in the same county.

Referred to the Committee on Vice and Immorality.

Mr. CRAIG, an act to annex certain portion of the territory of Luzerne county to that of Carbon county.

Referred to the Committee on Counties and Townships.

Also, an act relative to a law library in the county of Carbon.

Referred to the Committee on the Judiciary Local.

Also, an act to repeal so much of the bounty laws as authorizes the authorities of Smithfield township, Monroe county, to levy and collect any additional or per capita tax over and above the regular per centage tax.

Referred to the Committee on Military.

Also, an act to appropriate the moneys arising from the sale of a leasehold of the trust estate of Frederica Misca, and to validate and confirm the acts of the trustees therein.

Referred to the Committee on the Judiciary Local.

Mr. KERNS, an act to incorporate the Keystone Homestead company.

Referred to the Committee on Corporations.

Mr. DAVIS, an act to incorporate the Pennsylvania and New Jersey bridge company.

Referred to the Committee on the Judiciary General.

Mr. KOON, an act to vacate a portion of the Wilkesbarre and Providence plank road.

Referred to the Committee on Roads, Bridges and Ferries.

Also, an act to annex a portion of the borough of Dunmore to the city of Scranton.

Referred to the Committee on Municipal Corporations.

Also, an act amendatory of the law relating to estates and escheats.

Referred to the Committee on Estates and Escheats.

Mr. KLINE, an act to incorporate the Lehigh County mining, manufacturing and improvement company.

Referred to the Committee on Mining and Manufacturing Companies.

Mr. LONG, an act to incorporate the Shippensburg iron manufacturing and mining company.

Referred to the Committee on Coal and Iron Companies.

Also, an act to incorporate the West Virginia paper mill company.

Referred to the Committee on Corporations.

Also, an act supplementary to an act incorporating the Cumberland Valley railroad, passed the 2d day of April, 1831.

Referred to the Committee on Railroads.

Also, an act relating to the collection of taxes in Cumberland county.

Referred to the Committee on the Judiciary Local.

Mr. ESPY, an act to annex the farm or farms of John M'Quiston, S. L. M'Quiston, T. M. M'Quiston and David M'Quiston, of East Fallowfield township, to West Fallowfield township, Crawford county, for school purposes.

Referred to the Committee on Education.

Mr. CHASE, an act relating to the publication of local, general and private laws and of legal advertisements in the several counties of the Commonwealth of Pennsylvania.

Referred to the Committee on Ways and Means.

Mr. WADDELL, an act to incorporate the Capitol savings fund and safe deposit company.

Referred to the Committee on Banks.

Also, a supplement to an act relating to county rates and levies.

Referred to the Committee on the Judiciary General.

Mr. SHARPLES, an act extending an act entitled An act relative to the opening and making of new roads and building of bridges in the township of West Marlboro, in the county of Chester, to the township of Salisbury, in said county.

Referred to the Committee on Roads, Bridges and Ferries.

Mr. WADDELL, an act to incorporate the the Oxford life insurance, annuity and trust company.

Referred to the Committee on Corporations.

Mr. STEHMAN, an act to incorporate the Farmers' turnpike road company, in the county of Lancaster.

Referred to the Committee on Roads, Bridges and Ferries.

Mr. WHARTON, an act to annul the marriage contract between James Edwards and Elizabeth Edwards, his wife.

Referred to the Committee on Divorces.

Mr. KIMMELL, an act to extend the provisions of an act to prohibit the issuing of licenses within certain boroughs in the counties of Armstrong, Potter, Indiana and Perry, or within two miles of the same, in the counties in which the boroughs are located, approved the 27th day of March, 1866, to the township of Derry, in the county of Westmoreland, and the borough of Blairsville, the township of Burrell and the township of East Mahoning, in the county of Indiana.

Referred to the Committee on Vice and Immorality.

Mr. PHELAN, an act to authorize certain persons to sell real estate in the borough of Waynesburg, county of Greene.

Referred to the Committee on Estates and Escheats.

Mr. STUMBAUGH, an act for the relief of the officers of the Thomas A. Scott regiment, Pennsylvania infantry volunteers.

Referred to the Committee on Ways and Means.

Also, an act granting a pension to Nancy Jane O'Donnell, widow of D. Charles O'Donnell deceased.

Referred to the Committee on Pensions and Gratuities.

Also, an act to incorporate the Conococheague water company of the borough of Chambersburg.

Referred to the Committee on Corporations.

Also, an act repealing so much of the act entitled An act in relation to original writs and executions in the county of Franklin, approved the — day of March, 1867, as relates to executions.

Laid on the table.

A supplement to an act entitled A further supplement to an act to erect the town of Chambersburg, in the county of Franklin, into a borough, extending the authority of the burgess and town council.

Referred to the Committee on Municipal Corporations.

Also, an act granting a pension to Margaret Rots, widow of David Rots, late of Franklin county, deceased.

Referred to the Committee on Pensions and Gratuities.

Also, an act relative to certain moneys in the hands of legal representatives of Jacob Miller, late of St. Thomas township, in the county of Franklin, deceased.

Referred to the Committee on the Judiciary Local.

Also, an act supplementary to an act authorizing the Governor to incorporate the Holland Valley railroad and mining company, passed the 25th day of May, 1839, authorizing the extension of a branch railroad, increasing the capital stock, number of acres of land, and providing for the taxation of the same.

Referred to the Committee on Railroads.

Mr. HOOD, an act to incorporate the River Bed gold and silver mining company.

Referred to the Committee on Mining and Manufacturing Companies.

Mr. BROWN, an act to repeal a part of an act, approved the 21st day of March, A. D. 1866.

Laid on the table.

Also, a supplement to an act to incorporate the Middle Creek railroad company, approved the 23d March, 1865.

Referred to the Committee on Railroads.

Mr. THARP, an act to incorporate the Easton mining and smelting company.

Referred to the Committee on Mining and Manufacturing Companies.

Mr. BRENNAN, an act relative to the election of constables in the township of Blakely, Luzerne county.

Laid on the table.

Mr. LEECH, a supplement to an act to regulate the sale of intoxicating liquors, approved the 31st day of March, A. D. 1856.

Referred to the Committee on Vice and Immorality.

Also, an act to authorize the school directors of the borough of West Middlesex, in the county of Mercer, to borrow money.

Referred to the Committee on Education.

Mr. WINGARD, a supplement to an act entitled A further supplement to an act entitled An act relative to the payment of bounties to volunteers, approved the 25th day of March, 1864.

Referred to the Committee on Military.

Mr. LEECH, an act to annex additional territory to the borough of Brownsville, in the county of Mercer.

Mr. ADAIRE, an act for the relief of the estate of Anthony Olewine.

Referred to the Committee on Ways and Means.

Mr. WHANN, a supplement to an act relating to the liens of mechanics, approved June 16th, 1836, and the several supplements thereto, to and the same are extended to engine houses, &c.

Referred to the Committee on the Judiciary General.

Mr. THARP, an act to exempt the hall of lodge No. 22, in the borough of Sunbury, from taxation.

Referred to the Committee on Ways and Means.

Mr. SUBERS, an act for the relief of Dr. Herman R. Linton, a surgeon of the thirty-eighth regiment, Pennsylvania infantry volunteers.

Referred to the Committee on Ways and Means.

Mr. WORRALL, an act to authorize the Governor to appoint four additional notaries public for the city of Philadelphia.

Referred to the Committee on the Judiciary Local.

Mr. MANN, a supplement to the act of the 21st day of April, A. D. 1858, regulating the pay of members of the General Assembly.

Referred to the Committee on Ways and Means.

Mr. WELLER, an act relating to the publication of local, general and private laws, and of legal advertisements, in the several counties of the Commonwealth of Pennsylvania.

Referred to the Committee on the Judiciary General.

Mr. MANN, an act to abolish the forms of action in the commencement and trial of suits in courts.

Referred to the Committee on the Judiciary General.

Mr. MAISH, an act to exempt soldiers of the war of 1812 from the payment of bounty taxes.

Referred to the Committee on Ways and Means.

Mr. CHASE, an act relative to corporations.

Referred to the Committee on the Judiciary General.

Mr. FREEBORN, an act to exempt the property of the First City Troop, in the Ninth ward of the city of Philadelphia, from taxation.

Referred to the Committee on Ways and Means.

Mr. BARTON, an act to regulate the collection of local taxes in the township of Edgmont, Delaware county.

Referred to the Committee on the Judiciary Local.

Mr. M'CREARY, an act to authorize the appointment of an additional notary public in the borough of Girard, in the county of Erie.

Referred to the Committee on the Judiciary Local.

Mr. WOODWARD, an act to authorize the re-examination and resettlement of certain accounts between the Commonwealth and the Erie and Northeast railroad company.

Referred to the Committee on Ways and Means.

Mr. MANN, an act fixing the compensation of district attorneys for examining agents' books and accounts of foreign insurance companies.

Referred to the Committee on the Judiciary General.

Mr. LEE, an act regulating the inspection of fertilizers, and to prevent fraud in the vending of the same.

Referred to the Committee on the Judiciary General.

Mr. ADAIRE, an act for the protection of physicians in the practice of their profession.

Referred to the Committee on the Judiciary General.

Mr. CHALFANT, an act to provide for the purchase of real estate, and erection of a poor house, in the township of Bloom, Columbia county.

Referred to the Committee on the Judiciary Local.

Mr. LEE, a supplement to the constitution and charter of the Bustleton Methodist Episcopal church, enrolled by order of the Governor, in the office of the Secretary of the Commonwealth, on the 6th day of February, 1834, authorizing the trustees of said corporation to remove certain bodies to enable them to extend their church edifice.

Referred to the Committee on the Judiciary Local.

Mr. CHASE, an act fixing the pay of the sheriff of Crawford county for boarding prisoners and other purposes.

Referred to the Committee on the Judiciary Local.

Mr. CHALFANT, an act to provide for the erection of a house for the employment and support of the poor in the township of Hemlock, in the county of Columbia.

Referred to the Committee on the Judiciary Local.

Mr. EWING, a supplement to an act regulating the mode of voting at all elections in the several counties of the Commonwealth, and to regulate the mode of voting where boroughs or townships vote together, in the county of Washington.

Referred to the Committee on the Judiciary Local.

Mr. WHANN, an act creating an additional return day to processes of the courts of Venango county.

Referred to the Committee on the Judiciary Local.

Mr. JONES, an act to extend to the county of Berks certain provisions of an act to

amend the fee bill as to constables in the city of Philadelphia.

Referred to the Committee on the Judiciary Local.

Mr. FOGEL, an act relating to payment of the county commissioners of the county of Lehigh.

Referred to the Committee on the Judiciary Local.

Mr. BRENNAN, an act relating to taxes in Greenfield township, Luzerne county.

Referred to the Committee on the Judiciary Local.

Mr. FREEBORN, an act for the enforcement of the inspection laws in the county of Philadelphia.

Referred to the Committee on the Judiciary Local.

Mr. KERNS, an act supplementary to an act relative to inspectors, approved the 15th day of April, A. D. 1835.

Referred to the Committee on the Judiciary Local.

Mr. THARP, an act to increase the pay of the county commissioners of Northumberland county.

Referred to the Committee on the Judiciary Local.

Mr. WORRALL, an act to annul the marriage contract between Otto W. Reiss and Mary Reiss, his wife.

Referred to the Committee on Divorces.

Mr. MANN, an act to incorporate the Limestone turnpike and plank road company of Warren county.

Referred to the Committee on Roads, Bridges and Ferries.

Mr. HOFFMAN, an act to pay a pension to Sarah Winters, widow of Stacey Winters, a soldier of the war of 1812.

Referred to the Committee on Pensions and Gratuities.

Mr. CHASE, an act to provide for the erection of a new county out of parts of the counties of Crawford, Forest, Venango and Warren.

Referred to the Committee on Counties and Townships.

Mr. MANN, an act to incorporate the Tidioute Oil Producers' pipe company.

Referred to the Committee on Corporations.

Mr. DEHAVEN, an act to incorporate the Hamilton iron and coal company.

Referred to the Committee on Iron and Coal Companies.

Mr. GALLAGHER, an act for the protection of sheep and the taxing of dogs in the county of Westmoreland.

Referred to the Committee on Agriculture.

Also, an act to exonerate John Malone, of Sewickley township, Westmoreland county, from the payment of bounty tax.

Referred to the Committee on Military.

Mr. BOYD, an act to incorporate the York and Chanceford turnpike road company, in the county of York.

Referred to the Committee on Roads, Bridges and Ferries.

Also, an act to empower the supervisors of the township of Peach Bottom, in the county of York, to collect in money all taxes levied in said township for road purposes.

Referred to the Committee on Roads, Bridges and Ferries.

Mr. MAISH, an act to reduce the compensation of supervisors in the township of Newberry, in the county of York.

Referred to the Committee on Roads, Bridges and Ferries.

Also, an act authorizing the school directors of Warrington township, York county, to levy and collect at once the bounty tax remaining unpaid.

Referred to the Committee on Military.

Also, a supplement to an act relative to the running of railroad cars in the borough of York, extending the same to the borough of Glen Rock.

Referred to the Committee on Railroads.

Mr. KURTZ, a further supplement to an act to incorporate the Moshannon railroad company, approved April 11, 1863.

Referred to the Committee on Railroads.

Also, an act to extend the time of payment of the enrollment tax on an act to incorporate the Moshannon coal and lumber company.

Referred to the Committee on Iron and Coal Companies.

Mr. M'CREARY, a supplement to an act regulating railroad companies, approved February 19, 1849.

Referred to the Committee on Railroads.

Mr. WOODWARD, a further supplement to an act to incorporate the Anthracite coal and iron company, approved the 8th day of April, A. D. 1864.

Referred to the Committee on Iron and Coal Companies.

Mr. M'CREARY, an act to authorize the trustees of the Erie academy, of the city of Erie, to levy and collect a tax for building and other purposes.

Referred to the Committee on Education.

Mr. CHASE, an act to prevent trespass upon premises belonging to schools in this Commonwealth.

Referred to the Committee on Education.

Mr. MAISH, an act to legalize the action of the school directors of Shrewsbury township, York county, relative to money borrowed to pay bounties and taxes assessed, and to collect the same.

Referred to the Committee on Military.

Mr. GALLAGHER, a supplement to an act incorporating the Mount Pleasant railroad company, March 22d, 1865, extending the time for commencement of construction and completion of said road.

Referred to the Committee on Railroads.

Mr. GALLAGHER, an act to authorize the board of school directors of the borough of Irwin, in the county of Westmoreland, to borrow money for building purposes, and to levy additional school tax.

Referred to the Committee on Education.

Mr. DEISE, an act to establish a ferry over the West Branch of the Susquehanna river, at or near the residence of George W. Sour, in the township of Wayne, county of Clinton.

Referred to the Committee on Roads, Bridges and Ferries.

Also, an act to declare North creek and part of the Driftwood creek, in the county of Cameron, public highways.

Referred to the Committee on the Judiciary Local.

Mr. CHASE, an act to erect an independent school district, from a part of Concord township, in Erie county, and Sparta township, in the county of Crawford.

Referred to the Committee on Education.

Mr. LEE, an act to enable the Spring Run oil and lumber company and the Benezet oil and coal company to consolidate.

Referred to the Committee on Iron and Coal Companies.

Mr. BRENNAN, a further supplement to an act incorporating the city of Carbondale, in the county of Luzerne.

Referred to the Committee on Municipal Corporations.

Mr. MARKS, an act to provide for the opening of Thirty-fifth street, in the Twenty-fourth ward, Philadelphia.

Referred to the Committee on Municipal Corporations.

Mr. DAY, an act to incorporate the Monongahela railway company.

Referred to the Committee on Railroads.

Mr. MANN, an act to incorporate the Tidioute railroad company.

Referred to the Committee on Railroads.

Mr. ARMSTRONG, an act relative to the sale of an old school house in West Cocalico township, Lancaster county.

Referred to the Committee on Education

Mr. QUIGLEY, an act to incorporate the United States Accident insurance company.

Referred to the Committee on Corporations.

Mr. FREEBORN, a further supplement to an act to incorporate the American Academy of Music in the city of Philadelphia.

Referred to the Committee on Corporations.

Mr. QUIGLEY, an act to incorporate the New Sonora gold and silver mining company.

Referred to the Committee on Mining and Manufacturing Companies.

Mr. FREEBORN, a supplement to the act incorporating the Amateurs' drawing room association, of the city of Philadelphia, approved the 8th day of March, A. D. 1866.

Referred to the Committee on Corporations.

Mr. SUBERS, an act to vacate part of Buck road, in the Twenty-sixth ward of the city of Philadelphia.

Referred to the Committee on Roads, Bridges and Ferries.

Mr. HOOD, an act to incorporate the Pennsylvania and North Carolina gold and silver mining company.

Referred to the Committee on Mining and Manufacturing Companies.

Mr. WATT, a further supplement to an act to incorporate the Union gold and silver mining company, approved March 29, 1865.

Referred to the Committee on Mining and Manufacturing Companies.

Mr. KOON, an act to incorporate the Newton and Scranton turnpike road company.

Referred to the Committee on Roads, Bridges and Ferries.

Mr. MARKS, an act to provide for the opening and straightening of Haverford avenue, in the Twenty-fourth ward of the city of Philadelphia, and for macadamizing a roadway therein.

Referred to the Committee on Roads, Bridges and Ferries.

Mr. WELLER, an act to amend the charter of the Wellersburg and West Newton plank road company.

Referred to the Committee on Roads, Bridges and Ferries.

Mr. WHANN, an act to lay out a State road in Venango and Butler counties.

Referred to the Committee on Roads, Bridges and Ferries.

Also, an act to establish a ferry over the Allegheny river at or below the Big Rock, in the county of Venango.

Referred to the Committee on Roads, Bridges and Ferries.

Mr. HUNT, an act increasing the wages of the supervisors and auditors of Jones township, Elk county.

Referred to the Committee on Roads, Bridges and Ferries.

Mr. M'CREARY, an act to declare Lake Pleasant and its outlet to French creek, in the county of Erie, a public highway.

Referred to the Committee on Roads, Bridges and Ferries.

Mr. BOYLE, an act to incorporate the Perry bridge company.

Referred to the Committee on Roads, Bridges and Ferries.

Mr. HARBISON, an act to authorize the trustees of the Methodist Episcopal church in Mount Jackson, Lawrence county, to convey real estate.

Referred to the Committee on Estates and Escheats.

Mr. STEACY, an act to make valid an assessment made by the board of school directors of Strasburg township, Lancaster county, of one-half of one per centum on the 16th day of June, A. D. 1866, for bounty purposes.

Referred to the Committee on Military.

Mr. LEECH, an act to prevent cattle, horses, sheep and hogs from running at large in the township of Mill Creek, and borough of New Lebanon, in the county of Mercer.

Referred to the Committee on Agriculture.

Also, an act to annex additional territory to the borough of Brownsville, in the county of Mercer, for school purposes.

Referred to the Committee on Education.

Mr. GHEGAN, an act to incorporate the Morris and Cable silver mining company of Rees river district, Lander county, Nevada.

Referred to the Committee on Mining and Manufacturing Companies.

Mr. ADAIRE, an act to incorporate the Venice gold and silver mining company.

Referred to the Committee on Mining and Manufacturing Companies.

Also, an act to incorporate the Sierra Molina gold and silver mining company.

Referred to the Committee on Mining and Manufacturing Companies.

Also, an act to incorporate the Powhatan gold and silver mining company.

Referred to the Committee on Mining and Manufacturing Companies.

Also, an act to incorporate the Savage Extension gold and silver mining company.

Referred to the committee on Mining and Manufacturing Companies.

Mr. WRIGHT, an act to incorporate the Fidelity gold and silver mining company.

Referred to the Committee on Mining and Manufacturing Companies.

Mr. WESTBROOK, an act to incorporate the Volcanic mining company.

Referred to the Committee on Minning and Manufacturing Companies.

Mr. ADAIRE, an act to incorporate the St. Vincent cemetery company.

Referred to the Committee on Corporations.

Mr. WELLER, an act relating to the Somerset school district.

Referred to the Committee on Education.

Mr. THARP, an act to enable the school directors of Shamokin school district to convey a certain interest in a lot of ground to the Odd Fellows' Hall association of Snydertown, Pennsylvania.

Referred to the Committee on Education.

Mr. ROUSH, an act to annex real estate of Robert P. Cornelius, of Jackson township, Snyder county, to the borough of New Berlin, Union county, for school purposes.

Referred to the Committee on Education.

Mr. WESTBROOK, an act to prevent the destruction of deer in Wayne county.

Referred to the Committee on Agriculture.

Mr. MARKS, an act to incorporate the Philadelphia woolen machine works.

Referred to the Committee on Corporations.

Mr. ESPY, an act to change the eastern boundary line of the borough of Linesville, Crawford county.

Referred to the Committee on Counties and Townships.

Mr. HOFFMAN, an act to sell a certain tract of land in Washington township, Dauphin county.

Referred to the Commltee on Estates and Escheats.

Mr. CAMERON, an act to prevent cattle, horses, sheep and swine from running at large in the county Wyoming.

Rererred to the Committee on Agriculture.

Mr. THARP, an act to incorporate the Watsontown building association, having for its object the accumulation of a fund, which shall be loaned to its members, to enable them to build their own homes.

Referred to the Committee on Corporations.

Mr. BARTON, an act to incorporate the Delaware County manufacturing company.

Referred to the Committee on Corporations.

Mr. WORRALL, a supplement to an act to incorporate the Medicochirurgical college of Philadelphia.

Referred to the Committee on Corporations.

Mr. ADAIRE, an act to incorporate the Philadelphia Pylytechnic college.

Referred to the Committee on Corporations.

Also, an act to incorporate the Philadelphia Mercantile college.

Referred to the Committee on Corporations.

Mr. SHUMAN, an act to prohibit the erection or maintenance of billiard rooms, bowling saloons and ten-pin alleys, within the borough of Coudersport, in the county of Potter.

Laid on the table.

Mr. HOFFMAN, an act to incorporate the Susquehanna summer resort.

Laid on the table.

Mr. GALLAGHER, an act to authorize the supervisors of Cook township, Westmoreland county, to levy taxes for the construction of a bridge.

Laid on the table.

Mr. WRIGHT, an act to legalize all bounty taxes heretofore levied and collected in Centre township, Snyder county, and to authorize the school directors of said township to levy and collect an additional tax for bounty purposes.

Laid on the table.

Mr. WHANN, an act to annex certain parts of Crawford county to the county of Venango.

Referred to the Committee on Counties and Townships.

Mr. GHEGAN, an act to incorporate the American iron and coal company.

Referred to the Committee on Iron and Coal Companies.

Mr. GALLAGHER, an act to incorporate the West Newton gas company.

Referred to the Committee on Corporations.

Mr. GALLAGHER, an act to prohibit the issuing of licenses in the township of Allegheny, Westmoreland county, within a distance of two miles from the borough of Freeport, Armstrong county.

Referred to the Committee on Vice and Immorality.

Mr. DAVIS, an act for the appointment of two additional assessors for the Fifteenth ward of Philadelphia.

Referred to the Committee on Municipal Corporations.

PETITIONS, REMONSTRANCES, &C.

Mr. WELLER presented a petition from Wm. M. Schrock and Simon Vought, praying for the passage of an act to refund them certain money expended in furnishing supplies to the Union army during the invasion by General Lee.

Referred to the Committee on Ways and Means.

Mr. WINGARD, two petitions from certain citizens of Pine township, Lycoming county, praying for the passage of an act to compel the assessors of said township to assess unseated lands for taxes, as other lands are taxed.

Referred to the Committee on the Judiciary Local.

Mr. CHASE, a petition from inhabitants of Crawford county, praying for the passage of an act regulating the pay of the sheriff of said county, for keeping prisoners and other persons confined in the jail of said county.

Referred to the Committee on the Judiciary Local.

Mr. FOGEL presented a petition from inhabitants of Lehigh county, praying for the passage of an act relating to the salary of the treasurer of said county.

Referred to the Committee on the Judiciary Local.

Mr. LEECH, a petition from inhabitants of Brownsville and vicinity, in the county of Mercer, praying for the passage of an act annexing certain territory to said borough for school purposes.

Referred to the Committee on Education.

Mr. KINNEY, a petition from citizens of Rome borough, praying for the passage of an act to assess the lands adjoining their domicils for school purposes in said borough.

Referred to the Committee on Education.

Mr. WORRALL, a remonstrance from the board of school directors of the Twentieth section of the city of Philadelphia, against the passage of an act abolishing the election of the board of controllers of public schools of the First district of Pennsylvania, and vesting the same in the courts.

Referred to the Committee on Education.

Mr. HUMPHREYS, a petition from citizens of Tioga county, praying for the passage of an act to repeal the license law, so far as it relates to the county of Tioga.

Referred to the Committee on Vice and Immorality.

Mr. JENKS, three petitions from inhabitants of Jefferson county, praying for the passage of an act prohibiting the sale of intoxicating liquors in said county.

Referred to the Committee on Vice and Immorality.

Mr. CHASE, a petition from inhabitants of Crawford, Venango, Forest and Warren counties, praying for the passage of an act erecting a new county out of parts of said counties.

Referred to the Committee on Counties and Townships.

Mr. ESPY, one of like import.

Referred to the Committee on Counties and Townships.

Mr. ADAIRE, one of like import.

Referred to the Committee on Counties and Townships.

Mr. ROUSH, one of like import.

Referred to the Committee on Counties and Townships.

Mr. ARMSTRONG, one of like import.

Referred to the Committee on Counties and Townships.

Mr. MARKLEY, one of like import.

Referred to the Committee on Counties and Townships.

Mr. DAVIS, one of like import.

Referred to the Committee on Counties and Townships.

Mr. PETER, one of like import.

Referred to the Committee on Counties and Townships.

Mr. JENKS, a petition from inhabitants of Clarion county, praying for the passage of an act to authorize the commissioners to build a bridge across the Clarion river, at the mouth of Roney creek.

Referred to the Commltee on Roads, Bridges and Ferries.

Mr. CHALFANT, a remonstrance from sixty-two inhabitants of Columbia county, praying for the passage of an act prohibiting the fishing with seines, &c., in the waters of Big Fishing creek and its tributaries.

Referred to the Committee on Agriculture.

Mr. HOFFMAN, a petition from Sarah

Winters, praying for the passage of an act granting her a pension.

Referred to the Committee on Pensions and Gratuities.

Mr. GHEGAN, a petition from inhabitants of the city of Philadelphia, praying for the passage of an act compelling city passenger railway companies to allow all persons, without regard to race or color, to ride in said cars.

Laid on the table.

Mr. FREEBORN, one of like import.

Laid on the table.

Mr. KERNS, one of like import.

Laid on the table.

Mr. WATT, one of like import.

Laid on the table.

Mr. WORRALL, one of like import.

Laid on the table.

Mr. CHALFANT, a petition from one hundred and eighty-six inhabitants of Columbia county, praying for the passage of an act requiring tavern keepers to apply to the court of quarter sessions of said county for license.

Laid on the table.

BILL WITHDRAWN FROM THE GOVERNOR.

Mr. WADDELL. Mr. Speaker, I offer the following resolution.

The resolution was read as follows:

Resolved (if the Senate concur), That the Governor be requested to return to the House of Representatives, in which it originated, House bill No. 349, entitled An act to appropriate certain moneys arising from fines and forfeitures in Chester county.

The resolution was

Agreed to.

BILLS PASSED.

Mr. MECHLING. Mr. Speaker, I move that the orders be suspended, and that the House proceed to the consideration of House bill No. 1090, entitled An act for the sale of certain real estate by Drusula Hess.

The motion was

Agreed to.

The bill was read and

Agreed to.

The rules being suspended, the bill was read a second and third time, and

Passed finally.

Mr. QUAY. Mr. Speaker, I ask the unanimous consent of the House to a suspension of the rules for the purpose of considering bill No. 1095, entitled An act to provide for the transfer and safe keeping of prisoners in the jail of Washington.

Agreed to.

The bill was read and

Agreed to.

The rules being suspended, the bill was read a second and third time, and

Passed finally.

Mr. EWING. Mr. Speaker, I ask the unanimous consent of the House to call up bill No. 1102, entitled An act limiting the provisions of a further supplement to the act incorporating the borough of Washington.

Agreed to.

On motion, the House proceeded to the consideration of the bill.

The bill was read and

Agreed to.

The rules being suspended, the bill was read a second and third time, and

Passed finally.

BILLS ON THIRD READING.

The first bill in order was Senate bill No. 44, entitled A supplement to the act of March 19, 1866, making further provision for the government of the city of Harrisburg.

The question being on the final passage of the bill,

Mr. BOYLE. Mr. Speaker, I move this House do now adjourn.

On the motion,

The yeas and nays were required by Mr. KERNS and Mr. COLVILLE, and were as follow, viz:

YEAS—Messrs. Boyd, Boyle, Breen, Chadwick, Chalfant, Colville, Craig, Fogel, Harner, Headman, Hood, Hunt, Jenks, Jones, Josephs, Koon, Linton, Long, Maish, Meyers, Phelan, Quigley, Rhoads, Robinson, Roush, Westbrook, Whann and Wharton—28.

NAYS—Messrs. Adaire, Armstrong, Barton, Brown, Cameron, Chase, Davis, Day, DeHaven, Espy, Ewing, Freeborn, Gallagher, Ghegan, Hoffman, Kennedy, Kerns, Kinney, Lee, Leech, M'Camant, Mann, Markley, Marks, Mechling, Pennypacker, Quay, Richards, Satterthwait, Seiler, Sharples, Steacy, Stehman, Stumbaugh, Subers, Watt, Webb, Weller, Wingard, Worrall, Wright and Glass, *Speaker*—43.

So the question was determined in the negative.

Mr. HOFFMAN. Mr. Speaker, I move to amend by adding the following to the end of the sixth section:

"It shall be the duty of all such police officers and such constables appointed, as aforesaid, to make return to the court of quarter session of Dauphin county, in the same manner and at the same time as now required of the ward and township constables."

Also, to strike out the eighth section and insert the following, and insert an entirely new section as section eight:

SEC. 8. That the fees to be received by the mayor and aldermen of the city of Harrisburg, where the same has to be paid by the county of Dauphin, shall be as follows: Information on behalf of the Commonwealth, for every ten words, 2 cents; docket entry on behalf of the Commonwealth, 10 cents; warrants or witnesses on behalf of the Commonwealth, 25 cents; taking a recognizance and returning the same to court, 25 cents; entering judgment on conviction for fine, 15 cents; warrant and levy fine or forfeiture, 25 cents; discharge to jailor, 15 cents; committing any person for drunkenness, disorderly conduct or as a vagrant, 25 cents. But no person shall be committed as a vagrant on their own voluntary application for lodgings, but said officers shall give the party a note to the jailor to receive them, for which the officer shall be allowed 10 cents; when the costs have to be paid by the parties, or either of them, or have not been altered by this act, the fees shall be as heretofore. The fees to be received by the police officers or constables within the city, where the same has to be paid by the county, shall be as follows: For executing warrants on behalf the Commonwealth, 40 cents; conveying to jail on mitimus or warrant, 25 cents; arresting a vagrant or disorderly person or other offender against the law, without a warrant, and bringing before the mayor or alderman, 25 cents; levying a fine or forfeiture on warrant, 25 cents; taking the body into custody on mitimus, where bail is afterwards entered before delivery of the prisoner to the jailor, 25 cents. Where the costs have to be paid by the parties, or either of them, the fees have not been altered by this act; they shall remain as heretofore, and this act shall only apply to the execution of process or the arrest of parties within the city limits.

In this connection I move that the House dispense with going into committee of the whole for the purpose of considering these amendments.

Mr. BOYLE. Mr. Speaker, I have felt disposed to oppose the passage of this bill, and I certainly should do so if I thought it advisable to prevent its passage. I do not know that anything more can be done than, perhaps, to remain here for purposes of delay. It is something of a party measure, and, of course, there are sufficient votes to carry it. It is useless to delay.

The motion to dispense with going into committee of the whole was

Agreed to.

And the amendments were inserted.

The question recurred on the final passage of the bill as amended,

Mr. LINTON. Mr. Speaker, I move to go into committee of the whole for the purpose of special amendment, to strike out the word "free-holders" in the first section, and insert instead the words "qualified electors."

On agreeing to the motion,

The yeas and nays were required by Mr. LINTON and Mr. MAISH, and were as follow, viz:

YEAS—Messrs. Boyd, Boyle, Breen, Chalfant, Craig, Fogel, Gregory, Harner, Headman, Hood, Hunt, Jenks, Jones, Josephs, Kline, Linton, Long, Maish, Markley, Meyers, Quay, Quigley, Rhoads, Robinson, Roush and Westbrook—26.

NAYS—Messrs. Adaire, Allen, Armstrong, Barton, Brown, Cameron, Chadwick, Chase, Davis, Day, DeHaven, Espy, Ewing, Freeborn, Gallagher, Ghegan, Hoffman, Kennedy, Kerns, Kimmell, Kinney, Lee, Leech, M'Camant, Mann, Marks, Mechling, Pennypacker, Richards, Satterthwait, Seiler, Sharples, Steacy, Stehman, Stumbaugh, Subers, Watt, Webb, Weller, Whann, Wharton, Wingard, Wright and Glass, *Speaker*—44.

So the question was determined in the negative.

The question recurred on the final passage of the bill.

Mr. JENKS. Mr. Speaker, if gentlemen would consider the word "freeholder," I think they would consent to the amendment.

I would ask the meaning of this expression, "The city of Harrisburg shall have a select council, which shall consist of seven members, who shall be elected as hereinafter provided, and this select council shall be freeholders of the city and inhabitants of the wards," * * &c. The term "propertyholder" or its equivalent, would avoid any question that might arise. I call attention to that, because it is important.

Mr. HOFFMAN. I have no objection to such an amendment.

Mr. JENKS. Mr. Speaker, I move to strike out the word "freeholder" from the fifth line and insert the words "owners of real estate,"

I ask the unanimous consent of the House to make this amendment.

Agreed to.

The amendment was

Agreed to.

The question being on the final passage of the bill as amended,

The yeas and nays were required by Mr. LINTON and Mr. MAISH, and were as follow, viz:

YEAS—Messrs. Adaire, Allen, Armstrong, Barton, Brown, Cameron, Chadwick, Chase, Davis, Day, DeHaven, Espy, Ewing, Freeborn, Gallagher, Ghegan, Hoffman, Kennedy, Kerns, Kimmell, Kinney, Lee, Leech, M'Camant, Mann, Marks, Mechling, Pennypacker, Quay, Richards, Satterthwait, Seiler, Sharples, Steacy, Stehman, Stumbaugh, Subers, Watt, Webb, Weller, Whann, Wharton, Wingard, Worrall, Wright and Glass, *Speaker*—46.

NAYS—Messrs, Boyd, Boyle, Breen, Chalfant, Colville, Craig, Fogel, Gregory, Harner, Headman, Hood, Jenks, Jones, Josephs, Koon, Linton, Long, Maish, Markley, Meyers, Phelan, Quigley, Rhoads, Robinson, Roush and Westbrook—26.

So the question was determined in the affirmative.

The bill as finally passed reads as follows

A SUPPLEMENT to the act of March nineteen, one thousand eight hundred and sixty, making further provision for the government of the city of Harrisburg.

SECTION 1. *Be it enacted, &c.*, That the city of Harrisburg shall have a select council, consisting of seven members, who shall be elected as hereinafter provided, and who shall be owners of real estate of the city, and inhabitants of the wards from which they shall be respectively elected, and qualified to serve as members of the Senate of this Commonwealth.

SEC. 2. That the qualified voters of the city of Harrisburg, who, by the act of March 19, 1860, are entitled to vote for common councilmen, shall, at the next city spring election, in their respective wards, vote for one select councilman in the same manner as provided for in section four, for the election of common councilmen, of the act of March 19, 1860; and the aforesaid voters shall, at the same time and place, vote for one select councilman at large for the whole city, the latter to be voted for as select council at large, who shall serve for the term of three years, at the expiration of which time his place shall be supplied by another election, as provided for by the act of March 19, 1860, for the election of common councilmen; and the election of the aforesaid select councilman at large shall be conducted in the same manner as provided for the election of mayor, by section 13th of the act of March 19, 1860; and the six select councilmen elected by the six wards respectively, shall, at the first meeting of the select council immediately after the spring election, divide themselves by lot into three classes of two each, the first class to serve for three years, the second class to serve for two years, and the third class for one year; and at the expiration of the respective terms of service of the aforesaid select councilmen their places shall be filled in their wards respectively by election, as provided by the act of March 19, 1860, for the election of common councilmen.

SEC. 3. That the said select councilmen elect shall meet at the county court house in said city, until otherwise provided for, between the hours of the ten and twelve o'clock in the afternoon, on the Friday next following each and every election of select councilmen to be held in pursuance of the provisions of this act, and shall then and there proceed as provided in sections five, six and seven of the act of March 19, 1860; that the power of the said corporation of the said city shall be vested in the select council, the common council, or a quorom thereof, and the mayor and the select and common council respectively assembled shall have all and singular the powers and authorities, rights and privileges incident to the corporation and to the well governing thereof, which were formerly vested in the common council by the act of March 19, 1860.

SEC. 4. A quorum of the select council and of the common council shall consist of a majority of the number of members constituting those bodies respectively, and two-thirds of the aforementioned members in each body shall be required to pass a bill, ordinance or joint resolution which may have been objected to in writing by the mayor; the aforesaid select and common councils shall be governed in their proceedings, so far as they are applicable, by the rules for the government of the Legislature of Pennsylvania.

SEC. 5. The offices of school directors and select and common councilmen are hereby declared incompatible; no select or common councilman shall hereafter hold the office of school director without first vacating his seat in the select or common council, as the case may be.

SEC. 6. That the mayor and president judge of the district shall appoint all police officers and constables authorized by the city laws, and all other city officers now elected by the common council, by the act of March 19th, 1860, shall hereafter be elected on the first Saturday of April every year by the select and common council in convention assembled. It shall be the duty of all of said police officers and city constables appointed, as foresaid, to make returns to the court of quarter sessions of Dauphin county in the same manner, and at the same time now required of the ward and township constables.

SEC. 7. That a full and correct report of the doings of the select and common council shall be published within three days after they occur in at least two English daily newspapers having the largest circulation, and no ordinance, public account, proclamation, or other matter, now required to be published, shall be legal and of binding effect until the same has been published three times in at least two English daily papers having the largest circulation.

SEC. 8. That the fees to be received by the mayor and aldermen of the city of Harrisburg, where the same has to be paid by the county of Dauphin, shall be as follows: Information on behalf of the Commonwealth, for every ten words, 2 cents; docket entry on behalf of the Commonwealth, 10 cents; warrants or witnesses on behalf of the Commonwealth, 25 cents; taking a recognizance and returning the same to court, 25 cents; entering judgment on conviction for fine, 15 cents; warrant and levy fine or forfeiture, 25 cents; discharge to jailor, 15 cents; committing any person for drunkenness, disorderly conduct or as a vagrant, 25 cents. But no person shall be committed as a vagrant on their own voluntary application for lodgings, but said officers shall give the party a note to the jailor to receive them, for which the officer shall be allowed 10 cents; when the costs have to be paid by the parties, or either of them, or have not been altered by this act, the fees shall be as heretofore. The fees to be received by the police officers or constables within the city, where the same has to be paid by the county, shall be as follows: For executing warrants on behalf the Commonwealth, 40 cents; conveying to jail on mitimus or warrant, 25 cents; arresting a vagrant or disorderly person or other offender against the law, without a warrant, and bringing before the mayor or alderman, 25 cents; levying a fine or forfeiture on warrant, 25 cents; taking the body into custody on mitimus, where bail is afterwards entered before delivery of the prisoner to the jailor, 25 cents. Where the costs have to be paid by the parties, or either of them, the fees have not been altered by this act; they shall remain as heretofore, and this act shall only apply to the execution of process or the arrest of parties within the city limits.

SEC. 9. All provisions in the act of March 19th, 1860, inconsistent with the provisions of this act are hereby repealed.

REASONS FOR VOTE.

Mr. COLVILLE presented the following, which he desired to have entered upon the Journal, viz:

My reasons for voting against the bill under consideration are as follows:

It has always been the boast and pride of the Republican party that they never discriminate against any man on account of his means, whereas in this case you deprive every man who is not a propertyholder, it matters not how well qualified he may be for the position. If this is not discriminating against the man of limited means with a vengeance, then I am not aware of what constitutes discriminating; therefore I cannot act with my Republican friends on this bill for the reasons set forth. R. A. COLVILLE.

Mr. HOOD. Mr. Speaker. I ask leave to read a bill in place.

Granted.

Mr. HOOD. I read in my place and presented to the Chair an act with reference to the prohibiting of the running of steam engines south of Lehigh avenue, after the 1st day of November, 1867.

Mr. QUIGLEY. Mr. Speaker, that is not a bill in place; that is a report from a special committee; it must go through the order the same as any bill reported from committee.

Mr. GREGORY. Mr. Speaker, I move it be referred to the Committee on Railroads.

Mr. QUIGLEY. Mr. Speaker, I think this House will stultify itself by such action. This committee was appointed for a special purpose; they have been meeting for several weeks, and have reported this bill unanimously.

Mr. MANN. Mr. Speaker, I inquire for information. This being a report from a committee, the same as any other report, how does it come in order when we have refused to suspend the orders?

The SPEAKER. The Chair put the question to the House, understanding that the gentleman from Philadelphia [Mr. HOOD] had a bill to read in place.

Mr. HOOD. Mr. Speaker, I understood after bills were read in place then came reports from committees.

The SPEAKER. Reports from committees came first; they were called for this evening.

Mr. MANN. Mr. Speaker, how is the present motion in order?

The SPEAKER. The motion was made by the gentleman from Philadelphia [Mr. GREGORY] to refer the bill to the Committee on Railroads.

Mr. MANN. Mr. Speaker, I raise the point of order that he was not competent to make the motion without having first obtained leave.

Mr. GREGORY. Under the decision of the Chair it was a general suspension of the rules, for how else could a report be received? The understanding was that bills should be read in place. If it had been reported as a bill from a committee, I should have objected to it, but it came in the nature of a bill in place—that was the understanding.

Mr. DAVIS. The gentleman read it as a bill in place.

Mr. MANN. Mr. Speaker, reports from committees were in order to-night and the committee had a right to report, but not making that report in order, it could not afterwards report without leave of the House.

Mr. GREGORY. Mr. Speaker, I asked if it would not require the unanimous consent of the House to open the regular order again. Reports from committees had been gone through with. I raise the point of order that it would require the unanimous consent of the House to admit this report at the present time.

Mr. SPEAKER. The Chair would repeat, when the gentleman from Philadelphia [Mr. HOOD] rose in his place, the Chair regarded him as making a motion to read a bill in place.

Mr. MANN. He asked leave to make a report.

Mr. GREGORY. Mr. Speaker, the gentleman is mistaken. The gentleman from Philadelphia [Mr. HOOD], asked leave to read a bill in place.

The SPEAKER. No objections were made at the time.

Mr. SATTERTHWAIT. Mr. Speaker, the House understood the matter as the Chair did, else objections would have been made.

The SPEAKER. The question is on the motion of the gentleman from Philadelphia [Mr. GREGORY], that the bill be referred to the Committee on Railroads.

Mr. QUIGLEY. Mr. Speaker, this bill was referred to a committee, considered by them and unanimously reported upon. It is now pending before this House. If my colleague wishes to oppose it, let him do so on this floor, and give his reasons therefor. I take exception to this manner of proceeding. A committee is appointed for the special purpose of considering a bill. The moment that committee makes a report, some gentleman gets up and moves to refer it to another committee. It is patent to every man on this floor that this is done for the purpose of killing the bill. It can be for no other purpose. The gentleman has not seen the bill, has not read a word of it. This committee having devoted time and labor and personal attention to this matter, I can see no reason why this bill should be referred to a committee that has paid no attention to it. I trust the House will not stultify itself in this manner.

Mr. GREGORY. Mr. Speaker, the gentleman tells me when the bill comes up on its merits, then I can improve the opportunity to give my reasons for opposing it. At the same time he tells me my reasons are the defeat of the bill. I am the best judge of what my reasons are. Let the gentleman attend to his reasons and I will attend to mine. When this was offered I thought it much better to frame a general bill, and not bring in bills by piece-meal, first for the Trenton road, then for the Norristown road, then for the Pennsylvania road, and then for the Baltimore road.

Mr. SUBERS. Mr. Speaker, I hope the bill will be referred to a committee; it is not particular to me what committee, so long as this corporation will have a chance to be heard from. It interferes with my district more than any other in the city.

In the case of the New York railroad company, they published for two weeks that such a bill was to be drawn and presented to the House. In the case of the Norristown railroad company no notice has been given.

I do hope it will go to a committee.

Mr. MANN. Mr. Speaker, I do not know much about the merits of this question, but I am anxious that this House should pay some regard to the action of its own committees. We are discussing a motion which is out of order now.

There is something about this matter that is not upon the surface. I think the House should refuse to refer this resolution to another committee. We have had half a dozen of these special committees appointed this winter. Are all their reports to go for nothing, or to be referred to other committees?

I thought from the beginning that we were appointing more of these special committees than there was any use for, and now we are going to say so by paying regard to no reports which they make. A committee of intelligent gentlemen was appointed for the special purpose of examining into the question. They have made a report. No member knows what the report is except those who made it. I submit there is no good reason why this motion should carry.

Mr. DAVIS. Mr. Speaker, I wish to understand this question. I have no feeling on the subject whether it be referred to the Railroad Committee, the Committee on Ways and Means, or any other, but if I understood the object of that committee, it was to inquire into and examine concerning all railroads that run their locomotives through the paved streets of Philadelphia.

Now, I know there is one railroad that runs more than a mile through my district, and kills somebody every week, that is the greatest nuisance in the whole city of Philadelphia. There is in the whole State of Pennsylvania no such nuisance as the Reading railroad, that runs through my district; and yet this committee, getting up bills for little railroads that I never heard of, are completely blind to this monster corporation that cares nothing for the rights of the people, nor for the property over and through it passes. I desire to ask the chairman of that committee, if they are going to report a bill prohibiting the Reading company from running their cars more than a mile through the richest parts of the city?

Mr. SUBERS. I would like to state, for the information of the House, that this road has two branches, one in Germantown, which is about two miles distant, the other runs about the same distance. If you drive this road from its present limits you might as well revoke its charter. On this road nine-tenths of the people are in favor of it. It is a short road. I hope the House will allow the bill o go before a committee.

Mr. HOOD. Mr. Speaker, I do not intend to become excited on this bill, nor do I intend to cast any reflections upon the opposition to this question.

I have simply this to say: that this committee has, week after week, met in Philadelphia, and has taken a large amount of testimony, and ten times as much testimony against this road as any other road in the city of Philadelphia.

They have brought an innumerable number of witnesses against the road and as great a number in favor of it. We have come to the conclusion to report these roads and feel the pulse of our Philadelphia friends on the subject.

With regard to the Philadelphia railroad company it is more than half a foreign corporation. They have made no defense whatever.

There has been a large number of petitions sent to us, asking to have it removed north of Lehigh avenue. We have reported accordingly.

The Norristown railroad company, of which my friend from Philadelphia speaks, runs sixty-two passenger trains daily; the Reading railroad company runs, perhaps, eight or ten. In this matter, I have no object; I wish every one to have an opportunity to think and act for the interest of the constituency he represents.

By request of Mr. WORRALL, House bill No. 807, an act to authorize the board of military claims to settle the claim of F. B. Nelson, first lieutenant battery A, third artillery, was recommitted to the Military Committee.

Mr. COLVILLE. Mr. Speaker, I move that this House do now adjourn.

The motion was seconded and the question put.

Before announcing the result, the Speaker cleared his table as follows:

SPEAKER'S TABLE.

The SPEAKER cleared his table of bills numbered and entitled as follows:

No. 644, an act to incorporate the Whitmer Run improvement company, in the county of Clearfield.

Referred to the Committee on Corporations.

No. 645, an act to incorporate the Goodwin Consolidated mining company.

Referred to the Committee on Mining and Manufacturing Companies.

No. 653, an act to incorporate the Washington Township mining, manufacturing and improvement company of Schuylkill county.

Referred to the Committee on Mining and Manufacturing Companies.

No. 654, an act to incorporate the Dunmore gas and water company.

Referred to the Committee on Corporations.

No. 663, an act for the relief of John Tiernan, late treasurer of Fayette county.

Referred to the Committee on the Judiciary Local.

No. 666, a further supplement to an act incorporating the borough of Allentown.

Referred to the Committee on Municipal Corporations.

No. 671, an act to reduce the width of Lehman street, in the Twenty-second ward of the city of Philadelphia.

Referred to the Committee on Municipal Corporations.

No. 674, a further supplement to an act in relation to the construction and repairs of road and bridges in Lower Merion township, Montgomery county, approved March 2, 1866.

Referred to the Committee on Roads, Bridges and Ferries.

No. 679, an to incorporate the People's bridge company of Harrisburg.

Referred to the Committee on Corporations.

No. 688, an act to regulate the fees of the directors of the poor and house of employment of the county of Bedford.

Referred to the Committee on the Judiciary Local.

No. 689, an act relating to the office of county treasurer in Allegheny county.

Referred to the Committee on the Judiciary Local.

No. 690, an act relative to auctioneers in the borough of Lewisburg, Union county.

Referred to the Committee on the Judiciary Local.

No. 691, an act to increase the compensation of the supervisors of roads in the township of Hilltown, Bucks county.

Referred to the Committee on Roads, Bridges and Ferries.

No. 692, an act to incorporate the American dredging company.

Referred to the Committee on Corporations.

No. 693, an additional supplement to the act to incorporate the city of Corry, approved the 8th day of March, A. D. 1866.

Referred to the Committee on Municipal Corporations.

No. 694, an act to enable the parties interested under a certain indenture of trust from Christopher Lœser to William S. Wetmore and others, dated October 28, 1854, to become a mining company.

Referred to the Committee on Mining and Manufacturing Companies.

No. 696, an act to incorporate the Empire slate company.

Referred to the Committee on Corporations.

No. 697, an act to incorporate the Monongahela inclined plane company.

Referred to the Committee on Corporations.

No. 698, an act to incorporate the People's gas company of Wilkesbarre.

Referred to the Committee on Corporations.

No. 699, an act to authorize Allen K. Williams to construct a ferry over Oil creek, at or near the township lines of Allegheny and Cherry Tree, in Venango county, Pa.

Referred to the Committee on Roads, Bridges and Ferries.

No. 700, an act to incorporate the Co-operative association of Wilkesbarre, No. 1, in the borough of Wilkesbarre, for mercantile purposes.

Referred to the Committee on Corporations.

No. 701, an act to incorporate the Enterprise gas light company.

No. 702, an act to incorporate the Pittston

Industrial Co-operative association, No. 1, in the borough of Pittston, for mercantile purposes.

Referred to the Committee on Corporations.

No. 707, an act to repeal the first section of an act approved the first day of April, A. D. 1792, declaring the Little Lehigh a public highway.

Referred to the Committee on the Judiciary General.

No. 709, a supplement to an act incorporating the Ephrata and Lancaster railroad company, approved the 21st day of March, A. D. 1866, authorizing them to extend said railroad to the Conestoga creek, below the city of Lancaster.

Referred to the Committee on Railroads.

No. 715, an act to prohibit the taking of fish with nets in any of the streams of Monroe county.

Referred to the Committee on Agriculture.

No. 725, a supplement to an act incorporating the Jackson mining company.

Referred to the Committee on Mining and Manufacturing Companies.

No. 727, a supplement to an act to incorporate the Union coal company, approved the 29th day of April, A. D. 1864.

Referred to the Committee on Iron and Coal Companies.

Senate bill No. 728, an act to incorporate the Silver Brook coal company.

Referred to the Committee on Coal and Iron Companies.

No. 730, an act to incorporate the Co-operative association of East Birmingham, in the county of Allegheny, for mercantile purposes,

Referred to the Committee on Corporations.

No. 732, an act to incorporate the Wrightsville iron company.

Referred to the Committee on Coal and Iron Companies.

No. 733, an act to incorporate the Riverside coal company.

Referred to the Committee on Coal and Iron Companies.

No. 736, an act to attach certain lands and tenements in Napier township, Bedford county, and the persons residing thereon, to Schellsburg borough, for school purposes.

Referred to the Committee on Education.

No. 738, an act relative to the collection of school tax in the township of Doylestown, Bucks county.

Referred to the Committee on Education.

No. 742, an act to open, straighten and widen Baltimore avenue, in the Twenty-seventh ward of the city of Philadelphia.

Referred to the Committee on Municipal Corporations.

No. 743, an act to lay out a State road in Lehigh and Bucks counties.

Referred to the Committee on Roads, Bridges and Ferries.

No. 762, an act to incorporate the Coopersburg savings institution.

Referred to the Committee on Corporations.

No. 766, an act to incorporate the South Witmer Run navigation company, in the county of Clearfield.

Referred to the Committee on Corporations.

No. 769, an act for the relief of Mrs. Mary Ann Gordon, widow and executrix of Hiram B. Gordon, deceased, late register of wills, recorder of deeds, and clerk of the orphans' court of the county of Venango.

Referred to the Committee on Estates and Escheats.

No. 564, an act to transfer the counties of Monroe, Pike, Wayne, Susquehanna, Bradford, Wyoming, Luzerne and Carbon, and add the same to the Northern district of the Supreme Court.

Referred to the Committee on the Judiciary General.

Senate bill No. 885, a supplement to the act incorporating the M'Connel mineral company, changing the name thereof, increasing the quantity of land to be held by said company, and authorizing the extension of their railroad.

Referred to the Committee on Railroads.

Senate bill No. 886, an act supplementary to an act to enable the Pennsylvania Cannel coal and railroad company to borrow money, and to change the corporate name of said company, and confirm the title to real estate belonging to said company; and directing in what manner the mortgage authorized in said act shall be approved by the stockholders of said company, and to ratify the consolidations of certain companies under said act of Assembly.

Referred to the Committee on Coal and Iron Companies.

The following bills were returned with amendments:

No. 895, an act relating to the fees of district attorney for the county of Greene.

Concurred in.

No. 811, an act to authorize the supervisors of West Branch township, Potter county, to levy an additional road tax.

Concurred in.

No. 891, an act to authorize the Governor to appoint two additional notaries public for the city of Philadelphia.

Concurred in.

No. 449, an act to incorporate the Pine Creek bridge company.

Non-concurred in.

No. 524, an act for the better regulation of public halls and places of amusement in the city of Philadelphia.

Concurred in.

No. 526, an act to authorize the board of school directors of Venango City, Venango county, to borrow money.

Concurred in.

No. 587, an act to incorporate the Greensburg Masonic fund for the building of a Masonic hall.

Concurred in.

No. 328, an act to incorporate the Meadville Savings and Loan company.

Non-concurred in and a committee of conference appointed.

No. 327, an act incorporating the Mechanics' Savings Bank.

Concurred in.

No. 271, a supplement to an act to incorporate the Red Bank navigation company.

Concurred in.

MESSAGE FROM THE SENATE.

The Clerk of the Senate being introduced, presented for concurrence bills numbered and entitled as follows, viz:

Senate bill No. 644, an act to incorporate the Whitmer Run improvement company, in the county of Clearfield.

No. 645, an act to incorporate the Goodwin Consolidated mining company.

No. 653, an act to incorporate the Washington Township mining, manufacturing and improvement company of Schuylkill county.

No. 654, an act to incorporate the Dunmore gas and water company.

No. 663, an act for the relief of John Tiernan, late treasurer of Fayette county.

Senate bill No. 666, a further supplement to an act incorporating the borough of Allentown.

No. 671, an act to reduce the width of Lehman street, in the Twenty-second ward of the city of Philadelphia.

No. 674, a further supplement to an act in relation to the construction and repairs of roads and bridges in Lower Merion township, Montgomery county, approved March 2, 1866.

No. 679, an act to incorporate the People's bridge company of Harrisburg.

No. 688, an act to regulate the fees of the directors of the poor and house of employment of the county of Bedford.

No. 689, an act relating to the office of county treasurer in Allegheny county.

No. 690, an act relating to auctioneers in the borough of Lewisburg, Union county.

No. 691, an act to increase the compensation of the supervisors of roads in the township of Hilltown, Bucks county.

No. 692, an act to incorporate the American dredging company.

No. 693, an additional supplement to the act to incorporate the city of Corry, approved the 8th day of March, A. D. 1866.

No. 694, an act to enable the parties interested under a certain indenture of trust from Christopher Loeser to William S. Wetmore and others, dated October 28, 1854, to become a mining company.

Senate bill No. 696, an act to incorporate the Empire slate company.

No. 697, an act to incorporate the Monongahela inclined plane company.

No. 698, an act to incorporate the People's gas company, of Wilkesbarre.

No. 699, an act to authorize Allen K. Williams to construct a ferry over Oil creek, at or near the township lines of Allegheny and Cherry Tree, in Venango county, Pennsylvania.

No. 700, an act to incorporate the Co-operative association of Wilkesbarre, No. 1, in the borough of Wilkesbarre, for mercantile purposes.

No. 701, an act to incorporate the Empire gas light company.

No. 702, an act to incorporate the Pittston Co-operative association, No. 1, in the borough of Pittston, for mercantile purposes.

No. 707, an act to repeal the first section of an act approved the 1st day of April, A. D. 1792, declaring the Little Lehigh a public highway.

No. 709, a supplement to an act incorporating the Ephrata and Lancaster railroad company, approved the 21st day of March, A. D. 1866, authorizing them to extend said railroad to the Conestoga creek, below the city of Lancaster.

No. 715, an act to prohibit the taking of fish with nets in any of the streams of Monroe county.

No. 275, a supplement to the act incorporating the Jackson mining company.

No. 727, a supplement to an act to incorporate the Union coal company, approved the 29th day of April, A. D. 1864.

No. 728, an act to incorporate the Silver Brook coal company.

No. 730, an act to incorporate the Co-operative association of East Birmingham, in the county of Allegheny, for mercantile purposes.

No. 732, an act to incorporate the Wrightsville iron company.

No. 733, an act to incorporate the Riverside coal company.

No. 736, an act to attach certain lands and tenements in Napier township, Bedford county, and the persons residing thereon, to Schellsburg borough, for school purposes.

No. 638, an act relative to the collection of school tax in the township of Doylestown, Bucks county.

No. 742, an act to open, straighten and widen Baltimore avenue, in the Twenty-seventh ward of the city of Philadelphia.

No. 743, an act to lay out a State road in Lehigh and Bucks counties.

Senate bill No. 762, an act to incorporate the Coopersburg savings institution.

No. 766, an act to incorporate the South

Daily Legislative Record.

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[CONTINUED FROM PAGE 552.]

Witmer Run navigation company, in the county of Clearfield.

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No. 564, an act to transfer the counties of Monroe, Pike, Wayne, Susquehanna, Bradford, Wyoming, Luzerne and Carbon, and add the same to the Northern district of the Supreme Court.

Senate bill No. 885, a supplement to an act incorporating the M'Connell mineral company, changing the name thereof, increasing the quantity of lands to be held by said company, and authorizing the extension of their railroads.

Senate bill No. 886, an act supplementary to an act to enable the Pennsylvania Cannel coal and railroad company to borrow money, and to change the corporate name of said company, and confirm the title to real estate belonging to said company, and directing in what manner the mortgage authorized in said act shall be approved by the stockholders of said company, and to ratify the consolidations of certain companies under said act of Assembly.

He also returned bills from the House of Representatives numbered and entitled as follows, viz:

No. 521, an act to incorporate the Farmers' Union Mutual fire insurance company of Pennsylvania.

No. 478, an act to prohibit the entrapping, ensnaring or capturing of wild turkeys and partridges by any other means than shooting in the county of Blair.

No. 518, an act to prohibit the sale of intoxicating drinks in the townships of Economy and Independence, in the county of Beaver.

No. 585, an act to incorporate the Pennsylvania society for the prevention of cruelty to animals.

No. 571, an act to repeal the fifth section of an act entitled An act relating to roads and bridges in certain townships in the county of Lawrence.

No. 569, an act authorizing the supervisors of Blythe and Norwegian townships, Schuylkill county, to make and repair the public roads, bridges and culverts in said townships.

No. 568, a supplement to an act to incorporate the White Deer bridge company, approved the 23d day of March, A. D. 1849.

No. 570, an act to incorporate the Shickshinny and New Columbus Borough turnpike road company, in the county of Luzerne.

No. 552, an act providing for the election of an additional supervisor in Penn township, Westmoreland county.

No. 263, a supplement to an act to incorporate the Titusville and Pithole plank road company, approved the 2d day of March, 1866.

No. 508, an act to repeal aa act authorizing the road commissioners of Sugar Grove township, Warren county, to levy additional road tax, approved February 17, 1865.

No. 513, an act changing the time of holding the annual meeting and election of president, managers and treasurer of the Greenlane and Goshenhoppen turnpike road company, and the time for declaring the dividends of said company.

No. 253, a further supplement to an act to incorporate the city of Carbondale.

No. 289, an act to authorize the school directors of the borough of Lock Haven, county of Clinton, to borrow money for building purposes.

No. 260, an act to amend and correct an error therein, entitled A supplement to an act appointing commissioners to lay out and open a State road in the counties of Cameron and Potter, approved the 21st day of March, A. D. 1865, approved 4th of April, A. D. 1866.

No. 264, an act to repeal an act to incorporate the Pine Creek bridge company, approved the 3d day of March, A. D. 1852.

No. 190, an act to incorporate the Rousville bridge company.

No. 509, an act to repeal an act, authorizing a public ferry over the Allegheny river, in Warren county, approved April 10th, A. D. 1862.

No. 458, an act to confirm the title of John Hanley to certain real estate in the city of Philadelphia.

No. 418, an act relative to the *per capita* tax to be assessed by the water directors of the town of Aaronsburg, county of Centre.

No. 673, an act changing the number of overseers of the poor in the borough of Butler, and authorizing the overseers of said borough to make sale of certain real estate.

No. 687, a further supplement to an act incorporating the town of Lawrenceville into a borough, approved the 18th day of February, A. D. 1834.

No. 836, a supplement to an act relative to to road laws in East Bethlehem and East Pike Run townships, Washington county, extending the same to Cecil township, in said county.

No. 987, an act relative to roads in the county of Franklin,

With information that the Senate has passed the same without amendment.

House bill No. 895, an act relating to the fees of district attorney for the county of Greene.

House bill No. 311, an act to authorize the supervisors of West Branch township, Potter county, to levy an additional road tax.

House bill No. 391, an act to authorize the Governor to appoint two additional notaries public for the city of Philadelphia.

House bill No. 449, an act to incorporate the Pine Creek bridge company.

House bill No. 524, an act for the better regulation of public halls and places of amusement in the city of Philadelphia.

House bill No. 526, an act to authorize the board of school directors of Venango City, Venango county, to borrow money.

House bill No. 587, an act to incorporate the Greensburg Masonic fund for the building of a Masonic hall.

No. 328, an act to incorporate the Meadville savings and loan company.

No. 329, an act incorporating the Mechanics' Savings bank.

House bill No. 271, a supplement to an act to incorporate the Red Bank navigation company,

With information that the Senate has passed the same with amendments, in which the concurrence of the House of Representatives is requested.

He also informed that the Senate had concurred in the amendments made by the House of Representatives to Senate bill numbered and entitled as follows, viz:

Senate bill No. 97, an act authorizing tender of money to be made after suit brought.

The SPEAKER then adjourned the House until to morrow (Tuesday) morning at ten o'clock.

SENATE.

TUESDAY, March 12, 1867.

The Senate met and was called to order at 10 o'clock, A. M., by the SPEAKER.

Prayer was offered by Rev. Mr. Bailey, of Harrisburg.

On motion of Mr. CONNELL, the reading of the Journal of Friday last was dispensed with.

PETITIONS, REMONSTRANCES, &C.

Mr. DONOVAN presented three petitions from citizens of Philadelphia, in favor of compelling hucksters to leave the streets of said city.

Laid on the table.

Also, four remonstrances of citizens of Philadelphia, against any law creating a weight-master or inspector of cattle or sheep.

Referred to the Committee on Agriculture and Domestic Manufactures.

Mr. CONNELL, a petition of one hundred and thirty-three business men of Philadelphia, for a change in the license laws.

Referred to the Committee on Vice and Immorality.

Also, a petition of citizens of Philadelphia, against the repeal of the Sunday law, and restricting the sale of liquor on the day of sacred rest.

Referred to the Committee on Vice and Immorality.

Also, a remonstrance of like import from certain citizens of Philadelphia, certified to by D. J. Moore, pastor of Methodist Episcopal church.

Referred to the Committee on Vice and Immorality.

Also, a remonstrance of the board of directors of the Twenty-first school section of

Philadelphia, against the passage of the bill depriving them of the right to elect school controllers.

Referred to the Committee on Education.

Also, a petition from citizens of Philadelphia for an act to protect persons against railroad accidents, and to compel railroad companies to put a man and gate at the railroad crossings.

Referred to the Committee on Railroads.

Also, a petition of Arthur G. Coffin and other business men of Philadelphia, for an act for the better protection of seamen.

Referred to the Committee on the Judiciary Local.

Mr. ROYER, a petition of three hundred and seventy-one citizens of Montgomery county, in favor of the act incorporating the Lehigh and Norristown railroad company.

Laid on the table.

Also, a petition of citizens of Norristown, Montgomery county, in favor of a law preventing the running at large of cattle, &c., in said borough.

Referred to the Committee on the Judiciary Local.

Mr. JAMES, the remonstrance from citizens of Bucks county, against Sunday car travel.

Referred to the Committee on Vice and Immorality

Also, a petition from citizens of Plumstead township, Bucks county, asking an increase of pay for the supervisors of said township.

Referred to the Committee on the Judiciary Local.

Mr. COWLES, the petition of T. R. Robbins and one hundred and thirty voters of Smethport and vicinity, in favor of a prohibitory liquor law in M'Kean county.

Referred to the Committee on Vice and Immorality.

Also, a petition of Rev. D. S. White and other voters of Norwich township, M'Kean county, in favor of prohibitory liquor law for M'Kean county.

Referred to the Committee on Vice and Immorality.

Mr. JACKSON, the remonstrance of one hundred and twenty-one persons, members of the Lutheran church of Bloomsburg, Pa., against Sunday cars and Sunday liquor trade.

Referred to the Committee on Vice and Immorality.

Also, two remonstrances of citizens of Chilisquaque township, Northumberland county, against the repeal of an act of March, 1865, to prevent cattle and other stock from running at large in said township.

Referred to the Committee on Agriculture.

Also, the petition of one hundred and eighty-five citizens of Columbia county, asking that a law be passed for said county, requiring all applications for eating houses and restaurants to be made to the court of quarter sessions in the same manner and subject to the same restrictions as keepers of hotels, &c.

Referred to the Committee on Vice and Immorality.

Mr. FISHER, a petition from the village of Bainbridge, Lancaster county, asking to be incorporated into a borough.

Referred to the Committee on the Judiciary Local.

Mr. BILLINGFELT, the memorial of citizens along the line of the Pennsylvania railroad, praying for relief from the discriminations of said company against the charges of local freight.

Referred to the Committee on the Judiciary General.

Also, the remonstrance of the pastor of the Octarare church, and two hundred and seventy-two citizens of Lancaster county, against running passenger cars on the Sabbath.

Referred to the Committee on Vice and Immorality.

Also, the petition of Leacock township, Lancaster county, asking that the provisions of an act, passed March 21, 1817, relative to horse racing on the public highways in Philadelphia county, be extended to said township.

Referred to the Committee on Vice and Immorality.

Mr. M'CONAUGHY, two remonstrances of citizens of Philadelphia, against the repeal of the Sunday laws and the liquor traffic.

Referred to the Committee on Vice and Immorality.

Mr. WHITE, the petition of citizens of Indiana county, in favor of the passage of an act extending the law relating to hawkers and peddlers in Indiana county.

Referred to the Committee on the Judiciary Local.

Mr. TAYLOR, the remonstrance of citizens of Beaver and Lawrence counties, against Sunday car travel.

Referred to the Committee on Vice and Immorality.

Mr. BROWNE (Lawrence), a petition from Rev. A. Culver and sixty other citizens of Manayunk, Philadelphia, of like import.

Referred to the Committee on Vice and Immorality.

REPORTS FROM COMMITTEES.

Mr. CONNELL, from the Committee on Finance, reported, as committed, a bill entitled An act to exempt the Foster Home from taxation.

Also (same), as committed, a bill entitled An act for the relief of William Brennan and Bernard M'Lige, first and second clerks of the mayor's court for the city of Carbondale.

Mr. GRAHAM (same), as committed, a bill entitled Joint resolution authorizing the appointment of a special agent to collect disallowed and suspended claims against the United States.

Mr. WALLS (same), as committed, a bill entitled An act to exempt from taxation certain real estate in Philadelphia belonging to and used and occupied by the Western association of ladies of Philadelphia, for the relief and employment of the poor.

Mr. COWLES, from the Committee on the Judiciary Local, as committed, a bill entitled An act to extend the time for the payment of the enrollment tax in an act entitled An act to incorporate the Keystone coal and manufacturing company of Somerset county.

Also (same), a bill entitled An act to legalize and make valid an assessment made by the board of school directors of Strasburg, Lancaster county, of one-half of one per centum on the 16th day of June, A. D. 1866, for bounty purposes.

Also (same), as committed, a bill entitled An act to levy a tax upon horses kept for pleasure or hire in the city of Philadelphia.

Also (same), as committed, a bill entitled An act to extend the term of the county treasurer of Westmoreland county.

Also (same), as committed, a bill entitled An act relating to hawkers and peddlers, or traveling merchants, in the counties of Lebanon and Wyoming.

Also (same), as committed, a bill entitled An act relating to the appointment of auctioneers in the county of Cumberland.

Also (same), as committed, a bill entitled A supplement to an act to authorize the erection of a poor house in the county of Tioga, approved the 12th day of March, 1866.

Also (same), as committed, a bill entitled An act relating to the indebtedness of the county of Dauphin.

Mr. STUTZMAN (same), as committed, a bill entitled An act to extend the provisions of an act regulating the fees of district attorney in the county of Bradford, in the court of quarter sessions, approved the 11th day of April, A. D. 1866, to the county of Cameron.

Also (same), as committed, a bill entitled An act relating to the filing of liens and collection of taxes in the borough of Petersburg.

Also (same), as committed, a bill entitled An act relating to the compensation of the sheriff of Butler and Indiana counties for boarding prisoners.

Also (same), as committed, a bill entitled An act to incorporate the Empire hook and ladder company, No. 1, of Altoona, Blair county, Pa.

Also (same), as committed, a bill entitled An act increasing the pay of certain township officers in Conyngham township, Columbia county.

Mr. FISHER (same), as committed, a bill entitled An act relating to the collection of bounty taxes in the county of Lehigh.

Also (same), as committed, a bill entitled An act to change the venue in the cases of the Commonwealth of Pennsylvania vs. Louis S. Bower and Sylvester Hoffman, from the court of quarter sessions of Columbia county to the court of quarter sessions of the peace of Dauphin county.

Also (same), as committed, a bill entitled An act to change the venue of certain suits from the county of Allegheny to the city of Philadelphia.

Also (same), as committed, a bill entitled An act extending to the borough of Mount Washington the vehicle license laws.

Also (same), as committed, a bill entitled An act to authorize the Governor to appoint an additional notary public for the county of Mercer.

Also (same), as committed, a bill entitled An act regulating certain sheriff's fees in Luzerne county.

Mr. WHITE (same), as committed, a bill entitled An act to change the manner of criminal proceedings in a class of criminal cases, in Indiana county.

Mr. DAVIS (same), as committed, a bill entitled An act to authorize the borough of Lock Haven to erect water works.

Also (same), as committed, a bill entitled An act appropriating ground for public purposes in the city of Philadelphia.

Also (same), as committed, a bill entitled A supplement to an act to legitimate George Humphrey Stump and Abraham Harrison Stump, approved 28th day of April, A. D. 1854.

Also (same), as committed, a bill entitled An act to divide the borough of New Brighton into three wards.

Also (same), as committed, a bill entitled An act relative to the borough of Kennett Square, in the county of Chester, enabling said borough to borrow money to erect water works, changing the mode of publishing ordinances, and opening, widening and straightening streets in said borough.

Also (same), as committed, a bill entitled An act to extend to the city of Reading the provisions of an act to authorize the arrest of professional thieves, burglars, &c., in the city of Philadelphia.

Mr. M'CONAUGHY, from the Committee on Estates and Escheats, with a negative recommendation, a bill entitled An act to authorize the guardians of the minor children of Michael Frock, late of Snyder county, deceased, to make certain improvements on the real estate of said minors.

Ruled out of order by the SPEAKER.

Mr. RIDGWAY, from the Committee on Corporations, as committed, a bill entitled An act to incorporate the Lebanon water company.

Also (same), as committed, a bill entitled An act to incorporate the Idaho mining and exploring company.

Also, (same), as committed, a bill entitled An act authoring the Shafton coal company to borrow money.

Mr. ROYER (same), as committed, a bill entitled An act to incorporate the Pittsburg transportation company.

Mr. HAINES (same), as committed, a bill entitled A further supplement to an act entitled An act to incorporate the Scranton gas and water company.

Also (same), as committed, a bill entitled An act to incorporate the Pottstown water company.

Mr. GLATZ (same), as committed, a bill entitled A supplement to an act entitled An act to incorporate the Lehigh Valley fire insurance company, approved 30th March, A. D. 1866.

Mr. LANDON, from the Committee on Railroads, as committed, a bill entitled An act authorizing the increase of capital stock of the Connecting railway company.

Mr. GRAHAM (same), as committed, a bill entitled A further supplement to an act entitled An act regulating railroad companies, approved February 19th, 1849.

Mr. JAMES (same), as committed, a bill entitled An act to incorporate the Danville water company.

Also (same), as committed, a bill entitled An act to incorporate the Susquehanna Depot Protective Union of Susquehanna Depot, Susquehanna county.

Mr. LANDON (same), as committed, a bill entitled A further supplement to an act to incorporate the Moshannon railroad company, approved April 11, 1863.

Mr. ROYER, from the Committee on Accounts, made a report, in substance as follows:

POST OFFICE,
HARRISBURG, March 5, 1867.

The Senate of the State of Pennsylvania:

To JOSEPH F. KNIPE, P. M., Dr.

For postage on letters and documents sent and received from February 1st to February 28th, 1867, inclusive, viz:

Postage on letters and documents sent	$1,985 00
Postage on letters received	76
Postage on documents received	63 46
Total on letters and documents received and sent	$2,049 22
By error in the 22d item as stated below	20 00
	$2,069 22

I certify that the above account is correct.
Received payment,
JOSEPH F. KNIPE, P. M.

The Committee on Accounts, to whom was referred the foregoing account of Joseph F. Knipe, postmaster at Harrisburg, have examined the same and find an error in the twenty-second item, date February 20th, amounting to twenty dollars.

We, therefore, offer the following resolution:

Resolved, That the Speaker draw his warrant on the State Treasurer, in favor of Joseph F. Knipe, postmaster at Harrisburg, for the sum of two thousand and sixty-nine dollars and twenty-two cents, in full of the foregoing bill as corrected.

HORACE ROYER,
GEORGE CONNELL,
C. M. DONOVAN,
G. DAWSON COLEMAN,
Committee.

On motion of Mr. ROYER, the above resolution was read a second time, and

Agreed to.

The warrant was accordingly drawn.

Mr. JACKSON, from the Committee to Compare Bills, and present them to the Governor for his signature, made the following report, which was read:

That in conjunction with a similar committee from the House of Representatives, they have compared, and on March 1st presented to the Governor for his approbation, the bills as follow, to-wit:

Senate bill No. 681, an act creating a board for the erection of a city hall in the city of Philadelphia.

House bill No. 601, joint resolution relative to the pay of E. D. Pickett, as clerk to the committee trying the contested election case contesting the seat of Charles D. Roush from the district composed of the counties of Lycoming, Union and Snyder.

House bill No. 439, a supplement to an act to incorporate the Penn gas coal company, approved the 1st day of March, A. D. 1861.

House bill No. 412, an act to incorporate the Pithole gas and water company.

House bill No. 314, an act to divide the township of Plymouth into two election districts.

House bill No. 479, an act to prevent the growth of noxious weeds in the county of Chester.

House bill No. 331, an act to extend an act relative to roads in Uwchlan township, Chester county, and East Bethlehem and East Pike Run townships, Washington county, to Peters, Fallowfield and West Pike Run townships, Washington county.

House bill No. 472, a supplement to an act incorporating the Girard Electrical insurance company, approved the 2d day of March, A. D. 1866.

House bill No. 159, a supplement extending the provisions of the act approved the 17th day of April, A. D. 1866, relative to fees on unseated lands in the county of Centre.

House bill No. 351, an act repealing so much of the act authorizing the election of additional officers and changing the manner of collecting taxes in the townships of Robison and North Fayette, Allegheny county, approved March 13th, 1866, as relates to the manner of collecting taxes in Robison township.

House bill No. 200, an act to incorporate the Boyd Farm and Petrolcum Centre bridge company.

House bill No. 318, an act relative to county taxes in Marion township, Butler county.

House bill No. 293, a supplement to an act to empower the school directors of Chambersburg to borrow money to build a school house, approved the 12th day of May, A. D. 1857, further extending the provisions of the second section thereof.

House bill No. 287, an act to incorporate the Allegheny and Saw Mill Valley passenger railway company.

House bill No. 349, an act appropriating moneys arising from fines and forfeitures in Chester county.

House bill No. 416, an act authorizing the burgess and town council in the borough of Irwin, in Westmoreland county, to levy and collect a special tax for borough purposes.

House bill No. 406, an act in relation to original writs and executions in the county of Franklin.

House bill No. 404, an act authorizing and requiring the prothonotary of Cambria county to keep an extension docket.

House bill No. 488, a supplement to an act to incorporate the Norristown passenger railroad company.

House bill No. 343, an act relative to the poor laws in Delaware county.

House bill No. 313, an act to authorize the commissioners of Wyoming county to levy an additional tax for the purpose of erecting a new county jail and sheriff's house in said county of Wyoming, and for other purposes.

House bill No. 291, an act to authorize the school directors of the borough of Punxsatawney to borrow money.

House bill No. 265, an act to authorize the school directors of Millville school district, Cambria county, to use surplus school tax for building purposes.

House bill No. 355, further supplement to an act to empower the town council of the borough of Bellefonte to borrow money, approved the 14th day of February, A. D. 1863.

House bill No. 278, an act to authorize the treasurer of the bounty fund of Schuylkill township, Chester county, Pennsylvania, to pay over to the treasurer of the school board of said township the funds remaining in his hands.

House bill No. 322, an act to legalize the levy and collection of certain bounty tax, to provide for a settlement and authorize the school directors to levy an additional bounty tax in Lykens township, Dauphin county.

House bill No. 396, an act to regulate the salaries of the county auditors, and also the salaries of the township auditors and their clerks in the county of York.

House bill No. 166, an act to divide the borough of Plymouth into two wards.

House bill No. 384, an act to authorize the qualified electors of Lycoming county to vote for or against a poor house in said county.

House bill No. 426, an act to enable the South ward in the city of Chester to procure a supply of water.

House bill No. 401, an act relating to hawkers and peddlers in the county of Chester.

House bill No. 403, an act to establish an additional notary public in Chester county.

House bill No. 413, an act supplementary to an act incorporating the town of Lawrenceville, in the county of Allegheny, into a borough, approved the 13th day of February, A. D. 1834.

House bill No. 525, an act to re-annex a portion of the borough of Montoursville, in Lycoming county, Pennsylvania, to Fairfield township, in said county.

House bill No. 339, an act to incorporate the Greenwood Avenue turnpike company.

House bill No. 261, a supplement to an act entitled An act to incorporate the Factoryville and Abington turnpike and plank road company, approved the 17th day of April, A. D. 1856.

House bill No. 315, an act to regulate the taking of fish from ponds and lakes, in Benton township, in Luzerne county.

House bill No. 428, an act to authorize the borough of Indiana, to increase their taxation for borough purposes.

House bill No. 213, an act to incorporate the Pioneer Run bridge company.

House bill No. 262, an act to incorporate the Springfield and Garretford turnpike company.

House bill No. 195, an act construing portions of the first section of an act approved February 17th, A. D. 1865, granting to Samuel Stock the right to erect a ferry or foot bridge over Oil creek at or near the Noble well, in the township of Cornplanter, Venango county.

House bill No. 350, a supplement to an act relative to the publication of local laws in the counties of Centre and Schuylkill, approved the 16th day of April, A. D. 1866.

House bill No. 194, an act to establish a ferry over the Allegheny river at Patterson's Falls in the county of Venango.

House bill No. 330, an act to establish a

ferry over the Allegheny river in Kinzua township, Warren county.

House bill No. 336, an act to declare a portion of Freeman's run in Potter county a public highway.

House bill No. 333, an act declaring Wiconisco creek from Oakdale Forge in Dauphin county, to the public road leading from Clark's Valley to Tremont, Schuylkill county, a public highway.

House bill No. 337, an act relative to the supervisors and road laws in Wiconisco township, Dauphin county.

House bill No. 292, a supplement to an act to enable the school directors of Kittanning borough to borrow money, approved the 12th day of March, A. D. 1866.

House bill No. 325, a further supplement to an act to incorporate the Pittsburg and Birmingham passenger railroad company, approved the 13th day of April, A. D. 1859.

House bill No. 344, an act relating to hawking and peddling in the county of Westmoreland.

House bill No. 176, an act to authorize the payment to Michael Dunn, a soldier in the war to suppress the rebellion, a gratuity on account of the loss of both his legs.

House bill No. 214, an act to establish a ferry over the Allegheny river, at the mouth of East Sandy creek, in the county of Venango.

House bill No. 206, an act to establish a ferry over the Allegheny river, at or near Bear Creek landing.

House bill No. 340, a supplement to an act to incorporate the Tidioute bridge company, approved the 17th day of April, A. D. 1861.

House bill No. 417, an act to authorize an increase of taxes for borough purposes in the borough of West Elizabeth, Allegheny county.

House bill No. 520, a supplement to an act to authorize the board of school directors of the Seventh ward of the city of Pittsburg, in the county of Allegheny, to borrow money, approved April 19th, 1864.

House bill No. 429, an act to extend an act to authorize the burgess and town council of the borough of Kittanning to grade, curb and pave certain sidewalks.

House bill No. 268, an act to incorporate the Kensington Mutual Co-operative association of the city of Philadelphia.

House bill No. 35, an act to incorporate the Morrison's Cove railroad company.

Also, on March 6th:

House bill No. 196, an act establishing a ferry over the Monongahela river, at the borough of California, in the county of Washington.

House bill No. 822, a further supplement to an act relating to inspections, approved April 15th, A. D. 1830, and the several supplements thereto.

House bill No. 234, an act to authorize the Governor to transfer to the Reynolds Monument committee unserviceable and condemned ordnance.

House bill No. 102, an act to repair the Cowanesque river in the county of Tioga.

House bill No. 116, a supplement to an act to change the mode of criminal proceedings in Erie and Union counties, extending the same to the county of Warren.

Senate bill No. 447, an act authorizing the commissioners of Mercer county to purchase a lot of ground for a jail and to sell the jail now erected.

Senate bill No. 208, an act relative to the courts of oyer and terminer, general jail delivery and quarter sessions of the peace for the city and county of Philadelphia.

Senate bill No. 160, an act granting a pension to William M'Farland.

Senate bill No. 719, an act to incorporate the Gettysburg asylum for invalid soldiers, and to raise funds therefor, and for the securing and preserving of the battle grounds of Gettysburg.

Senate bill No. 131, an act to authorize the town council of the borough of Middletown, in the county of Dauphin, to borrow money to pay off the present indebtedness of the said borough, and to build a bridge over the Pennsylvania canal on Wood street, and provide for the payment thereof, as also for the future government of said borough by an increased rate of taxation.

Senate bill No. 677, an act to enable the authorities of South Erie to increase taxation and lay sidewalks.

Senate bill No. 178, an act to incorporate the Local Express company of Wilkesbarre.

Senate bill No 613, an act to reduce the capital stock of the Stroudsburg Bank.

Senate bill No. 346, an act relative to the Columbia bridge company.

Also, on March 7th, 1867:

House bill No. 321, an act authorizing and requiring the school directors of Mercer township and Harrisonville borough, in the county of Butler, to levy a bounty tax, and for the repeal of all former acts relating to bounties in said district.

House bill No. 315, a supplement to an act to incorporate the Coatesville, Mortonville and Doe Run plank road company, and relative to the repair of public roads in Birmingham township, Delaware county, and relative to the Darby and Upper Darby plank road company, approved the 26th day of March, A. D. 1853, and extend the provisions of certain sections thereof to Bart township, Lancaster county.

Senate bill No. 879, an act to authorize the Allegheny Valley railroad to mortgage its road and branches to complete the same.

Senate bill No. 321, a supplement to an act incorporating the borough of Jamestown, in the county of Mercer.

Senate bill No. 246, an act to incorporate the Marine hospital of Pennsylvania, in the county of Erie, to fix location of hospital in Erie city, and to grant real estate to said hospital.

Senate bill No. 360, an act in relation to the fees of notaries public in the counties of Bradford, Fulton, Somerset and Delaware.

Senate bill No. 577, a further supplement to the borough of Easton, authorizing the town council of said borough to construct and provide public water works, and to authorize the election of water commissioners.

Senate bill No. 282, an act to extend the provisions of an act entitled An act to require the register of wills in and for Luzerne county to record, in a book or books, the appraisments, inventories and vendue lists of personal property, to the counties of Monroe and Carbon.

Senate bill No. 560, an act annexing the borough of Manchester to Allegheny city.

Senate bill No. 48, an act to authorize the payment of Theodore F. Scheffer for printing deserters' list.

Senate bill No. 127, an act opening Juniata avenue and vacating Nicetown lane, in the Twenty-first ward of the city of Philadelphia.

Senate bill No. 285, an act authorizing the trustees of the proprietors of Hanover township, in Luzerne county, to collect and pay over moneys to the Central poor district.

Senate bill No. 280, an act to authorize the Governor to appoint an additional notary public for the county of Mercer, to reside in the borough of Sharon, in said county, and an additional notary public for the county of Centre, to reside in Phillipsburg.

Senate bill No. 495, an act authorizing the city of Allegheny to issue bonds to the amount of sixty-five thousand dollars, to be applied to building a market house in said city.

Senate bill No. 418, an act relative to auctions and gift enterprises in the county of Mercer.

Senate bill No. 474, an act extending the provisions of the act incorporating the Erie gas company over South Erie and a portion of Mill Creek township, and to authorize the said company to introduce water wherever it is authorized to introduce gas, and increase its capital stock, and to borrow money.

Senate bill No. 419, an act to legalize the levying and collecting of a certain tax in the borough of Sharon, in Mercer county, and authorizing the levying and collection of a tax not exceeding ten mills on the dollar of valuation for general borough purposes in said borough.

Senate bill No. 395, an act to vacate parts of Railroad street, in the borough of Pottsville.

Senate bill No. 378, an act to authorize the school directors of the borough of Honesdale, in Wayne county, to borrow money, issue bonds, and levy and collect taxes for payment thereof.

Senate bill No. 296, a supplement to an act to authorize the erection of a poor house by the township of Wilkesbarre, in Luzerne county, approved second of April, 1860.

Senate bill No. 356, an act relative to the duties of district attorney for the county of Erie.

Senate bill No. 26, an act to authorize the payment of State agents at Washington.

Senate bill No. 288, an act to authorize the clerk of the courts of quarter sessions, oyer and terminer, and orphans' court of Lehigh county to appoint deputies.

House bill No. 847, an act fixing the place of holding elections in the township of Harrison, county of Bedford, at the house of Jonathan Feightner,

House bill No. 99, an act to enable State banks to settle and close up their affairs.

House bill No. 452, an act relative to cemeteries in Allegheny county.

House bill No. 387, an act relative to the fees of the coroner of Allegheny county.

Also, on the 11th of March:

House bill No. 563, a further supplement to an act to authorize the Cranberry coal company to construct a railroad.

House bill No. 381, an act to authorize the Governor to appoint an additional notary public for the borough of Milton, Northumberland county.

House bill No. 801, a supplement to an act to authorize the road commissioners of Freehold township to levy an additional tax, approved April 11th, A. D. 1866.

House bill No. 467, an act to incorporate the Spruce Grove lumber and land company.

House bill No. 1082, an act authorizing the directors of the Middle Creek railroad company to fill the vacancy of the office of president of said railroad caused by the death of Abner Thompson.

Laid on the table.

BILLS IN PLACE.

Mr. CONNELL read in place and presented to the Chair a bill entitled An act regulating the transfer of stocks and loans by trustees, and for the protection of transfer agents and corporations.

Referred to the Committee on the Judiciary General.

Also, a bill entitled An act for the better improvement of the front of the river Delaware.

Referred to the Committee on the Judiciary Local.

Also, a bill entitled An act providing for

the election of supervisors in certain rural wards of Philadelphia.

Referred to the Committee on the Judiciary Local.

Also, a bill entitled An act relative to the councils of Philadelphia.

Referred to the Committee on the Judiciary Local.

Also, a bill entitled An act to authorize the Southwark railroad company to renew their road on Sansom street.

Referred to the Committee on the Judiciary Local.

Also, a bill entitled An act to authorize the Warren and Franklin railway company to construct branch roads, and to provide means for moving oil intended for transportation.

Referred to the Committee on the Judiciary Local.

Mr. RIDGWAY, a bill entitled A further supplement to the act to incorporate the Union School and Children's Home asylum, to provide for the taxation of non-residents, venders of merchandise in the city and county of Philadelphia, and for the relief of Edward Hutchison, approved April 12, 1851.

Referred to the Committee on Corporations.

Also, a bill entitled A supplement to an act entitled An act regulating railroads, approved February 19, 1849.

Referred to the Committee on Roads and Bridges.

Mr. DAVIS, a bill entitled An act authorizing and requiring the assessors of Caernarvon township, Berks county, to discharge the duties of constable.

Referred to the Committee on the Judiciary Local.

Mr. ROYER, a bill entitled An act to incorporate the Madison bridge company of Pottstown, Montgomery county.

Referred to the Committee on Roads and Bridges.

Mr. FISHER, a further supplement to an act entitled An act to change the venue of a certain action from Juniata county to Dauphin county, approved March 21st, A. D. 1866.

Referred to the Committee on the Judiciary Local.

Also, a bill entitled An act to incorporate the borough of Bainbridge.

Referred to the Committee on the Judiciary Local.

Mr. BILLINGFELT, a bill entitld An act extending the provisions of an act approved March 22d, A. D. 1817, relative to horse racing in the public highways in Philadelphia county, to the township of Leacock, in the county of Lancaster.

Referred to the Committee on Vice and Immorality.

Mr. WHITE, a bill entitled An act directing the entry of liens for moneys due the Commonwealth on lands located and held by virtue of location or other office titles, requiring the survey of lands not heretofore surveyed and returned to the Surveyor General's office, and payment to be made for the same, and regulating the fees in the office of the Surveyor General.

Referred to the Committee on Finance.

Also, a bill entitled A supplement to an act relating to lunatics and habitual drunkards, passed the 13th day of June, A. D. 1836.

Referred to the Committee on the Judiciary General.

Also, a bill entitled an act to declare the North and West branches of Little Mahoning creek, in Indiana county, public highways.

Referred to the Committee on Canals and Inland Navigation.

Mr. LANDON, a bill entitled An act to incorporate the Home manufacturing company.

Referred to the Committee on Corporations.

Mr. JACKSON, a bill entitled An act relating to the licensing of restaurants and beer houses in the county of Columbia, extending the provisions of the act of 2d of April, 1860, to said county.

Referred to the Committee on Vice and Immorality.

Mr. COWLES, a bill entitled An act appointing commissioners to lay out and open a State road from Wilcox, in Elk county, to the borough of Kane, in M'Kean county.

Referred to the Committee on Roads and Bridges.

Also, a bill entitled An act to ascertain the views of the qualified electors of M'Kean county, upon the subject of refusing licenses for the sale of liquors in said county.

Referred to the Committee on Vice and Immorality.

Also, a bill entitled An act for the relief of A. D. Hamlin.

Referred to the Committee on the Judiciary Local.

Also, a bill entitled An act punishing the sale of adulterated milk in Potter and Tioga counties.

Referred to the Committee on the Judiciary Local.

Mr. BROWN (Mercer), a bill entitled A supplement to an act entitled An act to incorporate the Bear Creek railroad company, approved 20th March, A. D. 1865.

Referred to the Committee on Railroads.

Also, a bill entitled An act authorizing the burgess and town council of the borough af Jamestown, Mercer county, to levy and collect tax for bounty purposes.

Referred to the Committee on the Judiciary Local.

BILL RECALLED FROM THE GOVERNOR.

Mr. CONNELL. Mr. Speaker, I ask leave to make a statement.

Leave was granted.

Mr. CONNELL. Mr. Speaker, at the last session of the Legislature I introduced a bill, drawn by a gentleman in Philadelphia, entitled An act relating to judicial sales and the preservation of the lien of mortgages. That bill passed both Houses, was sent to the Governor, but the Attorney General, Mr. Meredith, had objections to it, and I recalled it, for the purpose of having it amended to conform to his ideas. As the bill has been lost, I desire to pass it over again. I move that the Senate proceed to the consideration of the bill.

The motion was

Agreed to,

The bill was read a second and third time, and

Passed finally.

ORIGINAL RESOLUTIONS.

Mr. LANDON offered the following resolution, which was twice read:

Resolved, That the Committee on Pensions and Gratuities be and hereby are instructed to examine into the propriety of amending or repealing an act passed in 1866, entitled An act to provide for the payment of annuities and gratuities to the soldiers of 1812, and to report on or before Tuesday next, by bill or otherwise.

Mr. LANDON. Mr. Speaker, a desire to say a word in explanation of that resolution. We are all disposed to afford every possible relief and benefaction to the really meritorious soldier, but no one is willing that any undeserving person should receive benefactions under false assumption or disguises. In times past, it was the custom for individual soldiers of the war of 1812 to make application to the Legislature for relief, and individual acts were passed, from time to time, granting an annuity or gratuity. Last year, to avoid the necessity of these acts, a general act was passed, granting a gratuity of forty dollars to the meritorious soldiers of 1812, and also an annuity of forty dollars, to run during their lifetime. That bill was carefully drawn and guarded; but, carefully as it was drawn and guarded, either through misrepresentation, deception, perjury, or all combined, the list of recipients now amounts to three thousand five hundred, and that list is increasing every day, and it will take one hundred and forty thousand dollars this year to pay the annuities, with a very fine prospect that it will take two hundred thousand dollars. Now, sir, no man who voted for the act of 1866 dreamed of such a thing, that the number would reach three thousand five hundred, and be constantly expanding, and that we should be called upon to pay one hundred and forty thousand dollars this year. Hence, I have drawn up a resolution, instructing the Committee on Pensions and Gratuities to consider the matter, and either amend the act, as they see fit, or report in favor of its repeal before next Tuesday.

The resolution was adopted.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

The Clerk of the House of Representatives being introduced, presented for concurrence bills numbered and entitled as follows, viz:

No. 506, an act to ascertain and appoint the fees to be received by the several officers of this Commonwealth.

Referred to the Committee on the Judiciary General.

No. 1090, an act for the sale of certain real estate of Drusula Hess.

Referred to the Committee on Estates and Escheats.

No. 1095, an act to provide for the transfer and safe-keeping of prisoners in the jail of Washington county.

Referred to the Committee on the Judiciary Local.

No. 1102, an act limiting the provisions of a further supplement to the act incorporating the borough of Washington.

Referred to the Committee on the Judiciary Local.

He also returned bills from the Senate numbered and entitled as follows:

No. 324, an act to repeal an act entitled A further supplement to the act incorporating the Pennsylvania railroad company, authorizing an increase of capital stock, and to borrow money, approved the 21st day of March, 1866, to authorize the Pennsylvania railroad company to increase its capital stock, to issue bonds and to secure the same by mortgage.

No. 444, a further supplement to the act of March 19th, 1860, making further provision for the government of the city of Harrisburg.

No. 665, an act to incorporate the city of Allentown,

With information that the House of Representatives has passed the same with amendments, in which the concurrence of the Senate is requested.

On motion, said amendments were twice read and concurred in.

He also informed the Senate that the House of Representatives had concurred in the amendments made by the Senate to bills from the House of Representatives numbered and entitled as follows:

No. 311, an act to authorize the supervisors of West Branch township, Potter county, to levy an additional road tax.

No. 391, an act to authorize the Governor to appoint two additional notaries public for the city of Philadelphia.

No. 395, an act relating to the fees of district attorney for the county of Greene.

No. 329, an act to incorporate the Mechanics' Savings Bank.

No. 271, supplement to an act entitled An act to incorporate the Red Bank navigation company.

No. 524, an act for the better regulation of public halls and places of amusement in the city of Philadelphia.

No. 526, an act to authorize the board of school directers of Venango City, Venango county, to borrow money.

No. 589, an act to incorporate the Greensburg Masonic fund.

No. 452, an act relative to cemeteries in Allegheny county.

No. 467, an act to incorporate the Spruce Grove lumber and land company.

He also informed that the House of Representatives has non-concurred in the amendments made by the Senate to bill from the House of Representatives numbered and entitled as follows:

No. 449, an act to incorporate the Pine Creek bridge company.

The several amendments having been read, Mr. COWLES moved that the Senate recede from its amendments, non-concurred in by the House, to said bill.

The motion was

Agreed to.

The Clerk of the House of Representatives also informed the Senate that the House of Representatives has non-concurred in the amendment made by the Senate to bill from the House of Representatives numbered and entitled as follows:

No. 328, an act to incorporate the Meadville savings and loan company, and has appointed Messrs. CHASE, MARKLEY and ARMSTRONG a committee of conference on the part of the House to confer with a similar committee on the part of the Senate (should the Senate appoint said committee), to confer upon the subject of the difference existing between the two Houses on said bill.

Said amendments having been again read, Mr. LOWRY moved that the Senate insist upon its amendments, non-concurred in by the House of Representatives, and that a committee of conference be appointed on the part of the Senate, to act in conjunction with a similar committee, already appointed by the House of Representatives, on the difference existing between the two Houses in relation to said bill.

The motion was

Agreed to.

And the SPEAKER appointed Messrs. LOWRY, DONOVAN and BROWNE (Lawrence) the said committee.

He also informed that the House of Representatives has non-concurred in amendments made by the Senate to amendments made by the House of Representatives to bill from the Senate numbered and entitled as follows:

No. 143, an act to divide the Twenty-first ward, in the city of Philadelphia, into two wards, and to create a new ward to be called the Twenty-eighth.

And has appointed Messrs. DEHAVEN, WALLACE and QUIGLEY a committee of conference on the part of the House to confer with a similar committee on the part of the Senate (should the Senate appoint such a committee), to confer upon the subject of the difference existing between the two Houses on said bill.

Said amendments having been again read, Mr. CONNELL moved that the Senate insist upon its amendments, non-concurred in by the House of Representatives, and that a committee of conference be appointed by the Senate to act in conjunction with a similar committee, already appointed by the House of Representatives, on the subject of the differences existing between the two Houses in relation to said bill.

The motion was

Agreed to.

And the SPEAKER appointed Messrs. CONNELL, GRAHAM and WALLS the committee on the part of the Senate.

The Clerk of the House of Representatives also presented the following extract from the Journal of the House of Representatives, as follows:-

IN THE SENATE, March 11, 1867.

Resolved (if the House concur), That the Governor be requested to return to the House of Representatives, in which it originated, House bill No. 349, entitled An act appropriating certain moneys arising from fines and forfeitures in Chester county.

On motion of Mr. WORTHINGTON, the above resolution was twice read and concurred in.

MESSAGE FROM THE GOVERNOR.

The Deputy Secretary of the Commonwealth being introduced, presented a message, in writing, from the Governor, which was read as follows:

EXECUTIVE CHAMBER,
HARRISBURG, March 12, 1867.

To the Senate and House of Representatives of the Commonwealth of Pennsylvania:

GENTLEMEN—I have approved and signed the following acts of the General Assembly, to wit:

On the 8th instant:

An act to authorize the Allegheny Valley railroad to mortgage its road and branches to complete the same.

An act fixing the place of holding elections in the township of Harrison, county of Bedford, at the house of Jonathan Feichtner.

An act relative to cemeteries in Allegheny county.

An act to authorize the payment of State agents at Washington.

An act to regulate the salaries of the county auditors, and also the salaries of the township auditors and their clerks, in the county of York.

An act in relation to original writs and executions in the county of Franklin.

On the 9th instant:

An act to extend the provisions of an act to prohibit the issuing of licenses in certain boroughs in the counties of Armstrong, Potter, Indiana and Perry, or within two miles of the same, in the counties in which such boroughs are located, approved the 27th day of March, 1866, to the boroughs of New Alexandria and Bolivar, in the county of Westmoreland.

An act to authorize the payment of Theo. F. Scheffer for printing deserters' list.

An act opening Juniata avenue and vacating Nicetown lane, in the Twenty-fifth ward of the city of Philadelphia.

An act to extend the provisions of the act incorporating the Erie gas company over South Erie and a portion of Mill Creek township, and to authorize the said company to introduce water wherever it is authorized to introduce gas, and to increase the capital stock and to borrow money.

An act in relation to the fees of notaries public in the counties of Bedford, Fulton, Somerset and Delaware.

An act relative to the duties of district attorneys in the county of Erie.

An act authorizing the trustees of the proprietors of Hanover township, in Luzerne county, to collect and pay over moneys to the Central poor district.

An act to authorize the school directors of the borough of Honesdale, Wayne county, to borrow money, issue bonds and levy and collect taxes for payment thereof.

An act relative to auctions and gift enterprises in the county of Mercer.

A supplement to an act to authorize the erection of a poor house by the township of Wilkesbarre, in Luzerne county, approved April 2, 1860.

An act authorizing the city of Allegheny to issue bonds to the amount of sixty-five thousand dollars, to be applied to building a market house in said city.

An act to authorize the Governor to appoint an additional notary public for the county of Mercer, to reside in the borough of Sharon, in said county, and an additional notary public for the county of Centre, to reside at Phillipsburg.

An act to legalize the levying and collection of a certain tax in the borough of Sharon, Mercer county, not exceeding two mills on the dollar valuation, for general borough purposes in said borough.

An act relative to the fees of a coroner of Allegheny county.

On the 11th instant:

An act authorizing the directors of the Middle Creek railroad company to fill the vacancy in the office of president of said railroad, caused by the death of Abner Thompson.

An act to authorize the Governor to appoint an additional notary public for the borough of Milton, Northumberland county.

A further supplement to an act to authorize the Cranberry coal company to construct a railroad.

JNO. W. GEARY.

Laid on the table.

BILLS ON THIRD READING.

Agreeably to order,

The Senate proceeded to the consideration of bill entitled A supplement to an act entitled An act relating to the payment of bounties to veteran volunteers, approved May first, Anno Domini one thousand eight hundred and sixty-six.

The supplement reads as follows:

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the place of residence named on the mustering-in roll shall be considered the place of credit to the said veteran volunteer, and conclusive evidence of the fact, and of sufficient authority to the officers provided for in said act to levy and raise the tax, except in cases where the said veteran volunteer has been especially credited to some other locality.

Mr. WHITE. Mr. Speaker, when this bill was up for consideration the other day, the Military Committee was called upon for some information in the matter. My attention having been called to the matter, I examined it quite carefully. This is a supplement to the act approved on the first day of May, 1866, relating to the payment of bounties to veteran volunteers. I do not think the supplement is necessary. I observe in the second section of that act the following provision:

"Transcripts from the records in the Auditor General's office of this State, certified to by the Adjutant General, as well as general orders from the War Department, shall be received in evidence; and the place of residence named in the re enlistment and muster rolls, shall, in the absence of other evidence, be considered the place of credit."

Thus, you will observe, Mr. Speaker, that this section makes the place mentioned in the enlistment and muster-in rolls *prima facie* the place of credit; and if that is the place

of credit, of course that is an end to the matter. The supplement in view provides that the entry upon the master-in roll shall be conclusive evidence. I do not think that rule should be adopted, hence I trust this supplement will not pass, and that the act will be left as it is.

Mr. WALLACE. Mr. Speaker, I think this supplement may be very useful in some localities to meet special cases, but that it should be confined to them. I think it wrong to change the provisions of the general law. There are cases in which, perhaps, it would be just and proper that the rule contemplated by this supplement should be administered; but when we attempt to change the general rule, I think we are attempting to do that which should receive a little more consideration and investigation before we make any alteration. I think this bill should lie over, and be amended to suit special cases.

Mr. WHITE. Mr. Speaker, in view of what the Senator from Clearfield [Mr. WALLACE] has said, I move that the further consideration of this bill be postponed for the present.

The motion was

Agreed to.

Agreeably to order, the Senate proceeded to the consideration of bill entitled A joint resolution to pay the expenses of the inauguration of Governor Geary.

The bill was read a third time, and

Passed finally.

Agreeably to order, the Senate proceeded to the consideration of bill entitled

An act relating to the jurisdiction of courts in proceedings by bills for injunctions, and other relief in equity, and the service of process.

The first and only section was read as follows:

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same*, That all bills for injunctions, and other relief in equity, shall be filed and applied for in the courts of the county where the subject matter in controversy may exist; and should there be no one in said county on whom the service of a writ, regularly issued, can be made, according to existing laws, the same may be served on the proper person, in any other county of the State, by the sheriff or other officer to whom the writ is directed, or by his deputy; and if there should be no person within the State, the court, if in session, or a judge thereof, in vacation, may order and direct publication of notice, in such manner as may best serve to bring home notice to the respondent or respondents, and the sheriff or other officer shall make return thereof, under oath; and so much of any law or laws of this State, as is hereby altered or modified, is hereby repealed.

Mr. WALLACE. Mr. Speaker, I raised some objections to the bill when it was up before, which I feel somewhat like insisting upon. It restricts the jurisdiction of the Supreme Court in equity. A corporation that has its office and principal place of business in one county, cannot go to the Supreme Court sitting in any other district and seek for an injunction there. Its application must be made to the judge of the court in which it is located. It seems me bad policy to restrict the jurisdiction of the Supreme Court in such cases.

Mr. M'CONAUGHY. Mr. Speaker, I do not propose to discuss this bill, but I hope it will pass. My reasons for that hope are obvious. In the legislation of 1844 this change was made in the law, and this just places the jurisdiction in equity cases where it is in cases at common law. It requires the proceedings originating in the county in which the cause of action arises to go by appeal to the Supreme Court.

I think it is precisely right, and I hope the bill will pass. I can conceive of no reason why the jurisdiction of originating proceedings should not be the same as in cases at common law.

On the question,

Shall the bill pass?

The yeas and nays were required by Mr. WALLACE and Mr. M'CONAUGHY, and were as follow, viz:

YEAS—Messrs. Billingfelt, Browne (Lawrence), Cowles, Fisher, Graham, Haines, Landon, Lowry, M'Connaughy, Royer, Stutzman, Taylor, White, Worthington and Hall, *Speaker*—15.

NAYS—Messrs. Bigham, Burnett, Davis, Donovan, Glatz, Jackson, James, M'Candless, Randall, Ridgway, Schall, Wallace and Walls—13.

So the question was determined in the affirmative.

So the bill

Passed finally.

Agreeably to order, the Senate proceeded to the consideration of bill entitled A supplement to an act incorporating the Cresheim turnpike and bridge company, approved the sixteenth day of March, one thousand eight hundred and sixty-six.

The bill was read a third time, and

Passed finally.

Agreeably to order, the Senate proceeded to the third reading and consideration of a bill entitled An act relating to fish and game in the county of Lawrence.

Mr. BROWNE (Lawrence) moved that the further consideration of the bill be postponed for the present.

The motion was

Agreed to.

Agreeably to order, the Senate proceeded to the third reading and consideration of a bill entitled An act to incorporate the Wilkesbarre transportation company.

Mr. RANDALL moved to postpone the further consideration of the bill for the present.

The motion was

Agreed to.

PAUPERISM AND CRIME.

On motion of Mr. WALLACE, the Senate proceeded to the consideration of bill entitled An act to increase the duties of the Citizens' association of Pennsylvania.

Mr. WALLACE. Mr. Speaker, the general purpose of this bill is to increase the duties of an association of benevolent gentlemen, who seek to enter into a field which is a very wide one in our Commonwealth. We have no statistics on the subject of pauperism and crime, and these gentlemen propose, through their association, to furnish it. This bill makes no appropriation of money; it is a commendable object, and it seems to me we should pass it, and allow them to enter into this field.

The bill was read as follows:

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same*, That the Citizens' association of Pennsylvania shall make an annual report to the Legislature, on the dependent, depraved and criminal population of the Commonwealth, and on all matters relating to the causes of and remedies for pauperism, vagrancy and crime; and for this purpose said association is hereby empowered to visit and examine into all organizations and institutions which have charge, either in whole or in part, of said population, provided said organizations and institutions are maintained or assisted by the Commonwealth, or by the counties, townships or municipalities thereof.

SEC. 2. The committee of any habitual drunkard, duly found to be such by inquisition, according to the act of Assembly relating to lunatics and habitual drunkards, approved June 13, 1836, may make application in writing to the president of the Citizens' association for the admission of said habitual drunkards to the custody of said association, and upon the receipt of such application by the president aforesaid, he shall make inquiry into the history and nature of the case, and if he be of opinion that the person in whose behalf the application is made, is a proper subject for admission, his certificate of approval, together with the application, may be submitted to the court of the county where the committee of said habitual drunkard may reside, either in open court or to the president judge, or at chambers; and if, in the judgment of the court, the said habitual drunkard shall be deemed a proper subject for treatment with a view to his reformation, the said court is hereby empowered to commit him to the custody of the Citizens' association of Pennsylvania for a term of not less than nine months or more than two years: *Provided*, That the relations, by blood or marriage, of said habitual drunkard, shall have access to him at all times, subject to the rules and regulations of said association: *And provided further*, That said habitual drunkard may be released by the court making the commitment, before the expiration of said term, if, after a full hearing, the said court shall deem his release advisable: *And provided further*, That nothing in this act shall be so construed as to prevent the Citizens' association from receiving into their custody any person, upon his own application, without due process of law.

The bill was read a third time, and

Passed finally.

ASSOCIATE LAW JUDGE FOR THE TWENTY-FIRST DISTRICT.

On motion of Mr. RANDALL, the Senate proceeded to the consideration of bill entitled,

An act to provide an associate law judge of the several courts in the Twenty-first Judicial district.

The first and only section was read as follows:

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same*, That the qualified electors of the Twenty-first Judicial district shall, at the next general election, in the manner prescribed by law for the election of the president judge, elect one person, learned in the law, to serve as an associate law judge of the several courts in said district; the said associate law judge shall possess the same qualifications which are required by the Constitution and laws for president judge, and shall be commissioned by the Governor, and shall hold his office by the same tenure as other judges of courts of record, required to be learned in the law; the said associate law judge shall have the same power, authority and jurisdiction, and be subject to the same duties, provisions and penalties, as the president judge, and shall receive the same compensation for his services as the president judge of said district is now entitled by law to receive.

Mr. RANDALL. Mr. Speaker, the reasons why there should be an additional law judge are these:

The common pleas of Schuylkill county, in the years 1864, 1865 and 1866, was occupied principally in trying causes that were commenced several years before. Many of the

causes tried in these three years were begun in 1855, 1856 and 1858, and some of them as early as 1849. These old suits are chiefly ejectments. To try one of them generally occupies a week, and some of them take ten days. Causes are placed on the lists according to the date of their commencement. From the accumulated business on the dockets, it is almost impossible to get a cause tried sooner than two or three years after the time of entering it.

In 1866 there was but one suit tried in the common pleas that was begun in that year, and that, for special reason, was ordered at the head of the list.

In 1866 there were but two suits that were begun in 1865, and one of these, too, for special reason, was ordered by the court at the head of the list.

In 1866 there were but three suits tried that were begun in 1864.

In the year 1865, there was not a single cause tried that was begun within that year.

In 1865 there was not one suit tried that was commenced in 1864.

In 1865 there were eight suits tried which were begun in 1863.

In 1864 there was only one suit tried that was begun in that year.

In 1864 there were but seven suits tried that were begun in the year 1863, and two of these, for special reasons, were placed at the head of the lists.

In 1864 there were but three cases tried that were begun in 1862.

By the 22d section of the act of 1806, Pamphlet Laws 245, it will be seen that it is intended by the Legislature that the suitors in the courts of common pleas shall have a fair opportunity to have their causes tried at longest within a year after the time their suits are commenced.

The equity business of the court is large. From the varied and valuable interests involved in mining the coal, disputes of great importance are raised. Applications for injunctions are frequent, and from their nature demand the immediate action of the court. Much time of the court is taken up with this important branch of its duties.

The courts of oyer and terminer and quarter sessions claim a great portion of the time of the court. In the year 1866 there were over eight hundred returns of criminal prosecutions from the justices of the peace made to the district attorney. The court, in the trial of these prosecutions, was occupied ten weeks in that year; and criminal business to employ the court more three weeks was continued into 1867. The business of 1866 in the criminal court was in excess of former years. But that it will always be large in a county where the population is so dense, and composed of so many different nationalities, there can be no doubt. In this district, from the increasing population, and its inevitable commercial growth, there is no future period at which it can be estimated that the business of the courts can be less than it is at present.

By the census of 1860 it appears that the value of the manufactures of Schuylkill county exceeded that of any other county in the State, except Philadelphia and Allegheny, and that the value of the manufactures of the Twenty-first Judicial district (Schuylkill) exceeded that of any other Judicial district in the State, except the first, fifth and fifteenth; the first being Philadelphia, the fifth Allegheny, and the fifteenth Delaware and Chester. The business of Delaware and Chester, it will not be denied, occasions less litigation than the business of the people of Schuylkill county. A great portion of the people of Delaware and Chester are engaged in agricultural pursuits, and in Schuylkill in the mining and shipping of coal. The people of Delaware and Chester are staid and settled; those of Schuylkill, while ever increasing in number, are fluctuating and unsettled. The estimated value of the manufactures in 1860, in Schuylkill county, has since that period nearly doubled. The value of the manufactures of Schuylkill will, in 1866, reach seventeen millions of dollars.

The average number of suits entered on the appearance dockets in the common pleas, during the last ten years, is annually twenty-four hundred and forty-one (2,441). Many of these are merely the entry of judgments on bonds and notes, while others are of trifling importance. But a great portion of them involve large sums of money, and others call in question the title to the most valuable tracts of land in the country. The fact that the court is, for the last few years, largely engaged in the trial of causes brought over six and seven and eight years ago, demonstrates that the present accumulated business of the courts is not a sudden increase that the future might diminish.

No reflection can be made on the present judges of the court; for I am known to all the least familiar with the transactions of the court that the judges are untiring in their efforts to dispose of the arrearages, sitting almost every week in the year for the hearing of causes of one kind or another.

Mr. M'CONAUGHY. Mr. Speaker, I do not desire to go into general discussion upon this subject, but I desire to ask of the Speaker in the chair if it was not unanimously agreed in the General Judiciary Committee, that they would negative all bills proposing additional law judges.

Mr. WALLACE (Speaker *pro tempore*). In answer to the Senator, I have to say that that was the general policy agreed upon, yet it reserved for the Senate the question whether there was an actual necessity for an additional law judge.

Mr. M'CONAUGHY. Mr. Speaker, I desire to give a reason why I shall not vote for this bill. In half a dozen districts similar cases exist; cases where judges may be old or slow, and where it is desired to get rid of them by creating an additional law judge. If that policy is to be adopted, it ought to be adopted in all districts. The judgment of the General Judiciary Committee was that it was not a good policy; and that the same course should be adopted in regard to all districts that apply. For that reason this bill, with others, was reported negatively. I do not think it should prevail. If it does, there will be inequality, and it will be against the general policy adopted; and I think, if it is extended to this district, it should be extended all the others, which cannot be done at this time.

Mr. RANDALL. Mr. Speaker, I think the reasons given by the Senator from Adams [Mr. M'CONAUGHY], against the passage of this bill, are the weakest that I have heard given in the Senate in regard to any subject. After the statement I have made, I cannot see how any one can doubt the necessity for an additional law judge in that district.

Mr. M'CONAUGHY. I know nothing of the necessity arising there; we have not had the facts before us, as a committee, to judge.

Mr. RANDALL. Mr. Speaker, there is a petition certified by the prothonotary and district attorney. In relation to getting rid of an old judge, I would state that the judge in this district is a young man, and the business is expedited as well as in any other district. The court has been in session without intermission for the last eight weeks, with the probability of remaining in session longer. The number of civil suits annually for the last ten years have averaged over two thousand four hundred, and I think the business of the district is equal to that of Allegheny, which has four law judges. I see no reason why this bill should not pass, and I trust it will pass.

Mr. COLEMAN. Mr. Speaker, I am sorry to meddle with legislation that does not concern my district, but I have been solicited so earnestly, in that county, to oppose the passage of this bill, that I feel it my duty to do so. From the information I can get from that county, I have come to the conclusion that the remedy there is to have a judge capable of doing business.

Mr. RANDALL. Does the gentleman mean to reflect upon the present judge?

Mr. COLEMAN. I do, sir.

Mr. RANDALL. It is very remarkable; the gentleman's party in the district think him capable.

Mr. COLEMAN. I think he is utterly incompetent to go through the business, as a presiding judge. I am informed by parties there who are competent to know, that if they had a judge who was like many others in the State, there would be no such accumulation of business as there is there, and the likelihood is that they would not elect one who would get through with the business any more rapidly. I have here a petition, presented to the House of Representatives, signed by a number of lawyers of the county of Schuylkill, which I ask the Clerk to read.

The petition was read as follows:

To the Honorable the Senate and House of Representatives of the Commonwealth of Pennsylvania, in General Assembly met:

The petition of the undersigned, Republican members of the bar of Schuylkill county, respectfully represents:

That they have recently learned that a petition has been presented to your honorable bodies, praying for an additional law judge of the courts of Schuylkill county, and that a bill for that purpose has been presented to the Senate.

Your petitioners further represent that the effort to procure such an act has been made without consultation with the Republican members of the bar of said county; that the subject has not been in any manner brought before the people of the county who are vitally interested in the measure, in order to obtain their views as to the best plan to be adopted; that while we agree with those who propose the election of an additional law judge, that our courts are insufficient and inadequate to hear and determine the large amount of legal business brought before them, and which is constantly increasing, yet your petitioners are of opinion that the organization of a district court, either for Schuylkill county alone or in connection with one or more adjoining counties, would be preferable and better adapted to dispose of the numerous cases on the docket.

Your petitioners would further represent that various plans and measures have been suggested, but the time has been too brief to develop and mature any measure to effect the desired end.

Your petitioners further represent that the subject is one of great importance to the people of said county, who ought to be informed of the proposed act. They, therefore, pray and protest against hasty action on the part of your honorable bodies, and that the subject be delayed until some plan may be devised and agreed on which will accomplish the object proposed, and be satisfactory to the members of the bar as well also to the people.

Signed by John Bannan and thirteen others.

Mr. RANDALL. Mr. Roseberry's signature asking for the appointment of a judge, is signed to a petition asking for the passage of this bill.

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[CONTINUED FROM PAGE 560.]

Mr. COLEMAN. There is no question as to many of the facts presented in that petition. That there is an accumulation of business there seems to be conceded. But how we shall remedy the thing, without removing the present judge, I do not see. If the Senator from Schuylkill [Mr. RANDALL] will promise that the present judge will resign, so that one competent can be appointed, I will not object. I believe he is competent in cases where there is no political aspect. But, from my information, he is not a man to get through with the business, and will sit for a week upon a case that a competent judge would decide in half a day. He allows business to accumulate there, and I hope the Senate will reject this bill, and let the legal gentlemen of the county agree to some plan which will give them relief.

Mr. RANDALL. Mr. Speaker, I would state that the present judge was the unanimous choice of the people in that county at the time of his nomination, and the people seem to be perfectly satisfied with him.

Mr. COLEMAN. I suppose they had the choice of evils; they took him because he was better than some others.

Mr. RANDALL. Mr. Speaker, if this thing is to be turned into a purely political question, as the Senator from Lebanon [Mr. COLEMAN] is endeavoring to make it, there is no use in trying to get justice in the district. It is impossible to elect a judge of opposite politics there, and the necessity for this judge is acknowledged by every one. One of the signers of the petition presented by the Senator from Lebanon told me that he knew that the bill ought to pass, but they forced him to sign a petition against it as a political question.

Mr. FISHER. Mr. Speaker, I do not like to interfere in matters of this kind, and I do not get up to say anything about Judge Ryan. I know him, and do not regard him as the ablest lawyer in Pennsylvania, by any means; but the people of Schuylkill have selected him as their judge and that is a question for themselves, and I have nothing to say about it. If this was a party question I suppose the party lines would be drawn upon me, and I should vote with my party. But when it comes to adjudicating a question in a judicial district, I lay party aside. I think party should have nothing to do with the judiciary of the country or the jury box. That there is a necessity for an additional law judge in that county, I have no doubt. I know that the courts in that county have about as much business as any in the State—with the exception, perhaps, of Allegheny.

In looking over the business of the regular courts for the present year, I find they were in session for thirty-four weeks, besides the adjourned courts. Is it reasonable to suppose that the presiding judge of any district is willing to sit for thirty-four weeks in the year, including the adjourned courts and business at his chambers? I know that the business in Schuylkill county is fully up to ours; hence I think that there is a necessity for an additional law judge. If the present judge is incompetent—but I know nothing about that—so much the more reason why they should have an additional law judge. I think it is but reasonable and right, and I hope that Senators upon this floor will lay aside party, and not soil the judicial ermine with the slime of party.

Mr. WHITE. Mr. Speaker, I do not desire to launch out into the sea of discussion upon this bill. It is a matter affecting the dispensation of justice in this Commonwealth, and I do not think we should take any hasty action. I have listened to the statement of my friend from Lebanon [Mr. COLEMAN], who lives in the adjoining county, and knows something of the affairs there. I have heard the statement of the Senator from Adams [Mr. M'CONAUGHY], from the Judiciary Committee, and I confess that in the conflict which has arisen here as to whether the judge is too small for the business, or the business too large for the judge, I see a necessity for an investigation, and for that purpose I move that the whole subject be recommitted to the Judiciary Committee.

Mr. RANDALL. I hope not.

Mr. DAVIS. Mr. Speaker, I was surprised and pained, upon coming into the Senate chamber, to hear the Senator from Lebanon [Mr. COLEMAN] casting reflections upon the judge of Schuylkill county, and charging incompetency upon him. I think, from what I know of that gentleman, and from what I have heard from lawyers who are certainly capable of forming a correct opinion on the matter, that the Senator from Lebanon is entirely mistaken in supposing that it is owing to any incompetency of Judge Ryan, that they suffer from incomplete business. He is considered a sound and able lawyer, and a sound, conscientious judge. I am credibly informed that he gave general satisfaction to the bar of Schuylkill county, and whatever may be thought of him by his political opponents, I have not heard anything against him as a judge. I am sorry that the subject has been introduced as it has in this Chamber. I do not think anybody here intends to do him injustice, and I am satisfied, from what I have heard from men of the highest character, that the remarks made by the Senator from Lebanon [Mr. COLEMAN], I have no doubt unintentionally do him gross injustice.

Mr. COLEMAN. Mr. Speaker, I did not intend to say anything personal in regard to Judge Ryan. He may be a very good lawyer. But it is a talent to get rid of business in a rapid manner, and, according to my information, that is a talent which he lacks—that he is not able to expedite business. I do not say anything about his soundness.

Mr. DAVIS. Mr. Speaker, I am glad to hear the explanation made by the Senator from Lebanon. I feel satisfied that he did not wish to cast anything upon Judge Ryan. In regard to the peculiar talent of expediting business, it is very well when a judge possesses that talent, but, in looking for that talent, we must not lose sight of more important qualities in the long run. A judge should be a sound lawyer; and if, in addition to that, he can expedite business, that is a benefit to him and not to the people of the county. But, because an honest, conscientious judge is not able to get through a certain amount of business as rapidly as other men, it is no reason why he should not be entitled to the same relief which the people of other counties have from time to time received in this matter at the hands of the Legislature. Now, in regard to Judge Ryan's inability to expedite business, I believe he has tried cases as quick as those who are ranked as the best judges in Pennsylvania. And, I think, as the bar of that county wish to be relieved, that we should pass this bill, and I hope that it will not be recommitted.

Mr. LOWRY. Mr. Speaker, there has scarcely been a subject before the Senate that I have listened to with more interest than to this discussion. I have done so because I do not know how to vote upon this question. There is in Schuylkill county a fearful state of things, not only in the courts, but in society.

Mr. RANDALL. Is the gentleman speaking from experience?

Mr. LOWRY. No, sir; from information. I believe that the people there need and require relief. Whether this bill would give them that relief, or not, I am not sure. I trust, sir, that the bill will be recommitted to the committee, and that they will give the subject that consideration which its importance demands.

It may be that they will conclude to change the bill, and give to the Executive of the Commonwealth the authority to appoint an additional law judge for a given period. This has not been suggested to me, but I make the suggestion myself. The lawlessness, disorder, drunkenness and debauchery that exist there require it.

Mr. BURNETT asked if such an appointment would be constitutional.

Mr. LOWRY. I am not a constitutional lawyer. I desire a remedy for the evils in that county, and I appeal to public men to do something for the protection of the people there, and of their legal rights. This may be an exaggeration. I believe it, however; and, believing it, I have not known how to vote on this question, and I trust the subject will go back to the committee, and that they will give it a full examination, so that we can vote with our eyes open.

Mr. WALLACE. Mr. Speaker, as a member of the Judiciary Committee, I will say that, in our action upon this bill, we were governed by a general principle. There appears to be a practice growing up in the State by which it is considered right and just and

proper to pension a judge, when he becomes incompetent or unable to perform his duties. I am opposed to the adoption of such a practice. I will not agree that, in a country like this, we should pension our judges. With a distinct understanding on this subject, we agreed to negative every bill of this kind, and send them back for the Senate to decide whether there is a necessity for an additional law judge in that special case. We do not wish to be put in the position of deciding the question. There are two or three cases where we have pensioned upon the Commonwealth men who have become unable to perform their duties. In place of their resigning, or being turned out of office, they are pensioned on the Commonwealth. But, sir, when there comes before the Senate a case in which the wants and necessities of the community in which a judge presides are so great that he cannot perform the duties of his situation; when he is a young man, as in this case—an active young lawyer—who has the countenance of a majority of the members of the bar, against whom no man has a word to say, except as to his ability to drive the business rapidly, it seems to me the question to decide is, does the condition of the business there require an additional law judge? If it does, we should grant it. If the judges are not sufficient there, let us give them an additional law judge.

But look at the population of this county. In Allegheny county, with a population of one hundred and eighty thousand, they have four law judges; and Schuylkill county, with a population of ninety thousand, has but one law judge. The cities of Pittsburg and Allegheny are, perhaps, entitled to two additional law judges. But the county of Lancaster, with a population of one hundred and sixteen thousand, has two law judges, with no large mining or manufacturing districts in the county and almost entirely agricultural in its character. In the district represented by the Senator from Erie [Mr. LOWRY] they have two law judges with a population of one hundred and eighteen thousand. Investigate these figures and facts, and consider the business of Schuylkill county, and then look at the statements that the officers thereof have given to us. In the past five years there have been but nine civil causes tried in the county of Schuylkill.

The SPEAKER asked how many weeks the courts were in session in Schuylkill county.

Mr. WALLACE. We did not investigate that question at all; but we attempted to lay down a general rule and to negative all bills of this character.

The SPEAKER asked if it was necessary to have this changed in order to get cases tried there.

Mr. WALLACE. Precisely; and I am willing to vote for an additional law judge, because their business cannot be transacted without. The documents read here demonstrate clearly that the business cannot be carried on there. With questions of title that involve a research of the records for years back, it is very different from those coming up in common courts. Cases of ejectment cannot be tried in Allegheny. Many judges may have more *vim* than Judge Ryan, but, as a rule, there are very few judges that can accomplish their business more energetically than he does. This class of cases requires examination. The principal reason why I shall support this is, that it is a different case from those that the committee concluded to throw out. Judge Ryan cannot do the business there, or any other judge, and perform his duties as a judge. There should be, therefore, an additional law judge created.

The SPEAKER asked the Senator from Schuylkill to state how many weeks of court there were last year.

Mr. RANDALL. There were thirty-five weeks of court, at all events.

The SPEAKER. I cannot see how a man is to understand whether there is a necessity for this or not.

Mr. RANDALL. Last year there were thirty-five weeks of court.

Mr. COLEMAN. Mr. Speaker, I think the whole of this discussion has proved one thing, and that is, that we are not prepared to vote to-day upon this subject. The Judiciary Committee have informed us that they have not examined the subject at all. On the broad principle of refusing to pension judges on the Commonwealth, they have negatived this class of bills. Thinking that this thing would not be pushed, they have not given it sufficient attention. Now, I ask that the Senate refer this bill back to the Judiciary Committee; let them invite the members of the bar, and the citizens of Schuylkill county, and let them hear the argument on both sides. The petition which I presented this morning acknowledges that relief is required; let the committee hear both sides, and then decide whether the bill will give the required relief, or whether some other mode of relief is required.

Mr. M'CANDLESS. Mr. Speaker, I would like to know by what method this can be reached, suppose we do recommit this bill. Certainly no other method than the one proposed would give them an additional judge. It is granted, upon all hands, that there is a necessity for an additional power in the county. The argument of the Senator from Erie [Mr. LOWRY] would strengthen that. If lawlessness exists there should be additional power there to try those who break the law, and it is conceded that there is a necessity for an additional law judge in the district. Now, the petition presented by the Senator from Lebanon [Mr. COLEMAN] is a purely political one, headed by a statement from the Republican members of the bar of that county. Now, sir, it is to be very much deprecated that any question of that kind should be raised in a matter of this nature; and I think, sir, that the Senator from Clearfield [Mr. WALLACE] has clearly stated the diverse interests there, and the necessity of having those old cases tried.

Mr. COLEMAN. Mr. Speaker, I am no lawyer, and do not know the difference between these courts; but these gentlemen say there are no other means of relief. Perhaps the organization of a district court would be preferable; there are different plans. I ask that they have a hearing before the Judiciary Committee. I am not competent to represent them here, because I do not know the difference between these courts.

Mr. M'CONAUGHY. Mr. Speaker, I stated that I was not prepared for this bill. I have desired to keep my mind unprejudiced on its merits. I am not prepared, and I do not think the members of this Senate are prepared, to vote intelligently on this question. I differ somewhat with the Senator from Clearfield [Mr. WALLACE] as to the action of the Judiciary Committee. The proposition was to negative all those that came before that committee, so as to get rid of superannuated judges. But it was never contemplated that this should be sprung upon the Senate without a proper understanding; and as it is alleged that this case has real merit, let it go before the committee and be investigated. There are some singular things connected with it. I understand the Senator from Schuylkill [Mr. RANDALL] to state on this floor that the usual period for holding courts in that district is thirty-five weeks a year. I understand the Senator from Clearfield [Mr. WALLACE] to assert that in 1866 but nine civil cases were tried; and I understand Senators to assert that the judge is a competent judge. I cannot conceive how, with the courts open for thirty-five weeks, they could not try two civil cases in a year.

Mr. RANDALL. I would state to the Senator that one case tried there occupied two weeks.

Mr. M'CONAUGHY. I have no doubt there may be exceptionable cases. Was that a civil case?

Mr. RANDALL. Yes, sir.

Mr. M'CONAUGHY. Then there is more time for civil cases than I had judged. I find here one case occupying two weeks. I had supposed there was no time for civil cases. I repeat, if there is real merit in this case, and it calls for an additional judge, let that fact appear; do not let it be precipitated; do not let it be passed through hastily and without a careful consideration of the matter. Something has been said on the other side of the Chamber about political feeling. Now, sir, I should have to shut my eyes in order to say that there was no political sympathy in this question, and a manifest operation of political sentiment. I think that that should have no effect, for the bill or against it; but I desire that it should be investigated. If it be a claim of merit, I shall vote for it cheerfully.

Mr. RANDALL. Mr. Speaker, every Senator knows that if the motion of the Senator from Indiana [Mr. WHITE], to refer back to the committee, is carried, the bill is defeated.

Mr. BIGHAM. The document read here is not an official paper; it has never come before the committee; we had only the bill in this case.

Mr. RANDALL. The papers in the case were offered to the chairman of the General Judiciary Committee; he said they intended to report negatively all these bills, and that I had better bring them up before the Senate.

Mr. BIGHAM. Until this morning I have never seen these papers. They certainly were not before the Judiciary Committee; we did not act upon them; our action was solely upon the bill, and if it is designed that the committee should investigate these facts, then we should have them.

Mr. COLEMAN. I did not receive the petition which has been read until some time after the bill had been negatived because the petitioners supposed, after a negative report, that the bill was dead; but, finding the Senator from Schuylkill was pressing it, they forwarded that petition, and I thought it best to keep it until the subject was brought before the Senate.

Mr. RANDALL. The Senator took good care to notify them that it would be called up. If the bill goes back to the committee, there will be no more trouble with it.

Mr. FISHER. Mr. Speaker, it strikes me the Judiciary Committee have a very light way of doing business. They do not act upon bills according to their merits.—They take them up by the wholesale, and report or negative them all. There may be districts in which they ought, or ought not to have, additional law judges. The committee ought not to be governed by any particular rule in the matter, but examine the different cases. I trust, if this bill does go back, the committee will give it a careful consideration and make a report. I think the bill ought to pass, because, if they have thirty-five weeks of court there, they need an additional judge. We have two law judges in our district, and we have thirty-four weeks of court, besides adjourned courts and business at chambers. Is it reasonable to suppose that any one law judge can sit for thirty-four weeks in the year? I suppose they have as much business

there as in my district; the criminal calendar there is much larger than in Lancaster.

Mr. M'CONAUGHY. I desire to ask the Senator from Lancaster [Mr. FISHER] if for years Judge Lewis did not dispatch all the business of the county and keep it promptly up when on the bench?

Mr. FISHER. He did not, sir. The same state of affairs existed then as now exists in Schuylkill. I thank the Senator for asking the question. As I understand the question, it is not whether they tried two or three cases last year, but two or three cases that originated during the last year. They have been occupied in trying cases that originated in 1860, and away back there.

Mr. BIGHAM. Mr. Speaker, permit me to say that the Judiciary Committee must act on general rules in regard to particular measures. We have not had an opportunity of being enlightened in regard to this case; therefore we have been obliged to act upon the general rule. The appropriation bill will shortly come in, and, from my experience, we shall have considerable debate on this subject of increasing salaries. Our expenses for the last year exceed two hundred and fourteen thousand dollars already, and every additional judge adds something like four thousand dollars.

Mr. RANDALL. Have you all the judges you require in Allegheny county?

Mr. BIGHAM. We are not legislating upon that subject now.

Mr. RANDALL. You have four there, and no more business than we have.

Mr. FISHER. I have known one hundred and fifty cases to be entered for trial in our county, and I have no doubt it is the case in Schuylkill.

Mr. BROWN (Mercer). Mr. Speaker, I am sorry to hear the Senator from Schuylkill [Mr. RANDALL] declare in his place that if this bill is referred back, he will regard it as killed. I am not sufficiently posted upon this bill, but I am willing that it should go back to the committee, but not for the purpose of killing it. I would ask if that is the course intended?

Mr. WHITE. That was not the intention. I heard a conflict of opinion here as to facts. It seems that memorials were presented here that have not been passed upon by the Judiciary Committee. I desire to put all the facts before that committee.

Mr. RANDALL. All the facts have been laid before the Senate now. Nothing additional can go before the committee, and I am willing to rest the case here.

Mr. WHITE. Mr. Speaker, I will merely reply that there has been a very serious allegation made here. The Senator from Lebanon [Mr. COLEMAN] has made the remark, upon his responsibility as a Senator, that the facts are in his possession that the presiding judge there is not competent to do his duties. The committee has not passed upon that, and in view of that fact I would like it to go back.

Mr. BROWN (Mercer). Mr. Speaker, I am disposed to give them an additional law judge in Schuylkill county, if one is not sufficient. I do not wish my vote to refer back to be interpreted as the Senator says he will interpret it. I believe the bill should receive attention, and be reported at an early day.

Mr. M'CONAUGHY. Mr. Speaker, I desire to know from the Senator from Schuylkill his reasons for the assertion which he has made that, if this bill is referred back, it will be killed?

Mr. RANDALL. It is very near the end of the session now, and if it is not passed this week there is no use in trying to pass it.

Mr. M'CONAUGHY. The chairman of the General Judiciary is absent, and I know there is a disposition on this side to examine this thing. I have no predilections against it.

Mr. COLEMAN. Mr. Speaker, in answer to the Senator from Schuylkill [Mr. RANDALL], who says he should consider this as defeating the bill, my opinion is that we have not had a fair hearing. I consider myself perfectly incompetent to decide upon this question; and I ask that the members of the bar in Schuylkill county, who protest against this, shall have an opportunity to present their views before the committee. I do not think this would be defeating it.

Mr. RANDALL. Mr. Speaker, when this bill was up three weeks ago, the Senator came to me and pledged his word that if I would withdraw the bill and give him an opportunity to consult with the members of his party in Schuylkill, and they did not provide another bill the next week, he would make no further opposition to the bill. I have allowed three weeks to pass, and no proposition has been made by the Senator from Lebanon providing for an additional judge in that district, and I do not think that his argument, as to want of time, is good.

Mr. RIDGWAY. Mr. Speaker, I do not think this is a question for lawyers alone; it is a question as to whether there is more business there than one judge can do. I think they are entitled to this judge, and I shall therefore vote for it. If this bill is postponed there will be no possibility of getting it through.

Mr. LOWRY. I would ask the Senator whether there was not a proposition from certain other judges—from Berks—to hold courts there for a certain number of weeks in the year, so as to relieve them?

Mr. RANDALL. That is for the people to say; I cannot make any pledges.

Mr. LOWRY. There has been a suggestion looking in that direction.

Mr. RANDALL. That is the first I have heard of it.

Mr. LOWRY. That is one reason why I am anxious to have it go to the committee. I do not wish to destroy the gentleman's bill. That county needs relief. Let the subject be referred, and a bill prepared, that certain judges of the Commonwealth who have time to hold courts there, shall do so, and relief comes to them from a pure fountain, and one that would give them great pleasure. I think the Senator from Schuylkill ought to vote for this proposition.

Mr. DAVIS. One word in relation to that proposition. I protest against putting any additional labor upon the judge in my district, and I think the same objection would be made by others.

Mr. LOWRY. I wish you had one of the judges of Erie county in your district; it would be good for them. I know there are judges who could not be objected to, who would have time to hold courts there.

Mr. DAVIS. One word in reply to the Senator. I used to think that persons who can see no good outside of their own party lines were confined to the freshman class in our colleges.

Mr. LOWRY. I would ask the Senator if the judge he named is a Republican or Democrat? he is an honest judge.

Mr. LOWRY. Very well; you can have no objection to his going there.

Mr. DAVIS. He has no time to spare, and I presume that is the case with all the judges.

Mr. BIGHAM. In reference to sending this back to the committee, I will say that last year, the bill to create the Twenty-eighth Judicial district, I think, only got out of my hands, as chairman of the Local Judiciary Committee, three days before the final adjournment, and yet it was passed and became a law.

Mr. RANDALL. We must take those chances.

Mr. DONOVAN. Mr. Speaker, I trust that if they are to have another judge in Schuylkill county, that he will not be sent from Erie county. They are the severest judges in the State, as they necessarily have to be, in consequence of the desperate character of the people with whom they have to deal.

Mr. BILLINGFELT said, for the reasons given, he thought the bill ought to be recommitted.

On the question,

Will the Senate agree to the motion to recommit the bill?

The yeas and nays were required by Mr. RANDALL and Mr. WHITE, and were as follow, viz:

YEAS—Messrs. Bigham, Billingfelt, Browne (Lawrence), Brown (Mercer), Coleman, Connell, Cowles, Graham, Haines, Landon, Lowry, M'Conaughy, White and Worthington—14.

NAYS—Messrs. Burnett, Davis, Donovan, Fisher, Glatz, Jackson, James, M'Candless, Randall, Ridgway, Royer, Schall, Stutzman, Taylor, Wallace, Walls and Hall, *Speaker*—17.

So the question was determined in the negative.

During the call,

Mr. BURNETT said he did not desire to take any part in the action upon this bill, and would vote against the motion of the Senator from Indiana [Mr. WHITE].

Also, during the call,

Mr. LANDON said he did not know how he should vote on the bill when it came up on final passage, but it could do no harm for the Judiciary Committee to look it over carefully. He voted "aye."

The question recurring,

Will the Senate agree to the first section?

It was

Agreed to.

The bill was then laid over for a third reading.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

The Clerk of the House of Representatives being introduced, presented for concurrence bills numbered and entitled as follows, viz:

No. 665, an act to provide for the election of burgess and town council in the borough of Danville, Montour county, Pa.

Referred to the Committee on the Judiciary Local.

BILLS CONSIDERED AND PASSED.

On motion of Mr. WALLS, the rules were dispensed with, and the Senate proceeded to the consideration of bill entitled A supplement to an act to entitle the stockholders of any railroad company incorporated by the laws of this Commonwealth, accepting this act, to one vote for each share of stock, approved the 20th day of May, A. D. 1865, extending the same to bridge companies and hall associations.

The bill was read a second and third times, and

Passed finally.

On motion of Mr. DAVIS, the Committee on Judiciary Local was discharged from the further consideration of a bill entitled An act authorizing and requiring the assessor of Caernarvon township, Berks county, to discharge the duties of constable.

And the rules having been dispensed with,

The bill was read a second and third times, and

Passed finally.

On motion of Mr. JACKSON, the Committee on Judiciary Local was discharged from further consideration of a bill entitled An act to provide for the election of burgess and town council in the borough of Dauville, Montour county, Pennsylvania.

And the rules having been dispensed with, The bill was read a second and third times, and

Passed finally.

Mr. BIGHAM moved that when the Senate adjourns it will adjourn to meet to-morrow morning at ten o'clock, and that ten o'clock be the standing hour of meeting, until otherwise ordered.

The motion was

Agreed to.

The hour of one o'clock having arrived, the SPEAKER adjourned the Senate till ten o'clock to-morrow morning.

HOUSE OF REPRESENTATIVES.

TUESDAY, March 12, 1867.

The House met at 10 o'clock, A. M.

Prayer was offered by the Rev. JACOB KENNEDY, member from Wyoming.

The SPEAKER announced a quorum of members present.

The Journal of yesterday was partly read, when,

On motion of Mr. MEYERS, the further reading of the same was dispensed with.

BILL PASSED.

Mr. HARBISON. Mr. Speaker, I ask leave to make a statement.

Leave was granted.

Mr. HARBISON. Mr. Speaker, owing to a peculiar condition of things in Lawrence county, our people are very anxious to have a bill passed to enable notaries public to hold the office of burgess and justices of the peace. The election comes off on Friday next, and it is important the bill making this provision should be passed before that time. I therefore move that Senate bill No. 840, an act relative to justices of the peace, burgesses and notaries public in the county of Lawrence, be taken from the table and now considered.

The motion was

Agreed to.

The bill was read a second and third times, and

Passed finally.

MOTION TO SUSPEND THE RULES.

Mr. WRIGHT. Mr. Speaker, I ask leave to make a statement.

Leave was granted.

Mr. WRIGHT. Mr. Speaker, some time ago I was instrumental in having a bill passed changing the boundary line between Montoursville and Fairfield townships in Lycoming county. It was represented to me in good faith that the citizens of those two districts wanted that bill passed. I am now informed that they almost unanimously do not want it. The bill has passed both branches of the Legislature and has been signed by the Governor. I have a very short bill repealing that act, and I hope the House will indulge me in having it passed at this time. I, therefore, move a suspension of the rules to allow me to read a bill in place.

Mr. JOSEPHS. Mr. Speaker, I call for a division of the question. We have a very long private calendar to-day, and it will be almost impossible to get through with it even if we proceed to its consideration at once.

Mr. WRIGHT. Mr. Speaker, I withdraw my motion.

Mr. PHELAN. Mr. Speaker, I ask for a suspension of the rules to take up House bill No. 1052, an act relative to tavern licenses in Greene county. The court by which these licenses are to be granted sits the last of this week, and unless this bill passes this week it will be of no avail.

Mr. KIMMELL. Mr. Speaker, I call for a division of the question.

The question being on suspending the orders generally, it was

Not agreed to.

MESSAGES FROM THE GOVERNOR.

The Deputy Secretary of the Commonwealth being introduced, presented a message from the Governor, which was read as follows, viz:

EXECUTIVE CHAMBER,
HARRISBURG, March 12, 1867.

To the Senate and House of Representatives of the Commonwealth of Pennsylvania:

GENTLEMEN—I have approved and signed the following acts of the General Assembly, to-wit:

On the 8th instant:

An act to authorize the Allegheny Valley railroad to mortgage its road and branches to complete the same.

An act fixing the place of holding elections in the township of Harrison, county of Bedford, at the house of Jonathan Feichtner.

An act relative to cemeteries in Allegheny county.

An act to authorize the payment of State agents at Washington.

An act to regulate the salaries of the county auditors, and also the salaries of the township auditors and their clerks, in the county of York.

An act in relation to original writs and executions in the county of Franklin.

On the 9th instant:

An act to extend the provisions of an act to prohibit the issuing of licenses in certain boroughs in the counties of Armstrong, Potter, Indiana and Perry, or within two miles of the same, in the counties in which such boroughs are located, approved the 27th day of March, 1866, to the boroughs of New Alexandria and Bolivar, in the county of Westmoreland.

An act to authorize the payment of Theo. F. Scheffer for printing deserters' list.

An act opening Junista avenue and vacating Nicetown lane, in the Twenty-fifth ward of the city of Philadelphia.

An act to extend the provisions of the act incorporating the Erie gas company over South Erie and a portion of Mill Creek township, and to authorize the said company to introduce water wherever it is authorized to introduce gas, and to increase the capital stock and to borrow money.

An act in relation to the fees of notaries public in the counties of Bedford, Fulton, Somerset and Delaware.

An act relative to the duties of district attorneys in the county of Erie.

An act authorizing the trustees of the proprietors of Hanover township, in Luzerne county, to collect and pay over moneys to the Central poor district.

An act to authorize the school directors of the borough of Honesdale, in Wayne county, to borrow money, issue bonds, and levy and collect taxes for payment thereof.

An act relative to auctions and gift enterprises in the county of Mercer.

A supplement to an act to authorize the erection of a poor house, by the township of Wilkesbarre, in Luzerne county, approved second of April, one thousand eight hundred and sixty.

An act authorizing the city of Allegheny to issue bonds to the amount of sixty-five thousand dollars, to be applied to building a market house in the said city.

An act to authorize the Governor to appoint an additional notary public for the county of Mercer, to reside in the borough of Sharon, in said county, and an additional notary public for the county of Centre, to reside at Phillipsburg.

An act to legalize the levying and collection of a certain tax in the borough of Sharon, in Mercer county, and authorizing the levying and collection of a tax, not exceeding ten mills on the dollar of valuation, for general borough purposes in said boaough.

An act relative to the fees of the coroner of Allegheny county.

On the 11th instant:

An act authorizing the directors of the Middle Creek railroad company to fill the vacancy in the office of president of said railroad, caused by the death of Abner Thompson.

An act to authorize the Governor to appoint an additional notary public for the borough of Milton, Northumberland county.

A further supplement to an act to authorize the Cranberry coal company to construct a railroad.

JNO. W. GEARY.

The Deputy Secretary of the Commonwealth also presented a message from the Governor, which was read as follows:

EXECUTIVE CHAMBER,
HARRISBURG, PA., March 9, 1867.

To the Senate and House of Representatives of the Commonwealth of Pennsylvania:

GENTLEMEN—Herewith is returned to the House of Representatives, in which it originated, bill No. 413, entitled An act supplementary to an act incorporating the town of Lawrenceville, in the county of Allegheny, into a borough, approved the 13th day of February, 1834, with my objections to the same.

The acts of 1st April, 1834, and of 3d April, 1851, confer upon the courts of quarter sessions of the several counties the power to incorporate boroughs, and also to alter and amend the charters of boroughs heretofore incorporated.

The act of 1851 was carefully prepared and creates a complete and detailed system of borough laws, and provides that any borough, on application to the court, may have the full benefits of the system thereby established.

The bill under consideration merely provides for a lock-up house for the imprisonment of violators of the laws and ordinances of the borough, and for their imprisonment for any period not exceeding twenty four hours. By the first section of the act of 1851, boroughs have the right "to hold, purchase and convey such real and personal estate as the purposes of the borough shall require.

By the twenty-first section of the same act, it is further provided that boroughs have power "to impose fines and penalties, incurring partial or total forfeitures, to remit the same, to provide or erect a lock-up house for the temporary detention of persons committed by the proper corporate officers, or by justices of the peace within the borough," * * for any period not longer "than forty-eight hours at any one time."

It thus appears the courts have already conferred upon them ample powers to grant everything which is claimed in the bill herewith returned. The ninth section of the eleventh article of the Constitution declares that "No bill shall be passed by the Legislature, in any case, where the authority to grant such powers or privileges has been, or may hereafter be, conferred upon the courts of this Commonwealth."

This bill is manifestly in conflict with this plain provision of the Constitution, and cannot be approved. If the borough of Lawrenceville is under the provisions of said gen-

eral borough law, it has already everything it now asks. If not, it has only to apply to the courts, as provided in the thirty-third section, and the desired privileges will be conferred in the manner provided by law. The Legislature has no power in the premises, by reason of the constitutional prohibition already cited.

JNO. W. GEARY.

Agreeably to the provisions of the Constitution, the House proceeded to the reconsideration of said bill; and

On the question,

Shall the bill pass, notwithstanding the objections of the Governor?

Agreeably to the rules, the further consideration of the same was postponed for the present.

PRIVATE CALENDAR.

Areeably to order,

The House proceeded to the consideration of the bills on the private calendar.

The following bills were read the first time and laid aside for a second reading:

No. 688, an act to legalize certain loans made by the city of Titusville.

No. 689, an act to authorize the burgess and town council of the borough of Oxford, county of Chester, to borrow money.

No. 690, an act relating to the assessment and collection of taxes in the city of Chester.

Senate bill No. 396, an act to vacate Fairview street, running west from Twenty-first street to Twenty-second street, south of Spring Garden street one hundred feet, in the city of Philadelphia.

No. 692, an act to vest the title of Market square, in the borough of Mechanicsburg, Cumberland county, in said borough.

No. 693, an act to prevent injury to privy walls in the city of Philadelphia.

No. 694, an act to vacate certain streets and alleys in the town of Van Buren, Armstrong county.

No. 697, an act granting a pension to Lewis Neudoerffer.

No. 698, an act granting a pension to Samuel Hamilton.

No. 699, an act granting a pension to Zeno Hoffmaster.

No. 704, an act to incorporate the National iron company.

No. 707, an act to amend the road laws of Tioga and Potter counties.

No. 708, an act to regulate the width of mountain roads in Madison township, Perry county.

Senate bill No. 320, an act authorizing the supervisors of Jackson township, in Luzerne county, to collect in money, one-third of the tax levied for road purposes in said township.

No. 711, an act to authorize the road commissioners of Mill Creek township, Erie county, to compel the owners of land fronting on Ridge road to make sidewalks, and to straighten out said road.

Senate bill No. 204, an act to extend the time for the completion of the Clearfield and and Curwensville turnpike road, and to allow tolls to be taken on the portions completed.

No. 713, an act to repeal the Lenox road law, in the township of Lenox, in the county of Susquehanna, and for other purposes.

Senate bill No. 132, an act relating to a certain highway in the Twenty-second ward in the city of Philadelphia, requiring the removal of a toll house and gate in Germantown.

Amended by Mr. WALLACE.

No. 716, an act to increase the pay of the supervisors of Logan township, Blair county.

No. 717, an act relating to the election of supervisors in the township of Middletown, county of Susquehanna, and for other purposes.

No. 718, an act authorizing the election of four supervisors in the townships of Dover and Manchester, in the county of York.

Amended by Mr. EWING.

No. 719, an act to legalize the acts of the road commissioners of Columbus township, Warren county, in levying additional road tax.

No. 720, an act authorizing the supervisors of roads in the township of Allegheny, in the county of Armstrong, to levy additional taxes for road purposes.

No. 721, an act to incorporate the Phillipsburg and Rochester ferry company.

Senate bill No. 233, an act to incorporate the Northern railroad and navigation company.

Senate bill No. 254, an act supplementary to an act entitled An act appointing commissioners to lay out and open a State road in the counties of M'Kean, Elk, Forest and Clarion, approved on the 1st day of May, A. D. 1861, reviving the third section of said act, and authorizing the commissioners to borrow money.

No 723, an act to authorize the school directors of the borough of Renovo, in the county of Clinton, to borrow money for building purposes.

No. 724, an act to authorize the school board of Tyrone City, Blair county, to sell certain real estate now used for school purposes, and appropriating the money arising from said sale to the purchase of a better location and erecting a more suitable building for school purposes, and to borrow any sum of money, not exceeding ten thousand dollars, at a rate of interest not exceeding ten per cent. per annum, to assist them in procuring the same.

No. 725, an act to relinquish a certain annuity for the benefit of school purposes in the borough of Susquehanna Depot, Susquehanna county, with power to sell and dispose of old school houses, &c., and build new ones.

No. 726, an act to enable the school directors of the borough of Lehighton, Carbon county, to borrow money for the erection of school buildings.

Senate bill No. 381, a supplement to the act approved April 16, A. D. 1866, establishing the board of controllers of the public schools of the borough of Allentown.

No. 728, an act to authorize the board of school directors of the borough of Albion, in the county of Erie, to borrow money for building purposes.

No. 729, an act authorizing the school directors of the borough of Butler to transfer certain funds.

No. 731, an act to appropriate the excess of money collected for county purposes in the township of East Huntingdon, Westmoreland county, and directing the board of school directors in said township to use the same for school and building purposes.

No. 732, an act to authorize the school directors of Harrison township, Allegheny county, to borrow money.

No. 734, an act to authorize and require the school directors of Antrim township, in the county of Franklin, to refund to Joseph Snively and Jacob Shank certain moneys advanced said township for bounty purposes, and to appropriate the balance of bounty funds in the hands of the treasurer to school purposes.

Senate bill No. 125, an act to attach certain lands and tenements in Bedford township, Bedford county, and the persons residing thereon, to Bedford borough for school purposes.

Senate bill No. 557, an act to legalise the assessment of taxes levied by the school directors of the borough of Kingston, Luzerne county, for the payment of money advanced for the purpose of paying bounty to volunteers.

No. 788, an act to vacate a certain portion of ground on Sixth street, in the city of Harrisburg.

Amended by Mr. HOFFMAN.

No. 744, an act to authorize the school directors of Riceville, Crawford county, to borrow money, and for other purposes.

Senate bill No. 376, a supplement to an act to authorize the school directors of the borough of West Greenville, in Mercer county, to borrow money to erect a public school house in said borough.

No. 747, an act to authorize the school directors of the borough of White Haven to borrow money.

No. 748, an act to incorporate the Ringgold library company.

No. 749, an act to incorporate the Oil City acid factory.

No. 750, an act to incorporate the Philadelphia grain warehousing company.

No. 751, an act to incorporate the Oak Dale skating and physical institute of Philadelphia.

Senate bill No. 262, an act to incorporate the Schuylkill insurance company of Philadelphia.

Senate bill No. 306, an act to incorporate the Wyoming Valley manufacturing company.

Senate bill No. 432, an act to incorporate the Erie Co-operative society.

No. 756, an act to incorporate the German St. Franciscus hospital of Lawrenceville.

No. 757, an act to incorporate the Mutual Steam navigation company.

No. 758, an act to incorporate the Otter Point fish house company.

No. 759, an act to incorporate the Felton house company at Thurlow, in the county of Delaware.

No. 761, an act to incorporate the Citizens' insurance company.

No. 762, an act to incorporate the Linwood Mutual association of Delaware county for insuring against horse stealing and detecting horse thieves.

Senate bill No. 563, an act to incorporate the Point Breeze park association, approved February 8, 1855.

No. 764, an act to incorporate the Fifth street market company.

Senate bill No. 304, an act to incorporate the Atlantic Brick manufacturing company.

Amended by Mr. DAVIS.

No. 766, an act to incorporate the Eagle manufacturing company.

No. 767, a further supplement to an act to incorporate the First Reformed congregation of the borough of York and its vicinity, approved March 14, 1849.

Senate bill No. 499, a further supplement to an act entitled An act to incorporate the M'Kean and Elk land and improvement company, approved 6th day of February, A. D. 1866, authorizing said company to borrow money and mortgage lands.

No. 769, an act to incorporate the Philadelphia and Bridgeport steamboat company.

No. 537, an act to exempt from taxation certain real estate in Philadelphia, belonging to the Jewish hospital association of Philadelphia.

No. 760, an act to incorporate the Carpenters' and Joiners' Mutual Protective Union, No. 1, of Pennsylvania.

No. 770, an act to incorporate the Grand Encampment of the Order of Soldiers and Sailors of the war of 1861, of the State of Pennsylvania.

No. 771, an act to incorporate the Oil City brewing company.

Senate bill No. 426, an act to incorporate the Fonntain Hill park association.

No. 772, a supplement to an act to incor-

porate the Orphans' Home of the Shepherd of the Lambs, approved February 17, 1864, authorizing an increase in the number of managers.

No. 775, an act to incorporate the Penn Mutual fire insurance company of Chester county.

Senate bill No. 427, an act to incorporate the Pennsylvania Club.

No. 777, an act to extend the provisions of an act for the better regulation of the Mercer County, Shenango Valley, Montour and Allegheny County agricultural societies, relative to the prohibition of shows, erection of tents, booths, &c., to the Pennsylvania agricultural society.

No. 778, an act in relation to fishing in the stream known as Antietam, or any of its branches, in the county of Franklin.

Senate bill No. 558, an act to encourage the destruction of noxious animals in Lycoming county.

No. 780, an act to extend the provisions of an act for the protection of sheep in certain counties, approved the 8th day of April, A. D. 1862, to the county of Armstrong.

Amended by Messrs. MECHLING and GALLAGHER.

No. 781, an act to prevent cattle, horses, mules, sheep and hogs from running at large in Pulaski and little Beaver townships, Lawrence county.

No. 782, an act to authorize the Tioga County agricultural society to borrow money.

No. 783, an act to extend the provisions of an act to prevent cattle, horses, sheep and hogs from running at large in Delaware county, to the county of Crawford.

Amended by Mr. ARMSTRONG.

No. 784, an act to protect game and fish in Luzerne county.

No. 786, an act to authorize John F. Satterlee to erect an eel weir in the Susquehanna river, in Susquehanna township, Bradford county.

No. 787, an act to extend to Allegheny township, Blair county, the provisions of an act to prevent swine from running at large in the township of Blair, in the county of Blair.

No. 788, an act to prevent the fishing with nets, seines and baskets in the waters of Big Fishing Creek and its tributaries, in the counties of Columbia and Luzerne.

No. 790, an act in relation to fishing and hunting in the township of Jefferson, in the county of Somerset.

No. 791, an act to prevent cattle from running at large in Abingdon township, Montgomery county.

No. 792, an act to repeal the fourth section of an act to incorporate the Pennsylvania State agricultural society, so far as it extends to the county of Lawrence.

No. 793, an act for the protection and preservation of fish within the county of Berks.

Amended by Messrs. RHOADS and JONES.

No. 794, a supplement to an act for the better preservation of game within the county of Schuylkill, approved the 11th day of April, A. D. 1866.

Amended by Mr. DEHAVEN.

No. 795, an act for the protection of farmers against the ravages of wild cats in the county of Forest.

No. 796, an act regulating licenses to eating houses or restaurants in the county of Centre.

No. 798, an act to extend the provisions of an act to prohibit the granting of licenses to sell intoxicating drinks within the county of Potter, approved April 11, A. D. 1866, to the county of Wyoming.

No. 799, an act relating to public printing in the county of Juniata.

No. 803, an act for the relief of N. R. Harria, a commissioned captain of company D, in the Sixteenth regiment, Pennsylvania volunteers.

Senate bill No. 459, an act to legalize the assessment, levy and collection of bounty tax, and to provide for the collection of the same, for bounty purposes, in Springfield township, Bucks county.

No. 808, an act to authorize the Board of Military Claims to adjust the claim of Wm. D. Shoenleber.

No. 810, an act to legalize the bonds issued by the school directors of Green township, in the county of Clinton, for bounty purposes, and to authorize the assessment and collection of a tax to pay the same.

No. 812, an act to annul the marriage contract between John Schneck, of the State of New York, and Margaret Schneck, of Northumberland county.

No. 813, an act to annul the marriage contract between Wm. C. Gray and Lucinda Campbell Gray, late Lucinda Campbell.

No. 814, an act to extend the time for receiving subscriptions to the capital stock of the Erie Dime savings and loan company, and to amend the act incorporating said company.

Amended by Mr. WOODWARD.

OBJECTED BILLS.

The following bills were objected to, and, under the rules, will be laid over until next week:

By Mr. DEHAVEN,

Senate bill No. 261, a supplement to the act incorporating the borough of Doylestown entitled An act authorizing the Governor to incorporate the Bristol steam tow-boat and transportation company, and for other purposes.

By Mr. KINNEY;

No. 700, a supplement to an act to incorporate the Chester Creek railroad company, approved the 16th day of April, A. D. 1866.

By Mr. FOGEL,

No. 705, an act to regulate the rates of ferriage in the county of Pike.

By Mr. CRAIG,

No. 706, an act to repeal an act entitled An act extending the act relating to the selling of the repairing of the public roads in certain townships in Schuylkill county, to Mauch Chunk township, in Carbon county, approved the 5th day of March, A. D. 1863.

By Mr. COLLINS,

Senate bill No. 322, an act authorizing the supervisors of Blythe township, Schuylkill county, to make and repair the public roads, bridges and culverts in said township.

By Mr. DEHAVEN,

No. 736, an act to authorize the appointment of controllers of the First school district of Philadelphia.

By Mr. LEE,

No. 773, an act to incorporate the Pittsburg tunnel company.

By Mr. MEYERS,

No. 806, an act relating to the payment of indebtedness for bounty purposes by the township of Lower Mt. Bethel, in the county of Northampton.

MESSAGE FROM THE SENATE.

The Clerk of the Senate being introduced, informed that the Senate has concurred in the amendments made by the House of Representatives to Senate bills numbered and entitled as follows, viz:

Senate bill No. 665, an act to incorporate the city of Allentown.

Senate bill No. 824, an act to repeal a further supplement to the act incorporating the Pennsylvania railroad company, authorizing an increase of capital stock, and to borrow money, approved the 21st day of March, 1866, to authorize the Pennsylvania railroad company to increase its capital stock, to issue bonds, and to secure the same by mortgages.

Senate bill No. 444, a further supplement to the act of March 19th, 1860, making further provision for the government of the city of Harrisburg.

Senate bill No. 143, an act to divide the Twenty-first ward in the city of Philadelphia into two wards, and to create a new ward to be called the Twenty-eighth ward,

With an amendment, in which the concurrence of the House of Representatives is requested.

He also informed that the Senate has receded from its amendments made to bill from the House of Representatives numbered and entitled as follows:

No. 449, an act to incorporate the Pine Creek bridge company.

He also informed that the Senate has insisted on its amendments, non-concurred in by the House of Representatives, to bill from the House of Representatives numbered and entitled as follows, viz:

Senate bill No. 328, an act to incorporate the Meadville savings and loan company,

And has appointed Messrs. LOWRY, DONOVAN and BROWNE (Lawrence) a committee of conference, to confer with a similar committee on the part of the House of Representatives, already appointed by the House, on the subject of the differences existing between the two Houses in relation to said bill.

The hour of one o'clock having arrived, the SPEAKER adjourned the House until three o'clock this afternoon.

AFTERNOON SESSION.

The House met at 3 o'clock, P. M., pursuant to adjournment.

Mr. WRIGHT. Mr. Speaker, I ask leave to read a bill in place at this time.

Leave was granted.

Mr. WRIGHT. I read in place and present to the Chair a bill entitled An act to repeal an act, approved March 1, 1867, relative to the borough of Montoursville, Lycoming county.

Mr. Speaker, this bill consists of about half a dozen lines, and is for the purpose of correcting a wrong which has been perpetrated upon my constituents. I therefore move a suspension of the rules for the consideration of the bill at this time.

Mr. WADDELL. Mr. Speaker, I only desire to say that there are parties here who feel an interest in this matter, and they desire that the House shall not repeal this act without allowing them to at least have a hearing before a committee. My attention was called to this matter by a letter which I received since I came into the House. I only make this suggestion to give the House information in regard to the matter without having any desire to interfere with it personally.

Mr. WRIGHT. Mr. Speaker, I am confident that there are forty-nine out of every fifty interested in this matter that are in favor of repealing this bill. I hope the House will indulge me in that matter, and allow the bill to pass at this time.

Mr. ROUSH. Mr. Speaker, I have just received a remonstrance in regard to this matter protesting against the repeal of this bill. I therefore move that the bill be referred to the appropriate committee.

Mr. COLVILLE. Mr. Speaker, I am very credibly informed that the gentleman who was present, and engineered the first bill through, is now here protesting against this repeal. This bill passed through both Houses, and was signed by the Governor, without giving the other parties interested

very bad grace to ask this matter to be re- any notice of it, and I say that it comes now in ferred to a committee for investigation. The parties in the one case ought to stand the same chance as in the other.

Mr. WADDELL. Mr. Speaker, I do not understand the remarks of the gentleman when he says it comes in bad grace for me to ask this matter to be referred to a committee. I have no personal interest in this matter. I only suggested to the House that I had received a letter since coming into my seat stating that the parties opposed to repealing the bill desired the whole thing should be referred to a committee of the House. I know nothing about the merits or demerits of the case at all, but I deemed it my duty to present to the House the information I had in reference to it.

Mr. QUIGLEY. Mr. Speaker, I rise to a point of order. There is nothing before the House.

The SPEAKER. The first thing in order is the reading of the bill.

The bill was read first, second and third times, agreed to, and

Passed finally.

Mr. DeHAVEN presented the following report from a committee of conference:

Mr. DeHAVEN, from the committee of conference appointed to consider the points of difference between the two Houses on Senate bill No. 143, entitled An act to divide the Twenty-first ward into two wards, and to create the Twenty-eighth ward, report that they recommend, in lieu of the Senate amendment to the House amendment, the adoption of the following, viz:

"And the city commissioners shall, immediately after the passage of this act, divide east of the said Twenty-first and Twenty-eighth wards into not less than eight election divisions."

(Signed) GEO. DeHAVEN,
DAVID WALLACE,
GEO. A. QUIGLEY,
On behalf of the House.
GEO. CONNELL,
JNO. WALLS,
JAMES L. GRAHAM,
On behalf of the Senate.

The question being on agreeing to the report,

It was

Agreed to.

Mr. RICHARDS. Mr. Speaker, I move a suspension of the orders to read a bill in place.

Mr. QUIGLEY. Mr. Speaker, I call for a division of the question.

Mr. RICHARDS. I withdraw my motion.

Mr. BRENNAN. Mr. Speaker, I offer the following resolution.

The resolution was read as follows:

Resolved (if the Senate concur), That the Clerk of the House of Representatives be authorized to amend House bill No. 253, entitled as follows, viz: A further supplement to an act to incorporate the city of Carbondale, by striking out the words "fourth Friday," wherever it occurs, and inserting in lieu the words "third Friday."

The question being on agreeing to the resolution,

It was

Agreed to.

Mr. ADAIRE. Mr. Speaker, I have a resolution I would like to offer and I ask that it may be read for information.

The SPEAKER. The resolution will be read for the information of the House.

The resolution was read as follows:

Resolved, That the Clerk of this House be instructed to procure three thousand copies of the Legislative Hand-book for the members of the House.

The question being on the suspension of the rules to allow the resolution to be introduced,

Objection was made.

So it was not

Agreed to.

Mr. KERNS. Mr. Speaker, I ask the unanimous consent of the House to present two petitions.

No objection being made the petitions were presented and read, and were as follows:

OFFICE OF THE
CLERKS OF SELECT AND COMMON COUNCILS,
PHILADELPHIA, March 9, 1867.

To John P. Glass, Speaker of the House of Representatives, Harrisburg:

SIR—This is to certify that the following is a true and correct copy of the original resolution passed by the Select and Common Councils of the city of Philadelphia, the seventh day of March, A. D. 1867, to wit:

RESOLUTION of request to the Legislature of Pennsylvania relative to the keeping of Twelfth street and Sixteenth street respectively, in the city of Philadelphia, free from railroad tracks.

Resolved by the Select and Common Councils of the city of Philadelphia, That the Legislature of the Commonwealth of Pennsylvania be, and they are hereby, most respectfully requested not to pass any law or laws authorizing the construction of a passenger railway or railways on Twelfth street or Sixteenth street, in the city of Philadelphia.

Attest—BENJAMIN H. HARRIS,
Clerk of Select Council.
Attest—JOHN ECKSTEIN,
Clerk of Common Council.

OFFICE OF THE
CLERKS OF SELECT AND COMMON COUNCILS,
PHILADELPHIA, March 9, 1867.

To Hon. John P. Glass, Speaker of the House of Representatives, Harrisburg:

SIR—This is to certify that the following is a true and correct copy of the original resolution passed by the Select and Common Councils of the city of Philadelphia, the twentieth day of December, A. D. 1866, to wit:

RESOLUTION of request to the Legislature.

Resolved by the Select and Common Councils of the city of Philadelphia, That the Legislature be, and they are hereby, most respectfully requested to enact the following law, repealing the militia enrollment law, so far as relates to the city of Philadelphia:

AN ACT to repeal the second section of an act entitled An act for the organization, discipline and regulation of the militia of the Commonwealth of Pennsylvania, passed the fourth day of May, A. D. 1864, so far as the same relates to the city of Philadelphia.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same*, That the second section of the act entitled An act for the organization, discipline and regulation of the militia of the Commonwealth of Pennsylvania, passed the fourth day of May, A. D. 1864, so far as the same relates to the city of Philadelphia, be and the same is hereby repealed.

Attest—BENJAMIN H. HARRIS,
Clerk of Select Council.

BILLS IN PLACE.

On leave,

Mr. RICHARDS read in place and presented to the Chair an act to require the counties from which property is stolen to pay the expenses of the trial and conviction of persons charged with the crime,

Laid on the table.

On leave,

Mr. KLINE read in place and presented to the Chair an act to incorporate the Dime Savings institution of Ashland.

Referred to the Committee on Banks.

Mr. DONOHUGH, on leave, read in place and presented to the Chair an act to incorporate the Philadelphia silver mining company of Lander Hill.

Referred to the Committee on Corporations.

By same, supplement to an act to incorporate the Accident insurance company, approved March 4, 1865.

Referred to the Committee on Corporations.

Mr. McKEE, on leave, read in place and presented to the Chair an act to divide the city of Pittsburg into police districts, and relative to drinking houses and disorderly conduct therein.

Referred to the Committee on Municipal Corporations.

MESSAGES FROM THE SENATE.

The Clerk of the Senate being introduced, presented for concurrence bills numbered and entitled as follows, viz:

Senate bill No. 172, an act regulating the jurisdiction of courts in proceedings by bills for injunctions and other relief in equity, and the service of process.

Senate bill No. 932, an act relating to judicial sales and the preservation of the lien of mortgages.

Senate bill No. 933, an act authorizing and requiring the assessor of Caernarvon township, Berks county, to discharge the duties of constable.

He also informed that the Senate has concurred in the resolution from the House of Representatives requesting the Governor to return to the House of Representatives House bill numbered and entitled as follows:

No. 349, an act appropriating certain moneys arising from fines and forfeitures in Chester county.

He also returned bills from the House of Representatives numbered and entitled as follows, viz:

No. 137, joint resolution to pay the expenses of the inauguration of Governor Geary.

No. 170, an act to increase the duties of the Citizens' association of Pennsylvania.

No. 199, a supplement to an act to entitle the stockholders of any railroad company, incorporated by the laws of this Commonwealth, accepting this act, to one vote for each share of stock, approved the 20th day of May, 1865, extending the same to bridge companies and hall associations.

No. 665, an act to provide for the election of burgess and town council in the borough of Danville, Montour county,

With information that the Senate has passed the same without amendment.

He also returned bill from the House of Representatives numbered and entitled as follows:

No. 212, a supplement to an act to incorporate the Cresheim turnpike and bridge company, approved the 16th day of March, 1866,

With information that the Senate has passed the same with amendment, in which the concurrence of the House of Representatives is requested.

SPEAKER'S TABLE.

The SPEAKER cleared his table of bills numbered and entitled as follows:

Senate bill No. 172, an act regulating the jurisdiction of courts in proceedings by bills for injunctions, and other relief in equity, and the service of process.

Referred to the Committee on the Judiciary General.

No. 212, a supplement to an act to incorate the Cresheim turnpike and bridge company, approved the 16th day of March, 1866, with Senate amendments.

Mr. WALLACE moved that the House concur.

On the question,

Will the House concur?

The yeas and nays were required by Mr. QUIGLEY and Mr. GREGORY, and were as follow, viz:

YEAS—Messrs. Adaire, Armstrong, Barton, Brown, Cameron, Chadwick, Chase, Colville, Davis, Day, DeHaven, Donohugh, Espy, Ewing, Gallagher, Ghegan, Gordon, Harbison, Hoffman, Humphrey, Kennedy, Kerns, Kimmell, Kinney, Lee, Leech, M'Creary, M'Kee, Mann, Marks, Mechling, Meily, Pennypacker, Peter, Quay, Richards, Seiler, Sharples, Shuman, Steacy, Stehman, Stumbaugh, Subers, Waddell, Wallace, Watt, Webb, Weller, Wharton, Woodward, Worrall, Wright and Glass, *Speaker*—64.

NAYS—Messrs. Boyd, Boyle, Breen, Brennan, Calvin, Collins, Craig, Deise, Fogel, Gregory, Harner, Heltzel, Hunt, Jenks, Jones, Kline, Koon, Kurtz, Linton, Long, M'Henry, Maish, Markley, Meyers, Mullin, Quigley, Rhoads, Roush, Tharp and Westbrook—31.

So the question was determined in the affirmative.

Senate bill No. 932, an act relating to judicial sales and the preservation of the lien of mortgages.

Laid on the table.

Senate bill No. 933, an act authorizing and requiring the assessor of Caernarvon township, Berks county, to discharge the duties of constable.

On motion of Mr. JONES, the bill was taken up and

Passed finally.

PRIVATE CALENDAR.

Agreeably to order,

The consideration of the bills on the private calendar was resumed.

The following bills were read the first time and laid aside for a second reading:

Senate bill No. 405, an act to annul the marriage contract between Samuel E. Shick and Sarah E., his wife.

No. 819, an act for the relief of Jane Lynn, widow of John Lynn, a soldier of the revolutionary war.

No. 824, an act making valid an ordinance passed passed by the council of Jamestown borough, in the county of Mercer.

No. 830, an act to authorize the Governor to appoint an additional notary public for the county of Bradford.

Senate bill No. 292, an act to increase the pay of the assessors of Lehigh county.

No. 832, an act to divide the township of Chapman, in the county of Clinton, into two election districts.

No. 833, an act to change the place of holding elections in Jefferson township, in the county of Allegheny.

No. 835, an act supplementary to an act to enable the administrators of the Hon. James T. Hale, late of Centre county, deceased, to sell real estate, passed the 11th day of April, A. D. 1866.

Amended by Mr. KURTZ.

Senate bill No. 800, an act to incorporate the National Homestead.

Amended by Mr. STUMBAUGH.

No. 848, an act for the relief of David Andrews, late recorder of Chester county, for moneys over-paid by him to the Commonwealth.

Senate bill No. 507, an act relative to courts in Lehigh county.

Senate bill No. 456, an act to authorize the appointment of two assistant reporters in the district court of Philadelphia.

Senate bill No. 567, an act to increase the compensation of the county commissioners and auditors of the county of Mercer.

Senate bill No. 566, an act to authorize the clerk of the mayor, or aldermen, of the city of Pittsburg to administer oaths.

Amended by Mr. CHADWICK.

No. 867, on act to legitimate Edward A. Smith, Ellen J. Smith, Catharine V. Smith and Thomas B. Smith.

No. 868, an act to authorize the sale of the poor house and farm in Mifflin county.

Amended by Mr. KURTZ.

No. 869, an act to authorize the sale and purchase of real estate, and the erection of a poor house in Valley township, Montour county.

No. 872, supplement to a supplement to an act to provide for the erection of a poor house in Clarion county, approved 21st day of March, 1865, approved 11th day of April, A. D. 1866.

No. 873, an act to repeal an act entitled An act to change the venue of certain suits from Butler to Armstrong county.

No. 867, an act to authorize Lebrecht Treager, a justice of the peace, to remove his office into the First ward of the borough of York.

No. 875, an act dividing the Twenty-fourth ward of the city of Philrdelphia into two assessment districts, and for the appointment of two additional assessors.

Amended by Mr. GREGORY.

Senate bill No. 511, a supplement to an act to increase the compensation of county commissioners, auditors, jurors, assessors, witnesses and supervisors of Indiana county. and to authorize the collection of taxes in Burrell township, said county, in money.

Senate bill No. 512, an act allowing the mercantile appraisers of Allegheny county the same fees allowed in other counties in the State.

Senate bill No. 513, an act relative to the fees of notaries public of the counties of Dauphin and Lebanon.

No. 880, an act relative to the coroner of Washington county.

No. 881, a supplement to an act relating to the lien of mechanics and others upon buildings, extending it to the county of Dauphin.

No. 882, an act authorizing the return to the commissioners of Potter county for collection, a certain duplicate of tax, and to fix the time when said duplicates shall hereafter be returned.

No. 883, an act to validate the acts of C. W. Case, late justice of the peace for Jackson township, Luzerne county.

No. 884, a supplement to an act authorizing the commissioners of Northampton county to purchase a law library, approved 12th day of March, A. D. 1866.

Senate bill No. 506, an act relative to hawking, peddling and selling by sample in the county of Schnylkill.

No. 886, an act relating to the sale of lands by the commissioners of Cambria county.

No. 887, an act to relieve money at interest from taxation for local purposes, in the county of Lawrence.

No. 889, an act amendatory of an act to increase the salary of the inspectors of the Lancaster county prison, passed 27th day of March, A. D. 1866.

No. 890, a supplement to an act to authorize the construction of a bridge over Oil creek, at or near the Old Furnace dam, on the Hassan farm, in the county of Venango.

No. 891, a supplement to the act approved April 11, 1866, to increase the fees of township officers in the county of Wyoming, extending the same to Cambria county.

No. 893, an act legalizing the acts of the York building association, No. 2, and the York building association, No. 8, of the borough of York, in the county of York.

No. 897, a supplement to an act for the better securing the payment of the wages of labor in certain counties of this Commonwealth, approved March 30, 1859.

No. 898, an act requiring the commissioners of Northampton county to apply for and obtain standards.

No. 899, an act increasing the fees of jurors, commissioners, auditors and witnesses in the county of Venango.

No. 901, an act relating to public prisons in Allegheny county.

Amended by Mr. COLVILLE.

No. 902, an act to fix the number of jurors in cases of partition to the courts of Beaver county, Lawrence, Northumberland and Bradford.

Amended by Messrs. MANN, MILLER, STUMBAUGH and SHUMAN.

No. 903, an act for the protection of owners of wharves or landings in the borough of Venango City, county of Venango.

No. 904, an act to authorize the increase of pay of supervisors, and other township officers, in the township of Bethlehem, Northampton county.

No. 907, an act extending an act relative to the fees of notaries public in the counties of Lancaster and Clinton, approved April 11th, 1866, to the county of Berks.

Senate bill No. 687, an act to permit an appeal from the register of Lebanon county, in behalf of the heirs of Robert W. Coleman.

No. 909, an act changing the day of holding the annual meeting of the auditors of Jones township, Elk county, and regulating the term of office, and fixing the term of the supervisors and other officers in said township.

No. 910, an act to repeal an act to authorize the highway commissioners of the township of Mill Creek, in the county of Erie, to establish the width of East lane, and to change its name.

No. 911, an act to authorize the commissioners of Crawford county to borrow money.

No. 912, an act relative to the moneys collected as fines from persons intoxicated within the county of Dauphin.

No. 913, an act to establish a law library in the county of York, and in relation to fines, penalties and forfeited recognizances in said county.

Amended by Mr. MAISH.

Senate bill No. 597, an act regulating the salary of the treasurer of Lehigh county.

Amended by Mr. FOGEL.

Senate bill No. 678, an act to provide for the enlargement of the Erie canal, to authorize the mortgaging of the same, and the issue of bonds, and to increase the capital stock and regulate the tolls.

OBJECTED BILLS.

The following bills were objected to, and, under the rule, will be laid over until next week.

By Mr. WINGARD,

No. 823, an act authorizing the school directors of the borough of Montoursville, in the county of Lycoming, in this Commonwealth, to borrow money.

By Mr. GHEGAN,

No. 826, an act to incorporate the Resource domestic company.

By Mr. MECHLING,

Senate bill No. 730, an act to repeal an act for the repeal of an act changing the venue of certain actions of ejectment from Armstrong to Allegheny county.

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[CONTINUED FROM PAGE 568.]

By Mr. KOON,

No. 888, an act to change the venue in the case of G. W. Scofield vs. Martin Brunges, from the court of common pleas of Wyoming county, to the court of common pleas of Bradford county.

By Mr. GREGORY,

No. 894, an act to extend the jurisdiction of aldermen or justices of the peace to certain criminal proceedings in the city and county of Philadelphia.

By Mr. BREEN,

No. 900, an act to change the venue in a certain case, from Schuylkill county to Dauphin county.

By Mr. MECHLING,

Senate bill No. 455, an act to establish a law library in the county of Armstrong.

By Mr. MECHLING,

No. 906, an act relative to the purchase of a law library in the county of Lehigh.

OBJECTIONS WITHDRAWN.

Mr. DEHAVEN withdrew his objections to Senate bill No. 261.

Mr. KINNEY withdrew his objections to House bill No. 700.

Mr. GHEGAN withdrew his objections to House bill No. 826.

OBJECTED BILLS OF LAST WEEK.

The following objected bills of last week were read the first time and laid aside for a second reading:

No. 622, an act to authorize John Du Bois to erect cribs and form a log harbor in the West Branch of the Susquehanna river.

No. 626, an act to change the venue in the case of John M'Farland vs. Joseph Shoemaker, from the court of common pleas of Northumberland county to the court of common pleas of Union county.

No. 630, an act to prevent the depositing unwholesome matter in the running streams in Allegheny county, and to provide for the better preservation of the health of said county.

No. 637, a supplement to an act relative to hucksters in the county of Lebanon, approved 10th day of May, A. D. 1866.

Senate bill No. 281, an act for vacating the old burying grounds in the borough of Sewickley, and removing the bodies therefrom.

No. 650 a further supplement to an act to provide for the regulation and inspection of buildings in the city of Philadelphia, and for the better preservation of life and property, passed the 7th day of May, A. D. 1855.

Senate bill No. 40, an act to change the venue in the case of Jesse Chronister vs. Howard Miller, Geo. Hollinger and Daniel Harbolt, from the court of common pleas of Adams county to the court of common pleas of Dauphin county.

No. 669, an act amending the charter of the municipal corporation of the city of Lancaster, dividing the same into nine wards.

Amended by Mr. ARMSTRONG.

No. 684, an act to vacate part of Township Line road, in the Twenty-fourth ward of the city of Philadelphia.

No. 686, an act to legalize the action of the burgess and town council in the borough of Montrose, in the county of Susquehanna, and to fix the limits of said borough.

The following the House refused to lay aside for a second reading:

Senate bill No. 330, an act to change the venue in the case of Jane E. Coldwell vs. the Catawissa railroad company, from the Supreme Court of *nisi prius* in Philadelphia, to the court of common pleas of Northumberland county.

Senate bill No. 361, an act to authorize the commissioners of Lehigh county to borrow money.

No. 683, an act to provide for the erection of a bridge in the county of Philadelphia.

The following bills were read a second time and disposed of as stated:

No. 688, an act to legalize certain loans made by the city of Titusville.

Passed finally.

No. 689, an act to authorize the burgess and town council of the borough of Oxford, county of Chester, to borrow money.

Passed finally.

No. 690, an act relating to the assessment and collection of taxes in the city of Chester.

Laid over on third reading.

Senate bill No. 396, an act to vacate Fairview street, running west from Twenty-first street to Twenty-second street, south of Spring Garden street one hundred feet, in the city of Philadelphia.

Passed finally.

No. 682, an act to vest the title of Market Square, in the borough of Mechanicsburg, Cumberland county, in said borough.

Passed finally.

No. 692, an act to prevent injury to privy walls in the city of Philadelphia.

Passed finally.

No. 694, an act to vacate certain streets and alleys in the town of Van Buren, Armstrong county.

Not agreed to.

Senate bill No. 264, a supplement to the act incorporating the borough of Doylestown, entitled An act authorizing the Governor to incorporate the Bristol Steam tow-boat and transportation company, and for other purposes.

Passed finally.

No. 697, an act granting a pension to Lewis Neudoerffer.

Passed finally.

No. 698, an act granting a pension to Samuel Hamilton.

Passed finally.

No. 699, an act granting a pension to Zeno Hoffmaster.

Passed finally.

No. 700, a supplement to an act to incorporate the Chester Creek railroad company, approved 16th day of April, A. D. 1866.

The question being on suspending the rules to allow the bill to be read a third time by its title.

Mr. WADDELL. Mr. Speaker, I desire to have this bill amended. I was requested by the parties interested to object the bill off the calendar, but parties on the other side of the House objected the bill off, and I did not know that the member who objected it off had withdrawn his objection. I am not prepared to make the amendment now, and I desire that the bill should go over for one week, as if it had gone over with the objected bills, and come up on the calendar again at that time.

I make that motion.

Mr. BARTON. Mr. Speaker, I hope that this bill will not be postponed for one week, or, in fact, that it will not be postponed for any time whatever. This bill was introduced in the early part of the session, about the 15th of January. It was referred to its appropriate committee, and that committee gave it a very careful consideration. I think the gentleman from Chester, who desires to have this bill postponed at this time, is a member of that committee. The bill was before that committee some four or five weeks, and all the parties interested have had a fair hearing before the committee. Those opposed to the bill were before the committee several times and presented their objections to the committee, and urged the postponement of the bill and also its negative reccommendation by the committee.

But, after a fair and careful examination by this Railroad Committee, the bill has been reported favorably to the House. It has now been nearly two months since the bill was introduced here, and yet the gentleman from Chester asks that it shall be postponed still another week, in order that he may have an opportunity of offering an amendment. Certainly two months has been sufficient time to have any amendment prepared that the opponents of this bill might have desired to attach to it.

This is a bill which very much interests my constituents, and I trust that the House will not postpone it until next week.

Mr. WADDELL. Mr. Speaker, I hope this House will appreciate the position that I am in.

Now, I do not make any charges here that the objection was made to the bill and that those interested in the bill subsequently obtained the withdrawal of those objections. I do not know what induced the gentleman who made the objection to the bill to do it when he did. I had no conversation with him about it, but I presume he objected to it for proper reasons, and I do not impugn any man's motive in objecting it off the calendar, or withdrawing the objections. I proposed myself to object the bill off the calendar, but it was objected off by another member and I

was not aware that the objection was afterwards withdrawn. I spoke to the gentleman from Delaware and told him that I intended to object the bill off.

Now, the objection was withdrawn, as the gentleman who objected it off had a right to do, but I was not aware at the time of the objection being withdrawn, otherwise I would have renewed the objection. All I ask of this House now is to put me in the position that I had a right to be in and would have been in if I had known of the objection being withdrawn.

Mr. BARTON. Mr. Speaker the gentleman was sitting in his seat when the gentleman arose and withdrew his objection.

Mr. WADDELL. I did not hear it. I did not suppose the objection would be withdrawn, and I had no intimation that it would be. I do not know what the gentleman's intentions were in regard to this subject.

It is very true that the bill has been thoroughly discussed in committee, but I took no part in that discussion. Gentlemen on that committee knew the peculiar position I was in, in regard to it. I have studiously endeavored to throw nothing in the way of it. I have uniformly withdrawn myself from the committee, when that bill came up for deliberation. The bill was reported from the committee without any objections being made on my part; it came up on the calendar in the regular order, and was objected off. I am now only asking what I would have had in my own control, had I got up and objected to this bill instead of some other gentleman doing so. I only ask to be placed in the position that I would have been in if I had gotten up and objected to it myself. I merely wish to have an opportunity that the parties may present an amendment; and if the House then think it is not a proper amendment they can vote it down. I only ask the House to do what they would have done had I made the objection to the bill myself.

Mr. BARTON. Mr. Speaker, I was aware that the gentleman from Chester intended to object to the bill this morning. I was not aware that any other gentleman intended to object to the bill at that time, but the gentleman evidently intended to throw the bill over another week for the purpose of adding an amendment. He had not drawn it this morning. We, as friends of the bill, desired to see the amendment, so that, if possible, we could make a compromise arrangement of the matter. But the amendment was not drawn. The gentleman interested in another corporation opposing this bill was here, and I requested him also to furnish the amendment that he desired to attach to the bill. He said he had not prepared it; that he did not know exactly what it would be yet, but he must go home and consult with the officers of his road and prepare his amendment.

Now, I submit that this bill having been considered for so long a time, the officers of the other road having been before the committee week after week, they have had ample time and opportunity to prepare their amendment, and submit it to the committee that had the bill under consideration. They did not do so, and now they come here, as a last resort, and with the evident intent of killing this bill by deferring it, stage by stage, in this manner.

I trust that this House is prepared to vote upon this question, and that the bill will come up on its final passage.

Mr. WADDELL. Mr. Speaker, the gentleman from Delaware is well aware that I told him this morning that I wished to make an amendment to this bill. I told him what I understood would be the points of the amendment in regard to the commutation of charges for passengers and freight. I could not sit down and draw the amendment. I suggested to him that, as soon as possible, I would place it in his hands, so that the friends of this road would have an opportunity of knowing what it was before it came before the House. It is very true I could not furnish him with the amendment then; I could not sit down now and pen it, because I am not well enough versed in railroad technicalities to draw the amendment.

I am only asking this House what I would have had, and what they could not have refused me, but on account of a misunderstanding—not an intentional misunderstanding—as to what has been done by the gentleman who objected it off the calendar; and I do not think it is an unreasonable request for me to ask of the House.

Mr. BARTON. Mr. Speaker, I do not wish to state that the gentleman from Chester has not had an opportunity to present this amendment, but the officers of this road have had ample opportunity to furnish all the amendments that they might desire to attach to this bill.

I do not charge the gentleman from Chester with an attempt to throw this bill over with the purpose of killing it, but I do charge this upon the officers of this road, whom the gentleman from Chester represents in part in interest; and that they have had all the opportunity they could desire to attach any amendment to this bill.

Mr. WEBB. Mr. Speaker, it seems to me from the discussion in reference to this bill and the relative position of the parties, that it would be about as fair a way as any to allow this bill to go over on third reading.

Mr. WADDELL. The difficulty then would be I could not get my amendment in.

The question being on the motion of the gentleman from Chester [Mr. WADDELL] that the further consideration of the bill be postponed for the present and that it be placed at the head of the objected bills,

The yeas and nays were required by Mr. WADDELL and Mr. KURTZ, and were as follow, viz:

YEAS—Messrs. Adaire, Boyle, Breen, Calvin, Chadwick, Deise, Fogel, Harner, Heltzel, Hoffman, Hunt, Jenks, Kennedy, Kline, Koon, Kurtz, Lee, Leech, Linton, Long, M'Creary, M'Henry, Maish, Mann, Meyers, Mullin, Phelan, Quigley, Rhoads, Tharp, Waddell, Weller, Westbrook, Wharton and Wingard—35.

NAYS—Messrs. Armstrong, Barton, Brown, Cameron, Chase, Collins, Colville, Craig, Davis, Day, DeHaven, Donohugh, Espy, Gallagher, Ghegan, Gordon, Gregory, Harbison, Headman, Kerns, M'Kee, Markley, Pennypacker, Peter, Pillow, Quay, Richards, Sharples, Shuman, Steacy, Stehman, Subers, Wallace, Watt, Webb, Worrall and Glass, *Speaker*—37.

So the question was determined in the negative.

And the bill goes over on third reading.

On motion, the House adjourned until tomorrow morning at 10 o'clock, A. M.

SENATE.

WEDNESDAY, March 13, 1867.

The Senate met and was called to order at 10 A. M., by the SPEAKER.

Prayer was offered by the Rev. Mr. Bailey.

On motion of Mr. CONNELL, the reading of the Journal of yesterday was dispensed with.

REPORTS FROM COMMITTEES.

Mr. COWLES, from the Committee on the Judiciary Local, as committed, a bill entitled An act to prevent the depositing of tan bark in Poco Poco or Head creek, in the county of Monroe.

Also (same), as committed, a bill entitled An act punishing the sale of adulterated milk in Potter and Tioga counties.

Also (same), with a negative reccommendation, a bill entitled An act to incorporate the borough of Bainbridge, in Lancaster county.

Ruled out of order by the SPEAKER.

Mr. STUTZMAN (same), as committed, a bill entitled An act providing for the election of supervisors in certain rural wards in the city of Philadelphia.

Also (same), as committed, a bill entitled An act for the better improvement of the front of the river Delaware.

Also (same), as committed, a bill entitled An act authorizing the burgess and town council of the borough of Jamestown, Mercer county, to levy and collect tax for borough purposes.

Mr. FISHER (same), as committed, a bill entitled An act regulating the fees of notaries public in the county of Allegheny.

Also (same), as committed, a bill entitled A supplement to an act entitled An act to change the venue of a certain action from Juniata county to Dauphin county, approved the 21st day of March, 1866.

Also (same), with a negative recommendation, a bill entitled An act to change the venue in the case of the Commonwealth of Pennsylvania versu John Sharp, Moreitz Leib, Charles W. Everhart, Robert Alsop, and Jonathan A. Waters, from the court of quarter sessions of the peace of Montgomery county to the court of quarter sessions of the peace in and for the city and county of Philadelphia.

Mr. WHITE (same), with a negative recommendation, a bill entitled An act to authorize the burgess and town council of the borough of Bridgwater to sell part of Clarion street in said borough.

Ruled out of order by the SPEAKER.

Also (same), as committed, a bill entitled An act to provide for the transfer and safe keeping of prisoners in the jail of Washington county.

Also (same), as committed, a bill entitled An act limiting the provisions of an act entitled A further supplement to the act incorporating the borough of Washington.

Mr. DAVIS (same), as committed, a bill entitled An act authorizing the borough council of Shenandoah, Schuylkill county, to borrow money, and the voters to select six town councilmen, et cetera.

Also (same), as committed, a bill entitled An act for the relief of A. D. Hamlin.

Mr. RIDGWAY, from the Committee on Corporations, as committed, a bill entited A further supplement to the act to incorporate the Union School and Children's Home asylum, to provide for the taxation of non-resident venders of merchandise in the city and county of Philadelphia, and for the relief of Edward Hutchinson, approved April 12, 1851.

Mr. WORTHINGTON, from the Committee on Education, with amendments, a bill entitled A further supplement to an act for the regulation and continuance of a system of education by common schools, approved the 8th day May, A. D. 1854.

On motion of Mr. BROWNE (Lawrence), the bill was referred back to the Committee on Education.

Mr. WHITE, from the Committee on Military Affairs, as committed, a bill entitled An act to authorize the school board of North Heidelburg township, in the county of Berks, to levy and collect an additional tax.

Mr. M'CANDLESS (same), with amendments, a bill entitled An act to authorize and empower the Governor to issue a commission to Thomas M'Neish.

Mr. BILLINGFELT, from the Committee on Roads and Bridges, as committed, a bill

entitled An act to incorporate the Madison bridge company of Pottstown, Montgomery county.

Mr. TAYLOR (same), as committed, a bill entitled An act to repeal an act to amend the road laws in Montgomery county, passed March 15th, A. D. 1859.

Mr. LANDON (same), as committed, a bill entitled An act appointing commissioners to lay out and open a State road from Wilcox, in Elk county, to the borough of Kane, in M'Kean county.

Mr. GRAHAM, from the Committee on Vice and Immorality, as committed, a bill entitled An act extending the provisions of an act approved March 22d, A. D. 1817, relative to horse-racing on the public highways in Philadelphia county to the township of Leacock, in the county of Lancaster.

Also (same), as committed, a bill entitled an act to ascertain the views of the qualified electors of M'Kean county, upon the subject of refusing licenses for the sale of liquors in said county.

Mr. TAYLOR (same), as committed, a bill entitled An act further to regulate the granting of licenses to hotels and eating houses.

Mr. BROWNE (Lawrence) (same), as committed, a bill entitled An act relating to the licensing of restaurants and beer houses in the county of Columbia, extending the provisions of act of 2d April, A. D. 1862, to said county.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

The Clerk of the House of Representatives being introduced, presented for concurrence bills numbered and entitled as follows:

No. 688, an act to legalize certain loans made by the city of Titusville.

Referred to the Committee on the Judiciary Local.

No. 689, an act to authorize the burgess and town council of the borough of Oxford, county of Chester, to borrow money.

Referred to the Committee on the Judiciary Local.

No. 692, an act to vest the title of Market Square, in the borough of Mechanicsburg, Cumberland county, in said borough.

Referred to the Committee on Estates and Escheats.

No. 693, an act to prevent injury to privy walls in the city of Philadelphia.

Referred to the Committee on the Judiciary Local.

No. 697, an act granting a pension to Lewis Neudœrffer.

Referred to the Committee on Pensions and Gratuities.

No. 698, an act granting a pension to Samuel Hamilton.

Referred to the Committee on Pensions and Gratuities.

No. 699, an act granting a pension to Zeno Hoffmaster.

Referred to the Committee on Pensions and Gratuities.

No. 1105, an act to repeal an act in relation to the borough of Montoursville, in the county of Lycoming, approved March 1st, A. D. 1867.

Referred to the Committee on the Judiciary Local.

He also returned bills from the Senate numbered and entitled as follows, viz:

No. 396, an act to vacate Fairview street, running west from Twenty-first street to Twenty-second street, south of Spring Garden street one hundred feet, in the city of Philadelphia.

No. 840, an act relative to justices of the peace, burgess and notaries public in the county of Lawrence.

No. 988, an act authorizing and requiring the assessor of Cærnarvon township, Berks county, to discharge the duties of constable.

No. 261, a supplement to the act incorporating the borough of Doylestown entitled An act authorizing the Governor to incorporate the Bristol steam tow-boat and transportation company and for other purposes.

With information that the House of Representatives has passed the same without amendments.

He also informed the Senate that the House of Representatives has concurred in the amendments made by the Senate to bill from the House of Representatives numbered and entitled as follows, viz:

No. 212, a supplement to an act to incorporate the Ctesheim turnpike and bridge company, approved March 16, 1866.

BILLS IN PLACE.

Mr. RIDGWAY read in place and presented to the Chair a bill entitled An act incorporating the business at the Pascal iron works, in the city of Philadelphia, with the name, style and title of Morris, Tasker & Co.

Referred to the Committee on Corporations.

Mr. GRAHAM, a bill establishing the standard weight of a barrel of salt.

Referred to the Committee on the Judiciary General.

Mr. WHITE, a bill entitled An act to authorize the school board of Washington township, Indiana county, to levy and collect an additional bounty tax.

Referred to the Committee on Military Affairs.

Also, a bill entitled An act to annex to South Mahoning township, Indiana county, that part of the farm of William Nickle, which is now situate in East Mahoning township, said county.

Referred to the Committee on the Judiciary Local.

Mr. M'CANDLESS, a bill entitled A supplement to an act approved April 26, A. D. 1850, incorporating the Wissahickon turnpike road company.

Referred to the Committee on Roads and Bridges.

Also, a bill entitled A further supplement to an act passed March 29, 1803, to establish a board of wardens of the port of Philadelphia, and for other purposes.

Referred to the Committee on the Judiciary Local.

Mr. DAVIS, a bill entitled An act to incorporate the Masonic hall association of the city of Reading.

Referred to the Committee on the Judiciary General.

Mr. RANDALL, a bill entitled An act to authorize the commissioners of Schuylkill county to aid the construction of the Manufacturers' and Consumers' railroad.

Referred to the Committee on Railroads.

Also, a bill entitled An act relative to lateral railroads in the counties of Schuylkill, Northumberland and Columbia.

Referred to the Committee on Railroads.

Also, a bill entitled An act relative to the furnishing and distributing of coal cars by the Philadelphia and Reading railroad company and the Schuylkill navigation company.

Referred to the Committee on Railroads.

Mr. M'CONAUGHY, a bill entitled An act to extend to companies organized under the general manufacturing laws of this Commonwealth the same privileges in regard to payment of subscriptions that have been conferred upon mining corporations by the general law of 1854.

Referred to the Committee on the Judiciary General.

Also, a bill entitled An act to incorporate the City Express company of Scranton.

Referred to the Committee on Corporations.

Also, a bill entitled An act to incorporate the Agricultural manufacturing company.

Referred to the Committee on Corporations.

Mr. COLEMAN, a bill entitled An act relative to the removal of certain causes.

Referred to the Committee on the Judiciary General.

Mr. SCHALL, a bill entitled An act to incorporate the Co-operative association of the borough of Allentown, in the county of Lehigh, for school purposes.

Referred to the Committee on Corporations.

Mr. STUTZMAN, a bill entitled An act to change the corporate name of the Mill Creek gold and silver mining company of Colorado.

Referred to the Committee on Corporations.

Mr. JACKSON, a bill entitled A supplement to an act to incorporate the Wilkesbarre and Pittston railroad company, approved April 15th, A. D. 1859.

Referred to the Committee on Railroads.

Mr. WALLACE, a bill entitled An act authorizing the school directors of Curwensville, Clearfield county, to borrow money and to sell a school building.

Referred to the Committee on Education.

Also, a bill entitled An act relative to the redemption of unseated land sold for taxes where interests in the same land are owned by different persons.

Referred to to the Committee on the Judiciary General.

Also, a bill entitled An act to authorize and empower the court of quarter sessions of the county of Cameron to amend and alter the charter of the borough of Emporium, in the county of Cameron.

Referred to the Committee on the Judiciary General.

Also, a bill entitled An act explanatory of the provisions of the fifth section of the act to incorporate the Bennett's Branch improvement company.

Also, a bill entitled A supplement to an act to lay out and open a State road from Karthano, Clearfield county, to Sinnemahoning, Cameron county.

Referred to the Committee on Roads and Bridges.

Mr. HAINES, a bill entitled An act authorizing the school directors of Tuscarora township, Juniata county, to assess and collect a tax sufficient to refund certain persons commutation paid in the years 1863 and 1864.

Referred to the Committee on Education.

Also, a bill entitled An act to change the venue in the cases of the Commonwealth versus Peter Eby, Nos. 1, 2 and 3, February sessions, 1867, in the court of quarter sessions of Snyder county, to the county of Juniata.

Referred to the Committee on the Judiciary Local.

Also, a bill entitled An act to incorporate the Bellefonte glass manufacturing company.

Referred to the Committee on Corporations.

Mr. BURNETT, a bill entitled An act to incorporate the Tunkhannock plank road or turnpike company.

Referred to the Committee on Roads and Bridges.

Also, a bill entitled An act to annex certain portion of the territory of Luzerne county to that of Carbon county.

Referred to the Committee on New Counties and County Seats.

Mr. BILLINGFELT, a bill entitled A supplement to an act to entitle the stockholders of any railroad company incorporated by the laws of this Commonwealth, accepting this act, to one vote for each share of stock,

approved May 20, 1865, extending the same to turnpike road companies.

Referred to the Committee on Roads and Bridges.

Also, a bill entitled A supplement to an act entitled An act relating to the directors of the poor of Lancaster county, approved March 2d, 1846, regulating the fees of constables.

Referred to the Committee on the Judiciary Local.

Mr. CONNELL, a bill entitled An act relative to the terms of the members of councils of Philadelphia.

Referred to the Committee on the Judiciary Local.

Also, a bill entitled An act to compel attendance of witnesses, and to compel them to testify before the councils of Philadelphia, and committees of said councils.

Referred to the Committee on the Judiciary Local.

Also, a bill entitled a further supplement to the act consolidating the city of Philadelphia, extending the term of office of the chief engineer of the water department.

Referred to the Committee on Corporations.

Also, a bill entitled An act to extend the time of payment of the enrollment tax of the Delaware mining company, appointing additional corporators and authorizing said company to hold additional lands.

Referred to the Committee on Finance.

Also, a bill entitled A further supplement to the act consolidating the city of Philadelphia, defining the amount of money to be borrowed on temporary loan.

Referred to the Committee on Corporations.

Also, a bill entitled An act to incorporate the Grocers' and Provision Dealers' association.

Referred to the Committee on Corporations.

Also, a bill entitled An act to incorporate the United States Plate Glass insurance company.

Referred to the Committee on Corporations.

BILL RECALLED.

Mr. SCHALL offered the following resolution, which was twice read:

Resolved (if the House of Representatives concur), That the Governor be requested to return Senate bill No. 288, entitled An act relative to the clerk of the courts of quarter sessions, oyer and terminer and orphans' court of Lehigh county, for the purpose of amendment.

The resolution was adopted.

BILL RECOMMITTED.

Mr. CONNELL moved that bill entitled an act relative to contested elections in the city of Philadelphia be recommitted to the Committee on Election Districts.

The motion was

Agreed to.

BILLS ON THIRD READING.

Agreeably to order,

The Senate proceeded to third reading and consideration of bill entitled An act to provide an associate law judge of the several courts in the Twenty-first Judicial district.

The bill reads as follows:

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same*, That the qualified electors of the Twenty-first Judicial district shall, at the next general election, in the manner prescribed by law for the election of the president judge, elect one person, learned in the law, to serve as an associate law judge of the several courts in said district; the said associate law judge shall possess the same qualifications which are required by the Constitution and laws for president judge, and shall be commissioned by the Governor, and shall hold his office by the same tenure as other judges of courts of record, required to be learned in the law; the said associate law judge shall have the same power, authority and jurisdiction, and be subject to the same duties, provisions and penalties, as the president judge, and shall receive the same compensation for his services as the president judge of said district is now entitled by law to receive.

Mr. COLEMAN. Mr. Speaker, I do not want to say anything more in regard to this than simply to say that I am more convinced now than ever that this bill should not pass. Since we adjourned yesterday, I have seen memorials from a leader of the Democratic party, and an able lawyer of that bar, who says that this bill is not what they want to have for relief. Therefore, it is not a political question. With that I have done what I considered my duty.

Mr. RIDGWAY. If it is relieved of all political influence, I think we ought to stand by the Senator from that county, and not by outside lawyers.

Mr. RANDALL. The gentleman alluded to has sent a petition here asking for the passage of this bill; he has written to me and spoken personally to me about it, and the Senator is mistaken when he says that gentleman is opposed to this bill.

On the question,

Shall the bill pass?

The yeas and nays were required by Mr. M'CONAUGHY and Mr. RANDALL, and were as follow, viz:

YEAS—Messrs. Brown (Mercer), Burnett, Davis, Donovan, Fisher, Glatz, Haines, Jackson, James, Landon, M'Candless, Randall, Ridgway, Royer, Searight, Stutzman, Taylor, Wallace, Walls, Worthington and Hall, *Speaker*—21.

NAYS—Messrs. Bigham, Billingfelt, Browne (Lawrence), Coleman, Graham, M'Conaughy and White—7.

So the qestion was determined in the affirmative.

So the bill

Passed finally.

Agreeably to order.

The Senate proceeded to the third reading and consideration of a bill entitled A supplement to an act entitled An act relating to the payment of bounties to veteran volunteers, approved May 1st, 1866.

Mr. WHITE moved to postpone the further consideration of the bill for the present.

The motion was

Agreed to.

BILL PASSED.

On motion of Mr. CANDLESS, the Committee on the Judiciary Local was discharged from the further consideration of a bill entitled A further supplement to an act passed March 29, A. D. 1803, to establish a board of wardens of the port of Philadelphia, and for other purposes.

And the rules having been dispensed with,

The bill was read a second and third time, and

Passed finally.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

The Clerk of the House of Representatives being introduced, presented the following extract from the Journal of the House of Representatives, which was read as follows:

Resolved (if the Senate concur), That the Clerk of the House of Representatives be authorized to amend House bill No. 263, entitled as follows, viz: A further supplement to an act to incorporate the city of Carbondale, by striking out the words "fourth Friday," wherever it occurs, and inserting in lieu the words "third Friday."

On motion of Mr. LANDON, said resolution was read a second time, and

Concurred in.

PRIVATE CALENDAR.

Agreeably to order,

The rules were dispensed with, and the Senate proceeded to the second reading and consideration of bills on the private calendar numbered and entitled as follows:

And said bills were disposed of as stated:

No. 772, an act to exempt the German Reformed congregation of New Goshenhoppen, in the county of Montgomery, from taxation.

Passed finally.

No. 773, an act relating to the payment of certain bounties by the township of Eldred, Monroe county.

Passed finally.

No. 774, an act to perfect title to one hundred and sixteen acres of land in Somerset county, heretofore owned by the Union coal and iron company.

Passed finally.

No. 775, an act relative to the purchase of a law library in the county of Wayne.

Passed finally.

No. 776, an act for the vacation and sale of the Methodist burial ground in the city of Pittsburg, and for removing the bodies therefrom.

Laid over.

No. 777, a supplement to an act to confer additional power upon the burgess and town council of the borough of Wilkesbarre, approved the 23d day of March, 1865.

Passed finally.

No. 778, supplement to an act entitled An act to appoint commissioners to resurvey and establish the lines of the main road running through a part of Wilkesbarre township, in the county of Luzerne, passed the 24th day of February, A. D. 1859.

Passed finally.

No. 779, a supplement to an act relative to the fees of district attorney of certain counties of this Commonwealth.

Passed finally.

No. 780, an act authorizing the commissioners of Clinton county to appropriate the unexpended relief funds of said county to building a new court house.

Passed finally.

No. 783, an act to authorize the burgess and council of the borough of Shrewsbury, York county, to erect or construct a lock-up house.

Mr. M'CONAUGHY feared that the Governor would veto the bill, and he did not see the use, therefore, in passing it.

Mr. FISHER stated that it should be borne in mind that the borough of Shrewsbury was not under the general borough law, and he thought that the bill would not likely be vetoed.

Mr. GLATZ desired the bill passed, and if the Governor saw fit to veto it, well and good.

The bill then

Passed finally.

No. 784, an act supplementary to an act incorporating the borough of Birmingham, in the county of Allegheny.

Not agreed to.

No. 785, a supplement to an act entitled An act to incorporate the borough of Columbia, approved April 16, 1866.

Mr. FISHER. Mr. Speaker, I should like to have this bill passed, but there is something in a certain line of the bill that I do

not understand. I hope the bill will be laid over.

The bill was accordingly laid over.

Mr. FISHER shortly after withdrew his objections and the bill was then being considered. when

Mr. BILLINGFELT said: Mr. Speaker, I have no objection to the provisions of this bill, but there is another bill here of that nature which is more important to the citizens of my county than this. But as it relates to the charter of the same borough, I think it better to incorporate both together. I do not desire to have this passed unless my colleague agrees to have the other one acted upon in due time, as it is now unduly held in committee of which he is a member.

Mr. FISHER. Mr. Speaker, I do not wish to differ with my colleague. I trust thegood sense of the Senate will see the propriety of taking up a measure on which there is no dispute. No man, woman or child has anything to say against this bill. I trust the Senate will pass this bill.

Mr. BILLINGFELT. Mr. Speaker, in the other bill every citizen of Columbia and every taxpayer of the county is interested; it is more important than this one. I will agree that this bill shall pass, if the other will not be delayed. It has been delayed long enough, and my constituents have too much interest in the matter to have it delayed longer. Both of these bills ought to be treated alike. The other bill interests our constituents as well as this.

Mr. FISHER. When the other bill comes up on its merits, I shall be prepared to meet it; there is no intention to delay it.

The bill was laid over.

Mr. BILLINGFELT soon after withdrew his objections, and

The bill

Passed finally.

No. 786, an act giving additional power to the councils of the city of Pittsburg.

Passed finally.

No. 787, an act to extend the time for the payment of the enrollment tax on an act entitled An act to incorporate the Madison improvement company, approved August 10, 1864.

Passed finally.

No. 788, a supplement to an act incorporating the city of Allegheny, in the county of Allegheny, approved the 13th day of March, A. D. 1844.

Passed finally.

No. 789, an act providing for the election of a township treasurer in Middle Smithfield township, Monroe county.

Passed finally.

No. 790, an act fixing the compensation for the commissioners of the county of Bucks.

Amended, on motion of Mr. JAMES.

Passed finally.

No. 791, an act for the better protection of seamen in the port and harbor of Philadelphia.

Laid over.

No. 792, an act authorizing the sale of the Allegheny City poor farm.

Passed finally.

No. 793, an act supplementary to an act concerning streets and sewers in the city of Pittsburg, approved January 6, 1864.

Passed finally.

No. 794, a further supplement to an act to erect the town of Lebanon, in the county of Lebanon, into a borough, providing for the consolidation of the borough of Lebanon and the borough of North Lebanon.

Passed finally.

No. 795, an act to authorize the trustees of the Presbyterian congregation in Clearfield to convey certain real estate.

Passed finally.

House bill No. 574, an act to confirm the title to a certain lot of ground in the Twentieth ward of the city of Philadelphia.

Passed finally.

No. 797, an act to authorize David Souder and Henry Souder, trustees under the will and testament of Jacob Zug, late of Berks county, deceased, to invest the moneys in their hands received from the said deceased, and proceeding from his estate for the use of his daughter, Sophia Souder, or her children, in the purchase of certain real estate.

Passed finally.

House bill No. 577, an act to incorporate the Philadelphia County real estate association.

Amended, on motion of Mr. CONNELL, and

Passed finally.

No. 799, an act to incorporate the Scranton market company.

Passed finally.

No. 801, an act to incorporate the Keystone homestead company.

Passed finally.

House bill No. 842, an act to incorporate the Home for the Friendless in the city of Harrisburg and the county of Dauphin.

Laid over.

No. 803, an act to incorporate the M'Keesport gas company.

Passed finally.

No. 804, a supplement to an act incorporating the Pittsburg and Arizona gold and silver mining company.

Passed finally.

No. 805, an act to declare West creek, in the counties of Elk and Cameron, a public highway.

Passed finally.

No. 806, an act establishing the Vinegar ferry.

Title amended on motion of Mr. GLATZ.

Passed finally.

House bill No. 558, a further supplement to the act incorporating the Lehigh and Delaware Water Gap railroad company.

Passed finally.

No. 808, a supplement to an act incorporating the Colebrookdale railroad company, approved the 23d day of March, 1865.

Passed finally.

No. 809, an act to incorporate the Brandy Camp railroad company.

Passed finally.

No. 810, an act to incorporate the Lebanon Valley college.

Mr. COLEMAN said that the understanding was that the courts had not power in some cases of this kind, but he hoped the bill would be laid over for the present.

Mr. M'CONAUGHY. Mr. Speaker, I think that the bill had better be laid over, as I think the courts have power; if so, there is no use in passing the bill, as it would be vetoed. We ought to act with consistency. We have passed eight or ten acts to incorporate literary institutions. I do not wish to make any factious opposition. There should be some consistency in our action.

Mr. COLEMAN said he understood there had been some decision in the Supreme Court on the subject.

Mr. WALLACE said that it had been decided by the Supreme Court that the courts had not power in cases where an institution conferred degrees, and that they must go to the Legislature; he did not know that the principle there established had been reversed.

Mr. BIGHAM said that up to 1865 there had been no report reversing that principle, and that the Governor had signed a bill that he himself introduced, to incorporate the university of St. Augustine.

The bill was laid over on third reading.

No. 812, an act to repeal an act to lay out a State road in Schuylkill and Columbia counties, approved April 4, 1866.

Passed finally.

No. 813, a supplement to an act entitled An act to incorporate the Mattawana bridge company, approved March 3, 1848.

Passed finally.

House bill No. 193, a supplement to an act appointing commissioners to lay out and open a State road in the counties of Potter and Clinton, approved the 16th day of March, A. D. 1865.

Amended, on motion of Mr. COWLES.

Laid over on third reading.

No. 815, an act authorizing and empowering the city of Philadelphia to take possession of a part of the Chestnut Hill and Spring House turnpike.

Laid over.

No. 816, an act to incorporate the Roaring Brook turnpike company.

Passed finally.

No. 817, an act to authorize the Coal Hill and Upper St. Clair turnpike and plank road company to increase their tolls.

Laid over.

No. 818, an act to authorize the Allegheny and Perrysville plank road company to fix their tolls and to transfer a portion of their road.

Passed finally.

House bill No. 485, an act to annul the marriage contract between William Riley and Martha Willets.

The bill was read.

Mr. WALLS said he had had letters in regard to this bill, and that it was right. The man had provided for his children, and the wife made no objection to the divorce. He did not know the parties, but thought the divorce should be granted.

Mr. WALLACE. Mr. Speaker, I know something of this case; the circumstances were detailed to us in committee. Gentlemen of reputation, who know these parties, have written to me. The case does not come within the jurisdiction of the courts. The parties cannot live together. The man has behaved well towards his wife in regard to the property. It is simply inhumanity to require them to be bound together. For these reasons a divorce is asked for.

Mr. WHITE. Mr. Speaker, I have always been sensitive on this subject of passing divorce bills. I do not wish to intrude unnecessary objections to anybody's bill. This affects a principle which we are all interested in. I do not wish to pass a bill without hearing the facts.

Mr. BIGHAM. The papers are in the hands of the chairman of the General Judiciary Committee, who is absent.

Mr. WALLS. I hope there will be no objection to passing it to a third reading.

The bill was laid over on third reading.

House bill No. 390, an act authorizing William S. Zeigler to act as justice of the peace in the borough of Butler, Butler county, while residing outside the limits of said borough.

Passed finally.

House bill No. 840, a supplement to an act entitled An act regulating the courts in the Sixth Judicial district.

Laid over.

House bill No. 548, an act increasing the fees of justices of the peace, road commissioners, auditors and constables in the counties of Bradford, Wyoming and Susquehanna.

Passed finally.

House bill No. 541, an act to authorize the Governor to appoint two additional notaries public for the county of Dauphin, one for the Nineteenth ward of the city of Philadelphia, and three to reside in the county of York.

Laid over.

House bill No. 545, an act relating to fees of notaries public in the county of Erie.

Passed finally.

House bill No. 627, an act to legitimate Annis Crain, of Huntingdon county, and confer on her the rights and privileges of a child born in wedlock.

Passed finally.

House bill No. 516, an act to prevent the hunting of deer with dogs in the county of Wyoming.

Passed finally.

House bill No. 339, an act in relation to bounties in the township of Montgomery, in the county of Franklin.

Passed finally.

No. 852, an act to repeal the act to incorporate the Odd Fellows' hall association of Tremont, in the county of Schuylkill, and to vest the rights of said association in the board of trustees of Tremont Lodge, No. 245, of Independent Order of Odd Fellows of Pennsylvania.

Passed finally.

No. 853, an act to authorize the appointment of one additional notary public for the county of Luzerne, to reside in the borough of Wilkesbarre, and repealing so much of the act of 14th of April, 1840, as renders justices of the peace ineligible to the office of notary public, so far as the same relates to the additional notary public authorized by this act.

Passed finally.

No. 854, an act to allow the sheriff of Elk county fees for serving jury notices.

Title and bill amended on motion of Mr. WALLACE.

Passed finally.

House bill No. 825, an act legalizing the action of the burgess and town council of the borough of Montrose, Susquehanna county, and to fix the limits of said borough.

Passed finally.

House bill No. 394, an act authorizing the Governor to appoint three additional notaries public for the city of Philadelphia.

The bill was read.

Mr. DONOVAN. I think we should make it five hundred. We have passed several bills here to appoint notaries public in Philadelphia.

Mr. CONNELL said it was for the public convenience.

Mr. DONOVAN. I would like to amend the bill so that they can appoint five hundred, in order to save time.

Mr. CONNELL said he had been advised by Democrats of the benefits of this bill.

Mr. LOWRY said he hoped the Judiciary Committee would bring in a general bill for the appointment of notaries public.

The bill then

Passed finally.

House bill No. 497, an act to levy an additional tax in Sheffield township, Warren county, for bounty purposes.

Passed finally.

House bill No. 496, a supplement to an act in relation to the payment of bounties to volunteers from the township of Farmington, Tioga county, during the late rebellion.

Passed finally.

House bill No. 495, an act authorizing the supervisors of Green township, in the county of Mercer, to collect a tax and pay certain bounties, and refund money advanced to pay bounties.

Passed finally.

House bill No. 320, an act authorizing the supervisors of Ulysses township to levy a tax to refund to Perry Lewis, in said township, the sum of four hundred dollars, it being for money advanced as bounties to volunteers.

Passed finally.

House bill No. 540, an act to increase the pay of the county auditors and the supervisors and township auditors of the several townships of Northumberland county.

Amended on motion of Mr. JACKSON.

Passed finally.

House bill No. 556, an act relating to hawkers and peddlers of ready made clothing in the county of Greene.

The bill was read.

Mr. COWLES said he thought if it was a crime to hawk goods in the county of Greene, it should apply to other counties as well, and that the law should be made equal.

Mr. SEARIGHT. This is a mere local bill, and I would like it to go through under the same rule that applies to all local bills. I have had no opportunity of conversing with the member from Greene, and supposed that this amendment was all right. I have confidence in the member from Greene. He is one of the best members in the Legislature. I would like to have the bill pass in the shape that he wants it. I do not think he would do anything unjust.

Mr. COWLES. I shall have to object to the bill. The distinctions made in it seem to be unjust. A Greene county man should not be allowed to hawk goods, and an Allegheny county man prevented from doing the same thing. This unjust distinction should not be permitted. I object to the bill.

The bill was objected off.

House bill No. 838, an act to authorize the school directors of Taylor school district, in Lawrence county, to borrow money.

Passed finally.

House bill No. 553, an act relative to the costs and fees of criminal cases in Carbon county.

Passed finally.

No. 865, an act to change the name of the borough of South Bethlehem, Northampton county, to Packer.

Passed finally.

House bill No. 411, an act in relation to lost records, deeds and other papers in the county of Franklin.

Passed finally.

House bill No. 549, a supplemet to an act in relation to huckstering in the counties of Bedford, Cumberland, Franklin, Fulton and York, approved the 18th day of May, A. D. 1866.

The bill was read.

Mr. M'CONAUGHY. Mr. Speaker, the act to which this supplement is intended to apply was a local huckster license act for the counties named, providing that in the case of a huckster with one horse and wagon, he should pay ten dollars license, and fifteen dollars for two horses if he was a citizen of the county; but if he was a citizen of an adjoining county he should pay one hundred dollars. Our court held that to be an unconstitutional act, and it is desired to repeal that part of the bill which makes an odious distinction.

The bill

Passed finally.

House bill No. 550, an act authorizing the commissioners of Lycoming county to borrow money to build a new jail.

Passed finally.

House bill No. 544, an act relative to the purchase of a law library in the county of Washington.

Passed finally.

House bill No. 543, an act providing for the compensation of the commissioners of Northampton county.

Passed finally.

No. 872, an act authorizing the trustees, secretary and treasurer of the proprietors' fund of Plymouth township, Luzerne county, to appropriate said fund towards the erection of school houses and for school purposes.

Passed finally.

No. 873, an act to authorize the trustees of the public school fund of the townships of Wilkesbarre and Plains, in Luzerne county, to appropriate the whole or any portion of said fund for the purchase of land for a public cemetery or grave yard for said townships.

Passed finally.

No. 874, an act to authorize the county commissioners of the county of Carbon to assist in the building of a new road, ont of the borough of Mauch Chunk.

Passed finally.

No. 875, an act to incorporate the Shawsville bridge company, in the county of Clearfield.

Passed finally.

No. 876, a supplement to an act to incorporate the Broad Street and Island road company, approved the 4th day of April, 1865.

Objected off.

House bill No. 356, an act relative to the election of school directors and supervisors of roads in the township of Allegheny, in the county of Armstrong.

Passed finally.

THE PRIVILEGE OF THE FLOOR.

Mr. LOWRY. Mr. Speaker, it is kuown to the Senate that a Conference of Methodist clergymen is in session in this city; I move you, therefore, that they be permitted, during their sittings here, to come upon the floor of the Senate.

Mr. DONOVAN. Mr. Speaker, I object to anything of the kind. The object is for these gentlemen to come upon the floor to electioneer for the Sunday car bill.

Mr. GLATZ. It takes a two-thirds vote.

Mr. LOWRY. Let the two-thirds vote come. I make the motion, and on it I will call the ayes and nays.

Mr. M'CANDLESS. I would move to amend, so as to give them the privilege after the adjournment of the Senate.

Mr. LOWRY. Mr. Speaker, it is a mere object of civility towards great and good men. Gentlemen need not tell me that Methodist clergymen come here to electioneer on the Sunday car question; they know that the Senators from Philadelphia are not to be electioneered with by good men on that question.

Mr. CONNELL. I repel the insinuation cast upon us by the Senator from Erie.

Mr. RIDGWAY. I am opposed to this resolution entirely; I think it is entirely out of order and should not be passed. If it is to pass, I would like to amend it, so that, hereafter, ministers of all other denominations can have the same privilege. I want to know upon what ground this is urged—why we should admit the ministers of the Methodist church or any other persons not connected with the Senate. Why not admit persons wanting corporations chartered? They are all religious, or pretend to be. If you admit one person you should admit the whole community. I have no objection to Methodist ministers; probably there are some good ones and some bad ones. This will be followed by others, and the floor will be swarmed with men who have no business here.

Mr. LOWRY. Mr. Speaker, I have never known a railroad borer to come here, without being allowed on the floor of the Senate. I have seen one around here for the last fifteen years; not invited by resolution, as a matter of civility, but coming in as a matter of right, and taking members by the button hole. I did not think there was a Senator here who would raise any objection to this motion. I did not wish to get into any discussion; but

if the gentleman desires it to be discussed, I will discuss it with him.

Mr. DONOVAN. Mr. Speaker, I objected to it because I saw no necessity for it. If the Senator desires to invite a gentleman inside, he can do so. And besides, after the exhibition in Washington, where the members of this Senate were refused the privilege of the floor, I think we should oppose this. It was offered for "buncombe."

The SPEAKER. I will merely state that, if this motion is agreed to, I shall still enforce the twenty-fifth rule, unless the Senate rescind it. If I have refused to enforce the rules in reference to railroad "borers," I regret it, and apologize to the Senate. I have, over and over again, told the officers that this rule must be enforced. I cannot prevent Senators from introducing men into the Legislature. None of these gentlemen can be admitted inside the bar of the Senate, under the rules which you yourselves have adopted; if it is desired to rescind the rules, very well. Senators have the privilege of inviting persons into the lobby, if they please. The rule says:

"No person shall be admitted within the bar of the Senate, during its sessions, except the members and officers of the two branches of the Legislature, the Governor, Heads of Departments, ex-members of the Legislature, and stenographers who may desire to report proceedings of the Senate for publication, under the direction of the Speaker; nor shall any person be admitted within the lobby of the Senate, except such as shall be invited by a member of the Senate. No person or persons shall be permitted to occupy the seats of Senators, or pass across the floor of the Senate when the Senate is in session; nor shall any person or persons, at any time, be permitted to enter the room of the transcribing clerks, or the recess behind the chair of the Speaker, except the members and officers of the General Assembly."

I will say, so far as I am concerned, that, while I would be glad to extend any courtesy to any member of the conference who is here, so long as I am Speaker of this body, he must go where the rules permit him to go. That will be, under the construction of the Senate, in the seats in the lobby, if Senators ask them in, but not inside the bar of the Senate. This floor is small; we are doing business quite as rapidly as the interests of the State demand, and I do not think the seats of Senators should be taken, or the aisles obstructed. These are my views.

Mr. LOWRY. Mr. Speaker, I see no necessity for rescinding the rules. If a member of the Senate can invite gentlemen to seats inside the bar, then, sir, the Senate has a right to invite an organized body of clergymen to occupy seats which we propose to prepare for them. We know that these lobbies are constantly filled, and we have abundance of room here where one hundred chairs can be placed, and the members of the Methodist Episcopal church, if they choose to come here, can occupy them. I had no idea of offering the motion for buncombe.

The SPEAKER. I did not intimate anything of that kind.

Mr. DONOVAN. I did, sir.

Mr. LOWRY. I offered it for the same purpose when a Presbyterian body were here—to occupy chairs prepared by the officers, not members' seats.

[The SPEAKER explained that the bar of the Senate was the inside railing, Mr. LOWRY supposing it to be the outside railing, which divides the galleries from the lobby.]

Mr. BROWNE (Lawrence). Mr. Speaker, I think the rule is right, and your construction of it is right, and I am in favor of this motion under that construction—that any member may invite persons within the space between the bar and the galleries. I know they have that privilege now, but as the Senator has made the motion, I should be sorry to have it voted down.

Mr. COLEMAN. How is the doorkeeper to know a member of that body? Any man may come here and say he is a member of it.

Mr. FISHER. Mr. Speaker, the same difficulty is suggested to my mind. I heard a practical illustration of that difficulty the other day on the Senator from Erie [Mr. LOWRY]. I understand he attempted to visit an institution in Philadelphia where clergymen are excluded, and they took him for a minister and attempted to exclude him. Suppose this body, composed of two hundred and fifty men, came here. We should be swarmed; and as they can now have the privilege of the lobby and gallery, I think that is enough. I have the highest regard for these people; they compose a large part of my constituency; nearly all of them supported me; hence I ought to have a warm feeling for them, and I have. I look upon them as the pioneers of Christianity in this country. They came here and found this a howling wilderness, and they have made it blossom like the rose. At the same time I should not like to have them crowd the floor.

Mr. GRAHAM. Mr. Speaker, as I happen to be a member of the Methodist Episcopal church, I may perhaps be allowed to take liberties with these ministers that would be in bad taste in Senators belonging to other denominations. Now, sir, I shall vote against this resolution, inviting members of the Conference to occupy the floor.

Mr. LOWRY. Mr. Speaker, I withdraw my motion.

Mr. GRAHAM. The Senator will allow me to give my reason. I have a right to give my reasons for the vote which I propose to give on this motion. I say, sir, I would vote against it, because it is impracticable to invite three hundred ministers to the floor of this Senate. I would vote against it because I believe that no minister here, at least no large proportion of the members of the Conference in session at this time, desired any such courtesy. I would vote against it, sir, because I have now, and so has every Senator on the floor, this privilege of inviting any number of the gentlemen composing that Conference to the floor. These are the reasons, sir, that would cause me to vote against the motion.

Mr. BIGHAM. Mr. Speaker, perhaps, for different reasons than those offered by my colleague, I would vote the opposite way, and hope the motion will be adopted. If it had not been offered, it would have been well enough; but having been offered, we might be supposed to have a lack of courtesy if it was voted down. I do not belong to the Methodist church, but I have the privilege now of inviting two or three constituents, but should feel indelicate about inviting fifteen or twenty strangers. But, as the motion has been made, I hope we will admit them. They are pretty well behaved people.

Mr. GRAHAM. Mr. Speaker, I stated, as a reason why I would vote against this resolution, that I was a Methodist, in sympathy and in conviction—have been for the last thirty years, and expect to be during the continuance of my life; therefore, I know that my position will not be misunderstood on this question. If there was a convocation of Roman Catholic clergymen, or priests, in session here, and my friend, Mr. DONOVAN, should offer a resolution like that which the Senator from Erie [Mr. LOWRY] has offered, I would vote for it, because, if I voted against it, my position might be misunderstood, and my vote attributed to prejudice. If there was a conference of Presbyterian or Baptist clergymen here, and such a resolution was offered, I would vote for the reception of those gentlemen on the floor; but I can take liberties with my people that I would not take with other denominations.

Mr. LOWRY. I had thought to withdraw the motion, but I will renew it in this form:

Resolved, That during the sessions of Philadelphia Conference of the Methodist Episcopal Church, the privileges of the floor, under the rules of the Senate, be extended to the members of that body.

Mr. RIDGWAY thought the Speaker should direct the placing of the chairs.

Mr. M'CONAUGHY proposed to substitute the following in place of the resolution offered by the Senator from Erie:

Resolved, That an invitation be extended to the members of the Methodist Episcopal Conference, now in session in this city, to visit the Senate under its rules.

Mr. M'CONAUGHY. That is simply what we do in all cases. I desire it to be under the existing rules of the Senate. I could not ask them to take seats inside the bar. Here are a given number of seats, every one having an occupant, and it could not be supposed that any gentlemen could be invited to take those seats, or to violate any rules of this body; nor do I so understand the Senator from Erie. I believe he differed a little with us as to what was the bar of the Senate. I think there is abundance of room beyond the bar for these gentlemen. I do not propose to vote for this resolution, lest I should be misunderstood. I think, sir, it is a courtesy, in doing which we do no dishonor or discourtesy to ourselves as members of this body. I would extend it to a similar association of any other denomination. Sir, I believe that, under God, the existence of this country is now due to that element of religion, resulting in general good morals, which so pervades this Commonwealth, and the people of this nation, without which, sir, I believe we would not now exist. I think, as the law makers of this Commonwealth, we do nothing but a simple duty, and an act of propriety, when, in the simplest language, we extend this cordial reception to the gentlemen composing that body.

Mr. WALLACE. Mr. Speaker, I do not desire to occupy the time of the Senate. I shall vote for the proposition of the Senator from Adams [Mr. M'CONAUGHY]. I understand it to be a precedent which we set to allow a religious association to come within this body. With this precedent, I shall vote for that proposition.

The SPEAKER. Then you vote for a precedent that amounts to nothing. I shall enforce the rules of this Senate.

Mr. BROWNE (Lawrence), said he had drawn up the original resolution, at the request of the Senator from Erie [Mr. LOWRY], and thought it met the wishes of the Senate.

The SPEAKER stated that, if the resolution passed, it would not extend the privilege to any persons to come inside the bar, in violation of the standing rule.

The resolution offered by Mr. LOWRY was then adopted.

The hour of one having arrived, the SPEAKER adjourned the Senate until three o'clock this afternoon.

AFTERNOON SESSION.

The Senate reassembled at three o'clock, P. M.

VOTE RECONSIDERED.

Mr. WALLACE moved that the Senate reconsider the vote on the final passage of bill No. 865, entitled An act to change the

name of the borough of South Bethlehem, Northampton county, to Packer.

The motion was

Agreed to.

The bill being again brought before the Senate,

Mr. WALLACE moved that the further consideration of the bill be postponed until Wednesday next.

The motion was

Agreed to.

BILL RECOMMITTED.

Mr. RANDALL moved that bill entitled An act authorizing the commissioners of Schuylkill county to sell real estate, and apply the proceeds to the building of a tenant house for the janitor of the court house in said county, be recommitted to the Committee on the Judiciary Local.

The motion was

Agreed to.

PRIVATE CALENDAR RESUMED.

Areeably to order,

The rules were dispensed with and the Senate resumed the second reading of bills on the private calendar and disposed of them as stated:

No. 388, an act supplementary to the act entitled An act relating to the sale and conveyance of real estate, approved April 18, 1853, authorizing acknowledgments before one judge.

The title amended, on motion of Mr. M'CONAUGHY.

Passed finally.

The following bills laid over on calendar of March 6th, were taken up and disposed of as stated:

No. 624, an act relating to bounties in the borough of Dillsburg, in the county of York, and State of Pennsylvania, validating and legalizing the assessment duplicate and warrant to collect bounty tax assessed in June, 1864, in said borough.

Objected off.

House bill No. 310, an act relative to the fees of certain township and county officers in the county of Beaver.

Passed finally.

House bill No. 555, an act to authorize the owners of certain mills on the Delaware river, at Morrisville, to extend their wing dam.

Passed finally.

House bill No. 527, an act to change the place of holding elections in Allegheny township, Venango county.

Passed finally.

No. 714, an act to prevent the destruction of bass in Evitt's creek and tributaries, and the Raystown Branch of the Juniata and tributaries, in the county of Bedford.

Laid over.

House bill No. 491, an act to exempt the parsonage of the Park Presbyterian church congregation in the city of Erie, Pennsylvania, from taxation.

Laid over.

No. 729, an act to incorporate the Hillside coal and iron company.

Laid over.

No. 745, an act relating to an increase of tolls on the Greensburg and Pittsburg turnpike road.

Laid over.

No. 115, an act for the more impartial selection of persons to serve as jurors in York county.

Laid over.

No. 185, a further supplement to the act to incorporate the city of Philadelphia, approved February 2, 1854, relative to vacancies in elective offices.

Objected off.

House bill No. 414, an act to vacate a portion of Clarion street, in the borough of Bridgewater, Beaver county, authorizing the portion vacated to be disposed of for the benefit of said borough.

Objected to.

CONSIDERATION OF BILLS OBJECTED OFF THE CALENDAR.

The private calendar having been gone through with,

Mr. M'CONAUGHY moved that the Senate proceed to the consideration of the bill No. 624, entitled An act relating to bounties in the borough of Dillsburg, in the county of York and State of Pennsylvania, validating and legalizing the assessment duplicate and warrant to collect bounty tax assessed in June, 1864, in said borough.

Said bill having been objected off the calendar.

Mr. M'CONAUGHY. Mr. Speaker, the bill relates to bounties in the borough of Dillsburg, and is designed to validate and equalize an assessment made in the borough some two years ago for a bounty tax for filling the quota of that borough. The bill was introduced at an early period of this session, was carefully examined by the Local Judiciary, who reported it affirmatively. It is a case of real merit. The borough authorities finding that they were unable to fill the quota without an additional sum of money, agreed with certain citizens that if they would advance the money, they would assess the tax under the law existing at the time.

The tax was assessed, the duplicate was issued, but there has been a failure to collect the duplicate. This act simply legalizes what has been done, and authorizes the collection of the tax upon the duplicate. The tax was assessed, and there is no conceivable reason why it should not be authorized to be collected. The bill has been up for the second time, and unless it is put upon its passage now, it will probably fail to pass the other House. There is no reason why it should be delayed, and I hope the Senate will proceed to its consideration.

Mr. COWLES. Mr. Speaker, the Judiciary Local have had this matter under consideration for a long time. The parties, both for and against this, were heard *in extenso*. It appeared to me perfectly clear that those volunteers were put in to fill this quota, and that these parties advanced the money to pay these volunteers, at the request of the borough authorities. The people in mass meeting assembled, and also in a corporate capacity, agreed to it. It seems to me to be a perfectly right and just measure, and I am astounded that anybody in this body should oppose it upon party grounds.

Mr. COLEMAN. Mr. Speaker, I should like to hear from the Senator from York about this matter. In 1864, I think it was, when I was in the House, I voted to pay for an assessment made by Early, in the county of York, for an amount of money which they raised there, but it seems to me, if we vote to allow the borough of York to raise money for that purpose, we should allow these citizens to raise it for volunteers to our own army.

Mr. FISHER. Mr. Speaker, I was on the committee to which this bill was referred, and a clearer, stronger and more justifiable case has not been presented to this Senate. The citizens of that town, in mass meeting, and not only that, but the corporate authorities of the town, authorized the gentlemen to advance this money, assuring them that they would raise it by taxation. Every person in the town was in favor of it, and, as soon as they had succeeded in getting these men into the army, to defend their own cowardly hides, they then turned round and tried to repudiate this debt. I am astonished that any gentleman should oppose a measure of this kind, and I trust that my Democratic friends, in the fullest meaning of the term, will lay aside party feeling, and come up and do justice to those men who have filled up the scattered ranks of the Union army.

Mr. GLATZ. Mr. Speaker, the remonstrance from the citizens of Dillsburg, signed by Republicans and Democrats, was before the committee, and by some means it has been laid aside. I intended that it should be read.

As I understand the matter, it is simply this: that during the war, some gentlemen in Dillsburg advanced money to pay substitutes, probably to shield themselves. They afterwards found that they could saddle this debt upon the borough of Dillsburg, and they did so, and they now ask the Legislature to pass a law that will compel the collection of the duplicate. This is the simple statement. I do not know which of the gentlemen the Senator from Lancaster refers to when he talks about their cowardly hides. His friends recently protested against this, and it is not a Democratic measure, I can assure him. It was equally divided, and no man in the Democratic party of Dillsburg came here asking that they should be relieved; but it is the citizens, the taxpayers who ask this.

Mr. M'CONAUGHY. After the political aspect of the question has been referred to, I will say that out of ninety-five taxables in the town, there are but twenty-three who remonstrate; of these there are but seven Republicans; out of forty-five who do remonstrate, twenty-two are either non residents, non-taxpayers or minors.

Mr. GLATZ. Mr. Speaker, I do not intend to reply to the statement which the Senator has just made; but in the absence of the remonstrance, I am not able to show the thing on paper. It is very true, there may be some minors, but they are still taxpayers, and probably Republicans. I do not know whether they are or not.

Mr. M'CONAUGHY. Mr. Speaker, this statement was made from the information of Dr. Shearer, a gentleman of position, in the county of York, for integrity and veracity.

Mr. GLATZ. So far as Dr. Shearer is concerned, I endorse what the Senator has said, but I think there are men in the town quite as good as he. I do not say he states anything that is false, but, in his earnestness to have this pass, he may make mistakes as well as other gentlemen.

Mr. COWLES. In the case of one of the substitutes put in there, he was on his way to Carlisle, to enlist, but was pursued by one of these men, at the instance of the borough authorities, and induced to go and be credited to Dillsburg. Both of these men were put in after that meeting, and after the authorities had agreed to reimburse them. I asked repeatedly, whether they did actually get the credit of these men, and they invariably stated that they were credited to the town, which received the benefit of it.

Mr. BURNETT. Mr. Speaker, I understand that the object of this bill is to reimburse private citizens for advancement made for paying bounties. I desire to ask the Senator from York [Mr. GLATZ] if the Supreme Court of the United States has not decided, in a recent case, that an act of similar character was unconstitutional.

Mr. GLATZ said he could not answer the question.

Mr. M'CONAUGHY. The bill proposes to legalize the assessment made by the borough authorities of Dillsburg—an assessment made two years ago, for which they issued a duplicate, which duplicate was put into the hands of a collector, which collector failed to go on and collect. Under the advice of

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GEO. BERGNER.

[CONTINUED FROM PAGE 576.]

their counsel, they are assured that it needs legislation to legalize this duplicate.

Mr. GLATZ. The trouble is, this duplicate was not signed by the chief burgess, and therefore could not be collected; and, therefore, they desire to get authority by this bill.

Mr. M'CONAUGHY. I believe that is so.

On the question,

Will the Senate proceeded to the second reading and consideration of the bill?

The yeas and nays were required by Mr. GLATZ and Mr. M'CONAUGHY, and were as follow, viz:

YEAS—Messrs. Bigham, Billingfelt, Browne (Lawrence), Brown (Mercer), Coleman, Connell, Cowles, Fisher, Graham, Haines, Landon, M'Conaughy, Ridgway, Royer, Stutzman, Taylor, White, Worthington and Hall, *Speaker*—19.

NAYS—Messrs. Burnett, Donovan, Glatz, Jackson, James, M'Candless, Randall, Searight, Wallace and Walls—10.

So the question was determined in the affirmative.

During the call,

Mr. WALLACE said: Mr. Speaker, I vote "no," because I believe, from the preamble of this bill, that we have no such power. We are attempting to confirm a contract that was not made between a borough and these individuals. We have no such right; therefore, I vote "no."

Also, during the call,

Mr. WHITE said that, after hearing this case most patiently, they were satisfied that it was a contract fairly made, and he would, therefore, vote "aye."

The bill was read a second and third times, and

Passed finally.

Mr. CONNELL moved that the Senate proceed to the consideration of bill No. 186, entitled A further supplement to the act to incorporate the city of Philadelphia, approved February 2, 1854, relative to vacancies in elective offices, said bill having been objected off the calendar.

The motion was

Agreed to.

The first section was read.

Mr. M'CANDLESS. Mr. Speaker, I desire to read, first, the section of this law which they allege is liable to a double construction, and wish to amend. It reads in this wise:

"The city council shall fix the compensation and prescribe the duties of all officers of said city, in such manner as to carry out the purposes of this act, and as the welfare of said city may require, not inconsistent with the laws and Constitution of this Commonwealth and of the United States. Whenever any elective officer of said city shall die, or become incapable of fulfilling the duties of his office, his place, except when other provision is made for filling the vacancy, shall be filled by a joint vote of the city council until the next election and the qualification of a successor in office: *Provided*, That such vacancy shall exist at least thirty days before the next election, otherwise such vacancy shall be filled at the next election thereafter."

This proposition is to place a construction upon this act, by which this city was consolidated, to legislate instead of electing certain officers in the city into place, and this was made at the request and for the benefit of the present law officer of the city of Philadelphia—the city solicitor—a very excellent man, and competent to fill the place. But when the law under which the city is incorporated (and matured by the best legal minds in the country) states explicitly the time and manner in which these elections shall be held and officers chosen, I object, as a general principle, to legislate any gentleman into a place of either honor or profit, when there is a clearly specified manner of electing (as in the present case) provided by the act of consolidation of 1854, with relation to the city of Philadelphia; so that, in fact, this act, which purports to be a supplement explanatory of the forty-sixth section of the consolidation law, is simply legislating an officer into his place instead of electing him as the law prescribes.

Mr. CONNELL. Mr. Speaker, I have to say in reply, that it is a question of doubt as to the proper construction put upon the law as it now stands. To remove all doubt, this bill is introduced. The reason set forth in the preamble is a good reason why this bill should pass. Everybody believes that, and the councils have almost unanimously called for the passage of this bill in consequence of that belief.

Mr. M'CANDLESS. On this principle you had better legislate an officer in place for life.

The forty-sixth section of the act of consolidation just read by me prescribes clearly how and when all the officers of the city of Philadelphia shall be selected, and that law should be enforced. Sir, no fair man who reads this section can give it a double construction.

Mr. DONOVAN. Mr. Speaker, the Senate will remember that about a week ago, there was a bill before the Senate to which I offered an amendment extending the time of the assessors in Philadelphia for two years. That was denounced by the Senate as legislating men into office.

Now the Senator from Philadelphia [Mr. CONNELL], who was opposed to that amendment, makes the self-same proposition that he voted against.

Mr. CONNELL. That was a clear case of legislating men into office for two years, and this is merely to construe a doubtful act. I deny that they are parallel cases.

The preamble and first and only section were read.

On the question,

Shall the bill pass?

The yeas and nays were required by Mr. M'CANDLESS and Mr. CONNELL, and were as follow, viz:

YEAS—Messrs. Bigham, Billingfelt, Browne (Lawrence), Brown (Mercer), Coleman, Connell, Cowles, Fisher, Graham, Haines, Landon, M'Conaughy, Ridgway, Royer, Stutzman, Taylor, White, Worthington and Hall, *Speaker*—19.

NAYS—Messrs. Burnett, Davis, Donovan, Glatz, James, M'Candless, Schall, Searight, Wallace and Walls—10.

So the question was determined in the affirmative.

So the bill

Passed finally.

BILLS IN PLACE.

On leave,

Mr. M'CONAUGHY read in his place and presented to the Chair a bill entitled An act authorizing the State Treasurer to allow a credit to the treasurer of Adams county for money paid John Scott.

Referred to the Committee on Finance.

Mr. COWLES, a bill entitled An act to create an additional Judicial district, to be called the Twenty-eighth Judicial district of Pennsylvania.

Referred to the Committee on the Judiciary General.

Mr. WHITE, a bill entitled An act to increase the compensation of the county commissioners, township auditors and the sheriff, for boarding prisoners in the county of Jefferson.

Referred to the Committee on the Judiciary Local.

Mr. RANDALL, a bill entitled An act authorizing the town council of the borough of Tamaqua, Schuylkill county, to borrow money.

Referred to the Committee on the Judiciary Local.

Mr. GRAHAM, a bill entitled An act to regulate the sale of intoxicating liquors in Allegheny county.

Referred to the Committee on Vice and Immorality.

Also, a bill entitled An act to enable the agents of the Methodist Book Concern to hold real estate in the city of Pittsburg.

Referred to the Committee on the Judiciary Local.

Mr. BROWN (Mercer), a bill entitled An act annexing the farm of Andrew Glendenning to Mercer school district, in the county of Mercer.

Referred to the Committee on Education.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

The Clerk of the House of Representatives being introduced, informed the Senate that the House of Representatives has concurred in the resolution from the Senate requesting the Governor to return Senate bill No. 288, entitled An act relative to the clerks of the courts of quarter sessions, oyer and terminer, and orphans' court of Lehigh county.

BILLS CONSIDERED AND PASSED.

Mr. BILLINGFELT moved that the Senate proceed to the consideration of bill entitled An act to repeal parts of an act approved April 11, 1866, entitled A further supplement to an act to authorize the Governor to incorporate the Susquehanna canal company, approved April 15, 1835.

Mr. BILLINGFELT. Mr. Speaker, this is a very important bill to a large portion of my constituents—and it is merely to compel compliance with the original act of incorporation. They passed a supplementary act in 1866, and this proposes to repeal that part of the act.

Mr. GLATZ. Mr. Speaker, this bill possibly relates more particularly to my constituents than to those of the Senator from Lancaster [Mr. BILLINGFELT]. It is a very important bill, and one which will do the Susquehanna canal company great injustice; and I hope it will be laid over for the present.

Mr. BILLINGFELT. The Senator from York [Mr. GLATZ] has had ample time to inquire into the bill, and I think by this time he ought to be able to act intelligently upon the matter. I think there should be no delay.

Mr. FISHER. Mr. Speaker, I cannot see what particular interest the constituents of my friend, the Senator from York [Mr. GLATZ], have in this matter at all, unless his constituents own the Susquehanna canal. There was an act passed authorizing the erection of a dam in the Susquehanna at Safe Harbor, so that boats could go across from the canal. That dam has been injured, by ice and high water, so that it has now become entirely useless. There have been immense sums of money invested in iron works opposite the eastern end of this dam, which, for several years, have been inactive.

Thousands of dollars of capital are buried up in these works, and many hundreds of persons are thrown out of employment in consequence of the destruction of that dam. They have refused to repair that dam, and by a part of the section of the act passed last year, they have been excused from raising their dam, and this property is lying there idle, and a perfect waste, as the boats cannot cross. Only two lines of this act would restore the trade to the Conestoga navigation, and set those works in operation again; and what special interest the Senator from York, or his constituents, can have in this bill, I cannot see. This is an immense corporation, owning the Tidewater and Susquehanna canal, and what is asked of them is to repair this dam.

Mr. BILLINGFELT. There are, perhaps, hundreds of people in Lancaster county who feel a deep interest in this bill. I have heard of but a single person in York county who is opposed to it.

Mr. GLATZ. The Conestoga navigation, of which the Senator from Lancaster speaks, is a distinct corporation, which has not completed the requirements of its charter and kept up the dams, as they allege. It is almost impossible to get boatmen to go up this navigation, in consequence of the bad condition of the dams. The Tidewater company are not bound to keep up the dam at Safe Harbor, for the reason that the Conestoga navigation is rendered useless. The Susquehanna canal company, as every one knows, has suffered very much from recent freshets, and were scarcely able to rebuild their dam at Columbia; it would put them to a great deal of expense.

Mr. COLEMAN. Mr. Speaker, I know something of this, and it strikes me that this Conestoga company was destroyed because it had not access to the Tidewater canal. That canal should have been build in Lancaster county, and they would have had no trouble of this kind.

On the question,

Will the Senate proceed to the second reading and consideration of the bill?

The yeas and nays were required by Mr. BILLINGFELT and Mr. GLATZ, and were as follow, viz:

YEAS—Messrs. Bigham, Billingfelt, Browne (Lawrence), Brown (Mercer,) Coleman, Cowles, Fisher, Graham, Landon, M'Conaughy, Royer, Stutzman, Taylor, White, Worthington and Hall, *Speaker*—16.

NAYS—Messrs. Burnett, Connell, Davis, Donovan, Glatz, Haines, James, M'Candless, Randall, Ridgway, Schall, Searight and Wallace—13.

So the question was determined in the affirmative.

The bill was then read a second time, and laid over for a third reading.

On motion of Mr. WALLACE, the rules were dispensed with, and the Senate proceeded to the consideration of a bill entitled A supplement to an act to validate certain conveyances made by certain married women since the 11th day of April, 1848, approved 22d of April, 1863, restraining conveyances in cases in which the instrument vesting title withholds such power.

The bill was read a second and third time, and

Passed finally.

On motion of Mr. CONNELL, the rules were dispensed with, and the Senate proceeded to the consideration of a bill entitled An act providing for the election of supervisors in certain rural wards of the city of Philadelphia.

The bill was read a second and third time, and

Passed finally.

On motion of Mr. COWLES, the rules were dispensed with, and the Senate proceeded to the consideration of a bill entitled An act ascertain the views of the qualified electors of M'Kean county, upon the subject of refusing licenses for the sale of liquor in said county.

The bill was read a second and third time, and

Passed finally.

On motion of Mr. GRAHAM, the Committee on the Judiciary Local was discharged from the further consideration of a bill entitled An act to enable the agents of the Methodist book concern to hold real estate in the city of Pittsburg.

And the rules having been dispensed with,

The bill was read a second and third time, and

Passed finally.

On motion of Mr. DONOVAN, the Committee on Corporations was discharged from the further consideration of a bill entitled An act to incorporate the People's brewers' association of Philadelphia.

And the rules having been dispensed with,

The bill was read a second and third time, and

Passed finally.

On motion of Mr. TAYLOR, the rules were dispensed with, and the Senate proceeded to the consideration of a bill entitled An act limiting the provisions of a further supplement to the act incorporating the borough of Washington.

The bill was read a second and third time, and

Passed finally.

On motion of Mr. HAINES, the rules were dispensed with, and the Senate proceeded to the consideration of a bill entitled An act to incorporate the Empire hook an ladder company, No. 1, of Altoona, Blair county.

The bill was read a second and third time, and

Passed finally.

On motion of Mr. ROYER, the rules were dispensed with, and the Senate proceeded to the consideration of a bill entitled An act to repeal an act to amend the road laws of Montgomery county, passed March 15, A. D. 1859.

The bill was read a second and third time, and

Passed finally.

On motion of Mr. RANDALL, the Committee on Judiciary Local was discharged from the further consideration of a bill entitled An act authorizing the town council of the borough of Tamaqua, Schuylkill county, to borrow money.

And the rules having been dispensed with,

The bill was read a second and third time, and

Passed finally.

On motion of Mr. SCHALL, the Committee on Corporations was discharged from the further consideration of a bill entitled An act to incorporate the Co-operative association of the city of Allentown, Lehigh county, for mercantile purposes.

And the rules having been dispensed with,

The bill was read a second and third time, and

Passed finally.

On motion of Mr. TAYLOR, the rules were dispensed with, and the Senate proceeded to the consideration of a bill entitled An act to extend the provisions of the act entitled An act relating to corporations for mechanical, manufacturing, mining and quarrying purposes, to fire insurance companies.

The bill was read a second and third time, and

Passed finally.

FINAL ADJOURNMENT OF THE LEGISLATURE.

Mr. SEARIGHT moved that the Senate proceed to the second reading and consideration of joint resolution providing for the final adjournment of the Legislature.

Mr. WHITE. Mr. Speaker, I rise for information on this subject. Does the chairman of the Committee on Finance know whether the House Committee on Ways and Means have reported the appropriation bill or not?

Mr. CONNELL. It was not before the House up to yesterday; I do not know what they have done to-day.

Mr. BIGHAM. It is not reported, because the appropriations to the Pittsburg institutions are to be before the committee to-night.

Mr. WHITE. Can we fix the time of adjournment before that bill is referred?

Mr. SEARIGHT. In answer to the Senator from Indiana [Mr. WHITE], I would say that I know of no statute, no constitutional provisions prohibiting this Senate from passing this resolution previous to the report from the Committee of Ways and Means; and further, this resolution originated with the Senator from Indiana himself; it is his bill; he is the father of it.

Mr. WALLACE. Mr. Speaker, it seems to me we had better take up the bill, and if a reasonable time is set for the adjournment, it will hurry matters on the other side; they are behind us, and probably would see the importance of hurrying up their work.

Mr. M'CONAUGHY. Mr. Speaker, it is

very plain that the mind of the Senator from Fayette [Mr. SEARIGHT] is fixed, because I think we had not been sitting here two days before he introduced a motion relative to the final adjournment, and he has scarcely got into his seat this week before he makes the same motion. I am aware that the committee has not yet reported the appropriation bill, and until we have some data by which we can fix a day of adjournment, I see nothing to be gained by this, unless it be what is expressed by a word which commences with a B.

Mr. SEARIGHT. Mr. Speaker, with regard to the objections, as to the Committee on Ways and Means in the House, I would just state that I had a conversation with a member of that committee yesterday, in regard to this resolution, and he told me that they were ready to report their bill, and that he would favor the immediate passage or concurrence in the resolution, and was ready for it.

Mr. CONNELLL. I do not think the Senator from Clearfield need trouble himself about hurrying up the House, as the gentlemen over there are trying to make their salary two thousand dollars and they are in no hurry to go until they get it.

Mr. WHITE. I am much obliged to the Senator for the information; I concur with the Senator from Clearfield [Mr. WALLACE] in the propriety of setting some day. I think we could not adjourn before the 28th.

The motion of Mr. SEARIGHT to proceed to the second reading and consideration of the resolution was

Agreed to.

Mr. WHITE moved to amend the resolution by fixing Wednesday, April 3d, at twelve o'clock, M., as the day for final adjournment.

The amendment was

Agreed to.

The section as amended was

Agreed to.

And the bill was read a third time, and

Passed finally.

On motion of Mr. SCHALL, the Speaker adjourned the Senate until to-morrow morning at ten o'clock.

HOUSE OF REPRESENTATIVES.

WEDNESDAY, March 13, 1867.

The House met at 10 o'clock, A. M., pursuant to adjournment.

The Journal of the previous day was partly read and approved.

BILL PASSED.

On motion of Mr. CHASE, the orders were suspended and the House proceeded to the consideration of bill No. 1109, entitled An act relative to the common council of the city of Titusville, and fixing the indebtedness of said city.

The bill was read and

Agreed to.

The rules being suspended the bill was read a second and a third time, and

Passed finally.

ORIGINAL RESOLUTIONS.

Mr. WHARTON. Mr. Speaker, I desire to offer an original resolution.

The resolution was read a second time as follows:

Resolved, That a committee of three members of this House be appointed, with power to send for persons and papers, and report to this House, as soon as convenient, a statement setting forth the names of the banks, banking institutions, bankers, or individuals, in which, or with whom the money of the Commonwealth has been deposited, during the fiscal year ending 30th November, 1866, showing the amount held upon deposit by each of said banks, banking houses, bankers, or individuals, at the end of each month during said year; also, whether any, and if any, what rate of interest was paid or allowed, or is to be allowed or paid for or upon such deposits, either to the State Treasurer or to any other person or persons with his knowledge, or whether any arrangements were made whereby he or any other person or persons secured, or is to receive any consideration for the deposits or use of the funds shown by his annual report, to have been in his hands during said year; also, whether, in their judgments, compatible with the security of the State funds, any arrangements can be made with banks or bankers, whereby interest upon the balances remaining in the treasury, can be secured for the benefit of the Commonwealth.

Mr. QUAY. Mr. Speaker, this resolution is a direct attack on the character of the State Treasurer, and is so understood.

Mr. MANN. Mr. Speaker, I do not know how to attempt to secure consideration for the business of this House. I am very much interested in some bills on the private calendar which I supposed would be reached before half-past 10 o'clock. I really do not know how to protect myself and the House from having the time consumed improperly in such effort. When this resolution was read it was distinctly said all around me, "let it be read for information."

The SPEAKER. The Chair would state for the information of the gentleman from Potter [Mr. MANN], and for the information of the House, that there is a conflict of orders this morning. The private calendar of yesterday was not gone through with, and that is one of the orders. Original resolutions are also in the orders. A majority of the House can rule anything in order.

Mr. QUAY. Mr. Speaker, I move the indefinite postponement of the resolution.

Mr. M'CAMANT. Mr. Speaker, on the motion I call the ayes and nays. I desire to know whether the Republicans are going to vote so as to screen their party friends.

Mr. DAVIS. Mr. Speaker, I second the call.

Question on the motion to indefinitely postpone the resolution.

Mr. MANN. I do not know by what authority the gentleman from Blair [Mr. M'CAMANT] is setting himself up as the oracle of the Republicans. That was the attempt in his remarks preceding the call for the yeas and nays. I shall vote to postpone the resolution. We have already six special committees in this House, and I have yet to see that any good has grown from the appointment of any of them. If any good has grown out of the appointment of these committees, I would have been particularly willing to appoin this one, if this resolution had been received earlier in the session; but, now I cannot see what possible good is to grow out of the appointment of this committee.

I, therefore, shall vote for the indefinite postponement of this resolution.

Mr. M'CAMANT. Mr. Speaker, I do not set up myself as the leader of the Republican party; in this respect I differ very much with the member from Potter. Ever since I have been in this House I have kept very quiet; I think much more so than the gentleman from Potter. I desire, however, at all times, to have the liberty of seconding any motion that is made by any gentleman in this House.

As the gentleman from Beaver [Mr. QUAY] said, this resolution was a direct attack on the character of the State Treasurer. It seemed to me that it was an indication that the Republicans would rally around the State Treasurer, and screen him from any wrong of which he might be guilty.

Mr. QUAY. Mr. Speaker, I hope the Democrats will vote as solidly as the Republicans on this resolution.

Mr. M'CAMANT. I do not know that the State Treasurer has done anything wrong, but I cannot see why his conduct, as a public officer, should not have as strict an investigation as that of any other officer of the Government. If the committee is appointed, as the gentleman from Potter seems to think special committees are of no account, I would suggest that the gentleman from Potter be put on the committee, so it will be of some account.

Mr. BARTON. Mr. Speaker, it has been stated by some gentleman on this floor that this resolution is a direct attack on the State Treasurer. If it is so considered, I think it is nothing more than due to the State Treasurer that an investigation be had and that the special committee, called for by the resolution, be appointed, that the charges made upon this floor may be thoroughly sifted. If this resolution is in the nature of a charge, I do not think it should be voted down. It should pass. If the State Treasurer is not guilty of the charges which seem to be made by this resolution, let him be vindicated.

Mr. LEE. Mr. Speaker, this resolution implies a distinct charge of a violation of the law. Let the parties controlling this resolution charge the State Treasurer with fraud, then, it seems to me, will be the time to get up the committee to examine into these frauds.

This resolution is of the innendo style; therefore, I shall vote against it. If our public officers have been guilty of any malfeasance in office, let that charge be made distinctly and squarely. Then we will know what we are about; but do not throw out innuendos and get up a smelling committee to run around, and from which, as the gentleman from Potter says, no good results will arise.

Mr. HEADMAN. Mr. Speaker, I say the State Treasurer has violated the law—I make a charge of that kind. I make it in regard to his duty in paying the pensions of soldiers of 1812. The law distinctly says he shall pay the pensions on the first day of January and the first day of July of every year. Now, I want to know if he has paid any pensions on or since the first day of January last?

Mr. LEE. I ask the gentleman if he knows a single order issued from the Auditor General's office upon the State Treasurer (which is the only authority he can recognize) that has not been paid?

Mr. HEADMAN. I know this: he says he will not pay them unless each member of the House comes up and vouches that each order is correct.

Mr. MANN. Mr. Speaker, I raise a point of order that these remarks are not in order.

The resolution refers to money deposited in banks, not to pensions.

Mr. HEADMAN. I want to know where this fund is—this one hundred thousand dollars that should be paid to the soldiers of 1812?

Mr. QUAY. That money is not paid because the Auditor General has never issued warrants.

Mr. HEADMAN. He has issued warrants to each one of the soldiers. They have their warrants to get their money every year.

Mr. QUIGLEY. Mr. Speaker, I shall vote against this resolution for the very reason given by my colleague from Philadelphia [Mr. LEE], that I consider this one of those sneaking, dirty resolutions that sometimes pass a deliberative body.

There is no charge of fraud or corruption; no charge of placing money in the hands of

improper parties. Why should we appoint a committee to ramble all over the State, go to every bank and ask how much has the State Treasurer deposited here, how much there, or what is his balance, or how much interest, if any, has he received, or what was the arrangement between you and the State Treasurer? Now, let the gentleman who offered this resolution make the charge that the State Treasurer has violated the law in any one of these particulars and I will vote for the resolution.

I know enough of the State Treasurer to feel satisfied that he will challange investigation.

This sneaking resolution, calculated by innuendo to ruin a man's reputation, ought not to be considered by this House.

I am just as much interested in the pay of old soldiers as my friend from Bucks county [Mr. HEADMAN], but this resolution has nothing whatever to do with that.

Mr. HEADMAN. I want to know where the money went.

Mr. QUIGLEY. I have no doubt if the gentleman goes to the State Treasurer he will find the money is there or that it has been paid out.

I hope the House will vote to postpone the resolution, unless the gentleman who offered it makes a distinct charge.

Mr. GREGORY. Mr. Speaker, I think this resolution should pass.

If a majority of the House decide otherwise, it would lead the minority to suppose there was something tangible in the resolution, and that that was the reason it was not agreed to. It is no more than just the State Treasurer should have the chance offered him to dispel any doubt that may arise in the minds of members who may be in the minority if this resolution is voted down. Therefore, I think, in justice to the character of the State Treasurer, this resolution should pass.

Mr. LINTON. Mr. Speaker, I have in my hand the report of the State Treasurer for the last year. I have looked over it, and I find in every month during last year, the State Treasurer had upwards of two millions of dollars in his hands, except at one time when it was one million seven hundred thousand.

As I understand the object of this resolution, it is to ascertain by investigation whether it is not possible to have this amount of money so invested as to be a source of revenue to the State. It is possible that this can not be done; but, at the same time, it is possible that this enormous amount of money may be appropriated so that in some way it may inure to the advantage of the State. This is the purpose of the resolution, as I understood it when read. I do not see why any gentleman on this floor should oppose a resolution of this kind. If we can derive any benefit from this amount of money in the treasury let us have it.

I trust, therefore, the resolution will pass.

Mr. DAVIS. Mr. Speaker, I have just one remark to make before the vote is taken on this question; that is, that the action of this House, whatever it may be, will neither add to nor take from the character of the State Treasurer. It is too well established in this State that he is the best financial officer the State has had for the past thirty years. No action of this Legislature can interfere with his reputation. By his financial operations the State of Pennsylvania stands to-day in a better position financially than she has for the past thirty years.

This resolution, as a direct attack upon the character of the State Treasurer, will fail. It will amount to nothing. As a financier, he stands pre-eminent above any attack that can be made upon him in this State. It matters little to him whether this resolutio passes or not. I only oppose its passage, because I think in is wrong to bring up a resolution that might be construed to arraign the character of the man who has done so much for the reputation of Pennsylvania during the last two years.

I shall vote for the indefinite postponement of this resolution.

On the question,

Will the House agree to postpone indefinitely the further consideration of the resolution?

The yeas and nays were required by Mr. M'CAMANT and Mr. DAVIS, and were as follow, viz:

YEAS—Messrs. Adaire, Brown, Cameron, Davis, DeHaven, Freeborn, Ghegan, Harner, Hoffman, Hood, Humphrey, Josephs, Kennedy, Kerns, Kimmell, Kinney, Kline, Kurtz, Lee, M'Creary, M'Kee, Mann, Marks, Mechling, Meily, Mullin, Pennypacker, Peter, Pillow, Quay, Quigley, Rhoads, Robinson, Sharples, Shumau, Subers, Waddell, Wallace, Watt, Webb, Wilson, Woodward, Worrall and Glass, *Speaker*—45.

NAYS—Messrs. Armstrong, Barrington, Bison, Boyd, Boyle, Brennan, Calvin, Chalfant, Colville, Craig, Day, Deise, Espy, Ewing, Fogel, Gallagher, Gordon, Gregory, Headman, Heltzel, Hunt, Jenks, Jones, Koon, Leech, Linton, Long, M'Camant, M'Henry, Meyers, Phelan, Richards, Roush, Steacy, Tharp, Weller, Westbrook, Wharton and Wright—39.

So the question was determined in the affirmative.

PITTSBURG AND CONNELLSVILLE RAILROAD.

The hour of 10½ o'clock having arrived the SPEAKER announced the special order for that hour to be the consideration of House bill No. 284, an act to restore the corporate franchises of the Pittsburg and Connellsville railroad.

The question was on the final passage of the bill.

Remarks (which will be found in the Appendix to the *Record*) were made by Messrs. JENKS, MANN, BOYLE, DEISE, DAVIS, COLVILLE, ALLEN, EWING, KENNEDY and HOOD.

COMMUNICATION FROM THE STATE TREASURER.

The following communication was received and read during the session:

TREASURY DEPARTMENT,
HARRISBURG, March 11, 1867.

Hon. John P. Glass, Speaker of the House of Representatives:

DEAR SIR—There is no desire on the part of this Department to keep anything secret from the House of Representatives in relation to where the deposits of the State may be. I shall, therefore, prepare for the House a list of my depositories, and remit it to the House, as soon as a list can be made.

Very Respectfully.

(Signed) W. H. KEMBLE,
State Treasurer.

MESSAGE FROM THE SENATE.

The Clerk of the Senate being introduced, presented the following extract from the Journal:

IN THE SENATE, March 13, 1867.

Resolved (if the House of Representatives concur), That the Governor be requested to return Senate bill No. 288, entitled An act relative to the clerks of the courts of quarter sessions, oyer and terminer, and orphans' court of Lehigh county, for the purpose of amendment.

SPEAKER'S TABLE.

The SPEAKER laid before the House the following extract from the Journal of the Senate:

IN THE SENATE, March 13, 1867.

Resolved (if the House of Representatives concur), That the Governor be requested to return Senate bill No. 288, entitled An act relative to the clerks of the courts of quarter sessions, oyer and terminer, and orphans' court of Lehigh county, for the purpose of amendment.

On motion,

Said resolution was read a second time, agreed to, and

Ordered, That the Clerk inform the Senate of the same.

On motion, the SPEAKER then adjourned the House until this afternoon at 3 o'clock.

ERATTA.

On page 526 of the *Record*, during the consideration of bill No. 316, the following amendment appears as having been offered by Mr. MECHLING: "Nor to any locality where the sale of brewed, malt, spirituous or vinous liquors is restricted to hotel keepers. It should read as having been offered by Mr. KIMMELL.

AFTERNOON SESSION.

The House met at 3 o'clock P. M., pursuant to adjournment.

BILLS IN PLACE.

Mr. PETER read in place the following bills:

An act to incorporate the Western Pennsylvania military academy, near Pittsburg, in Allegheny county.

Referred to the Committee on Corporations.

An act to incorporate Reserve township with the city of Allegheny.

Referred to the Committee on Corporations.

PUBLIC CALENDAR.

Agreeably to order,

The House proceeded to the consideration of the bills on the public calendar.

The House went into the committee of the whole on

House bill No. 365, a supplement to the general election laws of the Commonwealth, Mr. ESPY in the chair.

The bill was read as follows:

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same*, That all general elections hereafter held in this State, except in the cities of Philadelphia and Pittsburg, shall be opened at eight o'clock, A. M.

The bill was

Agreed to.

Mr. SHARPLES. Mr. Chairman, I move to amend by adding the following as an additional section:

"That the day of the meeting of the return judges shall hereafter be upon the first day succeeding the election day, at 1 o'clock, P.M."

I desire to say a few words in regard to that amendment.

I offer this additional section simply for the purpose of requiring the return judges to meet in their respective places at the earliest day for the convenience of the people. I cannot see why it is they should delay three days after the election before they make out their respective accounts and make their returns. It is a notorious fact that the returns are made by private parties on the next day, and the people are always anxious to receive the official returns. It is a recommendation also that it prevents opportunities for altering or tampering with the papers, and less chance for betting, and I think the time has come when we should make some such change as this. If it is found, in the opinion of this House, that the next day is too early or

which to make such returns, I am willing to make it the day after; but it seems to me the returns ought to be made before Friday. Very many papers are published on Saturday, and if the returns were made on Wednesday or even Thursday, they could be published in the county papers on Saturday. I do not see why it is that return judges should not be compelled to make their returns at as early a day as private parties do. The returns of the late election in the State of New Hampshire were published in the New York papers, provided by private parties, the next morning after the election.

Now the time has come when we should make some improvement in this matter. I offered that section and ask the opinion of the House concerning it. I think there is merit in it.

Mr. KINNEY. Mr. Chairman, it seems to me that the second day after the election would be a better day. I think it would be very difficult in some townships to make the returns at one o'clock on the afternoon of the next day. I think it would be very difficult in some townships to reach the county seat in that time. I would suggest, therefore, that the time be fixed on the Thursday following, at one o'clock.

Mr. KOON. Mr. Chairman, I agree with the gentleman from Bradford [Mr. KINNEY] that the time is too short. It is well known that in heavy districts, at times, it takes until one o'clock at night to count the vote, and that would leave hardly time for the judges to reach the county seat the next day at one o'clock. It takes, in some counties, a good day's travel to reach the county seat. I think after the judges have sat up until midnight, or after counting the votes, they should have some few hours of rest before starting off for the county seat.

In some townships the place of voting is forty miles from the county seat, with no railroad leading to it.

I think the time is so short that it should be extended.

Mr. MECHLING. Mr. Chairman, I can see the propriety of the gentleman's amendment, but I do not see how it is going to correct the matter very well.

The return judges in my own county have to sit up nearly all night, where there are five or six hundred votes, to count the votes, and after that the law requires them to deposit the ballot boxes with the nearest justice of the peace, and that may take them out of the way for some time. They then have to go to the county seat, which, in some cases, is twenty-five or forty miles distant, and to accomplish all this by one oclock the next day would be simply impossible.

I would move to amend by providing that the judges should meet on the Thursday following, at one o'clock, P. M.

Mr. WINGARD. Mr. Chairman, I am in favor of some improvement in reference to this matter. I think until Friday is longer than there is any need of for the return judges to make their report, but I do think in my own county it would be next to impossible to get the returns in from some remote townships on Wednesday. Therefore, while I am willing and think there should be an improvement in this matter and that the returns should be gotten in as speedily as possible, I do not think that they could be gotten in at an earlier period than Thursday. I approve of the amendment of the gentleman from Armstrong [Mr. MECHLING], that the return judges should meet on Thursday.

The amendment to the amendment was Agreed to.

The amendment as amended was Agreed to.

The bill as amended was Agreed to.

Mr. M'KEE. Mr. Chairman, I move to except Allegheny county from the provisions of this bill.

The motion was Agreed to.

In the House.

The Speaker having resumed the chair,

Mr. ESPY, chairman of the committee of the whole, reported the bill with amendments.

The bill was read and Agreed to.

The rules were suspended, the bill read a third time by its title, and Passed finally.

Mr. STUMBAUGH. Mr. Speaker, I move that the orders of the day be suspended for the purpose of taking up the private calendar.

The SPEAKER. It will require unanimous consent.

Objection was made.

The House went into a committee of the whole on House bill No. 369, an act to change the rate of interest from six to seven per centum, Mr. FOGEL in the chair.

The bill was read as follows:

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same*, That from and after the first day of April, Anno Domini one thousand eight hundred and sixty-eight, the lawful rate of interest shall be seven per centum, instead of six per centum; and that all laws conflicting therewith be, and the same are hereby, repealed.

Mr. HOOD. Mr. Chairman, I offer the following amendment to the section. Add after the words "six per cent." the following: "*Provided*, That this act shall not apply to money loaned upon and secured by encumbrance upon real estate."

The amendment was Agreed to.

The bill as amended was Agreed to.

In the House,

The Speaker having resumed the chair,

Mr. FOGEL, chairman committee of the whole, reported the bill with amendment.

The bill was read as amended.

Mr. WEBB. Mr. Speaker, I move to amend by adding the following proviso:

"*Provided*, That this act shall not apply to debts contracted before the first of April, 1868."

The amendment was Agreed to.

Mr. M'CREARY. Mr. Speaker, I move to strike out the amendment of the gentleman from Philadelphia [Mr. HOOD] made in committee of the whole. We want a uniform law throughout the State. I do not see why money invested and secured by incumbrances upon real estate should not receive seven per cent. as well as that invested in any other way.

I trust that the House will strike out this provision and give us a uniform rate of interest without making any discrimination in reference to real estate or in any other way.

Mr. HOOD. Mr. Speaker, my object in offering this amendment was to produce harmony of action among the members from the rural districts. The object of this bill, and more especially in reference to the city of Philadelphia, is to enable us to compete with the States around us. In New York, New Jersey and Ohio the rate of interest is seven per cent. Capital is carried from Pennsylvania to New York and New Jersey for investment, because parties can receive one per cent. more for it than at home. For my part, I would rather see this question of interest a matter of contract between the two parties; but I offered the amendment that I did as the next best thing that would meet with the views of the members of this House. That amendment was only offered for the purpose of satisfying the country members.

Mr. DAVIS. Mr. Speaker, I would like to ask if this amendment offered by my colleague does not strike at one peculiar interest, particularly in the city that he represents? If money is bringing seven per cent. in every other enterprise, would it not be impossible for builders to raise money for building purposes at six per cent., while, when invested otherwise, it was bringing seven per cent.? I think such a provision would operate adversely against his own city.

Mr. HOOD. Mr. Speaker, it is a fact that any man that can get seven per cent. for money in New York, New Jersey and Ohio, will not invest it in Pennsylvania at six per cent.

As to the question propounded by my colleague, I would say that a mortgage on real estate is better security than most other classes of security. Negotiable paper, which passes from hand to hand, is not so good as security on mortgage. But a security by mortgage upon valuable real estate, and that mortgage further secured by a policy of insurance, is capital securely invested beyond a question or doubt.

Mr. GREGORY. Mr. Speaker, I hope this bill will not pass, even with the amendment offered by my colleague [Mr. HOOD]. The intention of this bill is to favor the wealthy classes at the expense of the poorer classes. The poorer classes have no money to loan at interest, but if this bill passes they will have to borrow money and pay seven per cent. interest. We all know, so far as Philadelphia is concerned, that the securities upon real estate are the most valuable that can be had, and ground rents now command a premium of six per cent. I think the wishes of a majority of the people of Philadelphia are against the increase of the rate of interest as contemplated in this bill, and I hope it will not pass.

Mr. QUIGLEY. Mr. Speaker, I think the position taken by my colleague is a very strange one. His argument is that it will take away the capital from large cities and benefit the poor man. This is no argument at all. By retaining capital within a city you will help the manufacturing and laboring men, but by the opposite of this you will injure them. What is the result in the city of Philadelphia, perhaps the largest manufacturing city in the United States—a city with a reputation all over the country for having the best workmen and the best mechanics in the United States? How is it with regard to capital invested in the city of Philadelphia? Take your mercantile business, even take your manufacturing business, and New York, with very little more population than we have, has almost double the amount of capital invested than we have. And why is this? If a man is worth a hundred thousand dollars and lives in the city of Philadelphia, the law allows him but six per cent. interest.

He wishes to live upon his income; he takes his money to the city of New York, or Ohio, or New Jersey, or even out into the Western States, and he can get from seven to ten per cent. for it, so that drives that much capital out of the State of Pennsylvania into these other States. I believe in Ohio they can charge even ten per cent. interest; they can do that, I am informed, in Illinois. They can get a higher rate of interest in all the States adjoining Pennsylvania than they can get here. I have known instances where men have sold out their property in Philadelphia for the purpose of reinvesting it in other States, for these reasons. The whole mercantile people of Philadelphia are in fa-

vor of this bill, and I have no doubt that such is the case in Pittsburg and in every county adjoining the State of Ohio. And why? Because the law, as it now stands, militates against the moneyed men in your own State.

In New York, the capital of the country is invested in the manufacturing and other business, and when we come to have the capital of our own State invested in our own State, then the workmen and mechanics will be benefited at home. This is the very way to draw the capital of our own State into our own manufactures, and not allow it to be drawn into neighboring States.

Mr. HEADMAN. Mr. Speaker, I would like to ask the gentleman if capital is not invested very extensively in Philadelphia from New York, in building up the city?

Mr. QUIGLEY. I know only of one case, and they have built, perhaps, some dozen houses on Broad street. But where there is one dollar invested in Philadelphia that comes from New York, there is a million dollars invested in New York that comes from Philadelphia.

Mr. MEYERS. Mr. Speaker, the gentleman says there are a million dollars invested in the city of New York from Philadelphia, to one invested in Philadelphia from New York. Now, I wish he would give us some of the names and some of the facts to support that statement.

Mr. QUIGLEY. I cannot give the names in detail, but I can give one fact, that at least the largest brokers we have had in the city of Philadelphia have been driven into New York.

Now, this matter has been agitated here for years. It passed the House last winter, and was defeated in the Senate for want of time. This is a matter that not only interests the city of Philadelphia, but it interests every man who has money to invest at interest. It interests every working man, for where you have capital there you have labor.

Mr. GREGORY. Mr. Speaker, the argument has been used here that because we allow only six per cent. legal interest, capital will seek New York and other places where the rate of interest is higher.

Now, the money article in the Philadelphia *Ledger* of to-day says:

The money market rules quiet, and rates are unchanged, at five to six per cent. on call, in large amounts on Government securities. On stock collaterals the rate is six to seven per cent., while short time commercial bills rule at seven to nine per cent. per annum discount.

Now, I think, if what that article states is the fact, that capital, instead of leaving Philadelphia, will seek it.

Mr. BOYLE. Mr. Speaker, I move to amend the amendment of the gentleman from Erie [Mr. M'M'CREARY], by striking out in the bill all after the word "that," and inserting the following: "Hereafter, parties to contracts for the loan or hiring of money may agree upon any rate of interest therefor, not exceeding seven per cent.; but if no such agreement is made, the rate of interest shall continue to be as at present fixed by law."

I will not occupy the time of the House in discussing this interest question. It has received a very large amount of discussion. For myself, I do not believe the people of this State are ready to advance the rate of interest to seven per cent., but I can see what appear to me very good reasons why it should not be done. The Government of the United States is a very large borrower, and it seems to me, sir, that patriotic citizens, as we all are, particularly on this side of the House, we should not increase the rate of interest, and thereby enter into competition with our Government. The Government, as I understand it, is attempting to reduce its rate of interest. It is funding its seven-thirty bonds in five-twenties, which draw only six per cent. interest. I think it is a very unpropitious time for us to increase our rate of interest and pay more than the Government is paying. We would thus have an advantage in the money market that no good citizen wants, and that ought to be a sufficient reason to prevent the passage of this bill.

For that reason I offer this amendment.

Mr. MEYERS. Mr. Speaker, I do not intend to raise any objection to this amendment. My general views upon this subject are rather in favor of giving the parties themselves a right to make their own contracts. But it seems to me that the effect of this amendment is almost the same as the original bill.

Who are the parties coming here pressing this Legislature to pass this bill? They are the capitalists; they are the men who invest their money in bonds, mortgages, notes, bills of exchange and the like, and not the men who invest their money in manufacturing for the purpose of developing the resources of the country. It is the men who have money to lend and not the borrower. If you allow them to make a contract according to their own notion, will not every man, especially that class of men who are pressing upon the poorer classes of the community—men who are compelled to go into the market and be borrowers—will they not be the men who will not make a contract with anybody unless they can get their seven per cent.; and will not a ring be formed throughout the State to refuse to loan money at less than seven per cent.? If the original bill is improper, if the law authorizes and requires parties to charge five per cent. interest, what difference will a law of this character make which enables them to make a contract at seven per cent.? So far as the immediate effect of this amendment is concerned, there is no difference between it and the original bill.

The argument advanced by gentlemen that we ought to have the rate of interest at seven per cent. is that money is driven from the Commonwealth of Pennsylvania to the States of New York, New Jersey and Ohio, for the purpose of procuring a higher rate of interest.

Now, Mr. Speaker, as a fact, I do not believe that is the case. Philadelphia to-day is investing an immense amount of capital in manufacture and trade, and she boasts of the amount of money that she has invested in her manufactures, which are to be seen upon every street and corner and precinct of that large city. The men of money who invest in manufacturing and the various channels of trade and commerce find a very easy mode of investment in the city of Philadelphia, and there are millions of dollars at the rate of six per cent. invested in that way in that very city. Every man who looks over this broad Commonwealth, and sees the energy and spirit everywhere manifested from the east to the west and from the north to the south, has a refutation of the argument set forth upon this floor, that the capital of Pennsylvania is driven out of the State into the States of New York, Ohio and New Jersey.

I will read from to-day's paper from a New York letter published in the Philadelphia *Ledger*.

The writer says:

"Money continues in fair demand—on call, six per cent. on railway stocks and other collaterals; on Governments five per cent. discounts, five and a half to six per cent. for prime names."

Go into the State of New York or New Jersey, where they have the rate of interest at seven per cent., and the complaint is in the city of New York that money can be obtained for from five to six per cent., while in the State of Pennsylvania you cannot secure it at six per cent.

In 1865, for the purpose of relieving money lenders from the oppressive burden of taxation imposed upon them, the Legislature gave them the power and authority to contract with borrowers and make them pay the tax upon the money lent. The effect of that legislation in 1865 was to increase the rate of interest from six per cent. to as high as nine per cent. for several years.

Now, Mr. Speaker, this is a wide field, and I am not familiar enough with the laws of finance, nor familiar enough with political economy, to go into the elaborate investigation this subject requires. But it is one of great importance, and it is more important, sir, to the men who borrow the money for the purpose of developing the interests of the Commonwealth than it is to the men who lend their money away. These men who have made their fortunes by developing the interests of this Commonwealth in business, in manufacturing or by other modes, and who have the necessary capital now to loan to others for investment, they, of all men, ought to be the last to come here and say that they shall have more than six per cent. for their money. They are not the men that we should aim so much to protect—the men who have the money in their pockets—but the men of youthful vigor who have just started out to grapple with the material interests of the State—the men who require money—are the men to be protected. The poor farmer who requires money to purchase land or to pay for what he has already partly purchased, or for the purpose of procuring the means by which he can convert his land into arable soil and green meadows, he, and such as him, should be protected.

This is an old question revived in another form—the question between capital and labor. It is capital on the one hand, demanding an increase of the rate of interest, and the poor man and the laboring man on the other. It is capital arrayed against labor, and you have got to protect one or the other. I say, protect them both as well as you can.

It is difficult to ascertain what the lawful rate of interest ought to be.

If you leave the field open to allow parties to make any kind of a contract, then the Shylocks of the land will take the last drop of blood they can get from the laboring men, and they will demand the pound of flesh, and if that is in the contract and bond he will have it. It is, I repeat, the old question between capital and labor, and in this form it assumes its very worst aspect; because the capital involved is in the banks and coffers of the rich men of your land, who will not themselves invest it in manufacturing, who have lost their youthful energies and ambition, and who wish to receive as large a rate of interest as they can from the laboring men.

I say, give them a fair and just and proper equivalent for their money, but no more; and also give a fair and just equivalent to the man who uses that money for the purpose of making your fields bloom as a garden, and to the mechanic who develops, by his industry, intelligence and energy, the material interests of this Commonwealth; to those who would make this Commonwealth as it ought to be and will be before many years, the great Empire State of this land. If you give unlimited license to capitalists to take such interest as they choose, you take out of the hands of that class of men who stand arrayed against the monopoly of capital the means for developing the State, and you tie the hands of the men who, above all other men, are the power and the wealth and the security of the State. I trust, then,

Mr. Speaker, from so far as we are able to judge to-day as to the effect of the increase of the rate of interest, that this bill will be defeated, that the rate of interest will remain at six per cent., and that the act of 1865, enabling the parties to make an agreement as they should see proper with regard to the tax upon the money, will remain as it is at present.

Mr. DAVIS. Mr. Speaker, the gentleman from Northampton [Mr. MEYERS] has made a very excellent speech, and if he had not, in my opinion, misconceived the subject, and argued from a wrong stand-point, the speech would probably have made a very good impression. The burden of his argument was to prove that no persons desire the passage of this law except men who have retired from business, and wish to invest their money. New, sir, this is a mistaken idea. The men who desire this law to be passed, so far as I know, are the men of business—the men who are engaged in manufactures, and the class of people that he refers to and bases his beautiful speech upon, are those that can invest their money outside the State of Pennsylvania, at seven per cent., at any time they please. You have been told from the outset that all the States bordering on the north and west of Pennsylvania have increased their rate of interest. Cannot a man who has nothing to do but to invest his money, do so in New Jersey, or New York, or Ohio, at seven per cent.; or go a little further and invest it at ten per cent. in Illinois? It is the manufacturing and business men who desire to have the money to carry on their business who ask us to pass this law, so that the capitalists may not go into adjoining States and invest their money at a higher rate of interest than they can get at home.

Pennsylvania, in her material wealth, has yet to be developed. Pennsylvania possesses more wealth within her borders, more real wealth than any other State in the Union; and in reference to the argument of the gentleman in regard to the business of Philadelphia, compared with the business of New York, I would say that although Philadelphia may not quite compare with New York in her manufacturers, it is because of the fact that capital cannot be retained in Philadelphia, but is driven elsewhere, where it commands a higher rate of interest. New York throws open her doors to the capital of the world; Pennsylvania should do the same.

The gentleman makes another mistake when he says this policy is against the laboring man. That is an old argument which has become fossilized years ago. The true argument is, that what is good for the manufacturer is good for the man who works for him, and when they can obtain money to develop the resources of the country and the capital to manufacture, the prosperity of the laboring man will be increased and every man will be benefited.

It is an argument which has been used over and over again, that this was a question of capital against labor. That argument is good for nothing, for there is no argument in it. The true doctrine is that what is good for the manufacturer is good for the man who is employed by the manufacturer. Let manufacturers prosper, and let the iron and coal of Pennsylvania be developed; let the manufactures that legitimately belong to Pennsylvania be carried on within her own borders, and every workman in the State can receive almost any wages that he chooses. The capital of the State will remain here, and the business men will pursue their legitimate business; the resources of the State will be developed, and in a few years Pennsylvania will rival New York. But so long as Pennsylvania adheres to this narrow and contracted policy of crippling her capital, just so long will she be behind the age.

Mr. BARTON. Mr. Speaker, in the little State of Delaware, which borders on the southeastern part of our State, money at interest is not taxed, and a higher rate is allowed than in Pennsylvania. The consequence is that the county of Delaware, in this State, adjoining the State of Delaware, sends a great deal of its capital over there for investment. Within a few years past I have known a number of capitalists to remove from the State of Pennsylvania across the State line into Delaware for the purpose of escaping the taxation that is imposed upon them here, and obtaining a higher rate of interest than they can in this State. This has made capital in the county of Delaware very scarce at times, for capitalists have sent their money for investment into Delaware, even when they did not remove there themselves.

In reference to the remarks that have been made in regard to New York, a promicent citizen of Philadelphia, and a reliable man, told me not long since, that over forty millions of dollars were sent to the city of New York from the city of Philadelphia by the capitalists of that city, outside of the banks, and if gentlemen will examine the returns of the banks of the city of Philadelphia, they will find that they have a balance in the banks of some thirty or thirty-two millions of dollars, while the New York banks show nothing whatever in their favor from the Philadelphia banks. The cause is that the rate of interest is higher in New York than in Philadelphia, and the capital is attracted from this State to New York.

I was sorry to hear the gentleman from Northampton unearth the old theory that labor required legislation to protect it from capital.

I think, sir, that capital fosters labor and brings it up, and that labor amasses capital. I would not draw any invidious distinction between the two; they go hand in hand, and the sooner that fossilized idea is thrown aside and we combine labor and capital, the sooner our great State will go on in even more glorious prosperity than she has ever heretofore.

I hope the bill will pass. The capitalists of the country and the manufacturing interests, and mining interests, and all the interests of the State, require it.

Mr. HEADMAN. Mr. Speaker, I have listened to gentlemen on the opposite side, and to gentlemen in favor of this bill, and those who advocate this increase all say that it is required on account of capital going out of the State and being reinvested in other States, where the legal rate of interest exceeds that in this State. The man who invests his money in manufacturing and mining in this State is not restricted to six per cent. interest, for I am sure a company has the right to declare its own dividends, whether it be six, or seven, or fifteen per cent.

Now, this bill is gotten up expressly for the purpose of grinding down the poor working classes of the community. It is an effort which will result in these men going into business and sacrificing what little they have got.

Last year we passed a law exempting real estate from State taxation and put the tax upon corporations, and they are the parties who want this additional one per cent. that they may be able to grind it out of the poor people to pay this State tax. All the petitions that are sent here from Philadelphia asking for this increase are sent exclusively by banking men and brokers, not by men who invest their money in manufacturing or anything of that kind. They have their money and they wish to lend and not to borrow. The *bona fide* capital is invested in manufacturing, while in New York business is carried on by borrowed capital, and when a financial crisis comes they go by the board, while in Pennsylvania our substantial business enterprises are enabled to survive the perils of such an occasion.

Mr. QUIGLEY. Does the gentleman know that the Philadelphia board of trade has passed a resolution urging the passage of this bill?

Mr. HEADMAN. I do not know anything about that, but I hope this bill will not pass.

Mr. KOON. Mr. Speaker, this bill was before us last winter, but it failed to become a law.

When the gentleman from Philadelphia talks about Philadelphia wanting this act, I feel like saying to them that Paris is not France, neither is Philadelphia the State of Pennsylvania. Nothing would open the eyes of the people of the rural districts so quickly and so wide as the passage of an act of this kind. I have not heard, since the agitation of this question a year ago, in the county of one hundred and fifty thousand inhabitants in which I live, more than two gentlemen express themselves in favor of such an act, and those two were bankers, who, of course, were after their pound of flesh. I believe that Luzerne county is not in favor of the bill, nor do I believe that any county outside of Philadelphia, except it may be Allegheny, is in favor of it.

As to the argument that our present rate of interest drives capital from Pennsylvania to New York and other States, I believe it can be positively demonstrated that there is one hundred dollars from New York invested in Pennsylvania where there is one dollar from Pennsylvania invested in New York. That argument, then, amounts to nothing. In short, it is a scheme gotten up for the benefit of the brokers and bankers, men who have money to loan, in the city of Philadelphia.

I do not believe in the doctrine that when you protect the rich you necessarily protect the poor, but I believe that this bill is calculated especially to protect the rich at the expense of the poor.

Now, I tell the gentleman from Philadelphia that this is no very little matter to the people of our Commonwealth. We have now two incorporated cities and twelve boroughs, and a population of about one half of that of Philadelphia, although we have but three members on this floor. Philadelphia had better be looking out, for we are after her.

[The remainder of the gentleman's remarks were inaudible at the reporter's desk.]

Mr. QUIGLEY. Mr. Speaker, I would say to the gentleman from Luzerne [Mr. KOON] that the manufacturers of the city of Philadelphia pay their employees. We have not got thieves in that city who get into the mining business on false capital and then shut up shop and cheat the poor workmen out of their dues. We never had to come to this Legislature and ask it to protect our working classes, since I have had a seat upon this floor, nor have I known a case where we have had to invoke the Legislature of Pennsylvania to protect the workingmen against the capitalists of Pennsylvania. I am aware that there are thousands of dollars invested from the State of New York in our county. I know that the State of New York has almost entirely developed his county. I know that his feelings are more with the State of New York than with the State of Pennsylvania, and I appreciate his feelings on this, as on all other occasions. We know further that a great part of the floating capital of the State of Pennsylvania is invested in the city of New York.

Now, it is well known to every gentleman on

this floor and to the gentleman from Luzerne as well, if not better than any other member, that pretended capitalists, every little while, go there and operate a few years on a false capital, and then suddenly shut up shop, and cheat their workmen and everybody that placed any confidence in them.

Mr. M'CREARY. Mr Speaker, I do not intend to discuss this bill. I think the House understood its merits, as it was very fully discussed here last winter, and I feel that the people of this State understand this bill and the necessity of it. I only wish to put in my protest against the continued assertion of members here who live in a part of the State where it is said hoop poles and white beans are a legal tender—that it is a bill gotten up and desired only by the city of Philadelphia. Now, I wish to say to the gentleman from Luzerne [Mr. KOON], and others of his opinion, that there are other counties in the State of Pennsylvania besides Philadelphia that want this bill passed. I represent a county of that kind, and I have a petition signed not by brokers but by the strong business men and the poorer citizens of Erie city and county, asking that this bill shall become a law.

To the Senate and House of Representatives of the Commonwealth of Pennsylvania:

GENTLEMEN—Your petitioners, residents of northern Pennsylvania, would most respectfully and earnestly ask your attention to the subject of an increase of the lawful rates of interest in our State. As the lawful interest of the State of New York is seven (7) per cent., the capital of our border counties has been attracted by the better investment, and it has long been a notorious fact, that the business interests and prosperity of this section of the State was suffering thereby. So long as first-class investments are inviting capital at seven per cent. as a lawful rate, and so long as our State statute restricts discounts to six—the result is that our business prosperity is sacrificed in this respect.

Your petitioners hold it to be a self-evident fact, that the present low rate of interest is an effectual bar to a large class of legitimate borrowers; and further, that should the lawful rate of interest be changed to seven per cent. (the same as in New York State), it would be to the interest of all banks, bankers and private capital, to seek investment in legitimate home channels, thus adding to the prosperity and wealth of our own State, and would prevent the diversion of capital from the State.

Believing that the time has fully arrived when the interests of both borrowers and lenders favor the increase, and that a protection to our home interests which will place us on an equality with our sister States demands it, we would most earnestly ask that your honorable body so change or amend the present statute as to make the lawful rate of interest of our Commonwealth seven (7) per cent.

A. King,	P. A. Becker,
Jonas Gunnison,	J. C. Spencer,
M. W. Mehl,	D. S. Clark,
Samuel Low,	John M. M'Creary,
Gustav Jarecki,	Henry Mayer,
James Sill,	F. Curtze,
Robert Evans,	W. E. Neagill,
Robert Sewell,	And many others.

Now, Mr. Speaker, is there any reason why money should not seek the market which pays the highest price, the same as any other commodity? If the gentlemen who have spoken so metaphysically upon this subject had cattle or produce to sell, and thought they could get a higher price in New York than in Philadelphia, where would they go to find their market? Would they drive their cattle to Philadelphia and get one cent less per hundred there than they could get in New York? It would be idiotic to assert that they would do so.

If the gentleman from Northampton [Mr. MEYERS], or the gentleman from Luzerne [Mr. KOON], had one hundred thousand dollars, or any less sum, to invest or to place at interest, would they be likely to invest or loan it to their poor neighbors at home, for whom they appear so solicitous, for six per cent., when their poor or rich neighbors across the State line stood ready to pay them seven per cent., and when the Government offered them seven and three-tenths? When men wish to make a donation to the poor, they do it outright. When they engage in business, they are apt to be governed by the laws of business, and no business law is better established than this: that articles for sale seek the highest market, and money is no exception to the law.

If the Government, with all its resources, with all the material of the country at command, was compelled to pay seven and three-tenths per cent., how can the poor man, without these advantages which the Government possesses, expect to get money at six per cent.? It seems to me that it is a plain question which is governed by the ordinary laws of trade, and these metaphysical disquisitions, in my opinion, have no place in this discussion. I do say that the present rate of interest in Pennsylvania operates against the poor man; the rich man can go to New York and get whatever capital he requires, for he is is able to give the necessary security. but the poor man has no security to offer but his honest face and strong sinews, and these will be of but little account among moneyed men who are strangers to him.

I speak with some warmth on this subject. I live in a county, the farthest removed from Ohio, and yet the people of my county—the active business men and the poor men, are sending in petitions, asking that this bill shall be passed. I live in a county bordered on one side by New York, paying seven per cent., and on another side by Ohio, also paying seven per cent. and upwards, and our people feel the immediate necessity of a law which will keep our capital in our own county, instead of driving it outside for more advantageous investment.

It is, to-day, impossible to borrow money, in the city of Erie, for six per cent., because it goes out into neighboring States or is invested in Government securities. The capital of Pennsylvania should be a source of revenue to the State, but hundreds of thousands of dollars go into New York and Ohio, and Pennsylvania derives no revenue from money thus placed at interest. The gentleman from Northampton and the gentleman from Luzerne have asked for the names of those who have gone to New York to invest money.

I cannot, of course, give the names or the exact amount, but I have a right to assume such to be the fact. If Pennsylvania paid no interest at all, I would be safe in saying that no one in the State could borrow any. I would be equally safe in saying that but little money can be borrowed where a less rate of interest is paid than can be obtained elsewhere. The existence of one fact or a state of facts often presupposes the existence of another. When darkness comes over the earth we know the sun has set, although we may not have seen it, but we know it by the existence of the darkness.

The sight of a man staggering along the streets satisfies you that he has been indulging in strong drink. Certain results invariably follow certain effects, and no result is more certain than that money, or any other marketable commodity, will find the market that pays the highest price.

I stand here for the poor man and I say keep your capital at home. Who borrows money? The poor man; the rich man has money to lend. But if all the capital is carried out of the State, the poor man is unable to borrow it. If you should pass a law requiring that wheat should be sold in Pennsylvania at one dollar and a half per bushel, and it could be sold for two dollars in New York, would not all the wheat be taken from Pennsylvania to New York? Would gentlemen here tell you that you must not repeal that law? The poor man would suffer by it, and why? The rich man could go to New York and buy it back, for he would have the means to do so, but the poor man could not, and therefore must suffer. The price of money is governed by the same principle, and would affect the different classes in the same manner.

This principle will hold good among all classes and in all the departments of business. Whatever will keep capital in our midst, developing our resources and rewarding industry, will best meet the wants of the rich and the poor, and promote the interests of the mechanic, the tradesman, the day laborer and the man of wealth.

I had not intended, Mr. Speaker, to have occupied so much time in the discussion of this subject, as I gave my views upon the bill when it came before the House during the last session. I can only say that since then my convictions of the necessity of this law have become stronger and clearer, and my belief in its necessity more deeply seated.

The question being on agreeing to the amendment of the gentleman from Fayette [Mr. BOYLE],

The yeas and nays were required by Mr. KINNEY and Mr. CALVIN, and were as follow, viz:

YEAS—Messrs. Adaire, Armstrong, Boyd, Boyle, Brown, Brennan, Brown, Calvin, Chadwick, Chalfant, Colville, Craig, Espy, Fogel, Gallagher, Gordon, Gregory, Harner, Headman, Humphrey, Hunt, Josephs, Kennedy, Kinney, Kline, Koon, Kurtz, Lee, Leech, Linton, Long, M'Camant, M'Henry, Mann, Marks, Meily, Pennypacker, Peter, Phelan, Pillow, Quay, Rhoads, Richards, Robinson, Roush, Seiler, Sharples, Shuman, Steacy, Stehman, Tharp, Waddell, Webb, Weller, Wingard and Wright—56.

NAYS—Messrs. Barrington, Barton, Chase, Davis, Day, Deise, Donohugh, Ewing, Freeborn, Harbison, Heitzel, Hood, Kerns, M'Creary, M'Kee, Maish, Mechling, Meyers, Quigley, Stumbaugh, Subers, Wallace, Westbrook, Wham, Wilson, Worrall and Glass, *Speaker*—27.

So the question was determined in the affirmative.

Mr. MEYERS. Mr. Speaker, I offer the following amendment as an additional section:

"That the act passed the 22d of March, 1865, an act to authorize borrowers to contract for the payment of all taxes upon loans, be and the same is hereby repealed."

Mr. Speaker, the purpose of that additional section is, inasmuch as the bill, as it now stands, provides that parties shall pay interest at the rate of seven per cent.—if that law remains upon the statute books, it would authorize the borrower to contract to pay the taxes upon money in addition to the seven per cent. I think that would be burdensome, and that it is nothing more than right that this law should be repealed. If this bill is passed in its present shape, it authorizes money lenders, in addition to the power of contracting at the rate of seven per cent., to contract further for all taxes on this money, which would increase it to nine or ten per cent.

Mr. QUAY. Mr. Speaker, the tax on

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[CONTINUED FROM PAGE 584.]

money at interest is more than one per cent.; and if this amendment is adopted, it seems to me that it will be rather a reduction than an increase of the rate of interest from what it is at present.

The question being on the amendment of Mr. MEYERS,

The yeas and nays were required by Mr. MEYERS and Mr. BARRINGTON, and were as follow, viz:

YEAS—Messrs. Barrington, Boyd, Brown, Cameron, Deise, Gallagher, Gordon, Harner, Josephs, Kennedy, Kimmell, Kinney, Kurtz, M'Henry, Meyers, Mullin, Pennypacker, Rhoads, Richards, Sharples, Tharp, Waddell, Webb, Weller, Westbrook and Wham—26.

NAYS—Messrs. Adaire, Armstrong, Barton, Breen, Calvin, Chadwick, Chase, Craig, Davis, Day, Donohugh, Espy, Ewing, Fogel, Freeborn, Harbison, Headman, Heltzel, Hood, Humphrey, Hunt, Kerns, Kline, Koon, Lee, Leech, Linton, M'Camant, M'Creary, M'Kee, Maish, Mann, Marks, Mechling, Meily, Peter, Pillow, Quay, Quigley, Robinson, Roush, Seiler, Shuman, Steacy, Stehman, Stumbaugh, Subers, Wallace, Wilson, Wingard, Woodward, Worrall, Wright and Glass, *Speaker*—54.

So the question was determined in the negative.

The question recurring on suspending the rules and reading the bill a third time by its title,

The yeas and nays were required by Mr. GREGORY and Mr. CALVIN, and were as follow, viz:

YEAS—Messrs. Adaire, Armstrong, Barton, Boyd, Chase, Collins, Craig, Davis, Espy, Freeborn, Harbison, Hood, Humphrey, Josephs, Kerns, Kinney, Lee, Leech, Linton, M'Creary, M'Kee, Mann, Marks, Mechling, Pillow, Quay, Quigley, Seiler, Sharples, Shuman, Steacy, Stehman, Stumbaugh, Subers, Wallace, Webb, Wilson, Wingard, Woodward, Worrall, Wright and Glass, *Speaker*—42.

NAYS—Messrs. Allen, Barrington, Boyle, Breen, Brown, Calvin, Cameron, Chadwick, Chalfant, Colville, Day, Deise, Ewing, Fogel, Gallagher, Gordon, Gregory, Harner, Headman, Heltzel, Hunt, Jenks, Kennedy, Kimmell, Kline, Koon, Kurtz, Long, M'Camant, M'Henry, Maish, Meily, Meyers, Mullin, Pennypacker, Peter, Phelan, Rhoads, Richards, Roush, Tharp, Waddell, Weller, Westbrook and Wham—45.

So the question was determined in the negative,

And the bill goes over on the third reading.

The House went into committee of the whole on Senate bill No. 235 (Mr. EWING in the chair).

The bill was read as follows:

AN ACT making it an offense for railroad corporations, within this Commonwealth, to make any distinction with their passengers on account of race or color, and punishing said corporations and their agents and employees for the commission of such offense.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same*, That on and after the passage of this act any railroad or railway corporation, within this Commonwealth, that shall exclude, or allow to be excluded, by their agents, conductors or employees, from any of their passenger cars, any person or persons on account of color or race, or that shall refuse to carry, in any of their cars thus set apart, any person or persons on account of color or race, or that shall, for such reason, compel, or attempt to compel, any person or persons to occupy any particular part of any of their cars, set apart for the accommodation of people as passengers, shall be deemed liable to an action of debt to the person thereby injured or aggrieved in the sum of five hundred dollars, the sum to be recovered in an action of debt as like amounts are now by law recoverable.

SEC. 2. That any agent, conductor or employee of any railroad or railway corporation, within this Commonwealth, who shall exclude, allow to be excluded, or assist in the exclusion, from any of their cars set apart for the accommodation of passengers, any person or persons on account of color or race, or who shall refuse to carry such person or persons on account of color or race, or who shall throw any car or cars from the track, thereby preventing persons from riding, shall be deemed guilty of a misdemeanor, and, upon conviction thereof, shall pay a fine not exceeding five hundred dollars ($500 00), nor less than one hundred dollars ($100 00), or be imprisoned for a term not exceeding three (3) months, nor less than thirty (30) days, or both, at the discretion of the court.

The first section was taken up and

Agreed to.

Mr. MANN. Mr. Chairman, I move the committee rise, report progress and ask leave to sit again.

The motion was

Agreed to.

In the House

The Speaker having resumed the chair,

Mr. EWING, chairman of the committee of the whole, reported that the committee had had Senate bill No. 235 under consideration, had made progress and asked leave to sit again.

The question being,

Shall the committee have leave to sit again?

It was

Not agreed to.

The question being on agreeing to the first section of the bill,

Mr. KERNS. Mr. Speaker, this subject has been very thoroughly discussed before this House, and I think every member fully understands the subject. I therefore call the previous question.

The call for the previous question was seconded by Messrs. M'Creary, Pillow, Woodward, Webb, Leech, Chase, Sharples, Peter, Humphrey, Espy and Freeborn.

The question being,

Shall the main question now be put?

The yeas and nays were required by Mr. QUIGLEY and Mr. DAVIS, and were as follow, viz:

YEAS—Messrs. Adaire, Allen, Armstrong, Barton, Brown, Cameron, Chadwick, Chase, Colville, Davis, Day, Donohugh, Espy, Ewing, Freeborn, Gallagher, Gordon, Harbison, Humphrey, Kennedy, Kerns, Kimmell, Kinney, Lee, Leech, M'Camant, M'Creary, M'Kee, Mann, Marks, Mechling, Meily, Pennypacker, Peter, Pillow, Quay, Richards, Seiler, Sharples, Shuman, Steacy, Stehman, Stumbaugh, Subers, Waddell, Wallace, Watt, Webb, Weller, Whann, Wilson, Wingard, Woodward, Worrall Wright and Glass, *Speaker*—55.

NAYS—Messrs. Boyd, Breen, Calvin, Collins, Craig, Deise, Fogel, Gregory, Harner, Headman, Heltzel, Hood, Hunt, Jenks, Josephs, Kline, Koon, Kurtz, Long, M'Henry, Maish, Markley, Meyers, Mullin, Phelan, Quigley, Rhoads, Robinson, Roush, Tharp and Westbrook—31.

So the question was determined in the affirmative.

The question recurring on agreeing to the first section of the bill.

The yeas and nays were required by Mr. BOYLE and Mr. MEYERS, and were as follow, viz:

YEAS—Messrs. Adaire, Allen, Armstrong, Barton, Brown, Cameron, Chadwick, Chase, Colville, Davis, Day, DeHaven, Donohugh, Espy, Ewing, Freeborn, Gallagher, Gordon, Harbison, Humphrey, Kennedy, Kerns, Kimmell, Kinney, Lee, Leech, M'Camant, M'Creary, M'Kee, Mann, Marks, Mechling, Meily, Pennypacker, Peter, Pillow, Quay, Richards, Seiler, Sharples, Shuman, Steacy, Stumbaugh, Subers, Waddell, Wallace, Webb, Weller, Whann, Wingard, Woodward, Worrall, Wright and Glass, *Speaker*—54.

NAYS—Messrs. Barrington, Boyd, Boyle, Breen, Calvin, Chalfant, Collins, Craig, Deise, Fogel, Gregory, Harner, Headman, Heltzel, Hood, Hunt, Jenks, Jones, Josephs, Koon, Kurtz, Linton, Long, M'Henry, Maish, Markley, Meyers, Mullin, Phelan, Quigley, Rhoads, Robinson, Roush, Tharp and Westbrook—36.

So the question was determined in the affirmative.

The second section of the bill was read.

Mr. MULLIN. Mr. Speaker, I offer the following amendment, to come in at the end of the section:

"That all churches, public assemblies, theatres, opera houses, shall be open to all classes of persons, without distinction of color; and any officer or employee interfering

with any person, without distinction of color, from occupying any seat in such church, public assembly, theatre or opera house, such person or persons so offending shall, upon conviction thereof, undergo an imprisonment in the county prison of not less than six months or more than two years, at the discretion of the court; and the corporation whose agent or employee hath so offended, shall pay a fine not less than five hundred or more than one thousand dollars, at the discretion of the court."

The question being on agreeing to the amendment,

Mr. DAVIS. Mr. Speaker, I rise to a point order. My point of order is that the section of the bill before the House is in regard to railroads and railway corporations, and that the amendment of the gentleman from Philadelphia [Mr. MULLIN] is not germain to the subject.

Mr. MEYERS. Mr. Speaker, I hope the gentleman will reduce his point of order to writing, so that we can see it.

Mr. DAVIS. It is very easily seen, sir. My point of order is that the amendment is not germain to the subject. It is the same point that has been raised several times by the gentlemen on the other side of the House and is well understood.

The SPEAKER. The Chair is of the opinion that the point of order taken by the gentleman from Philadelphia [Mr. DAVIS] is well taken.

Mr. GREGORY. I appeal from the decision of the Chair.

The SPEAKER. The gentleman will reduce his appeal to writing.

The appeal, upon being reduced to writing, was read as follows:

The Speaker having decided that bill No. 235, entitled An act to punish by fine any railroad corporation within this Commonwealth that shall exclude, or allow to be excluded, by their agent, conductors or employees, from any of their passenger cars, any person or persons on account of color or race, the gentleman from Philadelphia offered to amend the same by inserting the following:

"*Provided*, That all churches, public assemblies, theatres, opera houses, shall be open to all classes of persons, without distinction of color, and any officer or employee interfering with any person, without distinction of color, from occupying any seat, such church, public assembly, theatre, or opera house, such person or persons so offending shall, upon conviction thereof, undergo an imprisonment in the county prison of not less than six months, or more than two years, at the discretion of the court, and the corporation, whose agent or employee hath so offended, shall pay a fine not less than five hundred dollars, or more than one thousand dollars, at the discretion of the court.

And the Speaker having decided the amendment not germain to the question, and, therefore, out of order, from which decision we respectfully appeal.

(Signed) WM. S. GREGORY,
MICHAEL MULLIN.

The SPEAKER. The question is, Shall the decision of the Chair stand as the judgment of the House?

Mr. BARTON. Mr. Speaker, I move to lay the appeal on the table.

Mr. BOYLE. Mr. Speaker, I move to indefinitely postpone the motion to lay on the table.

Mr. MEYERS. Mr. Speaker, a motion having been made to lay this appeal on the table, and the gentleman from Fayette [Mr. BOYLE] having made a motion to indefinitely postpone the same, I will now proceed to discuss the question out of which these motions grew. The bill is a bill equalizing the races in Pennsylvania, and to extend——

Mr. KERNS. Mr. Speaker, I call the previous question.

Mr. MEYERS. Mr. Speaker, I am opposed to——

The SPEAKER. The previous question has been called. Those seconding the call will stand until their names can be taken down by the Clerk.

Mr. MEYERS. Mr. Speaker——

The SPEAKER. The gentleman from Northampton [Mr. MEYERS], is not in order.

The call for the previous question was seconded by Messrs. M'Creary, Pillow, Freeborn, Brown, Armstrong, Ghegan, Barton, Kimmell, Webb, Chase and DeHaven.

The question being,

Shall the main question now be put?

The yeas and nays were required by Mr. GREGORY and Mr. KERNS, and were as follow, viz:

YEAS—Messrs. Adaire, Allen, Armstrong, Barton, Brown, Cameron, Chadwick, Chase, Colville, Davis, Day, DeHaven, Donohugh, Espy, Ewing, Freeborn, Gallagher, Ghegan, Gordon, Harbison, Humphrey, Kennedy, Kerns, Kimmell, Kinney, Lee, Leech, M'Camant, M'Creary, M'Kee, Mann, Marks, Mechling, Meily, Pennypacker, Peter, Pillow, Quay, Richards, Seiler, Sharples, Shuman, Steacy, Stehman, Stumbaugh, Subers, Waddell, Wallace, Webb, Weller, Whann, Wilson, Wingard, Woodward, Worrall, Wright and Glass, *Speaker*—57.

NAYS—Messrs. Barrington, Boyd, Boyle, Breen, Brennan, Calvin, Chalfant, Collins, Craig, Deise, Fogel, Gregory, Harner, Headman, Heltzel, Hood, Hunt, Jenks, Jones, Josephs, Kline, Koon, Kurtz, Linton, Long, M'Henry, Maish, Markley, Meyers, Mullin, Phelan, Quigley, Rhoads, Robinson, Roush, Tharp and Westbrook—37.

So the question was determined in the affirmative.

The SPEAKER. The question now is,

Shall the decision of the Chair stand as the judgment of the House?

Mr. QUIGLEY. Mr. Speaker, if I fully understand the question, it is on the indefinite postponement of the motion to lay the appeal on the table.

The SPEAKER. The House having sustained the call for the previous question, it brings the House directly to a vote on sustaining the decision of the Chair. All dilatory motions are cut off by the previous question.

On the question,

The yeas and nays were required by Mr. KERNS and Mr. CHASE, and were as follow, viz:

YEAS—Messrs. Adaire, Allen, Armstrong, Barton, Brown, Cameron, Chadwick, Chase, Colville, Davis, Day, DeHaven, Espy, Ewing, Freeborn, Gallagher, Ghegan, Gordon, Harbison, Humphrey, Kennedy, Kerns, Kimmell, Kinney, Lee, Leech, M'Camant, M'Creary, M'Kee, Mann, Marks, Mechling, Meily, Pennypacker, Peter, Pillow, Quay, Richards, Seiler, Sharples, Shuman, Steacy, Stehman, Stumbaugh, Subers, Waddell, Wallace, Webb, Weller, Whann, Wilson, Wingard, Woodward, Worrall and Wright—55.

NAYS—Messrs. Barrington, Boyd, Boyle, Breen, Brennan, Calvin, Chalfant, Collins, Craig, Deise, Fogel, Gregory, Harner, Headman, Heltzel, Hood, Hunt, Jenks, Jones, Josephs, Kline, Koon, Kurtz, Linton, Long, M'Henry, Maish, Markley, Meyers, Mullin, Phelan, Quigley, Rhoads, Robinson, Roush, Tharp and Westbrook—37.

So the question was determined in the affirmative.

And the decision of the Chair stands as the judgment of the House.

The question recurring on agreeing to the second section of the bill,

Mr. KERNS. Mr. Speaker, on that question I call the previous question.

Messrs. Kerns, M'Creary, Chase, Freeborn, Kinney, Davis, Ghegan, DeHaven, Peter, Webb, Steacy and Worrall seconded the call for the previous question.

The question being,

Shall the main question be now put?

The yeas and nays were required by Mr. GREGORY and Mr. M'CREARY, and were as follow, viz:

YEAS—Messrs. Adaire, Allen, Armstrong, Barton, Brown, Cameron, Chadwick, Chase, Colville, Davis, Day, DeHaven, Donohugh, Espy, Ewing, Freeborn, Gallagher, Ghegan, Gordon, Harbison, Humphrey, Kennedy, Kerns, Kimmell, Kinney, Lee, Leech, M'Camant, M'Creary, M'Kee, Mann, Marks, Mechling, Meily, Pennypacker, Peter, Pillow, Quay, Richards, Seiler, Sharples, Shuman, Steacy, Stehman, Stumbaugh, Subers, Waddell, Wallace, Webb, Weller, Whann, Wilson, Wingard, Woodward, Worrall, Wright and Glass, *Speaker*—57.

NAYS—Messrs. Barrington, Boyd, Boyle, Breen, Brennan, Calvin, Chalfant, Collins, Craig, Deise, Fogel, Gregory, Harner, Headman, Heltzel, Hood, Hunt, Jenks, Jones, Josephs, Kline, Koon, Kurtz, Linton, Long, M'Henry, Maish, Meyers, Mullin, Phelan, Quigley, Rhoads, Robinson, Roush, Tharp and Westbrook—37.

So the question was determined in the affirmative.

Mr. BOYLE. Mr. Speaker, I offer the following amendment as an additional section:

SECTION 3. *Provided*, That nothing herein contained shall be held to compel the admission of negroes into cars set apart for ladies, or into berths in sleeping cars.

Mr. DAVIS. Mr. Speaker, I rise to a point of order. My point of order is this, that the previous question being called upon any section of the bill carries the bill entirely through, and that the question is now upon the title and no additional amendment can be offered.

Mr. QUIGLEY. Mr. Speaker, the previous question was called on the first section. When the vote was taken on the first section the previous question was exhausted. It was again called on the second section. The vote on that section being taken the previous question is therefore again exhausted, and the amendment of the gentleman from Fayette [Mr. BOYLE] is in order.

Mr. DAVIS. Mr. Speaker, if the amendment is an amendment to the title, it is in order; but if it is a new section, it is out of order, because the House has already acted upon the last section of the bill, and the question is now on agreeing to the title.

The SPEAKER. The Chair having already recognized the gentleman from Fayette [Mr. BOYLE] as offering an amendment, he is of the opinion that it is in order for the House now to consider it.

Mr. DAVIS. I shall have to appeal from the decision of the Chair.

Mr. MANN. Mr. Speaker, it seems to me that the effect of the previous question is valueless if that is a correct decision. I shall therefore unite with the gentleman from Philadelphia [Mr. DAVIS] in appealing from the decision of the Chair.

The SPEAKER. The Chair would state that the previous question was called on the second section of the bill, and not upon its final passage.

Mr. DAVIS. Mr. Speaker, I have no disposition to quibble about the point of order, and will withdraw my appeal from the decision of the chair. But I make this suggestion, that if it is in order to offer an additional section after the previous question has been called on the last section, the thing might go on forever. The previous question might be called on this section, and then another gentleman might rise and propose another section, and there would be no end to it.

The SPEAKER. The Chair is of the opinion that the point of order is well taken; but the Chair having already recognized the gentleman from Fayette as offering an amendment, is of the opinion that that amendment is before the House.

The question being on the amendment of Mr. BOYLE,

Mr. MANN. Mr. Speaker, I call for the previous question.

The call for the previous question was seconded by Messrs. Mann, Harbinson, Humphrey, Lee, Kerns, M'Creary, Freeborn, M'Kee, Chase, Wallace, M'Camant and Stambaugh.

On the question,

Shall the main question now be put?

The yeas and nays were required by Mr. GREGORY and Mr. QUIGLEY, and were as follow, viz:

YEAS—Messrs. Adaire, Allen, Armstrong, Barton, Brown, Cameron, Chadwick, Chase, Colville, Davis, Day, DeHaven, Donohugh, Espy, Ewing, Freeborn, Gallagher, Ghegan, Gordon, Harbison, Humphrey, Kennedy, Kerns, Kimmell, Kinney, Lae, Leech, M'Camant, M'Creary, M'Kee, Mann, Marks, Mechling, Meily, Pennypacker, Peter, Pillow, Quay, Richards, Seiler, Sharples, Shuman, Steacy, Stehman, Stumbaugh, Subers, Waddell, Wallace, Webb, Weller, Whann, Wingard, Woodward, Worrall, Wright and Glass, *Speaker*—56.

NAYS—Messrs. Barrington, Boyd, Boyle, Breen, Brennan, Calvin, Chalfant, Collins, Craig, Deise, Fogel, Gregory, Harner, Headman, Heltzel, Hood, Hunt, Jenks, Jones, Josephs, Kline, Koon, Kurtz, Linton, Long, M'Henry, Maish, Markley, Meyers, Mullin, Phelan, Quigley, Rhoads, Robinson, Roush, Tharp and Westbrook—37.

So the question was determined in the affirmative.

The question recurring on agreeing to the amendment of Mr. BOYLE,

Mr. DAVIS. Mr. Speaker, I want the House to understand how they are voting. The friends of this bill want no amendment on it.

The SPEAKER. The gentleman from Philadelphia [Mr. DAVIS] is not in order.

The yeas and nays were required by Mr. GREGORY and Mr. MULLIN, and were as follow, viz:

YEAS—Messrs. Adaire, Allen, Barrington, Boyd, Boyle, Breen, Brennan, Calvin, Chalfant, Collins, Craig, Deise, Fogel, Gregory, Harner, Headman, Heltzel, Hood, Hunt, Jenks, Jones, Josephs, Kline, Koon, Kurtz, Linton, Long, M'Henry, Maish, Markley, Meyers, Mullin, Phelan, Quigley, Rhoads, Robinson, Roush, Tharp, Westbrook and Wingard—41.

NAYS—Messrs. Armstrong, Barton, Brown, Cameron, Chadwick, Chase, Colville, Davis, Day, DeHaven, Donohugh, Espy, Ewing, Freeborn, Gallagher, Ghegan, Gordon, Harbison, Humphrey, Kennedy, Kerns, Kimmel, Kinney, Lee, Leech, M'Camant, M'Creary, M'Kee, Mann, Marks, Mechling, Meily, Pennypacker, Peter, Pillow, Richards, Seiler, Sharples, Shuman, Steacy, Stehman, Stumbaugh, Subers, Waddell, Wallace, Webb, Weller, Woodward, Worrall, Wright and Glass, *Speaker*—51.

So the question was determined in the negative.

The question recurring on agreeing to the title,

Mr. DAVIS. Mr. Speaker, I would just state to the gentleman——

Mr. GREGORY. Mr. Speaker, I call the gentleman from Philadelphia [Mr. DAVIS] to order.

The yeas and nays were required by Mr. GREGORY and Mr. CALVIN, and were as follow, viz:

YEAS—Messrs. Adaire, Allen, Armstrong, Barton, Brown, Cameron, Chadwick, Chase, Colville, Davis, Day, DeHaven, Donohugh, Espy, Ewing, Freeborn, Gallagher, Ghegan, Gordon, Harbison, Humphrey, Kennedy, Kerns, Kimmell, Kinney, Lee, Leech, M'Camant, M'Creary, M'Kee, Mann, Marks, Mechling, Meily, Pennypacker, Peter, Pillow, Quay, Richards, Robinson, Seiler, Sharples, Shuman, Steacy, Stehmac, Stumbaugh, Subers, Waddell, Wallace, Webb, Weller, Whann, Wharton, Wilson, Wingard, Woodward, Worrall, Wright and Glass, *Speaker*—57.

NAYS—Messrs. Barrington, Boyd, Boyle, Breen, Brennan, Calvin, Chalfant, Collins, Craig, Deise, Fogel, Gregory, Harner, Headman, Heltzel, Hood, Hunt, Jenks, Jones, Josephs, Kline, Koon, Kurtz, Linton, Long, M'Henry, Markley, Meyers, Mullin, Phelan, Quigley, Rhoads, Roush, Tharp and Westbrook—35.

So the question was determined in the affirmative.

The question being,

Shall the bill be transcribed for a third reading?

Mr. GREGORY. Mr. Speaker, I move that we now adjourn.

The motion was

Not agreed to.

The question recurring,

Shall the bill be transcribed for a third reading?

The yeas and nays were required by Mr. GREGORY and Mr. MANN, and were as follow, viz:

YEAS—Messrs. Adaire, Allen, Armstrong, Barton, Brown, Cameron, Chadwick, Chase, Colville, Davis, Day, DeHaven, Donohugh, Espy, Ewing, Freeborn. Gallagher, Ghegan, Gordon, Harbison, Humphrey, Kennedy, Kerns, Kimmel, Kinney, Lee, Leech, M'Camant, M'Creary, M'Kee, Mann, Marks, Mechling, Meily, Pennypacker, Peter, Pillow, Quay, Richards, Seiler, Sharples, Shuman, Steacy, Stehman, Subers, Waddell, Wallace, Webb, Weller, Whann, Wingard, Woodward, Worrall, Wright and Glass, *Speaker*—55.

NAYS—Messrs. Barrington, Boyd, Breen, Brennan, Calvin, Chalfant, Collins, Craig, Deise, Fogel, Gregory, Harner, Headman, Heltzel, Hood, Hunt, Jones, Josephs, Kline, Koon, Kurtz, Linton, Long, M'Henry, Maish, Markley, Meyers, Mullin, Phelan, Quigley, Rhoads, Robinson, Roush, Tharp and Westbrook—35.

So the question was determined in the affirmative.

And the bill goes over on third reading.

MESSAGE FROM THE SENATE.

The Clerk of the Senate being introduced, presented for concurrence bill numbered and entitled as follows, viz:

Senate bill No. 808, a supplement to the act incorporating the Colebrookdale railroad company, approved the 23d day of March, A. D. 1865.

He also presented for concurrence joint resolution numbered and entitled as follows, viz:

Senate bill No. 163, joint resolution providing for the final adjournment of the Legislature.

SPEAKER'S TABLE.

The SPEAKER cleared his table of bills numbered and entitled as follows:

Senate bill No. 808, a supplement to an act incorporating the Colebrookdale railroad company, approved the 23d day of March, A. D. 1865.

Referred to the Committee on Railroads.

Senate bill No. 163, joint resolution providing for the final adjournment of the Legislature.

Referred to the Committee on Ways and Means.

SENATE MESSAGE.

The Clerk of the Senate being introduced, informed that the Senate has concurred in the resolution passed by the House of Representatives relative to amending House bill numbered and entitled as follows:

'No. 253, a further supplement to an act to incorporate the city of Carbondale.

REPORT FROM COMMITTEE TO COMPARE BILLS.

Mr. CHASE, from the Committee appointed to Compare Bills, and present them to the Governor for his approbation, made report, which was read as follows, viz:

That in conjunction with a similar committee from the Senate, they have compared, and on the 12th inst., presented to the Governor for his approbation, bills as follow, to wit:

No. 30, a supplement to an act to incorporate the Montana gold and silver mining company, approved the 23d day of March, A. D. 1865.

No. 441, an act to incorporate the Pacific Railroad gold mining company.

No. 382, an act to extend the provisions of an act entitled An act relative to Mechanics' liens in the counties of Luzurne and Schuylkill, approved February 17th, A. D. 1858, to the county of Northumberland.

No. 459, a supplement to an act to incorporate the Fidelity insurance, trust and safe deposit company of the city of Philadelphia, passed the 22d day of March, A. D. 1866.

No. 451, a supplement to an act incorporating the Hollidaysburg and Altoona plank road company.

No. 476, an act to correct an act to incorporate the Williamsport hall and market company, approved April 20th, A. D. 1866.

No. 480, an act to extend the provisions of an act laying a tax on dogs in certain townships in the county of Chester, relative to elections in West Philadelphia, and to assessors in Millerstown, Perry county, approved the 11th of March, 1860, so far as

provides for the taxing of dogs, to the township of Londonderry, in the county of Chester.

No. 402, an act relating to courts of equity in cases of partition in the several counties composing the Sixth Judicial district of Pennsylvania.

No. 397, a further supplement to an act passed the 13th day of March, 1862, to authorize the arrest of professional thieves, burglars, et cetera, in the city of Philadelphia.

No. 385, an act relative to the pay of auditors in the county of Butler.

No. 400, an act repealing an act relative to the coroner of Armstrong county.

No. 430, an act supplementary to an act to incorporating the town of Lawrenceville into a borough, approved the 13th day of February, A. D. 1834.

No. 415, an act giving the town council of the borough of Mauch Chunk the right to make and build drains, sewers and sluices in said borough.

No. 254, an act to vacate a part of Woodpecker or Rising Sun lane in the Twenty-first ward, in the city of Philadelphia.

No. 455, an act relative to the payment of street and road damages in the county of Dauphin.

No. 471, an act to incorporate the Lincoln Steam Fire Hose company in the city of Philadelphia, and to authorize said company to erect a market house.

No. 665, an act to provide for the election of burgess and town council in the borough of Danville, Montour county, Pennsylvania.

Senate bill No. 97, an act authorizing tender of money to be made after suit brought.

Senate bill 660, an act to repeal a certain act relative to the public roads in Mauch Chunk township, Carbon county, approved 16th day of March, A. D. 1866.

No. 665, an act to incorporate the city of Allentown.

No. 444, a further supplement to the act of March 19th, 1860, making further provisions for the government of the city of Harrisburg.

On the 13th instant:

No. 568, a supplement to an act to incorporate the White Deer bridge company, approved the 23d day of March, A. D. 1849.

No. 570, an act to incorporate the Shickshinny and New Columbus Borough turnpike road company in the county of Luzerne.

No. 552, an act to provide for the election of an additional supervisor in Penn township, Westmoreland county.

No. 263, a supplement to an act to incorporate the Titusville and Pithole plank road company, approved the 2d day of March, 1866.

No. 508, an act to repeal an act authorizing the road commissioners of Sugar Grove township, Warren county, to levy additional road tax, approved February 17, 1865.

No. 587, an act to incorporate the Greensburg Masonic fund for the building of a Masonic Hall.

No. 583, an act changing the time of holding the annual meeting and election of president, managers and treasurer of the Green-lane and Goshenhoppen turnpike road company, and the time for declaring the dividends of said company.

No. 289, an act to authorize the school directors of the borough of Lock Haven, county of Clinton, to borrow money for building purposes.

No. 987, an act relative to roads in the county of Franklin.

No. 585, an act to incorporate the Pennsylvania society for the prevention of cruelty to animals.

No. 478, an act to prohibit the entrapping, ensnaring or capturing of wild turkeys and partridges by any other means than shooting in the county of Blair.

No. 395, an act relating to the fees of district attorney for the counties of Greene and Sullivan.

No. 521, an act to incorporate the Farmers' Union Mutual fire insurance company of Pennsylvania.

No. 518, an act to prohibit the sale of intoxicating drinks in the townships of Economy and Independence in the county of Beaver.

No. 571, an act to repeal the fifth section of an act entitled An act relating to roads and bridges in certain townships in the county of Lawrence.

No. 311, an act to authorize the supervisors of West Branch township, Butler county, to levy an additional road tax.

No. 569, an act authorizing the supervisors of Blythe and Norwegian townships, Schuylkill county, to make and repair the public roads, bridges and culverts in said townships.

No. 253, a further supplement to an act to incorporate the city of Carbondale.

No. 260, an act to amend an act and correct an error therein, entitled A supplement to an act entitled An act appointing commissioners to lay out and open a State road in the counties of Cameron and Potter, approved the 21st day of March, A. D. 1865, approved the 4th day of April, A. D. 1866.

No. 264, an act to repeal an act to incorporate the Pine Creek bridge company, approved the 3d day of March, A. D. 1852.

No. 190, an act to incorporate the Rouseville bridge company.

No. 509, an act to repeal an act authorizing a public ferry over the Allegheny river, in Warren county, approved April 10th, A. D. 1862.

No. 458, an act to confirm the title of John Hanly to certain real estate in the city of Philadelphia.

No. 418, an act relative to the per capita tax to be assessed by the water directors of the town of Aaronsburg, county of Centre.

No. 673, an act changing the number of overseers of the poor in the borough of Butler, and authorizing the overseers of said borough to make sale of certain real estate.

No. 687, a further supplement to an act incorporating the town of Lawrenceville into a borough, approved the 18th day of February, A. D. 1834.

No. 836, a supplement to an act relative to road laws in East Bethlehem and East Pike Run townships, Washington county, extending the same to Cecil townhips, said county.

No. 449, an act to incorporate the Pine Creek bridge company.

No. 391, an act to authorize the Governor to appoint five additional notaries public for the city of Philadelphia.

No. 526, an act to authorize the board of school directors of Venango City, Venango county, to borrow money.

No. 329, an act incorporating the Mechanics' Savings Bank.

No. 524, an act for the better regulation of public halls and places of amusement in the cities of Philadelphia, Pittsburg and Allegheny.

No. 137, joint resolution to pay the expenses of the inauguration of Governor Geary.

No. 199, A supplement to an act to entitle the stockholders of any railroad company, incorporated by the laws of this Commonwealth, accepting this act, to one vote for each share of stock, approved the 20th day of May, A. D. 1865, extending the same to bridge companies and hall associations.

No. 170, an act to increase the duties of the Citizens' Association of Pennsylvania.

No. 212, a supplement to an act to incorporate the Cresheim turnpike and bridge company, approved the 16th day of March, 1866.

Senate bill No. 261, supplement to the act incorporating the borough of Doylestown, entitled An act authorizing the Governor to incorporate the Bristol steam tow boat and transportation company, and for other purposes.

Senate bill No. 840, an act relative to justices of the peace, burgesses and notaries public in the county of Lawrence.

Senate bill No. 396, an act to vacate Fairview street running west from Twenty-first street to Twenty-second street, south of Spring Garden street, one hundred feet, in the city of Philadelphia.

Senate bill No. 324, an act to repeal an act entitled A further supplement to the act incorporating the Pennsylvania railroad company, authorizing an increase of capital stock and to borrow money, approved the 21st day of March, 1869, to authorize the Pennsylvania railroad company to increase its capital stock, to issue bonds and to secure the same by mortgage.

Senate bill No. 933, an act authorizing and requiring the assessor of Caernarvon township, Berks county, to discharge the duties of constable.

Mr. KURTZ. Mr. Speaker, I move that we do now adjourn.

The motion was

Agreed to.

And the SPEAKER adjourned the House until 7½ o'clock this evening.

EVENING SESSION.

The House met, pursuant to adjournment, at 7½ o'clock.

The consideration of House bill No. 284, entitled An act to restore the corporate franchises of the Pittsburg and Connellsville railroad company, was resumed as per special order.

The remarks will be found in the *Appendix* to the *Record*.

During the proceedings, the following message was received from the Senate:

MESSAGE FROM THE SENATE.

The Clerk of the Senate being introduced, presented for concurrence bills numbered and entitled as follows, viz:

No. 772, an act to exempt the German Reformed congregation of New Goshenhoppen, in the county of Montgomery, from taxation.

No. 773, an act relating to the payment of certain bounties by the township of Eldred, Monroe county.

No. 774, an act to perfect the title of one hundred and sixteen acres of land in Somerset county, heretofore owned by the Union coal and iron company.

No. 775, an act relative to the purchase of a law library in the county of Wayne.

No. 777, a supplement to an act to confer additional powers upon the burgess and town council of the borough of Wilkesbarre, approved the 23d day of March, 1865.

No. 778, supplement to an act, entitled An act to appoint commissioners to re-survey and establish the lines of the main road running through a part of Wilkesbarre township, in the county of Luzerne, passed the 24th day of February, A. D. 1859.

No. 779, a supplement to an act relative to the fees of district attorney of certain counties of this Commonwealth.

No. 780, an act to authorize the commissioners of Clinton county to appropriate th

unexpended relief funds of said county to building a new court house.

No. 783, an act to authorize the burgess and town council of the borough of Shrewsbury, York county, to erect or construct a lock-up house.

No. 786, an act giving additional power to the councils of the city of Pittsburg.

No. 787, an act to extend the time for the payment of the enrollment tax on an act entitled An act to incorporate the Madison improvement company, approved August 10, 1864.

No. 788, a supplement to an act incorporating the city of Allegheny, in the county of Allegheny, approved the 13th day of March, A. D. 1844.

No. 789, an act providing for the election of a township treasurer in Middle Smithfield township, Monroe county.

No. 790, an act fixing the compensation for the commissioners of the county of Bucks.

No. 792, an act authorizing the sale of the Allegheny City poor farm.

No. 793, an act supplementary to an act concerning streets and sewers in the city of Pittsburg, approved January 6, 1864.

No. 795, an act to authorize the trustees of the Presbyterian congregation in Clearfield to convey certain real estate.

No. 797, an act to authorize David Souder and Henry Souder, trustees under the will and testament of Jacob Zug, late of Berks county, deceased, to invest moneys in their hands received from the said deceased, and proceeding from his estate for the use of his daughter, Sophia Souder, or her children, in the purchase of certain real estate.

No. 801, an act to incorporate the Keystone homestead company.

No. 803, an act to incorporate the M'Keesport gas company.

No. 813, a supplement to an act entitled An act to incorporate the Mattawana bridge company, approved March 3, 1848.

He also returned bills from the House of Representatives numbered and entitled as follows, viz:

No. 574, an act to confirm the title to a certain lot of ground in the Twentieth ward of the city of Philadelphia.

No. 558, a further supplement to the act incorporating the Lehigh and Delaware Water Gap railroad company.

No. 390, an act authorizing William S. Zeigler to act as justice of the peace in the borough of Butler, Butler county, while residing outside the limits of said borough.

No. 548, an act increasing the fees of justices of the peace, road commissioners, auditors and constables in the counties of Bradford, Wyoming and Susquehanna.

No. 627, an act to legitimate Annie Crain, of Huntingdon county, and confer on her the rights and privileges of a child born in wedlock.

No. 516, an act to prevent the hunting of deer with dogs in the county of Wyoming.

No. 839, an act in relation to bounties in the township of Montgomery, in the county of Franklin.

No. 825, an act legalizing the action of the burgess and town council in the borough of Montrose, Susquehanna county, and to fix the limits of said borough.

No. 394, an act authorizing the Governor to appoint three additional notaries public for the city of Philadelphia.

No. 497, an act to levy an additional tax in Sheffield township, Warren county, for bounty purposes.

No. 496, a supplement to an act in relation to the payment of bounties to volunteers from the township of Farmington, Tioga county, during the late rebellion.

No. 495, an act authorizing the supervisors of Green township, in the county of Mercer, to collect a tax and pay certain bounties, and refund money advanced to pay bounties.

No. 320, an act authorizing the supervisors of Ulysses township to levy a tax to refund to Perry Lewis, in said township, the sum of four hundred dollars, it being for money advanced as bounty to volunteers.

No. 838, an act to authorize the school directors of Taylor school district, in Lawrence county, to borrow money.

No 553, an act relative to the costs and fees of criminal cases in Carbon county.

No. 411, an act in relation to lost records, deeds and other papers in the county of Franklin.

No. 549, a supplement to an act in relation to huckstering in the counties of Bedford, Franklin, Fulton and York, approved the 18th day of May, A. D. 1866.

No. 550, an act authorizing the commissioners of Lycoming county to borrow money to build a new jail.

No. 544, an act relative to the purchase of a law library in the county of Washington.

No. 543, an act providing for the compensation of the commissioners of Northampton county.

No. 310, an act relative to the fees of certain township and county officers in the county of Beaver.

No. 555, an act to authorize the owners of certain mills on the Delaware river, at Morrisville, to extend their wing dam.

No. 527, an act to change the place of holding elections in Allegheny township, Venango county.

No. 203, an act to repeal an act to amend the road laws of Montgomery county, passed March 15th, 1859.

No. 578, an act to incorporate the Empire hook and ladder company of Altoona, Blair county.

No. 1102, an act limiting the provisions of a further supplement to the act incorporating the borough of Washington,

With information that the Senate has passed the same without amendment.

SPEAKER'S TABLE.

The SPEAKER cleared his table of bills numbered and entitled as follows:

No. 772, an act to exempt the German Reformed congregation of New Goshenhoppen, in the county of Montgomery, from taxation.

Referred to the Committee on Estates and Escheats.

No. 773, an act relating to the payment of certain bounties by the township of Eldred, Monroe county.

Referred to the Committee on Military.

No. 774, an act to perfect title to one hundred and sixteen acres of land in Somerset county, heretofore owned by the Union coal and iron company.

Referred to the Committee on the Judiciary Local.

No. 775, an act relative to the purchase of a law library in the county of Wayne.

Referred to the Committee on the Judiciary Local.

No. 777, a supplement to an act to confer additional power upon the burgess and town council of the borough of Wilkesbarre, approved the 23d day of March, 1865.

Referred to the Committee on Municipal Corporations.

No. 778, supplement to an act entitled An act to appoint commissioners to resurvey and establish the lines of the main road running through a part of Wilkesbarre township, in the county of Luzerne, passed the 24th day of February, A. D. 1859.

Referred to the Committee on Roads, Bridges and Ferries.

No. 779, a supplement to an act relative to the fees of district attorney of certain counties of this Commonwealth.

Referred to the Committee on the Judiciary Local.

No. 780, an act authorizing the commissioners of Clinton county to appropriate the unexpended relief funds of said county to building a new court house.

Referred to the Committee on the Judiciary Local.

No. 783, an act to authorize the burgess and council of the borough of Shrewsbury, York county, to erect or construct a lock-up house.

Referred to the Committee on Municipal Corporations.

No. 786, an act giving additional power to the councils of the city of Pittsburg.

Referred to the Committee on Municipal Corporations.

No. 787, an act to extend the time for the payment of the enrollment tax on an act entitled An act to incorporate the Madison improvement company, approved August 10, 1864.

Referred to the Committee on the Judiciary Local.

No. 788, a supplement to an act incorporating the city of Allegheny, approved the 13th day of March, A. D. 1844.

Referred to the Committee on Municipal Corporations.

No. 789, an act providing for the election of a township treasurer in Middle Smithfield township, Monroe county.

Referred to the Committee on the Judiciary Local.

No. 790, an act fixing the compensation for the commissioners of the county of Bucks.

Referred to the Committee on the Judiciary Local.

No. 792, an act authorizing the sale of the Allegheny City poor farm.

Referred to the Committee on Municipal Corporations.

No. 793, an act supplementary to an act concerning streets and sewers in the city of Pittsburg, approved January 6, 1864.

Referred to the Committee on Municipal Corporations.

No. 795, an act to authorize the trustees of the Presbyterian congregation in Clearfield to convey certain real estate.

Referred to the Committee on the Judiciary Local.

No. 797, an act to authorize David Souder and Henry Souder, trustees under the will and testament of Jacob Zug, late of Berks county, deceased, to invest the moneys in their hands received from the said deceased, and proceeding from his estate for the use of his daughter, Sophia Souder, or her children, in the purchase of certain real estate.

Referred to the Committee on the Judiciary Local.

No. 801, an act to incorporate the Keystone Homestead company.

Referred to the Committee on Corporations.

No. 803, an act to incorporate the M'Keesport gas company.

Referred to the Committee on Corporations.

No. 813, a supplement to an act entitled An act to incorporate the Mattawana bridge company, approved March 3, 1848.

Referred to the Committee on Roads, Bridges and Ferries.

The SPEAKER then adjourned the House until to-morrow, Thursday morning at 10 o'clock.

SENATE.

THURSDAY, March 14, 1867.

The Senate met and was called to order at 10 o'clock, A. M., by the SPEAKER.

Prayer was offered by Rev. Mr. Bailey, of Harrisburg.

On motion, the reading of yesterday's Journal was dispensed with.

PETITIONS.

Mr. CONNELL presented a remonstrance of citizens of Philadelphia, against the repeal of the act granting gratuities and pensions to the soldiers of the war of 1812.

Referred to the Committee on Pensions and Gratuities.

Mr. M'CANDLESS, one of like import.

Referred to the Committee on Pensions and Gratuities.

Also, petition of inhabitants of Philadelphia, for the repeal of the special license law for retailing liquors, &c,

Referred to the Committee on Vice and Immorality.

Also, a remonstrance against bill to render parties to suits, witnesses, &c.

Which was read as follows, viz:

To the Honorable the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met:

We, the undersigned, members of the bar of Philadelphia, observing that a bill is now pending before your honorable bodies to change the law of evidence by enabling parties to suits, and others interested, to testify on the trials of cases in which they are interested, do respectfully but earnestly remonstrate against its passage.

Our present system, under which persons directly interested in the result of a suit are excluded as witnesses therein, has been in operation during the ninety-one years of our history as a State; during which time justice has been, as a general rule, faithfully administered, and with no more mistakes or errors than are incident to human institutions. We can say of our own locality that our judicial tribunals enjoy the popular confidence.

We see, therefore, no reason for so radical a change, for "progress," though a word attractive to many, does not, we submit, always imply improvement. That disinterested evidence is the more reliable, seems too evident to require argument, except to the limited class who believe in the perfection of mankind; yet it is now proposed to admit all as witnesses, however great may be their pecuniary motives to secure a verdict. This change is also advocated at a time when the criminal records of the country disclose so many instances of crimes prompted by the desire of gain, forcibly verifying the inspired words: "The love of money is the root of all evil." Surely we should pause before adopting a system which will afford the greatest possible stimulant to perjury.

It is, however, contended that the new system is requisite to prevent "failures of justice," as many honest claims (it is alleged) are now lost for want of evidence to support them, which would thus be supplied. To this we reply,

First, That our act of 1865, Pamphlet Laws, page thirty-eight, enables parties to suits to call and examine the opposite party, as formerly, by a bill of discovery.

Secondly, That it is easy to have witnesses present, or to reduce agreements in writing; thus avoiding the uncertainly of verbal evidence, too often illustrated in our judicial proceedings, and which would certainly prevail to a much greater extent if parties could give their own versions.

We think the dishonest claims which would succeed under the new rule would prove more numerous than the honest claims which fail under the present system.

It is also argued that by this proposed plan both parties, plaintiff and defendant, would be placed on an equality; that both could make their respective statements, and the jury could readily arrive at the truth. But this is more plausible than sound. An unscrupulous person stimulated by the strongest possible motive, self-interest, can relate an artfully prepared story in a confident style which may produce on the minds of a jury more impression than the narrative of a truthful party, whose very anxiety to avoid error often causes hesitation. In addition to this, we might suggest that juries, composed of fallible men, are often insensibly swayed by sympathy or prejudice.

We are invoked to follow the example of New York and other States, which have introduced this rule into their jurisprudence. But if published accounts form any basis for comparisons, we think it may, at least, be said that our own system has not proved inferior to theirs.

For these reasons (which might, if necessary, be further illustrated), we respectfully remonstrate against the enactment of the proposed bill; at least until an opportunity can be afforded, by a commission or any other mode acceptable to the Legislature, to ascertain the practical effect of this proposed change in England and other places where it has been adopted.

And we will ever, &c.

Signed by David Paul Brown and fifty-five lawyers of Philadelphia.

Mr. WHITE here said that he had in his possession, and in due time would read in response to this, a memorial of the Attorney General of Pennsylvania and a large portion of the bar of Philadelphia, together with a memorial from a portion of the Supreme Court of the State, in favor of the proposed change.

Mr. ROYER, six petitions, signed by two hundred and three residents of the Schuylkill Valley, for the passage of a law requiring the Schuylkill navigation company to provide their dams, from the mouth of the river to the city of Reading, with suitable sluices for the passage of fish.

Referred to the Committee on Canals and Inland Navigation.

Also, one from the town council of the borough of Norristown, recommending that Schuylkill street, in said borough, be vacated in part, as such part is no public use to the citizens of said borough.

Referred to the Committee on the Judiciary Local.

Mr. SCHALL, a petition of citizens of Lehigh county, praying for the passage of a law regulating the salary of the county treasurer.

Laid on the table.

Also, a remonstrance from citizens of Lehigh county, against the passage of a law to prevent fishing in the Little Lehigh creek.

Referred to the Committee on Canals and Inland Navigation.

Also, a remonstrance against Sunday cars and liquor trade from ninety-nine citizens of Lehigh county.

Referred to the Committee on Vice and Immorality.

Mr. RANDALL, a petition for divorce from H. D. Rentschler, against Susan W. Rentschler.

Referred to the Committee on the Judiciary General.

Mr. BURNETT, a petition of citizens of Tunkhannock township, Monroe county, for the incorporation of the Tunkhannock plank road or turnpike company,

Referred to the Committee on Roads and Bridges.

Mr. WALLS, a petition, with four hundred names, praying for an act to provide for the repairing of a public road in Union county.

Referred to the Committee on Roads and Bridges.

Mr. COLEMAN, a petition of citizens of Pennsylvania, residing along the line of the Pennsylvania railroad, asking for relief from the excessive charges on local freight by said company.

Referred to the Committee on the Judiciary General.

Mr. GLATZ, a remonstrance from citizens of York county, against running Sunday cars and the sale of liquors on the Sabbath day.

Laid on the table.

Mr. M'CONAUGHY, a petition of commissioners of Adams county, for an act authorizing the State Treasurer to allow a credit to the treasurer of said county, for money paid John Scott, late brigade inspector.

Referred to the Committee on Finance.

Mr. HAINES, a petition of citizens of Pennsylvania, praying for an equalization of freights on the Pennsylvania railroad.

Referred to the Committee on the Judiciary General.

Also, four petitions in favor of a revision of the license law, and remonstrating against Sunday car travel.

Referred to the Committee on Vice and Immorality.

Also, seven petitions of citizens of Mifflin county, numerously signed, praying that the provisions of an act prohibiting the granting of licenses to certain persons in the counties of Westmoreland, Blair and Indiana, except to hotel keepers, &c., approved March 27th, 1866, may be extended to the county of Mifflin.

Referred to the Committee on Vice and Immorality.

Also, a petition of citizens of Mifflin county, praying for the passage of a law for the more impartial selection of jurors.

Laid on the table.

Mr. RIDGWAY, two petitions of citizens of the city of Philadelphia, in favor of a change in the license laws in said city.

Referred to the Committee on Vice and Immorality.

Mr. WHITE, a petition of citizens of Indiana county, against Sunday cars and in favor of temperance.

Referred to the Committee on Vice and Immorality.

Mr. SEARIGHT, a petition of citizens of Westmoreland county, asking for stringent laws against selling liquor.

Referred to the Committee on Vice and Immorality.

Also, one from the Poke Run Presbyterian congregation, of Westmoreland county, of like import.

Referred to the Committee on Vice and Immorality.

Also, a remonstrance of the congregation of Harmony Church, Westmoreland county, against Sunday travel and liquor selling.

Referred to the Committee on Vice and Immorality.

Also, a petition of citizens of Irwin borough, Westmoreland county, praying for a law authorizing the school directors of said township to borrow money for the purpose of erecting school buildings.

Referred to the Committee on Education.

Mr. BIGHAM, a memorial of the citizens of Liberty township, Allegheny county, asking authority to construct board walks along the main streets in said township, the expense to be assessed as a special tax of six mills on the property of the taxpayers.

Referred to the Committee on Roads and Bridges.

Also, a remonstrance of the citizens of Birmingham, Allegheny county, against the annexation of a part of Lower St. Clair township to said borough.

Laid on the table.

Also, a petition of coal operators in Allegheny county, asking a repeal of the tonnage tax on Monongahela navigation, the same being believed to be unconstitutional.

Referred to the Committee on the Judiciary General.

Also, a petition of citizens of East Deer township, Allegheny county, asking a review of a State road from Tarentum, Allegheny county, to the farm of George Gonchel, in Butler county.

Referred to the Committee on Roads and Bridges.

Mr. TAYLOR, a petition of citizens of Beaver county, asking for the passage of an act, now pending before the Legislature, to change or amend the laws in regard to the fees of certain township and county officers in the county of Beaver.

Referred to the Committee on the Judiciary Local.

Mr. BROWN (Mercer), a petition of citizens of Greenville, Mercer county, praying for the passage of a law authorizing the corporate authorities to borrow money for the use of said borough.

Referred to the Committee on the Judiciary Local.

Also, one from citizens of Jamestown, Mercer county, praying for the passage of an act prohibiting auctions in said borough.

Referred to the Committee on the Judiciary Local.

Also, one from citizens of Mercer county, praying for a change in the license laws of that county.

Referred to the Committee on Vice and Immorality.

Also, a remonstrance of Rev. R. M. Bear, pastor of the M. E. Church of Clarksville, Mercer county, and thirty other citizens, against any change in the Sabbath laws, and praying for a change in the license laws.

Referred to the Committee on Vice and Immorality.

Mr. LOWRY, one from citizens of Girard, protesting against being taxed to build a residence for the principal of the Erie academy.

Referred to the Committee on the Judiciary Local.

REPORTS FROM COMMITTEES.

Mr. CONNELL, from the Committee on Finance, reported, as committed, a bill entitled An act to extend the time of payment of the enrollment tax on the Delaware mining company, appointing additional corporators, and authorizing said company to hold additional land.

Mr. WORTHINGTON (same), as committed, a bill entitled an act directing the entry of liens for moneys due the Commonwealth on lands held by virtue of location or other office title, requiring the survey of lands not heretofore surveyed and returned to the Surveyor General's office, and payment to be made for the same, and regulating the fees in the office of the Surveyor General.

Mr. COWLES, from the Committee on the Judiciary Local, as committed, a bill entitled An act relative to the terms of members of council of Philadelphia.

Also (same), as committed, a bill entitled An act repealing an act relative to the purchase of a law library in the county of Butler.

Mr. FISHER (same), as committed, a bill entitled An act in relation to the borough of Montoursville, in the county of Lycoming, approved March 1st, A. D. 1867.

Also (same), with a negative recommendation, bill entitled a further supplement to the act incorporating the city of Harrisburg, providing for authority to borrow two hundred thousand dollars.

Mr. DAVIS (same), with a negative recommendation, a bill entitled An act authorizing the burgess and town council of the borough of Tremont, Schuylkill county, to levy a tax.

Mr. STUTZMAN (same), as committed, a bill entitled An act to authorize the burgess and town council of the borough of Oxford, in the county of Chester, to borrow money.

Also (same), as committed, a bill entitled An act to compel attendance of witnesses and to compel them to testify before the council of Philadelphia, and committees of said council.

Mr. WHITE (same), a bill entitled A supplement to an act relating to the directors of the poor of Lancaster county, approved March 26, 1846, regulating the fees of constables.

Also (same), as committed, a bill entitled An act to increase the compensation of the county commissioners, township auditors and the sheriff for boarding prisoners in the county of Jefferson.

Mr. RIDGWAY, from the Committee on Corporations, as committed, a bill entitled An act to incorporate the parties doing business at the Pascal iron works in the city of Philadelphia, and in the name, style and title of Morris, Larker & Company.

Also (same), as committed, a bill entitled An act to incorporate the American mining, coal oil tank and transportation company.

Mr. ROYER (same), as committed, a bill entitled An act to change the corporate name of the Mill Creek gold and silver mining company of Nevada.

Mr. HAINES (same), as committed, a bill entitled An act to incorporate the Bellefonte glass manufacturing company.

Mr. JAMES (same), as committed, a bill entitled An act to incorporate the Grocers' and Provision Dealers' association.

Mr. GLATZ (same), as committed, a bill entitled An act for defining the amount of money to be borrowed on temporary loan by councils of Philadelphia.

Mr. RIDGWAY, from the Committee on Banks, with amendments, a bill entitled An act to incorporate the People's Saving fund and deposit company.

Mr. HAINES, from the Committee on Canals and Inland Navigation, as committed, a bill entitled An act to declare the North and Tiber branches of Little Mahoning creek, Indiana county, public highways.

Mr. LANDON, from the Committee on Railroads, as committed, a bill entitled An act to incorporate the Brockwayville and Brookville railroad company.

Mr. RIDGWAY (same), as committed, a bill entitled An act to authorize the Southwark railroad company to renew their road on Swanson street.

Also (same), as committed, a bill entitled A further supplement to the act incorporating the Lafayette railroad company, approved the first day of May, A. D. 1861, extending the time for building the road and enlarging the powers of said corporation.

Mr. RANDALL (same), as committed, a bill entitled An act to incorporate the City passenger railway company.

Mr. GRAHAM (same), as committed, a bill entitled A supplement an act incorporating the Lawrenceville and Oswego railroad company, approved May 1st, A. D. 1852, reviving said act and appointing new commissioners.

Mr. LOWRY (same), as committed, a bill entitled An act to incorporate the Bear Creek railroad company, approved March 20, A. D. 1865.

Mr. BROWNE (Lawrence), from the Committee on Education, a bill entitled An act authorizing the school directors of the borough of Tarentum, Allegheny county, to assess and collect taxes for school purposes.

Also (same), as committed, a bill entitled An act to authorize the school directors of the borough of Sewickly to borrow money and levy an additional school tax.

Mr. COWLES (same), as committed, a bill entitled An act to incorporate the Teachers' institute of the city and county of Philadelphia.

Also (same), with a negative recommendation, a bill entitled An act for providing for the manner of electing school directors, supervisors and township auditors, in the township of Penn, Westmoreland county.

Mr. WHITE, from the Committee on Military Affairs, as committed, a bill entitled An act to authorize the school board of Washington township, Indiana county, to levy and collect an additional bounty tax.

Mr. BILLINGFLT, from the Committee on Roads and Bridges, a bill entitled A supplement to an act to lay out a State road from Karthaus, Clearfield county, to Sinnemahoning, Cameron county.

Mr. WALLS (same), as committed, a bill entitled An act to incorporate the Tunkhannock plank road or turnpike company, in the county of Monroe.

Mr. GLATZ (same), as committed, a bill entitled A supplement to an act to entitle the stockholders of any railroad company, incorporated by the laws of this Commonwealth, accepting this act, to vote for each share of stock, approved the 20th day of May, A. D. 1865, extending the same to turnpike road companies.

Mr. TAYLOR (same), as committed, a bill entitled A supplement to an act approved April 26th, 1850, incorporating the Wissahicken turnpike road company.

Mr. GRAHAM, from the Committee on Vice and Immorality, with amendments, a bill entitled An act regulating the granting of licenses of eating houses and taverns in the county of Allegheny, and enforcing order therein.

Mr. WORTHINGTON (same), as committed, a bill entitled An act to enable police officers to enforce order in licensed houses, and to exterminate the unlicensed traffic.

Mr. TAYLOR, (same), as committed, a bill entitled An act to regulate the sale of intoxicating liquors in Allegheny county.

Mr. BROWN (Mercer), from the Committee on New Counties and County Seats, as committed, a bill entitled An act to annex to South Mahoning township, Indiana county, that part of the farm of William Neckle which is now situate in East Mahoning township, said county.

Mr. M'CONAUGHY, from the Committee on Judiciary General, a bill entitled An act to incorporate the Masonic hall association of the city of Reading.

Mr. WORTHINGTON, from the Committee on Education, to which it was recommitted, reported, with amendments, a bill entitled A further supplement to an act for the regulation and continuance of a system of education by common schools, approved the 8th day of May, A. D. 1854.

Ordered, That five hundred copies of said bill, together with the amendments, be printed for the use of the Senate.

Mr. DAVIS, from the Committee on Judiciary Local, to which it was recommitted, reported, as committed, a bill entitled An act authorizing the commissioners of Schuylkill county to sell real estate, and to apply the proceeds to the building of a tenant house for the janitor of the court house in said county.

Mr. M'CONAUGHY, from the Committee on Judiciary General, to which it was recommitted, reported, with amendments, a bill

entitled An act to incorporate the Milford cemetery.

Mr. JACKSON, from the Committee appointed to Compare Bills, and present them to the Governor for his approbation, made report, which was read as follows, viz:

That in conjunction with a similar committee from the House of Representatives, they have compared, and on March 12 presented to the Governor, for his approbation, bills as follows:

Senate bill No. 97, an act authorizing tender of money to be made after suit brought.

Senate bill No. 660, an act relative to the public roads in Mauch Chunk, Carbon county, approved the 16th day of March, A. D. 1866.

Senate bill No. 665, an act to incorporate the city of Allentown.

Senate bill No. 444, a further supplement to the act of March 19, 1860, making further provisions for the government of the city of Harrisburg.

House bill No. 30, a supplement to an act to incorporate the Montana gold and silver mining company, approved March 23d, A. D. 1865.

House bill No. 441, an act to incorporate the Pacific Railroad gold mining company.

House bill No. 382, an act to extend the provisions of an act entitled An act relative to mechanics' liens in the counties of Luzerne and Schuylkill, approved February 17th, A. D. 1856, to the county of Northumberland.

House bill No. 459, a supplement to an act to incorporate the Fidelity Insurance, Trust company and Safe Deposit company, of the city of Philadelphia, passed the 22d day of March, A. D. 1866.

House bill No. 451, a supplement to the act incorporating the Hollidaysburg and Altoona plank road company.

House bill No. 476, an act to correct an act to incorporate the Williamsport hall and market company, approved April 20th, 1866.

House bill No. 480, an act to extend the provisions of an act laying a tax on dogs in certain townships in the county of Chester, relative to elections in West Philadelphia and assessors in Millerstown, Perry county, approved the 11th of March, 1850, so far as provides for the taxing of dogs, to the townships of Londonderry, in the county of Chester.

House bill No. 402, an act relating to courts of equity in cases of partition in the several counties composing the Sixth Judicial district of Pennsylvania.

House bill No. 397, a further supplement to an act, passed the 13th day of March, 1862, to authorize the arrest of professional thieves, burglars, et cetera, in the city of Philadelphia.

House bill No. 385, an act relative to the pay of auditors in the county of Butler.

House bill No. 400, an act repealing an act relative to the coroner in Armstrong county.

House bill No. 430, an act supplementary to an act incorporating the town of Lawrenceville into a borough, approved the 13th of February, 1834.

House bill No. 415, an act giving the town council of the borough of Mauch Chunk the right to make and build drains, sewers and sluices in said borough.

House bill No. 254, an act to vacate part of Woodpecker or Rising Sun lane, in the Twenty-first ward of the city of Philadelphia.

House bill No. 455, an act relative to the payment of street and road damages in the county of Dauphin.

House bill No. 471, an act to incorporate the Lincoln Steam Fire hose company, in the city of Philadelphia, and to authorize said company to erect a market house.

Laid on the table.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

The Clerk of the House of Representatives being introduced, presented for concurrence bills numbered and entitled as follows:

No. 365, a supplement to the general election laws of the Commonwealth.

Referred to the Committee on Election Districts.

No. 1109, an act relative to the common council of the city of Titusville, and fixing the indebtedness of said city.

Referred to the Committee on the Judiciary Local.

He also returned a bill from the Senate,

No. 132, an act relating to a certain highway in the city of Philadelphia, requiring the removal of a toll house and gate in Germantown,

With information that the House of Representatives has passed the same with amendments, in which the concurrence of the Senate is requested.

On motion of Mr. CONNELL, said amendments were twice read and concurred in.

BILLS IN PLACE.

Mr. RANDALL read in his place and presented to the Chair a bill entitled An act to annul the marriage contract between H. D. Rentschler and Susan A., his wife.

Referred to the Committee on the Judiciary General.

Mr. WALLS, a bill entitled A supplement to an act entitled An act relating to corporations for mechanical, manufacturing, mining and quarrying purposes, approved the 18th day of July, 1863.

Referred to the Committee on the Judiciary General.

Also, a bill entitled An act to provide for the repairing of a public road in the county of Union.

Referred to the Committee on Roads, Bridges and Ferries.

Mr. M'CANDLESS, a bill entitled An act to refund to the owners of the Cooper Shop Volunteer Refreshment Saloon the amount of taxes paid to the city of Philadelphia during the time the said building was used for subsisting the soldiers of the armies of the United States.

Referred to the Committee on Finance.

Mr. COLEMAN, a bill entitled A further supplement to an act revising the municipal corporation of the city of Reading.

Referred to the Committee on the Judiciary Local.

Mr. M'CONAUGHY, a bill entitled An act to extend the time for the payment of the enrollment tax on the act entitled An act to incorporate the Gettysburg and Chambersburg railroad company, approved 17th April, 1866, and authorizing said road to make connections.

Referred to the Committee on Railroads.

Mr. ROYER, a bill entitled an act to vacate a part of Schuylkill street in the borough of Norristown.

Referred to the Committee on the Judiciary Local.

Also, a bill entitled An act for the better protection of propertyholders and citizens of the borough of Norristown, from injury sustained by cattle running at large in said borough.

Referred to the Committee on the Judiciary Local.

Mr. STUTZMAN, a bill entitled An act for the construction of the Connellsville and Southern Pennsylvania railroad company.

Referred to the Committee on Railroads.

Mr. WORTHINGTON, a bill entitled An act for the protection of game in the county of Chester.

Referred to the Committee on Agriculture and Domestic Manufactures.

Mr. JAMES, a bill entitled An act to increase the compensation of the supervisors of roads in the township of Plumstead, Bucks county.

Referred to the Committee on Roads and Bridges

REPORT OF A CONFERENCE COMMITTEE.

Mr. CONNELL, from the committee of conference appointed to consider the points of difference between the two Houses on Senate bill No. 143, entitled An act to divide the Twenty-first ward, in the city of Philadelphia, into two wards, and to create a new ward, to be called the Twenty-fifth ward, reported:

That in lieu of the Senate amendment to the House amendment, they recommend the adoption of the following: "And the city commissioners shall, immediately after the passage of this act, divide each of the said Twenty-first and Twenty-eighth wards into not less than eight election divisions.

GEO. CONNELL,
JNO. WALLS,
JAMES L. GRAHAM,
Committee on the part of the Senate.
GEO. DEHAVEN, JR.,
DAVID WALLACE,
GEO. A. QUIGLEY,
Committee on the part of House.

On motion, said report was twice read and adopted.

VENTILATION OF THE SENATE CHAMBER.

Mr. WORTHINGTON offered the following resolution, which was twice read:

Resolved, That the Clerk of the Senate, in connection with the chairman of the Committee on Public Buildings, be instructed to inquire what alterations are necessary to improve the lighting and ventilation of the Senate chamber, and that they be authorized to make such changes as they deem necessary, to attain this object.

The resolution was adopted.

BILLS ON THIRD READING.

Agreeably to order, the Senate proceeded to the third reading and consideration of a bill entitled An act to incorporate the Lebanon Valley College.

The bill

Passed finally.

Agreeably to order, the Senate proceeded to the consideration of a bill entitled An act to annul the marriage contract between William Riley and Martha Willets.

Mr. WALLS said that the Senator from Luzerne [Mr. SHOEMAKER], who was absent, had the memorial and petition, but that he thought the bill was right.

Mr. WHITE. I hope the Senator from Union [Mr. WALLS] will not ask us to pass a divorce bill without the Senate knowing something about it.

The consideration of the bill was then postponed for the present.

Agreeably to order, the Senate proceeded to the third reading and consideration of a bill entitled An act to repeal parts of an act approved the 11th day of April, A. D. 1866, entitled A further supplement to an act to authorize the Governor to incorporate the Susquehanna canal company, approved April 15th, A. D. 1835.

Mr. CONNELL moved to postpone the further consideration of the bill for the present.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

The Clerk of the House of Representatives being introduced, presented for concurrence bills numbered and entitled as follows:

No. 718, an act authorizing the election of four supervisors in the townships of Dover

Daily Legislative Record.

FOR THE SESSION OF 1867.

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[CONTINUED FROM PAGE 592.]

and Manchester, in the county of York, and South Strabane township, Washington county, and the township of Tinicum, in the county of Bucks.

Referred to the Committee on the Judiciary Local.

He also informed the Senate that the House of Representatives has adopted the report of the committee of conference upon the subject of the difference existing between the two Houses in relation to Senate bill No. 143, entitled An act to divide the Twenty-first ward of the city of Philadelphia into two wards, and to create the Twenty-eighth ward.

BILL PASSED.

On motion of Mr. BURNETT, the rules were dispensed with, and the Senate proceeded to the consideration of a bill entitled An act to incorporate the Milford cemetery.

Mr. BURNETT said that the burial grounds at Milford were filled, and the citizens were compelled to carry the remains of their deceased friends a distance of nine miles for interment, therefore this bill should receive a speedy passage through the Senate.

The bill was read a second and third time, and

Passed finally.

On motion of Mr. LOWRY, the Committee on the Judiciary Local was discharged from the further consideration of a bill entitled An act relative to the common council of the city of Titusville, and fixing the indebtedness of said city, and the Senate proceeded to the consideration of the same.

The bill was read a second and third time, and

Passed finally.

On motion of Mr. BIGHAM, the rules were dispensed with, and the Senate proceeded to the consideration of a bill entitled An act to repeal an act approved March 1st, 1867, relative to the borough of Montoursville, in the county of Lycoming.

The bill was read a second and third time, and

Passed finally.

On motion of Mr. M'CANDLESS, the Committee on Finance was discharged from the further consideration of a bill entitled An act to refund to the owners of the Cooper Shop volunteer refreshment saloon the amount of taxes paid to the city of Philadelphia during the time said building was used for subsisting the soldiers of the armies of the United States, and the Senate proceeded to the consideration of the same.

The bill was read a second and third time, and

Passed finally.

On motion of Mr. GLATZ, the Committee on the Judiciary Local was discharged from the further consideration of a bill entitled An act to authorize the election of four supervisors in the townships of Dover and Manchester, in the county of York, and South Strabane township, Washington county, and the township of Tinicum, in the county Bucks, and the Senate proceeded to the consideration of the same.

The bill was read a second and third time, and

Passed finally.

On motion of Mr. ROYER, the Committee on the Judiciary Local was discharged from the further consideration of a bill entitled An act to vacate a part of Schuylkill street, in the borough of Norristown, and the Senate proceeded to the consideration of the same.

The bill was read a second and third time, and

Passed finally.

PUBLIC CALENDAR.

Agreeably to order, the Senate proceeded to the second reading and consideration of bills on the public calendar, which were disposed of as follows:

No. 441, an act relative to the county prisons and almshouses of the Commonwealth.

The first section was read as follows:

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same*, That the Governor of this Commonwealth be, and he is hereby, authorized to appoint, by and with the consent of he Senate, a competent person as commissioner of the county jails and almshouses of of this Commonwealth, and the said commissioner shall hold his office for the term of three years from the date of his appointment, unless sooner removed by the Governor, or should die, or resign, and shall receive a salary of

Mr. BIGHAM moved to fill out the blank at the end of the section by adding the words "one thousand dollars a year."

Mr. M'CONAUGHY. Mr. Speaker, I hope the Senate will agree to that. This bill has been prepared by gentlemen connected with the association for the improvement of prison discipline—men who have devoted a lifetime to the consideration of the subject. The object is to have a perfect inspection of the prisons of the State, and the sections which follow provide for the appointment of inspectors in the counties, without compensation. It will be necessary, if this is to have practical result, to have a superintendent. The committee were unanimously adverse to having salaried officers. However, there has been legislation this session, by which the Citizens' association of Philadelphia were given certain powers to undertake to inspect all the prisons, and other places where vicious persons are confined, throughout the Commonwealth. Now, I do not know what will be the judgment of the Senate in this matter, but I think that, if this sum of one thousand dollars were inserted in this section, and the gentlemen to be selected by that association designated, perhaps this inspection would be efficient. There is no doubt there is a very large field for inspection, and for the exercise of humanity and sympathy connected with the inmates of our penitentiaries in the Commonwealth. I learn that, so far as the penitentiary in Philadelphia is concerned, there is a constant visitation there. I am assured that there is not a week, perhaps a day, in which this visitation is not occurring, from men in high position in society, who desire the elevation of those who are within the walls of the penitentiary, and who desire to bring social influences to bear upon them for their advancement and improvement. But there are, no doubt, throughout the Commonwealth, cases that are not brought within the exercises of humanity to which they are entitled. If the inmates of the prisons were visited by those who desire their reform and future elevation, it would result in great moral good. It is for operations of this nature that I feel inclined to vote. I should vote against it if it were constituting another salaried office, which would be sought for as a political gift. If it were to attract those who are hungry for political appointment I should vote against it. But, if you make it a simple charity, and have its workings under the Citizens' association, I think the point would be gained without abuse.

Mr. WORTHINGTON. Mr. Speaker, it is known that this bill has been recommended by the prison association of Philadelphia, and the only question with me is, whether the bill which we passed the other day, regulating the Citizens' association, will not answer as a substitute for this bill. If it will supply what is intended by the provisions of this bill, I should be perfectly satisfied to take that in preference. I would state to the Senate that I have sent a copy of that bill to the leading officer of that society, expressing to him the idea that that law might answer the purpose of this one, and desiring his opinion upon the subject. Now, if he recommends the adoption of that law, and thinks that it will take the place of this, I should be disposed, in that case, to say that this bill ought not to pass. The great object of this bill, however, is to acquire statistics upon the subject of pauperism and crime in the State of Pennsylvania. We are wonderfully deficient in that particular. We have county almshouses and prisons which are in a very objectionable condition; and I do think that there is something required on the part of the Commonwealth to have an inspection of these institutions, to find out the wrongs and evils connected with them and endeavor to correct them. The Legislature has a guardianship over the morals of the people, and one of the great objects of legislation is to prevent crime and poverty; and the expenditure of a small amount of money for that purpose is not to be compared with the great good that would result from it. Now, sir, I am willing to let the bill lay over until we hear from the gen-

tleman I have spoken of, to see what his views are in regard to it. I ask, therefore, that the bill be laid over.

The bill was laid over for the present.

No. 457, a further supplement to an act passed March 29, 1803, to establish a board of wardens, and for other purposes, securing certain rights to pilots.

The first section of the bill was read.

Mr. M'CANDLESS. Mr. Speaker, I desire to send up and have read a resolution from the board of wardens of Philadelphia, together with a letter from the master warden.

The resolution and letter were read as follows:

"*Resolved*, That the master warden be, and is, instructed to remonstrate against any alterations in the present pilot laws; it being, in the opinion of this board, that the amendments now before the Legislature will be injurious to the commerce of the port of Philadelphia."

PHILADELPHIA, March 11, 1867.

HON. WM. M'CANDLESS:

Dear Sir—At your suggestion I forward for your information the following reasons why bill No. 457, entitled A further supplement to an act passed March 29th, 1803, to establish a board of wardens and for other purposes, securing certain rights to pilots, should not pass. The majority of the pilots of the Delaware bay and river of the present day are not as efficient as the old time pilots; they are lazy and consequently are very much opposed to cruising. Some few years since these pilots formed a combination among themselves not to cruise, but to lay around the capes and breakwater and speak vessels there, and the captains are obliged to take them. After a vessel arrives at breakwater almost any captain can bring her safe to the port of Philadelphia without a pilot, and many prefer to do so. The great danger is outside of the capes, where many vessels, in the last few years, have been wrecked, caused by this combination formed by the pilots not to cruise. The merchants, to protect themselves, consulted with a number of the old and skillful pilots, and offered to build them a pilot boat if they would cruise to sea after vessels. They accepted the offer, and the Thomas P. Cope was built expressly for these old pilots, and placed in their charge, and in a few months it had the desired effect, breaking up the combination, causing them to cruise also. The object of this bill is to break up the Thomas P. Cope. The friends of the bill have three boats to run against the Cope, and say it is their desire and purpose to do so, and the pilots of the Cope say it will have that effect. If their bill is passed, then the others will fall back to their old mode and stop cruising, which would be very injurious to the commerce of Philadelphia. The laws of the State compel a captain of an inward bound vessel to take the first pilot that speaks him at sea, and consequently is forced to take the first that offers, no matter how inefficient he may be. If he turns out a good pilot the captain will be sure to engage him to take her to sea, but if an inferior one he will not, but take a first class pilot. This bill makes it imperative on a captain to take an inferior pilot, if he is unfortunate enough to get one at sea, or one of his boat's crew, who may be no better, and probably worse, as they go by turns. For instance, if it is A's turn on the list, no matter how inferior he is, B, who is a first class pilot, will not go because it is A's turn, so that you are obliged to take A or tie your vessel up to the wharf until you can obtain a good one. The merchants say they cannot allow the pilots to rule the port of Philadelphia for their (the pilots') benefit to the detriment of its commerce. The pilots come directly under the rule of this board, who make all the laws to govern them (which are just and equitable), except when they slip upto the Legislature, as in the present case, and endeavor to get a bill passed without the knowledge of the board. In my opinion, the present pilot laws are good ones, and give all an equal chance to make a living who are industrious, and try to make themselves skillful as pilots. This is also the opinion of the board, as you will see by the enclosed resolution. Then how unjust would it be to pass a bill compelling the master of a vessel to take an inferior pilot, against his better judgment, one who perhaps had run him aground in bringing him up, or pay him pilotage for no services rendered. The captain would then be obliged to get a first class pilot to take him to sea, after discharging the inferior one, for the interest of his employers and his own. There are other interests and reasons why this bill should not pass, but I think this will explain enough for you to understand how dangerous it would be to the commerce of Philadelphia, and the anxieties it would cause to masters, merchants and owners of vessels.

I did not intend to be half so prolix when I commenced to write. Pray excuse me.

Very respectfully your obedient servant,

GIDEON CLARK,

Master Warden of the Port of Philadelphia.

Mr. RIDGWAY moved that the further consideration of the bill be postponed for the present.

The motion was

Agreed to.

No. 500, an act in relation to taxation upon the stockholders of corporations.

The first and only section was read as follows:

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same*, That from and after the passage of this act, the shares of stock held by any stockholder in any institution or company, incorporated under the laws of this State, which, in its corporate capacity, is liable to, and pays into the State treasury, the tax on capital stock imposed by the act approved April twelfth, Anno Domini one thousand eight hundred and fifty-nine, entitled An act to equalize taxation upon corporations, shall not to be taxable in the hands of said stockholders personally, for State, county or local purposes, and so much of the thirty-second section of the act approved April twenty-nine, Anno Domini one thousand eight hundred and forty-four, entitled An act to reduce the State debt, and incorporate the Pennsylvania canal and railroad company, as imposes a tax, for State or county purposes, upon any stockholder in his individual capacity, as aforesaid, is hereby repealed: *Provided*, That this act shall not be construed to relieve said corporations from any tax now imposed by law, or the real estate belonging to said corporations, from the State, county or local tax, to which they are now, or may hereafter be, subject.

The section was

Agreed to.

The bill was read a third time, and

Passed finally.

No. 537, an act relative to weights and measures.

The first and only section was read as follows:

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same*, That from and after the passage of this act the standard weight of a bushel of wheat shall be sixty pounds; a bushel of rye shall be fifty-six pounds; a bushel of corn (shelled) shall be fifty-six pounds; a bushel of corn (cob) shall be seventy pounds; a bushel of corn (meal) shall be forty pounds; a bushel of salt (coarse) shall be seventy pounds; a bushel of salt (ground) shall be sixty-two pounds; a bushel of salt (fine) shall be forty-seven pounds; a barrel of salt two hundred and eighty pounds; a bushel of barley shall be forty-seven pounds; a bushel of oats shall be thirty-two pounds; a bushel of buckwheat shall be fifty pounds; a bushel of cloverseed shall be sixty-four pounds; a bushel of timothyseed shall be forty-five pounds; a bushel of turnips shall be fifty-five pounds; a bushel of onions shall be fifty-six pounds; a bushel of peas shall be fifty-six pounds; a bushel of malt shall be thirty-eight pounds; a bushel of lime (unslacked) shall be eighty pounds; a bushel of anthracite coal shall be eighty pounds; a bushel of bituminous coal shall be seventy-six pounds; a bushel of coke, forty pounds; a bushel of potatoes shall be fifty-six pounds; a bushel of potatoes (sweet) shall be fifty-four pounds; a bushel of flaxseed shall be fifty-six pounds; a bushel of bran shall be twenty pounds; a bushel of beans shall be fifty-six pounds; a bushel of dried peaches shall be thirty-eight pounds; a bushel of dried apples shall be twenty-five pounds; but nothing in this act contained shall be so construed as to prevent any person or persons from selling or buying any of the articles aforesaid, by measure or in bulk, irrespective of the weights herein established, and all laws or parts of laws inconsistent herewith are hereby repealed.

The bill was read a third time, and

Passed finally.

No. 568, an act repealing the tax on sales of loans and stock by auctioneers.

The bill was read.

Mr. DONOVAN. Mr. Speaker, I trust that bill will not pass to-day. I have no objections to its going to a second reading.

Mr. CONNELL. Mr. Speaker, the whole object of this bill is stated in the preamble. A broker who pays a license of fifty dollars can sell loans and stock without paying any tax at all. An auctioneer who has to pay a license of from five hundred to one thousand dollars, is taxed one-fourth of one per cent. upon all sales. The State Treasurer says it is manifestly unfair. The largest amount of revenue under this tax is only some nine hundred dollars a year, and at his request a bill was brought in to repeal this tax.

Mr. DONOVAN. I do not think my colleague understands this bill, nor the State Treasurer either. The broker pays a lighter tax than the auctioneer; they do more business. They are taxed on their gross receipts. I would like to have the bill laid over, and send it down and have it examined.

The bill was laid over for a third reading.

No. 605, a supplement to an act for the better preservation of game and insectiverous birds, approved the 21st day of April, 1858.

The first and only section was read as follows:

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same*, That the provisions of the second section of the act entitled an Act for the better preservation of game and insectiverous birds, approved the twenty-first day of April, one thousand eight hundred and fifty-eight, be, and the same are hereby, changed and modified, so that the time for killing partridges shall be between the first day of November and the first day of January in each year, and that the penalty imposed by said section shall

be increased from five to twenty-five dollars for each offense.

Mr. LANDON. Mr. Speaker, do I understand that, if a lad in Bradford county shall shoot a partridge in February, he shall be liable to a fine of twenty-five dollars.

The SPEAKER. Yes, sir.

Mr. SCHALL. Mr. Speaker, I desire to have Lehigh county excepted from the operation of that bill; we have a local law there. I make that motion.

The motion was

Not agreed to.

Mr. BROWN (Mercer) moved to amend by striking out all after the word "year," leaving the penalty as it now is.

Mr. BILLINGFELT. I hope that will not be adopted.

The amendment was

Not agreed to.

Mr. LANDON. I wish my county excepted, but I wish still more to have the bill voted down.

The bill was laid over to a third reading.

No. 616, an act to confer upon the courts of quarter sessions of this Commonwealth power to annex the land, or parts thereof, of persons resident in one district to another district, for school purposes.

The first and only section was read as follows.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the several courts of quarter sessions of this Commonwealth shall have authority, within their respective counties, to annex the land, or parts thereof, of persons resident in one township or borough, to another township or borough, for school purposes, so that when so annexed the applicant shall pay his school taxes and be included within the school district to which it is annexed for educational purposes, and remain connected with the district or township of his residence for all other purposes; and the said court shall, upon the petition of any one desiring such change, proceed, by views and reviews, in the manner and under the restrictions provided under the act of the General Assembly, approved April fifteenth, one thousand eight hundred and thirty-four, with its supplements, in regard to the alteration of the lines of any two or more adjoining townships: *Provided*, That all the costs of such proceedings shall be paid by the person or persons applying for such change.

The bill was read a third time, and

Passed finally.

No 618, a supplement to an act entitled An act to consolidate, revise and amend the penal laws of this Commonwealth, approved the 31st day of March, 1860.

The bill was laid over for the present.

House bill No. 146, an act supplementary to an act relating to corporations for mechanical, manufacturing, mining and quarrying purposes, approved the 18th day of July, A. D. 1863.

The preamble and first and only section were read as follows:

WHEREAS, Great inconvenience has arisen from the provisions of the tenth section of the act to which this is a supplement, and no valid reason exists why stockholders in such corporations should have less facilities in acting by proxy than stockholders of railroad or other corporations; therefore,

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That so much of the tenth section of the act to which this is a supplement as limits the number of votes to be cast by proxy, be, and the same is hereby, repealed.

The bill was read a third time, and

Passed finally.

No. 623, an act to authorize the use of the metric system of weights and measures.

The first section was read as follows:

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That from and after the passage of this act, it shall be lawful to use and employ, in all business transactions, within this Commonwealth, the weights and measures of the metric system, as the same are contained and set forth in the tables annexed to an act of Congress, approved the twenty-eighth day of July, one thousand eight hundred and sixty-six, entitled "An act to authorize the use of the metric system of weights and measures," and when the said metric weights and measures are so used and employed, it shall be done, in all respects, agreeably to the provisions of said act of Congress.

Mr. BIGHAM. Mr. Speaker, it may be necessary to explain this bill briefly. It was sent to me by one of the members of the bar at home. It merely authorizes or allows a system of metric weights or measures, as it is called. It is based upon the French system, which is said to be the most accurate system of measurement in the world. In the act of Congress, passed July 28, 1866, permission is given to use it. In many cities the boards of trade have agreed that, in large transactions, after the 4th of July, this system is to be used. There is nothing making it obligatory. It merely authorizes them to use it in large operations. I believe it is much the most philosophical system of weights and measures that has ever been adopted.

The first section was

Agreed to.

The second section was read as follows:

SEC. 2. The Secretary of State is hereby authorized and required to furnish to commissioners, of each and every county in the Commonwealth, one complete set of the standard weights and measures of the said metric system, for the use of the said counties, respectively, and the expense of furnishing the same shall be paid out of any moneys in the treasury not appropriated to other purposes.

On the question,

Will the Senate agree to the section?

Mr. BIGHAM moved to amend the same by adding, after the word "Commonwealth," the words "who shall apply for the same."

The amendment was

Agreed to.

The section as amended was

Agreed to.

The bill was read a second and third time, and

Passed finally.

House bill No. 246, an act for the better and more impartial selection of persons to serve as jurors in each of the counties of this Commonwealth.

Postponed for the present.

No. 667, a supplement to an act to provide for the payment of gratuities and annuities to the soldiers of 1812, and to their widows, approved March 30, 1866.

Mr. LANDON. Mr. Speaker, that matter was referred, a few days since, by resolution, to the proper committee. I believe they are preparing a bill to cover the whole case. I would suggest, in view of that fact, that this bill be postponed for the present.

The consideration of the bill was postponed for the present.

House bill No. 188, an act to extend to plank roads the provisions of the eighth and ninth sections of the act approved April 19, 1844, entitled An act concerning certain State and turnpike roads.

The first and only section was read as follows:

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the provisions of the eighth and ninth sections of an act approved April nineteenth, one thousand eight hundred and forty-four, entitled An act concerning certain State and turnpike roads, be, and the same are hereby, extended to plank roads: *Provided*, That whenever the charter of any turnpike or plank road company has been, or shall be repealed, it shall not be necessary for supervisors of townships to keep an account of the expenses incurred upon the turnpike or plank road of such company.

The bill was read a third time, and

Passed finally.

No. 684, joint resolution in relation to the reduction of the National revenue tax on distilled spirits.

The bill was read.

Mr. DAVIS said he hoped the bill would pass.

Mr. BIGHAM. Mr. Speaker, I fancy that, whatever would have been the policy when Congress was acting on the Internal Revenue bill, there is no necessity for this now, as that bill has been passed. I suppose everybody in favor of cheap whisky would vote for this; yet it involves a variety of considerations, and I hope it will not be passed.

Mr. DAVIS. Mr. Speaker, this subject has been considered in Congress, and I believe the dominant faction is rather against the reduction; yet we all know that Congress is now a permanent institution, and the subject can be brought up at any time, and probably will be, during the summer. I think there is no doubt, and Senators who have looked at this subject at all must have seen that the tax has resulted in nothing but a system of fraud; it is demoralizing in the extreme. I think, in the cause of good order, and everything else that is good, this temptation to fraud and dishonesty ought to be removed, and, so far as we are concerned, I think this body will not do its duty to itself and the cause of morality unless we do what we can to remove this temptation from the people of this State. I am informed, privately as well as publicly, that the committee of investigation appointed at the last session of Congress, who are sitting in New York and Philadelphia, are of the unanimous opinion that the only way to prevent these frauds is to reduce that tax. So long as the tax is two dollars, a man who manufactures one barrel a week would make a year's income of four or five thousand dollars by cheating. So long as that exists, you will have thousands of men who will make money that way. There is no check against these frauds; no penal legislation will ever effect the desired object; the only way to do it is to carry out the spirit of the prayer which I hope Senators here offer every morning, to be relieved from temptation; and I do hope the Senate will consider this resolution, and consider it in the cause of morality.

Mr. LOWRY moved that the further consideration of the bill be postponed indefinitely.

The motion was

Agreed to.

No. 685, an act to authorize the issue of registered bonds for the coupon bonds of this Commonwealth.

The first and only section was read, as follows:

WHEREAS in consequence of robberies and

losses, holders of coupon bonds are frequently put to great inconvenience:

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same.* That the holder of any coupon bond issued by this Commonwealth, and not yet due, shall have the right to exchange the same for a registered bond of the same amount, in every other respect similar to said coupon bond, under such regulations as the Governor, Auditor General and State Treasurer may prescribe.

The bill was read a third time, and

Passed finally.

No. 724, an act authorizing the merger or consolidation of oil and other mining companies.

The bill was read a second and third times, and

Passed finally.

House bill No. 530, joint resolution authorizing the Governor to dispose of certain perishable military stores in the State arsenal.

The bill was read a second and third times, and

Passed finally.

No. 757, an act to authorize the appointment of phonographic reporters for the several courts of common pleas of this Commonwealth.

The bill was read a second and third times, and

Passed finally.

House bill No. 251, an act relating to evidence in actions of ejectment.

The first and only section was read as follows:

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That in all actions of ejectment, against two or more persons, any of the defendants shall be competent as a witness for either plaintiff or defendant, as effectually as if not made a party to the record: *Provided,* That it shall appear to the court, upon the trial, that the party so offered as a witness has disclaimed, upon the record, all title to the premises in controversy, and paid into court the costs already accrued, or given security for the payment thereof, at the discretion of the court.

Mr. WHITE. Mr. Speaker, I will merely say that I am in favor of this bill. I do not agree that it is not an effective change of the law as it now exists. It is an impartial recognition of the rule that I am in favor of; and, because I am in favor of the change of the rule, I shall vote for this bill.

Mr. M'CONAUGHY. The reason for making the individual in this case competent is because he has no interest, and has disclaimed all title to the premises in controversy.

Mr. WHITE. Where a case is brought up, they may have title to it, but they may enter disclaimer, notwithstanding it is upon the record; yet the law is, that, if I give a note to the Speaker of the Senate, and he assigns it to the Senator from Allegheny, and the action is brought, he has no interest in the controversy, yet he cannot be a witness, because his name is upon the record. That is the law now in Pennsylvania. That would be the rule in cases of action of ejectment.

Mr. M'CONAUGHY. Mr. Speaker, I desire to make a distinction in the case propounded by the Senator from Indiana. The policy of the law which prevents the assignor from being a witness, is because that assignment may have been made for the purpose of enabling him to be a witness; and the courts have decided, as one of the principal reasons for excluding him from the witness stand, that that contingency is possible. For that reason he is forbidden from making an assignment, and thus, by his own personal act, making him a competent witness in the matter in suit, so that the parallel is not sustained. I propose to amend by adding, after the word "controversy," the words "at the time of action brought."

Mr. BURNETT. Mr. Speaker, I feel inclined to support this bill, if it is amended as suggested by the Senator from Adams [Mr. M'CONAUGHY]. The rule, as established in Pennsylvania, rejecting any party who has an interest in a case from being a witness in the case, has been well stated by the Senator from Indiana [Mr. WHITE], and it has been the acknowledged doctrine of this State ever since the decision in the case of Post *versus* Avery, familiar to all lawyers here. I am opposed to admitting to the witness stand any person who has had an interest in the controversy, either directly or indirectly. Now, if an action of ejectment should be brought against two or more persons, without the amendment offered by the Senator from Adams the parties, of their own volition, would procure the filing of the disclaimer for the purpose of admitting interested parties to the stand. But if this amendment should be passed by the Senate, of course it will meet that objection.

Mr. LOWRY. I would inquire of the gentleman who has just taken his seat if, under the law of the United States, parties are not permitted to come into court and give testimony?

Mr. BURNETT. Under certain acts of Congress they may, sir.

Mr. LOWRY. I believe that is the law of Congress, of Ohio, of New York, in England and in almost every place but Pennsylvania, and we must give way to it, sir.

Mr. BURNETT. I will simply say to the Senator from Erie that there has been more injury in England in consequence of that rule than was ever known before.

Mr. SEARIGHT. Mr. Speaker, I was not in the Senate at the time this bill was called up, and I did not hear the remarks of the Senator from Indiana [Mr. WHITE]. But it is probable that he took the same view of this subject that I do myself, and put the argument in stronger and better terms than I am capable of doing.

I believe, sir, that this bill was prepared by the member from Greene county, one of the counties of my district; he is an excellent lawyer, a good man, and is anxious to have it passed. He desires it passed without delay. He is absent from the capital to-day, having gone to Philadelphia. I do not know that the amendment proposed by the Senator from Adams [Mr. M'CONAUGHY] is objectionable, except in view of the fact that it may produce delay. I have a letter on this subject from a gentleman in my district, who is a lawyer of large practice, and who was, at one time, Secretary of this Commonwealth. I have just received it, and I propose, in lieu of any remarks of my own, to give his suggestions. He says:

"It provides for a rather common case of an action against two or more defendants, and it turns out that one of the defendants has no interest whatever in the result of the suit, but is needed as a witness for his co-defendant. As the law now stands he is not competent, although he disclaims title upon the record, and pays the costs of the trial. The Supreme Court have admitted the hardship of the rule, but put his rejection on the ground that it is against the policy of the law—a very vague and unsatisfactory reason.—Justice Rogers, in one case, in seeking some mode of getting such testimony in, intimates that it might be done by suffering a verdict against such defendant. But, in practice, there would be great difficulty in this, and the rule remains as it has been. The case occurs in almost every volume of Reports, and I presume every lawyer of the Senate has had a case where the evidence of a co-defendant would have been material, if not controlling, but it could not be received, although he was a mere nominal defendant—a tenant, perhaps, or one having no interest whatever in the suit—and was ready to disclaim title to the land in controversy.

Mr. BIGHAM. Mr. Speaker, this question does not involve this general question of evidence at all. It is confined to defendants in actions of ejectment suits. It reads as follows:

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That in all actions of ejectment, against two or more persons, any of the defendants shall be competent as a witness for either plaintiff or defendant, as effectually as if not made a party to the record: *Provided,* That it shall appear to the court, upon the trial, that the party so offered as a witness has disclaimed, upon the record, all title to the premises in controversy, and paid into court the costs already accrued, or given security for the payment thereof, at the discretion of the court.

There is not the slightest objection to it.

Mr. WHITE. Mr. Speaker, this bill, with that amendment, would be of no consequence whatever. If an action of ejectment is brought by a plaintiff against two defendants, and one of them files a disclaimer that he had no interest whatever in the case, he will be admitted as a party. With that amendment it will only accomplish what is already the law.

Mr. M'CONAUGHY. I should like to see the authority for that position.

Mr. WHITE. I would show you the authority if I had time.

Mr. COWLES. Mr. Speaker, it seems to me that all that is asked for in this bill is, that a party shall not shut any man's mouth by bringing an action against him, when, by his own action, he comes in and gives him all the remedy he could have if he pushed his suit to ejectment.

Mr. WHITE. Mr. Speaker, I would merely state this: I am in favor of the general principle, but without the amendment of the Senator from Adams [Mr. M'CONAUGHY]. I am in favor of opening the door as wide as I can. Where a plaintiff brings an action against two defendants, and, after the service of the writ, upon the appearance day named in the writ, if one plaintiff comes into the court and files his disclaimer, and the case comes to trial, the jury is sworn and the issue is made up. That is the law as I understand it; and when that is done, the issue on trial is between A and B, and C, the other defendant, who disclaims and takes no issue whatever, can be a witness in that case.

Mr. M'CONAUGHY. Mr. Speaker, I assert, on my reputation as a lawyer, that in the case proposed the plaintiff is not obliged to take the disclaimer of the defendant.

The evil proposed to be reached is this: Suppose the Senator from Erie owns an estate; suppose John Smith is a tenant upon it; and suppose that Jones brings action in order to get title to that estate. He serves the writ upon the Senator from Erie, and upon Smith, who is in possession, and, by the law, the return of the writ is so recognized that it places him in the attitude of a defendant. Thus, if Smith is the only witness in possession of the evidence upon which to determine the issue, your hands are absolutely tied. He is made a party to the record, and, for that reason, he is rendered

incompetent to testify, and that testimony, which may be required to determine the question as to the right involved, is excluded from the court.

Mr. LOWRY. Mr. Speaker, I can understand the explanation of the Senator, and it convinces me more and more, every day, that we have got to yield to the progressive spirit of the age, and wipe away these practices in the courts, and let a man state the facts, and put him on the witness stand. The progressive spirit of the age requires it; and I think we will all come to that before the Legislature adjourns.

Mr. WHITE. Mr. Speaker, I shall call the yeas and nays on that amendment for two reasons: In the first place, I reassert that the passage of this bill, with the amendment proposed by the Senator from Adams [Mr. M'CONAUGHY], would only allow that to be done which is already the law. Furthermore, I am opposed to restricting the operation of the rule advanced in this bill. I want the largest liberty possible to be granted, for the purpose of getting testimony, and the amendment of the Senator from Adams infringes upon the rule, as I think it ought to be; consequently, I hope that amendment will not be adopted.

On the question,

Will the Senate agree to the amendment?

The yeas and nays were required by Mr. WHITE and Mr. SEARIGHT, and were as follow, viz:

YEAS—Messrs. Burnett, Cowles, Glatz, James, M'Conaughy, Randall, Ridgway, Royer, Schall, Walls, Worthington and Hall, *Speaker*—12.

NAYS—Messrs. Bigham, Billingfelt, Browne (Lawrence), Brown (Mercer), Coleman, Connell, Davis, Donovan, Fisher, Graham, Landon, Lowry, M'Candless, Searight, Stutzman, Taylor and White—17.

So the question was determined in the negative.

During the call,

Mr. BROWN (Mercer) said: Mr. Speaker, I will vote against the amendment of the Senator from Adams, from the fact that I believe it will leave this bill just as the law now stands. Where parties upon the record establish satisfactorily that they are not interested in the result of a case on trial, certainly the simple fact of their appearing on the record as parties does not prevent them from testifying in the case. It would be monstrous to say that the law, as it now stands, forbids all who appear upon the record as parties to a particular case to testify as witnesses in the case, whether they are *bona fide* parties or were placed upon the record as such for the very purpose of preventing them from testifying. Surely the law cannot be so unreasonable or so unjust as thus to enable any one bringing an action of ejectment to close the mouths of important witnesses for the defense by making them parties upon the record.

The question recurring,

Will the Senate agree to the section?

Mr. M'CONAUGHY said: Mr. Speaker, I propose to vote against this bill as it stands, because it will allow a party having actual interest at the time suit is brought to assign and convey his interest, and then file a disclaimer, and then go on as a witness.

On the question.

Will the Senate agree to the section?

The yeas and nays were required by Mr. M'CANDLESS and Mr. M'CONAUGHY, and were as follow, to wit:

YEAS—Messrs. Bigham, Billingfelt, Browne (Lawrence), Brown (Mercer), Coleman, Connell, Fisher, Graham, Lowry, Ridgway, Royer, Searight, Taylor and White—14.

NAYS—Messrs. Burnett, Cowles, Davis, Donovan, Glatz, Haines, Jackson, James, Landon, M'Candless, M'Conaughy, Randall, Schall, Stutzman, Walls, Worthington and Hall, *Speaker*—17.

So the question was determined in the negative.

So the bill fell.

During the call,

Mr. M'CANDLESS said: Mr. Speaker, I am opposed, sir, to all infractions of the common law, and I shall vote "no."

The hour of one o'clock having arrived, the SPEAKER adjourned the Senate until three o'clock this afternoon.

AFTERNOON SESSION.

The Senate reassembled at 3 o'clock, P. M.

MESSAGES FROM THE GOVERNOR.

The Deputy Secretary of the Commonwealth being introduced, presented the following messages, in writing, from the Governor:

EXECUTIVE CHAMBER,
HARRISBURG, March 14, 1867.

To the Senate and House of Representatives of the Commonwealth of Pennsylvania:

GENTLEMEN—I have the honor to submit herewith the last annual report of the Antietam National cemetery, with accompanying letters from Thomas A. Boullt, Esq., secretary and treasurer of said association, asking for an additional appropriation of five thousand dollars from this Commonwealth for the completion of said cemetery.

The amount solicited is not large, and I cannot doubt but your honorable body will cheerfully respond to so worthy and patriotic an object.

JNO. W. GEARY.

The foregoing, with the accompanying report, was

Referred to the Committee on Finance.

EXECUTIVE CHAMBER,
HARRISBURG, March 14, 1867.

To the Senate and House of Representatives of the Commonwealth of Pennsylvania:

GENTLEMEN—A petition has been presented to me for consideration, which is of such unusual importance that I deem it my duty to transmit it with all the accompanying papers to the Legislature, with the recommendation that the matter should receive your prompt attention. From these papers it appears that in the year 1866 two young men, citizens of this Commonwealth—Noah H. Zook and Abraham H. Zook, sons of Jacob Zook, of Lancaster county—went to the State of Mississippi, and in partnership with William A. Brown and Cyrus L. Brown, residents of that State, rented a plantation on Big Black river, about twenty miles from Vicksburg. From time to time, during the spring and summer of 1866, they invested in their business over five thousand six hundred dollars. On the 24th of last November their father received a telegraphic dispatch informing him that his sons were missing, and that it was believed they had been murdered, and that the body of Abraham had been found on the 13th of that month, lying in a swamp. He had been robbed, murdered, and stripped of his clothing, and from appearances had been exposed for at least two weeks, and mutilated by wild animals. Soon afterwards a letter was received, confirming the terrible statements contained in the dispatches, the writer urging that his communication should be confidential, and by his language showing that, if his humane efforts were known to his neighbors, his personal safety would be endangered.

Upon the receipt of these advices, the aid of the National Government was invoked, and a gentleman of respectability, a member of the bar, was sent by Mr. Jacob Zook to Mississippi to investigate the matter. Orders were sent from Washington to the military officer in command at Vicksburg to give his assistance, and the result of the search and investigation will be found in the accompanying papers. It is proven that two citizens of Pennsylvania, while pursuing a peaceful and lawful calling, have been brutally murdered—the body of one having been found, as before stated, in a section of country where they should have been welcomed, protected, and encouraged, especially as they had gone there in the spirit of manly enterprise and confidence, to contribute with their capital, labor, skill and industry to its material wealth, social advantage and political tranquility.

The partners of these men, and who are believed to be their murderers, were allowed to collect the property of their slain associates, and then leave, unmolested, for Texas. Every impediment was placed in the way of the investigation; no relief was given by the local authorities, and the residents, during the examination, either avoided answering or responded in such a manner as exposed their sympathy with the suspected, or the apprehension of evil if they disclosed all they knew of the occurrence.

The father of these murdered boys has asked his State to aid him in bringing their destroyers to justice, and, for the purpose of more speedily gratifying his wishes, I transmit all the papers in the case to you. The citizens of this Commonwealth are her children, and must and shall be protected; and it is her imperative duty to demand and insist that, wherever they shall go within the jurisdiction of the United States, their persons, their property, their reputation, and all that makes up the enjoyment of political and social existence, shall be secured to them.

I therefore earnestly recommend to your special attention, and urge that by some expression of your sense of the outrage, and of your determination to right this wrong, the United States Government will be compelled, by the offer of a suitable reward, and by immediate commands to those officials now happily vested with adequate authority by the military bill of occupation of the sections of our country recently red with the flames of rebellion, and filled with residents poisoned with the malice of subjugated treason, to search for and seize the perpetrators of this horrid deed, and bring them to speedy retribution.

I would also suggest, as asked for in the petition, that a reward be offered by the State, thus increasing the probabilities of apprehending and punishing the assassins, and at the same time showing the lawless communities which encourage the plunder and murder of Northern men, and conceal and shelter the perpetrators of the crimes, that Pennsylvania will, at all costs, protect her citizens and enforce obedience to the laws.

JOHN W. GEARY.

The foregoing message, with the accompanying documents, was, on motion,

Referred to the Committee on Federal Relations.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

The Clerk of the House of Representatives being introduced, presented for concurrence bills numbered and entitled as follows:

No. 537, an act to exempt from taxation certain real estate in Philadelphia, belonging to the Jewish hospital association of Philadelphia.

Referred to the Committee on Finance.

No. 803, an act for the relief of N. R. Harris, a commissioned captain of company D, in the Sixteenth regiment, Pennsylvania volunteers.

Referred to the Committee on Finance.

No. 810, an act to legalize the bonds issued by the school directors of Green township, in the county of Clinton, for bounty purposes, and to authorize the assessment and collection of a tax to pay the same.

Referred to the Committee on Finance.

He also returned bills from the Senate numbered and entitled as follows:

No. 402, an act to extend the time for receiving subscriptions to the capital stock of the Erie Dime Savings and Loan company, and to amend the act incorporating said company,

With information that the House of Representatives has passed the same with amendments, in which the concurrence of the Senate is requested.

On motion of Mr. LOWRY, the amendments were twice read and adopted.

VOTE RECONSIDERED.

Mr. SCHALL moved to reconsider the vote on the final passage of a bill entitled An act to authorize the clerk of the court of quarter sessions, oyer and terminer and orphans' court of Lehigh county to appoint deputies, said bill having been returned by the Governor to the Senate for amendment, in pursuance of a resolution of both Houses.

And the bill being again before the Senate, Mr. SCHALL asked and obtained the unanimous consent to amend the same by adding at the end of the first section a proviso.

The bill then

Passed finally.

REPORT FROM COMMITTEE.

On leave,

Mr. JAMES, from the Committee on Election Districts, to which was re-committed a bill entitled An act relative to contested elections in the city of Philadelphia, reported the same with amendments.

PUBLIC CALENDAR.

Agreeably to order,

The Senate proceeded to the second reading and consideration of bills on the public calendar, as follows:

No. 825, an act to provide for the discharge of trustees and other fiduciaries under physical or mental disabilities.

The bill was read as follows:

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by authority of the same,* That whenever any one of several trustees, assigns, executors, administrators, guardians or other persons acting in a fiduciary character, appointed either by or under any deed or will, or in case of intestacy, or by the order or decree of any court of this Commonwealth, shall or has become permanently affected by any physical or mental disease or infirmity, so as to disable him from properly discharging the duties of his office, it shall be lawful for the court having jurisdiction of his accounts, upon the petition of any party in interest and proof made, to discharge him from the trust, and also to appoint some proper person in his place and stead, if the nature and duties of the trust shall require it.

SEC. 2. That such discharge shall be made only upon and after a citation issued to such trustee, assignee, executor, administrator, guardian or other fiduciary, served in the manner required by law or practice in like cases; but if such trustee, assignee, executor, administrator, guardian or other fiduciary shall be shown not to be a resident within the jurisdiction of the court, then the court shall direct the manner in which such service shall be made.

The bill was read a third time, and

Passed finally.

EDUCATION AND MAINTENANCE OF SOLDIERS' ORPHANS.

Agreeably to order,

The Senate proceeded to the second reading and consideration of bill on the public calendar, entitled An act for the continuance of the education and maintenance of the destitute orphans of the deceased soldiers and sailors of the State.

[Various amendments were offered and agreed to in committee of the whole. The debate thereon will appear in the *Appendix.*]

The bill as amended and passed finally reads as follows:

AN ACT to provide for the continuance of the education and maintenance of the destitute children of deceased and permanently disabled soldiers and sailors of the State.

WHEREAS, Several considerable appropriations have been expended for the proper education and maintenance of the destitute children of the men of Pennsylvania who died in defense of the Union during the late rebellion;

And whereas, It is incumbent upon the State to continue this provision for those children which are now here;

And whereas, The experience thus far acquired in the performance of this duty now enables the Legislature to regulate by statute the large discretionary powers heretofore exercised in the premises; therefore,

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the Governor of this Commonwealth is hereby authorized and required to appoint, by and with the advice and consent of the Senate, a State Superintendent of soldiers' orphans for three years, from and after the date of said appointment, to be subject to removal for cause, as other officers appointed in like manner are now, whose office shall be at Harrisburg, whose salary shall be the same as the State Superintendent of Common Schools and necessary traveling expenses, and who shall give bonds, with three securities, to be approved by the Auditor General, and filed in the office of the Secretary of the Commonwealth, in the sum of twenty thousand dollars, for the faithful performance of his duties. The superintendent shall have power to appoint one clerk, and the Governor one male inspector and examiner, and one female assistant, each at a salary not exceeding one hundred dollars per month and necessary traveling expenses, to inspect and examine the soldiers' orphan schools hereinafter provided for: *Provided,* Said superintendent shall not, during the period of his superintendency, have any pecuniary interest in any of the said orphan schools: *Propided further,* That all the male officers so appointed shall be honorably discharged officers or soldiers.

SEC. 2. That the State Superintendent of soldiers' orphans is hereby authorized and empowered to contract with the trustees, proprietors or principals of institutions, now employed as soldiers' orphans' homes and schools, possessing such good and sufficient accommodations as said superintendent may approve, and of such other like institutions as may be necessary for the proper care and maintenance and education, at the expense of the State, and until the age of sixteen years, of the destitute orphan children of all such deceased soldiers and sailors, citizens of Pennsylvania, and soldiers who have served in Pennsylvania regiments, as have died in the service of the United States, in the late war to suppress rebellion; and, also, the destitute motherless children of soldiers permanently disabled in said war.

Provided, That the superintendent may require that institutions receiving soldiers' orphans over ten years of age, shall have not less than twenty acres of tillable land, and accommodations for not less than one hundred and fifty soldiers' orphans; *And provided further,* That said superintendent of soldiers' orphans shall establish at least one such institution for the reception of soldiers' orphans over the age of ten years, within one year after the passage of this act, in each of the twelve normal school districts now provided for by law, if in the opinion of said superintendent, the Governor concurring, the same shall be required and practicable: *And provided further,* That in no case shall the State become liable in any manner for the cost of erecting, repairing or furnishing any of the institutions employed as soldiers' orphan schools.

SEC. 3. That the State Superintendent of soldiers' orphans is hereby authorized to receive conveyances and transfers of the custody, care and control, for all the purposes of education and maintenance, till their arrival at the age of sixteen years, of said destitute soldiers' orphans from their respective fathers, mothers, guardians, or next friends, and all such conveyances and transfers heretofore made, or that may hereafter be made to the State Superintendent of soldiers' orphans, shall be valid and binding upon said fathers, mothers, guardians, and next friends, and also upon said orphans till their arrival at the age of sixteen years; and if said orphans abscond or be withdrawn, without his consent, from the custody of the Superintendent, or from the institutions in which he shall place them, they and all persons withdrawing or harboring them shall, thereupon, become liable to the provisions of the acts of Assembly relating to absconding apprentices.

SEC. 4. That the Superintendent of soldiers' orphans shall, by and with the advice and approval of the Governor, prescribe rules and regulations for the government of institutions becoming soldiers' orphan schools, designate the minimum number and grade of employees necessary, specify the character and quality of food and clothing that shall be furnished, and which shall be similar for all institutions of the same grade in the State, and decide upon a course of study to be pursued, which course shall embrace at least the usual branches of a good common school education, together with instruction in vocal music, military tactics and calisthenics, and the greatest variety possible of household and domestic pursuits, and mechanical and agricultural employments consistent with the respective sexes and ages of said orphan children and their school room studies. He shall visit each solders' orphan school at least once each quarter, either in person or by deputy, remaining at least twenty-four hours in each.

SEC. 5. Application for the admission of soldiers' orphans entitled to the benefits of this act, into the institutions established for their education and maintenance, shall be made by conveyances and transfers to the Superintendent of soldiers' orphans in accordance with provisions of section third of this act, executed under oath by the father or mother, if living, and by the father, guardian or next friend, if the father and mother be dead, or has abondoned said orphans; but all applications must be approved by the board of school directors or controllers of the district, ward, or city in which the father or mother resides, if he or she makes the application, or in which the orphans reside in other cases; and the Superintendent may require such other certificate from a superintending committee, which committee shall be appointed, and hold office, at the discretion of

the Superintendent and by and with the consent of the Governor, or from such other sources as he may deem necessary.

SEC. 6. That the said Superintendent be, and is hereby, authorized and directed to procure a school or schools, or home or homes, for the children of the colored soldiers and sailors who fell in the recent rebellion, subject to the same regulations and restrictions provided in relation to the education and maintenance of the orphans of our white soldiers and sailors.

SEC. 7. That all contracts made by said Superintendent shall be characterized alike by a wise economy and a just regard for services rendered, and that no contract shall be made for a longer period than one year, unless with the sanction of the Governor, and in cases in which it is clearly the interest of the State to contract for a longer period, such period in no case, however, to exceed five years: *Provided*, That all the contracts made under this act may be annulled at any time for failure to fulfill the conditions of such contracts on the part of any contractor, of which failure the Governor and Superintendent shall be the judges, and that every such contract shall be made upon the condition of the continuance of said soldiers' orphan schools by the Legislature of the State.

SEC. 8. That the said Superintendent may, with the consent of the Governor, afford partial relief in kind, not exceeding thirty dollars per annum for each orphan, in cases where, in his judgment, it is proper to suffer the orphans to remain with their surviving parents, or relatives, or guardians, and to receive instructions in the public schools of the Commonwealth.

SEC. 9. That all bills for the maintenance and education of soldiers' orphans shall be paid quarterly, by warrant drawn directly upon the State Treasurer, signed by the Superintendent of soldiers' orphans, who shall file a receipted bill for the same in the Auditor General's office before issuing the next quarterly warrant, which the State Treasurer is hereby forbidden to pay until such receipted bill is thus filed: *Provided*, That all amounts appropriated for the purchase of clothing and the payment of partial relief salaries, and incidental expenses, may be drawn by the State Superintendent of soldiers' orphans, upon the warrant of the Governor, and the bills for the same settled semi-annually, at the Auditor General's office, in the usual manner.

SEC. 10. That the Superintendent of soldiers' orphans shall require monthly, quarterly and annual reports, according to such form as he shall prescribe, from each institution receiving soldiers' orphans at the expense of the State; and that said Superintendent shall, not later than the first day of December, one thousand eight hundred and sixty-seven, and annually thereafter, make a detailed report to the Governor of this Commonwealth of all the soldiers' orphans under his charge, their condition and progress, the numbers of each respective age from four to sixteen years, and such other information as he may deem expedient, together with a statement of receipts and disbursements by item and estimates for ensuing years.

SEC. 11. That when any of said orphans shall have arrived at the age of sixteen, or sooner, if deemed expedient, said Superintendent shall, at the written request of said orphan, and of his or her father, mother, guardian, or next friend, put or bind him or her out to such trade and employment, and to such master, or mistress, or employer, as shall thus be requested, and for such term as shall expire, if a male, at or before the age of twenty-one; and if a female, at or before the age of eighteen years, in which indenture of apprenticeship there shall be included such covenants for the further education of the orphan as said Superintendent may prescribe, and such apprenticeship shall be, in all other respects not herein provided for, subject to the provisions of the act of Assembly relating to masters and apprentices, and the supplement thereto.

SEC. 12. That upon arrival at the age of sixteen years, each of said orphans who shall not desire to be apprenticed to a trade or employment, shall be restored to the father, mother, guardian or next friend, with a full out-fit of clothes, and a certificate signed by said Superintendent and the principal of the proper school, showing his or her moral standing, and literary and industrial attainments and qualifications.

SEC. 13. That the year for all operations, under this act, shall begin on the first Monday of June in each year, and end the day preceding the first Monday of June of the year next succeeding, and all appropriations hereafter made shall be for the year as herein determined, and made in like manner and at the same time as appropriations are now made for the general expenses of the government.

SEC. 14. That all acts, and parts of acts, heretofore passed, and inconsistent with this act be, and they are hereby, repealed.

On motion, the Senate then adjourned until 10 o'clock to morrow morning.

HOUSE OF REPRESENTATIVES.

THURSDAY, March 14, 1867.

The House met at 10 o'clock, A. M.

Prayer was offered by Rev. J. KENNEDY, member from Wyoming.

The SPEAKER announced a quorum of members present.

The Journal of yesterday was partly read, when,

On motion of Mr. ADAIRE, the further reading of the same was dispensed with.

Mr. SUBERS. Mr. Speaker, I ask leave to make a statement.

Leave was granted.

Mr. SUBERS. Mr. Speaker, my colleague [Mr. WALLACE], being obliged to be absent on account of sickness last evening, left a small bill in my charge and felt very anxious to have it read in place and put upon its passage. I therefore ask for a suspension of the rules for that purpose.

Mr. MANN. Mr. Speaker, I suppose we would facilitate business if we were to suspend the orders and give every gentleman a chance to read bills in place, and make reports from committees. If we allow any member to read a bill in place I do not see why we should not allow all to have a chance. I would therefore move to suspend the orders for the purpose of reading bills in place, and receiving reports from committees.

Mr. CAMERON. Mr. Speaker, I hope the order will not be suspended. It seems to me our calendar ought to receive as much attention as new bills. The old matter ought to be attended to before the introduction of new.

Mr. QUIGLEY. Mr. Speaker, there are quite a number of gentlemen here who have bills to be reported from committees, and are very anxious to get them on the next calendar, and I therefore hope an opportunity will be afforded to make report of bills from committees to-day that they may be on the calendar of next week.

Mr. MECHLING. Mr. Speaker, I move to modify the motion by moving that the orders of the day be suspended, and that the House proceed to the consideration of the private calendar. I am informed that all day yesterday the transcribing clerks had no work to do at all. The calendar is already a very heavy one, and in addition to the bills already printed, I am told that there are over a hundred yet to be printed. The clerks will be kept back a week or ten days in their business unless we consider the bills on the calendar to-day.

Mr. DAVIS. Mr. Speaker, unless we can get reports from committees in to-day, I presume we will not have much of a private calendar for next Tuesday.

Mr. KENNEDY. Mr. Speaker, we have a great many public bills that are of importance, and we can take them up in case we get through with the private calendar.

Mr. MANN. Mr. Speaker, I simply made my motion in order to save time.

Here are a number of gentlemen who desire to read bills in place, who will be constantly attempting to do so, and I think we had better permit them at once. We will save time by doing so.

Mr. WADDELL. Mr. Speaker, I understood the calendar as now gotten up by the clerks contains fifty more bills than the private calendar now upon our tables. That calendar has gone to the printer, and if bills were reported to-day it is exceedingly doubtful if they would get on the calendar for next week.

Mr. M'CREARY. Mr. Speaker, I hope the motion of the gentleman from Armstrong [Mr. MECHLING] will prevail. It is much better we should furnish up something than to get our hands full of additional business and finish nothing. This private calendar has been running on since Tuesday, and unless we finish it to-day we will probably not finish it this week. I trust the House will proceed with the consideration of the private calendar and finish up the business on hand.

The question being on the amendment by Mr. MECHLING to the motion of Mr. MANN, It was

Agreed to.

The question then recurring on the motion as amended,

It was

Agreed to.

PRIVATE CALENDAR.

Agreeably to motion,

The House proceeded with the consideration of the bills on the private calendar.

The following bills were read a second time and disposed of as stated:

Senate bill No. 233, an act to incorporate the Northern railroad and navigation company.

Amended by Mr. DEISE, and

Passed finally.

No. 704, an act to incorporate the National iron company.

Passed finally.

No. 707, an act to amend the road laws of Tioga and Potter counties.

Passed finally.

No. 708, an act to regulate the width of mountain roads in Madison township, Perry county.

Passed finally.

Senate bill No. 320, an act authorizing the supervisors of Jackson township, in Luzerne county, to collect, in money, one third of the tax levied for road purposes in said township.

Passed finally.

No. 711, an act to authorize the road commissioners of Mill Creek township, Erie county, to compel the owners of land fronting on Ridge road to make side-walks, and to straighten out said roads.

Passed finally.

Senate bill No. 204, an act to extend the time for the completion of the Clearfield and Curwensville turnpike road, and to allow tolls to be taken upon the portions completed.

Passed finally.

No. 713, an act to repeal the Lenox road law, in the township of Lenox, in the county of Susquehanna, and for other purposes.

Passed finally.

Senate bill No. 132, an act relating to a certain highway in the Twenty-second ward in the city of Philadelphia, requiring the removal of a toll house and gate in Germantown.

Passed finally.

No. 716, an act to increase the pay of the supervisors of Logan township, Blair county.

Passed finally.

No. 717, an act relating to the election of supervisors in the township of Middletown, county of Susquehanna, and for other purposes.

Passed finally.

No. 718, an act authorizing the election of four supervisors in the townships of Dover and Manchester, in the county of York, in the township of Tinicum, in the county of Bucks, and in the township of Strabane, Washington county.

Amended by Messrs. CALVIN and EWING, and

Passed finally.

No. 719, an act to legalize the acts of the road commissioners of Columbus township, Warren county, in levying additional road tax.

Passed finally.

No. 720, an act authorizing the supervisors of roads of the township of Allegheny, in the county of Armstrong, to levy additional taxes for road purposes.

Passed finally.

No. 721, an act to incorporate the Philipsburg and Rochester ferry company.

Passed finally.

Senate bill No. 254, an act supplementary to an act entitled An act appointing commissioners to lay out and open a State road in the counties of M'Kean, Elk, Forest and Clarion, approved on the 1st day of May, A. D. 1861, reviving the third section of said act, and authorizing the commissioners to borrow money.

Passed finally.

No. 723, an act to authorize the school directors of the borough of Renovo, in the county of Clinton, to borrow money for building purposes.

Passed finally.

No. 724, an act to authorize the school board of Tyrone City, Blair county, to sell certain real estate now used for school purposes, and appropriate the money arising from said sale to the purchase of a better location, and erecting a more suitable building for school purposes, and to borrow any sum of money, not exceeding ten thousand dollars, at a rate of interest not exceeding ten per cent. per annum, to assist them in procuring the same.

Passed finally.

No. 725, an act to relinquish a certain annuity for the benefit of school purposes in the borough of Susquehanna Depot, Susquehanna county, with power to sell and dispose of old school houses, &c., and build new ones.

The question being on agreeing to the bill,

Mr. MANN. Mr. Speaker, I offer the following amendment as an additional section:

SEC. 4. And the sum of three thousand dollars shall be paid by the said company to the school directors of Osceola district, Tioga county, and the further sum of three thousand dollars shall be paid to the school directors of Coudersport, Potter county; the last mentioned sum to be expended for the erection of a house suitable for a graded school and maintaining a graded school in said township.

Mr. Speaker, I had not thought of asking for such an appropriation as this, but I find this bill making such liberal provisions for the district in which my colleague lives, that I thought the district in which I live might also be helped a little, for I feel confident we need help quite as much as the district provided for in the bill. I hope, therefore, the House will have the generosity to add these two districts in the Northern part of the State to the provisions of the bill. It is true this railroad does not run through them, but they are the worse off for that. If the railroad ran through them they would not be so bad off as now.

Mr. CAMERON. Mr. Speaker, I certainly do not look upon that amendment otherwise than captiousness. The only object the gentleman from Potter [Mr. MANN] had in view in offering it was to kill my bill. It is a fact, very well known to many, that he made a fight on a somewhat similar bill last year, and he gave me the promise that he would give me fight again this year.

When the Erie railroad company asked the right to come through Pennsylvania, they obtained the right by the promise of paying the sum of ten thousand dollars a year so long as they continued to run. They have paid to the State something like two hundred thousand dollars annuity, and of what we call construction tax about two thousand dollars. That has been all paid into the treasury of the State, and every single dollar of their property has been exempt from taxation, and we were in no wise benefited by the Erie railroad passing through our county. But this company brings together a large number of persons to carry on their business at Susquehanna Depot, and at the small salary they pay, perhaps all they can afford to pay and probably as much as any one pays (not exceeding ten or twelve shillings per day), out of that there is little left to build school houses, open streets or anything of the sort. If we had the privilege of taxing that company we could give ten thousand dollars ourselves and have plenty left for these purposes. Now, we have in the district of Susquehanna Depot one hundred and fifty or two hundred children, and no way to educate them. The Depot is built on the edge of a hill, and you can step from the roof of many of the buildings directly on to the ground.

There is no agricultural district about, no mining, nothing of the kind. We have nothing with which to build our school houses or keep up our schools, and take care of the poor, outside of the little margin of ten or twelve shillings per day the laborers receive, after they get their living from that sum.

Now, there is probably not another instance of this kind in the entire State. The gentleman from Potter comes here and gets up this amendment—for what purpose? Not because he expects it will be agreed to, or because it is asked for, but the object is to fight and kill my bill. I repeat this statement, that another instance cannot be found of such a little town on the side of a hill where there is nothing to support it but the labor of the people who live there.

There is no property to be taxed or anything of the kind, to support the schools; and I also make this statement that there is hardly an academy or a college in the State of Pennsylvania but what has been largely endowed by the State, while upon the hills of Susquehanna, where there is nothing but hills, we have not had a dollar for schools, or roads, or other purposes, from the State. Other parts of the State have been built up by the public money, and we now come here and ask only for the little pittance of three thousand dollars, and are we to be refused? Why, sir, my honorable friend from Potter has cost the State of Pennsylvania more than three thousand dollars for speeches that have gone upon the *Record* for no other purpose in the world than for buncombe, for they do not amount to anything else. There has hardly been a private bill introduced into this House but the gentleman from Potter has objected to it or made fight on it.

I do not know the object he has in this sort of thing; perhaps he is a candidate for Congress, or judge, and he is making *buncombe* here for that purpose at the expense of the State. If he thinks he can make capital for this sort of thing, and he costs thousands of dollars to the State more than any other man, it strikes me that the three thousand dollars we ask is better laid out for the purpose for which we ask it than for his *buncombe* speeches.

Now, sir, I hope the House will pass this bill. We have a very large number of poor but respectable men at Susquehanna Depot. This is a small sum that we ask for, and they have never had any help from the State. I do not intend to trespass upon the time of the House much longer in reference to this matter. I, however, want to say this to the gentleman from Potter before I sit down, that if he really is in earnest in the presentation of his amendment, I ask him to present it in a proper form, and if he has got an instance which has the merit that there in this case, I will support it.

There is another point I want to speak about. I want the gentlemen of this House to understand this bill, and that we ask only three thousand dollars for this year. It is only for one year and not for a continuance beyond that time. It is not the same as the bill of last year, which asked for a continuance of this amount.

Now, I believe a have said enough about this case for the House to understand how the matter is, and I feel that you will vote down the amendment introduced by the gentleman from Potter, and then I will offer an amendment to come in after the first section of the bill restricting the payment of this annuity to one year.

Mr. MANN. Mr. Speaker, the gentleman from Susquehanna [Mr. CAMERON] is entirely mistaken as to the purpose for which I offered this amendment. I do not know what the temper of this House is at all upon this subject. All I say is that if the House is disposed to vote three thousand dollars to Susquehanna Depot district, I do not know why they should not vote the same amount to Osceola district, Tioga county. I have offered this amendment to test the sense of the House. The people of Osceola district need the money quite as much and have quite as much claim upon it, and it will do quite as much good there and will educate quite as many children just as effectually; and I cannot see why they should vote down this amendment to help that district and then pass the other. That is not the principle I have voted upon all through this session. I go for doing equal justice to all parts of the State as near as I can, and I do not make this amendment more extensive in its provisions because I do not know the wishes of the other gentlemen upon this floor in this respect.

Mr. LEE. Mr. Speaker, does not the gentleman know that the Supreme Judge is voted for all over the State?

Mr. MANN. I suppose that is true, but I do not suppose a justice of the peace of Susquehanna Depot district is voted for out of that district, and that may be the reason why the gentleman from Susquehanna has confined this bill to Susquehanna Depot. I submit to the House that he is quite as likely to be endeavoring to make buncombe in this case to get to be justice of the peace, or constable, or something of that kind, as I am. I have not lived to be fifty years of age, and been accustomed to such charges for thirty years, to be affected by them now. I have

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[CONTINUED FROM PAGE 600.]

been used to them for thirty years, and I never pay any attention to them anywhere.

I have only to say again that we offer this amendment in good faith. If it is the will of the House to help us a little, I shall be very thankful. The people of Coudersport are about building a graded school building, and they have taxed themselves for 1866 twenty-five mills on the dollar, and have proposed to do the same thing for 1867. I know they will be exceedingly thankful, if the Legislature in their graciousness will help them out of that trouble and vote them a little of this money paid in by the Erie railroad company.

My colleague [Mr. HUMPHREY] also says that Osceola district has made arrangements to build a graded school building in that district, and they will have to tax themselves very heavily to do it unless the State comes to the rescue.

I submit the case to the House without any further remarks, and leave them to decide whether they will grant this aid or not.

Mr. SHARPLES. Mr. Speaker, this subject has been carefully considered in committee, and a full statement of the facts in the case presented to the committee, and I believe the committee, without exception, were in favor of its passage. I am sorry that this little passage at arms has taken place between my honorable friends from Susquehanna and from Potter. I must say that I have listened to my friend from Potter not only on this occasion, but on other occasions, with a great deal of interest, and I feel satisfied that when he speaks here he speaks from principle, that he is a statesman of pure motives, and I know that my friend from Susquehanna was a little in a passion when he made his remarks on that point, and I hope the feeling will pass off. As regards the amendment of the gentleman from Potter, if he will frame a bill to the same effect, as one of the Committee on Education, I can assure him that it will receive careful consideration in the committee. Sometimes bills are injured by attaching amendments of this character, and I think it would be better to have this matter come up in a separate bill than in this way.

Mr. KINNEY. Mr. Speaker, I believe the same proposition contained in this bill was before the House last winter, and I then voted against it. Since that time it has been my fortune to see the place called Susquehanna Depot. The Erie railway company has made it a point to establish a great many buildings and a good deal of machinery there, and the saloons, and I do not know but even the hotels of the town, belong to the Erie railway company. In fact, all the wealth of the place belongs to that company, and not one dollar of it can be taxed for town purposes. All the rest of the town is composed of mere shanties, and everything of value is absorbed by that company. That bill looks to me as a matter of justice, and I shall vote for it. There is probably not another instance of the kind on record in the United States where every shop and every saloon in a place is free from taxation. That company pay their bonus into the State Treasury, and not a farthing of it can the town of Susquehanna Depot use for their own purpose. I believe this to be a bill of merit, and I shall favor it.

Mr. LEE. Mr. Speaker, I simply rise to say, in justice to all parties, that the gentleman from Bradford [Mr. KINNEY] is mistaken in one respect with reference to this bill. It is not the bill that was here last winter, by any means. That bill provided that an annual sum of ten thousand dollars should be paid to this district for school purposes. This bill simply provides that three thousand dollars shall be paid this year. It is a just and proper bill, and I trust the House will pass it.

Mr. HUMPHREY. Mr. Speaker, I would say in reference to the amendment of my colleague [Mr. MANN], that I would certainly desire to get the appropriation for my township if possible, but in justice to the gentleman from Susquehanna [Mr. CAMERON], I would state that if that amendment should be defeated I have no wish to injure or impair his bill, and shall have no objection to voting for it under the circumstances.

The question being on agreeing to the amendment of Mr. MANN,

It was

Not agreed to.

Mr. CAMERON. Mr. Speaker, I offer the following amendment to come in at the end of the section:

"*Provided further*, That this act shall not be so construed as to permit more than one payment of three thousand dollars for the purpose set forth in the bill, and that the said railroad shall pay the full assessment annually as heretofore to the State except in this instance."

The amendment was

Agreed to.

The question recurring on agreeing to the bill,

The yeas and nays were required by Mr. MANN and Mr. PENNYPACKER, and were as follow, viz:

YEAS—Messrs. Adaire, Allen, Armstrong, Barton, Boyd, Breen, Brennan, Brown, Calvin, Cameron, Chadwick, Chase, Colville, Craig, Davis, Day, DeHaven, Donohugh, Espy, Ewing, Freeborn, Gallagher, Ghegan, Gregory, Harbison, Harner, Headman, Hood, Humphrey, Jones, Kennedy, Kerns, Kimmel, Kinney, Koon, Leech, Linton, M'Henry, M'Kee, Marks, Mechling, Meily, Pennypacker, Peter, Pillow, Quigley, Roath, Robinson, Roush, Satterthwait, Seiler, Sharples, Shuman, Steacy, Stumbaugh, Subers, Tharp, Webb, Westbrook, Wharton, Wilson, Worrall and Wright—63.

NAYS—Messrs. Barrington, Boyle, Chalfant, Deise, Fogel, Hoffman, Hunt, Kline, Lee, Manu, Meyers, Mullin, Richards and Weller—14.

So the question was determined in the affirmative.

And the bill

Passed finally.

SPECIAL ORDER.

The hour of 11 o'clock having arrived, the SPEAKER announced the special order for that time to be the calling of the yeas and nays on agreeing to House bill No. 284, an act to repeal an act of the General Assembly of the State of Pennsylvania, which became a law on the 19th day of August, 1864, entitled An act relative to the Pittsburg and Connellsville railroad company.

Mr. WILSON. Mr. Speaker, during the discussion of this subject, I made up my mind to make some remarks upon it, but finding myself very much indisposed, I was entirely unable to do so. As this is a subject in which my constituents are very much interested, I ask the privilege of the House of writing out my remarks and having them published in the *Record*.

The request was granted.

Mr. KINNEY. Mr. Speaker, having been alluded to, in my absence, by the gentleman from Fayette [Mr. BOYLE], and having had no opportunity to make any remarks upon the subject, I ask the privilege of putting upon the *Record* my reasons for the vote that I shall give.

The request was granted.

REMARKS BY MR. WILSON.

Mr. Speaker, perhaps no bill will be presented to this House during this session of so great importance to the people of Western Pennsylvania as the bill now under consideration. I will not now, Mr. Speaker, undertake to portray the feeling of the people of the West in regard to the fate of this bill, but in my own immediate locality I will be permitted to say that it is deep settled and determined. We had hoped that this gigantic and over standing influence, unseen but felt to the detriment of the interests of the West, would have relinquished its grasp, and this bill would have been permitted to pass this House with but little opposition. We had fondly hoped, sir, that this measure, so manifestly just, would have commended itself to the judgment of all candid men, and, sir, that this Legislature would have been quick to do justice, not only to a portion of her own people, but also a misabused corporation; but in this we have been sadly mistaken, and we have again become the victim of a power which, if not checked, will sooner or later destroy many of the constitutional privileges we now enjoy. But, Mr. Speaker, great as this feeling is in my own locality, I shall vote for this measure, not as a local one, but, sir, as a matter of State policy; and I think, sir, a reference to the statistics of other States will justify me in this conclusion. I beg leave

to call your attention to the following statement, made by the president of the road to the Committee on Railroads of this House, and published in the papers of the day:

The State of Pennsylvania is just one hundred and one years older than Ohio, yet at the census of 1860 the population was only two million nine hundred thousand, while Ohio was two million three hundred and thirty-nine thousand five hundred and eleven, or, to make a clearer and better comparison, Pennsylvania has sixty-three to the square mile, while Ohio has fifty-nine. To-day it is claimed by her statisticians that she has outstripped us, and that she has a larger population to the square mile than we possess. In 1860 the real estate of Ohio, though less in quantity by six hundred thousand miles, was valued at one hundred and twenty-six million dollars more—her personal estate at one hundred and fourteen millions more. Taking the amount of wealth returned by individuals, and Ohio is the third State in the Union. The number of miles of railroad in 1860 were two thousand four hundred and forty-two; in Ohio, two thousand and nine hundred. The number built between 1850 and 1860, in Pennsylvania, was one thousand six hundred and twenty, in Ohio, two thousand three hundred and twenty-five.

It would be well if our Legislature would take this obvious lesson to heart, for we deduce with positive clearness that the principal element in this advance upon our State is her railway system. She has, it is said, five connected lines traversing the State from East to West and nearly as many from North to South—with innumerably shorter branches leading in all directions and into almost every county. She has never permitted any one of these numerous corporations to control and defile her legislation, nor has there ever been promulgated the monstrous doctrine that "it is not the policy of the State to permit her railways to connect with those of other States."

Now, Mr. Speaker, with facts such as these staring us in the face, will it be thought an unreasonable thing that the people of the State should ask this Legislature to pass such laws as will enable her to compete with sister States? And, sir, if this is true of Ohio, if it be true that her progress is mainly attributable to her railroad system, with what force does it commend itself to Pennsylvania, especially when we consider that Ohio is an agricultural State, whilst Pennsylvania's wealth consists mainly in her abundant mineral productions, and consequently needs greater facilities for development? But, sir, to return to the subject more directly under consideration. This road passes through a gap in the mountain seemingly by nature intended for this purpose; and it may seem strange, but it is nevertheless true, that at a very early period in our history this route was indicated by General Washington as the most feasible outlet to the great West. For this fact I refer gentlemen to Spark's life of Washington. This road has now completed fifty-nine miles to Connellsville and a diverging line of twelve miles to Uniontown, in the county of Fayette. The road, when completed to Cumberland, will be one hundred and fifty miles in length. It passes through the counties of Allegheny, Westmoreland, Fayette, Somerset and Bedford, all of which are rich in those great mineral productions which nature has so lavishly bestowed on Pennsylvania. I may here say that Fayette and Somerset contain more than two thousand square miles and have no other outlet. Somerset has one thousand and fifty square miles, nearly every foot of which is underlaid with valuable iron ore and the largest veins of coal in the United States, fire clay in abundance, marble and brown stone in endless quantities and thousands of acres of pine forests equal to any the world has ever seen.

Now, Mr. Speaker, with such vast mineral resources as these buried in the earth, and the people languishing for want of facilities, is it strange that they should seek an outlet even though it be in a neighboring State?

But, sir, in order to overcome this objection, which I know has been raised, I will here say that this road has a line under survey, and will build a road, commencing at a point called Bridgeport, one hundred and twenty-six miles from Pittsburg, along what is known as Sherman's valley, to this very city of Harrisburg—then connecting with the Central road, and passing on to New York, by Philadelphia and Reading road, via Alleutown, being a shorter route to New York than any other known. Now, Mr. Speaker, I desire to impress this fact on gentlemen, because I am aware that great objection has been raised against this bill from a want of knowledge of this fact. Now, sir, when we consider that this road will be built, and that it will come to this city, and connect with roads leading to the metropolis of the State, what becomes of the objections as to the trade going to Baltimore? In this connection, Mr. Speaker, I will here state a fact to show the importance of this route. It is this: that when this road is completed, it will be by way of Point of Rocks, from Pittsburg to Washington, and seventy three miles shorter than any other route, and at the usual express rate will be but ten hours' ride.

But, Mr. Speaker, we must have more facilities for getting to the east. To show the necessity for this, I will state what perhaps is not generally known, and that is, that we have now terminating in the city of Pittsburg six railroads; the Fort Wayne, four hundred and fifty-six miles in length, draining the prairies of vast quantities of grain, enormous herds of cattle, hogs and sheep, bringing from the lakes all the various products of the States. This road, sir, has its prosperity largely diminished for want of facilities by the Pennsylvania railroad to transport her tonnage east, the president of which has been heard to say that his cars, to the number of three hundred, have for weeks been playing warehouse for want of facilities on the Pennsylvania Central. There is also the Cleveland road, of great tonnage, and four others, all of which go to make up the great aggregate. Now, sir, add to these the tonnage of the Ohio river at Pittsburg, and you have a grand total far beyond the capacity of any two roads.

In order to show the absolute necessity that exists for another out-let eastward, let me here state that our merchants and manufacturers are often compelled to take turns of shipping goods east—some days none can be shipped, and drays are compelled to return with goods, not being able to get them shipped. Sir, I have seen a number that would reach from here to the depot, stand for hours, awaiting their turns. I have known them to be there before day, in order that they might get their goods shipped.

Now, Mr. Speaker, we must have an outlet for the vast products of Pittsburg. The city requires it. I call attention to the following statement of the vast productions of Pittsburg, in order that you may the more readily estimate our wants:

"Pittsburg contains five hundred large manufacturing establishments. It has fifty glass factories and sixteen potteries, forty-six iron foundries, thirty-one rolling mills, thirty-three machinery establishments and fifty-eight oil refineries; besides miscellaneous works of almost every variety, the whole turning out an annual product worth one hundred million dollars."

In addition to this, allow me to state another fact. We have in Pittsburg several furnaces; the ore they use is brought from Lake Champlain, Lake Superior and, in some instances, from Canada. Now, sir, what I would impress upon the gentlemen is, the fact that abundance of this ore lies immediately on the line of this road, within sixty-four miles of our own doors, and yet sir, our hands are tied and we are denied the privilege of bringing this ore into Pittsburg. Now, Mr. Speaker, this should not be a question as between different sections of the State; it should not be a question as between certain cities; it should not be a question of rivalry between railroad corporations. It is, Mr. Speaker, a question of great, pressing need to the people, and, as a representative of them, I appeal to you, gentlemen, to pass this bill. I am not here, Mr. Speaker, as the representative of the Connellsville railroad, but as a representative of a constituency whose wants can no longer be ignored. Now, Mr. Speaker, this bill, like many others of a legislative character, has a moral aspect to it. The Legislature of Pennsylvania did, by solemn act, pass (I have the date here) an act to enable this company to borrow money and issue bonds therefor; and, sir, I think I am safe in saying that it was well understood that on the faith of this act the city of Baltimore was to loan her bonds to the amount of one million dollars, and upon the faith of this act the city of Baltimore, together with many of our own citizens, did loan the money; and, sir, I may here say that every dollar was expended in our own State, and Baltimore or no other corporation has ever received one cent in return.

Now, Mr. Speaker, having by our action induced the people to loan money to the company, and then to repeal the act on which the money was raised, is an outrage on the rights of the people and a stain on the statute books of the Commonwealth. And, Mr. Speaker, the time will come when men will be ashamed of the vote they give against this bill. Sir, I am not pleading for Baltimore or any other corporation as against the interest of any section of my own State. I am proud of the metropolis of my own State; but, sir, we must be just. I am jealous, sir, as a Pennsylvanian, of the reputation of this Commonwealth, and I think, sir, that that reputation can be maintained by being just to all.

REMARKS BY MR. KINNEY.

The gentleman from Fayette [Mr. BOYLE] thought proper, in my absence on committee, to make a record for me on the question under consideration—the repeal of the act repealing the charter of the Connellsville railroad. No opportunity having been afforded to criticize his statements upon the floor of the House, I am obliged, in this manner, to vindicate my position and vote on this issue.

It is true, I was one of the jury which had under consideration, at Williamsport, in June last, the question, whether that corporation had so misused and abused its corporate privileges as to justify the Legislature in repealing its charter. The Judge, M'Candless, ruled that the inquiry could not be permitted to go back on what was termed the condoning act of the Legislature in 1856, which virtually pardoned all the offenses of that corporation—its misuses and abuses—prior to that time. As a juror, I was limited to the boundaries indicated; as a legislator, I am permitted, in my judgment, to look over the history and transactions of that corporation during its past existence of thirty years. As a juror but one decision could be rendered, but one was expected. The very fact of the passage of the act of 1856, pardoning the abuses and misuses of their privileges up to that time,

would leave the conclusion quite irresistible to most minds, that abuses had been committed and acknowledged. Another fact is, that the corporation appealed to the court for redress of its alleged grievances; and it is not only in contempt of the courts that they now appear before the Legislature for interference with the tribunal they themselves appealed to, but would be an impertinent assumption in the Legislature thus to intermeddle. That the friends of the Connellsville road should have constructed but seventy miles of road—through one of the richest and most fertile valleys of this country—in thirty years, requires explanations that I have not yet heard given, harmonizing with that energy and perseverance usually resorted to by railroad companies.

Perhaps it may not be improper to add here that in the investigations before the court alluded to, the fact plainly appeared that this enterprise had finally, if not originally, become the pet of the city of Baltimore and of the Baltimore and Ohio railroad. The last effort in its behalf was the subscription of a million of dollars by the corporation of the city of Baltimore itself; and while I would be glad to see the time arrive when our country shall be bound together with bars of iron, yet as this has evidently resolved itself into an issue between Baltimore and Philadelphia, I cannot hesitate as to which to protect and encourage. State pride alone would induce me to discriminate when the question resolves itself into one of sectionality.

The question being on agreeing to the bill, The yeas and nays were required by Mr. BOYLE and Mr. LEE, and were as follow, viz:

YEAS—Messrs. Barrington, Boyd, Boyle, Brennan, Chadwick, Chalfant, Chase, Collins, Colville, Day, Deise, Espy, Ewing, Gallagher, Gordon, Harbison, Harner, Heltzel, Hunt, Jenks, Jones, Kimmell, Leech, Linton, M'Creary, M'Kee, Maish, Mann, Mechling, Meyers, Peter, Pillow, Rhoads, Richards, Tharp, Weller, Whann, Wilson and Glass, *Speaker*—39.

NAYS—Messrs. Adaire, Allen, Barton, Breen, Brown, Calvin, Cameron, Davis, De Haven, Donohugh, Fogel, Freeborn, Ghegan, Gregory, Hood, Humphrey, Josephs, Kennedy, Kerns, Kinney, Kline, Koon, Kurtz, Lee, Long, M'Henry Markley, Marks, Mullin, Quigley, Roath, Robinson, Roush, Satterthwait, Seiler, Sharples, Shuman, Steacy, Stehman, Stumbaugh, Subers, Waddell, Webb, Westbrook, Wharton Wingard, Woodward, Worrall and Wright—50.

So the question was determined in the negative.

PRIVATE CALENDAR RESUMED.

No. 726, an act to enable the school directors of the borough of Lehighton, Carbon county, to borrow money for the erection of school buildings.

Passed finally.

Senate bill No. 381, a supplement to the act approved April 16, A. D. 1866, establishing the board of controllers of the public schools of the borough of Allentown.

Passed finally.

No. 728, an act to authorize the board of school directors of the borough of Albion, in the county of Erie, to borrow money for building purposes.

Passed finally.

No. 729, an act authorizing the school directors of the borough of Butler to transfer certain funds.

Passed finally.

No. 731, an act to appropriate the excess of money collected for bounty purposes in the township of East Huntingdon, Westmoreland county, and directing the board of school directors in said township to use the same for school and building purposes.

Passed finally.

No. 732, an act to authorize the school directors of Harrison township, Allegheny county, to borrow money.

Passed finally.

No. 734, an act to authorize and require the school directors of Antrim township, in the county of Franklin, to refund to Joseph Snively and Jacob Shank certain moneys advanced said township for bounty purposes, and to appropriate the balance of bounty funds in the hands of the treasurer for school purposes.

Passed finally.

Senate bill No. 125, an act to attach certain lands and tenements in Bedford township, Bedford county, and the persons residing thereon, to Bedford borough for school purposes.

Amended by Mr. WELLER, and

Passed finally.

Senate bill, No. 457, an act to legalize the assessment of taxes levied by the school directors of the borough of Kingston, Luzerne county, for the payment of money advanced for the purpose of paying bounty to volunteers.

Passed finally.

No. 738, an act to vacate a certain portion of ground on Sixth street, in the city of Harrisburg.

Passed finally.

No. 744, an act to authorize the school directors of Riceville, Crawford county, to borrow money, and for other purposes.

Passed finally.

Senate bill No. 376, a supplement to an act to authorize the school directors of the borough of Greenville, in Mercer county, to borrow money to erect a public school house in said borough.

Amended by Mr. LEECH, and

Passed finally.

No. 747, an act to authorize the school directors of the borough of White Haven to borrow money.

Passed finally.

No. 748, an act to incorporate the Ringgold library company.

Passed finally.

No. 749, an act to incorporate the Oil City acid factory.

Passed finally.

No. 750, an act to incorporate the Philadelphia grain warehousing and drying company.

Passed finally.

No. 751, an act to incorporate the Oak Dale skating and physical institution of Philadelphia.

Passed finally.

Senate bill No. 262, an act to incorporate the Schuylkill insurance company of Philadelphia.

Passed finally.

Senate bill No. 306, an act to incorporate the Wyoming Valley manufacturing company.

Not agreed to.

Senate bill No. 432, an act to incorporate the Erie Co-operative society.

Passed finally.

No. 756, an act to incorporte the German St. Franciscus hospital of Lawrenceville.

Passed finally.

No. 757, an act to incorporate the Mutua Steam navigation company.

Passed finally.

No. 758, an act to incorporate the Otter Point fish house company.

Passed finally.

No. 759, an act to incorporate the Felton house company at Thurlow, in the county of Delaware.

Passed finally.

No. 761, an act to incorporate the Citizens' insurance company.

Passed finally.

No. 766, An act to incorporate the Linwood Mutual association of Delaware county for insuring against horse stealing and detecting horse thieves.

Passed finally.

Senate bill No. 563, a supplement to an act to incorporate the Point Breeze park association, approved February 8, 1855.

Passed finally.

No. 764, an act to incorporate the Fifth Street market company.

Passed finally.

Senate bill No. 304, an act to incorporate the Atlantic brick manufacturing company.

Passed finally.

No. 766, an act to incorporate the Eagle manufacturing company.

Passed finally.

No. 767, a further supplement to an act to incorporate the First Reformed congregation of the borough of York and its vicinity, approved March 14, 1849.

Passed finally.

Senate bill No. 499, a further supplement to an act enlitled An act to incorporate the M'Kean and Elk land and improvement company, approved the 6th day of February, A. D. 1866, authorizing said company to borrow money and mortgage lands.

Passed finally.

No. 769, an act to incorporate the Philadelphia and Bridgeport steamboat company.

Passed finally.

No. 537, an act to exempt from taxation certain real estate in Philadelphia belonging to the Jewish hospital association of Philadelphia.

Passed finally.

No. 760, an act to incorporate the Carpenters' and Joiners' Mutual Protective Union, No. 1, of Pennsylvania.

Passed finally.

No. 770, an act to incorporate the Grand Encampment of the Order of Soldiers and Sailors of the war of 1861, of the State of Pennsylvania.

Passed finally.

No. 771, an act to incorporate the Oil City brewing company.

Passed finally.

Senate bill No. 426, an act to incorporate the Fountain Hill park association.

Passed finally.

No. 784, a supplement to an act to incorporate the Orphans' Home of the Shepherd of the Lambs, approved February 16, 1864, authorizing an increase in the number of managers.

Passed finally.

No. 775, an act to incorporate the Penn Mutual Fire insurance company of Chester county.

Passed finally.

Senate bill No. 427, an act to incorporate the Pennsylvania Club.

Passed finally.

No. 777, an act to extend the provisions of an act for the better regulation of the Mercer County, Shenango Valley, Montour and Allegheny County agricultural societies, relative to the prohibition of shows, erection of tents, booths, &c., to the Pennsylvania agricultural society.

Passed finally.

No. 778, an act relating to fishing in the stream known as Antietam, or any of its branches, in the county of Franklin.

Passed finally.

Senate bill No. 558, an act to encourage the destruction of noxious animals in Lycoming county.

Indefinitely postponed.

No. 780, an act to extend the provisions of an act for the protection of sheep in certain

counties, approved the 8th day of April, A. D. 1862, to the counties of Armstrong and Lycoming.

Amended by Mr. GALLAGHER, and

Passed finally.

No. 781, An act to prevent cattle, horses, mules, sheep and hogs from running at large in Pulaski and Little Beaver townships, Lawrence county.

Laid over on third reading.

No. 782, an act to authorize the Tioga County agricultural society to borrow money.

Passed finally.

No. 783, an act to extend the provisions of an act to prevent cattle, horses, sheep and hogs from running at large in Delaware county, to the county of Crawford, and West Manheim township, Lancaster county.

Amended by Mr. ESPY and Mr. ARMSTRONG, and

Passed finally.

No. 784, an act to protect game and fish in Luzerne county.

Passed finally.

No. 786, an act to authorize John F. Satterlee to erect an eel weir in the Susquehanna river, in Susquehanna township, Bradford county.

Passed finally.

No. 787, an act to extend to Allegheny township, Blair county, the provisions of an act to prevent swine from running at large in the township of Blair, in the county of Blair.

Passed finally.

No. 788, an act to prevent fishing with nets, seines and baskets in the waters of Big Fishing creek and its tributaries, in the counties of Columbia and Luzerne.

Passed finally.

No. 790, an act in relation to fishing and hunting in the township of Jefferson, in the county of Somerset.

Passed finally.

No. 791, an act to prevent cattle from running at large in Abington township, Montgomery county.

Passed finally.

No. 792, an act to repeal the fourth section of an act to incorporate the Pennsylvania State agricultural society, so far as it extends to the county of Lawrence.

Passed finally.

No. 793, an act for the protection and preservation of fish in the county of Berks.

Amended by Mr. JONES, and

Passed finally.

No. 794, a supplement to an act for the better preservation of game within the county of Schuylkill, approved the 11th day of April, A. D. 1866.

Passed finally.

No. 795, an act for the protection of farmers against the ravages of wild cats in the county of Forest.

Passed finally.

No. 796, an act regulating licenses to eating houses or restaurants in the county of Centre.

Passed finally.

No. 798, an act to extend the provision of an act to prohibit the granting of licenses to sell intoxicating drinks within the county of Potter, approved April 11, A. D. 1866, to the county of Wyoming.

Passed finally.

No. 799, an act relating to public printing in the county of Juniata.

Passed finally.

No. 803, an act for the relief of N. R. Harris, a commissioned captain of company D, in the Sixteenth regiment, Pennsylvania volunteers.

Passed finally.

Senate bill No. 459, an act to legalize the assessment, levy and collection of bounty tax, and to provide for the collection of the same, for bounty purposes, in Springfield township, Bucks county.

Passed finally.

No. 808, an act to authorize the Board of Military Claims to adjust the claim of Wm. D. Shoenleber.

Passed finally.

No. 810, an act to legalize the bonds issued by the school directors of Green township, in the county of Clinton, for bounty purposes, and to authorize the assessment and collection of a tax to pay the same.

The question being on agreeing to the bill,

Mr. WRIGHT. Mr. Speaker, there is considerable opposition to the passage of this bill, and I understood the gentleman from Clinton [Mr. DEISE], who has it in charge, to agree that it should go over on the third reading.

Mr. DEISE. Mr. Speaker, I did not make any such agreement. I agreed with the gentleman that if he would not object it off the calendar he could fight it when it came up in the House, but I did not agree that it should go over on third reading.

I would merely state for the information of the House that this is a purely local bill, and the facts are these: The school boards of Green township gave the volunteers who entered the service the sum of four hundred dollars. The quota of the county was filled and the soldiers received these bonds from the school board, the citizens of the township becoming individually responsible for the extra one hundred dollars. The citizens failed to raise the amount by subscription, and thus the township became liable to the soldiers for the original amount. This act is to validate their bonds. It is for the purpose of paying these men that went into the war that which the township pledged its faith to do. The men have performed their services, and have returned, and now ought to receive what the township has agreed to pay them. If the citizens have failed to contribute the amount, it is no reason why the township should not become responsible. The opposition of which the gentleman speaks is simply on the part of certain men in that township, who, during the entire war, refused to contribute one cent to that purpose. The men who are opposed to it, are men who were exempt. I submit whether it is not right that the soldiers who went into the war upon the positive agreement of the township that they should receive this amount, and after receiving their bonds, that these bonds should not be legalized and paid. I submit this statement, which I know to be true, and which I will vouch for upon the floor of this House, with any member, and ask if these soldiers should not be paid.

Mr. WRIGHT. Mr. Speaker, I do not want the gentleman to understand that I wish to oppose this bill. I do not know but that it is all right and proper, but a remonstrance has been sent to me, signed by a large majority of the citizens of that township, protesting against the passage of this bill. I should have objected it off the calendar if I had not understood the gentleman from Clinton [Mr. DEISE] that he would agree to have it go over on third reading. I do not know but I shall vote for the bill when it comes up on its final passage, but if it is all right I do not see any harm in having it laid over.

Mr. DEISE. Mr. Speaker, the difficulty is this: The time has arrived when these duplicates are made out. The bonds are over due more than a year, and they were not paid because the collection of the money could not be enforced. Last year the soldiers received not even the interest on these bonds. We are desirous that these men should be paid their hard earned money as soon as possible.

I agree with the gentleman's statement that he raised objections to the bill, but I did not agree that it should go over. I have a petition here from a great share of the citizens of that township in favor of this bill, and I can vouch for the truth of the facts I have stated.

Mr. WRIGHT. Will the gentleman allow himself to be interrogated?

Mr. DEISE. Yes, sir.

Mr. WRIGHT. How many voters are there in that townseip?

Mr. DEISE. There are about three hundred and seventy-five.

Mr. WRIGHT. The remonstrance that I speak of is signed by over two hundred voters of that township.

Mr. DEISE. Yes, sir, and I have a petition signed by the same men who signed the remonstrance, they not knowing what the remonstrance was.

On the question,

Will the House agree to be bill?

It was

Agreed to.

On the question,

Will the House suspend the rules and read the bill a third time?

Mr. STUMBAUGH. Mr. Speaker, I do not want to throw any obstacle in the way of this bill, but last year there was a general act passed exempting officers and soldiers who had been honorably discharged, and those who have been discharged on account of wounds or physical disability contracted in the service, and the widows and orphans of such persons, from the payment of all bounty taxes; and I desire to know whether this bill will not tax those very individuals in that township?

Mr. DEISE. Mr. Speaker, I do not think that construction could be made. The collections would be made according to existing laws.

Mr. STUMBAUGH. Mr. Speaker, that there may be no question about it, I would like to have the bill so amended that the provisions of the general act of March 30, 1866, shall extend to the collection of taxes under this bill.

Mr. DEISE. I have no objection to that.

Mr. STUMBAUGH. Mr. Speaker, I move to amend by adding to the bill the following proviso:

"*Provided*, That persons exempt from taxation under the act of March 30, 1866, shall not be subject to taxation under the provisions of this act."

The amendment was

Agreed to.

The rules were suspended, and

The bill as amended

Passed finally.

No. 812, an act to annul the marriage contract between John Schneck, of the State of New York, and Margaret Schneck, of Northumberland county.

Mr. THARP. Mr. Speaker, I offer the following preamble to the bill:

WHEREAS, John Schenck and Margaret Schenck were married in the State of New York, where they cohabited as man and wife; *And whereas*, while they so resided the said Margaret received from her said husband such cruel and barbarous treatment as to make life burdensome and compel her to withdraw from the habitation of her said husband and seek refuge in Northumberland county, Pennsylvania, where she has resided for several years; therefore.

The amendment was

Agreed to.

The question being on the final passage of the bill,

Mr. MEYERS. Mr. Speaker, it seems to me the courts have, and have had for years, jurisdiction in cases of exactly this character. I hope this House will not stultify itself by

passing this bill unless the gentleman who has it in charge can give some better reasons for doing so than this preamble sets forth. It will not be signed by the Governor if passed, for he has time after time vetoed bills for the same reasons that apply to this case.

Mr. THARP. Mr. Speaker, I have examined this case with some degree of care. The parties were married in the State of New York; they resided there after marriage, and the acts for which this divorce is asked were committed in the State of New York. I do not think the courts have jurisdiction in this case—at least there may be some doubt about it—and I do not want this bill defeated by captious doubts. I desire the bill should go through and get the opinion of the Attorney General upon it. The husband is out of the jurisdiction of the courts if the acts were committed outside the State, and I am quite well satisfied that the courts have no jurisdiction in the case.

Mr. MANN. Mr. Speaker, the act of Assembly upon this subject provides that in addition to the cases now provided "it shall be lawful for the several courts of common pleas, in this Commonwealth, to entertain jurisdiction of all cases of divorce from the bonds of matrimony, for the cause of personal abuse, or for such conduct on the part of either the husband or wife, as to render the condition of the other party intolerable, and life burdensome, notwithstanding the parties were, at the time of the occurring of said causes, domiciled in another State: *Provided*, That no application for such divorce shall be made unless the applicant therefor shall be a citizen of this Commonwealth, or shall have resided therein for the term of one year, as provided for by the existing laws of this Commonwealth."

If I understand the reading of this act, and the reading of the preamble to this bill, I infer that neither of these parties having resided in this Commonwealth until after this offense was committed the courts would not have jurisdiction.

Mr. MEYERS. Mr. Speaker, the gentleman refers to the act of 1854, and to the act a year later, of March 9, 1855. If he will read a little further he will find that by the act of April 22, 1858, the jurisdiction of the courts was extended to all cases where the acts were committed outside of the State, in which it before had jurisdiction when the acts were committed within this State. By the act of 1855, "It shall be lawful for the several courts of common pleas in this Commonwealth to entertain jurisdiction of all cases of divorce from the bonds of matrimony, for the cause of personal abuse, or for such conduct on the part of either the husband or wife, as to render the condition of the other party intolerable and life burdensome, notwithstanding the parties were, at the time of the occurring of said causes, domiciled in another State: *Provided*, That no application for such divorce shall be made unless the applicant therefor shall be a citizen of this Commonwealth, or shall have resided therein for the term of one year, as provided by the existing laws of this Commonwealth."

So it is evident, Mr. Speaker, that in the first place this offense on the part of the husband is one over which the court of common pleas has jurisdiction, and in the second place it does not take away the jurisdiction of the court because the parties were not residents in the State at the time the offense was committed.

In view of what the Governor has done in other cases it is quite certain he will veto this bill if it is sent to him, and even if he does not veto it, it is perfectly valueless. Shall we, in the face of this act of Assembly, and with the almost certain knowledge that the Governor will veto it, knowing that it is in violation of the Constitution, and that the courts have jurisdiction, shall we grant this divorce? If this woman had gone to the courts instead of coming here, and proved the facts set forth in this preamble, she could have got a divorce before this time. The proper place for her to seek this divorce is through the court of common pleas, and I, therefore, hope the Legislature will not stultify itself by passing this bill.

Mr. MANN. Mr. Speaker, I desire to set myself right in reference to this matter. I had overlooked the section to which the gentleman refers, and it seems to me that the case is so clearly one over which the courts have jurisdiction that there is nothing more that can be said.

The question being on the final passage of the bill,

The yeas and nays were required by Mr. MANN, and Mr. MEYERS and were as follow, viz:

YEAS—Messrs. Adaire, Boyd, Boyle, Breen, Calvin, Cameron, Chalfant, Collins, Colville, DeHaven, Deise, Donohugh, Espy, Fogel, Gallagher, Gregory, Harbison, Harner, Headman, Hood, Hunt, Jenks, Jones, Josephs, Kinney, Kline, Koon, Kurtz, Long, Maish, Markley, Marks, Mechling, Meily, Mullin, Rhoads, Richards, Roush, Sharples, Shuman, Stehman, Stumbaugh, Subers, Tharp, Weller, Westbrook, Wharton, Wingard and Worrall—49.

NAYS—Messrs. Armstrong, Barrington, Barton, Brennan, Brown, Chadwick, Chase, Craig, Day, Freeborn, Gordon, Heltzel, Hoffman, Humphrey, Kerns, Kimmell, Lee, Leech, Linton, M'Creary, M'Henry, Mann, Meyers, Pennypacker, Peter, Roath, Satterthwait, Seiler, Waddell, Webb, Whann and Wright—32.

So the question was determined in the affirmative.

And the bill

Passed finally.

No. 813, an act to annul the marriage contract between Wm. C. Gray and Lucinda Campbell Gray, late Lucinda Campbell.

Mr. MANN. Mr. Speaker, I do not suppose there is any use in making any opposition to this bill. The House does not appear to pay any attention to the Constitution or to the Governor in this respect. I desire, however, to put my protest on record against this kind of legislation.

Mr. GLASS. Mr. Speaker, the gentleman from Beaver [Mr. QUAY] has this bill in charge, and I have had several conversations with him on the subject of this divorce. I know that it is a case in which the courts have no jurisdiction. The wife that this bill proposes to divorce Mr. Gray from is constitutionally insane. She was insane when he married her, and has become so very insane since that it is impossible for him to live with her with any comfort to himself or to any of his family. There have been voluminous papers in the case presented to the Committee on Divorces, and I know that the case has been presented to that committee in such a shape that there is no question at all as to the propriety of the passage of this act. I make this statement in justice to the gentleman from Beaver, who has the bill in charge and who is not now in his seat.

Mr. KERNS. Mr. Speaker, if the case is as stated, I think it is now the duty of this party to take care of this wife instead of being divorced from her. I think the reasons for the divorce are not well founded.

Mr. SHARPLES. Mr. Speaker, I desire to know whether there is any provision in this bill for the maintenance of the woman on the part of the man, in case they are divorced. If he is able to maintain her, and does so, it puts a different phase on the case.

Mr. GLASS. Mr. Speaker, this woman was placed in the insane hospital at Dixmont, in Allegheny county. She was placed there at the request of the husband, who desired to maintain her there. But she was taken out by the mother, and the mother refuses to have her remain there. She is living now near Beaver, and is in such a condition that she is dangerous to herself and to the neighborhood. The husband has offered to maintain her; but the mother refuses to permit him that privilege. That is the condition of the case, and it is clearly one ever which the courts have no jurisdiction. I believe the courts have already so decided in the case, that it can only be acted upon by the Legislature.

Mr. PENNYPACKER. Mr. Speaker, I am not familiar with the points in this case, but I accept the statement of the gentleman from Allegheny, our present worthy Speaker [Mr. GLASS], as true, and place myself firmly against this bill. I made up my mind long ago that if I came to the Legislature I would never vote to divorce a man from his wife when that wife had become insane. Sir, if there is a time in this world, if there is an hour, or a moment, when a man's obligations are greater, when those ties that bound him to that woman when he accepted her as a wife are stronger, it is when reason has lost its sway. Her natural protector before becomes doubly her guardian when reason has lost its balance; and I, sir, for one, cannot, and will not, agree to release him from those sacred obligations, under such circumstances. Suppose for a moment that reason should be restored—as we know frequently occurs—and this case should then be presented to her mind. Suppose reason, with its recollections, should light up her intellect, and this case should be presented to her, that during the to her vacant years that she had lost her reason, her husband's affections had left her—that his support had been withdrawn, and that the Legislature had released him from his marriage ties, what would be the effect upon that intellect? If there is a way reason could then be strengthened and again established in her mind, it would be by the reception of the affections and kindnesses of her husband. But if she was told the affection of her husband was withdrawn, nothing could tend more to cause her to relapse again into a state of insanity.

Last year I had the honor to be a member of the Divorce Committee. A case of this kind—not perhaps entirely similar, but very much like it—came before the committee, and the committee were unanimously opposed to considering favorably a proposition of this kind. We thought that the obligations the man took upon himself in becoming the husband of the woman were then doubly strengthened. While I have no doubt that this is a case of confirmed insanity, I believe that husband's obligations should last during life. For one, on general principles, I shall

earnestly protest against the passage of any bill of this kind, no matter where it comes from, or in what location it may be. I have no objections to having this bill go over until the gentleman from Beaver [Mr. QUAY] is in his seat, but I say here now that I shall never consent to vote for a proposition of this kind.

Mr. GLASS. Mr. Speaker, I think it would be unfair to take a vote upon this question in the absence of the gentleman from Beaver. I believe that this is a case of confirmed insanity. I know that the gentleman from Beaver has, in his possession, sworn affidavits and other facts, that would justify the House in granting this divorce. But as the gentleman from Beaver is not in his seat, I ask that the bill may go over on third reading, in order that he may call it up when he is again present.

Mr. COLVILLE. Mr. Speaker, this is a case which the members constituting the Divorce Committee gave a thorough investigation. The circumstances connected with it are somewhat peculiar. The business of the husband, who is petitioning this Legislature for a divorce, is of such a character that he cannot possibly be at home much of the time. He is a steamboat engineer and is necessarily compelled to be almost constantly from home. It is also proved by the affidavits that were presented to the Committee on Divorces that there was considerable deception used on the part of the mother and on the part of the wife to induce this man to marry this woman.

Her insanity has not arisen since marriage, but it existed previous to marriage. The husband was entirely ignorant of it at the time he espoused her, but they were not married more than three months until he made the discovery. The affidavits presented to the committee also set forth that she herself admits, while in her senses, of the deception that had been practised upon him.

Therefore, I think the grounds for a divorce, in this case, are just, and I hope it will be granted by this Legislature.

Mr. HOOD. Mr. Speaker, I am, as a general thing, opposed to the Legislature granting divorces, more especially if they are such as come within the jurisdiction of the courts. But in this case the courts have no jurisdiction. If I understand this case rightly, it is one of confirmed insanity, and it is very unreasonable to hold a man fast to a mad woman for the rest of his life. I cannot see the policy or wisdom of so doing. I am, therefore, in favor of granting this divorce. I understand that the husband placed her in an asylum, which was the proper place for her recovery, and that her mother withdrew her from that asylum. Under these circumstances, and inasmuch as this is undoubtedly a case of insanity from youth, and the man was imposed upon by being inveigled into marrying a mad woman, I, for one, shall vote for annulling this marriage contract.

Mr. MEYERS. Mr. Speaker, the question involved in this case was very fully discussed a few years ago upon an application for a divorce on similar grounds by a gentleman from Germantown. The Legislature then, by a large majority, refused to grant a divorce. A similar case came before the Committee on Divorces, of which I had the honor to be a member, last winter, and although it appeared to be a very meritorious case, the woman having been insane for twenty-five years, yet even then the committee almost unanimously refused to report the bill affirmatively. It was, however, there thought that it was a subject in regard to which the Legislature might frame a general law guarded with wise provisions for the protection of such cases. Under those circumstances a bill was framed well guarded, for the purpose of allowing courts to grant divorces in positive cases of insanity, with the provision that this man should be obliged to provide for the wants and necessities of the woman. It was fully discussed in this House, a number of gentlemen taking grounds against the passage of a law of that character, and several gentlemen in favor of it. Yet with all these wise and well guarded provisions in a general law—provisions for protecting the woman in that unfortunate condition, where applications for divorce should be made to the courts, and confining it only to confirmed cases, upon the positive proof of expert physicians and other scientific men—guarding it with wise provisions to protect the unfortunate woman against poverty, by requiring the courts, by their decree, to set apart a portion of the estate of the husband for her maintenance during her lifetime—with all these provisions, this House, by an almost unanimous vote, refused to pass such a bill. I favored reporting the bill in committee, and favored it upon the floor of the House.

Yet, after hearing the remarks of the gentlemen upon this floor, I felt convinced myself that we would not be performing the duty the Commonwealth owes to its citizens, if we should give the power to the courts to grant a divorce on the ground of insanity, unless it was a case of insanity before marriage. And if it was a case of insanity before marriage, and fraud was perpetrated upon either of the parties, it would come within the jurisdiction of the courts, because they have the power to grant divorces when the marriage was contracted through frauds perpetrated by either of the parties. If the husband had evidence of her insanity before the marriage, he married her with his eyes open. In that case the courts would have no jurisdiction, and he would have no right to demand a divorce.

I am opposed to this bill. You have no sufficient evidence before this House as to the confirmed insanity of this woman. You have not provided in this bill against misfortune and poverty that may fall upon this woman if she is divorced. The only thing that I would agree to would be the passage of a general law, well guarded, for the purpose of protecting the unfortunate woman who may be in this condition. For these reasons I am opposed to this bill, but in favor of a general law covering this case.

The question being on postponing the bill for the present,

It was

Agreed to.

MESSAGE FROM THE SENATE.

The Clerk of the Senate being introduced, presented for concurrence bills numbered and entitled as follows, viz:

Senate bill No. 185, a further supplement to an act to incorporate the city of Philadelphia, approved February 2, 1854, relative to vacancies in elective offices.

Senate bill No. 275, an act to provide an associate law judge of the several courts in the Twenty-first Judicial district.

Senate bill No. 442, a supplement to act to validate certain conveyances made by married women, since the 11th day of April, 1848, approved the 22d day of April, 1863, restraining conveyance in cases in which the instrument vesting title withholds such power.

Senate bill No. 624, an act relating to bounties in the borough of Dillsburg, in the county of York, and State of Pennsylvania, validating and legalizing the assessment duplicate and warrant to collect bounty tax, assessed in June, 1864, in said borough.

No. 785, a supplement to an act, entitled An act to incorporate the borough of Columbia, approved April 16, 1866.

No. 794, a further supplement to an act to erect the town of Lebanon, in the county of Lebanon, into a borough, providing for the consolidation of the borough of Lebanon and the borough of North Lebanon.

No. 799, an act to incorporate the Scranton market company.

No. 804, a supplement to an act incorporating the Pittsburg and Arizona gold and silver mining company.

No. 805, an act to declare West creek, in the counties of Elk and Cameron, a public highway.

No. 806, an act establishing the Vinegar ferry in the county of York.

No. 809, an act to incorporate the Brandy Camp railroad company.

No. 812, an act to repeal an act to lay out a State road in Schuylkill and Columbia counties, approved April 4, 1866.

No. 816, an act to incorporate the Roaring Brook turnpike company.

No. 818, an act to authorize the Allegheny and Perrysville plank road company to fix their tolls and to transfer a portion of their road.

No. 852, an act to repeal the act to incorporate the Odd Fellows' hall association of Tremont, in the county of Schuylkill, and to vest the rights of said association in the board of trustees of Tremont Lodge, No. 245, of Independent Order of Odd Fellows of Pennsylvania.

No. 853, an act to authorize the appointment of one additional notary public for the county of Luzerne, to reside in the borough of Wilkesbarre, and repealing so much of the act of 14th of April, 1840, as renders justices of the peace ineligible to the office of notary public, so far as the same relates to the additional notary public authorized by this act.

No. 854, an act to allow the sheriff of Elk county fees for serving jury notices and increasing the pay of supervisors in said county.

No. 872, an act authorizing the trustees, secretary and treasurer of the proprietors' fund of Plymouth township, Luzerne county, to appropriate said fund towards the erection of school houses and for school purposes.

No. 873, an act to authorize the trustees of the public school fund of the townships of Wilkesbarre and Plains, in Luzerne county, to appropriate the whole or any portion of said fund for the purchase of land for a public cemetery or grave yard for said townships.

No. 874, an act to authorize the county commissioners of the county of Carbon to assist in the building of a new road, out of the borough of Mauch Chunk.

No. 875, an act to incorporate the Shawsville bridge company, in the county of Clearfield.

No. 888, an act supplementary to the act entitled An act relating to the sale and conveyance of real estate, approved April 18, 1853, authorizing acknowledgments before one judge.

Senate bill No. 938, an act providing for the election of supervisors in certain rural wards of the city of Philadelphia.

Senate bill No. 954, an act appointing commissioners to lay out and open a State road from Wilcox, in Elk county, to Kane, in M'Kean county.

Senate bill No. 956, an act to ascertain the views of the qualified electors of M'Kean county, upon the subject of refusing licenses.

Senate bill No. 959, a further supplement to an act passed March 29th, A. D. 1803, to establish a board of wardens of the port of Philadelphia, and for other purposes.

Senate bill No. 960, an act to enable the agents of the Methodist book concern to hold real estate in the city of Pittsburg.

Senate bill No. 961, an act to incorporate the People's Brewers of Philadelphia.

Senate bill No. 962, an act authorizing the town council of the borough of Tamaqua, Schuylkill county, to borrow money.

Senate bill No. 963, an act to incorporate the Co-operative association of the city of Allentown, in the county of Lehigh, for mercantile purposes.

He also returned bills from the House of Representatives numbered and entitled as follows, viz:

House bill No. 577, an act to incorporate the Philadelphia County real estate association.

House bill No. 193, a supplement to an act appointing commissioners to lay out and open a State road in the counties of Potter and Clinton, approved the 16th day of March, A. D. 1865.

House bill No. 545, an act relating to fe of notaries public in the county of Erie.

House bill No. 540, an act to increase the pay of the county auditors and the supervisors and township auditors of the several townships of Northumberland county.

House bill 356, an act relative to the election of school directors and supervisors of roads in the township of Allegheny, in the county of Armstrong.

No. 249, an act to extend the provisions of the act entitled An act relating to corporations for mechanical, manufacturing, mining and quarrying purposes to fire insurance companies.

With information that the Senate has passed the same with amendments, in which the concurrence of the House of Representatives is requested.

The amendments made by the Senate to said bills were twice read, considered and concurred in; and

Ordered, That the Clerk inform the Senate of the same.

He also informed that the Senate has adopted the report of the committee of conference on the subject of the differences existing between the two Houses in relation to the amendments to Senate bill numbered and entitled as follows, viz:

Senate bill No. 132, an act relating to a certain highway in the Twenty-second ward of the city of Philadelphia, requiring the removal of a toll house and gate in Germantown.

He also informed that the Senate has adopted the report of the committee of conference on the subject of the differences existing between the two Houses in relation to the amendments to Senate bill numbered and entitled as follows, viz:

Senate bill No. 143, an act to divide the Twenty-first ward, in the city of Philadelphia, into two wards, and to create a new ward, to be called the Twenty-eighth ward.

SPEAKER'S TABLE.

The SPEAKER cleared his table of bills numbered and entitled as follows, viz:

Senate bill No. 185, a further supplement to the act to incorporate the city of Philadelphia, approved February 2, 1854, relative to vacancies in elective offices.

Referred to the Committee on Municipal Corporations.

Senate bill No. 275, an act to provide an associate law judge of the several courts in the Twenty-first Judicial district.

Referred to the Committee on the Judiciary General.

Senate bill No. 442, a supplement to an act to validate certain conveyances made by married women since the 11th day of April, 1848, approved the 22d day of April, 1863, restraining conveyances in cases in which the instrument vesting title withholds such power,

Referred to the Committee on the Judiciary Local.

Senate bill No. 624, an act relating to bounties in the borough of Dillsburg, in the county of York and State of Pennsylvania, validating and legalizing the assessment duplicate and warrant to collect bounty tax, assessed in June, 1864, in said borough.

Referred to the Committee on Military.

Senate bill No. 785, a supplement to an act, entitled An act to incorporate the borough of Columbia, approved April 16, 1866.

Referred to the Committee on Municipal Corporations.

No. 794, a further supplement to an act to erect the town of Lehanon, in the county of Lehanon, into a borough providing for the consolidation of the borough of Lebanon, and the borough of North Lebanon.

Referred to the Committee on Municipal Corporations.

No. 799, an act to incorporate the Scranton market company.

Referred to the Committee on Corporations.

No. 804, a supplement to an act incorporating the Pittsburg and Arizona gold and silver mining company.

Referred to the Committee on Mining and Manufacturing Companies.

No. 805, an act to declare West creek, in the counties Elk and Cameron, a public highway.

Referred to the Committee on Roads, Bridges and Ferries.

No. 806, an act establishing the Vinegar ferry, in the county of York.

Referred to the Committee on Roads, Bridges and Ferries.

No. 809, an act to incorporate the Brandy Camp railroad company.

Referred to the Committee on Railroads.

No. 812, an act to repeal an act to lay out a State road in Schuylkill and Columbia counties, approved April 4, 1866.

Referred to the Committee on Roads, Bridges and Ferries.

No. 816, an act to incorporate the Roaring Brook turnpike company.

Laid on the table.

No. 818, an act to authorize the Allegheny and Perryville plank road company to fix their tolls, and to transfer a portion of their road.

Laid on the table,

No. 852, an act to repeal the act to incorporate the Odd Fellows' hall association of Tremont, in the county of Schuylkill, and to vest the rights of said association in the board of trustees of Tremont Lodge, No. 245, of Independent Order of Odd Fellows of Pennsylvania.

Referred to the Committee on Corporations.

No. 853, an act to authorize the appointment of one additional notary public for the county of Luzerne, to reside in the borough of Wilkesbarre, and repealing so much of the act of 14th of April, 1840, as renders justices of the peace ineligible to the office of notery public, so far as the same relates to the additional notary public authorized by this act.

Referred to the Committee on the Judiciary Local.

No. 854, an act to allow the sheriff of Elk county fees for serving jury notices, and increasing the pay of supervisors in said county.

Referred to the Committee on the Judiciary Local.

No. 872, an act authorizing the trustees, secretary and treasurer of the proprietors' fund of Plymouth township, Luzerne county, to appropriate said fund toward the erection of school houses and for school purposes.

Referred to the Committee on Education.

No. 873, an act to authorize the trustees of the public school fund of the townships of Wilkesbarre and Plains, in Luzerne county, to appropriate the whole or any portion of said fund for the purchase of land for a public cemetery or grave yard for said townships.

Referred to the Committee on the Judiciary Local.

No. 874, an act to authorize the county commissioners of the county of Carbon to assist in the building of a new road, out of the borough of Mauch Chunk.

Laid on the table.

No. 875, an act to incorporate the Shawsville bridge company, in the county of Clearfield.

Referred to the Committee on Corporations.

No. 888, an act supplementary to an act entitled An act relating to the sale and conveyance of real estate, approved April 18, 1853, authorizing acknowledgments before one judge.

Referred to the Committee on the Judiciary General.

Senate bill No. 938, an act providing for the election of supervisors in certain rural wards of the city of Philadelphia.

Laid on the table.

Senate bill No. 954, an act appointing commissioners to lay out and open a State road from Wilcox, in Elk county, to the borough of Kane, in M'Kean county.

Referred to the Committee on Roads, Bridges and Ferries.

Senate bill No. 956, an act to ascertain the views of the qualified electors of M'Kean county upon the subject of refusing licenses.

Referred to the Committee on Vice and Immorality.

Senate bill No. 959, a further supplement to an act passed March 29th, A. D. 1803, to establish a board of wardens of the port of Philadelphia, and for other purposes.

Referred to the Committee on Municipal Corporations.

Senate bill No. 960, an act to enable the agents of the Methodist book concern to hold real estate in the city of Pittsburg.

Referred to the Committee on the Judiciary Local.

Senate bill No. 961, an act to incorporate the People's brewers of Philadelphia.

Referred to the Committee on Corporations.

Senate bill No. 968, an act to incorporate the Co-operative association of the city of Allentown, in the county of Lehigh, for mercantile purposes.

Referred to the Committee on Corporations.

Senate bill No. 962, an act authorizing the town council of the borough of Tamaqua, Schuylkill county, to borrow money.

On motion of Mr. BREEN, the bill was taken up and

Passed finally.

The hour of one o'clock having arrived, the SPEAKER adjourned the House until three o'clock, P. M.

AFTERNOON SESSION.

The House met pursuant to adjournment.

BILLS IN PLACE.

Mr. SUBERS. Mr. Speaker, I ask the unanimous consent of the House to read a bill in place.

Leave was granted.

Mr. SUBERS. Mr. Speaker, I read in my place and present to the Chair a supplement to an act to open and straighten Highland and Union avenue, and Thirtieth street, in the Twenty-second ward, and Church and Adams

streets, in the city of Philadelphia, approved the 20th day of May, A. D. 1864.

I move that the orders be suspended for the purpose of considering this bill.

Agreed to.

The bill was numbered 1115, read and

Agreed to.

The rules being suspended, the bill was read a second and third time, and

Passed finally.

Mr. WELLER. Mr. Speaker, I ask unanimous consent of the House to read a bill in place.

Leave granted.

Mr. WELLER. I rend in my place and present to the Chair an act relating to the last will and testament of John Morrison, late of Somerset county, deceased, and ask that it be laid upon the table.

The bill was

Laid on the table.

Mr. KERNS. Mr. Speaker, a fire company in my district is desirous of purchasing some property; they wish to issue stock for that purpose. The property is now for sale, and if they do not improve this opportunity they may not get it.

I therefore ask leave to read a bill in place.

Leave granted.

Mr. KERNS. I read in my place and present to the Chair an act supplementary to an act incorporating the Good Will fire engine company, authorizing said company to issue stock.

I ask the unanimous consent of the House to proceed to the consideration of the bill.

Agreed to.

The bill was numbered 1117, read and

Agreed to.

The rules being suspended, the bill was read a second and third time, and

Passed finally.

Mr. ALLEN. Mr. Speaker, I ask the unanimous consent of the House to read a bill in place. I do not wish, however, to have it passed.

Leave granted.

Mr. ALLEN. Mr. Speaker, I read in my place and present to the Chair an act to require the Philadelphia and Erie railroad company to finish their road in Warren county.

ORIGINAL RESOLUTIONS.

Mr. CHASE. Mr. Speaker, I ask unanimous consent of the House to offer an original resolution.

Leave being granted,

The resolution was twice read as follows, considered and

Agreed to:

Resolved, That the Senate be requested to return to this House bill No. 840, entitled An act supplementary to an act regulating the courts in the Sixth Judicial district, passed February, 1867.

Mr. GALLAGHER. Mr. Speaker, I ask the unanimous consent of the House to offer a resolution.

Leave being granted,

The resolution was twice read as follows, considered, and

Agreed to:

Resolved, That the use of this Hall be tendered to the Reverend A. M. Milligan, of the city of Pittsburg, for the purpose of delivering a lecture on Thursday evening, March 21, 1867. Subject: "The Signs of the Times."

Mr. WESTBROOK. Mr. Speaker, I ask the unanimous consent of the House to offer a resolution.

Leave was granted.

The resolution was read as follows:

WHEREAS, During the American struggle for independence, the Irish nation expressed its warmest sympathy and sent some of her brightest and most intellectual sons across the sea to aid in the establishment of our republican government;

And whereas, Ireland is now struggling for the same principle as America in 1776; therefore,

Resolved, That we, as American citizens, express our sympathy for the brave and patriotic in Ireland who are endeavoring to make their country what America now is, the freest government on earth.

Mr. WINGARD. Mr. Speaker, I think this a most important resolution. It interests not only the State of Pennsylvania, but the United States. I rise for the purpose of expressing my desire that this resolution be not passed over in a trifling manner, and that the Legislature of Pennsylvania may have an opportunity of expressing their sentiments upon it. I therefore move that the consideration of this resolution be postponed until Wednesday evening next, at 7½ o'clock.

The motion was

Agreed to.

Mr. M'CREARY. Mr. Speaker, I ask the unanimous consent of the House to offer a resolution.

Consent was given.

The resolution was read as follows:

Resolved. That during the sessions of the Methodist Episcopal Conference in Harrisburg, the members thereof be allowed admission within the bar of this House.

Mr. M'CREARY. Mr. Speaker, I would simply say that the same resolution was offered in the Senate, and agreed to. It might look a little strange if the House should be backward in this matter of courtesy.

Mr. MANN. Mr. Speaker, unless we are to do business we might as well give them the use the of Hall entirely.

Mr. WINGARD. Mr. Speaker, I have no objections to giving the use of this Hall to the representatives of the Methodist Church now assembled in this city. I think we might safely adjourn, and leave the Halls of this body to these gentlemen. They are here as members of their profession.

I am decidedly in favor of the resolution. I think they will not trespass upon our time, neither will they interfere with the business we have in hand.

Mr. HEADMAN. Mr. Speaker, I hope this resolution will not pass. I do not think that gentlemen understand what they are doing when they attempt to pass a resolution of this kind. Are they aware that there are over two hundred and fifty of these men in town?

Mr. WINGARD. I will tell the gentleman if there are two hundred and fifty clergymen belonging to the Methodist Episcopal church in this town they are all gentlemen.

Mr. HEADMAN. I do not dispute that, although I may have my doubts about it.

Mr. WINGARD. Mr. Speaker, I want to ask the gentleman a question, that is to what Christian denomination does he belong?

Mr. HEADMAN. I belong to the German Reformed.

Mr. WINGARD. Mr. Speaker, then I do not understand why the gentleman should object to the resolution.

Mr. HEADMAN. Mr. Speaker, I do hope this resolution will not pass. If it is intended to allow these gentlemen to come on the floor of this House when it is not in session, then I have no objections, but if we allow them to come here when the House is in session we will be wholly unable to transact any business whatever.

Since this convention has been in session I understand one of my colleagues on this side of the floor has lost his hat, and I leave it to the whole House if he has not had a clerical appearance ever since.

I object to this resolution for the simple reason that it will interfere with our business.

Mr. M'CREARY. Mr. Speaker, I desire to call attention to the fact that one of the gentlemen on that side of the House has his hat on his head, so there is no danger that we will all lose our hats.

Now, the offering of this resolution is a very simple matter. It is an act of courtesy. It is not supposed that the members of this conference will interrupt our proceedings; they hold their sessions at the same time we hold ours; but they will want to come in and see what we are doing, and perhaps the gentleman from Bucks [Mr. HEADMAN], although I trust for the sake of the conference he may not, would desire to go down and look at them. I have no doubt they would be glad to see him.

I understood the gentleman from Bucks to say that he belonged to the German Reformed church. I am sorry, for I think his remarks have been rather rough on that denomination.

Mr. WINGARD. Mr. Speaker, I did not desire any discussion on this resolution. I am satisfied it was offered in good faith, and I have been sustaining it in good faith, because the body which is now assembled in the city of Harrisburg, representing the Methodist Episcopal church, is a body of which Pennsylvania should be proud, and not only Pennsylvania, but this nation, as she stands, to-day, redeemed, disenthralled and regenerated. We had the prayers and we had the energy of that church, which, numerically, and in every other point of view, in the United States of America, is the great moving pioneer of religion. If any gentleman rises in his seat and endeavors to scoff at this resolution, and bring it into derision by buffoonery, I hope that this House will regard the matter in a most serious light, and consider what the Methodist Church was during the great struggle through which we have passed and what that church is to-day.

Sir, among the Christian denominations of the North she stood foremost in her labors for the success of the flag and of the nation in its great effort to suppress the rebellion. And much of the ignominy which the Methodist Episcopal Church has had applied to her in the last few years was ascribed because of her prominence in the cause of freedom.

I was surprised to see my friend from Bucks, for whom I have very high esteem, rise in his place to oppose this resolution and to give it a tincture of politics. Sir, the conference now assembled in Harrisburg are not asking the Legislature of Pennsylvania to grant them the privileges of this floor. They are sent here by the church which they represent. They have not assembled here to attend the sitting of the Legislature of Pennsylvania.

I did not introduce this resolution. I had not the slightest knowledge that it was to be offered; but I will not sit here and have that body—I will not say reviled—but I will not have them made the subject of jest or insult. The Methodist Conference do not ask to be admitted upon the floor of this House. I do not know who offered this resolution, but since it has been offered, I say it belongs to us as a dignified assemblage to preserve ourselves against the disrespectful insinuations and assaults centred in this opposition.

I will not countenance a jest or a jeer as unprovoked as this to be cast upon a body so dignified, holy and sanctified.

I am sorry this digression from our regular proceedings has occurred. I call upon the gentleman who introduced this resolution to say by what authority he did so, in order that the Methodist Episcopal Conference shall be relieved from any imputation of importuning for the privileges asked by the resolution.

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[CONTINUED FROM PAGE 608.]

Mr. M'CREARY. Mr. Speaker, I introduced the resolution in good faith, because it had been introduced in the Senate. I supposed no objection would be made.

Mr. HEADMAN. Mr. Speaker, I was not aware that I had brought politics into this question. I believe I was candid in my remarks. I will leave it to any gentleman on this floor if I have not been consistent in whatever positions I have taken upon questions before the House. But the gentleman from Lycoming [Mr. WINGARD] has seen proper to bring politics into this question, and he has applauded the Methodist persuasion. And, too, sir, I have lungs as strong as any man in this House, and I can talk as loud as the gentleman from Lycoming. Now, politics *are* in this resolution. I say there was no set of men on God's earth had more to do with bringing about this rebellion than the Methodist persuasion. I say it in candor and in truth. They brought politics and religion together. From the commencement they held their conferences and passed resolutions to allow no man who held a slave, according to the laws of this country, to affiliate and mingle with them in their conventions; and not only that, but from the time the rebellion broke out they converted their pulpits into political rostrums, and from them made political speeches. And this they are still doing. It is politics that are contained in this resolution, from beginning to end, and the gentleman cannot deny it.

He may talk about the Methodist Episcopal Church upholding the flag; it is not so; they run the flag down; and at this time they have no sympathy with people of their own persuasion in the Southern country.

I had no idea of bringing politics into this question; but since politics have been introduced, I will not hesitate to bring my remarks within that line. For four years no man could enter a Methodist Church, if he did not agree with them in politics, without being insulted. I have been insulted in a Methodist Church, and I do not hesitate to say so. I have been spoken of by the Methodists, out of the pulpit, as being a rebel and a sympathizer with rebels.

There are but two men that I consider cowards, one is the man who would write an anonymous letter, and the other is a minister of the gospel. The first because he strikes in the dark, and the second because his position and the common decency of every man protect him——

Mr. M'CREARY. Mr. Speaker, I call the previous question on this resolution.

The call was subsequently withdrawn.

Mr. JENKS. Mr. Speaker, I am sorry that this discussion has occurred and at this time. I am in favor of the resolution. I regard the Methodist church as embodying a great deal of character and religion. They are certainly entitled to the respect that is proposed to be given by this resolution.

I am sorry that gentlemen should have found it necessary to mingle politics with this matter. The commission of these men is to go into the world and preach the gospel to every creature. They are here as ministers of God under that commission to transact the business connected with their church. It is due to them and due to the religion that they profess that they be treated with common decency. I hope, therefore, not one man on this floor will oppose the resolution.

Mr. WADDELL. Mr. Speaker, I join most heartily with the gentleman from Jefferson [Mr. JENKS].

I regret exceedingly for the character and credit of the Legislature of Pennsylvania that the church to which these gentlemen belong should in any degree have been connected with the subject of politics. I understood the resolution to be introduced in good faith as a matter of courtesy to the body which is now in session in this city. I am acquainted with many of the gentlemen connected with that church, and I bear testimony to their piety and good conduct. I, therefore, hope, with the gentleman from Jefferson, that, out of respect to ourselves, not out of any favor to that church, or any favor to the conference —but out of pure regard and respect to ourselves, we will extend, at least, the hospitalities that are due from one gentleman to another.

Mr. WINGARD. Mr. Speaker, I distinctly stated to this House that I did not offer this resolution. I did not know it was going to be offered; but it was offered, and it met the most cordial approbation of my heart. Sir, I would extend the courtesy of this House to any Christian denomination on the face of God's earth, because I respect every man's religious opinions.

While I have my own particular religious preferences, I at the same time have no prejudices against any person with different views.

The gentleman from Bucks says these are the men who preached and voted against any man who held a slave in America. I say it is the glory, the triumph and the crowning honor, of not only this denomination, but of every Christian sect in the North, that they preached and prayed for the success of our cause. Their prayers were answered and our America holds not a single slave.

Mr. M'CREARY. Mr. Speaker, I call the previous question.

The call was seconded by Messrs. M'Creary, M'Kee, Allen, M'Camant, Marks, Weller, Armstrong, Woodward, Hoffman, Espy, DeHaven and Waddell.

On the question,
Shall the main question be now put?

The yeas and nays were required by Mr. GREGORY, and Mr. WINGARD and were as follows, viz:

YEAS—Messrs. Adaire, Allen, Armstrong, Barrington, Barton, Boyd, Boyle, Calvin, Cameron, Chadwick, Chalfant, Chase, Collins, Colville, Davis, Day, DeHaven, Donohugh, Espy, Ewing, Freeborn, Gallagher, Gordon, Harbinson, Hoffman, Hood, Humphrey, Hunt, Jenks, Josephs, Kennedy, Kerns, Kimmell, Kinney, Kurtz, Lee, Leech, M'Camant, M'Creary, M'Henry, M'Kee, Mann, Marks, Mechling, Meily, Meyers, Pennypacker, Peter, Pillow, Richards, Roath, Roush, Satterthwait, Sharples, Shuman, Steacy, Stehman, Subers, Tharp, Waddell, Webb, Weller, Westbrook, Whann, Wilson, Woodward and Glass, *Speaker*—67.

NAYS—Messrs. Craig, Deise, Fogel, Gregory, Harner, Headman, Heltzel, Jones, Kline, Koon, Linton, Long, Markley, Mullin, Rhoads, Wingard and Wright—17.

So the question was determined in the affirmative.

The question recurring on the resolution,

The yeas and nays were required by Mr. MEYERS and Mr. WINGARD, and were as follow, viz:

YEAS—Messrs. Adaire, Allen, Armstrong, Barrington, Barton, Boyd, Boyle, Breen, Brennan, Calvin, Cameron, Chadwick, Chalfant, Chase, Collins, Colville, Craig, Davis, Day, DeHaven, Deise, Donohugh, Espy, Ewing, Fogel, Freeborn, Gallagher, Gordon, Harbison, Harner, Headman, Hoffman, Hood, Humphrey, Hunt, Jenks, Jones, Josephs, Kennedy, Kerns, Kimmell, Kinney, Kline, Koon, Kurtz, Lee, Leech, Linton, Long, M'Camant, M'Creary, M'Henry, M'Kee, Maish, Mann, Markley, Marks, Mechling, Meily, Meyers, Mullin, Pennypacker, Peter, Pillow, Rhoads, Richards, Roath, Roush, Satterthwait, Sharples, Shumun, Steacy, Stehman, Stumbaugh, Subers, Tharp, Waddell, Webb, Weller, Westbrook, Whann, Wilson, Wingard, Woodward, Worrall, Wright and Glass, *Speaker*—87.

NAYS—None.

So the question was determined in the affirmative.

REASONS FOR VOTE.

Mr. HEADMAN. Mr. Speaker, in accordance with my religious training I will, on this occasion, return good for evil and vote aye.

BILL PASSED.

On motion of Mr. WADDELL, the House went into committee of the whole on bill No. 370, an act relating to the publication of the decisions of the Supreme Court.

The bill was read as follows, and

Agreed to:

An act relating to the publication of the decisions of the Supreme Court.

WHEREAS, The cases decided by the Supreme Court, which are directed by the acts of Assembly in such case made and provided, to be reported by the State Reporter, have largely accumulated by reason of a vacancy in the term of the present reporter and of the large number of such cases directed by the judges of said court to be reported; therefore,

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the provisions of the several acts of Assembly which limit the number of volumes of the reports of the decisions of the Supreme Court, authorized by said acts to be published annually, be and the same are hereby, repealed: *Provided, nevertheless,* That the judges of the said court may limit the publication of said reports to such number of volumes as they shall deem sufficient.

The preamble was

Agreed to.

The bill having been gone through with in the House,

Mr. GALLAGHER, chairman committee of the whole, reported the bill without amendment.

The report was

Agreed to.

The bill was read and

Agreed to.

The preamble was

Agreed to.

The rules being suspended, the bill was read a second and a third time, and

Passed finally.

The consideration of the

PRIVATE CALENDAR

was then resumed.

The following bills were disposed of as stated:

No. 762, an act to incorporate the Linwood Mutual association of Delaware county for insuring against horse stealing and detecting horse thieves.

On motion of Mr. BARTON, the vote by which bill No 762 was passed was reconsidered.

The bill was

Indefinitely postponed.

No. 814, an act to extend the time for receiving subscriptions to the capital stock of the Erie Dime Savings and Loan company, and to amend the act incorporating said company.

Amended by Mr. WEBB.

Passed finally.

Senate bill No. 405, an act to annul the marriage contract between Samuel E. Schick and Sarah E., his wife.

Passed finally.

No. 819, an act for the relief of Jane Lynn, widow of John Lynn, a soldier of the revolutionary war.

Passed finally.

No. 824, an act making valid an ordinance passed by the council of Jamestown borough, in the county of Mercer.

Passed finally.

No. 826, an act to incorporate the Resource domestic company.

Objections withdrawn.

Passed finally.

No. 830, an act to authorize the Governor to appoint an additional notary public for the county of Bradford.

Title amended by Mr. WEBB.

Passed finally.

Senate bill No. 292, an act to increase the pay of the supervisors of Lehigh county.

Passed finally.

No. 832, an act to divide the township of Chapman, in the county of Clinton, into two election districts.

Preamble amended.

Passed finally.

No. 833, an act to change the place of holding elections in the county of Allegheny.

Improperly on calendar.

No. 835, an act supplementary to an act to enable the administrators of the Hon. Jas. T. Hale, late of Centre county, deceased, to sell real estate, passed the 11th day of April, A. D. 1866.

Passed finally.

Senate bill No. 800, an act to incorporate the National Homestead.

Title amended by Mr. STUMBAUGH.

Passed finally.

No. 848, an act for the relief of David Andrews, late recorder of Chester county, for moneys over-paid by him to the Commonwealth.

Passed finally.

Senate bill No. 507, an act relative to courts in Lehigh county.

Passed finally.

Senate bill No. 456, an act to authorize the appointment of two assistant reporters in the district court of Philadelphia.

Passed finally.

Senate bill No. 566, an act to authorize the clerk of the mayor or aldermen of the city of Pittsburg to administer oaths.

Laid over to third reading.

No. 866, an act to legitimate Edward A. Smith, Ellen J. Smith, Catharine V. Smith and Thomas B. Smith.

Passed finally.

No. 868, an act to authorize the sale of the poor house and farm in Mifflin county.

Passed finally.

No. 869, an act to authorize the sale and purchase of real estate, and the erection of a poor house in Valley township, Montour county.

Passed finally.

No. 872, supplement to a supplement to an act to provide for the erection of a poor house in Clarion county, approved 21st day of March, 1865, approved 11th day of April, A. D. 1866.

Title amended by Mr. JENKS.

Passed finally.

No. 873, an act to repeal an act, entitled An act to change the venue of certain suits from Butler to Armstrong county.

Passed finally.

No. 874, an act to authorize Lebrecht Treager, a justice of the peace, to remove his office into the First ward of the borough of York.

Passed finally.

No. 875, an act dividing the Twenty-fourth ward of the city of Philadelphia into two assessment districts, and for the appointment of two additional assessors.

Passed finally.

Senate bill No. 511, a supplement to an act to increase the compensation of the county commissioners, auditors, jurors, assessors, witnesses and supervisors of Indiana county, and to authorize the collection of taxes in Burrell township, said county, in money.

Amended by Mr. KIMMELL.

Passed finally.

Senate bill No. 512, an act allowing the mercantile appraisers of Allegheny county the same fees allowed in other counties in the State.

Passed finally.

Senate bill No. 513, an act relative to the fees of notaries public of the counties of Dauphin and Lebanon.

Passed finally.

No. 880, an act relative to the coroner of Washington county.

Passed finally.

No. 881, a supplement to an act relating to the lien of mechanics and others upon buildings, extending it to the county of Dauphin.

Passed finally.

No. 882, an act authorizing the return to the commissioners of Potter county for collection, a certain duplicate of tax, and to fix the time when said duplicates shall hereafter be returned.

Amended by Mr. MANN.

Passed finally.

No. 883, an act to validate the acts of C. W. Case, late justice of the peace for Jackson township, Luzerne county.

Passed finally.

No. 884, a supplement to an act authorizing the commissioners of Northampton county to purchase a law library, approved 12th day of March, A. D. 1866.

Passed finally.

Senate bill No. 506, an act relative to hawking, peddling and selling by sample in the county of Schuylkill.

Passed finally.

No. 886, an act relating to the sale of lands by the commissioners of Cambria county.

Passed finally.

No. 887, an act to relieve money at interest from taxation for local purposes.

Amended by Mr. SHARPLES.

Passed finally.

No. 888, an act to change the venue in the case of G. W. Scofield vs. Martin Brunges, from the court of common pleas of Wyoming county, to the court of common pleas of Bradford county.

Passed finally.

No. 889, an act amendatory of an act to increase the salary of the inspectors of the Lancaster county prison, passed 27th day of March, A. D. 1866.

Passed finally.

No. 890, a supplement to an act to authorize the construction of a bridge over Oil creek, at or near the Old Furnace dam, on the Hason farm, in the county of Venango.

Passed finally.

No. 891, a supplement to the act, approved April 11, 1866, to increase the fees of township officers in the county of Wyoming, extending the same to Cambria county.

Passed finally.

No. 893, an act legalizing the acts of the York building association, No. 2, and the York building association, No. 3, of the borough of York, in the county of York.

Passed finally.

No. 898, an act requiring the commissioners of Northampton county to apply for and obtain copies of standards.

Passed finally.

No. 899, an act increasing the fees of jurors, commissioners, auditors and witnesses, in the county of Venango.

Passed finally.

No. 901, an act relating to public prisons in Allegheny county.

Passed finally.

No. 902, an act to fix the number of jurors in cases of partition to the courts of Beaver county, Lawrence, Northumberland and Bradford.

Amended so as to include a number of counties.

Passed finally.

No. 903, an act for the protection of owners of wharves or landings in the borough of Venango City, county of Venango.

Passed finally.

No. 904, an act to authorize the increase of pay of supervisors, and other township officers, in the township of Bethlehem, Northampton county.

Passed finally.

No. 907, an act extending an act relative to the fees of notaries public in the counties of Lancaster and Clinton, approved April 11, 1866, to the county of Berks.

Passed finally.

Senate bill No. 687, an act to permit an appeal from the register of Lebanon county, in behalf of the heirs of Robert W. Coleman.

Referred to the Committee on Ways and Means.

No. 909, an act changing the day of holding the annual meeting of the auditors of Jones township, Elk county, and regulating the term of office, and fixing the term of the supervisors and other officers in said township.

Passed finally.

No. 910, an act to repeal an act to authorize the highway commissioners of the township of Mill Creek, in the county of Erie, to establish the width of East lane, and to change its name.

Passed finally.

No. 911, an act to authorize the commissioners of Crawford county to borrow money.

Passed finally.

No. 912, an act relative to the moneys collected as fines from persons intoxicated within the county of Dauphin.

Passed finally.

No. 913, an act to establish a law library in the county of York, and in relation to fines, penalties and forfeited recognizances in said county.

Passed finally.

Senate bill No. 597, an act regulating the salary of the treasurer of Lehigh county.

Passed finally.

Senate bill No. 678, an act to provide for the enlargement of the Erie canal, to authorize the mortgaging of the same, and the issue of bonds, and to increase the capital stock and regulate the tolls.

Passed finally.

During the consideration of the private calendar, remarks were made on the following bills:

No. 832, an act to divide the township of Chapman, in the county of Clinton, into two election districts.

Mr. LINTON. Mr. Speaker, I think this bill is unconstitutional. The courts certainly have power in cases of this kind.

Mr. DEISE. Mr. Speaker, in answer, I desire to say I sent a petition to my county court, which met in February. Application was presented and refused on the ground that the court had no jurisdiction whatever.

If gentlemen satisfy me this act is unconstitutional, I will not desire its passage.

Mr. LINTON. Mr. Speaker, the ground I take is that the courts have power to divide this township into election districts. Therefore it is unconstitutional for the Legislature to act in the matter. I will read from the act of Assembly on this point:

"144. The courts of quarter sessions shall have authority, within their respective counties, to divide any borough, ward or township, into two or more election districts; to alter the bounds of any election district, or to form an election district out of parts of two or more adjoining townships, so as to suit the convenience of the inhabitants thereof, and to fix the place of holding elections, and appoint the election officers, pursuant to the provisions of section second of this act."

It seems to me the case is a plain one.

Mr. DEISE. Mr. Speaker, I will state that I called the attention of the court to this provision of the act; but after examining it patiently the court refused the application on the ground that it had no authority; that the Legislature was the place for the application.

Mr. MANN. This is simply to divide a township—is it not?

Mr. DEISE. It is to create two election districts.

Mr. MANN. Does not the section just read apply?

Mr. DEISE. I referred Judge Lynn to that section, and he says it does not apply.

Mr. M'CREARY. Mr. Speaker, I can refer the gentleman to a case within my own knowledge where two election districts were established by the court. The nature of the case is the same as that of the one referred to.

Mr. SHUMAN. Mr. Speaker, it is the same in the county in which I have been living. The court has created two separate election districts.

Mr. MEYERS. Mr. Speaker, such has been the uniform practice in the section of the country in which I reside. The courts have not only divided townships, but they have divided election districts. The only exception, probably, that can arise, is where a district contains less than one hundred voters. In that case the court is probably without jurisdiction, because the proviso expressly says:

"That no district so formed, shall contain less than one hundred voters, and the proceedings had in the case of such division or alteration, shall be the same as in the erection or alteration of the lines of townships."

If a district contains more than one hundred voters then, clearly, the court of quarter sessions has jurisdiction.

Mr. DEISE. Mr. Speaker, I am just informed by a member of the bar who was present when the petition was offered, that this was the objection raised by the court. I believe there are but one hundred and seventy-five voters in the township. Of course each division could not contain one hundred voters. I hope, therefore, the bill will pass.

Mr. LINTON. Mr. Speaker, I would suggest that the gentleman embody that fact in the preamble, otherwise the bill will be vetoed.

The preamble was accordingly amended and the bill passed.

No. 873, an act to repeal an act entitled An act to change the venue of certain suits from Butler to Armstrong county.

Mr. MECHLING. Mr. Speaker, I have very serious objections to the passage of this bill.

The suits in which the venue is changed from Butler to Armstrong county were brought some three or four years ago, by a man named John Gallaher, against one Dr. Christy. From the public excitement existing in the county at the time, Dr. Christy, through the advice of his counsel, asked the Legislature of this State to change the venue in the case to Armstrong county. Upon affidavit he set forth facts going to show that he could not get a fair trial in Butler county. The committee who had the bill in charge last winter examined the matter very carefully. I was before that committee. The bill was passed with the knowledge and consent of the gentleman from Butler county. The case has been certified and put at issue in the courts of Armstrong county. The trial will go on as soon as the plaintiff is ready. Now we are asked to change the venue. I trust this Legislature will not so stultify itself as to repeal an act which was passed at its last session. No reason has been shown, and I think no reason can be shown for the granting of this request. The matter is in the courts of Armstrong county, and there it can be tried separate and apart from the antagonistic interests that might spring up around it in Butler county. No dissatisfaction has been expressed until within the last two weeks, when a petition came from the plaintiff in the case stating that he could not get a fair trial in Armstrong county, hence his desire to have the matter taken back to Butler county.

Now, this man Gallaher is a rich land owner in that county; there he is well known and has many friends. Dr. Christy is comparatively unknown, having lived there but a few years. Several individuals there are his personal and political enemies. He has sworn to the fact that he cannot have a fair trial in Butler. The Legislature has acceded to his desire and changed the venue of the case. I object, Mr. Speaker, to turning this case back into Butler county, and thus undoing what was fairly and openly done last winter.

I would like to hear what statement the gentleman from Butler county can make, what reasons he can give for the passage of this act.

Mr. PILLOW. Mr. Speaker, in the first place I wish to have read the petition and affidavit of John Gallagher.

The petition was handed to the Clerk and read as follows:

To the Honorable the Senate and House of Representatives of the Commonwealth of Pennsylvania:

The petition of John Gallaher, of Clearfield township, Butler county, Pennsylvania, respectfully represents:

That he is plaintiff in certain cases against Dr. S. S. Christy, defendant, in which the venue was changed, from this county to Armstrong county, by an act entitled An act to change the venue of certain suits from Butler to Armstrong county, approved the 12th day of April, 1866. Your petitioner represents that the above-named causes could be tried in this county as well as in Armstrong county, and that there is no feeling against said defendant in this county, nor no excitement or feeling in reference to these causes here, and that they could be fairly and impartially tried here, and that your petitioner is unable to go to the expense of going to Armstrong county and awaiting the trial of these causes, and employing new counsel to try the causes. He would, therefore, pray your honorable bodies to repeal said act, and he will ever pray. JOHN GALLAHER.

Sworn and subscribed before me, 24th January, 1867.

[SEAL.] J. B. CLARK,
Prothonotary.

Mr. PILLOW. Inasmuch as the gentleman from Armstrong [Mr. MECHLING] has given his version of the case, I will give mine.

Last winter the first intimation I had of such a bill was when it was read. I heard of neither petition nor affidavit. The gentleman from Armstrong spoke to me about the matter. I told him he was a member of the bar, that I knew neither of the parties, knew nothing about the case, and that I left the matter entirely in his charge. The bill passed without contest, for what reasons I do not know. But this I do know: when we returned home, we met indignation from all quarters in Butler county, for having suffered so outrageous an act to pass.

John Gallaher is a poor man. I make this assertion from facts given me by the people of Butler county. He may own some land, yet I believe him to be a poor man. To this he swears. We have the assertion of the gentleman from Armstrong [Mr. MECHLING] that Mr. Gallaher is a considerable land owner. Of this I know nothing. The statement must be taken for what it is worth. We have a great many assertions of the gentleman from Armstrong that do not appear to be backed up by the facts. Mr. Gallaher also swears that a fair trial of this case can be had in Butler county; that there is no feeling or excitement against Dr. Christy in reference to the matter. I do not know how it may be with a few people, but I can say this: for several years past I have been about the county a great portion of the time, during court weeks, and I never heard of any excitement such as was mentioned last winter. I never even heard of the suits.

I believe it to be the fact that there was no excitement. I believe what the affidavit of John Gallaher states is true.—Further, I would say there are some suspicious circumstances connected with this matter. I never knew Dr. Christy until I saw him upon this floor a day or two ago;

he was here this forenoon. I do not know what he is doing; but if he is trying to defeat this righteous bill, I think he had better use his time in answering the charge against him in court. Whatever the charges may be, if they are incorrect, he will have no trouble in answering them, and placing himself right. If the charges are true then we can see some reason, probaoly, why he may wish to defeat this bill. I believe, from what I have heard, and from his petition, that John Gallaher is wholly unable to follow this matter to Armstrong county. He says in his affidavit he is not able to meet this expense, and as the suits now stand they will never be prosecuted. I believe that to be the reason why the venue is sought to be changed. If there is anything the gentleman from Armstrong can substantiate I will be very glad to hear it.

Mr. MECHLING. Mr. Speaker, I am very mnch obliged to the gentleman for giving me a strong argument. He admits there was great excitement in Butler county when it was learned the venue in this case was changed. I take it that this is one of the best evidences in the world that the case should remain in Armstrong county. If this was an ordinary case, a civil suit, or something of that nature, nothing would be thought of it. The gentleman has stated to me, in private conversation, that there was great indignation against Mr. Negley because he permitted this bill to pass. I have no doubt that there was. This is the very reason I request the defeat of the bill now before the House. Dr. Christy cannot get a fair trial in Butler county, and he has sworn to that effect. His counsel instructed him to come here and ask for the passage of a law changing the venue. That has been done.

As to John Gallaher being a poor man, I can say he is taken in the courts of Armstrong county as security for persons brought up from Freeport and Kittanning in the sum of a thousand dollars to answer for a breach of the laws. I know the fact that he swears before the court that he is worth that much money. He owns a farm in Allentown. He is able to employ three or four of the best counsel in Butler county. The distance he will be obliged to travel, if the case is tried in Armstrong county, is but twenty-one miles.

I object to the Legislature going back of their record. We should say that what we have done has been done in good faith, and by our acts we will stand, unless fraud or corrupt means are shown to have been used in passing this law.

The gentleman assumes it was all fair, but says he knew nothing about it until it was on the private calendar. The matter was left in the charge of his colleague [Mr. Negley]. It passed in all fairness. If the Legislature undo what was done in a fair and open manner, they will work injustice to Dr. Christy, who has made his arrangements and employed his counsel. The suits are now at issue in Armstrong county.

I have nothing further to say. The case is clear enough.

Mr. SHUMAN. Mr. Speaker, I know nothing about this case. But the other day I happened to hear this Dr. Christy express himself about a change of venue. Of course I paid little attention. There is something rotten about this. I heard him make this expression:

"Let me get him away from his own fellows, and I can fetch him!"

Mr. MECHLING. Mr. Speaker, I would like to know to whom the gentleman has reference.

Mr. SHUMAN. I never before saw Dr. Christy. I inquired whom it was.

Mr. MECHLING. Mr. Speaker, if Dr. Christy made that remark I have no doubt he was perfectly correct. If he gets into Armstrong county he can have a fair trial. If he gets into Butler county he cannot, and his counsel knows it.

Mr. HARBISON. Mr. Speaker, I have but one word to say. One peculiarity strikes me, and that is, why the gentleman from Armstrong [Mr. MECHLING] is so very urgent to have this case remain as it is. This is a very strong argument to me that the venue should be changed.

Mr. PILLOW. Mr. Speaker, I wish to make one further remark with regard to the great excitement spoken of by the gentleman from Armstrong. There was no great uprising of the people. I must say there was no excitement at all. But simply an indignation on the part of some individuals who knew about the suit, that a man should be dragged to Armstrong county to have his case tried when it could be tried at home as well.

I have nothing further to say on this matter.

Mr. M'CREARY. Mr. Speaker, from the remarks of gentleman from Perry [Mr. SHUMAN], a prejudice might arise against Dr. Christy that would be wholly unwarranted.

I suppose what he meant to say was simply this: in Butler county there was a strong feeling against him, and it was the determination to decide in favor of his opponent; if he could get away from that influence his case would entitle him to a verdict. That is doubtless what he meant. I know nothing about this case; but a statement of that kind might prejudice a man without any ground therefor.

Mr. PILLOW. Mr. Speaker, I never knew Dr. Christy until a short time ago; I have no ill feeling against him; I know him only as a gentleman.

The question being on agreeing to the bill,

The yeas and nays were required by Mr. MECHLING and Mr. HOOD, and were as follow, viz:

YEAS—Messrs. Allen, Armstrong, Barrington, Barton, Boyle, Breen, Brown, Calvin, Chadwick, Collins, Colville, Craig, Davis, Day, DeHaven, Deise, Espy, Fogel, Freeborn, Gallagher, Gordon, Gregory, Harbison, Harner, Heltzel, Hoffman, Humphrey, Kimmell, Kinney, Kline, Kurtz, Lee, Leech, M'Camant, Meyers, Mullin, Pennypacker, Pillow, Quay, Rhoads, Richards, Shuman, Stehman, Subers, Weller, Wharton, Woodward and Wright—48.

NAYS—Messrs. Adaire, Boyd, Chalfant, Hood, Kennedy, Linton, M'Creary, M'Henry, M'Kee, Mann, Markley, Marks, Mechling, Roath, Satterthwait, Tharp, Westbrook, Wilson and Glass, *Speaker*—19.

So the question was determined in the affirmative.

QUESTION OF PRIVILEGE.

Mr. QUAY rose to a question of privilege.

On motion, the House reconsidered its vote on the final passage of bill No. 721, an act to incorporate the Phillipsburg and Rochester ferry company, for the purpose of enabling him to offer an amendment.

The amendment was

Agreed to.

Senate bill No. 678, an act to provide for the enlargement of the Erie canal, to authorize the mortgaging of the same, and the issue of bonds, and to increase the capital stock and regulate the tolls.

Mr. QUAY. Mr. Speaker, before Senate bill No. 678 passes, I desire to say that it does so with the common understanding that it shall be supplemented by such legislation as shall be necessary to protect the manufacturers at the Falls of Beaver.

BILL ON PUBLIC CALENDAR.

Mr. SHARPLES. Mr. Speaker, I desire to call up bill No. 612, a supplement to an act relating to the lien of mechanics and others upon buildings, approved 16th day of June, 1836, on the public calendar. It was placed there through a defect in the title.

Agreed to.

On motion, the House proceeded to its consideration.

The bill was read and

Agreed to.

The title was amended so as to apply to the county of Chester, and

Agreed to.

On motion, the rules being suspended, the bill was read a second and a third time, and

Passed finally.

Mr. QUAY. Mr. Speaker, before we proceed to the consideration of objected bills, I would like the House to take up bill No. 813, an act to annul the marriage contract between Wm. C. Gray and Lucinda Campbell Gray, late Lucinda Campbell.

I understand it was laid over on account of my absence at the time it was called. It is on final passage. I ask the unanimous consent to amend by adding to the section the following:

"The reason for the passage of this act being that the said Lucinda Campbell Gray was insane at the time of her marriage, and that the said William C. Gray was not aware or informed of her insanity.

Leave was granted and the amendment

Agreed to.

Question on the final passage of the bill.

Mr. WADDELL. Mr. Speaker, the only question in my mind is whether that might not bring it under the provisions of the law to be regarded by the courts properly as a matter of fraud.

Mr. QUAY. Mr. Speaker, the bill has been submitted to counsel and they say the court has no jurisdiction.

Mr. PENNYPACKER. Mr. Speaker, I hope on no condition will this question be favorably considered. There is no amendment this House can offer that will make it satisfactory to myself. The fact remains that this man married this woman in health and mental strength.

Mr. QUAY. Mr. Speaker, that is not the fact. The fact is she was insane at the time she was married.

Mr. PENNYPACKER. Mr. Speaker, I would ask the gentleman whether Mr. Gray was aware she was insane?

Mr. QUAY. He was not.

Mr. PENNYPACKER. Mr. Speaker, the case is not altered. He took her for better or for worse. She, perhaps, was not aware of it; her friends may not have been aware of her insanity, else they would not have consented to her marriage. It was a matter that must have been concealed at the time and developed afterwards, as, to my knowledge, many cases are. Having once married her, it became his duty as her husband to take particular care of her; and now, that she is insane, I feel his obligations are doubled.

Mr. KINNEY. Mr. Speaker, I think it was laid before the committee that she apprised him of that fact within a week after marriage.

Mr. QUAY. Mr. Speaker, I will ask the gentleman to suspend his remarks until I have one of the affidavits read.

The Clerk was handed and read the following:

Pennsylvania, Beaver County, ss:

Before the subscriber, a justice of the peace in and for said county, personally appeared Louisa Brown, a resident of Bridgewater, Beaver county, Pennsylvania, who, being duly sworn according to law, deposes and says that for twenty years past she has been acquainted with Lucinda Gray, wife of William C. Gray, formerly Lucinda Campbell,

and was with all her family. For many years before she was married, deponent noticed she was of a very melancholy disposition, different in her manner from the rest of her family; but her attention not being called to the fact, and not being with her very long at a time, she cannot say how seriously her mind was affected. Deponent further states that since her marriage she has frequently been about the house of her husband, and knows that her mind is seriously affected, being, as she believes, hopelessly insane; and further, that she never knew a kinder or more attentive husband than was William C. Gray. Deponent believes that what is wrong with Mrs. Gray's mind now was equally so before her marriage, and that this fact was cerefully concealed from every person, her husband included. Notwithstanding deponent's intimacy with the family, no intimation was ever given to her of this fact until she discovered it herself; although it was apparent to all she was different from the rest of the family, was very moody, and shunned society.

LOUISA L. BROWN.

Sworn and subscribed before me February 15th, 1867. D. L. IMBRIE, J. P.

Also, personally appeared Mary A. Woodruff, a resident of Bridgwater, Beaver county aforesaid, who, being duly sworn, says she has been well acquainted with said Lucinda Gray, wife of William C. Gray, and knows that she is, and has for six years past been, insane. Her insanity seems to have been of long standing, and arises from a melancholy, moody disposition, long cherished. Deponent further states her husband was a kind, indulgent husband.

MARY A. WOODRUFF.

Sworn and subscribed before me February 13th 1867. D. L. IMBRIE, J. P.

Mr. QUAY. Mr. Speaker, I desire to say in addition that I am informed Mr. Gray has conveyed his real estate to trustees for the use of his wife.

Mr. PENNYPACKER. Mr. Speaker, that may be the strongest affidavit the gentleman can present; but it is not sufficient to convince my mind that this man is not entirely bound by his obligations to take care of this woman. No matter if he has appointed trustees that his wife may be taken care of, this tie that bound him to her cannot be severed that he may be free while she is in this fearful condition. If she was brought into mental imbecility by her own acts I would consider this question favorably. But it is her misfortune, her calamity. It is the dispensation of that All Wise Providence we know naught of. Though reason has left her I believe the obligations of this man towards her are as strong to-day as they were when he stood up and took her as his wife. Why does he appeal to the Legislature to sever the bonds he then assumed? In striking contrast is this with woman's nature. It is in the hour of her husband's calamity that she clings the closer to him. Woman, with her endearing feeling and warm affections, never forsakes those she loves when the hour of their trouble is at hand. This man has no right to expect us to sever the bonds that connect him with his unfortunate wife. I feel that his obligations are doubly stronger than they were before. I do not know what object he has in asking a divorce. I make no insinuations. I ask each legislator in this Hall to apply this case to himself.

Mr. QUAY. Mr. Speaker, the gentleman has made a pretty little speech for woman in general. The calamity that has overtaken her, as the gentleman says, existed before the marriage contract was made, and, certainly, can place no additional obligations upon her husband.

I hope this Legislature will pass the bill.

Mr. CHALFANT. Mr. Speaker, I understand it is alleged that her husband was inveigled into marrying her.

Mr. QUAY. He was not inveigled. She was insane at the time she was married, subject to occasional fits of insanity which increased after she was married. She did know it; so did her friends. But her husband knew nothing of it until after the marriage.

Mr. PENNYPACKER. Mr. Speaker, a man might come here with the same degree of assurance, and ask to be relieved by a divorce on account of consumption or some other incurable disease that may have fastened itself upon his wife. With no more assurance he could ask to be released from his obligations that he might marry some one else. It is a very lame case.

Mr. SHARPLES. Mr. Speaker, I do not desire to detain the House, but I believe it is a principle of law that fraud of any kind is not to be tolerated. It seems to me, in this view, there is a clear fraud in this case. A man married, as he supposed, a perfectly sane woman; the fact is proven that she was not sane. I think it a clear case of fraud, and am, therefore, in favor of this act.

Mr. BOYD. If fraud is proven, this man can have redress in the courts.

Mr. QUAY. Mr. Speaker, I do not allege there was fraud. I allege he was not informed of the fact of her insanity. This is the reason urged for the passage of the bill. The case is not within the jurisdiction of the court.

Mr. BOYD. Mr. Speaker, the gentleman from Beaver said that the family were aware of her insanity. Have we any evidence to that effect in addition to the affidavit that was read a few minutes ago?

Mr. QUAY. Mr. Speaker, I will forward the other affidavits for the information of the gentleman.

The affidavits were handed to and read by the Clerk as follows:

City of Allegheny, sct.

Personally appeared before me, an alderman in and for the said city, Mrs. Susan B. Johnston, of lawful age, who on oath saith: That she has known Lucinda Campbell Gray for eleven years, being prior to her marriage with William C. Gray; that from the time of her acquaintance with her she considered her insane; that this fact, she believes, was concealed from William C. Gray by her parents and friends, and he was thus induced to marry her, which he otherwise would not have done; that she is of the opinion that the said William C. Gray was induced into this marriage by concealments by those who could not but have known these facts, and in the opinion of affiant did know them; all as she verily believes. SUSAN B. JOHNSTON,

Sworn to and subscribed this 14th day of February, 1867.

JOSHUA ROBINSON, Alderman.

City of Allegheny, sct.

Hezekiah Johnston on oath saith: That he is the husband of foregoing affiant, Mrs. Susan B. Johnston; that he is familiar with the facts as detailed by his wife; that he has heard read her affidavit, and believes it to be true in all respects; all as he verily believes. HEZEKIAH JOHNSTON,

Sworn to and subscribed this 14th day of February, 1867.

JOSHUA ROBINSON, Alderman.

I hereby certify that I know and am well acquainted with Lucinda Gray, wife of William C. Gray; that I knew said Lucinda when a school girl, and before her marriage, but was not acqnainted with said William C. until since his marriage with said Lucinda, he not having resided in the neighborhood until subsequent to his said marriage; that the maiden name of said Lucinda Gray was Lucinda Campbell; that she resided in Beaver county; that prior to her marriage she was occasionally subject to fits or attacks of mental derangement, and that the same were more or less frequent up to the time of her marriage, but that the said mental derangement was not continuous, and was not observable, except during such fits or attacks; that subsequent to her marriage with said Gray, the said mental derangement was increased and became constant, and of such a degree as to render said Lucinda utterly incapable of controlling herself or taking care of herself, and that said derangement still continues.

NANNIE DODDS.

Pennsylvania, Beaver County, ss:

Before the subscriber, a justice of the peace in and for said county, personally appeared Mrs. Nancy Dodds, a resident of Vanport, Beaver county, Pennsylvania, whom I certify to be respectable and entitled to credit, who, being duly sworn according to law, deposes and says that for many years, since childhood, deponent has been intimately acquainted with Lucinda Gray, formerly Lucinda Campbell, wife of William C. Gray, and that during all that time the said Lucinda was at times wrong in her mind, and this insanity grew upon said Lucinda Gray as she grew older, until she became as at present, hopelessly insane. That previous to her marriage her insanity was so apparent that no one with her for any considerable length of time could be deceived, *and deponent is satisfied her friends were fully aware of the fact, and carefully concealed the same from said William C. Gray during his courtship.* Deponent further states that her insanity partakes of a moody, melancholy character, and is yearly growing worse; that her husband, above named, used every effort and employed every means to effect a cure, to no purpose, and was at all times a kind, affectionate husband. NANNIE DODDS.

Sworn and subscribed this 13th day of February, A. D. 1867. D. L. IMBRIE, J. P.

Mr. BOYD. Mr. Speaker, I would ask if there is any medical testimony. Have we nothing but the testimony of some old women of the neighborhood?

Mr. QUAY. Mr. Speaker, the petition for the divorce is signed by an old physician in our town, Dr. McKinney, and I believe Dr. Low.

Mr. HOOD. Mr. Speaker, I have heard it said, where the courts have jurisdiction, the House has no authority. The evidence in this case, so far as shown, proves that this woman was insane at the time of her marriage. Consequently, a fraud having been perpetrated, the courts have jurisdiction. That the family concealed the fraud is one reason why this House should give the benefit of the doubt to her unfortunate husband.

Mr. BOYD. Mr. Speaker, there have been no facts presented to show me that Mr. Gray was deceived with regard to the insanity of his wife. One of these deponents states that no one could have been with her any length of time without discovering the fact of her insanity. What kind of a man he was I cannot say—whether he had his eyes open or not. Let these deponents give us the facts upon which they presume to say she was insane. I think this House is as good a judge of what constitutes insanity as these old women. We have the testimony of a physician, but that only goes so far as to show that she is now insane. It does not establish the fact that she was insane before marriage.

By request of Mr. QUAY the following was read for the information of the House:

The undersigned, citizens of the county of Beaver, State of Pennsylvania, certify that

they are well acquainted with William C. Gray, late of said county (now of Allegheny county); that they have known him well for the last three (and some of us for twelve) years last past; that he is an upright, honest, industrious, well-behaved man, a good citizen, a man kind and generous in his feelings, and has ever conducted himself well in all his relations in life; that they have understood and believe that Lucinda Gray, wife of said William C. Gray, was, prior to her marriage, subject to occasional mental derangement; that it was only occasional, and unless to one intimate as a member of the family, not likely to be observed; and that, as they understand and believe, this fact was not known to said William C. Gray at the time of his said marriage—although soon after it became apparent and continued to increase, until for some five or six years past her mind has been constantly deranged, and she utterly unfit to control or take care of herself; that said William C. has faithfully performed his duties as husband, so far as his circumstances and the conduct of her friends would permit; that her conduct is such as to render his life intolerable and burdensome; that although, as we have reason to believe, deceived at the time of his marriage as to the true condition of the said Lucinda, he has ever borne with kind and patient endurance the many troubles, trials and burdens imposed upon him by reason of his relations to her; and although he has had her placed under the care of experienced physicians, and with all the advantages afforded by our best asylums or institutions for the treatment of such cases, yet it was without avail; and that although not now under the care of such institutions, it is because that her friends interfered, and in a determined manner refused to permit her to be continued in the same.

OLIVER R. ANTHONY,
D. M'KINNEY, Jr.,
JOS. WILSON,
SAM. B. FRENCH,
D. L. IMBRIE,
GEO. W. HAMILTON,
WM. J. BARCLAY.

Pennsylvania:

Before the subscriber, a justice of the peace, in and for said county, personally appeared, Oliver Anshutz, S. S. Rutan, J. C. Wilson, Dr. D. M'Kinney, residents of Beaver, Beaver county, Pennsylvania, who, being duly sworn according to law, depose and say they are, and have been, for a number of years, well acquainted with William C. Gray, and known him to be a truthful, honorable, highminded gentleman, to whose statement full faith and credit should be given. They further state that Louisa S. Brown, Mary H. Woodruff and Nancy Douds, are ladies of respectability, whose characters for truth are above reproach. The facts set forth in the statement of William C. Gray, as to his wife's insanity, they believe to be true.

OLIVER R. ANSHUTZ,
J. S. RUTAN,
D. M'KINNEY,
J. C. WILSON.

Sworn and subscribed before me, February 13th, 1867; and I certify that I believe the above statements to be correct,

D. L. IMBRIE, J. P.

Mr. BOYD. Mr. Speaker, this last paper merely states that Mrs. Gray had fits of melancholy, in the opinion of the persons whose names are attached, before she was married. I take it for granted that the man who married her had quite as good opportunity to become acquainted with her mental constitution as did these physicians. He does not seem to have considered that melancholy to be of such a character as to constitute a reason why he should not marry her. I believe every one of the persons who have testified state that this derangement has become worse. They do not pretend to say she was in no condition for marriage at the time the ceremony was performed; they do not pretend to say she never could perform the duties of a wife. But, that after being married a considerable length of time, her mind became greatly impaired.

Mr. QUAY. Mr. Speaker, the gentleman mistakes; the affidavit states she was subject to fits of insanity before marriage.

Mr. BOYD. Mr. Speaker, it would be very easy for the gentleman from Beaver [Mr. QUAY] to declare any of his friends insane, in his opinion. The question is whether this woman had fits of insanity. She might have been subject to nothing more than occasional melancholy. Give us the facts, and let us judge whether she was insane or not. I cannot consent to this divorce. If his wife was palmed off upon him, he has redress in the courts. If her mind has become more deranged since her marriage, I held he is bound to remain her husband and provide for her welfare.

Mr. QUAY. I desire to know how the fact of her insanity can be established, if not by affidavit?

Mr. BOYD. Let us have intances of her conduct.

The question being on the final passage of the bill,

The yeas and nays were required by Mr. PENNYPACKER and Mr. QUAY, and were as follow, viz:

YEAS—Messrs. Allen, Armstrong, Colville, Craig, Davis, Day, DeHaven, Gordon, Gregory, Harbison, Hoffman, Hood, Humphrey, Kinney, Koon, Lee, M'Camant, Markley, Meily, Meyers, Peter, Pillow, Quay, Satterthwait, Sharples, Stehman, Stumbaugh, Tharp, Webb, Westbrook, Wingard, Worrall, Wright and Glass, *Speaker*—34.

NAYS—Messrs. Adaire, Barton, Boyd, Brennan, Brown, Calvin, Cameron, Chadwick, Chase, Donohugh, Espy, Fogel, Freeborn, Gallagher, Harner, Headman, Heltzel, Jones, Kimmell, Kline, Kurtz, Leech, Linton, M'Creary, M'Henry, Mann, Marks, Mechling, Mullin, Pennypacker, Rhoads, Richards, Roath, Shuman, Waddell, Weller, Whann, Wharton, Wilson and Woodward—40.

So the question was determined in the negative.

BILL PASSED.

Mr. MANN. Mr. Speaker, bill No. 408, an act for the promotion of medical science, and to prevent trafficing in human beings, in the city of Philadelphia, is on the public calendar by mistake.

I ask that the House take up the bill, and proceed to its consideration.

Agreed to.

The bill was read and

Agreed to.

The rules being suspended, the bill was read a second and a third time, and

Passed finally.

BILL IN PLACE.

Mr. PENNYPACKER. Mr. Speaker, I ask leave to make a short statement.

Leave granted.

Mr. PENNYPACKER. Mr. Speaker, I hold in my hand an act for the relief of a soldier of my company. At the expiration of his term of enlistment, he was discharged in good health. He came home and commenced working in a rolling mill. He contracted a cold; it settled on his lungs, and he is now a confirmed case of consumption. His father is insane, in the Montgomery poor house. His mother died when he was a boy. He has no relations in this country near him. He is now on the charity of the neighborhood and the State of Pennsylvania.

I therefore ask leave to read a bill in place for his relief.

Leave was granted and the bill read.

Mr. PENNYPACKER. Mr. Speaker, I ask that the orders of the day be suspended, and that the House proceed to the consideration of this bill.

Consent was given. The bill was read and

Agreed to.

Mr. LINTON. Mr. Speaker, I believe it is my duty to say I can see nothing in this case to distinguish it from that of any other person in indigent circumstances who took part in this war and became sick. If there is anything in this case that will particularize it, anything that will prevent its being a precedent which will require us, if we are consistent, to give to every person similarly situated, then I am in favor of the bill. I can, however, see nothing in this case to distinguish it from hundreds of thousands of others.

Mr. PENNYPACKER. Mr. Speaker, this is an extraordinary case; it is one that more nearly appeals to the sympathies of the State than any other. If this was not an extraordinary case, if it were not for the fact that this man is without relatives or friends, if it were not that he is stricken by disease and unable to gain a subsistence, I would not ask this boon. This poor man is on the charity of his neighborhood; if he obtains no relief he must die from want unless your humble servant, with others, attend to his necessities. I intend to administer to him myself with my own means. He was a most excellent soldier. I appeal to the State for this small pittance in recognition of his faithful services. If gentlemen think this sum is too great I will accept less. I only ask enough to support him during the few short days that are left to him.

Mr. MANN. Mr. Speaker, I dislike very much to say a word on this subject, but I understood this bill was to be referred. I think it is setting a very bad precedent to put it upon its final passage without reference. There are, doubtless, thousands of cases throughout the State as meritorious as this one, at least so considered by the friends of the parties. If this bill is passed without investigation, it will be an invitation for people to come in for thousands and thousands of the public money. A case of this kind should have the sanction of a committee, where all the facts could be inquired into. If this an exceptional case, I have no objections to the bill.

Mr. PENNYPACKER. Mr. Speaker, when I spoke to the gentleman from Potter [Mr. MANN] on this matter, I did not wish to leave the impression on his mind that I wanted the matter referred. I said I would submit it to the members of the Ways and Means Committee. I did submit it to several members of that committee, and they agreed it was a proper bill. I can bring affidavits and set forth facts to substantiate what I have said.

Mr. MEYERS. Mr. Speaker, I move that this bill be referred to the Committee of Ways and Means.

Mr. PENNYPACKER. I hope, Mr. Speaker, it will not be referred.

On the question,

A division of the House was called, when the motion was

Agreed to.

So the bill was referred.

BILL PASSED.

On motion of Mr. MARKLEY, the House proceeded to the consideration of bill No. 1118, entitled An act to vacate a part of

Schuylkill street, in the borough of Norristown.

The bill was read and

Agreed to.

The rules being suspended, the bill was read a second and a third time, and

Passed finally.

MESSAGES FROM THE SENATE.

The Clerk of the Senate being introduced, presented for concurrence bill numbered and entitled as follows, viz:

Senate bill No. 1006, an act to vacate a part of Schuylkill street, in the borough of Norristown, Montgomery county.

Laid on the table.

The Clerk of the Senate being introduced, returned bills from the House of Representatives numbered and entitled as follows, viz:

No. 718, an act authorizing the election of four supervisors in the townships of Dover and Manchester, in the county of York, and South Strabane township, Washington county, and the township of Tinicum, in the county of Bucks.

No. 1105, an act to repeal an act in relation to the borough of Montoursville, in the county of Lycoming, approved March 1st, 1867.

No. 1109, an act relative to the common council of the city of Titusville, and fixing the indebtedness of said city,

With information that the Senate has passed the same without amendment.

He also returned bill from the House of Representatives numbered and entitled as follows, viz:

No. 273, an act to incorporate the Milford cemetery,

With information that the Senate has passed the same with amendments, in which the concurrence of the House of Representatives is requested.

The amendments made by the Senate to said bill were twice read, considered and concurred in; and

Ordered, That the Clerk inform the Senate of the same.

The Clerk of the Senate being introduced, presented for concurrence bills numbered and entitled as follows, viz:

Senate bill No. 500, an act in relation to taxation upon the stockholders of corporations.

Senate bill No. 537, an act relative to weights and measures.

Senate bill No. 616, an act to confer upon the courts of quarter sessions of this Commonwealth power to annex the land, or parts thereof, of persons resident in one district to another, for school purposes.

Senate bill No. 623, an act to authorize the use of the metric system of weights and measures.

Senate bill No. 685, an act to authorize the issue of registered bonds for the coupon bonds of this Commonwealth.

Senate bill No. 724, an act authorizing the merger or consolidation of oil and other mining companies.

Senate bill No. 757, an act to authorize the appointment of phonographic reporters for the several courts of common pleas of this Commonwealth.

Senate bill No. 1004, an act to refund the owners of the Cooper Shop volunteer refreshment saloon the amount of taxes paid to the city of Philadelphia during the time said building was used for subsisting the soldiers of the armies of the United States.

He also returned bills from the House of Representatives numbered and entitled as follows, viz:

House bill No. 146, an act supplementary to an act relating to corporations for mechanical, manufacturing, mining and quarrying purposes, approved the 18th day of July, A. D. 1863.

House bill No. 188, an act to extend to plank roads the provisions of the eighth and ninth sections of the act approved April 19, 1844, entitled An act concerning certain State and turnpike roads.

House bill No. 530, joint resolution authorizing the Governor to dispose of certain perishable military stores in the State arsenal.

With information that the Senate has passed the same without amendments.

He also presented bill numbered an entitled as follows:

Senate bill No. 288, an act authorizing the clerk of the courts of quarter sessions, oyer and terminer and orphans' court, of Lehigh county, to appoint deputies.

Which bill was returned to the Senate by by the Governor, on the 13th instant, in pursuance of a request contained in a resolution adopted by both houses, with information that the Senate has reconsidered said bill and passed the same with amendments, in which the concurrence of the House of Representatives is requested.

The amendments made by the Senate to said bill were twice read, considered and concurred in; and

Ordered, That the Clerk inform the Senate of the same.

SPEAKER'S TABLE.

The SPEAKER cleared his table of bills numbered and entitled as follows, viz:

No. 500, an act in relation to taxation upon stockholders of corporations.

Referred to the Committee on Ways and Means.

No. 537, an act relative to weights and measures.

Referred to the Committee on the Judiciary General.

No. 616, an act to confer upon the courts of quarter sessions of this Commonwealth power to annex the land, or parts thereof, of persons resident in one district to another district, for school purposes.

Referred to the Committee on the Judiciary General.

No. 623, an act to authorize the use of the metric system of weights and measures.

Referred to the Committee on the Judiciary General.

No. 685, an act to authorize the issue of registered bonds for the coupon bonds of this Commonwealth.

Referred to the Committee on Ways and Means.

No. 724, an act authorizing the merger or consolidation of oil and other mining companies.

Referred to the Committee on the Judiciary General.

No. 757, an act to authorize the appointment of phonographic reporters for the several courts of common pleas of this Commonwealth.

Referred to the Committee on the Judiciary General.

Senate bill No. 1004, an act to refund to the owners of the Cooper Shop volunteer refreshment saloon the amount of taxes paid to the city of Philadelphia during the time said building was used for subsisting the soldiers of the armies of the United States.

Referred to the Committee on Ways and Means.

MESSAGES FROM THE GOVERNOR.

The Deputy Secretary of the Commonwealth being introduced, presented the following messages, in writing, from the Governor:

EXECUTIVE CHAMBER,
HARRISBURG, March 14, 1867.

To the Senate and House of Representatives of the Commonwealth of Pennsylvania:

GENTLEMEN—I have the honor to submit herewith the last annual report of the Antietam National cemetery, with accompanying letters from Thomas A. Boullt, Esq., secretary and treasurer of said association, asking for an additional appropriation of five thousand dollars from this Commonwealth for the completion of said cemetery.

The amount solicited is not large, and I cannot doubt but your honorable body will cheerfully respond to so worthy and patriotic an object.

JNO. W. GEARY.

The foregoing, with the accompanying report, was

Referred to the Committee on Finance.

EXECUTIVE CHAMBER,
HARRISBURG, March 14, 1867.

To the Senate and House of Representatives of the Commonwealth of Pennsylvania:

GENTLEMEN—A petition has been presented to me for consideration, which is of such unusual importance that I deem it my duty to transmit it with all the accompanying papers to the Legislature, with the recommendation that the matter should receive your prompt attention. From these papers it appears that in the year 1866 two young men, citizens of this Commonwealth—Noah H. Zook and Abraham H. Zook, sons of Jacob Zook, of Lancaster county—went to the State of Mississippi, and in partnership with William A. Brown and Cyrus L. Brown, residents of that State, rented a plantation on Big Black river, about twenty miles from Vicksburg. From time to time, during the spring and summer of 1866, they invested in their business over five thousand six hundred dollars. On the 24th of last November their father received a telegraphic dispatch informing him that his sons were missing, and that it was believed they had been murdered, and that the body of Abraham had been found on the 13th of that month, lying in a swamp. He had been robbed, murdered, and stripped of his clothing, and from appearances had been exposed for at least two weeks, and mutilated by wild animals. Soon afterwards a letter was received, confirming the terrible statements contained in the dispatches, the writer urging that his communication should be confidential, and by his language showing that, if his humane efforts were known to his neighbors, his personal safety would be endangered.

Upon the receipt of these advices, the aid of the National Government was invoked, and a gentleman of respectability, a member of the bar, was sent by Mr. Jacob Zook to Mississippi to investigate the matter. Orders were sent from Washington to the military officer in command at Vicksburg to give his assistance, and the result of the search and investigation will be found in the accompanying papers. It is proven that two citizens of Pennsylvania, while pursuing a peaceful and lawful calling, have been brutally murdered—the body of one having been found, as before stated, in a section of country where they should have been welcomed, protected, and encouraged, especially as they had gone there in the spirit of manly enterprise and confidence, to contribute with their capital, labor, skill and industry to its material wealth, social advantage and political tranquility.

The partners of these men, and who are believed to be their murderers, were allowed to collect the property of their slain associates, and then leave, unmolested, for Texas. Every impediment was placed in the way of the investigation; no relief was given by the local authorities, and the residents, during the examination, either avoided answering or responded in such a manner as exposed their sympathy with the suspected, or the apprehension of evil if they disclosed all they knew of the occurrence.

The father of these murdered boys has asked his State to aid him in bringing their destroyers to justice, and, for the purpose of more speedily gratifying his wishes, I transmit all the papers in the case to you. The citizens of this Commonwealth are her children, and must and shall be protected; and it is her imperative duty to demand and insist that, wherever they shall go within the jurisdiction of the United States, their persons, their property, their reputation, and all that makes up the enjoyment of political and social existence, shall be secured to them.

I therefore earnestly recommend to your special attention, and urge that by some expression of your sense of the outrage, and of your determination to right this wrong, the United States Government will be compelled, by the offer of a suitable reward, and by immediate commands to those officials now happily vested with adequate authority by the military bill of occupation of the sections of our country recently red with the flames of rebellion, and filled with residents poisoned with the malice of subjugated treason, to search for and seize the perpetrators of this horrid deed, and bring them to speedy retribution.

I would also suggest, as asked for in the petition, that a reward be offered by the State, thus increasing the probabilities of apprehending and punishing the assassins, and at the same time showing the lawless communities which encourage the plunder and murder of Northern men, and conceal and shelter the perpetrators of the crimes, that Pennsylvania will, at all costs, protect her citizens and enforce obedience to the laws.

JOHN W. GEARY.

To the Hon. John W. Geary, Governor of Pennsylvania:

SIR—On behalf of Jacob Zook, of the county of Lancaster, father of Noah H. Zook and Abram H. Zook, two citizens of Pennsylvania, lately murdered near Vicksburg, on the Mississippi river, I have the honor to make the following statement and request:

In the spring of 1866, Noah H. and A. H. Zook went South to raise a crop of cotton. They selected a plantation on the Big Black river, twenty miles from Vicksburg, which they rented in partnership with William A. and Cyrus L. Brown, who live in Mississippi. During the spring and summer of 1866 they invested, at various times, in the Southern business, over five thousand six hundred dollars.

At first they seemed to think they were being kindly received by the resident population, but after the Philadelphia August convention, and as the Presidential policy became more fully developed, their letters began to express some apprehension and uneasiness for the safety of themselves and property.

November 24, 1866, Mr. Zook, the father, received a telegram, stating that for some time both his sons had been missing, and it was feared had been foully dealt with.—November 25, 1866, a dispatch from the same source informed him that the body of Abram had been found on the 13th of November murdered, stripped and robbed. A letter from a different person received shortly afterwards gave the same information. From the appearance of the body it was stated that it must have been exposed to the elements at least two weeks. Both these messages came to the family North under circumstances impressing secrecy on their part, and betraying uneasiness on the part of the informants, as if they had been committing some unlawful act instead of fulfilling one of the commonest offices of humanity. Both of these informants stated that the civil authorities were doing nothing.

On learning these facts D. Evans, Esq., repaired to Washington, and through the intervention of the Hon. Thaddeus Stevens, laid the facts before General Grant, and obtained from this officer an order on the military authorities for the district of Mississippi to furnish protection to Mr. Zook while engaged in removing the bodies of his sons, a copy of which is hereto attached (paper marked "A"). General Grant at the same time directed, through the proper military channels, a full investigation of the facts of the alleged murders. Major General Howard also furnished an order that all proper assistance be given by the military authorities to any agent or attorney of Mr. Zook, coming down to attend to the affairs.

For some time there was some delay in any one going down, caused by the impression that the whole matter would be taken in hand by the Masons. Toward the end of December I was employed as attorney to look after their property, if any there should be, and ascertain what action was being taken to punish the murderers. I left here December 27th, arriving in Vicksburg in the night of the first day in the year. Major G. W. Corliss, of General Wood's staff, the officer appointed to investigate the murder, under orders from Washington, had just returned from the plantation of the deceased and the scene of Abram's murder, which he had visited under an escort of a company of United States Infantry.

He reported that there was no property or papers of the Zooks to be found on the plantation—that it was leased by new parties, who asserted that there was no property of any kind of the Browns or Zooks on the plantation when they took it. This was some days before the expiration of the Brown and Zook lease. Major Corliss, who showed much interest in pushing this matter, returned, a short time afterwards, a report of the investigation. A copy of this report, with the indorsement of Major General Wood thereon, are herewith enclosed. The papers were furnished by General Wood for their present use—the papers marked "B" and "C." The indorsement of General Wood clearly states the conclusion arrived at by all Union citizens or soldiers.

A careful search through the banks and business houses of Vicksburg, where they had always done their business, failed to disclose any assets, except a small balance of of sixty-eight dollars at the First National Bank. Their partners and Elly Brown, a brother and overseer on the plantation, lived on the the place a month, one of them for six weeks after the murder—had deliberately gathered, ginned and baled the crop and received the profit, and turning it into mules and cash, had, at their own convenience, gone to Texas. This search was made under many difficulties, few persons seeming to take any interest in the matter or offering any assistance. Many who would have given information or aid were, I believe, deterred from so doing, by the fear that it would be dangerous either to themselves or their business.

No notice was taken of the murder by the press of Vicksburg, excepting a short eight or ten line paragraph in one paper, stating that two Yankees had mysteriously disappeared, and intimating that they had swindled their Southern partners.

The grand jury of the Circuit Court for the district in which the murder occurred had the murder under consideration. I was summoned before that body as a witness, gave them my theory of the murder, and also the names of the witnesses, when statements——————it. I also promised to obtain for their use a copy of Major Corliss' report, and to make out more fully an abstract of the testimony collected by myself, bearing on the killing. Both these papers have been forwarded there. This abstract, giving the names of various parties, and disclosing more minutely the brutality of the murder, and the spirit in which the burial was made by the coroner—a judicial officer—is herewith appended (paper marked "D").

Whether the grand jury have found a bill or not is yet unknown. Major General Wood, on laying the testimony of the above paper before him, promptly telegraphed to Major General Sheridan for the arrest of Elly and Cyrus Brown. General Sheridan has replied that he would use every exertion to take them. Their immediate locality in Texas is, however, unknown—their most immediate friends at Vicksburg, and the houses with which they did business, professing to be entirely ignorant on that point.

It is not likely that they will be taken, except through the influence of a large reward. The reward must be a large one. The Browns are dangerous and desperate men. This is not the first murder in which they are implicated. Only a large sum will tempt any one to meddle with them or inform against them. Then, the value of money is less in the South than with us.

Again—and this consideration was particularly urged by General Wood and the military authorities, who are best conversant with that section of the country—this reward must be large enough to enable the man who takes it to move himself and family out of the State. No man can take this reward and live in Mississippi.

It is utterly out of the power of Mr. Zook or any of his family to offer any such reward, and it seemed to them, and others, that the proper party to do so was the State of Pennsylvania—that she could do this not to aid an individual, but to assert a principle—to vindicate her power and will to protect her own citizens.

Accordingly, he now prays that you will offer, in the name of the State, a reward of thirty thousand dollars, or more, for the arrest and conviction of the murderers of Noah H. and Abram H. Zook, late of Lancaster county; or if not legally empowered so to do, that you be pleased to recommend to the Legislature the necessary legislation authorizing such a step. I may state that some action, by the State, is earnestly looked for by all the Union citizens in that district, and was strongly advised and requested by the military authorities of all grades.

This petition is made, of course, in its present form, on behalf of the families of the deceased men; but it is proper to say that they are supported in it by the entire body of the Union citizens of this county, for which fact I respectfully refer to any and all of the members of the Legislature from this district.

It is, sir, the general desire of the people of this county not only that the State should offer such a reward, but that she should demand of the National Legislature, believing that allegiance and protection are reciprocal duties, such additional legislation as may be necessary to protect the lives and property of such citizens of the United States who are citizens of Pennsylvania, as are now residing, or who may desire to reside, in the late insurrectionary districts of the South.

I have, sir, the honor to be,

Very respectfully,

Your most ob't servant,

W. W. NEVIN,

Attorney for Jacob Zook.

WASHINGTON, January 2, 1866.

General:

SIR—Two excellent young men went, last spring, to Mississippi to work a plantation, which they did, and were storing their cotton at Vicksburg. They were missing. I just hear that the body of one is found. The au-

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[CONTINUED FROM PAGE 616.]

thorities there take no interest in it. The father desires to go on, make search, and recover the bodies, but is afraid. Could you give him any military protection while there?

THADDEUS STEVENS.

General GRANT.

[*Endorsement.*]

Respectfully referred to the commanding officer, Vicksburg, Mississippi, who will furnish protection to Mr. Zook while engaged in recovering the bodies of his sons.

By command of General Grant.

GEORGE K. LEET,
Assis't Adj't General.

H. Q. A. U. S., DECEMBER 1, 1866.

BUREAU REFUGEES, FREEDMEN AND ABANDONED LANDS,
Office of Sub-Commissioner, for Warren county, Miss.,
VICKSBURG, MISS.

Brevet Major A. W. Preston, Acting Assistant Adjutant General, District of Mississippi:

MAJOR—In compliance with orders contained in indorsement on letter from David Evans, resident of Lancaster, Pennsylvania, to Honorable Thaddeus Stevens, M. C., and by him referred to General O. O. Howard, Commissioner Bureau Refugees, Freedmen and Abandoned Lands, dated Headquarters District of Mississippi, Bureau Refugees, Freedmen and Abandoned Lands, Vicksburg, December 10, 1866, and letter of instructions dated Headquarters, District of Mississippi, Vicksburg, Mississippi, December 26, 1866, I have the honor to report that I have visited the vicinity of the tragedy referred to, and beg leave to submit the result of my investigations by presenting in brief the statements made by individuals in that locality as follows, viz:

James Harrod (colored), ferryman at Hankinson's ferry, states that he ferried A. H. Zook, Cyrus and Elliot Browns over the Big Black river on Tuesday morning, the time they all went to Vicksburg; does not know the day of the month; is not certain whether all three went over together or not, but believes they all went to Vicksburg together; Zook was mounted on a mouse colored mule, one of the Browns on a horse and the other on a mule.

Mr. F. G. Owens (lives near the ferry on the Warren county side) states that from the description given of the clothing found near the body, he readily recognizes it as being that worn by A. H. Zook a few days previous, when Zook helped him (Owens) turn over his ferry boat.

Mrs. M. E. Owens (wife of F. G. Owens) states that she saw the two Browns and A. H. Zook after they had crossed the ferry on the morning of October 30, 1866, all mounted and going towards Vicksburg.

George Brooks (colored) (lives on the place formerly operated by Browns, Zook & Co.) states that he drove a team to Vicksburg from Brown & Zook's place, loaded with six (6) bales of cotton, on Tuesday, October 30. That he started before they did; that they must have gone some other way, as they did not pass him on the way. He saw both Cy. and Elliott Brown in Vicksburg, but did not see Zook; thinks he would have seen him if he had been in the city; says the Browns returned home some time late the next Wednesday night; does not know that the mule Zook rode has ever been heard from since the disappearance of Zook; says that Cy. Brown and A. H. Zook had some hard words the Sunday previous while ginning cotton.

Maria Lane (colored) (lives on the place formerly operated by Brown, Zook & Co.) says that all the Browns and Abram Zook went away together about 8 o'clock, Tuesday morning, October 30, and believes they all went over the river together; states that Elliott Brown returned about dinner time the same day, but Cy. L. Brown did not return until two days after.

Jerry Meyer Harrod (colored), now lives with W. J. Lane, about two miles from the ferry, on the Claiborne side (formerly lived with Brown, Zook & Co.); states that he saw Elliott Brown and Noah Zook go away together on Friday morning, October 26, when they went to look for a place; says Elliott Brown came back the next Sunday; states that the next Tuesday A. H. Zook started for Vicksburg, about 8 o'clock in the morning, and about a half hour afterwards, Cy. and Elliott Brown started for the city. Walker (one of the younger brothers then there) remained at the house at this time. W. A. Brown was at Utica, Mississippi, waiting for Noah Zook to come there with his saddle. States that Elliott Brown told him that he got the bridle A. H. Zook used that morning from Zook in Vicksburg, and used it to lead home a flax-tail horse, which he had traded for or bought. Also, that Walter Brown told him his brother Elliott had used the bridle to lead the horse home with.

Anthony Oney (colored), who now lives with Mr. James Pipes, about three miles from the Ferry (on the Claiborne side), formerly lived on the place operated by Brown, Zook & Co., states that he saw Mr. Elliott Brown and Noah Zook go away together on Friday morning (October 26th), a few days before the others went to Vicksburg; Elliott came back the next Sunday.

Wesley Walker (colored), now living with W. A. Collins, on Mrs. Wright's place, adjoining the one formerly operated by Brown, Zook & Co., who formerly worked for Brown, Zook & Co., states that he knew of the bridle which A. H. Zook used being returned in the manner specified by Jerry Meyer Harrod.

W. A. Collins, now operating one of the Mrs. Wright's places, about a half mile from the one operated by Brown, Zook & Co., on the Claiborne side, states that on or about the 25th of October, 1866, Noah Zook borrowed a horse from him (Collins) to go about the neighborhood, and to go above in the vicinity of Lawrence, and Utica, and Boulton Depot, in Hinds county, to look for a place. He understood that Cy. L. Brown was to accompany him; thinks he went the next day after getting the horse; states that the Browns and Zooks were not on good terms; that Brown would not allow Zook to use the horses on the place for private purposes; says the Browns were considered rather disagreeable men; that they killed some of his (Collins') stock, and after the disappearance of the Zooks, Browns laid the blame upon the Zooks.

Says he has not heard anything from his horse since Noah Zook went away.

J. R. Bruce (now living on the Wright's place, recently operated by the Browns and Zooks) says that Calvin Brown told him his brother, W. A. Brown, was to leave Utica, for Texas, on the 5th of December; states that Claiborne Sewell and John Flowers (colored) formerly lived on the place with Browns and Zooks; saw Cy. L. Brown, Elliott Brown, Doctor A. L. M'Kae and Morse about seven miles from Vicksburg, going towards home, about ten o'clock, on the night of October 31. Claiborne Sewell is now in Natchez, Mississippi; is expected back in a few days; John Flowers is now somewhere about Meridian, and is also expected back soon, as they are both engaged to work the coming year on his place.

Peter R. Garnett (a school teacher, now living at Mrs. Steeds, about three miles from Hankinson ferry) was a member of the coroner's inquest, held over the body found, says the jury found that the deceased, an unknown man, came to his death by a pistol or gunshot in the right side, at the hand of an unknown person; that he had evidently been murdered in the road and dragged across the field about one hundred yards, and left in a cane-brake near Mount Vernon school house, and was discovered by a son of William Rawles, who was out hunting on the 13th of November; Garnett thinks the deed must have been committed in the day time, from the fact that the body was taken over that rugged lot.

Doctor A. L. M'Kae (lives at Mrs. Sadler's place, about three miles from the ferry) states that he went to Vicksburg on Tuesday (October 30th), and on Wednesday he started home, in company with G. L. and Elliott Brown and a Mr. Morse (Morse lived about nine or ten miles from Vicksburg, on the road to Red Bone); says that Morse stopped at his house when they passed it (which was "about an hour after night"), and he has not seen him since. Says he did not see A. H. Zook that day; had not seen him for nearly three weeks. States that one Kirkpatrick, a clerk for Humes & Co., Vicksburg, told him that Zook was in the city that day. States that one of the Browns told him that Morse stayed over night with the father of

Brown, in Utica, Miss., about a week before the body of A. H. Zook was found.

During my investigation I was particularly impressed with the manifest reticence on the part of the people throughout the vicinity, which gave me the idea that they were overawed and intimidated, or that they entertained little or no desire to assist in bringing the perpetrators of the foul deed to just retribution.

I was told by the people in the vicinity that the Browns had closed up their business and gone to Utica, Miss.; that W. A. Brown had gone from there to Texas. I was unable to learn anything further than that shown in the foregoing regarding Noah Zook. There appears to be an idle rumor, which I was unable to trace to any reliable source, that some time since the disappearance of Noah Zook, a body had been found, somewhere between Utica and Lawrence, in Hinds county, so badly cut and mutilated as to prevent recognition.

The Browns appear to have left an unenviable reputation in the vicinity of Hankinson's ferry, although people speak of them with apparent reluctance.

I could ascertain nothing definite regarding the property said to be in their possession, except cotton, which was probably disposed of by the Browns. The surface of the country thereabouts renders movements very slow, for persons unacquainted with the country. The father of the Brown brothers is said to be residing at Utica, Hinds county, distant about fifty miles from Vicksburg, where it is thought they may congregate, although it is not definitely known where they are.

Mr. Morse, the person referred to in the foregoing, was supposed by some to have been murdered, and that the body afterwards shown to be that of A. H. Zook might have been his; but the clothing found on and near the body has been clearly identified as being that of A. H. Zook.

The sudden disappearance of Morse (who is said to be about six miles from Lake Providence, Louisiana, now living with his wife on a plantation), together with the fact that he has allowed several important cases to go by default in the State circuit court, rather indicates that he at least may be acquainted with facts connected with the tragedy.

I have called upon Kirkpatrick, at Messrs. Hume & Co.'s, Vicksburg, Mississippi, who stated that he saw A. H. Zook in Vicksburg about the time he was said to be missing, and thinks it very probable it was the day before mentioned. Says that C. L. Brown and Zook were together at their (Hume & Co.'s) place of business.

I have the honor to be, Major,
Very respectfully,
Your obedient servant,
[Signed] GEORGE W. CORLISS,
1st Lieut. 3d Reg. V. R. C., brevet Major U. S. V., Sub-commissioner.

A true copy:
R. H. PRESTON, A. A. A. G.

Copy.]

HEADQUARTERS DISTRICT OF MISSISSIPPI,
VICKSBURG, January 2d, 1867.

Respectfully submitted for the information of Major General George H. Thomas, commanding Department of the Tennessee, and through him for the information of General Grant, commanding-in-chief, Major General O. O. Howard and Hon. Thaddeus Stevens.

From the facts elicited by the investigation made by Brevet Major Corliss, of my staff, who visited the neighborhood of the tragedy, under the escort of a company of the Twenty-fourth infantry, pursuant to my orders, it appears,

First. That Noah Zook and Elliott Brown left the plantation they had been cultivating, on the 25th of October last, to go to a different part of the State to look for a plantation to cultivate, and that since that time Noah Zook has never been seen or heard from. It is therefore presumed he was murdered, but, as his body has never been found, it is not certainly known. Circumstances point to Elliott Brown as the murderer.

Second. On the 30th of October Cyrus and Elliott Brown and Abraham Zook left the plantation to visit Vicksburg. There is some uncertainty as to whether Abraham Zook was seen in Vicksburg on that day in company with the Browns, but it is certain he never returned to the plantation. On the 13th of November a body was found which was subsequently identified as Abraham Zook's, and it was plain he had come to his death by violence, and circumstances clearly point to the Browns as the murderers.

The Browns shortly after left that part of the county, and it is reported some of them have gone to Texas; but it cannot be determined with any certainty where any of them are. The extreme reserve and reticence of the people when the military authorities attempt to investigate any crime, render it almost impossible to elicit any positive information. Even if it could be known where the Browns are, it would be next to, if not absolutely impossible, to arrest them by a military force, on account of the facility and rapidity with which confederates in crime and villainy give each other information of any movement against any of their number, and the readiness with which murderers can effectually secrete themselves in wild country inhabited by people who sympathize with them, or at least look with indifference on the commission of crime.

I am informed the grand jury of this county is now in session, and will make an inquest of the matter. It is hoped some thing positive may be elicted by their labors.

I wrote to the Governor of the State some time since urging him to bring the whole civil power of the State to bear on the detection of the murderers and bringing them to punishment, but as yet have received no answer from him.

It is certain that the man Morse is not dead. He is believed to be somewhere in Louisiana. His conduct in leaving the neighborhood in which the Zooks had lived, after their death, leads to the suspicion that he was a participant in the crime, or was intimidated and induced to leave the country by the Browns. I incline to believe the latter is true.

All the information I have been able to gather about this matter, together with the instructions of the General-in-Chief, will be turned over to my successor, General Gillem, on his arrival, so that if the future develop any new facts, he will be in a condition to take advantage of them.

(Signed) TH. J. WOOD,
Brevet Major General United States Army, Commanding.

In addition to the evidence elicited by Mayor Corliss, under his commission to investigate the murder of the Zooks, I desire to call your attention to the following information gotten from various parties, who would doubtless, if judicially examined, divulge more.

Valentine Vogh (stablekeeper, and runs a hack), better known as "Volley Vogh," Vicksburg, says: when he lifted the body, January 5th, 1867, it was found in a hole hardly four feet long, doubled up, with perhaps about a foot of earth on it; about half a mile off the road, to the left going down; the head separated from the body, but near it; the lower jawbone with the body; bowels and flesh above the elbows and knees gone; this by-road was a cut off from the main road; saves about three miles; this cut-off is almost impassable; can only be used for foot, or horse, or mule travel; the people do not use this cut excepting the few who live on it; persons going from Hankinson's ferry to Vicksburg would not take it ordinarily; know the country well; during the siege was a refugee from Vicksburg, and lived about the Big Black.

About a month ago (this evidence given January 7, 1867), one of the Browns—thinks it was Elly—a rather good-looking, rosy-faced young man, with moustache and some hair on his chin (does not know about the whiskers), left a horse at his stable. The horse was brought by a boy, and taken away by a younger brother of the Browns; he did not know this brother, and refused to give him the horse; went round to Hume's with him and saw Brown, who said it was all right; Hume paid him for the stabling of the horse; E. Brown said he was going to Texas—he believes he said to Galveston; he told ——— to save him two of his blooded puppies, and he would bring him a fine colt from Texas; he believes Brown left that day, on that horse, a fine one, for Texas; he asked young Brown that day how they were making out on their cotton; Brown said the show was poor—they would only get about nine thousand dollars. (This is about a one-fourth crop on this place, which is the ordinary yield in this country this year.)

It was understood among the neighbors, before Zook was killed, that Brown was going to Texas.

W. A. Hume, Washington street, says Zook never traded with him nor the Browns; says the Browns have been at his place since the murder, but did not sell him their cotton; does not know where they did sell; thinks the Browns have gone to Texas—does not know where; that Kirkpatrick left his employ January 5, 1867; went to the country on a plantation; Kirkpatrick might know something.

The United States Collector, corner Washington and ——— streets, is positive that W. A. Hume got a clearance for cotton, and he thinks he got two; the books do not show any clearance in his name—must have been cleared in some other name than his own.

Esq. Miller, the coroner who held the inquest, told Valentine Vogh at the time of taking up the body that the body was found shot in the right side and the stomach cut open to give the birds a better show—that the Rawle boys buried him after the inquest—that he, Miller, thought, and it was the general impression of the neighborhood, that the Browns had killed the Zooks, or at least A. H. Zook. Peter Garnett, school teacher, living on Mrs. Steed's place, told him that was his impression—that he, Garnett, on the same morning Abram left for Vicksburg—saw two men leading a mule towards Vicksburg—did not recognize the men—thinks the mule was the one A. H. Zook rode, from descriptions afterwards received.

Mr. Shearer, of the firm of Shearer & ———, says his books show that C. F. Brown sold him cotton as follows:

Oct. 5,	1866,	five bales.	
" 31,	"	six "	Day after murder same number of bales taken to Vicksburg, by A. H. Zook and C. T. Brown.
Nov. 3,	"	eleven "	
" 16,	"	ac. squared	

Cy. Brown went to Texas over a week ago—Cy. told me some time after the Zook disappearance, that they owed him money, and had gone away—asked me if I had heard of the murder—said he had heard there was a writ out against him (Cy.)—had come up to see about it. Shearer says Cy. is a high

minded gentleman—any transactions of his would be all right—pressed this point three times.

Mr. —— Nutt—Can be found at Hume's —knows a good deal of the Browns, and likely knows where they now are—is rumored to have been connected with Elly Brown in the murder of one Wiley or Wiles, in a boat on the Big Black some years ago.

Mr. Kirkpatrick (his whereabouts are to be found at Hume's store), is said, by many persons, to know a great deal about the affairs of Messrs. Brown and Zook. Kirkpatrick was once in the store of May & Brown.

On a Tuesday early in December, a clerk of Brown's came to Mr. G. W. Andrews, of Cayuga, a village near Vicksburg, and asked him to pay an account, saying that Cy. (or Billy) Brown would leave on Thursday for Texas via New Orleans. Andrews heard afterwards that he had gone.

Lieutenant Dick, who has leased the plantation which the Zooks tilled last year, has been run off. He is in Iowa or Illinois; will likely be in Vicksburg in about three months.

Major G. W. Corkiss, staff of General Gillem, visited the plantation, and can give evidence of the total absence of any property or stock on the place before the lease was up.

I am, sir, very respectfully,
Your obedient servant,
W. W. Nevin.

The foregoing message, with the accompanying documents, was, on motion,

Referred to the Committee on Federal Relations.

The Deputy Secretary of the Commonwealth also presented a message from the Governor, which was read as follows, viz:

Executive Chamber,
Harrisburg, March 13, 1867.

To the Senate and House of Representatives of the Commonwealth of Pennsylvania:

Gentlemen—Herewith is returned to the House of Representatives, in which it originated, bill No. 99, entitled An act to enable State banks to settle and close up their affairs, with my objections to the same.

Payment to the noteholders of bills issued by State banks about to wind up their affairs is, apparently, the only object in view. This is proper enough; but the means proposed to attain the desired end are more than questionable. An examination of the laws upon this subject shows that ample provision has already been made; and this whether the directors of the bank voluntarily elect to act in the premises, or the noteholders or other creditors desire relief in case the directors of the bank neglect or refuse it. The twenty-fourth and subsequent sections of the act approved 16th April, 1859, provide a complete and detailed system for the closing up of State banks. If the bank voluntarily pays all just demands on presentation, neither the noteholders nor others have any right to complain; if not, any one aggrieved can apply to the court of common pleas of the county where the bank is located, and compel an assignment for the benefit of noteholders and all others in interest. The duties of these assignees are to take charge of all the assets of the bank, to give security therefor, and to comply with the detailed provisions of the law. Among other things, they are required "once in every six months" to file accounts of their receipts and disbursements, and "at least once in every six months make a *pro rata* dividend of the balance in their hands, among the creditors of the bank," and receive such compensation as the court may approve. This system appears upon its face to be well adapted for the purposes intended, and has stood the test of experience for over fifteen years.

The bill herewith returned proposes a new system, *so far as relates to the payment of the outstanding notes of the banks*, but for no other purpose.

It provides for the appointment of a trustee for the object above, and that he shall take charge of the funds of the bank for this special purpose.

No provision is made for depositors, or other creditors of the bank. Under the laws creating our State banks, the debts and liabilities of those which failed, or were about to close, have to be paid in a certain order; and it must be apparent that assignees having the custody and control of the whole assets of such bank, could marshal the assets and make distribution of them much more intelligently, and with much greater chances of justice to the creditors, if part only of the assets were in the hands of one set of assignees, and another part in the hands of a trustee. This would not only create confusion and delay in the adjustment of the accounts, but also greatly add to the expense, without any resulting good to parties in interest so far as I can see. Moreover, the third and fifth sections of the bill require the trustee to pay the noteholders the whole amount of their respective claims on presentation. The result would be that if the fund should prove inadequate, the claims first presented would be paid in full, whilst those later presented would get nothing. After the trustee provided for in this bill has been appointed and given security, it provides as follows:

Sec. 4. That the compensation of the said trustee shall be such interest as may accrue to him in the investment of the said fund.

Sec. 6. That the said court may, at any time *after five years* subsequent to the appointment of any trustee as aforesaid, compel said trustee to make an exhibit of the funds of his trust, and to enforce its decree by the appointment of an auditor or auditors to settle an account, and make distribution: *Provided*, That in any distribution as aforesaid, *twenty per centum of the fund* ordered to be distributed, shall, in the discretion of the court, be applied to the payment of the costs of audit and to the trustee as compensation on making said exhibit and distribution.

I cannot comprehend how any such legislation as this could ever be expected to benefit anybody, except the man who was fortunate enough to secure the appointment of trustee. If intended for the benefit of any noteholder, depositor, or other creditors of a bank, they would have a right to invoke aid to save them from their friends.

Suppose, for illustration, the outstanding bills of a bank about to close to be fifty thousand dollars; and this sum should be placed in the hands of a trustee, under the provisions of this bill. Instead of being required to file accounts and declare *pro rata* dividends every six months, as under the old law, he can retain the whole fund for years, and appropriate all the interest (say at six per cent., $15,000) as compensation for his valuable services. "At any time *after five years*" the court may compel a settlement and distribution; and allow him and the auditors twenty per cent., or *ten thousand dollars more*, for settling an account and making distribution. Thus, under the provisions of this bill, one-half of the original amount intended for the billholders could be squandered, and not one dollar of it be received by any noteholder or creditor of the bank.

Believing the inevitable results of the legislation proposed would be to injure the parties who should be benefited, to delay and complicate settlements, and to consume the assets of the banks in useless fees and expenses, I return the bill without my approval.

John W. Geary.

Laid on the table.

On motion of Mr. STEHMAN, the House adjourned until to-morrow (Friday) morning at 10 o'clock.

IN THE SENATE.

Thursday, March 14, 1867.

The following bill was passed finally and accidentally omitted from the proceedings of that date:

An Act to incorporate the Adams County Soldiers' Monument association.

Section 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same*, That W. W. Stewart, F. A. Muhlenburg, Robert Bell, Isaac Robinson, George Arnold, Nicholas Heltzel, J. B. Danner, C. H. Buehler, Moses M'Clean, E. F. Fahnestock, Jeremiah Diehl, Nash G. Camp, J. C. Neely, H. L. Bougher, Aaron Sheely, R. G. M'Creary, George Jacobs, A. J. Cover, William M'Sherry, David Wills, John F. Felty, D. M'Conaughy, James H. Marshall, T. D. Carson, John Horner, Frederick Diehl, E. M'Ginly, Francis Marshall, Michael Detrich, Jacob E. Miller, George Earnshaw, Joseph J. Kuhn, Ephraim Myers, J. Plank, P. D. W. Hankey, Jacob Raffensberger, R. G. Harper, Jacob Mehring, John T. M'Ilhenny, Samuel Schwartz, Edward M'Pherson, Nicholas Weirman, James Mickley, Calvin Krise, A. S. Himes, Conrad Myers, Theodore C. Norris, Isaac E. Weirman, Albert Van Dyke, Abraham Sheely, Joseph Weirman, N. W. Bowers, Michael Reily, David Wortz, Isaac D. Worley, A. M. Hunter, Jas. Hersh, David M'Creary, George C. Carson, William B. Wilson, Charles Horner, Philip L. Hauk, George H. Jordy, John Brough, E. W. Meisenhelder, John Wolford, Wm. H. Adams, Wm. S. Hamilton, R. S. Seiss, Jos. J. Kerr, John L. Schick, John M. Swan, Wm. R. Eyster, J. Howard Wirt, Samuel Herbst, D. T. Carhahan, Jacob Martin, John Boyer, Henry Lott, Samuel S. M'Naer, E. Heiteshew, David Hoke, Henry S. Benner, be, and they are hereby, constituted and appointed commissioners to contract for and superintend the erection of a monument to the memory of the Adams county soldiers who were killed or died in the military service of the United States during the recent rebellion, to be erected within the borough of Gettysburg, on such spot as may be selected by said commissioners.

Sec. 2. That the said commissioners are authorized to select a plan and specifications and to issue proposals for the erection of the monument aforesaid, and make such contract or contracts as they may deem necessary for the erection of the same.

Sec. 3. That the said commissioners shall organize by the election of a president, vice president, secretary and treasurer, and an executive committee of thirteen, all to be chosen by ballot from their own number, and said officers shall thenceforth have and exercise all the powers by this act conferred upon and vested in said commissioners, and with power to fill vacancies.

Sec. 4. That all money or things of value heretofore subscribed, collected, or in any manner procured for the erection of said monument, be vested in the commissioners aforesaid; and the treasurer is hereby authorized to collect from and receipt for, to all persons having such money in their possession, and the treasurer of the Adams county commit-

tee, for the moneys and subscription in his hands, and to hold the same subject to the order of said commissioners for the purpose heretofore stated.

SEC. 5. That said commissioners are authorized to receive subscriptions, gifts, legacies and bequests for the object aforesaid, and shall make such rules and regulations for their own action as they may deem necessary.

SEC. 6. That if, after a proper effort has been made on the part of said commissioners, a sufficient sum of money shall not be secured for the completion of said monument, the commissioners of Adams county be, and they are hereby, authorized to subscribe and pay to said commissioners, in aid thereof, any sum, not exceeding five thousand dollars, out of the county tax fund; and the said commissioners of Adams county are hereby further authorized to donate sufficient ground belonging to Adams county, for the erection of said monument thereon, should such ground be selected.

SEC. 7. That upon the completion of the monument aforesaid, and after completion of subscription provided for in the sixth section, the commissioners of Adams county are hereby authorized and directed to take charge of the said monument, by whom it shall be kept in preservation and repair, at the proper charge of said county of Adams.

SENATE.

FRIDAY, March 15, 1867.

The Senate met and was called to order at 10 A.M., by the SPEAKER.

Prayer was offered by the Rev. Mr. Bailey.

On motion of Mr. CONNELL, the reading of the Journal of yesterday was dispensed with.

REPORTS FROM COMMITTEES.

Mr. M'CONAUGHY, from the Committee on the Judiciary Local, reported, as committed, a bill entitled An act to authorize Adam Lerew, trustee of Hiram Albert, to purchase real estate.

Mr. COWLES (same), as committed, a bill entitled An act to extend the time for the payment of the enrollment tax on an act to incorporate the Gettysburg and Chambersburg railroad company, approved the 17th day of April, 1866, and authorizing said road to make connections.

Mr. WHITE (same), as committed, a bill entitled An act to legalize the bonds issued by the school directors of Green township, in the county of Clinton, for bounty purposes, and to authorize the assessment and collection of a tax to pay the same.

Mr. FISHER (same), as committed, a bill entitled An act to change the venue in the case of the Commonwealth vs. Peter Ehy, numbers 1, 2 and three, February sessions of Snyder county, to the county of Juniata.

Mr. BURNETT, from the Committee on Estates and Escheats, as committed, a bill entitled An act to vest the title of Market Square, in the borough of Mechanicsburg, Cumberland county, in said borough, with a negative recommendation.

Mr. WHITE (same), with amendments, a bill entitled An act for the sale of certain real estate of Drucilla Haas.

Mr. FISHER, from the Committee on Pensions and Gratuities, as committed, and with a negative recommendation, a bill entitled An act to authorize the payment to Nicholas Simon, a soldier in the war to suppress the rebellion, a gratuity on account of the loss of both hands.

Mr. LANDON, from the Committee on Railroads, as committed, a bill entitled A supplement to an act regulating railroads, approved February 19, 1849.

Mr. GRAHAM (same), as committed, a bill entitled An act to enable the Philadelphia Commercial wharf and railroad company to issue bonds and to secure the payment of the same by mortgage, to extend the time for the constructing of their railroad connections, and to increase the number of directors.

Mr. BILLINGFELT, from the Committee on Roads and Bridges, as committed, a bill entitled An act to provide for the repairing of a public road in the county of Union.

Mr. LANDON (same), as committed, a bill entitled An act to increase the compensation of supervisors of roads in the township of Plumstead, Bucks county.

Mr. GRAHAM, from the Committee on Vice and Immorality, as committed, a bill entitled An act to restrain and regulate the sale and use of intoxicating liquors.

Mr. WHITE, from the Committee on the Judiciary Local, as committed, a bill entitled An act authorizing and empowering the corporate authorities of the borough of Greenville, Mercer county, to borrow money for the use of the borough.

REPORT OF A CONFERENCE COMMITTEE.

Mr. SEARIGHT, from the committee of conference upon the points of difference upon a bill entitled An act to annex the farms of Samuel Powers, John Hunter, James Cunningham, John Conaway and James Rutledge, of Derry township, to Livermore township, in Westmoreland county, for school purposes, presented the following report:

The committee recommend that the House recede from their non-concurrence in the Senate amendment.

T. B. SEARIGHT,
O. P. JAMES,
Senate Committee.
TH. F. GALLAGHER,
S. G. BOYD,
House Committee.

On motion of Mr. SEARIGHT, the report was read a second time, and

Agreed to.

BILLS IN PLACE.

Mr. M'CONAUGHY read in his place and presented to the Chair a bill entitled An an to incorporate the Good Spring iron and land company.

Referred to the Committee on Corporations.

Also, a bill entitled An act to incorporate the Adams County Soldiers' Monument association.

Referred to the Committee on Corporations.

Mr. CONNELL, a bill entitled An act to extend the time for the payment of enrollment tax on the National silver mining company.

Referred to the Committee on Finance.

Mr. WALLACE, a bill entitled An act to incorporate the Clearfield trout and hotel company.

Referred to the Committee on Corporations.

Mr. RANDALL, bill entitled A further supplement to act entitled An act appointing commissioners to lay out and open a State road in the counties of Cameron and Potter, approved the 21st day of March, A. D. 1865.

Referred to the Committeee on Roads and Bridges.

Mr. HAINES, a bill entitled an act to incorporate the Newport manufacturing and building company.

Referred to the Committee on Corporations.

Also, a bill entitled A supplement to an act for the better and more impartial selection of jurors in the several courts of Somerset, Bedford, Fulton, Westmoreland, Perry and Juniata counties, extending the provisions of the same to the counties of Mifflin and Centre.

Referred to the Committee on the Judiciary General.

Mr. BIGHAM, a bill entitled An act authorizing the construction of board walks along the streets in Liberty township, Allegheny county.

Referred to the Committee on the Judiciary General.

Also, a bill entitled A supplement to an act approved April 12, 1856, to lay out a State road from Tarentum, Allegheny county, to George Gocho's, in Butler county.

Referred to the Committee on Roads and Bridges.

Mr. JACKSON, a bill entitled An act to incorporate the Valley coal and railroad company.

Referred to the Committee on Railroads.

Mr. M'CANDLESS, a bill entitled A supplement to an act entitled An act relating to the agencies of foreign insurance, annuity and trust companies, approved the 9th of April, A. D. 1856.

Referred to the Committee on Finance.

Mr. GLATZ, a bill entitled An act supplementary to an act to incorporate the Matawanna mining and exploring company, approved March 24, 1865.

Referred to the Committee on Corporations.

Also, a bill entitled An act supplementary to an act to incorporate the Agricultural, Mining and Exploring company, approved April 20, 1866.

Referred to the Committee on Corporations.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

The Clerk of the House of Representatives being introduced, presented for concurrence bills numbered and entitled as follows:

No. 612, A supplement to an act relating to the lien of mechanics and others upon buildings, approved the 16th day of June, 1836, to the county of Chester.

Referred to the Committee on the Judiciary Local.

No. 707, an act to amend the road laws of Tioga and Potter counties.

Referred to the Committee on Roads and Bridges.

No. 708, an act to regulate the width of mountain roads in Madison township, Perry county.

Referred to the Committee on Roads and Bridges.

No. 711, an act to authorize the road commissioners of Mill Creek township, Erie county, to compel the owners of land fronting on Ridge road to make side-walks, and to straighten out said roads.

Referred to the Committee on Roads and Bridges.

No. 713, an act to repeal the Lenox road law, in the township of Lenox, in the county of Susquehanna, and for other purposes.

Referred to the Committee on Roads and Bridges.

No. 716, an act to increase the pay of the supervisors of Logan township, Blair county.

Referred to the Committee on the Judiciary Local.

No. 717, an act relating to the election of supervisors in the township of Middletown, county of Susquehanna, and for other purposes.

Referred to the Committee on Roads and Bridges.

No. 719, an act to legalize the acts of the road commissioners of Columbus township, Warren county, in levying additional road tax.

Referred to the Committee on the Judiciary Local.

No. 720, an act authorizing the supervisors of roads of the township of Allegheny, in the county of Armstrong, to levy additional taxes for road purposes.

Referred to the Committee on Roads and Bridges.

No. 721, an act to incorporate the Phillipsburg and Rochester ferry company.

Referred to the Committee on Canals and Inland Navigation.

No. 723, an act to authorize the school directors of the borough of Renova, in the county of Clinton, to borrow money for building purposes.

Referred to the Committee on the Judiciary Local.

No. 724, an act to authorize the school board of Tyrone City, Blair county, to sell certain real estate now used for school purposes, and appropriating the money arising from said sale to the purchase of a better location and erecting a more suitable building for school purposes, and to borrow any sum of money, not exceeding ten thousand dollars, at a rate of interest not exceeding ten per cent. per annum, to assist them in procuring the same.

Referred to the Committee on Education.

No. 725, an act to relinquish a certain annuity for the benefit of school purposes in the borough of Susquehanna Depot, Susquehanna county, with power to sell and dispose of old school houses, &c., and build new ones.

Referred to the Committee on Education.

No. 726, an act to enable the school directors of the borough of Lehighton, Carbon county, to borrow money for the erection of school buildings.

Referred to the Committee on Education.

No. 728, an act to authorize the board of school directors of the borough of Albion, in the county of Erie, to borrow money for building purposes.

Referred to the Committee on the Judiciary Local.

No. 729, an act authorizing the school directors of the borough of Butler to transfer certain funds.

Referred to the Committee on Education.

No. 731, an act to appropriate the excess of money collected for bounty purposes in the township of East Huntingdon, Westmoreland county, and directing the board of school directors in said township to use the same for school and building purposes.

Referred to the Committee on the Judiciary Local.

No. 732, an act to authorize the school directors of Harrison township, Allegheny county, to borrow money.

Referred to the Committee on the Judiciary Local.

No. 733, an act to vacate a certain portion of ground on Sixth street, in the city of Harrisburg.

Referred to the Committee on the Judiciary General.

No. 714, an act to authorize the school directors of Riceville, Crawford county, to borrow money, and for other purposes.

Referred to the Committee on the Judiciary Local.

No. 747, an act to authorize the school directors of the borough of White Haven to borrow money.

Referred to the Committee on the Judiciary Local.

No. 748, an act to incorporate the Ringgold library company of Philadelphia.

Referred to the Committee on the Judiciary General.

No. 749, an act to incorporate the Oil City acid factory.

Referred to the Committee on Corporations.

No. 750, an act to incorporate the Philadelphia grain warehousing and drying establishment.

Referred to the Committee on Corporations.

No. 71, an act to incorporate the Oak Dale skating park and physical institute of Philadelphia.

Referred to the Committee on Corporations.

No. 756, an act to incorporte the German St. Franciscus hospital of Lawrenceville.

Referred to the Committee on Corporations.

No. 758, an act to incorporate the Otter Point fish house company.

Referred to the Committee on the Judiciary General.

No. 761, an act to incorporate the Citizens' insurance company.

Referred to the Committee on Corporations.

No. 766, an act to incorporate the Eagle cotton manufacturing company.

Referred to the Committee on Corporations.

No. 767, a further supplement to an act to incorporate the First Reformed congregation of the borough of York and its vicinity, approved March 14, 1849.

Referred to the Committee on Corporations.

No. 774, a supplement to an act to incorporate the Orphans' Home of the Shepherd of the Lambs, approved February 17, 1864, authorizing an increase in the number of managers.

Referred to the Committee on Corporations.

No. 777, an act to extend the provisions of an act for the better regulation of the Mercer County, Shenango Valley, Montour and Allegheny County agricultural societies, relative to the prohibition of shows, erection of booths, &c., to the Pennsylvania agricultural society.

Referred to the Committee on Corporations.

No. 780, an act to extend the provisions of an act for the protection of sheep in certan counties, approved the 8th day of April, A. D. 1862, to the counties of Armstrong and Westmoreland.

Referred to the Committee on Agriculture and Domestic Manufactures.

No. 782, an act to authorize the Tioga County agricultural society to borrow money.

Referred to the Committee on Agriculture and Domestic Manufactures.

No. 787, an act to extend to Allegheny township, Blair county, the provisions of an act to prevent swine from running at large in the township of Blair, in the county of Blair.

Referred to the Committee on Agriculture and Domestic Manufactures.

No. 791, an act to prevent cattle from running at large in Abington township, Montgomery county.

Referred to the Committee on Agriculture and Domestic Manufactures.

No. 792, an act to repeal the fourth section of an act to incorporate the Pennsylvania State agricultural society, so far as it extends to the county of Lawrence.

Referred to the Committee on Agriculture and Domestic Manufactures.

No. 795, an act for the protection of farmers against the ravages of wild cats in the county of Forest.

Referred to the Committee on Agriculture and Domestic Manufactures.

No. 796, an act regulating licenses to eating houses or restaurants in the county of Centre.

Referred to the Committee on Vice and Immorality.

No. 808, an act to authorize the Board of Military Claims to adjust the claim of Wm. D. Shoenleber.

Referred to the Committee on Military Affairs.

No. 819, an act for the relief of Jane Lynn, widow of John Lynn, a soldier of the revolutionary war.

Referred to the Committee on Pensions and Gratuities.

No. 824, an act making valid an ordinance passed by the council of Jamestown borough, in the county of Mercer.

Referred to the Committee on the Judiciary Local.

No. 830, an act to authorize the Governor to appoint an additonal notary public for the county of Bradford, to reside in the town of Athens.

Referred to the Committee on the Judiciary Local.

No. 867, an act to legitimate Edward A. Smith, Ellen J. Smith, Catharine V. Smith and Thomas B. Smith.

Referred to the Committee on the Judiciary Local.

No. 873, an act to repeal an act entitled An act to change the venue of certain suits from Butler to Armstrong county.

Referred to the Committee on the Judiciary Local.

No. 880, an act relative to the coroner of Washington county.

Referred to the Committee on the Judiciary Local.

No. 891, a supplement to an act, approved April 11, 1866, to increase the fees of township officers in the county of Wyoming, extending the same to Cambria county.

Referred to the Committee on the Judiciary Local.

No. 899, An act increasing the fees of jurors, commissioners, auditors and witnesses, in the county of Venango.

Referred to the Committee on the Judiciary Local.

No. 907, an act extending an act relative to fees of notaries public in the counties of Lancaster and Clinton, approved April 11, 1866, to the county of Berks.

Referred to the Committee on the Judiciary Local.

No. 910, an act to repeal an act to authorize the highway commissioners of the township of Mill Creek, in the county of Erie, to establish the width of East lane, and to change its name.

Referred to the Committee on the Judiciary Local.

No. 911, an act to authorize the commissioners of Crawford county to borrow money.

Referred to the Committee on the Judiciary Local.

No. 912, an act relative to moneys collected as fines from persons intoxicated within the county of Dauphin.

Referred to the Committee on the Judiciary Local.

No. 760, an act to incorporate the Carpenters' and Joiners' Protective and Beneficial Union, No. 1, of Pennsylvania.

Referred to the Committee on the Judiciary General.

No. 1115, supplement to an act to open and straighten Highland and Union avenues and Thirtieth street, in the Twenty second ward, and Church and Adams street, in the city of Philadelphia, approved the 20th day of May, A. D. 1864.

Referred to the Committee on Roads and Bridges.

No. 764, an act to incorporate the Fifth Street market company.

Referred to the Committee on Corporations.

He also again presented bill No. 349, an act appropriating moneys arising from fines and forfeitures in Chester county,

Which bill was returned to the House by the Governor in pursuance of a joint resolution requesting the same.

With information that the House of Representatives has reconsidered and passed the same with an amendment, in which the concurrence of the Senate is requested.

On motion of Mr. WORTHINGTON, said amendments were twice read and

Concurred in.

He also returned bills from the Senate numbered as entitled as follows:

No. 204, an act to extend the time for the completion of the Clearfield and Curwensville turnpike road, and to allow tolls to be taken upon the portions completed.

No. 254, an act supplementary to an act entitled An act appointing commissioners to lay out and open a State road in the counties of M'Kean, Elk, Forest and Clarion, approved on the 1st day of May, A. D. 1861, reviving the third section of said act, and authorizing the commissioners to borrow money.

No. 262, an act to incorporate the Schuylkill insurance company of Philadelphia.

No. 292, an act to increase the pay of the assessors of Lehigh county.

No. 320, an act authorizing the supervisors of Jackson township, in Luzerne county, to collect, in money, one-third of the tax levied for road purposes in said township.

No. 381, a supplement to the act approved April 16, A. D. 1866, establishing the board of controllers of the public schools of the borough of Allentown.

No. 405, an act to annul the marriage contract between Samuel E. Shick and Sarah E., his wife.

No. 408, an act for the promotion of medical science and to prevent the traffic in human bodies in the city of Philadelphia and county of Allegheny.

No. 426, an act to incorporate the Fountain Hill park association.

No. 427, an act to incorporate the Pennsylvania Club.

No. 432, an act to incorporate the Erie Cooperative society.

No. 456, an act to authorize the appointment of two assistant reporters in the district court of Philadelphia.

No. 459, an act to legalize the assessment, levy and collection of bounty tax, and to provide for the collection of the same, for bounty purposes, in Springfield township, Bucks county.

No. 499, a further supplement to an act, entitled An act to incorporate the M'Kean and Elk land and improvement company, approved 6th day of February, A. D. 1866, authorizing said company to borrow money and mortgage lands.

No. 506, an act relative to hawking, peddling and selling by sample in the county of Schuylkill.

No. 512, an act allowing the mercantile appraisers of Allegheny county the same fees allowed in other counties in the State.

No. 513, an act relative to the fees of notaries public of the counties of Dauphin and Lebanon.

No. 557, an act to legalize the assessment of taxes levied by the school directors of the borough of Kingston, Luzerne county, for the payment of money advanced for the purpose of paying bounty to volunteers.

No. 563, a supplement to an act to incorporate the Point Breeze park association, approved February 8, 1855.

No. 567, an act to increase the compensation of the county commissioners and auditors of the county of Mercer.

No. 678, an act to provide for the enlargement of the Erie canal, to authorize the mortgaging of the same, and the issue of bonds, and to increase the capital stock and regulate the tolls.

No. 962, an act authorizing the town council of the borough of Tamaqua, Schuylkill county to borrow money.

No. 1006, an act to vacate a part of Schuylkill street, in the borough of Norristown.

With information that the House of Representative has passed the same without amendments.

He also returned bills from the Senate numbered and entitled as follows:

No. 125, an act to attach certain lands and tenements in Bedford township, Bedford county, and the persons residing thereon, to Bedford borough for school purposes.

No. 233, an act to incorporate the Northern railroad and navigation company.

No. 394, an act to incorporate the Atlantic brick manufacturing company.

No. 376, a supplement to an act to authorize the school directors of the borough of West Greenville, in Mercer county, to borrow money to erect a public school house in said borough.

No. 507, an act relative to courts in Lehigh county.

Senate bill No. 511, a supplement to an act to increase the compensation of the county commissioners, auditors, jurors, assessors, witnesses and supervisors of Indiana county, and to authorize the collection of taxes in Burrell township, said county, in money.

No. 579, an act regulating the salary of the treasurer of Lehigh county.

Senate bill No. 800, an act to incorporate the National Homestead,

With information that the House of Representatives has passed the same with amendments, in which the concurrence of the Senate is requested.

On motion of Mr. COWLES, said amendments were twice read and concurred in.

He also informed that the House of Representatives has concurred in the amendments made by the Senate to bill from the Senate numbered and entitled as follows:

No. 288, an act to authorize the clerk of of the courts of quarter sessions, oyer and terminer, and orphans' court of Lehigh county to appoint deputies.

Said bill having been recalled from the Governor in pursuance of joint resolution requesting the same.

He also returned bill from the Senate numbered and entitled as follows:

No. 376, a supplement to the act to authorize the school directors of the borough of West Greenville, Mercer county, to borrow money to erect a public school house in said borough.

With information that the House of Representatives has passed the same with amendments, in which the concurrence of the Senate is requested.

On motion of Mr. BROWN (Mercer), the Senate refused to concur in the amendments.

THE ZOOK MURDERS.

Mr. BIGHAM, from the Committee on Federal Relations, to whom was referred the message, with the recommendation of the Governor, in regard to the probable murder, in Mississippi, of Noah H. and Abraham Zook, of Lancaster county, reported the following joint resolution:

Be it resolved by the Senate and House of Representatives of the State of Pennsylvania in General Assembly met, That the Governor of this Commonwealth be authorized to offer such rewards, in money, and take such other measures as in his discretion may be deemed necessary, in reference to the disappearance and probable murder of Noah H. Zook and Abraham Zook, and to bring to justice the perpetrators of such a great crime against two peaceable citizens of Pennsylvania; and that he be authorized to draw upon the Treasury for all sums necessary to defray the expenses for this purpose.

On motion of Mr. BILLINGFELT, the rules were dispensed with, and the Senate proceeded to the second reading and consideration of the resolution.

Mr. LANDON suggested that the amount of reward should be inserted—say five thousand dollars.

Mr. LOWRY. I think we can trust that to the Governor.

Mr. BIGHAM. Mr. Speaker, that matter was thought of, but there is some difficulty in setting the amount. If the Senate, however, desire it, some limitation can be imposed, without throwing the decision upon the Executive.

Mr. GRAHAM. Mr. Speaker, I think the suggestion of the Senator from Bradford [Mr. LANDON] eminently proper. I think that a sum ought to be named beyond which the Governor could not and should not go—five thousand or ten thousand dollars. But let us cease, from this time henceforth and forever, this loose kind of legislation, this appropriation of money without limit. I think that five thousand dollars, or as much thereof as may be needed, ought to be incorporated in the bill. I move that it be thus amended.

Mr. LOWRY. Mr. Speaker I would rather see no sum named at all than have it go upon our country's records that we held human life at the price of five thousand dollars. Is that the price for murdering Pennsylvanians? Can those murderers be arrested and brought to justice for five thousand dollars? If it can be done for that, we will pay it; and if it costs more we can offer it. I prefer leaving it in the hands of the Governor, and let him do what he thinks proper. They are opening up a new country where these murders took place, and let us show the world that the treasury of Pennsylvania is open to protect her citizens from the murderer's hands. We looked at this subject in all its bearings, and we were of the opinion that the dignity of the Commonwealth and the cause of justice required that it should stand without naming a sum for the heads of the murderers.

Mr. M'CONAUGHY. Mr. Speaker, under ordinary circumstances I should feel it my duty to sustain the committee and fully concur, but in this case I think the amendment proper:

Mr. LANDON. Mr. Speaker, I submit now, sir, as a universal principle, that it does not look well for the Senate to pass a law allowing any man unlimited access to the treasury. The Governor does not desire it, I think. If five thousand is not enough, make it ten thousand dollars. My friend from Erie [Mr. LOWRY] is in an imaginative mood. What is the use in talking about lives being worth five thousand dollars? If five thousand dollars is not enough, make it ten thousand dollars, or so much thereof as may be necessary. I insist that the sum should be limited to some figure.

Mr. BILLINGFELT. Mr. Speaker, I hope there may be no amount specified in this bill. I think it is about time that the Government of Pennsylvania should make its influence felt all over the United States. Whether ten thousand dollars is necessary or not, it will not bring back the lives of those men who were killed. But we should set an example and protect the citizens of Pennsylvania who may choose to go down South and pursue a peaceable avocation, as those men were doing; and I think the amount should be large enough to make an inducement to catch

these men, because they are known. Make the amount sufficiently large to hold out an inducement for their capture, because they are living and are known, and should be tried, convicted and hung.

On the question,

Will the Senate agree to the amendment offered by Mr. GRAHAM, that the amount appropriated for this purpose shall not exceed five thousand dollars?

The yeas and nays were required by Mr. BILLINGFELT and Mr. GLATZ, and were as follow, viz:

YEAS—Messrs. Burnett, Connell, Davis, Donovan, Graham, Jackson, Landon, M'Candless, M'Conaughy, Randall, Ridgway, Searight, Wallace, Walls and Hall, *Speaker*—15.

NAYS—Messrs. Bigham, Billingfelt, Browne (Lawrence), Brown (Mercer), Coleman, Fisher, Glatz, Haines, Lowry, Taylor, White and Worthington—12.

So the question was determined in the affirmative.

The resolution as amended was then

Agreed to.

The bill was read a third time, and

Passed finally.

VOTES RECONSIDERED.

Mr. DONOVAN moved that the Senate reconsider the vote negativing the first and only section of bill entitled An act relating to evidence in actions of ejectment.

The motion was

Agreed to.

And the bill being again before the Senate,

Mr. WALLACE moved to postpone the further consideration of the bill for the present.

The motion was

Agreed to.

Mr. LOWRY moved that the Senate reconsider the vote on the final passage of bill entitled An act to provide for the continuance of the education and maintenance of the destitute orphans of the deceased soldiers and sailors, and the destitute children of permanently disabled soldiers and sailors of the State.

The motion was

Agreed to.

And the bill being again before the Senate,

Mr. WORTHINGTON moved to amend the second section by striking out the words, "and also the desolate motherless children of soldiers permanently disabled in said war," and inserting, in lieu thereof, the words "and the Superintendent, with the concurrence of the Governor, may admit to the benefits of this act such destitute children of soldiers permanently disabled in said war as, in their judgment, the condition of said children and considerations of humanity require to be so admitted."

Mr. WORTHINGTON. Mr. Speaker, this merely leaves the matter discretionary with the Superintendent and Governor, which is acceptable, I believe, to all parties on both sides.

The amendment was

Agreed to.

The section as amended was

Agreed to.

The bill then

Passed finally.

CORNPLANTER.

Mr. BROWN (Mercer). Mr. Speaker, it will be remembered that during the last session of the Legislature, a joint resolution was passed, authorizing an appropriation of a certain sum of money for the construction and dedication of a monument to Cornplanter, a celebrated Indian chief. I hold in my hand a letter from the Hon. J. Ross Snowden, which will give information to the Senate as to the manner in which that trust has been discharged, which I will send up to be read.

The letter was read as follows:

To the Honorable Louis W. Hall, Speaker of the Senate:

DEAR SIR—At the last session of the Legislature, a joint resolution was adopted authorizing the erection of a monument to the memory of Cornplanter, the celebrated chief of the Seneca nations. The same resolution placed the subject in charge of Honorable Samuel P. Johnson, president judge of the Sixth Judicial district.

Under his direction the monument was completed, and placed in position over the grave of the chief, at Cornplanter Indian village (Jennesedaga), in the county of Warren, on the Allegheny river, fifteen miles above the borough of Warren, on the 18th of October last. There were present on the occasion about four hundred Indians, and a large concourse of citizens of Pennsylvania and New York.

I have the honor to present herewith the report of Judge Johnson, showing the manner in which he has discharged the duties assigned him by the joint resolution referred to.

His report embraces his introductory remarks, and the historical sketch of Cornplanter and the Six Nations, which I prepared and delivered at his request; also, the responses to the addresses made by a Chief and and a Councillor of the Seneca Nation. These responses were made in the Indian language, but they were reported and taken down by me as they were translated at the time of delivery by interpreters.

Herewith, also, I present a photograph of the monument and the audience, taken during the delivery of the historical sketch; and photographs of Charles O'Bail, Henry O'Bail, and Polly Logan, the surviving children of Cornplanter.

If the Legislature should direct the publication of these papers I will, if desired, assist in preparing them for the press.

I have the honor to be, with great respect,

Your obedient servant,

JAMES ROSS SNOWDEN.

HARRISBURG, March 8, 1867.

Mr. BROWN (Mercer) moved that one thousand copies of the report of Judge Johnson, the superintendent of the work, and also one thousand copies of the address delivered on the occasion by James Ross Snowden, and other papers connected with the dedication of the monument, be published, under the direction of the Committee on Public Printing, for the use of the Senate.

The motion was

Agreed to.

Mr. LOWRY. Mr. Speaker, I would mention here to the Senate, for the ear of the chairman of the Committee on Finance, that, in my judgment, Pennsylvania has rarely done a more creditable act than by the appropriation of this sum of money last year to erect a monument to Cornplanter; but there is a small balance required, which should be put into the next appropriation bill.

Mr. CONNELL. Very well; we will supply the deficiency.

BILL ON THIRD READING.

Agreeably to order,

The Senate proceeded to the third reading and consideration of a bill entitled A supplement to an act for the better preservation of game and insectiverous birds, approved the 21st day of April, 1858.

The bill

Passed finally.

BILLS PASSED.

On motion of Mr. GRAHAM, the rules were dispensed with, and the Senate proceeded to the consideration of a bill entitled Joint resolution authorizing the appointment of a special agent to collect disallowed and suspended claims against the United States.

The bill was then read a second and third time, and

Passed finally.

On motion of Mr. M'CONAUGHY, the Committee on Corporations was discharged from the further consideration of a bill entitled An act to incorporate the Adams County Soldiers' Monument association.

And the rules having been dispensed with,

The bill was read a second and third time, and

Passed finally.

On motion of Mr. M'CANDLESS, the rules were dispensed with, and the Senate proceeded to the consideration of a bill, entitled An act to enable the Philadelphia Commercial wharf and railroad company to issue bonds and to secure the payment of the same by mortgage; to extend the time for the construction of their railroad connections, and to increase the number of directors.

The bill was read a second and a third time, and

Passed finally.

On motion of Mr. SEARIGHT, the rules were dispensed with, and the Senate proceeded to the consideration of a bill entitled An act relating to hawking and peddling of ready made clothing in the county of Greene.

The bill was read a second and a third time, and

Passed finally.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

The Clerk of the House of Representatives being introduced, presented for concurrence bill numbered and entitled as follows:

No. 1085, an act to increase the revenue of the Commonwealth.

Referred to the Committee on Finance.

He also returned bill from the Senate numbered and entitled as follows, viz:

No. 808, a supplement to an act incorporating the Colebrookdale railroad company, approved the 23d day of March, A. D. 1865,

With information that the House of Representatives has passed the same with amendments, in which the concurrence of the Senate is requested.

On motion of Mr. DAVIS, the amendments were twice read, considered and concurred in.

MESSAGES FROM THE GOVERNOR.

The Deputy Secretary of the Commonwealth being introduced, presented the following messages from the Governor in writing:

EXECUTIVE CHAMBER,
HARRISBURG, PA., March 12, 1867.

To the Senate and House of Representatives of the Commonwealth of Pennsylvania:

GENTLEMEN—A letter, dated 6th instant, has just been received from Hon. Jonathan Worth, Governor of North Carolina, covering a set of resolutions adopted by the Legislature of that district, both of which, according to his request, are herewith transmitted to you.

The object of the resolutions is to invite "all the States, North, South, East and West," to a national convention for the purpose of "proposing, in exact conformity with the Constitution of the United States, such amendments to the Constitution that the result will be such *mutual concessions* as will lead to a restoration of our former happy relations."

Under ordinary circumstances I would be satisfied to simply submit this communication to the Legislature without comment, but in this instance the occasion seems to demand something more. I am by no means

insensible to a noble spirit of *concession* and forbearance necessary to impart vitality to our national existence, and, therefore, in deliberating upon this important subject, I would recommend that local feelings and prejudices be merged in a patriotic determination to promote the public welfare. But when we reflect that the people of North Carolina, inviting this assembly, are not in full communion with the loyal States; that they have been for many years in the habit of looking with great indifference upon the national interests and of tolerating disloyalty; that throughout the thrilling and sanguinary war of the rebellion they used their utmost efforts to destroy the Constitution and the Union, and to establish a hostile government of their own; that they have recently refused to ratify the mild and wholesome amendments to the Constitution; that Congress, by the passage of the reconstruction act, has made a salutary provision for their future military government, and for that of the other refractory districts lately engaged in rebellion; is not the presumption with which these unrepentant rebels and subjugated traitors now ask for "mutual concessions" surprising!

The people of Pennsylvania have always been loyal to the Government, true to the Constitution and laws of the nation, and have stood in the foremost ranks of the defenders of the Union. They have no concessions to make; certainly none to those who have waged a treasonable war, and who have been conquered at the point of the bayonet. The doctrine is certainly abhorrent that defeated treason should ask the loyal men of this country to meet them on equal terms in convention to amend the Constitution they repudiated and attempted to destroy. The guilty failure of those men has assigned them to a far different task—submission to the terms of the conqueror and obedience to that law which we all obey.

While Pennsylvania has no concessions to make, her people, desiring a speedy, just and proper readjustment of all the States in the Union, earnestly beseech the citizens of North Carolina, and of all the Southern States, to return without delay to the benign influence of the Government while yet the terms of such a return are easy, and not to wait for more severe conditions, and, perhaps, far more serious punishment.

JNO. W. GEARY.

STATE OF NORTH CAROLINA,
EXECUTIVE DEPARTMENT,
RALEIGH, March 15th, 1867.

To His Excellency the Governor of Pennsylvania:

DEAR SIR—I herewith enclose to you resolutions of the General Assembly of this State, proposing a plan of composing our national troubles, in exact conformity with the Constitution of the United States.

If these resolutions shall meet the approval of the States and of the Congress, I do not doubt that the result will be such mutual concessions as will lead to a cordial restoration of the relations among the States which of old made the American Union the pride of our people and the envy of the nations.

I have the honor to be,
Very respectfully,
Your obedient servant,
JONATHAN WORTH,
Governor of North Carolina.

PREAMBLE AND RESOLUTIONS PROPOSING THE CALL OF A NATIONAL CONVENTION.

WHEREAS, The people of the State of North Carolina have repeatedly declared, through their representatives, their desire that harmonious relations should be fully restored between this State and the United States, according to the Constitution of the United States, on terms alike safe and honorable to all parties; and to effect such harmony are willing, in a constitutional manner, to assent to any amendment of the Constitution of the United States, giving full indemnity and security for the peace and permanency of the Union, which may be constitutionally proposed, and whatever shall seem to them compatible with civil liberty and tending to promote the general welfare; and whereas by the fifth article of the Constitution of the United States it is declared that

"The Congress, whenever two-thirds of both Houses shall deem it necessary, shall propose amendments to the Constitution, or, on application of the Legislatures of two-thirds of the several States, shall call a convention for proposing amendments, which, in either case, shall be valid, to all intents and purposes, as part of this Constitution, when ratified by three-fourths of the several States, or by conventions in three-fourths thereof, as the one or other mode of ratification may be proposed by Congress; and that no State, without its consent, shall be deprived of its equal suffrage in the Senate."

Believing that no better mode can be devised to compose the different animosities growing out of the late war than that contemplated by the alternative proposition in said fifth article of the Constitution of the United States; therefore,

Resolved by the General Assembly of the State of North Carolina, That this State doth apply to the Congress of the United States for the call of a national convention, in which all the States, North, South, East and West, shall be represented, according to the Constitution, to propose such amendments to the Constitution as shall seem fitted to promote the general welfare, the peace, harmony and prosperity of the Union of the United States; which amendments, when ratified by three fourths of the several States, shall be ratified, to all intents and purposes, as part of the Constitution of the United States.

Resolved, further, That the Governor of this State transmit to the President of the United States a copy of these resolutions, to be communicated to the Congress of the United States, and also a copy to the Governor of each of the States, with the request that the same be laid before the Legislature of each State of the Union.

Ratified March 2d, 1867.

STATE OF NORTH CAROLINA,
DEPARTMENT OF STATE.

I, R. W. Best, Secretary of the State, do hereby certify that the foregoing is a true copy of the original on file in this office.

Given under my hand this Fourth day of March, one thousand eight hundred and sixty-seven.

R. W. BEST,
Secretary of State.

Laid on the table.

The Deputy Secretary of the Commonwealth also presented the following message:

EXECUTIVE CHAMBER,
HARRISBURG, March 15, 1867.

To the Senate and House of Representatives of the Commonwealth of Pennsylvania:

GENTLEMEN—I have approved and signed the following acts of the General Assembly, to wit:

On the 12th instant:

An act to repeal a certain act relative to the public roads in Mauch Chunk township, Carbon county, approved sixteenth day of March, Anno Domini one thousand eight hundred and sixty-six.

A supplement to an act to authorize the road commissioners of Freehold township to levy an additional tax, approved April seventeenth, Anno Domini one thousand eight hundred and sixty-six.

An act to provide for the election of burgess and town council of the borough of Danville, Montour county, Pennsylvania.

An act to incorporate the city of Allentown.

An act to vacate part of Woodpecker alley or Rising Sun lane, in the Twenty-first ward of the city of Philadelphia.

An act to incorporate the Lincoln steam fire-hose company in the city of Philadelphia, and to authorize said company to erect a market house.

An act to extend the provisions of an act laying a tax on dogs in certain townships in the county of Chester, relative to elections in West Philadelphia, and to assessors in Millerstown, Perry county, approved the eleventh of March, one thousand eight hundre and fifty, so far as provides for the taxing of dogs, to the township of Londonderry, in the county of Chester.

A supplement to an act to incorporate the Montana gold and silver mining company, approved the twenty-third day of March, Anno Domini one thousand eight hundred and sixty-five.

An act to incorporate the Pacific Railroad gold mining company.

An act supplementary to an act incorporating the town of Lawrenceville into a borough, approved the thirteenth day of February, Anno Domini one thousand eight hundred and thirty-four.

An act relative to the payment of street and road damages in the county of Dauphin.

A supplement to an act to incorporate the Fidelity insurance, trust and safe deposit company of the city of Philadelphia, passed the twenty-second day of March, Anno Domini one thousand eight hundred and sixty-six.

A supplement to an act incorporating the Hollidaysburg and Altoona plank road company.

An act repealing an act relative to the coroner of Armstrong county.

An act to extend the provisions of an act entitled An act relative to mechanics' liens, in the counties of Luzerne and Schuylkill, approved February 17th, Anno Domini one thousand eight hundred and fifty-eight, to the county of Northumberland.

An act to correct an act to incorporate the Williamsport hall and market company, approved April 20th, 1866.

An act relating to courts of equity, in cases of partition, in the several counties comprising the Sixth Judicial district of Pennsylvania.

A further supplement to an act, passed the thirteenth day of March, one thousand eight hundred and sixty-two, to authorize the arrest of professional thieves, burglars, et cetera, in the city of Philadelphia.

An act relative to the pay of auditors in the county of Butler.

An act authorizing tender of money to be made after suit brought.

An act annexing the borough of Manchester to Allegheny city.

An act to extend the provisions of an act, entitled An act to require the register of wills, in and for Luzerne county, to record in a book or books, the appraisements, inventories and vendue lists of personal property, to the counties of Monroe and Carbon.

An act to incorporate the Spruce Grove lumber and land company.

An act to vacate parts of Railroad street in the borough of Pottsville.

A supplement to an act incorporating the

Daily Legislative Record.

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[CONTINUED FROM PAGE 624.]

borough of Jamestown, in the county of Mercer.

A further supplement to the borough of Easton, authorizing the town council of said borough to construct and provide public water works, and to authorize the election of water commissioners.

On the 13th instant:

Supplement to the act incorporating the borough of Doylestown, entitled An act authorizing the Governor to incorporate the Bristol steam tow-boat and navigation company, and for other purposes.

A supplement to an act to incorporate the Cresheim turnpike and bridge company, approved the sixteenth day of March, one thousand eight hundred and sixty-six.

An act relative to justices of the peace, burgesses and notaries public in the county of Lawrence.

An act to confirm the title of John Hanly to certain real estate in the city of Philadelphia.

A further supplement to an act to incorporate the city of Carbondale.

An act relative to the courts of oyer and terminer, general jail delivery and quarter sessions of the peace for the city and county of Philadelphia, and relative to the drawing of jurors in said city.

An act to vacate Fairview street, running west from Twenty-first street to Twenty-second street, south of Spring Garden street, one hundred feet, in the city of Philadelphia.

An act authorizing and requiring the assessor of Caernarven township, Berks county, to discharge the duties of constable.

A supplement to the act of March nineteen, one thousand eight hundred and sixty, making further provisions for the government of the city of Harrisburg.

An act to incorporate the Farmers' Union Mutual fire insurance company of Pennsylvania.

On 14th instant:

An act to increase the duties of the Citizens' association of Pennsylvania.

An act to authorize the owners of certain mills on the Delaware river, at Morrisville, to extend their wing dam.

An act limiting the provisions of a further supplement to the act incorporating the borough of Washington.

An act to incorporate the Pennsylvania society for the prevention of cruelty to animals.

An act relative to roads in the county of Franklin.

An act relating to a certain highway in the Twenty-second ward of the city of Philadelphia, requiring the removal of a toll house and gate in Germantown.

An act to authorize the school directors of the borough of Lock Haven, county of Clinton, to borrow money for building purposes.

An act authorizing the commissioners of Lycoming county to borrow money to build a new jail.

An act to authorize the election of four supervisors in the townships of Dover and Manchester, in the county of York, and South Strabane township, Washington county, and the township of Tinicum, in the county of Bucks.

An act to incorporate the Pine Creek bridge company.

An act to authorize the supervisors of West Branch and Pleasant Valley townships, Potter county, to levy an additional road tax.

An act to incorporate the Rouseville bridge company,

An act to repeal an act authorizing a public ferry over the Allegheny river in Warren county, approved April tenth, Anno Domini one thousand eight hundred and sixty-two.

An act to prohibit the sale of intoxicating drinks in the townships of Economy and Independence, in the county of Beaver.

An act for the better regulation of public halls and places of amusement in the cities of Philadelphia, Pittsburg and Allegheny.

An act to repeal an act to incorporate the Pine Creek bridge company, approved the 3d day of March, Anno Domini one thousand eight hundred and fifty-two.

An act to authorize the board of school directors of Venango City, Venango county, to borrow money.

A supplement to an act to entitle the stockholders of any railroad company incorporated by the laws of this Commonwealth, accepting this act, to one vote for each share of stock, approved the twentieth day of May, Anno Domini one thousand eight hundred and sixty-five, extending the same to bridge companies and hall associations.

An act to prohibit the entrapping, ensnaring or capturing of wild turkeys and partridges by any other means than shooting, in the county of Blair.

An act to repeal the fifth section of an act entitled An act relating to roads and bridges in certain townships in the county of Lawrence.

An act changing the time of holding the annual meeting and election of president, managers and treasurer of the Greenlane and Goshenhoppen turnpike road company, and the time for declaring the dividends of said company.

An act to amend an act and correct an error therein, entitled A supplement to an act entitled An act appointing commissioners to lay out and open a State road in the counties of Cameron and Potter, approved the twenty-first day of March, Anno Domini one thousand eight hundred and sixty-five, approved the fourth day of April, Anno Domini one thousand eight hundred and sixty-six.

A supplement to an act to incorporate the Titusville and Pithole plank road company, approved the second day of March, one thousand eight hundred and sixty-six.

An act to repeal an act authorizing the road commissioners of Sugar Grove township, Warren county, to levy additional road tax, approved February seventeenth, one thousand eight hundred and sixty-five.

A supplement to an act relative to road laws in East Bethlehem and East Pike Run townships, Washington county, extending the same to Cecil township, said county.

A supplement to an act to incorporate the White Deer bridge company, approved the twenty-third day of March, Anno Domini one thousand eight hundred and forty-nine.

An act providing for the election of an additional supervisor in Penn township, Westmoreland county.

An act authorizing the supervisors of Blythe and Norwegian townships, Schuylkill county, to make and repair the public roads, bridges and culverts in said townships.

An act to levy an additional tax in Sheffield township, Warren county, for bounty purposes.

An act relative to the fees of certain township and county officers in the county of Beaver.

An act authorizing William S. Zeigler to act as justice of the peace in the borough of Butler, Butler county, while residing outside the limits of said borough.

A supplement to an act in relation to the payment of bounties to volunteers from the township of Farmington, Tioga county, during the late rebellion.

An act to confirm the title to a certain lot of ground in the Twentieth ward of the city of Philadelphia.

An act authorizing the supervisors of Ulysses township to levy a tax to refund to Perry Lewis, in said township, the sum of five hundred dollars, it being for money advanced as bounty to volunteers.

An act to prevent the hunting of deer with dogs in the county of Wyoming.

An act relative to the costs and fees of criminal cases in Carbon county.

An act increasing the fees of justices of the peace, road commissioners, auditors and constables, in the counties of Bradford, Wyoming and Susquehanna.

An act to authorize the Governor to appoint five additional notaries public for the city of Philadelphia.

An act legalizing the action of the burgess and town council of the borough of Montrose, Susquehanna county, and to fix the limits of said borough.

An act to repeal an act to amend the road laws of Montgomery county, passed March fifteenth, Anno Domini one thousand eight hundred and fifty-nine.

A supplement to an act in relation to huckstering in the counties of Badford, Cumberland, Franklin, Fulton and York, approved the eighteenth day of May, Anno Domini one thousand eight hundred and sixty-six.

An act authorizing the supervisors of Green township, in the county of Mercer, to collect a tax and pay certain bounties and refund money advanced to pay bounties.

An act to divide the Twenty-first ward, in the city of Philadelphia, into two wards, and to create a new ward to be called the Twenty-eighth ward.

On the 15th instant:

An act providing for the compensation of the commissioners of Northampton county.

An act to incorporate the Empire hook and ladder company, humber one, of Altoona, Blair county.

On the 14th instant.

Joint resolution to pay the expense of the inauguration of Governor Geary.

JOHN W. GEARY.

Laid on the table.

PUBLIC CALENDAR.

Agreeably to order,

The Senate proceeded to the second reading and consideration of bills on the public calendar, as follows:

No. 828, an act requiring notice of applications for legislation in certain cases.

The first section was read, as follows:

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That whoever intends to present to the Legislature any petition, or to introduce any bill, or procure legislation, in any manner affecting the rights and interests of any individual, or private corporations, or of any city, town, or borough, in this Commonwealth, shall publish a notice of such petition, bill or intended application, for four successive weeks, in some newspaper published in the county in which such individuals reside, or in which such corporations are established, or in such city, town or borough as may be so affected, the last of which publications shall be made at least fourteen days before the meeting of the Legislature; such notices shall, when practicable, contain an exact copy of the proposed petition, or act, or if otherwise, then such full information in reference to the objects and effects of the proposed legislation, that all persons whose rights or interests may be injuriously affected, may clearly understand, and have time and opportunity to remonstrate against the same.

Mr. M'CONAUGHY. Mr. Speaker, that is an exact transcript of the Massachusetts statute on the subject; and I think, sir, it is not only a good precedent, but is right in itself.

There is no doubt, sir, that one of the greatest abuses in connection with legislation is legislating without the knowledge of the parties to be affected, or without these parties being heard, and there certainly should be some restriction put upon it. There should be some provision by which ordinary notice should be allowed to those to be affected. This proposes that notice of applications for bills which are to affect the rights of individuals and the rights of corporations and municipal bodies should be such as will enable them to be heard in the Legislature touching the matter proposed to be put in the shape of a law. I think, sir, that it is very carefully prepared and is essentially right, and I hope it will not be disposed with haste—that it will not be, as intimated by one or two of our friends, treated as a matter not to be required, but, on the other hand, that it will have that full attention which the necessities of the matter demand.

Mr. DAVIS. Mr. Speaker, on this particular occasion I feel disposed to stand by Massachusetts, although it is not often that I do so. I think that a bill of this kind is proper. I think, however, that the publication for four weeks is requiring too much time, and I move, therefore, sir, to amend by striking out the word "four," after the words "application for," and insert, in lieu thereof, the word "two."

The amendment was

Agreed to.

Mr. BIGHAM. Mr. Speaker, I take it for granted that we will not pass this legislation. There is no use in binding ourselves here by this kind of legislation; it is purely ornamental. I did not think anybody was in earnest about it.

Mr. M'CONAUGHY. I am in earnest, and I desire to know if the Senator from Allegheny is not in earnest.

Mr. BIGHAM. There is no use at all of thinking of this, in the present state of things. If the contemplated State Convention is to be held, it may be well to consider this. These are the rights of our constituents, not our own, and we cannot take them away. It would be folly if we could. We should not adhere to it one day.

Mr. RIDGWAY. Mr. Speaker, we have, I think, an act now similar to this, which has not been observed or enforced. It stands now upon our statute books. There are laws often required here, and parties do not know, a week beforehand, that it is necessary to give notice. This bill would keep the Legislature in session all the time.

Mr. CONNELL. Mr. Speaker, there was such a law in existence, and it was a dead letter within three weeks after the next Legislature met. There is another requirement here which would defeat really useful legislation, that bills affecting the rights or interests of cities, towns, boroughs, individuals or private corporations, shall be presented to the Legislature within the first ten days of the session. People do not begin to think what they want until the Legislature is in session. I am against the bill.

Mr. DAVIS moved further to amend the first section by striking out the words "meeting of the Legislature," and inserting in lieu thereof the words "petition or bill is read."

The amendment was

Agreed to.

Mr. M'CONAUGHY. Mr. Speaker, in answer to the Senator from Philadelphia, I desire to say that the legislation that was had a few years ago was special and limited. It applied to but a small class of cases, and was treated as nugatory. The proposition here is to supply that objectionable feature, and to make it general. It failed of its application, because it was not made just and general—because it was not applied to all proper cases. Therefore, being deemed invidious in particular cases, and the prevailing usage being to the contrary, it has been practically ignored. Where you introduce a new practice, it is better to do it gradually. Therefore, I accede to the amendment of the Senator from Berks [Mr. DAVIS]. And I wish now, on consideration of just policy, to ask the Senators from Philadelphia, and my brother Senators here, if, in a matter so vital as that which affects the rights and interests of individuals or private corporations, there should not be at least two week's public notice, so that there might be some practical notice given to the individuals or authorities to be affected. It has been remarked, during the argument by my brother Senator from Philadelphia, that it very often happens that it is not known until shortly before the application, that legislation is required. I believe that, in the large proportion of cases, touching, for instance, corporations, it is made without the knowledge of the parties interested pecuniarily or materially. I believe these things are done often at the instance of a number of persons pecuniarily and selfishly interested. While I believe that special legislation is to be deprecated, I believe that more than half of it would be prevented by hearing both parties, and giving an opportunity to those interested to know the whole facts.

On the question,

Will the Senate agree to the first section?

It was not

Agreed to.

So the bill fell.

House bill No. 248, an act to enlarge the jurisdiction of the courts of common pleas of this Commonwealth, relative to granting charters of incorporations and confirming those heretofore granted.

The first section was read.

On motion of Mr. WALLACE, the first section was amended so as to read as follows:

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That from and after the passage of this act, the several courts of common pleas of this Commonwealth shall have power and authority to grant charters of incorporation, in all cases in which the same is authorized to be granted under existing laws, by the Supreme Court of this Commonwealth, and the association hereafter incorporated under the laws of this Commonwealth, may be authorized to hold real estate to an amount, the clear yearly value or income whereof shall not exceed twenty thousand dollars, and all laws or parts of laws inconsistent herewith, be, and the same are hereby, repealed.

The section as amended was

Agreed to.

The second section was read as follows:

SEC. 2. That all charters of incorporation which have heretofore been granted by any of said courts of common pleas, in cases wherein the said Supreme Court only had power and authority to grant the same, be, and the same are hereby, validated, and made of the same force and effect as if the same had been granted in pursuance of authority conferred upon said courts of common pleas.

The section was

Agreed to.

The third section was read as follows:

SEC. 3. That the said courts of common pleas shall have power and authority to grant charters of incorporation in all cases wherein any number of persons, citizens of this Commonwealth, are associated for the purpose of insuring horses, cattle, and other live stock, against loss by death from disease or accident, or from being stolen, and also to grant charters of incorporation to water and hook and ladder companies, and building associations.

The Senate committee amended the third section by adding the following:

Musical clubs or associations, teachers' institutes or associations, hotel companies, skating park associations, and clubs, for the advancement of athletic sports, including base ball clubs, and barge and fishing clubs; and, in granting such charters of incorporation, the said courts shall proceed in the manner provided by law for the incorporation of literary, charitable or religious societies; and the said courts shall have power to incorporate, by the same form of proceeding, fire insurance companies, which said companies, when so incorporated, shall have all of the rights, powers and privileges, and be subject to all of the restrictions and provisions of the general law regulating fire insurance companies, approved April 2d, 1856, with the several supplements thereto.

The section as amended was

Agreed to.

And the bill was read a third time, and

Passed finally.

No. 832, an act relating to the publication of general, local and private laws, and of le-

gal advertisements in the several counties of this Commonwealth.

On the question,

Will the Senate proceed to the second reading and consideration of the bill?

The yeas and nays were required by Mr. RANDALL and Mr. SEARIGHT, and were as follow, viz:

YEAS — Messrs. Bigham, Billingfelt, Browne (Lawrence), Brown (Mercer), Coleman, Connell, Cowles, Davis, Fisher, Graham, Haines, Jackson, Lowry, M'Conaughy, Searight, Taylor, Wallace, Walls, Worthington and Hall, *Speaker*—20.

NAYS—Messrs. Donovan, Glatz, Landon, M'Candless, Randall, Ridgway and White—7.

So the question was determined in the affirmative.

In committee of the whole (Mr. GRAHAM in the chair), the first section was read as follows:

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That from and after the passage of this act, it shall be the duty of the Secretary of the Commonwealth to send to the commissioners of each county in the Commonwealth, a certified copy of each and every general law enacted by the Legislature, as soon as approved by the Governor; and also to each board of county commissioners, as aforesaid, a copy of each law specially relating to said county or its citizens.

The section was

Agreed to.

The second section was read as follows:

SEC. 2. It shall be the duty of said county commissioners, as soon as said laws are received by them, to cause them to be published in not less than one newspaper of each of the two leading political parties in such county, if there be so many printed in the county, not less than once, and at such rates for publication as may be agreed upon, not exceeding the usual charges for advertising in the aforesaid papers; the expense of publishing the said local laws to be defrayed out of the treasuries of the counties to which they apply, and the expense of publishing the general laws to be paid out of the treasury of the Commonwealth.

On the question,

Will the Senate agree to the section?

Mr. CONNELL moved to amend the same by striking out the words "one newspaper in each of the two leading political parties," and inserting in lieu thereof the words, "two leading political newspapers having the largest circulation."

Mr. LOWRY. That would have the effect, in Democratic counties, I suppose, of giving all their patronage to the Democrats, and in Republican counties to the Republicans. I do not think that right.

Mr. CONNELL. Well, strike out "political."

Mr. WALLS. I think the bill just right as it is; it is fair to the whole State.

Mr. WALLACE. Mr. Chairman, this bill has been well considered by the committee. It seems to me, if we intend to pass the bill at all, it should be passed as it is. The editors themselves, of both parties, have discussed this question and investigated it, and it is due to them to say that the question of party politics has been ignored to a great extent; and it is fair that both parties should have a right to see the law, and that can only be done by giving their respective organs the publication of the laws. If you put them in the publication which has the largest circulation, perhaps it would reach only a certain class.

Mr. CONNELL. The amendment requires the publication in the papers having the largest circulation in the county.

Mr. WALLACE. It does not reach a certain class proposed to be reached by this bill. It is just and fair, and if we pass the bill at all, let it be in its present shape.

Mr. WHITE. Mr. Chairman, I was going to say, in reply to the Senator from Clearfield [Mr. WALLACE], that I know he is in favor of wise legislation, but I confess that I do not see the necessity for this bill. I never understood that there was a request from the printers' association for the passage of this bill. I am perfectly confident that there has been no appeal from any district for it. I think it unwise to agitate the question. In my district I hear no complaints; there are no complaints against the officials; they select the publication which has the largest circulation. I am opposed to the passage of this bill, unless the amendment offered by the Senator from Philadelphia [Mr. CONNELL] is adopted.

Mr. CONNELL. In support of my amendment, I will say that, so far from the bill meeting the approval of all the editors, this amendment is offered at their request.

Mr. M'CANDLESS. Mr. Chairman, I am in favor of leaving the bill just as it is, because we will give each political party a chance of sharing a portion of this patronage, and it is as fair to one party as to the other, and does not give it all to one political party in each county.

Mr. RANDALL moved to amend the amendment by adding the words, "and at least one German paper."

Mr. LOWRY. The commissioners can determine whether they should be printed in German or in English papers. I am in favor of the passage of this bill as it came from the committee.

In Democratic counties this patronage is needed by the feeble Republican newspapers. In Republican counties the feeble Democratic newspapers desire help. The bill, as it stands, is a fair bill. We punish men for violating the law in Pennsylvania, and do not tell them what that law is. They are arraigned for the commission of offenses which they are blind to. I think the bill is wholesome, and I will vote for it without the amendment.

Mr. RANDALL's amendment to the amendment was

Not agreed to.

Mr. BIGHAM. Mr. Chairman, I would ask the attention of the Senate for a few moments. A few words generally before I speak of the amendments. The first and third sections of the bill are entirely distinct in character. In the first and second sections you authorize to be published what heretofore has not been published at all. Now, it is a question, whether you will make a new arrangement. When you come to the fourth section, you virtually repeal all contracts in the State. You repeal existing laws in my county, because you oblige the laws to be published in a manner different from what they have power to do under certain arrangements. Therefore, I want it to be kept in view, that the first, second and third sections are different.

I shall fight the fourth section strongly, because it interferes with all the business of the State. The expense of this to the State, I am told, will be about twenty-five thousand dollars a year, besides the expense to the counties. The expense of it virtually is about one hundred and fifty thousand dollars, of which about twenty-five thousand dollars would be charged upon the State treasury, and about one hundred and twenty-five thousand dollars, probably, upon the different county treasuries. The question comes up, whether it shall be two political papers, or the papers having the largest circulation. If the Senator desires publicity, he ought to vote for the amendment of the Senator from Philadelphia [Mr. CONNELL]. As it stands, a paper with a circulation of five hundred, may take it away from a paper which has a circulation of five thousand.

Mr. RIDGWAY. Mr. Chairman, I am opposed to this bill, and more especially to having it apply to Philadelphia. The paper there having the largest circulation is not a political paper. If you want the people to read these laws, you should have them published in the papers having the largest circulation.

Mr. DAVIS moved to amend the amendment offered by Mr. CONNELL, so that it would read that the laws shall be published in "not less than one English and one German newspaper of each of the two leading political parties."

Mr. WALLACE. Mr. Chairman, I am favorable to the amendment of the Senator from Berks [Mr. DAVIS]. The general scope of this bill reaches a difficulty. There are counties in this Commonwealth which the pamphlet laws do not reach until July. Our laws take effect from the day of their passage; we pass a law here to-day, and it goes into effect to-morrow. Persons in the centre of the State know nothing about that law until next July. You punish them for violating the law, and yet you do not let them know what it is. The law does not allow them to plead ignorance. Then, why will you in effect pass an *ex post facto* law? The United States publish their general laws; why should we not do it? In large cities, like Pittsburg or Philadelphia, where they get the laws quick, it does not injure them; but in other places, where they do not get the laws until July, a different rule prevails.

Suppose this does help newspapers. If people find the laws published in the newspapers, they will take the newspapers. I may reprehend the newspapers in which they are published; they may not be good papers; but when truth is left free to combat error, truth will prevail; and thus we should give people a chance to read the laws. Even if the doctrines inculcated by the newspapers are heinous, let the people read them; they should all be induced to take the newspapers, of whatever political character they may be. Under the amendment of the Senator from Philadelphia [Mr. CONNELL] the rule will work unjustly, and will not go with such grace to the people of the State as the bill would as it now stands. In five out of seven of the counties of the Commonwealth, there are two newspapers, one of each political party. They have an equal circulation. There may be a newspaper there which has a larger circulation out of the county; that paper would take it. Why not extend the rule to German papers; there are only five or six different counties where they exist. Because we pass laws, and require obedience to them, we should let the people know what those laws are; and the people are also educated by taking the newspapers.

Mr. WHITE. Mr. Speaker, I did not understand this bill when I spoke before. I thought it was the bill following this, entitled An act to regulate the publication of county business. This bill, so far as I am concerned, I am entirely opposed to. However, I shall favor, at this time, the amendment of the Senator from Philadelphia [Mr. CONNELL]. I am not opposed, sir, to the enlightenment and education of the people. I think, however, that the State of Pennsylvania has made ample provision in this respect, thus far, in the organization of its common school system and the publication of its laws, and furnishing copies of them for the different officers of the Commonwealth. Thus far, that system has been successful in giving

prosperity and safety to the State at large. I am not convinced of the necessity of changing now the rule which has been adopted in this respect heretofore. I do not see that it is prudent or necessary for us now, by this act, to require, in addition to the general publication of the laws of the Commonwealth in bound volumes, which are furnished to all the justices of the peace in the Commonwealth, and different county officers, their publication in all the papers of the Commonwealth, which the bill before us practically does. I am not convinced that it is necessary to incur the additional expense of requiring two county newspapers to publish all the laws which are passed affecting the country in which those papers are published, and, after that publication is made, paying the expense of it out of the treasury of the Commonwealth. The amount that this will entail upon the public treasury will exceed annually, possibly, a hundred thousand dollars. I am not convinced that the public necessities require us to put our hands into the treasury, and take therefrom this large expenditure of money. I find also a provision here to publish many things which, in the papers in my part of the State, are published without any expense. Furthermore, in regard to the publication of local laws—the papers of the Commonwealth are glad to get the privilege of publishing them for the information of their readers. The intelligent, public spirited editor will eagerly give his patrons the reading of both public and private laws. I commend the enterprise of the local papers in my district for getting hold of the laws of general interest and publishing them. They make no charge for that whatever, and in that way information is disseminated. Let us, sir, pause before unnecessarily enlarging public expenditures.

Mr. WALLACE. I think the Senator ought to return the thanks that were returned by a certain clergyman: "God bless their stingy souls." The people ought to pay for it.

Mr. SEARIGHT. Mr. Chairman, I differ with the Senator from Indiana [Mr. WHITE] widely. It is the duty of Senators and Representatives to see to it that the utmost economy should be practised in the appropriation of the money of the people. That is all well enough, and it ought to be kept steadily in view by the Legislature; but there could not be, in my view, Mr. Chairman, an appropriation of the public money which would be more satisfactory to the people than an appropriation, let it be large or small, for the purpose of publishing the laws, local and general, by which the people are governed. It is of vital importance, as has been well said by the Senator from Clearfield [Mr. WALLACE], that the people should know the laws by which they are governed; and it is impossible for them to ascertain what those laws are, unless they are published. Now, Mr. Chairman, under the present laws of this Commonwealth, they are not published; they are printed in pamphlet form, and never reach the people; they are sent out to the justices of the peace, and county officers, and that is the extent of their publication in this Commonwealth.

Mr. WHITE. May I ask the Senator a question? Do not the local papers, published in his county, publish the local laws affecting his county?

Mr. SEARIGHT. Sometimes they do and sometimes not; that is at the option of newspapers. They can do it or not, as they see proper. They will not incur the trouble and expense of publishing local laws, unless there is to be some benefit arising from it to themselves. They should not be asked to incur the expense and trouble necessary in publishing those laws, without being compensated for it. They do it now without compensation, if they do so at all. I believe, sir, that in the days of a celebrated Roman Emperor—I forget his name—the custom was to hang the laws up so high that the people could not see them. I want to blazon them before the public view over the Commonwealth, and not do as they did in Rome in that dark age of the world. Let us avoid that error. Let us instruct the people as to what the laws are by which they are governed. My friend, the Senator from Indiana [Mr. WHITE], stated that the newspaper editors in his district had no consultation with regard to this subject. So far as Westmoreland county is concerned, I would state that this subject has been under consideration by some of the newspaper editors of that county. Westmoreland county, it is true, is not in the district of the Senator from Indiana, but is in the district represented by a member of the other House. Indiana and Westmoreland constitute a Representative district, and are represented in the other House in that conjunction; and one of the counties allotted to the district of the Senator from Indiana is in favor of the passage of this bill. This bill, I think, does not require the publication of the list of jurors and the list of causes. There is nothing in this act requiring the publication of these lists. It merely provides that such publications as are customary in the several counties shall be paid for. Now, if it is not the custom, in Indiana county, to publish these lists, of course it is not required that they should be published and paid for.

The committee then rose, reported progress, and asked leave to sit again.

On the question,

Shall the committee of the whole have leave to sit again?

The yeas and nays were required by Mr. LOWRY and Mr. RIDGWAY, and were as follow, viz:

YEAS—Messrs. Bigham, Billingfelt, Browne (Lawrence), Coleman, Connell, Cowles, Fisher, Graham, Haines, Landon, M'Candless, Randall, Ridgway, Taylor, White and Worthington—16.

NAYS—Messrs. Brown (Mercer), Burnett, Davis, Donovan, Jackson, Lowry, M'Conaughy, Searight, Wallace, Walls and Hall, *Speaker*—11.

So the question was determined in the affirmative.

On the question,

When shall the committee of the whole have leave to sit again?

Mr. BROWN (Mercer) named Thursday next.

Mr. FISHER named the 4th day of July next.

On the question,

Shall the committee of the whole have leave to sit again on the 4th day of July next?

The yeas and nays were required by Mr. WALLACE and Mr. M'CANDLESS, and were as follow, viz:

YEAS—Messrs. Coleman, Connell, Fisher, Haines, Landon, M'Candless, Ridgway and Worthington—8.

NAYS—Messrs. Bigham, Billingfelt, Browne (Lawrence), Brown (Mercer), Burnett, Cowles, Davis, Donovan, Glatz, Graham, Jackson, Lowry, M'Conaughy, Randall, Searight, Taylor, Wallace, Walls, White and Hall, *Speaker*—20.

So the question was determined in the negative.

During the call,

Mr. BROWNE (Lawrence) said: Mr. Speaker, this bill was placed in my hands by a gentleman representing the printers' association, which represents all the printing establishments in this State. These gentlemen deserve the respectful consideration of any bill they present. I am opposed to making a jest of this subject. I, therefore, am opposed to postponing the subject until the fourth of July, and vote "no."

Also, during the call,

Mr. CONNELL said: Mr. Speaker, if I had any assurance that the amendment which I offered would be adopted, I would vote against this postponement until the fourth of July; but, inasmuch as it is the evident intention to require these advertisements to be published in the papers of the smallest circulation, I vote "aye."

Also, during the call,

Mr. FISHER said: Mr. Speaker, I wish to state here that the reason why I shall vote as I shall vote, is because I do not want to perpetrate any jokes; I do not want to see the public treasury depleted as a joke; therefore I vote "aye."

The question recurring,

Shall the committee of the whole have leave to sit again on Thursday next?

It was decided in the affirmative.

The next bill on the public calendar was No. 824, an act entitled An act to regulate the publication of county business.

The bill was read a second time.

On motion of Mr. RANDALL, the further consideration of the bill was postponed until Thursday next.

THE SUNDAY CAR QUESTION.

Mr. BROWN (Mercer) moved that the bill from the House of Representatives, entitled An act to ascertain the views of the qualified electors of the city and county of Philadelphia upon the subject of allowing the passenger railway companies of said city to run their cars on the first day of the week, commonly called Sunday, be made the special order for the afternoon session of Tuesday next.

The motion was

Agreed to.

TEMPORARY ADJOURNMENT.

Mr. M'CANDLESS moved that when the Senate adjourns it will adjourn to meet on Tuesday next, at 11 o'clock, A. M.

On the question,

Will the Senate agree to the motion?

The yeas and nays were required by Mr. CONNELL and Mr. M'CANDLESS, and were as follow, viz:

YEAS—Messrs. Coleman, Glatz, M'Candless, Randall, Ridgway, Searight, Wallace and Hall, *Speaker*—8.

NAYS—Messrs. Bigham, Billingfelt, Browne (Lawrence), Brown (Mercer), Connell, Cowles, Davis, Donovan, Fisher, Graham, Haines, Jackson, Landon, Lowry, M'Conaughy, Taylor and Worthington—17.

So the question was determined in the negative.

The hour of 1 o'clock having arrived, the SPEAKER adjourned the Senate until Monday evening next, at seven and a half o'clock.

HOUSE OF REPRESENTATIVES.

FRIDAY, March 15, 1867.

The House met at 10 o'clock, A. M.

Prayer was offered by Rev. JACOB KENNEDY, member from Wyoming.

The SPEAKER announced a quorum of members present.

On motion of Mr. KURTZ, the reading of the Journal of yesterday was dispensed with.

PRIVATE CALENDAR

Agreeably to order,

The House proceeded to the consideration of the bills on the private calendar.

The following objected bills of last week were taken up, read a second time, and disposed of as stated:

No. 622, an act to authorize John Du Bois to erect cribs and form a log harbor in the West Branch of the Susquehanna river.

Laid over on third reading.

No. 626, an act to change the venue in the case of John M'Farland *vs.* Joseph Shoemaker, from the court of common pleas of Northumberland county to the court of common pleas of Union county.

Passed finally.

No. 630, an act to prevent the depositing of unwholesome matter in the running streams in Allegheny county, and to provide for the better preservation of the health in said county.

Not agreed to.

No. 637, a supplement to an act relative to hucksters in the county of Lebanon, approved 10th day of May, A. D. 1866.

Not agreed to.

Senate bill No. 281, an act for vacating the old burial grounds in the borough of Sewickley, and removing the bodies therefrom.

Passed finally.

No. 650, a further supplement to an act to provide for the regulation and inspection of buildings in the city of Philadelphia, and for the better preservation of life and property, passed the 7th day of May, A. D. 1855.

Mr. GREGORY. Mr. Speaker, I move the indefinite postponement of that bill.

Mr. SUBERS. Mr. Speaker, this is a perfectly just and honest bill, and I hope it will pass. It is a bill which takes the appointment of the inspector of buildings out of the hands of the Supreme Court and puts it in the hands of the court of common pleas, where it ought to be. The opposition to this bill is from the other side of the House. It is true it is mainly a political question. In 1855, the Democrats having a majority, came here and passed a law taking the appointment of this inspector out of the hands of the district court, and putting it into the hands of the Supreme Court. Now, all we desire is to take it out of the hands of the Supreme Court and put it in the court of common pleas, where it belongs.

Mr. LEE. Mr. Speaker, I do not exactly agree with my colleague [Mr. SUBERS] in relation to the characteristics of this bill.

One of the most important officials in the city of Philadelphia is this building inspector. It requires a man of peculiar ability and judgment to fill that position properly. Here is a large superstructure about being erected, and it is his province to go and determine as to the propriety of certain arrangements for foundations and arches, &c., and to determine whether it is competent to do what is proposed to do; whether the building, after it has been reared, might not tumble down about the ears of those around it. These are among the duties of this official and he should be a competent man, and the authority to appoint should be a competent authority. They should be persons particularly familiar with the localities and with the properties, and I hold that the judges of the court of common pleas of Philadelphia, having resided there all their lives, are better qualified to select a competent person for this position than men who do not live there.

The only Philadelphian that the Supreme Court has is Judge Read, and I hold that that court is not so competent to appoint a suitable person for that position as is the court of common pleas. All the judges of the court of common pleas reside there; they are familiar with the wants of that people; they are familiar with the people themselves, and they certainly can make a more proper selection for this important position than the judges of the Supreme Court.

I, therefore, think it right and proper to belong to that court to make this appointment.

Mr. GREGORY. Mr. Speaker, the present mode of appointing the building inspector has been in operation for some time. The public at large, so far as my knowledge extends, have never made any opposition to that mode of appointment. The present change is advocated merely to serve some little private interests and not the interests of the public at all. The public, so far as I have heard, know nothing about this bill, and I will venture to say that they do not desire this change, and that if it was left to the choice of the people of Philadelphia, they would decide against it.

Mr. FREEBORN. Mr. Speaker, the Supreme Court has nothing to do with this question, and we desire it should be placed in the hands of the court of common pleas.

[The remainder of the speaker's remarks were not understood by the reporter.]

Mr. KERNS. Mr. Speaker, when this matter was taken out of the hands of the district court, and put in the hands of the Supreme Court, I think at that time this change may have been made upon some such grounds as the gentleman suggests. We desire merely to put the thing where it belongs, that our people may have charge of this matter.

It is an important office in the city of Philadelphia—one in which the people are very much interested; and there can be no good reason why, in the first place, it should have been taken out of the hands of the district court, and put into the hands of the Supreme Court. I think that the proper court to have the appointment of this officer is the court of common pleas, and I therefore hope this bill will pass.

Mr. JOSEPHS. Mr. Speaker, the whole object of this bill is to depose a Democrat appointed by the Supreme Court. The gentleman holding that position now is a very competent man. The entire object is to displace the present incumbent, and I hope the bill will be voted down.

Mr. SUBERS. Mr. Speaker, that was the object, in 1855, when they had the appointing power changed from the district court to the Supreme Court. They desired to put one of their friends in, and now we desire to put in one of ours.

The bill was

Agreed to.

On the question,

Will the House suspend the rule and read the bill a third time?

It was

Not agreed to.

The bill was laid over on third reading.

Mr. THARP. Mr. Speaker, I move a reconsideration of the vote by which House bill No. 626, an act to change the venue in the case of John M'Farland *vs.* Joseph Shoemaker, from the court of common pleas of Northumberland county to the court of common pleas of Union county, was passed finally.

I understood, from the gentleman from Lycoming [Mr. WINGARD], who had this bill in charge, that no advantage would be taken of my absence to pass this bill. I being absent, I supposed the bill would not pass. I therefore move a reconsideration of the vote.

Mr. WINGARD. Mr. Speaker, I just rise to say that it came up in regular order this morning, and I allowed it to pass. I, however, certainly hope the House will reconsider the vote.

The motion was

Agreed to.

The question being on the final passage of the bill,

Mr. THARP. Mr. Speaker, there can be no objection raised against this judge who is to try this case, nor any reasonable objection against the jury in Northumberland county. The object in this change of venue is not that the defendant may have a fair trial, but that he may have no trial at all. It is true that during this session, and during last session, this House passed bills of this description, changing the venue from one county to another, but they have not been passed without giving this House some clear reason why they should be passed. But I assert here that no reason whatever can be given for this change of venue. Bills that have previously passed this House have been in reference to cases of indictment where life or liberty was in jeopardy. But this is a civil suit—an action for slander—an action in which the court cannot mistake the law, and an action which has excited no talk or public attention. It cannot be alleged that there will be any partiality in the selection of jurors that will prevent a fair and impartial trial in this case.

I would like to know where I am to stand on a question of this kind. I ask gentlemen of this House what rules have been established in cases of this description? Is there any rule to govern the action of this House in questions of a change of venue? If there is, I wish to know what it is, for I wish to know where I am to stand. If this were a case in which life and liberty were involved, or if it were a case where party feeling ran high, and the party who asks for this change of venue would come into this House and swear he could not have a fair trial in Northumberland county, there would be some show of reason for asking this change. But nothing of this kind is offered by the gentleman from Lycoming [Mr. WINGARD]. The gentleman who asks for this change has not made this affidavit; he has not sworn that he cannot have a fair trial in Northumberland county. I assert here, then, this change of venue is not asked that he may have a fair trial, but that he may not have any trial at all. It is pretty well understood that the plaintiff will not pursue him to Union county. No charge has been made during the past year that jurors are not impartially selected in Northumberland county. In all cases, nearly the full proportion of Republican jurors have been summoned, and the gentleman from Lycoming [Mr. WINGARD] will not dare impeach the judge who is to try this case.

Now, I protest against the passage of this bill. It is an impeachment of the judge who is to try this case in our county; it is an impeachment of the jurors of Northumberland county, and there can be no solid, substantial reason offered for asking this change of venue. There is no politics in it at all; at least if there is, I am not aware of it. It is an action for slander. It is one of those actions in which the law is well settled. If the judge commits an error in the law, it can be taken to the Supreme Court and there be settled; and there can be no objection urged that the jury are disqualified from properly judging the facts in this case.

I shall expect to hear from the gentleman from Lycoming [Mr. WINGARD] on this question, and that he will show to this House some reason for this change of venue before the House passes this bill.

Mr. WINGARD. Mr. Speaker, the defendant in this case is one of my constituents. It chanced, during the progress of the war, that these parties had a political discussion, in the county of Northumberland, I believe. On that occasion high words were used on both sides, and it was alleged by the plaintiff in this case that the defendant called him a "traitor," and the defendant alleges that the plaintiff called him very villainous and hard names. I do not know but he called a him "woolly-head;" very likely he did, and it is possible the defendant called him a traitor and a copperhead. I do not

know myself how it is. At all events it is said they had high words between them. But the defendant, in this case, is a man to take care of himself, and, although not "bigger" than the plaintiff, he was willing to settle it outside of the courts. The plaintiff, however, was not satisfied, but brought an action for slander, and alleges that the defendant called him a traitor, and for that reason he is aggrieved, claims damages to the amount of some five thousand dollars, and therefore brings suit in Northumberland county.

The defendant in this case lives in Lycoming county, and is willing to compromise with this plaintiff, and come half way into Union county. With regard to the remarks of my friend from Northumberland as to the judge who presides in that district, there is not a man in the State whom I greater reverence for honesty, integrity and ability than that judge. He is one of my admirations on the bench, and the gentleman from Northumberland knows it. I would as soon be tried before him, if I was concerned in a case, as before any judge I have known in all my life. There is no objection to the judge, but this memorial sets out that to the jurors there is. All I know about it is what the memorial states. I am not acquainted with the jurors of Northumberland county, and while I have no doubt they are as fair a sort as you will ordinarily find in Democratic counties, yet I think it would be a very poor place to send a black Republican to be tried for calling a man a "traitor." I would rather get jurors somewhere else, and I have no doubt that is why the change of venue is asked.

I desire to cast no reflection upon the constituents of the gentleman from Northumberland, but I would not like to have a political case tried there when the subject is permeated with black Republicanism. I will send the memorial in the case to the Clerk's desk to be read.

The memorial was read as follows:

John M'Farland vs Joseph Shoemaker.	In the court of common pleas of Northumberland county, No. 57, of August Term, 1865, capias in slander. Bail five thousand dollars.

To the Honorable the Senate and House of Representatives of the Commonwealth of Pennsylvania, in General Assembly met:

The undersigned, citizens of the counties of Northumberland and Lycoming, in said Commonwealth, do respectfully represent: That,

WHEREAS, An action of slander has been commenced by the above named plaintiff against the defendant above named (who is resident in the county of Lycoming), in the court of common pleas of Northumberland county, to No. 57, of August Term, A. D. 1865, founded upon the following words, alleged to have been spoken of and concerning the plaintiff by the said defendant, to wit: "he is a traitor," and "he was a traitor," and "he could prove it" as more fully appears by the *narr.* or declaration in the said case, a true copy of which is hereunto attached); that said slanderous words were used and employed by the said defendant, if ever uttered by him in the sense and language in said declaration set forth, during a political discussion, whilst both parties were laboring under intense excitement, heat and passion—when hard words were given and taken by both;

And whereas, Owing to the partial manner in which jurors are empanceled in the said county of Northumberland, nearly the entire panel peing composed of men belonging to the Democratic party, of known political hostility to the views and opinions of the defendant, so much so, indeed, that it would be not only possible, but, with the power of four premptory challenges in the plaintiff's right, absolutely certain that the jury trying his case would be composed of men whose strong political bias and prejudice would preclude the possibility of such a fair and impartial trial of his case as the Constitution and laws of this Commonwealth vouchsafe to the humblest of her citizens; therefore, your petitioners would humbly represent that, in all fairness and justice to the defendant, the venue in this case should be changed from the county of Northumberland to such other county in this Commonwealth as will insure to him a fair and honest trial by a jury of his country. And they will ever pray, &c.

Mr. THARP. Mr. Speaker, I understand the gentleman from Lycoming to make but one objection to the trial of this case in Northumberland county, and that objection is that the jurors there are imbued with political prejudices, and the defendant cannot have a fair trial. He disclaims all imputation against the judge, and rests the case on the allegation that the jurors in my county are imbued with political predjudices, and, therefore, the defendant cannot have a fair trial. Now, sir, will they have any fairer trial or will the plaintiff have any chance at all in Union county? Let me give the gentlemen of this House one fact to show the manner in which the jurors are selected in the county to which they desire to change the venue in this case.

Three years ago, at a political meeting in that county in the court house, in the county seat, one of their prominent orators got up on the floor of the court house, and made this declaration, that of twenty-four grand jurors summoned there, and of thirty-six traverse jurors, sir, he there exclaimed, in that court house, he thanked God there was not a single Democrat among the whole of them. That occurred in the court house in the county seat of the county to which the gentleman proposes to remove this case for trial. Now, I appeal to this House if it is probable that that trial will be had in Union county than in Northumberland county? For the gentleman from Lycoming will not say, nor will any man in this House allege, that there has not always been, in the selection of jurors in my county, a fair proportion of Republicans. I assert, that in no case where jurors have been drawn for the trial of a case, in which there was political feeling, have the jurors been exhausted by challenge. If this were a case of indictment in which life or liberty was involved, I would make no objection to the change; if there were any reasonable grounds, but it is a mere political squabble between two parties, and the reasons that have been offered for a change of venue in other cases that have passed through this House cannot be offered in this case. It is not a criminal trial; it is a civil suit; the law is well settled, and the jurors in my county can try this case as well as the jurors in Union county. This is a mere expedient to get rid of any trial at all, and is not brought because this man cannot receive a fair trial in Nortumberland county.

Mr. WINGARD. Mr. Speaker, that is just a difference of opinion. The plaintiff in this case sets out in his memorial, and it is signed by a large list of the most respectable people of that vicinity, that, in consequence of the political complexion of the jurors in Northumberland county, he believes that he cannot have a fair trial there.

Mr. THARP. He has not sworn to a single fact to prove that.

Mr. WINGARD. He has not sworn to it, but here are the signatures of a large number of the most respectable men in that vicinity. The defendant states that in the county of Union a jury can be selected which is sound to the core. The statement that there is not a single Democratic juror in the county of Union is the very best evidence why the defendant in this case should desire a change of venue, particularly in a slander case, where the allegation is that he called somebody a traitor in a political squabble, a thing that happened almost every day during the war. It was just as common to have a conversation or discussion result in one party calling the other a traitor and the other call his companion some other hard name as any other every day occurrence. We all know that the defendant in this case was perfectly willing to let the matter go and overlook the hard names which had been applied to him, but this plaintiff was not, and so he brings his suit in Northumberland county, depending upon the political complexion of the jurors of that county to get a decision in his favor.

Now, I have not a word to say against the character of the gentleman's constituents.

Mr. THARP. Mr. M'Farland is a constituent of mine. Would you expect him to cross the line and go to Lycoming to bring his suit?

Mr. WINGARD. He might have gone to Lycoming county. I do not see why he did not, except for the reasons set out in this memorial, that he thought if he could get the defendant in Northumberland county, where he would have a thorough, sound Democratic jury, he could "sock it to him," to use a slang phrase, to the tune of five thousand dollars.

Mr. THARP. Your county is Democratic, is it not?

Mr. WINGABD. Yes, sir.

Mr. THARP. Would you have been willing to have the case tried there?

Mr. WINGARD. Yes, sir, for I know the Democrats there, if I do not know them in Northumberland county.

I hope this bill will pass. I think the memorial is sufficient to substantiate the facts set forth, and that the reasons are sufficient why the venue should be changed.

The question being on the final passage of the bill,

The yeas and nays were required by Mr. THARP and Mr. WESTBROOK, and were as follow, viz:

YEAS—Messrs. Adajre, Allen, Armstrong, Barton, Brown, Chadwick, Chase, Colville, Davis, Day, DeHaven, Espy, Freeborn, Gallagher, Gordon, Harbison, Hoffman, Hood, Humphrey, Kennedy, Kinney, Lee, Leech, M'Camant, M'Creary, M'Kee, Mann, Marks, Mechling, Meily, Pennypacker, Peter, Pillow, Richards, Roath, Sharples, Shuman, Steacy, Stehman, Stumbaugh, Subers, Watt, Webb, Weller, Wharton, Wingard, Woodward, Worrall Wright and Glass, *Speaker*—50.

NAYS—Messrs. Barrington, Boyd, Boyle, Breen, Brennan, Calvin, Chalfant, Collins, Craig, Fogel, Gregory, Harner, Headman, Heltzel, Hunt, Jenks, Jones, Josephs, Kline, Koon, Kurtz, Linton, Long, M'Henry, M'Pherrin, Meyers, Mullin, Quay Rhoads, Robinson, Roush, Satterthwait Tharp and Wetbrook—34.

So the question was determined in the affirmative.

And the bill

Passed finally.

Senate bill No. 40, an act to change the venue in the case of Jesse Chronister vs. Howard Miller, George Hollinger and Daniel Harbolt, from the court of common pleas of Adams county to the court of common pleas of Dauphin county.

Passed finally.

No. 669, an act amending the charter of the municipal corporation of the city of Lancaster, dividing the same into nine wards.

Passed finally.

No. 684, an act to vacate a part of Township Line road, in the Twenty-fourth ward of the city of Philadelphia.

Mr. HEADMAN. Mr. Speaker, I would have no objection to that bill if the statement in the preamble was true, but I say the preamble of this bill states what is not true. It states that Lehigh avenue is open for public use and public travel. That is not so. I have not only consulted with gentlemen on this floor who are members of the common council of the city of Philadelphia in regard to this matter, and they have told me positively that it is not open; but not satisfied with that, I have made it my especial business to go into that neighborhood and see for myself. I state here positively that it is not open. If it were, I would have no objection to the bill.

Mr. DEHAVEN. Mr. Speaker, Lehigh avenue is open as set forth in that preamble, and the gentleman who sent it in, Mr. Hiram Miller, made the statement. I will, however, offer the following amendment to the bill:

The amendment was read as follows:

"*Provided*, That Lehigh avenue, from Twelfth street to Broad street, be first opened and in good traveling condition."

Mr. HEADMAN. Mr. Speaker, the gentleman says this street is open. I would state that Mr. Hiram Miller told me positively that it was not open, and I defy contradiction. I have examined it for myself. There are buildings on the line of this street, and it is not open for public travel. For a distance of at least a mile and a half along one of the most populous thoroughfares of Philadelphia, there is not an opening to get out of that street eastwardly, and to vacate that road will close up every avenue. As the gentleman has offered an amendment, I will offer an amendment to his amendment—to add the following:

Provided, That said township line road shall not be vacated until said Lehigh avenue shall be opened through to Broad street, and the propertyholders to which the said township line road reverts in fee simple, shall have paid all damage that may accrue in opening said Lehigh avenue.

Mr. DEHAVEN. Mr. Speaker, I know this street is open or I would not have offered this bill, I have lived in that district for forty years, and I think I know as much about it as the gentleman from Bucks [Mr. HEADMAN] does. I hope this amendment will be voted down.

The question being on agreeing to the amendment of Mr. HEADMAN to the amendment of Mr. DEHAVEN.

Mr. HEADMAN. Mr. Speaker, one more word. The gentleman from Philadelphia has said that this street is open. I have done everything that an honorable man could do to another; I have gone to him and requested him to walk out and examine these premises, but he would not do it. He has accused me with interfering with his business. I do not interfere with anybody's business only to carry out the wishes of my constituents. I only ask the members from Philadelphia, who are interested in this matter as well as my constituents, if they know anything at all about that location, whether this road is open, and not to vote down my amendment. I merely ask that the road shall not be vacated until such time as the property of the propertyholders reverts back to them in fee simple.

Now, if this bill is passed, the common council of Philadelphia is bound to pay the damages in the opening of the road for the special accommodation of these few people, and it will cost thousands of dollars to do it. If this bill is passed, this township line road is vacated and closed; then, sir, if the amendment is agreed to, Lehigh avenue is to be opened. Now, if this road is vacated by the passage of this act, we will have no road to come from Germantown to Broad street for a year, and probably for two years.

Mr. DEHAVEN. Mr. Speaker, the gentleman says that in vacating the one road and opening the other, the expense will be assessed upon the city of Philadelphia. This is not so. The surrounding property is assessed, and will have to pay the damage if any.

The gentleman has taken exception to nearly every bill I have offered for three years, and I have never objected to any bill on this floor that he has presented. I think his opposition in this case comes with very bad grace.

The question being on the amendment of Mr. HEADMAN to the amendment of Mr. DEHAVEN,

It was

Not agreed to.

The question recurring on the amendment of Mr. DEHAVEN,

It was

Agreed to.

The question being on suspending the rules to read the bill a third time by its title,

The yeas and nays were required by Mr. HEADMAN and Mr. DEHAVEN, and were as follow, viz:

YEAS—Messrs. Adaire, Allen, Barton, Brown, Chadwick, Chase, Colville, Davis, Day, DeHaven, Donohugh, Espy, Freeborn, Gallagher, Gordon, Harbison, Hoffman, Humphrey, Kerns, Kimmell, Kinney, Lee, Leech, M'Camant, M'Creary, M'Kee Mann, Marks, Mechling, Meily, Pennypacker, Peter, Pillow, Quay, Richards, Roath, Sharples, Shuman, Steacy, Stehman, Stumbaugh, Subers, Watt, Webb, Wharton, Woodward, Wright and Gibbs, *Speaker*—48.

NAYS—Messrs. Barrington, Boyd, Boyle, Breen, Chalfant, Craig, Fogel, Gregory, Harner, Headman, Heitzel Hunt, Jenks, Jones, Kline, Koon, Kurtz, Linton, Long, M'Henry, Meyers, Mullin, Robinson, Roush, Satterthwait and Tharp—26.

So the question was determined in the negative.

Two-thirds not having voted in the affirmative, the bill goes over on third reading.

PETITIONS, REMONSTRANCES, &c.

Mr. HOOD presented to the Chair a remonstrance against bill to render parties to suits, witnesses, &c.

Referred to the Committee on the Judiciary General.

Mr. GORDON, a petition from inhabitants of Blairsville borough, in the county of Indiana, praying for the passage of an act to extend the supplement of an act, relating to hawkers and peddlers in Delaware and Huntingdon counties, to the county of Indiana.

Referred to the Committee on the Judiciary Local.

Mr. CHASE, a petition from inhabitants of the oil region of Pennsylvania, praying for the passage of an act authorizing the Governor to appoint gaugers of petroleum, in and for the counties of Crawford, Warren and Venango.

Referred to the Committee on the Judiciary Local.

Mr. MANN, a petition from citizens of Potter county, for an act extending the provisions of the act of first day of May, 1861, regulating criminal proceedings before justices of the peace, to Potter county.

Referred to the Committee on the Judiciary Local.

Mr. BROWN, a petition from citizens of Mifflin county, praying for a law to extend the term of county treasurer in said county.

Referred to the Committee on the Judiciary Local.

Mr. BOYD, a petition from citizens of Hopewell township, York county, relating to the payment of bounties in said township.

Referred to the Committee on Military.

Mr. BRENNAN, a petition from citizens of Benton township, Luzerne county, praying for the passage of an act to place certain bounty taxes at the disposal of the school directors of said township.

Referred to the Committee on Military.

Mr. WRIGHT, a petition from citizens of Centre township, Snyder county, for an act to legalize all taxes levied and collected for bounty purposes in said township; also, to authorize the school directors of said township to levy and collect an additional tax for bounty purposes.

Referred to the Committee on Military.

Mr. BROWN, a petition from citizens of Ferman township, Juniata county, praying for the repeal of the act of March 21st, 1866, in relation to bounty tax in said township.

Referred to the Committee on Military.

Mr. CHALFANT, a petition from inhabitants of Columbia county, praying for the passage of a law to prevent the throwing of poisonous substances into the Susquehanna and its tributary streams, in the county of Columbia, thereby destroying indiscriminately fish in said stream.

Referred to the Committee on Agriculture.

Mr. ESPY, a petition for the passage of an act to incorporate a Fire Insurance company at Adamsville, Crawford county.

Referred to the Committee on Corporations.

Mr. QUAY, a petition from citizens of Beaver county, for the passage of an act to incorporate the Beaver Falls water company.

Referred to the Committee on Corporations.

Mr. MAISH, a petition from citizens of Newberry township, York county, praying for the passage of an act to reduce the compensation paid to supervisors in said township.

Referred to the Committee on Roads, Bridges and Ferries.

Also, a remonstrance from citizens of Spring Garden and York townships, in the county of York, against the passage of an act to incorporate a company to construct a township road from York to Dallastown.

Referred to the Committee on Roads, Bridges and Ferries.

Mr. CHADWICK, a petition from citizens of Liberty township, in the county of Allegheny, praying for an act requiring the supervisors to build foot-walks along the public roads in said township.

Referred to the Committee on Roads, Bridges and Ferries.

Mr. HUNT, a petition from citizens of Karthaus township, Clearfield county, for a State road from Karthaus to Sinnemahoning.

Referred to the Committee on Roads, Bridges and Ferries.

Mr. CRAIG, a petition from citizens of Tunkhannock township, Monroe county, for the incorporation of the Tunkhannock plank road or turnpike company.

Referred to the Committee on Roads, Bridges and Ferries.

Mr. ROUSH, a petition from the school directors of Kelly township, in the county of Union, praying for the passage of an act for the purpose of erecting new schol houses, and legalizing said building tax, and authorizing said directors to levy a building tax for 1867.

Referred to the Committee on Education.

Mr. ESPY, a petition praying for the passage of an act to annex the farm of Messrs. M'Quiston, of East Fallowfield, to

West Fallowfield, Crawford county, for school purposes.

Referred to the Committee on Education.

Mr. LEECH, a petition from inhabitants of the borough of Mercer and East Lackawannock township, in the county of Mercer, for the re-annexation of the farm of Joseph H. Wright, to East Lackawannock school district.

Referred to the Committee on Education.

Mr. BROWN, a remonstrance from citizens of Mifflin county, against a law entitling the superintendent to draw from the treasurer two hundred dollars annually for the use of the teachers' institute of said county.

Referred to the Committee on Education.

Also, a petition of citizens of Mifflin county, praying for the passage of a law authorizing the appropriation of two hundred dollars annually out of the public funds for the use of the teachers' institute in said county.

Referred to the Committee on Education.

Mr. CHASE, a petition from inhabitants of Crawford county, praying for the passage of an act erecting a new county out of parts of Crawford, Forest, Venango and Warren counties.

Referred to the Committee on Counties and Townships.

Also, a petition from inhabitants of Allegheny township, Venango county, of like import.

Referred to the Committee on Counties and Townships.

Also, a petition from inhabitants of Rome township, Crawford county, of like import.

Referred to the Committee on Counties and Townships.

Mr. ROATH, a petition from citizens of Crawford and Venango counties, of like import.

Referred to the Committee on Counties and Townships.

Mr. HUNT, a petition from inhabitants of Allegheny township, county of Venango, of like import.

Referred to the Committee on Counties and Townships.

Mr. PETER, a petition from inhabitants of Sparta township, Crawford county, of like import.

Referred to the Committee on Counties and Townships.

Mr. HUNT, a petition from citizens of Forest county, praying that the name of Tionesta township be changed to Hare township.

Referred to the Committee on Counties and Townships.

Mr. ESPY, a remonstrance against annexing a portion of Oil Creek township to Titusville, in the county of Crawford.

Referred to the Committee on Counties and Townships.

Also, two petitions asking for a change in the eastern boundary line of the borough of Linesville, Crawford county.

Referred to the Committee on Counties and Townships.

Mr. LINTON, a petition from citizens of Cambria county, praying for the passage of an act preventing the Pennsylvania railroad company discriminating against shippers of local freight on said railroad.

Referred to the special committee appointed in compliance with the resolution offered by Mr. COLVILLE.

Mr. GALLAGHER, a petition from the ladies of Latrobe, Westmoreland county, praying for the passage of such an act as shall prohibit the sale of intoxicating liquors as a beverage in said county.

Referred to the Committee on Vice and Immorality.

Also, a petition from citizen voters of Latrobe, Westmoreland county, praying for the passge of such an act as shall prohibit the sale of intoxicating liquors as a beverage in said county.

Referred to the Committee on Vice and Immorality.

Also, a petition from citizen voters of Mount Pleasant, Westmoreland county, of like import.

Referred to the Committee on Vice and Immorality.

Mr. HOOD, six petitions from inhabitants of Philadelphia, for the repeal of the special license law for retailing liquors, &c.

Referred to the Committee on Vice and Immorality.

Mr. KUMMELL, a remonstrance from fifty ladies of Greenville, in the county of Indiana, against the repeal of the act of March 27, 1866, restricting the sale of vinous, spirituous, malt or brewed liquor to hotel-keepers in said county.

Referred to the Committee on Vice and Immorality.

Also, a petition from eighty-eight voters of Brush Valley, in the county of Indiana, praying for the passage of an act to permit the qualified voters to indicate their desire at the next regular State election, in regard to having a prohibitory liquor law in said county.

Referred to the Committee on Vice and Immorality.

Mr. FREEBORN, a petition from citizens of the city of Philadelphia, in favor of a change in the license laws in said city.

Referred to the Committee on Vice and Immorality.

Mr. HUMPHREY, a petition from citizens of Tioga county, asking for a change in the license laws.

Referred to the Committee on Vice and Immorality.

Mr. CHALFANT, a petition from inhabitants of Montour county, praying for a law giving the courts more power in the granting of licenses.

Referred to the Committee on Vice and Immorality.

Mr. BROWN, fifteen petitions from citizens of Mifflin county, praying for a change in the license law.

Referred to the Committee on Vice and Immorality.

Mr. SUBERS, a remonstrance from citizens of Philadelphia, opposing the erection of a bridge across the river Schuylkill, below Chestnut street, without a draw.

Laid on the table.

Mr. GALLAGHER, three petitions from three hundred and sixty-five inhabitants of West borough, Westmoreland county, praying for the passage of an act to prohibit the sale of intoxicating liquors as a beverage in said county.

Laid on the table.

Mr. MANN, a petition from citizens of Potter county, for an act to regulate the manner of running logs down the Oswayo creek.

Laid on the table.

Mr. DEHAVEN, a remonstrance from school board of the Twentieth ward, Philadelphia, against any act changing the mode of electing or appointing school controllers.

Laid on the table.

Mr. M'CAMANT, a remonstrance from citizens of Newry, Blair county, against the passage of a law incorporating the said town into a borough.

Laid on the table.

Mr. MECHLING, a remonstrance from citizens of Armstrong county, against the passage of an act to establish a law library in said county.

Laid on the table.

Mr. CHASE, a petition from two hundred and seventy-five inhabitants of the townships of South Shenango and West Fallowfield, in the county of Crawford, praying for the passage of an act repealing an act relative to tax on real estate in Crawford county, passed April 17, 1866.

Laid on the table.

Mr. MANN, a petition from citizens of Roulette township, Potter county, for an act to authorize the return for collection of certain tax duplicates.

Laid on the table.

Mr. RICHARDS, a petition from citizens of Bedford county, praying for the passage of a law requiring the county from which property is stolen to pay the expenses of the trial, conviction, &c., of the person charged with the perpetration of the crime.

Laid on the table.

Mr. BOYD, a petition from citizens of Peach Bottom township, praying for the modification of road laws of said township.

Laid on the table.

Mr. GORDON, a remonstrance from one hundred and eighty-six inhabitants of Blairsville borough and vicinity, against the passage of an act prohibiting the granting of license or sale of spirituous or malt liquors in Blairsville or vicinity, within the distance of two miles.

Laid on the table.

Mr. BROWN, a petition from citizens of Menno and Union townships, Mifflin county, praying for a law to prevent the running of cattle at large on Jack's mountain, in said townships.

Laid on the table.

Also, a remonstrance from citizens of Menno and Union townships, Mifflin county, against a law to prevent the running of cattle at large on Jack's mountain, in said townships.

Laid on the table.

Mr. MAISH, a petition from citizens of Warrington township, York county, praying for the passage of an act to enable the board of school directors of said township to levy and collect at once a tax sufficient to liquidate the present war debt of said township.

Laid on the table.

Mr. DEHAVEN, a petition from citizens of Philadelphia, favorable to colored persons riding in passenger cars.

Laid on the table.

Mr. SUBERS, four petitions of like import.

Laid on the table.

Mr. GALLAGHER, a remonstrance from pastor and members of the Old School Presbyterian church of Poke run, Westmoreland county, against passing a law allowing citizens of Philadelphia to vote on the running of Sunday cars.

Laid on the table.

Also, two remonstrances from pastor and members of the Old School Presbyterian church, Mount Pleasant, of like import.

Laid on the table.

Mr. M'CAMANT, a petition from eighty-one citizens of Blair county, of like import.

Laid on the table.

Also, a petition from eighty-three citizens of Altoona, Blair county, of like import.

Laid on the table.

Mr. WHARTON, a petition from citizens of the borough of Hartsville, Bucks county, of like import.

Laid on the table.

REPORTS FROM COMMITTEES.

Mr. WADDELL, chairman of the Committee on Ways and Means, reported to the Chair, as amended, bill No. 1085, an act to increase the revenue of the Commonwealth.

Also (same), as committed, Senate bill No. 113, a supplement to an act to promote the more certain and equal assessment of taxes in Philadelphia, approved March 14th, 1865.

Also (same), as committed, bill No. 1121, an act requiring the Auditor General to open the

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[CONTINUED FROM PAGE 632.]

account of E. C. Goodrich, late prothonotary at Bradford county, for re-settlement.

Mr. LEE (same), as committed, bill No. 1122, an act to exempt the property of the First Troop, Philadelphia city cavalry, situated in the Ninth ward, city of Philadelphia, from taxation.

Mr. MANN, from the Committee on the Judiciary General, as committed, Senate bill No. 280, an act authorizing the commutation of the death punishment in certain cases.

Also (same), as committed, bill No. 1124, an act to authorize the formation of railroad companies.

Mr. MECHLING (same), as committed, Senate bill No. 172, an act regulating the jurisdiction of courts in proceedings by bills for injunctions and other relief in equity, and the service of process.

Also (same), with a negative recommendation, bill No. 1126, a supplement to an act relating to the liens of mechanics, approved June 16, 1836, and the several supplements thereto, be, and the same are, extended to engine houses, &c.

Mr. WADDELL (same), as committed, Senate bill No. 279, an act vesting in the courts of common pleas of this Commonwealth increased powers in the creation of corporations.

Also (same), as committed, bill No. 1128, an act fixing the compensation of district attorneys for examining the aquits, books and accounts of foreign insurance companies.

Mr. WINGARD (same), as committed, Senate bill No. 658, a further supplement to an act relating to the elections of this Commonwealth, approved July 2, 1839.

Mr. QUAY (same), as committed, bill No. 1130, a supplement to the act relating to county rates and levies.

Also (same), with a negative recommendation, Senate bill No. 707, an act to repeal the first section of an act passed the first day of April, A. D. 1792, declaring the Little Lehigh a public highway.

Mr. DAVIS (same), with amendments, bill No. 1132, a supplement to the act for limitation of action.

Also (same), with a negative recommendation, bill No. 1133, an act to protect physicians in the practice of their profession.

Mr. M'CREARY (same), as committed, bill No. 170, an act relating to dower.

Also (same), with a negative recommendation, bill No. 1135, an act regulating the inspection of fertilizers, and to prevent frauds in the vending of the same.

Mr. BOYLE (same), with amendments, bill No. 1136, an act relative to the estates of decedents.

Also (same), as committed, Senate bill No. 209, a supplement to an act granting the courts of this Commonwealth power to appoint viewers to view certain streets and alleys in this Commonwealth, approved April 15th, 1845, extending its provisions to all public or private roads, streets or alleys in any plan of lots.

Also (same), as committed, Senate bill No. 504, an act to transfer the counties of Monroe, Pike, Wayne, Susquehanna, Bradford, Wyoming, Luzerne and Carbon, and add the same to the Northern district of the Supreme Court.

Mr. JENKS (same), with a negative recommendation, Senate bill No. 276, a supplement to an act providing for the adjustment of all indebtedness between an old township or towoships and a new township or borough erected therefrom, approved the 12th day of April, A. D. 1866.

Mr. MEYERS (same), with a negative recommendation, Senate bill No. 413, an act to regulate the carriage of baggage by railroad companies, and to prescribe the duties and obligations of carriers and passengers in relation thereto.

Also (same), with amendments, bill No. 1142, an act to provide for and regulate the inspection of coal illuminating oils, produced by the distillation of petroleum, peat, shale, asphaltum, coal or other bituminous substances used for like purposes.

Mr. LINTON (same), with a negative recommendation, bill No. 1143, an act to abolish the forms of action in the commencement and trial of suits in court.

Mr. M'CREARY (Judiciary Local), as committed, bill No. 1144, an act relative to certain moneys in the hands of the legal representatives of Jacob Miller, late of Saint Thomas township, in the county of Franklin, deceased.

Also (same), as committed, bill No. 1145, an act to repeal the second section of an act authorizing the assessment of railroad taxes in the borough of Kittanning, Armstrong county, approved the 16th day of February, A. D. 1867.

Also (same), as committed, bill No. 1146, a supplement to the constitution and charter of the Bustleton Methodist Episcopal church, enrolled by order of the Governor in the office of the Secretary of the Commonwealth, on the sixth day of February, 1834, authorizing the trustees of said corporation to remove certain bodies to enable them to extend their church edifice.

Also (same), as committed, bill No. 1147, an act to extend the period for payment of enrollment tax on the bill to incorporate the Oil Creek improvement company.

Also (same), as amended, bill No. 1148, an act relative to a law library in the county of Carbon.

Also (same), as committed, bill No. 1149, an act to declare North creek, and part of the Driftwood creek, in the county of Cameron, public highways.

Also (same), as committed, bill No. 1150, an act relating to taxes in Greenfield township.

Also (same), as committed, Senate bill No. 663, an act for the relief of John Tiernan, late treasurer of Fayette county.

Mr. BARTON (same), as committed, Senate bill No. 689, an act relating to the office of county treasurer in Allegheny county.

Mr. EWING (same), as committed, bill No. 1153, an act to authorize the commissioners of Warren county to work prisoners in said county.

Mr. BARTON (same), as committed, bill No. 1154, an act to regulate the collection of local taxes in the township of Edgmont, Delaware county.

Also (same), with an amendment, bill No. 1155, an act regulating the fees of notaries public in the county of Allegheny.

Also (same), as committed, Senate bill No. 625, an act to authorize the poor masters of Hamlin township, M'Kean county, to levy additional poor tax.

Mr. HARBISON (same), as committed, Senate bill No. 630, an act relative to auctioneers in the borough of Lewisburg.

Also (same), as committed, bill No. 1158, an act creating an additional return day to processes of the courts of Venango county.

Also (same), as committed, bill No. 1159, an act to increase the pay of the county commissioners of Lehigh county.

Mr. WEBB (same), as committed, bill No. 1160, an act relative to hucksters in the county of Dauphin.

Also (same), as committed, bill No. 1161, an act to authorize the appointment of an additional notary public in the borough of Girard, in the county of Erie.

Mr. WORRALL (same), as committed, bill No. 1162, a supplement to an act regulating the mode of voting at all elections in the several counties of this Commonwealth, and to regulate the mode of voting where boroughs and townships vote together, in the county of Washington.

Also (same), as committed, bill No. 1164, an act to extend to the county of Berks certain provisions of an act entitled An act to amend the fee bill as to constables in the city of Philadelphia.

Also (same), as committed, Senate bill No. 688, an act to regulate the fees of the directors of the poor and house of employment of the county of Bedford.

Mr. CRAIG (same), as committed, bill No. 1166, an act to authorize the Governor to appoint four additional notaries public for the city of Philadelphia.

Also (same), as committed, bill No. 1167, an act to provide for the purchase of real estate and the erection of a poor house in the township of Bloom, Columbia county.

Also (same), with amendments, bill No. 584, a supplement to an act for incorporating the German Reformed congregation, in the borough of Reading, in the county of Berks, enacted the 25th day of August, A. D. 1786.

Mr. JONES (same), as committed, bill No. 1168, an act to provide for the erection of a house for the employment and support

of the poor, in the township of Hemlock, in the county of Columbia.

Also (same), as committed, bill No. 1169, an act to appropriate the moneys arising from the sale of a freehold estate of Frederick Miscn, and to validate and confirm the acts of the trustees therein.

Also (same), as committed, bill No. 1170, an act to provide for the enforcement of the inspection laws in the city of Philadelphia.

Mr. PHELAN (same), as committed, bill No. 1171, an act to authorize the road supervisors of the township of Collins, Allegheny county, to levy an additional tax, and make side-walks along the public roads in said township.

Mr. THARP (same) as committed, bill No. 1172, an act relating to the collection of taxes in Cumberland county.

Also (same), with amendment, bill No. 1173, an act fixing the pay of the sheriff of Crawford county for boarding prisoners and other purposes.

Mr. ALLEN (same), as committed, bill No. 1174, an act to increase the pay of the county commissioners of Northumberland county.

Mr. SHARPLES (Municipal Corporations), as committed, Senate bill No. 672, an act to reduce the width of Lehman street, in the Twenty-second ward of the city of Philadelphia.

Mr. M'CREARY (same), as committed, Senate bill No. 666, a further supplement to an act incorporating the borough of Allentown.

Mr. M'CAMANT (same), as committed, bill No. 1177, a further supplement to an act incorporating the city of Carbondale.

Also (same), as committed, Senate bill No. 693, a further supplement to the act to incorporate the city of Corry, approved the 8th day of March, A. D. 1866.

Mr. ARMSTRONG (same), as amended, Senate bill No. 389, an act fixing the pay of road jurors in the city of Philadelphia.

Mr. HUMPHREY (same), as amended, Senate bill No. 137, a supplement to an act to incorporate the city of Scranton, extending and defining the powers of said city.

Mr. BARTON (same), as amended, bill No. 1181, an act to authorize the burgess and town council of the borough of Sharpsburg, Allegheny county, to borrow money for grading and paving purposes, and for the general improvement of the borough.

Mr. ARMSTRONG (same), as committed, bill No. 1182, an act relating to water works in the city of Chester.

Mr. FOGEL (same), as committed, bill No. 1183, a supplement to a further supplement to an act to erect the town of Chambersburg, in the county of Franklin, into a borough, extending the authority of the burgess and town council.

Mr. HEADMAN (same), as committed, bill No. 1184, an act dividing the city of Pittsburg into police districts, and relative to drunkenness and disorderly conduct therein.

Mr. BREEN (same), as committed, bill No. 1185, an act to annex a portion of the borough of Dunmore to the city of Scranton.

Mr. LONG (same), with a negative recommendation, bill No. 1186, an act limiting the debt of the city of Philadelphia.

Mr. KOON (same), as committed, bill No. 1187, a further supplement to an act, approved March 23, 1865, entitled An act to provide for the erection of a poor house in the townships of Milford, Terbert, Spruce Hill, Tuscarora, Lack and Beal, to the boroughs of Perrysville and Patterson, in the county of Juniata.

Mr. KERNS (Railroads), as committed, bill No. 1188, a supplement to an act relative to the running of railroad cars in the borough of York, extending the same to the borough of Glen Rock.

Mr. M'KEE (same), as committed, bill No. 1189, a supplement to an act to incorporate the Ohioville railroad company, approved the 27th day of March, 1866.

Mr. HARBISON (same), as committed, bill No. 1190, a further supplement to the act incorporating the East Brandywine and Waynesburg railroad company, approved March 31st, A. D. 1854.

Mr. WHANN (same), as committed, bill No. 1191, an act to incorporate the Tidioute railroad company.

Mr. HUMPHREY (same), as committed, bill No. 1192, an act supplementary to an act authorizing the Governor to incorporate the Holland Valley railroad and mining company, passed the 25th day of May, 1839, authorizing the extension of a branch railroad, increasing the capital stock, number of acres of land, and providing for the taxation of the same.

Mr. KIMMELL (same), as committed, bill No. 1194, a supplement to an act to incorporate the Mount Pleasant railroad company, approved the 22d day of March, A. D. 1865, extending the time for the commencement and completion of said railroad.

Mr. MECHLING (same), as committed, Senate bill No. 559, an act to repeal the 3d section of a supplement to an act relating to the Catasauqua and Fogelsville railroad company, passed the 26th day of May, A. D. 1863.

Mr. KOON (same), as committed, bill No. 1196, an act to incorporate the Reading and Treverton railroad company.

Mr. STUMBAUGH (Coal and Iron), Senate bill No. 289, an act to allow the Madera coal and improvement company to hold more land and changing the par value of their stock.

Also (same), as committed, bill No. 1198, an act to empower the Ashland iron company, of Baltimore county, in the State of Maryland, to hold land, and manufacture and sell iron in the State of Pennsylvania.

Mr. SUBERS (same), with amendments, Senate bill No. 723, an act to incorporate the Caledonia iron and land company.

Mr. QUAY (same), as committed, Senate bill No. 650, an act to incorporate the Superior iron company.

Also (same), as committed, Senate bill No. 586, an act to incorporate the Union iron mills.

Mr. DEHAVEN (same), as committed, bill No. 1200, a supplement to an act to incorporate the Brady coal and oil company.

Mr. M'KEE (same), as committed, bill No. 1201, a supplement to an act to incorporate the Mercer iron company, approved August 1st, 1863.

Mr. WATT (same), as committed, Senate bill No. 840, an act to enable the board of directors of the Swatara Falls coal company to borrow money, and to mortgage the corporate rights and franchises, mining rights and privileges, estate, real and personal, of every description, or any part thereof, now held, or that may hereafter be held by said company.

Mr. LONG (same), as committed, bill No. 1203, an act to incorporate the Shippensburg iron manufacturing and mining company.

Mr. WESTBROOK (same), as committed, bill No. 1204, an act to incorporate the Hamilton iron and coal company.

Mr. LEE (Mining and Manufacturing), as committed, Senate bill No. 647, an act to incorporate the Prairie Du Chien mining company of Nevada.

Also (same), as committed, bill No. 1206, an act to incorporate the Venice gold and silver mining company.

Mr. WHARTON (same), as committed, bill No. 1207, a further supplement to an act to incorporate the Union gold and silver mining company, approved March 23d, 1857.

Also (same), as committed, bill No. 1208, an act to incorporate the Philadelphia silver mining company of Lander Hill.

Mr. STUMBAUGH (same), as committed, bill No. 1209, an act to incorporate the Pennsylvania and North Carolina gold and silver mining company.

Mr. HOFFMAN (same), as committed, bill No. 1210, an act to incorporate the New Sonora gold and silver mining company.

Mr. DEHAVEN (same), as committed, bill No. 1211, an act to incorporate the Sierra Molina gold and silver mining company.

Mr. SHUMAN (same), as committed, bill No. 1212, an act to incorporate the Powhatan gold and silver mining company.

Mr. WRIGHT (same), as committed, bill No. 1213, an act to incorporate the Fidelity gold mining company.

Mr. CHADWICK (same), as committed, bill No. 1214, an act to incorporate the Savage Extension gold and silver mining company.

Mr. HUNT (same), as committed, bill No. 1215, an act to incorporate the River Bed gold and silver mining company.

Mr. GHEGAN (same), as committed, bill No. 1216, an act to incorporate the Morris and Cable silver mining company, of Reese River district, Lander county, Nevada.

Mr. MULLIN (same), as committed, Senate bill No. 583, an act to incorporate the Shakspeare and Lydia Allen Consolidated silver mining company of Nevada.

Mr. JOSEPHS (same), as committed, bill No. 1218, an act to incorporate the Volcanic mining company.

Mr. HOFFMAN (Roads, Bridges and Ferries), as committed, bill No. 1219, an act to establish a ferry over the Allegheny run, at the Big Rock, below Franklin, in Venango county.

Also (same), as committed, bill No. 1220, a supplement to an act to lay out a State road from the borough of Tarentum, in Allegheny county, by the town of Bakerstown, to the State road leading from Perrysville to the Glade mills, on the lands of George Gocher, in Butler county.

Mr. DEHAVEN (same), as committed, bill No. 1221, an act to lay out a State road in Venango and Butler counties.

Also (same), as committed, bill No. 1222, an act to incorporate the Farmers' turnpike road company in the county of Lancaster.

Also (same), as committed, bill No. 1223, an act declaring Beech creek, in the counties of Centre and Clinton, a public highway.

Also (same), as committed, bill No. 1224, an act for the improvement of Coal Hill road, in the township of Collins, in the county of Allegheny.

Also (same), as committed, Senate bill No. 771, an act repealing the fifth section of an act to enable the Governor to incorporate a company to make an artificial road from the east end of Perkiomen bridge, in the county of Montgomery, passing through Pottsgrove, and passing by the White House tavern, in Amity township, in Berks county, to the borough of Reading, approved the 20th day of March, A. D. 1810.

Also (same), with a negative recommendation, Senate bill No. 321, a supplement to the charter of the Chestnut Hill and Spring House turnpike company, authorizing said company to re-open old water courses.

Mr. KOATH (same), as committed, bill No. 1227, an act extending an act relative to the opening and making of new roads, and building of bridges in the township of West Marlboro' in the county of Chester, to the township of Sadsbury, in said county.

Also (same), as committed, Senate bill No. 840, an act authorizing the president and

managers of the Limekiln turnpike company, and the president and managers of the Jarrettstown and Horsham turnpike company, to charge certain rates of tolls.

Mr. DAY (same), as committed, bill No. 1229, an act entitled An act to view and lay out a State road in the counties of Clarion and Forest, approved the 18th day of March, A. D. 1863.

Also (same), as committed, bill No. 1230, an act to incorporate the Kittanning and Rural Village Macadamized turnpike road company, in the county of Armstrong.

Also (same), as committed, Senate bill No. 541, an act authorizing the Governor to incorporate a company to erect a bridge over the Youghiogheny river at a point between the mouth of Dickerson's run and Taylor's fording, in the county of Fayette.

Mr. GALLAGHER (same), as committed, bill No. 1232, an act to authorize the Johnstown and Scalp Level turnpike company, of Cambria county, to increase the rates of toll for said turnpike.

Also (same), as committed, bill No. 1233, an act to increase the number of supervisors of roads in Cowanshanoe township, Armstrong county.

Also (same), as committed, bill No. 699, an act authorizing Allen K. Williams to construct a ferry over Oil creek at or near the township lines of Allegheny and Cherry Tree, in Venango county, Pennsylvania.

Mr. MEILY (same), as committed, Senate bill No. 743, an act to lay out a State road in Lehigh and Bucks counties.

Also (same), as committed, bill No. 1236, an act to incorporate the Newton and Scranton turnpike road company.

Also (same), as committed, bill No. 1237, an act to reduce the compensation of supervisors in the township of Newberry in the county of York.

Mr. RICHARDS (same), as committed, bill No. 1238, an act to amend the charter of the Wellersburg and West Newton plank road company.

Also (same), as committed, bill No. 1239, an act to vacate a portion of the Wilkesbarre and Providence plank road company.

Also (same), as committed, Senate bill No. 674, a further supplement to an act in relation to the construction and repairs of roads and bridges in Lower Merion township, Montgomery county, approved March 2d, 1866.

Mr. LEECH, (same), as committed, bill No. 1241, an act authorizing the supervisors and auditors of Jones township, Elk county, the sum of two dollars per day.

Also (same), as committed, Senate bill No. 691, an act to increase the compensation of the supervisors of roads in the township of Hilltown, Bucks county.

Mr. M'KEE (same), as committed, Senate bill No. 319, an act to incorporate the Sandusky and Irwin Street bridge company.

Also (same), as committed, Senate bill No. 278, an act to authorize turnpike and plank road companies in the county of Allegheny, not paying dividends, to increase their tolls.

Mr. CHASE (same), as committed, bill No. 1245, an act to declare Lake Pleasant and its outlet to French creek a public highway.

Also (same), as committed, bill No. 1246, an act to repeal part of an act authorizing the appointment of commissioners to lay out and open a State road in the counties of M'Keam, Elk, Forest and Clarion, approved May 1st, A. D. 1861.

Mr. SATTERTHWAIT (same), as committed, bill No. 1247, an act to incorporate the Limestone turnpike and plank road company of Warren county.

Also (same), as committed, bill No. 1248, an act to repeal an act, approved the 23d day of March, A. D. 1865, to appoint a road commissioner to take charge of a portion of the Warren and Brookville and of the Warren and Strattonville State roads.

Mr. HARNER (same), as committed, bill No. 1259, a supplement to an act to incorporate the president, managers and company of the Dustleton and Summerton turnpike road company, authorizing them to increase their rates of toll for stage wagons.

Also (same), as committed, bill No. 1250, an act to establish a ferry over the West Branch of the Susquehanna river at or near the residence of George W. Sour, in the township of Wayne, in the county of Clinton.

Mr. SHARPLES (Education), as committed, bill No. 1251, an act to extend the act to provide for the assessment of seated lands in the townships where the mansion house is situated, to the borough of Rome, in the county of Bradford, for school purposes.

Mr. DAY (same), with a negative recommendation, bill No. 1252, an act to authorize the trustees of the Erie academy to levy and collect a tax for building and other purposes.

Also (same), with a negative recommendation, bill No. 1253, an act to prevent trespass upon premises belonging to schools in this Commonwealth.

Mr. PILLOW (same), with a negative recommendation, bill No. 1254, an act to erect an independent school district from a part of Sparta township, in Crawford county, and Concord township, in Erie county.

Mr. FREEBORN (same), as committed, Senate bill No. 738, an act relative to the collection of school tax in the township of Doylestown.

Mr. KINNEY (same), as committed, Senate bill No. 377, an act granting an increase of capital to literary or charitable institutions becoming soldiers' orphan schools.

Mr. ARMSTRONG (same), as committed, bill No. 1257, an act relative to the sale of an old school house in West Cocalico township, Lancaster county.

Mr. GORDON (same), as committed, bill No. 1258, an act to authorize the board of school directors of the borough of Irwin, in the county of Westmoreland, to borrow money for building purposes, and to levy additional school tax.

Mr. WHARTON (same), as committed, bill No. 1259, an act to authorize the school directors of the borough of West Middlesex, in the county of Mercer to borrow money.

Mr. MARKS (same), as committed, bill No. 1260, an act to reduce the number of school directors in the several school districts in the county of Bradford, and to pay the same.

Mr. CRAIG (same), as committed, bill No. 1261, an act to annex the farm of Daniel Sell, of Germany township, Adams county, to the borough of Littlestown, for school purposes.

Mr. KLINE (same), with a negative recommendation, bill No. 1262, an act to incorporate the Philadelphia high school.

Mr. THARP (same), as committed, bill No. 1263, an act to attach the farms of James M'Kean, William Nichols, David Long and John Long, Jr., of Otter Creek township, in the county of Mercer, to Salem school district, for school purposes.

Mr. BOYD (same), as committed, bill No. 1264, an act to annex additional territory to the borough of Brownsville, Mercer county, for school purposes.

Mr. STEHMAN (Corporations), as committed, bill No. 1265, a further supplement to an act to incorporate the American Academy of Music of the city of Philadelphia.

Mr. ALLEN (same), as committed, bill No. 1266, an act to incorporate the Warren water company.

Also (same), as committed, Senate bill No. 701, an act to incorporate the Enterprise gas light company.

Mr. ADAIRE (same), as committed, bill No. 1268, an act to incorporate the Philadelphia Mercantile college.

Also (same), as committed, bill No. 1269, an act to incorporate the Delaware County lumber manufacturing company.

Mr. KINNEY (same), as committed, bill No. 1270, an act to incorporate the Crystal Lake water company.

Also (same), as committed, bill No. 1271, an act to incorporate the St. Vincent's cemetery company.

Mr. ESPY (same), as committed, Senate bill No. 696, an act to incorporate the Empire slate company.

Mr. KERNS (same), with amendments, bill No. 1273, a supplement to the act incorporating the Amateurs' drawing room association of the city of Philadelphia, approved the 8th day of March, A. D. 1866.

Also (same), as committed, bill No. 1274, an act to incorporate the Manayunk fire insurance company.

Also (same), as committed, Senate bill No. 801, an act to incorporate the Keystone homestead company.

Mr. PETER (same), as committed, bill No. 1276, a supplement to an act incorporating the Accident insurance company, approved March 24th, A. D. 1865.

Also (same), as committed, bill No. 1277, a supplement to an act to incorporate the Reno shipping company, approved the first day of September, A. D. 1866.

Mr. ROATH (same), as committed, bill No. 1278, an act to incorporate the Conococheague water company of the borough of Chambersburg.

Mr. DONOHUGH (same), as committed, bill No. 1279, an act to incorporate the United States Accident insurance company.

Mr. KURTZ (same), as committed, Senate bill No. 520, an act to incorporate the Moshannon land and lumber company.

Mr. DONOHUGH (same), as committed, bill No. 1280, an act to incorporate the Philadelphia wooden machine works.

Also (same), as committed, Senate bill No. 676, an act to authorize the Pennsylvania steel company to purchase and hold stock in other corporations.

Mr. CHADWICK (same), as committed, bill No. 1282, a further supplement to an act to incorporate the Youghiogheny shaft company.

Mr. WOODWARD (same), as committed, bill No. 1283, a supplement to an act to incorporate the Farmers' Mutual fire insurance company of Paradise township, in the county of York, approved the 28th day of March, A. D. 1854.

Mr. LONG (same), as committed, bill No. 1284, an act to incorporate the Philadelphia Polytechnic college.

Mr. JOSEPHS (same), with a negative recommendation, Senate bill No. 80, a further supplement to an act incorporating the West Branch boom company, approved the 29th day of March, A. D. 1849, authorizing an increase of tolls or boomage.

Mr. RHOADS (same), as committed, Senate bill No. 517, an act to incorporate the Continental slate company.

Mr. WHANN (Counties and Townships), as committed, bill No. 1288, an act to reannex a part of Colebrook township, Clinton county, to Brown township, Lycoming county.

Mr. HARBISON (same), with a negative recommendation, bill No. 1289, an act to repeal an act to increase the boundaries of Forest county, and the supplement thereto, approved the 31st day of October, A. D. 1866.

Mr. ALLEN (same), with a negative recommendation, bill No. 1290, an act to annex

certain portions of the territory of Clarion county to Forest county.

Mr. WRIGHT (same), as committed, bill No. 1291, an act to annex certain portion of the territory of Luzerne to that of Carbon county.

Mr. WEBB (Agriculture), as committed, Senate bill No. 318, an act repealing the first section of an act, entitled An act to prevent the spread of Canada thistles, et cetera, approved March 22d, 1862, so far as relates to the county of Bradford.

Mr. PETER (same), as committed, bill No. 1293, an act to prevent the destruction of deer in Wayne county.

Mr. RICHARDS (same), as committed, bill No. 1294, an act for the protection of sheep and the taxing of dogs in the county of Westmoreland.

Mr. SHUMAN (same), as committed, bill No. 1295, an act to prevent cattle, horses, sheep and swine from running at large in the county of Wyoming.

Mr. EWING (same), as committed, bill No. 1296, an act to prevent cattle from running at large in the flat of Jack's mountain, Monroe and Union townships, in the county of Mifflin.

Mr. ROUSH (same), as committed, bill No. 1297, an act to prevent cattle, sheep and hogs from running at large in the township of Millcreek and borough of New Lebanon, in the county of Mercer.

Mr. CHADWICK (same), as committed, Senate bill No. 715, an act to prohibit the taking of fish with nets in any of the streams of Monroe county.

Mr. WEBB (Vice and Immorality), as committed, bill No. 1299, an act to prevent the sale or giving away of intoxicating drinks in the township of Peach Bottom, York county, on election days.

Mr. HOFFMAN (same), as committed, Senate bill No. 258, a supplement to an act to prevent the sale of intoxicating liquors on the first day of the week, commonly called Sunday, approved February 26, 1855.

Mr. RICHARDS (same), as committed, bill No. 1302, an act extending the provisions of an act relating to the licensing of billiard rooms, bowling saloons and nine or ten pin alleys, at Cresson Springs, in the county of Cambria, to the Loretto Springs in the same county.

Mr. LEECH (same), with an amendment, bill No. 1303, an act to prohibit the issuing of licenses in the township of Allegheny, in the county of Westmoreland, within a distance of two miles from the borough of Freeport, Armstrong county.

Also (same), as committed, bill No. 1304, a further supplement to an act to regulate the sale of intoxicating liquors, approved the 31st day of March, A. D. 1856.

Mr. WOODWARD (Military), as committed, bill No. 1305, an act to repeal so much of the bounty laws as authorizes the authorities of Smithfield township, Monroe county, to levy and collect an additional or *per capita* tax, over and above the regular per centage tax.

Mr. ALLEN (same), with a negative recommendation, bill No. 1306, an act for the relief of Zachariah Stover, Jesse Menges, Benjamin Myers, Jacob Sheffer, Isaac Schwartz and Peter Becker (of Solomon), citizens of the township of North Codorus, in the county of York.

Mr. PENNYPACKER (same), as committed, bill No. 1307, an act to exempt John Malone, of Sewickley township, Westmoreland county, from the payment of bounty tax.

Mr. PILLOW (same), as committed, bill No. 1308, an act authorizing the school directors of the borough of Harmony, and the township of Jackson, in the county of Butler, to levy and collect an additional bounty tax.

Also (same), as committed, bill No. 1309, a supplement to a further supplement to an act entitled An act relating to the payment of bounties to volunteers, approved the 25th day of March, 1864.

Mr. ESPY (same), as amended, bill No. 1310, an act to authorize the school directors of the borough of Patterson, Juniata county, to levy a tax for the payment of certificates of bounty.

Mr. GALLAGHER (same), as committed, bill No. 1311, an act authorizing the school directors of Warrington township, York county, to levy and collect bounty tax at once.

Mr. GORDON (same), as committed, bill No. 1312, an act to legalize the action of the school directors of Shrewsbury township, York county, relative to money borrowed, to pay bounties and taxes assessed to collect the same.

Mr. ROATH (same), as committed, bill No. 1313, an act relating to the payment of bounties in the township of Birmingham, county of Delaware.

Mr. LINTON (same), as committed, bill No. 1314, an act to legalize and make valid an assessment made by the board of school directors of Strasburg township, Lancaster county, of one-half of one per centum, on the 16th day of June, A. D. 1866, for bounty purposes.

Mr. WESTBROOK (same), as committed, bill No. 1315, an act to repeal an act entitled An act to authorize and require the school directors of West Caln township, Chester county, to levy and collect taxes for the purpose of paying three hundred dollars each to persons who were drafted and furnished substitutes, under the call of the President, of July 18th, 1864, approved the 22d day of March, A. D. 1866.

Mr. ROUSH (same), as committed, bill No. 1316, an act to authorize an examination into the military services of A. F. Rightmeyer.

Mr. COLVILLE (Divorces), as committed, bill No. 1317, an act to annul the marriage contract between Otto W. Riess and Mary Riess.

Mr. DeHAVEN (same), as committed, bill No. 1318, an act to divorce William A. Taylor and Julia, his wife.

Mr. FREEBORN (Railroads), as committed, bill No. 1319, an act to incorporate the Darby and Upper Darby railroad company.

Also (Passenger Railroads), as committed, Senate bill No. 594, a supplement to an act to incorporate the Philadelphia City passenger railroad company, passed March 26th, 1859, authorizing said company to borrow money and issue bonds.

Mr. DeHAVEN (same), as committed, bill No. 1321, an act to authorize the Lombard and South Street passenger railway company to rebuild their road and increase its capital stock and bonded debt.

Mr. ADAIRE (same), as committed, Senate bill No. 595, a supplement to an act to incorporate the Reading passenger railway company, approved the 21st day of March, A. D. 1865.

Mr. COLVILLE (Banks), as committed, bill No. 1323, an act to incorporate the Capitol Savings Fund and Safe Deposit company.

Mr. HEADMAN (Coal and Iron Companies), as committed, bill No. 1324, an act to incorporate the American coal and iron company.

Mr. WINGARD (Pensions and Gratuities), as committed, Senate bill No. 159, a further supplement to an act entitled An act granting a pension to Jacob Hurst, approved March twenty-seven, eighteen hundred and sixty-six.

Mr. LEE (Ways and Means), as committed, bill No. 1326, an act for the relief of Doctor Herman B. Linton, a surgeon of the Thirty-eighth regiment, Pennsylvania infantry volunteers.

Mr. GALLAGHER (Pensions and Gratuities), as committed, bill No. 1327, an act to pay a pension to Sarah Winters, widow of Stacy Winters, a soldier of the war of 1812.

Mr. CHALFANT (Corporations), as committed bill No. 1328, supplement to an act to incorporate the Medico-Chirurgical college of Philadelphia.

Mr. ARMSTRONG (Pensions and Gratuities), as committed, bill No. 1329, an act granting a pension to Nancy Lane O'Donnell, widow of Charles O'Donnell, deceased.

Mr. DAVIS (Coal and Iron Companies), as committed, bill No. 1330, an act to extend the time for the payment of the enrollment tax on an act to incorporate the Moshannon coal and lumber company.

Mr. COLVILLE (Pensions and Gratuities), as committed, bill No. 1331, an act granting a pension to Margaret Pots, widow of Daniel Pots, late of Franklin county, deceased.

Mr. WORRALL (Military), as committed, bill No. 807, an act to authorize the Board of Military Claims to settle the claim of B. Nelson, first lieutenant of third artillery.

Mr. CRAIG (Judiciary Local) as committed, bill No. 584, a supplement to an act incorporating the German Reformed congregation in the borough of Reading, in the county of Berks, enacted the twenty-fifth day of August, in the year of our Lord one thousand seven hundred and eighty-six.

BILLS PASSED.

During the reports from committees the following bills were taken up and disposed of as stated:

An act to increase the revenue of the Commonwealth.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same*, That from and after the passage of this act, every railroad, canal or transportation company which possess the right to mine coal, or purchase or lease and sell the same, shall, quarterly, on the first days of January, April, July and October, make a report, under oath or affirmation, stating the amount of coal mined by them, and from property owned and leased by them, and also the amount of coal purchased by them, or mined from property owned by them, that may be leased to other parties, during the preceding three months; and shall pay to the Commonwealth, within thirty days thereafter, a tax of ten cents per ton upon each and every ton of anthracite coal so purchased or mined, the account to be settled by the Auditor General and State Treasurer, and in case of default in payment, to be recoverable as other taxes due the Commonwealth are now by law recoverable: *Provided*, That the amount of coal consumed in the transaction of their business shall not be included in their return: *And provided further*, That said corporation shall be exempt from the payment of the tax upon tonnage as imposed by an act entitled An act to provide additional revenue for the use of the Commonwealth, approved twenty-fifth August, one thousand eight hundred and sixty-four, upon all coal upon which a tax shall be paid under the provisions of this act; and also, from the tax on net earnings or income as imposed by the act of April thirtieth, one thousand eight hundred and sixty-four; and also, from the tax upon gross receipts imposed by the act of twenty-third February, one thousand eight hundred and sixty-six, so far as the net earnings and gross receipts are derived from the mining and transportation of the said coal.

SEC. 2. If any such company or corporation shall fail to make return provided for in the preceding section for a period of thirty days after the date therein fixed for the same, such company shall be liable to a penalty of twenty-five per centum upon the gross amount of the tax which shall be ascertained to be due the Commonwealth.

SEC. 3. If any such company or corporation shall neglect or refuse to pay the amount of tax due the Commonwealth, under the first section of this act, together with any penalty they may be liable for under the second section, for a period of thirty days after the settlement of their accounts by the Auditor General and State Treasurer, the said company or corporation shall forfeit and pay to the Commonwealth a penalty of twenty five per centum upon the amount of said account, as settled, with such interest upon the entire amount due thereon as is or may be provided by law: *Provided*, That any corporation failing to make the return required by the first section of this act within the specified time, and also failing to make payment on the settlement, as provided for in this section, shall be liable to both penalties, namely, twenty-five per centum for neglect to return and twenty-five per centum and interest for neglect or refusal to pay the same.

The question was on suspending the rules to proceed to the consideration of the bill.

Mr. KOON. Mr. Speaker, I hope the gentleman will not press the passage of this bill. It will not suffer by a day or two of delay if it takes its regular course. All I ask, if the bill is to pass, is that I may have an opportunity to examine it.

Mr. WADDELL. Mr. Speaker, I desire that the House should act upon the bill at this time. The bill was introduced some days ago by myself, at the suggestion of the proper department, and, as has been previously stated, it is one of great importance to the interests of the Commonwealth. Some objections were suggested to the bill in the House at the time it was introduced, and it was referred to the Committee on Ways and Means for their consideration. They have considered fully, I believe, all the objections that were made in the House, and have introduced into the bill amendments to meet the difficulties which gentlemen here presented. They directed, in addition to that, that the bill should be printed and laid upon the desk of every member for some two or three days, so that they might see the amendments that were introduced by the committee. Further than that, the Committee directed that the chairman should not report it until a certain time should elapse, so that parties who were understood as having some objection to the bill should have an opportunity to appear before the committee. That time has gone by and no application has been made for a hearing on the subject before the committee.

This is a bill which interests deeply the revenue of the Commonwealth. We are increasing the outlays of this State, and the committee having it in charge will increase the outlays this year, over those of last year, at least half a million of dollars, and, sir, it is high time that this House was providing some way to meet this increased demand upon its treasury.

I think that a careful examination of the bill by the members of this House will show that the interests of all parties are protected which should be protected.

I shall, therefore, insist upon the House considering the bill at this time, and I can see no reasonable objection why they should not.

Mr. KOON, Mr. Speaker, the gentleman says that an opportunity was offered for parties to be heard before the committee. These parties live at a distance, and I have, to-day, received a telegram from one of them, saying that he would be here as soon as possible. They have not yet had time to receive proper notice and reach here.

A tax of ten per cent. on coal is an important measure, and it is one that will impair, to a large extent, the coal trade of my section. Now, the companies at which this bill is aimed particularly, are enjoying the relief they got from the State by fair legislation. If they own mines, it is their good fortune, and if they own means of transportation it is also their good fortune. They got these provisions from the Legislature, and they pay all their taxes on capital stock and income, &c., and they have complied with everything that the State has asked. Why, then, is it right to single out in a particular locality of the State some three or four corporations, and add an additional burden of ten cents per ton upon every ton of coal they may mine and transport?

Mr. WADDELL. Mr. Speaker, the gentleman will see by the amendments that if the companies pay all the taxes that are imposed upon other companies by the present law, they are relieved from the tax that this bill imposes upon them. There is no company that is taxed under the law, as it now stands, that will suffer by reason of the passage of this act. This bill is intended only to reach those companies which are not covered by existing laws, and cannot be otherwise reached under the recent decision of the courts. My only reason for presenting the bill at this time is that there is danger, as every gentleman knows, of a public bill failing to pass at this time, for the want of time to get through both branches of the Legislature.

If the parties reach here, that the gentleman refers to, they will have ample time for a hearing before the committee in the Senate. If this bill goes in its regular course, it will be placed upon the public calendar, and I presume every gentleman knows that we will not get through with the public calendar as it now stands, letting alone the additions that will be made to it by the introduction of other bills.

I, therefore, feel that it is a vital matter for this Commonwealth that we should consider this bill at once.

Mr. KOON. Mr. Speaker, if this bill is to be rushed through the Senate as here; if the will of the State Treasurer is as potent there as here, there will be very little opportunity for parties to be heard anywhere.

I hoped, after what was said here the other day, that the gentleman from Chester [Mr. WADDELL] would give the parties interested at least an opportunity to be heard. I see that they are to be denied that, and I hope the House will not suspend the rules now, because a bill of this kind cannot suffer by taking the regular course.

Mr. M'CREARY. Mr. Speaker, I cannot see any necessity for delaying the passage of this bill for the purpose of giving a few parties that are interested time to be heard. Last winter we passed a revenue law affecting every bank, railroad and canal in the State very seriously, and yet we passed it through the House without giving the parties any time to come here and have a hearing, and that for the reason that the necessities of the State demanded it. The interests of the State are paramount to the interests of any corporation or individual, and the same necessity exists now for passing this bill for the interests of the State that existed last winter.

I, therefore, hope that the bill will be put through to-night.

The question being on agreeing to the motion to suspend the orders of the day for the purpose of considering the bill,

The yeas and nays were required by Mr. KOON and Mr. WHARTON, and were as follow, viz:

YEAS—Messrs. Adaire, Allen, Armstrong, Barton, Boyd, Boyle, Breen, Brown, Chadwick, Chalfant, Chase, Collins, Colville, Davis, Day, DeHaven, Donohugh, Espy, Fogel, Gallagher, Gordon, Harbison, Hoffman, Humphrey, Hunt, Jenks, Jones, Josephs, Kerns, Kimmell, Kinney, Kline, Kurtz, Lee, Leech, Long, M'Creary, M'Kee, Mann, Mechling, Meily, Meyers, Pennypacker, Peter, Pillow, Quay, Rhoads, Richards, Roath, Roush, Satterthwait, Sharples, Shuman, Stumbaugh, Subers, Tharp, Waddell, Watt, Webb, Weiler, Westbrook, Wham, Wingard, Woodward, Worrall, Wright and Glass, *Speaker*—67.

NAYS—Messrs. Barrington, Brennan, Craig, Harner, Heltzel, Koon, Linton, M'Camant, M'Henry, Mullin and Wharton.—11.

So the question was determined in the affirmative.

The bill was read and

Agreed to.

The rules were suspended,

The bill was read a second and third time, and

Passed finally.

Mr. JENKS. Mr. Speaker, I move to suspend the orders and proceed to the consideration of the following bill.

The motion was

Agreed to.

The bill was read as follows:

Senate bill No, 826, an act to prevent and punish prize fighting.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same*, That from and after the passage of this act, whosoever shall engage or participate in any prize fight within this Commonwealth, or any fight or pugilistic contest, on the result of which any money or valuable thing is bet or wagered, shall be guilty of a high misdemeanor, and on conviction thereof, shall be fined in a sum not exceeding one thousand dollars, and imprisoned in the penitentiary or the jail of the proper county for a period not exceeding two years; and every person being present at such fight, and encouraging the same, or laying any bet or wager on the result thereof, whether present or not, shall be considered a participant therein, and as giving encouragement thereto, and may, at the discretion of the court, be punished in like manner.

On the question,

Will the House agree to the bill?

Mr. BOYLE. Mr. Speaker, I move to amend by striking out the word "highest," before the word "misdemeanor."

The motion was

Agreed to.

Mr. BOYLE. I move further to amend by striking out the words "in the penitentiary or jail of the proper county," and inserting "by separate and solitary confinement or simple imprisonment, in the discretion of the court."

The motion was

Agreed to.

The bill as amended was

Agreed to.

The rules were suspended,

The bill read a second and third time, and

Passed finally.

Mr. RHOADS. Mr. Speaker, I move that the House proceed to the consideration of the following bill:

House bill No. 1193, entitled A supplement to the act incorporating the Colebrookdale railroad company, approved the 23d day of March, A. D. 1865.

The bill was amended by Mr. ARMSTRONG, and

Agreed to.

The rules were suspended,
The bill read a second and third time, and
Passed finally.

Mr. KIMMELL. Mr. Speaker, I move that the House proceed to the consideration of the following bill:

No. 1301, an act to extend the provisions of an act to prohibit the issuing of licenses within certain boroughs in the counties of Armstrong, Potter, Indiana and Perry, or within two miles of the same, in the counties in which such boroughs are located, approved the 27th day of March, 1866, to the township of Derry, in the county of Westmoreland, in the borough of Blairsville, the township of Burrell and the township of Mahoning, in the county of Indiana.

Mr. COLVILLE. Mr. Speaker, I call for a division of the question.

Mr. KIMMELL. Mr. Speaker, there is but one township in which liquor is now sold to which that bill will apply, and there are three "hell holes" in that township selling liquor. The people are opposed to it. The court meets next week and they will be licensed for another year unless this bill is passed.

If this Legislature cannot take five minutes to prevent another year of that iniquitous traffic in that township I want to know it.

Mr. COLVILLE. I withdraw my call for a division of the question.

The bill was
Agreed to.
The rules were suspended,
The bill read a second and third time, and
Passed finally.

BILLS IN PLACE.

Mr. BOYD read in his place and presented to to the Chair a supplement to an act to provide for the payment of gratuities and annuities to the soldiers of the war of 1812, and to their widows, approved the 30th day of March, A. D. 1866.

Referred to the Committee on Ways and Means.

Mr. STUMBAUGH, a supplement to an act in reference to the commissions of justices of the peace and aldermen, approved the 13th day of April, A. D. 1859.

Referred to the Committee on the Judiciary General.

Mr. CHASE, an act for the purpose of securing uniformity of gauge in the purchase and sale of crude petroleum.

Referred to the Committee on the Judiciary General.

Mr. PETER, an act to authorize the appointment of an additional notary public in the city of Pittsburg, Allegheny county.

Referred to the Committee on the Judiciary Local.

Mr. HUMPHREY, an act extending the provisions of an act requiring the county commissioners of Forks township, Northampton county, to render an account to the auditors of said township, and providing for auditing the same, approved February 12, A. D. 1867, to Upper Mount Bethel township, Northampton county.

Referred to the Committee on the Judiciary Local.

Mr. MEILY, an act to authorize the school directors of North Annville township, Lebanon county, to levy and collect taxes in said township, to pay off deficiencies.

Referred to the Committee on the Judiciary Local.

Mr. KURTZ, an act to extend the time of payment of the enrollment tax on an act to incorporate the Agricultural College and Junction turnpike road company, approved 6th day of May, 1864, and to insert additional commissioners in place of those deceased.

Referred to the Committee on the Judiciary Local.

Mr. JONES, a supplement to an act empowering the Lutheran congregation of the Old Goshenhoppen church, in Upper Salford township, in Montgomery county, to collect their outstanding debts, approved 25th March, A. D. 1839.

Referred to the Committee on the Judiciary Local.

Mr. ESPY, an act to increase the fees of the commissioners of Crawford county, as directors of the poor.

Referred to the Committee on the Judiciary Local.

Mr. ARMSTRONG, an act to change the manner of electing directors of the poor in Berks county, and to increase the board from three to four members.

Referred to the Committee on the Judiciary Local.

Mr. WHANN, an act authorizing the increase of the recognizance and bond of the sheriff of Venango county.

Referred to the Committee on the Judiciary Local.

Also, an act supplementary to an act in relation to certain public officers and their sureties, approved the 21st day of April, A. D. 1845.

Referred to the Committee on the Judiciary Local.

Mr. JENKS, an act to increase the fees of the sheriff of Jefferson county.

Referred to the Committee on the Judiciary Local.

Also, an act to increase the pay of the auditors and commissioners of Jefferson county.

Referred to the Committee on the Judiciary Local.

Also, an act to increase the allowance for the maintenance of prisoners in the county of Jefferson.

Referred to the Committee on the Judiciary Local.

Mr. KEE, an act relative to the license of vehicles in the borough of Lawrenceville, Allegheny county.

Referred to the Committee on Municipal Corporations.

Mr. KERNS, a supplement to an act to authorize the appointment of an inspector of stationary steam engines and steam boilers in and for the city of Philadelphia, approved May 7, 1864.

Referred to the Committee on Municipal Corporations.

Also, a further supplement to an act consolidating the city of Philadelphia, extending the term of office of the chief engineer of the water department.

Referred to the Committee on Municipal Corporations.

Mr. HUMPHREY, an act increasing the compensation of the collector of borough and school taxes of the borough of Easton, Northampton county.

Referred to the Committe on Municipal Corporations.

Mr. THARP, an act to compel the treasurer of the bounty fund of Mount Carmel township to pay the surplus bounty fund in his hands to the school directors of said township for school purposes.

Referred to the Committee on Education.

Mr. JENKS, an act to erect an independent school district out of part of Clarion township, Clarion county, to be called Olive Branch school district.

Referred to the Committee on Education.

Mr. BREEN, an act to authorize and empower the court of quarter sessions of Schuylkill county to appoint school directors for the school district of West Penn township, to serve for the ensuing school year.

Referred to the Committee on Education.

Mr. LEECH, an act to change the line of the Mercer school district, in Mercer county.

Referred to the Committee on Education.

Mr. KOON, an act to authorize the school directors of Pittston borough school district to sell a certain lot.

Referred to the Committee on Education.

Mr. KINNEY, an act to incorporate the Dime saving fund of Slatington.

Referred to the Committee on Banks.

Mr. MANN, an act to regulate the manner of running logs down the Oswayo creek, in Potter county.

Referred to the Committee on Roads, Bridges and Ferries.

Mr. KOON, an act to incorporate the Citizens' turnpike and macadamized road company.

Referred to the Committee on Roads, Bridges and Ferries.

Mr. COLVILLE, an act to repeal a supplement to an act entitled An act for the improvement of Highland avenue, in the township of Collins, in the county of Allegheny, approved the 11th day of April, 1866.

Referred to the Committee on Roads, Bridges and Ferries.

Mr. KINNEY, a supplement to an act to authorize the construction of a sidewalk in the valley of Sheshequin, in the county of Bradford.

Referred to the Committee on Roads, Bridges and Ferries.

Mr. WORRALL, an act relating to estates for life, and charging the funeral expenses of the person for whose interest the life estate was devised.

Referred to the Committee on Estates and Escheats.

Mr. MANN, an act to incorporate the Northampton iron company.

Referred to the Committee on Coal and Iron Companies.

Mr. HUMPHREY, an act to incorporate the Monocacy iron and steel company.

Referred to the Committee on Coal and Iron Companies.

Mr. WORRALL, a further supplement to an act supplementary to act to regulate the sale of intoxicating liquors, approved April 20th, 1858.

Referred to the Committee on Vice and Immorality.

Mr. STUMBAUGH, a supplement to an act to regulate the sale of intoxicating liquors, approved 31st March, A. D. 1856.

Referred to the Committee on Vice and Immorality.

Mr. MANN, an act to prohibit the issuing of licenses to sell spirituous, vinous, malt or brewed liquors in the township of Penn, in the county of Perry.

Referred to the Committee on Vice and Immorality.

Mr. STUMBAUGH, an act for the better preservation of the morals of the minors of the city of Philadelphia.

Referred to the Committee on Vice and Immorality.

Also, a further supplement to an act to incorporate the Frankford and Holmesburg railroad company, approved July 18th, 1863, providing for the construction of a railroad from Holmesburg to Bustleton.

Referred to the Committee on Railroads.

Mr. ALLEN, an act to incorporate the Warren, Sheffield and Bennett Branch railroad company.

Referred to the Committee on Railroads.

Mr. KOON, a supplement to an act incorporating the Wilkesbarre and Pittston railroad company, approved the 15th of April, A. D. 1859.

Referred to the Committee on Railroads.

Mr. STUMBAUGH, an act to incorporate the Great Western mining company.

Referred to the Committee on Mining and Manufacturing Companies.

Mr. JOSEPHS, an act to incorporate the Continental mining company.

Referred to the Committee on Mining and Manufacturing Companies.

Mr. ROATH, an act to incorporate the North Star mining company.

Referred to the Committee on Mining and Manufacturing Companies.

Mr. MANN, an act to increase the capital stock of the Lehigh water company, in the borough of Easton, Northampton county.

Referred to the Committee on Corporation.

Mr. MEILY, an act to incorporate the Lebanon County Hotel company.

Referred to the Committee on Corporations.

Mr. KURTZ, an act to repeal an act authorizing the Governor to incorporate the Bald Eagle and Spring Creek navigation company, approved the 14th day of April, A. D. 1834, and the supplements thereto.

Referred to the Committee on Corporations.

Mr. ROATH, a supplement to an act incorporating the Spring Garden soup society, approved April 21st, 1852.

Referred to the Committee on Corporations.

Mr. WHANN, an act to increase the capital stock of the Venango water company.

Referred to the Committee on Corporations.

Mr. HUMPHREY, an act to extend the time for the payment of the enrollment tax on the act to incorporate the Osceola improvement company, approved April 18th, A. D. 1866.

Referred to the Committee on Corporations.

Mr. KOON, a supplement to the act authorizing the Governor to incorporate the Easton water company, approved the 24th day of March, A. D. 1817, and the supplements to said act.

Referred to the Committee on Corporations.

Mr. CHADWICK, an act relative to the Grove Farm oil company.

Referred to the Committee on Corporations.

Also, an act to incorporate the Triumph oil pipe transportation company.

Referred to the Committee on Corporations.

Mr. MANN, an act to incorporate the Bath car company.

Referred to the Committee on Corporations.

Mr. BOYD, an act relating to the payment of bounty in Hopewell township, in the county of York.

Referred to the Committee on Military.

Mr. WHANN, an act to repeal an act to legalize and provide for the payment of the bonds issued as bounties to volunteers by the county commissioners of Venango county.

Referred to the Committee on Military.

Mr. CHASE, an act relative to fishing in the streams, lakes and rivers in the county of Crawford.

Referred to the Committee on Agriculture.

Mr. PILLOW, an act to prevent cattle, horses, sheep and swine from running at large in Jackson and Buffalo townships, in Butler county.

Referred to the Committee on Agriculture.

Mr. HUMPHREY, an act extending the provisions of an act to prevent the growth of noxious weeds in the county of Chester, approve March —, A. D. 1867, to Washington county.

Referred to the Committee on Agriculture.

Mr. ROATH, an act to extend the provisions of an act relating to the passage of fish in the Susquehanna river and certain of its tributaries, to the Conestoga creek, in Lancaster county.

Referred to the Committee on Agriculture.

Mr. CHALFANT, an act to prohibit the destruction of fish in the Susquehanna river and its tributary streams, in Columbia county.

Referred to the Committee on Agriculture.

Mr. M'KEE, bill No. 1332, an act to authorize the school directors of M'Keesport, Allegheny county, to equalize the payment of bounties.

Laid on the table.

Mr. WINGARD, bill No. 1333, a supplement to the act relatiog to the passage of fish in the Susquehanna and certain of its tributaries.

Laid on the table.

Mr. WESTBROOK, bill No. 1334, an act annexing certain farms in Dyberry township to the borough of Bethany, in Wayne county, for school purposes.

Laid on the table.

MESSAGES FROM THE GOVERNOR.

The Deputy Secretary of the Commonwealth being introduced, presented the following messages from the Governor in writing:

EXECUTIVE CHAMBER,
HARRISBURG, PA., March 12, 1867.

To the Senate and House of Representatives of the Commonwealth of Pennsylvania:

GENTLEMEN—A letter, dated 6th instant, has just been received from Hon. Jonathan Worth, Governor of North Carolina, covering a set of resolutions adopted by the Legislature of that district, both of which, according to his request, are herewith transmitted to you.

The object of the resolutions is to invite "all the States, North, South, East and West," to a national convention for the purpose of "proposing, in exact conformity with the Constitution of the United States, such amendments to the Constitution that the result will be such *mutual concessions* as will lead to a restoration of our former happy relations."

Under ordinary circumstances I would be satisfied to simply submit this communication to the Legislature without comment, but in this instance the occasion seems to demand something more. I am by no means insensible to a noble spirit of *concession* and forbearance necessary to impart vitality to our national existence, and, therefore, in deliberating upon this important subject, I would recommend that local feelings and prejudices be merged in a patriotic determination to promote the public welfare. But when we reflect that the people of North Carolina, inviting this assembly, are not in full communion with the loyal States; that they have been for many years in the habit of looking with great indifference upon the national interests and of tolerating disloyalty; that throughout the thrilling and sanguinary war of the rebellion they used their utmost efforts to destroy the Constitution and the Union, and to establish a hostile government of their own; that they have recently refused to ratify the mild and wholesome amendments to the Constitution; that Congress, by the passage of the reconstruction act, has made a salutary provision for their future military government, and for that of the other refractory districts lately engaged in rebellion; is not the presumption with which these unrepentant rebels and subjugated traitors now ask for "mutual concessions" surprising!

The people of Pennsylvania have always been loyal to the Government, true to the Constitution and laws of the nation, and have stood in the foremost ranks of the defenders of the Union. They have no concessions to make; certainly none to those who have waged a treasonable war, and who have been conquered at the point of the bayonet. The doctrine is certainly abhorrent that defeated treason should ask the loyal men of this country to meet them on equal terms in convention to amend the Constitution they repudiated and attempted to destroy. The guilty failure of those men has assigned them to a far different task—submission to the terms of the conqueror and obedience to that law which we all obey.

While Pennsylvania has no concessions to make, her people, desiring a speedy, just and proper readjustment of all the States in the Union, earnestly beseech the citizens of North Carolina, and of all the Southern States, to return without delay to the benign influence of the Government while yet the terms of such a return are easy, and not to wait for more severe conditions, and, perhaps, far more serious punishment.

JNO. W. GEARY.

STATE OF NORTH CAROLINA,
EXECUTIVE DEPARTMENT,
RALEIGH, March 15th, 1867.

To His Excellency the Governor of Pennsylvania:

DEAR SIR—I herewith enclose to you resolutions of the General Assembly of this State, proposing a plan of composing our national troubles, in exact conformity with the Constitution of the United States.

If these resolutions shall meet the approval of the States and of the Congress, I do not doubt that the result will be such mutual concessions as will lead to a cordial restoration of the relations among the States which of old made the American Union the pride of our people and the envy of the nations.

I have the honor to be,
Very respectfully,
Your obedient servant,
JONATHAN WORTH,
Governor of North Carolina.

PREAMBLE AND RESOLUTIONS PROPOSING THE CALL OF A NATIONAL CONVENTION.

WHEREAS, The people of the State of North Carolina have repeatedly declared, through their representatives, their desire that harmonious relations should be fully restored between this State and the United States, according to the Constitution of the United States, on terms alike safe and honorable to all parties; and to effect such harmony are willing, in a constitutional manner, to assent to any amendment of the Constitution of the United States, giving full indemnity and security for the peace and permanency of the Union, which may be constitutionally proposed, and whatever shall seem to them compatible with civil liberty and tending to promote the general welfare; and whereas by the fifth article of the Constitution of the United States it is declared that

"The Congress, whenever two-thirds of both Houses shall deem it necessary, shall propose amendments to the Constitution, or, on application of the Legislatures of two-thirds of the several States, shall call a convention for proposing amendments, which, in either case, shall be valid, to all intents and purposes, as part of this Constitution, when ratified by three-fourths of the several States, or by conventions in three-fourths thereof, as the one or other mode of ratification may be proposed by Congress; and that no State, without its consent, shall be deprived of its equal suffrage in the Senate."

Believing that no better mode can be devised to compose the different animosities growing out of the late war than that contemplated by the alternative proposition in said fifth arti-

cle of the Constitution of the United States; therefore,

Resolved by the General Assembly of the State of North Carolina, That this State doth apply to the Congress of the United States for the call of a national convention, in which all the States, North, South, East and West, shall be represented, according to the Constitution, to propose such amendments to the Constitution as shall seem fitted to promote the general welfare, the peace, harmony and prosperity of the Union of the United States; which amendments, when ratified by three-fourths of the several States, shall be ratified, to all intents and purposes, as part of the Constitution of the United States.

Resolved, further, That the Governor of this State transmit to the President of the United States a copy of these resolutions, to be communicated to the Congress of the United States, and also a copy to the Governor of each of the States, with the request that the same be laid before the Legislature of each State of the Union.

Ratified March 2d, 1867.

STATE OF NORTH CAROLINA, }
DEPARTMENT OF STATE. }

I, R. W. Best, Secretary of the State, do hereby certify that the foregoing is a true copy of the original on file in this office.

Given under my hand this Fourth day of March, one thousand eight hundred and sixty-seven.

R. W. BEST,
Secretary of State.

Laid on the table.

The Deputy Secretary of the Commonwealth also presented the following message:

EXECUTIVE CHAMBER, }
HARRISBURG, March 15, 1867. }

To the Senate and House of Representatives of the Commonwealth of Pennsylvania:

GENTLEMEN—I have approved and signed the following acts of the General Assembly, to wit:

On the 12th instant:

An act to repeal a certain act relative to the public roads in Mauch Chunk township, Carbon county, approved sixteenth day of March, Anno Domini one thousand eight hundred and sixty-six.

A supplement to an act to authorize the road commissioners of Freehold township to levy an additional tax, approved April seventeenth, Anno Domini one thousand eight hundred and sixty-six.

An act to provide for the election of burgess and town council of the borough of Danville, Montour county, Pennsylvania.

An act to incorporate the city of Allentown.

An act to vacate part of Woodpecker alley or Rising Sun lane, in the Twenty-first ward of the city of Philadelphia.

An act to incorporate the Lincoln steam fire hose company in the city of Philadelp a, and to authorize said company to erect a market house.

An act to extend the provisions of an act laying a tax on dogs in certain townships in the county of Chester, relative to elections in West Philadelphia, and to assessors in Millerstown, Perry county, approved the eleventh of March, one thousand eight hundre and fifty, so far as provides for the taxing of dogs, to the township of Londonderry, in the county of Chester.

A supplement to an act to incorporate the Montana gold and silver mining company, approved the twenty-third day of March, Anno Domini one thousand eight hundred and sixty-five.

An act to incorporate the Pacific Railroad gold mining company.

An act supplementary to an act incorporating the town of Lawrenceville into a borough, approved the thirteenth day of February, Anno Domini one thousand eight hundred and thirty-four.

An act relative to the payment of street and road damages in the county of Dauphin.

A supplement to an act to incorporate the Fidelity insurance, trust and safe deposit company of the city of Philadelphia, passed the twenty-second day of March, Anno Domini one thousand eight hundred and sixty-six.

A supplement to an act incorporating the Hollidaysburg and Altoona plank road company

An act repealing an act relative to the coroner of Armstrong county.

An act to extend the provisions of an act entitled An act relative to mechanics' liens, in the counties of Luzerne and Schuylkill, approved February 17th, Anno Domini one thousand eight hundred and fifty-eight, to the county of Northumberland.

An act to correct an act to incorporate the Williamsport hall and market company, approved April 20th, 1866.

An act relating to courts of equity, in cases of partition, in the several counties comprising the Sixth Judicial district of Pennsylvania,

A further supplement to an act, passed the thirteenth day of March, one thousand eight hundred and sixty-two, to authorize the arrest of professional thieves, burglars, et cetera, in the city of Philadelphia.

An act relative to the pay of auditors in the county of Butler.

An act authorizing tender of money to be made after suit brought.

An act annexing the borough of Manchester to Allegheny city.

An act to extend the provisions of an act, entitled An act to require the register of wills, in and for Luzerne county, to record in a book or books, the appraisements, inventories and vendue lists of personal property, to the counties of Monroe and Carbon.

An act to incorporate the Spruce Grove lumber and land company.

An act to vacate parts of Railroad street in the borough of Pottsville.

A supplement to an act incorporating the borough of Jamestown, in the county of Mercer.

A further supplement to the borough of Easton, authorizing the town council of said borough to construct and provide public water works, and to authorize the election of water commissioners.

On the 13th instant:

Supplement to the act incorporating the borough of Doylestown, entitled An act authorizing the Governor to incorporate the Bristol steam tow-boat and navigation company, and for other purposes.

A supplement to an act to incorporate the Cresheim turnpike and bridge company, approved the sixteenth day of March, one thousand eight hundred and sixty-six.

An act relative to justices of the peace, burgesses and notaries public in the county of Lawrence.

An act to confirm the title of John Hanly to certain real estate in the city of Philadelphia.

A further supplement to an act to incorporate the city of Carbondale.

An act relative to the courts of oyer and terminer, general jail delivery and quarter sessions of the peace for the city and county of Philadelphia, and relative to the drawing of jurors in said city.

An act to vacate Fairview street, running west from Twenty-first street to Twenty second street, south of Spring Garden street, one hundred feet, in the city of Philadelphia.

An act authorizing and requiring the assessor of Caernarvon township, Berks county, to discharge the duties of constable.

A supplement to the act of March nineteen, one thousand eight hundred and sixty, making further provisions for the government of the city of Harrisburg.

An act to incorporate the Farmers' Union Mutual fire insurance company of Pennsylvania.

On 14th instant:

An act to increase the duties of the Citizens' association of Pennsylvania.

An act to authorize the owners of certain mills on the Delaware river, at Morrisville, to extend their wing dam.

An act limiting the provisions of a further supplement to the act incorporating the borough of Washington.

An act to incorporate the Pennsylvania society for the prevention of cruelty to animals.

An act relative to roads in the county of Franklin.

An act relating to a certain highway in the Twenty-second ward of the city of Philadelphia, requiring the removal of a toll house and gate in Germantown.

An act to authorize the school directors of the borough of Lock Haven, county of Clinton, to borrow money for building purposes.

An act authorizing the commissioners of Lycoming county to borrow money to build a new jail.

An act to authorize the election of four supervisors in the townships of Dover and Manchester, in the county of York, and South Strabane township, Washington county, and the township of Tinicum, in the county of Bucks.

An act to incorporate the Pine Creek bridge company.

An act to authorize the supervisors of West Branch and Pleasant Valley townships, Potter county, to levy an additional road tax.

An act to incorporate the Rouseville bridge company,

An act to repeal an act authorizing a public ferry over the Allegheny river in Warren county, approved April tenth, Anno Domini one thousand eight hundred and sixty-two.

An act to prohibit the sale of intoxicating drinks in the townships of Economy and Independence, in the county of Beaver.

An act for the better regulation of public halls and places of amusement in the cities of Philadelphia, Pittsburg and Allegheny.

An act to repeal an act to incorporate the Pine Creek bridge company, approved the 3d day of March, Anno Domini one thousand eight hundred and fifty-two.

An act to authorize the board of school directors of Venango City, Venango county, to borrow money.

A supplement to an act to entitle the stockholders of any railroad company incorporated by the laws of this Commonwealth, accepting this act, to one vote for each share of stock, approved the twentieth day of May, Anno Domini one thousand eight hundred and sixty-five, extending the same to bridge companies and hall associations.

An act to prohibit the entrapping, ensnaring or capturing of wild turkeys and partridges by any other means than shooting, in the county of Blair.

An act to repeal the fifth section of an act entitled An act relating to roads and bridges in certain townships in the county of Lawrence.

An act changing the time of holding the annual meeting and election of president, managers and treasurer of the Greenlane and Goshenhoppen turnpike road company, and the time for declaring the dividends of said company.

An act to amend an act and correct an er-

Daily Legislative Record.

FOR THE SESSION OF 1867.

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TERMS OF THE DAILY RECORD.

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GEO. BERGNER.

[CONTINUED FROM PAGE 640.]

for therein, entitled A supplement to an act entitled An act appointing commissioners to lay out and open a State road in the counties of Cameron and Potter, approved the twenty-first day of March, Anno Domini one thousand eight hundred and sixty-five, approved the fourth day of April, Anno Domini one thousand eight hundred and sixty-six.

A supplement to an act to incorporate the Titusville and Pithole plank road company, approved the second day of March, one thousand eight hundred and sixty-six.

An act to repeal an act authorizing the road commissioners of Sugar Grove township, Warren county, to levy additional road tax, approved February seventeenth, one thousand eight hundred and sixty-five.

A supplement to an act relative to road laws in East Bethlehem and East Pike Run townships, Washington county, extending the same to Cecil township, said county.

A supplement to an act to incorporate the White Deer bridge company, approved the twenty-third day of March, Anno Domini one thousand eight hundred and forty-nine.

An act providing for the election of an additional supervisor in Penn township, Westmoreland county.

An act authorizing the supervisors of Blythe and Norwegian townships, Schuylkill county, to make and repair the public roads, bridges and culverts in said townships.

An act to levy an additional tax in Sheffield township, Warren county, for bounty purposes.

An act relative to the fees of certain township and county officers in the county of Beaver.

An act authorizing William S. Zeigler to act as justice of the peace in the borough of Butler, Butler county, while residing outside the limits of said borough.

A supplement to an act in relation to the payment of bounties to volunteers from the township of Farmington, Tioga county, during the late rebellion.

An act to confirm the title to a certain lot of ground in the Twentieth ward of the city of Philadelphia.

An act authorizing the supervisors of Ulysses township to levy a tax to refund to Perry Lewis, in said township, the sum of five hundred dollars, it being for money advanced as bounty to volunteers.

An act to prevent the hunting of deer with dogs in the county of Wyoming.

An act relative to the costs and fees of criminal cases in Carbon county.

An act increasing the fees of justices of the peace, road commissioners, auditors and constables, in the counties of Bradford, Wyoming and Susquehanna.

An act to authorize the Governor to appoint five additional notaries public for the city of Philadelphia.

An act legalizing the action of the burgess and town council of the borough of Montrose, Susquehanna county, and to fix the limits of said borough.

An act to repeal an act to amend the road laws of Montgomery county, passed March fifteenth, Anno Domini one thousand eight hundred and fifty-nine.

A supplement to an act in relation to huckstering in the counties of Badford, Cumberland, Franklin, Fulton and York, approved the eighteenth day of May, Anno Domini one thousand eight hundred and sixty-six.

An act authorizing the supervisors of Green township, in the county of Mercer, to collect a tax and pay certain bounties and refund money advanced to pay bounties.

An act to divide the Twenty-first ward, in the city of Philadelphia, into two wards, and to create a new ward to be called the Twenty-eighth ward.

On the 15th instant:

An act providing for the compensation of the commissioners of Northampton county.

An act to incorporate the Empire hook and ladder company, number one, of Altoona, Blair county.

On the 14th instant.

Joint resolution to pay the expense of the inauguration of Governor Geary.

JOHN W. GEARY.

Laid on the table.

The Deputy Secretary also presented a message from the Governor, which was read as follows:

EXECUTIVE CHAMBER,
HARRISBURG, Pa., March 15, 1867.

To the Senate and House of Representatives of the Commonwealth of Pennsylvania:

GENTLEMEN—Herewith is returned to the House of Representatives, in which it originated, bill No. 415, entitled An act giving to the town council of the borough of Mauch Chunk the right to make and build drains, sewers and sluices in said borough, with my objections to the same.

This bill proposes to confer on the town council of Mauch Chunk the right to make and build drains and sewers, and to enforce penalties in case of neglect or refusal, when the fact is the Legislature long since conferred these identical powers on the authorities of every town in the State.

The second section of the act regulating boroughs, approved April 3d, 1851, gives all the powers here asked for, and more; and the thirty third section of the same act prescribes the mode by which all boroughs previously incorporated can have all the powers and authorities of the general law conferred upon them, on application to the court of quarter sessions of the county.

The ninth section of the eleventh article of the Constitution declares that "no bill shall be passed by the Legislature granting any powers or privileges, in any case, where authority to grant such powers or privileges has been, or may hereafter be, conferred upon the courts of this Commonwealth."

The Legislature has long since conferred upon the courts the right to authorize borough authorities "to make and build drains and sewers," and hence, under the Constitution, the Legislature has now no power to confer such rights or privileges, and should not attempt it. Regarding this clause of the Constitution as obligatory as any other, it must be maintained inviolate. I have heretofore returned to the House, without my approval, so many bills substantially like this one, I had hoped no more of this character would be presented for my signature, and do not deem it necessary to again reiterate my objections to this class of legislation.

JNO. W. GEARY.

MESSAGE FROM THE SENATE.

The Clerk of the Senate being introduced, presented for concurrence joint resolution numbered and entitled as follows, viz:

Senate bill No. 1020, joint resolution in regard to the disappearance and probable murder of Noah H. Zook and Abraham H. Zook, citizens of Pennsylvania.

He also informed that the Senate has concurred in the amendments made by the House of Representatives to Senate bills numbered and entitled as follows:

Senate bill No. 125, an act to attach certain lands and tenements in Bedford township, Bedford county, and the persons residing thereon, to Bedford borough, for school purposes.

Senate bill No. 238, an act to incorporate the Northern railroad and navigation company.

Senate bill No. 304, an act to incorporate the Atlantic brick manufacturing company.

Senate bill No. 507, an act relative to courts in Lehigh county.

Senate bill No. 511, a supplement to an act to increase the compensation of the county commissioners, auditors, jurors, assessors, witnesses and supervisors of Indiana county, and to authorize the collection of road taxes in Burrell township, in said county, in money.

Senate bill No. 579, an act regulating the salary of the treasurer of Lehigh county.

Senate bill No. 800, an act to incorporate the National Homestead at Gettysburg.

He also informed that the Senate has non-concurred in the amendments made by the House of Representatives to Senate bill numbered and entitled as follows:

Senate bill No. 276, a supplement to an act to authorize the school directors of the borough of West Greenville, in Mercer county, to borrow money to erect a public school house in said borough.

The Clerk of the Senate being introduced, presented for concurrence bills numbered and entitled as follows, viz:

Senate bill No. 810, an act to incorporate the Lebanon Valley college.

Senate bill No. 825, an act to provide for the discharge of trustees and other fiduciaries under physical or mental disabilities.

He also informed that the Senate has concurred in the amendments made by the House of Representatives to

Senate bill No. 402, entitled An act to extend the time for receiving subscriptions to the capital stock of the Erie Dime Savings and Loan company, and to amend the act incorporating said company.

The Clerk of the Senate being introduced, presented for concurrence bills numbered and entitled as follows, viz:

Senate bill No 605, a supplement to an act for the better preservation of game and insectivorous birds, approved the 21st day of April, 1858.

Senate bill No. 1015, an act to enable the Philadelphia Commercial wharf and railroad company to issue bonds, and to secure the payment of the same by mortgage, to extend the time for the construction of their railroad connections, and to increase the number of directors.

He also informed that the Senate has non concurred in the amendments made by the House of Representatives to Senate bills numbered and entitled as follows:

Senate bill No. 808, a supplement to the act incorporating the Colebrookdale railroad company, approved the 23d day of March, A. D. 1865.

SPEAKER'S TABLE.

The SPEAKER cleared his table of bills numbered and entitled as follows, viz:

Senate bill No. 605, a supplement to an act for the better preservation of game and insectivorous birds, approved the 21st day of April, 1858.

Referred to the Committee on Agriculture.

Senate bill No. 810, an act to incorporate Lebanon Valley college.

Referred to the Committee on Corporations.

Senate bill No. 825, an act to provide for the discharge of trustees and other fiduciaries under physical or mental disabilities.

Referred to the Committee on the Judiciary General.

Senate bill No. 1015, an act to enable the Philadelphia Commercial wharf and railroad company to issue bonds, and to secure the payment of the same by mortgage, to extend the time for the construction of their railroad connections, and to increase the number of directors.

Referred to the Committee on Railroads.

Senate bill No. 1020, joint resolution in regard to the disappearance and probable murder of Noah H. Zook and Abraham H. Zook, citizens of Pennsylvania.

Referred to the Committee on Ways and Means.

He also laid before the House Senate bills returned to the Senate with amendments, and non-concurred in by that body, as follows:

Senate bill No. 376, a supplement to an act to authorize the school directors of the borough of West Greenville, in Mercer county, to borrow money to erect a public school house in said borough.

Senate bill No. 808, a supplement to the act incorporating the Colebrookdale railroad company, approved the 23d day of March, A. D. 1865.

On motion,

The House receded from the amendments to said bills; and

Ordered, That the Clerk inform the Senate of the same.

The hour of one o'clock having arrived, the SPEAKER adjourned the House until next Monday evening at 7½ o'clock.

SENATE.

MONDAY, March 18, 1867.

The Senate met and was called to order at 7½ o'clock, P. M., by the SPEAKER.

Prayer was offered by the Rev. Mr. Bailey.

On motion of Mr. CONNELL, the reading of the Journal of Friday was dispensed with.

SPEAKER'S TABLE.

The SPEAKER laid before the Senate the annual statement of the Philadelphia and Reading railroad company.

Laid on the table.

PERSONAL EXPLANATION.

Mr. FISHER. Mr. Speaker, I rise to a privileged question. A story, sir, has been freely circulated about these halls, and throughout this city, prejudicial to my character. At first I was disposed to pay no attention to it, knowing, sir, that a lie might prevail for some time, but truth was sure in the end to overtake it. But it has assumed such a form, and has acquired such a magnitude, that I feel that I owe it to myself, to my family, to my constituents, and to the Commonwealth, to ask for an investigation—to ask the privilege of stamping it as a bold, bald-faced lie, as it deserves. It is alleged, sir, that on Monday night last, a Senator—a radical Senator—insulted a lady in this town, and was caned by the indignant father. That, sir, is a general charge; it might apply to any Senator here. But, sir, from some cause unknown to me, it has been laid at my door. I deny the thing from beginning to end; there is not a word of truth in the statement, and I hold myself responsible and stamp it—as it deserves to be stamped—as a malignant falsehood. The paper that made the charge may have been actuated by political motives purely. I will not stop now to inquire what was its motive, but simply say that, so far as it refers to me, it is false in every particular. I did not design to pay any attention to the matter until it found its way into the papers of my own county; and I beg leave to read from the Lancaster *Intelligencer* of Friday evening last the following statement:

A SPECIMEN STATESMAN.—The Harrisburg *Patriot and Union* of yesterday has the following:

"On Monday night last a Radical State Senator, it is alleged, made indecent proposals to the respectable daughter of one of our citizens, and was shortly after severely caned by the indignant father. More 'God and Morality'—after the Radical fashion."

The Lancaster paper—a Democratic paper, published in Lancaster—comments upon what I have just read as follows:

"We have been informed by a loyal and perfectly responsible party that the Senator alluded to is a military man of renown, well known to the Republicans of Lancaster county, and that there is nothing fishy about the story."

That, sir, was calculated to fix this story upon me, and was so accepted by our citizens. I went to Philadelphia on Friday afternoon last, and on return home, passing through Lancaster on Saturday, my attention was called to this article, and I at the time stated there was no foundation in fact for the story. I went home and immediately called upon a loyal friend of mine, living in the place, of Democratic principles, and asked him whether he had seen the article. He told me he had. I said it was false in every word, and that having taken the shape it now had, it became necessary for me to vindicate myself on account of justice, and told him that I wished to retain him as my counsel. I did that, first, because he was a Democrat; second, because he was a lawyer of good standing; third, because he was a friend of mine. On Saturday evening the same paper published the following. After copying an article from the *Examiner*, in which they demand an investigation, it says:

"The *Examiner* is right. The allegation is one which demands investigation. If it be true that one of our Senators has so disgraced himself he should be summarily expelled from the Senate. By all means let us have an investigation of the matter—no sham concern like that gotten up to whitewash Simon Cameron—but an honest and impartial investigation. We hope the Rev. Landon, or some other shining light in the 'God and morality party,' will take the matter in hand at once."

So much for that. Now for an extract from a Republican paper:

"SENATORIAL SCANDAL.—Harrisburg is so famous for 'fast' affairs that an ordinary scandal there generally fails to create a sensation. But the following paragraph, which appeared in the Harrisburg Copperhead organ of Thursday, seems to be an exception to the general rule:

'On Monday night last, a Radical State Senator, it is alleged, made indecent proposals to the respectable daughter of one of our citizens, and was shortly after severely caned by the indignant father. More God and morality—after the Radical fashion.'

"Other reports explain the affair by saying that the Senator, accompanied by a military friend, 'was drunk and got into the wrong house.' The general impression seems to have obtained that the only thing extraordinary about the affair is that their nocturnal 'skylarking' should have so bunglingly miscarried as to have resulted in a caning and exposure! As the matter now stands, the Senator, his colleagues and his constituents have been publicly disgraced, and it is understood that the Senate are about to make the vindication as public and thorough as the disgrace itself. If the facts be as represented, this is the least the public have a right to demand. The plea of drunkenness in one entrusted with such responsible duties by a confiding constituency, is no better than the offense which it is offered to excuse."

Now, sir, I deny both charges. I say—the paternity of this thing having been fixed on me—I say that it is maliciously and intentionally false; and so far as the charge of drunkenness is concerned, I brand it in the same way. They are both false—the one as false as the other, and both as false as hell. I now, sir, demand of this Senate an investigation of the matter, and I ask you and this Senate to appoint a committee of investigation, and for fear it be a "white washing" affair, I ask you that it be a committee of Democrats. And, sir, if there be any Senators here that have aught against me, and know anything against my character, I ask that they be placed on the committee. I desire the deepest and the most rigid scrutiny into this matter that can be got at here. I have lived fifty odd years, without blemish upon my character, and I am not willing to be branded as a villain, as these papers have endeavored to do. I, therefore, respectfully ask that a committee of investigation be appointed, and if I do not come out unscathed amid the fiery trial to which my family have been subjected, then, sir, I am willing to be expelled from this body. I ask this committee, and hope they may be Democrats, so that we may escape the charge of "white washing."

The SPEAKER. The gentleman will please draw up a resolution to that effect.

Mr. FISHER. I hope some Senator will offer the resolution.

REPORTS FROM COMMITTEES.

Mr. HAINES, from the Committee on Finance, reported, as committed, a bill entitled An act to extend the time for the payment of the enrollment tax on the National silver mining company.

Mr. GLATZ, from the Committee on Corporations, as committed, a bill entitled An act supplementary to an act to incorporate the Matawanna mining and exploring company, approved March 24, 1865.

Also (same), as committed, a bill entitled An act supplementary to an act to incorporate the Aughwic mining and exploring company, approved April 20th, 1866.

Mr. RIDGWAY (same), as committed, a bill entitled an act to incorporate the Clearfield front and hotel company.

BILLS IN PLACE.

Mr. CONNELL read in place and presented to the Chair a bill entitled An act to extend the time of the enrollment tax upon an act to incorporate the Eastern telegraph company, approved April 5th, 1866.

Referred to the Committee on Finance.

Also, a bill entitled an act to incorporate the Philadelphia woollen machine works.

Referred to the Committee on Corporations.

Mr. BIGHAM, a bill entitled An act relative to the claims of James Digmem, of Allegheny county.

Referred to the Committee on Finance.

Also, a bill entitled A supplement to the charter of the Pittsburg gas company, approved January thirty-first, eighteen hundred and sixty, authorizing taxes to be charged the consumers of gas.

Referred to the Committee on the Judiciary Local.

Also, a bill entitled An act to incorporate the Pittsburg and Sinabod mining company.

Referred to the Committee on Corporations.

Also, a bill entitled An act to incorporate the Citizens' ferry company of Pittsburg.

Referred to the Committee on Canals and Inland Navigation.

Also, a bill entitled An act to incorporate the Union passenger railway company of Pittsburg.

Referred to the Committee on Railroads.

Mr. WHITE, a bill entitled Joint resolutions relative to the revising, collecting and registering of the tax laws of Pennsylvania.

Referred to the Committee on the Judiciary Local.

Also, a bill entitled An act to authorize and empower William Howe to erect and maintain at Two Lick creek, in Cherryhill township, Indiana county, at his mills on said creek, a boon for saw logs.

Referred to the Committee on Canals and Inland Navigation.

Mr. HAINES, a bill entitled An act authorizing the school directors of Lack township, in the county of Juniata, to levy a tax sufficient to refund certain persons commutation paid in the year 1863 and 1864.

Referred to the Committee on the Judiciary Local.

Also, a bill entitled A supplement to the act to incorporate sundry Baptist churches in Cambria, Blair, Huntingdon, Mifflin, Juniata and Centre counties, called the Centre Association of Independent or Regular Baptist churches, approved April 11th, A. D. 1866, changing the time for the election of trustees, and also the meeting of said trustees.

Referred to the Committee on Corporations.

Also, a bill entitled An act to prohibit the issuing of licenses within the township of Tuscarora, in the county of Juniata.

Referred to the Committee on Vice and Immorality.

Also, a bill entitled An act to prohibit the issuing of licenses within the township of Buffalo, in the county of Perry.

Referred to the Committee on Vice and Immorality.

Also, a bill entitled An act repealing an act entitled An act relating to roads in Bratton township, Mifflin county, approved May 1st, 1861.

Referred to the Committee on Roads and Bridges.

Mr. JAMES, a bill entitled An act authorizing the Hartsville and Centreville turnpike road company to issue preferred stock.

Referred to the Committee on the Judiciary Local.

Mr. SHOEMAKER, a bill entitled An act authorizing the town council of the borough of Hazleton, in Luzerne county, to borrow money.

Referred to the Committee on the Judiciary Local.

Mr. FISHER, a bill entitled An act to reduce the capital of the Six Mile Run coal company.

Referred to the Committee on Corporations.

Also, a bill entitled An act to authorize John Ashton and wife to sell interest and real estate, and invest the proceeds in other real estate, or in State or United States loans.

Referred to the Committee on Estates and Escheats.

Mr. TAYLOR, a bill entitled An act to incorporate the Allegheny and Oil Creek tubing company.

Referred to the Committee on Corporations.

Mr. DAVIS, a bill entitled an Act to incorporate the Neversink insurance company of Berks county.

Referred to the Committee on Corporations.

Mr. WALLS, a bill entitled A supplement to an act to incorporate the city of Williamsport.

Referred to the Committee on Corporations.

Mr. LOWRY, a bill entitled An act to incorporate the Conneautville Savings Bank.

Referred to the Committee on Banks.

Mr. CONNELL, a bill entitled An act to incorporate the Review printing house company of Philadelphia.

Referred to the Committee on Corporations.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

The Clerk of the House of Representatives being introduced, presented for concurrence bills numbered and entitled as follows:

No. 370, an act relating to the publication of the decisions of the Supreme Court.

Referred to the Committee on the Judiciary Local.

No. 626, an act to change the venue in the case of John M'Farland vs. Joseph Shoemaker from the court of common pleas of Northumberland county to the court of common pleas of Union county.

Referred to the Committee on the Judiciary Local.

No. 704, an act to incorporate the National iron company.

Referred to the Committee on Corporations.

No. 734, an act to authorize and require the school directors of Antrim township, in the county of Franklin, to refund to Joseph Snively and Jacob Shank certain moneys advanced said township for bounty purposes, and to appropriate the balance of bounty funds in the hands of the treasurer to school purposes.

Referred to the Committee on Education.

No. 757, an act to incorporate the Mutual Steam navigation company.

Referred to the Committee on Corporations.

No. 759, an act to incorporate the Felton house company at Thurlow, in the county of Delaware.

Referred to the Committee on the Judiciary Local.

No. 769, an act to incorporate the Philadelphia and Bridgeport steamboat company.

Referred to the Committee on Corporations.

No. 770, an act to incorporate the grand encampment of the Order of Soldiers' and Sailors' of the war of 1861 of the State of Pennsylvania.

Referred to the Committee on Corporations.

No. 771, an act to incorporate the Oil City brewing company.

Referred to the Committee on Corporations.

No. 775, an act to incorporate the Penn Mutual fire insurance company of Chester county.

Referred to the Committee on Corporations.

No. 778, an act in relation to fishing in the stream known as Antietam or any of its branches, in the county of Franklin.

Referred to the Committee on Canals and Inland Navigation.

No. 783, an act to extend the provisions of an act to prevent cattle, horses, sheep and hogs from running at large in Delaware county, to the county of Crawford and to West Donegal township, Lancaster county.

Referred to the Committee on Agriculture and Domestic Manufactures.

No. 786, an act to authorize John F. Satterlee to erect an eel weir in the Susquehanna river, in Susquehanna township, Bradford county.

Referred to the Committee on Canals and Inland Navigation.

No. 788, an act to prevent the fishing with nets, seines and basket, in the waters of Big Fishing creek and its tributaries, in the counties of Columbia and Luzerne.

Referred to the Committee on Canals and Inland Navigation.

No. 790, an act in relation to fishing and hunting in the township of Jefferson, in the county of Somerset.

Referred to the Committee on Agriculture and Domestic Manufactures.

No. 793, an act for the protection and preservation of fish within the county of Berks.

Referred to the Committee on Agriculture and Domestic Manufactures.

No. 794, a supplement to an act for the better preservation of game within the county of Schuylkill, approved the 11th day of April, A. D. 1866.

Referred to the Committee on Agriculture and Domestic Manufactures.

No. 798, an act to extend the provisions of an act to prohibit the granting of licenses to sell intoxicating drinks within the county of Potter, approved April 11, A. D. 1866, to the county of Wyoming.

Referred to the Committee on Vice and Immorality.

No. 799, an act relating to public printing in the county of Juniata.

Referred to the Committee on the Judiciary Local.

No. 832, an act to divide the township of Chapman, in the county of Clinton, into two election districts.

Referred to the Committee on Election Districts.

No. 835, an act supplementary to an act to enable the administrators of the Hon. James T. Hale, late of Centre county, de-

ceased, to sell real estate, passed the 11th day of April, A. D. 1866.

Referred to the Committee on the Judiciary Local.

No. 872, a further supplement to an act to provide for the erection of a poor house in Clarion county, approved 21st day of March, 1865.

Referred to the Committee on the Judiciary Local.

No. 874, an act to authorize Lebrecht Traeger, a justice of the peace, to remove his office into the First ward of the borough of York.

Referred to the Committee on the Judiciary Local.

No. 875, an act dividing the Twenty-fourth ward of the city of Philadelphia into two assessment districts, and for the appointment of two additional assessors.

Referred to the Committee on the Judiciary Local.

No. 881, a supplement to an act relating to the lien of mechanics and others upon buildings, extending it to the county of Dauphin.

Referred to the Committee on the Judiciary Local.

No. 882, an act authorizing the return to the commissioners of Potter county, for collection, of certain duplicate of taxes, and to fix the time when said duplicates shall hereafter be returned.

Referred to the Committee on the Judiciary Local.

No. 883, an act to validate the acts of C. W. Case, late justice of the peace for Jackson township, Luzerne county.

Referred to the Committee on the Judiciary Local.

No. 884, a supplement to an act authorizing the commissioners of Northampton county to purchase a law library, approved 12th day of March, A. D. 1866.

Referred to the Committee on the Judiciary Local.

No. 886, an act relating to the sale of lands by the commissioners of Cambria county.

Referred to the Committee on the Judiciary Local.

No. 887, an act to relieve money at interest from taxation for local purposes in the county of Lawrence.

Referred to the Committee on the Judiciary Local.

No. 889, an act amendatory of an act to increase the salary of the inspectors of the Lancaster county prison, passed 27th day of March, A. D. 1866.

Referred to the Committee on the Judiciary Local.

No. 890, a supplement to an act to authorize the construction of a bridge over Oil creek, at or near the Old Furnace dam, on the Hason farm, in the county of Venango.

Referred to the Committee on Roads and Bridges.

No. 893, an act legalizing the acts of the York Building association, No. 2, and the York Building association, No. 3, of the borough of York, in the county of York.

Referred to the Committee on the Judiciary Local.

No. 898, an act requiring the commissioners of Northampton county to apply for and obtain copies of standards.

Referred to the Committee on the Judiciary Local.

No. 901, an act relating to public prisons in Allegheny county.

Referred to the Committee on the Judiciary Local.

No. 902, an act to fix the number of jurors in cases of partition to the courts of Beaver, Bradford, Lawrence, Perry, Potter, Somerset, Franklin, Erie, Delaware, Lebanon, Westmoreland, Butler Northampton, Wyoming, Armstrong, Philadelphia, Crawford and Tioga counties.

Referred to the Committee on the Judiciary Local.

No. 903, an act for the protection of owners of wharves or landings in the borough of Venango City, county of Venango.

Referred to the Committee on the Judiciary Local.

No. 904, an act to authorize the increase of pay of supervisors and other township officers in the township of Bethlehem, Northampton county.

Referred to the Committee on the Judiciary Local.

No. 909, an act changing the time of holding the annual meeting of the auditors of Jones township, Elk county, and regulating the term of office, and fixing the wages of the supervisors and other officers in said township.

Referred to the Committee on the Judiciary Local.

No. 812, an act to annul the marriage contract between John Schenck, of the State of New York, and Margaret Schenck, of Northumberland county.

Referred to the Committee on the Judiciary General.

No. 1117, an act supplementary to an act entitled An act to incorporate the Good Will fire engine company, No. 1, passed the 16th day of April, A. D. 1845, authorizing said company to issue stock.

Referred to the Committee on Corporations.

He also returned bills from the Senate numbered and entitled as follows, viz:

No. 40, an act to change the venue in the case of Jesse Chronister *versus* Howard Miller, George Hollinger and Daniel Harbolt from the court of common pleas of Adams county to the court of common pleas of Dauphin county.

No. 281, an act to vacating the old burial grounds in the borough of Sewickley, and removing the bodies therefrom,

With information that the House of Representatives passed the same without amendments.

Also returned bill from the Senate numbered and entitled as follows, viz:

No. 826, an act to prevent and punish prize fighting,

With information that the House of Representatives has passed the same with amendments, in which the concurrence of the Senate is requested.

Said amendments having been read,

Mr. M'CONAUGHY moved that the Senate concur in the first amendment and non-concur in the remaining amendments made by the House of Representatives to said bill.

He also informed that the House of Representatives has concurred in the amendments made by the Senate to bills from the House of Representatives numbered and entitled as follow, viz:

No. 249, an act to extend the provisions of the act, entitled An act relating to corporations for mechanical, manufacturing, mining and quarrying purposes, to fire insurance companies.

No. 356, an act relative to the election of school directors and supervisors of roads in the township of Allegheny, in the county of Armstrong.

No. 540, an act to increase the pay of the county auditors and the supervisors and township auditors of the several townships of Northumberland county.

No. 545, an act relating to fees of notaries public in the county of Erie.

No. 577, an act to incorporate the Philadelphia County Real Estate association.

No. 193, a supplement to an act appointing commissioners to lay out and open a State road in the counties of Potter and Clinton, approved the 16th day of March, A. D. 1865.

THE FREE RAILROAD LAW.

Mr. WHITE. Mr. Speaker, I rise to make a statement upon what may be called a privileged question. I hold in my hand, sir, a newspaper. It is a very respectable journal, published in the western part of this State. I do not often pay much attention to the attacks coming from newspapers. Almost every Senator upon this floor has, at different times, doubtless, been abused in the columns of a newspaper. I know I have, and I confess I am not peculiarly sensitive upon that subject; my skin has become somewhat rhinoceros-like from assaults of that kind. A man in public life must expect those things; notwithstanding, however, when a respectable and intelligently edited journal, of large circulation in the Commonwealth, in discussing a public question, to which the attention of the large majority of the people of this Commonwealth has been directed, misrepresents, whether willfully or by mistake, the action of some members of the legislative body in passing upon this question, it is due to those individuals themselves, as well as to cotemporaneous history, that the truth must be as publicly proclaimed as the misrepresentations have been made.

With this preface, I will remark that the paper which I hold is the Pittsburg *Commercial* of March 16th, 1867. A series of articles, relating to the same subject, have been published from time to time. I can only lay my hand upon one which involves the question that I speak of. I discover this article:

"The *Harrisburg Telegraph*, laboring in the interest of the monopoly, is doing its best to make it appear that the bogus free railroad law was passed by the votes of such Senators as BILLINGFELTZ, WHITE, BROWN, of Mercer, TAYLOR and others, who voted for it under the mistaken idea that it was best to do so, because it was "the best they could get." The fact is, the bill would have passed, and did pass the Senate without their votes. The Central had votes enough any way, and only wanted the votes of these Senators to divide the responsibility of killing the free principle. To make it appear that the Senators named were the means of passing the bogus bill is the labor of the Central managers now. It is, perhaps, what might have been expected, but it is not what in fairness is due. *The Telegraph may persist in this outrage; and the more it does it, will those who consented to follow the Solicitor into the snare realize the gravity of the mistake in not voting square, and at all times against the bill.*"

Mr. WHITE (resuming). Mr. Speaker, I am very sorry that, in this connection, I have not an issue of the paper of Friday last, which has a longer article, and dilates upon this branch of the subject. The matter which I wish to call the attention of the Senate to is the concluding paragraph in the article I have just read, saying that "the *Telegraph* may persist in this outrage; and the more it does it, will those who consented to follow the solicitor into the snare realize the gravity of the mistake in not voting square, and at all times against the bill."

Now, Mr. Speaker, the solicitor there doubtless refers to yourself. The persons who followed the solicitor into the *snare* are the persons who sought, from time to time, during the progress of the discussion of the bill, to amend it, as they thought the interests of the times and public necessities required. The intimation is that you were a knave, and that other gentlemen referred to were fools. I am not prepared to consent, Mr. Speaker, to the declaration, unanswered, that the presiding officer of this dignified body, the Senate of Pennsylvania, is a knave.

You know, doubtless, in your own heart, whether you are or not. I think, however, that if no stronger evidence of your knavery exists in the history of your life than that to be found during the progress of the discussion upon this bill, you would be very easily acquitted of that charge. And as to the question whether the rest of us here are fools or not, that is a question which, if submitted to our judgments, respectively, would not find an affirmative answer; and I am certain that our constituents do not wish to pronounce a verdict of that kind upon us, because, in doing so, that would reflect upon their own intelligence in making the selections they have.

But, Mr. Speaker, this is no idle newspaper twaddle, and in attending to it and dignifying it by bringing it to the attention of this body, I feel that I perform a duty due to my brethren and myself. I know, against some of us, that paper is not prompted by any personal, malignant motives. That paper has always treated me kindly whenever it had occasion to speak of me publicly. I believe that it has not treated you in that way; and in speaking of this, I would not attempt to trammel the press. I do not question the right of the editor of that paper to exercise his peculiar abilities in journalism, by calling the attention of the public to unfaithful public officers. The freedom of the press in this country is one of the securities for our institutions.

It was a bright day in the progress of liberty when the press became free. So long controlled by a crushing despotism, an intelligent and faithful press is now the ever vigilant sentinel upon the watch towers of liberal institutions everywhere. Nourishing a healthy public sentiment, it is most potential for good. Misdirecting and falsely educating the public sentiment, it is most potential for evil. It is the boast of this great Government that we have a free press. I thank God for it. I trust it may long so remain. Through it the representative is brought closer to his constituents, and subjected to the closest scrutiny, thus securing that immediate and certain accountability so in accord with the theory of our Government. Sir, in English history we read of periods of tyranny and venality. Parliaments were intimidated, reprimanded and sent to the Tower, that the members might meditate upon their unduitful conduct in daring to speak harshly of an executive administration. Criticism on public affairs was instantly visited with severest punishment. To oppose the court was to encounter serious danger. This was succeeded by a period of venality and corruption, when a market for votes at the treasury was as certain as a market of cattle in Smithfield. Jeffries soiled the ermine and demanded money for the lives of unhappy prisoners before him. During such a period the day of freedom for the press had not dawned. The tongue of criticism was silent. The Senator stood in awe of the court and the private citizen would not dare to utter aught against those in authority.

But, sir, a brighter day soon dawned. The press, intelligent, enlightened, renewed, regenerated and disenthralled, rose to the full height of freedom, and began to educate and govern the world. Thank God to-day for this free press. The government and the governed are brought closer together. Everything is published; everything is discussed; all legislative debates are read by millions of people on the morrow. The faithful public servant is commended. The apostate is execrated. Sir, the press is a mighty lever in the political power of this country. It is well, sir, this is so. I would not have it otherwise, and under this great influence, I trust we may rapidly advance to fulfill our great destiny as a nation.

But, sir, while I rejoice in the freedom of the press, and am ever ready to protect its just rights, I am not insensible to the rights of private character. The reputation of the individual, yea, indeed, the history which the individual has made, have rights ever to be respected and carefully guarded; and it is meet and proper that frank, candid men should come to the rescue, and bear proper testimony in behalf of individual reputation, and the correctness of history, even against the press, when misconceptions and misrepresentations make it necessary. And now, sir, here upon my responsibility as a Senator, calmly and dispassionately, with the kindest feeling towards the editor of the Pittsburg *Commercial*, I declare that he has dealt unfairly with many Senators in connection with the discussion and final passage of the free railroad bill.

Mr. Speaker, I am no special defender of yours upon this floor. You are abundantly able yourself for that task. But to my mind it is disingenuous and untrue, in criticizing your action on this bill, to charge you with playing the knave. If you played the knave and took part insincerely in the discussions on the free railroad bill, you succeeded in most earnestly and persistently in keeping with what, I think, very good company; and, sir, I freely say, so far as the discussions in this body will show, you appear to have stood fast with those whose friendship for a most liberal and free railroad law has never been doubted.

In the discussion from the beginning to the end you voted steadily with my brethren and myself, whose position on this question has always been well understood. Now, sir, possibly it may be well to briefly refer to the history of this matter and let it go upon the *Record*, so that there can be no misunderstanding.

Last session the free railroad question was much agitated, and long before the present session was begun it was well known that its discussions would occupy much of our attention. In many places in the Commonwealth it was an element in the last political campaign. Senators and members were nominated and elected with a view to this question. I am glad, sir, this was so.

Whether the general principle would be conceded—the right of capital and enterprise to organize into railroad companies, without being compelled to await for the delays of previous legislation—was doubtful, but the earnest, genuine friends of a free railroad determined the effort should be made. The very competent and intelligent senior Senator from Allegheny [Mr. BIGHAM] in due time prepared a bill, read it in place, and it soon developed who in this Chamber were its friends? I, myself, always thought the proper way to meet the question, and most surely accomplish the desired result, was a brief and comprehensive supplement to general railroad law of 1849. All that was wanted to this was the authority to organize under it companies without encountering the difficulties, delays, and, indeed, often denial of enabling previous legislation.

It was not prudent, however, for co-laborers in a common purpose to differ too much as to details among themselves. Those who all along had been unwavering in their support of the free principle, rallied around what is known as the Bigham bill. I can look around this chamber and recognize as co-laborers from the first my brethren, Messrs. BILLINGFELT, of Lancaster, BROWNE, of Lawrence, BROWN, of Mercer, COWLES, COLEMAN, DAVIS, GRAHAM, LOWRY, TAYLOR, WALLACE and Mr. HALL, Speaker; and of course Mr. BIGHAM, who was the author of the bill.—The bill went to the Railroad Committee; it came out with those odious additions which have been so much complained of and commented on.

The contest on the bill in open Senate soon came on. Our discussions were protracted, and efforts earnest to divest the bill of the objectionable amendments it received in the committee. You can, sir, well remember our three sessions a day. Amendment after amendment offered. Senator BIGHAM tried to amend. The Senator from Mercer, Mr. BROWN, the Senator from Erie, Mr. LOWRY, and others, made efforts in vain to amend. I think I, myself, offered some six or eight amendments, not one of which prevailed. Then the final contest was approaching; and sir, on this question there was among us some difference of opinion. Some thought it most prudent to vote against the bill ultimately—others dissented from this. Almost all, however, who favored amendments, preferred the bill should pass, rather than none at all. It was part of the victory won, and we would fight on step by step until the full measure of this great necessity was accomplished. I was always positive and candid that I should ultimately vote for the bill, because it was an approach in the right direction. Why, sir, last winter, in this chamber, when a free railroad law was spoken of, it had no approach to success. We could not even get the question out of committee and properly before the Senate. But, sir, since then, the people have uttered their potential voice. That "competition is the life of trade," is fully appreciated by them, and it is discovered there is a great ground swell in favor of freedom to enterprise and against monopoly. Trade and commerce in the State must be allowed to regulate themselves. Appreciating this almost unanimous demand, the concession was made by the bill that companies could organize without asking the consent of any monopoly for the privilege of an act of Assembly. And, sir, because the bill in question recognizes this fundamental principle, I avowed my determination to vote for it, that it might become a law. This would be an advance, and holding the ground already gained, we should press steadily on until the full measure of progress was gained. Sir, it is no part of statesmanship to refuse making any progress to reform, because all desired could not be at once achieved. Why, sir, if this bill becomes a law, and during the coming season capital and enterprise will not organize under it, this will strengthen our arguments next year to commence our fight from a new stand-point, entrenched behind the free principle itself—the point of attack will be, from the first, the restrictive features. After the adjournment no special charters can be asked for—hence cannot be refused—and enterprise, therefore, will not be restrained by this bill during the summer.

Coming, then, to the next Legislature, the advocates of the fullest freedom to enterprise (one of whom I have always been) will be stimulated and strengthened to renewed efforts, and made more powerful for good results, should capital and enterprise refuse all investments under this bill. But, sir, I will not here argue this question. I gave my reasons at length when the final vote was taken on this bill, as did also most of my co-laborers.

But sir, as I remarked before, because this bill recognizes the first principle of a free railroad bill, I determined to vote for it as a measure of progress. And in our final consultations, most of us agreed; but it was thought most prudent that the bill should not have the prestige of passing unanimously. Indeed, in our conversations, my good friend, the Senator from Erie [Mr. LOWRY], who

may be considered the Ajax Telamon of the free railroad principle, agreed the bill ought to pass rather than none; he can correct me if I am in error. So also my friend, the Senator from Allegheny [Mr. BIGHAM], thought the bill ought to pass, but not unanimously. My friends all around me felt as I did about this matter—the Senator from Lancaster [Mr. BILLINGFELT], from Lebanon [Mr. COLEMAN], from Mercer [Mr. BROWN], from Beaver [Mr. TAYLOR], and others. Sir, in my duties here I try to be practical as far as possible, and when I voted for this bill on its final passage, I but pursued a consistent, practical course. Yet the journal in question persistently asserts that those who voted for the bill followed the solicitor into a snare. Sir, if you attempted to influence any gentleman with whom you voted in its several stages, you did not, so far as I know, attempt to influence any on its final passage. Followed the solicitor into a snare, indeed! Sir, the writer of this article was not here to witness the contest in this bill, or he would not have so written; and I cannot understand why this journal so persistently misrepresents the course and motives of those who have given quite as strong evidence of devotion to the free railroad principle, and here, in my place in the Senate, I denounce it as unkind and unfair. Followed the solicitor into a snare! Sir, we all here are responsible immediately to our constituents. I take the credit to myself of having aided to educate my people up to their measure of anxiety on this question; and what I did all through the progress of this bill I would do again if it were an original question now before the Senate. I think I am right, and it is due to the history of the proceedings on this question of so much public interest that the record of those who were earnest in its support should not be misrepresented.

Mr. LOWRY. Mr. Speaker, I voted against the general railroad law for the reasons that I gave at the time. I voted against it because its title told a lie. It was, sir, a serious question whether Senators should vote against this bill. It was a question with those who had stood out against it all through, and voted for the different amendments to modify it, whether they should vote against it in a mass, or whether they should vote for it. I believed it to be my duty to vote against it, and I came very near voting alone. I very well recollect that the Senator from Allegheny [Mr. BIGHAM] himself hesitated as to how he should vote. I am sorry that these Pittsburg gentlemen cannot understand this question—that they do not comprehend that Senators voted to amend the bill as best they could; and when they could not amend it, they then took it as it was, rather than take nothing.

I, sir, preferred taking nothing to voting for that bill; and I will say, while I am up, that I would not vote to-morrow for the bill reported by the Senator from Allegheny. It is not a free railroad law. The only free bill that has ever been offered in either branch has been offered by me. That, sir, was a free railroad law, and asked persons to come in and enjoy its provisions. That is the law that Pennsylvania will have, and she will accept no more and no less. She will send men to these halls that will have that law. The general railroad law in Pennsylvania is a good law, and all our railroads have been built under it; and we must not exact conditions from those poor railroads that we would not from powerful corporations. Why not grant to our younger and feebler children the same law that the stronger ones of the family enjoy? You, sir, Mr. Speaker, voted as you did vote from conscientious motives. You, sir, are a repentant man upon this question, and I thank God for it. You, sir, saw the error of your ways, and you turned from wickedness to righteousness, and now you are abused for the act.

Mr. LANDON. Mr. Speaker, I do not wish to interrupt the Senator, but merely wish to ask what the subject is before the Senate.

Mr. LOWRY. We are discussing the bill, Mr. Speaker, that the Senator from Bradford [Mr. LANDON] attempted to pass off in this country as a free railroad law.

Mr. LANDON. Well, sir, I suggest then if we are discussing this bill, to reconsider the vote by which it was passed—yeas 27, nays 4—and take another vote upon it and make it entirely unanimous.

Mr. LOWRY. You cannot do that while I am here.

Mr. TAYLOR. Mr. Speaker, I do not propose to make any speech upon this subject at all. I am perfectly willing, sir, to stand or fall before my constituents by the record that I have made for myself during the discussion on this question, no matter what the Pittsburg papers may say. The papers in Pittsburg—not only the one to which the Senator from Indiana has referred, but the *Gazette* also, and, for aught I know, other papers, took the same position, and labored in the same industrious manner to place certain Senators upon this floor in a false position. And I wish to say, now, that the *Gazette* has partly taken back what it has said; the *Commercial*, I think, has not done so. I will ask the Clerk to be so kind as to read an extract which I find in an Eastern paper from the Pittsburg *Gazette*, in which it has taken back, in part at least, what it has said. The extract was read as follows:

"On Saturday last we condemned pretty roundly the so-called free railroad bill. So far we have nothing to take back. The more we think upon it, the more censurable does that bill appear, and the more are we disposed to denounce the Senators who were instrumental in giving it the peculiar shape it assumed. But we charged all Senators who voted for that bill, while professing to be friends of freedom in railroad building, with fraud and hypocrisy. That is "steeper" than, upon consideration, we are disposed to put it. Some Senators, doubtless, voted for the bill, who labored earnestly so to amend it as to make it what it ought to be. These should have voted square against it.

"That we may do no injustice, we here state that the bill was originally prepared by Mr. Bigham; that the alterations which made it offensive were fastened on it by the Railroad Committee; that in committee of the whole all these alterations were voted against by Billingfelt, Brown, of Mercer, Cowles, Davis, Bigham, Graham, Lowry, Taylor, Wallace, White and Hall. Afterwards, in the Senate, the same Senators remained true. So far, therefore, as our remarks tended to disparage either of these gentlemen, they are withdrawn."

Mr. BROWNE (Lawrence). Mr. Speaker, I may not be nearer than within one figure of the exact number, but whatever the number was—I believe there were thirteen of us who, with whatever motives, at least earnestly and honestly endeavored to make this bill, to which the Senator from Indiana and other Senators have referred, a free railroad bill—a bill that would conform to its title—an act to authorize the formation of railroad corporations in this Commonwealth. There were four of the thirteen who, in the end, voted against the bill, but I do not entertain the opinion that those four were better free railroad men than the remaining nine who voted for it on it final passage, and I say this because I was one of those four. I should have liked it if the whole thirteen had showed their opposition to that bill by voting against it finally. Although they voted for it, however, I did not, and I do not, entertain a doubt but that each one of them honestly took it as a preliminary step for a better bill hereafter; and, for one, I never for one moment dreamed that the course of Senators who labored to perfect that bill, and yet voted for it, though imperfect, was not high-minded, intelligent and honest as became the cause they advocated. The final vote on the bill was one about which friends of liberal railroad legislation might differ. I was sorry the journal mentioned did not comprehend the situation, and thus did, though, I presume, unintentionally, injustice to so many friends of the free railroad measure.

The SPEAKER. I should not have said anything about the Pittsburg paper or the subject before the Senate, if it had not been called up by another. I cannot at all agree that this Pittsburg paper unintentionally does injustice; this paper is presumed to know what is going on. If the editor of a newspaper, purporting to give the events of the day as they take place, gives them as they do not take place, knowing that what he states is false, he is a knave; if he does not know the events that take place, and purports to give them, he is either a bad man or a fool. Which horn this editor in Pittsburg occupies, he can judge and settle for himself. He did know all about the votes and record of Senators in this matter, and his paper withheld the true statement and editorially published false statements.

He knew that nine Senators who voted for the bill on its final passage did it under protest, and for reasons which they stated at the time, or which they stated they would put upon the *Record* at the proper time; and, therefore, when he alleges, as he did, that those who voted for the amendments in the Senate, and afterwards in favor of the bill, could give and did give no reasons for so doing, he intentionally does them wrong. I have nothing further to say about this man or about his paper.

Mr. BIGHAM. Mr. Speaker, there are peculiar reasons why I should say a word. I will not prolong this discussion. The editors of these newspapers are my constituents. Permit me to say, I think our editors are misinformed, or acting unwisely; for my part, I do not approve of the tenor of their comments. They feel, and they feel very strongly, upon this subject. The editor of this paper was brought up from boyhood in the newspaper line and ought to understand the matter. I think he has transcended, upon two or three occasions this winter, what I deem the line of propriety. I have said to him personally, and in writing, what I now say in the Senate, that I think these criticisms are unwarranted in many respects. It was a question of propriety whether we should vote for or against the bill. I voted against it finally, because I found that a majority would certainly vote for it. I did not want it to pass unanimously, on account of its moral effect. It was a legitimate question with some of us whether it was our policy to vote for or against it. Therefore it was a question upon which no unfriendly criticism should be indulged by our Pittsburg editors. What I mainly say is, that I do not approve of the tone and temper of these remarks; I think they are unkind to many of our Senators and unwarranted by the facts in the case.

Mr. M'CONAUGHY. Mr. Speaker, I have listened, sir, with profound grief to the misfortunes of my brother Senators on the right hand and on the left. My sympathies have been stirred to their deepest depths, because, as it is said, misery loves company. I find that some of my brothers of the Senate

have been very badly defamed and misrepresented in regard to their sincerity in desiring the passage of a free railroad law. That has come from the outside of the Chamber, and they very properly complain of this misrepresentation. We have all been badly abused in this matter in regard to our sincerity for the passage of a free railroad law. I claim to have exercised a sincere, candid and earnest judgment; my votes have been given upon a sincere and profound conviction. And yet, during the passage of the bill through the Senate, we of the majority were met with the most bitter denunciation, with ridicule; Senators on the right and on the left proposed to substitute for the title of the bill the designation: "A bill to prevent the building of railroads in this Commonwealth." There is a common bond of sympathy between us. We have both been very badly abused, one from the outside and the other from the inside; and there is no remedy; we will have to bear with it, as our fathers have done before us.

Mr. BILLINGFELT. Mr. Speaker, I also hold in my hand a newspaper containing a speech made by the Senator from Berks, reflecting very severely upon the Republican party. The paper is printed in German, and as I am told that the Clerk cannot read it, I will let the subject drop for the present.

Mr. DAVIS. Mr. Speaker, as the gentleman from Lancaster has dropped the subject, I propose that we allow the subject to drop.

INVESTIGATING COMMITTEE.

Mr. GLATZ offered the following resolution, which was twice read:

Resolved, That a committee of five be appointed to investigate certain charges and slanders made against Senator Fisher, and report at an early day.

The resolution was adopted, and the Speaker appointed Messrs. GLATZ, JACKSON, M'CONAUGHY, LANDON and DAVIS.

BILLS RECALLED.

Mr. SCHALL offered the following resolution, which was twice read:

Resolved, (it the House of Representatives concur), That the Governor be requested to return to the Senate bill entitled An act relative to the courts of Lehigh county.

The resolution was adopted.

BILLS CONSIDERED AND PASSED.

On motion of Mr. TAYLOR, the Committee on Judiciary Local was discharged from the further consideration of bill entitled An act to fix the time of the commencement of the June term of the several courts of Beaver county.

And the rules having been dispensed with, The bill was read a second and third time, and

Passed finally.

On motion of Mr. CONNELL, the Committee on Corporations was discharged from the further consideration of bill entitled An act to incorporate the Review printing house company of Philadelphia.

And the rules having been dispensed with, The bill was read a second time, and

Agreed to.

Laid over to a third reading.

On motion of Mr. BIGHAM, the rules were dispensed with, and the Senate proceeded with the consideration of bill entitled An act regulating the granting of licenses to eating houses and taverns in the county of Allegheny, and enforcing order therein.

In committee of the whole (Mr. RIDGWAY in the chair), the bill was considered and reported to the Senate with amendments.

The bill was read a second and third time, and

Passed finally.

CONCURRENCE IN HOUSE AMENDMENTS.

On motion of Mr. WORTHINGTON, the amendments made by the House of Representatives to bill No. 349, entitled An act appropriating moneys arising from fines and forfeitures in Chester county (which bill was returned to the House of Representatives by the Governor for amendments in pursuance of a resolution adopted by both Houses), was twice read and concurred in.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

The Clerk of the House of Representatives being introduced, presented for concurrence bill numbered and entitled as follows, viz:

No. 1248, an act to fix the commencement of the June term of the several courts of Beaver county.

Referred to the Committee on the Judiciary Local.

He also presented an extract from the Journal of the House of Representatives, which was read as follows, viz:

IN THE HOUSE OF REPRESENTATIVES, THURSDAY, March 14.

Resolved, That the Senate be requested to return to this House bill No. 840, entitled An act supplemental to an act regulating the courts of the Sixth Judicial district, passed February, 1867.

On motion of Mr. LOWRY, said resolution was read a second time, and

Agreed to.

HUCKSTERS IN PHILADELPHIA.

On motion of Mr. WORTHINGTON, the Senate resumed the second reading and consideration of the bill entitled An act for the protection of farmers in the markets of Philadelphia.

The first section was read.

Mr. DONOVAN. Mr. Speaker, when this bill was up before it was postponed as a matter of courtesy to the Senator from Chester [Mr. WORTHINGTON]. My colleague [Mr. M'CANDLESS] is very anxious to be heard upon this subject, and I hope it will not be considered to-night. I trust the same courtesy will be extended to my colleague that was extended to the Senator from Chester.

Mr. WORTHINGTON. Mr. Speaker, I think this bill was twice before the Senate during my absence from indisposition, and I think it was pressed very strongly by the Senator from the Third district; but I am perfectly satisfied that the Senator voted to indefinitely postpone that bill whilst I was absent, and I do not see the necessity of extending that courtesy to him on this subject now. This is a bill of very great importance to my constituents, and if it is not acted upon soon it cannot be passed this session; it has to go to the other House, and may be delayed. I, therefore, hope that this bill will not be postponed any further, and that we shall decide it now, *pro* or *con*. If the Senate is prepared to meet the question, I am.

Mr. DONOVAN. Mr. Speaker, the Senator is mistaken about my urging the consideration of this bill; it came up on the calendar; I never called it up at all. My colleague is anxious that it should be postponed. I do not care whether it comes up now, or not, for my part.

Mr. WORTHINGTON. If the Senator does not care, I think we had better consider it.

Mr. GLATZ. I think the same courtesy is due to General M'CANDLESS as was extended to the Senator from Chester; and, on his account, I think it ought to be laid over.

Mr. WORTHINGTON. I was not aware that he was desirous of being here when the subject was taken up. I am willing that it should be laid over on third reading.

Mr. DONOVAN. I hope the Senator will not press it to-night.

Mr. WORTHINGTON. I cannot see what great interest the Senator from the First district of Philadelphia has in this bill; his own district is exempted from its operations. I have no objection to that, because there are no market houses in his district; hence, I do not see how he can be interested in the bill.

Mr. DONOVAN. Mr. Speaker, when the bill was up before, and I urged its consideration, the majority of the Senate postponed it, as a matter of courtesy to the Senator from Chester, and I trust, if a courtesy is to be granted to one Senator here, it will be granted to all. I move that the further consideration of the bill be postponed until to-morrow morning, and that it be made the special order of the day for that time.

On the question,

Will the Senate agree to the motion?

The yeas and nays were required by Mr. DONOVAN and Mr. WORTHINGTON, and were as follow, viz:

YEAS—Messrs. Bigham, Browne (Lawrence), Davis, Donovan, Glatz, Jackson, James, Lowry, Schall and Taylor—10.

NAYS—Messrs. Billingfelt, Coleman, Connell, Cowles, Fisher, Haines, Landon, M'Conaughy, Ridgway, Royer, Shoemaker, White and Worthington—13.

So the question was determined in the negative.

The question recurring,

Will the Senate agree to the first section?

Mr. CONNELL moved to further amend the same by adding to the end thereof the following proviso:

"*Provided*, That nothing herein contained shall be construed to prevent farmers from selling the produce of their farms to storekeepers or private families at their places of business or residence."

Mr. CONNELL. I think this proviso takes the sting out of the bill and removes all objections to it. It was alleged by my colleague that, as the bill stood, no farmer could bring his produce to town and offer it to his customers.

Mr. DONOVAN. Mr. Speaker, when I am ready to discuss this bill, I will show what is in this proviso. I think I shall be able to show the Senate that a more infamous proposition than this bill was never brought to this Senate, notwithstanding the ingenious proviso of the Senator. Gen. M'CANDLESS offered an amendment in the Senate to except his district from the provisions of the bill, and it was granted. All I ask is the same privilege. The idea of passing a bill over any Senator, when it is known that his people do not want it! Now, sir, you intend to force it upon me, to compel the provisions of the bill to extend to my district, when there are not twenty people there who want it. I am satisfied that the Senate of Pennsylvania will not pass this bill. The Senator from Indiana [Mr. WHITE], the other day, was eloquent in his courtesy to the Senator from Chester, but when I asked the same courtesy for my colleague to-night, he was deaf. I had no idea the Senator from Chester would force this bill up to-night, when there is little more than a quorum present.

Mr. WHITE. I cannot see why my friend, the Senator, refers to me especially. I voted with the Senator from Chester, with the understanding that the bill should go over to a third reading.

The amendment of Mr. CONNELL was

Agreed to.

Mr. WORTHINGTON. Mr. Speaker, I desire to make a few explanations with regard to this bill. I am as reluctant as any Senator upon this floor to interfere with the local legislation of other Senators, but I do

not regard this, sir, as a peculiarly local question. It does not apply to any one Senatorial district. If the Senator's constituents feel themselves interested in this bill, my constituents, who also occupy property there, have also an interest in what is transacted there. I represent upon this floor, not the Senator's constituents, but my own constituents; and I think that I shall be able to show to this body that there is great reason and great justice in asking for the passage of this bill. In the first place, sir, this bill proposes to remove from the highways of the city of Philadelphia, what is known by every gentleman who has traveled through some portions of the city, to be an absolute nuisance and obstruction of the highways, by wagons and by stands erected along the curbstones, so as to interfere with the travel of vehicles on the street, and also to interfere materially with the travel upon the sidewalks. It is regarded as a nuisance by a large portion of the Senator's own constituents. I shall show that, sir, by the petition which was presented by the Senator the other day, signed by fifty-one of the propertyholders in the vicinity of these markets, in the very place where this nuisance exists. I will sent this petition to the Clerk, and ask him to read it. There are fifty-one names signed to that petition, and I am told by Senators here that they are highly respectable propertyholders—the proprietors of stores, merchants, and the owners of private dwellings in the vicinity of this nuisance.

The petition was read as follows:

To the Honorable the Senate and House of Representatives of the Commonwealth of Pennsylvania, in General Assembly met:

The petition of the subscribers, citizens of the city of Philadelphia, respectfully sheweth:

First. That they are the owners and occupiers of stores and dwelling houses on Second street, in the city of Philadelphia.

Second. That they are very seriously incommoded in their business and families by the blocking up of the sidewalk, or pavement, by persons not farmers or producers, selling the products of their farms, but by hucksters and dealers in all kinds of produce, wares and merchandise, greatly obstructing the street and injuring the regular trade.

Third. That these dealers are irresponsible persons, paying neither rent or taxes, and that the original design of allowing farmers only to sell their produce is entirely altered, and that the hucksters and dealers occupy their places.

Fourth. That while all the other streets are perfectly free from this nuisance, it is unjust that the owners and occupiers of stores and dwellings on Second street should suffer this evil, while the other portions of our city are exempt, and consequently the regular business is driven away.

Fifth. That in consequence of this nuisance the value of real estate is depreciated and there is no encouragement for improvement.

Sixth. That by the allowance of hucksters and others to expose their commodities for sale on the sidewalk or pavement without any revenue to the city, great crowds are collected together, rendering the street impassable and often leading to breaches of the peace.

Seventh. Your petitioners earnestly solicit legislative interference in this matter, thereby placing things in their original position, giving opportunity to improve real estate, increasing the income of the city treasury, making our stores and houses comfortable, besides rendering our city safe and orderly; and they therefore ask your honorable bodies to pass an act abolishing the sale of all articles on the public street.

And they will ever pray, etc.

Mr. WORTHINGTON resumed: Mr. Speaker, there are fifty-one names to that petition, and the Senator says there are not twenty people in his district who ask for this bill. I hold in my hand another petition, signed by thirty butchers in the city of Philadelphia, asking for the same thing. These petitions were presented by the Senator from the Third district.

Now, sir, any person who has passed along Second street, where this great nuisance exists, must be satisfied that what is represented in that petition is true. I contend, sir, that the city council, nor anybody else, has a right to obstruct the public highways. They are not for the sale of merchandise or anything else; they are not for the erection of shops and stands for obstructing the public travel, merely for the purpose of giving an opportunity to these men to sell their merchandise to the injury of others. Therefore, I say this is the first objection: That it is obstructing the public highway and producing in these highways an absolute nuisance. In the next place, it is unfair to those who have been compelled to erect market houses for the purpose of vending their produce. There is a little history connected with this whole transaction which it may not be improper to allude to; and in doing that I will read an extract from a letter from a Senator who occupied a seat here several years age, and who is now interested in some of these markst establishments:

"In 1844, Mr. Davis had fattened a large lot of cattle, having had them on his farm one whole year; and not being able to sell them at what he considered a fair market price, concluded to slaughter them, and sell the meat from his stall in Market street. For this offense he was arrested, and fined by the mayor; the case was carried to the Supreme Court, and decided against the farmer. This famous decision was delivered by Chief Justice Gibson, reported in Sixth Watts & Sergeant, page 269. The decision ruled all farmers out of the market houses belonging to the city, for they produced nothing which did not come in conflict with said decision, and they continued to remain out of the city market houses until the Legislature passed a law for their protection. See pamphlet Laws, 1844.

This act appeared to satisfy all parties, and all things pertaining to markets worked harmoniously until 1858, when the city councils concluded to remove the market houses out of Market street and refused to provide others. This act of council in removing the markets virtually destroyed or annulled the act of 1844, and left the farmers in the same position they were previous to its passage, and their interest was again on the verge of suffering—as charters were being granted by the Legislature giving the managers almost unlimited power (they being entirely under the control of the butchers). The farmers' interest throughout the whole country was likely to suffer severely. In 1859 charters were granted to the Western, Franklin and Eastern Market company. Under similar charters a committee was appointed in the farming interest (myself being one) to proceed to Harrisburg for the purpose of having a provision engrafted in those charters securing the rights of the farmers similar to the act of 1844. This application was refused by all these companies, and the only alternative left was to provide their own market buildings. Accordingly, a charter was granted (see Pamphlet Laws, 1859), in which the following proviso was inserted:

"*Provided*, That this act shall not be so construed as to prohibit persons renting stalls in said market from selling beef, pork, veal, mutton or poultry, in such quantities as they may desire, which may have been slaughtered on their farms."

This retains the main feature of the act of 1844, and the all markets built since that time are under the same charters and regulations.

It was in this year that the Farmers' market was established, a short distance above Eleventh street, in Market. This is but one of the markets established by the farmers. They are interested in at least not less than seven market houses. These seven market houses alone cost one million two hundred and seventy thousand dollars. In addition to this there are a large number of other market houses that farmers have some interest in, and all of them are asking for the passage of this act. They do not desire to be interfered with by the location of these hucksters and shinners, who locate themselves in the vicinity of these market houses and obstruct the passage way, so that people cannot have free access to them. The city refusing to erect market houses, they have been driven to the necessity of erecting them themselves, at a heavy cost, and they pay a large amount of taxes. By referring to the Auditor General's report, you will perceive that the Farmers' market house company paid an income tax last year of three hundred and thirty-four dollars and eighty cents; the Delaware Avenue market paid three hundred and forty one dollars and five cents, and the Western market paid ninety dollars and forty-five cents; making a total income tax of seven hundred and sixty-six dollars and thirty cents for three markets; and these are the only markets in Philadelphia that have been reported by the Auditor General as paying an income tax; and the reason is because they are crippled and interfered with by these hucksters and shinners who sell produce upon the street. Their interest is interfered with by these hucksters and the incomes reduced to the State. Now, if these people were properly protected in their interests, you would find that all these market houses would pay some revenue to the State; the State is, therefore, deprived of a considerable tax by this nuisance. The tax on the corporation stock of five different markets, reported by the Auditor General, amounts to one thousand four hundred and seventy-four dollars and seventy-eight cents. Take the Farmers' market alone. This year—since January 1—they have paid a tax to the city of Philadelphia of five thousand dollars; they have paid to the State nine hundred and seventy-four dollars; they have paid to the United States a revenue tax on dividends of five hundred and fifty dollars. There are five hundred stalls in that market alone, and each of these individuals—supposing they have but one in each stall—pays his ten dollars Government license, making a total of eleven thousand five hundred and twenty-four dollars, all of which is paid by one single market.

Now, you see, the revenue is unfair in this thing, because these people who sell upon the street, pay no tax or license. In this way the Government is defrauded of its just dues. Now, the farmers desire this law. I know it is said by some friend on the other side, that they do not. My constituents are all farmers, and I know they desire the law, and men who go to Philadelphia do not wish to be compelled to stay out and vend their produce. Drive out these people, and you will find that there are ample accommodations; if there are not, they will be supplied. Farmers are willing to go into the market houses—even into the very market houses which the Senator so strongly contends against. I have in my desk a memorial from a committee of nine, who were appointed by the farmers' meeting, asking the Legislature to enact such a law. They

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[CONTINUED FROM PAGE 648.]

endeavored to go into these market houses and occupy them, but such was the opposition from the outside, that they were obliged to abandon it.

But it is said by my distinguished friend on the other side, that it interferes with the rights of the poor man. That is a most singular argument to come from that quarter. How does it interfere with the poor man?—because, as he alleges, they can get their produce cheaper. It will be recollected that these hucksters do not raise their produce; they buy it, and it is of an inferior quality; and they buy it cheap and sell it cheap, but it is the worst possible food to give to a poor man and his family. What they need is good, wholesome food; but if you feed them upon injured vegetables, what is the consequence? Those people are diseased; you bring on cholera and cholera morbus, and they are not able to provide for their families. So, I say it is not an act of charity to permit the poor man to use articles of that kind. You know every time an article changes hands it becomes higher in price, and depreciates in quality. The meat and fish that they hawk about the city is not of a good quality.

These shinners will rent an acre of land and a little hut just outside the city, and go about the country buying the cheapest meat they can get. I am told that there are a thousand calves, not a week old, carried into the city and sold by these men every week. They buy them at the dairies; they want to get rid of their calves. I think Mr. Lewis, the late Commissioner of Internal Revenue, stated the fact in a letter to the Senator from Erie, that when he had an officer to go around and inquire about this thing, there were no calves to be found that were a week old. That is the reason; these shinners gather them up and sell them. I need not say that it is a kind of meat which is not very wholesome. Do you call this dealing fairly and justly with the poor man? Is this doing him a kindness? By no means—it is doing him an act of great injustice.

General M'CANDLESS' district is a rural district; there are no market houses within its bounds; therefore, I do not object to his district being stricken out. It is not so with the Senator from the Third district. He has market houses in his district. There are provision stores and market houses enough to sell all the produce in; and I say these others ought not to be permitted to sell upon the curbstone and block up the passages.

I consider these remarks due to show the character of this bill. What right have these people to sell on curbstones without license? Why should the Government be defrauded? You might as well let them erect stands and sell merchandise. Would that be tolerated? No. We do not allow them in our town to sell in the streets. It is not allowed, because it is doing injustice. When market houses have been established for the purpose of selling these things, that is the place to go—not to the public highway. I hope, Mr. Speaker, that this bill will meet the approbation of the Senate, whether the vote is taken to-night or to-morrow.

Mr. DOVOVAN. Mr. Speaker, there is no Senator upon this floor for whom I have more respect than the Senator from Chester [Mr. WORTHINGTON], and if he was asking for legislation here for the county of Chester, I should certainly not interfere with him. But, Mr. Speaker, it strikes me as very singular, that for the last six years no newspaper published in the city of Philadelphia has seen the justice of this bill. On the contrary, every newspaper published in the city has written against the bill which the Senator from Chester advocates here to-night. That is a most singular thing, and I will ask the Clerk to read an extract from the last *Sunday Dispatch*.

Mr. WORTHINGTON. I would remark that I have seen nothing against this bill from any papers except Sunday papers.

Mr. DONOVAN. I have extracts from other papers in the city. It strikes me as something singular that the press of our city cannot see the necessity for this bill. The Senator has stated that the people in my district favor this bill. There may be some who do, but they are few and far between. There never was a bill that strikes so directly at the interests of the poor men. You compel a poor woman, in the dead of winter, with one or two feet of snow on the ground, to walk six squares. A dollar a week is not much to the Senator from Chester, but it is a great deal to a man who earns but six or seven dollars a week. That is the class of people affected by this bill. I only ask the same privilege that the Senate granted to General M'CANDLESS, that is, to have my district excepted from the provisions of this bill. Am I asking anything unreasonable in that? I only ask the Senate not to pass this bill for my district, and I am certain I shall not ask it in vain. If this is refused to me it is something I have never known to be refused before—that is, sir, that my district shall not come under the provisions of this bill. I only represent one of the districts of Pennsylvania; my people do not want it; I am only speaking for them. I have no interest, personally, in this bill. I am here responding to the press of the State and the city I represent, against the corporations; that is my position here. If ever I understood the wishes of my people, on any question before the Senate, I understand them upon this question. I have canvassed it; I have gone from one end of Second street to the other, but have never found the people in that street in favor of the bill. I have been waited upon by hundreds of the people, begging me to oppose it. I offer the following proviso, to come in at the end of the last section. This may be a small matter to Senators, but it affects the poor of Philadelphia very seriously. It is a matter of great moment, and the press have been loud and eloquent in opposing it. It is very singular to me that not one paper has seen the necessity of passing this bill. With the same propriety, I might as well go into Chester county, and tell the people what part of the county they shall sell milk or butter in. I do trust that the Senate will not insist that this bill shall apply to my district. My proviso is as follows:

Provided, further, That the provisions of this act shall not extend to the Third Senatorial district of Philadelphia.

Mr. WORTHINGTON. Mr. Speaker, I desire to ask the Senator one question, and that is, whether the fifty-one signers of the petition which he presented the other day do not reside in his district?

Mr. DONOVAN. In reply to the Senator, I will say that I did not look at the names. I only knew two of them in my district. We all know how petitions are got up. We have been flooded with petitions against the running of cars in Philadelphia; now, we ask you to submit it to the people there, and see how it will go.

Mr. WORTHINGTON. I only asked the question, because the Senator says there are not six persons in his district who desire the law. The exemption of his district would do away with the very thing for which I contend. It is in that district, above all others, where this nuisance exists, and where the streets are blocked up by these shinners.

Mr. DONOVAN. That is the very district that happens to strike the Senator from Chester. That market was bought at sheriff's sale; it does not pay. Now he asks for this bill to make it pay.

Mr. WORTHINGTON. That I know nothing about. I only know that I have a petition, signed by all the owners of those markets, asking for the passage of this bill. With regard to newspapers expressing the public sentiment, I might as well say here, Mr. Speaker, that I have very little faith with such representations as expressing the public will or the public wishes. We have had in this Senate, to-night, remarks after remarks upon the misrepresentations and perversions of the public press; and does the Senator get up here and ask me not to permit this bill to pass because two or three papers in Philadelphia are opposed to it? Who are the editors of these papers? He may have more faith in them than I have; but I confess I have very little. They are not the papers that will control me. It is not the place that I look to for public sentiment; and as to interfering with the Senator's district, I have no desire to do so, further than what I regard as the interests of my own people, and when his people erect, in their own district, a positive nuisance that interferes with the rights of the people of my district, I have a right to stand up here and defend my own constituents. If it was an exclusively local question, I should say nothing about it. I have as much reluctance to interfering with local legislation as the

Senator himself. My constituents have a deep interest in this bill; the farmers are expending their millions for the purpose of erecting these markets.

Mr. DONOVAN. Why is it that the farmers in Bucks do not ask it?

Mr. WORTHINGTON. They do, in the lower end of the county, and in Montgomery and Delaware. The Senator from Bucks [Mr. JAMES] will not say that the people in the lower end of his county will not accept this bill.

Mr. JAMES. Mr. Speaker, I will just say that I have never seen any one in the centre of the county but who was opposed to the project entirely. Our papers came out in regard to it, and I intend to preserve them, to show what they said upon this subject. Both were opposed very strongly to it. I have no knowledge as to the feeling on the subject in the lower end of the county.

Mr. WORTHINGTON. Mr. Speaker, I do not wish, as I said, to interfere with the Senator; but I have three counties bordering upon that county. Now, this long list of market houses referred to in that Sunday paper, the large majority of them do not come within the provisions of the bill; they do not have two hundred stalls in them; and yet it makes a great flourish that nobody can sell within a certain district. Those markets are not subject to the provisions of this bill. I have nothing further, Mr. Speaker, to say upon this subject.

Mr. RIDGWAY. Mr. Speaker, I represent the people of Philadelphia in part, and I am in favor of the passage of this bill. I deny that any Senator can claim the streets in any district as personal property. The people residing in my district have as much right to a free passage through the Senator's district as those living in his district have through mine. The only markets that it would break up would be the Callowhill street and Second street markets. But I am in favor of the breaking up of the Callowhill market.

Another thing: the Senator objects to it on account of the poor of his district. That district is better accommodated with market houses than any in Philadelphia; it has six or eight markets. There are only three market houses in Philadelphia that have two hundred stalls; this bill does not interfere with those having less. There are two Senators from Philadelphia in favor of the passage of this bill. The Senator from the Third district is opposed to it; the other [Mr M'CANDLESS], I understand, would quietly let it pass, and I thought he was favorable to the bill.

Mr. CONNELL. Mr. Speaker, I desire to say a word in regard to the extract from the Sunday paper, and that is, sir, that all the objections urged in that article are against the original bill, and that the proviso which I have offered removes all those objections to it, so that there is nothing to prevent a farmer from delivering his produce at any house where he has custom, and this cry about interfering with farmers is all hosh.

Mr. JAMES. I would like to ask the Senator if the city councils have the right to regulate the markets in the streets.

Mr. CONNELL. I think the streets belong to the Commonwealth and not to the city.

Mr. DONOVAN. If the Senator does not know better, he ought to. They are under the control of the constables; they have control of the streets. We are told by the Senator from Philadelphia that the farmers on the streets are a great nuisance. It is a nuisance that the people of Philadelphia are unanimously in favor of. I do not expect the gentleman from Philadelphia to be in favor of anything else but corporations. Here is a local matter, affecting the interests of the city alone. Is not every paper in the city against this bill?

Mr. CONNELL. Will the Senator give me any extract from the *North American, Press*, or *Inquirer*?

Mr. DONOVAN. Yes, sir; I have an article from the *North American*.

This is a fight between rich corporations and the poor men of Philadelphia. It is well known that I defeated this bill four years ago, when there was a stronger effort for it; and, to the credit of the Senate, it was defeated, and I trust it will be so again. Let every Senator that wants it have it. General M'CANDLESS, it is stated, was in favor of the bill; not at all. Of course, he did not care about it, after his district was excepted. But I tell you he will both vote and speak against this bill, because he so expressed himself to me. If the Senator from Philadelphia [Mr. CONNELL] wants the provisions of this bill to apply to his district, he shall most cheerfully have my vote. But I ask the Senate not to pass it for my district; the people do not want it. When this thing becomes a nuisance, the councils will regulate it.

Mr. RIDGWAY sent to the Clerk's desk the following resolution to be read:

Resolved by the Select and Common Councils of the City of Philadelphia, That the Legislature be, and they are hereby, requested to pass an act prohibiting the sale of meats in all the streets, lanes and alleys of the city of Philadelphia (excepting in market houses appropriated for that purpose), north of Reed street, and south of Lehigh avenue, and east of Fortieth street, to all others except farmers, and to them only when disposing of the produce of their own farms.

Mr. CONNELL. There is public sentiment for you. That resolution is an exact endorsement of this bill. I did not know that it had been passed. I think that is a sufficient answer to the arguments against this bill.

Mr. DONOVAN. Mr. Speaker, the Senator must consider Senators here are dull of comprehension. I understand how that was passed the councils. They would not act upon that resolution if they had the power. I am willing to be governed at all times by the press, when they are so unanimous upon a local question.

Mr. RIDGWAY. Did not you vote once for a bill that every newspaper in Philadelphia condemned—the Union passenger railroad bill?

Mr. DONOVAN. They did not condemn the bill. I am a railroad man. I voted for all the roads except the Twelfth and Sixteenth street line.

On the question,

Will the Senate agree to the amendment of Mr. DONOVAN?

The yeas and nays were required by Mr. DONOVAN and Mr. SCHALL, and were as follow, viz:

YEAS—Messrs. Bigham, Burnett, Davis, Donovan, Glatz, James, Schall and Hall, *Speaker*—8.

NAYS—Messrs. Billingfelt, Browne (Lawrence), Coleman, Connell, Cowles, Fisher, Haines, Landon, M'Conaughy, Ridgway, Royer, Shoemaker and Worthington—13.

So the question was determined in the negative.

During the call,

Mr. DAVIS said that, as he thought this was a purely local matter, he would vote "aye."

The question recurring,

Will the Senate agree to the first section as amended?

It was

Agreed to.

The second section was read and

Agreed to.

And the bill was laid over to a third reading.

On motion, the SPEAKER adjourned the Senate until ten o'clock to-morrow morning.

SENATE.

TUESDAY, March 19, 1867.

The Senate met and was called to order at 10 A. M., by the SPEAKER.

Prayer was offered by the Rev. Mr. Bailey.

On motion of Mr. CONNELL, the reading of the Journal of yesterday was dispensed with.

LEAVE OF ABSENCE.

Mr. LANDON asked and obtained leave of absence for Mr. STUTZMAN for a few days from to-day.

PETITIONS, REMONSTRANCES, &C.

Mr. CONNELL presented a petition from W. W. Smedley, William J. Pollock and other citizens of Philadelphia, praying for the passage of an act taxing pleasure carriages and horses to keep in repair the principal highways of said city.

Referred to the Committee on Finance.

Also, a remonstrance of the board of directors of the Twenty-second school section of Philadelphia, against any change in the manner of electing school controllers.

Referred to the Committee on Education.

Also, a memorial of John Gabel and other citizens of Philadelphia, praying for a change in the license law.

Referred to the Committee on Vice and Immorality.

Also, a petition of five hundred and fifty-seven citizens of Philadelphia, in favor of a change of the license laws of said city.

Referred to the Committee on Vice and Immorality.

Mr. WORTHINGTON, a remonstrance from citizens of Philadelphia, against the running of Sunday cars.

Referred to the Committee on Vice and Immorality.

Also, a memorial of the Peace society relative to the Indians, which was read as follows, viz:

To the Senate and House of Representatives of the State of Pennsylvania:

Sincerely concerned for the welfare of mankind, and solicitous for the honor of our beloved country, we are induced to ask your attention to the condition of Indian tribes remaining within the boundaries of the United States, believing that a voice from Pennsylvania, whose early history bears honorable testimony to a just treatment of the Indians found on her soil, would be influential with Congress towards a just and pacific policy in its treatment of the remnants of those nations that once bore undisputed sway over this continent.

There are those among our citizens brought up in the principles by which William Penn was governed, who, guided by the same spirit, could serve as messengers and servants of the National government; and it is believed, could calm the troubled waters and harmonize all just interests and pledges, and secure a lasting peace.

We would kindly ask our worthy Governor and esteemed Senators and Representatives to do what, in wisdom, they can do in this important national concern.

On behalf of the Executive Committee of the Pennsylvania Peace society.

GEO. WASHINGTON TAYLOR, President

HENRY T. CHILD, M. D.,
634 Race street, Philadelphia.
3D MONTH, 16, 1867.

Mr. JAMES, a petition signed by the managers of the Artsville and Centreville turnpike road company, to borrow money.

Referred to the Committee on the Judiciary Local.

Mr. SCHALL, a petition of citizens of Lehigh county, praying for the passage of an act entitled A supplement to an act to incorporate the Ironton railroad company.

Referred to the Committee on Roads and Bridges.

Mr. SHOEMAKER, a remonstrance of Rev. George Eicholtz and others, of Luzerne county, against running cars on Sunday.

Referred to the Committee on Vice and Immorality.

Mr. COWLES, two petitions from citizens of Genesesee, Allegheny county, New York, in favor of a prohibitary liquor law for M'Kean county.

Referred to the Committee on Vice and Immorality.

Also, a petition of citizens of Green township, Clinton county, asking the General Assembly to legalize certain bonds given for bounty purposes, and authorize taxes for the payment.

Referred to the Committee on the Judiciary Local.

Mr. COLEMAN, a petition of citizens of Pennsylvania residing along the line of the Pennsylvania railroad, asking for relief from the excessive charges on local freight by said company.

Referred to the Committee on the Judiciary General.

Mr. FISHER, twenty-three remonstrances against the repeal of a prohibitory liquor law in Millersville and vicinity.

Referred to the Committee on Vice and Immorality.

Mr. BILLINGFELT, a remonstrance of numerous citizens of Salisbury township, Lancaster county, against any division of said township.

Referred to the Committee on New Counties and County Seats.

Mr. M'CONAUGHY, a petition of the school directors of Freedom township, Adams county, praying for an act to appropriate surplus of bounty funds to school purposes.

Referred to the Committee on Education.

Mr. HAINES, a petition of citizens of Buffalo township, Perry county, asking for a repeal of the license law in said township.

Referred to the Committee on Vice and Immorality.

Also, two memorials from citizens in the interior of the Commonwealth, praying for an equalization of local freights *pro rata* with through freights on the Pennsylvania railroad.

Referred to the Committee on the Judiciary General.

Mr. BROWNE (Lawrence), a memorial of Z. M. Phillips and fifty-two other citizens of Butler county, against Sunday car travel and for a revision of the license laws.

Referred to the Committee on Vice and Immorality.

Also, one from Reverend D. M. Marshall and one hundred and seven citizens of Butler county, against Sunday car travel and for revision of license laws.

Referred to the Committee on Vice and Immorality.

Mr. JACKSON, a petition of one hundred and three citizens of Columbia county, praying for the passage of an act prohibiting fishing with seines and nets in Fishing creek, in said county.

Referred to the Committee on Canals and Inland Navigation.

Also, a petition numerously signed by citizens of Cherry Tree township, Sullivan county, asking for the passage of an act authorizing the present township officers to make returns of assessment of taxes on unseated lands for said township, omitted during the last year.

Referred to the Committee on the Judiciary Local.

Also, a petition of citizens of Columbia county, praying that a special act be passed to prevent the destruction of fish by crazy bait and other poisonous substances in the Susquehanna river and its tributaries, in Columbia county.

Referred to the Committee on Canals and Inland Navigation.

REPORTS FROM COMMITTEES.

Mr. RIDGWAY, from the Committee on Corporations, reported, as committed, a bill entitled An act to incorporate the Philadelphia machine works.

Also (same), as committed, a bill entitled An act to incorporate the Pittsburg and Sinaloa mining company.

Also (same), as committed, a bill entitled A supplement to the act to incorporate sundry Baptist churches in Cambria, Blair, Huntingdon, Mifflin, Juniata and Centre counties, called the Centre Association of Independent or Regular Baptist churches, approved April 11, 1866, changing the time for the election of trustees and also the meeting of said trustees.

Also (same), as committed, a bill entitled An act to incorporate the Oil City brewing company.

Also (same), as committed, a bill entitled An act to incorporate the Philadelphia grain warehousing and drying company.

Also (same), as committed, a bill entitled An act to incorporate the Pennsylvania Mutual fire insurance company of Chester county.

Mr. ROYER (same), as committed, a bill entitled An act to incorporate the Grand Encampment of the Order of Soldiers and Sailors of the war of 1861, of the State of Pennsylvania.

Also (same), as committed, a bill entitled An act to incorporate the Citizens' insurance company.

Also (same), as committed, a bill entitled An act supplementary to an act incorporating the Good Will fire engine company, authorizing said company to issue stock.

Mr. GLATZ (same), as committed, a bill entitled A further supplement to an act to incorporate the First Reformed congregation of the borough of York and its vicinity, approved March 14, 1861.

Also (same), as committed, a bill entitled An act to incorporate the Philadelphia and Bridgeport steamboat company.

Also (same), as committed, a bill entitled An act to incorporate the Neversink insurance company of Berks county.

Mr. HAINES (same), as committed, a bill entitled A supplement to an act to incorporate the Orphans' Home of the Shepherd of the Lamb, approved February 17, 1864, authorizing an increase of the number of its managers.

Also (same,) as committed, a bill entitled an act to reduce the capital of the Six Mile Run coal company.

Mr. ROYER from the Committee on Agriculture and Domestic Manufacture, as committed, a bill entitled An act for the protection of farmers against the ravages of wild cats in the county of Forest.

Also (same), as committed, a bill entitled An act to extend the provisions of an an act for the better regulation of the Mercer county, Shenango Valley, Montour and Allegheny County agricultural societies (relative to the prohibition of shows, erection of tents, booths, et cetera), to the Pennsylvania agricultural society.

Also (same), as committed, a bill entitled An act to extend to Allegheny township, Blair county, the provisions of an act to prevent swine from running at large in the township of Blair, in the county of Blair.

Also (same), as committed, a bill entitled A supplement to an act for the better preservation of game within the county of Schuylkill, approved the 11th day of April, A. D. 1866.

Also (same), as committed, a bill entitled An act to extend the provisions of an act to prevent cattle, horses, sheep and hogs from running at large in Delaware county, to the county of Crawford and West Donegal township, Lancaster county.

Mr. HAINES (same), as committed, a bill entitled An act in relation to fishing and hunting in the township of Jefferson, in the county of Somerset.

Mr. BILLINGFELT (same), as committed, a bill entitled An act to authorize the Tioga County agricultural society to borrow money.

Also (same), as committed, a bill entitled An act to extend the provisions of an act for the protection of sheep in certain counties, approved the 8th day of April, A. D. 1862, to the counties of Armstrong and Westmoreland.

Also (same), as committed, a bill entitled An act relating to roads in Bratton township, Mifflin county, approved May 1, 1861.

Also (same), as committed, a bill entitled A further supplement to an act appointing commissioners to lay out and open a State road in the counties of Cameron and Potter, approved March 21, 1865.

Also (same), as committed, a bill entitled An act authorizing the supervisors of roads of the township of Allegheny, in the county of Armstrong, to levy additional taxes for road purposes.

Mr. GLATZ (same), as committed, a bill entitled An act to repeal the Lesox road law in the township of Lenox, in the county of Susquehanna, and for other purposes.

Also (same), as committed, a bill entitled An act relating to the election of supervisors in the township of Middletown, county of Susquehanna, and for other purposes.

Mr. WALLS (same), as committed, a bill entitled An act to regulate the width of mountain roads in Madison township, Perry county.

Also (same), as committed, a bill entitled An act to authorize the road commissioners of Mill Creek township, Erie county, to compel the owners of land fronting on Ridge road, to make sidewalks and to straighten and open out said road.

Also (same), as committed, a bill entitled A supplement to an act to open and straighten Highland and Union avenue and Thirtieth street, in the Twenty-second ward, and Church and Adams streets, in the city of Philadelphia, approved the 20th day of May, A. D. 1864.

Mr. LANDON (same), as committed, a bill entitled An act to amend the road laws of Tioga and Potter counties.

Also (same), as committed, a bill entitled A supplement to an act, approved April 12th, 1856, authorizing the laying out of a State road from Tarentum, in Allegheny county, to George Gocher's, in Butler county.

Also (same), as committed, a bill entitled A supplement to an act to authorize the construction of a bridge over Oil creek, at or near the old Furnace Dam on the Hasson farm, in the county of Venango.

Mr. SHOEMAKER, from the Committee on Canals and Inland Navigation, as committed, a bill entitled An an act to prevent the fishing with nets, seines and baskets in the waters of Big Fishing creek and its tribu-

taries, in the counties of Columbia and Luzerne.

Mr. HAINES (same), as committed, a bill entitled An act to incorporate the Phillipsburg and Rochester ferry company.

Also (same), as committed, a bill entitled An act to incorporate the Citizens' ferry company of Pittsburg.

Mr. SEARIGHT (same), as committed, a bill entitled An act in relation to fishing in the stream known as the Antietam, or any of its branches, in the county of Franklin.

Mr. GLATZ, from the Committee on Agriculture and Domestic Manufactures, as committed, a bill entitled An act to prevent cattle from running at large in Abington township, Montgomery county.

Also (same), as committed, a bill entitled An act to repeal the fourth section of an act to incorporate the Pennsylvania State agricultural society so far as it extends to the county of Lawrence.

Mr. CONNELL, from the Committee on Finance, as committed, a bill entitled An act to extend the time of payment of the enrollment tax upon an act to incorporate the Eastern telegraph company, approved April 5th, 1866.

Mr. JACKSON, from the Committee appointed to Compare Bills and present them to the Governor for his approbation, made report, which was read as follows, viz:

That in conjunction with a similar committee from the House of Representatives, they have compared, and on March 13th presented to the Governor, for his approbation, the bills as follows, to wit:

Senate bill No. 933, an act authorizing and requiring the assessor of Caernarvon township, Berks county, to discharge the duties of constable.

Senate bill No. 396, an act to vacate Fairview street, running west from Twenty-first street to Twenty-second street, south of Spring Garden street one hundred feet, in the city of Philadelphia.

Senate bill No. 324, an act to repeal an act entitled A further supplement to the act incorporating the Pennsylvania railroad company, authorizing an increase of capital stock, and to borrow money, approved the twenty-first day of March, one thousand eight hundred and sixty-six; to authorize the Pennsylvania railroad company to increase its capital stock, to issue bonds, and to secure the same by mortgage.

Senate bill No. 840, an act relative to justices of the peace, burgesses, and notaries public in the county of Lawrence.

Senate bill No. 261, supplement to the act incorporating the borough of Doylestown, entitled An act authorizing the Governor to incorporate the Bristol steam tow-boat and transportation company, and for other purposes.

House bill No. 987, an act relative to roads in the county of Franklin.

House bill No. 585, an act to incorporate the Pennsylvania society for the prevention of cruelty to animals.

House bill No. 478, an act to prohibit the entrapping, ensnaring or capturing of wild turkeys and partridges, by any other means than shooting, in the county of Blair.

House bill No. 395, an act relating to the fees of district attorneys for the counties of Greene and Sullivan.

House bill No. 521, an act to incorporate the Farmers' Union Mutual fire insurance company of Pennsylvania.

House bill No. 518, an act to prohibit the sale of intoxicating drinks in the townships of Economy and Independence, in the county of Beaver.

House bill No. 571, an act to repeal the fifth section of an act entitled An act relating to roads and bridges in certain townships in the county of Lawrence.

House bill No. 311, an act to authorize the supervisors of West Branch township, Potter county, to levy an additional road tax.

House bill No. 569, an act authorizing the supervisors of Blythe and Norwegian townships, Schuylkill county, to make and repair the public roads, bridges and culverts in said townships.

House bill No. 568, a supplement to an act to incorporate the White Deer bridge company, approved the 23d day of March, A. D. 1849.

House bill No. 570, an act to incorporate the Shickshinny and New Columbus Borough turnpike road company, in the county of Luzerne.

House bill No. 552, an act to provide for the election of an additional supervisor in Penn township, Westmoreland county.

House bill No. 263, a supplement to an act to incorporate the Titusville and Pithole plank road company, approved the 2d day of March, 1866.

House bill No. 508, an act to repeal an act authorizing the road commissioners of Sugar Grove township, Warren county, to levy additional road tax, approved February 17, 1865.

House bill No. 587, an act to incorporate the Greensburg Masonic fund for the building of a Masonic hall.

House bill No. 513, an act changing the time of holding the annual meetings and elections of president, managers and treasurers of the Greenlane and Goshenhoppen turnpike road company, and the time of declaring the dividends of said company.

House bill No. 289, an act to authorize the school directors of the borough of Lock Haven, county of Clinton, to borrow money for building purposes.

House bill No. 253, a further supplement to an act to incorporate the city of Carbondale.

House bill No. 200, an act to amend an act and correct an error therein, entitled A supplement to an act entitled An act appointing commissioners to lay out and open a State road in the counties of Cameron and Potter, approved the 21st day of March A. D. 1865, approved the 4th day of April, A. D. 1866.

House bill No. 264, an act to repeal an act to incorporate the Pine Creek bridge company, approved the 3d day of March, A. D. 1852.

House bill No. 180, an act to incorporate the Rousville bridge company.

House bill No. 509, an act to repeal an act authorizing a public ferry over the Allegheny river, in Warren county, approved April 10th, A. D. 1862.

House bill No. 458, an act to confirm the title of John Hawley to certain real estate in the city of Philadelphia.

House bill No. 418, an act relative to the *per capita* tax to be assessed by the water directors of the town of Aaronsburg, county of Chester.

House bill No. 673, an act changing the number of overseers of the poor in the borough of Butler, and authorizing the overseers of said borough to make sale of certain real estate.

House bill No. 836, a supplement to an act relative to road laws in East Bethlehem and East Pike Run townships, Washington county, extending the same to Cecil township, in said county.

House bill No. 149, an act to incorporate the Pine Creek bridge company.

House bill No. 391, an act to authorize the Governor to appoint additional notaries public for the city of Philadelphia.

House bill No. 526, an act to authorize the board of school directors of Venango city, Venango county, to borrow money.

House bill No. 329, an act incorporating the Mechanics' Savings Bank.

House bill No. 524, an act for the better regulation of public halls and places of amusement in the cities of Philadelphia, Pittsburg and Allegheny.

House bill No. 137, joint resolution to pay the expenses of the inauguration of Governor Geary.

House bill No. 199, a supplement to an act to enable the stockholders of any railroad company, incorporated by the laws of this Commonwealth, accepting this act, to one vote for each share of stock, approved the 20th day of May, A. D. 1865, extending the same to bridge companies and hall associations.

House bill No. 170, an act to increase the duties of the Citizens' association of Pennsylvania.

House bill No. 212, a supplement to an act to incorporate the Cresheim turnpike and bridge company, approved March 16th, 1866.

THE PENSION AND GRATUITY BILL.

During reports from committees,

Mr. FISHER said: Mr. Speaker, the Committee on Pensions and Gratuities was, by resolution, required to report within a given time, by bill or otherwise, in regard to the propriety of repealing the law of 1866, granting gratuities and annuities to certain old soldiers. The time has expired, and they are not prepared to report. I therefore ask further time for the committee to consider the matter.

The request was granted.

MESSAGE FROM THE GOVERNOR.

The Deputy Secretary of the Commonwealth being introduced, presented the following message, in writing, from the Governor:

EXECUTIVE CHAMBER,
HARRISBURG, March 19, 1867.

To the Senate and House of Representatives of the Commonwealth of Pennsylvania:

GENTLEMEN—I have approved and signed the following acts of the General Assembly, to wit:

On the 15th instant:

An act to provide for the enlargement of the Erie canal, to authorize the mortgage of the same, and the issue of bonds, and to increase the capital stock, and regulate the tolls.

An act relative to the per capita tax to be assessed by the water directors of the town of Aaronsburg, county of Centre.

An act in relation to bounties in the township of Montgomery, in the county of Franklin.

An act to repeal an act in relation to the borough of Montoursville, in the county of Lycoming, approved March first, Anno Domini one thousand eight hundred and sixty-seven.

An act relative to the common council of the city of Titusville, and fixing the indebtedness of said city.

An act to incorporate the Philadelphia County real estate association.

An act relating to fees of notaries public in the county of Erie.

An act to increase the pay of the county auditors and the supervisors and township auditors of the several townships of Northumberland county.

An act authorizing the Governor to appoint three additional notaries public for the city of Philadelphia.

An act in relation to lost records, deeds and other papers in the county of Franklin.

An act to legitimate Annie Craine, of Huntington county, and confer on her the

rights and privileges of a child born in wedlock.

An act relating to the fees of district attorney for the counties of Greene and Sullivan.

An act changing the number of overseers of the poor in the borough of Butler, and authorizing the overseers of said borough to make sale of certain real estate.

An act to authorize the school directors of Taylor school district, in Lawrence county, to borrow money.

A further supplement to the act incorporating the Lehigh and Delaware Water Gap railroad company.

On the 16th instant:

An act relative to the election of school directors and supervisors of roads in the township of Allegheny, in the county of Armstrong.

An act supplementary to an act relating to corporations for mechanical, manufacturing, mining and quarrying purposes, approved July eighteenth, one thousand eight hundred and sixty-three.

An act to extend to plank roads the provisions of the eighth and ninth sections of the act, approved April nineteenth, one thousand eight hundred and forty-four, entitled An act concerning certain State and turnpike roads.

A supplement to an act appointing commissioners to lay out and open a State road in the counties of Potter and Clinton, approved the sixteenth day of March, Anno Domini one thousand eight hundred and sixty-five.

A supplement to an act entitled An act to incorporate the Erie Dime Savings and Loan company, approved the sixteenth day of April, Anno Domini one thousand eight hundred and sixty-five, extending to said company the provisions of certain acts of Assembly, and also extending the time for its organization, and fixing the time for the payment of bonus.

An act to authorize the appointment of two assistant reporters in the district court of Philadelphia.

An act relative to courts in Lehigh county.

A further supplement to the act entitled An act to incorporate the M'Kean and Elk land and improvement company, approved the sixth day of February, Anno Domini one thousand eight hundred and fifty-six, authorizing said company to borrow money and mortgage lands.

An act allowing to the mercantile appraisers of Allegheny county the same fees allowed in other counties of the State.

A supplement to the act approved April eleventh, Anno Domini one thousand eight hundred and sixty-six, establishing the board of controllers of the public schools of the borough of Allentown.

An act to increase the pay of the assessors of Lehigh county.

An act to incorporate the Fountain Hill park association.

An act supplementary to an act entitled An act appointing commissioners to lay out and open a State road in the counties of M'Kean, Elk, Forest and Clarion, approved on the first day of May, Anno Domini one thousand eight hundred and sixty-one, reviving the third section of said act, and authorizing the commissioners to borrow money.

An act to increase the compensation of the county commissioners of the county of Monroe.

An act to extend the time for completing the Clearfield and Connellsville turnpike road, and to allow toll to be taken upon the portion completed.

An act relating to the salary of the treasurer of Lehigh county.

An act authorizing the town council of the borough of Tamaqua, Schuylkill county, to borrow money.

An act relative to hawking, peddling and selling by sample in the county of Schuylkill.

An act to legalize the assessment of taxes levied by the school directors of the borough of Kingston, Luzerne county, for the purpose of paying bounty to volunteers.

An act relative to the fees of notaries public in the counties of Dauphin and Lebanon.

An act to legalize the assessment, levy and collection of bounty tax, and to provide for the collection of the same for bounty purposes in Springfield township, Bucks county.

An act incorporating the Mechanics' Saving Bank.

A supplement to an act to incorporate the Point Breeze Park association, approved February eighth, one thousand eight hundred and fifty-five.

On the 18th instant:

A supplement to an act to incorporate the Red Band navigation company.

An act to incorporate the Pennsylvania club.

An act authorizing the supervisors of Jackson township, in Luzerne county, to collect in money one-third of the tax levied for road purposes in said township.

An act to incorporate the Atlantic Brick manufacturing company.

An act to incorporate the Erie Co-operative society.

An act to attach certain lands and tenements in Bedford township, Bedford county, and the persons residing therein, to Bedford borough, for school purposes.

An act for the promotion of medical science and to prevent the traffic in human bodies in the city of Philadelphia and county of Allegheny.

An act to annul the marriage contract between Samuel E. Shick and Sarah E., his wife.

On the 15th instant:

Joint resolution authorizing the Governor to dispose of certain perishable military stores in the State arsenal.

JNO. W. GEARY.

BILLS IN PLACE.

Mr. SCHALL read in his place and presented to the Chair a bill entitled An act to extend the time for the payment of the enrollment tax on an act to incorporate the Sunnyside iron company.

Referred to the Committee on Finance.

Mr. JACKSON, a bill entitled An act relative to the assessment and collection of taxes on unseated lands in Cherry township, Sullivan county.

Referred to the Committee on the Judiciary Local.

Mr. BURNETT, a bill entitled An act to incorporate the Empire State silver mining company of Nevada.

Referred to the Committee on Corporations.

Also, a bill entitled An act to incorporate the Ophir Canon silver mining company of Nevada.

Referred to the Committee on Corporations.

Mr. CONNELL, a bill entitled A supplement to the act to incorporate the Norris Park mining company, approved March 14th, 1865, authorizing said company to borrow money.

Referred to the Committee on Corporations.

Mr. SHOEMAKER, a bill entitled An act to incorporate the Plymouth Passenger railroad company.

Referred to the Committee on Railroads.

Mr. HALL, a bill entitled An act legalizing certain acts of the school directors of the township of Kelley, county of Union, and authorizing them to levy an additional tax for building purposes.

Referred to the Committee on Education.

Mr. FISHER, a bill entitled A supplement to an act to incorporate the Conestoga and Big Spring Valley turnpike road company, passed April 17th, 1861.

Referred to the Committee on Roads and Bridges.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

The Clerk of the House of Representatives being introduced, presented for concurrence bills numbered and entitled as follows:

No. 826, an act to incorporate the Reserve domestic company.

Referred to the Committee on Corporations.

No. 868, an act to authorize the sale of the poor house and farm in Mifflin county.

Referred to the Committee on the Judiciary Local.

No. 913, an act to establish a law library in the county of York, and in relation to fines, penalties and forfeited recognizances in said county.

Referred to the Committee on the Judiciary Local.

No. 1301, an act to extend the provisions of an act to prohibit the issuing of licenses within certain boroughs in the counties of Armstrong, Potter, Indiana and Perry, or within two miles of the same, in the counties in which such boroughs are located, approved the 27th day of March, 1866, to the township of Derry, in the county of Westmoreland, and the borough of Blairsville, the township of Burrell and the township of East Mahoning, in the county of Indiana.

Referred to the Committee on Vice and Immorality.

No. 700, a supplement to an act to incorporate the Chester Creek railroad company, approved the 16th day of April, A. D. 1860.

Referred to the Committee on Railroads.

He also returned bill from the Senate, numbered and entitled as follows, viz:

No. 235, an act making it an offense for railroad corporations within this Commonwealth to make any distinction with their passengers on account of race or color, and punishing said corporations and their agents and employees for the commission of such offense,

With information that the House of Representatives has passed the same without amendments.

He also returned bill from the Senate numbered and entitled as follows, viz:

No. 502, an act relating to the coroner of the city and county of Philadelphia,

With information that the House of Representatives has passed the same with amendments, in which the concurrence of the Senate is requested.

Said amendments were read the second time.

The first and second amendments were concurred in.

On the question?

Will the Senate concur in the third and last amendment?

The yeas and nays were required by Mr. DONOVAN and Mr. RIDGWAY, and were as follow, viz:

YEAS—Messrs. Burnett, Davis, Donovan, Glatz, Jackson, James, M'Candless, Randall, Schall and Searight—10.

NAYS—Messrs. Bigham, Billingfelt, Coleman, Connell, Cowles, Fisher, Graham, Haines, Landon, M'Conaughy, Ridgway, Royer, Shoemaker, Taylor, White, Worthington and Hall, *Speaker*—17.

So the question was determined in the negative.

The Clerk of the House of Representatives

also informed that the House of Representatives has receded from its amendments, non-concurred in by the Senate, to bills from Senate numbered and entitled as follows, viz:

No. 376, a supplement to an act to authorize the school directors of the borough of West Greenville, in Mercer county, to borrow money to erect a public school house in said borough.

No. 808, a supplement to the act incorporating the Colebrookdale railroad company, approved the 23d day of March, A. D. 1865.

He also informed that the House of Representatives has concurred in the amendments made by the Senate to bills from the House of Representatives numbered and entitled as follows, viz:

No. 248, an act to enlarge the jurisdiction of the courts of common pleas of this Commonwealth relative to granting charters of incorporation and confirming those heretofore made.

No. 528, an act relating to the granting of licenses to eating houses and taverns in the county of Allegheny, and enforcing order therein.

No. 556, an act relating to hawkers and peddlers of ready-made clothing in the county of Greene.

He also returned bill from the Senate, No. 472, of the session of 1866, entitled as follows, viz:

A supplement to an act relating to the sale and conveyance of real estate, passed the 18th of April, 1853.

Said bill having been returned to the Senate by the Governor, in pursuance of a joint resolution requesting the same, and reconsidered and amended by the Senate,

With information that the House of Representatives, by unanimous consent, has concurred in the said amendment.

He also presented an extract from the Journal of the House of Representatives, which was read as follows, viz:

IN THE HOUSE OF REPRESENTATIVES, March 18, 1867.

Resolved (if the Senate concur), That the Governor be requested to return to the House for amendments, House bill No. 587, entitled An act to incorporate the Greensburg Masonic fund.

On motion of Mr. SEARIGHT, said resolution was read a second time and concurred in.

He also informed that the House of Representatives has adopted the report of the committee of conference upon the subject of the difference existing between the two Houses in relation to House bill No. 266, entitled An act to annex the farms of Samuel Powers, John Hunter, James Cunningham, John Conway and James Rutledge, of Derry township to Livermore borough, in Westmoreland county, for school purposes

PROTECTION OF FARMERS IN THE PHILADELPHIA MARKET.

Agreeably to order,

The Senate proceeded to the third reading and consideration of a bill entitled An act for the protection of farmers in the markets of Philadelphia.

The question being on the final passage of the bill,

Mr. JAMES. Mr. Speaker, there is but one thing about this bill that I like, and that is the title. The title is a good one for the protection of farmers in the markets, and that is the only good thing I see about the bill. I will not pretend to say anything about the merits of this bill so far as it relates to Philadelphia. The Senators from that district can take care of their own affairs. I only speak for the farmers of Bucks county, and I say in this Senate that the great majority of the farmers of Bucks county are opposed to this bill. I know that fully three-fourths of the farmers of Bucks county stand upon the curbstones instead of going to the market houses, and have been doing so for years. If they were disposed, of course the farmers could occupy the market houses were they forced into it. To say that it does not act upon the people in Philadelphia is certainly a very great mistake. The farmers in Bucks county are pressing their Representatives to oppose the passage of this bill, and last week there were articles in both of the papers published in Bucks county opposing the measure in very strong terms. I do not know of a single person in that county who is not opposed to the measure.

Mr. CONNELL. I desire to say that I represent the rural portion of the city of Philadelphia. I have no doubt that as the bill stood originally it was objectionable to that part of the community; but the proviso that I attached to the bill last night I had from a very respectable constituent of my district. He was here three weeks ago, when the bill was up before. I have no doubt the constituents of the Senator from Bucks [Mr. JAMES] would have no objection to it if they knew that proviso was attached. That takes away the objections to the bill in my mind. As some of the Senators were not present last night, I ask the Clerk to read the resolution passed by the select and common councils of the city of Philadelphia. That resolution exactly endorses the bill, fully and completely, in every respect.

The resolution was read as follows:

Resolved by the Select and Common Councils of the city of Philadelphia, That the Legislature be, and they are hereby, requested to pass an act prohibiting the sale of meats in all the streets, lanes and alleys of the city of Philadelphia (excepting in market houses appropriated for that purpose), north of Reed street and South of Lehigh avenue, and east of Fortieth street, to all others except farmers, and to them only when disposing of the produce of their own farms.

Mr. DONOVAN. Mr. Speaker, the Senator from Philadelphia has seen fit to have a resolution read for the Senators that were not here last evening. I now ask to have read an extract from a newspaper, also for the benefit of Senators who were not here.

The extract was read.

Mr. DONOVAN. Mr. Speaker, the passage of this bill certainly must establish one fact in this Senate, and that is, that the idea of local legislation is certainly exploded. When the Senator from Philadelphia [Mr. CONNELL] called up a bill, I asked him in reference to the street which it affected. He told me emphatically that it was a locality in his district. I had no more to say about the passage of the bill. I say once again and for the last time that I have discharged, to the best of my ability, my duty to my people. I have done the best I can, and the best can do no more.

I have explained the fact that one thousand store keepers of the city of Philadelphia, I believed, would be broken up if this bill is passed. Second street is the second business street of Philadelphia. Why is it so? Because this very class of farmers go there; and by removing them to the market house this bill will break up one thousand store keepers in that city. I do not believe there are twenty people in my district, not holding stock in market corporations, who are in favor of this bill; but what can I do when a Senator from an adjoining county can come into the Senate and by magic force a bill upon my people that the people of my district are not in favor of? I have discharged my duty, and I am satisfied now to call the yeas and nays upon the final passage of the bill.

One word in regard to that resolution from the common and select councils of Philadelphia. When that resolution was passed in Philadelphia, it was passed for the same means that this bill was attempted to be passed here. The city councils have control of the streets, and they regulate them every day. After the passage of that resolution they have never seen fit to remove these people from the street, as they have the power to do. Now, if this was a nuisance, they would demand and direct that the nuisance should be removed. I have no fault to find with the Senator from Chester [Mr. WORTHINGTON]. This may be good legislation for his people, but I think he should act with me in this matter, and do that which is a benefit for all my people. There are not more than six persons in my district who are not opposed to this bill.

Mr. WORTHINGTON. Mr. Speaker, I had no desire to renew the discussion upon this bill, as I thought it was fully debated last evening, and that every Senator present fully apprehended this proposition. But I am surprised that the Senator from Philadelphia [Mr. DONOVAN] should assert so persistently that there are not half a dozen individuals in his district asking for this bill, when the Senator himself presented a petition signed by fifty-one of those individuals asking for its passage.

Mr. DONOVAN. Mr. Speaker, I wish to explain. I will state that I did present a petition, but there were only six names on that petition of persons who reside in my district.

Mr. WORTHINGTON. There were store keepers along the line of this street. There is no magic in this, as the gentleman has asserted, but is a plain question of common sense, of right and justice. This, sir, is a matter of justice that I ask for my constituents, and I ask nothing more than what is just and right. I do not see why you should deprive the General Government of the thousands of dollars which it would receive from individuals who obtain license to sell these provisions for the purpose of gratifying a few individuals who choose to keep up this great nuisance on Second street. I say this is a just bill, and I ask for its passage. I do not want to enter at this time into the discussion. I think the matter has been fully discussed, and there is no occasion for going over the ground again.

Mr. M'CANDLESS. Mr. Speaker, at the time at which I first read this bill, I was in favor of its passage for various reasons. But since that time a large number of men interested on Second street and other streets, in the city of Philadelphia, have written to me on the subject. It is quite conclusive to my mind that the select and common councils of the city of Philadelphia have entire control of this matter. It is within their province, and if this be a nuisance it can be abated by them at any time without interference on the part of the Legislature. Now, I object to this system of legislation for municipal corporations, when such legislation is not demanded by the municipality; and as the select and common councils have authority to do this very thing, I think the Legislature of the State should not interfere.

Mr. CONNELL. Did the Senator hear the resolution passed by those councils read?

Mr. M'CANDLESS. Yes, sir; but I am satisfied in my mind that they have authority over this matter. I cannot say that I am directly opposed to the bill, because the gentlemen who have charge of it are kind enough to exclude my district from its provisions. Nevertheless I have a feeling for my colleague from the Third district [Mr. DONOVAN], whose constituents are deeply interested in

the passage of this bill. I think the councils have authority, as I have before stated, and that the Legislature should not interfere with their province.

The question being on the final passage of the bill,

The yeas and nays were required by Mr. DONOVAN and Mr. WORTHINGTON, and were as follow, viz:

YEAS—Messrs. Billingfelt, Browne (Lawrence), Coleman, Connell, Cowles, Fisher, Graham, Haines, Jackson, Landon, M'Conaughy, Ridgway, Royer, Searight, Shoemaker, White and Worthington—17.

NAYS—Messrs. Davis, Donovan, Glatz, James, Lowry, M'Candless, Randall, Schall, Walls and Hall, *Speaker*—10.

So the question was determined in the affirmative.

During the call for the yeas and nays,

Mr. BROWNE (Lawrence) said: Mr. Speaker, my sympathies are always with the poor man. I believe the streets in Philadelphia are a public highway—that the public have the right of way there and not the right to erect booths and stands for the sale of merchandise. From the discussion on this question, I have not been able to determine whether this question should be for the municipality to settle or for the Legislature of the State to settle. Inasmuch as the question is before us, I believe that it is right that we should keep the highways in Philadelphia open for the purpose for which they were made. I shall therefore vote "aye."

Mr. LOWRY. Believing that the mayor and select and common councils of the city of Philadelphia have entire authority over this subject, and that it has no right to be brought here, I vote "no."

Mr. WHITE. Mr. Speaker, I have listened very carefully to this discussion. I confess that I have been very much interested by the Senator from Bucks. I was very much interested and instructed by the remarks of the Senator from the Third district of Philadelphia; and were he alone representing Philadelphia, I would be governed by his vote. But I find the Senator from the Fourth district and the Senator from the Second district positively in favor of this bill. I am, therefore, controlled by their judgment, and shall vote "aye."

BILLS ON THIRD READING.

Agreeably to order,

The Senate proceeded to the third reading and consideration of bill entitled An act to incorporate the Review Printing House company of Philadelphia.

The bill

Passed finally.

Also, a bill entitled An act to repeal part of an act approved the 11th day of April, A. D. 1866, entitled A further supplement to an act to authorize the Governor to incorporate the Susquehanna coal company, approved April 15, 1855.

On motion of Mr. GLATZ, the further consideration of the bill was postponed until Friday next, to be made the special order of the day.

On motion of Mr. WHITE and Mr. BROWNE (Lawrence), the Senate resolved itself into committee of the whole (Mr. ROYER in the chair) on the bill, No. 816, from the House of Representatives, Senate file, No. 957, an act to regulate the granting of licenses to hotels and eating houses.

After considerable debate (which will appear in the *Appendix*), the bill passed to second reading.

A motion was made by Mr. DAVIS and Mr. BURNETT that the said bill, together with the amendments, be printed for the use of the Senate.

On the question,

Will the Senate agree to the motion?

The yeas and nays were required by Mr. DAVIS and Mr. DONOVAN, and were as follow, viz:

YEAS—Messrs. Brown (Mercer), Burnett, Connell, Davis, Donovan, Glatz, Jackson, James, Landon, M'Candless, Randall, Ridgway, Schall, Searight, Taylor and Walls—16.

NAYS—Messrs. Bigham, Billingfelt, Browne (Lawrence), Coleman, Cowles, Fisher, Graham, Haines, M'Conaughy, Royer, Shoemaker, White, Worthington and Hall, *Speaker*—14.

So the question was determined in the affirmative.

On leave given at this time,

Mr. TAYLOR read in his place and presented to the Chair a bill entitled An act to except the county of Beaver from the operations of the act entitled An act to provide for the enlargement of the Erie canal, to authorize the mortgage of the same, and the issue of bonds, and to increase the capital stock, and regulate the tolls.

Referred to the Committee on Canals and Inland Navigation.

On motion of Mr. TAYLOR,

The Committee on Canals and Inland Navigation was discharged from the further consideration of said bill, and the rules having been dispensed with, said bill (No. 1068, Senate file) was read a second time.

On the question.

Will the Senate agree to the first and only section?

Mr. BROWN moved to postpone the question, together with the further consideration of the bill, for the present.

On the question,

Will the Senate agree to the motion?

The yeas and nays were required by Mr BROWN (Mercer) and Mr. TAYLOR, and were as follow, viz:

YEAS—Messrs. Bigham, Billingfelt, Browne (Lawrence), Brown (Mercer), Cowles, M'Conaughy and Walls—7.

NAYS—Messrs. Burnett, Coleman, Connell, Fisher, Glatz, Graham, Haines, Jackson, Landon, M'Candless, Randall, Ridgway, Royer, Schall, Searight, Shoemaker, Taylor, White, Worthington and Hall, *Speaker*—20.

So the question was determined in the negative.

The hour of one o'clock having arrived, the SPEAKER adjourned the Senate until this afternoon at 3 o'clock.

HOUSE OF REPRESENTATIVES.

EVENING SESSION.

MONDAY, March 18, 1867.

The House met pursuant to adjournment.

Prayer was offered by the Rev. J. W. Barnhart, of the Methodist Episcopal Church of Philadelphia.

On motion the reading of the Journal of Friday last was dispensed with.

SPEAKER'S TABLE.

The SPEAKER laid before the House the annual report of the Philadelphia and Reading railway company, with accompanying documents.

Laid on the table.

Communication from Esther K. Hayhurst, principal of school of design for women at Pittsburg.

Referred to the Committee on Ways and Means.

Also, the following communication from the Annual Conference of the Methodist Episcopal Church:

HARRISBURG, March 15th, 1867.

By direction of the Philadelphia Annual Conference of the Methodist Episcopal Church now in session, the following resolution, adopted by the conference, is hereby presented to the Senate and House of Representatives of Pennsylvania:

Resolved, That the members of the Senate and House of Representatives of the State of Pennsylvania, now holding their sittings in the State Capitol, be, and are hereby, invited to attend our sessions, and occupy places within the bar of the conference.

(Signed) L. SCOTT, Pres't.
ROBERT H. PATTISON, Sec'y.

LEAVE TO RECORD VOTE.

Messrs. QUAY and HOFFMAN asked and obtained leave to record their votes in the final passage of the act to restore the corporate franchises of the Pittsburg and Connellsville railroad.

On their names being called,

Mr. QUAY voted "aye,"

Mr. HOFFMAN voted "no."

LEAVES OF ABSENCE.

Leave of absence was asked and obtained for the following named gentlemen: Messrs. PHELAN, WILSON, WALLACE, EWING, RICHARDS and LONG, and Assistant Messenger S. A. Gallagher.

Mr. MECHLING. Mr. Speaker, I ask leave to withdraw the petition of Mrs. Sarah E. M'Elhose, for the purpose of presenting it again.

Leave granted.

Petition withdrawn.

REPORTS FROM COMMITTEES.

Mr. M'CREARY, chairman of the Judiciary Local Committee, reported from that committee, in which it originated, bill No. 1335, an act to legalize and make valid an order issued by the road commissioners of Elk Creek township, in the county of Erie.

Mr. WORRALL (Municipal Corporations), as committed, bill No. 1336, an act for the appointment of two additional assessors for the Fifteenth ward of the city of Philadelphia.

Mr. DEHAVEN (Roads, Bridges and Ferries), as committed, bill No. 1337, an act to vacate part of Buck Road, in the Twenty-sixth ward of the city of Philadelphia.

Also (same), as committed, bill No. 1338, a supplement to an act declaring Forge run, in Centre county, a public highway.

Mr. HOOD (same), as committed, bill No. 1339, an act to empower the supervisors of the township of Peach Bottom, in the county of York, to collect in money all taxes levied in said township for road purposes.

Also, (same), as committed, bill No. 1340, an act to incorporate the York and Chancefford turnpike road company in the county of York.

Mr. MECHLING (Estates and Escheats), as committed, bill No. 1341, an act to authorize the trustees of the Methodist Episcopal church of Mount Jackson, Lawrence county, to convey certain real estate.

Mr. ADAIRE (Corporations), with amendments, bill No. 1342, an act to incorporate the Oxford fire and life insurance, annuity and trust company.

Mr. QUIGLEY (same), as committed, Senate bill No. 588, an act to incorporate the Scranton base ball club of Scranton.

Mr. GALLAGHER, from the committee of conference appointed to consider the points of difference between the two houses, on House bill No. 266, entitled An act to annex the farms of Samuel Powers, John Hunter, James Cunningham, John Conway and James Rutledge, of Derry township, to Livermore borough, in Westmoreland county, for school purposes, report that they recommend that the House of Representatives recede from its

non-concurrence in the amendments made by the Senate to said bill.

(Signed) THOS. F. GALLAGHER,
S. G. BOYD,
Committee on the part of the House.
O. P. JAMES.
T. B. SEARIGHT,
Committee on the part of the Senate.

The undersigned, a committee appointed during the session of 1866, to examine and report upon certain charges made by reporters for certain papers in the city of Pittsburg, concerning the use of improper and corrupt means for the purpose of procuring the passage of an act relating to licenses in the county of Allegheny, submit the following report:

The committee examined a large number of witnesses in Harrisburg, but owing to the pressure of other duties, they were unable to conclude their duties as said committee before the close of the session; and by a resolution of the House, they were authorized to pursue the investigation after the adjournment of the House. The committee proceeded to Pittsburg, and examined a large number of witnesses; and, after carefully weighing the testimony submitted to them, they conclude that certain individuals and associations in Pittsburg were induced, by the representations of one R. H. Kerr, a reporter for the *Pittsburg Post*, to believe that it was necessary, in order to secure the passage of a law to protect the interests of the liquor dealers of that county, to raise money to be used in the Legislature; that the testimony showed that a considerable amount of money was raised in accordance with the suggestions of said Kerr, and that the money so raised was kept by said Kerr, not one dollar, as the evidence shows, ever having been paid by him to any member of the Legislature in either branch, nor to any one else; nor was any money offered by him to any member of either House to procure the passage or defeat of any law relating to licenses in the county of Allegheny.

All of which is respectfully submitted.

(Signed) WM. B. WADDELL,
D. B. M'CREARY,
F. W. HEADMAN.

BILLS PASSED.

Mr. QUAY read in his place and presented to the Chair an act to fix the time for the commencement of the June term of the several courts of Beaver county.

On motion, the House proceeded to its consideration.

The bill was numbered 1348, read and

Agreed to.

The rules being suspended,

The bill was read a second and third time, and

Passed finally.

On motion of Mr. HUMPHREY, the orders were suspended, and the House proceeded to the consideration of House bill No. 433, an act to incorporate the Wellsboro' and Lawrenceville railroad company.

The question being on the bill, it was

Agreed to.

The title was

Agreed to.

The rules being suspended,

The bill was read a second and third time, and

Passed finally.

On motion of Mr. SHARPLES, the following petition was read:

To the Senate and House of Representatives of the State of Pennsylvania:

Sincerely concerned for the welfare of mankind, and solicitous for the honor of our beloved country, we are induced to ask your attention to the condition of the Indian tribes remaining within the boundaries of the United States, believing that a voice from Pennsylvania, whose early history bears honorable testimony to a just treatment of the Indians found on her soil, would be influential with Congress towards a just and pacific policy in its treatment of the remnants of those nations that once bore undisputed sway over this vast continent.

There are those among our citizens brought up in the principles by which William Penn was governed, who, guided by the same spirit, could serve as messengers and servants of the National Government, and, it is believed, could calm the troubled waters, and harmonize all just interests and feelings, and secure a lasting peace.

We would kindly ask our worthy Governor and esteemed Senators and Representatives to do what, in wisdom, they can do in this important national concern.

On behalf of the Executive Committee of the Pennsylvania Peace Society.

GEO. WASHINGTON TAYLOR,
President.

HENRY T. CHILD, M. D., 634 Race street.
PHILADELPHIA, 3d Month, 16, 1867.

BILLS IN PLACE.

Mr. WATT read in place and presented to the Chair a supplement to an act to consolidate, revise and amend the penal laws of this Commonwealth, approved March ——, 1860.

Referred to the Committee on the Judiciary General.

Mr. M'KEE, an act regulating the compensation of assessors and assistant assessors in the county of Allegheny.

Referred to the Committee on the Judiciary Local.

Mr. QUIGLEY, a supplement to an act for the summary conviction of professional thieves in the city of Philadelphia.

Referred to the Committee on the Judiciary Local.

Mr. MARKS, an act to vacate a portion of a certain thirty feet wide street, in the Twenty-fourth ward of the city of Philadelphia.

Referred to the Committee on Municipal Corporations.

Mr. ADAIRE, an act to divide the Eighteenth ward into two assessment districts, and for the appointment of two additional assessors.

Referred to the Committee on Municipal Corporations.

Mr. WRIGHT, an act to authorize the school directors of Washington township, in the county of Snyder, to appropriate certain school funds for bounty purposes.

Referred to the Committee on Education.

Mr. DAVIS, an act to incorporate the Union tubing transportation company.

Referred to the Committee on Corporation.

Mr. ROUSH, an act to incorporate the Uniontown stock company.

Referred to the Committee on Corporations.

Mr. DONOHUGH, an act to incorporate the Commonwealth Savings Fund, and Safe Deposit company of Philadelphia.

Referred to the Committee on Banks.

Mr. PENNYPACKER, an act to incorporate the Phoenix Saving Bank and Safe Deposit company.

Referred to the Committee on Banks.

Mr. DAVIS, an act to take the expression of the people of Venango county, relative to the removal of the seat of justice of said county.

Referred to the Committee on Counties and Townships.

Mr. CHALFANT, an act to take the expression of the people of Venango county relative to the removal of the seat of justice of said county.

Referred to the Committee on Counties and Townships.

Mr. LEECH, an act to take the expression of the people of Venango county, relative to the removal of the seat of justice of said county.

Referred to the Committee on Counties and Townships.

Mr. ROATH, an act for the relief of the Empire Hook and Ladder fire company No. 1, of Lancaster city, Penn'a, for damages done their hall by the military of Pennsylvania in 1861.

Referred to the Committee on Military Affairs.

Mr. ROUSH, an act to remove the disability of not being commissioned by the Governor of Pennsylvania, from A. J. Gibson.

Referred to the Committee on Military.

Mr. JONES, an act to authorize the school directors of Albany township, Berks county, to levy and collect a special bounty tax.

Referred to the Committee on Military.

Mr. ADAIRE, an act to incorporate the Puebla gold and silver mining company.

Referred to the Committee on Mining and Manufacturing Companies.

Also, an act to incorporate the Viola gold and silver mining company.

Referred to the Committee on Mining and Manufacturing Companies.

Also, an act to incorporate the Carbondale gold and silver mining company.

Referred to the Committee on Mining and Manufacturing Companies.

Mr. RHOADS, an act to incorporate the Indemnity gold and silver mining company of Colorado.

Referred to the Committee on Mining and Manufacturing Companies.

Mr. WADDELL, a supplement to the act to declare and regulate escheats.

Referred to the Committee on Estates and Escheats.

Mr. KINNEY, an act to punish fruit thieves.

Referred to the Committee on Agriculture.

Mr. LONG, an act to incorporate the Mechanicsburg, Dillsburg and Petersburg turnpike company.

Referred to the Committee on Roads, Bridges and Ferries.

Mr. WRIGHT, a supplement to an act to authorize Henry B. Masser and John H. Fisher to establish and maintain a ferry over the Susquehanna river at Selinsgrove, approved March 20th, A. D. 1863.

Referred to the Committee on Roads, Bridges and Ferries.

Mr. GALLAGHER, an act to extend the provisions of an act to prohibit the issuing of licenses within certain boroughs in the counties of Armstrong, Potter, Indiana and Perry, or within two miles of the same, in the counties in which such boroughs are located, approved the 27th day of March, 1866, to the boroughs of West Newton and Mount Pleasant, in the county of Westmoreland.

Referred to the Committee on Vice and Immorality.

Mr. M'KEE, bill No. 1344, joint resolution to pay the expenses of the committee appointed at the last session of the Legislature, to investigate the truth of certain newspaper articles, in reference to the passage of an act relating to licenses in the county of Allegheny.

Laid on the table.

Mr. COLVILLE, bill No. 1345, an act to incorporate the Pittsburg and Waynesburg railroad and transportation company.

Laid on the table.

Mr. MECHLING, bill No. 1346, an act

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[CONTINUED FROM PAGE 656.]

granting a pension to Sarah E. M'Elhose, widow of a soldier.

Laid on the table.

Mr. QUAY, bill No. 1347, an act to incorporate the Beaver Falls water company.

Laid on the table.

Mr. QUAY, bill No. 1348, an act to fix the time of the commencement of the June term of the several courts of Beaver county.

Laid on the table.

Mr. KINNEY, bill No. 1349, an act to authorize the school directors of Troy borough school district, in the county of Bradford, to contract a loan for the purpose of erecting a suitable school house in said borough.

Laid on the table.

Mr. CRAIG, bill No. 1350, an act enabling the Hazleton railroad company to avoid their inclined planes.

Laid on the table.

Mr. KURTZ, bill No. 1351, an act to extend the provisions of an act to entitle the stockholders of any railroad company to one vote for each share of stock, approved the 20th day of March, A. D. 1865, to the Bellefonte, Aaronsburg and Youngwomanstown turnpike company, and to change the name of the same.

Laid on the table.

Mr. WADDELL, bill No. 1352, an act relative to a certain highway in the town of Coatesville, Chester county.

Laid on the table.

Mr. PENNYPACKER, bill No. 1353, an act to incorporate the Pickering gold and silver mining company.

Laid on the table.

Mr. CHASE, bill No. 1354, an act to incorporate the Lincoln Savings Bank.

Laid on the table.

Mr. SEILER, bill No. 1355, an act relating to parks in the city of Harrisburg.

Laid on the table.

Mr. HOFFMAN, bill No. 1356, an act to make Frederick Gastrock the heir at law of John Gastrock.

Laid on the table.

Mr. M'CREARY, bill No. 1357, an act relative to actions of ejectment in Erie county.

Laid on the table.

Also, bill No. 1358, an act relative to the jurisdiction of justices of the peace, mayors and burgesses in Erie county, and relative to appeals therefrom.

Laid on the table.

Also, bill No. 1359, an act relating to the borough of Union Mills in the county of Erie.

Laid on the table.

Mr. ROATH, bill No. 1360, an act supplementary to an act incorporating the borough of Marietta, approved February 15th, A. D. 1834, granting certain powers to chief burgess and borough constable.

Laid on the table.

Mr. STEACY, bill No. 1361, an act to authorize the directors of West Hempfield township, Lancaster county, to apply surplus of bounty fund for school purposes.

Laid on the table.

Mr. FOGEL, bill No. 1362, a supplement to an act incorporating the Lehigh Mutual manufacturing company.

Laid on the table.

Mr. M'HENRY, bill No. 1363, an act authorizing the supervisors of Salem township, in Luzerne county, to collect in money the tax levied for road purposes in said towuship.

Laid on the table.

Mr. WINGARD, bill No. 1364, an act to extend the time for the payment of a certain enrollment tax.

Laid on the table.

Mr. SHUMAN, bill No. 1365, an act authorizing the board of school directors of the township of Wheatfield, in the county of Perry, to levy and collect an additional bounty tax.

Laid on the table.

Mr. JOSEPHS, bill No. 1366, an act to incorporate the Review Printing House company of Philadelphia.

Laid on the table.

Mr. QUIGLEY, bill No. 1367, an act extending the time of payment of the enrollment tax on an act incorporating the Pennsylvania light and water company, approved April 5th, 1866.

Laid on the table.

Mr. ADAIRE, bill No. 1368, an act to repeal part of the thirty-fourth section of an act to reduce the State debt, approved April 29th, 1844.

Laid on the table.

Mr. WORRALL, bill No. 1369, a supplement to an act to fix the standards and denominations of measures and weights in the Commonwealth of Pennsylvania, approved the 15th day of April, A. D. 1834.

Laid on the table.

Mr. ROUSH, bill No. 1370, an act to repeal an act to prevent horses, cattle, sheep and hogs from running at large in Chillesquaque township, Northumberland county, and Kelly township, Union county, and certain townships in Luzerne county, approved March 23d, 1865, so far as relates to Kelly township, Union county.

Laid on the table.

Also, bill No. 1371, an act to increase the salary of the supervisors and auditors in Washington township, Lycoming county.

Laid on the table.

Mr. WHANN, bill No. 1372, an act to incorporate the Boyd Farm bridge company of Venango county.

Laid on the table.

Also, bill No. 1373, a supplement to an act to establish a ferry over the Allegheny river at Liggin's landing, near the mouth of East Hickory, Harmony township, Venango county.

Laid on the table.

Mr. DAY, bill No. 1374, an act to organize the Monongahela City and Victory turnpike road company, Washington county.

Laid on the table.

Mr. CHASE, bill No. 1375, an act relative to the jurisdiction and powers of the several courts of this Commonwealth.

Laid on the table.

Mr. LONG, bill No. 1377, an act appropriating certain surplus bounty funds in Silver Spring township, Cumberland county, to school purposes.

Laid on the table.

Mr. WINGARD, bill No. 1316, an act relating to auctioneers in the city of Williamsport.

Laid on the table.

Mr. HEADMAN, bill No. 1378, an act to authorize the Hartsville and Centreville turnpike road company to issue preferred stock.

Laid on the table.

Mr. M'CAMANT, bill No. 1380, an act relating to the election district of Allegheny township, in the county of Blair.

Laid on the table.

Also, bill No. 1381, an act to authorize the supervisors of Tyrone township, Blair county, to levy a cash tax, and James L. Gwinn to run, fix and establish the boundary line between Tioga and Logan townships, Blair county.

Laid on the table.

Mr. M'CAMANT, bill No. 1379, an act to provide a city government for the borough of Altoona, Blair county.

Laid on the table.

Mr. DAVIS, bill No. 1383, an act to create trustees to erect a monument in the Twenty-second ward of the city of Philadelphia, and to authorize Henry K. Smith, executor or administrator of the estate of Wm. K. Smith, deceased, to pay over the money in his hands belonging to the bounty fund of the Twenty-second ward to the said trustees.

Laid on the table.

Mr. DONOHUGH, bill No. 1382, joint resolution instructing our Senators and requesting our Representatives in Congress to use their influence for the passage of an act to equalize the bounties of soldiers, sailors and marines who enlisted in the United States service during the late rebellion.

Laid on the table.

PETITIONS, MEMORIALS, &C.

Mr. SHARPLES presented to the Chair a petition from the executive committee of the Pennsylvania Peace society, relating to the treatment of the Indians, and asking legislative influence with the General Government.

Referred to the Committee on Federal Relations.

Mr. CHASE, two petitions from citizens of East Fallowfield and South Shenango townships, Crawford county, remonstrating against the passage of an act to authorize the commissioners of Crawford county to borrow money.

Referred to the Committee on the Judiciary Local.

Mr. ESPY, one of like import.

Referred to the Committee on the Judiciary Local.

Mr. ROUSH, a petition from inhabitants

of the township of Washington, in the county of Lycoming, praying for the passage of an act to increase the pay of the supervisors and auditors of said township.

Referred to the Committee on the Judiciary Local.

Mr. M'KEE, a remonstrance from inhabitants of the city of Pittsburg, against the passage of a law to prohibit the depositing of unwholesome matter in the running streams in Allegheny county.

Referred to the Committee on the Judiciary Local.

Mr. COLVILLE, a remonstrance from citizens of the Sixth and Seventh wards of the city of Pittsburg, against the passage of an act vacating Vine street, in said city.

Referred to the Committee on Municipal Corporations.

Mr. MARKLEY, a petition from citizens of the borough of Norristown and vicinity, praying for an act incorporating the Lehigh and Norristown railroad.

Referred to the Committee on Railroads.

Mr. FREEBORN, a remonstrance from owners of property and residents and persons doing business on the line of the Philadelphia, Germantown and Norristown railroad, against the passage of any law prohibiting the use of steam power on certain portions of their road.

Referred to the Committee on Railroads.

Mr. RHOADS, a remonstrance of like import.

Referred to the Committee on Railroads.

Mr. KERNS, a remonstrance of like import.

Referred to the Committee on Railroads.

Mr. WORRALL, a remonstrance of like import.

Referred to the Committee on Railroads.

Mr. WATT, a remonstrance of like import.

Referred to the Committee on Railroads.

Mr. HARNER, a remonstrance of like import.

Referred to the Committee on Railroads.

Mr. SUBERS, three remonstrances of like import.

Referred to the Committee on Railroads.

Mr. BARTON, a remonstrance of like import.

Referred to the Committee on Railroads.

Mr. MARKS, a remonstrance of like import.

Referred to the Committee on Railroads.

Mr. SHARPLES, a remonstrance of like import.

Referred to the Committee on Railroads.

Mr. MARKLEY, a remonstrance of like import.

Referred to the Committee on Railroads.

Mr. SATTERTHWAIT, a remonstrance of like import.

Referred to the Committee on Railroads.

Mr. GREGORY, two remonstrances of like import.

Referred to the Committee on Railroads.

Mr. GALLAGHER, a petition from citizens of Hempfield township, Westmoreland county, praying that the supervisors be directed to make new divisions of said township.

Referred to the Committee on Counties and Townships.

Mr. M'KEE, a petition from inhabitants of Birmingham and Lower St. Clair townships, in Allegheny county, for the passage of an act to annex a portion of said township to said borough.

Referred to the Committee on Counties and Townships.

Mr. KINNEY, a petition from inhabitants of Oil Creek township, in the county of Crawford, praying for the erection of a new county out of parts of Crawford, Forest, Venango and Warren counties.

Referred to the Committee on Counties and Townships.

Mr. STUMBAUGH, a petition from citizens of Antrim township, in the county of Franklin, praying for a law transferring bounty fund to school purposes.

Referred to the Committee on Military.

Mr. WINGARD, four remonstrances from citizens of Jersey Shore borough, against a law prohibiting the licensing of eating houses and billiard saloons.

Referred to the Committee on Vice and Immorality.

Mr. M'HENRY, a petition from citizens of Madison township, for the passage of an act for a more stringent liquor law.

Referred to the Committee on Vice and Immorality.

Mr. MANN, a petition from one hundred and forty-four ladies of Centre county, asking for a law to prohibit wholesale dealers in intoxicating drinks from selling at retail.

Referred to the Committee on Vice and Immorality.

Mr. COLVILLE, a remonstrance from the school directors of the Second ward, Pittsburg, against the passage of an act authorizing the separation of the school of said city from the system of control by a county superintendency.

Referred to the Committee on Education.

Mr. KINNEY, a petition from citizens of Troy borough school district, Bradford county, asking authority to contract a loan to establish a graded school in said borough.

Referred to the Committee on Education.

Mr. WORRALL, a resolution from the school controllers, First district of Pennsylvania, against a change of the mode of electing school controllers.

Referred to the Committee on Education.

Mr. COLVILLE, a petition from citizens of Collins township and neighborhood, praying for the repeal of a supplement to an act approved the 11th day of April, 1866, entitled An act for the improvement of Highland avenue, &c.

Referred to the Committee on Roads, Bridges and Ferries.

Also, a petition from citizens of East Deer township and borough of Tarentum, praying for the passage of a supplement to an act entitled An act to lay out a State road from the borough of Tarentum, in Allegheny county, by way of Bakerstown, to the State road leading from Perrysville to the Glade Mills, on lands of George Gocher, in Butler county.

Referred to the Committee on Roads, Bridges and Ferries.

Mr. M'HENRY, a petition from citizens of Salem township, Susquehanna county, to authorize the supervisors of said township to collect the road tax of said township in money.

Referred to the Committee on Roads, Bridges and Ferries.

Mr. M'KEE, a remonstrance from inhabitants of South Fayette township, Allegheny county, against the passage of a law to locate a State road from the mouth of Coal Pit, in said county, to a bridge on Miller's Run plank road, near Venice, in Washington county.

Referred to the Committee on Roads, Bridges and Ferries.

Mr. MARKLEY, a petition for an act to prevent cattle from running at large in Norristown.

Referred to the Committee on Agriculture.

Mr. QUAY, a petition from citizens of Darlington township, Beaver county, for the passage of an act to prohibit the running at large of stock in said township.

Referred to the Committee on Agriculture.

Mr. MARKLEY, a petition from citizens of Montgomery county, praying for the extension of the act authorizing the Secretary of the Commonwealth to distribute copies of the standard of weights and measures, and for the appointment of sealers, approved April 18, 1845, now in operation throughout the various counties of the Commonwealth, to the said county of Montgomery.

Referred to the Committee on Agriculture.

Also, a petition numerously signed, praying for an act to compel the Schuylkill navigation company to erect sluices on all the dams on the river Schuylkill, so that fish can pass up.

Referred to the Committee on Agriculture.

Mr. STUMBAUGH, a petition from citizens of Cumberland and Franklin counties, praying for a change of the huckster law in said counties.

Referred to the Committee on Agriculture.

Also, a petition from citizens of Franklin county, of like import.

Referred to the Committee on Agriculture.

Mr. MECHLING, a petition from Sarah E. M'Elhose, widow of a soldier, for a pension.

Referred to the Committee on Pensions and Gratuities.

Mr. FREEBORN, a petition from five hundred and fifty-seven citizens of the city of Philadelphia, in favor of a change of the licence laws in said city.

Laid on the table.

Mr. CHASE, a petition from the inhabitants of the city of Titusville, in the county of Crawford, praying for the passage of an act restricting the common council of said city as to the indebtedness of the same.

Laid on the table.

Mr. STUMBAUGH, a petition from certain citizens of Franklin county protesting against any change of the Sunday law.

Laid on the table.

BILLS ON THIRD READING.

Agreeably to order,

The House resumed the consideration of Senate bill No. 562, an act relating to the coroner of the city and county of Philadelphia.

On the question,

Shall the bill pass?

Mr. GREGORY. Mr. Speaker, I hope the bill will not pass.

If the gentlemen from Philadelphia will take the trouble to read that bill, they will see that one provision in it is this: that the coroner shall hold an inquest on the body of any deceased person who shall have died a violent death, or where death shall be sudden. It makes no restrictions as to what "sudden" means. The coroner can decide that question for himself; whether it means after a day's illness, a week's illness or two weeks' illness.

A person may be in the enjoyment of good health, but if he die within a week's time that might be called a sudden death. It gives the coroner a right to go into any house, although there has been no presumption of a violent death, for the purpose of holding an inquest. He shall be allowed by law to receive the sum of twenty-five cents for each oath administered in the discharge of his ordinary duties. It makes no restrictions of the number of oaths he may administer on each inquest; it may be five or ten; it may be five hundred.

I hope the gentlemen from Philadelphia will take this into consideration in casting their votes. The press of the city of Philadelphia have been almost unanimous against the passage of such an act. It is no benefit to the public at all; it is merely for the benefit of the coroner of the city of Philadelphia. The present fees are sufficient for anybody

with a reasonable expectation when he accepts the office of coroner.

I hope the bill will not pass.

Mr. DEHAVEN. Mr. Speaker, I believe all these objectionable features have been stricken out.

As the gentleman from Philadelphia [Mr. DAVIS], who has the bill in charge, is not in his seat, I hope its further consideration will be postponed for the present.

On the motion of Mr. KERNS, the bill was postponed for the present.

The next bill in order on third reading was House bill No. 622, entitled An act to authorize John Du Bois to erect cribs, and form a log harbor in the West Branch of the Susquehanna river.

On the question,

Shall the bill pass?

Mr. STUMBAUGH moved that the further consideration of the bill be postponed for one week.

The motion was

Agreed to.

The next bill in order on third reading was House bill No. 658, entitled An act relating to pawnbrokers in Allegheny county.

On the question,

Shall the bill pass?

Mr. COLLVILLE. Mr. Speaker, I believe I am the only person of our delegation who has manifested any interest in this bill. I was very desirous that this bill should be acted upon and passed finally.

At the earnest remonstrance of some parties who appeared and expressed themselves as being very deeply interested in this bill, I had it laid over on third reading.

It appears that gentleman, taking advantage of my generosity, improved the opportunity and privileges extended to him to rally his forces in oppositiou to this measure. He has also came here and attempted to intimidate me by threats, telling me if this bill passed what I might expect from the people my of own county.

I wish to be placed upon the *Record* as being entirely regardless of these threats; but I cannot overlook the remonstrance which has come here signed by the presidents of both our common and select branches of the city government. Out of due respect for them, and having a due regard for other gentlemen who have signed petitions and remonstrances against the passage of this bill, I move that its further consideration be indefinitely postponed.

The motion was

Agreed to.

The next bill in order on third reading was Senate bill No. 566, entitled An act to authorize the clerk of the mayor or aldermen of the city of Pittsburg to administer oaths.

On the question,

Shall the bill pass?

Mr. STEHMAN. Mr. Speaker I move that the further consideration of that bill be postponed for the present.

The motion was

Agreed to.

The next bill in order on third reading was House bill No. 515, entitled An act relating to the passage of fish in Middle creek, in the county of Snyder.

On the question,

Shall the bill pass?

Mr. ARMSTRONG. Mr. Speaker, I move that the further consideration of that bill be indefinitely postponed.

The motion was

Agreed to.

The next bill in order on third reading was House bill No. 554, entitled An act relating to the appointment of road viewers and their duties, in the county of Snyder.

On the question,

Shall the bill pass?

Mr. WRIGHT. Mr. Speaker, I move that the further consideration of that bill be indefinitely postponed.

The motion was

Agreed to.

The next bill in order on third reading was House bill No. 690, an act relating to the assessment and collection of taxes in the city of Chester.

On the question,

Shall the bill pass?

Mr. BARTON. Mr. Speaker, I shall have to ask that this bill be indefinitely postponed. I make the motion, inasmuch as many of the citizens of the county are opposing it very strenuously and perhaps justly.

The motion was

Agreed to.

The next bill on third reading was House bill No. 700, a supplement to an act to incorporate the Chester Creek railroad company, approved the sixteenth day of April, Anno Domini one thousand eight hundred and sixty-six.

On the question,

Shall the bill pass?

Mr. WADDELL. Mr. Speaker, I move to go into committee of the whole for the purpose of special amendment.

I desire to strike out in the seventh line the words "or near," and also the manuscript proviso which I ask may be read for the information of the House.

The proviso was read as follows:

Provided, That it shall not be lawful for the Chester Creek railroad company, or any person having control of their railroads, to transport any passenger or freight thereon, passing to and from Philadelphia and points on the Philadelphia and Baltimore Central railroad, in pursuance of any understanding or arrangement between said Philadelphia and Baltimore Central railroad company, or the company or persons controlling their railroad, and any other company or persons, the result or effect of which understanding or arrangement shall be to deprive passengers and shippers of freight of the option of traveling or transporting freight between the points aforesaid, by way of the West Chester and Philadelphia railroad, at the same rates, upon the same terms and conditions, and with the same facilities and advantages, in all respects, as are afforded by way of the Chester Creek railroad: *Provided further*, That the West Chester and Philadelphia railroad company shall be willing to enter into similar arrangements for that purpose.

On the question,

Will the House go into committee of the whole for the purpose of amending the bill as indicated?

Mr. BARTON. Mr. Speaker, as to the first amendment, for the purpose of inserting which it is desired that this House go into committee of the whole, I have no objection. It can be inserted, so far as I am concerned, without going into committee of the whole; but I think the proviso which the gentleman asks to have considered in committee of the whole appertains more to other railroad corporations than to the road we have under consideration.

The Chester railroad, to the act incorporating which this bill is a supplement, is a road running to Chester, making the terminus at present at Leni. This supplement asks to have the terminus at Penelton, which would connect it with the Philadelphia and West Chester railroad and the Baltimore Central. I question very much the authority of this House to put provisions in this bill which will control or govern other roads. I think there are constitutional objections which might be urged against the attachment of a provision of this kind. This bill is purely local in its nature. While it connects with other railroads, the Philadelphia and West Chester, as well as the Baltimore Central, the Wilmington and Philadelphia, and Baltimore railroad, it is distinct in itself.

While it desires no advantage over the West Chester and Philadelphia railroad, we ask that the road itself be left untrammeled and be made a competing road, so far as its natural facilities will permit it, with any other road near or adjoining.

I hope the gentleman will not insist upon going into committee of the whole for the purpose of amendment.

Mr. WADDELL. Mr. Speaker, if I understand the position of matters and the desire of parties connected with this road, it is simply this, and it has been already stated by the gentleman from Delaware:

It was alleged, as I understand, before the committee, when this bill was under consideration, that the Chester Creek road did not desire to make any discriminations, so far as freight and passengers were concerned, from the Baltimore Central to the city of Philadelphia, over the West Chester road. That was distinctly discarded at the time of the hearing before the committee.

In other words (I want the House to understand the relative positions of these roads), that the Chester Creek road, which by this bill will connect with the Baltimore Central, and thereby open up another route to the city of Philadelphia, in opposition to the West Chester road, should not discriminate in its rates for the passage either of freight or passengers over the West Chester road.—That was the distinct allegation before the committee. It was simply desired that it should be a competing road with this understanding, that the Baltimore Central should have the opportunity of passing over the Chester Creek road if they desired, and then over the Wilmington and Baltimore road, thus reaching the city of Philadelphia. The proviso, if carefully read, will be found to say distinctly that that discrimination shall not be made. It puts in writing the proposition that those gentleman have, on all occasions, made. It provides that this discrimination shall not be made if the West Chester road is willing to run passengers and freight at the same rates. If all the circumstances surrounding the passage of this charter and this supplement were known, I do not think this House would consider it an unreasonable demand.

Inasmuch as the gentlemen representing this bill have made these promises before the committee, the West Chester road, which will be injured by this bill, ask merely that their propositions may be put in writing or print, to go as a part and parcel of the supplement which they here ask.

Mr. BARTON. Mr. Speaker, one word more. The gentleman has stated if this House knew all the circumstances connected with this matter it would not pass this bill.

Mr. WADDELL. I stated if the House knew all the surrounding circumstances it would not consider this an unreasonable demand. I do not say they would not pass the bill.

Mr. BARTON. I misunderstood the gentleman slightly; however, the statement is still very specious. The gentlemen comprising the railroad committee will, I think, bear me out when I state that this bill was fairly considered, so far as I am concerned, with the committee. There was no undue influence used. The parties opposing the bill were before the committee at four or five successive meetings, and arguments were presented. I do not think there has been anything unreasonable asked by the friends of this bill in relation to the matter. We certainly do not desire to take any advantage of

the West Chester or Philadelphia railroad. It is a road running, to a great extent, through my own county, and the stock is held, to a considerable extent, by the citizens of my own county—my constituents. We do not desire to do anything to injure that road or its stockholders.

I think it is unreasonable to ignore the considerations that are offered for a common junction, at which roads can mutually exchange their passengers and freight. The distance is small—three-fourths of a mile—and by terminating at this junction, it gives nothing more than an equal chance with the West Chester and the Philadelphia railroad—an opportunity to compete with them from that point to Philadelphia. The distance by way of this road is over four miles greater than by way of the Philadelphia and West Chester road. We certainly have no desire to take advantage. We ask simply, what any gentleman upon this floor would ask, having a local railroad built in his district or county, that a terminus might be at one general rendezvous. The point at which we seek to make a common junction is a point of convenience to travelers; it is a matter of convenience in the exchange of freight.

I leave the question with the House to decide whether they will go into committee of the whole on this special amendment or not.

On the question,

Will the House go into committee of the whole?

The yeas and nays were required by Mr. WADDELL and Mr. GHEGAN, and were as follow, viz:

YEAS—Messrs. Humphrey Jones, Linton, Long, M'Creary, Naish, Mann, Quay, Quigley, Rhoads, Waddell, Weller and Westbrook—13.

NAYS—Messrs. Adaire, Armstrong, Barton, Boyd, Brennan, Chadwick, Chalfant, Chase, Colville, Craig, Day, DeHaven, Espy, Fogel, Freeborn, Gallagher, Ghegan, Harbison, Harner, Headman, Heltzel, Hoffman, Hood, Josephs, Kerns, Kinney, Kline, Kurtz, Leech, M'Camant, M'Henry, M'Kee, Marks, Meily, Pennypacker, Peter, Pillow, Roath, Roush, Satterthwait, Shuman, Steacy, Stehman, Subers, Watt, Wharton, Wingard and Worrall—48.

So the question was determined in the negative.

The question recurring on the final passage of the bill,

It was

Agreed to.

And the bill

Passed finally.

The SPEAKER *pro tempore* (Mr. M'M'CREARY) announced that the next bill in order, on third reading, was Senate bill No. 235, entitled

An act to punish by fine any railroad corporation within this Commonwealth that shall exclude, or allow to be excluded by their agents, conductors, or employees, from any of their passenger cars, any person or persons, on account of color or race.

Mr. BOYLE. Mr. Speaker, I move to go into committee of the whole for the purpose of special amendment.

Mr. KERNS. Mr. Speaker, I call the previous question.

The bill was read by order of the SPEAKER.

Mr. BOYLE. Mr. Speaker, I move to go into committee of the whole for special amendment.

The SPEAKER *pro tempore*. The previous question has been called.

Mr. QUIGLEY. I rise to a point of order. The previous question was called before the bill was read.

Mr. BOYLE. Mr. Speaker, after the bill is before the House, I move to go into committee of the whole for special amendment.

The SPEAKER *pro tempore*. The Chair decides the call for the previous question is in order.

Mr. QUIGLEY. Does the Chair decide that the call for the previous question was made before the bill was read?

Mr. STUMBAUGH. Mr. Speaker, all debate is out of order.

Mr. BOYLE. I rise to a question of privilege.

I submit it to the Speaker as a question of fact whether the previous question had been called when I made my motion after the bill was before the House?

The SPEAKER *pro tempore*. The Chair so understood it.

Mr. BOYLE. It was not so, and I so charge it.

The SPEAKER *pro tempore*. The Clerk will take the names of the gentlemen seconding the call for the previous question.

The following gentlemen seconded the call:

Messrs. Mann, Harbison, Worrall, Humphrey, Pennypacker, Ghegan, Kinney, Freeborn, DeHaven, Gallagher, Kerns and Meily.

Mr. QUIGLEY. Mr. Speaker, on the previous question I call the yeas and nays.

On the question,

Shall the main question be now put?

The yeas and nays were required by Mr. QUIGLEY and Mr. HOOD, and were as follow, viz:

YEAS—Messrs. Adaire, Armstrong, Barton, Chadwick, Chase, Colville, Day, DeHaven, Freeborn, Gallagher, Ghegan, Harbison, Hoffman, Humphrey, Kerns, Kinney, Leech, M'Camant, M'Creary, M'Kee, Mann, Marks, Mechling, Meily, Pennypacker, Peter, Pillow, Quay, Roath, Seiler, Sharples, Shuman, Steacy, Stehman, Stumbaugh, Subers, Waddell, Watt, Weller, Whann, Wharton, Wingard, Worrall, Wright and Glass, *Speaker*—45.

NAYS—None.

There not being a quorum voting the question was undetermined.

Mr. MECHLING. Mr. Speaker, I move a call of the House.

The SPEAKER *pro tempore*. The Sergeant-at-Arms will close the passage from the Hall.

The Clerk will call the roll:

Mr. BOYLE. Mr. Speaker, I move the House do now adjourn.

Mr. KERNS. Mr. Speaker, I call the gentleman to order.

The SPEAKER *pro tempore*. The Chair decides the motion out of order.

Mr. BOYLE. I appeal from the decision of the Chair.

Mr. GREGORY. I second the appeal.

The SPEAKER *pro tempore*. The Chair decides the appeal out of order.

No motion to adjourn is in order when the previous question is called.

Mr. GREGORY. The previous question has not been sustained.

The SPEAKER *pro tempore*. It is pending.

Mr. GREGORY. It has not been sustained.

Mr. QUAY. Mr. Speaker, it seems to me to be the duty of the Chair to bring certain members who are on the floor of this House before the bar to answer for contempt.

The SPEAKER *pro tempore*. Any member not answering to his name, being present, will be brought before the bar of the House to answer for contempt.

Upon the call of the roll the following gentlemen answered to their names:

Messrs. Adaire, Armstrong, Barton, Boyd, Boyle, Brennan, Chadwick, Chalfant, Chase, Colville, Day, DeHaven, Donohugh, Fogel, Freeborn, Gallagher, Ghegan, Harbison, Harner, Hoffman, Humphrey, Jenks, Jones, Kerns, Kinney, Kurtz, Leech, Long, M'Camant, M'Creary, M'Henry, M'Kee, M'Pherrin, Mann, Marks, Mechling, Meily, Pennypacker, Peter, Pillow, Quay, Rhoads, Roath, Roush, Seiler, Sharples, Shuman, Steacy, Stehman, Stumbaugh, Subers, Tharp, Waddell, Watt, Weller, Westbrook, Whann, Wharton, Wingard, Worrall, Wright and Glass, *Speaker*—62.

Mr. JOSEPHS. Mr. Speaker, what is the question?

The SPEAKER *pro tempore*. The question is, Shall the main question be now ordered? and the Clerk will proceed to call the yeas and nays.

The yeas and nays were as follows, viz:

YEAS—Messrs. Adaire, Armstrong, Barton, Chadwick, Chase, Day, DeHaven, Espy, Freeborn, Gallagher, Ghegan, Harbison, Hoffman, Humphrey, Kerns, Kinney, Leech, M'Camant, M'Creary, M'Kee, M'Pherrin, Mann, Marks, Mechling, Meily, Pennypacker, Peters, Pillow, Quay, Roath, Seiler, Sharples, Shuman, Steacy, Stehman, Stumbaugh, Subers, Waddell, Watt, Weller, Whann, Wharton, Wingard, Worrall, Wright and Glass, *Speaker*—46.

NAYS—None.

A quorum not voting, the question remained undetermined.

Mr. MANN. Mr. Speaker, I move now that the fifty-seventh rule of this House be enforced.

The SPEAKER *pro tempore*. The Chair will state, after the call of the House is made, any member refusing to vote shall be deemed to be in contempt. Unless purged of that contempt, the Sergeant-at-Arms shall be authorized to remove him from the bar of the House, with the refusal of all privileges of membership.

Mr. WADDELL. Mr. Speaker, if there is any gentleman in the House who desires to vote now, I apprehend that all he has to do is to ask leave to record his vote. The fifty-seventh rule must be enforced; if gentlemen wish to vote they can only do it by standing up in their places and asking leave.

Mr. DAVIS. Mr. Speaker, I was not present when my name was called. I ask leave to record my vote.

Mr. QUAY. Mr. Speaker, I move to reconsider the vote on putting the previous question.

Mr. PENNYPACKER. Mr. Speaker, I am very sorry to see our friends on the opposite side of the House taking this position. It appears to me, according to rule fifty-seven, page one hundred and nineteen, that some gentlemen have placed themselves in contempt of the House. Unless the House enforces this rule all our rules are of no effect. I desire to extend as many privileges to the members of this House as any gentleman on the floor; I will yield to none. As the gentleman from Chester [Mr. WADDELL] says, it is only necessary for those who wish to vote to express the desire. I, for one, shall insist upon the enforcement of the rule, and that gentlemen shall purge themselves of this contempt. This House should not, for a moment, go back of those rules. I shall stay here as long as it is possible for me to do so, and ask the members of this House to stand firmly by this rule. I ask the gentlemen on the other side of the House to come up to their duty on this question, to be men, to do what they should do.

It is a direct insult to this House for gentlemen to act in the manner that they have acted to-night. I, for one, am not willing to have gentlemen sit in their places and refuse to vote—in direct violation of this rule. I hope gentlemen will ask permission to vote and behave as gentlemen.

The SPEAKER. The Chair will state

that the question is on the motion of the gentleman from Philadelphia [Mr. DAVIS], that he have leave to record his vote.

The motion was

Agreed to.

His name being called Mr. DAVIS voted "aye."

Mr. MANN. Mr. Speaker, I ask that a like courtesy be extended to every member within the bar of this House.

Mr. MECHLING. Then, Mr. Speaker, I move a strict enforcement of the rules.

Mr. BOYLE. Mr. Speaker—

Mr. COLVILLE. I rise to a point of order.

The SPEAKER. It has not been declared that the gentleman from Fayette, or any other gentleman on the floor of this House, has been in contempt.

Mr. BOYLE. Mr. Speaker, although I may not be strictly in order, yet I presume the same courtesy will be extended to this side of the House as to the other gentlemen.

Now, I may say that the members upon this side of the House had, during the session, deported themselves as becoming members of this House and as becoming gentlemen. I know of not a single occasion where they have behaved in any other way. As I have had occasion to say once before, we are members of the House, and are entitled to some privileges. We think that this evening, while the gentleman from Erie [Mr. M'CREARY] was in the chair, we have not received the treatment due to gentlemen. We think, in the face of facts and in the face of what every member on this floor knows, we have been denied our privileges and have not been allowed to be heard upon the question that was before the house. We think a gross injustice has been done by the gentleman from Erie, and I, for one, would lose my privileges as a member of the House, if I am in contempt, rather than submit to a ruling of this kind.

I moved my amendment before the previous question was called, and the gentleman from Erie and every gentleman in the House knows it. The gentleman from Erie has walked over that fact, ruled me out of order and deprived us of the opportunity of offering an amendment.

I care not one cent about this bill, whether it passes or fails; I do not care whether an amendment be offered to it or not; this is immaterial to me, but I say our rights have been disregarded here by the gentleman who occupied the chair. I say, further, our rights are not to be disregarded with impunity. I am willing to take the consequences of their maintenance.

Mr. M'CREARY. Mr. Speaker, I would say that I have always found those who are guilty of grave misdemeanors most apt to attempt to place the responsibility upon the shoulders of some one else. I am sorry to say that the gentleman from Fayette [Mr. BOYLE] has placed himself in that position to-night. There is no excuse for him even if the facts, as he alleges them, were true. I state here that I, whilst in the chair, decided as I understood the rules of the House authorized me to decide, that the previous question could be called at any time.

While the gentleman from Fayette was offering his amendment I decided under this rule that the previous question, having been called, was in order.

Mr. BOYLE. Will the gentleman allow me to interrupt him?

Mr. M'CREARY. Not at present.

I understand that to be the rulings on this floor and the rules of this House, that the previous question can be called at any time. When the previous question was called by the gentleman from Philadelphia [Mr. KERNS], I recognized him, as I had a right to do, notwithstanding the amendment offered by the gentleman from Fayette. If I was wrong in my position, it was a mistake and not a fault, as the gentleman would assert. Whilst deciding in a way that I thought was justified by the rules of the House, I am charged with the delinquencies of which those gentlemen have themselves been guilty to-night.

Mr. BOYLE. Mr. Speaker, it is evident, from the gentleman's own statement, that my amendment was offered before the previous question was called. He admitted it was so.

Mr. M'CREARY. I did not admit it.

Mr. BOYLE. The gentleman said he recognized the call of the gentleman from Philadelphia for the previous question, notwithstanding my amendment.

I insist that my amendment was before the House.

Mr. MANN. Mr. Speaker, I would say that the gentleman from Fayette is attempting to make a point without having any foundation. He was not recognized by the Speaker. How then could he get his motion to amend before the House? The Speaker recognized the member from Philadelphia. The gentleman from Fayette moved an amendment. He had no business to utter a word until he had been recognized by the Speaker. He is lawyer enough to know that. Therefore he is indulging in a mere quibble; the justification attempted to be made has no foundation.

Mr. M'CREARY. Mr. Speaker, I wish to explain. I did not admit, as the gentleman says, that he had offered his amendment. I recognized the gentleman from Philadelphia, because he had called the previous question. The gentleman had a right to call the previous question, and I had a right to sustain him.

Mr. QUIGLEY. Mr. Speaker, I do not altogether agree with my colleague from Fayette nor the gentleman from Potter. I take exceptions to the ruling of the Speaker, who occupied the chair at the time of these occurrences. He recognized the gentleman from Philadelphia who called the previous question before the bill was read.

Mr. KERNS, I will state if the gentleman offered the amendment before the bill was read he was out of order also.

Mr. QUIGLEY. Mr. Speaker, I think I have the floor.

At that time I took exceptions to the ruling of the gentleman who occupied the chair. He recognized my colleague from Philadelphia, when the bill had not yet been read. As soon as the number of the bill was read, the gentleman from Philadelphia rose in his place and called the previous question. The bill was not before the House; therefore, I take it, the previous question could not be called, or, if called, the Chair had no right to recognize the gentleman who called it. That is one exception I take to the ruling of the Speaker.

Now, on the sustaining of the previous question, after he had wrongfully recognized the calling of it, the yeas and nays were called. There was not a quorum voting—forty-six votes, I believe, in the House. The gentleman from Fayette then made the motion, there not being a quorum in the House, that this House do now adjourn. The gentleman, who was determined to be arbitrary, would not entertain that motion; he said it was not in order. From that decision the gentleman from Fayette appealed, but the Chair would not entertain that appeal.

Now, are we going to have a one man power? Because the gentleman happened to be with the majority, are we to have no protection in this House? I never knew any gentleman who occupied that chair to decide an appeal out of order. So far as I am concerned, personally, and I think I can speak for the gentlemen on this side of the House, we will not submit to such arbitrary ruling from the Speaker *pro tempore*, or any man who may occupy that chair.

Now, the other side of the House has a majority; it can take from us all our rights as members; but we would rather have them do that than attempt such a gag law as they have attempted to-night. I speak for myself; but I trust I speak for this side of the House also.

This is the first time that ever I was in contempt of this House. I have had the honor of being on this floor for a number of years, and this is the first time that I have witnessed such ruling.

I trust, being the first time, that the gentlemen on this side of the House will adhere to their determination and to their rights, even though we be expelled from the House.

Mr. DAVIS. Mr. Speaker, I was not here at the commencement of this wrangling, but I think there is no better settled principle of parliamentary law than that the previous question is always in order, and I hold that when the gentleman from Erie—

Mr. QUIGLEY. If the gentleman will allow me one moment.

Mr. DAVIS. I will ask the gentleman to wait until I have finished.

The SPEAKER. The Chair would state that when gentlemen desire to address this House they will address the Speaker first, and that they will not proceed with their remarks until the Speaker recognizes them.

Mr. DAVIS. I was going on to remark, Mr. Speaker, after a member has taken the floor, and obtained the sanction of the Chair to offer an amendment, even while that amendment is passing between the member and the Clerk, or after it reaches the Clerk, it is the right of any member on the floor to call the previous question. It is always in order, even while a member is speaking. Therefore, I cannot see that the Speaker *pro tempore* did anything wrong. There is no one thing so well settled as a principle of parliamentary law as this. If the gentleman from Fayette had obtained the floor, if the Speaker had recognized him, and he had sent his amendment by a page to the Clerk, and the Clerk had commenced reading it, even then my colleague was perfectly competent to call the previous question, and the gentleman from Fayette would have to submit. That is a well settled rule.

I will read the authority upon this point:

"The Speaker decided that a motion to adjourn was not in order when the previous question had been called, and sustained, and was still pending. The House sustained the decision.—*Journal of the House of Representatives* 1867, *page* 500."

Now, the motion to adjourn cannot be made while the previous question is pending. The gentleman from Fayette knows it.

Mr. GREGORY. Mr. Speaker, I wish to ask the gentleman from Philadelphia whether the previous question is in order until the bill is properly before the House, and whether the reading of the title upon third reading places that bill before the House?

Mr. DAVIS. The reading of the title on third reading places the bill before the House, and this bill is on third reading.

Mr. GREGORY. Suppose the Clerk had not even read the title, was it before the House?

Mr. DAVIS. If it was competent for the gentleman from Fayette to offer an amendment, it was competent for the gentleman from Philadelphia to call the previous question.

A bill on third reading is before the House whenever the Speaker announces the title.

Mr. GREGORY. The gentleman from Fayette having appealed from the decision of the Chair, I would inquire whether the Speaker had a right to rule the appeal out of order?

Mr. DAVIS. I would like to know what the appeal was on.

Mr. GREGORY. It was on the decision of the Chair.

Mr. WADDELL. Mr. Speaker, I would like to know what is before the House.

Mr. GREGORY. I believe I have the floor, and not the gentleman from Chester.

The SPEAKER. The Chair would state that this discussion is altogether out of order. The remarks that have been made have been entertained more out of courtesy to gentlemen than anything else. They were all out of order.

The previous question is now pending, a call of the House having been ordered, and a majority of the members of the House being present, the Chair is of the opinion that the previous question is still pending. It is the duty of the Clerk to proceed with the call of the roll.

Mr. WADDELL. Mr. Speaker, I understand the roll has been called twice and still there is no quorum answering. Now I want to know where we are.

Mr. LEE. Mr. Speaker, I ask leave of the House to record my vote.

Mr. GREGORY. I think the Speaker recognized me as having had the floor; I have not yielded it. The Speaker has decided that all remarks that have been made were out of order.

Mr. LEE. I do not desire to make any remark. I desire to vote.

Mr. GREGORY. Mr. Speaker, may I ask if that is in order at the present time? The Speaker recognized me as having the floor, and I have not yielded it.

The SPEAKER. The Chair has already stated that if two-thirds of the House agree to permit the gentleman from Philadelphia to vote, he will have that privilege.

Leave was granted.

His name being called, Mr. LEE voted "aye."

Mr. DONOHUGH. I ask a similar privilege of the House.

Leave was granted.

His name being called, Mr. DONOHUGH voted "aye."

The SPEAKER. The position of the case is as follows: The question being, shall the main question be now put, the yeas and nays were ordered, and forty-eight responded to the call, whereupon the Chair, under the rule, ordered a call of the House to be made, and the roll being called, sixty-two answered to their names—more than a quorum. The Chair thereupon, under the rule, directed the vote to be again taken, when it appeared that a quorum had not answered to their names. It, therefore, remains for the Chair to declare that those gentlemen who are present, but who did not answer to their names at the second calling of the yeas and nays, are in contempt of the House.

Mr. QUAY. Mr. Speaker, I move to reconsider the vote.

The SPEAKER. The Chair is of the opinion that that cannot be done.

The Sergant-at-Arms will close the door and allow no member to pass.

The Chair would state that he does not desire to give any opinion as to the rule, but the rule is on the book and the Chair regards it as his duty to enforce it. The Chair will read the rule.

Rule 57 of the Legislative hand-book was ead as follows:

"No. 57. When less than a quorum vote on any subject under the consideration of the House, it shall be the duty of the Speaker forthwith to order the bar of the House to be closed, and that the roll of the members be called by the Clerk, and if it is ascertained that a quorum is present, either by answering to their names or by their presence in the House, the yeas and nays shall again be ordered by the Speaker, and if any member present refuse to vote, such refusal shall be deemed a contempt, and unless purged, the Speaker shall order the Sergeant-at-Arms to remove said member or members without the bar of the House, and all privileges of membership shall be refused the person or persons so offending, until the contempt as aforesaid be duly purged."

The Chair would state that it is an easy matter for gentlemen to purge themselves of contempt by recording their votes.

The Chair will read the names of the gentlemen who are now in contempt.

Mr. JENKS. Mr. Speaker, does not the rule require that the regular Speaker be in the chair?

The SPEAKER. The Chair is of the opinion that he can call any gentleman to the chair.

Mr. JENKS. The great difficulty arises, as has been stated by those on this side of the House, from the fact that they were not fairly dealt with by the Speaker *pro tempore*.

Mr. M'CREARY. Mr. Speaker, I object to the gentleman having the privilege of speaking when he is out of order.

The SPEAKER. The Chair will read the names of the gentlemen in contempt.

The SPEAKER read the names of the following gentlemen:

Messrs. Boyle, Brennan, Chalfant, Fogel, Harner, Jenks, Jones, Kurtz, Long, M'Henry, Rhoads, Roush, Tharp and Weller.

Mr. MAISH. Mr. Speaker, I did not hear my name amongst those in contempt. I believe I did not vote when the roll was called.

The SPEAKER. The gentleman from York was not one of the sixty-two who responded to their names.

Mr. MAISH. I did not hear my name mentioned.

The SPEAKER. The gentleman's name is not included in the list.

Mr. JENKS. Mr. Speaker, I again rise to that question. I wish to have this matter fairly understood.

The SPEAKER. The Chair would state that a number of gentlemen did not respond when the call of the House was ordered. Their names are not embraced in the list of those who are in contempt.

Mr. MANN. Mr. Speaker, I ask if their names ought not to be inserted as in contempt?

The rule provides that if they are in this House and refuse to answer it shall be a contempt, and there is no propriety in making an exception in their favor.

The SPEAKER. The Chair is of opinion that those gentlemen are in contempt, but the Chair has no cognizance of the fact that they were present in the House when their names were called.

Mr. JENKS. Mr. Speaker, I wish to make a remark.

Mr. DONOHUGH. Mr. Speaker, I rise to a point of order. I believe the gentleman from Jefferson is in contempt of the House.

Mr. JENKS. He is not in contempt yet, or the Speaker would not recognize him.

The SPEAKER. The Chair will call the names of those gentlemen who are in contempt, and as he calls their names they will rise in their seats and state whether they intend to purge themselves of the contempt.

Mr. BOYD.

Mr. BOYD. Mr. Speaker, it was no intention of mine to place myself in an attitude of defiance of the rules of this House.

The reason I did not vote was this: I conceived that the members of this side of the House—

Mr. MANN. Mr. Speaker, I call the gentleman to order.

Mr. BOYD. Mr. Speaker, I think I have a right to explain why I occupy the attitude that I do.

Mr. MANN. Mr. Speaker, I rise to a point of order. The gentleman has no right to address the Chair except to say whether he will purge himself of contempt or not.

The SPEAKER. The Chair is of opinion that the gentleman is entitled to make any remarks that are proper and necessary to enable him to purge himself of contempt.

The gentleman will confine himself strictly to this limit.

Mr. BOYD. Before the title of the bill was read the gentleman from Philadelphia called the previous question. Certainly it was not proper to call the previous question at that time. When the title was read the gentleman from Fayette offered an amendment, but the Speaker *pro tempore* did not recognize him, and in my opinion, persistently refused to recognize him. I believe, when a presiding officer thus treats with indifference a member of this House, he can make no claim on the respect of the House.

Now, I have not refused to vote when the proper presiding officer has been in the chair. When fairness is manifested, I am willing to record my vote. I had no intention whatever of treating with disrespect the presiding officer of the House. I am ready to vote.

The SPEAKER. The Clerk will call the gentleman from York.

His name being called, Mr. BOYD voted "no."

The SPEAKER. Mr. BOYLE.

Mr. BOYLE. Mr. Speaker, I have already stated to this House my reasons for refusing to vote, and have now but little to add thereto.

I have charged on the gentleman from Erie, and I repeat the charge, that he improperly ruled me out of order when I offered my amendment, and that he treated this side of the House most rudely and unjustly. I have no design to be in contempt of the House. I endeavor to understand my duties here, and perform them to the best of my abilities; with what success I shall not undertake to say. I do what I believe to be incumbent upon me as a member of this House. I trust the time will never come when I shall persist in what is contempt of the House; but I claim for myself, and for the gentlemen with whom I acted, the same privileges and the same rights that are accorded to other members of this House. These privileges we have not been accorded this evening.

I believe a quorum has already voted. I have had the opportunity to say all I desired and to place myself in a proper position, and shall, therefore, no longer decline to vote.

His name being called, Mr. BOYLE voted "no."

The SPEAKER. Mr. BRENNAN.

Mr. BRENNAN. Mr. Speaker, my action in the premises has been a good deal like the action of the gentlemen who have just addressed the Chair. I did consider that we were treated with disrespect by the gentleman occupying the chair *pro tempore*, hence my action.

I am willing to vote.

His name being called, Mr. BRENNAN voted "no."

The SPEAKER. Mr. CHALFANT.

Mr. CHALFANT. Mr. Speaker, I was governed in my action by the conduct of the Speaker *pro tempore*. I believed, and still believe, that when the genleman from Fayette introduced his amendment that he was

properly in order, and I conceive that the Speaker ruled him out of order most unjustly, and that in various other ways he acted arbitrarily.

It is a constituent of my nature, when I find myself under a system of arbitrary rule held over me, to always determine to resist such tyranny. When the Speaker now in the Chair resumed his place, I was prepared to vote at any time, but I will allow no man to swing a military lash over me. I am a free American citizen, and I will stand up for my rights in the Hall or out of it, when I think they are trespassed upon.

Mr. DAVIS. Mr. Speaker, before this goes any further I wish to call the gentleman to order.

Mr. GREGORY. I call the member from Philadelphia to order.

Mr. DAVIS. I am in order. I rise to a point of order.

The SPEAKER. The gentleman will state his point of order.

Mr. DAVIS. Mr. Speaker, I hold for any man to find fault with the Speaker of this House and arraign him before the House is as much in contempt of the House as a refusal to vote. The gentleman from Erie, while occupying your place in that chair, was Speaker as much as you are, sir.

Mr. GREGORY. Mr. Speaker, I rise to a point of order.

Mr. DAVIS. Mr. Speaker, I am in order. That gentleman don't understand the first principle of parliamentary law; he had better take his seat.

Mr. GREGORY. Mr. Speaker, I rise to a point of order. I call the gentleman from Philadelphia to order. He is discussing a question; the point of order has not been stated by the Chair, therefore he is not in order.

Mr. DAVIS. Mr. Speaker, the gentleman from Philadelphia is in contempt of the House.

Mr. WADDELL. Mr. Speaker——

Mr. GREGORY. Mr. Speaker, I call the gentleman from Chester to order.

Mr. DAVIS. Mr. Speaker, I know my rights and I am going to have them.

The SPEAKER. The Chair will request gentlemen to confine themselves strictly to the question.

Mr. DAVIS. Mr. Speaker, I rise to a point of order. The gentleman from Philadelphia [Mr. GREGORY] is in contempt of the House.

Mr. GREGORY. Mr. Speaker, I call the gentleman afrom Philadelphia to order. I am not in contempt of the House.

Mr. CHALFANT. Mr. Speaker, the gentleman from Philadelphia [Mr. DAVIS] assumes to be the dictator of this House. If he is, the sooner we know it on this side the better, that we can govern ourselves to meet such an assumption.

The SPEAKER. The Chair will permit no further proceedings until gentlemen are in order. There must be order in this House. Gentlemen will understand that the Chair is competent to enforce order.

Mr. DAVIS. Mr. Speaker, my point of order is this; it is very brief if they will let me alone; it is this: No gentleman has a right to get up on this floor and say a word against the gentleman from Erie on his decision, unless he impeach him. He was the Speaker of this House as much as you are, and no member has a right to find fault with him. They are in contempt of the House the moment they do.

The SPEAKER. The gentleman from Montour will proceed with his remarks in order.

Mr. CHALFANT. The Speaker called upon me to give my reasons why I did not vote.

Mr. DAVIS. Then, Mr. Speaker, the gentleman ——

Mr. GREGORY. Mr. Speaker, I call the gentleman from Philadelphia to order.

The SPEAKER. The gentleman from Montour has the floor, and he will not be interrupted. The gentleman from Montour will proceed.

Mr. CHALFANT. Mr. Speaker, I said when the Speaker of the House resumed his seat I was prepared to vote at any time. He has always treated me as a gentleman.

Therefore, I have no hesitation in voting.

His name being called, Mr. CHALFANT voted "no."

The SPEAKER. Mr. FOGEL.

Mr. FOGEL. Mr. Speaker, I refused to vote on the same ground as has been stated.

I am ready to record my vote.

His name being called, Mr. FOGEL voted "no."

The SPEAKER. Mr. GREGORY.

Mr. GREGORY. Mr. Speaker, I did not know I was in contempt.

Mr. STUMBAUGH. Mr. Speaker, the the gentleman was in the House.

Mr. GREGORY. Mr. Speaker, I must say I have not the least contempt for you, therefore I am ready to vote.

His name being called, Mr. GREGORY voted "no."

The SPEAKER. Mr. HARNER.

Mr. HARNER. Mr. Speaker, I have no particular remarks to make. I am willing to vote.

His name being called, Mr. HARNER voted "no."

The SPEAKER. Mr. JENKS.

Mr. JENKS. Mr. Speaker, I do think there was any contempt of the House; certainly none was intended. The reasons for my vote I wish to go on the *Record*.

There is something due to the character of a representative. He acts not for himself, but for his people. I regard the conduct of the Speaker *pro tempore* as having been at variance with the just rights of those who appear in the minority as representatives. I am not now going to affirm that he willingly did wrong, but I do say that the facts, as they appeared to me, justified the conclusion in my mind that the rights of the minority were not to be respected.

It appeared to me that the gentleman from Fayette had the floor; it appeared to me that every man in this House, whose attention was directed to that fact, might have known it. The previous question had been called, the bill not yet being before the House; the gentleman from Fayette, as soon as it was before the House, called for recognition, but the Speaker *pro tempore* failed to recognize him, which, under the circumstances, seemed unjust. On a bill as important as this it is due to the people that it should be fully investigated.

A bill which makes it criminal to exclude colored persons from cars; a bill which punishes some alleged offenders by a fine of one thousand dollars, and others by a fine of five hundred dollars for each offense, should not pass without a sufficient reason. The bill changes a civil into a criminal offense. Upon such a bill the previous question should not have been called; the rule which enforces a call for the previous question, and makes it effectual in cutting off debate, was not intended to be used as a means of preventing legitimate discussion. The call, in this case, was not just. It was used to prevent an examination into the principles of this bill—a bill in which every class of society has a deep interest.

Why it should be accounted a crime to exclude from the cars a negro, and yet not a crime to exclude a white person, I am unable to determine. Why a civil offense when a white person is excluded, and a criminal offense to exclude a negro? Can any one give a sufficient reason for this? Surely it is right to regard the comfort of people of our own race with as much favor as that of the colored. I will not justify lawlessness in any one; I wish to do right. I will not justify any man in violating the rules of the House. I would sustain any Speaker in the discharge of his duties. This bill has caused great excitement; there should have been more than ordinary fairness in the attempt to pass it. It appears to do violence to the instincts of society as now organized. This should never be done but for very grave reasons and after full consideration.

The Speaker *pro tempore*, as it appeared to me, acted with in considerate haste. Ordinarily he is courteous and just. A wrong if done by him was, doubtless, a result of a misapprehension of the importance of the measure before the House. This unnecessary haste has caused much feeling among the members on this side of the floor.

Mr. M'CREARY. Mr. Speaker, I rise to a question of privilege. I simply say it is the unanimous opinion of every member on this side of the House that the gentlemen who have addressed the Chair to-night have insulted this House by the remarks they have made. They have directly charged upon the person who occupied the Speaker's chair conduct unbecoming a gentleman, and have used opprobrious epithets in regard to him and inuendoes which are worse than direct charges. I am here the equal of any member on this floor; I will not permit gentlemen, here or elsewhere, to use improper language toward me. They have made charges here, while I have not had the privilege of replying.

Mr. JENKS. Mr. Speaker, I make no charges further than this: I stated the facts as they appeared to me. I am inclined to a charitable view; I presume it was accidental, but it did not appear just.

I intended no contempt. I am ready to answer to my name.

His name being called, Mr. JENKS voted "no."

The SPEAKER. Mr. JONES.

Mr. JONES. Mr. Speaker, there is no gentleman on the floor of the House who has a more supreme regard for the dignity of this body than myself; and at the same time there is no gentleman on the floor of this House who has a more supreme regard for his own dignity and for the dignity of his constituents.

I believe that in pursuing the course I did I was defending myself, my own self-respect, and the self-respect of the men whom I represent upon this floor. Although I do not mean to justify the course pursued by members on this side of the House, yet I think the course pursued by them was, under the circumstances, not improper. Still I do not wish to remain in constructive contempt of this House. I should be very sorry to take a position of that sort.

But I believe that the bill which is now under consideration is in utter contempt of the public sentiment of this Commonwealth, and that will sufficiently answer my purpose and the purpose of my constituents.

I ask, therefore, to record my vote.

His name being called, Mr. JONES voted "no."

The SPEAKER. Mr. KURTZ.

Mr. KURTZ. Mr. Speaker, I wish to say I have no disrespect for this House, nor contempt for the presiding officer. I considered that my rights as a representative here were willfully trampled upon, and I am free to say here, under that impression, if the Speaker *pro tempore* still occupied the Chair that my conduct would still continue.

I desire to record my vote.

His name being called, Mr. KURTZ voted "no."

The SPEAKER. Mr. LONG.

Mr. LONG. Mr. Speaker, I desire to state one fact in reference to the course which I pursued, and that is this: On the bill the previous question having been called by the gentleman from Phiadelphia, and on the sustaining that previous question, the vote having been taken, the yeas were 45—not a majority of the House voting. Immediately after the vote was taken the gentleman from Fayette moved that this House do now adjourn. The Speaker failed to recognize the gentleman.

Mr. M'CREARY. Mr. Speaker, the gentleman is mistaken; I did recognize him and decided the motion to be out of order.

Mr. LONG. Deeming it unfair to this side of the House I refused to vote. I do not intend any disrespect to the present Speaker of this House; I, therefore, record my vote.

His name being called, Mr. LONG voted "no."

The SPEAKER. Mr. M'HENRY.

Mr. M'HENRY. Mr. Speaker, the whole difficulty seems to have originated from a change of Speakers. I certainly have a high regard for the regular Speaker of this House. I, therefore, ask leave to record my vote.

His name being called, Mr. M'HENRY voted "no."

The SPEAKER. Mr. RHOADS.

Mr. RHOADS. Mr. Speaker, I believe that sufficient reasons have been given on this side of the House to justify my course. I wish to record my vote.

The SPEAKER. Mr. THARP.

Mr. THARP. Mr. Speaker, I was not in the House when this question was called. I came into the House when the temporary Speaker occupied the chair. I did not know exactly the condition of the bill, and not knowing it, I felt very much inclined to be governed by the action of my friends. I intended no contempt to the House, no contempt to the present Speaker, but I did feel, while the temporary Speaker occupied the chair, that this side of the House was treated with contempt.

I ask leave to record my vote.

His name being called, Mr. THARP voted "no."

The SPEAKER. Mr. WESTBROOK.

Mr. WESTBROOK. Mr. Speaker, I do not think it is necessary for me to occupy the time of this House. This matter has been fully discussed by my friends; I therefore ask leave to record my vote.

His name being called, Mr. WESTBROOK voted "no."

Mr. LONG. Mr. Speaker, I desire to say that I paired off with Mr. EWING on this question. I, therefore, desire to withdraw my vote.

Leave being given,

Mr. LONG withdrew his vote.

The SPEAKER. The Clerks report that they agree in their tally, and on the question, Shall the main question be now put? the yeas are 50, nays 13; so it is agreed to.

The question recurring on the final passage of the bill,

The yeas and nays were required by Mr. JOSEPHS and Mr. GREGORY, and were as follow, viz:

YEAS—Messrs. Adaire, Armstrong, Barton, Brown, Chadwick, Chase, Colville, Davis, Day, DeHaven, Donohugh, Espy, Freeborn, Gallagher, Ghegan, Harbison, Hoffman, Humphrey, Kerns, Kinney, Lee, Leech, M'Camant, M'Creary, M'Kee, M'Pherrin, Mann, Marks, Mechling, Meily, Pennypacker, Peter, Pillow, Roath, Seiler, Sharples, Shuman, Steacy, Stehman, Stumbaugh, Suhers, Waddell, Watt, Webb, Weller, Whann, Wharton, Wingard, Woodward, Worrall, Wright and Glass, *Speaker*—52.

NAYS—Messrs. Boyd, Boyle, Breen, Brennan, Calvin, Chalfant, Collins, Craig, Fogel, Gregory, Harner, Headman, Heltzel, Hood, Jenks, Jones, Josephs, Kline, Koon, Kurtz, Linton, M'Henry, Maish, Markley, Mullin, Quigley, Rhoads, Robinson, Satterthwait, Tharp and Westbrook—27.

So the question was determined in the affirmative.

SPEAKER'S TABLE.

The SPEAKER cleared his table of bills numbered and entitled as follows, viz:

Senate bill No. 770, an act to provide for the continuance of the education and maintenance of the destitute orphans of the deceased soldiers and sailors, and the destitute children of permanently disabled soldiers and sailors of the State.

Referred to the Committee on Education.

Senate bill No. 991, joint resolution authorizing the appointment of a special agent to collect disallowed and suspended claims against the United States.

Referred to the Committee on Federal Relations.

Also, following bills, returned from the Senate with amendments:

No. 248, an act to enlarge the jurisdiction of the courts of common pleas of this Commonwealth relative to granting charters of incorporations and confirming those heretofore granted.

No. 556, an act relating to hawkers and peddlers of ready-made clothing in the county of Greene.

No. 528, an act regulating the granting of licenses to eating houses and taverns in the city of Allegheny, and enforcing order therein.

The amendments made by the Senate to said bills were twice read, considered and concurred in; and

Ordered, That the Clerk inform the Senate of the same.

On motion of Mr. DEHAVEN, the House proceeded to the consideration of Senate bill No. 562, an act relating to coroners in the city of Philadelphia.

The bill was read.

Mr. GREGORY. Mr. Speaker, I offer the following amendment, to come in after the words "shall be sudden," first section:

Provided, That such sudden death be after an illness of less than twenty-four hours, and that no regular practicing physicians shall have been in attendance within said time, or that suspicions circumstances shall render the same necessary, which said suspicion shall first be sworn to by one or more citizens of said city.

Mr. DAVIS. Mr. Speaker, I accept the amendment.

The House dispensed with going into committee of the whole.

The question being on the original amendment offered by the gentleman from Philadelphia,

It was

Agreed to.

Mr. DAVIS. Mr. Speaker, I offer the following amendment, to come in after the first section:

Provided further, That the number of oaths so administered and chargeable to said city shall not exceed the number of eight in each case of inquest.

The House dispensed with going into committee of the whole.

The amendment was

Agreed to.

The question recurring on the bill as amended,

It was

Agreed to.

ORIGINAL RESOLUTIONS.

By Mr. DONOHUGH:

No. 1382, joint resolution instructing our Senators, and requesting our Representatives in Congress, to use their influence for the passage of an act to equalize the bounties of soldiers, sailors and marines who enlisted in the United States service during the late rebellion.

The resolution was read and

Agreed to.

The rules being suspended, the resolution was read a second and third time, and

Passed finally.

By Mr. GALLAGHER:

Resolved (if the Senate concur), That the Governor be requested to return to the House for amendment, House bill No. 587, entitled An act to incorporate the Greenburg Masonic fund.

The resolution was

Agreed to.

On motion of Mr. WADDELL, the House proceeded to the consideration of House bill No. 472, a supplement to an act incorporating the Girard Electrical insurance company, approved March 2, 1866.

The question was on concurring in the Senate amendment.

The amendment was

Concurred in.

Mr. JONES. Mr. Speaker, I ask leave to make a statement.

Leave was granted.

Mr. JONES. Mr. Speaker, about a month ago I presented to the House a bill which was afterwards numbered 584, relating to the German Reformed congregation of the city of Reading.

This bill, upon second reading, was recommitted. It has since been reported to this House with amendments. As it is in a position in which it may not be reached for a long time, I ask that the House will suspend the rules in order to proceed to the consideration of the bill, so far as to place it upon third reading. I have no interest in the passage or defeat of the bill; I am perfectly indifferent as to what may be the result.

Mr. STUMBAUGH. Mr. Speaker, I regret that I shall be compelled to take a different view from that of my esteemed friend from Berks.

Some of my constituents are interested in that bill. I hope it will never pass this House; therefore, I hope the rules will not be suspended. It seems to me that it affects so many persons throughout the State that it should not be considered, especially at this hour of the night. Constituents of mine, whose parents and grand parents are buried in that grave yard, desire that their remains may rest undesecrated.

Mr. MANN. Mr. Speaker, I regret very much to be compelled to ask the question which I do. I do so because the gentleman from Berks [Mr. JONES] makes a motion here, and I conceive he has not yet purged himself from the contempt in which he was placed before this House. Gentlemen upon his side have insulted this House and the Chair this entire session, and continue to insult it under the indulgence given by the Chair. They insulted the Speaker of this House, as it seems to me, grossly and outrageously, and I cannot permit the opportunity—

Mr. QUIGLEY. Mr. Speaker, I would like to know if the gentleman from Potter is in order.

Mr. MANN. Mr. Speaker, I rise to inquire whether the member from Berks has purged himself from the contempt into which he was placed by his action this evening. If he has not purged himself of that contempt, he has no right to make this motion.

The SPEAKER. The Chair will state that

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[CONTINUED FROM PAGE 664.]

the gentleman from Berks, with other gentlemen, did purge himself of contempt by recording his vote.

Mr. BOYD. Mr. Speaker, if the gentleman from Potter has any charge to make against a member whom he says is now in contempt of the House, I would have him make his charges and bring them fairly before us.

Mr. MANN. Whether the Chair or the House is to determine the settling of the matter of contempt is a question. I submit that this House is to determine whether these gentlemen have purged themselves or not.

Mr. BOYD. Mr. Speaker, I call the gentleman to order.

The SPEAKER. The Chair is clearly of the opinion that when the gentlemen who were in contempt recorded their votes as their names were called they then purged themselves of that contempt.

Mr. MANN. Mr. Speaker, I submit they did not do so, but they rose in their seats and insulted the Speaker of this House.

Mr. QUIGLEY. Mr. Speaker, I call the gentleman to order.

The SPEAKER. The Chair would state that, in his opinion, when gentlemen made remarks reflecting upon the temporary Speaker of the House, they were not in order. The Chair is clearly of opinion that the gentlemen have purged themselves of contempt, and unless the gentleman from Potter appeals from the decision of the Chair, he is not in order.

Mr. MANN. Mr. Speaker——

Mr. JONES. Mr. Speaker, I call the gentleman from Potter to order. He is not discussing the question before the House. The Speaker has decided it.

Mr. MANN. Mr. Speaker, I suppose we have a right to say something on this question. The other gentlemen have talked away the whole session.

Mr. HEADMAN. Mr. Speaker, what is the question?

The SPEAKER. The question is on agreeing to the motion of the gentleman from Berks to proceed to the consideration of House bill No. 584.

Mr. MANN. Mr. Speaker, I rise to a point of order, that the gentleman from Berks, being in contempt of this House, has no right to make a motion.

The SPEAKER. The Chair has decided that the point of order is not well taken.

Mr. MANN. Upon that decision I take an appeal.

The SPEAKER. The gentleman will write out his appeal and submit it.

After some time, the gentleman from Potter [Mr. MANN] said that he should have made the motion at an earlier stage of the proceedings; that having allowed so much time to elapse he would not probably be able to technically sustain his position.

He, therefore, withdrew the appeal.

The SPEAKER. The question recurs on the motion of the gentleman from Berks that the House proceed to the consideration of House bill No. 584.

On second reading.

Mr. ADAIRE. Mr. Speaker, I move that the House do now adjourn.

The motion was subsequently withdrawn.

Mr. WINGARD. Mr. Speaker, I renew the motion.

The motion was

Agreed to.

MESSAGE FROM THE SENATE.

The Clerk of the Senate being introduced, presented for concurrence bills numbered and entitled as follows, viz:

Senate bill No. 770, an act to provide for the continuance of the education and maintenance of the destitute orphans of the deceased soldiers and sailors, and the destitute children of permanently disabled soldiers and sailors of the State.

Senate bill No. 891, joint resolution authorizing the appointment of a special agent to collect disallowed and suspended claims against the United States.

He also returned bills from the House of Representatives numbered and entitled as follows, viz:

No. 248, an act to enlarge the jurisdiction of the courts of common pleas of this Commonwealth, relative to granting charters of incorporations and confirming those heretofore granted.

No. 526, an act relating to hawkers and peddlers of ready-made clothing in the county of Greene,

With information that the Senate has passed the same with amendments, in which the concurrence of the House of Representatives is requested.

He also returned bill from the House of Representatives numbered and entitled as follows, viz:

No. 1348, an act to fix the time of the commencement of the June term of the several courts of Beaver county,

With information that the Senate has passed the same without amendment.

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows, viz:

No. 528, an act regulating the granting of licenses to eating houses and taverns in the county of Allegheny, and enforcing order therein,

With information that the Senate has passed the same with amendments, in which the concurrence of the House of Representatives is requested.

The SPEAKER thereupon adjourned the House until to-morrow (Tuesday) morning at 10 o'clock.

SENATE.

TUESDAY, March 19, 1867.

AFTERNOON SESSION.

The Senate re-assembled at 3 o'clock, P. M.

RESOLUTIONS OF THE M. E. CONFERENCE.

The SPEAKER laid before the Senate the resolutions of the Philadelphia Conference of the Methodist Episcopal church, which were read as follows:

SEAT OF THE PHILADELPHIA ANNUAL CONFERENCE M. E. CHURCH, LOCUST STREET M. E. CHURCH, HARRISBURG, March 19, 1867.

To the Honorable the Senate and House of Representatives of the Commonwealth of Pennsylvania:

By direction of the body herein mentioned, we are authorized to forward the following communication, embracing the action of the Philadelphia Annual Conference of the M. E. Church, in its morning session of this date, to his Excellency, the Governor, and the Honorable Senate and House of Representatives of the Commonwealth of Pennsylvania.

S. L. GRACEY,
One of the Secretaries of the Philadelphia Annual Conference.

Report of the Committee on the Sabbath:

Your committee beg leave to report,

That the Christian Sabbath, is by the acknowledged verdict of the evangelical Christian world—a verdict founded on the teachings of the Holy Scriptures—a necessity, alike for the physical, intellectual, and religious welfare of men. It is moreover observed not by the authority of human opinion, which is variable, but in accordance with express Divine law and inspired example; which law enjoins that the Sabbath of the Lord be kept holy by all men and through all time, inasmuch as it was made for man, to secure the well being of man in time and eternity; therefore, be it

Resolved by the Philadelphia Annual Conference of the Methodist Episcopal Church;

First. That so far as our influence extends we will never cease to contend boldly for the glory of God, the majesty and authority of His law concerning the holy Sabbath.

Second. That in charity to all and malice to none, we do hereby pledge ourselves to oppose, without compromise and without ceasing, all men, whether in high or low places, who, by assailing the sanctity of the Christian Sabbath, assail Christianity in the very eye.

Third. That we regard the proposed running of the street cars in the city of Philadelphia as a clear violation of the sanctity of the Sabbath day, and as an infraction of the rights of the poor laboring men employed in the running of said cars, God having distinctly enjoined one day in seven as a day of rest for man and beast.

Fourth. That we respectfully and urgently request the members of the Legislature, and the Governor of this and other States within the bounds of this annual conference, to refuse all legislative and executive action which would oppose human enactment to the ex-

press law of God; reminding them most solemnly that Divine laws cannot be repealed with impunity by human legislation, even if such legislation be sanctioned by vast majorities of men.

VETO MESSAGE FROM THE GOVERNOR.

The Deputy Secretary of the Commonwealth being introduced, presented a message from the Governor, returning, with his objections bill, No. 246, entitled An act to incorporate the Marine Hospital of Pennsylvania, in the county of Erie, to fix location of hospital in Erie city, and to grant real estate to said hospital,

Which was read as follows:

EXECUTIVE CHAMBER,
HARRISBURG, March 14, 1867.

To the Senate and House of Representatives of the Commonwealth of Pennsylvania:

GENTLEMEN—Herewit his returned, without my approval, Senate bill No. 246, entitled An act to incorporate the Marine Hospital of Pennsylvania, in the county of Erie, to fix location of hospital in Erie city, and to grant real estate to said hospital.

By the thirteenth and fourteenth sections of this bill certain property of the State on the shore of Lake Erie, and in or near the city of Erie, is donated to the hospital proposed to be incorporated. Without reserving any right of alternate reversion to the Commonwealth in any contingency, the second section declares that the said corporation shall have the right to "grant, bargain, sell, convey, * * * or dispose of, for the use and benefit of the said corporation," * * any lands, tenements, goods and chattels of whatever kind, nature or quality, real, mixed, or personal, which are now, or shall or may at any time hereafter become the property of the said corporation or body politic, by purchase, gift, grant, bargain, sale or otherwise.

The property proposed to be donated by the State is so imperfectly described in the bill that no correct idea of its quantity or value can be had from a mere perusal of the act. From the best information I have on the subject, the quantity of land is some fifty acres or upwards on the shore and harbor of the lake, and extending on the water front one thousand feet into the lake. It is represented to me, and with much show of probability, that this property is of great value, present and prospective, and as the bill seems so loosely passed as that the whole title of the Commonwealth to the premises may be taken away and ultimately transferred to third parties, without any equivalent, I do not feel justified, as at present advised, in approving the bill. The creation of a hospital is a most worthy object, and I regret the necessity which places me in an apparent antagonism to it, but regard for what appears to be my duty as guardian of the public interests leaves me no alternative.

JNO. W. GEARY.

COMMUNICATION FROM THE SECRETARY OF THE COMMONWEALTH.

The SPEAKER laid before the Senate a communication from the Secretary of the Commonwealth, which was read as follows:

STATE OF PENNSYLVANIA,
OFFICE OF THE SECRETARY OF THE COMMONWEALTH, HARRISBURG, PA.,
March 19, 1867.

To the Speaker of the Senate:

The bill (No. 507, Senate) entitled An act relative to the courts of Lehigh county, referred to in the joint resolution of this date, was approved by the Governor on the 16th instant, and messaged over this day.

J. JORDAN,
Secretary of the Commonwealth.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

The Clerk of the House of Representatives being introduced, presented for concurrence bills numbered and entitled as follows, viz:

No. 848, an act for the relief of David Andrews, late recorder of Chester county, for moneys over paid by him to the Commonwealth.

Referred to the Committee on Finance.

No. 813, an act to annul the marriage contract between William Gray and Lucinda Campbell Gray, late Lucinda Campbell.

Referred to the Committee on the Judiciary Local.

No. 1382, joint resolutions instructing our Senators and requesting our Representatives in Congress to use their influence for the passage of an act equalizing the bounties of soldiers, sailors and marines who enlisted in the service of the United States during the late rebellion.

Referred to the Committee on Federal Relations.

He also informed that the House of Representatives has concurred in the resolution from the Senate relative to the recalling from the Governor Senate bill No. 507, entitled An act relative to the courts of Lehigh county.

He also returned bills from the Senate numbered and entitled as follows, viz:

No. 586, an act to incorporate the Union iron mills.

No. 650, an act to incorporate the Superior iron company,

With information that the House of Representatives has passed the same without amendments.

He also returned bill from the Senate numbered and entitled as follows, viz:

No. 29, a further supplement to an act entitled An act for the better security of the city of Philadelphia from dangers incident to the refining or improper and negligent storage of petroleum, benzine or naphta, approved March 2d, A. D. 1865, construing the same.

With information that the House of Representatives has passed the same with amendments, in which the concurrence of the Senate is requested.

On motion of Mr. DONOVAN, said amendments were twice read and

Concurrod in.

SUNDAY CAR TRAVEL.

Agreeably to order,

The Senate resolved itself into committee of the whole (Mr. WORTHINGTON in the chair) on bill entitled A act to ascertain the views of the qualified electors of the city and county of Philadelphia, upon the subject of allowing the passenger railway companies of said city to run their cars on the first day of the week, commonly called Sunday.

The question being on agreeing to the first section.

Mr. LOWRY. Mr. Speaker, in all the contests in by-gone years, upon the Sabbath question, I have taken no part other than to vote no. The subject I thought was of that character that would fetch down upon me the ridicule of the press on the shores of the lake. All that feeling I have laid aside. I drew my sword and threw away my scabbard one month ago to-morrow, and I now propose to speak, without fear, for Man, for God, for Odium, for Moses, for Cromwell, for Penn, for Pennsylvania, and for a minority of Christian citizens of Philadelphia, who have no immediate representative on this question who will speak for them.

The first great object of all human governments should be to protect the weak, to protect the minority of loyal men, against a majority of men disloyal to God—and to save Christians in Philadelphia from the practical evil of Sabbath-breaking, to save Christian men everywhere from the mortification of witnessing Senators get down upon their knees at the bidding of Sabbath-breakers. Under the law as it now stands, if men violate the law, they stand by its consequences, and suffer by the law they have violated. This bill rolls the consequences of illegal acts first upon us, and then upon the people, for the ruin of themselves, and the debauchery of mankind. The church-going people of Philadelphia are justly excited upon this question. Like all sinners, they have brought death to their own doors in consequence of not enforcing their own divine and our local laws.

By the local laws of Pennsylvania the black man is given the equal right of locomotion on equal terms with the white man. Philadelphia churches, as a whole, saw rumsellers and negro-haters put their divine law and our local law at shameful defiance, and they were not only silent but satisfied.

In the six years of contest in the Legislature to compel corporations to extend to colored people the right of transportation for their bodies and for their goods, Philadelphia Christians were almost indignant. The bill which I reported six years ago to give poor colored mothers the right to ride in the cars without first being under the necessity of borrowing a white baby, having previously passed the Senate, thank God, finally passed the other branch of the Legislature last night at high twelve. The hissing of snakes last night in the House of Representatives, during their struggle to keep the negro under, was horrible; and the light from the ivory upon the part of those who will not have their highway to immortality broken up, was a light to the feet of John Brown's soul as it goes marching on.

The Christian church-goers of Philadelphia are the last people in all the land who should refuse to humanity its God given rights, and yet they are the last to acknowledge to man his manhood and to woman her womanhood. Philadelphia Christians will stand in the pillory of time, requiring the black soldier to walk to Heaven on one leg, while they ride thitherward in cars and carriages. Yet the one legged soldier will reach there first, and I had rather take my chance by a passage on his back than in the bosom of any church that outlaws humanity for the prejudice of color. In all my contests here to ameliorate the condition of the colored people of Philadelphia, I have found in the Christian church of that city some earnest men and radical women, but a majority silent as the grave, and cold as the bath of death—a majority of them indifferent to the majestic progress of the time, and unwilling to trample under foot their unchristian disposition toward four millions of suffering humanity, borne from bondage to freedom in a day, and released from the chains which His own blood had melted from their limbs. Such Christians are a stumbling block to plunge such men as I am into hell, and are as "sounding brass and a tinkling cymbal." Earnest public men have gone through hell upon earth in consequence of the conduct of the unreconstructed Christians of Philadelphia on the great moral questions from whose obligations they shrink.

But I have passed through dry-shod and unharmed, and stand up in the Senate to day, speaking for the cause of Jesus. Had cowardice tarried me longer on the way, I should have said in my heart, like the fool, "there is no God," and, like the fool, would have perished. I will take my place, like a sun-burned mariner, in man's life-boat, in the midst of an unknown sea, with my back towards the prow, and my face turned in faith

to God, our helmsman; and though its cause may seem in despair, yet will I stand up for the Sabbath. I will *not* vote for this bill, because it is brought here by a four year old corporation, which has no soul that can suffer and no guarantee of life after it has destroyed the Christian Sabbath. I will vote against this bill, because it is a side-blow at religion, a side-blow at the ministers of religion, a side-blow at the observance of religion, and a direct blow with the devil's sledge hammer on the devil's chisel, to cut out the letters written by the finger of God on the keystone of the Ten Commandments. "The constitution of Heaven, the organic law for man's government, the fundamental principles of all truth, the code of the law of laws," shall not be erased by my vote; and I would be a coward and a dog did I place it on individually upon the shoulders of an unthinking, unwashed, ungodly mass in Philadelphia that I dare not assume myself.

The "Union passenger railroad company" have gotten enough from this Legislature. Six days in the week she blocks up, by our votes, the highways upon earth, and now she comes here, demanding that we let them use the debauched in a debauched city to block up the only strait and narrow path to heaven.

Governments, State or nation, have no right to interfere with the conscience of men; and I know of no friends of the Sabbath who contend for this principle, but they do contend "that it is the right and the duty of all governments to protect society."

I take higher ground than the plea for the individual protection, of timid and nervous old age, fearful of the rattle of the cars, the clank of the horses, the shriek of the engine, the curses of the driver, and the songs of the infidel, disturbing, with irreverence and sacrilege, the meditations of these venerable fathers and mothers in Isreal. It is not for the protection of these, worthy as they are, that I would plead; but for society at large, for mankind, whether good or bad, that the good may receive protection, and the bad be turned from the doing of evil. In all ages through the Christian world, as under the Mosaic dispensation, the observance of one day in seven has ever been acknowledged as the most essential of all moral and religious agencies in promotion of a nation or exaltation of a man; as it is the most marked and distinctive acknowledgment of the creature to the Creator—of man to God.

Who is it that asks us to vote for this bill, which is in its loins wealth for a corporation and poverty for the people? Which are the most charitable to the poor—those who ask that this legislation be given them, or those who protest against it? All general rules have their exceptions. I speak for the rule, not the exception. Are those who ask for this bill, as a rule, not scuffers? Are they not legislative lobbyists? Are they not infidels? Are they not the young men who desire to turn the Sabbath into a day of feasting, dancing and revelry? Are they not the red nosed rumsellers—the keepers of the very purlieus of vice? Are they not those who love their beer better than their Bible, keepers of fast horses and fast women? And here let me, by way of parenthesis, remark that I have read a recent work of that pure divine and rare old apostle, Dr. Junkin, of Philadelphia, upon this Sunday car question with great benefit, and I advise Senators, who have any disposition to vote for this bill, to consult that work. It is full of wisdom; it exhausts the whole subject and must carry conviction against this bill in every unprejudiced mind. Read it.

This bill will require you to double your police force on the Sabbath; it will throng your Mayor's court on Monday morning; it will fill your alms houses with starving children through the week; it will decrease your Sabbath schools and increase your prisons; it will open the road to vice and fill the highway with its votaries. Shall we protect the Marys and Marthas of Philadelphia, or shall the stone have been rolled from the sepulchre in vain? Out upon the shallow pretense that this bill is for the benefit of those who wish to reach their places of worship on the Sabbath. Should it become a law, the Sabbath breakers, for whose benefit this bill is alleged to be, will ride in the same cars, look in the same glass, drink from the same mug with liquor dealers, with murderers, with criminals, with the paupers of sin, with negro haters and shoulder-hitters, with harlots and horse thieves, with lottery gamblers and legislative horers, and instead of a car to Heaven be a highway to hell. This bill will, if it becomes a law, fill the father's heart with sorrow and the mother's eyes with tears.

Is the wisdom of those who ask us to strike down the institution of the Sabbath greater than the wisdom of God, of Moses, of Solomon, of Penn—greater than the wisdom of experience, the wisdom of the Christian world? Are Senators who advocate this bill wiser and better than three hundred disciples of Jesus Christ and John Wesley, now present, and whose hearts are upon their knees before God that your souls may arise to the importance of this great question? You have no more right, and it is fully as impolitic, to give the roughs of Philadelphia the right to repeal the observance of the fourth commandment, than you have to give them authority to chisel out, with rude hand, from Christ's Rock all of the ten. The commandments of God are "distinct as the waves and one as the sea." Strike down the fourth commandment, and the whole decalogue will fall. Strike down the fourth commandment, and you break the king-bolt of heaven's chariot, and undermine the moral and physical well being of man. For upon this truth all things rest. Not that "righteousness exalteth a nation, but sin is a reproach to any people." The God that created the poor, and the Redeemer who saved them, and who never sent any of his children away hungry and thirsty, bade us keep holy his Sabbath day, and to him who tempers the wind to the shorn lamb we must look for precept and for guidance, rather than to those who have no conscience. Will you tell me, Senators, that those who ask for the passage of this bill have a deeper sympathy for the poor, in whose name it is brought here, than the God who created them and who gave his Son, born of the poor and lowly, and who suffered the agony of the cross that they might be saved? The place for the poor man, after his six days of labor, is not in the street cars, leading to the ball alley and the dance house, and freighted with the votaries of sin; but on foot, and in the pure air of heaven, leading his little ones in the quiet of the Christian Sabbath to the Sabbath school and to his church, guided by the example and precept of his Savior, visiting in mercy the house of the widow and the fatherless, and comforting the sick child's bedside. The man who leaves the bosom of his family on the day of rest and takes the street cars for his pleasure and recreation is an unnatural and unfeeling stranger to his household—while he who habitually takes his wife, his sons and his daughters with him in cars on that day, is an enemy to society for polluting the purity of his own association. He debauches his own wife. The whole family who practice these Sabbath excursions, with their parents, is not only with them on the way to the beer house, but the poor house, the work house, the house of ill-fame a divided house, a house of shame, a house of horror to no house of their own, and will soon reach the garret of the devil's kitchen, and in the end take up their final abode in the house of hell.

"Resistance to tyranny is obedience to God," and I will resist, as best I can, the revolution of a fundamental principle which underlies the whole stratum of society. The bill has passed the other branch of this Legislature, and I now appeal to the country members of the Senate to turn back the wrong which the members from Philadelphia propose to heap upon the fair name of this body, and the moral and social suicide to which they are hurrying the people of that great city. The Senators from Philadelphia may point to this deacon and that clergyman, with a slipshod conscience or a badly located church, and tell us that they are in favor of this bill. Away with such dissemblers, who, on such a plea, support a measure that compels the Christian people of that city to surrender their Sabbath for the benefit of brothel-keepers. On the tablet of stone no penalty is inscribed for the violation of the commandments, yet there they are as the immutable words of God, "yea and amen, forever." How nearly we lost our Government because we disobeyed the law and the prophets, and human ingenuity can no more devise a way to reconstruct and maintain this Government without building on the commandments, than I could stand half way upon air between the dome and the floor of the capitol upon my own arm pits.

But to return. The penalty was left for man to fix, as the changing circumstances of man might require. The commandments are themselves organic; they are fundamental; they are the reconstruction and resurrection of man, written by God's finger on an imperishable record. The individual who disobeys them will fall upon a rock, and the State that disregards them, a rock will fall upon it that will grind it to powder.

Human legislation has opened the bosom of faith and obedience, and fixes the penalty for the violation of the law of the Sabbath, which is the keystone rock of the decalogue; and men like myself, who have attached themselves to no church, are as deeply interested in the observance of the divine commandments as those who break the bread of the sacrament. He alone is the safe statesman and wise man, who, in all things, most fully recognizes the truth, the power, the grace and the covenants of God.

Such a legislator, under all circumstances, will set himself in the ship of State, with his back turned towards Voltaire, his face to Cromwell, and his eye fixed on the Star of Bethlehem. The Sabbath has outlived the axe, and shall a corporation, in swaddling clothes, make us deny the divinity of our manhood and slay a master as old as Adam, and that, too, under the hypocrisy that the good of the Republican party requires it? Of the religious community of Philadelphia, only twelve thousand, it is true, come here and hold up their hands in supplication, and three hundred ministers of the gospel are here also holding up theirs. They are in a helpless minority.

They are penitent for their unchristian conduct to a race which they have been more unjust to than has any other Christian people. These church men of all the churches are about to be robbed of their Sabbath by men disloyal to manhood and rebels to God.

Senators, let us help them. The House of Representatives, in consequence of the shocking sins of Philadelphians towards their brothers, has turned its back upon them. Save them, save them, Senators, and their children, and the lambs of the Sabbath school, whom Christ loved so well, will rise up and bless you. The ten commandments are the common law of the country, recognized as

such by the highest judicial authority of the nation, and the fourth commandment, that closed the first tablet of the law, was re-written by Penn as an indispensable necessity to man, and whose legality, I believe, has never been seriously questioned by any one except the Union passenger railway company.

The Republican party, we are told, will not send members to the Legislature again from Philadelphia, unless we pass this bill. The foundations of the Republican party stand upon the eternal truths of God; its moral character is its blood; its Christian principles are its spinal column. Repeal the fourth commandment, and you break its back and strike paralysis through every limb.

God can have no attributes with the political party who oppose us. Democracy to-day is a bundle of hates; hates toward justice and violent hates towards the hero of the workmanship of a Creator's hand. There is no life sustaining principle in hate. The human heart of man, who carries in his bosom perpetual hate, carries about with him a burning hell upon legs. The hates of a true man should be sanctified by a night's sleep, and if a noon day's nap will not modify hate, its possesser is in danger. A party who has nothing but hate to stand upon, has a weaker corner-stone than slavery. Hate and the beast will perish together. Hate has an unhappy life, an untimely death and an early hell. Love and justice has everlasting life. The party that builds upon them and the law of Moses, and who puts all else behind them, will bury the party of hate with its face downward in an early grave.

When the devil makes a square, open fight, a stand-up fight, I rather admire him. His contests heretofore in this chamber on this subject have been of a bold character, and so long as it was a fairly fought contest, whilst I dare not vote for him, I did not abuse him.

The old fellow is back again upon us in new clothes, his face covered with the veil of deception. Had the devil asked us respectfully for one day in seven of his own, and that not the Lord's day, I would have taken his petition into respectful consideration. Mephistopheles says he has become pious; but, old hypocrite, I will tear your veil from you face and your disguise from your body. The devil has cut his hair and shaved his face, and comes into the Senate chamber and says that he is a christian of great respectability, and coolly proposes to enter into this partnership with the Lord for purely christian and benevolent purposes—the whole profits of which is to go into the pockets of a corporation, with the Senator from Philadelphia for its treasurer—and promises to carry passengers to heaven and to hell at the rate of seven cents each; and, further, he promises that the negro may ride with them in the same cars at the same price.

As a friend of the negro, had I no love for the Lord, I would protest against such abomination.

Upon taking my seat in the Senate, I spoke first for the colored man. I believed then, as I do now, that their holy trust and simple faith in God would save them and save us; and I was mobbed and libeled at home and here characterized daily, and was pronounced in this Chamber a murderer, because early in 1861 I proposed confiscation of the rebel masters's property and the front of battle for the slave. I, therefore, have a right to speak for this most religious and loyal of mankind, and in their name I protest against this negotiation going any further. I will not speak for the Lord on this local branch of the case, but leave that for the Senator from Lawrence [Mr. BROWNE]. It is as peculiarly in his line as the negro is in mine. You cannot have a free country without the vote of the negro, and those who stand in the way of his advancement will be ground to powder.

But to return, the devil says to Senators that he wears the same boots, looks well in the same glass, rides to church in the same car with the Lord and the negro, and that he is so much of a Democrat that he does not desire the partnership if not baptized by the votes of the people. Most respectfully would I remind the devil that the baptizing by the votes of the people in Philadelphia may be all well enough for him, but bad for humanity.

This thing of voting, as well as this thing of speaking, is food for reflecting minds—and this bill to require morality and the commandments to be voted up or voted down in Philadelphia is as novel as it is dangerous. In China one man votes for one hundred millions. In Russia one man takes the ballot in his hand and votes for all the people. In Paris one man takes the ballot box in his hand and shakes his head at Europe and votes, and France shouts "long live Napoleon."

In England the wealthy taxpayers and the landed nobility speak softly to Queen Victoria, and she votes for England, Ireland, Scotland, Canada and the islands of the sea, and all shout "God save the Queen," except poor, down-trodden Ireland. In a small, badly ventilated room in Willing's avenue, in Philadelphia, sits a little man in black, who votes by the light of the Full-*er Moon*, by telegraph, for Pennsylvania. He never misses a vote, and never votes in a minority, and is always able to give an unanswerable argument for his vote, and is alike liberal to both political parties, not only before but after elections. "Selah!" In the interior of this State reside two men, comparative strangers on our soil; the one too youthful and both too cowardly to enter the war, but through whose mouths ten thousand loyal men and half a thousand wounded soldiers are mis-spoken for; these men do all the speaking, yet they never told the truth for the truth's sake, and will, on this very question, in all probability, deny the Lord to slander man.

If a barrel of whisky and the Ten Commandments were running to-day for the office of reconstruction in Philadelphia, whisky would be elected by more than two to one. I for one will not help harness up the Lord between shafts with the devil in the lead before the street cars in Philadelphia. The argument that the Sabbath is peculiar and binding only to the Jews is unworthy of Senators. Respectable men ought nowhere to be so illegical as to say that sin, absolutely forbidden in any one of the Ten Commandments, is not sinful. "Thou shalt not kill"—is this binding only on the Jews? "Thou shalt not commit adultery"—does this apply only to the circumcised? "Thou shalt not steal"—does this commandment forbid only the Isaacs and Jacobs and Abrahams from committing larceny? Or is it a divine commandment, in full force, alike binding to those who steal railroads and those who steal rags, to those who steal millions, and those who steal spoons?

"Thou shalt not bear false witness against thy neighbor." I represent one hundred thousand souls. I have but two constituents who believe this divine injunction to be a dead commandment. Ninety and nine thousand nine hundred and ninety-eight believe this commandment devoutly.

"Thou shalt not covet thy neighbor's house, nor his wife, nor his man-servant, nor his maid servant." Was this injunction buried, with the dead ox and the dead ass, in the grave? Is it divine only in a dead Jew to honor his father and mother, and can only those who slew Jesus claim the promises of God for parental reverence?

Out upon such Christians as those who contend for a delusion which, when carried out to its sequence, leads them into such absurdities. God's divine, fundamental constitution will remain unalterable; there must be penalties attached to its violation sufficient to make unregenerate man respect them. Repeal the law of Penn and you violate the law of God. Repeal the law of Moses and fallen man is left without a "bow in the clouds."

Senators! you cannot get rid of your own moral responsibility by handing over in chains the good element of a great city to the bad elements of violence and crime. Let us not shift our own religious responsibility to the shoulders of unbelief. If we believe we shall meet beyond the tomb, do not let those who have fallen, through their crime, shoot in our ears, "you did it." If we are atheists, then let men and horses live out their natural lives, and be buried in the same graves. Call this horror of a nation of Sabbath-breakers superstition if you please—if it is superstition, then superstition is divinity. The power of God is stronger than the limbs of man, yet His divine wisdom taught the world, through Adam, that they, together, would cease from worldly employment and rest upon the Sabbath day.

The pagans of antiquity found the rest from labor a necessity of human nature.—Take the Sabbath from man and you take from him the divine music of his heart, and the desert of his soul will never break forth with streams of living water.

Where would our people have stood to-day if, at the close of the Revolution, we should have constructed this Government upon the passions and prejudices of man, and founded it upon infidelity? But we chose the Rock inscribed with the Ten Commandments, and when we violated them in the South and wickedly and commercially practised sin in the North, we were plunged as the war horse in the blood of our children, poured out by an angry God as a sacrifice for our sin.

"Vengeance is mine, I will repay, saith the Lord." After an experience of sixty centuries—after a bloody experience of five years of civil war, brought upon ourselves because we disregarded the commandments of God, dare we pass this bill before the blood of our children ceases smoking on the rocks of Gettysburg? Again I say, were I a deist, and believed man to have the soul only of the brute, then I would also oppose the passage of this bill.

Human machinery, whether born of a woman or manufactured by man, must have regular hours and well-defined days of rest; otherwise, half the value that is in them will never be got out of them. Drive eyes, or ears, or brains, or horses, or engines continually ahead, and you make them die the death of the suicide before they have lived out half their days.

Let us enter this infidel wedge of inhumanity into the horse and drivers of Sabbath car labor, and the devil and humanity would join hands in holy horror against compelling the poor horse and his driver to walk barefooted upon paving stones upon the Sabbath day. He must be shod, and the road and the cars must be kept in repair on the Sabbath. You give Paine and his Age of Reason a strong-er text to preach the equality of man and of horses, of car drivers and of wheelbarrow drivers; and "Common Sense," and the rights of man, will be plausibly plead and cannot be resisted. Pass this bill, and Christianity in Pennsylvania has "passed the Rubicon." The marrow in the bones of this monster is infidelity. Its woot and twist is revolution and the belly of its unhealthy body is filled with revolutionary gunpowder.

Conservatism always was a coward; it always was in the interest of capital. Conservatism

at one time was a respectable old gentleman. To save capital, he has slain five hundred thousand men. Thank God he is dead! Putrefaction and separation have taken place. He has been in his grave more years than Lazarus was days, and the whip of his taskmaster will never awaken him to glory again. Radical men, radical measures, radically right, are the only grounds on which men can stand. True radicalism will revolutionize the world, free Ireland, save mankind, unite all the churches, with the Ten Commandments for their centre, for the kingdom of conscience is at hand, and the kingdom of cowardly conservatism is one of the kingdoms of the past.

[Remarks were also made by Messrs. BROWNE (Lawrence), RIDGWAY, M'CANDLESS, DAVIS and LANDON, which will appear in the *Record Appendix.*]

Mr. CONNELL. Mr. Speaker, I move to amend in the fourth line by striking out the words "fifth day of March" and inserting "second Wednesday of October."

The amendment was

Agreed to.

The question recurring on the section as amended,

It was

Agreed to.

The remaining four sections were agreed to without amendments.

In the Senate,

Mr. WORTHINGTON, chairman of the committee of the whole, reported the bill with amendments.

Pending further action the Senate adjourned until to-morrow morning at 10 o'clock.

SENATE.

WEDNESDAY, March 20, 1867.

The Senate met and was called to order at 10 A. M., by the SPEAKER.

Prayer was offered by the Rev. Mr. Bailey.

On motion of Mr. CONNELL, the reading of the Journal of yesterday was dispensed with.

REPORTS OF COMMITTEES.

Mr. COWLES, from the Committee on Judiciary Local, reported, with a negative recommendation, bill entitled An act to authorize Lebrecht Treager, a justice of the peace, to remove his office into the First ward, in the borough of York.

Said bill, being considered unconstitutional, was ruled out of order by the SPEAKER.

Also (same), with a negative recommendation, a bill entitled An act to increase the fees of constables in the county of Erie.

Said bill was ruled out of order by the SPEAKER.

Also (same), as committed, a bill entitled An act supplementary to an act to enable the administrators of the Hon. James T. Hale, late of Centre county, deceased, to sell real estate, passed the 11th day of April, A. D. 1866.

Also (same), as committed, a bill entitled A further supplement to an act to provide for the erection of a poor house in Clarion county, approved the 21st day of March, 1865.

Also (same), as committed, a bill entitled An act relating to the public prisons in Allegheny county.

Also (same), as committed, a bill entitled An act to authorize the sale of the poor house and farm in Mifflin county.

Also (same) as committed, a bill entitled An act to establish a law library in the county of York, and in relation to fines, penalties and forfeited recognizances in said county.

Also (same), as committed, a bill entitled An act dividing the Twenty-fourth ward of Philadelphia into two assessment districts, and for the appointment of two assessors.

Also (same) as committed, a bill entitled An act explanatory of the provisions of the fifth section of the act to incorporate the Bennett's Branch insuranse company.

Also (same), as committed, a bill entitled A supplement to the charter of the Pittsburg gas company, approved June 31st, 1860, authorizing taxes to be charged to the consumers of gas.

Also (same), as committed a bill entitled An act for the better protection of property-holders and citizens of the borough of Norristown, from injury sustained by cattle running at large in said borough.

Also (same), as committed a bill entitled, An act authorizing the town council of the borough of Hazleton, in Luzerne county, to borrow money.

Also (same), as committed, a bill entitled An act relative to the assessment and collection of taxes on unseated lands in Cherry township, Sullivan county.

Mr. STUTZMAN (same), as committed, a bill entitled An act to authorize the increase of pay of supervisors and other township officers in the township of Bethlehem, Northampton county.

Also (same), as committed, a bill entitled An act requiring the commissioners of Northampton county to apply for and obtain copies of standards.

Also (same) as committed a bill entitled An act amendatory of an act to increase the salaries of the inspectors of the Lancaster county prison, passed the 27th day of March, A. D. 1866.

Also (same), as committed, a bill entitled a supplement to An act authorizing the commissioners of Northampton county to purchase a law library, approved the 12th day of March A. D. 1866.

Also (same), as committed, a bill entitled An act changing the day of holding the annual meeting of the auditors of Jones township, Elk county, and regulating the term of office and fixing the wages of supervisors and other officers in said township.

Also (same), as committed, a bill entitled An act to authorize the return to the commissioners of Potter county, for collection, of certain duplicates of taxes and to fix the time when said duplicates shall hereafter be returned.

Also (same), as committed, a bill entitled A supplement to an act relating to the lien of mechanics and others upon buildings, extending it to the county of Dauphin.

Mr. FISHER (same), as committed, a bill entitled An act relating to public printing in the county of Juniata.

Also (same), as committed, a bill entitled An act making valid an ordinance passed by the council of Jamestown borough, in the county of Mercer.

Also (same), as committed, an act to authorize the Governor to appoint an additional notary public for the county of Bradford, to reside in the borough of Athens.

Also (same), as committed. a bill entitled An act to legitimate Edward A. Smith, Ellen J. Smith, Catharine V. Smith and Thomas B. Smith.

Also (same), as committed, a bill entitled A supplement to an act relating to the lien of mechanics and others upon buildings, approved the 16th day of June, 1836, to apply to the courts of Chester.

Also (same), as committed, a bill entitled A supplement to an act in relation to grading, paving, macadamizing and curbing the streets and paving the sidewalks in the borough of M'Keesport, in the county of Allegheny.

Also (same), as committed, a bill entitled An act to authorize the school directors of Riceville, Crawford county, to borrow money and for other purposes.

Also (same), as committed, a bill entitled An act to authorize the school directors of the borough of White Haven to borrow money.

Also (same), with a negative recommendation, a bill entitled an act to relieve money at interest from taxation for local purposes in the county of Lawrence.

Mr. DAVIS (same), as committed, a bill entitled An act to increase the pay of the supervisors of Logan township, Blair county.

Also (same), as committed, a bill entitled An act to legalize the acts of the road commissioners of Columbus township, Warren county, in levying additional road tax.

Also (same), as committed, a bill entitled An act to authorize the board of school directors of the borongh of Albion, in the county of Erie, to borrow money for building purposes.

Also (same), as committed, an act to authorize the school directors of the borongh of Renovo, in the county of Clinton, to borrow money for building purposes.

Also (same), as committed, a bill entitled An act to authorize the school directors of Harrison township, Allegheny county, to borrow money.

Also (same), as committed, a bill entitled An act to appropriate the excess of money collected for bounty purposes in the township of East Huntingdon, Westmoreland county, and directing the board of school directors in said township to use the same for school and building purposes.

Also (same), as committed, a bill entitled An act relative to the moneys collected as fines from persons intoxicated within the county of Dauphin.

Also (same), as committed, a bill entitled An act to authorize the commissioners of Crawford county to borrow money.

Also (same), as committed, a bill entitled An act to repeal an act to authorize the highway commissioners of the township of Mill Creek, in the county of Erie, to establish the width of East lane, and to change its name.

Also (same), as committed, a bill entitled An act extending an act relative to the fees of notaries public in the counties of Lancaster and Clinton, approved April 11th, 1866, to the county of Berks.

Also (same), as committed, a bill entitled An act increasing the fees of jurors, commissioners, auditors and witnesses in the county of Venango.

Also (same), as committed, a bill entitled An act relative to the coroner of Washington county.

Also, (same), as committed, a bill entitled An act to authorize the commissioners of Lehigh county to borrow money.

Mr. RIDGWAY, from the Committee on Corporations, as committed, a supplement to an act relating to corporations for mechanical, manufacturing, mining and quarrying purposes, approved the 18th day of July, A. D. 1863, relating to the Williamsport manufacturing company.

Also (same), a bill entitled An act to incorporate the Commonwealth iron and coal company.

Mr. ROYER (same), as committed, a bill entitled An act to incorporate the Empire State silver mining company of Nevada.

Also (same), as committed, a bill entitled An act to incorporate the Ophir Canon silver mining company of Nevada.

Mr. HAINES (same), as committed, a bill entitled A supplement to an act to incorporate the city of Williamsport.

Mr. GLATZ (same), as committed, a bill entitled An act to incorporate the Eagle cotton manufacturing company.

Mr. JAMES (same), as committed, a bill entitled A supplement to an act to incorporate the Morris Park mining company, authorizing said company to borrow money.

Mr. LANDON, from the Committee on Railroads, a bill entitled An act to authorize the Warren and Franklin railway company to construct branch roads and to provide means for moving oil intended for transportation.

Mr. WORTHINGTON, from the Committee on Education, a bill entitled An act reannexing the farm of Andrew Glendening to Mercer school district, in the county of Mercer.

Also (same), as committed, a bill entitled An act authorizing the school directors of the borough of Butler to transfer certain lands.

Also (same), with amendments, a bill entitled An act authorizing the school directors of Curwensville, Clearfield county, to borrow money and to sell a school building.

Also (same), with amendment, a bill entitled An act to authorize the school board of Tyrone City, Blair county, to sell certain real estate now used for school purposes, and to appropriate the money arising from said sale to the purchase of a better location and erecting a more suitable building for school purposes, and to borrow any sum of money not exceeding ten thousand dollars, at a rate of interest not exceeding ten per centum per annum, to assist them in procuring the same.

Mr. BROWN (Mercer) (same), as committed, a bill entitled An act to relinquish a part of a certain annuity for the benefit of school purposes in the borough of Susquehanna Depot, in Susquehanna county, with power to sell and dispose of old school houses, *et cetera*, and build new ones.

Mr. COWLES (same), as committed, a bill entitled An act to enable the school directors of the borough of Lehighton, Carbon county, to borrow money for the erection of school buildings.

Also (same), as committed, a bill entitled An act to authorize and require the school directors of Antrim township, in the county of Franklin, to refund to Joseph Snively and Jacob Shank certain moneys advanced said township for bounty purposes, and to appropriate the balance of bounty funds in the hands of the treasurer to school purposes.

Mr. HAINES, from the Committee on Agriculture and Domestic Manufactures, as committed, a bill entitled An act for the protection and preservation of fish within the county of Berks.

Mr. GRAHAM, from the Committee on Vice and Immorality, as committed, a bill entitled An act regulating licenses to eating houses or restaurants in the county of Centre.

Also (same), as committed, a bill entitled An act to extend the provisions of an act to prohibit the granting of licenses to sell intoxicating drink within the county of Potter, approved April 11, A. D. 1866, to the county of Wyoming.

Also (same), as committed, a bill entitled An act to repeal law relating to licenses in Erie county.

Also (same), as committed, a bill entitled An act to extend the provisions of an act to prohibit the issuing of licenses within certain boroughs in the counties of Armstrong, Indiana and Perry, or within two miles of the same, in the counties in which said boroughs are located, approved the 27th day of March, 1866, to the township of Derry, in the county of Westmoreland, and the borough of Blairsville, the township of Burrell and the township of East Mahoning, in the county of Indiana.

Mr. TAYLOR (same), as committed, a bill entitled An act to prohibit the issuing of license within the township of Tuscarora, in the county of Lancaster.

Mr. WORTHINGTON (same), as committed, a bill entitled An act to prohibit the issuing of license within the township of Buffalo, in the county of Perry.

Mr. BIGHAM, from the Committee on the Judiciary General, a bill entitled An act to annul the marriage contract between Wm. C. Gray and Lucinda Campbell Gray, late Lucinda Campbell.

BILLS IN PLACE.

Mr. BURNETT read in his place and presented to the Chair a bill entitled An act to expedite the settlement of the estates of decedents.

Referred to the Committee on the Judiciary General.

Also, a bill entitled An act to incorporate the Stroudsburg passenger railroad.

Referred to the Committee on Railroads.

Mr. GRAHAM, a bill entitled An act to annul the marriage contract between Henry Warren Koth and Arabella, his wife.

Referred to the Committee on the Judiciary General.

Also, a bill entitled An act to incorporate a Christian House of the Reformed Church for widows and orphans in Western Pennsylvania.

Referred to the Committee on the Judiciary General.

Also, a bill entitled An act relating to road taxes in Franklin township, Allegheny county.

Referred to the Committee on the Judiciary Local.

Also, a bill entitled An act to authorize the board of school directors of Fawn township, Allegheny county, to borrow money.

Referred to the Committee on the Judiciary Local.

Also, a bill entitled An act in relation to the appointment of an auctioneer for the borough of Tarentum, in Allegheny county.

Referred to the Committee on the Judiciary Local.

Mr. CONNELL, a bill entitled An act securing grants to minor petroleum from forfeiture.

Referred to the Committee on the Judiciary General.

Also, a bill entitled A further supplement to an act to incorporate the Pennsylvania railroad company, approved April 13th, A. D. 1846, authorizing the Pennsylvania railroad company to construct additional railroad tracks, sidings, workshops, and other appurtenances along, adjoining or contiguous to their own line of railroad, and the railroads now owned and leased, or hereafter to be owned and leased by them, and to straighten and improve the same, and to acquire the property upon which to construct the same, paying therefor the value of property to be used or occupied.

Referred to the Committee on Railroads.

Mr. ROYER, a bill entitled An act relative to certain taxes in Montgomery county.

Referred to the Committee on the Judiciary Local.

Also, a bill entitled An act to incorporate the Manufacturers' Mutual fire insurance company of Pennsylvania.

Referred to the Committee on Corporations.

Mr. STUTZMAN, a bill entitled A supplement to an act to legalize bounties paid to volunteers, and the bonds issued therefor, in certain townships in the county of Franklin, approved the 4th day of April, A. D. 1866, extending the provisions of the second section thereof to the township of Ayr, in the county of Fulton.

Referred to the Committee on the Judiciary Local.

Also, a bill entitled An act authorizing the directors of the poor to erect an alms house in the county of Bedford, and to borrow money.

Referred to the Committee on the Judiciary Local.

Mr. FISHER, a bill entitled A supplement to the act entitled An act authorizing the Columbia water company to hold real estate, &c., approved the 10th of February, 1865.

Referred to the Committee on the Judiciary Local.

Also, a bill entitled An act authorizing the trustees of certain lands in Venango county to borrow money.

Referred to the Committee on the Judiciary Local.

Mr. M'CONAUGHY, a bill entitled An act to empower the court of quarter sessions of the peace of Adams county to appoint auditors to audit bounty accounts in the several boroughs and townships in said county, and in relation to auditing the bounty accounts of Cumberland township, in said county.

Referred to the Committee on the Judiciary Local.

Mr. DAVIS, a bill entitled A supplement to an act entitled An act granting a pension to Louis Haganman, approved April 17th, 1866.

Referred to the Committee on Pensions and Gratuities.

Mr. GLATZ, a bill entitled A supplement to an act entitled An act to incorporate the Pennsylvania Mutual horse thief detecting and insurance company.

Referred to the Committee on Corporations.

Also, a bill entitled An act to incorporate the Tuscarora mining and exploring company.

Referred to the Committee on Corporations.

Mr. SHOEMAKER, a bill entitled A supplement to an act entitled An act to incorporate the Pennsylvania coal company, approved the 7th March, 1849, authorizing said company to construct lateral roads and hold additional lands.

Referred to the Committee on Corporations.

Mr. WHITE, a bill entitled An act incorporating the Point Breeze park association of Brookville.

Referred to the Committee on Corporations.

Mr. JACKSON, a bill entitled A supplement to an act for the more effectual protection of the owners of logs and lumber on the Susquehanna river.

Referred to the Committee on Canals and Inland Navigation.

Mr SCHALL, a bill entitled An act authorizing the Scranton iron company to construct branch railroads to certain ore beds.

Referred to the Committee on Railroads.

Mr. RANDALL, a bill entitled An act to incorporate the Northumberland and Sunbury street railway company of Northumberland county.

Referred to the Committee on Railroads.

Also, a bill entitled An act relating to Sunbury street, in the borough of Minersville, Schuylkill county.

Referred to the Committee on Roads and Bridges

Mr. BILLINGFELT, a bill entitled An act to incorporate the Lampeter and Strasburg turnpike company.

Referred to the Committee on Roads and Bridges.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

The Clerk of the House Representatives being introduced, presented for concurrence bills numbered and entitled as follows, viz:

No. 784, an act to protect game and fish in Luzerne county.

Referred to the Committee on Agriculture and Domestic Manufactures.

No. 869, an act to authorize the purchase of real estate and erection of a poor house in Valley township, Montour county.

Referred to the Committee on Estates and Escheats.

No. 669, an act amending the charter of the municipal corporation of the city of Lancaster, and dividing the same into nine wards.

Referred to the Committee on the Judiciary Local.

No. 807, an act to authorize the board of military claims to settle the claim of T. B. Nelson, First lieutenant Battery H, Third Artillery.

Referred to the Committee on Military.

No. 897, a supplement to an act for the better securing the payment of the wages of labor in certain counties of this Commonwealth, approved the 30th March, A. D. 1859.

Referred to the Committee on the Judiciary Local.

No. 896, a further supplement to an act relating to inspectors, approved April 15th, A. D. 1835, and the supplement thereto, approved March 25, 1850, relating to the city of Philadelphia.

Referred to the Committee on the Judiciary Local.

No. 918, an act to incorporate Sugar Notch and Warrior Run in a borough.

Referred to the Committee on the Judiciary Local.

No. 920, a further supplement to the charter of the city of Erie, to provide for the appointment of water commissioners, and define their powers and duties.

Referred to the Committee on the Judiciary Local.

No. 921, an act to change the boundary lines of the borough of Wrightsville, in the county of York.

Referred to the Committee on the Judiciary Local.

No. 925, an act to authorize the borough of Boyertown, in the county of Berks, to purchase the Fairmount fire engine house of said borough, and to levy and collect a tax for that purpose.

Referred to the Committee on the Judiciary Local.

No. 926, an act to vacate a part of Manayunk avenue, in the Twenty-first ward of the city of Philadelphia.

Referred to the Committee on Roads and Bridges.

No. 928, an act relating to roads, streets, bridges and sidewalks in the borough of Lawrenceville, county of Tioga.

Referred to the Committee on Roads and Bridges.

No. 929, an act to vacate Hiiles street between Orchard and Paul street, in Frankford, in the Twenty-third ward of the city of Philadelphia.

Referred to the Committee on Roads and Bridges.

No. 931, an act to authorize the city of Philadelphia to sell certain ground in the Eleventh ward.

Referred to the Committee on Estates and Escheats.

No. 932, a further supplement to an act to erect the borough of Sunbury, in the county of Northumberland, into a borough.

Referred to the Committee on the Judiciary Local.

No. 933, an act to incorporate the town of Big Run, in Jefferson county, into a borough.

Referred to the Committee on the Judiciary Local.

No. 941, an act to incorporate the Fort Allen iron company, in the county of Carbon.

Referred to the Committee on Corporations.

No. 944, an act to incorporate the Black Band iron and coal company.

Referred to the Committee on Corporations.

No. 946, an act incorporating the Keystone iron and coal company.

Referred to the Committee on Corporations.

No. 948, an act to incorporate the Senator Nye mining and exploring company.

Referred to the Committee on Corporations.

No. 961, an act to incorporate the Octoraro gold and silver mining company.

Referred to the Committee on Corporations.

No. 962, a supplement to an act to incorporate the Specie Basis mining company, relieving them from the payment of the bonds of one-fourth of one per centum on its capital stock.

Referred to the Committee on Corporations.

No. 980, a supplement to an act to authorize the road commissioners of the townships of Kinzua, Eldred and Cherry Grove, in the county of Warren, to levy a tax for road purposes, approved April 11, 1866, extending the same to the townships of South West and Clearfield in said county.

Referred to the Committee on Roads and Bridges.

No. 986, an act relative to the pay of supervisors in Wiconisco township, Dauphin county.

Referred to the Committee on the Judiciary Local.

No. 988, an act to declare Maish creek, in the county of Centre a public highway.

Referred to the Committee on Canals and Inland Navigation.

No. 991, an act in relation to the election of officers of the Chambersburg and Bedford turnpike road company.

Referred to the Committee on Corporations.

No. 1000, an act to declare Mill run, in the county of Lycoming, a public highway.

Referred to the Committee on Canals and Inland Navigation.

He also returned bills from the Senate numbered and entitled as follows, viz:

No. 107, an act to incorporate the Miyuga iron company.

No. 297, an act to incorporate the Philadelphia coal company.

No. 299, an act to incorporate the Rob Roy gold and silver mining company.

No. 311, a supplement to an act to establish a ferry over the Monongahela and Youghiogheny rivers, and to vest the right in John M'Kee, his heirs and assigns forever, approved the fifth day of February, 1784.

No. 308, an act to incorporate the Philadelphia Enterprise gold and silver mining company of Montana.

No. 255, an act to incorporate the Summit turnpike road company in the county of Clearfield.

No. 365, an act to incorporate the Mantua Grandee silver mining and commercial company.

No. 397, an act appointing commissioners to lay out and open a State road in the counties of Cameron, Elk and Clearfield, from the Sinnemahoning to the West Branch of the Susquehanna.

No. 437, a further supplement to an act passed May 16th, A. D. 1861, entitled An act to authorize the erection of a free bridge over the river Schuylkill at South street, in the city of Philadelphia, making it the duty of the chief engineer to direct the building of a bridge, and providing that the same shall have a draw therein.

No. 464, an act to attach the farm of David Deitz, in Pennsborough township, Cumberland county, to the township of Hampden, in said county, for school purposes.

No. 483, an act to repeal the fourth section of an act relating to certain election districts in Schuylkill county.

No. 484, an act to change the time of holding borough elections in the borough of Minersville, Schuylkill county.

No. 487, an act to incorporate the Lebanon county soldiers' and sailors' monument association.

No. 502, an act to authorize the chief burgess and town council of the borough of Lebanon to borrow money for the purpose of building an engine house for the use of the Perseverance steam fire engine and hose company, and the purchasing of hose for use in the fire department of said borough.

No. 510, an act authorizing and providing powers and means for the conversion of the common grounds of the city of Allegheny into public parks.

No. 519, an act to incorporate the Quaker City barge club of the city of Philadelphia.

No. 522, an act to incorporate the Enterprize mining and exploring company.

No. 532, an act to declare Montgomery creek, in the county of Clearfield, a public highway.

No. 578, an act to authorize the supervisors of Kingston township, in Luzerne county, to collect their own duplicates.

No. 584, an act to incorporate the Tremont gas and water company.

No. 588, an act to incorporate the Scranton base ball club of Scranton.

No. 600, an act to authorize the school directors of the boreugh of White Haven, in the county of Luzerne, to borrow money to build school houses.

No. 606, an act to incorporate the Wyoming bridge company.

No. 608, a further supplement to an act to incorporate the Birmingham and Pittsburg bridge company.

No. 612, an act supplementary to an act incorporating the Birmingham and Brownsville macadamized turnpike road company.

No. 661, a supplement to the act, entitled An act for the erection of the Gettysburg gymnasium into a college, and for other purposes, approved the seventh of April, 1832.

No. 675, a supplement to an act to provide for the ordinary expenses of the Government, and other general and specific appropriations, approved April 11th, 1866, relative to the Keystone State normal school,

With information that the House of Representatives has passed the same without amendments.

He also returned bills from the Senate numbered and entitled as follows, viz:

No. 601, an act to authorize the school directors of Marshall township, Allegheny county, to apply the surplus of bounty tax in their hands to school purposes.

No. 603, an act to enable the board of directors of common schools of Benton township, Luzurne county, to apply surplus of bounty fund to common school purposes,

With information that the House of Representatives has passed the same with amendments, in which the concurrence of the Senate was requested.

On motion of Mr. GRAHAM, said amendments were twice read and

Concurred in.

The Clerk of the House of Representatives also returned bill No. 45, a supplement to an act approved 9th day of February, 1849, entitled A supplement to an act entitled An act to incorporate the Lykens Valley coal company, in Dauphin county, Pennsylvania, and authorizing the opening of a road in Honesdale, Wayne county, authorizing them to dispose of the stock of said company,

With information that the House of Representatives has passed the same with amendments, in which the concurrence of the Senate is requested.

Said amendments were read the first time.

The Clerk of the House of Representatives also informed that the House of Representatives insists on its amendments, non-concurred in by the Senate, to bill from the Senate numbered and entitled as follows:

No. 562, an act relating to the coroner of the city and county of Philadelphia.

Said amendments having been again read,

Mr. CONNELL moved that the Senate recede from its non-concurrence in the amendments made by the House of Representatives to said bill.

The motion was

Agreed to.

The Clerk of the House of Representatives also informed that the House of Representatives recedes from its amendments, non-concurred in by the Senate, to bill from the Senate, No. 826, entitled An act to prevent and punish prize fighting.

He also returned bill from the Senate numbered and entitled as follows, viz:

No. 659, an act to incorporate the Downingtown gas and water company,

With information that the House of Representatives has passed the same with amendments, in which the concurrence of the Senate is requested.

Said amendments were read the first time.

On motion of Mr. WORTHINGTON, the Senate proceeded to the second reading and consideration of said amendments.

And on the question,

Will the Senate concur in the same?

A motion was made by Mr. WORTHINGTON to amend the same by striking out of the manuscript proviso the words "the demand for gas and," and striking out the word "three" and by inserting in lieu thereof the word "five."

The motion was

Agreed to.

The amendment as amended was then

Concurred in.

MOTION TO DISCHARGE COMMITTEE.

Mr. BILLINGFELT. Mr. Speaker, I ask leave to make a statement.

Leave was granted.

Mr. BILLINGFELT. The lateness of the session demands that I should call the attention of the Senate to House bill No. 508, entitled A supplement to an act to incorporate the borough of Columbia. It is a bill which may involve hundreds of thousands of dollars to my constituents. I am appealed to by the taxpayers in general. The board of commissioners of Lancaster county are here now with their solicitor; they have been here before; this bill has passed the House, and has been messaged over to this body and referred to the Local Judiciary, of which my colleague is a member.

I have made several ineffectual attempts to get that committee to report the bill one way or the other in order that we may pass upon its merits. From what little experience I have had in legislation, it is my understanding that any bill referred to a standing committee should, some day or other, be reported either with an affirmative or negative recommendation, according to its merits.

It is impossible for me to get at the bill in any manner. In order to relieve myself from any further responsibility in the matter, I shall ask the permission of this body to discharge the committee, and proceed to the consideration of this bill. Unless we act upon it very shortly, it will be of no value to my constituents, or to the county. I therefore move that the Committee on Local Judiciary be discharged from the further consideration of this bill.

The SPEAKER stated that Senators are desired to adhere to the rules to-day.

Mr. BILLINGFELT. I am aware of that and shall yield. But, sir, I demand of that committee to explain why we cannot have a bill reported within a reasonable time. I deny the right of any committee to withhold a bill from this body because a certain member thereof is opposed to it. I shall withdraw my motion for the present.

MESSAGE FROM THE GOVERNOR.

The Deputy Secretary of the Commonwealth being introduced, presented the following message from the Governor in writing:

EXECUTIVE CHAMBER,
HARRISBURG, March 20, 1867.

To the Senate and House of Representatives of the Commonwealth of Pennsylvania:

GENTLEMEN—The act entitled "An act to repeal an act entitled A further supplement to the act incorporating the Pennsylvania railroad company, authorizing an increase of capital stock and to borrow money, approved the twenty-first day of March, one thousand eight hundred and sixty-six, to authorize the Pennsylvania railroad company to increase its capital stock, to issue bonds, and to secure the same by mortgages," has received that careful consideration from me which the importance of the subject seemed to demand, and, notwithstanding the high respect I entertain for the two branches of the Legislature, and the extreme reluctance I have at any time to differ with them, I am induced, by my convictions of duty, to dissent from the propriety of the provisions of the bill, and to return it, with my objections, to the Senate, in which it originated.

Lest my opinions should be misconceived and misrepresented, I deem it due to myself to make a brief exposition of some of the enactments of the Legislature for the benefit of the Pennsylvania railroad company since the original act for its incorporation, approved April 13th, 1846, so far as relates to its capital stock.

By the first section of the act of incorporation, the capital stock was fixed at seven millions five hundred thousand dollars.

The twentieth section is as follows: "That if any increase of the capital stock shall be deemed necessary, in order to complete or improve the said railroad or appurtenances, it shall be lawful for the stockholders of said company, at any annual meeting, or at any special meeting convened for that purpose, in manner as aforesaid, to increase and dispose of any additional number of shares, not exceeding fifty thousand, so that the whole amount of said capital stock shall not exceed ten millions of dollars, and receive and demand the moneys for the additional shares, in like manner, subject to the same conditions heretofore provided for the original subscriptions, or shall be provided for in the by-laws of said company."

The manner prescribed for the increase and disposition of the stock in the foregoing section is certainly most unexceptionable; it being under the direction of the stockholders, and not at the option of the directors as is provided in the bill under consideration, and which is deemed objectionable.

The twenty-second section imposed a tonnage tax as one of the conditions upon which the original charter was obtained, which has since been repealed by statute, and the accumulated tax released.

By act approved April 23d, 1852, the capital stock was increased to thirteen million dollars; May 6, 1852, to fourteen million dollars; March 23d, 1853, to eighteen million dollars; May 2d, 1855, to twenty million dollars, and March 2d, 1866, to thirty million dollars.

With no other objects on my part than to be serviceable to my countrymen, to preserve and transmit unsullied the great principles and true policy of our Government, and honorably to perform the trusts, duties, obligations and responsibilities committed to my charge, I proceed in the performance of these objects as I understand them. I am sincerely friendly to all the railroads and other companies that have aided in the development of the wealth and resources of the State, and while I cheerfully accord the same sentiment to your honorable bodies, I can but regret that there should be any difference of opinion between us on the proposed enactment. And if in stating the objections I shall use expressions which may be regarded as too strong, my apology will, I trust, be found in the importance of the subject. I will state them frankly and with as much brevity as possible.

Waiving objections to the first section of the bill under consideration, and waiving also an inquiry as to the legal rights to thus authorize the change of the fundamental law of a corporation, and bind the stockholders, I proceed to the consideration of the second, which confers powers of the most extraordinary character upon the directors of the company: * * * "providing further facilities required by the increase of the business upon the road and its connections, and for such other purposes connected with the business as the board of directors of said company may deem expedient, it shall be lawful for the said board of directors, from time to time, to issue additional shares of capital stock of said company, to such amount as they may determine, and to apportion or dispose of the said shares in such manner, and upon such terms, as they may think best; and also, for either or all of the said purposes, to issue, from time to time, bonds of the said company, payable at such time as they may appoint." * * *

One of the objects of this bill is, for its further increase of the capital stock, to retire its present indebtedness, which, according to the president and directors' last annual report to the company, is upwards of twenty-six million dollars. Thus, in this way alone, increasing the stock over one hundred and thirty per centum, and makes it amount to over forty-six million dollars. But this is not all. It is further intended to increase the business facilities upon its roads and connections, "and for such other purposes connected with its business as the directors may deem expedient."

Were this bill to become a law, to what amount may not the directors extend the capital stock, with such unlimited privileges? To what branches of business shall it be confined, and to what may it not be extended? And where is the power to keep it within its legitimate functions, if it should deem it proper to depart from them? Its tremendous power, in irresponsible hands, would be unlimited and uncontrollable by any other power short of revolution. It has already obtained, in the various chartered privileges, the pre-occupancy of nearly every possible railroad route in Pennsylvania, with the privilege of branches and lateral roads in a large majority of the counties. As shown by official reports, it has, besides nearly eleven hundred miles of roads in Pennsylvania, its extensions to Marietta, Columbus and Cincinnati, Ohio, and to Chicago, Illinois, and holds large, and, in some instances, controlling amounts of stock in other railroad companies. When such extraordinary powers are attempted to be granted for an unlimited period, I consider it palpably contrary to the spirit and intention of our insti-

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[CONTINUED FROM PAGE 672.]

tutions. The present directors, it may be assumed, are honorable gentlemen, for they assert they have good intentions for the public interests, as well as for those of the company; but time may effect a change, and a new board that may not recognize their duty to the stockholders and to the rights and interests of the people, and forgetting their patriotism, might be found arrayed against the country when its services were required. It is not an impossible hypothesis that its capital stock might be extended to one thousand millions of dollars, or even to an amount equal to the present national indebtedness.

The whole control of the institution, and of the issue of its bonds, necessarily lie in the hands of a few directors, and not in those of the stockholders whose real interests should be represented. The facilities by which any board of directors could perpetuate power in its own hands might be an inviting temptation to monopolize or engross a sufficient number of shares of stock by purchase, and proxies from non-residents too confidingly given, or perhaps by fraudulent issue, to control the vote of the stockholders. The same board might by fair means thus be perpetuated, or by a dexterous mixing or misrepresenting of accounts, with not much risk or responsibility on their part, might fraudulently control forever the affairs of the company. In my opinion the stockholders themselves, who, like the people in our form of government, are the true source of power, should closely examine into the responsibilities just presented if they would preserve and perpetuate their own rights within the corporation. I am not aware of any instance where a company has been destroyed by the immediate action of its stockholders, but where too much power has been placed in the hands of directors and officers, of reckless, speculative and adventurous character, the instances of failures and disgrace are almost innumerable. In all the hearings which can be taken upon this measure, in the event of the directory of the road passing into the hands of ambitious and unscrupulous men, I can see nothing but an eventual monopolization of all the railroad privileges of this State, and perhaps of the United States, and "such other purposes connected with its business as the board of directors of said company may deem expedient." They being their own judges, what might not be considered as connected with their business? May not any and almost every branch of industry—manufacturing, agricultural and commercial—be included? There is danger, too, that with such vast power, such ramifications in the business departments of the country and such unlimited capital, there might be reason to tremble for the purity and sanctity of our elections, or what is equally as bad, that our governors, legislators and other State authorities might be affected with the blandishments of its power, its offices and its wealth.

They could "make the rich richer and the poor poorer." They could, in a word, make their organization a monopoly—a term which a distinguished jurist and law-giver defines to be "that which grinds the people between the upper and nether millstone;" and its power would become so great, that should any citizen, or even an officer of the Government, attempt to restrain it within its chartered limits and proper franchises, he would be made to feel its withering influences. There is always danger in the creation of monopolies, for in proportion as they are increased are the rights of the citizen abridged. Had such a proposition been made in the early days of the Commonwealth, or even a quarter of a century ago, or when this company applied for its charter, it would have been rebuked by the people, without distinction of party, upon its first annunciation.

I am not inimical to the Pennsylvania railroad company; but I am positively its friend. I honor the management for the energy displayed in the share they have taken with others in the development of our State, and am determined that it and all other corporations shall be protected and defended in all their rights, privileges and franchises already derived, or that may hereafter be derived from legislative action; but when they ask for unlimited privileges which can and may be used as engines to threaten, endanger and control the interests and perhaps the very action of the government, by the absorption of our internal improvements and every branch of industry within the State, and the holding of many thousands of our people in a dependent condition, they must be refused.

It is said that other corporations have had unlimited powers conferred upon them, and no evils have resulted. But as far as such cases have been cited, I find, upon examination, that they were, almost without exception, conferred upon the stockholders on terms, and with limitations, and not upon the directors. And if there were such, and they were known to be wrong in principle, it is one of the best and strongest reasons why the practice should be discontinued. If it is right that the Legislature should confer unlimited powers upon one institution, it has a right to multiply such corporations at its pleasure, and if they should be managed by those whose predilections and interests would be similar, the control of the Commonwealth would be irretrievably committed to their hands, and the sovereignty would depart from the people. If it is deemed necessary for the proper management of the company that its capital should be increased, let it be done as heretofore requested by them, gradually by the Legislature, just as the necessity for such increase can be clearly demonstrated, and after due notice, that it is intended to make application for such increase of capital, and then only at the request of the stockholders.

Prior to the late election, I found among the people, throughout the State, that the important question of railroads, in all its shapes and guises, could not be properly ignored. It was regarded as a matter of such paramount importance that pledges were asked of the gubernatorial candidates, and certain interrogatories addressed to them to which answers were required. One of the interrogatories addressed to myself was in these words, viz: "Will you, if elected Chief Magistrate of Pennsylvania, faithfully exert the power of your administration to defeat any and every attempt made, by legislation or otherwise, for the monopoly and control by any one corporation of the railroad policy of the State?" To which I, in good faith, replied, "that while I believe it to be improper to bring the influence of the Executive Department to bear upon the Legislature in anticipation of its action, except in the way of recommendation, I am heartily opposed to the creation of any monopoly of the railroad system of the State, or giving any artificial body, created by the law, powers which would place it above and beyond the reach of the Legislature." And in my reply I further stated, that "the spirit of monopoly in this and other matters should be discouraged in a Republican government, and I have no sympathy with any policy which may be designed for its encouragement."

And in speaking of railroad companies I further remarked, "while these corporations continue to act their part as public servants they should be carefully protected. They should not be permitted to overstep their legitimate functions. As creatures of the law, they should obey and be, in every respect, subservient to the law."

In accordance with the doctrines thus pronounced the public have rendered their verdict and expect of me a strict compliance of the pledges then given. These are not new doctrines or principles. They were fearlessly enunciated in the incipient part of the campaign, and were discussed freely by the people, by the press and by public speakers generally throughout the State. I feel that I am solemnly bound to obey these pledges, and I have no desire or intention to evade or disobey them. The people may rest satisfied and assured that neither this, nor any other pledge, given them when I was asking their suffrages, shall be violated.

That the people have an indisputable and inherent right to instruct their public servants and to mould and fashion their institutions to suit themselves, no one, believing in a republican form of government, will for a moment pretend to deny, and I believe the correlative obligation, that those holding office are bound to obey, is equally true. These instructions were conveyed to me in the best possible mode, through the ballot-box.—Viewing this question without prejudice, no man can doubt that our citizens are earnestly opposed to the granting to corporations any

unlimited powers which may be converted into monopolies and which cannot be held subservient to the Legislature, and to the true interests of the State.

A solicitous regard, therefore, for truth and justice, has impelled me to the course I have taken upon this subject, and with the full assurance that I have done my duty, I herewith return the bill without my signature.

JNO. W. GEARY

Mr. DONOVAN moved that the further consideration of the message be postponed for the present.

The motion was

Agreed to.

Mr. BIGHAM moved that five thousand copies of the message be printed for the use of the Senate.

Mr. DONOVAN. Would it not be better to have them printed after we take action upon this subject?

The SPEAKER. That is a question for the Senate.

Mr. BIGHAM. I think one of the objects of the postponement was to give us an opportunity of seeing the message in print.

Mr. WORTHINGTON said he thought the message could not be acted upon by the Senate until it was printed.

Mr. RIDGWAY. Mr. Speaker, I have no objection to the printing, but I think the number is unreasonable; I think one thousand would be sufficient. I move to amend by striking out the word "five thousand" and inserting in lieu thereof the words "one thousand."

Mr. M'CANDLESS moved further to amend by making it five hundred. I simply make the motion to amend in order to save the State from what I consider unnecessary expense.

Mr. BILLINGFELT. Mr. Speaker, we have ordered thousands upon thousands of copies of the Governor's annual message and inaugural address, and they are lying around the Senate now; and now, in no important question like this, why should we reduce the number to one thousand; this is a matter in which everybody is interested; why keep them in the dark? I would vote for a hundred thousand rather than have only five hundred.

Mr. FISHER. The argument of my colleague is the strongest one yet made against printing this large number. He says we have a large number of old messages lying around loose, which is the fact; hence, I cannot see the propriety of printing so many.

Mr. BILLINGFELT said that he alluded to the fact because certain members had objected to this on account of expense, and that he had never heard a word against the printing of those messages; but this one was so important that it should go before the people.

The question being on printing the largest number, viz: five thousand?

The yeas and nays were required by Mr. BIGHAM and Mr. LOWRY, and were as follow, viz:

YEAS—Messrs. Bigham, Billingfelt, Browne (Lawrence), Brown (Mercer), Graham, Lowry, Taylor and White—8.

NAYS—Messrs. Barnett, Connell, Cowles, Davis, Donovan, Fisher, Glatz, Haines, Jackson, James, Landon, M'Candless, M'Conaughy, Randall, Ridgway, Royer, Schall, Searight, Shoemaker, Stutzman, Walls, Worthington and Hall, *Speaker*—23.

So the question was determined in the negative.

During the call,

Mr. DAVIS said that he had been very much troubled with Governor's messages; in sending other documents to his constituents, he had found the Governor's messages put up in the same package; his constituents did not particularly admire them; therefore, for fear that it might occur again, he would vote for the smaller number. He voted "no."

The motion of Mr. RIDGWAY, to print one thousand copies of said message, was then

Agreed to.

RECONSIDERATION OF THE MARINE HOSPITAL BILL.

Mr. RANDALL moved that the Senate proceed to the reconsideration of bill entitled An act to incorporate the Marine Hospital of Pennsylvania, in the county of Erie, to fix location of hospital in Erie city, and to grant real estate to said hospital,

This bill having been returned to the Senate by the Governor on the 19th instant, with his objections thereto.

The bill and message were again read.

On the question,

Shall the bill pass, notwithstanding the objections of the Governor?

Mr. LOWRY moved to postpone the further consideration of the subject for the present.

The motion was

Agreed to.

ORIGINAL RESOLUTION.

Mr. BIGHAM offered the following resolution, which was twice read:

Resolved, That two hundred copies of the address of Jas. R. Snowden, and accompanying documents, ordered on the 15th instant, be printed, and sent as follows, viz: one hundred copies to the Hon. Samuel P. Johnson, of Warren, Pennsylvania, and one hundred copies to the Hon. Jas. Ross Snowden, of Philadelphia.

The resolution was

Adopted.

LEAVE TO WITHDRAW PETITION.

Mr. M'CONAUGHY asked and obtained leave to withdraw the petition of the citizens of Dillsburg, York county, in reference to the assessment and collection of a bounty tax in said borough.

FINAL ADJOURNMENT OF THE LEGISLATURE.

The Clerk of the House of Representatives being introduced, returned bill from the Senate numbered and entitled as follows, viz:

No. 163, joint resolution providing for the final adjournment of the Legislature.

With information that the House of Representatives has passed the same with amendments, in which the concurrence of the Senate is requested.

[The House amended by providing for a final adjournment on Thursday, April 18th.]

On motion of Mr. CONNELL, said amendments were twice read and

Concurred in.

THE SUNDAY CAR QUESTION.

Agreeably to order,

The Senate proceeded to the second reading and consideration of bill entitled An act to ascertain the views of the qualified electors of the city and county of Philadelphia upon the subject of allowing the passenger railway companies of said city to run their cars on the first day of the week, commonly called Sunday.

On the question,

Will the Senate agree to the first section?

Mr. CONNELL moved to postpone the farther consideration of the bill for the present.

Mr. DONOVAN. I trust not. This bill was introduced on the first day of the session, and it is a bill that seven hundred thousand people in my city are interested in.

Mr. CONNELL. I am just as anxious as my colleague to pass this bill. I do not feel ready to address the Senate upon it to-day. I desire to reply to the Senator from Erie [Mr. LOWRY], and I am not prepared to do it to-day.

Mr. DONOVAN. Mr. Speaker, are we going to postpone this for the special accommodation of the Senator? He has been running the Legislature for some time.

Mr. CONNELL. That is a very ungentlemanly fling.

Mr. BROWNE (Lawrence). Mr. Speaker, I think this a very important bill, and we ought to keep it on the regular order.

The motion of Mr. CONNELL was

Not agreed to.

The first section of the bill was read as follows:

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same*, That on the fifth day of March, Anno Domini one thousand eight hundred and sixty-seven, a special election shall be held in the several wards and divisions of the city of Philadelphia by the qualified electors thereof, at which said election it shall and may be lawful for said electors to vote for or against a law authorizing the passenger railway companies of the city of Philadelphia to run their cars on the first day of the week, commonly called Sunday.

On the question,

Will the Senate agree to the section?

Mr. CONNELL moved to amend the same, so that it would read as follows:

"*Be it enacted, etc.*, That on the second Tuesday of October next, on the day of the general election, it shall and may be lawful for the qualified electors of the city of Philadelphia to vote for or against a law, authorizing the passenger railway companies of the city of Philadelphia to run their cars on the first day of the week, commonly called Sunday."

The amendment was

Agreed to.

[The general merits of the bill were discussed until the hour of adjournment. The debate will appear in the *Appendix*.]

The hour of one having arrived, the Senate adjourned until three o'clock this afternoon.

AFTERNOON SESSION.

The Senate re-assembled at 3 o'clock.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

The Clerk of the House of Representatives being introduced, presented for concurrence bills numbered and entitled as follows, viz:

No. 1012, an act to authorize Catharine Floto, Mary R. Floto, George H. Floto and Emma G. Floto to sell and convey certain real estate.

Referred to the Committee on Estates and Escheats.

No. 1388, an act relating to evidence in legal proceedings affecting the Erie railway company.

Referred to the Committee on the Judiciary Local.

No. 969, supplement to the act incorporating the Great Valley gold and silver mining company, approved 17th day of November, 1866.

Referred to the Committee on Corporations.

AN EVENING SESSION.

Mr. CONNELL moved that the Senate hold a session this evening, commencing at half-past seven o'clock, for the purpose of resuming the consideration of the bill relative to running cars on Sunday, and such other business as may come before it.

The motion was

Agreed to.

PRIVATE CALENDAR.

Agreeably to order,

The rules were dispensed with and the Senate proceeded to the second reading and consideration of bills on the private calendar, which were severally disposed of as follows:

No. 889, an act to exempt the Foster Home from taxation.

Objected off.

No. 890, an act for the relief of William Brennan and Bernard M'Tighe, first and second clerks of the mayor's court of the city of Carbondale.

Passed finally.

House bill No. 242, an act to exempt from taxation certain real estate in Philadelphia, belonging to and used and occupied by the Western association of Ladies of Philadelphia, for the relief and employment of the poor.

Objected off.

No. 893, an act to extend the time for the payment of the enrollment tax on an act entitled An act to incorporate the Keystone coal and manufacturing company of Somerset county.

Passed finally.

No. 894, an act to legalize and make valid an assessment made by the board of school directors of Strasburg township, Lancaster county, of one-half of one per centum, on the 16th day of June, A. D. 1866, for bounty purposes.

Passed finally.

No. 895, an act to levy a tax upon horses kept for pleasure or hire in the city of Philadelphia.

Objected off.

House bill No. 633, an act to extend the term of the county treasurer of Westmoreland county.

Objected off.

House bill No. 642, an act relating to hawkers and peddlers or traveling merchants in the counties of Lebanon and Wyoming.

Objected off.

House bill No. 660, an act relating to the appointment of auctioneers in the county of Cumberland.

Laid over.

House bill No. 648, a supplement to an act to authorize the erection of a poor house in the county of Tioga, approved the 12th day of March, A. D. 1866.

Passed finally.

House bill No. 661, an act relating to the indebtedness of the county of Dauphin.

Passed finally.

House bill No. 638, an act to extend the provisions of an act regulating the fees of district attorney in the county of Bradford, in the court of quarter sessions, approved the 11th day of April, A. D. 1866, to the county of Cameron.

Passee finally.

House bill No. 639, an act relating to the filing of liens and collection of taxes in the borough of Petersburg.

Passed finally.

House bill No 640, an act relating to the compensation of the sheriffs of Butler and Indiana counties for boarding prisoners.

Passed finally.

No 905, an act increasing the pay of certain township officers in Conyngham township, Columbia county.

Passed finally.

No. 906, an act relating to the collection of bounty taxes in the county of Lehigh.

Passed finally.

No. 907, an act to change the venue in the case of the Commonwealth of Pennsylvania versus Louis S. Boner and Sylvester Hoffman, from the court of quarter sessions of the peace of Columbia county to the court of quarter sessions of the peace of Dauphin county.

Laid over.

No. 908, an act to change the venue of certain suits from the county of Allegheny to the city of Philadelphia.

Passed finally.

No. 909, an act to extend to the borough of Mount Washington the vehicle license laws.

Passed finally.

House bill No. 649, an act authorizing the Governor to appoint an additional notary public for the county of Mercer.

Passed finally.

No. 911, an act regulating certain sheriff's fees in the county of Luzerne.

Amended on motion of Mr. SHOEMAKER and

Passed finally.

No. 912, an act to change the criminal proceedings in a certain class of cases in Indiana county.

Passed finally.

House bill No. 668, an act to authorize the borough of Lock Haven to erect water works.

Passed finally.

House bill No. 664, an act appropriating ground for public purposes in the city of Philadelphia.

Amended on motion of Mr. CONNELL.

Passed finally.

House bill No. 628, a supplement to an act to legitimate George Humphrey Stump and Abraham Harrison Stump, approved the 28th day of April, A. D. 1854.

Passed finally.

House bill No. 681, an act to divide the borough of New Brighton into three wards.

Passed finally.

House bill No. 671, an act relative to the borough of Kennet Square, in the county of Chester, enabling said borough to borrow money to erect water works, changing the mode of publishing ordinances, and opening, widening and straightening streets in said borough.

Passed finally.

No. 918, an act to extend to the city of Reading the provisions of an act to authorize the arrest of professional thieves, burglars, &c., in the city of Philadelphia.

Objected off.

No. 920, an act to incorporate the Lebanon water company.

Passed finally.

No. 921, an act to incorporate the Idaho mining and exploring company.

Passed finally.

No. 922, an act to authorize the Shafton coal company to borrow money.

Title amended.

Passed finally.

No. 923, an act to incorporate the Pittsburg transportation company.

Passed finally.

No. 924, a further supplement to an act entitled An act to incorporate the Scranton gas and water company, approved March 16, 1854.

Passed finally.

No. 925, an act to incorporate the Pottstown water company.

Passed finally.

No. 926, a supplement to an act entitled An act to incorporate the Lehigh Valley fire insurance company, approved the 30th day of March, A. D. 1866.

Passed finally.

No. 927, an act authorizing an increase of the capital stock of the Connecting railway company.

Passed finally.

House bill No. 670, an act to incorporate the Danville water company.

Passed finally.

House bill No. 674, an act to incorporate the Susquehanna Depot Protective Union of Susquehanna Depot, Susquehanna county.

Passed finally.

No. 931, a further supplement to an act to incorporate the Moshannon railroad company, approved the 11th day of April, 1863.

Passed finally.

No. 935, an act to prevent the depositing of tan bark in Poko Poko or Head's creek, in the county of Monroe.

Passed finally.

No. 936, an act punishing the sale of adulterated milk in the counties of Potter and Tioga.

Passed finally.

No. 939, an act for the better improvement of the front of the river Delaware.

Passed finally.

No. 940, an act authorizing the burgess and town council of the borough of Jamestown, Mercer county, to levy and collect tax not to exceed one per cent. for borough purposes.

Passed finally.

No. 941, an act regulating the fees of notaries public in the county of Allegheny.

Passed finally.

No. 942, a supplement to an act, entitled An act to change the venue of a certain action from Juniata county to Dauphin county, approved the 21st day of March, A. D. 1866.

Passed finally.

House bill No. 1095, an act to provide for the transfer and safe keeping of prisoners in the jail of Washington county.

Passed finally.

House bill No. 427, an act authorizing the borough council of Shenandoah, Schuylkill county, to borrow money, and the voters to elect six town councilmen, et cetera.

Passed finally.

No. 947, an act for the relief of A. D. Hamlin.

Passed finally.

No. 948, a further supplement to the act to incorporate the Union School and Children's Home asylum, to provide for the taxation of non-resident venders of merchandise in the city and county of Philadelphia, and for the relief of Edward Hutchinson, approved April 12, 1851.

Passed finally.

House bill No. 494, an act to authorize the school board of North Heidelburg township, in the county of Berks, to levy and collect an additional bounty tax.

Passed finally.

House bill No. 594, an act to authorize and empower the Governor to issue a commission to Thomas M'Neish.

Passed finally.

No. 952, an act to incorporate the Madison bridge company of Pottstown, Montgomery county.

Passed finally.

No. 955, an act extending the provisions of an act approved March 22, A. D. 1817, relative to horse racing on the public highways in Philadelphia county, to the township of Leacock, in the county of Lancaster.

Passed finally.

No. 958, an act relating to the licensing of restaurants and beer houses in the county of Columbia, extending the provisions of an act of April 2, 1862, to said county.

Passed finally.

No. 964, an act to extend the time of payment of the enrollment tax of the Delaware mining company, appointing additional corporators, and authorizing the said company to hold additional lands.

Passed finally.

No. 966, an act relative to the terms of members of the councils of the city of Philadelphia.

Passed finally.

House bill No. 546, an act repealing an act

relative to the purchase of a law library in the county of Butler.

Objected off.

House bill No. 689, an act to authorize the burgess and town council of the borough of Oxford, in the county of Chester, to borrow money.

Passed finally.

No. 972, an act to compel the attendance of witnesses, and to compel them to testify before the councils of the city of Philadelphia, and before committee of said councils.

Objected off.

No. 973, a supplement to an act relating to the directors of the poor of Lancaster county, approved March 2, 1846, regulating the fees of constables.

Amended on motion of Mr. FISHER.

Passed finally.

No. 974, an act to increase the compensation of county commissioners, township auditors, and the sheriff for boarding prisoners, in the county of Jefferson.

Passed finally.

No. 975, an act to incorporate the parties doing business at the Pascal iron works, in the city of Philadelphia, under the name, style and title of Morris, Tasket & Company.

Objected off.

No. 976, an act to incorporate the American coal, mining, oil tank and transportation company.

Passed finally.

No. 977, an act to change the corporate name of the Mill Creek gold and silver mining, commercial and manufacturing company of Colorado.

Passed finally.

No. 978, an act to incorporate the Bellefonte Glass manufacturing company.

Passed finally.

No. 979, an act to incorporate the Grocers' and Provision Dealers' association.

Passed finally.

No. 980, a further supplement to the act consolidating the city of Philadelphia, defining the amount of money to be borrowed on temporary loan.

Passed finally.

House bill No. 490, an act to incorporate the People's savings fund and safe deposit company.

Amended on motion of Mr. CONNELL.

Passed finally.

No. 982, an act to declare the North and Uber branches of Little Mahoning creek, in Indiana county, to be public highways.

Passed finally.

No. 983, an act to incorporate the Brookville and Rockawayville railroad company.

Amended on motion of Mr. WHITE.

Passed finally.

No. 984, an act authorizing the Southwark railroad company to renew their road on Swanson street.

Passed finally.

No. 985, a further supplement to the act incorporating the Lafayette railroad company, approved the 1st day of May, A. D. 1861, extending the time for building the road and enlarging the powers of said corporation.

Passed finally.

No. 986, an act to incorporate the City passenger railway company.

Amended on motion of Mr. SHOEMAKER.

Passed finally.

No. 987, a supplement to an act incorporating the Lawrenceville and Oswayo railroad company, approved the 1st day of May, A. D. 1852, reviving said act, and appointing new commissioners.

Passed finally.

No. 988, a supplement to an act entitled An act to incorporate the Bear Creek railroad company, approved the 20th day of March, A. D. 1865.

Passed finally.

No. 989, an act authorizing the school directors of the borough of Tarentum, Allegheny county, to assess and collect taxes for school purposes.

Passed finally.

No. 990, an act to authorize the school directors of the borough of Sewickley to borrow money and levy an additional school tax.

Laid over.

House bill No. 586, an act to incorporate the teachers' institute of the city and county of Philadelphia.

Amended on motion of Mr. CONNELL.

Passed finally.

No. 993, an act to authorize the school board of Washington township, Indiana county, to levy and collect an additional bounty tax.

Passed finally.

No. 994, a supplement to an act to lay out a State road from Karthaus, in Clearfield county, to Coudersport, in Potter county, by way of Sinnemahoning, and for other purposes, approved March 31, 1845, renewing the powers, appointing new commissioners, and appropriating taxes for its completion.

Laid over on third reading.

No. 995, an act to incorporate the Tunkhannock plank road or turnpike company, in the county of Monroe.

Passed finally.

No. 997, a supplement to an act approved April 26, A. D. 1850, incorporating the Wissahickon turnpike road company.

Passed finally.

No. 1000, An Act to regulate the sale of intoxicating liquors in Allegheny county.

Laid over.

No. 1001, an act to annex that part of the farm of William Nickle which is situated in East Mahoning township, Indiana county, to South Mahoning township, in said county.

Passed finally.

No. 1002, an act to incorporate the Masonic hall association of the city of Reading, Pennsylvania.

Title amended, and

Passed finally.

House bill No. 456, an act to authorize Adam Lereu, trustee of Hiram Albert, to purchase real estate.

Amended on motion of Mr. M'CONAUGHY, and

Passed finally.

No. 1008, an act to extend the time for the payment of the enrollment tax on an act entitled An act to incorporate the Gettysburg and Chambersburg railroad company, approved the 17th day of April, 1866, and authorizing said road to make connections.

Passed finally.

House bill No. 810, an act to legalize the bonds issued by the school directors of Green township, in the county of Clinton, for bounty purposes, and to authorize the assessment and collection of a tax to pay the same.

Passed finally.

No. 1010, an act to change the venue in the case of the Commonwealth vs. Peter Eby, numbers one, two and three, February sessions, A. D. 1867, in the court of quarter sessions of Snyder county, to the county of Juniata.

Passed finally.

House bill No. 1090, an act for the sale of certain real estate of Drusilla Haas.

Amended on motion of Mr. FISHER, and

Passed finally.

No. 1016, an act to provide for the repairing of a public road in the county of Union.

Laid over.

No. 1017, an act to increase the compensation of supervisors of roads in the township of Plumstead, Bucks county.

Passed finally.

No. 1021, an act to authorize and empower the corporate authorities of the borough of Greenville, in Mercer county, to borrow money for the use of the borough.

Laid over.

The following bills, laid over from calendar of March 13, were disposed of as stated:

No. 115, an act for the more impartial selection of persons to serve as jusors in York county.

Laid over.

No. 714, an act to prevent the destruction of bass in Evitt's creek and tributaries, and the Raystown Branch of the Juniata and tributaries, in the county of Bedford.

Laid over.

House bill No. 491, an act to exempt the parsonage of the Park Presbyterian church congregation in the city of Erie, Pennsylvania, from taxation.

Passed finally.

No. 729, an act to incorporate the Hillside coal and iron company.

Amended on motion of Mr. JACKSON, and

Passed finally.

No. 745, an act relating to an increase of tolls on the Greensburg and Pittsburg turnpike road.

Laid over.

No. 776, an act for the vacation and sale of the Methodist burial ground in the city of Pittsburg, and for removing the bodies therefrom.

Objected off.

No. 791, an act for better protection of of seamen in the port and harbor of Philadelphia.

Objected off.

House bill No. 842, an act to incorporate the Home for the Friendless, in the city of Harrisburg and county of Dauphin.

Objected off.

No. 815, an act authorizing and empowering the city of Philadelphia to take possession of a part of the Chestnut Hill and Spring House turnpike.

Laid over.

No. 817, an act to authorize the Coal Hill and Upper Saint Clair turnpike road company to increase their tolls.

Laid over.

House bill No. 840, a supplement to the act regulating the courts of the Sixth Judicial district.

Withdrawn by the House of Representatives.

House bill No. 541, an act to authorize the Governor to appoint two additional notaries public for the county of Dauphin, one for the Nineteenth ward of the city of Philadelphia, and three to reside in the county of York.

Amended on motion of Mr. GLATZ, and

Passed finally.

The calendar having been gone through with,

Mr. M'CONAUGHY called up Senate bill No. 907, entitled An act to change the venue in the case of the Commonwealth of Pennsylvania versus Louis S. Boner and Sylvester Hoffman, from the court of quarter sessions of the peace of Columbia county, to the court of quarter sessions of the peace of Dauphin county.

The bill was read.

Mr. JACKSON. Mr. Speaker, the Senator from Adams [Mr. M'CONAUGHY], having taken special charge of this bill, I would like to hear his reasons for changing the venue.

Mr. M'CONAUGHY sent to the Clerk's desk, to be read, the petition containing the facts in the case.

The petition was read as follows:

To the Honorable, the Senate and House of Representatives of Pennsylvania, in General Assembly met:

The petition of of Louis S. Bower and Sylvester Hoffman, citizens of the county of Columbia, in said Commonwealth, respectfully sheweth:

That, at the December sessions of the court of quarter sessions of the peace in and for the county of Columbia, aforesaid, a bill of indictment was found and returned against said petitioners, charging them, the said Louis S. Bower as inspector, and Sylvester Hoffman as judge, at the last general election held on the 9th day of October, A. D. 1866, for State and county officers, in the borough of Centralia, in the said county of Columbia, did knowingly reject and refuse the vote of one John M'Donald, a citizen thereof, legally qualified to vote at the said election, that the said petitioners deny that they are guilty, as in said indictment charged, and that they believe they are entitled to have a trial before an impartial court and jury.

That the president judge was a candidate for Congress at the last general election.

That the two associate judges, now on the bench of said court, were elected thereon at the last general election by the dominant party of said county.

That the full bench of said court and nine-tenths, if not all, of the jurymen attending said court, with all the officers thereof, are of one political complexion and party, and that your petitioners do not believe, if brought to trial in said Columbia county court, they will or can have a fair, unbiased and impartial trial, to which they are, under the Constitution, entitled.

Your petitioners, therefore, pray your honorable bodies to enact a law which will provide for a change of venue in the above criminal case, and for its removal to the court of quarter sessions of the peace of Dauphin county for trial there.

And your petitioners will ever pray.

LOUIS S. BOWER,
SYLVESTER HOFFMAN.

Columbia County, ss:

Before me, the subscriber, a justice of the peace, in and for the county aforesaid, appeared Louis S. Bower and Sylvester Hoffman, the above petitioners, who, being duly sworn according to law, do say that the facts and allegations above set forth are true, and that they verily and candidly believe that it is impossible for them to have a fair and impartial trial under the said indictment in the aforesaid court of Columbia county, on account of the political sameness of complexion and character of the juries of the said court, as well as the prejudication of the question involved by the tribunal before whom they would be thus compelled to appear for trial.

LOUIS S. BOWER,
SYLVESTER HOFFMAN.

Sworn and subscribed before me the first day of March, A. D. 1867.

W. H. RINEHOLD,
Justice of the Peace.

Mr. JACKSON. Mr. Speaker, I am opposed to a change of venue; but if it is to be changed at all, it would be more convenient for all parties to have it go to Northumberland county. I move to strike out "Dauphin" and insert "Northumberland."

Mr. M'CONAUGHY. Mr. Speaker, I desire to have the attention of the Senate for a moment. I do not desire to consume time, but merely desire to say that this is a case precisely similar to others which passed this session.

It is a case in which the entire jury and bench are of one political party; it is a case in which it appears that both the president judge and associate judge were engaged in the campaign, and there can be no doubt that this whole matter is involved with prejudice and animosity. The petitioners assert that they believe they cannot have a fair and impartial trial, and, therefore, want the case removed. This Senate has again and again passed upon precisely similar circumstances this session. But I desire to say that I have called up this bill at the instance of Senator COLEMAN, who is called away upon private business. He desired that it should be passed as it is, without change. And I can only add that, in bringing it to Dauphin county, it will be brought to a county presided over by a judge who has not a superior in the State, in fairly dispensing justice.

Mr. JACKSON. Mr. Speaker, I think the gentleman is afraid he will get justice. I made the offer to amend for the reason that Northumberland county would be much more convenient for all parties if the venue is changed; and again, if it is deemed necessary to take it to a judge who was not in the canvass during the last campaign, that will be done by taking it to Judge Jordon, who presides in Northumberland. Senators on the other side all agree that he is an eminent and fair judge, and that he had decided on their side in relation to the deserter question. I insist upon my motion to amend.

Mr. M'CONAUGHY. The bill is just as Senator COLEMAN decires it, and I see no reason why it should be changed.

On the question,

Will the Senate agree to the amendment of Mr. JACKSON?

The yeas and nays were required by Mr. M'CONAUGHY and Mr. JACKSON, and were as follow, viz:

YEAS—Messrs. Burnett, Davis, Glatz, Jackson, James, M'Candless, Randall, Schall, Searight and Walls—10.

NAYS—Messrs. Bigham, Billingfelt, Browne (Lawrence), Brown (Mercer), Connell, Cowles, Donovan, Fisher, Graham, Haines, Landon, Lowry, M'Conaughy, Ridgway, Royer, Shoemaker, Stutzman, Taylor, White, Worthington and Hall, *Speaker*—21.

So the question was determined in the negative.

The question recurring,

Will the Senate agree to the section?

Mr. JACKSON said: Mr. Speaker, this case has been twice postponed in the county of Columbia, upon the application of the parties for a postponement, on the ground of material witnesses being absent. I wish to say, also, that while Judge Ellwell was a candidate for Congress there was no contest in relation to him; and his being a candidate has nothing to do with this question in any form. It is false that Judge Ellwell or his associates have prejudged this case.

The first and only section and title were then

Agreed to.

On the question,

Will the Senate suspend the rules and read the bill a third time?

The yeas and nays were required by Mr. JACKSON and Mr. M'CONAUGHY, and were as follow, viz:

YEAS—Messrs. Bigham, Billingfelt, Browne (Lawrence), Brown (Mercer), Connell, Cowles, Donovan, Fisher, Graham, Haines, Landon, Lowry, M'Conaughy, Ridgway, Royer, Shoemaker, Stutzman, Taylor, Worthington and Hall, *Speaker*—20.

NAYS—Messrs. Burnett, Davis, Glatz, Jackson, James, M'Candless, Randall, Schall, Searight and Walls—10.

So the question was determined in the affirmative,

And the bill was read the third time.

On the question,

Shall the bill pass?

The yeas and nays were required by Mr. JACKSON and Mr. WALLS, and were as follow, viz:

YEAS—Messrs. Bigham, Billingfelt, Brown (Lawrence), Brown (Mercer), Connell, Cowles Donovan, Fisher, Graham, Haines, Landon, Lowry, M'Conaughy, Royer, Shoemaker, Stutzman, Taylor, White, Worthington and Hall, *Speaker*—20.

NAYS—Messrs. Burnett, Davis, Glatz, Jackson, James, M'Candless, Randall, Ridgway, Schall, Searight and Walls—11.

So the question was determined in the affirmative.

So the bill

Passed finally.

Mr. CONNELL called up Senate bill No. 791, which had been objected off the calendar, entitled An act for the better protection of seamen in the port and harbor of Philadelphia.

Mr. DONOVAN. The title ought to be: "The destruction of seamen in the city of Philadelphia."

On the question,

Will the Senate proceed to the consideration of the bill?

The yeas and nays were required by Mr. CONNELL and Mr. RIDGWAY, and were as follow, viz:

YEAS—Messrs. Billingfelt, Browne (Lawrence), Connell, Cowles, Fisher, Graham, Landon, Royer, Shoemaker, Stutzman, Taylor, Worthington and Hall, *Speaker*—13.

NAYS—Messrs. Bigham, Brown (Mercer), Burnett, Davis, Donovan, Glatz, Jackson, James, Lowry, M'Candless, M'Conaughy, Randall, Ridgway, Schall, Searight and Walls—16.

So the question was determined in the negative.

Mr. WORTHINGTON called up House bill No. 242, previously objected off the calenda, and entitled An act to exempt from taxation certain real estate in Philadelphia, belonging to and used and occupied by the Western association of ladies of Philadelphia, for the relief and employment of the poor.

The bill was read.

Mr. RIDGWAY. Mr. Speaker, I have no objections to this institution, but I am opposed to exempting property in Philadelphia from taxation.

Mr. WORTHINGTON. A great many bills of the kind have been passed.

Mr. RIDGWAY. The people are unanimously opposed to the further exemption of these institutions.

Mr. CONNELL. I differ with the Senator on that question; the best men in Philadelphia always have some institution of this kind which they wish exempted from taxation.

Mr. RIDGWAY. I go for the whole people, not for the best men only.

Mr. CONNELL. I refer to men who give their thousands every year.

On the question,

Will the Senate agree to the first and only section?

The yeas and nays were required by Mr. RIDGWAY and Mr. WORTHINGTON, and were as follow, viz:

YEAS—Messrs. Billingfelt, Browne (Lawrence), Brown (Mercer), Connell, Davis, Fisher, Glatz, Graham, Haines, James, Landon, Lowry, M'Candless, M'Conaughy, Royer, Searight, Shoemaker, Stutzman, Taylor, Walls, Worthington and Hall, *Speaker*—22.

NAYS—Messrs. Bigham, Burnett, Donovan, Jackson, Randall and Ridgway—6.

So the question was determined in the affirmative.

The title was

Agreed to.

The rule having been dispensed with,

The bill was read a second and third time, and

Passed finally.

MESSAGE FROM THE GOVERNOR.

The Deputy Secretary of the Commonwealth being introduced, presented a message from the Governor, which was read as follows, viz:

EXECUTIVE CHAMBER,
HARRISBURG, PA., March 20, 1867.

To the Senate and House of Representatives of the Commonwealth of Pennsylvania:

GENTLEMEN—My attention has been called to the fact that on the 8th of March, 1867, I signed an act entitled An act to authorize the Allegheny Valley railroad to mortgage its road and branches to complete the same.

Since I signed that act, I have discovered that it authorizes the directors of said company to create bonds, payable at such time as they may determine upon, with coupons attached, bearing interest not exceeding seven and three-tenths per centum per annum, to an amount sufficient to meet the necessary outlay upon any branch road or roads to be thereafter constructed under the provisions of the charter of the Allegheny Valley railroad company, its supplement or laws affecting said company. This power to borrow an unlimited amount and at the absolute discretion of the directors, is an improvident and impolitic grant, and had I observed it at the time the bill was presented, I would not have signed it.

It escaped me on the pressure of public business, and the first duty I owe you and the people of the State is to say this, and to request you to repeal the act or modify it with proper restrictions.

I have directed special notice of this message to be sent to the president and directors of the company.

JNO. W. GEARY.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

The Clerk of the House of Representatives being introduced, presented for concurrence bills numbered and entitled as follows, viz;

No. 1051, a supplement to an act to prevent the sale of intoxicating liquors on the first day of the week commonly called Sunday, approved February 26th, 1855, relating to the counties of Berks, Lebanon and Lehigh.

Referred to the Committee on Vice and Immorality.

No. 1100, an act to incorporate the Susquehanna summer resort.

Referred to the Committee on Corporations.

CONCURRENCE IN HOUSE AMENDMENTS.

Mr. BROWN (Mercer) moved that the Senate concur in the amendments made by the House of Representatives to bill entitled An act to establish a ferry over the Allegheny river at Tidioute, Warren county.

The motion was

Agreed to.

On motion of Mr JACKSON, the Senate then adjourned until half-past seven this evening.

EVENING SESSION.

The Senate reassembled at half-past seven, P. M.

The bill entitled An act to ascertain the views of the qualified electors of the city and county of Philadelphia upon the subject of allowing the passenger railway companies of said city to run their cars on the first day of the week, commonly called Sunday, being the special order,

Mr. DONOVAN moved to postpone the further consideration of the bill for the present, for the purpose of proceeding to the consideration of the message from the Governor, vetoing the bill increasing the capital stock of the Pennsylvania railroad.

Mr. LOWRY. I trust we will get through with this car question to-night.

Mr. DONOVAN. I am going home to-morrow, and I would like to get through with this message.

Mr. BROWNE (Lawrence). Let me suggest to the Senator that we can get through with both of these questions this evening. I am perfectly willing, for my part, to take the vote to-night.

Mr. LOWRY. I hope the Senator from Lawrence [Mr. BROWNE] will have an opportunity to say a few words on the Sunday car bill.

Mr. DONOVAN. It will not take ten minutes to get a vote on the veto message.

The SPEAKER. The question is not debatable. The bill and message are on the table, and a motion to proceed to the reconsideration of a bill on the table is a privileged question and not debatable.

Mr. GRAHAM. I understand this session was fixed for a special purpose.

The SPEAKER. It was fixed for the consideration of the Sunday car bill and other business.

Mr. GRAHAM. I thought the Sunday car question would have precedence over everything else.

The SPEAKER. Certainly; and I have brought it up. It is a question for the Senate to decide whether or not they will postpone.

Mr. BIGHAM. Mr. Speaker, whether we discuss this car question or not is another matter; but I hope the vote on the message is not to be taken to-night. I am aware that in the Senate of the United States, where these things ought to be understood, speeches have been made for several days in succession upon veto messages.

The SPEAKER. We will not discuss that now; I only call the attention of the Senate to what I believe to be the rule in regard to this matter. If the Senate adopt the motion of the Senator from Philadelphia [Mr. DONOVAN], then I will entertain any suggestion the Senator has to make; and if he can show me any rule permitting debate on the question in its present shape, I will be pleased to rule accordingly.

Mr. BIGHAM. Mr. Speaker, I am in favor of discussing this car question the whole evening, if necessary, because I am opposed to taking up the other. I am entirely opposed to any attempt to bring up this veto message to-night. I have no special anxiety to speak upon that car question, but I hope it will not be postponed for the purpose of bringing up the message; let that question go over until we have an opportunity to hear from our constituents upon that question. I hope the motion to postpone will not be agreed to.

Mr. BROWNE (Lawrence). Mr. Speaker, there are some Senators upon this floor who have an advantage over others. My friend, the Senator from Philadelphia [Mr. DONOVAN], has two strings to his bow, and some of us only one. It was at the desire of the Senator from Philadelphia, and other Senators who felt as he did, that the consideration of the Governor's message was postponed this morning.

Now, I, for one, wish to hold him to that postponement. They postponed it, and I hope it will remain postponed, in order that we may mature our judgments by our conferences together.

It is an important question, and we should have time to deliberate upon it. This subject was not discussed upon this floor; it was discussed in the House. We should have time at least to reflect upon it, and hold ourselves strictly to the appointment we have made for to-night. We made the same appointment for this afternoon, but some of us consented to change the order; but now, I intend, for one, that this evening shall be devoted to the purpose for which it was intended, so far as my vote can bring it about.

Mr. WHITE. Mr. Speaker, I have but one observation to make. I hope the Senate will not postpone the consideration of this car question. I understand the proper rule to be, in regard to the veto message, that it is not considered upon the day upon which it is sent in. I have been looking at this question, and I see that that is the rule in the House now. I understand this to be the rule, in cases of this kind, and I trust, in view of this rule, we will not violate the order of the evening.

Mr. CONNELL. Mr. Speaker, I think the general custom has been to consider vetoes as soon as they come in, but we have occasionally postponed them for a time; there is no general rule upon the subject.

The SPEAKER. Has the Senator from Indiana [Mr. WHITE] any rule of the Senate upon that question? I would be glad if there is a rule to have it pointed out. But the Senate, having taking charge of this veto message, and postponed it, it is in their hands, and they can take it up when they please.

Mr. RIDGWAY. Mr. Speaker, I am just as anxious to have the Sunday car question disposed of as any other Senator, but this question on the veto message will not take much time.

Mr. GRAHAM. Mr. Speaker, when the motion was made to-day to postpone the further consideration of the veto message, the reason given for the motion was that the message might be printed, that Senators might read, digest and understand it. It has not been printed, sir; we have not had time to consider it.

Mr. BIGHAM. Mr. Speaker, I hope there is going to be no effort made to vote upon the veto message to night. Instead of ten minutes, if you get a vote in ten hours, you will have to resort to the previous question, I think. Some of us will feel bound to discuss the question. I give notice that, unless gentlemen intend to call the previous question, there can be no disposition of the question in a few minutes.

On the question,

Will the Senate agree to the motion of Mr. DONOVAN, to postpone the consideration of the Sunday car bill for the present?

The yeas and nays were required by Mr. BIGHAM and Mr. RIDGWAY, and were as follow, viz:

YEAS—Messrs. Burnett, Connell, Donovan, Fisher, Glatz, Haines, Jackson, James, Landon, M'Candless, M'Conaughy, Randall, Ridgway, Royer, Schall, Searight, Stutzman, Walls and Worthington—19.

NAYS—Messrs. Bigham, Billingfelt, Browne (Lawrence), Brown (Mercer), Davis, Graham, Lowry, Taylor, White and Hall, *Speaker*—10.

So the question was determined in the affirmative.

Mr. DONOVAN moved that the Senate now resume the consideration of bill entitled An act to repeal an act entitled A further supplement to the act incorporating the Pennsylvania railroad company, authorizing an increase of capital stock and to borrow money, approved the 21st day of March, A. D. 1866, and to authorize the Pennsylvania railroad company to increase its capital stock, to issue bonds and to secure the same by mortgage.

[Which bill was this day returned by the

Governor to the Senate, with his objections thereto.]

On the question,

Will the Senate agree to the motion?

The yeas and nays were required by Mr. GRAHAM and Mr. BIGHAM, and were as follow, viz:

YEAS—Messrs. Burnett, Connell, Donovan, Fisher, Glatz, Haines, Jackson, James, Landon, M'Candless, M'Conaughy, Randall, Ridgway, Royer, Schall, Searight, Stutzman, Walls and Worthington—19.

NAYS—Messrs. Bigham, Billingfelt, Browne (Lawrence), Brown (Mercer), Davis, Graham, Lowry, Taylor, White and Hall, *Speaker*—10.

So the question was determined in the affirmative.

The veto message was then read.

[See this morning's session.]

The SPEAKER. Agreeably to the provisions of the Constitution of the State of Pennsylvania, the yeas and nays will now be called. The question is, Shall the bill pass, notwithstanding the objections of the Governor?

Mr. BIGHAM. Mr. Speaker, this bill——

Mr. DONOVAN. Mr. Speaker, I raise the point of order that this is not a debatable question.

The SPEAKER ruled the point of order well taken.

Mr. BIGHAM. The practice in both branches of the national Legislature, during the past session, shows that elaborate discussions have been had on veto messages, extending through several days. The Speaker does not controvert that.

The SPEAKER. Will the Senator refer me to a rule of either branch of Congress?

Mr. BIGHAM. I have not the rule, but I believe that is the fact. I have never seen the question brought up since I have been a member of this branch. I remember, in the other branch, hearing vetoes discussed upon two occasions.

The SPEAKER. Will the Senator permit me to state my view? There is no rule in the Senate of Pennsylvania on the subject. There is a rule in the House, that when a bill is vetoed by the Governor, and the veto message is sent into the House it shall lie over one day. If there were such a rule in the Senate, and, after a postponement, when the bill and message were on the table, a Senator should move to proceed to its consideration, it would be in the power of the body to do so. There is no rule in the Senate, but there is a Constitution of the State of Pennsylvania, and that Constitution declares that "every bill which shall have passed both Houses, shall be presented to the Governor; if he approve he shall sign it; but if he shall not prove, he shall return it, with his objections, to the House, in which it shall have originated, who shall enter the objections at large upon their Journals and proceed to reconsider it, and the yeas and nays shall be called."

Mr. BIGHAM. Mr. Speaker, I raise a question that, until that message is entered upon our Journal, we cannot proceed to its consideration.

The SPEAKER. It is presumed to be entered as soon as it is brought here; each entry is made as the business is done, during the day.

Mr. GRAHAM. Mr. Speaker, I presume that each Senator will have the right to briefly state his reasons for voting when his name is called?

The SPEAKER. I think he has no right to do so—that is a matter of courtesy.

Mr. BROWNE (Lawrence) moved to postpone the consideration of the subject indefinitely.

The SPEAKER. That is not in order—the Senate having just agreed to consider.

Mr. BILLINGFELT. Mr. Speaker, it seems to me, that you are throwing the burden of truth upon the wrong side.

The SPEAKER. The Senator is not in order. The practice in the Pennsylvania Senate has been, without an exception that I know of, that the Senate shall proceed immediately to the consideration of a message after it is read, unless postponed. The Senate have, in this instance, postponed it; and now have agreed to proceed to the reconsideration. That was not a debatable question, and after the yeas and nays are ordered I cannot think this is according to the provisions of the Constitution. I now again order the yeas and nays to be called.

Mr. BIGHAM. I move to postpone the subject until Tusday next.

The SPEAKER. That is not in order. I might remark that our rules and those at Washington naturally differ—they differ there in both branches.

Mr. BIGHAM. The language of the National Constitution is the same as ours.

The SPEAKER. I must rule as I think right and proper, especially when Senators have the power to take an appeal.

Mr. BIGHAM. Would it be in order to state the reasons for my vote?

The SPEAKER. After the call is ordered, I have already said, I do not think debate is in order. If it was meant simply to state a reason, that is one thing, but where it is manifestly only intended to kill time that is another thing.

On the question,

Shall the bill pass, notwithstanding the objections of the Governor thereto?

The yeas and nays were taken, agreeably to the provisions of the Constitution, and were as follows:

YEAS—Messrs. Burnett, Connell, Donovon, Fisher, Glatz, Haines, Jackson, James, Landon, M'Candless, M'Conaughy, Randall, Ridgway, Royer, Schall, Searight, Stutzman, Taylor, Walls and Worthington—20.

NAYS—Messrs. Bigham, Billingfelt, Browne, (Lawrence,) Brown (Mercer,) Davis, Graham, Lowry, White and Hall, *Speaker*—9.

The constitutional vote of two-thrids having been given for the bill, it was declared passed.

During the call,

Mr. BILLINGFELT said: Mr. Speaker, as I cannot give my reasons for my vote, I will say that I thank God for the opportunity that I now have to sustain a man who has the backbone to be the Governor of this great Commonwealth. I vote "no."

Also, during the call,

Mr. JACKSON said: Mr. Speaker, with the understanding that a bill is to be presented and passed immediately, which will remove the objections of the Governor and repeal the objectionable portions of the bill, I vote "aye."

On leave given at this time,

Mr. CONNELL read in his place and presented to the Chair bill entitled An act supplementary to an act, entitled An act to repeal an act entitled A further supplement to the act incorporating the Pennsylvania railroad company, authorizing an increase of capital stock, and to borrow money, approved the 21st day of March, 1866, and to authorize the Pennsylvania railroad company to increase its capital stock, to issue bonds, and to secure the same by mortgage.

Which was referred to the Committee on Railroads.

Mr. CONNELL said he thought this supplement would cover the objection of the Governor to the bill.

Mr. LANDON moved that the Committee on Railroads be discharged from the further consideration of the bill, and that the Senate proceed to its consideration.

Mr. BIGHAM. Mr. Speaker, I raise a question of order; you cannot have a supplement to a bill before the bill itself is a law. This bill has to go through the ordeal of the other branch of the Legislature. It would be a most extraordinary spectacle to have a supplement before you have a bill.

The SPEAKER ruled the point of order well taken.

Mr. CONNELL. I do not know the rule, but the custom has been to amend bills in the hands of the Governor by supplementary acts. I have known it to be done in half a dozen instances, and no objections were made.

Mr. WHITE. If this bill is to pass, notwithstanding the veto of the Governor, I think this supplement to it will also become a law.

The SPEAKER. If this bill is to meet the objections of the Governor I do not see any objections to it.

Mr. WHITE. If there is any question about it I would move to lay it on the table.

Mr. LOWRY. I hope Senators will have a chance to read it before they vote upon it.

Mr. LANDON. Mr. Speaker, I did not make that motion, sir, because I had any desire to push the thing through, contrary to the wishes of the Senate; but I understand that supplement removes the objectionable features of the bill vetoed; that is the object of the supplement. Hence, I supposed that every person on the floor of the Senate was in favor of proceeding to its consideration. If the point of order is ruled as well taken, I do not wish to object.

Mr. WHITE. Mr. Speaker, in the face of any doubt of our ability to pass this supplement, I trust the motion for the consideration of the bill will not be pressed at this time. Furthermore, so that we may understand this matter exactly, I trust that the point of order of the Senator from Allegheny [Mr. BIGHAM] will not be pressed, and that we may have this bill printed, and, in the meantime, let it lie upon the table of the Speaker.

The SPEAKER. My opinion is, that the point of order is well taken.

Mr. LOWRY. The bill is out of order.

The SPEAKER. I did not rule the bill out of order. A Senator may present any bill; but when you come to ask the Senate to pass upon the bill, the point of order is well taken.

Mr. LOWRY. A great deal of our trouble in connection with this bill originated, in the first place, from its not being printed and properly understood.

Mr. WHITE. If the Senator from Erie [Mr. LOWRY] will allow me; I was just going to meet that objection. Now, Mr. Speaker, do I understand you to rule that this bill is not in order?

The SPEAKER. No, sir; I say I do not rule anything about it now. If the point of order is raised by the Senator from Allegheny, I will rule that the Senate cannot pass this bill now.

Mr. BIGHAM. I am perfectly willing that the bill be printed.

Mr. FISHER. The point of order of the Senator from Allegheny appears to refer to the title of the bill. When the Senate comes to act upon it, they may change it, so that it will not be a supplement to this bill.

Mr. CONNELL. It is a part of the original bill; you cannot separate it.

The motion to discharge the committee was

Agreed to.

On motion of Mr. RIDGWAY, five hundred copies of the bill were ordered to be printed for the use of the Senate.

THE SUNDAY CAR QUESTION.

On motion of Mr. DONOVAN, the Senate then resumed the consideration of bill entitled An act to ascertain the views of the qualified electors of the city and county of Philadelphia upon the subject of allowing the passenger railway companies of said city to run their cars on the first day of the week, commonly called Sunday.

[Mr. BIGHAM spoke at length upon the bill. His remarks will appear in connection with the other speeches on the same subject.]

Mr. BROWNE (Lawrence). Mr. Speaker, I believe it was expected that I should say something further upon this question by gentlemen upon this floor; I believe I intimated it. The Senator from the First district of Philadelphia [Mr. M'CANDLESS], it will be recollected, characterized my remarks yesterday as a sermon. I replied I had not yet begun to preach on this subject. I have now something further to say. "Perhaps it may turn out a sermon." But I am willing to resign the floor if Senators on the other side are willing now to take the vote without further debate. I would rather have the vote than any amount of argument; and while I now have the floor, I submit that I will yield it if gentlemen are prepared to take a vote at this time.

SEVERAL SENATORS. We are ready.

On the question,

Will the Senate agree to the first section of the bill as amended?

The yeas and nays were required by Mr. LOWRY, and Mr. DONOVAN, and were as follow, viz:

YEAS—Messrs. Bigham, Burnett, Coleman, Connell, Davis, Donovan, Jackson, James, M'Candless, Randall, Ridgway, Schall and Searight—13.

NAYS—Messrs. Billingfelt, Browne (Lawrence), Brown (Mercer), Graham, Haines, Landon, Lowry, M'Conaughy, Royer, Stutzman, Taylor, Walls, White, Worthington and Hall, *Speaker*—15.

So the question was determined in the negative.

So the bill fell.

During the call,

Mr. GRAHAM said: Mr. Speaker, I shall vote against this bill, because I believe that the passage of any act by the Legislature, of Pennsylvania for the abrogation of the Sabbath day or Sabbath laws would be oppressive to a large number of laboring people. For this day of rest, important to all, is absolutely indispensable to the working man. No intelligent operative can be unaware of the fact that if the rapacious money-making spirit of the age could have its way, it would compel him to work seven days instead of six. I shall vote against it, because I believe its passage would tend directly to the increase of vice. This is not the time for sapping the foundations of morality amongst us; and if we do nothing to strengthen the cause of truth and virtue, we should at least be careful not to remove, by legislative enactment, a single pillar upon which it rests. I shall vote against it, because it is repugnant to the moral sensibilities of the great mass of the best citizens throughout the State, and because it is in contravention of all previous legislation, and directly in conflict with the law of God himself, who has commanded us to remember the Sabbath day to keep it holy.

Also, during the call,

Mr. M'CONAUGHY said: Mr. Speaker, I had designed, sir, to present some considerations which control my judgment upon the question before the Senate; but, in view of the general anxiety to reach a vote to-night, I have concluded to omit any such extended presentation.

Had I entered into the discussion, I had hoped to establish that Christianity was part of the common law in the country from which we derive our jurisprudence, and recognized as such from the foundations of the General Government, and throughout the whole history of this Commonwealth by an unvarying line of decision; and that there can be no Christianity without that day of rest which has always symbolized it, and been the invariable and distinguishing proof as well as instrument of his existence.

That seventh day of rest has its necessity and sanction in man's physical and mental constitution, and wherever the law of nature has been violated in it by human enactment, it has brought the inevitable retribution. Its recurrence every seventh sun, is as indispensable to man as the nocturnal return of sleep. The highest considerations of statesmanship concur with the divine sanction which requires its observance. Without it, neither this nation nor this Commonwealth could continue to exist.

As a day of rest it is the poor man's friend—it is the great educator of the masses—both intellectual and moral. The virtue of a people is the only safe foundation for a democracy, and the Sabbath is, humanly speaking, the fountain of morality. The secret and silent power of this "one day in seven" is a stronger bulwark to the life of a free people than all its penal laws. It is the highest source of national prosperity. Where but in this is based that spirit of harmony and good order—that freedom from want—that thrift, and all the other kindlier virtues which knit together all portions of society, and are the glory of a prosperous State.—This sacred day is the great republican leveler, bringing together the rich and the poor upon the level of perfect equality, where, on the one hand, is known only man, and on the other, the one common and blessed Father of all.

How then can the law-maker, who recognizes the observance of the Sabbath as a day of sacred rest, as a duty of paramount obligation, and who realizes its vital importance to the prosperity of the State, undertake to break down its sanctity and invite the terrible consequences which may result to the social, civil and moral interests of this great Commonwealth?

While, then, I forego any extended argument, I desire to say that in casting my vote, I do it under my responsibility as a legislator, and exercise of my official duty, sir, as a member of the Legislature of this Commonwealth. I recognize a higher tribunal, one in which has been enacted a moral code which I believe controls me and controls all men in like position. I had desired, sir, in casting my vote, to have had that law read in obligation to which I shall cast my vote; but in the absence of it, at this moment, I request the Clerk to read the following utterance most applicable to the case in hand, and invested with the high sanction of a divine utterance.

The Clerk read the following paragraph:

"If ye will diligently hearken unto me, to bring in no burden through the gates of this city on the Sabbath day, but hallow the Sabbath day to do no work therein; then shall there enter into the gates of this city kings and princes, sitting upon the throne of David, riding in chariots and on horses, they and their princes, the men of Judah and the inhabitants of Jerusalem, and this city shall remain forever."

Mr. M'CONAUGHY. I vote "no."

During the call,

Mr. M'CANDLESS said: Mr. Speaker, believing the unsoundness of every proposition stated by the Senator from Allegheny, I shall vote "aye."

Also, during the call,

Mr. JACKSON said: Mr. Speaker, I am willing that the people of Philadelphia shall have an opportunity of expressing their views upon this subject, and without committing myself either for or against allowing passenger cars to be run on Sunday, I vote "aye."

Also, during the call,

Mr. WHITE said: Mr. Speaker, this is a bill to submit the question of the running of cars on Sunday to a vote of the people of Philadelphia. What further is to be done, after that vote is had, is not clearly indicated in this bill. I have not participated in the discussion of this question; partaking, however, as it does, of a theological character, I have felt like deferring to those gentlemen who represent the clerical calling upon this floor. I have felt like deferring to their authority upon questions of a theological aspect. But I find that this is a question which the Legislature of Pennsylvania is called upon to submit to the people at their election. This, sir, in relation to a question of this kind, I think is wrong, and in violation of the spirit and the character of our government. While it is true that we live under a republican form of government, while it is true that in our bill of rights it is asserted that all power rests in the people, yet it is equally true that when our fathers met here, and founded Penn's Commonwealth, they formed a constitution—they formed an organic law; in that organic law it was expressly declared that the legislative power should rest in the General Assembly, the details of which were specifically indicated. That General Assembly, thus constituted, was authorized to make all laws for the government of the State, and over this question, I apprehend that the Legislature of Pennsylvania has complete control, and it should be, in my opinion, presented to us as a naked proposition, to be passed upon one way or the other; and failing to come before us in that shape, I believe that in passing a bill of this kind, we are violating our authority, and I therefore vote "no."

Also, during the call,

Mr. WORTHINGTON said: Mr. Speaker, I have not entered into the discussion of this question, but, in recording my vote upon it, it is due to myself and those whom I represent on this floor, briefly to give the reasons which govern me. I regard the running of the cars on the Sabbath as a question purely moral in its aspect. The performance of every secular duty on that day is of a similar character. For wise and good purposes, God has commanded us to:

"Remember the Sabbath day to keep it holy. Six days shalt thou labor and do all thy work, but the seventh day *is* the Sabbath of the Lord, thy God; *in it* thou shalt not do any work, thou, nor thy son, nor thy daughter, thy man servant, nor thy maid servant, nor thy cattle, nor thy stranger that *is* within thy gates; for *in* six days the Lord made heaven and earth, the sea and all that in them *is*, and rested the seventh day; wherefore the Lord blessed the Sabbath day, and hallowed it."

This is one of the ten commandments contained in the decalogue. As a moral and responsible being, I, as well as others, am under the highest obligations to obey this law, which comes to us with divine sanction. I cannot avoid the responsibility which it imposes upon me as a Christian man, and as a member of this body.

We are told this bill does not repeal the law which prohibits the prosecution of secular employments on the Sabbath. It merely authorizes the people of the city of Philadelphia to take a vote, with a view to ascertain their wishes upon this subject. In doing this, however, it merely contemplates future legislation. And when you have ascertained

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[CONTINUED FROM PAGE 680.]

their wishes in relation to this matter, are you any better prepared to act upon this great question of moral duty? Are you prepared to surrender the law of God, who is the great law giver of the Universe, to an act of the Legislature of Pennsylvania, dictated by the will of a majority of the people of Philadelphia?

Am I to fashion my views of duty to God and my fellow-man, according as the people of Philadelphia may decide by their vote? If not, what influence can such a decision exercise over me, when they come back to these halls next winter and urge the passage of a law in conformity to the expressed will of the people of the metropolis of the State? Are not the whole people of the Commonwealth interested in the decision of this question? Have they no consciences to be violated, and no wrongs to endure by such a change of the Sabbath laws? Surely no one will pretend, for a moment, that rights are to be ignored in the settlement of this question. It being a moral question, it must be determined according to the sense of moral duty by which each one is governed. Hence, I propose to act upon this subject, now and hereafter, in such a way as to preserve the wholesome statutes, some of which have been adopted by the law makers of this Commonwealth, and have remained upon the statute books for a period of nearly two centuries, and which have greatly contributed to advance the morals, religion and general welfare of our people.

While I regard this question as one of moral and religious duty, I am not insensible that there is another view which ought not to be entirely overlooked. It is the law of our physical being, which requires a certain portion of time for rest. The slumbers of the night refresh and invigorate us for the duties of the day. The weakened powers of our physical nature demand one-seventh of our time for renovation. This repair is needed for best as well as man. We have no moral right to demand more than six-sevenths of the time for labor of those under our control. The law of our physical organization forbids it. The law of God forbids it, and as it now stands, the law of the Commonwealth forbids it. So let it remain.

When the Senator from Lebanon [Mr. COLEMAN], with whom I am paired off, returns to his seat I will record my vote in the negative.

Also, during the call, Mr. BROWN (Mercer) said:

Mr. Speaker, I regard this bill as one of great importance. It is by no means a local bill, as its form would seem to indicate. I regard it as a proposal to take an initiatory step towards the repeal of an important item in the common law of this State. Christianity is indisputably a part of the common law of the State. Christianity without a Sabbath would be no Christianity. This bill is a solemn proposition to submit to a vote of the electors of the city of Philadelphia the question of, at least, a partial repeal of the Sabbath laws of our Commonwealth. I cannot regard it in any other light. If the matter involved nothing more than a question of secular expediency—interesting alone the people of Philadelphia—I would hold up both hands and say by all means let them vote upon the subject and conform their actions to their decision in the premises. The matter is one of a different character, involving, as I believe, a question of morals, a question of religion, a question of Christianity—and as such, a question which ought not to be submitted to a vote of any portion of the people of this or any other State. God's law is not subject to the revision of men, in given communities, even if the entire populace so decree; and this proposition is not in conflict with the Democratic doctrine that the majority should rule. In all proper matters the people should rule; but when God says, "Remember the Sabbath day to keep it holy," it is not competent for communities by the popular voice to authorize the violation of the command. The voice of the people is no doubt oftentimes the voice of God, but by no means always. When the voice of man is in opposition to the voice of God, it amounts to naught, and carries with it no moral nor legal force. This being the case, and believing, as I do, that the running of cars upon the streets of Philadelphia upon the Sabbath day involves a violation of the fourth commandment, if nine-tenths, or all the qualified electors of the above city, were to say by their votes that they are ready to permit the Sabbath to be thus desecrated in their midst, I could not consent to vote for a law legalizing such desecration, and I therefore feel entirely justified in voting against the bill under consideration. I vote "no."

On motion of Mr. BIGHAM, the Senate adjourned until 10 o'clock to-morrow morning.

HOUSE OF REPRESENTATIVES.

TUESDAY MORNING, March 19, 1867.

The House met at 10 o'clock, pursuant to adjournment.

The reading of the Journal of the previous session was dispensed with.

Mr. ADAIRE. Mr. Speaker, I rise to a privileged question.

I desire to reconsider the vote taken on House bill No. 813, an act to divorce William Gray from his wife, Lucinda Campbell Gray. I understand, since the vote on this bill was taken, that the husband has made provision for the maintenance of his wife in case a divorce is granted. I move that this House proceed to the consideration of the bill.

Mr. PENNYPACKER. Mr. Speaker, I hope the motion will not be entertained. I feel that I cannot vote for this measure.

Mr. QUAY. Mr. Speaker, a number of gentlemen in this House indicated to me that they were disposed to change their votes on the final passage of this bill, provided I secured a certificate from Dr. Lee.

I forward it to the Clerk, with the desire that it be read.

It was read as follows:

This is to certify that William C. Gray has made a deed, for all his real estate, to J. S. Rutan, Esq., in trust for his wife, Lucinda Gray, and that said J. S. Rutan has agreed, in writing, to deed the said property to Mrs. Gray in the event of the passage of the bill divorcing said W. C. Gray from his wife, Lucinda, and that said agreement is satisfactory to Mrs. Gray and her friends.

(Signed) J. R. HARRAH,
Attorney for Mrs. Gray and her friends.
MARCH 16th, 1867.

HARRISBURG, March 15, 1867.

General W. W. Irwin, Harrisburg, Pa.:

DEAR SIR—In answer to your inquiry concerning Wm. C. Gray and his wife, Lucinda Gray, I have to say that I have been acquainted with them for five years, six months of which time Mrs. Gray was under my charge at the Western Pennsylvania hospital for the insane. When admitted to the institution she was laboring under extreme melancholy, and was not much improved when removed by Wm. C. Gray to the house of the mother, at the request of the latter, and so far as I can learn she remains in the same condition and at the same place. It is now over four years since she left the hospital. Judging from her history previous to admission to the hospital, and from the duration from the present attack of insanity, I feel safe in saying that she is incurable. During the time she was in the hospital her husband manifested a desire to contribute to her comfort, as far as lay in his power, and showed a kind disposition to her during her residence there, and I have been informed on good authority that he has continued so up to the present time, for reasons of which you are familiar with. I fear that if he is not relieved his own mind will give way under the annoyance that he is compelled to endure.

Yours, very respectfully,
(Signed) J. A. REED, M. D.,
Superintendent W. I. Hospital.

On the motion to reconsider the vote on the final passage of the bill,

The yeas and nays were required by Mr. PENNYPACKER and Mr. CHASE, and were as follow, viz:

YEAS—Messrs. Adaire, Allen, Armstrong, Barton, Boyle, Breen, Brennan, Chadwick, Chase, Collins, Colville, Craig, Davis, Day, DeHaven, Espy, Fogel, Ghegan, Gordon, Gregory, Harbison, Harner, Headman, Hoffman, Hood, Humphrey, Jenks, Jones, Josephs, Kerns, Kinney, Kline, Koon, Lee, Leech, Linton, Long, M'Camant, M'Henry, Maish, Marks, Mechling, Meily, Mullin,

Peter, Pillow, Quay, Rhoads, Robinson, Roush, Sharples, Shuman, Steacy, Stehman, Subers, Tharp, Watt, Webb, Westbrook, Woodward, Worrall, Wright and Glass, *Speaker*—63.

NAYS—Messrs. Boyd, Brown, Donohugh, Freeborn, Gallagher, Heitzel, M'Creary, Mann, Pennypacker, Quigley, Roath, Seiler, Weller and Wharton—14.

So the question was determined in the affirmative.

The question being on agreeing to the bill, It was

Agreed to.

LEAVE OF ABSENCE.

Mr. HEADMAN asked and obtained leave of absence for his colleague, Mr. SATTERTHWAIT.

LEAVE TO RECORD VOTE.

The following gentlemen asked and obtained leave to record their votes on the final passage of Senate bill No. 235, they being absent at the call of the ayes and nays:

Mr. ALLEN voted "aye."

Mr. KOON voted "no."

Mr. BREEN voted "no."

Mr. WOODWARD voted "aye."

Mr. MULLIN voted voted "no."

Mr. WEBB voted "aye."

Mr. COLLINS voted "no."

BILLS IN PLACE.

On leave given,

Mr. GORDON read in his place and presented to the Chair an act to enable the board of directors of common schools of Burrell township, Indiana county, to apply surplus of bounty fund to common school purposes.

Referred to the Committee on Education.

Also, No. 1384, an act to take the sense of the people of Indiana county upon the question of a prohibitory liquor law.

Laid on the table.

The House then proceeded to the first reading of bills on the

PRIVATE CALENDAR,

as follows:

Senate bill 650, an act to incorporate the Superior iron company.

Laid aside.

Senate bill No. 675, by mistake on public calendar, a supplement to an act to provide for the ordinary expenses of the Government, and other general and specific appropriations, approved April 11th, 1866, relative to the Keystone State normal school.

Laid aside.

Senate bill 536, an act to incorporate the Union iron mills.

Laid aside.

Senate bill No. 483, an act to repeal the fourth section of an act relating to certain election districts in Schuylkill county.

Laid aside.

No. 807, an act to authorize the Board of Military Claims to settle the claim of T. B. Nelson, First Lieutenant Battery H, Third artillery.

Laid aside.

No. 915, a supplement to the charter of the city of Chester.

Laid aside.

No. 917, an act conferring certain powers upon the City of Chester, in the county of Delaware.

Laid aside.

No. 918, an act to incorporate Sugar Notch and Warrier Run into a borough.

Laid aside.

Senate bill, No. 484, an act to change the time for holding borough elections in the borough of Minersville, Schuylkill county.

Laid aside.

No. 920, a further supplement to the charter of the city of Erie, to provide for the election of water commissioners, and define their powers and duties.

Amended by Mr. M'CREARY.

Laid aside.

No. 931, an act to change the boundary lines of the borough of Wrightsville, in the county of York.

Laid aside.

N. 924, an act to vacate part of Vine street, in the city of Pittsburg.

Objected to.

No. 925, an act to authorize the borough of Boyertown, in the county of Berks, to purchase the Fairmount fire engine house of said borough, and to levy and collect a tax for that purpose.

Laid aside.

No. 926, an act to vacate a part of Manayunk avenue, in the Twenty-first ward of the city of Philadelphia.

Laid aside.

Senate bill No. 437, a further supplement to an act passed May 16, A. D. 1861, entitled An act to authorize the erection of a free bridge over the river Schuylkill, at South street, in the city of Philadelphia, making it the duty of the chief engineer to direct the building of a bridge, and providing that the same shall have a draw thereon.

Laid aside.

No. 928, an act relating to roads, streets, bridges and side-walks in the borough of Lawrenceville, county of Tioga.

Laid aside.

No. 929, an act to vacate Hilles street between Orchard and Paul street, in Frankford, in the Twenty-third ward of the city of Philadelphia.

Laid aside.

No. 930, a further supplement to an act to incorporate the city of Carbondale.

Objected to.

No. 931, an act to authorize the city of Philadelphia to sell certain ground in the Eleventh ward.

Objected to.

No. 932, an act to divide the borough of Sunbury, in the county of Northumberland, into two wards.

Amended by Mr. THARP.

Laid aside.

No. 933, an act to incorporate the town of Big Run, in Jefferson county, into a borough.

Laid aside.

No. 934, an act authorizing the gas committee of councils of city of Philadelphia to attend all meetings of the Philadelphia gas trust.

Objected to.

Senate bill No. 297, an act to incorporate the Philadelphia coal company.

Laid aside.

No. 948, an act to incorporate the Senator Nye mining and exploring company.

Laid aside.

Senate bill No. 365, an act to incorporate the Manta Grandee silver mining and commercial company.

Laid aside.

No. 950, an act to incorporate the Big Creek mining company.

Laid aside.

No. 951, a supplement to an act to incorporate the Franklin silver mining company, approved April 17, 1866.

Laid aside.

No. 952, a supplement to an act to incorporate the Union mining company, approved March 30, 1865.

Laid aside.

No. 953, an act to incorporate the Marathon silver mining company of Nevada.

Laid aside.

Senate bill No. 299, an act to incorporate the Rob Roy gold and silver mining company.

Laid aside.

No 955, an act to incorporate the Shakespeare and Lydia Allen Consolidated mining company.

Laid aside.

No. 956, an act to incorporate the Silver Bullion mining company.

Laid aside.

Senate bill No. 368, an act to incorporate the Philadelphia Enterprise gold and silver mining company of Montana.

Laid aside.

No. 958, a supplement to an act to incorporate the North American mining company, approved June 2, 1865.

Laid aside.

Senate bill No. 522, an act to incorporate the Enterprise mining and exploring company.

Laid aside.

No. 960, an act to incorporate the Montana and Nevada gold and silver mining and commercial company.

Laid aside.

No. 961, an act to incorporate the Octoraro gold and silver mining company.

Laid aside.

No. 962, a supplement to an act to incorporate the Specie Basis mining company, relieving them from the payment of the bonus of one-fourth of one per centum on its capital stock.

Laid aside.

No. 963, an act to incorporate the Spanish Bar gold and silver mining company.

Laid aside.

No. 964, an act to incorporate the Ivanhoe silver mining company.

Laid aside.

No. 965, an act to incorporate the Beaver gold and silver mining company.

Laid aside.

No. 966, an act to incorporate the Great Western mining company.

Laid aside.

No. 967, an act to incorporate the Hidalgo gold and silver mining company.

Laid aside.

No. 968, an act to incorporate the Empire and Gem mining, manufacturing and tunneling company of Nevada.

Laid aside.

No. 969, supplement to the act incorporating the Great Valley gold and silver mining company, approved 17th day of November, 1866.

Laid aside.

Senate bill No. 397, an act appointing commissioners to lay out and open a State road in the counties of Cameron, Elk and Clearfield, from the Sinnemahoning to the West Branch of the Susquehanna.

Laid aside.

Senate bill No. 612, an act supplemental to an act incorporating the Birmingham and Brownsville macadamized turnpike road company.

Laid aside.

No. 972, an act to provide for the erection of a bridge across Nescopeck creek, in Nescopeck township, Luzerne county.

Laid aside.

No. 973, an act to establish a ferry over the Ohio river between Baden and Economy, in the county of Beaver.

Laid aside.

Senate bill No. 606, an act to incorporate the Wyoming bridge company.

Laid aside.

Senate bill No. 578, an act to authorize the supervisors of Kingston township, Luzerne county, to collect their own duplicates.

Laid aside.

Senate bill No. 311, a supplement to an act to establish a ferry over the Monongahela

and Youghiogheny rivers, and to vest the right in John M'Kee, his heirs and assigns forever, approved the 5th day of February, 1784.

Laid aside.

Senate bill No. 196, an act regulating roads and bridges in Wayne county.

Objected to.

No. 979, an act relative to locating, opening and separating the public roads and highways in Sewickley township, Westmoreland county.

Amended by Mr. GALLAGHER.

Laid aside.

No. 980, a supplement to an act to authorise the road commissioners of the townships of Kinzua, Eldred, and Cherry Grove, in the county of Warren, to levy a tax for road purposes, approved April 11, 1866.

Amended by Mr. M'CREARY.

Laid aside.

No. 981, a supplement to an act relative to the laying out of a certain State road from Curwinsville, Clearfield county, through the towns of Indiana and Saltsburg, in Indiana county, and through Westmoreland county to East Liberty, Allegheny county, and for laying out certain other State roads, and for other purposes, approved April 16th, A. D. 1838.

Laid aside.

No. 982, an act to establish a ferry over the Monongahela river, at the town of Allenport, in Washington county.

Objected to.

Senate bill No. 555, an act to incorporate the Equinunk bridge company.

Objected to.

No. 984, an act to incorporate the People's bridge company of Harrisburg.

Objected to.

Senate bill No. 532, an act to declare Montgomery creek, in the county of Clearfield, a public highway.

Laid aside.

No. 986, an act relative to the pay of supervisors in Wiconisco township, Dauphin county.

Laid aside.

No. 988, an act to declare Maish creek, in the county of Centre, a public highway.

Laid aside.

No. 989, an act to incorporate the Bridgeport and Horseshoe turnpike road company.

Laid aside.

No. 990, an act relating to the pay of supervisors in the county of Butler.

Laid aside.

No. 991, an act in relation to the election of officers of the Chambersburg and Bedford turnpike road company.

Laid aside.

No. 992, an act in relation to the election of officers of the Chambersburg turnpike road company.

Laid aside.

Senate bill No. 355, an act to incorporate the Summit turnpike road company, in the county of Clearfield.

Laid aside.

No. 994, an act to authorize the president and directors of the Licking bridge company, in Clarion county, to sell said bridge to the commissioners of said county.

Amended by Mr. JENKS.

Laid aside.

No. 995, a supplement to an act authorizing and requiring the supervisors of Bratton township, Mifflin county, to erect gates across the public roads in said township.

Laid aside.

No. 996, a supplement to an act entitled An act to incorporate Larry's Creek plank road company.

Laid aside.

No. 996, an act in relation to the assessment of road tax, and the election and pay of certain township officers and viewers of roads and highways in the county of Jefferson.

Amended by Mr. JENKS.

Laid aside.

No. 998, a supplement to an act relative to Uwchland township, Chester county, and East Bethlehem and East Pike Run townships, Washington county.

Objected to.

Senate bill No. 608, a further supplement to an act to incorporate the Birmingham and Pittsburg bridge company.

Laid aside.

No. 1000, an act to declare Mill run, in the county of Lycoming, a public highway.

Laid aside.

Senate bill No. 609, a supplement to an act incorporating the Nanticoke and Hughesville turnpike road company, passed April 1, 1836, with its supplements.

Objected to.

No. 1002, an act to attach certain lands in Potter county to Coudersport school district for school purposes.

Laid aside.

No. 1003, an act relating to a school library in the city of Erie.

Laid aside.

Senate bill No. 601, an act to authorize the school directors of Marshall township, Allegheny county, to apply the surplus of bounty tax in their hands to school purposes.

Amended by Messrs. M'KEE and LONG.

Laid aside.

No. 1006, an act relating to school tax in the borough of Mainsburg, county of Tioga.

Laid aside.

Senate bill No. 600, an act to authorize the school directors of the borough of White Haven, in the county of Luzerne, to borrow money to build school houses.

Laid aside.

Senate bill No. 603, an act to enable the board of directors of common schools of Benton township, Luzerne county, to apply surplus of bounty fund to common school purposes.

Laid aside.

Senate bill No. 464, an act to attach the farm of David Deitze, in Pennsboro' township, Cumberland county, to the township of Hampden, in said county, for school purposes.

Laid aside.

No. 1001, an act to extend the time for the payment of the enrollment tax on an act to authorize Samuel Graham and Robert Graham, committee of Walter Graham, a lunatic, to sell certain real estate.

Laid aside.

No. 1011, an act to authorize the Evangelical Lutheran congregation of Berlin, in the county of Somerset, to sell certain real estate.

Laid aside.

No. 1012, an act to authorize Catharine Float, Mary K. Float, George H. Float and Emma G. Float, to sell and convey certain real estate.

Laid aside.

No. 1013, an act to enable the standing committee of the Protestant Episcopal church of the Diocese of Pennsylvania to convey real estate in Mifflin county.

Laid aside.

No. 1014, an act to incorporate the Shenandoah water company.

Amended by Mr. LONG.

Laid aside.

Senate bill No. 487, an act to incorporate the Lebanon County Soldiers' and Sailors' monument association.

Laid aside.

No. 1016, an act to reduce the number of directors of the Allegheny transportation company.

Laid aside.

Senate bill No. 519, an act to incorporate the Quaker City Barge Club of the city of Philadelphia.

Laid aside.

No. 1018, an act to incorporate the Chambersburg hall and market company.

Laid aside.

No. 1019, an act to amend an act, entitled An act to incorporate the Female Medical college of Pennsylvania.

Laid aside.

No. 1020, an act to amend an act to incorporate the Potter County Forest improvement company, approved May 1, A. D. 1861, and the supplement thereto, approved the 10th day of August, A. D. 1864.

Laid aside.

No. 1021, an act to incorporate the Paros coal, mining and lumber company of Pennsylvania.

Laid aside.

Senate bill No. 659, an act to incorporate the Downingtown gas and water company.

Laid aside.

No. 1023, an act to incorporate the M'Keesport gas company.

Laid aside.

Senate bill No. 661, a supplement to the act, entitled An act for the erection of the Gettysburg gymnasium into a college, and for other purposes, approved 7th of April.

Laid aside.

No. 1025, a further supplement to an act to incorporate the Charles Evans cemetery company.

Lade aside.

No. 1026, an act to incorporate the American button-hole, over seaming and sewing machine company.

No. 1027, a supplement to an act authorizing the Governor to incorporate the Milford Cold Spring water company, passed the 5th day of April, 1849.

Laid aside.

No. 1028, an act to incorporate the Anderson marble quarrying company of Montgomery county.

Laid aside.

Senate bill No. 584, an act to incorporate the Tremont gas and water company.

Laid aside.

No. 1031, an act to incorporate the Odd Fellows' Mutual Co-operative association of Monongahela City, Washington county.

Laid aside.

No. 1032, an act to incorporate the Rev. Hugh M'Laughlin beneficial society of Philadelphia.

Laid aside.

No. 1033, an act to incorporate the Sons of Hermann hall association of Philadelphia.

Laid aside.

No. 1034, an act to incorporate the Shenandoah cemetery association.

Laid aside.

No. 1035, an act to alter the line between Lawrence and Mercer counties, so that the farm of Edward Hanna shall all be in Mercer county.

Objected to.

No. 1036, an act to vacate Johnson lane, in Radnor township, Delaware county.

Laid aside.

No. 1037, an act extending the provisions of an act approved 7th day of May, A. D. 1864, entitled An act to prevent cattle, horses, sheep or hogs from running at large in Bethlehem township, Northampton county, to Lower Nazareth, East Allen and Saucon townships, in said county.

Amended by Mr. QUAY.

Laid aside.

No. 1038, an act to repeal an act to prevent cattle, horses, sheep and hogs from running at large in Chillisquaque township, Northumberland county, Kelly township Union county, and certain townships in Lu-

zerne county, so far as the same relates to Chillisquaque township.

Amended by Mr. ROUSH.

Laid aside.

No. 1039, an act for the protection of wild turkeys and squirrels, and for other purposes, in the county of Huntingdon.

Amended by Mr. WHARTON.

Laid aside.

No. 1040, an act extending the provisions of an act relating to dogs in Allegheny, Chester, Northampton, Schuylkill and Lancaster counties, approved 6th day of April, 1854, to the county of Berks.

Laid aside.

No. 1041, an act extending the provisions of an act repealing existing laws relating to killing beasts of prey, so far as related to the county of Venango, approved 12th day of April, 1866.

Laid aside.

No. 1042, an act to prevent the injury or destruction of fruit, ornamental or other trees, and to protect the owners thereof, in the county of Clinton.

Laid aside.

No. 1043, an act to prevent the destruction of fish in Breeches pond or lake, in Overfield township, Wyoming county.

Laid aside.

No. 1044, an act prohibiting the hunting, catching and killing of game in North Fayette, Allegheny county.

Laid aside.

No. 1046, an act for preserving fish in the South pond, in the township of Union and Ross, county of Luzerne.

Laid aside.

No. 1047, an act in relation to hunting and killing wild game and deer in Lycoming, Clinton, Centre, Cameron, Clearfield, Elk, Potter and M'Kean counties, and in relation to dogs in said counties.

Amended by Mr. WINGARD.

Laid aside.

Senate bill No. 414, an act to prevent the burning of the woods in the counties of Clearfield and Elk.

Laid aside.

No. 1049, an act prohibiting the granting of licenses within two miles of the First Pennsylvania State Normal school, Millersville, Lancaster county, Pennsylvania.

Objected to.

No. 1050, an act to take the sense of the people of Beaver county upon the question of a prohibitory liquor law.

Amended by Mr. QUAY.

Laid aside.

No. 1051, a supplement to an act to prevent the sale of intoxicating liquors on the first day of the week, commonly called Sunday, approved February 26, 1855, relating to the county of Berks.

Laid aside.

No. 1052, an act relating to tavern licenses in Greene county.

Amended by Mr. BOYLE.

Laid aside.

No. 1053, an act in relation to the illegal sale of intoxicating drinks in the county of Mercer.

Amended by Mr. LEECH.

Laid aside.

No. 1054, an act relating to eating houses, and prohibiting billiard saloons in the borough of Jersey Shore, in the county of Lycoming.

Objected to.

Senate bill No. 498, a supplement to an act relative to the payment of bounties by the county of Clearfield, approved February 27, 1865, extending the same.

Laid aside.

MESSAGES FROM THE GOVERNOR.

The following messages were received:

The Deputy Secretary of the Commonwealth being introduced, presented the following message from the Governor, which was read as follow, viz:

EXECUTIVE CHAMBER,
HARRISBURG, March 19, 1867.

To the Senate and House of Representatives of the Commonwealth of Pennsylvania:

GENTLEMEN—I have approved and signed the following acts of the General Assembly, to wit:

On the 15th instant:

An act to provide for the enlargement of the Erie canal, to authorize the mortgaging of the same, and the issue of bonds, and to increase the capital stock and regulate tolls.

An act relative to the per capita tax to be assessed by the water directors of the town of Aaronsburg, county of Centre.

An act in relation to bounties in the township of Montgomery, in the county of Franklin.

An act to repeal an act in relation to the borough of Montoursville, in the county of Lycoming, approved March first, Anno Domini one thousand eight hundred and sixty-seven.

An act relative to the common council of the city of Titusville and fixing the indebtedness of said city.

An act to incorporate the Philadelphia County Real Estate association.

An act relating to fees of notaries public in the county of Erie.

An act to increase the pay of the county auditors, and the supervisors and township auditors of the several townships of Northumberland county.

An act authorizing the Governor to appoint three additional notaries public for the city of Philadelphia.

An act in relation to lost records, deeds and other papers in the county of Franklin.

An act to legitimate Annie Craine, of Huntingdon county, and confer on her the rights and privileges of a child born in wedlock.

An act relating to the fees of district attorney for the counties of Greene and Sullivan.

An act changing the number of overseers of the poor in the borough of Butler, and authorizing the overseers of said borough to make sale of certain real estate.

An act to authorize the school directors of Taylor school district, in Lawrence county, to borrow money.

A further supplement to the act incorporating the Lehigh and Delaware Water Gap railroad company.

On the 16th instant:

An act relative to the election of school directors and supervisors of roads in the township of Allegheny, in the county of Armstrong.

An act supplementary to an act relating to corporations for mechanical, manufacturing, mining and quarrying purposes, approved July eighteenth, one thousand eight hundred and sixty-three.

An act to extend to plank roads the provisions of the eighth and ninth sections of the act, approved April nineteenth, one thousand eight hundred and forty-four, entitled An act concerning certain State and turnpike roads.

A supplement to an act appointing commissioners to lay out and open a State road in the counties of Potter and Clinton, approved the sixteenth day of March, Anno Domini one thousand eight hundred and sixty-five.

A supplement to an act entitled An act to incorporate the Erie Dime Savings and Loan company, approved the sixteenth day of April, Anno Domini one thousand eight hundred and sixty-six, extending to said company the provisions of certain acts of Assembly, and also extending the time for its organization and fixing the time for the payment of bonus.

An act to authorize the appointment of two assistant reporters in the district court of Philadelphia.

An act relative to courts in Lehigh county.

A further supplement to the act entitled An act to incorporate the M'Kee and Elk land and improvement company, approved the sixth day of February, Anno Domini one thousand eight hundred and fifty-six, authorizing said company to borrow money and mortgage lands.

An act allowing to the mercantile appraisers of Allegheny county the same fees allowed in other counties of the State.

A supplement to the act approved April eleventh, Anno Domini one thousand eight hundred and sixty-six, establishing the board of controllers of the public school of the borough of Allentown.

An act to increase the pay of the assessors of Lehigh county.

An act to incorporate the Fountain Hill Park association.

An act supplementary to an act entitled An act appointing commissioners to lay out and open a State road in the counties of M'Kean, Elk, Forest and Clarion, approved on the first day of May, Anno Domini one thousand eight hundred and sixty one, reviving the third section of said act, and authorizing the commissioners to borrow money.

An act to increase the compensation of the county commissioners and auditors of the county of Monroe.

An act to extend the time for completing the Clearfield and Curwensville turnpike road, and to allow toll to be taken upon the portion completed.

An act regulating the salary of the treasurer of Lehigh county.

An act authorizing the town council of the borough of Tamaqua, Schuylkill county, to borrow money.

An act relative to hawking, peddling and selling by sample in the county of Schuylkill.

An act to legalize the assessment of taxes levied by the school directors of the borough of Kingston, Luzerne county, for the payment of money advanced for the purpose of paying bounty to volunteers.

An act relative to the fees of notaries public in the counties of Dauphin and Lebanon.

An act to legalize the assessment, levy and collection of bounty tax, and to provide for the collection of the same, for bounty purposes, in Springfield township, Bucks county.

An act incorporating the Mechanics' Savings Bank.

A supplement to an act to incorporate the Point Breeze park association, approved February eighth, one thousand eight hundred and fifty-five.

On the 18th instant:

A supplement to an act to incorporate the Red Bank navigation company.

An act to incorporate the Pennsylvania club.

An act authorizing the supervisors of Jackson township, Luzerne county, to collect in money one-third of the tax levied for road purposes in said township.

An act to incorporate the Atlantic brick manufacturing company.

An act to incorporate the Erie Co-operative society.

An act to attach certain lands and tenements in Bedford county, and the persons residing thereon, to Bedford borough, for school purposes.

An act for the promotion of medical science and to prevent the traffic in human bodies in

the city of Philadelphia and county of Allegheny.

An act to annul the marriage contract between Samuel E. Shick and Sarah E., his wife.

On the 16th instant:

Joint resolution authorizing the Governor to dispose of certain perishable military stores in the State arsenal.

JNO. W. GEARY.

The Deputy Secretary of the Commonwealth also presented a message from the Governor, which was read as follows, viz:

EXECUTIVE CHAMBER,
HARRISBURG, March 16, 1867.

To the Senate and House of Representatives of the Commonwealth of Pennsylvania:

GENTLEMEN—Herewith is returned, without my approval, to the House of Representatives, in which it originated, bill No. 527, entitled An act to change the place of holding elections in Allegheny township, Venango county.

The first section of the act of 20th April, 1854, confers upon the court of quarter sessions of the several counties the right to change "the place of holding the general, special and township elections" in every county in this Commonwealth. The Legislature, therefore, is prohibited from doing it, by the ninth section of the eleventh article of the Constitution.

Having given my reasons to your honorable body for disapproving this class of legislation so recently and so fully, I deem it unnecessary to repeat them here.

In some cases of emergency, as where the house in which elections are held has been destroyed, and the time for the election precedes the sitting of the courts, it might be proper to ask the Legislature to interfere. But, in all such cases the facts should be stated in a preamble, to make the necessity apparent.

JNO. W. GEARY.

Agreeably to the provisions of the Constitution the House proceeded to a reconsideration of said bill.

On the question

Shall the bill pass notwithstanding the objections of the Governor?

Agreeably to the rules,

The further consideration of the same was postponed for the present.

The Deputy Secretary of the Commonwealth also presented a message from the Governor, which was read as follows, viz:

EXECUTIVE CHAMBER,
HARRISBURG, March 16, 1867.

To the Senate and House of Representatives of the Commonwealth of Pennsylvania:

GENTLEMEN—I herewith return, without my approval, to the House, in which it originated, bill No. 273, entitled An act to incorporate the Milford cemetery.

This is another of those bills creating a corporation where the power to do it has already been conferred upon the courts, and is, therefore, in violation of the ninth section of the first article of the Constitution of the State.

The first section of the act of 20th of February, 1854, declares "That the provisions of the several acts of Assembly, conferring on courts of common pleas authority to incorporate literary, charitable, religious or beneficial associations, be and they are hereby extended to associations for the promotion of science or agriculture, to cemetery or burial associations, and to societies for the detection of thieves and the recovery of stolen property."

It has become quite common for the authors of such bills as this to insert therein some proviso or section, conferring some power or privilege not within the jurisdiction of the courts, and then to contend that the whole bill should be made an exception to the general rule. To permit this would be to completely nullify a plain provision of the Constitution, and it cannot, therefore, be allowed. For example, the general law requires the corporators to be citizens of this Commonwealth, and in the bill herewith returned some of the corporators are represented to be citizens of New Jersey. How easy would it be for any corporation to name one or more corporators as residents or citizens of an adjoining State, and on the principle contended for, take away the whole jurisdiction of the courts, evade an imperative provision of the Constitution and ignore all the acts of Assembly based thereon. Surely it cannot be expected I can connive at, or become a party to such legislation as this, and thus override the fundamental law of the State, which I have sworn to support.

Such legislation is clearly unconstitutional under the article and section hereinbefore referred to; and even if approved by me would remain unconstitutional, and be of no value to the corporators or anybody else. I am unwilling to send forth enactments and thereby induce innocent persons to invest their money on the faith of them, only to find, when too late, they are of no validity whatever. For these reasons, and others which I have again and again reiterated in messages to your honorable body when returning this class of bills, I withhold my approval.

JNO. W. GEARY.

Agreeably to the provisions of the Constitution the House proceeded to the reconsideration of said bill.

On the question,

Shall the bill pass notwithstanding the objections of the Governor?

Agreeably to the rules,

The further consideration of the same was postponed for the present.

The Deputy Secretary of the Commonwealth also presented a message from the Governor, which was read as follows, viz:

EXECUTIVE CHAMBER,
HARRISBURG, March 16, 1867.

To the Senate and House of Representatives of the Commonwealth of Pennsylvania:

GENTLEMEN—Herewith is returned, with my objections to the same, bill No. 687, entitled A further supplement to an act incorporating the town of Lawrenceville into a borough, approved the 18th day of February, 1834.

The first, second and third sections of the bill provide for the election of more than two justices of the peace in said borough, in violation of the seventh section of the sixth article of the Constitution of the State, which declares that "no township, ward or borough, shall elect more than two justices of the peace, or aldermen, without the consent of a majority of the qualified electors within such township, ward or borough." No such election can be constitutionally held, therefore, until the qualified voters of the borough have so decided, in compliance with the plain requirements of said section.

The fourth, fifth, sixth and seventh sections of the bill are in violation of the ninth section of the eleventh article of the Constitution, prohibiting the Legislature from conferring powers and privileges where the power to confer them has already been granted to the courts. For my views more in detail on this subject I refer to my message of the 9th instant to your honorable body, accompanying House bill No. 413.

The eighth section is proper enough, and could be approved if by itself; but part of a bill cannot be approved, and part disapproved, and hence the whole must fall together.

JNO. W. GEARY.

Agreeably to the provisions of the Constitution the House proceeded to the reconsideration of said bill.

On the question,

Shall the bill pass notwithstanding the objections of the Governor?

Agreeably to the rules,

The further consideration of the same was postponed for the present.

MESSAGE FROM THE SENATE.

The Clerk of the Senate being introduced, presented for concurrence bill numbered and entitled as follows, viz:

Senate bill No. 1019, an act to incorporate the Adams County Soldiers' Monument association.

He also again returned bill from the House of Representatives numbered and entitled as follows:

No. 349, an act appropriating moneys arising from fines and forfeitures in Chester county.

Which bill was returned to the House of Representatives by the Governor, on the 12th instant, in pursuance of a resolution adopted by both Houses, with information that the Senate has reconsidered the same, and concurred in the amendment made by the House of Representatives to said bill.

He also returned House bill No. 840, entitled An act supplemental to an act regulating the courts of the Sixth Judicial district, passed February, 1867, in pursuance of a request contained in a resolution adopted by the House of Representatives on the 14th instant.

He also informed that the Senate has concurred in the first amendment made by the House of Representatives to Senate bill No. 826, entitled An act to prevent and punish prize fighting, and has non-concurred in the remaining amendments made to said bill.

He also presented the following extract from the Journal:

IN THE SENATE, March 18, 1867.

Resolved (if the House of Representatives concur), That the Governor be requested to return to the Senate bill No. 507, entitled An act relative to the courts of Lehigh county, for amendment.

SPEAKER'S TABLE.

The SPEAKER cleared his table of bills numbered and entitled as follows, viz:

Senate bill No. 1019, an act to incorporate the Adams County Soldiers' Monument association.

Laid on the table.

Senate bill No. 826, an act to prevent and punish prize fighting.

On motion,

The House receded from its amendment, non-concurred in by the Senate, to said bill; and

Ordered, That the Clerk inform the Senate of the same.

EXTRACT FROM SENATE JOURNAL.

IN THE SENATE, March 18, 1867.

Resolved (if the House of Representatives concur), That the Governor be requested to return to the Senate bill No. 507, entitled An act relative to the courts of Lehigh county, for amendment.

On motion,

Said resolution was twice read, considered and concurred in; and

Ordered, That the Clerk inform the Senate of the same.

On motion,

The House adjourned till 3 P. M.

AFTERNOON SESSION.

The House met pursuant to adjournment.

Mr. LEE. Mr. Speaker, I would ask the unanimous consent of the House to call up Senate bill No. 29, a further supplement to an act for the better security of the city of Philadelphia from dangers incident to the refining, or improper, or negligent storage of petroleum, benzine or naptha, approved March 2d, A. D. 1865, construing the same. It will be a great accommodation if the House will grant this request.

Leave being granted,

The bill was read and

Agreed to.

A motion was made to strike out the amendment.

Mr. QUIGLEY. Mr. Speaker, I hope the House will not agree to the motion. I think we do more for the parties to whom this bill relates than for any other establishment in the county of Philadelphia. We have driven the rest from the built up portions of the city. I am opposed to giving this one establishment more privileges than have been given to others of a similar character.

I trust the gentleman will see the propriety of allowing this amendment to remain.

Mr. GHEGAN. Mr. Speaker, the property surrounding this establishment has all the proper safe-guards. Some of the propertyholders in the neighborhood, who had signed a remonstrance in this matter, are now anxious that the establishment shall remain.

Mr. LEE. Mr. Speaker, Every person who can be in any way affected by the presence of this establishment has signed in favor of the persons connected with it, as to their remaining where they now are.

Mr. HOOD. Mr. Speaker, all who have taken the trouble to examine these premises know they are fire-proof. The opposition to the bill is merely factious. I cannot understand it, inasmuch as all who could be inconvenienced are in favor of the building as it is.

Mr. QUIGLEY. Mr. Speaker I cannot allow my colleague who has just taken his seat to place me in the position he has. I agreed to make no opposition to the calling up of this bill, but with the understanding that this amendment was to remain. If I wished to be factious, when the suspension of the rules was moved, I could have called a division of the question. If a gentleman charges me with being factious he states what is not true. Until to-day I have not said a word upon this bill. With the understanding that this amendment had been agreed to by the friends and foes of this bill, I have made no opposition whatever to it.

This establishment is located in the First district. My attention was called to this bill by a member from that district. It is in a thickly built up neighborhood. Gentlemen cannot deny that the people living in the dwellings surrounding this building, are opposed to its continuance there. Some years ago, we had a terrible conflagration in the city of Philadelphia, by which a large amount of valuable property was destroyed; and the fire originated in an establishment of this nature.

Mr. LEE. Mr. Speaker, I am sure my friend does not justify misrepresentation.—The building, in which the conflagration to which he alludes originated, was not such an establishment as this by any means. It was a place where two thousand five hundred barrels of oil were stored on the ground. There was no refinery or refining business carried on there. It was simply a place for the storage of crude petroleum.

Mr. QUIGLEY. Mr. Speaker, this case has precisely the same character.

A gentleman of my acquaintance living in my district, was largely interested in an establishment of this kind. He was compelled by the act for which I voted, and for which every member from Philadelphia voted, to remove his place of business at a great sacrifice of property, time and means. I am not willing, nor will I, by my vote, give to these gentlemen rights not enjoyed by others.

These establishments are dangerous to life and property, however well guarded they may be. I think this establishment should be satisfied with the limit of two years.

I am not factious. As I said before, if I had been factious I would have called a division of the question when the motion to suspend the rules was made.

I think gentlemen have taken undue advantage in attempting to strike out this amendment.

Mr. LEE. Mr. Speaker, I do not know what other members may have understood; but I deem it due to myself to say that I never heard of this amendment until it was read by the Clerk.

Mr. QUIGLEY. Mr. Speaker, I intended no allusion to the gentleman from the Seventeenth district.

Mr. LEE. Mr. Speaker, I trust the bill will pass.

Mr. GHEGAN. Mr. Speaker, I move to amend by striking out the amendment and inserting the words, "of the period of five years from the passage of this act."

The question being on the amendment,

It was

Agreed to.

The question recurring on the bill as amended,

It was

Agreed to.

The bill was read and

Agreed to.

On the final passage of the bill,

The yeas and nay were required by Mr. QUIGLEY and Mr. KLINE, and were as follow, viz:

YEAS—Messrs. Allen, Armstrong, Barton, Boyd, Boyle, Breen, Brennan, Calvin, Cameron, Chadwick, Chalfant, Chase, Colville, Craig, Day, Donohugh, Espy, Fogel, Freeborn, Ghegan, Gordon, Harbison, Harner, Headman, Heltzel, Hoffman, Hood, Humphrey, Jenks, Jones, Kinney, Kline, Lee, Leech, Linton, Long, M'Camant, M'Creary, M'Henry, Mann, Marks, Mechling, Meily, Meyers, Mullin, Pennypacker, Peter, Pillow, Quay, Rhoads, Roath, Roush, Seiler, Sharples, Steacy, Stumbaugh, Subers, Waddell, Webb, Weller, Westbrook, Whann, Wharton, Wingard, Worrall, Wright and Glass, *Speaker*—67.

NAYS—Messrs. Adaire, Collins, M'Kee and Quigley—4.

So the question was determined in the affirmative, and the bill

Passed finally.

BILLS RECOMMITTED.

Mr. CHASE. Mr. Speaker, I ask that the orders be suspended for the purpose of allowing me to make a motion.

Agreed to.

Mr. CHASE. I move that Senate bill No. 707, an act to repeal the first section of an act passed the 1st day of April, A. D. 1792, declaring the Little Lehigh a public highway, be recommitted to the Committee on Judiciary General.

The motion was

Agreed to.

Mr. BRENNAN. Mr. Speaker, I ask leave to make a motion.

Leave was granted.

Mr. BRENNAN. I ask the indulgence of the House for the purpose of considering Senate bill, No. 816, an act to incorporate the Roaring Brook turnpike company. I move that the rules be suspended and the bill put upon its passage.

Mr. MANN. Mr. Speaker, I cannot see the necessity for passing the bill at this time.

On the motion, I call a division of the question.

The question being on the first division, which called for a suspension of the rules, it was

Not agreed to.

The House then resumed the consideration of the private calendar, as follows:

No. 1056, an act to legalize the levy and collection of certain bounty tax, to provide for a settlement, and authorize the school directors to levy an additional bounty tax in Upper Paxton township and the borough of Gratztown, in the county of Dauphin.

Amended by Mr. LEE.

Laid aside.

No. 1057, a further supplement to an act to legalize bounties paid volunteers, and the bonds issued therefor, in certain townships in the county of Franklin, approved 4th day of April, A. D. 1866, extending the provision of said act, and the supplement thereto, to the township of Hamilton, in said county.

Laid aside.

No. 1058, an act to authorize the board of supervisors of Industry township, Beaver county, to levy a bounty tax.

Laid aside.

No. 1060, an act providing for the payment to the school treasurer of Monroe township, Cameron county, the balance of the money raised for the payment of local bounties, after the payment of all claims in said township for local bounty.

Laid aside.

No. 1061, an act to authorize the school directors of Conestoga township, Lancaster county, to levy and collect a tax to liquidate the debt on said township, created to pay bounties to volunteers.

Laid aside.

Senate bill No. 503, a further supplement to an act relating to local bounties, approved March 15, 1865, so far as relates to the township of Union, Lawrence county.

Laid aside.

No. 1063, an act to authorize the school directors of Jefferson township, Fayette county, to levy and collect a bounty tax.

Laid aside.

No. 1064, a supplement to an act to secure bounty taxes in certain wards in the city of Lancaster, approved April 4, 1866.

Laid aside.

No. 1065, an act to authorize the payment of the salary of Hunter Comly, as brigade inspector.

Amended by Mr. STUMBAUGH.

Laid aside.

No. 1066, an act to legalize certain acts of committees and school directors of the township of Lower Milford, county of Lehigh, relative to the payment of bounties to volunteers.

Laid aside.

No. 1067, an act to enable the school directors of the township of Chanceford, in the county of York, to levy and collect at once a tax sufficient to liquidate the remaining indebtness of said township for bounty purposes.

Amended by Mr. BOYD.

Laid aside.

No. 1068, an act to authorize the board of school directors of the township of Brooklyn, Susquehanna county, to levy and collect a tax to pay outstanding bonds, and for other purposes.

Laid aside.

No. 1070, an act to repeal the second section of an act authorizing the collection of a tax in Jackson township, Dauphin county, and Jefferson township, Berks county, to re-

fund moneys advanced to pay bounties to volunteers.

Laid aside.

No. 1071, an act to annul the marriage contract between James R. Weyman and Ida M., his wife.

Laid aside.

No. 1072, an act to incorporate the Chester passenger railroad company.

Amended by Mr. BARTON.

Laid aside.

No. 1074, and act to incorporate the Safety Fund association of Susquehanna Depot, Susquehanna county.

Laid aside.

No. 1075, an act to incorporate the Armstrong County Savings Bank.

Laid aside.

Senate bill No. 373, an act to incorporate the Macungie Savings Bank.

Laid aside.

No. 1069, a further supplement to an act approved May 4th, A. D. 1864, for the organization, discipline and regulation of the militia of the Commonwealth of Pennsylvania.

Amended by Messrs. FREEBORN and GHEGAN.

Laid aside.

No. 1077, an act incorporating the Savings Institution of the city of Williamsport, in the county of Lycoming.

Laid aside.

No. 1078, an act to incorporate the Miners' Savings Bank of Pittston.

Amended by Mr. KOON.

Laid aside.

No. 1079, an act to incorporate the Franklin savings fund and safe deposit company.

Laid aside.

No. 1080, an act to incorporate the Mauch Chunk Savings Bank.

Amended by Mr. CRAIG.

Laid aside.

No. 1081, an act to make valid the will of Jarvis White, a deceased soldier.

Laid aside.

Senate bill No. 840, an act relative to justices of the peace, burgesses and notaries public in the county of Lawrence.

Passed under a suspension of the rules.

Senate bill No. 735, an act to extend the time for the commencement and completion of the People's railway company.

Laid aside.

No. 1088, an act relative to the commissioners, sheriff and treasurer of Cumberland county.

Objected to.

No. 1089, an act to declare Clear creek, in the county of Cameron, a public highway.

Laid aside.

No. 1096, an act repealing so much of the act entitled An act in relation to original writs and executions in the county of Franklin, approved the — day of March, as relates to executions.

Laid aside.

No. 1097, an act relative to the election of constables in the township of Blakeley, county of Luzerne.

Laid aside.

No. 1098, an act to repeal a part of an act approved the 21st day of March, A. D. 1866.

Laid aside.

No. 1099, an act to prohibit the erection or maintenance of billiard rooms, bowling saloons or ten-pin alleys within the borough of Coudersport, in the county of Potter.

Laid aside.

No. 1100, an act to incorporate Summer resort.

Laid aside.

No. 1101, an act to legalize all bounty taxes heretofore levied and collected in certain townships in Snyder county, and to authorize the school directors of said township to levy and collect additional taxes for bounty purposes.

Amended by Mr. WRIGHT, and

Laid aside.

No. 1003, an act to authorize the supervisors of Cook township, in the county of Westmoreland, to levy taxes for the construction of a bridge.

Laid aside.

No. 1104, an act to prohibit the Philadelphia, Germantown and Norristown railroad company from running steam engines south of Columbia avenue, in the city of Philadelphia.

Objected to—Laid aside.

No. 896, a further supplement to an act relating to inspectors, approved April 15th, A. D. 1835, and the supplement thereto, approved March 25, 1850, relating to the city of Philadelphia.

Amended by Mr. DONOHUGH, and

Laid aside.

This bill was placed on the public calendar by mistake.

OBJECTED BILLS.

No. 705, an act to regulate the rates of ferriage in the county of Pike.

Not laid aside.

No. 706, an act to repeal an act entitled An act extending the act relating to the selling of the repairing of the public roads in certain townships in Schuylkill county, to Mauch Chunk township, in Carbon county, approved the 5th day of March, A. D. 1863.

Laid aside.

Senate bill No. 322, an act authorizing the supervisors of Blythe township, Schuylkill county, to make and repair the public roads, bridges and culverts in said township.

Not laid aside.

No. 736, an act to authorize the appointment of controllers of the First school district of Philadelphia.

Laid aside.

No. 773, an act to incorporate the Pittsburg tunnel company.

Laid aside.

No. 806, an act relating to the payment of indebtedness for bounty purposes by the township of Lower Mt. Bethel, in the county of Northampton.

Postponed.

No. 823, an act authorizing the school directors of the borough of Montoursville, in the county of Lycoming, in this Commonwealth, to borrow money.

Laid aside.

Senate bill No. 720, an act to repeal an act for the repeal of an act changing the venue of certain actions of ejectment from Armstrong to Allegheny county.

Laid aside.

No. 888, an act to change the venue in the case of G. W. Scofield versus Martin Brunges, from the court of common pleas of Wyoming county, to the court of common pleas of Bradford county.

Laid aside.

No. 894, an act to extend the jurisdiction of aldermen or justices of the peace to certain criminal proceedings in the city and county of Philadelphia.

Not laid aside.

No. 900, an act to change the venue in certain cases from Schuylkill county to Dauphin county.

Laid aside.

Senate bill No. 455, an act to establish a law library in the county of Armstrong.

Not laid aside.

No. 906, an act relative to the purchase of a law library in the county of Lehigh,

Not laid aside.

Objections being withdrawn to bill No. 931, an act to authorize the city of Philadelphia to sell certain ground in the Eleventh ward,

It was read and

Laid aside.

During the first reading of bills on private calendar the following remarks were made:

On bill No. 736, an act to authorize the appointment of controllers of the First school district of Philadelphia.

Question: Shall the bill be laid aside?

Mr. DEHAVEN. Mr. Speaker, I hope this bill will not be laid aside for second reading. The board of control in my district have passed a resolution instructing me to vote against the passage of this bill.

I hope it will not be laid aside.

Mr. FREEBORN. Mr. Speaker, I hope the bill will be laid aside for second reading.

The gentleman alludes to a protesting resolution. It is a question in my mind whether a majority of the present board of controllers is opposed to this bill. I think I can state without contradiction that the board are in favor of the passage of this bill. There is not a newspaper in Philadelphia that is not in favor of it. I believe it will conduce to the benefit of the educational interests of the city of Philadelphia if this bill passes. Political considerations are entirely removed from this subject. I think it to the interest of all concerned that this bill should pass.

Mr. HOOD. Mr. Speaker, I am most certainly in favor of this bill. I can see no reason why this bill should not pass.

On the final passage of the bill,

The yeas and nays were required by Mr. GHEGAN and Mr. DEHAVEN, and were as follow, viz:

YEAS—Messrs. Allen, Armstrong, Boyd, Boyle, Breen, Brennan, Brown, Cameron, Chadwick, Chase, Collins, Colville, Day, Freeborn, Gordon, Harbison, Harner, Hoffman, Hood, Humphrey, Jones, Kinney, Koon, Lee, Leech, Linton, Long, M'Camant, M'Creary, M'Kee, M'Pherrin, Mann, Markley, Marks, Meyers, Pennypacker, Peter, Pillow, Quay, Roath, Roush, Waddell, Westbrook, Woodward and Glass, *Speaker*—45.

NAYS—Messrs. Adaire, DeHaven, Donohugh, Ghegan, Mechling, Meily, Mullin, Quigley, Rhoads, Subers, Watt, Webb and Worrall.—13.

So the question was determined in the affirmative.

And the bill

Passed finally.

Senate bill No. 720, an act to repeal an act for the repeal of an act changing the venue of certain actions of ejectment from Armstrong to Allegheny county.

Question: Shall the bill be laid aside?

Mr. MECHLING. Mr. Speaker, I object to the bill being laid aside for second reading.

Mr. QUAY. Mr. Speaker, I understand there will be some contest on this bill. I suggest that the gentleman had better let it go to second reading.

Mr. MECHLING. Mr. Speaker, I think we had better take up the matter as it comes. We can occupy the present time as well as any other.

Mr. QUAY. I desire the House to understand that I do not wish to occupy the time.

Mr. MECHLING. Mr. Speaker, it is not necessary to occupy the time of the House. If the bill is not laid aside for second reading it is virtually killed.

I will ask the Clerk to read this letter or memorial that I have received.

The letter was read as follows:

FRANK MECHLING, ESQ.:

DEAR SIR—We wish through you to lay before the House of Representatives the following statement:

An act entitled An act changing the venue in certain actions of ejectment from Arm-

strong to Allegheny county, was approved April 8th, 1864. No trial having been had in Allegheny county for the space of two years thereafter, an act repealing the said act, and restoring the cases transferred from Allegheny county to Armstrong, in which the actions were brought, was approved April 11th, A. D. 1866.

A special venire was issued by His Honor, Judge Campbell, and these cases were put down for trial at the first special court held at Kittanning in November last. About thirty days before the meeting of that court the plaintiff, Benj. Rush Bradford, caused those cases to be ruled out for arbitration, and consequently they could not be tried. But the special court adjourned over till the 8th day of April next; the rules of the arbitration were stricken off, and the cases are down on the list to be disposed of at that time. A struck jury was awarded by the court on the former trial and a struck jury is awarded now. So the matter stands.

But to our surprise we find that an act has recently been introduced into, and passed the Senate, and is now pending in your honorable House, to repeal the act of April 11th, 1866 (pamphlet laws, page 607), which, if passed and approved, will have the effect of re-transferring the cases therein mentioned to Allegheny county, and of tying them up there without trial for an indefinite and doubtless long period of time. That the chief object of Mr. Bradford is to avoid a trial altogether or to postpone it until the witnesses of the several defendants in those cases are dead, we entertain no doubt. All of the respective defendant's witnesses are old and feeble, and according to the ordinary course of nature, cannot long survive; and during the two years whilst these cases were under the jurisdiction of the district court of Allegheny county, Mr. Bradford made no exertion, no move, no attempt to have them disposed of.

The cases proposed to be removed from this county are actions of ejectment. One of them is B. Rush Bradford *versus* James Guthrie, *et al.*, No. 97, September term, 1858, Armstrong, common pleas. The other is the same plaintiff *versus* William M'Caslin, *et al.*, and numbered 98, September term, 1858. These suits were commenced on the 17th day of August, A. D. 1858. One of them, to wit: The action against M'Caslin, *has not been tried.* The other, through the agency of the plaintiff, by application after application for continuance, could not be forced on for trial by the defendants till September term, A. D. 1863. At the same term the counsel for the plaintiff, the verdict of the jury under the charge of the court, having been rendered for the defendants, moved for a new trial, and that motion pending, caused the passage of the act of 8th April, 1864, transferring the two cases to Allegheny county. Thus the defendant was tied up again. It will be observed that before we succeeded in getting our case tried here, *over five years had elapsed*, from the time suit was brought; and that delay caused by the plaintiff; and by reason of the change of venue we have been delayed *three years* longer, and now upon the eve of the trial of those cases, Mr. Bradford asks the Legislature to pass an act, in effect to prevent the trial, and give him an opportunity to baffle the disposition of these cases yet longer.

James Guthrie and George M'Caslin, against whom these respective suits were brought, made settlement upon the lands in controversy in the year A. D. 1818. The country was then a wilderness. They cleared out and improved the lands, and have been in the peaceable, the uninterrupted possession from that time till the commencement of these suits in 1858—a period of over forty years. They are now dead. Each of them, in what then was the frontier settlements, reared large families, and with their toil, energy and unabating industry, made extensive and valuable improvements. A number of their respective children have fallen in the armies of the Republic; some were inhumanly put to death on Belle Island, and some breathed their last amidst the horrors of Andersonville prison. Their fathers are gone, and the surviving heirs are not able to bear the expense of a prolonged litigation in their own county, much less seventy-five or eighty miles from the place of their residence.

The allegation that Mr. Bradford cannot get a fair trial in this county is untrue. There is no prejudice against him—no local excitement or feeling on these cases, and there never has been. In the case which was tried, the verdict of the jury, was strictly in accordance with the charge of the court, and if any error was committed by the court, the plaintiff has his remedy by a writ of error.

The change of venue is ordinarily made only from the most convincing and overpowering reasons. Are there any such in these cases? In one case there has not yet been a trial. In the other there has been but *one;* and while it requires two verdicts and judgments to finally settle the title to lands, Mr. Bradford has as yet no sufficient or even plausible grounds for the change of venue; for though, there has been one verdict, there has not been a judgment. These cases have not created any excitement whatever, nor any more attention in the county than any other ordinary ejectment would have done. They are not even known to, or regarded by the citizens of this county, save a few, perhaps, who reside in the immediate neighborhood of the defendants.

The council of the plaintiff are gentlemen of long and high standing at this bar, and have the personal acquaintance of probably every juror in the county. With that acquaintance, this knowledge and experience, the election of an impartial jury is without the slightest difficulty. While there is, therefore, no possible obstacle to the plaintiffs securing a fair, impartial and thorough trial in this county, the removal of these cases to Allegheny county would, in effect, as we have before stated, amount to a denial of justice to the defendants.

These witnesses, who prove the original settlement and the facts connected therewith are old and extremely feeble, and they could not with safety be taken so far from their homes as the city of Pittsburg. But their presence before a jury is necessary—their very appearance and manner of testifying before a jury is important. Then, again, the defendants are poor and absolutely unable to bear the expenses that would necessarily devolve upon them in defending their repective rights so far away—the transportation of their witnesses about eighty miles; the enormous expense attendant upon their accommodation in a city; the re-transportation of witnesses to their homes; the chances of continuance after continuance and trip after trip; the necessity of their taking counsel from their homes, and the greatly increased expense incident to that. These they are not able to bear, and we so declare, most emphatically and in all sincerity. And in our deliberate judgment we say the Legislature could do no greater wrong in passing an act directly taking from these poor men their lands and placing them in the hands of Mr. Bradford, than would be done in passing the bill to repeal the repealing act of April 11th, 1866.

It remains for us to give the reasons the plaintiff's counsel filed in support of the motion for a new trial. They are as follows, to wit:

First. The verdict is against the clear weight of the evidence.

Second. The court erred in their answer to the plaintiff's fourth, fifth and sixth points.

Third. The court erred in their general charge to the jury.

The first of these is a mere stereotyped reason; and the others clearly show that there was no reflection upon the impartiality of the jury, but the main objections were to the rulings of the court.

(Signed) JACKSON BOGGS,
(Signed) DAVID BARCLAY,
Attorneys for defendant.

KITTANNING, March 16, 1867.

I am not concerned as counsel on either side of the above cases, but am familiar with the facts and was present at the trial here and freely concur in the above statement.

(Signed) JOHN T. PAINTER.

Mr. QUAY. Mr. Speaker, that statement, I believe, is from the attorneys. I suppose they are paid for it, and have earned their money.

I send up an affidavit as a rebuttal, with the request that the Clerk read it for the information of the House.

The affidavit was read as follows:

At the time of the application to the Legislature, in March, A. D. 1864, for the passage of the act making a change of venue in two certain cases of ejectment, then pending before the court of common pleas in Armstrong county, the matters connected therewith were fully under consideration before the Judiciary Committee. Letters from counsel on either side were read, and the attorney of one of the defendants appeared for the purpose of using his personal endeavors in preventing the passage of the bill. After a full consideration the bill for the change of venue was passed by a large majority, and became the law of the land. The motion for a new trial was argued in the summer of 1864, before Judge Campbell and the honorable judges of the district court of Allegheny county. The court unanimously gave it as their opinion that injustice had been done by the verdict of the jury; therefore a new trial was granted.

In accordance with the act of Assembly, under which the venue was changed, the plaintiff was obliged to pay the sum of five hundred and thirty-five dollars as costs.

The cases were upon the trial list of Allegheny county, and would have come to issue ere this, had it not been for the repealing act passed at the close of the session of 1866, of which, at the time, the plaintiff had no knowledge.

The plaintiff fully believes an impartial jury for the hearing of his case cannot be obtained in the county of Armstrong.

(Signed) BENJAMIN RUSH BRADFORD.

City of Harrisburg, ss.:

Personally appeared, Benjamin Rush Bradford, of Beaver county, Pennsylvania, who, being affirmed according to law, deposed and says that the foregoing facts are true and correct, to the best of his knowledge and belief.

Affirmed and subscribed before me this 6th day of March, A. D. 1867.

(Signed) OLIVER EDWARDS,
Mayor. [L. S.]

Mr. QUAY. Mr. Speaker, I ask the unanimous consent of the House to amend the bill by providing that the suits be brought in Allegheny county within the next six months.

Mr. MECHLING. Mr. Speaker, I object to that amendment. This is a mere catch to carry this bill through.

The amendment not being considered, the

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[CONTINUED FROM PAGE 688.]

question recurred on laying the bill aside for second reading.

The yeas and nays were required by Mr. QUAY and Mr. HEADMAN, and were as follow, viz:

YEAS—Messrs. Allen, Boyd, Boyle, Breen, Cameron, Chadwick, Craig, Davis, Day, DeHaven, Fogel, Freeborn, Harbison, Harner, Heltzel, Hoffman, Humphrey, Jones, Kline, Lee, Leech, M'Creary, M'Kee, M'Pherrin, Marks, Meyers, Mullin, Pennypacker, Peter, Pillow, Quay, Rhoads, Ronsh, Seiler, Sobers, Tharp, Waddell, Watt, Webb, Westbrook, Wingard, Woodward, Worrall and Wright—44.

NAYS—Messrs. Adaire, Armstrong, Brennan, Chase, Collins, Donobugh, Gallagher, Gordon, Hood, Jenks, Kinney, Koon, Linton, Long, M'Henry, Maish, Mann, Markley, Mechling, Sharples, Weller and Wham—22.

So the question was determined in the affirmative, and the bill was

Laid aside.

House bill No. 900, an act to change the venue in a certain case from Schuylkill county to Dauphin county.

The question being on laying the bill aside.

Mr. BREEN. Mr. Speaker, I hope the bill will not be laid aside for second reading.

Mr. LEE. Mr. Speaker, I hope the bill will be laid aside. And when I state the reason I think the House will see the propriety of so doing.

This is an action of ejectment. The party in interest is one of the judges who is to try the case, and the brother of the presiding judge of the court is his lawyer. I think I need say nothing further than this.

I do not pretend that these gentlemen would do what is not right or fair, but I say they will be under influences that will permit them to take advantage of every circumstance in their favor.

I think this is sufficient reason for a change of venue.

I hope the House will change it.

Mr. BREEN. Mr. Speaker, the associate judge, who is interested in this case, is not allowed to sit upon its trial. I suppose that is known to every lawyer on this floor.

Mr. LEE. Well, Mr. Speaker, I presume, having employed the presiding judge's brother to try his case, he understood what he was about, and all the influence he can exert will be brought to bear. In the opinion of one of the parties to this case, a fair and equitable trial cannot be obtained without a change of venue.

I trust the House will lay the bill aside for second reading.

On the question,

The yeas and nays were required by Mr. THARP and Mr. BREEN, and were as follow, viz:

YEAS—Messrs. Adaire, Armstrong, Cameron, Chadwick, Collville, Day, Donohugh, Freeborn, Gallagher, Ghegan, Gordon, Harbison, Hood, Humphrey, Lee, M'Camant, M'Kee, M'Pherrin, Maish, Mann, Marks, Meily, Peter, Pillow, Sharples, Shuman, Subers, Waddell, Webb, Weller, Whann, Wingard, Woodward, Worrall, Wright and Glass, *Speaker*—39.

NAYS—Messrs. Boyle, Breen, Brennan, Calvin, Chalfant, Collins, Craig, Fogel, Gregory, Harner, Heltzel, Jones, Kline, Koon, Kurtz, Linton, Long, M'Henry, Mechling, Meyers, Quigley, Rhoads, Ronsh, Tharp and Westbrook—24.

So the question was determined in the affirmative,

And the bill was

Laid aside.

The second reading of private calendar was then proceeded with.

The following bills were acted upon as stated:

No. 896, a further supplement to an act relating to inspectors, approved April 15th, A. D. 1835, and the supplement thereto, approved March 25th, 1850, relating to the city of Philadelphia.

Amended by Mr. WORRALL, and

Passed finally.

No. 897, a supplement to an act for the better securing the payment of the wages of labor in certain counties of this Commonwealth, approved 30th day March, A. D. 1859.

Passed finally.

Senate bill No. 650, an act to incorporate the Superior iron company.

Passed finally.

Senate bill No. 675, a supplement to an act to provide for the ordinary expenses of the Government, and other general and specific appropriations, approved April 11th, 1866, relative to the Keystone State normal school.

Passed finally.

Senate bill No. 586, an act to incorporate the Union iron mills.

Passed finally.

Senate bill No. 483, an act to repeal the fourth section of an act relating to certain election districts in Schuylkill county.

Passed finally.

No. 807, an act to authorize the Board of Military Claims to settle the claim of T. B. Nelson, First Lieutenant battery H, Third artillery.

Passed finally.

No. 915, a supplement to the charter of the city of Chester.

Passed finally.

No. 917, an act conferring certain powers upon the city of Chester, in the county of Delaware.

Passed finally.

No. 918, an act to incorporate Sugar Notch and Warrior Run into a borough.

Passed finally.

Senate bill No. 484, an act to change the time of holding borough elections in the borough of Minersville, Schuylkill county.

Passed finally.

No. 920, a further supplement to the charter of the city of Erie, to provide for the appointment of water commissioners, and define their powers and duties.

Passed finally.

No. 921, an act to change the boundary lines of the borough of Wrightsville, in the county of York.

Passed finally.

No. 925, an act to authorize the borough of Boyertown, in the county of Berks, to purchase the Fairmount fire engine house of said borough, and to levy and collect a tax for that purpose.

Passed finally.

No. 926, an act to vacate a part of Manyunk avenue, in the Twenty-first ward of the city of Philadelphia.

Passed finally.

Senate bill No. 437, a further supplement to an act passed May 16, A. D. 1861, entitled An act to authorize the erection of a free bridge over the river Schuylkill, at South street, in the city of Philadelphia, making it the duty of the chief engineer to direct the building of a bridge and providing that the same shall have a draw thereon.

Passed finally.

No. 928, an act relating to roads, streets, bridges and side-walks in the borough of Lawrenceville, county of Tioga.

Passed finally.

No. 929, an act to vacate Hilles street between Orchard and Paul street, in Frankford, in the Twenty third ward of the city of Philadelphia.

Passed finally.

No 931, an act to authorize the city of Philadelphia to sell certain ground in the Eleventh ward.

Passed finally.

No. 932, an act to divide the borough of Sunbury, in the county of Northumberland, into two wards.

Title amended by Mr. THARP.

Passed finally.

No. 933, an act to incorporate the town of Big Run, in Jefferson county, into a borough.

Passed finally.

Senate bill No. 510, an act authorizing and providing powers and means for the conversion of the common grounds of the city of Allegheny into public parks.

Passed finally.

Senate bill No. 443, an act to divide the borough of Port Carbon, Schuylkill county, into two wards.

Third reading.

Senate bill No. 502, an act to authorize the chief burgess and town council of the borough of Lebanon to borrow money for the purpose of building an engine house for the use of the Perseverance fire engine and hose company, and for the purchasing of hose for use in the fire department of said borough.

Passed finally.

No. 941, an act to incorporate the Fort Allen iron company, in the county of Carbon.

Passed finally.

Senate bill No. 107, an act to incorporate the Miyuga iron company.

Passed finally.

No. 944, an act to incorporate the Black Band iron and coal company.

Passed finally.

Senate bill No. 45, a supplement to an act approved the 9th day of February, 1849, entitled A supplement to an act entitled An act to incorporate the Lykens Valley coal company, in Dauphin county, Pennsylvania, and to authorize the opening of a road in Honesdale, Wayne county, authorizing them to dispose of the stock of said company.

Passed finally.

No. 946, an act incorporating the Keystone iron and coal company.

Title amended by Mr. MEILY.

Passed finally.

Senate bill No. 297, an act to incorporate the Philadelphia coal company.

Passed finally.

No. 948, an act to incorporate the Senator Nye mining and exploring company.

Passed finally.

Senate bill No. 365, an act to incorporate the Manta Grandee silver mining and commercial company.

Passed finally.

No. 950, an act to incorporate the Big Creek mining company.

Passed finally.

No. 951, a supplement to an act to incorporate the Franklin silver mining company, approved April 17, 1866.

Passed finally.

No. 952, a supplement to an act to incorporate the Union mining company, approved March 30, 1865.

Passed finally.

No. 953, an act to incorporate the Marathon silver mining company of Nevada.

Passed finally.

Senate bill No. 299, an act to incorporate the Rob Roy gold and silver mining company.

Passed finally.

No. 955, an act to incorporate the Shakspeare and Lydia Allen Consolidated mining company.

Passed finally.

No. 956, an act to incorporate the Silver Bullion mining company.

Passed finally.

Senate bill No. 308, an act to incorporate the Philadelphia Enterprise gold and silver mining company of Montana.

Passed finally.

No. 958, a supplement to an act to incorporate the North American mining company, approved June 2, 1865.

Passed finally.

Senate bill No. 522, an act to incorporate the Enterprise mining and exploring company.

Passed finally.

No. 960, an act to incorporate the Montana and Nevada gold and silver mining and commercial company.

Passed finally.

No. 961, an act to incorporate the Octoraro gold and silver mining company.

Passed finally.

No. 962, a supplement to an act to incorporate the Specie Basis mining company, relieving them from the payment of the bonus of one-fourth of one per centum on its capital stock.

Passed finally.

No. 963, an act to incorporate the Spanish Bar gold and silver mining company.

Passed finally.

No. 964, an act to incorporate the Ivanhoe silver mining company

Passed finally.

No. 965, an act to incorporate the Beaver gold and silver mining company.

Passed finally.

No. 966, an act to incorporate the Great Western mining company.

Passed finally.

No. 967, an act to incorporate the Hidalgo gold and siver mining company.

Passed finally.

No. 968, an act to incorporate the Empire and Gem mining, manufacturing and tunneling company of Nevada.

Passed finally.

No. 969, supplement to an act incorporating the Great Valley gold and silver mining company, approved 17th day of November, 1866.

Passed finally.

Senate bill No. 397, an act appointing commissioners to lay out and open a State road in the counties of Cameron, Elk and Clearfield, from the Sinnemahoning to the West Branch of the Susquehanna.

Passed finally.

Senate bill No. 621, an act supplemental to an act incorporating the Birmingham and Brownsville Macadamized turnpike road company.

Passed finally.

No. 972, an act to provide the erection of a bridge across Nescopeck creek, in Nescopeck township, Luzerne county.

Passed finally.

No. 973, an act to establish a ferry over the Ohio river between Baden and Economy, in the county of Beaver.

Third reading.

Senate bill No. 606, an act to incorporate the Wyoming bridge company.

Passed finally.

Senate bill No. 578, an act to authorize the supervisors of Kingston township, Luzerne county, to collect their own duplicates.

Passed finally.

Senate bill No. 311, a supplement to an act to establish a ferry over the Monongahela and Youghiogheny rivers, and to vest the right in John M'Kee, his heirs and assigns forever, approved the 5th day of February, 1784.

Passed finally.

No. 979, an act relative to locating, opening and separating the public roads and highways in Sewickly township, Westmoreland county.

Passed finally.

No. 980, a supplement to an act to authorize the road commissioners of the townships of Kinzua, Eldred and Cherry Grove, in the county of Warren, to levy a tax for road purposes. approved April 11, 1866.

Title amended by Mr. ALLEN, and

Passed finally.

Senate bill No. 532, an act to declare Montgomery creek, in the county of Clearfield, a public highway.

Passed finally.

No. 986, an act relative to the pay of supervisors in Wiconisco township, Dauphin county.

Passed finally.

No. 988, an act to declare Maish creek, in the county of Centre, a public highway.

Passed finally.

NO. 989, an act to incorporate the Bridgeport and Horse-shoe turnpike road company.

Passed finally.

No. 990, an act relating to the pay of supervisors in the county of Butler.

Passed finally.

No. 991, an act in relation to the election of officers of the Chambersburg and Bedford turnpike road company.

Passed finally.

No. 992, an act in relation to the election of officers of the Chambersburg turnpike road company.

Passed finally.

Senate bill No. 355, an act to incorporate the Summit turnpike road company, in the county of Clearfield.

Passed finally.

No. 994, an act to authorize the president and directors of the Licking bridge company, in Clarion county, to sell said bridge to the commissioners of said county.

Passed finally.

No. 995, a supplement to an act authorizing and requiring the supervisors of Bratton township, Mifflin county, to erect gates across the public roads in said township.

Passed finally.

No. 996, a supplement to an act entitled An act to incorporate the Larry's Creek plank road company.

Passed finally.

No. 997, an act in relation to the assessment of road tax, and the election and pay of certain township officers and viewers of roads and highways in the county of Jefferson.

Passed finally.

Senate bill No. 608, a further supplement to an act to incorporate the Birmingham and Pittsburg bridge company.

Passed finally.

No. 1000, an act to declare Mill run, in the county of Lycoming, a public highway.

Passed finally.

No. 1002, an act to attach certain lands in Potter county to Coudersport for school purposes.

Passed finally.

No. 1003, an act relating to a school library in the city of Erie.

Passed finally.

Senate bill No. 601, an act to authorize the school directors of Marshall township, Allegheny county, to apply the surplus of bounty tax in their hands for school purposes.

Passed finally.

No. 1006, an act relating to school tax in the borough of Mainsburg, county of Tioga.

Title amended, and

Passed finally.

Senate bill No. 600, an act to authorize the school directors of the borough of White Haven, in the county of Luzerne, to borrow money to build school houses.

Passed finally.

Senate bill No. 603, an act to enable the board of directors of common schools of Benton township, Luzerne county, to apply surplus of bounty fund to common school purposes.

Amended, and

Passed finally.

Senate bill No. 464, an act to attach the farm of Daniel Deitze, in Pennsboro township, Cumberland county, to the township of Hampden, in said county, for school purposes.

Passed finally.

No. 1010, an act to extend the time for the payment of the enrollment tax on an act to authorize Samuel Graham and Robert Graham, committee of Walter Graham, a lunatic, to sell certain real estate.

Passed finally.

No. 1011, an act to authorize the Evangelical Lutheran congregation of Berlin, in the county of Somerset, to sell certain real estate.

No. 1012, an act to authorize Catharine Float, Mary K. Float, George H. Float and Emma G. Float, to sell and convey certain real estate.

Passed finally.

No. 1013, an act to enable the standing committee of the Protestant Episcopal church of the diocese of Pennsylvania to convey real estate in Mifflin county.

Passed finally.

No. 1014, an act to incorporate the Shenandoah water company.

Passed finally.

Senate bill No. 487, an act to incorporate the Lebanon County Soldiers' and Sailors' monument association.

Passed finally.

No. 1016, an act to reduce the number of directors of the Allegheny transportation company.

Passed finally.

Senate bill No. 519, an act to incorporate the Quaker City Barge Club of the city of Philadelphia.

Passed finally.

No. 1018, an act to incorporate the Chambersburg hall and market company.

Passed finally.

No. 1019, an act to amend an act entitled An act to incorporate the Female Medical college of Pennsylvania.

Passed finally.

No. 1020, an act to amend an act to incorporate the Potter County Forest improvement company, approved May 1, A. D. 1861, and the supplement thereto, approved the 10th day of August, A. D. 1864.

Passed finally.

No. 1021, an act to incorporate the Paros coal, mining and lumber company of Pennsylvania.

Amended.

Passed finally.

Senate bill No. 659, an act to incorporate the Downingtown gas and water company.

Amended by Mr. SHARPLES.

Passed finally.

No. 1028, an act to incorporate the M'Keesport gas company.

Passed finally.

Senate bill No. 661, a supplement to the act, entitled An act for the erection of the Gettysburg gymnasium into a college, and for other purposes, approved 7th of April.

Passed finally.

No. 1025, a further supplement to an act to incorporate the Charles Evans cemetery company.

Passed finally.

No. 1026, an act to incorporate the American buttonhole, over seaming and sewing machine company.

Passed finally.

No. 1027, a supplement to an act authorizing the Governor to incorporate the Milford Cold Spring water company, passed the 5th day of April, 1849.

Third reading.

No. 1028, an act to incorporate the Anderson marble quarrying company of Montgomery county.

Passed finally.

No. 1029, an act to incorporate the Masonic hall association of the borough of Phœnixville.

Passed finally.

Senate bill No. 584, an act to incorporate the Tremont gas and water company.

Passed finally.

No. 1031, an act to incorporate the Odd Fellows' Mutual Co operative association of Monongahela city, Washington county.

Passed finally.

During the second reading of private calendar remarks were made upon the following bills:

Senate bill No. 443, an act to divide the borough of Port Carbon, Schuylkill county, into two wards.

The bill was read.

Mr. MANN. Mr. Speaker, I have a remonstrance, signed by a large number of the inhabitants of Port Carbon, addressed to his Excellency, the Governor. They supposed the bill had passed, and this is a remonstrance to the Governor giving reasons why it should not become a law.

The gentleman who brought it here, finding that the bill had not passed, handed it to me, requesting that I should represent the matter to the House, and make this remonstrance a part of my remarks against this bill. I ask attention to the facts set forth in it:

To His Excellency, J. W. Geary, Governor of Pennsylvania:

We, the undersigned, citizens of Port Carbon, Schuylkill county, would respectfully represent that we have just heard that a bill had passed the State Senate, dividing the said borough into two school districts.

Now, your petitioners do earnestly remonstrate against the same for the following reasons, viz:

First. That there is no reason whatever for said division, as there is, at most, but about four hundred votes polled, and generally not over three hundred, which can be entered with ease at one poll.

Second. That there are but seven schools in the present district, all within a small compass, and whose interests can all be well attended by one set of directors.

Third. That the whole thing has been concocted and carried thus far in secresy by a party opposed to the present administration, and whose main aim has been and still is to get control of the schools, as they have in most of the surrounding districts.

Having no representative to attend to our interests, and discovering the plot too near its final consummation, our only hope is in the interposition of your Excellency in our behalf to avert a great evil, there being a majority of two-thirds of the voters of the district opposed to it.

The signatures to this remonstrance indicate that the writers thereof are business men, men of character and position. They assert that in the town of Port Carbon two-thirds of the voters are opposed to this measure. If that be true, it seems to me, it ought not to be carried through against their wishes. I do not know, however, with what degree of truth this assertion is made. There is nothing shown here to prove its falsity.

If so large a portion of the people are opposed to this measure, I do not know what reason can be given to justify this interference with their wishes in this regard.

Mr. COLLINS. Mr. Speaker, I am sorry to hear the gentleman from Potter [Mr. MANN] take such an interest in our legislation. This bill was not snaked through. It was open for full and free discussion in the Senate. It is now here on the private calendar. I think this petition comes at a very late hour.

Mr. MANN. Mr. Speaker, I would like to ask the gentleman from Schuylkill if the men who signed this petition are truthful men. I desire to know whether it is true that two-thirds of the voters are opposed to this bill?

Mr. BREEN. Mr. Speaker, it is highly important that this bill should pass. At the last election held in that borough there were four hundred and forty-seven votes polled. That is too large a number to be polled at any one place. The population there is increasing every day. I hope this bill will pass.

Mr. WEBB. Mr. Speaker, it seems to me, without talking about the merits of this case, that it is one in which the courts clearly have jurisdiction, as gentlemen will see by turning to page 386 of Purdon's Digest. I will read:

"144. The courts of quarter sessions shall have authority within their respective counties to divide any borough, ward or township."

Mr. CHALFANT. Mr. Speaker, I will say that I had a bill in character similar to this one. Some very able lawyers presumed to say that the courts had power in the matter. I took the bill to the Senate, where there are able lawyers, and it was passed. I took it to the Governor and he signed it.

Mr. COLLINS. Mr. Speaker, I never heard politics mentioned in this bill before this afternoon. I have been in Schuylkill once or twice, and never heard any objection raised against it on political grounds. Port Carbon is very large and a good deal scattered.

Mr. QUAY. It seems to me if there is any political question involved in this matter, that the voters of Schuylkill should be allowed to pass upon it.

Mr. M'CAMANT. Mr. Speaker, I wish to say to my friend from Schuylkill that some of our Republican friends have spoken to me in regard to this matter. They are very much opposed to the passage of this bill. They represent it to me as a party measure against the Republicans of Port Carbon.

Mr. COLLINS. Mr. Speaker, I can assure the House I never heard anything of the kind. I do not see how it is going to make any change in the politics of Schuylkill county; neither party can be injured; there will be no change in the votes.

Mr. ARMSTRONG. Mr. Speaker, I hope this bill will not pass, for the simple reason that every day or so a batch of bills of this character are returned with the Governor's veto—bills in which the courts unquestionably have jurisdiction. Why are we dragged into legislating upon a subject of this nature? Simply to preclude their going into the courts. Whether the gentleman is aware of the fact or not, there is unquestionably a very warm political feeling in regard to the passage of this act.

I am credibly informed the only reason they have for not going into the courts, where they could accomplish what they ask here, is that the excitement runs so high that their success would be an impossibility. They think they can succeed if they snake the measure through the House.

Mr. QUAY. Mr. Speaker, will the gentleman from Lancaster tell me whether the courts of Schuylkill are not Democratic?

Mr. ARMSTRONG. I do not know whether they are or not; but there is excitement there.

The question being on the bill,

The yeas and nays were required by Mr. M'CAMANT and Mr. MANN, and were as follow, viz:

YEAS—Messrs. Adaire, Breen, Brennan, Calvin, Chalfant, Collins, Craig, Fogel, Ghegan, Gregory, Harner, Heltzel, Hoffman, Jenks, Jones, Kline, Koon, Kurtz, Linton, Long, M'Henry, Markley, Meyers, Mullin, Quay, Quigley, Rhoads, Roush, Seiler, Tharp, Westbrook, Whann and Wingard—33.

NAYS—Messrs. Armstrong, Brown, Chadwick, Day, DeHaven, Freeborn, Gordon, Kinney, Lee, M'Camant, M'Creary, M'Kee, M'Pherrin, Mann, Pennypacker, Roath, Sharples, Stumbaugh, Webb, Weller Wharton, Worrall, Wright and Glass, *Speaker*—24.

So the question was determined in the affirmative, and the bill was

Agreed to.

The title was read, and

Agreed to.

The rules being suspended, the bill was ordered to be transcribed and read a third time by its title.

The question recurring on the final passage of the bill,

The yeas and nays were required by Mr. MANN and Mr. M'CREARY, and were as follow, viz:

YEAS—Messrs. Boyd, Boyle, Breen, Brennan, Calvin, Chalfant, Collins, Craig, Fogel, Ghegan, Gregory, Harbison, Harner, Heltzel, Hoffman, Hood, Jenks, Jones, Kline, Koon, Kurtz, Linton, Long, M'Henry, Markley,

Meyers, Mullin, Quay, Quigley, Rhoads, Roush, Tharp, Westbrook and Wingard—34.

NAYS—Messrs. Adaire, Armstrong, Barton, Brown, Cameron, Chadwick, Colville, Day, DeHaven, Esp, Freeborn, Gallagher, Gordon, Humphrey, Kinney, Lee, Leech, M'Camant, M'Creary, M'Kee, M'Pherrin, Mann, Meily, Peter, Pillow, Roath, Sharples, Steacy, Stehman, Waddell, Webb, Weller, Wharton, Worrall, Wright and Glass, *Speaker*—36.

So the question was determined in the negative.

The bill was

Not agreed to.

No. 1032, an act to incorporate the Rev. Hugh M'Laughlin beneficial society of Philadelphia.

Mr. M'CREARY. Mr. Speaker, this is one of the class of bills to which the Governor is calling our attention every day. That we disregard him is insulting.

These eminent members of the bar, who pass their opinions upon such matters, are not subject to consequences if the bill passes.

Mr. QUIGLEY. Mr. Speaker, I have a statement somewhere among my papers, with regard to this matter; and the reasons I know are sufficient. It states decidedly that the courts have not jurisdiction, and gives the reasons why they have not.

Mr. M'CREARY. I would like to hear them.

Mr. QUIGLEY. I have them here—a letter from a gentleman who was formerly a member of this House. He says:

"It cannot go through the court for the fact that most of its members are not citizens—that is, not naturalized. The object is a good one, and it ought to pass. The courts can grant charters only to citizens."

Mr. WADDELL. Mr. Speaker, we had a veto message this morning on that very point.

Mr. QUIGLEY. Not on that point, I guess.

Mr. WADDELL. Well, Mr. Speaker, I don't know whether the people were citizens of New Jersey, or some other place—they were not citizens of Pennsylvania. That was the reason urged upon the Governor for signing the bill. The Attorney General says it is a mere subterfuge.

Mr. QUIGLEY. I think, if I understood the message, it says those names were put in merely to evade the law.

Mr. WADDELL. Mr. Speaker, it does not say that; but uses it as an example of what might be done. Whenever the parties desire to obtain from the Legislature a charter which they could get from the courts, they might use these names as subterfuges. It is asserted that these gentlemen are not citizens, and therefore the Legislature only has the power to incorporate in such cases.

I agree with the gentleman from Erie [Mr. M'CREARY] that it is time the Legislature made up their minds deliberately, and say whether they will pass everything presented here and let the Governor veto it, or whether they will discriminate and say they will not pass what every man, if he chooses, must see will be vetoed when it reaches the Executive Chamber.

Have we any pride as a Legislature? We cannot, if we pass bills that we know the Governor will veto.

I would like to hear read that part of the Governor's message relating to the point which is now presented.

The Clerk read as requested.

Mr. BOYLE. Mr. Speaker, I would like to ask the gentleman from Chester [Mr. WADDELL] whether it is in the power of the Legislature to incorporate associations of persons other than citizens of the Commonwealth?

If the Legislature desires to incorporate a company of gentlemen who are not citizens how can it be done? The courts cannot do it. What is there to prevent us from acting in such premises? It seems to me this is a case of that kind.

I think the Governor has been right in nearly every one of his vetoes.

It seems to me he has no right to assume that this bill is framed so as to evade the statute.

Mr. MANN. Mr. Speaker, I would make this answer to the gentleman from Fayette [Mr. BOYLE]. The courts are authorized to incorporate beneficial societies; the Legislature, therefore, has no authority in the premises, because the Constitution provides that what the court may do the Legislature shall not.

Now, the act of Assembly goes on to say in what manner they shall organize an association, and further, clearly declares that what the courts may do the Legislature shall not. It seems to me that there is nothing plainer than that this bill proposes to the Legislature of Pennsylvania that which the Legislature has authorized the courts to do—that is, to form a beneficial society.

Now, who shall be the persons incorporated is an entirely different matter. I take it that the Legislature, in this act, intended to say that only citizens of the State shall be formed into a corporation for beneficial purposes.

Mr. QUIGLEY. Mr. Speaker, the gentleman from Potter is enlightening the House upon what we were already enlightened. The courts, we all know, can grant charters for beneficial purposes; but they cannot grant charters to persons who are not citizens of the State. Therefore, the courts cannot grant these parties a charter. They have come here. The question is: Can this Legislature grant them a charter? I think there is no doubt about it. I have done all I can for this bill. I am clearly of the opinion we have the right to pass it.

Mr. M'CREARY. Mr. Speaker, the bill does not say that the persons named therein are not citizens. It says certain persons wish to be incorporated into a beneficial society. Now, when this bill goes to the Governor, what evidence has he that they are not citizens of the Commonwealth? If it was stated that no person belonging to this association was to be a citizen, then the Governor would know whether he could sign the bill or not. There should be a preamble stating it as a fact, that the persons desiring to be incorporated are not citizens.

Upon a motion to adjourn the Chair cleared the table before announcing the result.

SPEAKER'S TABLE.

The SPEAKER cleared his table of bills numbered and entitled as follows:

Senate bill, No. 347, an act for the protection of farmers in the markets of Philadelphia.

Referred to the Committee on Agriculture.

Senate bill No. 1027, an act to incorporate the Review Printing House company of the city of Philadelphia.

Laid on the table.

Senate bill No. 562, an act relating to the coroner of the city and county of Philadelphia.

On motion,

The House insisted in its amendment, non-concurred in by the Senate, to said bill; and

Ordered, That the Clerk inform the Senate of the same.

MESSAGE FROM THE SENATE.

The Clerk of the Senate being introduced, presented for concurrence bills numbered and entitled as follows, viz:

Senate bill No. 347, an act for the protection of farmers in the markets of Philadelphia.

Senate bill No. 1027, an act to incorporate the Review Printing House company of Philadelphia.

He also informed that the Senate has concurred in all the amendments, but the last, made by the House of Representatives to Senate bill No. 562, entitled An act relating to the coroner of the city and county of Philadelphia.

In which last amendment the Senate has non-concurred.

He also informed that the Senate has concurred in the resolution passed by the House of Representatives (on the 19th instant) requesting the Governor to return to the House for amendment House bill No. 587, entitled An act to incorporate the Greensburg Masonic fund.

In accordance with the action upon the motion to adjourn, the SPEAKER adjourned the House until to-morrow (Wednesday) morning, at ten o'clock.

SENATE.

THURSDAY, March 21, 1867.

The Senate met 10 o'clock A. M., and was called to order by the SPEAKER.

Prayer was offered by the Rev. Mr. Bailey.

On motion,

The reading of the Journal of yesterday was dispensed with.

PETITIONS, REMONSTRANCES, &c.

Mr. WALLACE presented the petition of citizens of Clearfield county, for supplement to the State road from Karthaus to the Sinnemahoning.

Laid on the table.

Also, petition of school directors and citizens of Curwensville, Clearfield county, for authority to borrow money and to sell a school building.

Referred to the Committee on the Judiciary Local.

Mr. RIDGWAY, a petition for a law making parties or persons in interest competent to testify in their own suits at law or in equity, without regard to their interest therein.

Referred to the Committee on the Judiciary General.

Mr. DAVIS, a remonstrance of Susan W. Rentschler, of Berks county, against granting of a divorce on petition of Henry D. Rentschler.

Referred to the Committee on the Judiciary General.

Mr. ROYER, four petitions numerously signed by propertyholders and citizens of Norristown, for the passage of a law preventing the running at large of cattle in said borough.

Referred to the Committee on Agriculture.

Mr. CONNELL, a resolution of the board of school controllers of the Nineteenth section, against the passage of the act which deprives them of the right to elect one of their number school controller.

Referred to the Committee on Education.

Mr. STUTZMAN, a petition of citizens of Bedford county, praying that an act be passed authorizing the directors of the poor of Bedford county to build an alms house and to borrow money.

Referred to the Committee on the Judiciary Local.

Mr. SEARIGHT, a petition of citizens of West Newton, Westmoreland county, praying for a law to tax hawkers and peddlers in said county.

Referred to the Committee on the Judiciary Local.

Mr. FISHER, a petition of John Ashton

and wife, for authority to sell real estate and invest the proceeds in other real estate, or in State or United States loans.

Referred to the Committee on Estates and Escheats.

Mr. JACKSON, a petition of citizens of Dushore borough, Sullivan county, praying for the passage of an act providing that the election of corporate officers of said borough be held on the third Friday of July instead of the first Monday in August.

Referred to the Committee on Election Districts.

Also, petition of citizens of Bloomsburg, Columbia county, in favor of the erection of a poor house in Bloom township.

Referred to the Committee on the Judiciary Local.

Also, eleven petitions, numerously signed by citizens of Sullivan county, praying that the venue in the case of Jesse M'Carty and others, election officers of Elkland district, in said county, changed under a recent act of Assembly to the county of Bradford, be changed to the county of Lycoming.

Referred to the Committee on the Judiciary Local.

The petition was read as follows, viz:

To the Honorable the Senate and House of Representatives of the Commonwealth of Pennsylvania, in General Assembly met:

The petition of the undersigned, citizens of the county of Sullivan, respectfully represents:

That the venue has been changed, under a recent act of Assembly, from this to the county of Bradford, in the case of Jesse M'Carty and other election officers of Elkland district (who had been indicted in our court of quarter sessions for an alleged violation of the election laws), by the terms of which act of Assembly, the expenses are to be paid by the people of Sullivan. Your petitioners, thus interested, are of the opinion, in view of the principles upon which the act to which we refer is based, that a fair trial cannot be had in the said county of Bradford, for the following reasons—in setting forth which, we not only regard the principles of the law changing the venue, but follow closely the reasoning of the one hundred and twenty-one citizens of Sullivan who asked for that law; and we even copy the intensity of expression to which they resorted, that found such sudden favor in our Legislative Halls:

First. Bradford county is intensely "Republican" in its politics; and these political sentiments, judging from the temper exhibited by the representatives of Bradford in both branches of the Assembly, in their advocacy of the change of venue in question, induces the honest belief in our minds, that the people of Sullivan have no rights which Bradford Republicanism would feel bound to respect, since our judges and jurors have no feeling or reputation to be regarded because they happen to concur with a majority of the people here in their political preferences.

These views have been impressed upon the minds of the people of Bradford from the stump, not only by leading Republicans, but judges there have often been known to leave the bench of justice for the purpose of making excited political harangues! In remarking thus, we feel bound to except the president judge lately elected in that district—whatever may be the fact in regard to his associates, who have just passed through the fires of an excited election contest, in the course of which, printed lists, with strenuous instructions to exclude from the sacred rights of suffrage those whose names were blackened as "deserters" without having had a trial—many of whom were known to have faithfully reported themselves at their country's call, and proved their loyalty in some of the bloodiest struggles of the war.

Second. The sheriff and Commissioners of Bradford county are "intense" Republicans of the modern school, and have, in all human probability, carried out their political partialities in making up the jury box; at least, we venture to assume they would be quite as likely to do so as those public officers of Sullivan county, who have been proscribed by the late act of Assembly as unfit, because they are Democrats, to be trusted to perform their sworn duties.

Again—We humbly submit, in support of our prayer, that if the remarkable precedent likely to be established by a solemn act of the Assembly, to which we have reference, that the honestly entertained political opinions of the majority of the people of a county, is a good cause for interference in the usual course of administering our criminal laws—if, in other words, an "intensely" Democratic community, as that of Sullivan has been declared to be, is unfit to try offenses alleged to have been committed within its limits, where is the propriety of sending them to the "intensely" Republican county of Bradford? The logic of the reasoning which asks such a procedure, and the law which followed, are their own, only parallels!

Finally—For the reasons we have set forth, and others which must occur to every candid mind, we pray that an act of Assembly be passed providing for a change in the venue of this case to the court of quarter sessions of our mother county, Lycoming, whose politics, we sincerely trust, may not be found so "intense," on either side of the public questions of the day, as ever to exclude its citizens from their lawful privileges, or its courts and jurors from usual legislative comity and confidence.

And we will ever pray.

REPORTS OF COMMITTEES.

Mr. WALLS, from the Committee on Finance, reported, as committed, a bill entitled An act to extend the time for the payment of the enrollment tax on an act to incorporate the Sunny Side iron company.

Mr. FISHER, from the Committee on Pensions and Gratuities, reported, as committed, a bill entitled A supplement to an act entitled An act granting a pension to Louis Hagerman, extending the same.

Mr. RIDGWAY, from the Committee on Corporations, reported, as committed, a bill entitled An act to incorporate the Manufacturers' Mutual fire insurance company of Pennsylvania.

Also (same), as committed, a bill entitled An act to incorporate the Newport manufacturing and building company.

Also (same), as committed, a bill entitled An act to incorporate the Tuscarora mining and exploring company.

Also (same), as committed, a bill entitled A supplement to an act to incorporate the Philadelphia transportation and freight company.

Also (same), as committed, a bill entitled An act incorporating the Point Breeze park association of Brookville.

Also (same), as committed, a bill entitled An act to incorporate the Susquehanna Summer Resort.

Also (same), as committed, a bill entitled An act to incorporate the Senator Nye mining company.

Also (same), as committed, a bill entitled A supplement to the act incorporating the Great Valley gold and silver mining company, approved 17th day of November, A. D. 1866, increasing the numbers of incorporators and restricting the powers of said corporations.

Mr. JAMES (same), as committed, a bill entitled An act to incorporate the Octoraro gold and silver mining company.

Also (same), as committed, a bill entitled A supplement to an act to incorporate the Specie Basis mining company, relieving them from the payment of the bonus of one fourth of one per centum on its capital stock.

Mr. GLATZ (same), as committed, a bill entitled A supplement to an act to incorporate the Pennsylvania Mutual horse thief detecting and insurance company, approved April 22d, 1854.

Also (same), as committed, a bill entitled An act to incorporate the Oakdale skating park and physical institute of Philadelphia.

Also (same), as committed, a bill entitled An act to incorporate the Mutual steam navigation company.

Also (same), as committed, a bill entitled An act in relation to the election of officers of the Chambersburg and Bedford turnpike road company.

Mr. RANDALL (same), as committed, a bill entitled A further supplement to an act to incorporate the Pennsylvania railroad company, approved April 13, 1846, authorizing the Pennsylvania railroad company to construct additional railroad tracks, sidings, depots, workshops and other appurtenances along, adjoining or contiguous to their own line of railroad, and the railroads now owned and leased, or hereafter to be owned and leased by them, and to straighten and improve the same, and to acquire the property upon which to construct the same, paying therefor the value of property to be used or occupied.

Mr. STUTZMAN, from the Committee on Elections, reported, with amendments, a bill entited A supplement to the general election laws of the Commonwealth.

Mr. JACKSON (same), as committed, a bill entitled An act to divide the township of Chapman, in the county of Clinton, into two election districts.

Mr. BILLINGFELT, from the Committee on Roads and Bridges, reported, as committed, a bill entitled An act to incorporate the Lampeter and Strasburg turnpike road company.

Also (same), as committed, a bill entitled An act to vacate part of Manayunk avenue, in the Twenty-first ward of Philadelphia.

Mr. WALLS (same), as committed, a bill entitled A supplement to an act to authorize the road commissioners of the townships of Kinsua, Eldred and Cherry Grove, in the county of Warren, to levy a tax for road purposes, approved April 11, A. D. 1866, extending the same to the townships of Southwest and Clearfield, in said county.

Also (same), as committed, a bill entitled An act to vacate Willes street, between Orchard street and Paul street, in Frankford, in the Twenty-third ward of the city of Philadelphia.

Mr. GLATZ (same), as committed, a bill entitled An act relating to roads, streets, bridges and sidewalks in the borough of Lawrenceville, county of Tioga.

Mr. LANDON (same), as committed, a bill entitled A supplement to an act to incorporate the Conestoga and Big Spring Valley turnpike company, approved April 1st, A. D. 1861.

Also (same), as committed, a bill entitled An act relating to Sunbury street, in the borough of Minersville, Schuylkill county.

Mr. GRAHAM, from the Committee on Vice and Immorality, reported, as committed, a bill entitled A supplement to an act to prevent the sale of intoxicating liquors on the first day of the week, commonly called Sunday, approved February 26th, 1855, relating to the counties of Berks, Lebanon and Lehigh.

Mr. M'CONAUGHY, from the Committee on Judiciary General, reported, as committed, a bill entitled An act to extend to

companies organized under the general manufacturing laws of this Commonwealth the same privileges conferred upon mining companies by the general mining laws, approved April 21st, 1854.

BILLS IN PLACE.

Mr. JAMES read in his place and presented to the Chair a bill entitled A supplement to an act of Assembly, approved the 18th day of July, A. D. 1863, entitled An act for mechanical, manufacturing, mining and quarrying purposes, authorizing the issue of bonds by companies organized under said act.

Referred to the Committee on the Judiciary General.

Mr. BIGHAM, a bill entitled A further supplement to an act incorporating the town of Lawrenceville into a borough, approved February 13, A. D. 1834, being an act authorizing said borough to borrow money and take real estate not exceeding in value a certain amount.

Referred to the Committee on the Judiciary Local.

Also, a bill entitled An act relative to justices of the peace in the borough of Lawrenceville, Allegheny county.

Referred to the Committee on the Judiciary Local.

Mr. JACKSON, a bill entitled An act to repeal an act entitled Act to change the venue in the case of the Commonwealth of Pennsylvania vs. R. M'Carthy, Joshua R. M'Carthy and Charles Norton, from the court of quarter sessions of the peace of Sullivan county to the court of quarter of sessions of the peace of Bradford county, approved February 15, 1867, and to change the venue of the said case to the quarter sessions of the peace of Lycoming county.

Referred to the Committee on the Judiciary Local.

Also, a bill entitled An act regulating the election of corporate officers in the borough of Dushore, in Sullivan county.

Referred to the Committee on Corporations.

Mr. COLEMAN, a bill entitled An act to authorize the directors of the Kaska William coal company to sell or mortgage any portion of their real estate, to decrease the amount of capital stock, and to fix the location of their office, and the residence of the president and a majority of the directors.

Referred to the Committee on Corporations.

Mr. GRAHAM, a bill entitled An act to incorporate the Fort Pitt Mutual life insurance and trust company,

Referred to the Committee on Corporations.

Mr. BROWNE (Lawrence), a bill entitled An act to incorporate the Farmers' and Citizens' Co-operative building and saving fund association of Lawrence county, Pa.

Referred to the Committee on Corporations.

Mr. SEARIGHT, a bill entitled An act authorizing a tax for the support of the fire department of the city of Harrisburg.

Referred to the Committee on Corporations.

Mr. M'CONAUGHY, a bill entitled A supplement to an act entitled An act regulating banks, approved April 16th, 1850.

Referred to the Committee on Banks.

Mr. SHOEMAKER, a bill entitled An act to incorporate the Wyoming Valley passenger railroad company.

Referred to the Committee on Railroads.

Mr. BROWN (Mercer), a bill entitled An act relative to the leasing of the Kersey oil and mineral company's railroad by the Farmers railroad company of Venango county.

Referred to the Committee on Railroads.

Mr. BURNETT, a bill entitled An act enabling the Hazleton railroad company to avoid their inclined planes.

Referred to the Committee on Railroads.

Also, a bill entitled An act repealing an act entitled An act extending the provisions of the act for the protection of sheep and taxing of dogs in the county of Blair, approved May 20th, 1857, to the county of Monroe.

Referred to the Committee on Agriculture.

Also, a bill entitled An act for extending the time for laying out a State road in Wayne and Monroe counties.

Referred to the Committee on Roads and Bridges.

Mr. COWLES, a bill entitled An act to attach certain real estate to the borough of Smethport, M'Kean county, for school purposes.

Referred to the Committee on Education.

Mr. GRAHAM, a bill entitled An act authorizing the school board of the Fourth ward in the Allegheny school district to close up their bounty business, and to use surplus bounty money for the purpose of purchasing ground and erecting a new school house in said ward, and to borrow twenty thousand dollars for the purpose aforesaid.

Referred to the Committee on Education.

Mr. GLATZ, a bill entitled An act to incorporate the Mount Rock, Newville and Stoughstown turnpike road company.

Referred to the Committee on Roads and Bridges.

Also, a bill entitled An act to incorporate the Carlisle, Boiling Spring and Dillsburg turnpike road company.

Referred to the Committee on Roads and Bridges

Mr. WALLACE, a bill entitled An act to authorize the Curwensville bridge company to change its rates of toll.

Referred to the Committee on Roads and Bridges.

Mr. BROWN (Mercer), a bill entitled A supplement to an act entitled An act to increase the boundaries of Forest county.

Referred to the Committee on New Counties and County Seats.

SURVEYOR GENERAL'S REPORT.

Mr. WHITE offered the following resolution, which was twice read, viz:

Resolved, That the State Printer furnish, for the use of the Senate, one thousand copies of the Surveyor General's report.

The resolution was

Adopted.

RETURN OF BILL FROM THE GOVERNOR.

Mr. GRAHAM offered the following resolution, which was twice read:

Resolved (if the House of Representives concur), That the Governor be requested to return Senate bill No. 311, a supplement to an act to establish a ferry over the Monongahela and Youghiogheny river, approved the 5th day of February, 1784.

The resolution was

Adopted.

BILLS RECOMMITTED.

Mr. M'CONAUGHY moved that a bill entitled An act to incorporate the Crozier theological seminary be recommitted to the Committee on the Judiciary General.

The motion was

Agreed to.

Mr. FISHER moved that a bill entitled An act to authorize the payment to Nicholas Simon, a soldier in the war to suppress the rebellion, a gratuity on account of the loss of one of his hands, be recommitted to the Committee on Pensions and Gratuities.

The motion was

Agreed to.

Mr. GLATZ moved that a bill entitled An act to vest the title of Market Square in the borough of Mechanicsburg, Cumberland county, in said borough, be recommitted to the Committee on Estates and Escheats.

The motion was

Agreed to.

LEAVE TO RECORD VOTES.

Mr. WORTHINGTON asked and obtained leave to record his vote on the final passage of the bill in relation to allowing the cars to run on Sunday in Philadelphia. He voted "no."

[When the vote was taken, Mr. WORTHINGTON paired off with Mr. COLEMAN.]

Mr. COLEMAN, having asked and obtained leave to record his vote on the same question, said: Mr. Speaker, believing that the citizens of Philadelphia should enjoy equal rights with the citizens of the State, and knowing that I enjoy the right in the State, whether according to law or not—certainly, according to the higher law of public opinion—to use my own carriage in moving about, to church or elsewhere, as I see fit, without being molested, and thinking that the citizens of Philadelphia should have equal privileges with myself, I vote "aye."

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

The Clerk of the House of Representatives being introduced, presented for concurrence bills numbered and entitled as follows:

No. 915, a supplement to the charter of the city of Chester.

Referred to the Committee on the Judiciary Local.

No. 917, an act confering certain powers upon the city of Chester, in the county of Delaware.

Referred to the Committee on the Judiciary Local.

No. 950, an act to incorporate the Big Creek mining company.

Referred to the Committee on Corporations.

No. 951, a supplement to an act to incorporate the Franklin silver mining company, appreved April 17th, 1866.

Referred to the Committee on Corporations.

No. 952, a supplement to an act to incorporate the Union mining company, approved March 30th, 1865.

Referred to the Committee on Corporations.

No. 953, an act to incorporate the Marathon silver mining company of Nevada.

Referred to the Committee on Corporations.

No. 955, an act to incorporate the Shakapeare and Lydia Allen Consolidated silver mining company.

Referred to the Committee on Corporations.

No. 956, an act to incorporate the Silver Bullion mining company.

Referred to the Committee on Corporations.

No. 958, a supplement to an act to incorporate the North American mining company, approved June 2d, 1865.

Referred to the Committee on Corporations.

No. 960, an act to incorporate the Montana and Nevada gold and silver mining and commercial company.

Referred to the Committee on Corporations.

No. 963, an act to incorporate the Spanish Bar gold and silver mining company.

Referred to the Committee on Corporations.

No. 964, an act to incorporate the Ivanhoe silver mining company.

Referred to the Committee on Corporations.

No. 965, an act to incorporate the Beaver gold and silver mining company.

Referred to the Committee on Corporations.

No. 966, an act to incorporate the Great Western mining company.

Referred to the Committee on Corporations.

No. 967, an act to incorporate the Hidalgo gold and silver mining company.

Referred to the Committee on Corporations.

No. 968, an act to incorporate the Empire and Gem mining company.

Referred to the Committee on Corporations.

No. 979, an act relative to locating, opening and repairing the public roads and highways in Sewickly township, Westmoreland county.

Referred to the Committee on Roads and Bridges.

No. 989, an act to incorporate the Bridgeport and Horse-shoe turnpike road company.

Referred to the Committee on Roads and Bridges.

No. 990, an act relating to the pay of supervisors in the county of Butler.

Referred to the Committee on the Judiciary Local.

No. 992, an act in relation to the election of officers of the Chambersburg turnpike road company.

Referred to the Committee on Roads and Bridges.

No. 994, an act to authorize the president and directors of the Licking bridge company, in Clarion county, to sell said bridge to the commissioners of said county.

Referred to the Committee on Roads and Bridges.

No. 995, a supplement to an act authorizing and requiring the supervisors of Bratton township, Mifflin county, to erect gates across the public roads in said township.

Referred to the Committee on Roads and Bridges.

No. 996, a supplement to an act entitled An act to incorporate the Larry's Creek plank road company.

Referred to the Committee on Roads and Bridges.

No. 997, an act in relation to the assessment of road tax, and the election and pay of certain township officers and viewers of roads and highways in the county of Jefferson.

Referred to the Committee on Roads and Bridges.

No. 1002, an act to attach certain lands in Potter county to Coudersport school district, for school purposes.

Referred to the Committee on Education.

No. 1003, an act relating to a school library in the city of Erie.

Referred to the Committee on the Judiciary Local.

No. 1006, an act relating to school tax in the borough of Mainsburg, county of Tioga.

Referred to the Committee on the Judiciary Local.

No. 1010, an act to extend the time for the payment of the enrollment tax on an act to authorize Samuel Graham and Robert Graham, committee of Walter Graham, a lunatic, to sell certain real estate.

Referred to the Committee on Finance.

No. 1011, an act to authorize the Evangelical Lutheran congregation of Berlin, in the county of Somerset, to sell certain real estate.

Referred to the Committee on Estates and Escheats.

No. 1013, an act to enable the standing committee of the Protestant Episcopal church of the Diocese of Pennsylvania to convey real estate in Mifflin county.

Referred to the Committee on the Judiciary Local.

No. 1016, an act to reduce the number of directors of the Allegheny transportation company.

Referred to the Committee on Corporations.

No. 1080, an act to incorporate the Chamberburg hall and market company.

Referred to the Committee on Corporations.

No. 1019, an act to amend an act entitled An act to incorporate the Female Medical college of Pennsylvania.

Referred to the Committee on the Judiciary Local.

No. 1020, an act to amend an act to incorporate the Potter County Forest improvement company, approved May 1, A. D. 1861, and the supplement thereto, approved the 10th day of August, A. D. 1864.

Referred to the Committee on Corporations.

No. 773, an act to incorporate the Pittsburg tunnel company.

Referred to the Committee on Corporations.

No. 1026, an act to incorporate the American button-hole, over-seaming and sewing machine company.

Referred to the Committee on Corporations.

He also again presented bill

No. 587, an act to incorporate the Greensburg Masonic fund for the building of a Masonic hall,

Which bill was returned to the House by the Governor in pursuance of a resolution adopted by both houses,

With information that the House of Representatives has considered and passed the same with an amendment, in which the concurrence of the Senate is requested.

On motion of Mr. SEARIGHT, said amendment was read twice and unanimously concurred in.

He also returned bills from the Senate numbered and entitled as follows:

No. 98, an act relating to the powers of the legal representatives of deceased tax collectors in this Commonwealth.

No. 172, an act regulating the jurisdiction of courts in proceedings by bill for injunctions and other relief in equity and the service of process.

No. 573, an act to incorporate the Macungie Savings Bank.

No. 498, a supplement to an act relative to the payment of bounties by the county of Clearfield, approved February 27th, 1865, extending the same,

No. 503, a further supplement to an act relating to local bounties, approved March 15th, 1865, so far as relates to the township of Union, in Lawrence county,

With information that the House of Representatives has passed the same without amendments.

He also returned bills from the Senate numbered and entitled as follows, viz:

No. 414, an act to prevent the burning of the woods in the counties of Clearfield and Erie.

No. 735, an act to extend the time for the commencement and completion of the People's railway company,

With information that the House of Representatives has passed the same with amendments, in which the concurrence of the Senate is requested.

On motion of Mr. WALLACE, said amendments were twice read and concurred in.

He also informed that the House of Representatives has concurred in the Senate amendments made to House of Representatives amendment to bill from the Senate numbered and entitled as follows, viz:

No. 659, an act to incorporate the Downingtown gas and water company.

He also informed that the House of Representatives has concurred in the amendments made by the Senate to bill from the House numbered and entitled as follows:

No. 1090, an act for the sale of certain real estate of Drusilla Haas.

BILLS CONSIDERED AND PASSED.

On motion of Mr. BROWN (Mercer), the Committee on Railroads was discharged from the further consideration of a bill entitled An act relative to the leasing of the Kersey oil and mineral company's railroad by the Farmers' railroad company of Venango county.

And the rules having been dispensed with,

The bill was read a second and third time, and

Passed finally.

On motion of Mr. BURNETT, the Committee on Railroads was discharged from the further consideration of a bill entitled An act enabling the Hazleton railroad company to avoid their inclined planes.

And the rules having been dispensed with,

The bill was read a second and third time, and

Passed finally.

On motion of Mr. GRAHAM, the Committee on Education was discharged from the further consideration of a bill entitled An act authorizing the school board of the Fourth ward in the Allegheny City school district to close up their bounty business, and to use surplus bounty money for the purpose of purchasing ground and erecting a new school house in said ward, and to borrow twenty thousand dollars for the pupose aforesaid.

And the rules having been dispensed with,

The bill was read a second and third time, and

Passed finally.

On motion of Mr. COLEMAN, the Committee on Corporations was discharged and the Senate proceeded to the consideration of a bill entitled An act to authorize the directors of the Kaska William coal company to sell or mortgage any portion of their real estate, to decrease the amount of capital stock, and to fix the location of their office, and the residence of the president and a majority of the directors.

And the rules having been dispensed with,

The bill was read a second and third time, and

Passed finally.

On motion of Mr. JAMES, the Committee on the Judiciary General was discharged from the further consideration of a bill entitled A further supplement to an act relating to corporations for mechanical, manufacturing, mining and quarrying purposes, approved the 18th day of July A. D. 1863, authorizing companies to sell and lease real estate, and to issue coupon bonds.

And the rules having been dispensed with,

The bill was read a second and third time, and

Passed finally.

On motion of Mr. FISHER, the Committee on the Judiciary Local was discharged from the further consideration of a bill entitled An act authorizing the Columbia water company to hold real estate, &c., approved February 10, 1865.

And the rules having been dispensed with,

The bill was read a second and third time, and

Passed finally.

On motion of Mr. LANDON, the Committee on the Judiciary Local was discharged from the further consideration of a bill entitled An act relative to evidence in legal proceedings affecting the Erie railway company,

And the rules having been dispensed with,

The bill was read a second and third time, and

Passed finally.

On motion of Mr. SCHALL, the rules were dispensed with, and the Senate proceeded to the consideration of bill entitled An act to authorize the commissioners of Lehigh county to borrow money.

The bill was read a second and third time, and

Passed finally.

On motion of Mr. RIDGWAY, the rules were dispensed with, and the Senate proceeded to the consideration of a bill entitled An act supplementary to an act entitled An act to incorporate the Good Will fire engine company, No. 1, passed the 16th day of April, A. D. 1845, authorizing said company to issue stocks.

The bill was read a second and third time, and

Passed finally.

ROAD DAMAGES IN COLUMBIA.

On motion of Mr. BILLINGFELT, the rule was dispensed with, and the Senate proceeded to the consideration of a bill entitled A supplement to an act to incorporate the borough of Columbia.

Mr. WALLS hoped the Senate would not consider the bill at this time.

Mr. BILLINGFELT. Mr. Speaker, this bill is of more importance to my constituents than all the bills together that we have yet acted on. Unless we take up this bill now and pass it, it will not be of any avail to my constituents. It is a matter of much moment to them, and I hope, in justice to myself and to my constituency, that the Senator from Union [Mr. WALLS] will not object to the consideration of the bill, in which his people have no interest at all. It concerns every taxpayer in Lancaster, and I will ask that the Clerk read a letter which I have in my possession.

The bill was read a second time and

Agreed to.

The question recurring on suspending the rules to read the bill a third time,

Mr. COWLES said: Mr. Speaker, I am aware that Mr. FISHER, who is not on the floor, is very much opposed to this bill, and it seems to me the passage of it would work gross injustice to the borough of Columbia.

Mr. BILLINGFELT. Mr. Speaker, it is the duty of my colleague, as well as my duty, to be present here and attend to the duties of the office for which he was elected. My constituents are complaining universally that this bill has been detained too long, and Mr. FISHER knew before he left this Chamber, sir, that I was going to call up this bill at the earliest possible moment; and, sir, he had no business to go to any member of this Senate and tell him to stop the passage of this bill while he was absent. I again ask the Clerk to read the following letter. It is only one of many that I am receiving every day.

The letter was read by the Clerk as follows:

MANHEIM, PA., March 18, 1867.

Hon. E. Billingfelt:

DEAR SIR—There is considerable excitement in regard to a bill which was allowed to pass the last session, in regard to Columbia borough, which, it seems, is calculated to saddle a large amount of taxes on our county. The people think there is about tax enough. I think, myself, the bill which passed the House is quite liberal enough for said locality, and I hope the Senate will pass it at once. Some think that friend FISHER will be able to stave it off, but I trust that in this case he will not forget that he has interests to represent outside of Columbia.

I have no doubt but that in this case you will be found, as usual, on the side of the great taxpaying community of the county. I should be pleased to visit the capital, but cannot now. Respectfully yours.

Mr. RIDGWAY. Mr. Speaker, I think it is due to the Senator who is absent to have this bill laid over on third reading. I should certainly not like one of my colleagues to call up a bill, while I was absent, to which I was opposed.

[Mr. FISHER here entered the chamber.]

Mr. BILLINGFELT. Mr. Speaker, I am glad the Senator is now present. This is a contest, between the taxpayers of Lancaster county and the residents of the town in which my colleague lives.

Mr. FISHER. Mr. Speaker, I trust the rules will not be suspended. This is the most extraordinary proceeding that I have yet witnessed in this Senate. I am not much surprised at some things done here, but I am at this—extremely so. Yesterday two of the county commissioners of the county were here; their solicitor drew up a bill as a substitute for this, and handed it to me. I left here with the clear understanding that if any action was taken upon the bill, that it should have an opportunity to be submitted to our councils, who meet to-morrow night. I do not believe it would have been called up during my presence. I was temporarily absent, and I suppose my colleague thinks he was practising a little "sharp practice." But I trust, with this statement, the Senate will see the propriety of proceeding no further in this matter, when there was a clear, a definite understanding by the commissioners and county solicitor that, before any action was taken upon this bill, I should have an opportunity of laying before the councils a substitute drawn up by the solicitor himself. I believe, sir, my colleague was cognizant of these facts at the time, but I suppose he thought he could steal a march upon me and capture my camp during my absence. And in view of these facts, if the Senate chooses to pass this bill, be it so.

Mr. BILLINGFELT. Mr. Speaker, as to the charge of "sharp practice," I leave the Senate of Pennsylvania to decide that matter for themselves. You know, Mr. Speaker, and every other Senator on this floor can bear me out, when I say that I endeavored to call this bill up yesterday and the day before.

Mr. FISHER. Mr. Speaker, I will ask my colleague to state whether he does not know that the statement I have made in regard to that substitute—whether he does not know that there was an agreement with the commissioners that before any action should be taken I shall have an opportunity to submit that substitute to the borough authorities?

Mr. BILLINGFELT. Mr. Speaker, I would have answered that question without being called upon by my colleague to do so. The county authorities of Lancaster were here for the second time yesterday, asking for the passage of this bill. We had a meeting, at which my colleague was present, and he said: If you will agree that this bill shall be postponed until the councils meet, I will agree to it. They urged me to press the passage of this bill, for fear the actions of the councils might be delayed too long, and thereby delay the passage of the bill. I claim, sir, that I stand upon this floor representing the county commissioners on this question, and they gave me instructions to take the first opportunity of calling up this bill. I deny that there was a different understanding. I was present, and know that they so instructed me; and the last words they uttered were that I should call up the bill and not refer the matter to the councils of Columbia, because they alone are interested in the defeat of this bill.

Mr. FISHER. Do I understand my colleague to say that he denies——

Mr. BILLINGFELT. I deny, sir, that the county commissioners gave their consent to this delay. I know a conversation was had upon this matter, but, sir, they did not agree to any postponement of the bill, and urged me repeatedly that I should press its passage.

Mr. FISHER. It is a question of veracity. Now, sir, I assert, without any idea of successful contradiction, that there was such an agreement, and I re-assert that my colleague knows there was such an agreement. He was present, and cognizant of these facts; and I ask him to say if this substitute is not in the hand-writing of the solicitor of Lancaster county? And I assert here, most decidedly, and most fearlessly and emphatically, without fear of contradiction from any other quarter, that such was the agreement, and my colleague knows that to be the fact.

Mr. BILLINGFELT. Mr. Speaker, I do not want to get into a quarrel about this matter. What little tax I have to pay in Lancaster county, I can pay. I stand here as the representative of the county commissioners of Lancaster county upon this question. I confess that the proposition was submitted and entertained, but was not agreed to.

Mr. FISHER. I say it was.

Mr. BILLINGFELT. They offered to agree to this substitute, but they did not agree to have the question postponed. The session is so far advanced, that they knew that if any question should be brought here which meets with the objection of a single member of either branch, it will take one month before it can be finally passed. Our session will only extend for the space of three weeks, and it will be utterly impossible to pass this bill, if it meets with a single objection, unless we take it up and pass it now or within a day or two. Hence, it was very wise for the county commissioners not to agree to refer the matter to the councils of the borough of Columbia. The county commissioners brought this bill here, and they will not submit to be governed by the action of the borough authorities of Columbia; and it is a question for the Senate to say whether this act of justice shall be done to the county of Lancaster or not. I will agree to have the bill laid over to a certain day, if it is not deferred too long.

Mr. FISHER. Mr. Speaker, I wish to make a little explanation of our position here in regard to this agreement. In the conversations we have had, I made this proposition, and I again assert that it was agreed to; and I will further assert that my colleague knew it, and, in addition to that, I will submit it to the commissioners if this is not in their hand-writing. It was suggested that this might take time, and I suggested, to avoid that difficulty, if it was very satisfactory to them, I would move for the discharge of the committee; and if not so satisfactory, I would throw no impediment in the way of this bill, so as not to delay it beyond the term of the session. I said then, and I say now, I will not throw any obstacle in the way of it; and the only reason why the bill has been kept in the hands of the committee was, that I was unable to make myself acquainted, so far as road damages are paid in the city of Lancaster; that I was perfectly willing the town of Columbia should come under the same provisions as Lancaster on this question. I say so now. I did not wish to decide so important a matter without consulting my constituents. It was so understood by the commissioners, and the solicitor and myself, and it was so stated.

Mr. BILLINGFELT. Mr. Speaker, I will not deny that the county commissioners may have agreed to submit the matter to the

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[CONTINUED FROM PAGE 696.]

councils, but they did not agree that the passage of this bill shall be delayed on account of that. They told me that I should avail myself of the first opportunity to pass it, and let the borough authorities do as they please. He lives in the town of Columbia, and sees his people there every week; he has had time to see the commissioners of Lancaster county; he has had ample time to examine this subject; and why delay it longer.

Mr. BIGHAM moved to postpone the further consideration of the bill until Tuesday next, and that it be made the special order for that day.

The motion was

Agreed to.

MESSAGES FROM THE HOUSE OF REPRESENTATIVES.

The Clerk of the House of Representatives being introduced, presented extracts from the Journal of the House of Representatives, which was read as follows, viz:

Resolved (if the Senate concur), That the Governor be requested to return House bill No. 544, entitled An act relative to the purchase of a law library, in the county of Washington, for the purpose of amendment.

On motion of Mr. TAYLOR, said resolution was concurred in.

He also returned bill from the Senate numbered and entitled as follows, viz:

No. 45, a supplement to an act to incorporate the Lykens Valley coal company, in Dauphin county, Pennsylvania, to authorize the opening of a road in Honesdale, Wayne county, authorizing them to dispose of the stock of said company.

No. 617, joint resolution relative to the revisal of the civil laws of Pennsylvania,

With information that the House of Representatives has passed the same with amendments, in which the concurrence of the Senate is requested.

On motion, the amendments were concurred in.

DIVORCE BILL.

Agreeably to order,

The Senate proceeded to the third reading and consideration of bill entitled An act to annul the marriage contract between William Riley and Martha Willets.

Mr. WALLS said the committee had examined the matter, and that there was no objection; the parties have been separated for seventeen years.

[The papers in the case were read by the Clerk.]

Mr. BIGHAM. Mr. Speaker, the Senator from Clearfield [Mr. WALLACE] knows something of the condition of the parties. I do not think any good will be done by compelling them to live together. The courts have clearly no power in the case. I know there are objections to granting these divorces under ordinary circumstances; but this is an exceptionable case.

Mr. WALLACE. Mr. Speaker, this matter came before the Judiciary Committee, and they were satisfied, from the statements produced, that it was a case where the courts had no control. It appears that the man is an industrious laboring man, who had done his duty to his children, and had settled upon his wife about half of his property, and had done his duty toward her, and that wife was unwilling to perform her marital duties. That being the case, why should we perpetuate the misery of these people?

It is simply a perpetuation of their misery. It seems to me that this is a case in which legislative interference is called for. Therefore, we recommended the bill to pass.

Mr. WHITE. Mr. Speaker, I do not like to be factious in these things. Everybody knows that I have always been opposed to granting divorces unless there was good cause therefor; because, in the proportion that we increase the facility in getting divorces, in that proportion do we increase the number of applications. When a case is presented before the Legislature, there should be such a case made out as will support the application in a court. We ought to require something like the testimony that is required in a court of justice, supposing the case was before them. We have the petition of the applicant, but we have not heard anything from the other side. This is an *ex parte* proceeding entirely.

Mr. BIGHAM. The agreement between the parties is here; it is not an *ex parte* proceeding at all; the articles of separation are here.

Mr. WHITE. Mr. Speaker, I do not wish to delay the Senate by having it read. I do not see that there is a *prima facie* case made out. These parties have separated; I do not know whether this money has been paid or not. The children of these parties have a right in the matter, and I do not think the Legislature ought to interfere and grant divorces unless the case is a clear one.

A SENATOR stated that there was a receipt from the wife for the money among these papers.

On the final passage of the bill,

The yeas and nays were required by Mr. WHITE and Mr. SEARIGHT, and were as follow, viz:

YEAS — Messrs. Bigham, Brown (Mercer), Barnett, Coleman, Connell, Cowles, Davis, Donovan, Fisher, James, Landon, M'Candless, Randall, Ridgway, Royer, Schall, Shoemaker, Wallace, Walls and Hall, *Speaker* —20.

NAYS—Messrs. Billingfelt, Browne (Lawrence), Searight, Taylor and White—5.

So the bill

Passed finally.

BILLS ON THIRD READING.

Agreeably to order,

The Senate proceeded to the third reading and consideration of bill entitled An act repealing the tax on sales of loans and stock by auctioneers.

The bill

Passed finally.

Agreeably to order,

The Senate proceeded to the third reading and consideration of bill entitled a further supplement to an act to lay out a State road from Karthaus, in Clearfield county, to Condersport, in Potter county, by way of Sinnemahoning, and for other purposes, approved March 31st, 1845, renewing the powers, appointing new commissioners and appropriating taxes for its completion.

The bill

Passed finally.

BILLS CONSIDERED AND PASSED.

On motion of Mr. GRAHAM, the rules were dispensed with, and the Senate proceeded to the consideration of a bill entitled An act to authorize the school directors of the borough of Sewickley to borrow money and levy additional school tax.

The bill was read a second and third time, and

Passed finally.

Mr. BROWNE (Lawrence) called the orders of the day.

Mr. WORTHINGTON. Mr. Speaker, it ought to be recollected by Senators that we have a large number of public bills yet to pass, some of which are very important.—There is time enough for all the Senators to have their private legislation passed this session if we only pursue the orders. I do not think there is any necessity for this press, and I trust we will take up the public calendar. These private bills go upon the calendar next week; we are frittering away the time which ought actually to be devoted to public bills. Now, I have myself indulged my friends upon this subject until I think it is time to stop.

The SPEAKER. If you do it for one Senator, you cannot help doing it for another.

Mr. COWLES moved that the Senate do now adjourn.

The motion was not

Agreed to.

On motion, the consideration of the public calendar was postponed till this afternoon.

On motion of Mr. JACKSON, the rules were dispensed with, and the Senate proceeded to the consideration of a bill entitled An act to incorporate the American University of Philadelphia.

The bill was read a second and third time, and

Passed finally.

On motion of Mr. COLEMAN, the rules were dispensed with, and the Senate proceeded to the consideration of bill entitled An act to incorporate the Susquehanna Summer Resort.

The bill was read a second and third time, and

Passed finally.

On motion of Mr. RANDALL, the rules were dispensed with, and the Senate proceeded to the consideration of a bill entitled An act supplementary to an act entitled An act to incorporate the city of Williamsport, which became a law on the 15th of January, 1866.

The bill was read a second and third time, and

Passed finally.

On motion of Mr. DAVIS, the rules were dispensed with, and the Senate proceeded to the consideration of a bill entitled An act to incorporate the Neversink insurance company of Berks county.

The bill was read a second and third time, and

Passed finally.

On motion of Mr. COWLES, the Committee on Education was discharged from the further consideration of bill entitled An act to attach certain real estate to the borough of Smethport, M'Kean county, for school purposes.

The rules having been dispensed with, the bill was read a second and third time, and

Passed finally.

On motion of Mr. DONOVAN, the rules were dispensed with, and the Senate proceeded to the consideration of a bill entitled An act to incorporate the Oakdale Skating Park and Physical Institute of Philadelphia.

And the bill was read a second and third time, and

Passed finally.

On motion of Mr. LOWRY, the Committee on Banks was discharged from the further consideration of bill entitled An act to incorporate the Conneautville Savings Bank.

And the rules having been dispensed with, The bill was read a second and third time, and

Passed finally.

On motion of Mr. RIDGWAY, the Committee on Corporations was discharged from the further consideration of bill entitled An act to incorporate the American buttonhole, overseaming and sewing machine company.

And the rules having been dispensed with, The bill was read a second and third time, and

Passed finally.

On motion of Mr. CONNELL, the rule was dispensed with, and the Senate proceeded to the consideration of a bill entitled An act for the better protection of seamen in the port and harbor of Philadelphia.

The bill was read a second time, and laid over to a third reading.

On motion of Mr. SEARIGHT, the Senate resumed the second reading and consideration of bill entitled An act relating to evidence in actions of ejectment.

The first and only section was read as follows:

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That in all actions of ejectment against two or more persons, any of the defendants shall be competent as a witness for either plaintiff or defendant as effectually as if not made a party to the record: *Provided,* That it shall appear to the court, upon the trial, that the party so offered as a witness has disclaimed, upon the record, all title to the premises in controversy, and paid into court the costs already accrued or given security for the payment thereof, at the discretion of the court.

On the question?

Will the Senate agree to the first and only section?

Mr. M'CONAUGHY moved to amend the same by inserting after the word "controversy," the words "at the time of action brought."

The amendment was

Agreed to.

The section as amended was

Agreed to.

The bill was read a third time, and

Passed finally.

The hour of one o'clock having arrived, the SPEAKER adjourned the Senate until 3 o'clock this afternoon.

AFTERNOON SESSION.

The Senate reassembled at 3 o'clock, P. M.

COMMUNICATION FROM THE PENNSYLVANIA AGRICULTURAL SOCIETY.

The SPEAKER laid before the Senate a communication, which was read as follows:

To the Speaker of the Senate of Pennsylvania:

I was directed by the Pennsylvania State Agricultural society, at its meeting in Harisburg, on the 20th day of March, 1867, to lay before your honorable body the following extract from its proceedings, with the request that the subject be referred to the appropriate committee for consideration.

On motion of Mr Rhey, of Westmoreland county,

Resolved, That the Legislature of the State be requested to appropriate a sum sufficient to defray the expenses of Professor .S. S. Haldeman, chemist and geologist of this society, and of a competent assistant, to be selected by him, in ascertaining the best method of rendering night soil and sewerage of this State available in enriching exhausted or other lands, and make report not later than the next session of the Legislature, provided the cost does not exceed one thousand dollars.

The society has had its attention turned to this subject on several occasions. It is one of so much importance, that after full consideration it was deemed the wisest course to recommend the subject to the Legislature in the form of a resolution above, with the hope that favorable action will be had upon it.

With very great respect,

A. BOYD HAMILTON,
Pres't P. S. A. Society.

Referred to the Committee on Finance.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

The Clerk of the House of Representatives being introduced, presented for concurrence bill numbered and entitled as follows, viz:

No. 1391, an act authorizing the school directors of the borough of Ashland to borrow money.

Referred to the Committee on Education.

He also returned bill from the Senate numbered and entitled as follows:

No. 1115, an act supplementary to an act entitled An act to incorporate the city of Williamsport, which became a law the 15th day of January, A. D. 1866, changing the wards, and authorizing said city to borrow money,

With information that the House of Representatives has passed the same without amendment.

He also returned bill from the Senate numbered and entitled as follows:

No. 723, an act to incorporate the Caledonian iron and coal company,

With information that the House of Representatives has passed the same with amendments, in which the concurrence of the Senate is requested.

On motion of Mr. COLEMAN, the amendments were twice read and concurred in.

He also informed that the House of Representatives has concurred in the amendments made by the Senate to House bill No. 1085, an act to increase the revenue of the Commonwealth.

Also, that the House of Representatives has concurred in the resolution from the Senate relating to the recalling from the Governor Senate bill No. 311, entitled A supplement to an act to establish a ferry over the Monongahela and Youghiogheny rivers, approved the 5th day of February, 1784.

INCREASE OF THE REVENUE.

On leave,

Mr. CONNELL, from the Committee on Finance, reported, with amendments, a bill entitled An act to increase the revenue of the Commonwealth.

Mr. CONNELL moved that the rules be dispensed with and the Senate proceed to the consideration of the bill.

The motion was

Agreed to.

The first section of the bill was read as follows:

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That from and after the passage of this act, every railroad, canal, or transportation company, which possesses the right to mine coal, or purchase, or lease, and sell the same, shall quarterly, on the first days of January, April, July and October, make a report, under oath, or affirmation, stating the amount of coal mined by them and from property owned and leased by them, and also the amount of coal purchased by them, or mined from property owned by them that may be leased by other parties during the preceding three months, and shall pay to the Commonwealth, within thirty days thereafter, a tax of four cents per ton upon each and every ton of anthracite coal so purchased or mined, the account to be settled by the Auditor General and State Treasurer, and in case of default in payment, to be recoverable as other taxes due the Commonwealth, are now by law recoverable: *Provided,* That the amount of coal consumed in the transaction of their business shall not be included in their return: *And provided further,* That said corporation shall be exempt from the payment of the tax upon tonnage, as imposed by an act entitled An act to provide additional revenue for the use of the Commonwealth, approved twenty-fifth August, one thousand eight hundred and sixty-four, upon all coal upon which a tax shall be paid under the provisions of this act, and also from the tax on net earnings or income as imposed by the act of April thirteenth, one thousand eight hundred and sixty-four, and also from the tax upon gross receipts, imposed by the act of twenty-third February, one thousand eight hundred and sixty-six, so far as the net earnings and gross receipts are derived from the mining, transportation and sale of the said coal.

Mr. DAVIS moved to postpone the further consideration of the bill until Tuesday next.

Mr. BIGHAM. Mr. Speaker, in 1864 a tonnage act was passed, and the object of this bill is to enforce the act of 1864. I believe, if they pay the tax under the act of 1864, they are exempt from this. Companies that mine within the State and ship to points without the State are exempt, under the decision of Judge Pearson. I do not know whether it has been affirmed by the Supreme Court, but I suppose it will be.

Mr. CONNELL. It is not to enforce the act of 1864, as stated by the Senator, which act was inapplicable to these companies, but it is a new bill, which imposes the same

amount of tax upon them as by the act of 1864. We have been in consultation with the State Treasurer in regard to this bill. The House bill imposed a tax of ten cents a ton; after consultation with gentlemen representing these large coal interests, we have arrived at the conclusion that four cents is about the fair average. The State Treasurer thinks it is about fair, and wishes the bill to pass.

Mr. LANDON. Mr. Speaker, by the laws referred to by the Senator from Allegheny, mining and transportation companies taking coal out of the State, were subject to a tax on gross receipts, and an income tax. Certain companies took exception to that law, and brought the case before the court. The court held that they were exempt from this tax, being miners and carriers. The result was that the treasurer received no income from it; hence his object was to put a tax directly upon the coal transported; hence this bill was originated by the State Treasurer. It passed the House. The representatives of those companies have been here, and those gentlemen and the treasurer came to an agreement upon this bill as it is, and the Finance Committee recommended it unanimously. So it is agreed upon by all parties.

Mr. DAVIS. I do not say that this is not all right; very likely I will vote for it. But I cannot see what harm would be done in letting it lie over until Tuesday.

Mr. LANDON. I heard the treasurer request the chairman of the Finance Committee to have it pressed through.

Mr. DAVIS. The State Treasurer may want it passed to-day, but I may not; I wish to examine it.

Mr. SHOEMAKER. Mr. Speaker, I have not had the pleasure of seeing this bill at all. It affects my constituents more than any others in the Commonwealth.

Mr. CONNELL. Which company?

Mr. SHOEMAKER. The Delaware and Hudson and other companies.

Mr. CONNELL. They were here this morning, and asked to have the bill passed in its present shape.

Mr. SHOEMAKER. Mr. Speaker, I think the mere fact that the State Treasurer wants the bill is of no importance. He is of no more importance than any Senator on this floor. Some gentlemen, for some particular reasons, may be in a wonderful hurry; and I would second the motion of the Senator from Berks [Mr. DAVIS], that we may have an opportunity at least of seeing the bill we are to vote for. It is not on our file. We have got to go it blindly, if we vote for it now. It may be all right; but, before I vote for it, I would like to see the bill, and if it is postponed, I shall have an opportunity of doing so. If it is insisted upon now, other gentlemen may vote it up or down, without regard to my vote.

Mr. COLEMAN. The only objection I have to this bill is, that it is too moderate. I would like to have had the bill passed as it came from the House, and tax the constituents of the Senator from Luzerne [Mr. SHOEMAKER] ten cents.

Mr. DAVIS. Mr. Speaker, if one sound reason can be given why this bill should pass to-day, rather than next Tuesday, I will not insist.

Mr. CONNELL. We are assured by the treasurer that it will bring us a revenue of two hundred thousand dollars, probably from Luzerne county. We are asked to make an appropriation for an insane asylum in that county, and to-day the Committee on Finance refuse to act upon that bill until they know the fate of this one. We are not going to vote money out of the treasury until we have some provision for bringing it in.

Mr. DAVIS. I see no reason why the bill should pass to-day.

The motion of Mr. DAVIS to postpone was Not agreed to.

Mr. RANDALL. Mr. Speaker the companies proposed to be taxed here are companies that do a New York trade exclusively, and in their business operations act very seriously against the interests of the county I represent. This tax of four cents per ton will not begin to amount to the incidental taxes in Schuylkill county.

I move to amend by striking out the word "four," after the words "a tax of," and inserting in lieu thereof the word "ten."

Mr. CONNELL. The State Treasurer has given a great deal of attention to this matter, and he says four cents is sufficient. I think we should be satisfied with that.

Mr. SHOEMAKER. Mr. Speaker, if this matter has been investigated by the Finance Committee, and given that consideration which it requires, and the parties affected by it have consented to the infliction of this tax, which is really onerous, I have nothing to say. The infliction of ten per centum would be an outrage which I hardly think the Senator from Schuylkill county [Mr. RANDALL] would dare to sustain in this Senate. I know that it would be a little short of robbery, and I am somewhat surprised that a man from an anthracite region should suggest it.

Mr. CONNELL. The Senator from Schuylkill [Mr. RANDALL] would impose a tax greater than the coal is worth.

Mr. LANDON. Mr. Speaker, I have no interest in this matter. These parties have been before the committee on different occasions, compared notes, made arguments, and exhibited their figures and statements. If the Senate will please pause a moment, they will see that here is the point: If these companies had continued to pay their tonnage tax, and their tax upon gross receipts, everything would have been all right. The Senate will have to exercise a little mathematics upon this point. The question was how many cents per ton must be put on coal, in order to amount in the aggregate to the same as this other tax would have amounted to. I asked the State Treasurer to figure it out. These gentlemen figured that two and one-half cents would make as much as the other tax would have amounted to; the treasurer said four cents, and we took the treasurer's figures. Really, I think ten cents would be an utter robbery, and I thought four cents was a heavy embargo; but the other party assented to that. I would have voted for a smaller figure, believing, with the Senator from Luzerne [Mr. SHOEMAKER], that four cents per ton is a heavy embargo; but, as they agreed to that, the committee accepted what they agreed to. In regard to postponing it, both parties, within an hour, united in the request that the bill might be passed.

Mr. RANDALL's amendment was
Not agreed to.
The section was then
Agreed to.
The remaining sections and title were
Agreed to.
And the bill was read a third time and
Passed finally.

BILLS IN PLACE.

On leave,

Mr. SHOEMAKER read in his place and presented to the Chair a bill entitled An act relative to the account of John Hines, late mercantile appraiser of Lycoming county.

Referred to the Committee on Finance.

Mr. CONNELL, a bill entitled An act to incorporate the Union Car manufacturing company.

Referred to the Committee on Corporations.

Mr. BURNETT, a bill entitled An act to authorize county surveyors to take the acknowledgment of deeds, mortgages, letters of attorney and other instruments of writing.

Referred to the Committee on the Judiciary General.

THE LICENSE LAW.

Agreeably to order,

The Senate proceeded to the third reading and consideration of a bill entitled A further supplement to an act to regulate the granting of licenses to hotels and eating houses, approved March 21, 1850.

The bill was read as follows:

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That when an application is made to any court of quarter sessions of this Commonwealth for license to sell intoxicating drinks, it shall be lawful for said court to hear petitions, in addition to that of the applicant in favor of, and remonstrances against the application for such license, and in all cases to refuse the same, whenever, in the opinion of said court (having due regard to the number and character of the petitioners for and against such application), such license is not necessary for the accommodation of the public and entertainment of strangers and travelers, and upon sufficient cause being shown, the said courts shall have power to revoke any license granted by them; and all laws inconsistent with this section are hereby repealed: *Provided,* That the sureties in the bond required of the applicant for license shall be signed to his petition.

SEC. 2. That applications for license to keep an eating house, beer house or restaurant authorizing the sale of domestic wines, malt and brewed liquors, shall hereafter be made in the same manner, and to the same authority as application for license to keep a hotel: *Provided,* That the regulation in relation to bed rooms and beds, shall not apply to applicants for an eating house, beer house and restaurant license; and the tenth section of the act of twentieth of April, one thousand eight hundred and fifty-eight, authorizing county treasurers to grant an eating house or retail brewery license, is hereby repealed.

SEC. 3. No license to keep an eating house, beer house, or restaurant, under the provisions of the second section of this act, shall be granted in any incorporated city for a less sum than fifty dollars, nor elsewhere for a less sum than twenty dollars.

SEC. 4. If any person, after the passage of this act, shall sell spirituous and vinous liquors, domestic wines, malt or brewed liquors, without having obtained a license authorizing him so to do, such person shall, on conviction in the court of quarter sessions, be fined, for the first offense, in any sum not less than fifty nor more than two hundred dollars, and for the second or any subsequent offense, such person shall be fined not less than one hundred dollars, and in the discretion of the said court, be imprisoned in the county jail not less than thirty days, nor more than ninety days: *Provided,* That nothing in this act shall be construed to repeal the provisions of the act of Assembly passed March thirty-first, one thousand eight hundred and fifty-six, relating to sales by druggists and apothecaries.

SEC. 5. That the provisions of the first section of this act shall not apply to the city of Philadelphia or to the county of Allegheny: *Provided,* That nothing in this act shall authorize the granting of licenses to hotel and inn keepers to vend vinous, spirituous and malt liquors, and to license beer-houses, eat-

ing houses and restaurants, in any locality where licensing of hotels, inns, beer houses, eating houses or restaurants is now prohibited by law.

Mr. SEARIGHT moved to go into committee of the whole for the purpose of striking out the proviso at the end of the first section.

Mr. WHITE. We have had a most extended discussion upon this subject, and I trust we will vote this motion down, and pass this bill as it is.

Mr. BROWNE (Lawrence). I hope the Senate will not go into committee of the whole.

Mr. FISHER. Mr. Speaker, I think that this is one of the most important features of this bill. This proviso requires that the sureties must be signers of the petition. That will require them to have responsible persons to sign the petition, and I hope this motion to go into committee of the whole will not prevail.

Mr. SEARIGHT. Mr. Speaker, the object of the bond is entirely different from the object of the petition. A responsible man might sign the application or recommendation of the applicant and refuse to sign the bond. I cannot see why one of the sureties should be required to sign the petition or recommendation of the applicant. He might have some good reason for refusing to sign the petition, and yet be willing to sign the bond. I cannot see any reason why this provision should be retained. The petition and bond are two separate things; a bond is for a different thing; it is simply to cover up any violation of the license law. If an applicant gets his bond signed by a responsible man, and gets it approved by the court, that is all he ought to be required to do. It is against the policy of the law and it is against the practice of the courts, and against common sense, to require a man to do a particular thing before he can sign a man's bond.

Mr. SCHALL. Mr. Speaker, I notice, in the second section, that the application for a license for a restaurant shall be made in the same way as for those of hotel keepers, and provides that the regulation as to bed rooms and beds shall not be applied to beer houses. If I understand it, the license law, as it now stands, requires some stabling.

Mr. SEARIGHT. I see that the sureties in the bond required of the applicant shall be signed to his petition. Now, the applicant for license might get twelve respectable, honest and upright men in his township or borough to sign the certificate accompanying his application for license, and yet the court might not approve a single one of those signers as sureties, because they might not have a sufficient amount of property. A man might be competent as a signer, and yet not have sufficient property to be approved as a surety in the bond.

Mr. WHITE. If a man cannot get two men to sign his application, who would be approved by the court, upon a bond, he is not competent to have a license.

Mr. SEARIGHT. That is not the question.

Mr. WHITE. It is the exact question.

Mr. SEARIGHT. That has nothing to do with it. You may get responsible men to sign, and then get two responsible men as sureties; it strikes me that is a sensible way.

Mr. M'CONAUGHY. Let me inquire of the Senator any supposable reason for signing the one, and not the other.

Mr. SEARIGHT. I do not know of any supposable reason, but I cannot see why they should sign his petition without they can be made competent to sign his bond.

Mr. M'CONAUGHY. I think the answer to that is, that this requirement constitutes an assurance of good faith and character. A man may sign a petition for anything, entirely irrespective of its merits, as thousands do; but the requirement here is a guaranty to the community that the signer is in earnest.

Mr. SEARIGHT. Mr. Speaker, I believe that any applicant for a license in my district, or any other part of the State, can get any gentleman who signs his bond to sign his certificate. I feel satisfied of that. But it is so strange and so unprecedented a thing to require it, that I cannot see the propriety of it. This is not the only amendment I propose to offer; and I think the Senate ought to give us an opportunity to offer these amendments. I propose to offer an amendment to the last section, and unless the motion prevails, I shall not have that opportunity. It is probably immaterial as to retaining this proviso; it is only unusual.

Mr. BROWN (Mercer). Mr. Speaker, I would be glad to hear the character of the Senator's amendments. As the matter now stands, I would vote against going into committee of the whole, from the fact that the proviso which he proposes to strike out looks like a wise precaution in the bill; having no knowledge of the other amendments proposed, I object to going into committee of the whole.

Mr. SEARIGHT. I propose to offer an amendment to the first section, which affects my district.

Mr. BROWN (Mercer). If the Senator can offer an amendment which will make the bill more effective as a temperance measure, I will vote with him.

Mr. SEARIGHT. That is what I propose to do.

On the question,

Will the Senate agree to the motion to go into committee of the whole?

The yeas and nays were required by Mr. SEARIGHT and Mr. DAVIS, and were as follow, viz:

YEAS—Messrs. Davis, Donovan, Glatz, James, M'Candless, Randall, Ridgway, Schall, Wallace and Walls—10.

NAYS—Messrs. Bigham, Billingfelt, Browne (Lawrence), Brown (Mercer), Coleman, Connell, Cowles, Fisher, Graham, Haines, Landon, Lowry, M'Conaughy, Royer, Shoemaker, Stutzman, Taylor, White and Worthington—19.

So the question was determined in the negative.

Mr. SEARIGHT. I move to go into committee of the whole for special amendment. I propose to except the county of Westmoreland from the operations of the fifth section, in regard to hotel keepers.

Messrs. SCHALL and GLATZ also desired their districts to be exempted.

Mr. WHITE. I trust that motion will be voted down.

Mr. BIGHAM. York and Westmoreland are good and substantial counties, and able to pay licenses. I hope they don't put in the plea of poverty. I do not see why they should pay less license than the rest.

Mr. DAVIS. Mr. Speaker, I hope this amendment will prevail. I had intended, when we came to the fifth section, to make the same motion to amend and except my county from the operations of this section; and the reason I desire that is, that I am satisfied that the vast majority of my constituents, of all particular parties and creeds, would vote in favor of exempting the county from the operations of this section, had they a voice upon this floor. We believe that the drinking of malt liquor is not injurious in any shape, morally or physically.

Mr. M'CONAUGHY. How is it politically?

Mr. DAVIS. Politically it has a very good effect, I believe. In so far as its physical effects are concerned, I know of numerous individuals, of all ages—men of sedentary habits, especially, lawyers and others—who are unable to take that amount of bodily exercise which is necessary to preserve health, and who have been advised by their physicians to take a glass of beer or two a day, and they now find it necessary to do so. I know clergymen who have been advised to do so, and find it exceedingly beneficial. This is no joke; it is a reality. As a matter of course, the passage of this bill cannot break up the traffic in lager beer. If it did, I should tremble almost for the consequences. It is said that in Bavaria an additional tax of one penny on beer will cause a revolution. I do not suppose any result of that kind would follow here; but I do not think it is good policy to throw anything in the way of the consumption of malt liquor, and thereby encourage a greater consumption of whisky. We must take the people as we find them, and as they are constituted by nature; they will indulge at times in some stimulant or other. I am certainly opposed, as much as any man upon this floor, to the indiscreet use of intoxicating liquors.

Mr. COLEMAN. Do you understand this bill as preventing the clergymen and lawyers of Berks county from taking two glasses of lager a day? If that is the case, I should be rather opposed to the bill myself; I do not understand the bill in that way.

Mr. DAVIS. Mr. Speaker, I object to this bill unless it is amended. The second section requires that the application for license to keep an eating house, beer house, or restaurant, authorizing the sale of domestic wines, malt or brewed liquors, shall hereafter be made in the same manner, and to the same authority as application for license to keep a hotel: *Provided*, That the regulation in relation to bed rooms and beds shall not apply to applicants for an eating house, beer house, and restaurant license.

I do not know as there is any necessity for making this allusion to bed rooms and beds. I do not know how it is in other counties, but in my county lager beer licenses are not bed houses. The answer which I intended to make to the Senator is this, that an applicant for license must show that his house has sufficient stabling. If the bill passes as it stands, it may be contended that when application is made for eating houses, the applicant must show that he has a sufficient amount of stabling. That position might be taken.

I do not believe at all in the policy of discouraging the use of malt liquor. It is the experience of all countries where the consumption of that article is large, that there is little intoxication of any. Travelers have informed us, that there is scarcely ever a drunken man to be seen in Germany, where they drink beer and light wines, but when you come to the United States, where strong liquors are drank, you can scarcely pass a square in any town but you meet an individual more or less under the influence of liquor. The more the consumption of malt liquor is encouraged, the less strong liquor will be consumed.

I think that it is the policy of Congress, from the fact that they have not attempted to put a severe tax upon malt liquors, but have taxed spirituous liquors heavily. We undertake to make war upon malt liquors. I hope, Mr. Speaker, that the motion of the Senator from Fayette [Mr. SEARIGHT] will prevail, for I am exceedingly anxious to exempt my county from this bill.

Mr. M'CONAUGHY. Mr. Speaker, I should like to make an inquiry of the Senator. He thinks the operation of this bill will prevent the facilities for the public drinking of lager beer. What is the peculiar provision

of this bill which he judges will reduce the consumption of lager beer?

Mr. DAVIS. Any difficulty thrown in the way of the sale of malt liquor certainly will be very apt to have a tendency to interfere with this consumption.

Mr. SEARIGHT. I merely want an opportunity to amend; that is what gentlemen will not let me have.

Mr. FISHER. Mr. Speaker, I trust the Senate will not go into committee for special amendment, for this reason: I believe the proposition is to exempt Berks, Fayette and York. Now, we have seen the effects of lager beer in these counties, and I trust the door will not be opened to them now. The provisions of this law are in operation in Lancaster county now. We have the same provisions in our county that are proposed to be put into this bill, and nobody is hurt there. The only trouble is, that we get too many persons to sell lager beer in our county.

Mr. LOWRY. Last winter there was a special law passed relative to my district. It found some opposition at home, but upon the whole I think our people are well satisfied with it, and desire it to remain as it is. I have received information to that effect. I have not been paying that attention to this bill which I should probably pay, and I wish to inquire of the gentleman having it in charge if this bill is to affect my county.

Mr. WHITE. It is not; there is a provision, over which we had a contest when it was up before, exempting that county from this special law.

Mr. LOWRY. I am satisfied, sir.

Mr. SEARIGHT. In reply to the Senator from Lancaster [Mr. FISHER], I do not propose to exempt Fayette from the operations of this bill. It is the county of Westmoreland which I propose to exempt, and for this reason: I am requested to do so by numerous gentlemen there of high reputation and influence. That is the reason why I ask to have Westmoreland exempted from this bill. I am willing it should apply to my county, but, Mr. Speaker, if the courts construe the existing law regulating the granting of licenses, as I am informed by the Senator from Indiana [Mr. WHITE] that they construe it in his county, why, then, in my opinion, the bill under consideration prohibits entirely the granting of licenses to eating houses and restaurants. Under this bill, it is proposed that applicants for eating house licenses shall make their application in the same manner that tavern keepers have to, except as to the matter of petitions. Now, applicants for hotel licenses are pledged to produce a certificate in court, stating that the house is entirely for entertaining strangers and travelers. I know no eating house keeper in my district could get such a certificate as this, because it is not expected, in that section, that eating houses are necessary for the public entertainment. This is the qualification for a hotel; they are necessary to entertain travelers, but it is not understood that eating houses are. Therefore, in that view, the licensing of beer houses would be totally prohibited. In my county it is not necessary at all to pass this first section, because the courts act as is provided by this section already. They use their discretion, after hearing petitions and remonstrances.

Mr. DONOVAN. Mr. Speaker, I trust, sir, that this motion to go into committee of the whole will not prevail. I think, after what we heard the other evening, that we should hear no more about exempting districts. I appealed for half an hour to have my district exempted from the operations of a certain bill, and the Senator was deaf to it.

Mr. SEARIGHT. The Senator from Philadelphia [Mr. DONOVAN] can act as he pleases under his responsibility. I do not undertake to dictate to him; he is at liberty to vote as he pleases, and so am I.

There is no misunderstanding between us; we will not quarrel.

Mr. WHITE. Mr. Speaker, I will merely remark that I have listened with pleasure to the eulogium of my friend, the Senator from Berks [Mr. DAVIS], upon lager beer men; I am glad he had an opportunity of doing so.

Mr. DAVIS. My eulogy was on lager beer, not lager beer men.

Mr. WHITE. I did not hear the Senator refer to anything but lager beer saloons, and I trust he will have his due reward for looking after their interests. I cannot conceive, as my friend, the Senator from Adams [Mr. M'CONAUGHY] has said, that this bill would interfere with the selling of lager beer, except in this—that it would put it in the hands of better men. It will require a better class of men, and it will require more caution or circumspection in the granting of licenses; and one of the main objects of this bill is to surround that class of lager beer venders with more guards than they have had, because they have been the most fruitful sources of crime. I trust this feature of it will not be interfered with.

The only question before the Senate is as to the exemption of certain counties from the operations of this bill. I trust the Senate will not entertain that for a moment. If we recognize this exemption in one case, we will have to recognize it in all, and the result will be that, instead of this being a supplement to a general law, it will be a special law for a few counties. I trust that the Senate will not vote out the counties indicated, for courtesy. The Senator from Fayette [Mr. SEARIGHT] will understand that although Westmoreland is not in my Senatorial district, yet it is in my Representative district. Every one of the representatives, who are as much the representatives of Westmoreland as the Senator from Fayette, would of course be opposed to excepting that county.

Mr. BURNETT. Mr. Speaker, I regret that the motion to go into committee of the whole for general amendment has failed.—The lager beer establishments in the rural districts, as a general thing, have to pay, I think, about ten dollars government revenue tax, and now this bill proposes to increase their rate of license from ten dollars to twenty dollars, making keepers of lager beer saloons pay a license to the amount of thirty dollars. However, the motion having failed, I desire to say that I hope the Senate will go into committee of the whole for the purpose of giving me an opportunity to amend by excepting the counties of Carbon, Monroe, Pike and Wayne from the operations of this bill.

On the question,

Will the Senate agree to go into committee of the whole for the purpose of excepting from the operations of the bill the counties of Westmoreland, Lehigh, York, Berks, Carbon, Monroe, Pike and Wayne?

The yeas and nays were required by Mr. BURNETT and Mr. DAVIS, and were as follow, viz:

YEAS—Messrs. Burnett, Davis, Donovan, Glatz, Jackson, James, M'Candless, Randall, Schall, Searight and Wallace—11.

NAYS—Messrs. Bigham, Billingfelt, Browne (Lawrence), Brown (Mercer), Coleman, Connell, Cowles, Fisher, Graham, Haines, Landon, Lowry, M'Conaughy, Ridgway, Royer, Shoemaker, Stutzman, Taylor, White, Worthington and Hall, *Speaker*—21.

So the question was determined in the negative.

Mr. SCHALL moved that the Senate go into committee of the whole for the purpose of amending the second section by inserting, after the words "bed rooms and beds," the words "and stabling."

The motion was

Not agreed to.

Mr. BURNETT. Mr. Speaker, I move that the Senate go into committee of the whole for special amendment, by striking out, at the end of the third section, the words "twenty dollars," and inserting in lieu thereof the words "ten dollars."

Mr. WHITE. This would deprive the Commonwealth of a large amount of revenue. I am surprised that my friend on the other side should make any motion to deprive the Commonwealth of revenue. I trust it will be voted down.

Mr. SCHALL. Mr. Speaker, I beg leave to differ with the Senator from Indiana [Mr. WHITE]. I think that this amount makes a discrimination in favor of the rich man. There are a great many poor people who keep respectable lager beer saloons, who are able to pay this license of ten dollars, who will now be deprived of keeping their saloons under this heavy license; and I maintain that these poor people keep just as respectable places as any of the rich ones, and perhaps better lager.

On the question,

Will the Senate agree to the motion of Mr. BURNETT?

The yeas and nays were required by Mr. SCHALL and Mr. BURNETT, and were as follow, viz:

YEAS—Messrs. Burnett, Davis, Donovan, Glatz, James, M'Candless, Schall, Searight and Wallace—9.

NAYS—Messrs. Bigham, Billingfelt, Browne (Lawrence), Brown (Mercer), Coleman, Connell, Cowles, Fisher Graham, Haines, Jackson, Landon, Lowry, M'Conaughy, Ridgway, Royer, Shoemaker, Stutzman, Taylor, White, Worthington and Hall, *Speaker*—22.

So the question was determined in the negative.

Mr. DAVIS. Mr. Speaker, I move that the Senate go into committee of the whole for the purpose of amending the third section, in order to increase the revenue of the Commonwealth, by striking out the word "fifty" after the words "incorporated city for a less sum than," and inserting in lieu thereof the words "twenty-five."

On the question,

Will the Senate agree to the motion?

The yeas and nays were required by Mr. DAVIS and Mr. BURNETT, and were as follow, viz:

YEAS—Messrs. Burnett, Davis, Donovan, Glatz, James, M'Candless, Randall, Schall, Searight and Wallace—10.

NAYS—Messrs. Bigham, Billingfelt, Browne (Lawrence), Brown (Mercer), Coleman, Connell, Cowles, Fisher, Graham, Haines, Jackson, Landon, Lowry, M'Conaughy, Ridgway, Royer, Shoemaker, Stutzman, Taylor, White and Worthington—21.

So the question was determined in the negative.

Mr. BIGHAM moved that the Senate go into committee of the whole for the purpose of amending by striking out the proviso at the end of the last section, as follows:

Provided, That nothing in this act shall authorize the granting of licenses to hotel and inn keepers to vend vinous, spirituous and malt liquors, and to license beer houses, eating houses and restaurants, in any locality where licensing of hotels, inns, beer houses, eating houses, or restaurants, is now prohibited by law.

Mr. WHITE. Mr. Speaker, we had this question before us the other day. This proviso was carefully prepared, and I trust it will not be stricken out.

Mr. HAINES. Mr. Speaker, I hope the Senate will not go into committee of the

whole for the purpose of striking out this proviso, because the bill would then interfere with the laws in the lower end of my district, which I do not want disturbed.

On the question,

Will the Senate agree to the motion of Mr. BIGHAM?

The yeas and nays were required by Mr. BIGHAM and Mr. HAINES, and were as follow, viz:

YEAS—Messrs. Bigham, Burnett, Davis, Glatz, Graham, Jackson, James, Randall, Schall, Searight, Wallace, Walls and Hall, *Speaker*—13.

NAYS—Messrs. Billingfelt, Browne (Lawrence), Brown (Mercer), Coleman, Connell, Cowles, Donovan, Fisher, Haines, Landon, Lowry, M'Candless, M'Conaughy, Ridgway, Royer, Shoemaker, Stutzman, Taylor, White and Worthington—20.

So the question was determined in the negative.

The question recurring,

Shall the bill pass?

The yeas and nays were required by Mr. GLATZ and Mr. SCHALL, and were as follow, viz:

YEAS—Messrs. Bigham, Billingfelt, Browne (Lawrence), Brown (Mercer), Coleman, Connell, Cowles, Fisher, Graham, Haines, Jackson, Landon, Lowry, M'Conaughy, Ridgway, Royer, Shoemaker, Stutzman, Taylor, White, Worthington and Hall, *Speaker*—22.

NAYS—Messrs. Burnett, Davis, Donovan, Glatz, James, M'Candless, Randall, Schall, Searight and Wallace—10.

So the question was determined in the affirmative.

And the bill

Passed finally.

THE MARINE HOSPITAL AT ERIE.

On motion of Mr. LOWRY, the Senate resumed the reconsideration of a bill entitled An act to incorporate the Marine hospital of Pennsylvania, in the county of Erie, to fix the location of hospital, and to grant real estate to said hospital (which bill had been returned by the Governor to the Senate, with his objections thereto).

Mr. LOWRY. Mr. Speaker, this is a bill that I am deeply interested in, because humanity is interested in it. The bill was vetoed by the Governor, and I desire to present a bill which will obviate the objections which the Governor makes. I want the Governor to be sustained in his veto. He has indicated how it is desired to amend it.

Mr. BROWNE (Lawrence). Mr. Speaker, I understand that the new bill proposed has been agreed to by the citizens of Erie. They want some use made of this public property; they wish to prevent this valuable property from becoming a matter of private speculation. There are some objections that have induced the Governor to veto the bill. The objections, however, can be met in the new bill which the Senator from Erie [Mr. Lowry] proposes. I think it is fair that he should have the opportunity now of obviating the difficulties in the former bill.

Mr. LOWRY. I would state that the objections of the Governor have been obviated by a section prepared by the Secretary of the Commonwealth, and I desire the Governor to be sustained by passing the old bill with a new section.

On the question,

Shall the bill pass, notwithstanding the objections of the Governor?

The yeas and nays were taken, agreeably to the provisions of the Constitution, and were as follow, viz:

YEAS—Mr. Donovan—1.

NAYS—Messrs. Bigham, Billingfelt, Browne (Lawrence), Brown (Mercer), Coleman, Connell, Cowles, Davis, Fisher, Glatz, Graham, Haines, Jackson, James, Landon, Lowry, M'Conaughy, Randall, Ridgway, Royer, Schall, Searight, Shoemaker, Stutzman, Taylor, Wallace, Walls, White, Worthington and Hall, *Speaker*—30.

So the question was determined in the negative.

On leave given at this time,

Mr. LOWRY read in his place and presented to the Chair bill entitled An act to incorporate the Marine hospital of Pennsylvania, in the county of Erie, to fix location of hospital in Erie city, and to grant real estate to said hospital.

Referred to the Committee on Finance.

On motion of Mr. LOWRY, the Committee on Finance was discharged from the further consideration of said bill, and the rules having been dispensed with, the bill was read a second and third time, and

Passed finally.

AN EVENING SESSION.

Mr. CONNELL moved that when the Senate adjourn, it will adjourn to meet at 7 o'clock this evening.

The motion was

Agreed to.

BILLS CONSIDERED AND PASSED.

On motion of Mr. RANDALL, the Committee on Education was discharged from the further consideration of a bill entitled An act authorizing the school directors of the school district of the borough of Ashland to borrow money.

And the rules having been dispensed with,

The bill was read a second and third time, and

Passed finally.

On motion of Mr. CONNELL, the rules were dispensed with, and the Senate proceeded to the consideration of a bill entitled An act relative to contested elections in the city of Philadelphia.

The bill was read a second time, and laid over to a third reading.

On motion of Mr. FISHER, the Senate adjourned until this evening, at 7 o'clock.

EVENING SESSION.

The Senate reassembled at 7 o'clock.

There not being a quorum of Senators present,

Mr. RIDGWAY moved that the Senate do now adjourn.

The motion was

Agreed to,

And the SPEAKER adjourned the Senate until to-morrow morning at 10 o'clock.

CORRECTION.

In the proceedings of the Senate of Tuesday evening last no mention was made of the remarks of Messrs. BROWN (Mercer) and TAYLOR, on the bill entitled An act to exempt the county of Beaver from the operations of an act entitled An act to provide for the enlargement of the Erie canal, and other purposes.

The following are the proceedings in full as they occurred at the time:

THE ERIE CANAL.

Mr. TAYLOR. Mr. Speaker, I ask the indulgence of the Senate to read a bill in place.

Leave was granted.

Mr. TAYLOR. I read in my place and present to the Chair a bill entitled An act to exempt the county of Beaver from the operations of an act to provide for the enlargement of the Erie canal, and other purposes.

Referred to the Committee on Canals and Inland Navigation.

Mr. TAYLOR. Mr. Speaker, I move that the committee be discharged and the Senate proceed to consider it now.

Mr. BROWN (Mercer). Mr. Speaker, this is a bill that very materially affects the interests of the people of the county which I more immediately represent. It is a bill, too, which materially affects the constituents of the Senator from Erie, who, on account of indisposition, is now at his room. I trust the Senate will not agree to consider the bill at this time. It is a bill, as I understand, to exempt the county of Beaver from the operations of a bill which was passed the other day, authorizing the Erie canal company to enlarge their canal. It is a bill which, if passed, would in a great measure destroy the value of the bill which we passed a few days ago, and which received the signature of the Governor on last Friday. I trust that it will not be passed in the absence of the Senator from Erie.

Mr. TAYLOR. Mr. Speaker, I desire to say that I withdrew my objections to the bill which passed the other day. I was opposed to it and had not heard from my constituents in regard to it, but an agreement was made between the Senator from Erie and myself, that we should go to the House of Representatives and speak to our representatives there, and the bill should be laid over until we could hear from our constituents; the superintendent of this canal having made some agreement with the member from Beaver, I think to this effect, that he would see the people of that county along the canal, and that the company would make some arrangements with those people (who would be very materially damaged in their manufacturing interests by that bill), and that he would satisfy them in this respect. He agreed that some supplementary legislation should be had, or in some way the people should be satisfied.

With that understanding the bill was allowed to pass through the House without incorporating any such provisions as should have been incorporated in the bill. We received letters from our constituents complaining that we did not act in this matter, and all that we propose to do by this bill is to compel that company to do what they agreed to do. We want the bill to pass here and to hold it in the House until the superintendent satisfies the people. If he does so, it will go no further, but if not, then we want our county exempted from the operations of the bill. I shall insist upon my motion for a suspension of the rules to consider the bill at this time.

Mr. BROWN (Mercer). I desire to call the attention of the Senate to this fact. The remarks of the Senator from Beaver may create the impression that there is a disposition on the part of the superintendent of this canal to get rid of some agreement that he may have made with the representatives of Beaver in regard to this bill authorizing the enlargement of the canal prior to its passage.

Now, I desire to say that that gentleman did not leave here until last Friday evening, and since that he has not had time to go to Beaver county and make the arrangements which it is alleged he proposed to make in order to satisfy the people of Beaver county. He has had no time yet to do so, and I say it is not dealing justly with him to come in here now with a bill exempting Beaver county from the operations of the bill referred to

until he has been afforded an opportunity to carry out his agreement. I know, sir, that that gentleman is a gentleman of honor, and I know that he will fulfill to the letter any agreement that he made with the Senator from Beaver, and I take it that the Senator from Beaver has no right to suspect that he is not going to do so. After sufficient time has transpired to enable him to make any arrangement that he may have agreed to make, if he then refuses or neglects to do so, I will unite with the Senator from Beaver in compelling him, by proper legislation, to make good the agreement with the representatives of Beaver, under which this bill passed; but until he has time, I take it that it is not right to pass a bill of that kind. I trust that Senators will look at this matter in its proper light, and will excuse me for manifesting so much interest in this matter, because I look upon the bill authorizing the enlargement of the Erie canal as of more importance to the people of Mercer county than any other bill that has been passed by this body this winter. It is proposed by the canal company to enlarge the Erie canal from Erie to the Ohio river, so as to permit the passage of crafts, through its entire length, of some two hundred and fifty tons burden; and the Senator from Beaver offers a bill to exempt his county from the operations of the bill which passed providing for this enlargement; in other words, he proposes that the canals may be enlarged down to the Beaver county line, and must stop there. Why, sir, I look upon it as a measure of the greatest injustice to the people of Beaver county. I know that a majority of the people of Beaver county are anxious that the enlargement should be made, and the superintendent came here and procured the passage of that bill in good faith, intending to have it enlarged from Erie to the Ohio river at the earliest practicable day.

Mr. BIGHAM. I would suggest that this bill be referred to a select committee consisting of the Senators from Beaver, Lawrence and Mercer.

Mr. BROWN (Mercer). I am unwilling to accept of anything of that kind.

Mr. TAYLOR. I am willing that this bill shall go to the second reading and there stop, but I insist on my motion.

The question being on suspending the rules and the consideration of the bill,

It was

Agreed to.

Mr. TAYLOR. Mr. Speaker, I move that the further consideration of the bill be postponed for the present.

On the question,

Will the Senate agree to the motion?

The yeas and nays were required by Mr. BROWN (Mercer) and Mr. TAYLOR, and were as follow, viz:

YEAS—Messrs. Bigham, Billingfelt, Browne (Lawrence), Brown (Mercer), Cowles, M'Candless and Walls—7.

NAYS—Messrs. Burnett, Coleman, Connell, Fisher, Glatz, Graham, Haines, Jackson, Landon, Lowry, M'Conaughy, Randall, Ridgway, Royer, Schall, Searight, Shoemaker, Taylor, White, Worthington and Hall, *Speaker*—20.

So the question was determined in the negative.

During the call,

Mr. DONOVAN. Mr. Speaker, the Senate having established the rule that on account of the absence of any Senator no bill be postponed, I shall have no regard for that in casting my vote. As a local bill I would like to accommodate the gentleman from Beaver, but considering that we have local bills no further, I shall dodge this question and not vote at all.

SENATE.

FRIDAY, March 22, 1867.

The Senate met and was called to order at 10 o'clock, A. M., by the SPEAKER.

Prayer was offered by the Rev. Mr. Bailey.

On motion of Mr. CONNELL, the reading of the Journal of yesterday was dispensed with.

SPEAKER'S TABLE.

The SPEAKER laid before the Senate the annual statement of the Delaware coal company.

Laid on the table.

Also, the resolutions of the councils of Philadelphia in favor of the passage of an act by the Legislature entitled A further supplement to an act to incorporate the city of Philadelphia.

The communication was read as follows:

CLERK'S OFFICE, SELECT COUNCIL,
Philadelphia, March 21, 1867.

To Hon. Louis W. Hall, Speaker of the Senate of the Commonwealth of Pennsylvania:

SIR—This is to certify that the following is a true and correct copy of the original resolution approved by his honor, the Mayor, the sixteenth day of March, A. D. 1867, to wit:

Resolution of Request to the State Legislature.

Resolved, By the select and common councils of the city of Philadelphia, that the Legislature of the State of Pennsylvania be asked to pass the annexed bill entitled "A further supplement to an act to incorporate the city of Philadelphia."

A FURTHER SUPPLEMENT to an act to incorporate the city of Philadelphia.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same.* That the select and common councils of the city of Philadelphia shall fix the rate and levy all the taxes now authorized by law within the limits of the said city and county, upon the assessed value of the real and personal property in such sum as shall be sufficient to meet all the expenses (including interest on the funded debt) of the city government for the year for which the same shall have been levied.

SEC. 2. That no salary of any officer elected or to be elected according to the provisions of the act to which this is supplemental by the qualified voters of the said city, or of any of the officers, heads of departments, or employees of the city, shall be increased by any ordinance or ordinances to take effect during the time for which he shall have been elected, appointed or employed.

SEC. 3. That it shall not be lawful for said councils at any time to pass an ordinance, or by other means provide for the payment of any money or compensation for extra service rendered by any of the city officers (whether elective or appointed), in the discharge of their duties.

SEC. 4. That no person holding any office of trust, profit or emolument under the city government or any department thereof, or in the Gas Trust, or in any other trust in which the said city or the councils have an interest, or over which the said councils exercise a control or supervision shall be eligible as a member of councils, nor shall any member or members of councils be eligible to any such office, trust or appointment: *Provided*, That nothing herein contained shall apply to directors or controllers of public schools.

SEC. 5. That each member of the city councils shall be sworn or affirmed to support the Constitution of the United States and of the Commonwealth of Pennsylvania; that he will not, during his term of office, accept or receive any gratuity, gift money, property compensation, commission or profit, whatever, for his services, either as councilman or as a member of any committee thereof, and that he will not be interested, directly or indirectly, in any sale or contract for supplying the city with work, labor, or merchandise of any kind, or in any contract or contracts in which the city may be a party, and in all respects to discharge his duties with fidelity; the said oath to be administered by the presiding officer of each branch of the said city councils.

SEC. 6. That all officers elected by councils, heads of departments, and clerks therein, shall, before entering upon their duties, subscribe to an oath or affirmation before the mayor that he or they will not, at any time, during his or their term of office or appointment be directly or indirectly interested in any sale or contract for supplies to be furnished to said city, or to any department or trust under the control and supervision of councils, or receive any gratuity, money or property, whatsoever, by reason of such sale or contract, or take any fee beyond that prescribed by law.

SEC. 7. That no member of the Legislature, or officer thereof, shall be eligible to any office under the city government, to and department thereof, or department therein or connected therewith.

SEC. 8. That the presidents of select and common councils, or either of them, or the chairman of any special or joint committee appointed by them, are hereby authorized and empowered to issue subpœnas for witnesses, and require the production for inspection and examination of any books, papers, documents and vouchers to examine said witnesses under oath or affirmation, and in case of refusal or neglect on the part of any witness or witnesses to appear upon the service of any such subpœna, the court of common pleas of Philadelphia county shall, upon proof of such service, issue an attachment compelling the appearance of such witness or witnesses.—When any witness or witnesses shall appear but refuse to testify before the said president or chairman of committees, or either or any of them, he or they shall report the same to the said court of common pleas, whereupon the said court shall commit the said witness or witnesses for contempt, and impose such fine as in its discretion shall seem meet.

SEC. 9. That it shall not be lawful for any member of said councils to enter into any contract, either in his own name or in the name of any other person in his service or interest, for the construction of any building, schoolhouse, bridge, sewer or other structure, or for the furnishing of supplies or material of any kind whatsoever to the said city or any department thereof, or to the Gas Trust.

JOSEPH F. MARCER,
President of Common Council.

ATTEST—ROBT. BETTHELL,
Assistant Clerk of Select Council.

JOSHUA SPERING,
President of Select Council.

Approved this sixteenth day of March, Anno Domini eighteen hundred and sixty-seven (A. D. 1867).

MORTON M'MICHAEL,
Mayor of Philadelphia.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

The Clerk of the House of Representatives being introduced, presented for concurrence bills numbered and entitled as follows, viz:

No. 372, an act to explain and construe an act compelling railroads and other corpora-

tions to pay counsel fees of plaintiffs in certain cases.

Referred to the Committee on Railroads.

No. 373, a supplement to the act relating to auctioneers.

Referred to the Committee on the Judiciary Local.

No. 374, an act for the better protection of deer and wild turkeys in this Commonwealth and for the transportation of deer and venison within and through the same.

Referred to the Committee on Agriculture.

No. 377, an act authorizing courts to receive certified copies of military records in evidence.

Referred to the Committee on the Judiciary General.

No. 376, an act to declare the true intent and meaning of the first section of the act of May 4th, A. D. 1855, entitled An act relating to certain duties and rights of husband and wife and parents and children.

Referred to the Committee on the Judiciary General.

No. 433, an act to incorporate the Wellsboro' and Lawrenceville railroad company.

Referred to the Committee on Railroads.

No. 504, joint resolutions instructing our Senators and requesting our Representatives in Congress from this State relative to the American Atlantic Cable Telegraph company, for right of way from Bermuda to Cape Charles.

Referred to the Committee on Federal Relations.

No. 856, an act to permit disabled soldiers to peddle by procuring a license therefor without charge.

Referred to the Committee on the Judiciary General.

No. 972, an act to provide for the erection of a bridge across Nescopeck creek in Nescopeck township, Luzerne county.

Referred to the Committee on Roads, and Bridges.

No. 1053, a further supplement to an act to regulate the sale of intoxicating liquors, approved the 31st day of March, A. D. 1856, so far as relates to the county of Mercer.

Referred to the Committee on Vice and Immorality.

No. 1014, an act to incorporate the Shenandoah water company.

Referred to the Committee on Corporations.

No. 1021, an act to incorporate the Paros coal, mining and lumber company of Pennsylvania.

Referred to the Committee on Corporations.

No. 1023, an act to incorporate the M'Keesport gas company.

Referred to the Committee on Corporations.

No. 1025, a further supplement to an act to incorporate the Charles Evans cemetery company.

Referred to the Committee on Corporations.

No. 1028, an act to incorporate the Anderson marble quarrying company of Montgomery county.

Referred to the Committee on Corporations.

No. 1029, an act to incorporate the Masonic hall association of the borough of Phoenixville.

Referred to the Committee on the Judiciary General.

No. 1031, an act to incorporate the Odd Fellows' Mutual Co-operative association of Monongahela city, Washington county.

Referred to the Committee on the Judiciary General.

No. 1037, an act extending the provisions of an act approved 7th day of May, A. D. 1864, entitled An act to prevent cattle, horses, sheep or hogs from running at large in Bethlehem township, Northampton county, to Lower Nazareth, East Allen and Saucon townships, in said county, and Venango township, Erie county.

Referred to the Committee on Agriculture.

No. 1038, an act to repeal an act to prevent cattle horses, sheep and hogs from running at large in Chillisquaque township, Northumberland county, Kelly township, Union county, and certain townships in Luzerne county, so far as the same relates to Chillisquaque township and Kelly township, Union county.

Referred to the Committee on Agriculture.

No. 1039, an act for the protection of wild turkeys and squirrels, and for other purposes, in the county of Huntingdon.

Referred to the Committee on Agriculture.

No. 1040, an act extending the provisions of an act relating to dogs in Allegheny, Chester, Northampton, Schuylkill and Lancaster counties, approved 6th day of April, 1854, to the county of Berks.

Referred to the Committee on Agriculture.

No. 1041, an act extending the provisions of an act repealing existing laws relating to killing beasts of prey, so far as related to the county of Venango, approved 12th day of April, 1866.

Referred to the Committee on the Judiciary Local.

No. 1042, an act to prevent the injury or destruction of fruit, ornamental or other trees, and to protect the owners thereof, in the counties of Clinton, Centre, Butler, Lawrence and Mercer.

Referred to the Committee on the Judiciary Local.

No. 1043, an act to prevent the destruction of fish in Breeches pond or lake, in Overfield township, Wyoming county.

Referred to the Committee on Agriculture.

No. 1044, an act to prohibit the hunting, catching and killing of game in North Fayette township, Allegheny county.

Referred to the Committee on Agriculture.

No. 1046, an act for the preservation of fish in the South pond, in the townships of Union and Ross, county of Luzerne.

Referred to the Committee on Agriculture.

No. 1047, an act in relation to hunting and killing wild game and deer in Lycoming, Clinton, Centre, Cameron, Clearfield, Elk, Potter and M'Kean counties, and in relation to dogs in said counties.

Referred to the Committee on Agriculture.

No. 1050, an act to take the sense of the people of Beaver and Indiana counties upon the question of a prohibitory liquor law.

Referred to the Committee on Vice and Immorality.

No. 1052, an act relating to tavern licenses in Greene county.

Referred to the Committee on Vice and Immorality.

No. 1056, an act to legalize the levy and collection of certain bounty tax, to provide for a settlement, and authorize the school directors to levy an additional bounty tax in Upper Paxton township and the borough of Gratztown, in the county of Dauphin.

Referred to the Committee on the Judiciary Local.

No. 1057, a further supplement to an act to legalize bounties paid volunteers, and the bonds issued therefor, in certain townships in the county of Franklin, approved 4th day of April, A. D. 1866, extending the provisions of said act, and the supplement thereto, to the township of Hamilton, in said county.

Referred to the Committee on Military Affairs.

No. 1058, an act to authorize the board of supervisors of Industry township, Beaver county, to levy a bounty tax.

Referred to the Committee on the Judiciary Local.

No. 1061, an act to authorize the school directors of Conestoga township, Lancaster county, to levy and collect a tax to liquidate the debt on said township, created to pay bounties to volunteers.

Referred to the Committee on the Judiciary Local.

No. 1063, an act to authorize the school directors of Jefferson township, Fayette county, to levy and collect a bounty tax.

Referred to the Committee on the Judiciary Local.

No. 1064, a supplement to an act to secure bounty taxes in certain wards, in the city of Lancaster, approved April 4, 1866.

Referred to the Committee on the Judiciary Local.

No. 1065, an act to authorize the payment of the salary of Hunter Comly, as brigade inspector.

Referred to the Committee on Finance.

No. 1066, an act to legalize certain acts of committees and school directors of the township of Lower Milford, in the county of Lehigh, relative to the payment of bounties to volunteers.

Referred to the Committee on the Judiciary Local.

No. 1067, an act to enable the school directors of the township of Chanceford, in the county of York, to levy and collect at once a tax sufficient to liquidate the remaining indebtedness of said township for bounty purposes, and appropriate surplus bounty funds of said township to common school purposes.

Referred to the Committee on the Judiciary Local.

No. 1068, an act to authorize the board of school directors of the township of Brooklyn, Susquehanna county, to levy and collect a tax to pay outstanding bonds, and for other purposes.

Referred to the Committee on the Judiciary Local.

No. 1070, an act to repeal the second section of an act authorizing the collection of a tax in Jackson township, Dauphin county, and Jefferson township, Berks county, to refund moneys advanced to pay bounties to volunteers.

Referred to the Committee on the Judiciary Local.

No. 1089, an act declaring Clear creek, in the county of Cameron, a public highway.

Referred to the Committee on Canals and Inland Navigation.

1407, an act to repeal an act entitled A further supplement to the act incorporating the Pennsylvania railroad company, authorizing an increase of capital stock, and to borrow money, approved the twenty first day of March, Anno Domini one thousand eight hundred and sixty-six, and also to authorize the Pennsylvania railroad company, by this act, to increase its capital stock, to issue bonds and to secure the same by mortgage.

Referred to the Committee on Railroads.

He also returned bill from the Senate numbered and entitled as follows, viz:

No. 95, a further supplement to an act relating to corporations for mechanical, manufacturing, mining and quarrying purposes, approved the 18th day of July, A. D. 1863.

With information that the House of Representatives has passed the same without amendments.

He also informed that the House of Representatives has receded from its amendments,

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[CONTINUED FROM PAGE 704.]

non-concurred in by the Senate, to Senate bill No. 45, entitled A supplement to an act, approved the 9th day of February, 1849, entitled A supplement to an act entitled An act to incorporate the Lykens Valley coal company in Dauphin county, Pennsylvania, and to authorize the opening of a road in Honesdale, Wayne county, authorizing them to dispose of the stock of said company.

He also informed that the House of Representatives insists on its amendment, non-concurred in by the Senate, to Senate bill No. 617, entitled Joint resolution relative to the revisal of the civil laws of Pennsylvania, and has appointed Messrs. MANN, MEYERS and WADDELL a committee of conference, to confer with a similar committee from the Senate (if the Senate should approve such a committee), upon the subject of the differences existing between the two houses on said bill.

He also informed that the House of Representatives has concurred in the amendments made by the Senate to bills from the House of Representatives numbered and entitled as follows, viz:

No. 316, an act to regulate the granting of licenses to hotels and eating houses, approved March 31st, A. D. 1866.

No. 494, an act to authorize the school board of North Heidelberg township, in the county of Berks, to levy and collect an additional bounty tax.

No. 456, an act to authorize Adam Drew, trustee of Hiram Albert, to purchase real estate, and also to decree the sale thereof.

The Clerk of the House of Representatives also returned bill numbered and entitled as follows, viz:

No. 1175, an act to incorporate the Marine hospital of Pennsylvania, in the county of Erie, to fix location of hospital in Erie city, and to grant real estate to said hospital,

With information that the House of Representatives has passed the same without amendments.

REPORTS FROM COMMITTEES.

Mr. CONNELL, from the Committee on Finance, reported, as committed, a bill entitled An act authorizing the State Treasurer to allow a credit to the treasurer of Adams county for money paid John Scott.

Mr. WALLS (same), as committed, a bill entitled An act for the relief of W. R. Harris, a commissioned captain of company D, in the One Hundred and Sixteenth regiment Pennsylvania volunteers.

Also (same), as committed, a bill entitled An act to extend the time for the payment of the enrollment tax on an act to authorize Samuel Graham and Robert Graham, committee of Walter Graham, a lunatic, to sell certain real estate.

Mr. WORTHINGTON (same), as committed, a bill entitled An act for the relief of David Andrews, late recorder of deeds in Chester county, for moneys overpaid by him to the Commonwealth.

Mr. LANDON (same), as committed, a bill entitled An act in relation to the account of John Harris, late mercantile appraiser in Luzerne county.

Mr. GRAHAM (same), as committed, a bill entitled An act relative to the claim of James Digman, of Allegheny county.

Mr. BIGHAM, from the Committee on the Judiciary General, a bill entitled Joint resolution relative to the revising, collecting and digesting the tax laws of Pennsylvania.

Mr. M'CONAUGHY (same), as committed, a bill entitled An act to incorporate the Crozier Theological seminary.

Mr. RIDGWAY, from the Committee on Corporations, a bill entitled An act regulating the election of corporate officers of the borough of Dushore, in Sullivan county.

Also (same), as committed, a bill entitled An act to incorporate the Mining, Car and Manufacturing company of Philadelphia.

Also (same), as committed, a bill entitled An act to incorporate the Great Western mining company.

Also (same), as committed, a bill entitled An act to incorporate the Ivanhoe silver mining company.

Also (same), as committed, a bill entitled A supplement to an act to incorporate the Franklin silver mining company, approved April 17, 1866.

Also (same), as committed, a bill entitled An act to incorporate the Montana and Nevada gold and silver mining and commercial company.

Also (same), as committed, a bill entitled An act to incorporate the Hidalgo gold and silver mining company.

Mr. ROYER (same), as committed, a bill entitled An act to incorporate the Empire and Sem mining, manufacturing and tunneling company of Nevada.

Also (same), as committed, a bill entitled A supplement to an act to incorporate the North American mining company, approved June 2, 1865.

Mr. GLATZ (same), as committed, a bill entitled An act to incorporate the Big Creek mining company.

Also (same), as committed, a bill entitled An act to incorporate the Marathon silver mining company of Nevada.

Also (same), as committed, a bill entitled A supplement to an act to incorporate the Union mining company, approved March 20, 1865.

Also (same), as committed, a bill entitled An act to incorporate the Shakspeare and Lydia Allen Consolidated mining company.

Also (same), as committed, a bill entitled An act to incorporate the Chambersburg hall and market company.

Also (same), as committed, a bill entitled An act to incorporate the Farmers' and Citizens' Co-operative building and savings fund association of Lawrence county.

Also (same), as committed, a bill entitled An act to incorporate the Fort Pitt Mutual life insurance and trust company.

Mr. HAINES (same), as committed, a bill entitled An act to incorporate the Good Spring iron and land company.

Also (same), as committed, a bill entitled An act to incorporate the Spanish Bar gold and silver mining company.

Also (same), as committed, a bill entitled An act to incorporate the Keystone iron and coal company.

Mr. JAMES (same), as committed, a bill entitled An act to incorporate the Silver Bullion mining company.

Mr. RIDGWAY, from the Committee on Railroads, as committed, An act authorizing the Sancon iron company to construct branch railroads to certain ore beds.

Mr. WORTHINGTON, from the Committee on Education, as committed, a bill entitled An act legalizing certain acts of the school directors of Kelley township, in the county of Union, and authorizing them to levy an additional tax for building purposes.

Also (same), as committed, a bill entitled An act to attach certain lands in Potter county to Condersport school district for school purposes.

Mr. HAINES, from the Committee on Agriculture and Domestic Manufactures, a bill entitled An act repealing an act extending the provisions of the act for the protection of sheep, and taxing of dogs in the county of Blair, approved May 20th, 1857, to the county of Monroe.

Mr. WHITE, from the Committee on Military Affairs, as committed, a bill entitled An act to authorize the board of military claims to adjust the claim of William D. Schoenleber.

Mr. BILLINGFELT, from the Committee on Roads and Bridges, a bill entitled An act extending the time for laying out a State road in Wayne and Monroe counties.

Also (same), as committed, a bill entitled An act relating to assessment of road tax, and the election and pay of certain township officers and viewers of roads and highways in the county of Jefferson.

Mr. TAYLOR (same), as committed, a bill entitled An act in relation to the election of officers of the Chambersburg turnpike company.

Also (same), as committed, a bill entitled an act to authorize the president and managers of the Licking bridge company, in Clarion county, to sell said bridge to the commissioners of said county.

Mr. LANDON (same), as committed, a bill entitled An act to authorize the Curwensville bridge company to change its rate of tolls.

Also (same), as committed, a bill entitled An act to incorporate the Mount Rock, Newville and Stoughstown turnpike road company.

Mr. WALLS (same), as committed, a bill entitled An act relative to locating, opening and repairing the public roads and highways in Sewickley township, Westmoreland county.

Also (same), as committed, a bill entitled An act to incorporate the Bridgeport and Horse Shoe turnpike road company.

Mr. GLATZ (same), as committed, a bill entitled A supplement to an act authorizing and requiring the supervisors of Bratton township, Mifflin county, to erect gates across the public roads in said township.

Also (same), as committed, a bill entitled A supplement to an act entitled An act to incorporate Larry's Creek plank road company.

Also (same), as committed, a bill entitled An act to incorporate the Carlisle, Boiling Spring and Dillsburg turnpike road company.

Mr. BROWN (Mercer), from the Committee on New Counties and County Seats, as committed, a bill entitled A supplement to an act to increase the boundaries of Forest county.

Mr. JACKSON, from the Committee on Pensions and Gratuities, a bill entitled An act granting a pension to Samuel Hamilton.

Mr. FISHER (same), as committed, a bill entitled An act granting a pension to Zeno Hoffmaster.

Also (same), as committed, a bill entitled An act for the relief of Jane Lynn, widow of John Lynn, a deceased soldier of the revolutionary war.

Also (same), as committed, a bill entitled An act granting a pension to —— Neudoerffer.

Mr. COWLES, from the Committee on the Judiciary Local, as committed, a bill entitled A supplement to the charter of the city of Chester.

Also (same), as committed, a bill entitled An act conferring certain powers upon the city of Chester, in the county of Delaware.

Also (same), as committed, a bill entitled An act relative to the pay of the supervisors in Wiconisco township, Dauphin county.

Also (same), as committed, a bill entitled An act amending the charter of the municipal corporation of the city of Lancaster and dividing the same into nine wards.

Also (same), as committed, a bill entitled An act relative to certain taxes in Montgomery county.

Also (same), as committed, a bill entitled An act to authorize the board of school directors of Faxon township, Allegheny county, to borrow money.

Mr. FISHER (same), as committed, a bill entitled An act to incorporate Sugar Notch and Warrior Run into a borough.

Also (same), as committed, a bill entitled An act to divide the borough of Sunbury, in the county of Northumberland, into two wards.

Also (same), as committed, a bill entitled An act to authorize the borough of Boyertown, in the county of Berks, to purchase the Fairmount fire engine house of said borough, and to levy and collect a tax for that purpose.

Also (same), as committed, a bill entitled An act relating to the pay of supervisors in the county of Butler.

Mr. STUTZMAN (same), as committed, a bill entitled An act to validate the act of C. W. Case, late justice of the peace for Jackson township, Luzerne county.

Also (same) as committed, a bill entitled A supplement to an act to legalize bounties paid to volunteers, and the bonds issued therefor, in certain townships in the county of Franklin, approved April 4, 1866, extending the provisions of the second section thereof to the township of Ayr, in the county of Fulton.

Also (same), as committed, an act to authorize the trustees of certain lands in Venango county to borrow money.

Also (same), as committed, a bill entitled An act authorizing the directors of the poor to erect an almshouse in the county of Bedford, and to borrow money.

Mr. DAVIS (same), as committed, a bill entitled A further supplement to the charter of the city of Erie, to provide for the election of water commissioners, and define their powers and duties.

Also (same), as committed, a bill entitled An act relating to a school library in the city, of Erie.

Also (same), as committed, a bill entitled An act relating to school tax in the borough of Mainsburg, county of Tioga.

Also (same), as committed, a bill entitled An act to enable the standing committee of the Protestant Episcopal church of the Diocese of Pennsylvania to convey real estate in Mifflin county.

Mr. WORTHINGTON, from the Committee on Education, as committed, a bill entitled An act to authorize the board of school directors of White township, Indiana county, to borrow money and to appropriate for school purposes surplus bounty funds.

Mr. BIGHAM, from the Committee on Banks, as committed, a bill entitled An act to incorporate the Greenville Savings and Loan company.

Mr. WHITE, from the Committee on Judiciary Local, as committed, a bill entitled A further supplement to an act incorporating the town of Lawrenceville into a borough, approved February 13th, 1834, being an act authorizing said borough to borrow money and take real estate not exceeding in value a certain amount.

Mr. WHITE (same), with amendment, a bill entitled An act to empower the court of quarter sessions of the peace of Adams county to appoint auditors to audit the bounty accounts in the several boroughs and townships in said county, and in relation to reaudating the bounty accounts of Cumberland township, in said county.

Also (same), as committed, a bill entitled An act in relation to the appointment of an auctioneer in the borough of Tarentum, in Allegheny county.

Also (same), as committed, a bill entitled an act to change the venue in certain cases from Allegheny to Jefferson county.

Mr. JACKSON, from the Committee appointed to Compare Bills and present them to the Governor for his approbation, made report, which was read as follows, viz:

That in conjunction with a similar committee from the House of Representatives, they have compared, and on March 14th presented to the Governor, for his approbation, the bills as follows, to wit:

Senate bill No. 132, an act relating to a certain highway in the Twenty-second ward of the city of Philadelphia, requiring the removal of a toll house and gate in Germantown.

Senate bill No. 143, an act to divide the Twenty-first ward, in the city of Philadelphia, into two wards, and to create a new ward to be called the Twenty-eighth ward.

House bill No. 555, an act to authorize the owners of certain mills on the Delaware river, at Morrisville, to extend their wing dam.

House bill No. 825, an act legalizing the action of the burgess and town council of the borough of Montrose, Susquehanna county, and to fix the limits of said borough.

House bill No. 574, an act to confirm the title of a certain lot of ground in the Twentieth ward of the city of Philadelphia.

House bill No. 627, an act to legitimate Annie Crain, of Huntingdon county, and confer on her the rights and privileges of a child born in wedlock.

House bill No. 544, an act relative to the purchase of a law library in the county of Washington.

House bill No. 411, an act in relation to lost records, deeds and other papers in the county of Franklin.

House bill No. 310, an act relative to the fees of certain township and county officers in the county of Beaver.

House bill No. 203, an act to repeal an act to amend the road laws of Montgomery county, passed March 15th, A. D. 1859.

House bill No. 838, an act to authorize the school directors of Taylor school district, in Lawrence county, to borrow money.

House bill No. 543, an act providing for the compensation of the commissioners of Northampton county.

House bill No. 527, an act to change the place of holding elections in Allegheny township, Venango county.

House bill No. 495, an act authorizing the supervisors of Green township, in the county of Mercer, to collect a tax and pay certain bounties, and refund money advanced to pay bounties.

House bill No. 549, a supplement to an act in relation to huckstering in the counties of Bedford, Cumberland, Franklin, Fulton and York, approved the 18th day of May, A. D. 1866.

House bill No. 578, an act to incorporate the Empire hook and ladder company, number 1, of Altoona, Blair county.

House bill No. 1102, an act limiting the provisions of a further supplement to the act incorporating the borough of Washington.

House bill No. 497, an act to levy additional tax in Sheffield township, Warren county, for bounty purposes.

House bill 496, a supplement to an act in relation to the payment of bounties to volunteers from the township of Farmington, Tioga county, during the late rebellion.

No. 516, an act to prevent the hunting of deer with dogs in the county of Wyoming.

House bill No. 394, an act authorizing the Governor to appoint three additional notaries public of the city of Philadelphia.

House bill No. 553, an act relative to the costs and fees of criminal cases in Carbon county.

House bill No. 320, an act authorizing the supervisors of Ulysses township to levy a tax to refund to Perry Lewis, in said township, the sum of four hundred dollars, it being for money advanced as bounty to volunteers.

House bill No. 548, an act increasing the fees of justices of the peace, road commissioners, auditors and constables in the counties of Bradford, Wyoming and Susquehanna.

House bill No. 890, an act authorizing W. S. Ziegler to act as justice of the peace in the borough of Butler, Butler county, while residing outside the limits of said borough.

House bill No. 558, a further supplement to the act incorporating the Lehigh and Delaware Water Gap railroad company.

House bill No. 839, an act in relation to bounties in the township of Montgomery, in the county of Franklin.

House bill No. 550, an act authorizing the commissioners of Lycoming county to borrow money to build a new jail.

House bill No. 718, an act to authorize the election of four supervisors in the townships of Dover and Manchester, in the county of York, and South Strabane township, Washington county, and the township of Tinicum, in the county of Bucks.

Also, on March 15th, 1867:

Senate bill No. 1006, an act to vacate a part of Schuylkill street in the borough of Norristown.

Senate bill No. 678, an act to provide for the enlargement of the Erie canal, to authorize the mortgaging of the same and the issue of bonds and to increase the capital stock and regulate the tolls.

Senate bill No. 402, a supplement to an act entitled An act to incorporate the Erie Dime savings and loan company, approved to 16th day of April, A. D. 1866, extending to said company the provisions of certain acts of Assembly, and also extending the time for its organization, fixing the time for the payment of bonus.

House bill No. 356, an act relative to the election of school directors and supervisors of roads in the township of Allegheny, in the county of Armstrong.

House bill No. 540, an act to increase the pay of the county auditors and the supervisors and township auditors of Northumberland county.

House bill No. 545, an act relating to fees of notaries public in the county of Erie.

House bill No. 577, an act to incorporate the Philadelphia County real estate association.

House bill No. 273, an act to incorporate the Milford cemetery.

House bill No. 1105, an act to repeal an act in relation to the borough of Montourville, in the county of Lycoming, approved March 1st, A. D. 1867.

House bill No. 1109, an act in relation to the common council of the city of Titusville, and fixing the indebtedness of said city.

House bill No. 249, an act to extend the provisions of the act entitled An act relating to corporations for mechanical, manufacturing, mining and quarrying purposes to fire insurance companies.

House bill No. 530, joint resolution authorizing the Governor to dispose of certain perishable military stores in the State arsenal.

House bill No. 146, an act supplementary to an act relating to corporations for mechanical, manufacturing, mining and quarrying purposes, approved July 18, A. D. 1863.

House bill No. 188, an act to extend to plank roads the provisions of the eighth and ninth sections of the act approved April 19, 1844, entitled An act concerning certain State and turnpike roads.

House bill No. 193, a supplement to an act appointing commissioners to lay out and open a State road in the counties of Potter and Clinton, approved the 16th day of March, A. D. 1866.

Also, on March 16th, 1867:

Senate bill No. 507, an act relative to courts in Lehigh county.

Senate bill No. 427, an act to incorporate the Pennsylvania club.

Senate bill No. 499, a further supplement to the act entitled An act to incorporate the McKean and Elk land and improvement company, approved the 6th day of February, A. D. 1856, authorizing said company to borrow money and mortgage lands.

Senate bill No. 262, an act to incorporate the Schuylkill insurance company of Philadelphia.

Senate bill No. 456, an act to authorize the appointment of two assistant reporters in the district court of Philadelphia.

Senate bill No. 962, an act authorizing the town council of the borough of Tamaqua, Schuylkill county, to borrow money.

Senate bill No. 506, an act relative to hawking, peddling and selling by sample in the county of Schuylkill.

Senate bill No. 557, an act to legalize the assessment of taxes levied by the school directors of the borough of Kingston, Luzerne county, for the payment of money advanced for the purpose of paying bounties to volunteers.

Senate bill No. 513, an act relative to the fees of notaries public in the counties of Dauphin and Lebanon.

Senate bill No. 563, a supplement to an act to incorporate the Point Breeze park association, approved February 8th, 1856.

Senate bill No. 579, an act regulating the salary of the treasurer of Lehigh county.

Senate bill No. 304, an act to incorporate the Atlantic Brick manufacturing company.

Senate bill No. 125, an act to attach certain lands and tenements in Bedford township, Bedford county, and the persons residing thereon, to Bedford borough, for school purposes.

Senate bill No. 569, an act to increase the compensation of the county commissioners and auditors of the county of Monroe.

Senate bill No. 381, a supplement to the act approved April 11th, A. D. 1866, establishing the board of controllers of the public schools of the borough of Allentown.

Senate bill No. 459, an act to legalize the assessment, levy and collection of bounty tax, and to provide for the collection of the same, for county purposes, in Springfield township, Bucks county.

Senate bill No. 426, an act to incorporate the Fountain Hall park association.

Senate bill No. 512, an act allowing the mercantile appraisers of Allegheny county the same fees allowed in other counties of the State.

Senate bill No. 292, an act to increase the pay of the assessors of Lehigh county.

Senate bill No. 320, an act authorizing the supervisors of Jackson township, in Luzerne county, to collect in money one-third of the tax levied for road purposes in said township.

Senate bill No. 408, an act for the promotion of medical science, and to prevent the traffic in human bodies in the city of Philadelphia and county of Allegheny.

Senate bill No. 405, an act to annul the marriage contract between Samuel E. Shick and Sarah E., his wife.

Senate bill No. 432, an act to incorporate the Erie Co operative society.

Senate bill No. 204, an act to extend the time of completing the Clearfield and Curwensville turnpike road, and to allow tolls to be taken upon the portion completed.

Senate bill No. 254, an act supplementary to an act entitled An act appointing commissioners to lay out and open a State road in the counties of M'Kean, Elk, Forest and Clarion, approved on the 1st day of May, A. D. 1861, reviving the third section of said act, and authorizing the commissioners to borrow money.

Laid on the table.

BILLS IN PLACE.

Mr. RIGHAM read in his place and presented to the Chair a bill entitled An act to repeal the State tax upon certain personal property, and in lieu thereof to apportion three hundred thousand dollars upon the counties of the State.

Referred to the Committee on Finance.

Mr. STUTZMAN, a bill entitled An act relating to an act compelling railroad and other corporations to pay council fees of plaintiff in certain cases.

Referred to the Committee on the Judiciary General.

Mr. WALLS, a bill entitled An act to incorporate the First Baptist church of Lewisburg, Union county.

Referred to the Committee on the Judiciary General.

Mr. WHITE, a bill entitled An act to change the venue in certain cases from Allegheny to Jefferson county.

Referred to the Committee on the Judiciary Local.

Also, an act to authorize the board of school directors of White township, Indiana county, to borrow money, and to appropriate for school purposes surplus bounty funds.

Referred to to the Committee on Education.

Mr. HAINES, a bill entitled A further supplement to an act to incorporate the Union coal and iron company, approved May 4th, 1857, now the Osceola coal company, increasing the privileges of said company.

Referred to the Committee on Corporations.

Also, a bill entitled An act for the relief of George Mitchell.

Referred to the Committee on Military Affairs.

Mr. DAVIS, a bill entitled An act to incorporate the Ryan and Reading slate company.

Referred to the Committee on Corporations.

Mr. CONNELL, a bill entitled An act to incorporate the Clarion coal company.

Referred to the Committee on Corporations.

Mr. LOWRY, a bill entitled An act to incorporate the Titusville hotel company.

Referred to the Committee on Corporations.

Mr. M'CONAUGHY, a bill entitled An act to authorize the school directors of Freedom township, Adams county, to appropriate the surplus of bounty funds in their hands to school purposes.

Referred to the Committee on Education.

Mr. FISHER, a joint resolution relative to the purchasing of books for the State Library.

Referred to the Committee on the Library.

BILLS PASSED.

On motion of Mr. CONNELL, the Committee on Corporations was discharged from the further consideration of a bill entitled An act to incorporate the Clarion coal company.

And the rules having been dispensed with, The bill was read a second and third time, and

Passed finally.

On motion of Mr. FISHER, the Committee on the Library was discharged from the further consideration of a bill entitled A joint resolution relative to the purchasing of books for the State library.

And the rules having been dispensed with, The bill was read a second and third time, and

Passed finally.

On motion of Mr. SCHALL, the rules were dispensed with, and the Senate proceeded to the consideration of bill entitled An act authorizing the Saucon iron company to construct a branch railroad to certain ore beds.

The bill was read a second and third time, and

Passed finally.

On motion of Mr. M'CANDLESS, the rules were dispensed with, and the Senate proceeded to the consideration of a bill entitled an act to authorize the Southwark railroad company to renew their road on Swanson street.

The bill was read a second and third time, and

Passed finally.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

The Clerk of the House of Representatives being introduced, returned bill from the Senate numbered and entitled as follows, viz:

No. 891, joint resolution authorizing the appointment of a special agent to collect disallowed and suspended claims against the United States,

With information that the House of Representatives has passed the same without amendments.

THE PENNSYLVANIA RAILROAD BILL.

Mr. CONNELL. Mr. Speaker, in order to settle some difference between the Legislature and the Governor in regard to a bill passed here a few days ago, I now move that the Committee on Railroads be discharged from the further consideration of a bill entitled An act to repeal an act entitled A further supplement to the act incorporating the Pennsylvania railroad company, authorizing an increase of capital stock and to borrow money, approved the twenty-first day of March, Anno Domini one thousand eight hundred and sixty-six, and also to authorize the Pennsylvania railroad company, by this act, to increase its capital stock, to issue bonds and secure the same by mortgage, and that the Senate proceed to the consideration of the same.

Mr. COLEMAN. Is that bill printed?

Mr. CONNELL. Yes, sir; and I understand it meets the objections of the Governor fully.

The bill was read as follows:

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same*, That the act entitled A further supplement to the act incorporating the Pennsylvania railroad company, authorizing an increase of capital stock and to borrow money, approved the 21st day of March, A. D. 1866, be and the same is hereby repealed: *Provided however*, That no rights that shall have been acquired by virtue of the same shall be in any manner affected by such repeal.

SEC. 2. That for the purpose of retiring the present indebtedness of the Pennsylvania railroad company, whether by bond, or otherwise, and providing the facilities required by the increase of the business of said company, upon its road and connections, and the management and operation of the same, it shall be lawful for the said company, from time to time, to issue, not exceeding three hundred thousand additional shares of capital stock of said company, but the board of directors shall not have the power to issue all, or any part of said stock, unless they are authorized so to do by a resolution of the stockholders, passed at any regular or special meeting, due notice of said proposed increase, having first been given to the stockholders, before the meeting is held, at which any increase of stock may be granted, and to apportion, or dispose of the said shares in such a manner, and upon such terms, as they may think best; and also, for either, or all of the said purposes, to issue, from time to time, bonds of the said company, payable at such time as they may appoint, bearing interest at a rate not exceeding six per centum per annum, with or without provision for the payment by the company, of any or all taxes on the principal or interest thereof, and to secure the said bonds by one or more mortgages of the whole or any portion of the railroad's estate, real, and personal, and corporate rights, and franchises, acquired, and to be acquired of the said company: *Provided, however*, That no bond shall at any time be issued in excess of the amount of the capital stock of the said company outstanding at the time of issue, but any such mortgage, or mortgages, may at the option of, and to the amount fixed by the said company, be made to secure with the same rights, lien and privileges, bonds, which a subsequent increase of capital stock may enable the said company to issue, as well as to those which may lawfully be issued at the date of the execution of said mortgage.

SEC. 3. That any mortgage or mortgages, executed and delivered as authorized by this act, shall be recorded in the office of the recorder of deeds for the city and county of Philadelphia, and shall, thereupon, without further record, be a lien on the property mortgaged, wherever situated, as fully and effectually as if it had been recorded in each of the several counties in which the mortgaged premises, or any part thereof, are or may be situated.

Mr. COLEMAN. Has there been any petition from the stockholders for this bill?

Mr. CONNELL. There are no petitions, but there have been letters.

Mr. COLEMAN. There may be two or three stockholders in favor of this bill, but it seems to me there should be petitions from some of the stockholders if they want it.

Mr. CONNELL. This question was recently discussed at a meeting of the stockholders, and they decided that some additional supplement to the charter was necessary. They certainly decided there that everything in this bill was for the interest of the company.

Mr. RIDGWAY. This bill has been before the Legislature for four or five weeks and we have not had a remonstrance from the stockholders; and I think it is fair to presume that the bill is all right.

Mr. WHITE. Mr. Speaker, I have understood that there were some arrangements being made for making a branch road by this company in Clearfield county, and that this movement is in aid of that intention of the company.

Mr. CONNELL. I have so understood.

Mr. SEARIGHT. I have that understanding also.

Mr. COLEMAN. I am well aware, Mr. Speaker, that there is no use in raising difficulties to delay the passage of this bill. I know that public business must give way when it is demanded by that corporation. I know that this bill will be put through by a majority, but I protest against the legislation of the State—public bills and everything—being stopped whenever they come in and demand legislation. I know it is useless to do so, but I protest against it.

The bill was read a third time, and

Passed finally.

MESSAGE FROM THE GOVERNOR.

The Deputy Secretary of the Commonwealth being introduced, presented the following message in writing from the Governor:

EXECUTIVE CHAMBER,
HARRISBURG, March 21, 1867.

To the Senate and House of Representatives of the Commonwealth of Pennsylvania:

GENTLEMEN—I have been waited upon this afternoon by a large delegation of respectable citizens of Schuylkill county, who have come here in pursuance to instructions contained in a resolution adopted by a mass meeting of citizens held in Pottsville last evening, for the purpose of obtaining legislation which will terminate the scenes of murder and outrage which are now shocking the community with their enormity. In obedience to their request, and in accordance with my own wishes, I call your attention to the resolutions passed at the meeting last evening, a copy of which is herewith transmitted, and urge upon you the necessity and importance of immediate action.

The petitioners simply ask at your hands protection for their persons and property, a right which should be willingly and promptly granted before the soil of their county is again reddened with the blood of a peaceable and inoffensive resident. During the last three or four years nearly fifty murders have been committed in Schuylkill county, and the murderer, in almost every instance, was allowed to escape almost entirely, from the fear of the citizens to take any action towards the detection and conviction of the criminal.

The people of that section, as of all others of this Commonwealth, should and must be protected by the authorities of the State, and I respectfully urge you to listen to the appeal herewith enclosed, and take such action as in your wisdom you deem best suited to ensure to them security of life and property, and to secure the speedy and certain punishment of crime.

JNO. W. GEARY.

PROTECTION FOR LIFE AND PROPERTY IN SCHUYLKILL COUNTY.

The following were the officers of a meeting of the citizens of Schuylkill county, held in Pottsville, on Wednesday evening, March 20th, 1867, to adopt measures to secure protection for life and property in the county:

President—Jeremiah Reed, Esq.

Vice Presidents—Benjamin Bannan, Samuel Morris, Eli Bowen, John Lucas, George W. Pomeroy, Charles Biddle, Joseph S. Patterson, Alexander Morehead, George Martz.

Secretary—Francis B. Wallace.

WHEREAS, Schuylkill county is infested by bands of assassins and robbers, who murder our best citizens, keep the people of the outer district in a perfect state of terror, drive the respectable working people from the county and render it dangerous to travel in the region—keep capital from seeking investment here, and who defy alike the laws of God and man; therefore,

Resolved, That the people of this county earnestly ask the Legislature to accord them protection here, in the heart of the Commonwealth, for their persons and their property.

Resolved, That we urge upon the Legislature to promptly pass the bills adopted by this meeting and submitted with these proceedings, and thus give us the measure of protection which is due from the State to her citizens.

Resolved, That if the Legislature should again refuse to listen to and act upon our just appeal, the citizens of Schuylkill county will be compelled to defend themselves in the most effective manner known to men who have not the protection of the laws, and that the Legislature will be held responsible therefor.

WHEREAS, There is a radical defect in the present mode of selecting jurors in the different counties of the State which ought to be changed; therefore,

Resolved, That we most earnestly call upon the Legislature to pass the jury bill now before the Senate, authorizing the election of two jury commissioners in each county of the State, independent of the clause including the sheriff, so far at least as Schuylkill county is concerned, as said clause would destroy all its beneficial effects in the county of Schuylkill.

Resolved, That in order to meet the terrible state of affairs that exist in this county as speedily as possible, a section be added to said bill authorizing the Governor, immediately after its passage, to appoint said commissioners, select one from each party, who shall immediately thereafter enter upon and perform the duties of the office until the next general election.

Resolved, That we do not desire to enforce these features of the jury bill on other counties, if objectionable, but only ask it for ourselves in our present necessities.

Resolved, That a committee of not less than fifty citizens be appointed to proceed to Harrisburg to-morrow morning, Thursday, March 21st, to lay the grievances of our people before the Legislature and the Governor of the State.

CONCURRENCE IN HOUSE AMENDMENTS.

The House has insisted on its amendments, non-concurred in by the Senate, to bill entitled Joint resolution relative to the revisal of the civil laws of Pennsylvania.

Mr. BIGHAM moved that the Senate con-

cur in the House amendments. [The House amended by adding the Attorney General to the commission for collating the laws, and also by adding six thousand dollars to the appropriation for that purpose.]

Mr. M'CONAUGHY. I hope the Senate will not recede. I see no reason why it should. On the contrary, I move that it insist, and that a committee of conference be appointed. It is obvious that the Attorney General has public duties occupying his whole time. I do not believe that he desires it; there is a peculiar propriety in it; the usage has been, on several occasions, to appoint three men, which is an abundant number to do the work. And again, sir, it is peculiarly appropriate that no member of the administration of the State should be placed upon the commission.

Mr. BIGHAM. Mr. Speaker, when this question came up yesterday, I knew nothing about the except that the amendment had been made in the House. I do not know that the Attorney General is even willing to serve; I understand that the Judiciary Committee of the House consulted him on that subject. From the chairman of that committee I have learned that he said he would be glad to co-operate, and would take no salary. I would be glad to have him co-operate, and I think it applies, to some extent, to his office. I do not anticipate that the labor is to be imposed upon him, and I think there is an eminent propriety that the law officers of the Commonwealth should be consulted in regard to the matter. It involves no additional expense, and I hope the Senate will recede.

Mr. LOWRY. Mr. Speaker, I was not in my seat yesterday when this subject was before the Senate, or I should have insisted that the Senate concur in the House amendment. Now, sir, it is eminently proper that the Attorney General of the Commonwealth should be an *ex officio* member of this commission. It adds no expense to the Commonwealth; it gives the gentleman the aid and advice of the clearest minds, and, in my judgment, the ablest men in the Commonwealth. It is a duty, sir, that he is willing to undertake, and it is the conviction of the administration and those who know him that the interests of the Commonwealth would be best promoted by his being on the commission, and I was sorry to learn that there was any opposition from any quarter to his being placed in that position; and I cannot believe that this Senate, after becoming conversant with the facts, will refuse to recede from the position taken by the House, and insisted upon by the House. It certainly, sir, would look like an unfriendly act towards one whom I know no one here would wish to show disrespect for. Therefore, I hope that the proposition of the Senator from Allegheny, that we recede, and that the Attorney General shall act as a member *ex officio* of that commission, will be agreed to.

Mr. M'CONAUGHY. Mr. Speaker, my personal relations to the Attorney General are such, and I have such feelings of kindly friendship towards him, and admiration for his abilities, that I cannot remain silent after the remarks of the Senator from Erie [Mr. LOWRY]. I do not know, sir, but we may differ, but to me there is a seeking indelicacy in the attitude in which the action of personal friends has placed the Attorney General in this connection. I know of no gentleman of a higher sense of propriety; no man of a more acute sense of ability; no man of more brilliant talents, either in this Commonwealth or elsewhere; and I cannot believe that, of his own personal consent, he is in the attitude which the kind zeal of personal friends appears to be placing him. It would seem that the judgment of the gentlemen of the legal profession, who feel an interest in this subject, is to be controlled by a peculiar appeal—one which is wholly unnecessary, in my judgment. Now, sir, I yield to no man in regard to my personal feelings towards the Attorney General, in my respect for him. I desire that the Senate shall stand upon its own conviction in this matter. If a committee of conference was appointed, it does not necessarily follow that there can be no yielding on the part of the Senate; but I do not wish a matter of such importance to be controlled by mere personal considerations. I do not believe, sir, that the Attorney General of the Commonwealth is here, upon the floor of this Senate, volunteering to be a member of this commission.

Mr. WALLACE. Mr. Speaker, it seems to me, sir, that this matter may be settled without difficulty. I recognize the duty imposed by this bill to be more the duty of clerks, of skilled legal clerks, than that of gentlemen of great legal ability. Their duty is to collate and digest; it is not to construct and create; it is merely to put the laws as they are into form—a duty which any man conversant with form, who knows the written law, is competent to perform. Now, why should we impose upon the Attorney General of the State, a duty which can mainly be performed by other gentlemen of the profession? I think it would be entirely proper, after the committee had collated and digested the laws, that they should be submitted to him for approval, before reporting, and I think a settlement of this difficulty could be arranged in a committee of conference. I am entirely willing to have the opinion of the Attorney General upon any question of amendment of the laws.

Let the committee go on and collate the laws, and then submit them to the approval of the Attorney General. But I do not think it is right to put him upon this committee; it it seems to me unnecessary, and onerous to him.

Mr. LOWRY. Mr. Speaker, I may be mistaken in the object of this bill. I thought, when I heard the gentlemen around me speaking of the compensation, that the bill required men of talent. If it is a mere clerkship, sir, then give some person twelve hundred dollars a year instead of thousands. But I deny it. That, sir, is not the intention of this bill. Had I believed it was, I know it would never have been reported, and I would not have voted for it. This bill requires the ablest, strongest and greatest minds in the State; and because it is proposed that the Attorney General shall be placed upon that commission without any additional expense to the Commonwealth, gentlemen rise up here and tell us that it is a simple clerkship, and that they do not want to put such drudgery upon the Attorney General. The arguments will not hold together; it will not be credited that this is the cause. I trust, sir, that the Senate will recede. It is always honorable to recede when Senators are wrong. This, sir, was voted upon yesterday, when, perhaps, not half a dozen Senators knew what it was; it was not in my seat; I knew nothing of it. We have a great interest in the codification of our laws, and the Attorney General should be consulted in regard to it at all events—not only in its inception, but at every step.

Mr. WALLACE. Mr. Speaker, the Senator misunderstands my position; I did not say that it was a simple clerkship, but I said that it required a man who knew the law, and possessed clerkly qualities. When we require a man who is skilled in law, we expect to pay him. I asserted that the duties were more than those of a clerk; and that they were not the duties required of a man skilled in creating laws. What we want is not a man to suggest, but to digest and put them into form. We want men skilled in moulding laws, who know what the law is. The undoubted legal ability of the Attorney General will be useful in passing upon them after they are collated. No one desires the origination of new laws; what we wish, is to have those we have simplified and put in form—all laws upon one subject put under one head. This is, I assert, more the duty of a man skilled in digesting the laws than of one skilled in creating laws. Yet, I am willing to say that the Attorney General should be called upon to aid in passing upon them, and that all new suggestions may receive the benefit of his ability. We do not need to put upon him the drudgery which this would impose upon him. Shall we require these men to come here, and require him to sit with them all summer? Let the duty of collating one branch be given to one man, and the collating of another branch to another man, and then let their recommendations be submitted to the Attorney General. This is my view in regard to it, and it seems to me it is reasonable.

Mr. WHITE said he sympathized in the main with the remarks of the Senator from Erie.

Mr. BIGHAM. The chairman of the House committee told me they had increased the amount, and that the Attorney General would not, but would accept no consideration beyond his salary.

Mr. WHITE. Mr. Speaker, we all have our feelings in regard to this matter, and we have a right to express them in our own way. I will just say here, that I think it to be eminently proper, after what has taken place—after the House has seen fit to insert the name of the Attorney General in these joint resolutions—that the Senate, in view of its official relation to the Governor, should concur in that recommendation. There is no question but that he is eminently fitted for this work. We all concede his legal ability, and we concede, furthermore, the fact that he is largely interested in the codification and collation of the civil laws of this Commonwealth. No man is likely to be more competent to discharge this duty than one that has been so largely connected with the practice of the law. I do not consider, myself, that the duties imposed by this bill are clerical. I discover the duty of these revisors to be to carefully collate and reduce into one act the different acts, and parts of acts, which, from similarity, ought to be so arranged and consolidated, and to divest said acts of all useless verbiage, and arrange the several acts under proper titles and omit all such acts as shall have been repealed; also to designate the acts which ought to be repealed, and suggest to the Legislature such contractions, omissions, or imperfections as may appear in the statutes, and the mode in which the same may be reconciled, supplied, or amended.

Now, this contemplates the exercise of judicial functions. This contemplates the exercise of high professional powers, of high discretion, and I do not concur that the duties are merely clerical, in view of the provisions of this bill. I trust, then, that in view of the deference due to the legal adviser of the Commonwealth, after the more popular branch has insisted upon having his name in, that we concur. They can agree upon the time and manner in which these duties shall be discharged. The commission can meet in Philadelphia if they please, and confer with the Attorney General. I trust that in view of these facts, that we will allow the name of the Attorney General to remain in the bill.

Mr. BURNETT. Mr. Speaker, I am friendly to this bill. The last edition of *Purdon's Digest* is of enormous proportions; rendered so by a large amount of

superfluous matter that ought to be expunged. There are many acts of Assembly now embodied in every new edition of *Purdon* that have been modified or repealed, either by express enactments, or by the process known among lawyers as silent legislation, that is, by non-observance for a long period of time. I agree with the Senator from Clearfield [Mr. WALLACE] that the duties required under this act are of a clerical character. It does not require the highest order of professional ability to secure a full and prompt discharge of the duties, which this act would impose.

Frederick C. Brightly, Esq., of Philadelphia, may not rank as high in the profession as some others, but he is, beyond all question, the ablest compiler or codifier in the Commonwealth. *Purdon's Digest* is a monument to his unflagging industry, research, energy and skill. But, Mr. Speaker, I can see no good reason why the Attorney General should not be a member of the commission. Benjamin Harris Brewster is one of the ablest lawyers in the Commonwealth. His varied accomplishments may be of great service to the execution of the commission.

Mr. FISHER. Mr. Speaker, my first impulse was to vote against this motion made by the Senator from Adams [Mr. M'CONAUGHY], but when I saw that six thousand dollars were added to the expenses of this work it changed my mind. I shall now vote for non-concurrence.

Mr. BIGHAM. Mr. Speaker, there is an idea connected with this subject which has not been explained. The understanding of that House committee, in making this increase, was that this commission shall extend over two years, and that it shall pay two thousand five hundred dollars a year to each of the revisers.

Mr. M'CONAUGHY. Mr. Speaker, I understand the idea then to be to invite this commission to spend two years when it could be done in one year.

Mr. LOWRY. Mr. Speaker, when the question was up before the Senate, we understood that it would take two years.

Mr. SHOEMAKER. As a general thing, the larger the committee the less likely you are to have any result at all. If you put in three men, perhaps you will get a report in the requisite time; if you put in six, it will take perhaps five or ten years. Another consideration is, that the larger the committee the more expensive it will be. Now, it is true, the Attorney General is a patriotic gentleman, and says he will not receive any pay; but we do not ask anybody to work for the State without pay, and it is altogether likely that we will insist upon his taking pay if he is put on the commission.

Mr. LOWRY. The Commonwealth pays his salary.

Mr. SHOEMAKER. That is true, but this would be extra work. All these laws which this committee would act upon would go before the Governor and Attorney General; it is for the administration to accept this code which may be made out. It is known to all of us that whenever our laws are reduced to a system, they come before this Senate and the House, and every one is scanned first by the Legislature, and then by the Attorney General. Now, I submit that it is not worth while that the Attorney General should be bothered with them twice; it seems to me that it is sufficient for him to examine them once. Therefore, I shall vote to have this committee of conference appointed.

On the question,

Shall the Senate insist upon its non-concurrence, and appoint a committee of conference?

The yeas and nays were required by Mr. LOWRY and Mr. M'CONAUGHY, and were as follow, viz:

YEAS—Messrs. Coleman, Connell, Cowles, Fisher, Glatz, Graham, Haines, Jackson, James, Landon, M'Conaughy, Ridgway, Royer, Schall, Shoemaker, Taylor, Wallace, Walls, Worthington and Hall, *Speaker*—20.

NAYS—Messrs. Bigham, Billingfelt, Browne (Lawrence), Brown (Mercer), Burnett, Davis, Lowry, M'Candless, Searight Stutzman and White—11.

So the question was determined in the affirmative.

Messrs. M'CONAUGHY, WALLACE and CONNELL were appointed a committee on part of the Senate.

LIMITATION OF SPEECHES.

Mr. COLEMAN. Mr. Speaker, in order to facilitate business, I offer the following resolution:

Resolved, That, from this day to the end of the session, speeches shall be limited to five minutes.

The SPEAKER said he never knew that rule to be adopted in the Senate.

Mr. CONNELL. Yes, sir; it has been adopted several times. It was adopted in 1864.

Mr. LOWRY. It was two or three days before the adjournment of the session, if at all.

The SPEAKER. We are far ahead of the House in our business.

Mr. SHOEMAKER. I think a gentleman can say all that is necessary in five minutes, and the balance he can put in the *Record*.

Mr. LOWRY. They have adopted a ten minute rule in the House.

The SPEAKER. I have never seen this Senate so far ahead in business as it is now, and I think the Clerk will agree with me. We have passed every bill except what have come over for the past day or two.

Mr. COLEMAN. We have some very important bills before us. We have the jury bill and registry law, and other important bills.

Mr. WORTHINGTON suggested that the resolution be modified so as to apply only to public bills.

The SPEAKER. In that case, there would be no use in passing it.

Mr. GRAHAM. Mr. Speaker, I think all we want to say can be said in ten minutes.

Mr. LANDON. Mr. Speaker, one fact is very plain in this body, and that is, sir, that the character and length of our speeches are governed by great propriety. No one has called us a boisterous, talking body; and since we have abundant time to keep ourselves within the rules of propriety, I must say, frankly, that, as we are to have a jury bill, the appropriation bill and other important bills before us, the proposition to tie us down to ten minutes is preposterous. If any Senator wishes to speak twenty minutes, I am willing to let him; but I generally make short speeches; but if I want to make a long speech I desire the opportunity; and I believe that the importance of the subject will control us in the matter.

The SPEAKER said he disliked the resolution because he should not feel like enforcing the rule, and have to say to Senators, your time is up.

Mr. BIGHAM. Perhaps generally there is no excess of talking in our Legislature; the tendency should be in the opposite direction. For the amount of legislation we pass, we certainly do a very limited amount of talking—I speak of the members generally; I will not speak of myself.

Mr. COLEMAN. Mr. Speaker, as this discussion is just defeating my own measure, I will withdraw the resolution.

AN AFTERNOON SESSION.

Mr CONNELL moved that when the Senate adjourns, it will adjourn to meet this afternoon at 3 o'clock.

Mr. RIDGWAY. There are several Senators present, and more will be absent this afternoon. At such times, important bills ought not to be acted upon. I hope the Senate will not hold an afternoon session.

On the question,

Will the Senate agree to the motion?

The yeas and nays were required by Mr. CONNELL and Mr. RIDGWAY, and were as follow, viz:

YEAS—Messrs. Browne (Lawrence), Coleman, Connell, Cowles, Haines, James, Landon, Taylor, Wallace, Walls, Worthington and Hall, *Speaker*—12.

NAYS—Messrs. Bigham, Billingfelt, Brown (Mercer), Burnett, Davis, Donovan, Fisher, Glatz, Graham, Jackson, Lowry, M'Candless, M'Conaughy, Ridgway, Royer, Schall, Searight, Shoemaker, Stutzman and White—20.

So the question was determined in the negative.

MESSAGE FROM THE GOVERNOR.

The Deputy Secretary of the Commonwealth being introduced, presented the following message from the Governor:

EXECUTIVE CHAMBER,
HARRISBURG, March 22, 1867.

To the Senate and House of Representatives of the Commonwealth of Pennsylvania:

GENTLEMEN—I have approved and signed the following acts of the General Assembly, to wit:

On the 19th instant:

An act to vacate a part of Schuylkill street, in the borough of Norristown.

An act to fix the time of commencement of the June term of the several courts of Beaver county.

On the 20th instant:

An act to authorize the chief burgess and town council of the borough of Lebanon to borrow money for the purpose of building an engine house for the use of the Perseverance steam fire engine and hose company, and the purchasing of hose for use in the fire department of said borough.

An act to annex the farms of Samuel Powers, John Hunter, James Cunningham, John Conway and James Rutledge, of Derry township, to Livermore borough, in Westmoreland county, for school purposes.

An act relating to hawkers and peddlers of ready-made clothing in the county of Greene.

An act appropriating moneys arising from fines and forfeitures in Chester county.

A supplement to an act to authorize the school directors of the borough of West Greenville, Mercer county, to borrow money to erect a public school house in said borough.

An act to authorize the clerk of the courts of quarter sessions and oyer and terminer, and orphans' court of Lehigh county to appoint deputies.

A supplement to an act to increase the compensation of the county commissioners, auditors, jurors, assessors, witnesses and supervisors of Indiana county, and to authorize the collection of road taxes in Burrell township, in said county, in money.

An act to change the venue in the case of Jesse Chrouister versus Howard Miller, George Hollinger and Daniel Harbolt, from the court of common pleas of Adams county to the court of common pleas of Dauphin county.

An act for vacating the old burial grounds in the borough of Sewickley, and removing the bodies therefrom.

On the 21st instant:

An act for the sale of certain real estate of Drusilla Haas.

An act regulating the granting of licenses to eating houses and taverns in the county of Allegheny, and enforcing order therein.

An act to incorporate the Superior iron company.

An act to authorize the Governor to appoint two additional notaries public for the county of Dauphin, one for the Nineteenth ward of the city of Philadelphia, and one to reside in the county of York, and one in the city of Williamsport.

An act supplementary to an act entitled An act to incorporate the city of Williamsport, which became a law January 15, A. D. 1866, changing the wards and authorizing said city to borrow money.

JNO. W. GEARY.

BILLS ON THIRD READING.

Agreeably to order,

The Senate resumed the third reading and consideration of a bill entitled An act to repeal parts of an act approved the 11th day of April, 1866, entitled A further supplement to an act to authorize the Governor to incorporate the Susquehanna canal company, approved April 15, 1865.

Mr. BILLINGFELT. Mr. Speaker, I would like to say a few words in explanation of this bill. In 1835 an act of incorporation was passed by the Legislature for the purpose of enabling the Susquehanna canal company to construct a canal between Columbia and Tide Water.

On the 21st of March, 1836, that company applied to this Legislature for a supplement to the act of incorporation, so as to enable said company to construct their canal on the western shore of the Susquehanna river.

In consideration of that privilege, they then incorporated a provision in the bill that they should make connection with the Conestoga navigation, which required the building of a dam at Safe Harbor. Last session, by some means, they passed a further supplement to said act, which relieved them from the requirement of rebuilding or raising any other dam but the dam at Columbia, which enabled them to connect with the Pennsylvania canal. Unless this bill is passed, the Conestoga navigation is entirely worthless; it prevents and cuts off all communication between the Lancaster county shore and the York county shore. What possible objection the Senator from York [Mr. GLATZ] has to this bill I cannot determine. He knows that the bridges were down along the Susquehanna river, and that the rebuilding of the dam at Safe Harbor will open a communication with Lancaster and the York county line.

The Conestoga navigation extends from Safe Harbor to the city of Lancaster, and is of immense benefit to the people all along that canal and even to the citizens of Lancaster. Why this corporation should be enabled to violate a contract which was made and entered into on their behalf and on behalf of the Conestoga navigation company, merely for the sake of relieving them of the expense of a few thousand dollars to raise that dam, is a mystery to me. The Susquehanna canal company should, in good faith, fulfill their original contract and restore navigation between the Susquehanna and the Conestoga navigations. They have no right to ask the Legislature to relieve them of this obligation. It is a breach of faith and a breach of contract. The act of Assembly is very plain upon that point. It says "* * * and the said company shall connect said canal with the Conestoga navigation, so as to secure a safe and easy passage from the one to the other, and shall keep the same in repair."

Those are the considerations for which the Susquehanna canal company were enabled to run down and construct their canal upon the western shore, because they agreed to keep up communication between the two shores by building a dam at Safe Harbor, which is partially destroyed, and which we propose by this supplement to require them to rebuild, as well as the other dam at Columbia, which enables them to connect with the Pennsylvania canal. It is their duty to keep up that communication, so that that canal shall have connection with the Susquehanna canal, thereby completing the connection, as was the original intention before this supplement of last session was passed. I hope this Senate will do justice to the citizens of Lancaster, as well as to the citizens of York county, by passing this bill.

Mr. CONNELL. Mr. Speaker, I desire to give a few reasons why this bill should not pass. The only reason that I can understand the Senator on the other side to give why it should pass, is that it will benefit a defunct, broken down and sold out company—the Conestoga navigation. It has done nobody any good for several years past. The Susquehanna canal company, at the last session of the Legislature, entered into a contract with this Commonwealth, which may be found on page 706 of the laws of last year, the Legislature having passed an act compelling the companies which had placed any obstruction in the Susquehanna river to remove them, which the Susquehanna canal company thought was a violation of their rights; as they had expended a large amount of money in erecting their dam, an act was passed which reads thus:

"That in order to enable the Susquehanna canal company to construct proper sluiceways for the free passage of fish in the dam or dams owned by said company, at Columbia and Safe Harbor, in compliance with the provisions and requirements of an act of Assembly, entitled An act relating to the passage of fish in the Susquehanna river, approved March thirteenth, one thousand eight hundred and sixty-six, and in consideration thereof, the said Susquehanna canal company shall have the right to raise their feeder-dam, not exceeding three feet, if they shall find it necessary to do so in the enlargement of their canal; but they shall not be required to rebuild or raise any other than said feeder-dam."

That, sir, I take it, is a square contract, and in compliance with that act, the Susquehanna company have gone on and expended ten thousand dollars, and I call upon you, Mr. Speaker, and every lawyer in the Senate to stand by that contract. Now, sir, that company assumed that obligation, and I would like to know why this Senate should violate the contract.

Mr. BILLINGFELT. Mr. Speaker, in answer to the first argument, I would merely ask if, because this company is broken down, it shall be kept down in violation of all decency?

It is true that this act was passed last session, but, sir, it enabled them to get out of the scrape, and enabled them to relieve themselves of the responsibility which they had solemnly entered into between the two companies; and the Legislature of Pennsylvania had no right to step in and violate the rights and privileges of one company, and because the other company agreed to construct their dam in such a manner as will give free passage there.

Mr. CONNELL. Had not that company been sold out at that time?

Mr. BILLINGFELT. I have nothing to do with that company. That company may be up or down, but we have no right to strike down the rights of the people, and this act of last winter was passed without the knowledge of any person who had an interest in it. This act of last session relieves them from the repairing of that dam, in violation of the contract that was entered into between the two companies in 1835. This is simply a contract at the instance of the Susquehanna canal company, without consulting either the rights of the Conestoga company, or the rights of the people, who are especially and directly interested; and the Legislature had no right to enact a law to deprive any corporation of the rights that were originally granted to them because of these or any other abuses.

Mr. COLEMAN. Mr. Speaker, my views entirely coincide with those of the Senator from Lancaster [Mr. BILLINGFELT]. I agree that that contract was made with the Conestoga navigation company to keep up that dam, and it is a contract which this Legislature had no power to abrogate. The Senator from Philadelphia [Mr. CONNELL] says that the Conestoga navigation company is a bankrupt concern, and has been sold out.—That, to a certain degree, is true; it was bankrupt to a certain extent, because that company did not keep the canal in the proper condition. The transportation became so inconvenient that there was no access to the canal. The Tide Water canal was a poor concern, and had not money to put it in repair; but Reeves, Buck & Co., of Philadelphia, when the Pennsylvania railroad was chartered, entered into a contract with that company to supply them with the first iron that was laid upon the road. Advances were made to them, and they selected Safe Harbor as the location of these works. I wrote to Mr. Reeves, and he answered my letter, and I am very sorry that I have not the letter with me. It would explain the whole question much better than I am able to do; but I will say on this occasion, that when the Conestoga navigation company was sold out, Mr. Reeves bought it at sheriff's sale. Now, to my certain knowledge, that dam has been in such a condition for years that boats could not cross either in high or low water; there had to be a middle stage. Messrs. Reeves & Co. spent over half a million of dollars to improve their property there, which, by the action of the Tide Water canal company, is at present valueless; I would not give them the price of old bricks and iron for the property to-day, because they have no means of access to it. They are in hopes of getting a railroad along the Lancaster side, when the property will become worth something. The Tide Water canal come here and say they are unable to build it. I might as well come here and ask the Legislature, without any examination, to declare me bankrupt, and relieve me from paying my debts, and of the necessity of going through the bankrupt courts. It is no contract at all.

Mr. CONNELL. Will you agree to refer this question to the Judiciary Committee of the Senate, and abide by their decision?

Mr. COLEMAN. I will, if they will give it a proper hearing.

Mr. CONNELL. I make that motion, and ask the friends of the bill to agree to it. I move that it be recommitted.

Mr. COLEMAN. Mr. Speaker, I will merely say that this, in my opinion, is one of those curious acts of the Legislature very much resembling the repeal of the Connellsville railroad charter, in which the Legislature undertakes to abrogate a solemn contract. It is nothing more or less. This is a contract between the Tide Water and Conestoga companies, and the Legislature abrogates the contract, and makes a contract with some "shad."

Mr. FISHER. Mr. Speaker, I do not

think, sir, that there is an analogy between this matter and the Connellsville railroad. That has now become a defunct issue. But it does seem to me as a breach of faith on the part of this Susquehanna company. There was a contract entered into between these companies in 1836, giving them power and the privilege of constructing this canal, with certain limitations and conditions.

One of these limitations and conditions was that they should put a dam across the Susquehanna river at Safe Harbor, for the purpose of crossing boats to run up the Conestoga navigation. That navigation has been unfortunate; it is the misfortune of that company to be poor. I happen to be in that category myself. In consequence of the damage to the dam, caused by the ice and freshet, the Conestoga navigation has become worthless, and has been sold out under the hammer of the sheriff, but that is no reason why they should be trampled upon. And, in addition to that, sir, Reeves, Buck and Company have invested over half a million of dollars at Safe Harbor in the construction of large iron works. In consequence of the breaches in this dam, these works have been rendered entirely useless; and, as has been well said by the Senator from Lebanon [Mr. COLEMAN], they are worth no more than the rubbish would be worth in any other place.—They employed a large number of hands—some five or six hundred men. They have built up a flourishing village at the mouth of the creek called Safe Harbor, but in consequence of the worthlessness of the improvement their works have become valueless; their men have been thrown out of employment and have gone elsewhere. Now, is it right for the Legislature of Pennsylvania, after having entered into a solemn contract with those people for furnishing the same facilities furnished by this Conestoga company, that that property should be entirely destroyed? It has been virtually so. The Senator from Philadelphia [Mr. CONNELL] says this company has dam sold out; and why? Because the very life-blood of that corporation has been destroyed, the consequence of the breaches in this dam. Now, this corporation, having entered into a contract to keep up that dam, are to be allowed to break up another corporation and take away all the facilities of these people living along that Conestoga navigation, because they have been derelict in their duty, and violated their contract. We want the means of developing those material interests throughout that section of our county; there are large deposits of iron there. We have furnaces there and rolling-mills; and now, in consequence of the destruction of this dam, those works have become utterly useless, and in addition to that, the Conestoga navigation might as well tear up their locks and destroy their navigation, because it is utterly useless to them unless this dam is rebuilt. It is very true that last winter they did snake a bill through exempting them from the duties they owed to the people; by some improper means they did get an act passed through this Legislature not requiring them to construct that dam. That was a breach of faith, and ought to receive proper attention here.

Mr. SCHALL moved that the Senate do now adjourn.

Mr. BILLINGFELT. Mr. Speaker, I hope the Senate will remember that unless we pass this bill to day it will be worthless. The only question in the whole matter is whether the Susquehanna canal company shall keep their original contract and build a dam, so as to enable us to connect with that navigation. If this bill is not passed, we are entirely cut off from all connection. I presume the Senator from Lehigh [Mr. SCHALL] has no further legislation here, as he moves to adjourn.

On the question,

Will the Senate agree to the motion of Mr. SCHALL?

The yeas and nays were required by Mr. SCHALL and Mr. GLATZ, and were as follow, viz:

YEAS—Messrs. Burnett, Connell, Donovan, Glatz, Haines, James, M'Candless, Ridgway, Royer, Schall, Searight and Wallace—12.

NAYS—Messrs. Bigham, Billingfelt, Browne (Lawrence), Brown (Mercer), Coleman, Cowles, Davis, Fisher, Graham, Landon, M'Conaughy, Shoemaker, Stutzman, Taylor, White, Worthington and Hall, *Speaker*—17.

So the question was determined in the negative.

The question then recurred on recommitting the bill to the Committee on Local Judiciary.

Mr. BILLINGFELT. Mr. Speaker, this bill originated in this body, and I will agree, if it passes here, that the question shall be submitted to the Judiciary in the House.

Mr. COLEMAN. I appeal to the Senator from Philadelphia [Mr. CONNELL] to give the Attorney General an opportunity of seeing this bill before it is signed.

Mr. CONNELL. We are not in the habit of submitting every bill to the Attorney General.

Mr. BIGHAM. On behalf of the General Judiciary, I hope the bill will not go there.

Mr. BILLINGFELT. I call this factious opposition to the bill.

Mr. CONNELL. I have made no factious opposition.

On the question,

Shall the bill be recommitted to the Committee on the Judiciary Local?

The yeas and nays were required by Mr. CONNELL and Mr. RIDGWAY, and were as follow, viz:

YEAS—Messrs. Burnett, Connell, Cowles, Davis, Donovan, Glatz, Haines, James, M'Candless, M'Conaughy, Ridgway, Schall, Searight, Stutzman and Wallace—15.

NAYS—Messrs. Bigham, Billingfelt, Coleman, Fisher, Graham, Landon, Lowry, Royer, Shoemaker, Taylor, White, Worthington and Hall, *Speaker*—13.

So the question was determined in the affirmative.

During the call,

Mr. COWLES said: Mr. Speaker, inasmuch as this is a question which I wish to examine carefully, and thinking that it involves legal questions, I shall have to vote "aye."

THE VETO MESSAGE.

Mr. BIGHAM offered the following resolution, which was read:

Resolved, That the House of Representatives be requested to return to the Senate bill No. 324, entitled An act supplementary to an act entitled A further supplement to the act incorporating the Pennsylvania railroad company, authorizing an increase of capital stock and to borrow money, approved the 21st day of March, 1866, and to authorize the Pennsylvania railroad company to increase its capital stock, to issue bonds, to secure the same by mortgage, together with the message of the Governor in relation thereto.

Mr. CONNELL. Who ever heard of such a thing as recalling a veto message?

Mr. LOWRY. When we do a wrong act, let us undo it as soon as we can.

The SPEAKER stated that the bill vetoed by the Governor could not be again re-considered.

Mr. WALLACE. We cannot discuss it until we have the question before us, it seems to me.

Mr. CONNELL. I should like to know the object of this resolution. I call upon the Senator who offered it to explain.

Mr. BIGHAM. I am not instructed to say what the object is.

Mr. CONNELL. I would like to know what is to be done when it is again in the Senate chamber.

Mr. RIDGWAY. Mr. Speaker, I have no objection to the recalling of this bill, but if I am to be put in the position suggested by the Senator from Erie [Mr. LOWRY], in acknowledging that I have done wrong, I am not going to vote for it.

Mr. LOWRY. I was not expecting that the Senator would back out from a wrong position.

Mr. RIDGWAY. When I take a position and think I am right, I stick to it, and I shall not vote to reconsider my vote on that subject.

Mr. GRAHAM. Mr. Speaker, the object in recalling the bill and message, I presume, is that the Senate may reconsider its action in carrying that bill over the veto of the Governor.

Now, sir, it is well known that when that bill was carried over the veto of the Governor, the Senate was not full; if it had been the result, doubtless, would have been different; and if that bill were again before a full Senate, I have no doubt, sir, that the veto of the Governor would be sustained.

On the question,

Will the Senate proceed to the second reading and consideration of the resolution?

The yeas and nays were required by Mr. LOWRY and Mr. DONOVAN, and were as follow, viz:

YEAS—Messrs. Bigham, Billingfelt, Browne (Lawrence), Brown (Mercer), Coleman, Cowles, Graham, Landon, Lowry, M'Candless, Searight, Shoemaker, Stutzman, Taylor, Wallace, White, Worthington and Hall, *Speaker*—18.

NAYS—Messrs. Burnett, Donovan, Glatz, Haines, James and Ridgway—6.

So the question was determined in the affirmative.

The resolution was then read a second time and

Adopted.

BILL ON THIRD READING.

Agreeably to order,

The Senate proceeded to the third reading and consideration of a bill entitled An act for the better protection of seamen in the port and harbor of Philadelphia.

Mr. DONOVAN. I trust that, in the absence of my colleague [Mr. M'CANDLESS], this bill will not be considered.

Mr. RIDGWAY. I object to this bill, and I think it is due to the Senator from Philadelphia that there should be a full Senate when it is considered.

Mr. COLEMAN. It was made the special order for the day, and it is their own fault if Senators are not here.

Mr. DONOVAN. I trust that this bill will not be pressed to a vote to-day. There is no bill before the Senate in which my colleague is more interested than in this. I trust it will be postponed for the present.

Mr. COLEMAN. This is only a question of morality—and that is about all.

Mr. DONOVAN. I think I will be able to show, when it comes up on final passage, the morality of it. I move that the further consideration of the bill be postponed for the present.

On the question,

Will the Senate agree to the motion?

The yeas and nays were required by Mr. DONOVAN and Mr. CONNELL, and were as follow, viz:

YEAS—Messrs. Burnett, Donovan, Glatz, Haines, James, Lowry, Ridgway, Shoema-

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[CONTINUED FROM PAGE 712.]

ker, Stutzman, Wallace and Hall, *Speaker*—11.

NAYS—Messrs. Bigham, Billingfelt, Browne (Lawrence), Brown (Mercer), Coleman, Connell, Cowles, Fisher, Graham, Landon, M'Connaughy, Royer, Taylor, White and Worthington—15.

So the question was determined in the negative.

During the call,

Mr. M'CONAUGHY said: Mr. Speaker, I think it a pure question of humanity. I vote "no."

Also, during the call,

Mr. WHITE said: Mr. Speaker, I am a great friend of the seamen, and I think this a matter of humanity which ought to be disposed of. I vote "no."

Mr. DONOVAN moved to postpone the further consideration of the bill until next Monday evening.

The motion was

Agreed to.

The hour of one o'clock having arrived, the SPEAKER adjourned the Senate until half past 7 o'clock next Monday evening.

HOUSE OF REPRESENTATIVES.

WEDNESDAY, March 20, 1867.

The House met, pursuant to adjournment, at 10 o'clock, A. M.

The following

PRAYER

was offered by the Rev. Franklin Moore, D. D., of Philadelphia.

"Almighty and most merciful God, we would devoutly worship Thee through Jesus Christ, as the Source of all being, the Father of Glory. We would beseech Thee to bless these representatives of the people of Pennsylvania. Make their lives and health and all their innocent interests precious in Thy sight. Grant that they may realize the majesty of the interests committed, for the time being, to their care. Receive our thanks, as, for the grandeur of the nation, so for the grandeur of the Commonwealth of Pennsylvania. We thank Thee for her vast material resources, for her geographical position, and for her historic glory. We beseech Thee to grant that, evermore, there may pulse forth from throughout the nation the spirit of devotion toward God, and also the spirit of a lofty and pure patriotism. We pray Thee to look graciously on the Speaker of the House of Representatives; to be wisdom and strength to him in the discharge of his responsible duties. We pray Thee to bless all the officers of this House, and all its members. Grant that the friendships formed between them here may, through the blood of the Covenant washing their souls, be perpetuated beyond this life, and exist through eternity. Guide us all unto death, and when the struggles of life are o'erpast, receive us to thyself—permit us to rest and rejoice in Thee forever, through Jesus Christ, our Mediator, to whom, with Thee, O Father! and Thee, Holy Ghost, be honor and glory everlasting. Amen.

The reading of the Journal of the previous session was dispensed with.

ORIGINAL RESOLUTIONS.

Mr. CHASE asked and obtained leave to offer the following resolution, which was twice read, considered and

Adopted:

Resolved, That the Clerk of the House, in connection with two members of the House of Representatives, be instructed to inquire what alterations are necessary to improve the lighting and ventilation of the hall of the House of Representatives; and that they be authorized to make such changes as they may deem necessary to attain this object, and, if possible, to increase the comfort and enlarge the accommodation of the hall.

The following resolution was offered by Mr. WRIGHT:

Resolved, That Hon. D. B. M'CREARY deserves and should receive the thanks of the House for the first and gentlemanly manner in which he discharged his duty as Speaker *pro tempore*, on Monday evening last, when the House had under consideration Senate bill No. 235, entitled An act to punish, by fine, any railroad corporation within this Commonwealth that shall exclude, or allow to be excluded by their agents, conductors or employees, from any of their passenger cars, any person or persons on account of color or race.

Adopted.

During the reading of the resolution, remarks, which will appear in the Appendix of the *Record*, were by made Messrs. QUIGLEY, MANN, HEADMAN, GREGORY, M'CREARY, BOYLE, STUMBAUGH, PENNYPACKER and DAVIS.

The following communication from the Methodist Episcopal Conference was presented and read;

SEAT OF THE PHILADELPHIA ANNUAL CONFERENCE OF THE M. E. CHURCH,
LOCUST STREET, M. E. CHURCH,
HARRISBURG, March 19, 1867.

To the Honorable the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met:

By direction of the body herein mentioned we are authorized to forward the following communication, embracing the action of the Philadelphia Annual Conference of the M. E. Church in its morning session of this date, to His Excellency, the Governor, and the Honorable Senate and House of Representatives of the Commonwealth of Pennsylvania.

Report of the Committee on the Sabbath.

Your committee beg leave to report, that the Christian Sabbath is, by the acknowledged verdict of the Evangelical Christian world—a verdict founded on the teachings of the Holy Scriptures—a necessity alike for the physical, intellectual and religious welfare of men. It is, moreover, observed, not by the authority of human opinion, which is variable, but in accordance with expressed Divine law, and inspired example, which law enjoins the Sabbath of the Lord to be kept holy by all men and through all time, inasmuch as it was made for man, to secure the well-being of man, in time and in eternity; therefore,

Be it resolved by the Philadelphia Annual Conference of the Methodist Episcopal church,

First. That so far as our influence extends we will never cease to contend boldly for the glory of God and the majesty and authority of his law concerning the Holy Sabbath.

Second. That in charity to all and malice to none, we do hereby pledge ourselves to oppose without compromise and without ceasing all men, whether in high or low places, who by assailing the sanctity of the Christian Sabbath assail Christianity in the very eye.

Third. That we regard the proposed running of the street cars in the city of Philadelphia as a clear violation of the sanctity of the Sabbath day and as an infraction of the rights of the poor laboring men employed in the running of said cars, God having distinctly enjoined one day in seven as a day of rest for man and beast.

Fourth. That we respectfully and urgently request the members of the Legislature and the Governor of this State and other States to refuse all legislative and executive action which would oppose human enactments to the express law of God, reminding them solemnly that divine laws cannot be repealed with impunity by human legislation, even if such legislation be sanctioned by vast majorities of men.

The above report was adopted by the Conference, and a copy ordered to be forwarded to His Excellency, Governor Geary, and the honorable Senate and House of Representatives. L. SCOTT,

ROBT. H. PATTISON, Bishop.
Secretary.

During the reading of the same,

Mr. QUIGLEY said: Mr. Speaker, I rise to a point of order. I believe this communication is a direct insult to the majority of this House, who voted in favor of the cars running on Sunday.

I object to the further reading of the communication, and move that it be postponed.

Mr. JENKS. Mr. Speaker, I hope the motion will not prevail. It is no insult and no disrespect to this or any other body for their constituents, in an assemblage of any kind, to give their opinion as to what is right and as to what is wrong.

Mr. QUIGLEY. Mr. Speaker, in making that motion I intended no disrespect to the gentlemen, but I take it in this way:

They start out with the intimation that they will oppose all men in high or low places who say they are in favor of running cars on Sunday. I view this as a direct insult to the majority of this

House, who voted in favor of that bill. I think they should confine themselves to the business of their conference. A majority of this House have declared, by their votes, that the running of cars in the city of Philadelphia was not a desecration of the Sabbath and they know it; it is on record. The bill is already pending in the other chamber.

I view this communication as a direct insult to the majority of this House.

Mr. LEE. Mr. Speaker, I am in favor of running the cars on Sunday. I so vote and so work. I hold it to be my right so to vote and so to think. While I claim that right for myself, I am perfectly willing to accord to every other gentleman the right to think as he pleases, and the right to express his views upon any matter in the way that he may deem most fitting to make them potent and efficient. I cannot, although a friend of this bill, permit the occasion to pass without saying that I regret very much that my colleague from Philadelphia has made this assault upon a body of men who stand perhaps as high in this and every other community as any other body which can assemble.

Mr. QUIGLEY. Mr. Speaker, I have made no assault upon them. I was defending and maintainining for this body the highest respect, but I hold that they step outside of their duties when they attempt to say what kind of legislation we want.

Mr. LEE. I understood that the conference was charged with offering a direct insult to this House; if the gentleman did not say that he meant it.

Mr. QUIGLEY. Mr. Speaker, I said that the communication was a direct insult to the majority of this House who voted in favor of it——

Mr. LEE. Mr. Speaker, then if it is a direct insult by the parties who sent it here—all of us being legislators, it is a charge against that body of men, and a charge which I do not feel disposed to let go unanswered. I say that the very highest interest that a gentleman can have in this or the world to come, would be promoted by that body of men if it was in their power to do so. This charge should not be made. The persons to whom it relates are a portion of the people, and the gentleman who originated this charge was sent here by them. They have a perfect right to be heard in the expression of every fair and conscientious opinion. If they do not agree with me (and in fact they do not) upon this subject, I, nevertheless, accord to them the right, as their representative, to tell me what is their opinion, what is their desire. They ought not to be charged with insulting this House when they come here in that capacity. I hold they should come here and talk to their representatives. We are not their masters; we are here their servants, and it is no insult to us if they should tell us what is their wish and what is their conscientious conviction upon this or any other proposition. I shall not vote to stop the reading of this communication. I trust that the House will show its good sense by not agreeing to the motion.

Mr. WINGARD. Mr. Speaker, there is one question I would like to ask, and that is, what is more insulting in the matter that is now being read to this House than there was in the dozens of petitions and remonstrances that were forwarded to us during the discussion of the question, from all parts of the country?

Mr. QUIGLEY. Mr. Speaker, if the gentleman desires an answer I will give him one. I do not dispute the truth of that with any man, but I say that no body of men constituting an exclusive denomination, as a body, can send up a communication to this House after a bill is passed and denounce, indirectly if not directly, the members who voted for that bill without insulting the majority.

The SPEAKER. The Chair would state that he has entertained the motion of the gentleman from Philadelphia without due reflection; upon further reflection he is clearly of the opinion that gentlemen have a right to petition this House, and that it is right and due to them that the House should hear their petition; therefore, it decides the motion of the gentleman from Philadelphia is not in order. The Clerk will continue the reading of the communication.

THE FINAL ADJOURNMENT.

On motion, the orders were suspended.

Mr. WADDELL offered the following joint resolution providing for the final adjournment of the Legislature:

Resolved, That (if the House concur) the Legislature will adjourn *sine die* at twelve o'clock, M., on Wednesday, the 3d day of April next.

The resolution was numbered Senate bill No. 163.

On motion of Mr. WADDELL, the resolution was amended so as to provide for the final adjournment on Thursday, the 11th of April, at 12 o'clock, M.

The amendment was

Agreed to.

The rules being suspended,

The bill was read a second and a third time and

Passed finally.

BILL PASSED.

Mr. CAMERON asked and obtained leave to read a bill in place—the bill being numbered 1388.

On motion, the rules were suspended, and the House proceeded to its consideration.

It was read and

Agreed to.

The rules being again suspended, the bill was read a second and third time, and

Passed finally.

BILLS INTRODUCED.

Mr. THARP asked and obtained leave to read in place and present to the Chair bill No. 1390, an act to empower the court of quarter sessions of Northumberland county to grant a license to Nicholas Stenck to keep a hotel.

Laid on the table.

Mr. CAMERON, bill No. 1389, an act authorizing the commissioners of Susquehanna county to erect new jail in the said county.

Laid on the table.

On motion, the orders were suspended to enable Mr. GHEGAN to offer the following resolution:

Resolved, That for the remainder of this session no member shall be allowed to speak for more than five minutes at one time, nor more than twice on the same bill or subject.

On motion of Mr. JENKS, the resolution was amended by striking out the word "five," and inserting the word "ten."

On motion of Mr. STUMBAUGH, the resolution was further amended by striking out the limitation of speaking but twice on the same subject.

BILL RECOMMITTED.

On motion of Mr. M'PHERRIN, Senate bill No. 287, an act relative to livery stable keepers in Mercer county, was recommitted to the Committee on the Judiciary Local.

The House then proceeded with the orders of the day.

The first bill in order on the private calendar was House bill No. 1032, an act to incorporate the Rev. Hugh M'Laughlin beneficial society of Philadelphia.

The question was on the bill.

Mr. MANN. Mr. Speaker, the objection I have to this preamble is that it asserts in the last part that the courts have not jurisdiction; it also states the fact that these parties are not citizens.

I will agree to vote for that, but I am not willing to vote that the courts have not power to grant the charter, because I contend it is not true. I hold that part of the preamble ought to be stricken out.

By request, the preamble was again read for the information of the House.

Mr. MANN. Mr. Speaker, I move to amend by striking out that part of the preamble.

Mr. QUIGLEY. Mr. Speaker, I know that the courts have not jurisdiction in such cases.

Mr. MANN. That is the question to be determined.

Mr. BOYLE. Mr. Speaker, if the gentleman from Potter admits the first part of the preamble the other follows.

Mr. MANN. Mr. Speaker, what I object to is that it is attempted to argue that because the courts have not authority, therefore the Legislature has; that is the inference I am resisting. I do not question the fact that a court has no power to incorporate societies of persons who are not citizens. I object to the inference drawn from this preamble, that because the courts have not authority to do that particular thing, therefore the Legislature has.

Mr. QUIGLEY. Mr. Speaker, I will modify the preamble.

The preamble was modified.

Modification not stated.

Mr. M'CREARY. Mr. Speaker, it seems to me that the preamble does not remove the objection raised last night. The preamble and the bill have no reference to each other at all. The preamble would seem to indicate that the persons who are to be incorporated in this society were not to be citizens in order to take the matter out of the jurisdiction of the court, but the bill does not set forth that, as one of the objects of the society—that the persons connected with this proposed association are not to be citizens. The preamble must be still further amended, because the bill does not set out that one of the objects of the association is that persons who are not citizens shall be incorporated.

Mr. QUIGLEY. Mr. Speaker, it says so.

Mr. M'CREARY. The bill does not say so.

Mr. QUIGLEY. The preamble is a part of the bill.

Mr. M'CREARY. Mr. Speaker, I believe it is stated that the persons who wish to be incorporated are not to be citizens.

Mr. QUIGLEY. Mr. Speaker, I would ask if the preamble is not a part of the bill?

Mr. M'CREARY. Mr. Speaker, it may be, but it must agree with the bill.

I would say, while on the floor, that I am not in favor of granting an incorporation to associations of this kind. A man who is a citizen of New York or some other portion of the country may come here to claim rights that our citizens cannot.

Mr. QUIGLEY. Mr. Speaker, this is a bill where some of the corporators are citizens and some are not.

I do not think that the objection of the gentleman from Erie applies to this case.

On agreeing to the amendment to the preamble,

The yeas and nays were required by Mr. QUIGLEY and Mr. MULLIN, and were as follow, viz:

YEAS—Messrs. Barrington, Boyle, Breen, Brennan, Calvin, Collins, Craig, Fogel, Gregory, Harner, Headman, Heitzel, Hood, Hunt, Jenks, Jones, Josephs, Kline, Koon, Kurtz, Linton, Long, M'Henry, Maish, Mey-

ers, Mullin, Quay, Quigley, Rhoads, Robinson, Roush, Tharp, Westbrook, Wingard and Glass, *Speaker*—35.

NAYS—Messrs. Adaire, Armstrong, Barton, Brown, Chadwick, Davis, Day, DeHaven, Ewing, Freeborn, Ghegan, Gordon, Hoffman, Kimmell, Kinney, Leech, M'Camant, M'Creary, M'Kee, M'Pherrin, Pennypacker, Peter, Pillow, Roath, Seiler, Steacy, Stehman, Watt, Webb, Weller and Wright—31.

So the question was determined in the affirmative.

The question was then on the bill as amended,

Mr. MANN. Mr. Speaker; I hope this bill will not pass; it still leaves it as a bill, the objects of which the courts could not grant, and by implication the Legislature should not. Because, if they do, it will simply appear to us that the Legislature would do for those who are not citizens what they will not do for those who are citizens. That point was well made by the gentleman from Erie. It cannot be supposed that the Legislature intended to tie up their own hands so that they could not grant a charter of incorporation for their own citizens. It would grant to foreigners whatever is just, what the gentleman from Philadelphia asks us to do in this bill; but I object to granting to foreigners privileges which the Constitution provides we shall not grant to our own citizens. I hope, therefore, the House will not pass the bill.

Mr. QUIGLEY. Mr. Speaker, the gentleman from Potter [Mr. MANN] certainly knows that we pass bills every day incorporating companies where a number of the persons incorporators are not citizens of this State.

Now, the law gave the right to the courts to grant charters, but it says such charters must be granted only to citizens of this Commonwealth. This preamble sets forth that some of these gentlemen are not citizens of the Commonwealth, and therefore the courts have not jurisdiction, and cannot grant them a charter. Now, every day we pass railroad bills and printing bills, and others, where a number of the names in the bill are those of incorporators who are not citizens of the State. We have frequently passed such bills giving the rights of incorporation to three or four parties from another State, among others, who were to be directors of the association so incorporated.

I see nothing in the argument of the gentleman from Potter.

Mr. MANN. The object is just this: Men who are citizens could associate with these other men who are not citizens, thus evading the jurisdiction of the court and present themselves here with an application for an act of incorporation.

Mr. HEADMAN. Mr. Speaker, it seems to me that the word "foreigner" proves to be a great bugbear in regard to this bill.

Now, the whole circumstances connected with this question are simply these: This society, which my friend from Philadelphia has stated was gotten up for financial purposes, is to be named after a Catholic priest who resided in the neighborhood of my friend from Philadelphia. The persons who created that church are foreigners, still not all of them. Others have come into this country and resided in that district probably ten or fifteen years without having been naturalized. This bill is simply to allow those men who belong to that church who are not naturalized to become citizens of the country and participate in the affairs of this society.

The question being on the bill,

The yeas and nays were required by Mr. QUIGLEY and Mr. GREGORY, and were as follow, viz:

YEAS—Messrs. Adaire, Barrington, Boyd, Breen, Brennan, Calvin, Cameron, Collins, Craig, Ewing, Fogel, Gregory, Harner, Headman, Heltzel, Hood, Hunt, Jenks, Jones, Kline, Koon, Kurtz, Linton, Long, M'Henry, Meyers, Mullin, Quay, Quigley, Rhoads, Robinson, Roush, Tharp, Westbrook, Whann and Wingard—36.

NAYS—Messrs. Allen, Armstrong, Barton, Brown, Chadwick, Day, DeHaven, Espy, Freeborn, Gallagher, Ghegan, Gordon, Hoffman, Kimmell, Kimey, Leech, M'Camant, M'Creary, M'Pherrin, Mann, Pennypacker, Peter, Richards, Roath, Steacy, Stehman, Watt, Webb, Weller and Wright—30.

So the question was determined in the affirmative,

And the bill was

Agreed to.

The bill was then passed to third reading.

No. 1032, an act to incorporate the Rev. Hugh M'Laughlin beneficial society of Philadelphia.

Third reading.

No. 1033, an act to incorporate the Sons of Hermann hall association of Philadelphia.

Not agreed to.

No. 1034, an act to incorporate the Shenandoah cemetery association.

Not agreed to.

No. 1035, an act to alter the line between Lawrence and Mercer counties, so that the farm of Edward Hanna shall all be in Mercer county.

Not agreed to.

No. 1037, an act extending the provisions of an act approved 7th day of May, A. D. 1864, entitled An act to prevent cattle, horses, sheep or hogs from running at large in Bethlehem township, Northampton county, to Lower Nazareth, East Allen and Saucon townships, in said county.

Passed finally.

No. 1038, an act to repeal an act to prevent cattle horses, sheep and hogs from running at large in Chillisquaque township, Northumberland county, Kelly township, Union county, and certain townships in Luzerne county, so far as the same relates to Chillisquaque township.

Amended by Mr. ROUSH, and

Passed finally.

No. 1039, an act for the protection of wild turkeys and squirrels, and for other purposes, in the county of Huntingdon.

Passed finally.

No. 1040, an act extending the provisions of an act relating to dogs in Allegheny, Chester, Northampton, Schuylkill and Lancaster counties, approved 6th day of April, 1854, to the county of Berks.

Passed finally.

No. 1041, an act extending the provisions of an act repealing existing laws relating to killing beasts of prey, so far as related to the county of Venango, approved 12th day of April, 1866.

Passed finally.

No. 1042, an act to prevent the injury or destruction of fruit, ornamental or other trees, and to protect the owners thereof, in the county of Clinton.

Amended by Messrs. PILLOW, HARBISON, M'PHERRIN and KURTZ, and

Passed finally.

No. 1043, an act to prevent the destruction of fish in Breeches pond or lake, in Overfield township, Wyoming county.

Amended by Mr. EWING, and

Passed finally.

No. 1044, an act prohibiting the hunting, catching and killing of game in North Fayette, Allegheny county.

Passed finally.

No. 1046, an act for preserving fish in the South pond, in the townships of Union and Ross, county of Luzerne.

Passed finally.

No. 1047, an act in relation to hunting and killing game and deer in Lycoming, Clinton, Centre, Cameron, Clearfield, Elk, Potter and M'Kean counties, and in relation to dogs in said counties.

Amended by Mr. MANN.

Passed finally.

Senate bill No. 414, an act to prevent the burning of the woods in the counties of Clearfield and Elk.

Passed finally.

No. 1050, An act to take the sense of the people of Beaver county upon the question of a prohibitory liquor law.

Title and amended by Mr. EWING.

Passed finally.

No. 1051, a supplement to an act to prevent the sale of intoxicating liquors on the first day of the week, commonly called Sunday, approved February 26, 1855, relating to the county of Berks.

Amended by Messrs. KLINE and MEILY.

Passed finally.

No. 1052, an act relating to tavern licenses in Greene county.

Passed finally.

No. 1053, an act in relation to the illegal sale of intoxicating drinks in the county of Mercer.

Titled and amended by Mr. LEECH.

Passed finally.

Senate bill No. 498, a supplement to an act relative to the payment of bounties by the county of Clearfield, approved February 27, 1865, extending the same.

Passed finally.

No. 1056, an act to legalize the levy and collection of certain bounty tax, to provide for a settlement, and authorize the school directors to levy an additional bounty tax in Upper Paxton township and the borough of Gratztown, in the county of Dauphin.

Passed finally.

No. 1057, a further supplement to an act to legalize bounties paid volunteers, and the bonds issued therefor, in certain townships in the county of Franklin, approved 4th day of April, A. D. 1866, extending the provisions of said act, and the supplement thereto, to the township of Hamilton, in said county.

Passed finally.

No. 1058, an act to authorize the board of supervisors of Industry township, Beaver county, to levy a bounty tax.

Passed finally.

No. 1060, an act providing for the payment to the school treasurer of Monroe township, Cameron county, the balance of the money raised for the payment of local bounties, after the payment of all claims in said township for local bounty.

Amended by Messrs. M'KEE, KIMMELL and LONG.

Passed finally.

No. 1061, an act to authorize the school directors of Conestoga township, Lancaster county, to levy and collect a tax to liquidate the debt on said township, created to pay bounties to volunteers.

Passed finally.

Senate bill No. 503, a further supplement to an act relating to local bounties, approved March 15, 1865, so far as relates to the township of Union, in Lawrence.

Passed finally.

No. 1063, an act to authorize the school directors of Jefferson township, Fayette county, to levy and collect a bounty tax.

Passed finally.

No. 1064, a supplement to an act to secure bounty taxes in certain wards, in the city of Lancaster, approved April 4, 1866.

Passed finally.

No. 1065, an act to authorize the payment of the salary of Hunter Comly, as brigade inspector.

Passed finally.

No. 1066, an act to legalize certain acts of committees and school directors of the township of Lower Milford, county of Lehigh, relative to the payment of bounties to volunteers.

Passed finally.

No. 1067, an act to enable the school directors of the township of Chanceford, in the county of York, to levy and collect at once a tax sufficient to liquidate the remaining indebtedness of said township for bounty purposes.

Amended by Mr. BOYLE.

Passed finally.

No. 1068, an act to authorize the board of school directors of the township of Brooklyn, Susquehanna county, to levy and collect a tax to pay outstanding bonds, and for other purposes.

Passed finally.

No. 1070, an act to repeal the second section of an act authorizing the collection of a tax in Jackson township, Dauphin county, and Jefferson township, Berks county, to refund moneys advanced to pay bounties to volunteers.

Passed finally.

No. 1071, an act to annul the marriage contract between James R. Weyman and Ida M., his wife.

Not agreed to.

No. 1073, an act to incorporate the Chester passsenger railroad company.

Passed finally.

No. 1074, an act to incorporate the Safety fund association of Susquehanna Depot, Susquehanna county.

Passed finally.

No. 1075, an act to incorporate the Armstrong County Saving Bank.

Passed finally.

No. 1069, an act to appropriate the moneys arisiug from the sale of a leasehold of the trust estate of Frederica Misca, and to validate and confirm the acts of the trustees therein.

Passed finally.

During the second reading of the private calendar the following remarks were made:

On bill No. 1071, an act to annul the marriage contract between James R. Weyman and Ida M., his wife.

Mr. MANN. Mr. Speaker, no reason is given why we should grant this divorce. I hope it will not pass.

Mr. COLVILLE. I hope the petition accompanying that bill will be read for the information of the gentleman from Potter [Mr. MANN].

Mr. MANN. The bill itself ought to give the ground for the divorce.

The petition was read, but could not be found for insertion in the *Record*.

Mr. MANN. Mr. Speaker, as that petition sets forth reasons which a court can entertain, and it being a case over which they have jurisdiction, I shall call the ayes and nays on the passage of the bill.

Mr. COLVILLE. Mr. Speaker, I am quite well acquainted with this case. I have known the man quite a number of years. He is at present serving out a term of imprisonment in the Western penitentiary for burglary.

Mr. MEYERS. Mr. Speaker, I would like to ask the gentleman if that is not a form of divorce?

Mr. COLVILLE. Mr. Speaker, I believe it requires a two years' sentence. He is sentenced for but one year and three months. The wife of this man has made application to several eminent lawyers of Pittsburg and they informed her that she had no redress from the courts, because she had voluntarily left him. That petition states she was compelled to leave him for her own safety. I consider the opinion of the lawyers of Pittsburg is entitled to as much weight as the opinion of any gentleman on this floor.

I hope the bill will be considered and acted upon.

Mr. WADDELL. Mr. Speaker, I have a high regard for the opinion of the profession in Pittsburg. No man entertains a higher respect for gentlemen of the bar there. And so far as their opinion has been expressed to this House, it is worthy of all credit and respect. I do not apprehend any lawyer here would say that where a woman voluntarily left her husband she was entitled to a divorce on the ground of desertion. In the petition she does not base her application to the Legislature on the ground of desertion. The simple statement is that she has been cruelly and barbarously treated by this man. Her life has been rendered unbearable and endangered by reason of personal attacks on his part. Now, I will venture to say, there is no lawyer in the city of Pittsburg but what will see, if he examine the act of Assembly, and then the petition which sets forth the grounds upon which the divorce is asked, that it comes under the provisions of the act of 1844.

I will read from that act:

"The cruelty which entitles a wife to a divorce is actual personal violence, or reasonable apprehension of it; or such a course of treatment as endangers her life and health, and renders cohabitation unsafe. It is not every single touching of the wife's person in anger, at a moment of sudden excitement, or of passion, that will authorize the granting of a divorce. But violent temper, intemperate habits, and repeated indignities to the person of the wife—in particular, an assault upon her with a knife—are sufficient grounds for a divorce. So, also, frequent intoxication of the husband, inducing the use of profane, threatening and abusive language towards his wife, by which she was held in fear and terror, neglecting to provide her with the necessaries of life, and finally assaulting and beating her, without provocation, though but once, will entitle the wife to a divorce.

"Or when any husband shall have, by cruel and barbarous treatment, endangered his wife's life, or offered such indignities to her person, as to render her condition intolerable, and life burdensome, and thereby force her to withdraw from his house and family, in every such case it shall and may be lawful for the innocent and injured person to obtain a divorce from the bond of matrimony."

Is there any allegation in the petition of this woman, unfortunate as she is, and sympathizing with her as I do, that is not fully covered by the act of Assembly?

Can this Legislature, with the act of Assembly and the petition before them, grant the prayer of this woman?

On agreeing to the bill,

The yeas and nays were required by Mr. MANN and Mr. MEYERS, and were as follow, viz:

YEAS—Messrs. Calvin, Chalfant, Colville, Davis, DeHaven, Donohugh, Fogel, Gregory, Josephs, Kline, Koon, M'Pherrin, Meily, Peter, Pillow, Westbrook, Wingard and Worrall—18.

NAYS—Messrs. Adaire, Allen, Armstrong, Barrington, Barton, Boyd, Boyle, Breen, Day, Ewing, Freeborn, Gordon, Harner, Headman, Hoffman, Hood, Humphrey, Hunt, Jenks, Jones, Kimmell, Kinney, Kurtz, Leech, Linton, Long, M'Creary, M'Henry, Maish, Mann, Meyers, Rhoads, Richards, Roath, Roush, Sharples, Shuman, Waddell, Watt, Webb, Weller, Woodward, Wright and Glass, *Speaker*—44.

So the question was determined in the negative.

So the bill was not agreed to.

MESSAGE FROM THE SENATE.

The Clerk of the Senate being introduced, informed that the Senate has concurred in the amendments made by the House of Representatives to joint resolution providing for the final adjournment of the Legislature.

APPROPRIATION BILL.

Mr. WADDELL asked and obtained leave to read in place and present to the Chair a general appropriation bill.

On motion, the House then adjourned till 3 o'clock this P. M.

AFTERNOON SESSION.

The House met at 3 o'clock, P. M., pursuant to adjournment.

PUBLIC CALENDAR.

The special order being the consideration of bills on the public calendar,

Mr. QUAY. Mr. Speaker, I move to dispense with the special order for this afternoon, until the private calendar is gone through with.

Mr. MANN. Mr. Speaker, there are a few bills on the public calendar in which I feel a very great interest that cannot be reached if that order of business is set aside every little while. The last day it was set aside for the whole day, and last week we got only half a day in which to consider the public calendar. In order to obviate any difficulty, I propose to ask that two bills on the public calendar be considered now, and if they are, I will then make no objection myself to any other business being taken up. If the House will take up Senate bill No. 172 and House bill No. 609, and consider them, I will make no further objections to any business being considered.

Mr. QUAY. Mr. Speaker, I withdraw my motion.

Mr. MANN. Mr. Speaker, I ask the unanimous consent of the House to take up Senate bill No. 172.

Mr. QUIGLEY. Mr. Speaker, I object to that. One man can't dictate to this House.

Mr. MANN. I don't propose to.

I then object to any business being taken up except bills on the public calendar.

The House went into committee of the whole on House bill No. 373, Mr. FREEBORN in the chair.

The bill was read as follows:

A SUPPLEMENT to the act relating to auctioneers.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same*, That it shall and may be lawful for any licensed auctioneer of this Commonwealth to sell, transfer and assign his license and commission to any citizen, or citizens of this Commonwealth, subject to the approval of the Governor: *Provided*, That the person or persons to whom the same may be assigned shall take the oath of office, give bond, and in all things conform to the existing laws of this Commonwealth relating to auctioneers, before acting under said transfer license or commission.

SEC. 2. Upon the return to, and the filing in the office of the Secretary of the Commonwealth, of any such assignment, together with said commission, the proper bond and affidavit required by law, the Governor shall issue to said assignee a commission for the unexpired term of said original commission, upon payment of the office fees allowed by law.

The bill was

Agreed to.

In the House,

The Speaker having resumed the chair,

Mr. FREEBORN, chairman of the committee of the whole, reported the bill without amendment.

The bill was read and

Agreed to.

The rules were suspended,

The bill read a third time by its title, and

Passed finally.

The House went into committee of the whole on House bill No. 172, Mr. DEHAVEN in the chair.

The bill was read as follows:

AN ACT regulating the jurisdiction of courts in proceedings by bills for injunctions and other relief in equity, and the service of process.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That all bills for injunctions and other relief in equity, shall be filed and applied for in the courts of the county where the subject matter in controversy may exist, and should there be no one in said county on whom the service of a writ regularly issued can be made according to existing laws, the same may be served on the proper person in any other county of the State, by the sheriff or other officer to whom the writ is directed, or by his deputy; and if there should be no such person within the State, the court, if in session, or a judge thereof, in vacation, may order and direct publication of notice in such manner as may best serve to bring home notice to the respondent or respondents, and the sheriff, or other officer, shall make return thereof under oath; and so much of any law or laws of this State as is hereby altered or modified, is hereby repealed.

The bill was

Agreed to.

In the House,

The Speaker having resumed the chair,

Mr. DEHAVEN, chairman of the committee of the whole, reported the bill without amendment.

The bill was read and

Agreed to.

The rules were suspended, the bill read a third time by its title, and

Passed finally.

The House went into committee of the whole on Senate bill No. 617, Mr. GORDON in the chair.

The bill was read as follows:

JOINT RESOLUTION relative to the revisal of the civil laws of Pennsylvania.

Be it resolved by the Senate and House of Representatives of the Commonwealth of Pennsylvania, in General Assembly met, That the Governor be and he is hereby authorized and required to appoint three persons, learned in the law of this Commonwealth, as commissioners to revise, collate, and digest, all such public acts and statutes of the civil code of of this State, as are general and permanent in their nature, excepting those statutes revised, codified, and enacted, under the resolution approved March twenty-third, one thousand eight hundred and thirty.

SEC. 2. That it shall be the duty of the revisers to carefully collate and reduce into one act the different acts, and parts of acts, which, from similarity of subjects, ought to be so arranged and consolidated; to divest the said acts of all useless verbiage; to arrange the several acts under proper titles and sections; to omit all such acts or parts of acts as shall have been repealed, or supplied, or which have expired; to suggest to the Legislature such contractions, omissions, or imperfections as may appear in the statutes, and the mode in which the same may be reconciled, supplied, or amended; to designate the acts, or parts of acts, which ought to be repealed, and recommend the passage of such new acts as such repeal may render necessary, and generally to execute the duties hereby confided to them in such a manner as to render the statute laws of Pennsylvania more simple, plain and perfect: *Provided,* That in such revision of the statutes no change shall be made in their phraseology as will in anywise impair, alter or affect their true intent and meaning, except in those instances in which it shall be expressly proposed to amend or change the existing provisions of said statute.

SEC. 3. That the said revisers shall, immediately upon the completion of their labors upon each specific head, or subject embraced in said statutes, make report thereof to the Legislature, with the necessary bill prepared and notes of the changes proposed, if any, and shall also revise, collate and digest, in connection with the statutes revised and enacted under the resolution approved March twenty-third, one thousand eight hundred and thirty, all legislation enacted upon those subjects since the date of said enactment, in such form that the Legislature may, if it deem proper, re-enact the whole in one code, and upon the entire completion of their labors they shall make a final report embodying the whole of the duties by them performed.

SEC. 4. That the said revisers shall be allowed the term of two years, if necessary, to complete the duties assigned to them in and by these resolutions; and, in the execution thereof, they shall have free access to any public records or papers of the State, without fee or reward.

SEC. 5. That the sum of fifteen thousand dollars be, and the same is hereby, appropriated to be expended, under the direction of the Governor and the Auditor General, in payment of the compensation to the revisers appointed under the provisions of these resolutions, and the manner of the expenditure thereof shall be, by the Auditor General, reported to the next Legislature.

The bill was

Agreed to.

In the House,

The Speaker having resumed the chair,

Mr. GORDON, chairman of the committee of the whole, reported the bill without amendment.

The bill was read and

Agreed to.

The rules were suspended, the bill read a third time by its title, and

Passed finally.

The House went into committee of the whole on House bill No. 374, Mr. HARBISON in the chair.

The bill was read as follows:

AN ACT for the better protection of deer and wild turkeys in this Commonwealth, and for the transportation of deer and venison within and through the same.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That from and after the passage of this act it shall not be lawful for any railroad, express or transportation company to carry, or convey, or to receive, for the purpose of carrying or conveying from any place within this Commonwealth to any place within or without the same, any deer or venison taken or killed within said Commonwealth, between the first day of January and the first day of August in each year, and the possession by said railroad, express or other transportation company or companies, their agent or agents, or employees for the purpose of carrying or transporting of any deer or venison from the tenth day of January until the first day in August, in each year, shall be deemed and taken as evidence *prima facie* that the same was taken or killed within the period first before mentioned, and within this Commonwealth.

SEC. 2. That if any railroad, express, or other transportation company, or companies, their agents or employees, shall violate the provisions of the first section of this act, such railroad, express or transportation company, or companies, shall forfeit and pay one hundred dollars, with costs of suit, for each deer or piece of venison so transported, or carried, or taken for transportation or carriage, in violation of the provisions of said section, to be recovered in an action of debt, in the name of the Commonwealth of Pennsylvania, for the use of any person suing for the same, in the court of common pleas of any county in which said deer or venison may be taken for carriage or transportation, or through which the same may be carried or transported: *Provided,* That one-half the penalty aforesaid shall go to the use of the poor of the county in which suit shall be brought for the same: *And provided further,* That a recovery in a suit in any one county shall be a bar to any subsequent suit for the same offense in any other county.

SEC. 3. That the penalty for killing any buck, doe or fawn out of the season shall hereafter be fifty dollars for each and every offense, and so much of third section of the act of ninth of April, Anno Domini one thousand seven hundred and sixty, relating to the hunting and killing of deer, as is inconsistent herewith, is hereby repealed.

SEC. 4. That hereafter it shall not be lawful for any person or persons in this Commonwealth to take or kill any wild turkey between the first day of January and the first day of September in each year, nor shall any person or persons at any time take or kill any wild turkey or turkeys by means of any snare, gin, trap or pen, and any person or persons violating the provisions of this section shall forfeit and pay the sum of ten dollars for each and every such offense, to any person suing for the same, for every wild turkey so unlawfully taken or killed, to be recovered in an action of debt as sums of like amount are now by law recoverable, except that there shall be no exemption from execution, levy and sale of any property, goods, or chattels for the recovery of said sum with costs.

SEC. 5. That all suits or actions hereafter to be brought under this act and the act or acts which it supplies, shall be commenced within three months from the time such suit or action shall accrue, and not afterwards.

The bill was

Agreed to.

In the House,

The Speaker having resumed the chair,

Mr. HARBISON, chairman of the committee of the whole, reported the bill without amendments.

The bill was read and

Agreed to.

The rules were suspended, the bill read a third time by its title, and

Passed finally.

The House went into committee of the whole on House bill No. 609, Mr. HARNER in the chair.

The bill was read as follows:

AN ACT to prevent fraudulent insolvencies.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That it shall be the duty of any prothonotary of a court of record in Pennsylvania, having jurisdiction of the cases of actions, to issue an attachment against any defendant or defendants, upon the application of any plaintiff or plaintiffs, upon proof by

the affidavit of said plaintiff, or any of them, or of any other person for him, her or them, that said defendant or defendants are justly indebted to him, her or them in a sum not exceeding one hundred dollars, the nature and amount of such indebtedness being set forth in such affidavit, and that said party defendant is about to remove his, her or their property out of the jurisdiction of the court in which said attachment is applied for with intent to defraud his, her or their creditors, or that said party defendant has property rights in action or interest in any public or corporate stock, money or evidences of debt which he, she or they fraudulently conceal, or that said party defendant has or have assigned, disposed of or removed, or is about to assign, dispose of or remove, any such property, money, rights in action, interest in public or corporate stock, or evidences of debt, with the intent to defraud his, her or their creditors, or that he, she or they fraudulently contracted the debt or incurred the obligation for which such claim is made: *Provided*, That before such attachment shall issue, the party plaintiff, or some one in his, her or their behalf, shall execute and file with the said prothonotary a bond in a penalty of at least double the amount claimed, with good and sufficient surety, conditioned that if the plaintiff or plaintiffs shall fail to prosecute his, her or their action with effect, and recover a judgment against such defendant or defendants, he, she or they shall pay to said defendant or defendants all legal costs and damages which said party defendant may sustain by reason of said attachment, and which said bond shall remain in the office of said prothonotary for the use of any party injured as aforesaid.

SEC. 2. Every such attachment shall be made returnable on the first return day of said court, next after the time of issuing thereof, and be served by the schriff of the proper county, or by some general or special deputy by him made, by attaching so much of the money, stocks, rights in action, evidences of debt or other property of said party defendant not exempt by law from sale upon execution as will be sufficient to pay the debt demanded, with costs, and shall deliver to said defendant or defendants, or one of them, a copy of said attachment, with an inventory of the property or other thing attached, if said party defendant can be found within the county, and if not found, then by leaving a copy of the same at his, her or their residence, with some adult member of the family where he, she or they reside; or if said party defendant do not reside in the county, and cannot be found, then by leaving a copy of said attachment and inventory with the person in whose possession or care said property may be, or in whose hands it may be attached; and in case such money, rights in action, interest in public or corporate stock, evidences of debt or other property shall be found in the hands or possession of any person, persons or corporation other than the party defendant, such person, persons or corporation shall be summoned as a garnishee.

SEC. 3. It shall be the duty of the officer, serving said attachment, to take the property attached into his possession, when the same is capable of manual seizure, and when not, the same shall be bound by such attachment, in the hands or possession of such party, from whom it is due or owing, or whose duty it is to account for the same, unless the party defendant or some one for him, her or them shall enter into a bond, with sufficient surety, to be approved by the court from which said attachment shall issue, or a judge thereof, in double the amount of the debt or demand claimed, conditioned, that in the event of the plaintiff or plaintiffs recovering judgment in said attachment that he, she or they, will pay the debt and costs at the expiration of the stay of execution, on sums of like amount, given to freeholders; or that he, she or they, will surrender up said property, in as good condition as when attached, to any officer having an execution against said party defendant on any judgment rendered in said attachment in favor of the plaintiff.

SEC. 4. In case of a personal service of said attachment upon the party defendant, or if he, she or they, shall be residents of the county at the time the attachment was issued, or shall appear to the action, the court shall proceed in the case in like manner as in a case of summons for debt regularly issued and duly served, and in case there shall not be a personal service, residence, or appearance as aforesaid, the plaintiff or plaintiffs may at any time, after the first day of the second term, after issuing said attachment, proceed in like manner against the party defendant, and against the garnishee or garnishees by rules, interrogatories or otherwise, as is now practiced in cases of foreign attachment and attachment execution, and the court shall have like powers to decree the sale of perishable property, as they now have in foreign attachment.

SEC. 5. In case two or more attachments are issued against the same party defendant and levied upon the same property, the one first issued and served shall have the prior lien: *Provided*, That attachments issued and served at the same time, or upon the same day, shall have the same lien, and in case there is not a sufficient amount of property attached to pay the same, they shall be paid *pro rata* according to the amount of the judgment recovered in each.

SEC. 6. In all cases in which a writ of attachment shall have issued, pursuant to the foregoing provisions, it shall be lawful for the defendant to apply to the court of common pleas of the proper county, when in session, or to a judge thereof in vacation, to dissolve said attachment; and upon the hearing of such application, the said court or judge thereof in vacation, shall have power to hear evidence, or determine the truth of the allegations contained in the affidavit, upon which said writ issued, and to dissolve or continue the time of such attachment, according as he shall find the allegation of such affidavit sustained or otherwise.

Mr. MEYERS moved to amend in the fifth line of the fifth section by striking out the words "at the same time or."

The amendment was

Agreed to.

The bill as amended was

Agreed to.

In the House,

The Speaker having resumed the chair.

Mr. HARNER, chairman of the committee of the whole, reported the bill to the House as amended.

The first, second, third and fourth sections were read and

Agreed to.

The fifth section was read.

The question being on agreeing to the section,

Mr. MEYERS. Mr. Speaker, I move to amend by inserting at the end of the section the following:

"*Provided*, The officer executing said attachment shall endorse thereon the hour and day of executing the attachment."

Mr. Speaker, the first part of the section provides that the party liening the property first shall have the prior lien. The proviso as it stands seems to put those liened on the same day on the same footing. It strikes me that in a day of twenty-four hours, where one party is diligent in serving out an attachment in the early part of the day, he should have a lien prior to one served later in the day.

Mr. BOYLE. Mr. Speaker, I would suggest to the gentleman from Northampton [Mr. MEYERS], that it would be better to establish the rule the same as in *fifas*, that the sheriff endorse the time of the receipt of the writ of attachment by him. There ought to be no opportunity for the sheriff to discriminate as to which attachment shall be first served. This amendment does not require him to serve first the first attachment that comes into his hands. I think it would be much better to apply the same rule here that is now applicable to *fifas*.

Mr. WADDELL. Mr. Speaker, I think it would be well to incorporate both the amendments offered by the gentleman from Northampton [Mr. MEYERS] and the suggestion by the gentleman from Fayette [Mr. BOYLE].

Mr. MANN. Mr. Speaker, if this section is to be amended at all I should decidedly prefer the amendment indicated by the gentleman from Fayette [Mr. BOYLE]; but I am not clear that it ought to be amended at all. Still, if gentlemen desire to have it conform with the present law in regard to executions I am satisfied. But it seems to me there might be objections to that feature. It might make a scramble about the matter which would be unpleasant to all the officers concerned, and occasion disputes as to the correct time entered on the writ. I would prefer to have the section stand as it is, and give all the parties, whose attachments are made on the same day, an equal claim, just as judgments on the same day in the court of common pleas have equal claim upon the real estate for which they are a lien. That is the law with regard to liens generally—with regard to entering mortgages and judgments upon the prothonotary's docket. All judgments entered on the same day take *pro rata*. This provision in this bill was formed in accordance with that idea. I have, however, no feeling on this subject.

If the House see fit to alter it so as to encourage this scrambling that must ensue in that case, I think it would be decidedly better to adopt the amendment proposed by the gentleman from Fayette, because that will not give the sheriff the power to secure a priority of lien by serving a writ coming into his hands in the afternoon before one coming into his hands in the morning. If there is to be any priority of liens on writs issued on the same day, the priority ought to take from the time the writ goes into the hands of the sheriff. For myself, however, I would prefer to let the section stand as it is.

Mr. HOOD. Mr. Speaker, I understand the object of this bill is that this writ of attachment shall have the same effect as a *fifa*. If such is the intention, then the first attachment placed in the hands of the sheriff ought to take priority. If you fix the time on the same day it will lead to an irremediable amount of confusion, and it will be a difficult question to determine who is entitled to this priority of lien. I understand the intention of this act is to enable persons to secure a lien upon personal property from the time of the issue of the writ of attachment. I would, therefore, prefer to have the word "day" stricken out and the word "time" inserted.

Mr. WADDELL. Mr. Speaker, I offer a substitute for the amendment of the gentleman from Northampton [Mr. MEYERS], as follows:

"That the officer to whom said attachment shall be directed shall endorse thereon the day and the hour on which the same was received, and the lien of said writ shall attach at the time of so being received."

Mr. MEYERS. Mr. Speaker, I withdraw my amendment.

The question being on the amendment offered by Mr. WADDELL,

It was

Agreed to.

The question recurring on agreeing to the section as amended,

Mr. MANN. Mr. Speaker, I move to amend by striking out all the section except the amendment just made.

The amendment was

Agreed to.

The question recurring on the section as amended,

It was

Agreed to.

The sixth section was read.

The question being on agreeing to the section,

Mr. MANN. Mr. Speaker, I move to amend by adding the following:

"*Provided*, That the lien of the attachment shall not continue longer than five years, unless revived by *scire facias*."

Mr. BOYLE. Mr. Speaker, it seems to me that that is too long a time. You allow, by this bill, the plaintiff to attach a man's movable property without having established any cause of action at all, and now by this amendment you propose to allow him to continue to hold this property, in case the parties do not come to trial, for five years. There ought to be a period fixed, but I would suggest to the gentleman from Potter [Mr. MANN] it ought to be much shorter than that.

Mr. MANN. Mr. Speaker, my aim was to fix a time beyond which the lien should not extend. I take it that the defendant, who intends to prosecute his claim, can bring this matter to an issue and have it decided in court just as soon as the legal steps can be taken. This proviso would not affect the defendant who was prepared to urge his claim. It would only affect those cases where the defendant abandons the property entirely and no proceedings are taken. The defendant could not be affected. He would have all his rights. He would have the right to ask the court to try the case as soon as he would be prepared to meet it. Still, I have no objection to a shorter time and will modify my amendment, making it three years instead of five.

The question being on agreeing to the amendment of Mr. MANN, it was

Agreed to.

The rules were suspended, and the bill

Passed finally.

Mr. EWING. Mr. Speaker, I ask the unanimous consent of the House to offer a resolution.

Consent was given.

Mr. EWING. Mr. Speaker, I offer the following resolution:

Resolved (if the Senate concur), That the Governor be requested to return to the House, House bill No. 544, for the purpose of amendment.

The resolution was

Agreed to.

On motion of Mr. SUBERS, the further consideration of bills on the public calendar was postponed for the present, and the House proceeded to the consideration of bills on the

PRIVATE CALENDAR.

The following bills were read a second time, and disposed of as stated:

Senate bill No. 373, an act to incorporate the Macungie Savings Bank.

Passed finally.

No. 1077, an act incorporating the Savings Institution of the city of Williamsport, in the county of Lycoming.

Passed finally.

No. 1078, an act to incorporate the Miners' Savings Bank of Pittston.

Passed finally.

No. 1079, an act to incorporate the Franklin Savings Fund and Safe Deposit company.

Passed finally.

No. 1080, an act to incorporate the Mauch Chunk Savings Bank.

Passed finally.

No. 1081, an act to make valid the will of Jarvis White, a deceased soldier.

Passed finally.

Senate bill No. 840, an act relative to justices of the peace, burgess and notaries public in the county of Lawrence.

Passed finally.

Senate bill No. 735, an act to extend the time for the commencement and completion of the People's railway company, and giving additional privileges.

Amended by Mr. BREEN, and

Passed finally.

No. 1089, an an act to declare Clear creek, in the county of Cameron, a public highway.

Passed finally.

No. 1096, an act repealing so much of the act, entitled An act in relation to original writs and executions in the county of Franklin, approved the 8th day of March, as relates to executions.

Passed finally.

No. 1097, an act relative to the election of constables in the township of Blakeley, county of Luzerne.

Passed finally.

No. 1098, an act to repeal a part of an act, approved the 21st day of March, A. D. 1866.

Postponed for the present.

No. 1099, an act to prohibit the erection or maintenance of billiard rooms, bowling saloons or ten pin alleys within the borough of Coudersport, in the county of Potter.

Passed finally.

No. 1100, an act to incorporate Susquehanna summer resort.

Passed finally.

No. 1101, an act to legalize all bounty taxes heretofore levied and collected in certain townships in Snyder county, and to authorize the school directors of said township to levy and collect additional taxes for bounty purposes.

Passed finally.

No. 1003, an act to authorize the supervisors of Cook township, in the county of Westmoreland, to levy taxes for the construction of a bridge.

Passed finally.

OBJECTED BILLS OF LAST WEEK.

The following objected bills on the private calendar, were taken up, read the second time, and disposed of as stated:

No. 706, an act to repeal an act entitled An act extending the act relating to the selling of the repairing of public roads in certain townships in Schuylkill county, to Mauch Chunk township, in Carbon county, approved the 5th day of March, A. D. 1863.

On motion of Mr. CRAIG, postponed indefinitely.

No. 736, an act to authorize the appointment of controllers of the First school district of Philadelphin.

Amended by Mr. MARKS.

The question being on the final passage of the bill,

The yeas and nays were required by Mr. ADAIRE and Mr. DONOHUGH, and were as follow, viz:

YEAS—Messrs. Allen, Armstrong, Barton, Boyd, Boyle, Brennan, Brown, Cameron, Chadwick, Chalfant, Collins, Craig, Davis, Day, Ewing, Fogel, Freeborn, Gallagher, Gordon, Harbison, Harner, Hoffman, Hood, Humphrey, Hunt, Jenks, Jones, Josephs, Kinney, Koon, Kurtz, Lee, M'Camant, M'Creary, M'Henry, Mann, Marks, Peter, Pillow, Quay, Richards, Roath, Roush, Seiler, Sharples, Shuman, Stehman, Waddell, Webb, Weller, Whann, Wharton, Wingard, Woodward, Wright and Glass, *Speaker*—56.

NAYS—Messrs. Adaire, Barrington, Donohugh, Linton, M'Pherrin, Meyers, Mullin, Quigley, Subers, Wallace, Westbrook and Worrall—12.

So the question was determined in the affirmative.

And the bill

Passed finally.

No. 773, an act to incorporate the Pittsburg tunnel company.

Amended by Mr. M'KEE, and

Passed finally.

Senate bill No. 720, an act to repeal an act for the repeal of an act changing the venue of certain actions of ejectment from Armstrong to Allegheny county.

The question being on agreeing to the bill,

Mr. MECHLING. Mr. Speaker, I trust that in this case the House will not agree to the passage of this bill. We had read yesterday to this House the reasons why the parties in this matter should not have this bill passed. This is one of those peculiar kind of cases that originated in our county. Benjamin Rush Bradford is a gentleman who is well known in this Commonwealth as a very wealthy man. He is a gentleman who is supposed to be a millionaire, and he has brought actions of ejectment against persons living in Armstrong county—persons who have lived on their lands forty odd years—since the year 1818. He brought actions of ejectment in 1858. These suits were not brought to trial until 1864.

In 1864, a trial was had in Armstrong county against one of the parties, a James Guthrie, and a verdict was then had against Benjamin Rush Bradford, the plaintiff. The judge who held the court was Judge Campbell, of the Clarion county district. It was a special court and a special case. The jury was a struck jury. That jury went upon the premises and took all the evidence that they could obtain, and a verdict was had against Mr. Bradford. Pending that verdict, and before judgment could be had upon it, and on a motion for a new trial, Mr. Bradford came here to the Legislature of Pennsylvania and had the member from Armstrong county, in 1864, pass a bill changing the venue of both these cases to Allegheny county. This was done without the knowledge or consent of the defendants in the case, and notwithstanding the assertion of the gentleman himself, that all the parties had legal notice in this matter. He states in the affidavit read here, that all the parties were represented before this Legislature. It is not the fact. Not one of the parties, not even the counsel, had notice of this matter. It was sprung upon them in 1864, and the venue was taken from Armstrong county to Allegheny county. The only action that was taken upon it was a motion for a new trial, and Judge Campbell, in connection with the judge of the district court of that county, granted him a new trial. Remember, Mr. Speaker, a judge, of his own choice, granted him a new trial. It is now down in the list of causes in Armstrong county for the eighth day of next month. The jury is summoned and the witnesses are subpœnaed, everything is ready for the trial of this case, and the gentleman now comes in here and asks the passage of this bill to compel these parties to go down into Allegheny county to defend the title of the homes in which they were born. Now, I ask the members of this

Legislature if this is not a great wrong? It is an outrage upon the people of Armstrong county, who are the defendants in this case, to compel them to go to another county to defend the title to the lands which they have occupied for over forty years. Benjamin Rush Bradford, when he finds that he is defeated by a jury and a court in his own county, comes here and attempts to pass an act compelling these parties to go into another district. Now, I appeal to the members from Allegheny county—and to each one of them—is there one of them that will not remonstrate against this case going into their county to try the titles to land in other counties, and thus take up the time of their courts, their juries and their lawyers? I say, sir, that this is not right; the whole thing is wrong from beginning to end. Mr. Bradford, when he finds that he cannot get justice in Armstrong county, as he says (and I would like to know why he cannot get justice there—there is no personal feeling in this matter), desires to take the case to the court of another county. It is just this way, Mr. Speaker: He is defeated in his efforts to cheat men out of their lands and property that they have occupied for forty odd years; and because he cannot gain his suit there, he wants this Legislature to interfere and transfer the case to another county. I would like to hear any gentleman make any statement in favor of this bill. If he can, I will then be prepared to answer him.

Mr. QUAY. Mr. Speaker, the gentleman from Armstrong [Mr. MECHLING] has given a correct general outline of the facts in reference to this change of venue, but he is mistaken as to some of the minor features. The facts are that in 1858 Benjamin Rush Bradford, who was the owner of the paper titles of certain lands in Armstrong county which were adversely claimed by the settlers thereon by squatter rights, brought actions of ejectment against the parties occupying the land. The sentiment of the surrounding neighborhood was in favor of the occupants. Mr. Bradford resides in Beaver county. Two actions of ejectment were instituted in Armstrong county—as the gentleman states—to contest the title of the land. They came on for trial, and the verdict in one case was rendered against the plaintiffs. The trial, as he states, was presided over by Judge Campbell. Mr. Bradford, after finding that the popular sentiment against him in Armstrong county was so strong that he could not secure a fair trial, came to this Legislature and asked for a change of venue to Allegheny county. He did so by the advice of Judge Campbell, and bearing a letter from him stating that owing to the sentiment of the people in Armstrong county he did not believe Mr. Bradford could have a fair trial there. The bill was presented in the Senate, and the counsel of the defendant was present in the interest of his client, as established by the affidavit of Mr. Bradford which was read here yesterday. The matter was fully investigated in the Judiciary Committee of the Senate, and the bill passed there unanimously. It came over to the House and was called up by the then member from Armstrong. It passed here, without opposition except as to one feature, providing that Judge Campbell should assist in the trial in Allegheny county. I find by the report in the *Record* that a letter was produced and read by Mr. BROWN, from Mr. Phelps (a legal gentleman in the Western part of the State), who was the attorney for the plaintiffs in the trial already had. The letter was to the following effect:

"A bill will come before your House to change the venue in two actions in ejectment, wherein Benjamin Rush Bradford is plaintiff, to the district court of Allegheny. Such is the feeling in the neighborhood of the land, and the outside pressure here, that a fair and impartial trial cannot be had in this court. Means have been, and will be used to tamper with the jury; and as he does not reside here, I am satisfied that he cannot get justice without removing the case to some other county."

As before stated, one of the cases was tried in Armstrong county, and a verdict rendered against Mr. Bradford.

A motion for a new trial was entertained and argued in Allegheny county, after a change of the venue, at the hearing of which Judge Campbell assisted. The new trial was granted on the ground that the jury in their verdict had over-ridden the law and the evidence. The defendants were in possession of the property and, of course, were not anxious to force the cases to trial. On account of private business the plaintiff was unable to go on with them until 1866. Last winter the member from Armstrong, for some reason or other, being interested against Mr. Bradford and in favor of these claimants, introduced a bill here providing for the repeal of the act changing the venue in these cases to Allegheny county. The bill was passed without mentioning either of the parties. I knew nothing of the private business legislation on the subject, and not being informed of the character of this bill it passed before my eyes, I not knowing that one of my constituents was gravely interested in it. Although the gentleman from Armstrong knew that it was a direct attack on Mr. Bradford, one of my constituents, he never mentioned its character to me. It went through, as I said, in the dark. It skulked through the other branch of the Legislature in the dark, and through the Executive Chamber—like some guilty thing which shuns the light; and the gentleman from Armstrong covered its tracks so carefully that it was not until I returned home that I ascertained its character.

In the original bill, Mr. Bradford agreed with the defendant's counsel that he would pay all the defendant's cost in the action by reason of the change of venue. As soon as this bill of last year was passed, the defendant issued an execution for the cost and collected six hundred dollars.

Now, these are the facts connected with this case, and I hope this Legislature will pass this bill, notwithstanding the objections of the gentleman from Armstrong [Mr. MECHLING].

Mr. MECHLING. Mr. Speaker, in answer to the gentleman from Beaver [Mr. QUAY] I will state this fact, that when this bill was sent to me last winter to repeal the act changing the venue from Armstrong county to Allegheny county I read it in place just exactly as it was presented to me. It was put on the file of the House, like any other bill; passed through both Houses and was signed by the Governor. I ask any gentleman if it is in the place of a gentleman who presents a bill here to go and hunt up opposition to that bill? Was it my place to go to the gentleman from Beaver and say to him that I had a bill I wanted him to approve? Every gentleman who knows the style of business that the gentleman from Beaver pursues, knows that he never asks any person when he wants to snake a bill through this House.

Mr. QUAY. Mr. Speaker, I would like to have the gentleman state when I ever interfered with the local legislation of any member of this House?

Mr. MECHLING. Mr. Speaker, I do not make any charge, but I do say it is not the place of a member who has a bill in charge to go and hound up opposition to it. I declare that there was merit in this bill of mine. As I said before, Mr. Bradford sneaked a bill through this Legislature in 1864, changing the venue of these causes from Armstrong to Allegheny county.

The gentleman talks about my taking advantage of his constituents last winter, but he does not say anything about his taking advantage of my constituents in 1864, when he got a bill passed here without giving notice to any of the parties concerned, when the case was at issue in the court, pending a motion for a new trial, changing the venue from Armstrong to Allegheny county. I say here was a great wrong, and if the Legislature of Pennsylvania will allow a man who can bring his action of ejectment against parties who have lived there all their lives, whose sons have grown up there and have died fighting for their country, to come here and force those parties to go into another county to defend the titles to the homes which they have purchased and resided upon for more than forty years? If this Legislature will do that, then I would like to have every gentleman express his opinion on the subject by his yea or his nay.

Benjamin Rush Bradford, I suppose and know, is an honorable man. He lives in Beaver county, and has a wide spread reputation. In fact, he was once the Know Nothing candidate for Governor of this State. He is a wealthy man, and if not a millionaire, he is worth his hundreds of thousands of dollars. He brings his action of ejectment against these parties after they have occupied the premises for forty years. This is not an untrue statement, but it is the fact. They have lived there since 1818, and no suit was brought until 1858. And now that he is defeated upon the verdict of a jury in the county in which the suit is brought, and because he is defeated there, he now asks that the case shall be tried in another county. He asks that the time of their court, and jury, and lawyers should be taken up investigating a matter that properly belongs to Armstrong county. I ask the members from Allegheny county if they are willing to have a suit forced into their courts, at their expense, when there is but a single man interested asking for it, and that single man Benjamin Rush Bradford, of Beaver county? Mr. Bradford can get as fair a trial in Armstrong county as he can in any other county in this Commonwealth. It is not a question with him, "I have not justice, I have not my rights, but I cannot win my cause in the place where it belongs; but if I can get these parties away my money can buy them, and my counsel tells me so." The affidavit that was read here to-day was an *ex parte* affidavit made on his own oath.

What is that worth, as he is sworn to his own interests?

Mr. EWING. Did not Judge Campbell, who tried the case, say that Mr. Bradford could not get a fair trial in Armstrong county?

Mr. MECHLING. I do not know that. I know that Judge Campbell is the judge of Mr. Bradford's own choice to try this case. It is one of those special cases which cannot be tried by our resident judge. The defendant made an affidavit that these cases could not be tried without a special jury. That jury was appointed and was a struck jury. They went upon the premises, examined the lines, and gave their verdict against Mr. Bradford. Pending that verdict Mr. Bradford came here and sneaked a bill through this Legislature, without the knowledge of any of the parties, changing the venue into Allegheny county, thus defeating the ends of justice. From the information that I have received from the counsel of the defendants, and from the defendants themselves, I say that this case cannot be tried in Allegheny on account of the age and feebleness of the witnesses on the part of the

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[CONTINUED FROM PAGE 720.]

defense. There is not one of them who is less than sixty years of age, and some of them are over eighty years of age. I submit the question to the House, and trust this bill will not pass.

Mr. QUAY, Mr. Speaker, the feeling manifested by the gentleman from Armstrong [Mr. MECHLING], and his version of the case, would seem to indicate sufficiently the sentiments in Armstrong county to satisfy this House that Mr. Bradford cannot receive a fair trial there, and that Mr. Bradford ought to be granted this trial in Allegheny county; particularly as he pays all the expense of the change of venue. The legislation in reference to this matter last winter was a fraud, and an outrage upon myself personally.

Mr. MECHLING. Mr. Speaker, I deny that assertion of the gentleman from Beaver, most emphatically. There was no fraud committed in the passage of this bill last winter. It was the gentleman's business to understand the legislation that was going on here. There was no fraud committed. There is no excitement about this matter in Armstrong county. The fact is that from 1864 to 1867 the cases here never came up for trial. They are now down for trial on the 8th of next month. The jury is summoned, the witnesses are subpœnaed, the parties ready, and if these causes are now to be changed into Allegheny it will be an outrage upon those parties.

The question being on agreeing to the bill,

The yeas and nays were required by Mr. MECHLING and Mr. KLINE, and were as follow, viz:

YEAS—Messrs. Allen, Barrington, Barton, Boyle, Breen, Brennan, Calvin, Chadwick, Craig, Davis, Day, Ewing, Freeborn, Gregory, Harbison, Headman, Heltzel, Humphrey, Jones, Josephs, Kinney, Kline, Lee, M'Creary, M'Pherrin, Meyers, Peter, Pillow, Quay, Quigley, Rhoads, Robinson, Roush, Seiler, Stehman, Subers, Wallace, Webb, Woodward and Worrall—40.

NAYS—Messrs. Adaire, Armstrong, Boyd, Cameron, Chalfant, Donohugh, Espy, Fogel, Gallagher, Gordon, Harner, Hood, Hunt, Jenks, Koon, Linton, Long, M'Henry, Maish, Mann, Mechling, Richards, Roath, Steacy, Stumbaugh, Tharp, Weller, Westbrook, Wham and Wharton—30.

So the question was determined in the affirmative.

The question being on suspending the rules to read the bill a third time by its title,

The yeas and nays were required by Mr. MECHLING and Mr. QUAY, and were as follow, viz:

YEAS—Messrs. Allen, Barrington, Barton, Boyle, Breen, Brennan, Calvin, Collins, Craig, Davis, Day, Ewing, Freeborn, Gregory, Harbison, Headman, Heltzel, Jones, Josephs, Kinney, Kline, Kurtz, Lee, M'Pherrin, Meyers, Peter, Pillow, Quay, Quigley, Rhoads, Robinson, Roush, Seiler, Shuman, Stehman, Subers, Wallace, Webb, Woodward, Worrall and Wright—41.

NAYS—Messrs. Adaire, Armstrong, Boyd, Brown, Donohugh, Espy, Gallagher, Gordon, Hood, Hunt, Jenks, Kimmell, Koon, Linton, Long, M'Creary, M'Henry, Maish, Mann, Mechling, Richards, Roath, Steacy Stumbaugh, Tharp, Weller, Westbrook and Wham—28.

So the question was determined in the negative, two-thirds not voting in the affirmative, and

The bill goes over on third reading.

No. 888, An act to change the venue in the case of G. W. Scofield vs. Martin Brunges, from the court of common pleas of Wyoming county, to the court of common pleas of Bradford county.

Laid over on third reading.

No. 900, an act to change the venue in a certain case from Schuylkill county to Dauphin county.

Laid over on third reading.

The bills on the private calendar being gone through with, the House proceeded to the consideration of the bills on the

PUBLIC CALENDAR.

The House went into committee of the whole on House bill No. 456, Mr. HOFFMAN in the chair.

The bill was read as follows:

AN ACT to declare the true intent and meaning of the first section of the act of May four, Anno Domini one thousand eight hundred and fifty-five, entitled An act relating to certain duties and rights of husband and wife and parents and children.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by authority of the same,* That it is hereby declared to be the true intent and meaning of the first section of the act of May four, one thousand eight hundred and fifty-five, entitled An act relating to certain duties and rights of husband and wife and parent and child, that any devise or bequest by a wife to her husband of any portion of her estate or property shall be held and taken to bar his right to such part of, or interest in, her real and personal estate, as he would have been entitled to had she died intestate, and that in case the husband shall decline to take under his wife's will, he may have and take such part of and interest in her estate, real and personal, as he would have been entitled to under the laws of this Commonwealth had no such will been made.

The bill was

Agreed to.

In the House,

The SPEAKER having resumed the chair, Mr. HOFFMAN, chairman of the committee of the whole, reported the bill without amendment.

The bill was read and

Agreed to.

The rules were suspended, the bill read a third time by its title, and

Passed finally.

The House went into the committee of the whole on House bill No. 377, Mr. HOOD in the chair.

The bill was read as follows:

AN ACT authorizing courts to receive certified copies of military records in evidence.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That copies of all records, documents and papers kept by provost marshals in this State, and in the military departments at Harrisburg, in this State, and at Washington, District of Columbia, when duly certified by officers in charge of said documents and papers, shall be received in evidence in the several courts of this Commonwealth, in all cases where the original documents, records and papers would be admitted in evidence.

The question being on agreeing to the bill, Mr. BOYLE. Mr. Chairman, I move to amend by inserting after the word "this," in the fourth line, the words "or other."

The amendment was

Agreed to.

In the House.

The Speaker having resumed the chair.

Mr. HOOD, chairman of the committee of the whole, reported the bill as amended.

The bill was read as amended and

Agreed to.

The rules were suspended, the bill read a third time by the title, and

Passed finally.

The House went into committee on Senate bill No. 98, Mr. HUMPHREY in the chair.

The bill was read as follows:

AN ACT relating to the powers of the legal representatives of deceased tax collectors in this Commonwealth.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the executors or administrators of any deceased tax collector, within this Commonwealth, shall have the same powers, until the end of two years from the date of the warrant, to enforce the collection of the unpaid taxes, as the collector would have if living.

SEC. 2. That it shall be lawful for the executors or administrators of any deceased tax collectors to employ a suitable person to act for them in the execution of the warrants, with all the powers possessed by the deceased collector.

The bill was

Agreed to.

In the House,

The Speaker having resumed the chair, Mr. HUMPHREY, chairman of the committee of the whole, reported the bill without amendment.

The bill was read and

Agreed to.

The rules were suspended, the bill read a third time by its title, and

Passed finally.

The House went into committee of the whole on House bill No. 856, Mr. JENKS in the chair.

The bill was read as follows:

AN ACT to permit disabled soldiers to peddle without procuring a license therefor.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That every honorably discharged soldier who is a resident of this State, and who, from wounds or on account of disease contracted while in the military or naval service of the United States, are done account of such disability is unable to procure a livelihood by manual labor, shall have the right to hawk, peddle and vend any goods, wares or merchandise, within this Commonwealth without procuring a license for that purpose: *Provided*, That before any such soldier shall be entitled to the benefits of this act he shall obtain a certificate, from an examining surgeon of the United States, that he is unable to procure his living by manual labor, and shall also procure a certificate, from the prothonotary of any county in the State, that he has filed, in the office of said prothonotary, his affidavit, setting forth that he is the bona fide owner, in his own right, of all the goods, wares and merchandise, which he proposes to hawk, peddle and vend, and that he will not engage to sell the same for any other person or persons whatever: *And provided further*, That the aforesaid certificates, together with such person's discharge from the military service, or an exemplified copy thereof, shall be full and conclusive evidence of such person's rights to the benefits of this act.

The bill was

Agreed to.

In the House,

The Speaker having resumed the chair,

Mr. JENKS, chairman of the committee of the whole, reported the bill without amendment.

The bill was read.

The question being on agreeing to the bill,

Mr. KURTZ. Mr. Speaker, I would like to know whether this act gives the right to sell intoxicating liquors without a license?

Mr. M'CREARY. Mr. Speaker, I will merely state in reply to the gentleman from Centre [Mr. KURTZ], that the word "peddle" does not include the right to sell liquors. There is a legal definition of the word peddle that would exclude the idea of selling liquors.

Mr. WADDELL. Mr. Speaker it may appear a little out of the ordinary course, and against the popular sentiment, that a member should undertake to object to this character of a bill. While I have every sympathy for the soldiers, I confess I am loth to remove the restrictions that the law throws around the traffic in merchandise in this community, simply because the party is a wounded soldier. I am at a loss to see the hardship of requiring a wounded soldier to take a license to peddle any more than anybody else. With the same propriety, it seems to me, we might repeal that part of the law which requires a person to procure a license to carry on any other business, simply because he is a soldier. There are certain restrictions thrown around all branches of business in this Commonwealth, that at least ought to be observed by all engaged in them. I do not see any particular hardship in requiring a wounded soldier to take out a license any more than any other person. The cost is but little, and I would be willing to allow him to take out a license without being compelled to pay for it. But I think we should be careful about removing the restrictions we have by law thrown around business, simply on account of particular likes and wishes.

Mr. M'CREARY. Mr. Speaker, I would have no objection to changing the bill so as to require them to take out their licenses, provided they are not required to pay for them, and perhaps that could be so arranged. But there is a difference between entering into business and peddling. To enter into business requires considerable capital, but a man can peddle on a very small capital. A man can start out with twenty or twenty-five dollars' worth of trinkets, and by frequently replenishing his stock, can make a fair living. There are a great many soldiers throughout this Commonwealth, who have lost a limb, and are receiving a small pension from the Government. It is not sufficient to enter into most kinds of business, but sufficient for them to purchase a small peddling outfit, and there is a sort of sympathy for them which will cause people to buy from them. It occurs to me that the State ought to be very willing to extend this small benefit to soldiers who have given the best part of their lives to their country, by allowing them to try to make a living without asking a revenue from their business. If the bill can be so arranged as to give them a license without requiring them to pay for it, I have no objections to that modification.

Mr. WADDELL. Mr. Speaker, if it is the disposition of the House to pass this bill I desire at least to have it amended. There have been a number of bills passed by this House this winter prohibiting hawking and peddling in a number of different counties in the Commonwealth. The difficulty that strikes my mind is that if we permit this bill to pass as it is now it will supersede these local bills and will give this class of people the sole right to traffic in those counties. I would suggest that it be amended so as not to interfere with those counties where hawking and peddling is prohibited by local laws. The bill, as at present, would place the business of peddling in those counties exclusively in the hands of disabled soldiers. I only desire to make that amendment, so that I may be right with my own people, for we have a local law in our county prohibiting hawking and peddling

Mr. M'CREARY. Mr. Speaker, I move to amend in the ninth line by striking out the word "without" and inserting "by," and by inserting the after word "purpose" the words "to be issued without cost."

The amendment was

Agreed to.

Mr. WADDELL. Mr. Speaker, I move to amend by adding the following proviso:

"*And provided further*, That the provisions of this act shall not apply to those counties where hawking and peddling is now prohibited by law."

Mr. M'CREARY. Mr. Speaker, I hope that amendment will not prevail. It would have the effect of excluding a number of very worthy men throughout the Commonwealth entirely from doing this business. The man who has lost a limb in the service of his country should be entitled to the same benefit in one county as in another.

Mr. WADDELL. Mr Speaker, I only desire to say that for my own county we have just passed a law strictly prohibiting hawking and peddling in the county. If this general law passes it will supersede that law so far as disabled soldiers are concerned, and will give them the exclusive right to hawk and peddle there. I feel desirous that my people should be protected in this respect, if it is the wish of the House.

Mr. STUMBAUGH. Mr. Speaker, I do not believe the people of Chester county are less patriotic than those of other counties, and while they may desire to stop hawking and peddling which is to the detriment of those in regular business, I do not believe they would object to a poor, lame soldier doing so.

Mr. SHARPLES. Mr. Speaker, the position we are placed in is, that our constituents ask of us consistency, and the question is not how far our patriotism shall be allowed to carry us away in this matter.

The question being on the amendment of Mr. WADDELL,

It was

Not agreed to.

The question recurring on the section as amended,

It was

Agreed to.

The question being on agreeing to the title,

Mr. M'CREARY. Mr. Speaker, I move to amend the title by striking out the word "without," and inserting the word "by," and adding the words, "without charge."

The amendment was

Agreed to.

The question recurring on the title as amended,

It was

Agreed to.

The rules were suspended, the bill read a third time by its title, and

Passed finally.

The House went into committee of the whole on House bill No. 379, Mr. JOSEPHS in the chair.

The bill was read as follows:

AN ACT validating the title to real estate heretofore sold and conveyed by executors or administrators.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That where an executor or executors, or an administrator or administrators, *cum testamento annexo*, have heretofore sold and conveyed the real estate of their testator, under a power contained in any last will and testament not sufficiently authorizing the same, the said will having been duly proved and letters testamentary granted as prescribed by the laws of this State, and have filed their account in the register's office of the proper county, charging themselves with the proceeds of such sale, and the said account has been duly confirmed by the orphans' court of said county, such sale and conveyance shall be held to pass and convey the estate that was in the testator at the time of his decease, and intended to be conveyed by the deed or conveyance as aforesaid, unless an action for the recovery of such real estate shall have been brought by the heirs or devisees of said testator, within ten years after the confirmation of such account: *Provided*, That nothing in this act contained shall affect the rights of parties to any suit now pending.

The question being on agreeing to the bill,

Mr. MEYERS. Mr. Chairman, the general character of this bill, in my judgment, is right and proper, but it strikes me that there is a provision in it that is wrong. For example, it declares that "the said will having been proved and letters testamentary granted as prescribed by the laws of this State, and have filed their accounts in the register's office of the proper county, charging themselves with the proceeds of such sale, and the account has been confirmed," notwithstanding this the heirs or devisees can bring an ac-

tion of ejectment any time within ten years for the recovery of the real estate. It seems to me there is an injustice in this, and I therefore move to amend as follows:

After the word "account," first section, sixteenth line, add the words, "and the said heirs or devisees have not received the proceeds of such sale."

Mr. MANN. Mr. Chairman, I believe the gentleman from Clinton [Mr. DEISE] preferred this bill and is very anxious it should pass, but he is not now in his seat. I shall vote against this amendment, because this bill, as it stands, very much changes the laws of this Commonwealth upon this question, and I think quite sufficiently. I am not very well satisfied that we can do what this bill attempts to accomplish, and yet it very frequently occurs that a man making his will authorizes the sale of his property, but in his will does not authorize any particular person to sell it. And yet executors have proceeded under such wills to sell the property.

This bill, as I understand it, is simply to cure this defect in the will. Under the will, if the executor had come into court and applied for that authority, they would have given it. I would prefer that this act should be confined to sales that have already taken place, and compel the executor who has not sufficient authority in the will to come into court and get it. But where a man makes a will authorizing the sale to be made and the executor has gone on in good faith and made the sale, and has had his account submitted to the court, as required in this bill, I cannot see any great harm in trying to cure the defect. And that is all this bill attempts to do. I do not understand very clearly the effect of the amendment which the gentleman proposes. But it seems to me that it is an attempt to change the law still further. I think we have gone far enough in this bill.

Again, this amendment is unnecessary; for, as the law now stands, if I understand it correctly, if the heirs should come into court and take the money they would be estopped. I think the courts have so decided, that if they purpose to bring suit they must not take the money. If they do they are estopped, and cannot receive the lands by ejectment. I understand that to be the plain, settled law of the State, and the amendment will merely enact a decision of the Supreme Court which, it seems to me, is unnecessary.

Mr. MEYERS. Mr. Chairman, it seems to me that the gentleman from Potter [Mr. MANN], by refusing to allow this amendment to be put in, allows the law to go further than it would with the amendment. The object is to restrain the heirs to some degree from interfering with the estate in particular cases. It may be true that when the parties resolve to proceed to sell an estate, after they have received the money they may be estopped, but it will certainly do no harm to embrace that in the bill and make it clear what the law is on the subject. My object in offering that amendment was to make the bill as harmless as possible, for I am really opposed to the entire bill, even with the amendment in it.

As the law now stands, a party who has not positive authority to sell under a will, can go into the orphans' court, or the court of common pleas, and the court can give him that authority. If this bill is passed, I want it passed with this amendment, so as not to allow parties to go into court and bring an action of ejectment with the money in their pockets, notwithstanding the decision of the Supreme Court that these parties might be estopped. I do not like to leave acts of Assembly to the mere interpretation of the Supreme Court upon general principles. I would like to embody in the bill all the provisions that are necessary to protect purchasers and heirs and devisees.

The question being on the amendment of Mr. MEYERS, it was

Not agreed to.

Mr. BOYLE. Mr. Chairman, I understand this bill to be strictly a curing act, and is intended for just such cases as have been cited by the gentleman for Potter [Mr. MANN]. The testator makes his will and directs his property to be sold, but he fails to appoint any particular person to execute that will. The executor takes charge of the property and executes it without authority, the purchaser thinking, doubtless, he has a good title to the property, when, in fact, he has no title at all. This bill says that in cases of that kind the purchaser should have a good title. Now, sir, I say that there should be no restriction upon that. I say that this act is proper in that view. Where wills have been made in that way, and the money received by the proper persons, the title ought to be good to the purchaser. At least we have a right, and it is our duty, to pass a curing act to cure these titles. This act, however, contains a limitation, and only cures those titles where no suit has been brought within ten years. Now, I desire to strike that out, so that every sale hereafter made shall convey a good title in cases of this kind. I, therefore, move to strike out all after the word "aforesaid" in the fourteenth line down to and including the word "account" in the sixteenth line.

The amendment was

Agreed to.

In the House,

The Speaker having resumed the chair,

Mr. JOSEPHS, chairman committee of the whole, reported the bill with amendments.

The bill was read as amended and

Agreed to.

The question being on suspending the rules to read the bill a third time by its title,

It was

Not agreed to.

So the bill was laid over on third reading.

MESSAGE FROM THE GOVERNOR.

The Deputy Secretary of the Commonwealth being introduced, presented a message from the Governor, which was read as follows, viz:

EXECUTIVE CHAMBER,
HARRISBURG, March 20, 1867.

To the Senate and House of Representatives of the Commonwealth of Pennsylvania:

GENTLEMEN—My attention has been called to the fact that on the 8th of March, 1867, I signed an act entitled An act to authorize the Allegheny Valley railroad to mortgage its road and branches to complete the same.

Since I signed that act I have discovered that it authorized the directors of said company "to create bonds payable at such time as they may determine upon, with coupons attached bearing interest not exceeding seven and three-tenths per cent. per annum, to an amount sufficient to meet the necessary outlay upon any branch road, or roads, to be hereafter constructed under the provisions of the charter of the Allegheny Valley railroad company, its supplements or laws affecting said company." This power to borrow an unlimited amount and at the absolute discretion of the directors, is an improvident and impolitic grant, and had I observed it at the time the bill was presented, I would not have signed it. It escaped me in the pressure of public business, and the first duty I owe you and the people of the State is to say this and to request you to repeal the act, or modify it with proper restrictions.

I have directed special notice of this message to be sent to the president and directors of the company. JNO. W. GEARY.

MESSAGE FROM THE SENATE.

The Clerk of the Senate being introduced, informed the House of Representatives that the Senate has concurred in the amendments made by the House of Representatives to Senate bills numbered and entitled as follows, viz:

Senate bill No. 601, an act to authorize the school directors of Marshall township, Allegheny county, to apply the surplus of bounty tax in their hands to school purposes.

Senate bill No. 603, an act to enable the board of directors of common schools of Benton township, Luzerne county, to apply surplus of bounty fund to common school purposes.

Senate bill No. 29, a further supplement to act entitled An act for the better security of the city of Philadelphia from dangers incident to the refining or improper and negligent storage of petroleum, benzine or naphtha, approved March 2d, A. D. 1865, construing the same.

He also informed that the Senate has concurred in the amendments made by the House of Representatives to

Senate bill No. 659, entitled An act to incorporate the Downingtown gas and water company.

With amendments, in which the concurrence of the House of Representatives is requested.

He also informed that the Senate has receded from its non-concurrence to the amendments made by the House of Representatives to

Senate bill No. 562, entitled An act relating to the coroner of the city and county of Philadelphia.

He also returned bill from the House of Representatives numbered and entitled as follows, viz:

No. 1090, an act for the sale of certain real estate of Drusilla Haas,

With information that the Senate has passed the same with amendments, in which the concurrence of the House of Representatives is requested.

He also informed that the Senate has concurred in the amendments made by the House of Representatives to Senate bill No. 309, entitled An act to establish a ferry over the Allegheny river at Tidioute, Warren county.

SPEAKER'S TABLE.

The SPEAKER laid before the House the annual statement of the principal of the Pennsylvania Institution for the Instruction of the Blind, of the expenditures of the institution for the year ending January 1st, 1867, which was read and

Laid on the table.

The SPEAKER cleared his table of the following bills:

Senate bill No. 659, an act to incorporate the Downingtown gas and water company.

No. 1090, an act for the sale of certain real estate of Drusilla Haas.

Returned from the Senate with amendments.

The amendments made by the Senate to said bills were twice read, considered and

Concurred in; and

Ordered, That the Clerk inform the Senate of the same.

No. 587, an act to incorporate the Greensbury Masonic fund for the purpose of building a Masonic hall, returned from the Governor in pursuance of a resolution of March 19, 1867, for the purpose of amending the title.

On motion of Mr. GALLAGHER, the title was amended by striking out the words, "for the purpose of building a Masonic hall."

On motion, the House adjourned until 7½ o'clock this evening.

CORRECTION.

In House proceedings, March 15, on page 688 of the *Record*, in discussion of bill No. 1301, the remarks there credited to Mr. KIMMELL should read as follows:

Mr. KIMMELL. Mr. Speaker, I trust the House will extend to me the same kindness that it has extended so frequently this session to other members, and permit this bill to be passed under a suspension of the rules. A necessity for its immediate passage exists, in consequence of the near approach of the time of the court. My people are very anxious to have this bill passed.

Mr. GALLAGHER. Mr. Speaker, there is one township in my county included in that bill in which liquor is now sold to which that bill will apply, and there are three "hell holes" in that township selling liquor. The people are opposed to it. The special court meets next week, and they will be licensed for another year unless this bill is passed. If this Legislature cannot take five minutes to prevent another year of that iniquitous traffic in that township I want to know it.

HOUSE OF REPRESENTATIVES.

WEDNESDAY, March 20, 1867.

NIGHT SESSION.

The House met at 7½ o'clock, pursuant to adjournment.

Agreeably to order,

The House proceeded to the consideration of the following resolution, offered by Mr. WESTBROOK March 14, and made the special order for to-night:

WHEREAS, During the American struggle for independence, the Irish nation expressed its warmest sympathy, and sent some of her brightest and most intellectual sons across the sea to aid in the establishment of our republican government; and

Whereas, Ireland is now struggling for the same principles as America in 1776; therefore,

Resolved, That we, as American citizens, express our sympathy for the brave and patriotic in Ireland who are endeavoring to make their country what America now is, the freest government on earth.

The question being on an amendment offered by Mr. KOON to strike out the words "now is" and insert the word "was,"

Mr. KOON. Mr. Speaker, I am too much in favor of the resolution to embarrass it by amendments, and I, therefore, feel it proper to withdraw the amendment.

Mr. Speaker, I am heartily in favor of the resolution as it stands. I cordially sympathize with the spirit of the paper just read to the House. It is true, sir, that while this country, when only colonies, was struggling with the parent country, that the sons of Ireland lent a helping hand in achieving our liberty. Their names are recorded on the pages of our history as men who did valiant deeds in the field, and who contributed largely to the establishment of our liberty.

Again, in the struggle of 1812, we had the aid of their services. Not only can we recount the services those brave people have rendered to this country, but you may take the history of the world, in almost every clime, and you will find the brave and chivalrous Irish people arrayed on the side of liberty and justice. You will find theirs a glorious record on nearly every battle-field of the world; and why cannot they concentrate their energies and free their own country? They are a brave people of some six millions—competent as soldiers, and competent as statesmen to create and maintain a government of their own.

I do, therefore, hope that this House, speaking for the people of Pennsylvania, and speaking it as the sense of the people of Pennsylvania, will say that this resolution is right, and unanimously adopt it. And I would go a little further, and say that we should not only express sympathy, but so far as we can, without involving ourselves in the entanglement of the neutrality laws, we should give countenance and aid to that struggling people.

My sympathies are with them, my heart goes out toward them, and I say that we ought not to withhold our sympathy nor material aid when we can legally render it.

Not prepared to make a speech, I merely rose to withdraw my amendment, and I leave the question for others to discuss.

Mr. WESTBROOK. Mr. Speaker, in offering this preamble and resolution to the House, I wish it to be distinctly understood that I am actuated purely by patriotic motives.

In our struggles for independence poor, down-trodden Ireland not only gave us her warmest and liveliest sympathies, but sent her sons across the sea to assist us. The names of Irishmen are found enrolled in the brightest pages of our country's history.

Commencing with the early dawn of the Revolution, Matthew Thornton, James Smith and George Taylor, three brave and patriotic Irishmen, boldly espoused our cause for freedom and signed our Declaration of Independence. Can we forget the first campaign of the Revolutionary war was signalized by the invasion of Canada with the hope of wresting that province from England? Can we forget that General Montgomery, as brave and accomplished a soldier as ever unsheathed a sword, was an Irishman?

Following rapidly after the battle of Bunker Hill he, in command of an army of three thousand men, forced the strong garrison at Montreal to a surrender.

Can we forget that General Montgomery led the assault on Quebec, the strongest fortress in North America, and then gave up his life in defense of American liberties? All through the dark and dreary days of the war of 1776, Irishmen flocked to our standard under the immortal Washington, and laid down their lives in our country's cause.

Look at the history of Ireland. Oppressed as she has been and now is, she has given birth to some of the greatest intellects the world ever saw. She has produced the greatest statesmen, poets and orators that ever lived in history. Ireland, too, has given birth to some of the bravest soldiers that ever went into battle. Look back at our late rebellion and you will find every battle-field stained with the best blood of the Irish nation, and I point with patriotic pride to their noble bearing and unflinching bravery and courage.

Ireland has ever sympathized with America in her hour of distress, and it is our duty now as American citizens to sympathize with Ireland in her struggle for liberty. That she may gain her independence is my most earnest prayer. The prospect looks dark and gloomy at the present time; but the time will come sooner or later when the Green Isle will be a free and happy country—but she is too proud and haughty to acknowledge it. The time must come when every hill top in Ireland will bristle with bayonets in the hands of her brave sons, who will drive their oppressors from her shores and establish, like America, one of the freest governments on earth. It is the duty of every real friend to liberty to tear the mask from the fiend who has usurped it. And I say to every Irishman and every lover of freedom, England will yet see the vengeance of the Almighty blazed upon the wall of Erin,

Like the bright lamp that shines in Kildare's holy fame.
And burned through long ages of darkness and storm,
In the heart that afflictions have come o'er in vain,
Whose spirits outlives them, unfading and warm;
Erin, oh Erin! thus bright through the years,
Of a long night of bondage thy spirit appears,
The nations have fallen, and thou still art young,
Thy sun is but rising, when others are set,
And though slavery's cloud o'er thy morning hath hung,
The full noon of freedom shall beam 'round thee yet;
Erin, oh, Erin! tho' long in the shade,
Thy star will shine out when the proudest shall fade.

Mr. KURTZ. Mr. Speaker, I shall be very brief in my remarks upon this resolution. I sympathize with the brave Irish in their efforts to free their native land from the heels of the oppressor. The green flag is waving for liberty, and every true American heart will beat in sympathy with it. If there is a nation or a people in the Old World, devoted to freedom, and which really deserves to be free, that nation is the Irish nation. No other people have sacrificed more and struggled more persistently to be a nation of freemen, than have the people of Ireland. Irish blood was shed profusely to free America. In every conflict we have had since we gained our independence, the noble sons of Erin bore a conspicuous share. In every army, in every brigade, in every regiment that ever belonged to the service of the United States, we found the brave Irish boys battling for us. These people, then, are entitled to our sympathy and to our aid. The green flag of the Emerald Isle deserves to be cheered on by every American, and it has our best wishes and prayers that it may wave in triumph over, and bring liberty to a down-trodden race, which for centuries has been oppressed by the Crown and Parliament of Britain.

We have sent words of cheer and encouragement, and even material aid, to Poland, Hungary, and the people of other down-trodden lands, and should we deny these to the brave Irish who are now struggling to free themselves from the British oppressor? No; Americans will stand by the Irish as the Irish have stood by the Americans.

Ireland has as good a reason to cut itself loose from the British yoke as the American colonies had, and with the blessing of God, she will succeed in breaking the chains. She has a right to be free, I repeat, for if I mistake not, she was free in 1782, and even acknowledged so by England. Some eighteen years afterwards, England again took from these people their liberties, and has kept the tyrant's heel upon them since the year 1800. The Irish have many and heavy grievances, and their determination is to wipe them out. A nobler race of men never lived—true and faithful to every principle of right, full of valor and bravery, as our own American battle-fields will abundantly testify. May Providence will it that the Irish Republic shall become an established fact, and that the Fenian brotherhood may gain the longings of their souls, and succeed in establishing a free nationality for their native land, and that *sic semper tyrannis* may become a truism and an established motto upon every foot of the green sod of Ireland.

Mr. Speaker, I hope this resolution will pass without a dissenting voice. I might have changed the wording of it, but the spirit of it is right, and I shall vote for it. It is due to the thousands of brave Irish sons who

helped fill up Pennsylvania regiments whenever duty called. Pennsylvania sympathizes with the Irish people in their struggle for liberty—the whole American heart beats in unison with that of the bravest of Erin's sons for Irish independence. Bunker Hill, and Yorktown, and New Orleans, and Lundy's Lane, and Cerro Gordo, and Chepultepec, and hundreds of battle-fields in the recent war are red with Celtic blood. They are monuments of Irish valor and heroism, and it now becomes us to express, to this noble race, our warmest sympathies in their struggles for freedom and an Irish republic, and God grant them success.

Mr. BREEN. Mr. Speaker, I am an Irishman. It is natural to love the land where one was born—natural to sympathize with one's one kindred. Did I not sympathize with my countrymen I would be false to my own blood—false to the instincts of nature. Ireland is down-trodden. The cup of suffering is now, and for years has been hers. She has long prayed for freedom. Her prayers have not been answered. The iron heel of her oppressors is upon her. Her children mourn for her in every land. They pray for her. They ask for her the sympathies of the world. Wherever her children are found they remember her woes—remember her oppressors. They feel that the day of redemption will come. That the might of her enemies will be broken. I shall vote for the resolution. It is an expression of the just sentiments of an enlightened people—a people true to the oppressed. Here Irishmen find a home, friends and sympathy.

The question being on agreeing to the resolution,

It was

Agreed to.

The SPEAKER. The special order for this evening having been disposed of, this House stands adjourned until to-morrow morning at 10 o'clock.

SENATE.

MONDAY, March 25, 1867.

The Senate met and was called to order at 7½ P. M., by the SPEAKER.

Prayer was offered by the Rev. Mr. Bailey, of Harrisburg.

On motion of Mr. CONNELL, the reading of the Journal of Friday last was dispensed with.

REPORTS FROM COMMITTEES.

Mr. CONNELL, from the Committee on Finance, reported, as committed, a bill entitled An act to repeal the State tax on certain personal property, and in lieu thereof to impose three hundred thousand dollars upon the counties of the State.

Mr. WORTHINGTON (same), with amendments, a bill entitled An act to establish an additional State Lunatic asylum.

Mr. SHOEMAKER, from the Committee on the Judiciary General, as committed, a bill entitled A supplement to an act for the better and more impartial selection of jurors, approved March 27, 1865, extending the same to the counties of Mifflin and Centre.

Also (same), as committed, and with a negative recommendation, a bill entitled An act to incorporate the German Saint Franciscus hospital of Lawrenceville, Allegheny county.

The bill was ruled out of order by the SPEAKER.

Also (same), as committed, a bill entitled A further supplement to an act relating to lunatics and habitual drunkards, approved June 13, 1839.

Also (same), as committed, and with a negative recommendation, a bill entitled A further supplement to an act increasing the fees of the several county officers of this Commonwealth, except in the city of Philadelphia, and the counties of Allegheny, Bradford, Susquehanna and Sullivan, approved March 30th, A. D. 1865.

Also (same), as committed, and with a negative recommendation, a bill entitled An act to incorporate the Carpenters' and Joiners' Protective and Beneficial Union, No. 1, of Pennsylvania.

The bill was ruled out of order by the SPEAKER.

Also (same), as committed, and with a negative recommendation, a bill entitled An act repealing parts of certain acts relating to the collection of collateral inheritance taxes.

Also (same), as committed, a bill entitled An act authorizing the construction of board walks along the public roads in Liberty township, Allegheny county.

Also (same), as committed, and with a negative recommendation, a bill entitled An act repealing the first section of an act, approved March 1st, 1866, entitled A supplement to an act entitled An act relating to the agents of foreign insurance, approved April 9th, 1866.

Mr. BIGHAM (same), as committed, a bill entitled An act to annul the marriage contract between Henry Warren Roth and Arabella, his wife.

Also (same), as committed, a bill entitled An act to authorize and empower the court of quarter sessions of the county of Cameron to amend and alter the charter of the borough of Emporium.

Also (same), as committed, with a negative recommendation, a bill entitled An act securing grants to mine petroleum from forfeitures.

Also (same), as committed, a bill entitled A further supplement to the act incorporating the city of Pittsburg, extending its boundaries, enlarging its corporate powers, and perfecting its municipal organizations.

Mr. M'CONAUGHY (same), as committed, and with a negative recommendation, a bill entitled A supplement to an act entitled An act relating to corporations for mechanical, manufacturing, mining and quarrying purposes, approved July 18, 1863.

Also (same), as committed, and with a negative recommendation, a bill entitled An act to incorporate the First Baptist church of Lewisburg, Union county, Pennsylvania.

The bill was ruled out of order by the SPEAKER.

Also (same), with amendments, a bill entitled A supplement to an act for the better securing the payment of the wages of labor in certain counties of the Commonwealth, approved March 30th, A. D. 1859.

Also (same), as committed, a bill entitled An act to incorporate the Felton House company at Thurlow, in the county of Delaware.

Also (same), as committed, a bill entitled An act to permit disabled soldiers to peddle, by procuring a license therefor, without charge.

Also (same), as committed, a bill entitled An act authorizing courts to receive certified copies of military records in evidence.

Mr. SCHALL (same), as committed, and with a negative recommendation, a bill entitled An act to authorize county surveyors to take acknowledgments of deeds, mortgages, letters of attorney and other instruments of writing.

Also (same), with amendments, a bill entitled An act to incorporate the Odd Fellows' Mutual Co-operative association of Monongahela city, Washington county.

Also (same), as committed, and with a negative recommendation, a bill entitled An act to amend an act entitled An act to incorporate the Female Medical college of Pennsylvania.

The bill was ruled out of order by the SPEAKER.

Also (same), as committed, and with a negative recommendation, a bill entitled A supplement to an act relating to the lien of mechanics and others upon buildings, approved 16th January, 1836.

Also (same), with amendments, a bill entitled An act to declare the true intent and meaning of the first section of the act of May 4th, A. D. 1865, entitled An act relating to certain duties and rights of husband and wife and parents and children.

Also (same), as committed, a bill entitled An act to incorporate the Masonic hall association of the borough of Phoenixville.

Mr. COWLES (from the Judiciary Local), as committed, a bill entitled An act to ascertain and appoint the fees to be received by the several officers of this Commonwealth.

Also (same), as committed, and with a negative recommendation, a bill entitled A supplement to the act relating to auctioneers.

Also (same), as committed, a bill entitled An act to enable the school directors of the township of Chanceford, in the county of York, to levy and collect at once a tax sufficient to liquidate the remaining indebtedness of said township for bounty purposes.

Also (same) as committed, a bill entitled An act extending the provisions of an act repealing existing laws relating to killing beasts of prey, so far as related to the county of Venango, approved 12th day of April, 1866.

Also (same), as committed, a bill entitled An act to repeal the second section of an act authorizing the collection of a tax in Jackson township, Dauphin county, and Jefferson township, Berks county, to refund moneys advanced to pay bounties to volunteers.

Also (same), as committed, a bill entitled An act to authorize the board of supervisors of Industry township, Beaver county, to levy a bounty tax.

Also (same), as committed, a bill entitled An act legalizing the acts of the York building association, No. 2, and the York building association, No. 3, of the borough of York, in the county of York.

Also (same), as committed, a bill entitled An act relating to road laws in Franklin township, Allegheny county.

Mr. STÜTZMAN (same), as committed, a bill entitled An act to legalize the levy and collection of certain bounty tax, to provide for a settlement, and authorize the school directors to lay an additional bounty tax in Upper Paxton township, and the borough of Gratztown, in the county of Dauphin.

Also (same), as committed, a bill entitled An act to legalize certain acts of committees and school directors of the township of Lower Milford, in the county of Lehigh, relative to the payment of bounties to volunteers.

Also (same), with amendments, a bill entitled An act to prevent injury to privy wells in the city of Philadelphia.

Also (same), as committed, a bill entitled An act to authorize the board of school directors of the township of Brooklyn, Susquehanna county, to levy and collect a tax to pay outstanding bonds, and for other purposes.

Also (same), as committed, and with a negative recommendation, a bill entitled An act relative to justices of the peace in the borough of Lawrenceville, Allegheny county.

Mr. DAVIS (same), with amendments, a bill entitled A further supplement to an act to incorporate the city of Erie.

Also (same), as committed, and with a negative recommendation, a bill entitled An act for the protection of owners of wharves or landings in the borough of Venango City, county of Venango.

Also (same), as committed, and with a negative recommendation, a bill entitled An act authorizing the Hartsville and Centre-

ville turnpike road company to issue prefered stock.

Mr. FISHER (same), as committed, a bill entitled An act to authorize the school directors of Conestoga township, Lancaster county, to levy and collect a tax to liquidate the debt on said township, created to pay bounties to volunteers.

Also (same), as committed, a bill entitled A supplement to an act to secure bounty taxes in certain wards in the city of Lancaster, approved April 4th, 1866.

Also (same), as committed, and with a negative recommendation, a bill entitled An act to authorize William Loesch to run a line of omnibuses from the north line of the borough of South Erie to the harbor.

Also (same), as committed, and with a negative recommendation, a bill entitled An act to repeal an act to change the venue in the case of the Commonwealth of Pennsylvania vs. Jesse R. M'Carty, Joshua R. M'Carty and Charles Norton, from the court of quarter sessions of the peace of Sullivan county to the court of quarter sessions of the peace of Bradford county, approved February 15th, 1867, and to change the venue of said case to the court of quarter sessions of Lycoming county.

Mr. RIDGWAY, from the Committee on Corporations, reported, as committed, a bill entitled A supplement to an act to incorporate the Pennsylvania coal company, approved the 7th day of March, 1849, authorizing said company to construct branch railroads and hold additional lands.

Mr. GRAHAM, from the Committee on Vice and Immorality, reported, as committed, a bill entitled An act relating to tavern licences in Greene county.

Mr. TAYLOR (same), as committed, a bill entitled An act to take the sense of the people of Beaver and Indiana counties upon the question of a prohibitory liquor law.

BILLS IN PLACE.

Mr. BILLINGFELT read in his place and presented to the Chair a bill entitled An act to incorporate the St. Joseph's Beneficial savings fund association of the city of Lancaster.

Referred to the Committee on the Judiciary General.

Mr. CONNELL, a bill entitled an act relative to the payment of funeral expenses of devisees of estates for life, securing payment of undertaker's bills.

Also, a bill entitled An act to incorporate the Pennsylvania Paper manufacturing company.

Referred to the Committee on the Judiciary General.

Mr. M'CONAUGHY, a bill entitled An act supplementary to an act entitled An act to confer on certain associations of the citizens of this Commonwealth the powers and immunities of corporations or bodies politic, approved April 6th, A. D. 1791, and its supplements, empowering the courts to grant authority to confer degrees.

Referred to the Committee on the Judiciary General.

Mr. BIGHAM, a bill entitled An act relative to the purchase of a law library in the county of Allegheny.

Referred to the Committee on the Judiciary Local.

Mr. TAYLOR, a bill entitled An act relative to auctions in the county of Beaver.

Referred to the Committee on the Judiciary Local.

Mr. GRAHAM, a bill entitled An act to authorize an increase of taxes in the borough of Tarentum, in the county of Allegheny.

Referred to the Committee on the Judiciary Local.

Mr. BROWN (Mercer), a bill entitled An act authorizing the burgess and town council of the borough of Sharon to levy and collect a tax for bridge purposes.

Referred to the Committee on the Judiciary Local.

Also, a bill entitled an act exempting certain soldiers from taxation for road purposes.

Referred to the Committee on Military Affairs.

Mr. SCHALL, a bill entitled A supplement to an act relative to the courts of Lehigh county.

Referred to the Committee on the Judiciary Local.

Mr. STUTZMAN, a bill entitled An act to incorporate the Pacific mining and exploring company.

Referred to the Committee on Corporations.

Also, a bill entitled A further supplement to an act incorporating the Bedford iron company, approved May 1st, 1861.

Referred to the Committee on Corporations.

Also, a bill entitled An act to incorporate the Somerset land company.

Referred to the Committee on Corporations.

Mr. LOWRY, a bill entitled A supplement to an act authorizing the Erie and Allegheny railroad company to connect at the State lines of New York and Ohio, and also to connect their road with the Atlantic and Great Western railroad, with the same legal effect in the county of Crawford as though made in the county of Erie.

Referred to the Committee on Railroads.

Mr. COWLES, a bill entitled An act authorizing the court of quarter sessions of M'Kean county to appoint commissioners to take exclusive charge of a portion of the road leading from Smethport, in M'Kean county, to Wilcox, in Elk county, and to appropriate taxes for the repair and changing of the same.

Referred to the Committee on Roads and Bridges.

Mr. LOWRY, a bill entitled A supplement to an act entitled An act to authorize the pathmaster of Hanover Creek township, Erie county, to construct sidewalks for foot-passengers along the streets and roads in said township, and to legalize the original survey of the village of Wesleyville, approved March 21st, 1865.

Referred to the Committee on Roads and Bridges.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

The Clerk of the House of Representatives, being introduced presented for concurrence bills numbered and entitled as follows, viz:

No. 380, an act relating to day laborers in the State of Pennsylvania.

Referred to the Committee on the Judiciary General.

No. 492, a further supplement to an act to provide for the adjudication and payment of certain military claims, approved April 16th, A. D. 1862.

Referred to the Committee on Military Affairs.

No. 514, an act for the protection of sheep and taxation of dogs in certain counties in this Commonwealth.

Referred to the Committee on Agriculture and Domestic Manufactures.

No. 538, an act regulating interest on public accounts.

Referred to the Committee on the Judiciary General.

No. 609, an act to prevent fradulent insolvencies.

Referred to the Committee on the Judiciary General.

No. 650, a further supplement to an act to provide for the regulation and inspection of buildings in the city of Philadelphia, and for the better preservation of life and property, passed the seventh day of May, A. D. 1855.

Referred to the Committee on the Judiciary Local.

No. 736, an act to provide for the appointment of controllers of the public schools of the First school district of Pennsylvania.

Referred to the Committee on Education.

No. 805, an act authorizing the recorder of deeds in the several counties of this Commonwealth to record the discharges of all honorably discharged officers and soldiers.

Referred to the Committee on the Judiciary General.

No. 809, an act relating to the payment of bounties to volunteers.

Referred to the Committee on the Judiciary General.

No. 830, joint resolution authorizing the Governor to appoint a commission to inquire into the various systems of prison discipline.

Referred to the Committee on the Judiciary General.

No. 1069, a further supplement to an act approved May fourth, A. D. 1864, for the organization, dicipline and regulation of the First division of the militia of the Commonwealth of Pennsylvania.

Referred to the Committee on Military Affairs.

No. 1073, an act to incorporate the Chester Passenger railroad company.

Referred to the Committee on Railroads.

No. 1074, an act to incorporate the Safety fund association of Susquehanna Depot, Susquehanna county.

Referred to the Committee on Corporations.

No. 1075, an act to incorporate the Armstrong County Savings Bank.

Referred to the Committee on Banks.

No. 1077, an act incorporating the Savings Institution of the city of Williamsport, in the county of Lycoming.

Referred to the Committee on Banks.

No. 1078, an act to incorporate the Miners' Savings Bank of Pittston.

Referred to the Committee on Banks.

No. 1079, an act to incorporate the Franklin savings fund and safe deposit company.

Referred to the Committee on Banks.

No. 1080, an act to incorporate the Mauch Chunk Savings Bank.

Referred to the Committee on Banks.

No. 1081, an act to make valid the will of Jarvis White, a deceased soldier.

Referred to the Committee on Estates and Escheats.

No. 1096, an act repealing so much of the act, entitled An act in relation to original writs and executions in the county of Franklin, approved the 8th day of March, as relates to executions.

Referred to the Committee on the Judiciary Local.

No. 1097, an act relative to the election of constable in the township of Blakely, county of Luzerne.

Referred to the Committee on the Judiciary Local.

No. 1099, an act to prohibit the erection or maintenance of billiard rooms, bowling saloons or ten pin alleys within the borough of Coudersport, in the county of Potter.

Referred to the Committee on Vice and Immorality.

No. 1101, an act to legalize all bounty taxes heretofore levied and collected in certain townships in Snyder county, and to authorize the school directors of said township to levy and collect additional taxes for bounty purposes.

Referred to the Committee on the Judiciary Local.

No. 1103, an act to authorize the supervisors of Cook township, in the county of Westmoreland, to levy taxes for the construction of a bridge.

Referred to the Committee on Roads and Bridges.

No. 1411, an act for the relief of the estate of Anthony W. Olwin.

Referred to the Committee on Estates and Escheats.

No. 1618, an act to provide for the payment of expenses incurred in guarding the jail of Washington county.

Referred to the Committee on the Judiciary Local.

No. 1619, an act relating to the office of justice of the peace in Tioga county.

Referred to the Committee on the Judiciary Local.

No. 1620, an act to legalize the appointment, view and report of certain bridge viewers in Ligonier township, Westmoreland county.

Referred to the Committee on Roads and Bridges.

No. 1644, an act to prohibit the granting of licenses to sell any spirituous, vinous, malt or brewed liquors as a beverage in the borough of Stewarttown, in the county of York, or near the limits of said borough.

Referred to the Committee on Vice and Immorality.

No. 1656, an act to incorporate the Phœnix Savings Bank and Safe Deposit company.

Referred to the Committee on Banks.

No. 1662, a supplement to an act relating to hawkers and peddlers in the county of Chester, approved March 22, A. D. 1867.

Referred to the Committee on the Judiciary Local.

No. 1060, an act providing for the payment to the school treasurers of certain townships in the counties of Clarion, Allegheny, Indiana and Cumberland the balance of the money raised for the payment of local bounties, after the payment of all claims on said township for local bounties.

Referred to the Committee on the Judiciary Local.

No. 634, an act to exempt Calvary Monumental Church, of Philadelphia, from taxation.

Referred to the Committee on Finance.

No. 1600, a supplement to an act relative to roads in the county of Franklin, approved the 14th day of March, A. D. 1867.

Referred to the Committee on Roads and Bridges.

No. 1601, an act to attach lands and tenements in Licking township, county of Fulton, to Todd township, for school purposes.

Referred to the Committee on Education.

No. 1661, an act supplementary to an act relating to the Western Pennsylvania railroad company and for other purposes, approved April 27th, 1864.

Referred to the Committee on Railroads.

He also returned bills from the Senate numbered and entitled as follows, viz:

No. 772, an act to exempt the property of the German Reformed congregation of New Goshenhoppen, in the county of Montgomery, from taxation.

No. 987, a supplement to an act incorporating the Lawrenceville and Oswego railroad company, approved the 1st day of May, A. D. 1852, reviving said act and making new commissioners.

No. 1164, an act enabling the Hazleton railroad company to avoid inclined planes.

No. 1226, an act to incorporate the Clarion coal company,

With information that the House of Representatives has passed the same without amendments.

He also returned (in pursuance of resolution of the Senate requesting its return) Senate bill No. 324, entitled An act to repeal an act entitled A further supplement to the act incorporating the Pennsylvania railroad company, authorizing an increase of capital stock, and to borrow money, approved the 21st day of March, 1866, to authorize the Pennsylvania railroad company to increase its capital stock, to issue bonds, and to secure the same by mortgages,

With the objections of the Governor accompanying the same.

He also informed that the House of Representatives has concurred in the amendments made by the Senate to bills from the House of Representatives numbered and entitled as follows, viz:

No. 641, an act to authorize the Governor to appoint two additional notaries public for the county of Dauphin.

No. 490, an act to incorporate the People's Savings Fund and Safe Deposit company.

No. 586, an act to incorporate the Teachers' institute of the city and county of Philadelphia.

No. 594, an act to authorize and empower the Governor to issue a commission to Thomas M'Neish.

No. 664, an act appropriating grounds for public purposes in the city of Philadelphia.

No. 251, an act relating to evidence in actions of ejectment.

THE SUSQUEHANNA CANAL COMPANY.

Mr. BILLINGFELT moved that the Committee on the Judiciary Local, to which was recommitted bill entitled An act to repeal parts of an act approved the 11th of April, A. D. 1866, entitled A further supplement to an act to authorize the Governor to incorporate the Susquehanna canal company, approved April 15th, A. D. 1835, be instructed to report said bill forthwith.

Mr. BILLINGFELT. Mr. Speaker, I have been informed by one of the members of that committee who was present at the meeting of the committee to-day, that they agreed to report the bill with a negative recommendation. I would not say anything more were it not for the fact that we are within a little more than three weeks of the final adjournment.

That bill originated in this body, and was passed to a third reading, and then, unexpectedly to me, referred back to the Committee on Local Judiciary, on account of some alleged constitutional objections raised against it, which I cannot see would apply to the bill which I offered here. If there are any constitutional objections, they must certainly apply to the act passed last session, which repealed a contract solemnly entered into between the Conestoga and Susquehanna canal companies. When the Susquehanna company undertook to build their works on the western side of the Susquehanna river, along the York county shore, there was no law in existence to enable them to do so. They entered into a contract with the officers of the Conestoga canal company, providing they would agree, so as to enable them to construct their works along the York county shore, they would, in consideration thereof, build a dam at Safe Harbor in order, as the act of Assembly expressed in brief terms, to form a connection with the Conestoga navigation. This Conestoga navigation company agreed to it, and the agreement was incorporated into an act of Assembly, which was passed in the session of 1836. That act enabled the Susquehanna company to construct their works along the York county shore. The Conestoga navigation entered into it in good faith, and put up their works and buildings alongside of the river on the Lancaster county side. The dam was built. The works of the Conestoga company were partially destroyed, as was the dam at Safe Harbor. Last session the owners of dams along the Susquehanna river were called upon by the people and the Legislature to construct their dams in such a manner as to enable fish to pass up the same.

That same act applied to the Susquehanna canal company, who were obliged to construct their dams so that the fish could pass, and that act relieved them in the following words: "But they shall not be required to raise any other but the said feeder dam;" meaning the Columbia dam only, and hence relieving said company from rebuilding or repairing the dam at Safe Harbor, which is indispensable to the Conestoga navigation company, to effect a crossing and a connection with the Susquehanna canal on the opposite side of the river.

Is it right, is it fair, is it constitutional, to impair any contract entered into by both parties? I submit this matter to the Senate of Pennsylvania, and ask them to reflect upon the matter before them, and not to stultify themselves in refusing to pass this just measure. Must I go back to my constituents and say, because there is a corporation opposed to it, because Philadelphia members are opposed to it, you shall be denied all your original franchises which were granted to you, just because this company is called upon to erect the dams? I ask, if all the rights and franchises of any corporation should be forever despoiled? I submit the matter to the Senate, and I ask them to deliberate before they give their consent, and vote down a bill of this character, which is merely restoring the act to which both parties agreed at the time it was passed.

Mr. COWLES. Mr. Speaker, as chairman of the committee to which this bill was referred, I would explain in regard to the action of the committee. We met to day, at the time fixed for the hearing upon the subject. Three members of the committee only were present; we heard only one side of the question. We made up our minds how we would report upon the facts submitted; after having consultation with them, sir, and, as a matter of courtesy to the Senator from Lancaster [Mr. FISHER], and the Senator from Lebanon [Mr. COLEMAN], we thought we would lay the matter over until to-morrow, when they could appear before the committee, if they choose to do so. If those two Senators, however, insist upon a report to-night, I will make a report.

Mr. BILLINGFELT. Mr. Speaker, what the chairman of the committee says is strange news to me. I appeared before that committee this afternoon, after they had heard the president of the Susquehanna canal company. I stated my reasons why I thought this bill should be reported affirmatively; hence it is not necessary for me to go over the same ground again. But, sir, it is a very strange piece of news to me now, to hear the chairman of that committee get up in the Senate and say that the committee thought proper to give us a hearing to-morrow morning. I myself was kept ignorant of it, and was told that they were going to report the bill to-night with a negative recommendation.

Mr. FISHER. Mr. Speaker, I was not present when this resolution was offered. I trust the bill will be reported as committed, and allowed to come up here and have a hearing. I really cannot see what argument can be brought to bear against the passage of this bill. It seems to me there was a breach of faith on the part of the last Legislature in repealing that clause in the law. I happen to be a member of this committee and was not present to-day, and could not participate in the action of the committee; but I trust

the bill will be reported as committed, so that it can have a hearing, and I should like to hear any sufficient reason why it should not pass. I cannot see why there should be any hesitation on the part of the Senate in passing it; but I suppose it had better be allowed to rest in the hands of the committee until to-morrow morning.

Mr. DAVIS. Mr. Speaker, I think the Senator from Lancaster [Mr. BILLINGFELT] must have misunderstood me. He inquired what we were going to do about the bill under consideration; I answered him by saying that we—meaning the three members of the committee who heard the Senator this afternoon—were in favor of reporting the bill with a negative recommendation; I did not say, so far as my recollection is concerned, that we should report it to-night.

Mr. BILLINGFELT. The Senator from Berks [Mr. DAVIS] is right. I did not understand him to say that it should be reported to night. But my understanding of legislative history is that whenever a committee agree to report a bill, whether negatively or affirmatively, they have no right to defer reporting it, especially when the bill has been passed to a third reading before, and after it is so late in the session. I told the Senator from Berks that there was consistency in reporting it immediately. It is due to me, sir, and the constituents I represent here, that the committee should not withhold or suppress the bill, but let it come up on the floor of the Senate and have its merits discussed, and then, if the Senate choose to vote it down, let them do so. But I do object to any committee suppressing a bill, especially when they have agreed to report it. I want to let it come out, and if it is to be killed, let it be done in open daylight, and not be smothered in committee. I object to that. I claim it as a right to my constituents that this bill shall come out without any further delay.

Mr. COLEMAN. Mr. Speaker, in this matter I am a guerrilla. I have been appealed to as to whether I want a further hearing upon this bill. I did feel an interest in it and I have received a letter from a gentleman in Philadelphia—one of the owners of these works—who thinks his rights have been violated by this bill of last winter; and I sent the letter to the chairman of the committee. I differ with him in regard to it, but he has a right to his opinion. I have no desire to say anything further than to submit the letter to the committee.

Mr. FISHER. Therefore, I trust that this bill will not be forced out of the committee to-night. I would like my friend from Lebanon [Mr. COLEMAN] to appear before the committee. I think there can be a state of facts brought before the committee which will induce them to report the bill as committed.

Mr. BILLINGFELT. Mr. Speaker, I will say a few words more. When I appeared before the committee there was no one in the room save the three members of the Local Judiciary. They had the president of that corporation before them two or three hours. At the request of the Senator from York [Mr. GLATZ], I gave way in order to give him time to hear from the president of the company. The Senator from Philadelphia [Mr. CONNELL] asked me again and again to give them a little more time to consult the corporation in Philadelphia. I gave them mere time; I gave them the longest possible time—until last Friday—until I could not postpone it longer. I called it up and passed it to a third reading.

They had the head of the corporation before them this afternoon; when I came into that room of course they were ready to hear me, and they heard me. I have not another word to say before that committee; they may hear the president of that corporation as long as they please; but, for my part, I shall not again appear before the committee, because they said they had agreed to report the bill, and I demand it as a right, of that committee, to say whether they are willing to report the bill either affirmatively or negatively, or whether they are determined to squelch it effectively.

Mr. GLATZ. Mr. Speaker, the only interest I have in this bill is for the protection to my constituents in the county of York. What the Senator has said before the committee I do not know; the committee will answer that. So far as the president of the Susquehanna canal company is concerned, I have had no conversation with him.

Mr. BILLINGFELT. Did not the Senator from York [Mr. GLATZ] ask me for three days' time in order to consult the president of the Susquehanna company?

Mr. GLATZ. No, sir; I said the friends of the company.

Mr. BILLINGFELT. Did not the Senator from York tell me that unless the president of that company should make his appearance on a certain day, he would not make any further opposition to it?

Mr. GLATZ. I most certainly deny that.

Mr. BILLINGFELT. Then I am satisfied with the Senator from York.

Mr. GLATZ. I can assure the Senator that I am very well satisfied with myself. The only reason why I manifested any feeling in this case is because the canal goes through my county. The question as to the merits of the bill is not before the Senate, and I do not feel ready to discuss it.

On the question,

Shall the committee be instructed to report the bill?

The yeas and nays were required by Mr. BILLINGFELT and Mr. GLATZ, and were as follow, viz:

YEAS—Messrs. Bigham, Billingfelt, Brown (Mercer), Coleman, Cowles, Fisher, Graham, Lowry, M'Conaughy, Ridgway, Shoemaker, Stutzman Taylor, Worthington and Hall, *Speaker*—15.

NAYS—Messrs. Connell, Donovan, Haines, James, Landon, M'Candless and Randall—8.

So the question was determined in the affirmative.

During the call,

Mr. FISHER said: Mr. Speaker, as my colleague [Mr. BILLINGFELT], who has this bill in charge, seems determined to have a report (which I know will be with a negative recommendation), in order to accommodate him I will vote "aye."

Mr. COWLES. Mr. Speaker, in accordance with the instruction of the Senate, and also in obedience to the wishes of the committee, I report bill entitled An act to repeal part of an act approved the 11th of April, A. D. 1865, entitled A further supplement to an act to authorize the Governor to incorporate the Susquehanna canal company, approved April 15, A. D. 1835, which was committed to the committee the other day, with a negative recommendation.

ATLANTIC AND GREAT WESTERN RAILROAD COMPANY.

Mr. LOWRY offered the following resolution, which was twice read:

WHEREAS, The Atlantic and Great Western railroad company of Pennsylvania was authorized, by the acts approved May 20, 1857, and April 16th, 1858, "to build and construct a railroad, beginning at or near the borough of Meadville, or by connection with any other railroad in the county of Erie, to the city of Erie," and were further required to complete the same within ten years from the passage of the act first mentioned;

And whereas, It is alleged that the said Atlantic and Great Western railroad company did, on the 22d day of December, Anno Domini 1865, contract and agree with the (now) Erie and Allegheny railroad company of Pennsylvania, to guarantee their first mortgage bonds, "to enable them to construct a railroad from the city of Erie to a point on the line of the Atlantic and Great Western road, at or near Millvillage, in the county of Erie, and there connect the two roads by a corresponding track, and stock, work, run and keep in repair said road, upon terms specified, and thus comply with that portion of the charter of the Atlantic and Great Western road requiring the road to go to the city of Erie;

And whereas, It is further alleged that the said Erie and Allegheny railroad company did, in compliance with their duty by virtue of said agreement, proceed at once to make surveys, procure rights of way, and generally to do all of those things necessary and preliminary to the construction of a railroad, and did place the same under contract to responsible parties, payable in the guaranteed bonds of the Erie and Allegheny railroad company, and also did procure and execute the proper mortgage and coupon bonds to be guaranteed as aforesaid;

And whereas, It is alleged that when the said bonds were presented to the proper officers of the said Atlantic and Great Western road, to be by them signed as guarantees, they wholly refused to sign and execute the same, in open violation of their agreement aforesaid, in total disregard of their chartered obligation and to the great injury of the public interests involved;

And whereas, It is further alleged that the said Atlantic and Great Western railroad company are not constructing a railroad by any route in the county of Erie, or elsewhere, to the city of Erie, and that there is no railroad leading to the said city with which the contemplated connection authorized by the act of May 20th, 1857, could be made, by reason of difference in width of guages, all of which is alleged to be in violation of their chartered covenants and written obligations, and to the great injury of the commerce of the State;

And whereas, The ten years limited for the performance of the above recited duty of the Atlantic and Great Western railroad company is soon about to expire, the said road, it is alleged, having practiced a fraud in constructing its branches, but has done nothing towards building the main line, for which it was created; therefore be it,

Resolved by the Senate of Pennsylvania, That the subject matter of the above preamble be referred to the Attorney General of the State for his written opinion, to be presented to the Senate at its next session, advising that body of the rights of the State in the premises, and recommending such action, legislative and judicial, as in his judgment shall seem proper to vindicate the laws, secure the public interests, and properly protect the private rights therewith involved. And for the more full and convenient performance of his duties in this behalf, he is hereby authorized to request persons to appear before him for examination, under oath, if he shall deem it necessary and lawful, and to require, for his use, authenticated copies of all papers or documents in his judgment pertinent to the investigation; and further, if the course of justice requires it, he is requested to take such legal steps in the premises as the interest of the State and her citizens may require before the meeting of the next Legislature, to compel said Atlantic and Great Western railroad to construct

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[CONTINUED FROM PAGE 728.]

its road to Erie, in accordance with the terms of its charter and its covenants with the Erie and Allegheny railroad company.

The resolution was adopted.

ORIGINAL RESOLUTION.

Mr. GRAHAM offered the following resolution, which was twice read:

Resolved, That the House of Representatives be requested to return to the Senate bill No. 908 of the file of the Senate, entitled as follows: An act to change the venue in certain suits from the county of Allegheny to the city of Philadelphia.

The resolution was adopted.

PROTECTION OF SEAMEN IN PHILADELPHIA.

Agreeably to order,

The Senate proceeded to third reading and consideration of bill entitled An act for the better protection of seamen in the port and harbor of Philadelphia.

Mr. M'CANDLESS. Mr. Speaker, I desire to give some reason why, in my judgment, this bill ought not to pass. I find several objectionable sections in it, sir, in relation to the conduct of the business known as the keeping of sailors' boarding houses in the several districts of the city of Philadelphia; and I desire to call the attention of Senators to these objectionable sections, which give, in my judgment, in plain terms, the entire control of this kind of business into the hands of five commissioners, selected in the way specified in the bill, and interfering with the present method of granting licenses and conducting hotel business in the city of Philadelphia.

Now, there are a number of these sailors' boarding houses in my district, and there are a large number of this class of men in my district; but from neither of these have I ever received a line in relation to this proposed change of the law, which places in the hands of these five commissioners the entire control of the seamen who visit the port and the city of Philadelphia.

Now, I desire Senators particularly to look over this bill. If there is any benefit in it, I think it can be shown in this chamber. It is alleged here to be for the purpose of taking care of the seamen who visit the city, and saving them from land-sharks, who are awaiting their arrival, in order to take from them the proceeds of their voyage.

Now, this second section says: "It shall not be lawful for any person having charge of any vessel arriving in the port or harbor of the said city of Philadelphia, nor for any owner, agent or consignee of such vessel, to grant to any person or persons leave to board his or their vessel." That is merely ridiculous, because if I am an owner of a vessel there is no person to prevent me from taking any person upon my vessel that I choose. If I am going into the port of Philadelphia, I can make my own selection as to who can come on board of my vessel, unless it is in conflict with the custom laws. "Unless this person shall obtain a license as hereinafter described." Now, this gives to this board entire control in this matter, and a man cannot permit a friend of his to come upon his vessel when entering the port of Philadelphia, unless that friend has received a license from this board, who are to grant licenses. I wish Senators to look over this bill, because I think it is an improper bill from beginning to end.

The other sections are equally objectionable. The third says: "It shall not be lawful for any boarding house keeper or hotel keeper, licensed under the provisions of this act, or for any runner of such keeper, to neglect or refuse to leave any vessel moored at any wharf, when ordered so to do by the master."

Now, who desires a section of that kind in any law? Does not any gentleman, familiar with the first principle in law, know that the master of a vessel has authority to eject any person from his vessel? But here is a section, written out in broad terms, that this master shall have this right, when this is already a right granted by common law, on account of which there is no necessity for a section of this kind in the bill. But, if you will examine other sections, you will find them more objectionable than this to which I have referred. There is a specified method of granting licenses to hotel keepers in Philadelphia.

Now, this bill proposes to make a specialty. You take it out of the general law, and put it under the commission selected for this purpose alone. Now, has there been a statement made upon the floor of the Senate that any sailor has been robbed or fleeced by any of these hotel keepers? On the contrary, they are perfectly satisfied with the present law, because, as I have been informed, by some of them, in my recent visit, these hotel keepers keep them when they have not made a cruise, and take their chance of getting their money back after they shall have made a cruise; they have been treating them liberally in that regard. Under the provisions of this act they will be compelled to board where these commissioners declare. They are to have sole control of the seamen who visit Philadelphia. It is not a matter by which any money gets into the treasury, because it states specifically in section seven, "that every person who shall be licensed under the provisions of this act, shall pay to the treasurer of said board, at the time of receiving such license, the sum of twenty-five dollars"—so there is a little pecuniary interest in this, I notice—"the money thus obtained shall be used to defray the necessary expenses of said board; if no surplus remain"—which is very improbable—"it shall be appropriated and paid over to any society in the city of Philadelphia that has, as one of its objects, the caring for the families of seamen," etc.

Now, I think, Mr. Speaker, no candid man, who will examine the provisions of this bill, and who is familiar with the license laws in Philadelphia, but will vote against it, because the sole control of this class of men is given into the hands of this board, and under this act they may or may not, according to their discretion—notwithstanding the general law of the city—grant a license. If there is any friend of this bill here, I would like to hear what he has to say upon the subject, and I am prepared to discuss it; however, the simple reading of it will satisfy any candid man that it should not pass.

Mr. CONNELL. Mr. Speaker, I desire to say a word in favor of this bill. The provisions of this bill are necessarily stringent, because they are absolutely required to prevent cases of gross imposition upon sailors in Philadelphia. The bill is almost an identical copy of the New York law, which I have at hand, the only difference being that the board of commissioners are appointed differently.

This bill creates a board of commissioners for licensing sailors' boarding houses in Philadelphia, the commission being "composed of five members, who shall hold said office for the period of one year, and shall be designated and elected, one by each of the following named corporations, or associations, to wit: The Pennsylvania Seamen's Friend society, the Ship Masters' society, the Board of Trade, the Board of Underwriters and one from the Wardens of the Port, said bodies all being located in the city of Philadelphia."

Now, sir, any one who knows anything about the city of Philadelphia, will know that any commission thus formed would be composed of persons of respectability and high character, therefore I think we are safe in trusting the sailors who go there, in the hands of such men. I would say, in addition, that this bill, besides being an exact copy of the New York law, is approved by nearly all the ship merchants of Philadelphia. I hope, sir, that this Senate will not hesitate to pass this bill, as it is necessary to protect these men from the land sharks, who are ready to fleece them and give them bad whisky as soon as they get into the port.

Mr. DONOVAN. Mr. Speaker, I think my colleague [Mr. M'CANDLESS] made a mistake in discussing this bill on its merits. It has no merits. It has been kicked out of Senate for years, and I trust it will be kicked out again. What is the proposition here? It is, sir, in a simple word to appoint five commissioners to board every vessel entering Philadelphia, to take charge of the emigrants and take them where they please, after, perhaps, making contracts with railroad companies to take them there.

In the fifth section it says: "There shall be, and is hereby created, a board which shall be known as the board of commissioners for licensing sailors' boarding houses or hotels." This virtually takes the power from the commissioners of Philadelphia; it

is establishing a new law entirely. The bill is for the benefit of the Pennslyvania Seamen's Friend society, where no sailor can be boarded if he is short of funds; he must pay. As my colleague [Mr. M'Candless] remarked, a sailor out of funds is now boarded in the sailors' boarding houses, and they take the responsibility of getting their pay. Many of these men are obliged to lay over for months, and board at the sailors' boarding houses. If the title of the bill should be anything it should be an act for the destruction of seamen in Philadelphia; and why should you create a monopoly of four or five gentlemen to locate emigrants where they please, and take away these unfortunate people and trade them and ship them off.

Why, Mr. Speaker, a more absurd proposition was never submitted to the Senate than this bill. My colleague, I do not think, ever dreamed of this bill passing. There is no merit in the bill, sir. It is a proposition to give a fat job to some four or five gentlemen, and for the benefit of the Seamen's Friend association of Philadelphia. I do not intend to describe this bill any further, because I have no idea it can pass. It may be of some benefit to the shippers, but when the sailors want a law like this, we shall hear from them. It is not a protection to them, sir. I am here to protect that class of people; I am here for the purpose of benefiting the Sailors' Benevolent association.

Mr. CONNELL. Mr. Speaker, I am surprised that my colleague should impugn the integrity of the Seamen's society of Philadelphia. It was founded by the best men in Philadelphia, and the Senator from Lebanon [Mr. Coleman] has given that society a very handsome mansion. The Senator might as well impugu the Seuator from Lebanon as these men. The whole thing is found in the petition praying for the passage of this bill.

Mr. DONOVAN. I have nothing to say against the liberality of the Senator from Lebanon [Mr. Coleman], but if a sailor is out of funds, can he be boarded there, under the regulations?

Mr. CONNELL. Yes, sir, he can.

Mr. DONOVAN, I deny that most emphatically. They cannot take them in under the regnlations.

Mr. M'CANDLESS. Mr. Speaker, myself, together with many other Philadelphians, are very much obliged to the gentleman from Lebanon [Mr. Coleman] for his characteristic liberality in donating a building for the use of the seamen in Philadelphia; but when that is given we do not desire that there shall be appointed a board of commissioners who shall create a monopoly in the city, in relation to that class of persons. If Mr. Coleman desires to go there and expend his bounty in their behalf, that is all right, but we do not desire that our constituents shall be compelled to pay a special license. I desire to say, right here, sir, that this class of people live entirely in the districts represented by my colleague and myself, and do not reside in any other of the districts of the gentlemen who are our colleagues on this floor. Now, this class of people have made no application for any change in the law on this subject, nor do they desire it, and are opposed to this act as proposed here. The bill could be amended as to hotels, but that section will turn over the whole matter of granting licenses. I think we should have some stability in law. The bill does not propose to change the license law, but it does so in effect.

Mr. GRAHAM. Mr. Speaker, I do not wish to interfere in local legislation in Philadelphia, but I have been informed within the last few minutes, by a gentleman connected with the Seamen's association in Philadelphia, that they do always receive shipwrecked sailors there, and care for them free of charge.

Mr. COLEMAN. Mr. Speaker, my name has been very unnecessarily drawn into this discussion. I have had nothing to do with preparing this bill. I know that there is an institution in the city of Philadelphia, which this Seamen's Friend society started purely by charity. It is certainly not an institution intended for anything else but a charitable object. It is supported by the best men in Philadelphia, merchants and others, and this bill is prepared by them. It is not likely that a transient population like seamen will come here and present petitions, but I imagine that the better class of them could be got to ask for a law for protection. I look upon this bill as simply an act of charity.

Mr. LOWRY. Mr. Speaker, mankind cannot look at the same object alike and come to the same conclusion. I have looked at this bill again and again, with a sincere desire to be able to vote for it; but, sir, the more I look at it, and hear it discussed, the more I am satisfied that my first impressions were right. My first impressions in regard to this bill were that it was a prison for seamen—that seamen could board only where they were sent, and only with those who were licensed to keep them—that seamen could not go among their friends. I think the bill all wrong, every section and every line in it. Now, Mr. Speaker, what would be thought of a bill of this kind on the lakes? We have a commerce there as large as they have upon the seas, and as many men in service as they have upon the seas; and yet, sir, I cannot think for a moment but that the constituency I represent, or the constituency near the inland seas, would be horror-struck with the idea. The whole bill, to my judgment, is wrong. It is got up, I have no doubt, for charitable purposes, but I can readily see how it is an engine of wrong to the seamen. Emigrants, when they come to this country, are uninformed, and very apt, it is true, perhaps too apt, to yield to first impressions, and this bill licenses certain men who can have access to them, while others cannot have access to them. This is my objection to the bill. I told the gentleman who had it in charge that my impressions were against it; that I would hear arguments for and against it; but the more I look at it the more strong am I in the belief that my first impressions were right.

Mr. DONOVAN. Suppose the board of commissioners should create a monopoly, and refuse to license only five or six boarding houses, who should club together and charge five, six and seven dollars a week for boarding these people. They must either go there or stop in the street.

Mr. CONNELL. I would like to inquire why these impositions have never occurred in New York. If emigrants are sold off, why has it not been done in New York? The object of this bill is to put the power in the hands of men who are fit to do the business. Men who have some character—and not let these land-pirates take the sailors off where they will be drugged and robbed.

Mr. DONOVAN. Mr. Speaker, when an emigrant vessel enters the port of Philadelphia now, the relatives of the emigrants can board the vessel, and state the best places for them to go. If you allow the land sharks to go aboard, the emigrants will not get that information. They will be entirely at the mercy of the persons that my colleague [Mr. Connell] objects to. Under the present regulations, their relatives post them against this class of people.

On the question,

Shall the bill pass?

The yeas and nays were required by Mr. CONNELL and Mr. DONOVAN, and were as follow, viz:

Yeas—Messrs. Bigham, Billingfelt, Coleman, Connell, Cowles, Graham, Haines, Landon, M'Conaughy, Ridgway, Royer, Shoemaker, Taylor, Worthington and Hall, *Speaker*—15.

Nays—Messrs. Burnett, Davis, Donovan, James, Lowry, M'Candless, Randall, Schall, Searight, Stutzman and Wallace—11.

So the question was determined in the affirmative.

So the bill

Passed finally.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

The Clerk of the House of Representatives being introduced, presented an extract from the Journal of the House of Representatives, which was read as follows:

In the House of Representatives, March 25, 1867.

Resolved (if the Senate concur) The Governor be requested to return to the House, House bill No. 570, entitled An act to incorporate the Shickshinny and New Columbus turnpike road company in the county of Luzerne.

On motion of Mr. SHOEMAKER, said resolution was twice read, considered and concurred in.

He also returned bill numbered and entitled as follows, viz:

No. 886, an act supplementary to an act entitled An act to enable the Pennsylvania canal, coal and railroad company to borrow money, and to change the corporate name of said company, and confirm the title to real estate belonging to said company, and directing in what manner the mortgage authorized in said act shall be approved by the stockholders of said company, and to ratify the consolidation of certain companies under said act of Assembly,

With information that the House of Representatives has passed the same with amendments, in which the concurrence of the Senate is requested.

On motion of Mr. WALLACE, said amendments were twice read and concurred in.

RETURN OF THE VETO BILL FROM THE HOUSE OF REPRESENTATIVES.

The House having returned the bill in relation to the issuing of the stock of the Pennsylvania railroad company, together with the message of the Governor vetoing the same,

Mr. BIGHAM said: Mr. Speaker, there seems to be some difference of opinion as to the right to reconsider. Probably that question will not be raised. It is a dead issue now, but I think we should carry out the understanding.

The SPEAKER. The rule is that it cannot be again reconsidered, therefore I am obliged so to rule. The reconsideration is bad when you proceed to reconsider the message. You cannot reconsider a bill twice—that is the end of that question.

Mr. LOWRY. What becomes of the bill?

The SPEAKER. It lies on the table.

Mr. LOWRY. And does not go to the House?

The SPEAKER. No, sir; it has been to the House.

Mr. LOWRY. Does that carry out the provisions of the Constitution?

The SPEAKER. Yes, sir; so far as we are concerned, we have done what we are required to do.

BILLS CONSIDERED AND PASSED.

On motion of Mr. M'CONAUGHY, the Committee on Roads and Bridges was discharged from the further consideration of a bill entitled A supplement to an act relative to roads in the county of Franklin, approved 14th of March, A. D. 1867.

And the rules having been dispensed with,
The bill was read a second and third time, and
Passed finally.

On motion of Mr. CONNELL, the rules were dispensed with, and the Senate proceeded to the consideration of a bill entitled An act to levy a tax upon horses kept for pleasure or hire in the city of Philadelphia.

The bill was read a second and third time, and

Laid over for a third reading.

On motion of Mr. COLEMAN, the rules were dispensed with, and the Senate proceeded to the consideration of a bill entitled An act to extend the provisions of an act relating to costs in Luzerne county, approved April 2d, 1863, to the county of Dauphin, with a proviso.

The bill was read a second time.

Mr. COLEMAN moved to amend the bill by adding a new proviso.

The motion was
Agreed to.

The bill was read a third time, and
Passed finally.

On motion of Mr. GLATZ,

The SPEAKER adjourned the Senate until to-morrow morning, at 10 o'clock.

HOUSE OF REPRESENTATIVES.

THURSDAY, March 21, 1867.

The House met at 10 o'clock, A. M.

Prayer was offered by Rev. J. KENNEDY, member from Wyoming.

The SPEAKER announced a quorum of members present.

The Journal of yesterday was partly read, when,

On motion of Mr. ADAIRE, the further reading of the same was dispensed with.

Mr. MANN. Mr. Speaker, I rise to a privileged question. I desire to move a reconsideration of Senate bill No. 617, joint resolution relative to the revisal of the civil laws of Pennsylvania. I desire this reconsideration for the purpose of moving an amendment, that the three persons be appointed by the Governor, in conjunction with the Attorney General, to make this revision.

The motion to reconsider was
Agreed to.

The bill being again before the House,

Mr. MANN moved to amend in the fourth line by inserting, after the word "Commonwealth," the words, "who, in conjunction with the Attorney General, shall act."

The amendment was
Agreed to.

And the bill as amended was
Agreed to, and
Passed finally.

On motion of Mr. HELTZEL, the orders were suspended, and the House proceeded to the consideration of Senate bill No. 723, an act to incorporate the Caledonia iron and coal company.

The bill was amended by Mr. STUMBAUGH, and
Passed finally.

Mr. DEHAVEN. Mr. Speaker, House bill No. 321 was reported from the Committee on Roads, Bridges and Ferries with a negative recommendation. The parties interested in this bill are present and desire to be heard. I therefore move a suspension of the orders to enable me to make a motion to recommit the bill.

The question was on suspending the rules. It was
Agreed to.

Mr. DEHAVEN. Mr. Speaker, I now move to recommit House bill No. 321 to the Committee on Roads, Bridges and Ferries.

The motion was
Agreed to.

BILLS IN PLACE.

Mr. KLINE, on leave, read in place an act allowing the school directors of Ashland, Schuylkill county, to borrow money.

Laid on the table.

PUBLIC CALENDAR.

Agreeably to order,
The House proceeded to the consideration of bills on the public calendar.

The House went into committe of the whole on House bill No. 372, Mr. KENNEDY in the chair.

The bill was read as follows:

AN ACT to explain and construe an act compelling railroad and other corporations to pay counsel fees of plaintiffs in certain cases.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same*, That the true intent and meaning of an act entitled An act compelling railroad and other corporations to pay counsel fees of plaintiffs in certain cases, approved May third, one thousand eight hundred and sixty-six, is hereby declared to be, that said counsel fees shall not be recoverable or collectable in or under any suit or judgment heretofore, or which may be hereafter, brought or rendered, unless the validity of the bonds for the interest in which the suit is brought shall have been, or shall be, drawn in question by said corporation and established in that or some prior suit or proceeding.

The question being on agreeing to the bill,

Mr. WADDELL. Mr. Chairman, I move to amend by inserting in the tenth line, after the word "brought," the words "or of the guarantee of such bonds."

The amendment was
Agreed to.

The question recurring on the bill as amended,

It was
Agreed to.

In the House,

The Speaker having resumed the chair,

Mr. KENNRDY, chairman of the committee of the whole, reported the bill with amendment.

The bill was read as amended, and
Agreed to.

The rules were suspended, the bill read a third time by its title, and
Passed finally.

The House went into committee of the whole on House bill No. 380, reported negatively from the Committee on the Judiciary General, Mr. KERNS in the chair.

The bill was read as follows:

AN ACT relating to laborers in the State of Pennsylvania.

WHEREAS, The interests of those engaged in manual labor require that their rights should be better secured, and that the hours of labor be better ascertained and so reduced that further opportunity may be afforded for mental culture and social improvement; therefore,

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same*, That after July first, one thousand eight hundred and sixty-seven, labor performed during a period of eight hours on any secular day, in all cotton, woollen, silk, paper, bagging and flax factories, shall be considered a legal day's labor; and after said date contracts made for the employment of mechanics in all the various branches of trade for daily laborers shall be construed to be for eight working hours to the day in any employment, unless otherwise stipulated.

The bill was
Agreed to.

In the House.

The Speaker having resumed the chair,

Mr. KERNS, chairman of the committee of the whole, reported the bill without amendments.

The bill was read, and the question being on agreeing to the bill,

The yeas and nays were required by Mr. ADAIRE and Mr. ROATH, and were as follow, viz:

YEAS—Messrs. Adaire, Allen, Barrington, Boyd, Breen, Brennan, Brown, Calvin, Cameron, Chadwick, Chalfant, Chase, Davis, Day, DeHaven, Donohugh, Espy, Ewing, Fogel, Freeborn, Gallagher, Ghegan, Gordon, Gregory, Harner, Headman, Heltzel, Hoffman, Hood, Hunt, Jenks, Jones, Josephs, Kennedy, Kerns, Kimmell, Kinney, Kline, Koon, Lee, Linton, Long, M'Creary, M'Henry, M'Kee, Markley, Marks, Meily, Meyers, Mullin, Peter, Quay, Quigley, Rhoads, Robinson, Roush, Sharples, Stumbaugh, Subers, Waddell, Watt, Webb, Westbrook, Wharton, Wilson, Woodward, Worrall, Wright and Glass, *Speaker*—69.

NAYS—Messrs. Armstrong, Barton, Harbison, Kurtz, Mann, Richards, Roath and Stacy—8.

So the question was determined in the affirmative.

The rules were suspended, the bill read a third time by its title, and
Passed finally.

The House went into committee of the whole on House bill No. 492, Mr. KIMMELL in the chair.

The bill was read as follows:

A FURTHER SUPPLEMENT to an act to provide for the adjudication and payment of certain military claims, approved April sixteenth, one thousand eight hundred and sixty-two.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same*, That the benefit of the act approved April sixteenth, one thousand eight hundred and sixty-two, and supplements thereto, granting pay and emoluments to certain officers for recruiting, et cetera, be, and is hereby, extended to officers who recruited after April twenty-second, one thousand eight hundred and sixty-three, and prior to April first, one thousand eight hundred and sixty-five, and to secure the benefits of said act and supplements thereto, all applications shall be made within one year from the passage of this act: *Provided*, That any sum received by said officers for Government or local bounty shall be deducted from the amount payable to them under the provisions of this act.

Mr. DONOHUGH. Mr. Chairman, I move to amend by striking out in the eleventh line the words "or local."

The amendment was
Not agreed to.

Mr. WADDELL. Mr. Chairman, I move to amend by adding the following proviso:

"*And provided also*, That the amount to be paid for the military claims shall not exceed the sum of fifty thousand dollars during any single fiscal year."

Mr. STUMBAUGH. Mr. Chairman, I hope that amendment will not prevail. The effect of it would be to allow some officers to get their pay, and others would not. That would certainly be unfair, and I hope it will not be adopted.

Mr. WADDELL. Mr. Chairman, the whole operation of this act may be questionable. The effect of it may be questionable,

opening up these old claims again to be brought against the Commonwealth. In other words, enlarging the time when these claims should be presented. Now, the presumption is that a majority of these claims are in. We have had complaints with regard to these bounties for the soldiers of 1812, that it is draining the treasury of between three and four hundred thousand dollars per year. All my proviso provides for is that in any one fiscal year not more than fifty thousand dollars should be taken out of the treasury for that purpose. But it does not prevent these claims being paid. It only asks that those that come in subsequently shall wait until the next fiscal year. Just as they are filed in their rotation they will be paid. The demands on the treasury should be protected, to some extent at least, so that the officers of the Government may know just exactly how their finances are to stand each year. It does not deprive any one of his rights, but merely puts a guard around the treasury, so that the officers can make their calculations for each year.

Mr. QUIGLEY. Mr. Speaker, I hope that amendment will not be agreed to. If we intend to pay any of these claims let us pay them all. Now, if that amendment of the gentleman from Chester [Mr. WADDELL] is adopted, those that get their applications in first will be paid first, and those that come in afterwards will get nothing, or will have to wait a year at any rate. We pass every year special acts paying these officers for recruiting. There are quite a number of claims now pending before the board of claims for this service, and under the present act of Assembly that board cannot pay —it can only adjudicate. If we are to pay any of these claims, let us pay them all. Let us not discriminate in favor of the smarter ones who get their claims in first. Suppose it does take two or five hundred thousand or a million of dollars in a year, they will then all be settled up and we will have nothing to pay next year. This is only putting off the debt we should pay this year until the next year, or the next after, or the next after that. I hope the amendment will not prevail. If it does, the bill will not meet the object intended, and will be entirely worthless.

Mr. WADDELL. Mr. Chairman, it is very easy to get up and say what difference does it make whether it would amount to five hundred, or ten thousand, or a million of dollars. But if gentlemen will point out the way by which this million of dollars is to be got into the treasury to meet that demand, then I am just as much in favor of it as any one. Now, sir, it seems to me that in claims of this kind, or claims of any kind, that will be presented for payment, there should be some such restrictions about it as will enable the State Treasurer to know how his finances are to come out at the end of the year. If this Legislature is to throw wide open the door, so that claims to the extent of thousands upon thousands of dollars may be presented to the treasurer, and he has not the wherewith to pay them, these parties would be in precisely the same condition, and would be compelled to wait. But with this proviso we enable him to make up his financial calculations each year. He knows what he is to provide for meeting these claims. He makes his arrangements according to what he knows will be the demand upon the treasury, and when a bill is presented he pays it, like any other financial gentleman would in making up his financial arrangements for twelve months. It is all folly to say that these gentlemen will not get their money if they do not get it within a year. It provides that they shall have their money; but that the treasurer shall pay out only so much for this purpose each fiscal year. The first shall be paid first; the last shall be paid last. It is nothing more than Scriptural doctrine applied to financial operations. It is not opposition to these claims. I do not make any opposition to them. I am satisfied that they shall be paid if they are legitimate, and I only ask the House to put into the bill some provision whereby the treasurer may know what he will be called upon to do.

Mr. QUIGLEY. Mr. Chairman, that is just the reason why I am opposed to the amendment. We have passed a number of those military claim acts, and we have restricted them in such a way that the year after we must pass another act. There are now whole piles of claims lying in the office of the board of claims that have been adjudicated, but cannot be paid because the bills providing for their adjudication do not provide for their being paid. They were restricted as the gentleman from Chester [Mr. WADDELL] proposes to restrict this, and I therefore hope the amendment will be voted down.

Mr. WEBB. Mr. Chairman, I offer an amendment to the amendment to add the following: "which sum shall be applied *pro rata* upon such claims as shall be allowed in any one year."

Mr. MANN. Mr. Chairman, I do not see the necessity for this amendment to the amendment. It seems to me that the proviso of the gentleman from Chester [Mr. WADDELL] will work no injury to anybody, but this last amendment would be awkward, inconsistent and of no special benefit. I hope it will not be adopted. It would embarrass the treasurer in the payment of those claims, and it will also prevent his paying any claims until the close of the year; because, if they are to be paid *pro rata*, none can be paid until the end of the year. There can be no reason why, when a claim has been adjudicated, and so much is found due an officer, why he should not be paid if the treasurer can pay it. That, it seems to me, is sufficient reason for not adopting this amendment.

The question being on the amendment offered by Mr. WEBB, to the amendment offered by Mr. WADDELL,

It was

Not agreed to.

The question recurring on the amendment offered by Mr. WADDELL,

Mr. MANN. Mr. Chairman, I desire to make a few remarks to show why I think the proviso offered by the gentleman from Chester ought to be adopted.

This proviso comes from the chairman of the Committee on Ways and Means, whose duty it is to examine the finances of the State. He has, no doubt, made that examination. He has, in the discharge of his duty, prepared the appropriation bill, and he is presumed to know what are the abilities of the treasurer to meet these claims. He certainly knows what drafts are imposed on the treasurer by the preparation of this appropriation bill. That bill having been sent to the printer, I may say, without being premature, that the appropriations in it are very large, and I call the attention of the House to the fact that the receipts for the present year will not be so large as they were for the last year, because of extraordinary receipts of last year which will not be received during the present year.—There were two items last year which amounted to over thirteen hundred thousand dollars, to wit: The reimbursement made by the General Government of the United States for the claims of Pennsylvania, amounting to over eight hundred thousand dollars, and an additional item from the city of Philadelphia, for arrearages of taxes on real estate, of over four hundred thousand dollars, altogether amounting to over twelve hundred thousand dollars. Neither of these two items will come into the treasury for this present year, and there is no assurance that any other one of the receipts will be very largely increased. There has just been a bill passed which is an experiment, however, by which the treasurer hopes he will increase the receipts; but the appropriations already made will more than cover all that he estimates will come from that source, if the House sustain the appropriation bill as acted upon by the committee.

Now, in view of these facts, I ask this House whether it is not of some consequence whether we make provisions limiting the amount to be paid for these claims? Has it come to that, that we are to legislate in this loose way, and act upon the principle that these claims must be paid when they are presented, whether the bill calls for five hundred thousand or a million of dollars? It seems to me that that is a dangerous precedent to act upon, and especially dangerous at this time, when the State, by its conduct, has been in fact repudiating its debts, when there are twenty-three millions of debt over due; when she has been disowning her debts before the world, I say that such legislation and such talk is not of a character that ought to be witnessed on this floor.

Mr. STUMBAUGH. Mr. Speaker, I confess that the remarks of the gentleman from Chester, and the remarks of the gentleman from Potter, present, to my mind, a very curious state of affairs. They are exceedingly anxious about guarding the treasury from inroads by the men who defended their country and saved their Government in the time of its peril; yet, last year, at the instance of this same gentleman, who has the treasury in his hands, this House was asked that the tax be taken off of real estate, thereby depriving the State of an immense revenue. For what purpose did they do that, and now undertake to close the treasury and say to those men, who were the means of preserving this country, you shall not get even a dollar for that which you expended in defending and preserving the Government?

I say the positions are inconsistent; if they intend to do that which is right, they ought to provide the ways and means for doing so; they ought not last year to have thrown away this great source of revenue, and say to the men who have done what they could to save their country, you shall not be paid for your services.

The question before the House is simply one of allowing officers who recruited for the service from the 22d of April, 1863, to the 1st of April, 1865, the same privileges that were extended to those who recruited from the 15th of April, 1861, to the 22d of April, 1863.

I do not understand the bill as absolutely requiring the payment of these claims as soon as they are presented, but as simply extending the same act that was applied to these men during this former period, and, after their claims are adjudicated, to provide for their payment.

I do not understand that any man's claim is to be paid until after it has been adjudicated and found right by the board of claims. I only understand the bill to mean that these men who have rendered this service, after their claims have been adjudicated and found correct by the board of claims, shall be paid by the treasurer. All I desire is that these men shall be paid upon the same principle as those who recruited during this former period.

Mr. MANN. Mr. Chairman, as nobody is objecting to their being paid, I do not see the force of the gentleman's argument. Nobody objects to paying these men upon the same footing as the others; nobody objects to the features of this bill.

We are simply asking that the treasurer

of the State shall know what claims he will have to meet, and is it very great hardship to wait for the next fiscal year for the payment of their claims after they have been adjudicated?

This proviso does not injure the validity of those claims in any way; it simply provides that the treasurer shall know what provision he will have to make for their payment, and that beyond such an amount he shall not be called upon this year.

It allows all the other provisions of the bill to be carried out; the claims can go on being adjudicated just the same. It will not prejudice the claim of a single officer; it will do no injustice to any one, but will simply enable the treasurer to know what will be required of him.

Mr. STUMBAUGH. Mr. Chairman, I simply desire to say that it will discriminate, because it allows one man to get his pay this year, and requires another to wait until next year, and that provision was not made in the previous law on this subject.

Mr. WEBB. Mr. Chairman, the gentleman from Franklin [Mr. STUMBAUGH] makes himself eloquent in advocating that a person who has served his country shall be paid. I think we are united in reference to paying all men for their services. This bill, however, is for that class of men who, to speak honestly about many of them, spent their time loitering around places under the pretext of recruiting men and really doing nothing. I am willing to vote to pay any man who has done his duty on the field, but these men who spent their time loitering around the country and doing nothing are receiving no injustice if they are required to wait a little.

I trust the amendment will be sustained by the House.

Mr. ARMSTRONG. Mr. Chairman, I am in favor of throwing safeguards around the treasury of the State, as much so, probably, as any man on this floor; and I consider the bill now before the committee as one worthy and deserving of our attention. The merits of the bill, however, I do not understand to be properly under discussion at this time; the subject under consideration is the amendment of the gentleman from Chester.

If I understand the matter aright, I hope that that amendment will not prevail, for the reason that I cannot conceive why this occasion should have been selected as the one in which to display our care of the public treasury.

We have been legislating on various subjects, and as we are now charged with throwing the door of the treasury wide open, I will say, sir, that I consider that the door has already been thrown very widely open; if it is the intention of the members on this floor to close that door, let it be understood; but if this is the time selected to commence it, I shall, for one, raise my voice against it. I say that there have been occasions, numberless, when resolutions that have been under consideration have offered a far more proper occasion for protecting the treasury than at the present time.

The claims of these men are doubtless in the main just; whether a few have been guilty of loitering around the country and spending their time in trifling, is a matter to be attended to by the proper parties, when adjudicating those claims; but we do know that we all felt very willing to have recruiting officers—men who left their business, who sacrificed the comforts of their homes to take upon themselves the responsible duty of raising men to defend our country in the time of its need, and I think it comes with very poor grace from any gentleman on this floor at this time to raise his voice against those claims, just and right as they are. I hope this amendment will not be voted down.

The way this bill stands before us I cannot see that such a very heavy drain upon the public treasury can be made by it. There is no doubt there is quite a number of claims, but by the time these claims come to be adjudicated, as local bounties are not included in the estimation, the amount will not be so much.

I hope the amendment will not pass.

Mr. WADDELL. Mr. Chairman, I have said before, sir, that a man who puts himself upon this floor apparently in opposition to what is termed soldiers' claims, occupies no envious position; and, sir, the sentiment has almost come to be that a man who attempts properly to legislate upon anything connected with the soldier occupies almost the same position.

Now, sir, I am getting tired of this hue and cry which may be called demagoguism; I have certain duties here to perform as a member of this Legislature, and I propose to endeavor to perform those duties, let the consequences be what they may, and let the sentiment entertained by the gentlemen of this House be what it may.

Now, sir, I am at a loss to see where any gentleman on this floor has yet raised his voice in opposition to the bill under consideration; I have not heard a gentleman yet speak upon the subject, who has dared to say that these claims should not be paid; I have not said so. I have said that I entertained serious doubts as to the propriety of this bill on the whole; but, sir, I have not yet raised my voice in opposition to its provisions. If these claims are meritorious, I say pay them; if they are not meritorious, I say refuse to pay them, and I apprehend, in the advocacy of that principle, every gentleman upon the floor of this House will join with me.

Now, sir, the allegations that have been thrown out that this is an attempt to prevent these honest claims being paid are not true in principle, and I throw them back to the gentlemen who have made such allegations here. Because, forsooth, gentlemen may now see the propriety of attempting to throw some guards around the treasury, and have attempted to do so; and because, forsooth, this Legislature has heretofore done what it probably should not have done, gentlemen say it is not right, at this late hour, to arrest such legislation. That is not the true theory for gentlemen to entertain upon the floor of this House. Even if, at this late hour, we discover that in some particulars we have been wrong, I contend that it is the duty of gentlemen here, in justice to themselves, to attempt to remedy the evil so far as possible. I do not pretend to say under what auspices this bill comes before this House. I have my own opinion about it, but it may be simply an opinion, and I do not wish to do anybody any wrong by expressing it. I do not here attempt to defeat the bill itself. I distinctly discard any such insinuation. I am here, sir, merely attempting, as a member of this House, to throw proper guards and restrictions around the expenditure of the treasury, and I am not to be deterred in my efforts in so doing by any insinuations that I am opposed to the soldiers of the Commonwealth of Pennsylvania. I think, sir, I can discharge my duty to both this Commonwealth and the soldiers, and I shall endeavor to do so.

Mr. STUMBAUGH. Mr. Chairman, I desire to say that, as far as I am concerned, in my remarks, I had no desire to deter the gentleman from Chester from doing his duty; but I would like to know what he meant by demagoguism; whether he meant to apply that to myself or to whom he meant to apply it?

Mr. WADDELL. Mr. Chairman, I referred to what has been done during the whole session, and not to any one in particular.

Now, sir, I have not a bit of objection to every soldier in the Commonwealth being paid every dollar that is due him, and my proviso simply asks that the drain upon the treasury, for each fiscal year, shall not exceed a certain amount. I am satisfied with the amendment that is proposed to be added, that these claims shall be paid on the order in which they are filed. If the fifty thousand dollars is spent, let those other parties wait until the next fiscal year begins, and let them be paid in the order in which their claims are filed. I am at a loss to see anything unreasonable in the request that the expenditure shall be restricted in the way in which the proviso demands. I only ask the House to consider this matter coolly and calmly, as any business transaction. I have no interest in this matter beyond any other gentleman on this floor, but if gentlemen think a restriction of this kind should be thrown around this matter, I simply ask the adoption of this proviso so as to aid the treasurer in meeting the demands which will be made upon him.

Mr. MEYERS. Mr. Chairman, it seems to me that there is some inconsistency between the remarks of the gentleman from Chester and his amendment. I understood him to say, in his remarks, that he believed the greater portion of the claims had already been presented, and he gave that as a reason against the general features of this bill.

Mr. WADDELL. Mr. Chairman, I made no such allegations. I have no knowledge of the claims to be presented.

Mr. MEYERS. Mr. Chairman, it is evident that under this act of 1862, with its various acts and supplements, these claims have been so far settled that there cannot be many more of this character to be presented to the treasurer. If, during the dark days of the rebellion, when the people of this Commonwealth were called upon in their various capacities to respond to the nation's call for men, money and means; if no provision was made at that time in the passage of laws on the subject of paying men and their widows and orphans for services rendered in recruiting, for the time spent in the service of their country, why shall we establish a limit at this time, when the expenses attendant upon a state of war are withdrawn to a great extent, and the claims have been adjudicated and paid to a very considerable amount? Why shall these claims, which, for some reason, have been delayed four or five years, be restricted, and the parties prevented from receiving their money, perhaps, for years to come?

Now, sir, we have made an appropriation of five hundred thousand dollars to the Chambersburg sufferers by the war, not in instalments, but in one round sum of money. We are appropriating, year after year, to the various charitable institutions of this Commonwealth, in Philadelphia and in Pittsburg, and elsewhere, large sums of money.

Why, Mr. Chairman, shall these persons and these institutions have preference over the claims of these men? Why make a distinction between the claims under these bills and the bills of 1862 and 1863, and say you shall not have your claims paid in full, when you made no restrictions in previous legislation in reference to this matter? These arguments by the opposite side would have been very well in 1862 and 1863, when the treasury was not in so good a condition as it is to-day; when the finances of the State were drained by the war. If, at that time, such a restriction and discrimination had been made then these arguments would be pertinent, but

they chose not to do so then; and I ask you why you should now discriminate against the men who come here at this late date day when you made no distinction before? I have myself had a claim before the Committee of Ways and Means for the purpose of paying a widow lady, a constituent of mine, a claim of this kind, and if for some reason that poor widow should not present her claim until after the fifty thousand dollars were absorbed, she would be obliged to wait another year and perhaps for two years. I say give this money to the men who stood up for their country, and if anybody is to wait, let the members of this House and the officers of this House and these pasters and folders, these civil cormorants, wait.

Mr. MANN. Are the persons who are provided for in this bill, persons who have stood up in battle for their country?

Mr. MEYERS. The presumption is that they are. They are men who recruited and men who did certain acts in the military departments.

Mr. SHUMAN. Mr. Chairman, there appears to be a great many speeches made here this morning for buncombe. Now, in all these speeches no person seems to have the courage to take up against this bill. I am opposed to this whole bill. There is not one claim in twenty for which pay is asked where the claimant has been a soldier. There is a set of men who have recruited companies, with the expectation of getting a commission, and if they did not get a commission, they went home again; they had not spunk enough to go as soldiers. For myself, I recruited thirty-six men, and did not ask for a commission, but went in with them and was a soldier for four years, and I think I can afford to oppose this bill. This bill is not for the benefit of men who were soldiers. I do not believe that there is a man who has been a soldier that has a claim of this kind.

I am opposed to the whole bill and hope it will be defeated.

Mr. DONOHUGH. Mr. Chairman, the original bill provides that they must be mustered into the service of the United States in order to receive one cent of their pay. They receive pay from the time they were commissioned by the Governor to the day of such muster.

Mr. QUIGLEY. Mr. Chairman, in reply to the gentleman from Perry [Mr. SHUMAN], I will state that there is no doubt that some of these officers did not go into the service, but there are many who did go into the service and never received a cent for their recruiting.—There are a number in my section who paid all their expenses while recruiting, out of their pocket, expecting to be reimbursed by the State. I trust that because there are a few of that kind who never went into the service, it will not be any objection to this bill.

The question being on the amendment of Mr. WADDELL,

It was

Agreed to.

Mr. DONOHUGH. Mr. Chairman, I offer the following amendment, to come in at the end of the section:

"And they shall be paid in the order in which they are filed."

The amendment was

Agreed to.

Mr. DAY. Mr. Chairman, I offer the following amendment, to come in at the end of the section:

"*Provided further*, That this act shall not apply to officers who were not in active service in the field."

Mr. DONOHUGH. Mr. Chairman, that is entirely unnecessary. The original act provides that they shall be mustered into the service. Section ten says:

"That the provisions of this act, so far as applicable, shall be extended to all citizens or residents of Pennsylvania, who have heretofore entered into the active service of the United States or any other State of this Union."

Mr. MANN. That is just what the bill before us is overriding; that is what this bill is for—to extend the provisions of this act to men who were not in service. It reads:

"That the benefit of the act approved April 16, 1862, and supplements thereto, granting pay and emoluments to certain officers for recruiting, &c., be and is hereby extended to"—whom? "officers who recruited." Nothing else. That is what this bill before us does.

Mr. DAY. Mr. Chairman, it is a well known fact that there were officers who recruited and were mustered into the United States service, but did not go into the field—did not see active service; and I cannot see why this discrimination should be made.

Mr. LINTON. Mr. Chairman, I think this amendment ought not to be adopted. My impression is that it ought not to be confined to the class of officers designated in the amendment. I see a great many practical difficulties in enforcing that provision, if it is adopted. What does the gentleman mean by being in active service in the field? Suppose he was out in camp, or detailed on garrison duty, would he come within this provision of the gentleman's amendment? I think not, and I think persons of that description are as much in the service as any class of officers who served their time in the army. As soon as a man was mustered into the service he became subject to be ordered wherever the War Department chose to order him; as soon as men were mustered in they became subject to the authority of those placed in authority over them. Now, this amendment requires that they shall have been in active service in the field before they can receive the benefit of this act. It seems to me it would be unjust to deter men who were mustered into the service from the benefits of this act because the War Department chose to put them on some duty other than active service in the field.

Mr. HUMPHREY. Mr. Chairman, I move to amend the amendment, by striking out all after the words "Provided further," and inserting the following: "that the provisions of this act shall apply only to officers who were mustered into the United States service."

Mr. KENNEDY. Mr. Chairman, I am in favor of that. I know personally some officers who spent some two or three hundred dollars of their own money recruiting, and who were never in active service in the field, although in the United States service. I think it would be manifest injustice to deprive such persons of the benefits of this act.

Mr. DONOHUGH. Mr. Chairman, upon examination I think I was somewhat mistaken in saying that the original act covers this matter entirely, and I therefore hope this amendment will be inserted. I understand that the friends of the bill are in favor of it.

Mr. WORRALL. Mr. Chairman, I trust that the House will adopt this amendment of the gentleman from Tioga [Mr. HUMPHREY]. It makes a proper discrimination, and one that ought to be made.

The question being on the amendment of Mr. HUMPHREY to the amendment of Mr. DAY,

It was

Agreed to.

The question recurring on the amendment as amended,

It was

Agreed to.

The question recurring on the section as amended,

It was

Agreed to.

In the House,

The Speaker having resumed the chair,

Mr. KIMMELL, chairman of the committee of the whole, reported the bill with amendments.

The bill as amended was read.

The question being on agreeing to the bill,

Mr. WOODWARD. Mr. Speaker, I move to amend by adding the following proviso: *Provided*, That no claim under the provisions of this act shall be considered if presented through or by the hands of any claim agent or agency; and all moneys shall be paid directly to the party to whom the award is made.

The amendment was

Agreed to.

Mr. HEADMAN. Mr. Speaker, I move to amend by striking out the words "or local" in the eleventh line.

Mr. Speaker, I hardly think gentlemen understand this amendment correctly. I cannot see why local bounties should be deducted when they were a voluntary contribution on the part of the people of that locality. I know of a gentleman in my neighborhood who went into the service, served three years, and came home with an honorable discharge.

After his return he was solicited by the people in that locality to recruit a company. He did so, and he spent his own money for that purpose. After six weeks he accomplished his object and the company was mustered into the service of the United States. He only claims, sir, pay from the time he commenced recruiting this company until the time they were mustered into the service. We raised a local bounty in our county for the purpose of encouraging men in these acts. We voluntarily contributed our mite for that purpose, and I cannot see how it is that money voluntarily contributed by the people of that section should be deducted out of the pay that is to be given them by the Government. I am satisfied that all money paid by the Government should be deducted, but local bounties have nothing to do with that at all.

Mr. SHARPLES. Mr. Speaker, I cannot see the difference where the money comes from, whether it comes from a particular locality or from the State.

Mr. HEADMAN. If a man voluntarily contributes to you five dollars, it is no reason why it should be deducted out of your pay as a legislator.

The question being on the amendment by Mr. HEADMAN, it was

Not agreed to.

The question recurring on the bill as amended, it was

Agreed to.

The rules being suspended, the bill was read a third time by its title, and

Passed finally.

The House went into committee of the whole on House bill No. 500, recommended negatively from the Committee on Federal Relations, Mr. KINNEY in the chair,

The bill was read as follows:

JOINT RESOLUTION instructing our Senators and requesting our members in Congress to procure the passage of a law authorizing the national government to reimburse the loyal States for all moneys advanced for the payment of bounties to volunteers during the late rebellion.

WHEREAS, Large sums of money have been expended by the several cities, counties, boroughs and districts of the loyal States in payment of bounties to volunteers during the late war for the suppression of the rebellion;

And whereas, Said sums of money were

expended, not for the benefit of any special locality, but for the general benefit of the whole nation; therefore,

Be it resolved by the Senate and House of Representatives of the Commonwealth of Pennsylvania, in General Assembly met, That our Senators be instructed and our Congressmen be requested to procure the passage of an act authorizing the assumption and payment, by the National Government, of all moneys so expended by the several cities, counties, boroughs and districts in the loyal States, and reimburse them by issuing to them the bonds of the National Government in such manner as to them shall seem just and right.

The question was on agreeing to the bill.

It was

Not agreed to.

In the House,

The Speaker having resumed the chair,

Mr. KINNEY, chairman of the committee of the whole, reported the bill negatively.

The question being on agreeing to the report of the committee,

It was

Agreed to.

The House went into committee of the whole on House bill No. 504, Mr. KLINE in the chair.

The bill was read as follows:

JOINT RESOLUTION instructing our Senators and requesting our representatives in Congress from this State relative to the American Atlantic Cable telegraph company for right of way from Bermuda to Cape Charles.

Be it resolved by the Senate and House of Representatives in General Assembly met, That our Senators and Representatives in Congress from this State are requested to favor the passage of the bill, now before their body, relative to granting the right of way to the American Atlantic Cable telegraph company from Bermuda to Cape Charles.

The bill was

Agreed to.

In the House,

The Speaker having resumed the chair,

Mr. KLINE, chairman of the committee of the whole, reported the bill without amendment.

The question being on agreeing to the bill,

Mr. BOYD. Mr. Speaker, I would like to know something of the nature of this bill. Will the gentleman who introduced it tell us what it is?

Mr. KERNS. Mr. Speaker, I will give the gentleman all the information I have in reference to it. A resolution similar to this one now before the House has been presented to and has been passed by several legislative bodies in other States. As I understand it, the English company who now have control of the telegraph from Europe to this country are endeavoring to prevent the passage of this bill by Congress granting the right of way to this American enterprise. This resolution is for the purpose of urging our Senators and Representatives to favor the passage of this bill. It is purely an American affair in opposition to this great English concern.

Mr. BOYD. There is no snake in it?

Mr. KERNS. Not that I am aware of.

The question being on agreeing to the bill,

It was

Agreed to.

The rules were suspended,

The bill read a third time by its title, and

Passed finally.

The House went into committee of the whole on House bill No. 505, Mr. KOON in the chair.

The bill was read as follows:

JOINT RESOLUTION instructing our Senators and requesting our Representatives to favor a repeal of the neutrality laws.

Resolved by the Senate and House of Representatives, That our Senators be instructed and our Representatives in Congress be requested to take such measures as they may deem expedient to repeal the neutrality laws so far as they apply to the British Possessions in North America.

The bill was

Agreed to.

In the House,

The Speaker having resumed the chair,

Mr. KOON, chairman committee of the whole, reported the bill without amendment.

The question being on agreeing to the bill,

Mr. M'CREARY. Mr. Speaker, I doubt whether any member of this House examined these neutrality laws sufficiently to know what we are doing. I am free to say that I have not. It may be that this bill is all right, and it may be that it is not. I take it that the Pennsylvania Legislature ought to be a little careful about what instructions they give to their Senators and members in Congress. I do not know what these neutrality laws apply to. It seems to me that before we attempt to give the weight of the influence of the State of Pennsylvania in favor of any measure, we should examine the measure and know what it is.

Mr. QUIGLEY. Mr. Speaker, if the gentleman from Erie [Mr. M'CREARY] will read this resolution he will see that it says: "That our Senators be instructed and our Representatives in Congress be requested to take such measures as they may deem expedient to repeal the neutrality laws so far as they apply to the British Possessions in North America." Now, sir, we are not asking them to repeal the neutrality laws, but we are merely instructing our Senators and requesting our Representatives "to take such measures as they may deem expedient" to repeal those laws. At the last session of Congress a bill of that kind was introduced and passed the lower House with but three dissenting voices, but from want of time, or some other cause, it failed in the Senate. As a matter of course the Legislature of Pennsylvania cannot repeal those laws. If we could

I would be very willing to vote to repeal all of them. They were forced upon us in the hour of our weakness. They were forced upon us years ago, when we were not strong, so weak that we could not refuse to accept them. They were forced upon us when the States of the South were in revolution, and it is for Congress to repeal them it they wish. By this resolution we merely request them to take such measures to repeal these laws, or parts of them, as they may see fit.

Mr. M'CREARY. Mr. Speaker, the resolution is more objectionable now than I at first considered it. I see, from the reading of the resolution, that our Senators are instructed and our Representatives requested to take such measures as they deem expedient to repeal these neutrality laws. I think Congress is able to do that without instruction. If it was anything pertaining to national policy at home, as between States, or pertaining to one State, we might very properly ask Congress to pass such a law. But here is a question simply between one nation and another nation, which is to affect our character as a nation, and by this resolution we ask Congress to take such measures as they deem expedient in regard to it.—The probability is that Congress is capable of taking such measures as they may deem expedient without instructions from us. I think this Legislature should be a little careful about what instructions it gives to Congress; that we should maintain our dignity, and that such measures should be well considered before we act upon them.

Mr. KURTZ. I would like to know if the gentleman has not changed his views somewhat since he voted for the resolution urging our Representatives to use their influence for the rejection of the nomination of Senator Cowan as Minister to Austria?

Mr. M'CREARY. No, sir; I said that anything that affects us as a State we could very properly instruct our Representatives in reference thereto, and I think the rejection of Edgar Cowan affected every man in the State. There was no man who had the honor and dignity of the State at heart who did not rejoice at his rejection.

Mr. ALLEN. Mr. Speaker, I can see no reason for the anxiety of the gentlemen on the other side of the House to discuss this matter, unless they propose to discuss it on general principles. If that is the purpose, I ask that we may have a special session for its discussion. I think the House is not ready to consider it now.

Mr. LEE. Mr. Speaker, I am in favor of the proposition of the gentleman from Warren [Mr. ALLEN]. I am also in favor of the resolution, because I think that gentlemen we elect to Congress have the right to do just exactly what this resolution requests them to do—just as they please—and I do not see that there is any harm in our saying so. What earthly harm can there be in our telling Congress upon this or any other subject that may come before them: "Gentlemen, so far as the Legislature of Pennsylvania is concerned, we are perfectly willing that you shall do just as you are a mind to?" There is nothing else in the resolution.

Mr. MANN. Mr. Speaker, I do not desire to make very many remarks on this resolution. I am exceedingly gratified that the gentlemen on the other side of the House have changed their minds upon this question of requesting Congress how to act. I understood them to object very seriously a short time ago, and to charge upon us that we were not exactly minding our own business when we offered a certain resolution. I am very happy to find that I was mistaken, and that they do believe in instructing Congress. I fear, however, that the gentleman from Philadelphia [Mr. QUIGLEY] does not speak for his whole party, and I shall, therefore, call the yeas and nays on the question.

Mr. MAISH. Mr. Speaker, I move to postpone this whole matter, and make it the special order for next Wednesday evening.

Mr. BARTON. Mr. Speaker, I move to amend the motion by moving to postpone the bill indefinitely.

Mr. QUIGLEY. Mr. Speaker, I am not the framer of this resolution. If I had been, I think I would have made it much stronger than it is. The resolution was introduced, I think, by the gentleman from Schuylkill [Mr. BREEN], and is certainly not as strong as I would like to vote upon, but I suppose the gentleman, in introducing this resolution, had in view the repealing of so much of these laws as has forced the officers of the United States Government to be police officers of the British Government. I have no doubt that was the idea of the gentleman from Schuylkill, and I do not suppose he introduced it for the purpose of making a lengthy speech, or making political capital out of it. We all know that prior to the election in last October, during the political campaign, in nearly every discussion on the stump, both parties claimed to be great friends of Irish nationality, for they were both fishing for the great Fenian vote. That may have been the reason why Mr. Banks, of Massachusetts, introduced that resolution into Congress to repeal the neutrality laws. It may have been a bid for that vote, and judging

from the feeling manifested on this floor by the members on the other side of the House, I think it was a bid for that vote.

Now, sir, as I said before, I do not believe this resolution was introduced for buncombe, or for political effect, or for anything of that kind. I believe it was introduced for the purpose of having some effect upon the gentlemen to whom it applies. I believe it was introduced for the purpose of securing the repeal of so much of the neutrality laws as would compel the United States army to be police officers for the British Government, as they were last summer.

Now, I happened to be in Buffalo at the time of that Fenian raid at Fort Erie. I happened to be there visiting at the time, and the feeling in reference to this matter was intense. I did not find a man of either party whose fellings were not enlisted in favor of those brave men who crossed the border, and who, if it had not been for the interference of our army, would never have returned without gaining possession of Canada and establishing a government that they could call their own. And now let us do with England as they did with us during the rebellion. Let us pay them back in their own coin. In England and in British ports all the vessels of war for the Southern confederacy were fitted out, and they were armed and manned there. But how was it with our Government? When the Fenians made their raid from Buffalo and Erie, the British forces were paralyzed. Determined men were rushing to the border by thousands—men who were determined to gain a permanent foothold there. But what did we do? Why, these neutrality laws, forced upon us in our weakness, were carried out by our Government, because we had to enforce them. I take it that is the portion of the neutrality laws that my friend from Schuylkill desires to have repealed. And I say that the Republican party, or any other party that vote against this resolution, stultify themselves in view of the pledges they made last fall during the political canvass.

Mr. BARTON. Mr. Speaker, in reply to the charge that the gentleman made in reference to this side of the House having been fishing after the Fenian vote last fall, I would say that I certainly thought last night that there was an effort to fish after the Fenian influence, but the fishing party was not out, and being present they had my sympathies then, and they are now extended to the party.

Mr. COLLINS. Mr. Speaker, I hope gentlemen will give us the privilege of an extra session to discuss this matter. I do not think there is another nation in the world that has done so much for America as Ireland has. I think we should have an opportunity to be heard on this question. Special sessions here have been made for almost everything, and I hope one will be granted in this case.

Mr. MANN. Mr. Speaker, I think it but just, as the members on the other side of the House seem to feel so much interest in this question, and desire to discuss it, that we should allow them to do so. I thought at first, as there was really nothing in this resolution, that it would be sufficient to let it pass without discussion. But as they feel disposed to say what they can to excite the sympathy of the Fenians, I am perfectly willing they should have that opportunity. We, of course, all feel the same kind of sympathy for all who are wronged. For my part, I shall be in favor of a special session under existing circumstances, and I hope it will be granted.

The question being on the motion of Mr. BARTON, to indefinitely postpone the bill,

The yeas and nays were required by Mr. HEADMAN and Mr. HOOD, and were as follow, viz:

YEAS—Messrs. Barton, Chadwick, Colville, Day, Gordon and Shuman—6.

NAYS—Messrs. Adaire, Allen, Barrington, Boyd, Boyle, Breen, Brennan, Calvin, Cameron, Chalfant, Collins, DeHaven, Donohugh, Espy, Ewing, Fogel, Freeborn, Gallagher, Ghegan, Gregory, Harner, Headman, Heltzel, Hoffman, Hood, Humphrey, Hunt, Jenks, Jones, Josephs, Kennedy, Kerns, Kimmell, Kinney, Kline, Koon, Kurtz, Linton, Long, M'Camant, M'Henry, M'Kee, M'Pherrin, Maish, Mann, Markley, Marks, Meily, Meyers, Mullin, Peter, Pillow, Quay, Quigley, Rhoads, Richards, Roath, Robinson, Roush, Seiler, Steacy, Stehman, Subers, Tharp, Wallace, Webb, Weller, Westbrook, Wham, Wharton, Wilson, Woodward, Wright and Glass, *Speaker*—74.

So the question was determined in the negative.

The question recurring on the motion of Mr. MAISH, that the further consideration of the bill be made the special order for Wednesday evening next at 7½ o'clock,

Mr. ALLEN. Mr. Speaker, I move to amend by making it Tuesday evening instead of Wednesday evening.

Mr. MAISH. Mr. Speaker, I accept the amendment.

Mr. KIMMELL. Mr. Speaker, I believe this House is now prepared to vote upon this resolution, and I do not think any further discussion will throw any further light on it. I hope the House will come to a vote at once.

Mr. SHARPLES. Mr. Speaker, I think the experience of last evening ought to teach us that there is no use in making special sessions for the discussion of questions on which the House is almost unanimous.

Mr. MAISH. Mr. Speaker, as I find the House seems to be unanimous on this resolution, I will withdraw my motion for a special session.

The question recurring on agreeing to the resolution.

Mr. GREGORY moved to amend in the second line by inserting after the word "to" the following: "use all honorable means to secure the."

Mr. GREGORY. Mr. Speaker, I think the resolution, if passed in the way I propose, will be of some practical benefit, and will give gentlemen an opportunity to express their sincerity in regard to this matter. I therefore call the yeas and nays on the adoption of the amendment.

Mr. MANN. Mr. Speaker, I simply desire to say to the House that this amendment would give to Congress no discretion in this matter. It is an attempt to instruct their Committee on Foreign Relations to repeal these neutrality laws, and so far as we are concerned, gives them no discretion whatever. For myself, I am unwilling to be put in that position. I am willing to vote for the resolution as it stood before this amendment was attempted to be put on it, for the reason that it leaves it to their discretion as to what they shall do. It seems to me that it is hardly the thing for the Legislature of Pennsylvania to attempt to tie up the hands of Congress, and, so far as they are concerned, giving them no discretion whatever, and instructing them to go forward without taking into consideration any of the circumstances, and to use all honorable means to repeal these neutrality laws. I hope the Legislature of Pennsylvania will not put themselves into any such position.

Mr. QUIGLEY. Mr. Speaker, it seems to me the gentleman from Potter [Mr. MANN] has changed his base. In the first place he objected to the resolution because it amounted to nothing. Now, after the gentleman from Philadelphia [Mr. GREGORY] has offered an amendment, making it more effective and making it amount to something, the same gentleman objects to it. Now, if the resolution is worth passing at all, it is worth passing in the manner proposed to be amended by the gentleman from Philadelphia.

The gentleman from Potter has also changed his base on the question of instructing our representatives how to vote on certain questions. That has been the gentleman's "hobby" ever since he has been a member of this House. Whenever a resolution has been introduced instructing our representatives how to vote on any question having a political bearing, he has been the very first to take the floor in its advocacy, and the very last to leave it. During the discussion on the resolution instructing our Senators and requesting our Representatives in Congress to vote against the confirmation of the Hon. Edgar Cowan as Minister to Austria, that gentleman took a very prominent part, and this side of the House objected to that resolution then for the very reason now urged by the gentleman from Potter against this resolution, that the Senators and Representatives from this State could attend to their own business. That resolution left our representatives in Congress no discretionary power whatever. Yet the gentleman from Potter advocated that resolution strongly and persistently, and it passed this House by his vote. Now, when on a different question, the gentleman from Potter gets up and says he objects because we leave our representatives no discretion whatever! That is consistency, I think! I am willing to let the gentleman stand on his own record, so far as that is concerned.

A word about the amendment. I have no doubt, sir, and no gentleman here means to say to the contrary, that this resolution of instruction will not affect a vote. I do not think in the entire Congress there will be half a dozen votes against repealing these neutrality laws. But I think coming, as it does, from the representatives of this State in the State Legislature to the representatives of our State in the National Congress, that if there are any weak-kneed ones among them it will bolster them up. That is why I am in favor of the amendment of the gentleman from Philadelphia.

The question being on agreeing to the amendment of Mr. GREGORY,

The yeas and nays were required by Mr. GREGORY and Mr. MULLIN, and were as follow, viz:

YEAS—Messrs. Adaire, Allen, Barrington, Boyd, Boyle, Breen, Brennan, Calvin, Cameron, Chalfant, Chase, Collins, Colville, Day, DeHaven, Donohugh, Espy, Ewing, Fogel, Freeborn, Gallagher, Ghegan, Gregory, Harner, Headman, Heltzel, Hood, Humphrey, Jones, Josephs, Kennedy, Kerns, Kimmell, Kinney, Kline, Koon, Kurtz, Linton, Long, M'Camant, M'Henry, M'Kee, M'Pherrin, Maish, Markley, Meyers, Mullin, Quay, Quigley, Rhoads, Robinson, Roush, Stambaugh, Subers, Webb, Weller, Westbrook, Wham, Wharton, Worrall, Wright and Glass, *Speaker*—62.

NAYS—Messrs. Armstrong, Gordon, Hoffman, M'Creary, Mann, Meily, Peter, Roath, Seiler, Shaman, Steacy, Stehman, Tharp and Wilson—14.

So the question was determined in the affirmative.

The question recurring on agreeing to the resolution as amended.

Mr. LINTON offered an amendment, to add the following: "That a certified copy of this resolution be forwarded to each of our Senators and Representatives at Washington, to be laid before Congress."

The amendment was agreed to.

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[CONTINUED FROM PAGE 736.]

Mr. KOON offered an amendment, to add the following: "And that as soon as the revolution shall have been inaugurated, our Government shall accord to Ireland belligerent rights."

Mr. LINTON moved to amend the amendment, by striking out the words "revolution inaugurated" and insert the words "defacto government established."

The question being on the amendment of Mr. LINTON to the amendment of Mr. KOON,

It was

Not agreed to.

The question recurring on the amendment of Mr. KOON,

It was

Agreed to.

Pending further action the hour of one o'clock having arrived, the SPEAKER adjourned the House until three o'clock, P. M.

During the session there was received the following:

MESSAGE FROM THE SENATE.

The Clerk of the Senate being introduced, presented for concurrence bills numbered and entitled as follows, viz:

Senate bill No. 729, an act to incorporate the Hillside coal and iron company.

Senate bill No. 890, an act for the relief of William Brennan and Bernard M'Tighe, first and second clerks of the mayor's court of the city of Carbondale.

Senate bill No. 893, an act to extend the time for the payment of the enrollment tax on an act entitled An act to incorporate the Keystone coal and manufacturing company of Somerset county.

Senate bill No. 894, an act to legalize and make valid an assessment made by the board of school directors of Strasburg township, Lancaster county, of one-half of one per centum, on the 16th day of June, A. D. 1866, for bounty purposes.

Senate bill No. 905, an act increasing the pay of certain township officers in Conyngham township, Columbia county.

Senate bill No. 906, an act relating to the collection of bounty taxes in the county of Lehigh.

Senate bill No. 907, an act to change the venue in the case of the Commonwealth of Pennsylvania vs. Louis S. Boner and Sylvester Hoffman, from the court of quarter sessions of the peace of Columbia county, to the court of quarter sessions of the peace of Dauphin county.

Senate bill No. 908, an act to change the venue of certain suits from the county of Allegheny to the city of Philadelphia.

Senate bill No. 909, an act to extend to the borough of Mount Washington the vehicle license laws.

Senate bill No. 911, an act regulating certain sheriff's fees in the county of Luzerne.

Senate bill No. 912, an act to change the criminal proceedings in a certain class of cases in Indiana county.

Senate bill No. 920, an act to incorporate the Lebanon water company.

Senate bill No. 921, an act to incorporate the Idaho mining and exploring company.

Senate bill No. 922, an act to authorize the Shafton coal company to borrow money.

Senate bill No. 923, an act to incorporate the Pittsburg transportation company.

Senate bill No. 924, a further supplement to an act entitled An act to incorporate the Scranton gas and water company, approved March 16, 1854.

Senate bill No. 925, an act to incorporate the Pottstown water company.

Senate bill No. 926, a supplement to an act entitled An act to incorporate the Lehigh Valley Fire insurance company, approved the 30th day of March, 1866.

Senate bill No. 927, an act authorizing an increase of the capital stock of the Connecting railway company.

Senate bill No. 931, a further supplement to an act to incorporate the Moshannon railroad company, approved the 11th day of April, 1863.

Senate No. 935, an act to prevent the depositing of tan bark in Poko Poko or Head's creek, in the county of Monroe.

Senate bill No. 936, an act punishing the sale of adulterated milk in the counties of Potter and Tioga.

Senate bill No. 939, an act for the better improvement of the front of the river Delaware.

Senate bill No. 940, an act authorizing the burgess and town council of the borough of Jamestown, Mercer county, to levy and collect tax, not to exceed one per cent. for borough purposes.

Senate bill No. 941, an act regulating the fees of notaries public in the county of Allegheny.

Senate bill No. 942, a supplement to an act entitled An act to change the venue of a certain action from Juniata county to Dauphin county, approved the 21st day of March, A. D. 1866.

Senate bill No. 947, an act for the relief of A. D. Hamlin.

Senate bill No. 948, a further supplement to an act to incorporate the Union School and Children's home asylum, to provide for the taxation of non-resident venders of merchandise in the city and county of Philadelphia, and for the relief of Edward Hutchinson, approved April 12, 1851.

Senate bill No. 952, an act to incorporate the Madison bridge company of Pottstown, Montgomery county.

Senate bill No. 955, an act to extend the provisions of an act approved March 22, A. D. 1867, relative to horse racing on the public highways in Philadelphia county, to the township of Leacock, in the county of Lancaster.

Senate bill No. 958, an act relating to the license of restaurants and beer houses in the county of Columbia, extending the provisions of an act of April 2, 1862, to said county.

Senate bill No. 964, an act to extend the time of payment of the enrollment tax of the Delaware mining company, appointing additional corporators, and authorizing the said company to hold additional lands.

Senate bill No. 966, an act relative to the terms of members of the councils of the city of Philadelphia.

Senate bill No. 973, a supplement to an act relating to the poor of Lancaster county, approved March 2, 1846, regulating the fees of constables.

Senate bill No. 974, an act to increase the compensation of county commissioners, township auditors, and the sheriff for boarding prisoners, in the county of Jefferson.

Senate bill No. 976, an act to incorporate the American coal, mining, oil tank and transportation company.

Senate bill No. 977, an act to change the corporate name of the Mill Creek gold and silver mining, commercial and manufacturing company of Colorado.

Senate bill No. 978, an act to incorporate the Bellefonte glass manufacturing company.

Senate bill No. 979, an act to incorporate the Grocers' and Provision Dealers' association.

Senate bill No. 980, a further supplement to the act consolidating the city of Philadelphia, defining the amount of money to be borrowed on temporary loan.

Senate bill No. 982, an act to declare the North and Uber branches of Little Mahoning creek, in Indiana county, public highways.

Senate bill No. 983, an act to incorporate the Brookville and Rockwayville railroad company.

Senate bill No. 985, a further supplement to the act incorporating the La Fayette railroad company, approved the 1st day of May, A. D. 1861, extending the time for building the road and enlarging the powers of said corporation.

Senate bill No. 986, an act to incorporate the City Passenger railway company.

Senate bill No. 987, a supplement to an act incorporating the Lawrenceville and Osawyo railroad company, approved the 1st day of May, A. D. 1852, reviving said act and appointing new commissioners.

Senate bill No. 988, a supplement to an act entitled An act to incorporate the Bear Creek railroad company, aproved the 20th day of March, A. D. 1865.

Senate bill No. 989, an act authorizing the school directors of the borough of Tarentum, Allegheny county, to assess and collect taxes for school purposes.

Senate bill No. 993, an act to authorize the school board of Washington township, Indiana county, to levy and collect an additional bounty tax.

Senate bill No. 995, an act to incorporate the Tunkhannunk plank road or turnpike company, in the county of Monroe.

Senate bill No. 997, a supplement to an act approved April 26, A. D. 1860, incorporating the Wissahickon turnpike road company.

Senate bill No. 1001, an act to annex that part of the farm of William Nickle which is situated in East Mahoning township, Indiana county, to South Mahoning township, in said county.

Senate bill No, 1008, an act to extend the time for the payment of the enrollment tax on an act, entitled An Act to incorporate the Gettysburg and Chambersburg railroad company, approved the 17th day of April, 1866, and authorizing said road to make connections.

Senate bill No. 1017, an act to increase the compensation of supervisors of roads in the township of Plumstead, Bucks county.

He also returned bills from the House of Representatives numbered and entitled as follows:

No. 242, an act to exempt from taxation certain real estate in Philadelphia, belonging to and used and occupied by the Western association of Ladies of Philadelphia, for the relief and employment of the poor.

No. 941, an act to exempt the parsonage of the Park Presbyterian church congregation of Erie, Pennsylvania, from taxation.

No. 660, an act relating to the appointment of auctioneers in the county of Cumberland.

No. 648, a supplement to an act to authorize the erection of a poor house in the county of Tioga, approved the 12th day of March, A. D. 1866.

No. 661, an act relating to the indebtedness of the county of Dauphin.

No. 638, an act to extend the provisions of an act regulating the fees of district attorney in the county of Bradford, in the court of quarter sessions, approved the 11th day of April, A. D. 1866, to the county of Cameron.

No. 639, an act relating to the filing of liens and collection of taxes in the borough of Petersburg.

No. 640, an act relating to the compensation of the sheriffs of Butler and Indiana counties for boarding prisoners.

No. 649, an act authorizing the Governor to appoint an additional notary public for the county of Mercer.

No. 678, an act to authorize the borough of Lock Haven to erect water works.

No. 628, a supplement to an act to legitimate George Humphrey Stump and Abraham Harrison Stump, approved the 28th day of April, A. D. 1854.

No. 681, an act to divide the borough of New Brighton into three wards.

No. 671, an act relative to the borough of Kennet Square, in the county of Chester, enabling said borough to borrow money to erect water works, changing the mode of publishing ordinances, and opening, widening and straightening streets in said borough.

No. 670, An act to incorporate the Danville water company.

No. 674, an act to incorporate the Susquehanna Depot Protective Union of Susquehanna Depot, Susquehanna county.

No. 1095, an act to provide for the transfer and safe keeping of prisoners in the jail of Washington county.

No. 427, an act authorizing the borough of Shenandoah, Schuylkill county, to borrow money, and the voters to elect six town councilmen, et cetera.

No. 689, an act to authorize the burgess and town council of the borough of Oxford, in the county of Chester, to borrow money.

No 810, an act to legalize the bonds issued by the school directors of Greene township, in the county of Clinton, for bounty purposes, and to authorize the assessment and collection of a tax to pay the same.

With information that the Senate has passed the same without amendment.

He also returned bills from the House of Representatives numbered and entitled as follows, viz:

No. 456, an act to authorize Adam Leren, trustee of Hiram Albert, to purchase real estate.

No. 490, an act to incorporate the People's savings fund and safe deposit company.

No. 494, an act to authorize the school board of North Heidleburg township, in the county of Berks, to levy and collect an additional bounty tax.

No. 541, an act to authorize the Governor to appoint two additional notaries public for the county of Dauphin, one for the Nineteenth ward of the city of Philadelphia, and three to reside in the county of York.

No. 586, an act to incorporate the Teachers' institute of the city and county of Philadelphia.

No. 594, an act to authorize and empower the Governor to issue a commission to Thomas M'Neish.

No. 664, an act appropriating ground for public purposes in the city of Philadelphia,

With information that the Senate has passed the same with amendments, in which the concurrence of the House of Representatives is requested.

He also presented for concurrence bills numbered and entitled as follows, viz:

Senate bill No. 1010, an act to change the venue in the case of the Commonwealth vs. Peter Eby, numbers one, two and three, February session, A. D. 1867, in the court of quarter sessions of Snyder county, to the county of Juniata.

Senate bill No. 1115, an act supplementary to an act to incorporate the city of Williamsport, which became a law the 15th day of January, A. D. 1866, changing the wards, and authorizing said city to borrow money.

Senate bill No. 1002, an act to incorporate the Masonic hall association of the city of Reading, Pennsylvania, for the purpose of erecting a building for the use of said Masonic association, and other uses.

Senate bill No. 1164, an act to enable the Hazleton railroad company to avoid the inclined planes.

He also returned bills from the House of Representatives numbered and entitled as follows, viz:

No. 1388, an act relating to evidence in legal proceedings affecting the Erie railway company.

No. 1100, an act to incorporate the Susquehanna Summer Resort,

With information that the Senate has passed the same without amendment.

He also informed that the Senate has concurred in the amendments made by the House of Representatives to Senate bills numbered and entitled as follows, viz:

Senate bill No. 414, an act to prevent the burning of the woods in the counties of Clearfield and Elk.

Senate bill No. 735, an act to extend the time for the commencement and completion of the People's railway company.

He also again presented for concurrence Senate bill No. 324, entitled An act to repeal an act entitled A further supplement to the act incorporating the Pennsylvania railroad company, authorizing an increase of capital stock, and to borrow money, approved the twenty first day of March, Anno Dominione thousand eight hundred and sixty-six, and to authorize the Pennsylvania railroad company to increase its capital stock, to issue bonds, and to secure the same by mortgage,

Which bill was returned by the Governor to the Senate yesterday, with his objections thereto,

With information that the Senate has reconsidered said bill, and by a constitutional majority passed the same.

REPORT FROM COMMITTEE.

Mr. CAMERON, from the Committee appointed to Compare Bills and present them to the Governor for his approbation, made report, which was read as follows, viz:

That in conjunction with a similar committee from the House of Representatives, they have compared, and on the 14th instant, presented to the Governor for his approbation, bills as follow, to wit:

No. 535, an act to authorize the owners of certain mills on the Delaware river, at Morrisville to extend their wing dam.

No. 825, an act legalizing the action of the burgess and town council of the borough of Montrose, Susquehanna county, and to fix the limits of said borough.

No. 574, an act to confirm the title to a certain lot of ground in the Twentieth ward in the city of Philadelphia.

No. 627, an act to legitimate Annie Crain, of Huntingdon county, and confer on her the rights and privileges of a child born in wedlock.

No. 544, an act relative to the purchase of a law library in the county of Washington.

No. 411, an act in relation to lost records, deeds and other papers in the county of Franklin.

No. 810, an act relative to the fees of certain township and county officers in the county of Beaver.

No. 203, an act to repeal an act to amend the road laws of Montgomery county, passed March 15, A. D. 1859.

No. 833, an act to authorize the school directors of Taylor school district, in Lawrence county, to borrow money.

No. 543, an act providing for the compensation of the commissioners of Northampton county.

No. 527, an act to change the place of holding elections in Allegheny township, Venango county.

No. 495, an act authorizing the supervisors of Green township, in the county of Mercer, to collect a tax, and pay certain bounties and refund money advanced to pay bounties.

No. 549, a supplement to an act in relation to huckstering in the counties of Bedford, Cumberland, Franklin, Fulton and York, approved the 18th day of May, A. D. 1866.

No. 578, an act to incorporate the Empire hook and ladder company, number one, of Altoona, Blair county.

No. 1102, an act limiting the provisions of a further supplement to the act incorporating the borough of Washington.

No. 497, an act to levy additional tax in Sheffield township, Warren county, for bounty purposes.

No. 496, a supplement to an act in relation to the payment of bounties to volunteers from the township of Farmington, Tioga county, during the late rebellion.

No. 516, an act to prevent the hunting of deer with dogs in the county of Wyoming.

No. 394, an act authorizing the Governor to appoint three additional notaries public for the city of Philadelphia.

No. 320, an act authorizing the supervisors of Ulysses township to levy a tax to refund to Perry Lewis, in said township, the sum of four hundred dollars, it being for money advanced to volunteers.

No. 553, an act relative to the costs and fees of criminal cases in Carbon county.

No. 548. an act increasing the fees of justices of the peace, road commissioners, auditors and constables in the counties of Bradford, Wyoming and Susquehanna.

No. 390, an act authorizing W. S. Zeigler to act as justice of the peace in the borough

of Butler, Butler county, while residing outside the limits of said borough.

No. 558, a further supplement to the act incorporating the Lehigh and Delaware Water Gap railroad company.

No. 839, an act in relation to bounties in the township of Montgomery, in the county of Franklin.

No. 560, an act authoring the commissioners of Lycoming county to borrow money to build a new jail.

No. 718, an act to authorize the election of four supervisors in the townships of Dover and Manchester, in the county of York, and South Strabane township, Washington county, and the township of Timcum, in the county of Bucks.

Also, on the 15th instant:

No. 356, an act relative to the election of school directors and supervisors of roads in the township of Allegheny, in the county of Armstrong.

No. 540, an act to increase the pay of the county auditors and the supervisors and township auditors of the several townships of Northumberland county.

No. 545, an act relating to fees of notaries public in the county of Erie.

No. 577, an act to incorporate the Philadelphia County real estate association.

No. 278, an act to incorporate the Milford cemetery.

No. 1105, an act to repeal an act in relation to the borough of Montoursville, in the county of Lycoming, approved March 1st, A. D. 1867.

No. 1109, An act relative to the common council of the city of Titusville and fixing the indebtedness of said city.

No. 249, an act to extend the provisions of the act entitled An act relating to corporations for mechanical, manufacturing, mining and quarrying purposes to fire insurance companies.

No. 530, joint resolution authorizing the Governor to dispose of certain perishable military stores in the State arsenal.

House bill No. 146, an act supplementary to an act relating to corporations for mechanical, manufacturing, mining and quarrying purposes, approved July 18th, A. D. 1863.

House bill No. 188, an act to extend to plank roads the provisions of the eighth and ninth sections of the act, approved April 19th, 1844, entitled An act concerning State and turnpike roads.

House bill No. 198, a supplement to an act appointing commissioners to lay out and open a State road in the counties of Potter and Clinton, approved the 16th day of March, A. D. 1865

Senate bill No. 402, a supplement to an act entitled An act to incorporate the Erie Dime Savings and Loan company, approved the 16th day of April, A. D. 1866, extending to said county the provisions of certain acts of Assembly, and also extending the time for its organization, fixing the time for the payment of bonus.

Senate bill No. 678, an act to provide for the enlargement of the Erie canal, to authorize the mortgaging of the same and the issue of bonds, and to increase the capital stock and regulate the tolls.

No. 1006, an act to vacate a part of Schuylkill street, in the borough of Norristown.

No. 597, an act relative to courts in Lehigh county.

No. 427, an act to incorporate the Pennsylvania club.

No 449, a further supplement to the act entitled An act to incorporate the M'Kean and Elk land and improvement company, approved the 6th day of February, A. D. 1856, authorizing said company to borrow money and mortgage lands.

No. 456, an act to authorize the appointment of two assistant reporters in the district court of Philadelphia.

No. 262, an act to incorporate the Schuylkill insurance company of Philadelphia.

No. 962, an act authorizing the town council of the borough of Tamaqua, Schuylkill county, to borrow money.

No. 506, an act relative to hawking, peddling and selling by sample in the county of Schuylkill.

No. 557, an act to legalize the assessment of taxes levied by the school directors of the borough of Kingston, Luzerne county, for the purpose of paying bounties to volunteers.

No. 513, an act relative to the fees of notaries public in the counties of Dauphin and Lebanon.

No. 568, a supplement to an act to incorporate the Point Breeze park association, approved February 8, 1866.

No. 579, an act regulating the salary of the treasurer of Lehigh county.

No. 304, an act to incorporate the Atlantic brick manufacturing company.

No. 125, an act to attach certain lands and tenements in Bedford township, Bedford county, and the persons residing thereon, to Bedford borough for school purposes.

No. 567, an act to increase the compensation of the county commissioners and auditors of the country of Monroe.

No. 381, a supplement to the act approved April 11th, A. D. 1866, establishing a board of controllers of the public schools of the borough of Allentown.

No. 459, an act to legalize the assessment, levy and collection of bounty tax, and to provide for the collection of the same, for county purposes, in Springfield township, Bucks county.

No. 426, an act to incorporate the Fountain Hill park association.

No. 512, an act allowing the mercantile appraisers of Allegheny county the same fees allowed in other counties of the State.

No. 292, an act to increase the pay of the assessors in Lehigh county.

No. 320, an act authorizing the supervisors of Jackson township, in Luzerne county, to collect in money one-third of the tax levied for road purposes in said township.

No. 408, an act for the promotion of medical science and to prevent the traffic in human bodies in the city of Philadelphia and county of Allegheny.

No. 405, an act to annul the marriage contract between Samuel E. Shick and Sarah E. his wife.

No. 432, an act to incorporate the Erie Co-operative society.

No. 204, an act to extend the time for completing the Clearfield and Curwensville turnpike road and to allow tolls to be taken upon the portion completed.

No. 254, an act supplementary to an act entitled An act appointing commissioners to lay out and open a State road in the counties of M'Kean, Elk, Forest and Clarion, approved the 1st day of May, A. D. 1861, reviving the third section of said act, and authorizing the commissioners to borrow money.

AFTERNOON SESSION.

The House met at 8 o'clock, P. M.

SPEAKER'S TABLE.

The SPEAKER cleared his table of bills numbered and entitled as follows, viz:

Senate bill No. 729, an act to incorporate the Hillside coal and iron company.

Referred to the Committee on Iron and Coal Companies.

Senate bill No. 890, an act for the relief of William Brennan and Bernard M'Tighe, first and second clerks of the mayor's court of the city of Carbondale.

Referred to the Committee on Municipal Corporations.

Senate bill No. 893, an act to extend the time for the payment of the enrollment tax on an act entitled An act to incorporate the Keystone coal and manufacturing company of Somerset county.

Referred to the Committee on Iron and Coal Companies.

Senate bill No. 894, an act to legalize and make valid an assessment made by the board of school directors of Strasburg township, Lancaster county, of one-half of one per centum, on the 16th day of June, A. D. 1866, for bounty purposes.

Referred to the Committee on Military.

Senate bill No. 905, an act increasing the pay of certain township officers in Conyngham township, Columbia county.

Referred to the Committee on the Judiciary Local.

Senate bill No. 906, an act relating to the collection of bounty taxes in the county o Lehigh.

Laid on the table.

Senate bill No. 907, an act to change the venue in the case of the Commonwealth of Pennsylvania vs. Louis S. Boner and Sylvester Hoffman, from the court of quarter sessions of the peace of Columbia county, to the court of quarter sessions of the peace of Dauphin county.

Referred to the Committee on the Judiciary Local.

Senate bill No. 908, an act to change the venue of certain suits from the county of Allegheny to the city of Philadelphia.

Referred to the Committee on the Judiciary Local.

Senate bill No. 909, an act to extend to the borough of Mount Washington the vehicle license laws.

Referred to the Committee on Municipal Corporations.

Senate bill No. 911, an act regulating certain sheriff's fees in the county of Luzerne.

Referred to the Committee on the Judiciary Local.

Senate bill No. 912, an act to change the criminal proceedings in a certain class of cases in Indiana county.

Referred to the Committee on the Judiciary Local.

Senate bill No. 939, an act for the better improvement of the front of the river Delaware.

Referred to the Committee on Municipal Corporations.

Senate bill No. 940, an act authorizing the burgess and town council of the borough of Jamestown, Mercer county, to levy and collect tax, not to exceed one per centum, for borough purposes.

Referred to the Committee on Municipal Corporations.

Senate bill No. 941, an act regulating the fees of notaries public in the county of Allegheny.

Referred to the Committee on the Judiciary Local.

Senate bill No. 492, a supplement to an act entitled An act to change the venue of a certain action from Juniata county to Dauphin county, approved the 21st day of March, A. D 1866

Referred to the Committee on the Judiciary Local.

Senate bill No. 947, an act for the relief of A. D. Hamlin.

Referred to the Committee on Roads, Bridges and Ferries.

Senate bill No. 948, a further supplement to the act to incorporate the Union School and Children's Home asylum, to provide for the taxation of non-resident venders of merchandise in the city and county of Philadel-

phia, and for the relief of Edward Hutchinson, approved April 12, 1851.

Referred to the Committee on Municipal Corporations.

Senate bill No. 920, an act to incorporate the Lebanon water company.

Referred to the Committee on Corporations.

Senate bill No. 921, an act to incorporate the Idaho mining and exploring company.

Referred to the Committee on Mining and Manufacturing Companies.

Senate bill No. 922, an act to authorize the Shafton coal company to borrow money.

Referred to the Committee on Iron and Coal Companies.

Senate bill No. 923, an act to incorporate the Pittsburg transportation company.

Referred to the Committee on Corporations.

Senate bill No. 924, a further supplement to an act entitled An act to incorporate the Scranton gas and water company, approved March 16th, 1854.

Referred to the Committee on Corporations.

Senate bill No. 925, an act to incorporate the Pottstown water company.

Referred to the Committee on Corporations.

Senate bill No. 926, a supplement to an act entitled An act to incorporate the Lehigh Valley fire insurance company, approved the 30th day of March, A. D. 1866.

Referred to the Committee on Corporations.

Senate bill No. 927, an act authorizing an increase of the capital stock of the Connecting railway company.

Referred to the Committee on Railroads.

Senate bill No. 931, a further supplement to an act to incorporate the Moshannon railroad company, approved the 11th day of April, 1863.

Referred to the Committee on Railroads.

Senate bill No. 935, an act to prevent the depositing of tan bark in Poko Poko or Head's creek, in the county of Monroe.

Referred to the Committee on Agriculture.

Senate bill No. 936, an act punishing the sale of adulterated milk in the counties of Potter and Tioga.

Laid on the table.

Senate bill No. 952 an act to incorporae the Madison bridge company of Pottstown Montgomery county.

Referred to the Committee on Roads, Bridges and Ferries.

Senate bill, No. 955, an act extending the provisions of an act approved March 22, A. D. 1817, relative to horse racing in Philadelphia county, to the township of Leacock, in the county of Lancaster.

Laid on the table.

Senate bill No. 968, an act relating to the licensing of restaurants and beer houses in the county of Columbia, extending the provisions of an act of April 2, 1863, to said county.

Referred to the Committee on Vice and Immorality.

Senate bill No. 964, an act to extend the time of payment of the enrollment tax of the Delaware mining company, appointing additional corporators, and authorizing the said company to hold additional lands.

Referred to the Committee on Mining and Manufacturing Companies.

Senate bill No. 966, an act relative to the terms of members of the councils of the city of Philadelphia.

Referred to the Committee on Municipal Corporations.

Senate bill No. 973, a supplement to an act relating to the directors of the poor of Lancaster county, approved March 2, 1846, regulating the fees of constables.

Referred to the Committee on the Judiciary Local.

Senate bill No. 974, an act to increase the compensation of county commissioners, township auditors, and the sheriff for boarding prisoners, in the county of Jefferson.

Referred to the Committee on the Judiciary Local.

Senate bill No. 976, an act to incorporate the American coal, mining, oil tank and transportation company.

Referred to the Committee on Coal and Iron Companies.

Senate bill No. 977, and act to change the corporate name of the Mill Creek gold and silver mining, commercial and manufacturing company of Colorado.

Referred to the Committee on Mining and Manufacturing Companies.

Senate bill No. 978, an act to incorporate the Bellefonte Glass manufacturing company.

Referred to the Committee on Corporations.

Senate bill No. 979, an act to incorporate the Grocers' and Provision Dealers' association.

Referred to the Committee on Corporations.

Senate bill No. 980, a further supplement to the act consolidating to city of Philadelphia, defining the amount of money to be borrowed on temporary loan.

Referred to the Committee on Municipal Corporations.

Senate bill No. 982, an act to declare the North and Uber branches of Little Mahoning creek, in Indiana county, public highways.

Referred to the Committee on Roads, Bridges and Ferries.

Senate bill No. 983, an act to incorporate the Brookville and Rockwayville railroad company.

Referred to the Committee on Railroads.

Senate bill No. 985, a further supplement to the act incorporating the La Fayette railroad company, approved the 1st day of May, A. D. 1861, extending the time for building the road and enlarging the powers of said corporation.

Referred to the Committee on Railroads.

Senate bill No. 986, an act to incorporate the City Passenger railway company.

Referred to the Committee on Passenger Railways.

Senate bill No. 987, a supplement to an act incorporating the Lawrenceville and Oswayo railroad company, approved the 1st day of May, A. D. 1852, reviving said act and appointing new commissioners.

Laid on the table.

Senate bill No. 988, a supplement to an act entitled An act to incorporate the Bear Creek railroad company, approved the 20th day of March, A. D. 1865.

Referred to the Committee on Railroads.

Senate bill No. 989, an act authorizing the school directors of the borough of Tarentum, Allegheny county, to assess and collect taxes for school purposes.

Referred to the Committee on Education.

Senate bill No. 993, an act to authorize the school board of Washington township, Indiana county, to levy and collect an additional bounty tax.

Laid on the table.

Senate bill No. 995, an act to incorporate the Tunkhannunk plank road or turnpike company, in the county of Monroe.

Referred to the Committee on Roads, Bridges and Ferries.

Senate bill No. 997, a supplement to an act approved April 26, A. D. 1850, incorporating the Wissahickon turnpike road company.

Laid on the table.

Senate bill No. 1001, an act to annex that part of the farm of William Nickle which is situated in East Mahoning township, Indiana county, to South Mahoning township, in said county.

Referred to the Committee on Counties and Townships.

Senate bill No. 1008, an act to extend the time for the payment of the enrollment tax on an act entitled An act to incorporate the Gettysburg and Chambersburg railroad company, approved the 17th day of April, 1866, and authorizing said road to make connections.

Laid on the table.

Senate bill No. 1017, an act to increase the compensation of supervisors of roads in the township of Plumstead, Bucks county.

Referred to the Committee on Roads, Bridges and Ferries.

No. 1010, an act to change the venue in the case of the Commonwealth *vs.* Peter Eby, numbers one, two and three, February session, A. D. 1867, in the court of quarter sessions of Snyder county, to the county of Juniata.

Referred to the Committee on the Judiciary Local.

Senate bill No. 1164, an act to enable the Hazleton railroad company to avoid the inclined planes.

Referred to the Committee on Railroads.

Senate bill No. 1115, an act supplementary to an act entitled An act to incorporate the city of Williamsport, which became a law the 15th day of January, A. D. 1866, changing the wards, and authorizing said city to borrow money.

Laid on the table.

Senate bill No. 1002, an act to incorporate the Masonic Hall association of the city of Reading, Pennsylvania, for the purpose of erecting a building for the use of said Masonic association, and other uses.

Laid on the table.

Also House bills as follows:

No. 456, an act to authorize Adam Lereu, trustee of Hiram Albert, to purchase real estate.

No. 490, an act to incorporate the People's savings fund and safe deposit company.

No. 494, an act to authorize the school board of North Heidelberg township, in the county of Berks, to levy and collect additional bounty tax.

No. 541, an act to authorize the Governor to appoint two additional notaries public for the county of Dauphin, one for the Nineteenth ward of the city of Philadelphia, and three to reside in the county of York.

No. 586, an act to incorporate the Teachers' institute of the city and county of Philadelphia.

No. 594, an act to authorize and empower the Governor to issue a commission to Thomas M'Neish.

No. 664, an act appropriating ground for public purposes in the city of Philadelphia.

Returned from the Senate with amendments.

The amendments made by the Senate to said bills were twice read, considered and concurred in; and

Ordered, That the Clerk inform the Senate of the same.

Also, Senate bill No. 324, entitled An act to repeal an act entitled A further supplement to the act incorporating the Pennsylvania railroad company, authorizing an increase of capital stock and to borrow money, approved the twenty-first day of March, Anno Domini one thousand eight hundred and sixty-six, and to authorize the Pennsylvania railroad company to increase its capital stock, to issue bonds and to secure the same by mortgages.

Returned by the Governor to the Senate yesterday, with his objections thereto.

Agreeably to the provisions of the Constitution, the House proceeded to the reconsideration of said bill.

On the question,

Shall the bill pass notwithstanding the objections of the Governor?

Agreably to the rules,

The further consideration of the same was postponed for the present.

Mr. STUMBAUGH. Mr. Speaker, in view of the fact that the municipal election takes place in the city of Williamsport in a few days, it is important that a bill now lying on your table—Senate bill No. 1115—should be taken up and passed.

I move that the House proceed to its consideration.

The motion was

Agreed to.

The bill entitled An act supplementary to an act entitled An act to incorporate the city of Williamsport, which became a law the 13th January, 1866, changing the wards, and authorizing said city to borrow money, was read and

Agreed to.

On the question,

Shall the bill pass?

Mr. WINGARD. Mr. Speaker, the statement of the gentleman from Franklin is incorrect, and the gentleman has been misinformed—there is no election near.

It will be remembered by those gentlemen of the House who were members last year, that there was a contest on a bill which I introduced, entitled A supplement to an act to incorporate the city of Williamsport. The contest was characterized by considerable spirit if not ascerbity. I had the bill passed then. The House reconsidered the vote, the bill was sent to committee, reported favorably, and repassed this House. It failed in the Senate for want of time.

Now, sir, there is the supplement under consideration.

I believe, as far as I can understand it, this supplement would not be objectionable to the eastern and more populous portion of the city. But it extends the boundaries westwardly to include the town or village of Newberry and a large portion of farm land. There is a petition here from this section, in favor of the annexation. I have written home and to Newberry on the subject, but as the bill has been sprung upon me, the people have not had time to respond. I am satisfied that large remonstrances will be sent here against the passage of the supplement in its present form, and I most earnestly protest against the passage until it can be understood by my people.

There is another important section in the bill, providing for the issue of city bonds and the sale thereof at a discount. This is a grave proposition, involving the taxation of the whole corporation, and it is of the most serious importance that time should be given to consider it.

Sir, this bill was only read in the Senate night before last and referred to committee. I supposed that committee would hold the bill a reasonable time at least—but it has been hastened through the Senate, and the House is now asked to sweep it through here without an hour's hesitation.

Sir, I can never countenance this haste. It is the great cause of local discord as well as general peril that laws are passed here in this peculiar way. Give the people a chance to be heard, and after that let the House take such action as they deem proper after a full hearing.

Mr. Speaker, I protest against the action of the House on this measure at this time and I call for the yeas and nays.

Mr. WADDELL. Mr. Speaker, this, I believe, sir, is a Senate bill. So far as I can learn it has taken its regular course through that body. The friends of this measure are exceedingly anxious to have it disposed of at once. They have taken no undue advantage of those who may oppose it. I think, sir, it is the duty of this House to dispose of the question at this time.

There are parties here who are very anxious that we should pass the bill. I make no reflections against the gentleman who represents a part of that district. I think he has been informed by those who are opposed to it in reference to the statements he has made.

We have a right to apprehend that there may be some opposition on the part of these parties when they have taken no trouble to furnish themselves with information on the subject.

I hope, therefore, the House will be pleased to do what the friends of this bill ask and dispose of it without further delay.

The question recurring,

Shall the bill pass?

The yeas and nays were required by Mr. WINGARD and Mr. KURTZ, and were as follow, viz:

YEAS—Messrs. Adaire, Allen, Armstrong, Barrington, Barton, Boyle, Breen, Brennan, Chadwick, Chalfant, Colville, Davis, Day, DeHaven, Donohugh, Ewing, Fogel, Freeborn, Ghegan, Gordon, Gregory, Headman, Heltzel, Hoffman, Hood, Humphrey, Hunt, Jenks, Josephs, Kerns, Kimmell, Kinney, Kline, Koon, Kurtz, Linton, M'Creary, M'Henry, M'Kee, Maish, Mann, Marks, Mechling, Meyers, Mullin, Pillow, Quay, Quigley, Rhoads, Richards, Roath, Robinson, Roush, Seiler, Sharples, Shuman, Steacy, Stehman, Stumbaugh, Subers, Waddell, Wallace, Watt, Webb, Weller, Whann, Wilson and Glass, *Speaker*—68.

NAYS—Messrs. Cameron, Espy, Harbison, Long, M'Camant, M'Pherrin and Wingard—7.

So the question was determined in the affirmative.

PUBLIC CALENDAR.

The House proceeded to the consideration of the bills on the public calendar. Several bills were disposed of, the whole of the proceedings on which will appear in the appendix to the *Record*.

MESSAGES FROM THE SENATE.

The Clerk of the Senate being introduced, presented for concurrence bills numbered and entitled as follows, viz:

Senate bill No. 1163, an act relative to the leasing of the Kersey oil and mineral company's railroad by the Farmers' railroad company of Venango county.

Senate bill No. 1165, an act to authorize the directors of the Kaska William coal company to sell or mortgage any portion of their real estate, to decrease the amount of their capital stock, and to fix the location of their office, and the residence of the president, and a majority of the directors.

Senate bill No. 1166, an act authorizing the school board of the Fourth ward, in the Allegheny City school district, to close up their bounty business, and to use surplus bounty money for the purpose of purchasing ground and erecting a new school house in said ward, and to borrow twenty thousand dollars for the purpose aforesaid.

Senate bill No. 1168, a supplement to the act entitled An act authorizing the Columbia water company to hold real estate, &c., approved 10th February, 1865.

He also informed that the Senate has nonconcurred in the amendments made by the House of Representatives to Senate bills numbered and entitled as follows, viz:

Senate bill No. 45, a supplement to act approved the 9th day of February, 1849, entitled An act to incorporate the Lykens Valley coal company, in Dauphin county, Pennsylvania, and to authorize the opening of a road in Honesdale, Wayne county, authorizing them to dispose of the stock of said company.

Senate bill No. 617, joint resolution relative to the revisal of the civil laws of Pennsylvania.

He also again returned bill from the House of Representatives numbered and entitled as follows, viz:

No. 587, an act to incorporate the Greensburg Masonic Fund, for the building of a Masonic hall,

(Which bill was returned to the House of Representatives on the 20th inst., in pursuance of a request contained in a resolution adopted by both houses), with information that the Senate has reconsidered said bill, and concurred in the amendments made by the House of Representatives to said bill.

He also informed that the Senate has concurred in the amendments made by the House of Representatives to Senate bill numbered and entitled as follows:

Senate bill No. 123, an act to incorporate the Caledonia iron and land company.

The Clerk of the Senate being introduced, returned bills from the House of Representatives numbered and entitled as follows, viz:

No. 1085, an act to increase the revenues of the Commonwealth.

No. 316, an act further to regulate the granting of licenses to hotels and eating houses,

With information that the Senate has passed the same with amendments, in which the concurrence of the House of Representatives requested.

The Clerk of the Senate being introduced, informed that the Senate has concurred in the resolution adopted by the House of Representatives requesting the Governor to return to the House of Representatives, for amendment, House bill No. 544, entitled An act relative to purchasing a law library in Washington county.

He also presented the following extract from the Journal:

IN THE SENATE, March, 21, 1866.

Resolved (if the House of Representatives concur), That the Governor be requested to return to the Senate bill No. 311, entitled A supplement to an act to establish a ferry over the Monongahela and Youghiogheny rivers, approved the 5th day of February, 1784.

BILLS INTRODUCED.

Mr. ADAIRE asked and obtained leave to read in his place and present to the Chair bill No. 1392, a supplement to an act to incorporate the People's Accident insurance company of Pennsylvania, approved April 11th, 1866.

Laid on the table.

Mr. FREEBORN, bill No. 1393, an act to extend the time of payment of the enrollment tax on an act to incorporate the Mineral exploring company, approved August 18, 1864.

Mr. THARP, from the Committee on the Judicary Local, bill No. 1394, an act relating to the fees of the sheriff of the county of Cumberland.

Which was read and

Laid on the table.

BILL PASSED.

On motion of Mr. COLLINS, the rule for going into committee of the whole being in this case dispensed with, bill No. 1391, an act authorizing the school directors of the school district of the borough of Ashland to borrow money,

Was read the second time, considered and agreed to, and

Passed finally.

Mr. KERNS. Mr. Speaker, I ask leave to offer the following resolution.

Leave was granted.

The resolution was read as follows:

Resolved, That the Hall be tendered to Prof. T. W. Braidwood, on Tuesday evening next, to deliver a lecture on "Art Education, and the Application of Art to American Manufactures," the lecture to be illustrated by drawings, paintings, &c.; and, also, to present to the Legislature a portrait of President Jackson.

The resolution was

Agreed to.

Mr. QUAY asked and obtained leave to read in place a bill entitled An act to repeal an act entitled A further supplement to the act incorporating the Pennsylvania railroad company, authorizing an increase of capital stock, and to borrow money, approved the 21st day of March, A. D. 1866, and also to authorize the Pennsylvania railroad company, by this act, to increase its capital stock, to issue bonds, and to secure the same by mortgage.

Mr. QUAY. Mr. Speaker, I move that the House proceed to the consideration of that bill.

The debate which arose on the question, and on the consideration of the bill, will appear in the Appendix to the *Record*.

MESSAGE FROM THE GOVERNOR.

The Deputy Secretary of the Commonwealth being introduced, presented a message from the Governor, which was read as follows, viz:

EXECUTIVE CHAMBER,
HARRISBURG, March 21, 1867.

To the Senate and House of Representatives of the Commonwealth of Pennsylvania:

GENTLEMEN—I have been waited upon this afternoon by a large delegation of respectable citizens of Schuylkill county, who have come here in pursuance to instructions contained in a resolution adopted at a mass meeting of citizens held in Pottsville last evening, for the purpose of obtaining legislation which will terminate the scenes of murder and outrage which are now shocking the community with their enormity. In obedience to their request, and in accordance with my wishes, I call your attention to the resolutions passed at the meeting last evening, a copy of which is herewith transmitted, and urge upon you the necessity and importance of immediate action. The petitioners simply ask at your hands protection for their persons and their property, a right which should be willingly and promptly granted before the soil of their county is again reddened with the blood of a peaceable and inoffensive resident.

During the last three or four years, nearly fifty murders have been committed in Schuylkill county, and the murderer in almost every instance was allowed to escape almost entirely, from the fear of the citizens to take any action toward the detection and conviction of the criminal.

The people of that section, as of all others of this Commonwealth, should and must be protected by the authorities of the State, and I respectfully urge you to listen to the appeal herewith enclosed, and take such action as in your wisdom you deem best suited to ensure to them security of life and property, and to secure the speedy and certain punishment of crime.

JNO. W. GEARY.

"PROTECTION FOR LIFE AND PROPERTY IN SCHUYLKILL COUNTY.

"The following were the officers of a meeting of the citizens of Schuylkill county, held in Pottsville, on Wednesday evening, March 20th, 1867, to adopt measures to secure protection for life and property in the county:

"President—Jeremiah Reed, Esq.

"Vice Presidents—Benjamin Bannan, Samuel Harris, Eli Bowen, John Lucas, George W. Pomeroy, Charles Biddle, Joseph S. Patterson, Alexander Moorhead and George Martz.

"Secretary—Francis R. Wallace.

"WHEREAS, Schuylkill county is infested by bands of assassins and robbers who murder our best citizens, keep the people of the outer districts in a perfect state of terror, drive the respectable working people from the county, and render it dangerous to travel in the region; keep capital from seeking investment here, and who defy alike the laws of God and man; therefore,

"*Resolved*, That the people of this county earnestly ask the Legislature to accord them protection here, in the heart of the Commonwealth, for their persons and their property.

"*Resolved*, That we urge upon the Legislature to promptly pass the bills adopted by this meeting and submitted with these proceedings, and thus give us the measure of protection which is due from the State to her citizens.

"*Resolved*, That, if the Legislature should again refuse to listen to and act upon our just appeal, the citizens of Schuylkill county will be compelled to defend themselves in the most effective manner known to men who have not the protection of the laws, and that the Legislature will be held responsible therefor.

"*Whereas*, There is a radical defect in the mode of selecting jurors in the different counties of the State which ought to be changed; therefore,

Resolved That we most earnestly call upon the Legislature to pass the jury bill, now before the Senate, authorizing the election of two jury commissioners in each county of the State, independent of the clause including the sheriff, so far, at least, as Schuylkill county is concerned, as said clause would destroy all its beneficial effects in the county of Schuylkill.

"*Resolved*, That in order to meet the terrible state of affairs that exist in this county, as speedily as possible, a section be added to said bill, authorizing the Governor, immediately after its passage, to appoint said commissioners, select one from each party, who shall immediately thereafter enter upon and perform the duties of the office until the next general election.

"*Resolved*, That we do not desire to enforce these features of the jury bill on other counties, if objectionable, but only ask it for ourselves in our present necessities.

"*Resolved*, That a committee of not less than fifty citizens be appointed to proceed to Harrisburg to-morrow morning, Thursday, March 21, to lay the grievances of our people before the Legislature and the Governor of the State."

SPEAKER'S TABLE.

The SPEAKER cleared his table of bills numbered and entitled as follows:

Senate bill No. 1163, an act relative to the leasing of the Kersey oil and mineral company's railroad by the Farmers' railroad company of Venango county.

Referred to the Committee on Railroads.

Senate bill No. 1165, an act to authorize the directors of the Kaska William coal company to sell or mortgage any portion of their real estate, to decrease the amount of capital stock, and to fix the location of their office, and the residence of the president and a majority of the directors.

Referred to the Committee on Iron and Coal Companies.

Senate bill No. 1166, an act authorizing the school board of the Fourth ward in the Allegheny city school district, to close up their bounty business, and to use surplus bounty money for the purpose of purchasing ground, and erecting a new school house in said ward, and to borrow twenty thousand dollars for the purpose aforesaid.

Referred to the Committee on Iron and Coal Companies.

Senate bill No. 1168, a supplement to the act entitled An act authorizing the Columbia water company to hold real estate, &c., approved the 10th of February, 1865.

Referred to the Committee on Corporations.

Also, House bills numbered and entitled as follows:

No. 316, an act further to regulate the granting of licenses to hotels and eating houses.

No. 1085, an act to increase the revenues of the Commonwealth.

Returned from the Senate with amendments.

The amendments made by the Senate to said bills were twice read, considered and concurred in; and

Ordered, That the Clerk inform the Senate of the same.

Also, Senate bill No. 45, a supplement to an act approved the 9th day of February, 1849, entitled A supplement to an act entitled An act to incorporate the Lykens Valley coal company, in Dauphin county, Pennsylvania, and to authorize the opening of a road in Honesdale, Wayne county, authorizing them to dispose of the stock of said company.

On motion,

The House receded from the amendments non-concurred in by the Senate to said bill.

No. 617, joint resolution relative to the revisal of the civil laws of Pennsylvania.

On motion,

The House insisted on its amendments non-concurred in by the Senate to said bill; and

Ordered, That Messrs. MANN, MEYERS and WADDELL be a committee on the part of House, to act in conjunction with a similar committee on the part of the Senate (if the Senate should appoint such committee), in relation to the difference existing between the two houses in relation to said bill; and

Ordered, That the Clerk inform the Senate of the same.

The following extract from the Senate Journal was read:

IN THE SENATE, March 21, 1867.

Resolved (if the House of Representatives concur), That the Governor be requested to return Senate bill No. 311, entitled A supplement to an act to establish a ferry over the Monongahela and Youghiogheny rivers, approved the 5th day of February, 1784.

On motion,

Said resolution was twice read, considered and concurred in; and

Ordered, That the Clerk inform the Senate of the same.

On motion,

The House adjourned until to-morrow morning at nine o'clock.

HOUSE OF REPRESENTATIVES.

FRIDAY, March 22, 1867.

The House met at 9 o'clock, A. M.

Prayer was offered by the Rev. J. KENNEDY, member from Wyoming.

The SPEAKER announced a quorum of members present.

On motion of Mr. LEE, the reading of the Journal was dispensed with.

The special order was the consideration of the act relative to the Pennsylvania railroad company, entitled An act to repeal an act entitled A further supplement to the act incorporating the Pennsylvania railroad company, authorizing an increase of capital stock, and to borrow money, approved March 21st, 1866, and also to authorize the Pennsylvania railroad company, by this act, to increase its capital stock, to issue bonds, and to secure the same by mortgage.

Considerable discussion arose upon the bill, all of which will appear in the Appendix to the *Record*.

On the final passage of the bill,

The yeas and nays were required by Mr. LEE and Mr. MANN and were as follow, viz:

YEAS—Messrs. Adaire, Allen, Armstrong, Barton, Breen, Brennan, Brown, Calvin, Cameron, Chadwick, Chase, Collins, Colville, Davis, DeHaven, Donohugh, Espy, Freeborn, Ghegan, Gordon, Gregory, Harbison, Harner, Heltzel, Hood, Humphrey, Hunt, Jones, Josephs, Kennedy, Kerns, Kinney, Kline, Koon, Kortz, Lee, Linton, Long, M'Camant, M'Creary, M'Henry M'Kee, Markley, Marks, Mechling, Meily, Mallin, Pennypacker, Pillow, Quay, Quigley, Rhoads, Roath, Robinson, Roush, Seiler, Sharples, Shuman, Steacy, Stehman, Stumbaugh, Subers, Waddell, Wallace, Watt, Webb, Westbrook, Wham, Wharton, Wilson, Wingard, Worrall, Wright and Glass, *Speaker*—74.

NAYS—Messrs. Barrington, Boyd, Boyle, Chalfant, Day, Ewing, Gallagher, Jenks, Kimmell, Maish, Mann, Meyers, Peter, Richards, Tharp, Weller, and Woodward—17.

So the question was determined in the affirmative.

And the bill

Passed finally.

LEAVE OF ABSENCE.

Mr. CHASE asked and obtained leave of absence for Mr. WRIGHT for a few days from to-day.

MEMORIAL FROM THE RELIGIOUS SOCIETY OF FRIENDS.

Mr. KERNS presented the following memorial, which was read and

Laid on the table:

To the Senate and House of Representatives of the State of Pennsylvania:

The memorial of the representatives of the Religious Society of Friends in the said State respectfully showeth:

That a bill now pending in the Legislature imposes a fine on all persons between the ages of twenty-one and forty-five years of age, who, being enrolled and not joining a volunteer company, decline or neglect performing military duty, which, if enacted into a law and carried into effect, must operate oppressively upon the members of our religious society in Pennsylvania.

It is well known that from its beginning—more than two hundred years ago—the Society of Friends has uniformly borne a testimony against all wars and fightings, as being contrary to the benign precepts of the Gospel and the express commands of our Lord and Savior Jesus Christ. Believing ourselves bound to obey these, and to do nothing directly or indirectly that would prevent the spread or lay waste the Kingdom of the Prince of Peace, we cannot engage in warlike measures, or take part in military training or preparations.

The Constitution of our State provides that "such as conscientiously scruple to bear arms, shall not be compelled to do so, but shall pay an equivalent for personal service. In the Declaration of Rights prefacing the Constitution, it is declared, "No human authority can, in any case whatever, control or interfere with the right of conscience, and no preference shall ever be given by law to any establishments or modes of worship." This noble provision was originally made by William Penn, the founder of our State, and so long as Friends held control in the legislative councils, it was never infringed.

Now, the fine proposed in this bill to be inflicted on those who do not comply with its provisions, would be a penalty exacted from Friends on account of their conscientious scruples, inasmuch as those scruples are the cause of their non-compliance; and we respectfully submit, that there is a manifest inconsistency in first exempting persons from such service because of them being unable to interfere with conscience, and then subjecting them to pecuniary infliction because they act in accordance with their conscientious belief. Certainly to compel those who cannot bear arms because they believe it to be contrary to the religion of Christ, to pay a fine, however small, would be a direct infringement of their right to enjoy their religious belief, and an entire disregard of the clear declaration already quoted from the great charter of our liberties as citizens of this Commonwealth.

Fully convinced that it would be a sin for us, or for any others who sincerely believe war and all military service to be contrary to the religion which breathes peace on earth, good will to men, to take any part in either, we cannot comply with the requirements in the bill, either by rendering the service called for, or by paying a fine in commutation therefor. We claim the right to keep a conscience void of offense in this as in all other matters, and that as the Almighty is the alone Ruler of conscience, human governments may not control or coerce it. To secure this we ask no partial legislation, but equal liberty for all who are conscientiously restrained by their religious principles from participating in military training or militia service. Thus we shall only enjoy the same rights as our fellow citizens who, professing that war is proper and necessary, claim the right to carry it on and willingly engage in military duty.

Past experience has shown that where such fines have been imposed on and collected from Friends, resort has almost uniformly to be made to seizures of property, which—as there are few willing to buy goods thus taken from their neighbors—is often sold greatly below its worth, and thus, by repeated or excessive distraints, the property of unresisting and industrious citizens is frequently wasted, while little, if any, of the proceeds ever reaches the public treasury.

Friends have always been a loyal people, and in the late rebellion, wherever located, they remained firm in their allegiance to the United States. They are ever willing to bear their full proportion of the burdens requisite to support the civil government under which they live, and to perform their duties as good citizens; and on behalf of those of them who live in this noble Commonwealth, we respectfully entreat that in the present bill, or any other that may come before you, nothing may be enacted that will press hardly upon the consciences of peaceable and loyal citizens.

Signed on behalf and by direction of a meeting of the representatives aforesaid, held in Philadelphia, the 20th day of the Third month, 1867.

JOSEPH SCATTERGOOD, Clerk.

REPORTS FROM COMMITTEES.

Mr. WADDELL, chairman of the Committee on Ways and Means, reported, as committed, bill No. 1409, an act relative to the estate of Eliza Howard Burd.

Also (same), as committed, bill No. 1411, an act for the relief of the estate of Anthony W. Olewine.

Also (same), as amended, bill No. 1412, a supplement to the act of 21st day of April, 1858, entitled An act to regulate the pay of the members of the General Assembly.

Also (same), as amended, bill No. 1413, an act relating to the courts of Venango county.

Also (same), recommitted, with a negative recommendation, bill No. 605, an act to exempt from taxation the property of the Ladies' Soldiers' Aid of Weldon.

Also (same), recommitted, with a negative recommendation, Senate bill No. 136, an act exempting the property of the Ladies' United Aid society of the Methodist Episcopal church of Philadelphia from taxation.

Also (same), as committed, bill No. 1414, joint resolution for the appointment, by the Governor, of three competent persons learned in the laws of this Commonwealth as commissioners to revise, collate and digest all the acts and statutes relating to, or touching the subject of taxation in the Commonwealth.

Also (same), as committed, bill No. 1415, an act authorizing the reduction of the capital stock of oil companies, and the equalizing of the taxes relative thereto.

Also (same), as committed, bill No. 1416, an for the relief of citizens of the counties of Adams, Franklin, Fulton, Bedford, Perry, York and Cumberland, whose property was destroyed, damaged or appropriated for the public service, and in the common defense in the war to suppress the rebellion.

Also (same), as committed, Senate bill No. 1020, joint resolution in regard to the disappearance and probable murder of Noah H. Zook and Abraham H. Zook, citizens of Pennsylvania.

Mr. MANN (Judiciary General), as committed, Senate bill No. 957, an act to authorize the appointment of photographic reporters for the several courts of common pleas of this Commonwealth.

Also (same), with a negative recommendation, bill No. 1419, an act relative to mining and manufacturing companies.

Mr. MECHLING (same), as committed, Senate bill No. 537, an act relative to weights and measures.

Mr. QUAY (same), with a negative recommendation, bill No. 1421, and act to ascertain the sense of the voters of the townships, boroughs and wards of the Commonwealth on the subject of granting license for the sale of liquor therein.

Also (same), with a negative recommendation, Senate bill No. 724, an act authorizing the merger or consolidation of oil and other mining companies.

Mr. WADDELL (same), as committed. Senate bill No. 623, an act to authorize the use of the metric system of weights and measures.

Mr. WINGARD (same), as committed, Senate bill No. 616, an act to confer upon the courts of quarter sessions of this Commonwealth power to annex the land, or parts thereof, of persons resident in one district to another district, for school purposes.

Mr. DAVIS (same), as committed, bill No. 1425, an act to incorporate the Pennsylvania and New Jersey bridge company.

Mr. M'CREARY (same), as committed,

Senate bill No. 825, an act to provide for the discharge of trustees, and other fiduciaries, under physical or mental disabilities.

Mr. BOYLE (same), as committed, Senate bill No. 888, an act supplementary to the act approved the 18th of April, 1853, entitled An act relating to the sale and conveyance of real estate, authorizing acknowledgments before one judge.

Mr. JENKS (same), as committed, Senate bill No. 275, an act to provide an associate law judge of the several courts in the Twenty-first Judicial district.

Mr. MEYERS (same), as committed, bill No. 1429, a supplement to an act in reference to the commissions of justices of the peace and aldermen, approved the 13th day of April, A. D. 1859.

Mr. LINTON (same), with a negative recommendation, bill No. 1430, a further supplement to an act concerning the sale of railroads, turnpikes, bridges and plank roads, approved April 8th, 1861.

Mr. M'CREARY (Judiciary Local), as amended, Senate bill No. 854, an act to allow the sheriff of Elk county fees for serving jury notices, and increasing the pay of supervisors in said county.

Also (same), as committed, Senate bill No. 960, an act to enable the agents of the Methodist book concern to hold real estate in the city of Pittsburg.

Also (same), with amendment, bill No. 1433, an act to increase the fees of the sheriff of Jefferson county.

Also (same), as committed, bill No. 1434, an act to increase the fees of the commissioners of Crawford county as directors of the poor.

Mr. BARTON (same), as committed, bill No. 1435, an act to increase the pay of the auditors and commissioners of Jefferson county.

Also (same), as originated in committee, bill No. 1436, an act to authorize the borough of Media, in the county of Delaware, to borrow money for the purpose of supplying said borough with water.

Also (Municipal Corporations), as committed, bill No. 1437, an act providing for the incorporation of Reserve township into the city of Allegheny.

Also (same), as committed, Senate bill No. 774, an act to perfect title to one hundred and sixteen acres of land in Somerset county, heretofore owned by the Union coal and iron company.

Mr. EWING (same), as committed, Senate bill No. 775, an act relative to the purchase of a law library in the county of Wayne.

Also (same) as committed, Senate bill No. 787, an act to extend the time for the payment of the enrollment tax on an act entitled An act to incorporate the Madison improvement company, approved August 10th, 1864.

Also (same), with a negative recommendation, Senate bill No. 873, an act to authorize the trustees of the public school fund of the townships of Wilkesbarre and Plains, in Luzerne county, to appropriate the whole or any portion of said fund for the purchase of land for a pulic cemetery or graveyard for said townships.

Also (same), as originated in committee, No. 1442, a supplement to an act relating to auctioneers in the city and county of Erie.

Mr. HARBISON (same), as committed, Senate bill No. 790, an act fixing the compensation for the commissioners of the county of Bucks.

Also (same), as committed, Senate bill No. 795, an act to authorize the trustees of the Presbyterian congregation in Clearfield to convey certain real estate.

Also (same), as committed, bill No. 1445, an act supplementary to an act in relation to certain public officers and their sureties, approved the 21st day of April, A. D. 1846.

Mr. WEBB (same), as originated in committee, bill No. 1446, an act relating to notarise public in the city of Harrisburg.

Also (same), as committed, bill No. 1447, a supplement to an act empowering the Lutheran congregation of the old Goshenhoppen church, in Upper Salford township, in Montgomery county, to collect their outstanding debts, approved 25th of March, A. D. 1829.

Also (same), as committed, bill No. 1448, an act relating to the compensation of the treasurer of Berks county.

Also (same), as committed, Senate bill No. 853, an act to authorize the appointment of one additional notary public for the county of Luzerne, to reside in the borough of Wilkesbarre, and repealing so much of the act of 14th of April, 1840, as renders justices of the peace ineligible to the office of notary public, so far as the same relates to the additional notary public authorized by this act.

Also (same), as committed, Senate bill No. 442, a supplement to an act to validate certain conveyances made by married women since the 11th day of April, 1848, approved the 22d day of April, 1863, restraining conveyances in cases in which the instrument vesting title withholds such power.

Mr. ALLEN (same), as committed, Senate bill No. 797, an act to authorize David Souder and Henry Souder, trustees under the will and testament of Jacob Zug, late of Berks county, deceased, to invest the moneys in their hands received from the said deceased, and proceeding from his estate for the use of his daughter, Sophia Souder, or her children, in the purchase of certain real estate.

Also (same), as committed, bill No. 1452, an act to authorize the appointment of an additional notary public in the city of Pittsburg, Allegheny county.

Also (same), as committed, bill No. 1453, an act extending the provisions of an act requiring the county commissioners of Forks township Northampton county, to render an account to the auditors of said township and providing for auditing the same, approved February 12, 1867, to Upper Mt. Bethel township, Northampton county.

Mr. WORRALL (same), as committed, bill No. 1454, an act to extend the time of payment of the enrollment tax on an act to incorporate the Agricultural College and Junction turnpike road company, approved 6th day of May, 1864, and to insert additional commissioners in place of those deceased.

Also (same) as committed, bill No. 1455, an act to authorize the school directors of North Annville township, Lebanon county, to levy and collect taxes in said township to pay off deficiencies.

Also (same), as committed, Senate bill No. 789, an act providing for the election of a township treasurer in Middle Smithfield township, Monroe county.

Mr. JONES (same), as committed, bill No. 1457, an act authorizing an increase of the recognizance and bond of the sheriff of Venango county.

Also (same), as committed, Senate bill No. 780, an act authorizing the commissioners of Clinton county to appropriate the unexpended relief funds of said county to building a new court house.

Mr. THARP (same), as committed, bill No. 1459, an act to increase the allowance for the maintenance of prisoners in the county of Jefferson.

Also (same), as committed, Senate bill No. 779, a supplement to an act relative to the fees of district attorney in certain counties of this Commonwealth.

Mr. FREEBORN (Municipal Corporations), as committed, Senate bill No. 788, a supplement to an act incorporating the city of Allegheny, in the county of Allegheny, approved the 13th day of March, A. D. 1844.

Mr. WORRALL (same), as amended, bill No. 1462, an act to provide for the opening of Thirty-fifth street, in the Twenty-fourth ward, Philadelphia.

Also (same), as committed, Senate bill No. 792, an act authorizing the sale of the Allegheny City poor farm.

Mr. SHARPLES (same), as committed, Senate bill No. 185, a further supplement to the act to incorporate the city of Philadelphia, approved February 2, 1854, relative to vacancies in elective offices.

Also (same), as committed, Senate bill No. 939, an act for the better improvement of the front of the river Delaware.

Mr. M'CREARY (same), as committed, Senate bill No. 783, an act to authorize the burgess and council of the borough of Shrewsbury, York county, to erect or construct a lock-up house.

Mr. M'CAMANT (same), as committed, Senate bill No. 777, a supplement to an act to confer additional powers upon the burgess and town council of the borough of Wilkesbarre, approved the 23d day of March, 1855.

Also (same), as committed, Senate bill No. 794, an act supplementary to an act concerning streets and sewers in the city of Pittsburg, approved January 6, 1864.

Mr. ARMSTRONG (same), as committed, bill No. 1469, a further supplement to the act consolidating the city of Philadelphia, extending the term of office of the chief engineer of the water department.

Mr. CAMERON (same), as committed, bill No. 1470, a supplement to an act to authorize the appointment of an inspector of stationary steam engines and steam boilers in and for the city of Philadelphia, approved May 7th, 1864.

Mr. HUMPHREY (same), as committed, bill No. 1471, an act increasing the compensation of the collector of borough and school taxes of the borough of Easton, Northampton county.

Mr. WILSON (same), as committed, Senate bill No. 794, a further supplement to an act to erect the town of Lebanon, in the county of Lebanon, into a borough, providing for the consolidation of the borough of Lebanon and the borough of North Lebanon.

Mr. HEADMAN (same), as committed, Senate bill No. 786, an act giving additional power to the councils of the city of Pittsburg.

Mr. BREEN (same), as committed, Senate bill No. 785, a supplement to an act entitled An act to incorporate the borough of Columbia, approved April 16th, 1866.

Mr. LONG (same), as committed, bill No. 1475, an act relative to the license of vehicles in the borough of Lawrenceville, Allegheny county.

Mr. KOON (same), as committed, Senate bill No. 742, an act to open, straighten and widen Baltimore avenue, in the Twenty-seventh ward of the city of Philadelphia.

Mr. KERNS (Railroads), as committed, bill No. 1477, a further supplement to an act to incorporate the Frankford and Holmesburg railroad company, approved July 18th, 1863, providing for the construction of a railroad from Holmesburg to Bustleton.

Also (same), as committed, bill No. 1478, a further supplement to an act to incorporate the Moshannon railroad company, approved April 11th, 1863.

Mr. M'KEE (same), as committed, bill No. 1479, a supplement to an act incorporating the Wilkesbarre and Pittston railroad company, approved the 15th day of April, A. D. 1859.

Daily Legislative Record.

FOR THE SESSION OF 1867.

PUBLISHED BY AUTHORITY OF THE LEGISLATURE OF PENNSYLVANIA. No. 94.

TERMS OF THE DAILY RECORD.

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[CONTINUED FROM PAGE 744.]

Mr. HARBISON (same), as committed, Senate bill No. 668, a supplement to an act to incorporate the Susquehanna and Delaware railroad company.

Mr. MECHLING (same), as committed, bill No. 1481, a supplement to an act incorporating the Barclay coal company.

Mr. CAMERON (same), as committed, bill No. 1482, a supplement to an act incorporating the Farmers' land improvement and railroad company.

Mr. MARKS (same), as committed, bill No. 1483, an act to incorporate the Monongahela Valley railroad company.

Mr. STUMBAUGH (same), as committed, Senate bill No. 709, a supplement to an act incorporating the Ephrata and Lancaster railroad company, approved the 21st day of March, A. D. 1866, authorizing them to extend said railroad to the Conestoga creek, below the city of Lancaster.

Also (same), as committed, Senate bill No. 1015, an act to enable the Philadelphia commercial wharf and railroad company to issue bonds, and to secure the payment of the same by mortgage; to extend the time for the construction of their railroad connections, and to increase the number of directors.

Mr. WELLER (same), as committed, Senate bill No. 855, a supplement to an act incorporating the M'Connell mineral company, changing the name thereof, increasing the quantity of land to be held by said company, and authorizing the extension of their railroads.

Mr. PILLOW (same), as committed, Senate bill No. 909, an act to incorporate the Brandy Camp railroad company.

Mr. SUBERS (same), as committed, bill No. 1488, an act to incorporate the Warren, Sheffield and Bennett Branch railroad company.

Mr. STUMBAUGH (Coal and Iron), as originated in committee, bill No. 1491, an act to incorporate the Northern iron company.

Mr. GHEGAN (same), as committed, bill No. 1492, an act to incorporate the Northampton iron company.

Mr. SUBERS (same), as originated in committee, bill No. 1493, an act to incorporate the Pacific iron company.

Mr. DAVIS (same), as committed, Senate bill No. 893, an act to extend the time for the payment of the enrollment tax on an act entitled An act to incorporate the Keystone coal and manufacturing company of Somerset county.

Mr. DEHAVEN (same), as committed, Senate bill No. 732, an act to incorporate the Wrightsville iron company.

Also (same), as committed, Senate bill No. 922, an act to authorize the Shafton coal company to borrow money.

Mr. MARKS (same), as committed, bill No. 1498, a further supplement to act to incorporate the Anthracite coal and iron company, approved on the 8th day of April, A. D. 1864.

Mr. WATT (same), as committed, bill No. 1499, an act to enable the Spring Run and lumber company and the Benezet oil and coal company to consolidate.

Mr. LONG (same), as committed, bill No. 1500, an act to incorporate the Monocacy iron and steel company.

Mr. HEADMAN (same), as committed, bill No. 1501, a further supplement to an act incorporating the Keystone coal and transportation company.

Mr. LEE (Mining and Manufacturing Companies), as committed, bill No. 1502, an act to incorporate the Lehigh County mining, manufacturing and improvement company.

Also (same), as committed, bill No. 1503, an act to incorporate the North Star mining company.

Mr. GHEGHAN (same), as committed, Senate bill No. 977, an act to change the corporate name of the Mill Creek gold and silver mining, commercial and manufacturing company of Colorado.

Mr. WHARTON (same), as committed, Senate bill No. 921, an act to incorporate the Idaho mining and exploring company.

Mr. HOFFMAN (same), as committed, bill No. 1506, an act to incorporate the Great Western mining company.

Mr. STUMBAUGH (same), as committed, Senate bill No. 804, a supplement to an act incorporating the Pittsburg and Arizona gold and silver mining company.

Mr. DEHAVEN (same), as committed, bill No. 1508, an act to incorporate the Continental mining company.

Mr. WALLACE (same), as committed, bill No. 1509, an act to incorporate the Viola gold and silver mining company.

Also (same), as committed, bill No. 1510, an act to incorporate the Puebla gold and silver mining company.

Mr. CHADWICK (same), as committed, bill No. 1511, an act to incorporate the Carbondale gold and silver mining company.

Mr. HOFFMAN (Roads, Bridges and Ferries), as committed, bill No. 1512, an act to authorize the Governor to incorporate a company to erect a bridge over the Allegheny river, at or near the foot of Taylor street, in the city of Pittsburg, Allegheny county.

Also (same), as committed, Senate bill No. 947, an act for the relief of A. D. Hamlin.

Also (same), as committed, Senate bill No. 818, a supplement to an act to incorporate the Mattawana bridge company, approved March 3, 1848.

Mr. DEHAVEN (same), as committed, Senate bill No. 954, an act appointing commissioners to lay out and open a State road from Wilcox, in Elk county, to the borough of Kane, in M'Kean county.

Also (Counties and Townships), as committed, Senate bill No. 611, an act providing for changes in the State road in Plymouth township, between the westerly boundary of Plymouth borough and Harvey's creek, in Plymouth township, Luzerne county.

Also (Roads, Bridges and Ferries), as committed, Senate bill No. 812, an act to repeal an act to lay out a State road in Schuylkill and Columbia counties, approved April 4, 1866.

Mr. HEATH (same), as committed, Senate bill No. 952, an act to incorporate the Madison bridge company of Pottstown, Montgomery county.

Also (same), as committed, bill No. 1519, an act to regulate the manner of running logs down the Oswayo creek, in Potter county.

Mr. DAY (same), as committed bill No. 1520, an act to incorporate the Perry bridge company.

Also (same), as committed, Senate bill No. 982, an act to declare the North and Uber branches of Little Mahoning creek, in Indiana county, public highways.

Mr. GALLAGHER (same), as committed, bill No. 1522, a supplement to an act to authorize the construction of a sidewalk in the Valley of the Shesequin, in the county of Bradford.

Also (same), as committed, Senate bill No. 995, an act to incorporate the Tunkhannunk plank road or turnpike company, in the county of Monroe.

Mr. MEILY (same), as committed, bill No. 1524, an act to incorporate the Citizens' turnpike and macadamized road company, in Luzerne county.

Also (same), as committed, bill No. 1525, a supplement to an act to authorize Henry B. Masser and John A. Fisher to establish and maintain a ferry over the Susquehanna river at Selinsgrove, approved March the 20th, A. D. 1863.

Mr. RICHARDS (same), as committed, bill No. 1526, an act to repeal a supplement to an act for the improvement of Highland avenue, in the township of Collins, in the county of Allegheny, approved the 11th day of April, 1866.

Also (same), as committed, bill No. 1527, an act to incorporate the Mechanicsburg, Dillsburg and Petersburg turnpike company.

Mr. M'KEE (same), as committed, Senate bill No. 806, an act establishing the Vinegar ferry, in the county of York.

Also (same), as originated in committee, bill No. 1529, an act to establish a ferry over the Monongahela river at the borough of Elizabeth, in the county of Allegheny.

Mr. CHASE (same), as committed, bill No. 1530, an act to extend the time of paying the enrollment tax, to insert the names of other commissioners in the place of those who have died, and to extend the time of commencing and completing the Agricultural College and Junction turnpike road company.

Mr. MAISH (same), as committed, Senate bill No. 805, an act to declare West creek, in the counties of Elk and Cameron, a public highway.

Mr. HARNER (same), as committed.

Senate bill No. 778, supplement to an act entitled An act to appoint commissioners to re-survey and establish the lines of the main road running through a part of Wilkesbarre township, in the county of Luzerne, passed the 24th day of February, A. D. 1859.

Mr. SHARPLES, from the Committee on Education, as committed, bill No. 1533, an act relating to the Somerset school district.

Also (same), as committed, bill No. 1534, an act to erect an independent school district out of part of Clarion township, Clarion county, to be called Olive Branch school district.

Mr. DAY (same), as committed, bill No. 1535, an act to change the line of the Mercer Union school district, in Mercer county.

Also (same), as committed, Senate bill No. 880, an act authorizing the erection of a house for school and township purposes in Millville, Le Boeuf township, Erie county, and empowering the school directors to levy and collect additional tax.

Mr. PILLOW (same), as committed, bill No. 1537, entitled An act to extend the provisions of an act to authorize the school directors of Chester and Delaware counties to select sites for school houses, passed May 8th, A. D. 1854, to the county of Centre.

Also (same), as committed, bill No. 1538, an act to enable the board of directors of common schools of Burrell township, Indiana county, to apply surplus of bounty fund to common school purposes.

Mr. FREEBORN (same), as committed, bill No. 1539, an act authorizing the board of controllers of the city of Erie to appoint a superintendent for the schools of said city.

Mr. KINNEY (same), as committed, bill No. 1540, an act extending the provisions of an act authorizing the school directors of Chester and Delaware counties to select sites for school houses, passed May 8, 1854, and the supplement thereto, to the county of Venango.

Mr. ARMSTRONG (same), as committed, bill No. 1541, an act relating to the common schools of the city of Pittsburg.

Mr. EWING (same), as committed, bill No. 1542, an act extending the provisions of an act, in Chester and Delaware counties, in regard to selecting sites for the erection of school houses, to the county of Wyoming.

Also (same), as committed, bill No. 1543, an act relating to public schools in the borough of Wattsburg, in the county of Erie.

Mr. GORDON (same), as committed, bill No. 1544, an act extending the provisions of an act to authorize the school directors of Chester and Delaware counties, to select sites for school houses, approved the 8th day of May, A. D. 1854, to the county of Northumberland.

Mr. WHARTON (same), as committed, bill No. 1545, an act extending the provisions of certain acts of Assembly, in regard to sites for school houses, &c., to the county of Armstrong.

Mr. MARKS (same), as committed, bill No. 1546, a supplement to an act to authorize the superintendent of common schools of York and Lancaster counties to draw funds from the county treasury to defray the expenses of teachers' county institutes therein, approved the 14th day of March, A. D. 1865.

Also (same), with amendments, Senate bill No. 770, an act to provide for the continuance of the education and maintenance of the destitute orphans of the deceased soldiers and sailors, and the destitute children of permanently disabled soldiers and sailors of the State.

Mr. KLINE (same), as committed, bill No. 1548, an act to compel the treasurer of the bounty fund of Mount Carmel township to pay the surplus bounty fund in his hands to the school directors of said township, for school purposes.

Mr. THARP (same), as committed, bill No. 1549, an act to authorize and empower the court of quarter sessions of Schuylkill county to appoint school directors for the school district of West Penn township, to serve for the ensuing school year.

Mr. BOYD (same), as committed bill No. 1550, an act to authorize the school directors of Pittston borough school distaict to sell a certain lot.

Mr. MECHLING (Estates and Escheats), Senate bill No. 769, an act for the relief of Mrs. Mary Ann Gordon, widow and executrix of Hiram B. Gordon, deceased, late register of wills, recorder of deeds and clerk of the orphans' court of the county of Venango.

Mr. WALLACE (same), as committed, bill No. 1553, an act relating to estates for life, and charging the estate with the funeral expenses of the person for whose interest the life estate was devised.

Mr. WEBB (same), as committed, bill No. 1554, an act to authorize certain persons to sell real estate in the borough of Waynesburg, county of Greene.

Mr. WHANN (same), as committed, bill No. 1555, an act to sell a certain tract of land in Washington township, Dauphin county.

Mr. HARBISON (same), as committed, bill No. 1556, an act amendatory of the law relating to estates and escheats.

Mr. STEHMAN (Corporations), as committed, Senate bill No. 875, an act to incorporate the Shawsville bridge company, in the county of Clearfield.

Also (same), as commited, Senate bill No. 887, a supplement to an act to incorporate the Boatman's insurance and transportation company, and to increase the powers thereof, approved the 17th day of May, 1866.

Mr. ALLEN (same), as committed, bill No. 1559, an act to incorporate the Uniontown stock company.

Mr. ADAIRE (same), as committed, Senate bill No. 799, an act to incorporate the Scranton market company.

Also (same), as committed, bill No. 1561, a supplementto an act to incorporate the Eureka Life and Accident insurance company, approved January 30th, 1867.

Also (same), as committed, bill No. 1562, an act to extend the time of payment of enrollment tax on an act to incorporate the Union insurance company.

Mr. KINNEY (same), as committed, bill No. 1563, an act to extend the time for the payment of the enrollment tax on the act to incorporate the Osceola improvement company, approved April 18th, A. D. 1866.

Also (same), as committed, Senate bill No. 644, an act to incorporate the North Whitmer Run improvement company, in the county of Clearfield.

Also (same), as committed, Senate bill No. 803, an act to incorporate the M'Keesport gas company.

Mr. DONOHUGH (same), as committed, bill No. 1566, an act to incorporate the Philadelphia Summer Resort.

Also (same), as committed, Senate bill No. 700, an act to incorporate the Co-operative association of Wilkesbarre, No. 1, in the borough of Wilkesbarre, for mercantile purposes.

Mr. ESPY (same), as committed, Senate bill No. 697, an act to incorporate the Monongahela inclined plane company.

Also (same), as committed, Senate bill No. 852, an act to repeal the act to incorporate the Odd Fellows' hall association of Tremont, in the county of Schuylkill, and to vest the rights of said association in the board of trustees of Tremont Lodge, No. 245, of Independent Order of Odd Fellows of Pennsylvania.

Mr. PETER (same), as committed, bill No. 1570, an act to incorporate the Building and Saving association of the city of Pittsburg, in the county of Allegheny.

Also (same), as committed, Senate bill No. 730, an act to incorporate the Co-operative association of East Birmingham, in the county of Allegheny, for mercantile purposes.

Also (same), as committed, Senate bill No. 646, an act to incorporate the Union Mutual fire insurance company of Pennsylvania.

Mr. ROATH (same), as committed, Senate bill No. 651, an act to incorporate the National peat company.

Also (same), as committed, Senate bill No. 810, an act to incorporate the Lebanon Valley college.

Also (same), as committed, bill No. 1575, an act to incorporate the Watsontown building and loan association, having for its object the accumulation of a fund, which shall be loaned to its members, to enable them to buy or build their own homes, or to buy such property as would be advantageous to them.

Mr. GREGAN (same), as committed, bill No. 1576, an act to incorporate the South Pittsburg Co-operative association, of Allegheny county.

Also (same), as committed, Senate bill No. 1577, a supplement to an act incorporating the Spring Garden soup society, approved April 21st, 1852.

Mr. CHADWICK (same), as committed, bill No. 1578, an act to incorporate the Mutual transfer company.

Also (same), as committed, Senate bill No. 702, an act to incorporate the Pittston Industrial Co-operative association, No. 1, in the borough of Pittston, for mercantile purposes.

Mr. QUIGLEY (same), as committed, Senate bill No. 1580, an act to increase the capital stock of the Venango water company.

Also (same), as committed, Senate bill No. 963, an act to incorporate the Co-operative association of the city of Allentown, in the county of Lehigh, for mercantile purposes.

Mr. LONG (same), as committed, bill No. 1586, an act to incorporate the Bath car company.

Also (same), as committed, bill No. 1583, an act to incorporate the Lebanon County hotel company.

Mr. CHALFANT (same), as committed, bill No. 1584, a supplement to an act authorizing the Governor to incorporate the Easton water company, approved the 24th day of March, A. D. 1817, and the supplement to said act.

Also (same), as committed, bill No. 1585, an act to increase the capital stock of the Lehigh water company, in the borough of Easton, Northampton county.

Mr. MARKLEY (same), as committed, Senate bill No. 706, an act to incorporate the South Witmer Run navigation company, in the county of Clearfield.

Also (same), as committed, Senate bill No. 888, an act to incorporate the Scranton Base Ball Club of Scranton.

Mr. DeHAVEN (Roads, Bridges and Ferries), recommitted, Senate bill No. 221, supplement to the charter of the Chestnut Hill and Spring House turnpike company, authorizing said company to re-open old water courses.

Mr. CHASE (same), recommitted, Senate bill No 707, an act to repeal the first section of an act, approved the 1st day of April, A. D. 1792, declaring the Little Lehigh a public highway.

Mr. M'CREARY (Judiciary Local), recommitted, Senate bill No. 287, an act rela-

tive to livery stable keepers in Mercer county.

Mr. DONOHUGH (Corporations), as committed, bill No. 1696, an act to incorporate the West Newton gas company.

REPORT FROM COMMITTEE ON ACCOUNTS.

Mr. WALLACE, from the Committee on Accounts, made a report on the postage of the House, which was read as follows, viz:

POST OFFICE,
HARRISBURG, PENNA.,
March 5, 1867.

House of Representatives of Pennsylvania,

To Jos. F. KNIPE, P. M., DR.:

For postage on letters and documents sent and received from February 1st to February 28th, 1867, inclusive, as follows, viz:

Date.	No. of Stamps.	Value.	Dolls. cts.
Feb. 1	6,000 "	2 cts	120 00
" 1	3,500 "	10	350 00
" 1	500 "	12	60 00
" 5	700 "	12	84 00
" 5	2,000 "	3	60 00
" 5	14,000 "	2	280 00
" 6	2,000 "	10	200 00
" 6	500 "	3	15 00
" 6	13,000 "	2	260 00
" 12	100 "	24	24 00
" 12	100 "	12	12 00
" 12	100 "	10	10 00
" 12	300 "	3	9 00
" 12	300 "	2	6 00
" 12	1,000 "	3	30 00
" 12	100 "	10	10 00
" 14	500 "	24	120 00
" 14	10,000 "	2	200 00
" 14	500 "	3	15 00
" 15	500 "	12	60 00
" 15	3,000 "	3	90 00
" 15	8,000 "	2	160 00
" 15	300 "	24	72 00
" 16	500 "	10	50 00
" 20	3,000 "	2	60 00
" 20	1,000 "	3	30 00
" 20	500 "	12	60 00
" 20	300 "	24	72 00
" 20	2,000 "	2	40 00
" 21	10,000 "	4	200 00
" 21	1,200 "	3	36 00
" 22	500 "	12	60 00
" 22	5,000 "	2	100 00
" 22	500 "	3	15 00
" 22	5,000 "	2	100 00
" 22	500 "	3	15 00
" 23	5,000 "	2	100 00
" 23	300 "	24	72 00
" 23	300 "	12	36 00
" 23	1,000 "	3	30 00
" 25	5,000 "	2	100 00
" 26	500 "	3	15 00
" 26	4,000 "	2	80 00
" 26	800 "	3	24 00
" 27	5,000 "	2	100 00
" 28	4,000 "	2	80 00
" 28	1,000 "	3	30 00

Total letters and documents sent for February	$3,752 00
Total on letters received	75
Total on documents received for February	102 50
Total amount due	$3,855 25

I certify that the above amount is correct,
Received payment,
JOS. F. KNIPE, P. M.

The committee report that they have examined the foregoing bill and find it to be correct, and recommend the passage of the following resolution:

Resolved, That the Speaker of the House be directed to draw a warrant in favor of Joseph F. Knipe, postmaster, for the sum of three thousand eight hundred and fifty-five dollars and fifty-five cents ($3,855 55), being the amount due for postage on letters and documents sent and received during and for the month of February, 1867.

On motion,

Said resolution was twice read, considered and

Agreed to.

BILL PASSED.

Mr. QUAY. Mr. Speaker, I move that the rules be suspended, and that the House proceed to the consideration of the following bill:

No. 141, an act for the payment of Enos C. Renner, contestant for the seat of Michael Mullin.

The motion was

Agreed to.

The bill was read.

On the question,

Will the House agree to the bill?

A discussion arose, which will appear in the *Appendix*.

The bill was amended by Mr. M'CREARY and

Agreed to.

The bill

Passed finally.

SPECIAL SESSION ORDERED.

On motion of Mr. STUMBAUGH, the House ordered a special session for Thursday evening, March 28, at 7½ o'clock, for the purpose of considering the following bill:

No. 1416, an act for the relief of citizens of the counties of Adams, Franklin, Fulton, Bedford, Perry, York and Cumberland, whose property was destroyed, damaged or appropriated for the public service and in the common defense, in the war to suppress the rebellion.

PAYMENT OF OFFICERS OF THE HOUSE.

Mr. WADDELL, from the Committee of Ways and Means, presented the following resolution, which was twice read, viz:

WHEREAS, The act of Assembly of April 14, 1863, provides that the officers of the House shall be one chief clerk, one assistant clerk, four transcribing clerks, one sergeant-at-arms, and two assistants, one door keeper and two assistants, one messenger and two assistants, one postmaster, four pasters, four folders, eight pages, one fireman and one doorkeeper in the rotunda, in all, which is a sufficient number in the opinion of this committee, to transact all the business required of officers of this House, except one assistant clerk; and

Whereas, It is estimated there are over seventy officers and pages of the House now employed, or drawing pay from the treasury, a large number of whom are absent most of the time; and

Whereas, The said act of 1863 provides that but nine officers shall return, as such, at the next meeting of the Legislature, and yet twenty three did return at the commencement of the present session, and were paid for ten days' services; therefore,

Resolved, That the interests of the people, and the integrity of the Legislature, call for the observance and enforcement of the said act of Assembly, and the Clerk of this House is directed not to certify to the account of any officer or employee for more time than such officer or employee was actually in attendance on duty, unless leave of absence was given by the House.

Resolved, That the Clerk is hereby directed to notify all the officers of this House, except those named in the act of 1863, as authorized to return, that they will cease to be officers of the House on the expiration of the present session, and that they are not authorized to return as officers at the commencement of the next session.

On the question,

Will the House agree to the resolution?

Various amendments were offered and considerable debate arose, all of which will appear in the *Appendix*.

The resolution as amended was

Agreed to.

On motion of Mr. DAVIS, the following bill was taken up and considered:

Senate bill No. 891, joint resolution authorizing the appointment of a special agent to collect disallowed and suspended claims against the United States.

The bill was

Agreed to.

The rules were suspended,

The bill was read a second and third time, and

Passed finally.

AFTERNOON SESSION ORDERED.

Mr. FREEBORN. Mr. Speaker, I move that this House hold a session this afternoon, beginning at 2½ o'clock, for the purpose of reading bills in place and going through the regular orders.

Mr. KERNS. Mr. Speaker, I call for a division of the question.

The question being on the first division of the motion, to hold an afternoon session,

The yeas and nays were required by Mr. GREGORY and Mr. QUIGLEY, and were as follow, viz:

YEAS—Messrs. Adaire, Allen, Armstrong, Brennan, Brown, Cameron, Chadwick, Chase, Colville, Day, Espy, Ewing, Freeborn, Gallagher, Gordon, Harbison, Harner, Heltzel, Hoffman, Humphrey, Jenks, Josephs, Kennedy, Kimmell, Kinney, Koon, Kurtz, Lee, M'Creary, M'Henry, M'Kee, M'Pherrin, Mann, Meily, Pennypacker Pillow, Quay, Quigley, Rhoads, Richards, Seiler, Starples, Stehman, Stumbaugh, Subers, Webb, Weller, Wilson, Wingard and Worrall—50.

NAYS—Messrs. Barrington, Boyd, Breen, Calvin, Collins, DeHaven, Donohugh, Gheean, Gregory, Headman, Hood, Hunt, Jones, Kerns, Kline, Linton, Long, Maish, Mechling, Mullin, Peter, Routh, Robinson Roush, Tharp, Waddell, Watt, Westbrook, Whann, Woodward and Glass, *Speaker*—31.

So the question was determined in the affirmative.

MESSAGES FROM THE SENATE.

The Clerk of the Senate being introduced, presented for concurrence bills numbered and entitled as follows, viz:

Senate bill No. 568, an act repealing the tax on sales of loans and stock by auctioneers.

Senate bill No. 990, an act to authorize the school directors of the borough of Sewickley to borrow money and levy an additional school tax.

Senate bill No. 994, a supplement to an act to lay out a State road from Karthaus, in Clearfield county, to Coudersport, in Potter county, by way of Sinnemahoning, and for other purposes, approved March 31st, 1845, renewing the powers, appointing new commissioners and appropriating taxes for its completion.

Senate bill No. 1039, an act to incorporate the Neversink insurance company of Berks county.

Senate bill No. 1167, a further supplement to an act relating to corporations for mechanical, manufacturing, mining and quarrying purposes, approved July 18th, 1863, authorizing companies to sell and lease real estate, and to issue coupon bonds.

Senate bill No. 1171, an act to attach cer-

tain real estate to the borough of Smethport, M'Kean county, for school purposes.

Senate bill 1226, an act to incorporate the Clarion coal company.

He also returned bill from the House of Representatives numbered and entitled as follows, viz:

No. 291, an act relating to evidence in actions of ejectment,

With information that the Senate has passed the same with amendment, in which the concurrence of the House of Representatives is requested.

He also returned bills from the House of Representatives numbered and entitled as follows, viz:

No. 456, an act to incorporate the American University of Philadelphia.

No. 485, an act to annul the marriage contract between William Riley and Martha Willets.

No. 539, an act to authorize the commissioners of Lehigh county to borrow money.

No. 751, an act to incorporate the Oakdale skating park and physical institute of Philadelphia.

No. 1026, an act to incorporate the American button hole, over-seaming and sewing machine company.

No. 1117, an act supplementary to an act entitled An act to incorporate the Good Will fire engine company, No. 1, passed the 16th day of April, A. D. 1845, authorizing said company to issue stock.

No. 1391, an act authorizing the school directors of the school district of the borough of Ashland to borrow money,

With information that the Senate has passed the same without amendments.

The Clerk of the Senate being introduced, presented for concurrence bills numbered and entitled as follows, viz:

Senate bill No. 1172, an act to incorporate the Conneautville Savings Bank.

Senate bill No. 1175, an act to incorporate the Marine hospital of Pennsylvania, in the county of Erie, to fix location of hospital in Erie city, and to grant real estate to said hospital.

He also informed that the Senate has insisted upon its non-concurrence in the amendment, made and insisted upon by the House of Representatives, to Senate bill numbered and entitled as follows, viz:

Senate bill No. 617, joint resolution relative to the revisal of the civil laws of Pennsylvania,

And has appointed Messrs M'CONAUGHY, WALLACE and CONNELL a committee of conference on the part of the Senate, to confer with a similar committee, already appointed by the House of Representatives, on the subject of the differences existing between the two Houses in relation to said bill.

He also returned bill from the House of Representatives numbered and entitled as follows, viz:

No. 1408, an act to repeal an act entitled A further supplement to the act incorporating the Pennsylvania railroad company, authorizing an increase of capital stock and to borrow money, approved the 21st day of March, Anno Domini one thousand eight hundred and sixty-six, and also to authorize the Pennsylvania railroad company, by this act, to increase its capital stock, to issue bonds and secure the same by mortgage,

With information that the Senate has passed the same without amendments.

He also presented the following extract from the Journal:

IN THE SENATE, March 22, 1867.

Resolved, That the House of Representatives be requested to return to the Senate

Senate bill No. 324, entitled An act to repeal an act entitled A further supplement to the act incorporating the Pennsylvania railroad company, authorizing an increase of capital stock and to borrow money, approved the twenty-first day of March, Anno Domini one thousand eight hundred and sixty-six, and to authorize the Pennsylvania railroad company to increase its capital stock, to issue bonds and to secure the same by mortgages,

Together with the message from the Governor in relation thereto.

PETITIONS, MEMORIALS, &C.

Mr. ARMSTRONG presented to the Chair a petition from the managers of the Friendless Children for the city and county of Lancaster, praying for an appropriation.

Referred to the Committee on Ways and Means.

Mr. LEE, a petition from citizens of Philadelphia, in favor of a law to protect banks against forgers and counterfeiters.

Referred to the Committee on the Judiciary General.

Mr. GORDON, a petition from inhabitants of the borough of Saltsburg, Indiana county, praying for the passage of an act to prohibit hawking and peddling in said county.

Referred to the Committee on the Judiciary Local.

Mr. JENKS, a petition from citizens of Jefferson county, praying for an increase of compensation for commissioners and auditors.

Referred to the Committee on the Judiciary Local.

Mr. KIMMELL, a petition from seventy-eight citizens of White township, in the county of Indiana, praying for the passage of an act increasing the amount of road tax in said township.

Referred to the Committee on the Judiciary Local.

Mr. CAMERON, a petition from inhabitants of Middletown, Susquehanna county, asking for an increase of fees for the auditor and town clerk.

Referred to the Committee on the Judiciary Local.

Mr. M'PHERRIN, a remonstance from citizens of Greenville, against the passage of a law authorizing the municipal authorities of said borough to borrow money.

Referred to the Committee on the Judiciary Local.

Mr. KOON, a petition in favor of a supplement to the act of the 8th of May, 1857, erecting the poor house for Jenkins, Pittston, &c.

Referred to the Committee on the Judiciary Local.

Mr. HOOD, a petition from inhabitants of the Twenty-fifth ward of the city of Philadelphia, against the Reading railroad company running their trains across Richmond street.

Referred to the Committee on Railroads.

Mr. WHARTON, a memorial from citizens of Huntingdon county, on line of Pennsylvania railroad, asking for relief from the discriminating local freight list of that company.

Referred to the Committee on Railroads.

Mr. KURTZ, three petitions from citizens of Centre county, relative to the Kylertown, Morrisdale and Philipsburg plank road company.

Referred to the Committee on Roads, Bridges and Ferries.

Mr. M'PHERRIN, a petition from citizens of Mercer county, Pennsylvania, and from Trumbull county, Ohio, praying for the passage of an act authorizing the commissioners of Mercer county to appropriate money to pay one-half the cost of erecting a bridge over the Pymatuning creek, on the State line road, in the village of Orangeville.

Referred to the Committee on Roads, Bridges and Ferries.

Mr. MAISH, four memorials from inhabitants of the township of York, in the county of York, against the passage of an act incorporating the York and Spring Garden Township turnpike company.

Referred to the Committee on Roads, Bridges and Ferries.

Also, a petition from inhabitants of the borough of Lewisbury, in the county of York, praying for the passage of an act to authorize the assessment and collection of a certain tax in said borough.

Referred to the Committee on the Judiciary Local.

Mr. JENKS, a petition from citizens of Clarion county, for a bridge across the Clarion river at or near the mouth of Piney creek.

Referred to the Committee on Roads, Bridges and Ferries.

Mr. CAMERON, a petition from inhabitants of Susquehanna county, praying for a change in the school term from four to six months.

Referred to the Committee on Education.

Mr. KURTZ, two petitions from citizens of Phillipsburg school district, in the county of Centre, authorizing the school directors to borrow money for building purposes.

Referred to the Committee on Education.

Mr. KOON, a remonstrance from two hundred and twenty-five citizens of Hazleton, against being annexed to Carbon county.

Referred to the Committee on Counties and Townships.

Mr. SHARPLES, a petition from citizens of Chester county, asking for better protection of birds.

Referred to the Committee on Agriculture.

Mr. MARKLEY, a petition from citizens of Norristown, Pennsylvania, asking for a law to prevent cattle from running at large in said borough.

Referred to the Committee on Agriculture.

Mr. CAMERON, a petition from citizens of Forrest Lake, Susquehanna county, praying for a law to prevent the straying at large of horses, cattle, sheep and hogs.

Referred to the Committee on Agriculture.

Mr. BROWN, a petition from citizens of Juniata county, praying for the repeal of an act appropriating one hundred dollars annually out of the public funds of Juniata county for the use of the Agricultural society of said county.

Referred to the Committee on Agriculture.

Mr. BOYD, a petition of citizens of Lower Chanceford township, York county, praying for a modification of laws relating to the killing of hogs.

Referred to the Committee on Agriculture.

Mr. WATT, a petition from citizens of Philadelphia, for an act annulling all former acts of the Legislature relating to the right of farmers in the streets of said city.

Referred to the Committee on Agriculture.

Mr. ADAIRE, a remonstrance against the removal of the farmers and market stands from the streets of the city of Philadelphia.

Referred to the Committee on Agriculture.

Mr. GHEGAN, a remonstrance of like import.

Referred to the Committee on Agriculture.

Mr. DAVIS, a remonstrance of like import.

Referred to the Committee on Agriculture.

Mr. QUIGLEY, a remonstrance of like import.

Referred to the Committee on Agriculture.

Mr. DONOHUGH, a remonstrance from one hundred and forty citizens of Philadelphia, of like import.

Referred to the Committee on Agriculture.

Mr. ARMSTRONG, a petition from citizens of West Donegal township praying that the law of East Donegal township, Lancaster county, relative to cattle running at large, be extended to the township of West Donegal.

Referred to the Committee on Agriculture.

Mr. LEE, sixteen petitions from citizens of Philadelphia, praying for such legislation as will restrain the sale of spirituous liquors in the city of Philadelphia.

Referred to the Committee on Agriculture.

Mr. GALLAGHER, a petition from inhabitants of Allegheny township, Westmoreland county, praying that the prohibitory law with regard to licenses, approved March 27th, 1866, be extended to part of said township.

Referred to the Committee on Vice and Immorality.

Also, two petitions from citizens of New Berry township, Westmoreland county, praying for a law prohibiting the sale of intoxicating liquors in said township.

Referred to the Committee on Vice and Immorality.

Also, two petitions from citizens of Irwin borough, Westmoreland county, praying for the passage of a prohibitory liquor law for Westmoreland county.

Referred to the Committee on Vice and Immorality.

Also, six petitions from citizens, male and female, of Mt. Pleasant township, Westmoreland county, of like import.

Referred to the Committee on Vice and Immorality.

Also, a petition from the citizens of Mount Pleasant borough, Westmoreland county, praying for a prohibitory liquor law, similar to law approved March 27, 1866, for the counties of Armstrong, Indiana, Potter and Perry.

Referred to the Committee on Vice and Immorality.

Mr. LINTON, a petition from citizens of Cambria county, praying for the passage of a prohibitory liquor law.

Referred to the Committee on Vice and Immorality.

Mr. WHARTON, a petition from inhabitants of the borough of Coalmont, in the county of Huntingdon, praying for the passage of an act granting the courts greater power over the granting of licenses.

Referred to the Committee on Vice and Immorality.

Mr. MARKS, a petition from citizens of Philadelphia, in favor of the passage of a law restraining the retailing of spirituous liquors in said city.

Referred to the Committee on Vice and Immorality.

Mr. JENKS, four petitions from citizens of Jefferson county, praying for the passage of a law prohibiting the sale of intoxicating liquors.

Referred to the Committee on Vice and Immorality

Mr. BOYD, a petition from citizens of Chanceford township, York county, praying for a modification of laws relating to levying taxes to pay debts contracted for bounty purposes.

Referred to the Committee on Military

Mr. ESPY, a petition to authorize the treasurer of East Fallowfield township, Crawford county, to pay to the heirs of James Kee the amount of bounty tax remaining in his hands.

Referred to the Committee on Military.

Mr. CALVIN, a petition from taxpayers of Springfield township, in the county of Bucks, in favor of a bounty tax.

Referred to the Committee on Military.

Mr. KERNS, a memorial from the religious society of Friends, on military service and fines.

Referred to the Committee on Military.

Mr. PENNYPACKER, a remonstrance from owners of property and residents, and persons doing business on the line of the Philadelphia, Germantown and Norristown railroad, against the passage of any law prohibiting the use of steam power on certain portions of that road.

Laid on the table.

Mr. SUBERS, a remonstrance of like import.

Laid on the table.

Mr. DAVIS, a remonstrance of like import.

Laid on the table.

Mr. HOOD, two remonstrances from citizens of Philadelphia, against the erection of a bridge over the Schuylkill, below Chestnut street, without a draw.

Laid on the table.

Also, a remonstrance against the repeal of the act granting gratuities and annuities to soldiers of the war of 1812.

Laid on the table.

Mr. WALLACE, a remonstrance from citizens of the Twenty-second ward, Philadelphia, against the passage of an act to reduce the width of Lebanon street, in said ward.

Laid on the table.

Mr. ARMSTRONG, a petition from citizens of Philadelphia, in favor of allowing persons of color to ride in the street cars in said city.

Laid on the table.

Mr. KIMMELL, a petition from eighty-six citizens of Montgomery township, in the county of Indiana, praying for the passage of an act to permit the qualified voters to indicate their desire at the next regular State election, in regard to having a prohibitory liquor law in said county.

Laid on the table.

SPEAKER'S TABLE.

The SPEAKER cleared his table of bills numbered and entitled as follows, viz:

Senate bill No. 568, an act repealing the tax on sales of loans and stock by auctioneers.

Referred to the Committee on the Judiciary General.

Senate bill No. 990, an act to authorize the school directors of the borough of Sewickley to borrow money and levy an additional school tax.

Referred to the Committee on Education.

Senate bill No. 994, a supplement to an act to lay out a State road from Karthaus, in Clearfield county, to Coudersport, in Potter county, by way of Sinnemahoning, and for other purposes, approved March 31st, 1845, renewing the powers, appointing new commissioners and appropriating taxes for its completion.

Referred to the Committee on Roads, Bridges and Ferries.

Senate bill No. 1039, an act to incorporate the Nevesink insurance company of Berks county.

Referred to the Committee on Corporations.

Senate bill No. 1167, a further supplement to an act relating to corporations for mechanical, manufacturing, mining and quarrying purposes, approved July 18th, 1863, authorizing companies to sell and lease real estate, and to issue coupons.

Referred to the Committee on the Judiciary General.

Senate bill No. 1171, an act to attach certain real estate to the borough of Smethport, M'Kean county, for school purposes.

Referred to the Committee on Education.

Senate bill No. 1226, an act to incorporate the Clarion coal company.

Laid on the table.

Senate bill No. 1172, an act to incorporate the Conneautville Savings Bank.

Laid on the table.

Senate bill No. 1175, an act to incorporate the Marine Hospital of Pennsylvania, in the county of Erie, to fix location of hospital in Erie city, and to grant real estate to said hospital.

Laid on the table.

No. 251, an act relating to evidence in actions of ejectment,

Returned from the Senate with amendment.

The amendment made by the Senate to said bill was twice read, considered and concurred in; and

Ordered, That the Clerk inform the Senate of the same.

Also, an extract from the Journal of the Senate, which was read as follows:

"IN THE SENATE, March 22, 1867.

"*Resolved*, That the House of Representatives be requested to return to the Senate Senate bill No. 324, entitled, et cetera,

"Together with the message from the Governor in relation thereto."

On motion,

The resolution was twice read, considered and

Agreed to; and

Ordered, That the Clerk inform the Senate of the same.

MESSAGE FROM THE GOVERNOR.

The Deputy Secretary of the Commonwealth being introduced, presented a message from the Governor, which was read as follows, viz:

EXECUTIVE CHAMBER,
HARRISBURG, PA., March 22, 1867.

To the Senate and House of Representatives of the Commonwealth of Pennsylvania:

GENTLEMEN—I have approved and signed the following acts of the General Assembly, to wit:

On the 19th instant:

An act to vacate a part of Schuylkill street in the borough of Norristown.

An act to fix the time of the commencement of the June term of the several courts of Beaver county.

On the 20th instant:

An act to authorize the chief burgess and town council of the borough of Lebanon to borrow money for the purpose of building an engine house for the use of the Perseverance steam fire engine and hose company, and the purchasing of hose for use in the fire department of said borough.

An act to annex the farms of Samuel Powers, John Hunter, James Cunningham, John Conway and James Rutlidge, of Derry township, to Livermore borough, in Westmoreland county, for school purposes.

An act relating to hawkers and peddlers of ready made clothing in the county of Greene.

An act appropriating moneys arising from fines and forfeitures in Chester county.

A supplement to an act to authorize the school directors of the borough of West Greenville, in Mercer county, to borrow money to erect a public school house in said borough.

An act to authorize the clerk of the courts of quarter sessions, oyer and terminer, and orphans' court of Lehigh county to appoint deputies.

A supplement to an act to increase the compensation of the county commissioners, auditors, jurors, assessors, witnesses, and supervisors of Indiana county, and to authorize the collection of road taxes in Burrell township, in said county, in money.

An act to change the venue in the case of Jesse Chronister versus Howard Miller, George Hollinger and Daniel Harbolt from the court of common pleas of Adams county to the court of common pleas of Dauphin county.

An act for vacating the old burial grounds in the borough of Sewickley and removing the bodies therefrom.

On the 21st instant:

An act for the sale of certain real estate of Drusilla Hass.

An act regulating the granting of licenses to eating houses and taverns in the county of Allegheny, and enforcing order therein.

An act to incorporate the Superior iron company.

An act to authorize the Governor to appoint two additional notaries public for the county of Dauphin, one for the Nineteenth ward of the city of Philadelphia, and one to reside in the county of York, and one in the city of Williamsport.

An act supplementary to an act entitled An act to incorporate the city of Williamsport, which became a law the fifteenth day of January, in the year of our Lord one thousand eight hundred and sixty-six, changing the wards, and authorizing said city to borrow money.

JNO. W. GEARY.

Mr. MANN asked that the Committee on the Judiciary General be discharged from the further consideration of bill No. 1653, an act for the purpose of securing uniformity of gauge in the purchase and sale of crude petroleum.

The committee was discharged.

Mr. M'CREARY. Mr. Speaker, I move that the House proceed to the consideration of Senate bill No. 246, an act to incorporate the Marine hospital of Pennsylvania, in the county of Erie, to fix location of hospital in Erie city, and to grant real estate to said hospital.

The motion was

Agreed to.

The bill was read and

Agreed to.

The bill

Passed finally.

Mr. JONES. Mr. Speaker, I move that the House proceed to the consideration of Senate bill No. 1226, an act to incorporate the Clarion coal company.

The motion was

Agreed to.

The bill was read and

Agreed to.

The bill

Passed finally.

Mr. QUIGLEY. Mr. Speaker, I move that the House reconsider the vote had upon the first division of the motion of the gentleman from Philadelphia [Mr. FREEBORN], fixing an afternoon session.

The orders of the day were called for.

The SPEAKER. The hour of one o'clock having arrived, this House stands adjourned until this afternoon at two and a half o'clock.

AFTERNOON SESSION.

The House met at 2½ o'clock, P. M.

The SPEAKER. The question before the House is on the second division of the motion of the gentleman from Philadelphia [Mr. FREEBORN], that an afternoon session be held for the purpose of reading bills in place, and going through with the other regular orders of the day.

The second division of the motion was

Agreed to.

The SPEAKER. The first business in order is reading bills in place.

BILLS IN PLACE.

Mr. DAY read in his place and presented to the Chair an act to exempt the poor house and house of employment of Washington county, Pennsylvania, and all lands thereto belonging, from road and school tax.

Referred to the Committee on Vice and Immorality.

Mr. SUBERS, an act for the protection of life and limb.

Referred to the Committee on the Judiciary General.

Mr. CAMERON, an act authorizing the Governor to appoint an additional notary public for the city of Philadelphia.

Referred to the Committee on the Judiciary Local.

Mr. CHALFANT, an act in relation to fees of notaries public in the counties of Montour and Columbia.

Referred to the Committee on the Judiciary Local.

Mr. PETER, an act authorizing the citizens of Reserve township, Allegheny county, to vote for or against the annexation to Allegheny city.

Referred to the Committee on the Judiciary Local.

Mr. GORDON, an act relating to hawkers and peddlers in the county of Indiana.

Referred to the Committee on the Judiciary Local.

Ma. BROWN, an act for the relief of the sureties of James L. M'Ilvaine, late register and recorder of Mifflin county.

Referred to the Committee on the Judiciary Local.

Mr. ADAIRE, an act to extend the provisions of an act to authorize the arrest of professional thieves, burglars, &c., in the city of Philadelphia, passed March 13, 1862, so as to authorize the arrest of professional counterfeiters and forgers.

Referred to the Committee on the Judiciary Local.

Mr. ALLEN, an act for the establishment of a public law library in the county of Warren.

Referred to the Committee on the Judiciary Local.

Mr. KINNEY, an act to prohibit political processions after dark, ten days next preceding any general election, in the city of Philadelphia.

Referred to the Committee on Municipal Corporations.

Mr. ROATH, an act to incorporate the Maytown Armory Building association, of Maytown, Lancaster county, Pennsylvania.

Referred to the Committee on Municipal Corporations.

Mr. KOON, a further supplement to an act incorporating the Wilkesbarre and Pittston railroad company, approved April 15th, 1859.

Referred to the Committee on Railroads.

Also, a supplement to an act to incorporate the Glen Alden coal company, approved the 12th day of April, A. D. 1866.

Referred to the Committee on Iron and Coal Companies.

Mr. MARKLEY, an act to incorporate the Edge Hill iron company.

Referred to the Committee on Iron and Coal Companies.

Mr. CAMERON, an act to incorporate the Great Eastern and Western gold and silver mining company.

Referred to the Committee on Mining and Manufacturing Companies.

Also, an act to incorporate the Legal Tender gold and silver mining company.

Referred to the Committee on Mining and Manufacturing Companies.

Also, an act to incorporate the Union car and manufacturing company of Philadelphia.

Referred to the Committee on Mining and Manufacturing Companies.

Also, an act to incorporate the Kelso silver mining company.

Referred to the Committee on Mining and Manufacturing Companies.

Mr. WHANN, a supplement to an act establishing a ferry across the Allegheny river, at or near the mouth of Tubb's run, in Venango county, approved the 12th day of April, A. D. 1866.

Referred to the Committee on Roads, Bridges and Ferries.

Mr. MARKLEY, an act to lay out a State road from Norristown to Wissahickon creek, near Willes' mill.

Referred to the Committee on Roads, Bridges and Ferries.

Mr. WHANNN, an act to establish a ferry across the Allegheny river at or near the Falling Springs, in Venango county, Pennsylvania.

Referred to the Committee on Roads, Bridges and Ferries.

Mr. MARKLEY, a further supplement to the act incorporating the Welch turopike road company.

Referred to the Committee on Roads, Bridges and Ferries.

Mr. EWING, an act to allow Ebenezer M. Burney to send his children to adjoining school districts.

Referred to the Committee on Education.

Mr. CAMERON, an act to incorporate the Grand Lodge of the Ancient Order of the American League of the State of Pennsylvania.

Referred to the Committee on Corporations.

Mr. CAMERON, a supplement to an act approved the 18th day of July, A. D. 1863, entitled An act for mechanical, manufacturing, mining and quarrying purposes.

Referred to the Committee on Corporations.

Mr. MARKLEY, an act to incorporate the Montgomery Building association and improvement company.

Referred to the Committee on Corporations.

Mr. WHANN, a supplement to an act to increase the boundaries of Forest county.

Referred to the Committee on Counties and Townships.

Mr. WALLACE, an act relative to footwalks in Oakland township, in the county of Allegheny.

Referred to the Committee on Counties and Townships.

Mr. MAISH, a further supplement to an act relating to the payment of bounties to volunteers, approved the 25th day of March, A. D. 1864.

Referred to the Committee on Military.

Mr. ESPY, an act to authorize and require the treasurer of East Fallowfield township, Crawford county, to pay to the heirs of Robt. Kee the local bounty fund remaining in the hands of said treasurer.

Referred to the Committee on Military.

Mr. JENKS, an act to legalize the action of the school directors of Springhill township, Fayette county, and to authorize the levy and collection of an additional bounty tax.

Referred to the Committee on Military.

Mr. PILLOW, an act to annul the marriage contract of George H. Daub and Minerva, his wife.

Referred to the Committee on Divorces.

Also, No. 1591, an act relating to the

recording of general election returns in the county of Butler.

Laid on the table.

Also, No. 1592, an act to repeal an act to attach so much of the lands of Elisha Robinson, jr., as lies in Allegheny county, to the Hovey school district, in Perry township, Armstrong county.

Laid on the table.

Mr. KURTZ, No. 1593, an act to authorize the school directors of the school district of the borough of Phillipsburg, Centre county, to borrow money for building purposes.

Laid on the table.

Also, No. 1594, a supplement to an act incorporating the Kylerstown, Morrisdale and Phillipsburg plank road company, approved the 11th day of April, 1859, extending the time for commencing the same and making a change in the names of the commissioners.

Laid on the table.

Also, No. 1595, an act relative to the fees of notaries public in the counties of Centre and Lycoming.

Laid on the table.

Mr. CHASE, No. 1597, an act to extend the time for the payment of the enrollment tax on an act to incorporate the Meadville Novelty works, approved April 14, 1863.

Laid on the table.

Also, No. 1598, an act relative to the dockets of retiring justices of the peace in this Commonwealth.

Laid on the table.

Mr. M'CREARY, No. 1599, an act to incorporate the Sierra Nevada mining company.

Laid on the table.

Mr. STEHMAN, No. 1602, an act to incorporate the Quarryville and Christiana turnpike road company.

Laid on the table.

Mr. MEILY, No. 1603, an act to lay out a State road in Schuylkill, Lebanon and Dauphin counties.

Laid on the table.

Mr. KOON, No. 1604, a further supplement to an act to authorize the erection of a poor house by the township of Jenkins, borough of Pittston, and township of Pittston, in the county of Luzerne, approved May 8th, A. D. 1857.

Laid on the table.

Also, No. 1605, a further supplement to a supplement to an act to incorporate the Lehigh and Delaware plank road or turnpike company, approved the 11th day of April, A. D. 1866.

Laid on the table.

Mr. M'PHERRIN, No. 1606, an act authorizing the commissioners of Mercer county to appropriate money sufficient to pay one-half the expense of erecting a bridge over the Pymatuning creek, at the State line of Pennsylvania and Ohio, in the village of Orangeville.

Laid on the table.

Mr. BROWN, No. 1607, an act to extend the term of the county treasurer of Mifflin county.

Laid on the table.

Mr. MARKLEY, No. 1608, an act to incorporate the National Paper manufacturing company of Pennsylvania.

Laid on the table.

Mr. CHALFANT, No. 1609, a supplement to an act incorporating the Danville gas company, to repeal so much of said act as relates to the mode of electing directors of said company.

Laid on the table.

Mr. THARP, No. 1610, an act to legalize an informality in the election of John Farnsunth, a justice of the peace of Upper Augusta township, Northumberland county.

Laid on the table.

Mr. WORRALL, No. 1612, an act to incorporate the Cardington Industrial Co-operative association.

Laid on the table.

Also, No. 1613, an act relating to the recovery of the cost of making connections with the sewers in the city of Philadelphia.

Laid on the table.

Mr. MANN, No. 1614, an act to extend the jurisdiction of justices of the peace in Potter county in criminal proceedings.

Laid on the table.

Mr. BREEN, No. 1615, an act to incorporate the Girard tunnelling gold and silver mining company.

Laid on the table.

Mr. WHANN, No. 1616, an act to compel the owners of oil wells to keep them plugged or cased.

Laid on the table.

Mr. EWING, No. 1617, an act relative to the road laws of Fallowfield township, Washington county.

Laid on the table.

Mr. MAISH, No. 1621, an act to authorize the assessment and collection of a certain tax in the borough of Lewisbury, York county.

Laid on the table.

Mr. M'CREARY, No. 1622, an act regulating proceedings before justices of the peace in respect to the poor of Erie county.

Laid on the table.

Mr. JONES, No. 1623, an act to incorporate the Iron Manufacturers' coal company of the State of Pennsylvania.

Laid on the table.

Also, No. 1624, an act to authorize the school directors of the old Fourth ward, in the city of Reading, to levy a tax for the payment of bounties.

Laid on the table.

Mr. ESPY, No. 1659, an act to incorporate the Sharon Savings Bank.

Laid on the table.

BILLS PASSED.

During the order of reading bills in place, the following bills were considered by the House and disposed of as stated:

On motion of Mr. SHARPLES, bill No. 1596, an act to incorporate the West Newton gas company.

Passed finally.

On motion of Mr. STUMBAUGH, bill No. 1600, a supplement to an act relative to roads in the county of Franklin, approved March 14, 1867.

Passed finally.

On motion of Mr. RICHARDS, bill No. 1601, an act to attach certain lands and tenements in Licking township, Fulton county, to Todd township, for school purposes.

Passed finally.

On motion of Mr. JOSEPHS, bill No. 1611, an act relative to the measuring of corn and salt in the port of Philadelphia.

The bill was read, and on the question, Will the House agree to the bill?

Mr. PENNYPACKER moved that the bill be referred to the Committee on Agriculture.

The motion was

Agreed to.

On motion of Mr. EWING, bill No. 618, an act to provide for the payment of expenses incurred in guarding the jail of Washington county.

Passed finally.

On motion of Mr. HUMPHREY, bill No. 619, an act relating to the office of justice of the peace in Tioga county.

Passed finally.

On motion of Mr. GALLAGHER bill No. 1620, an act to legalize the appointment, view and report of certain bridge viewers in Ligonier township, Westmoreland county.

Passed finally.

MESSAGE FROM THE SENATE.

The Clerk of the Senate being introduced, presented for concurrence bills numbered and entitled as follows:

Senate bill No. 486, an act relative to contested elections in the city of Philadelphia.

Senate bill No. 984, an act to incorporate the Southwark railroad company, to renew their road in Swanson street.

Senate bill No. 1206, an act authorizing the Saucon iron company to construct branch railroads to certain ore beds.

On motion of Mr. SHARPLES, the orders were suspended for the purpose of offering the following resolution, which was read and adopted:

Resolved, That Senate bill No. 770, entitled An act to provide for the continuance of the education and maintenance of the destitute orphans of deceased soldiers and sailors, and the destitute children of permanently disabled soldiers and sailors of the State, be made the special order for next Thursday evening, after the special order for that evening is disposed of.

On motion of Mr. QUIGLEY, the House proceeded to the consideration of bill No. 534, an act to exempt Calvary church from taxation.

The bill was read and

Agreed to.

The preamble was read and

Agreed to.

The rules were suspended, and the bill

Passed finally.

On motion of Mr. LINTON, the House proceeded to the consideration of Senate bill No. 1174, an act enabling the Hazleton railroad company to avoid inclined planes.

The bill was read and

Agreed to.

The rules were suspended, and the bill

Passed finally.

On motion of Mr. ADAIRE, the House proceeded to the consideration of bill No. 1411, an act for the relief of the estate of Anthony Olewine.

The bill was read and

Agreed to.

The rules were suspended, and the bill

Passed finally.

On motion of Mr. WEBB, the House proceeded to the consideration of bill No. 1644, an act to prohibit the granting of licenses to sell any spirituous, vinous, malt or brewed liquors as a beverage in the borough of Stewartstown, in the county of York, or near the limits of said borough.

The bill was read and

Agreed to.

The rules were suspended, and the bill

Passed finally.

On motion of Mr. CHASE, the House proceeded to the consideration of bill No. 1658, an act for the purpose of securing uniformity of gauge in the purchase and sale of crude petroleum.

The bill was read and

Agreed to.

The rules were suspended, and the bill

Passed finally.

On motion of Mr. PENNYPACKER, the House proceeded to the consideration of bill No. 1656, an act to incorporate the Phœnix Savings Bank.

The bill was read and

Agreed to.

The bill

Passed finally.

On motion of Mr. KINNEY, the House proceeded to the consideration of bill No. 650, a further supplement to an act to provide for the regulation and inspection of buildings in the city of Philadelphia, and for the better

preservation of life and property, passed the 7th day of May, A. D. 1866.

The bill was read and

Agreed to.

The bill

Passed finally.

On motion of Mr. MARKLEY, the House proceeded to the consideration of Senate bill No. 772, an act to exempt the property of the German Reformed congregation of New Goshenhoppen, in the county of Montgomery, from taxation.

The bill was read and

Agreed to.

Mr. ARMSTRONG. Mr. Speaker, I move to amend by adding at the close of the section the words "except for State or school purposes."

Mr. MARKLEY. Mr. Speaker, there are but about six hundred dollars involved. If this amendment carries the bill will be worthless.

Mr. ARMSTRONG. Mr. Speaker, I hope it will prevail, from the fact that there are so many claims of this kind presented. If we exempt one we should exempt all. The congregation must be very poor if they cannot afford to pay State and school tax when they are exempt from all other taxes.

Mr. WILSON. Mr. Speaker, I do not like to oppose this bill, it being a local matter, but if I understand it aright, it exempts from taxation not only the property they now possess, but all the property they may acquire or that may be bequeathed to them hereafter.

The question being on agreeing to the amendment.

It was

Not agreed to.

The bill was

Agreed to.

The rules were suspended, and the bill

Passed finally.

On motion of Mr. MANN, the bill entitled A supplement to an act incorporating the Keystone coal and iron transportation company, was recommitted to the Committee on Coal and Iron Companies.

On motion of Mr. PILLOW, the House proceeded to the consideration of bill No. 1661, an act supplementary to an act relating to the Western Pennsylvania railroad company, &c., approved April 27th, 1864.

The bill was read and

Agreed to.

The rules were suspended, and the bill

Passed finally.

On motion of Mr. MANN, the House proceeded to the consideration of bill No. 829, A joint resolution authorizing the Governor to appoint commissioners to inquire into the various systems of prison discipline.

The bill was read and

Agreed to.

The bill

Passed finally.

On motion of Mr. JENKS, the House proceeded to the consideration of Senate bill No. 886, an act supplementary to an act approved February 20th, 1867, entitled An act to enable the Pennsylvania cannel coal and railroad company to borrow money, and to change the corporate name of said company, and confirm the title to real estate belonging to said company, and directing in what manner the mortgages authorized in said act shall be approved by the stockholders of said company, and to ratify the consolidation of certain companies under said act of Assembly, and authorizing them to change the route of said road, and reducing the number of directors.

The first, second, third, fourth and fifth sections were read and

Agreed to.

The title was amended and

Agreed to.

The rules were suspended, and the bill

Passed finally.

On motion of Mr. CHASE, the House proceeded to the consideration of bill No. 1660, an act to erect a district court at Titusville.

The proceedings, together with the remarks upon the bill, will appear in full in the Appendix to the *Record*.

The bill was postponed and made the special order for Wednesday evening, March 27.

On motion of Mr. KIMMELL, the House proceeded to the consideration of bill No. 809, an act relative to the payment of bounties to volunteers.

The bill was read as follows:

AN ACT relating to bounties to volunteers.

WHEREAS, Doubts have arisen whether the bounty laws heretofore enacted gave authority to pay bounties to volunteers who did not reside, at the time of entering the military service of the United States, in the county or district to which they were credited:

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by authority of the same*, That all bounties heretofore offered or paid to volunteers who were credited to any district, and all bonds issued, or indebtedness created, by any district, to pay to such volunteers bounties, not exceeding the amount now allowed by law in such districts, and all taxes levied or collected, or to be levied, for paying off such indebtedness, are hereby declared to be legal, and as valid as if they had been clearly authorized by any or all previous acts for the payment of bounties to volunteers which affect any such district.

The bill was

Agreed to.

The rules were suspended, and

The bill

Passed finally.

On motion of Mr. HUMPHREY, the House proceeded to the consideration of Senate bill No. 987, a supplement to an act incorporating the Lawrenceville and Oswayo railroad company, approved the 1st day of May, A. D. 1862, reviving said act and making new commissioners.

The bill was read and

Agreed to.

The bill

Passed finally.

On motion of Mr. PENNYPACKER, the House proceeded to the consideration of House bill No. 805.

The bill was read as follows:

AN ACT to authorize the recorder of deeds in the several counties of this Commonwealth to record the discharges of all honorably discharged officers and soldiers.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same*, That the recorders of deeds in the several counties of this Commonwealth are hereby authorized and required to record all final discharges of commissioned and non-commissioned officers and privates, upon application being made to them by the holders of the same, and that the recording of the same shall not be subject to the payment of the State tax.

The bill was

Agreed to.

The rules were suspended, the bill read a second and a third time, and

Passed finally.

REPORTS OF COMMITTEES.

Mr. RHOADS, from the Committee on Corporations, reported, as committed, bill No. 1626, an act to incorporate the West Virginia paper mill company.

Also (same), as committed, bill No. 1627, an act to incorporate the Chrystal gas and water company.

Also (same), as committed, Senate bill No. 663, an act to incorporate the Dunmore gas and water company.

Mr. KURTZ (same), as committed, Senate bill No. 1629, an act to incorporate the Western Pennsylvania military academy, near Pittsburg and Allegheny, Pennsylvania.

Also (same), as committed, Senate bill No. 679, an act to incorporate the People's bridge company of Harrisburg.

Mr. HUMPHREY (Election Districts), as committed, Senate bill No. 485, an act increasing the compensation of judges of elections in the Twenty-first, Twenty second, Twenty-third and Twenty-fifth wards of the city of Philadelphia.

Mr. EWING (Agriculture), as committed, Senate bill No. 935, an act to prevent the depositing of tan bark in Poko Poko or Head's creek, in the county of Monroe.

Mr. CHADWICK (same), as committed, bill No. 1633. an act to extend the provisions of an act relating to the passage of fish in the Susquehanna river and certain of its tributaries, to the Conestoga creek, in Lancaster county.

Mr. ROUSH (same), with a negative recommendation, Senate bill No. 539, an act repealing the provisions of the act for the protection of sheep and taxing of dogs in the county of Blair, and extended to the county of Monroe, so far as the same relates to the township of Pocono, in the said county of Monroe.

Mr. WEBB (same), as committed, bill No. 1635, an act to prohibit the destruction of fish in the Susquehanna river and its tributary streams in Columbia county.

Mr. M'PHERRIN (same), as committed, bill No. 1636, an act to punish fruit thieves.

Mr. GORDON (same), as committed, bill No. 1637, an act extending the provisions of an act to prevent the growth of noxious weeds in the county of Chester, approved March —, A. D. 1867, to Northampton county.

Mr. RICHARDS (same), as committed Senate bill No. 605, a supplement to an act for the better preservation of game and insectiverous birds, approved the 21st day of April, 1858.

Mr. BREEN (same), as committed, bill No. 1639, an act to prevent cattle, horses, sheep and swine from running at large in Jackson and Buffalo townships, in Butler county.

Mr. MAISH (same), as committed, bill No. 1640, an act relative to fishing in the streams, lakes and reservoirs in the county of Crawford.

Mr. KENNEDY (Vice and Immorality), as committed, Senate bill No. 956, an act to ascertain the views of the qualified electors of M'Kean county, upon the subject of refusing licenses for the sale of liquors in said county.

Mr. BROWN (same), as committed, bill No. 1642, an act to prohibit the issuing of licenses to sell spirituous, vinous, malt or brewed liquors in the township of Pene, in the county of Perry.

Mr. RICHARDS (same), as committed, bill No. 1643, a further supplement to an act supplementary to an act to regulate the sale of intoxicating liquors, approved April 20th, 1858.

Mr. WORRALL (Military), as committed, Senate bill No. 778, an act relating to the payment of certain bounties by the township of Eldred, Monroe county.

Mr. WESTBROOK (same), as committed. Senate bill No. 624, an act relating to bounties in the borough of Dillsburg, in the county of York and State of Pennsylvania, validating and legalizing the assessment duplicate

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[CONTINUED FROM PAGE 752.]

and warrant to collect bounty tax assessed in June, 1864, in said borough.

Mr. ALLEN (same), as committed, bill No. 1647, a further supplement to an act relating to local bounties in the county of Lawrence, approved March 15th, A. D. 1865.

Mr. KINNEY (Divorces), as committed, bill No. 1648, an act to annul the marriage contract between James Edwards and Elizabeth Edwards, his wife.

Also (same), as committed, bill No. 1649, an act to annul the marriage contract between James Cunningham and Ingebia Cunningham, late Ingebia O'Conner.

Mr. JOSEPHS (same), as committed, bill No. 1650, an act to annul the marriage contract between Charles Schofield and Mary Schofield.

Mr. ADAIRE (Passenger Railways), with amendments, Senate bill No. 317, supplement to an act entitled An act to incorporate the Allentown Passenger railway company, approved the 25th day of March, A. D. 1864.

Mr. CHASE (Banks), as committed, bill No. 1652, an act to incorporate the Lykens Valley Deposit Bank.

On motion, the committee to whom was referred bill No. 1653, an act for the purpose of securing uniformity of gauge in the purchase and sale of crude petroleum, were discharged from the further consideration thereof.

Mr. CAMERON (Banks), as committed, bill No. 1654, an act to incorporate the Commonwealth savings fund and safe deposit company of Philadelphia.

Also (same), as committed, bill No. 1655, an act to incorporate the Dimes saving fund of Slatington.

Mr. WORRALL (same), as committed, bill No. 1657, an act for the protection of the legal profession in the city of Philadelphia, known as conveyancers or scriveners.

Mr. KOON (Railroads), as committed, Senate bill No. 312, an act to extend the time for the payment of the enrollment tax upon an act, entitled An act to authorize the Western Maryland railroad company to locate a portion of their road through Adams and Franklin counties, Pennsylvania, approved the 23d day of March, 1865, and relating to the location of said railroad, and the connection of the Gettysburg railroad therewith.

Mr. JOSEPHS. Mr. Speaker, I move that this House do now adjourn.

On the motion,

The yeas and nays were required by Mr. QUIGLEY and Mr. THARP, and were as follow, viz:

YEAS—Messrs. Allen, Breen, Brennan, Chalfant, Darby, Espy, Ewing, Gordon, Harbison, Humphrey, Hunt, Josephs, Kimmell, M'Henry, M'Pherrin, Maish, Mann, Kurtz, Pennypacker, Pillow, Quigley, Roush, Seiler, Sharples, Stehman, Subers, Tharp and Westbrook—28.

NAYS—Messrs. Adaire, Armstrong, Boyd, Brown, Cameron, Chadwick, Chase, Gallagher, Harner, Jenks, Jones, Kennedy, Kinney, Koon, M'Creary, Markley, Meily, Rhoads, Richards, Webb, Weller, Worrall and Quay, *Speaker pro tempore*—23.

So the question was determined in the affirmative.

SPEAKER'S TABLE.

The SPEAKER cleared his table of bills numbered and entitled as follows:

Senate bill No. 486, an act relative to contested elections in the city of Philadelphia.

Referred to the Committee on Municipal Corporations.

Senate bill No. 984, an act to authorize the Southwark railroad company to renew their road in Swanson street.

Referred to the Committee on Railroads.

Senate bill No. 1205, an act authorizing the Saucon iron company to construct branch railroads to certain ore beds.

Referred to the Committee on Iron and Coal Companies.

Senate bill No. 1227, joint resolution relative to the purchasing of books for the State library.

Referred to the Committee on Ways and Means.

Also, annual report of the Delaware coal company.

Laid on the table.

The SPEAKER then adjourned the House until Monday evening at 7½ o'clock.

SENATE.

TUESDAY, March 26, 1867.

The Senate met and was called to order at 10 A. M., by the SPEAKER.

Prayer was offered by the Rev. Mr. Bailey.

On motion of Mr. CONNELL, the reading of the Journal of yesterday was dispensed with.

PETITIONS, REMONSTRANCES, &C.

Mr. CONNELL presented a memorial of the overseers of the public school founded by charter in the town and county of Philadelphia, in 1697, praying for the passage of an act exempting their property from taxation.

Referred to the Committee on Finance.

Also, a remonstrance from all the manufacturers and dealers in lumber in the city of Philadelphia, against the passage of an act relative to the inspection of lumber, now pending in the House of Representatives.

Referred to the Committee on the Judiciary Local.

Mr. COLEMAN presented a memorial of eighty-seven citizens of Juniata county residing along the line of the Pennsylvania railroad, complaining that they are seriously injured by the discriminating freight list of that company against them by their construction of the act of March 7th, 1861, asking for an amendment of the act, which was read as follows, and

Referred to the Committee on the Judiciary Local:

To the Senate and House of Representatives of the State of Pennsylvania:

The memorial of the undersigned, inhabitants of this State, on the line of the Pennsylvania railroad, represents: That they are seriously injured by the discriminating freight list of that company against them, by their construction of the following paragraph in the act of Assembly of March 7th, 1861:

"The local rates from Philadelphia to Pittsburg, to stations on line of Pennsylvania railroad, shall at no time exceed the gross rates charged between Philadelphia and Pittsburg. Nor shall local rates between any two stations on the road exceed the through rates."

The Pennsylvania railroad company assume, by their interpretation of these words, that they may charge full rates for any distance they please on the road. They now charge, by their freight list (which we append), full rates for half distance and less than half distance.

We ask your honorable body to amend this act, and prevent the discriminations of this company against the State that confers their privileges, and fix the local rates per mile on the ratio of through rates.

This "freight list" shows that on going westward they charge an average of fifty per centum more for the fourteen miles from Harrisburg to Duncannon than for the one hundred and twelve miles from Philadelphia to Harrisburg, which is charging four times more, or four hundred per centum more per mile, for these fourteen miles, than for the one hundred and twelve.

Nearly the same ratio extends up the valley of Juniata, until the heavy fourth class freight reaches the maximum at Mapleton, two hundred and one miles. From thence this company carry the same goods one hundred and fifty-nine miles, to Pittsburg, for nothing—as per the freight list.

The same evil system obtains eastward.—Heavy class goods are charged full freight for less than half distance.

We are borne to the earth by these discriminating charges of the Pennsylvania railroad company. No man can carry on a manufacturing business near the centre of the line of this railroad to advantage. He has to pay a full freight on the whole amount of his supplies from either end of the road. After he manufactures he has to pay a full freight again to either end of the road. This system is like a two edged sword—it cuts him both ways. No farmer's land is worth any more in the centre of this railroad than at its Western terminus. It costs full rates to ship his produce, and there are no manufactures to consume it. Our immense water power is lying valueless—our coal and ores undeveloped—or shipped at no profit—our timber is rotting—our towns are lying dead or dor-

mant, and the greater part of our young population are emigrating. We are crushed by these charges, and we appeal to you for relief.

We ask you to legislate for the interests of the State of Pennsylvania—the cities of Philadelphia and Pittsburg—and those of the Pennsylvania railroad company—which we assert are identical. We insist that neither of these can thrive so well as by having a thriving "interior." That if our manufactures and population are doubled, their interests are doubled also.

The Pennsylvania railroad company aver that the coal freights do not pay so well as other freights. We ask that you will give us regular ratio "per mile" rates. We can then erect works to smelt our ores with our coal, and instead of sending the raw material to tide water, at no profit to us, can make such manufactures of iron and steel as the Pennsylvania railroad company can double their money by carrying, and Philadelphia shall become as much greater iron and steel shipping port than Liverpool, as the coal and ores of Pennsylvania exceed those of England.

When, by a system of manufacturing, we double our population, their passenger list will also double.

We also ask you to revise the passenger list, that there may be no discrimination in that.

We, of the interior, are charged, on this line, one dollar and forty-five cents more than the regular through rates for each passenger.

We desire to call the especial attention of your honorable body to the cunningly devised scheme of this local freight list, as set forth in the note at the bottom of it. For instance: lumber, coal, iron, grain, &c., as fourth class, are charged, from Tyrone to Lancaster (one hundred and fifty-eight miles), thirty-six cents per hundred pounds, being full through freight charges from Pittsburg to Philadelphia, three hundred and sixty miles. Also, from Huntingdon to Penningtonville (one hundred and sixty miles), fourth class is charged the same, thirty-six cents. This note makes the charges far more unbearable than the columns of figures would show on the face of them. We cannot think it was the intention of the Legislature to permit this company to cripple the resources of the interior in this manner.

And we pray you to grant us a deliverance from these discriminating charges.

And we ever pray, &c.

Mr. ROYER presented a petition of citizens of Chester county, for the passage of an act authorizing the recording of soldiers' discharges and officers' commissions, and exempting the same from the State tax for recording the same.

Referred to the Committee on the Judiciary General.

Also, a petition of the stockholders of the Green Lane and Goshenhoppen turnpike company, for the repeal of the part of said charter authorizing the voting by proxy in the elections of said company.

Referred to the Committee on Corporations.

Mr. LANDON presented twelve petitions from Wyoming county, praying for the passage of a law prohibiting cattle, horses, &c., running at large.

Referred to the Committee on Agriculture and Domestic Manufactures.

Also, a petition of citizens of Wyoming county, praying for a law prohibiting the hunting of deer with dogs in said county.

Referred to the Committee on Agriculture and Domestic Manufactures.

Also, twenty petitions from Wyoming county, praying for a prohibitory liquor law, signed by six hundred and ninety-eight names.

Referred to the Committee on Vice and Immorality.

Also, a remonstrance signed by one hundred and ten citizens of Wyoming county, against the passage of a prohibitory liquor law.

Referred to the Committee on Vice and Immorality.

Mr. SEARIGHT presented a petition of citizens of West Newton, in relation to a law about hawkers and peddlers.

Referred to the Committee on the Judiciary Local.

Mr. JACKSON presented a remonstrance of citizens of Bloomsburg, Columbia county, against the passage of a law prohibiting fishing with nets and seines in Big Fishing creek, &c., so far as said township is concerned.

Referred to the Committee on Agriculture and Domestic Manufactures.

Mr. GRAHAM presented a remonstrance of citizens of Collins township, Allegheny county, against the passage of a law empowering supervisors to collect an extra tax for plank walk in said township.

Which was read as follows, and

Referred to the Committee on Roads and Bridges:

To the Honorable the Senate and House of Representatives of the State of Pennsylvania:

We, the undersigned, citizens and taxpayers of the township of Collins, in the county of Allegheny, in no spirit of hostility to the useful improvements commonly known as plank walks, do most respectfully but earnestly remonstrate against the passage into a law, a certain proposition now before your honorable body, the object of which is to empower the supervisors of said township to levy five (5) mills extra tax for use of plank walks, &c., &c.:

1. Because we are opposed to any addition to our already numerous burthensome taxes.

2. Because we believe the supervisors already have discretionary powers to act in the matter of plank walks.

3. Because we believe the tax would bear inequitably, inasmuch as all the taxpayers along the line of the Pittsburg and Greensburg turnpike road and those along the line of the so-called East Lynn and Penn Township plank road company could not claim, under the law, any benefit therefrom, they not being township roads; and, furthermore, that the liberal and enterprising citizens, who have already contributed of their means and put down plank walks at their own expense in their own neighborhood, would be equally taxed for the benefit of those who have not paid anything and who live in other localities.

Signed by George Finley, Wm. Hickler, Henry Brown, and others.

Mr. JAMES presented a remonstrance, signed by citizens of Bucks and Montgomery counties, against laying out and opening Broad street.

Referred to the Committee on Roads and Bridges.

Mr. BROWN (Mercer) presented a petition of the burgess, and town council, and citizens of the borough of Sharon, in the county of Mercer, praying for the passage of a law authorizing the levy and collection of a tax for bridge purposes.

Referred to the Committee on Roads and Bridges.

Mr. RIDGWAY presented petitions from citizens of the Commonwealth, praying for the passage of a law making persons in interest competent to testify in their own suits at law, without regard to their interest therein.

Laid on the table.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

The Clerk of the House of Representatives being introduced, presented for concurrence bills numbered and entitled as follows, viz:

No. 1665, an act to legitimate John Horning of Mifflin county, and confer on him the rights and privileges of a child born in wedlock.

Referred to the Committee on the Judiciary Local.

No. 1666, a supplement to an act establishing a ferry across the West Branch of the Susquehanna river, in Lycoming county.

Referred to the Committee on Canals and Inland Navigation.

No. 1667, an act relative to the residence of justice of the peace in the city of Erie.

Referred to the Committee on the Judiciary Local.

He also returned bill from the Senate numbered and entitled as follows, viz:

No. 1002, an act to incorporate the Masonic Hall association of the city of Reading, Pennsylvania, for the purpose of erecting a building for the use of said Masonic association and other purposes,

With information that the House of Representatives has passed the same without amendments.

He also returned bill from the Senate numbered and entitled as follows, viz:

No. 707, an act to repeal the first section of an act passed the 1st day of April, A. D. 1792, declaring the Little Lehigh a public highway,

With information that the House of Representatives has passed the same without amendments.

REPORTS FROM COMMITTEES.

Mr. RIDGWAY, from the Committee on Corporations, reported, as committed, a bill entitled An act to incorporate the Pennsylvania paper manufacturing company.

Also (same), as committed, a bill entitled An act to incorporate the Pacific mining and exploring company.

Also (same), as committed, a bill entitled An act to incorporate the Ryan and Reading slate company.

Also (same), as committed, a bill entitled An act to incorporate the Titusville Hotel company.

Also (same), as committed, a bill entitled An act to incorporate the Paros coal, mining and lumber company of Pennsylvania.

Mr. ROYER (same), as committed, a bill entitled An act to incorporate the Home manufacturing company.

Also (same), as committed, a bill entitled A further supplement to an act to incorporate the Charles Evans cemetery company.

Mr. HAINES (same), as committed, a bill entitled An act to incorporate the Shenandoah water company.

Also (same), as committed, a bill entitled An act to incorporate the Anderson marble quarrying company of Montgomery county.

Mr. JAMES (same), as committed, a bill entitled An act to incorporate the M'Keesport gas company.

Also (same), as committed, a bill entitled An act to incorporate the Agricultural manufacturing company.

Mr. GLATZ (same), as committed, a further supplement to an act incorporating the Bedford iron company, approved May 1st, 1861.

Also (same), as committed, a bill entitled A further supplement to the act to incorporate the Union coal and iron company, approved May 4, 1857, near the Osceola coal company, increasing the privileges of said companies.

Mr. LANDON, from the Committee on

Railroads, as committed, a bill entitled An act to incorporate the Plymouth passenger railway company.

Also (same), as committed, a bill entitled An act to incorporate the Stroudsburg passenger railway company.

Also (same), as committed, a bill entitled An act to incorporate the Susquehanna Valley railroad company.

Also (same), as committed, a bill entitled An act to incorporate the Wellsboro' and Lawrenceville railroad company.

Mr. RANDALL (same), as committed, a bill entitled An act to incorporate the Northumberland and Sunbury Street railway company of Northumberland county.

Also (same), with amendments, a bill entitled An act supplementary to an act entitled An act relating to the Western Pennsylvania railroad company, and for other purposes, approved April 27th, 1864.

Mr. RIDGWAY, (same), as committed, a bill entitled an act to incorporate the Chester passenger railroad company.

Mr. GRAHAM, a bill entitled an act to extend the time for commencing and completing the Octoraro railroad company.

Also (same), as committed, a bill entitled An act to incorporate the Union passenger railway company of Pittsburg.

Mr. WORTHINGTON, from the Committee on Education, as committed, a bill entitled An act to authorize the board of school directors of Freedom township, Adams county, to appropriate the surplus bounty funds in their hands to school purposes.

Also (same), as committed, a bill entitled An act to provide for the appointment of controllers of the public schools of the First school district of Pennsylvania.

Mr. COWLES (same), as committed, a bill entitled An act to attach certain lands and tenements in Licking township, Fulton county, to Todd township, for school purposes.

Mr. GRAHAM, from the Committee on Vice and Immorality, a bill entitled An act to prohibit the granting of licenses to sell spirituous, vinous, malt or brewed liquors in or near the borough of Stewartstown, in the county of York.

Mr. TAYLOR (same), as committed, a bill entitled An act to prohibit the erection or maintenance of billiard rooms, bowling saloons or ten pin alleys within the borough of Coudersport, in the county of Potter.

Mr. GRAHAM (same), as committed, a bill entitled A further supplement to an act to regulate the sale of intoxicating liquors, approved the 31st day of March, A. D. 1856, so far as relates to the county of Mercer.

Mr. WALLACE, from the Committee on Judiciary General, a bill entitled An act relative to the redemption of unseated lands sold for taxes when interests in the same land are owned by different persons.

Also (same), with a negative recommendation, a bill entitled An act to incorporate a Christian House of the Reformed Church for widows and orphans, in Eastern Pennsylvania.

Ruled out of order by the SPEAKER.

Also (same), with a negative recommendation, a bill entitled An act to incorporate the Ringgold library company of Philadelphia.

Ruled out of order by the SPEAKER.

Also (same), with a negative recommendation, a bill entitled A supplement to an act to abolish imprisonment for debt and to punish fraudulent debtors, approved February 12, 1842.

Also (same), with a negative recommendation, a bill entitled An act regulating the transfer of stocks and loans by trustees, and for the protection of transfer agents and corporations.

Mr. M'CONAUGHY (same), with amendment, a bill entitled An act relative to the trial of certain causes.

Also (same), with amendments, a bill entitled An act relating to the publication of the decisions of the Supreme Court.

Also (same), as committed, a bill entitled An act to indemnify certain election officers of this Commonwealth for losses sustained and fines imposed on them for acting in accordance with the provisions of the act of Assembly of June 4th, A. D. 1866.

Mr. DAVIS, from the Committee on the Judiciary Local, with amendments, a bill entitled An act to change the boundary lines of the borough of Wrightsville, in the county of York.

Mr. HAINES, from the Committee on Corporations, with amendments, a bill entitled A supplement to an act to incorporate the Swatara company, passed March 7, 1849.

Mr. JACKSON, from the Committee appointed to Compare Bills and present them to the Governor for his approbation, made report, which was read as follows, viz:

That in conjunction with a similar committee from the House of Representatives, they have compared and on March 19th, presented to the Governor, for his approbation, the bills as follows, to wit:

Senate bill No. 808, a supplement to the act incorporating the Colebrookdale railroad company, approved the 23d day of March, A. D. 1865.

Senate bill No. 376, a supplement to an act to authorize the school directors of the borough of West Greenville, in Mercer county, to borrow money to erect a public school house in said borough.

Senate bill No. 235, an act making it an offense for railroad corporations within this Commonwealth to make any distinction with their passengers on account of race or color, and punishing said corporations and their agents and employees for the commission of such offense.

Senate bill No. 800, an act to incorporate the National Homestead, at Gettysburg, for the orphans of our soldiers and sailors.

Senate bill No. 233, an act to incorporate the Northern railroad and navigation company.

Senate bill No. 288, an act to authorize the clerk of the orphans' court, courts of oyer and terminer and quarter sessions to appoint deputies in Lehigh county, recalled from the Governor March 13th.

Senate bill No. 281, an act for vacating the old burial grounds in the borough of Sewickley, and removing the bodies therefrom.

Senate bill No. 40, an act to change the venue in the case of Jesse Chronister vs. Howard Miller, Daniel Hollinger and Daniel Harbolt from the court of common pleas of Adams county to the court of common pleas of Dauphin county.

Senate bill No. 511, a supplement to an act to increase the compensation of the county commissioners, auditors, jurors, assessors, witnesses and supervisors of Indiana county, and to authorize the collection of road taxes in Burrell township, in said county, in money.

House bill No. 1346, an act to fix the time of the commencement of the June term of the several courts of Beaver county.

Also, on March 20th, 1867:

Senate bill No. 650, an act to incorporate the Superior iron company.

Senate bill No. 502, an act to authorize the chief burgess and town council of the borough of Lebanon to borrow money for the purpose of building an engine house for the use of the Perseverance steam fire engine and hose company, and the purchasing of hose for use in the fire department of said borough.

Senate bill No. 487, an act to incorporate the Lebanon County Soldiers' and Sailors Monument association.

Senate bill No. 586, an act to incorporate the Union iron mills.

Senate bill No. 29, a further supplement to an act entitled An act for the better security of the city of Philadelphia from dangers incident to the refining or improper storage of petroleum, benzine or naphtha, approved March 2d, A. D. 1865, construing the same.

House bill No. 528, an act regulating the granting of licenses to eating houses and taverns in the county of Allegheny, and enforcing order therein.

House bill No. 556, an act relating to hawkers and peddlars of ready made clothing in the county of Greene.

House bill No. 266, an act to annex the farms of Samuel Powers, John Hunter, Jas. Cunningham, John Conway and Jas. Rutlidge, of Derry township, to Livermore borough, in Westmoreland county, for school purposes.

Also, on March 21st, 1867:

Senate bill No. 309, an act to establish a ferry over the Allegheny river at Tidioute, Warren county.

Senate bill No. 472—session 1866—a further supplement to an act relating to the sale and conveyance of real estate, passed April 18th, 1853—recalled from the Governor for amendments.

Senate bill No. 510, an act authorizing and providing powers and means for the conversion of the common grounds of the city of Allegheny into public park.

Senate bill No. 107, an act to incorporate the Miyuga iron company.

Senate bill No. 299, an act to incorporate the Rob Roy gold and silver mining company.

Senate bill No. 297, an act to incorporate the Philadelphia coal company.

Senate bill No. 308, an act to incorporate the Philadelphia Enterprise gold and silver mining company of Montana.

Senate bill No. 355, an act to incorporate the Summit turnpike road company in the county of Clearfield.

Senate bill No. 397, an act appointing commissioners to lay out and open a State road in the counties of Cameron, Elk and Clearfield, from the Sinnemahoning to the West Branch of the Susquehanna.

Senate bill No. 365, an act to incorporate the Manta Grandee silver mining and commercial company.

Senate bill No. 437, a further supplement to an act passed May 16th, A. D. 1861, entitled An act to authorize the erection of a free bridge over the river Schuylkill, at South street, in the city of Philadelphia, making it the duty of the chief engineer to direct the building of a bridge, and providing that the same shall have a draw therein.

Senate bill No. 467, an act to attach the farm of David Deitz, in Pennsboro township, Cumberland county, to the township of Hampden, in said county, for school purposes.

Senate bill No. 483, an act to repeal the fourth section of an act relating to certain districts in Schuylkill county.

Senate bill No. 484, an act to change the time of holding borough elections in the borough of Minersville, Schuylkill county.

Senate bill No. 519, an act to incorporate the Quaker City barge club of the city of Philadelphia.

Senate bill No. 532, an act to declare Montgomery creek, in the county of Clearfield, a public highway.

Senate bill No. 601, an act to authorize the school directors of Marshall township, Allegheny county, to apply the surplus of bounty tax in their hands to school purposes.

Senate bill No. 562, an act relating to the

coroner of the city and county of Philadelphia.

Senate bill No. 578, an act to authorize the supervisors of Kingston township, in Luzerne county, to collect their own duplicates.

Senate bill No. 584, an act to incorporate the Tremont gas and water company.

Senate bill No. 522, an act to incorporate the Enterprise mining and exploring company.

Senate bill No. 588, an act to incorporate the Scranton base ball club of Scranton.

Senate bill No. 606, an act to incorporate the Wyoming bridge company.

Senate bill No. 600, an act to authorize the school directors of the borough of White Haven, in the county of Luzerne, to borrow money to build school houses.

Senate bill No. 826, an act to prevent and punish prize fighting.

Senate bill No. 608, a further supplement to an act to incorporate the Birmingham and Pittsburg bridge company.

Senate bill No. 612, an act supplemental to an act incorporating the Birmingham and Brownsville macadamized turnpike road company.

Senate bill No. 603, an act to enable the board of directors of common schools of Benton township, Luzerne county, to apply suplus of bounty funds to common school purposes.

Senate bill No. 661, a supplement to the act entitled An Act for the erection of the Gettysburg Gymnasium into a college, and for other purposes, approved the 7th day of April, 1852.

Senate bill No. 675, a supplement to an act entitled An act to provide for the ordinary expenses of the government, and other general and special appropriations, approved April 11th, 1866, relative to the Keystone State Normal school.

Senate bill No. 163, joint resolution providing for the final adjournment of the Legislature.

Senate bill No. 1115, an act supplementary to an act entitled An act to incorporate the city of Williamsport, which became a law the 15th day of January, in the year of our Lord 1866, changing the wards and authorizing said city to borrow money.

Senate bill No. 659, an act to incorporate the Downingtown gas and water company.

Senate bill No. 311, a supplement to an act to establish a ferry over the Mononghela and Youghiogheny rivers, and to vest the right in John McKee, his heirs and assigns forever, approved the 5th day of February, 1784.

House bill No. 1050, an act for the sale of certain real estate of Drusilla Haas.

House bill No. 1100, an act to incorporate the Susquehanna summer resort.

House bill No. 541, an act to authorize the Governor to appoint two additional notaries public for the county of Dauphin, one for the Nineteenth ward of the city of Philadelphia, and three to reside in the county of York.

Also, on March 22d, 1867:

Senate bill No. 891, joint resolution authorizing the appointment of a special agent to collect disallowed and suspended claims against the United States.

Senate bill No. 1175, an act to incorporate the Marine hospital of Pennsylvania in the county of Erie, to fix location of hospital in Erie city, and to grant real estate to said hospital.

House bill No. 1085, an act to increase the revenue of the Commonwealth.

House bill No. 316, an act further to regulate the granting of licenses to hotels and eating houses, approved March 31st, 1856.

House bill No. 1026, an act to incorporate the American button-hole, overseaming and sewing machine company.

House bill No. 1408, an act to repeal an act entitled A further supplement to the act incorporating the Pennsylvania railroad company, authorizing an increase of capital stock, and to borrow money, approved the twenty-first day of March, Anno Domini one thousand eight hundred and sixty-six, and also to authorize the Pennsylvania railroad company, by this act, to increase its capital stock, to issue bonds, and to secure the same by mortgage.

BILLS IN PLACE.

Mr. WALLACE read in his place and presented to the Chair a bill entitled An act to exempt certain lands in Cameron county from taxation.

Referred to the Committee on Finance.

Mr. WHITE, a bill entitled An act relating to dower.

Referred to the Committee on the Judiciary General.

Mr. WHITE. I want to call the attention of the Judiciary Committee to that act.—Some time since an act was passed of a similar title, which, to my mind (and I have consulted some legal gentlemen in reference to the matter), affects vested rights, and is in some other respects impracticable. I would be very glad if the Judiciary Committee would look at and examine this bill.

Also, a bill entitled An act to incorporate the Equitable gold and silver mining company of Nevada.

Referred to the Committee on Corporations.

Mr. FISHER, a bill entitled An act to increase the pay of township auditors.

Referred to the Committee on the Judiciary Local.

Mr. GRAHAM, a bill entitled A supplement to the act to incorporate the Superior iron company.

Referred to the Committee on Corporations.

Mr, M'CONAUGHY, a bill entitled An act to incorporate the Battle Hotel company of Gettysburg.

Referred to the Committee on Corporations.

Also, a bill entitled An act to incorporate the Sheffield iron, steel and lead company.

Referred to the Committee on Corporations.

Mr. GRAHAM, a bill entitled An act to prohibit the sale of intoxicating liquors as a beverage in the townships of East Deer, Fawn and Harrison, and borough of Tarentum, Allegheny county.

Referred to the Committee on Vice and Immorality.

Mr. DAVIS, a bill entitled A supplement to an act entitled An act amendatory of the license laws of the State, approved April 11, 1862, in relation to the county of Berks.

Referred to the Committee on Vice and Immorality.

BOROUGH OF COLUMBIA.

Agreeably to order,

The Senate proceeded to consider House bill, a supplement to an act to incorporate the borough of Columbia.

The bill was read as follows:

A SUPPLEMENT to an act to incorporate the borough of Columbia.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same*, That so much of the twenty-fifth section of the act entitled An act to incorporate the borough of Columbia, passed the sixteenth day of April, Anno Domini one thousand eight hundred and sixty-six, that refers to the payment of road damages by the county aforesaid, be amended by striking out the words "by the county," and that all damages, assessed agreeably to the provisions of said section twenty-fifth, shall be paid as follows, viz: one-third thereof by the said county of Lancaster, and the remaining two-thirds by the said borough of Columbia.

Mr. FISHER. Mr. Speaker, I move that the House resolve itself into committee of the whole for special amendment, as follows: to strike out, in the tenth line, the words "one-third" and to insert the words "two-fifths;" and, in the same line, to strike out the words "two-thirds" and to insert "three-fifths."

Mr. BILLINGFELT. Mr. Speaker, that amendment will necessarily bring up discussion on the merits of the whole bill.

The CHAIR. I cannot permit that.

Mr. BILLINGFELT. I am opposed, then, to amending this bill, and desire that it should remain as it now stands on the file. I would, however, prefer discussing its merits, so that the Senate might thereby see it in its proper light before proceeding to vote.

I do not approve of the amendment, for this special reason: There has never been before the Legislature of this State a bill which caused more excitement among the taxpayers of Lancaster county than he bill passed last year, and to which this is a supplement. Now, it is here proposed, not exactly to repeal a portion thereof, but to go farther for the undue interests of the borough of Columbia than what either justice or fairness demand. I cannot, therefore, see the necessity of going into committee of the whole for the amendment of this bill, since it is now in a condition most acceptable to our constituents. They want nothing more; they want nothing less.

Mr. FISHER. In regard to the excitement in Lancaster county resulting from the passage of that bill, I have failed to see it or to hear of it. The natural current of affairs appears undisturbed, though it has flowed slowly of late. I have not heard a single man, woman or child utter a complaint. But in order to meet the objection I will simply ask to have the following statement read:

LANCASTER, March 25, 1867.

Hon. Joseph S. Fisher:

DEAR SIR—It has been agreed upon by the commissioners of Lancaster county that they will be satisfied to amend the bill now before the Legislature, entitled A supplement to an act to incorporate the borough of Columbia, so as to read three-fifths damages to be paid by the borough of Columbia and two-fifths by the county of Lancaster.

(Signed) J. B. SHUMAN,
S. SLOCUM,
County Commissioners.

Attested by their Solicitor.

Mr. BILLINGFELT. Mr Speaker, I shall not contradict that document at all. I take it for granted that the county commissioners have expressed themselves accordingly.

A week ago, when this matter was up before the Senate, a discussion arose as to a certain other amendment. That has nothing, however, to do with this question now.

But as to that paper, sir, the signatures affixed to it were obtained under duress; those gentlemen were threatened by my colleague that unless they agreed to two-fifths he would defeat the bill. They told me, sir, that they were afraid of losing the whole bill, so they were compelled to accept this as the best that could be done in the matter.

The CHAIR reminded the speaker that it was not permitted to members to reflect upon gentlemen.

Mr. BILLINGFELT. I desire only to state the truth, that because of threats made

to defeat this bill, the commissioners gave their consent to this compromise.

Mr. FISHER. I would inquire of my colleague whether he has read the ninth rule.

Mr. BILLINGFELT. Yes, sir, and all of them.

On the motion to go into committee of the whole,

The yeas and nays were required by Mr. BILLINGFELT and Mr. FISHER, and were as follow, viz:

YEAS—Messrs. Burnett, Connell, Cowles, Davis, Donovan, Fisher, Glatz, Haines, Jackson, James, Landon, M'Candless, Randall, Ridgway, Royer, Schall, Shoemaker and Hall, *Speaker*—14.

NAYS—Messrs. Bigham, Billingfelt, Browne (Lawrence), Brown (Mercer), Coleman, Graham, M'Conaughy, Stutzman, Taylor, White and Worthington—11.

So the question was determined in the affirmative.

The Senate then resolved itself into committee of the whole (Mr. STUTZMAN in the chair), and the bill was considered and reported to the Senate, with an amendment.

The question then recurred on the final passage of the bill.

Mr. BILLINGFELT. Mr. Speaker, during the session of 1866, the borough charter of the town of Columbia was entirely remodeled. In that charter there is a provision that whenever any streets were to be opened in said borough there should be six disinterested men appointed, whose duty it was to appraise or assess the damages caused by road opening. Some time ago the borough council of Columbia gave notice to our county commissioners, in writing, that they were about opening twenty-one streets, as follows:

"Council proposes that Commerce street be opened in a straight line to the Marietta turnpike; and that Blunston street be opened to Eighth street, and Gay street to the borough line; that Second street be opened to the turnpike; Third, Fourth and Fifth streets to the borough line. The above streets to be opened in the northern part of the borough. Also, Fourth, Manor, Mill and Washington streets, to the borough line; and Florence, Shawnee, Penn, Franklin, Barber and Hempfield streets; Cherry from Second to Front, and from Lancaster street to Cemetery road, forty feet; Wright street from Shawnee to the borough line, south; also the alley between Second and Front streets, from Locust to Union; also, Cemetery road and South street, from Locust to Cemetery road."

Sir, such a thing as that, I believe, is unprecedented in the history of any town in the United States. Twenty-one streets at a single stroke! They have already opened or extended a certain street, named Commerce street, with the addition of two hundred and eighty feet, and the jury has assessed, in connection with that street, four thousand dollars in damages. The whole of that damage is provided for in the act of last winter, namely, that it shall be paid by the county of Lancaster. Now, in addition to what has been done, it is proposed to mulct our county in at least one hundred and fifty or two hundred thousand dollars, to benefit whom? A certain party who bought up the lands around the town of Columbia, and who now are to enrich themselves at the expense of the county treasury of Lancaster. We agreed in this bill that the county of Lancaster should pay one-third, which is more than they are entitled to receive. Our county taxes have recently been raised from three mills to five, so that the Senate must see we are loaded down with taxes; and yet it is proposed to inflict this additional and onerous burden to benefit a set of speculators around the town of Columbia and fleece us out of two hundred thousand dollars more.

Now, I ask this Senate whether this is right—that the county of Lancaster should pay all this damage?

I have already explained how that paper was obtained, and on behalf of my constituents I protest against it. I desire to relieve myself of all responsibility in the matter, if the Senate shall, notwithstanding, agree to adopt the amendment of my colleague. I shall, therefore, move to strike out "two-fifths" and insert "one-third."

Mr. FISHER. Mr. Speaker, my colleague is as well informed as to the rules of this Senate as he is of the facts and allegations he has chosen to make. The proposition now is to strike out what has just been inserted. If I understand the rules, that cannot be done.

Now, sir, the facts are these: The proposition to open several streets in the borough of Columbia is about as likely to be acted upon as the opening of a cast-iron bridge—just about and no more. There will probably be two streets opened, and it is very doubtful whether there will be any real expense at all in opening these, because, by referring to their charter, it will be discovered that in assessing the damages the advantages as well as the disadvantages to the property are to be taken into account. Therefore the value of the property of the farmers living in the immediate neighborhood will be so much enhanced by the opening of these streets. Again, sir, it is not very likely that these appraisers appointed within the bounds of Columbia, knowing that they will have to pay three-fifths of all the expense, will be inclined to make damages heavy. You know, Mr. Speaker, and every Senator on this floor knows, that opening the roads generally, unless there is a special act regulating the subject, are paid for out of the county treasury. Well, the opening of roads in a township does not enhance the value of the property, and hence the benefit derived from the assessments are not increased in consequence. But when you find a large, flourishing borough divided up into building lots, and it becomes necessary to open and develop the streets, it always increases very largely the revenues. That will unquestionably be the case in the borough of Columbia should these streets be opened. That has always been understood by the commissioners of the county, and by their solicitor, who is here.

Now, sir, my colleague says that I hold them in duress. That reminds me of the Paddy who surrounded three Hessians. Well, if one man can hold three commissioners in duress, he must have more power than I ever had or expected to have. But, seriously, that is not really the fact. There was nothing like duress in the matter. I did say I would oppose this bill, and I did say I would use all my power to defeat it unless they agreed upon this compromise. I was instructed to stand up for two-thirds, and they have compromised on the terms I have offered. Now, as far as duress is concerned, that is a myth. Certainly there is no truth in it, whatever else may be. Their solicitor is here, and if he were allowed to speak he could corroborate what I have said.

Mr. BILLINGFELT. The gentleman states that the damages will be low. I would call his attention to one instance of a street being opened two hundred and eighty feet, in which four thousand dollars were assessed. That is merely a start; but there are twenty more streets to follow this, sir.

Now, I repeat, the gentleman threatened the defeat of the bill, thereby extorting the signatures read, and the solicitor of the commissioners is here to attest the truthfulness of what I say.

I contend that neither my colleague nor any other Senator has a right to compromise the interests of his constituents in this instance—the taxpayers of Lancaster county. It is for the Senate, for both sides, to determine what is just and right for the people of Lancaster county, as well as for the borough of Columbia. It matters very little what the commissioners have said, have done or have agreed to; it is for this entire body to speak, weighing the fact that Lancaster county pays more taxes, with one exception, Philadelphia, into the treasury, than any other county of the State. I appeal to them, therefore, not to swell our debt hundreds of thousands more, but to reflect before taking any step of so great magnitude. In that, every constituent of mine has an interest, I have an interest, and my colleague has an interest. And I inform him, if he has not heard any excitement, he will hear it at his peril.

I wash my hands of this proceeding, and shift all responsibility upon him and those who coincide with him to prevent the passage of such a just and reasonable measure. I ask that the bill be allowed to proceed in its original character.

The bill then

Passed finally.

Agreably to order,

The Senate proceeded to consider Senate bill entitled An act to levy a tax upon horses kept for pleasure or hire in the city of Philadelphia.

The bill was read.

Mr. CONNELL moved to strike out "ten" and insert "three," making the bill read "a tax of three dollars shall be levied," etc.

The amendment was

Agreed to.

Mr. M'CANDLESS. I move to go into committee of the whole for the purpose of striking out in the fifth line "for pleasure or."

Mr. RIDGWAY. This would relieve persons who keep horses for pleasure, and lay the burden upon the poorer class of people.

Mr. M'CANDLESS. I desire to state that similar taxes to these are very onerous in the city of Philadelphia at present. Besides, there are few men keeping horses who could not allege that they employed them in their business, thus reducing the bill to a dead letter practically.

Mr. CONNELL. Justices are empowered to administer oaths to such parties.

Mr. M'CANDLESS. Mr. Speaker, the highway department of Philadelphia has ample power to take care of all the roads at present; again, gentlemen driving out into the country, do not relish being obliged to pay to keep their countrymen's roads in good condition.

The motion to go into committee of the whole was

Not agreed to.

On the final passage of the bill,

The yeas and nays were required by Mr. M'CANDLESS and Mr. CONNELL, and were as follow, viz:

YEAS—Messrs. Bigham, Billingfelt, Browne (Lawrence), Brown (Mercer), Coleman, Connell, Cowles, Fisher, Graham, Haines, Landon, Lowry, M'Conaughy, Ridgway, Royer, Shoemaker, Stutzman, Taylor, White, Worthington and Hall, *Speaker*—21.

NAYS—Messrs. Burnett, Davis, Donovan, Glatz, Jackson, James, M'Candless, Randall, Schall, Searight and Wallace—11.

So the question was determined in the affirmative.

AFTERNOON SESSION.

Mr. CONNELL. I move that when this Senate adjourn, it adjourn to meet at three o'clock this afternoon.

Agreed to.

MESSAGES FROM THE GOVERNOR.

The Deputy Secretary of the Commonwealth being introduced, presented a message from the Governor, which was read as follows, viz:

EXECUTIVE CHAMBER,
HARRISBURG, March 26, 1867.

To the Senate and House of Representatives of the Commonwealth of Pennsylvania:

GENTLEMEN—I have approved and signed the following acts of the General Assembly:

On the 22d instant:

An act supplemental to an act incorporating the Birmingham and Brownsville macadamized turnpike road company.

An act making it an offense for railroad corporations, within this Commonwealth, to make any distinction with their passengers on account of race or color, and punishing said corporations and their agents and employees for the commission of said offense.

An act to incorporate the Lebanon County Soldiers' and Sailors' Monument association.

An act to authorize the supervisors of Kingston township, in Luzerne county, to collect their own duplicates.

A further supplement to an act to incorporate the Birmingham and Pittsburg bridge company.

An act to prevent and punish prize fighting.

An act to incorporate the Scranton base ball club of Scranton.

An act to authorize the school directors of the borough of White Haven, in the county of Luzerne, to borrow money to build school houses.

An act to authorize the school directors of Marshall and North Fayette townships, Allegheny county, and Silver Spring township, Cumberland county, to apply the surplus of bounty tax in their hands to school purpose.

A supplement to an act entitled An act to provide for the ordinary expenses of the government and other general and specific appropriations, approved April 11, 1866, relative to the Keystone State Normal school.

A supplement to the act entitled An act for the erection of the Gettysburg gymnasium into a college, and for other purposes, approved April 7, 1832.

An act to enable the board of directors of common schools of Benton township, Luzerne county, to apply surplus of bounty fund to common school purposes.

An act to change the time of holding borough elections in the borough of Minersville, Schuylkill county.

An act to incorporate the Manta Grandee silver mining and commercial company.

An act to incorporate the Enterprise mining and exploring company.

An act to incorporate the Tremont gas and water company.

An act to incorporate the Union iron mills.

An act to incorporate the Downington gas and water company.

An act to incorporate the Quaker City barge club of the city of Philadelphia.

An act to declare Mountgomery creek, in the county of Clearfield, a public highway.

An act to incoporate the Susquehanna summer resort.

An act to regulate the granting of licenses to hotels and eating houses, approved March 21, 1856.

An act to repeal an act entitled A further supplement to the act incorporating the Pennsylvania railroad company, authorizing an increase of capital stock and to borrow money, approved the 21st day of March, A. D. 1866, and also to authorize the Pennsylvania railroad company, by this act, to increase the capital stock, to issue bonds and to secure the same by mortgage.

An act to increase the revenue of the Commonwealth.

An act to attach the farm of David Dietz, in Pennsborough township, Cumberland county, to the township of Hampden, in said county, for school purposes.

An act to incorporate the Summit turnpike road company in the county of Clearfield.

An act relative to the coroner of the city and county of Philadelphia.

An act to incorporate the Philadelphia coal company.

An act to incorporate the Philadelphia Enterprise gold and silver mining company of Montana.

An act to incorporate the Rob Roy gold and silver mining company.

An act to repeal the fourth section of an act relating to certain election districts in Schuylkill county.

An act to incorporate the Schuylkill insurance company of Philadelphia.

An act to incorporate the National Homestead, at Gettysburg, for the orphans of our soldiers and sailors.

An act appointing commissioners to lay out and open a State road in the counties of Cameron, Elk and Clearfield, from the Sinnemahoning to the West Branch of the Susquehanna.

An act to incorporate the Marine Hospital of Pennsylvania, in the county of Erie, to fix location of hospital in Erie city, and to grant real estate to said hospital.

An act to incorporate the Caledonia iron, land and railroad company.

An act to incorporate the American button-hole, overseaming and sewing machine company.

On the 23d instant:

An act to incorporate the Northern railroad and navigation company.

An act to incorporate the Wyoming bridge company.

An act to incorporate the Myuga iron company.

An act to establish a ferry over the Allegheny river at Tidioute, Warren county.

An act relative to judicial sales and the preservation of the lien of mortgages.

On the 22d instant:

Joint resolution authorizing the appointment of a special agent to collect disallowed and suspended claims against the United States.

Joint resolution providing for the final adjournment of the Legislature.

JNO. W. GEARY.

Laid on the table.

SELECTION OF JURORS.

On motion of Mr. SHOEMAKER, the Senate proceeded to consider Senate bill No. 89, entitled An act for the better and more impartial selection of persons to serve as jurors in the several courts of this Commonwealth.

The bill came up on second reading, and was read as follows:

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That at the general election to be held on the second Tuesday of October, Anno Domini one thousand eight hundred and sixty-seven, and tri-annually thereafter, at such election, the qualified electors of the several counties of this Commonwealth shall elect, in the manner now provided by law for the election of other county officers, two sober, intelligent and judicious persons, to serve as jury commissioners, in each of said counties, for the period of three years ensuing their election; but the same person, or persons, shall not be eligible for re-election more than once in any period of six years: *Provided,* That each of said qualified electors shall vote for one person only as jury commissioner, and the two persons having the greatest number of votes for jury commissioner shall be duly elected jury commissioners for such county.

SEC. 2. It shall be the duty of said jury commissioners to meet at the seat of justice of the respective counties, at least thirty days before the first term of the court of common pleas, in every year, and thereupon proceed, with due diligence, to select from the whole male taxable citizens of the respective county at large, a number, such as at the term of the court, of pleas next preceding shall, by the said court, be designated, of sober, intelligent and judicious persons, to serve as jurors in the several courts of such county, during that year; and if the said commissioners cannot agree upon the names of the persons to be selected by them as jurors, they shall proceed as follows: Each of the commissioners shall make a list containing the names of one half of the requisite number of persons, and ten per centum in addition thereto, and the proper number shall be obtained by each of said commissioners, striking from the list furnished by the other, a number equal to the said addition; and the names not stricken out shall be the selection of the names of jurors, and the said jury commissioners shall, in the mode and manner now directed by law, place the names of persons so selected, in the proper jury wheel, and the said jury wheel locked, as now required by law, shall remain in the custody of the said jury commissioners and the keys thereof in the custody of the sheriff of said county.

SEC. 3. The said jury commissioners and the sheriff of the respective county, or any two of them, shall draw from the proper jury wheel panels of jurors, as grand jurors of the proper county, and as petit and traverse jurors, for the trial of issues in fact which may be taken in any action in any of the courts, civil and criminal, in the several counties aforesaid, in the manner now practised and allowed; but before the said jury commissioners and sheriff shall proceed to select or draw jurors in the manner aforesaid, they shall severally take the oath or affirmation now prescribed by law to be taken by the sheriff and county commissioners before selecting and drawing jurors.

SEC. 4. That so much of any act or acts of Assembly of this Commonwealth, as makes it the duty of the sheriff and county commissioners of any of said counties to select and draw jurors, shall be repealed, and cease to have any force or effect from and after the first day of December next, Anno Domini one thousand eight hundred and sixty-seven: *Provided,* That all acts, and parts of acts of Assembly, now in force, in relation to the custody, sealing and unsealing, locking and opening of the jury wheel of the respective county, and all acts, and parts of acts of Assembly, now in force, imposing any penalty or punishment on the sheriff and county commissioners, or either of them, for anything done or omitted by them in relation to the keeping, locking, opening, sealing or breaking the seal of any jury wheel, or in relation to the selecting or drawing of jurors, shall be taken, deemed and held to apply to the said jury commissioners and sheriff.

SEC. 5. Each of said jury commissioners shall be allowed and paid out of the respective county treasury two dollars and fifty cents per day, and four cents per mile, circular, from the residence of the commissioners to the court house.

SEC. 6. It shall be the duty of each of said jury commissioners to take upon himself and discharge the duties of his said office, under a penalty of one hundred dollars for each and every neglect or refusal to attend the same, to be sued for and recovered before any justice of the peace of the proper

county, as debts of like amount are now by law recoverable, ten dollars of which shall go to the person suing and the residue to be paid by the said justice to the treasurer of the respective county for the use of the same.

SEC. 7. In case of the inability of either or both of the said jury commissioners, by sickness or death, or other unavoidable causes, to discharge the duties of said office, or in case of neglect or refusal to serve thereon, it shall be the duty of the president judge in such county, wherein said vacancy may have occurred, to appoint a suitable person or persons, as the case may be, possessing the qualifications aforesaid, to perform the duties of said office during such vacancy, and such person or persons, after having complied with the requirements of the third section of this act, shall proceed to discharge the duties of said office the same as if elected by the people, until the next general election, when the people shall elect a commissioner in lieu thereof.

Pending the consideration of this bill the Senate

Adjourned.

AFTERNOON SESSION.

The Senate re-assembled at 3 o'clock, P. M., and resumed the further consideration of Senate bill No. 89, entitled An act for the better selection of persons to serve as jurors in the several courts of this Commonwealth.

The question recurring on the final passage of the bill,

The yeas and nays were required by Mr. WHITE and Mr. HAINES, and were as follow, viz:

YEAS—Messrs. Bigham, Browne (Lawrence), Burnett, Coleman, Connell, Cowles, Donovan, Glatz, Graham, Haines, Jackson, James, Landon, Lowry, M'Candless, M'Conaughy, Randall, Ridgway, Royer, Schall, Searight, Shoemaker, Stutzman, Wallace, Walls and Hall, *Speaker*—26.

NAYS—Messrs. Billingfelt, Brown (Mercer), Davis, Fisher, White and Worthington—6.

So the bill

Passed finally.

[For the entire proceedings of the Senate on this bill, see *Appendix*.]

REGISTRATION OF VOTERS.

On motion of Mr. SHOEMAKER, the Senate proceeded to the consideration of Senate bill No. 877, entitled A further supplement to the act relating to the elections of this Commonwealth.

The Senate having resolved itself into committee of the whole (Mr. COWLES in the chair), the bill was read as follows:

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same*, That from and after the passage of this act it shall be the duty of the several assessors within this Commonwealth, on receiving their transcripts from the county commissioners, to proceed to make out a list in alphabetical order of the white freemen above twenty-one years of age, who they shall know, or who shall make claim to said assessors to be qualified voters within their respective townships, boroughs, wards, or other election districts, and opposite said names state whether the said freeman is or is not a housekeeper, and if he is, the number of his residence in towns where the same are numbered, with the street, alley, or court in which situated, and if in a town where there are no numbers, the name of the street, alley, or court, on which said house fronts; also, the occupation of the party; and where he is not a housekeeper, the occupation, place of boarding, and with whom, and if working for another the name of the employer. Where said party is a foreigner, and claims to vote by reason of naturalization, he shall exhibit his certificate thereof to the assessor, unless he shall have voted in the township, borough, ward, or district, at a preceding general election, and on exhibition of the certificate the name shall be marked with the letter N; where the party has merely declared his intention to become a citizen and designs to be naturalized before the next election the name shall be marked D I; where the claim is to vote by reason of being between the ages of twenty-one and twenty-two, as provided by law, the word "age" shall be entered, and if the party has moved into the election district to reside since the last general election the letter "R" shall be placed opposite the name, and in all of the cases enumerated a tax shall forthwith be assessed against the person.

SEC. 2. On the lists being completed and assessments made as aforesaid, the same shall forthwith be returned to the county commissioners, who shall cause duplicate copies of said lists, with the observations and explanations required to be noted, as aforesaid, to be made out, as soon as practicable, and placed in the hands of the assessor, who shall, prior to the first of August next ensuing said assessment, put one copy thereof on the door of the house where the election of the respective district is required to be held, and retain the other in his possession for the inspection, free of charge, of any person, resident within the said election district, who shall desire to see the same; and it shall be the duty of said assessor to add, from time to time, on personal application of any one claiming the right to vote, the name of such claimant, and mark opposite the name "C. V.," and immediately assess him with a tax. On the fourteenth day preceding the general election in October next, thereafter, it shall be the duty of the assessor to produce the list in his possession to the inspectors and judges of the election of the proper district, at a meeting to be held by them as hereinafter direeted.

SEC. 3. It shall be the duty of the inspectors and judge of the election, together with the assessor, to attend at the place of holding the general elections for the respective districts, on Thursday, the twelfth day preceding the second Tuesday in October, and on the other days hereinafter mentioned, and continue in open session at said place from nine o'clock, A. M., to six o'clock, P. M., of said day, to hear proof of the right of the respective persons to vote whose names are contained in the assessor's list, as before mentioned, or who shall apply to them to have their names registered; and all persons who have not previously voted in the election district shall make due proof in the manner now prescribed by the election laws of their right to vote in said district, and like proof shall be made in all cases, by those applying for registry, whose names are not enrolled by the assessor, and it shall then be the duty of the assessor to forthwith assess said person with a tax, as required by law, on the proof being made to the satisfaction of the election board; on the list of voters in the township being complete, it shall be the duty of the election officers, aforesaid, to cause duplicate copies thereof to be made out forthwith, in alphabetical order, one of which shall be placed on the door of the house, where the elections are to be held, and the other retained by the judge of the election, who shall hold the same, subject to the inspection of and citizen of said district, until the day of the general election, and produce the same thereat, and as each person, whose name is enrolled, votes at such election, one of the clerks thereof shall mark on or opposite to the name "voted;" and it shall not be lawful for the officers of the election to receive the vote of any person whose name was not contained in said registry, made out and put up ten days before the election, as aforesaid, and the reception of the vote of any person not so registered shall constitute a misdemeanor in the election officers so receiving it, and on conviction thereof the election officers so offending shall be subject to fine and imprisonment, at the discretion of the court.

SEC. 4. It shall be lawful for any qualified citizen of the district, notwithstanding the name of the proposed voter is contained in the registry, and the right to vote has been passed on by the election board, to challenge the vote of such person, whereupon the same proof of the right of suffrage as is now required by law, shall be publicly made and again acted on by the election board, and the vote admitted or rejected, according to the evidence. Every foreigner shall be required to produce his naturalization certificate at the election before voting, as required by existing laws, although the same may have been exhibited to the election board before registry, and on the vote of such person being received, it shall be the duty of the election officers to cause to be distinctly written thereon the word "voted," with the month and year; and if any election officers at the same, or any other district, shall receive a second vote on the same day, by virtue of such certificate, the persons so offending shall be guilty of a high misdemeanor, and on conviction thereof, be fined and imprisoned, at the discretion of the court: *Provided*, Said fine shall not exceed one hundred dollars, and the imprisonment shall not exceed one year; and like punishment may be inflicted on the officers of the election who shall neglect or refuse to make, or cause to be made, the endorsement required, as aforesaid, on said naturalization certificate.

SEC. 5. On the close of the polls the registry list on which the memorandum of the voting has been kept as before directed, shall be sealed up with and preserved in the same manner now required by law, as to the tally papers, and not taken out until after the next meeting of the Legislature, unless required on the hearing of a contested election, or for the purpose of being used at the election of presidential electors, or preparatory thereto, as hereafter provided, after which it shall again be sealed up and carefully preserved as before directed.

SEC. 6. On the Thursday twelve days preceding every election for electors of President and Vice President of the United States, it shall be the duty of the election board and the proper assessor to meet at the place of holding the general election in the district, for the same length of time and in the manner directed in the third section of this act, and then and there hear all applications of persons whose names have been omitted from the registry and who claim the right to vote, or whose rights have originated since the same was made out, and add thereto the names of such persons as shall show that they are entitled to the right of suffrage in such district on the personal application of the claimant only; and if the person shall not have been previously assessed, it shall be the duty of the assessor forthwith to assess him with the proper tax; after completing the list, a copy thereof shall be placed on the door of the house where the election is to be held, at least ten days prior to holding the same, when the same course shall be pursued in every particular in regard to receiving or rejecting votes, marking the same on the registry list, endorsing the naturalization papers with the proper month and

year, preserving the paper, et cetera, as is required by this act, at the general elections in October.

SEC. 7. At every special election directed by law, and at every city, ward, borough or township election, the registry required to be kept as aforesaid, may be used by the proper officers as evidence of the persons entitled to vote thereat, and said officers shall require all persons whose names are not on the registry, whether they are challenged or not, to show that they possess the right of suffrage at said election; but nothing herein contained shall make said registry conclusive of the right of the person to vote at such election, but the same shall be judged of and decided as in other cases.

SEC. 8. Before entering on the duties of their offices under this act, the respective assessors and inspectors and judges of the elections shall take an oath, before some competent authority, in addition to the oaths now required by law, "to perform the several duties enjoined by this act, with fidelity, and according to the requirements thereof in every particular to the best of their ability;" they shall each have the power to administer oaths to every person claiming the right to be assessed or enrolled, or the right of suffrage, or in regard to any other matter or thing required to be done or inquired into by said officers under this act, and any willful false swearing by any person in relation to any matter or thing, concerning which they shall be lawfully interrogated by any of said officers, under this act, shall be punished as perjury. Said assessors, inspectors and judges shall each receive the same compensation, for the time necessarily spent in performing the duties hereby enjoined, as is provided by law, for the performance of their other duties, to be paid by the county commissioners, as in other cases, with a proper allowance, to be judged of by the said commissioners, for the expense of making the lists or registries hereby required to be made out.

SEC. 9. On the petition of five or more citizens of the election district, stating, under oath, that they verily believe that frauds will be practiced at the election about to be held in said district, it shall be lawful for the court of common pleas, if in session, or if not, a judge thereof in vacation, to appoint two persons, judicious, sober and intelligent citizens of the district, to act as overseers at said election. Said persons shall be selected from different political parties where the inspectors belong to different parties, and where both of said inspectors belong to the same political party, both of the overseers shall be taken from the opposite political party. Said overseers shall have the right to be present with the officers of the election during the whole time the same is held, the votes counted and returns made out and signed by the election officers; to keep a list of the voters, if they see proper; to challenge any person offering to vote, and interrogate him and his witnesses under oath, in regard to the right of suffrage at said election; to examine his papers produced; and the officers of said election are required to afford to said overseers so selected and appointed every convenience and facility for the discharge of their duty; and if said officers shall refuse to permit said overseers to be present and perform their duty as aforesaid, or they shall be driven away from the polls by violence or unreasonable intimidation, all of the votes polled at said election district, shall be rejected by any tribunal trying a contest under said election.

SEC. 10. If it shall be made to appear, before any tribunal trying a contested election, that more votes have been polled and returned, or returned only, than there are legal voters in the district, including those who were absent from the election, it shall be conclusive evidence of fraud in conducting the same, and the entire vote of the district shall be rejected.

SEC. 11. If any prothonotary, clerk, or the deputy of either, or any other person, shall affix the seal of office to any naturalization paper, and give out the same in blank, whereby it may be fraudulently used, or furnish a naturalization certificate to any person who shall not have been duly examined and sworn in open court, in presence of some of the judges thereof, according to the act of Congress, he shall be guilty of high misdemeanor; and if any person shall fraudulently use any such certificate of naturalization, knowing that it was fraudulently issued, and shall vote, or attempt to vote thereon, he shall be guilty of a high misdemeanor, and either or any of the persons, their aiders or abettors, guilty of either of the misdemeanors aforesaid, shall, on conviction, be fined a sum not exceeding one thousand dollars and imprisoned in the proper penitentiary for a period not exceeding three years.

SEC. 12. If any inspector or judge of the election shall, from any cause, be entirely unable to attend at the place, or perform the duties of his appointment, he may be at liberty to nominate a suitable qualified citizen of the district to act in his stead. If from death or legal inability no such nomination can be made, it shall be lawful for the inspector having the highest number of votes to appoint a person for judge, to perform the duties enjoined; and if it is the inspector having the highest number of votes who is absent, it shall be lawful for the judge to supply his place by appointment. If the inspector having the smallest number of votes is from any cause unable to attend, a judge of the court of the proper county shall, on the petition of three or more citizens, fill his place by appointment, and shall make his selection from the opposite political party from the inspector having the highest number of votes. Such judge may also, by appointment, in case of a vacancy in the board, from any cause, fill the same: *Provided*, There is no person designated by law to make the appointment, and in every case the person selected shall be a sober, judicious and qualified voter of the district.

SEC. 13. Any assessor, election officer or person appointed as an overseer, who shall neglect or refuse to perform any duty enjoined by this act, without reasonable, legal cause, shall be subject to a penalty of one hundred dollars; and if any assessor or election officer shall enroll any person as a voter who he shall know is disqualified, or refuse to enroll any one who he shall know is qualified, he shall be guilty of a misdemeanor in office, and on conviction, be punished by fine and imprisonment, and also be subject to an action for damages by the party aggrieved. And if any person shall fraudulently alter, add to, deface, or destroy any registry of voters, made out as directed by this act, or tear down or remove the same from the place where it has been fixed by or under the direction of the election officers, with like fraudulent or mischievous intent, or for any improper purpose, the person so offending shall be guilty of a high misdemeanor, and on conviction, shall be punished by a fine not exceeding five hundred dollars and imprisonment not exceeding two years.

SEC. 14. None of the provisions of this act shall apply to the city of Philadelphia.

The committee of the whole having arisen the bill went over on second reading.

[For the complete action of the committee on this bill see *Appendix*.]

BILLS PASSED.

On motion of Mr. COLEMAN, the rules were dispensed with, and the Senate proceeded to the consideration of a bill entitled An act relating to hawkers and peddlers or traveling merchants in the counties of Lebanon and Wyoming.

The bill was read a second and third time, and

Passed finally.

On motion of Mr. GRAHAM, the Committee on Corporations was discharged from the further consideration of a bill entitled A supplement to an act to incorporate the Superior iron company.

And the rules having been dispensed with, The bill was read a second and third time, and

Passed finally.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

The Clerk of the House of Representatives being introduced, returned bills from the Senate numbered and entitled as follows:

No. 1027, an act to incorporate the Review printing house company of Philadelphia.

No. 625, an act to authorize the poormasters of Hamlin township, M'Kean county, to levy an additional poor tax.

No. 688, an act to regulate the fees of directors of the poor and house of employment of the county of Bedford.

No. 689, an act relating to the office of county treasurer in Allegheny county.

With information that the House of Representatives has passed the same without amendments.

He also presented for concurrence bills numbered and entitled as follows, viz:

No. 1327, an act to pay a pension to Sarah Winters, widow of Stacey Winters, a soldier of the war of 1812.

Referred to the Committee on Pensions and Gratuities.

He also returned bill from the Senate numbered and entitled as follows, viz:

No. 701, an act to incorporate the Enterprise gas light company.

With information that the House of Representatives has passed the same with amendments, in which the concurrence of the Senate is requested.

Said amendments having been read,

A motion was made by Mr. WHITE, that the Senate non-concur in said amendments, which was

Agreed to.

PETITION.

On leave,

Mr. M'COOAUGHY presented a petition of citizens of Gettysburg, praying for a change in the State road from Harrisburg to Gettysburg, in Adams county, at the borough of Gettysburg.

Referred to the Committee on Roads and Bridges.

BILLS IN PLACE.

On leave,

Mr. CONNELL read in his place and presented to the Chair a bill entitled An act relative to the stone in certain locks in the Franklin branch of the Pennsylvania canal.

Referred to the Committee on Finance.

Mr. BILLINGFELT, a bill entitled A supplement to an act relating to orphans' courts, and for other purposes, passed October 13th, 1840.

Referred to the Committee on the Judiciary General.

Mr. TAYLOR, a bill entitled An act to authorize the Governor to appoint an additional notary public in the county of Beaver.

Referred to the Committee on the Judiciary Local.

Mr. RANDALL, a bill entitled An act re-

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[CONTINUED FROM PAGE 760.]

lative to the Schuylkill County Park association.

Referred to the Committee on the Judiciary Local.

Mr. WALLS, an act in relation to the re-election of the treasurer of Lycoming county.

Referred to the Committee on the Judiciary Local.

Mr. RIDGWAY, a bill entitled An act relative to the Merchants' and People's transportation company.

Referred to the Committee on Corporations.

Mr. BURNETT, a bill entitled A further supplement to an act enabling banks of this Commonwealth to become associations for the purpose of banking under the laws of the United States.

Referred to the Committee on Banks.

Mr. JACKSON, a bill entitled A supplement to an act to incorporate the Bald Eagle boom company, in Clinton county, approved April 13th, 1859, giving said company the right to increase their tolls or boomage.

Referred to the Committee on Canals and Inland Navigation.

Mr. BIGHAM, a bill entitled An act to authorize the Allegheny Valley railroad company to issue additional stock and bonds, and to repeal the act entitled An act to authorize the Allegheny Valley railroad company to mortgage its road and branches to complete the same, and approved the 8th day of March, 1867.

Referred to the Committee on Railroads.

Mr. M'CANDLESS, a bill entitled An act to authorize the conveyance of certain real estate in the city of Philadelphia by the committee of Samuel Griffith, a lunatic.

Referred to the Committee on Estates and Escheats.

REPORTS FROM COMMITTEES.

On leave

Mr. M'CONAUGHY, from the Committee on Estates and Escheats, reported, with amendment, a bill entitled An act to authorize Catharine Floto, Mary K. Floto, George H. Floto and Emma G. Floto to sell and convey certain real estate.

Also (same), as committed, a bill entitled An act to authorize the city of Philadelphia to sell certain ground in the Eleventh ward.

Mr. COWLES (same), as committed, a bill entitled An act to to authorize the Evangelical Lutheran congregation of Berlin, in the county of Somerset, to sell certain real estate.

BILLS CONSIDERED.

On motion of Mr. SCHALL, the rules were dispensed with, and the Senate proceeded to the consideration of a bill entitled An act to authorize Catharine Floto, Mary K. Floto, George H. Floto and Emma G. Floto to sell and convey certain real estate.

The bill was read a second and third time, and

Passed finally.

Mr. M'CANDLESS moved that the Committee on Estates and Escheats be discharged from the further consideration of a bill entitled An act to authorize the conveyance of certain real estate in the city of Philadelphia, by the committee of Samuel Griffith, a lunatic, and that the Senate proceed to the consideration of the same.

Mr. BROWNE (Lawrence). Mr. Speaker, to preserve consistency, I feel impelled to object to this motion. On more than one occasion my privilege of a call has been lost by the undue intervention of motions of this kind.

Mr. M'CANDLESS. Notwithstanding the gentleman's uniform observance of rules, I must, in this instance, ask the Senate to afford me this indulgence.

Mr. M'CONAUGHY. Does the Senator know that the courts have no power in this case?

Mr. M'CANDLESS. The courts have acted upon this matter to the verge of their jurisdiction, and it is sent here with letters from the attorneys on each side, requesting that it be passed, on account of the inability of the courts to act.

On the motion to suspend the rules, and proceed to the consideration of the bill,

The yeas and nays were required by Mr. BROWNE (Lawrence) and Mr. BILLINGFELT, and were as follow, viz:

YEAS—Messrs. Bigham, Brown (Mercer), Burnett, Coleman, Connell, Davis, Donovan, Fisher, Glatz, Graham, Haines, Jackson, Landon, M'Candless, M'Conaughy, Randall, Ridgway, Royer, Schall, Searight, Shoemaker, Stutzman, Taylor, Wallace, Walls, White, Worthington and Hall, *Speaker*—28.

NAYS—Messrs. Billingfelt and Browne (Lawrence)—2.

So the question was determined in the affirmative.

The bill was then read the second and third time, and

Passed finally.

Mr. BIGHAM moved that the Committee on Railroads be discharged from the further consideration of a bill entitled An act to authorize the Allegheny Valley railroad company to issue additional stock and bonds, and to repeal the act entitled An act to authorize the Allegheny Valley railroad company to mortgage its road and branches to complete the same, approved the 8th day of March, 1867.

Mr. RIDGWAY. Mr. Speaker, it appears to me that the bill is not what it appears on its face. It pretends to repeal the other bill and to give branching privileges.

Mr. GRAHAM. I believe, sir, that this is a similar bill precisely to the one now passed and become a law; it is subject, however, to limitations. It is virtually an abridgment of privileges, at present guaranteed to that company by the existing law, and is proposed pursuant to a recommendation of the Governor, and to meet his wishes.

The motion was

Agreed to.

The Senate then adjourned.

CORRECTIONS.

On page 662 of the *Record*, among the names of the gentlemen called by the Speaker as being in contempt of the House, appears that of Mr. WELLER; it should read as the name of Mr. WESTBROOK.

In the Senate proceedings of March 15, Mr. BROWN, Senator from Mercer county, is made to appear as making a motion for a special session, for the consideration of the bill entitled An act to ascertain the views of the qualified electors of the city and county of Philadelphia, upon the subject of allowing the passenger railway companies of said city to run their cars on the first day of the week, commonly called Sunday.

The motion was made by the Rev. Mr. BROWNE, Senator from Lawrence county, and should have so appeared.

HOUSE OF REPRESENTATIVES.

MONDAY, March 25, 1867.

The House met at 7½ o'clock, P. M.

Prayer was offered by Rev. J. KENNEDY, member from Wyoming.

The SPEAKER announced a quorum of members present.

The Journal of yesterday was partly read, when,

On motion, the further reading of the same was dispensed with.

Mr. DAVIS. Mr. Speaker, I ask leave to read a bill in place.

Leave was granted.

Mr. DAVIS. Mr. Speaker, I read in my place,

An act to establish a depot for the sale of cattle, calves, sheep and hogs in the city of Philadelphia, and to provide for the inspection of the same, and ask for a suspension of the rules to consider the bill at this time.

On the question of suspending the rules,

The yeas and nays were required by Mr. SATTERTHWAIT and Mr. PENNYPACKER, and were as follow, viz:

YEAS—Messrs. Adaire, Barton, Bracen, Brennan, Brown, Calvin, Cameron, Chase, Collins, Colville, Davis, Donohugh, Espy, Freeborn, Gallagher, Ghegan, Gordon, Gregory, Harbison, Headman, Heltzel, Hoffman, Hood, Humphrey, Josephs, Kennedy, Kerns, Kimmell, Kinney, Koon, Kurtz, Lee, Long, M'Camant, M'Creary, M'Henry, Maish, Mechling, Mullin, Pillow, Quigley, Rhoads, Roath, Robinson, Roush, Seiler, Shuman, Stumbaugh, Subers, Watt, Webb, Westbrook, Wilson, Wingard, Woodward, Worrall and Glass, *Speaker*—56.

NAYS—Messrs. Armstrong, Boyle, Chadwick, Dey, Deise, Ewing, Harner, Hunt, Jenks,

Jones, Kline, Linton, M'Pherrin, Mann, Marks, Pennypacker, Phelan, Quay, Richards, Satterthwait, Sharples, Steacy, Stehman, Tharp, Waddell, Wallace, Weller and Wharton—28.

So the question was determined in the affirmative.

The first section was read, and

Agreed to.

The second section was read, and

On the question, Will the House agree to the section?

A prolonged discussion was had, the report of which will appear in the *Appendix* to the *Record*.

During the discussion,

Mr. ARMSTRONG moved the indefinite postponement of the bill.

On that question,

The yeas and nays were required by Mr. KURTZ and Mr. BOYLE, and were as follow, viz:

YEAS—Messrs. Adaire, Armstrong, Barton, Boyd, Boyle, Breen, Brown, Calvin, Chadwick, Collins, Craig, Davis, Day, Deise, Donohugh, Espy, Ewing, Freeborn, Gallagher, Gordon, Gregory, Harner, Headman, Heitzel, Hood, Humphrey, Hunt, Jenks, Jones, Josephs, Kennedy, Kimmell, Kline, Koon, Kurtz, Linton, M'Creary, M'Henry, Maish, Mann, Marks, Meily, Pennypacker, Phelan, Pillow, Quay, Quigley, Rhoads, Richards, Roath, Roush, Satterthwait, Sharples, Steacy, Stehman, Stumbaugh, Subers, Tharp, Waddell, Wallace, Webb, Weller, Westbrook, Whann, Wharton, Wilson, Wingard, Woodward, Worrall and Glass, *Speaker*—70.

NAYS—Messrs. Cameron, Chase, Colville, Ghegan, Barbison, Hoffman, Kerns, Kinney, Lee, M'Pherrin, Mechling, Mullin, Seiler, Shuman and Watt—15.

So the question was determined in the affirmative.

Mr. M'HENRY. Mr. Speaker, I ask leave to offer a resolution.

Leave was granted.

Mr. M'HENRY. Mr. Speaker, I offer the following resolution:

Resolved (if the Senate concur), That the Governor be requested to return to the House House bill No. 570, entitled An act to incorporate the Shickshinny and New Columbus turnpike road company, in the county of Luzerne.

The resolution was twice read, and

Agreed to.

Mr. HARBISON. Mr. Speaker, I ask leave to make a statement.

Leave was granted.

Mr. HARBISON. Mr. Speaker, the Pennsylvania and Ohio canal company are now in a condition that they are liable to lose their charter, for the reason that the middle section of the canal is not in a navigable condition.

The eastern terminus is in good condition, and is a portion in which my constituents are deeply interested. That portion pays its way. I, therefore, ask leave to read a bill in place in reference to this matter, and have it put on its passage.

The motion was

Agreed to.

The bill was read as follows:

No. 1664, an act concurrent with an act passed by the Legislature of Ohio, on the 20th day of March, A. D. 1867, in relation to the Ohio and Pennsylvania canal company.

On the question,

Will the House agree to the bill?

Mr. MANN. Mr. Speaker, I want to know if we are to be asked to enact a law of Ohio without knowing what it is? I hope we will not be asked to do so monstrous a thing as that. We do not know what a single one of the provisions of that bill is.

Mr. STUMBAUGH. Mr. Speaker, I understand there is a copy of the act passed by the Legislature of Ohio in the hands of the Clerk. I ask for the reading of it that we may understand what we are voting upon.

The bill was read by the Clerk as follows:

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the board of directors of the Pennsylvania and Ohio canal company be, and they are hereby, authorized and empowered to lease, sell or abandon such portion or portions of said canal, and its appendages as may, in their opinion, be for the interest of said company, and not prejudicial to the public interest, to so lease, sell or abandon, and thereafter the portion or portions so abandoned, shall cease to be a public highway or thoroughfare: *Provided*, That such abandonment shall not be construed to release the said Pennsylvania and Ohio canal company from any liability or contract incurred or entered into, nor defeat the rights of any person or persons, company or corporation, nor to prevent the collection of tolls, as now authorized by law, upon any portion of said canal not so abandoned.

SEC. 2. Before any action shall be taken by the board of directors under this act, a meeting of the stockholders shall be called, and a vote of a majority of stock shall be necessary to authorize the board of directors to act under authority conferred by this act. A notice of such meeting shall be published at least thirty days in the counties of Summit, Portage, Trumbull and Mahoning, in the State of Ohio, and in the counties of Lawrence and Beaver, in the State of Pennsylvania, stating the time, place and purpose of such meeting.

SEC. 3. Before abandoning any portion or portions of said canal, said company shall advertise its intention to do so, for four consecutive weeks, in at least one newspaper in each of the said counties of Summit Portage, Trumbull, Mahoning, Lawrence and Beaver, stating therein what portions of said canal will be, and at what time, abandoned, unless previous thereto other responsible persons, companies or corporations shall contract and agree to take and keep the same in repair and navigable condition, at their expense and risk, and subject to all damages on their account thereof, and save said canal company harmless therefrom; and for the purpose of giving other persons, companies or corporations a reasonable opportunity of leasing, purchasing or contracting to maintain portions of said canal in navigable order, said company may divide said canal into portions or divisions, as follows, to wit: First, From Akron to the Little Cuyahoga feeder, at Middlebury, and including said feeder. Second, Thence to the lock in the dam of the Cuyahoga river at Franklin, and including the reservoirs in Portage county, with such portions of the feeders and canal as may be required to conduct the water therefrom to said division. Third, Thence to the crossing of the Cleveland and Pittsburg railroad. Fourth, Thence to Warren, in Trumbull county. Fifth, Thence to Girard, in Trumbull county. Sixth, Thence to the junction with Pennsylvania canals, in Lawrence county: *Provided*, No portion of any division of said canal shall be abandoned for which responsible parties will enter into bonds with the said canal company, as provided in section three of this act.

SEC. 4. This act shall take effect from and after its passage.

ED. A. PARROTT,
Speaker of the House of Representatives.
ANDREW G. M'BURNEY,
President of the Senate.

Passed March 20th, 1867.

STATE OF OHIO,
Office of the Secretary of State.

I, William Henry Smith, Secretary of the State of Ohio, do hereby certify that the foregoing is a true copy of an act therein named, passed by the General Assembly of the State of Ohio, on the 20th day of March, A. D. 1867, taken from the original rolls on file in this office.

In testimony whereof, I have hereunto subscribed my name and affixed the Great Seal of the State of Ohio, at Columbus, the 21st day of March, A. D. 1867.

WM. HENRY SMITH,
[L. S.] Secretary of State.

Mr. HARBISON. Mr. Speaker, I simply wish to say that the nature of this case is something like this: This canal has been in such a condition, having come in competition with railroad companies, that the middle and western portions of it have not been paying. Those parts are getting into a dilapidated condition on account of the business not paying to keep the canal up in those portions. But the eastern section from Girard, Ohio, to the intersection of the Erie canal, at New Castle, is paying. Our people in Lawrence county are very much interested in that portion of the canal. A large amount of limestone, iron and coal is transported by means of this canal, and unless the company is allowed to abanden the dilapidated portions, they will be compelled to abandon the whole thing. If they are allowed to abandon that portion they propose to keep up that portion which does pay. They have procured an act from the Ohio Legislature allowing them to do so in that State. There are about ten or twelve miles in Pennsylvania, and I hope this bill will pass here.

Mr. M'PHERRIN. Mr. Speaker, I rise to state to the House that I know the statement made by the gentleman from Lawrence [Mr. HARBISON] is correct. It is very proper this bill should pass, and I trust the House will see fit to pass it.

Mr. QUAY. Mr. Speaker, I do not know that I have any objection to the passage of this bill, but it is one that may affect, indirectly, some of my constituents. I would be glad if the gentleman from Lawrence [Mr. HARBISON] would allow the bill to go over on third reading for a day or two, until I can have an opportunity to examine it.

Mr. HARBISON. I would prefer it should not go over unless it is made a special order.

Mr. QUAY. Mr. Speaker, I then move that the bill be postponed and be made the special order for next Friday morning, at 10 o'clock.

The motion was

Agreed to.

Mr. BROWN. Mr. Speaker, I ask leave to read a bill in place.

Leave was granted.

Mr. BROWN read in place,

An act to legitimate John Horning, of Mifflin county, and confer on him the rights and privileges of a child born in wedlock, and moved that the House proceed at once to the consideraton of the bill.

The motion was

Agreed to.

The bill was read a second time, and

Agreed to.

The rules were suspended,

The bill read a third time by its title, and

Passed finally.

Mr. KOON. Mr. Speaker, I rise to a privileged question. I was detained on account of sickness from being present at the time Senate bill No. 306 was before the House, and I supposed the bill had passed. I find, however, that the bill did not pass.

I now move for a reconsideration of the bill.

The SPEAKER. The Chair would inform the gentleman from Luzerne [Mr. KOON] that this being a Senate bill, and not being agreed to, it is not in order to move its reconsideration now, more than six days having elapsed since the time.

Mr. WINGARD. Mr. Speaker, I ask leave to make a statement.

Leave was granted.

Mr. WINGARD. Mr. Speaker, during the session of the Legislature last winter there was an act passed stablishing a ferry across the Susquehanna river in my county, but there was no penal section to the bill, and there was no protection to this corporation. Anybody can ferry there as much as they could before. I therefore ask leave to read in place a supplement to that act remedying this defect, and ask that it be put upon its final passage.

There being no objection,

Mr. WINGARD read in place a supplement to an act establishing a ferry across the West Branch of the Susquehanna river, in Lycoming county.

The bill was

Agreed to.

The rules were suspended, the bill read a third time by its title, and

Passed finally.

Mr. JONES. Mr. Speaker, I ask leave to make a statement.

Leave was granted.

Mr. JONES. Mr. Speaker, there are several Masonic lodges in the city of Reading that are desirous of erecting a hall to be used for their own purposes and for other general business purposes. The site they propose to purchase is now offered for sale, and is to be sold on the first of April. The trustees of these lodges desire to be incorporated for the purpose of purchasing that site and erecting their hall there. Unless the bill incorporating them is passed now, the property will be disposed of otherwise, and their organization defeated. Such a bill has passed the Senate. It is numbered 1002, and I move a suspension of the orders for the consideration of the bill at this time.

The motion was agreed to, and the House proceeded to the consideration of Senate bill No. 1002, an act to incorporate the Masonic Hall association of the city of Reading, Pennsylvania, for the purpose of erecting a building for the use of said Masonic association, and other uses.

The bill was agreed to, the rules were suspended, the bill read a third time by its title, and

Passed finally.

Mr. MANN. Mr. Speaker, I rise to ask the privilege of voting against this bill, unless it can be explained. It seems to me to be precisely of the same character as the one vetoed by the Governor a few days ago. The gentleman who has it in charge is a good lawyer, and can probably inform us wherein it does differ from the one that was vetoed.

Mr. JONES. Mr. Speaker, the hall which this association is organized to erect is not intended exclusively for their own use, as the title expresses, and, therefore, does not come within the jurisdiction of the courts.

Mr. MANN. Mr. Speaker, if that is all that is to be said on this subject, I suppose it is one of those means of getting around the constitutional provisions to which the Governor referred in one of his messages. I do not think this ought to over-ride the constitutional provisions, because there is introduced into the bill some provisions which are not within the scope of the authority of the courts. If I understand the gentleman from Berks [Mr. JONES], that is simply the case in this bill. It attempts to avoid the constitutional provision by introducing some question not provided for.

Mr. JONES. Mr. Speaker, the gentleman from Potter [Mr. MANN] did not understand me to say any such thing, and he knows that he did not so understand me. I had no idea of saying, and he could not have understood me to say that this hall was intended for other uses, and that the provision appropriating it to Masonic uses was only intended to avoid the jurisdiction of the courts. I said nothing of the sort, and the gentleman could not have so understood me. This bill was examined very carefully in the Judiciary Committee of the Senate, I am informed, in all its provisions, and that committee decided that the court had not jurisdiction, and that this association could be organized and incorporated in no other way than by an act of Assembly.

Mr. MANN. Mr. Speaker ——

Mr. JONES. Mr. Speaker, I rise to a point of order. The Speaker has not withdrawn his decision, and the bill has passed.

The SPEAKER. The Chair has already decided that the bill has passed. The Chair would, however, say that if he had recognized the gentleman in time he would not have decided the bill as having passed.

Mr. M'CREARY. Mr. Speaker, I ask leave to read a bill in place.

Leave was granted.

Mr. M'CREARY. Mr. Speaker, I read in place an act relative to the residence of justices of the peace in the city of Erie, and move that the House proceed to the consideration of this bill.

The motion was

Agreed to.

The bill was

Agreed.

The rules were suspended, the bill read a third time by its title, and

Passed finally.

PETITIONS, MEMORIALS, &c.

Mr. CHASE, a petition from inhabitants of the city of Titusville, in the county of Crawford, praying for the passage of an act to increase the fees of constables and police officers of said city, in certain cases.

Referred to the Committee on the Judiciary Local.

Mr. PILLOW, a petition from citizens of Butler county, praying for an act fixing the fees of the prothonotary of Butler county, for the recording of general election returns.

Referred to the Committee on the Judiciary Local.

Also, a memorial from citizens of Donegal township, Butler county, praying for power to make large assessment for road purposes, and increase compensation to supervisors and laborers.

Referred to the Committee on the Judiciary Local.

Mr. HUNT, a petition from inhabitants of Fox township, in the county of Elk, praying for the passage of an act to increase the salary of the supervisors and auditors of said township.

Referred to the Committee on the Judiciary Local.

Mr. CHADWICK, a petition from citizens of Collins township, in the county of Allegheny, praying for an increase of compensation of the supervisors of roads in said township.

Referred to the Committee on the Judiciary Local.

Mr. KIMMELL, a remonstrance from citizens of Armstrong county, against an act to establish a law library in Kittanning.

Referred to the Committee on the Judiciary Local.

Mr. PHELAN, a petition from citizens of Whitely township, Greene county, for an increase of supervisors, &c.

Referred to the Committee on the Judiciary Local.

Also, a petition from citizens of Allegheny township, Greene county, asking for the passage of a law to authorize said township to levy a temporary school tax, higher than that now allowed by law.

Referred to the Committee on Education.

Mr. ROUSH, a remonstrance from the inhabitants of Kelly township, Union county, praying against the passage of an act to allow the school directors to levy additional tax for building purposes, &c.

Referred to the Committee on Education.

Mr. PHELAN, a petition to prevent seining in Ten Mile creek, in Greene county.

Referred to the Committee on Agriculture.

Mr. PILLOW, a petition from citizens of Buffalo township, Butler county, asking for a law to prevent cattle from running at large in said township.

Referred to the Committee on Agriculture.

Also, a petition from citizens of Jackson and Forward townships, in Butler county, praying for the passage of an act preventing horses, cattle, hogs and sheep from running at large in said township.

Referred to the Committee on Agriculture.

Also, a remonstrance from citizens of Jackson and Forward townships, Butler county, against preventing cattle, &c., from running at large in said townships.

Referred to the Committee on Agriculture.

Mr. QUIGLEY, a remonstrance from citizens of Philadelphia, against the passage of any bill abolishing stands for market wagons, in the streets of said city.

Referred to the Committee on Agriculture.

Mr. PILLOW, a petition from citizens of Brady township, Butler county, in favor of an additional bounty tax.

Mr. WINGARD, a petition from citizens of Shrewsberry township, Lycoming county, and others, for the passage of a law to prevent the obstruction of Muncy creek.

Referred to the Committee on Roads, Bridges and Ferries.

Mr. DAY, a petition from one hundred citizens of Carroll township, Washington county, asking for a charter for a turnpike road from Monongahela city to Victory, in said township.

Referred to the Committee on Roads, Bridges and Ferries.

Mr. DAY, a petition from sixty citizens of Fallowfield township, Washington county, praying for the repeal of the act changing the road laws of said township.

Referred to the Committee on Roads, Bridges and Ferries

Mr. CHADWICK, a petition from citizens of Collins township, in the county of Allegheny, praying that the provisions of the act of March 23d, 1865, relating to Holand avenue, be extended to Coal Hill road, in said township.

Referred to the Committee on Roads, Bridges and Ferries.

Also, a remonstrance from citizens of Allegheny county, residing along the Pittsburg and Greensburg turnpike road, against the increase of tolls on said road, until said road is put in good repair.

Referred to the Committee on Roads, Bridges and Ferries.

Also, a remonstrance from citizens of Collins township, in the county of Allegheny, against the passage of the act providing for foot walks in said township.

Referred to the Committee on Roads, Bridges and Ferries.

Mr. COLLINS, three petitions from citizens of Schuylkill county, against the repeal of an act to lay out a State road in Schuyl-

kill and Columbia, passed April the 6th, 1866.

Referred to the Committee on Roads, Bridges and Ferries.

Mr. PILLOW, a petition from citizens of Butler county, asking that the provisions of the Allegheny county license act and law, passed the —— day of March, 1867, be extended to the county of Butler.

Referred to the Committee on Vice and Immorality.

Mr. GALLAGHER, a petition from citizens, male and female, of Congruity, Westmoreland county, praying for a prohibitory liquor law for said county.

Referred to the Committee on Vice and Immorality.

Also, two petitions from inhabitants of Allegheny township, Westmoreland county, of like import.

Referred to the Committee on Vice and Immorality.

Also, two petitions from inhabitants of Youngstown district, of like import.

Referred to the Committee on Vice and Immorality.

Also, four petitions from inhabitants of Kuhn's district, of like import.

Referred to the Committee on Vice and Immorality.

Also, a petition from citizens living on and owning property in the vicinity of the borough of New Alexandria, Westmoreland county, praying that they may be annexed to said borough for all borough purposes.

Referred to the Committee on Municipal Corporations.

Mr. PILLOW, a petition from citizens of Butler county, praying for the repeal of a law attaching lands of Elisha Robinson, of Butler county, to Armstrong county.

Referred to the Committee on Counties and Townships.

Mr. WILSON, a petition from inhabitants of St. Clair township, Allegheny county, praying for division of said township.

Referred to the Committee on Counties and Townships.

Mr. PILLOW, a remonstrance from citizens of Brady township, Butler county, against any additional bounty tax.

Laid on the table.

Also, a petition from citizens of Butler county, in favor of the repeal of the act creating a law library.

Laid on the table.

BILLS IN PLACE.

Mr. GREGORY read in his place and presented to the Chair bill No. 1668, an act to increase the revenues of the city of Philadelphia, and to designate the classes of property exempted from taxation for municipal purposes in said city.

Laid on the table,

And made the special order for Thursday morning at 9 o'clock.

Mr. DEISE, No. 1669, an act authorizing the appointment of commissioners to run the boundary lines between the counties of Lycoming, Union and Clinton, and to fix and determine the same.

Laid on the table.

Mr. QUAY, No. 1670, a supplement to an act to incorporate the Lawrence railroad and transportation company, approved the 23d day of April, A. D. 1864.

Laid on the table.

Mr. RHOADS, No. 1671, a supplement to an act increasing the compensation of certain officers in the county of Berks, approved the 23d day of March, A. D. 1865.

Laid on the table.

Mr. RICHARDS, No. 1672, an act relating to the collecting of school tax in Fulton county.

Laid on the table.

Mr. CRAIG, No. 1673, an act to incorporate the Franklin manufacturing company.

Laid on the table.

Mr. SHARPLES, No. 1674, an act to incorporate the Edge land, coal and lumbering company.

Laid on the table.

Mr. CHASE, No. 1675, an act to increase the fees of constables and police officers of the city of Titusville, in certain cases.

Laid on the table.

Also, No. 1676, an act to extend the time for the payment of the enrollment tax on an act entitled An act to incorporate the Sugar Creek mining and transportation company, approved March the 24th, A. D. 1865.

Laid on the table.

Also, No. 1677, an act for the relief of Kenney Montgomery, a soldier of the war of 1812.

Laid on the table.

Mr. HUNT, No. 1678, an act to increase the pay of the supervisors and township auditors of Fox township, Elk county.

Laid on the table.

Mr. STUMBAUGH, No. 1679, an act to authorize the commissioners of Franklin and Cumberland counties to induce the trustees of the Agriculturel college of Pennsylvania to locate a model and experimental farm in one or the other of their counties.

Laid on the table.

Mr. PHELAN, No. 1680, an act to incorporate the Clinton turnpike company, in the county of Greene.

Laid on the table.

Also, No. 1681, an act to authorize additional supervisors for Whitely township, in the county of Greene.

Laid on the table.

Also, No. 1682, an act to authorize the school directors of Aleppo township, in the county of Greene, to levy and collect a temporary tax for school purposes, beyond the amount new allowed by law.

Laid on the table.

Also, No. 1683, an act to prevent fishing with seins in the south branch of Ten Mile creek, in the county of Greene.

Laid on the table.

Mr. WHARTON, No. 1684, an act increasing the pay of supervisors in Porter township, Huntingdon county.

Laid on the table.

Mr. ARMSTRONG, bill No. 1685, an act relating to certain officers in the Southwest ward in the city of Lancaster, Pennsylvania, extending their term of office, &c.

Laid on the table.

Mr. LEE, bill No. 1686, an act to amend the charter of incorporation of the Decatur building association, of Frankford.

Laid on the table.

Mr. HOOD, bill No. 1687, a supplement to an act relative to landlords and tenants, approved the 14th day of December, A. D. 1863.

Laid on the table.

Mr. FREEBORN, bill No. 1866, an act to repeal and annul an act to annul the marriage contract between Wm. Roberts and Emily Roberts.

Laid on the table.

Mr. KERNS, bill No. 1689, an act to authorize and establish local lines of telegraph in the city and county of Philadelphia.

Laid on the table.

Mr. DAVIS, bill No. 1690, an act relative to the courts of Philadelphia.

Laid on the table.

Mr. WORRALL, bill No. 1691, an act to incorporate the Excelsior gold and silver mining company of Colorado.

Laid on the table.

Mr. WESTBROOK, No. 1692, an act authorizing the voters of Lackawanna township, Pike county, to increase the number of supervisors in said township.

Laid on the table.

Mr. HUMPHREY, No. 1693, an act to incorporate the Eagle manufacturing company.

Laid on the table.

Mr. GALLAGHER, No. 1694, an act to repeal the thirtieth section of an act regulating boroughs, approved 3d April, 1851, so far as the same relates to the borough of New Alexandria, in Westmoreland county.

Laid on the table.

Mr. MECHLING, No. 1695, an act to incorporate the Kittanning Rural Valley and Reynoldsville railroad company.

Laid on the table.

Mr. PILLOW, No. 1696, an act relating to costs on appeals from the judgments of justices of the peace in the county of Butler.

Laid on the table.

Also, No. 1697, an act authorizing Henry Goebring, of Jackson township, Butler county, to vote in Cranberry township, said county.

Laid on the table.

Mr. WHANN, No. 1698, an act to incorporate the Franklin passenger railroad company.

Laid on the table.

Mr. BOYD, No. 1699, an act to permit John A. Metzel, a justice of the peace of the county of York, to hold his office in Metzel's hotel, in the borough of York.

Laid on the table.

Mr. BRENNAN, No. 1700, an act to increase the compensation of election officers in the county of Schuylkill.

Laid on the table.

Mr. SATTERTHWAIT, an act to extend the time within which criminal prosecutions may be brought against public officers for misdemeanor in office.

Referred to the Committee on the Judiciary General.

Mr. KERNS, an act to incorporate the Express steamboat company.

Referred to the Committee on Corporations.

Mr. SEILER, an act to repeal the first and second sections of an act relative to a certain road in Danphin and Perry counties, approved the 10th day of April, 1862.

Referred to the Committee on Roads, Bridges and Ferries.

Mr. BROWN, an act to repeal the law making an appropriation out of the county funds to agricultural societies, as to the county of Juniata.

Referred to the Committee on Agriculture.

Also, an act relating to the granting of licenses in the township of Armagh, in the county of Mifflin.

Referred to the Committee on Vice and Immorality.

REPORT FROM A COMMITTEE.

Mr. ROATH asked and obtained leave to report from the Military Committee, as committed, bill No. 1701, an act for the relief the Empire Hook and Ladder fire company, No. 1, of Lancaster city, Pennsylvania, for damages done their hall by the military of Pennsylvania, in 1861.

The House went into committee of the whole on House bill No. 828, Mr. QUAY in the chair.

The following is a copy of the bill.

AN ACT to provide for the ordinary expenses of the Government, and other general and specific appropriations.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the following sums be, and the same are hereby, specifically appropri-

ated to the several objects hereinafter named, for the year commencing on the first day of June, Anno Domini one thousand eight hundred and sixty-seven, to be paid out of any money in the treasury not otherwise appropriated.

SEC. 2. For the salary of the Governor of the Commonwealth, five thousand dollars.

For the salary of the Secretary of the Commonwealth, three thousand five hundred dollars, to take effect from June, one thousand eight hundred sixty-six.

For the salary of the Deputy of the Commonwealth, two thousand dollars.

For the salary of the Auditor General, two thousand dollars, and a further sum of three hundred dollars, out of the surplus fund in the treasury on the thirteenth day of November, one thousand eight hundred and sixty-six, from receipts under the free banking system, after paying expenses thereof, for his services in connection with said system.

For the salary of the Surveyor General, one thousand six hundred dollars, and for the present Surveyor General, the further sum of five hundred dollars, for his services in the sale of the agricultural college land scrip, under the act of April eleventh, one thousand eight hundred and sixty-six.

For the salary of the Attorney General, three thousand dollars.

For the salary of the Adjutant General, three thousand dollars, in full for all services as Adjutant General and member of the board of claims.

For the salary of the State Treasurer, one thousand seven hundred dollars.

For the salary of the Superintendent of Common Schools, two thousand five hundred dollars.

For the salary of the State Librarian, one thousand dollars.

For the salary of the Superintendent of Public Printing, eight hundred dollars, and for office rent ninety dollars, or so much thereof as may be expended therefor.

SEC. 3. For the salary of the private secretary of the Governor, two thousand dollars.

For messenger in the executive department, eight hundred dollars.

For postage, telegrams, stationery and other incidental expenses, the sum of seven hundred dollars, or so much thereof as may be necessary.

SEC. 4. For the salary of the chief clerk in the office of the Secretary of the Commonwealth, one thousand five hundred dollars, and the further sum of two hundred dollars, to be computed from the first day of June, one thousand eight hundred and sixty-six.

For the salary of the military clerk, one thousand two hundred dollars, and the further sum of two hundred dollars, to be computed from the first day of June, one thousand eight hundred sixty-six.

For the salary of the commission clerk, one thousand two hundred dollars, and the further sum of two hundred dollars, to be computed from the first day of June, Anno Domini one thousand eight hundred and sixty-six.

For the salary of the first transcribing clerk, one thousand two hundred dollars, and the further sum of two hundred dollars, to be computed from the first day of June, Anno Domini one thousand eight hundred and sixty-six.

For the salary of the second transcribing clerk, twelve hundred dollars, and the further sum of two hundred dollars, to be computed from the first day of June, Anno Domini one thousand eight hundred and sixty-six.

For the salary of the third transcribing clerk, twelve hundred dollars, and the further sum of two hundred dollars, to be computed from the first day of June, Anno Domini one thousand eight hundred and sixty-six.

For the record clerk, twelve hundred dollars, from the first day of August, Anno Domini one thousand eight hundred and sixty-six.

For the salary of one additional clerk, the sum of twelve hundred dollars, to take effect from the first of April, one thousand eight hundred and sixty-seven, and the further sum of two hundred dollars, to be computed from the first day of April, Anno Domini one thousand eight hundred and sixty-six.

For the salary of the messenger in the State Department, eight hundred dollars.

For postage, telegrams, freight and express charges in the State Department, fifteen hundred dollars, or so much thereof as may be necessary.

For blank books, one hundred and fifty dollars, or so much thereof as may be necessary.

For stationery, seven hundred dollars, or so much thereof as may be necessary.

For fuel and lights, one hundred and fifty dollars, or so much thereof as may be necessary.

For cleaning of offices, one hundred and twenty-five dollars, or so much thereof as may be necessnry.

For miscellaneous expenses, one hundred and seventy-five dollars, or so much thereof as may be necessary.

SEC. 5. For the salary of the chief clerk in the Auditor General's office, one thousand seven hundred dollars, to be computed from the first of June, Anno Domini one thousand eight hundred and sixty-six.

For the salary of the clerk in the banking department, one thousand four hundred dollars, and the further sum of one hundred dollars, to be computed from the first of June, Anno Domini one thousand eight hundred and sixty-six.

For the salary of the clerk in the department for settling accounts of county treasurers, prothonotaries, registers, recorders, clerks of the courts, et cetera, one thousand three hundred dollars, and the further sum of one hundred dollars, to be computed from the first day of June, one thousand eight hundred and sixty-six.

For the salary of the clerk for settling the accounts of corporations and in charge of the business with foreign insurance companies, reports of railroads and manufacturing companies, et cetera, one thousand three hundred dollars, and the further sum of one hundred dollars, to be computed from the first day of June, one thousand eight hundred and sixty-six.

For the salary of an additional clerk to assist the clerk in charge of accounts of corporations, thirteen hundred dollars, to commence from the first day of September, Anno Domini one thousand eight hundred and sixty-six.

For the salary of warrant and bond clerk, one thousand three hundred dollars, and the further sum of one hundred dollars, to be computed from the first day of June, one thousand eight hundred and sixty-six.

For the salary of registering and copying clerk, one thousand two hundred dollars, and the further sum of one hundred dollars, to be computed from the first day of June, one thousand eight hundred and sixty-six.

For the salary of the clerk in charge of papers relating to the public improvements formerly owned by the State, for settling accounts of military disbursing officers, and assisting chief corporation and warrant clerks, one thousand three hundred dollars, and the further sum of one hundred dollars, to be computed from the first day of June, Anno Domini one thousand eight hundred and sixty-six.

For salary of clerk for copying accounts, appeals, correspondence, reports, et cetera, twelve hundred dollars, and the further sum of one hundred dollars, to be computed from the first day of June, Anno Domini one thousand eight hundred and sixty-six.

For the military claims and warrant clerk in the Auditor General's office, the sum of twelve hundred dollars, and the further sum of one hundred dollars, to be computed from from the first day of June, Anno Domini one thousand eight hundred and sixty-six.

For salary of messenger, eight hundred dollars.

For salary of a night watchman, eight hundred dollars.

For postage and telegrams, seven hundred and fifty dollars, or so much thereof as may be necessary.

For stationery, five hundred dollars, or so much thereof as may be necessary.

For fuel, one hundred and fifty dollars, or so much thereof as may be necessary.

For miscellaneous expenses of the office, two hundred dollars, or so much thereof as may be necessary.

SEC. 6. For the salary of eight clerks in the Surveyor General's office, the sum of one thousand four hundred dollars each.

For the salary of the chief clerk in the Surveyor General's office, the sum of one thousand six hundred dollars.

For the salary of the temporary clerks, the sum of one hundred dollars per month to each clerk, and the number and time for which they are employed shall be subject to the approval of the Governor.

For the salary of messenger, eight hundred dollars.

For postage in the office of the Surveyor General, four hundred dollars, or so much thereof as may be necessary.

For stationery, five hundred dollars, or so much thereof as may be necessary.

For cleaning office and miscellaneous expenses, one hundred and fifty dollars, or so much thereof as may be necessary.

For fuel, one hundred and fifty dollars, or so much thereof as may be necessary.

SEC. 7. For the salary of the clerk in the office of the Attorney General, fifteen hundred dollars.

For the contingent expenses in the Attorney General's office, five hundred dollars, or so much thereof as may be necessary.

SEC. 8. For the salary of the chief clerk in the office of the State Treasurer, one thousand eight hundred dollars, and the further sum of one hundred dollars, to be computed from the first day of May, Anno Domini one thousand eight hundred and sixty-six.

For the salary of the book-keeper, one thousand three hundred dollars, and the further sum of one hundred dollars, to be computed from the first day of May, Anno Domini one thousand eight hundred and sixty-six.

For the salary of the account clerk, one thousand three hundred dollars, and the further sum of one hundred dollars, to be computed from the first day of May, Anno Domini one thousand eight hundred and sixty-six.

For the salary of the recording clerk, one thousand two hundred dollars, and the further sum of one hundred dollars, to be computed from the first day of May, Anno Domini one thousand eight hundred and sixty-six.

For the salary of the clerk in charge of accounts of corporations, thirteen hundred dollars, to commence from the first day of September, Anno Domini one thousand eight hundred and sixty-six.

For the salary of the messenger of the treasury department, eight hundred dollars.

For the salary of a night watchman

the treasury department, eight hundred dollars.

For postage and telegrams in the treasury department, four hundred dollars, or so much thereof as may be necessary.

For stationery and blank books, three hundred dollars, or so much thereof as may be necessary.

For express charges, one hundred dollars, or so much thereof as may be necessary.

For fuel and light, seventy five dollars, or so much thereof as may be necessary.

For miscellaneous expenses, one hundred and seventy five dollars, or so much thereof as may be necessary.

SEC. 9. That the State Treasurer is hereby required to pay to each of the commissioners of the sinking fund the sum of three hundred dollars, and they are hereby authorized and required to impose the duties of clerk to said commissioners upon one of the clerks of the treasurer's department, at an increased salary not exceeding four hundred dollars per annum.

SEC. 10. For the salary of the Assistant Adjutant General, including pay and allowances of captain of infantry, as per State militia law, seventeen hundred and ten dollars.

For the salary of the chief clerk, the sum of one thousand two hundred dollars.

For the salary of the pay department clerk, the sum of eleven hundred dollars.

For the salary of the register and recording clerk, eleven hundred dollars.

For the salary of the messenger, the sum of eight hundred dollars.

For postage, telegrams and express charges, the sum of five hundred dollars, or so much thereof as may be necessary.

For blank books, the sum of one hundred and fifty dollars, or so much thereof as may be necessary.

For stationery, the sum of four hundred dollars or so much thereof as may be necessary.

For lights, the sum of fifty dollars, or so much thereof as may be necessary.

For cleaning office and ordinary repairs, the sum of one hundred and fifty dollars, or so much thereof as may be necessary.

For miscellaneous expenses, the sum of one hundred dollars, or so much thereof as may be necessary.

For disbursements of ex-officio Paymaster General of the State, the sum of twenty thousand dollars, or so much thereof as may be necessary.

SEC. 11. For the cost of transportation of the Transportation Department, the sum of twenty-five thousand dollars, or so much thereof as may be necessary, to be settled by the Auditor General in the usual manner; and the Chief of Transportation is authorized to pay, out of said sum, the expense of disinterring and carrying to the place of burial the bodies of deceased soldiers of Pennsylvania, transportation, when it has not been furnished by the State, to be computed at the rate of two cents per circular mile, and in no case shall a sum greater than twenty dollars be paid as the expense of disintering; and also pay, out of said sum, for the salary of the Chief of the Transportation Department up to the first day of December next, the sum of one thousand dollars; for the salary of the clerk of said Department, up to the same point of time, the sum of seven hundred dollars; for the messenger, one hundred and fifty dollars, and for postage, stationery, fuel and incidental expenses, one hundred and fifty dollars, or so much thereof as may be necessary.

On the first day of December, eighteen hundred and sixty-seven, the duties of the Transportation Department shall devolve on the Adjutant General, who shall then receive from the Chief of said Transportation Department all books, accounts and property of the State.

SEC. 12. For the payment of pensions and gratuities, the sum of seven thousand dollars, and such further sums as may be necessary to pay to the widows and children of deceased soldiers such sum or sums as they may be entitled to receive according to law.

SEC. 13. For the salary of the Deputy Superintendent of Common Schools, one thousand six hundred dollars.

For the salary of the warrant clerk in the School Department, twelve hundred dollars, and the further sum of two hundred dollars, to be computed from the first day of June, Anno Domini one thousand eight hundred and sixty-six.

For the salary of the report clerk, twelve hundred dollars, and the further sum of two hundred dollars, to be computed from the first day of June, Anno Domini one thousand eight hundred and sixty-six.

For the salary of the letter clerk, twelve hundred dollars, and the further sum of two hundred dollars, to be computed from the first day of June, Anno Domini one thousand eight hundred and sixty-six.

For engraving and printing warrants, two hundred and seventy-five dollars, or so much thereof as may be necessary.

For repairing and furnishing the room of the School Department, two thousand dollars, or so much thereof as may be necessary.

For the salary of the messenger, eight hundred dollars.

For stationery and blank books in the School Department, three hundred dollars, or so much thereof as may be necessary.

For postage, telegrams and express expenses, one thousand dollars, or so much thereof as may be necessary.

For cleaning office and miscellaneous expenses of the School Department, three hundred dollars, or so much thereof as may be necessary.

For expenses in packing and distributing blank forms, reports, school laws and decisions, to the school directors of the State, six hundred dollars, or so much thereof as may be necessary.

For traveling expenses on official business of the department, five hundred dollars, or so much thereof as may be necessary.

SEC. 14. For the education and maintenance of the destitute orphans of the deceased soldiers and sailors of the State from the thirtieth day of November, one thousand eight hundred and sixty-six, till the first day of June, one thousand eight hundred and sixty-eight, the following sums annually, or so much thereof as may be necessary, to be drawn and accounted for, as provided by the act entitled An act to provide for the continuance of the education and maintenance of the destitute orphans of the deceased soldiers and sailors of the State, passed at this current session of the Legislature: *Provided*, That the gross expenditures hereinafter provided shall not exceed the sum of four hundred and fifty thousand dollars.

For the education and maintenance, including clothing of each orphan of less than ten years of age, admitted into such orphan homes as receive now, or have received appropriations from the State, the sum of one hundred and five dollars, or so much thereof as may be necessary.

For the education and maintenance, including clothing of each orphan of less than ten years of age, admitted into such orphan homes or institutions as have received no appropriation from the State, the sum of one hundred and twenty-five dollars, or so much thereof as may be necessary.

For the education and maintenance of each orphan between the ages of ten and sixteen years, admitted into such institutions as may be selected for them by the proper authorities, and which have received no appropriations from the State, the sum of one hundred and forty dollars, and the further sum of thirty dollars for clothing each of said orphans, or so much thereof as in either case may be necessary.

For the salary of the superintendent of soldiers' orphans, twenty-five hundred dollars.

For the salary of the office clerk, twelve hundred dollars.

For the salary of the inspector of soldiers' orphan schools, twelve hundred dollars.

For the salary of the examiner of soldiers' orphan schools, twelve hundred dollars.

For the salary of the female assistant inspector and examiner, the sum of seven hundred and fifty dollars.

For postage and telegrams, three hundred dollars, or so much thereof as may be necessary.

For stationery and blank books, one hundred and fifty dollars, or so much as may be necessary.

For printing, five hundred dollars, or so much thereof as may be necessary.

For advertising, four hundred dollars, or so much thereof as may be necessary.

For transferring pupils, four hundred dollars, or so much thereof as may be necessary.

For funeral expenses, two hundred dollars, or so much thereof as may be necessary.

For traveling expenses of the superintendent and his assistants, seven hundred dollars, or so much thereof as may be necessary.

SEC. 15. For the support of the common schools for the school year which will begin on the first Monday of June, Anno Domini one thousand eight hundred and sixty-seven, to be paid on warrants to be drawn by the Superintendent in favor of the several school districts of this Commonwealth, the sum of six hundred thousand dollars, inclusive of the salaries of county superintendents, and inclusive of the sum of fifteen thousand dollars for the education of teachers in the Normal schools of the Commonwealth, to be applied in the same way and under the same conditions as a similar appropriation was directed to be applied by the general appropriation act approved the eleventh day of April, one thousand eight hundred and sixty-six, to the benefit of the students in the respective State Normal schools, who are preparing to become teachers in the common schools of the State: *Provided*, That each student in a Normal school, drawing an allowance from the State, must receive regular instruction in the science and art of teaching, in a special class devoted to that object, for the whole time such an allowance is drawn, inclusive, also, of the sum of fifteen hundred dollars, for the education of colored young men as teachers in the Lincoln university, to be disbursed in like manner, and with like conditions, as the money appropriated in this act for the education of teachers in the State normal schools, and inclusive, also, of nine thousand two hundred and twelve dollars and thirty two cents, to the city of Philadelphia, this being the amount contributed by said city through an oversight in the general appropriation act, approved the 11th day of April, Anno Domini one thousand eight hundred and sixty-six, to the salaries of the county superintendents in the several counties of the Commonwealth, when no part of the benefit of their supervision accrued to said city: *Provided*, That the city of Philadelphia, shall be entitled to a proper portion of this appropriation without contributing to the salaries of the county superintendents.

For the State Normal school of the Third district, five thousand dollars.

For the expenses of principals of State

Normal schools, incurred in attending the annual examinations of said schools, two hundred and fifty dollars, or so much thereof as may be needed.

For paying committee of inspection for inspecting the Normal school of the Third district, preparatory to recognition by the State, as per bills on file in the school department, one hundred and twenty-five dollars.

SEC. 16. For the purchase of law and miscellaneous books for the State Library, eighteen hundred dollars.

For the exchange of law books, including Purdon's Digest, one thousand dollars, or so much thereof as may be necessary.

For postage, freight on books, stationery, purchasing books, cleansing apartments, making fires, et cetera, five hundred dollars, or so much thereof as may be necessary.

For binding, one hundred dollars, or so much thereof as may be necessary.

For finishing and furnishing the new library room, and removing the books to the same, the sum of fifteen thousand dollars, or so much thereof as may be necessary.

SEC. 17. For the salaries of the judges of the Supreme Court, the sum of twenty-seven thousand five hundred dollars, or the sum of five thousand five hundred dollars to each judge, for the present year, to be in lieu of all daily pay, mileage or other expenses heretofore allowed by any law.

SEC. 18. For the payment of the salaries of the judges of the district court, and the judges of the court of common pleas, of the city of Philadelphia, the sum of thirty-five thousand dollars, or five thousand dollars to each judge for the present year.

SEC. 19. For the payment of the judges of the district court and the president and assistant law judges of the court of common pleas of the county of Allegheny, twenty-five thousand dollars, or five thousand dollars to each one of the law judges for the present year.

For the payment of the president judge of the Twelfth Judicial district, in consideration of the increased labor in trying the Commonwealth civil cases in the county of Dauphin, the sum of thirty-eight hundred dollars a year, and his salary is to be computed at that rate from the first day of June, one thousand eight hundred and sixty-six, in full of all claims for arrears.

SEC. 20. For the payment of the salaries and mileage of the president, additional and associate law judges of the several courts of common pleas in this Commonwealth, except in the city of Philadelphia, the county of Allegheny and the Twelfth Judicial district, the sum of one hundred and fifteen thousand dollars, or so much thereof as may be necessary; each president and law judge to receive three thousand five hundred dollars salary during the present year.

SEC. 21. For the payment of the salaries and mileage of the associate judges of the courts of this Commonwealth, the sum of fifty thousand dollars, or so much thereof as may be necessary, each associate judge to receive twenty-five per centum in addition to the salaries now allowed by law.

SEC. 22. For the payment of the interest on the funded debt of the Commonwealth, which will fall due on the first days of July and August, Anno Domini one thousand eight hundred and sixty-six, and the first days of January and February, Anno Domini one thousand eight hundred sixty-seven, the sum of one million eight hundred and six thousand one hundred and thirty-four dollars, or so much thereof as may be necessary.

SEC. 23. For the public printing, folding, stitching and binding, thirty-five thousand dollars, or so much thereof as may be necessary on settlement of the account of the public printer according to law.

SEC. 24. For the payment of the expenses of the Legislature, including the mileage of members, clerks and officers of each House, appointed for this session, and the amount authorized by law for stationery, et cetera, the sum of two hundred and sixty-five thousand dollars, or so much thereof as may be necessary, to be settled by the Auditor General according to law; and that each member shall receive eight hundred dollars, and the chief, assistant and transcribing clerks of the House of Representatives, and the Senate, shall receive two hundred and fifty dollars in addition to their present salary.

SEC. 25. For the payment of the commission appointed to inquire into the alleged insanity of Newton Champion, one hundred and seventy-five dollars, to be paid on the warrant of the Governor.

SEC. 26. For packing and distributing the laws and journals of the Legislature, to be performed under the direction of the Secretary of the Commonwealth, thirteen hundred dollars, or so much thereof as may be necessary.

SEC. 27. For the payment to the city of Harrisburg, for supplying the public buildings with water, according to the act of April twenty-eight, Anno Domini one thousand eight hundred and forty, the sum of six hundred dollars; and also for gas, for the public buildings and walks, such amount as may be found due the Harrisburg gas company, on the contract with the company; and upon a regular account being rendered to the Auditor General, who is hereby authorized to examine and settle the same, in the same mode and manner as other accounts are settled in said department, in pursuance of its charter and supplement, to be paid on the warrant of the Auditor General.

SEC. 28. For the superintendent and watchman of the public buildings and grounds, the sum of three dollars and fifty cents per day, during the period of his appointment, and also for two assistant watchmen, the sum of eight hundred dollars each, to be paid monthly, and for the necessary repairs to the public buildings and grounds, wages of laborers employed on the same, eight thousand six hundred dollars, or so much thereof as may be necessary, to be expended by the superintendent, the accounts to be settled by the Auditor General in the usual manner; and that the clerks of the two Houses be, and they are hereby, authorized to make all necessary repairs to the capitol building, except the new library rooms, the amounts to be settled in the usual manner by the Auditor General, and paid upon the joint order of said clerks; that the superintendent of public buildings and public grounds, under the direction of the Governor, be and he is hereby, authorized to continue the iron fence from the corner of Fourth street, on the eastern front of the capitol, to the intersection of Fourth and Walnut streets, the expense thereof to be paid out of any money in the treasury not otherwise appropriated, the accounts to be settled with the Auditor General in the usual manner: *Provided*, The cost of the same shall not exceed eight thousand dollars.

To C. A. Boas, for winding and oiling the clock on the capitol for one year, ending January first, one thousand eight hundred sixty seven, and for repairing the same, the sum of one hundred and twenty-five dollars, to be paid on account certified by the clerks of the two Houses.

SEC. 29. For George Bergner, fifteen dollars per page for the *Legislative Record*, published during the present session of the Legislature, as per contract, the amount to be certified by the Superintendent of Public Printing; and upon such certificate the State Treasurer shall pay the same; and for resetting the type of seven numbers printed before the increase of the number of copies now printed, twenty-five dollars for each number; and for making an index to the *Legislative Record*, the further sum of two hundred dollars is appropriated to the publisher of the *Record*: *Provided*, That the making of the index does not detain the forwarding of the bound copies more than four weeks after the adjournment of the Legislature.

SEC. 30. For the fire companies of the city of Harrisburg, the sum of seven hundred dollars, to be distributed in equal amounts to and among said companies.

SEC. 31. For transcribing for the Committee of Ways and Means, to be paid on the order of the chairman, the sum of thirty dollars; for transcribing for Finance Committee of the Senate, to be paid on the order of the chairman, the sum of thirty dollars.

SEC. 32. That the State Treasurer is hereby authorized and directed to pay each of the chief clerks of the Senate and House of Representatives the usual per diem for ten days' service after the close of the session, and the usual per diem to three additional officers who may be kept by each clerk to assist him in his duties; and to the chief clerk of the Senate and House, for the expense of indexing the journals, the sum of two hundred dollars each; and for miscellaneous expenses of the chief clerks of the Senate and House of Representatives, attendant upon their duties during the recess, each, the sum of two hundred dollars; and that the pasters and folders of the House shall be entitled to the same compensation as the assistant doorkeepers.

SEC. 33. For the payment of John A. Smull, for his services to the House of Representatives as an assistant clerk for the present session, and for services during the recess, filing away and taking charge of the papers and documents, the sum of one thousand dollars; and it shall be his duty to receive from the State Printer the bound copies of the *Daily Record*, and forward the same to the address of the members of the Legislature as soon as practicable after the adjournment, and he shall also receive the same additional compensation as is allowed to the clerks by this act.

SEC. 34. That the State Treasurer is hereby authorized to pay the chief clerk of the Senate and House of Representatives, the sum of one dollar and twenty-five cents per day for each of the pages employed by the Senate and House during the present session, the vouchers for the same to be furnished in the usual manner.

SEC. 35. That the State Treasurer is authorized to pay to the persons engaged in cleansing and keeping in order the closets and basements of the capitol, and the doorkeepers in the rotunda and capital extension, and to the firemen having in charge the furnaces in the basement of the same, the same compensation as the assistant doorkeepers, the number of days to be certified to by the clerks of the two Houses.

SEC. 36. For the payment of express charges, packing and distributing bound copies of the *Daily Legislative Record*, and for the expense of folding and mailing the back numbers of the *Daily Record* for the members of the House of Representatives, the sum of five hundred dollars, or so much thereof as may be necessary, to be disbursed by the clerk of the House of Representatives; and for the payment of express charges, packing and distributing bound copies of the *Legislative Record*, and for the expense of folding and mailing the back numbers of the *Daily Record* for the members of the Senate, the

sum of three hundred dollars, or so much thereof as may be necessary, to be disbursed by the clerk of the Senate; and to the several officers of the Senate and House of Representatives, whether elected or appointed, except the speaker and pages, an extra allowance, as follows, namely: to the chief clerks, assistant clerks and transcribing clerks, the sum of one hundred and fifty dollars; and to each of the other officers, the sum of three hundred dollars, in addition to the pay and salary now allowed by law, for services during the present session; to the several pages the sum of thirty dollars extra, and to the several women employed by the clerks of the two Houses to cleanse the halls, the sum of twenty dollars extra.

SEC. 37. That all annual salaries herein provided for, and also all appropriations to penitentiaries and houses of refuge and charitable institutions, shall be paid quarterly, at the office of the State Treasurer, unless otherwise provided by law; and that no money appropriated by this act for any specific object, shall be applied to any other in any of the charitable institutions, penitentiaries or houses of refuge.

SEC. 38. That for expenses incurred, under authority of a resolution of the House, directing certain mail matter to be sent by the express for the members of the House, the sum of eight hundred dollars, or so much thereof as may be necessary, to be paid to the clerk of the House and to the clerk of the Senate; the sum of three hundred dollars for the same purpose to Jacob Styer, for services as librarian and for twenty-five days' extra service during the recess, at the same rate as a transcribing clerk, including the extra compensation, the said librarian to place forty copies of the *Daily Legislative Record* at the public bindery to be bound, thirty-five copies for the use of the Senators and principal clerks, four copies for the State Library, and one to be reserved for the use of the Senate; and to be distributed to the Senators and clerks, with the laws and journals, by the Secretary of the Commonwealth; and to John A. Smull, the sum of two hundred dollars, for taking charge of the archives of the House of Representatives during the recess of one thousand eight hundred and sixty-six, and two hundred dollars to Jacob Styer, for similar services, on the part of the Senate, during the recess of one thousand eight hundred and sixty-seven; and the further sum of one hundred and fifty dollars, for expenses incurred and labor performed in removing and fitting up the Senate Library.

SEC. 39. To William L. Cooper, for services rendered the House of Representatives, the same pay and extra compensation of a transcribing clerk, during the present session.

SEC. 40. For the salary of assistant postmaster of the House of Representatives, the same compensation as a transcribing clerk, and to the messenger and assistant messenger of the Senate, each, who act as postmasters for the Senate, and to Andrew B. M'Lean, messenger to the Senate committee rooms, the same pay as a transcribing clerk; and in addition to the compensation hereinbefore or hereinafter provided for, every officer of the Legislature shall receive the further sum of fifty dollars for services during the present session, and that the daily pay of all the officers, whether elected or appointed, shall be three dollars per day.

SEC. 41. For John Addicks, engineer and machinist, in charge of the heating apparatus for the halls and committee rooms, the same compensation as an assistant doorkeeper, the number of days to be certified by the clerks of the two houses.

SEC. 42. For the payment of Reverend Jacob Kennedy, member of the House of Representatives, for extra services in the House of Representative, the sum of three hundred dollars.

SEC. 43. For the Soldiers' Home in the city of Philadelphia, the sum of ten thousand dollars.

SEC. 44. For the Pittsburg Sanitary Soldiers' Home, the sum of fifteen thousand dollars, inclusive of six thousand dollars, expended out of their invested funds, four thousand dollars for introducing gas into their buildings and re-setting their boilers, two thousand dollars for repairs, and three thousand dollars for extra diet.

SEC. 45. For the instruction of indigent pupils in the Pennsylvania institution for the instruction of the deaf and dumb, thirty-five thousand dollars, to be paid in proportion to the number of indigent pupils from the several counties of the Commonwealth, at the rates prescribed by law, the evidence of which is to be presented to the State Treasurer.

SEC. 46. For the Pennsylvania institution for the instruction of the blind, the sum of thirty thousand two hundred and fifty dollars, to be paid in proportion to the number of indigent pupils from the several counties of the Commonwealth at the rates prescribed by law, the evidence of which is to be furnished to the State Treasurer.

SEC. 47. For the Western Pennsylvania hospital, fifteen thousand dollars, to be applied to the salaries of officers, and the further sum of sixty-sixty thousand and eighty-two dollars, inclusive of twenty-five thousand dollars for excavations, stone work, joice, and making half million of brick, for the commencement of the eastern extension of said hospital; seventeen thousand one hundred and thirty-two dollars for furnishing the present new western extension; one thousand dollars for insurance; thirty-five hundred dollars for the erection of a stone wall in the rear of said hospital; fifteen thousand dollars for four new boilers, together with five front grate bars, smoke stack, et cetera, and four thousand four hundred and fifty dollars for a reservoir.

SEC. 48. For the Pennsylvania State Lunatic hospital, at Harrisburg, for the payment of salaries and wages and for the support of the house, the sum of sixteen thousand dollars; and for the erection of infirmaries, the further sum of ten thousand dollars.

SEC. 49. For the Pennsylvania Training school of feeble-minded children, at Media, in the county of Delaware, the usual sum for each pupil, as provided by the act of incorporation: *Provided*, That the number of said pupils shall not exceed eighty; and for re-fitting and re-furnishing buildings, the further sum of ten thousand dollars; and the said school is authorized to charge fifty dollars per annum, in addition to the sum now allowed by law, for the maintenance of each pupil during the present year.

SEC. 50. For the payment of the salaries of the officers of the Eastern penitentiary, the sum of thirteen thousand eight hundred dollars, in equal quarterly payments, on or before the fifteenth day of the months of June, September and December, Anno Domini one thousand eight hundred and sixty-seven, and March, Anno Domini one thousand eight hundred and sixty-eight; and the additional sum of four thousand dollars, for the payment of an additional sum to each officer; and for each discharged convict from the city of Philadelphia, or whose residence is within fifty miles thereof, the sum of five dollars, and ten dollars to each convict whose residence or settlement is fifty miles or over from the Penitentiary; and for books and stationery, for the use of the convicts, six hundred and fifty dollars, to be expended under the direction of the warden, or so much thereof as may be necessary, and to be accounted for to the Auditor General.

SEC. 51. For the payment of the salaries of the officers of the Western penitentiary, the sum of sixteen thousand nine hundred dollars, to be paid in equal quarterly payments, on and after the fifteenth day of the months of June, September and December, Anno Domini one thousand eight hundred and sixty-seven, and March, Anno Domini, one thousand eight hundred and sixty eight, and for each discharged convict, whose residence or settlement is within fifty miles of said penitentiary, the sum of five dollars, and ten dollars to each discharged convict whose residence or settlement is fifty miles or over from said penitentiary.

SEC. 52. For the House of Refuge in Philadelphia, thirty thousand dollars.

SEC. 53. For the House of Refuge of Western Pennsylvania, forty-seven thousand dollars, inclusive of thirteen thousand five hundred dollars for salaries, four thousand five hundred dollars deficiency in salaries for the years one thousand eight hundred and sixty-five and one thousand eight hundred and sixty-six, four thousand dollars to complete the new gas works, ten thousand dollars for new boilers and connections, five thousand five hundred dollars for the erection of a new coal house and stables, three thousand two hundred dollars for fire plugs, pipes, hose, et ceteras; four thousand five hundred dollars for repairs to the buildings, and eighteen hundred dollars for improving the laundry.

SEC. 54. For the Northern Home for Friendless Children, eight thousand dollars.

SEC. 55. For the School of Design for women, at Philadelphia, the sum of three thousand dollars: *Provided*, That one thousand dollars of this sum be expended in procuring casts from Europe, and five hundred more be expended in procuring moulds to reproduce said casts.

For the Schools of Design for women at Pittsburg and Wilkesbarre, each, the sum of fifteen hundred dollars.

SEC. 56. For the Gettysburg Battlefield Memorial association, the sum of five thousand dollars, to be applied to the purchase of portions of the battle-grounds, the general purposes for which said association was incorporated.

SEC. 57. For the salary of the clerk in the Board of Military Claims, the sum of one thousand four hundred dollars, to be computed from the first day of June, one thousand eight hundred and sixty six.

For the salary of the messenger to the Board of Military Claims, the sum of eight hundred dollars.

SEC. 58. For the expenses of the Pennsylvania State agency at Washington, the sum of twelve thousand dollars, or so much thereof as may be decessary.

SEC. 59. For the St. Paul's Orphan asylum of the city of Pittsburg, the sum of fifteen thousand dollars, in full satisfaction of all claim which said asylum may have against the State for supporting soldiers' orphans.

SEC. 60. For the painting, papering and furnishing the office of the Attorney General in the city of Harrisburg, the sum of one thousand dollars, or so much thereof as may be necessary, to be paid upon the certificate of the Attorney General, and he is authorized and empowered to occupy the room in the capitol building adjoining that now used as the Supreme Court room.

SEC. 61. To the trustees of the Saint Paul Methodist Episcopal church, of the city of Philadelphia, the sum of twelve hundred and fifty dollars, or so much thereof as may be found due said church by the board of military claims of this Commonwealth, for tents belonging to said church and used by the State during the rebellion, and said board is hereby authorized and required to examine

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[CONTINUED FROM PAGE 768.]

and pass upon the claim of said church for the use and loss of said tents.

SEC. 62. That the State Treasurer is hereby authorized to pay the necessary expenses, including clerk hire, of the select committees appointed by the House and Senate at the present session, upon accounts to be certified by the respective chairmen, and approved by the Auditor General; and that the pay of witnesses before said committees shall be two dollars per day, and of clerks five dollars per day: *Provided*, That this section shall not be construed to authorize the payment of any witness not regularly subpœnaed before the committee, or the payment of any sum of money to any member of the committee for his services, or of any expense accruing after the adjournment of the Legislature.

SEC. 63. To Henry Brown, for stone posts for the meridian line of Dauphin county, which was directed to be paid to E. Hastings, by the general appropriation law of one thousand eight hundred and sixty-six, and undrawn by him, one hundred dollars, or so much thereof as may be necessary, to be paid upon the certificate of the Surveyor General.

SEC. 64. For repairs to the dwelling house occupied by the keeper of the powder magazine in the Twenty-sixth ward of the city of Philadelphia, the sum of four hundred dollars, or so much thereof as may be necessary.

SEC. 65. To the Antietam National cemetery, the sum of five thousand dollars, to be drawn on the warrant of the Governor in such instalments as, in his judgment, may be required in the progress of enclosing the grounds and of raising and re-interring the remains of Pennsylvania soldiers in the same.

SEC. 66. For re-mounting twenty-two cannon, the carriages and limbers of which were destroyed by fire on the first day of December, Anno Domini one thousand eight hundred and sixty-six, the sum of fifty-five hundred dollars, or so much thereof as may be paid upon the certificate of the Adjutant General.

SEC. 67. That all the institutions, to which appropriations are made by this act, not now required by law to report and account for appropriations, shall make a detailed report, specifying the items, under oath of one or more of its principal officers, of the expenditures of said appropriations, to the Legislature, before the first day of February, one thousand eight hundred and sixty-eight.

SEC. 68. That the sum of five hundred dollars is hereby appropriated for the purchase of a portrait of the present Governor, to be placed in the Executive Department, to be expended under the direction of the chairman of the Senate Committee on the Library.

The first and thirteenth sections were considered. The amendments offered and the remarks made will appear in the Appendix to the *Record*.

On motion of Mr. BOYLE, the committee rose.

In the House,

The Speaker having resumed the chair,

Mr. QUAY moved that the House adjourn.

The motion was

Agreed to.

And the House adjourned until 10 A. M. Tuesday morning.

HOUSE OF REPRESENTATIVES.

TUESDAY, March 26, 1867.

The House met at 10 o'clock, A. M.

Prayer was offered by the Rev. JACOB KENNEDY, member from Wyoming.

The SPEAKER announced a quorum of members present.

The Journal of yesterday was partly read, when,

On motion of Mr. LEE, the further reading of the same was dispensed with.

PRIVATE CALENDAR.

The House proceeded to the consideration of the bills on the private calendar, with the understanding that each bill should be disposed of as it was reached.

The following bills were read a first and second time, and disposed of as stated:

No. 605, an act to exempt from taxation the property of the Ladies' Soldiers' Aid of Weldon.

Passed finally.

Senate bill No. 938, an act providing for the election of supervisors in certain rural wards of the city of Philadelphia.

Objected to by Mr. DONOHUGH.

Senate bill No. 874, an act to authorize the county commissioners of the county of Carbon, to assist in building of a new road, out of the borough of Mauch Chunk.

Passed finally.

Senate bill No. 818, an act to authorize the Allegheny and Perrysville plank road company to fix their tolls, and to transfer a portion of their road.

Passed finally.

Senate bill No. 816, an act to incorporate the Roaring Brook turnpike company.

Amended by Mr. KOON, and

Passed finally.

No. 1116, an act relative to the last will and testament of John Morrison, late of Somerset county, deceased.

Passed finally.

Senate bill No. 113, a supplement to an act entitled An act to promote the more certain and equal assessment of taxes in Philadelphia, approved March 14, 1866.

Amended by Messrs. KERNS and FREEBORN, and

Passed finally.

No. 1121, an act requiring the Auditor General to open the account of E. O. Goodrich, late prothonotary of Bradford county, for resettlement.

Passed finally.

No. 1122, an act to exempt the property of the First Troop, Philadelphia city cavalry, situated in the Ninth ward, city of Philadelphia, from taxation.

Amended by Mr. GREGORY, and

Passed finally.

Senate bill No. 707, an act to repeal the first section of an act passed 1st April, 1792, declaring the Little Lehigh a public highway.

Passed finally.

No. 1144, an act relative to certain moneys in the hands of the legal representatives of Jacob Miller, late of Saint Thomas township, in the county of Franklin, deceased.

Amended by Mr. STUMBAUGH, and

Passed finally.

No. 1145, an act to repeal the second section of an act authorizing the assessment of railroad taxes in the borough of Kittanning, Armstrong county, approved 16th day of February, A. D. 1867.

Passed finally.

No. 1146, supplement to the constitution and charter of the Bustleton Methodist Episcopal church, enrolled by order of the Governor in the office of the Secretary of the Commonwealth, on the 6th day of February, 1834, authorizing the trustees of said corporation to remove certain bodies, to enable them to extend their church edifice.

Passed finally.

No. 1147, an act to extend the period for payment of enrollment tax on the bill to incorporate the Oil Tank improvement company.

Passed finally.

No. 1148, an act relative to a law library in the county of Carbon.

Passed finally.

No. 1149, an act to declare North creek and part of the Driftwood creek, in the county of Cameron, public highways.

Passed finally.

No. 1150, an act relating to taxes in Greenfield township, Luzerne county.

Amended by Mr. KOON, and

Passed finally.

Senate bill No. 663, an act for the relief of John Tiernan, late treasurer of Fayette county.

Passed finally.

Senate bill No. 689, an act relating to the office of county treasurer in Allegheny county.

Passed finally.

No. 1153, an act to authorize the commissioners of Warren county to work prisoners in said county.

Passed finally.

No. 1154, an act to regulate the collection of local taxes in the township of Edgmont, Delaware county.

Passed finally.

No. 1155, an act regulating the fees of notaries public in the county of Allegheny.

Passed finally.

Senate bill No. 625, an act to authorize the poor-masters of Hamlin township, M'Kean county, to levy additional poor tax.

Passed finally.

Senate bill No. 690, an act relative to auctioneers in the borough of Lewisburg.

Objected to by Mr. WINGARD.

No. 1158, an act creating an additional return day to processes of the courts of Venango county.

Passed finally.

No. 1159, an act to increase the pay of the county commissioners of Lehigh county.

Objected to by Mr. KLINE.

No. 1160, an act relative to hucksters in the county of Dauphin.

Passed finally.

No. 1161, an act to authorize the appointment of an additional notary public in the borough of Girard, in the county of Erie.

Passed finally.

No. 1164, an act to extend to the county of Berks certain provisions of an act entitled An act to amend the fee bill as to constables in the city of Philadelphia.

Passed finally.

Senate bill No. 688, an act to regulate the fees of the directors of the poor and house of employment of the county of Bedford.

Passed finally.

No. 1162, a supplement to an act regulating the mode of voting at all elections in the several counties of this Commonwealth, and to regulate the mode of voting where boroughs and townships vote together, in the county of Washington.

Amended by Mr. RHOADS, and

Passed finally.

No. 1170, an act to provide for the enforcement of the inspection of whisky in the county of Philadelphia.

Passed finally.

No. 1166, an act to authorize the Governor to appoint six additional notaries public for the city of Philadelphia.

Amended by Mr. DONOHUGH, and

Passed finally.

No. 1167, an act to provide for the purchase of real estate and erection of a poor house in the township of Bloom, Columbia county.

Passed finally.

No. 1168, an act to provide for the erection of a house for the employment and support of the poor in the township of Hemlock, in the county of Columbia.

Passed finally.

No. 1169, an act to appropriate the moneys arising from the sale of a portion of the trust estate of Fredrica Miaca, and to validate and confirm the acts of the trustees therein.

Amended by Mr. M'CREARY, and

Passed finally.

No. 1171, an act to authorize the road supervisors of the township of Collins, Allegheny county, to make side-walks along the public roads in said township, and to increase the pay of the supervisors and auditors of said township.

Amended by Mr. CHADWICK, and

Passed finally.

No. 1172, an act relating to the collection of taxes in Cumberland county.

Passed finally.

No. 1173, an act fixing the pay of the sheriffs of Crawford county for boarding prisoners and other persons.

Passed finally.

No. 1174, an act to increase the pay of the county commissioners of Northumberland county.

Passed finally.

Senate bill No. 671, an act to reduce the width of Lehman street, in the Twenty-second ward of the city of Philadelphia.

Passed finally.

Senate bill No. 666, a further supplement to an act incorporating the borough of Allentown.

Objected to by Mr. KLINE.

No. 1177, a further supplement to an act incorporating the city of Carbondale.

Objected to by Mr. WORRALL.

Senate bill No. 693, a further supplement to the act incorporating the city of Corry, approved the 8th day of March, A. D. 1866.

Passed finally.

Senate bill No. 380, an act fixing the pay of road jurors in the city of Philadelphia.

Passed finally.

Senate bill No. 137, a supplement to an act to incorporate the city of Scranton, extending and defining the powers of said city.

Passed finally.

No. 1181, an act to authorize the burgess and town council of the borough of Sharpsburg, Allegheny county, to borrow money for grading and paving purposes, and for the general improvement of the borough.

Objected to by Mr. CHADWICK.

No. 1182, an act relating to water works in the city of Chester.

Passed finally.

No. 1183, a supplement to a further supplement to an act to erect the town of Chambersburg, in the county of Franklin, into a borough, extending the authority of the burgess and town council.

Postponed indefinitely.

No. 1184, an act dividing the city of Pittsburg into police districts, and relative to drunkenness end disorderly conduct therein.

Objected to by Mr. COLVILLE.

No. 1185, an act to annex a portion of the borough of Dunmore to the city of Scranton.

Passed finally.

No. 1187, a further supplement to the act, approved 1865, entitled An act to provide for the erection of a poor house in the townships of Milford, Turbett, Spruce Hill, Tuscarora, Lack and Beale, and the boroughs of Perrysville and Patterson, in the county of Juniata.

Passed finally.

No. 1188, a supplement to an act entitled An act relative to the running of railroad cars in the borough of York, extending the same to the borough of Glen Rock.

Passed finally.

No. 1189, a supplement to an act entitled An act to incorporate the Ohioville railroad company, approved the 27th day of March, 1866.

Passed finally.

No. 1190, a further supplement to the act incorporating the East Brandywine and Waynesburg railroad company, approved March 31, A. D. 1854.

Passed finally.

No. 1191, an act to incorporate the Tidioute railroad company.

Amended by Mr. ALLEN, and

Passed finally.

No. 1192, an act supplementary to an act authorizing the Governor to incorporate the Holland Valley railroad and mining company, passed the 25th day of May, 1839, authorizing the extension of a branch railroad, increasing capital stock, number of acres of land, and providing for the taxation of the same.

Passed finally.

No. 1184, a supplement to an act entitled An act to incorporate the Mount Pleasant railroad company, approved the 22d day of March, A. D. 1865, extending the time for the commencement and completion of said road.

Passed finally.

Senate bill No. 559, an act to repeal the third section of a supplement to an act relating to the Catasauqua and Foglesville railroad company, passed the 26th day of May, A. D. 1863.

Passed finally.

No. 1196, an act to incorporate the Reading and Treverton railroad company.

Passed finally.

Senate bill No. 298, an act to allow the Madera coal and improvement company to hold more land, and changing the par value of their stock.

Passed finally.

No. 1198, an act to empower the Ashland iron company of Baltimore county, in the State of Maryland, to hold land, and manufacture and sell iron in the State of Pennsylvania.

Amended by Mr. MAISH, and

Passed finally.

No. 1200, a supplement to an act to incorporate the Brady coal and iron company.

Passed finally.

No. 1201, a supplement to an act to incorporate the Mercer iron and coal company, approved August 1, 1863.

Amended by Mr. LEECH, and

Passed finally.

Senate bill No. 340, an act to enable the board of directors of the Swatara Falls coal company to borrow money, and to mortgage the corporate rights and franchises, mining rights and privileges, estate, real and personal of every description, or any part thereof now held, or that they may hereafter be held by said company.

Passed finally.

No. 1203, an act to incorporate the Shippensburg iron manufactoring and mining company.

Amended by Mr. LONG, and

Passed finally.

No. 1204, an act to incorporate the Hamilton iron and coal company.

Amended by Mr. STUMBAUGH, and

Passed finally.

Senate bill No. 647, an act to incorporate the Prarie du Chien mining company of Nevada.

Passed finally.

No. 1206, an act to incorporate the Venice gold and silver mining company.

Passed finally.

No. 1207, a further supplement to an act to incorporate the Union gold and silver mining company, approved March 23, 1865.

Passed finally.

No. 1208, an act to incorporate the Philadelphia mining company of Lander Hill.

Passed finally.

No. 1209, an act to incorporate the Pennsylvania North Carolina gold and silver mining company.

Passed finally.

No. 1210, an act to incorporate the New Sonora gold and silver mining company.

Passed finally.

No. 1211, an act to incorporate the Sierra Molina gold and silver mining company.

Passed finally.

No. 1212, an act to incorporate the Powhattan gold and silver mining company.

Passed finally.

No. 1218, an act to incorporate the Fidelity gold and silver mining company.

Passed finally.

No. 1214, an act to incorporate the Savage Extension gold and silver mining company.

Passed finally.

No. 1215, an act to incorporate the River Bed gold and silver mining company.

Objected to by Mr. ARMSTRONG.

No. 1216, an act to incorporate the Morris

and Cable silver mining company of Reese river district, Lander county, Nevada.

Passed finally.

Senate bill No. 583, an act to incorporate the Shakspeare and Lydia Ann silver mining company of Nevada.

Passed finally.

No. 1218, an act to incorporate the Volcanic mining company.

Passed finally.

No. 1219, an act to establish a ferry over the Allegheny river, at or below the big rock, in the county of Venango.

Amended by Mr. WHANN, and

Passed finally.

No. 1220, a supplement to an act to lay out a State road from the borough of Tarentum, in Allegheny county, by the town of Bakerstown, to the State road leading from Perrysville to the Glade mills, on lands of George Gocher, in Butler county.

Amended by Mr. COLVILLE, and

Laid over on third reading.

No. 1221, an act to lay out a State road in Venango and Butler counties.

Amended by Mr. PILLOW, and

Passed finally.

No. 1222, an act to incorporate the Farmers' turnpike road company, in the county of Lancaster.

Passed finally.

No. 1223, an act declaring Beech creek, in the counties of Centre and Clinton, a public highway.

Passed finally.

No. 1224, an act for the improvement of Coal Hill road, in the township of Collins, in the county of Allegheny.

Objected to by Mr. CHADWICK.

Senate bill No. 771, an act repealing the fifth section of an act entitled An act to enable the Governor to incorporate a company to make an artificial road from the west end of Perkiomen bridge, in the county of Montgomery, passing through Pottsgrove, and passing by the White Horse tavern, in Amity township, in Berks county, to the borough of Reading, approved the 20th day of March, A. D. 1810.

Passed finally.

No. 1227, an act extending an act relative to the opening and making of new roads and building of bridges in the township of West Marlborough, in the county of Chester, to the township of Sadsbury, said county.

Amended by Mr. SHARPLES, and

Passed finally.

Senate bill No. 540, an act to authorize the president and managers of the Limekiln turnpike company, and the president and managers of the Jarrettstown and Horsham turnpike company, to charge certain rates of toll.

Objected to by Mr. SUBERS.

No. 1229, an act to repeal an act, entitled An act to view and lay out a State road in the counties of Clarion and Forest, approved the 18th day of March, A. D. 1863.

Objected to by Mr. DONOHUGH.

No. 1230, an act to incorporate the Kittanning and Rural Village Macadamized turnpike road company, in the county of Armstrong.

Passed finally.

No. 1231, an act authorizing the Governor to incorporate a company to erect a bridge over the Youghiogheny river, at a point between the mouth of Dickinson's run and Taylors's fording, in the county of Fayette.

Objected to by Mr. COLVILLE.

No. 1232, an act to authorize the Johnstown and Scalp Level turnpike company of Cambria county to increase the rates of toll on said turnpike.

Passed finally.

No. 1233, an act to increase the number of supervisors of roads in Cowanshannock township, Armstrong county.

Passed finally.

Senate bill No. 699, an act to authorize Allen K. Williams to construct a ferry over Oil creek, at or near the township lines of Allegheny and Cherry Tree, in Venango county.

Passed finally.

Senate bill No. 743, an act to lay out a State road in Lehigh and Bucks counties.

Passed finally.

No. 1236, an act to incorporate the Newton and Scranton turnpike road company.

Passed finally.

No. 1237, an act to reduce the compensation and change the manner of election, of the supervisors of the township of Newberry, in the county of York.

Amended by Mr. MAISH, and

Passed finally.

No. 1238, an act to amend the charter of the Wellersburg and West Newton plank road company.

Objected to by Mr. GALLAGHER.

No. 1239, an act to vacate a portion of the Wilkesbarre and Providence plank road.

Passed finally.

Senate bill No. 674, a further supplement to an act in relation to the construction and repair of roads and bridges in Lower Merion township, Montgomery county, approved March 2, 1866.

Passed finally.

No. 1241, an act authorizing the supervisors and auditors of Jones township, Elk county, to receive the sum of two dollars per day.

Amended by Mr. DEHAVEN, and

Passed finally.

Senate bill No. 681, an act to increase the compensation of the supervisors of roads in Bucks county.

Amended by Mr. HEADMAN, and

Passed finally.

Senate bill No. 319, an act to incorporate the Sandusky and Irwin Street bridge company.

Objected to by Mr. M'CREARY.

Senate bill No. 278, an act to authorize turnpike and plank road companies, in the county of Allegheny, not paying dividends, to increase their tolls.

Amended by Mr. EWING, and

Passed finally.

No. 1245, an act to declare Lake Pleasant and its outlet to French creek a public highway.

Passed finally.

No. 1246, an act to repeal a part of an act authorizing the appointment of commissioners to lay out and open a State road in the counties of M'Kean, Elk, Forest and Clarion, approved May 6, A. D. 1861.

Objected to by Mr. DONOHUGH.

No. 1247, an act to incorporate the Limestone turnpike and plank road company of Warren county.

Amended by Mr. ALLEN, and

Passed finally.

No. 1248, an act to repeal an act approved the 23d day of March, A. D. 1865, to appoint a road commissioner to take charge of a portion of the Warren and Brookville and of the Warren and Strattonville State road.

Objected to by Mr. ROATH.

No 1249, a supplement to an act entitled An act to incorporate the president, managers and company of the Bustleton and Summerton turnpike road company, authorizing them to increase their rates of toll for stage wagons.

Objected to Mr. DONOHUGH.

No. 1250, an act to establish a ferry over the West Branch of the Susquehanna river, at or near the residence of George W. Sower, in the township of Wayne, in the county of Clinton.

Passed finally.

MESSAGE FROM THE SENATE.

The Clerk of the Senate being introduced, presented for concurrence bill numbered and entitled as follows, viz:

Senate bill No. 791, an act for the better protection of seamen in the port and harbor of Philadelphia.

He also returned bill from the House of Representatives numbered and entitled as follows, viz:

No. 118, an act to extend the provisions of an act relating to costs in Luzerne county, approved the 2d day of April, A. D. 1863, to the county of Danphin, with a proviso,

With information that the Senate has passed the same with amendment, in which the concurrence of the House of Representatives is requested.

He also returned bill from the House of Representatives numbered and entitled as follows, viz:

No. 1600, a supplement to an act relative to roads in the county of Franklin, approved the 14th day of March, A. D. 1867,

With information that the Senate has passed the same without amendments.

He also informed that the Senate has concurred in the amendments made by the House of Representatives to Senate bill No. 886, an act supplementary to an act entitled An act to enable the Pennsylvania Cannel coal and railroad company to borrow money, and to change the corporate name of said company, and confirm the title to real estate belonging to said company, and directing in what manner the mortgage authorized in said act shall be approved by the stockholders of said company, and to ratify the consolidation of certain companies under said act of Assembly.

He also informed that the Senate has concurred in the resolution from the House of Representatives relative to recalling from the Governor House bill No. 570, entitled an act to incorporate the Shickshiny and New Columbia turnpike road company, in the county of Luzerne.

He also presented the following extract from the Journal:

"IN THE SENATE, March 25, 1867.

"*Resolved*, That the House of Representatives be requested to return to the Senate, Senate bill No. 908, of the file of the Senate, entitled An act to change the venue in certain suits from the county of Allegheny, to the city of Philadelphia."

MESSAGES FROM THE GOVERNOR.

The Deputy Secretary of the Commonwealth being introduced, presented the following message from the Governor, which was read, viz:

EXECUTIVE CHAMBER,
HARRISBURG, March 26, 1867.

To the Senate and House of Representatives of the Commonwealth of Pennsylvania:

GENTLEMEN—I have approved and signed the following acts of the General Assembly, to wit:

On the 22d instant:

An act supplemental to an act incorporating the Birmingham and Brownsville macadamized road company.

An act making it an offense for railroad corporations within this Commonwealth to make any distinction with their passengers on account of race or color, and punishing said corporations and their agents and employees for the commission of such offense.

An act to incorporate the Lebanon County Soldiers' and Sailors' Monument association.

An act to authorize the supervisors of Kingston township, in Luzerne county, to collect their own duplicates.

A further supplement to an act to incorporate the Birgmingham and Pittsburg bridge company.

An act to prevent and punish prize fighting.

An act to incorporate the Scranton Base Ball Club of Scranton.

An act to authorize the school directors of the borough of White Haven, in the county of Luzerne, to borrow money to build school houses.

An act to authorize the school directors of Marshall and North Fayette townships, Allegheny county, and Silver Spring township, Cumberland county, to apply the surplus bounty tax in their hands for school purposes.

A supplement to an act entitled An act to provide for the ordinary expenses of the Government and other general and specific appropriations, approved April eleven, one thousand eight hundred and sixty-six, relative to the Keystone State Normal school.

A supplement to the act entitled An act for the erection of the Gettysburg gymnasium into a college, and for other purposes, approved the seventh of April, one thousand eight hundred and thirty-two.

An act to enable the board of directors of common schools of Benton township, Luzerne county, to apply surplus of bounty fund to common school purposes.

An act to change the time of holding borough elections in the borough of Mineraville, Schuylkill county.

An act to incorporate the Mants Grandee silver mining and commercial company.

An act to incorporate the Enterprise mining and exploring company.

An act to incorporate the Tremont gas and water company.

An act to incorporate the Union iron mills.

An act to incorporate the Downingtown gas and water company.

An act to incorporate the Quaker City Barge club of the city of Philadelphia.

An act to declare Montgomery creek, in the county of Clearfield, a public highway.

An act to incorporate the Susquehanna Summer Resort.

An act to regulate the granting of licenses to hotels and eating houses, approved March thirty-first, one thousand eight hundred and fifty-six.

An act to repeal an act entitled A further supplement to the act incorporating the Pennsylvania railroad company, authorizing an increase of capital stock and to borrow money, approved the twenty first day of March, A. D. 1866, and also to authorize the Pennsylvania railroad company, by this act, to increase its capital stock, to issue bonds and to secure the same by mortgage.

An act to increase the revenue of the Commonwealth.

An act to attach the farm of David Dietz, in Pennsboro township, Cumberland county, to the township of Hampden, in said county, for school purposes.

An act to incorporate the Summit turnpike road company in the county of Clearfield.

An act relative to the coroner of the city and county of Philadelphia.

An act to incorporate the Philadelphia coal company.

An act to incorporate the Philadelphia Enterprise gold and silver mining company of Montana.

An act to incorporate the Rob Roy gold gold and silver mining company.

An act to repeal the fourth section of an act relating to certain election districts in Schuylkill county.

An act to incorporate the Schuylkill insurance company of Philadelphia.

An act to incorporate the National Homestead at Gettysburg for the orphans of our soldiers and sailors.

An act appointing commissioners to lay out and open a State road in the counties of Cameron, Elk and Clearfield, from the Sinnemahoning to the West Branch of the Susquehanna.

An act to incorporate the Marine hospital of Pennsylvania, in the county of Erie, to fix location of hospital in Erie city, and to grant real estate to said hospital.

An act to incorporate the Caledonia iron, land and railroad company.

An act to incorporate the American button-hole, overseaming and sewing machine company.

On the 23d instant:

An act to incorporate the Northern railroad and navigation company.

An act to incorporate the Wyoming bridge company.

An act to incorporate the Myuga iron company.

An act to establish a ferry over the Allegheny river at Tidioute, Warren county.

An act relative to judicial sales and the preservation of the lien of mortgages.

On the 22d inst:

Joint resolution authorizing the appointment of a special agent to collect disallowed and suspended claims against the United States.

On the 23d instant:

Joint resolution providing for the final adjournment of the Legislature.

JNO. W. GEARY.

The Deputy Secretary of the Commonwealth also presented a message from the Governor, which was read as follows, viz:

EXECUTIVE CHAMBER,
HARRISBURG, March 22, 1867.

To the Senate and House of Representatives of the Commonwealth of Pennsylvania:

GENTLEMEN—Herewith is returned, with my objections, bill No. 249, entitled An act to extend the provisions of the act entitled An act relating to corporations for mechanical, manufacturing, mining and quarrying purposes to fire insurance companies.

The general law for the incorporation of insurance companies, approved April 2, 1856, appears to have been prepared with much care, and to be well suited to attain the objects intended; and has been tested by over ten years' experience. Nearly, if not quite all companies formed since its enactment have been organized under it; and I have heard no just cause of complaint against it. Uniformity in the laws on any subject is desirable, being calculated to simplify them and make them easily understood. Gross departures from established precedents should only be sanctioned for good reasons. The bill herewith returned proposes the organization of fire insurance companies under the act approved 18th July, 1863, entitled An act relating to corporations for mechanical, manufacturing, mining and quarrying purposes. These purposes are as totally different from that of fire insurance as can well be imagined; and it strikes me as wholly incongruous for an insurance company to be declared "entitled to all the privileges and subject to all the restrictions created by said act" of 1863. Then, as if to make "confusion worse confounded," a concluding section is added to the bill now under consideration, as follows:

"The corporations organized under this act shall be subject to the laws of this Commonwealth regulating fire insurance companies in respect to taxation, and for all other purposes, so far as the same may be applicable."

Hence, the corporations created under this law, formed for the purpose of fire insurance alone, would be subject to all the liabilities and restrictions, not only for the whole system of fire insurance laws, but also of the forty-eighth section of the act of 1863, "relating to corporations for mechanical, manufacturing, mining and quarrying purposes."

I will not undertake to affirm that corporations could not live under all these discordant laws, but I must be permitted to doubt the wisdom of subjecting them to such questionable experiments.

By the 29th section of said act of 1863 it is provided that corporations may be formed thereunder with a capital stock of not less than five thousand dollars, and not exceeding five hundred thousand dollars.

Here, I apprehend, is the key to this new bill. The practical result of its passage would, no doubt, be the creation of a large number of new companies, by irresponsible parties and with small capital, totally inadequate to the grave responsibilities of the business and demands of the public welfare.

Unwilling to change our present insurance laws in the manner proposed, and believing this enactment, if approved, would be highly prejudicial to great public interests involved, I return the same without my approval.

JNO. W. GEARY.

Agreeably to the provisions of the Constitution, the House proceeded to the reconsideration of said bill; and

On the question,

Shall the bill pass, notwithstanding the objections of the Governor? when,

Agreeably to the rules,

The further consideration of the same was postponed for the present.

SPEAKER'S TABLE.

The Speaker cleared his table of bills numbered and entitled as follows, viz:

Senate bill No. 791, an act for the better protection of seamen in the port and harbor of Philadelphia.

Referred to the Committee on Corporations.

No. 118, an act to extend the provisions of an act relating to costs in Luzerne county, approved the 22d day of April A. D. 1863, to the county of Dauphin, with a proviso.

Returned from the Senate with amendment.

The amendment made by the Senate to said bill was twice read, considered and concurred in; and

Ordered, That the Clerk inform the Senate of the same.

The following extract from the Journal of the Senate was read:

IN THE SENATE, March 25, 1867.

Resolved, That the House of Representatives be requested to return to the Senate bill No. 908, of the file of the Senate, entitled An act to change the venue in certain suits from the county of Allegheny to the city of Philadelphia.

On motion, said resolution was twice read, considered and concurred in; and

Ordered, That the Clerk inform the Senate of the same.

The hour of one o'clock having arrived, the SPEAKER adjourned the House until three o'clock this afternoon.

AFTERNOON SESSION.

The House met at 3 o'clock.

PRIVATE CALENDAR CONTINUED.

Mr. HOFFMAN. Mr. Speaker, I rise to a privileged question. I wish to make a motion to reconsider the vote by which House bill No. 1192 was passed this morning. There is no such railroad as is named in that bill.

The motion to reconsider was agreed to.

Mr. HOFFMAN. Mr. Speaker, I move the indefinite postponement of the bill.

Mr. STUMBAUGH. Mr. Speaker, I hope not. I have no objections, however, to letting the bill go over.

I have no interest in it personally, but a gentleman handed me the bill and I read it in place. It was examined in committee, passed there and came up here and passed this morning without any objection at all.

I hope that the bill may go over, so that I can consult with the gentleman who desired me to read it in place.

Mr. HOFFMAN. Mr. Speaker, I said that this bill was introduced in this way for the purpose of having it passed through without anybody taking any notice of it. The company to which it refers is located in our end of the county, but has no such name as is here stated. If it should go into the Senate, they could there easily amend the title, and it would pass through and become a law.

Mr. STUMBAUGH. Mr. Speaker, I do not know that I am in favor of the bill, but I wish to have an opportunity to examine it. It strikes me that this is a very singular way to attempt to defeat a bill. This bill was read in place and reported from committee. I read it in place, and did not do it secretly, for every member in the House at the time heard me read it, and now that the gentleman who desired its passage is not here, an attempt to defeat his bill without any hearing from him, does not seem to me to be right. If the bill is not right, I will certainly be the last man to endeavor to force it through the House.

Mr. HOFFMAN. Mr. Speaker, this bill states that the road is in Schuylkill county and in the adjoining counties, while the whole of the road is in Dauphin county. This bill was introduced in this shape for the purpose of having it slipped through the House without any attention being called to it.

The motion to indefinitely postpone was

Not agreed to.

Mr. STUMBAUGH. I move to postpone the bill for the present.

The motion was

Agreed to.

OBJECTIONS WITHDRAWN.

Mr. WORRALL. Mr. Speaker, I wish to withdraw my objections to House bill No. 1177, a further supplement to an act to incorporate the city of Carbondale.

The bill was

Passed finally.

Mr. ARMSTRONG. Mr. Speaker, I wish to withdraw my objections to House bill No. 1215, an act to incorporate the River Bed gold and silver mining company.

The bill was

Passed finally.

Mr. COLVILLE. Mr. Speaker, I wish to withdraw my objections to House bill No. 1231, an act authorizing the Governor to incorporate a company to erect a bridge over the Youghiogheny river, at a point between the mouth of Dickinson's run and Taylor's fording, in the county of Fayette.

The bill was

Passed finally.

No. 1251, an act to extend the act providing for the assessment of seated lands in the township where the mansion house is situated, to the borough of Rome, in the county of Bradford, for school purposes.

Passed finally.

Senate bill No. 733, an act relative to the collection of school tax in the township of Doylestown.

Passed finally.

No. 1257, an act relative to the sale of an old school house in West Cocalico township, Lancaster county.

Passed finally.

No. 1258, an act to authorize the board of school directors of the borough of Irwin, in the county of Westmoreland, to borrow money for building purposes, and to levy additional school taxes.

Amended by Mr. GALLAGHER, and

Passed finally.

No. 1259, an act to authorize the board of school directors of the borough of West Middlesex, in the county of Mercer, to borrow money.

Passed finally.

No. 1260, an act to reduce the number of school directors in the several school districts in the county of Bradford, and to pay the same.

Objected to by Mr. ARMSTRONG.

No. 1261, an act to annex the farm of Daniel Sell, of Germany township, Adams county, to the borough of Littlestown, for school purposes.

Passed finally.

No. 1263, an act to attach the farms of James M'Kean, William Nicholas, David Long and John Long, Jr., of Otter Creek township, in the county of Mercer, to Salem school district, for school purposes.

Passed finally.

No. 1264, an act to annex additional territory to the borough of Brownsville, Mercer county, for school purposes.

Amended by Mr. LEECH, and

Passed finally.

No. 1265, a further supplement to an act to incorporate the American Academy of Music of the city of Philadelphia.

Objected to by Mr. KEENS.

No. 1266, an act to incorporate the Warren water company.

Passed finally.

No. 1267, an act to incorporate the Enterprise gas light company.

Amended by Mr. QUIGLEY, and

Passed finally.

No. 1268, an act to incorporate the Philadelphia Mercantile college.

Passed finally.

No. 1269, an act to incorporate the Delaware County manufacturing company.

Amended by Mr. GHEGAN, and

Passed finally.

No. 1270, an act to incorporate the Crystal Lake water company.

Passed finally.

No. 1271, an act to incorporate the St. Vincent's cemetery company.

Passed finally.

Senate bill No. 696, an act to incorporate the Empire slate company.

Passed finally.

No. 1273, a supplement to the act to incorporate the Amateurs' Drawing Room association of the city of Philadelphia, approved the 8th day of March, A. D. 1866.

Passed finally.

No. 1274, an act to incorporate the Manayunk fire insurance company.

Passed finally.

Senate bill No. 801, an act to incorporate the Keystone homestead company.

Passed finally.

Senate bill No. 1027, an act to incorporate the Review printing house company.

Passed finally.

No. 1276, a supplement to an act incorporating the Accident insurance company, approved March 24, 1865.

Passed finally.

No. 1277, a supplement to an act to incorporate the Reno shipping company, approved the 1st day of September, A. D. 1866.

Passed finally.

No. 1278, an act to incorporate the Conocochegue water company of the borough of Chambersburg.

Amended by Mr. STUMBAUGH, and

Passed finally.

No. 1279, an act to incorporate the United States Accident insurance company.

Passed finally.

No. 1280, an act to incorporate the Philadelphia woolen machine works.

Passed finally.

Senate bill No. 676, an act to authorize the Pennsylvania steel company to purchase and hold stock in other corporations.

Passed finally.

No. 1282, a further supplement to an act entitled An act to incorporate the Youghiogheny shaft company.

Passed finally.

No. 1283, a supplement to an act entitled An act to incorporate the Farmers' Mutual fire insurance company of Paradise township, in the county of York, approved 28th day of March, A. D. 1854.

Amended by Mr. MAISH, and

Passed finally.

No. 1284, an act to incorporate the Nautical and Engineering college of Philadelphia.

Amended by Mr. ADAIRE, and

Passed finally.

Senate bill No. 517, an act to incorporate the Continental slate company.

Passed finally.

Senate bill No. 520, an act to incorporate the Moshannon land and lumber company.

Objected to by Mr. WORRALL.

No. 1288, an act to re-annex a part of Colebrook township, Clinton county, to Brown township, Lycoming county.

Passed finally.

No. 1291, an act to annex certain portions of the territory of Luzerne county to that of Carbon county.

Objected to by Mr. KOON.

Senate bill No. 318, an act repealing the first section of an act entitled An act to prevent the spread of Canada thistles, et cetera, approved March 22, 1862, so far as relates to the county of Bradford.

Passed finally.

No. 1293, an act to prevent the destruction of deer in Wayne county.

Passed finally.

No. 1294, an act for the protection of sheep and the taxing of dogs in the county of Westmoreland.

Passed finally.

No. 1295, an act to prevent cattle, horses, sheep and swine from running at large in Tunkhannock township, Wyoming county, and Middletown township, Susquehanna county.

Amended by Messrs. KENNEDY and CAMERON, and

Passed finally.

No. 1296, an act to prevent cattle from running at large on the flat of Jack mountain, Menno and Union townships, in the county of Mifflin.

Passed finally.

No. 1297, an act to prevent cattle, horses, sheep and hogs from running at large in the township of Mill Creek and borough of New Lebanon, in the county of Mercer.

Passed finally.

Senate bill No. 715, an act to prohibit the taking of fish with nets in any of the streams of Monroe county.

Passed finally.

No. 1299, an act to prevent the sale or giving away of intoxicating drinks in the township of Peach Bottom, York county, on election day.

Passed finally.

No. 1302, an act extending the provisions of an act relating to the licensing of billiard rooms, bowling saloons, and nine or ten-pin alleys, at Cresson Springs, in the county of Cambria, to the Loretto Springs, in the same county.

Passed finally.

No. 1403, an act to prohibit the issuing of

licenses in the township of Allegheny, in the county of Westmoreland, within a distance of two miles from the borough of Freeport, Armstrong county.

Passed finally.

No. 1307, an act to exempt John Malone, of Sewickley township, Westmoreland county, from the payment of bounty tax.

Passed finally.

No. 1308, an act authorizing the school directors of the borough of Harmony and the townships of Jackson and Brady, in the county of Butler, to levy and collect an additional bounty tax.

Amended by Mr. PILLOW, and

Passed finally.

No. 1310, an act to authorize the school directors of the borough of Patterson, Juniata county, to levy and collect a tax for the payment of certificates of bounty.

Objected to by Mr. SHUMAN.

No. 1311, an act authorizing the school directors of Warrington township, York county, to levy and collect bounty tax at once.

Passed finally.

No. 1312, an act to legalize the action of the school directors of Shrewsbury township, York county, relative to money borrowed to pay bounties, and taxes assessed to collect the same.

Passed finally.

No. 1313, an act relating to the payment of bounties in the township of Birmingham, county of Delaware.

Passed finally.

No. 1314, an act to legalize and make valid an assessment made by the board of school directors of Strasburg township, Lancaster county, of one-half of one per centum, on the 16th day of June, A. D. 1866, for bounty purposes.

Passed finally.

No. 1315, an act to repeal an act, entitled An act to authorize and require the school directors of West Caln township, Chester county, to levy and collect taxes for the purpose of paying three hundred dollars each to persons who were drafted and furnished substitutes, under the call of the President, of July 18, 1864, approved 22d day of March, 1866.

Passed finally.

No. 1316, an act to authorize an examination into the military services of A. F. Rightmyer.

Passed finally.

No. 1317, an act to annul the marriage contract of Otto W. Riess and Mary Riess.

Objected to by Mr. FREEBORN.

No 1318, an act to divorce William A. Taylor and Julia, his wife.

Passed finally.

No. 1319, an act to incorporate the Darby and Upper Darby railroad company.

Passed finally.

Senate bill No. 594, a supplement to an act to incorporate the Philadelphia City Passenger railway company, passed March 26, 1859, authorizing said company to borrow money and issue bonds.

Passed finally.

No. 1321, an act to authorize the Lombard and South Street Passenger railway company to increase its capital stock and bonded debt.

Passed finally.

Senate bill No. 595, a supplement to an act to incorporate the Reading Passenger railway company, approved 21st day of March, A. D. 1865.

Objected to by Mr. JONES.

No. 1323, an act to incorporate the Capital savings fund, insurance, trust and safe deposit company.

Passed finally.

No. 1324, an act to incorporate the American iron and coal company.

Amended by Mr. GHEGAN, and

Passed finally.

Senate bill No. 159, a further supplement to an act, entitled An act granting a pension to Jacob Horst, approved March 27, 1866.

Passed finally.

No. 1326, an act for the relief of Dr. Herman B. Linton, a surgeon of the Thirty-eighth regiment Pennsylvania infantry volunteers.

Passed finally.

No. 1327, an act to pay a pension to Sarah Winters, widow of Stacy Winters, a soldier of the war of 1812.

Passed finally.

No. 1328, a supplement to an act to incorporate the Medico Chirurgical college of Philadelphia, passed February, A. D. 1850.

Passed finally.

No. 1329, an act granting a pension to Nancy J. O'Donnell, widow of Charles O'Donnell, deceased.

Passed finally.

No. 1330, an act to extend the time for the payment of the enrollment tax on an act to incorporate the Moshannon coal and lumber company.

Passed finally.

No. 1331, an act granting a pension to Margaret Rots, widow of David Rots, late of Franklin county, deceased.

Passed finally.

No. 1332, an act to authorize the school directors of M'Keesport, Allegheny county, to equalize the payment of bounties.

Passed finally.

No. 1333, a supplement to the act relating to the passage of fish in the Susquehanna, and certain of its tributaries.

Passed finally.

No. 1334, an act annexing certain farms in Dyberry township, to the borough of Bethany, in Wayne county, for school purposes.

Passed finally.

No. 1335, an act to legalize and make valid an order for bounty, issued by the road commissioners of Elk Creek township, in the county of Erie.

Passed finally.

No. 1336, an act for the appointment of two additional assessors for the Fifteenth ward of the city of Philadelphia.

Passed finally.

No. 1337, an act to vacate part of Buck road, in the Twenty-sixth ward of the city of Philadelphia.

Passed finally.

No. 1338, supplement to an act declaring Forge run, in Centre county, a public highway.

Passed finally.

No. 1339, an act to empower the supervisors of the township of Peach Bottom, in the county of York, to collect, in money, all taxes levied in said township for road purposes.

Passed finally.

No. 1340, an act to incorporate the York and Chanceford turnpike road company, in the county of York.

Passed finally.

No. 1341, an act to authorize the trustees of the Methodist Episcopal church of Mount Jackson, Lawrence county, to convey certain real estate.

Anended by Mr. HARBISON, and

Passed finally.

No. 1342, an act to incorporate the Oxford fire and life insurance, annuity and trust company.

Passed finally.

No. 1344, joint resolution to pay the expenses of the committee appointed, at the last session of the Legislature, to investigate the truth of certain newspaper articles in reference to the passage of an act relating to licenses in the county of Allegheny.

Passed finally.

No. 1345, an act to incorporate the Pittsburg and Waynesburg railroad and transportation company.

Passed finally.

No. 1346, an act granting a pension to Sarah E. M'Elhose, widow of a soldier.

Passed finally.

No. 1347, an act to incorporate the Beaver Falls water company.

Passed finally.

No. 1349, an act to authorize the school directors of Troy borough school district, in the county of Bradford, to contract a loan for the purpose of erecting a suitable building for school purposes in said borough.

Passed finally.

No. 1350, an act enabling the Hazelton railroad company to avoid their inclined plane.

Indefinitely postponed.

No. 1351, an act to extend the provisions of an act to entitle the stockholders of any railroad company, to one vote for each share of stock, approved 20th day of May, A. D. 1865, to the Bellefonte, Aaronsburg and Youngstown turnpike road company, and to change the name of the same.

Passed finally.

No. 1352, an act relative to a certain highway in the town of Coatesville, Chester county.

Passed finally.

No. 1353, an act to incorporate the Pickering gold and silver mining company.

Passed finally,

No. 1354, an act to incorporate the Lincoln Savings Bank.

Passed finally.

No. 1355, an act relating to parks in the city of Harrisburg.

Passed finally.

No. 1356, an act to make Frederick Gastrock the heir-at-law of John Gastrock.

Passed finally.

No. 1358, an relative to actions of ejectment in Erie county.

Passed finally.

No. 1358, an act relative to the jurisdiction of justices of the peace, mayors and burgesses in Erie county, and relative to appeals therefrom.

Passed finally.

No. 1359, an act relative to the borough of Union Mills, in the county of Erie.

Passed finally.

No. 1360, an act supplementary to an act incorporating the borough of Marietta, approved February 15, A. D. 1834, granting certain powers to chief burgess and borough constables.

Amended by Mr. ROATH, and

Passed finally.

No. 1361, an act to authorize the directors of West Hempfield township, Lancaster county, to apply surplus of bounty funds for school purposes.

Passed finally.

No. 1362, a supplement to an act incorporating the Lehigh Mutual manufacturing company.

Passed finally.

No. 1363, an act authorizing the supervisors of Salem township, Luzerne county, to collect in money the tax levied for road purposes in said township.

Passed finally.

No. 1364, an act to extend the time for the payment of the enrollment tax from the Dime Savings institute of Harrisburg.

Amended by Mr. ADAIRE, and

Passed finally.

No. 1365, an act to authorize the board of school directors of the township of Wheat-

field, in the county of Perry, to levy and collect an additional bounty tax.

Passed finally.

No. 1367, an act to extend the time of payment of the enrollment tax on an act incorporating the Pennsylvania light and water company, approved April 5, 1866.

Passed finally.

No. 1370, an act to repeal an act to prevent horses, cattle, sheep and hogs from running at large in Chillisquaque township, Northumberland county, and Kelly township, Union county, and certain townships in Luzerne county, approved March 23, 1865, so far as relates to Kelly township, Union county.

Amended by Mr. KOON, and

Passed finally.

No. 1371, an act to increase the salary of the supervisors and auditors in Washington township, Lycoming county.

Indefinitely postponed.

No. 1372, an act to incorporate the Rynd Farm bridge company.

Passed finally.

No. 1373, a supplement to an act to establish a ferry over the Allegheny river at Siggins landing, near the mouth of East Hickory, Harmony township, Venango county.

Passed finally.

No. 1374, an act to organize the Monongahela City and Victory turnpike road company, Washington county.

Amended by Mr. DAY, and

Passed finally.

No. 1376, an act relating to auctioneers in the city of Williamsport.

Passed finally.

No. 1377, an act appropriating certain surplus bounty funds in Silver Spring township, Cumberland county, to school purposes.

Passed finally.

No. 1378, an act to authorize the Hartsville and Centreville turnpike road company to issue preferred stock.

Passed finally.

No. 1379, an act to provide a city government for the borough of Altoona, Blair county.

Passed finally.

No. 1380, an act relating to the election district of Allegheny township, in the county of Blair.

Passed finally.

No. 1381, an act to authorize the supervisors of Tyrone township, Blair county, to levy a cash tax, and James L. Gwin to run, fix and establish the boundary line between Tyrone and Logan townships, Blair county.

Passed finally.

No. 1383, an act to create trustees to erect a monument in the Twenty-second ward of the city of Philadelphia, and to authorize Henry K. Smith, executor or administrator of the estate of William K. Smith, deceased, to pay over the money in his hands belonging to the bounty fund of the Twenty-second ward.

Passed finally.

No. 1384, an act to take the sense of the people of Indiana county upon the question of a prohibitory liquor law.

Passed finally.

Senate bill No. 1019, an act to incorporate the Adams County Soldiers' Monument association.

Passed finally.

No. 1389, an act to authorize the commissioners of Susquehanna county to erect a new jail in the said county.

Passed finally.

No. 1390, an act to empower the courts of quarter sessions of Northumberland county to grant a license to Nicholas Wenk, to keep a hotel.

Passed finally.

MESSAGE FROM THE SENATE.

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows, viz:

No. 246, an act for the better and more impartial selection of persons to serve as jurors in each of the counties of this Commonwealth,

With information that the Senate had passed the same with amendments, in which the concurrence of the House of Representatives is requested.

REPORT FROM THE COMMITTEE TO COMPARE BILLS.

Mr. WATT, from the Committee to Compare Bills, and present them to the Governor for his approbation, made report, which was read as follows, viz:

That in conjunction with a similar committee from the Senate, they have compared, and on the 19th instant presented to the Governor, for his approbation, bills as follow, to wit:

House bill No. 1348, an act to fix the time of the commencement of the June term of the several courts of Beaver county.

Senate bill No. 808, a supplement to the act incorporating the Colebrookdale railroad company, approved the 23d day of March, A. D. 1865.

Senate bill No. 376, a supplement to an act to authorize the school directors of the borough of West Greenville, in Mercer county, to borrow money to erect a public school house in said borough.

Senate bill No. 235, an act making it an offense for railroad corporations within this Commonwealth to make any distinction with their passengers on account of race or color, and punishing said corporations and their agents and employees for the commission of such offense.

Senate bill No. 800, an act to incorporate the National Homestead at Gettysburg for orphans of our soldiers and sailors.

Senate bill No. 233, an act to incorporate the Northern railroad and navigation company.

Senate bill No. 288, recalled from Governor March 13th, returned March 19th.

Senate bill No. 281, an act for vacating the old burial grounds in the borough of Sewickley, and removing the bodies therefrom.

Senate bill No. 40, an act to change the venue in the case of Jesse Chronister versus Howard Miller, George Hollinger and Daniel Harbolt from the court of common pleas of Adams county to the court of common pleas of Dauphin county.

Senate bill No. 511 a supplement to an act to increase the compensation of the county commissioners, auditors, jurors, assessors, witnesses and supervisors of Indiana county, and to authorize the collection of road taxes in Burrell township, in said county, in money.

Also, on the 20th instant:

Senate bill No. 502, an act to authorize the chief burgess and town council of the borough of Lebanon to borrow money for the purpose of building an engine house for the use of the Perseverance steam fire engine and hose company, and the purchasing of hose for use in the fire department of said borough.

Senate bill No. 487, an act to incorporate the Lebanon County Soldiers' and Sailors' Monument association.

Senate bill No. 650, an act to incorporate the Superior iron company.

Senate bill No. 586, an act to incorporate the Union iron mills.

Senate bill No. 29, a further supplement to an act entitled An act for the better security of the city of Philadelphia from dangers incident to the refining or improper and negligent storage of petroleum, benzine or naptha, approved March 2d, A. D. 1865, construing the same.

House bill No. 556, an act relating to hawkers and peddlers of ready made clothing the county of Greene.

House bill No. 266, an act to annex the farms of Samuel Powers, John Hunter, James Cunningham, John Conway and James Rutlidge, of Derry township, to Livermore borough, in Westmoreland county, for school purposes.

House bill No. 528, an act regulating the granting of licenses to eating houses and taverns in the county of Allegheny, and enforcing order therein.

Also, on the 21st instant:

House bill No. 1090, an act for the sale of certain real estate of Drusilla Haas.

House bill No. 1100, an act to incorporate the Susquehanna Summer Resort.

House bill No. 541, an act to authorize the Governor to appoint two additional notaries public for the county of Dauphin, one in the Nineteenth ward of the city of Philadelphia, and three to reside in the county of York, and one to reside in the city of Williamsport.

Senate bill No. 309, an act to establish a ferry over the Allegheny river at Tidioute, Warren county.

Senate bill No. 510, an actauthorizing and providing powers and means for the conversion of the common grounds of the city of Allegheny into public parks.

Senate bill No. 107, an act to incorporate the Miyuga iron company.

Senate bill No. 299, an act to incorporate the Rob Roy gold and silver mining company.

Senate bill No. 297, an act to incorporate the Philadelphia coal company.

Senate bill No. 308, an act to incorporate the Philadelphia Enterprise gold and silver mining company of Nevada.

Senate bill No. 355, an act to incorporate the Summit turnpike road company, in the county of Clearfield.

Senate bill No. 399, an act appointing commissioners to lay out and open a State road in the counties of Cameron, Elk and Clearfield, from the Sinnemahoning to the West Branch of the Susquehanna.

Senate bill No. 365, an act to incorporate the Manta Grandee silver mining and commercial company.

Senate bill No. 437, a further supplement to an act passed May 16th, A. D. 1861, entitled an act to authorize the erection of a free bridge over the river Schuylkill, at South street, in the city of Philadelphia, making it the duty of the chief engineer to direct the building of a bridge, and providing that the same shall have a draw therein.

Senate bill No. 464, an act to attach the farm of Daniel Dietz, in Pennsboro' township, Cumberland county, to the township of Hampden, in said county, for school purposes.

Senate bill No. 483, an act to repeal the fourth section of an act relating to certain election districts in Schuylkill county.

Senate bill No. 484, an act to change the time for holding borough elections in the borough of Minersville, Schuylkill county.

Senate bill No. 519, an act to incorporate the Qkaker City barge club of the city of Philadelphia.

Senate bill No. 532, an act to declare Montgomery creek, in the county of Clearfield, a public highway.

Senate bill No. 601, an act to authorize the school directors of Marshall township, Allegheny county, to apply the surplus of bounty tax in their hands to school purposes.

Senate bill No. 562, an act relating to the coroner of the city and county of Philadelphia.

Senate bill No. 578, an act to authorize the supervisors of Kingston township, in Luzerne county, to collect their own duplicates.

Senate bill No. 584, an act to incorporate the Tremont gas and water company.

Senate bill No. 522, an act to incorporate the Enterprise mining and exploring company.

Senate bill No. 588, an act to incorporate the Scranton base ball club of Scranton.

Senate bill No. 606, an act to incorporate the Wyoming bridge company.

Senate bill No. 609, an act to authorize the school directors of the borough of White Haven, in the county of Luzerne, to borrow money to build school houses.

Senate bill No. 826, an act to prevent and punish prize fighting.

Senate bill No. 608, a further supplement to an act to incorporate the Birmingham and Pittsburg bridge company.

Senate bill No. 612, an act supplemental to an act incorporating the Birmingham and Brownsville Macadamized turnpike road company.

Senate bill No. 603, an act to enable the board of directors of Common schools of Benton township, Luzerne county, to apply surplus of bounty funds to common school purposes.

Senate bill No. 661, a supplement to the act entitled An act for the erection of the Gettysburg Gymnasium into a college and for other purposes, approved the 7th day of April, 1832.

Senate bill No. 675, a supplement to An act entitled An act to provide for the ordinary expenses of the Government and other general and specific appropriations, approved April 11th, 1866, relative to the Keystone State Normal school.

Senate bill No. 163, joint resolution providing for the final adjournment of the Legislature.

Senate bill No. 1115, an act supplementary to an act entitled An act to incorporate the city of Williamsport, which became a law the 15th day of June, 1866, changing the the wards and authorizing said city to borrow money.

Senate bill No. 659, an act to incorporate the Downingtown gas and water company.

Senate bill No. 311, a supplement to an act to establish a ferry over the Monongahela and Youghiogheny rivers, and to vest the right in John M'Kee, his heirs and assigns forever, approved the 5th day of February, 1784.

Also, on the 22d:

House bill No. 1085, an act to increase the revenues of the Commonwealth.

House bill No. 210, an act further to regulate the granting of licenses to hotels and eating houses, approved March 31st, 1856.

House bill No. 1408, an act to repeal an act entitled A further supplement to the act incorporating the Pennsylvania railroad company, authorizing an increase of capital stock and to borrow money, approved the 21st day of March, Anno Domini one thousand eight hundred and sixty-six, and also to authorize the Pennsylvania railroad company, by this act, to increase its capital stock, to issue bonds and secure the same by mortgage.

House bill No. 1026, an act to incorporate the American button hole, overseaming and sewing machine company.

MESSAGE FROM THE SENATE.

The Clerk of the Senate being introduced, presented for concurrence bills numbered and entitled as follows, viz:

Senate bill No. 895, an act to levy a tax upon horses kept for pleasure or hire in the city of Philadelphia.

Senate bill No. 1242, a supplement to act to incorporate the Superior iron company.

He also returned bill from the House of Representatives numbered and entitled as follows:

No. 507, a supplement to an act to incorporate the borough of Columbia,

With information that the Senate has passed the same with amendments, in which the concurrence of the House of Representatives is requested.

He also returned bill from the House of Representatives numbered and entitled as follows:

No. 642, an act relating to hawkers and peddlers, or traveling merchants, in the counties of Lebanon and Wyoming,

With information that the Senate has passed the same without amendments.

The House proceeded to the consideration of the

OBJECTED BILLS OF LAST WEEK.

On the private calendar.

The following bills were read the first time, and acted upon as indicated:

No. 806, an act relating to the payment of indebtedness for bounty purposes by the township of Lower Mount Bethel, in the county of Northampton.

On the question,

Will the House lay the bill aside for a second reading?

It was

Not agreed to.

No. 954, an act to vacate part of Vine street, in the city of Pittsburg.

On the question,

Will the House lay the bill aside for a third reading?

It was

Not agreed to.

No. 930, a further supplement to an act to incorporate the city of Carbondale.

On the question,

Will the House lay the bill aside for a second reading?

It was

Not agreed to.

No. 934, an act authorizing the gas committee of councils of the city of Philadelphia to attend all meetings of the Philadelphia gas trust.

On the question,

Will the House lay the bill aside?

Mr. DeHAVEN. I offer the following amendment, to come in at the end of preamble:

"And have asked the said trustees to permit their committees to be present at the meetings of said trustees, which the said trustees have refused."

At end of first section:

"And it shall be the duty of the said trustees, and they are hereby required to permit the committee on gas to attend all their meetings."

Mr. KERNS. Mr. Speaker, there is no necessity for the amendment, or for the bill itself.

This Legislature has no right to say that the common council shall appoint a committee to attend the meetings of this gas trust. This gas trust has no charter from this Legislature. This whole thing is brought forward merely for buncombe, and I trust the bill will be voted down.

Mr. DeHAVEN. Mr. Speaker, I hope the bill will be laid aside. I have the opinion of legal gentlemen of Philadelphia, and they say that the Legislature has a right to authorize a comittee of councils to attend the meetings of this gas trust.

The gas trust was established to represent the city of Philadelphia, and I think we should have an opportunity to attend the meetings of this company and know what they are doing.

I think the bill ought to pass.

Mr. QUIGLEY. Mr. Speaker, I think this is a very strange doctrine charged by my colleague from the Eighth district, that the city councils of Philadelphia have nothing to do with an institution of their own creation.

Now, sir, the trustees of the gas works are elected by and are the servants of the city councils and of the people. Grant that they are a close corporation; yet the very power that creates has the right, and should have the power, to investigate the manner in which the business of that corporation is transacted.

Now, sir, how is it now? Twelve gentlemen, who are the creatures of the people, in joint convention with the common councils, manage these works, and they have, from time to time, refused to give to a committee of councils the right to investigate the affairs of these works. A commitee was appointed in council to investigate their affairs last year, and that committee reported to councils very fully that these works were managed improperly. They reported that they were managed in such a way that the city of Philadelphia did not receive benefit from them that she ought. Then, sir, a resolution was introduced into the councils, and referred to the committee of laws. That resolution was examined by the committee of laws, composed of some of the best legal gentlemen in the State, and they reported that we have the right, and they instructed us to pass this bill.

Now, I trust that this bill will pass, and I think it is a very strange doctrine for any member from the city of Philadelphia to rise in his place and say that a creature of the people, a corporation that belongs to the people, where the money of the people is invested, have the right to deprive the people of the power of being present at the meetings of that corporation.

Mr. KERNS. Mr. Speaker, I believe that the question to which the gentleman refers, was in reference to the increase in the price of gas; that was referred to the committee of laws, and the opinion they gave I have before me. I will pass this opinion up to the Clerk's desk, so that it may be read.

The opinion was read as follows:

CITY SOLICITOR'S OFFICE,
No. 212 SOUTH FIFTH STREET,
PHILADELPHIA, June 27, 1864.

To the Select and Common Councils of Philadelphia:

GENTLEMEN—I am in receipt of a copy of a resolution, adopted by your honorable bodies, on the 23d instant, in which you request my opinion, "as to the right of the trustees of the gas works to increase the price of gas above the rule fixed by ordinance, without the consent of councils."

I have carefully considered the question thus presented, and am of opinion that the trustees of the gas works have the undoubted right to increase the price of gas above any rate fixed by ordinance, and without the consent of councils.

The city of Philadelphia has committed to the trustees of the gas works the "whole control" and management "of said works." (Ordinance June 17, 1841—section three.) This grant clearly carries the power to fix the rates of gas to be furnished to consumers. As I understand your resolution of last week, stress is, however, laid upon the fact that councils, subsequently to the passage of the ordinance I have quoted, (of 1841,) viz: on the 10th day of May, 1858, prohibited a higher rate than two dollars and twenty-five cents per thousand feet. The question is thus presented as to the effect of the ordi-

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[CONTINUED FROM PAGE 776.]

nance of May 10th, 1858, upon the ordinance of June 17, 1841.

The ordinance first adopted gives to the trustees "the whole control" of the works. The subsequent ordinance attempts to hamper that control by fixing a limit to the power of charge. But in my opinion the ordinance of 1841 was no temporary legislation, which the corporation could change at pleasure.

It was published to the world as "for the further security of the loanholders," whose money built the works, and upon the faith of that grant, to these trustees, the city has since that date borrowed.

If a man should invite another to lend money upon the pledge of property, over which a certain trustee created by the mortgage should have, according to the terms of the contract, "the whole control," how could the *borrower*, after he had received the loan, dictate to the trustee that only a certain rent should be charged for the property? It is clear, therefore, that the councils cannot now interfere, without the consent of those whose funds they borrowed upon the faith of this pledge.

To do so, would be to strike a dangerous blow at all public credit, which it should ever be our anxious study to strengthen and uphold.

Accordingly we find that the Supreme Court has twice pronounced against any interference by councils with the management of this trust.

Mr. KERNS. Mr. Speaker, that is the opinion to which the gentleman refers, and when they got that opinion the whole matter was dropped.

There has been some agitation in the city of Philadelphia in reference to that gas trust, but this is not the way to obtain redress, to ask the Legislature to pass a bill of this kind. If the city of Philadelphia have been bitten by the gentlemen who have charge of that institution the city of Philadelphia can remove them—they have the power.—But I can say for the gentlemen who compose that trust they are high minded men—men of integrity; and when I name such men as Joseph Kelly and Charles Miller, men of high standing in the city of Philadelphia, whose character will compare favorably with any member of the city councils, I think I am doing these men but justice.

There are twelve trustees elected by the councils of Philadelphia to represent their interest in that trust; if they are not good men put them out and get good men in. But they want to force now another twelve men into that body, and instead of having twelve men to represent the city councils they wish to have twenty-four.

Now, as it is alleged that the works are being carried on improperly and that the interests of the city are not protected, if twelve men cannot protect the interests of the city certainly twenty-four cannot. There must be some other reason for this bill, and certainly this Legislature has nothing to do with this matter.

Mr. DEHAVEN. Mr. Speaker, I say that the citizens of Philadelphia are interested in this gas trust, and I am speaking for the whole community of the city of Philadelphia. I have no personal feeling at all in this matter, but I think the people of the city ought to know what this gas trust is doing.

Mr. GREGORY. Mr. Speaker, the people of Philadelphia want the councils to be present when the dividends of this company are made. That is where the people are interested. This corporation is so close that these men, who are elected to represent the councils of the city of Philadelphia in this gas trust have not a vote or a voice in saying how the fund shall be expended, or of ascertaining how it is that when bricks in the market are selling at forty dollars a thousand, the gas trust contracts and pays for bricks at sixty dollars a thousand. The people want to know why it is, that when bricks can be bought for forty dollars a thousand in the market, they pay sixty dollars a thousand for them; but the corporation is so close that they will not even allow their books to be examined, and the people have no supervision over them. The people want to get some light on this subject.

Talk of the Pennsylvania railroad company! Its powers are nothing compared with those of this gas trust.

One of the gentlemen from Philadelphia has stated that the Legislature cannot reach them in this way. I think the people of Philadelphia are willing to pay all the cost of litigation to test the constitutionality of this law if the Legislature will pass it. The people of Philadelphia have been agitating this subject, and as some little evidence of that fact, this gas trust has lately reduced the price of gas, not that the price of material is less, but to attempt to satisfy, a little, the people of Philadelphia. If this question were submitted to the people of Philadelphia there would not be a single opposing vote cast, except by the trustees of this gas trust and their immediate friends.

Mr. QUIGLEY. Mr. Speaker, in reference to the paper which was read a few moments ago, I would state that it has nothing whatever to do with this bill. I agree with the statement that the councils have no right by ordinance to attend the meetings of the gas trust, and that is the reason why we introduce this bill to give them that right. It is time that the people should have an opportunity to investigate the affairs of this gas trust when it is proven that they could go into the market and buy bricks for forty dollars a thousand, and at the same time allowed one of their number to buy at sixty dollars per thousand.

The question being on the amendment of Mr. DEHAVEN,

It was

Agreed to.

The question recurring on laying the bill aside,

Mr. LEE. Mr Speaker, it has been said that this gas trust has reduced the price of gas in order to allay this feeling, and not on account of the reduced price in coal. I do not know the gentleman's motive in saying that, for if he was informed he would know that such was not the case, but that the price was reduced on account of a reduction in the price of material. The gas trust is managing this business for the bondholders—for men who loaned this money upon the condition that it should be so managed. This ordinance of 1841 was passed in order to enable the city of Philadelphia to borrow money in order that the city might enjoy the comforts and conveniences of gas. Upon that this gas trust was established and these bondholders loaned their money for these purposes, and it is for those bondholders that these men are managing that trust. Now, I ask, what is the purpose, object, design or intention of snaking these men into the meetings of this trust? They cannot have any voice in the meetings: they cannot speak a word; they cannot vote, because the law does not permit; the law established that trust for a specific purpose, and cannot be violated by anybody. As well might this Legislature appoint a committee, and send them down there to inquire of that gas trust what they are doing, and how they are spending the people's money. The gentleman says that if they can get bricks for forty dollars a thousand, and that gas trust pay sixty dollars a thousand, that is not right.

I say that the assertion that this gas trust do pay for bricks that would answer their purpose sixty dollars a thousand, when they could get them for forty dollars a thousand, is a reproach upon the men who are the peers of those who make the assertion in every respect. This is not true. You can get bricks for almost any price, but you cannot get them that will answer for this purpose. I know the man who has this matter under control, and that nobody would get sixty dollars a thousand for bricks out of him when he could buy as good in the market for forty dollars a thousand. The gentleman did not pretend to aver that, but sought, by innuendo, to affect that. These men have no right at the meetings of this gas trust, and we have no business to send them there, because this trust is being managed by these trustees for the bondholders, and they hold this money on this very condition.

I trust this bill will not be laid over.

Mr. QUIGLEY. Mr. Speaker, in reference to the purchase of bricks I mentioned no names, but, if my memory serves me, the party who sold these bricks testified that he had sold the bricks for forty dollars a thousand, and this gas trust was charged sixty dollars a thousand for those bricks.

The gentleman says that the committee of

the city councils have no right there because this gas trust is created for a specific purpose. So are the boards of control and the city councils for specific purposes, and yet nobody is refused admittance. The Legislature of Pennsylvania is for a specific purpose, but will the gentleman, for a moment, say that those gentlemen in the lobby have no right to attend its meetings? All bodies are for specific purposes, but this body, which is for the specific purpose of managing this trust for the benefit of those bondholders and the citizens of Philadelphia, object to members of the city councils or any persons attending their meetings. There must be someting wrong when this gas trust comes here and opposes this bill. This bill is in accordance with the wishes of nearly every man, woman and child in the city of Philadelphia, and if I mistake not, it was submitted to the city councils and endorsed by them.

Now, if the business of this gas trust is managed judiciously, fairly, properly, for the benefit of the bondholders, and for the benefit of the people of the city of Philadelphia, I ask in the name of justice why they should object to having a standing committee of the city councils present at their meetings? There is something wrong, something that the people of Philadelphia do not understand, something that the trustees are afraid will leak out, or they would never oppose a bill so fair and just. I maintain that the people have a right to be present at their meetings, that they have a right to expose their wrongs, and I trust that the members from the city of Philadelphia will not so far stulify themselves on this floor as to let the bill be defeated by any such influences.

Pending further action,

On motion of Mr. M'CREARY, the House adjourned until to-morrow morning at 10 o'clock.

SENATE.

WEDNESDAY, March 27, 1867.

The Senate met and was called to order at 10 A. M., by the SPEAKER.

Prayer was offered by the Rev. Mr. Bailey.

On motion of Mr. CONNELL, the reading of the Journal of yesterday was dispensed with.

SPEAKER'S TABLE.

The SPEAKER laid before the Senate the annal report of the board of directors of the State penitentiary for the Eastern district of Pennsylvania.

Laid on the table.

PRIVATE CALENDAR OF SENATE BILLS.

Agreeably to order,

The rules were dispensed with, and the Senate proceeded to the second reading and consideration of bills on the private calendar of Senate bills numbered and entitled as follow, which bills were disposed of as stated:

No. 1022, an act to extend the time for the payment of the enrollment tax on bill entitled An act to incorporate the National silver mining company.

Passed finally.

No. 1023, an act supplementary to an act to incorporate the Matawana mining and exploring company, approved the 24th day of March, 1865.

Passed finally.

No. 1024, an act supplementary to an act to incorporate the Augwic mining and exploring company, approved the 20th day of April, 1866.

Passed finally.

No. 1025, an act to incorporate the Clearfield front and hotel company.

Passed finally.

No. 1349, an act to incorporate the Philadelphia woolen machine works.

Passed finally.

No. 1029, an act to incorporate the Pittsburg and Sinaloe mining company.

Amended, on motion of Mr. BIGHAM, and

Passed finally.

No. 1030, a supplement to the act to incorporate sundry Baptist churches in Cambria, Blair, Huntingdon, Mifflin, Juniata and Centre counties, called the Centre Association of Independent or Regular Baptist churches, approved the 11th day of April, 1866, changing the time for the election of trustees and the meeting of said trustees.

Passed finally.

No. 1041, an act to reduce the capital of the Six Mile Run coal company.

Passed finally.

No. 1050, an act repealing an act, entitled An act relating to roads in Bratton township, Mifflin county, approved May 1st, A. D. 1861.

Passed finally.

No. 1051, a further supplement to an act entitled An act appointing commissioners to lay out and open a State road in the counties of Cameron and Potter, approved the 21st day of March, A. D. 1865.

Passed finally.

No. 711, an act to authorize the road commissioners of Mill Creek township, Erie county, to compel the owners of land fronting on Ridge road to make sidewalks, and to straighten and open out said road.

Passed finally.

No. 1059, a supplement to an act approved the 12th day of April, A. D. 1856, to lay out a State road from Tarentum, Allegheny county, to George Gocher's, in Butler county.

Passed finally.

No. 1063, an act to incorporate the Citizens' ferry company of Pittsburg.

Passed finally.

No. 1067, an act to extend the time of payment of the enrollment tax upon an act to incorporate the Eastern telegraph company, approved April 5, 1866.

Passed finally.

No. 1077, an act explanatory of the provisions of the fifth section of the act to incorporate the Bennett's Branch improvement company.

Passed finally.

No. 1078, a supplement to the charter of the Pittsburg gas company, approved January 31, 1860, authorizing taxes to be charged to the consumers of gas.

Passed finally.

No. 1079, an act for the better protection of propertyholders and citizens of the borough of Norristown, from injury sustained by cattle running at large in said borough.

Passed finally.

No. 1080, an act authorizing the town council of the borough of Hazleton, in Luzerne county, to borrow money.

Passed finally.

No. 1081, an act relative to the assessment and collection of taxes on unseated lands in Cherry township, Sullivan county.

Passed finally.

No. 1111, a supplement to an act entitled An act relating to corporations for mechanical, manufacturing, mining and quarrying purposes, approved the 18th day of July, 1863, relating to the Williamsport manufacturing company.

Passed finally.

No. 1113, an act to incorporate the Empire State silver mining company of Nevada.

Passed finally.

No. 1114, an act to incorporate the Ophir Canon silver mining company of Nevada.

Passed finally.

No. 1117, a supplement to an act to incorporate the Morris Park mining company, approved the 14th day of March, 1865, authorizing said company to borrow money.

Passed finally.

No. 1118, an act to authorize the Warren and Franklin railway company to construct branch roads, and to provide means for moving oil intended for transportation.

Amended by striking out the second section.

Passed finally.

No. 1119 an act re-annexing the farm of Andrew Glendenning to Mercer school district, in the county of Mercer.

Passed finally.

No. 1121, an act authorizing the school directors of Curwensville, Clearfield county, to borrow money and to sell a school building.

Passed finally.

No. 1131, an act to prohibit the issuing of licenses within the township of Tuscarora, in the county of Juniata.

Laid over.

No. 1132, an act to prohibit the issuing of licenses within the township of Buffalo, in the county of Perry.

Laid over.

No. 1135, an act to extend the time for the payment of the enrollment tax on an act to incorporate the Sunnyside iron company.

Passed finally.

No. 1136, a supplement to an act entitled An act granting a pension to Louis Hageman, extending the same.

Passed finally.

No. 1137, an act to incorporate the Manufacturers' Mutual fire insurance company of Pennsylvania.

Passed finally.

No. 1138, an act to incorporate the Newport manufacturing and building company.

Passed finally.

No. 1139, an act to incorporate the Tuscarora mining and exploring company.

Passed finally.

No. 1140, a supplement to act to incorporate the Philadelphia transportation and freight company.

Passed finally.

No. 1141, an act incorporating the Point Breeze Park association of Brookville.

Passed finally.

No. 1147, a supplement to an act to incorporate the Pennsylvania Mutual Horse Thief detecting and insurance company, approved April 22, 1854.

Passed finally.

No. 1151, a further supplement to an act to incorporate the Pennsylvania railroad company, approved April 13, 1846, authorizing the Pennsylvania railroad company to construct additional railroad tracks, sidings, depots, work-shops, and other appurtenances along, adjoining or contiguous to their own line of railroad, and the railroads run, owned and leased, or hereafter to be owned and leased by them, and to straighten and improve the same, and to acquire the property upon which to construct the same, paying therefor the value of property to be used or occupied.

Passed finally.

No. 1154, an act to incorporate the Lampeter and Strasburg turnpike road company.

Passed finally.

No. 1159, a supplement to an act to incorporate the Conestega and Big Spring Valley turnpike company, approved April 1, 1861.

Passed finally.

No. 1160, an act relating to Sunbury street, in the borough of Minersville, Schuylkill county.

Laid over.

No. 1177, an act authorizing the State Treasurer to allow a credit to the treasure

of Adams county, for money paid John Scott.

Passed finally.

No. 1181, an act relating to the account of John Hines, late mercantile appraiser in Luzerne county.

Passed finally.

No. 1182, an act relative to the claim of James Digman, of Allegheny county.

Passed finally.

No. 1184, an act regulating the election of corporate officers of the borough of Dushore, Sullivan county.

Amended, on motion of Mr. JACKSON,

Passed finally.

No. 1185, an act to incorporate the Union car and manufacturing company of Philadelphia.

Passed finally.

No. 1198, an act to incorporate the Farmers' and Citizens' Co-operative building and savings fund association of Lawrence county.

Passed finally.

No. 1199, an act to incorporate the Fort Pitt Mutual life insurance and trust company.

Passed finally.

No. 1200, an act to incorporate the Good Spring iron and land company.

Amended, on motion of Mr. M'CONAUGHY.

Laid over on third reading.

No. 1206, an act legalizing certain acts of the school directors of Kelly township, in the county of Union, and authorizing them to levy an additional tax for building purposes.

Passed finally.

No. 1298, an act repealing an act extending the provisions of the act for the protection of sheep and taxing of dogs in the county of Blair, approved the 20th day of May, 1857, to the county of Monroe.

Passed finally.

No. 1210, an act extending the time for laying out a State road in Wayne and Monroe counties.

Passed finally.

No. 1313, an act to authorize the Curwensville bridge company to change its rate of toll.

Passed finally.

No. 1215, an act to incorporate the Mount Rock, Newville and Stoughstown turnpike road company.

Passed finally.

No. 1220, an act to incorporate the Carlisle, Boiling Spring and Dillsburg turnpike road company.

Amended, on motion of Mr. GLATZ, and

Passed finally.

No. 1221, a supplement to an act to increase the boundaries of Forest county.

The bill was read.

Mr. BROWN (Mercer). Mr. Speaker, it will be remembered that the Legislature of 1866 passed an act enlarging the boundaries of Forest county. By that act a portion of Venango county was stricken off into Forest county. The constitutionality of that act has been called in question, and a case involving the whole matter will be argued before the Supreme Court this week. The act referred to is probably defective in this—that it makes no provision for validating nor enforcing liens recorded in Venango against lands then in that county, but after the passage of the act in Forest county. The question has arisen whether such judgments or mortgages are valid; and if valid, whether processes for their enforcement should be commenced in Venango or Forest. This bill is intended to settle such questions, and certainly ought to pass. The amendment which I offer to the bill is intended to validate judicial sales of real or personal property that may have taken place in that part of Forest county, which was formerly a part of Venango, since the passage of the act referred to, upon processes issued out of the courts of the latter county.

The original bill and the amendment are alike eminently proper, and if fully understood, I am satisfied would not elicit opposition from any quarter.

Mr. WALLACE. Mr. Speaker, I represent that county, and I am opposed to this bill. We do not recognize that act of last year, and we do not want any legislation which could prejudice the action of the courts on that question.

Mr. BROWN (Mercer). Mr. Speaker, the Senator From Clearfield [Mr. WALLACE] objects to the title on account of the fact that its language may be construed so as to recognize the validity of the act of 1866. That I do not regard as any purpose of the bill or its title. I therefore propose to amend the title so as to make it read as follows:

An act to protect certain liens in Venango county.

The amendment was

Agreed to, and

The bill

Passed finally.

No. 1233, an act relative to certain taxes in Montgomery county.

Laid over.

No. 1234, an act to authorize the board of school directors of Fawn township, Allegheny county, to borrow money.

Passed finally.

No. 1240, a supplement to an act to legalize bounties paid to volunteers, and the bonds issued therefor, in certain townships in the county of Franklin, approved the 4th day of April, 1866, extending the provisions of the second section thereof to the township of Ayer, in the county of Fulton.

Passed finally.

No. 1241, an act to authorize the trustees of certain lands in Venango county to borrow money.

Referred to the Committee on Estates and Escheats.

No. 1242, an act authorizing the directors of the poor to erect an almshouse in the county of Bedford, and to borrow money.

Objected off.

No. 1247, an act to authorize the school directors of White township, Indiana county, to borrow money, and to appropriate for school purposes surplus bounty fund.

Passed finally.

No. 1249, an act to incorporate the Greenville savings and loan company.

Passed finally.

No. 1250, a further supplement to an act incorporating the town of Lawrenceville into a borough, approved February 13, A. D. 1834, being an act authorizing said borough to borrow money, and take real estate not exceeding in value a certain amount.

Passed finally.

No. 1251, an act to empower the court of quarter sessions of the peace of Adams county to appoint auditors to audit bounty accounts in the several boroughs and townships in said county, and in re auditing the bounty accounts of Cumberland township, in said county.

Passed finally.

No. 1252, an act in relation to the appointment of an auctioneer for the borough of Tarentum, in Allegheny county.

Passed finally.

No. 1253, an act to change the venue in certain cases from Allegheny to Jefferson county.

Objected off.

No. 1316, a further supplement to an act to incorporate Union coal and iron company, approved May 4, 1857, now the Osceola coal company, increasing the privileges of said company.

Passed finally.

The following Senate bills, laid over from calendar of March 20th, were read a second time and disposed of as stated:

No. 115, an act for the more impartial selection of persons to serve as jurors in York county.

Objected off.

No. 714, an act to prevent the destruction of bass in Evitt's creek and tributaries, and the Raystown Branch of the Juniata and tributaries, in the county of Bedford.

Objected off.

No. 745, an act relating to an increase of tolls on the Greensburg and Pittsburg turnpike road.

Objected off.

No. 776, an act for the vacation and sale of the Methodist burial ground in the city of Pittsburg, and for removing the bodies therefrom.

Laid over.

No. 815, an act authorizing and empowering the city of Philadelphia to take possession of a part of the Chestnut Hill and Spring House turnpike.

Objected off.

No. 817, an act to authorize the Coal Hill and Upper Saint Clair turnpike road company to increase their tolls.

Objected off.

No. 1016, an act to provide for the repairing of a public road in the county of Union.

Objected off.

No. 1021, an act to authorize and empower the corporate authorities of the borough of Greenville, in Mercer county, to borrow money for the use of the borough.

Laid over.

Senate bill No. 1000, entitled An act to regulate the sale of intoxicating liquors in the county of Allegheny.

Mr. GRAHAM. Mr. Speaker, a bill has been passed by this Legislature in reference to this subject, but it does not seem to give general satisfaction, and as the bill now before the Senate may possibly meet the wishes of the larger number of citizens in Allegheny county, I move that we proceed to its consideration.

Mr. BIGHAM. Mr. Speaker, I think that all in all we will have ample legislation on this subject this winter without this. I believe that the editor of one of our papers, the author of this bill, I think, when he received a copy of it pitched into it as not being orthodox.

The motion was

Not agreed to.

THE LICENSE LAW.

Mr. COLEMAN moved that one thousand copies of the license law, lately passed, be printed for the use of the Senate.

The motion was

Agreed to.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

The Clerk of the House of Representatives being introduced, returned bill from the Senate numbered and entitled as follows, viz:

No. 908, an act to change the venue of certain suits from the county of Allegheny to the city of Philadelphia,

In pursuance of resolution from the Senate requesting the return of the same.

BILLS EASSAD.

On motion of Mr. HAINES, the rules were dispensed with, and the Senate proceeded to the consideration of a bill entitled An act relative to certain foreign insurance companies.

The bill was read a second and third time, amended and

Passed finally.

On motion of Mr. LOWRY, the Committee on Finance was discharged from the further consideration of a bill entitled An act relative to the stone in the lock of the Franklin branch of the Pennsylvania canal in Fairfield township, Crawford county.

And the rules being dispensed with, the bill was read a second and third time, and Passed finally.

BILLS IN PLACE.

Mr. LOWRY read in his place and presented to the Chair a bill entitled An act authorizing and empowering A. Clark, of Meadville, to have his dockets returned to him.

Referred to the Committee on the Judiciary Local.

Mr. FISHER, a bill entitled an act to authorize the purchase of certain property to establish a home for the disabled soldiers of Pennsylvania.

Referred to the Committee on Military Affairs.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

The Clerk of the House of Representatives being introduced, presented for concurrence bills numbered and entitled as follows, viz:

No. 1401, an act for the payment of Enos C. Renner, contestant for the seat of Michael Mullin.

Referred to the Committee on Finance.

No. 605, an act to exempt from taxation the property of the Ladies' Soldiers' Aid, of Weldon.

Referred to the Committee on Finance.

No. 1116, an act relative to the last will and testament of John Morrison, late of Somerset county, deceased.

Referred to the Committee on Estates and Escheats.

No 1121, an act requiring the Auditor General to open the account of E. O. Goodrich, late prothonotary of Bradford county, for re-settlement.

Referred to the Committee on Finance.

No. 1122, an act to exempt the property of the First Troop, Philadelphia city cavalry, situated in the Ninth ward, city of Philadelphia, from taxation.

Referred to the Committee on Finance.

No. 1144, an act relative to certain moneys in the hands of the legal representatives of Jacob Miller, late of Saint Thomas township, in the county of Franklin, deceased.

Referred to the Committee on Estates and Escheats.

No. 1145, an act to repeal the second section of an act authorizing the assessment of railroad taxes in the borough of Kittanning, Armstrong county, approved 16th day of February, A. D. 1867.

Referred to the Committee on the Judiciary Local.

No. 1146, supplement to the constitution and charter of the Bustleton Methodist Episcopal church, enrolled by order of the Governor, in the office of the Secretary of the Commonwealth, on the 6th day of February, 1834, authorizing the trustees of said corporation to remove certain bodies, to enable them to extend their church edifice.

Referred to the Committee on the Judiciary General.

No. 1147, an act to extend the period for payment of enrollment tax on the bill to incorporate the Oil Tank improvement company.

Referred to the Committee on Finance.

No. 1148, an act relative to a law library in the county of Carbon.

Referred to the Committee on the Judiciary Local.

No. 1149, an act to declare North creek and part of the Driftwood creek, in the county of Cameron, public highways.

Referred to the Committee on Canals and Inland Navigation.

No. 1150, an act relating to taxes in Greenfield township, Luzerne county.

Referred to the Committee on the Judiciary Local.

No. 1153, an act to authorize the commissioners of Warren county to work prisoners in said county.

Referred to the Committee on the Judiciary Local.

No. 1154, an act to regulate the collection of local taxes in the township of Edgemont, Delaware county.

Referred to the Committee on the Judiciary Local.

No. 1155, an act regulating the fees of notaries public in the county of Allegheny.

Referred to the Committee on the Judiciary Local.

No. 1158, an creating an additional return day to processes of the courts of Venango county.

Referred to the Committee on the Judiciary Local.

No. 1160, an act relative to hucksters in the county of Dauphin.

Referred to the Committee on the Judiciary Local.

No. 1161, an act to authorize the appointment of an additional notary public in the borough of Girard, in the county of Erie.

Referred to the Committee on the Judiciary Local.

No. 1162, a supplement to an act regulating the mode of voting at all elections in the several counties of this Commonwealth, and to regulate the mode of voting where boroughs and townships vote together, in the county of Washington.

Referred to the Commitee Election Districts.

No. 1164, an act to extend to the county of Berks certain provisons of an act entitled An act to amend the fee bill as to constables in the city of Philadelphia.

Referred to the Committee on the Judiciary Local.

No. 1166, an act to authorize the Governor to appoint six additional notaries public for the city of Philadelphia.

Referred to the Committee on the Judiciary Local.

No. 1167, an act to provide for the purchase of real estate and erection of a poor house in the township of Bloom, Columbia county.

Referred to the Committee on the Judiciary Local.

No. 1168, an act to provide for the erection of a house for the employment and support of the poor in the township of Hemlock, in the county of Columbia.

Referred to the Committee on the Judiciary Local.

No. 1169, an act to appropriate the moneys arising from the sale of a portion of the trust estate of Frederica Misca, and to validate and confirm the acts of the trustees therein.

Referred to the Committee on Estates and Escheats.

No. 1171, an act to authorize the road supervisors of the township of Collins, Allegheny county, to levy an additional tax, and make sidewalks along the public roads in said township, and to increase the pay of supervisors and auditors in said township.

Referred to the Committee on Roads and Bridges.

No. 1172, an act relating to the collection of taxes in Cumberland county.

Referred to the Committee on the Judiciary Local.

No. 1173, an act fixing the pay of the sheriff of Crawford county for boarding prisoners and other persons.

Referred to the Committee on the Judiciary Local.

No. 1174, an act to increase the pay of the county commissioners of Northumberland county.

Referred to the Committee on the Judiciary Local.

No. 1181, an act to authorize the burgess and town council of the borough of Sharpsburg, Allegheny county, to borrow money for gradiog and paving purposes, and for the general improvement of the borough.

Referred to the Committee on the Judiciary Local.

No. 1182, an act relating to water works in the city of Chester.

Referred to the Committee on the Judiciary Local.

No. 1185, an act to annex a portion of the borough of Dunmore, to the city of Scranton.

Referred to the Committee on New Counties and County Seats.

No. 1187, a further supplement to an act, approved March 23d, 1865, entitled An act to provide for the erection of a poor house in the townships of Milford, Turbett, Spruce Hill, Tuscarora, Lack and Beale, and the boroughs of Perrysville and Patterson, in the county of Juniata.

Referred to the Committee on the Judiciary Local.

No. 1188, a supplement to an act, entitled An act relative to the running of railroad cars in the county of York, extending the same to the borough of Glen Rock.

Referred to the Committee on Railroads.

No. 1189, a supplement to an act, entitled An act to incorporate the Ohioville railroad company, approved the 27th day of March, 1866.

Referred to the Committee on Railroads.

No. 1190, a further supplement to the act incorporating the East Brandywine and Waynesburg railroad company, approved March 31, A. D. 1854.

Referred to the Committee on Railroads.

No. 1191, an act to incorporate the Tidioute railroad company.

Referred to the Committee on Railroads.

No. 1194, a supplement to an act, entitled An act to incorporate the Mount Pleasant railroad company, approved the 22d day of March, A. D. 1865, extending the time for the commencement and completion of said road.

Referred to the Committee on Railroads.

No. 1196, an act to incorporate the Reading and Trevorton railroad company.

Referred to the Committee on Railroads.

No. 1198, an act to empower the Ashland iron company of Baltimore county, in the State of Maryland, to hold land in the State of Pennsylvania.

Referred to the Committee on the Judiciary General.

No. 1200, a supplement to an act to incorporate the Brady coal and iron company.

Referred to the Committee on Corporations.

No. 1201, a supplement to an act to incorporate the Mercer iron and coal company, approved August 1, 1863.

Referred to the Committee on Corporations.

No. 1203, an act to incorporate the Shippensburg iron manufacturing and mining company.

Referred to the Committee on Corporations.

No. 1206, an act to incorporate the Venice gold and silver mining company.

Referred to the Committee on Corporations.

No. 1207, a further supplement to an act

to incorporate the Union gold and silver mining company, approved March 23, 1865.

Referred to the Committee on Corporations.

No. 1208, an act to incorporate the Philadelphia mining company of Lander Hill.

Referred to the Committee on Corporations.

No. 1209, an act to incorporate the Pennsylvania and North Carolina gold and silver mining company.

Referred to the Committee on Corporations.

No. 1210, an act to incorporate the New Sonora gold and silver mining company.

Referred to the Committee on Corporations.

No. 1280, an act to incorporate the Philadelphia Woolen Machine works.

Referred to the Committee on Corporations.

No. 1315, an act to repeal an act entitled An act to authorize and require the school directors of West Caln township, Chester county, to levy and collect taxes for the purpose of paying three hundred dollars each to persons who were drafted and furnished substitutes, under the call of the President, of July 18, 1864, approved 22d day of March, 1865.

Referred to the Committee on Education.

No. 1342, an act to incorporate the Oxford fire and life insurance, annuity and trust company.

Referred to the Committee on Corporations.

No. 1352, an act relative to a certain highway in the town of Coatesville, Chester county.

Referred to the Committee on Roads and Bridges.

No. 1355, an act relating to parks in the city of Harrisburg.

Referred to the Committee on the Judiciary Local.

No. 1364, an act to extend the time for the payment of the enrollment tax on the Dime Savings institution of Harrisburg.

Referred to the Committee on Finance.

No. 1170, an act to provide for the enforcement of the inspection laws in regard to the inspection of whisky in the county of Philadelphia.

Referred to the Committee on the Judiciary Local.

No. 1344, joint resolution to pay the expenses of the committee appointed at the last session of the Legislature to investigate the truth of certain newspaper articles, in reference to the passage of an act relating to licenses in the county of Allegheny.

Referred to the Committee on Finance.

No. 1390, an act to empower the courts of quarter sessions of Northumberland county to grant a license to Nicholas Wenk to keep a hotel,

Referred to the Committee on the Judiciary Local.

He also returned bills from the Senate numbered and entitled as follows, viz:

No. 159, a further supplement to an act entitled An act granting a pension to Jacob Hurst, approved March 27th, 1866.

No. 298, an act to allow the Madara coal and improvement company to hold more land, and changing the par value of their stock.

No. 218, an act repealing the first section of an act entitled An act to prevent the spread of Canada thistles, et cetera, approved March 22d, 1862, so far as relates to the county of Bradford.

No. 840, an act to enable the board of directors of the Swatara Falls coal company to borrow money and to mortgage the corporate rights and franchises, mining rights and privileges, estate, real and personal, of every description, or any part thereof now held, or that may hereafter be held by said company.

No. 517, an act to incorporate the Continental slate company.

No. 541, an act authorizing the Governor to incorporate a company to erect a bridge over the Youghiogheny river at a point between the mouth of Dickerson run and Taylor's fording, in the county of Fayette.

No. 559, an act to repeal the third section of a supplement to an act relating to the Catasaugua and Fogelsville railroad company, passed the 26th day of May, A. D. 1863.

No. 583, an act to incorporate the Shakspeare and Lydia Allen Consolidated silver mining company of Nevada.

No. 594, a supplement to an act to incorporate the Philadelphia City passenger railway company, passed March 26th, 1859, authorizing said company to borrow money and issue bonds.

No. 646, an act to incorporate the Union Mutual fire insurance company of Pennsylvania.

No. 647, an act to incorporate the Prarie DuChien mining company of Nevada.

No. 663, an act for the relief of John Tierman, late treasurer of Fayette county.

No. 671, an act to reduce the width of Lehman street, in the Twenty-second ward of the city of Philadelphia.

No. 674, a further supplement to an act in relation to the construction and repairs of roads and bridges in Lower Merion township, Montgomery county, approved March second, 1866.

No. 676, an act to authorize the Pennsylvania steel company to purchase and hold stock in other corporations.

No. 693, a further supplement to an act to incorporate the city of Corry, approved the 8th day of March, A. D. 1866.

No. 696, an act to incorporate the Empire slate company.

No. 609, an act authorizing Allen K. Williams to construct a ferry over Oil creek, at or near the township lines of Allegheny and Cherry Tree, in Venango county, Pennsylvania.

No. 715, an act to prohibit the taking of fish with nets in any of the streams of Monroe county.

No. 738, an act relative to the collection of school tax in the township of Doylestown

No. 743, an act to lay out a State road in Lehigh and Bucks counties.

Senate bill No. 771, an act repealing the fifth section of an act, entitled An act to enable the Governor to incorporate a company to make an artificial road from the west end of Perkiomen bridge, in the county of Montgomery, passing through Pottsgrove, and passing by the White Horse tavern, in Amity township, in Berks county, to the borough of Reading, approved the 20th day of March, A. D. 1810.

No. 801, an act to incorporate the Keystone Homestead company.

No. 874, an act to authorize the county commissioners of the county of Carbon to assist in the building of a new road out of the borough of Mauch Chunk.

No. 818, an act to authorize the Allegheny and Perrysville plank road company to fix their tolls and to transfer a portion of their road,

With information that the House of Representatives has passed the same without amendments.

He also returned bills from the Senate numbered and entitled as follows, viz:

No. 113, a supplement to an act entitled An act to promote the more certain and equal assessment of taxes in Philadelphia, approved March 14th, 1865.

No. 889, an act fixing the pay of road jurors in the city of Philadelphia.

No. 691, an act to increase the compensation of the supervisors of roads in the township of Hilltown, Bucks county.

No. 816, an act to incorporate the Roaring Brook turnpike company.

No. 278, an act to authorize turnpike and plank road companies in the county of Allegheny not paying dividends to increase their tolls,

With information that the House of Representatives has passed the same with amendments, in which the concurrence of the Senate is requested.

On motion of Mr. CONNELL, the amendments were twice read and

Concurred in.

He also informed that the House of Representatives has concurred in the amendments made by the Senate to bills from the House numbered and entitled as follows, viz:

No. 118, an act to extend the provisions of an act relating to costs in Luzerne county, approved the 2d day of April, A. D. 1863, to the county of Dauphin, with a proviso.

He also informed that the House of Representatives has non-concurred in the amendments made by the Senate to bills from the House of Representatives numbered and entitled as follows, viz:

No. 246, an act for the better and more impartial selection of persons to serve as jurors in each of the counties of this Commonwealth.

Mr. SHOEMAKER moved that the Senate insist upon its amendment non concurred in by the House of Representatives to said bill, and that a committee of conference be appointed to confer with a similar committee of the House of Representatives (if the House of Representatives shall appoint such committee), on the subject of the differences existing between the two Houses in relation to the amendments to said bill.

The motion was

Agreed to.

And the SPEAKER appointed Messrs. SHOEMAKER, WALLACE and COWLES the committee.

The Clerk of the House of Representatives also returned bill entitled A supplement to an act to incorporate the city of Scranton, extending and defining the powers of said city.

Said amendments made to the first, sixth and fifteenth sections, and changing the number of the twenty-ninth, were

Agreed to.

The amendments adding two sections, to be called the twenty-ninth and thirtieth, were

Agreed to.

The amendments made to the seventeenth section, and all the remaining amendments of the House of Representatives to said bill, were

Concurred in.

The Clerk of the House of Representatives also informed that the House of Representatives has non-concurred in the amendments made by the Senate to bill entitled A supplement to an act to incorporate the borough of Columbia.

REPORT OF SPECIAL COMMITTEE TO INQUIRE INTO THE CONDUCT OF GEN. FISHER.

Mr. GLATZ, chairman of the committee to investigate the alleged improper conduct of Hon. JOSEPH W. FISHER, submitted the following report:

The undersigned, a committee appointed under a resolution of the Senate, passed March 18, 1867, charged with the duty of investigating certain slanders and alleged improper conduct, in relation to Hon. JOSEPH W. FISHER, Senator from Lancaster county,

report the following as the result of their investigations in the premises:

The committee met, and after being organized, invited and directed all persons whom the committee could learn had any knowledge of the matter under investigation to appear before them. After hearing the evidence, the committee unanimously came to the following conclusion:

That the articles published in the *Patriot and Union*, of Harrisburg, and in the Lancaster *Examiner*, *Express* and *Intelligencer*, so far as they intimate or refer to improper conduct, or insobriety on the part of Hon. JOSEPH W. FISHER, are totally without foundation in fact and wholly devoid of truth.

A. HEISTAND GLATZ,
J. D. DAVIS,
D. M'CONAUGHY,
GEORGE LANDON,
GEORGE D. JACKSON.

PRIVATE CALENDAR OF HOUSE BILLS.

Agreeably to order, the Senate proceeded to the second reading and consideration of bills on the private calendar of House bills, which bills were disposed of as stated:

No. 771, an act to incorporate the Oil City brewing company.

Amended on motion of Mr. BROWN (Mercer).

Passed finally.

No. 750, an act to incorporate the Philadelphia grain warehousing and drying company.

Passed finally.

No. 775, an act to incorporate the Penn Mutual fire insurance company of Chester county.

Passed finally.

No. 770, an act to incorporate the Grand Encampment of the Order of Soldiers and Sailors of the war of 1861, of the State of Pennsylvania.

Passed finally.

No. 761, an act to incorporate the Citizens' insurance company.

Objected off.

No. 767, a further supplement to an act to incorporate the First Reformed congregation of the borough of York and its vicinity, approved the 14th day of March, 1861.

Passed finally.

No. 769, an act to incorporate the Philadelphia and Bridgeport steamboat company.

Passed finally.

No. 774, a supplement to an act to incorporate the Orphans' Home of the Shepherd of the Lambs, approved the 17th day of February, 1864, authorizing an increase of the number of its managers.

Passed finally.

No. 795, an act for the protection of farmers against the ravages of wild cats in the county of Forest.

Passed finally.

No. 777, an act to extend the provisions of an act for the better regulation of the Mercer County, Shenango Valley, Montour and Allegheny county agricultural societies (relative to the prohibition of shows, erection of tents, booths, et cetera) to the Pennsylvania agricultural society.

Amended on motion of Mr. M'CONAUGHY.

Passed finally.

No. 787, an act to extend to Allegheny township, Blair county, the provisions of an act to prevent swine from running at large in the township of Blair, and in the county of Blair.

Passed finally.

No. 794, a supplement to an act for the better preservation of game within the county of Schuylkill, approved the 11th day of April, A. D. 1866.

Passed finally.

No. 782, an act to extend the provisions of an act to prevent cattle, horses, sheep and hogs from running at large in Delaware county, to the county of Crawford, and to West Donegal township, Lancaster county.

Passed finally.

No. 790, an act in relation to fishing and hunting in the township of Jefferson, in the county of Somerset.

Passed finally.

No. 782, an act to authorize the Tioga County agricultural society to borrow money.

Passed finally.

No. 780, an act to extend the provisions of an act for the protection of sheep in certain counties, approved the 8th day of April, A. D. 1862, to the counties of Armstrong and Westmoreland.

Laid over.

No. 720, an act authorizing the supervisors of roads of the township of Allegheny, in the county of Armstrong, to levy additional taxes for road purposes.

Passed finally.

No. 713, an act to repeal the Lenox road law, in the township of Lenox, in the county of Susquehanna, and for other purposes.

Passed finally.

No. 717, an act relating to the election of supervisors in the township of Middletown, county of Susquehanna, and for other purposes.

Passed finally.

No. 708, an act to regulate the width of mountain roads in Madison township, Perry county.

Objected off.

No. 1115, a supplement to an act to open and straighten Highland and Union avenues, and Thirtieth street, in the Twenty-second ward, and Church and Adams streets, in the city of Philadelphia, approved the 20th day of May, 1864.

Passed finally.

No. 707, an act to amend the road laws of Tioga and Potter counties.

Passed finally.

No. 890, a supplement to an act to authorize the construction of a bridge over Oil creek, at or near the Old Furnace dam, on the Hasson farm, in the county of Venango.

Passed finally.

No. 788, an act to prevent the fishing with nets, seines and baskets in the waters of Big Fishing creek, and its tributaries, in the counties of Columbia and Luzerne.

Amended, on motion of Mr. JACKSON.

Also, on motion of Mr. HAINES, by extending the act to a certain creek in Huntingdon county.

Passed finally.

No. 721, an act to incorporate the Phillipsburg and Rochester ferry company.

Passed finally.

No. 778, an act in relation to fishing in the stream known as Antietam, or any of its branches, in the county of Franklin.

Passed finally.

No. 791, an act to prevent cattle from running at large in Abington township, Montgomery county.

Passed finally.

No. 792, an act to repeal the fourth section of an act to incorporate the Pennsylvania State Agricultural society, so far as it extends to the county of Lawrence.

Passed finally.

No. 836, an act supplementary to an act to enable the administrators of the Hon. James T. Hale, late of Centre county, deceased, to sell real estate, passed the 11th day of April, A. D. 1866.

Passed finally.

No. 872, a further supplement to an act to provide for the erection of a poor house in Clarion county, approved the 21st day of March, 1865.

Passed finally.

No. 868, an act to authorize the sale of the poor house and farm in Mifflin county.

Passed finally.

No. 913, an act to establish a law library in the county of York, and in relation to fines, penalties and forfeited recognizances in said county.

Passed finally.

No. 875, an act dividing the Twenty-fourth ward of Philadelphia into two assessment districts, and for the appointment of two additional assessors.

Passed finally.

No. 904, an act to authorize the increase of pay of supervisors and other township officers in the township of Bethlehem, Northampton county.

Passed finally.

No. 898, an act requiring the commissioners of Northampton county to apply for and obtain copies of standards.

Passed finally.

No. 889, an act amendatory to an act to increase the salaries of the inspectors of the Lancaster county prison, passed the 27th day of March, A. D. 1866.

Laid over.

No. 884, a supplement to an act authorizing the commissioners of Northampton county to purchase a law library, approved the 12th day of March, A. D. 1866.

Passed finally.

No. 909, an act changing the day of holding the annual meeting of the auditors of Jones township, Elk county, and regulating the term of office and fixing the wages of supervisors and other officers in said township.

Passed finally.

No. 882, an act to authorize the return to the commissioners of Potter county for collection of certain duplicates of taxes, and to fix the time when said duplicates shall hereafter be returned.

Passed finally.

No. 881, a supplement to an act relating to the lien of mechanics and others upon buildings, extending it to the county of Dauphin.

Passed finally.

No. 779, an act relating to public printing in the county of Juniata.

Passed finally.

No. 824, an act making valid an ordinance passed by the council of Jamestown borough, in the county of Mercer.

Passed finally.

No. 830, an act to authorize the Governor to appoint an additional notary public for the county of Bradford, to reside in the borough of Athens.

Amended on motion of Mr. BIGHAM, by providing for the appointment of two notaries for the city of Pittsburg, and one for the county of Elk.

Passed finally.

No. 867, an act to legitimate Edward A. Smith, Ellen J. Smith, Catharine V. Smith and Thomas B. Smith.

Objected off.

No. 612, a supplement to an act relating to the lien of mechanics and others upon buildings, approved the 16th day of June, 1836, to apply to the county of Chester.

Passed finally.

No. 680, an act in relation to grading, paving, macadamizing and curbing the streets, and paving the side walks in the borough of M'Keesport, in the county of Allegheny.

Passed finally.

No. 744, an act to authorize the school directors of Riceville, Crawford county, to borrow money, and for other purposes.

Passed finally.

No. 747, an act to authorize the school directors of the borough of White Haven to borrow money.

Passed finally.

No. 716, an act to increase the pay of the supervisors of Logan township, Blair county.

Passed finally.

No. 719, an act to legalize the acts of the road commissioners of Columbus township, Warren county, in levying additional road tax.

Passed finally.

No. 728, an act to authorize the board of school directors of the borough of Albion, in the county of Erie, to borrow money for building purposes.

Passed finally.

No. 723, an act to authorize the board of school directors of the borough of Renova, in the county of Clinton, to borrow money for building purposes.

Passed finally.

No. 732, an act to authorize the school directors of Harrison township, Allegheny county, to borrow money.

Passed finally.

No. 731, an act to appropriate the excess of money collected for bounty purposes in the township of East Huntingdon, Westmoreland county, and directing the board of school directors in said township to use the same for school and building purpoes.

Passed finally.

No. 912, an act relative to the moneys collected as fines from persons intoxicated within the county of Dauphin.

Passed finally.

No. 911, an act to authorize the commissioners of Crawford county to borrow money.

Passed finally.

No. 910, an act to repeal an act to authorize the highway commissioners of the township of Mill Creek, in the county of Erie, to establish the width of East lane, and to change its name.

Passed finally.

No. 907, an act extending an act relative to the fees of notaries public in the counties of Lancaster and Clinton, approved the 11th day of April, 1866, to the county of Berks.

Passed finally.

No. 899, an act increasing the fees of jurors, commissioners, auditors and witnesses, in the county of Venango.

Passed finally.

No. 880, an act relative to the coroner of Washington county.

Passed finally.

No. 564, an act to incorporate the Commonwealth iron and coal company.

Passed finally.

No. 766, an act to incorporate the Eagle cotton manufacturing company.

Amended and

Passed finally.

No. 729, an act authorizing the school directors of the borough of Butler to transfer certain funds.

Amended on motion of Mr. BROWNE (Lawrence).

Passed finally.

No. 724, an act to authorize the school board of Tyrone City, Blair county, to sell certain real estate now used for school purposes, and to appropriate the money arising from said sale to the purchase of a better location and erecting a more suitable building for school purposes, and to borrow any sum of money, not exceeding ten thousand dollars, at a rate of interest not exceeding ten per centum per annum, to assist them in procuring the same.

Passed finally.

No. 725, an act to relinquish a part of a certain annuity for the benefit of school purposes, in the borough of Susquehanna Depot, in Susquehanna county, with power to sell and dispose of old school houses, et cetera, and build new ones.

Laid over.

No. 726, an act to enable the school directors of the borough of Lehighton, Carbon county, to borrow money for the erection of school buildings.

Passed finally.

No. 734, an act to authorize and require the school directors of Antrim township, in the county of Franklin, to refund to Joseph Snively and Jacob Shank certain moneys advanced said township for bounty purposes, and to appropriate the balance of bounty funds in the hands of the treasurer for school purposes.

Passed finally.

No. 793, an act for the protection and preservation of fish within the county of Berks.

Passed finally.

No. 796, an act regulating licenses to eating houses and restaurants in the county of Centre.

Passed finally.

No. 798, an act to extend the provisions of an act to prohibit the granting of licenses to sell intoxicating drinks within the county of Potter, approved the 11th day of April, A. D. 1866, to the county of Wyoming.

Passed finally.

No. 276, an act to repeal an act relating to licenses in Erie county.

Passed finally.

No. 1301, an act to extend the provisions of an act to prohibit the issuing of licenses within certain boroughs in the counties of Armstrong, Potter, Indiana and Perry, or within two miles of the same, in the counties in which such boroughs are located, approved the 27th day of March, A. D. 1866, to the township of Derry, in the county of Westmoreland, and the borough of Blairsville, and the township of Burrell, and the township of East Mahoning, in the county of Indiana.

Mr. SEARIGHT. I move to strike out Derry township.

Mr. WHITE. I hope the Senator from Fayette will not press that amendment. I only wish to observe that Westmoreland county is in my district; from representations of the gentleman from Westmoreland county in the other House I am satisfied that this law is desired by a large majority of the inhabitants of that county, irrespective of party. I am opposed on general principles to a special law, and I only consented to it because it was the wish of a large majority of the people there, and because they have piled my table with petitions praying for the passage of this act.

Mr. SEARIGHT. Mr. Speaker, I presented a remonstrance to the Senate only a few days ago against the passage of this bill for Derry township. I took that remonstrance over to the seat of the gentleman from Indiana and told him the signers were citizens of Derry township. In addition to that remonstrance I have received several letters from citizens of that township, protesting against the passage of this bill so far as relates to their locality, and it is in pursuance of their wishes that I offered this amendment.

Mr. WHITE. I trust this amendment will be voted down. The responsibility of this whole matter will rest upon the member from Westmoreland, in the other House, and he is perfectly satisfied to incur it. He knows the will of that people, for he lives in their very midst, and I hope in view of the circumstances these amendments will be voted down.

Mr. BROWNE (Lawrence). I perceive Mr. Speaker, that the object of the gentleman from Fayette is merely to keep himself right on the record. He, however, does not live in the town, and I take it, the Senate owes it to the member of the other House to pass this bill without further amendment.

On the motion to amend,

The yeas and nays were required by Mr. SEARIGHT and Mr. WHITE, and were as follow, viz:

YEAS—Messrs. Barnett, Davis, Glatz, James, M'Candless, Randall, Ridgway, Schall, Searight, Wallace and Walls—11.

NAYS—Messrs. Bigham, Billingfelt, Browne (Lawrence), Brown (Mercer), Coleman, Connell, Cowles, Donovan, Fisher, Graham, Haines, Landon, M'Conaughy, Royer, Shoemaker, Stutzman, Taylor, White and Worthington—19.

So the question was determined in the negative.

COMMITTEE OF CONFERENCE ON BILL INCORPORATING BOROUGH OF COLUMBIA.

House bill entitled A supplement to an act incorporating borough of Columbia being reported from the House, the House refusing to agree to Senate amendments,

Mr. FISHER. I move that the Senate insist upon its amendments, and that a committee of conference be appointed.

Mr. BILLINGFELT. Mr. Speaker, I hope that my colleague will concede so much to the interest of the people of Lancaster county as to withdraw his motion and enable me to move that the Senate recede from its amendments. Should I fail in getting a majority then, sir, it will be time enough to urge the appointment of a committee of conference. I appeal to him to allow both sides of this question an opportunity to test their respective strength in the Senate.

Mr. FISHER. I would divide even half of my kingdom with my colleague if I thought it was right; but I think justice and every high consideration requires me to persist in my motion.

The CHAIR. I will simply state to gentlemen that the rule of the Senate is, where a majority of the Senate have voted in favor of a proposition, and a committee of conference is appointed in reference to it, it must be in accordance with the expressed opinion of the Senate.

Mr. BILLINGFELT. Mr. Speaker, I wish to know whether we could not dispense with that rule, if my colleague and myself would agree?

The SPEAKER. If the gentleman could obtain the consent of the Senate.

Mr. FISHER. There is no favor which my colleague could ask but for which I would stay up until midnight to accomplish; but this is a matter in which I am not alone interested. I ask for simple justice to my constituents, and I cannot compromise their rights and their interests. I would say, however, that this question will involve an almost interminable discussion if we should penetrate into the merits of it. Let me say, however, that the city of Lancaster has already opened all the streets they are likely to require for thirty years, and they were paid for them out of the treasury of the county. Furthermore, my colleague said yesterday, and I am confident he would not make an intentional misrepresentation, that the signatures of the commissioners to a document I caused to be read were obtained by holding them under duress. That is a mistake, sir. I did say to the commissioners that unless they agreed to one-half of the expenses, that I would do what I could to defeat the bill; but, sir, it stands to reason that only a majority of thirty-three can effectually accomplish that object. I said I would use all the powers I had to further the end if they declined my proposition; consequently, so far as compromises are concerned, I have already submitted to all that

I possibly can. Our citizens generally demanded two-thirds of the expenses to be paid out of the county treasury, yet it was apparent to this entire Senate that I have come down from two thirds to two-fifths; that is as far as I can go.

Mr. BILLINGFELT. Mr. Speaker, the personal friendship between my colleague and myself is too warm for me to charge upon him anything out of disrespect, but from the very parties who attached their names to that document I ascertained that they were obliged to sign it from a fear, which my colleague caused, of losing the whole bill.

Mr. FISHER. I would state that the arrangement referred to was made after my colleague left the court house and was submitted to cheerfully.

Mr. BILLINGFELT. I only repeat what I have said, that my opinion is derived from the parties themselves. The commissioners have come up here and stood behind me while I explained the circumstances of their signing that paper, and they afterwards admitted that I had stated the facts thoroughly and correctly. As to the city of Lancaster, it has not in itself anything to do with this bill. I do not care how they pay their damages; but this is a proposition which comprehends the people of the entire county, and in their behalf I protest against this wholesale burden being laid upon them.

The motion to insist upon the amendments of the Senate, and to appoint a committee of conference, was

Agreed to.

The Senate then adjourned.

AFTERNOON SESSION.

The Senate reassembled at 3 o'clock, P. M.

PRIVATE CALENDAR RESUMED.

The Senate resumed the second reading and consideration of bills on the private calendar of House bills, and disposed of them as stated:

DIVORCE OF WM. GRAY.

Pursuant to order, the House proceeded to consider House bill No. 813, an act to annul the marriage contract between William C. Gray and Lucinda Campbell Gray, late Lucinda Campbell.

Mr. BIGHAM. This is an act to annul the marriage contract between Wm. C. Gray and Lucinda Campbell Gray, late Lucinda Campbell. This really pertains to Beaver county, but the gentleman making this petition is so intimate with our people and the river men that I have taken charge of the papers in the case.

The facts are briefly these: Some ten years ago William C. Gray, engaged on one of our steamboats, married Miss Campbell, of Beaver county. She had been subject to epileptic fits and was really insane at times. It is alleged, and is so stated in the bill, that this was concealed. Mr. Gray's business being on the water, he was most of the time absent. They kept house for a few years, when her condition became such as rendered it impossible that they should continue as man and wife. With the approbation of friends all around, she was then put into the insane asylum at Dixmont. She remained there for a time, and her condition was to some extent improved. She was then transferred to her parents. That I believe was four years ago. Her mother, who has absolute control over her, persistently refuses to permit her to leave home. I presume she is is right, in view of all circumstances, particularly of the fact that the husband, being engaged on the river, is much very away. But, as I said, they persistently refuse to permit Mr. Gray to have any further control over her.

I have been written to by several persons, among whom is Captain Gray, a cousin of this gentleman, and by one of the proprietors of the Monongahela House. This husband is himself on the verge of becoming insane. It was said that when the bill was lost in the House of Representatives the other day, it created so much alarm among his friends that two of them came down here in reference to it. One of them was Mr. Kirkpatrick, a member of our bar. I understand that there is hardly a doubt but that Mr. Gray will ultimately become insane, and probably an inmate of Dixmont. He has conveyed the whole of his property in trust for his wife, to her relatives. There were no children.

Briefly, it is the wish of the families all round that this divorce should pass. Mr. Gray is not a man of sufficient wealth to keep an establishment to take care of her. In this connection, I have also depositions from half dozen females acquainted with this lady during her childhood and womanhood, prior to her marriage. And it appears, although unknown to Mr. Gray, that she was undoubtedly insane before Mr. Gray made her his wife, though favored with lucid intervals.

The whole case is an exceedingly painful one, and the courts undoubtedly have no jurisdiction in the matter. This is in brief the state of facts, and the Senator from Beaver, in whose district it properly arises, can state the same facts. I have the papers here which are free to any gentleman desiring to read them.

Mr. GRAHAM. Mr. Speaker, I believe it is generally understood and admitted by all who are or have been acquainted with this lady that she was insane prior to marriage. The facts related by my colleague are accurately true. He has made provision for her during her life time. He is himself bordering on insanity, yet on account of these troubles he has desired to obtain possession of his wife to maintain and support her himself; but her family have persistently refused him, and at the present time they decline to let him take charge of his wife.

He therefore asks to be relieved, after having given for her support all he has in the world. I think this is a case in which the Legislature ought to interfere, because the courts have not jurisdiction.

The bill was read a second and third time, and

Passed finally.

No. 948, an act to incorporate the Senator Nye mining and exploring company.

Passed finally.

No. 969, a supplement to the act incorporating the Great Valley gold and silver mining company, approved the 17th day of November, A. D. 1866, increasing the number of incorporators and restricting the powers of said corporation.

Passed finally.

No. 961, an act to incorporate the Octoraro gold and silver mining company.

Passed finally.

No. 962, a supplement to an act to incorporate the Specie Basis mining company, relieving them from the payment of the bonus of one-fourth of one per centum on its capital stock.

Amended on motion of Mr. BURNETT, by extending the operations of the bill to Arizona.

Passed finally.

No. 757, an act to incorporate the Mutual steam navigation company.

Passed finally.

No. 991, an act in relation to the election of officers of the Chambersburg and Bedford turnpike road company.

Passed finally.

No. 307, an act to incorporate the Crozer theological seminary.

Passed finally.

No. 309, an act authorizing the commissioners of Schuylkill county to sell real estate and to apply the proceeds to the building of a tenant house for the janitor of the court house in said county.

Passed finally.

No. 832, an act to divide the township of Chapman, in the county of Clinton, into two election districts.

Passed finally.

No. 926, an act to vacate part of Manayunk avenue, in the Twenty-first ward of Philadelphia.

Passed finally.

No. 980, a supplement to an act to authorize the road commissioners of the townships of Kinsua, Eldred and Cherry Grove, in the county of Warren, to levy a tax for road purposes, approved April 11, 1866, extending the same to the townships of Southwest and Clearfield, in said county.

Passed finally.

No. 929, an act to vacate Hilles street, between Orchard street and Paul street, in Frankford, in the Twenty-third ward of the city of Philadelphia.

Passed finally.

No. 928, an act relating to roads, streets, bridges and side-walks in the borough of Lawrenceville, county of Tioga.

Passed finally.

SUNDAY LIQUOR LAW.

Agreeably to order,

The Senate proceeded to consider House bill No. 1051, entitled A supplement to an act to prevent the sale of intoxicating liquors on the first day of the week, commonly called Sunday, approved the 26th day of February, 1865, relating to the counties of Berks, Lebanon and Lehigh.

The bill was read.

Mr. BILLINGFELT. Mr. Speaker, this bill looks as though it would make an important change in the Sunday law in regard to selling liquors. Now, I live within stone throw of the county of Berks, and if there is any special privilege to be granted to hotel keepers in that county, I ask why should not the same be extended to Lancaster and other counties?

I will object to this bill unless the Senator from Berks explains the actual intention of it.

Mr. DAVIS. Mr. Speaker, this bill is not intended to afford any special relief whatever to tavern keepers in Berks county, or any other county. I will state that the president judge of our court (Judge Woodward) is anxious that this change should be made so far as our county is concerned. This will enable us the better to enforce the law. It is well known to every gentleman that anything proposed by Judge Woodward could not be intentionally wrong. The change contemplated by this act is simply to allow a discretion to the courts in the infliction of punishment by fine or imprisonment. Some of the very best men, both as to reputation and morality, in the city of Reading and in our county at large, are very desirous of seeing this act pass. I will say for the information of the Senate that this bill has received the sanction of the Committee on Vice and Immorality in the House and that of this body.

Mr. M'CONAUGHEY. Mr. Speaker, I hope this bill will not pass. There are manifest reasons for it. We have a law on the subject which prevails throughout the entire Commonwealth. Why should Berks county be exempted from the provisions of that law? Are they more intelligent or moral or superior in any respect to the rest of the population of the State? Why should discrimination be made? The general law on this sub-

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[CONTINUED FROM PAGE 784.]

ject is this—I read from the act of the 26th of February, 1855, third section: "Every person who shall violate the provisions of this section shall, upon conviction thereof in any court of the Commonwealth, be fined in any sum not less than ten nor more than one hundred dollars, or be imprisoned in the county jail for a period of not less than ten nor more than sixty days."

This act provides that punishment by fine or imprisonment shall in every case be inflicted. Now, it is attempted to escape the penalty of imprisonment.

If this change is to be made, I ask that it be extended to the whole Commonwealth. I inquire again, why should it be granted to Berks county? The Senator from that county proposed early in the session to legislate specially for his county in reference to public housekeeping. I will qualify that and state that it was very peculiar in its character. Since then it has slumbered.

Only last year a similar effort was made to get rid of this penalty of imprisonment in Schuylkill county. Mr. Speaker I regard this sanction of imprisonment as the strongest but work, the strongest munition of the law against offenses in violation of this provision.

Mr. COLEMAN. Mr. Speaker I did not know until I saw this bill on the calender that Lebanon county was added. I will remark, however, that some of the very best citizens of Berks county, irrespective of party, favor this bill. In connection with this matter, I will relate an instance in our county which shows that, as the law now stands, it is to a very great extent inoperative. It is like one of those peculiar laws enacted for the total prohibition of selling spirituous liquors. It cannot be carried out. A man was convicted in our county of this offense during the term of Governor Packer, and I believe he was convicted, though at the same time innocent. Yet the judge was obliged to sentence him to imprisonment. The sheriff would not carry the sentence out, consequently he was only nominally in jail, though really out of jail. He was released on his parole, as the soldier would say, so that he was only nominally in the custody of the sheriff.

I would much rather see a heavier fine imposed, for I want to see these taverns shut up. At the same time I want the judges to have some discretion in the matter. I was entirely unaware of Lebanon county being included until I saw it.

Mr. M'CONAUGHY. I would simply ask the gentleman from Lebanon, in what county it was that the sheriff failed to carry out this provision of the law?

Mr. COLEMAN. It was Lebanon county, sir.

Mr. M'CONAUGHY. I congratulate the gentleman on representing that county.

Mr. DAVIS. Mr Speaker, I would say to the Senator from Adams that I do not claim this legislation because our people are any better or more intelligent than others; but there is a prejudice in the minds of the people of adjoining counties, at least I know there is in ours, against punishing an offense of this kind with imprisonment; for that reason it is exceedingly difficult to secure an indictment by the grand jury. On the contrary, there have been instances of grand juries ignoring bills simply because the punishment was disproportioned to the offense sought to be punished; and I can endorse everything said by the gentleman from Lebanon [Mr. COLEMAN]. Among many of our best citizens, Judge Woodward recommends this bill. And I appeal to the gentleman from Adams whether he would lend his sanction to anything which he did not think right and proper? In many counties the original law can be enforced; not so in ours. Prejudices exist there, and we cannot eradicate them in an instant. Our people consider the punishment out of all proportion to the offense. I will relate one instance in point. An individual refused to pay his bounty tax. A couple of steers belonging to him were levied upon and placed in charge of a neighboring tavern keeper until they should be sold. In a short time the owner ascertained that the wife of this hotel keeper, during his absence, was induced by a couple of friends to give them a glass of whisky. He prosecuted him under this law, and the man was set almost crazy at the idea of going to jail. He finally had to buy this fellow off by paying him one hundred dollars. Such cases as this bring the law into condemnation, so that those justly subject to its provisions escape all punishment whatsoever. We are not opposed to the law. We are just as desirous of having restrictions on the sale of intoxicating liquors as anybody else can be; but we ask for this law in order to insure greater good among our people. I hope the objection will be withdrawn, and that the bill will pass. What I have said was in all sincerity, and the Senator from Adams may rest assured that there is nothing else in the bill.

Mr. M'CONAUGHY. Mr. Speaker, I sympathize most deeply with the Senator from Berks [Mr. DAVIS]. I think that he is in an unfortunate catogory; but, sir, it is only attributable to the ignorance prevailing among his constituents. The difficulty is not with the law; it is with popular ignorance and prejudice against the law. In a large portion of the Commonwealth, in the more enlightened portions, no difficulty whatever exists; but when the customs of the locality are in an averse direction, it is not strange that difficulties should arise in enforcing the law. Can that, however, be urged as an argument against the law? Most surely not. It is an argument for the improvement of the morals and intelligence of such a locality, or for the exercise of missionary duties, but it cannot be urged as a reason for graduating the law down to ignorance and its concomitant vices. This, sir, is a penalty for the sale of spirituous liquors on Sunday. The punishment is at once just and moderate, and I hope that law will not be broken in upon by its repeal in the county of Berks.

Mr. COLEMAN. Mr. Speaker, this bill, I understand, has been examined by the Committee on Vice and Immorality. I shall, at the proper time, nevertheless, ask that my county be stricken out; but I will not make that a reason for interfering with the request of the people of Berks.

The bill being objected to, was laid over under the rules.

PRIVATE CALENDAR.

No. 803, an act for the relief of N. R. Harris, a commissioned captain of Company D, in the One Hundred and Sixteenth regiment Pennsylvania volunteers.

Passed finally.

No. 1010, an act to extend the time for the payment of the enrollment tax on an act to authorize Samuel Graham and Robert Graham, committee of Walter L. Graham, a lunatic, to sell certain real estate.

Passed finally.

No. 848, an act for the relief of David Andrews, late recorder of Chester county, for moneys overpaid by him to the Commonwealth.

Passed finally.

No. 966, an act to incorporate the Great Western mining company.

Pessed finally.

No. 963, an act to incorporate the Ivanhoe silver mining company.

Passed finally.

No. 951, a supplement to an act to incorporate the Franklin silver mining company, approved April 17, 1866.

Passed finally.

No. 960, an act to incorporporate the Mountain and Nevada gold and silver mining and commercial company.

Passed finally.

No. 967, an act to incorporate the Hidalgo gold and silver mining company.

Passed finally.

No. 968, an act to incorporate the Empire and Gem mining company.

Passed finally.

No. 958, a supplement to an act to incorporate the North American mining company, approved June 2, 1865.

Passed finally.

No. 950, an act to incorporate the Big Creek mining company.

Passed finally.

No. 953, an act to incorporate the Marathon silver mining company of Nevada.

Passed finally.

No. 952, a supplement to an act to incorporate the Union mining company, approved March 30, 1865.

Passed finally.

No. 955, an act to incorporate the Shakespeare and Lydia Allen Consolidated silver mining company.

Passed finally.

No. 1018, an act to incorporate the Chambersburg hall and market company.

Passed finally.

No. 963, an act to incorporate the Spanish Bar gold and silver mining company.

Passed finally.

No. 946, an act incorporating the Keystone iron and coal company.

Passed finally.

No. 965, an act incorporating the Beaver gold and silver mining company.

Passed finally.

No. 956, an act to incorporate the Silver Bullion mining company.

Passed finally.

No. 1002, an act to attach certain lands in Potter county to Coudersport school district, for school purposes.

Passed finally.

No. 808, an act to authorize the Board of Military Claims to adjust the claim of William D. Schoenleber.

Passed finally.

No. 997, an act in relation to assessment of road tax and the election and pay of certain township officers and viewers of roads and highways in the county of Jefferson.

Passed finally.

No. 992, an act in relation to the election of officers of the Chambersburg turnpike road company.

Passed finally.

No. 994, an act to authorize the president and managers of the Licking bridge company, in Clarion county, to sell said bridge to the commissioners of said county.

Passed finally.

No. 979, an act relative to locating, opening and repairing the public roads and highways in Sewickley township, Westmoreland county.

Passed finally.

No. 989, an act to incorporate the Bridgeport and Horse Shoe turnpike road company.

Passed finally.

No. 995, a supplement to an act authorizing or requiring the supervisors of Bratton township, Mifflin county, to erect gates across the public roads in said township.

Passed finally.

No. 996, a supplement to an act to incorporate the Larry's Creek plank road company.

Passed finally.

No. 698, an act granting a pension to Samuel Hamilton.

Passed finally.

No. 699, an act granting a pension to Zeno Hoffman.

Passed finally.

No. 819, an act for the relief of Jane Lynn, widow of John Lynn, a deceased soldier of the revolutionary war.

Passed finally.

No. 697, an act granting a pension to Lewis Neudoerffer.

Passed finally.

No. 917, an act conferring certain powers upon the city of Chester, in the county of Delaware.

Passed finally.

No. 915, a supplement to the charter of the city of Chester.

Passed finally.

No. 986, an act relative to the pay of the supervisiors in Wiconisco township, Dauphin county.

Passed finally.

No. 669, an act to amend the charter of the municipal corporation of the city of Lancaster, and dividing the same into nine wards.

Objected off.

No. 918, an act to incorporate Sugar Notch and Warrior Run into a borough.

Passed finally.

No. 982, a further supplement to an act to erect the borough of Sunbury, in the county of Northumberland, into a borough.

Passed finally.

No. 925, an act to authorize the borough of Boyertown, in the county of Berks, to purchase the Fairmount fire engine house of said borough, and to levy and collect a tax for that purpose.

Passed finally.

No. 990, an act relating to the pay of the supervisors in the county of Butler.

Passed finally.

No. 833, an act to validate the act of C. W. Case, late justice of the peace for Jackson township, Luzerne county.

Passed finally.

No. 920, a further supplement to the charter of the city of Erie, to provide for the appointment of water commissioners and define their powers and duties.

Passed finally.

No. 1003, an act relating to a school library in the city of Erie.

Passed finally.

No. 1006, an act relating to school tax in the borough of Mainesburg, county of Tioga.

Passed finally.

No. 1013, an act to enable the standing committee of the Protestent Episcopal church of the diocese of Pennsylvania to convey real estate in Mifflin county.

Passed finally.

No. 901, an act relating to public prisons in Allegheny county.

Amended on motion of Mr. GRAHAM,

Passed finally.

CONSIDERATION OF OBJECTED BILLS.

The private calendar having been gone through with, the Senate, on motion, proceeded to the consideration of bills objected off the said calendar, numbered and entitled as follows, and disposed of them as stated:

PROTECTION OF SHEEP.

Agreeably to order,

The Senate proceeded to consider

No. 780, an act to extend the provisions of an act for the protection of sheep in certain counties, approved the 8th day of April, A. D. 1862, to the counties of Armstrong and Westmoreland.

Mr. SEARIGHT moved to amend the bill by striking out the county of "Westmoreland."

Mr. WHITE. Mr. Speaker, this is an act substantially for the protection of sheep. It is perfectly acceptable to the people whom it is intended to affect. The Senator from Fayette [Mr. SEARIGHT] must know that fact better than I do. The member from Westmoreland county, in the other House, and also from Indiana, requested me to urge the passage of this bill without any amendment whatever. They are perfectly willing to incur all the responsibility attached to the passage of this bill. I trust, therefore, that this amendment will not be urged, but if it should, I hope the Senate will vote it down.

Mr. SEARIGHT. Mr. Speaker, this bill was laid over when it was first reached on the calendar, at the instance of the Senator from Indiana.

Mr. WHITE. And why, Mr. Speaker?

Mr. SEARIGHT. Mr. Speaker, I will state the reason why. I understood that he did so for the purpose of examining the provisions of this bill, and if he found it satisfactory to include his own county of Indiana. After examining it, however, he found it was not adapted to his county, and now he declines adding, yet he insists on having Westmoreland embraced.

Now, I submit to the Senate whether the gentleman has assumed a very enviable attitude in view of his action in this respect.

I am perfectly willing to do what is fair. I am content to compromise with the Senator from Indiana. He took Derry township from me to-day, and now he wants to take the balance of the townships. I would ask the gentleman, in all sriousness, what portion of the county does he desire to act on? Let us have an understanding about this matter. Let him choose which portion he may—I am satisfied with the other?

The gentleman puts the propoaition in this shape: That it is an act for the protection of sheep in Westmoreland county. Probably it might bear that construction, and it may be fair enough, but I give it this interpretation, that it is an act for the taxing of dogs, and I believe the people in that county are opposed to such a measure.

Mr. WHITE. Mr. Speaker, the gentleman from Fayette [Mr. SEARIGHT] has found considerable fault with me in interfering with his county, yet I submit I have been very moderate. The ground is, in a measure, neutral. We have possession of it alternately. It is connected with the county that I represent here legislatively, and the member in the other branch of the Legislature, who is elected from that very locality, and represents the sentiments of that particular district, has expressed his willingness, as stated, to assume all responsibility. I feel that these Representatives have some interest in this matter, and therefore I must oppose this amendment. The member from Westmoreland, in cases of disagreement with the Senator, naturally comes to myself to conduct the legislation for that locality. I must say that they disagree very often politically. I had hoped they would not disagree in this case, but as they do I am obliged to act for them. Colonel Gallagher has just left my side, and he said he would take the responsibility. I will also say the Senator from Fayette does not live in the county of Indiana.

Mr. SEARIGHT. Mr. Speaker, there is no strife between the Senator and myself. I merely ask him to take one direction in this matter. Either let him go to the right or to the left, and I will take the other. I insist that no boundaries be defined; that is biblical doctrine, scriptural and christian. Mr. Speaker, I never knew that there was such a bill pending here until to-day, but the question is an old one, and I know the subject of taxing dogs is very unpopular in my county. There was a bill passed touching this matter, and it survived but one year, and was then repealed. My people are opposed to the dog tax; I am opposed to the dog tax, and I hope the majority of this Senate will oppose this attempt to lay a tax of that kind in my district. I will resist it, but if overpowered, I want it distinctly understood that I will not resist it. I am perfectly satisfied that that section, making it lawful for any person to kill a dog which has been found straying into an enclosure occupied by sheep, should apply to Westmoreland county, but to the rest I repeat I am opposed.

On the motion to amend,

The yeas and nays were required by Mr. SEARIGHT and Mr. WHITE, and were as follow, viz:

YEAS—Messrs. Burnett, Davis, Glatz, James, Landon, Lowry, M'Candless, Randall, Schall, Searight, Wallace and Walls—12.

NAYS—Messrs. Bigham, Billingfelt, Browne (Lawrence), Brown (Mercer), Coleman, Cowles, Donovan, Fisher, Graham, Haines, M'Conaughy, Ridgway, Royer, Shoemaker, Stutzman, White and Worthington—17.

So the question was determined in the negative.

The question then recurred on the passage of the bill.

Mr. SEARIGHT. It is here proposed to

require assessors to assess and appraise all the dogs. That is adding a new duty to the assessors. I want the Senate to understand the full enormity of this bill, so that they can vote understandingly.

On the final passage of the bill,

The yeas and nays were required by Mr. WHITE and Mr. SEARIGHT, and were as follow, viz:

YEAS—Messrs. Bigham, Billingfelt, Browne (Lawrence), Brown (Mercer), Burnett, Coleman, Connell, Cowles, Davis, Donovan, Fisher, Graham, Haines, Landon, M'Conaughy, Ridgway, Royer, Shoemaker, Stutzman, Taylor, White and Worthington—22.

NAYS—Messrs. Glatz, Lowry, M'Candless, Randall, Schall, Searight, Wallace and Walls—8.

So the question was determined in the affirmative.

RELINQUISHING NEW YORK AND ERIE RAILROAD ANNUITY.

Agreeably to order,

The Senate proceeded to consider House bill No. 725, an act to relinquish a part of a certain annuity for the benefit of school purposes, in the borough of Susquehanna Depot, in Susquehanna county, with power to sell and dispose of old school houses, et cetera, and build new ones.

Mr. LANDON. Mr. Speaker, I do not propose to discuss this bill, but merely to state a few important facts, and I shall be willing to rest the case upon the merits of the facts. In all candor I think this bill ought to pass, and after I am done I cannot imagine that this Senate would fail to concur in that judgment. This bill has received the sanction of the Committee on Education, as it is known the New York and Erie railroad runs into Susquehanna county: it is also known that that company pays into the State treasury an annuity of ten thousand dollars per annum. In consideration of this the property owned by the company is exempt from taxation for all local purposes. I ask that to be kept in mind.

Susquehanna Depot, so called, is a village in the midst of the mountains. It was nothing but a wilderness when the railroad first came through. That road has called into existence this little village, whose inhabitants are employed upon it, and in the machine shops belonging to it. A company has located extensive establishments there, valued probably at a million of dollars. This little village comprises about three thousand inhabitants, two hundred of whom are children.

Now, I ask this Senate to look at this anomalous state of facts. The people there are poor; the railroad owns the property. There is no agricultural wealth abounding there; nothing but the artificial establishments of this company. Where, then, is the resource of this people? They have no means of their own; they cannot tax the property of the company, though it amounts to a million of dollars. Yet it is enjoined, both by the principles and institutions of our country to give its children the benefit of education. They have felt this, and about two years ago attempted to act upon it; but when they levied upon the property of this company, subsequent to their taxing, the Supreme Court annulled their efforts. They are thus deprived of schools and school houses, and they come here to-day asking you to do one of two things: either let them tax the property of the company there, so they may have the ordinary resources for taxation, or give them three thousand dollars for one year out of the ten thousand dollars annuity. They do not ask you to make it perpetual. In this very neighborhood we have the machine works of the Pennsylvania railroad company taxed for the benefit of schools. Give the people of Susquehanna county this right, and they will ask you for no aid of this kind.

Now, I have given a brief view of the facts, and I submit to the sense of justice in every man's breast whether it is not perfectly right?

One fact more. Last year a bill appeared appropriating ten thousand dollars for the clearing out of one of our rivers obstructed by railroad crossing. My analogy is this, the New York road has collected three thousand people in that wild country, and the channels of education have been obstructed by the previous legislation of this State; will you help us in this exigency? I think, sir, the channel of mind is more dear to the interests of a people than the highway of commerce. I could make a speech on this subject, but I could not give it more force than the simply narration of these facts.

Mr. BIGHAM. Mr. Speaker, I hope the gentleman from Bradford [Mr. LANDON] will incorporate a new section in this bill. I am satisfied that the real estate of that corporation is not protected and ought not to be. To remove all doubt, I urge him to add a clause which will remove it. That road should be in no better position than other roads.

Mr. CONNELL. I have seen the decision of the Supreme Court in this very case, and they have decided, that in consequence of this railroad company paying an annuity of ten thousand dollars, they are exempt from all local taxation.

Mr. BIGHAM. I undertake to say that is not warranted by the act of 1846. I examined it this very day, and that if the Supreme Court have assumed to decide that it is, I say that it is not warranted by the act of 1846. It would be an outrage on a population of that kind. So far as the future is concerned, I should like to have a bill prepared and sent to our committee so that we can investigate it.

Mr. LOWRY. My greatest objection to this bill is on account of the precedent it sets. The passage of this bill would open up a variety of ways to deplete the treasury. I hope, therefore, a fatal blow will be given to this effort, and that the door will not be opened, long since closed to impositions of this kind. I should vote for it with very great hesitancy, but I am in favor of this company paying its proper proportion of school taxes.

If that is not the law in Pennsylvania now, we should make it so.

It is impossible for us to go out of our State, wheresoever we may, without having it thrown in our face, that we tax that road ten thousand dollars a year to let it pass over our territory. You can explain it as much as you please, that it is exempt from local taxation, but it is all in vain. I am anxious that this company should be subject to the same burden as other companies, and I am certain the State treasury will profit by it.

The CHAIR. Undoubtedly, if the company has a million dollars worth of property there.

Mr. FISHER. I think all property should be taxed and that foreign corporations should enjoy no exemption; but I would ask whether the legislation referred to was not part of a contract entered into between the Legislature of Pennsylvania and the New Nork and Erie railroad company—that in consideration of their paying this annuity of ten thousand dollars, they should be exempt from local taxation?

Mr. COLEMAN. Mr. Speaker, I hope this bill will pass. It is eminently just that we should make some amend for our misdeeds. If necessary let us repeal the prior law or let us adopt some measures to remedy the wrong those people suffer. For Heaven's sake grant this poor pittance of three thousand dollars for a grievance of twenty years' duration.

Mr. RIDGWAY. Mr. Speaker, I have no more interest in opposing this bill than any other Senator. It is the precedent that I fear. There has been a much larger appropriation this year than ordinarily, and these people will of course receive their proportion of the increase.

Mr. LANDON. Mr. Speaker, I am glad to hear the remarks of the gentleman from Lebanon, and I hope they will be weighed by this House.

Mr. BIGHAM. As for myself, I was perfectly willing this bill should pass to close up the past, and that we look anew to the future. I am certain there is a mistake about this matter. The point raised in the Supreme Court was in reference to the tax on the tonnage over this road, under the act of 1864.

Mr. CONNELL. It was long prior to that, sir.

Mr. BIGHAM. I am confident, however that may be, that they could never hold that a tax for school purposes was illegal.

Mr. M'CONAUGHY. I would ask the gentleman from Philadelphia [Mr. RIDGWAY] whether there is any other case in the Commonwealth similar to this one?

Mr. RIDGWAY. In answer to the gentleman, I cannot say that there is. But the principle is everything. A case will arise to-morrow, and another the next day, equally meritorious, if this bill passes.

Mr. BROWNE (Lawrence). Mr. Speaker, I hope sincerely that a bill so important to the educational interests of a portion of our people will meet no effectual opposition. The only way in which the children, one and all, can be taught, is in this instance to appropriate a portion of the money received as the equivalent of their restriction in imposing taxes. This company is relieved of all liability to pay local taxes; the State has allotted them that privilege for this annuity, and, therefore, equity and justice alike demand that a portion of it be devoted to these people.

Mr. BIGHAM. Mr. Speaker, I will have no other opportunity, perhaps, of saying a word in justification of Pennsylvania. I am probably the only man in either branch of this Legislature who was a member in 1846—the same Legislature that imposed upon the Pennsylvania railroad company a tax of five mills per ton per mile. You see then that this New York road was not an exceptional case. It only became so by lapse of time. This ten thousand dollars was laid upon the New York and Erie road in lieu of a tonnage tax.

The SPEAKER. Could not the gentleman from Allegheny [Mr. BIGHAM] offer a resolution to be referred to the committee instituting an investigation of this matter?

Mr. BIGHAM. I will do so at a convenient time.

The bill was then read a third time and Passed finally.

JURISDICTION OF THE COURTS IN GRANTING CHARTERS OF INCORPORATION.

Mr. HALL, Speaker. The Chair would here state that he has received a communication from the Governor in reference to a late act passed by both Houses, conferring jurisdiction on the courts of common pleas in granting charters of incorporation.

The Chair therefore announces his intention of declaring out of order all bills within the scope of that jurisdiction.

Mr. BIGHAM. I would ask the Speaker whether the Legislature is legally presumed to know the contents of that bill before it is printed?

The CHAIR. Undoubtedly.

By direction of the Chair, the Clerk then

read the communication from the Governor, as follows:

"Under act approved March 26th, 1867, entitled An act to enlarge the jurisdiction of the courts of common pleas of the Commonwealth, relative to granting charters of incorporation, and confirming those heretofore granted, courts have power to grant charters—

First—In all cases where the Supreme Court has authority.

Second—Companies for insuring horses, cattle, and other live stock, against loss by death from disease or accident, or from being stolen.

Third—Water companies.

Fourth—Hook and ladder companies.

Fifth—Building associations.

Sixth—Musical clubs or associations.

Seventh—Teachers' institutes or associations.

Eighth—Hotel companies.

Ninth—Skating park associations.

Tenth—Clubs for advancement of athletic sports, including base ball, barge and fishing clubs.

Eleventh—Fire insurance companies."

Mr. M'CONAUGHY moved that five hundred copies of a bill entitled An act to enlarge the jurisdiction of the courts of common pleas of this Commonwealth, relative to granting charters of incorporation and confirming those heretofore granted, be printed for the use of the Senate.

The motion was

Agreed to.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

The Clerk of the House of Representatives being introduced, informed that the House of Representatives has concurred in the last amendment made by the Senate to bill from the House of Representatives numbered and entitled as follows, viz:

No. 1012, an act to authorize Catharine Floto, Mary R. Floto, Geo. H. Floto and Emma G. Floto to sell and convey certain real estate.

On motion of Mr. SCHALL, the Senate receded from its amendments.

BILLS CONSIDERED.

On motion of Mr. DONOVAN, the rules were dispensed with in the case of bill entitled An act declaratory of the statutes of limitation.

The bill was read a second and third time, and

Passed finally.

On leave,

Mr. CONNELL read in his place and presented to the Chair bill entitled An act authorizing the revision of a portion of the wharf lines in the rivers Delaware and Schuylkill.

Referred to the Committee on the Judiciary Local.

On motion of Mr. CONNELL, the Committee on Judiciary Local was discharged from the further consideration of the above, and the rules having been dispensed with, the bill was read a second and third time, and

Passed finally.

On leave,

Mr. GRAHAM, from the Committee on Vice and Immorality, to which was committed bill entitled An act to prohibit the sale of intoxicating liquors as a beverage in the townships of East Deer, Fawn and Harrison, and the borough of Tarentum, Allegheny county, reported the same without amendment.

On motion of Mr. GRAHAM, the rules were dispensed with and said bill was read the second and third time, and

Passed finally.

On leave,

Mr. M'CANDLESS, from the Committee on Military Affairs, to which was committed bill entitled A further supplement to an act, approved May 4th, A. D. 1864, for the organization, discipline and regulation of the first division of the militia of the Commonwealth of Pennsylvania.

On motion of Mr. M'CANDLESS, the rule was dispensed with and said bill was read a second time, considered and laid over for a third reading.

On motion of Mr. LOWRY, the Committee on Judiciary Local was discharged from the further consideration of bill entitled An act authorizing and empowering A. Clark, of Meadville, to have his dockets returned to him; and the rules having been dispensed with, the bill was read a second and third time, and

Passed finally.

CHARTER OF THE CITY OF LANCASTER.

Agreeably to order,

The Senate proceeded to consider House bill No. 669, an act to amend the charter of the municipal corporation of the city of Lancaster, and divide the same into nine wards.

The bill was read.

Mr. BILLINGFELT moved to amend the second section by striking out all after the word "to," in the fourth line, to the word "the," in the eighth line, and insert the following:

"The intersection of said Queen and Chestnut streets; thence, in a line west, through the middle of Chestnut street, to the city boundary; thence along said boundary south, to the Columbia pike; thence through the middle of said pike and West King street, easterly to."

Mr. BILLINGFELT. Mr. Speaker, in the early part of this session there was a bill sent here which was enacted into a law dividing the Northwest ward of the city of Lancaster into three parts or precincts, as they were then called. In the meantime, I requested my colleague to postpone his bill for some time, so that the citizens of Lancaster might prepare a general bill for the division of the city into nine wards. That bill was delayed on account of the absence of a person in whose charge it was given. As I said, the other bill passed and became a law. Subsequently the citizens went to work and drew up a bill, which is now in the hands of the Clerk, and placed it in the possession of our members. By the management of a certain gentleman from the city of Lancaster, there were certain amendments attached to the original bill, which were brought here, and to which the people of the city object, as will be shown by petitions here, representing from eleven hundred to twelve hundred citizens. In compliance with their request, I offer this amendment, to restore the bill to its original character as framed by our citizens. I am not a resident of the city, nor is my colleague; I therefore have no personal interest in this bill; I merely wish to express the wish of the people, and by far the majority of the citizens of that city.

Mr. FISHER. Mr. Speaker, I promised to be brief. My colleague states the facts of the case in the main correctly; he does not give the whole facts, however. There was a petition, very respectable in point of numbers, but by no means amounting to the high figure mentioned by the gentleman. Probably six or seven hundred will embrace all the signers to that petition from the entire city. But, sir, there was a petition presented here asking for the division of the Northwest ward, the one in dispute, signed by nearly six hundred residents of that very vicinity, praying to be divided as has been done in the House. I have other petitions here, amounting in the aggregate to about three hundred names.

The SPEAKER. Have not the courts power to dispose of this matter?

Mr. FISHER. No, sir, it does not come under the law. It has been examined thoroughly by gentlemen who have paid attention, and they have come to the conclusion that the courts have not power.

My colleague, and anybody else who desires, can see on the petitions he referred to, several names given through misrepresentation of the facts, as I can prove.

Mr. BILLINGFELT. Will the gentleman state how many?

Mr. FISHER. There are affidavits of several. It has been stated that the celebrated George Brubaker wanted to divide this ward for his political advantage. Mr. Speaker, I care not whether it redounds to his benefit or to that of any other man; I desire an equitable division of the ward. I have the map of the city, which I hold in my hand. In the first division of the Northwest ward there are five hundred and some odd voters; and yet there were but eleven hundred votes polled at the last election in the entire ward, so that it is clear that division embraces one-half of the whole population of the ward, as it now exists. Hence the division is grossly unequal. In addition to that, I have a plan drawn by Mr. Hartman, one of the editors of the *Examiner*, which shows the territory proposed to be embraced in the district, both as it stood in the original bill and as it came amended from the other House. If any Senator has curiosity enough, he can examine it. It is certainly much more equitable than the plan I have here on the map of the entire city. The principal objection to that division is on account of the large number of voting population embraced in that one division. I stated that there were certain persons who signed a petition under misrepresentation. To confirm this, I will take the liberty to read the affidavit of two of them—very respectable gentlemen, living in that ward.

LANCASTER, March 25, 1867.

Personally appeared before me, a notary public, duly commissioned, the within named, Isaac Dunn and John Kahlle, two of the most respectable and reliable men in the Northwest ward, to me known, who, upon their solemn oath and affirmation, depose and say as follows: That a petition was presented to them, for their signatures against the passage of the city ward bill, as it passed the House of Representatives, and requesting the bill to be altered back to its original form as it came from the committee; that the bill with the "Brubaker amendment" divided the Northwest ward into five wards, with five policemen, and that the Union party would be defeated in each one; that upon these representations they signed the petition, and now that they have learned that these statements are wilfully and maliciously false, they desire to have their names withdrawn, and expose the policy pursued to obtain signers; and further deponents saith not.

JOHN KAHLLE,
ISAAC DUNN.

In testimony whereof I have hereunto set my hand and affixed my national seal this 25th day of March, 1867.

S. A. WYLIE,
Notary Public.

You see, Mr. Speaker, the party who drew that affidavit has gone to the trouble of giving the standing of these defendants, one sworn and the other affirmed. Now Mr. Speaker, if a false representation was made to one man or to two men, I say then there is fraud in the whole transaction. But apart from that, I fall back upon my original position, that both in point of territory and population, what is known as the Brubaker

amendment, is the most equitable division of the ward, and hence I oppose this amendment.

Mr. BILLINGFELT. Mr. Speaker, when a city is to be divided into wards we must extend our view beyond the present. You must make allowance for the changes of the future. Lancaster city is growing rapidly and will continue to grow. The central portion of that city has been well built up; it was closely packed long ago. The other portions are being built up every day, hence we must act in view of these prospective changes. I confess that, in point of numbers, there are probably more in the central wards than in the others; but that will not destroy the force of my argument.

Now, Mr. Speaker, our division of the city runs a straight line from the central portion of the town to the extreme limits. Looking at it, you will perceive, territorially, it is a most equitable division. In point of population, I do admit that the central wards outnumber the others, but no allowance has been made for the rapid growth of the other wards. Now, sir, I ask my colleague whether the petition that he says he has in his hands has been brought here since this bill was introduced or not.

Mr. FISHER. O, yes, sir.

Mr. BILLINGFELT. I claim, sir, that my twelve hundred signers prepared that petition, after and in view of the passage of this bill. On the contrary, the six hundred whose interests the gentleman represents, signed that petition before this bill was introduced, consequently they knew nothing of its character. The only petition on file is that of the twelve hundred citizens of Lancaster city praying for the passage of this bill with the amendments I have indicated, among which is that striking out the manuscript amendment.

My colleague has chosen to call the attention of the Senate to George Brubaker and John J. Hartman, gentlemen about whom probably not two members here know anything. Mr. Brubaker is, it is true, a respectable gentleman. Personally, I am under obligation to him, but he is a politician like Mr. Hartman. I may owe favors, as I said, to one of these gentlemen. I was myself a politician at one time, but when I became the chosen representative of my constituents to this body, I threw off the garb of a politician and I assumed the robes of a Senator. I stand here in pursuance of the duty I owe, to defend the people, and I will look neither to the right or left. My leading inquiry is what are the wishes of the people, not what Mr. Brubaker or any other Lancaster politician wants. I am placed under obligations not only to the people who nominated me, but to those who elected me to guard their rights. I claim to be a Senator, sent here to represent the people of Lancaster county, and no politician. My amendment is to restore the bill to what I know the people wish.

Mr. FISHER. If the petition is produced here it will show that it does not contain half the number imagined by my colleague.

Mr. LOWRY. I will ask the gentleman from Lancaster [Mr. FISHER] whether a majority of those who ask this resolution did not desire the amendment offered by his colleague?

Mr. FISHER. I will answer that question in this wise: a proposition is made by the friends of this bill, as it now stands, calling an election by the people of the Northwest ward to decide this very matter, but those who now advocate this amendment refused positively to enter into any arrangement of that kind.

Mr. BILLINGFELT. Let me say, sir, that every signer has asked for the passage of the original bill, and not one for it in its present shape.

Mr. FISHER. I will state for the information of the Senate that the four members of the House amended the bill so as to put it into the present shape.

On the motion to amend,

The yeas and nays were required by Mr. BILLINGFELT and Mr. FISHER, and were as follow, viz:

YEAS—Messrs. Bigham, Billingfelt, Browne (Lawrence), Brown (Mercer), Coleman, Graham, Lowry, M'Conaughy, Taylor and White—10.

NAYS—Messrs. Burnett, Connell, Cowles, Davis, Donovan, Fisher, Glatz, Haines, Jackson, James, Landon, M'Candless, Randall, Ridgway, Royer, Schall, Searight, Shoemaker, Stutzman and Wallace—20.

So the question was determined in the negative.

On the final passage of the bill,

The yeas and nays were required by Mr. WALLACE and Mr. FISHER, and were as follow, viz:

YEAS—Messrs. Bigham, Billingfelt, Browne (Lawrence), Brown (Mercer), Coleman, Connell, Cowles, Fisher, Glatz, Graham, Haines, Landon, Lowry, M'Conaughy, Ridgway, Royer, Shoemaker, Stutzman, Taylor, White, Worthington and Hall, *Speaker*—22.

NAYS—Messrs. Burnett, Davis, Donovan, Jackson, James, M'Candless, Randall, Schall, Searight and Wallace—10.

So the bill

Passed finally.

PHILADELPHIA MILITARY BILL.

Mr. M'CANDLESS moved to suspend the rules to proceed to the consideration of bill entitled A further supplement to an act approved May 4th, A. D. 1864, for the organization, discipline and regulation of the militia of the first division of the Commonwealth of Pennsylvania.

Mr. WORTHINGTON. Mr. Speaker, I trust that this bill will not be taken up at this time. I have an amendment to offer to it which I have not here. I had no idea that a proposition would be made to consider it to-day. I therefore ask, in view of these facts, that it will be laid over.

Mr. M'CANDLESS. This is a very important bill, Mr. Speaker, and we are drawing to the close of the session. None of its provisions interfere with or affect the constituents of the Senator from Chester. Next session a general bill will be offered to the Legislature, and then he may suggest any amendment he desires, but this is merely for the temporary organization of the first division of militia in the city of Philadelphia. There is at present no organized military force there, and if there should happen a riot, it would occasion great difficulty in suppressing it.

Mr. WORTHINGTON. I do not want to delay the passage of this bill. If it had been made known to me, I should have been prepared to offer my amendment now. I therefore hope it will be postponed.

Mr. WHITE. I wish this bill to be put in such a shape that it cannot by any possibility fail to succeed. That class of people whose interests the Senator from Chester advocates, no doubt desire to be relieved from the performance of military service, but he, I trust, will understand that such a proposition is obnoxious to the Constitution of this State.

By general consent,

The bill was read the first time, and laid over under the rules.

The Senate then adjourned.

HOUSE OF REPRESENTATIVES.

WEDNESDAY, March 27, 1867.

The House met at 10 o'clock, A. M.

Prayer was offered by the Rev. J. KENNEDY, member from Wyoming.

The SPEAKER announced a quorum of members present.

The Journal of yesterday was partly read, when,

On motion,

The further reading of the same was dispensed with.

SPEAKER'S TABLE.

The SPEAKER laid before the House the thirty-eighth annual report of the inspectors of the State Penitentiary for the Eastern district of Pennsylvania.

Also, a communication from the principal of the Philadelphia School of Design, which was read as follows:

PHILADELPHIA SCHOOL OF DESIGN,
WEST PENN SQUARE,
March 26, 1867.

To the Hon. John P. Glass, Speaker of the House of Representatives:

DEAR SIR—I have the honor of asking you to accept from this institution the accompanying portrait of General Jackson, as a third contribution to a State gallery of art. It was painted from an original in the possession of Evan Rogers, Esq., of this city, taken at New Orleans, in the year 1839. Mr. R. esteems it a faithful likeness of an old friend, and I beg to assure you that it is an excellent copy of that great man, who uttered the sentiment, dear to every American heart, viz:

"By the eternal, the Constitution must, and shall be preserved."

Very respectfully submitted,
(Signed) T. W. BRAIDWOOD,
Principal.

Mr. KERNS. Mr. Speaker, I offer the following resolution.

The resolution was read as follows:

Resolved, That the thanks of this House be tendered to the School of Design for the portrait of President Jackson, and that the Clerk have the same placed in the new library.

The resolution was

Agreed to.

MESSAGE FROM THE SENATE.

The Clerk of the Senate being introduced, presented for concurrence bill numbered and entitled as follows, viz:

Senate bill No. 1346, an act to authorize the conveyance of certain real estate in the city of Philadelphia, by the committee of Samuel Griffith, a lunatic.

He also returned bills from the House of Representatives numbered and entitled as follows, viz:

No. 1012, an act to authorize Catharine Floto, Mary K. Floto, George H. Floto, and Emma G. Floto, to sell and convey certain real estate,

With information that the Senate has passed the same with amendment, in which the concurrence of the House of Representatives is requested.

REPORTS FROM COMMITTEES.

Mr. KERNS, chairman of the Committee on Railroads, reported from the committee as committed, bill No. 1704, a supplement to an act to incorporate the Middle Creek railroad company, approved the 23d day of March, 1865.

Mr. M'KEE (same), as committed, bill No. 1705, an act to incorporate the Willow Bank and Burns Spring railroad company.

Mr. CAMERON (same), as committed, bill No. 1706, an act to incorporate the Mill Creek and Nescopeck railroad company.

Mr. MARKS (same), as committed, Senate bill No. 985, a further supplement to the act incorporating the Lafayette railroad company, approved the 1st day of May, A. D. 1861, extending the time for building the road, and enlarging the powers of said corporation.

Mr. DAVIS (same), as committed, Senate bill No. 479, a further supplement to the act to incorporate the Allentown railroad company, approved April 19, A. D. 1853.

Mr. MECHLING (same), as committed, Senate bill No. 927, an act authorizing an increase of the capital stock of the Connecting railway company.

Mr. WADDELL (same), as committed, bill No. 1710, a further supplement to an act to authorize the Governor to incorporate the West Chester and Philadelphia railroad company, approved April the 11th, A. D. 1848.

Mr. WATT (same), with a negative recommendation, Senate bill No. 592, an act to authorize the Lehigh coal and navigation company to build branch railroads.

Mr. SUBERS (same), as committed, Senate bill No. 984, an act authorizing the Southwark railroad company to renew their road on Swanson street.

Mr. JENKS (same), as committed, Senate bill No. 988, an act to incorporate the Brookville and Rockwayville railroad company.

Mr. KOON (same), as committed, Senate bill No. 593, a further supplement to to an act entitled An act incorporating the Lackawanna and Bloomsburg railroad company, approved the 5th of April, 1852.

Mr. HOFFMAN (Roads, Bridges and Ferries), as committed, bill No. 1716, an act to lay out a State road from Norristown to Wissahickon creek, near Wille's mill.

Mr. DEHAVEN (same), as committed, bill No. 1766, a further supplement to the act incorporating the Welch turnpike road company.

Mr. ROATH (same), as committed, bill No. 1717, an act establishing a ferry across the Allegheny river, at or near the Falling Springs, in Venango county.

Mr. GHEGAN (same), as committed, bill No. 1718, an act supplementary to an act establishing a ferry across the Allegheny river, at or near the mouth of Tubbs' run, in Venango county, approved the 12th day April, A. D. 1866.

Mr. LEECH (same), as committed, Senate bill No. 994, a supplement to an act to lay out a State road from Karthaus, in Clearfield county, to Coudersport, in Potter county, by way of Sinnemahoning, and for other purposes, approved March 31, 1845, renewing the powers, appointing new commissioners, and appropriating taxes for its completion.

Mr. SHARPLES (Education), with a negative recommendation, bill No. 1720, an act transferring the farm of Augustin Walters from Allegheny township, Cambria county, to Loretto borough, in said county, for school purposes.

Mr. DAY (same), as committed, Senate bill No. 1166, an act authorizing the school board of the Fourth ward, in the Allegheny city school district, to close up their bounty business, and to use surplus bounty money for the purpose of purchasing ground and erecting a new school in said ward, and to borrow twenty thousand dollars for the purpose aforesaid.

Mr. FREEBORN (same), as committed, bill No. 1722, an act to annex real estate of Robert P. Cornelius, of Jackson township, Snyder county, to the borough of New Berlin, Union county, for school purposes.

Mr. KINNY (same), as committed, Senate bill No. 736, an act to attach certain lands and tenements in Napier township, Bedford county, and the persons residing thereon, to Schellsburg borough, for school purposes.

Mr. ARMSTRONG (same), as committed, Senate bill No. 989, an act authorizing the school directors of the borough of Tarentum, Allegheny county, to assess and collect taxes for school purposes.

Mr. EWING (same), as committed, Senate bill No. 990, an act to authorize the school directors of the borough of Sewickly to borrow money and levy an additional school tax.

Mr. GORDON (same), with a negative recommendation, Senate bill No. 1171, an act to attach certain real estate to the borough of Smethport, M'Kean county, for school purposes.

Mr. THARTON (same), as committed, Senate bill No. 1727, an act to annex the farm or farms of John M'Quiston, S. L. M'Quiston, T. M. M'Quiston, and David M'Quiston, of East Fallowfield township, to West Fallowfield township, Crawford county, for school purposes.

Mr. MARKS (same), with a negative recommendation, bill No. 1728, an act to enable the school directors of Shamokin school district to convey a certain interest in lot of ground to the Odd Fellows' hall association of Snydertown, Pennsylvania.

Mr. CRAIG (same), as committed, bill No. 1729, an act to extend certain provisions of an act to authorize the school directors of Chester and Delaware counties to select sites for school houses to the county of Dauphin.

Also (same), with a negative recommendation, bill No. 1730, an act to authorize the school directors of Washington township, in the county of Snyder, to appropriate certain school funds for bounty purposes.

Also (same), as committed, Senate bill No. 872, an act authorizing the trustees, secretary and treasurer of the proprietors' fund of Plymouth township, Luzerne county, to appropriate said fund towards the erection of school houses and for school purposes.

Mr. BOYD (same), as committed, bill No. 1732, an act to allow Ebenezer M'Burney to send his children to adjoining school districts.

Mr. STEHMAN, from the Committee on Corporations, as committed, Senate bill No. 585, an act to incorporate the Keystone telegraph company.

Mr. ALLEN (same), as committed, bill No. 1734, an act to incorporate the Grand Lodge of the Ancient Order of the American League of the State of Pennsylvania.

Mr. ADAIRE (same), as committed, Senate bill No. 1168, a supplement to the act authorizing the Columbia water company to hold real estate, &c., approved 10th February, 1865.

Mr. KINNEY (same), as committed, Senate bill No. 1039, an act to incorporate the Minerva insurance company of Berks county.

Mr. DONOHUGH (same), as committed, bill No. 1737, a supplement to an act, approved the 18th day of July, A. D. 1863, for mechanical, manufacturing, mining and quarrying purposes.

Mr. KERNS (same), as committed, Senate bill No. 920, an act to incorporate the Lebanon water company.

Mr. PETER (same), as committed, Senate bill No. 923, an act to incorporate the Pittsburg transportation company.

Mr. ROATH (same), as committed, Senate bill No. 926, a supplement to an act entitled An act to incorporate the Lehigh Valley fire insurance company, approved the 30th day of March, A. D. 1866.

Mr. GHEGAN (same), as committed, Senate bill No. 692, an act to incorporate the American dredging company.

Mr. CHADWICK (same), as committed, Senate bill No. 1742, an act to repeal an act authorizing the Governor to incorporate the Bald Eagle and Spring Creek navigation company, approved the 14th day of April, A. D. 1834, and the supplements thereto.

Mr. WOODWARD (same), as committed, Senate bill No. 924, a further supplement to an act entitled An act to incorporate the Scranton gas and water company, approved March 16, 1854.

Mr. LONG (same), as committed, Senate bill No. 925, an act to incorporate the Pottstown water company.

Mr. MARKLEY (same), as committed, Senate bill No. 979, an act to incorporate the Grocers' and Provision Dealers' association.

Mr. JOSEPHS (same), as committed, bill No. 1746, an act to incorporate the Montgomery Building association and improvement company.

Mr. QUIGLEY (same), as committed, Senate bill No. 518, a further supplement to an act to incorporate the North American shaft company, approved the 22d day of March, 1862.

Mr. WHANN (Counties and Townships), with a negative recommendation, bill No. 1748, an act to take the expression of the people of Venango county relative to the removal of the seat of justice of said county.

Mr. M'CAMANT (same), with a negative recommendation, bill No. 1749, an act to take the expression of the people of Venango county, relative to the removal of the seat of justice of said county.

Mr. MARKLEY (same), with a negative recommendation, bill No. 1750, an act to take the expression of the people of Venango county relative to the removal of the seat of justice of said county.

Mr. CRAIG (same), as committed, bill No. 1751, a supplement to an act to increase the boundaries of Forest county.

Mr. CHADWICK (Agriculture), with a negative recommendation, bill No. 1754, a supplement to an act approved the 11th day of April, A. D. 1866, entitled An act for the protection of farmers and land owners, and the prevention of the destruction of fences and crops by cattle, in the townships of Maiden Creek and Ontelawnee, extending the provisions of the same to the townships of Maxatawny and Hereford, in Berks county.

Mr. M'PHERRIN (same), with a negative recommendation, bill No. 1755, an act to prevent the running at large any horses, cattle, sheep or swine, one mile from the river Delaware, in Pike county.

Mr. GORDON (same), with a negative recommendation, bill No. 1756, an act repealing the law making an appropriation out of the county funds to agricultural societies, as to the county of Juniata.

Mr. MULLIN (Vice and Immorality), as committed, bill No. 1757, an act for the better preservation of the morals of the minors of the city of Philadelphia.

Mr. KENNEDY (same), with a negative recommendation, Senate bill No. 958, an act relating to the licensing of restaurants and beer houses in the county of Columbia, extending the provisions of an act of April 2, 1862, to said county.

Also (same), with a negative recommendation, bill No. 1759, an act relating to the granting of licenses in the township of Armaugh, in the county of Mifflin.

Mr. WEBB (same), as committed, bill No. 1760, an act to extend the provisions of an act to prohibit the issuing of licenses within certain boroughs in the counties of Armstrong, Potter, Indiana and Perry, or within two miles of the same, in the counties in which such boroughs are located, approved 27th day of March, 1866, to the boroughs of West Newton and Mount Pleasant, in the county of Westmoreland.

Mr. WOODWARD (Military), as committed, Senate bill No. 894, an act to legal-

ize and make valid an assessment made by the board of school directors of Strasburg township, Lancaster county, of one-half of one per centum, on the 16th of June, A. D. 1866, for bounty purposes.

Mr. M'CAMANT (Divorces), as originated in committee, bill No. 1762, an act to annul the marriage contract between Samuel Miller and Susannah, his wife.

Mr. FREEBORN (Municipal Corporations), as committed, Senate bill No. 959, a further supplement to an act passed March 29th, A. D. 1803, to establish a board of wardens of the port of Philadelphia, and for other purposes.

Mr. WORRALL (same), as committed, bill No. 1764, an act to prohibit political processions after dark ten days next preceding any general election in the city of Philadelphia.

Mr. LEE (Corporations), as committed, bill No. 1765, an act to incorporate the Potomac gold and silver mining company of Maryland.

Mr. SHARPLES (Municipal Corporations), as committed, bill No. 1766, an act to incorporate the Maytown Armory building association.

Mr. BARTON (Judiciary Local), as committed, bill No. 1767, an act to extend the provisions of an act to authorize the arrest of professional thieves, burglars, &c., in the city of Philadelphia, passed March 13, 1862, so as to authorize the arrest of professional counterfeiters and forgers.

Also (same), as originated in committee, bill No. 1768, an act to change the boundary line of Lebanon borough.

Also (same), as originated in committee, bill No. 1769, a further supplement to the act incorporating the city of Chester in the county of Delaware.

Mr. HUMPHREY (Railroads), as committed, bill No. 1770, a further supplement to the act to incorporate the Cumberland Valley railroad company, approved 5d day of April, 1831.

Mr. JOSEPHS (same), as committed, bill No. 1771, an act to incorporate the Shickshinny and Sullivan County railroad company.

Also (same), as committed, Senate bill No. 988, a supplement to an act entitled An act to incorporate the Bear Creek railroad company, approved the 20th day of March. A. D. 1865.

Mr. BARRINGTON (Banks), as committed, bill No. 1773, an act to incorporate the Dime saving institution of Ashland.

Mr. CRAIG (Judiciary Local), as committed, bill No. 1774, an act authorizing the Governor to appoint an additional notary public for the city of Philadelphia.

Also (same), as amended, bill No. 1775, an act supplementary to an act relative to inspectors, approved the 15th day of April, A. D. 1835.

Also (same), as committed, bill No. 911, an act regulating certain sheriff's fees in the county of Luzerne.

Mr. WORRALL (same), as committed, bill No. 1777, a supplement to an act for the summary conviction of professional thieves in the city of Philadelphia.

Also (same), as committed, bill No. 1778, an act authorizing the citizens of Reserve township, Allegheny county, to vote for or against the annexation of Allegheny city.

Mr. HARRISON (same), as committed, bill No. 1779, an act concerning the levy and assessment of taxes in the city of Pittsburg.

Mr. WEBB (same), as committed, bill No. 1780, an act regulating the compensation of assessors and assistant assessors in the county of Allegheny.

Also (same), with an amendment, bill No. 1781, an act for the establishment of a public law library in the county of Warren.

Also (same), as committed, bill No. 1782, an act relative to fees of notaries public in the counties of Montour and Columbia.

Also (same), with a negative recommendation, Senate bill No. 1010, an act to change the venue in the case of the Commonwealth versus Peter Eby, numbers one, two and three, February session, A. D. 1867, in the court of quarter sessions of Snyder county, to the county of Juniata.

Also (same), as committed, Senate bill No. 905, an act increasing the pay of certain township officers in Conyngham township, Columbia county.

Mr. JONES (same), as committed, Senate bill No. 973, a supplement to an act relating to the directors of the poor of Lancaster county, approved March 2, 1846, regulating the fees of constables.

Also (same), as committed, Senate bill No. 907, an act to change the venue in the case of the Commonwealth of Pennsylvania versus Louis S. Boner and Sylvester Hoffman, from the court of quarter sessions of the peace of Columbia county, to the court of quarter sessions of the peace of Dauphin county.

Mr. PHELAN (same), as committed Senate bill No. 912, an act to change the criminal proceedings in a certain class of cases in Indiana county.

Also (same), as committed, No. 1788, an act relating to hawkers and peddlers in the county of Indiana.

Mr. THARP (same), with a negative recommendation, Senate bill No. 942, a supplement to an act entitled An act to change the venue of a certain action from Juniata county to Dauphin county, approved the 21st day of March, A. D. 1866.

PHILADELPHIA MARKET HOUSES.

During the order of reports from committees,

Mr LEE moved to recommit Senate bill No. 347, entitled An act for the protection of farmers in the markets of Philadelphia.

The proceedings, together with the debate on the bill, will appear in the Appendix to the *Record*.

Upon a motion to refer the bill to a committee composed of the Philadelphia members of this House,

The yeas and nays were required by Mr. DONOHUGH and Mr. PENNYPACKER, and were as follow, viz:

YEAS—Messrs. Adaire, Allen, Barrington, Breen, Calvin, Chalfant, Chase, Collins, Craig, Davis, Donohugh, Ewing, Fogel, Freeborn, Gregory, Harbison, Harner, Headman, Heltzel, Hoffman, Hood, Humphrey, Hunt, Jenks, Jones, Josephs, Kennedy, Kerns, Kline, Koon, Kurtz, Lee, Linton, M'Henry, M'Pherrin, Markley, Marks, Meehling, Meyers, Mullin, Phelan, Quay, Quigley, Rhoads, Robinson, Seiler, Subers, Tharp, Wallace, Westbrook, Wingard, Worrall and Glass, *Speaker*—52.

NAYS—Messrs. Armstrong, Barton, Boyd, Brown, Cameron, Chadwick, Colville, Day, DeHaven, Espy, Gallagher, Ghegan, Gordon, Kimmell, Kinney, Leech, M'Camant, M'Kee, Mann, Pennypacker, Peter, Pillow, Richards, Roath, Roush, Sharples, Shuman, Steacy, Stumbaugh, Waddell, Watt, Webb, Weller, Wharton and Wilson—35.

So the question was determined in the affirmative.

The bill was accordingly referred.

MESSAGE FROM THE SENATE.

The Clerk of the Senate being introduced, informed that the Senate has concurred in the amendments made by the House of Representatives to Senate bills numbered and entitled as follows, viz:

Senate bill No. 113, a supplement to an act to promote the more certain and equal assessment of taxes in Philadelphia, approved March 14th, 1865.

Senate bill No. 389, an act fixing the pay of road jurors in the city of Philadelphia.

Senate bill No. 691, an act to increase the compensation of the supervisors of roads in the township of Hilltown, Bucks county.

Senate bill No. 816, an act to incorporate the Roaring Brook turnpike company.

He also informed that the Senate has insisted on its amendments non-concurred in by the House of Representatives, to House bill numbered and entitled as follows, viz:

No. 246, an act for the better and more impartial selection of persons to serve as jurors in each of the counties of this Commonwealth,

And has appointed Messrs. SHOEMAKER, WALLACE and COWLES a committee of conference, to confer with a similar committee on the part of the House of Representatives (if the House of Representatives shall appoint such committee), on the subject of the differences existing between the two Houses in relation to said bill.

He also informed that the Senate has insisted on its amendments, non-concurred in by the House of Representatives, to House bill numbered and entitled as follows, viz:

No. 507, a supplement to an act to incorporate the borough of Columbia.

And has appointed Messrs. FISHER, GLATZ and RIDGWAY a committee of conference, to confer with a similar committee on the part of the House of Representatives (if the House of Representatives shall appoint such a committee), on the subject of the differences existing between the two Houses in relation to said bill.

Mr. WADDELL. Mr. Speaker, I desire to call up House bill No. 828, an act to provide for the ordinary expenses of the government and other general and specific appropriations.

The House went into committee, Mr. QUAY in the chair.

The proceedings, together with the remarks upon this bill, will appear in full in the Appendix to the *Record*.

The Speaker having resumed the chair,

Mr. QUAY, chairman of the committee of the whole, reported progress in the consideration of the bill.

The hour of one o'clock having arrived, the SPEAKER adjourned the House until three o'clock this afternoon.

AFTERNOON SESSION.

The House met at three o'clock.

SPEAKER'S TABLE.

The SPEAKER cleared his table of bills numbered and entitled as follows, viz:

Senate bill No. 1346, an act to authorize the conveyance of certain real estate in the city of Philadelphia by the committee of Samuel Griffith, a lunatic.

Laid on the table.

No. 1012, an act to authorize Catharine Floto, Mary K. Floto, George H. Floto and Emma G. Floto to sell and convey certain real estate,

Returned from the Senate with amendments.

The amendments made by the Senate to said bill were twice read, considered and non-concurred in; and

Ordered, That the Clerk inform the Senate of the same.

No. 246, an act for the better and more impartial selection of persons to serve as jurors in each of the counties of this Commonwealth.

Returned from the Senate, with information that the Senate has insisted upon its amendments to said bill.

On motion, the House insisted on its non-concurrence in the amendments made by the Senate to said bill, and the Chair appointed Messrs. MANN, CHASE and BARRINGTON a committee on the part of the House to confer with a similar committee, already appointed by the Senate, in relation to the difference existing between the two Houses on said bill; and

Ordered, That the Clerk inform the Senate of the same.

No. 507, a supplement to an act to incorporate the borough of Columbia,

Returned from the Senate, with information that that body has insisted upon its amendments to said bill.

On motion, the House insisted on its non-concurrence to the amendments made by the Senate to said bill, and the Chair appointed Messrs. ARMSTRONG, QUIGLEY and STEHMAN a committee on the part of the House to confer with a similar committee already, appointed by the Senate, in relation to the differences existing between the two Houses on said bill; and

Ordered, That the Clerk inform the Senate of the same.

Bill No. 544, entitled An act relative to the purchase of a law library in the county of Washington,

Having been returned by the Governor in pursuance of a resolution requesting its return to the House,

Mr. EWING obtained the unanimous consent of the House to amend the same by inserting after the word "amercements," in the sixth line, the words "not payable to the Commonwealth;" and

Ordered, That the Clerk again present said bill to the Senate, and request its concurrence in the amendments made thereto by this House.

Bill No. 570, entitled An act to incorporate the Shickshinny and New Columbia borough turnpike road company,

Returned by the Governor in pursuance of a resolution requesting its return to the House, being before the House,

Mr. M'HENRY obtained the unanimous consent of the House to amend the same by striking therefrom the proviso to the third section; and

Ordered, That the Clerk again present the same to the Senate, and request its concurrence in the amendments made thereto by this House.

MESSAGE FROM THE SENATE.

The Clerk of the Senate being introduced, presented for concurrence bills numbered and entitled as follows, viz:

Senate bill No. 1316, a further supplement to an act to incorporate the Union coal and iron company, approved the 4th day of May, 1857, now the Osceola company, increasing the privileges of said company.

He also returned bill from the House of Representatives numbered and entitled as follows, viz:

No. 1301, an act to extend the provisions of an act to prohibit the issuing of licenses within certain boroughs in the counties of Armstrong, Potter, Indiana and Perry, or within two miles of the same, in the counties in which such boroughs are located, approved the 27th day of March, A. D. 1866, to the township of Derry, in the county of Westmoreland, and the borough of Blairsville, and the township of Burrell, and the township of East Mahoning, in the county of Indiana,

With information that the Senate has passed the same without amendment.

The House went into committee of the whole, Mr. QUAY in the chair, for the purpose of resuming the consideration of the general appropriation bill.

The proceedings and remarks on the bill will appear in full in the Appendix to the *Record*.

The Speaker having resumed the chair, Mr. QUAY, chairman of the committee of the whole, reported progress in the consideration of the bill.

MESSAGE FROM THE SENATE.

The Clerk of the Senate being introduced, presented for concurrence bill numbered and entitled as follows, viz:

Senate bill No. 1246, an act relative to the stone in the locks of the Franklin Branch of the Pennsylvania canal, in Franklin township, Crawford county.

He also informed that the Senate has concurred in the amendments made by the House of Representatives to Senate bill numbered and entitled as follows:

Senate bill No. 278, an act to authorize turnpike and plank road companies, in the county of Allegheny, not paying dividends, to increase their tolls.

SPEAKER'S TABLE.

The SPEAKER cleared his table of bills numbered and entitled as follows:

Senate bill No. 1316, a further supplement to an act to incorporate the Union coal and iron company, approved the 4th day of May, 1857, now the Osceola coal company, increasing the privileges of said company.

Referred to the Committee on Coal and Iron Companies.

Senate bill No. 1248, an act relative to the stone in the Franklin Branch of the Pennsylvania canal, in Franklin township, Crawford county.

Laid on the table.

On motion of Mr. LEE,

The House adjourned until 7½ o'clock this evening.

EVENING SESSION.

The House met at seven and a half o'clock, P. M.

LEAVE OF ABSENCE.

Mr. LEE asked and obtained leave of absence for a few days for the gentleman from Jefferson [Mr. JENKS].

Mr. BOYLE asked and obtained leave of absence for a few days for the gentleman from Berks [Mr. JONES].

The special order for the evening was the consideration of bill No. 1660, an act to erect a district court at Titusville.

By the unanimous consent of the House, the special order was laid over for the purpose of considering the appropriation bill.

The House went into committee of the whole, Mr. MANN in the chair, for the purpose of resuming the consideration of the general appropriation bill.

The proceedings, together with the remarks on the bill, will appear in full in the Appendix to the *Record*.

The Speaker having resumed the chair,

Mr. MANN, chairman of the committee of the whole, reported the bill with amendments.

MESSAGES FROM THE SENATE.

The Clerk of the Senate being introduced, presented for concurrence bills numbered and entitled as follows, viz:

Senate bill No. 839, an act declaratory of the statutes of limitation.

Senate bill No. 1118, an act to authorize the Warren and Franklin railway company to construct branch roads, and to provide means for moving oil intended for transportation.

No. 1151, a further supplement to an act to incorporate the Pennsylvania railroad company, approved April 13, 1846, authorizing the Pennsylvania railroad company to construct additional railroad tracks, sidings, depots, work-shops and other appurtenances along, adjoining or contiguous to their own line of railroad, and the railroads run, owned and leased, or hereafter to be owned and leased by them, and to straighten and improve the same, and to acquire the property upon which to construct the same, paying therefor the value of property to be used or occupied.

No. 1240, a supplement to an act to legalize bounties paid to volunteers, and the bonds issued therefor, in certain townships in the county of Franklin, approved the 4th day of April, 1866, extending the provisions of the second section thereof to the township of Ayr, in the county of Fulton.

Senate bill No. 1350, an act authorizing the revision of a portion of the wharf lines on the rivers Delaware and Schuylkill.

He also informed that the Senate has receded from its amendment, non-concurred in by the House of Representatives, made to bill from the House of Representatives numbered and entitled as follows:

No. 1012, an act authorizing Catharine Floto, Mary K. Floto, Geo. H. Floto and Emma G. Floto to sell and convey certain real estate.

SPEAKER'S TABLE.

The SPEAKER cleared his table of bills numbered and entitled as follows:

Senate bill No. 839, an act declaratory of the statutes of limitation.

Laid on the table.

Senate bill No. 1118, an act to authorize the Warren and Franklin railway company to construct branch roads, and to provide means for moving oil intended for transportation.

Referred to the Committee on Railroads.

No. 1151, a further supplement to an act to incorporate the Pennsylvania railroad company, approved April 13, 1846, authorizing the Pennsylvania railroad company to construct additional railroad tracks, sidings, depots, work-shops, and other appurtenances along, adjoining or contiguous to their own line of railroad, and the railroads run, owned and leased, or hereafter to be owned and leased by them, and to straighten and improve the same, and to acquire the property upon which to construct the same, paying therefor the value of property to be used or occupied.

Referred to the Committee on Railroads.

No. 1240, a supplement to an act to legalize bounties paid to volunteers, and the bonds issued therefor, in certain townships in the county of Franklin, approved the 4th day of April, 1866, extending the provisions of the second section thereof to the township of Ayr, in the county of Fulton.

Referred to the Committee on Military.

Senate bill No, 1350 an act authorizing the revision of a portion of the wharf lines on the rivers Delaware and Schuylkill.

Laid on the table.

The House proceeded to the consideration of the special order, bill No. 1660,

An act to erect a district court at Titusville.

The first section was read.

On the question,

Will the House agree to the section?

Mr. CHASE moved that this House do now adjourn.

The motion was

Agreed to.

Whereupon the SPEAKER adjourned the House until to-morrow morning at 9 o'clock.

Daily Legislative Record.

FOR THE SESSION OF 1867.

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GEO. BERGNER.

HOUSE OF REPRESENTATIVES.

THURSDAY, March 28, 1867.

The House met at 9 o'clock, A. M., pursuant to adjournment.

The reading of the Journal of the previous session was dispensed with.

BILLS RECOMMITTED.

On motion of Mr. MANN,

Senate bill No. 1171, an act to attach certain real estate to the borough of Smethport, M'Kean county, for school purposes,

Was recommitted to Committee on Education.

The SPEAKER announced the special order for the morning to be the consideration of House bill No. 1668, an act to increase the revenues of the city of Philadelphia, and to designate the classes of property exempted from taxation for municipal purposes in said city.

The proceedings thereupon will be found in the Appendix to the *Record*.

The bill was

Agreed to.

The rules were suspended, and

The bill

Passed finally.

MESSAGE FROM THE SENATE.

The Clerk of the Senate being introduced, presented for concurrence bills numbered and entitled as follows, viz:

Senate bill No. 1022, an act to extend the time for the payment of the enrollment tax on bill entitled An act to incorporate the National silver mining company.

Senate bill No. 1023, an act supplementary to an act to incorporate the Matawana mining and exploring company, approved the 24th day of March, 1865.

Senate bill No. 1024, an act supplementary to an act to incorporate the Angwic mining and exploring company, approved the 20th day of April, 1866.

Senate bill No. 1025, an act to incorporate the Clearfield trout and hotel company.

Senate bill No. 1029, an act to incorporate the Pittsburg and Sinaloe mining company.

Senate bill No. 1030, a supplement to the act to incorporate sundry Baptist churches in Cambria, Blair, Huntingdon, Mifflin, Juniata and Centre counties, called the Centre Association of Independent or Regular Baptist churches, approved the 11th day of April, 1866, changing the time for the election of trustees and the meeting of said trustees.

Senate bill No. 1041, an act to reduce the capital of the Six Mile Run coal company.

Senate bill No. 1050, an act repealing an act entitled An act relating to roads in Bratton township, Mifflin county, approved May 1st, A. D. 1861.

Senate bill No. 1051, a further supplement to an act entitled An act appointing commissioners to lay out and open a State road in the counties of Cameron and Potter, approved the 21st day of March, A. D. 1865.

Senate bill No. 1059, a supplement to an act approved the 12th day of April, A. D. 1856, to lay out a State road from Tarentum, Allegheny county, to George Gocher's, in Butler county.

Senate bill No. 1063, an act to incorporate the Citizens' ferry company of Pittsburg.

Senate bill No. 1067, an act to extend the time of payment of the enrollment tax upon an act to incorporate the Eastern telegraph company, approved April 5, 1866.

Senate No. 1077, an act explanatory of the provisions of the fifth section of the act to incorporate the Bennett's Branch improvement company.

Senate bill No. 1078, a supplement to the charter of the Pittsburg gas company, approved January 31, 1860, authorizing taxes to be charged to the consumers of gas.

Senate bill No. 1079, an act for the better protection of propertyholders and citizens of the borough of Norristown, from injury sustained by cattle running at large in said borough.

Senate bill No. 1080, an act authorizing the town council of the borough of Hazleton, in Luzerne county, to borrow money.

Senate bill No. 1081, an act relative to the assessment and collection of taxes on unseated lands in Cherry township, Sullivan county.

Senate bill No. 1111, a supplement to an act entitled An act relating to corporations for mechanical, manufacturing, mining and quarrying purposes, approved the 18th day of July, 1863, relating to the Williamsport manufacturing company.

Senate bill No. 1113, an act to incorporate the Empire State silver mining company of Nevada.

Senate bill No. 1114, an act to incorporate the Ophir Canon silver mining company of Nevada.

Senate bill No. 1117, a supplement to an act to incorporate the Morris Park mining company, approved the 19th day of March, 1865, authorizing said company to borrow money.

Senate bill No. 1119, an act re-annexing the farm of Andrew Glendenning to Mercer school district, in the county of Mercer.

Senate bill No. 1121, an act authorizing the school directors of Curwensville, Clearfield county, to borrow money and to sell a school building.

Senate bill No. 1135, an act to extend the time for the payment of the enrollment tax on an act to incorporate the Sunnyside iron company.

Senate bill No. 1136, a supplement to an act entitled An act granting a pension to Louis Hagenman, extending the same.

Senate bill No. 1137, an act to incorporate the Manufacturers' Mutual fire insurance company of Pennsylvania.

Senate bill No. 1138, an act to incorporate the Newport manufacturing and building company.

Senate bill No. 1139, an act to incorporate the Tuscorora mining and exploring company.

Senate bill No. 1140, a supplement to an act to incorporate the Philadelphia transportation and freight company.

Senate bill No. 1141, an act incorporating the Point Breeze park association of Brookville.

Senate bill No. 1147, a supplement to an act to incorporate the Pennsylvania Mutual horse thief detecting and insurance company, approved April 22, 1854.

Senate bill No. 1154, an act to incorporate the Lampeter and Strasburg turnpike road company.

Senate bill No. 1159, a supplement to an act to incorporate the Conestoga and Big Spring Valley turnpike company, approved April 1, 1861.

Senate bill No. 1177, an act authorizing the State Treasurer to allow a credit to the treasurer of Adams county for money paid John Scott.

Senate bill no 1181, an act relating to the account of John Hines, late mercantile appraiser in Luzerne county.

Senate bill No. 1182, an act relative to the claim of James Digman, of Allegheny county.

Senate bill No. 1184, an act regulating the election of corporate officers of the borough of Dushore, Sullivan county.

Senate bill No. 1185, an act to incorporate the Union car and manufacturing company of Philadelphia.

Senate bill No. 1198, an act to incorporate the Farmers' and Citizens' Co-operative building and savings fund association of Lawrence county.

Senate bill No. 1199, an act to incorporate the Fort Pitt Mutual life insurance and trust company.

Senate bill No. 1206, an act legalizing certain acts of the school directors of Kelly township, in the county of Union, and authorizing them to levy an additional tax for building purposes.

Senate bill No. 1208, an act repealing an act extending the provisions of the act for the protection of sheep and taxing of dogs in the county of Blair, approved the 20th of May, 1857, to the county of Monroe.

Senate bill No. 1210, an act extending the time for laying out a State road in Wayne and Monroe counties.

Senate bill No. 1214, an act to authorize the Curwensville bridge company to change its rates of toll.

Senate bill No. 1215, an act to incorporate the Mount Rock, Newville and Stoughstown turnpike road company.

Senate bill No. 1220, an act to incorporate the Carlisle, Boiling Springs and Dillsburg turnpike road company.

Senate bill No. 1221, a supplement to an act to increase the boundaries of Forest county.

Senate bill No. 1284, an act to authorize the board of school directors of Fawn township, Allegheny county, to borrow money.

Senate bill No. 1247, an act to authorize the board of school directors of White township, Indiana county, to borrow money, and to appropriate for school purposes surplus bounty fund.

Senate bill No. 1250, a further supplement to an act incorporating the town of Lawrenceville into a borough, approved February 13, A. D. 1834, being an act authorizing said borough to borrow money, and take real estate not exceeding in value a certain amount.

Senate bill No. 1251, an act to empower the court of quarter sessions of the peace of Adams county to appoint auditors to audit bounty accounts in the several boroughs and townships in said county, and in reauditing the bounty accounts of Cumberland township, in said county.

Senate bill No. 1252, an act in relation to the appointment of an auctioneer for the borough of Tarentum, in Allegheny county.

Senate bill No. 1351, an act to prohibit the sale of intoxicating liquors as a beverage in the townships of East Deer, Fawn and Harrison, and borough of Tarentum, Allegheny county.

Senate bill No. 1353, an act authorizing and empowering A. Clark, of Meadville, to have his dockets returned to him.

He also returned bills from the House of Representatives numbered and entitled as follows, viz:

No. 307, an act to incorporate the Crozer Theological seminary.

No. 309, an act authorizing the commissioners of Schuylkill county to sell real estate, and to apply the proceeds to the building of a tenant house for the janitor of the court house in said county.

No. 842, an act to incorporate the Home for the Friendless in the city of Harrisburg and county of Dauphin.

No. 750, an act to incorporate the Philadelphia Grain warehousing and drying company.

No. 775, an act to incorporate the Penn Mutual Fire insurance company of Chester county.

No. 770, an act to incorporate the Grand Encampment of the Order of Soldiers and Sailors of the war of 1861, of the State of Pennsylvania.

No. 767, a further supplement to an act to incorporate the First Reformed congregation of the borough of York and its vicinity, approved the 14th day of March, 1861.

No. 769, an act to incorporate the Philadelphia and Bridgeport steamboat company.

No. 774, a supplement to an act to incorporate the Orphans' Home of the Shepherd of the Lambs, approved the 17th day of February, 1864, authorizing an increase of the number of its managers.

No. 795, an act for the protection of farmers against the ravages of wild cats, in the county of Forest.

No. 787, an act to extend to Allegheny township, Blair county, the provisions of an act to prevent swine from running at large in the township of Blair, and in the county of Blair.

No. 794, a supplement to an act for the better preservation of game within the county of Schuylkill, approved the 11th day of April, A. D. 1866.

No. 790, an act in relation to fishing and hunting in the township of Jefferson, in the county of Somerset.

No. 782, an act to authorizing the Tioga County agricultural society to borrow money.

No. 780, an act to extend the provisions of an act for the protection of sheep in certain counties, approved the 8th day of April, A. D. 1862, to the counties of Armstrong and Westmoreland.

No. 720, an act authorizing the supervisors of roads of the township of Allegheny, in the county of Armstrong, to levy additional taxes for road purposes.

No. 713, an act to repeal the Lenox road law, in the township of Lenox, in the county of Susquehanna, and for other purposes.

No. 717, an act relating to the election of supervisors in the township of Middletown, county of Susquehanna, and for other purposes.

No. 1115, a supplement to an act to open and straighten Highland and Union avenues, and Thirtieth street, in the Twenty-second ward, and Church and Adams streets, in the city of Philadelphia, approved the 20th day of May, 1864.

No. 707, an act to amend the road laws of Tioga and Potter counties.

No. 890, a supplement to an act to authorize the construction of a bridge over Oil creek, at or near the Old Furnace dam, on the Hasson farm, in the county of Venango.

No. 721, an act to incorporate the Phillipsburg and Rochester ferry company.

No. 778, an act in relation to fishing in the stream known as Antietam, or any of its branches, in the county of Franklin.

No. 791, an act to prevent cattle from running at large in Abington township, Montgomery county.

No. 792, an act to repeal the fourth section of an act to incorporate the Pennsylvania State Agricultural society, so far as it extends to the county of Lawrence.

No. 838, an act supplementary to an act to enable the administrators of the Hon. James T. Hale, late of Centre county, deceased, to sell real estate, passed the 11th day of April, A. D. 1866.

No. 872, a further supplement to an act to provide for the erection of a poor house in Clarion county, approved the 21st day of March, 1865.

No. 868, an act to authorize the sale of the poor house and farm in Mifflin county.

No. 913, an act to establish a law library in the county of York, and in relation to fines, penalties and forfeited recognizances in said county.

No. 875, an act dividing the Twenty-fourth ward of Philadelphia into two assessment districts, and for the appointment of two additional assessors.

No. 904, an act to authorize the increase of pay of supervisors and other township officers in the township of Bethlehem, Northampton county.

No. 898, an act requiring the commissioners of Northampton county to apply for and obtain copies of standards.

No. 884, a supplement to an act authorizing the commissioners of Northampton county to purchase a law library, approved the 12th day of March, A. D. 1866.

No. 909, an act changing the day of holding the annual meeting of the auditors of Jones township, Elk county, and regulating the term of office and fixing the wages of supervisors and other officers in said township.

No. 882, an act to authorize the return to the commissioners of Potter county for collection of certain duplicates of taxes, and to fix the time when said duplicates shall hereafter be returned.

No. 881, a supplement to an act relating to the lien of mechanics and others upon buildings, extending it to the county of Dauphin.

No. 799, an act relating to public printing in the county of Juniata.

No. 824, an act making valid an ordinance passed by the council of Jamestown borough, in the county of Mercer.

No. 612, a supplement to an act relating to the lien of mechanics and others upon buildings, approved the 16th day of June, 1836, to apply to the county of Chester.

No. 680, an act in relation to grading, paving, macadamizing and curbing the streets and paving the sidewalks in the borough of M'Keesport, in the county of Allegheny.

No. 716, an act to increase the pay of the supervisors of Logan township, Blair county.

No. 728, an act to authorize the board of school directors of the borough of Albion, in the county of Erie, to borrow money for building purposes.

No. 732, an act to authorize the school directors of Harrison township, Allegheny county, to borrow money.

No. 723, an act to authorize the board of school directors of the borough of Renova, in the county of Clinton, to borrow money for building purposes.

No. 731, an act to appropriate the excess of money collected for bounty purposes in the township of East Huntingdon, Westmoreland county, and directing the board of school directors in said township to use the same for school and building purposes.

No. 912, an act relative to the moneys collected as fines from persons intoxicated within the county of Dauphin.

No. 911, an act to authorize the commissioners of Crawford county to borrow money.

No. 910, an act to repeal an act to authorize the highway commissioners of the township of Mill Creek, in the county of Erie, to establish the width of Eastlane, and to change its name.

No. 907, an act extending an act relative to the fees of notaries public in the counties of Lancaster and Clinton, approved the 11th day of April, 1866, to the county of Berks.

No. 899, an act increasing the fees of jurors, commissioners, auditors and witnesses, in the county of Venango.

No. 880, an act relative to the coroner of Washington county.

No. 564, an act to incorporate the Commonwealth iron and coal company.

No. 564, an act to incorporate the Commonwealth iron and coal company.

No. 726, an act to enable the school directors of the borough of Lehighton, Carbon county, to borrow money for the erection of school buildings.

No. 734, an act to authorize and require the school directors of Antrim township, in the county of Franklin, to refund to Joseph Snively and Jacob Shank certain moneys advanced said township for bounty purposes, and to appropriate the balance of bounty funds in the hands of the treasurer for school purposes.

No. 793, an act for the protection and preservation of fish within the county of Berks.

No. 796, an act regulating licenses to eating houses and restaurants in the county of Centre.

No. 798, an act to extend the provisions of an act to prohibit the granting of licenses to sell intoxicating drinks within the county of Potter, approved the 11th day of April, A. D. 1866, to the county of Wyoming.

No. 276, an act to repeal an act relating to licenses in Erie county.

No. 813, an act to annul the marriage contract between Wm. C. Gray and Lucinda Campbell Gray, late Lucinda Campbell.

No. 948, an act to incorporate the Senator Nye mining and exploring company.

No. 969, a supplement to the act incorporating the Great Valley gold and silver mining company, approved the 17th day of November, A. D. 1863, increasing the number of incorporators and restricting the powers of said corporation.

No. 961, an act to incorporate the Octoraro gold and silver mining company.

No. 757, an act to incorporate the Mutual steam navigation company.

No. 991, an act in relation to the election of officers of the Chambersburg and Bedford turnpike road company.

No. 832, an act to divide the township of Chapman, in the county of Clinton, into two election districts.

No. 926, an act to vacate part of Manayunk avenue, in the Twenty-first ward of Philadelphia.

No. 980, a supplement to an act to authorize the road commissioners of the townships of Kinsua, Eldred and Cherry Grove, in the county of Warren, to levy a tax for road purposes, approved April 11, 1866, extending the same to the townships of Southwest and Clearfield, in said county.

No. 929, an act to vacate Hilles street, between Orchard street and Paul street, in Frankford, in the Twenty-third ward of the city of Philadelphia.

No. 928, an act relating to roads, streets, bridges and sidewalks in the borough of Lawrenceville, county of Tioga.

No. 803, an act for the relief of N. R. Harris, a commissioned captain of company D, in the 11th regiment, Pennsylvania volunteers.

No. 1010, an act to extend the time for the payment of the enrollment tax on an act to authorize Samuel Graham and Robert Graham, committee of Walter L. Graham, a lunatic, to sell certain real estate.

No. 848, an act for the relief of David Andrews, late recorder of Chester county, for moneys overpaid by him to the Commonwealth.

No. 906, an act to incorporate the Great Western mining company.

No. 964, an act to incorporate the Ivanhoe silver mining company.

No. 951, a supplement to an act to incorporate the Franklin silver mining company, approved April 17, 1866.

No. 967, an act to incorporate the Hidalgo gold and silver mining company.

No. 968, an act to incorporate the Empire and Gem mining company.

No. 958, a supplement to an act to incorporate the North American mining company, approved June 2, 1865.

No. 950, an act to incorporate the Big Creek mining company.

No. 593, an act to incorporate the Marathon silver mining company of Nevada.

No. 952, a supplement to an act to incorporate the Union mining company, approved March 30, 1865.

No. 955, an act to incorporate the Shakspeare and Lydia Allen Consolidated silver mining company.

No. 1018, an act to incorporate the Chambersburg hall and market company.

No. 963, an act to incorporate the Spanish Bar gold and silver mining company.

No. 946, an act incorporating the Keystone iron and coal company.

No. 965, an act incorporating the Beaver gold and silver mining company.

No. 956, an act to incorporate the Silver Bullion mining company.

No. 1002, an act to attach certain lands in Potter county to Coudersport school district, for school purposes.

No. 808, an act to authorize the Board of Military Claims to adjust the claim of William D. Schoenleber.

No. 997, an act in relation to assessment of road tax, and the election and pay of certain township officers and viewers of roads and highways, in the county of Jefferson.

No. 992, an act in relation to the election of officers of the Chambersburg turnpike and road company.

No. 994, an act to authorize the president and managers of the Licking bridge company, in Clarion county, to sell said bridge to the commissioners of said county.

No. 979, an act relative to locating, opening and repairing the public roads and highways in Sewickley township, Westmoreland county.

No. 930, an act to incorporate the Bridgeport and Horse Shoe turnpike road company.

No. 995, a supplement to an act authorizing or requiring the supervisors of Bratton township, Mifflin county, to erect gates across the public roads in said township.

No. 996, a supplement to an act to incorporate the Larry's Creek plank road company.

No. 698, an act granting a pension to Samuel Hamilton.

No. 659, an act granting a pension to Zeno Hoffmaster.

No. 819, an act for the relief of Jane Lynn, widow of John Lynn, a deceased soldier of the revolutionary war.

No. 667, an act granting a pension to Lewis Neudoerffer.

No. 917, an act conferring certain powers upon the city of Chester, in the county of Delaware.

No. 986, an act relative to the pay of the supervisors in Wiconisco township, Dauphin county.

No. 669, an act to amend the charter of the municipal corporation of the city of Lancaster, and dividing the same into nine wards.

No. 918, an act to incorporate Sugar Notch and Warrior Run into a borough.

No. 932, a further supplement to an act to erect the borough of Sunbury, in the county of Northumberland, into a borough.

No. 925, an act to authorize the borough of Boyertown, in the county of Berks, to purchase the Fairmount fire engine house of said borough, and to levy and collect a tax for that purpose.

No. 990, an act relating to the pay of the supervisors in the county of Butler.

No. 833, an act to validate the act of C. W. Case, late justice of the peace for Jackson township, Luzerne county.

No. 920, a further supplement to the charter of the city of Erie, to provide for the appointment of water commissioners and define their powers and duties.

No. 1003, an act relating to a school library in the city of Erie.

No. 1006, an act relating to school tax in the borough of Mainesburg, county of Tioga.

No. 1013, an act to enable the standing committees of the Protestant Episcopal church of the diocese of Pennsylvania to sell and convey real estate in Mifflin county,

With information that the Senate has passed the same without amendment.

He also returned bills from the House of Representatives numbered and entitled as follows, viz:

No. 148, an act relative to certain foreign insurance companies.

No. 771, an act to incorporate the Oil City brewing company.

No. 777, an act to extend the provisions of an act for the better regulation of the Mercer County, Shenango Valley, Montour and Allegheny County agricultural societies (relative to the prohibition of shows, erection of tents, booths et cetera) to the Pennsylvania agricultural society.

No. 788, an act to prevent the fishing with nets, seines and baskets in the waters of Big Fishing creek, and its tributaries, in the counties of Columbia and Luzerne.

No. 901, an act relating to public houses in Allegheny county.

No. 830, an act to authorize the Governor to appoint an additional notary public for the county of Bradford, to reside in the borough of Athens.

No. 744, an act to authorize the school directors of Riceville, Crawford county, to borrow money, and for other purposes.

No. 747, an act to authorize the school directors of the borough of White Haven to borrow money.

No. 719, an act to legalize the acts of the road commissioners of Columbus township, Warren county, in levying additional road tax.

No. 766, an act to incorporate the Eagle Cotton manufacturing company.

No. 729, an act authorizing the school directors of the borough of Butler to transfer certain funds.

No. 724, an act to authorize the school board of Tyrone City, Blair county, to sell certain real estate now used for school purposes, and to appropriate the money arising from said sale to the purchase of a better location and erecting a more suitable building for school purposes, and to borrow any sum of money, not exceeding ten thousand dollars, at a rate of interest not exceeding ten per centum per annum, to assist them in procuring the same.

No. 725, an act to relinquish a part of a certain annuity for the benefit of school purposes, in the borough of Susquehanna Depot, in Susquehanna county, with power to sell and dispose of old school houses, et cetera, and build new ones.

No. 962, a supplement to an act to incorporate the Specie Basis mining company, relieving them from the payment of the bonus of one fourth of one per centum on its capital stock.

No. 960, an act to incorporate the Mountain and Nevada gold and silver mining and commercial company.

No. 669, an act to amend the charter of the municipal corporation of the city of Lancaster, and dividing the same into nine wards.

No. 1280, an act to incorporate the Philadelphia Woolen Machine works.

No. 915, a supplement to the charter of the city of Chester,

With information that the Senate has passed the same with amendments, in which the concurrence of the House of Representatives is requested.

He also informed the House of Representatives that the Senate has non-concurred in the amendments made by the House of Representatives to Senate bill No. 701, entitled an act to incorporate the Enterprise gas light company.

He also informed that the Senate has concurred in the amendments made by the House of Representatives to Senate bill No 137, entitled A supplement to an act to incorporate the city of Scranton, and defining the powers of said city, as follows:

Concurred in amendments to sections one, six and fifteen, and in changing the number of the twenty-ninth section, and also in the amendments; also, adding new sections, twenty-nine and thirty, to said bill.

And has non-concurred in all the remaining amendments made by the House of Representatives to said bill.

DILL PASSED.

On motion of Mr. CHASE, the House proceeded to the consideration of Senate bill No. 1348, an act relative to the stone in certain locks in the Franklin Branch of the Pennsylvania canal.

The bill was read and

Agreed to.

The title was

Agreed to.

The rules being suspended, the bill was read a second and a third time, and

Passed finally.

The House then proceeded to the consideration of the appropriation bill.

The proceedings will be found in the Appendix to the *Record*.

REPORT OF COMMITTEE.

Mr. CAMERON, from the Committee appointed to Compare Bills, and present them to the Governor for his approbation, made report, which was read as follows, viz:

That in conjunction with a similar committee from the Senate, they have compared, and on the 25th instant presented to the Governor for his approbation, bills as follow, to wit:

House bill No. 628, a supplement to an act to legitimate George Humphrey Stump and Abraham Harrison Stump, approved the 26th day of April, A. D. 1854.

On the 26th instant:

House bill No. 251, an act relating to evidence in actions of ejectment.

House bill No. 649, an act authorizing the Governor to appoint an additional notary public for the county of Mercer.

House bill No. 1388, an act relating to evidence in legal proceedings affecting the Erie railway company.

House bill No. 810, an act to legalize the bonds issued by the school directors of Green township, in the county of Clinton, for bounty purposes, and to authorize the assessment and collection of a tax to pay the same.

House bill No. 689, an act to authorize the burgess and town council of the borough of Oxford, in the county of Chester, to borrow money.

House bill No. 427, an act authorizing the borough council of Shenandoah, Schuylkill county, to borrow money, and the voters to elect six town councilmen, et cetera.

House bill No. 1095, an act to provide for the transfer and safe keeping of prisoners in the jail of Washington county.

House bill No. 674, an act to incorporate the Susquehanna Depot Protective Union of Susquehanna Depot, Susquehanna county.

House bill No. 670, an act to incorporate the Danville water company.

House bill No. 671, an act relative to the borough of Kennett Square, in the county of Chester, enabling said borough to borrow money to erect water works, changing the mode of publishing ordinances, and opening, widening and straightening streets in said borough.

House bill No. 681, an act to divide the borough of New Brighton into three wards.

House bill No. 678, an act to authorize the borough of Lock Haven to erect water works.

House bill No. 640, an act relating to the compensation of the sheriffs of Butler and Indiana counties for boarding prisoners.

House bill No. 639 an act relating to the filing of liens and collection of taxes in the borough of Petersburg.

House bill No. 638, an act to extend the provisions of an act regulating the fees of district attorney, in the county of Bradford, in the court of quarter sessions, approved the 11th day of April, A. D. 1866, to the county of Cameron.

House bill No. 648, a supplement to an act to authorize the erection of a poor house in the county of Tioga, approved the 12th day of August, A. D. 1866.

House bill No. 660, an act in relation to the appointment of auctioneers in the county of Cumberland.

House bill No. 661, an act relating to indebtedness of the county of Dauphin.

House bill No. 491, an act to exempt the parsonage of the Park Presbyterian church congregation in the city of Erie, Pennsylvania, from taxation.

House bill No. 242, an act to exempt from taxation certain real estate in Philadelphia, belonging to and used and occupied by the Western association of ladies of Philadelphia for the relief and employment of the poor.

House bill No. 1391, an act authorizing the school directors of the school district of the borough of Ashland to borrow money.

House bill bill No. 465, an act to incorporate the American University of Pennsylvania.

House bill No. 485, an act to annul the marriage contract between Wm. Riley and Martha Willets.

House bill No. 539, an act to authorize the commissioners of Lehigh county to borrow money.

House bill No. 751, an act to incorporate the Oakdale skating park and physical institute of Philadelphia.

House bill No. 1117, an act supplementary to an act entitled An act to incorporate the Good Will fire engine company, No. 1, passed the 10th day of April, A. D. 1845, authorizing said company to issue stock.

House bill No. 586, an act to incorporate the Teachers' institute of the city and county of Philadelphia.

House bill No. 664, an act appropriating ground for public purposes in the city of Philadelphia.

House bill No. 594, an act to authorize and empower the Governor to issue a commission to Thomas M'Neish.

House bill No. 490, an act to incorporate the Peoples' Savings Fund insurance, trust and safe deposit company.

House bill No. 494, an act to authorize the school board of North Heidelberg township, in the county of Berks, to levy and collect an additional bounty tax.

House bill No. 456, an act to empower the orphans' court of Adams county to authorize Adam Lerew, trustee of Hiram Albert, to purchase real estate, and also to decree the sale thereof.

House bill No. 248, an act to enlarge the jurisdiction of the courts of common pleas of this Commonwealth, relative to granting charters of incorporations and confirming those heretofore granted.

House bill No. 1600, a supplement to an act relative to roads in the county of Franklin, approved the 14th day of March, A. D. 1867.

Senate bill No. 1227, an act to incorporate the Clarion coal company.

Senate bill No. 987, a supplement to an act incorporating the Lawrenceville and Oswayo railroad company, approved the 1st day of May, A. D. 1852, reviving said act and making new commissioners.

Senate bill No. 772, an act to exempt the property of the German Reformed congregation of New Goshenhoppen, in the county of Montgomery, from taxation.

Senate bill No. 1164, an act enabling the Hazelton railroad company to avoid the inclined planes.

Senate bill No. 373, an act to incorporate the Macungie Saving Bank.

Senate bill No. 498, a supplement to an act relative to the payment of bounties by the county of Clearfield, approved February 27th, 1865, extending the same.

Senate bill No. 785, an act to extend the time for the commencement and completion of the People's railway company and giving additional privileges.

Senate bill No. 95, a further supplement to an act entitled An act relating to corporations for mechanical, manufacturing, mining and quarrying purposes, approved the 18th day of July, A. D. 1863.

Senate bill No. 45, a supplement to act approved the 9th day of February, 1849, entitled An act to incorporate the Lykens Valley coal company, in Dauphin county, Pennsylvania, and to authorize the opening of a road in Honesdale, Wayne county, authorizing them to dispose of the stock of said company.

Senate bill No. 172, an act regulating the jurisdiction of courts in proceedings by bills for injunctions and other relief in equity and the service of process.

Senate bill No. 98, an act relating to the powers of the legal representatives of deceased tax collectors in this Commonwealth.

Senate bill No. 503, a further supplement to an act relating to local bounties, approved March 15th, 1865, so far as relates to the township of Union, in Lawrence county.

Senate bill No. 414, an act to prevent the burning of the woods in the counties of Clearfield, Fulton and Elk.

SPEAKER'S TABLE.

The SPEAKER cleared his table of bills numbered and entitled as follows:

Senate bill No. 1022, an act to extend the time for the payment of the enrollment tax on bill entitled An act to incorporate the National silver mining company.

Referred to the Committee on Mining and Manufacturing Companies.

Senate bill No. 1023, an act supplementary to an act to incorporate the Mattawana mining and exploring company, approved the 24th day of March, 1865.

Referred to the Committee on Mining and Manufacturing Companies.

Senate bill No. 1024, an act supplementary to an act to incorporate the Aughwic mining and exploring company, approved the 20th day of April, 1866.

Referred to the Committee on Mining and Manufacturing Companies.

Senate bill No. 1025, an act to incorporate the Clearfield trout and hotel company.

Laid on the table.

Senate bill No. 1029, an act to incorporate the Pittsburg and Sinaloe mining company.

Referred to the Committee on Mining and Manufacturing Companies.

Senate bill No. 1030, a supplement to the act to incorporate sundry Baptist churches in Cambria, Blair, Huntingdon, Mifflin, Juniata and Centre counties, called the Centre Association of Independent or Regular Baptist churches, approved the 11th day of April, 1866, changing the time for the election of trustees, and the meeting of said trustees.

Laid on the table.

Senate bill No. 1041, an act to reduce the capital of the Six Mile Run coal company.

Referred to the Committee on Iron and Coal Companies.

Senate bill No. 1050, an act repealing an act entitled An act relating to roads in Bratton township, Mifflin county, approved May 1, A. D. 1861.

Laid on the table.

Senate bill No. 1051, a further supplement to an act entitled An act appointing commissioners to lay out and open a State road in the counties of Cameron and Potter, approved the 21st day of March, A. D. 1865.

Laid on the table.

Senate bill No. 1059, a supplement to an act, approved the 12th day of April, A. D. 1856, to lay out a State road from Tarentum, Allegheny county, to George Gocher's, in Butler county.

Laid on the table.

Senate bill No. 1063, an act to incorporate the Citizens' ferry company of Pittsburg.

Laid on the table.

Senate bill No. 1067, an act to extend the time of payment of the enrollment tax upon an act to incorporate the Eastern telegraph company, approved April 5, 1866.

Laid on the table.

Senate bill No. 1077, an act explanatory of the provisions of the fifth section of the

act to incorporate the Bennett's Branch improvement company.

Referred to the Committee on Corporations.

Senate bill No. 1078, a supplement to the charter of the Pittsburg gas company, approved January 31, 1860, authorizing taxes to be charged to the consumers of gas.

Referred to the Committee on Municipal Corporations.

Senate bill No. 1079, an act for the better protection of property-holders and citizens of the borough of Norristown from injury sustained by cattle running at large in said borough.

Referred to the Committee on Municipal Corporations.

Senate bill No. 1080, an act authorizing the town council of the borough of Hazleton, in Luzerne county, to borrow money.

Referred to the Committee on Municipal Corporations.

Senate bill No. 1081, an act relative to the assessment and collection of taxes on unseated lands in Cherry township, Sullivan county.

Laid on the table.

Senate bill No. 1111, a supplement to an act entitled An act relating to corporations for mechanical, manufacturing, mining and quarrying purposes, approved the 18th day of July, 1863, relating to the Williamsport manufacturing company.

Laid on the table.

Senate bill No. 1113, an act to incorporate the Empire State silver mining company of Nevada.

Referred to the Committee on Mining and Manufacturing Companies.

Senate bill No. 1114, an act to incorporate the Ophir Canon silver mining company of Nevada.

Referred to the Committee on Mining and Manufacturing Companies.

Senate bill No. 1117, a supplement to an act to incorporate the Morris Park mining company, approved the 14th day of March, 1865, authorizing said company to borrow money.

Laid on the table.

Senate bill No. 1119 an act re-annexing the farm of Andrew Glendenning to Mercer school district, in the county of Mercer.

Referred to the Committee on Education.

Senate bill No. 1121, an act authorizing the school directors of Curwensville, Clearfield county, to borrow money and to sell a school building.

Laid on the table.

Senate bill No. 1135, an act to extend the time for the payment of the enrollment tax on an act to incorporate the Sunnyside iron company.

Senate bill No. 1136, a supplement to an act entitled An act granting a pension to Louis Hagenman, extending the same.

Laid on the table.

Senate bill No. 1137, an act to incorporate the Manufacturers' Mutual fire insurance company of Pennsylvania.

Referred to the Committee on Corporations.

Senate bill No. 1138, an act to incorporate the Newport manufacturing and building company.

Referred to the Committee on Corporations.

Senate bill No. 1139, an act to incorporate the Tuscarora mining and exploring company.

Referred to the Committee on Mining and Manufacturing Companies.

Senate bill No. 1140, a supplement to act to incorporate the Philadelphia transportation and freight company.

Laid on the table.

Senate bill No. 1141, an act incorporating the Point Breeze Park association of Brookville.

Referred to the Committee on Corporations.

Senate bill No. 1147, a supplement to an act to incorporate the Pennsylvania Mutual Horse Thief detecting and insurance company, approved April 22, 1854.

Referred to the Committee on Corporations.

Senate bill No. 1154, an act to incorporate the Lampeter and Strasburg turnpike road company.

Laid on the table.

Senate bill No. 1159, a supplement to an act to incorporate the Conestega and Big Spring Valley turnpike company, approved April 1, 1861.

Laid on the table.

Senate bill No. 1177, an act authorizing the State Treasurer to allow a credit to the treasurer of Adams county for money paid John Scott.

Laid on the table.

Senate bill No. 1181, an act relating to the account of John Hines, late mercantile appraiser in Luzerne county.

Referred to the Committee on Ways and Means.

Senate bill No. 1182, an act relative to the claim of James Digman, of Allegheny county.

Referred to the Committee on Ways and Means.

Senate bill No. 1184, an act regulating the election of corporate officers of the borough of Dushore, Sullivan county.

Laid on the table.

Senate bill No. 1185, an act to incorporate the Union car and manufacturing company of Philadelphia.

Referred to the Committee on Corporations.

Senate bill No. 1199, an act to incorporate the Farmers' and Citizens' Co-operative building and savings fund association of Lawrence county.

Laid on the table.

Senate bill No. 1199, an act to incorporate the Fort Pitt Mutual Life insurance and trust company.

Referred to the Committee on Corporations.

Senate bill No. 1206, an act legalizing certain acts of the school directors of Kelly township, in the county of Union, and authorizing them to levy an additional tax for building purposes.

Referred to the Committee on Education.

Senate bill No. 1208, an act repealing an act extending the provisions of the act for the protection of sheep and taxing of dogs in the county of Blair, approved the 20th day of May, 1857, to the county of Monroe.

Referred to the Committee on Agriculture.

Senate bill No. 1210, an act extending the time for laying out a State road in Wayne and Monroe counties.

Laid on the table.

Senate bill No. 1214, an act to authorize the Curwensville bridge company to change its rates of toll.

Laid on the table.

Senate bill No. 1215, an act to incorporate the Mount Rock, Newville and Stoughstown turnpike road company.

Laid on the table.

Senate bill No. 1220, an act to incorporate the Carlisle, Boiling Spring and Dillsburg turnpike road company.

Laid on the table.

Senate bill No. 1221, a supplement to an act to increase the boundaries of Forest county.

Referred to the Committee on the Judiciary Local.

Senate bill No. 1234, an act to authorize the board of school directors of Fawn township, Allegheny county, to borrow money.

Referred to the Committee on Education.

Senate bill No. 1247, an act to authorize the board of school directors of White township, Indiana county, to borrow money, and to appropriate for school purposes surplus bounty fund.

Laid on the table.

Senate bill No. 1250, a further supplement to an act incorporating the town of Lawrenceville into a borough, approved February 13th, A. D. 1834, being an act authorizing said borough to borrow money, and take real estate not exceeding in value a certain amount.

Referred to the Committee on Municipal Corporations.

Senate bill No. 1251, an act to empower the court of quarter sessions of the peace of Adams county, to appoint auditors to audit bounty accounts in the several boroughs and townships in said county, and in relation to re-auditing the bounty accounts of Cumberland township, in said county.

Laid on the table.

Senate bill No. 1252, an act in relation to the appointment of an auctioneer for the borough of Tarentum, in Allegheny county.

Referred to the Committee on the Judiciary Local.

Senate bill No. 1351, an act to prohibit the sale of intoxicating liquors as a beverage in the townships of East Deer, Fawn and Harrison and borough of Tarentum, Allegheny county.

Referred to the Committee on Vice and Immorality.

Senate bill No. 1353, an act authorizing and empowering A. Clark, of Meadville, to have his dockets returned to him.

Laid on the table.

Also, House bills numbered and entitled as follows, viz:

No. 148, an act relative to certain foreign insurance companies.

No. 771, an act to incorporate the Oil City brewing company.

No. 777, an act to extend the provisions of an act for the better regulation of the Mercer County, Shenango Valley, Montour and Allegheny County agricultural societies (relative to the prohibition of shows, erection of tents, booths, et cetera), to the Pennsylvania agricultural society.

No. 788, an to prevent the fishing with nets, seines and baskets in the waters of Big Fishing creek, and its tributaries, in the counties of Columbia and Luzerne.

No. 901, an act relating to public houses in Allegheny county.

No. 830, an act to authorize the Governor to appoint an additional notary public for the county of Bradford, to reside in the borough of Athens.

No. 744, an act to authorize the school directors of Riceville, Crawford county, to borrow money, and for other purposes.

No. 747, an act to authorize the school directors of the borough of White Haven, to borrow money.

No. 719, an act to legalize the acts of the road commissioners of Columbus township, Warren county, in levying additional road tax.

No. 766, an act to incorporate the Eagle cotton manufacturing company.

No. 729, an act authorizing the school directors of the borough of Butler to transfer certain funds.

No. 724, an act to authorize the school board of Tyrone city, Blair county, to sell certain real estate now used for school purposes, and to appropriate the money arising from said sale to the purchase of a better location and erecting a more suitable building for school purposes, and to borrow any sum

of money, not exceeding ten thousand dollars, at a rate of interest not exceeding ten per centum per annum, to assist them in procuring the same.

No. 725, an act to relinquish a part of a certain annuity for the benefit of school purposes, in the borough of Susquehanna Depot, in Susquehanna county, with power to sell and dispose of old school houses, et cetera, and build new ones.

No. 962, a supplement to an act to incorporate the Specie Basis mining company, relieving them from the payment of the bonus of one-fourth of one per centum on its capital stock.

No. 960, an act to incorporate the Mountain and Nevada gold and silver mining and commercial company.

No. 669, an act to amend the charter of the municipal corporation of the city of Lancaster, and dividing the same into nine wards.

No. 1280, an act to incorporate the Philadelphia Woolen machine works.

No. 915, a supplement to the charter of the city of Chester,

Returned from the Senate with amendments.

The amendments made by the Senate to said bills were twice read, considered and concurred in; and

Ordered, That the Clerk inform the Senate of the same.

Also, Senate bill No. 701, an act to incorporate the Enterprise gas light company,

Returned from the Senate, with information that the Senate has non-concurred in the amendments made by the House of Representatives to said bill.

On motion,

The House receded from its amendments made to said bill, non-concurred in by the Senate; and

Ordered, That the Clerk inform the Senate of the same.

Also, Senate bill No. 137, a supplement to an act to incorporate the city of Scranton, and defining the powers of said city,

Returned from the Senate, with information that the Senate has concurred in amendments to sections one, six and fifteen, and in changing the number of twenty-ninth section; and also, in the amendments; also, adding new sections, twenty-nine and thirty, to said bill; and has non-concurred in all the remaining amendments made by the House of Representatives to said bill.

On motion, the House receded from its amendments to said bill, non-concurred in by the Senate; and

Ordered, That the Clerk inform the Senate of the same.

The House adjourned till 3 o'clock this afternoon.

AFTERNOON SESSION.

The House met at 3 o'clock, P. M., pursuant to adjournment.

Agreeably to order,

The House proceeded with the consideration of House bill No. 828, an act to provide for the ordinary expenses of the Government and other general and specific appropriations.

The tenth, eleventh, twelfth, thirteenth, fourteenth, fifteenth, sixteenth, seventeenth, eighteenth, nineteenth, twentieth, twenty-first, twenty-second and twenty-third sections were considered and disposed of. Pending action on the twenty-fourth section the House adjourned. The amendments proposed and the action thereon, together with the discussion, will appear in full in the Appendix to the *Record*.

During the session there was received the following:

MESSAGE FROM THE SENATE.

The Clerk of the Senate being introduced, presented for concurrence bill numbered and entitled as follows, viz:

Senate bill No. 1467, an act to authorize the burgess and town council of the borough of Tremont, Schuylkill county, to levy a tax.

He also returned bills from the House of Representatives numbered and entitled as follows, viz:

Senate bill No. 1051, a supplement to an act to prevent the sale of intoxicating liquors on the first day of the week, commonly called Sunday, approved February 26, 1855, relating to the counties of Berks, Lebanon and Lehigh,

With information that the Senate has passed the same without amendment.

He also returned bill from the House of Representatives numbered and entitled as follows, viz:

No. 1069, a further supplement to act approved May 4th, 1864, for the organization, discipline and regulation of the first division of the militia of the Commonwealth of Pennsylvania,

With information that the Senate has passed the same with amendments, in which the concurrence of the House of Representatives is requested.

He also again returned bills from the House of Representatives, which were re called from the Governor on the 22d and 25th instant, for amendment, numbered and entitled as follows:

No. 544, an act relative to the purchase of a law library in the county of Washington.

No. 570, an act to incorporate the Shickshinny and New Columbus borough turnpike road company, in the county of Luzerne,

With information that the Senate has reconsidered said bills and concurred in the amendments made thereto by the House.

EVENING SESSION.

The House met at 7½ o'clock, pursuant to to adjournment.

The SPEAKER announced the special order to be the consideration of House bill No. 1416, an act for the relief of citizens of the counties of Adams, Franklin, Fulton, Bedford, Perry, York and Cumberland, whose property was destroyed, damaged or appropriated for the public service and in the common defense in the war to suppress the rebellion.

MESSAGE FROM THE SENATE.

The Clerk of the Senate being introduced, presented for concurrence bill numbered and entitled as follows, viz:

Senate bill No. 1249, an act to incorporate the Greenville savings and loan company.

He also returned bill from the House of Representatives numbered and entitled as follows:

No. 1390, an act to empower the court quarter sessions of Northumberland county to grant a license to Nicholas Wenk to keep a hotel,

With information that the Senate has passed the same without amendment.

The House then went into committee of the whole on House bill No. 150, Mr. DAVIS in the chair.

[The proceedings thereupon will be found in the Appendix to the *Record*.]

The bill was

Agreed to.

On the question,

Will the House transcribe the bill, suspend the rules, and read the bill a third time by its title?

The yeas and nays were required by Mr. MANN and Mr. QUAY, and were as follow, viz:

YEAS—Messrs. Adaire, Armstrong, Barrington, Barton, Boyd, Brennan, Brown, Calvin, Cameron, Chadwick, Chase, Colville, Craig, Fogel, Gregory, Harbison, Harner, Headman, Heltzel, Hood, Josephs, Kennedy, Kerns, Kinney, Kline, Koon, Long, M'Kee, Maish, Markley, Marks, Meily, Meyers, Mullin, Quigley, Rhoads, Richards, Roath, Robinson, Satterthwait, Seiler, Stacey, Stehman, Stumbaugh, Subers, Weller, Woodward, Worrall, Wright and Glass, Speaker—50.

NAYS—Messrs. Boyle, Breen, Chalfant, Collins, Day, DeHaven, Donohugh, Espy, Ewing, Leech, Linton, M'Creary, M'Pherrin, Manning, Gallagher, Gordon, Hoffman, Kimmell, Pennypacker, Peter, Phelan, Pillow, Quay, Sharples, Tharp, Waddell, Wallace, Watt and Webb—29.

Two-thirds not voting, the question was determined in the negative,

And the bill went over to third reading.

On motion of Mr. SHARPLES, bill No. 770 was made the special order for Tuesday evening, April 2, at 7½ o'clock.

SPEAKER'S TABLE.

The SPEAKER cleared his table of bills numbered and entitled as follows, viz:

Senate bill No. 1249, an act to incorporate the Greenville savings and loan company.

Referred to the Committee on Banks.

Senate bill No. 1469, an act to authorize the burgess and town council of the borough of Tremont, Schuylkill county, to levy a tax.

Laid on the table.

No. 1069, a further supplement to an act, approved May 4th, 1864, for the organization, discipline and regulation of the First division of the militia of the Commonwealth of Pennsylvania,

Returned from the Senate with amendments.

The amendments made by the Senate to said bill were twice read, considered and

Concurred in; and

Ordered, That the Clerk inform the Senate of the same.

The House then adjourned till to-morrow morning at 10 o'clock.

HOUSE OF REPRESENTATIVES.

FRIDAY, March 29, 1867.

The House met at 10 o'clock, A. M.

Prayer was offered by Rev. J. KENNEDY, member from Wyoming.

The SPEAKER announced a quorum of members present.

The Journal of yesterday was partly read, when,

On motion of Mr. KERNS, the further reading of the same was dispensed with.

PETITIONS REMONSTRANCES, &C.

Mr. COLLINS presented to the Chair two petitions from citizens of Schuylkill county, in favor of the passage of an act to facilitate the collection of taxes in the county of Schuylkill.

Referred to the Committee on the Judiciary Local.

Also, three petitions from citizens of Mahanoy city, against an act allowing the council of said city to borrow money.

Referred to the Committee on Municipal Corporations.

Mr. MARKS, a petition from citizens and owners of property in the Twenty-fourth ward, in favor of the removal of the drove yard, located at Forty-first street and Westminster Avenue, in the city of Philadelphia.

Referred to the Committee on Corporations.

Mr. MANN, a petition from citizens of West Branch township, Potter county, for an act to authorize return of tax duplicate.

Referred to the Committee on the Judiciary Local.

Mr. CHASE, a petition from inhabitants of the borough of Cochranton, in the county of Crawford, praying for the passage of an act authorizing the burgess and council of said borough to levy and collect additional tax.

Referred to the Committee on the Judiciary Local.

Mr. CHADWICK, a remonstrance from citizens of Hampton township, in the county of Allegheny, against any change being made in the laws relating to supervisors in said township.

Referred to the Committee on the Judiciary Local.

Mr. WELLER, a petition from citizens of Bedford county, praying for the appointment of three suitable persons as commissioners to sell and convey in fee simple the poor house and other buildings and lands belonging thereto, and to buy lands and erect suitable buildings for the poor of the county, &c.

Referred to the Committee on the Judiciary Local.

Mr. ROUSH, two petitions from inhabitants of Kelly township, Union county, praying for the passage of an act legalizing the school tax of 1866; and, also, an additional tax for 1867, for building purposes.

Referred to the Committee on Education.

Mr. BOYD, a petition from citizens of York county, praying for the passage of an act to incorporate the York and Chanceford turnpike road company.

Referred to the Committee on Roads, Bridges and Ferries.

Mr. CHADWICK, a remonstrance from citizens of Collins township, in the county of Allegheny, against the levying of additional tax for building footwalks in said township.

Referred to the Committee on Roads, Bridges and Ferries.

Also, a remonstrance from citizens of Collins township, in the county of Allegheny, against the repeal of a supplement to an act for the improvement of Highland avenue, in said township.

Referred to the Committee on Roads, Bridges and Ferries.

Also, a petition from citizens of East Liberty, in the county of Allegheny, praying for the passage of an act requiring the directors of the Pennsylvania railroad company to place day and night watchmen on the crossings of said road, known as Shady Lane and Spahr's crossings, in the village of East Liberty.

Referred to the Committee on Railroads.

Mr. WILSON, a petition from inhabitants of the county of Allegheny, praying for the incorporation of the Montana and Pittsburg gold and silver mining company.

Referred to the Committee on Mining and Manufacturing Companies.

Also, a remonstrance from the inhabitants of Sharpsburg, Allegheny county, against the bill authorizing the borough of Sharpsburg to borrow money for improvements in said borough.

Referred to the Committe on Municipal Corporations.

Also, a remonstrance from citizens of Pittsburg, against the passage of the bill dividing said city into police districts.

Referred to the Committee on Municipal Corporations.

Mr. RICHARDS, a petition from citizens of the borough of Coledale and Broad Top township, praying for the passage of a law prohibiting the sale of spirituous, malt or vinous liquors in said borough and township.

Referred to the Committee on Vice and Immorality.

Mr. CHASE, a petition from inhabitants of the borough of Conneautville, in the county of Crawford, praying for the passage of an act for the better protection against the unlawful sale of intoxicating drinks in said borough.

Laid on the table.

Also, petitions from inhabitants of East Fallowfield township, in the county of Crawford, relative to the disposal of the surplus bounty fund of said township.

Laid on the table.

Mr. MANN, a petition from sixty citizens of Potter county, against the running of cars on Sunday.

Laid on the table.

Mr. BOYD, a petition from citizens of York county, praying for the repeal of an act recently passed, to protect wives and children deserted by their husbands.

Laid on the table.

The SPEAKER announced the special order to be the consideration of House bill

No. 1664, an act concurrent with an act, passed by the Legislature of Ohio, on the 20th day of March, A. D. 1867, in relation to the Ohio and Pennsylvania canal company.

The question being on the final passage of the bill,

Mr. QUAY. Mr. Speaker, at the time that bill was introduced, it was laid over at my request. Upon examination I find nothing objectionable in it—nothing that can damage my constituents, and I therefore make no opposition to it.

On the question,

Shall the bill pass finally?

It was

Agreed to.

The House then proceeded to the consideration of House bill No. 828, an act to provide for the ordinary expenses of the Government and other general and specific purposes.

The twenty-fourth, twenty fifth, twenty-sixth, twenty-seventh, twenty-eighth and twenty-ninth sections were severally taken up. The amendments, remarks and action of the House in reference to them, will be given in full in the Appendix to the *Record*.

MESSAGE FROM THE SENATE.

The Clerk of the Senate being introduced, presented for concurrence bills numbered and entitled as follows, viz:

Senate bill No. 1290, an act to incorporate the Good Spring iron and land company.

Senate bill No. 1462, an act to authorize the Benzinger coal and iron company to increase the width of their railroad, and providing for the assessment of damages.

Senate bill No. 1463, a further supplement to an act for the better regulation of billiard rooms, bowling saloons and ten-pin alleys in the counties of Chester and Delaware, approved April 13, 1859, and a supplement thereto, approved March 16, 1866, extending the same to the counties of Lawrence, Butler and Armstrong.

Senate bill No. 1470, an act relating to the paving of the streets of the city of Allentown.

Senate bill No. 1547, an act regulating equity jurisdiction in Philadelphia county.

He also returned bill from the House of Representatives numbered and entitled as follows, viz:

No. 783, an act to extend the provisions of an act to prevent cattle, horses, sheep and hogs from running at large in Delaware county to the county of Crawford, and to West Donegal township, Lancaster county,

With information that the Senate has passed the same with amendments, in which the concurrence of the House of Representatives is requested.

He also presented the following extract from the Journal:

"IN THE SENATE, March 29, 1867.

Resolved (if the House of Representatives concur), That the Governor be requested to return to the Senate for amendment Senate bill No. 541, entitled An act to incorporate a company to erect a bridge over the Youghiogheny river, at a point between the mouth of Dickerson's run and Taylor's fording, in the county of Fayette.

MESSAGE FROM THE GOVERNOR.

The Deputy Secretary of the Commonwealth being introduced, presented a message from the Governor, which was read as follows, viz:

EXECUTIVE CHAMBER,
HARRISBURG, March 29, 1867.

To the Senate and House of Representatives of the Commonwealth of Pennsylvania:

GENTLEMEN—I have approved and signed the following acts of the General Assembly, to wit:

On the 26th instant:

An act to incorporate the Clarion coal company.

An act appropriating ground for public purposes in the city of Philadelphia.

An act to incorporate the Greensburg Masonic fund.

An act authorizing and providing powers and means for the conversion of the common grounds of the city of Allegheny into public parks.

An act to incorporate the American university of Philadelphia.

An act to incorporate the Oakdale skating park and physical institute of Philadelphia.

An act to authorize the commissioners of Lehigh county to borrow money.

An act to exempt from taxation certain real estate in Philadelphia belonging to and used and occupied by the Western association of ladies of Philadelphia, for the relief and employment of the poor.

An act to divide the borough of New Brighton into three wards.

An act to incorporate the Teachers' institute of the city and county of Philadelphia.

An act authorizing the school directors of the school district of the borough of Ashland to borrow money.

An act to prevent the burning of the woods in the counties of Clearfield, Fulton and Elk.

An act to exempt the property of the German Reformed congregation of Goshenhoppen, in the county of Montgomery, from taxation.

A supplement to an act incorporating the Lawrenceville and Oswayo railroad company, approved the first day of May, Anno Domini one thousand eight hundred and fifty-two, reviving said act and making new commissioners.

A further supplement to an act relating to local bounties, approved March fifteenth, one thousand eight hundred and sixty-five, so far as relates to the township of Union in Lawrence county.

An act relating to the powers of the legal representatives of deceased tax collectors in this Commonwealth.

A supplement to an act relative to the payment of bounties by the county of Clearfield, approved February twenty-seventh, one thousand eight hundred and sixty-five, extending the same.

An act to enlarge the jurisdiction of the courts of common pleas of this Commonwealth, relative to granting charters of incorporations and confirming those heretofore granted.

An act to extend the provisions of an act regulating the fees of district attorney in the county of Bradford, in the court of quarter sessions, approved the eleventh day of April, Anno Domini one thousand eight hundred and sixty-six, to the county of Cameron.

An act to provide for the transfer and safe-keeping of prisoners in the jail of Washington county.

An act to incorporate the Susquehanna Depot Protective Union of Susquehanna Depot, Susquehanna county.

An act relating to the filing of liens and collection of taxes in the borough of Petersburg.

An act to incorporate the Danville water company.

A supplement to an act approved the ninth day of February, one thousand eight hundred and forty-nine (1849), entitled A supplement to an act to incorporate the Lykens Valley coal company, in Dauphin county, Pennsylvania, and to authorize the opening of a road in Honesdale, Wayne county, authorizing them to dispose of the stock of said company.

An act relating to evidence in legal proceedings affecting the Erie railway company.

A supplement to an act to authorize the erection of a poor house in the county of Tioga, approved the twelfth day of March, Anno Domini one thousand eight hundred and sixty-six.

An act to authorize the borough of Lock Haven to erect water works.

A supplement to an act to legitimate George Humphry Stump and Abraham Harrison Stump, approved the twenty-eighth day of April, in the year of our Lord one thousand eight hundred and fifty-four.

A supplement to an act relative to roads in the county of Franklin, approved the fourteenth day of March, Anno Domini one thousand eight hundred and sixty-seven.

An act to authorize the school board of North Heidelberg township, in the county of Berks, to levy and collect an additional bounty tax.

An act relating to the compensation of the sheriff of Butler and Indiana counties for boarding prisoners.

An act supplementary to an act entitled An act to incorporate the Good Will Fire Engine company, number one, passed the sixteenth day of April, Anno Domini one thousand eight hundred and forty-five, authorizing said company to issue stock.

An act relative to the borough of Kennet Square, in the county of Chester, enabling said borough to borrow money to erect water works, changing the mode of publishing ordinances, and opening, widening and straightening streets in said borough.

An act to authorize the burgess and town council of the borough of Oxford, in the county of Chester, to borrow money.

An act authorizing the borough council of Shenandoah, Schuylkill county, to borrow money and the voters to elect six town councilmen, et cetera.

An act authorizing the Governor to appoint an additional notary public for the county of Mercer.

On 27th instant:

An act to incorporate the Macungie Savings Bank.

An act regulating the jurisdiction of courts in proceedings by bills for injunction, and other relief in equity and the service of process.

An act to exempt the parsonage of the Park Presbyterian church congregation, in the city of Erie, Pennsylvania, from taxation.

An act relating to evidence in actions of ejectment.

A further supplement to an act entitled An act relating to corporations for mechanical, manufacturing, mining and quarrying purposes, approved the eighteenth day of July, Anno Domini one thousand eight hundred and sixty-three.

An act to annul the marriage contract between William Riley and Martha Wilcts.

An act to authorize and empower the Governor to issue a commission to Thomas McNeish.

An act to extend the provisions of an act to prohibit the issuing of licenses within certain boroughs in the counties of Armstrong, Potter, Indiana and Perry, or within two miles of the same, in the counties in which such boroughs are located, approved the twenty-seventh day of March, one thousand eight hundred and sixty-six, to the township of Derry, in the county of Westmoreland, and the borough of Blairsville, the township of Burrell and the township of East Mahoning, in the county of Indiana.

An act to repeal the first section of an act passed the first day of April, Anno Domini one thousand seven hundred and ninety-two, declaring the Little Lehigh a public highway.

On 28th instant:

An act dividing the Twenty-fourth ward of Philadelphia into two assessment districts, and for the appointment of two additional assessors.

An act declaratory of the statutes of limitation.

An act relative to the stone in the locks of the Franklin Branch of the Pennsylvania canal, in Fairfield township, Crawford county.

An act to empower the court of quarter sessions of Northumberland county to grant a license to Nicholas Wenk to keep a hotel.

A further supplement to an act entitled An act for the better security of the city of Philadelphia from the dangers incident to the refining, or improper and negligent storage of petroleum, benzine or naphtha, approved March second, Anno Domini one thousand eight hundred and sixty-five, construing the same.

An act for the relief of N. R. Harris, a commissioned captain of company "D," in the one hundred and sixteenth regiment, Pennsylvania volunteers.

An act supplementary to an act, approved February twentieth, one thousand eight hundred and sixty-seven, entitled An act to enable the Pennsylvania Cannel coal and railroad company to borrow money, and to change the corporate name of said company and confirm the title to real estate belonging to said company, and directing in what manner the mortgage authorized in said act shall be approved by the stockholders of said company, and to ratify the consolidation of certain companies, under said act of Assembly, and authorizing them to change the route of said road and reduce the number of directors.

An act to regulate the fees of the directors of the poor and house of employment of the county of Bedford.

An act to incorporate the Review printing house company of Philadelphia.

An act to authorize the poor masters of Hamlin township, M'Kean county, to levy additional poor tax.

An act to incorporate the People's saving fund, trust and safe deposit company.

An act relative to certain foreign insurance companies.

On the 26th instant:

An act relating to indebtedness of the county of Dauphin.

JNO. W. GEARY.

The Deputy Secretary of the Commonwealth also presented a message from the Governor, which was read as follows, viz:

EXECUTIVE CHAMBER,
HARRISBURG, March 28, 1867.

To the Senate and House of Representatives of the Commonwealth of Pennsylvania:

GENTLEMEN—Herewith is returned, without my approval, to the House, in which it originated, bill No. 660, entitled An act relating to the appointment of auctioneers in the county of Cumberland.

Under existing laws I have already appointed an auctioneer for the borough of Carlisle, in said county, and he has paid into the treasury twenty-five dollars for his license and given bond to the Commonwealth as required by law for the payment of whatever percentage may lawfully accrue to the State. After the appointee has thus complied with all the laws as they stood at the time of his appointment, it is hardly fair to authorize the appointment of an indefinite number of others, including the same territory, so as to make the privilege of no value.

Moreover, the county of Cumberland is pre-eminently an agricultural county, and as under existing laws any one who chooses can hold a public sale of his property without any license, the necessity for a multiplication of licensed auctioneers is not apparent.

JNO. W. GEARY.

Agreeably to the provisions of the Constitution the House proceeded to the reconsideration of said bill.

On the question,

Shall the bill pass, notwithstanding the objections of the Governor?

When, agreeably to the rules, the further consideration of the same was postponed for the present.

Mr. WADDELL. Mr. Speaker, I move that the further consideration of House bill No. 828 be postponed for the present for the purpose of offering a resolution for an afternoon session.

On the motion,

The yeas and nays were required by Mr. GREGORY and Mr. MEYERS, and were as follow, viz:

YEAS—Messrs. Adaire, Allen, Armstrong, Barton, Boyd, Boyle, Brown, Cameron, Chadwick, Chase, Day, Espy, Ewing, Gordon, Harner, Kennedy, Kinney, Koon, Leech, Linton, M'Camant, M'Creary, M'Pherrin, Maish, Mann, Mechling, Meily, Pennypacker, Peter, Phelan, Pillow, Quay, Rhoads, Richards, Roath, Seiler, Shuman, Steacy, Stehman, Stumbaugh, Subers, Waddell, Webb, Weller, Wham, Wilson, Woodward, Worrall and Glass, *Speaker*—49.

NAYS—Messrs. Barrington, Chalfant, Craig, Davis, DeHaven, Fogel, Freeborn, Ghegan, Gregory, Hood, Hunt, Kerns, Kline, Marks, Meyers, Mullin and Satterthwait—17.

So the question was determined in the affirmative.

Mr. WADDELL. Mr. Speaker, I now move a suspension of the rules to enable me to make a motion. On that motion I call the previous question.

The call for the previous question was seconded by Messrs. Barton, Watt, Mechling, Marks, Webb, Kinney, Chase, Pennypacker, Pillow, Gordon, Wilson, Worrall and DeHaven.

The question being, Shall the main question be now put?

It was

Agreed to.

The question recurring on the motion of Mr. WADDELL to suspend the orders of the day for the purpose of enabling him to offer a resolution,

The yeas and nays were required by Mr. GREGORY and Mr. STEHMAN, and were as follow, viz:

YEAS—Messrs. Adaire, Armstrong, Barton, Boyd, Boyle, Brown, Cameron, Chadwick, Chase, Day, Espy, Ewing, Fogel, Gordon, Harner, Hoffman, Hunt, Kennedy, Kimmell, Kinney, Kline, Koon, Leech, M'Camant, M'Creary, M'Kee, M'Pherrin, Maish, Mann, Mechling, Meily, Pennypacker, Peter, Pillow, Quay, Rhoads, Richards, Roath, Rouch, Seiler, Shuman, Steacy, Stehman, Stumbaugh, Waddell, Watt, Webb, Weller, Wham,

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[CONTINUED FROM PAGE 800.]

ton, Wilson, Woodward, Worrall and Glass, *Speaker*—54.

NAYS—Messrs. Allen, Barrington, Chalfant, Craig, DeHaven, Freeborn, Ghegan, Gregory, Hood, Josephs, Kerns, Lee, Linton, Marks, Meyers, Mullin, Satterthwait and Subers—18.

So the question was determined in the affirmative.

Mr. WADDELL. Mr. Speaker, I offer the following resolution:

Resolved, That when this House adjourn, it adjourn to meet again at three o'clock this afternoon, for the purpose of considering House bill No. 828.

The question being on agreeing to the resolution,

The previous question was called by Mr. WADDELL, and seconded by Messrs. Donohugh, Pennypacker, Gordon, Kimmell, Webb, M'Creary, M'Camant, Kinney, Brown, Day and Ewing.

On the question,

Shall the main question be now put?

It was

Agreed to.

The question recurring on agreeing to the resolution of Mr. WADDELL,

It was

Agreed to.

The hour of one o'clock having arrived, the SPEAKER adjourned the House until three o'clock, P. M.

AFTERNOON SESSION.

The House met at 3 o'clock, pursuant to adjournment.

BILLS PASSED.

On motion of Mr. CAMERON, the House proceeded to the consideration of House bill No. 1823, an act authorizing the school directors of the borough of New Millord, Susquehanna county, to borrow money for school purposes.

The bill was read and

Agreed to.

The rules being suspended, the bill was read a second and third time, and

Passed finally.

Also, No. 1824, a further supplement to an act entitled An act to validate the judgment docket entries made by the prothonotaries of certain counties in this Commonwealth.

The bill was read and

Agreed to.

The rules being suspended, the bill was read a second and third time, and

Passed finally.

On motion of Mr. HEADMAN, bill No. 1368, an act to repeal part of the Thirty-fourth section of an act entitled An act to reduce the State debt, approved April 29, 1844.

The bill was read as follows:

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same*, That from and after the passage of this act, that part of the thirty-fourth section of the act of Assembly, approved April the twenty-ninth, one thousand eight hundred and forty-four, that authorizes the county commissioners of this Commonwealth to assess and collect upon all salaries, emoluments of office created by or held under the constitution or laws of this Commonwealth, or created by or held under any corporation, institution or company incorporated by this Commonwealth, where such salaries or emoluments exceed two hundred dollars, a tax of two per centum upon every dollar of the value thereof above two hundred dollars upon trades, occupations and professions, one per centum upon every dollar of the value thereof, above two hundred dollars, be and the same is hereby repealed.

The bill was read and

Agreed to.

The title was

Agreed to.

The rules being suspended, the bill was read a second and a third time, and

Passed finally.

On motion of Mr. BREEN, the House proceeded to the consideration of Senate bill No. 1467, an act to authorize the burgess and town council of the borough of Tremont, Schuylkill county, to levy a tax.

The bill was read and

Agreed to.

The rules being suspended, the bill was read a second and a third time, and

Passed finally.

On motion of Mr. STUMBAUGH, the House proceeded to the consideration of Senate bill No. 1468, a further supplement to an act to incorporate the Montana gold and silver mining company, approved the 23d day of March, A. D. 1865.

The bill was read and

Agreed to.

The rules being suspended,

The bill was read a second and a third time, and

Passed finally.

On motion of Mr. HEADMAN, the House proceeded to the consideration of Senate bill No. 1346, an act to authorize the conveyance of certain real estate in the city of Philadelphia, by the committee of Samuel Griffith, a lunatic.

The bill was read and

Agreed to.

The preamble was

Agreed to.

The rules being suspended,

The bill was read a second and a third time, and passed finally.

MESSAGE FROM THE SENATE.

The Clerk of the Senate being introduced, presented for concurrence bills numbered and entitled as follows, viz:

Senate bill No. 1544, a supplement to the act entitled A supplement to the act incorporating the Howard coal and iron company, approved the 18th day of August, 1864, which became a law on the 30th day of January, A. D. 1866, extending the time for the enrollment tax in said act.

The Clerk of the Senate being introduced, also presented for concurrence bill numbered and entitled as follows, viz:

Senate bill No. 1469, an act for the better protection of persons, property and life in the mining regions of this Commonwealth.

He also returned bill from the House of Representatives numbered and entitled as follows:

No. 433, an act to incorporate the Wellsboro' and Lawrenceville railroad company,

With information that the Senate has passed the same with amendments, in which the concurrence of the House of Representatives is requested.

The House then resumed the consideration of the appropriation bill.

The proceedings thereupon will be found in the Appendix to the *Record*.

After being agreed to, the bill was

Passed finally.

LEAVE OF ABSENCE.

Mr. MANN asked and obtained leave of absence for a few days for the gentleman from Dauphin [Mr. HOFFMAN].

Mr. KENNEDY asked and obtained leave of absence for a few days for the gentleman man from Susquehanna [Mr. CAMERON].

SPEAKER'S TABLE.

The SPEAKER cleared his table of Senate bills numbered and entitled as follows, viz:

Senate bill No. 1200, an act to incorporate the Good Spring iron and land company.

Laid on the table.

Senate bill No. 1462, an act to authorize the Benzinger coal and iron company to increase the width of their railroad, and providing for the assessment of damages.

Referred to the Committee on Coal and Iron Companies.

Senate bill No. 1463, a further supplement to an act, entitled An act for the better regulation of billiard rooms, bowling saloons and ten-pin alleys in the counties of Chester and Delaware, approved April 18, 1859, and supplement thereto, approved April 16, 1866, extending the same to the counties of Lawrence, Butler and Armstrong.

Laid on the table.

Senate bill No. 1469, an act for the better protection of persons, property and life in the mining regions of this Commonwealth.

Referred to the Committee on the Judiciary General.

Senate bill No. 1470, an act relating to paving of streets in the city of Allentown.

Laid on the table.

Senate bill No. 1547, an act regulating equity jurisdiction in Philadelphia county.

Referred to the Committee on the Judiciary Local.

Senate bill No. 1544, a supplement to the act entitled A supplement to the act incorporating the Howard coal and iron company, approved the 18th day of August, 1864, which became a law on the 30th day of January, A. D. 1866, extending the time for the enrollment tax in said act.

Laid on the table.

Also, House bills

No. 783, an act to extend the provisions of an act to prevent cattle, horses, sheep and hogs from running at large in Delaware county, to the county of Crawford and to West Donegal township, Lancaster county.

No. 433, an act to incorporate the Wellsboro' and Lawrenceville railroad company,

Returned from the Senate with amendments.

The amendments made by the Senate to said bills were twice read, considered and non-concurred in; and

Ordered, That the Clerk inform the Senate of the same.

Also, the following extract from the Journal of the Senate:

Resolved (if the House of Representatives concur), That the Governor be requested to return to the Senate for amendment, Senate bill No. 541, entitled An act to incorporate a company to erect a bridge over the Youghiogheny river, at a point between the mouth of Dickerson's run and Taylor's fording in the county of Fayette.

Concurred in.

The House then adjourned till Monday evening, April 1st, 1867, at 7½ o'clock.

SENATE.

THURSDAY, March 28, 1867.

The Senate met and was called to order at 10 o'clock, A. M., by the SPEAKER.

Prayer was offered by the Rev. Mr. Bailey.

On motion of Mr. CONNELL, the reading of the Journal of yesterday was dispensed with.

PETITIONS, REMONSTRANCES, &C.

Mr. GRAHAM presented a remonstrance signed by two hundred and forty citizens of Lower St. Clair township, against the passage of an act creating a new borough out of a portion of Lower St. Clair township.

Referred to the Committee on the Judiciary Local.

Also, a petition of citizens of East Deer township, for exempting men who paid commutation from bounty tax.

Referred to the Committee on the Judiciary Local.

Mr. GLATZ, a petition of citizens of Chanceford township, praying the passage of a special law relative to the collection of outstanding bounty tax.

Referred to the Committee on the Judiciary Local.

Mr. SCHALL, a petition of citizens of the borough of Easton, praying for the erection of a new ward.

Referred to the Committee on New Counties and County Seats.

Also, one from the city council of the city of Allentown, praying for the passage of a law authorizing the paving of the streets of said city.

Referred to the Committee on the Judiciary Local.

Mr. WALLS, a petition of citizens of Lycoming county, in favor of a law authorizing the election of the county treasurer to serve for four years in any time of six.

Referred to the Committee on the Judiciary Local.

Mr. BROWN (Mercer), a petition of John Hamilton and others, citizens of Sandy Lake and Worth townships, Mercer county, praying that the farms of said Hamilton may be annexed to Worth township, in said county, for school purposes.

Referred to the Committee on Education.

Mr. BIGHAM, a memorial of citizens of Lower St. Clair township, Allegheny county, asking the creation of a new township to be called Bigham, out of parts of said township.

Referred to the Committee on the Judiciary Local.

Also, one for a borough to be called Amitz.

Referred to the Committee on the Judiciary Local.

Mr. FISHER, a petition of citizens of Union township, Schuylkill county, asking for protection from outlawry, which was read, as follows:

To the Honorable the Senate and House of Representatives of the Commonwealth of Pennsylvania, in General Assembly met:

The petition of the subscribers, citizens of the township of Union, in the county of Schuylkill, respectfully pray your honorable body to pass some law that will protect us for our county, that we may be safe with our lives in our houses and property. Last Saturday night, March 23, 1867, some six lawless murderers and robbers, in the dead hour of the night, went to the house of Henry Rupp for the purpose of robbing, and then and there shot Jacob Johnson and wounded Henry Rupp, both respectable citizens of our township. We therefore pray for God's sake to pass a law that will in some way protect us, and we will pray, &c.

Signed by Rudolph Brisch, Michael Krebs and others.

Referred to the Committee on the Judiciary General.

Mr. TAYLOR, a petition from citizens of Beaver county, for a change in the law relating to auctioneers in said county.

Referred to the Committee on the Judiciary Local.

Also, one from citizens of Beaver county for a change in the law relating to auctioneers in said county.

Referred to the Committee on the Judiciary Local.

Mr. CONNELL, a remonstrance of board of directors of Twenty-first school section of Philadelphia, against the passage of an act depriving them of the right to elect one of their own number school controller.

Mr. M'CANDLESS, a petition of the citizens of Philadelphia for the protection of farmers in the markets of said city.

Laid on the table.

Mr. CONNELL, a petition of property-holders of Philadelphia for an act removing the cattle yards further from the built up portion of the city.

Referred to the Committee on the Judiciary Local.

Mr. DONOVAN, a memorial of the religious Society of Friends on military service and fines, which was read as follows, and

Laid on the table:

To the Senate and House of Representatives of the State of Pennsylvania:

The memorial of the representatives of the religious Society of Friends in the said State, respectfully showeth:

That a bill now pending in the Legislature imposes a fine on all persons between the ages of twenty-one and forty-five years of age, who, being enrolled and not joining a volunteer company, decline or neglect performing military duty, which, if enacted into a law and carried into effect, must operate oppressively upon the members of our religious society in Pennsylvania.

It is well known that from its beginning—more than two hundred years ago—the Society of Friends has uniformly borne a testimony against all wars and fightings, as being contrary to the benign precepts of the gospel and the express commands of our Lord and Saviour Jesus Christ. Believing ourselves bound to obey these, and to do nothing directly or indirectly that would prevent the spread or lay waste the Kingdom of the Prince of Peace, we cannot engage in warlike measures, or take part in military training or preparations.

The Constitution of our State provides that "such as conscientiously scruple to bear arms, shall not be compelled to do so, but shall pay an equivalent for personal service." In the Declaration of Rights prefacing the Constitution, it is declared, "No human authority can, in any case whatever, control or interfere with the right of conscience, and no preference shall ever be given by law to any establishments or modes of worship." This noble provision was originally made by William Penn, the founder of our State, and so long as Friends held control in the legislative councils, it was never infringed.

Now the fine proposed in this bill, to be inflicted on those who do not comply with its provisions, would be a penalty exacted from Friends on account of their conscientious scruples, inasmuch as those scruples are the cause of their non-compliance; and we respectfully submit, that there is a manifest inconsistency in first exempting persons from such service because of there being no right to interfere with conscience, and then subjecting them to pecuniary infliction because they act in accordance with their conscientious belief. Certainly to compel those who cannot bear arms because they believe it to be contrary to the religion of Christ, to pay a fine, however small, would be a direct infringement of their right to enjoy their religious belief, and an entire disregard of the clear declaration already quoted from the great charter of our liberties as citizens of this Commonwealth.

Fully convinced that it would be wrong for us, or for any others, who sincerely believe war and all military service to be contrary to the religion which breathes peace on earth, good will to men, to take any part in either, we cannot comply with the requirements in the bill, either by rendering the service called for, or by paying a fine in commutation therefor. We claim the right to keep a conscience void of offense in this as in all other matters, and that as the Almighty is the alone Ruler of conscience, human governments may not control or coerce it. To secure this, we ask no partial legislation, but equal liberty for all who are conscientiously restrained, by their religious principles from participating in military training or militia service. Thus, we shall only enjoy the same rights as our fellow-citizens, who, professing that war is proper and necessary, claim the right to carry it on and willingly engage in military duty.

Past experience has shown that where such fines have been imposed on and collected from Friends, resort has almost uniformly to be made to seizures of property, which—as there are few willing to buy goods thus taken from their neighbors—is often sold greatly below its worth, and thus, by repeated or excessive distraints, the property of unresisting and industrious citizens is frequently wasted, while little, if any, of the proceeds ever reaches the public treasury.

Friends have always been a loyal people, and in the late rebellion, wherever located, they remained firm in their allegiance to the United States. They are ever willing to bear their full proportion of the burdens requisite to support the civil government under which they live, and to perform their duties as good citizens, and on behalf of those of them who live in this noble Commonwealth, we respectfully entreat that in the present bill, or any

other that may come before you, nothing may be enacted that will press hardly upon the consciences of peaceable and loyal citizens.

Signed on behalf and by direction of a meeting of the representatives aforesaid, held in Philadelphia the 20th day of the Third month, 1867. JOSEPH SCATTERGOOD, Clerk.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

The Clerk of the House Representatives being introduced, presented for concurrence bills numbered and entitled as follows, viz:

No. 1177, a further supplement to an act incorporating the city of Carbondale.

Referred to the Committee on the Judiciary Local.

No. 1204, an act to incorporate the Hamilton iron and coal company.

Referred to the Committee on Corporations.

No. 1211, an act to incorporate the Sierra Molina gold and silver mining company.

Referred to the Committee on Corporations.

No. 1212, an act to incorporate the Powhattan gold and silver mining company.

Referred to the Committee on Corporations.

No. 1213, an act to incorporate the Fidelity gold mining company.

Referred to the Committee on Corporations.

No. 1214, an act to incorporate the Savage Extension gold and silver mining company.

Referred to the Committee on Corporations.

No. 1215, an act to incorporate the River Bed gold and silver mining company.

Referred to the Committee on Corporations.

No. 1216, an act to incorporate the Morris and Cable silver mining company of Reese river district, Lander county, Nevada.

Referred to the Committee on Corporations.

No. 1218, an act to incorporate the Volcanic mining company.

Referred to the Committee on Corporations.

No. 1219, an act to establish a ferry over the Allegheny river, at or below the big rock, in the county of Venango.

Referred to the Committee on Canals and Inland Navigation.

No. 1221, an act to lay out a State road in Venango and Butler counties.

Referred to the Committee on Roads and Bridges.

No. 1222, an act to incorporate the Farmers' turnpike road company, in the county of Lancaster.

Referred to the Committee on Roads and Bridges.

No. 1223, an act declaring Beech creek, in the counties of Centre and Clinton, a public highway.

Referred to the Committee on Roads and Bridges.

No. 1224, an act for the improvement of the Coal Hill road, in the township of Collins, in the county of Allegheny.

Referred to the Committee on Roads and Bridges.

No. 1227, an act extending an act relative to the opening and making of new roads and building of bridges in the township of West Marlborough, in the county of Chester, to the township of Sadsbury, said county.

Referred to the Committee on Roads and Bridges.

No. 1230, an act to incorporate the Kittanning and Rural Village macadamized turnpike road company in the county of Armstrong.

Referred to the Committee on Roads and Bridges.

No. 1232, an act to authorize the Johnstown and Scalp Level turnpike company of Cambria county to increase the rates of toll on said turnpike.

Referred to the Committee on Roads and Bridges.

No. 1343, an act to increase the number of supervisors of roads in Cowanshannock township, Armstrong county.

Referred to the Committee on Roads and Bridges.

No. 1236, an act to incorporate the Newton and Scranton turnpike road company.

Referred to the Committee on Roads and Bridges.

No. 1237, an act to reduce the compensation and change the manner of election of the supervisors of the township of Newberry, in the county of York.

Referred to the Committee on Roads and Bridges.

No. 1238, an act to amend the charter of the Wellersburg and West Newton plank road company.

Referred to the Committee on Roads and Bridges.

No. 1239, an act to vacate a portion of the Wilkesbarre and Providence plank road.

Referred to the Committee on Roads and Bridges.

No. 1241, an act authorizing the supervisors and auditors of Jones township, Elk county, the sum of two dollars a day.

Referred to the Committee on the Judiciary Local.

No. 1245, an act to declare Lake Pleasant and its outlet to French creek a public highway.

Referred to the Committee on Canals and Inland Navigation.

No. 1247, an act to incorporate the Limestone turnpike and plank road company of Warren county.

Referred to the Committee on Roads and Bridges.

No. 1250, an act to establish a ferry over the West Branch of the Susquehanna river, at or near the residence of George W. Sower, in the township of Wayne, in the county of Clinton.

Referred to the Committee on Canals and Inland Navigation.

No. 1251, an act to extend the act providing for the assessment of seated lands in the township where the Mansion house is situated, to the borough of Rome, in the county of Bradford, for school purposes.

Referred to the Committee on the Judiciary Local.

No. 1257, an act relative to the sale of an old school house in West Cocalico township, Lancaster county.

Referred to the Committee on the Judiciary Local.

No. 1258, an act to authorize the board of school directors of the borough of Irwin, in the county of Westmoreland, to borrow money for building purposes, and to levy additional school taxes.

Referred to the Committee on Education.

No. 1259, an act to authorize the board of school directors of the borough of West Middlesex, in the county of Mercer, to borrow money.

Referred to the Committee on the Judiciary Local.

No. 1261, an act to annex the farm of Daniel Sell, of Germany township, Adams county, to the borough of Littlestown, for school purposes.

Referred to the Committee on Education.

No. 1263, an act to attach the farms of James M'Kean, William Nicholas, David Long and John Long, jr., of Otter Creek township, in the county of Mercer, to Salem school district, for school purposes.

Referred to the Committee on Education.

No. 1264, an act to annex additional territory to the borough of Brownsville, Mercer county, for school purposes.

Referred to the Committee on Education.

No. 1266, an act to incorporate the Warren water company.

Ruled out of order.

No. 1268, an act to incorporate the Philadelphia mercantile college.

Referred to the Committee on the Judiciary General.

No. 1269, an act to incorporate the Delaware County manufacturing company.

Referred to the Committee on Corporations.

No. 1270, an act to incorporate the Crystal lake water company.

Ruled out of order.

No. 1271, an act to incorporate the St. Vincent's cemetery company,

Which was ruled out of order.

No. 1273, a supplement to the act to incorporate the Amateurs' drawing room association of the city of Philadelphia, approved the 8th day of March, A. D. 1866.

Referred to the Committee on Corporations.

No. 1274, an act to incorporate the Manayunk fire insurance company.

Referred to the Committee on the Judiciary General.

No. 1276, a supplement to an act incorporating the Accident insurance company, approved March 24, 1865.

Referred to the Committee on Corporations.

No. 1277, a supplement to an act to incorporate the Reno shipping company, approved the 1st day of September, A. D. 1866.

Referred to the Committee on Corporations.

No. 1353, an act to incorporate the Pickering gold and silver mining company.

Referred to the Committee on Corporations.

He also informed that the House of Representatives insists on its amendments made by the Senate to bill from the House of Representatives numbered and entitled as follows, viz:

No. 507, a supplement to an act to incorporate the borough of Columbia,

And has appointed Messrs. ARMSTRONG, STEHMAN and QUIGLEY a committee of conference to confer with a similar committee from the Senate (already appointed), upon the subject of the difference existing between the two Houses on said bill.

He also informed that the House of Representatives insists on its non-concurrence in the amendment made by the Senate to bill from the House of Representatives numbered and entitled as follows, viz:

No. 246, an act for the better and more impartial selection of persons to serve as jurors in each of the counties of this Commonwealth,

And has appointed Messrs. MANN, CHASE and BARRINGTON a committee of conference to confer with a similar committee from the Senate (already appointed), upon the subject of the differences existing between the two Houses on said bill.

He also again presented bill numbered and entitled as follows, viz:

No. 544, an act relative to the purchase of a law library in the county of Washington,

Said bill having been recalled from the Governor in pursuance of joint resolution requesting the same, and amended in the House of Representatives, in which amendment the concurrence of the Senate is requested.

On motion of Mr. TAYLOR, said amendments were twice read and concurred in.

The Clerk of the House of Representatives also returned bill numbered and entitled as follows.

No. 1019, an act to incorporate the Adams County Soldiers' Monument association,

With information that the House of Representatives has passed the same without amendments.

He also again presented bill numbered and entitled as follows, viz:

No. 670, an act to incorporate the Shickshinny and New Columbus Borough turnpike road company in the county of Luzerne.

Said bill having been returned by the Governor to the House of Representatives (in pursuance of joint resolutions requesting the same), and amended in the House of Representatives, in which amendments the concurrence of the Senate is requested.

On motion of Mr. JACKSON said amendments were twice read and concurred in.

REPORTS FROM COMMITTEES.

Mr. CONNELL, from the Committee on Finance, reported, as committed, a bill entitled An act to extend the time for the payment of a certain enrollment tax on the Dime Savings institution of Harrisburg.

Mr. WALLS (same), as committed, a bill entitled An act to exempt from taxation certain real estate in Philadelphia belonging to the Jewish hospital association of Philadelphia.

Also (same), as committed, a bill entitled An act to extend the period for payment of enrollment tax on the bill to incorporate the Oil Tank improvement company.

Mr. SHOEMAKER, from the Committee on the Judiciary General, with amendments, a bill entitled Joint resolution authorizing the Governor to appoint a commissioner to inquire into the various systems of prison discipline.

Also (same), with amendments, a bill entitled An act relating to the payment of bounties to volunteers.

Mr. M'CONAUGHY (same), with amendments, a bill entitled, An act to authorize the recorder of deeds in the several counties of this Commonwealth to record the discharge of all honorably discharged officers and soldiers.

Also (same), as committed, an act supplementary to an act to confer on certain associations of citizens in this Commonwealth the powers and immunities of corporations or body politic, approved the 6th day of April, A. D. 1791, and its supplements, empowering the courts to grant authority to confer degrees.

Mr. BIGHAM (same), with amendments, a bill entitled A supplement to an act relating to orphans' courts, and for other purposes, approved October 13, 1840.

Mr. SCHALL (same), with a negative recommendation, a bill entitled An act relating to dower.

Also (same), with a negative recommendation, a bill entitled An act regulating interest on public accounts.

Mr. WALLACE (same), with a negative recommendation, a bill entitled An act to incorporate the St. Joseph's Beneficial Savings Fund association of the city of Lancaster.

Ruled out of order by the SPEAKER.

Also (same), with a negative recommendation, a bill entitled An act relative to the payment of funeral expenses of devisees of estates for life, securing payment of undertakers' bills.

Mr. COWLES, from the Committee on the Judiciary Local, as committed, a bill entitled An act in relation to auctioneers in the county of Beaver.

Also (same), as committed, a bill entitled An act in relation to the re-election of the treasurer of Lycoming county.

Also (same), as committed, a bill entitled An act relating to the Schuylkill County Park association.

Also (same), as committed, a bill entitled An act to authorize the Governor to appoint an additional notary public in the county of Beaver.

Also (same), as committed, a bill entitled A supplement to an act in relation to the courts of Lehigh county.

Also (same), as committed, a bill entitled A further supplement to an act to provide for the regulation and inspection of buildings in the city of Philadelphia, and for the better protection of life and property, approved the 7th day of May, A. D. 1855.

Also (same), as committed, a bill entitled A supplement to an act relating to hawkers and peddlers in the county of Chester, approved March 2d, A. D. 1867.

Also (same), as committed, a bill entitled An act to authorize the purchase of real estate, and the erection of a poor house in Valley township, Montour county.

Mr. STUTZMAN (same), as committed, a bill entitled An act fixing the pay of the sheriffs of Crawford county for boarding prisoners and other persons.

Also (same), as committed, a bill entitled An act relating to the collection of taxes in Cumberland county.

Also (same), as committed, a bill entitled An act to increase the pay of the county commissioners of Northumberland county.

Also (same), as committed, a bill entitled An act relating to water works in the city of Chester.

Also (same), as committed, a bill entitled An act to empower the courts of quarter sessions of Northumberland county to grant a license to Nicholas Wenk to keep a hotel.

Also (same), as committed, a bill entitled An act relating to parks in the city of Harrisburg.

Mr. WHITE (same), as committed, a bill entitled An act to provide for the purchase of real estate and erection of a poor house in the township of Bloom, Columbia county.

Also (same), as committed, a bill entitled An act relative to the purchase of a law library in the county of Allegheny.

Also (same), as committed, a bill entitled An act authorizing the burgess and town council of the borough of Sharon, in the county of Mercer, to levy a tax for bridge purposes.

Also (same), as committed, a bill entitled An act relative to a law library in the county of Carbon.

Also (same), as committed, a bill entitled An act to regulate the collection of local taxes in the township of Edgmont, Delaware county.

Also (same), with amendments, a bill entitled An act to fix the number of jurors in cases of partition in the counties of Beaver, Bradford, Lawrence, Perry, Potter, Somerset, Franklin, Erie, Delaware, Lebanon, Westmoreland, Butler, Northumberland, Wyoming, Armstrong, Philadelphia, Crawford and Erie.

Also (same), as committed, a bill entitled An act relating to taxes in Greenfield township, in Luzerne county.

Also (same), with amendments, a bill entitled An act relating to the residence of justices of the peace in the city of Erie.

Also (same,) as committed, a bill entitled An act to authorize an increase of taxation in the borough of Tarentum, in the county of Allegheny.

Mr. DAVIS (same), as committed, a bill entitled An act to repeal the second section of an act authorizing the assessment of railroad taxes in the borough of Kittanning, Armstrong county, approved 16th day of February, A. D. 1867.

Also (same), as committed, a bill entitled An act regulating the fees of notaries public in the county of Allegheny.

Also (same), as committed, a bill entitled An act to authorize the appointment of an additional notary public in the borough of Girard, in the county of Erie.

Also (same), as committed, a bill entitled An act to extend to the county of Berks certain provisions of an act entitled An act to amend the fee bill as to constables in the city of Philadelphia.

Also (same), as committed, a bill entitled An act to authorize the Governor to appoint four additional notaries public for the city of Philadelphia.

Also (same), as committed, a bill entitled An act to provide for the erection of a house for the employment and support of the poor in the township of Hemlock, in the county of Columbia.

Also (same), as committed, a bill entitled A further supplement to the act, approved 1865, entitled An act to provide for the erection of a poor house in the townships of Milford, Turbett, Spruce Hill, Tuscarora, Lack and Beale, and the boroughs of Perrysville and Patterson, in the county of Juniata.

Mr. FISHER (same), as committed, a bill entitled An act to legalize certain loans made by the city Titusville.

Also (same), as committed, a bill entitled An act to prevent the injury or destruction of fruit, ornamental or other trees, and to protect the owners thereof, in the counties of Clinton, Centre, Butler, Lawrence and Lebanon.

Also (same), with amendments, a bill providing for the payment to the school treasurer of certain townships in the counties of Clarion, Allegheny, Indiana and Cumberland, the balance of the money raised for the payment of local bounties after the payment of all claims on said townships for local bounty.

Also (same), as committed, a bill entitled An act repealing so much of the act entitled An act in relation to original writs and executions in the county of Franklin, approved the 8th day of March, as relates to executions.

Also (same), as committed, a bill entitled An act relative to the election of constables in the township of Blakely, county of Luzerne.

Also (same), as committed, a bill entitled An act to legalize all bounty taxes heretofore levied and collected in certain townships in Snyder county, and to authorize the school directors of said township to levy and collect additional taxes for bounty purposes.

Also (same), as committed, a bill entitled An act to provide for the payment of expenses incurred in guarding the jail of Washington county.

Also (same), as committed, a bill entitled An act to legitimate John Horning, of Mifflin county, and confer on him the rights and privileges of a child born in wedlock.

Also, from the Committee on Pensions and Gratuities, as committed, a bill entitled An act to pay a pension to Sarah Winters, widow of Stacy Winters, a soldier of the war of 1812.

Also (same), as committed, a bill entitled An act to authorize the payment of Nicholas Simon, a soldier of the war to suppress the rebellion, a gratuity on account of the loss of one of his hands.

Mr. RIDGWAY, from the Committee on Corporations, as committed, a bill entitled an act to incorporate the Equitable gold and silver mining company of Nevada.

Also (same), as committed, a bill entitled An act to incorporate the Sheffield iron and steel and land company.

Also (same), as committed, a bill entitled

An act to incorporate the Granby coal company.

Also (same), as committed, a bill entitled An act to consolidate the Steuben company and the Scranton coal company.

Also (same), as committed, a bill entitled An act to incorporate the Battle Hotel company at Gettysburg as a watering place.

Also (same), as committed, a bill entitled An act to incorporate the Fifth Street market company.

Also (same), as committed, a bill entitled A supplement to an act to incorporate the Mercer iron and coal company, approved August 1, 1863.

Also (same), as committed, a bill entitled An act to incorporate the Venice gold and silver mining company.

Also (same), as committed, a bill entitled A further supplement to an act to incorporate he Union gold and silver mining company, approved March 23, 1865.

Mr. ROYER (same), as committed, a bill entitled An act relative to the Merchants' and People's transportation company.

Also (same), as committed, a bill entitled An act to reduce the number of directors of the Allegheny transportation company.

Mr. HAINES (same), as committed, a bill titled An act to incorporate the New Sonora gold and silver mining company.

Also (same), as committed, a bill entitled An act to incorporate the Philadelphia mining company of Lander Hill.

Also (same), as committed, a bill entitled An act to incorporate the Pennsylvania and North Carolina gold mining company.

Mr. GLATZ (same), as committed, a bill entitled An act to incorporate the Somerset land company.

Also (same), as committed, a bill entitled An act to incorporate the United States Plate Glass insurance company of Philadelphia.

Mr. BURNETT, from the Committee on Estates and Escheats, a bill entitled An act to make valid the will of Jarvis White, a deceased soldier.

Mr. CONNELL, from the Committee on Banks, as committed, a bill entitled An act incorporating the Savings Institution of the city of Williamsport, in the county of Lycoming.

Mr. BIGHAM (same), as committed, a bill entitled An act to incorporate the Franklin savings fund and safe deposit compaoy.

Also (same), as committed, a bill entitled An act to incorporate the Armstrong County Savings Bank.

Also (same), as committed, a bill entitled An act to incorporate the Harmony Savings Bank of the village of Harmony, Butler county.

Also (same), as committed, a bill entitled An act to incorporate the Phœnix Savings Bank and Safe Deposit company.

Mr. RANDALL (same), as committed, a bill entitled An act to incorporate the Miners' Savings Bank of Pittston.

Mr. HAINES, from the Committee on Canals and Inland Navigation, a bill entitled A supplement to an act for the more effectual protection of the owners of logs and lumber in the Susquehanna river.

Also, (same), as committed, a bill entitled An act to declare Clear creek, in the county of Cameron, a public highway.

Mr. ROYER (same), as committed, a bill entitled An act to declare Mill run, in the county of Lycoming, a public highway.

Also (same), as committed, a bill entitled An act to authorize and empower William Hare to erect and maintain on Two Lick creek, in Cherry Hill township, Indiana county, at his mill on said creek, a boom for saw logs.

Mr. SHOEMAKER (same), as committed, a bill entitled An act to authorize John F. Satterlee to erect an eel weir in the Susquehanna river in Sheshequin township, Bradford county.

Mr. RANDALL, from the Committee on Railroads, as committed, a bill entitled A supplement to an act entitled An act relative to the running of railroad cars in the borough of York, extending the same to the borough of Glen Rock.

Mr. LOWRY (same), as committed, a bill entitled A further supplement to the act incorporating the East Brandywine and Waynesburg railroad company, approved March 31st, A. D. 1864.

Mr. LANDON (same), as committed, a bill entitled An act to incorporate the Delaware Valley railroad company.

Also (same), as committed, a bill entitled A supplement to an act entitled An act to incorporate the Mount Pleasant railroad company, approved the 22d day of March, A. D. 1865, extending the time for the commencement and completion of said road.

Also (same), as committed, a bill entitled An act to incorporate the Tidioute railroad company.

Also (same), as committed, a bill entitled An act to incorporate the Chester Creek railroad company, approved the 16th day of April, A. D. 1866.

Mr. GRAHAM (same), as committed, a bill entitled An act to incorporate the Ohioville railroad company, approved the 27th day of March, 1866.

Mr. STUTZMAN, from the Committee on Election Districts, reported, as committed, a bill entitled An act regulating the mode of voting at all elections in the several counties of this Commonwealth, and to regulate the mode of voting where boroughs and townships vote together, in the county of Washington.

Mr. WORTHINGTON, from the Committee on Education, as committed, a bill entitled An act to repeal an act entitled An act to authorize and require the school directors of West Caln township Chester county, to levy and collect taxes for the purpose of paying three hundred dollars each to persons who were drafted and furnished substitutes, under the call of the President, of July 18, 1864, approved 22d day of March, 1866.

Mr. HAINES, from the Committee on Agriculture and Domestic Manufactures, as committed, a bill entitled An act extending the provisions of an act relating to dogs in Allegheny, Chester, Northampton, Schuylkill and Lancaster counties, approved 6th day of April, 1754, to the county of Berks.

Also (same), as committed, a bill entitled An act for the better protection of deer and wild turkeys in this Commonwealth, and for the transportation of deer and venison within and through the same.

Mr. ROYER (same), as committed, a bill entitled An act extending the provisions of an act approved 7th day of May, A. D. 1864, entitled An act to prevent cattle, horses, sheep or hogs from running at large in Bethlehem township, Northampton county, to Lower Nazareth, East Allen and Saucon townships, in said county, and Venango township, Erie county.

Also (same), as committed, a bill entitled An act prohibiting the hunting, catching and killing of game in North Fayette, Allegheny county.

Also (same), as committed, a bill entitled An act to prevent the destruction of fish in Breeches pond or lake, in Overfield township, Wyoming county, and Chartiers creek, Washington county.

Mr. BILLINGFELT (same), with a negative recommendation, a bill entitled An act for the protection of sheep and taxing of dogs in certain counties in this Commonwealth.

Also (same), as committed, a bill entitled An act to prevent battle, horses, sheep and hogs from running at large in Chillisquaque township, Northumberland county, Kelly township, Union county, and certain townships in Luzerne county, &c.

Mr. BROWN, of Mercer (same), with amendments, a bill entitled An act for the preservation of fish in South Pond, in the townships of Union and Ross, county of Luzerne.

Also (same), as committed, with a negative recommendation, a bill entitled An act to protect game and fish in Luzerne county.

Mr. GLATZ (same), with a negative recommendation, a bill entitled An act in relation to hunting and killing wild game and deer in Lycoming, Clinton, Centre, Cameron, Clearfield, Elk, Potter and M'Kean counties, and in relation to dogs in said counties.

Also (same), with a negative recommendation, a bill entitled An act for the protection of wild turkeys in the county of Huntingdon.

Mr. WHITE, from the Committee on Military Affairs, as committed, a bill entitled Joint resolution relative to the claims of the heirs and legal representatives of Colonel John W. McClean, Eighty-third Pennsylvania volunteers for services in raising a regiment.

Also (same), with a negative recommendation, a bill entitled An act exempting certain soldiers from taxation for road purposes,

Mr. FISHER (same), as committed, a bill entitled A further supplement to an act to legalize bounties to volunteers, &c., in certain townships in Franklin county.

Mr. BILLINGFELT, from the Committee on Roads and Bridges, as committed, a bill entitled An act authorizing the court of quarter sessions of M'Kean county to appoint commissioners, &c.

Also (same), as committed, a bill entitled An act relative to a certain highway in the town of Coatesville, Chester county.

Mr. WALLS (same), as committed, a bill entitled An act to legalize the appointment, view and report of certain bridge viewers of Lgonier township, Westmoreland county.

Also (same), as committed, a bill entitled An act to authorize the road supervisors of the township of Collins, Allegheny county, to levy an additional tax, and make sidewalks along the public roads in said township, and increase the pay of supervisors and auditors in said township.

Mr. GRAHAM, from the Committee on Vice and Immorality, as committed, a bill entitled A supplement to an act entitled An act amendatory of the license laws of this State, approved April 11, 1862, in relation to the county of Berks.

Mr. SEARIGHT, from the Committee on Canals and Inland Navigation, as committed, a bill entitled a supplement to an act entitled An act establishing a ferry across the West Branch of the Susquehanna river in Lycoming county.

Mr. BURNETT, from the Committee on Estates and Escheats, as committed, a bill entitled An act to vest the title of Market Square, in the borough of Mechanicsburg, Cumberland county, in said borough.

Mr. HAINES, from the Committee on Agriculture and Domestic Manufactures, a bill entitled A supplement to an act regulating the laying out and opening of public roads, in the Commonwealth, approved June 13, 1836.

Mr. LANDON, from the Committee on Roads and Bridges, as committed, a bill entitled An act to authorize the supervisors of Cook township, Westmoreland county, to levy taxes for the construction of a bridge.

Mr. GLATZ, from the Committee on Roads and Bridges, as committed, a bill entitled An act to provide for the erection of a bridge across Nescopeck creek, in Nescopeck township, Luzerne county.

Mr. JACKSON, from the Committee appointed to Compare Bills, and present them to the Governor for his approbation, made report, which was read as follows, viz:

That in conjunction with a similar committee from the Senate, they have compared, and on the 25th instant presented to the Governor for his approbation, bills as follow, to wit:

House bill No. 628, a supplement to an act to legitimate George Humphrey Stump and Abraham Harrison Stump, approved the 28th day of April, A. D. 1854.

Also, on March 26th, 1867:

Senate bill No. 1227, an act to incorporate the Clarion coal company.

Senate bill No. 987, a supplement to an act incorporating the Lawrenceville and Oswayo railroad company, approved the 1st day of May, A. D. 1852, reviving said act and making new commissioners.

Senate bill No. 772, an act to exempt the property of the German Reformed congregation of New Goshenhoppen, in the county of Montgomery, from taxation.

Senate bill No. 1164, an act enabling the Hazelton railroad company to avoid the inclined planes.

Senate bill No. 373, an act to incorporate the Macungie Savings Bank.

Senate bill No. 498, a supplement to an act relative to the payment of bounties by the county of Clearfield, approved February 27th, 1865, extending the same.

Senate bill No. 735, an act to extend the time for the commencement and completion of the People's railway company and giving additional privileges.

Senate bill No. 95, a further supplement to an act entitled An act relating to corporations for mechanical, manufacturing, mining and quarrying purposes, approved the 18th day of July, A. D. 1863.

Senate bill No. 45, a supplement to act approved the 9th day of February, 1849, entitled A supplement to an act entitled An act to incorporate the Lykens Valley coal company, in Dauphin county, Pennsylvania, and to authorize the opening of a road in Honesdale, Wayne county, authorizing them to dispose of the stock of said company.

Senate bill No. 172, an act regulating the jurisdiction of courts in proceedings by bills for injunctions and other relief in equity and the service of process.

Senate bill No. 98, an act relating to the powers of the legal representatives of deceased tax collectors in this Commonwealth.

Senate bill No. 413, an act to prevent the burning of the woods in the counties of Clearfield, Fulton and Elk.

House bill No. 674, an act to incorporate the Susquehanna Depot Protective Union of Susquehanna Depot, Susquehanna county.

House bill No. 670, an act to incorporate the Danville water company.

House bill No. 671, an act relative to the borough of Kennett Square, in the county of Chester, enabling said borough to borrow money to erect water works, changing the mode of publishing ordinances, and opening, widening and straightening streets in said borough.

House bill No. 681, an act to divide the borough of New Brighton into three wards.

House bill No. 678, an act to authorize the borough of Lock Haven to erect water works.

House bill No. 640, an act relating to the compensation of the sheriffs of Butler and Indiana counties for boarding prisoners.

House bill No. 639 an act relating to the filing of liens and collection of taxes in the borough of Petersburg.

House bill No. 638, an act to extend the provisions of an act regulating the fees of district attorney, in the county of Bradford, in the court of quarter sessions, approved the 11th day of April, A. D. 1866, to the county of Cameron.

House bill No. 648, a supplement to an act to authorize the erection of a poor house in the county of Tioga, approved the 12th day of August, A. D. 1866.

House bill No. 660, an act in relation to the appointment of auctioneers in the county of Cumberland.

House bill No. 661, an act relating to indebtedness of the county of Dauphin.

House bill No. 491, an act to exempt the parsonage of the Park Presbyterian church congregation in the city of Erie, Pennsylvania, from taxation.

House bill No. 242, an act to exempt from taxation certain real estate in Philadelphia, belonging to and used and occupied by the Western association of ladies of Philadelphia for the relief and employment of the poor.

House bill No. 1391, an act authorizing the school directors of the school district of the borough of Ashland to borrow money.

House bill No. 465, an act to incorporate the American University of Pennsylvania.

House bill No. 485, an act to annul the marriage contract between Wm. Riley and Martha Willets.

House bill No. 539, an act to authorize the commissioners of Lehigh county to borrow money.

House bill No. 751, an act to incorporate the Oakdale skating park and physical institute of Philadelphia.

House bill No. 1117, an act supplementary to an act entitled An act to incorporate the Good Will fire engine company, No. 1, passed the 16th day of April, A. D. 1845, authorizing said company to issue stock.

House bill No. 586, an act to incorporate the Teachers' institute of the city and county of Philadelphia.

House bill No. 664, an act appropriating ground for public purposes in the city of Philadelphia.

House bill No. 594, an act to authorize and empower the Governor to issue a commission to Thomas M'Neish.

House bill No. 490, an act to incorporate the Peoples' Savings Fund insurance, trust and safe deposit company.

House bill No. 494, an act to authorize the school board of North Heidelberg township, in the county of Berks, to levy and collect an additional bounty tax.

House bill No. 456, an act to empower the orphans' court of Adams county to authorize Adam Lerew, trustee of Hiram Albert, to purchase real estate, and also to decree the sale thereof.

House bill No. 1600, a supplement to an act relative to roads in the county of Franklin, approved the 14th day of March, A. D. 1867.

House bill No. 248, an act to enlarge the jurisdiction of the courts of common pleas of this Commonwealth, relative to granting charters of incorporations and confirming those heretofore granted.

Also, on March 27th, 1867:

Senate bill No. 1301, an act to extend the provisions of an act to prohibit the issuing of licenses within certain boroughs in the counties of Armstrong, Potter, Indiana and Perry, or within two miles of the same, in the counties in which such boroughs are located, approved the 27th day of March, A. D. 1866, to the township of Derry, in the county of Westmoreland, and the borough of Blairsville, and the township of Burrell, and the township of East Mahoning, in the county of Indiana.

Senate bill No. 1002, an act to incorporate the Masonic Hall association of the city of Reading, Pennsylvania.

Senate bill No. 707, an act to repeal the first section of an act approved the 1st day of April, A. D. 1792, declaring the Little Lehigh a public highway.

Senate bill No. 689, an act relating to the office of county treasurer in Allegheny county.

Senate bill No. 688, an act to regulate the fees of the directors of the poor and house of employment of the county of Bedford.

Senate bill No. 625, an act to authorize the poor masters of Hamilton township, M'Kean county, to levy additional poor tax.

Senate bill No. 1027, an act to incorporate the Review printing house company of Philadelphia.

Senate bill No. 886, an act supplementary to an act entitled An act to enable the Pennsylvania Cannel coal and railroad company to borrow money, and to change the corporate name of said company, and confirm the title to real estate belonging to said company, and directing in what manner the mortgage authorized in said act shall be approved by the stockholders of said company, and to ratify the consolidation of certain companies under said act of assembly, and authorizing them to change the route of said road and reduce the number of directors.

BILLS IN PLACE.

Mr. CONNELL read in his place and presented to the Chair a bill entitled A supplement to an act relating to corporations for mechanical, manufacturing and quarrying purposes, approved on the 18th day of July, A. D. 1863.

Referred to the Committee on the Judiciary General.

Also, a bill entitled An act relating to the trial of civil actions in the courts of Philadelphia,

Referred to the Committee on the Judiciary General.

Also, a bill entitled an act to change the venue in a certain case from Schuylkill county to Lebanon county.

Referred to the Committee on the Judiciary Local.

Also, a bill entitled An act to incorporate the Argentine silver mining company of Colorado.

Referred to the Committee on Corporations.

Also, a bill entitled An act to incorporate the Asbury life insurance and trust company of Philadelphia.

Referred to the Committee on Corporations.

Also a bill entitled An act relative to street paving in the city of Philadelphia.

Referred to the Committee on Roads and Bridges.

Mr. BIGHAM, a bill entiled A further supplement to the act for the better management of the Allegheny county prison, approved 23d of March, 1865.

Referred to the Committee on the Judiciary General.

Also, a bill entitled A supplement to an act annexing the borough of Manchester to the city of Allegheny, approved March 12th, 1867.

Referred to the Committee on New Counties and County Seats.

Mr. WALLACE, a bill entitled An act relative to trusts for married women.

Referred to the Committee on the Judiciary General.

Also, a bill entitled An act to authorize the removal of certain cases from the court of

common pleas of Cambria county to the court of common pleas of Blair county.

Referred to the Committee on the Judiciary Local.

Also, a bill entitled A supplement to an act relative to estate of John Crosthwait, deceased.

Referred to the Committee on Estates and Escheats.

Also, a bill entitled An act to authorize the Benzinger coal and iron company to increase the width of their railroad and providing for the assessment of damages.

Referred to the Committee on Railroads.

Mr. M'CONAUGHY, a bill entitled An act for the better protection of persons, property and life in the mining regions of this Commonwealth.

Referred to the Committee on the Judiciary General.

Mr. SHOEMAKER, a bill entitled An act to authorize the burgess and town council of the borough of Wilkesbarre to borrow money to purchase grounds for a public cemetery, and to prevent further interments in the old graveyard.

Referred to the Committee on the Judiciary General.

Also, a bill entitled An act to extend the provisions of an act empowering railroad companies to employ a police force.

Referred to the Committee on the Judiciary General.

Also, a bill entitled An act to incorporate the Lucius S. Peck gold and silver mining company of Montana.

Referred to the Committee on Corporations.

Also, a bill entitled An act to incorporate the Pittston railroad and coal company.

Referred to the Committee on Railroads.

Mr. SEARIGHT, a bill entitled A supplement to an act approved the 17th day of April, 1866, authorizing the courts to fix and change the places for holding general elections in certain cases.

Referred to the Committee on the Judiciary General.

Mr. GRAHAM, a bill entitled A supplement to an act entitled An act creating a board for the erection of a city hall in the city of Pittsburg, approved the 1st day of March, 1867.

Referred to the Committee on the Judiciary Local.

Also, a bill entitled An act authorizing the trustees of the estate of John Means, deceased, to pay certain moneys.

Referred to the Committee on Estates and Escheats.

Also, a bill entitled An act to lay out a State road in Allegheny and Washington counties.

Referred to the Committee on Roads and Bridges

Mr. LANDON, a bill entitled An act authorizing the school directors of Clinton township, Wyoming county, to levy tax for bounty purposes.

Referred to the Committee on the Judiciary Local.

Mr. COLEMAN, a bill entitled An act to change the venue of a certain issue from Northumberland county to Lancaster county.

Referred to the Committee on the Judiciary Local.

Mr. BURNETT, a bill entitled An act relating to the collection of State and county taxes in the county of Monroe.

Referred to the Committee on the Judiciary Local.

Mr. M'CANDLESS, a bill entitled An act to incorporate the Peabody mining company.

Referred to the Committee on Corporations.

Also, a bill entitled An act to incorporate the Treasury silver mining company.

Referred to the Committee on Corporations.

Mr. RANDALL, a bill entitled An act to incorporate the Co-operative association of Tamaqua.

Referred to the Committee on Corporations.

Mr. BROWN (Mercer), a bill entitled A further supplement to an act to incorporate the Jamestown and Franklin railroad, approved April 3d, 1862.

Referred to the Committee on Railroads.

Also, a bill entitled An act annexing the farm of John Hamilton, in Sandy Lake township, Mercer county, to North township, in said county, for school purposes.

Referred to the Committee on Education.

Mr. JACKSON, a bill entitled A further supplement to the act incorporating the Catawissa and Towanda railroad company.

Referred to the Committee on Railroads.

Also, a bill entitled A further supplement to the act incorporating the Muncy Creek railway company, authorizing said company to hold additional lands.

Referred to the Committee on Railroads.

Also, a bill entitled An act authorizing the Superintendent of Common Schools to publish the official decision of the School Department.

Referred to the Committee on Education.

Mr. RIDGWAY, a bill entitled A further supplement to an act incorporating the Manufacturers' and Consumers' Anthracite railroad company.

Referred to the Committee on Railroads.

Mr. BROWNE (Lawrence), a bill entitled An act for the relief of Captain John Moore, jr., late of the Elderton Guards.

Referred to the Committee on Military Affairs.

Mr. SCHALL, a bill entitled An act relating to the paving of the streets of Allentown.

Referred to the Committee on Roads and Bridges.

Also, a bill entitled An act to erect the Fourth ward of borough of the Easton, in the county of Northampton.

Referred to the Committee on New Counties and County Seats.

HOME FOR SOLDIERS.

Mr. WHITE offered the following resolution, which was twice read as follows:

WHEREAS, It has been ascertained that there are many soldiers, citizens of Pennsylvania, who served faithfully in the late armies to suppress rebellion, and who, by reason of disabilities incurred in the service, are unable to command a livelihood, and are, in many instances, from necessity the inmates of alms houses and poor houses in the different counties in the Commonwealth; therefore;

Resolved, That the Committee on Military Affairs in the Senate be, and they are hereby, authorized and instructed to inquire into the propriety of purchasing a home for invalid soldiers by the Commonwealth, and among other places they are hereby requested to examine the adaptation of what is known as Ephrata Springs, Lancaster county, for such purpose, and to make report thereof to the next Legislature.

The resolution was adopted.

WITHDRAWAL OF PETITIONS.

Mr. FISHER asked and obtained leave to withdraw the petitions and documents relating to the incorporation of Bainbridge, Lancaster county, into a borough.

PRESENTATION OF BILLS TO GOVERNOR.

On motion of Mr. GRAHAM, the Clerk was directed to again present to the Governor bill entitled A supplement to an act to establish a ferry over the Monongahela and Youghiogheny rivers, and to vest the rights in John M'Kee, his heirs and assigns forever, approved the 5th day of February, 1784.

Said bill having been returned to the Senate by the Governor in pursuance of a resolution adopted by both Houses.

BILLS PASSED.

On motion of Mr. WALLACE, the Committee on Railroads was discharged from the further consideration of a bill entitled An act to authorize the Benzinger coal and iron company to increase the width of their railroad and providing for the assessment of damages.

And the rules having been dispensed with, The bill was read a second and third time, and

Passed finally.

Mr. BROWNE (Lawrence) read in his place and presented to the Chair a bill entitled A further supplement to an act entitled An act for the better regulation of billiard rooms, bowling saloons and ten pin alleys in the counties of Chester and Delaware, approved April 13th, 1859, extending the same to the counties of Lawrence, Butler and Armstrong.

Referred to the Committee on Vice and Immorality.

On motion of Mr. BROWNE (Lawrence), the Committee on Vice and Immorality was discharged from the further consideration of the above bill, and the Senate proceeded to consider the same.

And the rules having been dispensed with, The bill was read a second and third time, and

Passed finally.

On motion of Mr. JACKSON, the rules were dispensed with, and the Senate proceeded to the consideration of a bill entitled An act to empower the court of quarter sessions of Northumberland county to grant a license to Nicholas Wenk to keep a hotel.

The bill was read a second and third time, and

Passed finally.

OBSTRUCTIONS IN THE DELAWARE RIVER.

On leave,

Mr. BILLINGFELT read in his place and presented to the Chair a bill entitled Joint resolution appointing a committee to inquire into certain alleged misapplication of the money appropriated to remove obstructions in the Delaware river by an act passed April 4th, 1866, to improve the navigation of said river.

The resolution was read as follows:

WHEREAS, It is alleged that the moneys appropriated aforesaid are about being applied contrary to the purposes intended by said act; therefore.

Resolved (the House concurring), That a joint committee of four be appointed, consisting of two members from each branch of the Legislature, to inquire into the alleged misapplication of said fund, and for this purpose be authorized to send for persons and papers, and make report accordingly to the next session. The State Treasurer to be hereby required and directed in the meantime to withhold any further payment of said fund until the facts of the case are ascertained and the terms of said act complied with.

Mr. CONNELL. Mr. Speaker, so far as the interests of this Commonwealth are concerned, I deem it proper that there be some limits set to expenses growing out of this committee, therefore I move that they shall not in any event exceed the sum of two hundred dollars.

Mr. BILLINGFELT. Mr. Speaker, I do not apprehend any difficulty on that score—that is in reference to the pay of this committee—but to remove all doubts as to the

present necessity of this bill I ask the Clerk to read the following letter:

LUMBERVILLE, March 10th, 1867.

Hon. E. Billingfelt:

DEAR SIR—Permit me to ask a favor of you. It is this: Last winter (1866) the Legislature passed a bill establishing three commissioners for the Delaware river and appropriating ten thousand dollars to clear the same, five thousand to be expended, and in case New York gave one thousand then the commissioners were to receive the remaining five thousand. Now, sir, whether that money has been paid in or not I don't say, but sure I am that it was not all raised in the State of New York. I am informed, by good authority, that sheriff Barnes and John Shouse, two of the said commissioners, paid a part of that money out of their own pockets, they living in this State, which makes it a fraud. Now, sir, knowing you to be a friend of the taxpayers, and opposed to extravagant taxation and swindle, I hope you will endeavor to have the bill repealed, and especially as there is a great effort made to clear the river and make a slackwater navigation. You will see, at once, that the commissioners are not needed nor wanted, for I assure you that what they have done last summer is to obstruct the channel rather than improve it; and then these commissioners have power to grant to any of these incorporated companies the right to build dams to suit their convenience, which they have already done at Wells' Falls, last summer. For the truth of this I can refer you to numbers, but will content myself by giving you Hiram Scarborough, of New Hope, and John Fisher, one of the commissioners, who is opposed to the manner in which the other two commissioners have acted. There was no call for any such bill being passed last winter, and it was only gotten up for the purpose of enabling Barnes and Shouse to make money out of it. Why should Pennsylvania tax her citizens to improve the channel at this time, seeing that she has twice done so heretofore, and cleared the channel sufficient for all lumbering purposes? The State of New York furnishes seven-tenth of the lumber that runs the river, and had our representatives informed the people they would have petitioned the Legislature at once, but they have acted in opposition to the wishes of their constituents. It was thought by the people along the river that they would try to repeal it this winter, but they find our members have done nothing toward its repeal. We are also astonished to find that our members are in favor of damming the river and making a slackwater navigation, thereby destroying all the shad fisheries. If it is too late to repeal the bill, can there not be a joint resolution passed ordering the treasurer not to pay over the remaining five thousand? Believing you will do what you can I close my epistle by subscribing myself yours, most respectfully.

The motion of Mr. CONNELL was

Agreed to.

Mr. BURNETT. Mr. Speaker, I do not object to the investigation hereby proposed, but I am personally acquainted with Sheriff Barnes and Judge Shouse, of Pike county. I know them to be men of honor, and of undoubted integrity, and I denounce the aspersions contained in that letter as unjust and false.

Mr. JAMES. Mr. Speaker, I understand that five thousand dollars of the sum appropriated have already been expended in relation to this matter. As the law stands the residue will not be expended until New York has appropriated her share, which she has not, up to the present, done. Therefore, I cannot see any use in this committee, as no more money can be allowed by the State Treasurer until New York pays her share of the expense.

Mr. SCHALL. Mr. Speaker, I am opposed to this precipitate action unless charges are brought here that money has been misappropriated or is likely to be so. There is nothing before this body to justify an expenditure of two or three hundred dollars, in sending a committee up there. It will avail nothing. I protest against such action upon the mere assertion of one man, who perhaps knows nothing about it, or perhaps has an interest. I think this resolution ought to be postponed until we hear from the committee to whom it be referred.

Mr. BILLINGFELT. Mr. Speaker, if this money is to be misapplied we cannot ask for action too soon. Should the fact, as alleged by the other side, prove different, there will be no harm done. Unless this bill pass now, there may be loss to the State Treasury of the sum of five thousand dollars. I urge gentlemen, therefore, to present no obstruction to its early passage.

Mr. BURNETT. Mr. Speaker, there is no evidence before this Senate that the allegations contained in that letter are true. This resolution, I conceive, should, therefore, be referred to the proper committee. If any sufficient evidence shall come before them, guaranteeing the truth of these statements, of course let there be an investigation. I will not oppose it, if any reasonable grounds are shown of their truthfulness. But I trust this Senate will not, upon the random charges contained in that letter, place an unnecessary duty upon the shoulders of the Commonwealth. As I said before, from the light I now have, I pronounce it a tissue of falsehoods, and will so believe, in the absence of anything to sustain them. I would be recreant to my duty, if I sat quietly here while the characters of two of our most worthy citizens are wantonly and maliciously assailed, without a shadow of proof. Again, I say, let the bill take its regular course, and go to the proper committee; if there is any evidence to sustain it, I would unite with other Senators on this floor to bring about a speedy, full and complete investigation.

Mr. BILLINGFELT. Now these charges are pending before us upon allegations made in that letter. What harm can there be in examining into the matter? I have consulted with the State Treasurer, and with numerous Senators and members of the House in regard to this matter, and they have invariably approved of some quick and decisive action. I may here remark that this very proposition is made at the request of the State Treasurer, and I hope it will not be postponed.

Mr. SCHALL. I desire to ask the gentleman from Lancaster (Mr. BILLINGFELT) whether he knows this person—the author of this letter—does he know that he is a pilot, at the mouth of the Delaware river, engaged in the navigation of rafts, over places obstructed, in that river?

Mr. BILLINGFELT. I do know the author of that letter personally; as to his domestic occupation I am somewhat ignorant, but, sir, I know enough of him to assert that upon this letter it is necessary that a committee should be appointed to inquire into these alleged abuses.

Mr. WALLACE. It seems to me that this is simply ridiculous. Unless an accusation comes here supported by oath or affirmation of one who is acquainted with the facts, I think we are not warranted in doing anything that might contravene the already expressed intention of the Legislature.

Mr. JACKSON. The Senator from Lancaster says he is acquainted with him. I would ask him if it is the same person who was a member in the other House some time ago, who occasioned the disgust of all sensible persons in his vicinity?

Mr. GRAHAM. Mr. Speaker, I have been opposed to these investigating committees, generally. Now, I would not, intentionally, interfere with this investigation, but this thing is growing into a great evil amongst us. I am told that there are no less than from nine to ten investigating committees got up in this Legislature. These committees will be permitted to traverse the State on pleasure excursions or otherwise, and will come before us next session to ask to have their traveling and other expenses paid. Now, sir, I do not know what the merits of this case may be, but I do hope that it will be referred to the proper committee, and if there is any ground for investigation, that then an investigating committee shall be appointed, and not till then.

Mr. RIDGWAY. I would just like to make one statement, Mr. Speaker. I have conversed with the State Treasurer on this bill, and it is known that five thousand dollars of the money appropriated have already been squandered.

Mr. BURNETT. I would inquire if the State Treasurer has sufficient evidence to predicate that information upon. I do not permit the opinion of the State Treasurer, in the absence of any evidence, as better than that of any of us here. I therefore move that this bill be recommitted to the Committee on Finance.

The motion was

Agreed to.

BILLS RECONSIDERED.

Mr. LOWRY moved that the Senate reconsider the vote on the final passage of bill entitled An act to authorize the road commissioners of Mill Creek township, Erie county, to compel the owners of land fronting on Ridge road to make side walks and to straighten and open out said road.

Which was

Agreed to.

On motion of Mr. LOWRY, the further consideration of the bill was postponed for the present.

Mr. LOWRY moved that the Senate reconsider the vote on the final passage of bill entitled An act to extend the provisions of an act to prevent cattle, horses, sheep and hogs from running at large in Delaware county, to the county of Crawford and to West Donegal township, Lancaster county.

Which was

Agreed to.

Mr. LOWRY asked and obtained the unanimous consent of the Senate to amend the same by extending its provisions so as to embrace Erie county.

The bill as amended

Passed finally.

AFFAIRS IN SCHUYLKILL COUNTY.

Mr. M'CONAUGHY moved that the Committee on the Judiciary General be discharged from the further consideration of bill entitled An act for the better protection of persons, property and life in the mining regions of the Commonwealth.

On the question to suspend the rules to consider the bill, a debate ensued which will appear in the *Appendix*.

On suspending the rules,

The yeas and nays were required by Mr. M'CANDLESS and Mr. GLATZ, and were as follow, viz:

YEAS—Messrs. Bigham, Billingfelt, Browne (Lawrence), Brown (Mercer), Coleman, Connell, Cowles, Graham, Haines, Landon, Lowry, M'Conaughy, Ridgway, Rover, Shoemaker, Stutzman, Taylor, White, Worthington and Hall, *Speaker*—20.

NAYS—Messrs. Burnett, Davis, Donovan,

Daily Legislative Record.

FOR THE SESSION OF 1867.

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[CONTINUED FROM PAGE 808.]

Glatz, Jackson, James, M'Candless, Randall, Schall, Searight, Wallace and Walls—12.

So the question was determined in the negative.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

The Clerk of the House of Representatives being introduced, informed that the House of Representatives has receded from its amendments non-concurred in by the Senate to bills numbered and entitled as follows, viz:

No. 137, a supplement to an act to incorporate the city of Scranton, extending and defining the powers of said city.

No. 701, an act to incorporate the Enterprise gas light company.

He also returned bills numbered and entitled as follows, viz:

No. 839, an act declaratory of the statutes of limitation.

No. 1348, an act relative to the stone in the locks of the Franklin Branch of the Pennsylvania canal in Fairfield township, Crawford county,

With information that the House of Representatives has passed the same without amendments.

AN EVENING SESSION.

Mr. M'CONAUGHY offered the following resolution, which was twice read:

Resolved, That the Senate will hold an evening session, to commence at 7½ o'clock, to be devoted to the consideration of the bill entitled An act for the better protection of life, person and property in the mining regions of this Commonwealth.

The resolution was

Adopted.

MESSAGE FROM THE GOVERNOR.

EXECUTIVE CHAMBER,
HARRISBURG, March 28, 1867.

To the Senate and House of Representatives of the Commonwealth of Pennsylvania:

GENTLEMEN—I have the honor to submit, herewith, a letter from His Excellency, R. E. Fenton, Governor of New York (and four enclosures accompanying the same), on the subject of the western boundary between that State and this Commonwealth, and the monuments which mark said boundary.

I cordially commend the whole subject to your honorable body as one well worthy your most respectful consideration.

JNO. W. GEARY.

MESSAGE FROM GOVERNOR FENTON.

STATE OF NEW YORK,
EXECUTIVE DEPARTMENT,
ALBANY, March 25th, 1867.

His Excellency, John W. Geary, Governor of Pennsylvania:

SIR—The Legislature of this State, at its last session, authorized the agents of the University to make proper arrangements, in conjunction with the authorities of Pennsylvania, for renewing the monument indicating the western boundary line of New York. The chancellor of the University has this day addressed you upon this subject, and I commend his view to your early consideration.

Very respectfully,
R. E. FENTON.

UNIVERSITY OF THE STATE OF NEW YORK,
OFFICE OF THE REGENTS,
ALBANY, March 25th, 1867.

SIR—By order of the Regents of the University of this State, I have the honor to send to your Excellency a copy of a resolution adopted by the two Houses of the Legislature in April last, authorizing the Regents to arrange with the authorities of the State of Pennsylvania for renewing and replacing the monument near Lake Erie, on the boundary line between the two States.

I also enclose a copy of a report (Assembly documents of 1866, No. 191), made to the Legislature of this State on the 10th of March, 1866, by the Regent, on the longitude of the said boundary line, to which I beg to call your attention.

This communication has been delayed with the hope of sending with it the historical sketch referred to in the report; but the failure thus far to find some important documents in relation to the matter has, temporarily, as we hope, prevented its completion.

Should the Legislature of Pennsylvania concur with that of New York in authorizing the work referred to, the Regents of the University will, in behalf of this State, at any time enter into such arrangements with the authorities of Pennsylvania as may be requisite for its execution.

Yours with great respect,
JOHN V. L. PRUYN,
Chancellor of the University.

To his Excellency, JOHN W. GEARY, Governor of the State of Pennsylvania.

The foregoing, with the accompanying documents, were

Referred to the Committee on the Judiciary General.

BILLS ON THIRD READING.

Agreeably to order,

The Senate proceeded to the third reading and consideration of a bill entitled An act to incorporate the Good Spring iron and land company.

The bill

Passed finally.

THE ALLEGHENY VALLEY RAILROAD COMPANY.

Agreeably to order,

The Senate proceeded to the third reading and consideration of a bill entitled An act to authorize the Allegheny Valley railroad company to issue additional stock and bonds, and to repeal the act entitled An act to authorize the Allegheny Valley railroad to mortgage its road and branches to complete the same, approved the 8th day of March, A. D. 1867.

Mr. RIDGWAY. I move to recommit the bill to the Committee on Railroads. I am opposed to repealing the act already passed. I voted for that bill and deemed it very liberal, and I do not see the necessity for repealing it. They have ample power under that law. I think it gives a great many more privileges than that to which I am opposed. Let it be committed for the purpose of examination. The company will lose nothing if they have a liberal bill at present which will meet all they desire.

Mr. BIGHAM. I do not object to any examination that is necessary.

On the question,

Shall the bill be recommitted?

The yeas and nays were required by Mr. BIGHAM and Mr. RIDGWAY and were, as follow, viz:

YEAS—Messrs. Burnett, Connell, Davis, Donovan, Glatz, Haines, Jackson, Landon, M'Candless, Randall, Ridgway, Royer, Schall, Searight, Walls and Worthington—16.

NAYS—Messrs. Bigham, Billingfelt, Browne (Lawrence), Brown (Mercer), Coleman, Cowles, Lowry, Shoemaker, Stutzman, Wallace, White and Hall, *Speaker*—12.

So the question was determined in the affirmative,

SALE OF LIQUORS IN BERKS, LEBANON AND LEHIGH COUNTIES.

Agreeably to order, the Senate proceeded to the third reading and consideration of a bill entitled A supplement to an act to prevent the sale of intoxicating liquors on the first day of the week, commonly called Sunday, approved February 26, 1855, relating to the counties of Berks, Lebanon and Lehigh.

Mr. WORTHINGTON. I desire to say one word upon this bill, Mr. Speaker. I was not on the floor when the bill was previously up for consideration.

This is a proposed repeal of a part of what is called the Buckalew law, passed in the Legislature, in 1855, at the time Mr. Buckalew was a member of this House. It was drawn up by that gentleman, and operated well. Two years ago an effort was made here to alter it in this particular, with reference to Cumberland county. It was opposed by the Senate and rejected. Last year another attempt was made by the Senator from Schuylkill of a similar character. It was defeated, and the effort is now made to exempt three counties—to repeal the provision establishing imprisonment for every violation of the law. As the law now stands any person convicted is subject to both fine and imprisonment, and the courts are bound to inflict this penalty. It is now desired to grant the court a discretion, so as to fine or imprison.

It is said, Mr. Speaker, the law as it now stands, works badly in some sections of the country, but I think it is a wholesome law, and if we begin introducing changes into it, let them extend over the whole Common-

wealth. This is a general law, embracing all parts of the Commonwealth, and why should any one county be exempt from its operations?

I do not think that a law should apply to any one part of the Commonwealth independent of other parts—that one penalty be inflicted in one county and another in an adjoining county. But such laws as this should be general. They are right, and I can see no good reason why we should alter them, so far as Berks, Lehigh and Lebanon are concerned. I do not think the gentleman from Lebanon desires that his county be exempted from the law, and I trust the Senate will do as it has on former occasions, with reference to the other counties; that is, refuse to alter it. This provision had its origin in 1855, under the supervision of Mr. Buckalew; it has, as I said, before operated well and should be continued on the statute book.

Mr. DAVIS. Mr. Speaker, we ask this supplement to insure a more certain enforcement of the law. As it stands now, in many of the counties, it cannot be enforced. I heard of a case this very morning, where a man was prosecuted for selling liquor in violation of the law. The judge charged the jury as to the law, and the jury, after being out five hours, came in and asked to be discharged, because they could not agree. But the judge told them that the law was imperative, and they came in, in half an hour, with a verdict of not guilty. Now the judge could have imposed a heavy fine on that individual had a reasonable discretion been given, but a conviction for the first offense, subjecting him to imprisonment, could not be obtained. I hope gentlemen understand that all we look for is a law that can be carried into effect.

Mr. WORTHINGTON. Mr. Speaker, whether men should be fined and imprisoned for selling liquors on Sunday, is one question. Whether the penalty should be one in Berks county, and another in Bradford county, is an entirely different thing. Undoubtedly the offense of an unlawful selling intoxicating liquors is an offense for which the penalty should be uniform in all the counties. I do not say that a man should be fined and imprisoned for selling liquor in violation of its provisions; but I do say there should be uniformity, and I will not vote to make the penalty one thing in one county and make it different right over the turnpike, in the county adjoining. If the gentleman will make a law general I will take it into consideration. If it is wrong in one county, it is wrong in all; if it is right in one, it is right in all.

Mr. SHOEMAKER. In regard to this bill, Mr. Speaker, I should like to see it become a general law, for my impression is, that by its severity parties are not convicted who would otherwise be punished. I do not know to what case the gentleman from Berks alludes. A man in Luzerne, plainly guilty under the law, was acquitted by the jury, even after they were reinstructed by the judge, and would have been punished, had the law been different. I repeat, I am in favor of a general law, but if that cannot be effected, I propose to give those relief who come here to ask for it. Judge Woodward, who recommends this law, is an eminent gentleman, and a personal acquaintance of mine. For these reasons, I will vote for the bill.

Mr. LOWRY. I consider, sir, that the severity of the law in this case is an absolute protection to crime. I would very much prefer that this legislation should be general; I think it should be for the whole Commonwealth. It is the certainty of punishment and not its severity that prevents crime. I think, then, that the Senator having this bill in charge had better consent to make it comprehend all the counties. The severity of the law at present pours down the neck of men more whisky on the Sabbath day than any law on our statute books. [Laughter]. Senators may laugh, but they laugh at a truth, a sober, universal truth. I say the severity of the law makes juries and judges shrink from duty, and it makes prosecutors cowards. I am in favor of a modification of the law so far as to give the judges on the bench a legal discretion whether they will send a man to prison or not for selling liquor unlawfully.

Mr. FISHER. I believe there is a great deal of force in the remarks of my friend, the Senator from Erie. I have been told by a gentleman of integrity, intelligence and high respectability, that owing to the severity of the law as it now exists, it is impossible to convict a man of this offense in Berks county. That, sir, is not the case in Lancaster county. They do convict them there every term of the court of quarter sessions, and they are imprisoned, but it so happens that in almost every instance, when he has been appealed to, the Governor has exercised the executive clemency and let them out.

Mr. BILLINGFELT. I would inquire whether the present Governor has pardoned any person convicted of this offense?

Mr. FISHER. I believe there has been no convictions since his inauguration.

Mr. BILLINFGELT. I know some that he refused to pardon.

Mr. FISHER. Mr. Speaker, there may be exceptions, but I tell you that it is the honest conviction of my heart, that to cure this evil you must strike at the root of it, and whenever the time comes that we can strike, then I am ready. The remedy is this: Abolish the entire system of the sale of intoxicating liquors as a beverage, and wipe it out and leave no vestige of it. It is the darkest stain upon the moral character of our Government. I believe this modification, however, will to some extent, operate as a remedy in the county of Berks, at least I have been so informed. As has been said, they cannot convict now, because the penalty is imprisonment, and the juries have generally brought in a verdict of not guilty. If the matter is left to the discretion of the court, knowing as I do that they have a judge on the bench above suspicion, I believe there may be convictions, otherwise I believe there will be none; hence, as much as I dislike to vote for any measure that might seem on its face to sanction the drinking of intoxicating liquors, I shall be constrained to vote for this bill. Where they can be convicted, however, I see no necessity for a change in the law, and will vote accordingly.

Mr. BIGHAM. Mr. Speaker, if this were made a general law, it would exactly meet the argument of the gentleman from Lancaster who has just taken his seat. I would leave it to the discretion of the court where ever the court believed public sentiment would not allow the penalty to be inflicted. Now, I am anxious to see this law enforced. I believe it is understood that they pay no respect to the Sunday law in Philadelphia. In Allegheny county, so far as the street door is concerned, they are to all appearances closed. I think if this law was modified so that imprisonment would not in all cases follow conviction, that it would be enforced. I think the Legislature should remedy the injustice done the Executive by the original bill. In every instance, after conviction I have known in our district under this law, it has resulted in going to the Governor, who has uniformly remitted the penalty. This was done by the Executive in deference to the strong existing public sentiment. I think it is unkind for the Executive to be put in this position. I do not know the views of the present Governor, but under the last Executive there was an instance of eight or ten Germans being convicted in our court, and the Executive was constrained to pardon them on paying the fine. I am in favor of throwing the responsibility on the judges, and of voting a general law if it can be so modified.

Pending the consideration of the bill the Senate adjourned.

AFTERNOON SESSION.

The Senate reassembled at three o'clock, P. M.

BILL PASSED.

On leave,

Mr. RANDALL read in his place and presented to the Chair a bill entitled An act to authorize the burgess and town council of the borough of Tremont, Schuylkill county, to levy a tax.

Referred to the Committee on the Judiciary Local.

On motion of Mr. RANDALL, the Committee on the Judiciary Local was discharged from the further consideration of this bill, and the Senate proceeded to consider the same.

And the rules having been dispensed with,

The bill was read a second and third time, and

Passed finally.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

The Clerk of the House of Representatives being introduced, presented for concurrence bill numbered and entitled as follows, viz:

No. 1668, an act to increase the revenues of the city of Philadelphia, and to designate the classes of property exempted from taxation for municipal purposes in said city.

Referred to the Committee on Finance.

RECOMMITTAL OF BILL.

Mr. BIGHAM moved that bill entitled An act to incorporate the Miners' Saving Bank of Pittston, be recommitted to the Committee on Banks.

The motion was,

Agreed to.

BILL REFERRED TO ANOTHER COMMITTEE.

Mr. CONNELL moved that bill entitled An act regulating interest on public accounts, be referred to the Committee on Finance.

The motion was

Agreed to.

SALE OF LIQUORS IN BERKS, LEBANON AND LEHIGH COUNTIES.

Agreeably to order,

The Senate resumed the third reading and consideration of bill entitled A supplement to an act to prevent the sale of intoxicating liquors on the first day of the week, commonly called Sunday, approved February 26th, 1855, relating to the counties of Berks, Lebanon and Lehigh.

Mr. BIGHAM. I was substantiall through when we adjourned. Mr. Speaker, my individual preference extends to the modification sought for. If the word "or" was substituted for the word "and," in the original bill, it would be exactly what is now proposed to be done; notwithstanding I would rather vote to make it a general law.

Mr. BILLINGFELT. I have no desire to interfere with the local legislation of the gentleman from Berks [Mr. DAVIS], or of other counties. Its influence will more or less be disseminated through at last the six adjoining counties of Lancaster, Chester, Bucks, Lehigh, Montgomery and Schuylkill. The force of the argument employed by the Senator from Berks rests solely upon the fact

that they cannot procure a jury who, under the solemn sanction of an oath, will convict. They are expressly sworn to try the case and render the verdict according to the evidence, having the instructions of the judge as to the law. I believe that is the main point upon which he bases the whole force of his speech.

Now, sir, not long since the Senator from Berks introduced a bill here making it a penal offense for any hotel keeper in his county to refuse to entertain a person on account of his color. If, then, their juries will uniformly refuse to convict persons of selling liquor upon the Sabbath, I would inquire if there can be a jury found who will convict under that bill which he introduced here to become a law? I ask for an answer to that question.

Mr. DAVIS. I have no doubt that Republican hotel keepers would come here to have Berks county excluded.

Mr. BILLINGFELT. I would suggest to the Senator from Berks that in that case, whenever a conviction cannot be obtained for a violation of that law, to agree to a change of venue, so that a trial may be had in any county. Apart from that, Mr. Speaker, living so near the county of Berks, I cannot be expected to vote for a bill relieving the people of that county from a penalty inflicted upon their very neighbors, and on the people in all other parts of the Commonwealth. I therefore will relieve myself of all responsibility, if this bill pass, by an uninterrupted resistance to it.

On the final passage of the bill,

The yeas and nays were required by Mr. DAVIS and Mr. BILLINGFELT, and were as follow, viz:

YEAS—Messrs. Bigham, Burnett, Coleman, Connell, Davis, Donovan, Fisher, Glatz, James, M'Candless, Randall, Ridgway, Schall, Shoemaker, Stutzman, Taylor, Wallace and Walls—13.

NAYS—Messrs. Billingfelt, Browne, (Lawrence), Brown (Mercer), Graham, Haines, Landon, Lowry, Royer, White, Worthington and Hall, *Speaker*—11.

So the bill

Passed finally.

ORGANIZATION OF THE MILITIA IN THE FIRST DIVISION OF PENNSYLVANIA.

Agreeably to order, the Senate proceeded to the third reading of the bill entitled A further supplement to an act, approved May 4th, A. D. 1864, for the organization, discipline and regulation of the First division of the militia of the Commonwealth of Pennsylvania.

Mr. WORTHINGTON. Mr. Speaker, I move that the Senate go into committee of the whole for the purpose of inserting the following amendment:

And be it further enacted, That members of religious denominations who shall, by affirmation, declare that they are conscientiously opposed to the bearing of arms, and who are prohibited from doing so by the rules and articles of faith and practice of said religious denominations, shall be considered non-combatants and be excused from military duty or demands: *Provided*, That no person shall be entitled to the benefit of this section, unless his declaration of conscientious scruples against bearing arms shall be supported by satisfactory evidence that his deportment is consistent with such declaration.

Mr. WORTHINGTON. Now, Mr. Speaker, this is said by the gentleman from Philadelphia [Mr. M'CANDLESS] to be a local bill. I admit that, but I think it involves a principle that extends beyond the limits of that city. Hence, I claim the right to make a few remarks in relation to it.

We are told the constitutional provision settles the question. The second section of the sixth article reads as follows: "The freemen of this Commonwealth shall be armed, organized and disciplined"—I presume for its defense—"when and in such manner as may be directed by law. Those who conscientiously scruple to bear arms, shall not be compelled to do so, but shall pay an equivalent for personal service."

Now, it will be observed that the Constitution requires the freemen of the Commonwealth to be armed, organized and disciplined. That is all the freemen, I presume, that are able to bear arms. It does not mean a part of the freemen of this Commonwealth, but it means them all.

Now, it has been usual—I believe it has been incorporated in every militia bill that ever passed the Legislature—that all the freemen who were able to bear arms were not embraced in the militia bill. They are not enrolled. The colored men are not enrolled under any militia law we have had, and yet he is a freeman; he is competent to be a soldier, and a good soldier. Many men over forty five years of age are as able to bear arms as those who have only arrived at twenty-five or thirty five years. They are always exempted by law, notwithstanding that they frequently have a good constitution and all the physical vigor necessary. I, therefore, say he is a freeman competent to bear arms and he is excluded by the law. The judges of our courts are excluded by law; the clerks in these Houses are excluded by law; all the clerks and officers of the counties are excluded by law; directors of public schools are excluded by law; so that you perceive the Legislature has always exercised the right and the privilege to construe that portion of the Constitution in such a way as not to include all the freemen of the Commonwealth who are competent to bear arms. There is a power of discrimination then or you could not excuse the negro and the man over forty-five who is able to bear arms. I call upon you then to exercise this privilege a little further—to exercise this right again. If you have the constitutional power to exempt those I have mentioned, then you can exclude the man who is conscientiously scrupulous against bearing arms, and enact that he shall not be compelled to do so. Further, if he is conscientiously scrupulous against bearing arms he is equally so with regard to paying a fine that is to pay for somebody else to go into the ranks, to fight the battles for him.

These gentlemen, these Friends, who object to this enrollment and this tax, are really conscientious on this subject. They have strong, moral and religious feelings in regard to it, and as they cannot and will not fight, so they feel equally hostile to the payment of a fine; for it is nothing more nor less than paying for the services of some other man to fight. And if they are really conscientious, I am not surprised that they make no distinction between those two points.

Now, Mr. Speaker, there is another clause in the Constitution to which I will call the attention of the Senate. In the ninth article, section third, you will find that no human authority can, in any case whatever, control or interfere with the rights of conscience. Is not that a part of the Constitution? Is not that as binding upon us as any other part of it? I ask whether it is not interfering with the rights of conscience to compel a man to fight or pay a fine for not fighting, and employ somebody else to fight when the religious convictions of a man are repugnant to it?

If he justly and conscientiously believes that it is in violation of his religious duty and that he cannot consistently with his duty to his God and his own conscience do either of these things, I ask, is it not a great stretch of authority on the part of the Legislature of Pennsylvania to say we will not exempt him when we at the same time excuse the colored portion of our people and men who are physically able to bear arms?

Now, the General Government, during the war, regarded this people as non-combatants; they saw the impropriety of compelling them to enter the service when they perceived that they would suffer any penalty they could inflict upon them rather than fight. When the General Government found it was entirely useless, they acted very wisely, in my opinion, by saying that they should be employed in some other way. It is well known that you cannot compel them to fight; those who are really conscientious, you may inflict upon them any penalty you choose and yet they will stand firm to their principles. If then it is consonant with our Constitution, it is only just that we should extend our authority so far as to relieve this people from the small pittance which would be collected from them. It is not a matter of dollars and cents. It is not a question of the amount they will be obliged to pay; it is a question of conscience. This State, sir, was founded by William Penn, one of the early members of this sect. It bears his name; it was they who controlled the government of this State for seventy years; on the verge of the Revolution it passed from their hands, and now is controlled by others. I say it is not magnanimous in us, when we are in the position they occupied, to force upon them against their conscience or sense of duty what they cannot possibly perform. That we have the right, I think there is no question, to exempt them. This amendment, it will be observed, is well guarded. It is probable no great advantage can be taken of it, because no man who would take advantage of the oath that he was conscientiously scrupulous on this matter could by that alone obtain exemption. He must show by consistent works and conversation, and by the acts of his life, that he is true to his profession.

I do not know what objections will be made to this; the only one I have heard as yet is that these people share in the benefits of the Government; they are under its protection, and therefore they ought to assist in bearing its burdens. Well, sir, that applies to them no more than to other people; both the colored freemen and men beyond the age of forty-five, who are physically competent, are both within this category. If we can excuse a man from the color of his skin from serving in the war, why cannot we excuse a white man if his conscience is against it? There is no doubt in my mind as to the power of this Legislature in the premises, and I ask that it be justly and righteously exercised for the benefit of these people. These are my views, given as briefly as possible. I hope then that we will go into committee of the whole for the purpose of adopting that amendment.

Mr. WALLACE. Mr. Speaker, it is perhaps due to those who maintain the other side of the question to say a few words in reference to it. While this class of citizens deserve commendation as remarkably good citizens, it is our sworn duty to administer the Constitution as it is. In their memorial read here this morning, they pride themselves on their devotion to the country during the last five years. They allege that they have been continually loyal to the Government, and that they have aided in sustaining it. If this be true, then they have been acting in utter violation of their conscientious convictions. They have been aiding and maintaining war and battle. But be that as it may, I merely rise to put my interpretations upon the very words of the Constitution quoted. They are these: "The freemen in this Commonwealth shall be armed, organ-

ized and disciplined for its defense when and in such manner as may be directed by law. Those who conscientiously scruple to bear arms shall not be compelled to do so, but shall pay an equivalent for personal service."

Is it possible to make any more plain what the Senator says in reference to persons over forty five, and in relation to colored persons, or any other class of citizens, does not affect this question at all. Here it is in a nut-shell: "Those who conscientiously scruple to bear arms shall not be compelled to do so, but shall pay an equivalent for personal services." This is unusually emphatic and clear. It is not possible to put in language more plainly the intention of the people. Who are those who scruple to bear arms? They are those for whom the Senator asks this exemption. Why does he ask us to exempt them? Because they conscientiously scruple to bear arms, yet the Constitution, in reply to this, says that they must pay an equivalent. On the one hand we give to the clause its proper interpretation and effect, and on the other we violate our official oaths. That is very plain. If there be any proposition in the Constitution emphatic, distinct and clear, it is this. If this be true, Mr. Speaker, then the amendment of the Senator from Chester should not and cannot prevail.

Mr. WHITE. Mr Speaker, it is perhaps due to the Military Committee who reported this bill as committed, and also to a very respectable class of our fellow-citizens, in whose behalf this exemption is sought, to state that the committee, upon notice being given by the gentleman from Chester [Mr. WORTHINGTON] that a large representation of his constituency desired to be heard and represented on this question, appointed a meeting to hear them. I am aware that a large class of the gentleman's constituents are Quakers, and, of course, as they feel on this question, so do the Friends of Philadelphia. It is known at the same time that we had a bill organizing the militia of the Commonwealth under our consideration, which had a provision somewhat similar to that he proposed to modify, and his constituents desired to have their views presented, it was the pleasure as well as the duty of the Military Committee to designate a time and place to listen to them. It is due to the committee to say that they heard them and that they were a very intelligent delegation of this people. They presented their views and the question was well argued and viewed in all its aspects. Nothwithstanding the committee were unanimous in the decision at which they arrived, namely, that this bill should be reported as committed, and the prayer of these gentlemen respectfully refused. Now, Mr. Speaker, it may be said at this time we are in a state of peace. It was said then that we were in a condition of peace, and that it was unnecessary to impose on them any odious burdens; that is all very true. But that is but a temporary consideration and should not affect a great principle. We are here in passing upon this bill in the discharge of a constitutional duty to organize the militia of this Commonwealth, and as we establish a precedent here now, we cannot fail to encounter its bad effects hereafter. Should we make a mistake—should we do that which is a direct violation of the Constitution—what a large majority here believe are sworn constitutional duties? I was very glad to hear my friend, the Senator from Clearfield, express his views as to these obligations resting upon us, under the Constitution, to provide for the organization of all the citizens of the Commonwealth in a militia. I agree with him that we could not, by the second section of the sixth article of the Constitution, adopt these amendments. As to the argument of the Senator from Chester, that the colored citizens of this Commonwealth have not been enlisted amongst the militia who have not been heretofore provided for under the militia law of the Commonwealth, I would say that when that legislation was had their exact status was not settled; it was not determined whether they were citizens of the United States until the experience of the recent rebellion taught us they were. When those laws were passed they were organizing for a condition of war. If we were mustering forces to send them to the field we might make ample provision for them, and I doubt not that we will. However, we must take these things as we find them. The bill before us only provides for the organization of the white freemen of the district of Philadelphia—all those who are able to bear arms. If, then, a class of these white citizens are exempt on account of conscientious scruples, it is our duty to make such provision for them as the Constitution requires so to make. Can we do otherwise now than was done throughout the war? Can we do better in adopting measures of this kind than to follow the language which the General Government adopted on this subject? I apprehend not, sir. In 1862, when there was a draft ordered by the National Government, to be conducted under the machinery which the State had established, it was provided that those who were conscientiously scrupulous about bearing arms should pay conscientiously scrupulous money.

As much as I respect the Quaker element of the country; as much as I appreciate their philanthropy, hospitality and general patriotism, I think we should be faithless to ourselves and to our duties, if we established a precedent which might hereafter occasion incalculable difficulty; therefore, I shall oppose the amendment of the gentleman from Chester. I may say here at this point, that the bill comes here under the auspices of some gallant soldiers of Philadelphia, all men who have signalized themselves on many a well contested field. It is due to their energy and perseverance in preparing this bill that we have it here to day. I think it is a good bill—a bill which, if the officers under it could do their duty, would place the militia of the First division of the city of Philadelphia, in a condition to answer any of the necessities which might arise in the borders of the State.

On the motion of Mr. WORTHINGTON, to go into committee of the whole for the purpose of amending the bill as stated,

The yeas and nays were required by Mr. WORTHINGTON and Mr. WALLACE, and were as follow, viz:

YEAS—Messrs. Billingfelt, Connell, Haines, Lowry, Randall, Ridgway, Royer, Stutzman and Worthington—9.

NAYS—Messrs. Bigham, Browne (Lawrence), Brown (Mercer), Burnett, Coleman, Cowles, Davis, Donovan, Fisher, Graham, Jackson, James, Landon, M'Candless, Schall, Searight, Shoemaker, Taylor, Wallace, Walls and White—21.

So the question was determined in the negative.

During the call,

Mr. BIGHAM said: Allow me to say, in summing up, that in the year 1864, when the military bill was up and was so largely discussed, I fully made up my mind that it was an imperative duty not to exempt this class of people, and that all we could do was to require them, in refusing to perform military services, to pay a military equivalent.

Mr. BROWNE (Lawrence). So far as I understand it, it is the permptory duty either that citizens should bear arms or should pay an equivalent. If I were conscientiously scrupulous against bearing arms, I do not think I would be conscientiously scrupulous about paying the equivalent. I think that is the Christian doctrine, that a man who is opposed to serving in person should give of his substance.

Mr. FISHER. As I believe that to pass this amendment would be to violate the Constitution, I vote "no."

Mr. GRAHAM. For the reasons assigned by the Senator from Lawrence [Mr. BROWNE] I vote no.

Mr. LOWRY. My view of the question is that in time of war Quakers should fight, and in time of peace there is no necessity for it, therefore I vote for the amendment.

Mr. M'CANDLESS. I am one of Cromwell's Christians, who believe in putting their trust in God and keeping their powder dry. I vote no.

Mr. TAYLOR. As much as I desire to favor that worthy class of citizens known as Quakers, I cannot at the same time vote for an unconstitutional provision, I therefore vote no.

Mr. CONNELL. Any commissioned officer is allowed, by this bill, to collect the funds himself. That, Mr. Speaker, must inevitably lead to great difficulty.

Mr. M'CANDLESS. That provision is made for the purpose of getting the funds promptly, without having to go through the hands of the receiver of taxes. You will find that as you go down further in the bill that there has been a regular provision incorporated in reference to that.

Mr. CONNELL. Mr. Speaker, this is certainly liable to very great objections.

Mr. RIDGWAY. It is better some amendment be made here, otherwise you may have twenty men collecting this tax in the city of Philadelphia. I hope that we will strike out all parts of this bill where it authorizes anybody else but the receiver of taxes to receive the money.

By unanimous consent, the suggestions were inserted in the bill.

The bill was then read the third time, and Passed finally.

REGISTRATION OF VOTERS.

Agreeably to order,

The Senate proceeded to the second reading and consideration of a bill entitled A further supplement to an act relating to elections in this Commonwealth.

The bill was read as follows:

A FURTHER SUPPLEMENT to the act relating to the elections in this Commonwealth.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same.* That from and after the passage of this act it shall be the duty of the several assessors within this Commonwealth, on receiving their transcripts from the county commissioners, to proceed to make out a list, in alphabetical order, of the white freemen above twenty-one years of age, who they shall know, or who shall make claim to said assessors, to be qualified voters within their respective townships, boroughs, wards, or other election districts, and opposite said names state whether the said freeman is or is not a housekeeper, and if he is, the number of his residence, in towns where the same are numbered, with the street, alley or court, in which situated, and if in a town where there are no numbers, the name of the street, alley, or court, on which said house fronts; also, the occupation of the party, and where he is not a housekeeper, the occupation, place of boarding, and with whom, and if working for another, the name of the employer. Where said party is a foreigner, and claims to vote

by reason of naturalization, he shall exhibit his certificate thereof to the assessor, unless he shall have voted in the township, borough, ward or district at a preceding general election; and on exhibition of the certificate, the same shall be marked with the letter N; where the party has merely declared his intention to become a citizen, and designs to be naturalized before the next election, the name shall be marked D I; when the claim is to vote by reason of being between the ages of twenty-one and two, as provided by law, the word "age" shall be entered; and if the party has moved into the election district to reside since the last general election, the letter "R" shall be placed opposite the name; and in all the cases enumerated, a tax shall forthwith be assessed against the person.

SEC. 2. On the lists being completed and assessments made, as aforesaid, the same shall forthwith be returned to the county commissioners, who shall cause duplicate copies of said lists, with the observations and explanations required to be noted, as aforesaid, to be made out as soon as practicable and placed in the hands of the assessor, who shall, prior to the first of August next ensuing said assessment, put one copy thereof on the door of the house where the election of the respective district is required to be held, and retain the other in his possession for the inspection, free of charge, of any person resident within the said election district who shall desire to see the same; and it shall be the duty of said assessor to add, from time to time, on the personal application of any one claiming the right to vote, the name of such claimant and mark opposite the name "C. V." and immediately assess him with a tax.

On the fourteenth day preceding the general election in October next thereafter, it shall be the duty of the assessor to produce the list in his possession to the inspectors and judges of the election in the proper district, at a meeting to be held by them as hereinafter directed.

SEC. 3. It shall be the duty of the inspectors and judge of the election, together with the assessor, to attend at the place of holding the general elections for the respective election districts, on Thursday, the twelfth day preceding the second Tuesday of October, and on the other days hereinafter mentioned, and continue in open session at said place from nine o'clock, A. M., till six o'clock, P. M., of said day, to hear proof of the right of the respective persons to vote whose names are contained in the assessor's list as before mentioned, or who shall apply to them to have their names registered; and all persons who have not previously voted in the election district shall make due proof in the manner now prescribed by the election laws of their right to vote in said district, and like proof shall be made in all cases by those applying for registry whose names are not enrolled by the assessor; and it shall then be the duty of the assessor to forthwith assess said person with a tax, as required by law, on the proof being made to the satisfaction of the election board. On the list of voters in the township being complete, it shall be the duty of the election officers aforesaid to cause duplicate copies thereof to be made out forthwith, in alphabetical order, one of which shall be placed on the door of the house where the elections are to be held, and the other retained by the judge of the election, who shall hold the same, subject to the inspection of any citizen of said district, until the day of the general election, and produce the same thereat; and as each person whose name is enrolled votes at said election, one of the clerks thereof shall mark on or opposite to the name "voted," and it shall not be lawful for the officers of the election to receive the vote of any person whose name was not contained in said registry made out and put up ten days before the election as aforesaid, and the reception of the vote of any person not so registered shall constitute a misdemeanor in the election officers so receiving it, and on conviction thereof, the election officers so offending shall be subject to fine and imprisonment, at the discretion of the court.

SEC. 4. It shall be lawful for any qualified citizen of the district, notwithstanding the name of the proposed voter is contained in the registry, and the right to vote has been passed on by the election board, to challenge the vote of such person, whereupon the same proof of the right of suffrage as is now required by law, shall be publicly made and again acted on by the election board, and the vote admitted or rejected according to the evidence. Every foreigner shall be required to produce his naturalization certificate at the election before voting as required by existing laws, although the same may have been exhibited to the election board before registry; and on the vote of such person being received, it shall be the duty of the election officers to cause to be distinctly written thereon the word "voted," with the month and year; and if any election officers, at the same or any other district, shall receive a second vote on the same day by virtue of such certificate, the persons so offending shall be guilty of high misdemeanor, and, on conviction thereof, be fined and imprisoned, at the discretion of the court: *Provided*, Said fine shall not exceed one hundred dollars, and the imprisonment shall not exceed one year; and like punishment may be inflicted on the officers of the election who shall neglect or refuse to make, or cause to be made, the endorsement required as aforesaid on said naturalization certificate.

SEC. 5. On the close of the polls the registry list, on which the memorandum of the voting has been kept as before directed, shall be sealed up with and preserved in the same manner now required by law as to the tally papers, and not taken out until after the next meeting of the Legislature, unless required on the hearing of a contested election, or for the purpose of being used at the election of presidential electors, or preparatory thereto, as hereafter provided, after which it shall again be sealed up and carefully preserved as before directed.

SEC. 6. On the Thursday twelve days preceding every election for electors of President and Vice President of the United States, it shall be the duty of the election board and the proper assessor to meet at the place of holding the general election in the district, for the same length of time and in the manner directed in the third section of this act, and then and there hear all applications of persons whose names have been omitted from the registry and who claim the right to vote, or whose rights have originated since the same was made out, and add thereto the names of such persons as shall show that they are entitled to the right of suffrage in such district on the personal application of the claimant only, and if the person shall not have been previously assessed, it shall be the duty of the assessor forthwith to assess him with the proper tax. After completing the list, a copy thereof shall be placed on the door of the house where the election is to be held, at least ten days prior to holding the same, when the same course shall be pursued in every particular in regard to reciving or rejecting the votes, marking the same on the registry list, endorsing the naturalization papers with the proper month and year, preserving the paper, et cetera, as is required by this act at the general elections in October.

SEC. 7. At every special election directed by law, and at every city, ward, borough or township election, the registry required to be kept as aforesaid may be used by the proper officers as evidence of the persons entitled to vote thereat, and said officers shall require all persons whose names are not on the registry, whether challenged or not, to show that they possess the right of suffrage at said election, but nothing herein contained shall make said registry conclusive of the right of the person to vote at such election, but the same shall be judged of and decided as in other cases.

SEC. 8. Before entering on the duties of their offices under this act, the respective assessors and inspectors and judges of the elections shall take an oath, before some competent authority, in addition to the oaths now required by law, "to perform the several duties enjoined by this act with fidelity and according to the requirements thereof in every particular to the best of their ability;" they shall each have the power to administer oaths to every person claiming the right to be assessed or enrolled, or the right of suffrage, or in regard to any other matter or thing required to be done or inquired into by said officers under this act; and any willful, false swearing by any person in relation to any matter or thing concerning which they shall be lawfully interrogated by any of said officers under this act shall be punished as perjury. Said assessors, inspectors and judges shall each receive the same compensation for the time necessarily spent in performing the duties hereby enjoined as is provided by law for the performance of their other duties, to be paid by the county commissioners as in other cases, with a proper allowance, to be judged of by the said commissioners, for the expense of making lists or registries hereby required to be made out.

SEC. 9. On the petition of five or more citizens of the election district, stating under oath that they verily believe that frauds will be practised at the election about to be held in said district, it shall be lawful for the court of common pleas of said county, if in session, or if not, a judge thereof in vacation, to appoint two persons, judicious, sober and intelligent citizens of the district, to act as overseers at said election. Said persons shall be selected from different political parties where the inspectors belong to different parties, and where both of said inspectors belong to the same political party, both of the overseers shall be taken from the opposite political party; said overseers shall have the right to be present with the officers of the election during the whole time the same is held, the votes counted and returns made out and signed by the election officers, to keep a list of the votes, if they see proper, to challenge any person offering to vote and interrogate him and his witnesses, under oath, in regard to the right of suffrage at said election, to examine his papers produced; and the officers of said election are required to afford to said overseers, so selected and appointed, every convenience and facility for the discharge of their duty; and if said officers shall refuse to permit said overseers to be present and perform their duties as aforesaid, or they shall be driven away from the polls by violence or unreasonable intimidation, all of the votes polled at said election district shall be rejected by any tribunal trying a contest under said election.

SEC. 10. If it shall be made to appear before any tribunal, trying a contested election, that more votes have been polled and returned, or returned only, than there are legal voters in the district, including those who were absent from the election, it shall be conclusive evidence of fraud in conducting the

same, and the entire vote of the district shall be rejected.

SEC. 11. If any prothonotary, clerk, or the deputy of either, or any other person, shall affix the seal of office to any naturalization paper and give out the same in blank, whereby it may be fraudulently used, or furnish a naturalization certificate to any person who shall not have been duly examined and sworn, in open court, in presence of some of the judges thereof, according to the act of Congress, he shall be guilty of a high misdemeanor, and if any person shall fraudulently use any such certificate of naturalization, knowing that it was fraudulently issued, and shall vote, or attempt to vote thereon, he shall be guilty of a high misdemeanor, and either, or any of the persons, their aiders or abettors, guilty of either of the misdemeanors aforesaid, shall, on conviction, be fined in a sum not exceeding one thousand dollars, and imprisoned in the proper penitentiary for a period not exceeding three years.

SEC. 12. If any inspector or judge of the election shall, from any cause, be entirely unable to attend at the place or perform the duties of his appointment, he may be at liberty to nominate a suitable qualified citizen of the district to act in his stead; if from death or legal inability no such nomination can be made, it shall be lawful for the inspector having the highest number of votes to appoint a person for judge to perform the duties enjoined; and if it is the inspector having the highest number of votes who is absent, it shall be lawful for the judge to supply his place by appointment; if the inspector having the smallest number of votes is, from any cause, unable to attend, a judge of the court of the proper county shall, on the petition of three or more citizens, fill his place by appointment, and shall make his selection from the opposite political party from the inspector having the highest number of votes. Such judge may also, by appointment, in case of a vacancy in the board from any cause, fill the same: *Provided*, There is no person designated by law to make the appointment, and in every case the person selected shall be a sober, judicious and qualified voter of the district.

SEC. 13. Any assessor, election officer, or person appointed as an overseer, who shall neglect or refuse to perform any duty enjoined by this act, without reasonable legal cause, shall be subject to a penalty of one hundred dollars; and if any assessor or election officer shall enroll any person as a voter who he shall know is disqualified, or refuse to enroll any one who he shall know is qualified, he shall be guilty of misdemeanor in office, and on conviction be punished by fine and imprisonment, and also be subject to an action for damages by the party aggrieved; and if any person shall fraudulently alter, add to, deface or destroy any registry of voters, made out as directed by this act, or tear down or remove the same from the place where it has been fixed by or under the direction of the election officers, with like fraudulent or mischievous intent, or for any improper purpose, the person so offending shall be guilty of a high misdemeanor, and, on conviction, shall be punished by a fine not exceeding five hundred dollars and imprisonment not exceeding two years.

SEC. 14. None of the provisions of this act shall apply to the city of Philadelphia.

[The proceedings in full, on this bill, will appear in the *Appendix*.]

The bill was laid over on third reading.

The Senate then adjourned until this evening at 7½ o'clock.

EVENING SESSION.

The Senate reassembled at 7½ o'clock, P. M.

BILLS PASSED.

On leave,

Mr. DONOVAN read in his place and presented to the Chair a bill entitled A further supplement to an act to incorporate the Montana gold and silver mining company, approved the 23d day of March, A. D. 1865.

Referred to the Committee on Corporations.

On motion of Mr. DONOVAN, the Committee on Corporations was discharged from the further consideration of said bill.

And the rules having been dispensed with,

Said bill was read a second and third time, and

Passed finally.

On motion of Mr. SCHALL, the Committee on Judiciary Local was discharged from the further consideration of a bill, and the Senate proceeded to its consideration.

And the rules having been dispensed with,

The bill was read a second and third time, and

Passed finally.

BILLS IN PLACE.

On leave,

Mr. CONNELL read in his place and presented to the Chair a bill entitled An act to incorporate the Corn Exchange warehousing company of Philadelphia.

Referred to the Committee on Corporations.

POLICE FORCE FOR SCHUYLKILL COUNTY.

On leave,

Mr. M'CONAUGHY, from the Committee on the Judiciary General, to which was committed bill entitled An act for the better protection of persons, property and life in the mining regions of this Commonwealth, reported the same without amendment.

The Senate resolved itself into committee of the whole (Mr. ROYER in the chair) on the above bill, and he soon after reported the bill without amendment.

The proceedings in full on this subject will appear in the *Appendix*.

The bill was then laid over on third reading.

On motion of Mr. JACKSON, the Senate then adjourned.

SENATE.

FRIDAY, March 29, 1867.

The Senate met and was called to order at 10 A. M., by the SPEAKER.

Prayer was offered by the Rev. Mr. Bailey.

On motion of Mr. CONNELL, the reading of the Journal of yesterday was dispensed with.

REPORTS FROM COMMITTEES.

Mr. CONNELL, from the Committee on Finance, reported, as committed, a bill entitled An act suspending further payment to the commissioners appointed to improve the navigation of the river Delaware.

Also (same), as committed, a bill entitled An act to exempt from taxation the property of the Ladies' Soldiers' Aid of Weldon.

Mr. SHOEMAKER, from the Committee on the Judiciary General, as committed, a bill entitled A supplement to an act approved the 17th day of April, 1866, authorizing the courts to fix and change the places for holding general elections in certain cases.

Also (same), as committed, a bill entitled An act to authorize the burgress and town council of the borough of Wilkesbarre to borrow money and purchase grounds for a public cemetery and to prevent further interments in the old graveyard.

Mr. SCHALL (same), as committed, a bill entitled A further supplement to the act for the better management of the Allegheny county prison, approved 23d of March, 1865.

Also (same), with a negative recommendation, a bill entitled An act to incorporate the Philadelphia and Mercantile college.

Ruled out of order by the SPEAKER.

Mr. M'CONAUGHY (same), with a negative recommendation, a bill entitled An act to incorporate the Manayunk fire insurance company.

Ruled out of order by the SPEAKER.

Mr. WALLACE (same), as committed, a bill entitled A supplement to an act relating to corporations for mechanical, manufacturing, mining and quarrying purposes, approved 18th day of July, A. D. 1863.

Also (same), with amendment, a bill entitled A supplement to the constitution and charter of the Bustleton Methodist Episcopal church, enrolled by order of the Governor, in the office of the Secretary of the Commonwealth, on the 6th day of February, 1824, authorizing the trustees of said corporation to remove certain bodies to enable them to extend their church edifice.

Mr. M'CONAUGHY, from the Committee on Estates and Escheats, as committed, a bill entitled An act relative to certain moneys in the hands of the legal representatives of Jacob Miller, late of Saint Thomas township, in the county of Franklin, deceased.

Also (same), as committed, a bill entitled An act to confirm the title of Wm. F. Hughes in and to a certain lot or piece of ground situated on the north side of High or Market street, seventy feet six and a half inches from the west side of Nineteenth street, in the city of Philadelphia.

Mr. BURNETT (same), with a negative recommendation, a bill entitled An act relative to the last will and testament of John Morrison, late of Somerset county, deceased.

Also (same), with a negative recommendation, a bill entitled An act to authorize John Ashton and wife to sell real estate and invest the proceeds in other real estate or in State or United States loan.

Mr. RIDGWAY, from the Committee on Corporations, a bill entitled An act to incorporate the Co-operative association of Tamaqua.

Also (same), as committed, a bill entitled An act to incorporate the Argentine silver mining company of Colorado.

Also (same) as committed, a bill entitled An act to incorporate the Peabody mining company.

Also (same), as committed, a bill entitled An act to incorporate the Treasury mining company.

Also (same), as committed, an act to incorporate the Sierra Molina gold and silver mining company.

Also (same), as committed, a bill entitled An act to amend an act to incorporate the Potter County trust improvement company, approved May 1st, A. D. 1861, and the supplement thereto, &c.

Also (same), as committed, a bill entitled An act to incorporate the Volcanic mining company.

Also (same), as committed, a bill entitled A supplement to an act to incorporate the Amateurs' Drawing Room association of the city of Philadelphia, approved the 8th day of March, A. D. 1866.

Also (same), as committed, a bill entitled An act to incorporate the Pickering gold and silver mining company.

Mr. ROYER (same), as committed, a bill entitled An act to incorporate the Savage Extension gold and silver mining company.

Also (same), as committed, a bill entitled An act to incorporate the River Bed gold and silver mining company.

Mr. JAMES (same), as committed, a bill

entitled An act to incorporate the Corn Exchange warehousing company of Philadelphia.

Also (same), as committed, a bill entitled An act to incorporate the Lucius S. Peck gold and silver mining company of Montana.

Mr. GLATZ (same), as committed, a bill entitled An act to incorporate the Morris and Coble silver mining company of Reese river district, Lander county, Nevada.

Also (same), as committed, a bill entitled An act to incorporate the Delaware County Lumber manufacturing company.

Mr. HAINES (same), as committed, a bill entitled A supplement to an act to incorporate the Reno shipping company.

Also (same), as committed, a bill entitled An act to incorporate the Powhattan gold and silver mining company.

Also (same), as committed, a bill entitled An act to incorporate the Fidelity gold mining company.

Mr. LANDON, from the Committee on Railroads, reported, as committed, bill entitled An act to incorporate the Pittston railroad and coal company.

Also (same), as committed, a bill entitled A further supplement to the act incorporating the Catawissa and Towanda railroad company.

Also (same), as committed, a bill entitled A further supplement to the act incorporating the Muncy Creek railway company, authorizing said company to hold additional lands, &c.

Mr. GRAHAM (same), as committed, a bill entitled A further supplement to an act to incorporate the Jamestown and Franklin railroad, approved April 3d, 1862.

Mr. RANDALL (same), as committed, a bill entitled A supplement to an act to incorporate the Susquehanna and Delaware railroad company.

Mr. WORTHINGTON, from the Committee on Education, as committed, a bill entitled An act to annex additional territory to the borough of Brownsville, Mercer county, for school purposes.

Also (same), as committed, a bill entitled An act to authorize the board of school directors of the borough of Irwin, in the county of Westmoreland, to borrow money for building purposes, and to levy additional school taxes.

Also (same), as committed, a bill entitled An act to annex the farm of Daniel Sell, of Germany township, Adams county, to the borough of Littlestown, for school purposes.

Also (same), as committed, a bill entitled An act to attach the farms of James M'Kean, William Nicholas, David Long and John Lough, jr., of Otter Creek township, in the county of Mercer, to Salem school district, for school purposes.

Mr. BROWN, of Mercer (same), as committed, a bill entitled An act annexing the farm of John Hamilton, in Sandy Lake township, Mercer county, to North township, in said county, for school purposes.

Mr. BILLINGFELT, from the Committee on Roads and Bridges, as committed, a bill An act relative to street paving in the city of Philadelphia.

Also (same), as committed, a bill entitled An act to lay out a State road in Allegheny and Washington counties.

Also (same), as committed, a bill entitled An act to vacate a portion of the Wilkesbarre and Providence plank road company.

Mr. TAYLOR (same), as committed, a bill entitled An act to incorporate the Kittanning and Rural Village macadamized turnpike road company, in the county of Armstrong.

Also (same), as committed, a bill entitled An act to authorize the Johnstown and Scalp Level turnpike company of Cambria county, to increase the rates of toll on said turnpike.

Also (same), as committed, a bill entitled An act to incorporate the Newton and Scranton turnpike road company.

Mr. GLATZ (same), as committed, a bill entitled An act to lay out a State road in Venango and Butler counties.

Also (same), as committed, a bill entitled An act to incorporate the Limestone turnpike and plank road company of Warren county.

Mr. WALLS (same), as committed, a bill entitled An act for the improvement of Coal Hill road, in the township of Collins, in the county of Allegheny.

Also (same), as committed, a bill entitled An act to incorporate the Farmers' turnpike road company in the county of Lancaster.

Also (same), as committed, a bill entitled An act extending an act relative to the opening and making of new roads and building of bridges in the township of West Marlborough, in the county of Chester, to the township of Sadsbury, said county.

Mr. LANDON (same), as committed, a bill entitled An act to amend the charter of the Wellersburg and West Newton plank road company.

Also (same), as committed, a bill entitled An act to reduce the compensation and change the manner of election of supervisors in the township of Newberry, in the county of York.

Also (same), as committed, a bill entitled An act to increase the number of supervisors of roads in Cowanshannock township, Armstrong county.

Mr. HAINES, from the Committee on Canals and Inland Navigation, as committed, a bill entitled An act to declare Lake Pleasant, and its outlet to French creek, a public highway.

Also (same), as committed, a bill entitled An act to establish a ferry over the Allegheny river at or below the big rock, in the county of Venango.

Also (same), as committed, a bill entitled an Act to establish a ferry over the West Branch of the Susquehanna river at or near the residence of George W. Sower, in the township of Wayne, in the county of Clinton.

Mr. COWLES, from the Committee on the Judiciary Local, as committed, a bill entitled An act to repeal an act to regulate the practice of entering judgments and issuing processes in Armstrong county.

Mr. STUTZMAN (same), as committed, a bill entitled An act to extend the act providing for the assessment of seated lands in the township where the Mansion house is situated, to the borough of Rome, in the county of Bradford, for school purposes.

Mr. FISHER (same), as committed, a bill entitled An act authorizing the supervisors and auditors of Jones township, Elk county, to receive the sum of two dollars per day.

Also (same), as committed, a bill entitled An act to change the venue in the case of a certain issue from Northumberland county to Lancaster county.

Mr. DAVIS (same), as committed, a bill entitled An act to authorize the board of school directors of the borough of West Middlesex, in the county of Mercer, to borrow money.

Also (same), as committed, a bill entitled An act relating to the collection of State and county taxes in the county of Monroe.

Mr. WHITE (same), as committed, a bill entitled An act to increase to pay of township auditors.

Mr. BROWN, from the Committee on New Counties and County Seats, as committed, a bill entitled An act to erect the Fourth ward of the borough of Easton, in the county of Northampton.

Mr. SEARIGHT (same), as committed a a bill entitled A supplement to an act annexing the borough of Manchester to the city of Allegheny, approved March 12, 1867.

Mr. RIDGWAY, from the committee on Corporations, as committed, a supplement to an act to incorporate the Brady coal and iron company.

Mr. LANDON, from the Committee on Finance, with amendments, a bill entitled An act regulating interest on public accounts.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

The Clerk of the House of Representatives being introduced, presented for concurrence bills numbered and entitled as follows, viz:

No. 1278, an act to incorporate the Conococheague water company of the borough of Chambersburg.

No. 1279, an act to incorporate the United States Accident insurace company.

Which were ruled out of order.

No. 1282, a further supplement to an act entitled An act to incorporate the Youghiogheny shaft company.

Referred to the Committee on Corporations.

No. 1283, a supplement to an act entitled An act to incorporate the Farmers' Mutual fire insurance company of Paradise township, in the county of York, approved 28th day of March, A. D. 1854.

Referred to the Committee on the Judiciary Local.

No. 1284, an act to incorporate the Nautical and Engineering college of Philadelphia.

Referred to the Committee on the Judiciary Local.

No. 1288, an act to reannex a part of Colebrook township, Clinton county, to Brown township, Lycoming county.

Referred to the Committee on New Counties and County Seats.

No. 1293, an act to prevent the destruction of deer in Wayne county.

Referred to the Committee on Agriculture and Domestic Manufactures.

No. 1295, an act to prevent cattle, horses, sheep and swine from running at large in the county of Wyoming.

Referred to the Committee on Agriculture and Domestic Manufactures.

No. 1296, an act to prevent cattle from running at large on the flat of Jack mountain, Menno and Union townships, in the county of Mifflin.

Referred to the Committee on Agriculture and Domestic Manufactures.

No. 1297, an act to prevent cattle, horses, sheep and hogs from running at large in the township of Mill Creek and borough of New Lebanon, in the county of Mercer.

Referred to the Committee on Agriculture and Domestic Manufactures.

No. 1299, an act to prevent the sale or giving away of intoxicating drinks in the township of Peach Bottom, York county, on election day.

Referred to the Committee on Vice and Immorality.

No. 1302, an act extending the provisions of an act relating to the licensing of billiard rooms, bowling saloons and nine or ten pin alleys, at Cresson Springs, in the county of Cambria, to the Loretto Springs, in the same county.

Referred to the Committee on Vice and Immorality.

No. 1303, an act to prohibit the issuing of licenses in the township of Allegheny, in the county of Westmoreland, within a distance

of two miles from the borough of Freeport, Armstrong county.

Referred to the Committee on Vice and Immorality.

No. 1307, an act to exempt John Malone, of Sewickley township, Westmoreland county, from the payment of bounty tax.

Referred to the Committee on the Judiciary Local.

No. 1308, an act authorizing the school directors of the borough of Harmony and the township of Jackson, Brady township, in the county of Butler, to levy and collect an additional bounty tax.

Referred to the Committee on the Judiciary Local.

No. 1311, an act authorizing the school directors of Warrington township, York county, to levy and collect bounty tax at once.

Referred to the Committee on the Judiciary Local.

No. 1312, an act to legalize the action of the school directors of Shrewsbury township, York county, relative to money borrowed to pay bounties and taxes assessed to collect the same.

Referred to the Committee on the Judiciary Local.

No. 1313, an act relating to the payment of bounties to the township of Birmingham, county of Delaware.

Referred to the Committee on the Judiciary Local.

No. 1314, an act to legalize and make valid an assessment made by the board of school directors of Strasburg township, Lancaster county, of one-half of one per centum on the 16th day of June, A. D. 1866, for bounty purposes.

Referred to the Committee on the Judiciary Local.

No. 1317, an act to authorize an examination into the military services of A. L. Reightmeyer.

Referred to the Committee on Military Affairs.

No. 1318, an act to divorce William A. Taylor and Julia, his wife.

Referred to the Committee on the Judiciary General.

No. 1319, an act to incorporate the Darby and Upper Darby railroad company.

Referred to the Committee on Railroads.

No. 1321, an act to authorize the Lombard and South street passenger railway company to increase its capital stock and bonded debt.

Referred to the Committee on Railroads.

No. 1323, an act to incorporate the Capital savings fund and safe deposit company.

Referred to the Committee on Banks.

No. 1326, an act for the relief of Dr. Herman B. Linton, a surgeon of the Thirty-eighth regiment Pennsylvania infantry volunteers.

Referred to the Committee on Finance.

No. 1328, a supplement to an act to incorporate the Medico Chirurgical college of Philadelphia, passed February A. D. 1850.

Referred to the Committee on the Judiciary General.

No. 1329, an act granting a pension to Mary J. O'Donnell, widow of Charles O'Donnell, deceased.

Referred to the Committee on Pensions and Gratuities.

No. 1330, an act to extend the time for the payment of the enrollment tax on an act to incorporate the Moshannon coal and lumber company.

Referred to the Committee on Finance.

No. 1331, an act granting a pension to Margaret Rots, widow of David Rots, late of Franklin county, deceased.

Referred to the Committee on Pensions and Gratuities.

No. 1332, an act to authorize the school directors of M'Keesport, Allegheny county, to equalize the payment of bounties.

Referred to the Committee on the Judiciary Local.

No. 1333, a supplement to the act relating to the passage of fish in the Susquehanna and certain of its tributaries.

Referred to the Committee on Canals and Inland Navigation.

No. 1334, an act annexing certain farms in Dyberry township to the borough of Bethany, in Wayne county, for school purposes.

No. 1335, an act to legalize and make valid an order for bounty issued by the road commissioners of Elk Creek township, in the county of Erie.

Referred to the Committee on Roads and Bridges.

No. 1336, an act for the appointment of two additional assessors for the Fifteenth ward of the city of Philadelphia.

Referred to the Committee on the Judiciary Local.

No. 1337, an act to vacate part of Buck road, in the Twenty-sixth ward of the city of Philadelphia.

Referred to the Committee on Roads and Bridges.

No. 1338, supplement to an act declaring Forge run, in Centre county, a public highway.

Referred to the Committee on Canals and Inland Navigation.

No. 1339, an act to empower the supervisors of the township of Peach Bottom, in the county of York, to collect in money all taxes levied in said township for road purposes.

Referred to the Committee on Roads and Bridges.

No. 1340, an act to incorporate the York and Chanceford turnpike road company in the county of York.

Referred to the Committee on Roads and Bridges.

No. 1341, an act to authorize the trustees of the Methodist Episcopal church of Mount Jackson, Luzerne county, to convey certain real estate.

Referred to the Committee on Estates and Escheats.

No. 1345, an act to incorporate the Pittsburg and Waynesburg railroad and transportation company.

Referred to the Committee on Railroads.

No. 1346, an act granting a pension to Sarah E. M'Elhose, widow of a soldier.

Referred to the Committee on Pensions and Gratuities.

No. 1347, an act to incorporate the Beaver Falls water company.

Ruled out of order.

No. 1349, an act to authorize the school directors of Troy borough school district, in the county of Bradford, to contract a loan for the purpose of erecting a suitable school house in said borough.

Referred to the Committee on Education.

No. 1351, an act to extend the provisions of an act to entitle the stockholders of any railroad company to one vote for each share of stock, approved 20th day of May, A. D. 1865, to the Bellefonte, Aaronsburg and Youngwomanstown turnpike road company, and to change the name of the same.

Referred to the Committee on Railroads.

No. 1356, an act to make Frederick Gastrock the heir-at law of John Gastrock.

Referred to the Committee on the Judiciary Local.

No. 1357, an act relative to actions of ejectment in Erie county.

Referred to the Committee on the Judiciary Local.

No. 1359, an act relative to the borough of Union Mills, in the county of Erie.

Referred to the Committee on the Judiciary Local.

No. 1362, a supplement to an act incorporating the Lehigh Mutual manufacturing company.

Referred to the Committee on Corporations.

No. 1367, an act to extend the time of payment of the enrollment tax on an act incorporating the Pennsylvania light and water company, approved April 5, 1866.

Referred to the Committee on Finance.

No. 1379, an act to provide a city government for the borough of Altoona, Blair county.

Referred to the Committee on Corporations.

He also informed that the House of Representative has concurred in the amendments made by the Senate to bills from the House of Representatives numbered and entitled as follows, viz:

No. 148, an act relative to certain foreign insurance companies.

No. 766, an act to incorporate the Eagle manufacturing company.

No. 719, an act to legalize the acts of the road commissioners of Columbus township, Warren county, in laying additional road tax.

No. 847, an act to authorize the school directors of the borough of White Haven to borrow money.

No. 744, an act to authorize the school directors of Riceville, Crawford county, to borrow money, and for other purposes.

No. 729, an act authorizing the school directors of the borough of Butler to transfer certain funds.

No. 771, an act to incorporate the Oil City brewing company.

No. 777, an act to extend the provisions of an act for the better regulation of the Mercer County, Shenango Valley, Montour and Allegheny County agricultural societies, relating to the prohibition of shows, erection of tents, booths, &c., to the Pennsylvania agricultural society.

No. 830, an act to authorize the Governor to appoint an additoinal notary public for the county of Bradford, to reside in the borough of Athens.

No. 724, an act to authorize the school board of Tyrone city, Blair county, to sell certain real estate, now used for school purposes, and to appropriate the money arising from said sale to the purchase of a better location and erecting a more suitable building for school purposes, and to borrow any sum of money not exceeding ten thousand dollars, at a rate of interest not exceeding ten per cent. per annum, to assist them in procuring the same.

No. 725, an act to relinquish a part of a certain annuity for the benefit of school purposes in the borough of Susquehanna Depot, Susquehanna county, with powers to sell and dispose of old school houses, &c., and build new ones.

No. 915, a supplement to the charter of the city of Chester.

No. 901, an act relating to public prisons in Allegheny county.

No. 788, an act to prevent the fishing with nets or seins in the waters of Big Fishing creek and its tributaries in the counties of Columbia and Luzerne.

No. 960, an act to incorporate the Montana and Nevada gold and silver mining company.

No. 962, a supplement to an act to incorporate the Specie Basis mining company, relieving them from the payment of the bonus of one-fourth of one per centum on its capital stock.

No. 1069, a further supplement to an act approved May 4th, A. D. 1864, for the organization, discipline and regulation of the First division militia of the Commonwealth of Pennsylvania.

No. 1280, an act to incorporate the Philadelphia woolen machine works.

Daily Legislative Record.

FOR THE SESSION OF 1867.

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[CONTINUED FROM PAGE 816.]

BILLS IN PLACE.

Mr. BIGHAM read in his place and presented to the Chair a bill entitled An act to incorporate the borough of Ormsby, in Allegheny county.

Ruled out of order by the SPEAKER.

Also, a bill entitled An act to authorize the appointment of short-hand clerks for the courts of Allegheny county.

Referred to the Committee on the Judiciary Local.

Also, a bill entitled A supplement to an act to incorporate the Mechanics' Saving Bank of Pittsburg.

Referred to the Committee on Banks.

Mr. GRAHAM, a bill entitled An act for the formation of a new township out of Plum township, in Allegheny county, to be called Valley township.

Ruled out of order by the SPEAKER.

Mr. BROWN (Mercer), a bill entitled An act relating to the claim of James M'Kean and Marmaduke Rambo.

Referred to the Committee on Finance.

Mr. CONNELL, a bill entitled An act to authorize the court of common pleas of Philadelphia to appoint an additional commissioner.

Referred to the Committee on the Judiciary Local.

Also, a bill entitled An act repealing an act relating to a certain highway in the Twenty-second ward of the city of Philadelphia, requiring the removing of a toll house and gate in Germantown.

Referred to the Committee on the Judiciary Local.

Also, a bill entitled An act regulating equity jurisdiction in Philadelphia county.

Referred to the Committee on the Judiciary Local.

Mr. WHITE, a bill entitled An act to incorporate the Indiana woolen works.

Referred to the Committee on Corporations.

Mr. RIDGWAY, a bill entitled An act to incorporate the Lincoln Monument association of Philadelphia.

Referred to the Committee on Corporations.

Mr. M'CONAUGHY, a bill entitled An act supplementary to the act to incorporate the Adams County Soldiers' Monument association.

Referred to the Committee on Corporations.

Mr. SHOEMAKER, a bill entitled A further supplement to the act entitled A further supplement to the act incorporating the Howard coal and iron company, approved the 18th day of August, 1864, which became a law on the 30th day of January, A. D. 1866, extending the time for the payment of the enrollment tax on said act.

Referred to the Committee on Corporations.

Mr. JACKSON, a bill entitled An act to enable the Philadelphia and Montana gold and silver mining company to borrow money and to issue bonds.

Referred to the Committee on Corporations.

Mr. BURNETT, a bill entitled An act to increase the pay of supervisors of roads, overseers of the poor and township auditors of the county of Carbon.

Referred to the Committee on Roads and Bridges.

Mr. WORTHINGTON, a bill entitled A further supplement to an act to regulate the sale of intoxicating liquors, approved the 31st day of March, A. D. 1856.

Referred to the Committee on Vice and Immorality.

Mr. LOWRY, a bill entitled a further supplement to an act entitled An act relating to the payment of bounties to veteran volunteers, approved May 1, 1866.

Referred to the Committee on Military Affairs.

MESSAGE FROM THE GOVERNOR.

EXECUTIVE CHAMBER,
HARRISBURG, March 29, 1867.

To the Senate and House of Representatives of the Commonwealth of Pennsylvania:

GENTLEMEN—I have approved and signed the following acts of the General Assembly, to wit:

On the 26th instant:

An act to incorporate the Clarion coal company.

An act appropriating ground for public purposes in the city of Philadelphia.

An act to incorporate the Greensburg Masonic fund.

An act authorizing and providing powers and means for the conversion of the common grounds of the city of Allegheny into public parks.

An act to incorporate the American University of Philadelphia.

An act incorporating the Oakdale Skating park and physical institute of Philadelphia.

An act to authorize the commissioners of Lehigh county to borrow money.

An act to exempt from taxation certain real estate in Philadelphia belonging to and used and occupied by the Western association of ladies of Philadelphia for the relief and employment of the poor.

An act to divide the borough of New Brighton into three wards.

An to incorporate the Teachers' institutue of the city and county of Philadelphia.

An act authorizing the school directors of the borough of Ashland to borrow money.

An act to prevent the burning of the woods in the counties of Clearfield, Fulton and Elk.

An act to exempt the property of the German Reformed congregation of New Goshenhoppen, in the county of Montgomery, from taxation.

A supplement to an act incorporating the Lawrenceville and Oswayo railroad company, approved the first day of May, A. D. one thousand eight hundred and fifty-two, reviving said act and making new commissioners.

A further supplement to an act relating to local bounties, approved March fifteenth, one thousand eight hundred and sixty five, so far as the same relates to the township of Union, in Lawrence county.

An act relating to the powers of the legal representatives of deceased tax collectors in this Commonwealth.

An act relative to the payment of bounties by the county of Clearfield, approved February 27th, one thousand eight hundred and sixty-five, extending the same.

An act to enlarge the jurisdiction of the courts of common pleas of this Commonwealth, relative to granting charters of incorporations and confirming those heretofore granted.

An act to extend the provisions of an act regulating the fees of district attorney in the county of Bradford, in the court of quarter sessions, approved the eleventh day of April, A. D. one thousand eight hundred and sixty-six, to the county of Cameron.

An act to provide for the transfer and safe keeping of prisoners in the jail of Washington county.

An act to incorporte the Susquehanna Depot Protective Union of Susqehanna Depot, Susquehanna county.

An act relating to the filing of liens and collection of taxes in the borough of Petersburg.

An act to incorporate the Danville water company.

A supplement to an act approved the ninth day of February, one thousand eight hundred and forty-nine (1849), entitled A supplement to an act to incorporate the Lykens Valley coal company, in Dauphin county, Pennsylvania, and to authorize the opening of a road in Honesdale, Wayne county, authorizing them to dispose of the stock of said company.

An act relating to evidence in legal proceedings affecting the Erie railway company.

A supplement to an act to authorize the erection of a poor house in the county of Tioga, approved the twelfth day of March, A. D. one thousand eight hundred and sixty-six.

An act to authorize the borough of Lock Haven to erect water works.

A supplement to an act to legitimate George Humphry Stump and Abraham Harrison Stump, approved the twenty-eighth day of April, in the year of our Lord one thousand eight hundred and fifty-four.

A supplement to an act relative to roads in the county of Franklin, approved the fourteenth day of March, A. D. one thousand eight hundred and sixty-seven.

An act to authorize the school board of North Heidelberg township, in the county of Berks, to levy and collect an additional bounty tax.

An act relating to the compensation of the sheriff of Butler and Indiana counties, for boarding prisoners.

An act supplementary to an act entitled An act to incorporate the Good Will fire engine company, number one, passed the sixteenth day of April, A. D. one thousand eight hundred and forty-five, authorizing said company to issue stock.

An act relative to the borough of Kennet Square, in the county of Chester, enabling said borough to borrow money to erect water works, changing the mode of publishing ordinances and opening, widening and straightening streets in said borough.

An act to authorize the burgess and town council of the borough of Oxford, in the county of Chester, to borrow money.

An act authorizing the borough council of Shenandoah, Schuylkill county, to borrow money, and the voters to elect six town councilmen, et cetera.

An act authorizing the Governor to appoint an additional notary public for the county of Mercer.

On the 27th instant:

An act to incorporate the Macungie Savings Bank.

An act regulating the jurisdiction of courts in proceedings by bills for injunction and other relief in equity and the service of process.

An act to exempt the Park Presbyterian church congregation in the city of Erie, Pennsylvania, from taxation.

An act relating to evidence in actions of ejectment.

A further supplement to an act entitled An act relating to corporations for mechanical, manufacturing, mining and quarrying purposes, approved the 18th day of July, A. D. one thousand eight hundred and sixty-three.

An act to annul the marriage contract between William Riley and Martha Willets.

An act to authorize and empower the Governor to issue a commission to Thomas M'Neish.

An act to extend the provisions of an act to prohibit the issuing of licenses within certain boroughs in the counties of Armstrong, Potter, Indiana and Perry, or within two miles of the same in the counties in which such boroughs are located, approved the twenty-seventh day of March, one thousand eight hundred and sixty-six, to the township of Derry, in the county of Westmoreland, and the borough of Blairsville, the township of Burrell and the township of East Mahoning, in the county of Indiana.

An act to repeal the first section of an act, passed the first day of April, A. D. one thousand seven hundred and ninety-two, declaring the Little Lehigh a public highway.

An act dividing the Twenty-fourth ward of Philadelphia into two assessment districts, and for the appointment of two additional assessors.

An act declaratory of the statutes of limitation.

An act relative to the stone in the locks of the Franklin Branch of the Pennsylvania canal in Fairfield township, Crawford county.

An act to empower the court of quarter sessions of Northumberland county to grant a license to Nicholas Wenk to keep a hotel.

A further supplement to an act entitled An act for the better security of the city of Philadelphia from damage incident to the refining or improper and negligent storage of petroleum, benzine or naptha, approved March second, A. D. one thousand eight hundred and sixty-five, construing the same.

An act for the relief of N. R. Harris, a commissioned captain of company "D," in the One Hundred and Sixteenth regiment, Pennsylvania volunteers.

An act supplementary to an act approved February 20th, 1867, entitled An act to enable the Pennsylvania Cannel coal and railroad company to borrow money, and to change the corporate name of said company, and confirm the title to real estate belonging to said company, and directing in what manner the mortgage authorized in said act shall be approved by the stockholders of said company, and to ratify the consolidation of certain companies under said act of assembly, and authorizing them to change the route of said road and reduce the number of directors.

An act to regulate the fees of the directors of the poor and house of employment of the county of Bedford.

An act to incorporate the Review publishing house company of Philadelphia.

An act to authorize the poor masters of Hamlin township, M'Kean county, to levy an additional poor tax.

An act to incorporate the Peoples' savings' fund, insurance, trust and safe deposit company.

An act relative to certain foreign insurance companies.

On the 26th instant:

An act relating to indebtedness of the county of Dauphin.

JNO. W. GEARY.

Laid on the table.

RETURN OF A BILL FROM THE GOVERNOR.

Mr. SEARIGHT offered the following resolution, which was twice read:

Resolved (if the House of Representatives concur), That the Governor be requested to return to the Senate, for amendment, Senate bill No. 541, entitled An act to incorporate a company to erect a bridge over the Youghiogheny river at a point between the mouth of Dickerson's river and Taylor's fording, in the county of Fayette.

The resolution was

Adopted.

BILLS PASSED.

On motion of Mr. SHOEMAKER, the Committee on Corporations was discharged from the further consideration of a bill entitled A supplement to the act incorporating the Howard coal and iron company, approved 18th day of August, 1864, which became a law on the 30th day of January, 1866, extending the time for the payment of the enrollment tax on said act.

And the rules having been dispensed with,

The bill was read a second and third time, and

Passed finally.

On motion of Mr. LOWRY, the Committee on Military Affairs was discharged from the further consideration of a bill entitled A supplement to an act entitled An act relating to the payment of bounty to veteran volunteers, approved May 1st, 1866.

And the rules having been dispensed with,

The bill was read a second and third time, and

Passed finally.

On motion of Mr. RIDGWAY, the Committee on Corporations was discharged from the further consideration of a bill entitled An act to incorporate the Lincoln Monument association of Philadelphia.

And the rules having been dispensed with,

The bill was read a second and third time, and

Passed finally.

On motion of Mr. M'CONAUGHY, the Committee on Corporations was discharged from the further consideration of a bill entitled An act supplementary to the act to incorporate the Adams County Soldiers' Monument association.

And the rules having been dispensed with,

The bill was read a second and third time, and

Passed finally.

On motion of Mr. CONNELL, the rules were dispensed with, and the Senate proceeded to the consideration of a bill entitled An act suspending further payment to the commissioners appointed to improve the navigation of the river Delaware.

The bill was read a second and third time, and

Passed finally.

On motion of Mr. GLATZ, the rules were dispensed with, and the Senate proceeded to the consideration of a bill entitled An act to vest the title of Market Square in the borough of Mechanicsburg, Cumberland county, in said borough.

The bill was read a second and third time, and

Passed finally.

On motion of Mr. CONNELL, the Committee on Judiciary Local was discharged from the further consideration of bill entitled An act regulating equity jurisdiction in Philadelphia county.

And the rules having been dispensed with,

The bill was read a second and third time, and

Passed finally.

On motion of Mr. WHITE, the Committee on Corporations was discharged from the further consideration of bill entitled An act to incorporate the Indiana woolen works.

And the rules having been dispensed with,

The bill was read a second and third time, and

Passed finally.

On motion of Mr. GRAHAM, the rules were dispensed with, and the Senate proceeded to the consideration of bill entitled A supplement to an act entitled An act creating a board for the erection of a city hall in the city of Pittsburg, approved the 1st day of March, 1867.

The bill was read a second and third time, and

Passed finally.

ADJOURNMENT OVER.

Mr. BIGHAM. I move, Mr. Speaker, that when this House adjourn it adjourn to meet at three o'clock this afternoon.

Mr. M'CONAUGHY. I move to amend by adding the following: That when this House adjourn to-day it adjourn to meet on Tuesday morning next, at ten o'clock, A. M., and that we hold an afternoon and evening session on Tuesday next.

The SPEAKER. I have every disposition to accommodate the gentlemen of this House. But it is approaching the adjournment too rapidly not to be aware of the value of our time here. The business is still of a very large amount, of which two veto messages are not the least important. I need not enumerate the public bills awaiting our action; they are before the eyes of every gentleman on this floor. These considerations should not weigh lightly in determining this question of adjournment now.

Mr. BIGHAM. I would so modify my motion as to meet the wishes of the gentleman from Adams [Mr. M'CONAUGHY] as to the session next week, but I infer that his amendment is no substitute for a motion for an afternoon session.

Mr. FISHER. I hope the original motion of the gentleman from Allegheny [Mr. BIGHAM] will prevail, and that we will further more have a night session. The public business requires every available hour of our attention.

Mr. M'CONAUHGY. Mr. Speaker, I desire to explain my amendment. Monday next and the lay day intervening are of the utmost importance to every man of business, particularly of gentlemen of my profession. In those two days an almost impossible amount of work must be done, which will find no other opportunity. It must be known, Mr. Speaker, that I have almost invariably voted

against adjournments, and, for myself, I will say that I am willing to subordinate all matters of personal or professional business for the requirements of the public, where necessity demands it. But this is a peculiar case, one which must be regarded with unusual importance. Again, the public interests will not, as erroneously thought, suffer thereby. We can hold extra sessions next week, which will more than counterbalance the supposed loss of time. I understand we are in advance of the other House a comparatively large number of bills. There is no doubt but that nothing will be lost by this action.

Mr. DONOVAN. I would suggest to the Senator that we are not sent here to transact personal or professional business. Ours is a duty to the State.

Mr. WORTHINGTON. Mr. Speaker, nothing could afford me more pleasure than to accommodate my friend, the gentleman from Adams [Mr. M'CONAUGHY]. But he must see that an adjournment until Tuesday morning will lose us too much valuable time, which cannot be made up. We need every meeting that we can possibly hold—not only those of to-day and to-night, but of to-morrow, and of Monday. Even then, I apprehend, we will leave a considerable amount of business unfinished. It is a lamentable fact that we have not touched that public calendar for three weeks. I cannot but insist upon our holding more sessions.

Mr. LOWRY. Mr. Speaker, I shall consider this adjournment equivalent to saying to the Legislature and the country, that we cannot adjourn on the 11th. I so regard it, and am willing to go upon the record with that opinion. Sir, all the important business of the session is behind; the appropriation bill is not touched.

A VOICE. We have not got it here yet.

Mr. LOWRY. But I say, let us get our work out of the way to prepare for it. We cannot pass it in a day; but its importance demands that we should weigh it deliberately, section by section.

Mr. FISHER. I am, Mr. Speaker, just in the straits of the gentleman from Adams. The first of April is a most precious day in our county; but I see the necessity of our remaining here. We have the interests and business of our constituents in hand, and we ought to attend faithfully and fully to them. Therefore, I am in favor of taxing every hour for the benefit of the State. I, therefore, would suggest that a session be held to-night.

Mr. BILLINGFELT. Mr. Speaker, I am as much in favor of performing our duties completely as my colleague [Mr. FISHER], or as any other Senator on this floor. But I am placed, by the force of necessity, in such a position that, like many others, I cannot be here on Monday, whether a session be held or not. I think it is rather late to dwell on the public interest. There has been too wide a disposition to consider private bills and ignore those of a public character. I am sure a session to-morrow or Monday will not much benefit the public. As for myself, I will remain here day and night if the interests of the Commonwealth demand I should do it.

Mr. COLEMAN. Mr. Speaker, I take it that the day of adjournment will have to be postponed for about two months. We have before us business of too great a magnitude, and of too large an extent to admit of our pressing it within the brief space already allotted. The care and deliberation which public bills require will consume a much larger time. Now, I have strong reasons, as well as other gentlemen, why I should be at home. My private concerns are as important and pressing as perhaps those of any gentleman on this floor. But I ignore them for the time being; I am here to give my attention, my time and my labor to a judicious legislation, and for that I would be willing to sit here on Sunday if gentlemen would suspend the Sunday law.

Mr. M'CONAUGHY. Mr. Speaker, as I have been personally referred to, I deem it just to say this. During this session I have lost but one hour from my seat on this floor, except yesterday, when I was taken down with illness, from three to four and a half o'clock in the afternoon. I would not have alluded to this but for personal reflections made in the course of debate. I have labored conscientiously to discharge my public duties to the disregard of all others. I have totally neglected my own affairs. Therefore, I can justly ask that this day, the first of April, be allowed for the imperative demands of professional business, especially as no loss will thereby accrue to the State. We will devote just as much time to public business as we would otherwise.

Mr. BROWNE (Lawrence). Mr. Speaker, I favor this proposition for an afternoon session, but I think we can go over until Tuesday without detriment. We generally meet once on Monday, and an extra session on Tuesday will fully make it up. One other remark. Mr. Speaker, we cannot fight against the law of nature. I believe we can do more work in six hours, and do it better, than in ten or twelve. I am glad the gentleman from Lebanon [Mr. COLEMAN] has referred to suspending the Sunday law. It brings home to our minds the necessity and value of enjoying proper rest, both of body and of mind. I trust no one would be so unwise at this day to nullify the Sunday laws. I imagine that the air we breathe in this Chamber proves very pernicious to our systems. An interval is needed of proper length to give it ample ventilation. I hope we will not consider against what must benefit our own bodies and minds, and consequently the legislation of a great State.

Mr. COLEMAN. The gentleman from Lawrence [Mr. BROWNE] served in the armies of his country and in time of war. May I ask him whether, when the enemy forced battle on the Sabbath day, he urged a state of non-resistance on those whose cause was his cause?

Mr. BROWNE (Lawrence). The gentleman surely does not apply that principle here. As to the air here, which we breathe, I think it is very unwholesome at night, and I am in favor of but two sessions a day.

Mr. RIDGWAY. I favor an adjournment because I think the public interests will thereby be advanced.

The SPEAKER. The Chair would desire Senators to consider the number of public bills awaiting our action. There are nearly forty or fifty important public bills. There is not a calendar of public bills which we have entirely finished, and one of them has suffered repeated postponement.

Mr. GLATZ. Mr. Speaker, I would like to know what bills on the public calendar are of so much importance. We have passed more public bills this session than during any session I have been here.

The SPEAKER. We have never finished the first calendar under the resolution of the gentleman from Clearfield [Mr. WALLACE].

There may be many bills here of no importance, but we must dispose of them in one way or the other.

Mr. SEARIGHT. Mr. Speaker, I would re-echo the objection that we legislate too much, and to manifest my sincerity, I move that we proceed to reconsider the vote.

The SPEAKER. I understood the gentleman yesterday to complain that he did not get the floor enough.

Mr. SEARIGHT. Mr. Speaker, I appeal to my brother Senators that I have got the floor but very seldom.

The SPEAKER. The Chair does not state that the gentleman got the floor more often than he ought to have, but that he complained on that account.

Mr. SEARIGHT. The Speaker is under a misapprehension. I remarked that I didn't get the floor at that time, and that in my opinion I was entitled to it, because I addressed the Chair first. My complaints were not general, but applied to that particular case.

Mr. BIGHAM. Some several Senators have intimated to me that we are in advance of our business and have time to spare. Let me say that the appropriation bill will soon reach us from the other House, and if we do our duty we will cut down that bill some million of dollars. If not we remain here inevitably. I take it for granted that the Governor will never sign such a bill.

On the amendment of the gentleman from Adams [Mr. M'CONAUGHY],

The yeas and nays were required by Mr. M'CANDLESS and Mr. FISHER, and were as follow, viz:

YEAS—Messrs. Billingfelt, Brown (Mercer), Burnett, Davis, Glatz, James, M'Candless, M'Conaughy, Randall, Ridgway, Royer, Schall, Searight and Stutzman—14.

NAYS—Messrs. Bigham, Browne (Lawrence), Coleman, Connell, Cowles, Donovan, Fisher, Haines, Jackson, Landon, Lowry, Shoemaker, Wallace, Walls, White, Worthington and Hall, *Speaker*—17.

So the question was determined in the negative.

Thy original motion was then

Agreed to.

Mr. WALLACE. I move to amend by adding that this afternoon session be devoted to the consideration of private bills to which there is no exception.

Mr. BIGHAM. I will accept it with the modification, after the orders are gone through with.

The amendment, without modification, was

Agreed to.

The motion was then

Agreed to.

REGISTRATION OF VOTERS.

Agreeably to order,

The Senate proceeded to the third reading and consideration of a bill entitled A further supplement to the act relating to the elections of this Commonwealth.

On the question,

Shall the bill pass?

The yeas and nays were required by Mr. WALLACE and Mr. COLEMAN, and were as follow, viz:

YEAS—Messrs. Bigham, Billingfelt, Browne (Lawrence), Brown (Mercer), Coleman, Connell, Cowles, Fisher, Haines, Landon, Lowry, M'Conaughy, Randall, Ridgway, Royer, Shoemaker, Stutzman, Taylor, Worthington and Hall, *Speaker*—20.

NAYS—Messrs. Burnett, Davis, Donovan, Glatz, Jackson, James, M'Candless, Schall, Searight, Wallace and Walls—11.

So the bill

Passed finally.

POLICE FORCE FOR SCHUYLKILL COUNTY.

Agreeably to order,

The Senate proceeded to the third reading and consideration of a bill entitled An act for the protection of person, property and life in the mining regions of the Commonwealth.

Several amendments were discussed and disposed of, the full proceedings of which will appear in the *Appendix*.

The bill

Passed finally.

The bill, as passed the Senate, reads as follows:

AN ACT for the better protection of persons, property and life in the mining regions of this Commonwealth.

WHEREAS, It is alleged that in certain counties in the mining regions of this Commonwealth many acts of violence have been committed on the persons and property of peaceful citizens, causing great insecurity and frequent destruction of life, and the perpetrators of such outrages and murders have not been brought to punishment:

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same*, That it shall be lawful for the Governor of this Commonwealth, on the petition of one hundred citizens of any county in the mining regions of this State, verified by the affidavit of at least twenty such citizens, and other satisfactory proofs, showing that the local authorities of such county are inadequate and insufficient for the protection of person, property and life within such county or township, or portion thereof, the Governor is hereby authorized to appoint a marshal of police and a sufficient number of officers of police, to give adequate protection to the persons and property of the inhabitants of said county, who shall be paid for their services out of the treasury of said county: *Provided*, That the number of said police for any county shall not exceed one hundred: *Provided further*, That the commissioners of Schuylkill county are hereby authorized and required to levy and collect a tax, not exceeding one cent per ton on all coal mined in said county, the proceeds arising from such levy and collection to be paid into the general funds of the county: *Provided further*, That this tax shall only be collected in the event of the appointment of the police force provided by this act.

SEC. 2. That for the preservation of the peace, the protection of personal property from unlawful acts, the arrest of offenders, and the execution of warrants in all criminal cases, the marshal of police shall have all the like powers, jurisdiction and authority that is vested in the sheriff of said county, and with like powers to summon the *posse comitatus* in all cases where, in his judgment, the exigencies of the case may require it, and the said marshal shall receive for his services a salary not exceeding two thousand dollars per year.

SEC. 3. The police officers appointed by this act shall have the like powers and authority as constable for the promotion of the peace and the arrest of offenders against the laws, and vagrants and persons suspected of crimes or offenses against the laws, and also for the execution of criminal process when directed by the marshal of police by endorsement on the warrant; and the said police officers shall in all cases be subject to the orders of the marshal of police, and shall, when acting under his orders, have the same powers and authority as a deputy sheriff or constable; and any police officer who shall neglect or refuse to obey the command of the marshal of police may at any time be suspended or discharged.

SEC. 4. The marshal of police, or any of the police officers, may at any time be removed by the Governor, and others appointed whenever he may think necessary to do so.

SEC. 5. The Governor may make such rules and regulations for the government of the police force authorized by this act as he may think best adapted to make the force efficient, and may create distinction in rank inferior, and the marshal and the officers holding such rank shall be obeyed and respected as directed by such rules and regulations; and the Governor shall, from time to time, fix and determine the rate of compensation, according to their rank, to be paid to the police officers authorized to be appointed by this act, and may direct that any portion of the force shall be employed as a detective police, and shall have power to direct that the said force shall be armed and equipped in such a manner as to render them the most efficient in carrying into full effect the intentions of this act; and the expenses of such arming and equipping shall be paid by said county out of its treasury.

SEC. 6. This act shall continue in force for two years, and the Governor may at any time discharge the whole or any part of the police force, and discharge the marshal from office when, in the opinion of the Governor, the police force, or any such part thereof, shall be no longer required for the protection of the inhabitants of said county.

SEC. 7. It shall be lawful for the police appointed under this act, in the execution of their duties, to enter any county adjoining the county in which the commission of the offense may occur, in pursuit of the offender, and to make the arrest in such adjoining county, with the same power and authority as in the county in which the offense was committed.

SEC. 8. Every person arrested by the said marshal or police, or any of them, shall be delivered to the civil authorities, to be dealt with in accordance with the laws of this Commonwealth.

Just prior to the close of the morning session, Mr. M'CONAUGHY moved that when the Senate adjourns to-day, it will adjourn to meet on Tuesday morning next, at 10 o'clock.

On the question,

Will the Senate agree to the motion?

The yeas and nays were required by Mr. M'CONAUGHY and Mr. BIGHAM, and were as follow, viz:

YEAS—Messrs. Billingfelt, Browne (Lawrence), Brown (Mercer), Davis, Fisher, Glatz, Graham, Jackson, James, M'Conaughy, Randall, Ridgway, Royer, Schall, Searight, Taylor and Walls—17.

NAYS—Messrs. Bigham, Coleman, Connell, Cowles, Donovan, Haines, Landon, Lowry, Shoemaker, Stutzman, Wallace, White, Worthington and Hall, *Speaker*—14.

So the question was determined in the affirmative.

The hour of one o'clock having arrived, the SPEAKER adjourned the Senate till three o'clock this P. M.

AFTERNOON SESSION.

The Senate re-assembled at 3 o'clock, P. M.

VETO MESSAGE.

The Deputy Secretary of the Commonwealth being introduced, presented the following message in writing from the Governor:

EXECUTIVE CHAMBER,
HARRISBURG, March 28, 1867.

To the Senate and House of Representatives of the Commonwealth of Pennsylvania:

GENTLEMEN—Herewith is returned, without my approval, to the Senate, in which it originated, bill No. 808, entitled A supplement to an act incorporating the Colebrookdale railroad company, approved the 23d day of March, 1866.

The bill provides that the bonds of said company shall be exempt from all taxes, except State taxes, until the net receipts of said road shall be sufficient to pay yearly six per centum per annum upon the cost of construction.

There is a constant pressure upon the Legislature to exempt various classes of property from taxation, and in deference to established precedents I have approved sundry acts exempting property held for religious and charitable purposes. Taxation, to be just, should be uniform, and, so far as practicable, its burdens should be made to bear alike on all property in proportion to its value. The real estate of the Commonwealth having been wholly exempted from taxation by law, it becomes necessary to guard with more care the remaining sources of revenue, to the end that all necessary expenditures may be honorably met. The bill herewith returned, being in violation of these general principles, cannot receive my signature.

It has been urged that this railroad is a short one, and that the amount of taxes upon its bonds would be so insignificant as to be of no practical importance. This may be so, yet long or short, it clearly embraces the principle of exempting railroad bonds from taxation; and if the principle be once conceded, every railroad company in the State would insist upon its application to them.

I embrace this occasion to recommend to the Senate greater care in framing titles to bills, in compliance with the eighth section of the eleventh article of the Constitution, which requires that the subject of every bill "shall be clearly set forth in its title." I would feel justified in returning this bill for this cause alone. To call a bill "a supplement," will not "clearly indicate" the object, and in many cases convey no idea whatever of the contents of the bill.

JNO. W. GEARY.

Agreeably to the provisions of the Constitution, the Senate proceeded to the reconsideration of the bill referred to in the foregoing message.

The bill being again before the Senate,

And the question recurring,

Shall the bill pass, notwithstanding the objections of the Governor?

Agreeably to the provisions of the Constitution the yeas and nays were taken, and were as follows:

YEAS—Messrs. Coleman and Davis—2.

NAYS—Messrs. Bigham, Browne (Lawrence), Brown (Mercer), Connell, Cowles, Fisher, Glatz, Graham, Haines, James, Landon, Searight, Shoemaker, Stutzman, Taylor, Wallace, Walls, White, Worthington and Hall, *Speaker*—20.

So the question was determined in the negative.

MESSAGES FROM THE HOUSE OF REPRESENTATIVES.

The Clerk of the House of Representatives being introduced, presented for concurrence bills numbered and entitled as follows, viz:

No. 1664, an act concurrent with an act passed by the Legislature of Ohio on the 20th day of March, A. D. 1867, in relation to the Ohio and Pennsylvania canal company.

Referred to the Committee on the Judiciary General.

No. 1324, an act to incorporate the American iron and coal company.

Referred to the Committee on Corporations.

No. 1354, an act to incorporate the Lincoln Savings Bank.

Referred to the Committee on Banks.

No. 1358, an act relative to the jurisdiction of justices of the peace, mayors and burgesses in Erie county, and relative to appeals therefrom.

Referred to the Committee on the Judiciary Local.

No. 1360, an act supplementary to an act incorporating the borough of Marietta, approved February 15th, A. D. 1834, granting certain powers to chief burgess and borough constables.

Referred to the Committee on the Judiciary Local.

No. 1361, an act to authorize the directors of West Hempfield township, Lancaster county, to apply surplus of bounty funds for school purposes.

Referred to the Committee on Education.

No. 1363, an act authorizing the supervisors of Salem township, Luzerne county, to collect in money the tax levied for road purposes in said township.

Referred to the Committee on Roads and Bridges.

No. 1365, an act to authorize the board of school directors of the township of Wheatfield, in the county of Perry, to levy and collect an additional bounty tax.

Referred to the Committee on the Judiciary Local.

No. 1370, an act to repeal an act to prevent horses, cattle, sheep and hogs from running at large in Chillisquaque township, Northumberland county, and Kelly township, Union county, and certain townships in Luzerne county, approved March 23d, 1865, so far as relates to Kelly township, Union county, and the several townships of Luzerne county.

Referred to the Committee on the Judiciary Local.

No. 1372, an act to incorporate the Rynd Farm bridge company.

Referred to the Committee on Roads and Bridges.

No. 1373, a supplement to an act to establish a ferry over the Allegheny river at Biggins' landing, near the mouth of East Hickory, Harmony township, Venango county.

Referred to the Committee on Canals and Inland Navigation.

No, 1374, an act to organize the Monongahela City and Victory turnpike road company, Washington county.

Referred to the Committee on Roads and Bridges.

No. 1376, an act relating to auctioneers in the city of Williamsport.

Referred to the Committee on the Judiciary Local.

No. 1377, an act appropriating certain surplus bounty funds in Silver Spring township, Cumberland county, to school purposes.

Referred to the Committee on Education.

No. 1378, an act to authorize the Hartsville and Centreville turnpike road company to issue preferred stock.

Referred to the Committee on Roads and Bridges.

No. 1380, an act relating to the election district of Allegheny township, in the county of Blair.

Referred to the Committee on Election Districts.

No. 1381, an act to authorize the supervisors of Tyrone township, Blair county, to levy a cash tax, and James L. Gwin to run, fix and establish the boundary line between Tyrone and Logan townships, Blair county.

Referred to the Committee on the Judiciary Local.

No. 1383, an act to create trustees to erect a monument in the Twenty second ward of the city of Philadelphia, and to authorize Henry K. Smith, executor or administrator of the estate of William K. Smith, deceased, to pay over the money in his hands belonging to the bounty fund of the Twenty-second ward, to said trustees.

Referred to the Committee on the Judiciary Local.

No. 1384, an act to take the sense of the people of Indiana county upon the question of a prohibitory liquor law.

Referred to the Committee on Vice and Immorality.

No. 1389, an act to authorize the commissioners of Susquehanna county to erect a new jail in said county.

Referred to the Committee on the Judiciary Local.

He also returned bills from the Senate numbered and entitled as follows, viz:

No. 1346, an act to authorize the conveyance of certain real estate in the city of Philadelphia by the committee of Samuel Griffit, a lunatic.

No. 1468, a further supplement to an act to incorporate the Montana gold and silver mining company, approved the 23d day of March, A. D. 1865,

With information that the House of Representatives has passed the same without amendments.

QUESTION OF PRIVILEGE.

Mr. LANDON asked and obtained leave to put his reasons upon the *Record* for his vote on the bill applying the prohibitory liquor law of Potter county to Lycoming county.

REPORTS FROM COMMITTEES.

On leave,

Mr. WHITE, from the Committee on Military Affairs, reported, as committed, a bill entitled An act for the relief of Captain John Moore, jr., late of the Edenton Guards.

On leave,

Mr. HAINES, from the Committee on Corporations, reported, as committed, bill entitled An act to provide a city government for the borough of Altoona, Blair county.

BILLS IN PLACE.

On leave,

Mr. WHITE, read in his place and presented to the Chair a bill entitled An act to extend the limits of the borough of Indiana.

Referred to the Committee on the Judiciary Local.

Mr. BIGHAM, a bill entitled An act to authorize the court of quarter sessions of Allegheny county to appoint viewers to assess the cost of opening a public road in said county.

Referred to the Committee on the Judiciary Local.

Mr. WHITE, a bill entitled An act to take the sense of the voters of Rayne township, Indiana county, on the question of authorizing the school directors of Rayne school district to erect a public hall, at the village of Kintersburg, in said township.

Referred to the Committee on Education.

Mr. FISHER, a bill entitled A supplement to an act incorporating the Caledonia iron, land and railroad company, approved March 22d, A. D. 1867.

Referred to the Committee on Corporations.

Mr. BIGHAM, a bill entitled An act to incorporate the Tidioute and Warren oil company.

Referred to the Committee on Corporations.

Mr. LOWRY, a bill entitled An act to authorize the Board of Military Claims to reexamine the claims of the representatives of Colonel John W. M'Lain, deceased, of Erie county.

Referred to the Committee on Military Affairs.

BILLS CONSIDERED AND PASSED.

On motion of Mr. WALLACE, the Committee on Estates and Escheats was discharged from the further consideration of bill entitled A supplement to an act to authorize the executors of the last will and testament of John Crossthwaite to pay over to Francis Dunlap, of Clearfield county, certain legacies approved April 29th, 1844.

And the rules having been dispensed with, The bill was read a second and third time, and

Passed finally.

On motion of Mr. GLATZ, the rules were dispensed with, and the Senate proceeded to the consideration of bill entitled An act legalizing the acts of the York building association No. 2, and the York building association No. 3, of the borough of York, in the county of York.

The bill was read a second and third time, and

Passed finally.

On motion of Mr. WALLS, the rules were dispensed with, and the Senate proceeded to the consideration of bill entitled An act to increase the compensation of the supervisors, assessors and auditors in the township of Gregg, in the county of Union.

The bill was read a second and third time, and

Passed finally.

On motion of Mr. COLEMAN, the rules were dispensed with, and the Senate proceeded to the consideration of bill entitled An act relating to parks in the city of Harrisburg.

The bill was read a second and third time, and

Passed finally.

On motion of Mr. GLATZ, the rules were dispensed with, and the Senate proceeded to the consideration of bill entitled An act to establish a ferry and foot bridge over the Driftwood branch of the Sinnemahoning creek, near the mouth thereof, in Cameron county.

The bill was read a second and third time, and

Passed finally.

On motion of Mr. BROWNE (Lawrence), the rules were dispensed with, and the Senate proceeded to the consideration of bill entitled An act for the relief of Captain John Moore, late of the Edenton Guards.

The bill was read a second and third time, and

Passed finally.

On motion of Mr. SHOEMAKER, the rules were dispensed with, and the Senate proceeded to the consideration of bill entitled A supplement to an act entitled An act to incorporate the Susquehanna and Delaware railroad company.

The bill was read a second and third time, and

Passed finally.

On motion of Mr. WHITE, the rules were dispensed with, and the Senate proceeded to the consideration of bill entitled An act to authorize and empower William Howe to erect and maintain on Two Lick creek, in Cherry Hill township, Indiana county, at his mill, on said creek, a boom for saw logs.

The bill was read a second and third time, and

Passed finally.

On motion of Mr. CONNELL, the rules were dispensed with, and the Senate proceeded to the consideration of bill entitled An act to change the venue in a certain case from Schuylkill county to Lebanon county.

The bill was read a second and third time, and

Passed finally.

On motion of Mr. BROWN (Mercer), the rule was dispensed with, and the Senate proceeded to the consideration of a bill entitled An act regulating the time of making returns by justices of the peace of Mercer county.

On motion of Mr. JAMES, the bill was amended by making its provisions apply to Bucks county.

And the rules having been dispensed with, the bill was read a second and third time, and

Passed finally.

On motion of Mr. HAINES, the rules were dispensed with, and the Senate proceeded to the consideration of a bill entitled An act to provide a city government for the borough of Altoona, Blair county.

The bill was read a second and third time, and

Passed finally.

On leave,

Mr. HAINES, from the Committee on Corporations, reported, as committed, a bill entitled An act to incrporate the Tidionte and Warren oil company.

And the rules having been dispensed with, the bill was read a second time, and

Agreed to.

Laid over on third reading.

On motion of Mr. LOWRY, the Committee on Military Affairs was discharged from the further consideration of a bill entitled An act to authorize the State Treasurer to pay to Mrs. S. Richards Boyle, widow of Captain John A. Boyle, who fell on Lookout Mountain, the expenses incurred by her in obtaining the remains of her husband.

And the rules having been dispensed with, The bill was read a second and third time, and

Passed finally.

On motion of Mr. COWLES, the rules were dispensed with, and the Senate proceeded to the consideration of a bill entitled An act to incorporate the Wellsboro and Lawrenceville railroad company.

The bill was read a second time.

On motion of Mr. COWLES, the fifth section was amended by striking out all after the word "dollars" in the sixth line to the word "and" in the eighth line.

And the rules having been dispensed with. The bill was read a third time, and

Passed finally.

On motion of Mr. DAVIS, the rules were dispensed with, and the Senate proceeded to the consideration of a bill entitled A supplement to an act to incorporate the Swatara company, passed March 7, 1849.

The bill was read a second and third time, and

Passed finally.

On motion of Mr. CONNELL, the rules were dispensed with, and the Senate proceeded to the consideration of a bill entitled An act to legitimate Edward A. Smith, Ellen J. Smith, Catharine V. Smith and Thomas B. Smith.

The bill was read a second and third time, and

Passed finally.

On motion of Mr. DONOVAN, the rules were dispensed with, and the Senate proceeded to the consideration of a bill entitled An act to authorize the city of Philadelphia to sell certain ground in the Eleventh ward.

The bill was read a second and third time, and

Passed finally.

On motion of Mr. GLATZ, the rules were dispensed with, and the Senate proceeded to the consideration of a bill entitled An act to enable the board of school directors of the township of Chanceford, in the county of York, to levy and collect at once a tax sufficient to liquidate the remaining indebtedness of said township for bounty purposes, and to appropriate surplus bounty funds of said township to common school purposes.

The bill was read a second and third time, and

Passed finally.

On motion of Mr. GLATZ, the rules were dispensed with, and the Senate proceeded to the second reading and consideration of a bill entitled An act to change the boundary lines of the borough of Wrightsville, in the county of York.

The bill was read a second time.

On motion of Mr. GLATZ, the title was amended so as to read as follows: An act exempting certain land in Hellam township, York county, from taxation for bounty purposes, when annexed to the borough of Wrightsville, in said county.

And the rules having been dispensed with, The bill was read a third time, and

Passed finally.

On motion of Mr. WHITE, the Committee on Education was discharged from the further consideration of bill entitled An act to take the sense of the voters of Rayne township, Indiana county, on the question of authorizing the school directors of Rayne school district to erect a public hall at the village of Kintersburg, in said township.

And the rules having been dispensed with, The bill was read a second and third time, and

Passed finally.

On motion of Mr. FISHER, the Committee on Corporations was discharged from the further consideration of bill entitled A supplement to an act incorporating the Caledonia iron, land and railroad company, approved March 22d, A. D. 1867.

And the rules having been dispensed with, The bill was read a second and third time, and

Passed finally.

On motion of Mr. HAINES, the rules were dispensed with, and the Senate proceeded to the consideration of a bill entitled A supplement to an act relating to the liens of mechanics and others upon buildings, approved June 16th, 1836.

The bill was read a second time.

On motion of Mr. HAINES, the first and only section of the bill was amended by adding to the end thereof a proviso, as follows: "*And provided further*, That this act shall only apply to the counties of Blair and Armstrong."

The title was amended by adding to the end thereof the words, "extending the same to the counties of Blair and Armstrong."

And the rules having been dispensed with, Said bill was read a second and third time, and

Passed finally.

On motion of Mr. LANDON, the rules were dispensed with, and the Senate proceeded to the consideration of bill entitled An act authorizing the school directors of Clinton township, Wyoming county, to levy tax for bounty purposes.

The bill was read a second and third time, and

Passed finally.

On motion of Mr. SHOEMAKER, the rules were dispensed with, and the Senate proceeded to the consideration of bill entitled An act to authorize the burgess and town council of the borough of Wilkesbarre to borrow money to purchase ground for a public cemetery and to prevent further interments in the old graveyard.

The bill was read a second and third time, and

Passed finally.

On motion of Mr. STUTZMAN, the rules were dispensed with, and the Senate proceeded to the consideration of bill entitled An act to incorporate the Pacific mining and exploring company.

The bill was read a second and third time, and

Passed finally.

On motion of Mr. CONNELL, the rules were dispensed with, and the Senate proceeded to the consideration of bill entitled An act relative to street paving in the city of Philadelphia.

The bill was read a second and third time, and

Passed finally.

On motion of Mr. SEARIGHT, the Committee on Finance was discharged from the further consideration of bill entitled An act to exempt Calvary Monumental church of Philadelphia from taxation.

And the rule having been dispensed with, the bill was read a second and third time and

Passed finally.

On motion of Mr. BIGHAM, the Committee on Judiciary Local was discharged from the further consideration of bill entitled An act to authorize the courts of quarter sessions of Allegheny county to appoint viewers to assess the cost of opening a public road in said county.

And the rules having been dispensed with, The bill was read a second and third time, and

Passed finally.

On motion of Mr. GLATZ, the rules were dispensed with, and the Senate proceeded to the consideration of a bill entitled An act relative to the running of railroad cars in the borough of York, extending the same to the borough of Glen Rock.

The bill was read a second and third time, and

Passed finally.

On motion of Mr. WORTHINGTON, the rules were dispensed with, and the Senate proceeded to the consideration of a bill entitled An act incorporating the East Brandywine and Waynesboro railroad company, approved March 31st, A. D. 1854.

The bill was read a second and third time, and

Passed finally.

On motion of Mr. SHOEMAKER, the rules were dispensed with, and the Senate proceeded to the consideration of bill entitled A supplement to an act entitled An act to incorporate the Pennsylvania coal company, authorizing said company to construct lateral roads and hold additional lands,

The bill was read a second and third time, and

Passed finally.

On motion of Mr. FISHER, the Committee on Judiciary Local was discharged from the further consideration of bill entitled An act supplementary to an act incorporating the borough of Marietta, Lancaster county, approved the 15th day of February, A. D. 1834, granting certain powers to the chief burgess and borough constable.

The rules being dispensed with,

The bill was read a second and n third time, and

Passed finally.

On motion of Mr. WALLS, the rules were dispensed with, and the Senate proceeded to the consideration of a bill entitled An act in relation to the re-election of the treasurer of Lycoming county.

The bill was read a second and third time, and

Passed finally.

On motion of Mr. DAVIS, the rules were dispensed with, and the Senate proceeded to the consideration of bill entitled an act to incorporate the Ryan and Reading slate company.

The bill was read a second and third time, and

Passed finally.

On motion of Mr. JACKSON, the rules were dispensed with, and the Senate proceeded to the consideration of a bill entitled An act to incorporate the Susquehanna Valley railroad company.

The bill was read a second and a third time, and

Passed finally.

On motion of Mr. SHOEMAKER, the

rules were dispensed with, and the Senate proceeded to the consideration of bill entitled An act to incorporate the Lucius S. Peck gold and silver mining company of Montana.

The bill was read a second and a third time, and

Passed finally.

On motion of Mr. CONNELL, the Committee on the Judiciary Local was discharged from the further consideration of a bill entitled A further supplement to an act relating to inspectors, approved April 15, A. D. 1835, and the supplements thereto, approved March 25, 1850, relating to the city of Philadelphia.

And the rules having been dispensed with, The bill was read a second time.

On motion of Mr. CONNELL, the first section was amended by inserting after the word "reduced," in the fifth line, the words "and hereafter the charges shall be."

The bill was read a second time, and

Passed finally.

On motion of Mr. LOWRY, the Committee on Military Affairs was discharged from the further consideration of a bill entitled An act to authorize the Board of Military Claims to re-examine the claim of the representatives of Col. John W. M'Clain, deceased, of Erie county.

And the rules having been dispensed with, The bill was read a second time.

Several motions were made and disposed of, a full report of which will appear in the *Appendix*.

The bill was finally recommitted to the Committee on Military Affairs.

The Senate then adjourned till Tuesday morning at 10 o'clock.

HOUSE OF REPRESENTATIVES.

MONDAY, April 1, 1867.

The House met at 7½ o'clock, P. M.

Prayer was offered by the Rev. JACOB KENNEDY, member from Wyoming.

The SPEAKER announced a quorum of members present.

The Journal of Friday was partly read, when,

On motion of Mr. LONG, the further reading of the same was dispensed with.

Mr. MANN. Mr. Speaker, I move that the orders of the day be suspended for the purpose of considering House bill No. 616, an act to limit the lien of foreign attachments and to regulate the manner of liquidating judgments on said writs.

Mr. QUAY. Mr. Speaker, upon that motion I feel it my duty to call for a division of the question.

The question being on the first division of the question to suspend the rule generally.

It was

Not agreed to.

Mr. JOSEPHS. Mr. Speaker, I rise to a privileged question. I move to reconsider the vote by which the House indefinitely postponed House bill No. 1663, an act to establish a depot for the sale of cattle, calves, sheep and hogs in the city of Philadelphia, and to provide for the inspection of the same.

Mr. GREGORY. Mr. Speaker, I second the motion.

Mr. BOYLE. Mr. Speaker, I rise to a point of order, that too much time has elapsed since action upon this bill to entertain a motion to reconsider now.

Mr. JOSEPHS. Mr. Speaker, I think not, sir. This bill was introduced last Monday night.

The SPEAKER. This is only the sixth day since it was introduced.

Mr. BOYLE. This is the eighth day.

The SPEAKER. Sundays are not counted.

Mr. BOYLE. Then this is the seventh day.

The SPEAKER. How does the gentleman count?

Mr. BOYLE. I would count either this Monday, or last Monday, and certainly this is the seventh day.

The SPEAKER. The rule is that you can reconsider on the sixth day. The Chair is of the opinion that the motion is in order.

Mr. DAY. Mr. Speaker, it is ten minutes past time. The time expired at 7½ o'clock.

The SPEAKER. Any time until 12 o'clock will answer.

The question being on agreeing to the motion of Mr. JOSEPHS,

The yeas and nays were required by Mr. JOSEPHS and Mr. GREGORY, and were as follow, viz:

YEAS—Messrs. Adaire, Allen, Barton, Cameron, Chase, Colville, Davis, DeHaven, Ewing, Fogel, Freeborn, Ghegan, Gregory, Harbison, Headman, Heltzel, Hoffman, Hood, Hunt, Josephs, Kennedy, Kerns, Kinney, Kline, Koon, Lee, Long, M'Kee, Maish, Mullin, Pillow, Rhoads, Robinson, Roush, Seiler, Shuman, Subers, Watt, Webb, Westbrook, Wharton, Wingard, Woodward, Worrall and Glass, *Speaker*—45.

NAYS—Messrs. Armstrong, Barrington, Boyle, Brown, Brown, Chadwick, Collins, Craig, Day, Deise, Espy, Gordon, Harner, Jenks, Jones, Kurtz, Leech, Linton, M'Creary, M'Pherrin, Mann, Marks, Meyers, Peter, Phelan, Quay, Quigley, Richards, Sharples, Steacy, Tharp, Wallace and Weller—33.

So the question was determined in the affirmative.

The following is a copy of the bill:

AN ACT to establish a depot for the sale of cattle, calves, sheep and hogs in the city of Philadelphia, and to provide for the inspection of the same.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same*, That for the protection of the citizens and persons doing business in the city of Philadelphia, promoting the health thereof, providing more effectually against the sale of diseased meat and to furnish facilities for the inspection, feeding, storage, sale or barter of animals in said city, Wm. T. M'Grath, Wm. H. Nolen, Joseph R. Early, B. S. Hunt, Daniel Thomas, William Gohl and H. Clay Crawford, their associates be, and they are hereby, incorporated and declared a body politic, by the name, style and title of the Philadelphia Cattle market company, and by such name and title shall have perpetual succession, and shall be capable of suing and being sued, impleading and being impleaded in law, and for the purpose of carrying out the objects of said incorporation, shall have the right and power to purchase, hold, sell, lease or exchange real estate, and to erect such buildings as may be necessary for the business of said company: *Provided*, That the said company shall not hold more than one hundred acres of land, and that the depots or yards of the said company shall not be located in the closely built up portions of the city of Philadelphia, and the drainings therefrom shall not be made into the river Schuylkill, unless below the dam at Fairmount.

SEC. 2. That the said Philadelphia Cattle market company shall provide on their grounds scales, and such facilities and accommodations as may be necessary for the weighing and safe keeping of cattle, calves, sheep and hogs; and all cattle, calves, sheep and hogs offered for sale in the city of Philadelphia for slaughter shall be inspected, weighed and marked at their yards or depots, under the supervision of the inspector hereinafter provided for.

SEC. 3. That the management of said company shall be entrusted to five directors, a president, treasurer and secretary; the first board shall be elected by the corporators within thirty days after the passage of this act, and annually by the stockholders thereafter; and the said company shall have power to make such by laws as they may deem proper, to enable them to carry out the objects of the corporation; and the same to alter, amend, add to or repeal at their pleasure: *Provided*, That such by-laws shall not be contrary to the constitution of this Commonwealth or the provisions of this act, and to adopt a common seal, and the same to alter at pleasure, and to issue certificates of stock representing the value of their property, in such form and subject to such regulations as they may, from time to time, by their by-laws, prescribe, and to regulate and prescribe in what manner and form their contracts and obligations shall be executed.

SEC. 4. The capital stock of the said company shall be one hundred thousand dollars, divided into one thousand shares, of the value of one hundred dollars each, with power to increase the same, by a vote of the stockholders, to an amount not exceeding two hundred thousand dollars, which shall be paid in as the board of directors may require; and each stockholder shall be entitled, at all elections, to one vote for each share of stock held by him or her.

SEC. 5. The said company shall have power to mortgage their estate and franchises to an amount not exceeding the par value of their stock, and to issue bonds therefor, bearing interest at a rate not exceeding seven per centum per annum.

SEC. 6. That whenever the said company shall have secured and provided such depots, yards, and necessary improvements and facilities as herein mentioned, and notified the Governor of the same, the Governor shall appoint one inspector of cattle and sheep and hogs, to serve for the term of three years, unless sooner removed for sufficient cause; and the said inspector is hereby authorized to appoint as many deputies as the said company may deem necessary for the proper discharge of the duties of the office and carrying out the provisions of this act; the said inspector shall receive a salary of two thousand dollars per year, to be paid by the said company.

SEC. 7. That before entering upon the duties of his office, the said inspector shall give bond in the sum of five thousand dollars, with sufficient sureties conditioned for the faithful performance of his duties, which bond shall be filed in the office of the Auditor General of the Commonwealth, and shall take and subscribe an oath or affirmation for the faithful performance of said duties, before a magistrate competent to administer the same, which shall be filed with said bond.

SEC. 8. That said inspector, in person, or his deputies, shall be in attendance constantly during business hours at said depot and yards, and shall inspect, weigh and mark all cattle, calves, sheep and hogs offered for sale for slaughter in the city of Philadelphia, and shall give a certificate to the owner or purchaser, setting forth the weight of said animals and their fitness for consumption.

SEC. 9. That neither the said inspector or any of his deputies, nor any of the officers or agents of the said company, shall be interested, directly or indirectly, in the ownership or sale of any live stock offered for sale at said depot, yards or place of inspection, and it shall be the duty of the said inspector and his deputies to examine, carefully and impartially, all such stock, and prevent the sale of all diseased animals.

SEC. 10. The said inspector shall be entitled to charge and collect for the use of said company for inspecting and weighing cattle

one per centum per hundred pounds, and two cents per hundred pounds for inspecting and weighing calves, sheep and hogs, which charge shall be paid by the seller of the same, and paid over daily to the treasurer of the said company.

SEC. 11. That the said inspector and the president and secretary of the said, the Philadelphia Cattle market company, shall furnish a monthly statement of all stock inspected and weighed by him, and a quarterly statement to the Auditor General showing the receipts and expenditures of the said company arising from said inspections, said statements to be certified under oath of the parties, and the said company shall pay into the State Treasury ten per centum on the amount of all funds received for inspecting, weighing and marking cattle, calves, sheep and hogs, after payment of the salaries and expenses paid for the same.

SEC. 12. The said company shall not charge for yardage on cattle more than fifteen cents per head per week, or any part thereof, nor more than five cents per head on calves, sheep or hogs for the same time.

SEC. 13. The said company shall have the right to make such sidlings, turnouts and connections with the track of the Pennsylvania railroad company, as may be necessary to enable said company to carry cattle in cars from the said railroad to the depot of said company, with the consent of the said Pennsylvania railroad company.

SEC. 14. Immediately after the said inspector shall have entered upon his duties it shall not be lawful to expose for sale in said city, the flesh of any animal that has not been inspected, weighed and marked, in conformity with this act, and any persons violating any of the provisions of this act, upon complaint made by the inspector or any one of his deputies, shall pay a penalty of fifty dollars for each animal slaughtered or exposed for sale, to be paid to the guardians of the poor; and any person offering for sale an animal pronounced unfit for slaughter and consumption shall be liable to a like penalty: *Provided*, That nothing in this act shall be construed to apply to animals raised or slaughtered by farmers for sale in the city of Philadelphia.

SEC. 15. The said inspector shall, as soon as he is duly qualified to enter upon the duties of his office, give notice of the same, and of the localities of the depots and yards of the said companies, for four weeks, in four newspapers published in the city of Philadelphia, and in two newspapers published in each of the counties of Chester, Montgomery and Lancaster.

The question recurring on the motion to indefinitely postpone the bill,

Mr. ARMSTRONG. Mr. Speaker, I have but a word to say, sir, before this vote is taken. That bill, introduced as it has been, a bill of these provisions to be run through under the suspension of the rules, without having been referred to a committee, without having been printed and laid upon the desks of members, without giving the members of this House any chance, whatever, to consider its provisions, appears to me one of the greatest outrages that has been attempted to be perpetrated upon this House during the entire session.

I have only been able, from hearing the bill read, to form some faint conceptions of its character and proportions. Some of its objectionable features were brought out in the discussion when it was before us last week, but the enormity of the bill remains yet concealed from our vision. What, I ask, are the provisions of this bill? Nothing more nor less than to establish one of the most outrageous monopolies that was ever asked for by any man or set of men in this community—a monopoly requiring every hoof of cattle, hogs and sheep to be driven into one particular yard, to pass through that yard and to be there inspected. Not that I object to having an inspection for cattle and for meats of all kinds; for that I would give my vote. But when you allow me, sir, at the entrance of this town, to erect a gate and compel every vehicle that passes into this town to pass that gate and pay toll, I argue that you are committing an outrage upon the community that they should and would protest against.

The bill before us now, which has once been fairly defeated, is precisely of that character. These sweeping features in its provisions, grasp every pound of meat that passes into the city of Philadelphia, compelling it to pass through this ordeal and to empty the treasure of the State into this corporation. If these gentlemen came before us with a bill, fair in its proportions, asking us to establish a yard for cattle, hogs and sheep—if that bill asked us to give them an inspector of meat, I should vote for that bill. But when they come here asking for a bill to compel us to forsake every other yard, to compel us to pass by every other yard, and to pour our entire stock through that yard, I do contend, sir, that it is asking more than this House will agree to give. If I am mistaken in this, then, sir, I am more mistaken in my estimate of the integrity of the members on this floor than I have ever been in any set of men in my life. We know, sir, the influences that have been brought to bear on this subject. We were told that this bill would be modified to meet our views on the subject, but instead of that we are met with the same bill, containing the same obnoxious features—the very same bill itself.

Why is this, sir? Where is the influence that will reconsider the bill now before us after the vote that was taken, the very decided vote against it when it was last before the House? There is a reason for it—there is a reason, sir, for this vote, and I hold that members upon this floor will be held accountable for that vote.

I trust that if this bill has to be passed at all, it will first be printed; that its details will be laid before us, and that we may have an opportunity to examine it.

Now, if this is an honest, upright bill that any honest, upright man can support, it need not fear the light of day, it need not fear to come before us in a printed form on our tables; but if it is one of those snakes that would crawl through this House in the dark, I can see why its passage should be insisted upon at this time.

Against this bill I must protest, and I hope the good sense of the members of this House will vote down this monster as they did before.

Mr. LEE. Mr. Speaker, we have certainly listened to a most extraordinary effort.

The gentleman starts out by saying that this bill is kept in the dark and nobody knows anything about it, and then leads off with a volume of unjustifiable invectives that have not been equalled in this house during the session. Now, I say that the gentleman from Lancaster is utterly mistaken in everything that he has uttered about this bill. Everything he has uttered in relation to this bill he is mistaken in.

In the first place, it does not require every hoof that comes into the city of Philadelphia to go into this single yard.

This bill requires no such thing; not a single hoof raised in the county of Lancaster need go into that yard, and may go into the city of Philadelphia and be sold. That is the fact with reference to this bill, as the reading of it will show. Everybody knows that the bill was not before the House before, that it was not read, and that it was under just such denunciations that it was postponed. I say that this bill looks to the protection of the city of Philadelphia against the encroachments of those who would poison us with foul meats, and it is proper and right that we should be thus protected. The gentleman from Lancaster says clearly that he has no objection to that. We do not want rinderpest, or anything of the kind, to come into our city, and we do not propose to have it if we can help it. We regard our health as too important for that.

Now, this bill provides, sir, that every ox, sheep or hog that comes into Philadelphia for slaughter shall be inspected, and I want to know what objection the gentleman can urge against that?

Mr. ARMSTRONG. I would like to inquire of the gentleman—where are they to be inspected? Does not this bill require that they shall all be inspected in this yard?

Mr. LEE. I asked the gentleman the simple question what objection he has to having meats that we have to eat inspected, and in reply he asks where they are to be inspected. That is no answer to my question. What is the difference where, or how, or by whom, they are inspected, so that we are secured?

Mr. ARMSTRONG. Mr. Speaker, I will answer that I have no objection to their being inspected; I would have no objection to the appointment of an inspector to go around to the different yards. As I said, I have no objection to the inspection; but what I object to is the compelling of everything to be inspected in that yard. What I oppose is this monopoly.

Mr. LEE. The provisions of this bill do not require that a single hoof, that a single sheep, hog, or anything else raised in Lancaster county, or any other county in this Commonwealth, need be inspected in that yard. Now, is the gentleman satisfied with a provision of that sort?

Mr. ARMSTRONG. I would like to hear the bill read.

The bill was read.

Mr. LEE. Mr. Speaker, now, sir, I think the reading of the bill fully corroborates what I have said. Any party may go into Lancaster county, into Bucks county, or into Montgomery county and purchase cattle directly for their own slaughter houses, and this yard can have nothing earthly to do with it, because it says purchased for slaughter in the city of Philadelphia. The only thing the bill provides against, and it is all we ask it to provide against, is that we shall not have this impure meat driven into our city and sold in the markets. I ask any man, any reasonable man, whether this is not right, whether it is not proper that the community should be protected in this respact? Why, I heard a man say in opposition to this bill, "if it is passed we cannot take into our markets our old cows that have lost their teeth and tails and sell them for beef, because we will have to take them to this inspector." I say that it does not even go as far as it ought to go. I say that when a man has fed his cows on swill until they have lost their teeth and tails he ought not to take them into the city of Philadelphia and sell them for beef. We also want to provide against these cattle from the west, poor and otherwise unfit for beef, being slaughtered there.

The gentleman from Montgomery [Mr. SATTERTHWAIT] objected to the bill because they could not send their little calves down and sell them to go to Jersey. There is nothing in the bill that prevents that. There is nothing that prevents the taking any cattle there and selling them to go elsewhere, but when they bring them into the city of Philadelphia to be slaughtered, I ask why this House will not protect us in that particular?

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[CONTINUED FROM PAGE 824.]

It is but just, proper and reasonable. What we want to provide against by this bill, is allowing the gentleman from Lancaster, or anybody else, to drive his unhealthy cattle into Philadelphia, and sell them to the butchers, to be slaughtered there. We all know that they slaughter their best meat for their own market, and that when it is not fit for their own market, they sell them in the city of Philadelphia, with shinners and other things in the streets.

Mr. ARMSTRONG. Mr. Speaker, I am satisfied, after the reading of this bill carefully as it has been by the Clerk, that the House will bear me out in the assertion that I made in the outset that it is an iniquitous bill, gotten up for the express purpose, and nothing else, of creating a monopoly for this company. I have said that I have no objections to the inspection of meats. I am perfectly satisfied, and would vote for an inspector of meats in the city of Philadelphia, if it is desired. That is not what I object to. But I do object, and the reading of the bill bears me out in the assertion that I made, to requiring every hoof to be driven through this yard. Every hoof of cattle, sheep, hogs and calves must pass through that yard, be there weighed, and have the inspector's seal before they can be sold, and the violator subjects himself to a severe penalty if he does not submit his cattle there to be inspected. That is the ground of my opposition to this bill. I will agree to the establishment of yards by the half dozen or the dozen around the city of Philadelphia, for the accommodation of drovers for the reception of stock, there to be slaughtered, but I will not, sir, agree that any corporation of this kind shall establish their yard through which every hoof that comes from Jersey or from Delaware, or wherever else, must be driven through the city or around the city and be obliged to pass through that yard. Who, with common sense controlling his actions, would support a measure of this kind? I consider it an express outrage, and the gentleman who brought it here intends to perpetrate an outrage, not only upon the people of this Legislature, but upon the people of this entire community; aye, sir, to establish an inquisition at the portals of the city of Philadelphia, and were I a western man I would pass your city and put my cattle into another market—that would make you buy your beef there. No man in pursuit of his legitimate business would, I think, submit to such a monopoly as this.

Talk about your toothless and tailless cows that they have in the Philadelphia market! It is proverbial that the best cattle that are sold in the city of Philadelphia come from the county of Lancaster.

Mr. LEE. Will the gentleman permit me to ask him a question? What earthly harm can an inspection do to those cattle?

Mr. ARMSTRONG. I do not object to the inspection of those cattle. I find no fault with your inspection. It is the monopoly that is created by this immense corporation—this soulless corporation—instituted to grasp everything, and drive out of existence every other good that has been established, and to drive to poverty and ruin the men who have invested their all in the yards around the city of Philadelphia, and to pour everything into the maw of this giant corporation. There is where I find fault, and why I protest against this monstrosity.

I hope, sir, viewing this matter as it appears to my mind, and as I am satisfied it must present itself to every candid and reasoning man on this floor, that this bill will receive its quietus at the hands of this Legislature.

Mr. SHARPLES. Mr. Speaker, when this bill was before the House for consideration before, I presented a remonstrance against the passage of a bill of this character. I was given to understand that the bill would be changed in its provisions to meet the objections to it, but I do not notice that there has been any change made.

The SPEAKER. The Chair would suggest that he has permitted a wide range of debate on the question before the House. The bill is not before the House; it is the second section, and the question is on the indefinite postponement of the bill. The Chair trusts that in addressing the House, members will address themselves to the question before the House.

Mr. JOSEPHS. Mr. Speaker, if it is in order, I would like to have a petition read. It is a petition signed by Mr. Price and other prominent gentlemen of the city of Philadelphia, representing five millions of dollars worth of property, asking that this drove yard, in the western part of the city, may be removed.

The petition was partly read by the Clerk.

Mr. ARMSTRONG. Mr. Speaker, I would ask what bearing this petition has on the question under discussion. I cannot understand that it has any bearing whatever. I would like to be informed if it has. I do not see that the removal of this yard has anything to do with the bill under discussion. I object to the further reading of the petition. It certainly has nothing to do with the question before us.

The SPEAKER. Perhaps the gentleman had better withdraw his objections until the Clerk has further proceeded in his reading of it.

The Chair has been unable to learn the drift of it.

The Clerk resumed the reading of the petition.

Mr. KURTZ. Mr. Speaker, I would like to know what that petition has to do with the second section of this bill?

Mr. QUIGLEY. Mr. Speaker, I trust that gentlemen will allow this petition to be read. I understand that it has some bearing on the question before the House. It is signed by some of the most prominent men in the city of Philadelphia.

Mr. SHARPLES. Mr. Speaker, if my remarks had no bearing on the question before the House, I do not see how this petition has.

Mr. JOSEPHS. Mr. Speaker, I withdraw the petition.

On the question,

Will the House agree to the motion to indefinitely postpone the bill?

The yeas and nays were required by Mr. ARMSTRONG and Mr. STEACY, and were as follow, viz:

YEAS—Messrs. Armstrong, Barrington, Boyle, Brown, Chadwick, Colville, Craig, Day, Deise, Espy, Ewing, Gordon, Harner, Jenks, Jones, Kurtz, Leech, Linton, M'Creary, M'Pherrin, Maish, Mann, Marks, Meily, Meyers, Peter, Phelan, Quay, Quigley, Richards, Robinson, Sharples, Steacy, Stehman, Thayr, Wallace and Weller—37.

NAYS—Messrs. Adaire, Barton, Cameron, Chase, Davis, DeHaven, Donobugh, Fogel, Freeborn, Ghegan, Gregory, Harbison, Headman, Heltzel, Hoffman, Hood, Hunt, Josephs, Kennedy, Kerns, Kinney, Kline, Koon, Lee, Long, M'Kee, Mulliz, Pillow, Rhoads Roush, Seiler, Shuman, Stumbaugh, Subers, Watt, Webb, Westbrook, Wharton, Wingard, Woodward, Worrall and Glass, *Speaker*—42.

So the question was determined in the negative.

The question recurring,

Will the House agree to the second section of the the bill?

Mr. LINTON. Mr. Speaker, I have listened carefully to the reading of this bill, and if I correctly understood its provisions it does create a monstrous monopoly. It seems to me that it has no parallel in the previous history of this State—a monopoly of the character that is provided for in this bill; yet the gentleman from Philadelphia denies it. He says that there are modifications and restrictions which prevent its being of this character. I know it is difficult to understand a bill by merely hearing it read from the Clerk's desk.

You cannot catch very accurately the provisions of a bill thus read. And I think that this bill is of the importance that requires that it should be printed and laid upon the desks of members, that they may see if it is of the character mentioned by the gentleman from Lancaster, or if there are those modifications and restrictions as asserted by the gentleman from Philadelphia.

I, therefore, move that this bill be postponed until Friday next, and printed and laid upon the desks of members.

Mr. JOSEPHS. Mr. Speaker, I hope that will not be done. The gentleman knows very well that if this is done it will be too late entirely to pass this bill. Next Friday will be within four or five days of the final adjournment, and there would be no use in trying to pass it then.

I hope the motion will not prevail.

Mr. LINTON. Mr. Speaker, I trust that

the motion will carry; if the bill is examined, I feel confident that it will not be passed, although it may be that my impressions on this subject are wrong; it may be that it is not of that monstrous character which it seems upon the reading. I trust that this Legislature will not pass a bill which appears to be of this character without having an opportunity to examine it.

Mr. JOSEPHS. Mr. Speaker, if the bill can be printed by Wednesday morning, and made the special order, I would be satisfied to have it go over until then.

I move to amend the motion by making the special order for Wednesday morning next at 9 o'clock, and that it be printed.

Mr. LINTON. Mr. Speaker, I will accept that modification.

The question being on agreeing to the motion,

It was

Agreed to.

OBJECTED BILLS ON PRIVATE CALENDAR.

The following bills on the list of objected bills of the private calendar were taken up and acted upon as stated:

No. 934, an act authorizing the gas committee of councils of the city of Philadelphia to attend all meetings of the Philadelphia gas trust.

When the bill was last under consideration,

Mr. DEHAVEN offered the following amendment:

To come in at the end of the preamble:

"And have asked the said trustees to permit their committees to be present at the meetings of said trustees, which the said trustees have refused.

At the end of first section:

"And it shall be the duty of the said trustees, and they are hereby required to permit the committee on gas to attend all their meetings."

The question being on agreeing to the amendment of Mr. DEHAVEN,

The yeas and nays were required by Mr. DEHAVEN and Mr. GREGORY, and were as follow, viz:

YEAS—Messrs. Adaire, Armstrong, Barrington, Barton, Breen, Brennan, Brown, Cameron, Chadwick, Chalfant, Chase, Collins, Colville, Craig, Day, DeHaven, Deise, Donohugh, Espy, Ewing, Fogel, Freeborn, Gordon, Gregory, Harner, Headman, Heltzel, Hood, Hunt, Jenks, Josephs, Kennedy, Kline, Koon, Kurtz, Leech, Linton, Long, M'Pherrin, Maish, Meyers, Mullin, Peter, Phelan, Quigley, Rhoads, Richards, Robinson, Roush, Steacy, Wallace, Weller, Westbrook, Wharton, Wingard, Worrall and Glass, *Speaker*—57.

NAYS—Messrs. Davis, Ghegan, Harbison, Hoffman, Jones, Kerns, Kinney, Lee, M'Creary, McKee, Mann, Marks, Quay, Seiler, Sharples, Shuman, Stehman, Watt, Webb and Woodward—20.

So the question was determined in the affirmative.

The question recurring on agreeing to the bill,

Mr. DAVIS. Mr. Speaker, this question will undoubtedly occupy the whole evening if the Philadelphia delegation get into a regular broil over it, as I presume they will. I just wish to say, sir, that I think the Philadelphia gas trust is composed of as honorable gentlemen as the city of Philadelphia or the State of Pennsylvania has. I look upon this bill as a direct insult to them, and I move its indefinite postponement.

Mr. GREGORY. Mr. Speaker, I hope this motion of the gentleman from Philadelphia [Mr. DAVIS] will not prevail.

The people of Philadelphia are a unit in asking for any legislation that will tend to relieve them of this heartless and gigantic monopoly. No movement will be more popular with all classes than one that will throw some light on the management, or rather mismanagement, of the gas trust. They are at the mercy of their own servants, and ask you for assistance. Why if (as has been remarked by some of the friends of this monopoly on this floor)—why, I say, if everything is carried on so justly and fairly, is this opposition to the prayers of the people in seeking for information and enlightenment? Why do they set themselves above all law and authority? Let this Legislature take upon themselves to say that this trust is not all powerful and the people will say amen. Will their friends contend that the law making body of this Commonwealth is subservient to a private trust? Suppose it is not a corporation, as has been remarked by my colleague from Philadelphia [Mr. KERNS], and for that reason we have no right to question what they do. We had better make it such if it requires that to bring it within the pale of authority. The abuses of this trust, Mr. Speaker, have gone on so long unchecked that these parties really believe that they are all-powerful. Incompetent men, having no knowledge whatever of gas-fitting, are appointed inspectors of metres. These men examine as to the amount of gas consumed by the people of Philadelphia, and no matter if your bills are double or treble the amount you think you should justly pay, you are at their mercy, and you must pay or be deprived of your light, and you have no redress. There is no law to reach them, even if you are certain you are being swindled. Better have a soulless corporation than a miscalled trust that is above law and whose powers cannot be curtailed by the Legislature of the Commonwealth.

In the name of and in behalf of over half a million people in the cruel grasp of this all-powerful "council of twelve," we of Philadelphia cry for mercy.

Mr. DAVIS. Mr. Speaker, I have no disposition to detain the House on this question, but I think I understand the matter as well as my friend on the other side of the House [Mr. GREGORY]. I know, sir, that for the last year there has been a persistent effort by certain men connected with the government of the city of Philadelphia to bring odium on this gas trust. But they have failed and failed signally. It is merely ridiculous for any government to say that the entire people of Philadelphia are in favor of a bill of this kind. I represent as intelligent a constituency as any member on this floor, and not a single constituent of mine has asked me to vote for a measure of this kind. They have never, sir, asked me to strike a blow at honorable men in my own party because some nabob in another party desires it. I know that if there ever was a party question in the world this is one of them.

Mr. DEHAVEN. Mr. Speaker, my colleague brings this up as a party question. I introduced this bill at the instance of Mr. Fox, a good Republican as anybody, and a much better one than many here. I have never consulted any one of opposite politics on this question. If you will read the public press you will find nearly every day letters from the people of Philadelphia, protesting against the monopoly of this gas trust. It has been asserted that I introduced this bill on account of my gas bill being high. I disclaim anything of the kind, and affirm that there is no foundation for the assertion.

Mr. DAVIS. Mr. Speaker, now, sir, I did not know, really, until the present time, that my colleague introduced this bill. I was not here when it was discussed before, nor has any person spoken to me on either side in reference to the bill. This contest has been going on for more than a year. It is a prosecution against this gas trust composed of gentlemen, a majority of whom I happen to know and whose character will compare favorably with the same number of gentlemen anywhere in the State of Pennsylvania.—Those gentlemen happen to be, at the present time, all Republicans, and I do not blame the Democratic party for opposing them. Any man can go there and see what is going on in this gas trust if he will go there like a man. All the officers are willing to be sworn, and to give all the information required.

Mr. DEHAVEN. I would ask if the chief engineer and cashier were willing to be sworn?

Mr. DAVIS. They were willing before anybody that had the authority to administer an oath.

Now, I wish to enter my protest against the Legislature of Pennsylvania meddling with a trust selected for their integrity, honesty and high standing among the people. There is one from my district, and there is no superior to him in the district. They are scattered all over the city, and is this Legislature going to pass a law here, to-night, casting odium upon these men when there is no evidence, here or elsewhere, that they have ever done anything wrong?

Mr. DEHAVEN. Mr. Speaker, I perhaps know more about the gas trust than anybody else here, from an office I formerly held connected with it, and I know that there are things done in that board that are not square.

Mr. FREEBORN. Mr. Speaker, while I doubt the propriety of a committee of councils going into the meetings of this trust, still if the position gentlemen take, that anybody has a right there, is correct, I cannot see how the passage of this act can do any harm. I know that the people of Philadelphia are apparently almost unanimously in favor of this bill, and I shall support it.

Mr. LEE. Mr. Speaker, I am as much interested in the bill as any man on the floor of this House. I use the gas manufactured by this trust, and if there was any good to grow out of the passage of this bill, I would cheerfully vote for it. But there is not a man, from the beginning to the end of this discussion, who has told us how the admission of the committee could affect this trust in any. This trust is controlled for bondholders, and nobody has a right to go in there. The only way I can see for the city of Philadelphia to get control of this matter, is to pay off these bonds and take it into its own management. I would ask my friends from Philadelphia how the admission of the people can possibly have any result other than to gratify an idle curiosity?

Mr. DEHAVEN. The point is, if we can manufacture gas at two dollars per thousand and pay six per cent. interest, the people of Philadelphia ought not to be made to pay one dollar more.

Mr. LEE. That is no answer to my question, because it does not answer how this bill can affect that. The gentleman does not attempt to tell how the admission of a dozen men in the meetings of that gas trust can affect this matter. The trustees are managing that trust for bondholders. We got the money to erect these gas works and to carry on the manufacture of gas, upon the condition that this trust should be vested in these men, acting in their fiduciary capacity, and they have no right to be interfered with by anybody. If the city of Philadelphia can manufacture gas at two dollars a thousand, it does it cheaper than any other city in the Union.

Mr. KEERNS. Mr. Speaker, as I understand this question, this gas trust stands between the city of Philadelphia and the loan

holders, and they have as good right to come here and ask that they shall be admitted to the meetings of this trust as that the council shall be admitted. In reading over this bill, I see that it says:

"*And whereas*, The councils of the city of Philadelphia have the power, and do elect, said trustees."

It has the power and does elect them, and it is for the councils to elect good men. Now, they propose to admit twelve more. They have twelve already, and this additional twelve will make twenty-four in that trust.

On two different occasions I find that there have been cases decided against them in the Supreme Court, where they have tried to force themselves into this trust. I will again read from the opinion that I read when the question was last before the House:

It is clear, therefore, that the councils cannot now interfere without the consent of those whose funds they borrowed upon the faith of this pledge. To do so would be to strike a dangerous blow at all public credit, which it should ever be our anxious study to strengthen and uphold. Accordingly we find that the Supreme Court has twice pronounced against any interference by council with the management of this trust.—Western saving fund vs. City, 7 Casey, 175; Western saving fund vs. City, 7 Casey, 185. I am, for these reasons, of the opinion that the trustees cannot, as to the control and management of the works, be interfered with by any ordinance of councils, and that they are entirely independent of any such legislation.

I am, very respectfully,
Your obedient servant,
F. CARROLL BREWSTER,
City Solicitor.

Now, I look upon this as nothing more than a matter gotten up for the purpose of making political capital by the members of the Democratic party of the city of Philadelphia. This discussion has taken up sufficient time here to-night, and I trust the matter will be indefinitely postponed.

Mr. QUIGLEY. Mr. Speaker, I hold in my hand a report of a special committee appointed by a Republican council to investigate the affairs of this trust. That committee was composed of five gentlemen, as respectable and as trusty as any five men on this floor or in this State. In running over this report, I find that it is signed by Mr. Page, chairman, and Messrs. Hopkins, Grey, Barlow and Wagoner. There were three Republicans on that committee, and in their report, over their signatures, they say that this gas trust is rotten, and is reeking with corruption. It states in one place how, by a certain contract, they made over six thousand dollars. In another place, there is testimony showing that stop-cocks were bought at forty dollars a hundred, and sold to the gas trust for ninety dollars a hundred. This is a large book, and from beginning to end, it is full of this kind of testimony. The attempt to make this a political question is a mere dodge, for gentlemen well know that the Republicans are largely in the majority in councils, and have been for years. If there is nothing wrong; if this gas trust is conducted in the manner in which it ought to be; if they deal honestly and fairly with the bondholders, and they deal justly with the people of Philadelphia, why need they object to having anybody present at their meetings? A short time ago a resolution was offered to admit the reporters for the press, but that was voted down.

Mr. KERNS. When the Democratic party were in the majority in that trust a resolution was offered for this same thing, and it was then voted down.

Mr. QUIGLEY. I am not talking for political parties at all. I find just as much fault with the trust when it was managed by Democrats as now. Here is a trust controlled to all intents and purposes by the councils of the city of Philadelphia. The trustees are elected in joint convention by the councils of the city of Philadelphia, and just so soon as they are elected they shut their doors and do their work in the dark. They do not even allow the councils to examine their books. I think the public have the right to investigate the affairs of a department in the city of Philadelphia or anywhere else. Where is there another department in the city of Philadelphia where the public are refused admittance?

In all other departments the public, and the reporters for the press, can go in. Yet, the business of this gas trust, which interests, to a great extent, every man, woman and child in the city of Philadelphia, is conducted with shut doors, and not even the whole body of councils can open those doors. If they are honest men (and this report says they are not, and I think we have some reason to doubt the honesty of some), why is this objection made to this bill?

Why does the gentleman from the Eighth district object to it? This committee cannot vote. We merely propose to give them the right to go there and see for themselves, and let the public know whether the charges made against them in this report are true, and whether that corruption still exists there. That is what we want, and if they were honest men they would not object to it. There must be something wrong or they would not be here, and through the gentleman from the Fifteenth district, and through the gentleman from the Eighth district, objecting to the bill. It is not a party question and cannot possibly be made such. I knew nothing about the bill until it came up here. The bill was introduced by a Republican, and unless some better reason is presented than has already been given for the indefinite postponement of the bill, I trust the House will vote that motion down.

The question being on the indefinite postponement of the bill,

The yeas and nays were required by Mr. GREGORY and Mr. QUIGLEY, and were as follow, viz:

YEAS—Messrs. Chase, Davis, Ewing, Ghegan, Harbison, Hoffman, Kerns, Kinney, Lee, M'Creary, M'Kee, Mann, Marks, Meily, Pillow, Quay, Seiler, Shuman, Watt, Webb and Woodward—21.

NAYS—Messrs. Adaire, Armstrong, Barrington, Barton, Breen, Brennan, Cameron, Chadwick, Chalfant, Collins, Collville, Craig, Day, DeHaven, Deise, Donohugh, Fogel, Freeborn, Gordon, Gregory, Harner, Headman, Heltzel, Hood, Jenks, Josephs, Kennedy, Kline, Koon, Kurtz, Leech, Linton, Long, M'Pherrin, Markley, Meyers, Mullin, Peter, Phelan, Quigley, Rhoads, Richards, Robinson, Roush, Satterthwait, Steacy, Stehman, Tharp, Wallace, Weller, Westbrook, Wharton, Wingard, Worrall and Glass, *Speaker*—55.

So the question was determined in the negative.

The question recurring on the bill as amended,

It was

Agreed to.

The question being on suspending the rules to read the bill a third time by its title,

The yeas and nays were required by Mr. DAVIS and Mr. DEHAVEN, and were as follow, viz:

YEAS—Messrs. Adaire, Armstrong, Barrington, Barton, Breen, Brennan, Cameron, Chadwick, Chalfant, Collins, Colville, Craig, Day, DeHaven, Deise, Donohugh, Espy, Ewing, Fogel, Freeborn, Gordon, Gregory, Harner, Headman, Heltzel, Hood, Hunt, Jenks, Josephs, Kennedy, Kline, Koon, Kurtz, Leech, Linton, Long, M'Pherrin, Maish, Mann, Markley, Meyers, Mullin, Phelan, Quigley, Rheads, Richards, Robinson, Roush, Satterthwait, Steacy, Stehman, Tharp, Wallace, Weller, Westbrook, Wharton, Wingard, Worrall and Glass, *Speaker*—59.

NAYS—Messrs. Chase, Davis, Ghegan, Harbison, Hoffman, Kerns, Kinney, Lee, M'Creary, M'Kee, Marks, Meily, Peter, Quay, Seiler, Shuman, Watt, Webb, Wham and Woodward—20.

So the question was determined in the affirmative.

The bill

Passed finally.

No. 939, a supplement to an act to incorporate the city of Scranton.

The bill was read the first time.

The question being, Will the House proceed to the consideration of the bill?

It was

Not agreed to.

No. 940, an act to repeal an act for the settlement of the affairs of the North Carbondale coal company.

Laid over on third reading.

Senate bill No. 196, an act regulating roads and bridges in Wayne county.

The bill was read the first time.

The question being, Will the House proceed to the consideration of the bill?

It was

Not agreed to.

No. 982, an act to establish a ferry over the Monongahela river, at the town of Allenport, in Washington county.

Passed finally.

No. 555, an act to incorporate the Equinunk bridge company.

The bill was read the first time.

The question being, Will the House proceed to the consideration of the bill?

It was

Not agreed to.

No. 984, an act to incorporate the People's bridge company of Harrisburg.

Read the first time.

The question being, Will the House proceed to the consideration of the bill?

It was

Not agreed to.

No. 998, a supplement to an act relative to Uwchlan township, Chester county, and East Bethlehem and East Pike Run townships, Washington county.

Read the first time.

The question being, Will the House proceed to the consideration of the bill?

It was

Not agreed to.

Senate bill No 609, a supplement to an act incorporating the Nanticoke and Hughesville turnpike road company, passed April 1, 1836, with its supplements.

Read the first time,

The question being, Will the House proceed to the consideration of the bill?

It was

Not agreed to.

No. 1035, an act to alter the line between Lawrence and Mercer counties, so that the farm of Edward Hanna shall all be in Mercer county.

The bill was read the first time,

The question being, Will the House proceed to the consideration of the bill?

It was

Not agreed to.

No. 1049, an act prohibiting the granting of licenses within two miles of the First Pennsylvania State Normal school, Millersville, Lancaster county, and the normal school of Mansfield, Tioga county, Pennsylvania.

Amended by Mr. MANN.

Laid over on third reading.

No. 1054, an act relating to eating houses, and prohibiting billiard saloons in the borough of Jersey Shore, in the county of Lycoming.

Laid over on third reading.

No. 1088, an act relative to the commissioners, sheriff and treasurer of Cumberland county.

Read the first time.

The question being, Will the House proceed to the consideration of the bill?

It was

Not agreed to.

No. 1104, an act to prohibit the Philadelphia, Germantown and Norristown railroad company from running steam engines south of Columbia avenue, in the city of Philadelphia.

The bill was read the first time.

The question being, Will the House proceed to the consideration of the bill?

The yeas and nays were required by Mr. WALLACE and Mr. HOOD, and were as follow, viz:

YEAS—Messrs. Adaire, Brennan, Cameron, Chase, Craig, Day, Deliaven, Donohugh, Gordon, Hood, Kennedy, Koon, Kurtz and Meyers—14.

NAYS—Messrs. Armstrong, Barton, Breen, Chadwick, Chalfant, Collins, Colville, Davis, Deise, Ewing, Fogel, Freeborn, Ghegan, Gregory, Harbison, Harner, Headman, Hoffman, Hunt, Jones, Josephs, Kerns, Kinney, Kline, Lee, Leech, Linton, Long, M'Camant, M'Creary, M'Kee, M'Pherrin, Maish, Mann, Markley, Marks, Meily, Mullin, Peter, Phelan, Pillow, Quay, Rhoads, Richards, Roath, Satterthwait, Seiler, Sharples, Shuman, Stehman, Subers, Tharp, Wallace, Webb, Westbrook, Wharton, Woodward, Worrall and Glass, *Speaker*—59.

So the question was determined in the negative.

LEAVE OF ABSENCE.

Leave of absence was asked for and granted to Messrs. PILLOW and CALVIN.

REPORTS FROM COMMITTEES.

Mr. M'CREARY, chairman of the Committee on Local Judiciary, reported, as committed, bill No. 1829, an act for the relief of the sureties of James E. M'Ilvaine, late register and recorder in Mifflin county.

Also (same), as originated in committee, bill No. 1830, an act authorizing the borough of Lawrenceville, Allegheny county, to appoint viewers.

Mr. HARBISON (Judiciary Local), as originated in committee, bill No. 1831, an act to change the venue in a certain suit from Fayette to Washington county.

Mr. CRAIG (same), as originated in committee, bill No. 1832, an act to increase the pay of supervisors of roads, overseers of the poor and township auditors of the county of Carbon.

Mr. FREEBORN (Municipal Corporations), as committed, Senate bill No. 940, an act authorizing the burgess and town council of the borough of Jamestown, Mercer county, to levy and collect tax, not to exceed one per centum, for borough purposes.

Mr. WORRALL (same), as committed, Senate bill No. 890, an act for the relief of William Brennan and Bernard M'Tighe, first and second clerks of the mayor's court of the city of Carbondale.

Mr. SHARPLES (same), as committed, Senate bill No. 948, a further supplement to the act to incorporate the Union School and Children's Home asylum, to provide for the taxation of non-resident venders of merchandise in the city and county of Philadelphia, and for the relief of Edward Hutchison, approved April 12, 1851.

Mr. M'CREARY (same), as committed, Senate bill No. 966, an act relative to the terms of members of the councils of the city of Philadelphia.

Mr. M'CAMANT (same), as committed, Senate bill No. 909, an act to extend to the borough of Mount Washington the vehicle license law.

Mr. ARMSTRONG (same), as committed, Senate bill No. 486, an act relative to the contested elections in the city of Philadelphia.

Mr. CAMERON (same), as committed, bill No. 1839, an act to authorize an increase of taxes for borough purposes in the borough of Temperanceville, in the county of Allegheny.

Mr. KERNS (Railroads), as committed, Senate bill No. 1118, an act to authorize the Warren and Franklin railway company to construct branch roads, and to provide means for moving oil intended for transportation.

Mr. M'KEE (same), with a negative recommendation, Senate bill No. 686, joint resolution relative to the purchase of a railroad map to accompany the Auditor General's report.

Also (same), with a negative recommendation, bill No. 1842, an act relative to the Pittsburg, Fort Wayne and Chicago railroad company.

Mr. PILLOW (same), as committed, Senate bill No. 1151, a further supplement to an act to incorporate the Pennsylvania railroad company, approved April 13th, 1846, authorizing the Pennsylvania railroad company to construct additional railroad tracks, sidings, depots, workshops and other appurtenances along, adjoining or contiguous to their own line of railroad, and the railroads run, owned and leased, or hereafter to be owned and leased by them, and to straighten and improve the same, paying therefor the value of property to be used or occupied.

Mr. STUMBAUGH (Coal and Iron), as committed, Senate bill No. 514, an act to extend the time for the payment of the enrollment tax on an act approved the 18th day of April, A. D. 1865, entitled A supplement to an act incorporating the Karthans iron and coal company, approved April 29th, 1864, increasing its capital stock.

Mr. GHEGAN (same), as committed, Senate bill No. 416, an act to extend the time for the payment of the enrollment tax on an act to incorporate the Keating coal and iron company, approved April 11th, A. D. 1866.

Mr. QUAY (same), as committed, bill No. 1846, an act to incorporate the Edge Hill iron company.

Mr. DEHAVEN (same), as committed, Senate bill No. 1041, an act to reduce the capital of the Six Mile Run coal company.

Mr. M'KEE (same), as committed, Senate bill No. 521, an act to confer upon the Pittsburg forge and iron company all the powers, rights and privileges of the Jones and Nimick manufacturing company by the act approved April 5, 1863.

Mr. HEADMAN (same), with amendments, bill No. 1849, a supplement to an act to incorporate the Glen Allen coal company, approved the 12th day of April, A. D. 1866.

Mr. WATT (same), with amendments, Senate bill No. 976, an act to incorporate the American coal, mining, oil tank and transportation company.

Mr. CAMERON, from the Committee on Mining and Manufacturing Companies, as committed, bill No. 1851, an act to incorporate the Kelso silver mining company.

Mr. RHOADS (same), as committed, bill No. 1852, an act to incorporate the Indemnity gold mining company of Colorado.

Mr. WHARTON (same), as committed, Senate bill No. 1113, an act to incorporate the Empire State silver mining company, of Nevada.

Mr. STUMBAUGH (same), as committed, Senate bill No. 1114, an act to incorporate the Ophir Canon silver mining company of Nevada.

Mr. HOFFMAN (same), as committed, Senate bill No. 1022, an act to extend the time for the payment of the enrollment tax on bill entitled An act to incorporate the National silver mining company.

Mr. CAMERON (same), as committed, bill No. 1856, an act to incorporate the Legal Tender gold and silver mining company.

Also (same), as committed, Senate bill No. 1857, an act to incorporate the Great Eastern and Western gold and silver mining company.

Mr. GHEGAN (same), as committed, Senate bill No. 1139, an act to incorporate the Tuscarora mining and exploring company.

Mr. STEHMAN (same), as committed, Senate bill No. 1024, an act supplementary to an act to incorporate the Augwic mining and exploring company, approved the 20th day of April, 1866.

Mr. WALLACE (same), as committed, Senate bill No. 1029, an act to incorporate the Pittsburg and Sinaloe mining company.

Mr. DEHAVEN (same), as committed, Senate bill No. 1026, an act supplementary to an act to incorporate the Matawana mining and exploring company, approved the 24th day of March, 1865.

Mr. CHADWICK (same), as committed, Senate bill No. 904, an act to extend the time of payment of the enrollment tax of the Delaware mining company, appointing additional corporators, and authorizing the said company to hold additional lands.

Mr. HOFFMAN (Roads, Bridges and Ferries), as originated in committee, bill No. 1862, a supplement to an act to establish a ferry over the Susquehanna river at Millersburg, approved March 21, 1866.

Mr. STEHMAN (Corporations), as committed, Senate bill No. 300, an act incorporating the International Patent fuel company.

Mr. KERNS (same), as committed, bill No. 1864, an act to incorporate the Express steamboat company.

Mr. WOODWARD (same), as committed, bill No. 1865, an act to repeal an act to legalize and provide for the payment of the bonds issued as bounties to volunteers by the county commissioners of Venango county.

Mr. WORRALL (Military), as committed, bill No. 1866, an act to legalize the action of the school directors of Springfield township, Fayette county, and to authorize the collection of an additional bounty tax.

Mr. DAY (same), as committed, bill No. 1867, a further supplement to an act relating to the payment of bounties to volunteers, approved the 25th day of March, A. D. 1864.

Mr. ESPY (same), with a negative recommendation, bill No. 1868, an act to authorize the school directors of Albany township, Berks county, to levy and collect a special bounty tax.

Mr. GORDON (same), as committed, bill No. 1869, an act relating to the payment of bounties in Hopewell township, in the county of York.

Also (same), as committed, bill No. 1870, an act to authorize and require the treasurer of East Fallowfield township, Crawford county, to pay to the heirs of Robert Kee the local bounty fund remaining in the hands of said treasurer.

Mr. PILLOW (same), as originated in committee, bill No. 1871, a supplement to the act to legalize the levy and collection of certain bounty tax, to provide for a settlement, and authorize the school directors to lay an additional bounty tax in Lykens township, in the county of Dauphin, approved March 5, A. D. 1867.

Mr. BARTON (Judiciary Local), as origi-

nated in committee, bill No. 1873, an act to repeal an act changing the citizenship of Jacob Bohne from Lykens to Mifflin township, Dauphin county, approved 16th April, 1866.

Mr. JOSEPHS (Corporations), as committed, bill No. 1875, an act to ratify and confirm the charter of incorporation of the Atlantic petroleum storage company, and to confer additional powers on said corporation.

Mr. SHARPLES (Education), as committed, Senate bill No. 1171, an act to attach certain real estate to the borough of Smethport, M'Kean county, for school purposes.

REPORT FROM COMMITTEE TO COMPARE BILLS.

Mr. CHASE, from the Committee appointed to Compare Bills, and present them to the Governor for his approbation, made report, which was read as follows, viz:

That in conjunction with a similar committee from the Senate, they have compared, and on the 27th ultimo presented to the Governor for his approbation, bills as follow, to wit:

House bill No. 1301, an act to extend the provisions of an act to prohibit the issuing of licenses within certain boroughs in the counties of Armstrong, Potter, Indiana and Perry, or within two miles of the same, in the counties in which such boroughs are located, approved the 27th day of March, 1866, to the township of Derry, in the county of Westmoreland, and the borough of Blairsville, the township of Burrell, and the township of East Mahoning, in the county of Indiana.

Senate bill No. 1027, an act to incorporate the Review Printing House company of Philadelphia.

Senate bill No. 1625, an act to authorize the poormaster of Hamlin township, M'Kean county, to levy additional poor tax.

Senate bill No. 688, an act to regulate the fees of directors of the poor and house of employment in the county of Bedford.

Senate bill No. 689, an act relating to the office of county treasurer in Allegheny county.

Senate bill No. 707, an act to repeal the first section of an act passed the first day of April, A. D. 1792, declaring the Little Lehigh a public highway.

Senate bill No. 1002, an act to incorporate the Masonic Hall association of the city of Reading, Pennsylvania, for the purpose of erecting a building for the use of said Masonic association and other purposes.

No. 886, an act supplementary to an act entitled An act to enable the Pennsylvania Cannel coal and railroad company to borrow money, and to change the corporate name of said company and confirm the title to real estate belonging to said company, and directing in what manner the mortgage authorized in said act shall be approved by the stockholders of said company and to ratify the consolidation of certain companies, under said act of Assembly, and authorizing them to change the route of said road and reduce the number of directors.

On the 28th ultimo:

House bill No. 118, an act to extend the provisions of an act, relating to costs in Luzerne county, approved the 2d day of April, A. D. 1863, to the county of Dauphin with a proviso.

House bill No. 642 an act relating to hawkers and peddlers or travelling merchants in the counties of Lebanon and Wyoming.

House bill No. 875, an act dividing the Twenty-fourth ward of Philadelphia into two assessment districts, and for the appointment of two additional assessors.

House bill No. 148, An act relative to certain foreign insurance companies.

House bill No. 1012, an act to authorize Catharine Floto, Mary K. Floto, George H. Floto and Emma G. Floto to sell and convey certain real estate.

House bill No. 1390, an act to empower the court of quarter sessions of Northumberland county to grant a license to Nicholas Wenk to keep a hotel.

House bill No. 750, an act to incorporate the Philadelphia grain warehousing and drying company.

House bill No. 803, an act for the relief of N. R. Harris, a commissioned captain of company D, in the One hundred and sixteenth regiment Pennsylvania volunteers.

Senate bill No. 701, an act to incorporate the Enterprise gas light company.

Senate bill No. 318, an act to repeal the first section of an act entitled An act to prevent the spread of Canada thistles, et cetera, approved March 22d, 1862, so far as relates to the county of Bradford.

Senate bill No. 159, a further supplement to an act entitled An act granting a pension to Jacob Hurst, approved March 27th, 1866.

Senate bill 340, an act to enable the board of directors of the Swatara Falls coal company to borrow money and to mortgage the corporate rights and franchises, mining rights and privileges, estate, real and personal, of every description, or any part thereof, now held, or that may hereafter be held by said company.

Senate bill No. 288, an act to allow the Madara coal and improvement company to hold more land, and changing the par value of their stock.

Senate bill No. 278, an act to authorize turnpike and plank road companies in the county of Allegheny, not paying dividends, to increase their tolls.

Senate bill No. 517, an act to incorporate the Continental slate company.

Senate bill No. 583, an act to incorporate the Shakespeare and Lydia Allen Consolidated silver mining company of Nevada.

Senate bill No. 594, an act to incorporate the Philadelphia City passenger railway company, passed March 26th, 1859, &c.

Senate bill No. 559, an act to repeal the third section of a supplement to an act relating to the Catasaqua and Fogelsville railroad company, &c.

Senate bill No. 646, an act to incorporate the Union Mutual fire insurance company of Pennsylvania.

Senate bill No. 541, an act to incorporate a company to erect a bridge over the Youghiogheny river, at a point between the mouth of Dickerson's run and Taylor's fording, in the county of Fayette.

Senate bill No. 839, an act declaratory of the statute of limitation.

Senate bill No. 113, a supplement to an act entitled An act to promote the more certain and equal assessment of taxes in Philadelphia, approved March 14th, 1865.

Senate bill No. 1348, an act relative to the stone in the locks of the Franklin branch of the Pennsylvania canal, in Fairfield township, Crawford county.

Senate bill No. 699, an act to authorize Allen K. Williams to construct a ferry over Oil creek, at or near the township lines of Allegheny and Cherry Tree, in Venango county, Pennsylvania.

Senate bill No. 389, an act fixing the pay of road jurors in the city of Philadelphia.

Senate bill No. 671, an act to reduce the width of Lehman street, in the Twenty-second ward of the city of Philadelphia.

Senate bill No. 674, a further supplement to an act in relation to the construction and repairs of roads and bridges in Lower Merion township, Montgomery county, approved March 2d, 1866.

Senate bill No. 663, an act for the relief of John Tiernan, late treasurer of Fayette county.

Senate bill No. 715, an act to prohibit the taking of fish with nets in any of the streams in Monroe county.

Senate bill No. 696, an act to incorporate the Empire slate company.

Senate bill No. 647, an act to incorporate the Prairie DuChien mining company of Nevada.

Senate bill No. 693, an additional supplement to the act to incorporate the city of Corry, approved the 8th day of March, A. D. 1866.

Senate bill No. 801, an act to incorporate the Keystone Homestead company.

Senate bill No. 691, an act to increase the compensation of the supervisors of roads in the township of Hilltown, Bucks county.

Senate bill No. 738, an act relative to the collection of school tax in the township of Doylestown.

Senate bill No. 676, an act to authorize the Pennsylvania steel company to purchase and hold stock in other corporations.

Senate bill No. 743, an act to lay out a State road in Lehigh and Bucks counties.

Senate bill No. 816, an act to incorporate the Roaring Brook turnpike company.

Senate bill No. 771, an act repealing the fifth section of an act entitled An act to enable the Governor to incorporate a company to make an artificial road from the east end of Perkiomen bridge, in the county of Montgomery, passing through Bottsgrove, and passing by White Horse tavern, in Amity township, in Berks county, to the borough of Reading, approved the 20th day of March, A. D. 1810.

Senate bill No. 818, an act to authorize the Allegheny and Perrysville plank road company to fix their tolls and to transfer a portion of their road.

Senate bill No. 844, an act to authorize the county commissioners of the county of Carbon to assist in the building of a new road out of the borough of Mauch Chunk.

Also, on the 3d of April:

No. 771, an act to incorporate the Oil City brewing company.

No. 750, an act to incorporate the Philadelphia grain warehousing and drying company.

No. 775, an act to incorporate the Penn Mutual fire insurance company of Chester county.

No. 770, an act to incorporate the Grand Encampment of the Order of Soldiers and Sailors of the war of 1861 of the State of Pennsylvania.

No. 767, a further supplement to an act to incorporate the First Reformed congregation of the borough of York and its vicinity, approved the 14th day of March, 1861.

No. 769, an act to incorporate the Philadelphia and Bridgeport steamboat company.

No. 795, an act for the protection of farmers against the ravages of wild cats, in the county of Forest.

No. 777, an act to extend the provisions of an act for the better regulation of the Mercer County, Shenango Valley, Montour and Allegheny County agricultural societies (relative to the prohibition of shows, erection of tents, booths, et cetera) to the Pennsylvania agricultural society.

No. 787, an act to extend to Allegheny towship, Blair county, the provisions of an act to prevent swine from running at large in the township of Blair, and in the county of Blair.

No. 794, a supplement to an act for the better preservation of game within the county of Schuylkill, approved the 11th day of April, A. D. 1866.

No. 790, an act in relation to fishing and hunting in the township of Jefferson, in the county of Somerset.

No. 782, an act to authorize the Tioga

County agricultural society to borrow money.

No. 780, an act to extend the provisions of an act for the protection of sheep in certain counties, approved the 8th day of April, A. D. 1862, to the counties of Armstrong and Westmoreland.

No. 720, an act authorizing the supervisors of roads of the township of Allegheny, in the county of Armstrong, to levy additional taxes for road purposes.

No. 713, ac act to repeal the Lenox road law, in the township of Lenox, in the county of Susquehanna, and for other purposes.

No. 1115, a supplement to an act to open and straighten Highland and Union avenues, and Thirtieth street, in the Twenty-second ward, and Church and Adams streets, in the city of Philadelphia, approved the 20th day of May, 1864.

No. 707, an act to amend the road laws of Tioga and Potter counties.

No. 890, a supplement to an act to authorize the construction of a bridge over Oil creek, at or near the Old Furnace dam, on the Hasson farm, in the county of Venango.

No. 788, an act to prevent the fishing with nets, seines and baskets in the waters of Big Fishing creek and its tributaries, in the counties of Columbia and Luzerne.

No. 721, an act to incorporate the Phillipsburg and Rochester ferry company.

No. 778, an act in relation to fishing in the stream known as Antietam, or any of its branches, in the county of Franklin.

No. 791, an act to prevent cattle from running at large in Abington township, Montgomery county.

No. 792, an act to repeal the fourth section of an act to incorporate the Pennsylvania State agricultural society, so far as it extends to the county of Lawrence.

No. 835, an act supplementary to an act to enable the administrators of the Honorable James T. Hale, late of Centre county, deceased, to sell real estate, passed the 11th day of April, A. D. 1866.

No. 872, a further supplement to an act to provide for the erection of a poor house in Clarion county, approved the 21st day of March, 1865.

No. 868, an act to authorize the sale of the poor house and farm in Mifflin county.

No. 913, an act to establish a law library in the county of York, and in relation to fines, penalties and forfeited recognizances in said county.

No. 904, an act to authorize the increase of pay of supervisors and other township officers in the township of Bethlehem, Northampton county.

No. 898, an act requiring the commissioners of Northampton county to apply for and obtain copies of standards.

No. 884, a supplement to an act authorizing the commissioners of Northpmpton county to purchase a law library, approved the 12th day of March, A. D. 1866.

No. 909, an act changing the day of holding the annual meeting of the auditors of Jones township, Elk county, and regulating the term of office and fixing the wages of supervisors and other officers in said township.

No. 882, an act to authorize the return to the commissioners of Potter county for collection of certain duplicates of taxes, and to fix the time when said duplicates shall hereafter be returned.

No. 881, a supplement to an act relating to the lien of mechanics and others upon buildings, extending it to the county of Dauphin.

No. 799, an act relating to public printing in the county of Juniata.

No. 324, an act making valid an ordinance passed by the council of Jamestown borough, in the county of Mercer.

No. 830, an act to authorize the Governor to appoint an additional notary public for the county of Bradford, to reside in the borough of Athens.

No. 612, a supplement to an act relating to the lien of mechanics and others upon buildings, approved the 16th day of June, 1836, to apply to the county of Chester.

No. 680, an act in relation to grading, paving, macadamizing and curbing the streets, and pavnig the sidewalks in the borough of M'Keesport, in the county of Allegheny.

No. 744, an act to authorize the school directors of Riceville, Crawford county, to borrow money, and for other purposes.

No. 747, an act to authorize the school directors of the borough of White Haven to borrow money.

No. 716, an act to increase the pay of supervisors of Logan township, Blair county.

No. 719, an act to legalize the acts of the road commissioners of Columbus township, Warren county, in levying additional road tax.

No. 728, an act to authorize the board of school directors of the borough of Altoona, in the county of Erie, to borrow money for building purposes.

No. 723, an act to authorize the board of school directors of the borough of Renova, in the county of Clinton, to borrow money for building purposes.

No. 732, an act to authorize the school directors of Harrison township, Allegheny county, to borrow money.

No. 731, an act to appropriate the excess of money collected for bounty purposes in the township of East Huntingdon, Westmoreland county, and directing the board of school directors in said township to use the same for school and building purposes.

No. 912, an act relative to the moneys collected as fines from persons intoxicated within the county of Dauphin.

No. 911, an act to authorize the commissioners of Crawford county to borrow money.

No. 910, an act to repeal an act to authorize the highway commissioners of the township of Mill Creek, in the county of Erie, to establish the width of East lane, and to change its name.

No. 907, an act extending an act relative to the fees of notaries public in the counties of Lancaster and Clinton, approved the 11th day of April, 1866, to the county of Berks.

No. 899, an act increasing the fees of jurors, commissioners, auditors and witnesses, in the county of Venango.

No. 880, an act relative to the coroner of Washington county.

No. 564, an act to incorporate the Commonwealth iron and coal company.

No. 766, an act to incorporate the Eagle Cotton manufacturing company.

No. 729, an act authorizing the school directors of the borough of Butler to transfer certain funds.

No. 724, an act to authorize the school board of Tyrone city, Blair county, to sell certain real estate now used for school purposes, and to appropriate the money arising from said sale to the purchase of a better location and erecting a more suitable building for school purposes, and to borrow any sum of money, not exceeding ten thousand dollars, at a rate of interest not exceeding ten per centum per annum, to assist them in procuring the same.

No. 725, an act to relinquish a part of a certain annuity for the benefit of school purposes, in the borough of Susquehanna Depot, in Susquehanna county, with power to sell and dispose of old school houses, et cetera, and bulnew ones.

No. 726, an act to enable the school directors of the borough of Lehighton, Carbon county, to borrow money for the erection of school buildings.

No. 964, an act to authorize and require the school directors of Antrim township, in the county of Franklin, to refund to Joseph Snively and Jacob Shank certain moneys advanced said township for bounty purposes, and to appropriate the balance of bounty funds in the hands of said treasurer for school purposes.

No. 793, an act for the protection and preservation of fish within the county of Berks.

No. 798, an act to extend the provisions of an act to prohibit the granting of licenses to sell intoxicating drinks within the county of Potter, approved the 11th day of April, A. D. 1866, to the county of Wyoming.

No. 276, an act to repeal an act relating to licenses in Erie county.

No. 813, an act to annul the marriage contract between William C. Gray and Lucinda Campbell Gray, late Lucinda Campbell.

No. 948, an act to incorporate the Senator Nye mining and exploring company.

No. 969, a supplement to the act incorporating the Great Valley gold and silver mining company, approved the 17th day of November, A. D. 1866, increasing the number of incorporators, and restricting the powers of said corporation.

No. 961, an act to incorporate the Octorare gold and silver mining company.

No. 962, a supplement to an act to incorporate the Specie Basis mining company, relieving them from the payment of the bonus of one-fourth of one per centum on its capital stock.

No. 757, an act to incorporate the Mutual steam navigation company.

No. 991, an act in relation to the election of officers of the Chambersburg and Bedford turnpike road company.

No. 907, an act to incorporate the Crozer Theological seminary.

No. 899, an act authorizing the commissioners of Schuylkill county to sell real estate, and to apply the proceeds to the building of a tenant house for the janitor of the court house in said county.

No. 832, on act to divide the township of Chapman, in the county of Clinton, into two election districts.

No. 926, an act to vacate part of Manayunk avenue, in the Twenty-first ward of Philadelphia.

No. 980, a supplement to an act to authorize the road commissioners of the townships of Kinzua, Eldred and Cherry Grove, in the county of Warren, to levy a tax for road purposes, approved April 11th, 1866, extending the same to the townships of Southwest and Clearfield, in said county.

No. 929, an act to vacate Hilles street, between Orchard street and Paul street, in Frankford, in the Twenty third ward of the city of Philadelphia.

No. 928, an act relating to roads, streets, bridges and sidewalks in the borough of Lawrenceville, county of Tioga.

No. 1051, a supplement to an act to prevent the sale of intoxicating liquors on the first day of the week, commonly called Sunday, approved the 26th day of February, 1865, relating to the counties of Berks, Lebanon and Lehigh.

No. 1010, an act to extend the time for the payment of the enrollment tax on an act to authorize Samuel Graham and Robert Graham, committee of Walter L. Graham, a lunatic, to sell certain real estate.

No. 848, an act for the relief of David Andrews, late recorder of Chester county, for moneys over paid by him to the Commonwealth.

No. 966, an act to incorporate the Great Western mining company.

No. 964, an act to incorporate the Ivanhoe silver mining company.

No. 951, a supplement to an act to incor-

porate the Franklin silver mining company, approved April 17, 1866.

No. 960, an act to incorporate the Mountain and Nevada gold and silver mining and commercial company.

No. 967, an act to incorporate the Hidalgo gold and silver mining company.

No. 968, an act to incorporate the Empire and Gem mining company.

No 958, a supplement to an act to incorporate the North American mining company, approved June 2, 1865.

No. 950, an act to incorporate the Big Creek mining company.

No. 953, an act to incorporate the Marathon silver mining company of Nevada.

No. 952 a supplement to an act to incorporate the Union mining company, approved March 30, 1865.

No. 955, an act to incorporate the Shakspeare and Lydia Allen Consolidated silver mining company.

No. 1018, an act to incorporate the Chambersburg hall and market company.

No. 963, an act to incorporate the Spanish Bar gold and silver mining company.

No. 946, an act incorporating the Keystone iron and coal company.

No. 965, an act incorporating the Beaver gold and silver mining company.

No. 956, an act to incorporate the Silver Bullion mining company.

No. 1002, an act to attach certain lands in Potter county to Coudersport school district, for school purposes.

No. 808, an act to authorize the Board of Military Claims to adjust the claim of William D. Schoenleber.

No. 997, an act in relation to assessment of road tax, and the election and pay of certain township officers and viewers of roads and highways in the county of Jefferson.

No. 992, an act in relation to the election of officers of the Chambersburg turnpike road company.

No. 994, an act to authorize the president and managers of the Licking bridge company, in Clarion county, to sell said bridge to the commissioners of said county.

No. 970, an act relative to locating, opening and repairing the public roads and highways in Sewickley township, Westmoreland county.

No. 989, an act to incorporate the Bridgeport and Horse-shoe turnpike road company.

No. 995, a supplement to an act authorizing or requiring the supervisors of Bratton township, Mifflin county, to erect gates across the public roads in said township.

No. 996, a supplement to an act to incorporate the Larry's Creek plank road company.

No. 698, an act granting a pension to Samuel Hamilton.

No. 699, an act granting a pension to Zeno Hoffmaster.

No. 819, an act for the relief of Jane Lynn, widow of John Lynn, a deceased soldier of the revolutionary war.

No. 697, an act granting a pension to Lewis Neudoerffer.

No. 917, an act conferring certain powers upon the city of Chester, in the county of Delaware.

No. 915, a supplement to the charter of the city of Chester.

No. 986, an act relative to the pay of supervisors in Wiconisco township, Dauphin county.

No. 669, and act to amend the charter of the municipal corporation of the city of Lancaster, and dividing the same into nine wards.

No. 918, an act to incorporate Sugar Notch and Warrior Run into a borongh.

No. 932, a further supplement to an act to erect the borongh of Sunbury, in the county of Northumberland, into a borough.

No. 925, an act to authorize the borough of Boyertown, in the county of Berks, to purchase the Fairmount fire engine house of said borough, and to levy and collect a tax for that purpose.

No. 990, an act relating to the pay of supervisors in the county of Butler.

No. 883, an act to validate the act of C. W. Case, late justice of the peace for Jackson township Luzerne county.

No. 920, a further supplement to the charter of the city of Erie, to provide for the appointment of water commissioners and define their powers and duties.

No. 1003, an act relating to a school library in the city of Erie.

No. 1006, an act relating to school tax in the borough of Mainesburg, county of Tioga.

No. 1013, an act to enable the standing committee of the Protestant Episcopal church of the diocess of Pennsylvania to convey real estate in Mifflin county.

No. 842, an act to incorporate the Home for the Friendless, in the city of Harrisburg and county of Dauphin.

No. 1280, an act to incorporate the Philadelphia woolen machine works.

No. 1069, a further supplement to an act approved May 4, a. D. 1864, for the organization, discipline and regulation of the militia of the Commonwealth of Pennsylvania.

No. 901, an act relating to public prisons in Allegheny county.

Mr. ALLEN, from the Committe on Corporations, reported Senate bill No. 791, an act for the better protection of seamen in the port and harbor of Philadelphia, with a negative recommendation.

Mr. LEE. Mr. Speaker, I move that the bill be recommitted to the Committee on Local Judiciary.

Mr. JOSEPHS. I hope not, Mr. Speaker. I can see no good reason why that should be done, and unless the gentleman can give one, I hope the House will not agree to his motion.

Mr. LEE. Mr. Speaker, I propose to give a good reason why this bill should be recommitted. It ought never to have been reported. Under the law as it stands, if I am correct in my knowledge, the grossest outrages of which you can conceive are perpetrated upon the seamen.

Mr. JOSEPHS. Mr. Speaker, I rise to a point of order. I want to know whether it is in order to debate a question of this kind.

The SPEAKER. It is in order to discuss the motion to recommit although not in order to discuss the merits of the bill.

Mr. LEE. Mr. Speaker, the gentleman said he could see no good reason for recommitting this bill; I was proceeding to give a good reason for it. I will only say one thing further: That on last Sunday one hundred seamen that were attending a place of seamen's worship voted in favor of repealing this bill that was passed last winter.

Mr. GREGORY. Mr. Speaker, I rise to a point of order. This has nothing to do with the recommitment of the bill.

The SPEAKER. The gentleman must confine his remarks to the question of recommitting the bill.

Mr. LEE. Then, Mr. Speaker, I hope, for the sake of the seamen who are being swindled, that this bill will be recommitted.

Mr. BARTON. Mr. Speaker, I unite my voice with that of the gentleman from Philadelphia [Mr. LEE] in favor of the recommittal of this bill. It now comes before this House with a negative recommendation. It is one of the most righteous measures, in my judgment, that has been brought before this session, and coming with a negative recommendation, it would perhaps prejudice the passage of the bill. Another reason for the recommittal is that the friends of the measure desire an opportunity to present their reasons to the committee why the bill should pass, and I trust that they will be afforded this opportunity.

Mr. ARMSTRONG. Mr. Speaker, I most heartily unite my voice with the gentlemen who have preceded me in hoping that this bill be recommitted. Why a bill of this character should have ever found its way into the Committee on Corporations is more than I am able to account for. By some mistake or other, it got into that committee, and there it was choked and smothered until very near the last hour of the session, and then reported to this House from that committee with a negative recommendation.

Mr. STEHMAN. Mr. Speaker, I would state that that bill was only referred to that committee last week.

Mr. ARMSTRONG. Mr. Speaker, I care not when it was referred; it was not the proper committee to have charge of a bill of that kind, and we now ask that it may be recommitted to a committee, so that the parties deeply interested in its behalf may have an opportunity of being heard. The seamen are a class of men that should be protected against the merciless sharks that now have them in their hands, and in the name of those seamen we ask that this bill be recommitted.

Mr. DONOHUGH. Mr. Speaker, I have one other good reason for asking that this bill be recommitted to the Committee on the Local Judiciary and that is this: The Committee on Corporations are prejudiced against this bill. I will state one fact: While the committee were in session considering the bill the Speaker of the House sent word to the committee that their actions were not legal, as the House was in session and without a quorum; and in the very face of that they voted to negative this bill.

Mr. ADAIRE. Mr. Speaker, the gentleman from Lancaster says that this was not the proper committee to which this bill should go. I, being a member of that committee, will say I was in favor of the bill. The bill was not smothered; it was in the committee but three days; we had two hearings on the bill and it was reported with a negative recommendation. I do not think the committee had any disposition to smother the bill. The committee gave it a hearing as soon as it came before them, and the parties that were interested were heard and the committee saw fit to report it with a negative recommendation.

Mr. ALLEN. Mr. Speaker, as it seemed my duty to report that bill, and as the gentleman from Lancaster has insinuated that there was a disposition to smother it in committee. I feel it my duty to say that the bill was acted upon, as I understand, very promptly in that committee. I was present at the time and all I heard in regard to the bill was the statement by a Senator in contradiction of the statements for the bill. I must say that so far as the statements made before the committee were concerned, the evidence was in opposition to the bill. If the friends of the bill had evidence to present before the committee, I will say, sir, it was their duty to present that evidence there. Now, I take no sides against this bill; if it is proper it should pass, but I will say in justice to that committee that if there was any fault it was in not presenting the evidence to that committee before the bill was acted upon. If the members who had charge of the bill were in favor of it in presenting it they should have presented what evidence they had before the committee; but so far as any statements made before that committee are concerned, they were all strongly in opposition to the bill.

Mr. DONOHUGH. Mr. Speaker, the opponents of the bill were before the commit-

tee and were fully heard before we received word from the Speaker that our presence was required in the House; and the friends of the bill did not have an opportunity to present their reasons for the bill.

Mr. QUIGLEY. Mr. Speaker, I happen to be a member of the Committee on Corporations, and I am very much surprised at the charge made by the gentleman from Lancaster. He certainly could have known nothing at all about the matter. There was no disposition on the part of the committee to smother the bill at all. The Committee on Corporations met the very night that the bill was presented in this House. The friends of the bill were heard and heard fully; the opponents of the bill did not then know that there was such a bill in the House, and the committee postponed the further consideration of the bill until the next evening, and made it the special order in order to give the opponents of the bill an opportunity of being heard. The bill was considered at the next meeting fully, and the friends of the bill had every opportunity of being heard; they were heard the first night, the opponents of the bill the next night, and the committee then reported the bill as it has been reported to this House.

I do not wish to discuss the merits of the bill, but I think the Committee on Corporations, to which the bill was referred, gave it as much consideration as any other committee could have given it at two sittings. It was discussed fully; the gentleman from Philadelphia was heard fully, and the friends of the bill certainly ought not to find fault with the opponents of the bill, because they had every opportunity in the world to present their views and the reasons why the bill should pass.

Mr. ADAIRE. Mr. Speaker, I do not find any fault with the committee.

I advocated the passage of the bill, and advocated the report of the bill with an affirmative recommendation, but the committee saw fit to report otherwise.

The question being on referring the bill to the Committee on Local Judiciary,

It was

Agreed to.

BILL PASSED.

On motion of Mr. EWING, House bill No. 1874, an act relating to taxation for school purposes in the school district of Canonsburg, in the county of Washington,

Reported from committee, was taken up,

The rules were suspended, and the bill

Passed finally.

ORIGINAL RESOLUTION.

Mr. JENKS. Mr. Speaker, I ask the unanimous consent of the House to offer a resolution.

Consent was given.

Mr. JENKS. Mr. Speaker, I offer the following resolution:

Resolved, That this House, when it adjourns on Wednesday afternoon, adjourn to meet at 7½ o'clock, P. M., for the purpose of considering House bill No. 1124, entitled An act to authorize the formation of railroad companies.

The question being on agreeing to the resolution,

Mr. LEE. Mr. Speaker, I trust the resolution will not be adopted. This bill will come up in its regular order, and that is the proper way to consider it. I do not see why this special session should be had for its consideration. Let it come up in its regular order.

Mr. JENKS. Mr. Speaker, it is already very late in the session; members on both sides of the House are pledged to a general railroad law. The people understood that such a law would be passed this winter, and they desire this Legislature to embody their will in a law. It is now so late in the session that we cannot do so unless we take it up in the way indicated by that resolution. The bill is so far down on the calendar that it cannot be reached in its regular order. I therefore hope the House will pass this resolution, and then enable us to discharge the duty that rests upon us.

Mr. QUIGLEY. Mr. Speaker, that is just the very reason why I am opposed to this resolution. The friends of a free railroad law ought to have brought the matter before the House before this time. If they were pledged to it last fall they certainly attempt to bring it up at a very late day. I therefore trust the House will not make a special session for that purpose.

Mr. ALLEN. Mr. Speaker, I think the reason given by the gentleman from Philadelphia [Mr. QUIGLEY] for objecting to this bill is a very poor one indeed. If the friends of a free railroad law have been liberal in waiting I think that is no reason why gentlemen should now say that it is too late. I think it is better than never at this time, and I trust the resolution will pass.

The resolution was

Agreed to.

MESSAGE FROM THE SENATE.

The Clerk of the Senate being introduced, presented for concurrence bills numbered and entitled as follows, viz:

Senate bill No. 1431, an act to authorize and empower William Howe to erect and maintain on Two Lick creek, in Cherry Hill township, Indiana county, at his mill, on said creek, a boom for saw logs.

Senate bill No. 1471, an act suspending further payment to the commissioners appointed to improve the navigation of the river Delaware.

Senate bill No. 1529, a supplement to an act creating a board for the erection of a city hall in the city of Pittsburg, approved the 1st day of March, 1867.

Senate bill No. 1542, an act to incorporate the Lincoln monument association of Philadelphia.

Senate bill No. 1545, a supplement to an act relating to the payment of bounties to veteran volunteers.

Senate bill No. 1556, an act to authorize the court of quarter sessions of Allegheny county to appoint viewers to assess the cost of opening a public road in said county.

Senate bill No. 1554, a supplement to an act incorporating the Caledonia iron, land and railroad company, approved March 22d, A. D. 1867.

Senate bill No. 1553, an act to take the sense of the voters of Payne township, Indiana county, on the question of authorizing the school directors of Payne school district to create a public hall at the village of Kintersburg, in said township.

Senate bill No. 1552, an act to authorize State Treasurer to pay to Mrs. S. Richards Boyle, widow of Captain John A. Boyle, who fell at Lookout Mountain, the expense incurred by her in obtaining the remains of her husband.

Senate bill No. 1549, an act for the relief of Captain John Moore, Jr., late of the Elderton Guards.

Senate bill No. 1548, a supplement to an act to authorize the executors of the last will and testament of John Crosthwait to pay over to Francis Dunlup, of Clearfield county, certain legacies, approved April 29th, 1864.

Senate bill No. 1543, an act supplementary to the act to incorporate the Adams County Soldiers' Monument association, approved ——, appropriating a site for said monument.

Senate bill No. 1546, an act to incorporate the Indiana woolen works.

Senate bill No. 1537, an act authorizing the school directors of Clinton township, Wyoming county, to levy tax for bounty purposes.

Senate bill No. 1532, an act to change the venue in a certain case from Schuylkill county to Lebanon county.

Senate bill No. 1506, a supplement to an act to incorporate the Susquehanna and Delaware railroad company.

Senate bill No. 1479, an act to authorize the burgess and town council of the borough of Wilkesbarre to borrow money, to purchase grounds for a public cemetery, and to prevent further interments in the old graveyard.

Senate bill No. 1496, an act to incorporate the Lucine S. Peck gold and silver mining company of Montana.

Senate bill No. 1367, an act in relation to the re-election of the treasurer of Lycoming county.

Senate bill No. 1305, an act to incorporate the Pacific mining and exploring company.

Senate bill No. 1300, a supplement to an act to incorporate the Pennsylvania coal company, authorizing said company to construct lateral roads, and hold additional land.

Senate bill No. 877, a further supplement to the act relating to the elections of this Commonwealth.

Senate bill No. 420, an act regulating the time of making returns by justices of the peace in Mercer and Bucks counties.

Senate bill No. 1512, an act relative to street paving in the city of Philadelphia.

Senate bill No. 1319, an act to incorporate the Susquehanna Valley railroad company.

Senate bill No. 1306, an act to incorporate the Ryan and Reading slate company.

He also returned bills from the House of Representatives numbered and entitled as follows, viz:

No. 838, an act to establish a ferry and foot bridge over the Driftwood branch of the Sinnemahoning creek, near the mouth thereof, in Cameron county.

No. 867, an act to legitimate Edward A. Smith, Ellen J. Smith, Catherine V. Smith, and Thomas B. Smith.

No. 931, an act to authorize the city of Philadelphia to sell certain ground in the Eleventh ward.

No. 1067, an act to enable the board of school directors of the township of Chancefford, in the county of York, to levy and collect at once a tax sufficient to liquidate the remaining indebtedness of said township for bounty purposes, and to appropriate surplus bounty funds of said township to common school purposes.

No. 1188, a supplement to an act relative to the running of railroad cars in the borough of York, extending the same to the borough of Glen Rock.

No. 1190, a further supplement to the act incorporating the East Brandywine and Waynesburg railroad company, approved March 31st, A. D. 1859.

No. 1260, an act supplementary to an act incorporating the borough of Marietta, approved February 15th, A. D. 1834, granting certain powers to chief burgess and borough constable.

No. 1355, an act relating to parks in the city of Harrisburg.

No. 892, an act legalizing the acts of the York Building association No. 2, and the York Building association No. 3, in the borough of York, in the county of York.

No. 692, an act to vest the title of Market square, in the borough of Mechanicsburg, Cumberland county, in said borough.

No. 542, an act to increase the compensation of the supervisors, assessors and auditors

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[CONTINUED FROM PAGE 832.]

in the township of Gregg, in the county of Union.

With information that the Senate has passed the same without amendment.

He also returned bills from the House of Representatives numbered and entitled as follow, viz:

No. 565, a supplement to an act to incorporate the Swatara company, passed March 7th, 1849.

No. 631, a supplement to an act relating to the lien of mechanics and others upon buildings, approved the 16th day of June, A. D. 1836.

No. 896, a further supplement to an act relating to inspections, approved the 15th day of April, 1835, and the supplement thereto, approved March 25, 1850, relating to the city of Philadelphia.

No. 921, an act to change the boundary lines of the borough of Wrightsville, in the county of York.

No. 1379, an act to provide a city government for the borough of Altoona, Blair county.

With information that the Senate has passed the same with amendments, in which the concurrence of the House of Representatives is requested.

PETITIONS, &C., PRESENTED.

Mr. KINNEY presented to the chair a petition from seventy citizens of Rome township, Bradford county, against applying taxes on lands where Mansion is situated, to Rome borough for school purposes.

Referred to the Committee on Education.

Mr. PILLOW, a petition from five hundred and forty-six citizens of Butler county, in favor of having the license law of Allegheny county extended to Butler, Butler county.

Referred to the Committee on Vice and Immorality.

Also, a petition from one hundred and thirty citizens of Butler county, of like import.

Referred to the Committee on Vice and Immorality.

Mr. MEYERS, a petition from sundry citizens of Northampton county, for a law to suppress the growth of noxious weeds.

Referred to the Committee on Agriculture.

Also, a petition from sundry citizens of the borough of Easton for a supplement to an act relative to the construction of water works.

Referred to the Committee on Corporations.

Mr. M'KEE, a petition from inhabitants of the city of Pittsburg praying for the passage of a law authorizing the division of said city into police districts.

Laid on the table.

Mr. JENKS, a petition from citizens of Jefferson county, for the passage of a law giving license to teamsters.

Referred to the Committee on the Judiciary Local.

Also, eight petitions from citizens of Jefferson county, praying for the passage of an act prohibiting the sale of intoxicating liquors.

Referred to the Committee on the Judiciary Local.

Mr. M'KEE, a remonstrance from inhabitants of Lower St. Clair township, Allegheny county, against the passage of a law authorizing the erection of a borough out of a portion of said township.

Referred to the Committee on Counties and Townships.

Also, a remonstrance from the inhabitants of the village of Bloomfield, Liberty township, Allegheny county, against the passage of a law authorizing the annexation of the said village to the borough of Lawrenceville, in said county.

Referred to the Committee on Counties and Townships.

Also a petition from inhabitants of Allegheny county, praying for the passage of a law authorizing the construction of a State road from the Freeport and Bakertown road, in Allegheny county, to the Freeport and Saxonsburgh road, in Butler county.

Referred to the Committee on Roads, Bridges and Ferries.

Mr. BARRINGTON, a petition from inhabitants of Easton, Northampton county, asking for the erection of a Fourth ward.

Referred to the Committee on Municipal Corporations.

Mr. KINNEY, a petition from twenty-seven citizens of Rome township, Bradford county, against applying taxes, where Mansion House is situated, to Rome borough for school purposes.

Referred to the Committee on Education.

Mr. M'PHERRIN, a petition from citizens of the borough of Greenville, in the county of Mercer, praying for the passage of a law dividing said borough into two wards.

Referred to the Committee on Municipal Corporations.

BILLS IN PLACE.

Mr. WINGARD read in his place and presented to the Chair an act for the collection of book debts.

Referred to the Committee on the Judiciary General.

Mr. BREEN, an act for the better protection of livery stable men in Schuylkill county.

Referred to the Committee on the Judiciary Local.

Mr. QUAY, an act for the more impartial selection of persons to serve as jurors in Northampton county.

Referred to the Committee on the Judiciary Local.

Mr. STUMBAUGH, an act relative to a special tax in and for the township of Guilford, in the county of Franklin.

Referred to the Committee on the Judiciary Local.

Mr. SEILER, a further supplement to an act to provide for the erection of a poor house for the employment and support of the poor in the county of Dauphin.

Referred to the Committee on the Judiciary Local.

Also, an act for the relief of wives and children deserted by their husbands and fathers, in the county of Dauphin.

Referred to the Committee on the Judiciary Local.

Mr. WORRALL, an act authorizing the curbing and paving of College avenue, in the city of Philadelphia.

Referred to the Committee on Municipal Corporations.

Mr. SEILER, an act to grade and pave certain streets in Hummelstown, Dauphin county.

Referred to the Committee on Municipal Corporations.

Also, an act to enable the city of Harrisburg to establish and maintain a free bridge over the Susquehanna river.

Referred to the Committee on Municipal Corporations.

Mr. WINGARD, an act to repeal a portion of an act entitled A supplement to an act to incorporate the city of Williamsport.

Referred to the Committee on Corporations.

Mr. KOON, a supplement to an act to incorporate the Mechanics' and Miners' Co-operative association of Scranton, approved February 14th 1867.

Referred to the Committee on Corporations.

Mr. THARP, an act to incorporate the Farmers' Mutual life insurance and trust company, of the township of Upper Augusta.

Referred to the Committee on Corporations.

Mr. SEILER, a supplement to an act relative to the payment of street and road damages in the county of Dauphin.

Referred to the Committee on Roads, Bridges and Ferries.

Mr. M'CREARY, a supplement to an act relating to the Sunbury and Erie, and Cleveland and Painesville, and Ashtabula railroad company.

Referred to the Committee on Railroads.

Mr. DEISE, an act extend the present limits of the city of Williamsport.

Referred to the Committee on Vice and Immorality.

Mr. M'KEE, No. 1880, an act to incorporate the Montana and Pittsburg gold and silver mining company.

Laid on the table.

Mr. PETER, No. 1883, a supplement to an act to incorporate the Turners' association, approved April 13th, 1859.

Laid on the table.

Mr. CHADWICK, No. 1884, an act requiring the Pennsylvania railroad company to appoint watchmen on certain crossings in

the village of East Liberty, Allegheny county.

Laid on the table.

Mr. QUAY, No. 1885, an act to incorporate the Frankford County operative benefit society.

Laid on the table.

Also, No. 1886, an act relating to the erecting of a school building in the borough of Covington, Tioga county.

Laid on the table.

Also, No. 1887, an act relating to bounties in Concord township, Erie county.

Laid on the table.

Also, No. 1888, an act relative to the commissioners of Washington county.

Laid on the table.

Mr. HARNER, No. 1889, a further supplement to an act to incorporate the South Mountain railroad company, approved May 5th, 1854, repealing the proviso to the fourth section of the supplement to said act, approved March 9th, 1855.

Laid on the table.

Mr. JONES, No. 1890, an act supplementary to an act revising the charter of the municipal corporation of the city of Reading, passed April 26th, 1864, extending the limits of the same.

Laid on the table.

Mr. LINTON, No. 1891, an act to incorporate the Gallitzin and Cambria Mills turnpike road company.

Laid on the table.

Also, No. 1892, an act to incorporate the Johnstown and Kingston's Run turnpike road company.

Laid on the table.

Mr. KURTZ, No. 1893, an act to incorporate the Humboldt gold and silver mining company of Nevada.

Laid on the table.

Also, No. 1894, an act to incorporate the Allegheny gold and silver mining company of Idaho.

Laid on the table.

Mr. ESPY, No. 1896, an act to incorporate the Fallowfield Mutual insurance company of Crawford county.

Laid on the table.

Also, No. 1897, a supplement to an act to incorporate the city of Meadville, approved the 15th day of February, A. D. 1866.

Laid on the table.

Mr. CHASE, No. 1889, an act relating to the surplus bounty fund in Vernon township, Crawford county.

Laid on the table.

Also, No. 1899, an act relating to the surplus bounty fund in the township of East Fallowfield, in the county of Crawford.

Laid on the table.

Also, No. 1900, an act to authorize the burgess and town council of the borough of Cochranton, in the county of Crawford, to levy and collect additional tax.

Laid on the table.

Also, No. 1901, an act relative to the dockets of C. M. Bonsh, a justice of the peace in the city of Meadville.

Laid on the table.

Mr. LONG, No. 1903, a supplement to the act incorporating the Cumberland Valley Mutual Protection company, of Dickinson township, Cumberland county.

Laid on the table.

Also, No. 1904, a supplement to an act relative to the protection of fish in the Susquehanna river, and its tributaries, approved March 13, 1866, extending the same to the Conodoguinit creek, in the counties of Cumberland and Franklin.

Laid on the table.

Mr. BARTON, No. 1905, a further supplement to an act entitled A supplement to the act incorporating the National iron armor company of Chester, in the county of Delaware, approved March 21, 1865.

Laid on the table.

Mr. PHELAN, No. 1906, an act to change the time of holding the several courts of Greene county.

Laid on the table.

Also, No. 1907, an act to reduce the price of licenses to hucksters in Greene county.

Laid on the table.

Mr. ARMSTRONG, No. 1908, an act to incorporate the General Eldership of the Church of God, in North American.

Laid on the table.

Mr. MEILY, No. 1910, an act to allow the Evangelical Lutheran Church congregation at Bindnangel's, Londonderry township, Lebanon county, to use the interest of certain money left by George Berger to said congregation in trust to John Early.

Laid on the table.

Mr. FOGEL, No. 1911, an act to repeal an act approved the 27th day of March, 1867, entitled An act to repeal the first section of an act, passed the 1st day of April, 1792, declaring the Little Lehigh a public highway.

Laid on the table.

Mr. KLINE, No. 1912, an act authorizing the recording of a copy of a lease or agreement.

Laid on the table.

Mr. BROWN, No. 1913, an act to incorporate the Success mining company.

Laid on the table.

Mr. MARKLEY, No. 1914, an act to extend the provisions of certain sections of an act approved the 30th of March, 1866, relating to the passage of fish in the Susquehanna river, to the Schuylkill river.

Laid on the table.

Also, No. 1915, an act to incorporate the Norristown and Centre turnpike road company.

Laid on the table.

Mr. BARRINGTON, No. 1916, an act erecting a fourth ward of the borough of Easton, in the county of Northampton.

Laid on the table.

Mr. MEYERS, No. 1917, an act providing for the relief of John Seusenbach, by the commissioners of Northampton county.

Laid on the table.

Also, No. 1918, an act relating to the appointment of trustees, and to sales of real estate by trustees.

Laid on the table.

Also, No. 1919, a supplement to an act providing for the purchase, erection and construction of public water works for the borough of Easton, Northampton county, by the corporate authorities of said borough.

Laid on the table.

Mr. THARP, No. 1920, an act changing the time of holding the election of officers of the Trenton coal company.

Laid on the table.

Also, No. 1921, an act to authorize the trustees of the Georgetown school property, in the county of Northumberland, to sell certain real estate.

Laid on the table.

Mr. WATT, No. 1922, an act to incorporate the Philadelphia paper hangings manufacturing company.

Laid on the table.

Mr. FREEBORN, No. 1923, an act making appropriations to the Teachers' institute, of the city of Philadelphia.

Laid on the table.

Mr. SUBERS, No. 1924, an act for the opening of Fifth street, from Germantown road or avenue, to Berks street, late Chatham street.

Laid on the table.

Mr. KERNS, No. 1925, an act to incorporate the Pennsylvania Nicholson pavement company.

Laid on the table.

Mr. QUIGLEY, No. 1926, an act to incorporate the Franklin publishing society of Pennsylvania.

Laid on the table.

Mr. DAVIS, No. 1927, a further supplement to an act to protect the property of the mayor, alderman and citizens of Philadelphia at Fairmount, and to preserve the purity of the Schuylkill water, passed the 7th day of February, 1832.

Laid on the table.

Also, No. 1928, an act to incorporate the Oil City passenger railway company.

Laid on the table.

Mr. MARKS, No. 1929, an act to incorporate the Corn Exchange warehousing company of Philadelphia.

Laid on the table.

Mr. COLLINS, No. 1931, an act authorizing the Governor to appoint an additional notary public in Schuylkill county.

Laid on the table.

Also, No. 1933, an act to repeal an act to secure a stricter accountability of certain public officers in Schuylkill county, approved February 17th, 1859, so far as the same relates to the township of Eldred, in said county.

Laid on the table.

Also, No. 1933, an act supplementary to an act to incorporate the town of Pine Grove, in the county of Schuylkill, into a borough, approved the 27th day of May, 1832.

Laid on the table.

Mr. CAMERON, No. 1934, a supplement to an act to incorporate the Broad street and Island road company.

Laid on the table.

Mr. WHANN, bill No. 1935, an act authorizing the burgess and town council of Oil City to levy a tax for borough purposes.

Laid on the table.

Also, bill No. 1936, an act authorizing the overseers of the poor of Franklin borough to levy a tax on occupations, money at interest, &c.

Laid on the table.

Also, bill No. 1937, a supplement to an act authorizing the burgess and town council of Venango city to increase their borough taxes.

Laid on the table.

Also, bill No. 1938, an act to extend the provisions of an act relative to mechanics' liens in the counties of Luzerne and Schuylkill, to the county of Forest.

Laid on the table.

Also, bill No. 1939, an act to incorporate the Franklin cemetery.

Laid on the table.

Mr. M'KEE, an act to incorporate the Triumph Oil Pipe transportation company.

Referred to the Committee on Corporations.

Mr. M'KEE. Mr. Speaker, I move that the committee be discharged from the further consideration of the bill.

Mr. ALLEN. Mr. Speaker, I hope the House will not discharge the committee.—The gentleman is very well aware that that bill has entire reference to my county. It has but little reference, if any, to his county. I consider it a very injurious kind of legislation, and I hope the House will refuse to discharge the committee.

Mr. M'KEE. Mr. Speaker, although it is in the gentleman's county some of my constituents are very largely interested in that county, and I desire the committee to be discharged, so that they can have a fair hearing on the floor of this House.

Mr. ALLEN. Mr. Speaker, I will say for the information of the House that the bill the gentleman has presented is one which meets with the entire opposition of my constituents. It has reference neither to a locality in the county which the gentleman from Allegheny [Mr. M'KEE] represents, nor, with the ex-

ception of one or two individuals, it has no reference to his constituents. The members who were here last winter are well aware that I have always opposed this principle of tubing. I now ask that this bill may go before a committee for investigation. I hope the members of this House will do simply in this matter as they would be done by, and refer the bill where it ought to go, to the Committee on Corporations.

Mr. M'KEE. If I am not mistaken, the gentleman has already passed a bill incorporating a tubing company for his own county.

Mr. ALLEN. Never, since I have been a member of this House, have I passed a tubing bill. I have always opposed the principle of tubing, and have always opposed any such bill before the House.

Mr. WINGARD. Mr. Speaker. I would certainly be the last man to interfere with the local legislation of any gentleman; but I have charge of a bill for a tubing company, and I understand that the people of the county through which the tube is to be run are not opposed to it. It has been in the Committee on Corporations for about six weeks, and I suppose it will remain there until the day of judgment. I am not disposed to interfere with the legislation of the gentleman from Warren [Mr. ALLEN], but I do have sympathy with any man who has a tubing bill, if that bill is to go to the Committee on Corporations; and I shall therefore vote to discharge the committee.

Mr. ALLEN. Mr. Speaker, the gentleman from Lycoming [Mr. WINGARD] was pumping away at the same thing for the same purpose last winter. He was, of course, disappointed, and now proposes to help anybody else to accomplish what he failed to do himself.

The SPEAKER having withdrawn his decision referring the bill to the Committee on Corporations, the question was on agreeing to lay the bill on the table.

The yeas and nays were required by Mr. M'KEE and Mr. CHADWICK, and were as follow, viz:

YEAS—Messrs. Breen, Cameron, Chadwick, Chase, Davis, Day, DeHaven, Ewing, Harner, Hoffman, Hood, Hunt, Jenks, Josephs, Kennedy, Kline, Lee, Leech, Linton, M'Camant, M'Kee, Peter, Phelan, Pillow, Rhoads, Seiler, Weller, Westbrook and Glass, *Speaker*—30.

NAYS—Messrs. Adsire, Allen, Armstrong, Barrington, Barton, Brown, Chalfant, Epp, Freeborn, Harbison, Headman, Jones, Kerns, Kinney, Mann, Meily, Meyers, Mullin, Quay, Quigley, Richards, Roush, Satterthwait, Sharples, Shuman, Stehman, Subers, Wallace, Watt, Webb, Whann, Wingard and Woodward—33.

So the question was determined in the negative.

And the bill was

Referred to the Committee on Corporations.

Mr. M'CAMANT, No. 1934, an act to authorize the chief burgess and town council of Tyrone city, Blair county, to borrow money, and to levy and collect additional tax to pay the interest on the same.

On motion of Mr. M'CAMANT, the House proceeded to the consideration of the bill.

The bill was

Agreed to.

The rules were suspended, and the bill

Passed finally.

Mr. STEHMAN, No. 1909, a supplement to an act relating to the common schools of the city of Lancaster, approved January 2d, 1850.

On motion of Mr. STEHMAN, the House proceeded to the consideration of the bill.

The bill was.

Agreed to.

The rules were suspended,

The bill was read a third time by its title, and

Passed finally.

Mr. WESTBROOK, No. 1930, an act to repeal an act to form an independent school district out of parts of Pike and Monroe counties, passed the 21st day of March, 1865.

On motion of Mr. WESTBROOK, the House proceeded to the consideration of the bill.

The bill was

Agreed to.

The rules were suspended, the bill read a third time by its title, and

Passed finally.

Mr. ALLEN, No. 1940, a supplement to an act changing the mode of criminal proceedings in the counties of Erie and Union, and extending the same to the county of Forest.

On motion of Mr. ALLEN, the House proceeded to the consideration of the bill.

The bill was

Agreed to.

The rules were suspended, the bill read a third time by its title, and

Passed finally.

Mr. DAY, bill No. 1941, an act to authorize the trustees of the Cumberland Presbyterian church of Greenfield, Washington county, to sell and convey certain real estate.

On motion of Mr. DAY, the House proceeded to the consideration of the bill.

The bill was

Agreed to.

The rules were suspended,

The bill was read a third time by its title, and

Passed finally.

Mr. CHASE, No. 1902, an act to change the place of holding elections in the Second and Third wards, in the city of Titusville.

On motion of Mr. CHASE, the House proceeded to the consideration of the bill.

The bill was

Agreed to.

The rules were suspended,

The bill read a second and third time, and

Passed finally.

Mr. JENKS, No. 1595, an act to exempt from taxation money loaned to the school directors of the borough of Punxsatawny.

On motion of Mr. JENKS, the House proceeded to the consideration of the bill.

The bill was

Agreed to.

The rules were suspended,

The bill read a third time by its title, and

Passed finally.

On motion of Mr. KENNEDY, the House proceeded to the consideration of Senate bill No. 1537, an act to levy an additional tax on Clinton township, Wyoming county, for bounty purposes.

The bill was

Agreed to.

The rules were suspended,

The bill read a third time by its title, and

Passed finally.

SPECIAL SESSION.

Mr. QUAY. Mr Speaker, I ask the unanimous consent of the House to offer a resolution.

No objection being made,

Mr. QUAY. Mr. Speaker, I offer the following resolution:

Resolved, That this House will hold a session on Thursday evening, at seven and a half o'clock, for the consideration of bills on the third reading, and other business.

Mr. CHASE. Mr. Speaker, I move to amend by inserting, after the word "third," the words "and second."

The amendment was

Agreed to.

The question recurring on the resolution as amended,

It was

Agreed to.

SPEAKER'S TABLE.

The SPEAKER cleared his table of Senate bills numbered and entitled as follows, viz:

Senate bill No. 1431, an act to authorize and empower William Howe to erect and maintain, on Two Lick creek, in Cherry Hill township, Indiana county, at his mill, on said creek, a boom for saw-logs.

Referred to the Committee on the Judiciary Local.

Senate bill No. 1471, an act suspending further payment to the commissioners appointed to improve the navigation of the river Delaware.

Referred to the Committee on Ways and Means.

Senate bill No. 1529, a supplement to an act creating a board for the erection of a city hall in the city of Pittsburg, approved the 1st day of March, 1867.

Laid on the table.

Senate bill No. 1542, an act to incorporate the Lincoln Monument association of Philadelphia.

Laid on the table.

Senate bill No. 1545, a supplement to an act relating to the payment of bounties to veteran volunteers.

Laid on the table.

Senate bill No. 1556, an act to authorize the court of quarter sessions of Allegheny county to appoint viewers to assess the cost of opening a public road in said county.

Laid on the table.

Senate bill No. 1554, a supplement to an act incorporating the Caledonia iron, land and railroad company, approved March 22d, A. D. 1867.

Laid on the table.

Senate bill No. 1553, an act to take the sense of the voters of Payne township, Indiana county, on the question of authorizing the school directors of Payne school district to create a public hall at the village of Kintersburg, in said township.

Referred to the Committee on Education.

Senate bill No. 1552, an act to authorize the State Treasurer to pay to Mrs. S. Richards Boyle, widow of Captain John A. Boyle, who fell at Lookout Mountain, the expense incurred by her in obtaining the remains of her husband.

Referred to the Committee on Military.

Senate bill No. 1549, an act for the relief of Captain John Moore, Jr., late of the Elderton Guards.

Referred to the Committee on Ways and Means.

Senate bill No. 1548, a supplement to an act to authorize the executors of the last will and testament of John Crossthwait to pay over to Francis Dunlap, of Clearfield county, certain legacies, approved April 29th, 1864.

Referred to the Committee on Estates and Escheats.

Senate bill No. 1543, an act supplementary to the act to incorporate the Adams County Soldiers' Monument association, approved ——, appropriating a site for said monument.

Laid on the table.

Senate bill No. 1546, an act to incorporate the Indiana woolen works.

Laid on the table.

Senate bill No. 1537, an act authorizing the school directors of Clinton township, Wyoming county, to levy tax for bounty purposes.

Referred to the Committee on Military.

Senate bill No. 1532, an act to change the venue in a certain case from Schuylkill county to Lebanon county.

Referred to the Committee on the Judiciary Local.

Senate bill No. 1506, a supplement to an act to incorporate the Susquehanna and Delaware railroad company.

Referred to the Committee on Railroads.

Senate bill No. 1479, an act to authorize the burgess and town council of the borough of Wilkesbarre to borrow money, to purchase grounds for a public cemetery, and to prevent further interments in the old graveyard.

Referred to the Committee on Municipal Corporations.

Senate bill No. 1496, an act to incorporate the Lucius S. Peck gold and silver mining company of Montana.

Referred to the Committee on Municipal Corporations.

Senate bill No. 1367, an act in relation to the re-election of the treasurer of Lycoming county.

Referred to the Committee on the Judiciary Local.

Senate bill No. 1305, an act to incorporate the Pacific mining and exploring company.

Referred to the Committee on Municipal Corporations.

Senate bill No. 1300, a supplement to an act to incorporate the Pennsylvania coal company, authorizing said company to construct lateral roads, and hold additional land.

Laid on the table.

Senate bill No. 877, a further supplement to the act relating to the elections of this Commonwealth.

Referred to the Committee on the Judiciary General.

Senate bill No. 420, an act regulating the time of making returns by justices of the peace in Mercer and Bucks counties.

Referred to the Committee on the Judiciary Local.

Senate bill No. 1512, an act relative to street paving in the city of Philadelphia.

Referred to the Committee on Municipal Corporations.

Senate bill No. 1319, an act to incorporate the Susquehanna Valley railroad company.

Referred to the Committee on Railroads.

Senate bill No. 1306, an act to incorporate the Ryan and Reading slate company.

Referred to the Committee on Corporations.

Also, House bills numbered and entitled as follows:

No. 565, a supplement to an act to incorporate the Swatara company, passed March 7th, 1849.

No. 631, a supplement to an act relating to the liens of mechanics and others upon buildings, approved the 16th day of June, A. D. 1836.

No. 896, a further supplement to an act relating to inspections, approved the 15th day of April, 1835, and the supplement thereto, approved March 25, 1850 relating to the city of Philadelphia.

No. 921, an act to change the boundary lines of the borough of Wrightsville, in the county of York.

No. 1279, an act to provide a city government for the borough of Altoona, Blair county.

Returned from the Senate with amendments.

The amendments made by the Senate to said bills were twice read, considered and concurred in, and

Ordered, That the Clerk inform the Senate of the same.

On motion of Mr. BARTON, the House adjourned until 10 o'clock, A. M., on Tuesday.

HOUSE OF REPRESENTATIVES.

TUESDAY, April 2, 1867.

The House met at ten o'clock.

Prayer by the Rev. JACOB KENNEDY, member from Wyoming.

The SPEAKER announced a quorum of members present.

The Journal of Monday evening was partly read when, on motion, the further reading was dispensed with.

The SPEAKER laid before the House the annual report of the Delaware and Hudson canal company.

On motion of Mr. QUAY, the rule for going into committee of the whole being in this case dispensed with, Senate bill No. 1300, a supplement to the Pennsylvania coal company, was read, considered and

Agreed to.

And the rule being dispensed with, the said bill was read a second and third time, and

Passed finally.

ORDERS OF THE DAY.

Agreeably to order,

The House proceeded to the consideration of the bills upon the private calendar;

Whereupon,

Senate bill No. 136, entitled An act exempting the Ladies' United aid society of the Methodist Episcopal church of Philadelphia from taxation.

Mr. GREGORY. Mr. Speaker, I hope that will not pass. The House has already passed, by a large majority, a bill defining the properties to be exempt from taxation in the city of Philadelphia. If this is a purely charitable institution, it will be excepted under the provisions of the general bill.

Mr. DONOHUGH. Mr. Speaker, I hope this bill will pass. I desired to offer an amendment to that bill to cover just such institutions as this. The amendment was rejected. This is a purely benevolent institution.

Mr. GREGORY. Mr. Speaker, under the provisions of the bill as drawn by the committee, all purely charitable institutions are exempt from taxation.

I hope there will be no attempt by the members of the Philadelphia delegation, at least, to pass a bill of this character. If this is a purely charitable institution, its property will be exempt under the provisions of the bill just passed by the House.

Mr. DONOHUGH. Mr. Speaker, I hope that the House will understand that the institutions to be exempted under that bill were specified. My amendment, stating that all strictly charitable institutions were to be exempt from taxation, was not agreed to; therefore, this institution will not come within the provisions of the bill.

On the question,

Will the House proceed to the second reading and consideration of the bill?

The yeas and nays were required by Mr. BARTON and Mr. DONOHUGH, and were as follow, viz:

YEAS—Messrs. Adaire, Allen, Armstrong, Barton, Beeen, Brown, Cameron, Chadwick, Donohugh, Espy, Ewing, Freeborn, Gallagher, Gordon, Harbison, Headman, Hunt, Josephs, Kennedy, Kimmell, Kinney, Kline, Koon, Lee, M'Camant, M'Creary, M'Pherrin, Maish, Markley, Marks, Mechling, Mullin, Quay, Quigley, Richards, Robinson, Roush, Satterthwait, Steacy, Subers, Wallace, Watt, Webb, Weller, Westbrook, Wharton and Glass, *Speaker*—47.

NAYS—Messrs. Barrington, Chase, Davis, Day, DeHaven, Ghegan, Gregory, Harner, Heltzel, Hood, Kerns, Leech, Linton, Long, Mann, Meyers, Peter, Rhoads, Seiler, Sharples, Shuman, Wilson and Worrall—23.

So the question was determined in the affirmative.

And the bill

Passed finally.

House bill No. 821, entitled an act to prohibit the Philadelphia and Trenton railroad company from running steam engines south of Lehigh avenue, city of Philadelphia.

Mr. HEADMAN. I hope this bill will not be laid aside for second reading. It is a matter that deeply interests my constituents—more so than any other portion of the State, not excepting the city of Philadelphia. If this bill should pass, it virtually cuts off all communication with the city of Philadelphia from my county. The railroad company will be compelled to abandon their depot and transfer it to West Philadelphia. As two-thirds of the road is through my county, I ask that this bill be not laid aside for second reading.

Mr. HOOD. Mr. Speaker, this bill has been sent to the House by a select committee appointed for the purpose. I deem it of sufficient importance to ask the members of this House to seriously consider this bill. I confess I do not feel the same anxiety on the subject that I, perhaps, felt yesterday. The manner in which the Connellsville railroad was disposed of, leads me to expect that this bill will meet with none other than a similar fate. This road runs for a mile through the city of Philadelphia. If this bill should happen to pass, my friend from Bucks [Mr. HEADMAN] will be obliged to ride in the horse cars that distance. The company has already a depot in West Philadelphia. I am most seriously and earnestly anxious to see all the railroads in Philadelphia under the roof of the Central depot. I hope that the action that has been taken on this matter may be sufficient notice to all railroads in Philadelphia running in the reckless manner in which they have, that the time is not far distant when it will be necessary for them to get into the city of Philadelphia by some other means. I believe that to be the fact, therefore I leave the matter with the House.

Mr. DEHAVEN. Mr. Speaker, the Trenton road runs about a mile into my district. I know they have run over and killed three, if not four, persons during the last three years.

I hope the bill will be laid aside for second reading.

Mr. LEE. Mr. Speaker, I presume no member on this floor is so deeply interested in this matter as myself. It runs through my entire district, and accommodates four-fifths of the people residing in that district.

Mr. WORRALL. Mr. Speaker, I do not think this road kills any more persons than the Germantown and Norristown railroad.

On the question,

Will the House proceed to the second reading of the bill?

The yeas and nays were required by Mr. HOOD and Mr. MARKLEY, and were as follow, viz:

YEAS—Messrs. Adaire, Cameron, Chase, DeHaven, Donohugh, Gallagher, Hood, Linton, Peter, Quigley and Sharples—11.

NAYS—Messrs. Armstrong, Barrington, Barton, Boyd, Chadwick, Chalfant, Collins, Davis, Day, Espy, Ewing, Freeborn, Ghegan, Gregory, Harner, Headman, Heltzel, Hunt, Jenks, Josephs, Kerns, Kinney, Kline, Kurtz, Lee, Leech, Long, M'Camant, M'Creary, M'Kee, M'Pherrin, Maish, Mann, Markley, Marks Mechling, Meily, Meyers, Mullin, Phelan, Rhoads, Richards, Roush, Satterthwait, Seiler, Shuman, Steacy, Stumbaugh, Subers, Tharp, Wallace, Webb, Weller, Westbrook, Wharn, Wilson, Woodward, Worrall and Glass, *Speaker*—59.

So the question was determined in the negative.

Senate bill No. 287, an act relative to livery stable keepers in Mercer county.

Passed finally.

A supplement to an act to fix the standard and denominations of measures and weights in the Commonwealth of Pennsylvania, approved the fifteenth day of April, Anno Domini one thousand eight hundred and thirty-four.

On the question,

Shall the rules be suspended and the bill read a second time?

The yeas and nays were required by Mr. SATTERTHWAIT and Mr. RHOADS, and were as follow, viz:

YEAS—Messrs. Adaire, Armstrong, Cameron, Chadwick, Chase, Colville, Davis, Day, DeHaven, Espy, Ewing, Freeborn, Ghegan, Hood, Kennedy, Kerns, Kimmell, Kinney, Lee, M'Camant, M'Creary, Mann, Marks, Meily, Mullin, Peter, Pillow, Quay, Shuman, Steacy, Stumbaugh, Subers, Wallace, Watt, Webb, Weller, Wharton, Wilson, Worrall and Glass, *Speaker*—40.

NAYS—Messrs. Barrington, Boyd, Breen, Chalfant, Collins, Deise, Gallagher, Gordon, Gregory, Harner, Hunt, Kline, Koon, Kurtz, Linton, Long, M'Henry, Maish, Mechling, Meyers, Rhoads, Richards, Robinson, Roush, Satterthwait, Tharp, Westbrook and Whann—27.

So the question was determined in the negative, two-thirds not having voted in the affirmative.

No. 1392, a supplement to an act entitled An act to incorporate the People's Accident insurance company of Pennsylvania, approved April 11, 1866.

Amended by Mr. ADAIRE, and

Passed finally.

No. 1393, an act to extend the time for the payment of the enrollment tax on an act to incorporate the Mineral exploring company, approved August 18, 1864.

Passed finally.

No. 1394, an act relating to the fees of the sheriff of the county of Cumberland.

Amended by Mr. ROUSH by an additional section allowing the sheriff of Snyder county to charge fifty cents per day for boarding prisoners.

Mr. ARMSTRONG moved to amend, "a rate not to exceed fifty cents, at the discretion of the court, for criminals or those accused of crime, for each per day, and twenty-five cents per day for each and every vagrant and intoxicated person committed to the said jail, and twenty-five cents for discharge fee."

On the question,

Will the House agree to the amendment?

It was

Not agreed to.

The title of the bill was amended by inserting the county of Snyder, and

The bill

Passed finally.

Senate bill No. 906, an act relating to the collection of bounty taxes in the county of Lehigh.

Passed finally.

Senate bill No. 936, an act punishing the sale of adulterated milk in Potter and Tioga counties.

Passed finally.

Senate bill No. 955, an act extending the provisions of an act, approved March 22, A. D. 1817, relative to horse racing on the public highways in Philadelphia county, to the township of Leacock, in the county of Lancaster.

Passed finally.

Senate bill No. 978, an act to incorporate the Bellefonte glass manufacturing company.

Passed finally.

Senate bill No. 974, an act to increase the compensation of county commissioners, township auditors, and the sheriff, for boarding prisoners, in the county of Jefferson.

Passed finally.

Senate bill No. 980, a further supplement to the act consolidating the city of Philadelphia, defining the amount of money to be borrowed on temporary loan.

Passed finally.

Senate bill No. 993, an act to authorize the school board of Washington township, Indiana county, to levy and collect an additional bounty tax.

Passed finally.

Senate bill No. 907, a supplement to an act approved April 26, A. D. 1850, incorporating the Wissahickson turnpike road company.

Passed finally.

Senate bill No. 1008, an act to extend the time for the payment of the enrollment tax on an act entitled An act to incorporate the Gettysburg and Chambersburg railroad company, approved 17th of April, 1866, and authorizing said roads to make connections.

Passed finally.

Senate bill No. 1017, an act to increase the compensation of the supervisors of roads in the township of Plumstead, Bucks county.

The motion to lay the bill aside was

Not agreed to.

No. 1409, an act relative to the estate of Eliza Howard Burd.

On motion of Mr. FREEBORN, the second section, exempting the property from taxation, was stricken out, and

The bill

Passed finally.

No. 1413, an act relating to the courts of Venango county.

Passed finally.

No. 1425, an act to incorporate the Pennsylvania and New Jersey bridge company.

The bill was amended by Messrs. GHEGAN, GREGORY, FREEBORN, QUIGLEY, WORRALL, HOOD, WATT, LEE and DEHAVEN, by inserting additional corporators.

And the bill

Passed finally.

Senate bill No. 854, an act to allow the sheriff of Elk county fees for serving jury notices, and increasing the pay of supervisors in said county.

Passed finally.

Senate bill No. 960, an act to enable the agents of the Methodist Book Concern to hold real estate in the city of Pittsburg.

Passed finally.

No. 1433, an act to increase the fees of the sheriff of Jefferson county.

The motion to lay the bill aside for a second reading was

Not Agreed to.

No. 1434, an act to increase the fees of the commissioners of Crawford county, as directors of the poor.

Passed finally.

No. 1435, an act to increase the pay of the auditors and commissioners of Jefferson county.

Amended by Mr. JENKS, and

The bill

Passed finally.

No. 1436, an act to authorize the borough of Media, in the county of Delaware, to borrow money, for the purpose of supplying said borough with water.

Passed finally.

No. 1437, an act providing for the incorporation of Reserve township, in the city of Allegheny.

The motion to lay the bill aside for a second reading was

Not agreed to.

Senate bill No. 774, an act to perfect title to one hundred and sixteen acres of land in Somerset county, owned by the Union coal and iron company.

Passed finally.

Senate bill No. 775, an act relative to the purchase of a law library in the county of Wayne.

Passed finally.

Senate bill No. 787, an act to extend the time for the payment of the enrollment tax on an act entitled An act to incorporate the Madison improvement company, approved August 10, 1864.

Amended by Mr. KOON, and

The bill

Passed finally.

No. 1442, a supplement to an act relating to auctioneers in the city and county of Erie.

Passed finally.

Senate bill No. 790, an act fixing the compensation for the commissioners of the county of Bucks.

Amended by Mr. HEADMAN, so as to allow the commissioners and clerk an annual salary of nine hundred dollars, and

The bill

Passed finally.

Senate bill No. 795, an act to authorize the trustees of the Presbyterian congregation, in Clearfield, to convey certain real estate.

Passed finally.

No. 1445, an act supplementary to an act in relation to certain public officers and their sureties, approved 21st day of April, A. D. 1846.

Passed finally.

No. 1446, an act relating to notaries public in the city of Harrisburg.

Passed finally.

No. 1447, a supplement to an act empowering the Lutheran congregation of the Old Goshenhoppen church, in Upper Salford township, in Montgomery county, to collect their outstanding debts, approved 25th day of March, A. D. 1839.

Passed finally.

No. 1448, an act relating to the compensation of the treasurer of Berks county.

Passed finally.

Senate bill No. 835, an act to authorize the appointment of one additional notary public for the county of Luzerne, to reside in the borough of Wilkesbarre, and repealing so much of the act of the 14th April, 1840, as renders justices of the peace ineligible to the office of notary public authorized by this act.

Passed finally.

Senate bill No. 442, a supplement to an act to validate certain conveyances made by married women since the 11th day of April, 1848, approved 22d of April, 1863, restraining conveyances in cases in which the instrument vesting title withholds such power.

Passed finally.

Senate bill No. 797, an act to authorize David Souder and Henry Souder, trustees under the will and testament of Jacob Zug, late of Berks county, deceased, to invest the moneys in their hands, received from the said deceased, and proceeding from his estate, for the use of his daughter, Sophia Souder, or her children, in the purchase of certain real estate.

Passed finally.

No. 1452, an act to authorize the appointment of two additional notaries public in the city of Pittsburg, Allegheny county.

Mr. KIMMELL moved to amend the bill by adding "one additional notary public for the county of Westmoreland."

Agreed to.

Mr. QUAY moved to amend by inserting the words "and one for Beaver county."

Agreed to,

And the bill as amended

Passed finally.

No. 1453, an act extending the provisions

of au act requiring the bounty commissioners of Forks township, Northampton county, to render an account to the auditors of said township, and providing for auditing the same, approved February 12, A. D. 1867, to Upper Mt. Bethel township, Northampton county.

The motion, Shall the the bill be laid aside for a third reading? was

Not agreed to.

No. 1454, an act to extend the time for the payment of the enrollment tax on an act to incorparate the Agricultural College and Junction turnpike road company, approved the 6th day of May, 1864, to insert additional commissioners in place of those deceased.

Passed finally.

No. 1455, an act to authorize the school directors of North Annville township, Lebanon county, to levy and collect taxes in said township, to pay off deficiencies.

Amended by Mr. ROUSH, and

The bill

Passed finally.

Senate bill No. 789, an act providing for the election of a township treasurer in Middle Smithfield township, Monroe county.

Passed finally.

No. 1457, an act authorizing the increase of the recognizance and bond of the sheriff of Venango county.

Passed finally.

Senate bill No. 680, an act authorizing the commissioners of Clinton county to appropriate the unexpended relief funds of said county to build a new court house.

Passed finally.

No. 1459, an act to increase the allowance for the maintenance of prisoners in the county of Jefferson.

Passed finally.

Senate bill No. 788, a supplement to an act to incorporate the city of Allegheny, in the county of Allegheny, approved the 13th day of March, A. D. 1844.

Passed finally.

No. 1462, an act to provide for the opening of Thirty-fifth street, in the Twenty-fourth ward, Philadelphia.

The motion, Shall the bill be laid aside for a third reading? was

Not agreed to.

Senate bill No. 792, an act to authorize the sale of the Allegheny city poor farm.

Passed finally.

Senate bill No. 185, a further supplement to an act to incorporate the city of Philadelphia, approved February 2, 1854, relative to vacancies in elective offices.

On the question, Shall the bill be laid aside for third reading?

The yeas and nays were required by Mr. GREGORY and Mr. JOSEPHS, and were as follow, viz:

YEAS—Messrs. Armstrong, Barton, Cameron, Chadwick, Colville, Davis, Day, Espy, Harbison, Hood, Kennedy, Kerns, Kimmell. Kinney, Koon, M'Camant, M'Creary, M'Kee, Mann, Mechling, Meily, Mullin, Peter, Quay, Richards, Sharples, Steacy, Stehman, Stumbaugh, Wallace, Webb, Weller, Whann, Wilson, Worrall and Glass, *Speaker*—36.

NAYS—Messrs. Adaire, Barrington, Boyd, Breen, Chalfant, Collins, Craig, DeHaven, Donohugh, Ewing, Freeborn, Ghegan, Gordon, Gregory, Harner, Heltzel, Jenks, Jones, Josephs, Kline, Kurtz, Lee, Linton, Long, Maish, Meyers, Phelan, Quigley, Rhoads, Robinson, Satterthwait, Shuman and Watt —33.

So the question was determined in the affirmative.

Senate bill No. 939, an act for the better improvement of the front of the river Delaware.

Laid over on third reading.

Senate bill No. 783, an act to authorize the burgess and town council of the borough of Shrewsbury, York county, to erect or construct a lock-up house.

Passed finally.

Senenate bill No. 777, a supplement to an act to confer additional powers upon the burgess and town council of the borough of Wilkesbarre, approved March 23, 1865.

Passed finally.

Senate bill No. 793, an act supplementary to an act concerning streets and sewers in the city of Pittsburg, approved January 6, 1864.

Passed finally.

No. 1469, a further supplement to the act consolidating the city of Philadelphia, extending the term of office of the chief engineer of the water department.

Mr. GHEGAN moved to strike out "five" and insert "two."

Mr. QUIGLEY moved to postpone the amendment, together with the bill, indefinitely, which was

Not agreed to.

The question recurring on the amendment, It was

Not agreed to.

Mr. LEE moved to amend, "and chief of the highway department."

Not agreed to.

The bill then passed second reading.

On the question,

Will the House suspend the rule which prohibits bills being read a third time on the same day?

The yeas and nays were required by Mr. GREGORY and Mr. QUIGLEY, and were as follow, viz:

YEAS—Messrs. Adaire, Armstrong, Barton, Cameron, Chadwick, Chase, Colville, Davis, Day, DeHaven, Espy, Ewing, Freeborn, Gallagher, Ghegan, Gordon, Harbison, Kennedy, Kerns, Kimmell, Kinney, Lee, Leech, M'Creary, M'Kee, M'Pherrin, Mechling, Meily, Peter, Quay, Richards, Seiler, Shuman, Steacy, Stumbaugh, Watt, Webb, Whann, Wharton, Wingard, Worrall and Glass, *Speaker*—42.

NAYS—Messrs. Barrington, Boyd, Breen, Brennan, Collins, Gregory, Harner, Headman, Heltzel, Hood, Hunt, Jenks, Jones, Josephs, Koon, Kurtz, Linton, Long, Maish, Markley, Meyers, Mullin, Phelan, Quigley, Rhoads, Robinson, Roush, Satterthwait, Tharp, Wallace and Westbrook—31.

So the question was determined in the negative—two-thirds not having voted in affirmative.

No. 1470, a supplement to an act, entitled An act to authorize the appointment of an inspector of stationary steam engines and steam boilers, in and for the city of Philadelphia, approved May 7, 1864.

On motion of Mr. M'CREARY, the words "city of Erie" were inserted before Philadelphia.

Mr. BARTON moved to insert the "city of Chester.

Agreed to.

Mr. CHASE. I move to insert the city of Titusville.

Agreed to,

And the bill as amended

Passed finally.

No. 1471, an act increasing the compensation of the collectors of borough and school taxes of the borough of Easton, Northampton county.

Passed finally.

Senate bill No. 794, a further supplement to an act to erect the town of Lebanon, in the county of Lebanon, into a borough, providing for the consolidation of the borough of Lebanon and the borough of North Lebanon.

Passed finally.

Senate bill No. 786, an act conferring additional powers upon the councils of the city of Pittsburg.

Passed finally.

Senate bill No. 735, a supplement to an act entitled An act to incorporate the borough of Columbia, approved April 16, 1866.

Amended by Mr. ARMSTRONG, and

Passed finally.

No. 1475, an act relative to the licensing of vehicles in the borough of Lawrenceville, Allegheny county.

Passed finally.

Senate bill No. 742, an act to open, straighten and widen Baltimore avenue, in the Twenty-seventh ward of the city of Philadelphia.

The motion to lay the bill aside for a third reading was

Not agreed to.

No. 1477, a further supplement to an act to incorporate the Frankford and Holmesburg railroad company, approved July 18, 1863, providing for the construction of a railroad from Holmesburg to Bustleton.

Passed finally.

No. 1478, a further supplement to an act to incorporate the Moshannon railroad company, approved April 11, 1863.

Mr. KURTZ moved that the Committee on Railroads be discharged from the further consideration of Senate bill No. 931, with a view of substituting the same for House bill No. 1478.

On the question,

Shall the committee be discharged?

The yeas and nay were required by Mr. KURTZ and Mr. MEYERS, and were as follow, viz:

YEAS—Messrs. Allen, Armstrong, Barrington, Boyd, Breen, Brennan, Brown, Chadwick, Chalfant, Colville, Craig, Day, Espy, Fogel, Gallagher, Gordon, Harner, Heltzel, Hunt, Jenks, Kimmell, Kurtz, Leech, Linton, M'Camant, M'Pherrin, Maish, Mann, Markley, Mechlin, Meyers, Peter, Phelan, Richards, Sharples, Webb Weller, Westbrook, Whann, Wharton, Wilson and Glass, *Speaker*—42.

NAYS—Messrs. Adaire, Cameron, Chase, Davis, DeHaven, Donohugh, Ewing, Ghegan, Gregory, Harbison, Headman, Hood, Josephs, Kennedy, Kerns, Kinney, Koon, Lee, M'Creary, M'Kee, Robinson, Satterthwait, Seiler, Shuman, Steacy, Wallace, Watt and Wingard—28.

So the question was determined in the negative—two-thirds not having voted in the affirmative.

The question recurring on House bill No. 1478,

It was

Agreed to.

Mr. WHANN. I move to strike out the words "a point at or near," which was

Agreed to.

The question recurring, Will the House suspend the rules and read the bill a third time,

It was

Not agreed to.

No. 1479, a supplement to an act incorporating the Wilkesbarre and Pittston railroad company, approved 15th day of April, A. D. 1859.

The title of the bill was amended by inserting the words "Danville, Hazleton and" before Wilkesbarre, and then

Passed finally.

Senate bill No. 668, a supplement to an act to incorporate the Susquehanna and Delaware railroad company.

Passed finally.

No. 1481, an act to incorporate the Bar clay coal company.

Passed finally.

No. 1482, a supplement to an act incorporating the Farmers' land, improvement and railroad company.

Mr. CHASE. I move that this bill be postponed and placed at the head of the calendar for next week.

Which was

Agreed to.

No. 1483, an act to incorporate the Monongahela Valley railroad company.

Mr. DAY. I move to insert the following as additional corporators:

Insert in section one, Samuel Colver, J. L. M'Connell, T. P. Pollock, sr., Henry Hays, after P. L. Krumer, in fourth line.

For "Leagur," in fourth line, insert Lazzen.

For "I. S. Van Horrbis," in fifth line, insert J. S. Vanvoorhis.

For. W. J. Alexandrin," in seventh line, insert W. J. Alexander.

From section two strike out the words "may be."

The amendments were

Agreed to,

And the bill

Passed finally.

Senate bill No. 709, a supplement to an act incorporating the Ephrata and Lancaster railroad company, approved the 21st day of March, A. D. 1866, authorizing them to extend said railroad to the Conestoga creek, below the city of Lancaster.

The question,

Shall the bill be laid aside for a third reading? was

Not agreed to.

Senate bill No. 1015, an act to enable the Philadelphia Commercial wharf and railroad company to issue bonds, and to secure the payment of the same by mortgage, to extend the time for the construction of their railroad connections and to increase the number of directors.

Passed finally.

Senate bill No. 885, a supplement to an act incorporating the M'Connell mineral company, changing the name thereof, increasing the quantity of land to be held by said company and authorizing the extension of their railroad.

Passed finally.

Senate bill No. 809, an act to incorporate the Brandy Camp railroad company.

Passed finally.

No. 1489, an act to incorporate the Warren, Sheffield and Bennett Branch railroad company.

The bill was variously amended by Mr. ALLEN, and

Passed finally.

Mr. MEILY. I rise to a privileged question. I move that the House reconsider the vote by which Senate bill No. 794, a further supplement to an act to erect the town of Lebanon, in the county of Lebanon, into a borough, providing for the consolidation of the borough of Lebanon and the borough of North Lebanon, passed finally.

The motion was

Agreed to.

And the question recurring, Shall the bill pass?

It was

Not agreed to.

The Deputy Secretary of the Commonwealth being introduced, presented a message from the Governor, which was read as follows, viz:

EXECUTIVE CHAMBER,
HARRISBURG, April 2, 1867.

To the Senate and House of Representatives of the Commonwealth of Pennsylvania:

GENTLEMEN—I have approved and signed the following acts of the General Assembly, to wit:

On the 29th ultimo:

An act to reduce the width of Lebanon street, in the Twenty-second ward of the city of Philadelphia.

A supplement to an act entitled An act to promote the more certain and equal assessment of taxes in Philadelphia, approved March fourteenth, one thousand eight hundred and sixty-five.

An act to incorporate the Empire slate company.

An act to prohibit the taking of fish with nets in any of the streams of Monroe county.

An act authorizing Allen K. Williams to construct a ferry over Oil creek, at or near the township lines of Allegheny and Cherry Tree, in Venango county, Pennsylvania.

A further supplement to an act in relation to the construction and repairs of roads and bridges in Lower Merion township, Montgomery county, approved March second, one thousand eight hundred and sixty-six.

An act to incorporate the Enterprise gas light company.

An act to authorize the Pennsylvania steel company to purchase and hold stock in other corporations.

An act to allow the Madera coal and improvement company to hold more land and changing the par value of their stock.

An act to incorporate the Roaring Brook turnpike company.

An act repealing the first section of an act entitled An act to prevent the spread of Canada thistles, et cetera, approved March twenty-second, one thousand eight hundred and sixty-two, so far as relates to the county of Bradford.

An act to enable the board of directors of the Swatara Falls coal company to borrow money and to mortgage the corporate rights and franchises, mining rights and privileges, estate, real and personal, of every description, or any part thereof, now held or that may hereafter be held by said company.

An act relating to hawkers and peddlers or traveling merchants in the counties of Lebanon and Wyoming.

A supplement to an act to establish a ferry over the Monongahela and Youghiogheny rivers, and to vest the right in John M'Kee, his heirs and assigns forever, approved the fifth day of February, one thousand seven hundred and eighty-four.

An act to authorize turnpike and plank road companies in the county of Allegheny not paying dividends to increase their tolls.

An act to incorporate the Prairie du Chien mining company of Nevada.

An act to increase the compensation of the supervisors of roads in Bucks county.

An act to extend the provisions of an act relating to costs in Luzerne county, approved the second day of April, Anno Domini one thousand eight hundred and sixty-three, to the county of Dauphin, with a proviso.

A further supplement to an act to incorporate the Montana gold and silver mining company, approved the twenty-third day of March, Anno Domini one thousand eight hundred and sixty-five.

An act fixing the pay of road jurors in the city of Philadelphia.

An act to lay out a State road in Lehigh and Bucks counties.

A further supplement to the act to incorporate the city of Corry, approved the eighth day of March, Anno Domini one thousand eight hundred and sixty-six.

An act to incorporate the Keystone homestead company.

An act to authorize the county commissioners of the county of Carbon to assist in the building of a new road out of the borough of Mauch Chunk.

An act to authorize the Allegheny and Perrysville plank road company to fix their tolls and to transfer a portion of their road.

An act to incorporate the Continental slate company.

A supplement to an act to incorporate the Philadelphia City passenger railway company, passed March 26th, 1859, authorizing said company to borrow money and issue bonds.

An act for the relief of John Tiernan, late treasurer of Fayette county.

An act relating to the office of county treasurer of Allegheny county.

An act enabling the Hazleton railroad company to avoid their inclined planes.

An act to authorize Catharine Floto, Mary K. Floto, George H. Floto and Emma G. Floto to sell and convey certain real estate.

An act to authorize the conveyance of certain real estate in the city of Philadelphia by the committee of Samuel Griffith, a lunatic.

On the 30th ultimo:

A supplement to an act to incorporate the city of Scranton, extending and defining the powers of said city.

On the 1st instant:

An act to legalize the acts of the road commissioners of Columbus township, Warren county, in levying additional road tax.

An act to repeal an act relating to licenses in Erie county.

An act to incorporate the Mutual steam navigation company.

An act to incorporate the Eagle cotton manufacturing company.

An act to incorporate the Big Creek mining company.

An act to incorporate the Octoraro gold and silver mining company.

A supplement to an act to incorporate the Union mining company, approved March thirtieth, one thousand eight hundred and sixty-five.

An act to incorporate the Adams County Soldiers' Monument association.

A further supplement to an act entitled An act granting a pension to Jacob Hurst, approved March twenty-seven, one thousand eight hundred and sixty-six.

An act to incorporate the Marathon silver mining company of Nevada.

A supplement to an act to incorporate the North American mining company, approved June second, one thousand eight hundred and sixty-five.

An act to incorporate the Empire and Gem mining company.

An act to incorporate the Chambersburg hall and market company.

An act to authorize the school board of Tyrone city, Blair county, to sell certain real estate now used for school purposes, and to appropriate the money arising from said sale to the purchase of a better location, and erecting a more suitable building for school purposes, and to borrow any sum of money not exceeding ten thousand dollars, at a rate of interest not exceeding ten per centum per annum, to assist them in procuring the same.

An act relating to school tax in the borough of Mainesburg, county of Tioga.

An act to validate the act of C. W. Case, late justice of the peace for Jackson township, Luzerne county.

An act to authorize the school directors of Riceville, Crawford county, to borrow money and for other purposes.

An act relating to a school library in the city of Erie.

An act relating to public prisons in Allegheny county.

An act to relinquish a part of a certain annuity for the benefit of school purposes in the borough of Susquehanna Depot, in Susquehanna county, with power to sell and dispose of old school houses, et cetera, and build new ones.

An act making valid an ordinance passed by the council of Jamestown borough, in the county of Mercer.

An act to authorize the borough of Boyertown, in the county of Berks, to purchase

the Fairmount fire engine house of said borough, and to levy and collect a tax for that purpose.

A further supplement to an act to incorporate the First Reformed Congregation, of the borough of York, and its vicinity, approved March fourteenth, one thousand eight hundred and sixty-one.

A further supplement to an act approved May fourth, Anno Domini one thousand eight hundred and sixty-four, for the organization, discipline and regulation of the First division of the militia of the Commonwealth of Pennsylvania.

An act to incorporate the Grand Encampment of the Order of Soldiers and Sailors of the war of one thousand eight hundred and sixty-one, of the State of Pennsylvania.

An act to enable the standing committee of the Protestant Episcopal church of the Diocese of Pennsylvania to convey real estate in Mifflin county.

An act to extend the provisions of an act for the better regulation of the Mercer County, Shenango Valley, Montour and Allegheny County agricultural societies, relative to the prohibition of shows, erection of tents, booths, et cetera, to the Pennsylvania agricultural society.

An act authorizing the commissioners of Schuylkill county to sell real estate, and to apply the proceeds to the building of a tenant house for the janitor of the court house in said county. JNO. W. GEARY.

MESSAGE FROM THE SENATE.

The Clerk of the Senate being introduced, presented the following extract from the Journal:

IN THE SENATE, April 2, 1867.

Resolved (if the House of Representatives concur), That the Governor be requested to return to the Senate, Senate bill No. 437, entitled A further supplement to an act passed May 16th A. D. 1861, entitled An act to authorize the erection of a free bridge over the river Schuylkill at South street, in the city of Philadelphia, making it the duty of the chief engineer to direct the building of a bridge, and providing that the same shall have a draw therein.

On motion of Mr. QUAY,

Ordered, That the Clerk inform the Senate that the House of Representatives is unable to comply with the request of the Senate, the bill referred to having been sent to the Governor for his approval.

REPORT OF COMMITTEE.

Mr. STEHMAN from the Committee to Compare Bills, and present them to the Governor for his approbation, made report, which was read as follows, viz:

That in conjunction with a similar committee from the Senate, they have compared, and on the 2d of April presented to the Governor for his approbation, bills as follow to wit:

House bill No. 631, a supplement to an act relating to the lien of mechanics and others upon buildings, approved the 16th day of June, A. D. 1836.

House bill No. 338, an act to establish a ferry and foot bridge over the Driftwood branch of Sinnemahoning creek near the month thereof, in Cameron county.

House bill No. 692, an act to vest the title of Market Square in the borough of Mechanicsburg, Cumberland county, in said borough.

House bill No. 542, an act to increase the compensation of the supervisors, assessors and auditors, in the township of Gregg, in the county of Union.

House bill No. 583, an act legalizing the acts of the York Building association, number three, of the borough of York, in the county of York.

House bill No. 1355, an act relating to parks in the city of Harrisburg.

House bill No. 1360, an act supplementary to an act incorporating the borough of Marietta, approved February 15, A. D. 1834, granting certain powers to chief burgess and borough constable.

House bill No. 1190, a further supplement to the act incorporating the East Brandywine and Waynesburg railroad company, approved March 31st, A. D. 1854.

House bill No. 1188, a supplement to an act entitled An act relative to the running of railroad cars in the borough of York, extending the same to the borough of Glen Rock.

House bill No. 631, an act to authorize the city of Philadelphia to sell certain ground in the Eleventh ward.

House bill No. 867, an act to legitimate Edward A. Smith, Ellen I. Smith, Catharine V. Smith and Thomas B. Smith.

House bill No. 1067, an act to enable the board of school directors of the township of Chanceford, in the county of York, to levy and collect, at once, a tax sufficient to liquidate the remaining indebtedness of said township for bounty purposes, and to appropriate surplus bounty funds of said township to common school purposes.

House bill No. 566, a supplement to an act to incorporate the Swatara company, passed March 7th, 1849.

House bill No. 921, an act exempting certain land in Hellam township, York county, from taxation for bounty purposes when annexed to the borough of Wrightsville in said county.

House bill No. 896, a further supplement to an act relating to inspections, approved April 15th, A. D. 1835, and the supplement thereto, approved March 25th, 1850, relating to the city of Philadelphia.

House bill No. 1379, an act to provide a city government for the borough of Altoona, Blair county.

House bill No. 433, an act to incorporate the Wellsboro' and Lawrence railroad company.

House bill No. 717, an act relating to the election of supervisors in the township of Middletown, county of Susquehanna, and for other purposes.

Senate bill No. 978, an act to incorporate the Bellefonte glass manufacturing company.

Senate bill No. 906, an act relating to the collection of bounty taxes in the county of Lehigh.

Senate bill No. 792, an act authorizing the sale of the Allegheny City poor farm.

No. 287, an act relative to livery stable keepers in Mercer county.

Senate bill No. 1300, a supplement to an act entitled An act to incorporate the Pennsylvania coal company, authorizing said company to construct lateral roads and held additional land.

Senate bill No. 1015, an act to enable the Philadelphia commercial wharf and railroad company to issue bonds, and to secure the payment of the same by mortgage, to extend the time for the construction of their railroad connections, and to increase the number of directors.

Senate bill No. 1537, an act authorizing the school directors of Clinton township, Wyoming county, to levy a tax for bounty purposes.

Senate bill No. 1463, an act to authorize the burgess and town council of the borough of Tremont, Schuylkill county, to levy a tax.

SPEAKER'S TABLE.

The SPEAKER presented the following letter received by him, which was read as follows:

CLERK'S OFFICE, SELECT COUNCIL, PHILADELPHIA, April 1, 1867.

To Honorable John P. Glass, Speaker of the House of Representatives of the State of Pennsylvania:

SIR—This is to certify that the following is a true and correct copy of the original resolution, approved by his Honor, the Mayor, the thirtieth day of March, A. D. 1867, to wit:

RESOLUTION OF THANKS TO THE STATE LEGISLATURE.

Resolved, By the select and common councils of the city of Philadelphia, that the thanks of the city of Philadelphia are hereby tendered to the Legislature of Pennsylvania, for the return to the Hall of Independence of the chair occupied by the President of Congress, John Hancock, when the Declaration of Independence was passed, and subsequently occupied by Washington, as President of the Convention which adopted the Constitution of the United States, and also of the table upon which those immortal documents were signed—and that the city will accept the custody of these cherished momentoes with pride and pleasure.

ATTEST:

(Signed) BENJAMIN H. HAINES,
Clerk of Select Councils.

SPEAKER'S TABLE.

The SPEAKER cleared his table of bills numbered and entitled as follows:

Senate bill No. 224, a supplement to an act authorizing the borough council of the borough of Bethlehem, Pennsylvania, to purchase the water works, real estate and improvements of the Bethlehem water company; also, to make all such necessary improvements and extensions required, to borrow money, and appoint water commissioners to carry out said act, approved March 30th, 1866.

Returned from the Senate, with information that the Senate has non-concurred in the House amendments made to said bill.

On motion, the House insisted on its amendments to said bill, non concurred in by the Senate; and

Ordered, That Messrs. MEYERS, STUMBAUGH and STEHMAN be a committee of conference on the part of the House, to confer with a similar committee on the part of the Senate (if the Senate shall appoint such committee), relative to the differences existing between the two houses in relation to said bill; and

Ordered, That the Clerk inform the Senate of the same.

The hour of one having arrived, the SPEAKER adjourned the House until three o'clock this afternoon.

AFTERNOON SESSION.

The House met at 3 o'clock.

Mr. QUAY. I rise to a privileged question. I move that the vote by which bill No. 1479 passed this morning be reconsidered, and that the title be amended by striking out the words "Danville, Hazleton and," and that the title of the bill read as follows:

A supplement to an act incorporating the Wilkesbarre and Pittston railroad company, approved 15th day of April, A. D. 1859.

The motion was

Agreed to.

And the bill passed finally, as amended.

Mr. WRIGHT asked and obtained leave to read a bill in place, and read bill entitled A supplement to an act relating to the liens of mechanics and others upon buildings, extending it to the counties of Lycoming, Potter and Lawrence.

The bill was so amended that its provisions shall apply to the counties of Bucks, Lehigh,

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[CONTINUED FROM PAGE 840.]

Northampton, Crawford, Philadelphia, Allegheny, Westmoreland, Somerset, Fulton, Bedford, Franklin, Perry, Cumberland, Susquehanna, Pike, Wayne, Butler, Bradford, Indiana, Jefferson, Clarion, Carbon, Clinton, Union, York, Erie, Elk, Forest, Montour, Columbia, Berks, Greene and Delaware.

Mr. STUMBAUGH. I move to add the following to the end of the last section, viz:

And provided further, That liens for repairs shall be entered within sixty days after the work is done and materials furnished; which was

Agreed to.

Mr. HOOD. I move that the vote by which "Philadelphia" was inserted be reconsidered.

On the question,

Will the House agree to reconsider?

The yeas and nays were required by Mr. HOOD and Mr. ADAIRE, and were as follow, viz:

YEAS—Messrs. Brown, Chadwick, Craig, Donohugh, Fogel, Gordon, Harbison, Hood, Hunt, Koon, Leech, Linton, M'Henry, Meyers, Mullin, Phelan, Robinson, Satterthwait, Sharples, Wallace, Watt, Westbrook Wingard and Worrall—24.

NAYS—Messrs. Adaire, Armstrong, Barton, Breen, Cameron, Chalfant, Chase, Davis, Day, DeHaven, Ewing, Freeborn, Gallagher, Gregory, Harner, Headman, Kennedy, Kimmell, Kinney, Lee, Long, M'Camant M'Creary, M'Kee, Maish, Mann, Mechling, Peter, Pillow, Quay, Rhoads, Richards, Roath, Roush, Seiler, Shuman, Steacy, Stehman, Stumbaugh, Webb, Weller, Whann, Wharton, Wilson, Wright and Glass, *Speaker*—46.

So the question was determined in the negative.

Mr. M'CREARY. I move to strike out the word "twenty," where it occurs, and insert "fifty," so that no lien can be filed for less than fifty dollars.

Agreed to.

Mr. DONOHUGH. I move to add the following amendment:

"*Provided further*, That the provisions of this bill shall not be a lien against *bona fide* purchasers, without notice, in the city and county of Philadelphia."

On the question,

Will the House agree to the amendment?

The yeas and nays were required by Mr. DONOHUGH and Mr. WORRALL, and were as follow, viz:

YEAS—Messrs. Boyd, Breen, Brennan, Cameron, Chadwick, Craig, Deise, Donohugh, Ewing, Gallagher, Ghegan, Gordon, Headman, Hood, Hunt, Kimmell, Koon, Linton, M'Creary, M'Henry, Maish, Mullin, Wallace, Watt and Worrall—25.

NAYS—Messrs. Adaire, Armstrong, Chase, Colville, Davis, Day, Freeborn, Harbison, Harner, Jenks, Kennedy, Kinney, Lee, M'Kee, Mann, Markley, Mechling, Meyers, Peter, Phelan, Pillow, Rhoads, Richards, Roath, Roush, Satterthwait, Seiler, Sharples, Shuman, Stumbaugh, Webb, Weller, Whann, Wharton, Wilson, Wingard, Wright and Glass, *Speaker*—38.

So the question was determined in the negative.

And the questing recurring,

Will the House suspend the rule and read the bill by its title?

It was

Agreed to.

And the bill

Passed finally.

Mr. KOON. I move to reconsider the vote by which Senate bill No. 306, an act to incorporate the Wyoming Valley manufacturing company, was defeated.

On the question,

Will the House reconsider the vote?

Objection being made,

It was

Not agreed to.

No. 1491, an act to incorporate the Northern iron company.

Passed finally.

No. 1492, an act to incorporate the Northampton iron company.

Amended by Mr. MEYERS, and

Passed finally.

Mr. COLVILLE. Mr. Speaker, I withdraw my objection to Senate bill No. 306, an act to incorporate the Wyoming Valley manufacturing company.

The bill being again before the House.

It was

Passed finally.

No. 1493, an act to incorporate the Pacific iron company.

Passed finally.

Senate bill, No. 893, an act to extend the time for the payment of the enrollment tax, on an act entitled an act to incorporate the Keystone coal and manufacturing company, of Somerset county.

Passed finally.

Senate bill No. 732, an act to incorporate the Wrightsville iron company.

Passed finally.

Senate bill No. 922, an act authorizing the Shafton coal company to borrow money and to hold land.

Passed finally.

No. 1498, a further supplement to an act, entitled An act to incorporate the Anthracite coal and iron company, approved on the 8th day of April A. D. 1864.

Passed finally.

No. 1499, an act to enable the Spring Run oil and lumber company and the Belfast oil and canal company to consolidate.

Passed finally.

No. 1500, an act to incorporate the Monocacy iron and steel company.

Amended by Mr. MEYERS, and

Passed finally.

No. 1501, a further supplement to an act incorporating the Keystone coal and transportation company.

Passed finally.

No. 1502, an act to incorporate the Lebigh County mining, manufacturing and improvement company.

Amended by Mr. FOGEL, and

Passed finally.

No. 1503, an act to incorporate the North Star mining company.

Passed finally.

Senate bill No. 977, an act to change the corporate name of the Mill Creek gold and silver mining, commercial and manufacturing company of Colorado.

Amended by Mr. RICHARDS, and

Passed finally.

Senate bill No. 921, an act to incorporate the Idaho mining and exploring company.

Passed finally.

No. 1506, an act to incorporate the Great Western mining company.

Passed finally.

Senate bill No. 804, supplement to an act to incorporate the Pittsburg and Arizona gold and silver mining company.

Passed finally.

No. 1508, an act to incorporate the Continental mining company.

Passed finally.

No. 1509, an act to incorporate the Viola gold and silver mining company.

Passed finally.

No. 1510, an act to incorporate the Puebla gold and silver mining company.

Passed finally.

No. 1511, an act to incorporate the Carbondale gold and silver mining company.

Passed finally.

No. 1512, an act to authorize the Governor to incorporate a company to erect a bridge over the Allegheny river, at or near the foot of Taylor street, in the city of Pittsburg, Allegheny county.

Mr. ALLEN. I desire to know whether the erection of this bridge will interfere with navigation?

Mr. COLVILLE. It is understood that the erection of this bridge will not interfere with navigation.

Mr. ALLEN. I offer the following:

Provided, That the said bridge shall not have more than three piers, and erected at a distance apart of not less than three hundred and thirty-three feet, and to be so built as to be in range with the piers of the bridge across the said river from St. Clair street in the city of Pittsburg to Federal street, Allegheny city, and constructed in height so as not to obstruct navigation.

The SPEAKER. Perhaps the gentleman will withdraw his proviso if I assure him that the bridges not a mile distant have five or six piers.

Mr. WILSON amended the bill so that the building of said bridge be commenced within two and finished within three years.

The amendment was

Agreed to.

Mr. CHADWICK. I move to amend the bill by adding the following:

The abutment and the first pier shall be

located satisfactory to the city councils of Pittsburg.

The amendment was

Agreed to, and

The bill

Passed finally.

Senate bill No. 947, an act for the relief of A. D. Hamlin.

Passed finally.

Senate bill No. 813, a supplement to an act to incorporate the Matawanna bridge company, approved March 2, 1848.

Passed finally.

Senate bill No. 954, an act appointing commissioners to lay out and open a State road from Wilcox, in Elk county, to the borough of Kane, in M'Kean county.

Passed finally.

Senate bill No. 611, an act providing for change in the State road in Plymouth township, between the westerly boundary of Plymouth borough and Harves creek, in Plymouth township, Lawrence county.

Passed finally.

Senate bill No. 812, an act to repeal an act to lay out a State road in Schuylkill and Columbia counties, approved March 4, 1866.

Mr. COLLINS opposed the repeal of the bill.

Mr. BREEN advocated the passage of the same.

On the question, Shall the bill be laid aside?

It was

Agreed to.

And the question recurring, Shall the rule be suspended?

It was

Not agreed to.

Senate bill No. 952, an act to incorporate the Madison bridge company of Pottstown, Montgomery county.

Passed finally.

No. 1519, an act to regulate the manner of running logs down the Oswayo creek, in Potter county.

Mr. STUMBAUGH. I move to recommit the bill to the Committee on the Local Judiciary.

Agreed to.

No. 1520, an act to incorporate the Perry bridge company.

Amended by Mr. COLVILLE, and

Passed finally.

Senate bill No. 982, an act to declare the North and Uber Branches of Little Mahoning creek, in Indiana county, public highways.

Amended by Mr. KINNEY, and

Passed finally.

No. 1522, a supplement to an act entitled An act to authorize the construction of a sidewalk in the valley of Sheshequin, in the county of Bradford.

Passed finally.

Senate bill No. 995, an act to incorporate the Tunkhannock plank road or turnpike company.

Passed finally.

No. 1524, an act to incorporate the Citizens' turnpike and macadamized road company.

Passed finally.

No. 1525, a supplement to the act to authorize Henry B. Masser and John H. Fisher to erect and maintain a ferry over the Susquehanna river, at Selinsgrove, approved March 20, A. D. 1863.

Passed finally.

No. 1526, an act to repeal a supplement to an act entitled An act for the improvement of Highland avenue, in the township of Collins, in the county of Allegheny, approved 11th day of April, 1866.

Mr. CHADWICK moved that the bill be postponed indefinitely.

Mr. COLVILLE advocated the passage of the repeal.

Mr. CHADWICK hoped that the bill would be indefinitely postponed.

And, on the question,

Shall the bill be indefinitely postponed?

The yeas and nays were required by Mr. COLVILLE and Mr. WATT, and were as follow, viz:

YEAS—Messrs. Adaire, Armstrong, Barton, Breen, Chadwick, Chase, Day, DeHaven, Deise, Donohugh, Ewing, Fogel, Freeborn, Gallagher, Ghegan, Gordon, Harbison, Harner, Headman, Heitzel, Hunt, Jenks, Josephs, Kimmell, Koon, Kurtz, Leech, Linton, Long, M'Henry, K'Kee, Maish, Mann, Meyers, Mullin, Rhoads, Richards, Routh, Roush, Satterthwait, Seiler, Sharples, Shuman, Webb, Weller, Westbrook, Whann, Wilson, Wingard, Worrall and Glass, *Speaker*—51.

NAYS—Messrs. Colville, Kennedy, M'Pherrin, Pillow, Quay and Watt—6.

So the question was determined in the affirmative.

No. 1527, an act to incorporate the Mechanicsburg, Dillsburg and Petersburg turnpike company.

Passed finally.

Senate bill No. 806, an act to establish the Vinegar ferry in the county of York.

Passed finally.

No. 1529, an act to establish a ferry over the Monongahela river, at the borough of Elizabeth, in the county of Allegheny.

Amended by Mr. M'KEE, and

Passed finally.

No. 1530, an act to extend the time of paying the enrollment tax, to insert the names of other commissioners in the place of those who have died, and to extend the time of commencing and completing the Agricultural College and Junction turnpike road company.

And the question, Shall the bill be laid aside? was

Not agreed to.

Senate bill No. 805, an act to declare West creek, in the counties of Elk and Cameron, a public highway.

Passed finally.

Senate bill No. 778, a supplement to an act to appoint commissioners to resurvey and establish the lines of the main road running through a part of Wilkesbarre township, county of Luzerne, passed the 24th day of February, A. D. 1859.

Passed finally.

No. 1533, an act relative to the Somerset school district.

And the question, Shall the bill be laid aside? was

Not agreed to.

No. 1534, an act to erect an independent school district out of part of Clarion township, Clarion county, to be called Olive Branch school district.

Passed finally.

No. 1535, an act to change the line of the Mercer Union school district, in Mercer county.

Amended by Mr. LEECH, and

Passed finally.

Senate bill No. 880, an act authorizing the erection of a house for school and township purposes in Millville, Le Boeuff township, Erie county, and empowering the school directors to levy and collect additional tax.

Passed finally.

No. 1537, an act to extend the provisions of an act to authorize the school directors of Chester and Delaware counties to select sites for school houses, passed May 8, A. D. 1854, to the county of Centre.

And the question, Shall the bill be laid aside? was

Not agreed to.

No. 1538, an act to enable the board of directors of common schools of Burrell township, Indiana county, to apply surplus bounty fund to common school purposes.

Passed finally.

No. 1539, an act authorizing the board of controllers of the city of Erie to appoint a superintendent for the schools of said city.

Laid over on third reading on motion of Mr. M'CREARY.

No. 1540, an act extending the provisions of an act to authorize the school directors of Chester and Delaware counties to select sites for school houses, passed May 8, 1854, and the supplement thereto, to the county of Venango.

After extending the provisions of this bill to the counties of Centre, York, Wyoming, Dauphin, Northampton, Lycoming, Bradford and Armstrong,

The bill

Passed finally.

No. 1542, an act extending the provisions of an act in Chester and Delaware counties, in regard to selecting sites for the erection of school houses, to the county of Wyoming.

The question, Shall the bill be laid aside? was

Not agreed to.

No. 1543, an act relating to public schools in the borough of Wattsburg, in the county of Erie.

Amended by Mr. M'CREARY, and

Passed finally.

No. 1544, an act extending the provisions of an act to authorize the school directors of Chester and Delaware counties to select sites for school houses, approved 8th day of May, A. D. 1854, to the county of Northampton.

The question, Shall the bill be laid aside? was

Not agreed to.

No. 1545, an act extending the provisions of certain acts of Assembly in regard to sites for school houses, &c., to the county of Armstrong.

The question, Shall the bill be laid aside, was

Not agreed to.

No. 1546, a supplement to an act to authorize the superintendent of common schools of York and Lancaster counties to draw funds from the county treasurer to defray the expenses of teachers' county institutes therein, approved the 15th day of March, A. D. 1865.

Passed finally.

No. 1548, an act to compel the treasurer of the bounty fund, Mt. Carmel township, to pay the surplus bounty funds in his hands to the school directors of said township for school purposes.

Passed finally.

No. 1549, an act to authorize and empower the court of quarter sessions of Schuylkill county to appoint school directors for the school of West Penn township, to serve for the ensuing school year.

Passed finally.

No. 1550, an act to authorize the school directors of Pittsten borough school district to sell a certain lot.

Passed finally.

Senate bill No. 769, an act for the relief of Mrs. Mary A. Gordon, widow and executor of Hiram B. Gordon, deceased, late register of wills, recorder of deeds and clerk of the orphans' court of the county of Venango.

Passed finally.

No. 1554, an act to authorize certain persons to sell real estate in the borough of Waynesburg, county of Greene.

Passed finally.

No. 1555, an act to sell a certain tract of land in Washington township, Dauphin county.

Passed finally.

Senate bill No. 875, an act to incorporate

the Shawsville bridge, in the county of Clearfield.

Passed finally.

Senate bill No. 587, a supplement to the act to incorporate the Boatman's insurance and transportation company, and to increase the powers thereof, approved 17th day of May, 1866.

Passed finally.

No. 1559, an act to incorporate the Uniontown stock company.

Passed finally.

Senate bill No. 799, an act to incorporate the Scranton market company.

Amended by Mr. KOON, and

Passed finally.

No. 1561, a supplement to an act to incorporate the Eureka Life and Accident insurance company, approved January 30, 1867.

Passed finally.

No. 1562, an act to extend the time for the payment of enrollment tax on an act to incorporate the Union insurance company.

Passed finally.

No. 1563, an act to extend the time for the payment of the enrollment tax on the act to incorporate the Osceola improvement company, approved April 18, A. D. 1866.

Passed finally.

Senate bill No. 644, an act to incorporate the North Whitmer Run improvement company, in the county of Clearfield.

Passed finally.

Senate bill No. 803, an act to incorporate the M'Keesport gas company.

Passed finally.

No. 1566, an act to incorporate the Philadelphia Summer Resort.

Passed finally.

Senate bill No. 700, an act to incorporate the Co-operative association of Wilkesbarre, No. 1, of the borough of Wilkesbarre, for mercantile purposes.

Passed finally.

Senate bill No. 697, an act to incorporate the Monongahela Inclined Plane company.

Passed finally.

Senate bill No. 852, an act to repeal the act to incorporate the Odd Fellows' hall association of Tremont, in the county of Schuylkill, and to vest the right of said association in the board of trustees of Tremont Lodge, No. 245, of Independent Order of Odd Fellows of Pennsylvania.

Passed finally.

No. 1570, an act to incorporate the Building and Savings association of the city of Pittsburg, in the county of Allegheny and Commonwealth of Pennsylvania.

Passed finally.

Senate bill No. 730, an act to incorporate the Co-operative association of East Birmingham, in the county of Allegheny, for mercantile purposes.

Amended by Mr. M'KEE, and

Passed finally.

Senate bill No. 651, an act to incorporate the National peat company.

Passed finally.

Senate bill No. 810, an act to incorporate the Lebanon Valley college.

Passed finally.

No. 1575, an act to incorporate the Watsontown building and loan association, having for its object the accumulation of a fund which shall be loaned to its members, to enable them to buy or build their own homes, or to buy such property as would be advantageous to them.

Passed finally.

No. 1576, an act to incorporate the South Pittsburg Co-operative association of Allegheny county.

Passed finally.

No. 1577, supplement to an act incorporating the Spring Garden soup society, approved April 21, 1852.

Passed finally.

No. 1578, an act to incorporate the Mutual transfer company.

Passed finally.

Senate bill No. 702, an act to incorporate the Pittston Industrial Co-operative association, No. 1, in the borough of Pittston, for mercantile purposes.

Passed finally.

No. 1580, an act to increase the capital stock of the Venango water company.

Passed finally.

Senate bill No. 963, an act to incorporate the Co-operative association of the city of Allentown, in the county of Lehigh, for mercantile purposes.

Passed finally.

No. 1582, an act to incorporate the Bath car company.

Passed finally.

No. 1583, an act to incorporate the Lebanon County hotel company.

Mr. STUMBAUGH. This bill is clearly unconstitutional, and I ask the reading of the bill defining the same.

The bill was read as follows:

AN ACT to enlarge the jurisdiction of the courts of common pleas of this Commonwealth, relative to granting charters of incorporation, and confirming those heretofore granted.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same*, That from and after the passage of this act the several courts of common pleas of this Commonwealth shall have power and authority to grant charters of incorporation in all cases in which the same is authorized to be granted, under existing laws, by the Supreme Court of this Commonwealth; and the associations hereafter incorporated, under the laws of this Commonwealth, may be authorized to hold real estate to an amount, the clear yearly value or income whereof shall not exceed twenty thousand dollars; and all laws, and parts of laws, inconsistent herewith, be and the same are hereby repealed.

SEC. 2. That all charters of incorporation which have heretofore been granted by any of said courts of common pleas, in cases wherein the said Supreme Court only had power and authority to grant the same, be and the same are hereby validated and made of the same force and effect as if the same had been granted in pursuance of authority conferred upon said courts of common pleas.

SEC. 3. That the said courts of common pleas shall have power and authority to grant charters of incorporation, in all cases where in any number of persons, citizens of this Commonwealth, are associated for the purpose of insuring horses, cattle and other live stock, against loss by death, from disease or accident, or from being stolen; and, also, to grant charters of incorporation to water and hook and ladder companies, building associations, musical clubs or associations, teachers' institutes or associations, hotel companies, skating park associations, and clubs for the advancements of athletic sports, including base ball clubs, and barge and and fishing clubs; and in granting such charters of incorporation, the said courts shall proceed in the manner provided by law for the incorporation of literary, charitable or religious societies; and the said courts shall have power to incorporate, by the same form of proceeding, fire insurance companies; which said companies, when so incorporated, shall have all the rights, powers and privileges, and be subject to all the restrictions and provisions of the general law regulating fire insurance companies, approved April second, one thousand eight hundred and fifty-six, and the several supplements thereto.

JOHN P. GLASS,
Speaker of the House of Representatives.

L. W. HALL,
Speaker of the Senate.

APPROVED—The twenty-sixth day of March, Anno Domini one thousand eight hundred and sixty-seven.

JNO. W. GEARY.

OFFICE OF THE SECRETARY OF THE COMMONWEALTH,
HARRISBURG, March 28, A. D. 1867.

I DO HEREBY CERTIFY, That the foregoing and annexed is a full, true and correct copy of the original act of the General Assembly, entitled An act to enlarge the jurisdiction of the courts of common pleas of this Commonwealth, relative to granting charters of incorporation, and confirming those heretofore granted, as the same remains on file in this office.

[SEAL.]

IN TESTIMONY WHEREOF, I have hereunto set my hand and caused the seal of the Secretary's office to be affixed, the day and year above written.

ISAAC B. GARA,
Deputy Secretary of the Commonwealth.

On the question, Shall the bill be laid aside? it was

Not agreed to.

No. 1584, a supplement to the act authorizing the Governor to incorporate the Easton water company, approved 24th day of March, A. D. 1817, and the supplements thereto.

Passed finally.

No. 1585, an act to increase the capital stock of the Lehigh water company, in the borough of Easton, Northampton county.

Amended by Mr. MEYERS, and

Passed finally.

Senate bill No. 766, an act to incorporate the South Witmer Run navigation company, in the county of Clearfield.

Passed finally.

Senate bill No. 1172, an act to incorporate the Conneautville Savings Bank.

Passed finally.

No. 1591, an act relating to the recording of general election returns in the county of Butler.

Passed finally.

No. 1592, an act to repeal an act entitled An act to attach so much of the land of Elisha Robinson, Senior, as lies in Allegheny township, Butler county, to the Hovey school district, in Perry township, Armstrong county.

Mr. MECHLING hoped the bill would not pass.

Mr. PILLOW advocated the passage of the bill, and

The bill

Passed finally.

No. 1593, an act authorizing the school directors of the school district of the borough of Phillipsburg, Centre county, to borrow money for building purposes.

Passed finally.

No. 1594, a supplement to the act incorporating the Kylertown, Morrisdale and Phillipsburg plank road company, approved the 11th day of April, 1859, extending the time for commencing the same, and making a change in the names of commissioners.

Passed finally.

No. 1595, an act relative to the fees of notaries public in the counties of Centre and Lycoming.

Passed finally.

No. 1596, an act to incorporate the West Newton gas company.

Passed finally.

No. 1597, an act to extend the time for the payment of the enrollment tax on an act to incorporate the Meadville Novelty works, approved April 11, 1863.

Passed finally.

No. 1599, an act to incorporate the Sierra Nevada mining company.

Passed finally.

No. 1600, an act to incorporate the Quarryville and Christiana turnpike road company.

Passed finally.

No. 1603, an act to lay out a State road in Schuylkill, Lebanon and Dauphin counties.

Mr. SEILER. Mr. Speaker, I move to strike out the word "Dauphin" from the title —it does not appear in the body of the bill.

The motion was

Agreed to, and

The bill

Passed finally.

No. 1604, a supplement to an act entitled An act to authorize the erection of a poor house by the township of Jenks, borough of Pittston and the township of Pittston, in the county of Luzerne, approved May 8, A. D. 1857.

Passed finally.

No. 1605, a further supplement to an act entitled A supplement to an act to incorporate the Lehigh and Delaware plank road or turnpike company, approved the 11th day of April, A. D. 1865.

Passed finally.

No. 1606, an act authorizing the commissioners of Mercer county to appropriate money sufficient to pay one-half the expense of erecting a bridge over the Pymatuning, at the State line of Pennsylvania and Ohio, in the village of Orangeville.

Amended by Mr. PILLOW, and

Passed finally.

No. 1607, an act to extend the term of the county treasurer of Mifflin county.

Passed finally.

No. 1608, an act to incorporate the National paper manufacturing company.

Passed finally.

No. 1609, supplement to an act incorporating Danville gas company, to repeal so much of said act as relates to the mode of electing directors of said company.

Passed finally.

No. 1610, an act to legalize an informality in the election of John Farnsworth, a justice of the peace of Upper Augusta township, Northumberland county.

Passed finally.

No. 1611, a further supplement to an act entitled An act for regulating the measurement of corn and salt imported into the port of Philadelphia, approved the 22d day of September, 1785.

Passed finally.

No. 1612, act to incorporate the Cardington Industrial Co-operative association.

Passed finally.

No. 1613, an act relating to the recovery of the costs of making connections with the sewers in the city of Philadelphia.

Passed finally.

No. 1614, an act to extend the jurisdiction of justices of the peace in Potter county, in criminal proceedings.

Amended by Mr. MANN, and

Passed finally.

No. 1615, an act to incorporate the Girard tunnelling gold and silver mining company.

Passed finally.

No. 1617, an act relative to the road laws of Fallowfield township, Washington county.

Passed finally.

No. 1651, an act to authorize the assessment and collection of a certain tax in the borough of Lewisberry, York county.

Passed finally.

No. 1622, an act regulating proceedings before justices of the peace, in respect to the poor in the county of Erie.

On the question,

Shall the bill be laid aside?

It was

Not agreed to.

No. 1623, an act to incorporate the Iron Manufacturers' coal company of the State of Pennsylvania.

Passed finally.

No. 1624, an act to authorize the school directors of the Old Fourth ward, in the city of Reading, to levy and collect a tax for the payment of bounties.

Passed finally.

No. 1626, an act to incorporate the West Virginia Paper Mill company.

Passed finally.

No. 1627, an act to incorporate the Chrystal gas and water company.

Passed finally.

Senate bill No. 654, an act to incorporate the Dunmore gas and water company.

Passed finally.

No. 1629, an act to incorporate the Western Pennsylvania Military academy, near Pittsburg and Allegheny, Pennsylvania.

Passed finally.

Senate bill No. 679, an act to incorporate the People's bridge company of Harrisburg.

On the question,

Shall the bill be laid aside for a third reading?

Mr. KERNS offered the following as a substitute, which was read:

AN ACT to enable the city of Harrisburg to establish and maintain a free bridge over the Susquehanna river.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the city of Harrisburg is hereby authorized to purchase from the Harrisburg bridge company, for such price as may be agreed on, their bridge over the Susquehanna river, at Market street, in said city, together with all the property, franchises and appurtenances thereto belonging, except the right to charge and receive tolls; and, in the event of such purchase, the said city shall proceed forthwith to cause the eastern portion of the said bridge, recently destroyed by fire, to be rebuilt, and shall from time to time thereafter repair and rebuild any portion of said bridge whenever it becomes necessary, and the said city is hereby authorized and required to keep and maintain the said bridge as a free and public bridge forever.

SEC. 2. The said city is hereby authorized to borrow money and issue coupon bonds, of the said city, therefor, to an amount not exceeding two hundred thousand dollars ($200,000), bearing a rate of interest not exceeding seven and three-tenths (7 3-10) per centum per annum, free of tax, and redeemable at any time not less than five (5) or more than twenty (20) years from date, at the pleasure of the said city, which bonds shall be negotiated at not less than their par value. And, for the purpose of paying the interest and principal of the said loan, the said city is authorized to levy and collect a tax not exceeding five (5) mills on the dollar, in any one (1) year, upon the taxable property of said city. The money raised by the sale of the said bonds, and from said tax, shall be kept and held as a separate and distinct fund, and shall be used for no other purpose than for the purchasing, repairing and maintaining said bridge. And, if the said Harrisburg bridge company shall have made a contract for the rebuilding of the eastern end of the said bridge previous to such sale, as aforesaid, it shall be the duty of the said city of Harrisburg to take the place of the said company, and carry out and complete the said contract with the said contractor, and perform the obligations resting upon the said bridge company, under the said contract.

SEC. 3. For the purpose of ascertaining the views and opinions of the people of Harrisburg as to the expediency of the said city purchasing the Harrisburg Bridge and maintaining the same as a free bridge, as aforesaid, the mayor of the said city shall issue his proclamation within three (3) days after the passage of this act; appointing an election to be held in the city of Harrisburg, at the usual places of holding elections in the several wards, giving ten (10) days previous notice of the said election, to be published in at least two (2) newspapers in the said city, and also by a suitable number of handbills. The said election to be held by the election officers of the several wards, at which election the qualified electors of the said city shall vote by ballot. The ballots in favor of a free bridge shall be marked "Free Bridge," and those opposed shall be marked "No Free Bridge;" and if a majority of all the votes given in the said city shall be in favor of a free bridge, then it shall be the duty of the mayor and select and common councils of the city of Harrisburg, and the commissioners hereinafter named, immediately to carry the provisions of this act into effect; but if the majority of the said votes shall be against a free bridge, then this act shall be null and void, and of no effect.

SEC. 4. The following named persons, Henry Gilbert, D. W. Gross, Alex. Hamilton, W. W. Jennings and J. K. Greenawalt, are hereby appointed commissioners on behalf of the city of Harrisburg, and they or a majority of them are hereby authorized to negotiate with the Harrisburg bridge company for the sale of their bridge to the said city; and it shall be the duty of the said commissioners, after such purchase, to take charge of the said bridge and superintend the construction of the eastern end thereof, and monthly estimates of the work done by the contractors shall be allowed and paid such contractor or contractors by drafts, to be drawn by said commissioners, or a majority of them, on the treasurer of the city of Harrisburg.

The substitute was

Agreed to,

And the title was amended in accordance with the bill, after which it

Passed finally.

Senate bill No. 485, an act increasing the compensation of the judges of election in the Twenty-first, Twenty-second, Twenty-third and Twenty-fifth wards of the city of Philadelphia.

Passed finally.

Senate bill No. 935, an act to prevent the depositing of tan bark in Poko Poko or Head's creek, in the county of Monroe.

Passed finally.

No. 1633, an act to extend the provisions of an act relating to the passage of fish in the Susquehanna river, and certain of its tributaries, to the Conestoga creek, in Lancaster county.

Laid over on second reading.

Senate bill No. 539, an act repealing the provisions of an act for the protection of sheep and taxing of dogs in the county of Blair, and extended to the county of Monroe, so far as the same relates to the township of Pocono, in the said county of Monroe.

Passed finally.

No. 1635, an act to prohibit the destruction of fish in the Susquehanna river and its tributary streams, in Columbia county.

Passed finally.

No. 1639, an act extending the provisions of an act to prevent the growth of

weeds in the county of Chester, approved March, A. D. 1867, to Northampton county.

Passed finally.

No. 1839, an act to prevent cattle, horses, sheep and swine from running at large in Jackson and Buffalo townships, in Butler county.

The question,

Shall the bill be laid aside? was

Not agreed to.

No. 1640, an act relative to fishing in the streams, lakes and reservoirs, in the county of Crawford.

Passed finally.

Senate bill No. 956, an act to ascertain the views of the qualified electors of M'Kean county upon the subject of refusing licenses for the sale of liquors in said county.

Passed finally.

No. 164, an act to prohibit the issuing of licenses to sell spirituous, malt or brewed liquors in the township of Penn, in the county of Perry.

Passed finally.

No. 1642, a further supplement to an act supplementary to an act to regulate the sale of intoxicating liquors, approved April twentieth, one thousand eight hundred and fifty-eight.

On the question,

Will the House agree to the bill?

The yeas and nays were required by Mr. GREGORY and Mr. JOSEPHS, and were as follows, viz:

YEAS—Messrs, Adaire, Armstrong, Barton, Brown, Cameron, Chadwick, Day, DeHaven, Ewing, Gallagher, Ghegan, Gordon, Harbison, Kennedy, Kimmell, Kinney, Koon, Lee, Leech, M'Creary, M'Kee, M'Pherrin, Mann, Marks, Meiley, Mullin, Peter, Pillow, Quay, Richards, Roath, Sharples, Shuman, Steacy, Stumbaugh, Subers, Watt, Webb, Weller, Whann, Wilson, Wingard, Worrall, Wright and Glass, *Speaker*—45.

NAYS—Messrs. Boyd, Breen, Brennan, Chalfant, Collins, Donohugh, Fogel, Freeborn, Gregory, Harner, Hood, Hunt, Josephs, Kerns, Kline, Linton, Long, M'Henry, Maish, Markley, Meyers, Phelan, Rhoads, Roush, Satterthwait, Stehman, Wallace and Westbrook—28.

So the question was determined in the affirmative.

MESSAGES FROM THE SENATE.

The Clerk of the Senate being introduced, presented for concurrence bills numbered and entitled as follows, viz:

No. 92, an act to authorize the Governor to appoint a person to visit prisons and alms houses.

Laid on the table.

No. 167, a supplement to an act entitled An act amending the law of evidence in Pennsylvania, approved the 27th day of March, A. D. 1865.

Referred to the Committee on the Judiciary General.

No. 928, a further supplement to an act entitled An act regulating railroad companies, approved February 19th, A. D. 1849.

Laid on the table.

No. 996, a supplement to an act to entitle the stockholders of any railroad company, incorporated by the laws of this Commonwealth, accepting this act, to one vote for each share of stock, approved the 20th day of May, A. D. 1865, extending the same to turnpike road companies.

Laid on the table.

No. 1014, an act to authorize the president and directors of any railroad company to determine, by resolution, the manner in which, and the persons to whom, the increased capital thereof may be sold, and the amounts of the investments thereon and the times and manner of their payment.

Laid on the table.

He also returned bill from the House of Representatives numbered and entitled as follows, viz:

No. 534, an act to exempt Calvary Monumental church, of Philadelphia, from taxation.

With information that the Senate has passed the same without amendment.

He also again presented bills numbered and entitled as follows:

No. 437, a further supplement to an act passed May 16, A. D. 1861, entitled An act to authorize the erection of a free bridge over the river Schuylkill, at South street, in the city of Philadelphia, making it the duty of the chief engineer to direct the building of a bridge and providing that the same shall have a draw therein.

No. 541, an act authorizing the Governor to incorporate a company to erect a bridge over the Youghiogheny river at a point between the mouth of Dickerson's run and Taylor's fording, in the county of Fayette.

(Which bills were returned to the Senate, by the Governor, on the 2d day of April, 1867, in pursuance of a request contained in a resolution adopted by both houses), with information that the Senate has reconsidered said bills, and passed the same with amendments, in which the concurrence of the House of Representatives is requested.

The amendments made by the Senate to said bills were twice read, considered and concurred in; and

Ordered, That the Clerk inform the Senate of the same.

He also presented the following extract from the Journal:

IN THE SENATE, April 2, 1867.

Resolved, (if the House of Representatives concur), That the Governor be and is hereby requested to return to the Senate House bill No. 669, entitled An act amending the charter of the municipal corporation of the city of Lancaster, and dividing the same into nine wards.

On motion, said resolution was twice read, considered and concurred in; and

Ordered, That the Clerk inform the Senate of the same.

The Clerk of the Senate being introduced informed that the Senate has non-concurred in the amendments made by the House of Representatives to Senate bill No. 224, entitled A supplement to an act authorizing the borough council of the borough of Bethlehem, Pennsylvania, to purchase the water works, real estate and improvements of the Bethlehem water company; also, to make all such necessary improvements and extensions required, to borrow money and appoint water commissioners to carry out said object, approved March 30th, 1866.

He also informed that the Senate has concurred in the amendments made by the House of Representatives to Senate bill No. 1508, entitled A supplement to an act entitled An act to incorporate the Pennsylvania coal company, authorizing said company to construct lateral roads and hold additional lands.

Mr. GREGORY. I move that the House do now adjourn.

Which was

Agreed to.

Whereupon the SPEAKER adjourned the House till half-past seven o'clock this evening.

EVENING SESSION.

The House met at 7½ o'clock.

SPECIAL SESSION.

The SPEAKER announced that the House had met in special session for the purpose of considering Senate bill No. 770, entitled An act to provide for the continuance of the education and maintenance of the destitute orphans of the deceased soldiers and sailors, and the destitute children of permanently disabled soldiers and sailors of the State.

Various amendments were offered, on which an extended debate was had, which will appear in the *Appendix*.

The bill passed the House finally as follows:

AN ACT to provide for the continuance of the education and maintenance of the destitute orphans of the deceased soldiers and sailors, and the destitute children of permanently disabled soldiers and sailors of the State.

WHEREAS, Several considerable appropriations have been expended for the proper education and maintenance of the destitute children of the men of Pennsylvania, who died in defense of the Union during the late rebellion;

And whereas, It is incumbent upon the State to continue this provision for those children who are now hers;

And whereas, The experience thus far acquired in the performance of this duty now enables the Legislature to regulate by statute the large discretionary powers heretofore exercised in the premises; therefore,

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same*, That the Governor of this Commonwealth is hereby authorized and required to appoint, by and with the advice and consent of the Senate, a State Superintendent of soldiers' orphans, for three years from and after the date of said appointment, to be subject to removal for cause as other officers appointed in like manner are now, whose office shall be at Harrisburg, whose salary shall be the same as that of the State Superintendent of Common Schools per year, and necessary traveling expenses, and who shall give bonds with three sureties, to be approved by the Auditor General, and filed in the office of the Secretary of the Commonwealth, in the sum of twenty thousand dollars for the faithful performance of his duties. The Superintendent shall have power to appoint one clerk and the Governor one male inspector and examiner, and one female assistant, each at a salary not exceeding one hundred dollars per month and necessary traveling expenses, to inspect and examine the soldiers' orphans schools hereinafter provided for: *Provided*, That said Superintendent shall not, during the period of his superintendency, have any personal interest in any of said orphan schools.

SEC. 2. That the State Superintendent of soldiers' orphans is hereby authorized and empowered to contract with the trustees, proprietors or principals of institutions now employed as soldiers' orphans' homes, and schools possessing such good and sufficient accommodations as said Superintendent may approve, and of such other like institutions as may be necessary for the proper care and maintenance, and education, at the expense of the State, and until the age of sixteen years, of the destitute orphan children of all such deceased soldiers and sailors, citizens of Pennsylvania, and soldiers who have served in Pennsylvania regiments, as have died in the service of the United States, in the late war to suppress the rebellion: *Provided*, That the Superintendent may require that institutions receiving soldiers' orphans over ten years of age shall have not less than twenty acres of tillable land, and accommodations for not less than one hundred and fifty soldiers' orphans, except the Lincoln institute, in the city of Philadelphia: *And provided further*, That said Superin-

tendent of soldiers' orphans shall establish at least one such institution, for the reception of soldier's orphans over the age of ten years, within one year after the passage of this act, in each of the twelve normal districts now provided for by law, if, in the opinion of said Superintendent, the Governor concurring, the same shall be required and practicable: *And provided further*, That in no case shall the State become liable in any manner for the cost of erecting, repairing or furnishing any of the institutions employed as soldiers' orphan schools.

SEC. 3. That the State Superintendent of soldiers' orphans is hereby authorized to receive conveyances and transfers of the custody, care, and control, for all the purposes of education and maintenance, till after their arrival at the age of sixteen years, of said destitute soldiers' orphans, from their respective mothers, guardians or next friends; and all such conveyances and transfers heretofore made, or that may hereafter be made, to the State Superintendent, of soldiers' orphans, shall be valid and binding upon said mothers, guardians and next friends, and also upon said orphans, till their arrival at the age of sixteen years; and if said orphans abscond, or be withdrawn without his consent, from the custody of the Superintendent, or from the institutions in which he shall place them, they, and all persons withdrawing or harboring them, shall thereupon become liable to the provisions of the acts of Assembly relating to absconding apprentices.

SEC. 4. That the Superintendent of soldiers' orphans shall, by and with the advice and approval of the Governor, prescribe rules and regulations for the government of institutions becoming soldiers' orphan schools, designate the minimum number and grade of employees necessary, specify the character and quality of the food and clothing that shall be furnished, and which shall be similar for all institutions of the same grade in the State, and decide upon a course of study to be pursued, which course shall embrace at least the usual branches of a good common school education, together with instruction in vocal music, military tactics and calisthenics, and the greatest variety possible of household and domestic pursuits and mechanical and agricultural employments, consistent with the respective sexes and ages of said orphan children and their school room studies; he shall visit each soldiers' orphan school at least once each quarter, either in person or by deputy, remaining at least twenty-four hours in each.

SEC. 5. Application for the admission of soldiers' orphans, entitled to the benefits of this act, into the institutions established for their education and maintenance, shall be made by conveyances and transfers to the Superintendent of soldiers' orphans, in accordance with provisions of section third of this act, executed under oath by the mother, if living, and by the guardian or next friend, if the mother be dead or has abandoned said orphans; but all applications must be approved by the board of school directors, controllers, or superintending committee of the district, ward or city in which the mother resides, if she makes the application, or in which the orphans reside, in other cases; and the Superintendent may require such other certificate from a superintending committee, which committee shall be appointed and hold office at the discretion of the Superintendent, and by and with the consent of the Governor, or from such other source as he may deem necessary.

SEC. 6. That the said Superintendent be and is hereby authorized and directed to procure a school or schools, or home or homes, for the children of the colored soldiers and sailors who fell in the recent rebellion, subject to the same regulations and restrictions provided in relation to the education and maintenance of the orphans of our white soldiers and sailors: *Provided*, That where he may deem it expedient to do so, the said Superintendent may waive the restriction in regard to number of acres and extent of accommodations in care of schools or homes for colored orphans.

SEC. 7. That all contracts made by said Superintendent shall be characterized alike by a wise economy, and a just regard for services rendered, and that no contract shall be made for a longer period than one year, unless with the sanction of the Governor, and in cases in which it is clearly the interest of the State to contract for a longer period, such period, in no case, however, to exceed five years: *Provided*, That all the contracts made under this act may be annulled at any time for failure to fulfil the conditions of such contracts on the part of any contractor, of which failure the Governor and Superintendent shall be the judges, and that every such contract shall be made upon the condition of the continuance of said soldiers' orphan schools by the Legislature of the State.

SEC. 8. That the said Superintendent may, with the consent of the Governor, afford partial relief in kind, not exceeding thirty dollars per annum for each orphan, in cases where, in his judgment, it is proper to suffer the orphans to remain with their surviving parents or relatives or guardians, and to receive instructions in the public schools of the Commonwealth.

Sec. 9. That all bills for the maintenance and education of soldiers' orphans shall be paid quarterly, by warrants drawn directly upon the State Treasurer, signed by the Superintendent of soldiers' orphans, who shall file a receipted bill for the same in the Auditor General's office before issuing the next quarterly warrant, which the State Treasurer is hereby forbidden to pay until such receipted bill is thus filed: *Provided*, That all amounts appropriated for the purchase of clothing and the payment of partial relief, salaries and incidental expenses may be drawn by the State Superintendent of soldiers' orphans upon the warrants of the Governor, and the bills for the same settled semi-annually at the Auditor General's office, in the usual manner.

SEC. 10. That the Superintendent of soldiers' orphans shall require monthly, quarterly and annual reports, according to such form as he shall prescribe, from each institution receiving soldiers' orphans at the expense of the State; and that said Superintendent shall not, later than the first day of December, one thousand eight hundred and sixty-seven, and annually thereafter, make a detailed report to the Governor of this Commonwealth, of all the soldiers' orphans under his charge, their condition and progress, the numbers of each respective age, from four to sixteen years, and such other information as he may deem expedient, together with a statement of receipts and disbursements by item and estimates, for ensuing years.

SEC. 11. That when any of said orphans shall have arrived at the age of sixteen, or sooner, if deemed expedient, said Superintendent shall, at the written request of said orphan, and of his or her mother, guardian or next friend, put or bind him or her out to such trade and employment, and to such master or mistress and employer as shall thus be requested, and for such term as shall expire, if a male, at or before the age of twenty-one, and, if a female, at or before the age of eighteen years, in which indenture of apprenticeship there shall be included such covenants for the further education of the orphan as said Superintendent may prescribe, and such apprenticeship shall, in all other respects not herein provided for, subject to the provisions of the act of Assembly relating to masters and apprentices, and the supplements thereto.

SEC. 12. That upon arrival at the age of sixteen years, each of said orphans who shall not desire to be apprenticed to a trade or employment shall be restored to the mother, guardian or next friend, with a full outfit of clothes, and a certificate signed by said Superintendent and the principal of the proper school, showing his or her moral standing and literary and industrial attainments and qualifications.

SEC. 13. That the year for all operations under this act shall begin on the first Monday of June, in each year, and end on the day preceding the first Monday of June, of the year next succeeding, and all appropriations hereafter made, shall be for the year as herein determined, and made in like manner, and at the same time, as appropriations are now made for the general expenses of the Government.

SEC. 14. That all acts, and part of acts, heretofore passed, and inconsistent with this act, be, and they are hereby, repealed.

At half-past ten o'clock the SPEAKER announced that the bill for which the session had been appointed was disposed of; he would therefore adjourn the House till nine o'clock on Wednesday morning.

HOUSE OF REPRESENTATIVES.

WEDNESDAY, April 3, 1867.

The House met at 9 o'clock, A. M.

Prayer was offered by Rev. J. KENNEDY, member from Wyoming.

The SPEAKER announced a quorum of members present.

The Journal of yesterday was partly read, when,

On motion of Mr. ADAIRE, the further reading of the same was dispensed with.

Mr. STUMBAUGH. Mr. Speaker, I ask the unanimous consent of the House to make a motion.

Consent was granted.

Mr. STUMBAUGH. Mr. Speaker, I move that Senate bill No. 1010, entitled An act to change the venue in the case of the Commonwealth versus Peter Eby, numbers one, two and three, February session, A. D. 1867, in the court of quarter sessions of Snyder county, to the county of Juniata, be recommitted to the Judiciary Local Committee.

The motion was

Agreed to.

The SPEAKER announced the special order to be the consideration of House bill No. 1663, an act to establish a depot for the sale of cattle, calves, sheep and hogs in the city of Philadelphia, and to provide for the inspection of the same.

The question was on agreeing to the second section.

[The proceedings, together with the remarks on the bill, will appear in full in the Appendix to the *Record*.]

The bill was

Agreed to,

And laid over on third reading.

Mr. QUAY. Mr. Speaker, I ask leave to offer a resolution.

Leave was granted.

Mr. QUAY. Mr. Speaker, I offer the following resolution.

The resolution was read as follows:

Resolved, That so much of any resolution as makes public bills the special order for the sessions of this House on the afternoons

of Wednesday and Thursday, shall be and is hereby rescinded.

The resolution was read a second time, and

Agreed to.

Mr. WHANN. Mr. Speaker, I ask leave to read a bill in place, in order that the House may proceed to its consideration.

Leave was granted.

The bill entitled No. 1995, a supplement to an act authorizing the school directors of the borough of Franklin, in Venango county, to borrow money, approved the 11th day of April, A. D. 1866, was read, and

Agreed to.

The rules were suspended,

The bill was read a second and third time, and

Passed finally.

SPEAKER'S TABLE.

The SPEAKER laid before the House a communication from the board of directors of public schools of the Twelfth section, First school district of Pennsylvania, with accompanying preamble and resolutions, against the bill introduced for the abolishment of the election of members of the board of controllers of public schools, First school district of Pennsylvania, and vesting the appointment of the same in the courts.

MESSAGE FROM THE SENATE.

The Clerk of the Senate being introduced, presented for concurrence bills numbered and entitled as follows:

Senate bill No. 1597, a supplement to the act to incorporate the Erie and Pittsburg railroad company, approved April 1st, 1858.

Senate bill No. 1593, an act to provide an additional law judge of the several courts in the Eleventh Judicial district.

Senate bill No. 1370, a supplement to an act relative to the court in Lehigh county.

He also informed that the Senate has concurred in the amendments made by the House of Representatives to Senate bill numbered and entitled as follows:

Senate bill No. 668, a supplement to an act entitled An act to incorporate the Susquehanna and Delaware railroad company.

Senate bill No. 679, an act to incorporate the Peoples' bridge company of Harrisburg.

Senate bill No. 730, an act to incorporate the co-operative association of East Birmingham, in the county of Allegheny, for mercantile purposes.

Senate bill No. 787, an act to extend the time for the payment of the enrollment tax on an act entitled An act to incorporate the Madison improvement company, approved August 10th, 1864.

Senate bill No. 785, a supplement to an act to incorporate the borough of Columbia, approved April 16th, 1866.

Senate bill No. 790, an act fixing the compensation for the commissioners of the county of Bucks.

Senate bill No. 954, an act appointing commissioners to lay out and open a State road from Wilcox, in Elk county, to the borough of Kane, in M'Kean county.

Senate bill No. 977, an act to change the corporate name of the Mill Creek gold and silver mining, commercial and manufacturing company of Colorado.

He also informed that the Senate has non-concurred in the amendments made by the House of Representative to Senate bills numbered and entitled as follows:

Senate bill No. 799, an act to incorporate the Scranton market company.

Senate bill No. 854, an act to allow the sheriff of Elk county fees for serving jury notices, and increasing the pay of supervisors in said county.

He also informed that the House of Representatives insists on its non-concurrence to amendments made and insisted upon by the House of Representatives to bill numbered and entitled as follows, viz:

No. 224, a supplement to an act authorizing the borough of Bethlehem, Pa., to purchase the water works, real estate and improvements of the Bethlehem water company; also, to make all such necessary improvements and extensions required, to borrow money, and appoint water commissioners to carry out said object, approved March 30th, 1866,

And has appointed Messrs. SCHALL, JAMES and ROYER a committee of conference on the part of the Senate, to confer with a similar committee already appointed by the House of Representatives, on the subject of the differences existing between the two Houses in relation to said bill.

Mr. QUAY. Mr. Speaker, I move that the House proceed to the consideration of Senate bill No. 1597, a supplement to an act to incorporate the Erie and Pittsburg railroad company.

The motion was

Agreed to.

The bill was read and

Agreed to, and

Passed finally.

Mr. CHASE asked and obtained leave to read in place a bill entitled An act to incorporate the North Mountain coal company.

Laid on the table.

SENATE MESSAGE.

The Clerk of the Senate being introduced, presented the following extract from the Journal:

IN THE SENATE, April 3, 1867.

Resolved, That the House of Representatives be requested to return to the Senate Senate bill No. 1532, entitled An act to change the venue in a certain case from Schuylkill to Lebanon county.

Mr. MANN. Mr. Speaker, I ask the unanimous consent of the House to offer the following resolution.

Leave was granted.

The resolution was read as follows:

Resolved, That the Clerk of the House make up a private calendar of House bills, whether printed or not, to be considered on Friday, and that a session shall be held on Friday afternoon, to commence at three o'clock.

The resolution was read a second time and

Agreed to.

MESSAGE FROM THE SENATE.

The Clerk of the Senate being introduced, presented for concurrence bill numbered and entitled as follows, viz:

Senate bill No. 1595, an act to preserve the water of the river Schuylkill, used by the citizens of Philadelphia, from impurities.

The Clerk of the Senate being introduced, presented for concurrence bills numbered and entitled as follows, viz:

Senate bill No. 1162, an act to extend to companies organized under the general manufacturing laws of this Commonwealth the same privileges in regard to payments of subscriptions of stock that have been conferred upon mining companies by the general law of 1854.

Senate bill No. 1183, joint resolution relative to revising, collating and digesting the tax laws of Pennsylvania.

Senate bill No. 1248, a supplement to the act regulating banks, approved the 16th day of April 1850.

Senate bill No. 1255, an act to establish an additional State lunatic hospital.

Senate bill No. 1258, a further supplement to an act relating to lunatics and habitual drunkards, passed the 13th day of June, A. D. 1836.

Senate bill No. 1332, an act relative to the redemption of unseated land sold for taxes, when interests in the same land are owned by different persons.

Senate bill No. 1254, an act to repeal the State tax upon certain personal property, and in lieu thereof to apportion three hundred thousand dollars upon the counties of the State.

He also returned bills from the House of Representatives numbered and entitled as follows, viz:

No. 290, a further supplement to an act for the regulation and continuance of a system of education by common schools, approved the 8th day of May, A. D. 1854.

No. 538, an act regulating interest on public accounts,

With information that the Senate has passed the same with amendments, in which the concurrence of the House of Representatives is requested.

Mr. M'KEE. Mr. Speaker, I move that the House proceed to the consideration of Senate bill No. 521, entitled An act to confer upon the Pittsburg forge and iron company all the powers, rights and privileges of the Jones and Nimick manufacturing company, by the act approved April, 1862.

The motion was

Agreed to.

The bill was read and

Agreed to.

The rules being suspended,

The bill was read a second and a third time, and

Passed finally.

SPEAKER'S TABLE.

The SPEAKER cleared his table of bills numbered and entitled as follows:

Senate bill No. 1162, an act to extend to companies organized under the general manufacturing laws of this Commonwealth the same priviliges in regard to payments of subscriptions of stock that have been conferred upon mining companies by the general law of 1854.

Referred to the Committee on the Judiciary General.

Senate bill No. 1183, joint resolution relative to revising, collating and digesting the tax laws of Pennsylvania.

Referred to the Committee on Ways and Means.

Senate bill No. 1597, a supplement to the act to incorporate the Erie and Pittsburg railroad company, approved April 1st, 1858.

Laid on the table.

Senate bill No. 1593, an act to provide an additional law judge of the several courts in the Eleventh Judicial district.

Laid on the table.

Senate bill No. 1370, a supplement to an act relative to the courts in Lehigh county.

Laid on the table.

Senate bill No. 1595, an act to preserve the water of the river Schuylkill, used by the citizens of Philadelphia, from impurities.

Laid on the table.

Senate bill No. 1248, a supplement to the act regulating banks, approved the 16th day of April, 1850.

Referred to the Committee on Banks.

Senate bill No. 1255, an act to establish an additional State lunatic hospital.

Referred to the Committee on Ways and Means.

Senate bill No. 1258, a further supplement to an act relating to lunatics and habitual drunkards, passed the 13th day of June, A. D. 1836,

Referred to the Committee on the Judiciary General.

Senate bill No. 1332, an act relative to the redemption of unseated land sold for taxes,

where interests in the same land are owned by different persons.

Referred to the Committe on the Judiciary General.

Senate bill No. 1254, an act to repeal the State tax upon certain personal property, and in lieu thereof to apportion three hundred thousand dollars upon the counties of the State.

Referred to the Committee on Ways and Means.

Also, bill numbered and entitled as follows, viz:

Senate bill No. 799, an act to incorporate the Scranton market company,

Returned with information that the Senate has non-concurred in House amendments to said bill.

On motion,

The House insisted on its amendments to said bill, non-concurred in by the Senate, and has appointed Messrs. KOON, MARKS and STUMBAUGH a committee of conference on the part of the House, to act in conjunction with a similar committee on the part of the Senate (if the Senate shall appoint such committee).

Ordered, That the Clerk inform the Senate of the same.

Senate bill No. 854, an act to allow the sheriff of Elk county fees for serving jury notices, and increasing the pay of supervisors in said county.

On motion,

The House insisted on its amendments to said bill, non-concurred in by the Senate, and has appointed Messrs. LEE, LEECH and HUNT a committee on the part of the House, to act in conjunction with a similar committee on the part of the Senate (if the Senate shall appoint such committee) in relation to the differences existing between the two Houses in relation to said bill; and

Ordered, That the Clerk inform the Senate of the same.

Also, the following extract from the Journal of the Senate:

IN THE SENATE, April 3, 1867.

Resolved, That the House of Representatives be requested to return to the Senate Senate bill No. 1532, entitled An act to change the venue in a certain case from Schuylkill to Lebanon county.

On motion.

Said resolution was twice read, considered and concurred in; and

Ordered, That the Clerk inform the Senate of the same.

Also, House bills numbered and entitled as follows:

No. 290, a further supplement to an act for the regulation and continuance of a system of education by common schools, approved the 8th day of May, A. D. 1854.

No. 538, an act regulating interest on public accounts,

Returned from the Senate with amendments.

The amendments made by the Senate to bill No. 290, were twice read, considered and concurred in; and

Ordered, That the Clerk inform the Senate of the same.

The amendments made by the Senate to bill No. 538, were twice read, considered and non concurred in; and

Ordered, That the Clerk inform the Senate of the same.

The hour of one o'clock having arrived, the SPEAKER adjourned the House until three o'clock this afternoon.

SENATE.

TUESDAY, April 2, 1867.

The Senate met and was called to order at 10 A. M., by the SPEAKER.

Prayer was offered by the Rev. Mr. Bailey.

On motion of Mr. CONNELL, the reading of the Journal of Friday last was dispensed with.

SPEAKER'S TABLE.

The SPEAKER laid before the Senate the annual report of the Delaware and Hudson canal company.

Laid on the table.

He also laid before the Senate a communication, which was read as follows:

CLERK'S OFFICE, SELECT COUNCIL, PHILADELPHIA, April 1, 1867.

To Hon. Louis W. Hall, Speaker of the Senate of the State of Pennsylvania:

SIR—This is to certify that the following is a true and correct copy of the original resolution approved by His Honor, the Mayor, the thirtieth day of March, A. D. 1867, to wit:

RESOLUTION OF THANKS TO THE STATE LEGISLATURE.

Resolved, by the Select and Common Councils of the City of Philadelphia, That the thanks of the City of Philadelphia are hereby tendered to the Legislature of Pennsylvania, for the return to the Hall of Independence of the chair occupied by the President of Congress, John Hancock, when the Declaration of Independence was passed, and subsequently occupied by Washington as President of the Convention which adopted the Constitution of the United States, and also of the table upon which these immortal documents were signed, and that the city will accept the custody of these cherished momentoes with pride and pleasure.

ATTEST: BENJAMIN H. HAINES, Clerk of Select Council.

Laid on the table.

SESSION ON MONDAY AFTERNOON NEXT.

Mr. CONNELL moved that the Senate will hold an afternoon session on Monday next, for the purpose of considering the private calendar,

The motion was

Agreed to.

MESSAGE FROM THE HOUSE OF REPREESTATIVES.

The Clerk of the House of Representatives being introduced, presented for concurrence bills numbered and entitled as follows, viz:

No. 828, an act to provide for the ordinary expenses of the government and other general and specific appropriations.

Referred to the Committee on Finance.

No. 1368, an act to repeal part of the thirty-fourth section of an act entitled An act to reduce the State debt, approved April 29th, 1844.

Referred to the Committee on Finance.

No. 1823, an act authorizing the school directors of the borough of New Milford, Susquehanna county, to borrow money for school purposes.

Referred to the Committee on the Judiciary Local.

No. 1824, a further supplement to an act entitled An act to validate the judgment docket entries made by the prothonotaries of certain counties in this Commonwealth.

Referred to the Committee on the Judiciary General.

No. 982, an act to establish a ferry over the Monongahela river at the town of Allenport, in Washinton county.

Referred to the Committee on Canals and Inland Navigation.

No. 934, an act authorizing the gas committee of councils of the city of Philadelphia to attend all meetings of the Philadelphia gas trust.

Referred to the Committee on Corporations.

No. 1874, an act relating to taxation for school purposes in the school district of Cannonsburg, in the county of Washington.

Referred to the Committee on Education.

No. 1895, an act to exempt from taxation money loaned to the school directors of the borough of Punxatawney.

Referred to the Committee on Finance.

No. 1902, an act to change the place of holding the elections for the Second and Third wards of the city of of Titusville.

Ruled out of order.

No. 1930, an act to repeal an act to form an independent school district out of parts of Pike and Monroe counties, passed the 21st day of March, 1865.

Referred to the Committee on Education.

No. 1941, an act to authorize the trustees of the Cumberland Presbyterian Church, of Greenfield, Washington county, to sell and convey certain real estate.

Referred to the Committee on Estates and Escheats.

No. 1943, an act to authorize the chief burgess and town council of Tyrone City, Blair county, to borrow money, and to levy and collect additional tax to pay the interest on the same.

Referred to the Committee on the Judiciary Local.

No. 1940, a supplement to an act to change the mode of criminal proceedings in Erie and Union counties, extending the same to the county of Forest.

Referred to the Committee on the Judiciary Local.

He also returned bills from the Senate numbered and entitled as follows, viz:

No. 1467, an act to authorize the burgess and town council of the borough of Tremont, Schuylkill county, to levy a tax.

No. 1537, an act authorizing the school directors of Clinton township, Wyoming county, to levy tax for bounty purposes,

With information that the House of Representatives has passed the same without amendment.

He also informed that the House of Representatives has concurred in the amendments made by the Senate to bills from the House numbered and entitled as follows:

No. 433, an act to incorporate the Wellsborough and Lawrenceville railroad company.

No. 565, a supplement to an act to incorporate the Swatara company, passed March 7th, 1849.

No. 631, a supplement to an act relating to the lien of mechanics and others upon buildings.

No. 783, an act to extend the provisions of an act to prevent cattle, horses, sheep and hogs from running at large in Delaware county to the county of Crawford and to West Donegal township, Lancaster county.

No. 896, a further supplement to an act relating to inspections, approved April 15th, A. D. 1835, and the supplement thereto, approved March 25th, 1850, relating to the city of Philadelphia.

No. 921, an act exempting certain lands in H Main township, York county, from taxation for bounty purposes, when annexed to the borough of Wrightsville in said county.

No. 1379, an act to provide a city government for the borough of Altoona, Blair county.

He also informed that the House of Representatives has concurred in the resolution from the Senate requesting the Governor to return to Senate for amendment Senate bill

Daily Legislative Record.

FOR THE SESSION OF 1867.

PUBLISHED BY AUTHORITY OF THE LEGISLATURE OF PENNSYLVANIA. No. 107.

TERMS OF THE DAILY RECORD.

THE DAILY RECORD will be furnished to Members of the Legislature and others at the following rates:

Single copy for the session.....$2 00

Members desiring extra copies of the Record, will please leave their names and the number of copies wanted at the publication office. GEO. BERGNER.

[CONTINUED FROM PAGE 848.]

No. 541, entitled An act to incorporate a company to erect a bridge over the Youghiogheny river at a point between the mouth of Dickerson's run and Taylor's fording, in the county of Fayette.

He also returned bill from the Senate numbered and entitled as follows viz:

No. 1015, an act to enable the Philadelphia commercial, wharf and railroad company to issue bonds, and to secure the payment of the same by mortgage, to extend the time for the construction of their railroad connections, and to increase the number of directors,

With information that the House of Representatives has passed the same without amendments.

Also presented for concurrence bill numbered and entitled as follows, viz:

No. 1409, an act relative to the estate of Eliza Howard Burd.

Referred to the Committee on Estates and Escheats.

He also returned bills from the Senate numbered and entitled as follows:

No. 1390, a supplement to an act entitled An act to incorporate the Pennsylvania coal company, authorizing said company to construct lateral roads and hold additional lands,

With information that the House of Representatives has passed the same with amendments, in which the concurrence of the Senate is requested.

On motion of Mr. SHOEMAKER, said amendments were twice read and concurred in.

PETITIONS, MEMORIALS, &C.

Mr. CONNELL presented a memorial of the German Hospital of Philadelphia, praying for the passage of an act exempting their property from taxation.

Referred to the Committee on Finance.

Also, a memorial of the Coal Exchange of Philadelphia, relative to a petition presented to the Senate purporting to emanate from the coal interests of Schuylkill county.

Referred to the Committee on Finance.

The memorial was read as follows:

PHILADELPHIA, March 28th, 1867.

At a meeting of the Coal Exchange of Philadelphia, held this day at the rooms of the association, the president submitted copies of a petition to the Legislature lately presented to the Senate by Mr. RANDALL, of Schuylkill county, and others interested in the coal business, as follows:

To the Senate and House of Representatives of the Commonwealth of Pennsylvania:

The petition of the undersigned, citizens of Schuylkill county, and others who are interested in the coal business, respectfully showeth, that bills have been presented to your honorable bodies with the following captions, to wit:

An act authorizing the commissioners of Schuylkill county to aid the construction of the Manufacturers' and Consumers' railroad company.

An act relating to lateral railroads in Schuylkill, Northumberland and Columbia counties.

An act relative to the furnishing and distributing of coal cars by the Philadelphia and Reading railroad company and Schuylkill navigation company.

All of which bills are of great importance to the interests of this and adjoining counties as well as of this Commonwealth, and your petitioners respectfully ask you to pass the same for the following reasons:

First. They have no competing lines of transportation for the enormous products of their coal fields, but are subject to one great monopoly, owned and controlled by British capitalists, who have no interest in common with them, but who charge such exorbitant rates upon everything carried over their road as to prevent your petitioners from deriving such fair profits on business as are enjoyed by the propertyowners in all the other districts.

Second. It is known to your petitioners, and doubtless to yourselves, that, although these British capitalists allege that they only receive a fair dividend and interest on their investments at par, they purchased all they hold at about one-half the par value, and, therefore, they receive double interest and double dividends to what is usually supposed; and your petitioners are compelled to pay these enormous sums, which are carried out of the country, and aid in building up foreign manufactories, to the great injury and destruction of those American industries which consume the products of our mines.

Third. Your petitioners have exhausted every ordinary means of relief from this oppression, and now find it necessary to construct new lines of transportation; but in so doing, they have been threatened by the agents of these foreign capitalists with punishment through their business, and in order to protect themselves, they are obliged to aid the Manufacturers' and Consumers' Anthracite railroad company, through the agency of the county commissioners.

Fourth. As a further protection, they respectfully ask you to pass the act making it a misdemeanor, &c., to discriminate against them in the distribution of cars, thereby embarrassing their contracts to deliver coal to the consumers, and often causing them great loss, and preventing them, in many instances, from obtaining contracts, if it is known or suspected that they are not on good terms with the officers and agents of the Philadelphia and Reading railroad company.

Fifth. As the lateral railroads were chartered for the purpose of developing the coal lands, and as feeders to trunk lines, and as your petitioners had located their works on the laterals while they were operated as contemplated by their charters, and before they were leased by the foreign capitalists, who expected in this way to control the products of our mines, your petitioners respectfully ask you to pass the act requiring such appointment of time for running trains upon the lateral roads as will give each carrying company having the power to run thereon equal facilities for moving the proportion of the trade.

Sixth. The natural increase in the coal trade is so rapid that new lines will be required, even at the most moderate charges, as soon as they can be built, and by the time the Manufacturers' and Consumers' Anthracite railroad is finished there will be work enough for each carrying company.

And your petitioners will ever pray.

(Containing sixty-six names.)

On motion, the said petition was referred to a committee, with direction to examine into and report upon the claims of the signers of said petition to represent the coal trade of Schuylkill county, and to report such future action in the premises as they might deem proper.

The committee subsequently submitted the following report:

The committee to which was referred the petition lately presented to the Senate by Mr. RANDALL, with directions to examine into the report upon the claims of the signers to represent the coal trade of Schuylkill county, and to report such further action in the premises as they might deem proper, respectfully report:

That the following is a correct list of the occupations and residences of the persons whose signatures are annexed to the said petitions, so far as your committee have been able to ascertain the same:

Owen Keenan, clerk for I. S. Patterson, Pottsville.

Wm. R. Smith, lawyer, Pottsville.

E. B. Patterson, coal operator (Shamokin), Pottsville.

C. Bove, unknown.

Jacob Matthews, carriagemaker, Pottsville.

John Hanley, constable, Pottsville.

James Jennings, no occupation, Pottsville.

Wm. Riland, tax collector, Pottsville.

Joseph F. Seiders, dentist, Pottsville.

T. A. Godfrey, insurance agent, Pottsville.

H. J. Darroll, unknown.

Jacob Reed, justice of the peace, Pottsville.

Morgan Reed, clerk, Pottsville.

Jas. H. Fisher, clerk, Pottsville.

L. S. Llewellyn, mining boss, Pottsville.

Joseph S. Patterson, no occupation, Pottsville.

George Martz, carpenter, Pottsville.

A. S. Moorehead, storekeeper at Minersville, Pottsville.

B. M. Miller, no occupation, Pottsville.

A. B. Kaufman, storekeeper, Llewellyn.

Samuel Morris, Jr., storekeeper, Pottsville.

James Wren, foundryman and machinist Pottsville.

Wm. Griffith, Jr., unknown.

Wm. H. Paxon, farmer, Schuylkill Haven.
H. W. Betz, unknown.
Wm. Colmer, unknown.
Isaiah Kline, cabinet maker, Pottsville.
Samuel M. Ruck, no occupation, Pottsville.
John A. Altz, unknown.
N. G. Hammaker, clerk, Pottsville.
George Brown, mine inspector, Pottsville.
Bernard Barr, constable, Pottsville.
A. C. Wingard, clerk, Pottsville.
J. S. M. Schuyler, screen maker, Pottsville.
Benjamin Christian, Teamster, Pottsville.
John Whittle, unknown.
John Leonard, tavern keeper, Pottsville.
Jonathan B. Connelly, unknown.
Oliver Dobson, hatter, Pottsville.
James R. Shearer, bricklayer, Pottsville.
H. J. Drehr, unknown.
Jeremiah Reed, superintendent of Pottsville water company, Pottsville.
Conrad B. Sulliman, postoffice clerk, Pottsville.
Isaac Beck, teller Miners' Bank, Pottsville.
Frederick Patterson, book-keeper Miners' Bank, Pottsville.
R. I. Potter, clerk Miners' Bank, Pottsville.
Frank Whitney, clerk Miners' Bank, Pottsville.
A. Loeser, clerk Miners' Bank, Pottsville.
R. C. Pomeroy, clerk Miners' Bank, Pottsville.
R. C. Hill, insurance agent, Pottsville.
H. Edwards, clerk, Pottsville.
John T. Noble, boiler maker, Pottsville.
Daniel Lane, traveling agent for selling coal by the car load, Pottsville.
W. Ramsey Potts, lawyer and bounty agent, Pottsville.
G. W. Matchin, lawyer and surveyor, Pottsville.
Charles Baber, superintendent Schuylkill navigation company, Pottsville.
John G. Hewes, real estate agent, Pottsville.
G. Bast, gentleman, Schuylkill Haven.
George Mason, sugar agent, Pottsville.
Levi Mattson, storekeeper, Port Carbon.
Charles W. Schoener, unknown.
A. K. Whitner, clerk in internal revenue office, Pottsville.
E. T. Bodey, insurance agent, Pottsville.
R. R. Morris, storekeeper, Pottsville.
Thomas M. Matz, journeyman machinist, Pottsville.
R. D. Schoener, soap and candle dealer, Pottsville.

In the list of sixty-six names, there is the signature of but one person, known to the committee to be engaged in mining coal, and the colliery with which he is connected is not situated upon any of the lateral railroads controlled by the Philadelphia and Reading railroad company.

That so far from it being true, as stated in the petition, that "the petitioners had located their works on the laterals while they were operated as contemplated by their charter, and before they were leased by the foreign capitalists, who expected in this way to control the products of their mines," the fact is, with the single exception above stated, they have no works.

The occupations and residences of those persons named "unknown," your committee have not been able to ascertain; none of them, however, are coal operators in the Schuylkill region. Your committee, therefore, recommend the adoption of the following resolutions:

1. *Resolved*, That this association protests against the assumption of the signers to the said petition to represent the great coal mining interests of Schuylkill county, as unjust to the members of this association, and as a fraud upon the Legislature.

2. *Resolved*, That the said memorial or petition, and the three bills to which it refers, were entirely unknown to the members of this association until they were introduced into the Legislature.

3. *Resolved*, That we are in favor of a general railroad law, with liberal provisions to induce the construction of railroads, so as to develop the resources of the State and to avoid the disastrous effects of monopolies, but that we are opposed to the proposed subscription by the commissioners of Schuylkill county to the bonds of the Manufacturers' and Consumers' Anthracite railroad company, without first being authorized to do so by a majority of the voters of the county.

4. *Resolved*, That the bill regulating lateral railroads, proposing to stop the cars of the Reading railroad and Schuylkill navigation company for portions of each day, and give exclusive use, alternately, to others, would cut down the carrying capacity of these roads, and seriously damage our interests by reducing our productions.

5. *Resolved*, That the system of car distribution now in force in Schuylkill county is just in itself and satisfactory to the trade, and the bill proposing to change it is uncalled for.

6. *Resolved*, That we deem it proper to give publicity to these views, and to disclaim any connection with the signers of the said petition, so that when we may have just grounds of complaint our influence shall not have been lessened or impaired by the fact that our silence now may have been construed into a tacit admission of the erroneous statements contained in the said petition.

7. *Resolved*, That the proceedings of this meeting be published in the newspapers, and that a printed copy be sent by the Secretary to each member of the Legislature.

On motion, the report of the committee was accepted, and the resolutions accompanying the same were unanimously adopted.

On motion, it was

Resolved, That the president appoint a committee of three, to present a copy of the proceedings of this meeting, in person, to the Legislature now in session at Harrisburg.

Whereupon the president appointed as such committee Messrs. James Neill, Wm. Y. Agard and Geo. W. Huntzinger.

ALFRED DAY, President.

Attest—A. B. GORGAS, Secretary.

Mr. WORTHINGTON, three remonstrances of citizens of Delaware county, against the passage of a law to provide for the payment of bounties to Birmingham township, in said county.

Referred to the Committee on the Judiciary Local.

Mr. BIGHAM, a memorial of the citizens of Liberty township, Allegheny county, asking the appointment of viewers to open a public road and assess damages upon persons benefited by said road.

Referred to the Committee on the Judiciary Local.

Also, one from citizens of Lower St. Clair and Birmingham, asking the annexation of a part of Lower St. Clair to Birmingham.

Referred to the Committee on New Counties and County Seats.

Also, a remonstrance of citizens of Liberty township, Allegheny county, against being annexed to the borough of Lawrenceville.

Referred to the Committeee on New Counties and County Seats.

Mr. JACKSON, a petition of citizens of Sullivan county, praying for change of venue of Commonwealth vs. M'Carthy, from Bradford to Lycoming county.

Referred to the Committee on the Judiciary Local.

Mr. CONNELL, a remonstrance from twelve school directors of the Twenty fifth section of Philadelphia, against the passage of the act depriving them of the right to elect one of their own number school controller.

Referred to the Committee on Education.

Mr. RIDGWAY presented a resolution of the Fifteenth ward school board, against the passage of the act depriving them of the right to elect one of their number school controller.

Referred to the Committee on Education.

The resolution was read as follows:

To the Honorable the Senate and House of Representatives of Pennsylvania:

GENTLEMEN—At a stated meeting of the board of directors of Fifteenth school section, First school district of Pennsylvania, held on Thursday evening, March 28th, 1867, the following preamble and resolutions were adopted, viz:

WHEREAS, A bill has been introduced into the Legislature of our State, proposing to deprive the sectional school boards of the First school district, of the right now enjoyed by them of electing the members of the board of controllers of public schools, and of vesting the authority in the judges of our courts;

And whereas, We believe the proposed change to be not only injudicious and uncalled for, but calculated greatly to impair, if not ultimately destroy the usefulness of the sectional boards, and thus prove detrimental to the best interests of the public schools, we do unite in the appeal to the Legislature by the said board of controllers, as passed at their meeting on 13th instant, and with the various sectional boards; and it is, therefore,

Resolved, That we respectfully, but earnestly, protest against the enactment now proposed, and urge upon our Representatives in the Legislature to use their best efforts to procure its defeat.

Resolved, That the secretary be directed to forward a copy of this preamble and resolutions to the Senate and House of Representatives, at Harrisburg.

[From the Minutes.]

CHARLES B. BARRETT,
Fifteenth Section School Board.

PHILADELPHIA, March 29, 1867.

Mr. LOWRY, a petition of citizens of Sugerstown, Crawford county, praying for the repeal of a certain act of Assembly relating to their school district.

Referred to the Committee on Education.

Mr. JAMES, a petition of citizens of Bucks county, in favor of chartering the Wrightstown and Newtown turnpike road company.

Referred to the Committee on Roads and Bridges.

Also, a remonstrance of citizens of Bucks and Montgomery counties, against laying out and opening Broad street through said counties.

Referred to the Committee on Roads and Bridges.

Mr. SHOEMAKER, a remonstrance of citizens of Dunmore, against being attached to the city of Scranton, Luzerne county.

Referred to the Committee on New Counties and County Seats.

Mr. WALLS, a remonstrance of citizens of Union county, against the passage of a law compelling them to keep in repair a certain road.

Laid on the table.

Mr. GRAHAM, a remonstrance of citizens of Allegheny, against the passage of the bill for the consolidation of said city with Pittsburg.

Laid on the table.

The petition was read as follows:

To the Senate and House of Representatives of the Commonwealth of Pennsylvania:

GENTLEMEN—In the name and on behalf of the citizens of our city, we protest against

the passage of the bill for the consolidation of our city with Pittsburg:

First. Because the proposed change has not been asked for by our citizens.

Because a large majority of those to be affected by the proposed change are opposed to it.

Because, that at a convention of all the districts to be affected by the proposed change, held one year ago, out of thirteen districts represented, there was no one in favor of it, outside of the city of Pittsburg.

Because that it will largely increase our taxation, without giving us any corresponding benefits.

Because the city of Allegheny has, at great expense, erected a large and commodious city hall, for the use of her officers and the convenience of her citizens, all of which would be useless in case of consolidation, and our citizens would be compelled to travel a long distance to transact their business with the officers of the consolidated city.

Because the citizens of Allegheny, having completed and paid for their water works and city hall (sufficient for their wants at present and for some time to come), they do not desire to be again taxed to erect a new water works for the city of Pittsburg, or ten mills on the dollar of their assessed valuation for a long series of years, to assist the citizens of Pittsburg in gratifying their inflated conceptions of a city hall intended to cost a million of dollars.

Because our citizens have never seen the proposed bill, and never have had an opportunity of remonstrating against the same.

Because our city finances have been so managed that the assets are now worth millions of dollars more than our indebtedness, which is not the case with the city of Pittsburgh. And we believe this is nothing more or less than an attempt to compel other districts to bear a part of their debt, incurred through their mismanagement and extravagance.

Because nature has interposed a great barrier to the proposed consolidation (the Allegheny river), and in order to make the consolidation anything like complete would compel us to purchase, at an expense of millions of dollars, a large number of bridges spanning the Allegheny and Monongahela rivers.

Done in joint session of the select and common councils, at their chambers, in the city of Allegheny, this twenty-sixth day of March, A. D. 1867.

Witness the seal of the city, the signatures of the Mayor and Presidents of the Select and Common Councils.

JOHN MORRISON,
Mayor.
JAMES McBRIER,
Prest. of Select Council.
GEO. D. RIDDLE,
Prest. of Common Council.
D. MACFERRON,
Clerk of Select Council.
ROBERT DILWORTH,
Clerk of Common Council.

REPORTS FROM COMMITTEES.

Mr. COWLES, from the Committee on the Judiciary Local, reported, as committed, a bill entitled An act authorizing the school directors of the borough of Harmony and the township of Jackson, in the county of Butler, to levy and collect an additional bounty tax

Also (same), as committed, a bill entitled An act to authorize the school directors of M'Keesport, Allegheny county, to equalize the payment of bounties.

Also (same), as committed, a bill entitled An act for the appointment of two additional assessors for the Fifteenth ward of the city of Philadelphia.

Also (same), with a negative recommendation, a bill entitled An act to make Frederick Gastrock the heir-in-law of John Gastrock.

Ruled out of order by the SPEAKER.

Mr. FISHER (same), as committed, a bill entitled An act to legalize and make valid an assessment made by the board of school directors of Strasburg township, Lancaster county, of one half of one per centum on the 16th day of June, A. D. 1866, for bounty purposes.

Also (same), as committed, a bill entitled An act to exempt John Malone, of Sewickley township, Westmoreland county, from the payment of bounty tax.

Also (same), with a negative recommendation, a bill entitled An act creating an additional return day to processes of the courts of Venango county.

Mr. STUTZMAN (same), as committed, a bill entitled An act relative to hucksters in the county of Dauphin.

Also (same), as committed, a bill entitled An act to authorize the commissioners of Warren county to work prisoners in said county.

Also (same,) as committed, a bill entitled An act to provide for the enforcement of the inspection laws in regard to the inspection of whisky in the county of Philadelphia.

Also (same), as committed, a bill, entitled An act relating to the borough of Union Mills, in the county of Erie.

Mr. DAVIS (same), as committed, a bill entitled An act authorizing the school directors of Warrington township, York county, to levy and collect at once the bounty tax remaining unpaid.

Also (same), as committed, a bill entitled An act relating to actions of ejectment.

Also (same), as committed, a bill entitled An act to legalize the action of the school directors of Shrewsbury township, York county, relative to money borrowed to pay bounties and taxes assessed, to collect the same.

Mr. RIDGWAY, from the Committee on Corporations, as committed, a bill entitled An act to incorporate the Asbury life insurance and trust company of Philadelphia.

Also (same), with amendments, a bill entitled an act to incorporate the Shippensburg iron, manufacturing and mining company.

Also (same), as committed, a bill entitled A further supplement to an act entitled An act to incorporate the Youghiogheny shaft company.

Also (same), as committed, a bill entitled A supplement to an act incorporating the Lehigh Mutual manufacturing company.

Mr. GLATZ (same), as committed, a bill entitled An act to incorporate the Oxford fire insurance, annuity and trust company.

Mr. WORTHINGTON, from the Committee on Education, as committed, a bill entitled An act annexing certain farms in Dogberry township to the borough of Bethany, in Wayne county, for school purposes.

Also (same), as committed, a bill entitled An act to authorize the school directors of Troy borough school district, in the county of Bradford, to contract a loan for the purpose of erecting a suitable school house in said borough.

Mr. BILLINGFELT, from the Committee on Roads and Bridges, a bill entitled An act to authorize the Hartsville and Centreville turnpike road company to issue preferred stock.

Also (same), as committed, a bill entitled An act to vacate part of Buck road, in the Twenty-sixth ward, Philadelphia.

Mr. LANDON (same), as committed, a bill entitled An act to organize the Monongahela City and Victory turnpike road company, Washington county.

Mr. TAYLOR (same), as committed, a bill entitled An act authorizing the supervisors of Salem township, in Luzerne county, to collect in money the tax levied for road purposes in said township.

Mr. WALLS (same), as committed, an act to legalize and make valid an order issued by the road commissioners of Elk Creek township, in the county of Erie.

Mr. GLATZ (same) as committed, a bill entitled An act to empower the supervisors of the township of Peach Bottom, in the county of York, to collect in money all taxes levied in said township for road purposes.

Also (same), with amendments, a bill entitled An act to incorporate the York and Chanceford turnpike road company, in the county of York.

Mr. GRAHAM, from the Committee on Vice and Immorality, as committed, a bill entitled An act to prohibit the issuing of licenses in the township of Allegheny, in the county of Westmoreland, within a distance of two miles from the borough of Freeport, Armstrong county.

Also (same), as committed, a bill entitled An act to prevent the sale or giving away of intoxicating drinks in the township of Peach Bottom, York county, on election day.

Mr. TAYLOR (same), as committed, a bill entitled An act extending the provisions of an act relating to the licensing of billiard rooms, bowling saloons, and nine or ten pin alleys, at Cresson Springs, in the county of Cambria, to the Loretto Springs, in the same county.

Mr. CONNELL, from the Committee on Finance, as committed, a bill entitled An act to extend the time of payment of the enrollment tax on an act to incorporate the Moshannon coal and lumber company.

Also (same), as committed, a bill entitled An act to extend the time of payment of the enrollment tax on an act incorporating the Pennsylvania light and water company, approved April 5, 1866.

Mr. BIGHAM, from the Committee on Judiciary Local, as committed, a bill entitled An act to provide an additional law judge of the several courts in the Eleventh Judicial district.

Mr. WHITE, from the Committee on Military Affairs, as committed, a bill recommitted to the above committee, entitled An act to authorize the board of military claims to re-examine the claim of the representatives of Colonel John M'Lean, deceased, of Erie county.

Mr. JACKSON, from the committee to Compare Bills and present them to the Governor for his approbation, made report which was read as follows, viz:

That in conjunction with a similar committee from the House of Representatives they have compared, and on March 28th presented to the Governor, for his approbation, the bills as follows, to wit:

Senate bill No. 701, an act to incorporate the Enterprise gas light company.

Senate bill No. 318, an act repealing the first section of an act entitled An act to prevent the spread of Canada thistles, et cetera, approved March 22d, 1862, so far as relates to the county of Bradford.

Senate bill No. 150, a further supplement to an act entitled An act granting a pension to Jacob Hurst, approved March 27th, 1866.

Senate bill No. 340, an act to enable the board of directors of the Swatara Falls coal company to borrow money and to mortgage the corporate rights and franchises, mining rights and privileges, estate, real and personal of every description, or any part thereof, now held, or that may hereafter be held, by said company.

Senate bill No. 298, an act to allow the Madera coal and improvement company to hold more land, and changing the par value of their stock.

Senate bill No. 278, an act to authorize the turnpike and plank road companies in the county of Allegheny, not paying dividends, to increase their tolls.

Senate bill No. 517, an act to incorporate the Continental slate company.

Senate bill No. 583, an act to incorporate the Shakspeare and Lydia Allen Consolidated silver mining company of Nevada.

Senate bill No. 594, a supplement to an act to incorporate the Philadelphia City passenger railway company, passed March 26th, 1859, authorizing said company to borrow money and issue bonds.

Senate bill No. 559, an act to repeal the third section of a supplement to an act relating to the Catasauqua and Fogelsville railroad company, passed the 26th day of March, A. D. 1863.

Senate bill No. 646, an act to incorporate the Union Mutual fire insurance company of Pennsylvania.

Senate bill No. 541, an act to incorporate a company to erect a bridge over the Youghiogheny river at a point between the mouth of Dickerson's run and Taylor's fording, in the county of Fayette.

Senate bill No. 839, an act declaratory of the statutes of limitation.

Senate bill No. 113, a supplement to an act entitled An act to promote the more certain and equal assessment of taxes in Philadelphia, approved March 14th, 1865.

Senate bill No. 1348, an act relative to the stone in the locks of the Franklin Branch of the Pennsylvania canal, in Franklin township, Crawford county.

Senate bill No. 699, an act to authorize Allen K. Williams to construct a ferry over Oil creek, at or near the township lines of Allegheny and Cherry Tree, in Venango county, Pa.

Senate bill No. 389, an act fixing the pay of road jurors in the city of Philadelphia.

Senate bill No. 671, an act to reduce the width of Lehman street in the Twenty-second ward of the city of Philadelphia.

Senate bill No. 674, a further supplement to an act in relation to the construction and repairs of roads and bridges in Lower Merion township, Montgomery county, approved March 2d, 1866.

Senate bill No. 389, an act fixing the pay of road jurors in the city of Philadelphia.

Senate bill No. 663, an act for the relief of John Tieman, late treasurer of Fayette county.

Senate bill No. 715, an act to prohibit the taking of fish with nets in any of the streams of Monroe county.

Senate bill No. 696, an act to incorporate the Enterprise slate company.

Senate bill No. 647, an act to incorporate the Prairie du Chien mining company of Nevada.

Senate bill No. 698, an additional supplement to the act to incorporate the city of Corry, approved the 8th day of March, A. D. 1866.

Senate bill No. 801, an act to incorporate the Keystone Homestead company.

Senate bill No. 691, an act to increase the compensation of the supervisors of roads in the township of Hilltown, Bucks county.

Senate bill No. 738, an act relative to the collection of school tax in the township of Doylestown.

Senate bill No. 676, an act to authorize the Pennsylvania steel company to purchase and hold stock in other corporations.

Senate bill No. 743, an act to lay out a State road in Lehigh and Bucks counties.

Senate bill No. 816, an act to incorporate the Roaring Brook turnpike company.

Senate bill No. 771, an act repealing the fifth section of an act entitled An act to enable the Governor to incorporate a company to make an artificial road from the east end of Perkiomen bridge, in the county of Montgomery, passing through Pottsgrove and passing by White Horse tavern, in Amity township, in Berks county, to the borough of Reading, approved the 20th day of March, A. D. 1810.

Senate bill No. 113, a supplement to an act to promote the more certain and equal assessment of taxes in Philadelphia, approved March 14th, 1865.

Senate bill No. 818, an act to authorize the Allegheny and Perryville plank road company to fix their tolls and to transfer a portion of their road.

Senate bill No. 874, an act to authorize the county commissioners of the county of Carbon to assist in the building of a new road out of the borough of Mauch Chunk.

House bill No. 803, an act for the relief of N. R. Harris, a commissioned captain of company D, in the One Hundred and Sixteenth regiment Pennsylvania volunteers.

House bill No. 750, an act to incorporate the Philadelphia grain warehousing and drying company.

House bill No. 1390, an act to empower the court of quarter sessions of Northumberland county to grant a license to Nicholas Wenk to keep a hotel.

House bill No. 1012, an act to authorize Catharine Floto, Mary K. Floto, George Floto and Emma G. Floto to sell and convey certain real estate.

House bill No. 148, an act relative to certain foreign insurance company.

House bill No. 875, an act dividing the Twenty-fourth ward of Philadelphia into two assessment districts, and for the appointment of two additional assessors.

House bill No. 642, an act relating to hawkers and peddlers, or trading merchants, in the counties of Lebanon and Wyoming.

House bill No. 118, an act to extend the provisions of an act relating to costs in Luzerne county, approved the second day of April, A. D. 1866, to the county of Dauphin, with a proviso.

Also, on March 29th, 1867:

Senate bill No. 1346, an act to authorize the conveyance of certain real estate, in the city of Philadelphia, by the committee of Samuel Griffith, a lunatic.

Senate bill No. 1468, a further supplement to an act to incorporate the Montana gold and silver mining company, approved the 23d day of March, A. D. 1865.

Senate bill No. 1019, an act to incorporate the Adams County Soldiers' Monument association.

Senate bill No. 137, a supplement to an act to incorporate the city of Scranton, extending and defining the powers of said city.

No. 771, an act to incorporate the Oil City brewing company.

No. 775, an act to incorporate the Penn Mutual fire insurance company of Chester county.

No. 770, an act to incorporate the Grand Encampment of the Order of Soldiers and Sailors of the war of 1861, of the State of Pennsylvania.

House bill No. 761, an act to incorporate the Citizens' insurance company.

No. 767, a further supplement to an act to incorporate the First Reformed congregation of the borough of York and its vicinity, approved March 14, 1849.

No. 769, an act to incorporate the Philadelphia and Bridgeport steamboat company.

House bill No. 795, an act for the protection of farmers against the ravages of wild cats in the county of Forest.

No. 777, an act to extend the provisions of an act for the better regulation of the Mercer County, Shenango Valley, Montour and Allegheny County agricultural societies, relative to the prohibition of shows, erection of tents, booths, &c., to the Pennsylvania agricultural society.

No. 787, an act to extend to Allegheny township, Blair county, the provisions of an act to prevent swine from running at large in the township of Blair, in the county of Blair.

House bill No. 794, a supplement to an act for the better protection of game within the county of Schuylkill, approved the 11th day of April, A. D. 1866.

No. 783, an act to extend the provisions of an act to prevent cattle, horses, sheep and hogs from running at large in Delaware county, to the county of Crawford.

No. 790, an act in relation to fishing and hunting in the township of Jefferson, in the county of Somerset.

No. 782, an act to authorize the Tioga County agricultural society to borrow money.

No. 780, an act to extend the provisions of an act for the protection of sheep in certain counties, approved the 5th day of April, A. D. 1862, to the county of Armstrong.

No. 720, an act to authorize the supervisors of roads of the township of Allegheny, in the county of Armstrong, to levy additional taxes for road purposes.

No. 713, an act to repeal the Lenox road law, in the township of Lenox, in the county of Susquehanna, and for other purposes.

House bill No. 1115, a supplement to an act to open and straighten Highland and Union avenues and Thirteenth street, in the Twenty-second ward, and Church and Adams streets, in the city of Philadelphia, approved the 20th day of May, 1864.

House bill No. 707, an act to amend the road laws of Tioga and Potter counties.

No. 890, a supplement to an act to authorize the construction of a bridge over Oil creek, at or near the Old Furnace dam, on the Hason farm, in the county of Venango.

House bill No. 788, an act to prevent the fishing with nets, seines and baskets in the waters of Big Fishing creek and its tributaries, in the counties of Columbia and Luzerne.

House bill No. 721, an act to incorporate the Phillipsburg and Rochester ferry company.

House bill No. 778, an act in relation to fishing in the stream known as Antietam, or any of its branches, in the county of Franklin.

No. 791, an act to prevent cattle from running at large in Abington township, Montgomery county.

No. 792, an act to repeal the fourth section of an act to incorporate the Pennsylvania State Agricultural society, so far as it extends to the county of Lawrence.

No. 835, an act supplementary to an act to enable the administrators of Hon. James T. Hale, late of Centre county, deceased, to sell real estate, passed the 11th day of April, 1856.

House bill No. 872, a further supplement to an act to provide for the erection of a poor house in Clarion county, approved the 21st day of March, 1865.

House bill No. 868, an act to authorize the sale of the poor house and farm in Mifflin county.

House bill No. 913, an act to establish a law library in the county of York, and in relation to fines, penalties and forfeited recognizances in said county.

No. 875, an act dividing the Twenty-fourth ward of the city of Philadelphia into two assessment districts, and for the appointment of two additional assessors.

House bill No. 904, an act to authorize an increase of pay of supervisors and other township officers in the township of Bethlehem, Northampton county.

House bill No. 898, an act requiring the commissioners of Northampton county to apply for and obtain copies of standards.

House bill No. 884, a supplement to an act

authorizing the commissioners of Northampton county to purchase a law library, approved 12th day of March, A. D. 1866.

House bill No. 909, an act changing the day of holding the annual meeting of the auditors of Jones township, Elk county, and regulating the term of office, and fixing the term of the supervisors and other officers in said township.

House bill No. 882, an act authorizing a return to the commissioners of Potter county for collection a certain duplicate of tax, and to fix the time when said duplicates shall hereafter be returned.

House bill No. 881, a supplement to an act relating to the lien of mechanics and others upon buildings, extending it to the county of Dauphin.

House bill No. 779, an act relating to public printing in the county of Juniata.

House bill No. 824, an act making valid an ordinance passed by the council of Jamestown borough, in the county of Mercer.

House bill No. 830, an act to authorize the Governor to appoint an additional notary public for the county of Bradford, to reside in the borough of Athens.

House bill No. 612, a supplement to an act relating to the lien of mechanics and others upon buildings, approved the 16th day of June, 1836, to apply to the county of Chester.

House bill No. 680, an act in relation to grading, paving, macadamizing and curbing the streets, and paving the sidewalks in the borough of M'Keesport, in the county of Allegheny.

House bill No. 744, an act to authorize the school directors of Riceville, Crawford county, to borrow money, and for other purposes.

House bill No. 747, an act to authorize the school directors of the borough of White Haven to borrow money.

House bill No. 716, an act to increase the pay of the supervisors of Logan township, Blair county.

House bill No. 719, an act to legalize the acts of the road commissioners of Columbus township, Warren county, in levying additional road tax.

House bill No. 728, an act authorizing the board of school directors of the borough of Albion, in the county of Erie, to borrow money for building purposes.

House bill No. 723, an act to authorize the board of school directors of the borough of Renova, in the county of Clinton, to borrow money for building purposes.

House bill No. 732, an act to authorize the school directors of Harrison township, Allegheny county, to borrow money.

House bill No. 731, an act to appropriate the excess of money collected for county purposes in the township of East Huntingdon, Westmoreland county, and directing the board of school directors in said township to use the same for school and building purposes.

House bill No. 912, an act relative to the moneys collected as fines from persons intoxicated within the county of Dauphin.

House bill No. 911, an to authorize the commissioners of Crawford county to borrow money.

House bill No. 910, an act to repeal an act to authorize the highway commissioners of the township of Mill Creek, in the county of Erie, to establish the width of East lane, and to change its name.

House bill No. 907, an act extending an act relative to the fees of notaries public in the counties of Lancaster and Clinton, approved the 11th day of April, 1866, to the county of Berks.

House bill No. 899, an act increasing the fees of jurors, commissioners, auditors and witnesses, in the county of Venango.

House bill No. 880, an act relative to the coroner of Washington county.

House bill No. 564, an act to incorporate the Commonwealth iron and coal company.

House bill No. 765, an act to incorporate the Eagle cotton manufacturing company.

House bill No. 729, an act authorizing the school directors of the borough of Butler to transfer certain funds.

House bill No. 724, an act to authorize the school board of Tyrone city, Blair county, to sell certain real estate now used for school purposes, and to appropriate the money arising from said sale to the purchase of a better location and erecting a more suitable building for school purposes, and to borrow any sum of money, not exceeding ten thousand dollars, at a rate of interest not exceeding ten per centum per annum, to assist them in procuring the same.

House bill No. 725, an act to relinquish a part of a certain annuity for the benefit of school purposes, in the borough of Susquehanna Depot, in Susquehanna county, with power to sell and dispose of old school houses, et cetera, and build new ones.

House bill No. 726, an act to enable the school directors of the borough of Lehighton, Carbon county, to borrow money for the erection of school buildings.

House bill No. 734, an act to authorize and require the school directors of Antrim township, in the county of Franklin, to refund to Joseph Snively and Jacob Shank certain moneys advanced said township for bounty purposes, and to appropriate the balance of bounty funds in the hands of the treasurer to school purposes.

House bill No. 793, an act for the protection and preservation of fish within the county of Berks.

House bill No. 796, an act regulating licences to eating houses and restaurants in the county of Centre.

House bill No. 798, an act to extend the provisions of an act to prohibit the granting of licenses to sell intoxicating drinks in the county of Potter, approved the 11th day of April, A. D. 1866, to the county of Wyoming.

House bill No. 276, an act to repeal an act relating to licenses in Erie county.

House bill, No. 813, an act to annul the marriage contract between William C. Gray and Lucinda Campbell Gray, late Lucinda Campbell.

House bill No. 948, an act to incorporate the Senator Nye mining and exploring company.

House bill No. 969, a supplement to the act incorporating the Great Valley gold and silver mining company, approved the 17th day of November, A. D. 1866, increasing the number of incorporators, and restricting the powers of said corporation.

House bill No. 961, an act to incorporate the Octoraro gold and silver mining company.

House bill No. 962, a supplement to an act to incorporate the Specie Basis mining company, relieving them from the payment of the bonus of one-fourth of one per centum on its capital stock.

House bill No. 757 an act to incorporate the Mutual Steam navigation company.

House bill No. 981, an act in relation to the election of officers of the Chambersburg and Bedford turnpike road company.

House bill No. 307, an act to incorporate the Crozer Theological seminary.

House bill No. 309, an act authorizing the commissioners of Schuylkill county to sell real estate, and to apply the proceeds to the building of a tenant house for the janitor of the court house in said county.

House bill No. 832, an act to divide the township of Chapman, in the county of Clinton, into two election districts.

House bill No. 926, an act to vacate part of Manayunk avenue, in the Twenty-first ward of Philadelphia.

House bill No. 980, as upplemeat to an act to authorize the road commissioners of the townships of Kinzua, Eldred and Cherry Grove, in the county of Warren, to levy a tax for road purposes, approved April 11, 1866, extending the same to the townships of Southwest and Clearfield, in said county.

House bill No. 929, an act to vacate Hilles street, between Orchard street and Paul street, in Frankford, in the Twenty-third ward of the city of Philadelphia.

House bill No. 928, an act relating to roads, streets, bridges and sidewalks in the borough of Lawrenceville, county of Tioga.

House bill No. 1051, a supplement to an act to prevent the sale of intoxicating liquors on the first day of the week, commonly called Sunday, approved the 26th day of February, 1865, relating to the counties of Berks, Lebanon and Lehigh.

House bill No. 1010, an act to extend the time for the payment of the enrollment tax on an act to authorize Samuel Graham and Robert Graham, committee of Walter L. Graham, a lunatic, to sell certain real estate.

House bill No. 848, an act for the relief of David Andrews, late recorder of Chester county, for moneys paid over by him to the Commonwealth.

House bill No. 966, an act to incorporate the Great Western mining company.

House bill No. 964, an act to incorporate the Ivanhoe silver mining company.

House bill No. 951, a supplement to an act to incorporate the Franklin silver mining company, approved April 17, 1866.

House bill No. 960, an act to incorporate the Mountain and Nevada gold and silver mining and commercial company.

House bill No. 967, an act to incorporate the Hidalgo gold and silver mining company.

House bill No. 968, an act to incorporate the Empire and Gem mining company.

House bill No. 958, a supplement to an act to incorporate the North American mining company, approved June 2, 1865.

House bill No. 950, an act to incorporate the Big Creek mining company.

House bill No. 953, an act to incorporate the Marathon silver mining company of Nevada.

House bill No. 952, a supplement to act to incorporate the Union mining company, approved March 39, 1865.

House bill No. 955, an act to incorporate the Shakspeare and Lydia Allen Consolidated silver mining company.

House bill No. 1018, an act to incorporate the Chambersburg hall and market company.

House bill No. 963, an act to incorporate the Spanish Bar gold and silver mining company.

House bill No. 946, an act incorporating the Keystone iron and coal company.

House bill No. 965, an act incorporating the Beaver gold and silver mining company.

House bill No. 956, an act to incorporate the Silver Bullion mining company.

House bill No. 1002, an act to attach certain lands in Potter county to Coudersport school district, for school purposes.

House bill No. 806, an act to authorize the Board af Military Claims to adjust the claim of William D. Schoenleber.

House bill No. 997, an act in relation to assessment of road tax, and the election and pay of certain township officers and viewers of roads and highways, in the county of Jefferson.

House bill No. 992, an act in relation to the election of officers of the Chambersburg turnpike road company.

House bill No. 994, an act to authorize the president and managers of the Licking bridge company, in Clarion county, to sell said bridge to the commissioners of said county.

House bill No. 979, an act relative to locating, opening and repairing the public roads and highways in Sewickley township, Westmoreland county.

House bill No. 989, an act to incorporate the Bridgeport and Horse Shoe turnpike road company.

House bill No. 995, a supplement to an act authorizing or requiring the supervisors of Bratton township, Mifflin county, to erect gates across the public roads in said township.

House bill No. 996, a supplement to an act to incorporate the Larry's Creek plank road company.

House bill No. 698, an act granting a pension to Samuel Hamilton.

House bill No. 699, an act granting a pension to Zeno Hoffmaster.

House bill No. 819, an act for the relief of Jane Lynn, widow of John Lynn, a deceased soldier of the revolutionary war.

House bill No. 697, an act granting a pension to Lewis Neudorfer.

House bill No. 917, an act conferring certain powers upon the city of Chester, in the county of Delaware.

House Hill No. 915, a supplement to the charter of the city of Chester.

House bill No. 986, an act relative to the pay of the supervisors in Wisconisco township, Dauphin county.

House bill No. 669, an act to amend the charter of the municipal corporation of the city of Lancaster, and dividing the same into nine wards.

House bill No. 918, an act to incorporate Sugar Notch and Warrior Run into a borough.

House bill No. 932, a further supplement to an act to erect the borough of Sunbury, in the county of Northumberland, into a borough.

House bill No. 925, an act to authorize the borough of Boyerstown, in the county of Berks, to purchase the Fairmount fire engine house of said borough, and to levy and collect a tax for that purpose.

House bill No. 990, an act relating to the pay of the supervisors in the county of Butler.

House bill No. 833, an act to validate the act of C. W. Case, late justice of the peace for Jackson township, Luzerne county.

House bill No. 920, a further supplement to the charter of the city of Erie, to provide for the appointment of water commissioners and define their powers and duties.

House bill No. 1003, an act relating to a school library in the city of Erie.

House bill No. 1006, an act relating to school tax in the borough of Mainesburg, county of Tioga.

House bill No. 1013, an act to enable the standing committee of the Protestant Episcopal church of the diocese of Pennsylvania to convey real estate in Mifflin county.

House bill No. 812, an act to incorporate the Home for the friendless in the city of Harrisburg and county of Dauphin.

House bill No. 1280, an act to incorporate the Philadelphia woolen machine works.

House bill No. 1069, a further supplement to an act approved May 4th, A. D. 1864, for the organization, discipline and regulation of the militia of the Commonwealth of Pennsylvania.

House bill No. 901, an act relating to public prisons in Allegheny county.

BILLS IN PLACE.

Mr. CONNELL read in his place and presented to the Chair a bill entitled An act exempting the German hospital, in the city of Philadelphia, from taxation.

Referred to the Committee on Finance.

Also, a bill entitled A further supplement to the act consolidating the city of Philadelphia, providing for the establishment of a house of correction in said city.

Referred to the Committee on the Judiciary General.

Also, a bill entitled An act to preserve the water of the river Schuylkill, used by the citizens of Philadelphia, from impurities.

Referred to the Committee on the Judiciary General.

Mr. DAVIS, a bill entitled A further supplement to an act entitled An act relating to pleadings in certain cases of this Commonwealth, approved March 22, 1861.

Referred to the Committee on the Judiciary General.

Mr. WORTHINGTON, a bill entitled An act to appoint commissioners to select a site for an additional State Lunatic hospital.

Referred to the Committee on the Judiciary General.

Mr. GRAHAM, a bill entitled An act regulating the assessment of city taxes in the city of Pittsburg.

Referred to the Committee on the Judiciary Local.

Also, a bill entitled A supplement to an act to incorporate the Erie and Pittsburg railroad company, approved April 1st, 1858.

Referred to the Committee on Railroads.

Also, a bill entitled An act to erect the county of Robinson.

Referred to the Committee on New Counties and County Seats.

Mr. JACKSON, a bill entitled an act regulating the fees of district attorneys in the court of quarter sessions of Columbia county.

Referred to the Committee on the Judiciary Local.

Mr. SHOEMAKER, a bill entitled A supplement to an act to incorporate the Wilkesbarre Law and Library associations in Luzerne county, approved April 11th, 1866.

Referred to the Committee on the Judiciary Local.

Mr. SEARIGHT, a bill entitled An act to authorize the school directors of Perry township, Fayette county, to levy and collect bounty tax.

Referred to the Committee on the Judiciary Local.

Mr. WHITE, a bill entitled An act to authorize the John Lick Regular Baptist congregation in Green township, Indiana county, to remove certain dead bodies.

Referred to the Committee on the Judiciary Local.

Mr. WALLACE, a bill entitled An act to prevent the county commissioners of Forest county from expending money in the erection of public buildings in said county.

Referred to the Committee on the Judiciary Local.

Mr. BURNETT, a bill entitled An act to authorize the judges of the several courts of Wayne county to appoint special auditors.

Referred to the Committee on the Judiciary Local.

Mr. COLEMAN, a bill entitled An act to change the venue in the case of Alexander Gould, William Ackerson, and Henry Mecks from the counties of Monroe and Carbon to the county of Dauphin.

Referred to the Committee on the Judiciary Local.

Mr. BROWN (Mercer), a bill entitled An act to incorporate the Henry Clay mining company of Colorado.

Referred to the Committee on Corporations.

Mr. FISHER, a bill entitled An act to incorporate the Columbia life insurance company.

Referred to the Committee on Corporations.

Mr. LOWRY, a bill entitled an act to incorporate the Meadville Savings Bank.

Referred to the Committee on Banks.

Also, a bill entitled An act to repeal an act to change the limits of the Sagerstown school district, in Crawford county.

Referred to the Committee on Education.

Mr. JAMES, a bill entitled An act to incorporate the Wrightstown and Newtown turnpike road company.

Referred to the Committee on Roads and Bridges.

BILL RECALLED FROM THE HOUSE OF REPRESENTATIVES.

Mr. CONNELL offered the following resolution, which was twice read:

Resolved, That the House of Representatives be requested to return to the Senate House bill No. 896, entitled A further supplement to an act relating to inspections, approved March 25th, 1850, relating to the city of Philadelphia.

The resolution was

Adopted.

RECALL OF BILL FROM THE GOVERNOR.

Mr. CONNELL offered the following resolution which was twice read:

Resolved, That if the House of Representatives concur, the Governor be requested to return to the Senate, Senate bill No. 437, entitled A further supplement to an act passed May 16th, A. D. 1861, entitled An act to authorize the erection of a free bride over the river Schuylkill, at South street, in the city of Philadelphia, and making it the duty of the chief engineer to direct the building of a bridge, and providing that the same shall have a draw therein.

The resolution was

Adopted.

BILLS ON THIRD READING.

Agreeably to order,

The Senate proceeded to the third reading and consideration of bill entitled An act to exempt Calvary Monumental church of Philadelphia from taxation.

The bill

Passed finally.

Agreeably to order,

The Senate proceeded to the third reading and consideration of bill entitled An act to incorporate the Tidionte coal and iron company.

Laid over until to-morrow.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

The Clerk of the House of Representatives being introduced, informed that the House of Representatives has concurred in resolution from the Senate relative to recalling from the Governor

Senate bill No. 437, a further supplement to an act passed May 16, A. D. 1861, entitled An act to authorize the erection of a free bridge over the river Schuylkill, at South street, in the city of Philadelphia, making it the duty of the chief engineer to direct the building of a bridge, and providing that the same shall have a draw therein.

BILLS RECOMMITTED.

Mr. WALLS moved that the bill entitled An act to authorize the guardians of the minor children of Michael Frock, late of Snyder county, deceased, to make certain improvements on the real estate of said minors, be recommitted to the Committee on Estates and Escheats.

The motion was

Agreed to.

He also moved that the bill entitled An act

to incorporate the First Baptist church of Lewisburg, Union county, Penn'a, be recommitted to the Committee on the Judiciary General.

The motion was

Agreed to.

MESSAGE FROM THE GOVERNOR.

The Deputy Secretary of the Commonwealth being introduced, presented a message from the Governor, which was read as follows, viz:

EXECUTIVE CHAMBER,
HARRISBURG, April 2, 1867.

To the Senate and House of Representatives of the Commonwealth of Pennsylvania:

GENTLEMEN—I have approved and signed the following acts of the General Assembly, to wit:

On the 29th:

An act to reduce the width of Lehman street, in the Twenty-second ward of the city of Philadelphia.

A supplement to an act entitled An act to promote the more certain and equal assessment of taxes in Philadelphia, approved March fourteenth, one thousand eight hundred and sixty-five.

An act to incorporate the Empire slate company.

An act to prohibit the taking of fish in any of the streams of Monroe county.

An act authorizing Allen K. Williams to construct a ferry over Oil creek at or near the township lines of Allegheny and Cherry Tree, in Venango county, Pennsylvania.

A further supplement to an act in relation to the construction and repairs of roads and bridges in Lower Merion township, Montgomery county, approved March second, one thousand eight hundred and sixty-six.

An act to incorporate the Enterprise gas light company.

An act to authorize the Pennsylvania steel company to purchase and hold stock in other corporations.

An act to allow the Madera coal and improvement company to hold more land and changing the par value of their stock.

An act to incorporate the Roaring Brook turnpike company.

An act repealing the first section of an act entitled An act to prevent the spread of Canada thistles, et cetera, approved March twenty-second, one thousand eight hundred and sixty-two, so far as relates to the county of Bradford.

An act to enable the board of directors of the Swatara Falls coal company to borrow money and to mortgage the corporate rights and franchises, mining rights and privileges, estate, real and personal, of every description, or any part thereof, now held, or that may hereafter be held by said company.

An act relating to hawkers and peddlers, or traveling merchants, in the counties of Lebanon and Wyoming.

A supplement to an act to establish a ferry over the Monongahela and Youghiogheny rivers, and to vest the right in John M'Kee, his heirs and assign forever, approved the fifth day of February, one thousand seven hundred and eighty-four.

An act to authorize turnpike and plank road companies in the county of Allegheny not paying dividends to increase their tolls.

An act to incorporate the Prairie du Chien mining company of Nevada.

An act to increase the compensation of the supervisors of roads in Bucks county.

An act to extend the provisions of an act relating to costs in Luzerne county, approved the second day of April, A. D. one thousand eight hundred and sixty-three, to the county of Dauphin, with a proviso.

A further supplement to an act to incorporate the Montana gold and silver mining company, approved the twenty third day of March, A. D. one thousand eight hundred and sixty-five.

An act fixing the pay of jurors in Lehigh and Bucks counties.

A further supplement to the act to incorporate the city of Corry, approved the eighth day of March, A. D. one thousand eight hundred and sixty-six.

An act to incorporate the Keystone Homestead company.

An act to authorize the county commissioners of the county of Carbon to assist in the building of a new road out of the borough of Manch Chunk.

An act to authorize the Allegheny and Perrysville plank road company to fix their tolls and to transfer a portion of their road.

An act to incorporate the Continental slate company.

A supplement to an act to incorporate the Philadelphia City passenger railway company, passed March 26th, 1859, authorizing said company to borrow money and issue bonds.

An act for the relief of John Tieman, late treasurer of Fayette county.

An act relating to the office of treasurer in Allegheny county.

An act enabling the Hazelton railroad company to avoid their inclined planes.

An act to authorize Catharine Floto, Mary K. Floto, George H. Floto and Emma G. Floto to sell and convey certain real estate.

An act to authorize the conveyance of certain real estate in the city of Philadelphia by the committee of Samuel Griffith, a lunatic.

On the 30th ultimo:

A supplement to an act to incorporate the city of Scranton, extending and defining the powers of said city.

On the 1st instant:

An act to legalize the acts of the road commissioners of Columbus township, Warren county, in levying additional road tax.

An act to repeal an act relating to licenses in Erie county.

An act to incorporate the Mutual steam navigation company.

An act to incorporate the Eagle cotton manufacturing company.

An act to incorporate the Big Creek mining company.

An act to incorporate the Octoraro gold and silver mining company.

A supplement to an act to incorporate the Union mining company, approved March thirteenth, one thousand eight hundred and sixty-five.

An act to incorporate the Adams County Soldiers' Monument association.

A further supplement to an act entitled An act granting a pension to Jacob Hurst, approved March twenty-seven, one thousand eight hundred and sixty-six.

An act to incorporate the Marathon silver mining company of Nevada.

A supplement to an act to incorporate the North American mining company, approved June second, one thousand eight hundred and sixty-five.

An act to incorporate the Empire and Gem mining company.

An act to incorporate the Chambersburg hall and market company.

An act to authorize the school board of Tyrone city, Blair county, to sell certain real estate now used for school purposes, and to appropriate the money arising from said sale to the purchase of a better location, and erecting a more suitable building for school purposes, and to borrow money, not exceeding ten thousand dollars, at a rate of interest not exceeding ten per centum per annum, to assist them in procuring the same.

An act relative to school tax in the borough of Waynesburg, county of Tioga.

An act to validate the act of C. W. Case, late justice of the peace for Jackson township, Luzerne county.

An act to authorize the school directors of Riceville, Crawford county, to borrow money, and for other purposes.

An act relating to a school library in the city of Erie.

An act relating to public prisons in Allegheny county.

An act to relinquish a part of a certain annuity for the benefit of school purposes in the borough of Susquehanna Depot, in Susquehanna county, with power to sell and dispose of old school houses, et cetera, and build new ones.

An act making valid an ordinance passed by the council of Jamestown borough, in the county of Mercer.

An act to authorize the borough of Boyerstown, in the county of Berks, to purchase the Fairmount fire engine house of said borough, and to levy and collect a tax for that purpose.

A further supplement to an act to incorporate the First Reformed congregation of the borough of York and its vicinity, approved March 14th, one thousand eight hundred and sixty-one.

A further supplement to an act approved May 4th, A. D. 1864, for the organization, discipline and regulation of the First division of the militia of the Commonwealth of Pennsylvania.

An act to incorporate the Grand Encampment of the Order of Soldiers and Sailors of the war of one thousand eight hundred and sixty-one of the State of Pennsylvania.

An act to enable the standing committee of the Protestant Episcopal Church of the Diocese of Pennsylvania to convey real estate in Mifflin county.

An act to extend the provisions of an act for the better regulation of the Mercer County, Shenango Valley, Montour and Allegheny County agricultural societies, relative to the prohibition of shows, erection of tents, booths, et cetera, to the Pennsylvania agricultural society.

An act authorizing the commissioners of Schuylkill county to sell real estate and to apply the proceeds to the building of a tenant house for the janitor of the court house in said county.

JNO. W. GEARY.

VETO MESSAGE.

The Deputy Secretary of the Commonwealth being introduced, presented a message from the Governor, returning with his objections bill No. 646, entitled An act to incorporate the Union Mutual fire insurance company.

The message was read as follows:

EXECUTIVE CHAMBER,
HARRISBURG, April 1st, 1867.

To the Senate and House of Representatives of the Commonwealth of Pennsylvania:

GENTLEMEN—Herewith is returned to the Senate, in which it originated, without my approval, bill No. 646, entitled An act to incorporate the Union Mutual fire insurance company.

The act approved 26th March, 1867, having conferred upon the courts the right to incorporate fire insurance companies, the Legislature is prohibited from doing it, by the ninth section of the eleventh article of the Constitution.

JNO. W. GEARY.

Agreeably to the provisions of the Constitution, the Senate proceeded to the reconsideration of the bill referred to in the foregoing message.

The bill being again before the Senate,

On the question,

Shall the bill pass, notwithstanding the objections of the Governor?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follow, viz:

YEAS—None.

NAYS—Messrs. Bigham, Billingfelt, Browne (Lawrence), Brown (Mercer), Burnett, Connell, Cowles, Davis, Fisher, Graham, Jackson, James, Landon, Lowry, Schall, Searight, Shoemaker, Stutzman, Taylor, Wallace, Walls, White, Worthington and Hall, *Speaker*—24.

So the question was determined in the negative.

BILL RECONSIDERED.

Mr. SEARIGHT moved that the Senate reconsider the vote on the final passage of bill entitled An act authorizing the Governor to incorporate a company to erect a bridge over the Youghiogheny river at a point between the mouth of Dickerson's run and Taylor's fording, in the county of Fayette (said bill having been returned to the Senate by the Governor for amendment, in pursuance of a resolution adopted by both Houses).

The motion was

Agreed to.

And the bill being again before the Senate.

Mr. SEARIGHT asked and obtained the unanimous consent of the Senate to amend the bill by striking out all after the word "commissioners," in the first section to the end of the bill, and by inserting in lieu thereof two new sections providing for the incorporation of said company under the general act regulating bridge companies, approved April 14th, A. D. 1855.

The bill as amended then

Passed finally.

REPORT FROM THE EDUCATION COMMITTEE.

Mr. SEARIGHT, from the Committee on Education, to whom was referred a resolution of the Senate, instructing said committee "to prepare and report a bill embodying a system of common school education, equal in its advantages, and just and equitable in its taxation in every section of the Commonwealth," made a report, which was read as follows:

That owing to a pressure of other business, and the near approach of the final adjournment of the Legislature, they have not heretofore had, and are not likely to have, during the present session, sufficient time to prepare such a bill as is contemplated by the resolution referred to, and the committee ask to be discharged from the further consideration of the subject for the present.

On motion, the committee was discharged and the matter referred to the State Superintendent of Common Schools.

The Senate then proceeded to the consideration of bills on the

PUBLIC CALENDAR.

The first bill in order was No. 832. It was read as follows:

AN ACT relating to the publication of general, local and private laws and of legal advertisements in the several counties of the Commonwealth.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That from and after the passage of this act, it shall be the duty of the Secretary of the Commonwealth to send to the commissioners of each county in the Commonwealth, a certified copy of each and every general law enacted by the Legislature, as soon as approved by the Governor, and also to each board of county commissioners, as aforesaid, a copy of each law specially relating to said county or its citizens.

SEC. 2. It shall be the duty of said commissioners, as soon as said laws are received by them, to cause them to be published in not less than one newspaper of each of the two leading political parties in such county, if there be so many printed in the county, not less than once, and at such rates for publication as may be agreed upon, not exceeding the usual charges for advertising in the aforesaid papers, the expense of publishing the said local laws to be defrayed out of the treasuries of the counties to which they apply, and the expense of publishing the general laws to be paid out of the treasury of the Commonwealth.

SEC. 3. The officers of each private corporation, incorporated by act of the Legislature, shall, before entering upon the privileges accorded by said act, cause to be published in not less than one newspaper of each of the two leading political parties in the county where said company shall have its main office, if so many be printed, a copy of said act of incorporation, the cost of which publication shall be paid out of the treasury of said corporation.

SEC. 4. The annual reports of the commissioners, auditors and poor directors of each county, together with the proclamations for the session of the courts, lists of causes for trials, election proclamations, lists of jurors, and all other matters for public information, now customarily published at the expense of the respective counties of the State, shall be inserted in not less than one newspaper of each of the two leading political parties in such county, if so many be printed, at not less than the usual rates for advertising in said papers, the costs of said publication to be defrayed out of the respective county treasuries; the sheriff's sales in each county shall be published in not less than one newspaper of each of the two leading political parties in such county, if so many be printed, at not less than the usual advertising rates of said papers, the expense of such publication to be paid by the parties to the suits, as at present.

SEC. 5. This act shall apply to all general and local laws passed after the first Tuesday in January, one thousand eight hundred and sixty-seven.

BR. BIGHAM. Mr. Speaker, this matter has been before the Senate on two different occasions, and discussed at some length. I think it is pretty evident, it being so near the close of the session, that we cannot pass it. I think we had better take up something else.

I move its indefinite postponement.

On agreeing to the motion,

The yeas and nays were required by Mr. WALLACE and Mr. RIDGWAY, and were as follow, viz:

YEAS—Messrs. Bigham, Brown (Mercer), Coleman, Connell, Cowles, Fisher, Glatz, Graham, James, M'Candless, Ridgway, Schall, White and Worthington—14.

NAYS—Messrs. Browne (Lawrence), Burnett, Davis, Jackson, Landon, Lowry, Searight, Shoemaker, Stutzman, Taylor, Wallace, Walls and Hall, *Speaker*—13.

So the question was determined in the affirmative,

And the bill was indefinitely postponed.

REASONS FOR VOTE.

Mr. CONNELL. Mr. Speaker, as I have been informed, from a source which I believe to be entirely reliable, that the passage of this bill will deplete the treasury to the extent of two hundred thousand dollars, I will vote "aye."

Mr. SCHALL. Mr. Speaker, as I have been informed this bill will relieve the county treasury of about two hundred thousand dollars, I vote "aye."

Mr. WALLACE. Mr. Speaker, I believe the Senators exaggerate with regard to the amount of money that this bill will cost the Commonwealth. I believe it is our duty to permit the people to know what laws govern them, and that it is wrong to prevent them from having a knowledge of this fact and then hold them liable for a breach of those laws. Such a law as this exists in the adjoining States. Whatever amount it may cost the Commonwealth the sum cannot be more profitably spent than in supporting the public press, and in enabling the people to know what laws are to govern them. I therefore vote "no."

Mr. WALLS. Mr. Speaker, all the printers in my district want this bill passed; therefore I vote "no."

Mr. WHITE. I desire to encourage the press as much as possible, but we are not in a condition to stand the expenditure which this bill will require. I believe it will cost fifty thousand dollars. The chairman of the Committee on Finance, who has given the subject some attention, says it will cost two hundred thousand dollars. I therefore vote "aye."

The next bill was No. 834.

AN ACT to regulate the publication of county business.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the publication of the treasurer's and commissioners' sales of unseated lands, county statements, and statements of the directors of the poor, sheriffs' proclamations, and all county affairs of a public and general character, requiring publication, shall be published in at least two English papers at the county seat of justice having the largest regular circulation, and when the counties are largely German, and there are German papers published at said seat of justice, in at least two of said German papers having the largest circulation.

SEC. 2. That from and after the passage of this act, in all cases of sheriffs' sales of real estate in the State, except Philadelphia, the publication of notices of such sales shall be made in any two papers published at the county seat of said county, as may be directed by the attorney or party issuing or having charge of the same, upon which directions shall be endorsed on the precipe of the prothonotary, and by him endorsed on the writ; and so much of any law as is inconsistent herewith is hereby repealed.

SEC. 3. That all laws relating to particular counties in the State, giving authority to the judges of the courts, directing certain papers in which legal notices shall be published, are hereby repealed.

On motion to indefinitely postpone the further consideration of the bill,

The yeas and nays were required by Mr. RIDGWAY and Mr. DONOVAN, and were as follow, viz:

YEAS—Messrs. Bigham, Billingfelt, Browne (Lawrence), Brown (Mercer), Connell, Cowles, Donovan, Glatz, Graham, James, Landon, Lowry, M'Candless, Ridgway, Schall, Taylor and White—17.

NAYS—Messrs. Burnett, Coleman, Fisher, Jackson, Shoemaker, Stutzman, Wallace, Walls, Worthington and Hall, *Speaker*—10.

So the question was determined in the affirmative.

So the bill was postponed indefinitely.

The next bill in order was No. 835.

It was read as follows:

AN ACT to regulate the compensation of treasurers of the different counties in Pennsylvania.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly*

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[CONTINUED FROM PAGE 856.]

met, and it is hereby enacted by the authority of the same, That from and after the passage of this act the salary of any treasurer, in any county of the State, except of the city of Philadelphia and the county of Allegheny, shall not exceed the sum of two thousand five hundred dollars, and that all excess of percentage for receiving and disbursing the funds of the county, all other fees and perquisites now allowed the treasurers of the different counties, together with any interest allowed for the deposit of the funds of the county, with any individual or corporation, over and above the said sum of two thousand five hundred dollars, shall be paid into the county treasury, and accounted for by the treasurer receiving the same as funds belonging to the county; and all laws, or parts of laws, inconsistent herewith are hereby repealed.

Mr. BROWN (Mercer). Mr. Speaker, I move that the bill be indefinitely postponed.

Mr. COLEMAN. Mr. Speaker, this is a very important bill. I think it could be amended so as to meet the views and approval of gentlemen. I hope it will not be postponed.

Mr. BROWN (Mercer). Mr. Speaker, the reason I make the motion is this: The pay of the county treasurer is fixed largely by the county commissioners. I am willing to trust the matter with them, and allow them to pay whatever they think is right for the collection of county taxes.

Mr. COLEMAN. Mr. Speaker, there are some counties in which the pay becomes so extravagant there should be some stop to it. In one county of this Commonwealth the pay of the county treasurer has reached the sum of twenty or twenty five thousand dollars per annum.

Mr. BROWN (Mercer). It seems to me the commissioners could regulate this matter.

On the motion to indefinitely postpone,

The yeas and nays were required by Mr. BROWN (Mercer) and Mr. COLEMAN, and were as follow, viz:

YEAS—Messrs. Brown (Mercer), Burnett, Connell Davis, Donovan, Glatz, Jackson, James, Landon, M'Candless, Randall, Ridgway, Schall, Searight, Stutzman, Taylor, Wallace and Walls—18.

NAYS—Messrs. Bigham, Billingfelt, Coleman, Cowles, Fisher, Lowry, Shoemaker, White, Worthington and Hall, *Speaker*—10.

So the question was determined in the affirmative.

So the bill was indefinitely postponed.

REASONS FOR VOTE.

Mr. LOWRY. Mr. Speaker, I shall vote to proceed to the consideration of this bill because by the law as it stands, the fees of county treasurers are often exorbitantly high. I vote "no."

The next bill in order was No. 274. It was read as follows.

AN ACT to impose the death penalty on negroes and mulattoes who may be convicted of the crime of rape upon the persons of white females.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by authority of the same*, That every negro or mulatto, his aiders, abettors and counsellors, who may be duly convicted of the crime of rape upon the person of any white female within this Commonwealth, shall be sentenced to suffer death by hanging, in like manner as persons convicted of murder in the first degree; and it shall be the duty of the clerk of the court wherein any conviction of rape under the provisions of this act shall take place, within ten days after the sentence of the court, to transmit a full and complete record of the trial and conviction to the Governor of this Commonwealth.

SEC. 2. The Governor may commute the sentence of death, provided in the first section of this act, to imprisonment for life in the proper penitentiary, if, in his judgment, the ends of justice and humanity demand such a change of punishment, but in no case shall he commute said punishment to a shorter term than during the natural life of the offender.

On motion of Mr. BIGHAM, the bill was

Postponed indefinitely.

The next bill in order was No. 189. It was read as follows:

A SUPPLEMENT to an act relating to the payment of bounties of veteran volunteers, approved the first day of May, Anno Domini one thousand eight hundred and sixty-six.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same*, That all veteran volunteers who have been regularly re-enlisted and re-mustered under general orders, number one hundred and ninety-one, from the War Department, dated June twenty fifth, Anno Domini one thousand eight hundred and sixty-three, and extending to April first, Anno Domini one thousand eight hundred and sixty-four, and who have been honorably discharged the service of the United States, and who have not received any local bounty, nor given their credit to localities within or without this State, and who are credited to the State at large, shall each be paid a bounty of three hundred dollars by the State of Pennsylvania.

On motion of Mr. WHITE, the bill was

Postponed indefinitely.

The next bill in order was 168. It was read as follows:

AN ACT relating to evidence.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same*, That the parties to any civil suit, cause or proceeding, now or hereafter pending in any court in this Commonwealth, may be examined as witnesses on his or their behalf: *Provided*, That this act shall not apply where the opposite party shall be dead.

SEC. 2. That no witness shall hereafter be held to be incompetent by reason of interest in any civil suit, cause or proceeding now or hereafter pending in any court in this Commonwealth.

On motion of Mr. SCHALL, the bill was

Postponed indefinitely.

The next bill in order was No. 167. It was read as follows:

A SUPPLEMENT to an act entitled An act amending the law of evidence in Pennsylvania, approved the twenty-seventh day of March, one thousand eight hundred and sixty-five.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same*, That in all civil actions now pending or hereafter brought, where there are more than one plaintiff or defendant, and either party shall compel one of the adverse parties to testify under the act to which this is a supplement, the co-plaintiff or co-plaintiffs or co-defendant or co-defendants of the party so compelled to testify, shall also be allowed to give evidence.

Mr. WALLACE. Mr. Speaker, the necessity for this bill arises from the fact that in cases in which there are two or more defendants, those who are not called up at the trial are at the mercy of the one who is called.

This bill gives an opposite party the right to call his antagonist.

The bill was reported unanimously and with an affirmative recommendation.

Mr. WHITE. Mr. Speaker, I do not desire to occupy the time of the Senate in remarks, but I must express my pleasure at the spirit of progress manifested by the Judiciary Committee.

I desire to call the attention of Senators to the fact that if they pass the bill they commit themselves unequivocally to the position that parties on the record may be witnesses.

I am in favor of this bill. I hope it will pass.

On motion of Mr. BIGHAM, the bill was amended by adding the following proviso:

Provided, That the provisions of this act shall not apply to any suits brought previous to March 27, 1865.

The amendment was not

Agreed to.

On agreeing to the bill,

The yeas and nays were required by Mr. SCHALL and Mr. GLATZ, and were as follow, viz:

YEAS—Messrs. Bigham, Billingfelt, Browne (Lawrence), Brown (Mercer), Burnett, Con-

nell, Davis, Donovan, Fisher, Graham, James, Landon, Ridgway, Searight, Shoemaker, Wallace, White, Worthington and Hall, *Speaker*—19.

NAYS—Messrs. Cowles, Glatz, Jackson, M'Candless, Schall, Stutzman and Walls—7.

So the question was determined in the affirmative.

The title was read and

Agreed to.

The rules being suspended,

The bill was read a second and third time, and

Passed finally.

The next bill in order was No. 166. The bill was read as follows:

AN ACT relating to the law of evidence.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same*, That in all civil actions or proceedings in law or equity there shall be no exclusion of any person as a witness, by reason of his interest in the event of the same, or because he is a party on the record: *Provided*, This act shall not apply to actions by or against executors, administrators or guardians, nor where the assignor of the thing or contract in action may be dead.

SEC. 2. That a party to the record of any civil proceeding in law or equity, or a person for whose immediate benefit such proceeding is prosecuted or defended, may be examined, as if under cross examination, at instance of adverse party, or any of them, and for that purpose may be compelled in the same manner, and subject to the samerules for examination as any other witness, to testify, but the party calling for such examination, shall not be concluded thereby, but may re-but it by counter testimony.

SEC. 3 That the testimony of the witnesses authorized by this act, may be had by deposition, or commission issued, as the case may require, with such notice to the party to be examined, and to the adverse party, as is now, or may hereafter, be prescribed by the rules of the proper court, touching or taking of depositions and testimony on commission.

The bill was

Postponed indefinitely.

The next bill in order was No. 92. It was read as follows:

AN ACT to authorize the Governor to appoint a person to visit prisons.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same*, That the Governor shall have the power to appoint a person to visit, for philanthropic purposes, the prisons in the various counties of the Commonwealth: *Provided*, No expense shall be incurred thereby to the Commonwealth.

On motion of Mr. WORTHINGTON, the bill was amended by inserting after the word "prisons," in the fifth line, the words "and alms houses."

The amendment was

Agreed to.

The section as amended was

Agreed to.

The title was amended, the rules suspended, and the bill

Passed finally.

The next bill in order was No 928. It was read as follows, the committee of the whole being dispensed with.

A FURTHER SUPPLEMENT to an act regulating railroad companies, approved February nineteenth, Anno Domini one thousand eight hundred and forty-nine.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same*, That the provisions of the first section of an act passed the seventeenth day of April, Anno Domini one thousand eight hundred and sixty-six, entitled Supplement to an act entitled An act regulating railroad companies, approved February nineteenth, Anno Domini one thousand eight hundred and forty-nine, shall not apply, or be deemed and taken to have applied, to any action or proceeding pending at the time of the passage of the said act of the seventeenth day of April, Anno Domini one thousand eight hundred and sixty-six, nor in any way to affect the parties to such action or proceeding.

The bill was read and

Agreed to.

The rules being suspended, the bill was read a second and third time, and

Passed finally.

The next bill in order was bill No. 965.

In committee of the whole, Mr. WHITE in the chair, the bill was read as follows:

AN ACT directing the entry of liens for moneys due the Commonwealth on lands held by virtue of location, or other office titles, requiring the survey of lands not heretofore surveyed, and returned to the Surveyor General's office, and payment to be made for the same, and regulating the fees in the office of the Surveyor General.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same*, That it shall be the duty of the Surveyor General of this Commonwealth to make out a list of all lands, of every kind and description, including islands held by location, or any other office right, issued from the land department of this Commonwealth, upon which no patent has issued, and of all lands upon which patents have heretofore been issued, but upon which the Commonwealth may now have a lien or mortgage, on account of purchase money due when such patent was issued, designating the county in which such lands are situated, with the name of the person or persons in which such location or other office rights are entered, and surveys have been returned, or such patents issued, with such other description of the same as the records of his office may enable him to give.

SEC. 2. That it shall be the duty of the Surveyor General to calculate the amount of purchase money, interest and fees due on each unpatented tract, and the amount of every lien and mortgage, with the interest thereon; and the amounts so found to be due, together with five dollars for the labor and cost of making out and docketing the same, shall form an aggregate sum, which he shall enter into a lien docket, to be styled "Commonwealth land lien docket," which docket shall remain in and form part of the records of the Surveyor General's office; and he shall make out in similar manner and form a docket for each county in the Commonwealth, respectively, in which any of the above described land may be situated, setting forth and describing all such land in such county, and the aggregated sums so found to be due shall remain a lien upon such tract or tracts of land until paid in full, with interest at the rate of six per centum per annum.

SEC. 3. The Surveyor General, in computing the amount of interest due the Commonwealth on unpatended lands, shall charge the following rates, to be computed from the date of original application or improvement:

On all lands where the original purchase money is at the rate of eighty cents per acre or more, one per centum per annum.

On all lands where the original purchase money is at the rate of fifty-three and one-third cents per acre, and less than eighty cents, two per centum per annum.

On all lands where the original purchase money is at the rate of forty-one and one-third cents per acre, and less than fifty-three and one-third cents, three per centum per annum.

On all lands where the original purchase money is at the rate of twenty-six and two-thirds cents per acre, and less than forty-one and one-third cents, four per centum per annum.

On all lands where the original purchase money is at the rate of thirteen and one-third cents per acre, and less than twenty-six and two-thirds cents, five per centum per annum.

On all lands where the original purchase money is at the rate of six and two-thirds cents per acre, and less than thirteen and one-third cents, six per centum per annum.

Provided, That in no case, either of warrant location or improvement, or any other office right, shall any interest be charged on the purchase money of any of the aforesaid lands, for the time which elapsed between the second day of December, one thousand seven hundred and seventy-six, and the second day of December, one thousand seven hundred and eighty-three: *And provided further*, That no interest shall be charged on any lands north and west of the river Ohio and Allegheny, and Conewango creek, previous to the third day of April, one thousand seven hundred and ninety-seven.

SEC. 4. That in all cases where a patent has been issued for any lands, and a mortgage or lien shall have been executed to the Commonwealth, for all or any part of the purchase money, and such mortgage or lien remains unsatisfied, interest shall be charged from the date of, and upon the amount for which such mortgage or lien was given, at the same rate per centum per annum that such land would have been subjected to under the provisions of the foregoing section if no mortgage or lien had been executed to the Commonwealth: *Provided*, That where any payment has been made upon any such mortgage or lien the proper deduction shall be made for the amount so paid.

SEC. 5. That as soon as said lists are made out, the amounts due ascertained, and the aggregates entered, as before provided, the Surveyor General shall forward to the prothonotary of the court of common pleas of each county, respectively, the docket containing the list of such lands situated in such county; and the Surveyor General shall, from time to time, add to such list the name of any person owing the Commonwealth on account of lands, with proper description of the same, and the amount due thereon, which from any cause may have been omitted; and he shall correct any error as to name and amount, and also any error of location, by transferring the account from one county to another when such error may be discovered, and when it shall appear that any tract of land, against which a lien shall have been entered, under the provisions of this act, has been divided or sub-divided, and any part or parts of it shall have passed out of the possession or ownership of the party in whose name such lien has been entered, the Surveyor General shall cause satisfaction to be entered upon his docket, whenever the person owning such part and making proof thereof, shall pay his proportion of the whole amount due, according to the number of acres of such original tract held by him, together with the patent and other fees required by this act, and in like manner he shall enter satisfaction on his docket whenever the whole amount due on

any tract shall be paid, and he shall give to all parties so satisfying his docket, a certificate to that effect, with an order to the prothonotary of the proper county to render like satisfaction on his docket, upon the payment to him of the fees provided by law for such services.

SEC. 6. It shall be the duty of the prothonotary of each county, upon receipt of such docket, to keep and preserve the same among the records of the county, and to make such additional entries and corrections as may be furnished him by the Surveyor General from time to time; he shall, upon the receipt of a certificate from the Surveyor General to that effect, enter satisfaction upon his docket, in accordance with the provisions of the preceding section of this act, and the same fees shall be allowed on the original entry of liens in his docket, as are allowed on judgments entered in the court of common pleas, to be due and payable to the prothonotary by the person against whom such has been entered, at such time as satisfaction is required to be entered upon such lien, together with such other fees, as may be provided by law for like services; and for every correction made, or additional lien entered by him under the direction of the Surveyor General, he shall be allowed a fee of fifty cents, to be retained by him out of any money in his hands due the Commonwealth.

SEC. 7. It shall be the duty of the Surveyor General, at the time of delivering the docket, or any such descriptive list, to the prothonotary of any county, to cause such list to be published three times, in one newspaper in the county where such lands are located, and if no newspaper shall be published in said county, then in an adjoining county, for which publication the State Treasurer is hereby authorized to pay fifteen cents for each tract so published, out of any money in the treasury not otherwise appropriated.

SEC. 8. That when any party in interest, by petition, under oath or affirmation, setting forth the fact in the case, as in affidavit of defense, shall represent to the president judge of the court of common pleas of the county in which any tract or piece of land, or the principal part thereof, may lie, and against which any entry, directed by the foregoing sections of this act, has been made, that said tract has been paid for in full, either by the person against whom the entry is made, or by any other person for him, or that full credit has not been given for any amount paid, the said judge shall, after such notice to the Surveyor General, as he shall deem proper, proceed to hear the case of the petitioner, and the said judge shall thereupon make such decree in the premises, either by directing the said entry to be stricken from the record, or such other order, as to said entry, and also as to costs, as may seem equitable.

SEC. 9. That all liens due the Commonwealth for unpatented lands, after the thirtieth day of November, Anno Domini one thousand eight hundred and sixty-seven, may be proceeded upon by the Attorney General of the Commonwealth, in the manner directed to be pursued against defaulting public officers, by the act of April sixteenth, Anno Domini one thousand eight hundred and forty-five, and the supplement thereto.

SEC. 10. That all unpatented lands within the limits of this Commonwealth, including islands, whether improved or otherwise, upon which no warrant of survey has been issued, and all lands upon which a warrant of survey has been issued, but upon which a survey has not been returned and accepted in the office of the Surveyor General, which are now held or occupied by any person, or persons, who shall neglect or refuse to make application for a warrant of survey and proper return of the same on or before the thirtieth day of November, Anno Domini one thousand eight hundred and sixty-seven, shall forfeit all right to title or patent on such lands under the State: *Provided*, That such persons may make application at any time after the thirtieth day of November, Anno Domini one thousand eight hundred and sixty-seven, aforesaid, if no application for the same, or any part thereof, shall have been made by any other person under the provisions of this act.

SEC. 11. And it shall be lawful for any person, after the thirtieth day of November, one thousand eight hundred and sixty-seven, aforesaid, to make application for any such above described tract or tracts of land, or any part thereof; and in addition to the usual forms now required by law, such applicant shall set forth, in his application, whenever such facts can be ascertained, the name of the person or persons by whom such land was first held or occupied, and the date of the first improvement thereon, and by whom then held or occupied; and when such application shall have been granted, and survey thereon returned and accepted by the Surveyor General, the said applicant shall, as soon thereafter as practicable, cause the same to be published, by advertisement, at least three times in one newspaper in the county in which such land may be located, or if no newspaper be published in the county, then in a newspaper published in an adjoining county, setting forth the fact of his application, and the acceptence of the same, together with the location of the land, the number of acres, and the name of the person or persons then holding or occupying the same.

SEC. 12. It shall be the duty of the Surveyor General to grant such application, and it is hereby made the duty of the county surveyor of the proper county, upon the receipt of the usual fees, to make such survey, and when proper return is made thereof to the Surveyor General, he shall accept the same; and after one year from the date of such acceptance, he shall issue a patent thereon, to such applicant, or his legal representative, upon proof that said land had been advertised as provided by the preceding section of this act, upon the payment of the usual fees: *Provided*, That the party in possession of any of the unpatented or unwarranted land specified in the tenth section of this act may, by application, issue of warrant from and return of survey to the office of the Surveyor General, and upon the payment of the purchase money in full, with all the fees and costs, together with the sum of twenty per centum on such aggregate amount, recover his right and perfect his title to such land; at any time before a patent shall have been issued upon the same to any other person, under the eleventh section of this act.

SEC. 13. That when any lands shall have been reclaimed and redeemed under the provision of the twelfth section of this act, the Surveyor General shall, out of the moneys received for such redemption, return to the party whose warrant of survey was first accepted by him, the amount paid by such person at the time of issue and acceptance of survey, together with twenty per centum upon the same; and his warrant shall be cancelled and placed upon the rejected file in the office of the Surveyor General, and such person shall cease to claim any right to the land under such warrant, or any patent thereon.

SEC. 14. That all lands heretofore taken up by improvement, or otherwise, upon which no survey shall have been made and accepted in the office of the Surveyor General, on or before the thirtieth day of November, one thousand eight hundred and sixty-seven, and for which application and survey shall thereafter be made, the Surveyor General shall charge the amount of purchase money due on such land, with interest from the date of first improvement, or occupation, up to the thirtieth day of November, one thousand eight hundred and sixty-seven, aforesaid, the interest to be computed in the same manner and at the same rate as provided in the case of unpatented land in the third section of this act, and the aggregate amount thus found to be due shall bear interest at the rate of six per centum per annum, from the thirtieth day of November, one thousand eight hundred and sixty-seven, until the said aggregate amount and the interest thereon is paid in full.

SEC. 15. That from and after the passage of this act, the price of all the vacant and unimproved lands of this Commonwealth, except islands, shall be at the rate of thirty cents per acre, and all islands shall be at the rate of ten dollars per acre, but no warrant shall issue for any island containing less than one acre, nor shall any warrant issue for less than the whole of any island; and no warrant of survey shall issue in any case whatever unless the purchase money and fees accompany the application for such warrant and survey, nor shall any return of survey be accepted in the office of the Surveyor General, where there is any excess of land, until such excess shall have been paid for, and no patent shall issue in any case to include more land than shall have been surveyed and included under one warrant, nor to include more than one island.

SEC. 16. That when any application for warrant and survey shall be granted, it shall be the duty of the applicant to cause the same to be placed in the hands of the county surveyor of the proper county, with fee for executing the same, within thirty days from the date of such warrant; and upon failure to do so within the time specified, such warrant shall not have any force or effect as against or warrant of a later date; and if such survey shall not be returned and accepted in the office of the Surveyor General within one year from the date thereof, such warrant shall be null and void.

SEC. 17. That it shall be the duty of the county surveyor to properly execute and make return of any warrant of survey as soon as practicable after the same shall have been placed in his hands, and upon failure to do so within five months from the date of the receipt thereof, he shall be liable for all damage the party making the application may sustain by reason of such default or neglect; and it shall be his duty, upon the application of any person to him, to give the location of any tract or tracts of land, in his county, that has been surveyed, accepted or patented, or that may be vacant, with the name of the person or persons to whom such survey has been granted, or patent issued, and the number of acres therein contained, together with any proper information that can be obtained from the records of his office; and for every such information or search he shall be entitled to a fee of twenty-five cents; but where a survey may be necessary to determine the information demanded, he shall be entitled to the usual fees for such survey.

SEC. 18. That hereafter it shall not be lawful for any person to locate, or occupy, or take possession of, any of the vacant lands of this Commonwealth, until after proper application for warrant shall have been made, and the same shall have been surveyed, returned and accepted in the office of the Surveyor General; and any person who shall take possession of any such land, or who shall remove any timber, mineral or any other valuable substance therefrom, shall, upon conviction thereof before any court of quarter sessions for the county in which said land

may be, lie a fine of not more than five hundred dollars, and undergo an imprisonment for not more than ninety days, in the county jail, for each and every such offense; and in all cases of conviction, one-half of the fine collected shall go to the informer, and the other half to the board of school directors of the district in which such land may lie, for the use of the schools thereof.

SEC. 19. That from and after the passage of this act, the Surveyor General shall charge the following fees, for the use of the Commonwealth, namely: for warrant, including return thereof, five dollars; patent on all tracts less than one-third of one acre, five dollars; patent on all tracts containing more than one-third of one acre, ten dollars; writing certificate, with seal of office on patents, when mortgages are discharged, fifty cents; every search, twenty-five cents; each calculation of money due on lands, including search, fifty cents; every caveat, or note by deputy surveyor operating as a caveat, fifty cents; issuing a citation, fifty cents; recording application, by petition or otherwise, for and making order of re-survey, one dollar; every order of the board of property, directed by the Surveyor General to the deputy surveyor, to be executed, fifty cents; entering application or petition to the board of property, together with the minutes thereon, for any other purpose than a re-survey, one dollar; copy of a draft of a single tract, seventy-five cents; connecting separate drafts into one general draft, for each separate draft therein, seventy-five cents; copy of a general draft, for each tract of land therein described, twenty-five cents; extract from a general draft, for each tract of land described, seventy-five cents; copy of drafts of lots or tracts of land, annexed to certificates of Connecticut claimants, or others, for each tract, fifty cents; copy of warrant, application or any other office right, fifty cents; copy of extract from the deputy surveyor's list of returns, and all other extracts not above recited, and relating to but one tract of land, twenty-five cents; copy of any record or paper, or any part thereof, not included in the above, for two hundred words or less, fifty cents, and one cent for every ten words additional; for certifying and affixing seal of office to any copy, draft, extract, certificate or minute, twenty-five cents.

SEC. 20. That the act of the nineteenth of March, one thousand eight hundred and fifty-eight, entitled An act to revive and continue in force the law graduating lands upon which purchase money is due the Commonwealth, and regulating the mode of charging interest thereon, and the act of the twentieth day of May, one thousand eight hundred and sixty-four, directing the entry of liens, for the principal and interest due the Commonwealth for lands, held by virtue of location or other office titles, together with so much of any former acts of Assembly as are hereby altered, or are inconsistent with this act, be, and the same are hereby, repealed.

On motion of Mr. CONNELL, the first section was amended as follows:

In the thirteenth line, after the word "with," by inserting the words, "number of acres in each tract."

Amendment

Agreed to.

Section as amended

Agreed to.

Also, in the second section, by changing the word "describing," in the tenth line, to "designating."

Amendment

Agreed to.

The section as amended was

Agreed to.

On the reading of the third section the following remarks were made:

Mr. WALLACE. Mr. Chairman, I object to the general spirit of the provisions of this section. If a man has gone on a valuable section of land of course he is more able to pay the purchase money than one who has gone upon poor lands. Yet here he is charged a rate of interest less than is charged to the man who settles upon poor land. This is wrong. We should induce settlers to go upon poor lands, and charge them lesser rates of interest than are charged those who take up valuable lands.

I propose to offer an amendment to come in after the proviso.

Mr. CONNELL. Mr. Chairman, I move to amend as follows:

By striking out all after the word "improvement" in the third line to and including the twentieth line and insert the following: "On all lands where the original purchase money is at the rate of fifty-three and one-third cents or more per acre, two per cent. per annum. On all lands where the original purchase money is at a rate less than fifty-three and one-third cents and more than thirteen and one-third cents per acre, four per cent. per annum. On all lands where the original purchase money is at the rate of thirteen and one-third cents or less per acre, six per cent. per annum."

The amendment was

Agreed to.

Mr. WALLACE. Mr. Chairman, I offer the following amendment, to come in at the end of the section:

Provided, That no interest shall be charged upon any lands held by actual resident, settlement and improvement by the person who actually made such improvement, or his lineal descendants or widow.

The amendment was

Agreed to.

The section as amended was

Agreed to.

The fourth section was

Agreed to.

The fifth section was

Agreed to.

On motion of Mr. FISHER, the committee rose.

Mr. WHITE, chairman of the committee on the whole, reported progress on bill No. 965, and asked leave to sit again.

The report was

Agreed to.

Mr. Jackson moved that the committee sit again on the fourth of July next.

Mr. BROWN (Mercer.) Mr. Speaker, I move that the committee sit again on Friday next.

Mr. WHITE. Mr. Speaker, I have a word with reference to this bill. I think Senators misapprehend its purport. It comes under the auspices of the Surveyor General; it is made in the interest of the propertyholders and in the interest of the State. If Senators will turn to the act of 1860, they will discover there was a provision for its being renewed. This last bill has been prepared carefully, and is to correct the manifest inaccuracies and insufficiences of the first bill. The clerks in the land office are now making out the liens that are spoken of in this bill, and they are being sent through the different counties in this Commonwealth. The Surveyor General has prepared the bill, and brought it here for consideration. I have not been able to give it the examination which it required, but I believe in the matter of advertising the lands alone, this bill will save the Commonwealth the sum of forty thousand dollars.

I trust the motion to postpone will be voted down.

I move that the Senate have leave to sit this afternoon at half-past three.

Mr. BROWN (Mercer). Mr. Speaker, had rather my amendment would stand as it is. I trust the Senators will not agree to postpone this bill till the fourth of July, which will be directly killing it. It is possible that Senators have not examined this matter as carefully as would be advisable. I take it that this bill proposes to make efficient, economical and operative the bill passed in 1864, providing for the collection of sums due to the Commonwealth on the purchase money of land sold by the Commonwealth. It seems to me but justice to parties who have bought land in good faith and paid for it, that these who have bought and not paid should be obliged to pay. I trust the Senate will allow this bill to go over until Friday next.

Why, sir, I am informed by the Surveyor General that there is now due and unpaid to the Commonwealth, on purchase money of land, where surveys have been granted, and a portion of the purchase money has been paid, and no patents have issued, a sum but little below three million dollars. He also informs me that there are a large number of mortgages piled away in the drawers of the land office taken under the act of 1820, authorizing patents to issue where a portion only of the purchase money was paid. These are not filed, and hence are not liens upon the lands patented when they were taken at the land office.

He also informs me that there are thousands of acres of valuable land in the Commonwealth upon which squatters settled many years ago and never made application for survey, patent or any other land office title, and those lands remain in that condition till this day.

Now, sir, I think it is high time something should be done in this matter. The Commonwealth can, no doubt, use to advantage the money that is due to it, and at least a portion of what is due from lands ought to be promptly collected.

This bill, as I understand it, too, will save to the Commonwealth, in the matter of entering liens and collections, one hundred and twenty thousand dollars, which would be expended under the act of 1864. As a matter of economy, then, this bill ought to pass. It will also be remembered that the act of 1864 makes no provision for the filing or collection of the mortgages referred to. I trust, then, the importance of this matter will secure for this bill a fair and full consideration.

Mr. WALLACE. Mr. Speaker, I do not think this bill would be efficient in practice. Wherever a lien exists it can be enforced. The party can be ejected from the land or made to pay the money he owes the Commonwealth. All we need is a five line bill authorizing the Surveyor General to proceed to the collection of dues. We do not want our laws so that they cannot be understood. If you pass a bill with some twenty sections it cannot be understood by the common people; if you pass a bill saying that the Surveyor General has the right to collect these moneys, and they must pay them, then it will be understood.

Mr. BROWN (Mercer). Mr. Speaker, my idea in making the motion I did was to give time to the Senator from Clearfield [Mr. WALLACE] and others to offer amendments. I have no objection to modifying my motion.

Mr. LOWRY. Mr. Speaker, the whole system of legislation in regard to lands in Pennsylvania has been most unfortunate.—This bill makes confusion worse confounded. It is a long bill—one that I cannot understand and that the public will not understand. The courts will differ about it and in the end it will go to the Supreme Court for adjudication. I think, with the Senator from Clearfield, we should have had a plain, clear bill of one section.

Mr. WHITE. Mr. Speaker, I would ask

the Senator from Erie if he has taken the trouble to look at the law of 1864 as it stands?

Mr. LOWRY. Mr. Speaker, I assisted in passing that law, and I have taken part, during my day in the Senate, in all legislation relative to these lands. My county is not much interested in this bill now, because we have come forward and paid what was due to the Commonwealth.

This is a bill that I do not understand, nor do any gentlemen understand it except those who have advocated it. I think we ought not to encumber our statute books with a long bill of this character.

Mr. WHITE. Mr. Speaker, a word in reply.

I know it is very easy to find fault with a long bill, and I know we have a disinclination to consider long bills. I hold in my hand the act of 1864, page 914. I find in the first section that the Surveyor General shall make out a descriptive list of all unpatented lands and transmit the same to the prothonotaries of the counties in which such lands are situated.

I find in the fifth section that it shall be the duty of the prothonotary, upon receiving such list, to publish the same in two newspapers in the county in which the lands may be located for three successive weeks, for which publication he shall be authorized to pay fifty cents for each tract.

I find further, in the seventh section, the Attorney General shall proceed upon all liens after the first day of November, 1864.

This law seemed to be comprehensive, and under it liens are now being made out in the land offices of the Commonwealth.

In our appropriation bill we will provide for the payment of the clerks who are now making out these liens. The new law provides for a class of cases not provided for by the act of 1864. I have already mentioned that in the matter of advertising the State will be saved the sum of from forty to eighty thousand dollars. The present Surveyor General of the Commonwealth has a very competent adviser. His report has received the commendation of many landholders in Pennsylvania. I indicate these facts that we may understand that this is not a cumbersome bill.

Mr. LOWRY. Mr. Speaker, I will not attempt to follow the remarks of the Senator.

The law of 1864 contemplates all that is required; the law as it is now on the statute books, requires that liens shall be made out and entered against lands that have not been paid for. I am in favor of simple, positive, unequivocal legislation, directing those who owe the Commonwealth to come forward and pay their dues. Such a law we now have; let it be carried out.

Mr. BROWN (Mercer). Mr. Speaker, I will modify my amendment, so that the committee may sit this afternoon.

Mr. WALLACE. Mr. Speaker, I am disposed to treat this bill fairly. It is due to the officers of the Commonwealth that we give this bill a full consideration; therefore, I think the proposition of the Senator from Mercer should be adopted.

On the motion to postpone the further consideration of this bill until the 4th of July next,

The yeas and nays were required by Mr. GLATZ and Mr. SCHALL, and were as follow, viz:

YEAS—Messrs. Burnett, Davis, Fisher, Glatz, Jackson, James, Lowry, M'Candless, Schall, Searight, Shoemaker, Stutzman and Worthington—13.

NAYS—Messrs. Bigham, Billingfelt, Browne (Lawrence), Brown (Mercer), Connell, Donovan, Landon, Randall, Ridgway, Taylor, Wallace, Walls, White and Hall, *Speaker*—14.

So the question was determined in the negative.

The question recurring,

Shall the committee have leave to sit this afternoon?

It was

Agreed to.

The next bill in order was No. 996.

The committee of the whole being dispensed with, the bill was read as follows:

A SUPPLEMENT to an act to entitle the stockholders of any railroad company incorporated by the laws of this Commonwealth, accepting this act, to one vote for each share of stock, approved the twentieth day of May, Anno Domini one thousand eight hundred and sixty-five, extending the same to turnpike road companies.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That section first of an act entitled An act to entitle the stockholders of any railroad company incorporated by this Commonwealth, accepting this act, to one vote for each share of stock, approved the twentieth day of May, Anno Domini one thousand eight hundred and sixty-five, be and the same is hereby extended to any turnpike road company incorporated by the laws of this Commonwealth and accepting this act.

The bill was read and

Agreed to.

The rules being suspended,

The bill was read a second and third time, and

Passed finally.

The next bill in order was No. 999. The committee of the whole being dispensed with, the bill was read as follows:

AN ACT to enable police officers to enforce order in licensed houses, and to exterminate the unlicensed traffic.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That persons licensed to keep taverns or eating houses, shall, as far as in them lie, prevent all disorderly conduct in and about their premises, and in case of any disturbance of the peace shall immediately give notice to the nearest sheriff, constable, officer, or member of police, of such disturbance, and call upon said officer to interpose, whereupon it shall be the duty of such officer to remove the disorderly persons, and, if need be, to close up the place and keep it closed until order and quiet are entirely restored.

SEC. 2. No person shall sell, give away, or dispose of any strong or spirituous liquors, wines, ale, beer, or any intoxicating drinks, to any apprentice, or any person under twenty-one years of age, without consent given, in writing, in the case of an apprentice, of his master or mistress, in case of any other minor, of his father, mother or guardian.

SEC. 3. No person shall sell or dispose of, and no licensed person shall suffer any person in his or their employment, to sell, give away, or dispose of any strong or spirituous liquors, wine, ale, beer, or any mixtures of such liquors, to any habitual drunkard, or to any intoxicated person then being under the influence of any such liquors, under penalty of forfeiture of license.

SEC. 4. No person thus licensed shall, against the request of any wife, husband, parent or child, sell, give away, or dispose of any strong or spirituous liquors, wines, ale or beer, to the husband of any such wife, the wife of any such husband, parent of any such child, or child of any such parent, under penalty of all the fines and forfeitures of this act.

SEC. 5. All persons thus licensed shall close or shut up their bar or place of sale at or before the hour of twelve every night, and not open the same until sunrise next day, and on Sundays shall not open them at all, but keep them shut until Monday, at sunrise; this is not designed to prevent the reception and lodging of persons traveling without violation of law.

SEC. 6. Any conviction for the violation of any provision of this act by a person licensed under it, or at any place licensed, shall work a forfeiture, and annul such license, and no license fee shall be returned.

SEC. 7. It shall be the duty of every sheriff, constable, policeman and officer of police to compel the observance and to prevent the violation of the provisions of this act, and in the discharge of such duty, if need be, he shall have power to close up, and to keep closed, any place or places where such violations become known to him, whether by his own personal observation, or by information of any respectable citizens of the vicinity; also, it shall be the duty of the officers, aforesaid, to arrest such persons, so alleged to be acting in violation of law, and to bring them before any magistrate of the vicinity, to be dealt with according to the provisions of this act; and it shall be the duty of such magistrate to entertain complaints for the violation of this act, when under oath, by any citizen of the vicinity.

SEC. 8 It shall be the duty of every sheriff, constable, member and officer of police, to arrest any and every person who shall be found intoxicated in any street or public highway, or in any public place, or places where strong or spirituous liquors, wines, ale or beer, are sold publicly, kept or disposed of, and to take him or her before any magistrate of the vicinity, and if such magistrate shall, after due inquiry, deem him or her too much intoxicated to be fully examined or to answer on oath correctly, the magistrate shall cause him or her to be confined until he or she becomes sober, and then to be brought before him and interrogated, under oath or affirmation, as to the cause of such intoxication, and thus ascertain from whom he or she obtained the liquor which caused the drunkenness; but such examination shall not be used in evidence against such intoxicated person in any prosecution, civil or criminal.

SEC. 9. Any person who shall sell any strong or spirituous liquors, wines, beer or ale, to any of the individuals to whom it is declared by this act to be unlawful to make such sale, shall be liable for all damages which may be sustained in consequence of such sale, and the parties so offending may be sued in any court of competent jurisdiction in the State, by any individual, or the next best friend of such individual, as has sustained damage; the net sum recovered shall inure to the benefit of the party injured.

SEC. 10. Every person who may and shall violate any of the provisions of this act shall, for each offense, be guilty of a misdemeanor, and on conviction thereof shall be punished with a fine of not more than twenty dollars, and, in default of payment, with imprisonment of not more than five days.

The bill was

Agreed to,

And passed to third reading.

The next bill in order was No. 1014. The committee of the whole being dispensed with, the bill was read as follows:

AN ACT to authorize the president and directors of any railroad company to determine, by resolution, the manner in which and the persons to whom the increased capital thereof may be sold, and the

amounts of the instalments thereon, and the times and manner of their payment.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That in all cases where any railroad company is authorized to increase its capital stock, and such increase has been, or may be, authorized by the stockholders, it shall and may be lawful for the president and directors to determine, by resolution, in what manner and by whom the same shall be subscribed, or to whom the same shall be issued or sold, and the amounts or the several instalments to be paid thereon and the times and manner in which the same shall be paid.

The bill was

Agreed to.

The rules being suspended, it was read a second and third time, and

Passed finally.

The next bill in order, was No. 949.

The Senate went into committee of the whole, Mr. DAVIS in the chair.

The bill was read as follows:

A FURTHER SUPPLEMENT to an act for the regulation and continuance of a system of education by common schools, approved the eighth day of May, Anno Domini one thousand eight hundred and fifty-four.

I—The Selection of Sites for School Houses.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That whenever the board of directors or controllers of any school district, in this Commonwealth, shall be unable to procure such eligible sites for the erection of school houses thereon as they may deem expedient, by agreement with the owner or owners of the land, it shall and may be lawful for the board of directors, in behalf of the district, to enter upon and occupy sufficient ground for the purpose, which they shall designate and mark off, not exceeding in any case one acre, and to use and occupy the same for the purpose of erecting thereon a school house, with its necessary or convenient appurtenances, and for all damage done and suffered, or which shall accrue to the owner or owners of such land, by reason of the taking of the same for the purposes aforesaid, the funds of the district which may be raised by taxation shall be pledged and deemed as security; and it shall and may be lawful for the court of common pleas of the proper county, on application thereto by petition, either by the said school district, through the president and secretary of the board of directors, or by the owner or owners of said land, or any one of them, in behalf of all, to appoint a jury of viewers, consisting of three discreet and disinterested citizens of said county, who shall not be the owners of property, or residents in the school district in which such land is taken, as aforesaid, and appoint a time, not less than twenty nor more than thirty days thereafter, for said viewers to meet upon said land, of which time and place ten days' notice shall be given by the petitioners to the said viewers and the other party, and the said viewers, or any of them, having been first duly sworn, or affirmed, faithfully, justly and impartially to decide, and a true report to make concerning all matters and things to be submitted to them, and, having viewed the premises, they shall establish and determine the quantity and value of said land so taken to be used for the purposes aforesaid, and after having made a fair and just computation of the advantages and disadvantages, they shall estimate and determine whether any, and if any, what amount of damages has been or may be sustained, and to whom payable, and make report thereof to said court; and if damages be awarded and the report be confirmed by the said court, judgment shall be entered thereon, and if the amount thereof be not paid within thirty days after the entry of said judgment, execution to enforce the collection thereof may be issued as in other cases of judgment against school districts; and each viewer shall be entitled to one dollar and fifty cents per day for every day necessarily employed in the performance of the duties herein prescribed, to be paid by such district: *Provided,* That either party shall have the right to have reviewers appointed by said court.

II—The Establishment of Teachers' Institutes.

SEC. 2. That the county superintendent of each county in this Commonwealth is hereby authorized and required, once in each year, at such time and place as he, or a properly authorized committee of teachers acting with him, may deem most convenient, to call upon and invite the teachers of the common schools and other institutions of learning in his county, to assemble together and organize themselves into a teachers' institute, to be devoted to the improvement of teachers in the science and art of education, and to continue in session at least five days, including a half a day for going to and a half a day for returning from the place of meeting, said institute to be presided over by the county superintendent or by some one designated by him, and subject in its general management to his control.

SEC. 3. That each county superintendent, upon the assembling of the teachers' institute of his county, shall cause a roll of members to be prepared, which roll shall be called at least twice every day during the session of the institute, and all absentees carefully marked, and from which, upon the adjournment of the institute, he shall ascertain the exact number of teachers who were in attendance, and the length of time each attended, and upon the presentation of a certificate at the close of the session of each annual institute, setting forth these facts, and signed by the county superintendent, to the treasurer of the proper county, he is hereby authorized and required to pay immediately, out of any money in the county treasury not otherwise appropriated, to the county superintendent, one dollar for every three days spent by teachers of the county in attendance at the institute for that year, or as much of it as may be needed—such money to be expended by the county superintendent in procuring the services of lecturers and instructors for the institute, and in providing the necessary apparatus, books and stationery for carrying on its work: *Provided,* That the amount which may be drawn from the county treasury shall in no case be more than two hundred dollars, but may, in all cases, be sixty dollars, if it shall appear from the vouchers presented by the county superintendent to the county auditors, as required by the fourth section of this act, that this sum has been actually expended for the purposes herein specified: *Provided further,* That all boards of directors may allow the teachers in their employ the privilege of attending such institutes without making any deduction from their salaries, and that any teacher who absents himself from the institute of the county without a good reason, may have his want of professional spirit and zeal indicated by a lower mark on his certificate in the practice of teaching than he would otherwise have received.

SEC. 4. That each county superintendent who may draw money from the county treasury for the purpose named in this act, shall file his account of all expenditures under the act in the office of the county treasury, with vouchers for the same, which shall be examined by the auditors of the county in like manner as other county expenditures, and any misapplication of funds shall be punished in the same manner as collectors of State and county taxes for like offenses are now punished.

SEC. 5. That all county superintendents, upon the adjournment of the teachers' institute, held in their respective counties, are hereby required to report to the superintendent of common schools, the number of teachers in attendance, the name of the lecturers or instructors who officiated, the subjects upon which the instruction was given, and the degree of popular interest awakened by the proceedings.

III—Text Books in Counties.

SEC. 6. That it shall be lawful for the school directors of any county in this Commonwealth, at any tri-ennial convention held for the purpose of electing a county superintendent, to appoint seven of their number possessing the necessary qualifications, whose duty it shall be to agree upon and select a series of text books adapted to the wants of the common schools of the county, and present them for adoption to the several boards of directors; this action, however, to be of no binding force unless confirmed at the annual meeting of directors and teachers held as now provided by the twenty-third section of the act of May eighth, one thousand eight hundred and fifty-four, but when so confirmed, the books shall not be changed until after the action of the next tri-ennial convention, as aforesaid: *Provided,* That a majority of the boards of directors of any county may, at any time, call a special meeting of the directors of the county for the purpose of appointing a county committee on text-books, as above indicated, whose action shall be valid until the meeting of the tri-ennial convention in the year one thousand eight hundred and sixty-nine.

IV.—City and Borough Superintendents.

SEC. 7. The school directors of any city or borough in this Commonwealth, having a population of over ten thousand inhabitants, may, on the first Tuesday of May, one thousand eight hundred and sixty-nine, and every third year thereafter, elect, *viva voce,* by a majority of the whole number of directors present, one person of literary and scientific acquirements, and skill, and acquirements in the art of teaching, as city or borough superintendent, for the three succeeding school years, and the said school directors shall determine the amount of compensation for said city or borough superintendent, which compensation shall be paid by the same officers as pay the salaries of teachers in such school district, and in the same manner as such salaries are now paid: *Provided,* That nothing in this act shall prevent the directors of any city, or borough, from electing a superintendent to serve from the time of election until the commencement of the school year, one thousand eight hundred and sixty-nine, from filling a vacancy, should any occur, for the unexpired term of said office, nor from increasing the salary of a superintendent at any time: *Provided also,* That the president of the board of directors or controllers of any city or borough in this Commonwealth shall, at any time, after the passage of this act, if so requested, in writing, by seven directors or controllers, call a convention, giving at least five days' notice thereof, of all the directors of said city or borough, to determine whether they will elect a city or borough superintendent in accordance with the provisions of this act, and if, at such meeting, it shall be decided to hold such an election,

the said directors shall again convene at the time appointed by this section of this act, or any other time, in accordance with its provisions, and at a place fixed upon by themselves, when they shall proceed to carry their determination into effect in the same manner as is done by conventions held for the election of county superintendents, and all subsequent conventions for carrying into effect the purposes of this act shall be called in the same manner by said president of the board of directors or controllers of such city or borough.

SEC. 8. That it shall be the duty of the president and secretary of the meeting of the directors of any city or borough, at which a city or borough superintendent has been elected, to certify to the superintendent of common schools, the name and address of the person elected city or borough superintendent, in pursuance of the provisions of this act, and those of all other candidates who received votes, together with the amount of compensation fixed upon by said directors; upon the receipt of such certificate, if no valid objection be received within thirty days after the day of election, the superintendent of common schools shall commission the person so elected for the term for which he was elected, but if objection to issuing such commission be made within thirty days, the superintendent of common schools shall proceed with like power and in like manner, as he is now required to do, where objections are made against issuing commissions to persons claiming to be elected county superintendent.

SEC. 9. That from and after the appointment of a city superintendent in any city or borough in this Commonwealth, and the proper notification of the superintendent of common schools of the fact, such city or borough shall not be subject to the authority and jurisdiction of the county superintendent of the county in which such city or borough is located, except that in the matter of holding the annual teachers' institutes, as provided by sections third, fourth and fifth of this act, in which the city or borough superintendent shall co-operate, and the quota of the annual State appropriation to said city or borough, shall not be diminished by reason of any contribution to the salaries of county superintendents, nor shall the directors of such city or borough vote at any election for county superintendents.

SEC. 10. It shall be the duty of all city or borough superintendents to take a similar oath or affirmation to that now required of county superintendents, to perform, within the limits of their several jurisdictions, all the duties now by law enjoined upon county superintendents, and to discharge such other duties as the by-laws, rules and regulations of the respective boards of directors may require; and it shall be their further duty, in addition to an annual report, to report monthly to the department of common schools such facts relating to their work, and the condition of the schools under their charge, as may be required by the superintendent of common schools, and to attend meetings of superintendents called by said superintendent of common schools.

V.—Teachers' Certificates.

SEC. 11. That after the passage of this act no teacher in this Commonwealth shall receive from a county, city or borough superintendent a certificate as a teacher, who has not a fair knowledge of orthography, reading, writing, geography, English grammar, mental and written arithmetic, history of the United States, and the theory of teaching; nor shall such certificate be given to any person who is in the habit of using as a beverage any intoxicating drinks, and all certificates given to teachers shall set forth the branches in which those holding them have been found proficient, and indicate by suitable marks the degree of that proficiency.

SEC. 12. County, city or borough superintendents shall issue two grades of teachers' certificates, one of which shall be called a provisional certificate, and shall be given to applicants possessing a fair knowledge of the branches named in section eleven, or to those who, possessing a thorough knowledge of the branches, have little or no experience in teaching, and shall license the holder to teach in the county, city or borough where issued for one year, and which shall not be renewed without a re-examination, and the other shall be called a professional certificate, and shall be given only to those who possess a thorough knowledge of the branches above named, and who have had successful experience in teaching, and shall license the holder to teach in the county, city or borough where issued, during the official term of the county, city or borough superintendent issuing it, and for one year thereafter: *Provided*, That all so called professional certificates, heretofore issued by any county, city or borough superintendent, shall cease to be valid on the first Monday of June, one thousand eight hundred and sixty-seven, except those issued since the first Monday of June, one thousand eight hundred and sixty-six, which certificate shall be valid as long as others issued during the present term of the superintendency: *Provided*, That any professional certificate may be renewed by a county, city or borough superintendent, without re-examination, after having fully satisfied himself, by personal observation, in his or her school, of the competency and skill as a teacher of the person holding it: *Provided*, That this act shall not apply to the city and county of Philadelphia: *And provided further*, That the State Superintendent of common schools shall cause to be prepared a new grade of teacher's certificate, to be called a permanent certificate, which shall be granted by him to practical teachers holding professional certificates upon the recommendation of the board or boards of directors in whose employment the applicant shall have taught for the three preceding annual school terms, countersigned by the proper county, city or borough superintendent in office when the application shall be made and approved, after examination, if they deem it necessary, by a committee of five teachers, a part of whom may be females holding permanent certificates, if there be that many holding such certificates, but if there be none, or not a sufficient number of that grade of teachers, the committee shall be constituted wholly or in part, as the case may be, of teachers holding professional certificates, said committee to be elected by ballot by the members of the teachers' institute, at its annual session, from the same county, city or borough in which the applicant resides at the time of making the application; and such permanent certificate shall continue to be valid in such county, city or borough unless forfeited according to the provisions of this act, and shall, also, entitle the holder to teach one year in any other county, city or borough in this Commonwealth without re-examination, at the end of which time it may be endorsed by the proper county, city or borough superintendent, if, from personal knowledge, he deem it worthily held, and shall then confer upon the holder the same rank and privileges as in the county where issued; and such permanent certificate shall only be annulled upon complaint, duly proven, of incompetency, cruelty, negligence or immorality, made to the State Superintendent of common schools, by a county, city or borough superintendent and a committee of teachers elected and constituted as aforesaid.

VI—Election of County Superintendents.

SEC. 13. That no person shall hereafter be eligible to the office of county, city or borough superintendent in any county of this Commonwealth, who does not possess a diploma from a college, legally empowered to grant literary degrees; a diploma or State certificate issued according to law by the authorities of a State normal school; a professional certificate from a county, city or borough superintendent of good standing, issued at least one year prior to the election, or a certificate of competency from the State Superintendent of common schools, nor shall such person be eligible unless he has a sound, moral character, and has had successful experience in teaching within three years of the time of his election: *Provided*, That serving as county, city or borough superintendent, shall be deemed equivalent to teaching, and the president and secretary of each convention of school directors, held in any county, city or borough, to elect a county, city or borough superintendent, when certifying to the Superintendent of Common Schools, the name and address of the person elected county, city or borough superintendent, shall, at the same time, state the kind and character of the evidence upon which said convention relied for proof of the eligibility of the person so elected, and the said Superintendent of Common Schools if, upon examination of the evidence presented, it shall prove to be such as is required by this act, and in accordance with section fourth of the act approved April seventeenth, Anno Domini one thousand eight hundred and sixty-five, shall issue a commission to the person elected as aforesaid, as now required by law; but if, upon examination of said evidence of competency it shall not prove to be such as is required by this act, or if objection be made in accordance with said section of the act approved April seventeenth, Anno Domini one thousand eight hundred and sixty-five, the said Superintendent of Common Schools shall appoint two competent persons, himself being the third, to examine the person so elected county, city or borough superintendent; and if, upon examination, he be found duly qualified for the office, the said Superintendent of common schools, shall issue to him the usual commission, but if not, the said Superintendent of common schools shall proceed in like manner in respect to the person receiving the next highest number of votes in the convention of directors, who, if found qualified, shall receive the commission aforesaid as county, city or borough superintendent; but if his qualifications are also found insufficient the said Superintendent of common schools shall appoint, with the advice and consent of the Governor of the Commonwealth, some other person, with the required qualifications, county, city or borough superintendent for the ensuing term of such office.

VII—Repealing Section.

SEC. 14. That all acts or parts of acts in opposition to, or inconsistent with this act, are hereby repealed.

The first, second, third, fourth, fifth, sixth, seventh, eighth, ninth, tenth and eleventh sections were read, and

Agreed to.

On motion of Mr. WORTHINGTON, the twelfth section was amended in the fifteenth line by striking out "7" and inserting "8," making it read "1868."

Also, in the twenty-first line, by striking out the proviso and inserting it at the end of the bill.

The section as amended was

Agreed to.

The thirteenth and fourteenth sections were

Agreed to.

The bill being gone through with, Mr. DAVIS, chairman of the committee of the whole, reported the bill with amendments.

The report was

Agreed to.

On the final passage of the bill it was laid over until this afternoon.

The Senate then adjourned until three o'clock this p. m.

AFTERNOON SESSION.

The Senate reassembled at three o'clock.

On leave given at this time,

Mr. STUTZMAN, from the Committee on Election Districts, reported, as committed, bill entitled An act relating to the election district of Allegheny township, in the county of Blair.

BILLS IN PLACE.

On leave given,

Mr. RANDALL read in his place and presented to the Chair, a bill entitled An act to incorporate the Schuylkill County Soldiers' and Sailors' Monument association.

Referred to the Committee on the Judiciary General.

Mr. BROWNE (Lawrence), a bill entitled A further supplement to an act relative to paving streets, et cetera, in the borough of New Castle.

Referred to the Committee on the Judiciary Local.

Mr. RANDALL, a bill entitled An act to incorporate the Costa Rica mining and improvement company.

Referred to the Committee on Corporations.

Mr. BROWNE (Mercer), a bill entitled An act to authorize the Reno oil and land company to acquire, hold and dispose of property.

Referred to the Committee on Corporations.

Mr. CONNELL, a bill entitled An act to incorporate the Pennsylvania Serial association.

Referred to the Committee on Corporations.

Mr. TAYLOR, a bill entitled An act for the relief of John Caughey, of Beaver county.

Referred to the Committee on Education.

Mr. BILLINGFELT, a bill entitled An act to authorize the school directors of Ephrata township, Lancaster county, to apply surplus of bounty funds towards school purposes.

Referred to the Committee on Education.

Mr. LOWRY, a bill entitled An act to provide for the erection of a new county out of parts of Crawford, Forest, Venango and Warren counties.

Referred to the Committee on New Counties and County Seats.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

The Clerk of the House of Representatives being introduced, presented for concurrence bill numbered and entitled as follows, viz:

No. 1479, a supplement to an act incorporating the Wilkesbarre and Pittston railroad company, approved the 15th day of April, A. D. 1859.

Referred to the Committee on Railroads.

He also returned bills from the Senate numbered and entitled as follows:

No. 287, an act relative to livery stable keepers in Mercer county.

No. 792, an act authorizing the sale of the Allegheny City Poor farm.

No. 906, an act relating to the collection of bounty taxes in the county of Lehigh.

No. 978, an act to incorporate the Bellefonte glass manufacturing company,

With information that the House of Representatives has passed the same without amendments.

He also informed that the House was unable to comply with the request of the Senate, to return to Senate House bill No. 896, entitled A further supplement to an act relating to inspections, approved April 15th, A. D. 1835, and the supplement thereto, approved March 25th, 1850, relating to the city of Philadelphia,

Said bill having been presented to the Governor for his approval.

BILLS ON SECOND READING.

Agreeably to order,

The Senate resumed the consideration of bill entitled An act directing the entry of liens for moneys due the Commonwealth on lands held by virtue of location or other office titles, requiring the survey of lands not heretofore surveyed, and returned to the Surveyor General's office, and payment to be made for the same, and regulating the fees in the office of the Surveyor General.

In committee of the whole (Mr. WHITE in the chair), the fourth and following sections were read and reported with amendments.

The committee rose, and the Senate agreed to the amendments.

On the question,

Will the Senate proceed to the second reading of the bill?

The yeas and nays were required by Mr. CONNELL and Mr. JAMES, and were as follow, viz:

YEAS—Messrs. Bigham, Billingfelt, Browne (Lawrence), Brown (Mercer), Burnett, Coleman, Connell, Landon, Ridgway, Taylor, Wallace, White and Worthington—13.

NAYS—Messrs. Cowles, Davis, Donovan, Fisher, Glatz, Haines, James, Lowry, M'Candless, Randall, Royer, Schall, Searight, Shoemaker and Stutzman—15.

So the question was determined in the negative.

BILL ON THIRD READING.

Agreeably to order,

The Senate proceeded to the third reading and consideration of bill entitled A further supplement to an act for the regulation and continuance of a system of education by common schools, approved the eighth day of May, Anno Domini one thousand eight hundred and fifty-four.

On motion of Mr. WORTHINGTON, the proviso to thirteenth section was amended, so as to read as follows:

Provided, That serving as county, city or borough superintendent shall be deemed sufficient test of qualification, and the president and secretary of each convention of school directors held in any county, city or borough, to elect a county, city or borough superintendent, when certifying to the Superintendent of common schools the name and address of the person elected county, city or borough superintendent, shall, at the same time, state the kind and character of the evidence upon which said convention relied for proof of the eligibility of the person so elected; and the said Superintendent of common schools, if, upon examination of the evidence presented, it shall prove to be such as is required by this act, and no objection made in accordance with section fourth of the act approved April seventeenth, Anno Domini one thousand eight hundred and sixty-five, shall issue a commission to the person elected as aforesaid as now required by law; but if, upon examination of said evidence of competency, it shall not prove to be such as is required by this act, or if objection be made in accordance with said section of the act approved April seventeenth, one thousand eight hundred and sixty-five, the said Superintendent of Common Schools shall appoint two competent persons, himself being the third, to examine the person so elected county, city or borough superintendent, and if, upon examination, he be found duly qualified for the office, the said Superintendent of Common Schools shall issue to him the usual commission, but if not, the said Superintendent of Common Schools shall proceed in like manner in respect to the person receiving the highest number of votes, in the convention of directors, who, if found qualified, shall receive the commission aforesaid, as county, city or borough superintendent, but if his qualifications are also found insufficient the said Superintendent of Common Schools shall appoint, with the advice and consent of the Governor of the Commonwealth, some other person, with the required qualifications, county, city or borough superintendent, for the ensuing term of such office.

The bill

Passed finally.

PENSIONS TO THE SOLDIERS OF THE WAR OF 1812.

Agreeably to order,

The Senate proceeded to the consideration of bill on the public calendar entitled A supplement to an act to provide for the payment of gratuities and annuities to the soldiers of the war of one thousand eight hundred and twelve and their widows, approved March thirtieth, one thousand eight hundred and sixty-six.

The first and only section was read as follows:

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same*, That the provisions of the act to which this is a supplement be, and the same are hereby, extended to all soldiers, or widows of such soldiers, who may have been engaged in actual battle with the enemy, during said war, without regard to length of service.

On the question, Will the Senate agree to the section?

Mr. GLATZ moved to amend the same by adding to the end thereof the words, "and whether now residents inside or outside of this Commonwealth."

Mr. BROWN (Mercer). Mr. Speaker, it strikes me that this bill ought to fall, and that the act of 1866 ought to go with it. I understand, sir, that under the provisions of that act of 1866 claims have been put in and allowed amounting to about one hundred and sixty thousand dollars. Heretofore, when bounties were only paid upon special application, it has cost the State from six thousand dollars to eight thousand dollars a year. The act of 1866 appears to be so loose in its provisions, that claims amounting to the large sums named have been presented, representing that the persons making application have complied with the letter of the law, and their claims have been allowed. It seems to me that we ought not to open the door any wider than it is opened by the act of 1866, and that we should also repeal that act, and allow parties entitled to this bounty to come in here and ask for it.

Mr. BILLINGFELT. Mr. Speaker, the provisions of the act of 1866 are not now before us. I will not dispute what the Senator from Mercer [Mr. BROWN] says upon that subject. This bill simply provides for a small class not provided for in that bill. Those engaged in actual battle, although out but two or three weeks, are more entitled to this bounty than those whose husbands were simply enrolled. This provides for those ac-

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[CONTINUED FROM PAGE 864.]

tually in battle. If there are any meritorious cases, I think it is those who fought for their country, and they ought to be protected now.

I hope this bill will pass.

Mr. BROWN (Mercer). Mr. Speaker, whenever the Senator from Lancaster [Mr. BILLINGFELT] presents a bill here asking that a pension be granted in a meritorious case, I am willing to vote for it; but I am not prepared to make this thing general, and open the door still wider, and tax the Commonwealth to an unlimited amount.

Mr. FISHER. Mr. Speaker, I desire to call the attention of my friend, the Senator from Mercer [Mr. BROWN], to the fact that one-half of all the expenses incurred by the Commonwealth, under the act of 1866, are for the gratuities of forty dollars. The expense cannot be so great as last year, because the gratuities are nearly all paid.

Mr. BROWN (Mercer). I suppose the facts stated are true; but granting that one-half of the expense this year was for gratuities, it still leaves an expenditure of eighty thousand dollars for bounties. I am told, also, that, under the provisions of the act of 1866, parties have complied with the letter of the law, and drawn pensions, who are worth thirty or forty thousand dollars.

Mr. FISHER. What would it have cost us if we had had no soldiers?

Mr. LOWRY. Mr. Speaker, I had a great deal to do, sir, with the passage of the law last year, and I have regretted it more than any other legislation in which I was concerned. I acted, sir, when I voted for it, from good motives, but it evidently was a mistake. It was unfortunate, probably, that the law was passed; but now the Senators from Lancaster come here and propose that we open the door still wider; and here let me make the remark that the county of Lancaster has a greater number of pensioners on the treasury than any other county; she always had old soldiers pensioned on the treasury. They had more old soldiers when this bill was passed than the rest of the Commonwealth, and have more now, I fear, than all the Commonwealth; and yet, sir, the door is not opened wide enough to let in all the soldiers from Lancaster county.

Lancaster county should not have introduced this bill; he is getting bounty enough. If I had the *Record* of last year here, I could show an astonishingly large number of soldiers from Lancaster. I know she is a patriotic county; she behaved well during the war and since the war. I scarcely know any person of any consequence in Lancaster county, excepting the "Old Public Functionary," who did not come forward and claim a pension under that bill; they are all "needy" there. I hope this bill will be voted down; it ought to be voted down.

Mr. FISHER. I plead guilty to the impeachments, that Lancaster county turned out the most soldiers. The Senator from Adams [Mr. M'CONAUGHY] said, the other day, that Erie was not remarkable for fighting qualities.

Mr. M'CONAUGHY. I have never been aware that Erie was distinguished, in 1812, for her fighting qualities.

Mr. FISHER. The Senator from Adams thought that they were not very distinguished for their fighting qualities, even if our friend, the Senator from Erie [Mr. LOWRY], tried to stop the rebellion in its incipiency, by going down to see John Brown, to see if he could not close up the matter without bloodshed.

Possibly it would have been better if this bill had not been passed. I think as this law has been passed, and the door already opened, that it ought to be opened this little inch wider, so as to include the meritorious persons mentioned in this bill. I do not think that men who were out on a frolic for two or three weeks, and never saw an army, should be paid, while those who faced the music shall get nothing. I do not care, so far as the number is concerned; I am opposed to robbing the treasury as much as anybody, but I say that this class of our people should be protected—they need protection much more than many who have drawn from the treasury. I hope the Senate will bear in mind that the heaviest burden on the treasury is already passed; each of those applicants has received a gratuity of forty dollars, and I suppose the class referred to is not numerous.

Mr. LOWRY. I suppose it is fair to presume that there are widows of the soldiers of the late war, as there are heroes of the late war. We might as well pension all the county at once, and tell the tax-gatherers in that county to make out their lists, and that all over a certain age shall be entitled to a pension. I do say that the people of Erie county do not come here in shoals, as they come from Lancaster county, and grab the last dollar from the treasury, until they knock the skin off their very knuckles on the bottom of the treasury, as Lancaster has been doing, and it is time it was stopped.

Mr. FISHER. So far as grabbing at the treasury is concerned, I do not know which does the most of it. I do know that Erie county, a short time ago, undertook to make a tremendous grab on some land property for a certain purpose.

Mr. LOWRY. That requires explanation, and the Senator from Lancaster [Mr. FISHER] shall have it. I not only attempted to make a grab, but I did make, and the Senator voted for it, and he knew what it was when he voted for it, and now he attempts to come here and throw dirty water upon me for his vote.

Mr. FISHER. I beg the Senator's pardon. I did not vote for it; I voted to give this property to the Farm School of Centre county.

Mr. BILLINGFELT. I simply wish to state to the Senator from Erie [Mr. LOWRY] that the Senators from Lancaster are not responsible for the passage of that act of 1866. If there was a bill before this body now to repeal that act, I might vote for it, or for restricting it; but since that act is still in force, and may remain in force for years, the question is narrowed down to this: Shall these few meritorious persons who fought under the flag of their country, be deprived of their bounty, whilst hundreds or thousands of others, who never were actually in service, draw their pensions?

Mr. M'CONAUGHY. Mr. Speaker, it seems to me, there is only one question involved in this bill, and I think I shall vote for it. The provision is simply to extend the benefits of the act of 1866, to those soldiers engaged in actual battle, and the widows of those soldiers, though they may not be embraced in the act of 1866, because not two months in the service. I do not see how we can hesitate to vote for it. The State has seen fit to grant to those who were in service, and who are in actual want, a bounty of forty dollars, besides a gratuity.

Now, sir, where exists the greatest merit—in him who actually did battle and gallantly exposed his life in defense of the flag, or him who was for sixty days in the service, but never engaged in a battle? Certainly, the former class is the more meritorious, if there is to be a comparison; and why should there be a hesitation in extending the act of 1866 to that class? As to the question whether the details of that act should be more carefully prepared, I have no doubt. I am prepared at any moment to vote for an improvement to that act; I think it is incumbent upon us to do so.

There is one point where I think there should be an improvement. That act has been abused in a number of cases, and the bounty secured by persons who did not need it. It is not proper that the men who fought in 1812 for the life of the country, against Great Britain, shall be permitted to die in actual beggary, and I say the Commonwealth is right in that attitude. The Commonwealth would be unjust to herself and to her memories if she did not assume that attitude, and provide that every man who has fought for us in that war, which was vital to the interests of the country, shall not be permitted to go to the grave in beggary; that is the spirit of the act, but that question of actual want should be very carefully guarded, and I know of no way in which it could be better done than by requiring that fact to be established by a certain amount of evidence in the county in which the applicant resides; let it be certified by the judicial officers. The fact that that abuse exists does not meet the question that is raised by this bill; it is simply whether you will give this boon to that man who served two months in the war of 1812, and who may never have been in range of the enemy's guns, while you deny it to that man who fought through the war.

Mr. LANDON moved that the bill be

committed to the Committee on General Judiciary, with instructions to prepare such amendments as the whole subject requires.

The motion was

Agreed to.

BILL RECONSIDERED.

On motion of Mr. O'NNELL, the Senate proceeded to reconsider the bill entitled A further supplement to an act passed May 16th, A D. 1861, entitled An act to authorize the erection of a free bridge over the river Schuylkill at South street, in the city of Philadelphia, making it the duty of the chief engineer to direct the building of a bridge, and providing that the same shall have a draw thereon; said bill having been returned to the Senate by the Governor for amendment, in pursuance of a resolution of both Houses.

The question recurring,

Shall the bill pass?

Mr. CONNELL asked and obtained the unanimous consent of the Senate to amend the bill by inserting, after the word "That," in the first line of the sixth section, the words, as follows, viz: "The mayor of the city of Philadelphia, the presidents of the select and common councils of said city, Charles A. Miller."

The bill as amended was then

Passed finally.

RETURN OF BILL.

Mr. FISHER offered the following resolution, which was twice read:

Resolved, That (the House of Representatives concurring) the Governor be and he is hereby requested to return to the Senate House bill No. 669, entitled An act amending the charter of the municipal corporation of the city of Lancaster, and dividing the same into nine wards.

The resolution was

Adopted.

PUBLIC CALENDAR.

Agreeably to order,

The Senate proceeded to the second reading and consideration of bills on the public calendar, which were disposed of as follows:

House bill No. 538, an act regulating interest on public accounts.

The bill was read as follows:

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same*, That if the cashier of any bank doing business in this Commonwealth, whether incorporated under the laws of this State or of the United States, shall neglect or refuse to collect the tax imposed by the act of February twenty-third, one thousand eight hundred and sixty-six, upon the stockholders of said banks, and pay the same into the State Treasury at the time specified in said act, it shall be the duty of the Auditor General and State Treasurer, in the settlement of all accounts with said cashier or banks, or stockholders of said banks, as the case may be, to charge interest on all balances found due the Commonwealth, at the rate of twelve per centum per annum, from the time said taxes became due and payable to the time of said setttlement.

SEC. 2. That in the settlement of all accounts for taxes due the Commonwealth by incorporated companies or institutions, whether the same are incorporated by or under any law of this Commonwealth, or are incorporated by some other power or authority, and lawfully doing business in this Commonwealth, the Auditor General and State Treasurer shall charge interest upon the balance or balances found due the Commonwealth, by such companies, at the rate of twelve per cent. per annum from the time said taxes became due and payable to the time of the payment of the same: *Provided*, That the payment of interest as aforesaid shall not relieve such corporations from any of the penalties prescribed by law for neglect or refusal to furnish reports to the Auditor General.

SEC. 3. That hereafter all balances due the Commonwealth on accounts settled agreeably to the provisions of the act of March thirtieth, one thousand eight hundred and eleven, shall bear interest from thirty days after the date of settlement, at the rate of twelve per centum per annum, until the same is paid.

The bill was read a third time, and

Passed finally.

Senate bill No. 1162, an act to extend to companies organized under the general manufacturing laws of this Commonwealth, the same privileges in regard to payments of subscriptions of stock that have been conferred upon mining companies by the general law of one thousand eight hundred and fifty-four.

The first and only section was read as follows:

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same*, That joint owners, tenants in common, or adjoining owners of mineral lands, or owners of mills, factories or other property necessary to the business for which a corporation is proposed to be organized under the act entitled An act relating to corporations for mechanical, manufacturing, mining and quarrying purposes, may subscribe to the capital stock of such corporation, and pay for the same by a conveyance of such property, at a cash valuation, to be agreed upon by not less than three fourths of all the parties in interest, and the interests of the owners mentioned in the articles of association shall vest in the company, without further conveyance, in the same manner, and to the same extent, as if the company had been organized under the general act entitled An act to enable joint tenants, tenants in common, and adjoining owners of mineral lands in this Commonwealth, to manage and develop the same, approved April twenty-first, Anno Domini one thousand eight hundred and fifty-four.

The bill was read a third time, and

Passed finally.

Senate bill No. 1183, joint resolution relative to revising, collating and digesting the tax laws of Pennsylvania.

The bill was read as follows:

Be it resolved by the Senate and House of Representatives of the Commonwealth of Pennsylvania, in General Assembly met, That the Auditor General and State Treasurer be, and they are hereby, required to revise, collate and digest all public acts and statutes regulating and relating to the system of taxation in this Commonwealth, for State, county, school and municipal purposes.

SEC. 2. That it shall be the duty of the Auditor General and State Treasurer to carefully collect and reduce into one act the different acts, and part of acts, which, from similarity of subject, ought to be so arranged and consolidated, to divest the said acts of all useless verbiage, to arrange the several acts under proper titles and sections, to omit all such acts, or parts, as shall have been repealed, supplied, or expired, to report and suggest to the Legislature such contradictions, omissions or imperfections as may appear in the statutes, and the mode in which the same may be reconciled, supplied or amended, designating the acts or parts of acts which ought to be repealed, and recommend the passage of such new acts as such repeal may render necessary, and generally to execute the duties hereby confided to them in such manner as to render the tax laws of Pennsylvania more perfect, plain and simple: *Provided*, That in the revision, collating and digesting proposed no change of phraseology shall be made that will, in any wise, impair, alter or affect the true intent and meaning of any acts, or parts of acts, except in those instances in which it shall be expressly proposed to alter and amend such acts.

SEC. 3. That report shall be made to the next Legislature, by the Auditor General and State Treasurer, of the result of their labors, together with the necessary bill prepared, and notes of changes proposed, if any, which report shall be in pamphlet form.

SEC. 4. That the Auditor General and State Treasurer are hereby authorized to employ such assistance as in their judgment they may require to discharge the duties imposed by this act: *Provided*, The expense of such assistance shall not exceed two thousand dollars.

On motion of Mr. M'CONAUGHY, the Secretary of the Commonwealth was added to the commission.

The bill was read a third time, and

Passed finally.

Senate bill No. 1248, a supplement to the act entitled An act regulating banks, approved April sixteenth, one thousand eight hundred and fifty.

The bill was read as follows:

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same*, That whenever any bank, now or that may hereafter be incorporated under any law of this Commonwealth, shall be declared fraudulently insolvent, either by the report of auditors or the verdict of a jury, upon an issue formed by direction of the court, then, and in that case, the assignee of said bank shall prepare, or cause to be prepared, a bill in equity, in which the said assignees shall be plaintiffs, and those who were officers and directors of said bank at the time of its assignment, as also those who thereto-fore had been officers and directors of said bank and by whose acts of omission or commission the fraudulent insolvency, in whole or in part, of said bank was caused, shall be defendants, in which said bill the plaintiffs shall make the necessary and proper charges against the defendants, setting forth the fraudulent insolvency of said bank, that the same was caused by the acts of omission or commission of the defendants, or some of them, particularly specifying the fraudulent acts complained of, and by whom committed, the amount of the outstanding and unredeemed paper issues of said bank, including its certificates of deposit, and how much of each, and shall pray that the said defendants, or such of them by whose acts of omission or commission the fraudulent insolvency of said bank was caused, shall be adjudged and decreed to pay the plaintiffs a sum of money equal in amount to all the outstanding and unredeemed paper issues and certificates of deposit of said bank.

SEC. 2. The said bill shall be heard by the court of common pleas, or district court of the county in which said bank is or was located; service of a copy of the bill upon the defendants named therein, or any of them, in any city or county of this Commonwealth, shall be a sufficient service thereof, so as to require the party or parties so served to appear and answer, demur, or plead thereto; and if no such service can be had upon any of said defendants, then the same may be served, as to them, by publication of a copy of said bill in such newspaper or newspapers as the court may direct for six weeks previous to the return day, and if default is made, or if, upon the hearing, the facts as set out in the

bill are established, said court shall enter a decree, as prayed for in said bill, and award the proper process to carry the same into effect: *Provided*, That upon final decree made either party may remove the proceedings to the supreme court as in other cases.

The bill was a read a third time, and

Passed finally.

Senate bill No. 1254, an act to repeal the State tax upon certain personal property, and in lieu thereof, to apportion three hundred thousand dollars upon the counties of the State.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted, by the authority of the same*, That so much of the thirty-second section of the act of April twenty-ninth, one thousand eight hundred and forty-four, as imposes a tax upon horses, mares, geldings, mules, meat cattle, money due upon book accounts, agreements, promissory notes, bonds, mortgages, judgments, all household furniture, including gold and silver plate exceeding in value three hundred dollars, pleasure carriages, salaries and emoluments of offices, professions, trades and occupations, for the support of the State government, except so far as the said act imposes a tax on the bonds of corporations, be, and the same is hereby, repealed from and after the first day of May, including the half mill tax imposed by the act of May sixteenth, one thousand eight hundred and sixty-one, and that a lien thereof there is imposed and charged, annually, upon the city of Philadelphia, and upon each of the following named counties, as follows, namely: Adams, two thousand six hundred and sixty dollars and sixty-four four cents; Allegheny, seventeen thousand and fifty-one dollars and forty two cents; Armstrong, two thousand three hundred and forty-six dollars and three cents; Beaver, two thousand six hundred and ninety dollars and ninety-two cents; Bedford, one thousand seven hundred and eight dollars and sixty cents; Berks, seven thousand three hundred and fifty-five dollars and fifteen cents; Blair, one thousand six hundred and eleven dollars and twenty cents; Bradford, three thousand two hundred and seventy-five five dollars and ninety seven cents; Bucks, eight thousand seven hundred and ninety-five dollars and ninety-seven cents; Butler, two thousand three hundred and sixty-nine dollars and eighty-eight cents; Cambria, one thousand four hundred and forty-one dollars and fifty cents; Cameron, one hundred and sixty-six dollars and seventy-four cents; Carbon, one thousand five hundred and seven dollars and ninety-eight cents; Chester, twelve thousand one hundred and sixty dollars and forty-one cents; Centre, two thousand and three dollars and ten cents; Clarion, one thousand five hundred and eighty dollars; Clinton, one thousand and thirty-nine dollars and fifty-three cents; Clearfield, nine hundred and ninety-three dollars and ninety-seven cents; Columbia, two thousand one hundred and ninety-three dollars and forty-six cents; Crawford, three thousand one hundred and ninety-nine dollars and eighty-nine cents; Cumberland, four thousand six hundred and eighty-nine dollars and ten cents; Dauphin, four thousand seven hundred and fifty-two dollars and fifty cents; Delaware, five thousand seven hundred and sixty-eight dollars and twenty cents; Erie, four thousand one hundred and sixty-two dollars and seventy-seven cents; Elk, one hundred and eighty-eight dollars and twenty-eight cents; Fayette, three thousand seven hundred and three dollars and ten cents; Franklin, three thousand two hundred and seventy-nine dollars and twenty-five cents; Fulton, three hundred and ninety-two dollars and ninety-three cents; Forest, sixty-eight dollars and seventy-eight cents; Greene, one thousand nine hundred and sixty-seven dollars and forty-three cents; Huntingdon, two thousand and seventy-four dollars and seventy cents; Indiana, one thousand seven hundred and twenty-six dollars and thirty-three cents; Jefferson, seven hundred and nineteen dollars and eighty-five cents; Juniata, one thousand four hundred and sixty dollars and fifty-six cents; Lancaster, fifteen thousand one hundred and eighty-four dollars and twenty cents; Lawrence one thousand seven hundred and thirty-four dollars and thirty-seven cents; Lebanon, two thousand eight hundred and twenty-four dollars and ninety-four cents; Lehigh, four thousand five hundred and ninety-four dollars and eighty cents; Luzerne, five thousand eight hundred and twenty-seven dollars and ninety-five cents; Lycoming, three thousand two hundred and sixty dollars and eighty-six cents; Mercer, two thousand six hundred and four dollars and sixty-one cents; M'Kean five hundred and fifty-seven dollars and sixty-four cents; Mifflin, one thousand six hundred and fifty dollars; Monroe, one thousand and ninety-two dollars and twenty-two cents; Montgomery, eleven thousand and twenty-eight dollars and forty cents; Montour, eight hundred and sixty-two dollars and seventeen cents; Northampton, six thousand nine hundred and twenty-four dollars and forty-eight cents; Northumberland, two thousand two hundred and twenty-seven dollars; Perry, one thousand six hundred and thirty dollars and thirty-eight cents; Philadelphia, ninety thousand nine hundred and forty-three dollars and ninety-five cents; Pike, five hundred and seventy-five dollars and seventy nine cents; Potter, seven hundred and thirty-nine dollars and eighty-three cents; Schuylkill, five thousand one hundred and five dollars and eighty-two cents; Snyder, nine hundred and seventy-seven dollars and eight cents; Somerset, one thousand seven hundred and seventy-eight dollars and ninety-four cents; Sullivan, two hundred and eighty dollars and sixty-three cents; Susquehanna, two thousand and fourteen dollars and ninety cents; Tioga, one thousand one hundred and forty-eight dollars and five cents; Union, one thousand four hundred and fourteen dollars and thirty-three cents; Venango, two thousand and seventy-seven dollars and fourteen cents; Warren, one thousand three hundred fifty-three dollars and eighty-six cents; Washington, five thousand and thirty-two dollars and twenty-five cents; Wayne, one thousand two hundred and sixty-one dollars and thirty-four cents; Westmoreland, four thousand three hundred and ninety-six dollars and thirty-five cents; Wyoming, nine hundred and fifteen dollars and twenty-eight cents; York, six thousand nine hundred and fifty-three dollars and fifty cents, amounting, in the aggregate, to three hundred thousand dollars ($300,000).

Mr. LOWRY asked for an explanation of the bill.

Mr. BIGHAM. Mr. Speaker, perhaps it is necessary to give a little explanation of this.

The Senate is aware that a year ago the State tax on real estate was repealed, leaving the tax upon personal property. The revenue commission that met in 1863, which was made up of one from each judicial district, by an act of 1864, was abolished, and the duties of that commission devolved upon three officers—the State Treasurer, Auditor General and Secretary of the Commonwealth, they having the same powers as the old revenue commissioners had, of fixing the amount upon each of the counties. They fixed an amount, which will be found in the Auditor General's report. It was not enforced last year, because it would have interfered with all the arrangements in the several counties. By footing up the columns in the Auditor General's report, it will be found that if this is not passed, the counties of the Commonwealth will be called upon to pay six hundred and sixty-six thousand dollars.

This bill is prepared in accordance with the recommendation of the State Treasurer, who recommends that three hundred thousand dollars be assessed directly upon the treasurers of the counties. It is desired to have this detail taxation upon personal property repealed, for the reason that it prevents the perfection of the tax system in the several counties. This bill imposes the tax directly upon the treasurers; in the Senatorial districts it is less than half of what would be imposed upon them if this bill should not pass.

Mr. CONNELL. Mr. Speaker, the Senator from Allegheny [Mr. BIGHAM] has so fully explained the merits of this bill that any further statement of its merits is unnecessary.

The remaining sections of the bill were read as follows:

SEC. 2. That the amount charged in the first section of this bill, upon said city and county above named, shall, on the first day of August, one thousand eight hundred and sixty-seven, be due, and payable to the State Treasurer by the city treasurer of Philadelphia, and by the county treasurer of each of the above named counties, from the treasury of the said city and counties, upon the first day of each succeeding August, and that any city or county treasurer that is in arrears more than thirty days in said annual payment, shall be charged interest at the rate of one per centum per month upon the amount so in arrears, until the same is paid.

SEC. 3. That the city of Philadelphia and the counties in the Commonwealth, are hereby authorized to collect the amount assessed as State tax for the present year, and pay it into the city and county treasury, to meet the assessment upon said city and county under the first section of this act.

SEC. 4. That the Auditor General, in settling the accounts against the city of Philadelphia, and the counties of the Commonwealth, for tax on personal property, for the year one thousand eight hundred and sixty-six, is hereby required to settle the same on the basis of their return made by the commissioners of said city and counties to the revenue board instead of on the adjusted valuation made by said board.

SEC. 5. That the commissioners of any county of this Commonwealth in which a tax on real estate for the year one thousand eight hundred and sixty-six had been levied, duplicates placed in the hands of collectors, and tax in part collected before the passage of the act of twenty-third February, Anno Domini, one thousand eight hundred and sixty-six, exempting real estate from taxation for State purposes, are hereby authorized to proceed with and enforce the collection of such tax the same as if such act had never been passed, and to apply the same to the payment of the indebtedness of such county to the Commonwealth, and the surplus, if any remains, to county purposes.

The bill was read a third time, and

Passed finally.

Senate bill No. 1255, an act to establish an additional State Lunatic hospital.

The bill was read as follows:

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same*, That the Governor be, and he is hereby, authorized to appoint three commissioners to select a site and build

a hospital for the insane of the northern district, composed of the counties of Monroe, Carbon, Pike, Wayne, Susquehanna, Wyoming, Luzerne, Columbia, Montour, Sullivan, Bradford, Lycoming, Tioga, Clinton, Centre, Clearfield, Elk, Cameron, M'Kean and Potter; said commissioners shall receive no compensation for their services, except their actual traveling expenses incurred in the discharge of their duties; nor shall said commissioners in any way be concerned in any contract, or in furnishing supplies of any kind for the erection of said building.

SEC. 2. The commissioners shall select and purchase, in the name of the Commonwealth, a farm of not less than two hundred and fifty acres of good arable land, with an unlimited supply of pure water, and excellent facilities for drainage from the buildings, said farm to be at a convenient distance from some town, and of easy access by railroad, the selection of said farm to be approved by the Governor before the purchase money is paid: *Provided*, The commissioners shall have power to receive a deed for any tract of land which may be presented for the purpose.

SEC. 3. The commissioners shall have power to select and appoint a medical man, familiar with the treatment of the insane, to prepare the plan of the hospital, and to superintend its erection, said plan to be drawn by a competent architect, employed by the commissioners, in strict accordance with the proposition on construction of hospitals for the insane, adopted by the Association of Medical Superintendents of American Institutions for the Insane, said plan to be approved by the Governor, or such experts as he may select, and no changes to be made in said plan to affect its general character, without the consent of the Governor, in writing.

SEC. 4. The commissioners shall have power to fix the salary of the medical man selected as superintendent during the time he is engaged in directing the erection of the building, and also of the architect and others, necessary for the proper construction of the building.

SEC. 5. To enable the commissioners to purchase the farm, and make the necessary preparations for the erection of the building at the earliest period, the sum of fifty-thousand dollars is hereby appropriated, and the whole cost thereof, when finished, shall not exceed two hundred thousand dollars, exclusive of the cost of the farm: *And provided*, That not more than fifty thousand dollars shall be drawn from the treasury during the present year for said purpose.

SEC. 6. That the commissioners shall report to the Governor, before the meeting of the Legislature, the amount of money expended by them, and the progress made in the erection of the building.

The bill was read a third time, and

Passed finally.

Senate bill, No. 1258, a further supplement to an act relating to lunatics and habitual drunkards, passed the thirteenth day of June, Anno Domini one thousand eight hundred and thirty-six.

The bill was read as follows:

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same*, That the notice required by the twenty-fourth section of the act to which this is a further supplement, to be given to the wife, if any, and the next kin of the lunatic or habitual drunkard, capable of inheriting the estate, of the intended application for an order for the sale or mortgage of real estate, shall be given in the manner following, viz: To all persons resident within the county in which the court has jurisdiction, such notice shall be given personally, or by writing, left at their place of abode, as may be directed by the court; to persons resident without the county, notice shall be given by publication, for not less than three successive weeks, in two newspapers published in the county where such lunatic or habitual drunkard may reside.

The bill was read a third time, and

Passed finally.

Senate bill No. 1332, an act relative to the redemption of unseated land sold for taxes where interests in the same land are owned by different persons.

The bill was read as follows:

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same*, That where interests in any unseated lands in this Commonwealth are held by several owners, and where the person or persons, owning the fee simple, shall convey the minerals, mineral rights, timber, or any other interest in said lands, and the interest conveyed shall be severed from the interest of the vender or venders by said conveyance, and the interest so conveyed shall not be severed in the assessments and taxation, and the said land, or any part thereof, shall or may be sold for taxes and bought by any person or persons at treasurer's sale for unpaid taxes, it shall and may be lawful for the person or persons owning said minerals, mineral rights, timber or other interest, to make application to the commissioners of the county where said lands are situated, setting forth the facts, and interest or interests of the person or persons making such application; and thereupon the said commissioners shall value the interest of the person or persons so making application in said lands, in proportion to the assessed valuation fixed upon the whole of said land, and shall thereupon give to such person a certificate of such valuation.

SEC. 2. That it shall be the duty of the county treasurer of any county where said land is situated, upon presentation of such certificate, and upon the payment of the amount of valuation fixed by said commissioners, with the additional sum of twenty-five per cent., to give a redemption receipt in the usual form, which shall be in full of redemption of said interest: *Provided*, The said redemption shall be made within the two years now allowed by law.

The bill was read a third time, and

Passed finally.

Senate bill No. 1337, an act relative to the trial of certain causes in cases of relationship between the presiding judge and the counsel of a party thereto.

The first section was read.

Mr. RANDALL moved to postpone the further consideration of the bill indefinitely.

Mr. M'CONAUGHY. I hope not. The bill, as originally referred to the General Judiciary Committee, provided that in case the father, son or brother of the presiding judge was of counsel in a case for trial in any county, relief should be given by a change of venue. That did not meet with the approbation of the committee, but the bill was so changed as to provide that in cases where the father, brother, or son of the presiding judge, before whom a case is for trial, is of counsel in the case, the opposite party may have the privilege, upon alleging that fact, of having the case tried by another judge. Under our Constitution and laws a judge cannot participate in the trial of any case as counsel. The consequence of that is, that where a judge has been an active member of the bar, and has been concerned in a great number of cases in the county, there the rule is to call in a judge from an adjacent county to try the cases in which the judge is interested. The case provided for in this bill is where the judge is not directly related to the cause as counsel, but where his father, brother, or son is employed as such counsel. We have granted a great many changes of venue; the principle upon which they have been granted is that a party is entitled to have a trial before a disinterested tribunal; and not only so, but a party should have confidence, in going into our judicial tribunals, that he shall not be prejudiced by anything that will make the scales of justice hang unequal. It is this same principle that applies to this case. It is easy to imagine a case where there may be an undue influence in the trial, by reason of one brother being on the bench, and another brother acting as counsel before; him in that supposed case, the citizen ought not to be driven to trial before a judge whom he believes is not free of prejudice and undue influence by reason of relationship. It is to provide for such a contingency that the committee have reported the bill in its present form. It obviates the difficulties of the old bill, which put parties and witnesses to great expense in removing cases from one county to another; and it seems to me a just measure to relieve the party who believes that he cannot have an impartial trial on account of relationship, giving him the opportunity of asking that there shall be a trial before another judge.

Mr. FISHER. Mr. Speaker, this strikes me as a most monstrous proposition. We will suppose that the Senator from Adams was practising in the courts of his judicial district, and that his brother was on the bench; it would be necessary, under the provisions of this law, at the sitting of every court in the district that there should be a strange judge, because this objection might arise in every case, for fear that there might be some influence exercised by the bench in favor of his father, brother or son.

Mr. LOWRY. I am in favor of a fair trial by jury, but I would inquire of the Senator from Adams [Mr. M'CONAUGHY] if this is not a law to meet a particular case?

Mr. M'CONAUGHY. It is not; the subject being brought before the General Judiciary in the shape of a bill giving, in a supposed case, a remedy by change of venue, the matter became a subject of consideration, and was reported not for a particular case, but as a relief in a probable contingency.

Mr. LOWRY. Mr. Speaker, I am sorry that the chairman of the committee has not considered it his duty, before this hour, to bring in a bill allowing a general change of venue on well grounded reasons; it would save a vast amount of legislation, and insure to every human being in the Commonwealth the glorious right of knowing that he would have a fair trial by jury. Whilst I see nothing very objectionable in the bill, yet I think it would be better to have brought in a general bill for a change of venue.

Mr. WHITE. Mr. Speaker, I do not feel like occupying the time of the Senate in regard to this bill, but when I heard it read, it startled me very much. This is a general law, in which we are all interested. This is a general law, Mr. Speaker, which—no doubt innocently—reflects upon the entire judiciary of this Commonwealth—reflects upon their integrity, fairness and uprightness. It may be that it has been introduced to correct some special evil; I do not know how that is; but I trust Senators here will not ask members of this body to commit themselves to a proposition of this kind to meet an individual case. This is a matter that indirectly stabs the integrity of every judge in Pennsylvania. Why, sir, I can recollect cases where judges were sitting upon the bench where there were sons and relatives practicing before them; I know that my

friend, the Senator from Allegheny [Mr. BIGHAM], can recollect instances of that character. No cause for reflection was found in these instances. We have got along very well, and do not let us take this step to-day for a special remedy. If there is any necessity for a change of venue, let us bring it before the judiciary. I sympathize with the Senator from Erie [Mr. LOWRY], when he says that he wants a fair trial given to every man; but do not stab the judiciary of this Commonwealth by saying that they cannot do justice, because a relative happens to be employed as counsel for the party.

Mr. BIGHAM. Mr. Speaker, the Senator from Indiana [Mr. WHITE] is entirely mistaken in this matter. The form in which this bill is drawn makes no stab at the judiciary. The ordinary practice shows that these cases are uniformly tried before the other associate judge.

Mr. FISHER. I would simply ask whether they have not two or three law judges in the county of Allegheny? That is not the case in other judicial districts.

Mr. BIGHAM. That is the case in the county of Lancaster, I believe, and it is the case in quite a number of the districts. It is not a novel feature at all; special courts have been sanctioned in Pennsylvania ever since the judiciary was established; cases of this kind have frequently occurred. Either you must have a change of venue or bring in an adjoining judge. It contains no reflection; I was surprised very much that anybody should think this contains any reflection; it is simply an old adage, that "blood is thicker than water." If suitors are entitled to a fair trial, they are entitled to have all suspicion ruled out.

Mr. COLEMAN. Mr. Speaker, I introduced this bill originally, and it strikes me that every judge should desire a law of that kind. I am surprised at the position of the Senator from Indiana [Mr. WHITE]. It seems to me eminently proper, that a law of this kind should be passed.

Mr. M'CONAUGHY. Mr. Speaker, I think there is an unnecessary sensitiveness on the part of our friend, the Senator from Indiana, on this subject. I am perfectly aware of his relationship to a gentleman on the bench, but I do not think there is anything in this bill to give occasion for sensitiveness. The operation of this bill is simply to give the privilege to the suitor, where he believes that undue bias will exist by nearness of blood, to have his case removed; but it does not provide that in all cases it shall be done. In districts where cases of this kind occur, and where there appears no disposition to use the bench or bar for selfish purposes, there will be no application of this law. It is simply a remedy to be used where the consciousness exists that justice is not dealt out fairly, and in that case it is right there should be a remedy.

Mr. WHITE. Is there not a remedy under the law for a case of that kind?

Mr. M'CONAUGHY. There is an extreme remedy, but one which should not be resorted to until patience is exhausted. These abuses exist in courts year after year, before the extreme remedy of impeachment is resorted to.

On the question,

Will the Senate agree to the motion to postpone indefinitely?

The yeas and nays were required by Mr. RANDALL and Mr. DONOVAN, and were as follow, viz:

YEAS—Messrs. Burnett, Davis, Donovan, Fisher, Glatz, Jackson, James, Landon, Lowry, M'Candless, Randall, Ridgway, Royer, Schall, Searight, Stutzman, Taylor, Wallace, Walls and White—20.

NAYS—Messrs. Bigham, Brown (Mercer), Coleman, Connell, Cowles, Graham, Haines, M'Conaughy, Shoemaker and Worthington—10.

So the question was determined in the affirmative.

No. 1339, an act to indemnify certain election officers of this Commonwealth for losses sustained and fines imposed on them for acting in accordance with the provisions of the act of Assembly of June fourth, one thousand eight hundred and sixty-six.

The bill was passed to a third reading.

[The debate will appear in the *Appendix*.]

On motion of Mr. BIGHAM, the Senate adjourned until 10 o'clock to-morrow morning.

SENATE.

WEDNESDAY, March 3, 1867.

The Senate met and was called to order at 10 A.M., by the SPEAKER.

Prayer was offered by the Rev. Mr. Bailey.

On motion of Mr. CONNELL, the reading of the Journal of yesterday was dispensed with.

PRIVATE CALENDAR.

Agreeably to order,

The rules having been dispensed with, the Senate proceeded to the consideration of bills on the calendar of Senate bills numbered and entitled as follows, and disposed of the same as stated:

No. 1256, a supplement to an act for the better and more impartial selection of jurors in the several courts of Somerset, Bedford, Fulton, Westmoreland, Perry and Juniata counties, extending the provisions of the same to the counties of Mifflin and Centre.

Laid over.

No. 1262, an act authorizing the construction of board walks along the streets in Liberty township, Allegheny county.

Passed finally.

No. 1264, an act to annul the marriage contract between Henry Warren Roth and Arabella, his wife.

Passed finally.

No. 1265, an act to authorize and empower the court of quarter sessions of the county of Cameron to amend and alter the charter of the borough of Emporium, in the county of Cameron.

Passed finally.

No. 1267, a further supplement to the acts incorporating the city of Pittsburg, extending its boundaries, enlarging its corporation and perfecting its municipal organization.

Title and bill amended, and

Passed finally.

No. 1287, an act relating to road taxes in Franklin township, Allegheny county.

Passed finally.

No. 1304, an act to incorporate the Pennsylvania paper manufacturing company.

Passed finally.

No. 1307, an act to incorporate the Titusville hotel company.

Ruled out of order.

No. 1309, an act to incorporate the Home manufacturing company.

Passed finally.

No. 1314, an act to incorporate the Agricultural manufacturing company.

Passed finally.

No. 1315, a further supplement to a further supplement to an act incorporating the Bedford iron company, approved the 1st day of May, 1861.

Amended on motion of Mr. STUTZMAN, and

Passed finally.

No. 1317, an act to incorporate the Plymouth passenger railroad company.

Passed finally.

No. 1318, an act to incorporate the Stroudsburg passenger railway company.

Passed finally.

No. 1321, an act to incorporate the Northumberland and Sunbury street railway company of Northumberland county.

Passed finally.

No. 1324, an act extending the time for commencing and completing the Columbia and Octorara railroad beyond the time allowed by its act of incorporation, and the supplements thereto.

Passed finally.

No. 1325, an act to incorporate the Union passenger railway company of the city of Pittsburg.

Passed finally.

No. 1326, an act to authorize the school directors of Freedom township, Adams county, to appropriate the surplus of bounty funds in their hands to school purposes.

Passed finally.

No. 1347, an act to authorize the Allegheny Valley railroad company to issue additional stock and bonds, and to repeal the act entitled An act to authorize the Allegheny Valley railroad to mortgage its road and branches to complete the same, approved the 8th day of March 1867.

Laid over.

No. 1366, an act in relation to auctions in the county of Beaver.

Amended on motion of Mr. TAYLOR, and

Passed finally.

No. 1368, an act relative to the Schuylkill park association.

Passed finally.

No. 1369, an act to authorize the Governor to appoint an additional notary public in the county of Beaver.

Passed finally.

No. 1370 a supplement to an act relative to the courts in Lehigh county.

Passed finally.

No. 1381, an act relative to the purchase of a law library in the county of Allegheny.

Passed finally.

No. 1382, an act authorizing the burgess and town council of the borough of Sharon to levy and collect a tax for bridge purposes.

Passed finally.

No. 1388, an act authorizing an increase of taxes, in the borough of Tarentum, county of Allegheny.

Passed finally.

No. 1405, an act to incorporate the Equitable gold and silver mining company of Nevada.

Passed finally.

No. 1406, an act to incorporate the Sheffield iron, steel and land company.

Passed finally.

No. 1407, an act to incorporate the Granby coal company.

Passed finally.

No. 1408, An act to consolidate the Steuben coal company and the Scranton coal company.

Passed finally.

No. 1409, an act to incorporate the Battle house and watering place company at Gettysburg.

Title amended on motion of Mr. M'CONAUGHY.

Passed finally.

No. 1414, an act relative to the Merchants and People's transportation company.

Passed finally.

No. 1419, an act to incorporate the Somerset land company.

Passed finally.

No. 1420, An act to incorporate the United States Plate Glass insurance company of Philadelphia.

Passed finally.

No. 1425, an act to incorporate the Har-

mony Savings Bank of the village of Harmony, in Butler county.

Passed finally.

No. 1428, supplement to an act for the more effectual protection of the owners of logs and lumber on the Susquehanna river.

Title amended on motion of Mr. JACKSON.

Passed finally.

No. 1456, an act authorizing the court of quarter sessions of M'Kean county to appoint commissioners to take exclusive charge of a portion of the road leading from Smethport, in M'Kean county, to Wilcox, in Elk county, and to appropriate taxes for the repair and changing of the same.

Passed finally.

No. 1465, joint resolution appointing a committee to inquire into certain alleged misapplication of the money appropriated to remove obstructions in the Delaware river, by an act passed April 4, 1866, to improve the navigation of said river.

Not agreed to.

No. 1475, a further supplement to an act entitled An act for the better management of the Allegheny county prison, approved the 23d of March, 1865.

Passed finally.

No. 1484, an act to incorporate the Co-operative association of Tamaqua.

Objected off.

No. 1485, an act to incorporate the Argentine silver mining company of Colorado.

Passed finally.

No. 1486, an act to incorporate the Peabody mining company.

Amended on motion of Mr. DONOVAN.

Passed finally.

No. 1487, an act to incorporate the Treasury silver mining company.

Amended on motion of Mr. DONOVAN.

Passed finally.

No. 1495, an act to incorporate the Corn Exchange warehousing company of Philadelphia.

Passed finally.

No. 1502 an act to incorporate the Pittston railroad and coal company.

Passed finally.

No. 1503, a further supplement to the act incorporating the Catawissa and Towanda railroad company.

Passed finally.

No. 1504 a further supplement to the act incorporating the Muncy Creek railroad company, authorizing said company to hold additional lands, and extending the time for the payment of the enrolment tax on supplement thereto.

Passed finally.

No 1505, a further supplement to an act to incorporate the Jamestown and Franklin railroad company, approved April 3, 1862.

Title amended by Mr. BROWN (Mercer), and

Passed finally.

No. 1511, an act annexing the farm of John Hamilton, in Sandy Lake township, Mercer county, to North township, in said county, for school purposes.

Passed finally.

No. 1513, an act to lay out a State road in Allegheny and Washington counties.

Passed finally.

No. 1534, an act to change the venue of a certain issue from Northumberland county to Lancaster county.

The bill was read.

Mr. JACKSON moved to postpone the bill indefinitely.

On the motion to postpone,

The yeas and nays were required by Mr. JACKSON and Mr. COLEMAN, and were as follow, viz:

YEAS—Messrs. Bigham, Burnett, Donovan, Glatz, Jackson, James, Landon, M'Candless, Randall, Ridgway, Royer, Schall, Shoemaker, Stutzman, Wallace and Walls—16.

NAYS—Messrs. Billingfelt, Browne (Lawrence), Brown (Mercer), Coleman, Connell, Fisher, Graham, Haines, M'Conaughy, White, Worthington and Hall, *Speaker*—12.

So the bill was postponed indefinitely.

No. 1536, an act relating to the collection of State and county taxes in the county of Monroe.

Passed finally.

No. 1539, an act erecting a Fourth ward in the borough of Easton, in the county of Northampton.

Passed finally.

No. 1540, supplement to an act annexing the borough of Manchester to Allegheny city, approved March 12, 1867.

Passed finally.

No. 1460, a supplement to an act entitled An act amendatory of the license laws of this State, approved the 11th day of April, 1862, in relation to the county of Berks.

Passed finally.

The following bills, laid over from the calendar of March 27, were read a second time, and disposed of as stated:

No. 775, an act for the vacation and sale of the Methodist burial ground, in the city of Pittsburg, and removing the bodies therefrom.

Passed finally.

No. 1016, an act to provide for the repairing of a public road in the county of Union.

Not agreed to.

No. 1021, an act to authorize and empower the corporate authorities of the borough of Greenville, in Mercer county, to borrow money for the use of the borough.

Passed finally.

No. 1028, an act to incorporate the Philadelphia woolen machine works.

Passed finally.

No. 1131, an act to prohibit the issuing of licenses within the township of Tuscarora, in the county of Juniata.

Objected off.

No. 1132, an act to prohibit the issuing of licenses in the township of Buffalo, in the county of Perry.

Objected off.

No. 1260, an act relating to Sunbury street, in the borough of Minersville, in the county of Schuylkill.

Passed finally.

No. 1233, an act relative to certain taxes in Montgomery county.

Objected off.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

The Clerk of the House of Representatives being introduced, presented for concurrence bills numbered and entitled as follows, viz:

No. 1392, a supplement to an act entitled An act to incorporate the People's Accident insurance company of Pennsylvania, approved April 11, 1866.

Referred to the Committee on Corporations.

No. 1398, an act to extend the time for the payment of the enrollment tax on an act to incorporate the Mineral exploring company, approved August 18, 1864.

Referred to the Committee on Finance.

No. 1393, an act relating to the fees of the sheriff of the counties of Cumberland and Snyder.

Referred to the Committee on the Judiciary Local.

No. 1413, an act relating to the courts of Venango county.

No. 1434, an act to increase the fees of the commissioners of Crawford county, as directors of the poor.

Referred to the Committee on the Judiciary Local.

No. 1435, an act to increase the pay of the auditors and commissioners of Jefferson county.

Referred to the Committee on the Judiciary Local.

No. 1436, an act to authorize the borough of Media, in the county of Delaware, to borrow money, for the purpose of supplying said borough with water.

Referred to the Committee on the Judiciary Local.

No. 1442, a supplement to an act relating to auctioneers in the city and county of Erie.

Referred to the Committee on the Judiciary Local.

No. 1445, an act supplementary to an act in relation to certain public officers and their sureties, approved the 21st day of April, A. D. 1846.

Referred to the Committee on the Judiciary Local.

No. 1446, an act relating to notaries public in the city of Harrisburg.

Referred to the Committee on the Judiciary Local.

No. 1447, a supplement to an act empowering the Lutheran congregation of the Old Goshenhoppen church, in Upper Salford township, in Montgomery county, to collect their outstanding debts, approved 25th day of March, A. D. 1839.

Referred to the Committee on the Judiciary Local.

No. 1448, an act relating to the compensation of the treasurer of Berks county.

Referred to the Committee on the Judiciary Local.

No. 1452, an act to authorize the appointment of two additional notaries public in the city of Pittsburg, Allegheny county, and one in West Newton, Westmoreland county, and one in Beaver, Beaver county.

Referred to the Committee on the Judiciary Local.

No. 1454, an act to extend the time for the payment of the enrollment tax on an act to incorporate the Agricultural College and Junction turnpike road company, approved the 6th of May, 1864, to insert additional commissioners in place of those deceased.

Referred to the Committee on Finance.

No. 1455, an act to authorize the school directors of North Annville township, Lebanon county, and Middle Creek township, Snyder county, to levy and collect taxes in said township, to pay off deficiencies.

Referred to the Committee on Education.

No. 1457, an act authorizing the increase of the recognizance and bond of the sheriff of Venango county.

Referred to the Committee on the Judiciary Local.

No. 1470, a supplement to an act entitled An act to authorize the appointment of an inspector of stationary steam engines and steam boilers, in and for the city of Philadelphia, approved May 7th, 1864.

Referred to the Committee on the Judiciary Local.

No. 1471, an act increasing the compensation of the collectors of borough and school taxes in the borough of Easton, Northampton county.

Referred to the Committee on the Judiciary Local.

No. 1475, an act relative to the licensing of vehicles in the borough of Lawrenceville, Allegheny county.

Referred to the Committee on the Judiciary General.

No. 1477, a further supplement to an act to incorporate the Frankfort and Holmesburg railroad company, approved July 18,

1863, providing for the construction of a railroad from Holmesburg to Bustleton.

Referred to the Committee on Railroads.

No. 1481, a supplement to an act incorporating the Barclay coal company.

Referred to the Committee on Corporations.

No. 1483, An act to incorporate the Monongahela Valley railroad company.

Referred to the Committee on Railroads.

No. 1488, an act to incorporate the Warren, Sheffield and Bennett Branch railroad company.

Referred to the Committee on Corporations.

No. 1491, an act to incorporate the Northern iron company.

Referred to the Committee on Corporations.

No. 1492, an act to incorporate the Northampton iron company.

Referred to the Committee on Corporations.

No. 1493, an act to incorporate the Pacific iron company.

Referred to the Committee on Corporations.

No. 1498, a further supplement to an act, entitled An act to incorporate the Anthracite coal and iron company, approved the 8th day of April, A. D. 1864.

Referred to the Committee on Corporations.

No. 1499, an act to enable the Spring Run oil and lumber company and the Bennett oil and coal company to consolidate.

Referred to the Committee on Corporations.

No. 1500, an act to incorporate the Monoeacy iron and steel company.

Referred to the Committee on Corporations.

No. 1501, a further supplement to an act incorporating the Keystone coal and transportation company.

Referred to the Committee on Corporations.

No. 1502, an act to incorporate the Lehigh County mining, manufacturing and improvement company.

Referred to the Committee on Corporations.

No. 1503, an act to incorparate the North Star mioing company.

Referred to the Committee on Corporations.

No. 1506, an act to incorporate the Great Western mining company.

Referred to the Committee on Corporations.

No. 1508, an act to incorporate the Continental mining company.

Referred to the Committee on Corporations.

No. 1509, an act to incorporate the Viola gold and silver mining company.

Referred to the Committee on Corporations.

No. 1510, an act to incorporate the Puebla gold and silver mining company.

Referred to the Committee on Corporations.

No. 511, an act to incorporate the Carbondale gold and silver mining company.

Referred to the Committee on Corporations.

No. 1520, an act to incorporate the Perry bridge company.

Referred to the Committee on Roads and Bridges.

No. 1522, a supplement to an act to authorize the construction of a side-walk in the valley of Sheshequin, in the county of Bradford.

Referred to the Committee on Roads and Bridges.

No. 1524, an act to incorporate the Citizens' turnpike and macadamized road company.

Referred to the Committee on Roads and Bridges.

No. 1525, a supplement to an act to authorize Henry B. Masser and John H. Fisher to establish and maintain a ferry over the Susquehanna river, at Selinsgrove, approved March 20, A. D. 1863.

Referred to the Committee on Canals and Inland Navigation.

No. 1529, an act to establish a ferry over the Monongahela river, at the borough of Elizabeth, in the county of Allegheny.

Referred to the Committee on Canals and Inland Navigation.

No. 1535, an act to change the line of the Mercer Union school district, in Mercer county.

Referred to the Committee on Education.

No. 1909, a supplement to an act relating to the common schools of the city of Lancaster, approved January 2d, 1860.

Referred to the Committee on Education.

He also returned bills from the Senate numbered and entitled as follows, viz:

Senate bill No. 136, an act exempting the Ladies' United aid society of the Methodist Episcopal church of Philadelphia from taxation.

Senate bill No. 442, a supplement to an act to validate certain conveyances made by married women since the 11th day of April, 1848, approved 22d of April, 1863, restraining conveyances in cases in which the instrument vesting title withholds such power.

No. 485, an act increasing the compensation of the judges of election in the Twenty-first, Twenty-second, Twenty-third and Twenty-fifth wards of the city of Philadelphia.

Senate bill No. 539, an act repealing the provisions of an act for the protection of sheep and taxing of dogs in the county of Blair, and extended to the county of Monroe, as far as the same relates to the township of Pocono, in the said county of Monroe.

No. 611, an act providing for change in the State road in Plymouth township, between the westerly bonodary of Plymonth borough and Harris creek, in Plymonth township, Lawrence county.

No. 651, an act to incorporate the National peat company.

No. 654, an act to incorporate the Dunmore gas and water company.

No. 697, an act to incorporate the Monongahela inclined plane company.

No. 644, an act to incorporate the North Whitmer Run improvement company, in the county of Clearfield.

No. 700, an act to incorporate the Co-operative association of Wilkesbarre, No. 1, of the borough of Wilkesbarre, for mercantile purposes.

No. 702, an act to incorporate the Pittston Industrial Co-operative association, No. 1, in the borough of Pittston, for mercantile purposes.

No. 732, an act to incorporate the Wrightsville iron company.

Senate bill No. 766, an act to incorporate the South Witmer Run navigation company, in the county of Clearfield.

No. 769, an act for the relief of Mrs. Mary A. Gordon, widow and executor of Hiram B. Gordon, deceased, late register of wills, recorder of deeds, and clerk of the orphan court of the county of Venango.

No. 774, an act to perfect title to one hundred and sixteen acres of land in Somerset county, owned by the Union coal and iron company.

No. 775, an act relative to the purchase of a law library in the county of Wayne.

No. 777, a supplement to an act to confer additional powers upon the burgess and town council of the borough of Wilkesbarre, approved March 23, 1865.

Senate bill No. 778, a supplement to an act to appoint commissioners to re-survey and establish the lines of the main road running through a part of Wilkesbarre township, county of Luzerne, passed the 24th day of February, A. D. 1859.

No. 780, an act authorizing the commissioners of Clinton county to appropriate the unexpended relief funds of said county to build a new court house.

No. 783, an act to authorize the burgess and town council of the borough of Shrewsbury, York county, to erect or construct a lock-up house.

No. 786, an act conferring additional powers upon the council of the city of Pittsburg.

No. 788, a supplement to an act to incorporate the city of Allegheny, in the county of Allegheny, approved the 13th day of March, A. D. 1841.

No. 793, an act supplementary to an act concerning streets and sewers in the city of Pittsburg, approved January 6th, 1864.

No. 795, an act to authorize the trustees of the Presbyterian congregation in Clearfield to convey certain real estate.

Senate bill No. 797, an act to authorize David Souder and Henry Souder, trustees under the will and testament of Jacob Zug, late of Berks county, deceased, to invest the moneys in their hands, received from the said deceased, and proceedings from his estate, for the use of his daughter, Sophia Souder, or her children, in the purchase of certain real estate.

No. 803, an act to incorporate the M'Keesport gas company.

No. 804, supplement to an act to incorporate the Pittsburg and Arizona gold and silver mining company.

No. 805, an act to declare West creek, in the counties of Elk and Cameron, a public highway.

No. 806, an act to establish the Vinegar ferry in the county of York.

No. 809, an act to incorparate the Brandy Camp railroad company.

No. 813, a supplement to an act to incorporate the Matawanna bridge company, approved March 3d, 1848.

No. 852, an act to repeal the act to incorporate the Odd Fellows' Hall association of Tremont, in the county of Schuylkill, and to vest the right of said association in the board of trustees of Tremont Lodge, No. 245, of Independent Order of Odd Fellows of Pennsylvania.

No. 853, an act to authorize the appointment of one additional notary public for the county of Luzerne, to reside in the borough of Wilkesbarre, and repealing so much of the act of the 14th April, 1840, as renders justices of the peace ineligible to the office of notary public authorized by this act.

No. 875, an act to incorporate the Shawsville bridge in the county of Clearfield.

Senate bill No. 880, an act authorizing the erection of a house for school and township purposes in Millville, Le Boeuff township, Erie county, and empowering the school directors to levy and collect additional tax.

Senate bill No. 885, a supplement to an act incorporating the M'Connell mineral company, changing the name thereof, increasing the quantity of land to be held by said company, and authorizing the extension of their railroad.

Senate bill No. 893, an act to extend the time for the payment of the enrollment tax on an act entitled An act to incorporate the Keystone coal and manufacturing company, of Somerset company.

No. 921, an act to incorporate the Idaho mining and exploring company.

No. 922, an act authorizing the Shafton

coal company to borrow money and to hold land.

No. 935, an act to prevent the depositing of tan bark in Poko Poko or Head's creek in the county of Monroe.

No. 936, an act punishing the sale of adulterated milk in Potter and Tioga counties.

No. 947, an act for the relief of A. D. Hamlin.

No. 952, an act to incorporate the Madison bridge company of Pottstown, Montgomery company.

No. 955, an act extending the provisions of an act approved March 22d, A. D. 1817, relative to horse racing on the public highways in Philadelphia county to the township of Leacock, in the county of Lancaster.

No. 967, an act to ascertain the views of the qualified electors of M'Kean county upon the subject of refusing licenses for the sale of liquors in said county.

Senate bill No. 960, an act to enable the agents of the Methodist Book Concern to hold real estate in the city of Pittsburg.

No. 963, an act to incorporate the Co-operative associations of the city of Allentown, in the county of Lehigh, for mercantile purposes.

Senate bill No. 974, an act to increase the compensation of county commissioners, township auditors, and the sheriff, for boarding prisoners, in the county of Jefferson.

Senate bill No. 980, a further supplement to the act consolidating the city of Philadelphia, defining the amount of money to be borrowed on temporary loan.

No. 982, an act to declare the North and Uber Branches of Little Mahoning creek, Indiana county, public highways.

Senate bill No. 993, an act to authorize the school board of Washington township, Indiana county, to levy and collect an additional bounty tax.

No. 995, an act to incorporate the Tuckhannock plank road or turnpike company.

Senate bill No. 997, a supplement to an act approved April 26, A. D. 1850, incorporating the Wissakickon turnpike road company.

Senate bill 1008, an act to extend the time for the payment of the enrollment tax on an act entitled An act to incorporate the Gettysburg and Chambersburg railroad company, approved 17th of April, 1866, authorizing said road to make connections.

No. 1172, an act to incorporate the Connellsville Savings Bank.

No. 306, an act to incorporate the Wyoming Valley manufacturing company.

No. 789, an act providing for the election of a treasurer in Middle Smithfield township, Monroe county,

With information that the House of Representatives has passed the same without amendment.

He also returned bills from the Senate numbered and entitled as follows:

No. 730, an act to incorporate the Co-operative association of East Birmingham, in the county of Allegheny, for mercantile purposes.

No. 679, an act to incorporate the People's bridge company of Harrisburg.

Senate bill No. 787, an act to extend the time for the payment of the enrollment tax on an act entitled An act to incorporate the Madison improvement company, approved August 10, 1864.

No. 785, a supplement to an act entitled An act to incorporate the borough of Columbia, approved April 16th, 1866.

No. 668, a supplement to an act entitled An act to incorporate the Susquehanna and Delaware railroad company.

No. 790, an act fixing the compensation for the commissioners of the county of Bucks.

No. 954, an act appointing commissioners to lay out and open a State road from Wilcox, in Elk county, to the borough of Kane, in M'Kean county.

No. 977, an act to change the corporate name of the Mill Creek gold and silver mining, commercial and manufacturing company of Colorado.

No. 587, a supplement to the act to incorporate the Boatsman insurance and transportation company, and to increase the powers thereof, approved the 17th day of May, 1866,

With information that the House of Representatives has passed the same with amendments, in which the concurrence of the Senate is requested.

On motion of Mr. BIGHAM, the said amendments were twice read, and

Concurred in.

He also informed that the House of Representatives has concurred in the amendments made by the Senate to bills from the House of Representatives numbered and entitled as follows, viz:

No. 437, a further supplement to an act passed May 16th, A. D. 1861, entitled An act to authorize the erection of a free bridge over the river Schuylkill at South street, in the city of Philadelphia, making it the duty of the chief engineer to direct the building of a bridge, and providing that the same shall have a draw therein.

No. 541, an act authorizing the Governor to incorporate a company to erect a bridge over the Youghiogheny river, at a point between the mouth of Dickerson's run and Taylor's fording, in the county of Fayette,

Said bills having been returned by the Governor to the Senate, in pursuance of joint resolution requesting the same.

He also informed that the House of Representatives insists on its amendments, non-concurred in by the Senate, to bill from the Senate numbered and entitled as follows, viz:

No. 224, a supplement to an act authorizing the borough of Bethlehem, Pa., to purchase the water works, real estate and improvements of the Bethlehem water company; also, to make all such necessary improvements and extensions required, to borrow money, and appoint water commissioners to carry out said object, approved March 30th, 1866,

And has appointed Messrs. MEYERS, STEHMAN and STUMBAUGH a committee of conference, to confer with a similar committee of the Senate (should the Senate appoint such a committee), to confer upon the subject of the differences existing between the two Houses of said bill.

Mr. SCHALL moved that the Senate insist upon its non-concurrence in the amendments of the House of Representatives, and that a committee of conference be appointed, to confer with a similar committee already appointed by the House of Representatives, on the subject of the difference.

Ordered, That Messrs. SCHALL, JAMES and ROYER be the committee on the part of the Senate.

He also informed that the House of Representatives has concurred in resolution from the Senate requesting the Governor to return to the Senate House bill No. 669, entitled An act amending the charter of the municipal corporation of the city of Lancaster, and dividing the same into nine wards.

The Clerk of the House of Representatives also returned bills from the Senate numbered and entitled as follows, viz:

Senate bill No. 799, an act to incorporate the Scranton market company.

Senate bill No. 854, an act to allow the sheriff of Elk county fees for serving jury notices, and increasing the pay of supervisor in said county,

With information that the House of Representatives has passed the same with amendments, in which the concurrence of the Senate is requested.

Mr. SHOEMAKER and Mr. WALLACE moved that the Senate non-concur in the amendments made by the House of Representatives to said bill.

The motion was

Agreed to.

RETURN OF BILL TO THE SENATE.

The private calendar of Senate bills having been gone through with,

Mr. RANDALL offered the following resolution, which was twice read:

Resolved, That the House be requested to return to the Senate bill No. 1532, an act to change the venue in a certain case from Schuylkill to Lebanon county.

The resolution was adopted.

BILLS PASSED.

On motion of Mr. CONNELL, the Committee on the Judiciary Local was discharged from the further consideration of bill entitled An act to preserve the water of the river Schuylkill used by the citizens of Philadelphia from impurities.

The rules having been dispensed with,

The bill was read a second and third time, and

Passed finally.

On leave,

Mr. WALLACE read in his place and presented to the Chair, bill entitled An act to give the Chincleclamonche and other boom companies the right to use for toll and boomage.

Referred to the Committee on Canals and Inland Navigation.

On motion of Mr. WALLACE, the committee on Canals and Inland Navigation was discharged from the further consideration of the above bill,

And the rules having been dispensed with,

The bill was read a second and third time, and

Passed finally.

On motion of Mr. GRAHAM, the Committee on Railroads was discharged from the further consideration of bill entitled A supplement to the act to incorporate the Erie and Pittsburg railroad company, approved April 1st, 1858.

The rules having been dispensed, the bill was read a second and third time, and

Passed finally.

On motion of Mr. SHOEMAKER, the rules were dispensed with, and the Senate proceeded to the consideration of bill entitled An act to provide an additional law judge of the several courts in the Eleventh Judicial district.

The bill was read a second and third time, and

Passed finally.

On leave,

Mr. WHITE, from the Committee on Judiciary Local, reported, as committed, a bill entitled An act to authorize the Two Lick Regular Baptist congregation in Greene township, Indiana county, to remove certain dead bodies.

On motion of Mr. WHITE, the rules were dispensed with, and the bill was read a second and third time, and

Passed finally.

On leave,

Mr M'CANDLESS read in his place and presented to the Chair bill entitled An act to repeal the third section of an act, approved March, 1867, entitled A supplement to an act to promote the more certain and equal assessment of taxes in Philadelphia.

Referred to the Committee on Finance.

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[CONTINUED FROM PAGE 872.]

On motion of Mr. M'CANDLESS, the Committee on Finance was dischaaged from the further consideration of said bill.

And the rules having been dispensed with, the bill was read a second and third time, and Passed finally.

THE ERIE AND ALLEGHENY RAILROAD.

Mr. LOWRY moved that the Committee on Railroads be discharged from the further consideration of bill entitled A supplement to the Erie and Allegheny railroad company, authorizing connections with their road, on the east line of the township of North East, with any railroad from the State of New York, and on the west side with any railroad constructed or to be constructed in the State of Ohio, and also authorizing said Erie and Allegheny railroad company to connect their road within the county of Crawford with the Atlantic and Great Western railroad company, with the same legal effect as though the connection was made within the county of Erie, and that the Senate proceed to the consideration of the same.

Mr. RIDGWAY. I do not know what this bill is, but I would say this: There is a gentleman here who lives in Erie, and is interested in affairs there, who spoke to me, and requested that this bill should not come before the Senate. He said it was an unrighteous bill, and ought not to pass.

Mr. LOWRY. Mr. Speaker, upon all matters except those of railroads I represent Erie county, as well as Crawford. My opinion and wishes in this Senate are now, and always have been, since I took my seat here, respected upon all questions of a local character, except those of railroads. Upon this great question (railroads) I am powerless as an infant.

Again and again you have denied to me, as you have done older and better men than I am, who have gone before me, all legislation in regard to railroads, in my district.

It is true that I managed you, unbeknown to yourselves, and obtained a general railroad law for Erie and Crawford counties. To this extremity you should never have driven me. We have a general railroad law for my district. Our locations you understand. We lay bordered upon New York on the east of us, and Ohio on the west of us. You have a law upon your statute books which forbids the connection of any road constructed in the State with those out of the State; a law which would disgrace China.

The bill which I desire to pass is to allow our little general railroad law in the counties of Erie and Crawford to connect with any road from Ohio or New York at the State line.

This bill, if it becomes a law, will enable the New York and Erie railroad to make our city its terminus, an event which, from necessity, must follow in case of the happening of another matter, of which I shall now speak.

The Atlantic and Great Western railroad is bound by the terms of its charter, as well as by written covenants with the Erie and Allegheny railroad, to construct, maintain and run a road from Meadville to Erie, or to connect with some road of the same width of gauge, and the point of divergement from their road "shall be within the county of Erie," "to the city of Erie." Commerce, geography and mathematical instruments join in saying that the true point of divergement should be made on the Crawford county side of the line, instead of Erie county.

I have more than once shown the Senate maps, surveys and profiles, all bearing testimony that you did violence to your fame in refusing me this legislation, and built for your conscience with your own tongue your own hell.

Erie is a living limb on the body of the State. Wither or wound it, and the whole body must suffer. Your injustice towards her is high as Heaven, and smells like brimstone. The Atlantic must go to Erie with her road, or she will lose every bar of iron, every chartered right, within the State.

I care not into whose hands the Atlantic and Great Western railroad may go. She can no more get rid of going to Erie, in any and every event, than I can rid myself of sin without repentance.

Go there she must, and go there she will, and it suits her interest, and every interest, whether built by her own hand, or the hand of the Erie and Allegheny railroad company, that the road should be constructed through Edinboro; and this law which you have so long so unjustly denied to me, unchains them, and takes from our limbs, and Edinboro's limbs, your hateful manacles.

When the Atlantic and Great Western railroad goes to Erie, you might as well chain a tiger with a woolen string as to keep back the New York and Erie, on its six-foot track, and the New York Central, upon its four-foot eight inch track.

Erie and commerce are bound by chains which the Legislature of Pennsylvania was paid for forging in years gone past.

Erie is bound by chains which she must break loose from or she must perish.

The building of any one of these roads to Erie is the building of all of them.

I am told, and I believe, that the railroads of Erie, particularly the lake shore railroads, keep a citizen of Erie here to whisper softy in the palm of the Railroad Committee's hands.

I care not how respectable the early life of the gentleman who whispers in the ear of the Senator from Philadelphia is, I denounce him for talking with the Railroad Committee in the dark, and his former good name will become a by-word and a reproach here and at home if he makes further interference on this subject against Erie. I advise him to say his prayers and go home, and if this bill fails to become a law, I will fell a tree upon him when he gets there.

If he or any other person from Erie county wants any honest legislation here, they can always get it of me by asking or writing for it, and that legislation, whether for the city, for corporations, or for individuals, if just, should be as free as man's salvation.

I like to see my constituents here at Harrisburg. No man will go further to yield them courtesy and attention, whether here for pastime, or upon business of their own, whether before the Legislature, or in the departments; but I denounce as infamous the practice of any corporation who keeps men here to head off rivals.

The building of any twenty miles of railroads in any part of Erie county, or anywhere in the State, is of more value to the people than the worthless lives of all the lobby.

My sands of Senatorial life are about run out, and I would advise Senators who follow me to beware. Lobbyists will bring, sooner or later, upon those who tolerate them, a dishonored grave, if not a violent death.

I represent Erie county. I would not misrepresent her material interest for a kingdom. What I say goes upon the *Record*. What the respectable lobbyist says in the dark goes upon an unwritten record. I settle with the people at large; he settles with the mistaken corporations, who he makes think that I am their enemy, and that he is their strength and their redeemer.

The highly respectable gentleman can always get any proper legislation that he may reasonably require for himself or those who sent him here; but I will shake every bone in his body if he remains here in hostility to this measure.

Mr. DONOVAN. Can not we build the six-foot road to Erie under the general railroad law?

Mr. LOWRY. No, sir; if the general railroad law had passed both branches of the Legislature, as it passed the Senate, then we at Erie would remain in a prison with no door, for when the general railroad law, as it is shamefully called, was under consideration, to the undying infamy of this Senate be it said, Senators voted against allowing those who "construct free railroads" to connect at State lines. In the pillory of time you—you are in danger of placing yourselves, by that vote, in infamy to your chin. Relieve yourselves now, I beseech you.

I move that the Senate proceed to the consideration of that bill.

On the question, Will the Senate agree to the motion?

The yeas and nays were required by Mr LOWRY and Mr. RIDGWAY, and were as follow, viz:

YEAS—Messrs. Billingfelt, Browne (Lawrence), Brown (Mercer), Burnett, Coleman, Cowles, Davis, Donovan, Fisher, Graham, Lowry, Schall, Seasight, Shoemaker, Stutzman, Taylor, Wallace, White and Hall, *Speaker*—19.

NAYS—Messrs. Connell, Glatz, M'Candless, M'Conaughy, Ridgway and Worthington—6.

So the question was determined in the affirmative.

During the call,

Mr. BROWN (Lawrence) said: Mr. Speaker, this is one of the simplest acts of justice this Senate can perform. I vote "aye."

The bill was then read a second and third time, and

Passed finally.

CHANGE OF VENUE.

Mr. WALLACE moved that the Committee on the Judiciary Local be discharged from the further consideration of bill entitled An act to authorize the removal of certain cases from the court of common pleas of Cambria county to the court of common pleas of Blair county, and that the Senate proceed to the consideration of the same.

Mr. WHITE. This affects my district, and I cannot consent to let this bill pass without objecting to it, and objecting to it most earnestly. I have a memorial from my constituents in regard to it which I wish to have read.

Mr. WALLACE asked the Clerk to read the following affidavit:

"William H. Wilson, being duly sworn, according to law saith: I am an engineer in chief of the Pennsylvania railroad company, and am familiar with the facts and circumstances attending the accident in September, 1866, at Johnstown, in Cambria county, by which a large number of persons were injured, yet through no fault or default of the Pennsylvania railroad company, although it is endeavored in proceedings at law to recover damages from said company in the court of Cambria county. I am also familiar with the state of feeling in said county, and am well convinced that it would be very difficult, and perhaps not possible to secure a fair and impartial trial by a jury of said county; that it would greatly promote the cause of justice to change the venue in certain cases growing out of said accident, to some other county, sufficiently remote not to be affected by its local interests and feelings which the accident has engendered. I consider Blair county to be such a county, and that a fair and impartial trial can there take place.

WM. H. WILSON.

Sworn and subscribed before me this 29th day of March, A. D. 1867.

W. W. DOUGHERTY,
Alderman.

Mr. WHITE sent the following memorial to the Clerk's desk, to be read:

To the Senate and House of Representatives of the Commonwealth of Pennsylvania:

We, the undersigned, citizens of Cambria county, and sufferers by the fall of the part of the platform of the Pennsylvania railroad at Johnstown, on the 14th of September last, respectfully represent that we understand a bill has been introduced into your honorable bodies by the railroad company, changing the place of trial by such suitors from Cambria to Blair county. We, therefore, earnestly remonstrate against the passage of such bill:

First. Because many of us, from our injuries, and consequent loss of time (being poor), could not attend the trials at such a distance from home, nor possibly pay the accumulated expense of ourselves and witnesses incident thereto.

Second. Because there is no undue prejudice or excitement by and among the people against the company, and a fair and impartial trial, therefore, can be had in the county of Cambria.

Third. Because, if a change of venue must be had, let not the corporation, through your honorable bodies, fix the place.

And, as in duty bound, we will ever pray, &c.

Signed by Richard Morgan and wife, H. Walter, George Wagoner and others.

Mr. WHITE. Mr. Speaker, I trust the Senate will not entertain this motion to discharge this committee. I see no good reason for a change of venue in this case from Cambria to Blair, or to any other county. Many of us are familiar with the fact of an accident on the railroad platform at Johnstown last fall. Some of the citizens injured there have brought actions against the Pennsylvania railroad company to recover in damages for the injuries they sustained on account of the insufficiency of the platform which broke down. These actions have been brought in Cambria county, and his Honor, Judge Taylor, presiding in the courts of the three counties of Blair, Cambria and Huntingdon. Johnstown is in Cambria, and away on one side of the county—a populous community, not a community from which any large proportion of the jurors are selected. The county seat is Ebensburg, in a more northerly part of the county, and which does not participate in any feeling that may have arisen on the subject matter of these actions. It is asked here, upon an *ex parte* affidavit, that the venue be changed from Cambria county to Blair. I have sent to the Clerk's desk and have had read a memorial from many of the citizens of that neighborhood, and many of the sufferers themselves, protesting against this change. Their protests and representations are entitled to as much credit as the prayers of those who ask for this change. I trust, for this reason, that it will not be granted.

Then, again, the parties injured are for the most part poor operatives about the Cambria iron works. Some of them are the poorer citizens of Johnstown, who have to labor for a living and have no money to spend, and who cannot stand the expense of employing counsel necessary for the trial of the case elsewhere, and I am informed by the parties themselves, and their representatives here, that the change of venue in this case from the county of Cambria is almost equivalent to a denial of justice. This is a legal question entirely, and very recently I understand they were ruled out of court. They were tried by arbitrators; they were not men learned in the law; not judges, but decided the case according to the light presented, and found a verdict against the Pennsylvania railroad company for the damages these parties proved they had sustained. I am informed by those who are in the interests of the Pennsylvania railroad company, that the verdicts rendered by that board of arbitrators was very reasonable. If they decided the law improperly, of course there can be no verdict at the ultimate trial at all. Then the only reason why they can come here and ask a change of venue is that they cannot get a fair jury there, a jury who will render a fair verdict.

Now, sir, you have here the fact of an arbitration, tried in the very court where the accident occurred, by men who are neighbors of the sufferers; yet, they passed upon this question, and they assessed damages, which are admitted on all hands, to be fair and reasonable. The court in Cambria county is the same court, so far as the judge is concerned, which sits in the county of Blair, and if the legal question presented by the counsel for the sufferers is not sustained, of course the case falls. If their position, however, is sustained, then, of course, the case is presented to the jury, who assess damages, and they who ask this change should clearly show here that there is no jury in Cambria county which will not give reasonable damages under the circumstances. If it is a fact that the platform was insufficient, and that it was a fault of the company, of course, they were responsible, and ought to compensate these men who suffered injuries in consequence. I am satisfied that my constituents of Cambria county, the sober minded, intelligent men there, will give them exact and equal justice, and I am certain that Judge Taylor will, because they admit that fact when they ask to take it down to Blair county. Why take it to Blair county? That is the last county that I want to have it taken to, if it is removed at all. It is an excellent county, having excellent people, yet the city of Altoona is in Blair county. That city has been built up by the Pennsylvania railroad interest; it is the location of its company shops, there are many of the employees of the company there; and there is a class of people there who are likely to sympathize with the Pennsylvania company against the sufferers in this most distressing accident if they are called upon to sit as jurors, and I trust you will not seek thus to act unfairly to those poor sufferers, many of whom have been beggared by this catastrophe. I trust you will not ask us to take it from Cambria county to a county where they think they cannot get anything like justice.

Mr. WALLACE. This bill comes to me from a gentleman of known position at the bar—a gentleman of legal ability and integrity, if counsel for the Pennsylvania railroad. The necessity for the change of venue is demonstrated by the affidavit of Mr. Wilson; he swears that he believes that an impartial trial cannot be had in Cambria. An excitement exists there in regard to this matter. As the law stands, the Pennsylvania railroad company can remove these cases to any other county adjacent to Cambria county, through which their road does not pass. The general law provides that in all actions brought against railroad companies, venues may be changed, by either party, into any county adjacent, through which their road does not pass. It will not benefit the plaintiff to take them to Clearfield or Somerset, and compel them to pay the expenses of their witnesses there. Will it not be better for them to go to Blair county, the nearest county by railroad? If they do not desire this, let them be taken to Allegheny, or some other county, easy of access. If being granted that an impartial trial cannot be had in that county, the Senator is standing in his own light. All we ask is to have them taken to the most convenient county, which is Blair. If he does not concede that a fair trial can be had there, let him name the county he wishes.

But it seems to me that the contiguity of that county should induce him to go there. That a fair trial can be had in Cambria seems to be demonstrated. The Senator, for the first time during the session, gets up to oppose changes of venue, when it is an admitted fact that great local excitement has arisen there; there can be no doubt about there being a local excitement. The necessity for a change of venue is plain and clear, and I do not see why the Senate should not grant it. If they cannot have a fair trial, then send them to a county where they can.

Mr. GRAHAM. Mr. Speaker, where the proper affidavit has been made, I am in favor of changing the venue. I shall, therefore, vote to discharge the committee.

On the question,

Will the Senate discharge the committee, and proceed to the consideration of the bill?

The yeas and nays were required by Mr. WALLACE and Mr. WHITE, and were as follow, viz:

YEAS—Messrs. Burnett, Connell, Cowles,

Donovan, Fisher, Glatz, Graham, Haines, Jackson, James, Landon, M'Candless, M'Conaughy, Ridgway, Schall, Searight Shoemaker, Stutzman, Taylor, Wallace, Walls and Worthington—22.

NAYS—Messrs. Bigham, Billingfelt, Browne, (Lawrence), Brown (Mercer), Coleman, Davis and White—7.

So the question was determined in the affirmative.

Mr. WHITE. Mr. Speaker, the Senate seems to be determined to pass this bill, and put these people to the expense of taking their case out of Cambria county. I desire to have it taken to the most convenient place. I therefore move to amend by striking out "Blair" and inserting "Somerset."

Mr. FISHER. It will be more convenient for these people to go to Blair than to Somerset.

Mr. WHITE. I beg the Senator's pardon; it is only thirty-eight miles from Johnstown to Somerset.

Mr. WALLACE. They have a right to go there, as it is.

On the question,

Will the Senate agree to the amendment?

The yeas and nays were required by Mr. WHITE and Mr. SCHALL, and were as follow, viz:

YEAS—Messrs. Bigham, Billingfelt, Browne Lawrence), Coleman, Cowles, Davis, Graham, M'Conaughy, Taylor and White—10.

NAYS—Messrs. Burnett, Connell, Donovan, Fisher, Glatz, Haines, Jackson, James, Landon, M'Candless, Randall, Ridgway, Schall, Searight, Shoemaker, Wallace, Walls and Worthington—18.

So the question was determined in the negative,

Mr. WHITE. Mr. Speaker, I think it due to these people to select some other county than Blair for the trial of their cases. They have sent a petition to me, signed almost unanimously by the people of Johnstown; they have united in the request that they shall not be tried in the county of Blair. I trust this Senate will not refuse the request of these people, who are suffering all the pains incident to an accident of this kind, and who are seeking that pittance of redress which the laws of the land give them. I trust this Senate of Pennsylvania, this body, composed of fair, intelligent men, will not refuse my constituents, suffering as they do from this accident, a change of venue where they certainly can have a fair trial. I trust you will not force us to go to a county that we do not want to go to.

What is the law now? Why, either of these parties, under the act of 1834, upon making the necessary affidavit, and going before the court, can change the venue to a county through which the railroad does not run. I read from the act of 1834, which says:

"It shall and may be lawful for either party, in any suit or action now pending, or that may hereafter be brought in any of the courts of this Commonwealth, by or against any canal or railroad company, to remove the same into the court of any other adjacent county through which the canal or railroad of such company is not located, which suits, so removed, shall be proceeded in by the proper court, in like manner, and subject to like rules and proceedings as if it had remained in the court in which it was originally commenced, and upon final judgment, *testatum* executions may issue as in other cases."

That is the law of Pennsylvania. This action was brought by these people against the corporation—against a railroad company—and if that railroad company, under this law, thinks that justice cannot be done in the county in which the actions are brought, all they have to do is to go before the court and make the necessary affidavit, and the venue is changed at once to an adjacent county; and if the plaintiffs want to treat the defendants fairly, they would conform to the law as it is now found in the statute-book, and not come here and ask that the general rule be changed, and these poor, suffering men be forced to go into a county, and before a jury, where they believe they cannot have justice. Why will the Senate of Pennsylvania refuse to me, the representative of these people, the right to indicate a county where they can be tried? I move to amend by striking out "Blair" and inserting "Allegheny."

On the question,

Will the Senate agree to the amendment?

The yeas and nays were required by Mr. WHITE and Mr. WALLACE, and were as follow, viz:

YEAS—Messrs. Bigham, Billingfelt, Browne (Lawrence), Brown (Mercer), Burnett, Coleman, Cowles, Davis, Graham, M'Conaughy, Shoemaker, Taylor, Wallace, Walls and White—15.

NAYS—Messrs. Connell, Donovan, Fisher, Glatz, Haines, Jackson, James, Landon, M'Candless, Randall, Ridgway, Royer, Schall, Searight and Worthington—15.

So the question was determined in the negative.

Mr. WHITE. I move to amend by striking out "Blair," and inserting "Westmoreland." I want to take it to Greensburg, thirty miles west, right on the line of the railroad. Certainly, Senators cannot refuse that.

On the question,

Will the Senate agree to the amendment?

The yeas and nays were required by Mr. WHITE and Mr. FISHER, and were as follow, viz:

YEAS—Messrs. Bigham, Billingfelt, Browne (Lawrence), Brown (Mercer), Coleman, Cowles, Davis, Graham, M'Conaughy, Searight, Shoemaker, Taylor, Wallace and White—14.

NAYS—Messrs. Burnett, Connell, Donovan, Fisher, Glatz, Haines, Jackson, James, Landon, M'Candless, Randall, Ridgway, Royer, Schall, Walls and Worthington—16.

So the question was determined in the negative.

Mr. WHITE moved to amend by striking out "Blair" and inserting "Indiana."

Mr. FISHER. I call the previous question.

Mr. WHITE. Mr. Speaker, I want to see it go upon the *Record* that the Senator calls for the previous question, when I am trying to protect my poor constituents. What! call the previous question in a case like this in the Senate, when it is never usual to call the previous question except in a most extreme case. Sir, I challenge the party opposing me, to go upon the record as calling the previous here!—to drive this bill, on whip and spur, against my protest, in behalf of afflicted constituents. I make no filibustering, no factious fight here, but only discharge my duty, and will not submit, if I can avoid it, to a gag rule against me. I ask but fairness and justice for my constituents. I trust the Senator will withdraw the call.

Mr. WALLACE. I trust the Senator will withdraw the call for the previous question.

The call for the previous question was withdrawn.

On the question,

Will the Senate agree to the amendment?

The yeas and nays were required by Mr. WALLACE and Mr. WHITE, and were as follow, to wit:

YEAS—Messrs. Bigham, Billingfelt, Browne (Lawrence), Brown (Mercer), Coleman, Cowles Davis, Graham, Lowry, M'Conaughy, Shoemaker, Taylor, Wallace and White—14.

NAYS—Messrs. Burnett, Connell, Donovan, Fisher, Glatz, Haines, Jackson, James, Landon, M'Candless, Randall, Ridgway, Royer, Schall, Searight, Walls, Worthington and Hall, *Speaker*—18.

So the question was determined in the negative.

Mr. WHITE moved to amend by striking out "Blair" and inserting "Centre."

Mr. WALLACE. I trust the Senate will accept this. I am not tenacious as to locality. I would prefer Allegheny, and voted for that.

The amendment was

Agreed to.

The section as amended was

Agreed to.

The bill was read a second and third time, and

Passed finally.

PRIVATE CALENDAR OF HOUSE BILLS.

Agreeably to order,

The rules having been dispensed with, the Senate proceeded to the consideration of bills on the calendar of House private bills numbered and entitled as follows, and said bills were disposed of as stated:

No. 841, an act to authorize the payment of Nicholas Simon, a soldier in the war to suppress the rebellion, a gratuity and annuity on account of the loss of one of his hands.

On motion of Mr. FISHER, the title was amended, and

Passed finally.

No. 897, a supplement to an act for the better securing the payment of wages of labor in certain counties of this Commonwealth, approved the 30th day of March, A. D. 1859.

Not agreed to.

No. 759, an act to incorporate the Felton house company at Thurlow, in the county of Delaware.

Ruled out of order.

No. 1031, an act to incorporate the Odd-Fellows' Mutual Co-operative association of Monongahela City, Washington county.

Passed finally.

No. 1029, an act to incorporate the Masonic hall association of the borough of Phœnixville.

Objected off.

No. 1041, an act extending the provisions of an act repealing existing laws relating to killing beasts of prey, so far as relates to the county of Venango, approved the 12th day of April, 1866.

Passed finally.

No. 1070, an act to repeal the second section of an act authorizing the collection of a tax in Jackson township, Dauphin county, and Jefferson township, Berks county, to refund money advanced to pay bounties to volunteers.

Objected off.

No. 1058, an act to authorize the board of supervisors of Industry township, Beaver county, to levy a bounty tax.

Passed finally.

No. 1056, an act to legalize the levy and collection of certain bounty tax, to provide for a settlement and authorize the school directors to lay an additional bounty tax in Upper Paxton township, and the borough of Gratztown, in the county of Dauphin.

Amended on motion of Mr. COLEMAN.

Passed finally.

No. 1066, an act to legalize certain act of committees and school directors of the township of Lower Milford, in the county of Lehigh, relative to the payment of bounties of volunteers.

Passed finally.

No. 693, an act to prevent injury to privy wells in the city of Philadelphia.

Passed finally.

No. 1068, an act to authorize the board of

school directors of the township of Brooklyn, Susquehanna county, to levy and collect a tax to pay outstanding bonds, and for other purposes.

Passed finally.

No. 354, a further supplement to an act to incorporate the city of Erie.

Passed finally.

No. 1061, an act to authorize the school directors of Conestoga township, Lancaster county, to levy and collect a tax to liquidate the debt in said township, created to pay bounties to volunteers.

Passed finally.

No. 1064, a supplement to an act to secure bounty taxes in certain wards of the city of Lancaster, approved the 4th day of April, A. D. 1866.

Amended on motion of Mr. FISHER, and

Passed finally.

No. 1052, an act relating to tavern licenses in Greene county,

Passed finally.

No. 1050, an act to take the sense of the people of Beaver and Indiana counties, upon the question of a prohibitory liquor law.

Amended on motion of Mr. TAYLOR, by striking out Indiana county.

Passed finally.

No. 1021, an act to incorporate the Paros coal, mining and lumber company of Pennsylvania.

Amended on motion of Mr. JACKSON.

Passed finally.

No. 1025, a further supplement to an act to incorporate the Charles Evans cemetery company.

Passed finally.

No. 1014, an act to incorporate the Shenandoah water company.

Ruled out of order.

No. 1028, an act to incorporate the Anderson marble quarrying company of Montgomery county.

Passed finally.

No. 1661, an act supplementary to an act relating to the Western Pennsylvania railroad company, and for other purposes, approved the 27th day of April, 1864.

Amended,

Passed finally.

No. 1073, an to incorporate the Chester Passenger railroad company.

Passed finally.

No. 736, an act to provide for the appointment of controllers of the public schools of the First school district of Pennsylvania.

Laid over on second reading.

No. 1601, an act to attach certain lands and tenements in Licking township, Fulton county, to Todd township, for school purposes.

Passed finally.

No. 1644, an act to prohibit the granting of licenses to sell any spirituous, vinous, malt or brewed liquors, as a beverage, in the borough of Stewartstown, in the county of York, or near the limits of said borough.

Not agreed to.

No. 1099, an act to prohibit the erection or maintenance of billiard rooms, bowling saloons or ten pin alleys, within the borough of Coudersport, in the county of Potter.

Passed finally.

No. 1053, a further supplement to an act to regulate the sale of intoxicating liquors, approved the 31st day of March, A. D. 1856, so far as relates to the county of Mercer.

Passed finally.

No. 1011, an act to authorize the Evangelical Lutheran congregation of Berlin, in the county of Somerset, to sell certain real estate.

Passed finally.

No. 1364, an act to extend the time for the payment of the enrollment tax on the Dime Savings institution of Harrisburg.

Passed finally.

No. 537, an act to exempt from taxation certain real estate in Philadelphia, belonging to the Jewish hospital association of Philadelphia.

Passed finally.

No. 1147, an act to extend the period for payment of enrollment tax on the bill to incorporate the Oil Tank improvement company.

Passed finally.

No. 650, a further supplement to an act to provide for the regulation and inspection of buildings in the city of Philadelphia, and for the better preservation of life and property, passed the 7th day of May, A. D. 1845.

On the final passage of the bill,

The yeas and nays were required by Mr. RIDGWAY and Mr. M'CANDLESS, and were as follow, viz:

YEAS—Messrs. Bigham, Billingfelt, Browne (Lawrence), Brown (Mercer), Coleman, Connell, Cowles, Graham, Haines, M'Conaughy, Ridgway, Royer, Taylor, White and Worthington—15.

NAYS—Messrs. Burnett, Davis, Donovan, Fisher, Glatz, Jackson, James, Landon, M'Candless, Randall, Schall, Scaright, Shoemaker, Stutzman, Wallace and Walls—16.

So the bill was

Not agreed to.

No. 1662, a supplement to an act relating to hawkers and peddlers in the county of Chester, approved March 2, A. D. 1867.

Passed finally.

No. 869, an act to authorize the purchase of real estate and erection of a poor house in Valley township, Montour county.

Passed finally.

No. 1173, an act fixing the pay of the sheriff of Crawford county for boarding prisoners and other persons.

Passed finally.

No. 1172, an act relating to the collection of taxes in Cumberland county.

Passed finally.

No. 1174, an act to increase the pay of the county commissioners of Northumberland county.

Passed finally.

No. 1182, an act relating to water works in the city of Chester.

Laid over.

No. 1167, an act to provide for the purchase of real estate and the erection of a poor house in the township of Bloom, Columbia county.

Passed finally.

No. 1148, an act relative to a law library in the county of Carbon.

Objected off.

No. 1154, an act to regulate the collection of local taxes in the township of Edgmont, Delaware county.

Passed finally.

No. 902, an act to fix the number of jurors in cases of petition in the courts of Beaver, Bradford, Lawrence, Perry, Potter, Somerset, Franklin, Erie, Delaware, Lebanon, Westmoreland, Butler, Northampton, Wyoming, Armstrong, Philadelphia, Crawford and Tioga.

Objected off.

No. 1150, an act relating to taxes in Greenfield township, in Luzerne county.

Passed finally.

No. 1667, an act relative to the residence of justices of the peace in the city of Erie.

Passed finally.

No. 1145, an act to repeal the second section of an act authorizing the assessment of railroad taxes in the borough of Kittanning, Armstrong county, approved the 16th day of February, A. D. 1867.

Passed finally.

The hour of one o'clock having arrived the SPEAKER adjourned the Senate until three o'clock this afternoon.

AFTERNOON SESSION.

The Senate re-assembled at three o'clock, P. M.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

The Clerk of the House of Representatives being introduced, presented for concurrence bill numbered and entitled as follows:

No. 1610, an act to legalize an informality in the election of John Farnsworth, a justice of the peace of Upper Augusta township, Northumberland county.

Referred to the Committee on the Judiciary Local.

He also returned bill from the Senate numbered and entitled as follows, viz:

No. 1597, a supplement to the act to incorporate the Erie and Pittsburg railroad company, approved April 1st, 1858,

With information that the House of Representatives has passed the same without amendments.

PRIVATE CALENDAR—RESUMED.

Agreeably to order,

The Senate resumed the second reading and consideration of the calendar of House bills, and disposed of them as stated:

No. 1155, an act regulating the fees of notaries public in the county of Allegheny.

Passed finally.

No. 1161, an act to authorize the appointment of an additional notary public in the borough of Girard, in the county of Erie.

Passed finally.

No. 1164, an act to extend to the county of Berks certain provisions of an act, entitled An act to amend the fee bill as to constables in the city of Philadelphia.

Passed finally.

No. 1166, an act to authorize the Governor to appoint six additional notaries public for the city of Philadelphia.

Amended on motion of Mr. DONOVAN, by increasing the number of notaries to ten, and

Passed finally.

No. 1168, an act to provide for the erection of a house for the employment and support of the poor in the township of Hemlock, in the county of Columbia.

Passed finally.

No. 1187, a further supplement to an act, approved March 22, 1865, entitled An act to provide for the erection of a poor house in the townships of Milford, Turbet, Spruce Hill, Tuscarora, Lack and Beale, and the boroughs of Perrysville and Patterson, in the county of Juniata.

Passed finally.

No. 688, an act to legalize certain loans made by the city of Titusville.

Passed finally.

No. 1042, an act to prevent the injury or destruction of fruit, ornamental or other trees, and to protect the owners thereof in the counties of Clinton, Centre, Butler, Lawrence and Mercer.

Passed finally.

No. 1060, an act providing for the payment to the school treasurer of certain townships of Clarion, Allegheny, Indiana and Cumberland counties, the balance of the money raised for the payment of local bounties after the payment of all claims on said townships for local bounty.

Amended, on motion of Messrs. WHITE and BILLINGFELT.

Passed finally.

No. 1096, an act repealing so much of the

act entitled An act in relation to original writs and executions in the county of Franklin, approved the 8th day of March, 1867, as relates to executions.

Passed finally.

No. 1097, an act relative to the election of constables in the township of Blakely, county of Luzerne.

Passed finally.

No. 1101, an act to legalize all bounty taxes heretofore levied and collected in Centre township, Snyder county, and to authorize the school directors of said township to levy and collect additional taxes for bounty purposes.

Objected off.

No. 1618, an act to provide for the payment of expenses incurred in guarding the jail of Washington county.

Passed finally.

No. 1665, an act to legitimate John Horning, of Mifflin county, and confer on him the rights and privileges of a child born wedlock.

Passed finally.

No. 1327, an act to pay a pension to Mary Winters, widow of Stacy Winters, a soldier of 1812.

Passed finally.

No. 764, an act to incorporate the Fifth Street market company.

Passed finally.

No. 1201, a supplement to an act to incorporate the Mercer iron and coal company, approved the 1st day of August, A. D. 1863.

Laid over.

No. 1206, an act to incorporate the Venrec gold and silver mining company.

Passed finally.

No. 1207, a further supplement to an act to incorporate the Union gold and silver mining company, approved the 23d day of March, A. D. 1865.

Passed finally.

No. 1016, an act to reduce the number of directors of the Allegheny transportation company.

Passed finally.

No. 1210, an act to incorporate the New Sonora gold and silver mining company.

Passed finally.

No. 1208, an act to incorporate the Philadelphia mining company of Lander Hill.

Passed finally.

No. 1209, an act to incorporate the Pennsylvania and North Carolina gold mining company.

Passed finally.

No. 1077, an act incorporating the Savings institution of the city of Williamsport, in the county of Lycoming.

Passed finally.

No. 1079, an act to incorporate the Franklin savings fund and safe deposit company.

Passed finally.

No. 1075, an act to incorporate the Armstrong County savings' bank.

Passed finally.

No. 1656, an act to incorporate the Phœnix savings bank and safe deposit company.

Passed finally.

No. 1089, an act declaring Clear creek, in the county of Cameron, a public highway.

Passed finally.

No. 1000, an act to declare Mill run, in the county of Lycoming, a public highway.

Passed finally.

No. 786, an act to authorize John F. Satterlee to erect an eel weir in the Susquehanna river, in Sheshequin township, Bradford county.

Passed finally.

No. 561, an act to incorporate the Delaware Valley railroad company.

Passed finally.

No. 1194, a supplement to an act entitled An act to incorporate the Mount Pleasant railroad company, approved the 22d day of March, A. D. 1865, extending the time for the commencement and completion of said railroad.

Passed finally.

No. 1191 an act to incorporate the Tidioute railroad company.

Passed finally.

No. 700, a supplement to an act to incorporate the Chester Creek railroad company, approved the 16th day of April, 1866.

Objected off.

No. 1189, a supplement to an act entitled An act to incorporate the Ohioville railroad company, approved the 27th day of March, 1866.

Passed finally.

No. 1162, a supplement to an act regulating the mode of voting at all elections in the several counties of this Commonwealth, and to regulate the mode of voting where boroughs and townships vote together, in the county of Washington.

Passed finally.

No. 1315, an act to repeal an act to authorize and require the school directors of West Caln township, Chester county, to levy and collect taxes for the purpose of paying three hundred dollars each to persons who were drafted and furnished substitutes under the call of the President of July 18, 1864, approved the 22d day of March, A. D. 1866.

Passed finally.

No. 1040, an act extending the provisions of an act relating to dogs in Allegheny, Chester, Northampton, Schuylkill and Lancaster counties, approved the 6th day of April, 1854, to the county of Berks.

Passed finally.

No. 1037, an act extending the provisions of an act, approved the 7th day of May, A. D. 1864, entitled An act to prevent cattle, horses, sheep or hogs, from running at large in Bethlehem township, Northampton county, to Lower Nazareth, East Allen and Saucon townships, in said county, and Venango township, Erie county.

Amended on motion of Mr. LOWRY.

Passed finally.

No. 1044, an act prohibiting the hunting, catching and killing of game in North Fayette township, Allegheny county.

Passed finally.

No. 1043, an act to prevent the destruction of fish in Breeches pond or lake, in Overfield township, Wyoming county, and Chartiers creek, Washington county.

Passed finally.

No. 1038, an act to repeal an act to prevent horses, cattle, sheep and hogs from running at large in Chillisquaque township, Northumberland county, Kelley township, Union county, and certain townships in Luzerne county, so far as the same relates to Chillisquaque township, and as far as relates to Kelly township, Union county.

Amended on motion of Mr. JACKSON.

Passed finally.

No. 1046, an act for preserving fish in the South pond, in the townships of Union and Ross, county of Luzerne.

Not agreed to.

No. 1039, an act for the protection of wild turkeys and squirrels, and for other purposes, in the county of Huntingdon.

Passed finally.

No. 1057, a further supplement to an act to legalize bounties paid volunteers, and the bonds issued therefor, in certain townships in the county of Franklin, approved the 4th day of April, A. D. 1866, extending the provisions of said act, and the supplement thereto, to the township of Hamilton, in said county.

Passed finally.

No. 1352, an act relative to a certain highway in the town of Coatesville, Chester county.

Passed finally.

No. 1620, an act to legalize the appointment, view and report of certain bridge viewers in Ligonier township, Westmoreland county.

Passed finally.

No. 1171, an act to authorize the road supervisors of the township of Collins, Allegheny county, to levy an additional tax, and to make sidewalks along the public roads in said township, and to increase the pay of supervisors and auditors in said township.

Laid over on third reading.

No. 1666, a supplement to an act establishing a ferry across the West Branch of the Susquehanna river, in Lycoming county.

Passed finally.

No. 1103, an act to authorize the supervisor of Cook township, in the county of Westmoreland, to levy taxes for the construction of a bridge.

Passed finally.

No. 972, an act to provide for the erection of a bridge across Nescopeck creek, in Nescopeck township, Luzerne county.

Passed finally.

No. 605, an act to exempt from taxation the property of the Ladies' Soldiers' Aid of Weldon.

Passed finally.

No. 1146, a supplement to the constitution and charter of the Bustleton Methodist Episcopal church, enrolled by order of the Governor, in the office of the Secretary of the Commonwealth, on the 6th of February, 1824, authorizing the trustees of said corporation to remove certain bodies to enable them to extend their church edifice.

Passed finally.

No. 1144, an act relating to certain moneys in the hands of the legal representatives of Jacob Miller, late of St. Thomas township, in the county of Franklin, deceased.

Passed finally.

No. 663, an act to confirm the title of William F. Hughes, in and to a certain lot or piece of ground, situate on the north side of High or Market street, seventy feet six and a-half inches from the west side of Nineteenth street, in the city of Philadelphia.

Passed finally.

No. 1211, an act to incorporate the Sierra Molina gold and silver mining company.

Passed finally.

No. 1020, an act to amend an act to incorporate the Potter County forest improvement company, approved May 1, A. D. 1861, and the supplement thereto, approved the 10th day of August, A. D. 1864.

Passed finally.

No. 1218, an act to incorporate the Volcanic mining company.

Passed finally.

No. 1273, a supplement to the act incorporating the Amateurs' drawing room association of the city of Philadelphia, approved March 8, 1866.

Passed finally.

No. 1352, an act to incorporate the Pickering gold and silver mining company.

Passed finally.

No. 1214, an act to incorporate the Savage Extension gold and silver mining company.

Passed finally.

No. 1215, an act to incorporate the River Bed gold and silver mining company.

Passed finally.

No. 1216, an act to incorporate the Morris and Cable silver mining company of Reese river district, Lander county, Nevada.

Passed finally.

No. 1269, an act to incorporate the Delaware County lumber manufacturing company.

Passed finally.

No. 1277, a supplement to an act to incor

porate the Reno shipping company, approved the 1st day of September, A. D. 1866.

Passed finally.

No. 1212, an act to incorporate the Powhatan gold and silver mining company.

Passed finally.

No. 1213, an act to incorporate the Fidelity gold mining company.

Passed finally.

No. 1269, an act to annex additional territory to the borough of Brownsville, Mercer county, for school purposes.

Passed finally.

No. 1258, an act to authorize the board of school directors of the borough of Irwin, in the county of Westmoreland, to borrow money for building purposes, and to levy additional school tax.

Passed finally.

No. 1261, an act to annex the farm of Daniel Sell, of Germany township, Adams county, to the borough of Littlestown, for school purposes.

Passed finally.

No. 1263, an act to attach the farms of James M'Kean, William Nichols, David Long and John Long, Jr., to Otter Creek township, in the county of Mercer, to Salem school district, for school purposes.

Passed finally.

No. 1239, an act to vacate a portion of the Wilkesbarre and Providence plank road.

Not agreed to.

No. 1250, an act to incorporate the Kittanning and Rural Village Macadamized turnpike road company, in the county of Armstrong.

Passed finally.

No. 1232, an act to authorize the Johnstown and Scalp Level turnpike company, of Cambria county, to increase the rates of toll on said turnpike.

Passed finally.

No. 1236, an act to incorporate the Newton and Scranton turnpike road company.

Passed finally.

No. 1221, an act to lay out a State road in Venango and Butler counties.

Passed finally.

No. 1247, an act to incorporate the Limestone turnpike and plank road, of Warren county.

Passed finally.

No. 1222, an act to incorporate the Farmers' turnpike road company, in the county of Lancaster.

Passed finally.

No. 1227, an act extending an act relative to the opening and making of new roads, and building bridges, in the township of West Marlboro', in the county of Chester, to the township of Sadsbury, in said county.

Passed finally.

No. 1237, an act to reduce the compensation and change the manner of election of supervisors in the township of Newberry, in the county of York.

Passed finally.

No. 1233, an act to increase the number of supervisors of roads in Cowanshanoc township, Armstrong county.

Passed finally.

No. 1245, an act to declare Lake Pleasant, and its outlet to French creek, a public highway.

Passed finally.

No. 1219, an act to establish a ferry over the Allegheny river, at or below the Big rock, in the county of Venango.

Passed finally.

No. 1250, an act to establish a ferry over the West Branch of the Susquehanna river, at or near the residence of George W. Sour, in the township of Wayne, in the county of Clinton.

Passed finally.

No. 393, an act to repeal an act to regulate the practice of entering judgments and issuing processes in Armstrong county.

Passed finally.

No. 1251, an act to extend the act providing for the assessment of seated lands in the townships where the mansion house is situated, to the borough of Rome, in the county of Bradford, for school purposes.

Not agreed to.

No. 1241, an act authorizing the supervisors and auditors of Jones township, Elk county, to receive the sum of two dollars per day.

Passed finally.

No. 1259, an act to authorize the board of school directors of the borough of West Middlesex, in the county of Mercer, to borrow money.

Passed finally.

No. 1200, a supplement to an act to incorporate the Brady coal and oil company.

Laid over on third reading.

The following bill, laid over from calendar of March 27, was disposed of as stated:

No. 889, an act amendatory of an act to increase the salaries of the inspectors of the Lancaster county prison, passed the twenty-seventh day of March, A. D. 1866.

Not agreed to.

CONSIDERATION OF BILLS OBJECTED OFF OF CALENDAR OF HOUSE BILLS.

The private calendar having been gone through with the following bills, objected off the calendar were, on motion, called up and disposed of as stated:

Mr. ROYER moved that the Senate proceed to the consideration of House bill No. 700, a supplement to an act to incorporate the Chester Creek railroad company, approved the 16th day of April, 1866.

On the question,

Will the Senate agree to the motion?

The yeas and nays were required by Mr. DONOVAN and Mr. RANDALL, and were as follow, viz:

YEAS—Messrs. Browne (Lawrence), Brown (Mercer), Cowles, Fisher, Graham, Haines, Jackson, Landon, M'Conaughy, Randall, Royer, Searight, Taylor, White and Hall, *Speaker*—15.

NAYS—Messrs. Billingfelt, Burnett, Coleman, Davis, Donovan, Glatz, James, Schall, Stutzman, Wallace and Walls—11.

So the question was determined in the affirmative.

The bill was then

Laid over on third reading.

Mr. DAVIS moved that the Senate proceed to the consideration of House bill

No. 1070, an act to repeal the second section of an act authorizing the collection of a tax in Jackson township, Dauphin county, and Jefferson township, Berks county, to refund money advanced to pay bounties to volunteers.

Mr. BILLINGFELT. Mr. Speaker, all I know about this bill is what is contained in the remonstrance which I find on my desk. The act of last winter provided that a tax should be levied. This bill proposes to repeal that act; hence, those men who made advancements would lose their money. These are the allegations made to me; the Clerk may read the remonstrance for the information of the Senate. I have no interest in the bill.

The remonstrance was read, as follows:

To the Honorable the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met:

The remonstrance of the subscribers, citizens of Jefferson township, in the county of Berks, respectfully remonstrate against the repeal of the second section of the act authorizing the collection of a tax in Jackson township, Dauphin county, and Jefferson township, Berks county, to refund money advanced to pay bounty to volunteers, passed 1866.

The petitioners allege that only one man asked for and attained the passage of that act for his own private use and purposes. It will be perceived, by these remonstrances, that such is not the fact. On the 15th of February, 1866, a supplement was passed extending the bounty act of Berks county, so that all the indebtedness under the last call of the President for volunteeers could be paid, and every township in the whole county availed itself of that act and paid all their indebtedness. It was but for the peculiar manner in which the money was raised in this township that the people could not pay their indebtedness under that act, as part of the money was raised by the school board, and part by the drafted men, in which the drafted men agreed that each was to pay two hundred dollars, and all those who would be exempt should receive back one hundred and eighty dollars. But some of those who were not exempt failed to pay the amount required of them, by which the committee who received the money and filled the quota would be held responsible, according to the agreement, to pay back about twelve hundred dollars, of which they never received one cent. For this reason the act was passed, that the township should fill the whole quota, as had been done in the previous drafts. And your remonstrators will ever pray.

Mr. DAVIS. Mr. Speaker, we have heard all the allegations on both sides. I am assured by two members of the House last winter that this bill is perfectly proper, that no man will be injured by it, and that no person will be in any danger whatever of becoming liable for any money. I am assured by the members of the last House that the act should be repealed. The parties asking for the repeal pledged themselves that if anybody did become liable, they would be willing to have a tax levied. I do not understand the matter as well as the gentlemen in the other House, but I am so assured by them. They have no interest in the matter themselves. I am assured that the act passed last year was a mistake, and unjust to the people of that place, and should be repealed.

Mr. BILLINGFELT. Why was that act passed last winter?

Mr. DAVIS. I cannot answer the Senator; I was not here. I am told by two members of the other House that the bill was passed under a misapprehension of the facts in the case.

Mr. BILLINGFELT. A gentleman who was here told me that he would be a loser to the extent of seven hundred dollars if the act of last winter was repealed. He advanced funds to save those men from the draft, and that act provided that a tax should be levied to enable them to refund this money. If it is repealed now, of course there is no tax to be levied for refunding this money.

Mr. COLEMAN said he objected to the bill when it came up, because he saw Dauphin county on it; it was too indefinite, he had no connection with the Berks county legislation at all in this matter.

Mr. DAVIS. I would suggest that the matter can be remedied by a slight amendment; that is, to repeal this act, so far as it relates to the county of Berks; that would confine the operation of this bill before the Senate to the township in Berks county alone.

Mr. COLEMAN. I do not know whether it is necessary until the act is examined.

Mr. DAVIS. In order to make the matter safe I would suggest that amendment. In regard to the question of the Senator from Lancaster, I do not know that he said any

thing the second time that he did not say the first time. I do not know that it is necessary to answer a statement more than once. We do not desire that any person should be made to pay any money out of his pocket, if he is not responsible. If that result does follow, and the gentleman whom the Senator saw should be made to pay any money, I am willing myself to introduce a bill to have him reimbursed by a tax on that township, and everybody would be willing to have that done. This is eminently right and proper, and should be done.

Mr. BILLINGFELT. I still am not sufficiently satisfied with the explanation. I would like to hear from the Senator from Berks [Mr. DAVIS] why the act should be repealed. What harm can it do? It is all left with the authorities of the township to do justice to those people; it can do no harm. If there is a single citizen who will be unjustly dealt with, it ought not to be repealed. I have no interest in the bill; I am not here to legislate for the county of Berks; but it is my duty to see that injustice is prevented whenever I am called to do so.

Mr. DAVIS. Mr. Speaker, I do not wish to debate this matter; and if the Senator will state his objections, once for all, I will take pleasure in trying to answer him.

Mr. BILLINGFELT. I repeat, because the act of last winter was passed to reimburse men who advanced money to help those people out of the draft. Upon the strength of this, these men advanced the money. This bill proposes to repeal that act, and hence they would be left without money to reimburse them.

Mr. DAVIS. Mr. Speaker, this matter, as stated by the Senator from Lancaster, is presented in an unfair light. The act which we seek to repeal makes it obligatory upon the school directors to levy and collect that tax, and instead of the tax being levied, to collect a sum of money to raise their quota, it is for the purpose of assisting men who paid money out of their pockets to shield themselves. Upon information I have received, this application is right, and no wrong can ensue from the repeal of the act passed last winter.

Mr. COLEMAN. I would ask the Senator from Berks to let this bill lie over, because it may be that the representative from Dauphin wants this passed. I do not oppose the Senator's legislation at all: I only want time to examine it.

Mr. DAVIS suggested that it be passed to a third reading, and then laid over.

Mr. COWLES. Mr. Speaker, I have taken some little pains to examine this section. I find that the section which this bill proposes to repeal is as follows:

SEC. 2. That the school directors of Jefferson township, Berks county, be and they are hereby required to levy and collect a bounty tax, sufficient to refund the money paid by drafted men, under the last call of the President of the United States; said tax to be levied and collected as bounty taxes have heretofore been levied and collected: *Provided*, That said tax shall not be collected from officers and soldiers, who may now be in the volunteer service of the United States, or who have been in said service, and have been honorably discharged therefrom.

It strikes me that this section was a monstrous proposition, and the sooner it can be repealed the better. If we passed a bad act last winter, I think we ought, on the first opportunity, to repeal it.

The bill was read a third time, and

Passed finally.

REPORT OF CONFERENCE COMMITTEE.

Mr. FISHER, from the committee of conference, to whom was referred the differences between the two Houses in relation to House bill No. 507, entitled A supplement to an act to incorporate the borough of Columbia,

Reported that the committee has agreed to recommend that the House should concur in the Senate amendments, viz: in line tenth, first section, strike out "one-third" and insert "two-fifths," and also to strike out "two-thirds" and insert "three-fifths."

On motion of Mr. FISHER, said report was read a second time and adopted.

MESSAGES FROM THE HOUSE OF REPRESENTATIVES.

The Clerk of the House of Representatives being introduced, presented for concurrence bill numbered and entitled as follows, viz:

No. 1615, an act to annul the marriage contract between Charles Schofield and Mary Schofield.

Referred to the Committee on the Judiciary General.

He also returned, in pursuance of resolution of the Senate requesting the same, bill from the Senate numbered and entitled as follows, viz:

No. 1532, an act to change the venue in a certain case from Schuylkill to Lebanon county.

Mr. CONNELL moved that the Senate reconsider the vote on the final passage of the bill;

Which was agreed to.

The bill being again before the Senate, and The question recurring, Shall the bill pass?

A motion was made by Mr. RANDALL to postpone the question, together with the further consideration of the subject, for the present;

Which was agreed to.

Also, returned bill from the Senate numbered and entitled as follows, viz:

No. 810, an act to incorporate Lebanon Valley college,

With information that the House of Representatives has passed the same with amendments, in which the concurrence of the Senate is requested.

On motion of Mr. COLEMAN, said amendments were twice read and concurred in.

BILLS PASSED.

On motion of Mr. BROWNE (Lawrence), the rules were dispensed with, and the Senate proceeded to the consideration of a bill entitled An act repealing an act relative to the purchase of a law library in the county of Butler.

The bill was read a second and third time, and

Passed finally.

On motion of Mr. RIDGWAY, the rules were dispensed with, and the Senate proceeded to the consideration of a bill entitled An act to incorporate the parties doing business at the Pascal Iron works, in the city of Philadelphia, under the name, style and title of Morris, Tasker & Co.

The bill was read a second and third time, and

Passed finally.

On motion of Mr. M'CONAUGHY, the rules were dispensed with, and the Senate proceeded to the consideration of a bill entitled An act supplementary to an act entitled An act to confer on certain associations of citizens of this Commonwealth, the powers and immunities of corporations or bodies politic, approved the 9th day of April, a. d. 1791, and its supplements, empowering the courts to grant authority to confer degrees.

The bill was read a second and third time, and

Passed finally.

On motion of Mr. RANDALL, the Committee on Corporations was discharged from the further consideration of bill entitled An act to incorporate the Costa Rica mining and improvement company.

And the rules having been dispensed with,

The bill was read a second and third time, and

Passed finally.

On motion of Mr. BROWN (Mercer), the Committee on Corporations was discharged from the further consideration of bill entitled An act to authorize the Reno oil and land company to acquire, hold and dispose of property.

And the rules having been dispensed with,

The bill was read a second and third time, and

Passed finally.

On motion of Mr. JAMES, the Committee on Roads and Bridges was discharged from the further consideration of a bill entitled An act incorporating the Wrightstown and Newtown turnpike road company.

And the rules having been dispensed with,

The bill was read a second and third time, and

Passed finally.

On motion of Mr. DONOVAN, the Committee on Finance was discharged from the further consideration of a bill entitled An act to exempt the property of the First Troop Philadelphia city cavalry, situated in the Ninth ward, city of Philadelphia, from taxation.

And the rules having been dispensed with,

The bill was read a second and third time, and

Passed finally.

On motion of Mr. STUTZMAN, the rules were dispensed with, and the Senate proceeded to the consideration of bill entitled An act authorizing the directors of the poor to erect an almshouse in the county of Beaver, and to borrow money.

The bill was read and

Agreed to.

A motion was made by Mr. STUTZMAN to amend the title by making it read as follows:

A supplement to an act providing for the sale of the house of employment and support of the poor of Bedford county, and the appointment of commissioners by the court of quarter sessions to purchase land and erect buildings, and to authorize the levying of taxes and borrow money for said purpose.

The title as amended was

Agreed to.

The bill was read a third time, and

Passed finally.

On motion of Mr. FISHER, the rules were dispensed with, and the Senate proceeded to the consideration of bill entitled An act to provide for the enforcement of the inspection laws in regard to the inspectors of whisky in the county of Philadelphia.

The bill was laid over on third reading.

BILLS IN PLACE.

On leave,

Mr. LOWRY read in his place and presented to the Chair a bill entitled An act authorizing the State Treasurer to refund money paid in error by William L. Scott, on account of protests issued by the Surveyor General.

Referred to the Committee on Finance.

Also, a bill entitled An act to empower the school directors of the city of Corry to raise one per centum in addition to the amount now authorized by law to be raised for building purposes for the year 1867.

Referred to the Committee on the Judiciary Local.

Mr. CONNELL, a bill entitled, An act providing for the paving of foot-walks in the First precinct of the Twenty-fifth ward of Philadelphia.

Referred to the Committee on Roads and Bridges.

Mr. JACKSON, a bill entitled An act to provide an additional return day in the court of common pleas, Northumberland county.

Referred to the Committee on the Judiciary Local.

CHANGE OF VENUE FROM ALLEGHENY TO JEFFERSON COUNTY.

On motion of Mr. WHITE, the rules were dispensed with, and the Senate proceeded to the consideration of bill entitled An act to change the venue in certain cases from Allegheny to Jefferson county.

Mr. WHITE sent to the Clerk's desk, to be read, the following affidavit, showing the justice of the application for a change of venue:

Jefferson County, ss:

Personally appeared before me, prothonotary in and for said county, W. W. Corbet, who, being duly affirmed according to law, deposeth and says that the subject matter involved in suits in Allegheny county, between himself and Lewis Nelson, and on which he wishes change of venue, lies in Jefferson county. The property in question lies in this county, and most all the witnesses reside here; that unless the venue is changed he will have to incur a great deal of unnecessary expense in taking witnesses to Allegheny county, and that he verily believes he cannot have justice done him in said county of Allegheny. W. W. CORBET.

Affirmed and subscribed before me March 28, 1867. J. M. STECK,
Prothonotary.

Mr. WHITE. Mr. Speaker, the strongest reason possible in favor of this bill is that which I shall briefly indicate. During the present session the Legislature has passed a bill which reads as follows:

That all bills for injunctions and other relief in equity, shall be filed and applied for in the courts of the county where the subject matter in controversy may exist, and should there be no one in said county on whom a writ regularly issued can be made, according to the existing laws, the same may be served on the proper person in any other county of the State, by the sheriff or other officer, to whom the writ is directed, or by his deputy; and if there should be no such person within the State, the court, if in session, or a judge thereof, in vacation, may order and direct publication of notice in such manner as may best serve to bring home notice to the respondent or respondents, and the sheriff or other officer shall make return thereof, under oath; and so much of any law or laws of this State, as is hereby altered or modified, is hereby repealed.

Thus, you will observe, Mr. Speaker, that by this general law which has been passed, and signed by the Governor, we have established the principle here that the proper place to settle a controversy of this kind is in the jurisdiction in which the subject matter of the controversy rests; we have recognized that principle. It is true the complainant can discontinue all proceedings there, and by paying off all the costs, commence *de novo* in Jefferson county; but that will cost a great deal, and to avoid this expenditure, he asks that this be changed to Jefferson county. That argument, in connection with the affidavit of the party, that he thinks he cannot have justice done there, should influence the Senate in granting the prayer for relief.

Mr. BIGHAM. Mr. Speaker, we have heard the other side of this question argued during the forenoon. If the Senator from Indiana [Mr. WHITE] had been allowed more latitude we should have had it argued more elaborately in respect to the change of venue from his district. Now, what are the facts here? Why, that W. W. Corbet voluntarily goes to Allegheny county, and commences his proceeding in equity there against two residents of that county. It is true, there was a former case pending between the same parties, which had gone to the Supreme Court, and here is a certified copy of the opinion of Chief Justice Woodward. Corbet lost those cases. He was so unfortunate as not to have a good cause. The case was tried in our county, taken to the Supreme Court, has been tried, and the Senator from Indiana [Mr. WHITE] alleges that within the last week the money has been paid. I know that yesterday week one of the defendants was here. The money had not then been paid; it has not since been paid, unless under compulsion.

Now, what are the grounds here? This, you will remember, is a proceeding in equity. There is no foundation, as was alleged in the case this morning, for an assertion that there is a prejudice which would affect the jury. There is no jury in the case. It is simply a case in the district court.

Mr. WHITE. The affidavit from the parties, stating that they cannot get justice, has been read.

Mr. BIGHAM. The argument of the Senator from Indiana [Mr. WHITE], this morning, was so decided, that I voted with him.

Mr. WHITE. Certainly; and I am much obliged to the Senator, and I want him to vote with me this time.

Mr. BIGHAM. The allegation in that case was, that there was a prejudice in the public mind, and that justice could not be done. I have received a letter from the judges of our courts, and I am going to be more cautious about these changes of venues, because the judges think it is a reflection on them, whether it is contained in the papers or not. I received a letter from Judges Hampton and Williams, desiring to know why there was an application for the removal of this case. It necessarily implies a reflection upon those courts, because the jury has nothing to do with it. It was a case in equity, and justice will be done them, unless the judges are disposed to do injustice. This is the first case in which an application for change has been made in cases of equity. All former changes have been asked for on account of supposed prejudice. This case is confined solely to the court. I know from the joint letter which I received, asking what was on file here in regard to this change, that they regard it as a reflection. Mr. Corbet commenced this suit voluntarily. If he sees proper to discontinue it, he can do so. I am not come here to ask us to change the venue, without anything more than a general allegation that he thinks injustice would be done. The judge of the district will see that he has justice. Besides, the counsel for Mr. Corbet were here three days ago, and they say that this application is made without their approbation. My colleague knows the same facts. They say that they believe full and ample justice can be done in Allegheny county.

Mr. GRAHAM. Mr. Speaker, the change of venue asked for in this case, I think, is simply absurd. That justice cannot be obtained by this gentleman in Allegheny county, because of any popular prejudice that may exist in the minds of the people there against him, is, to say the least, absurd and ridiculous. Now, I think that the trouble is, that he will get justice, and that he wants to go somewhere else, where justice is not so impartially meted out. This gentleman seems to have constituted himself the counsel in the matter, and I hope that the Senate will not order this change of venue, and thus cast a reflection upon the people of Allegheny county, and especially upon our courts.

Mr. WALLACE. Mr. Speaker, I do not think any reflection can be cast upon the judges of the courts of Allegheny; and I do not think the Senator from Allegheny will accuse me of being inconsistent. I was for the change of venue, this morning, and am now for this one. It seems to me we have passed, during this session, a general law which establishes, as a general principle, that which covers this case. Against that I voted and spoke, but the Senate made it the law, that the *lex loci*—that the law of the place—should control the jurisdiction. You compel us, by that law, passed within three weeks, to go where the case originates, to try it.

This man asks that his case (without reflection upon the courts of Allegheny) may be made to come within the terms of that general law. Will you deny it to him? He says he cannot get justice there. Assuming that the Senators from Allegheny are correct, which I do not dispute, is there anything very wrong in giving to this man the benefits of the law which you give to every citizen of the Commonwealth—the right to go where the cause originated, in order to get at the truth? For this I am willing to vote, and shall vote, with the Senator from Indiana [Mr. WHITE].

Mr. LOWRY. Mr. Speaker, I will vote for this bill, but for a different reason than that given by the Senator from Clearfield [Mr. WALLACE]; I will vote for it for the reasons I gave years ago, and have always stood by. I will vote for a change of venue for any man who will hold up his hand and swear that he believes he cannot have a fair trial there, and gives a reasonable evidence that what he believes is the truth. This privilege of a fair trial by jury is a glorious thing.

Mr. WALLACE. Did the Senator advocate that doctrine yesterday afternoon?

Mr. LOWRY. Yes, sir; when the Senator from Clearfield [Mr. WALLACE] was on a fair trial here, we let him blow as long as he wanted to. When the Senator began to blow about the news from Connecticut I was a little cranky, for which he has forgiven me and I him. Seriously, I think this Legislature, before it adjourns, should pass some law upon the subject of changing venues. Everybody comes here and get all they ask for, and why not make a general law? Why not give the couts power over this subject?

Mr. BIGHAM. Mr. Speaker, this case differs from those heretofore before this Senate. Men who are sued are obliged to answer; but this is a case of a plaintiff who voluntarily commenced a suit. There is no statute of limitation. Is it not an absurdity that a plaintiff who has the power of discontinuance, which will cost only some twenty dollars, should come here and occupy our time? Twenty dollars will pay the costs in this case. The Senator from Erie [Mr. LOWRY] says that if any man will swear that there is a prejudice, he will vote for a change. This is a case in equity, and has nothing to do with juries; it is for the court to decide.

Mr. LOWRY. I was entirely mistaken in the case.

Mr. WHITE. Mr. Speaker, it is true it was the plaintiff who asks this change of venue, but he has, in the prosecution of this suit, incurred a large amount of costs; and when he commenced this suit, he was obliged to go into the county of Allegheny and commence it, because he could not get a service upon the defendants outside of that county. He could not have served his writ in Jefferson; he can do so now, since we have passed that bill which authorizes the commencement of suits in the jurisdiction in which the subject matter lies, and you can go out of that jurisdiction to serve writs.

On the question,

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[CONTINUED FROM PAGE 880.]

Will the Senate agree to the first section of the bill?

The yeas and nays were required by Mr. WHITE and Mr. STUTZMAN, and were as follow, viz:

YEAS—Messrs. Billingfelt, Browne (Lawrence), Brown (Mercer), Coleman, Connell, Donovan, Fisher, Glatz, Haines, James, M'Conaughy, Randall, Ridgway, Royer, Shoemaker, Stutzman, Taylor, Wallace, White, Worthington and Hall, *Speaker*—21.

NAYS—Messrs. Bigham, Burnett, Davis, Graham, Jackson, Landon and Lowry—7.

So the question was determined in the affirmative.

The bill was read a third time, and

Passed finally.

The Senate then adjourned until to-morrow morning at 10 o'clock.

CORRECTIONS.

On Wednesday, March 27, 1867, Mr. FOGEL introduced a resolution to recall from the Governor a bill entitled An act to repeal an act of 1792, declaring the Little Lehigh a public highway.

The SPEAKER decided, it being a Senate bill, that the resolution should have been offered in the Senate.

On page 840 of the *Record*, Mr. WRIGHT is reported as having obtained leave to read a bill in place, entitled A supplement to an act relating to the liens of mechanics and others upon buildings, extending it to the counties of Lycoming, Potter and Lawrence. This report is incorrect. The bill was read and passed final reading by Mr. WINGARD.

HOUSE OF REPRESENTATIVES.

WEDNESDAY, April 3, 1867.

The House met at 3 o'clock, P. M., pursuant to adjournment.

BILLS PRESENTED.

On leave,

Mr. JONES read in his place and presented to the Chair bill No. 1960, an act providing for the consolidation of the Cranberry coal company and the Clarion coal company.

Laid on the table.

Mr. DONOHUGH, bill No. 1963, an act to incorporate the Bureau of Information.

Laid on the table.

Mr. ADAIRE, bill No. 1964, an act to incorporate the Philadelphia wooden ware manufacturing company.

Laid on the table.

Mr. MEYERS, bill No. 1967, an act to annex the farm of Joseph Houch, in Upper Mount Bethel township, Northampton county, to the Centerville independent school district for school purposes.

Laid on the table.

Mr. CHASE, bill No. 1976, an act to incorporate the North Mountain coal company.

Laid on the table.

Mr. MARKLEY, an act providing for the consolidation of the Farmers' railroad company, of Venango county, and the Oil Creek railroad company.

Referred to the Committee on Railroads.

REPORTS FROM COMMITTEES.

On leave,

Mr. KOON reported from the Railroad Committee, as committed, bill No. 1965, a further supplement to an act to incorporate the Wilkesbarre and Pittston railroad company, approved April 15, 1859.

Mr. M'CAMANT (Counties and Townships), as committed, bill No. 1975, an act relative to foot-walks in Oakland township, in the county of Allegheny.

Mr. LONG (Corporations), as committed), Senate bill No. 762, an act to incorporate the Coopersburg savings institute.

Mr. M'CREARY (Judiciary Local), as committed, Senate bill No. 1532, an act to change the venue in a certain case from Schuylkill county to Lebanon county.

Mr. FREEBORN (Municipal Corporations), as committed, Senate bill No. 1512, an act relative to street paving in the city of Philadelphia.

Mr. PENNYPACKER (Military), as committed, Senate bill No. 1240, a supplement to an act to legalize bounties paid to volunteers, and the bonds issued therefor, in certain townships in the county of Franklin, approved the 4th day of April, A. D. 1866, extending the provisions of the second section thereof to the township of Ayr, in the county of Fulton.

BILL RECONSIDERED.

On motion of Mr. MEILY, the House reconsidered its vote on Senate bill No. 810, an act to incorporate the Lebanon Valley college, for the purpose of amendment.

The bill was amended by striking out the word "March" and inserting the word "April."

The amendment was

Agreed to.

BILL PASSED.

On motion of Mr. WALLACE, the House proceeded to the consideration of

Senate bill No. 190, a further supplement to the act incorporating the Township Line road company, fixing the terminus, and regulating tolls on said road.

The bill was read.

The first section was

Agreed to.

The second section was

Stricken out.

The bill was then

Agreed to.

The rules being suspended, the bill was read the second and third times, and

Passed finally.

The House then proceeded to the further consideration of the

PRIVATE CALENDAR.

The following bills were acted upon as stated:

Senate bill No. 773, an act relating to the payment of certain bounties by the township of Eldred, Monroe county.

Passed finally.

Senate bill No. 624, an act relating to bounties in the borough of Dillsburg, in the county of York and State of Pennsylvania, validating and legalizing the assessment duplicate and warrant to collect bounty tax assessed in June, 1864, in said borough.

Passed to third reading.

No. 1647, a further supplement to an act entitled An act relating to local bounties in the county of Lawrence, approved March 15, A. D. 1865.

Amended by Mr. HARBISON.

Passed finally.

No. 1648, an act to annul the marriage contract between James Edwards and Elizabeth Edwards, his wife.

Not agreed to.

No. 1649, an act to annul the marriage contract between James Cunningham and Ingebra Cunningham, late Ingebra O'Conner.

Not agreed to.

No. 1650, an act to annul the marriage contract between Charles Schofield and Mary Schofield.

Not agreed to.

Senate bill No. 317, a supplement to an act to incorporate the Allentown passenger railroad company, approved 21st day of March, A. D. 1854.

Amended by Mr. FOGEL.

Passed finally.

No. 1652, an act to incorporate the Lykens Valley Deposit Bank.

Passed finally.

No. 1654, an act to incorporate the Commonwealth savings fund and safe deposit company of Philadelphia.

Passed finally.

No. 1655, an act to incorporate the Dime savings fund of Slatington.

Passed finally.

No. 1657, an act for the protection of that branch of the legal profession in the city of Philadelphia, known as conveyancers or scriveners.

Passed finally.

Senate bill No. 312, an act to extend the time for the payment of the enrollment tax on an act entitled An act to authorize the Western Maryland railroad company to locate a portion of their road through Adams and Franklin counties, Pennsylvania, approved the 23d day of March, 1865, and relative to the location of the said railroad and their connection of the Gettysburg therewith.

Amended by by Mr. COLLINS, and

Passed finally.

No. 1659, an act to incorporate the Sharon Savings Bank.

Passed finally.

No. 1669, an act authorizing the appointment of commissioners to run the boundary lines between the counties of Lycoming, Union and Clinton, and to fix and determine the same.

Passed finally.

No. 1670, supplement to an act to incorporate the Lawrence railroad and transportation company, approved 23d day of April, A. D. 1864.

Passed finally.

No. 1671, a supplement to an act increasing the compensation of certain officers in the county of Berks, approved 23d day of March, A. D. 1865.

Passed finally.

No. 1672, an act relating to the collection of school taxes in Fulton county.

Passed finally.

No. 1673, an act to incorporate the Franklin manufacturing company.

Passed finally.

No. 1674, an act to incorporate the Edgeland coal and lumbering company.

Amended by Mr. ADAIRE, and

Passed finally.

No. 1675, an act to increase the fees of constables and police officers of the city of Titusville, in certain cases.

Passed finally.

No. 1676, an act to extend the time for the payment of the enrollment tax on act, entitled An act to incorporate the Sugar Creek mining and transportation company, approved March 24, A. D. 1865.

Passed finally.

No. 1677, an act for the relief of Kenny Montgomery, a soldier of the war of 1812.

Passed finally.

No. 1678, an act to increase the pay of supervisors and township auditors of Fox township, Elk county.

Passed finally.

No. 1679, an act to authorize the commissioners of Franklin and Cumberland counties to induce the trustees of the Agricultural college of Pennsylvania to locate a model and experimental farm in one or the other counties.

Indefinitely postponed.

No. 1680, an act to incorporate the Clinton turnpike company, in the county of Greene.

Passed finally.

No. 1681, an act to authorize additional supervisors for Whitney township, in the county of Greene.

Passed finally.

No. 1682, an act to authorize the school directors of Aleppo township, in the county of Greene, to levy and collect a temporary tax for school purposes, beyond the amount now allowed by law.

Passed finally.

No. 1683, an act to prevent fishing with seines in the South Branch of Ten Mile creek, in the county of Greene.

Amended by Mr. MECHLING, and

Passed finally.

No. 1684, and act increasing the pay of supervisors in Porter township, Huntingdon county.

Passed finally.

No. 1685, an act relating to certain officers in the Southwest ward in the city of Lancaster, Pennsylvania, extending their term of office, &c.

Passed finally.

No. 1686, an act to amend the charter of incorporation of the Decature building association of Frankford.

Passed finally.

No. 1688, an act to repeal and annul an act entitled An act to annul the marriage contract between Wm. Roberts and Emily Roberts.

Passed finally.

No. 1689, an act to authorize and establish local lines of telegraph in the city and county of Philadelphia.

Referred to Philadelphia delegation.

No. 1690, an act relative to the courts of Philadelphia.

Indefinitely postponed.

No. 1691, an act to incorporate the Excelsior gold and silver mining company of Colorado.

Passed finally.

No. 1692, an act authorizing the voters of Lackawaxen township, Pike county, to increase the number of supervisors in said township.

Passed finally.

No. 1693, an act to incorporate the Eagle manufacturing company.

Passed finally.

No. 1694, an act to repeal the thirtieth section of an act regulating boroughs, approved 3d of April, 1857, so far as the same relates to the borough of New Alexandria, in Westmoreland county.

Passed finally.

No. 1695, an act to incorporate the Kittanning, Rural Valley and Reynoldsville railroad company.

Passed to third reading.

No. 1696, an act relating to costs on appeals from judgments of justices of the peace in the county of Butler.

Amended by Messrs. ROATH, WADDELL and HARBISON.

Passed finally.

No. 1697, an act authorizing Henry Goehring, of Jackson township, Butler county, to vote in Cranberry township, said county.

Passed finally.

No. 1698, an act to incorporate the Franklin Passenger railway company.

Amended by Mr. WHANN.

Passed finally.

No. 1699, an act to permit John A. Metzel, a justice of the peace of the county of York, to hold his office in Metzel's hotel, in the borough of York.

Passed finally.

No. 1700, an act to increase the compensation of election officers in the county of Schuylkill.

Passed finally.

No. 1701, an act for the relief of the Empire Hook and Ladder fire company, No. 1, of Lancaster city, Pennsylvania, for damages done their hall by the military of Pennsylvania in 1861.

Passed finally.

Senate bill No. 1342, a supplement to an act to incorporate the Superior iron company.

Passed finally.

No. 1704, a supplement to an act to incorporate the Middle Creek railroad company, approved the 23d of March, 1865.

Passed finally.

No. 1705, an act to incorporate the Willow Bank and Burns Spring railroad company.

Passed finally.

No. 1706, an act to incorporate the Mill Creek and Nescopeck railroad company.

Passed finally.

Senate bill 985, a further supplement to an act incorporating the Lafayette railroad, approved the 1st day of May, A. D. 1861, extending the time for building the road and enlarging the powers of said corporation.

Passed finally.

Senate bill No. 479, a further supplement to the act entitled An act to incorporate the Allentown railroad company, approved April 19, A. D. 1853.

Passed finally.

Senate bill No. 717, an act authorizing an increase of the capital stock of the Connecting railway company.

Amended by Mr. LEE.

Passed finally.

No. 1710, a further supplement to an act to authorize the Governor to incorporate the West Chester and Philadelphia railroad company, approved April 11, A. D. 1848.

Passed finally

MESSAGE FROM THE SENATE.

The Clerk of the Senate being introduced, presented for concurrence bills numbered and entitled as follows, viz:

Senate bill No. 1502, an act to incorporate the Pittston coal company.

Senate bill No. 1414, an act relative to the Merchants' and People's transportation company.

Senate bill No. 1596, an act to give the Chincleclamonche and other boom companies the right to sue for tolls and boomage.

During the discussion of the bills on the private calendar, the following remarks were made:

On Senate bill No. 624,

Mr. STUMBAUGH. Mr. Speaker, I desire to state to the House that this bill was passed last winter in this House, but defeated in the Senate.

The circumstances which led to this bill are these: In the borough of Dillsburg, the people met and agreed to put a certain number of men in the army, and authorized the town council to levy and collect taxes for the purpose of paying these volunteers. Some six or seven individuals loaned the money to the township. The men were furnished, and then the council refused to collect and pay over the money that had been loaned.

Mr. MAISH. Mr. Speaker I think I am as well informed of the facts to which this bill relates as the gentleman from Franklin.

In 1864 there were nine persons in the borough of Dillsburg, who borrowed six hundred dollars for the purpose of putting substitutes in the army. After they had put in one man, they procured an informal meeting of the town council. In that council it was agreed to make out a duplicate and to levy and collect taxes in order to reimburse these men for procuring substitutes. The meeting was informal; there was no notice, whatever, given to the borough, although the bill alleges that due notice had been given. This allegation is entirely incorrect. No public notice had been given, and but few people knew of the meeting.

There are men in that town who have paid the sum of one thousand three hundred and ninety-five dollars to clear themselves and their sons from the draft; and whatever money these men subscribed was for the same purpose. Now, after they have failed to get their money from the borough, they come here and ask by this bill that it be returned. The amount is about six hundred dollars, averaging to the parties who petition its return the paltry sum of sixty-six and two-thirds dollars each. Two persons belonging to the town council, who were subject to the draft, ran away in order to escape it. This bill alleges that the chief burgess refused to sign the warrant. He has not refused; the warrant has been signed. This bill is to take the money from the poor widows and poor men of the town to pay the parties who originated this bill sixty-six and two-thirds dollars for procuring substitutes to keep themselves and their sons out of the draft. If I understand the temper of this House, they will pass no bill of this kind.

Mr. WOODWARD. Mr. Speaker, I have but one word to say in reference to this bill; and I would not have said anything but for the fact that I think the gentleman last on the floor is mistaken as to the facts of the case. Since the bill has been called up, I remember the action the committee took upon it. Certain parties, apparently respectable, appeared before the committee and re-

cited the facts set forth in the preamble to the bill. They also showed that the secretary was there, and stated that he had posted the bills in the town three days prior to the meeting. The duplicates were also there, and one of them was signed by three of the town council, the others refusing. The evidence before the committee was such as to satify every member that the bill ought to pass, and that is my opinion from all the information I can gather.

Mr. MAISH. Mr. Speaker, I am sure I am not mistaken. The facts as I have stated are true, and I ask that this remonstrance be read to substantiate what I have said.

The remonstrance was read as follows:

WHEREAS, A bill is now pending before the Legislature of Pennsylvania, the object of which is to legalize a certain tax duplicate issued by the town council of the borough of Dillsburg, in the month of June, 1864, to collect money for the purpose of refunding to certain individuals the sum of six hundred dollars ($600), advanced by them to secure the service of two volunteers for the United States army;

And whereas, It is stated in the preamble to said bill, that "the citizens of Dillsburg, in the county of York, after due notice, held a meeting, at which they unanimously agreed that the borough authorities should levy a tax, in order to raise a bounty to pay volunteers, to free said borough from the draft:"

Therefore, the undersigned, who were residents of the said borough at the time above referred to, do certify, and, if called upon to do so, are willing to make affidavit, that, to the best of their knowledge and belief, there never was any general public notice given of the meeting referred to; and further, that they never heard, until recently, that it was claimed that any such notice was given, notwithstanding there has been three attempts heretofore to induce the Legislature to impose this unjust tax upon the citizens of this borough.

And we further certify, that from the best information we have upon the subject, the meeting was very slimly attended, which would not have been the case had due notice been given the citizens of it, as it is well known that the greater part of the people of the borough always have been opposed to the measure.

Signed by Levi Welty, Alex. Billifelt, and others.

Mr. STUMBAUGH. Mr. Speaker, I desire that the following petition may be read for the information of the House.

The petition was read as follows:

To the Honorable the Senate and House of Representatives of the Commonwealth of Pennsylvania:

We, the undersigned, in reference to the bill before your honorable bodies, relating to bounties in the borough of Dillsburg, York county, beg leave to say:

That we borrowed the money in good faith and with the assurance that the borough authorities would levy and collect a tax as soon as practicable, to pay back the money borrowed. Eight of our number belonged to the Republican, and one to the Democratic party. We soon discovered that, notwithstanding the town council had levied such a tax, that a portion of them were secretly influencing the chief burgess to withhold his signature. We next found them forming an anti-tax ticket, supported by the Democrats and a few Republicans who were always opposed to being taxed for bounty. We are perfectly satisfied that nothing prevented the collection of said tax but a desire to throw the whole burden upon those persons who borrowed the money, many of the anti-tax men having been heard to declare that those who borrowed the money, and were in favor of the war, might have the pleasure of paying it. We do conscientiously believe that political feelings and prejudices alone created the difficulty in collecting this tax.

W. H. COOVER,
G. L. SHEARER,
S. M. CHRONISTER,
H. C. SMYSER,
SOLOMON ARNOLD.

State of Pennsylvania, York county, ss.

Personally appeared before me, the subscriber, a justice of the peace in and for said county, the above named W. H. Coover, G. L. Shearer, S. M. Chronister and H. C. Smyser, who, being by me duly sworn, according to law, do depose and say that the facts set forth in the foregoing petition are correct and true, to the best of their knowledge and belief.

G. L. SHEARER,
W. H. COOVER,
H. C. SMYSER,
S. M. CHRONISTER.

Sworn and subscribed before me this 26th day of January, A. D. 1867.

JACOB F. LEHMER,
Justice of the Peace.

Mr. ROATH. Mr. Speaker, I have but a few words to say in regard to this measure.

Certain parties presented themselves before the committee with statements. I asked several questions in regard to this measure, and among others whether a notice had been put up for a public meeting; the reply was, that there had been a notice put up, and the clerk was ready and willing to be qualified to the statement. I asked again, whether this money was loaned by a fair agreement between the council and the people, and the answer was in the affirmative, that the understanding was that this money should be refunded as soon as the council was able to replace it.

Those gentlemen who were before the committee were ready and willing to be qualified to the statements that they made.

I believe this is a just and correct bill, and that it should pass.

On the question,

Will the House agree to the bill?

The yeas and nays were required by Mr. STUMBAUGH and Mr. DEHAVEN, and were as follow, viz:

YEAS—Messrs. Adaire, Armstrong, Cameron, Chadwick, Chase, Colville, Davis, Day, DeHaven, Espy, Ewing, Freeborn, Gallagher, Ghegan, Gordon, Harbison, Humphrey, Kennedy, Kerns, Kinney, Lee, Leech, M'Camant, M'Kee, M'Pherrin, Mann, Marks, Mechling, Meily, Pennypacker, Peter, Quay, Richards, Roath, Seiler, Sharples, Stehman, Stumbaugh, Subers, Waddell, Wallace Webb, Weller, Wilson, Wingard, Woodward, Wright and Glass, *Speaker*—49.

NAYS—Messrs. Barrington, Boyd, Boyle, Breen, Brennan, Chalfant, Collins, Craig, Deise, Fogel, Gregory, Harner, Headman, Heltzel, Hood, Hunt, Jenks, Jones, Kline, Koon, Kurtz, Linton, Long, M'Henry, Maish, Markley, Meyers, Mullin, Phelan, Quigley, Rhoads, Robinson, Satterthwait, Tharp and Westbrook—35.

So the question was determined in the affirmative.

The bill was then

Passed finally.

On House bill No. 1648.

The question was,

Shall the bill pass?

Mr. MANN. Mr. Speaker. I would like to know the grounds for this divorce before it goes through the House.

Mr. KINNEY. Mr. Speaker, in the absence of the gentleman from Huntingdon [Mr. WHARTON], I will say that I have a petition on this matter which the House may hear read if they choose. I will state that the attorney in the case appeared before the committee and testified as we have heard recited in the preamble, and that the court refused to grant the petition because it was not a case within their jurisdiction.

The petition was read.

Mr. DEISE. Mr. Speaker, I dislike very much to interfere with any private bill, and I would not do so in this instance except that I can conceive upon the showing of the petitioner himself, which is merely *ex parte*, that he is not entitled to the legislation asked for. Divorce is a subject that should be carefully investigated in every step of the proceedings attending it. The case presents this fact upon the husband's own showing, upon his own petition, under his own oath, that the court refused to entertain his case.

And now this petition is presented without the knowledge of the wife, and without an opportunity being given that she may be heard in this hall.

Mr. KINNEY. Mr. Speaker, if the gentleman will allow me to interrupt him, I will say that the Committee on Divorces made it their rule in the beginning of the session to act upon no case until notice had been given to both parties—which has been done in this case.

Mr. DEISE. Has the wife had personal notice of this application?

Mr. KINNEY. It is so certified.

Mr. DEISE. That would remove one objection, but not the other. If the laws we enact are worth anything let us have no exception. This is one of the most important steps a legislative body can take. I know neither of these parties, but I hold it to be my duty, while I am a member of this House, to oppose all applications of the character that have no more merit than is contained in the bill before us. Is it true that a party can agree with his wife, after having entered into the solemn contract of marriage, to separate and then ask this Legislature for a divorce? Is it true that we are going to publish in the journals of this State the fact that two parties can enter into a mutual agreement to separate and then receive a divorce? If so, let us publish the facts to the world and before three hundred and sixty five days have elapsed, two-thirds of the people of this State will be asking the same privilege. Gentlemen may laugh as they please, the marriage relation is either something or nothing.

Are we going to stultify the courts? Are we going to stultify ourselves? Are we going to grant a divorce merely upon *ex parte* evidence? I make these remarks not alone with reference to this particular case, but with reference to every divorce case before this body. Now, what is required before a court? Not only the sworn petition of the complainant, but the testimony taken before a commissioner; and the facts set forth in the petition must not only be verified in an affidavit, but they must be proven by competent parties; and after all that is done the court of quarter sessions or common pleas having jurisdiction in the case, can decree a divorce or not, as it sees fit.

I ask the gentleman who has charge of this bill if there is merit in it? I ask if there is any evidence before this House, except that which is *ex parte*? If not, I affirm and declare we are doing that which no court of justice in the State of Pennsylvania will do. We are creating a law to destroy an agreement of the most solemn and sacred character upon the *ex parte* testimony of the party in interest.

Here, in my place, I enter my protest against any bill of this character. It is our duty to ourselves, our duty to the women of this country, our duty to the reputation of

our State, our duty to the intelligence and virtue of this great people, that we may consider this subject carefully.

On agreeing to the bill,

The yeas and nays were required by Mr. DEISE and Mr. RHOADS, and were as follow, viz:

YEAS—Messrs. Adaire, Barrington, Brown, Cameron, Chadwick, Chalfant, Chase, Davis, DeHaven, Ghegan, Gregory, Hood, Hunt, Kennedy, Kinney, Koon, M'Camant, M'Kee, M'Pherrin, Markley, Mechling, Meily, Meyers, Pennypacker, Robinson, Roush, Satterthwait, Seiler, Sharples, Subers, Tharp, Westbrook, Wingard, Woodward, Worrall and Wright—36.

NAYS—Messrs. Armstrong, Barton, Boyd, Breen, Brennan, Colville, Craig, Day, Deise, Fogel, Freeborn, Gallagher, Gordon, Harner, Headman, Heltzel, Jenks, Jones, Kurtz, Long, M'Henry, Mann, Marks, Mullin, Peter, Phelan, Rhoads, Richards, Routh, Steger, Wallace, Webb, Weller, Whann, Wilson and Glass, *Speaker*—36.

So the question was determined in the negative,

And the bill was

Not agreed to.

On House bill No. 1650.

The question was on the final passage of the bill.

Mr. LEE. Mr. Speaker, having been telegraphed and written upon this subject a number of times, I think it is proper for me to say something in relation to it.

I was entirely opposed to the bill until this man had agreed to make ample provision for his wife and child. I believe, from representations, that the connection is incompatible, and that these parties never can live comfortably together. I desire merely to say that for two or three days I have been seeking to perfect the arrangements which I believe are now satisfactory to all parties.

Mr. GREGORY. Mr. Speaker, this bill was before the committee some four or five meetings. Both parties were fully heard in regard to it, and from facts before the committee. I think it is a case proper for the consideration of the Legislature. These parties cannot live together, they are so incompatible in temper. The husband has made ample provision for the wife, and I do not think there is an objectionable feature in the bill.

Mr. HEADMAN. Mr. Speaker, it seems to me this is the lamest argument I ever heard. I am no lawyer, but this is the first bill of this kind upon which some lawyer here has not risen and said the court had jurisdiction. I will ask whether the court has not jurisdiction? I am surprised to hear the gentleman from Philadelphia [Mr. LEE] say that because this man has made ample provision for his wife and her child he is entitled to a divorce. I will leave it to the good sense of this House whether the court has or has not jurisdiction. If the court has jurisdiction I hope some lawyer will state it.

Mr. JONES. Mr. Speaker, my attention has been called to the facts of this case; and in addition to the general facts which have been stated by the two gentlemen from Philadelphia, I believe that the court has no jurisdiction; I believe, under the circumstances of the case, relief should be granted to this man. I am told that his condition whilst in the company of his wife is rendered in every way intolerable, and that she only remains with him long enough to prevent the courts having jurisdiction on the ground of desertion. A short time after their marriage, I am informed, she left his residence without assigning any particular cause, and returned to her own home, remaining there for a considerable length of time. Afterwards, when she returned to his house, upon being questioned as to the reasons for her conduct, she said that with and by the advice of her friends she had returned in order to prevent his having a divorce upon the ground of desertion. The court is prevented from having jurisdiction in that way. So far as the facts have been stated to me, I believe this is a sufficient reason for granting the divorce.

Mr. WADDELL. Mr. Speaker, I have no knowledge of my own in regard to the facts connected with this case. I have read one or two letters from the counsel who are concerned in the matter, and they corroborate the statement made by the gentleman from Berks [Mr. JONES]. The parties, as has been stated here, are so incompatible in their temperaments that it is impossible for them to live together. The woman upon more than one occasion has left her husband's house, remained away a considerable length of time, returned, continued with her husband a few days and then again left, just as has been stated, to prevent an application to the courts on the ground of desertion. Probably her conduct has not been such as would enable him to apply for a divorce on account of rendering his life burdensome. I am not sufficiently well acquainted with the facts connected with the case to detail them. I think the gentleman from Philadelphia [Mr. DONOHUGH] has the papers in his possession; he had the letters to which I referred. I would like him to have an opportunity of presenting his case before the House.

Mr. HOOD. Mr. Speaker, I will state for the information of the House that I represent the counsel for the respondent. He was unwilling that the divorce should be granted unless proper provision was made for the woman. That provision has been made and, as I think, satisfactorily to all parties. There is no disposition to cause any difficulty in the passage of this act. I believe there is not a ground for divorce in the courts upon the reasons stated.

Mr. HEADMAN. Mr. Speaker, it has been set forth that this woman has left her husband. That is conceded; but she was driven away from his house by his treatment. She was compelled to go and live with her parents, who are in destitute circumstances, and she almost starved. By the advice of her friends she went back to his house on one occasion, and when she arrived there she found he had some other woman with him and she was not allowed admission. That is the case as I have been informed. The courts have not jurisdiction of this case simply because it is no case at all. There is no ground for a divorce. I will ask for the reading of whatever paper is permitted by law in regard to the matter, to see if there is any ground for this bill.

The SPEAKER. The gentleman from Philadelphia [Mr. DONOHUGH] who has charge of the papers in this matter is not in his seat.

Mr. HEADMAN. Then I hope the bill will be postponed.

The question recurring on the final passage of the bill,

The yeas and nays were required by Mr. PENNYPACKER and Mr. COLVILLE, and were as follow, viz:

YEAS—Messrs. Allen, Barrington, Barton, Breen, Brown, Chadwick, Chase, Collins, Craig, Day, DeHaven, Espy, Ewing, Fogel, Ghegan, Gregory, Harbison, Heltzel, Hood, Humphrey, Jones, Josephs, Kinney, Koon, Lee, Linton, Long, M'Camant, M'Creary, M'Henry, M'Pherrin, Maish, Markley, Mechling, Meyers, Mullin, Peter, Quay, Quigley, Robinson, Satterthwait, Seiler, Sharples, Stehman, Subers, Tharp, Waddell, Webb, Weller, Westbrook, Wilson, Wingard, Woodward, Worrall, Wright and Glass, *Speaker*—56.

NAYS—Messrs. Adaire, Armstrong, Chalfant, Colville, Freeborn, Gallagher, Gordon, Harner, Headman, Hunt, Jenks, Kennedy, Kerns, Leech, Mann, Meily, Pennypacker, Phelan, Rhoads, Richards, Roath, Roush and Wallace—23.

So the question was determined in the affirmative.

And the bill

Passed finally.

During the consideration of the private calendar,

Mr. BOYLE asked and obtained leave to offer the following resolution:

Resolved, That the Senate be requested to return to the House of Representatives Senate bill No. 724, entitled An act to perfect the title to one thousand one hundred and sixty-eight acres of land in Somerset county, owned by the Union coal and iron company.

The resolution was not

Agreed to.

The following remarks then occurred on House bill No. 1679:

Mr. WADDELL. Mr. Speaker, I question very much the constitutionality of such a law as that. If the privileges named in this bill are to extend to Franklin and Cumberland the same privileges should extend to every county in the eastern part of the State. These two counties should have no advantage over others in that section of the Commonwealth. I have no objection to Cumberland and Franklin having such facilities, but if they have them, to the exclusion of other counties, they have a corresponding advantage over the remainder of that neighborhood.

Mr. STUMBAUGH. Mr. Speaker, this is a simple bill. It is not obligatory that the college shall be put in either of the counties. It is only in behalf of the counties of Cumberland and Franklin, to enable them to offer some inducements to secure the location of the college within their limits. If the gentleman from Chester [Mr. WADDELL] desires the same inducement, I have no objection to his getting up a bill to the same effect.

Mr. WADDELL. Mr. Speaker, as I say, I have no objections to these gentlemen having all these advantages. But the statement of the gentleman from Franklin shows for itself. The officers of the Agricultural college should have a fair opportunity of judging as to where they will locate their institution. I apprehend there are just as good lands in Franklin county as in Chester, and just as good lands in Chester county as in Franklin. Therefore, being equal in that particular, of course, if the county of Franklin or the county of Cumberland can offer the trustees of this college a bonus of three thousand dollars to locate within the limits of those counties, they have the preponderance over every other county in their neighborhood. I say, if we give these privileges to one county, we should give the same privileges to every other county in that section of the State, that they may stand on the same footing.

Mr. STUMBAUGH. Mr. Speaker, I simply desire to ask the gentleman from Chester whether he desires to prevent Franklin and Cumberland counties from doing that which they see proper to do in the way of getting a college of this kind within their limits unless he loads down their bill with his own county? I have no objection to his introducing a bill of the same purport, but I do not intend to have this bill encumbered so as to prevent its passage.

If the gentleman from Chester does not see fit to present a bill it is no fault of mine.

Mr. WADDELL. Mr. Speaker, I am not aware of that. I am ascribing a fault to the gentleman for a dereliction of duty on my part. I will ask this House whether they are prepared to make this unfair discrimination. The gentleman says he does not propose to let us put on an amendment to include Ches-

ter county; he insists that Cumberland and Franklin shall have all these benefits, and no other county in this section of the State shall be permitted to enjoy them.

Mr. STUMBAUGH. I propose no such thing. If the gentleman desires to have these privileges, I desire him to get up a bill for himself.

Mr. WADDELL. The gentleman knows very well there is no use of introducing a bill to confer these privileges on Chester county at this late day of the session. Were such a bill to be introduced it would never be heard of again. If he would make the privilege free to all the counties in his section, I suppose every representative of the eastern portion of the State would vote for his bill. His measure cannot be endangered. His chances with trustees may be endangered, that is all. I will ask this House whether they will make this discrimination. If the gentleman from Franklin will give us the same privileges we will stand with him. I hope the representatives from the eastern section of the State will examine this measure for themselves.

Mr. SATTERTHWAIT. It seems to me this is one of the most barefaced things I have seen. The gentleman brings in a bill at the last part of the session, just in time to get it passed, giving to his county facilities for procuring the establishment of an agricultural college. And he refuses to allow others a chance to act with him in this matter. He says we may get up bills for ourselves. Now, the gentleman from Franklin [Mr. STUMBAUGH], as well as any man here, knows it is impossible, at this late day of the session, to get up a bill and pass it. He adds insult to injury.

Mr. STUMBAUGH. Mr. Speaker, I would ask the gentleman if he has not had the same opportunity for preparing a bill that the gentlemen from Franklin and Cumberland have had.

Mr. SATTERTHWAIT. Yes; but we did not dream that any advantage over us would be taken.

Mr. STUMBAUGH. Mr. Speaker, I will ask the gentleman if he is unwilling to allow Franklin county to appropriate three thousand dollars as it pleases?

Mr. SATTERTHWAIT. I am unwilling that advantage should be taken of other counties in this manner. The gentleman knows, Mr. Speaker, that it is impossible to get up a similar bill for other counties, and pass it at this late hour of the session.

Mr. STUMBAUGH. That is not my fault.

Mr. SATTERTHWAIT. Mr. Speaker, it is the gentleman's fault. The bill should have been brought in at an earlier day if he intended to give us an opportunity of making amendments. I repeat, this is the most barefaced thing I have yet seen.

Mr. STUMBAUGH. Mr. Speaker, I simply wish to say, that I represent the people of Franklin county, and not those of Chester or Montgomery. I had no right to bring in a bill for any other than my own county. This is a sufficient answer to all allegations of unfairness.

Mr. PENNYPACKER. Mr. Speaker, I would not for a moment accuse the gentleman of unfairness, but I think it would be our fault if we pass the bill. Here—shall I say a bribe? is offered for the location of an experimental farm. I do not think the House is willing to go into any such speculation.

Mr. JONES. Mr. Speaker, when this act was passed it was understood that there were to be experimental farms established, both east and west; it was also distinctly understood that those farms were to be chosen with reference to the character of the soil. The character of the soil of the principal college, in Centre county, and that of the two experimental farms should be different. It seems to me improper that the experimental farms should be located in Cumberland and Franklin, because the soil of those two counties is precisely similar to that of Centre. The people of Berks county will apply to have one of the farms located within their boundaries, but they do not wish to take advantage of their neighbors. They do not wish an act which will impliedly locate one of the experimental farms in their midst. They are willing that all should make an application in perfect fairness. As there is no reason for the passage of a bill of this sort, because application can be made without a bill, I move its indefinite postponement.

The question being on indefinitely postponing the further consideration of the bill, It was

Agreed to.

On bill No. 1689.

Mr. QUIGLEY. Mr. Speaker, when this bill was read in place I objected to laying it on the table. The gentleman who had it in charge informed me it was to connect the office of a manufacturing firm with their factory. I find now it is a bill that will interfere with every telegraph line in the county of Philadelphia. The telegraph lines and poles in Philadelphia are owned by the city. This bill is in every way objectionable to the city authorities, and to the citizens who do not wish poles all over their sidewalks.

I therefore move the indefinite postponement of the bill.

Mr. KERNS. Mr. Speaker, I desire to say this is a very simple bill; it is a matter of accommodation to the merchants and business men of the city of Philadelphia. The bill was sent to me by some of my constituents. One of the parties has a factory at Frankfort, in the lower end of the city, which it is desired to place in instant communication with the office. This is the whole object of the bill. I cannot see why gentlemen should make any objection to it. Upon the next page of the calendar is a sweeping bill incorporating the Keystone telegraph company. That will be passed by the gentlemen who pretend to be so very much frightened over this little bill. Parties having control of certain telegraph lines have always made opposition to such private bills as this.

Mr. QUIGLEY. Mr. Speaker, the gentleman can make any statement he chooses, but the mere reading of the bill is enough to satisfy any man on the floor of this House that his statement is incorrect. This bill is not for the accommodation of a few manufacturers or merchants. It is a monopoly; it is a bill which, if passed, will interfere with the lines of telegraph now owned by the city of Philadelphia. This bill has not been asked for by anybody in the city of Philadelphia.

Mr. KERNS. The firm of McCullum, on Chestnut street, desire to communicate between their office and their manufactory.

Mr. QUIGLEY. Mr. Speaker, the gentleman names one firm.

Mr. KERNS. I speak of them because I know them.

Mr. QUIGLEY. Mr. Speaker, I think this is asking a great deal for one firm; it is proposed to give them the right to plant their poles and run their lines in any street, alley or lane in the city of Philadelphia, and all for the benefit of one firm. Now, this firm must do a very large business, it must be a very extensive firm to require so great a privilege. I think it is very modest to introduce a bill of this kind at such a late hour of the session. If I had been informed of the nature of the bill I would not have withdrawn my objections. I know the city authorities are opposed to putting more poles in the streets of the city, and so are the people.

Insomuch as but one firm is asking this very extensive privilege, I hope that the bill will be postponed.

Mr. GREGORY. Mr. Speaker, upon a matter that so deeply interests the people of Philadelphia, I think more than one gentleman of the Philadelphia delegation should have been consulted. This is the first day that I knew of the bill being favored by the merchants of Philadelphia. I would like to know who they are.

Mr. KERNS. Mr. Speaker, I do not think gentlemen understand this bill. The parties named in this bill desire this means of communication between their stores and their factory. I cannot understand why it is that gentleman have not been informed with regard to this bill. I was requested, by letter, to present this bill to the House. If any gentleman desires to take the responsibility of defeating this bill he can do so.

Mr. GREGORY. Mr. Speaker, under this bill, this company will have the right to construct a line of telegraph through any street, or in all the streets of Philadelphia. This is granting a very large privilege. I do not think the people of Philadelphia require such a bill.

Mr. HOOD. Like my colleagues, I had no knowledge of this bill until to-day.

Mr. KERNS. Mr. Speaker, the gentleman has had probably a hundred bills of which I had no knowledge.

Mr. HOOD. Mr. Speaker, I hope the bill will go over and be printed. I live in one of the most thickly built up portions of Philadelphia, and must certainly protest against this bill being passed without an opportunity being afforded me to read it and learn how it affects my constituents.

I therefore ask that the bill may go over.

Mr. RICHARDS. Mr. Speaker, gentlemen characterize this as a monopoly. Now, as Philadelphia is credited with monopolies, and as this monopoly seems to affect nobody but the city of Philadelphia, I hope the House will grant the monopoly for their special benefit.

Mr. WADDELL. Mr. Speaker, I move that this bill be refered to the Philadelphia delegation.

The motion was

Agreed to.

On bill No. 1689.

Mr. MANN. Mr. Speaker, I would like to ascertain whether this is an attempt to authorize more justices of the peace in the county of York than the Constitution permits. This bill does not say where Metzel lives; but if he lives outside the borough of York, then this is an attempt to evade the Constitution.

Mr. BOYD. Mr. Speaker, I will state that this is one of the best hotels in York. The lower floor is arranged for offices and stores. The office desired for the justice of the peace is now used by the district attorney. It has no connection with the hotel.

Mr. MANN. Mr. Speaker, if this office is not connected with the hotel then this bill is not needed, because if the justice lives at York he has a right to hold his office where he chooses.

Mr. M'CREARY. Mr. Speaker, I would inquire of the gentleman from York [Mr. BOYD] whether Justice Metzel is the keeper of the hotel.

Mr. BOYD. He is not.

Mr. KOON. Mr. Speaker, I think the gentleman from Potter [Mr. MANN] is laboring under a misapprehension. It is an act of Assembly that prevents a justice from holding his office in a hotel. There is nothing in this act contrary to the Constitution.

Mr. BOYD. Mr. Speaker, I will read from *Purdon's Digest*.

"If any justice of the peace or alderman

shall keep his stated office in any tavern or public houses of entertainment, or any building appertaining thereto, he shall, for every such offense, on conviction thereof, in any court of quarter sessions of the peace, or mayor's court of the proper city or county, forfeit and pay the sum of fifty dollars."

This is not in a public house; it is not in any of the rooms used by the hotel. The room in which it is designed to hold the office is rented out by the year: it has no connection with the building; it is merely under the same roof.

Mr. MEYERS. Mr. Speaker, I am satisfied the law, as it stands, is proper. A justice should not be allowed to hold his office in a hotel. But what is the difference between holding his office along side of a hotel, and holding it in a room which is under the hotel, but without no connection with the main building?

Mr. M'CREARY. I would ask how the gentleman's statement is reconciled with the title of the bill, which says it is an act to permit Metzel to hold his office *in* Metzel's hotel.

Mr. MEYERS. That means the hotel building.

Mr. KURTZ. Mr. Speaker, this office has no connection whatever with the hotel. There is but one door to the office, and that opens to the street.

Mr. MANN. What is the necessity for the bill?

Mr. LINTON. Mr. Speaker, the necessity for this bill arises from the fact that there may be some doubts about the construction of the act of Assembly to which the gentleman alludes. I think the objection of the gentleman from Potter is not well taken.

Mr. MEYERS. The difficulty seems to be in the technical construction of the act of Assembly—whether their room is in the hotel.

On the question,

Will the House agree to the bill?

It was

Agreed to.

And the bill

Passed finally.

Senate bill No. 984, an act to authorize the Southwark railroad company to renew their road on Sansom street.

Mr. MARKS. Mr. Speaker, I offer the following amendment:

"*Provided*, That before the said tracks for the whole or any portion of the distance, and hereby authorized to be extended, shall be used for business purposes, the said railroad company shall, and they are hereby required to take up and remove the railroad tracks in Philadelphia, on and along Broad street, from South street to Washington avenue or Prime street."

Mr. QUIGLEY. Mr. Speaker, it strikes me that if we adopt that amendment it will interfere with the Philadelphia and Reading road.

Last winter, or the winter before last, we passed an act giving them two years in which to remove their rails from Broad street. I think the amendment will interfere with them.

Mr. MARKS. Mr. Speaker, this amendment only proposes to remove the track south of South street.

On the question,

Will the House agree to the amendment?

A division was called.

Pending the division, Mr. WATT moved that the House do now adjourn.

Before announcing the result of the action upon the motion, the SPEAKER cleared his table as follows:

SPEAKER'S TABLE.

The SPEAKER cleared his table of bills numbered and entitled as follows:

Senate bill No. 1502, an act to incorporate the Pittston coal company.

Referred to the Committee on Iron and Coal Companies.

Senate bill No. 1414, an act relative to the Merchants' and People's transportation company.

Referred to the Committee on Corporations.

Senate bill No. 1596, an act to give the Chincleclamouche and other boom companies the right to sue for tolls and boomage.

Referred to the Committee on the Judiciary Local.

The SPEAKER then announced that the motion to adjourn was agreed to, and the House adjourned until this (Wednesday) evening at 7½ o'clock.

EVENING SESSION.

The House met at 7½ o'clock, P. M.

The SPEAKER announced a quorum of members present.

REPORTS OF COMMITTEES.

On motion,

Mr. ADAIRE, from the Committee on Corporations, reported from said committee, as committee, Senate bill No. 1077, an act explanatory of the provisions of the fifth section of the act to incorporate the Bennett's Branch improvement company.

Also (same), as committed, Senate bill No. 1185, an act to incorporate the Union car and manufacturing company of Philadelphia.

Mr. QUAY (Judiciary General), as committed, Senate bill No. 568, an act repealing the tax on sales of loans and stock by auctioneers.

Mr. ARMSTRONG, from the committee of conference, to whom was referred House bill No. 507, entitled A supplement to an act to incorporate the borough of Columbia, made report, which was, that the House agree to the Senate amendments, viz: In line ten, section one, strike out "one-third" and insert "two-fifths," and strike out "two-thirds" and insert "three-fifths.

(Signed) J. W. FISHER,
JACOB E. RIDGWAY,
A. HIESTAND GLATZ,
A. ARMSTRONG,
JOHN M. STEHMAN,
GEO. A. QUIGLEY.

BILLS INTRODUCED.

The following named gentlemen asked and obtained leave to present bills, as follows:

Mr. HUMPHREY, bill No. 1972, an act to incorporate the Summit coal and iron company.

Laid on the table.

Mr. BREEN, bill No. 1973, a further supplement to an act to incorporate the village of St. Clair, in the county of Schuylkill, into a borough, to be called St. Clair, approved the 6th day of April, A. D. 1850.

Laid on the table.

Mr. MECHLING, bill No. 1974, an act to empower Margaret B. Fullerton, guardian of the minor children of Samuel Fullerton, late of the borough of Fullerton, Armstrong county, deceased, to sell and convey certain real estate in said borough, to the minor children of Wm. P. Fullerton, late of the same place, deceased.

Laid on the table.

GENERAL RAILROAD BILL.

Agreeably to order,

The House proceeded to the consideration of House bill No. 1124 entitled An act to authorize the formation of railroad corporations. The bill was read, amended and discussed in the committee of the whole, and in the House, and after a motion of Mr. LEE to refer the bill to the Committee on Railroads, which was negatived, was passed to third reading, the motion to suspend the rules not being agreed to. The discussion, together with the action and the votes in detail, will be published hereafter.

The business for which the evening session had been ordered being concluded, the SPEAKER adjourned the House till to-morrow morning at 10 o'clock.

HOUSE OF REPRESENTATIVES.

THURSDAY, April 4, 1867.

The House met at 10 o'clock, A. M.

Prayer was offered by Rev. D. Tracy, of Philadelphia.

The SPEAKER announced a quorum of members present.

The Journal of yesterday was partially read, when, on motion of Mr. M'CAMANT, the further reading was dispensed with.

BILLS RECOMMITTED.

On motion of Mr. M'CREARY, Senate bill No. 873 an act to authorize the trustees of the public school fund of the townships of Wilkesbarre and Plains, in Luzerne county, to appropriate the whole or any portion of said fund for the purchase of land for a public cemetery or grave yard for said townships, was recommitted.

On motion of Mr. STUMBAUGH, House bill No. 1992, an act for the relief of the Thomas A. Scott regiment Pennsylvania infantry volunteers, was recommitted to the Committee of Ways and Means.

BILLS INTRODUCED.

Mr. M'PHERRIN, bill No. 1980, an act to prohibit the erection of ferries within two miles of the Wilson bridge, in the county of Northumberland.

Laid on the table.

Mr. MAISH, bill No. 1981, an act relating to the last will and testament of John Steinfort, late of York county deceased..

Laid on the table.

REPORTS FROM COMMITTEES.

Mr. MANN. There are in the hands of the committees many bills which ought to be reported, so that they may be included in the calendar for to-morrow. I therefore move that the order be suspended to enable the committees to report at this time.

The motion was

Agreed to.

Mr. WADDELL, chairman of the Committee on Ways and Means, reported from that committee, as committed, Senate bill No. 556, an act to refund John Martin, administrator, amount collateral inheritance tax paid in error.

Mr. LEE (Ways and Means), as committed, Senate bill No. 272, an act supplementary to an act to encourage manufacturing operations in this Commonwealth, approved April 7th, A. D. 1849, authorizing companies to dissolve their organizations, and relating to the bonus or tax thereon.

Also (same), with a negative recommendation, Senate bill No. 501, an act to exempt from taxation certain land set aside as a public park in or near the borough of Kane, in M'Kean county.

Also (same), as committed, Senate bill No. 725, a supplement to the act incorporating the Jackson mining company.

Also (same), with a negative recommendation, Senate bill No. 685, an act to authorize the issue of registered bonds for the coupon bonds of this Commonwealth.

Also (same), with a negative recommenda-

tion, bill No. 1798, an act for the relief of Theo. Fenn.

Also (same), with a negative recommendation, bill No. 1988, an act authorizing the treasurer of the Commonwealth to pay the claim of the Allegheny County agricultural society for damages arising out of the occupation of their fair grounds by the State troops during the late war.

Also (same), with a negative recommendation, bill No. 1989, an act to repeal the first section of an act to provide additional revenue for the use of the Commonwealth, approved August 25, 1864.

Also (same), with a negative recommendation, bill No. 1990, an act construing the act of Assembly, approved the 30th day of April, A. D. 1864, entitled An act imposing additional taxes for State purposes and to abolish the revenue board.

Also (same), with a negative recommendation, bill No. 1993, an act to exempt soldiers of the war of 1812 from the payment of bounty taxes.

Also (same), with a negative recommendation, bill No. 1994, an act to authorize the re-examination and re-settlement of certain accounts between the Commonwealth and the Erie and Northwestern railroad company.

Also (same) with a negative recommendation, bill No. 1991, an act to exempt the hall of Lodge No. 22, in the borough of Sunbury, from taxation.

Mr. MANN (Judiciary General), as committed, Senate bill No. 877, a further supplement to the act relating to the elections of this Commonwealth.

Mr. WINGARD (same), with a negative recommendation, bill No. 1996, an act for the protection of life and limb.

Mr. M'CREARY (same), with a negative recommendation, Senate bill No. 1007, a further supplement to an act relating to corporations for mechanical, manufacturing, mining and quarrying purposes, approved the 18th day of July, A. D. 1853, authorizing companies to sell and lease real estate, and to issue coupon bonds.

Mr. JENKS (same), with amendments, bill No. 1998, a supplement to an act to consolidate, revise and amend the general laws of this Commonwealth, approved, March, 1860.

Mr. LINTON (same), with a negative recommendation, bill No. 1999, an act to extend the time within which prosecutions may be brought against public officers for misdemeanor in office.

Mr. MEYERS (same), with a negative recommendation, bill No. 2000, a further supplement to an act to enable joint tenants, tenants in common, and adjoining owners of mineral lands in this Commonwealth, to manage and develop the same, approved the 21st day of April, 1854, limiting the liability of stockholders.

Mr. M'CREARY (Judiciary Local), as committed, bill No. 2001, an act for the better protection of livery stable men in Schuylkill county.

Mr. EWING (same), as committed, bill No. 2002, an act relative to a special bounty tax in and for the township of Guilford, in the county of Franklin.

Mr. HARBISON (same), as committed, Senate bill No. 895, an act to levy a tax upon horses kept for pleasure or hire in the city of Philadelphia.

Mr. WEBB (same), as committed, Senate bill No. 1252, an act in relation to the appointment of an auctioneer for the borough of Tarentum, in Allegheny county.

Mr. WORRALL (same), as committed, bill No. 2005, an act for the relief of wives and children deserted by their husbands and fathers in the county of Dauphin.

Mr. CRAIG (same), as committed, Senate bill No. 1367, an act in relation to the re-election of the treasurers in Lycoming county.

Mr. PHELAN (same), as committed, Senate bill No. 1474, an act to authorize the burgess and town council of the borough of Wilkesbarre to borrow money to purchase grounds for a public cemetery, and to prevent further interments in the old graveyard.

Mr. FREEBORN (Municipal Corporations), as committed, Senate bill No. 1078, a supplement to the charter of the Pittsburg gas company, approved January 31st, 1860, authorizing taxes to be charged the consumers of gas.

Mr. WORRALL (same), as committed, bill No. 2009, an act to grade and pave certain streets in Hummelstown, Dauphin county.

Also (same), as committed, bill No. 2010, an act authorizing the curbing and paving of College avenue, in the city of Philadelphia.

Mr. SHARPLES (same), as committed, Senate bill No. 1080, an act authorizing the town council of the borough of Hazleton, in Luzerne county, to borrow money.

Mr. M'CREARY (same), as committed, Senate bill No. 1079, an act for the better protection of propertyholders and citizens of the borough of Norristown from injury sustained by cattle running at large in said borough.

Mr. M'CAMANT (same), as committed, Senate bill No. 1250, a further supplement to an act incorporating the town of Lawrenceville into a borough, approved February 13, A. D. 1834, being an act authorizing said borough to borrow money, and take real estate not exceeding in value a certain amount.

Mr. CAMERON (same), as committed, bill No. 2014, an act to vacate a portion of a certain thirty feet wide street, in the Twenty-fourth ward of the city of Philadelphia.

Mr. STUMBAUGH (Iron and Coal), as committed, Senate bill No. 428, a supplement to an act to incorporate the Mineral Spring coal company, approved the third day of April, A. D. 1866.

Mr. WALLACE (same), as committed, Senate bill No. 727, a supplement to an act to incorporate the Union coal company, approved the 29th day of April, A. D. 1864.

Mr. GHEGAN (same), as committed, Senate bill No. 1165, an act to authorize the directors of the Kaska William coal company to sell or mortgage any portion of their real estate, to decrease their capital stock.

Mr. M'KEE (same), with an amendment, Senate bill No. 729, an act to incorporate the Hillside coal and iron company.

Mr. DEHAVEN (same), as committed, Senate bill No. 102, an act to incorporate the Vulcan iron works.

Mr. WATT (same), as amended, Senate bill No. 1502, an act to incorporate the Pittsburgh railroad and coal company.

Also (same), as committed, Senate bill No. 1205, an act authorizing the Saucon iron company to construct branch railroads to certain ore beds.

Mr. MARKS (same), as committed, Senate bill No. 103, a supplement to the act incorporating the Glenwood coal company, extending the privileges of an act regulating railroad companies to said company.

Mr. WEBB (Agriculture), as committed, Senate bill No. 1208, an act repealing an act extending the provisions of the act for the protection of sheep and taxing of dogs in the county of Blair, approved the 20th day of May, 1807, to the county of Monroe.

Mr. HEADMAN (Coal and Iron), as committed, Senate bill No. 341, a supplement to an act to incorporate the West Buck Mountain coal and iron company, approved the 3d day of May, 1864.

Mr. WESTBROOK (same), as committed, Senate bill No. 1462, an act to authorize the Benzinger coal and iron company to increase the width of their railroad, and providing for the assessment of damages.

Mr. KINNEY (Education), as committed, Senate bill No. 1234, an act to authorize the board of school directors of Fawn township, Allegheny county, to borrow money.

Mr. FREEBORN (same), as committed, Senate bill No. 1553, and act to take the sense of the voters of Royne township, Indiana county, on the question of authorizing the school directors of Royne school district to erect a public hall at the village of Kintersburg, in said township.

Mr. DAY (same), as committed, Senate bill No. 1206, an act legalizing certain acts of the school directors of Kelly township, in the county of Union, and athorizing them to levy an additional tax for building purposes.

Mr. MECHLING (Estates and Escheats), as committed, bill No. 2028, a supplement to the act to declare and regulate escheats.

Also (same), as committed, Senate bill No. 1548, a supplement to an act to authorize the executors of the last will and testament of John Crossthewait to pay over to Francis Dunlap, of Clearfield county, certain legacies, approved April 29th, 1844.

Mr. KERNS (Corporations), as committed, Senate bill No. 1414, an act relative to the Merchants' and People's transportation company.

Mr. PETER, (same), as committed, bill No. 2031, an act to incorporate the Farmers' Mutual life insurance and trust company of the township of Upper Augusta.

Mr. KINNEY (same), as committed, Senate bill No. 76, an act to incorporate the Conemaugh and Allegheny transportation company.

Mr. WEBB (Vice and Immorality), with amendments Senate bill No. 1351, an act to prohibit the sale of intoxicating liquors as a beverage in the townships of East Deer, Fawn and Harrison, and boroughs of Tarentum, Allegheny county.

Mr. WOODWARD (Military), as committed, Senate bill No. 1549, an act for the relief of Captain John Moore, Jr., late of the Elderton guards.

Mr. ADAIRE (Passenger Railways), as committed, Senate bill No. 936, an act to incorporate the City Passenger railway company.

Mr. THARP (Judiciary Local), as committed, bill No. 2039, an act for the more impartial selection of persons to serve as jurors in Northampton county.

Mr. JONES (same), with a negative recommendation, bill No. 2040, an act to change the manner of electing directors of the poor in Bucks county, and to increase the board from three to four members.

Also (same), as committed, Senate bill No. 420, an act relating to the time of making returns by justices of the peace in Mercer and Bucks counties.

Mr. M'KEE (Railroads), as committed, Senate bill No. 1506, a supplement to an act to incorporate the Susquehanna and Delaware railroad company.

Mr. DAVIS (Judiciary General), as committed, Senate bill No. 1469, an act for the better protection of person, property and life in the mining regions of this Commonwealth.

Mr. ALLEN (Judiciary Local), as committed, Senate bill No. 1221, an act to protect the validity of certain liens in Venango county.

Mr. WADDELL (Ways and Means), as committed, Senate bill No. 500, an act in relation to taxation upon the stockholders of corporations.

Mr. LEE (Ways and Means) (recommitted to said committee), with a negative recommendation, bill No. 243, an act to exempt

building associations in Montgomery county from taxation.

Mr. M'CREARY (Judiciary Local) (recommitted to said committee), as committed, Senate bill No. 873, an act to authorize the trustees of the public school fund of the townships of Wilkesbarre and Plains, in Luzerne county, to appropriate the whole or any portion of said fund for a public cemetery or graveyard for said townships.

LAW JUDGE IN ELEVENTH DISTRICT.

On motion of Mr. MECHLING, the orders were suspended, and the House proceeded to the consideration of Senate bill No. 1593, entitled An act to authorize an additional law judge in the Eleventh Judicial district.

The bill was read three times, and

Passed finally.

LAW JUDGE IN THE TWENTY-FIRST DISTRICT.

Mr. MANN. I move to suspend the rules for the purpose of proceeding to the consideration of Senate bill No. 275, entitled An act to provide an associate law judge of the several courts of the Twenty-first Judicial district. This is a bill on the public calendar, and is similar to the one just passed.

Mr. QUIGLEY. I call for a division of the question.

The question being first taken on the motion to suspend the rules generally,

It was

Not agreed to.

BILLS IN PLACE.

Mr. BOYLE moved that by unanimous consent bills to which there was no objection be allowed to be read in place.

There being no objection,

The motion was

Agreed to.

BILLS IN PLACE.

Mr. WILSON read in his place and presented to the Chair bill No. 2047, an act to authorize the school directors of Oakland township, in the county of Allegheny, to borrow money for school purposes.

Laid on the table.

Also, bill No. 2048, a further supplement to an act to incorporate the Jones ferry company, approved the 14th day of March, A. D. 1865.

Laid on the table.

Also, bill No. 2049, a further supplement to the act incorporating the Pittsburg and Minersville passenger railway company.

Laid on the table.

Mr. MECHLING, bill No. 2050, an act relating to hawking and peddling in the county of Armstrong.

Laid on the table.

Mr. QUAY, bill No. 2051, an act to repeal an act regulating the jurisdiction of courts in proceedings by bills for injunctions and other relief in equity, and in the service of process.

Laid on the table.

Mr. M'CAMANT, bill No. 2052, an act to annex the farm of Thomas M'Cord, of Bratton township, Mifflin county, to the township of Granville, in said county, for school purposes.

Laid on the table.

Mr. WADDELL, bill No. 2054, an act to increase the revenue of the Commonwealth by taxation of the shares or stock of the National Banks.

Laid on the table.

Mr. BARTON, bill No. 2055, a further supplement to an act authorizing the Governor to incorporate the Philadelphia and West Chester turnpike road company, approved the 20th day of March, A. D. 1848, to enable said company to issue bonds.

Laid on the table.

Mr. THARP, bill No. 2057, an act to provide an additional return day in the court of common pleas of Northumberland county.

Laid on the table.

Mr. WESTBROOK, bill No. 2058, an act for the preservation of fish in Sterling township, Wayne county, and Greene township, Pike county.

Laid on the table.

Mr. GALLAGHER, bill No. 2059, an act authorizing the burgess and town council of the borough of Latrobe, in Westmoreland county, to borrow money and levy a special tax for borough purposes.

Mr. THARP, bill No. 2060, an act to annex a piece of ground in the township of Turbut, Northumberland county, to the township of Chillisquaque, in said county.

Laid on the table.

Mr. KURTZ, bill No. 2061, an act to incorporate the Centre gold and silver mining company of Nevada.

Laid on the table.

Mr. BOYLE, bill No. 2062, an act to authorize the school directors of Fayette City borough, Fayette county, to borrow money for the erection of a school house, and to issue bonds therefor.

Laid on the table.

Mr. SEILER, bill No. 2063, a further supplement to the act incorporating the city of Harrisburg, and relating to the election of school directors therein.

Laid on the table.

FRANKLIN SILVER MINING COMPANY.

Mr. JONES, by unanimous consent, submitted the following resolution, which was twice read, considered and agreed to:

Resolved, That if the Senate concur, the Governor be requested to return to the House of Representatives House bill No. 951, entitled A supplement to an act to incorporate the Franklin silver mining company.

COMMON SCHOOL SYSTEM.

Mr. SHARPLES moved to reconsider the vote by which the House had concurred in Senate amendments to House bill No. 290, entitled A further supplement to an act for the regulation and continuance of a system of education by common schools, approved the 8th day of May, A. D. 1854.

The motion to reconsider was

Agreed to.

The question recurring on the Senate amendments,

Mr. SHARPLES moved that the House non-concur, and that a committee of conference be appointed.

The motion was

Agreed to.

PUBLIC CALENDAR.

Agreeably to order,

The House proceeded to the consideration of bills on the public calendar.

RECONSTRUCTION.

The House resolved itself into committee of the whole (Mr. DEHAVEN in the chair) upon House joint resolution No. 502, relating to reconstruction of the late rebellious States.

The resolution was read as follows:

WHEREAS, The districts lately known as the States of Virginia, North Carolina, South Carolina, Georgia, Florida, Alabama, Mississippi, Louisiana, Arkansas and Texas are without legal governments;

And whereas, There exists throughout the said districts the same disloyal spirit that struggled through four years of rebellion to disrupt the National Union;

And whereas, Security for the future demands that the dominant spirit of treason shall be crushed before the said districts shall be reclothed with power as State organizations; therefore.

Be it resolved (the Senate concurring), That it is the duty of Congress to provide said districts with territorial forms of government.

The joint resolution was

Agreed to.

The committee rose, and the chairman reported the joint resolution to the House without amendment.

The joint resolution was again read.

Mr. MANN. I move the indefinite postponement of this joint resolution.

On the motion,

The yeas and nays were required by Mr. MEYERS and Mr. COLLINS, and were as follow, viz:

YEAS—Messrs. Adaire, Allen, Armstrong, Barton, Cameron, Chadwick, Chase, Colville, Davis, Day, DeHaven, Donobugh, Espy, Ewing, Freeborn, Gallagher, Gordon, Harbison, Heffman, Humphrey, Kennedy, Kerns, Kimmel, Kinney, Lee, Leech, M'Camant, M'Creary, M'Kee, Mann, Marks, Mechling, Meily, Peter, Quay, Richards, Roath, Seiler, Steacy, Stehman, Stumbaugh, Subers, Waddell, Wallace, Watt, Webb, Weller, Wham, Wharton, Wilson, Wingard, Woodward, Worrall, Wright and Glass, *Speaker*—55.

NAYS—Messrs. Barrington, Boyle, Breen, Brennan, Chalfant, Collins, Craig, Deise, Fogel, Gregory, Harner, Headman, Heltzel, Hood, Hunt, Jenks Jones, Josephs, Kline, Koon, Kurtz, Linton, Long, M'Henry, M'Pherrin, Maish, Meyers, Mullin, Pennypacker, Phelan, Rhoads, Robinson, Roush, Satterthwait, Tharp and Westbrook—36.

So the question was determined in the affirmative.

TAX ON STATE CIRCULATION.

The House resolved itself into committee of the whole (Mr. GHEGAN in the chair) upon House joint resolution No. 503, instructing members of Congress from this State to use their influence to repeal the act of Congress imposing a tax on State circulation.

The joint resolution was read as follows:

WHEREAS, The right on the part of the States to create corporations for the purpose of banking, including the issue by them of paper to circulate as money, has been exercised at pleasure by the States from the beginning of the Government, and its validity is now beyond the reach of question;

And whereas, No clause or article of the Constitution of the United States gives Congress the power, directly or indirectly, to interfere with the exercise of any such right;

And whereas, The tax imposed by Congress upon the circulation of the State banks operates as a prohibition of such circulation, and was intended as such, as appears by the debates of that body;

And whereas, What cannot be done directly by Congress—for example, the taking from the States the power to charter banks of issue, cannot be done indirectly by taxation:

Resolved by the Senate and House of Representatives of the State of Pennsylvania in General Assembly met, That in the opinion of this House said law should be repealed, and that our Senators and Representatives be instructed to use all honorable means to that end.

Resolved, That a copy of these resolutions be sent to each of our Senators and Representatives at Washington, to be laid before Congress.

The joint resolution was not

Agreed to.

The committee rose, and the chairman reported the joint resolution to the House with a negative recommendation.

The report of the committee of the whole was

Agreed to.

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[CONTINUED FROM PAGE 888.]

ELECTION OF RAILROAD OFFICERS.

The House resolved itself into committee of the whole (Mr. MULLIN in the chair) upon House bill No. 557, entitled An act relating to the election of officers and directors of railroads in the State of Pennsylvania.

The bill was read and agreed to as follows:

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That from and after the passage of this act it shall be unlawful for any railroad company in the State of Pennsylvania to elect a president, or other officers, or a majority of the directors, non-residents of the said State.

The committee rose, and the chairman reported the bill to the House without amendments.

The bill was again read.

Mr. LEE. Mr. Speaker, I hope for the sake of the railroads of the State, a great many of which are dependent for their existence upon capital coming from outside of the State, that this bill will not pass. If a citizen of another State chooses to invest his capital in a railroad of this State, why should he be deprived of a representation in the board of directors? Why should he not have the same privileges as any other stockholder in the company? He contributes his means towards the construction of the road and towards the payment of the expenses of running it. What reason can be urged against his right to be represented where he has put his capital? I think the provisions of the bill are very unjust towards every railroad in the State; for I suppose there is no road a part of whose capital has not been contributed from other States.

The bill was

Not agreed to.

PUBLIC ASSOCIATIONS.

The House resolved itself into committee of the whole (Mr. PHELAN in the chair) upon Senate bill No. 8, entitled A further supplement to an act, entitled An act relating to corporations for mechanical, manufacturing, mining and quarrying purposes, approved 18th July, 1863, extending the provisions of said act and the several supplements thereto, to any association formed for publication and sale of periodicals, newspapers, school books, books of science or art, and current and standard literature.

The bill was read.

Mr. QUAY. A bill which we passed in reference to fire companies was in similar terms to this, and was vetoed by the Governor. I do not see any use in passing this bill.

Mr. M'CREARY. I do not think that this is the same kind of a bill as that which was vetoed by the Governor. That contained, I believe, some provisions which are not in this. Some distinguished gentlemen of the State have spoken to me about this, and I agreed that I would call it up.

Mr. QUAY. As I understand, this is a precisely similar bill to that which was vetoed. It allows these associations to organize under the manufacturing law. The Governer vetoed a bill of this kind on the ground of generality. It did not sufficiently define the regulations to which the corporators to be created should be subjected.

The bill was

Not agreed to.

The committee rose and the chairman reported the bill to the House with a negative recommendation.

The report of the committee of the whole was

Agreed to.

UNCLAIMED DIVIDENDS.

The House proceeded to the consideration of House bill No. 614, entitled An act relative to unclaimed dividends in insolvent assigned estates.

On motion of Mr. WADDELL, the House dispensed with going into the committee of the whole.

The bill was read and agreed to, as follows:

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That if, after the first day of December, Anno Domini one thousand eight hundred and sixty-seven, in the settlement of any insolvent assigned estate for the benefit of creditors, any dividend that, previous to the passage of this act, has been, or hereafter may be, declared, shall have remained, or shall remain unclaimed in the hands of the assignee or trustee, by the person or creditor to whom the same was awarded, for more than six years after the same was declared, the same shall be deemed relinquished and abandoned, and shall be and become again a part of the estate as shall be distributed among such creditors as shall thereafter appear and make claim.

SEC. 2. And upon application of any creditor of such estate to the court of common pleas of the proper county, the court shall order and direct the assignee or trustee to file his account, stating the amount of such unclaimed dividend, with whatever has accrued thereon, and such fund shall be awarded to and distributed among such creditors as shall appear and make claim before the auditor to be appointed to audit and adjust said account and award and report distribution of said fund.

The bill was ordered to be transcribed for a third reading, was read the third time, and

Passed finally.

PAPER FOR STATE PRINTING.

The House proceeded to the consideration of House bill No. 800, entitled An act requiring the Superintendent of Public Printing to advertise for proposals for supplying the State with printing and bill paper.

On motion of Mr. STEHMAN, the House dispensed with going into the committee of the whole.

The bill was read and agreed to, as follows:

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by authority of the same,* That the Superintendent of the Public Printing shall advertise in the public papers, two weeks prior to the opening of the bids, for proposals for supplying the State with printing and bill paper; said proposals to be opened on the first day of August of each year, at twelve o'clock, at the office of the Superintendent of Public Printing, in the presence of those bidding; the Superintendent shall procure samples of printing and bill paper, as required by the State, for which the parties bidding shall name a price, that said parties will agree to furnish paper of same quality, and the award given to the lowest bidder.

SEC. 2. Samples of the qualities of the paper required will be furnished upon application at the office of the Superintendent of Public Printing, and the successful bidders will be required rigidly to conform to the samples furnished. No proposals will be considered unless accompanied by a guarantee that the bidder or bidders, if his or their proposal shall be accepted, will enter into an obligation, with good and sufficient sureties, to furnish the articles proposed for, and each proposal must be accompanied by satisfactory evidence that the persons making said proposals are manufacturers of, or dealers in, the description of paper which he or they propose to furnish.

The bill was ordered to be transcribed for a third reading, was read a third time, and

Passed finally.

VETO MESSAGES.

The Deputy Secretary of the Commonwealth being introduced, presented the following message from the Governor, which was read, viz:

EXECUTIVE CHAMBER,
HARRISBURG, April 4, 1867.

To the Senate and House of Representatives of the Commonwealth of Pennsylvania:

GENTLEMEN—Herewith is returned, without my approval, to the House, in which it originated, bill No. 775, entitled An act to incorporate the Penn Mutual fire insurance company of Chester county.

The act approved 26th March, 1867, having conferred upon the courts the right to incorporate fire insurance companies, the Legislature is prohibited from doing it, by the ninth section of the eleventh article of the Constitution. JNO. W. GEARY.

Agreeably to the provisions of the Consti-

tution, the House proceeded to the reconsideration of said bill.

On the question,

Shall the bill pass, notwithstanding the objections of the Governor?

Agreeably to the rules,

The further consideration of the same was postponed for the present.

The Deputy Secretary also presented a message from the Governor, which was read as follows, viz:

EXECUTIVE CHAMBER,
HARRISBURG, April 3, 1867.

To the Senate and House of Representatives of the Commonwealth of Pennsylvania:

GENTLEMEN—Herewith is returned House bill No. 955, entitled An act to incorporate the Shakspeare and Lydia Allen Consolidated silver mining company, with my objections to the same.

I withhold my approval for the reason that I have this day signed Senate bill No. 583, which has the same title and is identically the same throughout.

JNO. W. GEARY.

Agreeably to the provisions of the Constitution, the House proceeded to the reconsideration of said bill.

On the question, Shall the bill pass, notwithstanding the objections of the Governor?

Agreeably to the rules,

The further consideration of the same was postponed for the present.

SCHOOL BOARDS IN PHILADELPHIA.

The SPEAKER laid before the House the following communication, which was laid on the table:

ELEVENTH SCHOOL SECTION,
PHILADELPHIA, April 1, 1867.

To the Senate and House of Representatives of the Commonwealth of Pennsylvania:

GENTLEMEN—At a stated meeting of the board of directors of public schools, Eleventh section, held Friday evening, March 29th, the following preamble and resolution was unanimously adopted, viz:

WHEREAS, A bill having been introduced in the Legislature of this State, depriving the sectional boards of the right to elect their representatives in the board of school controllers, giving the judges of the courts the power to appoint the same; believing the passage of said bill would be prejudicial to the interests of the common school system; therefore,

Resolved, That the secretary of this board be instructed to send a copy of the preamble and resolution to the Senate and House, respectfully protesting against the passage of said bill.

[Extract from the minutes.]

Attest: CHARLES S. AUSTIN,
Secretary.

PUBLICATION OF LAWS, &C.

The House resumed the consideration of bills on the public calendar, and proceeded to the consideration of House bill No. 860, entitled An act relating to the publication of local, general and private laws, and of legal advertisements, in the several counties of the Commonwealth of Pennsylvania.

The first section was read and agreed to as follows:

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same*, That from and after the passage of this act, it shall be the duty of the Secretary of the Commonwealth to send to the commissioners of each county in the Commonwealth a certified copy of each and every general law passed by the Legislature, except the general appropriation bill, as soon as approved by the Governor, and also to each board of commissioners as aforesaid, a copy of each law specially relating to said county or its citizens.

The second section was read as follows:

SEC. 2. It shall be the duty of said county commissioners, as soon as said laws are received by them, to cause them to be published in one newspaper of each of the two leading political parties, if there be so many published in the county, not less than twice, and at such rate for such publication as can be agreed upon, not exceeding the usual rates for advertising similar matter.

Mr. KURTZ. I move to amend by striking out the words "of each of the two political parties, if there be so many," and by inserting in lieu of the words, "not less than twice" the word "once.

Mr. CAMERON. I move that the further consideration of the bill be postponed.

The motion was

Not agreed to.

The question recurring on the amendment of Mr. KURTZ,

Mr. M'CREARY. I hope that if the gentleman from Centre is a friend of the bill, he will withdraw the amendment, for, if adopted, it will have the effect of killing the bill. The object of this publication is to reach the masses of the people with a knowledge of the laws. If the laws are published in one paper of each of the political parties, they will reach about all the people who are in the habit of reading. My object, and, I presume, the object of all who wish to have the laws published, is to have them published in such a way as that the mass of the people may, at as little expense as possible, be informed of the laws which are passed. If we provide that the laws be published in all the papers of a county, including those that have very little circulation, the cost will be so great that the law cannot be carried out. I trust the bill as it stands will be passed. If the people of Pennsylvania are willing to pay the members of the Legislature to come here and make laws, I think the people are entitled to the privilege of reading those laws, and knowing what they are.

If we refuse to grant the people the privilege of reading the enactments which they pay for passing, we, to a certain extent, imitate the example of the tyrant Caligula, who had his decrees written in fine characters and stuck so high that no one could read them, and then visited his vengeance upon his subjects for not obeying them.

We are sent here to enact laws for the benefit of the people, and yet we publish them in pamphlet form at two dollars per copy, and even then do not circulate them for six months after their passage, so that practically our constituents are left in utter ignorance of the laws which govern them, and for a violation of which they may be made liable to severe penalties. It is, perhaps, a very necessary, and yet, to my mind, a very untruthful maxim of the law that every man is presumed to know the law. When we consider what difficulties, yea, impossibilities, the people labor under to gain a knowledge of the law, we can see how violent is the presumption that they are presumed to know it. It is urged by some that it is a scheme to benefit the printers. Well, suppose it does benefit the printers, are we to deny a great advantage to the people for so foolish a reason as that? I presume, too, that printers can make as much by printing other matter as they can by printing the laws.

In other States the laws are published in the papers, and if they can afford to do so we certainly can. The expense is so trifling and the benefits so great that I do not see how any one can have the conscience to oppose it. I trust, therefore, that this measure, so just and so beneficial to the people of Pennsylvania, will be passed.

Mr. KURTZ. I withdraw the amendment.

Mr. M'CREARY. I am glad the gentleman has done so.

Mr. MAISH. I move to amend by inserting "and one German newspaper."

Mr. JONES. I am sorry that the gentleman from Centre [Mr. KURTZ] has withdrawn his amendment. The gentleman from Erie [Mr. M'CREARY] has properly said that it is the privilege of the people to know what laws we pass here. And it requires a good deal of industry to obtain this information under present circumstances; it would take perhaps half the leisure of the people of this Commonwealth to get information as to the nature of the laws passed by this Legislature during a session of three months. The people in a county, even those of the same political party, do not all take the same newspaper.

For example, in a county as large as mine, the county of Berks, there are several newspapers published by each political party; and as ignorance of the law is an excuse for its violation, I think it is the privilege of every man to be informed of the enactments of the Legislature, even though he does not happen to subscribe for the paper having the largest circulation. The bill in its present terms proposes to legislate against newspapers having a small circulation.

Yet, newspapers which have a limited circulation, have as good a right to give their readers information of the laws we pass as those newspapers which have the largest circulation. I therefore renew the amendment of the gentleman from Centre [Mr. KURTZ]. I offer it as an amendment to the amendment.

Mr. M'CREARY. I hope the House will vote down the amendment to the amendment.

The amendment to the amendment was

Not agreed to.

The question recurred on the amendment of Mr. MAISH.

Mr. CAMERON. I move, as an amendment to the amendment, to strike out the words, "of each of the two political parties, if there be so many published in the county," and insert, in lieu thereof, the words, "having the largest circulation."

Mr. M'CREARY. I hope that amendment will not be adopted.

The amendment to the amendment was

Not agreed to.

The question recurring on the amendment of Mr. MAISH,

It was

Agreed to.

Mr. WEBB. I move to amend by inserting, after the word "exceeding," in the fifth line, the words "one-half," so as to read, "at such rate for such publication as can be agreed upon, not exceeding one-half the usual rates for advertising similar matter."

The amendment was

Not agreed to.

The section as amended was

Agreed to.

The third section was read as follows:

SEC. 3. The officers of each private corporation incorporated by act of the Legislature after the first Tuesday in January, one thousand eight hundred and sixty-seven, shall, before the entering upon the privileges accorded by said act, cause to be published in one newspaper of each of the two leading political parties in the county where said company shall have its main office, if so many be printed, a copy of said act of incorporation, the cost of which publication shall be paid out of the treasury of said corporation.

MESSAGE FROM THE SENATE.

The Clerk of the Senate being introduced, presented for concurrence bills numbered and entitled as follows, viz:

No. 1258, an act to change the venue in certain cases from Allegheny to Jefferson county.

Laid on the table.

No. 1267, a further supplement to the act incorporating the city of Pittsburg, extending its boundaries, enlarging its corporate powers and perfecting its municipal organization, and submitting the proposed consolidation to a vote of the people.

Laid on the table.

No. 1487, an act to incorporate the Treasury silver mining company.

Laid on the table.

No. 1495, an act to incorporate the Corn Exchange warehousing company of Philadelphia.

Laid on the table.

No. 1504, a further supplement to the act incorporating the Muncy Creek railroad company, authorizing said company to hold additional lands, and extending the time for the payment of the enrollment tax on supplement thereto.

Laid on the table.

No. 1599, a supplement to the Erie and Allegheny railroad company, authorizing connexions with their road on the east line of the township of Northeast, with any railroad from the State of New York, and the west line with any railroad constructed or to be constructed in the State of Ohio, and also authorizing said Erie and Allegheny railroad company to connect their road within the county of Crawford, with the Atlantic and Great Western railroad company, with the same legal effect as though the connection was made within the county of Erie.

Laid on the table.

No. 1602, an act to incorporate the Costa Rica mining and improvement company.

Laid on the table.

No. 1608, an act to repeal the third section of the act of March, 1867, entitled A supplement to an act to promote the more certain and equal assessment of taxes in Philadelphia.

Laid on the table.

No. 1262, an act authorizing the construction of board-walks along the streets in Liberty township, Allegheny county.

Laid on the table.

No. 1264, an act to annul the marriage contract between Henry Warren Ruth and Arabella, his wife.

Laid on the table.

No. 1365, an act to authorize and empower the court of quarter sessions of the county of Cameron to amend and alter the charter of the borough of Emporium, in the county of Cameron.

Referred to the Committee on the Judiciary Local.

No. 1287, an act relating to road taxes in Franklin township, Allegheny county.

Laid on the table.

No. 1304, an act to incorporate the Pennsylvania Paper manufacturing company.

Laid on the table.

No. 1309, an act to incorporate the Home manufacturing company.

Laid on the table.

No. 1314, an act to incorporate the Agricultural manufacturing company.

Laid on the table.

No. 1315, a further supplement to a further supplement to an act incorporating the Bedford iron company, approved the 1st day of May, 1861.

Laid on the table.

No. 1317, an act to incorporate the Plymouth Passenger railroad company.

Referred to the Committee on Passenger Railways.

No 1318, an act to incorporate the Stroudsburg Passenger railway company.

Referred to the Committee on Passenger Railways.

No. 1321, an act to incorporate the Northumberland and Sunbury Street railway company of Northumberland county.

Referred to the Committee on Passenger Railways.

No. 1324, an act extending the time for commencing and completing the Columbia and Octoraro railroad beyond the time allowed by its act of incorporation, and the supplements thereto.

Referred to the Committee on Railroads.

No. 1325, an act to incorporate the Union Passenger railway company of the city of Pittsburg.

Laid on the table.

No. 1326, an act to authorize the school directors of Freedom township, Adams county, to appropriate the surplus of bounty funds in their hands to school purposes.

Laid on the table.

No. 1366, an act in relation to auctions in the county of Beaver.

Laid on the table.

No. 1368, an act relative to the Schuylkill County park association.

Referred to the Committee on Agriculture.

No. 1369, an act to authorize the Governor to appoint an additional notary public in the county of Beaver.

Laid on the table.

No. 1381, an act relative to the purchase of a law library in the county of Allegheny.

Laid on the table.

No. 1382, an act authorizing the burgess and town council of the borough of Sharon to levy and collect a tax for bridge purposes.

Laid on the table.

No. 1388, an act authorizing an increase of taxes, in the borough of Tarentum, county of Allegheny.

Laid on the table.

No. 1405, an act to incorporate the Equitable gold and silver mining company of Nevada.

Laid on the table.

No. 1406, an act to incorporate the Sheffield iron, steel and land company.

Laid on the table.

No. 1407, an act to incorporate the Granby coal company.

Referred to the Committee on Coal and Iron Companies.

No. 1408, an act to consolidate the Steuben coal company and the Scranton coal company.

Referred to the Committee on Coal and Iron Companies.

No. 1409, an act to incorporate the Battle house and watering place company at Gettysburg.

Laid on the table.

No. 1419, an act to incorporate the Somerset land company.

Laid on the table.

No. 1420, An act to incorporate the United States Plate Glass insurance company of Philadelphia.

Referred to the Committee on Corporations.

No. 1425, an act to incorporate the Harmony Savings Bank of the village of Harmony, Butler county.

Laid on the table.

No. 1428, supplement to an act for the more effectual protection of the owners of logs and lumber on the Susquehanna river.

Laid on the table.

No. 1456, an act authorizing the court of quarter sessions of M'Kean county to appoint commissioners to take exclusive charge of a portion of the road leading from Smethport, in M'Kean county, to Wilcox, in Elk county, and to appropriate taxes for the repair and changing of the same.

Laid on the table.

No. 1475, a further supplement to an act entitled An act for the better management of the Allegheny county prison, approved the 23d day of March, 1865.

Laid on the table.

No. 1485, an act to incorporate the Argentine silver mining company of Colorado.

Laid on the table.

No. 1503, a further supplement to the act incorporating the Catawissa and Towanda railroad company.

Laid on the table.

No. 1601, an act to authorize the removal of certain cases from the court of common pleas of Cambria county to the court of common pleas of Centre county.

Referred to the Committee on the Judiciary Local.

No. 1598, an act to authorize the Two Lick Regular Baptist congregation, Greene township, Indiana county, to remove certain dead bodies.

Laid on the table.

No. 1603, an act to authorize the Reno oil and land company to acquire, hold and dispose of property.

Referred to the Committee on Corporations.

No. 1604, an act to incorporate the Wrightstown and Newtown turnpike road company.

Laid on the table.

He also returned bills from the House of Representatives numbered and entitled as follows, viz:

No. 1041, an act extending the provisions of an act repealing existing laws relating to killing beasts of prey, so far as relates to the county of Venango, approved the 12th day of April, 1866.

No. 1058, an act to authorize the board of supervisors of Industry township, Beaver county, to levy a bounty tax.

No. 1066, an act to legalize certain act of committees and school directors of the township of Lower Milford, in the county of Lehigh, relative to the payment of bounties of volunteers.

No. 1068, an act to authorize the board of school directors of the township of Brooklyn, Susquehanna county, to levy and collect a tax to pay outstanding bonds, and for other purposes.

No. 1061, an act to authorize the school directors of Conestoga township, Lancaster county, to levy and collect a tax to liquidate the debt in said township, created to pay bounties to volunteers.

No. 1052, an act relating to tavern licenses in Greene county.

No. 1025, a further supplement to an act to incorporate the Charles Evans cemetery company.

No. 1028, an act to incorporate the Anderson marble quarrying company of Montgomery county.

No. 1023, an act to incorporate the M'Keesport gas company.

No. 1073, an act to incorporate the Chester Passenger railroad company.

No. 1601, an act to attach certain lands and tenements in Licking township, Fulton county, to Todd township, for school purposes.

No. 1099, an act to prohibit the erection or maintenance of billiard rooms, bowling saloons or ten pin alleys, within the borough of Coudersport, in the county of Potter.

No. 1011, an act to authorize the Evangelical Lutheran congregation of Berlin, in the county of Somerset, to sell certain real estate.

No. 1364, an act to extend the time for the

payment of the enrollment tax on the Dime Savings institution of Harrisburg.

No. 637, an act to exempt from taxation certain real estate in Philadelphia, belonging to the Jewish hospital association of Philadelphia.

No. 869, an act to authorize the purchase of real estate and erection of a poor house in Valley township, Montour county.

No. 1173, an act fixing the pay of the sheriff of Crawford county for boarding prisoners and other persons.

No. 1172, an act relating to the collection of taxes in Cumberland county.

No. 1174, an act to increase the pay of the county commissioners of Northumberland county.

No. 1167, an act to provide for the purchase of real estate and erection of a poor house in the township of Bloom, Columbia county.

No. 1154, an act to regulate the collection of local taxes in the township of Edgmont, Delaware county.

No. 1150, an act relating to taxes in Greenfield township, in Luzerne county.

No. 1145, an act to repeal the second section of an act authorizing the assessment of railroad taxes in the borough of Kittanning, Armstrong county, approved the 16th day of February, A. D. 1867.

No. 1155, an act regulating the fees of notaries public in the county of Allegheny.

No. 1161, an act to authorize the appointment of an additional notary public in the borough of Girard, in the county of Erie.

No. 1164, an act to extend to the county of Berks certain provisions of an act, entitled An act to amend the fee bill as to constables in the city of Philadelphia.

No. 1168, an act to provide for the erection of a house for the employment and support of the poor in the township of Hemlock, in the county of Columbia.

No. 1187, a further supplement to an act, approved March 23, 1865, entitled An act to provide for the erection of a poor house in the townships of Milford, Turbet, Spruce Hill, Tuscarora, Lack and Beale, and the boroughs of Perrysville and Patterson, in the county of Juniata.

No. 688, an act to legalize certain loans made by the city of Titusville.

No. 1042, an act to prevent the injury or destruction of fruit, ornamental or other trees, and to protect the owners thereof in the counties of Clinton, Centre, Butler, Lawrence and Mercer.

No. 1096, an act repealing so much of the act entitled An act in relation to original writs and executions in the county of Franklin, approved the 8th day of March, 1867, as relates to executions.

No. 1018, an act to provide for the payment of expenses incurred in guarding the jail of Washington county.

No. 1665, an act to legitimate John Horning, of Mifflin county, and confer on him the rights and privileges of a child born in wedlock.

No. 1327, an act to pay a pension to Mary Winters, widow of Steacy Winters, a soldier of 1812.

No. 764, an act to incorporate the Fifth Street market company.

No. 1206, an act to incorporate the Venice gold and silver mining company.

No. 1207, a further supplement to an act to incorporate the Union gold and silver mining company, approved the 23d day of March, A. D. 1865.

No. 1016, an act to reduce the number of directors of the Allegheny transportation company.

No. 1210, an act to incorporate the New Sonora gold and silver mining company.

No. 1208, an act to incorporate the Philadelphia mining company of Lander Hill.

No. 1209, an act to incorporate the Pennsylvania and North Carolina gold mining company.

No. 1077, an act incorporating the Savings institution of the city of Williamsport, in the county of Lycoming.

No. 1079, an act to incorporate the Franklin savings fund and safe deposit company.

No. 1075, an act to incorporate the Armstrong County savings' bank.

No. 1656, an act to incorporate the Phœnix savings bank and safe deposit company.

No. 1089, an act declaring Clear creek, in the county of Cameron, a public highway.

No. 1000, an act to declare Mill run, in the county of Lycoming, a public highway.

No. 786, an act to authorize John F. Satterlee to erect an eel weir in the Susquehanna river, in Sheshequin township, Bradford county.

No. 561, an act to incorporate the Delaware Valley railroad company.

No. 1194, a supplement to an act entitled An act to incorporate the Mount Pleasant railroad company, approved the 22d day of March, A. D. 1865, extending the time for the commencement and completion of said railroad.

No. 1191 an act to incorporate the Tidioute railroad company.

No. 1189, a supplement to an act entitled An act to incorporate the Ohioville railroad company, approved the 27th day of March, 1866.

No. 1162, a supplement to an act regulating the mode of voting at all elections in the several counties of this Commonwealth, and to regulate the mode of voting where boroughs and townships vote together, in the county of Washington.

No. 1315, an act to repeal an act to authorize and require the school directors of West Caln township, Chester county, to levy and collect taxes for the purpose of paying three hundred dollars each to persons who were drafted and furnished substitutes under the call of the President of July 18, 1864, approved the 22d day of March, A. D. 1866.

No. 1040, an act extending the provisions of an act relating to dogs in Allegheny, Chester, Northampton, Schuylkill and Lancaster counties, approved the 6th day of April, 1854, to the county of Berks.

No. 1044, an act prohibiting the hunting, catching and killing of game in North Fayette township, Allegheny county.

No. 1043, an act to prevent the destruction of fish in Breeches pond or lake, in Overfield township, Wyoming county, and Chartiers creek, Washington county.

No. 1039, an act for the protection of wild turkeys and squirrels, and for other purposes, in the county of Huntingdon.

No. 1057, a further supplement to an act to legalize bounties paid volunteers, and the bonds issued therefor, in certain townships in the county of Franklin, approved the 4th day of April, A. D. 1866, extending the provisions of said act, and the supplement thereto, to the township of Hamilton, in said county.

No. 1352, an act relative to a certain highway in the town of Coatesville, Chester county.

No. 1620, an act to legalize the appointment, view and report of certain bridge viewers in Ligonier township, Westmoreland county.

No. 1666, a supplement to an act establishing a ferry across the West Branch of the Susquehanna river, in Lycoming county.

No. 1103, an act to authorize the supervisor of Cook township, in the county of Westmoreland, to levy taxes for the construction of a bridge.

No. 972, an act to provide for the erection of a bridge across Nescopeck creek, in Nescopeck township, Luzerne county.

No. 605, an act to exempt from taxation the property of the Ladies' Soldiers' Aid of Weldon.

No. 1144, an act relating to certain moneys in the hands of the legal representatives of Jacob Miller, late of St. Thomas township, in the county of Franklin, deceased.

No. 663, an act to confirm the title of William F. Hughes, in and to a certain lot or piece of ground, situate on the north side of High or Market street, seventy feet six and a-half inches from the west side of Nineteenth street, in the city of Philadelphia.

No. 1211, an act to incorporate the Sierra Molina gold and silver mining company.

No. 1020, an act to amend an act to incorporate the Potter County forest improvement company, approved May 1, A. D. 1861, and the supplement thereto, approved the 10th day of August, A. D. 1864.

No. 1218, an act to incorporate the Volcanic mining company.

No. 1273, a supplement to the act incorporating the Amateurs' drawing room association of the city of Philadelphia, approved March 8, 1866.

No. 1353, an act to incorporate the Pickering gold and silver mining company.

No. 1214, an act to incorporate the Savage Extension gold and silver mining company.

No. 1215, an act to incorporate the River Bed gold and silver mining company.

No. 1216, an act to incorporate the Morris and Cable silver mining company of Reese river district, Lander county, Nevada.

No. 1269, an act to incorporate the Delaware County lumber manufacturing company.

No. 1277, a supplement to an act to incorporate the Reno shipping company, approved the 1st day of September, A. D. 1866.

No. 1212, an act to incorporate the Powhatan gold and silver mining company.

No. 1213, an act to incorporate the Fidelity gold mining company.

No. 1264, an act to annex additional territory to the borough of Brownsvile, Mercer county, for school purposes.

No. 1258, an act to authorize the board of school directors of the borough of Irwin, in the county of Westmoreland, to borrow money for building purposes, and to levy additional school tax.

No. 1261, an act to annex the farm of Daniel Sell, of Germany township, Adams county, to the borough of Littlestown, for school purposes.

No. 1265, an act to attach the farms of James M'Kean, William Nichols, David Long and John Long, Jr., to Otter Creek township, in the county of Mercer, to Salem school district, for school purposes.

No. 1230, an act to incorporate the Kittanning and Rural Village Macadamized turnpike road company, in the county of Armstrong.

No. 1221, an act to lay out a State road in Venango and Butler counties.

No. 1247, an act to incorporate the Limestone turnpike and plank road, of Warren county.

No. 1222, an act to incorporate the Farmers' turnpike road company, in the county of Lancaster.

No. 1227, an act extending an act relative to the opening and making of new roads, and building bridges, in the township of West Marlboro', in the county of Chester, to the township of Sadsbury, in said county.

No. 1236, an act to incorporate the Newton and Scranton turnpike road company.

No. 1237, an act to reduce the compensation and change the manner of election of supervisors in the township of Newberry, in the county of York.

No. 1233, an act to increase the number of supervisors of roads in Cowanshanoc township, Armstrong county.

No. 1245, an act to declare Lake Pleasant, and its outlet to French creek, a public highway.

No. 1219, an act to establish a ferry over the Allegheny river, at or below the Big rock, in the county of Venango.

No. 1250, an act to establish a ferry over the West Branch of the Susquehanna river, at or near the residence of George W. Sour, in the township of Wayne, in the county of Clinton.

No. 393, an act to repeal an act to regulate the practice of entering judgments and issuing processes in Armstrong county.

No. 1241, an act authorizing the supervisors and auditors of Jones township, Elk county, to receive the sum of two dollars per day.

No. 1259, an act to authorize the board of school directors of the borough of West Middlesex, in the county of Mercer, to borrow money.

No. 1053, a further supplement to an act to regulate the sale of intoxicating liquors, approved the 31st day of March, A. D. 1856, so far as relates to the county of Mercer.

No. 1070, an act to repeal the second section of an act authorizing the collection of a tax in Jackson township, Dauphin county, and Jefferson township, Berks county, to refund money advanced to pay bounties to volunteers.

No. 1147, an act to extend the period for payment of enrollment tax on the bill to incorporate the Oil Tank improvement company.

No. 1097, an act relative to the election of constables in the township of Blakely, county of Luzerne.

No. 1232, an act to authorize the Johnstown and Scalp Level turnpike company, of Cambria county, to increase the rates of toll on said turnpike.

No. 846, an act repealing an act relative to the purchase of a law library in the county of Butler.

No. 1122, an act to exempt the property of the First Troop Philadelphia city cavalry, situated in the Ninth ward, city of Philadelphia, from taxation,

With information that the Senate has passed the same without amendments.

He also returned bills from the House of Representatives numbered and entitled as follows, viz:

No. 841, an act to authorize the payment of Nicholas Simon, a soldier in the war to suppress the rebellion, a gratuity and annuity on account of the loss of one of his hands.

No. 897, a supplement to an act for the better securing the payment of wages of labor in certain counties of this Commonwealth, approved the 30th day of March, A. D. 1859.

No. 1031, an act to incorporate the Odd-Fellows' Mutual Co-operative association of Monongahela City, Washington county.

No. 1056, an act to legalize the levy and collection of certain bounty tax, to provide for a settlement and authorize the school directors to lay an additional bounty tax in Upper Paxton township, and the borough of Gratztown, in the county of Dauphin.

No. 693, an act to prevent injury to privy wells in the city of Philadelphia.

No. 354, a further supplement to an act to incorporate the city of Erie.

No. 1064, a supplement to an act to secure bounty taxes in certain wards of the city of Lancaster, approved the 4th day of April, A. D. 1866.

No. 1050, an act to take the sense of the people of Beaver and Indiana counties, upon the question of a prohibitory liquor law.

No. 1021, an act to incorporate the Paros coal, mining and lumber company of Pennsylvania.

No. 1667, an act relative to the residence of justices of the peace in the city of Erie.

No. 1166, an act to authorize the Governor to appoint six additional notaries public for the city of Philadelphia.

No. 1060, an act providing for the payment to the school treasurer of certain townships of Clarion, Allegheny, Indiana and Cumberland counties, the balance of the money raised for the payment of local bounties after the payment of all claims on said townships for local bounty.

No. 1037, an act extending the provisions of an act, approved the 7th day of May, A. D. 1864, entitled An act to prevent cattle, horses, sheep or hogs, from running at large in Bethlehem township, Northampton county, to Lower Nazareth, East Allen and Saucon townships, in said county, and Venango township, Erie county.

No. 1038, an act to repeal an act to prevent horses, cattle, sheep and hogs from running at large in Chillisquaque township, Northumberland county, Kelly township, Union county, and certain townships in Luzerne county, so far as the same relates to Chillisquaque township, and as far as relates to Kelly township, Union county.

No. 1146, a supplement to the constitution and charter of the Bustleton Methodist Episcopal church, enrolled by order of the Governor, in the office of the Secretary of the Commonwealth, on the 6th of February, 1834, authorizing the trustees of said corporation to remove certain bodies to enable them to extend their church edifice.

No. 1661, an act supplementary to an act relating to the Western Pennsylvania railroad company, and for other purposes, approved the 27th day of April, 1864,

With information that the Senate has passed the same with amendments, in which the concurrence of the House of Representatives is requested.

The amendments made by the Senate to said bills, excepting Nos. 1038 and 1661, were twice read, considered and concurred in; and

Ordered, That the Clerk inform the Senate of the same.

The amendments made by the Senate to bill No. 1038 were twice read, considered, and not concurred in; and

Ordered, That the Clerk inform the Senate of the same.

The amendments made by the Senate to bill No. 1661 were twice read, considered and non-concurred in; and

Ordered, That Messrs. QUAY, THARP and HARRISON be appointed a committee of conference on the part of the House, to confer with a similar committee on the part of the Senate (if the Senate shall appoint such committee), in relation to the differences existing between the two Houses in relation to said bill; and

Ordered, That the Clerk inform the Senate of the same.

He also informed that the Senate has concurred in the amendments made by the House of Representatives to Senate bills numbered and entitled as follows:

Senate bill No. 587, a supplement to the act to incorporate the Boatman's insurance and transportation company, and to increase the powers thereof, approved the 17th day of May, 1866.

Senate bill No. 810, an act to incorporate Lebanon Valley college.

He also informed that the Senate has adopted the report of the committee of conference on the subject of the difference existing between the two Houses in relation to the amendments to House bill numbered and entitled as follows, viz:

No. 507, a supplement to an act to incorporate the borough of Columbia.

He also presented the following extract from the Journal:

IN THE SENATE, April 4, 1867.

Resolved, That the House of Representatives be requested to return to the Senate Senate bill No. 1325, entitled An act to incorporate the Union passenger railway company of Pittsburg.

On motion, said resolution was twice read, considered and concurred in; and

Ordered, That the Clerk inform the Senate of the same.

The hour of one o'clock having arrived, the SPEAKER adjourned the House until three o'clock, P. M.

AFTERNOON SESSION.

The House met at 3 o'clock P. M., pursuant to adjournment.

The SPEAKER announced a quorum of members present.

Mr. JENKS called up House bill No. 1126, a supplement to an act relating to the liens of mechanics, approved June 16, 1836, and the several supplements thereto, be, and the same are hereby, extended to engine houses, et cetera.

The bill was read.

The question being on agreeing to the bill,

Mr. JENKS. Mr. Speaker, I move to amend in the seventh line, by inserting the words "oil tanks, fittings, and," before the words "engine houses;" in the eleventh line, by inserting the words "Armstrong, Allegheny and Greene" after "Venango," and changing the word county to counties.

The amendment was

Agreed to.

The bill as amended was

Agreed to.

The question being on agreeing to the title,

Mr. JENKS. Mr. Speaker, I move to amend by inserting before the words "engine houses" the words "oil tanks, fittings, and."

The amendment was

Agreed to.

The title as amended was

Agreed to.

The rules were suspended, the bill read a third time by its title, and

Passed finally.

Mr. ARMSTRONG called up House bill No. 1088, an act relative to the commissioners, sheriff and treasurer of Cumberland county.

The bill was read, and

Agreed to.

The rules were suspended, the bill read a third time by its title, and

Passed finally.

Mr. RICHARDS called up House bill No. 1106, an act to require the county from which property is stolen to pay the expenses of the trial, conviction, &c., of the person charged with the commission of the crime.

The bill was read, and

Agreed to.

The rules were suspended, the bill read a third time by its title, and

Passed finally.

Mr. WILSON asked and obtained leave to read a bill in place. The following is the title of the bill:

An act to authorize the burgess and town council of the borough of M'Kean to borrow money and issue bonds for the improvement of the streets in said borough.

Laid on the table.

Mr. MEYERS. Mr. Speaker, this morning I objected to Senate bill No. 275, called up by the gentleman from Potter [Mr. MANN]. I see that it is an important bill, and I ask

the unanimous consent of the House to have it taken up at this time.

Consent was given.

Senate bill No. 275, an act to provide an associate law judge of the several courts in the Twenty-first Judicial district, was taken up and read as follows:

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same*, That the qualified electors of the Twenty-first judicial district shall, at the next general election, in the manner prescribed by law for the election of the president judge, elect one person, learned in the law, to serve as an associate law judge of the several courts in said district; the said associate law judge shall possess the same qualifications which are required by the Constitution and laws for president judge, and shall be commissioned by the Governor, and shall hold his office by the same tenure as other judges of courts of record required to be learned in the law; the said associate judge shall have the same power, authority and jurisdiction, and be subject to the same duties, provisions and penalties as the president judge, and shall receive the same compensation for his services as the president judge of said district is now entitled by law to receive.

Mr. MANN. Mr. Speaker, I move to amend by striking out all after the enacting clause and inserting the following:

SEC. 1. That the counties of Dauphin, Lebanon and Schuylkill are hereby erected into a judicial district, under the name and style of the First District of Criminal Jurisdiction, and that in each county within the said district there shall be established a court of record, with criminal jurisdiction, under the name and style following: In Dauphin county the name and style of the court shall be the criminal court of Dauphin county; in Lebanon county the name and style of the court shall be the criminal court of Lebanon county; and in Schuylkill county the name and style of the court shall be the criminal court of Schuylkill county. The said court, in each of the said counties, shall consist of one judge, learned in the law, who shall be the president judge of the district created by this act, and who shall, in all criminal matters and cases within the said district, have the like powers, jurisdiction and authority as the president judge of any judicial district of this Commonwealth, as well upon holding a court of quarter sessions of the peace, and court of oyer and terminer and general jail delivery, and in vacation in any county within his proper districts, and shall at all times have the like power to grant writs of habeas corpus, and give relief thereunon in all cases as fully as any other president judge of any judicial district may or can do in similar cases.

Each of the courts created by this act shall have, and they are hereby vested with, full powers and authority to inquire of, hear, try and determine, agreeably to the laws and customs of this Commonwealth, all murders, rapes, robberies, arsons, felonies, misdemeanors, and all other offenses which have been or may be committed within the county for which such court is created, and which would be cognizable in any court of quarter sessions of the peace and court of oyer and terminer within this Commonwealth, if committed within their jurisdiction, and to hear, try and determine all presentments and indictments for any and all offenses against laws of this Commonwealth committed within such county, and to sentence and punish all persons who shall be convicted of the said offenses, or any of them, agreeably to the laws of this Commonwealth, and generally to do all such matters and things as any court of general quarter sessions of the peace or oyer and terminer and general jail delivery may or can do within the county for which such court is created by this act; and each of the said courts shall have a seal, with the arm of the Commonwealth engraved thereon, and the name of the court.

After the passage of this act, all recognizances taken within the county of Schuylkill shall be taken for the appearance of the prosecutors, defendants and witnesses at the court created by this act for said county, and not to the court of quarter sessions of Schuylkill county; and from and after the first Monday of June next, the jurisdiction of the court of quarter sessions of the peace, and court of oyer and terminer of Schuylkill county, over felonies and misdemeanors, shall cease and determine, and the whole of the said jurisdiction now vested in the said court shall be, and the same is hereby, vested, from that date, in the court for the said county, created by this act; and all indictments pending and recognizances taken, in the court of quarter sessions of the peace and the court of oyer and terminer, in Schuylkill county, shall be then transferred to, and be heard, tried, proceeded and determined, in the last court created by this act, in the same manner, and with the same effect, as if the indictment had originally been found in the recognizance taken therein: *Provided*, That in all cases where convictions have been had, and the sentences have not been passed, the said court of quarter sessions and oyer and terminer shall proceed therein according to law, in the same manner, and with like effect, as if this act had not been passed.

That the sessions of the court created by this shall be held as follows:

In Schuylkill county, on the first Monday of January, April, July and October, and to continue four weeks if the business shall require it; in the county of Lebanon, on the first Monday of February, May and November, to continue one week if the business shall require it; and in Dauphin county on the first Monday of March, June, September and December, and to continue two weeks if the business of the court shall require it, with power to hold adjourned sessions of the said courts; and whenever, in the opinion of president judge of the districts created by this act, the public interests shall require it, he may order extra sessions of the courts in any of said counties, to be held at such times as he may appoint; and he shall have power, and he is hereby authorized, to dispense with jury courts in any county at such sessions as, in his opinion, jury courts may be dispensed with, without prejudice to the public interests: *Provided*, That in Schuylkill county, in addition to the sessions above mentioned, the first session of the court created by this act for that county, shall be held on the first Tuesday of June next, to continue until the close of that week, if the business shall require it.

It shall be the duty of the Governor of the Commonwealth, pursuant to the provisions of the Constitution, to appoint a gentleman of integrity, learned in the law, to be the president judge of the districts created by this act, who shall hold his office until the first Monday of December next, and the qualified electors of the said counties of Dauphin, Lebanon and Schuylkill shall, on the second Tuesday of October next, elect a president judge for the said districts, according to the Constitution and laws of this Commonwealth; and the said judge, so appointed or elected, shall receive for his services a like salary or compensation as the president judge of court of common pleas of Schuylkill county.

The clerks of the courts of quarter sessions and oyer and terminer in the several counties in the district created by this act shall, for the time being, be the clerks of the courts created by this act, in the counties for which they are, or may be elected, and shall receive the like fees for the like services rendered, done and performed in the courts created by this act, as if rendered, done or performed in the courts of quarter sessions or of oyer and terminer, in the respective counties; and the sheriffs, coroners, constables and marshal of police affairs shall obey and execute all lawful orders of the courts created by this act, and be subject to the like penalties for neglect or disobedience, as if the said orders or writs had been made or issued by the courts of quarter sessions, or courts of oyer and terminer of the several counties within the district created by this act, and shall, in all cases, receive a like compensation for similar services; and all reports and returns that are now required by law or custom to be made to courts of quarter sessions of Schuylkill county relating to selling liquor by less measure than one quart, tippling houses, disturbances at elections and matters relating to roads, highways or offenses of any kind, shall be made to the courts created by this act in Schuylkill county, at each and every regular session thereof, and the said court shall take such action thereon as any court of quarter sessions may or can do in similar cases.

All laws relating to the issuing of venires for the summoning of grand and petit jurors that are now or may be hereafter in force within the said district, are hereby extended to the courts created by this act, and the jurors shall be drawn and summoned in such numbers and like manner as for courts of oyer and terminer and courts of quarter sessions, and as may from time to time be ordered by the said courts created by this act.

The district attorneys in Dauphin and Lebanon counties shall have the power to direct recognizances to be taken for the appearance of prosecutors, defendants and witnesses in the courts created by this act, or in the quarter sessions of the peace of the said counties, as they may think best for the public interests.

It shall not be lawful to summon a grand jury in the present court of oyer and terminer, or quarter sessions, as now held in Schuylkill county, after the establishment of the criminal court under this act, but the grand jury shall be selected for and summoned to attend the criminal courts in said county only, and in the counties of Dauphin and Lebanon, no grand jury shall be summoned in the criminal court established by this act, but all bills shall be found in the present courts of oyer and terminer and quarter sessions, after which they may, on the written order of the district attorney for the proper county, be removed into the criminal court for trial, or may be tried in the courts now existing in said counties, at this option; and if no causes have been removed into said criminal court for trial, no traverse jury shall be summoned to attend said court. It shall be lawful for the return judges in the counties of Schuylkill, Dauphin and Lebanon, to appoint one of their number in each of said counties to meet at the borough of Lebanon on the first Tuesday after the general election in October next, and make return of and cast up the number of votes given for the respective candidates for judge of the criminal court hereby established, and make return thereof to the Secretary of the Commonwealth, in the manner now prescribed as to the election of president judges.

The act entitled An act for the better and more impartial selection of persons to serve as jurors in the several courts of Somerset

and other counties of the State, approved the 27th day of March, 1865, be and the same is hereby extended to Schuylkill county.

Immediately after the passage of this act the Governor of this Commonwealth shall appoint two sober, intelligent and judicious persons, taking one from each of the political parties, to serve as jury commissioners for Schuylkill county, who shall remain in office until jury commissioners for said county shall be elected as provided in said act hereby extended to Schuylkill county, and who shall be subject to all the provisions of said act; and the said jury commissioners so appointed by the Governor shall forthwith proceed to select and draw jurors for the courts in Schuylkill county, in the manner directed by the said act for the courts in Schuylkill county, for the current year, and the names of the persons now in the jury wheel in Schuylkill county be withdrawn and others substituted, as directed by this act.

The question being on agreeing to the amendment of Mr. MANN,

Mr. QUIGLEY. Mr. Speaker, I rise to a point of order, that the amendment is not germain to the subject. It destroys the original bill. I refer the Speaker to rule forty-two, which reads as follows:

"No bill or resolution shall, at any time, be amended, by annexing thereto, or incorporating therewith, any other bill or resolution pending before the House, nor shall a motion or proposition be entertained under color of such an amendment, nor shall any bill or resolution be amended, by substituting therefor, under a motion to strike out, or otherwise, any other bill or resolution, on a subject different from that under consideration, without the unanimous consent of the House."

I raise the point of order that under this rule the amendment of the gentleman from Potter cannot be entertained without the unanimous consent of the House.

The SPEAKER. The Chair does not understand the amendment of the gentleman from Potter as destroying the pith of the original bill, and is, therefore, clearly of the opinion that the amendment is in order.

Mr. QUIGLEY. I appeal from the decision of the Chair.

Mr. GREGORY. I second the appeal.

The SPEAKER. The gentlemen will reduce their appeal to writing.

The appeal, as written, was read by the Clerk as follows:

The House having under consideration Senate bill No. 275, entitled An act to provide an associate law judge for the several courts in the Twenty-first judicial district,

"The gentleman from Potter [Mr. MANN] moved to amend by striking out all after the enacting clause, and inserting in substance a proposed amendment establishing a court of criminal jurisdiction in the counties of Dauphin, Lebanon and Schuylkill. The gentleman from Philadelphia [Mr. QUIGLEY] raised the point of order that the amendment was not germain to the subject matter and changing and destroying the original intent of the bill:

"The SPEAKER decided the point of order not well taken.

"From which decision we respectfully appeal."

(Signed,) GEO. A. QUIGLEY,
WM. S. GREGORY.

The SPEAKER. The question is, Shall the decision of the Chair stand as the judgment of the House?

Mr. KERNS. Mr. Speaker, on that I call the previous question.

The call for the previous question was seconded by Messrs. Marks, Freeborn, Steacy, Kinney, Espy, Chase, Ghegan, Roath, Watt, DeHaven and Mechling.

On the question,

Shall the main question be now put?

The yeas and nays were required by Mr. GREGORY and Mr. FOGEL, and were as follow, viz:

YEAS—Messrs. Adaire, Allen, Armstrong, Barton, Chadwick, Chase, Colville, Day, DeHaven, Donohugh, Espy, Ewing, Freeborn, Gallagher, Ghegan, Gordon, Harbison, Hoffman, Humphrey, Kennedy, Kerns, Kimmell, Kinney, Lee, Leech, M'Camant, M'Creary, M'Kee, Mann, Marks, Mechling, Meily, Pennypacker, Peter, Quay, Richards, Roath, Seiler, Sharples, Shuman, Steacy, Stehman, Stumbaugh, Subers, Waddell, Wallace, Watt, Webb, Weller, Whann, Wharton, Wilson, Wingard, Woodward, Worrall and Wright—56.

NAYS—Messrs. Barrington, Boyle, Breen, Brennan, Chalfant, Collins, Craig, Deise, Fogel, Gregory, Harner, Heltzel, Hood, Hunt, Jenks, Jones, Josephs, Kline, Koon, Kurtz, Linton, Long, M'Henry, Maish, Meyers, Mullin, Phelan, Quigley, Rhoads, Robinson, Roush, Satterthwait, Tharp and Westbrook—34.

So the question was determined in the affirmative.

The question recurring,

Shall the decision of the Chair stand as the judgment of the House?

The yeas and nays were required by Mr. GREGORY and Mr. ARMSTRONG, and were as follow, viz:

YEAS—Messrs. Adaire, Allen, Armstrong, Chadwick, Chase, Colville, Day, DeHaven, Donohugh, Espy, Ewing, Freeborn, Gallagher, Ghegan, Gordon, Harbison, Hoffman, Humphrey, Kennedy, Kerns, Kimmell, Kinney, Lee, Leech, M'Camant, M'Creary, M'Kee, Mann, Marks, Mechling, Meily, Pennypacker, Peter, Quay, Richards, Roath, Seiler, Sharples, Shuman, Steacy, Stehman, Stumbaugh, Subers, Waddell, Wallace, Watt, Webb, Weller, Whann, Wharton Wilson, Wingard Woodward, Worrall and Wright—55.

NAYS—Messrs. Barrington, Boyle, Breen, Brennan, Chalfant, Collins, Craig, Deise, Fogel, Gregory, Harner, Headman, Heltzel, Hood, Hunt, Jenks, Jones, Josephs, Kline, Koon, Kurtz, Linton, Long, M'Henry, Maish, Meyers, Mullin, Phelan, Quigley, Rhoads, Robinson, Roush, Satterthwait, Tharp and Westbrook—32.

So the question was determined in the affirmative.

The question recurring on agreeing to the amendment of Mr. MANN,

Mr. MANN. Mr. Speaker, I call the previous question.

Mr. QUIGLEY. Mr. Speaker, I rise to a point of order, that the amendment of the gentleman from Potter is in violation of the Constitution of the State, and also in violation of Rule 46 of this House.

Mr. M'CAMANT. Mr. Speaker, does not the call for the previous question cut off the point of order?

The SPEAKER. The Chair recognizes the gentleman from Potter as calling the previous question.

Mr. QUIGLEY. Does the Chair refuse to recognize me?

The SPEAKER. The understanding of the Chair is that the previous question cuts off everything else.

Mr. QUIGLEY. Mr. Speaker, I wish to call your attention to rule——

The SPEAKER. The gentleman is not in order now.

Mr. GREGORY. Mr. Speaker, I would like the point of order decided, whether——

The SPEAKER. The Chair recognizes the gentleman from Potter as calling the previous question.

Mr. QUIGLEY. I appeal from the decision of the Chair.

The SPEAKER. The gentleman is not in order.

The call for the previous question was seconded by Messrs. Kerns, Hoffman, M'Creary, Wilson, Espy, Watt, DeHaven, Seiler M'Camant, Leech, Humphrey and Woodward.

The question being,

Shall the main question be now put?

The yeas and nays were required by Mr. COLLINS and Mr. GREGORY, and were as follow, viz:

YEAS—Messrs. Adaire, Allen, Armstrong, Chadwick, Chase, Colville, Day, DeHaven, Donohugh, Espy, Ewing, Freeborn, Gallagher, Ghegan, Gordon, Harbison, Hoffman, Humphrey, Kennedy, Kerns, Kimmel, Kinney, Lee, Leech, M'Camant, M'Creary, M'Kee, Mann, Marks, Mechling, Meily, Pennypacker, Peter, Quay, Richards, Roath, Seiler, Sharples, Shuman, Steacy, Stehman, Stumbaugh, Subers, Waddell, Wallace, Watt, Webb, Weller, Whann, Wharton, Wilson, Wingard, Woodward, Wright and Glass, *Speaker*—55.

NAYS—Messrs. Barrington, Boyd, Boyle, Breen, Brennan, Chalfant, Collins, Craig, Deise, Fogel, Gregory, Harner, Headman, Heltzel, Hood, Hunt, Jenks Jones, Josephs, Kline, Koon, Kurtz, Linton, Long, M'Henry, M'Pherrin, Maish, Meyers, Mullin, Phelan, Quigley, Rhoads, Robinson, Roush, Satterthwait, Tharp and Westbrook—37.

So the question was determined in the affirmative.

The question recurring on agreeing to the amendment of Mr. MANN,

The yeas and nays were required by Mr. MEYERS and Mr. COLLINS, and were as follow, viz:

YEAS—Messrs. Adaire, Allen, Armstrong, Chadwick, Chase, Day, DeHaven, Donohugh, Espy, Ewing, Freeborn, Gallagher, Ghegan, Gordon, Harbison, Hoffman, Humphrey, Kennedy, Kerns, Kimmell, Kinney, Lee, Leech, M'Camant, M'Creary, M'Kee, M'Pherrin, Mann, Marks, Mechling, Meily, Pennypacker, Peter, Quay, Richards, Roath, Seiler, Sharples, Shuman, Stehman, Stumbaugh, Subers, Waddell, Wallace, Watt, Webb, Weller, Whann, Wharton, Wilson, Wingard, Woodward, Worrall, Wright and Glass, *Speaker*—55.

NAYS—Messrs. Barrington, Boyle, Breen, Brennan, Chalfant, Collins, Craig, Deise, Fogel, Gregory, Harner, Headman, Heltzel, Hood, Hunt, Jenks, Jones, Josephs, Kline, Koon, Kurtz, Linton, Long, M'Henry, Maish, Meyers, Mullin, Phelan, Quigley, Rhoads, Robinson, Roush, Satterthwait, Tharp and Westbrook—35.

So the question was determined in the affirmative.

The question recurring on agreeing to the bill as amended,

The yeas and nays were required by Mr. COLLINS and Mr. BREEN, and were as follow, viz:

YEAS—Messrs. Adaire, Allen, Armstrong, Chadwick, Chase, Colville, Day, DeHaven, Donohugh, Espy, Ewing, Freeborn, Gallagher, Ghegan, Gordon, Harbison, Hoffman, Humphrey, Kennedy, Kerns, Kimmell, Kinney, Lee, Leech, M'Camant, M'Kee, M'Pherrin, Mann, Marks, Mechling, Meily, Pennypacker, Quay, Richards, Roath, Seiler, Sharples, Shuman, Steacy, Stehman, Stumbaugh, Subers, Waddell, Wallace, Watt, Webb, Weller, Whann, Wharton, Wilson, Wingard, Woodward, Worrall, Wright and Glass, *Speaker*—55.

NAYS—Messrs. Barrington, Boyle, Breen, Brennan, Chalfant, Collins, Craig, Deise, Fogel, Gregory, Harner, Headman, Heltzel, Hood, Hunt, Jenks, Jones, Josephs, Kline,

Koon, Kurtz, Linton, Long, M'Henry, Maish, Meyers, Mullin, Phelan, Quigley, Rhoads, Robinson, Roush, Satterthwait, Tharp and Westbrook—35.

So the question was determined in the affirmative.

The question being on agreeing to the title,

Mr. MANN moved to amend so as to have the title read, "an act to establish criminal courts for Dauphin, Lebanon and Schuylkill counties."

Mr. BOYLE. Mr. Speaker, the title just read is not an appropriate one. This bill, sir, pretends to establish a court of criminal jurisdiction, with all the appropriate machinery, for three counties. But we find by the time we reach the end of the bill, that while the district is composed of three counties, the court established is to try cases in only one.

Mr. MANN. Mr. Speaker, I rise to a point of order.

I withdraw my amendment and make the point of order, that the previous question is not exhausted.

The SPEAKER. It is exhausted.

Mr. BOYLE. Mr. Speaker, I repeat that while the district is composed of three counties, the court is for only one. This court is to have the right to try all persons charged with crime in the county of Schuylkill, in every case, and there is no discretion in any officer, or any person, as to whether the case shall be tried in this court, or in the regular court of over and terminer or quarter sessions; but when you approach the loyal counties of Dauphin and Lebanon, then you stand upon holy ground, and must take off your shoes. Then this court is only a court in name, without power to try a single case, Here the ordinary courts retain all their powers—try for all the offenses of which they now have jurisdiction.

The counties of Danphin and Lebanon are made a part of this district, only because their Republican majorities are sufficient to overcome the Democratic majority in Schuylkill county. It is an audacious attempt to place over the people of Schuylkill county a tribunal not of their own choice, and make them subject to judges not of their own selection. And it makes fat places for several new Republican officials—a purpose which gentlemen seem to consider the chief end of our assembling here. The Republican caucus, held last night, could devise no other means to overcome the Democratic majority in Schuylkill county. The Constitution requires that the judges of the court shall be elected by the people over whom they are to administer the law. Its plain provisions are thus evaded and violated, for no other purpose under heaven than to secure a mere partisan advantage. That is all. And you call that performing your duty with fidelity. You do, some gentleman says; well, your conceptions of duty and mine do not, by any means, agree.

Mr. ARMSTRONG. That is a mere matter of opinion.

Mr. BOYLE. I have no opinion of the gentleman from Lancaster. Now, what I have stated is the fact, and I ask the gentleman from Potter to deny it—to deny that these two counties are not tacked on merely to vote down Schuylkill county, and to do a thing which could not otherwise be done under the Constitution.

I say, then, Mr. Speaker, that the title is not a proper one, and that some other title should be devised. Nor is the title that the gentleman from Potter suggested an appropriate one. He has labored during two sessions that I have served with him, to establish a reputation for fairness and honesty, and I gladly attest that he had entirely succeeded. I regarded him as one of the fairest and most honest man in the House; but, sir, I say with regret that I fear he has blown it away to-day with a single breath, in bringing this bill before the House by a trick, and calling the previous question, without giving any one an opportunity to say anything.

Mr. Speaker, I am in no condition to discuss the merits of the bill, even were it in order to do so. As it is not, I have merely called the attention of this House to one feature of it, and I do hope that, even if not another word be said upon this side of the House against the bill, that, for the reputation of the great Republican party which governs us, that some gentleman on the other side of the House will give us some reason why this bill should pass, and why Dauphin and Lebanon counties should be included in the bill with Schuylkill county for no other purpose but to vote Schuylkill county down. I have some regard for the reputation of the gentleman from Potter. We have, during this session, been pretty much in the same boat, except upon the words "white" and "black," and I desire to hear him vindicate himself.

Mr. MEYERS. Mr. Speaker, the question is upon the amendment of the gentleman from Potter to the title of this bill. The amendment offered by him to the bill, I suppose, makes it necessary that this amendment should be made to the title. As it appears upon our file it is to provide for an associate law judge of the several courts in the Twenty-first judicial district, and is one of a character which are frequently brought to consideration in this House.

In many instances the business and duties of a judge in a district are of such an extraordinary and burdensome character that they require an additional law judge to dispose of it. It may have been proper, and no doubt it was in this case, that an additional law judge should have been elected in the Twenty-first district, and that they should have some legal authority to enable them to do so. When this bill was called up this morning, by the gentleman from Potter, he called it up as an important bill to a portion of the people of this Commonwealth. Supposing that the gentleman from Potter was immediately interested, and that it referred to his own section of country, I withdrew my objections to this bill this afternoon, to enable the member from Potter to take up the bill as it appears on the file.

Mr. DONOHUGH. Mr. Speaker, I rise to a point of order. The gentleman from Northampton is out of order in discussing the merits of the bill at this time.

Mr. MEYERS. Mr. Speaker, I am speaking on the question of the amendment of the gentleman from Potter to the title of the bill. This bill was to create an additional law judge in the Twenty-first district, but when, by the courtesy of the House, this bill was taken up out of order, the member from Potter asks to substitute another bill providing for the erection of an additional judicial district in this Commonwealth, conining its jurisdiction to criminal cases, by annexing two other counties. He does not come here and ask the passage of this bill as it appears on the file, but he substitutes another, by which he adds two other counties to that district, and in all its provisions, inconsistent with the bill on our file.

Now, I am aware that the point of order taken by the gentleman on the other side is well taken and that it is not proper for me to discuss the merits of this bill at this time. But I shall take the opportunity which the rules of this House will give me to spread upon the record, and to be printed in our daily *Record*, the reasons which induced me to withdraw the objection which I made this morning to this bill. I say, sir, at this time briefly, that the gentleman from Potter this morning called up this bill for the purpose of passing the bill as it stands upon the file, and he then declared upon this floor that it was important to a portion of the people of this Commonwealth that the bill, as it now stands upon our file, should be passed.

But instead of doing that when, through my kindness and courtesy, I withdrew my objections which I made to the bill this morning, instead of asking the House to pass this bill under this title as it appears upon the files, he now comes here and moves to strike out that title, and to strike out that bill, and substitute an entirely different bill from the one upon the record.

Now, Mr. Speaker, if the people of this Commonwealth require, through her representatives, that the criminal law of Pennsylvania should be amended for the purpose of protecting the citizens in any of its counties, I think, sir, this Legislature is competent, by general laws and general provisions, to amend the laws as will protect them. Are not the people of Pennsylvania a law abiding people?

Have not the people got the machinery of the Government which they can apply at any moment for their protection? Have they not the provision in our Constitution by which the fundamental law can be amended from time to time, and by which the lives and property of the people can be more amply secured? Whence, then, I ask, is the justness and fairness for introducing, in this House, an extraordinary and unheard of substitute to a bill which in the first instance passed the Senate committee, passed that body, was brought into this House, referred to the Judiciary Committee, of which the gentleman from Potter is chairman, there passed upon, printed and laid upon our tables with provisions upon its face which no man can misunderstand, providing for an additional law judge.

Mr. MANN. Will the gentleman allow me to ask him a question?

Mr. MEYERS. Certainly, sir,

Mr. MANN. Mr. Speaker, I am told that the gentleman from Northampton says I wanted to pass this bill in its original shape.

Mr. MEYERS. He said he desired to pass Senate bill No. 275.

Mr. MANN. No, sir, I said nothing about passing it in that shape. I said I desired to call it up, and that is all I said. I want to know whether the gentleman alleges that I suggested anything about passing the bill in the shape in which it came from the Senate?

Mr. MEYERS. I reply that such was what I understood him to say; that he called up this bill and asked the unanimous consent of the House for the purpose of passing Senate bill No. 275; that it was an important bill in reference to a portion of the people of this Commonwealth.

Mr. MANN. I did not even say that. I said I wanted to proceed to the consideration of it. Whoever states that I said I wanted to pass the bill as it was states a falsehood.

Mr. MEYERS. Mr. Speaker, I am opposed to this amendment to this title, for the reason that the substitution of this bill in place of the original bill came before this House in such a fraudulent manner that justice and common decency demands that this House should not amend it, so that this bill shall fall by not coming within the requirements of the Constitution, that the title should agree with the bill. I shall then discuss the reasons which should govern my action upon the whole question, and state the circumstances how this bill came before the House. This bill is for an additional law judge in Schuylkill county. It is a law which the

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[CONTINUED FROM PAGE 896.]

people of Schuylkill county want, and it is a bill which the members from Schuylkill county upon this floor want. It is a bill which the Senator from that district defended and advocated on the floor of the Senate, and by his word and speech, passed it there against a Republican majority. It went through the Judiciary committee of the Senate, through the Senate with a Republican majority, and the committee of the House reported the bill in the form in which they received it. Is it not easy to understand that when a bill of this character is called up, and under these circumstances, that the object and purpose is to pass the bill as it is upon our files. I say, sir, that when a bill comes into the House in this way—which comes before this House on account of my kindness in withdrawing my objections, and an attempt is made to strike out every word of the bill, and substitute in the place of it another, outrageous in its provisions, totally inconsistent with the original bill, and at variance with the criminal jurisprudence of the State—I say, sir, it is a fraud upon this House; it is a fraud upon the people of Schuylkill county; it is a fraud upon every Senator and Representative in this Legislature, and upon all the people of this Commonwealth. This bill, which is thus before us, and which does not come in the ordinary way, creating a new additional judicial district, is a fraud and despotism upon the people of Schuylkill county, in the way which the criminal law is to be administered.

Mr. M'CAMANT. Mr. Speaker, I call the gentleman to order. He is not discussing the title of the bill.

Mr. MEYERS. Mr. Speaker, I am discussing the amendment to this title, and showing why it should not pass, so that the bill may fall.

If, then, under these circumstances, looking clearly and distinctly at the history of this bill, its passage in the Senate, its passage in the Judiciary Committee of the Senate, its passage in the Judiciary Committee of this House, its being placed upon our files as a simple bill, containing only ten or twelve lines, for an additional law judge in that judicial district, sir, how can—

Mr. WRIGHT. Mr. Speaker, I call the previous question. I don't feel like sitting here all summer for nothing.

Mr. MEYERS. Mr. Speaker, how can, sir—

The SPEAKER. The gentleman from Snyder [Mr. WRIGHT] calls the previous question. Does the gentleman insist upon his call?

The call was not insisted upon.

Mr. MEYERS. I say, Mr. Speaker, there can be no misunderstanding of the position which we occupy upon this question. When we come here as representatives to make laws for our constituents to live under, let us make those laws understandingly, and let us make them, at least, honestly. If they had intended to pass this bill in the shape in which it is amended, if they intended to carry it upon political principles and partisan grounds, Mr. Speaker, you and your party in this House and in the Senate, and the Governor, had the power to do it. They have had the power over three months, in which this House has been in session, to pass a bill in that shape and form, if they had chosen to do so—printed their infamous bill and given the minority and the people of Pennsylvania time to scan its provisions. But they dared not do it.

Mr. PENNYPACKER. Mr. Speaker, I rise to a point of order. My point of order is that the gentleman has spoken ten minutes.

Mr. MEYERS. This bill upon our files occupies but six or ten lines, and we have substituted in its place another bill containing a dozen or more sections, each section longer than the section in the original bill, and entirely different. But under the whip and the lash of the previous question, so ungraciously called for by the gentleman from Potter, prevented the minority to discuss, in behalf of the people, the iniquity and unconstitutionality of this amendment.

The SPEAKER. The gentleman's time is up.

Mr. COLLINS. Mr. Speaker, this original bill was approved by the members of the bar on both sides in Schuylkill county, and sent to this Legislature for our consideration.

It met with our approbation, and all that was required of us was a provision that the Governor should appoint the judge until the next election. We agreed to that. The bill went into the Senate, was passed by the Judiciary Committee and by that body. It took its regular course, and every person seemed to be satisfied with it, with the single exception of one man, who is lobbying this substitute bill through. The people of Schuylkill county do not hold him responsible for anything that he does, nor do I hold myself responsible for his action in this matter. This man has spent considerable time here, and has made his brags that the original bill should not go through.

They may talk as they pleas about the crimes committed in Schuylkill county. Take the cases of murder in Schuylkill county, and compare them with any portion of the State, and you will find that they do not exceed those in many other counties in the Commonwealth. Look at the counties of Allegheny and Philadelphia, and you will find that the county of Schuylkill is quite a paradise in comparison. But we do not hear anything about the murder and other crimes committed there. You all remember the fearful murder committed in York county and Cumberland county not long ago. Why are these facts, this state of things in other counties, made the basis for such remedies, and even punishments, as is proposed to be inflicted upon Schuylkill?

Sir, I think the House does us a great injustice by enforcing the kind of gag law that has been in operation this afternoon, and not allowing us a fair chance on a bill which interests us so vitally as does this.

The question being on the amendment of Mr. MANN to the title,

The yeas and nays were required by Mr. COLLINS and Mr. MANN, and were as follow, viz:

YEAS—Messrs. Adaire, Allen, Armstrong, Barton, Chadwick, Chase, Collville, Day, DeHaven, Donohugh, Espy, Ewing, Freeborr, Gallagher, Ghegan, Gordon, Harbison, Hoffman, Humphrey, Jones, Kennedy, Kerns, Kimmell, Kinney, Lee, Leech, M'Caman, M'Creary, M'Kee, Maish, Mann, Marks, Mechling, Meily, Pennypacker, Peter, Quay, Richards, Roath, Seiler, Sharples, Shuman, Steacy, Subers, Waddell, Wallace, Watt, Webb, Weller, Wharton, Wilson, Wingard, Woodward, Wright and Glass, *Speaker*—55.

NAYS—Messrs. Barrington, Boyd, Boyle, Breen, Brennan, Chalfant, Collins, Craig, Deise, Fogel, Gregory, Harner, Headman, Heltzel, Hood, Hunt, Jenks, Kline, Koon, Kurtz, Linton, Long, M'Henry, M'Pherrin, Meyers, Mullin, Phelan, Quigley, Rhoads, Robinson, Roush, Satterthwait, Tharp and Westbrook—34.

So the question was determined in the affirmative.

The question recurring on the title as amended,

Mr. JONES. Mr. Speaker, I rise to a privileged question. I move to reconsider the vote just had on the amendment of the gentleman from Potter [Mr. MANN].

Mr. MAISH. Mr. Speaker, I second the motion.

Mr. BARTON. Mr. Speaker, I move to indefinitely postpone the motion to reconsider.

Mr. MANN. Mr. Speaker, I second the motion.

The question being on the motion of Mr. BARTON to indefinitely postpone the motion of Mr. JONES to reconsider the vote on the amendment of Mr. MANN,

The yeas and nays were required by Mr. JONES and Mr. HEADMAN, and were as follow, viz:

YEAS—Messrs. Adaire, Armstrong, Barton, Chadwick, Chase, Colville, Day, DeHaven, Donohugh, Espy, Ewing, Freeborn, Gallagher, Ghegan, Gordon, Harbison, Headman, Hoffman, Humphrey, Kennedy, Kerns, Kimmell, Kinney, Lee, Leech, M'Camant, M'Creary, M'Kee, Mann, Mechling, Meily, Pennypacker, Peter, Quay, Richards, Roath, Seiler, Sharples, Shuman, Steacy, Stehman, Subers, Waddell, Wallace, Watt, Webb, Weller, Wharn, Wharton, Wilson, Wingard, Woodward, Worrall, Wright and Glass, *Speaker*—55.

NAYS—Messrs. Barrington, Boyd, Boyle, Breen, Brennan, Chalfant, Collins, Craig, Deise, Fogel, Gregory, Harner, Heltzel, Hood, Hunt, Jenks, Jones, Josephs, Kline,

Koon, Kurtz, Linton, Long, M'Henry, Maish, Markley, Meyers, Mullin, Phelan, Rhoads, Robinson, Roush, Satterthwait and Westbrook—34.

So the question was determined in the affirmative.

Mr. GREGORY. Mr. Speaker, I rise to a question of privilege. I move to reconsider the vote just had.

The SPEAKER. The gentleman's name does not appear as having voted with the majority.

Mr. GREGORY. I did vote with the majority, and if the Clerk has taken my vote otherwise he has not taken it correctly.

Mr. COLLINS. Mr. Speaker, I move that this House do now adjourn.

The question being on the motion of Mr. COLLINS to adjourn,

The yeas and nays were required by Mr. COLLINS and Mr. GREGORY, and were as follow, viz:

YEAS—Messrs. Barrington, Boyd, Boyle, Breen, Collins, Craig, Deise, Fogel, Gregory, Harbison, Harner, Headman, Heltzel, Hood, Hunt, Jenks, Jones, Josephs, Kline, Koon, Kurtz, Linton, Long, M'Henry, Maish, Markley, Meyers, Mullin, Phelan, Rhoads, Robinson, Roush, Satterthwait, Tharp and Westbrook—35.

NAYS—Messrs. Adaire, Allen, Armstrong, Barton, Chadwick, Chase, Colville, Day, DeHaven, Donohugh, Espy, Ewing, Freeborn, Gallagher, Ghegan, Gordon, Hoffman, Humphrey, Kennedy, Kerns, Kimmell, Kinney, Lee, Leech, M'Camant, M'Creary, M'Kee, Mann, Marks, Mechling, Meily, Pennypacker, Peter, Quay Richards, Roath, Seiler, Sharples, Shuman, Steacy, Stehman, Stumbaugh, Subers, Waddell, Wallace, Watt, Webb, Weller, Whann, Wharton, Wilson, Wingard, Woodward, Worrall, Wright and Glass, *Speaker*—56.

So the question was determined in the negative.

The question recurring on the title as amended,

Mr. WRIGHT. Mr. Speaker, I call the previous question.

The call for the previous question was seconded by

Messrs. Mann, Humphrey, Webb, Chase, Watt, Wharton, Worrall, Colville, Chadwick, Leech and Roath.

Mr. GREGORY. Mr. Speaker, I rise to a privileged question.

The SPEAKER. The gentleman is out of order.

The question being,

Shall the main question be now put?

The yeas and nays were required by Mr. COLLINS and Mr. BREEN, and were as follow, viz:

YEAS—Messrs. Adaire, Allen, Armstrong, Barton, Chadwick, Chase, Colville, Day, DeHaven, Donohugh, Espy, Ewing, Freeborn, Gallagher, Ghegan, Gordon, Harbison, Hoffman, Humphrey, Kerns, Kimmell, Kinney, Lee, Leech, M'Camant, M'Creary, M'Kee, Mann, Marks, Mechling, Pennypacker, Peter, Quay, Richards, Roath, Seiler, Sharples, Shuman, Stehman, Stumbaugh, Subers, Wallace, Watt, Webb, Weller, Wilson, Wingard, Worrall, Wright and Glass, *Speaker*—50.

NAYS—Messrs. Barrington, Boyd, Boyle, Breen, Brennan, Chalfant, Collins, Craig, Deise, Fogel, Gregory, Harner, Headman, Heltzel, Hood, Hunt, Jenks, Jones, Josephs, Kline, Koon, Kurtz, Linton, Long, M'Henry, Maish, Markley, Meyers, Phelan, Quigley, Rhoads, Robinson, Roush, Satterthwait, Tharp and Westbrook—36.

So the question was determined in the affirmative.

The question recurring on the title as amended,

It was agreed to.

The question being on ordering the bill to be transcribed,

The yeas and nays were required by Mr. GREGORY and Mr. BREEN, and were as follow, viz:

YEAS—Messrs. Adaire, Allen, Armstrong, Barton, Chadwick, Colville, Day, DeHaven, Donohugh, Espy, Ewing, Fogel, Freeborn, Gallagher, Ghegan, Gordon, Gregory, Harbison, Headman, Hoffman, Humphrey, Kennedy, Kerns, Kimmell, Kinney, Lee, Leech, M'Camant, M'Creary, M'Kee, Mann, Marks, Mechling, Meily, Pennypacker, Peter, Quay, Richards, Roath, Seiler, Sharples, Shuman, Stehman, Subers, Waddell, Wallace, Watt, Webb, Weller, Whann, Wharton, Wilson, Wingard, Woodward, Worrall, Wright and Glass, *Speaker*—57.

NAYS—Messrs. Barrington, Boyd, Boyle, Breen, Brennan, Chalfant, Collins, Craig, Deise, Harner, Hood, Hunt, Jenks, Jones, Josephs, Kline, Koon, Kurtz, Linton, Long, M'Henry, Maish, Markley, Meyers, Phelan, Quigley, Rhoads, Robinson, Roush, Satterthwait, Tharp and Westbrook—32.

So the question was determined in the affirmative.

Mr. GREGORY submitted in writing his remarks on the bill, as follows:

Mr. Speaker, the most iniquitous bill of this session is the one now under consideration; infamous alike in its provisions and in the manner in which the minority of this House have been deceived in having it brought forward for consideration. Mr. Speaker, what necessity for the passage of this law can excuse the base manner by which the gentleman, or rather member, from Potter [Mr. MANN] inveigled my colleagues from Northampton [Mr. MEYERS] into allowing the same to be considered? But, as far as I can judge, the Republican majority of this House, having had this bill carefully considered in their secret councils, and fully knowing its tyrannic contents, cast about for a plausible tool to use for the purpose of misleading the minority, and finding none more willing than the member from Potter, he was selected for the honorable purpose of foisting, under a fair guise, a bill for the oppression of the people of Shuylkill county. Writhing under the infliction of the castigations received in Connecticut and elsewhere, in the recent elections, the wrath of the Republicans had to be appeased, and who so able to bear their maledictions as the poor miners of Schulkill county?

And, Mr. Speaker, let me here show the animus of the bill, as evinced by the suggested amendment of one of my Republican colleagues from Philadelphia, who moved to amend the title by calling it a "bill for the protection of the Molly Maguires." It came forth unwittingly and incautiously from his lips, but it nevertheless showed plainly to the minds of all that the object for the passage of this villainous bill was not for the preservation of law and order, but for the oppression of the hardworking Democratic masses of Schuylkill county. But, Democrats of old Schuylkill, I say to you waver not in your devotion to the cause of constitutional liberty, for dawn appears; already a light is breaking in the east, and so sure as the sun rises and sets, so sure will the Democratic party—God bless it, I am sure he does—so sure will it regain the power lost in the madness and passions of the hour, and raising our Commonwealth once more to the proud position held under its benign influence in "auld lang syne"—make it as it should be, a land of liberty. Then farewell all usurpations, in whatever shape presented.

Mr. Speaker, some of my colleagues assert that when that day comes, the Democratic party will be magnanimous. True, sir, it will be; but so far as I can speak for it, I will say, we have old scores first to settle, the centumely of years to repay, the studied insults heaped upon us, our wives and our children—will I forgive such as have so wronged me and my principles? Never, never, never. History will again repeat itself, and our dawn appears. It comes slowly but none the less sure. Till then, our beacon lights burn brightly on a thousand hills, our sentinels guard well every outpost, and ere long we shall be greeted with the cry of "all's well!" echoed from the throats of the millions of fire-tried, unswerving masses of the Democratic party. All hail, thou tribunal of liberty that knows no North, no South, no East, no West, but one grand Republic, washed by the waves of the Atlantic and Pacific and the Gulf of Mexico; one in heart and one in every feeling that binds man to his fellow! But, Mr. Speaker, I say we shall and will have our day of settlement. Like the noble red man, the monarch of the wilds, the Democratic party never forgets a kindness nor forgives an insult.

We must have no more such scenes as we have passed through. Safeguards must be thrown around us, and when the day comes when we once more regain our power, and it soon will come, our duty bids us we must take advantage of the situation. We have been treated to a surfeit of New England idiss; my friends on the other side fail to see the glories of our good old Commonwealth, and laud the fanaticisms of New England. Let them do so; I am content to wait—men of Schuylkill do likewise. Let me tell them, however, that we will have no more of it when our day of promise arrives. We intend then to have the country in our safe keeping, and come weal, come woe, will ever have it so. The knell of the Republican party has already sounded. There will be but one party for this Republic; none other shall exist but the one that loves liberty and dares do battle for it. We have precedents and will use them, and I will say that bigoted, puritanical New England will know them, know them well—know them as we have known them through many long days of trials and sufferings. Our duty to our children demands that we shall bequeath them a land of liberty, in which to dwell together in harmony and peace; but there can be no peace, no happiness, no security, while the mighty power of the puritan holds its sway; it wars with liberty; it was bred in persecution and grew and fattened on bigotry, and like all monsters must be destroyed. The Democratic party will be the St. George, and the dragon of New England must perish. Then Mr. Speaker, we will be magnanimous—then, when history has repeated itself, will we be magnanimous, and not until then.

We never asked quarter, and until we have been revenged for our insults and wrongs, we will grant none. Our motto is: "We ask no favors and shrink from no responsibilities."

The laboring masses of Schuylkill county have been called rebels—charged with aiding and abetting the rebels of the South during the rebellion. False in heart, false in their party principles, my Republican colleagues know, well know, that few, very few of them would have remained, at this day, to make such an assertion, in truth, if the party of which I am an humble member, had thrown its great strength in the conflict against them. No, Mr. Speaker, we strove, as we ever did and always will, for the maintenance of our Union one and indivisible, but the evil passions of the hour—the hate, the bigotry of puritanism had full sway, and look at the result. Is this a land of liberty? No! a thousand times no! But, thank God, we soon will be again, and then, and not till then, will I say with pride, I am an American

citizen—free, and the peer of any white man—the superior of the black.

I had not intended saying anything on this question, Mr. Speaker, but I should be false to my constituents, false to the oppressed Democracy of Schuylkill, false to my teachings, did I not say, as I have before remarked, that the great Democratic party, the party of law and liberty, needed no defense; but proud and defiant, would, like the snake to which we have been likened, strike with uplifted head, even with the tyrant's heel upon us, even though it crushed us in the encounter. But we have only been scotched, not killed, and the sun of our hopes, rising above the black horizon that has so long encircled us, will soon warm our torpid form, and once more graceful and beautiful, but powerful in our strength, will live watchful and wary, and never, never, never shall the heel of the oppressor be planted on us again.

Proud of my Democratic constituents; proud of the old Democratic party, I will close my remarks by saying "God bless them," and give the men of Schuylkill strength to resist all overtures of reconciliation and compromise that their honor and manhood, and the rights of all their brethren, bids them reject—suffer a little longer—bear the cross a little farther, and then the dawn of promise comes, the country is purged, and we are free white men once more.

MESSAGES FROM THE SENATE.

The clerk of Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows, viz:

No. 700, a supplement to an act to incorporate the Chester Creek railroad company, approved the 16th day of April, 1866,

With information that the Senate has passed the same without amendment.

He also presented the following extract from the Journal:

IN THE SENATE, April 4, 1867.

Resolved, That the House of Representatives be requested to return to the Senate, Senate bill No. 1428, entitled A supplement to an act for the more effectual protection of the owners of logs and lumber in the Susquehanna river, extending the same to logs floated down the Loyalsock and Muncy creeks.

On motion,

The House concurred in the said resolution; and

Ordered, That the Clerk inform the Senate of the same.

The Clerk of the Senate being introduced, also presented for concurrence bills numbered and entitled as follows, viz:

No. 1505, a further supplement to an act to incorporate the Jamestown and Franklin railroad company, approved April 3d, 1862, authorizing said company to borrow money.

Laid on the table.

No. 1511, an act annexing the farm of John Hamilton, in Sandy Lake township, Mercer county, to North township, in said county, for school purposes.

Laid on the table.

No. 1540, a supplement to an act annexing the borough of Manchester to Allegheny city, approved March 12th, 1867.

Laid on the table.

No. 1513, an act to lay out a State road in Allegheny and Washington counties.

Referred to the Committee on Roads, Bridges and Ferries.

He also returned bill for the House of Representatives numbered and entitled as follows:

No. 736, an act to provide for the appointment of controllers of the public schools of the First school district of Pennsylvania,

With information that the Senate has passed the same with amendments, in which the concurrence of the House of Representatives is requested.

He also informed that the Senate has concurred in the amendments made by the House of Representatives to Senate bills numbered and entitled as follows:

No. 312, an act to extend the time for the payment of the enrollment tax upon an act entitled An act to authorize the Western Maryland railroad company to locate a portion of their road through Adams and Franklin counties, Pennsylvania, approved the twenty-third day of March, 1865, and relating to the location of the said railroad, and the connections of the Gettysburg railroad therewith.

No. 317, a supplement to an act to incorporate the Allentown Passenger railway company, approved the 21st of March, 1864.

No. 927, an act authorizing an increase of the capital stock of the Connecting railway company.

No. 770, an act to provide for the continuance of the education and maintenance of the destitute orphans of the deceased soldiers and sailors, and the destitute children of permanently disabled soldiers and sailors of the State.

He also informed that the Senate has nonconcurred in the amendments made by the House of Representatives to Senate bill No. 190, entitled

A further supplement to the act incorporating the Township Line road company, fixing the terminus, and regulating tolls on said road.

On motion,

The House insisted upon its amendments to said bill; and

Ordered, That Messrs. GREGORY, WALLACE and FREEBORN be a committee on the part of the House, to confer with the committee already appointed, on the subject of the differences existing between the two Houses in relation to the said bill.

He also again returned bill from the House of Representatives numbered and entitled as follows, viz:

No. 669, an act amending the charter of the municipal corporation of the city of Lancaster, and dividing the same into nine wards,

(Which bill was returned to the House of Representatives by the Governor on the 3d inst., in pursuance of a request contained in a resolution adopted by both Houses), with information that the Senate has reconsidered the same, and concurred in the amendment made by the House of Representatives to said bill.

He also informed that the Senate has concurred in the resolution from the House of Representatives requesting the Governor to return to the House of Representatives House bill No. 951, entitled A supplement to an act to incorporate the Franklin silver mining company.

He also informed that the Senate has insisted on the amendments, non-concurred in by the House of Representatives, to House bill numbered and entitled as follows, viz:

No. 538, an act regulating interest on public accounts,

And has appointed Messrs. CONNELL, GRAHAM and WALLS a committee of conference, to confer with a similar committee on the part of the House of Representatives (if the House of Representatives shall appoint such committee), on the subject of the differences existing between the two Houses in relation to said bill.

On motion,

The House insisted upon its non-concurrence in the said amendments.

Ordered, That Messrs. WADDELL, JENKS and MANN be the committee on the part of the House in relation to said amendments.

Ordered, That the Clerk inform the Senate accordingly.

He also informed that the Senate has insisted upon its non-concurrence in the amendments, made and insisted upon by the House of Representatives, to Senate bill numbered and entitled as follows, viz:

No. 799, an act to incorporate the Scranton market company,

And has appointed Messrs. SHOEMAKER, COWLES and GLATZ a committee of conference on the part of the Senate, to confer with a similar committee, already appointed by the House of Representatives, on the subject of the differences existing between the two Houses in relation to said bill.

He also informed that the Senate has insisted upon its non-concurrence in the amendments, made and insisted upon by the House of Representatives, to Senate bill numbered and entitled as follows, viz:

No. 854, an act to allow the sheriff of Elk county fees for serving jury notices and increasing the pay of supervisors in said county,

And has appointed Messrs. WALLACE, RIDGWAY and HAINES a committee of conference on the part of the Senate, to confer with a similar committee, already appointed by the of Representatives, on the subject of the differences existing between the two Houses in relation to said bill.

Mr. M'CAMANT. Mr. Speaker, I move that this House do now adjourn.

On the question,

The yeas and nays were required by Mr. QUIGLEY and Mr. GREGORY, and were as follow, viz:

YEAS—Messrs. Adaire, Allen, Barrington, Barton, Boyle, Breen, Brennan, Chalfant, Collins, Craig, DeHaven, Deise, Donohugh, Fogel, Freeborn, Ghegan, Gordon, Gregory, Hurner, Heathman, Heltzel, Hoffman, Hood, Humphrey, Hunt, Jenks, Jones, Josephs, Kennedy, Kerns, Kimmell, Kinney, Kline, Koon, Kurtz, Lee, Leech, Linton, Long, M'Camant, M'Creary, M'Henry, M'Kee, Maish, Mann, Markley, Marks, Mechling, Meily, Meyers, Pennypacker, Peter, Quay, Quigley, Rhoads, Richards, Roath, Robinson, Roush, Satterthwait, Seiler, Sharples, Shuman, Stehman, Subers, Waddell, Wallace, Watt, Wharton, Wilson, Wingard, Woodward, Worrall, Wright and Glass, *Speaker*—74.

NAYS—Messrs. Armstrong, Chadwick, Chase, Colville, Day, Espy, Ewing, Gallagher, Harbison, Webb and Weller—10.

So the question was determined in the affirmative.

And the SPEAKER declared the House adjourned until 7½ o'clock, P. M.

AFTERNOON SESSION.

The House met at 7½ o'clock, P. M.

The SPEAKER announced a quorum of members present.

The special order being the consideration of bills on the third reading and on the second reading, the following bills were taken up and acted upon as stated:

House bill No. 595, an act relating to the duties of the treasurer of Lawrence county.

The question being on the final passage of the bill,

It was

Not agreed to.

House bill No. 369, an act to change the rate of interest from six to seven per centum.

The question being on the final passage of the bill.

The yeas and nays were required by Mr. MEYERS and Mr. HOOD, and were as follow, viz:

YEAS—Messrs. Adaire, Allen, Armstrong, Boyd, Chase, Colville, Craig, DeHaven, Donohugh, Espy, Freeborn, Ghe-

gan, Harbison, Hood, Josephs, Kerns, Kinney, Lee, Leech, Linton, M'Creary, M'Kee, Mann, Meily, Pennypacker Peter, Quay, Quigley, Roath, Shuman, Steacy, Stehman, Stumbaugh, Subers, Wallace, Watt, Webb, Wilson, Wingard, Woodward, Worrall and Glass, *Speaker*—42.

NAYS—Messrs. Barrington, Breen, Brennan, Chalfant, Collins, Day, Deise, Ewing, Fogel, Gordon, Gregory, Harner, Headman, Heitzel, Hunt, Jones, Kennedy, Kline, Koon, Kurtz, Long, M'Camant, M'Henry, Maish, Markley, Meyers, Mullin, Phelan, Rhoads, Richards, Robinson, Roush, Satterthwait, Seiler, Sharples, Tharp, Weller, Westbrook, Whann, Wharton and Wright—41.

So the question was determined in the affirmative, and

The bill

Passed finally.

Senate bill No. 677, an act to permit an appeal from the register of Lebanon county, in behalf of the heirs of Robert W. Coleman, deceased.

The question being on the final passage of the bill,

It was

Agreed to.

No. 781, an act to prevent cattle, horses, mules, sheep and hogs from running at large in Pulaski and Little Beaver townships, Lawrence county.

The question being on the final passage of the bill,

Mr. HARBISON asked and obtained the unanimous consent of the House to strike out that part of the bill making its provisions apply to Pulaski township.

Mr. WOODWARD asked and obtained the unanimous consent of the House to so amend the bill as to make it apply to Venango township, Erie county.

The bill as amended

Passed finally.

House bill No. 684, an act to vacate a part of the Township Line road, in the Twenty-first ward of the city of Philadelphia.

The question being on the final passage of the bill,

It was

Agreed to.

Senate bill No. 443, an act to divide the borough of Port Carbon, Schuylkill county, into two wards.

The question being on the final passage of the bill,

Mr. ARMSTRONG. Mr. Speaker, I hope this bill will not pass. I am informed by parties deeply interested in the welfare of that borough that this bill is not required for the good of its citizens. It is not required for anything of which I can learn, but a number of the best citizens are remonstrating against its passage. For election purposes the borough is not even too large; it makes but one decent election district. It might, however, be divided so as to put the offices into the hands of different parties from those that now hold them. I hope the bill will not pass.

Mr. COLLINS. Mr. Speaker, between the gentleman from Potter [Mr. MANN] and the gentleman from Lancaster [Mr. ARMSTRONG], Schuylkill county is so well represented that after a while we will apparently have no need of representation on this floor from that county. Schuylkill county seems to be a great bug in their ears.

Now, this is only a simple bill for the purpose of dividing a borough into two wards. In reply to the gentleman from Lancaster, I tell him that there are too many voters there for one district. There is no use in trying to crowd us out into the cold altogether. All we want is fair and just legislation in this House. I say this is a proper and just bill, and I hope it will pass.

Mr. QUAY. Mr. Speaker, I have only one word to say in regard to this bill. I know but very little about the merits of this bill, but it seems to me we are going a little too far to agree to defeat a bill to divide a borough into two wards, which is located in a district from which there are three representatives in favor of it. I think we have already treated the gentlemen from Schuylkill rough enough to-day without going any further.

The question being on the final passage of the bill,

It was

Agreed to.

House bill No. 973, an act to establish a ferry on the Ohio river, between Baden and Economy, in the county of Beaver.

The question being on the final passage of the bill,

It was

Not agreed to.

No. 379, an act validating the title to real estate heretofore sold and conveyed by executors or administrators.

The question being on the final passage of the bill,

Mr. DEISE asked and obtained unanimous consent of the House to amend the bill.

The bill as amended

Passed finally.

Senate bill No. 720, an act to repeal an act for the repeal of an act changing the venue of certain actions of ejectment from Armstrong to Allegheny county.

The question being on the final passage of the bill,

Mr. MECHLING. Mr. Speaker, I do not know, sir, that I can say very much in addition to what I have before said in reference to this case, unless it may be for the purpose of enlightening the minds of some of the gentlemen who were not present when this bill was brought up.

This is a bill to change the venue of two actions of ejectment from Armstrong county to Allegheny county. The actions were brought in Armstrong in 1858, against persons who had settled on lands in that county in 1819, or had purchased the lands at treasurer's sale, and have lived there for forty odd years. After they had lived on those lands for over forty years, Benjamin Rush Bradford brought two actions of ejectment against certain parties for the purpose of getting possession of those lands. One of these actions was tried in Armstrong county in 1863, and the verdict was against Mr. Bradford. He made a motion for a new trial, and, pending that motion, came down here to the Legislature of Pennsylvania and got an act passed changing the venue of this case from Armstrong to Allegheny county.

The motion for a new trial was argued in the district court of Allegheny county, before the judges of the same, and Judge Campbell, of Clarion county, who held the special court in Kittanning, in which this trial was had. A new trial was granted, but against the judgment of Judge Campbell. The cases were never put down for trial at all, and last year I had a bill passed changing the venue of these cases back to Armstrong county. They were put down for trial there some two months ago, and they are on the trial list now. Here is a paper, published in Kittanning, which contains a list of the causes set down for trial, from which I read:

LIST OF CAUSES

Set down for trial in the common pleas court of Armstrong county, wherein his honor, Joseph Buffington, president judge, was concerned, as counsel in the subject matter thereof, as he has certified of record to wit:

FIRST WEEK.

"B. R. Bradford vs. James Guthrie, *et al.*, 97, September, 1858.

"B. R. Bradford, vs. William M'Causlin, 98, September, 1858.

* * * * *

"And now, to wit: 24th November, 1866, the special court of November, 1866, adjourned to the second Monday in April, 1867, at two o'clock, P. M."

Now these cases are down for trial on next Monday, and they are of those kind of cases that cannot be tried without a struck jury.

Now, I have letters from two of the attorneys in the case in Kittanning, one of whom states:

"The sheriff takes the struck jury in the premises to-morrow, 3d instant, and unless the Legislature is determined that these cases shall not be tried as ordinary actions of ejectment are, they will be disposed of at our coming court."

The other gentleman says in his letter "that the jury have been struck by the attorneys of both parties in these cases, and the sheriff has fixed to-morrow for the jury and parties and artists to meet on the lands in dispute, to view the same."

Now, that was yesterday; these cases are now pending. The jury are out upon the premises, and next Monday, when the court meets, this case will be called up for trial.

I ask the members of this House if they are now willing to interfere with this matter and take these cases out of the hands of the court where they are pending and where they will be tried next week? Benjamin Rush Bradford, as I have said before, is a very wealthy man. He comes here and asks this Legislature to take out of the hands of the courts of Armstrong county these cases which rightfully belong there. He makes the declaration before the committee, and has made it here through the gentleman who has advocated his case on his part, that he could not get a fair trial in Armstrong county. Judge Campbell, who tried one of the cases, said that he could get a fair trial, and he refused, in the district court in Allegheny county, to grant him a new trial. Now he comes here and asks the Legislature to interfere against parties who have lived for forty odd years upon these lands, men who were born there, representatives of men who died there, and their orphan children who are residing upon these premises, and are defending this action through their guardians. I ask the Legislature of Pennsylvania if they are willing to permit a wrong like this to take these cases from the county where they properly belong and force them into Allegheny county?

I appeal to the members from Allegheny county if they will allow, in their county, two weeks to be occupied in the trial of these cases that belong to another district? These cases must be tried by a struck jury, and if they are taken into Allegheny county they must strike a jury there; that jury must go upon the premises, and then they must come back and have the cases tried. The case that was tried before in Kittanning could not be tried under one week, nor could it be tried in Allegheny county in less time; the two cases would, at least, occupy two weeks of the time of the juries and of the courts of Allegheny county. I appeal to the members from Allegheny county if, under these circumstances, they are willing to have the venue changed to that county? I wish to put these cases just in the proper light. I am putting it before this Legislature if they will insist in interfering with the law; if they will let a rich man come here and compel poor men to go into another district to defend their homes.

These lands were settled in 1819, and all the

witnesses who are acquainted with the landmarks are now old men and women, and if the venue in these cases is changed, they will have to be taken down to Allegheny county; they will have to be dragged from their firesides that they have sat beside for years, some of them in dotage, for the purpose of satisfying Benjamin Rush Bradford, who, because he knows that he has no justice in his cause—because he knows that he will be defeated in Armstrong county, tries to force them into another county, where the defendants cannot bring their witnesses to defend these lands. I appeal to the Legislature of Pennsylvania not to allow such an outrage as this—not to allow the rich to oppress the poor—not to allow Benjamin Rush Bradford, who owns land in almost every county in Western Pennsylvania, to come here and force these people to go into another district to defend the homes where they were born and upon which they settled over forty-eight years ago.

I say, Mr. Speaker, that I am in earnest in this matter, and, although the gentleman on the other side, in the common saying, has, perhaps, set up the House against me, yet, if he has, I want it to go upon the *Record* whether the Pennsylvania Legislature will do such an outrageous act as this.

Mr. WILSON. Mr. Speaker, without saying anything as to the merits of this case, I wish to say for Allegheny county that we have certainly got as much business there as we can attend to, and we have no desire to be saddled with any further cases of this kind. I know no person in Allegheny county asking for this thing. I have no desire to enter into the merits of the case further than to state that I do not think it is desirable to bring this or any other case from another district into the courts of Allegheny county. It is well known that we already have more business in the courts of Allegheny county than we can attend to in any reasonable time.

Mr. QUAY. Mr. Speaker, I do not desire to occupy the time of the House in discussing this case generally. I went over the entire ground when the case was up before. I will simply say that the reason for asking this change is, that Benjamin Rush Bradford cannot get a fair trial in Armstrong county, on account of the popular feeling against him; and in consequence of this fact, this Legisature, in 1864, changed the venue of these cases. The bill was passed and sustained both by the Senator and the member from Armstrong county.

The case had not come up for trial when the member from Armstrong last winter passed a bill changing the case back into Armstrong county, without my knowing anything about it. These cases were removed into Armstrong county, and the defendants in the case recovered from Mr. Bradford, some six hundred dollars cost for the change of venue.

I hope this House will pass the bill, as it passed the Senate unanimously.

Mr. LINTON. Mr. Speaker, I have persistently refrained from interfering with the local legislation of any gentleman on this floor, and I have done so because there seemed to be a rule among the members not to thus interfere. I have not done it in cases to change the venue, although in most all instances those changes of venue are wrong. But, inasmuch as the gentleman in whose county these lands in controversy are situated is opposed to this change of venue, I suppose it will not be contrary to any of the rules of courtesy if I unite with the gentleman from Armstrong county in protesting against this change of venue. I do this because I have information from a gentleman upon whom I rely, that the change of venue in these cases would prevent the defendants from getting justice at all; not because they would not have an impartial trial in Allegheny county, but from the fact that under the circumstances it will be impossible for them to go there for the trial at all.

They have the right of possession to the lands in controversy, and the witnesses to establish those claims are in Armstrong county, and any lawyer knows that a possessory title can only be established by a long train of witnesses. Many of the witnesses are aged and infirm, and whom it is difficult to move from their homes.

Mr. QUAY. I desire to call the attention of the gentleman to the fact that the plaintiff shall pay all the expense.

Mr. LINTON. Under the terms of this bill, I say that much of the expense will not be paid by the plaintiff.

Mr. MECHLING. Mr. Speaker, the gentleman from Beaver [Mr. QUAY] has said that the plaintiff, in these cases, will have to pay all the expense. I will explain that in this way: When this venue was changed from Armstrong county to Allegheny county, there was a motion for a new trial, the verdict being against Mr. Bradford. As a matter of course, he had to pay the costs, as the verdict was against him. When the venue was changed, the only cost was the cost then pending. It is only the cost due at that time that Mr. Bradford had to pay.

Mr. LINTON. Mr. Speaker, even if, under the terms of this bill, Mr. Bradford was bound to pay all the legal costs accruing in consequence of these trials in Allegheny county, every lawyer knows that the costs upon the docket are but a small amount of the expenses of the trial of a suit. In this particular case, I am informed, if it is removed, these parties will be constrained to take a large number of witnesses there, and keep them there. I am also informed that such is their pecuniary circumstances that it would probably be impossible for them to do so.

Mr. MECHLING. Mr. Speaker, to satisfy the members of the House on this point, I will read from the act itself; it reads as follows:

"*Provided*, That before the change of venue here authorized shall be made, said Benjamin Rush Bradford shall give security to pay all the additional mileage, and the additional costs, caused by said removal, more than if tried in the county of Armstrong."

The question being on the final passage of the bill,

The yeas and nays were required by Mr. MECHLING and Mr. QUAY, and were as follow, viz:

YEAS—Messrs. Allen, Armstrong, Barrington, Barton, Breen, Chadwick, Chalfant, Collins, Craig, Day, Fogel, Freeborn, Gregory, Harbison, Harner, Heitzel, Hoffman, Jones, Josephs, Kerns, Kinney, Kline, Koon, Kurtz, Lee, Leech, Marks, Meily, Moyers, Mullin, Pennypacker, Phelan, Quay, Quigley, Rhoads, Roath, Robinson, Roush, Seiler, Steacy, Stehman, Subers, Tharp, Watt, Webb, Westbrook, Wingard and Glass, *Speaker*—48.

NAYS—Messrs. Adaire, Boyd, Brennan, Chase, Dieses, Donohugh, Espy, Gordon, Headman, Hood, Hunt, Jenks, Linton, M'Henry, Maish, Mann, Markley, Mechling, Richards, Satterthwait, Stumbaugh, Wallace, Weller, Wharton and Wilson—25.

So the question was determined in the affirmative,

And the bill

Passed finally.

Mr. HOOD. Mr. Speaker, the Governor of this Commonwealth has invited the members of this House, without distinction, to a levee at house this evening. Out of respect to the Governor of Pennsylvania I therefore move that we do now adjourn.

On the question,

The yeas and nays were required by Mr. HOOD and Mr. LINTON, and were as follow, viz:

YEAS—Messrs. Allen, Barrington, Boyd, Breen, Brennan, Collins, Craig, Deise, Gallagher, Heitzel, Hood, Hunt, Jenks, Jones, Koon, Kurtz, Linton, Long, M'Creary, M'Henry, Maish, Markley, Meyers, Phelan, Quigley, Rhoads, Robinson, Satterthwait, Sharples, Tharp, Westbrook and Wingard—22.

NAYS—Messrs. Adaire, Armstrong, Barton, Chadwick, Chalfant, Chase, Collville, Davis, Day, DeHaven, Donohugh, Espy, Ewing, Fogel, Freeborn, Ghegan, Gordon, Harbison, Harner, Headman, Hoffman, Kennedy, Kerns, Kinney, Kline, Lee, Leech, M'Camant, M'Kee, Mann, Marks, Mechling, Meily, Mullin, Pennypacker, Peter, Quay, Richards, Roath, Roush, Shuman, Steacy, Stehman, Stumbaugh, Subers, Waddell, Wallace, Watt, Webb, Weller, Wharn, Wharton, Wilson, Woodward, Worrall, Wright and Glass, *Speaker*—57.

So the question was determined in the negative.

Mr. COLVILLE. Mr. Speaker, I move that this House now take a recess of one hour, to pay their respects to Governor Geary.

The motion was

Not agreed to.

No. 888, an act to change the venue in the case of George W. Schofield vs. Martin Brunges from the court of common pleas of Wyoming county to the court of common pleas of Bradford county.

The question being on the final passage of the bill,

Mr. KOON. Mr. Speaker, it might seem a little out of the way for me to interfere in this bill, as my county is not mentioned in it, but I have this to say, that the plaintiff in this suit is a constituent and neighbor of mine; that will account for my interference in this bill. He is an old and feeble man and is not strong enough to go a hundred miles to try his suit. He is, besides, a man in poor circumstances, and not at all in a condition to go into another county for this purpose.

Now, the gentleman from Wyoming stated here the other day in his remarks, that there was only about fifty Democratic majority in that county, and there can, therefore, be no danger from a trial there. The judge of that county is a man whom no one can say aught against. There is no necessity, I say, at all, for removing the case from Wyoming to Bradford county, and I think it very cruel and unchristian for the gentleman from Wyoming to urge this case. Here is the Reverend Mr. Schofield, a Baptist clergyman of high respectability, and here is the gentleman from Wyoming, a Baptist clergyman of the highest respectability, and yet we find the gentleman from Wyoming comes here, and because he occupies a seat upon this floor goes back on his brother in the church, and attempts to send him off a hundred miles for trial; a poor old man who has not a dollar to spend for that purpose. I think there is something more in it; I think there is some pique, some personal spite between these two clerical gentlemen, and it has been hinted to me that such is the case. I have a letter from Mr. Schofield, in which he says he has nothing against the gentleman from Wyoming, but he implores this Legislature not to send him away that distance for this trial. I will ask the gentleman from Wyoming whether there is not something beyond what he alleges is in this bill? I will ask if the gentleman from Wyoming did not propose, within four years, to be one of a party to ride Mr. Schofield on a rail because of his political views?

Mr. KENNEDY. I did not propose that, but I told the people in Foxtown township

when he came up there to help form a lodge of the Knights of the Golden Circle, that if they would tar and feather him if he came again on that mission, I would pay the expenses.

Mr. KOON. Now the cat is out.

It is seen that the gentleman from Wyoming has no charge to make, nothing to allege to the contrary that a fair trial will not be had in the county of Wyoming, where he says that the Democratic majority is only about fifty, and now he pitches into a brother of the church to drag him from Luzerne county, away up the river to Bradford county, where, I do not allege, he will not have a fair trial, but where he will be unable, where it will be impossible for him to get his witnesses. There is no railroad up there from the place where he lives. It is true that there is a canal, and if the gentleman will wait until navigation is open he might take a boat and in a journey of about three weeks get up there. As to the Knights of the Golden Circle, that is a mere creature of the brain.

There is no such thing in Wyoming county, or in that section. It is true that elder Schofield is a Democrat, and that is his sin, and I glory in it. He makes good conservative prayers and preaches good conservative sermons, and that is the reason why the brother in the church of the same denomination as his own, seeks to drag the feeble old man from his home into Bradford county for trial. Mr. Schofield is a venerable old man, and I do not know but the gentleman from Wyoming learned from him; I do not know but he sat at his feet to learn the Gospel; but if he did, I am satisfied he does not follow the precepts of Elder Schofield, for he always preaches right, and his prayers are such as a preacher ought to pray. I am free to say that I would leave this old preacher at home, and not send him away at the mere dictation of the gentleman from Wyoming. He is a constituent of mine, and once lived in Wyoming. I appeal to the gentleman from Wyoming to let him alone.

Mr. KENNEDY. Mr. Speaker, as the gentleman intimated in the commencement of his remarks, this is rather an interference with local matters on his part. I feel it a little strange that he should interfere at all, and the only ground upon which he exonerates himself is that Mr. Schofield is now one of his constituents. But when this prosecution commenced he was not. He lived in our county and lived there a year or so after the prosecution commenced. Mr. Schofield is not the one who is prosecuted in this suit; he is the prosecutor. If my friend had been the prosecutor in the case I would have felt differently about taking him off such a distance; but it is not a difficult task at all for Mr. Schofield to travel. He has traveled this country all through. I have known the man for a good many years, and I know that he has traveled our country over and over again, and wherever he can get an opportunity to stop long enough to preach a sermon he does so.

But the Union people are unwilling generally to hear him because of his political views. It is well known that he went and formed a society of the Knights of the Golden Circle at Foxtown, and for acts of this kind the Baptists are prejudiced against him all over the country. He has prosecuted this young man for libel. This young man is one of the best citizens of Wyoming county, and would grace a position in these legislative halls. He is a young man against whom nothing has ever been brought before, and the matter brought against him now is merely on account of a letter that he wrote descriptive of the very course of this man years ago.

Even while Mr. Schofield was engaged in the ministry, a good portion of his time was engaged in horse trading and the like, and he almost always left his creditors in a bad fix. In short, he showed himself perfectly prepared to go into the work of secession. In fact he went down South to get a chaplaincy, but failed in that.

Now, these are the characters of the two men. I know them better than I know the gentleman on the opposite side of the House, and much better than he knows me, and I think if there ever was an instance in which the venue should be changed, this is one of them.

Although he says we have within fifty as many Republicans as we have Democrats in Wyoming county, which is true, we have on the present jury but six out of thirty-six, and that is one more than we had at the last court. We get from four to six as a general thing, and we are only fifty behind so far as numbers are concerned. On the grand jury we only get from one to two. That is the way in which our juries are managed. This young man has probably some two or three thousand dollars worth of property, and the old man has brought this suit thinking that he could get something out of him in his old age to live upon. If he gets the case tried in the court in our county he will succeed in it—but if the case goes where justice will be done, I think he will not.

And now, Mr. Speaker, upon the passage of this bill I call the previous question, and I hope I will be sustained by the members of this House.

The call for the previous question was seconded by Messrs. Donohugh, Ghegan, Davis, Pennypacker, Allen, Gordon, Adaire, Kinney, Espy, Woodward and M'Camant.

The question being,

Shall the main question be now put?

It was

Agreed to.

The question recurring on the final passage of the bill,

The yeas and nays were required by Mr. COLLINS and Mr. HOOD, and were as follow, viz:

YEAS—Messrs. Adaire, Allen, Armstrong, Barton, Chadwick, Chase, Colville, Davis, Day, DeHaven, Donohugh, Espy, Ewing, Freeborn, Gallagher, Ghegan, Gordon, Hoffman, Kennedy, Kerns, Kinney, Lee, Leech, M'Camant, M'Creary, M'Kee, M'Pherrin, Mann, Marks, Mechling, Meily, Pennypacker, Peter, Quay, Richards, Roath Seiler, Shuman, Steacy, Shehman, Subers, Waddell, Wallace, Watt, Webb, Weller, Whann, Wharton, Wilson, Woodward, Wright and Glass, *Speaker*—52.

NAYS—Messrs. Barrington, Boyd, Breen, Brennan, Chalfant, Collins, Craig, Deise, Fogel, Gregory, Headman, Heltzel, Hood, Hunt, Jenks, Jones, Kline, Koon, Kurtz, Linton, Long, M'Henry, Maish, Markley, Mullin, Phelan, Quigley, Rhoads, Robinson, Roush, Satterthwait, Sharples, Westbrook and Wingard—34.

So the question was determined in the affirmative.

And the bill

Passed finally.

Mr. BREEN. Mr. Speaker, I move that this House do now adjourn.

The motion was

Not agreed to.

Mr. MECHLING. Mr. Speaker, I move that this House now take a recess of two hours.

The motion was

Not agreed to.

No. 900, an act to change the venue in a certain case from Schuylkill county to Dauphin county.

The question being on the final passage of the bill,

The yeas and nays were required by Mr. COLLINS and Mr. BREEN, and were as follow, viz:

YEAS—Messrs. Adaire, Armstrong, Barton, Calvin, Chadwick, Chase, Colville, Davis, Day, DeHaven, Donohugh, Espy, Ewing, Freeborn, Gallagher, Ghegan, Gordon, Harbison, Hoffman, Kennedy, Kerns, Kinney, Kurtz, Lee, Leech, M'Camant, M'Creary, M'Kee, M'Pherrin, Mann, Marks, Mechling, Meily, Pennypacker, Peter, Quay, Richards, Roath, Sharples, Shuman, Steacy, Stehman, Subers, Waddell, Wallace, Watt, Webb, Whann, Wharton Wilson, Woodward, Wright and Glass, *Speaker*—54.

NAYS—Messrs. Barrington, Boyd, Breen, Brennan, Chalfant, Collins, Craig, Deise, Fogel, Gregory, Headman, Heltzel, Hood, Hunt, Jenks, Jones, Josephs, Kline, Koon, Linton, Long, M'Henry, Maish, Markley, Meyers, Mullin, Phelan, Quigley, Rhoads, Robinson, Roush, Satterthwait, Tharp and Westbrook—34.

So the question was determined in the affirmative.

Mr. QUAY. Mr. Speaker, I move that the House do now adjourn.

On the question,

The yeas and nays were required by Mr. MEYERS and Mr. MARKLEY, and were as follow, viz:

YEAS—Messrs. Barrington, Boyd, Breen, Brennan, Craig, Day, Deise, Espy, Ewing, Freeborn, Gallagher, Gordon, Harbison, Hoffman, Hunt, Jenks, Jones, Kurtz, Leech, Linton, M'Creary, M'Henry, Maish, Markley, Meily, Meyers, Peter, Phelan, Quay, Quigley, Robinson, Satterthwait, Sharples, Shuman, Steacy, Wallace, Wilson and Wingard—37.

NAYS—Messrs. Adaire, Allen, Armstrong, Barton, Chadwick, Chalfant, Chase, Collins, Colville, Davis, DeHaven, Donohugh, Fogel, Ghegan, Gregory, Headman, Hood, Josephs, Kennedy, Kerns, Kinney, Kline, Koon, Lee, M'Camant M'Kee, M'Pherrin, Mann, Marks, Mechling, Mullin, Pennypacker, Rhoads, Richards, Roath, Roush, Stehman, Stumbaugh, Subers, Waddell, Watt, Webb, Weller, Westbrook, Whann, Wharton, Woodward, Worrall, Wright and Glass, *Speaker*—50.

So the question was determined in the negative.

No. 1032 an act to incorporate the Rev. Hugh M'Glaughlin Beneficial society of Philadelphia.

The question being on the final passage of the bill,

The yeas and nays were required by Mr. FREEBORN and Mr. MANN, and were as follow, viz:

YEAS—Messrs. Barrington, Boyd, Breen, Brennan, Chalfant, Collins, Craig, Davis, Fogel, Gregory, Headman, Heltzel, Hood, Hunt, Jenks, Jones, Kline, Koon, Kurtz, Linton, Long, M'Henry, Maish, Markley, Meyers, Mullin, Phelan, Quay, Quigley, Rhoads, Robinson, Roush, Satterthwait, Tharp, Westbrook Whann and Wingard—37.

NAYS—Messrs. Adaire, Allen, Armstrong, Barton, Chadwick, Chase, Colville, Day, DeHaven, Donohugh, Espy, Ewing, Freeborn, Gallagher, Ghegan, Gordon, Hoffman, Kennedy, Kerns, Kinney, Lee, Leech, M'Camant, M'Creary, M'Kee, Mann, Marks, Mechling, Meily, Pennypacker, Peter, Richards, Roath, Sharples, Shuman, Steacy, Stehman, Subers, Waddell, Wallace, Watt, Webb, Weller, Wharton, Wilson, Worrall, Wright and Glass, *Speaker*—48.

So the question was determined in the negative.

No. 1020, an act to amend an act to incorporate the Potter County Forest improvement company, approved May 1st, A. D. 1861, and the supplement thereto, approved 10th day of August, A. D. 1864.

The question being on the final passage of the bill,

It was

Agreed to,

And the bill

Passed finally.

No. 1416, an act for the relief of citizens of the counties of Adams, Franklin, Fulton, Bedford, Perry, York and Cumberland, whose property was destroyed, damaged, or appropriated for the public service, and in the common defense in the war to suppress the rebellion.

The question being on the final passage of the bill,

The yeas and nays were required by Mr. QUAY and Mr. STUMBAUGH, and were as follow, viz:

YEAS—Messrs. Adaire, Armstrong, Barrington, Barton, Boyd, Breen, Brennan, Chadwick, Chase, Craig, Fogel, Ghegan, Gregory, Headman, Heltzel, Hood, Jones, Josephs, Kennedy, Kerns, Kinney, Kline, Koon, Long, M'Camant, M'Henry, M'Kee, M'Pherrin, Maish, Markley, Marks, Mechling, Meily, Mullin, Quigley, Rhoads, Richards, Robinson, Satterthwait, Seiler, Stumbaugh, Weller, Westbrook, Wilson, Wingard, Woodward, Worrall, Wright and Glass, *Speaker*—50.

NAYS—Messrs. Allen, Chalfant, Colville, Davis, Day, DeHaven, Donohugh, Espy, Ewing, Freeborn, Gallagher, Gordon, Harbison, Hoffman, Jenks, Lee, Leech, Linton, M'Creary, Mann, Pennypacker, Peter, Phelan, Quay, Roath, Sharples, Stehman, Tharp, Waddell, Wallace, Watt and Webb—31.

So the question was determined in the affirmative

And the bill

Passed finally.

REASONS FOR VOTE.

Last winter an act passed this Legislature to give relief to the sufferers of Chambersburg. My opinion then was that, unless the State had been derelict in its duty in protecting or defending its citizens of the border counties—unless it had refused proper activity and aid for that purpose—the Federal Government and not the State was responsible for the destruction and desolation created by rebel hordes. In the progress of the discussion that position was admitted, but it was contended that it would be impossible for citizens thus impoverished to await the slow process of thus obtaining it, but that the State should give the relief and look to the Federal Government for reimbursement. That view of the case was adopted by this Legislature, by a large and positive majority, and relief was furnished accordingly.

Now, sir, my sense of justice would revolt at the partiality of a State which would afford relief to one portion of its citizens and refuse it to another suffering from like causes. Wherever similar destruction prevailed from like causes, I hold that similar relief should be applied. The action of last winter became emphatically the settled policy of the State. Now, sir, I am disposed so to vote as to have her carry out that policy, in good faith, toward all her citizens who suffered in like manner from the iron heel of rebellion, whether they be in Franklin or Adams county.

It is hardly possible for me to suppose that the formidable forces engaged at Gettysburg could have lived off the surrounding country for the length of time they did, without causing immense destruction to property, for which the citizens thus suffering were in no wise responsible. Shall we remain satisfied to say to these people that they are less under the ægis of the Government than those of Chambersburg? Shall we furnish liberal aid to citizens of one locality, and refuse it to another? No, sir. We, by our act of last winter, authorized the State of Pennsylvania to furnish relief to her citizens, the State herself looking to the General Government for a liquidation of that debt. And while the evidence of the destruction of a single home, however humble, by that arch enemy of republican government can be adduced, I will be in favor of extending to it the same pro rata of relief that has been given to its more pretentious neighbors.

G. W. KINNEY.

Mr. HOOD. Mr. Speaker, I move that this House do now adjourn.

On the question,

The yeas and nays were required by Mr. MEYERS and Mr. M'CREARY, and were as follow, viz:

YEAS—Messrs. Armstrong, Boyd, Breen, Chalfant, Collins, Craig, Donohugh, Ewing, Freeborn, Gallagher, Gordon, Hood, Jenks, Jones, Kurtz, Leech, Linton, Long, M'Creary, M'Henry, Maish, Mann, Markley, Meily, Peter, Phelan, Quay, Quigley, Richards, Satterthwait, Sharples, Shuman, Steacy, Stehman, Tharp, Waddell, Wallace, Weller and Wilson—37.

NAYS—Messrs. Adaire, Allen, Barrington, Barton, Brennan, Chadwick, Chase, Colville, Davis, Day, DeHaven, Espy, Fogel, Ghegan, Gregory, Harbison, Headman, Hoffman, Josephs, Kennedy, Kerns, Kline, Koon, Lee, M'Camant, M'Kee, M'Pherrin, Marks, Mechling, Meyers, Mullin, Pennypacker, Rhoads, Roath, Roush, Stumbaugh, Subers, Watt, Webb, Westbrook, Whann, Wharton, Wingard, Worrall, Wright and Glass, *Speaker*—47.

So the question was determined in the negative.

No. 940, an act to repeal an act for the settlement of the affairs of the North Carbondale coal company.

The question being on the final passage of the bill,

The yeas and nays were required by Mr. QUIGLEY and Mr. HOOD, and were as follow, viz:

YEAS—Messrs. Adaire, Armstrong, Barton, Chadwick, Colville, Davis, Day, DeHaven, Espy, Ewing, Freeborn, Gallagher, Gordon, Harbison, Hood, Kennedy, Kerns, Kinney, Leech, M'Camant, M'Creary, M'Kee, M'Pherrin, Mann, Marks, Mechling, Meily, Peter, Richards, Roath, Seiler, Sharples, Shuman, Stehman, Subers, Tharp, Waddell, Wallace, Watt, Webb, Weller, Wharton, Wilson, Woodward, Wright and Glass, *Speaker*—46.

NAYS—Messrs. Barrington, Boyd, Breen, Brennan, Chalfant, Chase, Collins, Craig, Fogel, Gregory, Headman, Heltzel, Hunt, Jones, Josephs, Koon, Kurtz, Linton, Long, M'Henry, Maish, Meyers, Mullin, Phelan, Quay, Quigley, Rhoads, Robinson, Roush, Satterthwait, Westbrook, Wingard and Worrall—33.

So the question was determined in the affirmative.

And the bill

Passed finally.

MESSAGE FROM THE SENATE.

The Clerk of the Senate being introduced, presented for concurrence bills numbered and entitled as follows, viz:

No. 1551, an act to incorporate the Tidioute and Warren oil company.

Referred to the Committee on Corporations.

No. 1539, an act erecting a Fourth ward in the borough of Easton, in the county of Northampton.

Laid on the table.

No. 776, an act for the vacation and sale of the Methodist burial ground, in the city of Pittsburg, and for removing the bodies therefrom.

Laid on the table.

No. 1028, an act to incorporate the Philadelphia woolen machine company.

Referred to the Committee on Corporations.

No. 1021, an act to authorize and empower the corporate authorities of the borough of Greenville, in Mercer county, to borrow money for the use of the borough.

Laid on the table.

No. 1486, an act to incorporate the Peabody mining company.

Referred to the Committee on Mining and Manufacturing Companies.

No. 1460, a supplement to an act entitled An act amendatory of the license laws of this State, approved April 11th, 1862, in relation to the county of Berks.

Laid on the table.

No. 1637, an act to change the venues in the cases of Alexander Gould, William Ackerson and Henry Mockes, from the counties of Monroe and Carbon to the county of Northampton.

Referred to the Committee on the Judiciary Local.

No. 1728, an act granting an appeal from a decree of divorce between John Edmund and Philadelphia S. I. Edmund.

Laid on the table.

He also informed that the Senate has insisted on its amendments, non-concurred in by the House of Representatives, to House bill numbered and entitled as follows, viz:

No. 1038, an act to repeal an act to prevent horses, cattle, sheep and hogs from running at large in Chillisquaque township, Northumberland county, Kelly township, Union county, and certain townships in Luzerne county, so far as the same relates to Chillisquaque township, and as far as relates to Kelly township, Union county.

And has appointed Messrs. JACKSON, WALLS and RIDGWAY a committee of conference, to confer with a similar committee on the part of the House of Representatives (if the House of Representatives shall appoint such committee), on the subject of the differences existing between the two Houses in relation to said bill.

On motion, the House insisted on its amendments, non-concurred in by the Senate, to said bill; and

Ordered, That Messrs. THARP, ROUSH and WESTBROOK be a committee on the part of the House, to act in conjunction with a similar committee on the part of the Senate, in relation to the differences existing between the two Houses in relation to said bill.

Ordered, That the Clerk inform the Senate of the same.

Mr. BARTON. Mr. Speaker, I move that this House do now adjourn.

The motion was

Agreed to,

And the SPEAKER announced the House adjourned until to-morrow morning at 10 o'clock.

SENATE.

THURSDAY, April 4, 1867.

The Senate met and was called to order at 10 o'clock, A. M., by the SPEAKER.

Prayer was offered by Rev. Mr. Bailey, of Harrisburg.

On motion, the reading of yesterday's Journal was dispensed with.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

The Clerk of the House of Representatives being introduced, presented for concurrence bills numbered and entitled as follows:

No. 1425, an act to incorporate Pennsylvania and New Jersey bridge company.

Referred to the Committee on Roads and Bridges.

No. 1512, an act to authorize the Governor to incorporate a company to erect a bridge over the Allegheny river, at or near the foot of Taylor street, in the city of Pittsburg, Allegheny county.

Referred to the Committee on Roads and Bridges.

No. 1527, an act to incorporate the Mechanicsburg, Dillsburg and Petersburg turnpike company.

Referred to the Committee on Roads and Bridges.

No. 1534, an act to erect an independent school district out of part of Clarion township, Clarion county, to be called Olive Branch school district.

Referred to the Committee on Education.

No. 1538, an act to enable the board of directors of common schools of Burrell township, Indiana county, to apply surplus of bounty fund to common school purposes.

Referred to the Committee on the Judiciary Local.

No. 1540, an act extending the provisions of an act to authorize the school directors of Chester and Delaware counties to select sites for school houses, passed May 8, 1854, and the supplement thereto, to certain other counties.

Referred to the Committee on Education.

No. 1543, an act relating to public schools in the borough of Wattsburg, in the county of Erie.

Referred to the Committee on Education.

No. 1546, a supplement to an act to authorize the superintendent of common schools of York and Lancaster counties to draw funds from the county treasurer to defray the expenses of teachers' county institutes therein, approved the 15th day of March, A. D. 1865.

Referred to the Committee on Education.

No. 1548, an act to compel the treasurer of the bounty fund, Mt. Carmel township, to pay the surplus bounty funds in his hands to the school directors of said township for school purposes.

Referred to the Committee on Education.

No. 1549, an act to authorize and empower the court of quarter sessions of Schuylkill county to appoint school directors for the school of West Penn township, to serve for the ensuing school year.

Referred to the Committee on Education.

No. 1550, an act to authorize the school directors of Pittston borough school district to sell a certain lot.

Referred to the Committee on Education.

No. 1554, an act to authorize certain persons to sell real estate in the borough of Waynesburg, county of Greene.

Referred to the Committee on Estates and Escheats.

No. 1555, an act to sell a certain tract of land in Washington township, Dauphin county.

Referred to the Committee on Estates and Escheats.

No. 1561, a supplement to an act to incorporate the Eureka Life and Accident insurance company, approved January 30, 1867.

Referred to the Committee on Corporations.

No. 1562, an act to extend the time for the payment of the enrollment tax on an act to incorporate the Union insurance company.

Referred to the Committee on Finance.

No. 1563, an act to extend the time for the payment of the enrollment tax on the act to incorporate the Osceola improvement company, approved April 18, A. D. 1866.

Referred to the Committee on Finance.

No. 1566, an act to incorporate the Philadelphia summer resort.

Ruled out of order.

No. 1570, an act to incorporate the building and savings association of the city of Pittsburg, in the county of Allegheny.

Referred to the Committee on the Judiciary General.

No. 1576, an act to incorporate the Watsontown building and loan association, having for its object the accumulation of a fund which shall be loaned to its members, to enable them to buy or build their own homes, or to buy such property as would be advantageous to them.

Referred to the Committee on the Judiciary General.

No. 1576, an act to incorporate the South Pittsburg Co-operative association of Allegheny county.

Referred to the Committee on the Judiciary General.

No. 1577, supplement to an act incorporating the Spring Garden soup society, approved April 21, 1852.

Referred to the Committee on Corporations.

No. 1578, an act to incorporate the Mutual transfer company.

Referred to the Committee on Corporations.

No. 1580, an act to increase the capital stock of the Venango water company.

Referred to the Committee on the Judiciary General.

No. 1582, an act to incorporate the Bath car company.

Referred to the Committee on Corporations.

No. 1584, a supplement to the act authorizing the Governor to incorporate the Easton water company, approved 24th day of March, A. D. 1817, and the supplements thereto.

Referred to the Committee on Corporations.

No. 1585, an act to increase the capital stock of the Lehigh water company in the borough of Easton, Northampton county, and to levy and collect water tax.

Referred to the Committee on Corporations.

No. 1591, an act relating to the recording of general election returns in the county of Butler.

Referred to the Committee on the Judiciary Local.

No. 1593, an act authorizing the school directors of the school district of the borough of Philipsburg, Centre county, to borrow money for building purposes.

Referred to the Committee on the Judiciary Local.

No. 1594, a supplement to an act incorporating the Kylertown, Morrisdale and Philipsburg plank road company, approved the 11th day of April, 1859, extending the time for commencing the same, and making a change in the names of commissioners.

Referred to the Committee on Roads and Bridges.

No. 1595, an act relative to the fees of notaries public in the counties of Centre and Lycoming.

Referred to the Committee on the Judiciary Local.

No. 1596, an act to incorporate the West Newton gas company.

Referred to the Committee on Corporations.

No. 1597, an act to extend the time for the payment of the enrollment tax on an act to incorporate the Meadville Novelty works, approved April 14, 1863.

Referred to the Committee on Finance.

No. 1599, an act to incorporate the Sierra Nevada mining company.

Referred to the Committee on Corporations.

No. 1602, an act to incorporate the Quarryville and Christiana turnpike road company.

Referred to the Committee on Roads and Bridges.

No. 1603, an act to lay out a State road in Schuylkill and Lebanon counties.

Referred to the Committee on Roads and Bridges.

No. 1604, a further supplement to an act entitled An act to authorize the erection of a poor house by the township of Jenks, borough of Pittston and the township of Pittston, in the county of Luzerne, approved May 8, A. D. 1857.

Referred to the Committee on the Judiciary Local.

No. 1605, a further supplement to an act entitled A supplement to an act to incorporate the Lehigh and Delaware plank road or turnpike company, approved the 11th day of April, A. D. 1866.

Referred to the Committee on Roads and Bridgse.

No. 1606, an act authorizing the commissioners of Mercer county to appropriate money sufficient to pay one-half the expenses of erecting a bridge over the Pymatuning, at the State line of Pennsylvania and Ohio, in the village of Orangeville.

Referred to the Committee on Roads and Bridges.

No. 1607, an act to extend the term of the county treasurer of Mifflin county.

Referred to the Committee on the Judiciary Local.

No. 1608, an act to incorporate the National Paper manufacturing company.

Referred to the Committee on Corporations.

No. 1609, supplement to an act incorporating Danville gas company, to repeal so much of said act as relates to the mode of electing directors of said company.

Referred to the Committee on Corporations.

No. 1612, an act to incorporate the Cardington Industrial Co-operative association.

Referred to the Committee on Corporations.

No. 1613, an act relating to the recovery of the costs of making connections with the sewers in the city of Philadelphia.

Referred to the Committee on the Judiciary Local.

No. 1614, an act to extend the jurisdiction of justices of the peace in Potter county, in criminal proceedings.

Referred to the Committee on the Judiciary Local.

No. 1615, an act to incorporate the Girard Tunneling gold and silver mining company.

Referred to the Committee on Corporations.

No. 1617, an act relative to the road laws of Fallowfield township, Washington county.

Referred to the Committee on Roads and Bridges.

No. 1621, an act to authorize the assessment and collection of a certain tax in the borough of Lewisberry, York county.

Referred to the Committee on the Judiciary Local.

No. 1623, an act to incorporate the Iron Manufacturers' coal company of the State of Pennsylvania.

Referred to the Committee on Corporations.

No. 1624, an act to authorize the school directors of the old Fourth ward, in the city of Reading, to levy and collect a tax for the payment of bounties.

Referred to the Committee on the Judiciary Local.

No. 1626, an act to incorporate the West Virginia paper mill company.

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[CONTINUED FROM PAGE 904.]

Referred to the Committee on Corporations.

No. 1627, an act to incorporate the Chrystal gas and water company.

Referred to the Committee on Corporations.

No. 1629, an act to incorporate the Western Pennsylvania Military Academy, near Pittsburg and Allegheny, Pennsylvania.

Referred to the Committee on Military Affairs.

No. 1635, an act to prohibit the destruction of fish in the Susquehanna river and its tributary streams in Columbia county.

Referred to the Committee on Canals and Inland Navigation.

No. 1637, an act extending the provisions of an act to prevent the growth of noxious weeds in the county of Chester, approved March, A. D. 1867, to Northampton county.

Referred to the Committee on Agriculture and Domestic Manufactures.

No. 1640, an act relative to fishing in the streams, lakes and reservoirs in the county of Crawford.

Referred to the Committee on Agriculture and Domestic Manufactures.

No. 1647, a further supplement to an act entitled An act relating to local bounties in the county of Lawrence, approved March 16th, A. D. 1865, to provide for recruiting expenses and interest on money advanced.

Referred to the Committee on the Judiciary Local.

No. 1657, an act for the protection of that branch of the legal profession in the city of Philadelphia known as conveyancers or scriveners.

Referred to the Committee on the Judiciary Local.

No. 1672, an act relating to the collection of school taxes in Fulton county.

Referred to the Committee on Education.

No. 1559, an act to incorporate the Uniontown stock company.

Referred to the Committee on Corporations.

No. 1642, act to prohibit the issuing of licenses to sell spirituous, vinous, malt or brewed liquors in the township of Penn, in the county of Perry.

Referred to the Committee on Vice and Immorality.

No. 1671, a supplement to an act increasing the compensation of certain officers in the county of Berks, approved the 23d day of March, A. D. 1865.

Referred to the Committee on the Judiciary Local.

He also returned bills from the Senate numbered and entitled as follows:

No. 479, a further supplement to the act entitled An act to incorporate the Allentown railroad company, approved April 19th, A. D. 1853.

No. 521, an act to confer upon the Pittsburg forge and iron company all the powers, rights and privileges of the Jones and Nimick manufacturing company by the act approved April first, 1863.

No. 773, an act relating to the payment of certain bounties by the township of Eldred, Monroe county.

No. 1342, a supplement to an act to incorporate the Superior iron company.

No. 985, a further supplement to the act incorporating the Lafayette railroad company, approved the first day of May, A. D. 1861, extending the time for building the road and enlarging the powers of said corporation,

With information that the House of Representatives has passed the same without amendments.

He also returned bills from the Senate numbered and entitled as follows, viz:

No. 190, a further supplement to the act incorporating the Township Line road company, fixing the terminus and regulating tolls on said road,

With information that the House of Representatives has passed the same with amendments, in which the concurrence of the Senate is requested.

Said amendments having been read,

Mr. CONNELL moved that the Senate non-concur in the same.

The motion was

Agreed to.

Also, returned bills numbered and entitled as follows, viz:

No. 312, an act to extend the time for the payment of the enrollment tax upon an act entitled An act to authorize the Western Maryland railroad company to locate a portion of their road through Adams and Franklin counties, Pennsylvania, approved the 23d day of March, 1865, and relating to the location of the said railroad, and the connection of the Gettysburg railroad therewith.

No. 317, a supplement to an act to incorporate the Allentown passenger railway company, approved the 21st day of March, A. D. 1864.

No. 927, an act authorizing an increase of the capital stock of the Connecting railway company.

No. 770, an act to provide for the continuance of the education and maintenance of the destitute orphans of the deceased soldiers and sailors, and the destitute children of permanently disabled soldiers and sailors of the State,

With information that the House of Representatives has passed the same with amendments, in which the concurrence of the Senate is requested.

On motion of Mr. M'CONAUGHY, said amendments were twice read and concurred in.

He also informed that the House of Representatives insists on its amendments, non-concurred in by the Senate, to bill from Senate numbered and entitled as follows, viz:

No. 854, an act to allow the sheriff of Elk county fees for serving jury notices, and increasing the pay of supervisors in said county,

And has appointed Messrs. LEE, LEECH and HUNT a committee of conference, to confer with a similar committee (should the Senate appoint such a committee), upon the subject of the differences existing between the two Houses on said bill.

Said amendments having been again read,

Mr. WALLACE moved that the Senate insist upon its non-concurrence in said amendments, and that a committee be appointed, to confer with a similar committee, already appointed by the House of Representatives, on the subject.

The motion was agreed to.

Ordered, That Messrs. WALLACE, RIDGWAY and HAINES be the committee on the part of the Senate.

He also informed that the House of Representatives insists on its amendments, non-concurred in by the Senate, to bill from the Senate numbered and entitled as follows, viz:

No. 799, an act to incorporate the Scranton market company,

And has appointed Messrs. KOON, MARKS, and STUMBAUGH a committee of conference, to confer with a similar committee of the Senate (should the Senate appoint such a committee), upon the subject of the differences existing between the two Houses on said bill.

Said amendments having been again read,

Mr. SHOEMAKER moved that the Senate insist upon its non-concurrence in said amendments, and that a committee be appointed, to confer with a similar committee, already appointed by the House of Representatives, on the subject; which was

Agreed to.

Ordered, That Messrs. SHOEMAKER, COWLES and GLATZ be the committee on the part of the Senate.

He also informed that the House of Representatives has non-concurred in amendments made by the Senate to bill from the House of Representatives numbered and entitled as follows, viz:

No. 538, an act regulating interest on public accounts.

Said amendments having been again read,

Mr. CONNELL moved that the Senate insist upon its amendments, non-concurred in by the House of Representatives, and that a committee of conference be appointed, to confer with a similar committee of the House of Representatives (if that House shall appoint such committee), on the subject of the differences existing between the two Houses on said bill.

The motion was

Agreed to.

Ordered, That Messrs. CONNELL, GRAHAM and WALLS be the committee on the part of the Senate.

PETITIONS, MEMORIALS, &C.

Mr. CONNELL presented the petition of John Turner and eighty-eight citizens of the First precinct of the Twenty-fifth ward, praying for the passage of an act providing for the paving of footwalks in said precinct.

Referred to the Committeee on Roads and Bridges.

Also, a remonstrance of William S. Hansell, and other citizens of Philadelphia, against the passage of an act making churches subject to taxation.

Referred to the Committee on Finance.

Mr. WORTHINGTON, one of like import, from Philadelphia.

Referred to the Committee on Finance.

Mr. ROYER, the petition of citizens of Montgomery county, for an act to incorporate the Haileyville and Lederachsville turnpike company.

Referred to the Committee on Roads and Bridges.

Mr. TAYLOR, petition of citizens of Beaver county, asking for the passage of an act for the relief of John Caughey, of said county.

Referred to the Committee on Finance.

Also, the petition of citizens of Beaver county, for a change in the auction law of said county.

Referred to the Committee on the Judiciary Local.

Mr. GRAHAM, two remonstrances, numerously signed by residents of Allegheny city, against the consolidation of said city with the city of Pittsburg.

Laid on the table.

Mr. DONOVAN, the resolution of the board of directors of the public schools of the Eleventh section of Philadelphia, against a bill in regard to the school controllers.

Referred to the Committee on Education.

REPORTS FROM COMMITTEES.

Mr. SHOEMAKER, from the Committee on the Judiciary General, as committed, a bill entitled An act to incorporate the Schuylkill County Soldiers' and Sailors' Monument association.

Also (same), as committed, a bill entitled A supplement to an act to incorporate the Farmers' Mutual fire insurance company of Paradise township, county of York, approved the 28th day of March, A. D. 1854.

Mr. STUTZMAN (same), as committed, a bill entitled A further supplement to an act entitled An act to validate the judgment docket entries made by the prothonotaries of certain counties in this Commonwealth.

Mr. BIGHAM (same), as committed, a bill entitled An act concurrent with an act passed by the Legislature of Ohio, on the 20th day of March, A. D. 1867, in relation to the Ohio and Pennsylvania canal company.

Also (same), with amendments, a bill entitled An act establishing the standard weight of a barrel of salt.

Mr. M'CONAUGHY (same), as committed, a bill entitled An act to appoint commissioners to select a site for an additional State lunatic hospital.

Also (same), as committed, a bill entitled Supplement to an act to incorporate the Medical Chirurgical college of Philadelphia.

Also (same), as committed, a bill entitled Further supplement to the consolidation act, to establish a house of correction and employment.

Mr. WALLACE (same), as committed, with a negative recommendation, a bill entitled An act relating to the trial of civil actions in the courts of Philadelphia.

Also (same), with amendments, a bill entitled An act to empower the Asland iron company, of Baltimore county, in the State of Maryland, to hold lands in the State of Pennsylvania.

Mr. SCHALL (same), as committed, a bill entitled An act to incorporate the Philadelphia Nautical and Engineering college.

Also (same), as committed, with a negative recommendation, a bill entitled An act to incorporate the Otter Point Fish House company.

Mr. COWLES, from the Committee on the Judiciary Local, as committed, a bill entitled A supplement to an act to incorporate the Wilkesbarre law and library association in Luzerne county, approved 11th April, 1866.

Also (same), as committed, a bill entitled An act to increase the fees of the commissioners of Crawford county as directors of the poor.

Also (same), as committed, a bill entitled An act relating to the courts of Venango county.

Also (same), as committed, a bill entitled An act to authorize the borough of Media, in the county of Delaware, to borrow money, and for the purpose of supplying said borough with water.

Also (same), as committed, bill entitled An act relative to the sale of an old school house in West Cocalico township, Lancaster county.

Also (same), as committed, bill entitled An act authorizing the commissioners of Susquehanna county to erect a new jail in said county.

Also (same), with amendment, a bill entitled An act to authorize and empower the supervisors of Tyrone township, Blair county, to levy a cash tax, and for other purposes.

Also (same), as committed, a bill entitled A supplement to an act changing the mode of criminal proceedings in the counties of Erie and Union, and extending the same to the county of Forest.

Also (same), as committed, bill entitled An act to repeal an act to prevent horses, cattle, sheep and hogs from running at large in Chillisquaque township, Northumberland county, and Kelly township, Union county, and certain townships in Luzerne county, approved March 23, 1865, so far as relates to Kelly township, Union county, and the several townships in Luzerne county.

Mr. STUTZMAN (same), as committed, bill entitled A supplement to an act empowering the Lutheran congregation of the Old Goshenhoppen church, in Upper Salford township, in Montgomery county, to collect their outstanding debts, approved 25th day of March, A. D. 1839.

Also (same), as committed, bill entitled An act increasing the compensation of the collectors of borough and school taxes of the borough of Easton, Northampton county.

Also (same), as committed, bill entitled An act relating to the compensation of the treasurer of Berks county.

Also (same), as committed, bill entitled An act to authorize the appointment of two additional notaries public in the city of Pittsburg, Allegheny county, and one in West Newton, Westmoreland, and one in Beaver, Beaver county.

Mr. FISHER (same), as committed, a bill entitled An act regulating the fees of district attorney in the county of Columbia, in the court of quarter sessions.

Also (same), as committed, bill entitled An act to extend the limits of the borough of Indiana.

Also (same), as committed, a bill entitled An act authorizing the school directors of the borough of New Milford, Susquehanna county, to borrow money.

Also (same), as committed, a bill entitled An act supplementary to an act in relation to certain public officers and their sureties, approved 21st day of April, A. D. 1846.

Also (same), as committed, bill entitled An act to increase the pay of the auditors and commissioners of Jefferson county.

Also (same), with amendment, bill entitled An act relating to the fees of the sheriffs of the counties of Cumberland and Snyder.

Mr. WHITE (same), as committed, bill entitled An act to change the venue in the case of Alexander Gould, William Ackerson and Henry Meeker from the counties of Monroe and Carbon to Dauphin county.

Also (same), as committed, bill entitled A supplement to an act entitled An act to authorize the appointment of an inspector of stationary steam engines and steam boilers, in and for the city of Philadelphia, approved May 7, 1864.

Also (same), as committed, a bill entitled An act relating to the sale of lands by the commissioners of Cambria county.

Also (same), as committed, a bill entitled An act authorizing the increase of the recognizance and bond of the sheriffs of Venango county.

Also (same), as committed, a bill entitled An act to authorize the appointment of short-hand clerks in the county of Allegheny.

Mr. DAVIS (same), as committed, a bill entitled An act to change the venue in the case of John M'Farland versus James Shoemaker, from the court of common pleas of Northumberland county to the court of common pleas of Union county.

Also (same), as committed, a bill entitled A supplement to an act relating to auctioneers in the city and county of Erie.

Also (same), as committed, a bill entitled An act relating to notaries public in the city of Harrisburg.

Also (same), as committed, a bill entitled An act relative to the licensing of vehicles in the borough of Lawrenceville, Allegheny county.

Also (same), as committed, a bill entitled An act to prevent the county commissioners of Forest county from expending money in the erection of public buildings in said county.

Also (same), as committed, a bill entitled A further supplement to an act relative to paving streets, &c., in the borough of New Castle.

Also (same), as committed, a bill entitled An act to authorize the judges of the several courts of Wayne county to appoint special auditors.

Also (same), as committed, a bill entitled An act regulating the assessment of city taxes in the city of Pittsburg.

Also (same), as committed, a bill entitled An act to empower the school directors of the city of Corry to raise one per centum in addition to the amount now authorized by law to be raised for building purposes for the year A. D. 1867.

Mr. M'CONAUGHY, from the Committee on Estates and Escheats, reported, as committed, bill entitled An act authorizing the trustees of the estate of John Means, deceased, to pay certain moneys.

Also (same), as committed, with a negative recommendation, bill entitled An act to authorize the trustees of the Cumberland Presbyterian church of Greenfield, Washington county, to sell and convey certain real estate.

Mr. COWLES (same), as committed, with a negative recommendation, bill entitled An act to authorize the trustees of certain lands in Venango county, Pennsylvania, to borrow money for the development of said lands, and to perfect the title to said lands by contesting the right at law of adverse claimants.

Mr. WALLACE (same), with amendment, bill entitled A supplement to an act to incorporate the First Baptist church of Lewisburg, Union county, Pennsylvania.

Mr. BURNETT (same), as committed, bill entitled An act to appropriate the moneys arising from the sale of a portion of the trust estate of Fredrica Misca, and to validate and confirm the acts of the trustees therein.

Mr. FISHER, from the Committee on Pensions and Gratuities, reported, as com-

mitted, bill entitled An act granting a pension to Sarah M'Elhose, widow of a soldier.

Also (same), as committed, bill entitled An act to grant a pension to Margaret Rots, widow of David Rots, late of Franklin county, deceased.

Also (same), as committed, bill entitled An act granting a pension to Nancy Jane O'Donnell, widow of D. Charles O'Donnell, deceased.

Mr. RIDGWAY, from the Committee on Corporations, reported, as committed, an act to incorporate the Henry Clay mining company of Colorado.

Also (same), as committed, bill entitled An act to incorporate the Columbia life insurance company.

Also (same), as committed, bill entitled An act to enable the Philadelphia and Montana gold and silver mining company to borrow money and issue bonds.

Also (same), as committed, bill entitled An act to incorporate the Pennsylvania Serial association.

Also (same), as committed, bill entitled An act to incorporate the Lehigh County mining, manufacturing and improvement company.

Also (same), as committed, bill entitled An act to incorporate the Puebla gold and silver mining company.

Mr. GLATZ (same), as committed, bill entitled An act to incorporate the Continental mining company.

Also (same), as committed, bill entitled An act to incorporate the Viola gold and silver mining company.

Mr. ROYER (same), as committed, bill entitled An act to incorporate the Lehigh County mining, manufacturing and improvement company.

Also (same), as committed, bill entitled An act to enable the Spring Run oil and lumber company and the Benezet oil and coal company to consolidate.

Also (same), as committed, bill entitled An act to incorporate the North Star mining company.

Mr. HAINES (same), as committed, bill entitled An act to incorporate the Safety Fund association of Susquehanna Depot, Susquehanna county.

Also (same), as committed, bill entitled A supplement to an act entitled An act to incorporate the Peoples' Accident insurance company of Pennsylvania, approved April 11th, 1866.

Also (same), with amendment, bill entitled An act to incorporate the Carbondale gold and silver mining company.

Mr. JAMES (same), as committed, bill entitled An act to incorporate the Oil City Acid factory.

Also (same), as committed, bill entitled An act to incorporate the Pittsburg Tunnel company.

Mr. HAINES, from the Committee on Canals and Inland Navigation, reported, as committed, bill entitled A supplement to an act to establish a ferry over the Allegheny river at Liggins' landing, near the mouth of East Hickory, in Harmony township, Venango county.

Also (same), as committed, bill entitled A supplement to an act to authorize Henry B. Masser and John H. Fisher to establish and maintain a ferry over the Susquehanna river at Selinsgrove, approved March 20th, 1863.

Mr. ROYER (same), as committed, bill entitled An act to establish a ferry over the Monongahela river at the town of Allenport, in Washington county.

Also (same), as committed, bill entitled A supplement to an act declaring Forge run, in Centre county, a public highway.

Also (same), as committed, bill entitled Supplement to the act relating to the passage of fish in the Susquehanna and certain of its tributaries.

Mr. SHOEMAKER (same), as committed, bill entitled An act to declare North creek and part of Driftwood creek, in the county of Cameron, public highways.

Also (same), as committed, bill entitled An act to establish a ferry over the Monongahela river, at the borough of Elizabeth, in the county of Allegheny.

Mr. LANDON, from the Committee on Railroads, reported, as committed, bill entitled A supplement to an act incorporating the Wilkesbarre and Pittston railroad company, approved the 15th day of April, A. D. 1859.

Also (same), as committed, bill entitled An act to authorize the Lombard and South Street passenger railway company to increase its capital stock and bonded debt.

Mr. GRAHAM (same), as committed, bill entitled A further supplement to an act to incorporate the Frankford and Holmesburg railroad company, approved July 18th, 1863, providing for the construction of a railroad from Holmesburg to Bustleton.

Mr. RANDALL (same), as committed, bill entitled An act to incorporate the Wyoming Valley Passenger railroad company.

Mr. LOWRY (same), as committed, bill entitled An act to incorporate the Warren, Sheffield and Bennet's Branch railroad company.

Mr. WORTHINGTON, from the Committee on Education, reported, as committed, bill entitled An act to authorize the directors of West Hempfield township, Lancaster county, to apply surplus of bounty fund for school purposes.

Also (same), as committed, a bill entitled An act appropriating certain surplus bounty funds in Silver Spring township, Cumberland county, to school purposes.

Also (same), as committed, a bill entitled An act to repeal an act passed the 21st day of March, 1865, to form an independent school district out of parts of Pike and Monroe counties.

Also (same), as committed, a bill entitled An act for the relief of John Canghey, of Beaver county.

Also (same), as committed, a bill entitled An act to repeal an act to change the limits of the Sagerstown school district, in Crawford county,

Also (same), as committed, with a negative recommendation, a bill entitled An Act relating to taxation for school purposes in the school district of Cannonsburg, in the county ef Washington.

Mr. BROWN, of Mercer (same), as committed, a bill entitled A supplement to an act entitled An act relating to the common schools of the city of Lancaster, approved January 2d, 1850.

Also (same), as committed, a bill entitled An act to authorize the school directors of North Annville township, Lebanon county, to levy and collect taxes in said township to pay off deficiencies.

Also (same), as committed, a bill entitled An act to change the line of the Mercer Union school district, in Mercer county.

Mr. COWLES (same), with amendments, a bill entitled An act authorizing the Superintendent of Common Schools to publish the official decisions of the School Department.

Mr. HAINES, from the Committee on Agriculture and Domestic Manufactures, reported, as committed, bill entitled An act to prevent the destruction of deer in Wayne county.

Also (same), as committed, bill entitled An act to prevent cattle from running at large on the flat of Jack's Mountain, in Monroe county, and Union township, in the county of Mifflin.

Also (same), as committed, bill entitled An act to prevent cattle, horses, sheep and swine from running at large in the county of Wyoming.

Mr. ROYER (same), as committed, bill entitled An act to prevent cattle, horses, sheep and hogs from running at large in the township of Mill Creek and borough of New Lebanon, in the county of Mercer.

Mr. BILLINGFELT, from the Committee on Roads and Bridges, reported, as committed, bill entitled An act to increase the pay of supervisors of roads, overseers of the poor, and township auditors of the county of Carbon.

Also (same), as committed, bill entitled An act to incorporate the Boyd Farm bridge company, Venango county.

Mr. GLATZ (same), as committed, with a negative recommendation, bill entitled An act repealing an act relating to a certain highway in the Twenty second ward of the city of Philadelphia, requiring the removal of a toll house and gate in Germantown.

Mr. WALLS (same), as committed, bill entitled An act to incorporate the Citizens' turnpike and macadamized road company.

Also (same), as committed, bill entitled A supplement to an act to authorize the construction of a sidewalk in the valley of Shehequin, in the county of Bradford.

Mr. TAYLOR (same), as committed, an act to incorporate the Perry bridge company.

Mr. GRAHAM, from the Committee on Vice and Immorality, reported, as committed, bill entitled A further act supplementary to an act to regulate the sale of intoxicating liquors, approved the 31st day of March, A. D. 1856.

Mr. TAYLOR (same), as committed, bill entitled An act to take the sense of the people of Indiana county upon the question of a prohibitory liquor law.

Mr. BROWN (Mercer), from the Committee on New Counties and County Seats, reported, as committed, bill entitled An act to erect the county of Robinson out of parts of Allegheny county.

Also (same), as committed, and with a negative recommendation, bill entitled An act to annex a portion of the borough of Dunmore to the city of Scranton.

Mr. SEARIGHT (same), as committed, bill entitled An act to reannex a portion of Colebrook township, Clinton county, to Brown township, Lycoming county.

Mr. CONNELL, from the Committee on Finance, reported, as committed, bill entitled An act for the relief of the estate of Anthony W. Olwine.

Also (same), as committed, bill entitled An act for the payment of Enos C. Renner, contestant for the seat of Michael Mallin.

Also (same), as committed, bill entitled An act for the relief of Dr. Herman B. Linton, a surgeon of the Thirty-eighth regiment, Pennsylvania infantry volunteers.

Mr. LANDON (same), as committed, bill entitled An act to extend the time of payment of the enrollment tax on an act to incorporate the Mineral exploring company, approved August 18th, 1864.

Also (same), as committed, a bill entitled An act to extend the time of payment of the enrollment tax on an act to incorporate the Agricultural College and Junction turnpike road company, approved the 6th day of May, 1864, and to insert additional commissioners in place of those deceased.

Mr. STUTZMAN, from the Committee on the Judiciary Local, reported, as committed, bill entitled An act to authorize the school directors of Wheatfield township, Perry county, to levy and collect additional bounty tax.

Also (same), as committed, bill entitled An act to create trustees to erect a monument in

the Twenty-second ward of the city of Philadelphia, and to authorize Henry K. Smith, executor or administrator of the estate of William K. Smith, deceased, to pay over the moneys in his hands belonging to the bounty fund of the Twenty-second ward, to the said trustees.

Also (same), as committed, bill entitled An act relating to auctioneers in the city of Williamsport.

Also (same), as committed, bill entitled An act to authorize directors of Perry township, Fayette county, to levy and collect a bounty tax.

Mr. FISHER, from the Committee on Military Affairs, reported, with amendment, bill entitled An act to authorize the purchase of certain property, to establish a home for disabled soldiers of Pennsylvania.

Mr. BILLINGFELT, from the Committee on Roads and Bridges, reported, as committed, bill entitled An act providing for the paving of foot-walks in the First precinct of the Twenty-fifth ward of Philadelphia.

Mr. COWLES, from the Committee on Estates and Escheats, reported, as committed, with a negative recommendation, bill entitled An act to authorize the trustees of certain lands in Venango county, Pennsylvania, to borrow money for the development of said lands, and to perfect the titles to said lands by contesting the rights at law of adverse claimants.

Mr. WHITE (same), as committed, bill entitled An act to authorize the guardians of the minor children of Michael Frock, late of Snyder county, deceased, to make certain improvements on the real estate of said minors.

Mr. WALLACE (same), with amendment, bill entitled An act to incorporate the First Baptist church of Lewisburg, Union county.

Also, from the Committee on the Judiciary Local, reported, as committed, bill entitled An act relative to the jurisdiction of justices of the peace, mayors and burgesses in Erie county, and relative to appeals therefrom.

Also (same), as committed, bill entitled An act to authorize the courts of common pleas of Philadelphia to appoint an additional commissioner.

Also (same), as committed, bill entitled An act to authorize the chief burgess and town council of Tyrone City, Blair county, to borrow money, and to levy and collect additional tax to pay the interest on the same.

Also (same), as committed, bill entitled A supplement to the act approved April 11th, 1866, to increase the fees of township officers in the county of Wyoming, extending the same to Cambria county.

Also (same), as committed, bill entitled An act to incorporate the town of Big Run, in Jefferson county, into a borough.

Mr. JACKSON, from the Committee appointed to Compare Bills, and present them to the Governor for his approbation, made report, which was read as follows, viz:

That in conjunction with a similar committee from the House of Representatives, they have compared, and on April 2d, 1867, presented to the Governor for his approbation, the bills as follow, to wit:

Senate bill No. 978, an act to incorporate the Bellefonte Glass manufacturing company.

Senate bill No. 906, an act relating to the collection of county taxes in the county of Lehigh.

Senate bill No. 792, an act authorizing the sale of the Allegheny city poor farm.

Senate bill No. 287, an act relative to livery stable keepers in Mercer county.

Senate bill No. 1300, a supplement to an act entitled An act to incorporate the Pennsylvania coal company, authorizing said company to construct lateral roads and hold additional land.

Senate bill No. 1015, an act to enable the Philadelphia commercial wharf and railroad company to issue bonds and to secure the payment of the same by mortgage, to extend the time for the construction of their railroad connections and to increase the number of directors.

Senate bill No. 1537, an act authorizing the school directors of Clinton township, Wyoming county, to levy a tax for bounty purposes.

Senate bill No. 1467, an act to authorize the burgess and town council of the borough of Tremont, Schuylkill county, to levy a tax.

House bill No. 631, a supplement to an act relating to the lien of mechanics and others upon buildings, approved the 16th day of June, 1836.

House bill No. 338, an act to establish a ferry and footbridge over the Driftwood Branch of the Sinnemahoning creek, near the mouth thereof, in Cameron county.

House bill No. 692, an act to vest the title of Market square, in the borough of Mechanicsburg, Cumberland county, in said borough.

House bill No. 542, an act to increase the compensation of the supervisors, assessors and auditors, &c.

House bill No. 893, an act legalizing the acts of the York building association, number three, of the borough of York, in the county of York.

House bill No. 1355, an act relating to parks in the city of Harrisburg.

House bill No. 1360, and act supplementary to an act incorporating the borough of Marietta, approved February 15th, 1835, granting certain powers to chief burgess and and borough constable.

House bill No. 1190, a further supplement to the act incorporating the East Brandywine and Waynesburg railroad company, approved March 31st A. D. 1854.

House bill No. 807, an act to legitimate Edward A. Smith, Ellen J. Smith, Catharine V. Smith and Thomas B. Smith.

House bill No. 1188, a supplement to an act entitled An act relative to the running of railroad cars in the borough of York, extending the same to the borough of Glen Rock.

House bill No. 931, an act to authorize the city of Philadelphia to sell certain grounds in the Eleventh ward.

House bill No, 1069, an act to enable the board of school directors of the township of Chanceford, in the county of York, to levy and collect at once a tax sufficient to liquidate the remaining indebtness of said township for bounty purposes, and to appropriate surplus bounty funds of said township to common school purposes.

House bill No. 565, a supplement to an act to incorporate the Swatara company, passed March 7th, 1849.

House bill No. 921, an act exempting certain land in Hellam township, York county, from taxation for bounty purposes, when annexed to the borough of Wrightsville, in said county.

House bill No. 896, a further supplement to an act relating to inspections, approved April 15th, A. D. 1835, and the supplement thereto, approved March 25th, 1850, relating to the city of Philadelphia.

House bill No. 1379, an act to provide a city government for the borough of Altoona, Blair county.

House bill No. 433, an act to incorporate the Wellsboro' and Lawrenceville railroad company.

House bill No. 717, an act relating to the election of supervisors in the township of Middletown, county of Susquehanna, and for other purposes.

REPORT OF THE COMMITTEE ON ACCOUNTS.

Mr. ROYER, chairman of the Committee on Accounts, made a report, which was read as follows:

POST OFFICE, HARRISBURG, April, 1, 1867.

The Senate of Pennsylvania,

To JOSEPH F. KNIPE, P. M. DR.:

For postage on letters and documents sent and received from March 1st to March 31st, inclusive, as follows:

Postage on letters and documents sent	$1,911 00
Postage on letters received	1 11
Postage on documents received	76 06
	$1,988 17
By deducting error as by report below	6 00
Total	$1,982 17

Received payment,
JOS. F. KNIPE, P. M.

The Committee on Accounts, to whom was referred the foregoing account of Joseph F. Knipe, Postmaster at Harrisburg, have examined the same and find an error of six dollars overcharged.

The committee offer the following resolution, viz: That the Speaker draw his warrant on the State Treasurer in favor of Joseph F. Knipe, Postmaster at Harrisburg, for the sum of $1,982 17, in full of the foregoing bill.

HORACE ROYER,
G. DAWSON COLEMAN,
C. M. DONOVAN,
Committee.

On motion of Mr. ROYER, the above resolution was twice read, considered and adopted.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

The Clerk of the House Representatives being introduced, presented the following extract from the Journal of the House of Representatives:

IN THE HOUSE OF REPRESENTATIVES, April 7, 1867.

Resolved, That (if the Senate concur) the Governor be requested to return to the House of Representatives House bill No. 951, entitled A supplement to an act to incorporate the Franklin silver mining company.

On motion of Mr. DONOVAN, the resolution was twice read and

Concurred in.

BILLS IN PLACE.

Mr. RANDALL read in his place and presented to the Chair a bill entitled An act to authorize iron and coal companies to keep stores for sale of merchandise for the accommodation of their employees.

Referred to the Committee on Corporations.

Mr. CONNELL, a bill entitled An act to incorporate the Vinton iron and coal company.

Referred to the Committee on Corporations.

Also, a bill entitled An act granting an appeal from a decree for divorce between John Edmunds and S. J. Edmunds.

Referred to the Committee on the Judiciary General.

Also, a bill entitled An act to extend the time for the commencement of the Chesnut Hill and Cheltenham railway.

Referred to the Committee on Railroads.

Mr. HAINES, a bill entitled An act relating to corporations for mechanical, mining, manufacturing and quarrying purposes, approved July 18, 1863, repealing section 33 of the same, so far as it affects certain counties.

Referred to the Committee on Corporations.

Mr. SHOEMAKER, a bill entitled, A supplement to an act to enable the Governor to appoint notaries public and for other purposes therein mentioned, approved April, 1840.

Referred to the Committee on the Judiciary General.

Mr. GRAHAM, a bill entitled An act authorizing the sheriff of Allegheny county to tax costs in certain cases.

Referred to the Committee on the Judiciary Local.

Mr. LOWRY, a bill entitled A supplement to an act appointing commissioners to lay out a State road in the counties of Potter and Clinton, approved March 21, 1865.

Referred to the Committee on Roads and Bridges.

Mr. SEARIGHT, a bill entitled An act to prevent the shooting of fish in spawning time in the county of Westmoreland.

Referred to the Committee on Agriculture and Domestic Manufactures.

Mr. SCHALL, a bill entitled An act to authorize the Lehigh coal and navigation company to borrow money and issue bonds.

Referred to the Committee on Railroads.

Mr. LOWRY, a bill entitled An act to provide means for establishing the soldiers' orphan school in each State normal school district of this Commonwealth, now destitute thereof.

Referred to the Committee on Education.

RE-CALL OF BILL IN THE HOUSE OF REPRESENTATIVES.

Mr. BIGHAM offered the following resolution, which was twice read:

Resolved, That the House of Representatives be requested to return to the Senate Senate bill No. 1325, entitled An act to incorporate the Union Passenger railway.

The resolution was adopted.

VETO MESSAGE FROM THE GOVERNOR.

The Deputy Secretary of the Commonwealth being introduced, presented the following message from the Governor:

EXECUTIVE CHAMBER,
HARRISBURG, April 4, 1867.

To the Senate and House of Representatives of the Commonwealth of Pennsylvania:

GENTLEMEN—Herewith is returned, without my approval, to the Senate, in which it originated, bill No. 1002, entitled An act to incorporate the Masonic Hall association of the city of Reading, Pennsylvania, for the purpose of erecting a building for the use of said Masonic association and for other purposes.

I have already returned to the House, with my objections, two bills of this character, and I had hoped no more would be passed. The act of 18th October, 1840, conferred upon the courts of common pleas of the several counties, authority to create corporations for any literary, charitable or religious purpose, beneficial society or association.

By the third section of the act approved May 7th, 1855, this power of the courts is so extended as to embrace Odd Fellows, Free Masons, and town and city hall associations.

The ninth section of the eleventh article of the Constitution declares that "No bill shall be passed by the Legislature, granting any powers or privileges, in any case where the authority to grant such powers or privileges has been, or may hereafter be, conferred upon the courts of this Commonwealth."

This bill, in my judgment, is in direct conflict with this plain provision of the Constitution, and cannot, therefore, be approved.

Executive approval gives no validity to unconstitutional acts, and the courts have repeatedly held that such enactments are void, and confer no rights or privileges upon the corporators. It is better for all concerned that such legislation be arrested at once, before innocent parties have been induced thereby to invest their money.

It is quite too common to insert some clause or provision in bills of this character, not included in the jurisdiction of the courts; and then to contend that the whole bill must be made an exception to the general rule. This cannot be permitted, for it must appear that the inevitable result of such a course would be the complete nullification of that clause of the Constitution hereinbefore cited. The conclusion of the first section of the bill herewith returned, is as follows;

"*Provided*, That the real estate of the said association shall not exceed the net yearly income of twenty-five thousand dollars."

By the act approved 26th March, 1867, such associations, after incorporated by the courts, may have a clear annual income of twenty thousand dollars. This is more than sufficient in all ordinary cases, and when the net yearly income of this Reading Hall association shall be found to exceed this amount, it will be time enough for the Legislature to legalize the increase.

The following is the second section of the bill:

"SEC. 2. That the objects of said corporation shall be to provide, erect and furnish a hall or suitable building, or buildings, in the said city of Reading, for the accommodation of masonic or beneficial associations, established, or to be established there, as well as suitable for public and business purposes generally."

It must be apparent to every one that the main object of the corporation is to provide a hall for the use of the association; and the additional words, "as well as suitable for public and business purposes generally," are too vague and uncertain to give character to the corporation; and it is very doubtful whether they could be so construed as to confer any powers or privileges whatever.

I cannot allow the plain provisions of the Constitution to be evaded on such pretexts as these. If special power or privileges, not within the jurisdiction of the courts, are needed, they can be properly claimed in bills framed for the purpose, unencumbered for other powers and privileges which the courts have the right to confer; and they will be duly considered.

I can only account for the Legislature passing such bills as this, upon the ground that the act giving the courts jurisdiction cannot be found in the digest, and must have been overlooked. JNO. W. GEARY.

Agreeably to the provisions of the Constitution, the Senate proceeded to the reconsideration of the bill referred to in the foregoing message.

On the question,

Shall the bill pass, notwithstanding the objections of the Governor?

Agreeably to the provisions of the Constitution, the yeas and nays were taken, and were as follow, viz:

YEAS—None.

NAYS—Messrs. Bigham, Browne (Lawrence), Brown (Mercer), Connell, Cowles, Davis, Fisher, Glatz, Graham, Haines, Jackson, James, M'Conaughy, Ridgway, Royer, Schall, Searight, Shoemaker, Stutzman, Taylor, Wallace, Walls, White, Worthington and Hall, *Speaker*—25.

So the question was determined in the negative.

BILLS RECOMMITTED.

Mr. SHOEMAKER moved to recommit bill entitled An act to protect game and fish in Luzerne county to the Committee on Domestic Manufactures.

The motion was

Agreed to.

Mr. TAYLOR moved to recommit bill entitled An act to take the sense of the people of Indiana county upon the question of a prohibitory liquor law to the Committee on Vice and Immorality.

The motion was

Agreed to.

PURCHASE OF A BOOK FOR THE STATE LIBRARY.

On leave,

Mr. FISHER read in his place and presented to the Chair a bill entitled Joint resolution authorizing the purchase of Audubon's Ornithology for the State Library.

Referred to the Committee on Finance.

On motion of Mr. FISHER, the Committee on Finance was discharged from the further consideration of the bill.

And the rules having been dispensed with, the bill was read a second time.

Mr. M'CONAUGHY asked what the price would be.

Mr. COLEMAN. It will cost from ten to twelve hundred dollars. A friend of mine went into a store in New York to purchase it, and was told that a copy had lately been obtained for the Duke of Northumberland, at about twelve hundred dollars. There is an edition, I believe, put off, with worn out plates, which is cheaper.

Mr. FISHER. There is no book sought for so much as this. It is a book of world wide reputation, and ought to be in the library.

On the question,

Will the Senate agree to the resolution?

The yeas and nays were required by Mr. M'CONAUGHY and Mr. FISHER, and were as follow, viz:

YEAS—Messrs. Billingfelt, Coleman, Fisher, Graham, Haines, Randall, Ridgway, Royer, Worthington and Hall, *Speaker*—10.

NAYS—Messrs. Bigham, Browne (Lawrence), Brown (Mercer), Connell, Cowles, Davis, Donovan, Glatz, James, Landon, Lowry, M'Conaughy, Schall, Searight Shoemaker, Stutzman, Taylor, Walls and White—19.

So the question was determined in the negative.

During the call,

Mr. CONNELL said: Mr. Speaker, this resolution absolutely requires the purchase of this work, without any limit as to price. If it was limited, I might vote for it; as it is, I vote "no."

Mr. BROWNE (Lawrence) said he should vote "no" for the same reason.

COMMUNICATION BETWEEN LAKE ERIE AND THE OHIO RIVER.

On leave,

Mr. LOWRY read in his place and presented to the Chair a joint resolution, which was read as follows:

Whereas, a passage for gunboats between the Ohio river and the great lakes is greatly needed for the national protection and security;

And whereas, The national prosperity would be vastly multiplied by the opening of such a highway for the purposes of commerce;

And whereas, The National Congress had manifested its desire for the opening of such a channel, by ordering the survey of sundry routes; therefore,

Be it resolved by the Senate and House of Representatives of the Commonwealth of Pennsylvania, in General Assembly met, That our Representatives are hereby requested, and our Senators instructed, to urge upon

Congress the passage of an act to open such a channel by the way of the Pennsylvania Erie canal from the mouth of the Beaver river, on the Ohio, to lake Erie, at the city of Erie, a distance of (128) one hundred and twenty-eight miles, which, in the judgment of the Legislature of Pennsylvania, can be accomplished by using the Erie Extension canal at a cost to the Government, and the same can be kept in repairs at the expense of the Erie canal company, for the use of the Government at all times, not to exceed one million of dollars.

Mr. LOWRY. Mr. Speaker, I will state the object of the resolution in a single word. It is known that communication between the lakes and the rivers, for the passage of gunboats, is looked upon as a future necessity of the Government, and I think this will be the only chance that Pennsylvania would have to enjoy its benefits and share its blessings, and while the Government is making its surveys across the country at a cost, in contemplation, of fifty millions of dollars to the Government, it can be run through Pennsylvania at a cost of one million of dollars, and bless us and protect mankind.

The resolution was referred to the Committee on Federal Relations.

On motion of Mr. LOWRY, the Committee on Federal Relations was discharged from the further consideration of the bill, which was read a third time, and

Passed finally.

PURCHASE OF EPHRATA MOUNTAIN SPRINGS AS A HOME FOR DISABLED SOLDIERS.

On motion of Mr. FISHER, the rules were dispensed with, and the Senate proceeded to the consideration of a bill providing for the purchase of Ephrata Mountian Springs, in Lancaster county, for a home for disabled soldiers, at a price not to exceed one hundred and fifteen thousand dollars.

The bill was read.

Mr. CONNELL. I would like to know something about the value of this property.

Mr. FISHER. Very well; this property is known as the Ephrata Mountain Springs. There are seventy-two acres of land there, worth in the market two hundred dollars an acre. There is a hotel built on it which has accommodations for two hundred guests, with all the outbuildings, stabling, ten-pin alley, and all the buildings that are appropriate to a summer watering place. The furniture in the house cost about fifteen thousand dollars. The proprietor of this property proposes to sell the farm, buildings, furniture, and live stock on the place, for one hundred and fifteen thousand dollars. The former owner of the property, who was formerly a member of this body, was offered for the farm and buildings, without the furniture, seventy-five thousand dollars, when gold was worth one hundred per cent. premium. I think there is no place in the State which can be purchased so cheaply as this. If we want an asylum for our invalid soldiers, I think this opportunity will not occur again for the next century.

Mr. CONNELL. Mr. Speaker, I was at this place four years ago; it is a very beautiful place, but, sir, I happen to know something about the prices of land and buildings, and I should say that, at the outside, the value of this property was between thirty thousand and forty thousand dollars. I understand from the Senator from Lebanon that it was sold a few years ago for fifteen thousand dollars.

Mr. FISHER. This bill provides for an appropriation not exceeding one hundred and fifteen thousand dollars, at the discretion of the Governor.

Mr. COLEMAN. Mr. Speaker, I was born and brought up in the vicinity of this property and have known it all my life. I understand that it was sold at sheriff's sale for fifteen thousand dollars. The buildings on this property I consider valueless for this purpose. They are not like our ordinary watering place hotels, at Cape May and other places. They might last a couple of years. As soon as the State would come into possession of that property all these buildings would have to be torn down, and we might have to spend one hundred thousand dollars to put them in order. Everybody knows what these building are at watering places. They are frame buildings. They might be rented, perhaps, for two or three years; but, for a permanent institution, I consider these buildings as valueless. They would have to be taken down, and we should have to put up a building creditable to the State. I hope this subject will be referred to the Finance Committee.

Mr. FISHER. Mr. Speaker, I have had apprehensions for some time that the Senator from Lebanon [Mr. COLEMAN] was going into a fossiliferous state. With regard to these buildings, they are substantial; they are frame buildings it is true, as all buildings generally are at watering places; but I know they are in excellent condition; they are large and commodious. There are provisions made there for the accommodation of two hundred guests, and I suppose there would be accommodations there for three hundred soldiers.

But the question recurs, shall we have a home for the soldiers? If this Senate is prepared to say that we shall throw these one-armed, one-legged, mutilated men out, with no protection from the Commonwealth, be it so. But, sir, if you had been in the army, and saw the sacrifices that these men made; if you had seen these men wounded, maimed, starving, bleeding, then I ask you, sir, would you have been prepared to come here and say the Senate of Pennsylvania shall make no provision for these men? I ask you to go home to your constituents and say that when this proposition was submmitted to the Senate to provide a home for these wounded and starving men, you got up here and said you would make no provision for them. Go to the heights of Gettysburg; go to the Peninsula; go to the Wilderness, to the North Anna, to the James River, to the place where Lee surrendered, and where Johnston surrendered, and then tell the people of Pennsylvania, that we will make no provisions for these wounded, maimed and starving men.

I believe this is the cheapest place you can provide for these men. If you are prepared to say you will make no provision for them, be it so. As for me, I am not prepared to say that these men shall be turned over to the poor houses; I would make some provision for them.

Mr. TAYLOR. Mr. Speaker, I am certainly just as willing as the Senator from Lancaster [Mr. FISHER] or any other Senator on this floor, and will go just as far as the farthest, to make provision for those who have suffered in the late war. But, sir, I do not think that in the purchase of this property we are making such provisions for the wounded and maimed soldiers, as we might do with the same amount of money otherwise expended. I think that under the guise of providing for the soldiers we are providing for the owner of this property, and I shall vote against this measure. It may be that the passage of this bill would be a good thing for the owner of this property and some others, but we can provide for the maimed and wounded soldiers at less expense to the State.

Mr. FISHER. I have just been informed that there is room for five hundred men in these buildings.

Mr. M'CONAUGHY. Mr. Speaker, I simply desire to say that the inference might be drawn from the remarks of my friend, the Senator from Lancaster [Mr. FISHER], that Pennsylvania made no provisions for the soldiers. I think that the Senator is mistaken. There are homes for them in Philadelphia and Pittsburg, both large establishments, one of which I visited a few weeks ago, and which is very commodious, and the present appropriation bill appropriates twenty-five thousand dollars out of the treasury to help these institutions.

They represent the eastern and western localities of the State. In addition to that, there has been organized, by this Legislature, an institution called the National Asylum, with General Meade for its president, and a number of the leading soldiers of the State active in it, under which incorporated citizens of the State undertake to pay into the treasury the sum of three hundred thousand dollars for that purpose, and I believe from the auspices under which that effort is inaugurated that the sum will be realized within the current year. The erection of the building is to be on Cemetery Hill. The site is selected, and if the State desires to contribute it would be infinitely better to contribute to existing institutions than to go out of the way to pay for this establishment in Lancaster. As persons from the immediate vicinity—my friend from Lebanon [Mr. COLEMAN] from almost within sight of the establishment, give their opinion of its absolute failure, I think there can be no hesitation in voting down this appropriation for this property. I would be very slow to vote against my reasonable proposition. I may say in this connection that there is now accumulated in the hands of trustees, the sum of six or eight millions of dollars in moneys due to officers, &c., which by legislation through Congress has been appropriated specially for this purpose, part of which will no doubt be expended in Pennsylvania.

Mr. CONNELL. Mr. Speaker, I am ready to go as far for the soldiers as the Senator from Lancaster [Mr. FISHER], but I would rather take this money and buy three or four such places as that. I will undertake that the Governor will buy four or five such places for the same amount of money. Therefore, I claim that I am a better friend of the soldier than the Senator.

Mr. FISHER. Mr. Speaker, in regard to buying four or five such places, if the Governor and city authorities were to go into the market and buy a place for the accommodation of the wounded soldiers, I have no doubt the price would be three times the price at which this property is proposed to be sold.

A single remark to the Senator from Adams [Mr. M'CONAUGHY.] He proposes to have the establishment on Cemetery Hill. I have watched the course of this legislation, and my friend, the Senator from Adams, has been working all winter to fix up a new battle of Gettysburg. He wants a monument, a hotel, and now a Soldiers' home. I tell you the soldiers would not feel at home there; they were there once, and did not get a very handsome reception. This property in Lancaster is worth every dollar that is asked for it. These people from Adams county come here and ask this Legislature to grant them five hundred thousand dollars—for what? For selling bread at a dollar a loaf, and locking up their pumps. I tell you, sir, I have been nearly five years in the army, and the meanest man that I ever met anywhere was in that county. When our tired men, worn out by marches night and day—for my command marched on the night of the first of July until two o'clock in the morning, and bivouacked on the field just before going into that battle—and an Adams county

man came to me, and asked me who would pay him for allowing my men to sleep on his field? And what was my answer to him, sir? I said, "Make out your bill and send it to the President at Washington!" Said he, will he pay it? I told him, "Sir, he will pay it or say that you are a mean man to ask it." That is the character of the citizens of Adams county. They, sir, charged my men a dollar a loaf for bread, and a very small loaf at that; they locked up their pumps to prevent my men from getting water. And now, sir, the Senator from Adams comes up here and asks that protection be made for these men on Cemetery Hill. Go to that consecrated ground, and see the mangled bodies of men who stood up there in defense of the country! Then, sir, because we ask for a place which has been true and faithful and loyal—a place, sir, that is worth every dollar, and more, that is asked for it—the Senator from Adams gets up and asks that it be put on Cemetery Hill. Sir, if I thought that this proposition would take a dollar out of the treasury unjustly, I would not vote for it.

You will observe by the terms of the bill that it is left discretionary with the Governor. We all have confidence in him; he will not pay a dollar unjustly. I know this property to-day is worth every dollar asked for it.

Now, think of it. There are seventy-two acres of land there, every acre of which would bring two hundred dollars. They can accommodate five hundred persons. With all the outbuildings, with the furniture, which cost fifteen thousand dollars, with the cattle, sheep, horses, hogs, etc., I say the property is cheap; and if I had the money, I would not hesitate about investing it there. The grand question is, sir, shall we have a home for these poor maimed men? Is Pennsylvania going to turn its back upon the soldiers?

Mr. M'CONAUGHY. In speaking, a few moments ago, I stated facts which I supposed were immediately pertinent to the question—facts which I supposed would be interesting to the members of this body. Why my friend, the Senator from Lancaster [Mr. FISHER], who I have always esteemed as my personal friend, should make a gross and flagrant attack upon my constituents, is to me wonderful. It cannot grow out of the relations between the Senator and myself; it cannot grow out of anything my people have done. There is an old adage, "Let the galled jade wince." There seems to be something under this matter—something that lies deeper than any offense committed by my people. Sir, I need not reply to the assault made upon my constituents. I suppose there is no community in the world, there is no district in this Commonwealth, in which there may not be mean people. I do not mean to say that there are none in the bounds of my constituency. I remember that it was alleged that in Harrisburg a dollar a loaf was charged for bread. A very distinguished English woman, who has written with some ability, characterized the people of America in the Trollope novels, by attributing to them the character of one individual. My friend from Lancaster thinks the same way. He has picked up something, and implied that the characteristics of a single mean individual are the characteristics of my people. Sir, from such charges, I appeal to the men who fought at Gettysburg, and to the men who commanded there. They will silence the unjustifiable attack of the Senator.

But there is one thing, and with that I desire to end what I have to say. My people do not need to be defended. There are things, Mr. Speaker, which are sacred, and command the reverence of every true soul; and I know this is the case of the soldiers—noble men, for whom every true man entertains a reverence next to the reverence for his God. But, sir, if there is a mean thing on earth—a contemptible thing, which beggars language to express utterly—it is the prostituting the cause of the soldier, demeaning the high and holy name of patriotism for the base purpose of taking from the Commonwealth one hundred and fifteen thousand dollars.

Mr. FISHER. I would like to know whether the Senator from Adams [Mr. M'CONAUGHY] wishes to impute any improper motives to me in this matter.

Mr. M'CONAUGHY. I do not. But I do say that it is transparent that the bill calls for an amount in this appropriation three times greater than the estimated value of the property designed to be purchased.

Mr. FISHER. Mr. Speaker, I am very glad that the Senator has put it in the shape he has. Now, sir, in regard to the value of this property. I state here that I have been informed, upon what I conceive to be undoubted authority, that Mr. Feather, who was formerly a member of this body, was offered, in gold-times, seventy thousand or seventy-five thousand dollars for this property. Well, sir, that was for the realty alone. Now, the gentleman who owns this property proposes to sell the whole thing; not only the realty, but the personalty. Now, you know what it would cost to furnish a hotel—perhaps you do not know from experience, never having kept a hotel—but it could not cost less than twenty-five thousand dollars. Now, he proposes to sell all his furniture, all the stabling, ten-pin alleys, etc.; and I believe, as firmly as I believe anything, that this property is cheap at the price asked for it. But you will bear in mind that the Governor is required to purchase it at a price not exceeding this amount, and if he finds that it is not worth the price asked, he can negotiate the purchase at a lower figure.

The Senator from Adams [Mr. M'CONAUGHY] seems to want this home fixed in Adams county. I tell you the soldiers do not want to go to Adams county; they have seen enough of it; and I say again, without reflection upon the Senator from Adams, that the meanest men I ever saw in the world, are located in Adams county. Go into Virginia, and the people there, although fighting against you, will divide the last loaf with you; there is hospitality there. And when we came to Adams county, I say again, they locked up their pumps, and sold their loaves of bread at a dollar a piece, and thought they were doing us a favor, at that. I have no sympathy with the people of Adams county. There is nothing to make me love them, except the Senator himself.

Mr. LOWRY. Mr. Speaker, I have no disposition to interfere with this bill, but I have a disposition not to send the Governor of the Commonwealth down to Lancaster county, to count the chickens, and ducks, and pigs, and horses, and dirty bed clothes, or clean bed clothes, in any house, and take them at a price of one hundred and fifteen thousand dollars, or any amount. This, sir, is no way to make a purchase—no way for a great Commonwealth like Pennsylvania to make a purchase. I know, sir, that devils are cast out here often in the name of the soldier. I do not know that it is so in this case. But, sir, I denounce this way of purchasing property, and I call upon the other Senator from Lancaster [Mr. BILLINGFELT] to tell us whether this bill ought to pass.

Mr. BILLINGFELT. Mr. Speaker, I had made up my mind to remain silent upon this subject, because, not wishing to have another engagement brought on between my colleague and myself, to disturb the harmony of feeling and friendship that exists between us; and besides, when we had our last engagement, the Senator from Allegheny [Mr. BIGHAM] gave the assurance then that it was to be positively the last appearance of the Senator from Lancaster. But, sir, since I have been disturbed in my quietude, and called upon by the Senator from Erie [Mr. LOWRY] to give my opinion upon this subject, I cannot refuse.

The property contemplated to be purchased by this bill, viz: the Ephrata Mountain Springs, I know very well, having been born and raised almost within sight of it. In point of locality and romantic scenery, it can scarcely be excelled in the State. It is well adapted for a purpose of that kind. Its former owner, Mr. Konigmacher, once a State Senator, converted the same into a summer resort, and was very successful in making it popular. When in full bloom, I remember very well that there were as many as eight hundred guests, and might have, at that time, brought seventy-five thousand dollars. But after Mr. Konigmacher died, the property was sold for ten thousand or fifteen thousand dollars. It has since been completely renovated and improved, besides; through change of owners and change of prices, I think it might cost the present proprietors some thirty thousand or forty thousand dollars.

I do not wish to stand here in opposition to the advancement of the interest of my own immediate constituents, but as I have been called upon to give some estimate of the present value of the premises, I must confess that I do not think it is worth more than the amount stated by the Senator from Lebanon [Mr. COLEMAN]; and besides, I am unable to find that the application for purchasing the same, or anything else in lieu thereof, comes from the soldiers, whom it is intended to benefit, but solely from the persons immediately interested in the selling thereof. And if there should be a necessity for establishing an institution of the kind, I think the price asked for, one hundred and fifteen thousand dollars, is too high. I would not vote for more than half the amount called for in this bill. I will vote to refer the same to the Committee on Finance.

Mr. BIGHAM. Mr. Speaker, my own constituents have invested one hundred and seventy-five thousand dollars from the proceeds of a sanitary fair for the support of an institution of this kind. The building was put up for the Western Pennsylvania hospital originally; and unless there is some overwhelming necessity—Philadelphia and Allegheny both having one of these institutions—I am certainly not prepared to vote for another.

Mr. FISHER. Mr. Speaker, I have learned one thing, and that is that this Senate does not care for the soldiers now, and so we will let them go. There will be a reckoning one of these days, however.

Mr. CONNELL moved that the further consideration of the bill be postponed for the present, and that it be referred to the Committee on Finance.

On the question,

Will the Senate agree to the motion?

The yeas and nays were required by Mr. FISHER and Mr. CONNELL, and were as follow, viz:

YEAS—Messrs. Bigham, Billingfelt, Browne (Lawrence), Brown (Mercer), Burnett, Coleman, Connell, Cowles, Graham, Landon, Lowry, M'Conaughy, Ridgway, Royer, Shoemaker, Stutzman, Taylor, White and Worthington—19.

NAYS—Messrs. Davis, Donovan, Fisher, Glatz, Haines, Jackson, James, Schall, Searight and Hall, *Speaker*—10.

So the question was determined in the affirmative.

During the call,

Mr. COWLES said: Mr. Speaker, if we are to originate any system for taking care of soldiers, it ought to be a general system. So far as my observation extends, none of those invalid soldiers are in necessitous circumstances. In my part of the State all are provided for; they are among their friends there, and receive handsome pensions from the State, and I am satisfied to let well enough alone. I am especially opposed to partial legislation.

Also, during the call,

Mr. FISHER said: Mr. Speaker, when I go to Philadelphia, on almost every street I see a man with an arm off or a leg off, grinding an organ and grinding out a subsistence. In every place I visit, I am called upon to relieve some poor wounded soldier. For that reason, sir, I want to provide a home for those poor men; Senators here, who were not in the field, cannot realize the dangers and struggles through which these men passed—the days and nights in which they marched, care-worn and fatigued; and now, sir, I want to provide some home where they may spend the remnant of their days. Is the Republican Senate of Pennsylvania, that talks about the soldiers, and asks for the soldiers' votes, and sends their papers to the army, and asks them to support the Republican ticket—are they going to vote this bill down, and refuse to provide a home for them? I, sir, cannot do it, and I vote no.

Also, during the call,

Mr. LOWRY said: Mr. Speaker, the soldiers do not want a home bought for them at twice its value. I vote to refer this bill.

Also, during the call,

Mr. WHITE said: Mr. Speaker, this is a bill allowing the Governor to purchase, for an amount not exceeding a certain sum, a home for soldiers. I believe in allowing him some discretion. I would like to see a home for the invalid soldiers of Pennsylvania. I have no doubt something of this kind will be ultimately adopted. But we have already made provision for the soldiers' orphans, and this is a very large draft upon the Treasury. We are making provisions for eleemosynary institutions all around the State for the support of the soldiers and their orphans, and we are doing all we are able to do in this respect. And then, again, I have discovered that the Government has incorporated a Soldiers' National asylum, and purchased property; and, inasmuch as they have inaugurated a general policy upon this subject, I think it unwise in the State, in the depleted condition of our Treasury, to do this. Again, this whole subject was referred to the Military Committee of the Senate, and I hold in my hand a report from that committee in the shape of the following resolution:

Resolved, That the Committee on Military Affairs in the Senate be and they are hereby authorized and instructed to inquire into the propriety of purchasing a house for invalid soldiers by the Commonwealth, and among other places they are hereby requested to examine the adaptation of what is known as Ephrata Springs, Lancaster county, for such purpose, and to make report thereof to the next Legislature.

This makes provision for the purchase of property, and a report to the next Legislature. I therefore vote to refer the matter to the Committee on Finance.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

The Clerk of the House of Representatives being introduced, again presented for concurrence bill numbered and entitled as follows, viz:

No. 669, an act amending the charter of municipal corporation of the city of Lancaster and dividing the same into nine wards.

Said bill having been returned from the Governor in pursuance of resolution requesting the same, and amended, by unanimous consent, in which amendment the concurrence of the Senate is requested.

On motion of Mr. Fisher, said amendments were twice read, considered and concurred in.

BILLS ON THIRD READING.

Agreeably to order,

The Senate proceeded to the third reading and consideration of a bill entitled An act to enable police officers to enforce order in licensed houses, and to exterminate the unlicensed traffic.

On the final passage of the bill,

The yeas and nays were required by Mr. SCHALL and Mr. BIGHAM, and were as follow, viz:

YEAS—Messrs. Bigham, Browne (Lawrence), Brown (Mercer), Coleman, Connell, Cowles, Fisher, Graham, Haines, Landon, M'Conaughy, Royer, Shoemaker, Stutzman, Taylor, White, Worthington and Hall, *Speaker*—18.

NAYS—Messrs. Burnett, Davis, Donovan, Glatz, James, Randall, Ridgway, Schall, Searight and Wallace—10.

So the bill

Passed finally.

Agreeably to order,

The Senate proceeded to the third reading and consideration of a bill entitled An act to indemnify certain election officers of this Commonwealth for losses sustained and fines imposed on them for acting in accordance with the provisions of the act of Assembly of June 4, 1866.

On the final passage of the bill,

The yeas and nays were required by Mr. WALLACE and Mr. DONOVAN, and were as follow, viz:

YEAS—Messrs. Bigham, Billingfelt, Browne (Lawrence), Brown (Mercer), Coleman, Connell, Cowles, Fisher, Graham, Haines, Landon, Lowry, M'Conaughy, Ridgway, Royer, Shoemaker, Stutzman, Taylor, White, Worthington and Hall, *Speaker*—21.

NAYS—Messrs. Burnett, Davis, Donovan, Glatz, Jackson, James, Randall, Schall, Searight, Wallace and Walls—11.

So the bill

Passed finally.

Agreeably to order,

The Senate proceeded to the third reading and consideration of a bill entitled An act to provide for the enforcement of the inspection laws in regard to the inspection of whisky in the county of Philadelphia.

On motion of Mr. DONOVAN, the consideration of the bill was postponed until tomorrow.

Agreeably to order,

The Senate proceeded to the third reading and consideration of a bill entitled A supplement to an act to incorporate the Chester Creek railroad company, approved the 16th day of April, A. D. 1866.

Mr. DONOVAN moved to postpone the further consideration of the bill for the present.

On the question,

Will the Senate agree to the motion?

The yeas and nays were required by Mr. RIDGWAY and Mr. DONOVAN, and were as follow, viz:

YEAS—Messrs. Davis, Donovan, Glatz, James, Schall, Stutzman, Wallace and Walls—8.

NAYS—Messrs. Bigham, Browne (Lawrence), Brown (Mercer), Connell, Graham, Haines, Jackson, Landon, M'Conaughy, Randall, Royer, Searight, Shoemaker, Taylor, White and Hall, *Speaker*—17.

So the question was determined in the negative.

The hour of one o'clock having arrived, the Senate adjourned until this P. M. at three o'clock.

AFTERNOON SESSION.

The Senate re-assembled at three o'clock, P. M.

BILLS ON THIRD READING.

Agreeably to order,

The Senate resumed the third reading and consideration of a bill entitled A supplement to an act to incorporate the Chester Creek railroad company, approved April 16, 1866.

On the final passage of the bill,

The yeas and nays were required by Mr. DONOVAN and Mr. ROYER, and were as follow, viz:

YEAS—Messrs. Bigham, Browne (Lawrence), Brown (Mercer), Connell, Cowles, Graham, Haines, Jackson, Landon, Lowry, M'Conaughy, Randall, Royer, Schall, Searight, Shoemaker, Taylor, White and Hall, *Speaker*—18.

NAYS—Messrs. Burnett, Davis, Donovan, Glatz, James, Schall, Stutzman, Wallace and Walls—9.

So the bill

Passed finally.

Agreeably to order,

The Senate proceeded to the third reading and consideration of a bill entitled An act to authorize the road supervisors of the township of Collins, Allegheny county, to levy an additional tax, and make sidewalks along the public roads in said township, and to increase the pay of supervisors and auditors in said township.

The bill

Passed finally.

Agreeably to order,

The Senate proceeded to the third reading and consideration of bill entitled An act to provide for the appointment of controllers of the public schools of the First school district of Philadelphia.

Mr. CONNELL asked and obtained the unanimous consent to amend the same by adding to the end a proviso.

On the question,

Shall the bill pass?

The yeas and nays were required by Mr. DONOVAN and Mr. CONNELL, and were as follow, viz:

YEAS—Messrs. Bigham, Browne (Lawrence), Brown (Mercer), Coleman, Connell, Cowles, Graham, Haines, Landon, M'Conaughy, Ridgway, Royer, Shoemaker, Stutzman, Taylor and Hall, *Speaker*—17.

NAYS—Messrs. Burnett, Davis, Donovan, Jackson, James, Randall, Schall, Searight and Walls—9.

So the bill

Passed finally.

Agreeably to order,

The Senate proceeded to the third reading and consideration of a bill entitled An act to incorporate the Brady coal and iron company.

The bill

Passed finally.

Agreeably to order,

The Senate proceeded to the third reading and consideration of a bill entitled An act to incorporate the Tidioute and Warren oil company.

The bill

Passed finally.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

The Clerk of the House of Representatives being introduced, informed that the House of Representatives has non-concurred in the amendments made the Senate to bill from the House of Representatives numbered and entitled as follows, viz:

Daily Legislative Record.

FOR THE SESSION OF 1867.

PUBLISHED BY AUTHORITY OF THE LEGISLATURE OF PENNSYLVANIA. No. 115.

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[CONTINUED FROM PAGE 912.]

No. 230, a further supplement to an act for the regulation and continuance of a system of education by common schools, approved the 8th day of May, A. D. 1854.

And appoint Messrs. SHARPLES, JONES and WILSON a committee of conference, to confer with a similar committee on the part of the Senate (should the Senate appoint such a committee), upon the subject of the differences existing between the two Houses on said bill.

Said amendments having been again read,

Mr. WORTHINGTON moved that the Senate insist upon its amendments, non-concurred in by the House of Representatives to said bill, and that a committee of conference be appointed, to confer with a similar committee, already appointed by the House of Representatives, on the subject.

The motion was

Agreed to.

Ordered, That Messrs. WORTHINGTON, HAINES and JACKSON be the committee on the part of the Senate.

He also informed that the House of Representatives has non-concurred in the amendments made by the Senate to bill from the House numbered and entitled as follows, viz:

No. 1038, an act to repeal an act to prevent horses, cattle, sheep and hogs from running at large in Chillisquaque township, Northumberland county, Kelly township, Union county, and certain townships in Luzerne county, so far as the same relates to Chillisquaque township and as far as relates to Kelly township, Union county.

Said amendments having been again read.

Mr. JACKSON moved that the Senate insist upon its amendments, non-concurred in by the House of Representatives to said bill, and that a committee of conference be appointed, to confer with a similar committee by the House of Representatives (if that House shall appoint such committee), on the subject of the differences existing between the two Houses in relation to said bill.

The motion was

Agreed to.

Ordered, That Messrs. JACKSON, WALLS and RIDGWAY be said committee.

He also returned (in pursuance of resolution from the Senate) bill from Senate numbered and entitled as follows, viz:

No. 1325, an act to incorporate the Union passenger railway company of the city of Pittsburg.

RECALL OF BILL FROM THE HOUSE OF REPRESENTATIVES.

On motion of Mr. JACKSON, the following resolution was twice read:

Resolved, That the House of Representatives be requested to return to the Senate Senate bill entitled A supplement to an act for the more effectual protection of the owners of logs and lumber on the Susquehanna river, extending the same to logs floated down the Loyalsock and Muncy creeks.

The resolution was

Adopted.

ENTRY OF LIENS ON CERTAIN LANDS.

Agreeably to order,

The Senate proceeded to the third reading and consideration of a bill entitled An act directing the entry of liens for moneys due the Commonwealth on lands held by virtue of location, or other office titles, requiring the survey of lands not heretofore surveyed and returned to the Surveyor General's office, and payment to be made for the same, and regulating the fees in the office of the Surveyor General.

The bill was read a second and third time, and

Passed finally.

CHANGE OF VENUE FROM SCHUYLKILL TO LEBANON COUNTY.

On motion of Mr. CONNELL, the rules were dispensed with, and the Senate proceeded to the consideration of a bill entitled An act to change the venue in a certain case from Schuylkill county to Lebanon county.

Mr. CONNELL. This is the ordinary case, where one of my constituents did not want his case tried in Schuylkill. He has heard so much about the courts there that he does not want it tried there, because he thinks he cannot get justice.

Mr. COWLES. There were several affidavits before the Judiciary Local, very strong papers, as well as oral statements from counsel and other parties.

Mr. CONNELL. This change has not been refused at any time during this session.

Mr. RANDALL. The plaintiff here is a wealthy gentleman in Philadelphia, who is endeavoring to worry out these children—the defendants—by putting them to the expense of trying the case in another county. They do not deny that they cannot have a fair trial in Schuylkill county. I trust the Senate will not set this precedent.

Mr. LOWRY. Mr. Speaker, the allegation is that they cannot have a fair trial in that county. I do not think the Senator knows a great deal about this case. It is a strong case, I am assured by the highest authority in the Commonwealth. I trust we will change the venue in this case.

Mr. RANDALL. Mr. Speaker, I have no doubt the Senator from Erie [Mr. LOWRY] thinks this a strong case. His prejudices are formed against every case from Schuylkill county. He is capable of making statements upon this floor without any reason being assigned.

Mr. LOWRY. Mr. Speaker, my prejudices against Schuylkill county are based on strong evidence.—I will repeat what I said before, that the highest authority in this Commonwealth has told me that it is a case where justice will not be done unless there is a change.

Mr. RANDALL. Who is the authority?

Mr. LOWRY. The Attorney General of the Commonwealth.

Mr. WALLACE. Mr. Speaker, this case is an action of ejectment brought by the heirs of Mr. Loeser against Mr. Hammett. He purchased the land of Mr. Loeser, a short time before his death, and when he was insane, and not competent to transact his own business. Mr. Hammett bought this land with a full knowledge of that fact. After the death of Mr. Loeser, his heirs at law brought this action of ejectment against Mr. Hammett, to recover from him the land, on the ground that the sale that their father had made was void, by reason of his insanity. Since the beginning of this action, those heirs have tendered to Mr. Hammett all the money he paid for the land; they have offered to reimburse him, both principal and interest. It was understood that Mr. Hammett, when he bought this land, had full notice of the rights of these heirs.

Their father was a lunatic, and they brought this action, as all persons under such circumstances have a right to do, in disaffirmance of the contract made by their father. The action was brought in the county in which the land lies, and in which the question of lunacy would have been tested if raised; the county in which Mr. Loeser resided all his lifetime, and the county in which these heirs now reside. There is no allegation and no proof of the fact that Judge Ryan will not do justice to these parties; and I ask the Senator from Erie [Mr. LOWRY] to produce the sworn affidavit of any man to these facts. He cannot produce an affidavit here that Mr. Hammett cannot have a fair and impartial trial in Schuylkill county. We ask at the hands of those Senators who assume that this case should be removed, that it be placed upon the basis of other cases.

We must go beyond mere declarations when men's rights are about to be taken away from them. We should require, and we have required, it is our universal rule to require of all parties who desire a change of venue, sworn affidavits, grounding the cause either first, that the judge is not impartial, or secondly, that the jury, because of prejudice, will not render a verdict in accordance with the facts. We have, in this case, first, the fact that the land in contest lies in Schuylkill county; secondly, that Mr. Loeser resided there, and that, by the law, is the place where the question of lunacy is to be tried. We have these facts, and, in the absence of sworn proof that this case cannot be impartially tried there, I trust the Senate will not change the venue.

Mr. CONNELL. That proof was here. The chairman of the Local Judiciary had it, setting forth the facts that they cannot have a fair trial in Schuylkill county.

Mr. BIGHAM. Mr. Speaker, I have heard this case represented by three counsel, and

unless some case can be made out, *prima facie*, much stronger than has been, I hope no change of venue will be allowed.

Mr. LOWRY. The friends of this change have telegraphed for the affidavits; they supposed they would be here now, and I am willing it should go over until to-morrow.

Mr. BIGHAM. Very well; I am willing it should go over.

Mr. CONNELL moved that the further consideration of the bill be postponed for the present.

The motion was

Agreed to.

RECONSIDERATION A BILL.

Mr. DAVIS moved to reconsider the vote on the final passage of bill entitled An act directing the liens for moneys due the Commonwealth on lands held by virtue of location or other office titles, requiring the survey of lands not heretofore surveyed and returned to the Surveyor General's office, and payment to be made for the same, and regulating the fees in the office of the Surveyor General.

On the question, Will the Senate agree to the motion?

The yeas and nays were required by Mr. DAVIS and Mr. GLATZ, and were as follow, viz:

YEAS—Messrs. Billingfelt, Browne (Lawrence), Brown (Mercer), Burnett, Coleman, Cowles, Davis, Donovan, Glatz, Graham, Jackson, James, Landon, Lowry, Schall, Searight, Shoemaker, Stutzman, Taylor, Wallace, Walls and White—22.

NAYS—Messrs. Bigham, Connell, Ridgway and Royer—4.

So the question was determined in the affirmative.

During the call.

Mr. BURNETT said: Mr. Speaker, I desire to state the reasons for my vote on this motion. This bill was passed here on a trick. I intended to take occasion, before the bill was brought to a final vote, to give my views upon it, and my objections to some of its features. Now, if Senators will examine this bill thoroughly, they will find that it adopts a very harsh measure against a very large number of landholders within this Commonwealth. So far as those persons are concerned who hold their lands by warrant and survey, the bill would not materially affect them, and so far as that class of persons in the State are concerned, there ought to be some way of collecting the money due the Commonwealth. But, sir, there is another class of persons in the Commonwealth who are very materially interested in this bill. I have reference to that class of persons—squatters, you may call them—who have resided upon the lands of the Commonwealth for a great many years, and who have cultivated farms, and yet have not a scrap of a title to the lands which they hold. Now, what does this bill propose? It proposes that all persons not having a survey and return made and patent issued before the first day of November next, shall be liable to have a warrant laid upon their farms by any land speculator in Pennsylvania; and I undertake to say that thousands of citizens of this Commonwealth who hold lands without a title will run the risk of having their farms taken away from them by land speculators for a mere song. I do not know whether this has occurred to Senators or not; it passed here with this feature. I had a conversation with the Surveyor General, and he admitted that the bill was a rash measure. If this bill is not reconsidered, injury may be done to thousands of honest citizens in the Commonwealth.

The bill being again before the Senate,

Mr. WALLACE moved to go into committee of the whole for the purpose of general amendment.

The motion was

Agreed to.

In committee of the whole (Mr. SEARIGHT in the chair) the bill was read.

Mr. WALLACE moved to amend by striking out all after the second section, and inserting in lieu thereof the following sections:

SEC. 3. The Surveyor General shall forthwith place in the hands of the county surveyors of each of the counties of this Commonwealth the docket so as aforesaid made for their respective counties, and the said county surveyor is hereby authorized and required to employ a reliable and responsible attorney in said county to collect the balances due the Commonwealth upon lands in said county, whether upon mortgage by reason of warrant and survey, or resulting from actual settlement without application, and suits may forthwith be commenced, sued and prosecuted, for the recovery of such moneys, in the name of the Commonwealth. And when the moneys so as aforesaid sued for shall be received and paid over to the State Treasurer, the Surveyor General shall prepare and deliver the necessary patent, acquittance or paper to vest the title to the premises in accordance with existing laws, and for his services in collecting said moneys without suit, the said attorney shall be entitled to receive from the debtor five per centum on the amount so collected, and ten per centum upon all moneys collected after suit brought: *Provided*, That no interest shall be charged upon said lands save in the manner in accordance with the provisions of the first, second, third, fourth and fifth sections of the act of the General Assembly approved April 10, 1835, which are hereby re-enacted: *And provided, further*, That no interest shall be charged upon any land held by actual resident, settlement and improvement, by the person who actually made such improvement, or his lineal descendants or widow: *And provided further*, That nothing herein contained shall, in any event, be construed to deprive the Commonwealth of the lien of said purchase money and interest until the same shall be actually received by the State Treasurer.

SEC. 4. It shall be the duty of the Surveyor General to satisfy and discharge any mortgages held by the Commonwealth for purchase money upon land sold, upon the production to him of the receipts of the State Treasurer for the payment of the principal moneys secured by such mortgage, at any time within sixty days of the passage of this act.

Mr. WALLACE. Mr. Chairman, I said when this bill was up before, that I thought the machinery was too cumbersome. I voted against its indefinite postponement, because I saw a wrong to remedied; that wrong was that there are large sums due the Commonwealth which should be collected, and paid into the Treasury. There is as much reason that our laws in relation to land held by survey should be concise and easily understood, as there is that the money due the Commonwealth should be paid. Now, sir, I provide, by the amendment that I offer, that the deputy surveyor shall investigate and ascertain who hold unpatented lands or lands upon which balances are owing, and give the claimants notice that they will be compelled to pay the balance due the Commonwealth, and that the lien of the Commonwealth shall not be impaired until the money is paid into the treasury; in that way we reach directly the principal object to be attained by this bill. We are not, I trust, seeking to patch up our land system; it is to fill up our depleted treasury. How would a business man do that? He would make out his list of debtors, place the claims in the hands of reliable agents and attorneys to proceed to collect them, and as soon as he received his pay, he would give his receipt. That is what I propose to do. But the machinery of the original bill catches up the poor man, and they will have their hard earnings torn from them. I do not believe you can do what the bill provides for doing, for the Constitution will not permit you to take from a man that which he has obtained by taking possession and improving the soil, without notice. If the parties pay the money, they are charged but five per centum for the services of the counsel; the money is paid into the treasury, and the patent is issued. If they do not pay, they are sued, then the hardship which the Senator from Monroe [Mr. BURNETT] suggests cannot happen; the Commonwealth will get its money, and the claimant will be protected. In addition to this, I provide that the rate of interest charged shall not exceed that authorized by the act of 1835, and as that is well understood and has been tested, it should be the law in this matter.

I regard the persons holding these lands as meritorious; they are adding to the wealth of the Commonwealth, and we should relieve them, if they come up and pay the balance due. In regard to mortgages outstanding, if you require these parties to come forward within sixty days and pay, then they will do it. I find no fault with the Surveyor General, but I affirm that laws governing land titles should be distinct and easily understood. When you insert in our land laws provisions like those we have reconsidered, I believe that you are incurring the hazard of doing rank and gross injustice. I understand the prime object to be to collect the debts due the Commonwealth, and I believe the amendment I have drawn will do this.

Mr. BURNETT. Mr. Chairman, I have one suggestion to make for the consideration of the Senate. There is a difficulty which the amendment offered by the Senator from Clearfield [Mr. WALLACE] probably does not exactly and fully meet. Now, there are thousands of acres of land in possession of settlers in this State who have no title, and there is no evidence in the Surveyor General's office of the location of those lands. That is the difficulty which arose before in the framing of the bill. Where the warrant has been issued, and the survey made and returned, of course they have evidence of it in the Surveyor General's office. But where persons have taken possession of land as mere squatters, and lived upon it for a long term of years, there is not a particle of evidence in the Surveyor's office of the location of those lands. To reach that class of cases, under the amendment of the Senator from Clearfield, would require a survey. There is no other mode of ascertaining their location. It would require a survey of all the lands of that character in the Commonwealth. I simply throw out this suggestion for consideration. Probably the amendment can be altered so that we can get at those lands for which they have no title, and of which they have no evidence in the Surveyor General's office.

Now, the question arises, also, whether that will not entail an enormous expense to have a survey made of all the lands in the Commonwealth in order to ascertain the location and the quantity of land occupied by settlers of which there is no evidence of location. The Surveyor General told me that this was a question that had presented many difficulties to the Department, and that there was no other way to meet that question than by a bill in the shape in which it came before the Senate. But it is a harsh measure, and if it stands without modification, I shall be disposed to vote against it; but I am willing and desire to second the effort of the Senator

in order to collect the liens of the Commonwealth upon her lands, and the only question is, which is the best mode of enforcing it?

Mr. WALLACE. Mr. Chairman, I apprehend the difficulty suggested by the Senator from Monroe [Mr. BURNETT] will not be found to be great in practice. It is true, that if surveys must be made, a large amount of expense would be entailed, but I contemplate nothing of the kind; the deputy surveyor knows all about the lands in his locality.—He can find out by his maps whether tracts in a certain locality are patented or not; if they are, he need not go further; if they are not patented, then the first thing he does is to mark them down not patented, and give the settlers on them notice that they must pay. The settlers know what is coming, and go to work to raise the money.

In order to improve the land of the Commonwealth, our laws says that a man, upon paying a certain sum and actually improving the land, shall have it. That man goes on and occupies the ground, in some cases, for fifty years; he has taken no warrant, nor made any application. What is he to do? He wants a title. When he finds the officers of the Commonwealth after him, from whom he has bought the land, he will at once proceed to hunt up his title. How? Why, go to work under the law as it exists—swear that he has made improvements and kept them up, and filing his application, require the Surveyor General to issue the warrant. Before he can get a warrant he must pay the Surveyor General the price per acre which the law fixes as its value. In addition to this he has got to pay his fees to the deputy surveyor for return of survey. When having paid the original price, and the fees, the man comes in and pays his ten dollars for the patent fee, and the balance of the purchase money with its interest, from the time from which he had made his improvements, then the surveyor will issue his patent.

Now, says my friend from Monroe [Mr. BURNETT], this difficulty may occur; that the deputy surveyor must make surveys of all these lands. I do not apprehend that this will occur. The man notified has his attention called to the demand of the Commonwealth; before he can get his warrant, he must pay up. The moment you place in the hand of the deputy surveyor the claims of the Commonwealth three out of five of those who owe the Commonwealth will say, I must pay up, or I will lose this land, and he promptly pays.

Suppose others do not promptly pay. The man sits still. What is the surveyor then to do? Why, go and employ counsel, and place the claim of the Commonwealth in his hands. He knows where that man lives, how many acres he claims, and who are his adjoiners on every side, and he brings an ejectment, to compel this man to pay the purchase money. If he does not pay, he finds the sheriff after him with a writ of ejectment. If he permits the cause to go to trial, he is ousted from the land and it is revested in the Commonwealth. There is no necessity for any survey. Authorize the deputy surveyor to do this, and you will get your money more rapidly than in any other way. It is based upon the same principle upon which skillful business men do their business.

The amendment of Mr. WALLACE was

Agreed to.

The section as amended was

Agreed to.

The committee rose, and reported the bill as amended.

Mr. WHITE. Mr. Speaker, I never like to undertake to explain anything that I do not understand, but it is impossible for me to comprehend this exactly. My impression is that the amendment offered by the Senator from Clearfield [Mr. WALLACE] is a revival of the act of 1835. For the purpose of ascertaining as to that matter, I move to postpone the further consideration of the bill till to-morrow.

The motion was

Agreed to.

BILLS PASSED.

On motion of Mr. CONNELL, the Committee on the Judiciary General was discharged from the further consideration of a bill entitled An act granting an appeal from the decree of divorce between John Edmunds and Philadelphia S. J. Edmunds.

And the rules having been dispensed with, The bill was read a second and third time, and

Passed finally.

On motion of Mr. WALLACE, the rules were dispensed with, and the Senate proceeded to the consideration of a bill entitled An act securing grants to mine petroleum from forfeiture.

The bill was read a second and third time, and

Passed finally.

PUBLIC CALENDAR.

Agreeably to order,

The Senate proceeded to the second reading and consideration of bills on the public calendar, which were disposed of as follows:

House bill No. 365, a supplement to the general election laws of the Commonwealth.

The bill was read.

On the question,

Will the Senate agree to the first section?

It was

Not agreed to.

So the bill fell.

On motion of Mr. WALLACE, bill entitled An act relating to the law of evidence was made the special order of the day, after the appropriation bill has been disposed of.

House bill No. 856, an act to permit disabled soldiers to peddle without procuring a license therefor.

The bill was read a second and third time, and

Passed finally.

House bill No. 377, an act authorizing courts to receive certified copies of military records in evidence.

Laid over to a third reading.

House bill No. 506, an act to ascertain and appoint the fees to be received by the several officers of this Commonwealth.

Mr. BROWN (Mercer). Mr. Speaker, I think this a very important bill. It is well understood by most Senators that at present it is very difficult for officers to know what fees they are entitled to charge, the matter has been so mixed up. This simplifies the matter. I understand it adds about twenty per centum to the rates previous to 1865, and I think it should be passed.

Mr. LOWRY. Mr. Speaker, I know that private legislation would have been asked for had it not been understood that a general law would be passed. This bill has been prepared with care, and I think it is a bill that commends itself to the attention of the Senate.

Mr. COWLES. The bill has been carefully prepared by one of the first prothonotaries of the State, who was occupied for three or four weeks in modifying it, and I think it is entirely unexceptionable. If any Senators object to it, let them strike out their districts. So far as my district is concerned, I want it there.

On the question,

Will the Senate proceed to the second reading and consideration of the bill?

The yeas and nays were required by Mr. COWLES and Mr. SHOEMAKER, and were as follow, viz:

YEAS—Messrs. Bigham, Browne (Lawrence), Brown (Mercer), Burnett, Coleman, Cowles, Davis, Graham, Haines, Jackson, James, Landon, Lowry, Ridgway, Searight, Shoemaker, Taylor, Wallace, Walls, Worthington and Hall, *Speaker*—21.

NAYS—Messrs. Billingfelt, Connell, Glatz, M'Candless, M'Conaughy, Schall, Stutzman and White—8.

So the question was determined in the affirmative.

During the call,

Mr. SCHALL said: Mr. Speaker, for the reason that we have already extended the general law increasing the fees of officers to twenty per centum I shall vote against this.

In committee of the whole (Mr. GRAHAM in the chair) the first and second sections were read and

Agreed to.

Mr. BILLINGFELT. Mr. Speaker, I do not wish to throw any obstacles in the way of the passage of this bill, if I only had the assurance that its provisions would not apply to Lancaster county. I am sure that very few Senators have examined this carefully. I claim that on giving it a careful consideration and comparing it with the old fee bill, I am satisfied that this increases the fees more than twenty per centum. I find a number of items where the increase is from twenty to fifty per centum, and some items were one hundred per centum.

The third, fourth, fifth, sixth, seventh, eighth, ninth, tenth and eleventh sections were read, and

Agreed to.

Mr. BILLINGFELT. I offer the following amendment, to come in at the end of the bill:

"*Provided*, That the provisions of this act shall not apply to the county of Lancaster."

We have, to some extent, special laws there, and our county offices pay very well now. They are worth a fortune to any man who occupies them. I hope the provisions of this bill will not be forced upon our county against the will of the people. They have had this bill before them and examined it carefully, and they are all opposed to it, as far as I have heard, and I am sure that it will not meet with their approbation.

Mr. BROWN (Mercer). Mr. Speaker, I would vote for the proposition of the Senator from Lancaster [Mr. BILLINGFELT] if I believed this bill would really increase the fees. I am assured, however, by the member from Potter [Mr. MANN], who was mainly instrumental in framing the bill, that its provisions will make the fees about what they are at present—that is, about twenty per centum over the old fee bill; besides, it simplifies the old fees. The Senator will remember that under the old fee bill the fractional system is used; this bill does away with that, and reduces it down to the decimal basis. It increases the fees about twenty per centum; possibly a very little more.

Mr. WHITE. Mr. Speaker, I find that the representations of the Senator from Mercer [Mr. BROWN] are in the main correct. The Senate may not be familiar with the fact, but last year we passed an act extending the act passed the previous year, increasing fees of officers in nearly all the counties twenty per centum, that extended to all the counties except Lancaster, Erie and Crawford. We extended that act again this year. It is well now to have a permanent change, so as to adapt the fees as much as possible to the currency; it is difficult to make a calculation on the fractional system of six and three-fourth cents, etc.; hence, I approve the general feature of this bill. The increase is, on the average, about twenty per centum. I think

it advisable to make a change in the justices' fees, as I find the constables' fees changed in this bill. I trust the Senator from Lancaster [Mr. BILLINGFELT] will not insist upon his proviso, and that we will make the act harmonious.

Mr. BILLINGFELT. Mr. Speaker, we have extended the act of 1864, which increases the fees twenty per centum for another year; now, why should we go to work before that expires, and increase it again? As to the reduction of fractions to decimals, I would merely inquire, in increasing the thirty-seven and a-half cent fees to fifty cents, why not stop at forty cents? Where the items are increased to twenty-five cents, from twelve and a-half, why not stop at fifteen? Why increase seventy-five cent fees to one dollar? Where the items were thirty-seven and a-half cents before, it increases them to fifty cents. The majority of the fees are now reduced to decimals. You will find it increases the fees considerably over twenty per centum. I find, on comparing this with the old bill, that the increase is from forty to fifty per centum.

Mr. TAYLOR. Mr. Speaker, I wish to inquire if it would be in order to amend the amendment of the Senator from Lancaster [Mr. BILLINGFELT]? If so, I wish to except the county of Beaver, and for this reason: We have in that county a special law regarding the fees of county officers. I have not had time to examine and compare this bill with the old law, and am not prepared to say whether it increases or decreases the fees.

Mr. BILLINGFELT. Mr. Speaker, in our county we have ten times as many applicants for these offices as we can accommodate, and the pay is so large that our officers can make a fortune during a single term. If you pass this bill, and insist that Lancaster shall not be exempted from its provisions, it will increase their pay at least one-third more.

Mr. LOWRY. Mr. Speaker, the greatest misfortune in Pennsylvania legislation is the special legislation now asked for by the Senators from Lancaster and Beaver. What we want in Pennsylvania, above all things, is uniformity in our legislation. The Senator, who desires to do favors to county officers at home, comes in here and makes special legislation, and the uniformity of our system is greatly marred. Now, sir, I trust that Senators here will be willing to forego any feeling of this kind, and go in for a general law applicable to all the counties in the Commonwealth. If this bill makes the fees too high, cut them down, but let it be uniform, and let it apply with equal justice and force to all. If it is good for one county it should be good for another; if bad for one it should be voted down.

Mr. GLATZ. Mr. Speaker, we have already passed a bill which increases fees twenty per centum, and I certainly see no reason why we should pass this. I merely rise to ask that the county of York be excepted.

Mr. BILLINGFELT. Mr. Speaker, I will say in reply to the Senator from Erie [Mr. LOWRY] that the county of Lancaster does not ask for special legislation in regard to the fees of our county officers. We do not ask legislation upon the subject; other counties, it seems, do so, and if they choose to have it, I have no objection. I merely say, do not force this upon Lancaster county, because they do not want it. This application does not come from the people; it is got up by the officers themselves, asking an increase, and it is at the same time treating the Treasurer of this Commonwealth unfairly, who is only to receive fifty per centum on all fees received over two thousand five hundred dollars, whilst the old law fixes the amount at seventy-five thousand dollars.

Mr. BROWN (Mercer). The Senator is mistaken about that matter. Under the operations before the act of 1865, it was fifteen hundred dollars; as the law now stands, it is eighteen hundred dollars.

Mr. BILLINGFELT. This is to be a permanent increase. The act of 1864 will expire by limitation in a year hence.

Mr. BROWNE (Lawrence). Mr. Speaker, I am in favor of the bill in general. I know that it has been prepared with great care. I think it is proper. We have added twenty per centum to the former fee bill.

Fees in fractional sums are exceedingly inconvenient; it is proposed in this bill to establish a new table of fees. I am in favor of the bill; but the Senator from Lancaster [Mr. BILLINGFELT] is not right in asking to have his county excepted, and for this reason: The county of Lancaster is a very large county. The county of Lawrence, which I represent, contains twenty-five thousand people; the county of Lancaster contains one hundred and twenty thousand. In the nature of the case, the officers in Lancaster will make much more than in the county which I represent, and the same remark is true, to a certain degree, in each of the other counties which I represent here. It seems to me, therefore, that in order to make the fees of these officers as uniform as possible, we should allow the county of Lancaster to be exempted from the operations of this bill. But I wish the counties of my district to come under the operations of this bill; and I would state to the Senator from Beaver [Mr. TAYLOR], that I think his county should be included, because our counties are in a different position from that represented by the Senator from Lancaster.

Mr. FISHER. Mr. Speaker, I trust the proviso of my colleague will be voted down. I do not see why Lancaster should be left out in the cold.

Mr. BURNETT. Mr. Speaker, I move to reconsider the vote by which the lawyers' fees were cut down to three dollars. If you are going to raise the fees of officers, why make lawyers the exception?

The motion was

Not agreed to.

Mr. CONNELL moved to amend by adding a provision that the operations of this bill shall not apply to the city of Philadelphia.

Mr. LANDON. Mr. Speaker, I hope the Senator will give some good reason. It is a singular circumstance that we pass a great many laws here in which Philadelphia is excepted. Now, sir, we propose to pass a general fee bill, to regulate the whole Commonwealth. If Philadelphia is to be excepted, we want a good reason for it.

Mr. CONNELL. If this bill was to reduce the fees, I would not object; but I am told it will increase them twenty per centum. Our officers are making twenty-five thousand to fifty thousand dollars now.

Mr. LANDON. Very well, sir; if it will reduce the income of those officers, all right.

Mr. M'CANDLESS. I do not think it will increase their fees, for, under the section, there is to be a return of the amount of fees. In Philadelphia, as stated by my colleague [Mr. CONNELL], the fees are immense, and one term of the sheriff is worth eighty thousand to one hundred thousand dollars; prothonotary of a court, fifty thousand to sixty thousand dollars; I would favor turning over these fees to the Commonwealth, and paying a salary, but that is impossible at present. A portion of this excess goes into the Treasury.

Mr. CONNELL. I do not find any such returns in the Auditor General's report.

The amendment of Mr. CONNELL was

Agreed to.

The remaining sections were

Agreed to.

The committee rose and reported the bill with amendments.

CHANGE OF VENUE FROM THE COUNTIES OF MONROE AND CARBON TO THE COUNTY OF DAUPHIN.

Mr. COWLES moved that the Senate proceed to the consideration of a bill entitled An act to change the venue in the case of Alexander Gould, Wm. Ackerson and Henry Meeker, from the counties of Monroe and Carbon to the county of Dauphin.

On the question,

Will the Senate agree to the motion?

The yeas and nays were required by Mr. BURNETT and Mr. COWLES, and were as follow, viz:

YEAS—Messrs. Billingfelt, Browne (Lawrence), Brown (Mercer), Coleman, Connell, Cowles, Davis, Fisher, Graham, Haines, Landon, Lowry, M'Conaughy, Ridgway, Royer, Schall, Shoemaker, Stutzman, Taylor, Walls, White, Worthington and Hall, *Speaker*—23.

NAYS—Messrs. Burnett, Donovan, Glatz, James, Searight and Wallace—6.

So the question was determined in the affirmative.

The bill was read.

Mr. BURNETT moved to amend by striking out the word "Dauphin," wherever it occurred, and inserting in lieu thereof the word "Lehigh."

Mr. SCHALL. Mr. Speaker, I do not desire this to be changed to Lehigh county. I do not see how they can be benefited by it; it had better go to some distant county.

On the question,

Will the Senate agree to the amendment?

The yeas and nays were required by Mr. BURNETT and Mr. GLATZ, and were as follow, viz:

YEAS—Messrs. Burnett, Donovan, Glatz, James, M'Candless, Searight and Wallace—7.

NAYS—Messrs. Billingfelt, Browne (Lawrence), Brown (Mercer), Coleman, Connell, Cowles, Davis, Fisher, Graham, Haines, Landon, Lowry, M'Conaughy, Ridgway, Royer, Schall, Shoemaker, White, Worthington and Hall, *Speaker*—20.

So the question was determined in the negative.

During the call,

Mr. COLEMAN said: Mr. Speaker, I am in favor of the change of venue, but I insist that Lehigh county is rather too near. I would prefer that it should not go into the county I represent. Therefore, I vote "no."

Mr. BURNETT. Mr. Speaker, I move to strike out "Dauphin" and insert "Northampton." There are three defendants, I believe; a trial has been had in the county of Carbon. It took one week to try one case, at an expense to Carbon county of two thousand four hundred dollars. Now, the alleged offense was committed in the county of Carbon; the death occurred in the county of Monroe, just over the line; and, therefore, it ousted the oyer and terminer of Carbon county of jurisdiction and gives the oyer and terminer of Monroe jurisdiction. Now, if we have to bear the expense of these trials, let us have them in such a court as may entail the least expense upon my county. This assertion of prejudice there, is unfounded, in my opinion. There is some feeling against the defendants in the extreme western portion of Monroe, where this girl was reared and died, but that feeling does not extend over more than two townships in that county. In the central and eastern portions there is no feeling upon the subject at all. Now, I desire, if the bill is to pass, to carry the case to Lehigh or Northampton. There can be no prejudice in the county of Northampton in reference to this case. If it is tried in the Dauphin courts, it will entail

an expense on my county of not less than ten thousand dollars. Now, I ask Senators, if the venue is to be changed, to change it to the court that will entail the least amount of costs on my county.

Mr. DAVIS. I am in favor of this change of venue from Monroe; I think it necessary. I shall vote for the last amendment proposed by the Senator from Monroe [Mr. BURNETT]. I received a letter to-day from the counsel of the defendants, in which he states that they will be satisfied with either the counties of Lehigh, Northampton, or Berks.

The amendment of Mr. BURNETT was Agreed to.

On the question,

Shall the bill pass?

The yeas and nays were required by Mr. BURNETT and Mr. GLATZ, and were as follow, viz:

YEAS—Messrs. Bigham, Billingfelt, Browne (Lawrence), Brown (Mercer), Coleman, Connell, Cowles, Davis, Graham, Haines, Jackson, Lowry, M'Connaughy, Ridgway, Royer, Schall, Shoemaker, Stutzman, White, Worthington and Hall, *Speaker*—21.

NAYS—Messrs. Burnett, Donovan, Glatz, James, Landon, M'Candless, Randall, Searight and Wallace—9.

So the bill

Passed finally.

During the call,

Mr. BURNETT said: Mr. Speaker, I simply desire to say, before casting my vote upon this bill, that this idea of changing venues has been carried to such an extent as to become a public nuisance. It is not only being applied to criminal, but to civil cases; and you have passed more bills of this kind this session, and changed more venues than you have for fifteen years before. Now, if these parties come here with a fair case, and show to the satisfaction of this Senate that these defendants could not have a fair and impartial trial in the county of Monroe, I would readily accede to the passage of this bill, and vote for it. But I pretend to know something about the public sentiment of my own county upon this question. I have made it my business to ascertain the public sentiment there upon the subject, and I am informed by gentlemen of high respectability that there is no prejudice in the county, except in the extreme western portion of it, where this girl was born and died, and that among her immediate relatives and friends. Now, the defendants, in addition to their challenges for cause, have twenty peremptory challenges, and in the exercise of all the powers with which the law arms them, it is impossible to impannel a jury in the county of Monroe, in which they could not exclude every feeling of prejudice or bias. Why, sir; in the county of Carbon, where one case was tried, they only exhausted ten of their peremptory challenges, and I believe, if the case was tried in my county, they would not exhaust the peremptory challenges which they are entitled to. And I declare that the allegation that there is a prejudice in my county which would deprive them of a fair trial is without foundation in fact. Why did they lay on their oars until this late day in the session, before making an application? Then I could have had affidavits here from responsible citizens to show that my allegations were true. I oppose it because it will entail upon my county a large amount of costs unnecessarily and I trust Senators will not pass this bill over my head, and entail a heavy bill of cost upon my county, since there is no earthly necessity for it. There is no man upon the floor of this Senate who has a higher regard for a fair and impartial trial by jury, surrounded by all the safeguards which the Constitution and laws of the State throw around the prisoner, than myself. And I profess to know the condition of public sentiment upon this question; and I say to Senators that prejudice does not exist, and if you pass this bill, and change the venue, it will add a large amount of unnecessary cost to my county. I vote "no."

On motion,

The Senate then adjourned until 10 o'clock, to-morrow morning.

SENATE.

FRIDAY, April 5, 1867.

The Senate met and was called to order at 10 A. M., by the SPEAKER.

Prayer was offered by the Rev. Mr. Bailey.

On motion of Mr. CONNELL, the reading of the Journal of yesterday was dispensed with.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

The Clerk of the House of Representatives being introduced, presented for concurrence bills numbered and entitled as follows, viz:

No. 800, an act requiring the Superintendent of Public Printing to advertise for proposals for supplying the State with printing and bill paper.

Referred to the Committee on Finance.

No. 614, an act relative to unclaimed dividends in insolvent assigned estates.

Referred to the Committee on the Judiciary General.

No. 1088, an act relative to the commissioners, sheriff and treasurer of Cumberland county.

Referred to the Committee on the Judiciary Local.

No. 1106, an act to require the county from which property is stolen to pay the expense of the trial, conviction, et cetera, of the persons charged with the commission of the crime.

Referred to the Committee on the Judiciary General.

No. 1126, a supplement to an act relating to the liens of mechanics, approved June 16, 1836, and the several supplements thereto be and the same are hereby extended to oil tanks and fittings, engine houses, et cetera.

Referred to the Committee on the Judiciary General.

No. 1653, an act to incorporate the Lykens Valley Deposit Bank.

Referred to the Committee on Banks.

No. 1950, a supplement to an act relating to lien of mechanics, extending it to certain counties.

Referred to the Committee on the Judiciary General.

No. 1955, supplement to an act authorizing the school directors of the borough of Franklin, in Venango county, to borrow money, approved the 11th day of April, A. D. 1865.

Referred to the Committee on Education.

No. 1654, an act to incorporate the Commonwealth savings fund and safe deposit company of Philadelphia.

Referred to the Committee on Banks.

No. 1655, an act to incorporate the Dime savings fund of Slatington.

Referred to the Committee on Banks.

No. 1669, an act authorizing the appointment of commissioners to run the boundary lines between the counties of Lycoming, Union and Clinton, and to fix and determine the same.

Referred to the Committee on New Counties and County Seats.

No. 1670, supplement to an act to incorporate the Lawrence railroad and transportation company, approved 23d day of April, A. D. 1864.

Referred to the Committee on Railroads.

No. 1673, an act to incorporate the Franklin manufacturing company.

Referred to the Committee on Corporations.

No. 1674, an act to incorporate the Edgeland coal and lumbering company.

Referred to the Committee on Corporations.

No. 1675, an act to increase the fees of constables and police officers of the city of Titusville, in certain cases.

Referred to the Committee on the Judiciary Local.

No. 1676, an act to extend the time for the payment of the enrollment tax on act, entitled An act to incorporate the Sugar Creek mining and transportation company, approved March 24, A. D. 1865.

Referred to the Committee on Finance.

No. 1677, an act for the relief of Kenny Montgomery, a soldier of the war of 1812.

Referred to the Committee on Pensions and Gratuities.

No. 1678, an act to increase the pay of supervisors and township auditors of Fox township, Elk county.

Referred to the Committee on the Judiciary Local.

No. 1680, an act to incorporate the Clinton turnpike company, in the county of Greene.

Referred to the Committee on Roads and Bridges.

No. 1681, an act to authorize additional supervisors for Whitney township, in the county of Greene.

Referred to the Committee on Roads and Bridges.

No. 1682, an act to authorize the school directors of Aleppo township, in the county of Greene, to levy and collect a temporary tax for school purposes, beyond the amount now allowed by law.

Referred to the Committee on Education.

No. 1683, an act to prevent fishing with seines in the South Branch of Ten Mile creek, in the county of Greene, and Crooked creek, Armstrong county.

Referred to the Committee on Agriculture and Domestic Manufactures.

No. 1684, an act increasing the pay of supervisors in Porter township, Huntingdon county.

Referred to the Committee on the Judiciary Local.

No. 1685, an act relating to certain officers in the Southwest ward, in the city of Lancaster, Pennsylvania, extending their term of office, &c.

Referred to the Committee on the Judiciary Local.

No. 1686, an act to amend the charter of incorporation of the Decatur building association of Frankford.

Referred to the Committee on the Judiciary Local.

No. 1688, an act to repeal and annul an act entitled An act to annul the marriage contract between William Roberts and Emily Roberts.

Referred to the Committee on the Judiciary General.

No. 1691, an act to incorporate the Excelsior gold and silver mining company of Colorado.

Referred to the Committee on Corporations.

No. 1692, an act authorizing the voters of Lackawaxen township, Pike county, to increase the number of supervisors in said township.

Referred to the Committee on Roads and Bridges.

No. 1693, an act to incorporate the Eagle manufacturing company.

Referred to the Committee on Corporations.

No. 1694, an act to repeal the thirtieth section of an act regulating boroughs, approved 3d of April, 1857, so far as the same relates to the borough of New Alexandria, in Westmoreland county.

Referred to the Committee on the Judiciary Local.

No. 1696, an act relating to costs on appeals from judgments of justices of the peace in certain counties of the Commonwealth.

Referred to the Committee on the Judiciary Local.

No. 1697, an act authorizing Henry Goehring, of Jackson township, Butler county, to vote in Cranberry township, said county.

Referred to the Committee on the Judiciary Local.

No. 1698, an act to incorporate the Franklin passenger railway company.

Referred to the Committee on Railroads.

No. 1699, an act to permit John A. Metzel, a justice of the peace of the county of York, to hold his office in Metzel's hotel in the borough of York.

Referred to the Committee on the Judiciary Local.

No. 1700, an act to increase the compensation of election officers in the county of Schuylkill.

Referred to the Committee on Election Districts.

No. 1701, an act for the relief of the Empire hook and ladder fire company, No. 1, of Lancaster city, Pennsylvania, for damages done their hall by the military of Pennsylvania, in 1861.

No. 1704, a supplement to an act to incorporate the Middle Creek railroad company, approved the 23d day of March, 1865.

Referred to the Committee on Railroads.

No. 1705, an act to incorporate the Willow Bank and Burns Spring railroad company.

No 1706, an act to incorporate the Mill Creek and Nescopeck railroad company.

Referred to the Committee on Railroads.

No. 1710, a further supplement to an act to authorize the Governor to incorporate the West Chester and Philadelphia railroad company, approved April 11th, A. D. 1848.

Referred to the Committee on Railroads.

No. 1609, an act to incorporate the Sharon Savings Bank.

Referred to the Committee on Banks.

He also returned bills from the Senate numbered and entitled as follows, viz:

No. 443, an act to divide the borough of Port Carbon, Schuylkill county, into two wards.

No. 720, an act to repeal an act for the repeal of an act changing the venue in certain actions of ejectment from Armstong to Allegheny county.

No. 1593, an act to provide an additional law judge of the several courts in the Eleventh Judicial district,

With information that the House of Representatives has passed the same without amendments.

He also returned bill from the Senate numbered and entitled as follows, viz:

No. 687, an act to permit an appeal from the register of Lebanon county, in behalf of the heirs of Robert W. Coleman, deceased,

With information that the House of Representatives has passed the same with amendments, in which the concurrence of the Senate is requested.

On motion of Mr. COLEMAN, said amendments were twice read, and

Concurred in.

Also, returned (in pursuance of resolution of the Senate) bill from the Senate numbered and entitled as follows, viz:

No. 1428, a supplement to an act for the more effectual protection of the owners of logs and lumber in the Susquehanna river, extending the same to logs floated down the Loyalsock and Muncy creek.

Mr. JACKSON moved that the Senate reconsider the vote on the final passage of said bill.

The motion was

Agreed to.

And the bill being again before the Senate, and the question recurring, Shall the bill pass?

Mr. JACKSON asked and obtained the unanimous consent of the Senate to amend the first and only section by striking out all after the word "as" in the tenth line to the end of the section.

The bill as thus amended

Passed finally.

He also informed that the House of Representatives insists on its non-concurrence in amendments made by the Senate, to bill from the House numbered and entitled as follows, viz:

No. 1038, an act to repeal an act to prevent horses, cattle, sheep and hogs from running at large in Chillisquaque township, Northumberland county, Kelly township, Union county, and certain townships in Luzerne county, so far as the same relates to Chillisquaque township, and as far as relates to Kelly township, Union county.

And has appointed Messrs. ROUSH, THARP and WESTBROOK a committee of conference, to confer with a similar committee on the part of the Senate (already appointed), upon the subject of the differences existing between the two Houses on said bill.

He also informed that the House of Representatives insists on its amendments, non-concurred in by the Senate, to bill from the Senate numbered and entitled as follows, viz:

No. 190, a further supplement to the act incorporating the Township Line road company, fixing the terminus and regulating tolls on said road.

And has appointed Messrs. GREGORY, WALLACE and FREEBORN a committee of conference, to confer with a similar committee on the part of the Senate (should the Senate appoint such a committee), upon the subject of the differences existing between the two Houses on said bill.

Said amendments having again been read,

Mr. CONNELL moved that the Senate insist upon its non-concurrence in said amendments, and that a committee of conference be appointed to confer with a similar committee, already appointed by the House of Representatives on the subject.

The motion was

Agreed to.

Ordered, That Messrs. CONNELL, COLEMAN, and JACKSON be the committee on the part of the Senate.

He also informed that the House of Representatives has non-concurred in the amendments made by the Senate to bill from the House of Representatives numbered and entitled as follows, viz:

No. 1661, an act supplementary to an act relating to the Western Pennsylvania railroad company and for other purposes, approved April 27th, 1864,

And has appointed Messrs. QUAY, THARP and HARBISON a committee of conference, to confer with a similar committee on the part of the Senate (should the Senate appoint such a committee), upon the subject of the differences existing between the two Houses on said bill.

Said amendments having again been read,

Mr. TAYLOR moved that the Senate insist upon its amendments non-concurred in by the House of Representatives, and that a committee of conference be appointed to confer with a similar committee, already appointed by the House of Representatives, on the subject.

Which was

Agreed to.

Ordered, That Messrs. TAYLOR, BROWNE (Lawrence) and RANDALL be the committee on the part of the Senate.

REPORTS FROM COMMITTEES.

Mr. CONNELL, from the Committee on Finance, reported, as committed, bill entitled An act to extend the time for the payment of the enrollment tax on the act to incorporate the Osceola improvement company, approved April 18th, A. D. 1866.

Also (same), with amendments, a bill entitled An act to provide for the ordinary expenses of the Government and other general and specific appropriations.

Mr. LANDON (same), as committed, bill entitled An act to extend the time for the payment of the enrollment tax on an act to incorporate the Meadville Novelty works, approved April 14, 1863.

Also (same), as committed, bill entitled An act to extend the time of payment of enrollment tax on act to incorporate the Union insurance company.

Mr. SHOEMAKER, from the Committee on the Judiciary General, reported, with amendment, bill entitled supplement to an act to enable the Governor to appoint notaries public, and for other purposes therein mentioned, approved April 14th, 1840.

Mr. BIGHAM (same), as committed, bill entitled An act to incorporate the South Pittsburg Co-operative association of Allegheny county.

Mr. M'CONAUGHY (same), as committed, and with a negative recommendation, bill entitled An act to incorporate the Building and Savings association of the city of Pittsburg, in the county of Allegheny and Commonwealth of Pennsylvania.

Mr. SCHALL (same), as committed, bill entitled An act to increase the capital stock of the Venango water company.

Mr. WALLACE (same), as committed, and with a negative recommendation, bill entitled An act to incorporate the Watsontown building and loan association, having for its object the accumulation of a fund, which shall be loaned to its members, to enable them to buy or build their own homes, or to buy such property as would be advantageous to them.

Mr. COWLES, from the Committee on the Judiciary Local, reported, as committed, bill entitled an act to change the mode of criminal proceedings in Potter county.

Also (same), as committed, bill entitled An act to authorize the assessment and collection of a certain tax in the borough of Lewisberry, York county.

Also (same), as committed, and with a negative recommendation, bill entitled An act to enable the board of directors of common schools of Burrell township, Indiana county, to apply surplus of bounty funds to common school purposes.

Also (same), as committed, bill entitled An act to legalize an informality in the election of John Farnsworth, a justice of the peace of Upper Augusta township, Northumberland county.

Mr. FISHER (same), as committed, bill entitled An act relating to the recording of general election returns in the county of Butler.

Also (same), as committed, bill entitled An act relating to the recovery of the cost of making connections with the sewers in the city of Philadelphia.

Also (same), as committed, and with a negative recommendation, bill entitled A further supplement to an act entitled An act relating

to local bounties in the county of Lawrence, approved March 15, A. D. 1865.

Mr. STUTZMAN (same), as committed, and with a negative recommendation, bill entitled An act relating to the office of justice of the peace in Tioga township, Tioga county.

Also (same), as committed, bill entitled An act to authorize the school directors of the old Fourth ward, in the city of Reading, to levy and collect a tax for the payment of bounties.

Also (same), with amendment, bill entitled An act for the protection of that branch of the legal profession in the city of Philadelphia known as conveyancers or scriveners.

Mr. DAVIS (same), as committed, bill entitled An act relative to the fees of notaries public in the counties of Centre and Lycoming.

Also (same), as committed, bill entitled A further supplement to an act to authorize the erection of a poor house by the township of Jenkins, borough of Pittston and township of Pittston, in the county of Luzerne, approved May 8th, A. D. 1857.

Also (same), as committed, bill entitled A supplement to an act increasing the compensation of certain officers in the county of Berks, approved the 23d day of March, A. D. 1865.

Mr. WHITE (same), as committed, bill entitled An act authorizing the school directors of the school district of the borough of Phillipsburg, Centre county, to borrow money for building purposes.

Also (same), as committed, bill entitled An act to extend the term of the county treasurer of Mifflin county.

Also (same), as committed, and with a negative recommendation, bill entitled An act authorizing the sheriff of Allegheny county to tax costs in certain cases.

Mr. M'CONUAGHY, from the Committee on Estates and Escheats, reported as committed, bill entitled An act to sell a certain tract of land in Washington township, Dauphin county.

Mr. RIDGWAY, from the Committee on Corporations, reported, as committed, bill entitled An act to incorporate the Federal coal and iron company.

Also (same), as committed, bill entitled A further supplement to an act to incorporate the Anthracite coal and iron company, approved the 8th day of April, A. D. 1864.

Also (same), as committed, bill entitled A supplement to an act to incorporate the Eureka Life and Accident insurance company, approved January 30, 1867.

Also (same), with amendment, bill entitled No. 1501, a further supplement to an act incorporating the Keystone coal and transportation company.

Also (same), as committed, bill entitled Supplement to an act incorporating the Spring Garden soup society, approved April 21, 1852.

Also (same), as committed, bill entitled An act to incorporate the Cardington Industrial Co-operative association.

Also (same), as committed, bill entitled An act to incorporate the National Paper manufacturing company.

Also (same), as committed, a bill entitled An act to incorporate the Girard Tunneling gold and silver mining company.

Mr. GLATZ (same), as committed, a bill entitled An act to incorporate the West Virginia paper mill company.

Also (same), as committed, a bill entitled An act to incorporate the West Newton gas company.

Also (same), as committed, a bill entitled An act to incorporate the Chrystal gas and water company of Venango City, Venango county.

Mr. JAMES (same), as committed, a bill entitled an act to increase the capital stock of the Lehigh water company, in the borough of Easton, Northampton county, and levy and collect water tax.

Also (same), as committed, a bill entitled A supplement to the act authorizing the Governor to incorporate the Easton water company, approved 24th day of March, A. D. 1817, and the supplements thereto.

Mr. ROYER (same), with amendments, a bill entitled An act to incorporate the Bath car company.

Also (same), as committed, a bill entitled Supplement to an act incorporating the Danville gas company, to repeal so much of said act as relates to the mode of electing directors of said company.

Mr. HAINES (same), as committed, a bill entitled An act to incorporate the Sierra Nevada mining company.

Also (same), as committed, bill entitled An act to incorporate the Uniontown stock company.

Also (same), as committed bill entitled A supplement to an act relating to corporations for mechanical, manufacturing, mining and quarrying purposes, approved 18th July, 1863, repealing section 33 of the same so far as it affects certain counties.

Mr. BROWNE (Lawrence), as committed bill entitled An act relating to public schools in the borough of Wattsburg, in the county of Erie.

Also (same), as committed, bill entitled An act to authorize the school directors of Pittston borough school district to sell a certain lot.

Also (same), as committed, bill entitled An act to compel the treasurer of the county fund, Mt. Carmel township, to pay the surplus bounty funds in his hands to the school directors of said township for school purposes.

Mr. HAINES, from the Committee on Agriculture, reported, as committed, bill entitled an act relative to fishing in the streams, lakes and reservoirs in the county of Crawford.

Also (same), as committed, bill entitled An act extending the provisions of an act to prevent the growth of noxious weeds in the county of Chester, approved March, A. D. 1867, to Northampton county.

Mr. ROYER (same), as committed, bill entitled An act to repeal a supplement to an act to prevent cattle, horses, sheep and hogs from running at large in the county of Delaware, extending the same to Lebanon county, approved the 11th day of April. A. D. 1866.

Mr. WHITE, from the Committee on Military Affairs, reported, with amendment, bill entitled An act to authorize the board of military claims to settle the claim of N. B. Nelson, first lieutenant battery H, Third artillery.

Mr. FISHER (same), as committed, bill entitled an act for the relief of F. S. Shopecker, of Venango county.

Mr. BILLINGFELT, from the Committee on Roads and Bridges, reported, as committed, bill entitled A supplement to an act appointing commissioners to lay out and open a State road in the counties of Potter and Clinton, approved March 21st, A. D. 1865.

Also (same), as committed, bill entitled A supplement to the act incorporating the Kylertown, Morrisdale and Phillipsburg plank road company, approved the 11th day of April, 1859, extending the time for commencing the same, and making a change in the names of commissioners.

Mr. TAYLOR (same), as committed, bill entitled An act relative to the road laws of Fallowfield township, Washington county.

Also (same), as committed, bill entitled An act to authorize the Governor to incorporate a company to erect a bridge over the Allegheny river, at or near the foot of Taylor street, in the city of Pittsburg, Allegheny county.

Mr. GLATZ (same), as committed, bill entitled An act to incorporate the Mechanicsburg, Dillsburg and Petersburg turnpike company.

Also (same), as committed, bill entitled An act to lay out a State road in Schuylkill and Lebanon counties.

Also (same), as committed, bill entitled An act authorizing the commissioners of Mercer county to appropriate money sufficient to pay one-half the expenses of erecting a bridge over the Pymatuning, at the State line of Pennsylvania and Ohio, in the village of Orangeville.

Mr. WALLS (same), as committed, bill entitled An act to incorporate the Pennsylvania and New Jersey bridge company.

Mr. LOWRY, from the Committee on Railroads, reported, as committed, An act to incorporate the Reading and Treverton railroad company.

Mr. BIGHAM, from the Committee on Banks, reported, as committed, bill entitled An act to incorporate the Lincoln Savings Bank.

Also (same), as committed, bill entitled An act to incorporate the Capital savings fund and safe deposit company.

Also (same), as committed, bill entitled An act to incorporate the Meadville Savings Bank.

Mr. ROYER, from the Committee on Canals and Inland Navigation, reported, as committed, an act to prohibit the destruction of fish in the Susquehanna river and its tributary streams in Columbia county.

Mr. SHOEMAKER, from the committee on the Judiciary Local, reported, as committed, bill entitled An act to divorce William A. Taylor and Julia, his wife.

Mr. JACKSON, from the Committee appointed to Compare Bills, and present them to the Governor for his approbation, made report, which was read as follows, viz:

That in conjunction with a similar committee from the House of Representatives, they have compared, and on April 3d, presented to the Governor for his approbation, bills as follow, to wit:

Senate bill No. 1597, a supplement to an act to incorporate the Erie and Pittsburg railroad company, approved April 1st, 1865.

Senate bill No. 679, an act to incorporate the Peoples' bridge company of Harrisburg.

Also, on April 4th, 1867:

Senate bill No. 136, an act exempting the Ladies' United Aid Society of the Methodist Episcopal Church of Philadelphia from taxation.

Senate bill No. 936, an act punishing the sale of adulterated milk in Potter and Tioga counties.

Senate bill No. 955, an act extending the provisions of An act approved March 22d, A. D. 1817, relative to horse racing on the public highways in Philadelphia county to the township of Leacock, in the county of Lancaster.

Senate bill No. 974, an act to increase the compensation of county commissioners, township auditors, and the sheriff, for boarding prisoners in the county of Jefferson.

Senate bill No. 980, a further supplement to the act consolidating the city of Philadelphia, defining the amount of money to be borrowed on temporary loan.

Senate bill No. 993, an act to authorize the school board of Washington township, Indiana county, to levy and collect an additional bounty tax.

Senate bill No. 997, a supplement to an act approved April 26, A. D. 1850, incorporating the Wissahickon turnpike road company,

Senate bill No. 1008, an act to extend the time for the payment of the enrollment tax on an act entitled An act to incorporate the Gettysburg and Chambersburg railroad company, approved 17th of April, 1866, and authorizing said road to make connections.

Senate bill No. 774, an act to perfect title to one hundred and sixteen acres of land in Somerset county, owned by the Union coal and iron company.

Senate bill No. 775, an act relative to the purchase of a law library in the county of Wayne.

Senate bill No. 960, an act to enable the agents of the Methodist Book Concern to hold real estate in the city of Pittsburg.

Senate bill No. 778, a supplement to an act to appoint commissioners to re-survey and establish the lines of the main road running through a part of Wilkesbarre township, county of Luzerne, passed the 24th day of February, A. D. 1859.

Senate bill No. 853, an act to authorize the appointment of one additional notary public for the county of Luzerne, to reside in the borough of Wilkesbarre, and repealing so much of the act of the 14th of April, 1840, as renders justices of the peace ineligible to the office of notary public, authorized by this act.

Senate bill No. 442, a supplement to an act to validate certain conveyances made by married women since the 11th day of April, 1848, approved 22d of April, 1863, restraining conveyances in cases in which the instrument vesting title withholds such power.

Senate bill 797, an act to authorize David Souder and Henry Souder, trustees under the will and testament of Jacob Zug, late of Berks county, deceased, to invest the moneys in their hands, received from the said deceased, and proceedings from his estate, for the use of his daughter, Sophia Souder, or her children, in the purchase of certain real estate.

Senate bill No. 790, an act fixing the compensation for the comissioners of the county of Bucks.

Senate bill No. 795, an act to authorize the trustees of the Presbyterian congregation in Clearfield to convey certain real estate.

Senate bill No. 789, an act providing for the election of a township treasurer in Middle Smithfield township, Monroe county.

Senate bill No. 780, an act authorizing the commissioners of Clinton county to appropriate the unexpended relief funds of said county to build a new court house.

Senate bill No. 786, an act conferring additional powers upon the councils of the city of Pittsburg.

Senate bill No. 785, a supplement to an act entitled An act to incorporate the borough of Columbia, approved April 16, 1866.

Senate bill No. 783, an act to authorize the burgess and town councils of the borough of Shrewsbury, York county, to erect or construct a lock-up house.

Senate bill No. 777, a supplement to an act to confer additional powers upon the burgess and town council of the borough of Wilkesbarre, approved March 23, 1865.

Senate bill No. 788, a supplement to an act to incorporate the city of Allegheny, in the county of Allegheny, approved the 13th day of March, A. D. 1844.

Senate bill No. 668, a supplement to an act to incorporate the Susquehanna and Delaware railroad company.

Senate bill No. 885, a supplement to an act incorporating the M'Connell mineral company, changing the name thereof, increasing the quantity of land to be held by said company, and authorizing the extension of their railroad.

Senate bill No. 809, an act to incorporate the Brandy Camp railroad company.

Senate bill No. 893, an act to extend the time for the payment of the enrollment tax on an act entitled An act to incorporate the Keystone coal and manufacturing company, of Somerset county.

Senate bill No. 752, an act to incorporate the Wrightsville iron company.

Senate bill No. 922, an act authorizing the Shafton coal company to borrow money and to hold land.

Senate bill No. 977, an act to change the corporate name of the Mill Creek gold and silver mining, commercial and manufacturing company of Colorado.

Senate bill No. 921, an act to incorporate the Idaho mining and exploring company.

Senate bill No. 804, supplement to an act to incorporate the Pittsburg and Arizona gold and silver mining company.

Senate bill No. 947, an act for the relief of A. D. Hamlin.

Senate bill No. 813, a supplement to an act to incorporate the Mattawanna bridge company, approved March 3, 1848.

Senate bill No. 611, an act providing for change in the State road in Plymouth township, between the westerly boundary of Plymouth harbor and Harvey creek, in Plymouth township, Lawrence county.

Senate bill No. 952, an act to incorporate the Madison bridge company, of Pottstown, Montgomery county.

Senate bill No. 982, an act to declare the North and Uber branches of Little Mahoning creek, in Indiana county, public highways.

Senate bill No. 995, an act to incorporate the Tunkhannock plank road or turnpike company.

Senate bill No. 806, an act to establish the Vinegar ferry, in the county of York.

Senate bill No. 805, an act to declare West creek, in the counties of Elk and Cameron, a public highway.

Senate bill No. 880, an act authorizing the erection of a house for school and township purposes in Millville, Le Boeuff township, Erie county, and empowering the school directors to levy and collect additional tax.

Senate bill No. 769, an act for the relief of Mrs. Mary A. Gordon, widow and executrix of Hiram B. Gordon, deceased, late register of wills, recorder of deeds and clerk of the orphans' court of the county of Venango.

Senate bill No. 875, an act to incorporate the Shawsville bridge, in the county of Clearfield.

Senate bill No. 587, a supplement to the act to incorporate the Boatman's insurance and transportation company, and to increase the powers thereof, approved 17th day of May, 1866.

Senate bill No. 644, an act to incorporate the North Whitmer Run improvement company, in the county of Clearfield.

Senate bill No. 803, an act to incorporate the M'Keesport gas company.

Senate bill No. 700, an act to incorporate the Co-operative association of Wilkesbarre, No. 1, of the borough of Wilkesbarre, for mercantile purposes.

Senate bill No. 697, an act to incorporate the Monongahela Inclined Plane company.

Senate bill No. 852, an act to repeal the act to incorporate the Odd Fellows' Hall association of Tremont, in the county of Schuylkill, and to vest the right of said association in the board of trustees of Tremont Lodge, No. 245, of Independent Order of Odd Fellows of Pennsylvania.

Senate bill No. 651, an act to incorporate the National peat company.

Senate bill No. 810, an act to incorporate the Lebanon Valley college.

Senate bill No. 792, an act to incorporate the Pittston Industrial Co-operative association, No. 1, in the borough of Pittston, for mercantile purposes.

House bill No. 963, an act to incorporate the Co-operative association of the city of Allentown, in the county of Lehigh, for mercantile purposes.

Senate bill No. 766, an act to incorporate the South Witmer Run navigation company, in the county of Clearfield.

Senate bill No. 1172, an act to incorporate the Conneautville Savings Bank.

Senate bill No. 654, an act to incorporate the Dunmore gas and water company.

Senate bill No. 485, an act increasing the compensation of the judges of election in the Twenty-first, Twenty-second, Twenty-third and Twenty-fifth wards of the city of Philadelphia.

Senate bill No. 935, an act to prevent the depositing of tan bark in Poko Poko or Head's creek, in the county of Monroe.

Senate bill No. 539, an act repealing the provisions of an act for the protection of sheep and taxing of dogs in the county of Blair, and extended to the county of Monroe, as far as the same relates to the township of Pocono, in the said county of Monroe.

Senate bill No. 956, an act to ascertain the views of the qualified electors of M'Kean county upon the subject of refusing licenses for the sale of liquors in said county.

Senate bill No. 793, an act supplementary to an act concerning streets and sewers in the city of Philadelphia, approved January 6th, 1864.

Senate bill No. 306, an act to incorporate the Wyoming Valley manufacturing company.

Senate bill No. 541, recalled from the Governor, amended and again presented.

Senate bill No. 837, recalled from the Governor April 2d, amended and again presented.

Senate bill No. 787, an act to extend the time for the payment of the enrollment tax on an act entitled An act to incorporate the Madison coal and oil company, approved August 10th, 1864.

Senate bill No. 521, an act to confer upon the Pittsburg forge and iron company all the powers, rights and privileges of the Jones and Nimick manufacturing company by the act approved April 1st, 1863.

House bill No. 534, an act to exempt Calvary Monumental church of Philadelphia from taxation.

House bill No. 1020, an act to amend an act to incorporate the Potter County Forest improvement company, approved May 1st, A. D. 1861, and the supplement thereto, approved the 10th day of August, A. D. 1864.

House bill No. 100, a supplement to an act to incorporate the Chester Creek railroad company, approved the 16th day of April, A. D. 1866.

House bill No. 764, an act to incorporate the Fifth Street market company.

BILLS IN PLACE.

Mr. CONNELL read in his place and presented to the Chair a bill entitled An act to authorize the Auditor General to deliver to the receiver of the Petroleum Bank of Titusville, Crawford county, the United States bonds belonging to said bank.

Referred to the Committee on Finance.

Also, a bill entitled An act to incorporate the Victoria gold and silver mining company.

Referred to the Committee on Corporations.

Also, a bill entitled an act to incorporate the Etna iron company of Pennsylvania.

Referred to the Committee on Corporations.

Mr. ROYER, a bill entitled an act relative to Front street and a certain road in the borough of Media.

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[CONTINUED FROM PAGE 920.]

Referred to the Committee on the Judiciary General.

Mr. JACKSON, a bill entitled An act to authorize the sale of the property of an incorporated company upon the lands secured by mortgage given by it with like effect as if sold upon the mortgage.

Referred to the Committee on the Judiciary General.

Mr. RANDALL, a bill entitled an act for the protection of wholesale and retail merchants in the county of Schuylkill.

Referred to the Committee on the Judiciary Local.

Also, a bill entitled A supplement to act to incorporate the Union Hall association of Pottsville, approved 17th of March, 1864.

Referred to the Committee on Corporations.

Mr. COLEMAN, a bill entitled A supplement to the charter of the city of Harrisburg.

Referred to the Committee on the Judiciary Local.

Mr. BIGHAM, a bill entitled A supplement to an act to incorporate the Eagle cotton manufacturing company, approved April 3d, 1867.

Referred to the Committee on Corporations.

Mr. LOWRY, a bill entitled An act supplementary to the act to incorporate the Oil Creek Lake and Titusville mining and transportation company.

Referred to the Committee on Corporations.

Also, a bill entitled An act to incorporate the Meadville Driving Park company.

Referred to the Committee on Corporations.

Mr. WORTHINGTON, a bill entitled An act to authorize the Lake Shore seminary to borrow money and to grant literary degrees.

Referred to the Committee on Education.

Mr. SCHALL, a bill entitled An act authorizing Frederick & Company to erect wing-dams and other water works on the Lehigh river.

Referred to the Committee on Canals and Inland Navigation.

Mr. ROYER, a bill entitled an act relative to the election of the Green Lane and Goshenhoppen turnpike road company.

Referred to the Committee on Roads and Bridges.

Mr. M'CONAUGHY, a bill entitled An act to authorize a change in the location of a portion of the State road from Harrisburg to Gettysburg.

Referred to the Committee on Roads and Bridges.

Mr. SEARIGHT, a bill entitled An act relating to public roads in the township of Rostraver, Westmoreland county.

Referred to the Committee on Roads and Bridges.

Mr. GLATZ, a bill entitled An act to incorporate the York and Dillsburg railroad company.

Referred to the Committee on Railroads.

REPORT OF A CONFERENCE COMMITTEE.

Mr. WALLACE, from the committee of conference appointed on the subject of the differences existing between the two Houses on the bill No. 854, Senate file, entitled An act to allow the sheriff of Elk county fees for serving jury notices, and increasing the pay of supervisors of said county, reported that the committee had agreed to recommend to the respective Houses the adoption of the following:

That the House recede from its amendments, striking out the first section of said bill, and that the same be re-instated as a part of the bill.

On motion of WALLACE, the report was read a second time and adopted.

BILLS PASSED.

On motion of Mr. SCHALL, the rules were dispensed, with and the Senate proceeded to the consideration of a bill entitled An act to authorize the Lehigh coal and navigation company to borrow money and issue bonds.

The bill was read a second and third time, and

Passed finally.

On motion of Mr. CONNELL, the rules were dispensed with, and the Senate proceeded to the consideration of a bill entitled An act to extend the time for the commencement of the Chestnut Hill and Cheltenham railway company.

The bill was read a second and a third time, and

Passed finally.

On motion of Mr. BROWNE (Lawrence), the rules were dispensed with, and the Senate proceeded to the consideration of a bill entitled An act to provide means for the establishing of a soldiers' orphans' school in each State normal school district of this Commonwealth now destitute thereof.

The bill was read a second and third time, and

Passed finally.

On motion of Mr. HAINES, the rules were dispensed with, and the Senate proceeded to the consideration of a bill entitled An act to incorporate the the Vinton iron and coal company.

The bill was read a second and third time and

Passed finally.

On motion of Mr. TAYLOR, the rules were dispensed with, and the Senate proceeded to the consideration of a bill entitled An act to incorporate the Monongahela Valley railroad company.

The bill was read a second and third time, and

Passed finally,

On motion of Mr. BURNETT, the rules were dispensed with, and the Senate proceeded to the consideration of a bill entitled An act to incorporate the Mauch Chunk Savings' Bank.

The bill was read a second and third time, and

Passed finally.

On motion of Mr. GLATZ, the Committee on Railroads was discharged from the further consideration of a bill entitled An act to incorporate the York and Dillsburg railroad company.

And the rules having been dispensed with,

The bill was read a second and third time, and

Passed finally.

On motion of Mr. SEARIGHT, the Committee on Roads and Bridges was discharged from the further consideration of a bill entitled An act relating to public roads in the township of Rostraver, Westmoreland county.

And the rules having been dispensed with,

The bill was read a second and third time, and

Passed finally.

On motion of Mr. WALLS, the rules were dispensed with, and the Senate proceeded to the consideration of a bill entitled An act to incorporate the First Baptist church of Lewisburg, Union county.

The bill was read a second and third time, and

Passed finally.

JURISDICTION OF THE COURTS IN CERTAIN CASES.

Mr. BUNNETT read in his place and presented to the Chair a bill entitled An act to repeal the act regulating the jurisdiction of courts in proceedings by liens upon injunctions and other relief in equity, and the service of process.

Referred to the Committee on the Judiciary General.

Mr. BURNETT moved that the Committee on the Judiciary General be discharged from the further consideration of the above bill, and that the Senate proceed to its consideration.

Mr. BIGHAM called for the orders of the day.

Mr. BURNETT moved that the orders of the day be suspended for the purpose of proceeding to the consideration of said bill.

Mr. BIGHAM called for a division of the question, the first division to end with suspending the orders of the day.

On agreeing to the first division,

The yeas and nays were required by Mr. BURNETT and Mr. M'CONAUGHY, and were as follow, viz:

YEAS—Messrs. Burnett, Davis, Jackson, James, Landon, Lowry, M'Candless, Schall, Searight, Stutzman, Taylor, Wallace and Walls—13.

NAYS—Messrs. Bigham, Billingfelt, Brown (Mercer), Coleman, Connell, Cowles, Donovan, Fisher, Graham, Haines, M'Conaughy, Ridgway, Royer, Shoemaker, White and Worthington—16.

So the question was determined in the negative.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

The Clerk of the House of Representatives being introduced, informed that the House of Representatives insists on its non-concurrence to amendments made by the Senate to bill from the House numbered and entitled as follows, viz:

No. 538, an act regulating interest on public accounts, and has appointed Messrs WADDELL, MANN and JENKS a committee of conference to confer with a similar committee on the part of the Senate (should the Senate appoint such committee), upon the subject of the difference existing between the two Houses on said bill.

Mr. CONNELL moved that the Senate insist upon its amendments non-concurred in by the House of Representatives, and that a committee of conference be appointed to confer with a similar, committee already appointed by the House of Representatives, on the subject.

The motion was

Agreed to.

Ordered, That Messrs. CONNELL, BIGHAM and WALLS be the committee on the part of the Senate.

He also returned bill from the Senate numbered and entitled as follows, viz:

No. 1547, an act regulating equity jurisdictions in Philadelphia,

With information that the House of Representatives has passed the same without amendments.

He also returned bills from the Senate numbered and entitled as follows, viz:

No. 1267, a further supplement to the act incorporating the city of Pittsburg, extending its boundaries, and enlarging its corporate powers, and perfecting its municipal organization, and submitting the consolidation to a vote of the people.

No. 1551, an act to incorporate the Tidicute and Warren oil company,

With information that the House of Representatives has passed the same without amendments.

He also presented for concurrence bill numbered and entitled as follows, viz:

No. 1742, an act to repeal an act authorizing the Governor to incorporate the Bald Eagle and Spring Creek navigation company, approved 14th day of April, A. D. 1834, and the supplement thereto.

Referred to the Committee on Canals and Inland Navigation.

He also returned bill from the Senate numbered and entitled as follows, viz;

No. 959, a further supplement to an act passed March 29th, A. D. 1803, to establish a board of wardens of the port of Philadelphia, and for other purposes,

With information that the House of Representatives has passed the same without amendment.

LAND BILL.

Agreeably to order,

The Senate resumed the third reading and consideration of a bill entitled An act directing the entry of liens for moneys due the Commonwealth on lands held by virtue of location or other office titles, requiring the survey of lands not heretofore surveyed and returned to the Surveyor General's office, and payment to be made for the same, and regulating the fees in the office of the Surveyor General.

The pending question was upon the adoption of the report of the committee of the whole.

Mr. WHITE. The report of the committee embraces, I believe, the amendments of the Senator from Clearfield [Mr. WALLACE]. I confess that I have not had time to give this proposition the careful examination to which it is entitled. I have, however, referred the matter to the Surveyor General for examination, and so far as he is concerned, he entirely disapproves of the amendment of the gentleman. Rather than that it should prevail, he would prefer that no bill should be passed. The amendment in effect repeals the law of 1864, under which these liens are now being made out, and will ultimately be forwarded to the different counties. Without going into details, I may say that the amendment, as I am informed, revives the act of 1836, known at the Land Office as the graduating act; and in the second section the amendment provides that these claims shall only be sent to the different counties when the land is held by the original settler or his lineal descendant.

Mr. WALLACE. The gentleman is mistaken.

Mr. WHITE. I am informed by the Surveyor General that such is specifically the effect of the amendment of the Senator from Clearfield to the second section. I hold in my hand the graduating act of 1835, which the amendment proposes to revive. Without going into details, which at this late period of the session time will not allow, I will simply say that this act would require the Surveyor General to do what would be an impossibility. It provides that where the land is held by the original settler, or his lineal descendant, no interest whatever is to be charged; the list of liens for transmission is to be made out accordingly, without any interest whatever. Where, however, the land is in the hands of another party, the grantee of the original settler, interest is to be charged. In this respect, that act requires the Surveyor General to do what is practically an impossibility, and of course, in this respect, the amendment of the Senator from Clearfield, proposing to revive that act, is objectionable. In the last section of the amendment is also objectionable. In respect to mortgages given under the act of 1820 for the balance of the purchase money (which mortgages of course bear interest, and should bear interest, because they are debts legitimately due from the landholders of the Commonwealth), the amendment provides that where the mortgagor or owner of the land against which the mortgage is a lien produces the receipt of the Secretary of the Treasury, the Surveyor General shall extinguish the mortgage, or in effect shall enter satisfaction upon it. This, I apprehend, is unfair to the Commonwealth. It is simply a proposition to rescind a solemn contract which has been made between the landowner and the Commonwealth, a contract which has been uniformly recognized throughout the length and breadth of the Commonwealth.

Again, sir, it has been said by the Senator from Clearfield, that the effect of this bill, without his amendment, will be to make the poor land owner pay up immediately or subject his land to the grasp of the land speculator. Why, sir, as I can conceive, its effect will be precisely the opposite. The amendment of the Senator proposes to require that a list of these liens shall be made out and sent to the surveyor of the county and by him placed in the hands of an attorney, who has no responsibility whatever to the State government, thus taking the collection of these claims out of the hands of the Attorney General of the Commonwealth and placing it in the hands of irresponsible parties located in the counties where the land may be.

Again, it said that it is unfair to inaugurate this harsh system against the poor man who has improved his land, and who has his all staked in it; that we should show some leniency. Why, sir, this bill does show leniency. It proposes to give ample time for the redemption of the land. Furthermore, every landholder in the Commonwealth is interested in having these revenues put into the coffers of the Commonwealth, because thereby the debt of the State is diminished, and the probability of his possessions being held responsible in taxes is decreased. We are all interested in the diminution of the public debt, because thereby we are, to a corresponding extent, relieved of the burdens of taxation. Hence, the proposition of the Senator from Clearfield, instead of being in favor of that poor landowner, actually makes against him.

I have only briefly indicated some of the objections to the amendment. I trust the Senate will refuse to adopt the report of the committee of the whole, and will pass the bill as it came from the hands of the Surveyor General, by whom it was carefully prepared.

Mr. LOWRY. I move that the further consideration of this subject be indefinitely postponed.

Mr. WALLACE. Mr. Speaker, I desire to say a few words on this subject in reply to what has been said by the gentleman from Indiana [Mr. WHITE]. I had no particular desire in regard to this bill other than to effect a remedy for a mischief which we all admit to exist. Debts are due to the Commonwealth by citizens of the Commonwealth. We have endeavored to collect those debts. To effect this end, I proposed that we should take the direct and efficient means usually employed by business men in conducting their own affairs. The Surveyor General and the Senator from Indiana object to the adoption of this mode. As to minor details in the amendment submitted by myself, I was not tenacious. I so said when I offered the amendment, and I repeat it. But I did affirm that it was due to those who had settled upon the lands of the Commonwealth that they should have time to pay their money, that those who had gone upon the land and made the wilderness to blossom, should not be charged with interest; that the act of 1835, with which the legal profession and the citizens of the Commonwealth generally are acquainted, should be continued as the law; that we should have no serious and important changes in regard to this matter, but that we should distinctly indicate what is the general land law of the Commonwealth.

These were my views upon the subject. They are unchanged. I regret to see the Senator come into the Senate this morning, and say that he will take the bill of the Surveyor General, or he will take nothing. I do not believe that it is the temper of the Senate to accept any such bill. I believe that its effect will be to postpone indefinitely the collection of these debts, withholding from the treasury of the Commonwealth a large amount of money, which, under proper legislation, might go there promptly.

The argument in favor of placing the collection of these claims in the hands of the Attorney General amounts to nothing. By the act of 1864, that officer is empowered to attend to this business. During the two years that act has been in force, why has he not done something? Up to the present time, not one dollar has been collected by virtue of the act of 1864. There is every reason to believe that that act will continue to be a dead letter. Hence I say that some other remedy than the one this bill proposes to provide should be adopted by this Legislature. The process to which the Commonwealth ought to resort in collecting its debts is nothing less than the simple, direct, business-like means adopted by business men in collecting their debts. This bill proposes a circuitous mode of action which the common people cannot understand, and which will only throw difficulties in the way of replenishing our depleted treasury.

Mr. WHITE. Mr. Speaker, from the difference of opinion which exists on this subject, it is very manifest that this long bill, embracing so many matters of detail, cannot pass both branches of the Legislature at this late stage of the session. Some efficient legislation upon this subject should be adopted; but rather than a mistake should be made, it is better that nothing should be done at this session. For the purpose of disposing of this question so that we may proceed to other business, I will move that the subject be referred to a committee consisting of three members of the Senate, who, in conjunction with the Surveyor General, shall report a bill to the next Legislature.

Mr. WALLACE. I have no objection whatever to the motion of the Senator from Indiana. I do not, however, wish the responsibility of the failure of this measure to rest upon me. I believe that the proposition which I submitted as a substitute for the proposition of the Surveyor General and of the Senator from Indiana would have been an efficient measure. I agree that this bill shall go over till next session, disclaiming all responsibility as to whether the treasury is to be replenished as it should be from this source.

Mr. WHITE. With the Senator from Clearfield, I do not wish the responsibility in this matter to rest upon me. But it is our duty as legislators to act cautiously and carefully on this subject, so that exact justice may be done between the Commonwealth and the land-owner.

Mr. FISHER. I am perfectly willing to take the responsibility of the defeat of this measure. I think it is an infamous measure and ought to be defeated.

The SPEAKER *pro tempore* [Mr. WORTHINGTON]. A motion to refer the bill is not in order while the motion of the Senator from Erie [Mr. LOWRY] to postpone indefinitely is pending.

Mr. LOWRY. I withdraw that motion.

Mr. WHITE. I now move that the bill and pending amendment be referred to a committee of three members of this body, who, in conjunction with the surveyor General, shall report upon this subject by bill to the next Legislature.

The motion was

Agreed to.

GENERAL APPROPRIATION BILL.

On motion of Mr. CONNELL, the Senate resolved itself into the committee of the whole (Mr. WALLACE in the chair), and proceeded to the consideration of House bill No. 828, entitled An act to provide for the ordinary expenses of the Government, and other general and specific appropriations.

The first section was read and agreed to, as follows

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the following sums be, and the same are hereby, specifically appropriated to the several objects hereinafter named, for the year commencing on the first day of June, Anno Domini one thousand eight hundred and sixty-seven, to be paid out of any money in the treasury not otherwise appropriated.

The second section was read as follows:

SEC. 2. For the salary of the Governor of the Commonwealth, five thousand dollars for the year commencing June first, one thousand eight hundred and sixty-seven, and the further sum of four hundred dollars, for the proportion of the year prior to June first, one thousand eight hundred and sixty-seven.

For the salary of the Secretary of the Commonwealth, three thousand five hundred dollars for the year commencing June first, one thousand eight hundred and sixty-seven, and the further sum of six hundred dollars for the proportion of the year prior to June first, one thousand eight hundred and sixty-seven.

For the salary of the Deputy Secretary of the Commonwealth, two thousand dollars, to be computed from June first, one thousand eight hundred and sixty-six.

For the salary of the Auditor General, two thousand dollars, and a further sum of three hundred dollars, out of the surplus fund in the treasury on the thirteenth day of November, one thousand eight hundred and sixty-six, from receipts under the free banking system, after paying expenses thereof, for his services in connection with said system.

For the salary of the Surveyor General, one thousand six hundred dollars, and for the present Surveyor General, the further sum of five hundred dollars, for his services in the sale of the agricultural college land scrip, under the act of April eleventh, one thousand eight hundred and sixty-six.

For the salary of the Attorney General, three thousand dollars.

For the salary of the Adjutant General, three thousand dollars, in full for all services as Adjutant General and member of the board of claims.

For the salary of the State Treasurer, one thousand seven hundred dollars.

For the salary of the Superintendent of Common Schools, two thousand five hundred dollars.

For the salary of the State Librarian, one thousand dollars.

For the salary of the Superintendent of Public Printing, eight hundred dollars, and for office rent, ninety dollars, or so much thereof as may be expended therefor.

Mr. BIGHAM. I move to amend by striking out "two" in the sixteenth line, and inserting in lieu thereof "three," so as to make the salary of the Auditor General three thousand dollars.

I do not know, sir, that I shall propose to increase another item in this bill; but any one who realizes the condition of this Commonwealth understands that the position of Auditor General is now *the* responsible position of the Commonwealth. For every dollar of our revenue the responsibility devolves on that officer. It is a crying shame that we should expect the duties of that office to be discharged for less than we pay the heads of many other departments. The present incumbent is from a distant part of the State, and has served gallantly as a soldier. I think this Legislature will do him but a mere justice in allowing him a salary of three thousand dollars.

Mr. LOWRY. I will vote for the gentleman's amendment if he will consent to strike out the provision for "a further sum of three hundred dollars." I do not like to see such a provision in any part of this bill. I wish we could get our committee to report a bill embracing single and specific sums as appropriations for salaries, without any provision for "further sums," so that we might see at a glance what we pay each officer.

Mr. BIGHAM. I am willing to accept the suggestion of the Senator from Erie [Mr. LOWRY], and add as a part of my amendment a proposition to strike out these words, "and a further sum of three hundred dollars out of the surplus fund in the treasury on the thirteenth day of November, one thousand eight hundred and sixty-six, from receipts under the free banking system, after paying expenses thereof, for his services in connection with said system."

The free banking system of the State is about "played out" at any rate.

Mr. SEARIGHT. I wish to make merely a single remark. The Senator from Allegheny [Mr. BIGHAM], a few years ago, announced in the Senate, with a flourish of trumpets, that he intended to reduce the appropriations in this bill one million dollars. At now, the very first motion he makes is for an increase of salary. If he keeps on in this direction, he will increase the aggregate of appropriations one million dollars, instead of reducing it. I am not opposed to the proposition of the Senator; I wished merely to remind him of the boast he made a few days ago.

Mr. BIGHAM. By the time we get through with this bill, the Senate will be able to judge whether or not I am consistent.

The amendment of Mr. BIGHAM as modified, was

Agreed to.

Mr. HALL. I move to amend by inserting after the word "thousand," in the twenty-fifth line, the words "five hundred," so as to make the salary of the Attorney General three thousand five hundred dollars.

The amendment was

Agreed to.

Mr. CONNELL. I move to amend by striking out, in the twenty-first line, the words "one thousand six hundred," and inserting in lieu thereof "two thousand," so as to make the salary of the Surveyor General two thousand dollars.

The amendment was

Agreed to.

The section as amended was

Agreed to.

The third section was read and agreed to, as follows:

SEC. 3. For the salary of the private secretary of the Governor, two thousand dollars, and for the salary of a temporary clerk, at the rate of one hundred and twenty-five dollars per month, so long as employed by the Governor.

For messenger in the executive department, eight hundred dollars.

For postage, telegrams, stationery and other incidental expenses, the sum of seven hundred dollars, or so much thereof as may be necessary.

The fourth section was read as follows:

SEC. 4. For the salary of the chief clerk in the office of the Secretary of the Commonwealth, one thousand six hundred dollars, and the further sum of two hundred dollars, to be computed from the fifteenth day of January, one thousand eight hundred and sixty-seven.

For the salary of the military clerk, one thousand two hundred dollars, and the further sum of two hundred dollars, to be computed from the first day of June, one thousand eight hundred sixty-six.

For the salary of the commission clerk, one thousand two hundred dollars, and the further sum of two hundred dollars, to be computed from the first day of June, Anno Domini one thousand eight hundred and sixty-six.

For the salary of the first transcribing clerk, one thousand two hundred dollars, and the further sum of two hundred dollars, to be computed from the first day of June, Anno Domini one thousand eight hundred and sixty-six.

For the salary of the second transcribing clerk, twelve hundred dollars, and the further sum of two hundred dollars, to be computed from the first day of June, Anno Domini one thousand eight hundred and sixty-six.

For the salary of the third transcribing clerk, twelve hundred dollars, and the further sum of two hundred dollars, to be computed from the first day of June, Anno Domini one thousand eight hundred and sixty-six.

For the salary of two additional clerks, each the sum of twelve hundred dollars, and the further sum of two hundred dollars each, to

be computed from the first day of June, one thousand eight hundred and sixty-six.

The further sum of two hundred dollars, in this section appropriated to each of the several clerks in the State Department, shall be apportioned between the retiring and present clerk, and paid to each, according to the time of their respective service during the year.

For the salary of the messenger in the State Department, nine hundred dollars.

For postage, telegrams, freight and express charges in the State Department, fifteen hundred dollars, or so much thereof as may be necessary.

For blank books, one hundred and fifty dollars, or so much thereof as may be necessary.

For stationery, nine hundred dollars, or so much thereof as may be necessary.

For fuel and lights, one hundred and fifty dollars, or so much thereof as may be necessary.

For cleaning of offices, one hundred and twenty-five dollars, or so much thereof as may be necessary.

For miscellaneous expenses, three hundred dollars, or so much thereof as may be necessary.

Mr. FISHER. I move to amend by striking out "nine hundred" in the twenty-eighth line, and inserting "one thousand."

Mr. CONNELL. These messengers in the different departments, nine in all, appeared before us asking an increase of salary; and we have raised their pay from eight hundred to nine hundred dollars. I have seen three or four of them since, and they expressed their satisfaction with the increase. If we raise still further the salary of this one, we shall have to do the same thing for all the others.

Mr. FISHER. I think the messengers in the departments here ought to be paid better. They have heretofore received eight hundred dollars per year. We now propose to give them nine hundred dollars, which is about as much as the officers around the two Houses receive for three months' services. These messengers in the departments are here the whole year, and considering the expenses of living, I think one thousand dollars is little enough to pay them.

The amendment was

Not agreed to.

The section was

Agreed to.

The fifth section was read and agreed to, as follows:

SEC. 5. For the salary of the chief clerk in the Auditor General's office, one thousand seven hundred dollars, and the further sum of one hundred dollars, to be computed from the first of June, Anno Domini one thousand eight hundred and sixty-six.

For the salary of the clerk in the banking department, one thousand four hundred dollars, and the further sum of one hundred dollars, to be computed from the first of June, Anno Domini one thousand eight hundred and sixty-six.

For the salary of the clerk in the department for settling accounts of county treasurers, prothonotaries, registers, recorders, clerks of the courts, et cetera, one thousand three hundred dollars, and the further sum of one hundred dollars, to be computed from the first day of June, one thousand eight hundred and sixty-six,

For the salary of the clerk for settling the accounts of corporations and in charge of the business with foreign insurance companies, reports of railroads and manufacturing companies, et cetera, one thousand three hundred dollars, and the further sum of one hundred dollars, to be computed from the first day of June, one thousand eight hundred and sixty-six.

For the salary of an assistant clerk in charge of accounts of corporations, thirteen hundred dollars, and the further sum of two hundred dollars, for services at the military desk, to be computed from the first of June, one thousand eight hundred and sixty-six.

For the salary of warrant and bonus clerk, one thousand three hundred dollars, and the further sum of one hundred dollars, to be computed from the first day of June, one thousand eight hundred and sixty-six.

For the salary of registering and copying clerk, one thousand two hundred dollars, and the further sum of one hundred dollars, to be computed from the first day of June, one thousand eight hundred and sixty-six.

For the salary of the clerk in charge of papers relating to the public improvements formerly owned by the State, for settling accounts of military disbursing officers, and assisting chief corporation and warrant clerks, one thousand three hundred dollars, and the further sum of one hundred dollars, to be computed from the first day of June, Anno Domini one thousand eight hundred and sixty-six.

For salary of clerk for copying accounts, appeals, correspondence, reports, et cetera, twelve hundred dollars, and the further sum of one hundred dollars, to be computed from the first day of June, Anno Domini one thousand eight hundred and sixty-six.

For the military claims and warrant clerk in the Auditor General's office, the sum of twelve hundred dollars, and the further sum of one hundred dollars, to be computed from from the first day of June, Anno Domini one thousand eight hundred and sixty-six.

For salary of messenger, nine hundred dollars.

For salary of a night watchman, eight hundred dollars, and the further sum of eight hundred dollars, for the services of such officer, from the first day of June, one thousand eight hundred and sixty-six.

For postage and telegrams, seven hundred and fifty dollars, or so much thereof as may be necessary.

For stationery, five hundred dollars, or so much thereof as may be necessary,

For fuel, one hundred and fifty dollars, or so much thereof as may be necessary.

For miscellaneous expenses of the office, two hundred dollars, or so much thereof as may be necessary.

The sixth section was read and agreed to, as follows:

SEC. 6. For the salary of eight clerks in the Surveyor General's office, the sum of one thousand four hundred dollars each, and the additional sum of one hundred dollars each to be computed from May first, one thousand eight hundred and sixty-six.

For the salary of the chief clerk in the Surveyor General's office, the sum of one thousand seven hundred dollars, to be computed from May first, one thousand eight hundred and sixty-six.

For the salary of the temporary clerks, the sum of one hundred dollars per month to each clerk, and the number and time for which they are employed shall be subject to the approval of the Governor, and the additional sum of two hundred dollars each, to be computed from the first day of June, one thousand eight hundred and sixty-six.

For the salary of messenger, nine hundred dollars.

For postage in the office of the Surveyor General, four hundred dollars, or so much thereof as may be necessary.

For stationery, five hundred dollars, or so much thereof as may be necessary.

For cleaning office and miscellaneous expenses, one hundred and fifty dollars, or so much thereof as may be necessary.

For fuel, one hundred and fifty dollars, or so much thereof as may be necessary.

The seventh section was read and agreed to, as follows:

SEC. 7. For the salary of the clerk in the office of the Attorney General, fifteen hundred dollars.

For the contingent expenses in the Attorney General's office, seven hundred dollars, or so much thereof as may be necessary.

The eighth section was read and agreed to, as follows:

SEC. 8. For the salary of the chief clerk in the office of the State Treasurer, one thousand eight hundred dollars, and the further sum of one hundred dollars, to be computed from the first day of May, Anno Domini one thousand eight hundred and sixty-six.

For the salary of the book-keeper, one thousand three hundred dollars, and the further sum of one hundred dollars, to be computed from the first day of May, Anno Domini one thousand eight hundred and sixty-six.

For the salary of the account clerk, one thousand three hundred dollars, and the further sum of one hundred dollars, to be computed from the first day of May, Anno Domini one thousand eight hundred and sixty-six.

For the salary of the recording clerk, one thousand two hundred dollars, and the further sum of one hundred dollars, to be computed from the first day of May, Anno Domini one thousand eight hundred and sixty-six.

For the salary of the clerk in charge of accounts of corporations, fourteen hundred dollars, to commence from the first day of September, Anno Domini one thousand eight hundred and sixty-six.

For the salary of the messenger of the treasury department, nine hundred dollars.

For the salary of a night watchman of the treasury department, eight hundred dollars, and the further sum of eight hundred dollars, for the services of such officer, from the first day of June, one thousand eight hundred and sixty-six, or so much thereof as may be necessary.

For postage and telegrams in the treasury department, four hundred dollars, or so much thereof as may be necessary.

For stationery and blank books, three hundred dollars, or so much thereof as may be necessary.

For express charges, one hundred dollars, or so much thereof as may be necessary.

For fuel and light, seventy five dollars, or so much thereof as may be necessary.

For miscellaneous expenses, one hundred and seventy five dollars, or so much thereof as may be necessary.

The ninth section was read and agreed to, as follows:

SEC. 9. That the State Treasurer is hereby required to pay to each of the commissioners of the sinking fund the sum of three hundred dollars, and they are hereby authorized and required to impose the duties of clerk to said commissioners upon one of the clerks of the treasurer's department, at an increased salary not exceeding four hundred dollars per annum.

The tenth section was read and agreed to, as follows:

SEC. 10. For the salary of the Assistant Adjutant General, including pay and allowances of captain of infantry, as per State militia law, seventeen hundred and ten dollars.

For the salary of the chief clerk, the sum of one thousand three hundred dollars.

For the salary of the pay department clerk, the sum of twelve hundred dollars.

For the salary of the register and recording clerk, twelve hundred dollars.

For the salary of the Superintendent of the State Arsenal, the sum of one thousand dollars.

For the salary of the messenger, the sum of nine hundred dollars.

For postage, telegrams and express charges, the sum of six hundred dollars, or so much thereof as may be necessary.

For blank books, the sum of one hundred and fifty dollars, or so much thereof as may be necessary.

For stationery, the sum of six hundred and fifty dollars, or so much thereof as may be necessary.

For lights, the sum of fifty dollars; or so much thereof as may be necessary.

For cleaning office and ordinary repairs, the sum of one hundred and fifty dollars, or so much thereof as may be necessary.

For miscellaneous expenses, the sum of one hundred dollars, or so much thereof as may be necessary.

For disbursements as ex-officio Paymaster General of the State, the sum of nineteen hundred dollars, or so much thereof as may be necessary.

The eleventh section was read and agreed to, as follows:

SEC. 11. For the cost of transportation of the Transportation Department, the sum of ten thousand dollars, or so much thereof as may be necessary, to be settled by the Auditor General in the usual manner; and the Chief of Transportation is authorized to pay, out of said sum, the expense of disinterring and carrying to the place of burial the bodies of deceased soldiers of Pennsylvania, transportation, when it has not been furnished by the State, to be computed at the rate of two cents per circular mile, and in no case shall a sum greater than twenty dollars be paid as the expense of disinterring; and also pay, out of said sum, for the salary of the Chief of the Transportation Department up to the first day of June next, the sum of five hundred dollars; for the salary of the clerk of said Department, up to the same point of time, the sum of three hundred and fifty dollars; for the messenger, one hundred dollars, and for postage, stationery, fuel and incidental expenses, one hundred dollars, or so much thereof as may be necessary.

On the first day of June, eighteen hundred and sixty-seven, the duties of the Transportation Department shall devolve on the Auditor General, who shall then receive from the Chief of said Transportation Department all books, accounts and property of the State.

The twelfth section was read and agreed to, as follows:

SEC. 12. For the payment of pensions and gratuities, the sum of seven thousand dollars, and such further sums as may be necessary to pay to the widows and children of deceased soldiers such sum or sums as they may be entitled to receive according to law.

The thirteenth section was read and agreed to, as follows:

SEC. 13. For the salary of the Deputy Superintendent of Common Schools, one thousand six hundred dollars, and the additional sum of two hundred dollars, to date from first June, one thousand eight hundred and sixty-six.

For the salary of the warrant clerk in the School Department, twelve hundred dollars, and the further sum of two hundred dollars, to be computed from the first day of June, Anno Domini one thousand eight hundred and sixty-six.

For the salary of the report clerk, twelve hundred dollars, and the further sum of two hundred dollars, to be computed from the first day of June, Anno Domini one thousand eight hundred and sixty-six.

For the salary of the letter clerk, twelve hundred dollars, and the further sum of two hundred dollars, to be computed from the first day of June, Anno Domini one thousand eight hundred and sixty-six.

For engraving and printing warrants, two hundred and seventy-five dollars, or so much thereof as may be necessary.

For repairing and furnishing the room of the School Department, two thousand dollars, or so much thereof as may be necessary, inclusive of the sum appropriated for the same purpose, in the general appropriation act passed at the session of one thousand eight hundred and sixty-six.

For the salary of the messenger, nine hundred dollars.

For stationery and blank books in the School Department, three hundred dollars, or so much thereof as may be necessary.

For postage, telegrams and express expenses, one thousand dollars, or so much thereof as may be necessary.

For cleaning office and miscellaneous expenses of the School Department, three hundred dollars, or so much thereof as may be necessary.

For expenses in packing and distributing blank forms, reports, school laws and decisions, to the school directors of the State, six hundred dollars, or so much thereof as may be necessary.

For publishing and circulating among the school officers of the State the official decisions and instructions of the Department, two thousand dollars, or so much thereof as may be necessary.

For traveling expenses on official business of the department, five hundred dollars, or so much thereof as may be necessary.

The fourteenth section was read and agreed to, as follows:

SEC. 14. For the education and maintenance of the destitute orphans of the deceased soldiers and sailors of the State from the first day of January, one thousand eight hundred and sixty-six, till the first day of June, one thousand eight hundred and sixty-eight, the following sums annually, or so much thereof as may be necessary, to be drawn and accounted for, as provided by the act entitled An act to provide for the continuance of the education and maintenance of the destitute orphans of the deceased soldiers and sailors of the State, passed at this current session of the Legislature: *Provided*, That the gross expenditures hereinafter provided shall not exceed the sum of four hundred and fifty thousand dollars annually:

For the education and maintenance, including clothing of each orphan of less than ten years of age, admitted into such orphan homes as receive now, or have received appropriations from the State, the sum of one hundred and five dollars, or so much thereof as may be necessary.

For the education and maintenance, including clothing of each orphan of less than ten years of age, admitted into such orphan homes or institutions as have received no appropriation from the State, the sum of one hundred and twenty-five dollars, or so much thereof as may be necessary.

For the education and maintenance of each orphan between the ages of ten and sixteen years, admitted into such institutions as may be selected for them by the proper authorities, and which have received no appropriations from the State, the sum of one hundred, and forty dollars, and the further sum of twenty-five dollars for clothing each of said orphans, or so much thereof as in either case may be necessary: *Provided*, That the rates hereby established shall take effect on and after the first day of June, Anno Domini one thousand eight hundred and sixty-seven.

For the salary of the superintendent of soldiers' orphans, twenty-five hundred dollars.

For the salary of the office clerk, twelve hundred dollars.

For the salary of the inspector or examiner of soldiers' orphan schools, fifteen hundred dollars.

For the salary of the female assistant inspector and examiner, the sum of one thousand dollars.

For postage and telegrams, three hundred dollars, or so much thereof as may be necessary.

For stationery and blank books, one hundred and fifty dollars, or so much as may be necessary.

For printing, five hundred dollars, or so much thereof as may be necessary.

For advertising, four hundred dollars, or so much thereof as may be necessary.

For transferring pupils, four hundred dollars, or so much thereof as may be necessary.

For funeral expenses, two hundred dollars, or so much thereof as may be necessary.

For traveling expenses of the superintendent and his assistants, seven hundred dollars, or so much thereof as may be necessary.

The fifteenth section was read and agreed to, as follows:

SEC. 15. For the support of the common schools for the school year which will begin on the first Monday of June, Anno Domini one thousand eight hundred and sixty-seven, to be paid on warrants to be drawn by the Superintendent in favor of the several school districts of this Commonwealth, the sum of four hundred thousand dollars, inclusive of the salaries of county superintendents, and inclusive of the sum of fifteen thousand dollars for the education of teachers in the Normal schools of the Commonwealth, to be applied in the same way and under the same conditions as a similar appropriation was directed to be applied by the general appropriation act approved the eleventh day of April, one thousand eight hundred and sixty-six, including the State Normal school of the Third district, to the benefit of the students in the respective State Normal schools, who are preparing to become teachers in the common schools of the State: *Provided*, That each student in a Normal school, drawing an allowance from the State, must receive regular instruction in the science and art of teaching, in a special class devoted to that object, for the whole time such an allowance is drawn, inclusive, also, of the sum of fifteen hundred dollars, for the education of colored young men as teachers in the Lincoln university, to be disbursed in like manner, and with like conditions, as the money appropriated in this act for the education of teachers in the State normal schools, and inclusive, also, of nine thousand two hundred and twelve dollars and thirty-two cents, to the city of Philadelphia, this being the amount contributed by said city through an oversight in the general appropriation act, approved the 11th day of April, Anno Domini one thousand eight hundred and sixty-six, to the salaries of the county superintendents in the several counties of the Commonwealth, when no part of the benefit of their supervision accrued to said city: *Provided*, That the city of Philadelphia shall be entitled to a proper portion of this appropriation without contributing to the salaries of the county superintendents, and the amount of three thousand dollars of the amount received by the said city of Philadelphia to be paid to the teachers' institute.

For the State Normal school of the Third district, five thousand dollars.

For paying committee of inspection for

inspecting the Normal school of the Third district, preparatory to recognition by the State, as per bills on file in the school department, one hundred and twenty-five dollars.

The sixteenth section was read and agreed to, as follows:

SEC. 16. For the purchase of law and miscellaneous books for the State Library, eighteen hundred dollars.

For the exchange of law books, including Purdon's Digest, one thousand dollars, or so much thereof as may be necessary.

For postage, freight on books, stationery, purchasing books, cleansing apartments, making fires, et cetera, five hundred dollars, or so much thereof as may be necessary.

For binding, one hundred dollars, or so much thereof as may be necessary.

The seventeenth section was read and agreed to, as follows:

SEC. 17. For the salaries of the judges of the Supreme Court, the sum of twenty-seven thousand five hundred dollars, or the sum of five thousand five hundred dollars to each judge, for the present year, to be in lieu of all daily pay, mileage or other expenses heretofore allowed by any law.

The eighteenth section was read and agreed to, as follows:

SEC. 18. For the payment of the salaries of the judges of the district court, and the judges of the court of common pleas, of the city of Philadelphia, the sum of thirty-five thousand dollars, or five thousand dollars to each judge for the present year.

The nineteenth section was read and agreed to, as follows:

SEC. 19. For the payment of the judges of the district court and the president and assistant law judges of the court of common pleas of the county of Allegheny, twenty-five thousand dollars, or five thousand dollars to each one of the law judges for the present year.

For the payment of the president judge of the Twelfth Judicial district, in consideration of the increased labor in trying the Commonwealth civil cases in the county of Dauphin, the sum of thirty-eight hundred dollars a year, and his salary is to be computed at that rate from the first day of June, one thousand eight hundred and sixty-six, in full of all claims for arrears.

The twentieth section was read and agreed to, as follows:

SEC. 20. For the payment of the salaries and mileage of the president, additional and associate law judges of the several courts of common pleas in this Commonwealth, except in the city of Philadelphia, the county of Allegheny and the Twelfth Judicial district, the sum of one hundred and fifteen thousand dollars, or so much thereof as may be necessary; each president and law judge to receive three thousand five hundred dollars salary during the present year.

The twenty-first section was read, as follows:

SEC. 21. For the payment of the salaries and mileage of the associate judges of the courts of this Commonwealth, the sum of fifty thousand dollars, or so much thereof as may be necessary, each associate judge to receive in lieu of the salary now allowed by law, eight dollars per day, for every day, not exceeding fifty, he may be employed in the discharge of his official duties, and for every such day, in excess of fifty, the sum of three dollars: *Provided*, That the salary of no associate judge shall be less than three hundred dollars, and the pay of the associate judges shall hereafter be as is herein provided.

Mr. BILLINGFELT. I move to amend by striking out "eight" in the fourth line, and inserting "five."

The amendment was

Not agreed to.

The section was

Agreed to,

The twenty-second section was read and agreed to, as follows:

SEC. 22. For the payment of the interest on the funded debt of the Commonwealth, which will fall due on the first days of July and August, Anno Domini one thousand eight hundred and sixty-six, and the first days of January and February, Anno Domini one thousand eight hundred sixty-seven, the sum of one million eight hundred and six thousand one hundred and thirty-four dollars, or so much thereof as may be necessary.

The twenty-third section was read and agreed to, as follows:

SEC. 23. For the public printing, folding, stitching and binding, thirty-five thousand dollars, or so much thereof as may be necessary on settlement of the account of the public printer according to law.

The twenty-fourth section was read and agreed to, as follows:

SEC. 24. For the payment of the expenses of the Legislature, including the mileage of members, clerks and officers of each House, appointed for this session, and the amount authorized by law for stationery, et cetera, the sum of two hundred and sixty-five thousand dollars, or so much thereof as may be necessary, to be settled by the Auditor General according to law; and that each member shall receive three hundred dollars, and the chief assistant and transcribing clerks of the House of Representatives, and the Senate, shall receive two hundred and fifty dollars in addition to their present salary.

The twenty fifth section was read and agreed to, as follows:

SEC. 25. For the payment of the commission appointed to inquire into the alleged insanity of Newton Champion, one hundred and seventy-five dollars, to be paid on the warrant of the Governor.

The twenty-sixth section was read and agreed to, as follows:

SEC. 26. For packing and distributing the laws and journals of the Legislature, to be performed under the direction of the Secretary of the Commonwealth, thirteen hundred dollars, or so much thereof as may be necessary; and the Secretary of the Commonwealth shall hereafter charge one dollar per volume for the pamphlet laws.

The twenty-seventh section was read and agreed to, as follows:

SEC. 27. For the payment to the city of Harrisburg, for supplying the public buildings with water, according to the act of April twenty-eight, Anno Domini one thousand eight hundred and forty, the sum of six hundred dollars; and also for gas, for the public buildings and walks, such amount as may be found due the Harrisburg gas company, on the contract with the company; and upon a regular account being rendered to the Auditor General, who is hereby authorized to examine and settle the same, in the same mode and manner as other accounts are settled in said department, in pursuance of its charter and supplement, to be paid on the warrant of the Auditor General.

The twenty-eighth section was read as follows:

SEC. 28. For the superintendent and watchman of the public buildings and grounds, the sum of three dollars and fifty cents per day, during the period of his appointment, and also for three assistant watchmen, the sum of nine hundred dollars each, to be computed from June fifteenth last past, to be paid monthly, and for the necessary repairs to the public buildings and grounds, wages of laborers employed on the same, four thousand dollars, or so much thereof as may be necessary, to be expended by the superintendent, the accounts to be settled by the Auditor General in the usual manner; and that the clerks of the two Houses be, and they are hereby, authorized to have a new slate and tin roof placed on the capitol at a rate not exceeding three thousand dollars, and to make all necessary repairs to the capitol building, except the new library rooms; the amounts to be settled in the usual manner by the Auditor General, and paid upon the joint order of said clerks: *Provided*, That the sum expended by the said clerks, for such repairs, shall not exceed four thousand dollars.

To C. A. Boas, for winding and oiling the clock on the capitol for one year, ending January first, one thousand eight hundred sixty-seven, and for repairing the same, the sum of one hundred and twenty-five dollars, to be paid on account certified by the clerks of the two Houses.

Mr. COLEMAN. I desire to inquire why the appropriation for the public grounds has been cut down so largely.

Mr. CONNELL. The committee could not see what was to be done with the money. There was no statement before us. One member of the committee, the Senator from Allegheny [Mr. GRAHAM], said that he would be willing to do this work for two thousand dollars.

Mr. COLEMAN. It seems to me that the appropriation proposed here is much less than the appropriation made heretofore.

Mr. GRAHAM. The Superintendent of the Public Grounds asked, I believe, for an appropriation of about eight thousand dollars.

Mr. CONNELL. Eight thousand dollars.

Mr. GRAHAM. The work to be done with this appropriation was the repairing of some guttering, the keeping of the grass in order, and regravelling some of the walks. Several members of the committee, myself among the number, were of the opinion that with an appropriation of a couple of thousands of dollars a good working man would be able to do all this work, and make money out of the job.

We thought we were dealing very liberally with the Superintendent of the Public Grounds in appropriating four thousand dollars.

Mr. RIDGWAY. The Senator from Lebanon [Mr. COLEMAN] says that this appropriation is much less than the amounts appropriated heretofore. I think it is time that the appropriations should be less than they have been.

Mr. COLEMAN. I agree with the gentleman.

Mr. RIDGWAY. We have been squandering money on this hill, not only upon the public grounds, but upon the public buildings. I think we ought to begin to economize.

The section was

Agreed to.

The twenty-ninth section was read as follows:

SEC. 29. For George Berger, fifteen dollars per page for the *Legislative Record*, published during the present session of the Legislature, as per contract, the amount to be certified by the Superintendent of Public Printing; and upon such certificate the State Treasurer shall pay the same; and for resetting the type of seven numbers printed before the increase of the number of copies now printed, twenty-five dollars for each number; and for making an index to the *Legislative Record*, the further sum of two hundred dollars is appropriated to the publisher of the *Record*: *Provided*, That the making of the index does not detain the forwarding of the bound copies more than

four weeks after the adjournment of the Legislature.

Mr. DONOVAN. I desire to ask the chairman of the Committee on Finance what price was paid last year for publishing the *Record*.

Mr. CONNELL. The rate per page is increased, because the publisher furnishes twice as many copies as he formerly did. Last year each member received seventeen copies, while, under the new arrangement, each member receives, I believe, thirty-five copies. Last year we paid eleven dollars per page, when only seventeen copies were furnished to each member.

Mr. BROWN (Mercer). I desire to say that the difference in the price per page is caused by the extra expense of paper for the additional copies furnished. As a member of the committee appointed to contract for the publication of the *Record*, I examined the subject carefully, and I am satisfied that this matter is right.

Mr. SEARIGHT. Mr. Speaker, this section refers to the contract between the Legislature and Mr. Bergner in regard to the publication of the *Record*. I understand that that contract was made for three years.

Mr. Speaker, I move to amend by inserting after the word "contract" the words, "which said contract shall not be binding beyond the expiration of the present year." I desire to repeal this contract so as to make it operative only during the present year.

Mr. BROWN (Mercer). It seems to me the amendment is unnecessary. We make a new contract every year. That is the way we have been doing.

Mr. SEARIGHT. The contract now existing runs, I understand, for three years. I desire to repeal the contract so far as it extends beyond the year, so that we shall go on in the usual way making a contract every year.

The CHAIRMAN. The Chair would suggest to the gentleman from Fayette [Mr. SEARIGHT] that it is scarcely germain, as the bill now stands, to insert a provision repealing a contract.

Mr. SEARIGHT. There is such a provision in another portion of the bill.

Mr. CONNELL. That was to repeal an act, not a contract. I hope the amendment will not be adopted.

Mr. FISHER. I trust this Legislature will not endeavor to tie up the hands of any future Legislature on this subject. I do not think we have power to do it. I think we have only power to contract as we go along, not to enter into a contract for a subsequent Legislature.

Mr. BROWN (Mercer). It strikes me we had better let this matter alone, and let the next Legislature, if they see fit, repeal the contract.

Mr. DONOVAN. We have no power to make a contract for the next Legislature.

Mr. CONNELL. The contract with the public printer is given out for five years at a time.

Mr. SEARIGHT. If the next Legislature can make a better bargain, we ought to leave them at liberty to do it. We owe this to ourselves and those we represent. If my amendment be adopted, then, should there be an opportunity to make a better contract next year, we can do so.

Mr. M'CONAUGHY. I call the attention of Senators to the language of the section:

"For the Legislative *Record published during the present session of the Legislature*, as per contract."

Mr. SEARIGHT. Still that does not affect the contract which has already been made, and which by its terms runs for three years.

Mr. CONNELL. I want to state the reason why this contract should be given for a term of years. No man will engage the necessary force to be here at the opening of the session, unless he is sure he is going to have the work. No man will incur this large expense with the possibility that he may not obtain the contract. We must give some guarantee of this kind in order to have a *Record* at the opening of the session. We cannot have any reports at the opening of a new session, unless we make a contract in advance.

Mr. BIGHAM. I do not know what this contract is, or what it purports to be. When the section comes up on second reading, we shall have fuller information, and can act more intelligently.

The amendment was

Not agreed to.

The section was

Agreed to.

The thirtieth section was read and agreed to as follows:

SEC. 30. For the fire companies of the city of Harrisburg, the sum of seven hundred dollars, to be distributed in equal amounts to and among said companies.

The thirty-first section was read and agreed to, as follows:

SEC. 31. For transcribing for the Committee of Ways and Means, to be paid on the order of the chairman, the sum of thirty dollars; for transcribing for Finance Committee of the Senate, to be paid on the order of the chairman, the sum of thirty dollars.

The thirty-second section was read agreed to, as follows:

SEC. 32. That the State Treasurer is hereby authorized and directed to pay each of the chief clerks of the Senate and House of Representatives the usual per diem for ten days' service after the close of the session, and the usual per diem to three additional officers who may be kept by each clerk to assist him in his duties; and to the chief clerk of the Senate and House, for the expense of indexing the journals, the sum of two hundred dollars each; and for miscellaneous expenses of the chief clerks of the Senate and House of Representatives, attendant upon their duties during the recess, each, the sum of two hundred dollars; and that the pasters and folders of the House shall be entitled to the same compensation as the assistant doorkeepers.

The thirty-third section was read and agreed to, as follows:

SEC. 33. For the payment of John A. Smull, for his services to the House of Representatives as an assistant clerk for the present session, and for services during the recess, filing away and taking charge of the papers and documents, the sum of one thousand dollars; and it shall be his duty to receive from the State Printer the bound copies of the *Daily Record*, and forward the same to the address of the members of the Legislature as soon as practicable after the adjournment, and he shall also receive the same additional compensation as is allowed to the clerks by this act.

The thirty-fourth section was read and agreed to, as follows:

SEC. 34. That the State Treasurer is hereby authorized to pay the chief clerk of the Senate and House of Representatives, the sum of one dollar and fifty cents per day for each of the pages employed by the Senate and House during the present session, the vouchers for the same to be furnished in the usual manner.

The thirty-fifth section was read and agreed to, as follows:

SEC. 35. That the State Treasurer is authorized to pay to the persons engaged in cleansing and keeping in order the closets and basements of the capitol, and the doorkeepers in the rotunda and capitol extension, and to the firemen having in charge the furnaces in the basement of the same, the same compensation as the assistant doorkeepers, the number of days to be certified to by the clerks of the two Houses.

The thirty-sixth section was read and agreed to, as follows:

SEC. 36. For the payment of express charges, packing and distributing bound copies of the *Daily Legislative Record*, and for the expense of folding and mailing the back numbers of the *Daily Record* for the members of the House of Representatives, the sum of five hundred dollars, or so much thereof as may be necessary, to be disbursed by the clerk of the House of Representatives; and for the payment of express charges, packing and distributing bound copies of the *Legislative Record*, and for the expense of folding and mailing the back numbers of the *Daily Record* for the members of the Senate, the sum of three hundred dollars, or so much thereof as may be necessary, to be disbursed by the clerk of the Senate; and to the several officers of the Senate and House of Representatives, whether elected or appointed, except the Speaker and pages, an extra allowance, as follows, namely: to the chief clerks, assistant clerks and transcribing clerks, the sum of one hundred and fifty dollars; and to each of the other officers, the sum of three hundred dollars, in addition to the pay and salary now allowed by law, for services during the present session; to the several pages the sum of thirty dollars extra, and to the several women employed by the clerks of the two Houses to cleanse the halls, the sum of twenty dollars extra.

The thirty-seventh section was read and agreed to, as follows:

SEC. 37. That all annual salaries herein provided for, and also all appropriations to penitentiaries and houses of refuge and charitable institutions, shall be paid quarterly, at the office of the State Treasurer, unless otherwise provided by law; and that no money appropriated by this act for any specific object, shall be applied to any other in any of the charitable institutions, penitentiaries or houses of refuge.

The thirty-eighth section was read and agreed to, as follows:

SEC. 38. That for expenses incurred, under authority of a resolution of the House, directing certain mail matter to be sent by the express for the members of the House, the sum of eight hundred dollars, or so much thereof as may be necessary, to be paid to the clerk of the House and to the clerk of the Senate; the sum of three hundred and fifty dollars for the same purpose to Jacob Styer, for services as librarian and for three months' extra service during the recess, at the same rate as a transcribing clerk, including the extra compensation, the said librarian to place forty copies of the *Daily Legislative Record* at the public bindery to be bound, thirty-five copies for the use of the Senators and principal clerks, four copies for the State Library, and one to be reserved for the use of the Senate; and to be distributed to the Senators and clerks, with the laws and journals, by the librarian of the Senate; and to John A. Smull, the sum of two hundred dollars, for taking charge of the archives of the House of Representatives during the recess of one thousand eight hundred and sixty-six, and two hundred dollars to Jacob Styer, for similar services, on the part of the Senate, during the recess of one thousand eight hundred and sixty-seven; and the further sum of one hundred and fifty dollars, for expenses incurred and labor performed in removing and fitting up the Senate Library.

The thirty-ninth section was read and agreed to, as follows:

SEC. 39. To William L. Cooper, for services rendered the House of Representatives, the same pay and extra compensation of a transcribing clerk, during the present session.

The fortieth section was read and agreed to, as follows:

SEC. 40. For the salary of assistant postmaster of the House of Representatives, and to the messenger and assistant messenger of the Senate, and in committee rooms, who act as postmasters for the Senate, and for the doorkeeper, seargeant-at-arms, assistant sergeant-at-arms and assistant librarian, each, the same compensation as a transcribing clerk, and in addition to the compensation hereinbefore or hereinafter provided for, every officer of the Legislature shall receive the further sum of fifty dollars for services during the present session, and that the daily pay of all the officers, whether elected or appointed, shall be three dollars per day.

The forty-first section was read and agreed to, as follows:

SEC. 41. For John Addicks, engineer and machinist, in charge of the heating apparatus for the halls and committee rooms, the same compensation as an assistant doorkeeper, the number of days to be certified by the clerks of the two houses.

The forty-second section was read as follows:

SEC. 42. For the payment of Reverend Jacob Kennedy, member of the House of Representatives, for extra services in the House of Representative, the sum of three hundred dollars, and for the payment of Reverend E. L. Bailey, chaplain of the Senate, three hundred dollars.

Mr. SEARIGHT. I move to amend by inserting after the words "extra services," the words "as chaplain," so as to show the nature of the extra services

The amendment was

Agreed to.

The section as amended was

Agreed to.

Mr. FISHER. I move that the committee rise, and ask leave to sit again.

The motion was

Agreed to.

So the committee rose, and the Chairman reported accordingly.

The question being, When shall the committee have leave to sit again?

Mr. CONNELL moved to fix three o'clock this afternoon as the time.

The motion was

Agreed to.

MESSAGE FROM THE GOVERNOR.

The Deputy Secretary of the Commonwealth being introduced, presented the following message in writing from the Governor, approving certain bills:

EXECUTIVE CHAMBER,
HARRISBURG, April 5, 1867.

To the Senate and House of Representatives of the Commonwealth of Pennsylvania:

GENTLEMEN—I have approved and signed the following acts of the General Assembly, to wit:

On the 2d instant:

A supplement to an act to incorporate the Orphans' Home of the Shepherds of the Lambs, approved February seventeenth, one thousand eight hundred and sixty-four, authorizing an increase of the number of its managers.

A supplement to an act to authorize the road commissioners of the townships of Kinzua, Eldred and Cherry Grove, in the county of Warren, to levy a tax for road purposes, approved April 11, A. D. 1866, extending the same to the townships of South West and Deerfield, in said county.

A further supplement to an act relating to inspections, approved April 15, A. D. 1835, and the supplement thereto, approved March 25, 1850, relating to the city of Philadelphia.

A further supplement to an act to erect the borough of Sunbury, in the county of Northumberland, into a borough.

An act to attach certain lands in Potter county to Condersport school district, for school purposes.

An act to enable the Philadelphia Commercial wharf and railroad company to issue bonds and to secure the payment of the same by mortgage, to extend the time for the construction of their railroad connections, and to increase the number of directors.

An act in relation to assessment of road tax and the election and pay of certain township officers and viewers of roads and highways in the county of Jefferson.

An act to extend the time for the payment of the enrollment tax on an act to authorize Samuel Graham and Robert Graham, committee of Walter L. Graham, a lunatic, to sell certain real estate.

An act to authorize the school directors of Harrison township, Allegheny county, to borrow money.

An act to incorporate the Ivanhoe silver mining company.

An act incorporating the Keystone Iron and coal company.

An act for the protection and preservation of fish within the county of Berks.

An act to amend the road laws of Tioga and Potter counties.

An act in relation to fishing in the stream known as the Antietam, or any of its branches, in the county of Franklin.

An act to authorize the commissioners of Crawford county to borrow money.

An act to appropriate the excess of money collected for bounty purposes in the township of East Huntingdon, Westmoreland county, and directing the board of school directors in said township to use the same for school and building purposes.

An act extending an act relative to the fees of notaries public in the counties of Lancaster and Clinton, approved April eleventh, one thousand eight hundred and sixty-six, to the county of Berks.

An act to repeal an act to authorize the highway commissioners of the township of Mill Creek, in the county of Erie, to establish the width of East lane, and to change its name.

A supplement to an act entitled An act to incorporate the Pennsylvania coal company, authorizing said company to construct lateral roads and hold additional land.

An act to incorporate the Great Western mining company.

An act to enable the school directors of the borough of Lehighton, Carbon county, to borrow money for the erection of school buildings.

An act in relation to the election of officers of the Chambersburg and Bedford turnpike road company.

An act granting a pension to Lewis Neudoerffer.

An act to authorize and require the school directors of Antrim township, in the county of Franklin, to refund to Joseph Snively and Jacob Shank certain moneys advanced said township for bounty purposes, and to appropriate the balance of bounty funds in the hands of the treasurer to school purposes.

An act granting a pension to John Hoffmaster.

An act to authorize the school directors of the borough of Renovo, in the county of Clinton, to borrow money for building purposes.

An act to authorize the board of school directors in the borough of Albion, in the county of Erie, to borrow money for building purposes.

An act to increase the pay of the supervisors of Logan township, Blair county.

An act relating to the roads, streets, bridges and sidewalks in the borough of Lawrenceville, county of Tioga.

An act to incorporate the Silver Bullion mining company.

An act increasing the fees of jurors, commissioners, auditors and witnesses in the county of Venango.

An act relative to the coroner of Washington county.

An act conferring certain powers upon the city of Chester, in the county of Delaware.

An act to incorporate the Hidalgo gold and silver mining company.

An act to incorporate the Philadelphia woolen machine works.

An act relative to the moneys collected as fines from intoxicated persons within the county of Dauphin.

An act to incorporate the Oil City brewing company.

An act to repeal the third section of a supplement to an act relating to the Catasauqua and Fogelsville railroad company, passed the twenty-sixth day of May, Anno Domini one thousand eight hundred and sixty-three.

An act in relation to the election of officers of the Chambersburg turnpike road company.

An act to incorporate the Beaver gold and silver mining company.

An act to repeal the Lenox road law in the township of Lenox, in the county of Susquehanna, and for other purposes.

An act to incorporate the Commonwealth iron and coal company.

An act authorizing the supervisors of roads of the township of Allegheny, in the county of Armstrong, to levy additional taxes for road purposes.

An act relating to the pay of supervisors in the county of Butler.

An act to authorize the return to the commissioners of Potter county, for collection, of certain duplicates of taxes, and to fix the time when said duplicates shall hereafter be returned.

An act to prevent cattle from running at large in Abington township, Montgomery county.

An act to authorize the sale of the poor house and farm in Mifflin county.

Supplement to an act to open and straighten Highland and Union avenues and Thirtieth street, in the Twenty-second ward, and Church and Adams streets, in the city of Philadelphia, approved the twentieth day of May, Anno Domini one thousand eight hundred and sixty-four.

An act for the relief of David Andrews, late recorder of Chester county, for moneys overpaid by him to the Commonwealth.

An act to authorize the board of military claims to adjust the claim of William D. Schoenleber.

On the 3d instant:

An act to extend the time for the commencement and completion of the People's railway company, and giving additional privileges.

An act to authorize the Tioga County Agricultural society to borrow money.

An act in relation to fishing and hunting in the township of Jefferson, in the county of Somerset.

A supplement to an act for the better preservation of game within the county of Schuylkill, approved the eleventh day of April, Anno Domini one thousand eight hundred and sixty-six.

An act to extend the provisions of an act for the protection of sheep in certain counties, approved the 8th day of April, Anno

Daily Legislative Record.

FOR THE SESSION OF 1867.

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TERMS OF THE DAILY RECORD.

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[CONTINUED FROM PAGE 928.]

Domini one thousand eight hundred and sixty two, to the counties of Armstrong and Westmoreland.

An act to extend the provisions of an act to prevent cattle, horses, sheep and hogs from running at large in Delaware county to the counties of Crawford, Erie, and to West Donegal township, Lancaster county.

An act requiring the commissioners of Northampton county to apply for and obtain copies of standards.

A supplement to an act incorporating the Great Valley gold and silver mining company, approved seventeenth day of November, Anno Domini one thousand eight hundred and sixty-six, increasing the number of incorporators and restricting the power of said corporation.

A supplement to an act to incorporate the Specie basis mining company, relieving them from the payment of the bonus of one-fourth of one per centum on its capital stock, and extending their operations to Arizona.

An act to incorporate the the Philadelphia grain warehousing and drying company.

A supplement to the act to incorporate the Erie and Pittsburg railroad company, approved April first, one thousand eight hundred and fifty-eight.

An act to provide a city government for the borough of Altoona, Blair county.

A supplement to the charter of the city of Chester.

An act to authorize the increase of pay of supervisors and other township officers in the township of Bethlehem, Northampton county.

An act to establish a law library in the county of York, and in relation to fines, penalties and forfeited recognizance in said county.

A supplement to an act authorizing the commissioners of Northampton county to purchase a law library, approved the twelfth day of March, Anno Domini one thousand eight hundred and sixty-six.

An act to incorporate the Senator Nye mining and exploring company.

An act to incorporate the Montana and Nevada gold and silver mining and commercial company.

An act granting a pension to Samuel Hamilton.

A supplement to an act to incorporate the Larry's Creek plank road company.

A supplement to an act authorizing and requiring the supervisors of Bratton township, Mifflin county, to erect gates across the public roads in said township.

An act to incorporate the Bridgeport and Horseshoe turnpike road company.

An act to authorize the president and managers of the Licking bridge company, in Clarion county, to sell said bridge to the commissioners of said county.

An act to authorize the Governor to appoint an additional notary public for the county of Bradford, to reside in the borough of Athens; also, two additional notaries public for the city of Pittsburg, and one in Elk county, to reside at St. Mary's.

An act relative to locating, opening and repairing the public roads and highways in Sewickly township, Westmoreland county.

An act regulating licenses to eating houses or restaurants in the county of Centre.

An act for the relief of Jane Lynn, widow of John Lynn, a deceased soldier of the revolutionary war.

An act in relation to grading, paving, macadamizing and curbing the streets and paving the sidewalks in the borough of M'Keesport, in the county of Allegheny.

An act repealing the fifth section of an act entitled An act to enable the Governor to incorporate a company to make an artificial road from the east end of Perkiomen bridge, in the county of Montgomery, passing through Pottsgrove, and passing by the White Horse tavern, in Amity township, in Berks county, to the borough of Reading, approved the twentieth day of March, Anno Domini one thousand eight hundred and ten.

An act to incorporate the Shakspeare and and Lydia Allen Consolidated silver mining company of Nevada.

An act to incorporate the Philadelphia and Bridgeport steamboat company.

An act relative to the pay of the supervisors in Wiconisco township, Dauphin county.

An act for the protection of farmers against the ravages of wild cats in the county of Forest.

An act to extend to Allegheny township, Blair county, the provisions of an act to prevent swine from running at large in the township of Blair, and in the county of Blair.

An act authorizing the school directors of the borough of Butler to transfer certain funds.

An act to prevent the fishing with nets or seines in the waters of Big Fishing creek and its tributaries, in the counties of Columbia and Luzerne, and in Stone creek and its tributaries, in the county of Huntingdon.

An act to extend the provisions of an act to prohibit the granting of licenses to sell intoxicating drinks within the county of Potter, approved April 11th, Anno Domini one thousand eight hundred and sixty-six, to the county of Wyoming.

An act to incorporate Sugar Notch and Warrior Run into a borough.

A supplement to an act to authorize the erection of a bridge over Oil creek, at or near the old furnace dam, on the Hasson farm, in the county of Venango.

An act to repeal the fourth section of an act to incorporate the Pennsylvania State Agricultural society so far as it extends to the county of Lawrence.

An act supplementary to an act to enable the administrators of the Honorable James T. Hale, late of Centre county, deceased, to sell real estate, passed the eleventh day of April, Anno Domini one thousand eight hundred and sixty-six.

A further supplement to an act to provide for the erection of a poor house in Clarion county, approved the twenty-first day of March, one thousand eight hundred and sixty-five.

An act to authorize the school directors of of the borough of White Haven to borrow money.

An act to empower the orphans' court of Adams county to authorize Adam Lerew, trustee of Hiram Albert, to purchase real estate and also to decree the sale thereof.

On the 4th instant:

An act to enable the city of Harrisburg to establish and maintain a free bridge over the Susquehanna river.

An act to incorporate the Wellsboro and Lawrenceville railroad company.

An act to divide the township of Chapman, in the county of Clinton, into two election districts.

A supplement to an act relating to the lien of mechanics and others upon buildings, approved the sixteenth day of June, one thousand eight hundred and thirty-six, to apply to the county of Chester.

An act to incorporate the Wrightsville iron company.

An act for the relief of Mrs. Mary Ann Gordon widow and executrix of Hiram B. Gordon, deceased, late register of wills, recorder of deeds and clerk of the orphans' court of the county of Venango.

An act relating to the election of supervisors in the township of Middletown, county of Susquehanna, and for other purposes.

An act relative to the purchase of a law library in the county of Washington.

An act to incorporate the Shickshinny and New Columbus Borough turnpike road company, in the county of Luzerne.

A supplement to an act relating to the lien of mechanics and others upon buildings, approved the sixteenth day of June, one thousand eight hundred and thirty-six, extending it to the counties of Blair and Armstrong.

An act legalizing the acts of the York building association number two, and the York building association number three, of the borough of York, in the county of York.

An act relating to parks in the city of Harrisburg.

An act supplementary to an act incorporating the borough of Marietta, approved February the 15th, Anno Domini one thousand eight hundred and thirty-four, granting certain powers to chief burgess and borough constable.

An act to enable the board of school directors of the township of Chanceford, in the county of York, to levy and collect at once a tax sufficient to liquidate the remaining indebtedness of said township for bounty purposes, and to appropriate surplus bounty funds of said township to common school purposes.

An act to legitimate Edward A. Smith,

Ellen J. Smith, Catharine Y. Smith and Thomas B. Smith.

An act to authorize the city of Philadelphia to sell certain ground in the Eleventh ward.

An act to incorporate the Spanish Bar gold and silver mining company.

An act changing the day of holding the annual meeting of the auditors of Jones township, Elk county, and regulating the term of office and fixing the wages of supervisors and other officers in said township.

An act to incorporate the Phillipsburg and Rochester ferry company.

An act to incorporate the Crozer theological seminary.

A further supplement to the charter of the city of Erie to provide for the appointment of water commissioners, and define their power and duties.

An act relating to the collection of bounty taxes in the county of Lehigh.

An act to incorporate the Bellefonte glass manufacturing company.

An act authorizing the school directors of Clinton township, Wyoming county, to levy tax for bounty purposes.

An act to authorize the burgess and town council of the borough of Tremont, Schuylkill county, to levy a tax.

An act to confer upon the Pittsburg forge and iron company all the powers, rights and privileges of the Jones and Nimick manufacturing company by the act approved April first, one thousand eight hundred and sixty-three.

JNO. W. GEARY.

ORDERING EXTRA SESSIONS.

Mr. CONNELL. I move that there be a session of the Senate this afternoon, commencing at 3 o'clock, and this evening, commencing at 7½ o'clock.

The motion was

Agreed to.

The hour of one o'clock having arrived, the SPEAKER adjourned the Senate until three o'clock this afternoon.

AFTERNOON SESSION.

The Senate reassembled at 3 o'clock, P. M.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

The Clerk of the House of Representatives being introduced, presented for concurrence bills numbered and entitled as follows, viz:

No. 888, an act to change the venue in the case of G. W. Schofield vs. Martin Brunges from the court of common pleas of Wyoming county to the court of common pleas of Bradford county.

Referred to the Committee on the Judiciary Local.

No. 1764, an act to prohibit political processions after dark ten days next preceding any general election in the city of Philadelphia.

Referred to the Committee on the Judiciary Local.

Also, returned bill from the Senate numbered and entitled as follows, viz:

No. 1544, a supplement to the act entitled A supplement to the act incorporating the Howard coal and iron company, approved the 18th day of August, 1864, which became a law on the 30th day of January, A. D. 1866, extending the time for the enrollment tax on said act.

With information that the House of Representatives has passed the same without amendment.

GENERAL APPROPRIATION BILL.

Agreeably to order,

The Senate again resolved itself into committee of the whole (Mr. WALLACE in the chair) on House bill No. 828, entitled An act to provide for the ordinary expenses of the Government, and other general and specific appropriations.

Mr. HALL. I move to reconsider the vote by which the eleventh section was adopted.

The motion to reconsider was

Agreed to.

Mr. HALL. I move to amend this section by restoring it to the form in which it came from the House of Representatives, except that I desire the appropriation still to remain ten thousand dollars instead of twenty-five thousand dollars.

The question is as to the time when this transportation department shall be abolished. The House proposed that it should cease the first day of next December. The Senate Committee on Finance amended the section by substituting June for December. I am informed on reliable authority, that the expense to the Commonwealth would not be decreased by having this earlier date. I therefore desire to modify the section, so as to fix the time at which the Governor and Chief of Transportation think they can close up the business of the department.

The amendment was

Agreed to.

The section as amended was

Agreed to.

Mr. FISHER. I move to reconsider the vote by which the fifth section was adopted.

The motion was

Agreed to.

Mr. FISHER. I move to amend by striking out "one," where it occurs the second time in the eleventh line, and inserting, in lieu thereof, the word "two," so that the paragraph will read as follows:

For the salary of the clerk in the department for settling accounts of county treasurers, prothonotaries, registers, recorders, clerks of the courts, et cetera, one thousand three hundred dollars, and the further sum of two hundred dollars, to be computed from the first day of June, one thousand eight hundred and sixty-six.

I desire to place this clerk on the same footing as other clerks.

The amendment was

Agreed to.

The section as amended was

Agreed to.

Mr. LOWRY. I move to reconsider the vote by which the second section was adopted.

The motion was

Agreed to.

Mr. LOWRY. I move to amend so as to make the salary of the Deputy Secretary of the Commonwealth two thousand two hundred and fifty dollars, instead of two thousand dollars. The Secretary of the Commonwealth now receives three thousand five hundred dollars, and I think this increase of the salary of the Deputy Secretary ought to be made.

The amendment was

Agreed to.

The section as amended was

Adopted.

Mr. CONNELL. I move to reconsider the vote by which the forty-first section was adopted.

The motion was

Agreed to.

Mr. CONNELL. I move to amend the section by adding the following:

And to William Styer, for services in the room of the Speaker of the Senate, two hundred and fifty dollars.

The amendment was

Agreed to.

The section as amended was

Adopted.

Mr. COLEMAN. I move to reconsider the vote by which the twenty-eighth section was adopted.

The motion was

Agreed to.

Mr. COLEMAN. I move to amend the section so as to appropriate six thousand dollars instead of four thousand dollars, for repairs of the public buildings and grounds. I have been talking with parties well informed in reference to this matter, and I understand that six thousand dollars is necessary for this purpose.

These public grounds and buildings have suffered very much and need considerable repairs. I acknowledge that the present superintendent is obliged to bear the burden of the shortcomings of his predecessors. The buildings have been allowed to run down very badly. All the expenditures for these repairs must pass under the inspection of the Auditor General; and this furnishes as assurance that the money will be properly used. I have spoken to a number of the Committee on Finance on this subject, and I believe they admit that six thousand dollars is only a fair allowance for the work that needs to be done.

The amendment was

Not agreed to.

The section was

Agreed to.

Mr. LANDON. I move to reconsider the vote by which the thirteenth section was adopted.

The motion was

Agreed to.

Mr. LANDON. I move to amend by inserting after the thirty-second line the following:

And all acts or parts of acts requiring the School Department to publish their decisions and reports in any particular journal are hereby repealed.

The amendment was

Agreed to.

Mr. FISHER. I desire to move an amendment to this section. But before doing so, I will ask the Clerk to read a statement from Mr. Barrowes, the publisher of the *School Journal*

The Clerk read as follows:

1. The *Pennsylvania School Journal* has been published since 1852—some years at a loss, and some at a small excess of receipts over cost. Including the State subscription, it would not average over three hundred dollars a year to the editor for his labor since its establishment.

2. During the rebellion, it was almost the only State school journal that did not increase the price of its subscription, remaining throughout at one dollar a year, and thereby barely paying expenses.

3. It has latterly been much improved, and promises, if undisturbed, to be of greater use than ever to the school system, and more remunerative to its editor.

4. An examination of the accounts for public printing, previous to the employment of the *Journal* in its present official capacity, will show that the management has decreased the expenses of the School Department.

5. The amount asked in the appropriation bill for the publication of the official matter of the School Department, by some other means (two thousand dollars), is more than that this year paid to the *Journal* (one thousand eight hundred and seventy-five dollars), or that will be required next year.

6. The editor is willing to leave the entire control of the official department of the *Journal* to the Superintendent of Common Schools, without interference by himself and without limit, within reasonable bounds, as to space occupied; the space having heretofore generally varied from two to seven pages of small type matter monthly, when the law was complied with.

7. Outside of the official matter, the editor claims the control of his own columns; but he offers, as guarantee that they shall be only used for the good of the system, his nearly thirty-three years of service. The official acts of the State Superintendent shall be, at the time of their announcement, either sustained and approved, if they justify approval, or accepted in silence till the end of the year or the term, when they, as results set forth in annual reports, shall be commented on with the plainness of truth and in the spirit of a freeman. Superintendents Russell, Haines, Black, Hughes, Curtin, Hickok and Coburn, were all remarked upon in this manner; and no greater freedom of criticism is intended toward their successors. At the same time, praise and support shall be gladly accorded, whenever consistent with truth.

If the usual patronage of the State can be given on these grounds, it will be thankfully received. If not, the *Journal* shall continue to do its duty to a system in the progress of which both it and its editor have passed through other dark hours.

THO. H. BURROWES.

LANCASTER, April 5, 1867.

Mr. FISHER. I move to amend by inserting after the amendment just adopted the following:

And that the Superintendent of Common Schools is hereby authorized and directed to subscribe for one thousand copies of the *School Journal*, to be distributed to the different school districts of the State.

I suppose this number will about embrace all the school districts.

Mr. LANDON. The school law already provides that the Pennsylvania *School Journal* shall be recognized as the official organ of the Department of Common Schools of this Commonwealth, in which the current decisions made by the Superintendent of Common Schools shall be published free of charge, together with all official circulars, etc.

By my amendment, which the Senate has just adopted, it is left to the discretion of the School Department to employ what medium of publication it may choose, whether the *School Journal* or any other. The school law further provides:

And the Superintendent is hereby authorized to subscribe for one copy of said *School Journal*, to be sent to each board of school directors in the State.

Under this provision, nearly two thousand copies were taken last year; for there are nearly two thousand districts.

The amendment of the Senator from Lancaster [Mr. FISHER], if it is to be adopted, proposes to send all a number. The amendment proposes to require such a subscription, while the present law simply authorizes the Superintendent to subscribe, leaving the matter to his discretion. What I desire is, that the whole thing shall be left to the discretion of the School Department; and this is the desire of the Department. Hence I trust that the amendment will be voted down and the law left as it is.

Mr. FISHER. I trust that the amendment will not be voted down, and that the law will not be left as it is. There is a difficulty now existing between the State Superintendent and the editor of the *School Journal*; and unless there be some legislative enactment, such as I propose, the present Superintendent will not subscribe for the *School Journal*. Now, sir, every gentleman in Pennsylvania who has paid any attention to the interests of the common school system, knows that Mr. Burrowes has for years stood at the head of that system, laboring efficiently for the promotion of its interests. But it so happens that there is a rivalry existing between the present Superintendent of Common Schools and the editor of the *School Journal*, and if the matter is left discretionary with the Superintendent, he will not subscribe for any copies of the *Journal*.

Now, sir, no gentleman who has paid any attention at all to the subject of education, can fail to know that the *School Journal* has been at all times one of the most efficient educational journals that we have had. A copy of this journal should go to every school board in the State; and if one thousand copies are not sufficient for this purpose, I am in favor of increasing the number. The present Superintendent of Common Schools is a gentleman from my own county, for whom I have the very highest regard; but in consequence of the unfortunate misunderstanding between him and the editor of the *School Journal*, I consider some legislative enactment necessary to ensure the circulation of the *Journal* among the different school boards.

Mr. BROWNE (Lawrence). Mr Chairman, if the present Superintendent of Public Schools does not choose to make this periodical the organ of the Department, it is perfectly proper, in my judgment, that he should not do so; and if he does not do so, I think the demand made here that the Legislature shall subscribe for one or two thousand copies of this journal, for circulation among the different school boards, is asking entirely too much. We now have three periodicals devoted to the subject of education and the common school system. We can support them all. If Dr. Burrowes cannot sustain the cause of the School Department, I admire his candor and independence in differing with that Department. But at the same time I think the Department should be just as independent as Dr. Burrowes; that it should be enabled to publish its circulars without having them subjected to invidious criticisms in the journal selected for their publication. I am, therefore, opposed to the amendment.

Mr. LANDON. Taking the Senator from Lancaster upon his own statement, we ought to reject his amendment. He affirms that there is a spirit of rivalry existing between the editor of the *School Journal* and the Superintendent of Common Schools—I say nothing myself upon that question; and he proposes that the Superintendent shall be required by law to circulate one or two thousand copies of the *Journal*. Now, sir, if this rivalry causes the editor constantly to criticise and abuse unjustly the Department, will you require the Department to send out this abuse of itself? Why, sir, that would be unjust. Let it be discretionary with the Department to choose its own organ, its own vehicle of publication, and if the *School Journal* comes up to the demands of the age and the requirements of the cause of education, it will be selected for the patronage of the Department.

Mr. LOWRY. Mr. Chairman, it seems to me that to require the Superintendent of Common Schools to subscribe for the *School Journal* is doing about the same thing as if you should require me to patronize a newspaper whose principles I condemn and despise. If this editor is sending out his poison to prejudice the minds of the youth of the land against the Superintendent of Common Schools, then that journal should not be circulated.

Mr. FISHER. Mr. Chairman, the *School Journal* does not contain any such "poison," as is implied by the remarks of the Senator from Bradford [Mr. LANDON] and the Senator from Erie [Mr. LOWRY]. Every one who knows anything about the *School Journal* knows that I state the fact. It has been for years the recognized organ of the common schools of Pennsylvania. Everybody knows that for thirty years, Thomas H. Burrowes has stood at the head of the common school system in this Commonwealth. Everybody knows that more than thirty years ago, Thomas H. Burrowes, George Wolf and Thaddeus Stevens stood shoulder to shoulder in the establishment of the common school system, and their speeches should be printed in letters of gold and put up in every school house in the land. From that day to this Thomas H. Burrowes has been the peculiar advocate of the common school system. He has edited the *School Journal*, a publication known and read everywhere, and which has exerted the most powerful influence in favor of the common school system of our State. But now, because there happens to be some little spirit of rivalry existing between the State Superintendent and Mr. Burrowes, I know that if the matter be left to the discretion of the Superintendent, he will not subscribe for that journal. And I know, sir, and you you know, and every Senator on this floor knows, that no educational publication of the State will for one moment compare in usefulness with that journal, as edited by Mr. Burrowes. It is a journal which ought to be in the hands of every board of school directors; and I want to make it obligatory upon the Superintendent of Common Schools to place a copy in the hands of every school board. If one thousand be not sufficient for this purpose, I would say two thousand, I would say five thousand, I would say ten thousand—whatever number may be necessary—for this journal is the recognized organ of the School Department of Pennsylvania, and has been for years, and no other educational publication is worth half so much.

Mr. LOWRY. Mr. Chairman, everybody knows that the *Erie Gazette* was the organ of the Republican party of Erie county——

Mr. FISHER. I never knew it. I heard the gentleman deny it the other day.

Mr. LOWRY. For forty years it was recognized as such; but when it turned its power in another direction, to gratify personal malice, it fell like Lucifer. So should fall Mr. Burrowes or any other man who, to gratify his own public hate or private vengeance, would strike a blow at the common school system of the State.

Mr. FISHER. Mr. Burrowes has not done so.

Mr. BILLINGFELT. I think this matter might be reconciled by adding, as an amendment to the amendment, the *Erie Gazette*. [Laughter.]

The amendment of Mr. FISHER was Not agreed to.

The section was Agreed to.

Mr. HALL. I move to reconsider the vote, by which the fifth section was adopted.

The motion was Agreed to.

Mr. HALL. I move to amend by striking out, in the thirty-sixth line, the word "one" and inserting "two;" so as to make the salary of the copying clerk in the Auditor General's office the same as that of other clerks holding corresponding positions.

The amendment was Agreed to.

The section as amended was adopted.

The forty-third section was read and agreed to, as follows:

SEC. 43. For the Soldiers' Home in the city of Philadelphia, the sum of ten thousand dollars.

The forty-fourth section was read and agreed to, as follows:

SEC. 44. For the Pittsburg Sanitary Soldiers' Home, the sum of fifteen thousand dollars, inclusive of six thousand dollars, expended out of their invested funds, four thousand dollars for introducing gas into their

buildings and re-setting their boilers, two thousand dollars for repairs, and three thousand dollars for extra diet.

The forty-fifth section was read and agreed to, as follows:

SEC. 45. For the instruction of indigent pupils in the Pennsylvania institution for the instruction of the deaf and dumb, thirty-five thousand dollars, to be paid in proportion to the number of indigent pupils from the several counties of the Commonwealth, at the rates prescribed by law, the evidence of which is to be presented to the State Treasurer.

The forty-sixth section was read and agreed to, as follows:

SEC. 46. For the Pennsylvania institution for the instruction of the blind, the sum of thirty-three thousand dollars, to be paid in proportion to the number of indigent pupils from the several counties of the Commonwealth, at the rate of three hundred dollars for each pupil, the evidence of which is to be furnished to the State Treasurer.

Mr. M'CANDLESS. I move to amend by adding at the end of this section the following:

And five thousand dollars to the Polytechnic college of the State of Pennsylvania, for the purpose of establishing in said college five State scholarships.

Mr. Chairman, in my judgment there is no better educational institution in the State than the Polytechnic college; and it has had but little assistance from the Commonwealth. It has been supported mainly by private contributions from gentlemen who desired the education of the energetic young men of the Commonwealth. The managers of the institution are now endeavoring to increase the number of its scholarships and enlarge its usefulness.

Mr. BIGHAM. Whatever may be the merits of the amendment, it seems to me it should not be introduced here, attached to a section relating to the instruction of the blind.

Mr. M'CANDLESS. I think it will come in here as well as anywhere else.

The amendment was

Not agreed to,

There being—ayes 13, noes 14.

The section was

Agreed to.

The forty-seventh section was read and agreed to, as follows:

SEC. 47. For the Western Pennsylvania hospital, fifteen thousand dollars, to be applied to the salaries of officers, and the further sum of sixty-six thousand and eighty-two dollars, inclusive of twenty-five thousand dollars for excavations, stone work, joist, and making half million of brick, for the commencement of the eastern extension of said hospital; seventeen thousand one hundred and thirty-two dollars for furnishing the present new western extension; one thousand dollars for insurance; thirty-five hundred dollars for the erection of a stone wall in the rear of said hospital; fifteen thousand dollars for four new boilers, together with fire front, grate bars, smoke stack, et cetera, and four thousand four hundred and fifty dollars for a reservoir; and said hospital shall hereafter be authorized to charge not exceeding three dollars per week for the medical attendance and boarding of all indigent insane persons who are, or may be, committed to said institution, and that any part of any act of Assembly inconsistent herewith, be, and the same is, hereby repealed.

The forty-eighth section was read as follows:

SEC. 48. For the Pennsylvania State Lunatic hospital, at Harrisburg, for the payment of salaries and wages and for the support of the house, the sum of sixteen thousand dollars; and for the erection of infirmaries, the further sum of ten thousand dollars; and said hospital shall hereafter be authorized to charge not exceeding three dollars per week for the medical attendance and boarding of all indigent insane persons who are, or may be, committed to said institution, and that any part of any act of Assembly inconsistent herewith, be, and the same is, hereby repealed.

Mr. DAVIS. Mr. Chairman, I have not exactly made up my mind what amendment, if any, I shall offer to this section. But I think it my duty to make a statement in regard to the alleged management of this institution, mainly for the purpose of calling attention to it on behalf of that unfortunate class who are its inmates. I have no reflection to make upon any of the officers connected with the institution. I simply wish to call the attention of the Senate, and through the Senate of the officers managing the institution, to the facts which I shall present.

I hold in my hand a letter written by a young man of the city of Reading, in regard to the treatment of his father, who became insane more than three years ago, and who has been an inmate of this institution. I knew him very well personally. He was a very estimable man, occupying a very good position in society.

[Mr. DAVIS here read the letter, which stated that the writer, on visiting the State Lunatic hospital, found his father in such a condition as indicated extreme neglect on the part of those having him in charge; that his finger and toe nails had evidently not been cut for a long time; that he was using a pocket handkerchief which had been in constant use for months; that he was very poorly and insufficiently clad, although a trunk full of clothes had been sent with him to the institution. The full copy of the letter is withheld from publication at Mr. DAVIS' request.]

Now, Mr. Chairman, I merely wish to call the attention of the Senate and of the public to this matter, so that if there are abuses in the management of this institution, they may be remedied for the sake of the inmates. I will not at this time offer any amendment or oppose the adoption of the section.

Mr. CONNELL. I think, Mr. Chairman, that the proper method of remedying this matter would to be lodge complaint with the trustees of the institution, who, being nominated by the Governor and confirmed by the Senate, represent the public interests.

Mr. COLEMAN. Mr. Chairman, I feel that I ought to say a few words on this subject. I know very little about this institution, but it is located in my district and a number of the trustees are constituents of mine. I have visited the institution, and on a superficial examination it seemed to me very well conducted. All the inmates appeared comfortable and well provided for. If there are any charges of this kind against the management of the institution, I would suggest that the Senator from Berks [Mr. DAVIS] should move the appointment of an investigating committee, or take some means to substantiate these charges. He should not bring in here the mere statement of a man whose friend or relative is insane. Anybody who knows anything about the condition of the insane knows that they are not very competent to take care of themselves. Though the patient may have the best attendance, the physician may deem it best not to interfere with him too much. I know nothing about the truth or falsity of these charges, and I do not pretend to know much about the management of the institution, but I do think that a charge of this kind, made in open Senate, should be investigated, and if the gentleman believes that these charges come from a proper source, he should move to have the thing looked into. I do not propose to enter into any particular defense of my constituent or anybody else's constituent in connection with this matter; but I do feel that it is due to the managers of the institution that the matter should be looked into before serious charges of this kind are made.

Mr. DAVIS. In reply to the Senator from Lebanon [Mr. COLEMAN], I will merely say that the persons who have spoken to me on this subject are responsible, and if the officers of the institution desire an investigation into the matter, I will, when I am informed of that fact, move the appointment of an investigating committee. The relatives of the individuals have not desired to make any opposition to the State lunatic asylum in any way. This matter has been brought to the notice of the Senate, and thus to the notice of the officers of the institution, in order that if any abuses have heretofore existed, they may be remedied for the sake of the inmates. If the officers of the institution take it upon themselves to deny the fact stated in the letter I have read, I shall most assuredly move an investigation.

Mr. COLEMAN. It is impossible this afternoon to know anything about that. This is a thing I never heard of before. But I insist upon it that if the Senator knows of abuses existing in any of these institutions supported by the money of the State, it is his duty to bring forward the charges and have them investigated.

Mr. DAVIS. I think that the result desired will probably be attained by what has been said here this afternoon. It was with this view that I presented my statement. If the desired result should not be attained in this way, the subject can be brought up again at some future time. An investigating committee need not be moved this afternoon. At some other time this session, or possibly during the next session, the matter can be brought up again, if it be deemed necessary.

Mr. WORTHINGTON. Mr. Chairman, I feel it due to the officers connected with this institution that I should not permit this matter to pass without a few remarks. I myself have visited the institution. I know that it is well conducted—probably as well conducted as any other institution of the class, in this State or elsewhere. Dr. Curwen is a man thoroughly competent for his position. There can nowhere be found a man better qualified to manage the inmates of such an institution.

I know how easy it is for people who visit their friends or relatives in an institution like this to imagine that a great many wrongs are perpetrated upon the inmates. Any person who has been in the hitabt of visiting such institutions knows that on such visits the insane in many cases appear to a very great disadvantage. It is not always in the power of the officers having charge of such an institution to keep the inmates in exactly the condition in which they ought to be. The writer of the letter which has been read may have visited his father and found him in what he supposed to be a neglected condition, with his clothes torn or his pocket handkerchief in a filthy condition. But let me tell gentlemen that it is under some circumstances difficult to prevent such things. As has already been remarked by my friend from Lebanon [Mr. COLEMAN], it is not always proper to interfere too mnch with these people. They must sometimes be indulged in their fancies; and it may be the fancy of a man to be in such a state as has been described. It is the mind that you must treat, and you must deal with it according to circumstances.

Mr. Chairman, I exceedingly regret that this matter should be brought before the Senate in a public manner on so frivolous a charge as I consider this to be. I do not be-

lieve that the presentation here of such a letter, under such circumstances and in such a manner, is the proper method of arriving at a suitable investigation of this matter. Things of this kind ought to be investigated in a proper way. They ought to be referred to the officers in charge of the institution. The directors or managers are the proper persons to investigate such matters. Or if that method of proceeding be deemed not satisfactory, let formal charges be brought before the Senate, and let a committee be appointed to investigate the subject. I do not think that a mere letter, written under circumstances like these, by the son of an inmate, is sufficient to justify any one in blazoning it over the whole Commonwealth that this is a badly managed institution. It is not badly managed. It is well managed; and the officers connected with it deserve the full confidence of this body and of the people of the Commonwealth. They are humane; they are kind; they are skillful; they are competent for the discharge of their duties. I venture to say that, should an investigation be made, it will be found that this institution is as well managed as any other in the State. I say again, that I regret this charge has been publicly made in such a manner and under such circumstances.

Mr. DAVIS. Mr. Chairman, had I entertained any such hostility toward this institution as the Senator from Chester [Mr. WORTHINGTON] has intimated that I feel, I should have asked that this letter be read at the Clerk's desk, that it might go upon the records. I preferred not to take that course, and therefore I have read it myself. I am perfectly willing that the letter shall not go upon the record. The parties who have brought this matter to my attention have not desired that a public charge shall be made. They do not desire to injure the character of any of the officers connected with the institution. But, Mr. Chairman, I know that this complaint is not a "frivolous" complaint; and when I say this, I trust the statement will be taken in the full breadth in which it is intended, as the simple and exact truth. What does the Senator from Chester know about this letter or the person who wrote it? Sir, the parties who brought this matter to my attention are as respectable and honest men as any Senators in this body, and they would scorn to make a charge not founded upon the facts.

Mr. WORTHINGTON. The Senator misunderstands me entirely on that point.

Mr. DAVIS. The Senator said that this was a "frivolous charge."

Mr. WORTHINGTON. I do not impugn at all the character of the gentleman who wrote the letter. I say that he is not competent to form a judgment under the circumstances in a case of this kind.

Mr. DAVIS. Did not the Senator say that this was a "frivolous charge?" Certainly he used that expression.

Mr. WORTHINGTON. Well, I think it is.

Mr. DAVIS. I do not think it is; and if the Senator knew the person making the charge he would not think so.

The Senator speaks as if he were particularly interested on behalf of this institution or some of the officers connected with it. I do not know how that is. But when he says that if any complaints are to be made, they should be made to the officers of the institution, I must say I think that would be an extraordinary mode of proceeding. The people pay the taxes that go to support this institution; it is the people who are to be protected; and if the institution is not properly managed, the people are interested in knowing the fact. Certainly, Mr. Chairman, this institution does not belong to the officers who have charge of it. They are paid for the attention they bestow upon the inmates.

The Senator from Chester undertakes to declare positively that he knows this institution is well managed. Why? Because, upon one or two occasions he visited it; and passing through it casually, without making any particular examination (for no particular examination is made upon such occasions), he found nothing wrong.

Mr. Chairman, I think that in all these public institutions, when they are receiving visitors, especially official visitors, those who have been connected with the Legislature of the State, particular care is taken that everything shall appear in good order.

One word more, sir, in reference to the remark that the charges contained in this letter are frivolous.

Why, sir, is it a "frivolous" thing that an insane man, a man in the condition of a perfect child, altogether unable to take care of himself, should have scarcely any clothing on, even in cold weather; that he should be allowed to wear, in winter time, shoes so much worn as to leave his feet almost bare; and that in the course of three months he should be furnished with only one pocket handkerchief?

Mr. Chairman, I considered it my duty to call the attention of the Senate, and through the Senate, of the officers of this institution, to this matter; and if I had not been met by the Senator from Chester declaring that this charge, which I make on my responsibility as a representative is a "frivolous charge," I would not have said so much as I have.

Mr. COLEMAN. Mr. Chairman, I do not believe that this time, when we are in the committee of the whole on the general appropriation bill, is the proper time for the discussion of this subject; but I insist that if the Senator from Berks [Mr. DAVIS], after having made such serious charges against the officers of this institution, does not follow the matter up by moving the appointment of a committee of investigation, he will be derelict to his duty as a Senator of the State of Pennsylvania. Wholesale charges made in this public way in the Senate should not be made without being followed up and examined.

Mr. DAVIS. If the officers of this institution desire an official investigation into this matter, I shall certainly move it. As regards the remark that it is my duty to move it, I will say that it is the privilege of the Senator from Lebanon [Mr. COLEMAN] as well as myself to move for an investigation. If he thinks that the officers of the institution are very desirous for an investigation, why does he not himself move it?

Mr. COLEMAN. Mr. Chairman, I do not want to be a member of such a committee. A number of the trustees of the institution are constituents of mine, and the institution is in my district. I do not want to act in the matter at all. I insist that it is the duty of the Senator from Berks, if he has the charges to make, to move for an investigation. This thing has been sprung upon us, and I know nothing as to the desire of the trustees or resident physician. I speak from my own impulses. I have had no time to consult with any of them.

Mr. DAVIS. If the gentleman thinks that an unjust charge has been made against anybody, it is for him or the friends of the parties affected to move for an investigation. That is all I have to say.

Mr. WORTHINGTON. One word more on this subject. The Senator from Berks has intimated that I may have some interest in this institution, or that I may be connected with some of its officers. I say to the Senator that I am interested in all our institutions of this kind. I am interested on the score of humanity. The poor creatures who are the inmates of these institutions, I regard as worthy of the care and attention of the State, and she has been liberal in making provision for them. But in this particular institution I have no more interest than in every other institution of the kind in the State. I have visited on a number of occasions all these institutions. I know how they are managed. I know the condition of the inmates. I know the difficulty of taking care of them. I know how hard it is sometimes to keep insane patients perfectly clothed. The Senator may not be so familiar with this subject as medical men are.

When I speak upon this subject, I speak not from any special interest in any particular institution. I speak upon the broad ground of humanity and justice; not only justice to the inmates of these institutions, but justice to those who take care of them, who devote their time, their talents, their energies to the management of these unfortunate inmates, and restoring them to reason. They ought to be protected and defended, unless they are really censurable; and if they are, I will go as far as the Senator from Berks, or any other Senator, to investigate any maladministration, and bring to proper punishment those who may be culpable.

Mr. BIGHAM. Mr. Chairman, I once made a visit to this institution, but I have not visited it this winter. I have been through the institution probably half a dozen times altogether.

It will be observed that by this section the institution is limited to a charge of three dollars per week for each patient. Probably, with the present prices of things, this sum does not enable the managers to bestow upon the patients first class attention. I believe, however, that the general management of the institution has been such as to entitle it to the confidence of the public. There is now within the hearing of my voice, a lady who was to a large extent the founder of this institution, and who has visited it very often. The institution, I believe, has had her general supervision, and I believe it has generally been as well managed as she expected under the circumstances. That there have been instances of accidental want of attention, I do not pretend to doubt; but intentional or frequent neglect of the inmates could not, I think, have occurred without its coming to my knowledge. Most of the directors reside here, though one of them is a constituent of mine. They receive nothing for their services. I believe they are all men of high-toned integrity, and I have no doubt they endeavor to do everything that is right.

The section was

Agreed to.

The forty-ninth section was read and agreed to, as follows:

SEC. 49. For the Pennsylvania Training school for feeble-minded children, at Media, in the county of Delaware, the usual sum for each pupil, as provided by the act of incorporation: *Provided*, That the number of said pupils shall not exceed eighty; and the said school is authorized to charge fifty dollars per annum, in addition to the sum now allowed by law, for the maintenance of each pupil during the present year.

The fiftieth section was read and agreed to, as follows:

SEC. 50. For the payment of the salaries of the officers of the Eastern penitentiary, the sum of thirteen thousand eight hundred dollars, in equal quarterly payments, on or before the fifteenth day of the months of June, September and December, Anno Domini one thousand eight hundred and sixty-seven, and March, Anno Domini one thousand eight hundred and sixty-eight; and the additional sum of four thousand dollars,

for the payment of an additional sum to each officer; and for each discharged convict from the city of Philadelphia, or whose residence is within fifty miles thereof, the sum of five dollars, and ten dollars to each convict whose residence or settlement is fifty miles or over from the Penitentiary; and for books and stationery, for the use of the convicts, six hundred and fifty dollars, to be expended under the direction of the warden, or so much thereof as may be necessary, and to be accounted for to the Auditor General.

The fifty-first section was read and agreed to, as follows:

SEC. 51. For the payment of the salaries of the officers of the Western penitentiary, the sum of twenty thousand eight hundred dollars, to be paid in equal quarterly payments, on and after the fifteenth day of the months of June, September and December, Anno Domini one thousand eight hundred and sixty-seven, and March, Anno Domini one thousand eight hundred and sixty-eight, and for each discharged convict whose residence or settlement is within fifty miles of said penitentiary, the sum of five dollars, and ten dollars to each discharged convict whose residence or settlement is fifty miles or over from said penitentiary; and for the support of the library, the further sum of five hundred dollars.

The fifty-second section was read and agreed to, as follows:

SEC. 52. For the House of Refuge in Philadelphia, thirty thousand dollars.

The fifty-third section was read and agreed to, as follows:

SEC. 53. For the House of Refuge of Western Pennsylvania, forty-seven thousand dollars, being for the following items, viz: thirteen thousand five hundred dollars for salaries, four thousand five hundred dollars deficiency in salaries for the years one thousand eight hundred and sixty-five and one thousand eight hundred and sixty-six, four thousand dollars to complete the new gas works, ten thousand dollars for new boilers and connections, five thousand five hundred dollars for the erection of a new coal house and stables, three thousand two hundred dollars for fire plugs, pipes, hose, et cetera; four thousand five hundred dollars for repairs to the buildings, and eighteen hundred dollars for improving the laundry.

Mr. CONNELL. I move to amend by inserting the following as an additional section:

SEC. 54. For the Northern Home for Friendless Children, eight thousand dollars.

This was in the bill as it came from the House, but was stricken out by the Committee on Finance.

The amendment was

Agreed to.

Mr. FISHER. I move to amend by adding to the section just adopted the following:

For the Home for Friendless Children in the city of Lancaster, five thousand dollars.

Mr. COLEMAN. I move to amend the amendment by adding the following:

For the Home for the Friendless in the city of Harrisburg, five thousand dollars.

Mr. GLATZ. I desire to add an appropriation of a like sum for the county of York.

Mr. FISHER. I trust gentlemen will not burden the amendment.

I wish to make a statement in regard to the Home for Friendless Children in Lancaster, and I have no doubt my remarks will apply with equal force to the home about to be established at Harrisburg. About two weeks ago I took occasion to visit the Home for Friendless Children in the city of Lancaster. I went in when I was not expected. I wished to see the institution as it really was without any special preparations being made. I found there one hundred and seventy children, of whom, I suppose, not twenty knew their parents. They were children of all nationalities. Some of them had been picked up in the streets; some had been deserted by their parents; the parents of others had died, leaving them helpless and dependent upon charity. They were well clothed, and evidently well fed; but still there were manifest indications of a want of means to carry on the institution properly. The ladies of Lancaster city have been working for years to build up this institution. There are in the institution soldiers' orphans, and all other classes of destitute children, and but for the refuge and care afforded them there God knows what would become of them. It is not a local institution; it contains children from all parts of the Commonwealth, and some from other States. I think it is a duty which the Commonwealth owes to these poor, friendless children to make an appropriation which will help to supply their needs and promote their comfort.

One other fact. It is very well known that the ladies at the head of this institution are the same ladies who were at the head of the society for providing for the wants of the soldiers, and I appeal to the gallant Senator from Philadelphia [General M'CANDLESS] to bear me out in the statement that after several of our terrible battles during the late war, these patriot daughters of Lancaster were the first upon the ground to minister to the wants of the wounded and dying soldiers. They were among the first at Harrison's Landing; they were among the first after the battle of Bull Run; they were the very first at Antietam and at Gettysburg. In connection with the Sisters of Charity (God forever bless them for their ministering care of our soldiers!) they were prompt on countless occasions in rendering needed assistance. These same ladies have organized this Home for Friendless Children in Lancaster. They have gathered up the poor orphans wherever they could find them, and are feeding, clothing and educating them. I think the State of Pennsylvania should not hesitate to contribute to aid these ladies in this labor of love.

I cheerfully accept the amendment of my friend from Lebanon [Mr. COLEMAN], to include the institution in the city of Harrisburg, engaged, I understand, in the same good work. Sir, I will, if necessary, vote to take three hundred and fifty dollars off the pay of each member, and give the money to this work of charity.

Mr. GLATZ. Mr. Chairman, in suggesting my amendment, it was not my intention to burden the gentleman's proposition. All that the Senator has said on behalf of the Home for Friendless Children in Lancaster, applies with equal force to the home at York.

Mr. FISHER. If there is such a home at York, I am in favor of assisting it.

Mr. GLATZ. A large building has just been completed at a considerable expense, which has fallen upon private individuals.

Mr. BILLINGFELT. I perfectly agree with all that has been said by my colleague. I hope his amendment will be adopted.

Mr. LOWRY. The Senators from Lancaster agree for the first time this session! [Laughter.] I hope the amendment will be adopted.

Mr. CONNEEL. I hope the committee will remember that we have already in this bill made ample provision for the orphans of the soldiers, embracing, I presume, the very orphans for whom the Senator from Lancaster [Mr. FISHER] so eloquently pleads.

Mr. FISHER. No, sir; they are not the same. Some of the children in this institution are soldiers' orphans, and some are not. They are children picked up, without regard to where they come from, and taken care of by these—I was going to say angels; I say better than that—these women. [Laughter.]

Mr. GRAHAM. Mr. Chairman, I have no doubt that every word the Senator from Lancaster has uttered in eulogy of the ladies conducting the institution at Lancaster is true. I have no doubt of its beneficence, its utility, its necessity. Yet, sir, in every city of any considerable importance in the Commonwealth there are similar institutions, every one of which is just as much entitled to be recognized by the State and to receive contributions from the State treasury as the institution at Lancaster or that at Harrisburg. Now, I will say for the ladies of Alleghany city that they have, at a cost of twenty-two thousand dollars, purchased and paid for a house, which is filled with destitute children, supported by the voluntary contributions of the charitable there. The ladies conducting that institution are, I know, just as deserving of an appropriation of five thousand dollars, and would apply it just as prudently and beneficially as the ladies of Lancaster or Harrisburg.

If we had money to distribute among the various institutions of this kind in the Commonwealth, I would be in favor of giving liberally from the State treasury to every such institution. But, sir, you are aware that the late Governor of the Commonwealth, in one of his annual messages to the Legislature, recommended that none of these charitable institutions, except such as were State institutions, should receive appropriations from the State treasury; and in compliance with that recommendation we last year voted no appropriation to any institution of this kind. If we open the door now by making an appropriation for one institution, we cannot refuse to grant aid to others equally worthy and equally necessitous. If we give to one, we must give to all.

Mr. FISHER. Mr. Chairman, by turning to the forty-fourth section of the bill, which has been already passed, we find fifteen thousand dollars appropriated to the Pittsburg Sanitary Soldiers' Home. We ask only five thousand dollars for an institution which is doing as much good as all your Pittsburg Sanitary Homes can do. This institution at Lancaster has its doors open, and is receiving all the friendless children that come along, no matter where they come from. They are fed and clothed and educated; and God only knows whether some of them will not fill the office of President of the United States one of these days.

Mr. GRAHAM. Mr. Chairman, the cases are very different. The Pittsburg Sanitary Soldiers' Home is an established institution. A liberal-minded citizen of Pittsburg gave for the founding of that institution twenty or thirty acres of land, worth perhaps one million dollars. By voluntary contribution a building was erected which could not now be erected for less than two hundred and fifty thousand dollars. At a sanitary fair held in the city of Allegheny two years since, the sum of one hundred and eighty thousand dollars was realized; and from the proceeds of that fund this institution is now being sustained. This large and beneficent institution, the establishment and support of which have cost the State not a dollar, now comes and asks only that from the State treasury we shall make up a deficiency. The managers do not wish to impinge upon the fund designed for the maintenance of the institution. There are now in the institution about one hundred sick and disabled soldiers whose wants are kindly provided for. I think that this case and that presented by the Senator from Lancaster are very different. I may add that in

the few remarks which I made a few moments ago. I did not allude to this Sanitary Soldiers' Home, but to the Ladies' Home for Destitute Children.

Mr. TAYLOR. I desire to ask the Senator from Lancaster whether the institution named in his amendment has ever received any contribution from the State.

Mr. FISHER. Never.

A SENATOR. Oh, yes, it has.

Mr. FISHER. I was not aware of it.

Mr. TAYLOR. My understanding is that the institution has never received anything of any consequence from the State. It is now supporting about one hundred and seventy friendless children. I think that under all the circumstances it is entirely proper that the State should appropriate to the institution the comparatively small amount for which the Senator from Lancaster asks.

Mr. FISHER. By the fifty-third section of this bill, just passed, we have appropriated in various items for the Western Pennsylvania hospital, about sixty thousand dollars. In another section, the fifty-fifth, which I suppose the Senator from Allegheny [Mr. GRAHAM] will insist must be passed, we have an appropriation for the School of Design for Women at Pittsburg.

A SENATOR. That has been struck out by the committee.

Mr. FISHER. This whole bill seems to be permeated with Pittsburg; and now because we ask a little appropriation to take care of these friendless children at Lancaster and Harrisburg—because these institutions do not happen to be in Pittsburg—earnest objection is made. Now, sir, orphan children are orphan children, I do not care whether you find them at Pittsburg, Philadelphia, Lancaster or Harrisburg. It is the duty of the people of Pennsylvania—a duty they desire to discharge—to take care of these children, no matter in what part of the State they are to be found. The people of Pennsylvania, if you would submit the question to them and let them pass their judgment upon it, would say that the Legislature ought to make appropriations to take care of these children, no matter where they may be found.

But, Mr. Chairman, if Senators think that the amount proposed in my amendment is too large—if they think the State of Pennsylvania cannot afford to appropriate that much to this institution—I am willing to reduce the amount to three thousand dollars. I want to assist to whatever extent may be possible, these ladies who are engaged in this labor of love.

Mr. TAYLOR. As the Senator from Lancaster has reduced the amount of his amendment to three thousand dollars, I trust there will be no more opposition to it. The Senate should be willing to give this institution at Lancaster, at least three thousand dollars.

Mr. COLEMAN. Mr. Chairman, I think that this amendment comes in at a very appropriate portion of this bill—immediately after sections relating to penetentiaries and houses of refuge. The care of the friendless and homeless children is the greatest auxiliary that we can have to our penal code. If we care for and educate in proper institutions the friendless and the homeless, we save appropriations for our penetentiaries and our prisons. The care of this class is especially demanded here in the city of Harrisburg, the great railroad centre of the State, where there are more of these wanderers to be found than in any portion of the State, perhaps, outside of the city of Philadelphia. I think the appropriation asked for the institution here is but a pittance when we consider the great utility of the institution. The ladies of this city have contributed their time and money for the erection of the institution.

Mr. FISHER. I desire to say that I accept the amendment of the Senator from York [Mr. GLATZ], and modify my amendment accordingly.

Mr. LANDON. Mr. Speaker, I do not know but that I may be in the minority on this question. I believe, however, it is a received fact that minorities are about as apt to be right as majorities. It is pretty difficult to resist the eloquence of the Senator from Lancaster, inspired as he is by the impulses of genuine benevolence, and especially inspired by the very eloquent promptings that he has upon this floor. Hence, it is with a good deal of nervousness that I venture to say a word.

But, Mr. Chairman, the "second sober thought" must prevail. Have Senators paused long enough to foot up this appropriation bill? Do they know the aggregate amount of it?

Mr. FISHER. Four million dollars.

Mr. LANDON. Yes, sir, over four million dollars.

Mr. FISHER. I am willing to reduce the pay of members three hundred dollars each to meet this expenditure.

Mr. LANDON. The aggregate of the appropriations in this bill is something over four million one hundred thousand dollars. Now, sir, we must take facts as they are, and look them in the face. We must be governed by figures. The Committee on Finance carefully considered every item of this bill, deeming it their bounden duty to cut it down somewhere. Every man familiar with the financial condition of the Commonwealth said, "You must cut this bill down, or you will scrape the treasury to the bottom and find nothing there." In the committee a motion was made to strike out the section which has been restored this afternoon on the motion of the chairman of the committee, the Senator from Philadelphia [Mr. CONNELL]; and if my recollection serves me, every member of the committee voted aye except the chairman. I really think it was a mistake on his part to move to reinstate the section; for it opens the door to innumerable propositions of the same kind.

Now, sir, let there be no misunderstanding of my position on this question. Where the poor are, they should be provided for; where the hungry are, they should be fed; where the naked are, they should be clad; where the freezing are, they should be made warm. But, Mr. Chairman, are we to adopt the principle that every hungry child, every naked child in Harrisburg, in Lancaster, in Philadelphia and in other parts of the State, must be relieved by an appropriation from the State treasury? If that is the principle we are to adopt and to carry out, I say not a word against it; I simply file in with my part of the Commonwealth; and when you grant your ten thousand dollars to the Philadelphia poor house, your three thousand dollars to the Lancaster poor house, your five thousand dollars to the Harrisburg poor house, I simply call upon you to grant two thousand dollars to our poor house, and a corresponding amount to feed the hungry, to warm the shivering, to clothe the naked in every county of the State; for remember that every county contributes to your treasury. If the State is to take the poor and friendless in its arms and feed and clothe them—if that is the principle—I have nothing to say against it; but let the principle be carried out uniformly and equitably.

But, sir, let me say that Pennsylvania stands to-day glorious among the most glorious in her works of philanthropy. Sir, are we not feeding the hungry and clothing the naked, and caring for the friendless children? Read this appropriation bill and see what we have done. We give four hundred and fifty thousand dollars to educate seven hundred thousand children in the common schools. We give four hundred thousand dollars in one single sum to feed, and clothe, and educate those who are without homes and friends.

Sir, if this is not enough—if you must pile up additional appropriations, go on; but I want Northern Pennsylvania to be included. I do not find fault with your theory, if you can carry it out; but you must not be partial. If you think you can afford to carry out this principle, all right; but my section of the State wants to be counted in. That is all I have to say.

Mr. FISHER. The Senator from Bradford [Mr. LANDON] asks, "What have we done?" I answer, we have, in this bill, increased the salaries of officers, in some instances, from one thousand seven hundred dollars to three thousand five hundred dollars.

Mr. LANDON. You voted for it.

Mr. FISHER. I believe I did, in some instances. But, sir, that is what we have done. We have raised salaries. The committee has reported an increase of the pay of members of the Legislature, being three hundred dollars more than the amount now fixed by law. But when a small appropriation is asked for the purpose of providing for the homeless, fatherless, friendless children—the orphans perhaps of men who died in defense of the liberties of the country—gentlemen get up and say, "Oh, the appropriation bill is swelling to the size of a mountain." I tell you Mr. Chairman, I tell you Senators, this is not the place to commence retrenchment. It is our duty to take care of these orphan children, as has been well said by the Senator from Lebanon [Mr. COLEMAN]. By providing for these children in this way, we keep them out of the penitentiaries and house of refuge. Should they get there, they will require appropriations in another form. It has been well said that "an ounce of prevention is worth a pound of cure," and the principle applies here with peculiar force.

Mr. GRAHAM. Mr. Chairman, the Senator from Lancaster certainly misapprehended my position in reference to the appropriation for which he asks. I have just as much compassion for these orphan children, these destitute ones, as any other Senator. For the maintenance of such as these, I contribute every year, I have no doubt, ten dollars where the Senator from Lancaster contributes one. I put my hand in my pocket, and I pay until I feel it. I make no point against this particular institution. I sympathize with it; I bid it God-speed. But the question at this time is one of State policy. If this institution is to be assisted, then the institution at Pittsburg, and at Philadelphia, and at Harrisburg, and at Erie—all similar institutions throughout the State—have equal claims upon us; every one of them is entitled to receive a contribution from the treasury of the Commonwealth. The question for us to determine, then, is whether we shall throw open the State treasury for the maintenance of these benevolent institutions all over the State. They were not originated, they have not been maintained by the State. They have been gotten up by private benevolence, and they were designed to be sustained by the private contributions of the lovers of humanity all over the State.

If Senators think it right for the Legislature of Pennsylvania to adopt the policy of fostering by appropriations from the State treasury all those institutions founded with the view of being sustained by private benefactions, none will more cheerfully acquiesce in such a decision than myself. I will go "as far as he who goes the farthest," in my

contributions, either personally or from the State treasury, for these benevolent institutions. But, sir, we ought to pause and ask ourselves whether the policy which these propositions must initiate is prudent, proper and right.

Mr. RANDALL. I think the best way to settle this question would be to move a reconsideration of the vote by which section fifty-four was reinserted.

The CHAIRMAN. That motion cannot be made now.

Mr. BURNETT. I think I can make a suggestion. Let us, when we come to it, strike out section fifty-eight, which appropriates twelve thousand dollars to sustain the Pennsylvania State Agency at Washington, which is a sinecure—an office for which there is no necessity.

Mr. RIDGWAY. One of these institutions, the Northern Home for Friendless Children, is located in my district; but when the question was taken on reinserting the section making an appropriation for that institution, I voted "no," because I knew that the adoption of the proposition would open the door to appropriations for every similar institution in the State. I am prepared to vote against every such appropriation. On the second reading of the bill, I shall ask that the appropriation for the Northern Home and the appropriations for all similar institutions be voted down.

Mr. LOWRY. Mr. Chairman, the immediate subject before the Senate is an amendment offered by the Senator from Lancaster [Mr. FISHER], which is to bestow charity upon the Home for Friendless Children of Lancaster county. This institution was born in affection, and one hundred and seventy of the motherless children of want, and the fatherless children of wo, suck their nourishment from the breasts of the daughters of Lancaster at this hour. I do not like to hear so much about local charities. I cannot locate them. Charity is as broad as heaven's dews. It is as chaste as the fawn, and as pure as a woman who bares her bosom to nourish the orphan. I can understand what is meant by organized charities—charities that have a home upon earth—an organized hope in heaven. Individual charity is another and a different thing. Organized charity is a chartered institution. It is a divine institution, and when properly conducted is God-like in its dispensations.

There is great wisdom, Mr. Speaker, in statistics. From them we learn not only the lessons of our resources in the past, but they are a star by night for the future. By studying long rows of figures we learn not only the city, but the very number of the house where charity finds her breakfast. Charity first took up her abode in Pennsylvania in the days of Penn. She remained in Philadelphia and never washed her feet in any other locality than Pennsylvania until 1846. I speak of organized charity. I cannot give the exact figures of the amount that Philadelphia received of the bounty of the State, in the name of charity, prior to 1846. My strength was insufficient to make the research, running back prior to 1846. This much I can assure the Senate, that prior to that period, Philadelphia received from the strong box of the State more than a million of dollars. Charity took my father's sweat and my mother's knitting needles, from the shores of the Lake to Philadelphia, before I was born. The State taxed us at an early period all over the Commonwealth, to help Philadelphia charity. I do not complain of this, but rather rejoice at it. Pennsylvania was a better State for exacting it of us, and we were better people for submitting to it.

I will now proceed, with the permission of the Senate, to give the exact amount that has been taken from the State treasury from 1846 to 1866, inclusive, in the name of charity.

The city of Philadelphia, within the periods named, caused charity to receive one million forty thousand four hundred and ninety-two dollars and ninety-four cents.

Charity often walks in dangerous places in the dark. Yet, she is timid and prefers walking in the shadow of bold men and good women.

In 1853 charity went to Pittsburg, and on her first visit, she slipped in the hands of her landlady ten thousand dollars; and the good that that blessed act accomplished, will only be known when Gabriel blows his horn.

From 1853 to the present time, including the present appropriation bill, this ten thousand dollar gift has been wonderfully multiplied. Allegheny county has received for charitable purposes from the State, six hundred and thirty-one thousand eight hundred and seventy-three dollars and forty-eight cents, in all, when this bill shall have passed.

I do not allude to what she has received for her penitentiaries and prisons—I only speak for charity.

Mr. BIGHAM. Where do you get your figures?

Mr. LOWRY. I may have drawn upon fancy for figures on some other occasions, but the figures which I now give are recorded facts, taken from the Auditor General's books.

But to return. Charity first crossed the river Delaware, on the ice I suppose, on a frosty morning early in 1854, and she took out of the State treasury one thousand dollars.

Narrow-minded men and demagogues have abused charity for warming humanity outside of Philadelphia. Still she has returned to the State treasury annually for gifts more faithful than *Christ Kindle!* She has ever pleaded under the eave-drops of this Capitol. There she stands now with her thirteen year-old hair rolling down her neck, wet with the dews of the morning. We have given this maid of Delaware county two hundred and thirteen thousand eight hundred and sixty-one dollars and ninety-four cents, and thank God we will it give her more.

Charity first crossed the Allegheny river in the direction of Butler county, in a canoe, in 1859—and there she left one hundred dollars. In 1860, 1861 and 1862 she laid in the mountains of Butler county unaided. In 1863 I helped her out of the woods, and she has left in Butler county in all seven thousand dollars. In 1864, Beaver county opened her bosom to charity and she entered in and has dwelt there since to the tune of ten thousand dollars strong. Luzerne county baptized charity—or rather charity baptized Luzerne county in the showers of an early summer in 1865. Luzerne is missionary ground. Charity laid her first egg in York county in 1866.

Mr. GLATZ. How large an egg?

Mr. LOWRY. The egg was worth three hundred and seventy-five dollars.

Mr. GLATZ. I think there is some mistake about this.

Mr. LOWRY. Not a bit of it. York county has received from the hand of charity one thousand five hundred dollars. Here too is missionary ground. Charity has never roosted but in nine counties in Pennsylvania.

I do not complain of this. I do not censure the localities that have received it—but my heartfelt sympathies are for those that have not received it.

Senators may speak with the tongues of men and angels; but if they have not charity, they are as sounding brass or tinkling cymbals. Senators may have the gift of prophesy, and understand all the mysteries of legislation, and have faith large enough to construct tunnels and remove mountains—if they have not charity they are dangerous citizens and bad law makers.

Senators may bestow all their goods to feed the poor and give their bodies to be burned, and yet if they have not faith in organized charity, it profiteth nothing. Charity suffers long and is kind; charity envieth not; charity vaunteth not—is not puffed up. Charity doth not behave itself uncomely—looketh not exclusively to her own county, and is not provoked because she receives not her due. Charity rejoiceth not only when she benefits the most needy. Charity beareth all things, believeth all things, endureth all things, and hopeth all things. Charity in new locations is a child; she speaks as a child, understands as a child—nurture her and she will become strong. Let us have abiding faith in our resources as we vote for charity, for the Lord loves the cheerful giver.

But, Mr. Speaker, I commenced speaking of Lancaster, and I will return to her.

Organized charity in Lancaster received aid first from this Commonwealth in 1857, and Lancaster county has received in all ten thousand dollars. She asks for more, and she shall have my vote to obtain it.

Mr. FISHER. What is that ten thousand dollars in comparison with the amount Allegheny has received? Ten thousand dollars for Lancaster! Six hundred thousand dollars for Allegheny! Is this justice? Lancaster county pays one hundred and seven thousand dollars in taxes. Allegheny county pays sixty-seven thousand dollars for the same purpose.

Mr. LOWRY. If the mouth of charity was as open as her hand, she could give the Senator from Lancaster [General FISHER] a lesson on location, occupation, population and taxation as her justification. Lancaster county is an agricultural county. Her people are wealthy. Her location is healthy. Her occupation is agriculture. Her population is real estate—and a thousand and one things have to be taken into consideration. The greatest and the most practicable economist is the charitable man. Good men are taxed to support the vicious as well as the infirm, and society is taxed tenfold more for support of jails and penitentiaries than for almshouses and orphans' homes. True charity is in favor of almshouses, soldiers' homes, sailors' homes, homes wherein deaf are taught to hear and the dumb to speak, the blind to see and read—of institutions wherein lunatics are made rational creatures, institutions where in feeble-minded children are made strong-minded men and women. The Northern Home for Friendless Children has taken from our streets, and washed and combed the hair and educated and clothed three thousand eight hundred children, the outcasts of society; and has now in charge three hundred and seventy-five souls (so says Mr. Hutter), feeding and clothing and educating them in the way they should go. As a matter of dollars and cents, it is by far cheaper, in my estimation, to maintain and reclaim these poor forsaken children in this institution by the bestowal of a few thousand dollars a year, than to support them in loathsome prisons and criminal dungeons. We pay about twenty per centum of the expense of that heaven-born institution, and shower our gifts on houses of correction and prisons in general, which in a great measure are the offsprings—the consequences, of our criminal and penurious neglect in regard to the establishment and fostering of institutions like the one of which I speak. Liberality, then, towards this, and other institutions of the kind, is true economy to the State, in my humble judgment.

The sixty-eighth section of the general appropriation bill now before us, appropriates ten thousand dollars to a new-born child of charity on the shores of the lakes. I know

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[CONTINUED FROM PAGE 934.]

of no community under which a charity will take deeper root, and this, too, on the opening of the warmth of this summer's spring, than at Erie.

Mr. SEARIGHT. I doubt that.

Mr. LOWRY. I do not.

Mr. SEARIGHT. I judge of the disposition manifested by the public press in that locality.

Mr LOWRY. The press that opposed the creation of this charitable institution will yet be ashamed of all it has said. This institution is a necessity. The commerce upon the lakes is as heavy as that upon the seas, and the population that lives upon their waters is fully as great.

The sun-burnt mariner must be protected in youth—when sick, he must be taken care of in manhood. When old age comes upon him, he must be cared for; and when his spirit sails over the river Jordan, his body must be buried in its mother earth.

Erie is to be a great city. She pleads now; but the day will come when her charitable voice will be heard as loud in these halls as that of Pittsburg or Philadelphia.

Milwaukee has Wisconsin at her back—and charity looks after her seamen. Chicago has a home for those who go out upon the deep waters, that is cared for by the general government.

Detroit receives nourishment from Michigan. At Cleveland charity is buoyed up by Ohio. Buffalo has the State of New York to help her in her charities; and shall it be said that Pennsylvania has refused to adopt the youngest and the fairest child in prospect of all—the fairest of the ten daughters of charity of Pennsylvania?

Mr. Speaker, it is alleged that the funds in the treasury will hardly justify the passage of this bill, and that we must cut down somewhere. This necessity I admit, but the charitable institutions of the State should not suffer because of our prodigality elsewhere.

In all things else we vote away money with a hand that is prodigal and alarming. I will vote for a decrease of our pay as Senators. I will agree to make it half of that of last year. I will vote to dispense with one hundred unnecessary officers in and about the capitol. I will vote for a reduction of the salary of every officer of the State Government from Governor down to page boy. I would favor the reduction in the number of the State Judiciary, and of their pay. I will vote to dispense with clerks and reduce the salaries of those who remain. I will vote to postpone the enlargement of the Executive Mansion, and the repairs of the capitol. I will let the public grounds around the capitol grow up with weeds—I will economize in every and any way except to take from the common schools and our charitable institutions. The Children's Home at Harrisburg should receive our aid. Give those noble women of humanity who founded it all they ask for. Give them but the drippings of the waste about this building, and you give them more than a surfeit. These women are struggling for those who have no parents to struggle for them. These women are doing more good with two mites than (Zaccheus) did with half his estate. A full purse is generally a bad counsellor; for a majority of men who hold such purse-strings can only be reached by the tax collector. Men who withhold from charities are penny-wise and pound-foolish. They try to save at the spigot, while they let it run at the bunghole. And above all their folly they forget the fact that shrouds have no pockets.

The statesman and economist should ever remember that individual and organized charity is the only power to keep the tax-gatherer from the peasant's door.

My observations induce me to believe that youthful charity is more profitable for humanity than grey-headed charities, whilst my reflections would leave me to favor organized charities, with small means, and in small bodies, rather than large ones in large places, with overgrown means.

Charity in small communities and in mercy's hands was never known to abuse its trust, whilst in large cities and in the hands of our own sex, the livery of heaven has been worn to serve the devil in.

In shaping the future policy of Pennsylvania, had I the power, I would increase the number of our charitable institutions, particularly in our mining and manufacturing districts, and I would promise Mary and Ruth, for every institution that they would organize upon permanent basis, for every three dollars raised by their local subscriptions, one dollar in State appropriations.

Every religious, charitable institution that you endow in the mountains and valleys in Pennsylvania, is not only a highway for those poor children to heaven, but a refuge for our own from hell.

It is far cheaper to the taxpayers of the State to fill houses of honor than houses of shame.

The house of charity is the dividing wall between good and evil. Our State is fast becoming one vast machine-shop above ground, and the poor of many in the land receive work and nourishment from beneath the surface of the earth upon which we stand.

The nature of the products of our State, and the womb of our mountains, draw around us a population from the four quarters of the earth. They are a mixed population—many of them a cross between the alms-house and the prison in the Old World. Every dollar which we give to educate the children of those who have parents, and to feed, and school, and warm, and clothe those who have none, is a wise investment, for it depopulates hell in the future and improves the society at our own doors. Crime is a burning coal which we must extinguish in youth, or in manhood it will burn our barns and cities.

Pusillanimity is man's greatest weakness, and the folly of him who is opposed to charity, by the State, or organized charity in communities, should be his greatest shame and his greatest secret, for it is his greatest crime.

As legislators we had better not know what we should practice, than not to practice what we know to be our duty. God has sent upon us a nation of orphans from beyond the seas, and from Southern battle-fields. Let us take up this cross and bare our bosom to it in wisdom. Let us hold up the lambs of want, for their burthen is not intolerable. If we use these orphans right, they will prove a blessing in disguise. This burthen or this blessing, we must take upon our shoulders as we find them, and warm them in our hearts as they are given us. If we refuse to do so, we are rebels against the judgments of God, and the teachings of a Christian world, and make thieves of ourselves, to steal our children's virtue and our own pocket-books.

To refuse willingly to take care of these orphans, is not only a crime against posterity, but it is an insult to misery, a scornful mouth at man's infirmity, and a wicked mock at human deformity.

The true way to serve the State is to walk after charity. I will praise Philadelphia and Allegheny to their face for taking for charity in their location all they can obtain; but I would censure them lavishly if they attempt to prevent me from following after them in their greatest virtue.

It is not the charitable, but the wicked heart that loves none but itself. Humanity on the Delaware and humanity on the Lakes is God's attorney-general, speaking rhetoric in silence against a wasteful State that would hesitate to tax her citizens to warm her own orphan sons and God's orphan daughters. He alone is a statesman, with a taper in his hand, who can lengthen that taper and his own days—and give long life to his own State and his own real estate, by putting all things to their best use.

I can forgive those who may have given me bad counsel; I can forgive those who, through ignorance or malice, have misunderstood me; I can forgive those who have forcibly abused me; I can forgive those who have slandered me with type and with tables of marble; I can forgive all my enemies, but I never could forgive myself, or be forgiven by the orphans' God, if I turn, by my vote, his children out of organized homes upon the cold charity of the disorganized world.

The mind, the child and the matter of all that is immortal is made from a new mould, and the pattern is broken that the same may not be re-produced. If we would save the expense of keeping the child in prison when it becomes a man, we must watch it faithfully in the April of its understanding, or the frosts of May will take fragrance from the immortal blossom. The twig when tender and crooked must be strengthened. The vessel when new must be seasoned with humanity and care. Such as we make children in

their youth, we will find in manhood. The first lesson of the child must be obedience, or it will make its second vice. Christianity, humanity, economy are triple sisters, who join hands in advising that every child of God shall have an education to the utmost of his ability and capacity. If infancy and youth be properly seasoned, they become Solomons in their teens, for the fear of the Lord is the beginning of it all. The active spirits of the orphan must be chided and curbed. The sluggish must be stimulated, and all must be taught, at the first combing of their hair, that idleness is the mother of crime and misery. As his childhood ripens he wants a counselor to advise him what occupation he should embrace —where he should board—what clothes he should wear, what books he shall read, who should be the orphan's brother and the orphan's sister. His guardian-mother angels will tell him the dangers that will beset him at every step, and he will go out into the world, feeling that some good woman has real estate in his life.

When I commenced I intended to have dealt more fully in statistics and to learn from silent figures some trumpet-tongued truths. We sent to our common schools in 1866, in Pennsylvania, seven hundred and twenty-five thousand three hundred and twelve pupils. Our total expenditures for common schools was four million one hundred and ninety-five thousand two hundred and fifty-eight dollars and fifty-seven cents. The average cost of teaching each scholar per month of that year was seventy-two cents. The whole number of taxables in the State is six hundred and eighty-six thousand three hundred and forty-two. Now, I submit to any man of common sense if the money thus expended was not a wise investment. And yet it took many years, in Pennsylvania, to make our people understand that school houses are cheaper than prison houses.

Did we give charity all she is asking for we would appropriate to her this year two hundred thousand dollars, and virgin charity modestly asks for only twenty-five thousand dollars all told. The rest of this four and a half million bill is made up of items, any one of which, except the school appropriation, we can afford to reduce—these two hundred thousand dollar items. We cannot afford to eat down charity!

The farmers of Pennsylvania had better tax their hogs in their yard five cents a piece than that these items of charity and expediency should be shorn or reduced. In 1860 they had in their stys one million thirty-one thousand two hundred and sixty-six. They have many more now, yet a tax of five cents each on what they had then would amount to fifty-one thousand five hundred and sixty-three dollars and thirty cents. The grain in the garners of the farmers of Pennsylvania in 1860 was seventy-four million one hundred and three thousand nine hundred and ninety-three bushels. A tax on this for humanity's sake would yield us thirty-seven thousand fifty-one dollars and fifty cents. In the same year we mined, in Pennsylvania, eleven million eight hundred and ninety-seven thousand three hundred and thirty-two tons of coal.—Better by far tax it one cent per ton, than that one of God's immortal children should be lost through their ignorance and our crime. This one cent per ton on our coal in 1860, would yield us one hundred and eighteen thousand nine hundred and seventy-three dollars and thirty-two cents. The quantity of coal that will be mined the present year will be far greater and much more profitable. In 1860 we produced in Pennsylvania five hundred and fifty-three thousand five hundred and sixty tons of pig iron.—There is not an iron master in the State that would not have made money to have paid five cents per ton on his iron, to have had the children of his own workmen educated and cared for. This tax in the aggregate would amount to twenty-seven thousand six hundred and seventy-eight dollars. The quantity of iron manufactured in 1866 has since been increased very much.

The number of passengers carried upon our railroads in 1866 was twelve million seven hundred and thirty four thousand two hundred and eighteen (I do not include city railroad passengers, white or black). Better by far tax those who ride in our railroad cars one cent each, than that one immortal soul should perish. This tax alone would amount to one hundred and twenty-seven thousand three hundred and forty-two dollars and eighteen cents. In 1866 we moved upon our railroads and canals two hundred and forty-six million two hundred and eighty-two thousand six hundred and forty-two tons, which, at one cent per ton, would produce two million four hundred sixty-two thousand eight hundred and twenty-six dollars and forty-two cents. In 1866 we swallowed two hundred and eighty-eight million drinks of poison in Pennsylvania, which, had we taxed but one-fourth cent per dram, would amount to seventy-two thousand dollars. We paid out for these drinks, at the rate of six cents each, would amount to one million seven hundred and twenty-eight thousand dollars. This item alone would pay our State debt in two years, and our national debt, if put into a sinking fund, in a lifetime.

It is ostensibly true, yet really false that the State has met with financial losses, and, therefore, unable to be charitable in 1867. Three hundred thousand dollars the State (it is said) has lost on the tax on National Banks, which money the State had never had to lose.

The State lost one million three hundred and fifty thousand dollars by the repeal of the tax on real estate. The people, forsooth, lost this amount by keeping their pocket-books in their own breeches' pockets. Pennsylvania, with her State tax upon real estate repealed, can reduce her State debt in peace as she did in war. We can reduce our State debt this year a half million of money, and at the same time pay all proper objects of charity and State necessities.

Charity's headquarters, in Pennsylvania, are as grand as our mountains. The two earthly pillars which sustain it are the Church and State. Distinctly separate, yet invisibly one. We must strengthen them both, and weaken neither. If either should fail, it ruins the foundations of both.

The amendment of Mr. FISHER, as modified, was adopted—ayes 13, noes 11.

Mr. LANDON. Mr. Chairman, I desire to call the attention of the Senate to the fact that we have homeless and friendless children in our section of the State. I cannot equal my eloquent friend from Lancaster [Mr. FISHER] in expatiating upon the woes of the soldiers' orphans, or in enlarging upon the merits and deserts of the soldier himself. But, sir, within the sound of the dinner-horn of my house lives the orphan child whose father was buried beneath the Southern sands; yet, sir, there are those there who see that he is fed, clad and educated. Inasmuch, however, as the State seems disposed to adopt these children as the wards of the State, the recipients of the bounty of the Commonwealth—inasmuch as we have provided for such children in Philadelphia, in Lancaster, in Harrisburg, in York, I propose to hold the Senate to a line of consistency, and I move to amend by adding an appropriation of two thousand dollars for the benefit of the homeless and friendless in Bradford county. Now, sir, we shall see who will stand up for the homeless and friendless.

Mr. COWLES. I move to amend the amendment by adding two thousand dollars for the homeless and friendless in M'Kean and Tioga counties.

Mr. FISHER. If these gentlemen will say they have institutions established in their respective counties for the reception of friendless and homeless children—that they have such children there and are taking care of them, and have done so, by private contributions—I will vote for these propositions; because I want to take care of the friendless and the homeless children.

Mr. LANDON. We have the homeless and friendless children that need to be cared for; and we claim that if the State is to carry this class of children in her arms, she must do it in our county as well as elsewhere. I am in dead earnest in this matter.

Mr. GRAHAM. I move to amend the amendment by adding three thousand dollars for the Ladies' Home for the Friendless Children in Allegheny city.

Mr. SCHALL. I move to amend by adding two thousand dollars for the directors of the poor in each of the counties of Lehigh and Northampton.

Mr. LOWRY. I desire to ask the Senator from Bradford [Mr. LANDON] whether there is in his county an institution of this kind regularly organized?

Mr. LANDON. We have homeless and friendless children; and we are about organizing a regular systematic institution, which this aid from the State will help us to accomplish.

Mr. LOWRY. This would enable you to organize?

Mr. LANDON. We all contribute of our substance to organize the institution; but this money from the State will aid us just as it does others.

Mr. TAYLOR. I desire to ask the Senator from Bradford whether in his county they have made any move toward providing for the friendless children?

Mr. LANDON. Yes, sir, we have "moved" our teams loaded with wood; we haved "moved" our greenbacks; and now we want to "move" the treasury. Yes, we "move."

Mr. CONNELL. It seems to be the disposition of the committee to go back to the policy of 1864 and previous years. I have the act of 1864 before me; and I move to amend by adding the following:—

For the Home for Destitute Colored Children of Philadelphia, one thousand dollars; for St. Joseph's Catholic Hospital, Philadelphia, five thousand dollars.

Mr. JACKSON. I move to amend by inserting:

Two thousand dollars for the homeless and friendless in Sullivan county.

Mr. JAMES. Mr. Chairman, we have in our county an institution for the support of which twenty thousand dollars has been spent within the last year. I move to amend by adding:

For the homeless and friendless in Bucks county, two thousand dollars.

Mr. CONNELL. Is that institution incorporated?

Mr. JAMES. No, sir, but we could incorporate it.

Mr. FISHER. Mr. Chairman, I see the object of these various motions. According to the old maxim, "it is the last straw that breaks the camel's back;" and gentlemen are trying to overload this bill so as to defeat the several very meritorious propositions which have been already adopted. If these gentlemen can present a record showing that their respective counties have done anything for the friendless and the homeless, I will go

with them in support of their propositions; but until they do so, I shall oppose them. It is a very easy matter to try to load this thing down with amendments that will kill the whole; but I offered my amendment in all seriousness; my friend from Lebanon [Mr. COLEMAN] offered his in all seriousness; so did my friend from York. In each of our districts there is an existing institution which has been maintained for years by private charity. As to the institution in my own district the patriot daughters of Lancaster organized it four or five years ago. It has been kept up by voluntary contributions. It has been my pleasure and my privilege to contribute my mite toward supporting it. These gentlemen from Bradford county and all these other places can present no such record. Their districts have not established and maintained any institution of this kind. They propose appropriations to be given to the poor houses. I do not ask such an appropriation for the Lancaster poor house. That institution, for the benefit of our paupers, is maintained out of the county funds. But this home for friendless children is something entirely different. Who keeps it up? The patriot daughters of Lancaster, whose works of love and mercy are known and read of all men. There is scarcely a soldier of the Army of the Potomac who has not been the recipient of their bounty. I appeal to my friend from Philadelphia [Gen. M'CANDLESS] to bear me out in the statement that after many of our battles, these ladies came with barrels of bread, and potatoes, and vegetables of all kinds, ministering to the needs of our poor wounded soldiers.

Mr. CONNELL. Are we to pay for that?

Mr. FISHER. No, sir; but these same ladies that did this work for the soldiers are now engaged in taking care of the orphans of those soldiers and of others.

When an appropriation is asked for a noble object of this kind, why should gentlemen seek to load it down with improper amendments, proposing appropriations for poor houses and for institutions that do not exist? I know the power of the Senator from Bradford in this body. I know, too, his object. He wants to load down this proposition with amendments and kill it. I trust, however, that the Senate, in its good sense, will see the propriety of standing by this State institution; for, sir, it is not local in its character; it takes children from all parts of the Commonwealth and even from other States. It provides for their wants, without regard to locality or nationality.

Mr. SHOEMAKER. Mr. Chairman, we have in our county an institution of precisely the same character as that described by the Senator from Lancaster. It has been in operation some four years. The citizens of the county have contributed over twenty thousand dollars toward the erection of suitable buildings, and the institution is now supporting more than one hundred of the homeless and friendless. It does seem to me that, if any institution is entitled to aid, ours deserves it. I therefore move to amend by adding:

For the Home for the Friendless at Wilkesbarre, three thousand dollars.

Mr. COLEMAN. Now, Mr. Chairman, to be serious in this matter, if the Senator from Bradford will modify his amendment so as to provide that for every dollar appropriated by the State, the citizens of Bradford county will contribute ten dollars for the same purpose, I will vote for his amendment.

SEVERAL SENATORS. So will I.

Mr. COLEMAN. This is the difference between the two cases. The citizens of Lancaster and Harrisburg have contributed in that proportion. With this condition attached, I am willing to vote for the Senator's proposition.

Mr. LANDON. I should wish to have the same condition attached to the appropriations for other localities. I am very willing, however, to assent to the Senator's proposition. The citizens of Bradford county are willing to contribute ten dollars for every one they receive from the State.

Mr. BIGHAM. I wish to say a word in favor of the institution named in the amendment of my colleague [Mr. GRAHAM]. It is called the Ladies' Home for Friendless Children, and is located in Allegheny City. It has been in existence for probably thirty years. It was formerly located in a different situation; but in consequence of the advance of improvements, it has, within two or three years, made a new location. I have no doubt that the institution can show fifty dollars contributed by private liberality for every dollar of the appropriation that is now asked.

Mr. WHITE. Inasmuch as it seems to be the policy of the Senate to provide for this class of the destitute by State appropriations, I move to amend by adding two thousand dollars for the friendless and homeless of each of the counties of Indiana, Cambria and Jefferson.

Mr. RANDALL. I move to add an appropriation for Schuylkill county.

Mr. BILLINGFELT. There seems to be a disposition to offer amendments so as to embrace every county in the Commonwealth. Let us, then, take as the basis, the appropriation of eight thousand dollars for Philadelphia, and appropriate to every county in a corresponding proportion.

Mr. SEARIGHT. Mr. Chairman, I am surprised, and I have no doubt that any stranger happening to be in the gallery at the present time must be surprised, to learn the number of homeless and friendless children in this great Commonwealth of ours. Now, sir, I would offer an amendment to embrace the homeless and the friendless in my district, if we had any; but, sir, we have no homeless and friendless children in my district. The children all have homes and are well cared for; they do not require to come here begging. Yet the counties of my district are among the worst abused in the Commonwealth.

Mr. COLEMAN. I would suggest to the Senator from Fayette [Mr. SEARIGHT] that when the Connellsville railroad is built, his district will have some friendless children.

Mr. SEARIGHT. The Connellsville railroad is built and in running order through my district.

Mr. BROWNE (Lawrence). I move to amend by adding:

Two thousand dollars for the Orphans' Farm School of Zelienople.

This institution, which is one of the noblest charities in the whole Commonwealth, is under the care of John Passivant, whose fame as a philanthropist extends throughout and beyond the State. It has been the means of accomplishing great good.

Mr. TAYLOR. I desire to amend by adding:

Two thousand dollars for the Orphans' Home of Beaver county.

This institution is under the care of Mr. Passivant, the same gentleman who conducts the farm school for which the Senator from Lawrence has asked an appropriation.

Mr. BROWN (Mercer). I move to amend by adding the following:

And two thousand dollars to each of the boards of directors of the poor in Mercer and Venango counties, and two thousand dollars for the House Hospital in Warren county.

Mr. JACKSON. I move to amend by adding at the end of this section the following:

And that the appropriations made in this section shall be deducted from the amount appropriated for the payment of Senators' and Members' salaries.

Mr. LANDON. I accept all these various amendments.

Mr. DONOVAN. We have only three or four more working days of the session left; and I think that we should consider and discuss this appropriation bill seriously; not turn our proceedings into a mere burlesque.

Mr. BIGHAM. At present, we are not making any progress in this matter. There are so many amendments pending that no one can tell what they all are. I therefore propose that by common consent all our action on this subject be regarded as reconsidered; and then let the subject go over till the second reading of the bill, when we can vote intelligently and can have the yeas and nays.

Mr. LANDON. Mr. Chairman, as I understand, if I now withdraw my amendment, all these various propositions will fail. With that understanding, and in order to arrive at the temper and disposition of the Senate, I withdraw my amendment, and move to reconsider the vote by which the fifty-fourth section, stricken out by the Committee on Finance, was reinserted.

The motion to reconsider was

Agreed to.

The question recurred on the adoption of the section as amended.

Mr. FISHER. Mr. Chairman, if my amendment must fail, if the proposition of the Senator from Lebanon, and that of the Senator from York must fail, I hope that, at least, the Northern Home for Friendless Children, in Philadelphia, may be sustained. It is emphatically a State institution. Nobody doubts that. There is nothing local in its character. If we must lose all that we hold dear outside of Philadelphia, in heaven's name let us stand by that noble institution.

The section as amended was agreed to—ayes 15, noes 12.

The fifty-fifth section was read and agreed to, as follows:

SEC. 55. For the Gettysburg Battlefield Memorial association, the sum of five thousand dollars, to be applied to the purchase of portions of the battle-grounds, the general purposes for which said association was incorporated.

The fifty-sixth section was read and agreed to, as follows:

SEC. 56. For the salary of the clerk in the Board of Military Claims, the sum of one thousand four hundred dollars, to be computed from the first day of June, one thousand eight hundred and sixty-six.

For the salary of the messenger to the Board of Military Claims, the sum of eight hundred dollars, and not more than fifty thousand dollars shall be paid on account of such claims in any fiscal year.

The fifty-seventh section was read as follows:

SEC. 57. For the expenses of the Pennsylvania State agency at Washington, the sum of twelve thousand dollars, or so much thereof as may be necessary, and the compensation of the State Agent shall be at the rate of three thousand dollars and that of the Assistant Agent shall be at the rate of twenty-five hundred per annum.

Mr. BURNETT. I hope that this section will be stricken out.

The section was

Agreed to.

The fifty-eighth section was read and agreed to, as follows:

SEC. 58. For the painting, papering and furnishing the office of the Attorney General in the city of Harrisburg, the sum of twelve hundred dollars, or so much thereof as may be necessary, to be paid upon the certificate

of the Attorney General, and he is authorized and empowered to occupy the room in the capitol building adjoining that now used as the Supreme Court room; for re-arranging the Executive Chamber, the sum of one thousand dollars, or so much thereof as may be necessary, to be paid upon the certificate of the Governor, and for re-flooring the Surveyor General's office, and re-arranging the cases therein, the further sum of five hundred dollars, or so much thereof as may be necessary, to be paid upon the certificate of the Surveyor General.

The fifty-ninth section was read and agreed to, as follows:

SEC. 59. To the trustees of the Saint Paul Methodist Episcopal church, of the city of Philadelphia, the sum of twelve hundred and fifty dollars, or so much thereof as may be found due said church by the Board of Military Claims of this Commonwealth, for tents belonging to said church and used by the State during the rebellion, and said board is hereby authorized and required to examine and pass upon the claim of said church for the use and loss of said tents.

The sixtieth section was read and agreed to, as follows:

SEC. 60. That the State Treasurer is hereby authorized to pay the necessary expenses, including clerk hire, of the select committees appointed by the House and Senate at the present session, upon accounts to be certified by the respective chairmen, and approved by the Auditor General; and that the pay of witnesses before said committees shall be two dollars per day, and of clerks five dollars per day for every day actually employed, and usual mileage: *Provided*, That this section shall not be construed to authorize the payment of any witness not regularly subpœnaed before the committee, or the payment of any sum of money to any member of the committee for his services, or of any expense accruing after the adjournment of the Legislature; and to John C. Sturtevant, for extra services as clerk on committee for investigation of alleged bribery and corruption in regard to election of United States Senator, the sum of one hundred dollars.

The sixty-first section was read and agreed to, as follows:

SEC. 61. For renewing the meridian line of Dauphin county, which was displaced by the extension of the Capitol, one hundred and sixty dollars, or so much thereof as may be necessary, to be paid upon the certificate of the Surveyor General.

The sixty-second section was read and agreed to, as follows:

SEC. 62. For repairs to the dwelling house occupied by the keeper of the powder magazine in the Twenty-sixth ward of the city of Philadelphia, the sum of four hundred dollars, or so much thereof as may be necessary.

The sixty-third section was read and agreed to, as follows:

SEC. 63. To the Antietam National cemetery, the sum of five thousand dollars, to be drawn on the warrant of the Governor in such instalments as, in his judgment, may be required in the progress of enclosing the grounds and of raising and re-interring the remains of Pennsylvania soldiers in the same.

The sixty-fourth section was read and agreed to, as follows:

SEC. 64. That all the institutions, to which appropriations are made by this act, not now required by law to report and account for appropriations, shall make a detailed report, specifying the items, under oath of one or more of its principal officers, of the expenditures of said appropriations, to the Legislature, before the first day of February, one thousand eight hundred and sixty-eight.

The sixty-fifth section was read and agreed to, as follows:

SEC. 65. That the sum of five hundred dollars is hereby appropriated for the purchase of a portrait of the present Governor, to be placed in the Executive Department, to be expended under the direction of the chairman of the Senate Committee on the Library.

The sixty-sixth section was read and agreed to, as follows:

SEC. 66. For the Marine hospital of Pennsylvania, at Erie, the sum of ten thousand dollars, for the purpose of erecting hospital buildings: *Provided*, That the citizens of Erie raise an equal amount for the same purpose.

The sixty-seventh section was read as follows:

SEC. 67. That the sum of two hundred dollars is hereby appropriated to each of the four reporters employed on the *Legislative Record* in the House of Representatives, and to Henry J. Mason, T. B. Cochran, R. McDevitt and H. G. Sedman, reporters of the Senate.

Mr. FISHER. This looks to me like a very big thing. We are paying about five dollars more per page for the *Record* than we could get it printed for elsewhere, and now it is proposed that we shall pay the reporters.

The section was

Agreed to.

The sixty-eighth section was read and agreed to, as follows:

SEC. 68. That the Auditor General and the State Treasurer be, and they are hereby, authorized and directed to examine into the claim of L. M. Simon for furnishing plans, elevations, section, and specifications for the extension to the capitol, and also for furnishing plans and specifications for the extension of the Governor's mansion; and allow him such compensation therefor as, after consultation with other architects, they may deem just and equitable.

The sixty-ninth section was read and agreed to, as follows:

For the erection and completion of an addition to the Governor's mansion, according to the plan and specification furnished by L. M. Simon, architect, the sum of two thousand dollars, or so much thereof as may be necessary, to be expended under the direction of the Governor; and no portion of this money shall be paid over to the contractor for such work until he shall have filed, in the office of the Auditor General, his bond, with two sureties in twenty thousand dollars, to be approved by the Auditor General, conditioned for the faithful performance of his contract in erecting and completing such addition.

The seventieth section was read and agreed to, as follows:

For finishing and furnishing the new library room and removing the books thereto, fifteen thousand dollars, or so much thereof as may be necessary, to be expended by the Librarian, with the approval of the Governor and the State Treasurer, the accounts to be audited and settled by the Auditor General, in the usual manner.

Mr. COLEMAN. After all the appropriations which have been spent upon that library room, it seems to me remarkable that there should now be proposed an appropriation of fifteen thousand dollars more. It may be all right, but I should like to know how much money has already been spent on this building, and how much more we are going to spend on it.

Mr. CONNELL. The architect last year gave us an estimate of what he thought would probably be necessary to furnish the library room, that estimate embracing various items and specifications. It seems that after the adjournment of the Legislature it was found necessary to put in a new floor throughout; and, in consequence of this change, the iron pillars had to be reduced five inches in length. This alteration alone cost five thousand dollars.

Besides that, the estimates furnished last year included nothing for painting and nothing for glass, though all the cases must have glass. No estimate was made for carpet, for cutting and laying it; for freight, for stair-rods. I have here a statement of all those items not included in the estimates of last year, making, with the cost of the necessary charges, a grand total of fourteen thousand three hundred dollars, and allowing about seven hundred dollars for incidental expenses, the aggregate is fifteen thousand dollars. The Librarian expressed to me his mortification that this additional appropriation should be rendered necessary. He said it resulted from no fault of his; that at the time there were no working-plans, everything was mere guess work. It was supposed that the estimates then made would properly finish the building. We are assured that hereafter there will be no more demands upon us for this library. We have the room there incomplete; and of course there is nothing for us to do but to finish it.

Mr. WORTHINGTON. There seems to be a little prejudice in the minds of some Senators in regard to this building. It is admitted by those who made the estimates last year that there were a number of items not taken into account. I think that last year two members of the other house, one gentleman from Philadelphia [Mr. LEE], and another from Allegheny [Mr. SLACK], were appointed a sub-committee to examine into the matter; and they made a report which they thought embraced everything. I understand, however, that since that time the gentleman from Philadelphia [Mr. LEE] admits that a number of items were entirely overlooked, and were therefore not embraced in the estimate then made. I do not know whether there is any fault in regard to the management of this matter. If there is, I do not think it lies with the Librarian; it must lie with the commissioners who were appointed for the purpose of contracting for this building and having it erected. In the course of erecting the building, it was found necessary to change certain parts of the plan entirely. No arrangement was made at first for having the building fire-proof, and it became necessary to appropriate thirty thousand dollars additional for that purpose. The commissioners, at their own option, without consulting the Legislature, changed the plan in that respect. A sufficient amount was appropriated for that purpose. Last year there was added a skylight, which had not been embraced in the original estimate, and money was appropriated for that purpose. Now, an appropriation is demanded for the purpose of meeting expenditures which were not embraced in the estimate and the appropriation of last year. As has been remarked by the Senator from Philadelphia [Mr. CONNELL], the only question now for Senators to decide is whether they will finish that room and remove the library into it, or whether the room shall remain in its present condition and be closed up.

Mr. SCHALL. I desire to ask the Senator how much this capitol extension has cost the State up to the present time?

Mr. WORTHINGTON. The first appropriation was fifty thousand dollars. I think the next was thirty thousand dollars.

Mr. CONNELL. Thirty-five thousand dollars.

Mr. WORTHINGTON. And last year we appropriated, I believe, thirty-nine thousand dollars.

Mr. SCHALL. One other question: Was there a contract, with specifications, for the completion of the building when the Legislature agreed to make this addition?

Mr. WORTHINGTON. The contract was made by the commissioners who had charge of the matter. Fifty thousand dollars I think was appropriated the first year.

Mr. CONNELL. That was not for a fire-proof building.

Mr. WORTHINGTON. It was afterward deemed necessary to make the building fire-proof, which was not contemplated in the original estimate. Consequently an additional appropriation of thirty-five thousand dollars was made the next year, being advocated by the then Senator from Berks, Mr. Clymer, who was the father of this project. Last year it became necessary to make an appropriation for a skylight and a gallery, which had not been embraced in the previous estimates. Now, that library must be furnished. I have no doubt that this appropriation of fifteen thousand dollars will finish the whole thing. It is for us to say whether we shall lock up that building and let it remain useless after so much money has been expended upon it, or whether we shall finish it by appropriating fifteen thousand dollars more.

Mr. COLEMAN. Mr. Chairman, I do not wish to leave this building incomplete; and I do not say that fifteen thousand dollars is not necessary for its completion; but it strikes me that the expenses attending its completion thus far have been very great. It seems to me there has been great extravagance. I think the present appropriation is very loose in its terms. If it was provided that the whole thing should be submitted to a board of two or three competent carpenters or builders, whose duty it should be to pass on all these bills and to review all the past expenditures, with the provision that no more money shall be paid out than this board might find to be necessary, I should be willing to vote additional appropriations.

I have been in this library room once or twice. I see there is a railing running round between the columns, as if there were to be a menagrie inside. The object of that railing I do not know. I suppose that in a year or two we shall be asked to make an appropriation for the removal of that railing; we shall be told that the legislators of Pennsylvania are not wild beasts, and that the railing is not necessary. It seems to me that this whole thing should be under the supervision of some competent builders.

Mr. WORTHINGTON. I will vote for any proposition of that kind which the Senator may introduce.

Mr. LOWRY. Mr. Chairman, I was in the Senate when the first appropriation was made for the extension of this capitol. We owe this improvement to Mr. Clymer, then a Senator from Berks. It is his monument; and Senators on the Democratic side of the chamber should not now turn their backs upon it. The first plan was to construct a building between this and the land office, and we appropriated fifty thousand dollars for that purpose. Upon examination, it was decided, and wisely decided, that this new building should not be placed there. The plan has been changed in several respects, and additional appropriations have been found necessary. But all this money has been expended, as future appropriations will be expended, under the direction of the Governor; and the accounts for all these expenditures pass under the examination of the proper officers. If we cannot trust these officers, in the name of God whom shall we trust?

Shall we now refuse a small appropriation of fifteen thousand dollars, and thus delay the work which is now on the point of completion, and this, too, when we are assured that this appropriation will cover every possible expense? Those who have this library in charge will thank you for the appointment of any committee to investigate this matter, from its origination up to the present hour. Those who have charge of the work at present had very little to do with it in the beginning. Send to Europe, if you choose, for Governor Curtin; swear him and he will tell you the matter is all right. In my judgment, sir, there has been no stealing. The men in charge of this matter have, I doubt not, acted honestly. Senators should not now higgle in regard to this appropriation, particularly those on the Democratic side of the chamber. They should recollect that this extension of the capitol is the movement of their late candidate for Governor, and they should be the last to raise their voices against it.

Mr. BIGHAM. Mr. Chairman, I presume that when this matter comes up again on the second reading of the bill, we shall have had time to examine the question more closely. I must say that it seems to me singular that our attention should now be called to this matter by the Senator representing this district.

Mr. COLEMAN. I merely asked for information. I know nothing about the matter. I do not accuse anybody. It may be, for aught I know, that everybody connected with the work of this building has lost money and become bankrupt. I make no charges against anybody.

Mr. BIGHAM. I desire to say that for one I think we ought to congratulate ourselves on the smallness of these charges, compared with the very large prices generally paid for all kinds of Government work. I am glad that the amount is not two or three times greater than it is.

But, sir, what I rose to say was that, as we have now about reached the conclusion of the bill, I hope the committee will rise, and that we shall not take it up on second reading until Monday, so that meanwhile we may attend to our local matters. To-day and to-morrow are the last days on which private bills can go to the House. By Monday, we can all have made up our minds on the questions involved in this appropriation bill, and can dispose of it with dispatch.

The section was

Agreed to.

The seventy-first and last section was read as follows:

That the sum of five thousand dollars, or so much thereof as may be necessary, be placed at the disposal of the Governor as a contingent fund, to be used at his discretion, if any circumstances shall, in his opinion, make it necessary.

Mr. BIGHAM. That has not been customary in appropriation bills.

Mr. SCHALL. I should like to hear what that is for.

Mr. CONNELL. The Governor thinks that there might arise a contingency in which he would want the use of a sum of money, not specifically appropriated. If he should expend any of this, he would of course present an account of the expenditure to the next Legislature.

Mr. FISHER. The President of the United States has three million dollars at his disposal at all times.

Mr. CONNELL. Governor Curtin had the disposal of such a sum.

The section was

Agreed to.

Mr. LOWRY. I move to amend by adding the following as a new section:

To Hon. Samuel P. Johnson, of Warren county, forty-five dollars for unpaid balance due upon monument erected by the Commonwealth to Cornplanter.

The amendment was

Agreed to.

Mr. DONOVAN. I move to amend by adding the following as a new section:

To the Home of the Sisters of Charity, Erie, one thousand dollars.

The amendment was

Not agreed to.

Mr. M'CANDLESS. I move to amend by adding the following as a new section:

Five thousand dollars to the Polytechnic College of the State of Pennsylvania, for the purpose of establishing in said college five State scholarships.

In lieu of any remarks of my own upon this amendment, I ask the Clerk to read an article which I find in the Philadelphia *Ledger* of to-day.

The Clerk read as follows:

"THE POLYTECHNIC COLLEGE OF PENNSYLVANIA.—The Polytechnic College in this city is the first established institution of the kind in this country. In Paris, the first Napoleon regarded the instruction given by a corresponding institution of the same name as of the first national importance, so much so that he protected and promoted it with great care. The scientific, technical and professional instruction this institution imparts to the young men there trained, fits them most directly to conduct works of the greatest national importance, whether in peace or war. Incorporated in 1853 by the State Legislature, with the Executive of the State officially at the head of its board of trustees, it has gone on, steadily growing in public favor, in usefulness, and ripe experience. Its schools have been and are being organized as the demand for them requires. The School of chemistry was established in 1849, and organized under the charter in 1853. Here the application of chemistry to agriculture is taught, and the examination and smelting of ores, refining of metals, the arts of dyeing and pottery, analysis, &c. The School of Civil Engineering was established in 1853, and through this, a young man with a taste for mathematics and an eye for architectural beauty, may rapidly rise to distinction in the construction of public works, railroads, canals, bridges. The School of Mechanical Engineering was established in the next year, and instructs especially in the principles of machinery, the mechanical powers, air, water, steam and electro-magnetism. The School of Mines was established in 1857, and prepares its students for all the various work of mine engineering, determining the value of mineral lands, including the best methods of opening shafts, drains, boring for water or petroleum. The Architectural School, established in 1860, with John McArthur, Jr., Edward Collins and Samuel Sloan as advisory council, teaches every part of the architect's art—foundations and roofs, arches and stairways, material and form, walls and decorations, drawing and designing. The Agricultural School, drawing its exact knowledge from chemistry, and its practical illustrations at the experimental farm of one hundred and seventy-five acres in Montgomery county, has an advisory council of one from each of the five County Agricultural Societies most immediately round Philadelphia. Military tactics and drill are also taught generally to the students.

The instruction here imparted is not an attempt to popularize knowledge, but to give scientific instruction. It has been strongly recommended by former Governors in their annual State messages to the Legislatures for the favorable consideration and patronage of that body. The graduates from some of the schools are now settled, managing works of great importance, in all the mining regions of our own State and in very many other States of the Union. The size

of the classes and annual number of graduates, we are glad to find, are steadily increasing.

It is impossible to foresee or even to calculate the effects of one such institution as this upon a State like ours, or indeed upon the whole country, in developing its mining, mechanical and industrial resources. About twenty of the principal institutions in Europe have been visited within the last few years, on purpose to improve this one, by incorporating the latest improvements in the instruction given in the various arts and sciences. Among the institutions visited were the National Polytechnic Schools in Paris, Berlin, Vienna, Zurich, Carlsruhe and Munich. If anything can call out the ambition of a young man and give his education a practical and profitable turn, it surely should be in some one of the departments of an institution like this that he will be wakened up. We believe that there are many parents and young men who do not sufficiently appreciate the value of such courses of instruction as are opened to them in our Polytechnic school, and which are so exactly adapted to their wants.

The amendment was

Agreed to.

The committee rose, and the chairman reported the bill to the House with the amendment.

Mr. GLATZ moved that 8 o'clock, instead of 7½ o'clock, be fixed as the time for the commencement of the evening session.

The motion was

Agreed to.

On motion of Mr. FISHER, the Senate adjourned till 8 o'clock, P. M.

EVENING SESSION.

The Senate reassembled at 7½ o'clock.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

The Clerk of the House of Representatives being introduced, presented for concurrence bills numbered and entitled as follows:

No. 369, an act to change the rate of interest from six to seven per cent.

Referred to the Committee on Finance.

No. 379, an act validating the title of real estate heretofore sold and conveyed by executors or administrators.

Referred to the Committee on Estates and Escheats.

No. 684, an act to vacate part of the township line road in the Twenty-first ward of the city of Philadelphia.

Referred to the Committee on Roads and Bridges.

No. 781, an act to prevent cattle, horses, mules, sheep and hogs from running at large in Venango township, Erie county, and little Beaver township, Lawrence county.

Referred to the Committee on Agriculture and Domestic Manufactures.

No. 900, an act to change the venue in a certain case from Schuylkill county to Dauphin county.

Referred to the Committee on the Judiciary Local.

No. 1220, a supplement to an act to lay out a State road from the borough of Tarentum, in Allegheny county, by the town of Bakerstown to the State road leading from Perrysville to the Glade Mills, on lands of George Gocher, in Butler county.

Referred to the Committee on Roads and Bridges.

No. 1716, a further supplement to the act incorporating the Welsh turnpike road company.

Referred to the Committee on Roads and Bridges.

No. 1717, an act establishing a ferry across the Allegheny river at or near the Falling Springs, in Venango county.

Referred to the Committee on Canals and Inland Navigation.

No. 1757, an act for the better preservation of the morals of the minors of the city of Philadelphia.

Referred to the Committee on Vice and Immorality.

No. 1695, an act to incorporate the Kittanning, Rural Valley and Reynoldsville railroad company.

Referred to the Committee on Railroads.

No. 1762, an act to annul the marriage contract between Samuel Miller and Susanna, his wife.

Referred to the Committee on the Judiciary General.

No. 1718, supplement to an act entitled An act to establish a ferry across the Allegheny river, at or near the mouth of the Tubbs run, in Venango county, approved the 12th day of April, A. D. 1866.

Referred to the Committee on Canals and Inland Navigation.

No. 1722, an act to annex real estate of Robert P. Cornelius, of Jackson township, Snyder county, to the borough of New Berlin, Union county, for school purposes.

Referred to the Committee on Education.

No. 1760, an act to extend the provisions of an act to prohibit the issuing of licenses within certain boroughs in the counties of Armstrong, Potter, Indiana and Perry, or within two miles of the same, in the counties in which such boroughs are located, approved 27th day of March, 1866, to the boroughs of West Newton and Mount Pleasant, in the county of Westmoreland.

Referred to the Committee on Vice and Immorality.

No. 1767, an act to extend the provisions of an act to authorize the arrest of professional thieves, burglars, &c., in the city of Philadelphia, passed March 13, 1862, so as to authorize the arrest of professional counterfeiters and forgers.

Referred to the Committee on the Judiciary General.

No. 1864, an act to incorporate the Express steamboat company.

Referred to the Committee on Corporations.

No. 1911, an act to repeal an an act approved 27th March, A. D. 1867, entitled An act to repeal the first section of an act passed the 1st day of April, A. D. 1792, declaring the Little Lehigh a public highway.

Referred to the Committee on the Judiciary Local.

No. 1912, an act authorizing the recording of a copy of a lease or agreement in the county of Lehigh.

Referred to the Committee on the Judiciary Local.

No. 1875, an act to ratify and confirm the charter of incorporation of the Atlantic petroleum insurance company, and to confer additional powers on said corporation.

Referred to the Committee on the Judiciary Local.

TO-MORROW'S SESSION.

Mr. CONNELL moved that the Senate hold a session to-morrow morning, commencing at 10 o'clock, and also a session in the afternoon, commencing at 3 o'clock.

On the question,

Will the Senate agree to the motion?

The yeas and nays were required by Mr. RIDGWAY and Mr. CONNELL, and were as follow, viz:

YEAS—Messrs. Bigham, Brown (Mercer), Burnett, Connell, Cowles, Davis, Donovan, Graham, Haines, Jackson, James, Landon, Lowry, M'Conaughy, Shoemaker, Stutzman, Taylor, Wallace, White, Worthington and Hall, *Speaker*—21.

NAYS—Messrs. Billingfelt, Coleman, Glatz, M'Candless, Randall, Ridgway, Royer, Schall, Searight and Walls—10.

So the question was determined in the affirmative.

PENNSYLVNIA STATE HOSPITAL.

Mr. WORTHINGTON sent to the Clerk's desk, to be read, the following letter:

PENN'A STATE LUNATIC HOSPITAL,
HARRISBURG, April 5, 1867.

Hon. W. Worthington:

DEAR SIR—Jo el Ritter was removed from this hospital on December 22nd, 1865. If his family had any cause of complaint, as to his treatment while here, it seems to me it would have been the proper course to have made them at once, or within a reasonable time after his removal. As I did not hear the charges made, and as the statement made to me was very indefinite, I cannot give a specific and definite answer. Of this, however, I have a very distinct recollection, that Mr. Ritter had almost entirely lost his memory, that he could not recollect what he had done a few moments afterwards, and that he had to be looked after constantly to keep him neatly dressed, and in a proper condition to be seen. The attendants gave him all the care and attention he would allow them to give, and there may have been periods in the day when he may not have been as neat and his clothing as well arranged as it should have been, but that arose from no want of attention on the part of the attendants, but simply from their inability to be with him constantly, and give proper attention to the other patients and the duties necessarily devolving on them. It is easier to find fault than to keep things in their proper channel, and have them move on harmoniously; and I do not claim exemption for myself or for the attendants I employ from the common failings of humanity, but I am at all times ready to have the affairs of this hospital fully and thoroughly investigated, and have never yet, nor do I hope ever will shrink from a full examination of the treatment of the patients, or the manner in which they are looked after. Mr. Ritter was regularly bathed, his clothing was changed as often as was necessary to keep him clean and comfortable, and whatever was requisite to keep him in a proper condition was done, and it had to be done often on account of his forgetfulness, and no man ever had more kind and careful treatment than he had. The men may not have attended to him as a daughter or wife would have done, and they were frequently reminded of their duty and urged to give very careful attention to everything needed to promote the comfort, welfare and happiness of those entrusted to their charge.

Very respectfully, yours,

JOHN CURWEN.

BILLS CONSIDERED AND PASSED.

On motion of Mr. BIGHAM, the rules were dispensed with, and the Senate proceeded to the consideration of a bill entitled An act to authorize the appointment of short hand clerks for the courts of Allegheny county.

The bill was read a second and third time, and

Passed finally.

On motion of Mr. RANDALL, the rules were dispensed with, and the Senate proceeded to the consideration of a bill entitled A further supplement to an act entitled An act to incorporate the Potter County lumber, coal and petroleum company, approved the 24th day of March, A. D. 1865, changing the name thereof, authorizing them to hold

lands in Northumberland county, and to purcease their franchises, timber and timber lands.

The bill was read a second and third time, and

Passed finally.

On motion of Mr. BROWN, the rules were dispensed with, and the Senate proceeded to the consideration of bill entitled An act relative to a burial vault and ground in Hempfield township, in the county of Mercer.

The bill was read a second and third time, and

Passed finally.

On motion of Mr. CONNELL, the rules were dispensed with, and the Senate proceeded to the consideration of a bill entitled An act to incorporate the Asbury life insurance and trust company of the city of Philadelphia.

The bill was read a second and a third time, and

Passed finally.

On motion of Mr. BURNETT, the Committee on the Judiciary General was discharged, and the Senate proceeded to the second reading and consideration of bill entitled An act to repeal an act regulating the jurisdiction of courts in proceedings by bill, for injunction and other relief in equity, and the service of process.

Mr. M'CONAUGHY. This is an attempt to repeal an act which has become a law at this session—an act of general application—and I hope this repeal is not to go through in this manner. The original bill was carefully considered by the General Judiciary, reported affirmatively, passed both Houses, and was approved. The bill now before the Senate was referred to the Judiciary, acted upon, and reported negatively. I hope, sir, we are not to undo what we have done deliberately and with care.

Mr. BURNETT. Mr. Speaker, this, like many other acts of Assembly, was passed without proper examination. The bill which was passed gives any law judge the authority to arrest any work of internal improvement upon any caprice. It gives them too much power, and this bill is to repeal that act.

Mr. M'CONAUGHY. Mr. Speaker, certainly, the reasons given by the Senator are not sufficient. That bill was drafted by one of the best judges in the State, and the reason which lies at the foundation is one which I think commends the act sought to be repealed to the approbation of the profession, and justifies us in retaining it. It affects my own locality to a very slight degree. It is this, sir: In actions at law, proceedings must originate in the county in which the cause of action arises. As a universal thing, that is the law of the State. The same rule held in cases of equity jurisdiction, until a few years ago, when the law was changed and permitted proceedings in equity to originate in the Supreme Court. The act which we passed this session, replaced subjects of equity jurisdiction where they had been before, and where the rule puts all actions at law, requiring them to originate in the county in which the cause of action arose. There is no propriety in subjecting a suitor in equity to the inconvenience, trouble and expense which arose under the change of the jurisdiction from the court of the proper county, to the Supreme Court. Many of these cases occur in the oil regions; these controversies arise which are proper subjects of equity jurisdiction; and one party desiring the advantage of the other, would go to Philadelphia and originate a proceeding in equity before the Supreme Court *in banc*, and compel the other party to travel hundreds of miles and employ counsel, at very great expense and inconvenience, or take the alternative to succumb and abandon his rights or yield an inequitable compromise. It is to break up an abuse of that kind that the jurisdiction in proceedings in equity is placed just where it is in actions at law.

This did not deprive persons of the right to go to the Supreme Court ultimately, because the party had his remedy by going to the Supreme Court in Error, just as actions arising in law. Thus it placed the proceedings where they properly belong.

Mr. WHITE. We changed a venue the day before yesterday on the principle which was recognized in this bill.

On the question,

Will the Senate agree to the first and only section?

The yeas and nays were required by Mr. M'CONAUGHY and Mr. BURNETT, and were as follow, viz:

YEAS—Messrs. Burnett, Connell, Davis, Donovan, Fisher, Graham, Haines, James, Landon, M'Candless, Randall, Ridgway, Royer, Schall, Searight, Stutzman, Taylor, Wallace, Walls and Worthington—20.

NAYS—Messrs. Browne, (Lawrence), Coleman, Cowles, M'Conaughy, Shoemaker and White—6.

So the question was determined in the affirmative.

The bill was read a third time and

Passed finally.

On motion of Mr. BROWN, the rules were dispensed with, and the Senate proceeded to the consideration of bill entitled A further supplement to an act relative to paving streets, et cetera, in the borough of New Castle, approved the 22d day of March, A. D. 1866.

The bill was read a second and third time, and

Passed finally.

On motion of Mr. COWLES, the rules were dispensed with, and the Senate proceeded to the consideration of bill entitled A supplement to an act relating to orphans' courts and for other purposes, passed the 13th day of October, 1840, empowering said courts to incorporate saving fund associations.

The bill was read a second and third time, and

Passed finally.

On motion of Mr. FISHER, the rules were dispensed with, and the Senate proceeded to the consideration of a bill entitled An act to authorize the trustees of certain lands in Venango county, Pennsylvania, to borrow money for the development of said lands, and to perfect the titles to said lands by contesting the right at law of adverse claimants.

The bill was read a second and third time, and

Passed finally.

On motion of Mr. M'CANDLESS, the Senate resumed the second reading and consideration of a bill entitled An act for the better protection of life and property from explosion of steam boilers.

The bill was read as follows:

WHEREAS, Great loss of life and property has resulted to the people of this Commonwealth from the explosion of steam boilers, and it is desirable that a remedy be provided for the same, as far as practicable, by requiring such adjustments to steam boilers as will furnish an early and adequate alarm of danger from the low state of water therein:

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the Governor be and is hereby authorized to appoint a commission, consisting of three skillful and practical engineers, to examine the different appliances for diminishing the risk of explosion of steam boilers, and to report to him, as early as practicable, the appliance which they believe to be best suited for the purpose.

SEC. 2. That any person who shall, at any time after three months from the making of said report to the Governor, as above provided for, and from actual notice thereof, use or operate any steam boiler without affixing thereto the appliance recommended by said commission, shall be subject to a penalty of one hundred dollars, payable to the Commonwealth, to be collected as penalties of like amount are now collected by law.

Mr. COLEMAN. Mr. Speaker, I am opposed to the passage of this bill. If it is to be passed I hope it will be amended. I believe I am just as anxious to preserve the lives of the people of this Commonwealth as any one else. I have seen bills of this nature, and, unless it is improved, it looks to me like forcing some patent right upon every manufacturer in the State. I fear that there is danger of over-legislation in this matter. You may pass all the laws you please, and apply these patents, but unless the engineer or party in charge of the boiler attends to his business it is of no account. Every intelligent man will use everything that modern science will grant him for the preservation of property, and for the protection of the lives of his employees. Therefore, I object to this bill, because it says that a commission shall be appointed by the Governor, who would, no doubt, select proper parties, but I am afraid he might not be a proper person in this branch of business, not being an engineer, and that commission may report in favor of Mr. Jones' or Mr. Smith's patent, which would have to be applied.

Mr. M'CANDLESS. Mr. Speaker, the Senator is not stating the fact correctly. The Governor is to appoint three skillful and practical engineers, who are competent to make this examination, and make a proper selection.

Mr. COLEMAN. I am aware of that, but I think over-legislation is our difficulty here. If my boiler explodes, I can say that I am authorized to use Mr. Smith's patent, and I get rid of the responsibility; and, therefore, I ask the jury to relieve me of the responsibility, because I have complied with the law. That is the danger I see here. I am opposed to the whole bill on that account.

The second section says:

"That any person who shall at any time after three months from the making of the said report to the Governor, as above provided for, and from actual notice thereof, use or operate any steam boiler without affixing thereto the appliance recommended by said commission, shall be subject to a penalty of one hundred dollars, payable to the Commonwealth, to be collected as penalties of like amount are now collected by law."

Now, I do not want to restrict this to any one appliance; but they should have the privilege of reporting half a dozen, if one is equal to the other.

In 1863 or 1864, this same bill, or one like it, was sprung upon the House, very much in the way this has come up here; and I happened to be near the Clerk's desk, and checked the passage of that bill by a statement similar to this. The next day a gentleman called upon me, and inquired who that man was who opposed that bill, and, learning that it was myself, wanted to know why I op-

posed his bill. "Your bill," says I; "who are you?" "Why, I have got a patent low-water detector, to prevent the explosion of steam boilers." "Oh," says I; "that's all right: I was not aware of anything of the kind. I did'nt know it was your bill." I found out the condition of things there. He brought me a model of his patent. I examined his arrangement, and he put one on my boiler; it was a good patent—the best thing I have seen. That bill, I know, was got up for that particular purpose by a particular patentee; he thought he could force this thing on the State. If that thing is to be done, I want it a little more liberal than it is. I think there is a great deal of humbug in the whole thing. This thing is like lawyers and doctors—you cannot get them to agree. If the bill is to pass, I hope the second section, at least, will be modified.

Mr. M'CANDLESS. I have no objections to the Senator from Lebanon improving it in any way he desires; I desire to say at this time, also, that he presupposes a great deal in his statement to the Senate that I have an interest in some patent right.

Mr. COLEMAN. I beg the Senator's pardon; I did not mean to intimate anything of the kind.

Mr. M'CANDLESS. Mr. Speaker, I did not prepare the bill or present it, and did not know anything about it until a few days ago, when I found it, and I thought it a very convenient thing. Being an engineer myself, I am certain there is a necessity for some such thing as this. To suppose that a single individual is getting this up, is to suppose that the Governor and the commission would have to be corrupted. To my certain knowledge there are hundreds of boilers in this Commonwealth that have no appliance of any kind for gaging the water, except, perhaps, the safetyvalve and what they call their common gagecocks. Now, there will be a necessity for every man who owns boilers to have some kind of an appliance which will make it impossible for those boilers to explode, if such a thing is possible, and it is with that desire that I am anxious that this bill should pass. If the Senator from Lebanon [Mr. COLEMAN] will indicate any amendment which will improve it I will be happy to adopt his suggestion.

Mr. COLEMAN. I was not aware that the Senator was an engineer; I thought he was a simple hero and warrior. But *if* that is his profession, he perhaps knows more than I do about it. I would like to ask the gentleman, as an engineer, how he suggests to prevent explosion by a low water detector. Some say explosions are caused by electricity.

Mr. M'CANDLESS. I have always thought it was caused by non-attendance, in not keeping water up.

Mr. COLEMAN moved to amend the first section by making the word "appliance" read "appliances."

The amendment was

Agreed to.

On the question,

Will the Senate agree to the first section?

The yeas and nays were required by Mr. COLEMAN and Mr. M'CANDLESS, and were as follow, viz:

YEAS—Messrs. Browne (Lawrence), Brown (Mercer), Burnett, Davis, Fisher, Glatz, Jackson, James, M'Candless, Schall, Searight, Shoemaker, Taylor, Wallace and Walls—15.

NAYS—Messrs. Bigham, Billingfelt, Coleman, Connell, Cowles, Graham, Haines, Landon, M'Conaughy, Randall, Ridgway, Royer, Stutzman and Worthington—14.

So the question was determined in the affirmative.

Mr. COWLES. Mr. Speaker, there is a large amount of property invested in steam boilers; the owners generally know how to take care of it; this bill is to take it out of our hands and give it to quacks, who have an interest in some worthless invention. We know that there are just as many reasons given for the explosion of steam boilers as there are men who study the thing. We are proposing now to appoint a commission of three men to study this question, consult some patent right fellow, and hunt up some invention. These men have an interest in these things; just consider the power you are giving to three men. If the first section is carried, it does nobody any harm; but you cannot pass a more dangerous section than this second one.

Mr. COLEMAN. Mr. Speaker, I hope the Senate will vote down this second section. I have one or two amendments to offer, but the whole thing seems ridiculous to me. I remember, when I was a boy, there used to be an idea that every horse had to be bled on a certain day; that would be just as sensible as this legislation. But if we are to do it, I would move to amend by adding the following proviso to the end of the section:

Provided, That it shall be the duty of the commission to examine any appliances heretofore submitted to them, and, if found suitable, said appliances shall be allowed to be affixed to any boiler.

The amendment was

Not agreed to.

Mr. COWLES. I will vote to have it apply only to Philadelphia and Luzerne. The Senator from Philadelphia called it up, and the Senator from Luzerne wants it.

Mr. SHOEMAKER. Mr. Speaker, if this is a good bill, I do not see any good reason why it should be confined to any special locality. If it is a bad bill, there is no necessity for passing it at all. It seems to me, there is a great deal more talk over it than is necessary. The bill was sent to me from Philadelphia, and it struck me that it would be really a useful law, because we have all of us heard of the great number of explosions in Philadelphia and elsewhere. Now, it seems to me it is the duty of the Legislature, if they can enact a law which will prevent the loss of life by the explosion of boilers, to do so. If this bill will have that result, we ought to pass it. Whether it is better to have any penalty attached to it is another matter. It struck me that if the Governor would appoint a commission, as instructed in the bill, and they should adopt some particular plan by which the explosion of boilers should be prevented, we should really obviate these explosions. That is all there is in this bill. It may be well if this section is stricken out, and have three men appointed, and report those appliances which they think would prevent explosions.

Mr. RANDALL. Who is going to pay them?

Mr. SHOEMAKER. I suppose men can be found to do it for nothing.

Mr. RIDGWAY. Mr. Speaker, there is more in this bill than is seen on its face; there is a job behind it somewhere; and, if the bill passes, there is no doubt a party to bore the Governor to adopt some patent-right. I think we should be careful before passing it.

Mr. CONNELL. It would be rather unfair in this Senate to impose this bill on Philadelphia, when three Senators from Philadelphia do not want it.

Mr. FISHER moved that the further consideration of the bill be postponed for the present, and that the matter be referred to the Committee on Canals and Inland Navigation.

The motion was

Agreed to.

CLAIMS OF COL. M'LEAN.

On motion of Mr. LOWRY, the Senate resumed the second reading and consideration of bill entitled An act to authorize the board of military claims to re-examine the claim of the legal representatives of Colonel John W. M'Lean, deceased, of Erie county.

Mr. LANDON. Mr. Speaker, I may misapprehend this case, but my understanding is this, that when they wanted to raise a regiment, in order to encourage them, the Senator from Erie [Mr. LOWRY] contributed two thousand dollars toward that object. Col. M'Lean took the money; he fell in his country's defense. Now, the Senator from Erie says, because he did not apply that two thousand dollars to his own purposes and the support of his family, that this board shall examine the matter and see how much money shall be applied to him.

Mr. LOWRY. Mr. Speaker, about the middle of the session of the Legislature, I offered and the Senate adopted a resolution instructing the Committee on Military to inquire into and make report of the claim which I allege is due from the Commonwealth to Colonel John W. M'Lean's estate.

I laid before the committee all the facts within my own knowledge, and also procured the statement of James Skinner and others relative to the claim. That committee held this resolution long—I thought too long—under advisement; and when they did report, they said by a joint resolution, prepared by them, and not by me, that the board of claims might examine it and report to the next Legislature upon any claim which Col. M'Lean had upon the State for raising the Eighty-third regiment of Pennsylvania volunteers. We had asked the committee for bread due the mother and wife and the little ones of Col. M'Lean, for raising a regiment at the orders of the Governor, which regiment never was mustered into the service of the Government, although recognized, received and discharged by the State. We asked for bread which you have kept from the stomachs of the mother, the wife and children of a dead hero, until they were as lank as graybounds, and you proposed to give their bodies a stone next winter. Seeing the disposition, either from a want of a proper understanding or a natural aversion to all claims which the soldier has upon his country, I became a little restive, and read a bill in place directing the board of claims to examine, and if not paid for, to pay—not for raising the Eighty-third regiment, but what was known as the M'Lean regiment. I called that bill up. The chairman of the Committee on the Military pitched in, and the Senate was so befogged by us both that they sent the whole subject back to the same committee, a good deal to my disgust, all of which Senators WHITE, FISHER and myself agreed to strike out of the *Record*; neither of us wanted the world to read how unjust and ignorant we were.

I was saying that both bills and the whole subject were referred back again to the committee, and it is here fresh again to-night.

Senators understand me. We are not, by this bill, asking you to pay the representatives for raising the regiment with which he fought and died, but to pay him for a regiment which he raised for you, and whose men and commander nearly died because Mr. Lincoln would not let them fight.

Mr. GLATZ. How is that?

Mr. LOWRY. On the firing upon Sumter, Governor Curtin telegraphed Colonel M'Lean to come to Harrisburg. He came, and I came with him. The Governor offered him the appointment of Commissary General of the State; he replied, in my hearing

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[CONTINUED FROM PAGE 942.]

I will not take it; I'll fight! A cripple can perform the duties of that office. Governor Curtin replied, go, raise a regiment and fight; and he did go and raise a regiment, at his own expense, got as far as Pittsburg, was ordered into Camp Wilkins, and discharged at the end of one month, the State then, and subsequently, paying them for their time—nothing more, and hardly that.

Mr. JACKSON. Why were they discharged?

Mr. LOWRY. Because the President said he did not want them. Cameron did not want them; Lincoln did not want them. I urged Mr. Lincoln to receive them, as they were anxious to enlist for the war. Mr. Lincoln replied to me, that "seventy-five thousand men," which he then had, "was more than he wanted, and three months was more time than he would require to put down the rebellion in;" and so poor M'Lean was sent home to his old neighbors with a sad heart.

The scales soon dropped from Mr. Lincoln's eyes and in less than sixty days after the discharge of his regiment, the first regiment, the Erie regiment, the M'Lean regiment—a new regiment—was ordered to be raised. Colonel M'Lean—part out of old and part out of new material—raised the immortal Eighty third, at whose head he fell at the battle of Gaine's Mills. The same regiment, at the death of M'Lean, was left in command of Young Strong Vincent, admitted to be the brightest and bravest soldier of his age in the American army. He fell at Gettysburg, and the ring of his voice is yet echoing in the mountains of Pennsylvania.

I decline to speak of any charity bestowed by myself. This Senate has nothing to do with that. The only question is, did Colonel M'Lean raise a regiment for the State on the order of the State, and has the State paid him or his representatives for raising, equipping and mounting a regiment at Erie? This is all that there is in it.

Mr. DONOVAN. Colonel M'Lean was a good man; a true man; and the State should pay him what they owe him. He not only fought bravely in this war, but, if I understand it right, he was a hero in the Erie war, a war that I have learned somewhat to respect.

Mr. LOWRY. Mr. Speaker, Colonel M'Lean was a hero in the Erie war—a war which all the courts, State and local, have baptized as a lawful war. The Erie war was a war for commerce; a war for a betrayed State; a war for a city sold to enrich members of the Legislature; a war for our country; a war for the principles of the Declaration of Independence; a war for the spirit of Cromwell; a war of the spirit of Calvin; a war which sent me here in 1861; a war which sent me back again in 1864; a war which will watch me when I go home; a war for the highway's of Harbor creek; a war for the waters of the Lake; a war for a free passage for Mill creek, for Fairview, for a free passage to the city, from the country; a war of right; the war of Erie county against monopolies; a war against incorporated rascality transported from New York, from Ohio, from the east, from the west, from hell; a war against a Legislature, who, for a few dollars, went over against the State of their birth, the State of their adoption, the State of their country's good; a war for the right; a war against the wrong; a war against a pair of bars being placed between us and market; a war for mankind; a war for competition for commerce upon equal terms; a six-foot war which, in the end, will bathe its limbs in the bay of Erie.

Colonel M'Lean died for the principles of eternal justice; for the principles of equal rights of man to live upon the earth, and build railroads subject to the wants of the people, and not to be run over by them without good cause, when they were built. It was a war against money over brains; it was a war for bones; it was a war for character; it was a war for the sinews of our people. The element that underlies all war is resistance to tyranny, and in obedience to God we lawfully resisted as long as we could. We resisted until the Legislature sold us. The principles of the Erie war will be recognized as sure as man has a Redeemer.

Mr. WHITE. Mr. Speaker, the Senator from Erie doubtless expects from me, as Chairman of the Military Committee, a word in explanation. Last Friday afternoon we had a discussion upon this subject, in which the matter was somewhat ventilated. Early in the session, the Senator from Erie [Mr. LOWRY], in obedience to the promptings of his honest heart, introduced a resolution instructing the Military Committee of the Senate to inquire into the claims of Colonel M'Lean for recruiting a regiment which was never mustered into the United States service. From time to time that matter was examined, never, however, with the assistance of a personal statement by my friend, the Senator from Erie. The question came up here last Friday afternoon; some difference of opinion existed between the Senator from Erie and the members of the Military Committee upon the subject. A joint resolution was reported, however, by the Military Committee, requiring the board of military claims to inquire into this matter, and report to the next Legislature. That did not satisfy the Senator from Erie; the whole subject was recommitted to the Military Committee; that committee had a meeting at which the Senator from Erie appeared. At that time, after a careful canvassing of the testimony, and all the statements upon the subject, it was deemed prudent and proper to refer the final decision of the whole matter to the board of military claims, which is composed of the Adjutant General, the Auditor General, and the State Treasurer. I, for one, as a member of that committee, in view of all the circumstances, was willing to refer this claim to that committee for their adjudication; as I decided them, I feel like deciding now. Some difference of opinion existed between the Senator and myself upon the subject. He, in the patriotism of his heart, saw fit to donate for the raising of the regimcut, two thousand dollars. Col. M'Lean did not expend that money in the raising of the regiment, but gave it to the support of the families of those who went into the service.

Mr. LOWRY. Colonel M'Lean gave the donation to the wives and children of the regiment that did fight, and not to those of the regiment that did not fight.

Mr. WHITE. That is all right. I must be consistent in this matter; I did not think then that this was a debt which the State should pay. I may be mistaken in my judgment in that matter; but it was also stated that there were other moneys which Colonel M'Lean had expended out of his own pocket for the raising of this regiment, and if that is so, and if there is any reason why that was not paid, of course that reason should be removed, and he, as a gallant soldier, who died in his country's service, should have justice meted out to him; and in view of these circumstances, the Military Committee saw fit to report this bill as committed; and I trust, in view of the gallantry of the man mentioned in it, and in view of the condition of the orphans of that man, that we will allow the board of military claims, composed of men who have the interests of the State at heart, to examine this thing, and I am satisfied that they will not pay more than is due.

Mr. FISHER. I am not very conversant with the subject matter of this bill. I do not know what Colonel M'Lean did with the regiment that did not fight; but it so happens that I do know something of Colonel M'Lean and of the regiment that did fight. He was Colonel of the Eighty-third Pennsylvania regiment. He lost his life at Malvern Hill. It is not for me now to say anything about his record; that, sir, is on high. He laid down his life in defense of his country, and I am very sure, sir, that it would not injure the board of military claims to examine and find out whether they owe the heirs of Col. M'Lean anything or not. If they do not owe the heirs anything, of course they will not pay them. I have entire confidence in that board; but if they do owe him, I say that something should be done for this gallant man. I knew that regiment in the service, and a braver and better or more gallant regiment never went from Pennsylvania than the Eighty-third. He was not the only colonel that fell at the head of his regiment. The gallant Vincent gave up his life at Gettysburg for the defense of his country, and that regiment stood up like the beaten anvil to the stroke, and it was never known to quail when their services were required; and I think it is a duty that the Senate of Pennsylvania owes to

the heirs of that gallant man, that at least his claims should be examined, and, if found to be just, this pittance should be awarded to the widow and orphans of that gallant man. But, sir, if you could enter into the spirit of the matter, and appreciate the services of that gallant band of men, with M'Lean at their head, I am sure you would not hesitate a moment to allow the board of military claims to make this examination, so that if anything is found to be due, it may be paid.

Mr. SEARIGHT. Mr. Speaker, the Senator from Erie [Mr. LOWRY] is generally right, and I feel inclined to vote with him; but really, Mr. Speaker, I do not understand this question exactly. If the Senator has made any remarks upon the subject this evening, I was not in my seat, and did not hear them. I understand that that Senator, in the generosity of his heart, gave this colonel two thousand dollars out of his own pocket, and then, I understand that Colonel M'Lean gave this two thousand dollars to the families of the regiment. If that was correct, it was a voluntary act on the part of Colonel M'Lean; and the question under that statement of the facts is, whether this Legislature ought to refund that amount to M'Lean. Who clothed the regiment, if this two thousand dollars went to the families? These points I want explained by the Senator from Erie. I am inclined to vote with him, and I believe I shall, whether I understand it or not.

Mr. LOWRY. The Senator from Fayette [Mr. SEARIGHT] and all other men shall understand me. I charge Pennsylvania with owing the mother, the wife and the children of Colonel M'Lean, for raising a regiment of men and equipping and feeding them, while raising them.

Mr. SEARIGHT. Yes, but your two thousand dollars went towards the raising of this regiment.

Mr. LOWRY. Not a bit of it; I have submitted the highest proof that the reverse of this is the truth. The evidence is that not one dollar of the four five hundred dollar checks given to Colonel M'Lean was spent in the raising of the first regiment—the regiment that I now ask you to pay for. The evidence is, that every dollar of this sum was spent on the government regiment. And this is simply the truth; I repeat it, you owe Colonel M'Lean in his bloody shroud, and I dare you before the world to be half honest, and let it go upon the *Record*, that I say you haggle and hesitate to pay the immortal hero an honest debt. Senators shall not escape behind the shadow of my charity, or take refuge behind my sense of justice, for their own money. What has this Senate to do with the private transactions between Col. M'Lean and myself? Will you steal my charities from a dead hero and coin them into currency and make them a "legal tender" to pay your debts to the plundered hero's children? A Commonwealth who would do what is proposed here would rob the orphan of its father's gift to pay a debt contracted by them in the hour of its peril. Why do you not resurrect the horse from which the dead hero fell, lead him before the State treasury, look in his mouth, swear he was given to the immortal man by some one to the State, for M'Lean to ride to our country's victory, and his own grave, to offset the value of that dead horse from the amount you owed him, before he rode the white horse of death, that your own fat horse might not be taken by the rebel's war horse's hoof and his rider in gray.

Mr. JACKSON. Hit him again.

Mr. LOWRY. Senators, you owe the mother of the most unselfish man that ever lived in the State, or that ever died, that the State might live. Will you come and tender her in payment what you owe her, or will you pay her in quinine extracted from my shadow as I parted with her child. Will you give her this to warm her stomach and steady her trembling hand as she writes you a receipt before taking the cold bath of death? What is within this State? What is above this State? What is beneath this State? What is against this State? What is before this State? What is behind this State? that she should have a stomach to crave the bread out of the mouths of these orphans of Col. M'Lean? Nay, tell it not in Gath, publish it not in the streets of Samaria, that the Senate of Pennsylvania stole a living man's charity certificate from a dead man's corpse, and forged that certificate into a receipt in full of her own indebtedness.

Col. M'Clean's body lay three years in Virginia soil, without a shroud. That body was resurrected by Col. Rogers, the last colonel of the immortal Eighty-third. The remains were sent to Erie in a mahogany coffin; a Christian burial was given them, and the grass of the cemetery at Erie grows greener throughout all time from the shower of tears which there fall.

Full grown bull dogs of the treasury, when a soldiers' spirit is around, are watchful, and toothless men, when robbers in the flesh, are here. Why do you not pay your debt with Col. Rogers' resurrected charity? The folly of the idiot, the fancy of the lunatic, the frenzy of the drunkard could not have conceived of so detestable a dodge to pay an honest debt as you have invented. If Pennsylvania pays her debts to her dead heroes in this way, it will be unhappiness for an honest man to live long in the State, and no unhappiness to die out of it. Give Cæsar's image his due; give God's image what is his. Give unto Cæsar the things that are Cæsar's; give unto God the things that are God's; break not your promises to the widow and the children you made to the father when he entered the war; you owe the mother of Col. M'Lean; she bore him in sorrow that freedom might live, and his first cry sounds in that mother's ear as the first war gun of the rebellion; and your efforts to pay her son with his own money, which he gave to feed the wives of his own soldiers, will leave a scornful lip on the corpse of the immortal man's mother. Has Pennsylvania become covetous to rob the dead of the gifts of the living? If she has let her get down upon her marrow bones and pray loudly, or she will die suddenly, for the good opinions of a Christian world will poison her. If this bill passes, you have not. I fear, forsaken your sins against the soldier, but sin for the soldier's sake has forsaken you.

The first and only section of the bill was

Agreed to.

The bill was then read a third time, and

Passed finally.

BILLS CONSIDERED AND PASSED.

On leave given,

Mr. SCHALL read in his place and presented to the Chair a bill entitled An act to repeal the first section of an act passed the first day of April, A. D. 1792, declaring the Little Lehigh a public highway.

Referred to the Committee on Canals and Inland Navigation.

On motion of Mr. SCHALL, the committee was discharged, and the rules having been dispensed with, the bill was read a second and third time, and

Passed finally.

On motion of Mr. GRAHAM, the rules were dispensed with, and the Senate proceeded to the consideration of bill entitled An act authorizing the trustees of the estate of John Means, deceased, to pay certain moneys.

The bill was read a second and third time, and

Passed finally.

On motion of Mr. HAINES, the rules were dispensed with, and the Senate proceeded to the consideration of a bill entitled A supplement to an act relating to corporations for mechanical, manufacturing and quarrying purposes, approved the eighteenth day of July, 1863, repealing section thirty-three of the same, so far as it affects certain counties.

The bill was read a second and third time, and

Passed finally.

On motion of Mr. BURNETT, the rules were dispensed with, and the Senate proceeded to the consideration of bill entitled A further supplement to an act enabling banks of this Commonwealth to become associations for the purpose of banking under the laws of the United States.

The bill was read a second and third time, and

Passed finally.

On motion of Mr. SHOEMAKER, the rules were dispensed with, and the Senate proceeded to the consideration of a bill entitled A supplement to an act to incorporate the Wilkesbarre law and library association in Luzerne county, approved the 11th day of April, 1866.

The bill was read a second and third time, and

Passed finally.

On motion of Mr. JACKSON, the Committee on the Judiciary Local was discharged from the further consideration of bill entitled An act to authorize the sale of the property of any incorporated company upon the bonds secured by a mortgage given by it with like effect as if sold upon the mortgage.

The rules having been dispensed with,

The bill was read a second and third time, and

Passed finally.

On motion of Mr. CONNELL, the Committee on Corporations was discharged from the further consideration of bill entitled An act to incorporate the Victoria gold and silver mining company.

The rules having been dispensed with,

The bill was read a second and third time, and

Passed finally.

On motion of Mr. CONNELL, the rules were dispensed with, and the Senate proceeded to the consideration of bill entitled An act providing for the paving of footways in the First precinct of the Twenty-fifth ward of the city of Philadelphia.

The bill was read a second and third time, and

Passed finally.

On motion of Mr. SEARIGHT, the rules were dispensed with, and the Senate proceeded to the consideration of bill entitled A supplement to an act approved the 17th day of April, 1866, authorizing the courts to fix and change the place for holding general elections in certain cases.

The bill was read a second and third time, and

Passed finally.

On motion of Mr. SHOEMAKER, the rules were dispensed with, and the Senate proceeded to the consideration of bill entitled An act to incorporate the Wyoming Valley passenger railroad company.

The bill was read a second and third time, and

Passed finally.

On motion of Mr. CONNELL, the rules were dispensed with, and the Senate proceeded to the consideration of bill entitled An act to incorporate the Pennsylvania Serial association.

The bill was read a second and third time, and

Passed finally.

On motion of Mr. M'CONAUGHY, the Committee on Roads and Bridges was discharged from the further consideration of a bill entitled An act to authorize a change in the location of a portion of the State road from Harrisburg to Gettysburg.

And the rules having been dispensed with, The bill was read a second and third time, and

Passed finally.

On leave given,

Mr. RIDGWAY read in his place and presented to the Chair a bill entitled An act to incorporate the artillery company of Washington Grays.

Referred to the Committee on Military Affairs.

On motion of Mr. RIDGWAY, the committee was discharged,

And the rules having been dispensed with, The bill was read a second and third time, and

Passed finally.

On motion of Mr. RANDALL, the Committee on Corporations was discharged from the further consideration of bill entitled An act to authorize iron and coal companies to keep stoves for sale and merchandise for accommodation of their employees.

The rules having been dispensed with, The bill was read a second and third time, and

Passed finally.

On motion of Mr. ROYER, the Committee on Roads and Bridges was discharged from the further consideration of bill entitled An act relative to elections of Greenland and Goshenhoppen turnpike road company.

The rules having been dispensed with, The bill was read a second and third time, and

Passed finally.

On motion of Mr. WALLACE, the rules were dispensed with, and the Senate proceeded to the second reading and consideration of bill entitled An act to prevent the county commissioners of Forest county from expending money in the erection of public buildings in said county.

On the question,

Will the Senate agree to the first and only section?

Mr. BROWN (Mercer) moved to amend the same by striking out the words "one year" and inserting in lieu thereof "three months," and by adding to the end thereof a proviso as follows, viz: *Provided*, That the decision of the Supreme Court, in the case now pending before it, testing the constitutionality of the act of 1866, increasing the boudaries of Forest county, be had within that period.

The amendment was

Not agreed to.

Mr. BROWN (Mercer) moved to amend the section by striking out the words "one year," and inserting in lieu thereof "three months."

The amendment was

Not agreed to.

The question recurring,

Will the Senate agree to the first and only section?

It was determined in the affirmative.

The preamble and title were

Agreed to.

Mr. WALLACE moved that the rules be dispensed with and that the Senate proceed to the third reading and consideration of said bill.

On the question,

Will the Senate agree to the motion?

The yeas and nays were required by Mr. WALLACE and Mr. BROWN (Mercer), and were as follow, viz:

YEAS—Messrs. Bigham, Billingfelt, Burnett, Connell, Davis, Donovan, Fisher, Glatz, Jackson, James, Lowry, M'Candless, Randall, Schall, Searight, Wallace, Walls and White—18.

NAYS—Messrs. Browne (Lawrence), Brown (Mercer), Coleman, Cowles, Graham, Landon, M'Conaughy, Ridgway, Royer, Shoemaker, Stutzman, Taylor and Worthington—13.

So the question was determined in the negative—not being two-thirds.

On motion of Mr. LOWRY, the Committee on Corporations was discharged from the further consideration of bill entitled An act to incorporate the Meadville driving park company.

The rules having been dispensed with, The bill was read a second and third time, and

Passed finally.

On motion of Mr. LOWRY, the Committee on Education was discharged from the further consideration of bill entitled An act to authorize the Lake Shore seminary to borrow money and to grant literary degrees.

The rules having been dispensed with, The bill was read a second and third time, and

Passed finally.

On leave given,

Mr. WALLS read in his place and presented to the Chair bill entitled An act repealing an act entitled An act to perpetuate the testimony of Richard S. Cox, deceased.

Referred to the Committee on the Judiciary General.

On motion of Mr. WALLS, the Committee on the Judiciary General was discharged from the further consideration of said bill.

The rules having been dispensed with, Said bill was read a second and third time, and

Passed finally.

On motion of Mr. LOWRY, the Committee on Corporations was discharged from the further consideration of bill entitled An act supplementary to an act to incorporate the Oil Creek Lake and Titusville mining and transportation company.

The rules having been dispensed with, The bill was read a second and third time, and

Passed finally.

On motion of Mr. WHITE, the rules were dispensed with, and the Senate proceeded to the consideration of bill entitled An act to extend the limits of the borough of Indiana, Indiana county.

The bill was read a second and third time, and

Passed finally.

On motion of Mr. RIDGWAY, the Senate then adjourned until 10 o'clock to-morrow morning.

HOUSE OF REPRESENTATIVES.

FRIDAY, April 5, 1867.

The House met at ten o'clock, A. M.

Prayer was offered by Rev. JACOB KENNEDY, member from Wyoming.

The SPEAKER announced a quorum of members present.

On motion of Mr. COLVILLE, the reading of the Journal of yesterday was dispensed with.

PETITIONS, &C., PRESENTED.

Mr. GALLAGHER presented to the Chair a petition from inhabitants of Latrobe, in Westmoreland county, praying for the passage of an act to protect the people doing business along the line of the Pennsylvania railroad from the unjust discrimination against local freights by the said railroad company.

Laid on the table.

Also, nineteen petitions from citizens of Westmoreland county, praying for the passage of a prohibitory liquor law for said borough, and within one mile of the same.

Laid on the table.

Mr. CHADWICK, a remonstrance against the passage of an act for the improvement of Coal Hill road, in Collins township, Allegheny county.

Laid on the table.

Mr. WILSON, a petition from A. W. Foster, a citizen of Pennsylvania, and a resident of Allegheny county, relative to a change in the mode of electing representatives in the State of Pennsylvania.

Laid on the table.

Mr. CAMERON, a petition from inhabitants of Susquehanna county, praying for an extension of the school term from four to six months.

Laid on the table.

Also, a petition from inhabitants of New Milford, Susquehanna county, praying for an act authorizing the school directors of said borough to borrow money for school purposes.

Laid on the table.

Also, a petition from inhabitants of Silver Lake township, praying for the repeal of the Lenox road law, and the substitution of the act of February 20th, 1841.

Laid on the table.

Mr. PILLOW, a petition from citizens of Jackson and Franklin townships, in favor of a law extending to Butler county the license law of Allegheny county.

Laid on the table.

Mr. PETER, two remonstrances from citizens of Allegheny city, against the passage of a consolidation bill.

Laid on the table.

Mr. JENKS, a petition from citizens of Jefferson county, praying for the passage of an act prohibiting the sale of intoxicating liquors.

Laid on the table.

Mr. RICHARDS, a petition from citizens of West Providence township, Bedford county, praying for the passage of a law enabling them to change the place of holding elections from the school house in which they are now held to the house of D. and M. Ott, in the borough of Bloody Run.

Laid on the table.

Mr. CHASE, a petition from inhabitants of Troy township, in Crawford county, and Plum township, in Venango county, praying for the passage of an act annexing their farms to Cherry Tree township, Venango county, for school purposes.

Laid on the table.

Mr. KINNEY, a petition from citizens of Rome township, county of Bradford, against applying taxes on lands where Mansion house is situated to Rome borough for school purposes.

Laid on the table.

Mr. MANN, a petition from citizens of Oswayo and vicinity, in Potter county, asking for an extension of the jurisdiction of justices of the peace in criminal proceedings.

Laid on the table.

Mr. CHALFANT, a petition from inhabitants of Ashland, Schuylkill county, praying for the repeal of a law approved April 4, 1866, to lay out a State road from the borough of Ashland, Schuylkill county, up Little Mine run, to the borough of Centralia, Columbia county.

Laid on the table.

Mr. BOYD, a remonstrance from citizens of Hopewell township, York county, against the passage of an act providing for levying and collecting a tax in said township to pay

to citizens of said township putting in substitutes the sum of three hundred dollars each.

Laid on the table.

Mr. WRIGHT, a petition from citizens of Middle Creek township, in the county of Snyder, for an act to authorize the school directors of said township to levy and collect an additional tax for bounty purposes.

Laid on the table.

Mr. MECHLING, a petition from citizens of Allegheny township, Armstrong county, against the passage of an act prohibiting peddling produce, &c.

Laid on the table.

Also, a petition from citizens of Armstrong county, of like import.

Laid on the table.

Also, a petition from citizens of Armstrong county, for the passage of an act to prevent seining in Crooked creek, in said county.

Laid on the table.

Also, a petition from citizens of Elderton, Armstrong county, for an act to extend the provisions of an act, approved 16th March, 1859, to said borough.

Laid on the table.

Also, a petition from citizens of Kittanning and Manor townships, in Armstrong county, for an increase of pay to the persons at whose houses the elections are held.

Laid on the table.

Also, a petition from Margaret B. Fullerton, guardian of the minor children of Samuel Fullerton, late of Freeport, in the county of Armstrong, for leave to sell real estate.

Laid on the table.

Also, a petition from John Ulam, of Leechburg, Armstrong county, and twenty-six others, for an act to extend the provisions of the Allegheny county liquor law to Armstrong county.

Laid on the table.

Mr. QUAY. Mr. Speaker, I move that the Committee on the Judiciary Local be discharged from the further consideration of Senate bill No. 1547, an act regulating equity jurisdiction in Philadelphia county.

The motion was

Agreed to.

Mr. DAVIS. Mr. Speaker, I move that the orders of the day be suspended for the purpose of considering the bill.

The motion was

Agreed to.

The bill was read, considered, and

Passed finally.

Mr. STUMBAUGH. Mr. Speaker, I ask leave to report a bill from the Committee on Coal and Iron.

Leave was granted.

Mr. STUMBAUGH reported, as committed,

Senate bill No. 1316, further supplement to an act to incorporate the Union coal and iron company, approved the 4th day of May, 1857, now the Osceola coal company, increasing the privileges of said company.

Mr. KURTZ moved that the orders of the day be suspended for the purpose of considering the bill.

Agreed to.

The bill was taken up, considered, and

Passed finally.

Mr. COLLVILLE moved that the orders of the day be suspended for the purpose of considering

Senate bill No. 1267, a further supplement to the act incorporating the city of Pittsburg, extending its boundaries, enlarging its corporations, and perfecting its municipal organization.

The motion was

Agreed to.

The bill was taken up and read.

The question being on agreeing to the bill,

Mr. CHADWICK. Mr. Speaker, I offer the following amendment, to add the following:

And provided further, That the Central district shall consist of the present city of Pittsburg alone, and the boroughs and townships of said Central district shall constitute the "district between the rivers;" and the votes cast in said Central district shall not be counted with the votes cast in said "district between the rivers;" and if a majority of the votes cast in said "district between the rivers" shall be against consolidation, then such "district between the rivers" shall not form part, nor be included in, the said city of Pittsburg.

Mr. COLVILLE. Mr. Speaker, I hope that amendment will not be adopted. It is a well known fact that the gentleman who offered the amendment knew that there was a delegation from the different districts of Pittsburg, which only left night before last. They came to the conclusion that this bill, as it was offered and passed in the Senate, was the best bill that could be submitted to the people of that place in regard to the proposed consolidation. The parties on the north side of the river were opposed to consolidation with the city of Pittsburg, unless the matter were submitted to one of the several districts which were proposed to be included in the proposed consolidation. After the several committees met and exchanged views, they compromised by dividing it into three distinct districts. North of the river was to compose one, south of the river another, and between the rivers the third district. As the district of the gentleman from Allegheny [Mr. CHADWICK] is to be between the rivers, and all the city of Pittsburg is included in that district, he thinks that the vote of the city of Pittsburg would have the effect to change the vote of the other districts in this proposed consolidation. That, I presume, is the principal object he has in view in offering this amendment. I hope this House will not concur in the amendment, but leave the bill as it now stands, which is satisfactory to all the parties who met here in conference in regard to the matter.

Mr. WILSON. Mr. Speaker, this is a very important bill—one in which my constituents are immediately and directly interested—one in which I am myself interested in every conceivable manner.

I believe that the amendment offered is right and proper. At the same time, I have no desire to clog, or retard, or destroy the passage of this bill. I am in favor of the principle of consolidation. I have always been in favor of it ever since its first inception. I am in favor of it, sir, because I believe that it will give the city of Pittsburg the opportunity, and place her in that position to which she is by locality, and by her trade and mercantile interests entitled. I am in favor of this principle of consolidation because I believe, sir, and because I know that under this principle, instead of being misrepresented in regard to her annual products, instead of having her annual products set down at twenty millions of dollars, they will be counted by hundreds of millions of dollars. I say I sympathize with the views of the gentleman who offered this amendment and I shall vote for it, but not with the view of destroying the principle of consolidation, for I am in favor of it.

Mr. CHADWICK. Mr. Speaker, I have just to say that I hope this amendment will pass. I have no desire to spoil the bill and offer this amendment simply as an act of justice to the rural district from which I come. If we are to vote with the great city of Pittsburg, it will be a grand farce. I simply ask that our district may be allowed to vote by itself.

The question being on the amendment, it was

Not agreed to.

The question recurring on the bill, it was

Agreed to.

The rules were suspended,

The bill was read a third time by its title, and

Passed finally.

Mr. M'CREARY. Mr. Speaker, I ask leave to read a bill in place.

Leave was granted.

Mr. M'CREARY. Mr. Speaker, I read in my place and present to the Chair a supplement to an act to exempt certain persons from the payment of bounty taxes.

On motion the House proceeded to the consideration of the bill.

The bill was read and

Agreed to.

The rules were suspended, the bill read a second and third time by its title, and

Passed finally.

Mr. MEYERS. Mr. Speaker, I move that the orders be suspended and that the House proceed to the consideration of House bill No. 1918, an act relating to the appointment of trustees and to sale of real estate by trustees.

Mr. QUIGLEY. Mr. Speaker, I call for a division of the question.

The question being on the first division, which involves a suspension of the rules generally,

It was

Not agreed to.

Mr. STEHMAN. Mr. Speaker, I rise to a question of privilege. I move a reconsideration of the vote by which the House passed House bill No. 940, an act to repeal an act for the settlement of the North Carbondale coal company.

On the question,

The yeas and nays were required by Mr. WALLACE and Mr. PENNYPACKER, and were as follow, viz:

YEAS—Messrs. Allen, Armstrong, Barrington, Barton, Boyd, Breen, Brennan, Chadwick, Chalfant, Chase, Collins, Craig, Day, DeHaven, Deise, Fogel, Ghegan, Gregory, Harbison, Harner, Headman, Heltzel, Humphrey, Hunt, Jones, Josephs, Kinney, Kline, Koon, Kurtz, Lee, Linton, Long, M'Camant, M'Henry, M'Kee, M'Pherrin, Maish, Markley, Mechling, Meily, Meyers, Mullin, Phelan, Quay, Quigley, Roath, Robinson, Roush, Satterthwait, Seiler, Shuman, Steacy, Stehman, Stumbaugh, Subers, Tharp, Westbrook, Wham, Wingard, Worrall, Wright and Glass, *Speaker*—63.

NAYS—Messrs. Adaire, Colville, Freeborn, Gallagher, Gordon, Hoffman, Kennedy, Kerns, Leech, M'Creary, Mann, Marks, Pennypacker, Richards, Sharples, Waddell, Wallace, Webb, Wilson and Woodward—20.

So the question was determined in the affirmative.

Mr. QUAY. Mr. Speaker, I now move that the bill be referred to the Committee on Iron and Coal Companies.

Agreed to.

MESSAGE FROM THE SENATE.

The Clerk of the Senate being introduced, presented for concurrence bills numbered and entitled as follows, viz:

Senate bill, No. 1775, an act to authorize the Lehigh coal and navigation company to borrow money and issue bonds.

Referred to the Committee on Iron and Coal Companies.

Senate bill No. 1776, an act to extend the time for the commencement of the Chestnut Hill and Cheltenham railway company.

Referred to the Committee on Railroads.

He also informed that the Senate has concurred in the amendments made by the House of Representatives to Senate bill No. 687, entitled An act to permit an appeal from the register of Lebanon county in behalf of the heirs of Robert W. Coleman, deceased.

He also informed that the Senate has in-

sisted upon its amendments, made and non-concurred in by the House of Representatives, to House bill numbered and entitled as follows, viz:

No. 290, a further supplement to an act for the regulation and continuance of a system of education by common schools, approved the 8th day of May, A. D. 1854.

And has appointed Messrs. WORTHINGTON, HAINES and JACKSON a committee of conference on the part of the Senate to confer with a similar committee, already appointed by the House of Representatives, on the subject of the differences existing between the two Houses in relation to said bill.

PRIVATE CALENDAR.

Agreeably to order,

The House proceeded to the consideration of bills on the private calendar.

The following bills were considered and acted upon as stated:

Senate bill No. 984, an act to authorize the Southwark railroad company to renew their road on Sansom street.

The question being on an amendment offered by Mr. MARKS, it was

Not agreed to.

The bill

Passed finally.

Senate bill No. 983, an act to incorporate the Brookville and Brockwayville railroad company.

Passed finally.

Senate bill No. 593, a further supplement to an act incorporating the Lackawanna and Bloomsburg railroad, approved April 5, A. D. 1852.

Passed finally.

No. 1715, an act to lay out a State road from Norristown to Wissahicken creek, near White's mill.

Not agreed to.

No. 1716, a further supplement to the act incorporating the Welch turnpike railroad company.

Passed finally.

No. 1717, an act establishing a ferry across the Allegheny river, at or near the Falling Springs, in Venango county.

Passed finally.

No. 1718, an act supplementary to an act establishing a ferry across the Allegheny river, at or near the mouth of Tubbs' run, in Venango county, approved the 12th day of April, A. D. 1866.

Passed finally.

Senate bill No. 994, a supplement to an act to lay out a State road from Karthaus, in Clearfield county, to Coudersport, in Potter county, by way of Sinnemahoning, and for other purposes, approved March 31, 1845, renewing the powers, and appointing new commissioners and appropriating taxes for its completion.

Amended by Mr. MANN, and

Passed finally.

Senate bill No. 1166, an act authorizing the school board of the Fourth ward, in the Allegheny city school district, to close up their bounty business, and to use surplus bounty money for the purpose of purchasing ground and erecting a new school house in said ward, and to borrow twenty thousand dollars for the purpose aforesaid.

Passed finally.

No. 1722, an act to annex real estate of Robert P. Cornelius, of Jackson township, Snyder county, to the borough of New Berlin, Union county, for school purposes.

Passed finally.

Senate bill No. 736, an act to attach certain lands and tenements in Napier township, Bedford county, and the persons residing thereon, to Schellsburg borough, for school purposes.

Passed finally.

Senate bill No. 989, an act authorizing the school directors of the borough of Tarentum, Allegheny county, to assess and collect taxes for school purposes.

Passed finally.

Senate bill No. 990, an act to authorize the school directors of the borough of Sewickley to borrow money, and levy an additional school tax.

Passed finally.

No. 1727, an act to annex the farm or farms of John M'Quiston, S. L. M'Quiston and David M'Quiston, of East Fallowfield township, to West Fallowfield township, Crawford county, for school purposes.

Passed finally.

Senate bill No. 872, an act authorizing the trustees, secretary and treasurer of the proprietors' fund of Plymouth township to appropriate said fund toward the erection of school houses, and for school purposes.

Passed finally.

No. 1732, an act to allow Ebenezer M'Burney to send his children to adjoining school districts.

Not agreed to.

Senate bill No. 585, an act to incorporate the Keystone telegraph company.

Passed finally.

No. 1734, an act to incorporate the Grand Lodge of the Ancient Order of the American League of the State of Pennsylvania.

Passed finally.

Senate bill No. 1168, a supplement to an act, entitled An act authorizing the Columbia water company to hold real estate, &c., approved 10th February 1865.

Amended by Mr. CHADWICK, and

Passed finally.

Senate bill No. 1039, an act to incorporate the Neversink life and fire insurance company of Berks county.

Amended by Mr. JONES, and

Passed finally.

Senate bill No. 923, an act to incorporate the Pittsburg transportation company.

Amended by Mr. CHADWICK, and

Passed finally.

Mr. DONOHUGH. Mr. Speaker, I move to reconsider the vote by which Senate bill No. 984, an act to authorize the Southwark railroad company to renew their road on Sansom street, was passed.

Agreed to.

Mr. GRAHAM. Mr. Speaker, I move to go into committee of the whole for the purpose of special amendment.

On the question,

The yeas and nays were required by Mr. GHEGAN and Mr. FREEBORN, and were as follow, viz:

YEAS—Messrs. Adaire, Armstrong, Brown, Chadwick, Colville, Donohugh, Freeborn, Gallagher, Ghegan, Humphrey, Kennedy, Kimmell, Kinney, Leech, M'Camant, M'Creary, M'Kee, M'Pherrin Mann, Marks, Meyers, Pennypacker, Quigley, Rhoads, Richards, Roath, Roush, Sharples, Shuman, Steacy, Stumbaugh, Wallace, Westbrook, Wham, Woodward and Worrall—

NAYS—Messrs. Barton, Chase, Davis, DeHaven, Ewing, Gordon, Gregory, Harbison, Headman, Hoffman, Hood, Hunt, Kerns, Koon, Lee, Linton, Long, M'Henry, Maish, Mullin, Phelan, Pillow, Seiler, Sobers, Tharp, Waddell, Watt, Webb, Weller, Wharton, Wingard and Glass, *Speaker*—32.

So the question was determined in the affirmative.

COMMITTEE OF THE WHOLE.

Mr. DAVIS in the chair.

The amendment was inserted in accordance with the instructions of the House.

In the House,

The Speaker having resumed the chair, Mr. DAVIS, chairman of the committee of the whole, reported the bill to the House with amendments.

The bill as amended was

Agreed to, and passed finally.

Senate bill 926, a supplement to an act, entitled An act to incorporate the Lehigh Valley, fire insurance company, approved 30th day of March, Anno Domini 1866.

Passed finally.

Senate bill No. 692, an act to incorporate the American dredging company.

Passed finally.

No. 1742, an act to repeal an act authorizing the Governor to incorporate the Bald Eagle and Spring Creek navigation company, approved the 14th day of April, Anno Domini 1834, and the supplements thereto.

Passed finally.

Senate bill No. 924, a further supplement to an act, entitled An act to incorporate the Scranton gas and water company, approved March 16, 1864.

Passed finally.

Senate bill No. 979, an act to incorporate the Grocers' and Provision Dealers' association.

Passed finally.

No. 1746, an act to incorporate the Montgomery improvement company.

Passed finally.

Senate bill No. 518, a further supplement to an act to incorporate the North American shaft company, approved the 22d day of March, 1862.

Passed finally.

No. 1751, a supplement to an act to increase the boundaries of Forest county.

Mr. CHASE. Mr. Speaker, I move to substitute for this bill Senate bill No. 1221, an act to protect the validity of certain liens in Venango county.

Agreed to.

And the bill

Passed finally.

No. 1757, an act for the better preservation of the morals of the minors of the city of Philadelphia.

Passed finally.

No. 1760, an act to extend the provisions of an act to prohibit the issuing of licenses within certain boroughs in the counties of Armstrong, Potter, Indiana and Perry, or within two miles of the same, in the counties in which such boroughs are located, approved 27th day of March, 1866, to the boroughs of West Newton and Mount Pleasant, in the county of Westmoreland.

Passed finally.

Senate bill No. 894, an act to legalize and make valid as assessment made by the board of school directors of Strasburg township, Lancaster county, of one-half of one per centum on the 16th day of June, A. D. 1866, for bounty purposes.

Passed finally.

No. 1762, an act to annul the marriage contract between Samuel Miller and Susannah, his wife.

Passed finally.

Senate bill No. 959, a further supplement to an act passed March 29, A. D. 1803, to establish a board of wardens of the port of Philadelphia, and for other purposes.

Passed finally.

No. 1764, an act to prohibit processions after dark ten days next preceding any general election in the city of Philadelphia.

Passed finally.

No. 1765, an act to incorporate the Potomac gold and silver mining company of Maryland.

Passed finally.

No. 1767, an act to extend the provisions of an act to authorize the arrest of professional thieves, burglars, &c., in the city of Philadelphia, passed March 13, 1862, so as

to authorize the arrest of professional counterfeiters and forgers.

Passed finally.

No. 1768, an act to change the boundary line of Lebanon borough.

Laid over on the third reading.

No. 1769, a further supplement to the act of General Assembly incorporating the city of Chester, in the county of Delaware.

Passed finally.

No. 1770, a further supplement to the act entitled An act to incorporate the Cumberland Valley railroad company, approved 2d day of April, 1831.

Passed finally.

No. 1771, an act to incorporate the Shickshinny and Sullivan County railroad company.

Not agreed to.

Senate bill No. 988, a supplement to an act to incorporate the Bear Creek railroad company, approved the 20th day of March, A. D. 1865.

Amended by Mr. LEECH, and

Passed finally.

No. 1773, an act to incorporate the Dime Savings Institution of Ashland.

Amended by Mr. COLLINS, and

Passed finally.

No. 1774, an act authorizing the Governor to appoint one additional notary public for the city of Philadelphia.

The question being on agreeing to the bill,

Mr. PHELAN. Mr. Speaker, I move to amend by providing one additional notary public for the county of Greene.

Agreed to.

Mr. DAVIS. Mr. Speaker, I move to amend by making the number two for Philadelphia.

The amendment was

Agreed to.

Mr. ALLEN. Mr. Speaker, I move to amend by adding one for the county of Warren.

The amendment was

Agreed to.

Mr. STUMBAUGH. Mr. Speaker, I move to amend by adding one for the county of Franklin.

The amendment was

Agreed to

Mr. MANN. Mr. Speaker, I move to amend by adding one for the county of Potter.

The amendment was

Agreed to.

Mr. HARBISON. Mr. Speaker, I move to amend by adding one for the county of Lawrence.

The amendment was

Agreed to

Mr. JONES. Mr. Speaker, I move to amend by adding one for the county of Berks, to reside in the township of Bethel.

The amendment was

Agreed to.

Mr. GALLAGHER. Mr. Speaker, I move to amend by adding one for the county of Westmoreland.

The amendment was

Agreed to.

Mr. GHEGAN. Mr. Speaker, I move the indefinite postponement of the whole bill.

The motion was

Agreed to.

No. 1775, an act supplementary to the act entitled An act relating to inspections, approved the 15th day of April, A. D. 1835, and requiring all lumber inspected in the city of Philadelphia to be inspected by the inspector of lumber.

The question being on agreeing to the bill,

Mr. HOOD. Mr. Speaker, by this bill we want to protect two things. First, the commerce of Philadelphia, and second, the shippers of lumber. The people of Pennsylvania will not send their lumber to Philadelphia for market if they lose there from forty to fifty out of every ten thousand feet.

Mr. CHALFANT. Mr. Speaker, are the shippers of lumber asking for this law?

Mr. HOOD. I do not know whether the shippers are asking for it or not. I, however, know of one gentleman who is a leading man at that business, who told me that he would never ship another foot of lumber to Philadelphia unless this bill was passed.

Mr. JONES. I would like to ask the gentleman a question. Is the inspector of lumber asking for this bill?

Mr. HOOD. I presume he is. So are the inspector of flour and the inspector of beef. All this asks is that the lumber merchants may be protected in their legitimate calling.

Mr. WINGARD. Mr. Speaker, my distinguished friend, the gentleman from Philadelphia, is no doubt a man of great legal ability. In that respect I have the utmost confidence in him. But he certainly does not understand the lumber business, or he would have made a better case for the bill now under consideration.

Now, Mr. Speaker, this bill is really so ridiculous that I can scarcely regard it in a serious light. In 1835, the Legislature passed a law in reference to the inspection of lumber exported from Philadelphia, and the one hundred and fifty-sixth section, which is referred to in this supplementary act, is as follows:

"All boards, planks, timber and shingles designed for exportation from the port of Philadelphia shall be liable to be inspected at the city and county of Philadelphia by an inspector appointed for that purpose;" and there, sir, in section one hundred and fifty-nine it is provided "that the inspector and measurer of lumber may take and receive, for inspecting and examining board and plank, according to superficial measurement, twenty-five cents for every thousand feet; for inspecting other timber reduced to cubical feet, ten cents for every ton consisting of forty cubic feet," one, however, to be paid by the buyer and the other by the seller.

That act was passed in 1835, and for thirty-two years it has not occurred to the lumber inspector of Philadelphia to come to this Legislature and ask to have an inspection put upon lumber imported to the city of Philadelphia.

Mr. KERNS. Will the gentleman allow me to ask him a question?

Mr. WINGARD. With pleasure.

Mr. KERNS. Is the lumber that is exported from the city of Philadelphia is inspected, why should not lumber coming from foreign ports also be inspected as well as the lumber of our own State?

Mr. WINGARD. I will come to that in a few moments. The bill does not make any such distinction as that whatever, and it is not the intention of the bill to inspect lumber coming from foreign ports. Even if that was the intention, I say there is no necessity for it whatever.

It is utterly uncalled for, utterly useless, and can only be excused on the ground that the present gentlemanly inspector of Philadelphia has not made quite as much as he would be glad to make out of business. My opinion is that this is a case similar to that of the old dutch squire, who said he could not get along very well, and he, therefore, made up his mind that he would resign and strike for higher wages.

There is not a solitary petitioner for this bill but the gentlemanly inspector from Philadelphia, and the able member from Philadelphia. The press of the city has spoken out against this thing: The lumber merchants of Philadelphia had a meeting and passed resolutions hostile to this measure.

Now, sir, there can be no sensible inspection of boards, planks and square timber. If I want to purchase a board I know just as much about it, and I say it with all deference to the inspector of Philadelphia, as he does. If I want to buy a stick of square timber I can tell what kind of timber it is—whether it is sound or not, or whether it is shaky, and about as much about it as he can possibly inform me. Therefore I do not want to pay him ten cents a cubic foot to tell me that a certain piece of timber is pine, and that it contains so many feet. I can measure it myself. Then if a board is presented to me, do not I know whether it is clear stuff or cullings, and do I want to pay an inspector twenty-five cents a thousand feet to tell me that that is a good board?

Why, the city of Philadelphia receives, I have no doubt, as high as one hundred millions of feet of board a year. At twenty-five cents a thousand feet, that would be twenty-five thousand dollars into the pocket of the inspector, and that independent of the ten cents for square timber and twenty-five cents for plank. What good does this inspection do to anybody? The gentleman from Philadelphia says it is called for by the commerce of Philadelphia. I warn the gentleman that if this bill passes that the commerce of the city of Philadelphia, so far as my town is concerned, would suffer most materially, for if you tell me that I will have to pay twenty-five cents a thousand feet on all the boards that I ship to Philadelphia I shall send it somewhere else. No, sir, the commerce of Philadelphia cannot afford such a loss.

Mr. HOOD. Lumber that is shipped to Philadelphia is inspected now, is it not?

Mr. WINGARD. It is counted and inspected where it is manufactured. Every mill owner has his counter, and as the lumber comes from the saw, it is inspected, sorted, measured and piled, according to its quality. It is taken to Philadelphia, and there consigned sometimes to a member of the firm, and sometimes to lumber merchants, who sell it for them. We do not want anybody to come and tell us what kind of lumber it is, whether it is good, or bad, or what. Then, again, there is an objection to this bill which comes home to us all, to every man who builds a pigeon house, who has occasion to buy lumber at all; and that is simply the fact that every dollar paid for inspection enhances the price to the consumer. The gentleman from Philadelphia says it is not proposed to increase the value of the office. I should think not. If twenty-five cents a thousand on boards does not make the office valuable enough then, I would really sympathize with the gentlemanly inspector who is working for the passage of this bill. But, as I said before, I think the bill is so utterly devoid of merit, and the modest request made by the gentleman from Philadelphia, in behalf of his friend, the inspector there, is so naked of merit that it is calculated to provoke mirth and ridicule rather than consideration in a serious light.

Mr. KERNS. Mr. Speaker, the gentleman on the other side of the House has spoken in reference to a meeting that was held in Philadelphia a few days ago by the lumber men. That was a meeting held by the buyers, and the consumers were desirous of being heard before that meeting. They presented a petition there proposing, as I understand, some compromise of this matter, so that both buyer and seller might be protected as well as the lumber merchants. They refused that petition and they ordered it to be thrown under the table. Now, I have the petition here, and I ask that the Clerk may read it, that the consumer and buyer may be both heard on this question.

Now, the gentleman on the other side ha said that there have been no petitions, or letters, or papers from the lumber dealers of Philadelphia in favor of this bill.

I would say that I have received letters from a number of firms, large dealers in lumber, in reference to it, and I think there is something fair in this proposition. It is not designed to increase the value of the office; no more will be paid for the inspection of lumber than at present.

Mr. COLVILLE. Mr. Speaker, there is a little secret connected with this bill, which I consider the sooner divulged the better. In the first place, the present inspector of lumber, residing in the city of Philadelphia, if I mistake not, is an appointee of the Governor. At the time that he received the appointment of lumber inspector of the city of Philadelphia, he was not aware of what the emoluments of that position were, at least not definitely. After entering upon his duties he found that the perquisites and emoluments were not as great as he expected, so that the object of this bill, and the only object he can have in view in desiring its passage, is for the purpose of increasing the perquisites of that position. No one will deny that if this bill is passed it will take money out of the hands of every man connected with the lumber business in the city of Philadelphia, and will put it in the hands of this individual, the lumber inspector of the city of Philadelphia.

Now, if the friends of this gentleman, who assisted and were instrumental in obtaining his appointment by the Governor, expect to put this additional tax upon every man engaged in the lumber business, I think if they will present it in its proper light, the men engaged in the lumber business, rather than have this bill passed, will make his salary sufficient to compensate him fully. But if this bill does pass, it will be the means of giving this inspector twenty five thousand dollars per year at least, independent of the perquisites which he now receives.

I, therefore, hope this bill will be indefinitely postponed.

Mr. ALLEN. Mr. Speaker, I will say but a few words. I am in favor of the postponement of this bill. I have had experience in the lumbering, manufacturing and selling business most of my life time. I know that if gentlemen lived in a district where lumbering is carried on to any extent, they could not do otherwise than object to the passage of a bill of this kind. If there is anything that a lumberman despises, it is a city inspector. The passage of this bill would have the effect of driving much lumber, which now goes to Philadelphia, to other markets. Such would necessarily be the result. I therefore hope that this bill will be defeated.

Mr. SUBERS. Mr. Speaker, the gentleman from the Eighth district stated that the lumber consumers of Philadelphia had appeared before the lumber merchants' meeting and presented a petition to them to have protection in the inspection of lumber. It strikes me that was a very singular place to go. The place for them to have come was to this Legislature.

Here is a petition from the lumber merchants asking for the passage of this bill, which I ask to be read by the Clerk.

The petition was read as follows:

To the Honorable the Senate and House of Representatives of the Commonwealth of Pennsylvania:

The undersigned, lumber dealers of the city of Philadelphia and vicinity, respectfully represent that the adoption of the act now before the Legislature of this State to extend the provisions of an act approved April 15th, 1834, relating to the inspection of lumber, &c., so as to include all boards, planks, timber, shingles, staves and palings, brought into the port of Philadelphia, would work serious injury and great inconvenience to the entire lumber interest; that such legislation has not been demanded by any portion of the community interested in the manufacture, sale or consumption of lumber.

We, therefore, most respectfully remonstrate against its passage.

And your petitioners will ever pray.

Signed, Samuel H. Davis and others.

Mr. GREGORY. Mr. Speaker, I do not profess to know much about this bill; but here is a little article in the Philadelphia *Bulletin* of April first, which gives some light on the subject, and which I will read:

MEETING OF LUMBER MERCHANTS.—A number of lumber merchants held a meeting at the Exchange this morning. Judge Morton acted as Chairman and Mr. Francis Stokes as Secretary. The reporters of the press were treated throughout with such aggravated discourtesy and rudeness that a report of the proceedings could not be procured. A Mr. Craig, the author of the resolutions, refused to furnish a copy of them for publication. A communication was read, and taken down by the members of the press, as is always the custom. This seemed to meet with the disapprobation of one or two of the individuals present, and one of them, whose plain garb was rather incongruous with his belligerent intentions, accused the reporters of theft, of having been bribed to blast the hopes of the meeting, and of conspiring to spoil the whole of the lumber trade of the city. After sinning against syntax and common sense in this humor for a few moments, he announced his intention of publishing the reporters' names "in the papers," as felons and hardened criminals, a thing we should be happy to do for him if we had been fortunate enough to procure his name, with this difference, that we should write him down as Dogberry wished to be, instead of as a thief. It is to be regretted that the respectable men who were present did not interfere to prevent this scandalous scene.

The question being on the indefinite postponement of the bill,

It was

Agreed to.

Mr. LEE, from the committee of conference appointed on the subject of the differences existing between the Houses on the bill No. 854, Senate file, entitled An act to allow the sheriff of Elk county fees for serving jury notices, and increasing the pay of the supervisors in said county, have agreed to recommend to the respective Houses the adoption of the following report, viz:

That the House recede from its amendment striking out the first section of said bill, and that the same be re-instated as a part of the bill.

(Signed) WM. A. WALLACE,
JACOB E. RIDGWAY,
KIRK HAINES.
Committee of the Senate.
EDWARD G. LEE,
JAMES A. LEECH,
JOHN D. HUNT,
Committee of the House.

The report was read and

Agreed to.

MESSAGES FROM THE GOVERNOR.

The Deputy Secretary of the Commonwealth being introduced, presented a message from the Governor, which was read as follows, viz:

EXECUTIVE CHAMBER,
HARRISBURG, April 5, 1867.

To the Senate and House of Representatives of the Commonwealth of Pennsylvania:

GENTLEMEN—I return herewith House bill No. 1051, entitled A supplement to an act to prevent the sale of intoxicating liquors on the first day of the week, commonly called Sunday, approved Febuary 26th, 1855, relating to the counties of Berks, Lebanon and Lehigh, with my objections to the same.

The act of 1855 makes it unlawful for the keeper or agent of any hotel or public house to sell liquors on Sunday, and punishes the violation of the law by both fine and imprisonment. The bill herewith returned proposes to abolish imprisonment, and to reduce the minimum fine from fifty dollars to ten dollars for all violations of said act committed in the counties of Berks, Lebanon and Lehigh, leaving the penalties, as heretofore, in all the other counties of the State.

Local and special legislation is one of the serious evils of the times, and I regard it as part of my duty to discourage it in every honorable way. Bad as our legislation has become, in this respect, I am not aware of any former attempt to apply the system to the criminal jurisprudence of the State. We have now almost as many different road and other local laws as there are counties in the State, and to introduce a like diversity in the criminal law of the Commonwealth would be intolerable, and I am unwilling to be in anywise responsible for any such movement.

If the law of 1855 is objectionable, let it be amended, or a new law substituted; but I can see no justice, and no propriety, in making the punishment of any offense in one county different from the punishment of the same offense in every other county.

JNO. W. GEARY.

Agreeably to the provisions of the Constitution, the House proceeded to the reconsideration of said bill.

On the question,

Shall the bill pill pass, notwithstanding the objections of the Governor?

Agreeably to the rules,

The further consideration of the same was postponed for the present.

The Deputy Secretary of the Commonwealth also presented a message from the Governor, which was read as follows:

EXECUTIVE CHAMBER,
HARRISBURG, April 5, 1867.

To the Senate and House of Representatives of the Commonwealth of Pennsylvania:

GENTLEMEN—Herewith is returned, with my objections, House bill No. 921, entitled An act exempting certain land in Hellam township, York county, from taxation for bounty purposes, when annexed to the borough of Wrightsville, in said county.

In the first place, the title is not in accordance with the eighth section of the eleventh article of the Constitution, which requires that the subject of the bill shall be clearly expressed in the title.

The second section of the bill is in violation of the ninth section of the eleventh article of the Constitution, which prohibits the Legislature from doing that which the courts have the power to do. By the thirty-third section of the act of 3d of April, 1851, regulating boroughs, the courts are authorized to do what is proposed by this second section.

JNO. W. GEARY.

Laid on the table.

The hour of one o'clock having arrived, the SPEAKER adjourned the House until 3 o'clock, P. M.

AFTERNOON SESSION.

The House met at 3 o'clock, P. M., pursuant to adjournment.

REPORTS FROM COMMITTEES.

Mr. WADDELL, chairman of the Committee on Ways and Means, reported from

said commitee, as committed, Senate bill No. 1471, an act suspending further payment to the commissioners appointed to improve the navigation of the river Delaware.

Also (same), as committed, Senate bill No. 1183, joint resolution relative to revising, collating and digesting the tax laws of Pennsylvania.

Also (same), as committed, Senate bill No. 1182, an act relative to the claim of James Digman, of Allegheny county.

Mr. BARTON (Judiciary Local), as committed, Senate bill No. 1637, an act to change the venue in the cases of Alexander Gould, William Ackerson and Henry Meckes, from the counties of Monroe and Carbon to the county of Northampton.

Also (same), as committed, bill No. 2130, a farther supplement to an act to provide for the erection of a house for the employment and support of the poor in the county of Dauphin, passed the 28th day of March, 1806.

Also (same), as committed, Senate bill No. 1391, an act to authorize the removal of certain cases from the court of common pleas of Cambria county to the court of common pleas of Centre county.

Mr. KERNS (Railroads), as committed, Senate bill No. 1803, an act to incorporate the York and Dillsburg railroad company.

Mr. WHANN (same), as committed, bill No. 2133, an act relative to the leesing of the Kersey oil and mineral company's railroad by the Farmers' railroad company, of Venango county.

Mr. MAKKLEY (Coal and Iron), as committed, Senate bill No. 733, an act to incorporate the Riverside coal company.

Mr. STEHMAN (Corporations), as committed, bill No. 2135, a supplement to an act to incorporate the Bald Eagle boom company, approved the 13th day of April, A. D. 1859.

Mr. ADAIRE (same), as committed, bill No. 2136, a supplement to an act to incorporate the Mechanics' and Miners' Co-operative association of Scranton, approved the 14th day of February, A. D. 1867.

Mr. GHEGAN (same), as committed, bill No. 2137, an act to incorporate the Titusville oil, storage and tubing company.

Mr. CHADWICK (same), as committed, Senate bill No. 1199, an act to incorporate the Fort Pitt Mutual life insurance and trust company.

Mr. MARKS (Passenger Railways), as committed, Senate bill No. 1321, an act to incorporate the Northumberland and Sunbury street railway company, of Northumberland county, Pennsylvania.

Mr. CRAIG (Judiciary Local), as committed, Senate bill No. 1265, an act to authorize and empower the court of quarter sessions of the county of Cameron to amend and alter the charter of Emporium, in the county of Cameron.

Mr. EWING (same), as committed, Senate bill No. 1596, an act to give the Chinclechamonche and other boom companies the right to sue for tolls and boomage.

Mr. WADDELL (Ways and Means), with a negative recommendation, Senate bill No. 1184, an act relating to the account of John Hines, late mercantile appraiser in Luzerne county.

Also (same), with a negative recommendation, Senate bill No. 1552, an act to authorize the State Treasurer to pay Mrs. S. Richards Boyle, widow of Captain John A. Boyle, who fell at Lookout Mountain, the expenses incurred by her in obtaining the remains of her husband.

Mr. BARTON (Ways and Means), recommitted to said committee April 4, 1867, as originally committed, bill No. 1992, an act for the relief of the officers of the Thomas A. Scott regiment of infantry volunteers.

Mr. COLVILLE, chairman of the committee appointed by the House of Representatives to investigate the charges made against the Pennsylvania railroad company of discriminating in its rates of freight in favor of citizens of other States, made report, which was read as follows, viz:

Your committee held four meetings, three in the city of Philadelphia, and one in the city of Pittsburg, where the testimony, which is herewith submitted, was elicited; which, in the opinion of your committee, fully substantiates the charges made against the said company. In view, therefore, of the facts thus brought out in the testimony, your committee would respectfully recommend such legislative action in the premises as will correct the evil, and secure the just rights of our citizens.

R. A. COLVILLE, Chairman,
N. A. PENNYPACKER,
A. S. WOODWARD.

BILLS IN PLACE.

Mr. RHOADS read in his place and presented to the Chair No. 2144, an act to exempt money loaned to the Reading school district from taxation.

Laid on the table.

Mr. CHASE, No. 2145, a further supplement to an act to incorporate the Kersey oil and mineral company, approved the 1st day of May, A. D. 1861.

Laid on the table.

Mr. MARKLEY, No. 2146, an act to incorporate the Harleysville and Lederachsville turnpike road company.

Laid on the table.

Mr. LONG, No. 2147, an act relative to the building of dams on the Conodogninit creek in the township of East Pennsboro, Cumberland county.

Laid on the table.

Mr. DEHAVEN, No. 2124, supplement to an act to provide for the appointment of controllers of the First school district of Pennsylvania, approved April 5th, 1867.

MESSAGE FROM THE SENATE.

The Clerk of the Senate being introduced, presented for concurrence bills numbered and entitled as follows, viz:

No. 975, an act to incorporate the parties doing business at the Pascal iron works in the city of Philadelphia under the name, style and title of Morris, Tasker & Co.

Referred to the Committee on Corporations.

No. 999, an act to enable police officers to enforce order in licensed houses and to exterminate the unlicensed traffic.

Laid on the table.

No. 1160, an act relating to Sunbury street in the borough of Minersville, in the county of Schuylkill.

Laid on the table.

No. 1239, an act to indemnify certain election officers of this Commonwealth for losses sustained and fines imposed on them for acting in accordance with the provisions of the act of Assembly of June 4, 1866.

Referred to the Committee on the Judiciary General.

No. 1242, a supplement to an act providing for the sale of the house of employment and support of the poor of Bedford county and the appointment of commissioners by the quarter sessions to purchase land and erect buildings, and to authorize the levying of taxes and borrowing money for said purposes.

Laid on the table.

No. 1266, an act securing grants to mine petroleum from forfeiture.

Laid on the table.

No. 4360, an act supplementary to an act entitled An act to confer on certain associations of the citizens of the Commonwealth the powers and immunities, or corporations, or bodies, approved the 6th day of April, Anno Domini 1791, and its supplements, empowering the courts to grant authority to confer degrees.

Laid on the table.

No. 1771, an act to incorporate the Vinton iron and coal company.

Referred to the Committee on Iron and Coal Companies.

No. 1536, an act relating to the collection of State and county tax in the county of Monroe.

Laid on the table.

No. 1721, joint resolution instructing our Senators and requesting our Representatives in Congress to vote for an appropriation to to open a communication between Lake Erie and the Ohio river.

Laid on the table.

No. 1777, an act to provide means for the establishing of a soldiers' orphans' school in each State normal school district of this Commonwealth now destitute thereof.

Laid on the table.

No. 1803, an act to incorporate the York and Dillsburg railroad company.

Referred to the Committee on Railroads.

He also again presented for concurrence bill numbered and entitled as follows:

No. 1428, a supplement to an act for the more effectual protection of the owners of logs and lumber on the Susquehanna river, extending the same to logs floated down the Loyalsock and Muncy creeks,

Which bill was returned to the Senate by the House of Representatives, and has been reconsidered and amended;

Which was read and committed to the Committee on Judiciary Local.

He also returned bills from the House of Representatives numbered and entitled as follows, viz:

No. 856, an act to permit disabled soldiers to peddle by procuring a license therefor, without charge.

No. 1171, an act to authorize the road supervisors of the township of Collins, Allegheny county, to levy an additional tax and make sidewalks along the public roads in said township, and to increase the pay of supervisors and auditors in said township,

No. 1200, a supplement to an act to incorporate the Brady coal and oil company.

No. 1482, and act to incorporate the Monongahela Valley railroad company,

With information that the Senate has passed the same without amendment.

He also returned bill from the Senate numbered and entitled as follows, viz:

No. 1080, an act to incorporate the Mauch Chunk Savings Bank,

With information that the Senate has passed the same with amendments, in which the concurrence of the House of Representatives is requested.

The amendments made by the Senate to said bill were twice read, considered, concurred in; and

Ordered, That the Clerk inform the Senate of the same.

He also informed that the Senate has insisted on its amendments, non-concurred in by the House of Representatives, to House bill numbered and entitled as follows, viz:

No. 538, an act regulating interest on public accounts,

And has appointed Messrs. CONNELL, BIGHAM and WALLS a committee of conference, to confer with a similar committee already appointed by the House of Representatives, on the subject of the differences existing between the two Houses in relation to said bill.

He also informed that the Senate has insisted upon its ammendments, made and non-concurred in by the House of Representa-

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[CONTINUED FROM PAGE 950.]

tives, to House bill numbered and entitled as follows, viz:

No. 1661, an act suplementary to an act relating to the Western Pennsylvania railroad company, and for other purposes, approved April 27, 1867,

And has appointed Messrs. TAYLOR, BROWNE and RANDALL a committee of conference on the part of the Senate, to confer with a similar committee already appointed by the House of Representatives, on the subject of the differences existing between the two Houses in relation to said bill.

He also informed that the Senate has insisted upon its non-concurrence in the amendments, made and insisted upon by the House of Representatives, to Senate bill numbered and entitled as follows, viz:

No. 190, a further supplement to the act incorporating the Township Line company, fixing the terminus and regulating the tolls on said road,

And has appointed Messrs. CONNELL, COLEMAN and JACKSON a committee of conference on the part of the Senate, to confer with a similar committee already appointed by the House of Representatives, on the subject of the differences existing between the two Houses in relation to said bill.

He also informed that the Senate has insisted upon its non-concurrence in the amendments, made and insisted upon by the House of Representatives, to Senate bill numbered and entitled as follows, viz:

No. 854, an act to allow the sheriff of Elk county fees for serving jury notices and increasing the pay of supervisors in said county,

And has appointed Messrs. WALLACE, RIDGWAY and HAINES a committee of conference on the part of the Senate, to confer with a similar committee already appointed by the House of Representatives, on the subject of the differences existing between the two Houses in relation to said bill.

The House then proceeded to the further consideration of bills on

PRIVATE CALENDAR.

The following bills were acted on as stated:

Senate bill No. 911, an act regulating certain sheriff's fees in the county of Luzerne.

Passed finally.

No. 1777, a supplement to an act for the summary conviction of professional thieves in the city of Philadelphia.

Passed finally.

No. 1778, an act authorizing the citizens of Reserve township, Allegheny county, to vote for or against the annexation to Allegheny city.

Not agreed to.

No. 1779, an act concerning the levy and assessment of taxes in the city of Pittsburg.

Not agreed to.

No. 1780, an act regulating the compensation of assessors and assistant assessors in the county of Allegheny.

Passed finally.

No. 1781, an act for the establishment of a public law library in the county of Warren.

Passed finally.

No. 1782, an act in relation to the fees of notaries public in the counties of Montonr and Columbia.

Amended by Mr. CHALFANT, and

Passed finally

Senate bill No. 905, an act increasing the pay of certain township officers in Conyngham township, Columbia county.

Passed finally.

Senate bill No. 973, a supplement to an act relating to the directors of the poor of Lancaster county, approved March 2, 1846, regulating the fees of constables.

Passed finally.

Senate bill No. 912, an act to change the criminal proceedings in a certain class of cases in Indiana county.

Amended by Mr. GORDON, and

Passed finally.

No. 1785, an act relating to hawkers and peddlers in the county of Indiana.

Not agreed to,

Senate bill No. 941, an act regulating the fees of notaries public in the county of Allegheny.

Passed finally.

Senate bill No. 1350, an act to authorize the revision of a portion of the wharf lines on the rivers Delaware and Schuylkill.

Passed finally.

Senate bill No. 1025, an act to incorporate the Clearfield trout improvement company.

Amended by Mr. JENKS.

Passed finally.

Senate bill No. 1030, a supplement to an act to incorporate sundry Baptist churches in Cambria, Blair, Huntingdon, Mifflin, Juniata and Centre counties, called the Centre Association of Independent and Regular Baptist churches, approved the 11th day of April, A. D. 1866, changing the time for the election of trustees and the meeting of said trustees.

Passed finally.

Senate bill No. 1050, an act repealing an act entitled An act relating to roads in Bratton township, Mifflin county, approved May 1, A. D. 1861.

Passed finally.

Senate bill No. 1051, a further supplement to an act entitled An act appointing commissioners to lay out and open a State road in the counties of Cameron and Potter, approved the 21st day of March, A. D. 1865.

Passed finally.

Senate bill No. 1059, a supplement to an act, approved April 12, 1856, to lay out a State road from Tarentum, Allegheny county, to George Gocher's, in Butler county.

Passed finally.

Senate bill No. 1063 an act to incorporate the Citizen's ferry company of Pittsburg.

Passed finally.

Senate bill No. 1067, an act to extend the time for the payment of the enrollment tax upon an act to incorporate the Eastern telegraph company, approved April 5, 1866.

Passed finally.

Senate bill No. 1081, an act relative to the assessment and collection of taxes on unseated lands in Cherry township, Sullivan county.

Passed finally.

Senate bill No. 1111, a supplement to an act entitled An act relating to corporations for mechanical, manufacturing, mining and quarrying purposes, approved the 18th day of July, A. D. 1863, relating to the Williamsport manufacturing company.

Passed finally.

Senate bill No. 1117, a supplement to the act to incorporate the Norris Park mining company, approved March 14, 1865, authorizing said company to borrow money.

Passed to third reading.

Senate bill No. 1121. an act authorizing the school directors of Carwensville, Clearfield county, to borrow money and sell a school building.

Passed finally.

Senate bill No. 1135, an act to extend the time for the payment of the enrollment tax on an act to incorporate the Sunayside iron company.

Passed finally.

Senate bill No. 1136, a supplement to an act granting a pension to Lewis Bergeman, approved April 17, 1866.

Passed finally.

Senate bill No. 1154, an act to incorporate the Lampeter and Strasburg turnpike road company.

Passed finally.

Senate bill No. 1159, a further supplement to an act entitled An act to incorporate the Conestoga and Big Spring Valley road company, passed April 17, 1861.

Passed finally.

Senate bill No. 1140, a supplement to an act entitled An act to incorporate the Philadelphia transportation and freight company.

Passed finally.

Senate bill No. 1177, an act authorizing the State Treasurer to allow a credit to the treasurer of Adams county, for money paid John Scott.

Passed finally.

Senate bill No. 1184, an act regulating the election of corporate officers of the borough of Dushore, in Sullivan county.

Passed finally.

Senate bill No. 1198, an act to incorporate the Farmers' and Citizens' Co-operative Building and Savings' Fund association of Lawrence county, Pennsylvania.

Amended by Mr. HARBISON, and

Passed finally.

Senate bill No. 1210, an act extending the time for laying out a State road in Wayne and Monroe counties.

Passed finally.

Senate bill No. 1215, an act to incorpo

rate the Mount Rock, Newville and Stoughstown turnpike road company.

Passed finally.

Senate bill No. 1220, an act to incorporate the Carlisle, Boiling Spring and Dillsburg turnpike road company.

Passed finally.

Senate bill No. 1247, an act to authorize the board of school directors of White township, Indiana county, to borrow money and to appropriate for school purposes surplus bounty fund.

Passed finally.

Senate bill No. 1251, an act to empower the court of quarter sessions of the peace of Adams county to appoint auditors to audit bounty accounts in the several boroughs and townships in said county, and in relation to re-auditing the bounty accounts of Cumberland township, in said county.

Passed finally.

Senate bill No. 1353, an act authorizing and empowering A. Clark, of Meadville, to have his dockets returned to him.

Passed finally.

Senate bill No. 1214, an act to authorize the Curwensville bridge company to change its rate of toll.

Passed finally.

Senate bill No. 1544, a supplement to an act entitled A supplement to the act incorporating the Howard coal and iron company, approved the 18th day of August, 1864, which became a law the 30th day of January, A. D. 1866, extending the time for the payment of the enrollment tax on said act.

Passed finally.

Senate bill No. 1463, a further supplement to an act entitled An act for the better regulation of billiard rooms, bowling saloons and ten pin alleys in the counties of Chester and Delaware, approved April 13, 1859, and a supplement thereto, approved March 16, 1866, extending the same to the counties of Lawrence, Butler and Armstrong.

Passed finally.

Senate bill No. 1200, an act to incorporate the Good Spring iron company.

Amended by Mr. MARKLEY.

Passed finally.

Senate bill No. 1490, an act relating to the paving of the streets of the city of Allentown.

Passed finally.

OBJECTED BILLS.

Senate bill No. 938, an act providing for the election of supervisors in certain rural wards of the city of Philadelphia.

Postponed.

No. 1159, an act to increase the pay of the county commissioners of Lehigh county.

Not agreed to.

Senate bill No. 666, a further supplement to an act incorporating the borough of Allentown.

Not agreed to.

No. 1184, an act dividing the city of Pittsburg into police districts, and relative to drunkenness and disorderly conduct therein.

Not agreed to.

No. 1224, an act for the improvement of Coal Hill road, in the township of Collins, in the county of Allegheny.

Not agreed to.

Senate bill No. 540, an act to authorize the president and managers of the Limekiln turnpike company, and the president and managers of the Jarrettstown and Horsham turnpike company to charge certain rates of toll.

Amended by Mr. SATTERTHWAIT, and

Passed finally.

No. 1229, an act to repeal an act entitled An act to view and lay out a State road in the counties of Clarion and Forest, approved the 18th day of March, A. D. 1863.

Passed finally.

No. 1238, an act to amend the charter of the Wellersburg and West Newton plank road company.

Passed finally.

No. 519, an act to incorporate the Sandusky and Irwin Street bridge company.

Passed finally.

No. 1246, an act to repeal a part of an act authorizing the appointment of commissioners to lay out and open a State road in the counties of M'Kean, Elk, Forest and Clarion, approved May 6, A. D. 1861.

Not agreed to.

No. 1248, an act to repeal an act, approved the 23d day of March, A. D. 1865, to appoint a road commissioner to take charge of a portion of the Warren and Brookville and Warren and Strattonville State road.

Not agreed to.

No. 1249, a supplement to an act entitled An act to incorporate the president and managers and company of the Bustleton and Summerton turnpike road company, authorizing them to increase their rates of tolls for stage wagons.

Not agreed to.

No. 1260, an act to reduce the number of school directors in the several school districts in the county of Bradford, and to pay the same.

Amended by Mr. QUAY.

Passed to third reading.

No. 1265, a further supplement to an act to incorporate the American Academy of Music in the city of Philadelphia.

Not agreed to.

No. 520, an act to incorporate the Moshannon land and lumber company.

Passed finally.

No. 1291, an act to annex certain portions of the territory of Luzerne county to that of Carbon county.

Not agreed to.

No. 1310, An act to authorize the school directors of the borough of Patterson, Juniata county, to levy a tax for the payment of certificates of bounty.

Not agreed to.

On motion, the bill was subsequently reconsidered and

Passed finally.

No. 1317, an act to annul the marriage contract of Otto W. Riess and Mary Riess.

Not agreed to.

Senate bill No. 595, a supplement to an act to incorporate the Reading Passenger railway company, approved 21st day of March, A. D. 1865.

Passed finally.

The House then took up the calendar of private bills for April 5th, 1867.

The following bills were acted upon as stated:

No. 1482, supplementary to an act incorporating the Farmers' land, improvement and railroad company.

Passed finally.

No. 1829, an act for the relief of the sureties of James L. M'Ilvaine, late register and recorder of Mifflin county.

Passed finally.

No. 1831, an act to change the venue in a certain suit from Fayette to Washington county.

Not agreed to.

No. 1832, an act to increase the pay of supervisors of roads, overseers of the poor and township auditors of the county of Carbon.

Passed finally.

No. 1839, an act to authorize an increase of taxes for borough purposes in the borough of Temperanceville, in the county of Allegheny.

Passed finally.

No. 1846, an act to incorporate the Edge Hill iron company.

Passed finally.

No. 18[illegible], a supplement to an act to incorporate the Glen Alden coal company, approved the 12th day of April, A. D. 1866.

Passed finally.

No. 1851, an act to incorporate the Kelso silver mining company.

Passed finally.

No. 1852, an act to incorporate the Indemnity gold mining company of Colorado.

Passed finally.

No. 1856, an act to incorporate the Legal Tender gold and silver mining company.

Passed finally.

No. 1857, an act to incorporate the Great Eastern and Western gold and silver mining company.

Passed finally.

No. 1862, supplement to an act to establish a ferry over the Susquehanna river, at Millersburg, approved March 21, 1866.

Passed finally.

No. 1864, an act to incorporate the Express steamboat company.

Passed finally.

No. 1865, an act to repeal an act entitled An act to legalize and provide for the payment of bonds issued as bounties to volunteers by the county commissioners of Venango county.

Not agreed to.

No. 1866, an act to legalize the action of the school directors of Sprinfield township, Fayette county, and to authorize the levy and collection of an additional bounty tax.

Passed finally.

No. 1869, an act relating to the payment of bounties in Hopewell township, in the county of York.

Not agreed to.

No. 1870, an act to authorize and require the treasurer of East Fallowfield township, Crawford county, to pay to the heirs of Robert Kee the bounty fund remaining in the hands of said treasurer.

Not agreed to.

No. 1871, a supplement to the act entitled An act to legalize the levy and collection of certain bounty tax, to provide for a settlement, and authorizing the school directors to lay an additional bounty tax in Lykens township, in the county of Dauphin, approved March 5, A. D. 1867.

Passed finally.

No. 1873, an act to repeal an act changing the citizenship of Jacob Bohner, from Lykens to Mifflin township, Dauphin county, approved 16th April, 1866.

Passed finally.

No. 1875, an act to ratify and confirm the charter of incorporation of the Atlantic Petroleum storage company, and to confer additional powers on said corporation.

Passed finally.

No. 1880, an act to incorporate the Montana and Pittsburg gold and silver mining company.

Passed finally.

No. 1883, a supplement to an act to incorporate the Turners' association, approved April 13, A. D. 1859.

Title amended by Mr. BARTON.

Passed finally.

No. 1884, an act requiring the Pennsylvania railroad company to appoint watchmen on certain crossings in the village of East Liberty, Allegheny county.

Passed finally.

No. 1885, an act to incorporate the Frankford Co-operative Benefit society.

Passed finally.

No. 1886, an act relating to the erection of school buildings in the borough of Covington, Tioga county.

Passed finally.

No. 1887, an act relating to bounties in Concord township, Erie county.

Passed finally.

No. 1888, an act relative to the commissioners of Washington county.

Passed finally.

No. 1889, a further supplement to the act entitled An act to incorporate the South Mountain railroad company, approved May 5, 1854, repealing the proviso of the fourth section of the supplement to said act, approved March 9, 1855.

Passed finally.

No. 1890, an act supplementary to an act revising the charter of the municipal corporation of the city of Reading, passed April 26, 1864, extending the limits of the same.

Passed finally.

No. 1891, an act to incorporate the Gallitzin and Cambria Mills turnpike road company.

Passed finally.

No. 1892, an act to incorporate the Johnstown and Kingston's Run turnpike road company.

Passed finally.

No. 1893, an act to incorporate the Humboldt gold and silver mining company of Nevada.

Passed finally.

No. 1894, an act to incorporate the Allegheny gold and silver mining company of Idaho.

Passed finally.

No. 1897, a supplement to an act, entitled An act to incorporate the city of Meadville, approved the 15th day of February, A. D. 1866.

Passed finally.

BILL RE-CONSIDERED.

On motion of Mr. MANN, the House reconsidered its vote on bill

No. 1774, an act authorizing the Governor to appoint one additional notary public for the city of Philadelphia,

By which the bill had been indefinitely postponed.

The amendments which had been offered to the bill were stricken out, leaving the bill as reported.

It was then

Passed finally.

The next bills in order were,

No. 1898, an act relating to the surplus bounty fund in Vernon township, Crawford county.

Passed finally.

No. 1899, an act relating to the surplus bounty fund in the township of East Fallowfield, in the county of Crawford.

Passed finally.

No. 1900, an act to authorize the burgess and town council of the borough of Cochrantou, in the county of Crawford, to levy and collect additional tax.

Passed finally.

No. 1901, an act relative to the dockets of C. M. Bousch, a justice of the peace in the city of Meadville.

Passed finally.

No. 1903, supplement to the act entitled An act to incorporate the Cumberland Valley Mutual Protection company of Dickinson township, Cumberland county.

Passed finally.

No. 1904, a supplement to an act relative to the protection of fish in the Susquehanna river and its tributaries, approved the 13th day of March, A. D. 1866, extending the same to the Conedoquinett creek, in the counties of Cumberland and Franklin.

Passed finally.

No. 1905, a supplement to the act of General Assembly of Pennsylvania, incorporating the National iron armor company of Chester.

Passed finally.

No. 1906, an act to change the time of holding the several courts of Greene county.

Passed finally.

No. 1907, an act to reduce the price of licenses to hucksters in Greene county.

Passed finally.

No. 1908, an act to incorporate the General Eldership of the Church of God in North America.

Passed finally.

No. 1910, an act to allow the Evangelical Lutheran church congregation, Bindnangels, Londonderry township, Lebanon county, to use the interest of certain money left by George Berger to said congregation, in trust to John Early.

Passed finally.

No. 1911, an act to repeal an act approved the 27th day of March, A. D. 1867, entitled An act to repeal the first section of an act passed the 1st day of April, A. D. 1792, declaring the Little Lehigh a public highway.

Passed finally.

No. 1912, an act authorizing the recording of a copy of a lease or agreement.

Title amended and

Passed finally.

No. 1913, an act to incorporate the Success mining company.

Passed finally.

No. 1914, an act to extend the provisions of certain sections of an act approved the 30th day of March, A. D. 1866, relating to the passage of fish in the Susquehanna river.

Not agreed to.

No. 1915, an act to incorporate the Norristown and Centre Square turnpike road company.

Passed finally.

No. 1916, an act erecting a Fourth ward of the borough of Easton, in the county of Northampton.

Passed finally.

No. 1917, an act providing for the relief of John Sensenback by the commissioners of Northamptcn county.

Passed finally.

No. 1919, supplement to an act providing for the purchase, erection and construction of public water works for the borough of Easton, Northampton county, by the corporate authorities of said borough.

Passed finally.

No. 1920, an act to change the time of holding the election of officers of the Trevorton coal company.

Passed finally.

No. 1921, an act to authorize the trustees of the Georgetown school property, in the county of Northumberland, to sell certain real estate.

Passed finally.

No. 1922, an act to incorporate the Philadelphia Paper-hanging manufacturing company.

Passed finally.

No. 1923, an act making an appropriation to the Teachers' Institute of the city of Philadelphia.

Passed finally.

No. 1924, an act for the opening of Fifth street, from Germantown road or avenue to Berks street, late Chatham street.

Not agreed to.

No. 1925, an act to incorporate the Pennsylvania Nicholson pavement company.

Passed finally.

No. 1926, an act to incorporate the Franklin publishing society of Pennsylvania.

Passed finally.

No. 1927, a further supplement to an act to protect the property of the mayor, aldermen and citizens of Philadelphia at Fairmount, and to preserve the purity of the Schuylkill water, passed the 7th of February, 1822.

Title amended by Mr. SATTERTHWAIT.

Passed finally.

No. 1928, an act to incorporate the Oil City passenger railway company.

Passed finally.

No. 1929, an act to incorporate the Corn Exchange warehousing company of Philadelphia.

Passed finally.

No. 1931, an act to authorize the Governor to appoint an additional notary public in Schuylkill county.

Not agreed to.

No. 1932, an act to repeal an act entitled An act to secure a stricter accountability of certain public officers in Schuylkill county, approved February 17, A. D. 1859, so far as relates to the township of Eldred, in said county.

Passed finally.

No. 1933, an act supplementary to an act to incorporate the town of Pine Grove, in the county of Schuylkill, into a borough, approved the 27th day of May, A. D. 1862.

Amended by Mr. COLLINS.

Passed finally.

No. 1934, a supplement to an act entitled An act to incorporate the Broad Street and Island road company.

Passed finally.

No. 1935, an act authorizing the burgess and town council of Oil City to levy a tax for borough purposes.

Passed finally.

No. 1936, an act authorizing the overseers of the poor of Franklin borough to levy a tax on occupations, money at interest, &c.

Passed finally.

No. 1937, supplement to an act authorizthe burgess and town council of Venango City, Venango county, to increase their borough tax.

Passed finally.

No. 1938, an act to extend the provisions of an act relative to mechanics' liens in the counties of Luzerne and Schuylkill, approved 17th day of February, 1858, to the county of Forest.

Passed finally.

MESSAGE FROM THE GOVERNOR.

The Deputy Secretary of the Commonwealth being introduced, presented the following message in writing from the Governor, approving certain bills:

EXECUTIVE CHAMBER,
HARRISBURG, April 5, 1867.

To the Senate and House of Representatives of the Commonwealth of Pennsylvania:

GENTLEMEN—I have approved and signed the following acts of the General Assembly, to wit:

On the 2d instant:

A supplement to an act to incorporate the Orphans' Home of the Shepherds of the Lambs, approved February seventeenth, one thousand eight hundred and sixty-four, authorizing an increase of the number of its managers.

A supplement to an act to authorize the road commissioners of the townships of Kinzua, Eldred and Cherry Grove, in the county of Warren, to levy a tax for road purposes, approved April 11, A. D. 1866, extending the same to the townships of South West and Deerfield, in said county.

A further supplement to an act relating to inspections, approved April 15, A. D. 1835, and the supplement thereto, approved March 25, 1850, relating to the city of Philadelphia.

A further supplement to an act to erect the borough of Sunbury, in the county of Northumberland, into a borough.

An act to attach certain lands in Potter county to Coudersport school district, for school purposes.

An act to enable the Philadelphia Commercial wharf and railroad company to issue bonds and to secure the payment of the same by mortgage, to extend the time for the

construction of their railroad connections, and to increase the number of directors.

An act in relation to assessment of road tax and the election and pay of certain township officers and viewers of roads and highways in the county of Jefferson.

An act to extend the time for the payment of the enrollment tax on an act to authorize Samuel Graham and Robert Graham, committee of Walter L. Graham, a lunatic, to sell certain real estate.

An act to authorize the school directors of Harrison township, Allegheny county, to borrow money.

An act to incorporate the Ivanhoe silver mining company.

An act incorporating the Keystone Iron and coal company.

An act for the protection and preservation of fish within the county of Berks.

An act to amend the road laws of Tioga and Potter counties.

An act in relation to fishing in the stream known as the Antietam, or any of its branches, in the county of Franklin.

An act to authorize the commissioners of Crawford county to borrow money.

An act to appropriate the excess of money collected for bounty purposes in the township of East Huntingdon, Westmoreland county, and directing the board of school directors in said township to use the same for school and building purposes.

An act extending an act relative to the fees of notaries public in the counties of Lancaster and Clinton, approved April eleventh, one thousand eight hundred and sixty-six, to the county of Berks.

An act to repeal an act to authorize the highway commissioners of the township of Mill Creek, in the county of Erie, to establish the width of East lane, and to change its name.

A supplement to an act entitled An act to incorporate the Pennsylvania coal company, authorizing said company to construct lateral roads and hold additional land.

An act to incorporate the Great Western mining company.

An act to enable the school directors of the borough of Lehighton, Carbon county, to borrow money for the erection of school buildings.

An act in relation to the election of officers of the Chambersburg and Bedford turnpike road company.

An act granting a pension to Lewis Neudoerffer.

An act to authorize and require the school directors of Antrim township, in the county of Franklin, to refund to Joseph Snively and Jacob Shank certain moneys advanced said township for bounty purposes, and to appropriate the balance of bounty funds in the hands of the treasurer to school purposes.

An act granting a pension to John Hoffmaster.

An act to authorize the school directors of the borough of Renovo, in the county of Clinton, to borrow money for building purposes.

An act to authorize the board of school directors in the borough of Albion, in the county of Erie, to borrow money for building purposes.

An act to increase the pay of the supervisors of Logan township, Blair county.

An act relating to the roads, streets, bridges and sidewalks in the borough of Lawrenceville, county of Tioga.

An act to incorporate the Silver Bullion mining company.

An act increasing the fees of jurors, commissioners, auditors and witnesses in the county of Venango.

An act relative to the coroner of Washington county.

An act conferring certain powers upon the city of Chester, in the county of Delaware.

An act to incorporate the Hidalgo gold and silver mining company.

An act to incorporate the Philadelphia woolen machine works.

An act relative to the moneys collected as fines from intoxicated persons within the county of Dauphin.

An act to incorporate the Oil City brewing company.

An act to repeal the third section of a supplement to an act relating to the Catasauqua and Fogelsville railroad company, passed the twenty-sixth day of May, Anno Domini one thousand eight hundred and sixty-three.

An act in relation to the election of officers of the Chambersburg turnpike road company.

An act to incorporate the Beaver gold and silver mining company.

An act to repeal the Lenox road law in the township of Lenox, in the county of Susquehanna, and for other purposes.

An act to incorporate the Commonwealth iron and coal company.

An act authorizing the supervisors of roads of the township of Allegheny, in the county of Armstrong, to levy additional taxes for road purposes.

An act relating to the pay of supervisors in the county of Butler.

An act to authorize the return to the commissioners of Potter county, for collection, of certain duplicates of taxes, and to fix the time when said duplicates shall hereafter be returned.

An act to prevent cattle from running at large in Abington township, Montgomery county.

An act to authorize the sale of the poor house and farm in Mifflin county.

Supplement to an act to open and straighten Highland and Union avennes and Thirtieth street, in the Twenty-second ward, and Church and Adams streets, in the city of Philadelphia, approved the twentieth day of May, Anno Domini one thousand eight hundred and sixty-four.

An act for the relief of David Andrews, late recorder of Chester county, for moneys overpaid by him to the Commonwealth.

An act to authorize the board of military claims to adjust the claim of William D. Schoenleber.

On the 3d instant:

An act to extend the time for the commencement and completion of the People's railway company, and giving additional privileges.

An act to authorize the Tioga County Agricultural society to borrow money.

An act in relation to fishing and hunting in the township of Jefferson, in the county of Somerset.

A supplement to an act for the better preservation of game within the county of Schuylkill, approved the eleventh day of April, Anno Domini one thousand eight hundred and sixty-six.

An act to extend the provisions of an act for the protection of sheep in certain counties, approved the 8th day of April, Anno Domini one thousand eight hundred and sixty-two, to the counties of Armstrong and Westmoreland.

An act to extend the provisions of an act to prevent cattle, horses, sheep and hogs from running at large in Delaware county to the counties of Crawford, Erie, and to West Donegal township, Lancaster county.

An act requiring the commissioners of Northampton county to apply for and obtain copies of standards.

A supplement to an act incorporating the Great Valley gold and silver mining company, approved seventeenth day of November, Anno Domini one thousand eight hundred and sixty-six, increasing the number of incorporators and restricting the power of said corporation.

A supplement to an act to incorporate the Specie basis mining company, relieving them from the payment of the bonus of one-fourth of one per centum on its capital stock, and extending their operations to Arizona.

An act to incorporate the the Philadelphia grain warehousing and drying company.

A supplement to the act to incorporate the Erie and Pittsburg railroad company, approved April first, one thousand eight hundred and fifty-eight.

An act to provide a city government for the borough of Altoona, Blair county.

A supplement to the charter of the city of Chester.

An act to authorize the increase of pay of supervisors and other township officers in the township of Bethlehem, Northampton county.

An act to establish a law library in the county of York, and in relation to fines, penalties and forfeited recognizance in said county.

A supplement to an act authorizing the commissioners of Northampton county to purchase a law library, approved the twelfth day of March, Anno Domini one thousand eight hundred and sixty-six.

An act to incorporate the Senator Nye mining and exploring company.

An act to incorporate the Montana and Nevada gold and silver mining and commercial company.

An act granting a pension to Samuel Hamilton.

A supplement to an act to incorporate the Larry's Creek plank road company.

A supplement to an act authorizing and requiring the supervisors of Bratton township, Mifflin county, to erect gates across the public roads in said township.

An act to incorporate the Bridgeport and Horseshoe turnpike road company.

An act to authorize the president and managers of the Licking bridge company, in Clarion county, to sell said bridge to the commissioners of said county.

An act to authorize the Governor to appoint an additional notary public for the county of Bradford, to reside in the borough of Athens; also, two additional notaries public for the city of Pittsburg, and one in Elk county, to reside at St. Mary's.

An act relative to locating, opening and repairing the public roads and highways in Sewickly township, Westmoreland county.

An act regulating licenses to eating houses or restaurants in the county of Centre.

An act for the relief of Jane Lynn, widow of John Lynn, a deceased soldier of the revolutionary war.

An act in relation to grading, paving, macadamizing and curbing the streets and paving the sidewalks in the borough of M'Keesport, in the county of Allegheny.

An act repealing the fifth section of an act entitled An act to enable the Governor to incorporate a company to make an artificial road from the east end of Perkiomen bridge, in the county of Montgomery, passing through Pottsgrove, and passing by the White Horse tavern, in Amity township, in Berks county, to the borough of Reading, approved the twentieth day of March, Anno Domini one thousand eight hundred and ten.

An act to incorporate the Shakspeare and and Lydia Allen Consolidated silver mining company of Nevada.

An act to incorporate the Philadelphia and Bridgeport steamboat company.

An act relative to the pay of the supervisors in Wiconisco township, Dauphin county.

An act for the protection of farmers against the ravages of wild cats in the county of Forest.

An act to extend to Allegheny township, Blair county, the provisions of an act to prevent swine from running at large in the township of Blair, and in the county of Blair.

An act authorizing the school directors of the borough of Butler to transfer certain funds.

An act to prevent the fishing with nets or seines in the waters of Big Fishing creek and its tributaries, in the counties of Columbia and Luzerne, and in Stone creek and its tributaries, in the county of Huntingdon.

An act to extend the provisions of an act to prohibit the granting of licenses to sell intoxicating drinks within the county of Potter, approved April 11th, Anno Domini one thousand eight hundred and sixty-six, to the county of Wyoming.

An act to incorporate Sugar Notch and Warrior Run into a borough.

A supplement to an act to authorize the erection of a bridge over Oil creek, at or near the old furnace dam, on the Hasson farm, in the county of Venango.

An act to repeal the fourth section of an act to incorporate the Pennsylvania State Agricultural society so far as it extends to the county of Lawrence.

An act supplementary to an act to enable the administrators of the Honorable James T. Hale, late of Centre county, deceased, to sell real estate, passed the eleventh day of April, Anno Domini one thousand eight hundred and sixty-six.

A further supplement to an act to provide for the erection of a poor house in Clarion county, approved the twenty-first day of March, one thousand eight hundred and sixty-five.

An act to authorize the school directors of of the borough of White Haven to borrow money.

An act to empower the orphans' court of Adams county to authorize Adam Lerew, trustee of Hiram Albert, to purchase real estate and also to decree the sale thereof.

On the 4th instant:

An act to enable the city of Harrisburg to establish and maintain a free bridge over the Susquehanna river.

An act to incorporate the Wellsboro and Lawrenceville railroad company.

An act to divide the township of Chapman, in the county of Clinton, into two election districts.

A supplement to an act relating to the lien of mechanics and others upon buildings, approved the sixteenth day of June, one thousand eight hundred and thirty-six, to apply to the county of Chester.

An act to incorporate the Wrightsville iron company.

An act for the relief of Mrs. Mary Ann Gordon widow and executrix of Hiram B. Gordon, deceased, late register of wills, recorder of deeds and clerk of the orphans' court of the county of Venango.

An act relating to the election of supervisors in the township of Middletown, county of Susquehanna, and for other purposes.

An act relative to the purchase of a law library in the county of Washington.

An act to incorporate the Shickshinny and New Columbus Borough turnpike road company, in the county of Luzerne.

A supplement to an act relating to the lien of mechanics and others upon buildings, approved the sixteenth day of June, one thousand eight hundred and thirty-six, extending it to the counties of Blair and Armstrong.

An act legalizing the acts of the York building association number two, and the York building association number three, of the borough of York, in the county of York.

An act relating to parks in the city of Harrisburg.

An act supplementary to an act incorporating the borough of Marietta, approved February the 15th, Anno Domini one thousand eight hundred and thirty-four, granting certain powers to chief burgess and borough constable.

An act to enable the board of school directors of the township of Chanceford, in the county of York, to levy and collect at once a tax sufficient to liquidate the remaining indebtedness of said township for bounty purposes, and to appropriate surplus bounty funds of said township to common school purposes.

An act to legitimate Edward A. Smith, Ellen J. Smith, Catharine Y. Smith and Thomas B. Smith.

An act to authorize the city of Philadelphia to sell certain ground in the Eleventh ward.

An act to incorporate the Spanish Bar gold and silver mining company.

An act changing the day of holding the annual meeting of the auditors of Jones township, Elk county, and regulating the term of office and fixing the wages of supervisors and other officers in said township.

An act to incorporate the Phillipsburg and Rochester ferry company.

An act to incorporate the Crozer theological seminary.

A further supplement to the charter of the city of Erie to provide for the appointment of water commissioners, and define their power and duties.

An act relating to the collection of bounty taxes in the county of Lehigh.

An act to incorporate the Bellefonte glass manufacturing company.

An act authorizing the school directors of Clinton township, Wyoming county, to levy tax for bounty purposes.

An act to authorize the burgess and town council of the borough of Tremont, Schuylkill county, to levy a tax.

An act to confer upon the Pittsburg forge and iron company all the powers, rights and privileges of the Jones and Nimick manufacturing company by the act approved April first, one thousand eight hundred and sixty-three. JNO. W. GEARY.

During the consideration of the private calendar remarks were made on bills as follows:

Senate bill No. 938, an act providing for the election of supervisors in certain rural wards of the city of Philadelphia.

Question on agreeing to the bill.

Mr. LEE. Mr. Speaker, I move the indefinite postponement of the bill.

The motion was seconded.

Mr. SATTERTHWAITE. Mr. Speaker, I wish to say this is a matter in which my constituents are very much interested. If the members from Philadelphia are opposed to it, of course it is not worth the while for me to consume the time of the House in discussing this bill. Yet I would like to say something in its favor.

There must be some merit to the bill or it would not have passed the Senate. A measure of this kind is very much needed. I have letters here showing that these roads, over which my constituents travel every day, are almost impassable. They have not been attended to for four years. They should be—there must be a change in the management of these roads. If they are passable at all, under the present system, they must be made so at individual expense.

Mr. QUIGLEY. Mr. Speaker, I trust the motion of my colleague [Mr. LEE] will prevail. This bill entirely changes the mode of electing supervisors, and of collecting taxes. I trust the bill will be indefinitely postponed.

Mr. FREEBORN. Mr. Speaker, I will say that I, also, am in favor of indefinitely postponing this bill. The city councils have passed a resolution asking that it be defeated.

Mr. DAVIS. Mr. Speaker, there is not a member from Philadelphia in favor of this bill.

On the question

Will the House agree to the motion to indefinitely postpone the bill?

The yeas and nays were required by Mr. FREEBORN and Mr. LEECH, and were as follow, viz:

YEAS—Messrs. Adaire, Armstrong, Barrington, Boyd, Breen, Brown, Chadwick, Collins, Colville, Craig, Davis, Day, DeHaven, Deise, Donohugh, Freeborn, Gallagher, Ghegan, Harbison, Headman, Jenks, Kinney, Kurtz, Long, M'Camant, Maish, Mann, Meily, Meyers, Mullin, Pillow, Quay, Quigley, Rhoads, Roath, Robinson, Roush, Shuman, Stehman, Stumbaugh, Subers, Tharp, Webb, Westbrook, Whann, Woodward and Glass, *Speaker*—47.

NAYS—Messrs. Chalfant, Chase, Josephs, Kennedy, Koon, Lee, Leech, Linton, Marks, Satterthwait, Wallace, Watt and Weller—13.

So the question was determined in the affirmative,

And the bill was indefinitely postponed.

No. 1260, an act to reduce the number of school directors in the several school districts in the county of Bradford, and to pay the same.

Mr. QUAY amended the bill.

Mr. SHARPLES. Mr. Speaker, I desire to call the attention of the House to this bill. I am sorry that I feel myself obliged to oppose it in its application to the counties of Bradford and Beaver. I am opposed to the bill because it is an innovation on our present school system. It is a breaking in upon the harmony of the general school law. A great many of the friends of education are opposed and always have been opposed to the principle of paying school directors for their services—a principle which this bill inaugurates.

If the bill passes it should be a general bill. Even then it would be objectionable for the same reasons. It has always been considered that school directors should attend to the duties of their office from motives of principle only. It is very doubtful whether such a system as is proposed in this bill should be adopted. I desire the members of this House to consider the subject well before they pass this bill.

Mr. KINNEY. Mr. Speaker, the people of our county, with great unanimity, are in favor of the change proposed by this bill. The question has been in agitation for several years past. The county superintendent, who, we think, is as able and zealous an educator as may be found elsewhere, is also in favor of this proposition and has written me twice on the subject, urging its passage. Opposed to it is, possibly, the school department, and the ground of their unfriendliness is that it is an innovation upon the school system of this Commonwealth.

Now, sir, I respectfully dissent from their opinions, and submit that it cannot in anywise interfere with the present established working of the school machinery. And I will say to this House, as I said to the committee, that if we know that we have arrived at perfection in the arrangements alluded to, if we have arrived at the stature of manhood and maturity in the workings of our school system, then it would be unwise to alter it in any respect. If I thought so, sir, I would not have the temerity to urge this proposition, though our people were unanimous in its favor. But I do not think so. I think we can yet improve and simplify the machinery. I think there are some unnecessary wheels and belts which create too much friction.

The superintendents are elected in the same manner as before, only with less expense. The money is collected and disbursed as before; the schools are to be visited and provided for as before; indeed everything is conducted in the same manner, only, as we believe, with far more efficiency and responsibility on the part of directors.

It may be objected that we propose to pay our directors for their services. Well, sir, what good reason can be given, that because this office is filled by the people, that therefore there should be no compensation? Why pay the officers anywhere for their services? The cause is the same. Why, as offices are removed from the more direct control of the people, should the compensation enlarge? If it is a matter of general interest and philanthropy, why not serve all officers alike? Why pay the county and State superintendents or their clerks. They, too, are engaged in the same great cause of philanthropy. Especially is this true of those called to control our orphan schools. Why pay them? Why should road commissioners—who, with us, are the guardians of the poor—be compensated? All offices are created for the public good; and it is, in my judgment, just as proper to expect us to devote our own time and labor in behalf of public schools, public morals and of charitable objects generally, as to expect a school director to become a "hewer of wood and drawer of water" at his own expense. I want a good reason why, in offices that the people themselves are called so frequently to fill at home, we law-makers should be so parsimonious. It seems to me the servants are striving hard to be the masters in this matter.

As I have said, the people of our county are asking this favor at our hands. In all legislation, purely local, this House has generally extended the courtesy to members asking it, of granting their request, unless it conflicted with some general principles affecting the rights of other localities, or of the Commonwealth. I think it has been shown that this request does not so conflict; and, lest objections might be made to compensating directors out of the school funds, we have sent them to the treasury of the township, leaving the school fund, in that respect, untouched.

Mr. Speaker, we have found in our county, that the number of directors interferes with that unity and energy requisite to direct our school affairs efficiently. Had we a board of six county or State superintendents, we should find it working in the same loose, inefficient manner; and I am not sure, sir, when we consider the comparative magnitude and responsibility of the respective positions, that it would not be quite as proper to have our common school and orphan school systems under such a board of control as the less responsible and less laborious positions of school directors.

Does this House believe such a plan would work harmoniously or efficiently? I am free to say, sir, that I think our educational system would fall into anarchy and eventual decay under such an arrangement.

It will be urged that, under the present plan, each director will take charge of one or two districts, employ their teachers and visit the schools allotted to them. That may be true, and shows conclusively to my mind that if it is safe to entrust such control to one man now, it would be equally safe to do so under our plan, and equally safe to make the proposed change. It is true, now, that one or two men really do the work and take the responsibility.

At all events, we ask, earnestly, to be favored with the provisions of this act, and if it should eventually extend over the whole Commonwealth, as I think it will, if passed, it will, in my judgment, be another step in the direction of progress and efficiency in our popular system of common schools.

The bill as amended was

Agreed to.

On the question,

Will the House suspend the rules and read the bill a third time by its title?

A division of the House was called.

Two-thirds not voting in the affirmative, it was

Not agreed to,

And the bill was

Passed to third reading.

No. 1831, an act to change the venue in a certain suit from Fayette to Washington county.

Mr. EWING. Mr. Speaker, I ask that this memorial be read.

Mr. BOYLE. Mr. Speaker, I object to the reading of this memorial for the reason that it contains a slander upon a member of the co-ordinate branch of the Government.

Mr. EWING. Mr. Speaker, the memorial contains nothing but what is admitted to have been said by the member himself.

The SPEAKER decided that as the memorial simply repeated language that had been ascribed to a Senator, there was no impropriety in its being read.

The memorial was accordingly read.

Mr. EWING. Mr. Speaker, I do not wish to occupy the time of the House. I think the memorial is sufficient reason for a change of venue in this case.

Mr. BOYLE. Mr. Speaker, I think the memorial is no reason at all. I think it is clear beyond dispute there is no ground laid for a change of venue. This is a civil suit; both of the parties are Republican in their politics—have been active Republicans in their day. There is not, I believe, a Democrat or a Republican in Fayette county who would turn his hand concerning this matter. No person feels the least interest concerning it. All that has been said about party influence being used to determine the suit is mere fabrication and imagination. I do not believe this matter is regarded by any one in a political light. As I said before, both the parties are Republican, and the counsel for the petitioner, who alleges he cannot have a fair trial before a Democratic court and jury, is himself a Democrat. I say this is a change of venue without cause.

Mr. EWING. Mr. Speaker, the statements of the memorial have not been denied. There certainly are grounds for a change of venue. The motion for a new trial in this case was not sustained in a proper way. It was gotten through political influence. The same influence may be brought to bear a second time. As there is a great deal said about juries in Fayette county, I think the venue should be changed. I will not detain the House by debating the question.

The bill was

Not agreed to.

No. 1830, an act to authorize the burgess and town council of Lawrenceville, Allegheny county, to appoint viewers.

When the bill was called in its order the Chair decided it was unconstitutional.

Mr. COLVILLE. Mr. Speaker, I move that the House reconsider its action on bill No. 1830. It is an act to authorize the burgess and town council of Lawrenceville to appoint viewers. The courts clearly have jurisdiction in all cases to appoint viewers, but they have no authority to delegate that power.

Mr. STUMBAUGH. I will ask for what purpose are the viewers to be appointed?

Mr. COLVILLE. To assess damages for the opening of streets.

Mr. STUMBAUGH. Mr. Speaker, the courts have authority in such cases.

Mr. COLVILLE. But they cannot delegate their power.

Mr. MEYERS. Mr. Speaker, the gentleman from Franklin [Mr. STUMBAUGH] is correct. If the gentleman from Allegheny [Mr. COLVILLE] will refer to page 121 he will find that.

"90." Upon the complaint of any person or persons aggrieved by any regulation under the provisions of this act in relation to the laying out, widening and straightening the roads, streets, lanes, alleys, courts and common sewers, or of the opening, grading or other regulations thereof, the said court shall take such order as may be just and reasonable, and the final order of the said court shall be conclusive:

"*Provided*, That like proceedings shall be had for the opening, widening and straightening of the roads, streets, lanes, courts and alleys laid out, and ordained in accordance with the provisions of this act, as are provided by law for the laying out and opening of public roads within this Commonwealth:

"*Provided, also*, That every jury appointed to view, review, lay out, widen, or straighten, or vacate any road, or part of road, in any borough of this Commonwealth, shall have due reference to the town plot herein authorized and directed, and to the general arrangement, plan, convenience and advantage of the borough, and shall set forth the facts fully in their report:

"*Provided further*, That such streets, lanes and alleys shall not be opened for public use until the damages shall be liquidated; and upon any amounts due or to become due, by borough corporations for the purposes aforesaid, interest shall be allowed and paid from the date of the adjudication of said damages."

Mr. COLVILLE. Mr. Speaker, I am satisfied the courts have jurisdiction where boroughs are organized under the general borough law. But I would ask the gentleman from Northampton [Mr. MEYERS] if there are not a number of boroughs organized without a special act, where the general law does not apply? This is the case with the borough of Lawrenceville.

Mr. MEYERS. I do not know whether Lawrenceville was incorporated under the general borough law or by special act of Assembly. If it was incorporated by special act of Assembly, it will be seen by referring to the act from which I have just read that, by application to the courts this borough can come in under the provisions of and enjoy the benefit of the general law.

Mr. MANN. Mr. Speaker, the question involved in this bill is precisely of the same character as that decided by the Governor in his veto message with regard to York county.

The SPEAKER. There is no doubt that if this bill should pass both houses of the Legislature, it would be vetoed by the Governor.

The previous action of the House was accordingly sustained, and the bill declared to be unconstitutional.

No. 1927, a further supplement to an act to protect the property of the mayor, aldermen and citizens of Philadelphia, at Fairmount, and to preserve the purity of the Schuylkill water, passed the 7th of February, 1832.

Mr. SATTERTHWAIT. Mr. Speaker, this is a bill which, if carried out, will destroy the business of the factories from and below Norristown. It is a bill that will affect millions upon millions of property, and, if carried out, will throw out of employment immediately thousands of my constituents. I am opposed to its being passed without amendment.

I believe that the refuse from dye houses, which is thrown into the river at Norristown, seventeen miles above the Fairmount water

works, will not affect the purity of the Schuylkill water.

I offer the following amendment:

Provided, That this act shall not apply to any cotton, woolen, iron, glass or paper manufactories.

The amendment was

Agreed to.

The question recurred on the bill.

Mr. WALLACE. Mr. Speaker, I move to strike out the second section.

The motion was

Agreed to.

The question recurred on the bill as amended.

The bill was ordered to be transcribed.

On the question, Will the House suspend the rules, and read the bill a third time by its title?

The yeas and nays were required by Mr. KERNS, and Mr. WATT, and were as follow, viz:

YEAS—Messrs. Adaire Armstrong, Brown, Chadwick, Chase, Colville, Day, DeHaven, Freeborn, Gallagher, Gordon, Headman, Heltzel, Hunt, Josephs, Kennedy, Kimmell, Koon, Lee, Leech, Long, M'Camant, M'Creary, M'Henry, M'Kee, Maish, Mann, Markley, Marks, Mechling, Meyers, Mullin, Pennypacker, Quigley, Rhoads, Richards, Robinson, Roush, Satterthwait, Seiler, Shuman, Steacy, Tharp, Waddell, Wallace, Webb, Whann, Wharton, Wilson, Wingard, Woodward and Glass, *Speaker*—52.

NAYS—Messrs. Barrington, Fogel, Ghegan, Harner, Kerns, Kline, Linton, Subers, Westbrook and Worrall—10.

So the question was determined in the affirmative.

And the bill was

Passed finally.

Senate bill No. 1495 was called up, and

Passed finally.

On a motion by Mr. CHALFANT, that this House do now adjourn,

The yeas and nays were required by Mr. QUIGLEY and Mr. LINTON, and were as follow, viz:

YEAS—Messrs. Boyle, Breen, Brennan, Chadwick, Chalfant, Craig, Harner, Headman, Heltzel, Hunt, Jenks, Kline, Koon, Kurtz, Linton, Long, M'Henry, Maish, Markley, Peter, Phelan, Quigley, Rhoads, Roush, Tharp and Westbrook—25.

NAYS—Messrs. Adaire, Armstrong, Barrington, Barton, Brown, Chase, Collins, Colville, Day, DeHaven, Deise, Ewing, Fogel, Freeborn, Gallagher, Ghegan, Kerns, Lee, Leech, M'Camant, Mann, Marks, Mechling, Pennypacker, Pillow, Richards, Roath, Robinson, Satterthwait, Seiler, Sharples, Shuman, Steacy, Stehman, Stumbaugh, Subers, Waddell, Wallace, Watt, Webb, Weller, Whann, Wharton, Wingard, Worrall and Glass, *Speaker*—46.

So the question was determined in the negative.

LEAVES OF ABSENCE.

Leave of absence was obtained for the following named gentlemen:

Messrs. HONOHUGH, PETER, KENNEDY, M'PHERRIN, WEAKTON, PHELAN and RHOADS.

On motion of Mr. STUMBAUGH, the House then adjourned till 10 o'clock, A. M., to-morrow (Saturday, April 6, 1867).

SENATE.

SATURDAY, April 6, 1867.

The Senate reassembled at 10 o'clock, A. M.

Prayer was offered by the Rev. Mr. Bailey.

On motion, the reading of the Journal of yesterday was dispensed with.

REPORTS FROM COMMITTEES.

Mr. SHOEMAKER, from the Committee on the Judiciary Local, reported, as committed, bill entitled An an act to repeal and annul an act to annul the marriage contract between Mr. Roberts and Emily Roberts.

Also (same), as committed, and with a negative recommendation, bill entitled An act relative to Front street and a certain road in the borough of Media.

Mr. M'CONAUGHY (same), as committed, and with a negative recommendation, bill entitled A supplement to an act relating to the lien of mechanics and others upon buildings, extending it to certain counties.

Mr. BIGHAM (same), as committed, and with a negative recommendation, bill entitled A supplement to an act relating to the liens of mechanics, approved June 16th, 1836, and the several supplements thereto, be and the same are hereby extended to oil tanks and fittings, engine houses, et cetera.

Also (same), as committed, and with a negative recommendation, bill entitled An act to require the county from which property is stolen to pay the expenses of the trial, conviction, et cetera, of the person charged with the commission of the crime.

Mr. WALLACE (same), as committed, and with a negative recommendation, bill entitled An act relating to unclaimed dividends in insolvent assigned estates.

Mr. BIGHAM (same), as committed, bill entitled An act to vacate a certain portion of ground on Sixth street, in the city of Harrisburg.

Mr. M'CONAUGHY (same), as committed, bill entitled An act to extend the provisions of an act to authorize the arrest of professional thieves, burglars, &c., in the city of Philadelphia, passed March 13, 1862, so as to authorize the arrest of professional counterfeiters.

Mr. COWLES, from the Committee on Judiciary Local, reported, as committed, bill entitled An act to repeal the thirtieth section of an act regulating boroughs, approved 3d of April, 1857, so far as the same relates to the borough of New Alexandria, in Westmoreland county.

Also (same), as committed, bill entitled An act relating to certain officers in Southwest ward of the city of Lancaster, extending their term of office, &c.

Also (same), as committed, bill entitled An act to repeal an act, approved the 27th day of March, A. D. 1867, entitled An act to repeal the first section of an act passed the 1st day of April, A. D. 1792, declaring the Little Lehigh a public highway.

Also (same), as committed, bill entitled An act to amend the charter of incorporation of the Decator Building association of Franklin.

Mr. FISHER (same), as committed, bill entitled An act to increase the pay of the supervisors and township auditors of Fox township, Elk county.

Also (same), as committed, bill entitled An act to increase the fees of constables and police officers of the city of Titusville, in certain cases.

Also (same), as committed, bill entitled An act to ratify and confirm the charter of incorporation of the Atlantic Petroleum storage company, and to confer additional powers on said corporation.

Mr. STUTZMAN (same), as committed, bill entitled An act to repeal an act entitled An act to change the venue of certain suits from Butler to Armstrong county.

Also (same), as committed, bill entitled An act for the protection of wholesale and retail merchants in the county of Schuylkill.

Mr. DAVIS (same), as committed, bill entitled An act relative to the commissioners, sheriff and treasurer of Cumberland county.

Also (same), as committed, and with a negative recommendation bill entitled An act to permit John A. Metzel, a justice of the peace of the county of York, to hold his office in Metzel's hotel, in the borough of York.

Also (same), as committed, bill entitled A supplement to the charter of the city of Harrisburg.

Mr. WHITE (same), as committed, and with a negative recommendation, bill entitled A further supplement to an act incorporating the city of Carbondale.

Also (same), as committed, bill entitled An act increasing the pay of supervisors in Porter township, Huntington county.

Mr. WHITE, from the Committee on Estates and Escheats, reported, as committed, bill entitled An act validating the title to real estate heretofore sold and conveyed by executors or administrators.

Mr. RIDGWAY, from the Committee on Corporations, reported, as committed, bill entitled Supplement to an act to incorporate the Union Hall association of Pottsville, approved 17th March, 1864.

Also (same), as committed, bill entitled An act to incorporate the Etna iron company of Pennsylvania.

Also (same), as committed, bill entitled An act to incorporate the Fort Allen iron company in the county of Carbon.

Also (same), as committed, bill entitled An act changing the time of holding the election of officers of the Trevorton coal company.

Mr. ROYER (same), as committed, bill entitled An act to incorporate the Great Western mining company.

Also (same), as committed, bill entitled An act to incorporate the Black Band iron and coal company.

Mr. JAMES (same), as committed, bill entitled An act to incorporate the Express steamboat company.

Also (same), as committed, bill entitled An act to incorporate the Eagle manufacturing company.

Mr. HAINES (same), as committed, bill entitled A supplement to an act incorporating the Eagle cotton manufacturing company, approved the 1st day of April, 1867.

Also (same), with amendment, bill entitled An act to incorporate the National iron company.

Mr. GLATZ (same), as committed, bill entitled An act to incorporate the Northampton iron company.

Also (same), as committed, bill entitled An act to incorporate the Franklin manufacturing company.

Also (same), as committed, bill entitled An act to incorporate the Excelsior gold and silver mining company of Colorado.

Mr. BIGHAM, from the Committee on Banks, reported, as committed, bill entitled An act to incorporate the Sharon Savings Bank.

Also (same), as committed, bill entitled An act to incorporate the Dime savings fund of Slatington.

Mr. COLEMAN (same), as committed, bill entitled An act to incorporate the Lykens Valley Deposit Bank.

Mr. ROYER, from the Committee on Canals and Inland Navigation, reported, as committed, bill entitled Supplement to an act entitled An act to establiish a ferry at Tubbs' run, Venango county.

Also (same), as committed, bill entitled An act establishing a ferry across the Allegheny river, at or near the falling springs, in Venango county.

Also (same), with amendment, bill entitled An act to incorporate the Beaver Falls water company.

Mr. HAINES (same), as committed, bill entitled An act authorizing Fredericks & Co. to erect wing dams and other water works in the Lehigh river.

Also (same), as committed, bill entitled An act to repeal an act authorizing the Governor to incorporate the Bald Eagle and Spring Creek navigation company, approved the 14th day of April, A. D. 1834, and the supplements thereto.

Mr. LANDON, from the Committee on Railroads, reported, as committed, bill entitled An act to incorporate the Mill Creek and Nescopeck railroad company.

Also (same), as committed, bill entitled An act to incorporate the Willow Bank and Burns Spring railroad company, in Centre county.

Mr. GRAHAM (same), as committed, bill entitled An act to explain an act compelling railroad and other corporations to pay counsel fees of plaintiffs in certain cases.

Mr. RIDGWAY (same), with amendment, bill entitled An act to incorporate the Franklin Passenger railroad company.

Mr. STUTZMAN, from the Committee on Election Districts, reported, as committed, bill entitled An act to increase the compensation of election officers in the county of Schuylkill.

Mr. BROWNE (Lawrence), from the Committee on Education, reported, as committed, bill entitled An act to annex real estate of Robert P. Cornelius, of Jackson township, Snyder county, to the borough of New Berlin, Union county, for school purposes.

Mr. GLATZ, from the Committee on Agriculture and Domestic Manufactures, reported, as committed, bill entitled An act to authorize additional supervisors for Whitely township, in the county of Greene.

Also (same) as committed, bill entitled An act to prevent the shooting of fish in spawning time in the county of Westmoreland.

Mr. WHITE, from the Committee on Military Affairs, reported, with amendments, bill entitled A further supplement to an act to provide for the adjudicating and payment of certain military claims, approved April 16th, 1862.

Also (same), as committed, and with a negative recommendation, bill entitled An act to authorize an examination into the military services of A. F. Lightmeyer.

Also (same), as committed, bill entitled An act to incorporate the Western Pennsylvania Military Academy, near Pittsburg and Allegheny.

Mr. BILLINGFELT, from the Committee on Roads and Bridges, reported, as committed, bill entitled an act to incorporate the Clinton turnpike company in the county of Greene.

Also (same), as committed, bill entitled An act to vacate part of the township line road in the Twenty-first ward of the city of Philadelphia.

Mr. LANDON (same), as committed, bill entitled A supplement to an act to lay out a State road from the borough of Tarentum, in Allegheny county, by the town of Bakertown to the State road leading from Perrysville to the Glade Mills, on lands of George Gocher, in Butler county.

Also (same), as committed, bill entitled A further supplement to a supplement to an act to incorporate the Lehigh and Delaware plank road or turnpike company, approved the 11th day of April A. D. 1866.

Also (same), as committed, bill entitled An act to incorporate the Quarrysville and Christiana turnpike road company.

Mr. TAYLOR (same), as committed, bill entitled An act authorizing the voters of Lackawanna township, Pike county, to increase the number of supervisors in said township.

Mr. WALLS (same), as committed, bill entitled A further supplement to the act incorporating the Welsh turnpike road company.

Mr. GRAHAM, from the Committee on Vice and Immorality, reported, as committed, bill entitled An act to prohibit the issuing of licenses to sell spirituous, vinous, malt or brewed liquors in the township of Penn, in the county of Perry.

Also (same), as committed, bill entitled An act for the better preservation of the morals of the miners of the city of Philadelphia.

Mr. TAYLOR (same), as committed, bill entitled An act to extend the provisions of an act to prohibit the issuing of licenses within certain boroughs in the counties of Armstrong, Potter, Indiana and Perry, or within two miles of the same, in the counties in which such boroughs are located, approved 27th day of March, 1866, to the boroughs of West Newton and Mount Pleasant, in the county of Westmoreland.

Mr. CONNELL, from the Committee on Finance, reported, as committed, bill entitled Joint resolution to pay the expenses of the committee appointed at the last session of the Legislature to investigate the truth of certain newspaper articles in reference to the passage of an act relating to licenses in the county of Allegheny.

Also (same), as committed, bill entitled An act requiring the Superintendent of Public Printing to advertise for proposals for supplying the State with printing and binding.

Mr. GRAHAM (same), as committed, bill entitled An act to authorize the Auditor General to deliver to the receiver of the Petroleum Bank of Titusville, Crawford county, the United States bonds belonging to said bank.

Mr. LANDON (same), as committed, bill entitled An act to change the rate of interest from six to seven per centum.

Mr. WALLS (same), as committed, bill entitled An act to extend the time for the payment of the enrollment tax on an act to incorporate the Sugar Creek mining and transporation company.

Mr. SEARIGHT, from the Committee on Education, reported, as committed, bill entitled An act to enable the school directors of Alleppo township, in the county of Greene, to levy and collect a temporary school tax at a higher rate than that not allowed by law.

Mr. BROWN (same), as committed, bill entitled a supplement to an act entitled An act authorizing the school directors of Franklin borough, in the county of Venango, to borrow money.

Mr. COWLES, from the Committee on Judiciary Local, reported, as committed, bill entitled An act to change the venue in the case of G. W. Scofield vs. Martin Brunges from the court of common pleas of Wyoming county to the court of common pleas of Bedford county.

Also (same), as committed, bill entitled An act to change the venue in a certain case from Schuylkill county to Dauphin county.

Also (same), as committed, bill entitled An act to prohibit processions after dark ten days next preceding any general election in the city of Philadelphia.

Also (same), as committed, and with a negative recommendation, bill entitled An act authorizing the recording of a copy of a lease of a tenement in the county of Lehigh.

Mr. WHITE (same), as committed, and with a negative recommendation, bill entitled An act relating to costs on appeal from the judgments of justices of the peace in the county of Butler.

Also (same), as committed and with a negative recommendation, bill entitled An act authorizing Henry Cochring, of Jackson township, Butler county, to vote in Cranberry township, in said county.

Mr. M'CONAUGHY, from the Committee on Estates and Escheats, reported, with amendment, bill entitled An act relative to the estate of Eliza Howard Bard.

Mr. GLATZ, from the Committee on Agriculture and Domestic Manufactures, reported, as committed, bill entitled An act to prevent cattle, horses, mules, sheep and hogs from running at large in Venango township, Erie county, and Little Beaver township, Lawrence county.

Mr. GLATZ (same), as committed, bill entitled An act to prevent fishing with traps, scoop nets, or fish seins, in the South Branch of Ten Mile creek, in Greene county.

Mr. M'CONAUGHY, from the Committee on Estates and Escheats, reported, with amendments, bill entitled An act to make valid the will of Jarvis White, a deceased soldier.

Mr. LANDON, from the Committee on Railroads, reported, with amendments, bill entitled An act to authorize the Allegheny Valley railroad company to issue additional stock and bonds, and to repeal the act entitled An act to authorize the Allegheny Valley railroad to mortgage its road and branches to complete the same, and approved the 8th day of March, 1867.

Mr. TAYLOR, from the Committee on Vice and Immorality, reported, with amendments, bill entitled An act to take the sense of the people of Indiana county upon the question of a prohibitory liquor law.

Mr. JACKSON, from the Committee appointed to Compare Bills and present them to the Governor for his approbation, made report, which was read as follows, viz:

That in conjunction with a similar committee from the House of Representatives, they have compared, and on April 5th presented to the Governor for his approbation, the bills as follows, to wit:

Senate bill No. 1342, a supplement to an act to incorporate the Superior iron company.

Senate bill No. 479, a further supplement to the act entitled An act to incorporate the Allentown railroad company, approved April 19th, A. D. 1853.

Senate bill No. 927, an act authorizing an increase of the capital stock of the Connecting railway company.

Senate bill No. 312, an act to extend the time for the payment of the enrollment tax upon an act entitled An act to authorize the Western Maryland railroad company to locate a portion of their road through Adams and Franklin counties, Pennsylvania, approved the 23d day of March, 1865, and relating to the location of the said railroad and the connection of the Gettysburg railroad therewith.

Senate bill No. 985, a further supplement to the act incorporating the Lafayette railroad company, approved the 1st day of May, A. D. 1861, extending the time for building the road and enlarging the powers of said corporation.

Senate bill No. 773, an act relating to the payment of certain bounties by the township of Eldred, Monroe county.

Senate bill No. 954, an act appointing commissioners to lay out and open a State road from Wilcox, in Elk county, to the borough of Kane, in M'Kean county.

Senate bill No. 730, an act to incorporate the Co-operative association of East Birmingham, in the county of Allegheny, for mercantile purposes.

Senate bill No. 720, an act to repeal an act for the repeal of an act changing the venue in certain actions of ejectment from Armstrong to Allegheny county.

Senate bill No. 959, a further supplement

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[CONTINUED FROM PAGE 958.]

to an act passed March 29th, A. D. 1803, to establish a board of wardens of the port of Philadelphia and for other purposes.

Senate bill No. 687, an act to permit an appeal of Lebanon county in behalf of the heirs of Robert W. Coleman, deceased.

Senate bill No. 1551, an act to incorporate the Tidioute and Warren oil company.

Senate bill No. 1267, a further supplement to the act incorporating the city of Pittsburg, extending its boundaries, enlarging its corporate powers and perfecting municipal organization, and submitting the proposed consolidation to a vote of the people.

Senate bill No. 1547, an act regulating equity jurisdictions in Philadelphia county.

Senate bill No. 443, an act to divide the borough of Port Carbon, Schuylkill county, in two wards.

Senate bill No. 1593, an act to provide an addijional law judge of the several courts in the Eleventh Judicial district.

Senate bill No. 1544, a supplement to the act incorporating the Howard coal and iron company, approved the 18th day of August, 1864, which became a law on the 30th day of January, A. D. 1866, extending the time for the enrollment tax on said act.

House bill No. 1172, an act relating to the collection of taxes in Cumberland county.

House bill No. 1364, an act to extend the time for the payment of the enrollment tax on the Dime savings institution of Harrisburg.

House bill No. 972, an act to provide for the erection of a bridge across Nescopeck creek, Luzerne county.

House bill No. 1327, an act to pay a pension to Sarah Winters, widow of Stacy Winters, a soldier in the war of 1812.

House bill No. 561, an act to incorporate the Delaware railroad company.

House bill No. 1011, an act to authorize the Evangelical Lutheran congregation of Berlin, in the county of Somerset, to sell certain real estate.

House bill No. 736, an act to provide for the appointment of controllers of the public schools in the First school district of Pennsylvania.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

The Clerk of the House of Representatives being introduced, presented for concurrence bills numbered and entitled as follows:

No. 1734, an act to incorporate the Grand Lodge of the Ancient Order of the American League of the State of Pennsylvania.

Referred to the Committee on the Judiciary General.

No. 1746, an act to incorporate the Montgomery improvement company.

Referred to the Committee on Corporations.

No. 1765, an act to incorporate the Potomac gold and silver mining company of Maryland.

Referred to the Committee on Corporations.

No. 1769, a further supplement to the act of General Assembly incorporating the city of Chester, in the county of Delaware, and to enable the councils to levy an additional tax.

Referred to the Committee on the Judiciary Local.

No. 1773, an act to incorporate the Dime Savings Institution of Ashland.

Referred to the Committee on Banks.

No. 1774, an act authorizing the Governor to appoint an additional notary public for the city of Philadelphia, and one in each of certain counties of this Commonwealth.

Referred to the Commitee on the Judiciary Local.

No. 1777, a supplement to an act for the summary conviction of professional thieves in the city of Philadelphia.

Referred to the Committee on the Judiciary Local.

No. 1780, an act regulating the compensation of assessors and assistant assessors in the county of Allegheny.

Referred to the Committee on the Judiciary Local.

No. 1829, an act for the relief of the sureties of James L. M'Ilvaine, late register and recorder of Mifflin county.

Referred to the Committee on Finance.

No. 1832, an act to increase the pay of supervisors of roads, overseers of the poor and township auditors of the county of Carbon.

Referred to the Committee on the Judiciary Local.

No. 1846, an act to incorporate the Edge Hill iron company.

Referred to the Committee on Corporations.

No. 1849, a supplement to an act to incorporate the Glen Alden coal company, approved the 12th day of April, A. D. 1866.

Referred to the Committee on Corporations.

No. 1862, supplement to an act to establish a ferry over the Susquehanna river at Millersburg, approved March 21, 1866.

Referred to the Committee on Canals and Inland Navigation.

No. 1871, a supplement to the act entitled An act to legalize the levy and collection of certain bounty tax, to provide for a settlement, and authorizing the school directors to lay an additional bounty tax in Lykens township, in the county of Dauphin, approved March 5, A. D. 1867.

Referred to the Committee on the Judiciary Local.

No. 1873, an act to repeal an act changing the citizenship of Jacob Bohner from Lykens to Mifflin township, Dauphin county, approved 16th April, 1866.

Referred to the Committee on the Judiciary Local.

No. 1883, a supplement to an act to incorporate the Turners' association, approved April 13, A. D. 1859, authorizing said corporation to hold real estate and to issue bonds.

Referred to the Committee on Corporations.

No. 1884, an act requiring the Pennsylvania railroad company to appoint watchmen on certain crossings in the village of East Liberty, Allegheny county.

Referred to the Committee on Railroads.

No. 1886, an act relating to the erection of school buildings in the borough of Covington, Tioga county, authorizing the school directors to borrow money.

Referred to the Committee on Education.

No. 1889, a further supplement to the act entitled An act to incorporate the South Mountain railroad company, approved May 5, 1854, repealing the proviso of the fourth section of the supplement to said act, approved March 9, 1855.

Referred to the Committee on Railroads.

No. 1892, an act to incorporate the Johnstown and Hingston's Run turnpike road company.

Referred to the Committee on Roads and Bridges.

No. 1898, an act relating to the surplus bounty fund in Vernon township, Crawford county.

Referred to the Committee on the Judiciary Local.

No. 1899, an act relating to the surplus bounty fund in the township of East Fallowfield, in the county of Crawford.

Referred to the Committee on the Judiciary Local.

No. 1900, an act to authorize the burgess and town council of the borough of Cochranton, in the county of Crawford, to levy and collect additional tax.

Referred to the Committee on the Judiciary Local.

No. 1901, an act relative to the dockets of C. M. Bousch, a justice of the peace in the city of Meadville.

Referred to the Committee on the Judiciary Local.

No. 1993, supplement to the act entitled An act to incorporate the Cumberland Valley Mutual Protection company of Dickinson township, Cumberland county.

Referred to the Committee on Corporations.

No. 1906, an act to change the time of holding the several courts of Greene county.

Referred to the Committee on the Judiciary Local.

No. 1907, an act to reduce the price of license to hucksters in Greene county.

Referred to the Committee on the Judiciary Local.

No. 1925, an act to incorporate the Pennsylvania Nicholson pavement company.

Referred to the Committee on Corporations.

No. 1926, an act to incorporate the Franklin publishing society of Pennsylvania.

Referred to the Committee on Corporations.

No. 1928, an act to incorporate the Oil City passenger railway company.

Referred to the Committee on Railroads.

No. 1416, an act for the relief of citizens of the counties of Adams, Franklin, Fulton, Bedford, Perry, York and Cumberland, whose property was destroyed, damaged, or appropriated for the public service, and in the common defense in the war to suppress the rebellion.

Referred to the Committee on Finance.

No. 1229, an act to repeal an act to view and lay out a State road in the counties of Clarion and Forest, approved the 18th day of March, A. D. 1863.

Referred to the Committee on Roads and Bridges.

No. 2124, supplement to an act to provide for the appointment of controllers of the public schools of the First school district of Pennsylvania, approved April 5th, 1867.

Referred to the Committee on Education.

No. 2113, supplement to an act to exempt persons who have been in the military service of the United States, and been honorably discharged therefrom, from the payment of bounty and per capita tax and military fines, approved the 30th day of March, A. D. 1866.

Referred to the Committee on Military Affairs.

No. 1920, an act changing the time of holding the election of officers of the Trevorton coal company.

Referred to the Committee on Corporations.

He also returned bills from the Senate numbered and entitled as follows, viz:

Senate bill No. 1177, an act authorizing the State Treasurer to allow a credit to the treasurer of Adams county, for money paid John Scott.

Senate bill No. 1184, an act regulating the election of corporate officers of the borough of Dushore, in Sullivan county.

Senate bill No. 1210, an act extending the time for laying out a State road in Wayne and Monroe counties.

Senate bill No. 1215, an act to incorporate the Mount Rock, Newville and Stoughstown turnpike road company.

Senate bill No. 1220, an act to incorporate the Carlisle, Boiling Spring and Dillsburg turnpike road company.

Senate bill No. 1247, an act to authorize the board of school directors of White township, Indiana county, to borrow money, and to appropriate for school purposes surplus bounty fund.

Senate bill No. 1251, an act to empower the court of quarter sessions of the peace of Adams county to appoint auditors to audit bounty accounts in the several boroughs and townships in said county, and in relation to rendering the bounty accounts of Cumberland township, in said county.

Senate bill No. 1353, an act authorizing and empowering A. Clark, of Meadville, to have his dockets returned to him.

Senate bill No. 1214, an act to authorize the Curwensville bridge company to change its rate of toll.

Senate bill No. 1463, a further supplement to an act entitled An act for the better regulation of billiard rooms, bowling saloons and ten pin alleys in the counties of Chester and Delaware, approved April 13, 1859, and a supplement thereto, approved March 16, 1866, extending the same to the counties of Lawrence, Butler and Armstrong.

No. 1166, an act authorizing the school board in the Fourth ward in the Allegheny City school district to close up their bounty business and to use surplus bounty money for the purpose of purchasing ground and erecting a new school house in said ward, and to borrow twenty thousand dollars for the purpose aforesaid.

Senate bill No. 736, an act to attach certain lands and tenements in Napier township, Bedford county, and the persons residing thereon, to Schellsburg borough, for school purposes.

Senate bill No. 989, an act authorizing the school directors of the borough of Tarentum, Allegheny county, to assess and collect taxes for school purposes.

Senate bill No. 990, an act to authorize the school directors of the borough of Sewickley to borrow money and levy an additional school tax.

Senate bill No. 972, an act authorizing the trustees, secretary and treasurer of the proprietors' fund of Plymouth township to appropriate said fund towards the erection of school houses, and for school purposes.

No. 585, an act to incorporate the Keystone telegraph company.

Senate bill No. 926, a supplement to an act, entitled An act to incorporate the Lehigh Valley fire insurance company, approved 30th day of March, A. D. 1866.

Senate bill No. 692, an act to incorporate the American dredging company.

Senate bill No. 924, a further supplement to an act, entitled An act to incorporate the Scranton gas and water company, approved March 16, 1854.

Senate bill No. 979, an act to incorporate the Grocers' and Provision Dealers' association.

No. 518, a further supplement to an act to incorporate the North American shaft company, approved the 22d day of March, 1862.

Senate bill No. 894, an act to legalize and make valid an assessment made by the board of school directors of Strasburg township, Lancaster county, of one-half of one per centum on the 16th day of June, A. D. 1866, for bounty purposes.

No. 911, an act regulating certain sheriff's fees in the county of Luzerne.

No. 905, an act increasing the pay of certain township officers in Conyngham township, Columbia county.

No. 973, a supplement to an act relating to the directors of the poor of Lancaster county, approved March 2, 1846, regulating the fees of constables.

No. 941, an act regulating the fees of notaries public in the county of Allegheny.

Senate bill No. 1350, an act to authorize the revision of a portion of the wharf lines on the rivers Delaware and Schuylkill.

Senate bill No. 1050, an act repealing an act entitled An act relating to roads in Bratton township, Mifflin county, approved May 1, A. D. 1861.

Senate bill No. 1059, a supplement to an act approved April 12, 1850, to lay out a State road from Tarentum, Allegheny county, to George Gocher's, in Butler county.

Senate bill No. 1063, an act to incorporate the citizens' ferry company of Pittsburg.

Senate bill No. 1067, an act to extend the time for the payment of the enrollment tax upon an act to incorporate the Eastern telegraph company, approved April 6, 1866.

Senate bill No. 1081, an act relative to the assessment and collection of taxes on unseated lands in Cherry township, Sullivan county.

Senate bill No. 1111, a supplement to an act entitled An act relating to corporations for mechanical, manufacturing, mining and quarrying purposes, approved the 18th day of July, A. D. 1863, relating to the Williamsport manufacturing company.

Senate bill No. 1121, an act authorizing the school directors of Curwensville, Clearfield county, to borrow money and sell a school building.

Senate bill No. 1135, an act to extend the time for the payment of the enrollment tax on an act to incorporate the Sunnyside iron company.

Senate bill No. 1136, a supplement to an act granting a pension to Lewis Hagenman, approved April 17, 1866.

Senate bill No. 1154, an act to incorporate the Lampeter and Strasburg turnpike road company.

Senate bill No. 1159, a further supplement to an act entitled An act to incorporate the Conestoga and Big Spring Valley turnpike road company, passed April 17, 1861.

Senate bill No. 1140, a supplement to an act entitled An act to incorporate the Philadelphia transportation and freight company.

No. 983, an act to incorporate the Brookville and Brockwayville railroad company.

No. 593, a further supplement to an act incorporating the Lackawanna and Bloomsburg railroad, approved April 5th, A. D. 1852.

No. 319, an act to incorporate the Sandusky and Irwin Street bridge company.

No. 520, an act to incorporate the Moshannan land and lumber company.

No. 595, a supplement to an act to incorporate the Reading passenger railway company, approved 21st day of March, A. D. 1865.

Senate bill No. 1030, a supplement to an act to incorporate sundry Baptist churches in Cambria, Blair, Huntingdon, Mifflin, Juniata and Centre counties, called the Centre Association of Independent or Regular Baptist churches, approved the 11th day of April, A. D. 1866, changing the time for the election of trustees and the meeting of said trustees.

No. 1816, further supplement to an act to incorporate the Union coal company, approved May 4th, 1857 (now the Osceola coal company), increasing the privileges of said company.

No. 1495, an act to incorporate the Corn Exchange warehousing company of Philadelphia.

With information that the House of Representatives has passed the same without amendments.

He also informed that the House of Representatives has adopted the report of the committee of conference appointed to confer upon the subject of the differences existing between the two Houses on Senate bill No. 854, entitled an act to allow the sheriff of Elk county fees for serving jury notices, and increasing the pay of supervisors in said county.

He also returned bill from Senate numbered and entitled as follows, viz:

No. 928, an act to incorporate the Pittsburg transportation company.

With information that the House of Representatives has passed the same with amendments, in which the concurrence of the Senate is requested.

On motion of Mr. BIGHAM, said amendments were twice read and concurred in.

MESSAGE FROM THE GOVERNOR.

EXECUTIVE CHAMBER,
HARRISBURG, April 6, 1867.

To the Senate and House of Representatives of the Commonwealth of Pennsylvania.

GENTLEMEN—I have approved and signed the following acts of the General Assembly, to wit:

On 5th instant:

An act to repeal an act for the repeal of an act changing the venue in certain actions of ejectment from Armstrong to Allegheny county.

A supplement to an act incorporating the M'Connell mineral company, changing the name thereof, increasing the quantity of land to be held by said company, and authorizing the extension of their railroads.

An act to amend an act to incorporate the Potter County Forest improvement company, approved May 1st, Anno Domini 1861, and-

the supplement thereto, approved the 10th day of August, Anno Domini 1864.

An act to authorize the burgess and town council of the borough of Shrewsbury, York county, to erect or construct a lock-up house.

An act to vacate Hilles street, between Orchard street and Paul street, in Frankford, in the Twenty-third ward of the city of Philadelphia.

An act relating to public printing in the county of Juniata.

An act to provide for the appointment of controllers of the public schools of the First school district of Pennsylvania.

An act to incorporate the Fifth street market company.

A further supplement to an act passed March 29th, A. D. 1803, to establish a board of wardens of the port of Philadelphia and for other purposes.

An act amending the charter of the municipal corporation of the city of Lancaster and dividing the same into nine wards.

A supplement to the act entitled A supplement to the act incorporating the Howard coal and iron company, approved the 18th day of August, 1864, which became a law on the thirtieth day of January, A. D. 1866, extending the time for the payment of the enrollment tax on said act.

An act to incorporate the Delaware Valley railroad company.

An act to incorporate the Pittston Industrial Co-operative association, number one, in the borough of Pittston, for mercantile purposes.

An act to extend the time for the payment of the enrollment tax on an act entitled An act to incorporate the Keystone coal and manufacturing company of Somerset county.

An act to extend the time for the payment of the enrollment tax on an act entitled An act to incorporate the Madison coal and oil company, approved August 10th, 1864.

An act exempting the property of the Ladies' United Aid society of the Methodist Episcopal church of Philadelphia from taxation.

An act to incorporate the National peat company.

An act to repeal the act to incorporate the Odd Fellows' Hall association of Tremont, in the county of Schuylkill, and to vest the rights of said association in the board of trustees of Tremont Lodge, No. 265, of Independent Order of Odd Fellows of Pennsylvania.

An act increasing the compensation of the judges of elections in the Twenty-first, Twenty-second, Twenty-third and Twenty-wards of the city of Philadelphia.

An act repealing the provisions of the act for the protection of sheep and taxing of dogs in the county of Blair, and extended to the county of Monroe, so far as the same relates to the township of Pocono, in the said county of Monroe.

An act to incorporate the Dunmore gas and water company.

An act to incorporate the Tidioute and Warren oil company.

An act authorizing the Shafton coal company to borrow money and to hold lands.

An act to prevent the depositing of tan bark in Poko Poko or Head's creek, in the county of Monroe.

An act punishing the sale of adulterated milk in Potter and Tioga counties.

An act for the relief of A. D. Hamlin.

An act to incorporate the Madison bridge company of Pottstown, Montgomery county.

An act extending the provisions of an act approved March 22d, A. D. 1817, relative to horse racing on the public highways in Philadelphia county, to the township of Leacock, in the county of Lancaster.

An act to enable the agents of the Methodist Book concern to hold real estate in the city of Pittsburg.

An act to incorporate the Idaho mining exploring company.

An act to incorporate the Wyoming Valley manufacturing company.

An act providing for the election of a township treasurer in Middle Smithfield township, Monroe county.

A supplement to an act entitled An act to incorporate the borough of Columbia, approved April 16th, 1866.

A further supplement to an act passed May 16th, A. D. 1861, entitled A act to authorize the erection of a free bridge over the river Schuylkill, at South street, in the city of Philadelphia, making it the duty of the chief engineer to direct the building of a bridge and providing that the same shall have a draw therein.

A supplement to an act entitled An act to incorporate the Mattawanna bridge company approved March 3d, 1848.

An act to incorporate the Brandy Camp railroad company.

An act establishing the Vinegar ferry in the county of York.

An act to declare West creek, in the counties of Elk and Cameron, a public highway.

An act to incorporate the M'Keesport gas company.

A supplement to an act to incorporate the Pittsburg and Arizona gold and silver mining company.

An act to authorize David Souder and Henry Souder, trustees under the will and testament of Jacob Zug, late of Berks county, deceased, to invest the moneys in their hands received from the said deceased, and proceeding from his estate, for the use of his daughter, Sophia Souder, or her children, in the purchase of certain real estate.

An act to authorize the trustees of the Presbyterian congregation in Clearfield county to convey certain real estate.

An act supplementary to an act concerning streets and sewers in the city of Pittsburg, approved January 6th, 1864.

An act authorizing the Governor to incorporate a company to erect a bridge over the Youghiogheny river at a point between the mouth of Dickerson run and Taylor's fording, in the county of Fayette.

An act to authorize the appointment of one additional notary public for the county of Luzerne, to reside in the borough of Wilkesbarre, and repealing so much of the act of April 14th, 1840, as renders justices of the peace ineligible to the office of notary public, so far as the same relates to the additional notary public authorized by this act.

An act to incorporate the Lebanon Valley college.

A supplement to the act to incorporate the Boatman's insurance and transportation company and to increase the powers thereof, approved the 17th day of May, 1866.

An act to ascertain the views of the qualified electors of M'Kean county upon the subject of refusing licenses for the sale of liquors in said county.

An act to change the corporate name of the Mill Creek gold and silver mining company of Colorado.

An act relative to the purchase of a law library in the county of Wayne.

An act authorizing the commissioners of Clinton county to appropriate the unexpended relief funds of said county to building a new court house.

An act to perfect title to one hundred and sixteen acres of land in Somerset county heretofore owned by the Union coal and iron company.

An act to increase the compensation of county commissioners, township auditors and the sheriff for boarding prisoners in the county of Jefferson.

An act to incorporate the South Witmer run navigation company in the county of Clearfield.

An act to provide for the erection of a bridge across Nescopeck creek in Nescopeck township, Luzerne county.

An act to pay a pension to Sarah Winters, widow of Stacy Winters, a soldier of the war of 1812.

An act to extend the time for the payment of the enrollment tax on the Dime Saving institution of Harrisburg.

An act to authorize the Evangelical Lutheran congregation of Berlin, in the county of Somerset, to sell certain real estate.

An act to incorporate the Tunkhannock plank road or turnpike company.

An act to extend the time for the payment of the enrollment tax on an act entitled An act to incorporate the Gettysburg and Chambersburg railroad company, approved April 17th, 1866, and authorizing said road to make connections.

A supplement to an act approved April 26th, 1850, incorporating the Wissahicken turnpike road company.

An act to declare the North and Uber branches of Little Mahoning creek, in Indiana county, public highways.

A further supplement to the act consolidating the city of Philadelphia, defining the amount of money to be borrowed on temporary loans.

An act to incorporate the Co-operative association of the city of Allentown, in the county of Lehigh, for mercantile purposes.

A supplement to an act incorporating the city of Allegheny, in the county of Allegheny, approved the thirteenth day of March, A. D. one thousand eight hundred and forty-four.

An act to incorporate the Shawsville bridge company, in the county of Clearfield.

An act to authorize the school board of Washington township, Indiana county, to levy and collect an additional bounty tax.

An act to exempt Calvary Monumental church, of Philadelphia, from taxation.

An act relating to the collection of taxes in Cumberland county.

An act regulating equity jurisdiction in Philadelphia county.

An act to incorporate the North Whitmer Run improvement company, in the county of Clearfield.

An act to incorporate the Co-operative association of Wilkesbarre, number one, in the borough of Wilkesbarre, for mercantile purposes.

An act providing for changes in the State road in Plymouth township, between the Westerly boundary of Plymouth borough and Harvey's creek, in Plymouth township, Luzerne county.

An act relative to livery stable keepers in Mercer county.

A supplement to an act to confer additional powers upon the burgess and town council of the borough of Wilkesbarre, approved twenty-third of March, one thousand eight hundred and sixty-five.

JNO. W. GEARY.

REPORT OF COMMITTEE OF CONFERENCE.

Mr. JACKSON, from the committee of conference appointed on the subject of the differences existing between the two Houses on House bill No. 1038, entitled An act to repeal an act to prevent horses, cattle, sheep and hogs from running at large in Chillisquaque township, Northumberland county, Kelly township, Union county, and certain townships in Luzerne county, so far as the same relates to Chillisquaque township, Northumberland county, and Kelly township, Union county, reported that the committee

met and were unable to agree; and therefore asked to be discharged from the further consideration of the subject.

On motion of Mr. JACKSON, said report was read a second time, considered and adopted.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

The Clerk of the House of Representatives being introduced, presented for concurrence bills numbered and entitled as follows, viz:

No. 2148, an act authorizing the trustees of the Williston Baptist church of Chester county to remove bodies from their burial grounds and reinter the same.

Referred to the Committee on the Judiciary Local.

No. 2149, an act to incorporate the Rich Valley Co-operative association of Allegheny county.

Referred to the Committee on the Judiciary Local.

No. 1856, an act to incorporate the Legal Tender gold and silver mining company.

Referred to the Committee on Municipal Corporations.

No. 1839, an act to authorize an increase of taxes for borough purposes in the borough of Temperanceville, in the county of Allegheny.

Referred to the Committee on the Judiciary Local.

No. 1866, an act to legalize the action of the school directors of Springfield township, Fayette county, and to authorize the levy and collection of an additional bounty tax.

Referred to the Committee on Education.

No. 1887, an act relating to bounties in Concord township, Erie county.

Referred to the Committee on the Judiciary Local.

No. 1891, an act to incorporate the Gallitzin and Cambria Mills turnpike road company.

Referred to the Committee on Roads, Bridges and Ferries.

No. 1904, a supplement to an act relative to the protection of fish in the Susquehanna river and its tributaries, approved the 13th day of March, A. D. 1866, extending the same to the Conedoguinett creek, in the counties of Cumberland and Franklin.

Referred to the Committee on Canals and Inland Navigation.

No. 1917, an act providing for the relief of John Sensenbach by the commissioners of Northampton county.

Referred to the Committee on the Judiciary Local.

No. 1919, supplement to an act providing for the purchase, erection and construction of public water works for the borough of Easton, Northampton county, by the corporate authorities of said borough.

Referred to the Committee on Corporations.

No. 1921, an act to authorize the trustees of the Georgetown school property, in the county of Northumberland, to sell certain real estate.

Referred to the Committee on Education.

No. 1934, a supplement to an act entitled An act to incorporate the Broad Street and Island road company.

Referred to the Committee on Roads and Bridges.

No. 1935, an act authorizing the burgess and town council of Oil City to levy a tax for borough purposes.

Referred to the Committee on Education.

No. 1937, supplement to an act authorizing the burgess and town council of Venango City, Venango county, to increase their borough tax.

Referred to the Committee on the Judiciary Local.

No. 1938, an act to extend the provisions of an act relative to mechanics' liens in the counties of Luzerne and Schuylkill, approved 17th day of February, 1858, to the county of Forest.

Referred to the Committee on the Judiciary Local.

No. 1965, a further supplement to an act incorporating the Wilkesbarre and Pittston railroad company, approved April 15th 1859, to increase the capital stock, make branch roads and hold lands.

Referred to the Committee on Railroads.

No. 1648, an act to annul the marrriage contract between James Edwards and Elizabeth Edwards, his wife.

Referred to the Committee on the Judiciary General.

BILL RECONSIDERED.

Mr. FISHER moved for a reconsideration of the vote on bill entitled A further supplement to an act to provide for the regulation and inspection of buildings in the city of Philadelphia, and for the better preservation of life and property, passed May 7, A. D. 1855.

On the question,

Will the Senate agree to the motion?

The yeas and nays were required by Mr. CONNELL and Mr. SHOEMAKER, and were as follow, viz:

YEAS—Messrs. Bigham, Billingfelt, Browne (Lawrence), Brown (Mercer), Coleman, Connell, Cowles, Fisher, Graham, Landon, Lowry, M'Conaughy, Ridgway, Shoemaker, Taylor, White and Worthington—17.

NAYS—Messrs. Davis, Donovan, Glatz, Jackson, James, M'Candless, Randall, Schall, Searight, Stutzman, Wallace and Walls—12.

So the question was determined in the affirmative.

The bill being again before the Senate, and the question recurring,

Will the Senate agree to the first and only section?

On motion of Mr. FISHER, the question, together with the further consideration of the subject, was postponed for the present.

THE HISTORY OF PENNSYLVANIA REGIMENTS.

Mr. CONNELL. Mr. Speaker, in view of the interesting discussion last evening on the history of the war, I ask that the following letter be read:

1819 CHESTNUT STREET,
PHILADELPHIA, April 5, 1867,

HON. GEORGE CONNELL, *Harrisburg, Pennsylvania:*

My Dear Sir—I take the liberty of writing you to inform you that there is now in this city a collection of about (2,500) twenty-five hundred works on the late rebellion for sale at the, I think, reasonable price of ($1,500) fifteen hundred dollars, and which it would be most desirable and valuable for our State to possess, and would be of particular service to the State Historian, Mr. Bates, in the preparation of his forthcoming works. And I would suggest the immediate purchase of them by the Legislature, as such a collection could never again be brought together, and includes works from all parts of the world. Will you not please present a bill to the Legislature authorizing their immediate purchase, as an offer has been made for them from a foreign country, and I think it would be a shame to allow them to go out of this State, when they can be obtained so reasonably. Pray urge this for the credit and benefit of both the State and history, and let us boast of one department in our library which cannot be excelled.

Faithfully and truly yours,
CHAS. H. HART.

Mr. CONNELL. I should like to know if it would not be advantageous to purchase these works for the use of the historian?

CHANGE OF VENUE.

Agreeably to order,

The Senate proceeded to the second reading and consideration of a bill entitled An act to provide for the ordinary expenses of the government, and other general and specific appropriations.

On the question,

Will the Senate agree to the first section?

Mr. CONNELL said: Mr. Speaker, I desire to make a statement. A few days ago the Senate passed a bill entitled An act to change the venue in a certain case from Schuylkill county to Lebanon county, to a second reading, during the absence of the Senator from Schuylkill [Mr. RANDALL.] Upon his return, it seems to have been sent to the House without being passed. I allowed the Senator forty-eight hours to bring witnesses up here, and have allowed this matter to go over to the last day; and, unless the bill is passed to-day, it will be lost; and I ask, as a matter of courtesy, that it be considered now. I move, therefore, that the further consideration of the appropriation bill be postponed for the present for the purpose of taking up this bill.

Mr. RANDALL. Mr. Speaker, as the Senator from Philadelphia [Mr. CONNELL] has made a statement, I would like the same privilege. When I left here last Friday, the distinct understanding was that no bills were to be called up that were objected to. Notwithstanding that, during my absence, the Senator from Philadelphia [Mr. CONNELL] called up this bill, and passed it to a second reading. It was messaged to the House, and now he endeavors to take advantage of me by passing this bill through, this being the last day.

Mr. CONNELL. There is no unfairness in that.

On the motion,

Will the Senate agree to the motion of Mr. CONNELL?

The yeas and nays were required by Mr. RANDALL and Mr. CONNELL, and were as follow, viz:

YEAS—Messrs. Bigham, Billingfelt, Browne (Lawrence), Coleman, Connell, Cowles, Donovan, Fisher, Graham, Haines, Landon, Lowry, M'Candless, M'Conaughy, Ridgway, Shoemaker and Worthington—17.

NAYS—Messrs. Burnett, Davis, Glatz, Jackson, James, Randall, Royer, Schall, Searight, Stutzman, Taylor, Wallace, Walls and White—14.

So the question was determined in the affirmative

Mr. DONOVAN moved that the Senate reconsider the vote just taken.

On the question,

Will the Senate agree to the motion?

The yeas and nays were required by Mr. DONOVAN and Mr. M'CONAUGHY, and were as follow, viz:

YEAS—Messrs. Burnett, Davis, Donovan, Fisher, Glatz, Graham, Jackson, James, Landon, M'Candless, Randall, Ridgway, Royer, Schall, Searight, Stutzman, Wallace, Walls and Worthington—19.

NAYS—Messrs. Bigham, Billingfelt, Browne (Lawrence), Coleman, Connell, Cowles, Haines, Lowry, M'Conaughy, Shoemaker and Taylor—11.

So the question was determined in the affirmative.

And the question recurring,

Will the Senate agree to the motion to postpone the appropriation bill, to consider bill relative to the change of venue?

It was determined in the negative.

THE APPROPRIATION BILL.

The Senate then resumed the second reading and consideration of bill entitled An act to provide for the ordinary expenses of the Government and other general and specific appropriations.

The first and second sections were read and

Agreed to.

Mr. WALLACE said there was an increase in the second section of several thousand dollars, and desired to know if it was necessary.

The third, fourth and fifth sections were read and

Agreed to.

Mr. WALLACE. I believe there is an increase in this section of one thousand six hundred dollars of the bill of last year. There is an additional night watchman for two years. The messenger heretofore performed both duties. Is this considered necessary by the Auditor General?

Mr. CONNELL. I understand that it is in consequence of the valuable papers there stored. The newspapers have given notice of this, and it is thought necessary to employ an additional watchman.

The sixth section was read.

Mr. CONNELL moved to amend by making the salary of the chief clerk in the Surveyor General's office one thousand eight hundred dollars, instead of one thousand six hundred dollars.

The amendment was

Agreed to.

The section as amended was

Agreed to.

The seventh section was read and

Agreed to

The eighth section was read.

Mr. WALLACE. Here again I find a new officer—night watchman in the Treasury Department. Heretofore, those duties have been performed by the messenger at eight hundred dollars; now we give him nine hundred dollars. Will this additional watchman be necessary? Heretofore, they have got along without these.

Mr. CONNELL. The newspapers have called the attention of all the thieves in the country to the valuable papers stored there. I have no doubt it is necessary.

The section was

Agreed to.

The ninth section was read and

Agreed to.

The tenth section was read and

Agreed to.

The eleventh section was read and

Agreed to.

The twelfth section was read as follows:

SEC. 12. For the payment of pensions and gratuities, the sum of seven thousand dollars, and such further sums as may be necessary to pay to the widows and children of deceased soldiers such sum or sums as they may be entitled to receive according to law, and the act entitled An act to provide for the payment of gratuities and annuities to the soldiers of the war of 1812, and to their widows, approved the 30th day of March, 1866, be and the same is hereby repealed.

Mr. WALLACE. Mr. Speaker, I would be glad to know the reason for repealing the general law of 1866. It was a carefully considered law, and saved us a great deal of special legislation. I cannot understand the necessity for its repeal.

Mr. LANDON. I am not aware that I can explain the thing fully; but it is known, sir, that we passed that act in 1866; it is known that we endeavored to guard it carefully, declaring that the applicants, in order to be recipients, must have such and such qualities, and produce such and such evidence, and among other things, that they must be in indigent circumstances; and I venture the affirmation that when we passed that law every Senator supposed that ten thousand dollars or fifteen thousand dollars would be enough for the expenditures. By some means, it will take nearly two hundred thousand dollars out of the treasury. That is manifestly wrong. We ought to be generous, but not unjust, and in order to get back to the line of justice, I am in favor of repealing that act, and let individual cases come in on their merits.

Mr. WALLACE. Then I understand that whilst last year we provided a general law for that class of persons whom we considered meritorious, we provided certain specific things to be done by them before they received any money from the Treasury. They have come forward to the Treasury and demonstrated that there are people of this kind, and now we think that it costs too much money, and, therefore, while we were doing a just thing in 1866, we find it costs us too much money, and we must take the back track.

Now, if that act of 1866 was a good act, and these people were entitled to the money, then they are entitled to it now. It seems to me, if these people are deserving, we should not take the back track, even if it does cost us one hundred and fifty thousand dollars a year. We had better stand by the general law. In the natural course of events, these people pass off from the list pretty rapidly. It seems to me a bad stroke of policy to wipe out of existence a general law, and permit ourselves to re-enact special laws to meet special cases. First, we are annoyed and troubled with these people in this Legislature; secondly, we will do injustice, and general laws are better than special laws.

Mr. LANDON. Mr. Speaker, it will be remembered that the Treasurer has no discretionary power. An applicant comes forward with certain affidavits, and demands a stipend, and the Treasurer can only pay it out. An individual came forward to the Treasurer with the requisite affidavits, and at the same time proposed to sell to the Treasurer lands worth fifty thousand dollars, which he was the owner of; well, the Treasurer did not want to buy lands, yet he had to pay the stipend. The Treasurer must pay these moneys, even if he knows that nine-tenths of the men are not deserving. Will the Senate allow that to go on, or shut down upon it? I think we should shut down upon it.

Mr. M'CONAUGHY. Mr. Speaker, I think the case can be met more readily. Let these scoundrels be indicted and punished. If officers are aware of such cases, it is their duty to prosecute every one of these scoundrels. They ought not to be permitted to exist in this Commonwealth. It is wrong, sir, that a class of people who are as meritorious as any that exist in the bounds of the Commonwealth, and who appeal to every just attribute of our nature, should suffer from this prejudice because there are some rascals within the bounds of the Commonwealth.

Sir, I hope this repealing clause will not prevail. There are now a number of old soldiers in this Commonwealth who fought in 1812; there are a number of such soldiers in actual want and in our poor houses. This ought not to be. The relief extended by the Commonwealth is right. That there are defects in the law, is no argument against the law. There is now a bill which came from the House, and was referred to one of the committees, which I hope will be reported to-day, seeking to remedy these defects. I admit that they exist. I think that one of the objections is the looseness with which these allegations of poverty may be established. There are abuses under our State law, and under the United States laws. All these pension laws have been prostituted and abused by villains; but that is no argument against them; it goes to show the defects which ought to be remedied. I hope, sir, we will not go back upon these men who fought; I hope the fair escutcheon of Pennsylvania will not be stained with the infamy of leaving these men or their widows in the almshouses of Pennsylvania.

Mr. LANDON. Mr. Speaker, allow me one word. I agree with the Senator from Adams [Mr. M'CONAGHY], upon this central idea of his remarks, that the deserving cases should receive attention. But, sir, is not this Legislature wise enough to draw and pass a law that shall be free from these abuses? We have a law that is abused. What shall we do? Put it down, and substitute one that will not be abused. Why, sir, the Attorney General requires every applicant to bring the sworn affidavit of two individuals, and then he swears himself that he is poor; and yet, they are drawing one hundred and fifty thousand dollars, three-fifths of which is drawn on perjured papers. Will the Senate refuse to do anything? I hope not. Talk about the Treasurer prosecuting. The spoils have gone to the claim agents. The land shark goes there with a bundle of claims; what does he say to the Treasurer? He says: "It is your business to pay out the money that the Legislature tells you to." Now, I would do justice to every meritorious case, but these abuses should be checked.

Mr. LOWRY. Mr. Speaker, I move to amend by striking out the clause repealing the act of 1866, and I have a single word to say in regard to that. If the proposition to strike out that clause does not prevail you do great injustice to the most meritorious class of people in Pennsylvania, and to the most needy of soldiers. If we do not strike that out what will be the effect upon the poor old widow when the time comes around for the payment of her thirty or forty dollars? What will be the condition of the poor old soldier, with his staff in his hand, in July next, when the time comes for the payment of his forty dollars? And yet the Senator from Bradford [Mr. LANDON] would strike down that old man.

Mr. LANDON. No, sir.

Mr. LOWRY. That would be the practical effect. It is too late to get up another soldiers' bill, and you practically deny the old man justice, because, sir, there are perjured leeches running at large in Pennsylvania. That doctrine, sir, will not do; that will not do for a Republican Senate. Here we are, sir, increasing the salaries of every officer in the Commonwealth; we are giving charity with a liberal hand, from the lakes to the Delaware. We are kind to every one except those who helped to save our country, and we hold up the thieves and the robbers in the Commonwealth as an excuse for our dereliction. I have no fears but that the Senate will adopt the amendment I have offered. I had much to do with the passage of the bill a year ago.

It is true, sir, that great abuses have crept in under that bill, and it was our duty before now to amend that bill, but it is not our duty, sir, to repeal it; it was wise and humane; it has said to the poor old man and the poor old soldier's widow throughout the Commonwealth, "If you are poor and needy, and unable to support yourselves for the remnant of your days, we will give you a small pittance." Because that act has been abused, shall we repeal the whole system, and bring back here what few remain next winter as individual cases? I trust not, sir.

Mr. WALLACE. Mr. Speaker, there is another objection to this repealing clause. It is always objectionable in an appropriation bill to insert a clause that repeals a general

statute. It may be well in a bill of this character to repeal a law that appropriated money; but when you insert in a general appropriation bill a clause repealing a law that has no special reference to appropriating money, you are setting a bad precedent. Let the thing come up on its own merits. The arguments of the Senator from Bradford [Mr. LANDON] in regard to the difficulties in carrying out this law, weigh very little. There may be defects in the law; that is a reason why it should be amended. All human machinery, in its inception, is defective; in all attempts to create new machinery there are defects in its workings. If there be good things in it we endorse it.

No Senator will deny that these are a deserving class of people; we should not attempt, then, to take away their rights, but we should attempt to improve the machinery which gives them their rights, and I hope the Senate will vote down this repealing clause.

Mr. FISHER. Mr. Speaker, that there have been abuses under this act nobody doubts. Possibly three-fifths of the money drawn from the Treasury, as stated by the Senator from Bradford [Mr. LANDON], has been improperly drawn; but I trust the time for these abuses has passed. Certainly the expenses under that act for the coming year cannot be anything like what they have been in the past. I stated a few days ago, that one-half of the money paid out of the Treasury has been paid in the form of gratuities. That is all over. I presume there are very few claims now coming from the auditor's hands, except those that have already been adjusted. Now, suppose that there have been frauds upon the treasury, which nobody doubts, is that any reason why we should not take care of the persons who have just and legal claims? Suppose that one man in a community commits murder, are you going to hang the whole community for his crime? Certainly not. I would rather that a thousand illegal claims should pass, than that one of these just claims should be denied.

Go to the men who lost their legs at New Orleans; go to Plattsburg, where the eyes were shot out of those men, and then ask Pennsylvania if she is not willing to make an appropriation for their distress. Oh! you can vote seventeen thousand dollars, to men holding positions upon this floor, but, when it comes to the old soldier, then, sir, there are certain Senators here that want to go back upon them. I want it to be distinctly understood that I am at all times, and under all circumstances, willing to stand up for the men who stood up for the defense of the country in her hour of need, and I trust this repealing clause will be voted down, and that we will take care of the men who took care of us.

Mr. LANDON. Mr. Speaker, I say emphatically now, sir, that I will not sit still and have any man assert that I am disposed to go back upon the meritorious soldier. The Senator does not, probably, wish to insinuate that, but that is the idea. The man that does not vote with him discards the old soldier! No, sir; there is as large a place in my heart for the patriotic soldier as there is in any man's heart, and it does not follow that I am going back upon the meritorious soldier because I do not want the scallawags to get his money. I conferred with the Governor upon this subject, and introduced a resolution requesting the Committee on Pensions and Gratuities to bring in a bill remedying the law of 1866, but no such bill has been brought in, and these perjured villains are still plunging into the Treasury. Why has not a bill been brought in?

Mr. GLATZ. Why did not the Senator do it?

Mr. LANDON. It is not my duty. Now, sir, I do not want to take a dime from the old man who has bared his bosom to the thunder-blasts of war, and I do not want anybody to insinuate it. He is the best guardian of the deserving man who stands between the deserving man and the horse-leech; and I am that man, sir. My friend upon the right should have a bill perfected and passed that would give the deserving man his dues, and shut out the undeserving. Now, I will vote for the repeal of that act, in order to get the thing in such shape as we all desire.

Mr. WALLACE. Mr. Speaker, I had no intention of reflecting upon the Senator from Bradford. No man will doubt his patriotism and his regard for those who have served upon the battle-fields of the country. But it seems to me that in view of the general legislation upon our statute book, this is wrong, and that the Senate should not repeal the act of 1866.

Mr. M'CONAUGHY. Mr. Speaker, I fully concur in what has fallen from the Senator from Clearfield [Mr. WALLACE] in regard to the Senator from Bradford. I know, sir, that his motives are as generous, and as right, and as true as those of any Senator upon this floor. We only differ as to a matter of policy. I do not wish to multiply upon what I have already remarked, but I wish to add this: I think there is a constitutional difficulty in the way of the repeal of that law. Now, sir, an amendment to the Constitution provides that no act shall embrace more than one subject, except appropriation bills. I understand that to mean, sir, that the exception is in cases of bills making appropriations; there they necessarily embrace a number of items. What is the case here? The point I make is, that this clause to repeal a law is not in the nature of an appropriation.

A bill was introduced to repeal the pension act, this winter, and discussed in both Houses, but, so far, has not been adopted by both Houses. An attempt to enact it under the head of the appropriation bill is against the spirit and intent of the Constitution.

Mr. BROWN (Mercer). Mr. Speaker, when this subject was up before, I took occasion to say that I was willing to take the responsibility of voting for the repeal of the act of 1866. I have not changed my views. Facts are stubborn things; and what are the facts in this case? The facts are that heretofore it has cost the State six thousand dollars or eight thousand dollars to pay these gratuities and pensions. Under the operations of this act of '66 it has already cost the State, from the claims already allowed, about one hundred and sixty thousand dollars in one year. It strikes me that a law liable to be so grossly abused as this ought to be speedily removed from the statutes. And who is there here to say that a single meritorious case which has been brought to the attention of the Senate has been refused, when special legislation was asked? I take it that the Legislature, whenever a meritorious case is brought before them, will take pleasure in granting a pension by a special act, and it seems to me that this is where the matter should rest. Men who are not entitled to pensions will not dare to come here and ask for an act for their benefit. But this act of 1866 seems to be a big job for claim agents.

Mr. LOWRY. That bill was not passed for any such purpose.

Mr. BROWN (Mercer). I am in the habit of judging trees by their fruits; and when I find that one hundred and sixty thousand dollars have been taken out of the Treasury to pay claims which heretofore amounted to only eight thousand dollars, I judge that somebody has been making a good thing out of it. As has been said by the Senator from Bradford [Mr. LANDON], men who are rich have made out their claims and been paid. An act capable of being so abused ought to be removed from the statute book. I am not opposed to granting pensions to meritorious persons; but the idea of permitting a general law of this kind to remain upon our statute books, which allows the State Treasury to be depleted, is simply, to my mind, wrong, and I am willing to accept the responsibility of voting for its repeal.

Mr. LOWRY. Mr. Speaker, I will detain the Senate only to deny the fact that this bill was passed to give big jobs. I deny that it has been abused to the extent which Senators charge here. You would require a poor old man to come here, leaning upon his staff, and go around this hall begging for a special law for his special case. You desire men in poor houses to come to Harrisburg for special legislation, and you desire to send them back there. I desire no such thing. I desire that all meritorious cases should be reached without their coming to this Legislature under such circumstances. Because there were half a dozen thieves and robbers, gentlemen rise up and denounce the motives of those who introduced that bill.

This, sir, is all wrong. That bill of last winter is a good bill, and should not be repealed, unless a better substitute is introduced. The Senator from Mercer [Mr. BROWN] advocates the entire repeal of this bill, when it is manifest that if we do that those who are entitled to this bounty in July next cannot receive a dollar, and, before they can come here and get this special legislation, the grave will have settled their accounts. The law was humane when passed, but it has been abused, and should be corrected. Read over the law, and you will find that it was intended to be beneficial only to those who were poor and needy, and could not support themselves, and had not the means of subsistence.

Mr. BIGHAM. Mr. Speaker, I have been endeavoring to satisfy myself about this matter. I am not in a position to judge conclusively of its merits. In looking over the list of pensioners, I find there are comparatively few in my section, and in the West generally the number is quite small. Still, on turning to the law, I am not prepared to say that, if it was before us to-day, we should very radically change it. The fault is not in the law, but in the administration of it. But the responsibility is thrown upon the Auditor General rather than upon the Treasurer. If he knows of any such state of facts as the Senator from Bradford [Mr. LANDON] asserts he never would give the certificate. In my section, we are very little interested. I know a few meritorious cases, in which the parties have not seen proper to come here for special application.

My own impression is that the repeal of the law would only cause an immense swarm of these persons here. But I think the Auditor General should be more careful in the future; and I agree with those Senators who think that the principle of repealing the act in this manner is objectionable.

Mr. BURNETT. Mr. Speaker, I do not see any necessity for any rhetorical flourishes upon a common sense question. I propose to make a proposition that will meet the objections here; that is to let the section remain intact, and then pass a supplement to the act of 1866, under a suspension of the rules, requiring that public officers of the Commonwealth shall pay no claims unless these claims are endorsed as meritorious by either one or both of the associate judges where the applicant resides. I make that suggestion.

Mr. WHITE. Mr. Speaker, I have just

been writing an amendment here, which I move to substitute for the repealing clause of that section. It is as follows:

"*Provided*, That before any pensions or gratuities are paid by the State Treasurer, under the act approved April 30th, 1866, the application shall be accompanied by a certificate, under oath, of the associate judge of the county in which the applicant resides, or, if in the city of Philadelphia, of one of the judges of the court of common pleas of said city, that the applicant is in necessitous circumstances."

I do not desire to make any oratorical flourishes. The best tribute we can pay to the soldiers is by practical legislation here, and the only complaint by the officers of the Government is that the act of last year is too general in its terms—too uncertain in its provisions—and allows a class of persons to take money from the treasury which the Legislature never desired should be paid. Now, sir, this proviso, which I have sent to the clerk's desk, will be a guard upon the treasury to that extent; it will require a judicial officer of the county to certify that the party is in necessitous circumstances.

The SPEAKER ruled the amendment out of order, as the amendment of the Senator from Erie was already pending.

Mr. CONNELL. In reply to the Senator from Adams [Mr. M'CONAUGHY], I would say that the appropriation bill contains various repealing clauses. We have repealed an act relative to the Transportation Department. You will find those clauses all through the bill.

Mr. M'CONAUGHY. That is not the repeal of a statute.

Mr. CONNELL. Practically, it does the same thing.

Mr. M'CONAUGHY. I desire to say, for the benefit of our friends who desire to improve the law, that we will to-day report a supplementary act from the committee which will remove the defects.

The amendment of Mr. LOWRY, striking out the repealing clause, was

Agreed to.

Mr. WHITE then renewed his amendment.

Mr. M'CONAUGHY. Mr. Speaker, I hope this will be voted down.

Let us not do this in a hasty manner. Let us do it carefully. I do not believe it will benefit this law one iota. Let this matter of poverty be ascertained before the court in the county in which the applicant resides.

Mr. WHITE. Mr. Speaker, I do not wish to take up time, but this amendment meets the approbation of the State Treasurer and Auditor General. Furthermore, we ought certainly to do something. There are two objections made to the payment of these pensions; one is that there is not money enough, and another is that the officers are not satisfied that the parties applying are in necessitous circumstances, and they want this additional proviso; and if you are the friend of the soldier, you will vote for this amendment.

The amendment of Mr. WHITE was

Agreed to.

The section as amended was

Agreed to.

The thirteenth section was read.

Mr. FISHER moved to strike out the manuscript amendment at the end of the section, which reads as follows:

"And all acts or parts of acts requiring the School Department to publish their decisions and reports in any particular journal are hereby repealed."

On the question,

Will the Senate agree to the amendment?

The yeas and nays were required by Mr. FISHER and Mr. GLATZ, and were as follow, viz:

YEAS—Messrs. Billingfelt, Burnett, Davis, Donovan, Fisher, Glatz, Jackson, James, M'Candless, Randall, Schall, Searight, Wallace, Walls, White and Hall, *Speaker*—16.

NAYS—Messrs. Bigham, Browne (Lawrence), Brown (Mercer), Connell, Cowles, Graham, Haines, Landon, Lowry, M'Conaughy, Ridgway, Royer, Shoemaker, Stutzman, Taylor and Worthington—16.

So the question was determined in the negative.

During the call,

Mr. BROWNE (Lawrence) said: Mr. Speaker, this question has been before the committee and discussed there. The Committee on Education prefer that the amendment should not be stricken out. They prefer, in other words, that the Superintendent of Common Schools shall have the privilege of selecting his organ in which to publish the decisions of the department; that is perfectly right. There is a law upon the statute book by which two thousand copies of the Pennsylvania School Journal have been sent to the various school districts. Dr. Burrowes is an independent man, capable of critizing the operations of the School Department. The Superintendent of Common Schools wishes to have the same independency as Dr. Burrowes claims. Let Dr. Burrowes have perfect independency in criticizing his department; let Mr. Wickersham have perfect independency also, so that when the decisions come to the school districts, they shall not be filled with unfair criticisms. I vote "no."

Also, during the call,

Mr. FISHER said: Mr. Speaker, Mr. Burrowes I know as one of the most steadfast friends of education in the State, and when he was building up the school system of the State, Mr. Wickersham was not born. I vote "aye."

The section, as amended by the committee, was then

Agreed to.

The fourteenth section was read

Mr. WALLACE. Mr. Speaker, here is an increase of one hundred thousand dollars over our appropriation of last year. I presume it is warranted by the facts. I have uniformly sustained this charity, but I cannot sustain the idea creating a bureau for the purpose of conducting this thing when I believe there is a bureau in existence already which can take care of it. I move, therefore, to amend by striking out the following portion of the section: "For the salary of the inspector or examiner of soldiers' orphan schools, fifteen hundred dollars; for the salary of the female assistant inspector and examiner, the sum of one thousand dollars; for the salary of the office clerk, twelve hundred dollars;" and inserting in lieu thereof the following: "And all clerical and examining duties in regard to the same shall be performed by the clerks in the Common School Department." It does seem to me we are creating a horde of officers to eat out the substance of the people. We must commence to retrench at some point. This idea of creating clerks will have to be wiped out some day. There are a score of officers created by this bill, and it seems to me, in this case, we should impose these duties upon the clerks now existing.

Mr. WORTHINGTON. Mr. Speaker, the proper time to have made these objections would have been when we passed the soldiers' orphan bill, which has gone through both branches of the Legislature, and which arranges the whole organization of this department, and I think the Senator will find, if he will examine that bill, that we are adding less expense under it, as regards salaried officers, than under the original plan. We paid Mr. Burrowes, the Superintendent of Soldiers' Orphans, two thousand five hundred dollars a year; we paid an examiner one thousand four hundred dollars a year; we paid an inspector one thousand four hundred dollars a year; we paid a clerk twelve hundred dollars a year; and this bill, which provides for the organization of this department, puts the inspector and examiner together, and we pay fifteen hundred dollars where we paid twenty-eight hundred dollars before, under this very system.

Mr. CONNELL. There is a saving of one thousand five hundred dollars altogether.

Mr. WORTHINGTON. Of course there is an increased appropriation for the whole thing, for the purpose of sustaining these orphans.

Mr. WALLACE. After the explanation of the Senator from Chester [Mr. WORTHINGTON], I withdraw my amendment.

The section was then agreed to.

The fifteenth section was read.

Mr. WHITE moved to amend by making the appropriation for the support of common schools five hundred thousand dollars, instead of four hundred thousand.

Mr. LANDON. The bill came from the House giving six hundred thousand dollars to the common schools, and four hundred and fifty thousand dollars to the orphan schools; the Finance Committee in the Senate left the orphan appropriation as it was, and reduced the appropriation of common schools to four hundred thousand dollars. Subsequently we reconsidered the matter.

Mr. WALLACE. This is an increase of forty-five thousand dollars over last year.

Mr. WHITE. I trust my amendment will prevail. The people are largely interested in common schools. I am satisfied that the Superintendent would not recommend a larger amount than was needed.

Mr. BROWNE (Lawrence). For a number of years we have not made much advancement in this appropriation, notwithstanding the increase of expenses. I hope the amendment will be adopted.

Mr. WORTHINGTON. Mr. Speaker, I should be willing to go as far as any Senator here for the purpose of increasing this appropriation, if I felt that the finances of the State would justify it at this time. When we considered the increase over last year, we thought it better to put these departments on an equality. I do really think that it would be unadvisable to increase this amount this year beyond four hundred thousand dollars. I am willing to make gradual advances, but to add such a large additional amount at once I think is injudicious.

The hour of one o'clock having arrived, the Senate adjourned until three o'clock this afternoon.

AFTERNOON SESSION.

The Senate reassembled at 3 o'clock.

THE APPROPRIATION BILL.

The Senate having adjourned this morning pending the amendment of Mr. WHITE, the consideration of the same was resumed.

Mr. WHITE. In this connection I may say that I was in earnest when I made the motion to increase this appropriation to five hundred thousand dollars, and I trust the motion will prevail. As I remarked before, the bill came from the House making an appropriation of six hundred thousand dollars for this purpose; and it is to be very much regretted that the appropriation bill comes before the Senate so near the close of the session. In the section of the State where I live we are largely interested in this increase.

In the district in which I live the school tax is equivalent to the interest upon the cash valuation of their property; it is the heaviest burden we have to bear, and it is right and proper that the counties in the east should come to our assistance. We assist you in many ways, and I trust Senators from eastern Pennsylvania will not refuse to come up and assist western Pennsylvania by increasing this appropriation to what it should be.

Mr. BIGHAM. I would like to vote for this amount, if gentlemen best conversant with the facts would say that they think the State Treasury would bear it.

Mr. COLEMAN. I would like to ask how much we have increased it over last year?

Mr. CONNELL. One hundred thousand dollars for the orphans, and forty-seven thousand dollars for the others—a total increase of one hundred and forty-seven thousand dollars.

On the question,

Will the Senate agree to the amendment of Mr. White?

The yeas and nays were required by Mr. WHITE and Mr. CONNELL, and were as follow, viz:

YEAS—Messrs. Browne (Lawrence), Brown (Mercer), Burnett, Cowles, Haines, Landon, Shoemaker, Stutzman, Taylor, Wallace, Walls and White—12.

NAYS—Messrs. Bigham, Billingfelt, Coleman, Connell, Davis, Donovan, Fisher, Glatz, Graham, Jackson, James, Lowry, M'Candless, M'Conaughy, Royer, Schall, Searight, Worthington and Hall, *Speaker*—19.

So the question was determined in the negative.

Mr. WHITE. I move to amend by making it four hundred and fifty thousand dollars. I have a statement here from which I notice that that will be a very moderate increase on the present rate of distribution. I discovery from the memorandum, that in 1852 the distribution was thirty-nine and a half cents; in 1853, thirty-nine and a half cents; 1854, thirty-six cents; 1855, thirty-five cents; 1856, thirty-five cents; 1857, thirty-five cents; 1858, thirty-eight cents; 1859, thirty-eight cents; 1860, thirty-nine and a half cents; 1861, forty cents; 1862, forty cents; 1863, forty cents; 1864, thirty-nine cents; 1865, thirty-eight cents; 1866, forty-one cents; 1867, eighty-one cents, worth six hundred thousand dollars; sixty-four cents, worth five hundred thousand dollars; forty-six cents, worth four hundred thousand dollars. Deduct for normal schools..... $15,000 00

" Superintendents' salaries.....	56,020 00
" Lancaster University for colored teachers	1,500 00
for Philadelphia....	53,333 00
" for Philadelphia, to correct error of last year.....	9,300 00
	$135,153 00

This leaves from $600,000 to divide.....$464,847

From $500,000..... 364,847

" 400,000..... 264,847

If we increase it now to four hundred and fifty thousand dollars, it will only make an increase of fifty-five cents on each taxable. Now, this is not a large increase, when we consider that the salaries of teachers have so largely increased, and I trust you will allow this increase to be made. Furthermore, I am informed by the chairman of the Finance Committee that it was his understanding that this was to be the amount. I have perfect confidence in the committee; I simply want justice done.

Mr. CONNELL. That was the understanding of one member, but the understanding of the other four was that the appropriation was to be four hundred thousand dollars. This increase might do very well, if we had not been disappointed in receiving our revenue from the national banks. By a recent decision as to the banks we lose half a million.

On the question,

Will the Senate agree to the amendment of Mr. WHITE, making the appropriation for common schools four hundred and fifty thousand dollars?

The yeas and nays were required by Mr. WHITE and Mr. BURNETT, and were as follow, viz:

YEAS—Messrs. Bigham, Browne (Lawrence), Brown (Mercer), Burnett, Cowles, Haines, Landon, Shoemaker, Stutzman, Taylor, Wallace and White—12.

NAYS—Messrs. Billingfelt, Coleman, Connell, Davis, Donovan, Fisher, Glatz, Graham, Jackson, James, Lowry, M'Candless, M'Conaughy, Randall, Royer, Schall, Searight, Walls, Worthington and Hall, *Speaker*—20.

So the question was determined in the negative.

Mr. BURNETT inquired where the institution christened the Lincoln University was situated?

Mr. WORTHINGTON. In the county of Chester; it is a colored institution, where they are educating teachers and persons for the ministry, engineering, and various other purposes; it is an institution sustained entirely by local exertion. It numbers about eighty-six pupils, and has met with considerable success; it has never asked anything of the State.

Mr. BURNETT. I move to strike out the words "Lincoln University," and insert in lieu thereof the words "State Normal School."

Mr. COLEMAN. This is, practically, as I understand it, a colored normal school; the other normal schools are for the whites.

Mr. BURNETT. If this is a colored normal school, then I will withdraw my amendment.

Mr. WALLACE. Mr. Speaker, I perceive that fifteen thousand dollars are appropriated for teachers in the normal schools—five thousand dollars more than in 1866—and it of course decreases the amount of money which goes to the education of the children. I regard this as an item of some importance. I think we have gone quite far enough in the direction of educating children in the normal schools. I therefore move to strike out "fifteen thousand dollars," and insert "ten thousand dollars."

Mr. FISHER. Mr. Speaker, I hope the amendment will be adopted; I think this normal school system is a perfect humbug. Last summer I sent one of my children to a normal school; I did not discover that she learned anything, but I had to pay seventy-five dollars for a few week's schooling there. If these schools are not self-sustaining at that price, I think we had better abolish them.

Mr. WORTHINGTON. Mr. Speaker, it will be observed that we have one more normal school in the State than last year, established in the county of Berks; and it will be observed in this very section that there is an appropriation of five thousand dollars especially to that institution; it will be observed, also, that this fifteen thousand dollars is to be divided among all the schools, so that that school gets a full share of the appropriation. Now, there is no specific appropriation to either of those schools—except this fifteen thousand dollars—as there is to the school in Berks county. I am in favor of that appropriation, because it is a new school, and I think it ought to be encouraged; the amount of money appropriated to these institutions makes but twenty-thousand dollars altogether. That school gets five thousand dollars and one-fourth of the fifteen thousand dollars besides. Now, I think the Senators upon the other side of the chamber have no reason to complain of that appropriation, especially Berks county.

Mr. WALLACE. It is not a question of locality; it is a question of taking this amount of money from the education of the children and applying it to the education of the teachers. The system has a great many enemies; there is a serious doubt as to its beneficial results. What I object to is the taking away of the money from the children and bestowing it upon the teachers.

Mr. WORTHINGTON. I have no objection, if Senators insist upon it, to strike it down to ten thousand dollars.

Mr. DAVIS. Mr. Speaker, I simply rise to correct a misapprehension in this matter. I do not fully agree with my distinguished friend, the Senator from Clearfield [Mr. WALLACE]. I am generally proud to do so, but I think he is wrong in this matter. If we are to have normal schools, we ought to have good teachers. I think there should be more of these schools; I am sorry to hear opposition to that system come from any source. I do not know to whom we are indebted for the appropriation for the normal school in my county. It may perhaps come from my friend, the Senator from Adams [Mr. M'CONAUGHY], who made some remarks about the ignorance of my constituents there.

Mr. COLEMAN. Mr. Speaker, I concur with what the Senator from Berks [Mr. DAVIS] has said, that we ought to have good teachers before the schools can be of any use. My little experience in the school system of this State is that our teachers are lamentably ignorant. We certainly want some means of educating a class of young men and women for school teachers; and if this system is established, I would rather increase that appropriation than any other, in order to get young men and women fit to teach the children of the State.

Mr. FISHER. Mr. Speaker, I will be the last man in the world to say one word or throw impediments in the way of education; but from my observations, and the experience I have had, and what I have witnessed of these normal schools, I regard them as most ineffable humbugs, and I am tired of making appropriations year after year to keep up what does not do us any good. They have a peculiar system, especially in the Millersville normal school, which they want to introduce, and I regard it as the most ineffable humbug ever got up in the State. We have schools all over the country in which teachers can be qualified to teach, and of all the humbugs we have had in the State, I regard the Millersville system the worst of them all. You know, sir, as a lawyer, that unless a man has the elements of the law in him, mingled in his blood, science is all nonsense. You may talk about the training in the normal schools, but unless they can carry out a practical working it does not amount to a rush. So with the law; unless a man can make it of practical effect, he may read law until the stars go out, and it will not amount to anything.

Mr. WALLACE. Mr. Speaker, if Pennsylvania had a system entire, if we had a common school system exact in its bearings, I would be with Senators who contend that the normal school system is proper, because then we could have normal schools in all sections. But we have no such system; it is imperfect: it is not what the constitutional provision meant it to be; it is, on the contrary, a partial system. Senators in rich districts have the advantages of common schools;

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GEO. BERGNER.

[CONTINUED FROM PAGE 966.]

they have a well administered school system. Those in other sections have nothing of the kind. Those in populous districts are comparatively little taxed; those in sparsely settled districts are heavily taxed. Now, sir, this proposition to take from the education of the children, it will be seen, takes from the children of my locality—a sparsely populated portion of the State—a larger proportion than from the more densely populated parts. It was never intended by the Commonwealth to provide for the education of teachers; it is the very reverse of that. "The Legislature shall, as soon as conveniently may be, provide by law for the establishment of schools throughout the State, in such manner that the poor may be taught gratis." Now, the purpose of this appropriation is to educate the poor children, not the teachers, and, I rise to protest, not against the school system, but against going beyond the limits of the Constitution. If the Senators will agree to make an entire system, that will reach and permeate every section of the Commonwealth, and shower its blessings and advantages equally upon the sparsely-settled portions, as well as upon the rich and populous portions, then I will go with them. But when you undertake to appropriate a specific amount, for specific localities, then, in the name of those people who do not receive their just dues, I rise to protest against taking from my people what they are entitled to, and giving it to those who are not entitled to it. I say, give them ten thousand dollars, as last year, but give no more. I do not attack the normal schools, but I say that I wish to go no further for that department.

Mr. COLEMAN. Do you not want a better class of teachers, and are not most of your teachers poor?

Mr. WALLACE. We desire as good teachers as we can conveniently get, but in our locality the teachers are usually competent to teach those who go to them; but perhaps they are not what they should be.

Mr. LANDON. Mr. Speaker, allow me a word, at the command of the Senator from Erie [Mr. LOWRY]. In saying that word, I join issue with the Senator from Lancaster [Mr. FISHER], and, in utter demolition of his declared ineffable humbug, I present a short chapter of facts. Facts are unanswerable arguments, and ineffable humbugs are easily demolished by an array of unquestioned facts. The simple fact I wish to allude to is this: We have a normal school at Mansfield. Some two years ago a number of young people left my section and went to Mansfield to prepare for teaching, and they enjoyed the benefactions and patronage of this Senate.

Well, sir, they staid there a year, and returned home. They have been employed in Bradford county as teachers; one of them was employed near where I live; another opened a school near the village where I live, and another opened one in another direction.

Now, sir, those teachers wrought a complete revolution in the system of teaching, and the superintendent announced that the greatest blessing to the common school system would be to have a supply of teachers from the Mansfield normal school.

Must not a man learn before he teaches? You do not expect a man to shoe a mule until he is taught? How can you expect a man to pursue any vocation until he has learned the science of the trade—the philosophy of the business? I would like to know what business is more exalted than this modeling of the human mind.

Do you want to set clodhoppers at that work? Tell me it is an ineffable humbug! No, sir; the utterance of such a thing is an ineffable afternoon fancy explosion. Mr. Speaker, these normal schools are the foundation of the common school system. When we appropriate four hundred thousand or six hundred thousand dollars for the common schools, we do not want the money taken away from seven hundred thousand children, but we want things so arranged that it shall produce the largest possible amount of good, and not waste half of it through incompetent teachers. Give us good teachers, and then our money is not wasted.

Where do you get your good teachers? From the normal school. I am going to vote for the largest appropriation for the system of education in Pennsylvania, and the appropriation to education, whether to the normal or common school, is the appropriation that goes directly to the people. I would collect this appropriation on the left and on the right, in order to increase the fund for education. If I cannot get but four hundred thousand dollars I will be thankful; but to have that produce the greatest result, you must have the best teachers, and, to have them educated, you must put them through the normal schools, and there is no humbug about it.

Mr. FISHER. Mr. Speaker, I am somewhat surprised to-day, that the Senator from Erie [Mr. LOWRY] should employ the Senator from Bradford [Mr. LANDON] to do the work which he is abundantly able to do himself. But I suppose there is some reason. I think, sir, that the Senator from Erie has employed a journeyman that does not do his work very well. There is no man upon this floor who will go further, and labor harder and spend more money in proportion to his means, for the education of the children and teachers of the country, than I will.

But I want it to be effective; and when I speak of the normal schools as an ineffable humbug, I mean what I say, and the facts will bear me out. I have a daughter whom I sent to one of these normal schools; she was there a few weeks, and I paid seventy-five dollars. That was at Millersville, the very head and front of normal schools. I take it that is a fair sample, that being the leading institution. I say that their system of education there is certainly superficial; the boys learn croquet, and that kind of thing, but there is no solid education. When I see the practical effects of the system, I say that it is fallacious; you have to pay as much there as at a first-class college, and fail in the object for which you send your children there.

Mr. LOWRY. Mr. Speaker, the gentleman has for the second time alluded to the case of his daughter. Perhaps the reason for her not receiving any benefits is the same as in a case in our county. We have a man there who suddenly became wealthy by oil; he sent his daughter to a school in our county, and word was sent to the father, after she had been there some time, that he had better come and take her home. I am not applying this case to the Senator. The father went, and the teacher said to him, "you had better take your daughter home; I cannot teach her." "Why so?" said the father. Well, after some hesitation, the teacher replied, "why, my dear sir, she has not got capacity." "Oh," says the father, "buy her one, buy her one."

Mr. FISHER. That is not my situation.

Mr. BIGHAM. Mr. Speaker, I shall not enter into any discussion at all. It is not the amount appropriated; it is merely a question of distinction between the common schools and normal schools. I think we ought to give this amount, if we give six hundred thousand dollars to the common schools. I shall vote for the amendment.

On the question,

Will the Senate agree to the amendment of Mr. WALLACE, to reduce the appropriation to normal schools to ten thousand dollars?

The yeas and nays were required by Mr. WALLACE and Mr. FISHER, and were as follow, viz:

YEAS—Messrs. Bigham, Billingfelt, Burnett, Donovan, Fisher, James, Searight, Shoemaker, Wallace and White—10.

NAYS—Messrs. Browne (Lawrence), Brown (Mercer), Coleman, Connell, Cowles, Davis, Glatz, Graham, Haines, Landon, Lowry, M'Candless, M'Conaughy, Schall, Stutzman, Taylor, Walls, Worthington and Hall, *Speaker*—19.

So the question was determined in the negative.

The section was then

Agreed to.

Mr. BIGHAM moved that the Senate reconsider the vote by which the thirteenth section was agreed to.

The motion was

Agreed to.

The section being again before the Senate,

Mr. BIGHAM moved to amend the same by striking out the words, "and all acts and parts of acts requiring the school department to publish their decisions and reports in any particular journal are hereby repealed," and inserting in lieu thereof the words, "and that at least one thousand five hundred dollars of this amount (two thousand dollars) shall be expended in the manner heretofore

required by law for the publication of said decisions and reports."

Mr. BIGHAM. This authorizes one thousand five hundred dollars to be expended in the manner heretofore required, and the balance to go as directed by law; in other words, that the decisions shall be in the *School Journal*. I am not disposed to make a sudden change in that respect.

Mr. BROWNE (Lawrence). Mr. Speaker, if I were at the head of the school department, and the Legislature of Pennsylvania should insist upon it that the decisions of my department should be published in a journal which I had not selected, and which my judgment did not approve, I should esteem it as not extending the courtesy due to myself as the head of that department. I have not heard from the Superintendent of Common Schools myself, but I do know that the action which is proposed in the appropriation bill is in accordance with the deliberate conclusion to which the Committee on Education came, after hearing this matter in its various bearings. It has been urged that Dr. Burrowes is so exceedingly independent that it is necessary for him to criticise the operations of his department. I am willing to give him the entire credit of thus being independent; I am willing that he should be applauded for that independency; but I insist upon it that the department of common schools should publish their decisions as they like, and that the Legislature should furnish whatever is needed by that department as he shall indicate. If the object is to have this periodical circulated in every school district, it is proper that the action of the department should be so presented to them that they shall be led by that knowledge to respect the school department, and thus give their support to the operations of the department. It is expected that two thousand copies of whatever journal is selected, will reach every school district in the State. It is now proposed that at least one thousand five hundred dollars of this two thousand dollars shall be expended for the Pennsylvania *School Journal*. I should like to know how they are going to expend the other five hundred dollars. When you give the Superintendent a moiety, how is he going to reach the result desired? I do not see how he is going to accomplish the object by a division of it. For my part, I am satisfied that it would be better to leave the amount to the Superintendent.

Mr. BIGHAM. Mr. Speaker, there is a higher authority in this Commonwealth to which they and we owe allegiance, and that is the authority of law. The present Superintendent and the late Superintendent were appointed and accepted their positions when the law required that they should publish these decisions in the *School Journal*, and it has never until to-day, been proposed to repeal that law. Both these gentlemen accepted positions from the Governor; they undertook to discharge the duties of their office, and were bound to do it in obedience to the school law. That allegiance still continues; it is to this day the law of the land. I have had no intercourse upon this subject with either of those parties; I believe that they are endeavoring to discharge their duties as they understand them. It has been the law of the land, for perhaps twenty years, that these decisions and instructions should be circulated in a particular way. I have nothing to do with these personal matters. the editor of that journal has perhaps done more for the common school system than any one else; his whole life has been devoted to it.

When this question came up this morning I did not fully understand its bearings. When I come to understand it, and find this state of feeling, I think it is proper that the Legislature should interfere. I think that the least that the Legislature owes to a man whose life has been devoted to this cause is to say that the indirect assistance which would be given in sustaining that journal should be given. I have only a single feeling of kindness toward each one of the parties.

Mr. BROWN (Mercer). Mr. Speaker, I will appeal to the Senator from Allegheny [Mr. BIGHAM] to modify his amendment so as to include the entire two thousand dollars. It is evident, unless there be changes, that this amendment is going to carry; the vote was a tie this morning, and the Senator from Allegheny voted for the section as it stands. I learn that there are one thousand eight hundred and seventy-two districts in the Commonwealth; the price of the *Journal* is one dollar, which will make one thousand eight hundred and seventy-two dollars for the issuing of it. There is an increase every way, so that it would take one thousand nine hundred dollars to place it in every school board.

Mr. FISHER. Mr. Speaker, I have no quarrel with the present Superintendent, nor the former. I know him very well. He is a citizen of my county, a very respectable gentleman and a man of high character, against whom no word can be said. I have not an unkind word against the Superintendent of Common Schools; I know him to be a gentleman, and abundantly qualified for his position. I would like to know if anybody has produced a copy of the *School Journal* in which any personal attack has been made.

Mr. COWLES. Mr. Speaker, I would say that three or four of these papers were before the committee, which had bitter attacks upon the Superintendent. There were burlesquing articles in those papers which were personal attacks upon the Superintendent and upon the decisions that he gave. I saw them myself.

Mr. FISHER. Mr. Speaker, I have the highest regard both for the Superintendent and for my friend, the Senator from M'Kean [Mr. COWLES]; but at the same time, I have this to say in regard to Mr. Burrowes: when the State Superintendent was mewling in his mother's arms, Dr. Burrowes was working for the school system of Pennsylvania. He is the father of the system, and to him and Thaddeus Stevens the people of Pennsylvania are indebted for their system of common schools. Dr. Burrowes has devoted every hour of his time to the interests of the school system of Pennsylvania; and will you strike him down now because he happens to differ with some of these mushrooms as to the system of education in Pennsylvania? I say he stood by the poor of Pennsylvania, and has inaugurated a system which is working admirably, in which the poor man's children can have the same education as the rich man's; and will you strike at him now, because he criticises some actions of the State Superintendent? I trust not. Strike at a man who has grown gray in the interest of education in Pennsylvania? I trust not.

Mr. COWLES. Mr. Speaker, the educational system of Pennsylvania is a very complicated system; there is a vast amount of machinery connected with it. The revenues which the people pour into the system to give it life amounts to millions every year. That this amount of money shall be well expended, and the people receive its benefits, we have organized a system, and put at its head a superintendent. It is his business to advise the teachers and school directors all over the Commonwealth. His instructions are laws to them; these things are the government of the whole machinery. The State has had a school journal, in which the decisions are publishd, and they are as much recognized as the official action of the Commonwealth as the decisions of the Supreme Court are when published by the State Reporter.

Now, then, I say it is unjust, unwise and foolish for the people of Pennsylvania and this Legislature, at the same time when we are spending so many millions, to destroy all its usefulness. The State Superintendent is utterly powerless if, right along in the same journal which is sent out at the expense of the State, we find ridicule and vituperation, not only against the Superintendent himself, but against the very instructions that he gives to the county superintendent and school directors. I have no feeling against Dr. Burrowes, but I think this system should be supported, and that we should not send into the districts the means for destroying the usefulness of this money. If Dr. Burrowes is so deserving of the State, let us pension him; let us vote him something independent. But I don't want to see this journal, which is abusing the system, sent broadcast throughout the State, at the expense of the system which it seeks to destroy. I do not wish to enter into the quarrel of these men, if there is a quarrel. But it is evident that Dr. Burrowes, since he left the superintendency, has had but one purpose, and that is, that the State shall have no success under the school system, unless he is at the head of that system. I believe the present Superintendent should be sustained. If he is to be maligned, let it be at the expense of the persons maligning him. If Dr. Burrowes' fame is so great, let us buy him a monument; but do not place anything upon the school system to pull it down and destroy it.

Mr. SEARIGHT. Mr. Speaker, I understand the Senator from M'Kean [Mr. COWLES] to say that the *School Journal* made personal attacks upon the Superintendent of Schools. Am I correct?

Mr. COWLES. You are.

Mr. SEARIGHT. Mr. Speaker, I was present with the Committee on Education when this was discussed there, and the Senator from M'Kean read an extract from one of the objectionable articles in the *School Journal*, and my understanding was that it simply contained a pretty severe comment upon the decisions of the Superintendent, and no attack was made upon the Superintendent at all; and it is probably well for the Senate not to be misled, for the Senator from M'Kean may be in error in regard to this matter.

Mr. BURNETT. Mr. Speaker, it is very anomalous to me that a man like Dr. Burrowes, who has all his life devoted his time and attention and talent to the perfection of the common school system of Pennsylvania, should, in his old age, turn around and assail the very system which he has spent his whole life in building up. I do not believe in any such logic as that.

Furthermore, if the common school system of Pennsylvania and the Department cannot withstand fair and impartial criticism at the hands of old Dr. Burrowes, I think that system must be getting weak in the knees. I say that it would be exceedingly unfair in this Legislature to deprive the people of the State from receiving, periodically, a journal which is welcome in every school district throughout the Commonwealth, coming to them, as it does, with the prestige of Dr. Burrowes. I, for one, will not countenance it. If there is any personal pique between Dr. Burrowes and the Superintendent, I do not intend to interfere. I intend to do justice, and vote fairly if I possibly can.

Mr. BIGHAM. Mr. Speaker, since the Senator from M'Kean [Mr. COWLES] speaks upon his own knowledge, I do not pretend to

dispute with him. A gentleman equally intelligent with the Senator from M'Kean, and a much closer reader of this journal, I expect, told me that there was only free critcism, and that they were always treated with respect. I am in favor of independent criticism in all sorts of journals. I think we had better let the law stand for the present.

Mr. BROWNE (Lawrence). I should like to know what kind of an organ a paper is that harshly criticises the department. One Senator insists upon it that our appropriation shall be made under the law. I insist upon it also. This being the law-making power, what we shall do in this appropriation bill will be effective as law, unless the interpretation of the Senator from Adams [Mr. M'CONAGHY] be correct; but if it be correct, I am afraid that the incorporations already made in this appropriation bill will secure the pronunciation of the proper legal authorities that the whole bill is invalidated, so that it cannot receive the Governor's signature. I say, if we can do one thing of this sort in an appropriation bill, we can do another. If this rescinding act is incorporated in the appropriation bill it will have all the force of law. And now it is a question for this Legislature to determine whether or not the *School Journal* shall be a school organ in matter of fact as well as in name. I am opposed to the amendment presented by the Senator from Allegheny [Mr. BIGHAM]. I admire Dr. Burrowes' independency and would not have it restricted, but I do object to that kind of independency that makes the official organ of the whole system an opponent of the whole common school system, with the chief of common schools at its head. I say the chief of common schools should be as independent as Dr. Burrowes.

Mr. BIGHAM. If the Committee on Education believe this doctrine, they are at fault for not bringing in a bill of this kind.

Mr. FISHER. I insist upon it, if Dr. Burrowes is to suffer by these charges, I want the evidence produced, which I know cannot be done.

Mr. BROWNE (Lawrence). I have not accused him. I have taken what has been urged in his favor as a reason why we should not grant what they request. Since attention has been called to it, I want to say this: that the Committee on Education acted upon a bill, and have reported it to the Senate. That bill is one of the pending public bills before the Senate. It proposes to repeal this section of the act of 1865, which makes the Pennsylvania *School Journal* the recognized official organ of the common schools, and give the Superintendent authority to select.

The amendment of Mr. BIGHAM was modified so as merely to strike out the following clause: and all acts, or parts of acts, requiring the School Department to publish their decisions and reports in any particular journal, are hereby repealed.

On the question,

Will the Senate agree to the amendment?

The yeas and nays were required by Mr. BIGHAM and Mr. GLATZ, and were as follow, viz:

YEAS—Messrs. Bigham, Billingfelt, Brown (Mercer), Burnett, Davis, Fisher, Glatz, Graham, James, M'Candless, M'Conaughy, Randall, Schall, Searight, Stutzman, Wallace, Walls, White, Worthington and Hall, *Speaker*—20.

NAYS—Messrs. Browne (Lawrence), Cowles, Landon, Lowry and Taylor—5.

So the question was determined in the affirmative.

During the call,

Mr. M'CONAUGHY said: Mr. Speaker, for the reasons given this morning, that I think we should not introduce into the appropriation bill clauses for the repeal of separate statutes, I vote aye.

The section as amended was then

Agreed to.

The sixteenth, seventeenth and eighteenth sections were read and

Agreed to.

The nineteenth section was read.

Mr. LOWRY. I desire to know if the salaries of the law judges are all alike?

Mr. CONNELL. All except in the Twelfth district, and in Philadelphia and Pittsburg.

Mr. LOWRY. I would like to know why a law judge in Erie is not entitled to as much as one in Philadelphia.

Mr. CONNELL. They are not supposed to perform anything like the labor.

Mr. LOWRY. That is the greatest mistake you could have arrived at upon this subject.

Mr. GRAHAM. We had that discussed a year ago, and it was decided to let it stand.

Mr. LOWRY. My county was not represented upon that committee, and therefore I must be heard here.

Mr. GRAHAM. The committee had little or nothing to do with the insertion of the judges' salaries last year; it was thoroughly discussed, and this is the result arrived at.

Mr. COWLES. I recollect how this thing came about last year. In discussing this question we acquiesced, and when it went to the committee of conference the salaries were cut down. The Senate, on a fair discussion of the question, said there should be more equity.

Mr. WHITE. Mr. Speaker, I sympathize with my friend, the Senator from M'Kean [Mr. COWLES], and also with my friend, the Senator from Erie [Mr. LOWRY]. I think we ought not to discriminate between the judiciary in this way, and as soon as we get to the twentieth section, I am going to move to amend. I know my friend, the Senator from Allegheny [Mr. BIGHAM], may feel sensitive upon this subject, or my friends, the Senators from Philadelphia; but I represent a country district, and other Senators representing country districts have a right to feel sensitive upon this subject.—There is an inequality in this matter, and I think it is right that the representatives of the country districts should speak out. We contribute largely to the revenue of the Commonwealth, and to the patriotism and history of the Commonwealth, and the judiciary of the rural districts compare favorably with the judiciary of the city districts. I admit there may be some difference, and I am willing to discriminate to a moderate degree with due reference to the condition of our treasury. But I cannot see the justice of this discrimination to the amount of fifteen hundred dollars.

Mr. BIGHAM. I beg leave to inform the gentleman that there is nothing like this difference, and the country judges are allowed mileage, which amounts to considerable.

Mr. WHITE. That amounts to very little. The district in which I live is composed of three counties—Indiana, Westmoreland and Armstrong. In 1860 the population of these three counties was but a trifle short of one hundred and thirty thousand persons. According to the census, the population in Allegheny county in 1860 was one hundred and eighty thousand. Now, sir, in the county of Allegheny, where they have but a third more population than in my district, they have five law-judges, at a compensation under this bill of twenty-five thousand dollars.

Mr. COLEMAN. Are not your constituents as quarrelsome as anybody else?

Mr. WHITE. Well, sir, they want to have the persons who settle these quarrels well paid. It is for the purpose of protecting the ability of the bench, and I, representing my people, rise and ask Pennsylvania to do justice to the rural districts. I think it is proper that the representatives of the rural districts should speak out and see that justice is done. I do not want to these reduce salaries. I do not know that we would have the constitutional power to bring the city judges down to the basis of those in the country, but it would be doing something like fairness to bring the country judges up.

Mr. GRAHAM. This section might as well be allowed to pass, and when we come to that section we can amend it.

The section was then

Agreed to.

The twentieth section was read.

Mr. WHITE moved to amend so as to make the salary of each president and law judge four thousand dollars a year instead of three thousand five hundred dollars a year.

Mr. BIGHAM. Mr. Speaker, I would call the attention of the country members to one state of facts. We have had this winter and last winter constant applications for an increase of law judgeships. If you increase this amount, you put a barrier upon that for all future time. You will have the most expensive judicial system in the United States. We have twenty-nine districts now.

Mr. WHITE. Mr. Speaker, the Senator knows the judges in my district. I want the Senator to tell me why every one of the five judges in Allegheny should receive five thousand dollars, and the judge in my district one thousand five hundred dollars less.

Mr. BIGHAM. Each of those five judges sit more days in the year than your judge, and do more business, and the difference in the expense of living in the city of Pittsburg and the borough of Kittanning is one thousand five hundred dollars. I have been in Judge Buffington's house; I know how he lives. He is a good judge; but I say the difference between living in the city and country is all of one thousand five hundred dollars in favor of the country, and the general law has always made this distinction.

Mr. SEARIGHT. You have no other argument but that.

Mr. BIGHAM. I simply say that the general law has always made this distinction. In reference to the time employed, I will venture to say that the judges sit more days. Mere population is not the test; the business done is the test; but we are not debating whether to diminish the salaries of the others. The committee thought this amount was the largest that the Treasury could stand.

Mr. WHITE. Mr. Speaker, I appreciate the fact that the expense of living in the cities may be greater than in the town of Kittanning. As to the fact that every one of the Allegheny judges sit more days and do more business than the one in my district, I controvert that entirely. I know something about country courts. Now, the judge in my district last year held twenty-seven weeks of regular term. These terms come around periodically. In the three counties of the district there are two consecutive weeks, commencing with Westmoreland, and then Armstrong and Indiana.

How is it in those country courts? If the room is not comfortable, it is as much as a man's life is worth to sit there eight hours a day. You, Mr. Speaker, know how it is in your district; it is the same thing there. In the city districts, the rooms of the judges are larger and more comfortable. There may be instances in the criminal court in which they have two sessions a day, but they have not the continual labor which the judges in the country districts have; and I think, if there is any class of the legal profession that earns the little pittance which the Commonwealth allows them, it is the country judges. Some Senators say that it will bring the salaries up

too high. Well, bring the others down to an equality, if you have the power; but you know that under the Constitution, when the pay of a judge is fixed by law, you cannot reduce it. Hence, I do not think we have the power to reduce the salaries at all, and the only way by which we can mete out justice is to bring them up to something like an equality.

Mr. FISHER. Mr. Speaker, the Senator from Indiana [Mr. WHITE] says that the judge in his district holds twenty-seven weeks of court. Now, sir, according to the published list of the courts in the county of Lancaster for the present year—always made out at the commencement of the year—we have thirty-four weeks; besides business at chambers and adjourned courts. I venture to say that there is as much labor in our courts as in Philadelphia or Allegheny. Why should they not have the same amount of pay? I do not pretend to say whether the amount paid in Philadelphia and Allegheny is too large. But I say that where judges in the country perform the same amount of labor and hold court as many weeks as those in Philadelphia, they ought to have the same amount of compensation. It looks as though Philadelphia and Allegheny were going to swallow up the Commonwealth. Why should this be so? "Ye gods, upon what meat do these our Cæsars feed, that they have grown so great?" I think there should be equality in these things. If a judge in Chester county or Lancaster county, or Clearfield county, or any other county, performs the same amount of labor as those in Philadelphia, he should have the same pay.

Mr. CONNELL. There is the trouble. They do not perform the same amount.

Mr. FISHER. I challenge any one to prove to me that any city court exceeds thirty-four weeks. Show me your Philadelphia or Allegheny lists, and I will settle the point.

Mr. CONNELL. The judges of the court of common pleas there have about two weeks vacation in the whole year. They are employed either in the court of common pleas or quarter sessions constantly.

Mr. FISHER. You have three or four different courts in Philadelphia, with some half-dozen judges to perform the duties. You divide up the business, and make it a very small affair.

Mr. CONNELL. In the first place the difference in the cost of living is from eight hundred dollars to one thousand dollars; the difference in rent alone is very near that. Our judges live in houses that cost eight hundred dollars to one thousand dollars for rent. Every one knows that rents in the country are a great deal less. I particularly ask the attention of the Senator from Indiana [Mr. WHITE] to the mileage which they receive, which makes several hundred dollars difference; so there is not a difference of one thousand five hundred dollars, as expressed upon the face of the bill. The difference in the cost of living, and the mileage, explains the whole thing.

On the question,

Will the Senate agree to the amendment of Mr. WHITE, viz: To make the salaries four thousand dollars?

The yeas and nays were required by Mr. SCHALL and Mr. FISHER, and were as follow, viz:

YEAS—Messrs. Browne (Lawrence), Burnett, Davis, Fisher, Glatz, James, Lowry, Schall, Shoemaker, Stutzman, White and Hall, *Speaker*—12.

NAYS—Messrs. Bigham, Billingfelt, Coleman, Connell, Donovan, Graham, Haines, Landon, M'Candless, M'Conaughy, Searight, Taylor, Wallace, Walls and Worthington—15.

So the question was determined in the negative.

During the call, Mr. COLEMAN said: Mr. Speaker, I agree with the Senator from Philadelphia [Mr. CONNELL], that there is this difference in the cost of living, and the argument of the Senator from Indiana convinces me that his judge only works half the year; therefore, so far as his district is concerned—not knowing any thing about the others—I vote "no."

Also, during the call, Mr. SEARIGHT said: Mr. Speaker, I think there is too much disparity, but I believe that three thousand five hundred dollars is a pretty good salary for country judges; and, inasmuch as the Attorney General gets but three thousand five hundred dollars, I vote "no."

The twentieth section was then

Agreed to.

The twenty-first section was read as follows:

SEC. 21. For the payment of the salaries and mileage of the associate judges of the courts of this Commonwealth, the sum of fifty thousand dollars, or so much thereof as may be necessary, each associate judge to receive, in lieu of the salary now allowed by law, eight dollars per day, for every day, not exceeding fifty, he may be employed in the discharge of his official duties, and for every such day, in excess of fifty, the sum of four dollars: *Provided*, That the salary of no associate judge shall be less than three hundred dollars, and the pay of the associate judges shall hereafter be as is herein provided.

Mr. BIGHAM moved to amend by striking out the word "eight," after the words "now allowed by law," and inserting in lieu thereof the word "four;" and also by striking out the word "four" after the words "excess of fifty, the sum of," and inserting in lieu thereof the word "three."

Mr. BIGHAM. This is a new principle to which this appropriation resorts, and a question of constitutional power. Associate judges are divided into about five classes, I believe. This proposes to adopt a different schedule, and divides them into two classes. This will double, at least, the expense to the Commonwealth.

On the question,

Will the Senate agree to the amendment?

The yeas and nays were required by Mr. SCHALL and Mr. GLATZ, and were as follow, viz:

YEAS—Messrs. Bigham, Billingfelt, Browne (Lawrence), Coleman, Connell, Donovan, Graham, Haines, Landon, Shoemaker, Taylor, Wallace, White and Worthington—14.

NAYS—Messrs. Burnett, Davis, Fisher, Glatz, Jackson, James, M'Candless, M'Conaughy, Schall, Searight, Stutzman, Walls and Hall, *Speaker*—13.

So the question was determined in the affirmative.

The section as amended was then

Agreed to.

Mr. M'CANDLESS moved to reconsider the vote on the seventh section, for the purpose of adding to the end thereof the following amendment:

"For the preparation of a general index of all the laws of this Commonwealth, granting charters of incorporation, and such other laws not to be codified by the commissioners appointed for that purpose, the sum of twelve hundred dollars, or so much thereof as may be necessary, to be done under the approval of the Attorney General."

Mr. M'CONAUGHY. I think this unnecessary. I was applied to at one time during the session, and asked to recommend this; but I think, sir, after the adoption of the joint resolution for codifying the laws, this would be an expenditure of money not desirable during the present state of the treasury.

On the question,

Will the Senate agree to the motion of Mr. M'CANDLESS?

The yeas and nays were required by Mr. M'CANDLESS and Mr. FISHER, and were as follow, viz:

YEAS—Messrs. Connell, Haines, James, Landon, M'Candless, Schall, Searight, Shoemaker, Taylor and Wallace—10.

NAYS—Messrs. Bigham, Billingfelt, Burnett, Coleman, Davis, Donovan, Fisher, Glatz, Graham, Jackson, M'Conaughy, Randall, Stutzman, Walls, Worthington and Hall, *Speaker*—16.

So the question was determined in the negative.

The twenty-second and twenty-third sections were read and

Agreed to.

The twenty-fourth section was read.

Mr. WHITE. That fixes the salaries of members of the Legislature as established by law.

The SPEAKER. I hope the newspapers will take notice that this fixes the salaries of members at one thousand dollars.

The section was

Agreed to.

The twenty-fifth, twenty-sixth and twenty-seventh sections were

Agreed to.

The twenty-eighth section was read.

Mr. WALLACE. Mr. Speaker, last year there was but a single watchman for public buildings.

Mr. CONNELL. Since that time we have had the extension to the building.

Mr. GRAHAM. My impression is that there are three watchmen paid out of the fund of the superintendent of the grounds.

Mr. WALLACE. I move to strike out the words "three watchmen," and insert in lieu thereof "one watchman." Here is an additional cost of one thousand eight hundred dollars. I move to strike out these two additional watchmen and the one thousand eight hundred dollars.

Mr. COLEMAN. Mr. Speaker, this appropriation last year and the year before was much heavier than this. There are a certain number of men required to keep these grounds in order, whether the Legislature is in session or not. The Superintendent of Public Buildings is called upon by every head of a department for this and that thing—for desks in this place, and desks in another place; gas pipe here, and water pipe there, and all those things. That fund supplies fuel for the Auditor General's building, and keeps all these buildings in order. My proposition is that the Superintendent shall have that fund in his charge, and make a detailed report to the next Legislature; and another Legislature will know how to regulate the appropriation hereafter.

Mr. WALLACE. I desire to test the sense of the Senate upon this question. The bill of last year contained but a single watchman; this contains three. I move to strike out two of them.

Mr. COLEMAN. These are not additional officers; it is only a change of phraseology in the bill; they are officers who have been here for ten years. There is no increase here at all.

Mr. WALLACE. Then they will be drawing their money under false pretenses. The act of last year reads, "for wages of labor."

On the question,

Will the Senate agree to the amendment?

The yeas and nays were required by Mr. WALLACE and Mr. WHITE, and were as follow, viz:

YEAS—Messrs. Billingfelt, Browne (Law-

rence), Burnett, Cowles, Davis, Donovan, Haines, James, Landon, M'Candless, M'Conaughy, Randall, Schall, Searight, Shoemaker, Taylor, Wallace, Walls and Hall, *Speaker*—19.

NAYS—Messrs. Bigham, Coleman, Connell, Fisher, Graham and Stutzman—6.

So the question was determined in the affirmative.

Mr. COLEMAN moved to further amend the section by making the appropriation for the necessary repairs to the public buildings and grounds, and for wages of laborers employed on the same, six thousand six hundred dollars, instead of four thousand six hundred dollars; and by adding the following: "And the superintendent is hereby required to make a detailed statement of his expenditures to the next Legislature."

Mr. COLEMAN. This is about as moderate as the appropriation could be, and about as well guarded as it could be. I cannot imagine there can be any dissent to it.

Mr. GRAHAM. I would state that the bill, as it passed the House, appropriated eight thousand dollars to this purpose. We cut it down to four thousand dollars.

On the question,

Will the Senate agree to the amendment?

The yeas and nays were required by Mr. SCHALL and Mr. COLEMAN, and were as follow, viz:

YEAS—Messrs. Bigham, Browne (Lawrence), Coleman, Connell, Cowles, Fisher, Graham, Landon, M'Candless, M'Conaughy, Randall, Shoemaker, Stutzman, Taylor, White, Worthington and Hall, *Speaker*—17.

NAYS—Messrs. Davis, Donovan, James, Schall, Searight, Wallace and Walls—7.

So the question was determined in the affirmative.

During the call,

Mr. WALLACE said: Mr. Speaker, I vote "no," because, in 1863-4 and '5, less than one-half of this amount was appropriated for this purpose.

The section as amended was then

Agreed to.

Mr. DONOVAN moved that the Senate reconsider the vote on the twenty-first section, in order to restore it as it was.

On the question,

Will the Senate agree to the motion?

The yeas and nays were required by Mr. DONOVAN and Mr. DAVIS, and were as follow, viz:

YEAS—Messrs. Brown (Mercer), Burnett, Davis, Glatz, James, Randall, Schall, Searight and Walls—9.

NAYS—Messrs. Bigham, Billingfelt, Browne (Lawrence), Coleman, Connell, Cowles, Donovan, Fisher, Graham, Haines, Landon, Lowry, M'Candless, M'Conaughy, Shoemaker, Taylor, Wallace, White, Worthington and Hall, *Speaker*—20.

So the question was determined in the negative.

The twenty-ninth section was read and

Agreed to.

AN EVENING SESSION.

Mr. JACKSON moved that when the Senate adjourns this afternoon, it will adjourn to meet this evening at half-past 7 o'clock, for the purpose of considering the appropriation bill, unless sooner disposed of.

The motion was

Agreed to.

MESSAGE FROM THE HOUSE OF REPREESENTATIVES.

The Clerk of the House of Representatives being introduced, presented for concurrence bills numbered and entitled as follows, viz:

No. 1782, an act relative to the fees of notaries public in the county of Montour.

Referred to the Committee on the Judiciary Local.

No. 1238, an act to amend the charter of the Wellersburg and West Newton plank road company.

Referred to the Committee on Roads and Bridges.

No. 1727, an act to annex the farms of John M'Quiston, T. M. M'Quiston, of East Fallowfield township, Crawford county, for school purposes.

Referred to the Committee on Education.

No. 2185, an act authorizing the Auditor General to examine the claim of Col. C. W. Burton, and directing the State Treasurer to pay the same if found to be correct.

Referred to the Committee on Finance.

No. 1781, an act for the establishment of a public law library in the county of Warren.

Referred to the Committee on the Judiciary Local.

No. 2057, an act to provide for an additional return day in the court of common pleas of Northumberland county.

Referred to the Committee on the Judiciary Local.

No. 1963, an act to incorporate the bureau of information.

Referred to the Committee on Corporations.

He also returned bills from the Senate numbered and entitled as follows, viz:

No. 185, a further supplement to the act to incorporate the city of Philadelphia, approved February second, 1854, relative to vacancies in elective offices.

No. 280, an act authorizing the commutation of the death punishment in certain cases.

No. 1470, an act relating to the paving of streets of the city of Allentown,

With information that the House of Representatives has passed the same without amendment.

He also returned bill from the Senate numbered and entitled as follows, viz:

No. 1221, an act to protect the validity of certain liens in Venango county,

With information that the House of Representatives has passed the same with amendments, in which the concurrence of the Senate is requested.

On motion of Mr. WALLACE, said amendments were twice read and

Concurred in.

Also returned bill from the Senate numbered and entitled as follows, viz:

No. 984, an act to authorize the Southwark railroad company to renew their road on Sansom street.

With information that the House of Representatives has passed the same with amendments, in which the concurrence of the Senate is requested.

A motion was made by Mr. M'CANDLESS that the Senate non-concur in said amendments.

The motion was

Agreed to.

On motion of Mr. CONNELL, the Senate then adjourned until 7½ o'clock this evening.

EVENING SESSION.

The Senate met pursuant to adjournment.

COMMUNICATION FROM THE GOVERNOR.

EXECUTIVE CHAMBER,
HARRISBURG, PA., April 6, 1867.

To the Honorable Louis W. Hall, Speaker of the Senate:

SIR—I herewith present to the Senate a communication from the Hon. Jno. M. Read, of Philadelphia, relative to the probable reappearance of cholera in Philadelphia during the coming summer and fall, and suggesting that some action be taken by the Legislature to check its ravages. Asking for it your prompt consideration,

I am, very respectfully,

JNO. W. GEARY.

The communication and accompanying documents were referred to the Committee on the Judiciary General.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

The Clerk of the House of Representatives being introduced, presented for concurrence bill numbered and entitled as follows, viz:

No. 1663, an act to establish a depot for the sale of cattle, calves, sheep and hogs in the city of Philadelphia, and to provide for the inspection of the same.

Referred to Committee on Agriculture and Domestic Manufactures.

REPORT OF COMMITTEE OF CONFERENCE.

Mr. M'CONAUGHY, from the committee of conference of the Senate and House of Representatives, on the points of difference between the Senate and House on the joint resolution No. 617, Senate bill relative to the revisal of the civil laws of Pennsylvania, made the following report:

It is unanimously recommended to strike out in the first section in the fourth line, after the word "Commonwealth," the manuscript amendment as follows: "who, in conjunction with the Attorney General, shall act;" and to strike out in the same section, in the first line, the words "the revisors," and insert in lieu thereof as follows:

"The said commissioners, in consultation with the Attorney General of this Commonwealth," and that the Senate recede from its non-concurrence, and concur in the amendment of the House, to strike out the word "collect," and insert, in lieu thereof, word "collate," in first line in second section, and also in the amendment of the House, to strike out nine, and insert fifteen in first line in fifth section.

All of which is respectfully submitted.

On motion of Mr. M'CONAUGHY, said report was twice read and adopted.

MONDAY'S SESSION.

A motion was made by Mr. GRAHAM, that when the Senate adjourn it will adjourn to meet on Monday morning at 10 o'clock.

The motion was

Agreed to.

THE APPROPRIATION BILL.

Agreeably to order,

The Senate resumed the second reading and consideration of bill entitled An act to provide for the ordinary expenses of the Government and other general and specific appropriations.

The thirtieth, thirty-first, thirty-second, thirty-third, thirty-fourth, thirty-fifth, thirty-sixth and thirty-seventh sections were read and

Agreed to.

The thirty-eighth section was read.

The question was,

Will the Senate agree to the section?

Mr. CONNELL moved to strike out "twenty-five days" in the sixth line and insert "three months."

The motion was

Agreed to.

The section was then

Agreed to.

The thirty-ninth, fortieth, forty-first, forty-second, forty-third, forty-fourth, forty-fifth, forty-sixth, forty-seventh, forty-eighth, forty-ninth, fiftieth, fifty-first, fifty-second, and fifty-third sections were read and

Agreed to.

The question recurred on agreeing to the fifty-fourth section.

Mr. LANDON. Mr. Speaker, I have come to this conclusion, that the Home for Friendless Children is a very meritorious institution. I always thought so. I think so now; and certainly from my heart of hearts I wish them great success in their work of benevolence, kindness and love. The Angel of Mercy that takes up a homeless, friendless, ragged little orphan and cares for it, and rears it up in virtuous intelligent womanhood and manhood, adds much to the glory and welfare of the Commonwealth. Certainly, every high minded man rejoices in all such enterprises. Now, if the Senate wishes to grant eight thousand dollars to this institution I am not disposed to say a word against it, or vote against it. But the question comes to my mind: Can we distribute our benefactions to these local charitable institutions? This is a semi-State institution. But after we have appropriated for it we will be called upon to provide for Lancaster, and Harrisburg, and York. I have come to the conclusion that I will make no opposition to bestowing a benefaction upon the Northern Home for Friendless Children, but I hope it will stop there. I do not believe the finances of the State will allow us to pension all the poor upon the treasury. If we pension York and Lancaster, and Harrisburg, why not Luzerne, and Bradford, and Sullivan? This is all I have to say.

I move to strike out the appropriation for the friendless of the city of Lancaster, the appropriation for the Home of the Friendless in Harrisburg, and the appropriation for the friendless of York.

Mr. RANDALL moved to amend by adding the following proviso to the manuscript amendment, making donations to the homes of the friendless in Lancaster, Harrisburg and York.

Provided That the citizens of Harrisburg, York and Lancaster shall first subscribe and pay, or shall have subscribed and paid into the treasury of such homes, the sum of ten thousand dollars each, to be applied towards erecting buildings and the purchase of grounds therefor.

The amendment was

Agreed to.

The question recurred on the the motion of the Senator from Bradford [Mr. LANDON].

The motion was

Withdrawn.

The question was,

Will the Senate agree to the section as amended?

Mr. M'CONAUGHY moved to further amend by fixing the appropriations to the Homes for the Friendless in York and Lancaster at two thousand dollars each.

Mr. SEARIGHT. Mr. Speaker, the Senator from Bradford [Mr. LANDON] made a motion a few moments ago in which I sympathize. Terrified by the amendment of the Senator from Schuylkill, he has withdrawn it. I sympathize with the observations of the Senator from Bradford; I sympathize with these institutions. But if we open the door of the treasury now, it will establish a precedent. If we contribute to these institutions I am in favor of contributing to Allegheny and other institutions.

I therefore move to amend the amendment by striking out of the section all appropriations except that made to the Northern Home for Friendless Children.

Mr. LANDON. Mr. Speaker, last winter our Governor recommended the Legislature to cease from these miscellaneous appropriations to local benevolent institutions. We acted upon that advice last year, and removed the tax from real estate, and thus cut off at one blow our annual income to the State Treasury of one million six hundred thousand dollars. We levied an additional tax of one per centum upon corporations. That tax has been raised. The State Treasurer informs us to-day, that four hundred and fifty thousand dollars that was expected in the treasury would not be received. We have an appropriation bill that is enormously large. If you make these appropriations to York and Lancaster and Harrisburg, you are setting a precedent that will haunt you for years to come. A precedent which you will, hereafter, have to trample upon. I am satisfied to grant eight thousand dollars to the Home for the Friendless in Philadelphia. But there stop. Then you are safe. If you do not stop there you are not safe. I leave this matter to the good sense of the Senate.

Mr. COLEMAN. Mr. Speaker, I am not at all satisfied that this is not the cheapest means that the State can employ for the support of the poor and indigent, and for the prevention of crime, that can be adopted. I will go so far as to say that any county that will contribute five dollars to every one that the State appropriates will save just that amount to the community in expenses for poor houses, jails and institutions of that kind. It is encouraging the wealthy and benevolent to step forward to the relief of the taxpayers. If we can, by inducements, obtain contributions from the wealthy and benevolent to aid these objects, it relieves the taxpayers.

Mr. WALLACE. Mr. Speaker, I regard the charities of the Commonwealth as some of our proudest trophies; I shall be the last to strike them down. But I am with the Senator from Bradford [Mr. LANDON] in this matter. We must be just before we are generous. I have, during my time in the Senate of Pennsylvania, voted continually for these charities. For the one included in this section I have never voted more than five thousand dollars, and I see no reason to-night for increasing that amount. I have heard no reason given for its increase. We have here, in the Capital of the Commonwealth, ladies who are about to institute organizations for the purpose of taking care of these homeless wanderers, and they have rights equal with those engaged in a similar work in Philadelphia.

Why should we not with the capital of the Commonwealth aid in furnishing one of these homes?

The Senator from M'Kean says other sections are entitled to an appropriation if we give aid to these. But there is a very important difference between the kind of charity he would bestow and that which the State has hitherto bestowed. These homeless, friendless wanderers are found in the large centres of population. From the very nature of things, this is always the case. We must go further to look for that class of humanity to which this charity should be applied. In the section in which the gentleman resides we do not find this class of humanity—we find them only in the large cities. When men step out of the ordinary path of their duties, and devote themselves to these wards, it seems to me we should strain a point to aid them through the treasury of the Commonwealth. But, I repeat, we must be just before we are generous; we must be careful that we do not go beyond our power; we must be careful we do not strip the treasury.

Mr. FISHER. Had I been present when that amendment was offered, and had I not known my gallant and distinguished and highly esteemed friend from Indiana [Mr. WHITE] when he offered that amendment, I would have supposed he was a used-up old bachelor, that he never had a child, and especially an orphan child, and that he never knew, and never could appreciate nor enjoy the feelings and promptings of common humanity, and take care of these poor orphans. Sir, if this Senate had gone with me two weeks ago, and in a body visited, as I did, the Home for Friendless Children in the city of Lancaster, there is not a man here who, if he has a heart, that could have refused this application. Sir, I saw one hundred and seventy little boys and girls, picked up from the streets—orphans, friendless, homeless, uncared for and unprotected, that these angels of mercy had clothed and fed, and were educating to save them from vice and the allurements of the world. Yet the distinguished Senator from Indiana, a man whom I esteem—nay, more, a man that I love for his many virtues of head and heart, will get up here and ask that the Senate of Pennsylvania shall do nothing for these poor and destitute, forlorn and forsaken orphans. Oh, sir, I cannot conceive of it. We vote our thousands to other objects that we had better leave untouched; and when we are asked for the little pittance of three thousand dollars to take care of these homeless ones, the Senator from Indiana rises in his seat and opposes it. "Chaste Diana, tell it not in Gath" that the Senator from Indiana, the last man in the world who I supposed would do such a thing, has asked that the Senate of Pennsylvania shall refuse the little pittance of three thousand dollars for these poor, friendless children. It may be, in the revolutions of time, that his little ones will become orphans. God only knows. God, in his all-wise Providence, may change circumstances so that his children may ask to be the recipients of the bounty of this Commonwealth. But I cannot think that the Senator from Indiana is serious in a proposition of this kind.

Now, I wish the members of this Senate to bear in mind the fact that this is not a local institution; neither is the institution in Harrisburg a local institution. We have had today fluttering around these halls these angels of mercy who have charge of the institution in our midst, and they do not stop to inquire where these children come from. They may come from the county of Indiana, from Blair, from Allegheny—anywhere, and they call them in, and like the Good Samaritans that they are, they take care of them, clothe them, feed them, educate them, and save them from the paths of vice.

Now, will this Senate of Pennsylvania refuse this little pittance? Will they refuse to aid the good work in which these angels of mercy are engaged? I trust not. I do not believe there is a man here so heartless, so cold-blooded as to refuse the little mite to this genius, this Heaven-born institution that has been put in operation by these ladies who have sacrificed so much in behalf of these poor, friendless children. Sir, the soldiers under my command have been the recipients of the bounty of these women—God forever bless them! When the men were bleeding, and tired and worn-out, and their comrades were falling on every side, these women—these Lancaster women, if you please, these patriot daughters, the same women who are at the head of this institution, and these Harrisburg women, have come there with the bounties of the earth and have contributed to the wellfare and comfort of the worn and mangled and bleeding soldiers. Yet, now, in the Senate of Pennsylvania, the Senator from Indiana, brave and gallant as I know he was, makes the miserable motion that the Senate refuse to grant this little pittance for the support of these poor orphans. Ah, sir, many of the fathers of these children are sleeping in the cold, cold ground. Their bones are bleaching in the fields of Gettysburg, at Vicksburg, at Lookout Mountain, on the Peninsula, in the dreary Wilderness, and yet the Senator from Indiana, strange as it may appear, gets up in his place and moves

to strike out an appropriation for their support. If he has a soul, if he has not a gizzard instead of a soul, he would not make this miserable motion. I am willing to trust this matter to the Senate of Pennsylvania. I believe they have hearts; I believe that the blood of humanity throbs through their veins, and that they will not strike out this appropriation. I understand my friend from M'Kean [Mr. COWLES] asserted this evening that he was not willing to have his salary cut down for the benefit of these children. I say, cut down my salary, root and branch. Take it all, if you will, and give it to the orphan children, and I will be satisfied. Aye, sir, I would be satisfied to beg my bread from door to door, so that you take care of these homeless and friendless ones.

Mr. GRAHAM. There has been a great deal of declamation and discussion, Mr. Speaker, on a very simple proposition. Now, it is not whether the Senate of Pennsylvania has a heart, and whether that heart moves with charity, and love and kindness towards the destitute of the Commonwealth, and whether we ought to throw wide our arms and hold to our hearts these destitute ones. I presume that question is fixed. The Senate of Pennsylvania has always shown its sympathies for the destitute children of the Commonwealth. The simple, plain, practicable proposition is, whether we are to adopt as a State policy the care of all these institutions which were originated in benevolence and intended to be provided for and sustained by private charity. Now, I am just as willing to afford relief to these institutions as any other Senator here, but I do insist that every similar institution in the State has an equal right to the fostering care of the State. And if the door is opened for one institution, and the treasury is called upon to contribute to that institution, what propriety is there in saying that none of the others, equally needy, having equal necessities, shall receive a proportionate distribution of the funds of the State? That is the question we are now to determine. If it is the sense of the Senate that we are to contribute to these institutions, if we are to adopt this as State policy, I have no objection. If we are to throw open the treasury to all such institutions, I shall insist that the Home for the Friendless in Allegheny city be included in the appropriation.

Mr. WORTHINGTON. I shall make but a very few observations on this subject. As has been said by the Senator from Allegheny [Mr. GRAHAM], the whole subject is very simple and easy to comprehend. It will be recollected that last year we adopted a similar policy. We expended the whole appropriation in local charities. The institution which stands at the head of this section has been in operation almost thirteen years. It has taken care of a large number of children. It has been well conducted. It receives children from every part of the Commonwealth. The judges of the courts have authority to send children there from the remotest county, and it is emphatically what I call a State institution. It has always been the policy of the Commonwealth and the Legislature to give yearly to these State institutions. Our penitentiaries and our institutions for the blind, and deaf, and dumb, are State institutions, and they receive a portion of their support from the Treasury of the Commonwealth yearly. We have another class of institutions which are denominated local institutions. They are sustained principally by individuals in the locality where they are situated. The benevolent and the philanthropic, and the kind hearted and generous people of the neighborhood get up these institutions for a good purpose. They exist in many parts of the State. But institutions that are not of a State character, and which are not called State institutions—which are not entirely under the fostering care of the Commonwealth—cannot expect always to receive appropriations from the State funds. Yet, we must occasionally afford support to these institutions, as we find the necessities of the case require. Now, I am in favor, in all cases where these institutions are commencing their existence—where they are young and feeble, and where they require the fostering care of the Commonwealth for a time—I am in favor of the Legislature extending to these institutions some support. But when they grow to manhood and strength, and obtain the ability to discharge the duties which they have taken upon themselves, they do not require our support to the extent they did in their younger days. Now, this is the case with some of these institutions that are asking appropriations to-night. It is the case with the Harrisburg institution. It has never received a dollar from the State of Pennsylvania, and it, therefore, requires and is entitled to a portion of the beneficence of the State. The institution which is at Lancaster is not of very long standing, as I believe. It has occasionally received appropriations from the State; it has received two thousand five hundred dollars in ten years. It is a very useful institution; and, the same, too, with the institution at York.

The institution in Allegheny city, which my friend from Allegheny has urged so strongly, also received support from the Commonwealth. So it is with all these institutions, and we must confine ourselves to a particular class. We cannot extend our charities every year to them all; therefore, we are bound to discriminate. If we give to one, without a proper discrimination, we must give to all, though they may not be in a needy condition. Now, I am in favor of making an appropriation to the Northern Home for the Friendless. That institution has three or four hundred children under its care. It has one hundred and eighty-two orphans of soldiers. It is doing a great work and we cannot refuse our support entirely. They have received aid within the last year to a just extent from the bounty of benevolent people, for the purpose, as I understand, of extending their accommodations for the reception of these soldiers' orphans.

Mr. DONOVAN. They have expended twenty-seven thousand dollars this year.

Mr. WORTHINGTON. Therefore they have claims upon us. They are doing a great work.

With regard to this institution at Harrisburg, it is in its incipiency. It is just commencing operations. It is erecting buildings, and they propose, if we give them the sum of three thousand dollars, that they will be able to raise double the amount. I am willing to give something to the York institution, but I do not wish to bestow our charity except where it is absolutely needed.

Mr. WHITE. Mr. Speaker, I have nothing to observe in connection with my motion. I sympathize with my earnest-hearted friend from Lancaster [Mr. FISHER] in his expression of thanks to the kind-hearted persons who inaugurated this charity, and I congratulate the ladies who have it in charge upon having so earnest and so gallant a representative upon this floor. I can forgive that Senator, too, when he charges me with having a gizzard instead of a heart, when I remember the interests which he represents and the heart which he has.

Now, if this was not a matter of principle—if this was not a matter of State policy—there would be no embarrassment whatever. We might open the coffers of the treasury and say to the ladies of Lancaster, and to the ladies of Harrisburg, come and take. We might dispense liberally. But while we were doing this we would hear voices coming up to us from all over the State crying "give, give," until we would have nothing to give. Now, I know the several institutions that have been mentioned here, and I have received private letters from different localities asking if it would not be possible to support a home for the friendless there; and doubtless other Senators in this Chamber have received similar letters. And so we go.

I have before me the message of the late Executive of the State upon this subject. This message was the cause of the adoption of the policy which was initiated last year. I discover this recommendation:

"It has been the habit of late years to appropriate freely annual sums for the support of local charities; and such appropriations are almost every year increased in number and amount. Houses of Refuge, Institutions for the Deaf and Dumb and for the Blind, Lunatic Asylums—those appear to me to be proper objects of State charity, because a few of them are sufficient for the whole State, and to leave them to be provided for by the local authorities would, in fact, be to deprive of protection the unfortunate classes for whose benefit they are designed. But mere local charities, however meritorious and effectual, should, I think, be left to the support of the benevolent parties who established them. It is injust that the people of the Commonwealth should be coerced to pay taxes in order that part of the money so raised may be given to the support of local charities, conducted by private associations, especially when it is remembered that hitherto but a small proportion of the private charities in the State have asked for such appropriations. I recommend, therefore, that no appropriations be made for charities beyond the institutions which I have specified."

It is our duty to stand fast upon the ground which we took last year, to stand fast by the precedent which we established in the appropriation bill of 1866 with reference to private charities, an appropriation bill which was made out in pursuance of that portion of the message which I have just read; and I reiterate again that, in making the motion I have made, and in persisting in pressing that motion upon the attention of the Senate, I urge it upon them as the guardians of the public funds and of the public welfare. And I am impelled by no niggardly spirit; I am prompted by no disposition to do injustice. I recognize every charity and I know it is twice blessed. I know the kindness of heart of the families who have inaugurated this enterprise, but I appreciate it to be equally true that the old maxim of the law should be regarded—that we must be just before we can be generous. Mr. Speaker, we have been generous.

Turn over your appropriation bill and look at the contribution we have made for the education of the orphans of our deceased soldiers. We have appropriated five hundred thousand dollars for that purpose. That is an act of charity which makes Pennsylvania conspicuous all over the world—which makes Pennsylvania rival all her sister States in this respect—and I know the kind-hearted ladies and the good everywhere appreciate all we have done. And, again, I voted as chairman of the Military Committee, this morning, for a bill for the payment of a certain class of military claims, which may take fifty thousand dollars for the coming year alone, and still they will not all be paid. If they were all paid this year, it would take possibly three hundred thousand dollars. I speak advisedly on this matter.

Mr. M'CONAUGHY. What class of claims?

Mr. WHITE. A certain class of claims for officers who have raised means and recruited companies, and taken men into the service since the 15th of April, 1865, until the close of the war. That bill will doubtless be passed. It passed the lower house without objection. I trust Senators will regard these claims as being honestly made.

Mr. M'CONAUGHY. I wish to say a word in regard to the idea of State policy that has been advanced by the Senator from Indiana [Mr. WHITE]. I differ with him. I do not think it will redound to the credit and the memory of Governor Curtin that he recommended that we should depart from the policy which has hitherto existed.

I say it is the policy of modern Republican governments to establish charities. It is the policy of the State, whenever it sees the good, and generous and kind of a community entering upon a beneficent work, to give that charity an organized form, and give it also the countenance of occasional support from the treasury. The State is not blind to the generosity and magnanimity of her citizens. It encourages all such beneficent institutions in their infancy, and seeks to give them a foundation and a permanence. This is the true policy of the State, and it is precisely with that object that I say we should give to the citizens of Harrisburg, who have inaugurated the Home for the Friendless existing in this city, the recognition of some support from the treasury. It is fit that in the capital of the State such an institution should rear its walls. It is fit that in the old State of Pennsylvania, in the capital of this great Commonwealth, there should be an institution which will reflect and perpetuate this policy of the State. And so in the counties of York and Lancaster. Benevolence should be patronized and protected. The State should develop in the hearts of the people a spirit of friendliness and liberality for the poor.—Let us give them some slight token of encouragement. It is the practical policy of the Commonwealth. We have required as the condition that if these two thousand dollars shall be given, the citizens of that particular locality shall raise ten thousand dollars. We get five for one. The policy which has been recognized for years in this State is safe and sound and public-spirited. It will redound to her glory.

Mr. M'CANDLESS. I desire to say a word upon the subject of public charities that has been so freely discussed. I do not consider that they are private or public charities. I consider them public duties which the representatives of the Commonwealth owe to their constituents, and for this reason: That the history of the country for the last four or five years compelled these charities. Particularly is this the case in the city of Philadelphia. The orphans in those asylums were brought there directly or indirectly in consequence of the lately suppressed rebellion. This war made thousands of orphans in the land. There are hundreds of cases, to my own personal knowledge, where soldiers have been obliged to have their children taken care of by these private charities, if you please, in the city of Philadelphia and elsewhere. Now, it is a public duty that the youth in these institutions, whose fathers died on the soil of some Southern State, should be cared for properly. The Commonwealth is the father and the mother of the parentless child, especially where the head of the family was cut off in defending the honor and integrity of the nation. I trust that these charities will be dealt out with a lavish hand.

The question being,

Will the Senate agree to the amendment of the gentleman from Indiana [Mr. WHITE], to strike out all appropriations except that to the Northern Home for Friendless Children?

The yeas and nays were required by Mr. FISHER and Mr. LANDON, and were as follow, viz:

YEAS—Messrs. Cowles, James, Landon, Wallace and White—5.

NAYS—Messrs. Bigham, Billingfelt, Browne (Lawrence), Brown (Mercer), Burnett, Coleman, Davis, Donovan, Fisher, Glatz, Graham, Haines, Lowry, M'Candless, M'Conaughy, Searight, Shoemaker, Stutzman, Walls, Worthington and Hall, *Speaker*—21.

So the question was determined in the negative, and the amendment was

Not agreed to.

The question recurred on the amendment of the Senator from Adams, to reduce the appropriations to York and Lancaster to two thousand dollars each.

The amendment was

Agreed to.

The question then was, Will the Senate agree to the section as amended?

Mr. SHOEMAKER moved to further amend by appropriating the sum of two thousand dollars for the Home of the Friendless in Wilkesbarre.

The amendment was

Agreed to.

Mr. GRAHAM moved to amend by appropriating two thousand dollars to the Ladies' Home for the Friendless in Allegheny city.

The amendment was

Agreed to.

Mr. LOWRY moved to further amend by appropriating one thousand dollars to the Sisters of Charity.

The amendment was

Agreed to.

Mr. WHITE moved to further amend by appropriating two thousand dollars for the orphans' farm at Zelienople.

The amendment was

Agreed to.

Mr. CONNELL moved to further amend by appropriating one thousand dollars for the West Philadelphia Children's Home.

The amendment was

Agreed to.

Also to amend by making an appropriation of one thousand dollars to the Home for destitute colored children at Philadelphia.

Agreed to.

Mr. DONOVAN moved to further amend by appropriating the sum of two thousand dollars for the Pennsylvania Widows' Asylum of Philadelphia.

Agreed to.

Mr. BROWNE (Lawrence) moved to further amend by appropriating the sum of two thousand dollars to the overseers of the poor of Lawrence county.

Agreed to.

The question recurring,

Will the Senate agree to the section as amended?

On the section as amended,

The yeas and nays were required by Mr. WALLACE and Mr. GLATZ, and were as follow, viz:

YEAS—Messrs. Billingfelt, Browne (Lawrence), Coleman, Cowles, Donovan, Fisher, Glatz, Haines, Lowry, M'Candless, M'Conaughy, Shoemaker, Stutzman and Worthington—14.

NAYS—Messrs. Bigham, Brown (Mercer), Burnett, Connell, Davis, Graham, James, Landon, Randall, Searight, Wallace, Walls, White and Hall, *Speaker*—14.

So the question was determined in the negative,

And the section was

Not agreed to.

Mr. CONNELL moved to reconsider the vote just taken on the fifty-fourth section.

The motion was agreed to

Mr. WALLACE then moved to amend the section so as to make it read as follows:

"To the Northern Home for Friendless Children, five thousand dollars, and to the Home for Friendless Children in Harrisburg, three thousand dollars.

On the question,

Will the Senate agree to the amendment?

The yeas and nays were required by Mr. WALLACE and Mr. FISHER, and were as follow, viz:

YEAS—Messrs. Bigham, Browne (Lawrence), Brown (Mercer), Burnett, Cowles, Graham, Haines, James, Landon, Shoemaker, Wallace and Hall, *Speaker*—21.

NAYS—Messrs. Billingfelt, Coleman, Connell, Davis, Donovan, Fisher, Glatz, Lowry, M'Candless, M'Conaughy, Randall, Searight, Stutzman, Walls, White and Worthington—16.

So the question was determined in the negative.

And the amendment was

Not agreed to.

The question recurring, Will the Senate agree to the section as amended?

Mr. CONNELL moved to further amend the section by confining its provisions to an appropriation of eight thousand dollars to the Northern Home for Friendless Children, two thousand dollars to the Home for Friendless Children in the city of Lancaster, three thousand dollars for the Home for the Friendless in the city of Harrisburg, and two thousand dollars for the Home for the Friendless Children of York.

Agreed to.

Mr. GRAHAM moved to further amend by adding an appropriation of two thousand dollars to the Ladies' Home for the Friendless in Allegheny City.

On agreeing to the amendment,

The yeas and nays were required by Mr. GRAHAM and Mr. LANDON, and were as follow, viz:

YEAS—Messrs. Bigham, Billingfelt, Browne (Lawrence), Cowles, Graham, Haines, Landon, Lowry, M'Candless, Searight, Shoemaker, Stutzman, White and Hall, *Speaker*—14.

NAYS—Messrs. Burnett, Coleman, Connell, Donovan, Fisher, Glatz, James, M'Conaughy, Randall, Wallace, Walls and Worthington—12.

So the question was determined in the affirmative,

And the amendment was

Agreed to.

The question recurring,

Will the Senate agree to the section as amended?

The privious question was called by Messrs. DONOVAN, CONNELL, FISHER and RANDALL.

And on the question,

Shall the main question be now put?

The yeas and nays were required by Mr. WALLACE and Mr. WHITE, and were as follow, viz:

YEAS—Messrs. Browne (Lawrence), Coleman, Connell, Donovan, Fisher, Haines, Lowry, M'Candless, M'Conaughy, Randall, Walls and Worthington—12.

NAYS—Messrs. Bigham, Billingfelt, Brown (Mercer), Burnett, Cowles, Davis, Graham, James, Landon, Searight, Shoemaker, Stutzman, Wallace, White and Hall, *Speaker*—15.

So the question was determined in the negative.

Mr. SHOEMAKER moved to amend by appropriating two thousand dollars for the Home for the Friendless at Wilkesbarre.

On agreeing to the motion a division of the Senate was called, when six gentlemen voting in the affirmative and fifteen in the negative,

The motion was

Not agreed to.

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[CONTINUED FROM PAGE 974.]

Mr. COWLES moved to amend by adding an appropriation of two thousand dollars to the commissioners of the poor of Tioga county.

On agreeing to the amendment,

The yeas and nays were required by Mr. COWLES and Mr. LANDON, and were as follow, viz:

YEAS—Messrs. Cowles, Landon, Shoemaker, White and Hall, *Speaker*—5.

NAYS—Messrs. Bigham, Billingfelt, Brown (Mercer), Burnett, Coleman, Connell, Davis, Donovan, Fisher, Glatz, Graham, Haines, Lowry, M'Candless, M'Conaughy, Randall, Searight, Stutzman, Walls and Worthington—20.

So the question was determined in the negative.

And the amendment was

Not agreed to.

Mr. M'CONAUGHY moved to recousider the vote by which appropriations were made to the Home for Friendless Children in the city of Lancaster, and to the Home for Friendless Children at York.

The motion was

Not agreed to.

Mr. WHITE moved to amend by appropriating two thousand dollars to the Orphans' Farm School at Zelienople.

The motion was

Not agreed to.

The question recurring on the section as amended,

The yeas and nays were required by Mr. WALLACE and Mr. SHOEMAKER, and were as follow viz:

YEAS—Messrs. Bigham, Billingfelt, Browne (Lawrence), Brown (Mercer), Burnett, Coleman, Connell, Davis, Donovan, Fisher, Glatz, Graham, Haines, Landon, Lowry, M'Candless, M'Conaughy, Randall, Stutzman, Walls, Worthington and Hall, *Speaker*—22.

NAYS—Messrs. James, Searight, Shoemaker and Wallace—4.

So the question was determined in the affirmative.

Mr. CONNELL moved to restore the fifty-fifth section, as passed by the House of Representatives.

The motion was

Not agreed to.

The fifty-fifth, fifty-sixth and fifty-seventh sections were then

Agreed to.

The fifty-eighth section was read.

Pending its considerations the following remarks were made:

Mr. FISHER. I wish to say a word in reply to my friend from Philadelphia [M'CANDLESS]. There are persons going down into Virginia for the remains of their friends. If they go to Washington in the summer time they have no members of Congress or other persons to whom they can apply for assistance, unless it be to the State agent. I know the agent at Washington was constantly called upon by persons in pursuit of the remains of their deceased friends. He furnished them with means of transportation and every facility within his power. Again, a soldier who has a claim against the government for bounty or back pay can prosecute his claim through the State agency free of charge. I think it is as little as the State of Pennsylvania can do to grant this small pittance for the support of the officers who are constantly ready to attend to the necessities of surviving soldiers or the relatives of the deceased.

Mr. M'CANDLESS. I have nothing further to say. I desire simply to be informed as to the necessity of this expenditure. I have been credibly informed that when the Commissioner of Pensions in the city of Washington was interrogated as to the necessity of keeping up this State Agency, he replied that it was of no use whatever, and was not required for any purpose, and most especially for the purpose mentioned by my friend from Lancaster [Mr. FISHER]. In the summer season bodies are not permitted, under the law, to be disinterred.

Mr. FISHER. I believe there is no law in this matter. There was a general order issued by the War Department, or General Grant, I am not sure which, during the war, that in the summer season bodies should not be taken up. But that order is not operative at this time.

Mr. BROWN (Mercer). As I understand, this agency is engaged in attending to the collection of claims.

The SPEAKER. The object of this agency is to assist soldiers in the collection of claims. It was established under Governor Curtin's administration. Congress has recently passed a law in relation to bounties which increases the duties of this agency to a very great extent. If there was a necessity for its establishment during the war, is there not a greater necessity after the war has closed? The agencies for the State of Ohio and the State of New York are still in existence. They have generally five or six clerks, receiving one hundred and fifty dollars a month each. Our agency has but two clerks.

The question being on the section, it was

Agreed to.

Fifty-ninth section.

Mr. M'CANDLESS. I now move to restore section fifty-nine as in the printed bill. This institution, as I understand, was stricken out of the section entirely. I desire to say that when in Pittsburg I visited that institution and found there quite a number of the orphans of soldiers who were in my command. This institution had taken in charge orphans from time to time during the war. They had kept them without receiving any support from the Commonwealth, with the exception of one year, when, I think, they received three thousand dollars. Now, at the rate of one hundred dollars a year each, as estimated for the care of these children, the amount would in the aggregate be more than is asked in this appropriation. I think of all the appropriations in this bill, this one is the most just.

Mr. BIGHAM. There has probably been put in the hands of Senators within a few days past a brief statement in regard to this matter.

Mr. CONNELL. If the statement to which the Senator from Allegheny [Mr. BIGHAM] refers is examined, it will be found that this institution has a claim against the State for having supported certain officers during the years 1861, 1862, 1863, 1864, &c. Now, their claim for the orphans is precisely of a similar character. At this late day they come in and ask us to pay them what they have already received from their benefactors. If they have any claim for a contract for the support of orphans it must be with the superintendent of orphans' schools, Mr. Burrowes. I do not see but what we will have to make an appropriation to every orphan asylum in the State. I offer the following substitute to be inserted in the place of the section:

"For the St. Paul's orphan asylum of the city of Pittsburg, the sum of two thousand dollars, and that the Auditor General and State Treasurer be directed to examine the claim of the said asylum against the State for the support of orphans, and to pay any balance which may be legally due to the said asylum.

Mr. M'CANDLES. That is very fair upon its face, but a large number of the orphans in this asylum belong to that class that is not legally excluded by the superintendent of the soldiers' homes. Now, the word "legally," in that proposition, would compel these people to say that these orphans are legally entitled to come in under the same provisions as the orphans who are now cared for by the superintendent of the soldiers home. I would ask the Senator to substitute "equitably" instead of "legally."

Mr. CONNELL. I cannot do that.

Mr. COWLES. If asylums are to come here and ask this Legislature to entertain their claims for the support of soldiers' orphans, I ask what kind of regard must we give to the claims of the poor old women who have to support their orphan children? If this great benevolent institution in the city of Pittsburg can come here and ask for an appropriation for the support of orphans during the last six years, every widow in the State of Pennsylvania has an equal right, aye, a much greater right to make a similar request. But she is too proud to ask for any aid when she can support her child by her own labor.

Mr. GRAHAM. Mr. Speaker, I think the reflections that have been cast upon Pittsburg are entirely uncalled for and ungenerous. This is one of the most noble charities in Pennsylvania. It is as much deserving of the sympathy, of the support, and of the contributions of the Commonwealth as any institution in Pennsylvania. I feel it is a

duty to say thus much in reference to the asylum at Pittsburg.

On the question,

Will the Senate agree to the amendment?

The yeas and nays were required by Mr. LOWRY and Mr. CONNELL, and were as follows, viz:

YEAS—Messrs. Bigham, Browne (Lawrence), Burnett, Connell, Davis, Donovan, Fisher, Glatz, Graham, Haines, Jackson James, M'Candless, Randall, Searight, Stutzman, Wallace, Walls, White and Hall, *Speaker*—20.

NAYS—Messrs. Billingfelt, Brown (Mercer), Coleman, Cowles, Landon, Lowry, Shoemaker and Worthington—8.

So the question was determined in the affirmative,

And the amendment was

Agreed to.

The section was then

Agreed to.

Pending the consideration of the sixtieth section,

The Senate adjourned until Monday morning at 10 o'clock.

HOUSE OF REPRESENTATIVES.

SATURDAY, April 6, 1867.

The House met at 10 A. M., pursuant to adjournment.

The reading of the Journal of the previous session was dispensed with.

MESSAGE FROM THE SENATE.

The Clerk of the Senate being introduced, presented for concurrence bills numbered and entitled as follows, viz:

No. 101, a further supplement to an act entitled An act to incorporate the Potter County lumber, coal and petroleum company, appproved the 24th day of March, A. D. 1865, changing the name thereof, authorizing them to hold lands in Northumberland county, and to purchase other franchices, timber and timber lands.

No. 119, an act relative to a burial vault and ground in Hempfield township, in the county of Mercer.

No. 1241, an act to authorize the trustees of certain lands in Venango county, Pennsylvania, to borrow money for the development of said lands, and to perfect the titles to said lands by contesting the right at law of adverse claimants.

No. 1266, a supplement to an act to incorporate the First Baptist church of Lewisburg, Union county, Pennsylvania.

No. 1361, a supplement to an act entitled An act relating to orphans' courts and for other purposes, passed the 13th day of October, 1840, empowering said courts to incorporate saving fund associations.

No. 1558, an act to authorize the Board of Military Claims, to re-examine the claim of the legal representatives of Colonel John W. M'Lean, deceased, of Erie county.

No. 1574, an act to incorporate the Asbury life insurance and trust company of the city of Philadelphia.

No. 1473, a supplement to an act approved the 17th day of April, 1866, authorizing the courts to fix and change the places for holdgeneral elections in certain cases.

No. 1618, a supplement to an act to incorporate the Wilkesbarre law and library association in Luzerne county, approved the 11th day of April, 1866.

No. 1632, an act to extend the limits of the borough of Indiana, Indiana county.

No. 1641, an act to authorize the appointment of short-hand clerks for the courts o Allegheny county.

No. 1647, a further supplement to an act relative to paving of streets, et cetera, in the borough of New Castle, approved the 22d day of March, 1866.

No. 1651, an act authorizing the trustees of the estate of John Means, deceased, to pay certain moneys.

No. 1720, an act providing for the paving of footways in the First precinct of the Twenty-fifth ward of the city of Philadelphia.

No. 1773, a supplement to an act relating to corporations for mechanical, manufacturing, mining and quarrying purposes, approved the 18th day of July, 1863, repealing section thirty-three of the same, so far as it affects certain counties.

No. 1786, a supplement to an act appointing commissioners to lay out and open a State road in the counties of Potter and Clarion, approved March 21st, 1865.

No. 1800, a further supplement to an act enabling banks of this Commonwealth to become associations for the purpose of banking under the laws of the United States.

No. 1804, an act relating to public roads in the township of Rostraver, Westmoreland county.

No. 1805, an act to repeal an act regulating the jurisdiction of courts in proceedings by bills for injunctions and other relief in equity and the sessions of process.

No. 1806, an act to repeal an act approved the 27th day of March, 1867, entitled An act to repeal the first section of an act passed the 1st day of April, 1792, declaring the Little Lehigh a public highway.

No. 1807, an act to authorize the sale of the property of any incorporated company upon the bonds secured by a mortgage given by it with like effect as if sold upon the mortgage.

No. 1808, an act to incorporate the Victoria gold and silver mining company.

No. 1809, an act to authorize a change in the location of a portion of the State road from Harrisburg to Gettysburg.

No. 1811, an act to authorize iron and coal companies to keep stores for the sale of merchandise for the accommodation of their employees.

No. 1812, an act relative to elections of Grean Lane and Goshenhoppen turnpike road company.

No. 1815, an act repealing an act entitled An act to perpetuate the testimony of Richard S. Coxe, deceased.

No. 1660, an act to incorporate the Pennsylvania serial association.

No. 1683, an act to incorporate the Wyoming Valley passenger railroad company.

No. 1813, an act to incorporate the Meadville driving park company.

No. 1814, an act to authorize the Lake Shore seminary to borrow money and to grant literary degrees.

No. 1816, an act supplementary to the act to incorporate the Oil Creek, Lake and Titusville mining and transportation company.

No. 1810, an act to incorporate the artillery corps, Washington Grays.

Which were severally read, and

Laid on the table.

He also informed that the Senate has adopted the report of the committee of conference, on the subject of the differences existing between the two Houses in relation to the amendment to Senate bill numbered and entitled as follows, viz:

No. 854, an act to allow the sheriff of Elk county fees for serving notices and increasing the pay of supervisors in said county.

BILLS PASSED.

On motion of Mr. WADDELL, the House proceeded to the consideration of House bill No. 2148, an act authorizing the trustees of the Willistown Baptist church, of Chester county, to remove bodies from the burial grounds and re-inter the same.

The bill was read and

Agreed to.

The rules being suspended, the bill was read a second and a third time, and

Passed finally.

On motion of Mr. WHANN, the House proceeded to the consideration of House bill No. 1415, an act authorizing the reduction of the capital stock of oil companies, and equalizing the the taxes relative thereto.

On motion of Mr. LEE, the bill was amended by striking out the third section.

On being

Agreed to,

The rules were suspended,

The bill was read a second and third time, and

Passed finally.

On motion of Mr. WEBB, the House proceeded to the consideration of House bill No. 892, an act to provide for the payment of costs in the removal of paupers in certain cases.

The bill was read and

Agreed to.

The rules being suspended,

The bill was read a second and third time, and

Passed finally.

Mr. M'KEE having obtained leave, read in place an act to incorporate the Rich Valley Co operative society of Allegheny county.

The bill was read and

Agreed to.

The rules being suspended,

The bill was read a second and third time, and

Passed finally.

Mr. M'CREARY, having obtained leave, read in place an act to incorporate the Lake Shore passenger railway company of Erie county.

The bill was read and

Agreed to.

The rules being suspended,

The bill was read and

Passed finally.

On motion of Mr. CHASE, the House proceeded to the consideration of House bill No. 1653, an act to secure uniformity of gauge in the purchase and sale of crude petroleum.

The bill was read and

Agreed to.

The rules being suspended,

The bill was read a second and third time, and

Passed finally.

Mr. BOYLE. Mr. Speaker, I ask the unanimous consent of the House to take up Senate bill No. 280, an act authorizing the commutation of the death punishment in certain cases.

Leave being granted,

The bill was read as follows:

Senate bill No. 280, an act authorizing the commutation of the death punishment in certain cases.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same*, That in cases of conviction of and sentence for murder in the first degree, the Governor may, upon the petition of the person convicted, grant to such convict a pardon, upon such conditions, with such restrictions, and upon such limitations, as he deems proper; and he may issue his warrant to all proper officers to carry such pardon into effect, which warrant shall be obeyed and executed, instead of the sentence originally awarded; and the terms and conditions upon which such pardon is granted, shall be specified and set forth in the warrant so as aforesaid issued: *Provided*, That in all cases in which sentence of death shall hereafter be pronounced, no conditional pardon shall be

granted unless a majority of the judges of the court before whom the convict hath been tried, one of whom shall be a presiding or law judge, shall advise and recommend such conditional pardon.

SEC. 2. It shall be and it is hereby made the duty of the sheriffs, wardens, jailers and keepers of prisons, and each of them, to whom the custody of such would be committed if the terms and conditions of such pardon had been the sentence of the court trying him, to receive the person of the convict, under and in accordance with the terms, limitations and restrictions of the warrant of the Governor, and to do and perform those things in reference to his or her continued custody, which it would be his or their duty to do if the terms and conditions of the said warrant had been the sentence of the court in which said convict was tried.

SEC. 3. When a convict is pardoned upon conditions to be by him or her performed, or with restrictions and limitations, the officer to whom the warrant for that purpose is issued shall, as soon as may be after executing the same, make return thereof, with his doings therein, to the office of the Secretary of the Commonwealth; and he shall also file in the clerk's office of the court in which the offender was convicted, an attested copy of the warrant and return, a brief abstract whereof the clerk shall subjoin to the record of the conviction and sentence.

The first section was read and

Agreed to.

The question recurred on agreeing to the second section.

Mr. LINTON. Mr. Speaker, I offer the following amendment:

"*Provided*, That the provisions of this act shall apply only to cases of conviction prior to the passage of this act."

Mr. BOYLE. Mr. Speaker, I hope the House will not agree to that amendment. If the gentleman desires to reach that object, he will have to strike out part of the bill; because the portion which will be stricken out is put in the bill only for the purpose of providing for future cases. I can explain the bill in a very few words. It allows the Governor now, upon his own motion, to pardon those who are now in prison under sentence of death. Some have been there for many years, and will remain in prison so long as they live, if a bill of this kind is not passed. They are liable at any time to have the death warrant signed, and be led out to execution. This bill allows the Governor to pardon them upon a condition. For future cases it allows the Governor to commute the punishment of death upon a recommendation of a majority of the court. Every lawyer knows that there are many cases where a conviction may be had upon technical grounds; but where no Governor could bring himself to issue the death warrant, because of something in the case that led him to believe the man ought not to be executed. This bill provides for just such cases. It allows the Governor to commute the punishment upon a recommendation of the court.

I hope the gentleman will not insist upon his amendment. It renders the bill of no value whatever.

Mr. LINTON. Mr. Speaker, I will not occupy much time in the discussion of this question. I understood, when the bill was prepared, it was to meet the cases mentioned in the message of the Governor, who said quite a number of persons were "now in confinement in this Commonwealth, under sentence of death;" that the Governor in commission at the time the sentence was pronounced, had failed to issue a warrant; and that in pursuance of some understanding, all his successors had also failed to issue a warrant. Consequently there were in the jail of the Commonwealth a number of persons under sentence of death.

When I first heard this bill read, I was under the impression it was to meet such cases. So far as commuting those sentences was concerned, in view of the peculiar circumstances of the case, I see no objections to the passage of this bill, but I believe its practical effect will be to abolish the death penalty. In a majority of instances, when the parties convicted have any power or influence that they can bring to bear on the Governor, the death penalty will be remitted, and some other punishment substituted. I am not yet one of those who are prepared to pursue this course. I know there is a feeling in favor of the abolition of the death penalty; and this feeling, perhaps, is growing. But I do not believe the time has come when we me may take such a step. I hope, indeed, the time will never come when this will be one of the features of our criminal jurisprudence. Now, my amendment simply proposes to confine this act to cases of conviction prior to its passage. I know it is argued, under the provisions of this bill, the Governor cannot grant a conditional pardon unless the judges agree to it. If the judges think a conviction is improper—if they think the party convicted should not suffer the penalty of death, they have it in their power to grant a new trial. If they think he ought to be convicted then the necessary penalty for the crime ought to follow.

Mr. M'CREARY. Mr. Speaker, I do not think the House is aware that it is passing upon a bill of very great importance. I doubt whether one-half of the members of this House know that they are passing upon a bill that has been discussed in the Legislature and the newspapers for the last ten years. It is the great question of the day whether capital punishment shall be abolished or not. We all have written and talked on the subject. I doubt very much whether the Legislature of Pennsylvania are willing, in a few minutes, to pass this law without a little further investigation. The result of this law, if passed, will be a virtual abolition of the death penalty. Now, without saying whether I am in favor of that or not, I will say that we are not prepared to pass upon the matter. A bill of this kind should be submitted to the very closest examination. We should pass upon it seriously and deliberately, for it is a very grave question.

Now, it seems to me, as the law is worded somewhat singularly, that it does not fully express its object. Therefore, I am opposed to its passage. I am opposed to the passage of a bill unless I fully understand its provisions. Again, it seems to be the instituting of a conditional punishment. There is a provision, leaving the matter with the judges: "*Provided*, That no conditional pardon shall be granted, unless a majority of the judges of the court where the conviction has been had, one of whom shall be the president judge, shall advise it." The result will be to bring down almost every case to the individual sympathies of the judges of the bench.

I say, we ought not to place a judge in such a position. He has a responsible office to fill; he is expected to carry out the law as he finds it on the statute books. After all has been carried out and sentence has been passed; whilst the whole community is in a state of excitement with regard to the matter, the responsibility is laid on the shoulders of the judge, not as a judge, but as a man—to say whether the convict shall be punished or not. As a judge, he has decreed punishment shall be meted out—as a man, it is for him to say whether the decree of the judge shall be set aside. It is to take power out of the hands of the Governor. I say the Governor alone has sovereign power in this matter. Do you suppose there is a Governor in this or any other State, who, if he is allowed to let this responsibility rest on the shoulders of the judges, will assume it himself? That must be the result. Instead of the Governor, who is the head, taking the responsibility, you will find that the responsibility will be thrown upon the judge, who has tried the case. Do you suppose a criminal will be tried according to the strict rules of law? It will be to the interest of the court to construe all the points in the case to allow the culprit to go free. Because, after he may have been convicted, the question will come to the court, Shall this man be hanged or not? You can see the judge will so shape his courts, if possible, that the man shall not be convicted at all.

I therefore hope that gentlemen will look into this matter and not act upon it at this time. I do not say that I am opposed to the abolition of capital punishment. I must confess that, for several years past, my sympathies have been drifting in that direction. Not saying now whether I am in favor of it or not, I think we are not in proper condition to pass a bill of this importance at this time. I think the bill should be laid over.

Mr. MANN. Mr. Speaker, I am unwilling to delay the House at this time; but here is a law of such vast importance that I cannot acquit myself, in my own conscience, without saying a word in its behalf. This bill is the exact copy of the Massachusetts law upon this subject. There is no ambiguity in it. It was drawn up by the ablest lawyers of the land; has been tested and found to work well. Again, it does not affect the pardoning power of the Governor. It takes from him no responsibility, where he is willing to pardon entirely. It only relieves the Governor where he is unwilling to pardon and unwilling to sign a death warrant. These are the only cases where this law affects the responsibility of the Governor. As the law now stands, we say to the Governor of the Commonwealth you must pardon, absolutely, or sign the death warrant, or leave the man in the county jail for an indefinite period of time, without law, or without any provision for his keeping. He cannot be taken to the penitentiary. He must remain in the county jail under the law, as it now stands. This bill is simply to provide a remedy for such cases.

I call the attention of the House to another serious fact. In a trial for murder, under the law as it now stands, any judge trying the case, becoming satisfied that the defendant ought not to be executed, will so make up his record that the man cannot be executed; and he will do so conscientiously, feeling that he is compelled; and the culprit goes free from punishment. Again, there has never been a conviction for murder in Pennsylvania where, if the judges trying the case, and the judges of the Supreme Court were satisfied that the man ought not to be executed—there never has been such a case where the accused was not acquitted entirely, through the technicalities of the law. You cannot hang a man in Pennsylvania to-day, where the judges trying the case are satisfied he ought not to be hanged.

Mr. M'CREARY. Mr. Speaker, if the judges think he ought not to be hanged, I do not see why anybody should want to hang him.

Mr. MANN. Mr. Speaker, that is just what the law proposes to meet. If the judge trying the case thinks he should not be hanged, the law will provide that he shall not go free of punishment. The Governor may sentence him to some other punishment. That is all this proposes to do. It proposes to provide a remedy for existing evils. There is no doubt that criminals now go free, and

are at large in this Commonwealth, because of this defect in the criminal law.

Mr. BOYLE. Mr. Speaker, I desire to say that I understand the judges of the Supreme Court of the State have recommended the passage of this bill. I think the bill is unobjectionable in every particular.

The question being on the amendment of the gentleman from Cambria [Mr. LINTON], it was not

Not agreed.

The second and third sections were then

Agreed to.

The title was

Agreed to,

And the bill ordered to be transcribed.

On the question,

Will the House suspend the rules and read the bill a third time?

The yeas and nays were required by Mr. QUIGLEY and Mr. MARKS, and were as follow, viz:

YEAS—Messrs. Adaire, Allen, Barrington, Boyd, Boyle, Brennan, Cameron, Chadwick, Chase, Colville, Davis, Deise, Esby, Fogel, Freeborn, Gallagher, Ghegan, Gordon, Harbison, Harner Headman, Hunt, Jenks, Kerns, Kimmell, Kinney Kline, Koon, Kurtz, Lee, Leech, M'Henry, Maish, Mann, Markley, Mechling, Meily, Pennypacker, Peter, Pillow, Quay, Rhoads, Richards, Robinson, Roush, Satterthwait, Seiler, Sharples, Shuman, Stumbaugh, Subers, Wallace, Webb, Wilson, Wiogard and Woodward—54.

NAYS—Messrs. Armstrong, Breen, Brown, Chalfant, Craig, Day, Ewing, Josephs, Linton, Long, M'Camant, M'Creary, M'Kee, Marks, Quigley, Stehman, Waddell, Watt, Weller, Westbrook, Wharton, Wright and Glass, *Speaker*—23.

So the question was determined in the affirmative.

And the bill

Passed finally.

On motion of Mr. QUAY, the House proceeded to the consideration of bill No. 1347, an act to incorporate the Sunbury and Northumberland passenger railway company.

The bill was read and

Agreed to.

The rules being suspended, the bill was read a second and third time, and

Passed finally.

REPORT FROM COMMITTEE OF CONFERENCE.

Mr. ROUSH, from the committee of conference, appointed on the subject of the differences existing between the Houses on House bill No. 1038, entitled An act to repeal an act to prevent horses, cattle, sheep and hogs from running at large in Chillesquaque township, Northumberland county, Kelly township, Union county, and certain townships in Lazerne county, so far as the same relates to Chillisquque township, Northumberland county, and Kelly township, Union county, made report:

That the committees met, and were unable to agree, and ask to be discharged from the further consideration of the bill.

(Signed) GEO. D. JACKSON,
JNO. WALLS,
JACOB E. RIDGWAY,
Committee of the Senate.
CHAS. D. ROUSH,
L. WESTBROOK,
C. W. THARP,
Committee of the House.

Which was twice read, considered and agreed to; and

Ordered, That the Clerk inform the Senate of the same.

REPORT FROM COMMITTEE TO COMPARE BILLS.

Mr. WATT, from the Committee appointed to Compare Bills, and present them to the Governor for his approbation, made report, which was read as follows, viz:

That in conjunction with a similar committee from the Senate, they have compared, and on the 3d of April presented to the Governor for his approbation, bills as follow, to wit:

Senate bill No. 1597, a supplement to the act to incorporate the Erie and Pittsburg railroad company, approved April 1st, 1858.

Senate bill No. 679, an act to incorporate the People's bridge company of Harrisburg.

Also on the 4th:

House bill No. 764, an act to incorporate the Fifth Street market company.

House bill No. 700, a supplement to an act to incorporate the Chester Creek railroad company, approved the 16th day of April, 1866.

House bill No. 1020, an act to amend an act to incorporate the Potter County forest improvement company, approved May 1st, 1861, and the supplement thereto, approved the 10th day of August, A. D. 1864.

House bill No. 534, an act to exempt Calvary Monumental church of Philadelphia from taxation.

No. 841, an act to authorize the payment of Nicholas Simon, a soldier in the war to suppress the rebellion, a gratuity and annuity on account of the loss of one of his hands.

No. 897, a supplement to an act for the better securing the payment of the wages of labor in certain counties of this Commonwealth, approved the 30th day of March, A. D. 1859.

No. 1031, an act to incorporate the Odd Fellows' Mutual Co-operative association of Monongahela City, Washington county.

No. 1041, an act extending the provisions of an act repealing existing laws relating to killing beasts of prey, so far as relates to the county of Venango, approved the 12th day of April, 1866.

No. 1070, an act to repeal the second section of an act authorizing the collection of tax in Jackson township, Dauphin county, and Jefferson township, Berks county, to refund money advanced to pay bounties to volunteers.

No. 1058, an act to authorize the board of supervisors of Industry township, Beaver county, to levy a bounty tax.

No. 1056, an act to legalize the levy and collection of certain bounty tax, to provide for a settlement and authorize the school directors to lay an additional bounty tax in Upper Paxton township, and the borough of Gratztown, in the county of Dauphin.

No. 1066, an act to legalize certain acts of committees and school directors of the township of Lower Milford, in the county of Lehigh, relative to the payment of bounties of volunteers.

No. 693, an act to prevent injury to privy wells in the city of Philadelphia.

No. 1068, an act to authorize the board of school directors of the township of Brooklyn, Susquehanna county, to levy and collect a tax to pay outstanding bonds, and for other purposes.

No. 354, a further supplement to an act to incorporate the city of Erie.

No. 1061, an act to authorize the school directors of Conestoga township, Lancaster county, to levy and collect a tax to liquidate the debt in said township, created to pay bounties to volunteers.

No. 1064, a supplemtnt to an act to secure bounty taxes in certain wards of the city of Lancaster, approved the 4th day of April, A. D. 1866.

No. 1052, an act relating to tavern licenses in Greene county.

No. 1050, an act to take the sense of the people of Beaver and Indiana counties upon the question of a prohibitory liquor law.

No. 1021, an act to incorporate the Paros coal, mining and lumber company, of Pennsylvania.

No. 1025, a further supplement to an act to incorporate the Charles Evans cemetery company.

No. 1028, an act to incorporate the Anderson marble quarrying company of Montgomery county.

No. 1023, an act to incorporate the M'Keesport gas company.

No. 1661, an act supplementary to an act relating to the Western Pennsylvania railroad company, and for other purposes, approved the 27th day of April, 1864.

No. 1073, an act to incorporate the Chester passenger railroad company.

No. 1601, an act to attach certain lands and tenements in Licking township, Fulton county, to Todd township, for school purposes.

No. 1099, an act to prohibit the erection or maintenance of billiard rooms, bowling saloons, or ten-pin alleys, within the borough of Coudersport, in the county of Potter.

No. 1053, a further supplement to an act to regulate the sale of intoxicating liquors, approved the 31st day of March, A. D. 1856, so far as relates to the county of Mercer.

No. 537, an act to exempt from taxation certain real estate in Philadelphia, belonging to the Jewish hospital association of Philadelphia.

No. 1147, an act to extend the period for payment of enrollment tax on the bill to incorporate the Oil Tank improvement company.

No. 1662, a supplement to an act relating to hawkers and peddlers in the county of Chester, approved March 2, A. D. 1867.

No. 869, an act to authorize the purchase of real estate and erection of a poor house in Valley township, Montour county.

No. 1173, an act fixing the pay of the sheriff of Crawford county for boarding prisoners and other persons.

No. 1174, an act to increase the pay of the county commissioners of Northumberland county.

No. 1182, an act relating to water works, in the city of Chester.

No. 1167, an act to provide for the purchase of real estate and erection of a poor house in the township of Bloom, Columbia county.

No. 1148, an act relative to a law library in the county of Carbon.

No. 1154, an act to regulate the collection of local taxes in the township of Edgmont, Delaware county.

No. 1150, an act relating to taxes in Greenfield township, in Luzerne county.

No. 1667, an act relative to the residence of justices of the peace in the city of Erie.

No. 1145, an act to repeal the second section of an act authorizing the assessment of railroad taxes in the borough of Kittanning, Armstrong county, approved the 16th day of February, A. D. 1867.

No. 1155, an act regulating the fees of notaries public in the county of Allegheny.

No. 1161, an act to authorize the appointment of an additional notary public in the borough of Girard, in the county of Erie.

No. 1164, an act to extend to the county of Berks certain provisions of an act entitled An act to amend the fee bill as to constables in the city of Philadelphia.

No. 1166, an act to authorize the Governor to appoint six additional notaries public for the city of Philadelphia.

No. 1168, an act to provide for the erection of a house for the employment and support of the poor in the township of Hemlock, in the county of Columbia.

No. 1187, a further supplement to an act, approved March 23, 1865, entitled An

act to provide for the erection of a poor house in the townships of Milford, Turbet, Spruce Hill, Tuscarora, Lack and Beale, and the boroughs of Perrysville and Patterson, in the county of Juniata.

No. 688, an act to legalize certain loans made by the city of Titusville.

No. 1042, an act to prevent the injury or destruction of fruit, ornamental or other trees, and to protect the owners thereof in the counties of Clinton, Centre, Butler, Lawrence and Mercer.

No. 1060, an act providing for the payment to the school treasurer of certain townships of Clarion, Allegheny, Indiana and Cumberland counties, the balance of the money raised for the payment of local bounties after the payment of all claims on said townships for local bounty.

No. 1096, an act repealing so much of the act, entitled An act in relation to original writs and executions in the county of Franklin, approved the 8th day of March, 1867, as relates to executions.

No. 1097, an act relative to the election of constables in the township of Blakely, county of Luzerne.

No. 1618, an act to provide for the payment of expenses incurred in guarding the jail of Washington county.

No. 1665, an act to legitimate John Horning, of Mifflin county, and confer on him the rights and privileges of a child born in wedlock.

No. 1201, a supplement to an act to incorporate the Mercer iron and coal company, approved the 1st day of August, A. D. 1863.

No. 1206, an act to incorporate the Venice gold and silver mining company.

No. 1207, a further supplement to an act to incorporate the Union gold and silver mining company, approved the 23d day of March, A. D. 1865.

No. 1016, an act to reduce the number of the directors of the Allegheny transportation company.

No. 1210, an act to incorporate the New Sonora gold and silver mining company.

No. 1208, an act to incorporate the Philadelphia mining company of Lander Hill.

No. 1209, an act to incorporate the Pennsylvania and North Carolina gold mining company.

No. 1077, an act incorporating the Saving Institution of the city of Williamsport, in the county of Lycoming.

No. 1079, an act to incorporate the Franklin saving fund and safe deposit company.

No. 1075, an act to incorporate the Amstrong County Savings Bank.

No. 1656, an act to incorporate the Phœnix Saving Bank and safe deposit company.

No. 1089, an act declaring Clear creek, in the county of Cameron, a public highway.

No. 1000, an act to declare Mill run, in the county of Lycoming, a public highway.

No. 786, an act to authorize John F. Satterlee to erect an eel weir in the Susquehanna river, in Sheshequin township, Bradford county.

No. 1194, a supplement to an act, entitled An act to incorporate the Mount Pleasant railroad company, approved the 22d day of March, A. D. 1865, extending the time for the commencement and completion of said railroad.

No. 1191, an act to incorporate the Tidioute railroad company.

No. 1189, a supplement to an act, entitled An act to incorporate the Ohioville railroad company, approved the 27th day of March, 1866.

No. 1162, a supplement to an act regulating the mode of voting at all elections in the several counties of this Commonwealth, and to regulate the mode of voting where boroughs and townships vote together, in the county of Washington.

No. 1315, an act to repeal an act to authorize and require the school directors of West Caln township, Chester county, to levy and collect taxes for the purpose of paying three hundred dollars each to persons who were drafted and furnished substitutes under the call of the President of July 18, 1864, approved the 22d day of March, A. D. 1866.

No. 1040, an act extending the provisions of an act relating to dogs in Allegheny, Chester, Northampton, Schuylkill and Lancaster counties, approved the 6th day of April, 1854, to the county of Berks.

No. 1037, an act extending the provisions of an act, approved the 7th day of May, A. D. 1864, entitled An act to prevent cattle, horses, sheep or hogs, from running at large in Bethlehem township, Northampton county, to Lower Nazareth, East Allen and Saucon townships, in said county, and Venango township, Erie county.

No. 1044, an act prohibiting the hunting, catching and killing of game in North Fayette township, Allegheny county.

No. 1043, an act to prevent the destruction of fish in Breeches pond or lake, in Overfield township, Wyoming county, and Chartiers creek, Washington county.

No. 1046, an act for preserving fish in the South pond, in the townships of Union and Ross, county of Luzerne.

No. 1039, an act for the protection of wild turkeys and squirrels, and for other purposes, in the county of Huntingdon.

No. 1057, a further supplement to an act to legalize bounties paid volunteers, and the bonds issued therefor, in certain townships in the county of Franklin, approved the 4th day of April, A. D. 1866, extending the provisions of said act, and the supplement thereto, to the township of Hamilton, in said county.

No. 1352, an act relative to a certain highway in the town of Coatesville, Chester county.

No. 1620, an act to legalize the appointment, view and report of certain bridge viewers in Ligonier township, Westmoreland county.

No. 1666, a supplement to an act establishing a ferry across the West Branch of the Susquehanna river, in Lycoming county.

No. 605, an act to exempt from taxation the property of the Ladies' Soldiers' Aid of Weldon.

No. 1146, a supplement to the constitution and charter of the Bustleton Methodist Episcopal church, enrolled by order of the Governor, in the office of the Secretary of the Commonwealth, on the 6th of February, 1864, authorizing the trustees of said corporation to remove certain bodies to enable them to extend their church edifice.

No. 1144, an act relating to certain moneys in the hands of the legal representatives of Jacob Miller, late of St. Thomas township, in the county of Franklin, deceased.

No. 663, an act to confirm the title of William F. Hughes, in and to a certain lot or piece of ground, situate on the north side of High or Market street, seventy feet six and a half inches from the west side of Nineteenth street, in the city of Philadelphia.

No. 1211, an act to incorporate the Sierra Molina gold and silver mining company.

No. 1218, an act to incorporate the Volcanic mining company.

No. 1273, a supplement to the act incorporating the Amateurs Drawing Room association of the city of Philadelphia, approved March 8, 1866.

No. 1352, an act to incorporate the Pickering gold and silver mining company.

No. 1214, an act to incorporate the Savage Extension gold and silver mining company.

No. 1215, an act to incorporate the River Bed gold and silver mining company.

No. 1216, an act to incorporate the Morris and Cable silver mining company of Reese river district, Lander county, Nevada.

No. 1269, an act to incorporate the Delaware County lumber manufacturing company.

No. 1277, a supplement to an act to incorporate the Reno shipping company, approved the 1st day of September, A. D. 1866.

No. 1212, an act to incorporate the Powhattan gold and silver mining company.

No. 1213, an act to incorporate the Fidelity gold mining company.

No. 1269, an act to annex additional territory to the borough of Brownsville, Mercer county, for school purposes.

No. 1258, an act to authorize the board of school directors of the borough of Irwin, in the county of Westmoreland, to borrow money for building purposes, and to levy additional school tax.

No. 1261, an act to annex the farm of Daniel Sell, of Germany township, Adams county, to the borough of Littlestown, for school purposes.

No. 1263, an act to attach the farms of James M'Kean, William Nichols, David Long and John Long, Jr., of Otter Creek township, in the county of Mercer, to Salem school district, for school purposes.

No. 1230, an act to incorporate the Kittanning and Rural Village Macadamized turnpike road company, in the county of Armstrong.

No. 1232, an act to authorize the Johnstown and Scalp Level turnpike company, of Cambria county, to increase the rates of toll on said turnpike.

No. 1236, an act to incorporate the Newton and Scranton turnpike road company.

No. 1221, an act to lay out a State road in Venango and Butler counties.

No. 1247, an act to incorporate the Limestone turnpike and plank road, of Warren county.

No. 1222, an act to incorporate the Farmers' turnpike road company, in the county of Lancaster.

No. 1227, an act extending an act relative to the opening and making of new roads, and building bridges, in the township of West Marlboro', in the county of Chester, to the township of Sadsbury, in said county.

No. 1237, an act to reduce the compensation and change the manner of election of supervisors, in the township of Newberry, in the county of York.

No. 1233, an act to increase the number of supervisors of roads in Cowanshanoc township, Armstrong county.

No. 1245, an act to declare Lake Pleasant, and its outlet to French creek, a public highway.

No. 1219, an act to establish a ferry over the Allegheny river, at or below the Big rock, in the county of Venango.

No. 1250, an act to establish a ferry over the West Branch of the Susquehanna river, at or near the residence of George W. Sour, in the township of Wayne, in the county of Clinton.

No. 393, an act to repeal an act to regulate the practice of entering judgments and issuing processes in Armstrong county.

No. 1241, an act authorizing the supervisors and auditors of Jones township, Elk county, to receive the sum of two dollars per day.

No. 1259, an act to authorize the board of school directors of the borough of West Middlesex, in the county of Mercer, to borrow money.

Senate bill No. 954, an act appointing com-

missioners to lay out and open a State road from Wilcox, in Elk county, to the borough of Kane, in M'Kean county.

Senate bill No. 730, an act to incorporate the Co-operative association of East Birmingham, in the county of Allegheny, for mercantile purposes.

Senate bill No. 720, an act to repeal an act for the repeal of an act changing the venue in certain actions of ejectment from Armstrong to Allegheny county.

Senate bill No. 959, a further supplement to an act passed March 29, A. D. 1803, to establish a board of wardens of the port of Philadelphia, and for other purposes.

Senate bill No. 687, an act to permit an appeal from the register of Lebanon county in behalf of the heirs of Robert W. Coleman, deceased.

Senate bill No. 1551, an act to incorporate the Tidioute and Warren oil company.

Senate bill No. 1547, an act regulating equity jurisdiction in Philadelphia county.

Senate bill No. 1342, a supplement to an act to incorporate the Superior iron company.

Senate bill No. 479, a further supplement to the act entitled An act to incorporate the Allentown railroad company, approved March 19, 1853.

Senate bill No. 927, an act authorizing an increase of the capital stock of the Connecting railway company.

Senate bill No. 312, an act to extend the time for the payment of the enrollment tax upon an act entitled An act to authorize the Western Maryland railroad company to locate a portion of their road through Adams and Franklin counties, Pennsylvania, approved the 23d day of March, 1865, and relating to the location of the said railroad, and the connection of the Gettysburg railroad therewith.

Senate bill No. 985, a further supplement to the act incorporating the Lafayette railroad company, approved the 1st day of May, 1861, extending the time for building the road, and enlarging the powers of said corporation.

Senate bill No. 773, an act relating to the payment of certain bounties by the township of Eldred, Monroe county.

Senate bill No. 1267, a further supplement to the act incorporating the city of Pittsburg, extending its boundaries, enlarging its corporate powers and perfecting its municipal organizations and submitting the proposed consolidation to a vote of the people.

Senate bill No. 443, an act to divide the borough of Port Carbon, Schuylkill county, into two wards.

Senate bill No. 1593, an act to provide an additional law judge of the several courts in the Eleventh Judicial district.

Senate bill No. 1544, a supplement to the act entitled A supplement to the act incorporating the Howard coal and iron company, approved the 18th day of August, 1864, which became a law on the 30th day of January, A. D. 1866, extending the time for the payment of the enrollment tax on said act.

House bill No. 1172, an act relating to the collection of taxes in Cumberland county.

House bill No. 1364, an act to extend the time for the payment of the enrollment tax on the Dime Saving institution of Harrisburg.

House bill No. 972, an act to provide for the erection of a bridge across Nescopeck creek, in Nescopeck township, Luzerne county.

House bill No. 1327, an act to pay a pension to Sarah Winters, widow of Stacy Winters, a soldier in the war of 1812.

House bill No. 561, an act to incorporate the Delaware railroad company.

House bill No. 1011, an act to authorize the Evangelical Lutheran congregation of Berlin, in the county of Somerset, to sell certain real estate.

House bill No. 736, an act to provide for the appointment of controllers of the public schools in the First school district of Pennsylvania.

Senate bill No. 806, an act to establish the Vinegar ferry, in the county of York.

Senate bill No. 805, an act to declare West creek, in the counties of Elk and Cameron, a public highway.

Senate bill No. 880, an act authorizing the erection of a house for school and township purposes in Millville, Le Boeuff township, Erie county, and empowering the school directors to levy and collect additional tax.

Senate bill No. 769, an act for the relief of Mrs. Mary A. Gordon, widow and executor of Hiram B. Gordon, deceased, late register of wills, recorder of deeds, and clerk of the orphans' court of the county of Venango.

Senate bill No. 875, an act to incorporate the Shawsville bridge, in the county of Clearfield.

Senate bill No. 587, a supplement to the act to incorporate the Boatman's insurance and transportation company, and to increase the powers thereof, approved 17th day of May, 1866.

Senate bill No. 644, an act to incorporate the North Whitmer Run improvement company, in the county of Clearfield.

Senate bill No. 803, an act to incorporate the M'Keesport gas company.

No. 1556, an act to incorporate the Philadelphia Summer resort.

Senate bill No. 700, an act to incorporate the Co-operative association of Wilkesbarre, for mercantile purposes.

Senate bill No. 697, an act to incorporate the Monongahela inclined plane company.

Senate bill No. 852, an act to repeal the act to incorporate the Odd Fellows' Hall association of Tremont, in the county of Schuylkill, and to vest the right of said association in the board of trustees of Tremont Lodge, No. 245, of Independent Order of Odd Fellows of Pennsylvania.

Senate bill No. 651, an act to incorporate the National peat company.

Senate bill No. 810, an act to incorporate the Lebanon Valley college.

Senate bill No. 702, an act to incorporate the Pittston Industrial Co-operative association, No. 1, in the borough of Pittston, for mercantile purposes.

Senate bill No. 963, an act to incorporate the Co-operative association of the city of Allentown, in the county of Lehigh, for mercantile purposes.

Senate bill No. 776, an act to incorporate the South Witmer Run navigation company, in the county of Clearfield.

Senate bill No. 1172, an act to incorporate the Connaautville Savings Bank.

Senate bill No. 654, an act to incorporate the Dunmore gas and water company.

Senate bill No. 485, an act increasing the compensation of the judges of election in the Twenty-first, Twenty-second, Twenty-third and Twenty-fifth wards of the city of Philadelphia.

Senate bill No. 935, an act to prevent the depositing of tan bark in Poko Poko or Head's creek, in the county of Monroe.

Senate bill No. 539, an act repealing the provisions of an act for the protection of sheep and taxing of dogs in the county of Blair, and extended to the county of Monroe, so far as the same relates to the township of Pocono, in the said county of Monroe.

Senate bill No. 956, an act to ascertain the views of the qualified electors of M'Kean county upon the subject of refusing licenses for the sale of liquors in said county.

Senate bill No. 788, a supplement to an act to incorporate the city of Allegheny, approved the 13th day of March, A. D. 1844.

Senate bill No. 783, an act to authorize the burgess and town council of the borough of Shrewsbury, York county, to erect or construct a lock-up house.

Senate bill No. 777, a supplement to an act to confer additional powers upon the burgess and town council of the borough of Wilkesbarre, approved March 23, 1865.

Senate bill No. 793, an act supplementary to an act concerning streets and sewers in the city of Pittsburg, approved January 6, 1864.

Senate bill No. 786, an act conferring additional powers upon the councils of the city of Pittsburg.

Senate bill No. 785, a supplement to an act entitled An act to incorporate the borough of Columbia, approved April 16, 1866.

Senate bill No. 688, a supplement to an act entitled An act to incorporate the Susquehanna and Delaware railroad company.

Senate bill No. 885, a supplement to an act incorporating the M'Connel mineral company, changing the name thereof, increasing the quantity of land to be held by said company, and authorizing the extension of their railroad.

Senate bill No. 809, an act to incorporate the Brandy Camp railroad company.

Senate bill No. 893, an act to extend the time for the payment of the enrollment tax on an act entitled An act to incorporate the Keystone coal and manufacturing company, of Somerset county.

Senate bill No. 732, an act to incorporate the Wrightsville iron company.

Senate bill No. 992, an act authorizing the Shafton coal company to borrow money and to hold land.

Senate bill No. 977, an act to change the corporate name of Mill Creek gold and silver mining, commercial and manufacturing company of Colorado.

Senate bill No. 921, an act to incorporate the Idaho mining and exploring company.

No. 1506, an act to incorporate the Great Western mining company.

Senate bill No. 804, supplement to an act to incorporate the Pittsburg and Arizona gold and silver mining company.

Senate bill No. 947, an act for the relief of A. D. Hamlin.

Senate bill No. 813, a supplement to an act to incorporate the Matawanna bridge company, approved March 3, 1848.

Senate bill No. 611, an act providing for change in the State road in Plymouth township, between the westerly boundary of Plymouth borough and Harves creek, in Plymouth township, Lawrence county.

Senate bill No. 952, an act to incorporate the Madison bridge company of Pottstown, Montgomery county.

Senate bill No. 922, an act authorizing the Shafton coal company to borrow money and to hold land.

Senate bill No. 982, an act to declare the North and Uber branches of Little Mahoning creek, in Indiana county, public highways.

No. 1522, a supplement to an act entitled An act to authorize the construction of a sidewalk in the valley of Sheshequin, in the county of Bradford.

Senate bill No. 995, an act to incorporate the Tunkhannock plank road or turnpike company.

Senate bill No. 136, an act exempting the Ladies' United aid society of the Methodist Episcopal church of Philadelphia from taxation.

Senate bill No. 955, an act punishing the sale of adulterated milk in Potter and Tioga counties.

Senate bill No. 955, an act extending the provisions of an act approved March 22, A. D. 1817, relative to horse racing on the public highways in Philadelphia county, to the township of Leacock, in the county of Lancaster.

Senate bill No. 974, an act to increase the compensation of county commissioners, township auditors, and the sheriff for boarding prisoners, in the county of Jefferson.

Senate bill No. 980, a further supplement to the act consolidating the city of Philadelphia, defining the amount of money to be borrowed on temporary loan.

Senate bill No. 993, an act to authorize the school board of Washington township, Indiana county, to levy and collect and additional bounty tax.

Senate bill No. 997, a supplement to an act approved April 26, A. D. 1850, incorporating the Wissahickon turnpike road company.

Senate bill No. 1008, an act to extend the time for the payment of the enrollment tax on an act entitled An act to incorporate the Gettysburg and Chambersburg railroad company, approved the 17th day of April, 1866, and authorizing said road to make connections.

Senate bill No. 960, an act to enable the agents of the Methodist Book Concern to hold real estate in the city of Pittsburg.

Senate bill No. 774, an act to perfect title to one hundred and sixteen acres of land in Somerset county, owned by the Union coal and iron company.

Senate bill No. 775, an act relative to the purchase of a law library in the county of Wayne.

Senate bill No. 787, an act to extend the time for the payment of the enrollment tax on an act entitled An act to incorporate the Madison improvement company, approved August 10, 1864.

Senate bill No. 790, an act fixing the compensation for the commissioners of the county of Bucks.

Senate bill No. 795, an act to authorize the trustees of the Presbyterian congregation in Clearfield to convey certain real estate.

Senate bill No. 853, an act to authorize the appointment of one additional notary public for the county of Luzerne, to reside in the borough of Wilkesbarre, and repealing so much of the act of the 14th April, 1848, as renders justices of the peace ineligible to the office of notary public authorized by this act.

Senate bill No. 442, a supplement to an act to validate certain conveyances made by married women since the 11th day of April, 1848, approved the 22d of April, 1863, restraining conveyances in cases in which the instrument vesting title withholds such power.

Senate bill No. 797, an act to authorize David Souder and Henry Souder, trustees under the will and testament of Jacob Zug, late of Berks county, deceased, to invest the moneys in their hands, received from the said deceased, and proceedings from his estate, for the use of his daughter, Sophia Souder, or her children, in the purchase of certain real estate.

No. 1457, an act authorizing the increase of the recognizance and bond of the sheriff of Venango county.

Senate bill 780, an act authorizing the commissioners of Clinton county to appropriate the unexpended relief funds of said county to build a new court house.

Senate bill No. 306, an act to incorporate the Wyoming Valley manufacturing company.

Senate bill No. 541, recalled from Governor, amended and again presented.

Senate bill No. 437, recalled from Governor, amended and again presented.

Senate bill No. 524, an act to confer upon the Pittsburg forge and iron company all the powers, rights and privileges of the Jones and Nimick manufacturing company, by the act appeoved April 1st, 1863.

Senate bill No. 185, a further supplement to the act to incorporate the city of Philadelphia, approved February 2d, 1864, relative to vacancies in election offices.

Senate bill No. 111, a supplement to an act entitled An act relating to corporations for mechanical, manufacturing, mining and quarrying purposes, approved the 18th day of July, A. D. 1863, relating to the Williamsport manufacturing company.

No. 979, an act to incorporate the Grocers' and Provision Dealers' association.

The House proceeded to the consideration of the

PRIVATE CALENDAR.

The following bills were disposed of as stated:

No. 939, an act to incorporate the Franklin cemetery.

Decided to be unconstitutional.

No. 1960, an act providing for the consolidation of the Cranberry coal company and the Clarion coal company.

Not agreed to.

No. 1963, an act to incorporate the Bureau of Information.

Amended by Mr. GHEGAN.

Passed finally.

No. 1964, an act to incorporate the Philadelphia Wooden Ware manufactoring company.

Passed finally.

No. 1965, a further supplement to an act incorporating the Wilkesbarre and Pittston railroad company, approved April 15, 1859.

Title amended.

Passed finally.

No. 1967, an act to annex the farm of Joseph Houch, in Upper Mt. Bethel township, Northampton county, to the Centreville Independent school district, for school purposes.

Passed finally.

No. 1972, an act to incorporate the Summit coal and iron company.

Passed finally.

No. 1973, a further supplement to an act, entitled An act to incorporate the village of St. Clair, in the county of Schuylkill, into a borough, to be called St. Clair, approved the 6th day of April, A. D. 1850.

Passed finally.

No. 1974, an act empowering Margaret B. Fullerton, guardian of the minor children of Samuel Fullerton, late of the borough of Freeport, Armstrong county, deceased, to sell and convey real estate in said borough to the minor children of Wm. P. Fullerton, late of the same place, deceased.

Passed finally.

No. 1975, an act relating to foot walks in Oakland township, in the county of Allegheny.

Amended by Mr. WILSON, and

Passed finally.

No. 1976, an act to incorporate the North Mountain coal company.

Passed finally.

No. 1980, an act to prohibit the erection of ferries within two miles of the Milton bridge, in the county of Northumberland.

Passed finally.

No. 1981, an act relative to the last will and testament of John Steinfort, late of York county, dedeased.

Passed finally.

No. 2001, an act for the better protection of livery stable men in Schuylkill county.

Passed finally.

Nor 2002, an act relative to a special bounty tax in and for the township of of Guilford, in the county of Franklin.

Passed finally.

No. 2005, an act for the relief of wives and children deserted by their husbands and fathers in the county of Dauphin.

Passed finally.

No, 2009, an act to grade and pave certain streets in Hummelstown, Dauphin county.

Passed finally.

No. 2010, an act authorizing the curbing and paving of College avenue, in the city of Philadelphia.

Indefinitely postponed.

No. 2014, an act to vacate a portion of a certain street in the Twenty-fourth ward in the city of Philadelphia.

Postponed.

No. 2021, an act to incorporate the Farmers' Mutual life insurance and trust compano of the township of Upper Augusta.

Passed finally.

No. 2037, an act to incorporate the Newberry and Montoursville passenger railway company.

Passed finally.

No. 2039, An act for the more impartial selection of persons to serve as jurors in Northampton county.

Not agreed to.

No. 2047, an act to authorize the school directors of Oakland township, in county of Allegheny, to borrow money for school purposes.

Passed finally.

No. 2048, a further supplement to act to incorporate the Jones ferry company, approved the 14th day of March, A. D. 1865.

Passed finally.

No, 2049, a further supplement to the act incorporating the Pittsburg and Minersville passenger railway.

Passed finally.

No. 2050, an act relating to hawking and peddling in the county of Armstrong.

Passed finally.

No. 2052, an act to annex the farm of Thomas M'Cord, of Bratton township, Mifflin county, to the township of Granville, in said county, for school purposes.

Passed finally.

No. 2055, a further supplement to an act authorizing the Governor to incorporate the Philadelphia and West Chester turnpike road company, approved 20th day of March, A. D. 1848, to enable said company to issue bonds.

Passed finally.

No. 2056, an act to provide for the protection of minors employed on the several canals in the counties of Northampton, Carbon and Bucks.

Passed finally.

No. 2057, an act to provide for an additional return day in the court of common pleas of Northumberland county.

Passed finally.

No. 2058, an act for the preservation of fish in Sterling township, Wayne county, and Greene township, Pike county.

Passed finally.

No. 2059, an act authorizing the burgess aad town council of the borough of Latrobe, in Westmoreland county, to borrow money and levy a special tax for borough purposes.

Passed finally.

No. 2061, an act to incorporate the Centre gold and silver mining company of Nevada.

Passed finally.

No. 2062, an act to authorize the school directors of Fayette City borough, Fayette county, to borrow money for the erection of a school house, to issue bonds therefor.

Passed finally.

No. 2063, a further supplement to the act incorporating the city of Harrisburg, and re-

lating to the election of school directors therein.

Passed finally.

No. 1992, an act for the relief of the officers of the Thomas A. Scott regiment, Pennsylvania infantry volunteers.

Passed finally.

Senate bill No. 1471, an act suspending further payment to the commission appointed to improve the navigation of the river Delaware.

Passed finally.

No. 2130, a further supplement to provide for the erection of a house for the employment and support of the poor in the county of Dauphin, passed the 28th day of March, 1806.

Passed finally.

No. 2135, a supplement to an act entitled An act to incorporate the Bald Eagle boom company, approved the 13th day of April, A. D. 1859.

Not agreed to.

No. 2126, an act suspending further payment to the commissioners appointed to improve the navigation of the river Delaware.

Passed finally.

No. 2137, an act to incorporate the Titusville oil storage and tubing company.

Not agreed to.

No. 2144, an act to exempt money loaned to the Reading school district from taxation.

Passed finally.

No. 2245, a further supplement to an act to incorporate the Kersey oil and mineral company, approved the first day of May, A. D. 1861.

Not agreed to.

No. 2146, an act to incorporate the Harleysville and Lederachsville turnpike road company.

Passed finally.

No. 2147, an act relative to the building of dams on the Conedoguinett creek, in the township of East Pennsboro, Cumberland county.

Passed finally.

During the consideration of bills on the private calendar, the following remarks were made on bill No. 1960, an act providing for the consolidation of the Cranberry coal company and the Clarion coal company:

Mr. WHANN. Mr. Speaker, I hope this bill will be voted down. It is objectionable.

Mr. RHOADS. Mr. Speaker, this is a bill in which my colleague [Mr. JONES] is very much interested. He is absent. I think the bill should not be acted upon at the present time. He will be here this afternoon, I presume.

Mr. STUMBAUGH. Mr. Speaker, I understood the gentleman from Berks [Mr. JONES] to say that if this bill came before the House and any objections were made to it, he was willing to have it go to third reading. As I understand the bill, it is to consolidate two companies; it gives them no new privileges.

I move that the bill go to third reading.

Mr. WHANN. Mr. Speaker, I wish to take no advantage of the gentleman from Berks. I am satisfied that the bill should go over, if it is permitted to go no further.

Mr. MARKLEY. Mr. Speaker, I hope the motion will be voted down. The gentleman who has charge of this bill is not in his seat. I hope the motion will be voted down, so I can move to proceed to the consideration of the bill.

Mr. WHANN. Mr. Speaker, this bill is in my district, and I claim the control of it. The gentleman from Berks [Mr. JONES] can take charge of the bills in his own district. He, nor any other person, has a right to interfere with matters in my district. He has a bill here for the Clarion improvement company, which is the most iniquitous thing that has been gotten through this House. The object is to consolidate a company with another whose bill I favored him in passing. No man had a right to introduce this bill. It is a matter from my own district, and I claim the right to control it. I think there should be a disposition to respect every man's district. In view of this, I ask that this bill be voted down.

Mr. COLLINS. Mr. Speaker, I am glad to hear the gentleman from Venango [Mr. WHANN] take this position. I desire to see every member on this floor respected so far as matters concerning his own district are concerned. I wish to see no man interfere with matters concerning a district not his own. I hope no gentleman on this floor will interfere with legislation not his own. I ask the gentleman from Venango [Mr. WHANN], and the gentleman from Potter [Mr. MANN], if they will agree to this proposition?

Mr. RHOADS. Mr. Speaker, I have no interest in this bill. I do not know how it came up; but I do know that Mr. JONES is interested in the Cranberry coal company, and that a majority of the stock is owned by the citizens of Berks county. He being absent from his seat, I think it would be discourteous to him to defeat the bill. I propose to the gentleman from Venango to let the bill go over to third reading.

Mr. QUIGLEY. Mr. Speaker, I believe that the House bill bear me out when I say I never interfere with local legislation. The gentleman from Venango [Mr. WHANN] will bear me out in saying that I have invariably voted with him. But Venango county is peculiarly situated; nine-tenths of that county belongs to people living outside of it. There is scarcely a man in this State who is not interested in it. Now, the two companies named in this bill are owned by parties outside of Venango county. I do not believe there is a citizen of Venango interested to the amount of one dollar in either of these companies. I think the gentleman will not contradict me on that point. These companies are owned very largely in Berks and Philadelphia counties and in Montgomery. I take it this is not interfering with local legislation.

I trust the House will not vote this bill down because the gentleman from Venango wishes it. This bill is in charge of the gentleman from Berks, who is not in his seat. I believe it right to pass. The gentleman from Venango has not given sufficient reason for its being voted down.

The question being on agreeing to the bill,

The yeas and nays were required by Mr. MARKLEY and Mr. MAISH, and were as follow, viz:

YEAS—Messrs. Boyd, Boyle, Breen, Brennan, Brown, Chase, Collins, Colville, Craig, Deise, Fogel, Harner, Headman, Hunt, Jenks, Jones, Josephs, Kline, Koon, Kurtz, Linton, Long, M'Kee, Markley, Meyers, Quigley, Rhoads, Robinson, Roush, Tharp and Westbrook—31.

NAYS—Messrs. Adaire, Allen, Armstrong, Barrington, Cameron, Chadwick, Chalfant, Davis, Day, Ewing, Freeborn, Gallagher, Ghegan, Gordon, Harbison, Kerns, Kimmell, Kinney, Lee, Leech, M'Camant, M'Creary, M'Henry, Maish, Mann, Marks, Mechling, Pennypacker, Pillow, Quay, Richards, Seiler, Shuman, Stehman, Wallace, Watt, Webb, Weller, Whann, Wharton, Wilson, Wingard, Woodward, Worrall, Wright and Glass, *Speaker*—46.

So the question was determined in the negative.

And the bill was

Not agreed to.

No. 2010, an act having reference to the paving of College avenue.

Mr. FREEBORN. Mr. Speaker, I move that this bill be indefinitely postponed.

Mr. QUIGLEY. Mr. Speaker, I hold in my hand a resolution passed by the city council. I will ask the Clerk to read it.

The resolution was read as follows:

Resolved, That the Legislature be requested not to pass an act authorizing the curbing and paving of College avenue; and that the councils do most respectfully protest against the enacting of any law by the Legislature, providing for the paving and curbing of the streets of the said city, unless so requested by its authorities.

Mr. WORRALL. Mr. Speaker, the citizens living in this street sent the bill here.

Mr. QUIGLEY. Mr. Speaker, the argument of my colleague [Mr. WORRALL] amounts to nothing. If the citizens living on that street desire it to be paved, all they have to do is to get a majority of the property holders to sign a petition to that effect. What does this bill propose? It gives to the commissioner of highways the right to draw his warrant upon any money in the county treasury. How is this matter conducted now? The highway department have the right to order the paving of any street, provided a majority of the owners of property in that street will sign a petition asking that the paving be done. And how are the warrants drawn? Why, the city councils appropriate so much money to the highway department—not the street commissioner.

We have heard read a resolution relative to this bill that was passed without a dissenting voice. Now, why does my colleague come here with a bill of this kind? This bill was here three or four years ago. It was defeated. Now, I trust this House will not stultify itself. We have repeatedly voted down bills of this kind where the councils have jurisdiction. The proper place for these parties to apply is to the councils. But there is a feature of that bill more objectionable still—the idea of allowing the commissioner of highways to issue his warrant for any amount he chooses. Does the gentleman mean to give the commissioner of highways such authority as that? We have a law regulating what shall be allowed for curbing and paving—ninety cents a foot.

Another thing; this bill is intended to compel the Girard College to pay out of its fund the sum of twenty-five thousand dollars. The total cost of the work is computed to be forty-five thousand dollars. If any gentleman wants such a measure as this passed, let him apply to the council. There is the place. I trust this Legislature will not stultify itself by interfering in a local matter, as the gentleman calls it. But this is not a local matter. It interests every taxpayer in the county of Philadelphia. This bill should never have been brought before this House. I trust it will be indefinitely postponed.

Mr. WORRALL. Mr. Speaker, the residents on the south side of the street applied to have that street paved two months ago.

Mr. QUIGLEY. Mr. Speaker. I believe the gentleman is mistaken.

Mr. WORRALL. The street is not paved simply because of an unwillingness to let the money go out of the treasury.

Mr. QUIGLEY. I would to ask like the gentleman a question. Does not this bill compel the Girard estate to pay twenty five thousand dollars for paving that street?

Mr. WORRALL. It does not.

Mr. WOODWARD. Mr. Speaker, I have learned one fact since I have been a member of this body, and that is, that it takes longer time to pass one Philadelphia bill than it does forty-five bills from the counties, and I move that this bill be referred to the Philadelphia delegation.

The motion was subsequently withdrawn.

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[CONTINUED FROM PAGE 982.]

Mr. SUBERS. Mr. Speaker, I will say that the opposition to this bill from the city authorities is this. It takes about twenty-five thousand dollars out of the Girard fund, in order to pave this street.

On indefinitely postponing the bill a division of the House was called, when twenty-nine gentlemen voted in the affirmative and twenty-six in the negative.

The motion was

Agreed to.

BILL RECONSIDERED.

On motion of Mr. ARMSTRONG, the House reconsidered its vote on House bill No. 1648, an act to annul the marriage contract between James Edwards and Elizabeth Edwards, his wife.

Mr. WHARTON. Mr. Speaker, I desire to say, for the information of the House, with regard to this bill, that the parties named in this bill have been before our court; and the court has decided that it has no jurisdiction in the case because there is a mutuality about the separation. I believe the bill is a just one. The parties ought to be divorced. I hope, therefore, the House will pass the bill.

The bill was

Agreed to, and

Passed finally.

BILL PASSED.

On motion of Mr. COLVILLE, the House proceeded to the consideration of Senate bill No. 1540, An act to extend the provisions of an act to authorize the school directors of Chester and Delaware counties to select sites for school houses, passed May 8, 1854, and the supplement thereto, to the city of Venango.

The bill was read and

Agreed to.

The rules being suspended, the bill was read a second and third time, and

Passed finally.

COMMITTEE DISCHARGED.

On motion of Mr. GHEGAN, the Committee on Corporations was discharged from the further consideration of Senate bill No. 975, An act to incorporate the parties doing business at the Pascal iron works in the city of Philadelphia, under the name, style and title of Morris Tasker & Co.

ORIGINAL RESOLUTIONS.

Mr. QUAY. Mr. Speaker, I offer the following resolution:

Resolved, That our Senators be instructed, and our representatives in Congress requested, to use all their influence to defeat the confirmation of all appointees by the National Executive who, in their opinion, have sacrificed their principles for the sake of obtaining office.

The resolution being read, Mr. QUAY moved to amend so as to make it a joint resolution.

Mr. DAVIS raised the point of order that the resolution was obliged to lay over for one day.

The SPEAKER decided the point of order well taken.

Mr. KERNS offered the following resolution:

Resolved, That the hour of adjournment be extended until the orders are gone through with.

Mr. MANN. Mr. Speaker, I move to amend by striking out all after the word "resolved" and insert the following: "That this House will hold a session this afternoon at 3 o'clock, and on Monday afternoon next, commencing at 3 o'clock.

The amendment was accepted.

The question was on agreeing to the resolution of the gentleman from Philadelphia [Mr. KERNS].

Mr. SATTERTHWAIT moved that the House adjourn.

On agreeing to the motion,

The yeas and nays were required by Mr. SATTERTHWAIT and Mr. QUIGLEY, and were as follow, viz:

YEAS—Messrs. Barrington, Boyd, Boyle, Breen, Brennan, Brown, Chalfant, Collins, Craig, Fogel, Freeborn, Harner, Headman, Heltzel, Hunt, Jenks, Kline, Koon, Lee, Linton, Long, M'Henry, Maish, Marks, Meyers, Pennypacker, Quigley, Rhoads, Richards, Robinson, Roush, Satterthwait, Steacy, Stehman, Subers, Tharp, Wallace, Westbrook and Wham.—39.

NAYS—Messrs. Adaire, Armstrong, Cameron, Chadwick, Chase, Colville, Davis, Day, Espy, Ewing, Gallagher, Ghegan, Gordon, Harbison, Josephs, Kerns, Kimmell, Kinney, Leech, M'Creary, M'Kee, Mann, Mechling, Meily, Quay, Seiler, Sharples, Shuman, Stumbaugh, Waddell, Watt, Webb, Weller, Wilson, Wingard, Woodward, Worrall, Wright and Glass, *Speaker*—39.

So the question was determined in the negative.

And the motion was

Not agreed to.

Mr. WADDELL called the previous question.

The call was seconded by Messrs. Waddell, Day, Mann, Weller, Worrall, Colville, Davis, Kerns, Watt, Gordon, Kinney and M'Creary.

The question was, Shall the main question be now put?

The yeas and nays were required by Mr. COLLINS and Mr. QUIGLEY, and were as follow, viz:

YEAS—Messrs. Adaire, Allen, Armstrong, Brown, Cameron, Chadwick, Chase, Colville, Davis, Day, Espy, Ewing, Gallagher, Ghegan, Gordon, Harbison, Kerns, Kimmell, Kinney, Lee, Leech, M'Creary, M'Kee, Mann, Mechling, Meily, Pillow, Quay, Richards, Seiler, Sharples, Shuman, Stumbaugh, Subers, Waddell, Watt, Webb, Weller, Whann, Wilson, Wingard, Woodward, Worrall, Wright and Glass, *Speaker*—44.

NAYS—Messrs. Barrington, Boyd, Boyle, Breen, Brennan, Chalfant, Collins, Craig, Fogel, Freeborn, Harner, Headman, Heltzel, Hunt, Jenks, Josephs, Kline, Koon, Lee, Linton, Long, M'Henry, Maish, Markley, Marks, Meyers, Quigley, Rhoads, Robinson, Roush, Satterthwait, Steacy, Stehman, Tharp, Wallace and Westbrook—26.

So the question was determined in the affirmative.

The question recurring on the resolution,

The yeas and nays were required by Mr. LINTON and Mr. BREEN, and were as follow, viz:

YEAS—Messrs. Adaire, Allen, Armstrong, Brown, Cameron, Chadwick, Chase, Davis, Day, Espy, Ewing, Gallagher, Ghegan, Gordon, Harbison, Kimmell, Kinney, Leech, M'Creary, M'Kee, Mann, Mechling, Meily, Pillow, Quay, Richards, Seiler, Sharples, Shuman, Steacy, Stumbaugh, Subers, Waddell, Watt, Webb, Weller, Whann, Wilson, Wingard, Woodward, Worrall, Wright and Glass, *Speaker*—43.

NAYS—Messrs. Barrington, Boyd, Boyle, Breen, Brennan, Collins, Craig, Fogel, Freeborn, Harner, Headman, Heltzel, Hunt, Jenks, Josephs, Kline, Koon, Linton, Long, M'Henry, Maish, Markley, Marks, Meyers, Quigley, Rhoads, Robinson, Roush, Satterthwait, Stehman, Tharp, Wallace and Westbrook—33.

So the question was determined in the affirmative.

And the resolution was

Agreed to.

MESSAGE FROM THE GOVERNOR.

The Deputy Secretary of the Commonwealth being introduced, presented a message from the Governor, which was read as follows, viz:

EXECUTIVE CHAMBER,
HARRISBURG, April 5, 1867.

To the Senate and House of Representatives of the Commonwealth of Pennsylvania:

GENTLEMEN—Herewith is returned, with my objections, House bill No. 810, entitled An act to legalize the bonds issued by the school directors of Green township, in the county of Clinton, for bounty purposes, and to authorize the assessment and collection of a tax to pay the same.

I have approved quite a number of bills, apparently for the same objects as this one, and have been glad to find our people so generally inclined to honestly discharge all obligations incurred for bounties during the war. But in this case it is represented that the bonds in question were not issued for bounty purposes, but to indemnify sundry men for moneys expended in putting in substitutes for themselves, after they had been drafted. This raises a question very different from that apparent on the face of the bill, and if the facts be such as alleged, such legislation, in my judgment, should not be encour-

aged. Sundry statements and affidavits have been presented pro and con, and among others, a remonstrance signed by over two hundred citizens of the township to be affected, protesting against the enactment of the law. I can hardly think that this would have been done were it a mere ordinary case of bounties; and yet, from the conflict of evidence in the papers submitted, I have not that certain information on this point which relieves me from embarrassment. If it be true that the bonds in question were not given for bounties, but for the indemnity of men who put in substitutes for themselves, then the township authorities had no right to issue such bonds, nor could the Legislature, in my judgment, confer upon them any such right, nor legalize assessments made for such purpose. The furnishing of substitutes by drafted men for themselves is a mere personal matter in which the township would not be interested. The Legislature cannot impair the obligation of contracts, and much less can it make contracts between a township and its citizens where there is no legal or moral obligation on which to base them.

In this uncertainty whether these bonds were issued for bounty purposes or not, I have concluded to withhold my approval, satisfied that any future Legislature will relieve the bondholders, if it shall be made to appear they are entitled to relief under the principles herein set forth.

JNO. W. GEARY.

Agreeably to the provisions of the Constitution, the House proceeded to the reconsideration of said bill.

On the question.

Shall the bill pass, notwithstanding the objections of the Governor?

Agreeably to the rules.

The further consideration of the same was postponed for the present.

MESSAGE FROM THE GOVERNOR.

EXECUTIVE CHAMBER,
HARRISBURG, April 6, 1867.

To the Senate and House of Representatives of the Commonwealth of Pennsylvania.

GENTLEMEN—I have approved and signed the following acts of the General Assembly, to wit:

On 5th instant:

An act to repeal an act for the repeal of an act changing the venue in certain actions of ejectment from Armstrong to Allegheny county.

A supplement to an act incorporating the M'Connell mineral company, changing the name thereof, increasing the quantity of land to be held by said company, and authorizing the extension of their railroads.

An act to amend an act to incorporate the Potter County Forest improvement company, approved May 1st, Anno Domini 1861, and the supplement thereto, approved the 10th day of August, Anno Domini 1864.

An act to authorize the burgess and town council of the borough of Shrewsbury, York county, to erect or construct a lock-up house.

An act to vacate Hilles street, between Orchard street and Paul street, in Frankford, in the Twenty-third ward of the city of Philadelphia.

An act relating to public printing in the county of Juniata.

An act to provide for the appointment of controllers of the public schools of the First school district of Pennsylvania.

An act to incorporate the Fifth street market company.

A further supplement to an act passed March 29th, A. D. 1803, to establish a board of wardens of the port of Philadelphia and for other purposes.

An act amending the charter of the municipal corporation of the city of Lancaster and dividing the same into nine wards.

A supplement to the act entitled A supplement to the act incorporating the Howard coal and iron company, approved the 18th day of August, 1864, which became a law on the thirtieth day of January, A. D. 1866, extending the time for the payment of the enrollment tax on said act.

An act to incorporate the Delaware Valley railroad company.

An act to incorporate the Pittston Industrial Co-operative association, number one, in the borough of Pittston, for mercantile purposes.

An act to extend the time for the payment of the enrollment tax on an act entitled An act to incorporate the Keystone coal and manufacturing company of Somerset county.

An act to extend the time for the payment of the enrollment tax on an act entitled An act to incorporate the Madison coal and oil company, approved August 10th, 1864.

An act exempting the property of the Ladies' United Aid society of the Methodist Episcopal church of Philadelphia from taxation.

An act to incorporate the National peat company.

An act to repeal the act to incorporate the Odd Fellows' Hall association of Tremont, in the county of Schuylkill, and to vest the rights of said association in the board of trustees of Tremont Lodge, No. 256, of Independent Order of Odd Fellows of Pennsylvania.

An act increasing the compensation of the judges of elections in the Twenty-first, Twenty-second, Twenty-third and Twenty-wards of the city of Philadelphia.

An act repealing the provisions of the act for the protection of sheep and taxing of dogs in the county of Blair, and extended to the county of Monroe, so far as the same relates to the township of Pocono, in the said county of Monroe.

An act to incorporate the Duamore gas and water company.

An act to incorporate the Tidioute and Warren oil company.

An act authorizing the Shafton coal company to borrow money and to hold lands.

An act to prevent the depositing of tan bark in Poko Poko or Head's creek, in the county of Monroe.

An act punishing the sale of adulterated milk in Potter and Tioga counties.

An act for the relief of A. D. Hamlin.

An act to incorporate the Madison bridge company of Pottstown, Montgomery county.

An act extending the provisions of an act approved March 22d, A. D. 1817, relative to horse racing on the public highways in Philadelphia county, to the township of Leacock, in the county of Lancaster.

An act to enable the agents of the Methodist Book concern to hold real estate in the city of Pittsburg.

An act to incorporate the Idaho mining exploring company.

An act to incorporate the Wyoming Valley manufacturing company.

An act providing for the election of a township treasurer in Middle Smithfield township, Monroe county.

A supplement to an act entitled An act to incorporate the borough of Columbia, approved April 16th, 1866.

A further supplement to an act passed May 16th, A. D. 1861, entitled A act to authorize the erection of a free bridge over the river Schuylkill, at South street, in the city of Philadelphia, making it the duty of the chief engineer to direct the building of a bridge and providing that the same shall have a draw therein.

A supplement to an act entitled An act to incorporate the Mattawanna bridge company approved March 3d, 1848.

An act to incorporate the Brandy Camp railroad company.

An act establishing the Vinegar ferry in the county of York.

An act to declare West creek, in the counties of Elk and Cameron, a public highway.

An act to incorporate the M'Keesport gas company.

A supplement to an act to incorporate the Pittsburg and Arizona gold and silver mining company.

An act to authorize David Souder and Henry Souder, trustees under the will and testament of Jacob Zug, late of Berks county, deceased, to invest the moneys in their hands received from the said deceased, and proceeding from his estate, for the use of his daughter, Sophia Souder, or her children, in the purchase of certain real estate.

An act, to authorize the trustees of the Presbyterian congregation in Clearfield county to convey certain real estate.

An act supplementary to an act concerning streets and sewers in the city of Pittsburg, approved January 6th, 1864.

An act authorizing the Governor to incorporate a company to erect a bridge over the Youghiogheny river at a point between the mouth of Dickerson run and Taylor's ferding, in the county of Fayette.

An act to authorize the appointment of one additional notary public for the county of Luzerne, to reside in the borough of Wilkes barre, and repealing so much of the act of April 14th, 1840, as renders justices of the peace ineligible to the office of notary public, so far as the same relates to the additional notary public authorized by this act.

An act to incorporate the Lebanon Valley college.

A supplement to the act to incorporate the Boatman's insurance and transportation company and to increase the powers thereof, approved the 17th day of May, 1866.

An act to ascertain the views of the qualified electors of M'Kean county upon the subject of refusing licenses for the sale of liquors in said county.

An act to change the corporate name of the Mill Creek gold and silver mining company of Colorado.

An act relative to the purchase of a law library in the county of Wayne.

An act authorizing the commissioners of Clinton county to appropriate the unexpended relief funds of said county to building a new court house.

An act to perfect title to one hundred and sixteen acres of land in Somerset county heretofore owned by the Union coal and iron company.

An act to increase the compensation of county commissioners, township auditors and the sheriff for boarding prisoners in the county of Jefferson.

An act to incorporate the South Witmer run navigation company in the county of Clearfield.

An act to provide for the erection of a bridge across Nescopeck creek in Nescopeck township, Luzerne county.

An act to pay a pension to Sarah Winters, widow of Stacy Winters, a soldier of the war of 1812.

An act to extend the time for the payment of the enrollment tax on the Dime Saving institution of Harrisburg.

An act to authorize the Evangelical Lutheran congregation of Berlin, in the county of Somerset, to sell certain real estate.

An act to incorporate the Tunkhannock plank road or turnpike company.

An act to extend the time for the payment of the enrollment tax on an act entitled An act to incorporate the Gettysburg and Cham-

beraburg railroad company, approved April 17th, 1866, and authorizing said road to make connections.

A supplement to an act approved April 26th, 1850, incorporating the Wissahicken turnpike road company.

An act to declare the North and Uber branches of Little Mahoning creek, in Indiana county, public highways.

A further supplement to the act consolidating the city of Philadelphia, defining the amount of money to be borrowed on temporary loans.

An act to incorporate the Co-operative association of the city of Allentown, in the county of Lehigh, for mercantile purposes.

A supplement to an act incorporating the city of Allegheny, in the county of Allegheny, approved the thirteenth day of March, A. D. one thousand eight hundred and forty-four.

An act to incorporate the Shawsville bridge company, in the county of Clearfield.

An act to authorize the school board of Washington township, Indiana county, to levy and collect an additional bounty tax.

An act to exempt Calvary Monumental church, of Philadelphia, from taxation.

An act relating to the collection of taxes in Cumberland county.

An act regulating equity jurisdiction in Philadelphia county.

An act to incorporate the North Whitmer Run improvement company, in the county of Clearfield.

An act to incorporate the Co-operative association of Wilkesbarre, number one, in the borough of Wilkesbarre, for mercantile purposes.

An act providing for changes in the State road in Plymouth township, between the Westerly boundary of Plymouth borough and Harvey's creek, in Plymouth township, Luzerne county.

An act relative to livery stable keepers in Mercer county.

A supplement to an act to confer additional powers upon the burgess and town council of the borough of Wilkesbarre, approved twenty-third of March, one thousand eight hundred and sixty-five.

JNO. W. GEARY.

Mr. COLVILLE moved that the report and testimony taken by the committee to investigate the charges of discrimination made by the Pennsylvania railroad company against citizens of this State, be published in the *Daily Legislative Record.*

Which motion was

Agreed to.

On motion, the House then adjourned till 3 o'clock this afternoon.

AFTERNOON SESSION.

The House met at 3 o'clock, P. M.

The SPEAKER announced a quorum of members present.

ORIGINAL RESOLUTIONS.

Mr. KOON. Mr. Speaker, I offer the following resolution.

The resolution was read as follows:

WHEREAS, General and wide-spread complaint now prevails among the laboring classes, male and female, in many large portions of this State, as to scarcity of labor, the inadequacy of prices paid for the same, and the number of hours exacted as a day's work, as compared with the prices of provisions, clothing, rents, fuel, and rates of general taxation, and resulting in frequent strikes and suspension of labor, detrimental alike to employer and employed, and the community generally;

And whereas, The rights of labor have claims upon the Legislature, which cannot justly be ignored in view of the importance of the subject; therefore,

Resolved, That the Speaker of this House appoint a committee of three members, whose duty it shall be during the recess of the Legislature, to inquire into the matters embraced in the foregoing preamble, by collecting such statistics, facts and evidences as shall be pertinent thereto; and for that purpose, if necessary, to visit different sections of the State, to have power to summon before them persons to testify, and to report to the next Legislature.

The resolution was read a second time.

The question being on agreeing to the resolution,

Mr. KOON. Mr. Speaker, I have offered that preamble and resolution at the solicitation of a very powerful organization of laboring men, and I think there is merit in it. We have been legislating here for three months, and during that time we have created a great many corporations. Most of the time of this Legislature has been taken up by a continuous wrangle about private corporations, while to the laboring part of our population but little attention has been paid. I think, sir, that the adoption of this resolution will meet with the approbation of the workingmen of the State generally, and that all consideration is due from this House to that class of our population. I therefore hope the House will see fit to adopt the resolution.

Mr. LEE. Mr. Speaker, ever since I was ten years old I have earned my living by hard labor. I expect to earn it during the balance of my life in the same way. I would, therefore, be very glad if the proposition of the gentleman from Luzerne would relieve me and my co-laborers. If I can be convinced that this commission would effect any possible end to their advantage I would vote for it. But I would like to hear the gentleman from Luzerne explain how that can possibly be—how a commission, appointed by this House, can affect the amount of labor, can affect the kind of labor, or can affect the price of labor? I want to know if I am an employer, if that commission is to come into my town and says to me that I am to employ a certain number or not, as the case may be? How is this thing? And I ask it with a due, and I think proper, regard to the interests of the working people. I have their interests at heart. But I do feel that all efforts of this kind, arraying capital against the people and the people against capital, are always against the people.

I have a capacity to labor to the extent of twenty thousand dollars, if you please. My capital is my capacity to labor, and that capacity is worth twenty thousand dollars.—You have, Mr. Speaker, twenty thousand dollars in cash. I have ventured upon this very preposterous supposition merely for the sake of illustration. I know there is no truth in the thing, but I desire to have the privilege of making the supposition for illustration. You have your capital, or ought to have it in cash. I have it in my capacity to labor. We are antagonistic in some way, and I ask whether you can live longer on your cash than I can on my capacity to labor?

I think this thing of legislating as to the price of labor is simply interfering with the right to contract, and hence an absolute violation of the Constitution of the State, which says the obligation of a contract shall not be interfered with, and no law shall be made to affect that thing in any way. The effect of this whole thing would be detrimental to that class of people. I have the utmost desire to promote the interest of that class, but I shall vote against this resolution unless something is shown to prove that it will be a benefit and not an injury to that class of people.

Mr. KOON. Mr. Speaker, I do not suppose, sir, that any committee appointed under this resolution would recommend the interfering with any contracts or recommend the passage of any law looking to such an object. That cannot be done. It would not be wise. But I do hold that it is in the power of such a committee to collect statistics and facts bearing upon the question that would greatly enlighten the Legislature as to the relation between capital and labor. I will call the attention of the gentleman from Philadelphia [Mr. LEE] to a recent rule adopted in the House of Representatives at Washington, whereby a committee was created upon the subject of labor. This same question has agitated the Legislature of New York, and the Legislature of Ohio, and I have seen by recent proceedings of these bodies, that such committees have been appointed by those Legislatures, those two great States having the same object in view. And will it be said that Pennsylvania cannot afford her representatives a small portion of time for the consideration of this matter?

Mr. Speaker, the rights of labor, as the resolution says, cannot be well ignored by the Legislature, by the law-making power. This is a proper subject for legislation. Now, I do hold that these are competent matters for the Legislature to inquire into, and to report facts, and it is well known that there is a general agitation on the eight hour law, and a committee that would gather statistics and facts upon that question would be proper. At all events, the effort seems to be due them, that the facts should be met, and inasmuch as it would probably cost the State but a trifle, if anything (I do not know as any gentleman on the committee would want pay for his time), and if this resolution is adopted, I apprehend good will come out of it. The very fact that the National Legislature has passed an eight hour law so far as the Government employees are concerned in the navy yards, &c., it seems to me should be sufficient reason why this Legislature should not ignore the subject.

Mr. RHOADS. Mr. Speaker, I hope this resolution will be voted down. The gentleman from Luzerne [Mr. KOON] says there are merits in the resolution. I confess that if I had any hopes of being appointed on that committee, I might perhaps see the merits of it, and vote for the resolution; but having no such hopes, I cannot see the merits, and shall vote against it.

Mr. KIMMELL. Mr. Speaker, it appears to me that the object of this resolution is to provide for some three members of this House during the summer, that they may be enabled to reach that portion of the money that may be left in some corner of the Treasury, of which the gentleman from Franklin [Mr. STUMBAUGH] spoke so glowingly the other day. I trust that they will not be so employed, but that the resolution may be voted down, for I believe that its object is not to better the condition of the working men, but merely for the purpose of paying a certain committee of this House.

Mr. MEYERS. Mr. Speaker, I have one word to say upon this resolution. I differ to some extent from the remarks of the gentleman from Philadelphia [Mr. LEE] as to the bearing and influence of a resolution of this kind upon the people.

Now, it is evident that we are continually agitating, year after year, in reference to capital, for the purpose of controlling the channels in which it shall operate. We are legislating upon the question of labor in various ways, for the purpose of protecting the laborer and the miner, and for the purpose of having the salaries of the laborer increased. But there is one question connected with this whole subject, which is of importance, and that is this: The combinations that are, from time to time,

formed in our mining districts, by which operations are suspended, and large numbers of laborers thrown out of employment. They are not stopped in consequence of a loss of capital invested; but because the owners are not making large enough dividends to answer their purposes and their ends. The facts show that the stopping of operations from time to time, is for the purpose of attaining ends desired by the operators, and not for the purpose of the public good. It strikes me that when it comes to that, there can be no question of the propriety of attempting to remedy this matter. This is a question in reference to which the people of Luzerne county have been thrown into turmoil and danger, by reason of the large number thrown out of employment on account of the cessation of their public works, for, I believe, the purpose of aggrandizement and gain.

I know, to my own knowledge, while these tariff resolutions were pending in Congress, of many instances where public works were stopped—not because they were not paying, but because they did not choose to carry those works on upon a fair profit; and, therefore, desired to wait for large profits and aggrandizement.

I say it is proper and right that a committee should be appointed, and that this whole subject should be investigated and turned upside down from the bottom; and we should see whether the corporations of Pennsylvania, whether through their rightful franchises, granted by this Commonwealth for the purpose of developing this Commonwealth, whether they are using those influences justly, or whether they are using them only for the purpose of selfish ends.

I hope this resolution will be passed, and that this whole evil will be probed to the very centre.

Mr. DAVIS. Mr. Speaker, I would like to know the object of this resolution. Some time ago, this House passed, almost unanimously, a bill making eight hours a legal day's work.

Now, if the House pass a resolution creating a committee to investigate the subject whether it would be proper to pass such a law, it seems to me that it would be simply ridiculous. Already, as I said before, this House has passed a bill making eight hours a day a legal day's work; and now the gentleman from Luzerne, for buncombe or for something else, introduces a resolution to create a committee to see whether it is necessary to pass a law for something we have already done. It would doubtless be a very good thing to make capital among the laboring classes, but I do not conceive that the laboring people are so short-sighted as to be deceived in this way.

I move, however, to amend by striking out "three" in the resolution and inserting "fifteen."

Mr. GHEGAN. Mr. Speaker, I move to amend the amendment by striking out "fifteen" and inserting "one hundred."

Mr. WADDELL. Mr. Speaker, I apprehend that the gentleman from Luzerne [Mr. KOON] has offered his resolution in good faith, and that the House should treat it as coming from him in good faith. I have no doubt, sir, as to the importance of the interests of the working classes of this Commonwealth, and I apprehend that every gentleman in this House sympathizes with these working men. If we could do anything at all to advance their interests, I think we would all be satisfied to do so. But, sir, I think, further, that the experience of every gentleman that has been in the Legislature for the last two or three years must satisfy him that no good has ever arisen from the appointment of special commissions. I had the honor of being in this House three winters ago. I then served upon one special committee, which devoted a good deal of time to the investigation of the matter before us, and went to a good deal of expense to the Commonwealth. They made a report at the end of the session, and that was the end of the committee and of the matter they had to investigate. They reported a bill in reference to the matter, and the Legislature never took up the bill to consider it, let alone passing it. I have seen special committees of this House appointed from that time to this, and I think we have some five or six more now.

But I am at a loss to see any benefit that has arisen from them. They make their reports, and that is the end of the matters they have under consideration. Yet every one of these committees entails upon the Commonwealth from one to three thousand dollars expense, depending upon the manner in which they have conducted their investigation.

But to estimate the cost attendant upon the services of the sergeant-at-arms, and the expense of bringing witnesses here, the time which we must pay them for, and I will venture to say that a special committee cannot be raised upon the most economical plan, but that will entail a thousand dollars expense, at least, upon the Commonwealth. The expense, of course, will depend much upon the magnitude of the subject to be investigated. If gentlemen are to be paid for their services (and I should not like to call upon any gentleman to devote his time, during the vacation, to serving on a committee, when he has other business to attend to, without compensating him for it), I dare say that no committee can be raised in this House at a less cost than three thousand dollars. We talk about restrictions and economy. Is this the way to practically carry out our talk? If the House thinks this resolution of any practical good, and that practical good will compensate for the necessary expense, then I say pass the resolution. But if the House thinks no good can come out of it, and that has been derived from others, then I think we should not go to the expense of raising a committee for this purpose.

Mr. QUIGLEY. Mr. Speaker, I agree with the gentleman from Chester [Mr. WADDELL]. I have invariably opposed the appointing of committees to meet during recess. I have never known a select committee appointed by this House to amount to anything at all.

Now, I take it that the gentleman from Luzerne [Mr. KOON], who offered this resolution, representing a district comprised altogether of workingmen, should know what the workingmen want. If the gentleman really desires to pass this eight hour bill, why did he not introduce a bill, and press it to its passage?

It is well known to every man on this floor that I have been an ardent advocate of this eight hour system; but I agree with the gentleman from Chester, when he says that this committee will amount to nothing. I take it that every member on this floor knows the wants of his district in this respect. I know that the mechanics and workingmen in Philadelphia are in favor of this eight hour system, and so am I. But the idea of appointing a committee of three gentlemen to sit during the recess, to inquire into and find out what are their wants and necessities—I say it is all nonsense. We already know what they want, and why appoint a committee of this kind? I am willing to shake hands with the gentleman from Luzerne on questions of this sort. I am in favor of anything that will benefit the mechanics and workingmen. But I see no occasion for the appointment of a committee to investigate as to what are the wants and interests of the working people. We know that they want this eight hour bill, which I understand has already passed this House; and let us press it through the Senate, and not appoint a committee to inquire into the necessity of its passage.

Mr. KOON. Mr. Speaker, the bill passed by the House only applies to cotton, bagging, woolen and some other manufacturers.

Mr. ADAIRE. Mr. Speaker, I think if the gentleman will examine the eight hour bill, he will find that it applies to all kinds of labor.

Mr. KINNEY. Mr. Speaker, I move the indefinite postponement of the whole bill.

The question being on the motion of Mr. KINNEY, to indefinitely postpone the bill,

The yeas and nays were required by Mr. MEYERS and Mr. KOON, and were as follow, viz:

YEAS—Messrs. Adaire, Allen, Armstrong, Barrington, Boyle, Brown, Cameron, Chadwick, Chase, Davis, Day, Espy, Ewing, Fogel, Freeborn, Gallagher, Ghegan, Gordon, Harbison, Harner, Humphrey, Jenks, Jones, Josephs, Kerns, Kimmell, Kinney, Kline, Lee, Leech, Long, M'Kee, Mann, Mechling, Meily, Pillow, Quay, Quigley, Rhoads, Richards, Satterthwait, Seiler, Sharples, Shuman, Stehman, Stumbaugh, Subera, Waddell, Watt, Webb, Weller, Whann, Worrall, Wright and Glass, *Speaker*—55.

NAYS—Messrs. Boyd, Breen, Brennan, Chalfant, Colville, Craig, Heckman, Hunt, Koon, Linton, M'Henry, Maish, Meyers, Robinson, Roush, Westbrook and Woodward—17.

So the question was determined in the affirmative.

Mr. MEYERS. Mr. Speaker, I offer the following resolution.

The resolution was read as follows:

Resolved, That, if the Senate concur, the Speaker of the House of Representatives shall appoint a special committee of seven, to meet a similar committee, to be appointed by the Senate, to inquire into the propriety of removing the Capital from the city of Harrisburg to the city of Philadelphia; the terms and conditions upon which such removal should be effected, to provide for the sale of the present capitol buildings, grounds and other State property, in the said city of Harrisburg, and the assessment and payment of damages, if any, of the owners of hotel properties in said city of Harrisburg, in the event of said removal; and further to to inquire in such other matters pertinent to the subject matter, with instructions to report to the said House and Senate, by bill or otherwise: *Provided*, That the action of said committee shall not entail any expense on the said Commonwealth.

The question being on agreeing to the resolution,

Mr. MEYERS. As appears from the reading of this resolution it is only one of inquiry; it does not propose to enact a law. The resolution provides that the inquiry shall not entail any expense upon the Commonwealth whatever. It is only for this committee to ascertain what arrangements can be made for the removal of the Capital from Harrisburg to Philadelphia.

The question being on agreeing to the resolution,

Mr. KIMMELL. Mr. Speaker, I call the previous question.

The call for the previous question was seconded by Messrs. Mann, Shuman, Freeborn, Woodward, Wright, Webb, Kerns, Chase, Espy, Davis and Gordon.

The question being,

Shall the main question now be put?

It was

Agreed to.

The question recurring on agreeing to the resolution,

The yeas and nays were required by Mr. MEYERS and Mr. FREEBORN, and were as follow, viz:

YEAS—Messrs. Adaire, Armstrong, Barrington, Chase, Collins, Colville, Craig, Davis, Fogel, Freeborn, Ghegan, Harbison, Josephs, Kerns, Kline, Linton, M'Henry, M'Kee, Mechling, Meyers, Quigley, Rhoads, Sharples, Steacy, Subers and Worrall—26.

NAYS—Messrs. Allen, Breen, Brennen, Brown, Cameron, Chadwick, Chalfant, Day, Espy, Ewing, Gallagher, Gordon, Headman, Humphrey, Jenks, Kimmell, Kinney, Koon, Leech, Long, M'Creary, Maish, Mann, Meily, Pillow, Quay, Richards, Robinson, Roush, Seiler, Shuman, Stehman, Stumbaugh, Tharp, Waddell, Webb, Weller, Westbrook, Whann, Wilson, Woodward, Wright and Glass, *Speaker*—43

So the question was determined in the negative.

Mr. LEE, from the committee appointed to inquire into the "abuses of lottery policy dealing, and other systems of gambling in the city of Philadelphia," made report: That they held three meetings in the common council chamber in the city of Philadelphia, where they examined a number of witnesses, all of whom testified to the existence of a large number of places within the limits of said city where lottery policies are sold, and other species of gambling are practiced, some of the witnesses averring their belief that there are from two hundred and fifty to three hundred such places, and that thousands of dollars are taken from the pockets of the people weekly, and that the public is cognizant of the fact.

Your committee can scarcely conceive that laws can be passed to meet the emergency, if the present penal code does not do it. We are fully of the opinion that if the people, in conjunction with the public authorities, were to execute the laws in this regard, which are already upon the statute books, this and similar evils would soon be suppressed.

All of which is respectfully submitted.

(Signed) EDWARD G. LEE, Chairman.
E. H. DAVIS,
JAMES SUBERS,
W. M. WORRALL,
W. J. DONOHUGH.

The report was read and

Agreed to.

MESSAGE FROM THE GOVERNOR.

The Deputy Secretary of the Commonwealth being introduced, presented a message from the Governor, which was read as follows, viz:

EXECUTIVE CHAMBER,
HARRISBURG, April 6, 1867.

To the Senate and House of Representatives of the Commonwealth of Pennsylvania:

GENTLEMEN—Herewith is returned, without my approval, House bill No. 842, entitled An act to incorporate the Home for the Friendless in the city of Harrisburg, and county of Dauphin.

This is a merely beneficial and charitable association, and as the existing laws confer upon the courts the power to incorporate all such associations, the Legislature cannot do it without a violation of the ninth section of the eleventh article of the Constitution.

I regret to interfere with such worthy objects as are proposed by this bill, but my regard for the fundamental law of the State leaves me no alternative.

JNO. W. GEARY.

LEAVE OF ABSENCE.

Mr. GORDON asked and obtained leave of absence for Mr. GALLAGHER for a few days.

REPORTS FROM COMMITTEES.

Mr. WOODWARD (Ways and Means), as committed, an act to authorize the Auditor General to examine the claim of C. W. Burton, and directing the State Treasurer to pay the same if it be found correct.

The bill was taken up, considered and

Agreed to.

The rules were suspended,

The bill read a third time by its title, and

Passed finally.

Mr. MANN, chairman of the Committee on Ways and Means, reported from said committee, as committed, Senate bill No. 1239, an act to indemnify certain election officers of this Commonwealth for losses sustained and fines imposed on them for acting in accordance with the provisions of the act of Assembly of June 4th, 1866.

Mr. HARBISON (Judiciary Local), as committed, No. 1519, an act to regulate the manner of running logs down the Oswayo creek, in Potter county.

BILLS IN PLACE.

Mr. LEE read in his place and presented to the Chair No. 2187, an act requiring the North Pennsylvania railroad company and the Frankfort and Southwark passenger railway company to appoint a watchman on the crossing at Berks and America streets.

Laid on the table.

Mr. LONG, No. 2188, an act to increase the fees of the sequestrator of Carlisle and Hanover turnpike company.

Laid on the table.

BILLS ON THIRD READING.

Agreeably to order, the House proceeded to the consideration of bills on the third reading.

The following were taken up and acted upon as stated:

House bill No. 1049, an act to prohibit the issuing of licenses within two miles of the First Pennsylvania State normal school, Millersville, Lancaster county, and the normal school at Mansfield, Tioga county.

The question being on the final passage of the bill,

It was

Agreed to.

And the bill

Passed finally.

The next bill was Senate bill No. 812, an act to lay out a State road in Schuylkill and Columbia counties, approved April 4th, A. D. 1866.

The question being on the final passage of the bill,

It was

Agreed to.

And the bill

Passed finally.

The next bill was House bill No. 1539, an act authorizing the board of controllers of the city of Erie to appoint a superintendent for the schools of said city.

The question being on the final passage of the bill,

It was

Not agreed to.

Mr. SUBERS. Mr. Speaker, I move to reconsider the vote by which the House passed House bill No. 1049, an act to prohibit the issuing of licenses within two miles of the First Pennsylvania State normal school, Millersville, Lancaster county, and the normal school at Mansfield, Tioga county.

The motion was

Agreed to.

The bill was again before the House, and the question being,

Shall the bill pass finally?

Mr. MANN. Mr. Speaker, I would ask the gentleman to strike out the part relating to the normal school at Millersville if he objects to the bill, and let the bill stand as applying to the Mansfield normal school.

Mr. SUBERS. Mr. Speaker, I make a motion to that effect.

The motion was

Agreed to.

The title was then amended so as to read:

An act to prohibit the issuing of licenses within two miles of the normal school at Mansfield, Tioga county.

And the bill as amended

Passed finally.

The next bill was House bill No. 1368, a supplement to an act to fix the standards and denominations of weights and measures in the Commonwealth of Pennsylvania, approved the 15th day of April, A. D. 1834.

The question being on the final passage of the bill,

Mr. SATTERTHWAIT. Mr. Speaker, I hope that bill will not pass. I dislike to take up the time of the House on apparently a trifling matter, but it is really a serious matter. I desire to call the attention of the House, just one moment, to the effect of this bill. It requires that every basket used in the market shall have the fractional part of a bushel marked on it. Those engaged in the berry business have a good many baskets, and it is impossible to mark them so. It would subject them to a large and unnecessary tax. This bill goes on to provide that these baskets, and other measures, shall be subject in all respects to the provisions of the act appointing a sealer of weights and measures. The effect will be that the sealer of weights and measures will claim the privilege of making every one of these, and it will almost destroy the business of those who are engaged in raising berries for the market. The sealer of weights and measures may carry them off by the cart load, and the effect will be to almost destroy our business. All these vexatious regulations in the market are to the injury of the consumer as well as the producer, and I do hope that the House will not force this law upon us.

Mr. KERNS. Mr. Speaker, I believe this to be a just bill. I can really see no good reason why these measures should not be marked. I think there is merit in the bill, and I hope it will pass.

Mr. WORRALL. Mr. Speaker, I hope this bill will pass. We have been imposed upon long enough by hucksters going through the streets and selling berries for a quart in baskets that do not contain more than a pint. We want some protective legislation in this respect, and I hope this bill will pass.

Mr. SATTERTHWAIT. The assertion that baskets purporting to contain a quart do not do so, I must say is not correct. These baskets that profess to hold a quart always do so. But we have to get these baskets of the manufacturer and we buy them by the hundreds or thousands. It is found that for fine fruit, small baskets are the best. In New York they have them of a size that six make a quart. They do not complain of it, but prefer them that way, because they carry so much better in these small baskets than they do in large ones. The only advantage in this bill is that it will give a big job to the dealer of weights and measures. It will be thousands of dollars in his pocket. It is only another one of those schemes to put money into the pocket of a public officer, and I trust it will be voted down.

The question being on the final passage of the bill,

The yeas and nays were required by Mr. WORRALL and Mr. GHEGAN, and were as follow, viz:

YEAS—Messrs. Armstrong, Breen, Chadwick, Colville, Freeborn, Ghegan, Josephs, Kerns, Kimmell, Leech, Quay, Stumbaugh,

Subers, Watt, Weller, Worrall and Wright—16.

NAYS—Messrs. Adaire, Barrington, Boyd, Brennan, Brown, Day, Gordon, Harbison, Harner, Heltzel, Humphrey, Kinney, Koon, Lee, Linton, Long, M'Creary, M'Kee, Maish, Mann, Meyers, Pillow, Rhoads, Richards, Roush, Satterthwait, Seiler, Sharples, Shuman, Stehman, Tharp, Waddell, Webb, Westbrook, Wingard, Woodward and Glass, *Speaker*—28.

So the question was determined in the negative.

The next bill was Senate bill No. 185, a supplement to the act to incorporate the city of Philadelphia, approved February 22, 1854, relating to vacancies in elective offices.

The question being on the final passage of the bill,

The yeas and nays were required by Mr. FREEBORN and Mr. MEYERS, and were as follow, viz:

YEAS—Messrs. Armstrong, Boyd, Chadwick, Chase, Davis, Humphrey, Kerns, Kimmell, Kinney, Koon, Linton, M'Creary, Meily, Pillow, Quay, Roush, Seiler, Sharples, Sleacy, Stehman, Stumbaugh, Subers, Waddell, Webb Weller, Westbrook, Whann, Worrall, Wright and Glass, *Speaker*—30.

NAYS—Messrs. Barrington, Boyle, Brown, Cameron, Collins, Colville, Day, Espy, Freehorn, Gallagher, Gordon, Harner, Lee, Leech, Long, M'Henry, M'Kee, Mann, Meyers, Rhoads, Richards and Satterthwait—22.

So the question was determined in the affirmative.

And the bill

Passed finally.

The next bill was Senate bill No. 939, an act for the better improvement of the front of the river Delaware.

The question being on the final passage of the bill,

It was

Agreed to.

And the bill

Passed finally.

The next bill was House bill No. 1478, further supplement to an act to incorporate the Moshanoon railroad company, approved April 11, 1863.

The question being on the final passage of the bill,

It was

Agreed to.

And the bill

Passed finally.

The next bill was Senate bill No. 709, a supplement to an act incorporating the Ephrata and Lancaster railroad company, approved the 21st day of March, A. D. 1866, authorizing to extend said railroad to the Conestoga creek, below the city of Lancaster.

The question being on the final passage of the bill,

It was

Agreed to.

And the bill

Passed finally.

The next bill was House bill No. 1633, an act to extend the provisions of an act relating to the passage of fish in the Susquehanna river, and to certain of its tributaries, and to the Conestoga creek, in Lancaster county.

The question being on the final passage of the bill,

It was

Not agreed to.

The next bill was House bill No. 1663, an act to establish a depot for the sale of cattle, calves, sheep and hogs in the city of Philadelphia, and to provide for the inspection of the same.

The question being on the final passage of the bill,

Mr. SATTERTHWAIT. Mr. Speaker I wish to say to the friends of this bill that I hope they will allow us a reasonable time for its discussion, and that they will not call the previous question until we have had time to consider it fairly. I think they owe it to the House in a bill of this character, which has been pronounced to be as infamous as this. I think the gentlemen who are pressing the passage of this bill should place on the *Record* some reasons why the bill should pass, which they have not yet done. I therefore hope, for their own sake, they will not call the previous question. It will be remembered that the greater part of this bill—or at least half of it—passed the House under the gag of the previous question, without a word of discussion and without any opportunity whatever to amend it. I know that this bill is to pass—I see that—but I hope the gentlemen who are determined to pass it will give us some reasons (which they have so far failed to do) why it should pass.

When this bill was previously before us I gave many reasons, as I thought, and very strong ones, why it should not pass, and as yet I have heard no reasons why it should pass.

I have shown, in the first place, that this bill proposes to give to some half dozen individuals who are named, the extraordinary and unprecedented privilege of having the business of inspecting all the cattle, sheep, hogs and calves that are sold in the city of Philadelphia for slaughter—to have the privilege of inspecting them and to have the profits arising therefrom. I never before heard of such a law giving the privilege of inspection to a corporation. I ask, gentlemen, if the inspection of cattle is necessary, why not place it on the same footing as other inspections? Why not let the inspector be appointed, and let the inspection be done as other inspections? Why place it all in the hands of a corporation—in the hands of irresponsible parties?

I have shown that the profits to this corporation cannot be less than one hundred thousand dollars a year, clear of all expenses. They only propose to invest a hundred thousand dollars in this concern, and I am satisfied that it will not cost them a hundred thousand dollars to get up all the necessary fixtures to carry on this business. I have shown that their annual profits cannot be less than the whole amount of capital invested. Now, I ask why such an extraordinary thing as that should be done? Why not let the profits go into the treasury of the State or of the city of Philadelphia? And that, sir, I should suppose was an insurmountable objection to this bill. I should suppose it was not necessary to say anything more than that.

But there are many other objections. It will subject parties taking their cattle to market to the most vexatious inconvenience. Since this was first before us there have been parties up here who are engaged in the business, and they have declared here that the cost to them in many instances will be three or four dollars per head—just the additional expense of having to send their cattle to this yard. These gentlemen have sold here that there is not the slightest necessity for a law of this kind, that nobody is asking for it, and that the people of Philadelphia do not want it. Sir, since we first had this matter under discussion this question has been before the councils of the city of Philadelphia, and both branches voted unanimously that if this bill passed the Legislature they requested the Governor to veto it.—Now, in the face of that will the gentleman who introduced this bill tell me that the people of the city of Philadelphia ask for it? I suppose the councils of the city of Philadelphia know something about what the people of that city want. They have stated unanimously that they do not want it. Who, then, is asking for it? Nobody is asking for it but this corporation. It is nothing but an injury to everybody but the parties named in this bill and those connected with them.

One gentleman talked about this making meat cheaper. Now, this is one of the most absurd ideas that I have heard, that subjecting parties to this additional expense and inconvenience would have a tendency to make meat cheaper! This, sir, is like the bill we had yesterday, requiring that all lumber that comes to Philadelphia should be inspected. Why, the gentleman from Lycoming [Mr. WINGARD] argued very eloquently against that bill, that it was calculated to enhance the price of lumber. Now, I would like to know how he can vote for a bill of this kind? How can he reconcile his vote on this bill with the argument he made use of with reference to this obnoxious regulation in regard to lumber? Does not this same argument apply to the inspection of cattle and everything else?

This is the most barefaced and outrageous attempt at legislation, I must say, that I have ever heard of. Here is a bill that proposes to put into the hands of a corporation a privilege with not less than one million of dollars, and which proposes to tax the people of the Commonwealth to the amount of at least one hundred thousand dollars annually, and it cannot be shown that it will result in one particle of benefit whatever.

Mr. WINGARD. Mr. Speaker, in reply I say to the gentleman that I am no judge of a hog, or a pig, or a calf—I cannot tell whether I am buying a good or a poor one—because that is live-stock. But when I look at a board I can tell whether it is deed wood or what it is.

Mr. SATTERTHWAIT. Mr. Speaker, I know nothing about lumber. I cannot tell a good board or a bad one. The gentleman from Lycoming [Mr. WINGARD] happens to be in the business, and he is therefore a judge. But ninety-nine out of a hundred that are not in the business are not judges of lumber.

Mr. WINGARD. I think I can judge of a basket of strawberries, or anything of that sort, but I cannot tell what is inside a cow.

Mr. SATTERTHWAIT. Nor anybody else. Nobody can tell anything about these cattle until after they are killed. That is just exactly the point. If meat that is improper and unfit for food is killed and sent to market, it has nothing at all to do with this question. Cattle cannot be inspected in most cases until they are killed. There are already regulations to prevent unwholesome food being sold in the market. There is the only place where it can be inspected, and there is not a gentleman in this House who does not know that. Meat may be the best in the world when it is killed, and it can be kept there in the market until it is unfit for food, and it is the duty of this person appointed for this purpose to examine into this matter, and that is the only way in which it can be effectually done.

It is claimed that this present cattle yard is a nuisance, and that it is in the built up portion of the city. All that I deny. Even if it was, there is nothing to hinder these parties from setting up as many cattle yards as they please. But I object particularly to this, that if this bill was necessary, if the people of Philadelphia were asking for a measure of this kind that they should have come up here in time with this bill. It should have been read in place early in the session and sent to a committee, so that these parties whose business will be utterly ruined by the passage of this bill should have an opportunity of being heard before the committee. If it should be shown that there was a necessity

for the removal of this yard there would be no difficulty about it. In that case I would vote for it myself.

Mr. JENKS. Mr. Speaker, I wish to call the attention of the House to a few figures connected with this subject. Persons well informed upon the subject have stated that there are driven into the Philadelphia market for slaughter about one hundred and four thousand cattle. The yardage opened there according to the provisions of this bill would amount to fifteen thousand six hundred dollars. There are also driven into the Philadelphia market five hundred and twenty thousand sheep. The yardage upon those would amount to twenty-six thousand dollars. There are also one hundred and four thousand hogs driven into the same market, the yardage upon which would amount to five thousand two hundred dollars. There are also thirty-one thousand and two hundred calves, the yardage upon which would amount to one thousand five hundred and fifty dollars, making in all forty-eight thousand three hundred and fifty dollars. Besides that the inspection upon one hundred and four thousand cattle would amount to thirteen thousand dollars, upon five hundred and twenty-thousand sheep ten thousand and four hundred dollars, upon one hundred and four thousand hogs four thousand one hundred and forty dollars, and upon thirty-one thousand two hundred calves six hundred and twenty-four dollars, making in all (adding the expense for yardage) the sum of seventy-six thousand five hundred and fourteen dollars. Now, this sum must be added by the butcher to the price of this meat, and the people purchasing must pay this additional sum for yardage and inspection. More than this, the cattle driven to this yard that it is proposed to erect would have in their value one dollar per head, making one hundred and four thousand dollars, the sheep twenty-five cents each, making the sum of one hundred and thirty thousand dollars, the hogs the same amount per head, making the sum of twenty-six thousand dollars. This, added to the amount for yardage and inspection, would make the sum of three hundred and thirty-six thousand five hundred and fourteen dollars, that must be assessed upon the meat that is sold to the citizens of the city of Philadelphia. In other words, they must pay this large additional tax for the erection of this yard. If this sum is not paid by the citizens of Philadelphia, it must be paid by those who drive their cattle there. This increased price must be borne by some one—either by the producer or the consumer. If the consumer does not pay it, then the farmers and others who drive their cattle there must pay it. I ask, in this point of view, whether there is anything in this bill which commands the approbation of this House? Certainly, if the citizens of Philadelphia have to pay this tax, they are opposed to it. Certainly, there is nothing in it to recommend it to the people of the country, if this tax must be paid by them. Then what is this for? Merely to advance the interests and prosperity of one company.

Mr. HEADMAN. Mr. Speaker, when this bill was first before the House I opposed it. I thought at that time it would interfere with the rights of a great class of the people of this Commonwealth—the farmers—but, sir, after examining the bill, and reading it over several times, I am satisfied it does not, but, on the contrary, for their benefit. The title I think is wrong. It would have been more appropriate to have the one of the bill advocated by the gentleman from Chester, in regard to a market house in the city of Philadelphia. That was for the better protection of farmers. The gentleman from Lancaster [Mr. ARMSTRONG] made a long speech when this bill was first before us, and introduced some great arguments in opposition to this bill. Among them he says it is a great monopoly. I would like to know what else exists there now. He also says it will injure individuals in the city, and farmers in the country; and that not a hoof could be sold without first going through the yards belonging to this company. Now, sir, I deny any assertion of that kind. All stock cattle can be sold to farmers to be fattened, and it will be the means of giving to the people of the city good, wholesome meat. All cattle unfit for slaughter will be rejected, and, of course, will have to be sold to farmers to be fattened. The only persons interfered with are those that do business between the producer and the tradesman; that is between the farmer and the butcher. And it must be conceded that as a general thing it is always these middle parties that are benefited or make all the money. For example, who is it that makes all the money on coal? Not the miners, nor the retailers in your cities, but the middle parties—those that purchase from the mines and sell to the city dealers. Just so it is with every kind of business. The only way to avoid high prices is to have as few of these persons as possible come between the producer and consumer. Yet, I believe this bill will be the means of bringing better cattle to market, and it provides for their protection and comfort and convenience at a nominal charge. Another feature in this bill is, it increases the revenue of the State; and as the people are now opressed with taxation it will relieve them to a certain extent by paying into the State Treasury (according to the gentleman from Montgomery's calculation) from ten to fifteen thousand dollars per annum. That is certainly something in its favor.

The inspector is not appointed by the company, but the appointment is placed in the hands of the Governor. The company is obliged to pay the inspector out of their earnings. I have said before I think this bill will be a benefit to farmers, and as I represent that class, I will vote for it. I cannot see how any member from the country can go against it, unless his constituents are of the class that deal between the farmer and the butcher.

I think the farmers and the people will be greatly benefited by this act for the reasons that I have given, and I shall, therefore, vote for it.

Mr. LINTON. Mr. Speaker, I move to go into committee of the whole for the purpose of special amendment, to add the following:

"Nothing in the provisions of this act shall prevent any person or company from establishing and maintaining similar yards to those provided in this bill: *Provided*, The person or companies establishing the same shall provide for the inspection, at their said yards, of all cattle, calves, sheep and hogs offered for sale therein, upon the same terms, and in the same manner, and subject to the payment of the same amount to the State provided in this bill, to be paid by the Philadelphia Cattle Market company."

I believe that the gentleman who introduced this bill urged its passage principally upon the ground that it provided for the inspection of cattle in the city of Philadelphia, and thereby prevented the sale of unwhole some meat in that city. Now, if this is the great purpose, if it is not designed to form a monopoly merely to put money into the hands of this corporation, I trust those gentlemen who desire the passage of this bill will unite with me in voting for this amendment. I trust, therefore, the House will agree to go into committee of the whole for the purpose of adopting this amendment. If they do not, it will show that they are not so anxious for the inspection of cattle as to put money into the pockets of this corporation by giving them the exclusive monopoly of all this business.

Mr. SHARPLES. Mr. Speaker, the amendment proposed would be important, but I am opposed to the whole thing. There is no necessity for an inspector whatever. No man can show me how an inspector of living cattle can perform that office to any body's advantage. He cannot tell whether a bullock is sick, unless he is really drooping, and if he is in that condition, he will not be sent to Philadelphia for slaughter. The estimate made by the gentleman from Jefferson [Mr. JENKS] of one dollar on each herd of cattle is a very moderate one. In many cases they will have to be driven eight or ten miles out of their way to get to these yards, and then be driven back, and which would lessen their value at least three dollars per head. I have that estimate from men who have been engaged all their lives in the business. Of course the amendment is important, but there is no need of any cattle inspector at all in Philadelphia.

Mr. LEE. I rise to a point of order. I make the point that the amendment of the gentleman from Cambria, [Mr. LINTON] is out of order because it incorporates another company. That cannot be done by this bill.

Mr. LINTON. Mr. Speaker, I think that an examination of the amendment will show that it does not incorporate another company.

The SPEAKER. This amendment of the gentleman from Cambria confers the same power on other companies that is conferred on the one incorporated by this bill. The Chair is, therefore, of the opinion that the amendments is not a proper one.

Mr. LINTON. Mr. Speaker I desire to say upon that point, that if the Speaker will notice the amendment, he will see that it does not provide for the incorporation of another company; it merely provides that the provisions of this bill shall not prevent other corporations being formed.

The SPEAKER. It confers precisely the same power upon other persons as is conferred upon those named in this bill. The Chair is of the opinion that the point of order is well taken and therefore rules the the amendment out of order.

Mr. BOYLE. Mr. Speaker I rise to a point of order; that this bill provides for two separate and distinct things. I do not know how many things are provided for in this bill, but here are two that are certain.

In the first place, it creates the office of inspector, and in the next place incorporates a company—two things as separate and distinct as any two things can be. I, therefore, hold that the bill is unconstitutional and out of order under our joint rules and under the rules of the House.

Mr. LEE. Mr. Speaker, upon that point I desire to say that this bill simply creates an officer to carry out the provisions of the bill: that is all it does.

Mr. MEYERS. Mr. Speaker, I want to call attention to the fact that there is still another subject matter connected with this bill. It provides for the payment of a certain sum into the State Treasury, and is, therefore, a bill providing for revenue.

The SPEAKER. The Chair is of the opinion that the point of order taken by the gentleman from Fayette [Mr. BOYLE] is not well taken for this reason, that the same point of order might be raised upon any bill introduced here for the purpose of chartering a coal or iron company, with the privilege of transporting to market.

The Chair regards the point equivalent to

one that might be raised in the cases cited, and, therefore, does not consider it well taken.

Mr. BOYLE. Mr. Speaker, I appeal from the decision of the Chair.

By request of the Speaker, the appeal of the gentleman from Fayette was reduced to writing and read by the Clerk, as follows:

On the question,

Shall the bill pass?

Mr. BOYLE rose to a point of order, as follows:

That the bill being in violation of the eighth section of the eleventh article of the Constitution, it is therefore not in order for this House to consider it.

The SPEAKER decided the point of order to be not well taken,

When the following appeal from the decision of the Chair was submitted, viz:

The undersigned respectfully appeal from the decision of the Chair deciding the said bill to be constitutional.

(Signed) CHARLES E. BOYLE,
JOHN S. MANN.

The SPEAKER. The reason that the Chair has decided the point of order not well taken is that the bill embraces but one subject, and that subject is expressed in the title.

The question is,

Shall the decision of the Chair stand as the judgment of the House?

Mr. MANN. Mr. Speaker, the first, second, third, fourth and fifth sections of this bill provide for the incorporation and regulation of a cattle-yard company, clearly expressed, defining its powers, privileges and duties, and having reference solely and exclusively to a cattle-yard company. The sixth and seventh sections of this bill refer to an entirely different subject, to wit: the creation of a new office, to be filled by the Governor. If it was simply an inspector appointed by the company incorporated by this act, then the decision of the Chairman would be well made. But it as clearly creates the office and provides for the appointment of an inspector, as the act creating an inspector of weights and measures, an inspector of whisky, or any other inspector in this Commonwealth, defining his duties, requiring him to give bond, to be filed with the Auditor General of the Commonwealth. Clearly here is a new office to be filled by the Governor of the Commonwealth; an act fixing his salary and requiring him, before entering upon the duties of his office, to file his bond with the Auditor General. It is as clear as an act of Assembly providing for the appointment of an inspector of lumber; there can be no mistake about it.

These are briefly the reasons I have for signing this appeal.

Mr. LEE. Mr. Speaker, the sections of this bill referred to by the gentleman from Potter do just exactly what he says—establish a cattle yard; and the bill goes on to define the object of establishing that yard. It does not simply make a yard. There is some object in making that yard, some purpose in establishing that yard, and the purpose is to receive cattle there for inspection.

Now, the gentleman said that if this bill provided that the inspector should be an officer of this company, then the Speaker's ruling would be correct. But the office of inspector is created in the same way without making an effort to define the difference between the official position, no matter how created. I say the point taken by the Speaker is well taken. This yard is for a purpose and for an object, and that purpose and that object is to receive cattle for inspection.

Jefferson has laid it down in his manual that a Legislature may provide the instrumentalities for carrying out any bill that they pass, and this all this bill does. It is simply for the purpose of establishing a cattle yard for the inspection of cattle and providing the instrument to carry out that inspection.

I think the point of order is well and properly ruled by the Speaker.

Mr. MEYERS. Mr. Speaker, everybody understands what it is to create a corporation. This bill would stand alone as a law without the sixth, seventh, eighth, ninth, tenth and eleventh sections, which provide for the appointment of an inspector. I say this bill would stand for the purpose of providing for a cattle yard without providing for an inspector. In order to comply with what is alleged as necessary for the protection of the people of the city of Philadelphia, merely to create the office of inspector of cattle, it would be necessary to do that under a separate and independent statute.

If by law such an office is created, it would be like any office created by the Legislature in which the appointment was placed in the hands of the Governor. It would be an office the duties of which would be defined, and the compensation would be defined, and the officer would be required to file his bond or not, and would be required to make oath or not, for the performance of the duties of his office; but he would stand exactly in the same condition as any other officer appointed by the Governor, at the instance of a statute, or in pursuance of the provisions set forth in a bill.

If that is the effect, then clearly this bill as it stands upon our file now, is a bill providing for two separate and distinct things, just as antagonistical to each other, as the poles north and south. It provides for the incorporation of a company for the yardage of cattle, and it becoming necessary for the purpose of having this bill passed, to insert within it some provision of a character which would tend to be of some benefit to the public, this provision was inserted. They knew well enough that if the appointment of an inspector was left with the company there would be no protection to the people at all. Therefore, these sections were introduced to make it palatable, a sort of sugar coating over the bill, by which they seek without a separate and distinct law to create an inspector.

Now, if there ever was a point more clearly taken in reference to legislation than this then I have not seen it. This bill clearly provides for two distinct and separate things; it creates the office of inspector of cattle, and in that respect it is a provision which the Legislature have a right to make in reference to the protection of the lives and health of their citizens. But this is only done in that way for the purpose of concealing the objectionable features of this bill, which also creates a corporation of individuals for the purpose of having the exclusive monopoly of a certain business in the city of Philadelphia.

Mr. GHEGAN. Mr. Speaker, I call the previous question. The call for the previous question was seconded by

Messrs. Josephs, Humphrey, Lee, Kinney, Chase, Kerns, Mechling, Watt, Cameron, M'Kee, and Harbison.

The question being,

Shall the main question now be put?

The yeas and nays were required by Mr. SATTERTHWAIT and Mr. MEYERS, and were as follow, viz:

YEAS—Messrs. Adaire Breen, Cameron, Chase, Davis, Ghegan, Harbison, Headman, Humphrey, Josephs, Kerns, Kinney, Koon, Lee, M'Kee, Mechling, Meily, Pillow, Robinson, Seiler, Shuman, Stumbaugh, Subers, Watt, Webb, Whann, Wilson, Wingard, Woodward, Worrall and Wright.—31.

NAYS—Messrs. Allen, Armstrong, Barrington, Boyd, Boyle, Chadwick, Chalfant, Day, Espy, Ewing, Freeborn, Gallagher, Gordon, Harner, Jenks, Kimmell, Leech, Linton, M'Henry, Maish, Mann, Meyers, Rhoads, Richards, Satterthwait, Sharples, Steacy, Stehman and Tharp—29.

So the question was determined in the affirmative.

The question recurring,

Shall the decision of the Chair stand as the judgment of the House?

The yeas and nays were required by Mr. SATTERTHWAIT and Mr. ARMSTRONG, and were as follow, viz:

YEAS—Messrs. Cameron, Chadwick, Collins, Davis, Ghegan, Harbison, Headman, Humphrey, Josephs, Kerns, Kinney, Kline, Koon, Lee, Leech, Long, M'Henry, M'Kee, Mechling, Meily, Rhoads, Robinson, Roush, Seiler, Shuman, Stumbaugh, Webb, Westbrook, Whann, Wilson, Woodward, Worrall and Wright—33.

NAYS—Messrs. Allen, Armstrong, Barrington, Boyle, Chalfant, Day, Espy, Ewing, Freeborn, Gallagher, Gordon, Jenks, Linton, Maish, Mann, Meyers, Richards, Satterthwait, Steacy, Stehman, Subers and Tharp—22.

So the question was determined in the affirmative.

The question recurring on the final passage of the bill.

Mr. JOSEPHS. I call the previous question.

The call for the previous question was seconded by Messrs. Lee, Woodward, Humphrey, Kinney, Shuman, Wingard, Harbison, Mechling, M'Kee, Ghegan and Cameron.

The question being,

Shall the main question now be put?

It was

Agreed to.

The question recurring on the final passage of the bill,

The yeas and nays were required by Mr. ARMSTRONG and Mr. RICHARDS, and were as follow, viz:

YEAS—Messrs. Breen, Cameron, Collins, Davis, Fogel, Ghegan, Harbison, Headman, Humphrey, Josephs, Kerns, Kinney, Kline, Koon, Lee, Long, M'Kee, Mechling, Pillow, Rhoads, Robinson, Roush, Seiler, Shuman, Stumbaugh, Webb, Westbrook, Woodward, Wright and Glass, *Speaker*—30.

NAYS—Messrs. Allen, Armstrong, Barrington, Boyd, Boyle, Brennan, Chadwick, Chalfant, Day, Espy, Ewing, Freeborn, Gallagher, Gordon, Jenks, Leech, Linton, M'Henry, Maish, Mann, Meyers, Richards, Satterthwait, Steacy, Stehman, Subers, Tharp, Weller, Whann and Worrall—30.

So the question was determined in the negative.

SPEAKER'S REASONS FOR VOTE.

Mr. JOHN P. GLASS (Speaker) stated that he would vote for this bill, because a large majority of the Philadelphia members favored it, and not because he thought favorably of its provisions. If a bill similar in its provisions should be presented for the city of Pittsburg, he would oppose it in every possible manner.

Mr. MAISH. Mr. Speaker, I move to reconsider the vote by which the House refused to agree to

House bill No. 1960, an act providing for the consolidation of the Cranberry coal company and the Clarion coal company.

On the motion to reconsider,

The yeas and nays were required by Mr. JONES and Mr. CHASE, and were as follow, viz:

YEAS—Messrs. Adaire, Armstrong, Barrington, Boyd, Boyle, Brennan, Chadwick, Chase, Colville, Craig, Espy, Fogel, Harner, Jenks, Jones, Kinney, Kline, Lee, Linton,

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[CONTINUED FROM PAGE 992.]

Long, M'Henry, Maish, Meyers, Quigley, Rhoads, Robinson, Roush, Seiler, Shuman, Tharp and Woodward—31.

NAYS—Messrs. Allen, Breen, Brown, Cameron, Davis, Day, Ewing, Freeborn, Gallagher, Ghegan, Harbison, Humphrey, Kimmell, Mann, Mechling, Pillow, Stehman, Subers, Webb, Whann, Wingard, Wright and Glass, *Speaker*—23.

So the question was determined in the affirmative.

The bill being again before the House, and the question on agreeing to the bill,

Mr. WHANN. Mr. Speaker, I have a very few remarks to make in regard to this bill, and they will be in part a repetition of what I have before said.

One reason that I am opposed to this bill is, that there is an iniquity in it, which, if fully known, would be sufficient reason why this consolidation should not be made, and the bill passed. The bill incorporating one of these companies, if read, would gain but few votes in favor of the measure; and if the gentleman who is urging the passage of this bill is not ashamed of it, he will have it read for the information of the House. Now, sir, with regard to the manner in which this first bill was gotten up, and the reason why the House has passed such a bill. The bill, as I understand, was not read in the Senate. The bill was never printed. The bill came to this House and was passed by this House; and those who were interested in it were not aware that it was before the House at all. The bill was passed clandestinely, and became a law, because those interested in the bill were not aware that such a measure was before the House. This is the reason why I oppose the consolidation so far as that company is concerned. Then comes up another bill, a bill to consolidate this company with another.

This bill likewise, I believe, has never been printed, at least it has never been upon our calendar. A member comes here from another district, comes to my district, reads a bill in place, gets up, I believe, and asks to have it laid upon the table; gets the bill before the House, and urges its passage. This bill is not one that my constituency desire. I do not desire to take up the time of this House, and I would only further remark that I am emphatically opposed to the passage of this bill, and I hope that it will not pass.

Mr. JONES. Mr. Speaker, the gentleman who has just spoken, it is true, represents the county of Venango. Nevertheless, we know that perhaps ninety-nine one hundredths of the property of Venango county is owned in the other parts of the State. Now, it would be, I apprehend, a strange rule to establish here, for the legislation for Venango county, which is to affect, directly or indirectly, all the people of this State, to a more or less extent, which is to affect the interests of others to the extent of hundreds of millions of dollars, invested in that county, I say it would be a strange principle to establish, that the legislation of that whole interest, extending throughout the State, should depend upon the caprice of the members from Venango.

In presenting this bill to the House, I intended no discourtesy to the gentleman from Venango [Mr. WHANN], and I have distinctly so explained it to him. In the early part of this session, there was a bill before the House affecting the Cranberry coal company. Upon that occasion, I explained the history of the bill and the history of the company to the gentleman from Venango, and at my request, he read the bill in place. He knows that not one share of that company is held in Venango county. The other bill originated in the Senate, came here and passed, and was signed by the Governor. We know that the Governor has exercised extraordinary care in examining bills of that kind with great scrutiny. And as it met with his approbation, it is evident that it is not of that extraordinary and outrageous character that the gentleman from Venango [Mr. WHANN] would have us believe.

The point of fact is this: I did not make obeisance to the gentleman from Venango, it is true, before reading this bill in place, by which I meant no discourtesy to him. But there is not one picayune to his interest in either one of these companies held in Venango county, and if I chose to read a bill in place, affecting my constituents exclusively, I believe I have that privilege without consulting the gentleman from Venango, or any other gentleman. I believe that is my right, as a member of this General Assembly, to read a bill in place upon any subject that I please. Yet it is a mere matter of courtesy; and there is no gentleman, perhaps, more jealous of that matter of courtesy than myself. No gentleman has interfered to a less extent with the business of other gentlemen than myself. The gentleman's principal objection is simply because I did not make obeisance to him, and ask his permission to present a bill which affects my own constituents wholly, and with which he has nothing to do, and with which none of his constituents have anything to do. I repeat, that I did not intend it as an act of discourtesy to him; nevertheless, if he raises that question, I submit it as a matter of right that I can present any bill that I choose, so far as this bill is concerned. It cannot affect the interests of his constituents. It provides simply for the consolidation of two companies. Their charters have been granted, and if the stockholders choose, and the stockholders of both companies are the same—the shares of stock are owned by the same persons, so that, by an indirect method they can, at all events, come together.

This act of Assembly is simply to provide for the consolidation of two companies, owned by the same parties, or to make one corporation out of two corporations, not to extend the privileges of either; and cannot affect the constituents of any gentleman upon this floor. I was astonished to know that, in my absence this morning, this bill was opposed. I believed there could be no objection to it. I went home on business, with the utmost confidence that this just and proper bill would not be destroyed. Upon my return I found that it had been defeated.

This bill is for the purpose that I have expressed, for the consolidation of two companies already in existence, and not to confer additional powers upon one or the other. I submit that there is no just reason why the bill should not pass, and the gentleman from Venango [Mr. WHANN] has not made any substantial or reasonable objection to it. I trust the House will pass the bill.

Mr. WADDELL. Mr. Speaker, I think if this is the object of the gentleman from Berks [Mr. JONES], I do not think that the Legislature has anything to do with this bill. The Legislature, in 1865, passed a general law giving all railroad companies the power to consolidate.

Mr. JONES. That is true; but these are both coal companies, and I believe there is no general law which provides for their consolidation.

Mr. WADDELL. I understood it to be stated that they are railroad companies.

Mr. JONES. No, sir, they are both coal companies. They have the privilege of building railroads, and one has constructed a railroad to Venango City. I have examined the act to which the gentleman refers, and if this came within the provisions of that law, I would certainly not ask for an act of this sort. This act is copied almost entirely after the provisions of the general railroad law, which does not apply to coal companies.

Mr. WHANN. Mr. Speaker I would like to make one or two more statements. If this bill is to be carried by sophistry, I presume the gentleman from Berks [Mr. JONES] has made his arguments very conclusive. But I am aware that this House cannot be affected by any such remarks. In regard to the representation of the gentleman from Berks [Mr. JONES], that on a former occasion I had read a bill in place for him. That is true. His case then had some merit. Then there were some advantages in it which I favored, and I therefore read it in place, and aided him to effect its passage. But, sir, when he comes with this iniquitous thing, in which there is no right, he well knew that he dare not show it to me with any prospect of success in obtaining my sanction of it. The idea that he advocates, that because he has some constituents in Venango county, he therefore has the right to legislate for them, is one that ought not to obtain with this Legislature.

Now, he represents that ninety-nine one-hundredths of the property in Venango county is owned elsewhere. Well, there is about

as much correctness in his statement in regard to that as in regard to everything else. Every one here knows that it is false. That is a mild expression in which to put it.

Mr. JONES. Mr. Speaker, if it is to be understood that we may deal in personalities of that sort, I will accept the position of the gentleman from Venango [Mr. WHANN], and submit that, if he cannot argue this question before the House in good temper, it simply verifies the reason that I gave to this House for his objection to this bill.

Mr. WHANN. Mr. Speaker, in regard to this claim of the gentleman from Berks [Mr. JONES] that I am out of temper, that I think he cannot substantiate. I speak earnestly, but I speak truthfully and soberly. In regard to the position which I take, it is one which I have not heard controverted upon this floor—that every man represents his own district, and it is supposed that he knows better what his constituents want than any other gentleman. I have heard nothing in contradiction of that since I have been here. But this gentleman from Berks [Mr. JONES] would represent that every man who had an interest in any of my constituents, had properly the right to legislate for those constituents. Is that the principle we are to adopt here? Will the gentleman answer that this would be a correct principle? In case that should be adopted as a principle, what confusion would reign throughout our legislation! But this I need not dwell upon, because every one is aware that that courtesy should be extended to every member of this House, that he should be permitted to attend to his own legislation, that his own views should be regarded, and that he should read his own bills in place.

Mr. WADDELL. Mr. Speaker will the gentleman allow himself to be questioned?

Mr. WHANN. Yes, sir.

Mr. WADDELL. As the gentleman from Venango knows the location of the country better than I do, and knows, perhaps, the location of these respective roads, I would like to inquire how this consolidation may effect these roads.

Mr. WHANN. Mr. Speaker, this consolidation would give them control of five thousand acres of land in Clarion, or in adjoining counties, and it would be uncertain how far these roads would have to run to meet. This is so worded that they can run almost any place. That is one of the principal objections, that it gives them a general license to run any place that they may see proper.

The question being on agreeing to the bill,

The yeas and nays were required by Mr. WHANN and Mr. HUMPHREY, and were as follow, viz:

YEAS—Messrs. Armstrong, Boyd, Boyle, Brennan, Chase, Colville, Craig, Fogel, Harner, Headman, Jenks, Jones, Kline, Koon, Lee, Linton, Long, M'Henry, Meyers, Quigley, Rhoads, Roush, Seiler, Tharp, Watt, Westbrook and Glass, *Speaker*—27.

NAYS—Messrs. Allen, Brown, Cameron, Chadwick, Davis, Day, Espy, Ewing, Freeborn, Gallagher, Gordon, Harbison, Humphrey, Kerns, Kimmell, Leech, M'Kee, Mann, Mechling, Pillow, Quay, Richards, Robinson, Shuman, Steacy, Stehman, Subers, Waddell, Webb, Weller, Whann, Wingard, Woodward and Wright—34.

So the question was determined in the negative.

Mr. SUBERS. Mr. Speaker, I move to reconsider the vote on the final passage of House bill No. 1663, an act to establish a depot for the sale of cattle, calves, sheep and hogs in the city of Philadelphia, and to provide for the inspection of the same.

Mr. M'HENRY. Mr. Speaker, I second the motion to reconsider.

Mr. BOYLE. Mr. Speaker, I move that this House do now adjourn.

The question being on the motion of Mr. BOYLE to adjourn,

It was

Not agreed to.

The question recurring on the motion of Mr. SUBERS to reconsider the vote had on the final passage of House bill No. 1663,

Mr BOYLE. Mr. Speaker, I move to indefinitely postpone the motion to reconsider.

The question being on the motion of Mr. BOYLE to indefinitely postpone the motion of Mr. SUBERS.

The yeas and nays were required by Mr. BOYLE and Mr. MEYERS, and were as follow, viz:

YEAS—Messrs. Armstrong, Boyd, Boyle, Chadwick, Chalfant, Collins, Day, Epsy, Ewing, Freeborn, Gallagher, Gordon, Jenks, Jones, Leech, Linton, Maish, Mann, Meyers, Rhoads, Richards, Satterthwait, Steacy, Stehman, Tharp, Weller and Worrall—27.

NAYS—Messrs. Barrington, Breen, Brennan, Cameron, Colville, Davis, Fogel, Ghegan, Harbison, Headman, Humphrey, Josephs, Kerns, Kinney, Kline, Koon, Lee, Loog, M'Henry, M'Kee, Mechling, Pillow, Quigley, Robinson, Roush, Seiler, Shuman, Stumbaugh, Subers, Webb, Westbrook, Whann, Wingard, Woodward, Wright and Glass, *Speaker*.—36.

So the question was determined in the negative.

The question recurring on the motion to reconsider,

It was

Agreed to.

The bill being again before the House, and the question on the final passage of the bill,

Mr. JOSEPHS. Mr. Speaker, I call the previous question.

The call for the previous question was seconded by Messrs. Lee, Davis, Kinney, Kerns, Seiler, Ghegan, Watt, Colville, Mechling, Humphrey and Shuman.

The question being,

Shall the main question now be put?

The yeas and nays were required by Mr. SATTERTHWAIT and Mr. DAY, and were as follow, viz:

YEAS—Messrs. Breen, Brennan, Cameron, Collins, Colville, Davis, Fogel, Ghegan, Harbison, Headman, Humphrey, Josephs, Kerns, Kinney, Kline, Koon, Lee, Long, M'Henry, M'Kee, Mechling, Meily, Pillow, Robinson, Seiler, Shuman, Stumbaugh, Subers, Webb, Westbrook, Whann, Wingard, Woodward, Wright and Glass, *Speaker*—35.

NAYS—Messrs. Allen, Armstrong, Barrington, Boyd, Boyle, Chadwick, Chalfant, Day, Espy, Ewing, Freeborn, Gallagher, Gordon, Jenks, Leech, Linton, M'Creary, Maish, Mann, Markley, Meyers, Rhoads, Richards, Satterthwait, Steacy, Stehman, Tharp, Weller and Worrall—29.

So the question was determined in the affirmative.

The question recurring on the final passage of the bill,

The yeas and nays were required by Mr. SATTERTHWAIT and Mr. MANN, and were as follow, viz:

YEAS—Messrs. Breen, Brennan, Cameron, Collville, Davis, Fogel, Ghegan, Harbison, Headman, Humphrey, Josephs, Kerns, Kinney, Kline, Koon, Lee, Long, M'Henry, M'Kee, Mechling, Pillow, Robinson, Roush, Seiler, Shuman, Stumbaugh, Subers, Webb, Westbrook, Wingard, Woodward and Wright—32.

NAYS—Messrs. Allen, Armstrong, Barrington, Boyd, Boyle, Chadwick, Chalfant, Day, Espy, Freeborn, Gallagher, Gordon, Jenks, Jones, Leech, Linton, Maish, Mann, Markley, Meyers, Quigley, Rhoads, Richards, Satterthwait, Steacy, Stehman, Tharp, Weller, Worrall and Glass, *Speaker*—31.

So the question was determined in the affirmative,

And the bill

Passed finally.

Mr. CAMERON. Mr. Speaker, I ask the unanimous consent of the House to report a bill from a committee.

Leave was granted.

Mr. CAMERON, from the Committee on Banks, reported, as committed, Senate bill No. 349, an act to enable the Pennsylvania Cannel coal and railroad company to borrow money, and to change the corporate name of said company, and confirm the title to real estate belonging to said company.

Laid on the table.

Mr. JOSEPHS. Mr. Speaker, I move that this House do not adjourn.

On the motion of Mr. JOSEPHS to adjourn,

The yeas and nays were required by Mr. BREEN and Mr. LONG, and were as follow, viz:

YEAS—Messrs. Adaire, Armstrong, Boyd, Breen, Brennan, Cameron, Collins, Craig, Davis, Fogel, Headman, Humphrey, Josephs, Kline, Koon, Lee, Linton, Long, M'Henry, Maish, Markley, Mechling, Quigley, Rhoads, Robinson, Roush, Satterthwait, Seiler, Shuman, Steacy, Stehman, Subers and Westbrook—32.

NAYS—Messrs. Allen, Brown, Chadwick, Chalfant, Colville, Day, Ewing, Freeborn, Gallagher, Ghegan, Gordon, Harbison, Jenks, Jones, Kerns, Kimmell, Kinney, Leech, M'Kee, Mann, Meyers, Pillow, Quay, Richards, Sharples, Stumbaugh, Waddell, Webb, Weller, Wilson, Wingard, Woodward, Worrall, Wright and Glass *Speaker*—35.

So the question was determined in the negative.

House bill No. 1443, an act fixing the compensation for the commissioners of the county of Bucks.

The question being on the final passage of the bill,

It was

Agreed to.

And the bill

Passed finally.

Mr. QUIGLEY. I move that this House do now adjourn.

The motion was

Not agreed to.

House bill No. 1469, a further supplement to the act consolidating the city of Philadelphia, extending the term of office of the chief engineer of the water department.

The question being on the final passage of the bill,

I move the indefinite postponement of the bill.

The question being on the motion of Mr. QUIGLEY to indefinitely postpone the bill,

The yeas and nays were required by Mr. KERNS and Mr. WORRALL, and were as follow, viz:

YEAS—Messrs. Barrington, Boyd, Boyle, Breen, Brennan, Cameron, Chalfant, Collins, Colville, Craig, Espy, Fogel, Gallagher, Ghegan, Gordon, Jenks, Jones, Josephs, Kinney, Kline, Koon, Linton, Long, M'Henry, Maish, Meyers, Quay, Quigley, Robinson, Roush, Satterthwait, Sharples, Subers and Weller—34.

NAYS—Messrs. Allen, Armstrong, Brown, Chadwick, Day, Freeborn, Kerns, Kimmell, Lee, Leech, M'Kee, Mann, Mechling, Meily, Richards, Shuman, Steacy, Stumbaugh, Waddell, Watt, Webb, Woodward, Worrall and Glass, *Speaker*—24.

So the question was determined in the affirmative.

Senate bill No. 624, an act relating to bounties in the borough of Dillsburg, in the county of York, and State of Pennsylvania, validating and legalizing the assessment du-

plicate and warrant to collect bounty assessed in June, 1864, in said borough.

The question being on the final passage of the bill,

It was

Agreed to.

And the bill

Passed finally.

Mr. QUIGLEY. Mr. Speaker, I move that this House do now adjourn.

The motion was

Not agreed to.

House bill No. 1124, an act to authorize the formation of railroad companies.

The question being on the final passage of the bill,

Mr. COLVILLE. Mr. Speaker, I move that the House go into committee of the whole for the purpose of special amendment, to strike out the thirteenth section of the bill.

The question being on the motion of Mr. COLVILLE to go into committee of the whole for the purpose of special amendment,

It was

Agreed to.

Committee of the whole, Mr. SATTERTHWAIT in the chair,

The amendment indicated in the motion to go into committee of the whole was ordered to be made.

In the House,

The Speaker having resumed the chair,

Mr. SATTERTHWAIT, chairman of the committee of the whole, reported the bill to the House as amended.

The question being on the final passage of the bill,

It was

Agreed to.

And the bill

Passed finally.

Mr. QUIGLEY. Mr. Speaker, I move that this House do now adjourn.

The question being on the motion of Mr. QUIGLEY that the House do now adjourn.

It was

Not agreed to.

Senate bill No. 275, an act to establish criminal courts for Dauphin, Lebanon and Schuylkill counties.

The question being on the final passage of the bill,

The yeas and nays were required by Mr. QUIGLEY and Mr. MANN, and were as follow, viz:

YEAS—Messrs. Adaire, Allen, Armstrong, Brown, Cameron, Chadwick, Chase, Colville, Davis, Day, Espy, Ewing, Freeborn, Gallagher, Gordon, Harbison, Humphrey, Kimmell, Kenney, Lee, Leech, Mann, Mechling, Pillow, Richards, Seiler, Sharples, Steacy, Stehman, Stumbaugh, Subers, Waddell, Watt, Webb, Weller, Whann, Wilson, Wingard, Wright and Glass, *Speaker*.—41.

NAYS—Messrs. Boyd, Boyle, Jenks, Linton and Meyers.—5.

So the question remained undetermined.

The SPEAKER. There is not a quorum of members voting. The officers will at once close the doors and permit no member to pass outside the bar of the House. The Clerk will call the roll of members.

The roll of members being called by the Clerk, the following answered to their names:

Messrs. Adaire, Allen, Armstrong, Boyle, Brown, Cameron, Chadwick, Chase, Colville, Craig, Davis, Day, Espy, Ewing, Freeborn, Gallagher, Gordon, Harbison, Humphrey, Jenks, Kimmell, Kinney, Lee, Leech, Mann, Mechling, Meily, Meyers, Pillow, Quigley, Rhoads, Richards, Roush, Seiler, Sharples, Shuman, Stehman, Stumbaugh, Subers, Waddell, Watt, Webb, Weller, Whann, Wilson, Wingard, Worrall, Wright and Glass, *Speaker*—49.

The SPEAKER. There are forty-nine gentlemen present—not a quorum.

Mr. JENKS. Mr. Speaker, is it in order to move to adjourn?

The SPEAKER. There is but one of two things that the House can do—either to adjourn or to send for the absentees.

Mr. MANN. Mr. Speaker, in consideration of an arrangement made between some of the gentlemen to vote upon the free railroad bill, I think the House had better adjourn. This bill can be passed just as well on Monday morning as to-night. If gentlemen were kept here under the assurance that the House would adjourn after passing the free railroad bill, it seems to me injustice would be done them to compel their attendance now.

Mr. WADDELL. Mr. Speaker, I have no such understanding as the gentleman from Potter [Mr. MANN] speaks of. We have been sitting here upon the regular call of the yeas and nays to this time. There were a sufficient number of gentlemen present at the time the vote was called to constitute a quorum, had they answered to their names. It shows the pertinacity with which gentlemen are adhering to their opposition to this question in the face of a clear majority against them, and I appeal to the House whether we should submit to it.

Mr. MEYERS. Mr. Speaker, it seems to me we should submit something to decency. I know that fifteen or twenty members upon this floor—myself among the number—are here for the purpose of voting upon the free railroad bill, with the understanding that when that was passed, the House would adjourn. I think we should carry out in good faith our understanding in regard to that matter. For my part, I would not have remained here in the absence of that understanding.

Mr. MANN. Mr. Speaker, I wish to add one word. I did say to a number of gentlemen, and among them the gentleman from Northampton [Mr. MEYERS], when they were urging an adjournment, that the friends of the free railroad bill had it in their power to pass that bill, and that after it passed I was willing that the House should adjourn. I had no idea there would be any trouble in any way, and as there is no necessity for it I hope there will not be any.

Mr. COLVILLE. Mr. Speaker, so far as I am concerned I gave a personal pledge—and that only—to vote for an adjournment after the passage of the free railroad law. That I have carried out in good faith by voting every time for an adjournment since and shall so continue to do.

Mr. BOYLE. Mr. Speaker, this is Saturday and we have now been here all day. This bill can be passed on Monday, and will be just as good a law if passed on Monday as if passed now. Although these gentlemen may have done wrong in absenting themselves from the House, I do not see the necessity of bringing them back at this time.

Mr. COLVILLE. Mr. Speaker, I move that this House do now adjourn.

The question being on the motion of Mr. COLVILLE that the House do now adjourn,

It was

Agreed to.

And the SPEAKER declared the House adjourned until 10 o'clock, A. M., on Monday.

SENATE.

MONDAY, April 8, 1867.

The Senate met and was called to order at 10 o'clock, A. M., by the SPEAKER.

Prayer was offered by Rev. Mr. Bailey, of Harrisburg.

The reading of the Journal of Saturday was dispensed with.

ORDER OF BUSINESS.

At the suggestion of the SPEAKER, it was agreed, by unanimous consent, that the order of business for the day should be, first, the presentation of reports from committees: second, the consideration of the general appropriation bill, and third, the consideration, on call, of Senate bills not heretofore considered.

REPORTS FROM COMMITTEES.

Mr. CONNELL, from the Committee on Finance, reported, as committed, bill entitled An act authorizing the State Treasurer to examine the claim of Colonel C. W. Betton, and directing the State Treasurer to pay the same, if found to be correct.

Also (same), with amendment, bill entitled An act to increase the revenues of the city of Philadelphia, and to designate the classes of property exempted from taxation for municipal purposes in said city.

Mr. WORTHINGTON (same), as committed, bill entitled An act for the relief of citizens of the counties of Adams, Franklin, Fulton, Bedford, Perry, York and Cumberland, whose property was destroyed, damaged, or appropriated for the public service, and in common defense in the war to suppress the rebellion.

Mr. COWLES, from the Committee on Judiciary Local, reported, as committed, bill entitled An act to establish a law library in the county of Warren.

Also (same), as committed, bill entitled An act to reduce the price of licenses to hucksters in Greene county.

Also (same), as committed, bill entitled A supplement to the act to legalize the levy and collection of certain bounty tax, to provide for a settlement, and authorize the school directors to lay an additional bounty tax in Lykens township, in the county of Dauphin, approved March 5th, A. D. 1867.

Also (same), as committed, bill entitled An act to repeal an act changing the citizenship of Jacob Bohner from Lykens to Mifflin township, Dauphin county, approved 16th April, 1866.

Also (same,) as committed, bill entitled An act to change the time of holding the several courts of Greene county.

Also (same), as committed, bill entitled An act relative to the dockets of M. Boush, a justice of the peace in the city of Meadville.

Mr. FISHER (same), as committed, bill entitled An act to authorize an increase of taxes for borough purposes in the borough of Temperanceville, in the county of Allegheny.

Also (same), as committed, bill entitled An act relating to bounties in Concord township, Erie county.

Also (same), as committed, bill entitled An act providing for the relief of John Sensenbach, by the commissioners of Northampton county.

Also (same), as committed, bill entitled An act to incorporate the Rich Valley Co-operative association of Allegheny county.

Mr. STUTZMAN (same), as committed, bill entitled An act authorizing the Governor to appoint one additional notary public for the city of Philadelphia, to reside in the First ward.

Also (same), as committed, bill entitled A further supplement to the act of General Assembly incorporating the city of Chester, in the county of Delaware.

Also (same), as committed, bill entitled A supplement to an act for the summary conviction of professional thieves in the city of Philadelphia.

Also (same), as committed, bill entitled An act to provide for an additional return day in

the court of common pleas of Northumberland county.

Also (same), as committed, bill entitled An act regulating the compensation of assessors in the county of Allegheny.

Mr. DAVIS (same), as committed, bill entitled Supplement to an act authorizing the burgess and town council of Venango City, Venango county, to increase their borough tax.

Also (same), as committed, bill entitled An act to extend the provisions of act relative to mechanics' liens in the counties of Luzerne and Schuylkill, approved 17th day of February, 1858, to the county of Forest.

Also (same), as committed, bill entitled An act authorizing the trustees of the Williistown Baptist church of Chester county to remove bodies from their burial grounds and re-inter the same.

Mr. WHITE (same), as committed, bill entitled An act relating to the surplus bounty fund in the township of East Fallowfield, in the county of Crawford.

Also (same), as committed, bill entitled An act relating to the surplus bounty fund in Vernon township, Crawford county.

Also (same), as committed, bill entitled An act to increase the pay of supervisors of roads, overseers of the poor and township auditors of the county of Carbon.

Also (same), as committed, bill entitled An act to authorize the burgess and town council of the borough of Cochranton, in the county of Crawford, to levy and collect additional tax.

Mr. HAINES, from the Committee on Canals and Inland Navigation, reported, as committed, bill entitled Supplement to an act to establish a ferry over the Susquehanna river at Millersburg, approved March 21, 1866.

Mr. WHITE, (same), as committed, and with a negative recommendation, bill entitled A supplement to an act relative to the protection of fish in the Susquehanna river and its tributaries, approved the 13th day of March, A. D. 1866, extending the same to the Conedoguinett creek, in the counties of Cumberland and Franklin.

Mr. LANDON, from the Committee on Railroads, reported, as committed, bill entitled An act to incorporate the Kittanning Rural Valley and Reynoldsville railroad company.

Mr. RANDALL (same), as committed, bill entitled A further supplement to an act incorporating the Wilkesbarre and Pittston railroad company, approved April 15, 1859.

Mr. GRAHAM (same), as committed, a bill entitled An act to incorporate the Oil City passenger railway company.

Mr. BROWNE (Lawrence), from the Committee on Education, as committed, a bill entitled An act to annex the farm or farms of John M'Quiston, T. M'Quiston and David M'Quiston, of East Fallowfield township, Crawford county, for school purposes.

Also (same), as committed, a bill entitled An act relative to the erection of school buildings in the borough of Covington, Tioga county, authorizing the school board to borrow money.

Also (same), as committed, a bill entitled An act authorizing the burgess and town council of Oil City to levy a tax for borough purposes.

Mr. BROWN (Mercer) (same), as committed, and with a negative recommendation, a bill entitled An act to authorize the trustees of the Georgetown school property, in the county of Northumberland, to sell certain real estate.

Mr. COWLES (same), as committed, a bill entitled An act to legalize the action of the school directors of Springville township, Fayette county, and to authorize the levy and collection of an additional bounty tax.

Also (same), with amendments, a bill entitled An act relating to the collection of school tax in Fulton county.

Mr. WHITE, from the Committee on Military Affairs, as committed, and with a negative recommendation, a bill entitled An act to exempt certain persons from bounty tax.

Mr. BILLINGFELT, from the Committee on Roads and Bridges, as committed, a bill entitled An act to amend the charter of the Millersburg and West Newtown plank road company.

Mr. GLATZ (same), as committed, a bill entitled An act to incorporate the Johnstown and Hingston's Run turnpike road company.

Mr. LANDON (same), as committed, a bill entitled An act to incorporate the Gallitzin and Cambria Mills turnpike road company.

Mr. TAYLOR (same), as committed, a bill entitled An act to repeal an act to view and lay out a State road in the counties of Clarion and Forest, approved the 18th day of March, Anno Domini 1863.

Mr. BROWN (Mercer), from the Committee on New Counties and County Seats, as committed, a bill entitled An act authorizing the appointment of commissioners to run the boundary lines between the counties of Lycoming, Union and Clinton, and to fix and determine the same.

Mr. SHOEMAKER, from the Judiciary General, as committed, a bill entitled An act to annul the marriage contract between James Dewy and his wife.

Mr. M'CONAUGHY (same), as committee, a bill entitled An act to annul the marriage contract between Charles Schofield and Mary Schofield.

Also (same), as committed, a bill entitled A supplement to an act entitled An act authorizing the school directors of Latimore township, Adams county, to levy a tax and issue bonds to pay money raised to pay bounties to volunteers, approved the 11th day of April, A. D. 1866.

Mr. RANDALL, from the Committee on Banks, as committed, a bill entitled An act to incorporate the Dime Savings Institution of Ashland.

Mr. BIGHAM, from the Committee on the Judiciary General, as committed, an act to annul the marriage contract between James Edwards and Elizabeth Edwards, his wife.

Mr. RANDALL (same), as committed, a bill entitled An act to annul the marriage contract between H. D. Rentschler and Susan W. Rentschler.

Mr. GRAHAM, from the Committee on Railroads, as committed, a bill entitled A further supplement to an act to authorize the Governor to incorporate the West Chester and Philadelphia railroad company, approved the 11th day of April, 1848.

Mr. JACKSON, from the Committee appointed to Compare Bills, and present them to the Governor for his approbation, made report, which was read as follows, viz:

That in conjunction with a similar committee from the House of Representatives, they have compared, and on the 6th of April presented to the Governor for his approbation, bills as follow, to wit:

Senate bill No. 185, a further supplement to the act to incorporate the city of Philadelphia, approved February 2d, 1854, relative to vacancies in elective offices.

Senate bill No. 1111, a supplement to an act entitled An act relative to corporations for mechanical, manufacturing, mining and quarrying purposes, approved the 18th of day of February, A. D. 1863, relating to the Williamsport manufacturing company.

Senate bill No. 979, an act to incorporate the Grocers' and Provision Dealers' association.

House bill No. 841, an act to authorize the payment of Nicholas Simon, a soldier in the war to suppress the rebellion, a gratuity and annuity on account of the loss of one of his hands.

House bill No. 897, a supplement to an act for the better securing the payment of the wages of labor in certain counties of this Commonwealth, approved the 30th day of March, A. D. 1859.

House bill No. 1041, an act extending the provisions of an act repealing existing laws relating to killing beasts of prey, so far as relates to the county of Venango, approved the 12th day of April, 1866.

House bill No. 1070, an act to repeal the second section of an act authorizing the collection of a tax in Jackson township, Dauphin county, and Jefferson township, Berks county, to refund money advanced to pay bounties to volunteers.

House bill No. 1058, an act to authorize the board of supervisors of Industry township, Beaver county, to levy a bounty tax.

House bill No. 1056, an act to legalize the levy and collection of certain bounty tax, to provide a settlement and authorize the school directors to lay an additional bounty tax in Upper Paxton township and the borough of Gratztown.

House bill No. 1066, an act to legalize certain act of committees and school directors of the township of Lower Milford, in the county of Lehigh, relative to the payment of bounties of volunteers.

House bill No. 693, an act to prevent injury to privy wells in the city of Philadelphia.

House bill No. 1068, an act to authorize the board of school directors of the township of Brooklyn, Susquehanna county, to levy and collect a tax to pay outstanding bonds, and for other purposes.

House bill No. 354, a further supplement to an act to incorporate the city of Erie.

House bill No. 1061, an act to authorize the school directors of Conestoga township, Lancaster county, to levy and collect a tax to liquidate the debt in said township, created to pay bounties to volunteers.

House bill No. 1064, a supplement to an act to secure bounty taxes in certain wards of the city of Lancaster, approved the 4th day of April, A. D. 1866.

House bill No. 1052, an act relating to tavern licenses in Greene county.

House bill No. 1050, an act to take the sense of the people of Beaver and Indiana counties upon the question of a prohibitory liquor law.

House bill No. 1021, an act to incorporate the Paros coal, mining and lumber company of Pennsylvania.

House bill No. 1025, a further supplement to an act to incorporate the Charles Evans cemetery company.

House bill No. 1028, an act to incorporate the Anderson marble quarrying company of Montgomery county.

House bill No. 1023, an act to incorporate the M'Keesport gas company.

House bill No. 1661, an act supplementary to an act relating to the Western Pennsylvania railroad company, and for other purposes, approved the 27th day of April, 1864.

House bill No. 1073, an act to incorporate the Chester Passenger railroad company.

House bill No. 1601, an act to attach certain lands and tenements in Licking township, Fulton county, to Todd township, for school purposes.

House bill No. 1099, an act to prohibit the erection or maintenance of billiard rooms, bowling saloons or ten pin alleys, within the borough of Coudersport, in the county of Potter.

House bill No. 1053, a further supplement

town act to regulate the sale of intoxicating liquors, approved the 31st day of March, A. D. 1856, so far as relates to the county of Mercer.

House bill No. 537, an act to exempt from taxation certain real estate in Philadelphia, belonging to the Jewish hospital association of Philadelphia.

House bill No. 1147, an act to extend the period for payment of enrollment tax on the bill to incorporate the Oil Tank improvement company.

House bill No. 1662, a supplement to an act relating to hawkers and peddlers in the county of Chester, approved March 2d, A. D. 1867.

House bill No. 869, an act to authorize the purchase of real estate and erection of a poor house in Valley township, Montour county.

House bill No. 1173, an act fixing the pay of the sheriff of Crawford county for boarding prisoners and other persons.

House bill No. 1172, an act relating to the collection of taxes in Cumberland county.

House bill No. 1174, an act to increase the pay of the county commissioners of Northumberland county.

House bill No. 1182, an act relating to water works in the city of Chester.

House bill No. 1167, an act to provide for the purchase of real estate and erection of a poor house in the township of Bloom, Columbia county.

House bill No. 1148, an act relative to a law library in the county of Carbon.

House bill No. 1154, an act to regulate the collection of local taxes in the township of Edgmont, Delaware county.

House bill No. 1150, an act relating to taxes in Greenfield township, in Luzerne county.

House bill No 1667, an act relative to the residences of justices of the peace in the city of Erie.

House bill No. 1145, an act to repeal the second section of an act authorizing the assessment of railroad taxes in the borough of Kittanning, Armstrong county, approved the 16th day of February, A. D. 1867.

House bill No. 1155, an act regulating the fees of notaries public in the county of Allegheny.

House bill No. 1161, an act to authorize the appointment of an additional notary public in the borough of Girard, in the county of Erie.

House bill No. 1164, an act to extend to the county of Berks certain provisions of an act entitled An act to amend the fee bill as to constables in the city of Philadelphia.

House bill No. 1166, an act to authorize the Governor to appoint six additional notaries public for the city of Philadelphia.

House bill No. 1168, an act to provide for the erection of a house for the employment and support of the poor in the township of Hemlock, in the county of Columbia.

House bill No. 1187, a further supplement to an act, approved March 23, 1865, entitled An act to provide for the erection of a poor house in the townships of Milford, Turbet, Spruce Hill, Tuscarora, Lack and Beale, and the boroughs of Perrysville and Patterson, in the county of Juniata.

House bill No. 688, an act to legalize certain loans made by the city of Titusville.

House bill No. 1042, an act to prevent the injury or destruction of fruit, ornamental or other trees, and to protect the owners thereof in the counties of Clinton, Centre, Butler, Lawrence and Mercer.

House bill No. 1060, an act providing for the payment to the school treasurer of certain townships of Clarion, Allegheny, Indiana and Cumberland counties, the balance of the money raised for the payment of local bounties after the payment of all claims on said townships for local bounties.

House bill No. 1096, an act repealing so much of the act, entitled An act in relation to original writs and executions in the county of Franklin, approved the 8th day of March, 1867, as relates to executions.

House bill No. 1097, an act relative to the election of constables in the township of Blakely, county of Luzerne.

House bill No. 1618, an act to provide for the payment of expenses incurred in guarding the jail of Washington county.

House bill No. 1665, an act to legitimate John Horning, of Mifflin county, and to confer on him the rights and privileges of a child born in lawful wedlock.

House bill No. 1201, a supplement to an act to incorporate the Mercer iron and coal company, approved the first day of August, A. D. 1863.

House bill No. 1206, an act to incorporate the Venice gold and silver mining company.

House bill No. 1207, a further supplement to an act to incorporate the Union gold and silver mining company, approved 23d day of March, A. D. 1865.

House bill No. 1016, an act to reduce the number of directors of the Allegheny transportation company.

House bill No. 1208, an act to incorporate the Philadelphia mining company of Lander Hill.

House bill No. 1209, an act to incorporate the Pennsylvania and North Carolina gold mining company.

House bill No. 1077, an act incorporating the Savings Institution of the city of Williamsport, in the county of Lycoming.

House bill No. 1079, an act to incorporate the Franklin savings fund and safe deposit company.

House bill No. 1075, an act to incorporate the Armstrong County Savings Bank.

House bill No. 1656, an act to incorporate the Phœnix Savings Bank and safe deposit company.

House bill No. 1089, an act declaring Clear creek, in the county of Cameron, a public highway.

House bill No. 1000, an act to declare Mill run, in the county of Lycoming, a public highway.

House bill No. 786, an act to authorize John F. Satterlee to erect an eel weir in the Susquehanna river, in Sheshequin township, Bradford county.

House bill No. 1194, a supplement to an act entitled An act to incorporate the Mount Pleasant railroad company, approved the 22d day of March, A. D. 1865, extending the time for the commencement and completion of said railroad.

House bill No. 1191, an act to incorporate the Tidioute railroad company.

House bill No. 1189, a supplement to an act entitled An act to incorporate the Ohioville railroad company, approved the 27th day of March, 1866.

House bill No. 1162, a supplement to an act regulating the mode of voting at all elections in the several counties of this Commonwealth, and to regulate the mode of voting where boroughs and townships vote together, in the county of Washington.

House bill No. 1215, an act to repeal an act to authorize and require the school directors of West Caln township, Chester county, to levy and collect taxes for the purpose of paying three hundred dollars each to persons who were drafted and furnished substitutes under the call of the President of July 18, 1864, approved the 22d day of March, A. D. 1866.

House bill No. 1040, an act extending the provisions of an act relating to dogs in Allegheny, Chester, Northampton, Schuylkill and Lancaster counties, approved the 6th day of April, 1854, to the county of Berks.

House bill No. 1037, an act extending the provisions of an act, approved the 7th day of May, A. D. 1864, entitled An act to prevent cattle, horses, sheep or hogs from running at large in Bethlehem township, Northampton county, to Lower Nazareth, East Allen and Saucon townships, in said county, and Venango township, Erie county.

House bill No. 1044, an act prohibiting the hunting, catching and killing of game in North Fayette township, Allegheny county.

House bill No. 1043, an act to prevent the destruction of fish in Breeches pond or lake, in Overfield township, Wyoming county, and Chartiers creek, Washington county.

House bill No. 1046, an act for preserving fish in the South Pond, in the townships of Erie and Ross, county of Luzerne.

House bill No. 1039, an act for the protection of wild turkeys and squirrels, and for other purposes, in the county of Huntingdon.

House bill No. 1057, a further supplement to an act to legalize bounties paid volunteers, and the bonds issued therefor, in certain townships in the county of Franklin, approved the 4th day of April, A. D. 1866, extending the provisions of said act, and the supplement thereto, to the township of Hamilton, in said county.

House bill No. 1352, an act relative to a certain highway in the town of Coatesville, Chester county.

House bill No. 1620, an act to legalize the appointment, view and report of certain bridge viewers in Ligonier township, Westmoreland county.

House bill No. 1666, a supplement to an act establishing a ferry across the West Branch of the Susquehanna river in Lycoming county.

House bill No. 605, an act to exempt from taxation the property of the Ladies' Soldiers' Aid of Weldon.

House bill No. 1146, a supplement to the constitution and charter of the Bustleton Methodist Episcopal church, enrolled by order of the Governor, in the office of the Secretary of the Commonwealth, on the 6th of February, 1834, authorizing the trustees of said corporation to remove certain bodies to enable them to extend their church edifice.

House bill No. 1144, an act relating to certain moneys in the hands of the legal representatives of Jacob Miller, late of St. Thomas township, in the county of Franklin, deceased.

House bill No. 663, an act to confirm the title of Wm. F. Hughes, in and to a certain lot or piece of ground, situate on the north side of High or Market street, seventy feet six and a-half inches from the west side of Nineteenth street, in the city of Philadelphia.

House bill No. 1211, an act to incorporate the Sierra Molina gold and silver mining company.

House bill No. 1218, an act to incorporate the Volcanic mining company.

House bill No. 1273, a supplement to the act incorporating the Amateurs' Drawing Room association of the city of Philadelphia, approved March 8, 1866.

House bill No. 1352, an act to incorporate the Pickering gold and silver mining company.

House bill No. 1214, an act to incor[illegible] the Savage Extension gold and silv[illegible]porate company. [illegible]er mining

House bill No. 1215, an ac[illegible] to incorporate the River Bed gold and s[illegible]ver mining company.

House bill No. 12[illegible] the Morris and C[illegible]6, an act to incorporate of Reese river [illegible]able silver mining company vada. [illegible] district, Lander county, Ne-

Hou[illegible] bill No. 1269, an act to incorporate

the Delaware County lumber manufacturing company.

House bill No. 1277, a supplement to an act to incorporate the Reno shipping company, approved the 1st day of September, A. D. 1866.

House bill No. 1212, an act to incorporate the Powhattan gold and silver mining company.

House bill No. 1213, an act to incorporate the Fidelity gold mining company.

House bill No. 1269, an act to annex additional territory to the borough of Brownsville, Mercer county, for school purposes.

House bill No. 1258, an act to authorize the board of school directors of the borough of Irwin, in the county of Westmoreland, to borrow money for building purposes, and to levy additional school tax.

House bill No. 1261, an act to annex the farm of Daniel Sell, of Germany township, Adams county, to the borough of Littlestown, for school purposes.

House bill No. 1262, an act to attach the farms of James M'Kean, William Nichols, David Long and John Long, Jr., of Otter Creek township, in the county of Mercer, to Salem school district, for school purposes.

House bill No. 1239, an act to vacate a portion of the Wilkesbarre and Providence plank road.

House bill No. 1230, an act to incorporate the Kittanning and Rural Village Macadamized turnpike road company, in the county of Armstrong.

House bill No. 1232, an act to authorize the Johnstown and Scalp Level turnpike company, of Cambria county, to increase the rates of toll on said turnpike.

House bill No. 1226, an act to incorporate the Newton and Scranton turnpike road company.

House bill No. 1221, an act to lay out a State road in Venango and Butler counties.

House bill No. 1247, an act to incorporate the Limestone turnpike and plank road, of Warren county.

House bill No. 1222, an act to incorporate the Farmers' turnpike road company, in the county of Lancaster.

House bill No. 1227, an act extending an act relative to the opening and making of new roads, and building bridges, in the township of West Marlboro', in the county of Chester, to the township of Sadsbury, in said county.

House bill No. 1237, an act to reduce the compensation and change the manner of election of supervisors in the township of Newberry, in the county of York.

House bill No. 1233, an act to increase the number of supervisors of roads in Cowanshanoc township, Armstrong county.

House bill No. 1245, an act to declare Lake Pleasant, and its out-let to French creek, a public highway.

House bill No. 1219, an act to establish a ferry over the Allegheny river, at or below the Big Rock, in the county of Venango.

House bill No. 1250, an act to establish a ferry over the West Branch of the Susquehanna river, at or near the residence of George W. Sour, in the township of Wayne, in the county of Clinton.

House bill No. 393, an act to repeal an act to regulate the practice of entering judgments and issuing processes in Armstrong county.

House bill No. 1241, an act authorizing the supervisors and auditors of Jones township, Elk county, to receive the sum of two dollars per day.

House bill No. 1259, an act to authorize the board of school directors of the borough of West Middlesex, in the county of Mercer, to borrow money.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

The Clerk of the House of Representatives being introduced, presented for concurrence bills numbered and entitled as follows, viz:

No. 1851, an act to incorporate the Kelso silver mining company.

Referred to the Committee on Corporations.

No. 1852, an act to incorporate the Indemnity gold mining company of Colorado.

Referred to the Committee on Corporations.

No. 1857, an act to incorporate the Great Eastern gold and silver mining company.

Referred to the Committee on Corporations.

No. 1880, an act to incorporate the Montana and Pittsburg gold and silver mining company.

Referred to the Committee on Corporations.

No. 1885, an act to incorporate the Frankford Co-operative Benefit society.

Referred to the Committee on Corporations.

No. 1890, an act supplementary to an act revising the charter of the municipal corporation of the city of Reading, passed April 26, 1864, extending the limits of the same.

Referred to the Committee on the Judiciary General.

No. 1893, an act to incorporate the Humboldt gold and silver mining company of Nevada.

Referred to the Committee on Corporations.

No. 1894, an act to incorporate the Allegheny gold and silver mining company of Idaho.

Referred to the Committee on Corporations.

No. 1897, a supplement to an act, entitled An act to incorporate the city of Meadville, approved the 15th day of February, A. D. 1866.

Referred to the Committee on Corporations.

No. 1908, an act to incorporate the General Eldership of the Church of God in North America.

Referred to the Committee on Corporations.

No. 1910, an act to allow the Evangelical Lutheran church congregation, Bindnangels, Londonderry township, Lebanon county, to use the interest of certain money left by George Berger to said congregation, in trust to John Early.

Referred to the Committee on Estates and Escheats.

No. 1913, an act to incorporate the Success mining company.

Referred to the Committee on Corporations.

No. 1915, an act to incorporate the Norristown and Centre Square turnpike road company.

Referred to the Committee on Roads and Bridges.

No. 1916, an act erecting a fourth ward of the borough of Easton, in the county of Northampton.

Referred to the Committee on the Judiciary Local.

No. 1922, an act to incorporate the Philadelphia Paper Hangings manufacturing company.

Referred to the Committee on Corporations.

No. 1923, an act making an appropriation to the Teachers' Institute of the city of Philadelphia.

Referred to the Committee on Finance.

No. 1927, a further supplement to an act to protect the property of the mayor, aldermen and citizens of Philadelphia, at Fairmount, and to preserve the purity of the Schuylkill water, passed the 7th of February, 1832.

Referred to the Committee on the Judiciary Local.

No. 1932, an act to repeal an act entitled An act to secure a stricter accountability of certain public officers in Schuylkill county, approved February 17, A. D. 1859, so far as relates to the township of Eldred, in said county.

Referred to the Committee on the Judiciary Local.

No. 1933, an act supplementary to an act to incorporate the town of Pine Grove, in the county of Schuylkill, into a borough, approved the 27th day of May, A. D. 1832.

Referred to the Committee on the Judiciary Local.

No. 1936, an act authorizing the overseers of the poor of Franklin borough to levy a tax on occupations, money at interest, &c.

Referred to the Committee on the Judiciary Local.

No. 1864, an act to incorporate the Philadelphia Wooden Ware manufacturing company.

Referred to the Committee on Corporations.

No. 1967, an act to annex the farm of Joseph Houch, in Upper Mt. Bethel township, Northampton county, to the Centreville Independent school district, for school purposes.

Referred to the Committee on Education

No. 1972, an act to incorporate the Summit coal and iron company.

Referred to the Committee on Corporations.

No. 1973, a further supplement to an act entitled An act to incorporate the village of St. Clair, in the county of Schuylkill, into a borough, to be called St. Clair, approved the 6th day of April, A. D. 1850.

Referred to the Committee on the Judiciary Local.

No. 1974, an act empowering Margaret B. Fullerton, guardian of the minor children of Samuel Fullerton, late of the borough of Freeport, Armstrong county, deceased, to sell and convey real estate in said borough to the minor children of Wm. P. Fullerton, late of the same place, deceased.

Referred to the Committee on Estates and Escheats.

No. 1975, an act relating to foot-walks in Oakland township, in the county of Allegheny.

Referred to the Committee on Roads and Bridges.

No. 1976, an act to incorporate the North Mountain coal company.

Referred to the Committee on Corporations.

No. 1880, an act to prohibit the erection of ferries within two miles of the Milton bridge, in the county of Northumberland.

Referred to the Committee on Canals and Inland Navigation.

No. 2001, an act for the better protection of livery stable men in Schuylkill county.

Referred to the Committee on the Judiciary Local.

No. 2005, an act for the relief of wives and children deserted by their husbands and fathers in the county of Dauphin.

Referred to the Committee on the Judiciary Local.

No. 2031, an act to incorporate the Farmers' Mutual life insurance and trust company of the township of Upper Augusta.

Referred to the Committee on Corporations.

No. 2047, an act to authorize the school directors of Oakland township, in county of Allegheny, to borrow money for school purposes.

Referred to the Committee on Education.

No. 2049, a further supplement to the act incorporating the Pittsburg and Minersville passenger railway.

Referred to the Committee on Railroads.

No. 2052, an act to annex the farm of Thomas M'Cord, of Bratton township, Mifflin county, to the township of Granville, in said county, for school purposes.

Referred to the Committee on Education.

No. 1055, a further supplement to an authorizing the Governor to incorporate the Philadelphia and West Chester turnpike road company, approved 20th day of March, A. D. 1848, to enable said company to issue bonds.

Referred to the Committee on Roads and Bridges.

No. 2065, an act to provide for the protection of minors employed on the several canals in the counties of Carbon, Northampton and Bucks.

Referred to the Committee on Canals and Inland Navigation.

No. 2058, an act for the preservation of fish in Sterling township, Wayne county, and Green township, Pike county.

Referred to the Committee on Agriculture and Domestic Manufactures.

No. 2062, an act to authorize the school directors of Fayette City borough, Fayette county, to borrow money for the erection of a school house, to issue bonds therefor.

Referred to the Committee on Education.

No. 2063, a further supplement to the act incorporating the city of Harrisburg, and relating to the election of school directors therein.

Referred to the Committee on Education.

No. 2096, an act to authorize the burgess and town council of the borough of Duquesne to borrow money and issue bonds for the improvement of certain streets in said borough.

Referred to the Committee on Roads and Bridges.

No. 2136, supplement to an act to incorporate the Mechanics' and Miners' Co-operative association of Scranton, approved the 14th day of February, A. D. 1867.

Referred to the Committee on Corporations.

No. 2144, an act to exempt money loaned to the Reading school district from taxation.

Referred to the Committee on Education.

No. 2141, an act to incorporate the Harleysville and Ledarachsville turnpike road company.

Referred to the Committee on Roads and Bridges.

No. 2147, an act relating to building of dams on the Conedoguinett creek in the township of East Pennsborough, Cumberland county.

Referred to the Committee on Canals and Inland Navigation.

No. 2120, an act to incorporate the Lake Shore passenger railway company of Erie county.

Referred to the Committee on Railroads.

No. 1992, an act for the relief of the officers of the Thomas A. Scott regiment, Pennsylvania volunteers.

Referred to the Committee on Military Affairs.

No. 1643, a further supplement to an act supplementary to an act to regulate the sale of intoxicating liquors, approved April 20th, 1858, relative to Philadelphia.

Referred to the Committee on Vice and Immorality.

No. 1049, an act to prohibit the issuing of licenses within two miles of the normal school at Mansfield, Tioga county, Pennsylvania.

Referred to the Committee on Vice and Immorality.

No. 1415, an act authorizing the reduction of capital stock of oil companies, and the equalizing of the taxes relative thereto.

Referred to the Committee on the Judiciary General.

No. 1658, an act for the purpose of securing uniformity of gauge in the purchase and sale of crude petroleum in the counties of Venango, Crawford and Erie.

Referred to the Committee on the Judiciary Local.

No. 892, an act to provide for the payment of costs in the removal of paupers in certain cases.

Referred to the Committee on the Judiciary General.

1981, an act authorizing the Commonwealth to abandon her right to the escheat in the estate of John Steinfert, of York county, deceased, and vesting all the title in said estate in Frederick Storer.

Referred to the Committee on Estates and Escheats.

No. 1905, a further supplement to an act entitled A supplement to the act incorporating the National iron armor company of Chester, in the county of Delaware, approved March 21st, 1865, to enable said company to construct a railroad from their works to the Philadelphia, Wilmington and Baltimore railroad.

Referred to the Committee on Railroads.

No. 1294, an act for the protection of sheep and taxing of dogs in the county of Westmorland.

Referred to the Committee on Agriculture and Domestic Manufactures.

No. 1478, a further supplement to an act to incorporate the Moshannan railroad company, approved April 11th, 1863.

Referred to the Committee on Railroads.

1124, an act to authorize the formation of railroad corporations.

Referred to the Committee on Railroads.

No. 1310, an act to authorize the school directors of the borough of Patterson, Juniata county, to levy a tax for the payment of certificate of bounty.

Referred to the Committee on Education.

No. 2031, an act to incorporate the Farmers' Mutual insurance and trust company of the township of Upper Augusta.

Referred to the Committee on Corporations.

No. 2002, an act relative to a special bounty tax in and for the township of Guilford, in the county of Franklin.

Referred to the Committee on the Judiciary Local.

No. 2130, a further supplement to an act to provide for the erection of a house for the employment and support of the poor in the county of Dauphin, passed the 28th day of March, 1806.

Referred to the Committee on the Judiciary Local.

No. 2050, an act relative to hawking and peddling in the county of Armstrong.

Referred to the Committee on the Judiciary Local.

No. 2061, an act to incorporate the gold and silver mining company of Nevada.

Referred to the Committee on Corporations.

No. 2059, an act authorizing the burgess and town council of the borough of Latrobe, in Westmoreland county, to borrow money and levy a special tax for borough purposes.

Referred to the Committee on the Judiciary Local.

He also presented bill from the House of Representatives numbered and entitled as follows, viz:

No. 951, a supplement to an act to incorporate the Franklin silver mining company, approved April 11th, 1866,

(Said bill having been returned by the Governor, in pursuance of a joint resolution requesting the same), with information that the House of Representatives had reconsidered the same, and passed the bill with amendments, in which the concurrence of the Senate is requested.

On motion of Mr. CONNELL, said amendments were read a second time and adopted.

He also returned bills from the Senate, numbered and entitled as follows, viz:

No. 1540, a supplement to an act annexing the borough of Manchester to Allegheny city, approved March 12th, 1867.

No. 812, an act to repeal an act to lay out a State road in Schuylkill and Columbia counties, approved April 4th, A. D. 1866.

No. 709, a supplement to an act incorporating the Ephrata and Lancaster railroad company, approved the 21st day of March, A. D. 1866, authorizing them to extend said railroad to the Conestoga creek, below the city of Lancaster.

No. 939, an act for the better improvement of the front of the river Delaware.

No. 624, an act relating to bounties in the borough of Dillsburg, in the county of York, and State of Pennsylvania, validating and legalizing the assessment duplicate and warrant to collect tax assessed in June 1864, in said borough,

With information that the House of Representatives has passed the same without amendments.

He also returned bills numbered and entitled as follows, viz:

No. 1025, an act to incorporate the Clearfield trout and hotel company.

No. 1168, a supplement to the act entitled An act authorizing the Columbia water company to hold real estate, &c., approved 10th February, 1865.

No. 994, a supplement to an act to lay out a State road from Karthaus, in Clearfield county, to Coudersport, in Potter county, by way of Sinnemahoning, and for other purposes, approved March 31st, 1845, renewing the powers, appropriating taxes for its completion.

No. 1059, an act to incorporate the Neversink insurance company of Berks county.

No. 988, a supplement to an act entitled An act to incorporate the Bear Creek railroad company, approved the 20th day of March, A. D. 1865.

No. 912, an act to change the criminal proceedings in a certain class of cases in Indiana county.

No. 1051, a further supplement to an act entitled An act appointing commissioners to lay out and open a State road in the counties of Cameron and Potter, approved 21st day of March, A. D. 1865.

No. 1200, an act to incorporate the Good Spring iron and land company.

No. 1198, an act to incorporate the Farmers' and Citizens' Co-operative Building and Saving association of Lawrence county, Pennsylvania.

No. 540, an act authorizing the president and mangers of the Limekiln turnpike company and the president and managers of the Jarrettstown and Horsham turnpike company to charge certain rates of tolls,

With information that the House of Representatives has passed the same with amendments, in which the concurrence of the Senate is requested.

On motion of Mr. WALLACE, said amendments were twice read and

Concurred in.

BILLS RECALLED FROM THE GOVERNOR.

Mr. RANDALL offered the following resolution, which was twice read and adopted, viz:

Resolved, If the House concur, the Governor be requested to return Senate bill No. 812, entitled An act to repeal an act to lay out a State road in Schuylkill and Columbia counties, approved April 4th, 1866.

The resolution was adopted.

Mr. BIGHAM offered the following resolution, which was twice read:

Resolved, That (if the House of Representatives concur) the Governor be requested

to return to the Senate for amendment Senate bills numbered and entitled as follows:

No. 792, entitled An act authorizing the sale of the Allegheny city poor farm.

No. 697, entitled An act to incorporate the Monongahela inclined plane company.

The resolution was adopted.

GENERAL APPROPRIATION BILL.

Agreeably to order,

The Senate resumed the second reading and consideration of House bill No. 828, entitled An act to provide for the ordinary expenses of the Government and other general and specific appropriations.

The fifty-eighth, fifty-ninth, sixtieth, sixty-first, sixty-second, sixty-third, sixty-fourth, sixty-fifth and sixty-sixth sections were read and

Agreed to.

The sixty-seventh section was read as follows:

SEC. 67. That the sum of two hundred dollars is hereby appropriated to each of the four reporters employed on the *Legislative Record* in the House of Representatives, and to Henry J. Mason, T. B. Cochran, R. McDevitt and H. G. Sedman, reporters of the Senate.

Mr. WALLACE. I move to amend this section by adding at the end the following:

Provided, That the Clerk of the Senate and House shall employ the necessary corps of phonographers to report the proceedings of the Legislature at the next and subsequent sessions thereof, so as to provide for the prompt and continuous report thereof; and that the contract for publishing legislative proceedings be made with reference to this arrangement.

Mr. Chairman, my reason for offering this amendment is, that I think we have not now a prompt and continuous report of the proceedings of the Legislature. The present mode of publishing the *Record* makes the publication comparatively useless. If the Senate and the House should take charge of the reporting, as the amendment proposes, provide by their own corps of reporters the matter for the press, there would be nothing for the publisher of the *Record* to do but the printing of it. We would then have the matter under our own control. I offer this amendment for the purpose of testing the sense of the Senate on this question.

Mr. CONNELL. The Senate and the House would make a beautiful business of it, if they attempted to superintend the employment of the reporters! I think every man must see at once the difficulties connected with the matter. How would we do it?

Mr. WALLACE. Certainly the Clerk of the Senate and the Clerk of the House of Representatives could employ the necessary number of competent phonographers. Whatever goes on here could be prepared under the direction of the Clerk. This amendment does not propose to affect in any way the contract. All that it proposes is that the Clerks of the Senate and House shall see that the reports are made at the earliest moment, providing a sufficient corps of reporters for that purpose. The manuscript prepared under the direction of the Clerk will be furnished to the publisher of the *Record*.

The form in which our debates are at present published and sent to the people is simply ridiculous. Their publication is no advantage to us or anybody else. If the reporters were under the control of our own Clerks, this thing would be done promptly and efficiently; the report of our proceedings would be laid on our desks the next day after they took place. That is what we ought to have. This proposition does not affect the amount that would be paid to the printer. It does affect the contract in any way. It simply provides that this matter shall be placed under our own control.

Mr. CONNELL. Has the Senator made any calculation as to the cost of this new arrangement?

Mr. WALLACE. I have not made any estimate of the cost. I do care what the cost may be. Either we ought to have a *Record* that is a *Record*, or we ought to have none at all. If we have phonographic reports we ought to have them published promptly, so that there may be laid on our desks each day the proceedings of the day before.

The SPEAKER. How do they do in Washington?

Mr. WALLACE. I do not know.

Mr. BROWN (Mercer). The fact that a particular gentleman is Clerk of the House or Senate one year is no evidence that he will be clerk the next year. Suppose that the present Clerk of the Senate, before the meeting of the next Legislature, should enter into an arrangement with reporters for the next session; suppose that on the meeting of the Legislature we elect a new clerk, and that he is not willing to ratify the arrangement made by the retiring clerk in regard to the reporting; we have at once a practical difficulty. It seems to me that we had better let the matter remain in its present position.

Mr. CONNELL. I have no doubt that the arrangement now proposed would increase the present expense ten times over. Therefore I am opposed to it.

Mr. WALLACE. I call for the yeas and nays on the amendment. I want to know whether we are to have a *Record* deserving of the name, or whether we are to have a lot of stuff.

Mr. WHITE. I want to understand this proposition. As I understand, the Senator from Clearfield proposes that we shall require the clerks of the respective Houses to employ the necessary corps of phonographic reporters to keep up our reports; and then the contract for the printing of the *Record* is to be made with reference to this arrangement.

Mr. WALLACE. Certainly.

Mr. WHITE. So that we can have laid on our desks each day the proceedings of the day previous. Now, this, it seems to me, is an eminently fair and proper arrangement. It is not intended to strike at any one. I do not regard it as a stroke at the printer of the *Record*, or any one else. But every one who has observed the course of our proceedings, knows that those who report the proceedings of the Senate are worked to the utmost. I have been in this Senate chamber as late as any other person, and I have observed our reporters taxed to the utmost. More than that; I have seen them working during Sunday—a day on which they ought to have rest.

It has frequently occurred to me that we have not a sufficient reporting force; and the people of the Commonwealth will, I think, sanction any more efficient arrangement which we may make in this matter. They desire that the reports of our proceedings shall be printed. They want to see them, and it is right they should see them. I am satisfied that the present reporting force is not sufficient to enable us to have what we ought to have and what the people want—the publication of our proceedings the day after they transpire.

Mr. GLATZ. There is a single point on which I differ with the Senator from Indiana [Mr. WHITE]. I do not think the people are half so much interested in seeing the publication of our debates as our Senators themselves. [Laughter.]

Mr. WHITE. I do not know about that.

On the amendment of Mr. WALLACE,

The yeas and nays were required by Mr. WALLACE and Mr. DONOVAN, and were as follow, viz:

YEAS.—Messrs. Bigham, Billingfelt, Browne (Lawrence), Burnett, Coleman, Davis, Donovan, Fisher, Glatz, Graham, Jackson, James, Landon, M'Candless, Schall, Searight, Shoemaker, Taylor, Wallace, White and Worthington.—21.

NAYS—Brown (Mercer), Connell, Haines, Stutzman and Hall, *Speaker*.—5.

So the question was determined in the affirmative.

During the roll-call the following remarks were made:

Mr. BILLINGFELT. I have no fault to find with either the reporters or the publishers of the *Record*; I vote *aye*.

Mr. COLEMAN. I am inclined to think we ought to have some change to get our reports out earlier than we do. I am willing to make the experiment. I therefore vote *aye*.

Mr. WHITE. As I stated a few moments ago, I think every one admits we ought to have our proceedings published more promptly, and that we ought to have a larger reporting force for the purpose. I therefore vote *aye*.

The result of the vote was announced as above stated.

The section as amended, was

Agreed to.

The sixty-eighth section was read and

Agreed to.

The sixty-ninth section was read as follows:

For the erection and completion of an addition to the Governor's mansion, according to the plan and specification furnished by L. M. Simon, architect, the sum of twenty thousand dollars, or so much thereof as may be necessary, to be expended under the direction of the Governor.

Mr. WALLACE. I move to amend by adding at the end of the section the following:

And no portion of this money shall be paid over to the contractor for such work until he shall have filed in the office of the Auditor General his bond, with two sureties in twenty thousand dollars, to be approved by the Auditor General, conditioned for the faithful performance of his contract in erecting and completing such addition.

Mr. CONNELL. I understood the Governor to say that he was not going to give out this work to any one man; that he intended to contract with different parties to furnish the material and do the work, and that he would superintend the work himself.

Mr. COLEMAN. I think that the amount of the bonds is rather heavy, considering the sum involved.

If I had charge of this work, I would not give it all out to one man, because it includes heating, steam pipes, and all that sort of thing.

Mr. WALLACE. We have had a little experience in matters of this kind. During the last four years we have had in course of erection and completion a new wing to this capitol. The cost originally contemplated was fifty thousand dollars. We have already spent one hundred and twenty-eight thousand dollars upon it; and we are now called upon to appropriate fifteen thousand dollars in this bill. That is the result of this mode of building. Now, I do not believe in asking the Governor to regulate and manage the making of this addition to the Executive mansion. Let him get a defined plan from an architect; and let contracts be entered into according to that plan. Let us proceed as business men proceed in the erection of their own houses. When we undertake to erect a building, let us require the contractor to erect it accord-

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[CONTINUED FROM PAGE 1090.]

ing to a contract previously agreed upon. Let us not have parties coming here year after year, as they have done in regard to the wing of the capitol, asking more and more appropriations, until the Committee on Finance admit, as they have done this session, that they are ashamed to put into the appropriation bill additional appropriations for this purpose.

I say that if we go on with this addition to the Governor's mansion in the manner contemplated in the section, we shall simply have a repetition of what has occurred in regard to the erection of the addition to the capitol. When we give a contract for the erection of this addition to the Governor's mansion, we should give it for a specific amount to a man who is reponsible, or who will give sureties for the faithful performance of the contract according to the specifications.

Let this contractor be held to his contract, just as individuals hold contractors to their contracts. If we do not do this, when shall we be done unloosing the purse-strings of the Commonwealth? If we do right in the outstart, we shall be right in the outcome; but if we fail to make proper provisions now in reference to the performance of this work, we shall be called on from year to year to make additional appropriations to complete the work.

The SPEAKER. Does this appropriation propose that the money shall be expended according to the contract of this man Simon?

Mr. CONNELL. Yes, sir.

The SPEAKER. I think that is wrong. I trust the Senate will not agree to anything of the kind. I have been assured by a great many people, quite as good as Mr. Simon, that his estimates are out of all kind of character.

Mr. CONNELL. Nothing is said about estimates.

The SPEAKER. Another man would not want to do the work according to his plan, if the Governor should think it best not to give the work to Simon.

Mr. CONNELL. The Governor does not intend to give it to Mr. Simon. His idea is to employ his own men all the way through.

Mr. COLEMAN. This is a plan adopted upon consultation——

The SPEAKER. Mr. Simon wants to be the contractor, does he not?

Mr. COLEMAN. I do not know.

The SPEAKER. I was told that he did.

Mr. COLEMAN. It may be that he will put in a bid. But his estimate was for one hundred and eighty-five thousand dollars. It is believed the work can be done for less, and I am inclined to think it can.

The SPEAKER. I do not believe in spending twenty thousand dollars to put up a house here which could be put up in Philadelphia or Pittsburg for five thousand dollars. I think things have got to be pretty "rough" when the Committee on Finance say that they cannot make an estimate of what the money is to be expended for.

Mr. CONNELL. I never said that.

Mr. WALLACE. I said it.

The SPEAKER. Can the Senator make an estimate of how all this money is to be expended?

Mr. CONNELL. I could take Mr. Edward G. LEE, a carpenter of Philadelphia and a member of the other House, and he could account for nearly the whole of it.

The SPEAKER. Well, the present State Treasurer told me that the bills which had been sent in over and over again were perfectly awful; that it costs as much to paint a house in the district and among the constituents of the Senator from Lebanon [Mr. CLEMAN] as it costs to build a house in Philadelphia.

Mr. M'CANDLESS. I am credibly informed that from some of the bills presented fifty per centum was stricken off.

The SPEAKER. Yes, and it was done voluntarily by the men themselves.

Mr. COLEMAN. I am just as anxious that my constituents should be watched as that any others should be. I have no doubt that some of them need watching. I agree with the general principle embraced in the amendment of the Senator from Clearfield; but I think, as has been suggested by the gentleman from Philadelphia [Mr. CONNELL], that if this matter is left subject to the control of the Governor, he can contract with one man for the shell, with another man for the carpenter work, and so on. The proposition, as it now stands, would compel the Governor to give the whole job to one man.

Mr. WALLACE. I cannot believe that the Governor, with the presence of his official duties upon him, will undertake to direct the building of this addition to his house, or do anything beyond the merest supervision of the work.

Now, sir, when any private gentleman desires to erect a house and is engaged in other business, how does he proceed? He gets estimates as to the different branches of work that are to be done. In the first place, he learns for how much the shell can be put up; then he learns the cost of the heating apparatus, the gas apparatus, the furnishing, etc. In a business-like way he ascertains from persons engaged in the different branches of business the cost each kind of work required. This is the manner in which we should proceed when work for the State is required to be done.

I think that the Governor would be the proper person in whose hands to place the supervision of this matter, and I do not desire to cumber him. Let him make the contract with some one individual, or if he deems it best, three or four individuals, for the completion of this building in every particular, including the heating apparatus, the gas apparatus, the plastering, everything connected with the building. Let the contractor or contractors be required to finish the work in accordance with the specifications furnished. Let a bond be filed so that the Commonwealth may have some security that she will not be required to pay more than she bargains to pay, and that the Governor may not be cheated of his fair fame and reputation as a business man attached in the outcome of this matter.

This, it seems to me, is the manner in which we as business men, guarding the interests of the Commonwealth, should manage this matter. If we leave it open, we shall have a repetition of the farce which has attended the building of the extension of the Capitol. I do not wish this to happen. I desire to see no obstacles put in the way of the erection of the addition to the Governor's Mansion; but I wish that the transaction may be guarded as completely as possible in reference to expense. The building of such a house should not cost us much more than one-third more than it would cost a private individual. I think that my amendment will effect the desired object.

The SPEAKER. A bond of the Commonwealth may be given; but the Legislature can do it as it pleases in regard to holding the parties to their bond. I have no doubt that they will come here seeking relief.

Mr. WALLACE. "Sufficient unto the day is the evil thereof." Let the next Legislature take the responsibility of its own action.

The amendment was

Agreed to.

The question being on agreeing to the section as amended,

Mr. BURNETT. This may be a foregone conclusion; but I simply desire to say that I am opposed to this whole arrangement. So far as I am concerned, I would like to see the sale of the present Executive Mansion and the purchase of an eligible site and the erection of a mansion that would be in keeping with the dignity of the Gubernatorial office, and that would do credit to the great Commonwealth of Pennsylvania. I think that would be the most judicious course to pursue in this matter.

Mr. M'CANDLESS. I understand that there was a proposition to convert the arsenal on the capitol grounds into an Executive Mansion, and a committee, I believe, was appointed to examine into the matter, it being manifest that the present arsenal building is becoming unfit for the purposes of an arsenal. I think it would be well enough to take no action in this matter just now. The Governor has a very comfortable house at present; and I think there is no doubt that in a year or two the location of the Executive Mansion will be changed. My idea is that the mansion should be on the capitol grounds. With proper alterations and improvements, the arsenal building would make an excellent Governor's house.

Mr. COLEMAN. I desire to call the attention of the gentleman from Philadelphia

[Mr. M'CANDLESS] to the fact that this extension of the present building is to be made with a view to the fact that the building may before long be abandoned as a Governor's mansion. The plans are so arranged that the building when completed can at any time be converted at a small expense into two houses, so that they can be sold separately. This could be done with comparatively little loss. As a matter of course, the State never comes out entirely whole in such transactions.

I would also call attention to the fact that these additions are made with a view to the comfort of members of the Legislature, rather than of the Governor and his family. The latter have plenty of room in the present building. The extension is designed for the comfort of members of the Legislature when they call to see the Governor.

Mr. DONOVAN. The house was large enough at the Governor's reception the other evening, because there was nothing there to make the members "swing."—[Laughter.]

The section as amended was

Agreed to.

The seventieth section was read as follows:

For finishing and furnishing the new Library room and removing the books thereto, fifteen thousand dollars, or so much thereof as may be necessary, to be expended by the Librarian, with the approval of the Governor, the Auditor General and the State Treasurer, the accounts to be audited and settled by the Auditor General in the usual manner.

Mr. WALLACE. Mr. Speaker, we had considerable discussion on this subject last year, and whilst I do not desire to oppose this appropriation, it is due to common honesty, it is due to common justice, it is due to the taxpayers of the Commonwealth, that this subject should be somewhat commented on.

Last year, after a great deal of discussion, we consented to appropriate thirty-nine thousand dollars toward the completion of the extension of he Capitol and toward the furnishing of the Library. I then opposed the additional twenty-eight thousand dollars; I did not think it was necessary. The Committee on Finance, however, asserted that that would complete the work; and the appropriation was put in. Now, it is proposed to put fifteen thousand dollars more into this same bottomless hole; for experience has shown it to be such. Since 1864, when this thing was commenced, we have year by year been appropriating money toward the completion of this extension. The first question which I desire to ask of the chairman of the Committee on Finance [Mr. CONNELL] is, where is the contract under which this building has been erected?

Mr. CONNELL. I presume it is in the hands of the officers of the Commonwealth who had charge of the work. The Auditor General, the State Treasurer, and Governor Curtin were, I believe, the parties who made the original contract.

Mr. WALLACE. Was the contract under which this extension was erected ever before the Committee on Finance.

Mr. CONNELL. We have never seen it.

Mr. WALLACE. Was any bond filed by the contractor?

Mr. CONNELL. I am not able to answer as to that.

Mr. WALLACE. Is he a responsible man for the completion of the contract?

Mr. CONNELL. Indeed I do not know. I did not make the contract, and am not responsible for it. I beg the Senator not to hold the Committee on Finance responsible for the acts of the Governor, the Auditor General and the State Treasurer.

Mr. WALLACE. Certainly not; but I do hold the Committee on Finance responsible for recommending appropriations without knowing what has become of the money which has been put into this hole before. If, as business men, conducting their own affairs, they entered into a contract for the erection of a building, they would know beforehand what that contract was.

Mr. CONNELL. The Committee on Finance knew very well that the original contract was fifty thousand dollars for a building not fire-proof. They knew well enough that to make that building fire-proof thirty-five thousand dollars more was necessary. That far we were satisfied it was all right—up to eighty-five thousand dollars

Mr. WALLACE. Last year thirty-nine thousand dollars were appropriated, in these terms:

"That thirty-nine thousand dollars, or so much thereof as may be necessary, be appropriated to finish and furnish the Library room in the Capitol extension, to be expended by the Librarian, with the approval of the Governor, the Auditor General and the State Treasurer."

Now, I do find fault with the Committee on Finance that they have not given us the data on which they base their recommendation.

Mr. CONNELL. We have the items here.

Mr. WALLACE. But what I want to know is, where are the necessary facts upon which a man would put his hand into his own pocket, and make additional expenditures in the finishing of his own house, when he had a contractor who had agreed to finish that house for a specific sum? Those are the facts which I ask at the hands of the Committee on Finance. If they do not know whether any bond was filed, if they cannot give us the reason why this additional amount of money must be appropriated, I ask what kind of guardianship of the interests of the Commonwealth is this?

I regret to be compelled to speak thus plainly; but I do say, Mr. Speaker, that it is our duty, as the guardians of the interests of the taxpayers of the Commonwealth, to investigate this matter. I affirm that, until this Senate knows what has become of the money already appropriated, and knows it through the avenues provided for the purpose of giving such information, we should not consent to vote more money for this object. If it be demonstrated, as I have no doubt it will be when we get the facts, that more money has been appropriated for this purpose than should have been appropriated—that there has been a sink, a hole, in which this money has gone unnecessarily—if we recognize the fact that we have been literally cheated, then I will agree to vote this additional fifteen thousand dollars toward the completion of the capitol, because the money is lost, and we must have the capitol completed. But let us place the responsibility where it properly belongs. Let us do what ordinary business men do in conducting their affairs. Let us investigate this matter, and hold the contractor responsible if we can; and if we cannot do that, then let us put our hands in our pockets and finish the building.

Mr. CONNELL. As for holding the contractor responsible in this case, that is all moonshine. The contractor did not make these alterations of the original plan; they were made by the gentlemen who had this matter in charge; they were made with the approval of the Governor, the Auditor General and the State Treasurer. These gentlemen are the parties responsible for the changes; they permitted them to be made. I might tell when they were made and what they amounted to. When the building had reached a certain stage, the architect said that additional iron girders were necessary to support the gallery. This, somehow or other, had escaped his attention in the first place. Those were put in, and it became necessary to cut down the iron columns.

The SPEAKER. Who was the architect?

Mr. CONNELL. Mr. Simon, I believe.

The SPEAKER. I hope they will not get that man to do any more work.

Mr. CONNELL. The alteration was not made on the contractor's own responsibility; it must have been made at the instance or with the sanction of the Governor and the other officers having charge of the matter, Mr. Wien Forney, the Librarian, testifies that this alteration cost an additional four thousand dollars and detained the work about two months.

Then there were two spiral stair-cases put up, the original estimate contemplating but one. This addition cost one thousand eight hundred dollars. Besides that, the estimate furnished us last year did not include glass, glazing or painting. Then there was the central case, writing desk, skylight, glass, etc., which exceeded the estimated cost about one thousand dollars. The alteration in the ventilation of the attic cost eight hundred dollars. Thus a very large increase in the expense was incurred with the approbation of the Auditor General, the State Treasurer, and the Governor. The contractor is not responsible at all for this. The Senator from Clearfield must take the proper officials to task, not the contractor, not the Committee on Finance. If the Senator wishes the building to stand unfinished and without furniture, and can persuade the Senate to sanction that, very well.

Mr. WALLACE. I have no such wish. But, Mr. Speaker, we have already appropriated one hundred and twenty-seven thousand dollars prior to the present year for the completion of this building; and we are now asked to appropriate fifteen thousand dollars more for finishing and furnishing it, when the original understanding was that it should cost us but fifty thousand dollars. That amount was appropriated in 1864.

Mr. CONNELL. That was not for a fire proof building.

Mr. WALLACE. And in 1865, thirty-five thousand dollars was appropriated for the purpose of making the building fire-proof. In 1866, something else was said to be necessary, and thirty-nine thousand dollars was appropriated. Now it is proposed to appropriate fifteen thousand dollars more.

Let me read from the *Record* of 1866 what the Senator from Philadelphia, the chairman of the Committee on Finance [Mr. CONNELL], as well as others, said on this subject at that time; and let us see whether there has not been remissness somewhere.

"Mr. CONNELL. Mr. Speaker, I would say, in explanation of that section, that the House instructed Mr. LEE and one of the members from Allegheny, both practical builders, to examine this matter, and they were satisfied that it would be necessary to finish and furnish it throughout, and put in a skylight. I presume there will be no opposition here on that part of the appropriation.

"The Librarian has furnished us with a statement, which was printed and laid upon our desks, giving his estimate for the furnishing.

"Mr. DONOVAN. Does any Senator believe that it would cost thirty-nine thousand dollars to put in new furniture?

"Mr. CONNELL. It is not for furniture; it is to finish the building. The amount estimated for furnishing the library was eleven thousand dollars."

Mr. CONNELL. The Senator forgets that since that time we have made altera-

tions. Mr. LEE, then he made that estimate, did not know anything about these necessary alterations. Alterations have actually been made, and, of course, the expense has been increased by that much.

Mr. WALLACE. The Senator from Chester [Mr. WORTHINGTON] at that time went over the matter in detail, and said:

"In addition to the cost of thus finishing the room, it is estimated that it will cost eleven thousand dollars to furnish it. The room is one hundred and four feet long, and fifty-four feet in width. Supposing twenty-eight inches to be the width of the carpet, it will require twelve hundred yards to cover the floor. The cost of carpeting, alone, will therefore amount to at least four thousand dollars. The cost of putting down the carpet and upholstering will amount to two thousand more. It is estimated by those who put in the gas fixtures that it will cost from eighteen hundred to two thousand more. Then the cost of office furniture and two glass partitioned rooms for the offices will be about two thousand. It will take two or three men three or four months to remove the library and arrange the books, the expense of which will be about two thousand dollars more. So the sum total of these estimates for furnishing the library will not be less than ten thousand four hundred dollars.

"Now, I ask the Senate whether this is an extravagant expenditure of money. We have put up a building at a cost of eighty-eight thousand dollars; we have not finished it, and it will take thirty-eight thousand dollars more to complete that room as it should be done. And when that is done, will you leave the library room without furniture?

"I am sure that there is no Senator here who is unwilling to appropriate all the money that is necessary for this object."

The Senator from Chester thus pointed out to us the necessity for the appropriation of last year; and the appropriation was voted in accordance with the specific items pointed out by him. I find no fault with what was done then, because we had pointed out to us specifically what was necessary. But now we have "Monsieur Tonson come again!" The same old song is repeated. How are we to have any guarantee that this thing is not to be continued from year to year?

I rose to put some inquiries to the Committee on Finance, to ascertain whether, in view of this continued expense to the Commonwealth, they are doing what business men should do—whether they should not have guarded this thing when they first put down the stakes—whether there has not been a leak somewhere. It is very easy to get estimates after the work is done; but had we taken proper precautions in the beginning, there would have been none of these difficulties. In the absence of any information as to the contract, in the absence of details in regard to the actual cost of the building, it seems to me we should hesitate to vote this additional appropriation.

Mr. WORTHINGTON. Mr. Speaker, we have had a great deal of discussion on this subject last year as well as this. The Senator from Clearfield [Mr. WALLACE] seems incapable of comprehending why it is that we are asking an additional appropriation this year, when the appropriations last year were to complete the work. Now, I think the chairman of the Committee on Finance has shown by the statement of the Librarian the exact cause of these increased expenses. As has been stated, when it was first proposed to erect this extension fifty thousand dollars was appropriated; and it was provided that an enrollment tax of ten dollars should be levied on every private bill, to pay for this outlay. We have thus been accumulating a special fund to pay for this work. This was a part of the proposition of Mr. CLYMER, then the Senator from Berks, to whom we owe the origination of this project. That tax will in time pay every dollar of the expense of the extension of this capitol.

Fifty thousand dollars was at that time appropriated; and the original contract was made on that basis. It was afterward found necessary to make the building fire-proof, which had not been contemplated in the original contract. The commissioners appointed to superintend the erection of the building—the Governor, the Auditor General and the State Treasurer—took it upon themselves to authorize this alteration in the original plan; and they did perfectly right. The Senator from Clearfield will not deny that the building ought to be fire-proof. Hence an additional appropriation of thirty-five thousand dollars became necessary the next year, and was advocated by the Senator who introduced the original proposition into this chamber. Last year it became necessary to put in a skylight and a gallery, which were not included in the original proposition. The appropriation of last year, it was supposed, would be sufficient to pay for these additions, and also to provide for furnishing the Library. We agreed to the appropriation with this idea. Undoubtedly that is the fact. But in the estimates made last year, which were made by two gentlemen of the other House, Mr. Lee and Mr. Slack, both practical mechanics, a number of items were omitted. Mr. Lee told me the other day that in their estimate a number of items were entirely overlooked.

Mr. GLATZ. They were not very "practical" mechanics.

Mr. WORTHINGTON. That may or may not be. At any rate, sir, they were not responsible for the changes which became necessary in the original plan.

When the joists were cut for the purpose of putting in the skylight, it was found necessary to put in iron girders below to support the gallery. This caused an additional expense of four thousand dollars, which had been entirely overlooked. Then it was found necessary to have two spiral stair cases. The first plan was to put in the corner of the room a single small stair-case, not a spiral stair-case, but a simple passage up into the galleries. This, it was afterward thought, would not look well; hence these two spiral stair-cases were put in, causing another addition to the expense. Besides, that room is better and more expensively finished than was contemplated in the beginning.

Thus the necessity for this additional appropriation is easily accounted for. Mr. Lee—who I believe is regarded as a very good mechanic, although he may have overlooked some items in making the estimate last year—told me in conversation the other day, that the cost of the various items embraced in the finishing of that library room has not been extravagant. There is no finer, neater, better arranged library room in any State in the country. The construction and furnishing of such room must cost money. We now ask this appropriation of fifteen thousand dollars, which is to complete the whole work and furnish the room, with carpeting and the necessary chairs. You do not want to put down in that room a common carpet costing about a dollar a yard; you do not want to put there ordinary Windsor chairs. You want the room fitted up and furnished in such a manner as to be a credit to the Commonwealth, not a disgrace.

I think that the appropriation now asked is under all the circumstances reasonable. If it be not granted, what must be the consequence? That room must remain in its present unfinished condition, and must be closed up. Your library must continue in its present location, with fifteen thousand volumes stored away in the attic, for want of room.

These are the facts. They are very simple and easy to be comprehended. I do not see how it is possible for any Senator to misapprehend the state of the case. The experience of the Commonwealth in this matter is nothing more than occurs to every one who builds a house under contract. I have built two houses in this way, and I know what it is. I have bound down the contractors as closely as it was possible for a lawyer to bind them. Yet I wanted to make changes as I went along; and a house which according to the estimate was to cost me four thousand two hundred dollars cost me five thousand five hundred dollars.

Mr. CONNELL. That is every man's experience.

Mr. WORTHINGTON. It is the experience of every man who builds.

Mr. LANDON. I wish to state merely one single fact. In a conversation with the librarian, Mr. Forney, I told him that there were some misgivings and fault-findings on the part of members of the Legislature in regard to the expenditure of the money already appropriated. He remarked that he regretted very much the necessity for asking the Legislature for fifteen thousand dollars more; "but," said he, "in expending the last year's appropriation, the men receiving money for work done have been required, before drawing the money, to make oath before the Auditor General that they did the work for the prices specified, and that they paid no man a farthing for getting the work; and," said he, "I do not know what more we could do."

I merely desired to state this fact. I agree with the Senator from Clearfield that we should guard very rigidly the expenditure of the public money.

Mr. CONNELL. If any additional guard can be thrown around the expenditure of the public money, I am in favor of it, but I think the Senator from Clearfield requires an impossibility—that numerous and important changes should be made in this building, and should cost nothing. No reasonable man can expect that. I have built six or seven houses, costing from ten thousand to twenty thousand dollars apiece, beside a great many smaller ones; and my experience has been what I think has been the experience of every man who has built houses; in every instance I have found it necessary to make some change in the original plan, and the building has cost me much more than I expected.

Mr. DONOVAN. When the original appropriation was made two or three years ago for the erection of this extension, I then declared that it would cost us one hundred and fifty thousand dollars before it was finished. I think that we have now pretty nearly reached those figures.

Mr. COLEMAN. It appears, Mr. Speaker, that the commissioners who had charge of this work made changes of their own in the original plan; and when you once open a contract of this kind by requiring to be done what is not embraced in the original plan, you are pretty much at the mercy of the contractor. I cannot understand why the commissioners could not see in the beginning that a skylight, a gallery, et cetera, would be necessary. It seems to me that they have bungled this matter.

Mr. CONNELL. They are the responsible parties.

Mr. DONOVAN. In the estimate two thousand dollars is charged for removing the books. Now two hundred dollars would

certainly pay the expense of removing all the books.

Mr. CONNELL. And re-classifying them?

Mr. DONOVAN. No, sir.

Mr. CONNELL. Oh, the gentleman means the mere carrying.

Mr. COLEMAN. I see that it is proposed to spend four or five thousand dollars for a carpet for the Library. Now, it may be a matter of taste; but so far as I am concerned, I would not have a carpet there. I do not know that I ever saw a carpet in any public library. Certainly the old Philadelphia library, a much more extensive establishment, has no carpet upon the floor. It appear to me that the carpet would simply collect dust, causing an additional expense every year for taking up the carpet and shaking it.

Mr. CONNELL. Suppose the gentleman moves to strike out the amount required for the carpet, making the appropriation eleven thousand instead of fifteen thousand. I agree with the Senator in regard to this matter.

The SPEAKER. I think we ought to have a carpet. No doubt it will be of American manufacture.

Mr. COLEMAN. Did any gentleman ever see a carpet in any public library? It seems to me ridiculous to put a carpet in that room.

Mr. TAYLOR. I move to amend by striking out fifteen thousand dollars and inserting eleven thousand dollars, so as to strike out the amount estimated for the carpet.

Mr. WORTHINGTON. If that floor had been laid down with the view of dispensing with a carpet, the suggestion of the Senator from Lebanon [Mr. COLEMAN] would be very proper; but it would cost a good deal of money now to take up the present floor and put down such a one as there should be if the floor is not to be carpeted.

Mr. CONNELL. I understand that the carpet has already been contracted for in Philadelphia.

Mr. WALLACE. Contracted for before the money is appropriated!

Mr. BIGHAM. I understand that this is shutting the stable door after the horse is stolen. The carpet, I understand, is ordered, and cut, and ready to be put down.

Mr. RANDALL. By whose authority?

Mr. BIGHAM. So far as the summer season is concerned, I suppose there ought to be no carpet, and that the carpet would at any rate be taken up in summer and put down in the winter. But the carpet is ordered and made, and I suppose we have to take it anyhow.

The SPEAKER. Is the motion to strike out the four thousand dollars withdrawn?

Mr. WALLACE. I hope not. I hope that motion will be insisted on. Any man who contracts for a carpet when there is no appropriation to pay for it, ought to pay for it himself.

Mr. BIGHAM. By the estimates of last year, which the Senator read, there was an appropriation for a carpet.

Mr. WALLACE. True; but that appropriation has been exhausted; and because it has been exhausted, without the purchase of this carpet, we are now asked to make an appropriation for this specific purpose. It was known that this appropriation had been exhausted, that this carpet could not be purchased without a new appropriation. Yet, in the teeth of this, some one contracts for a carpet. I say that that man ought to pay for it himself.

Mr. M'CANDLESS. If we have this carpet in the Library, there will be an expense of two thousand dollars every year for taking it up and relaying it. According to the statement of the gentleman from Chester, two thousand dollars of this appropriation is for laying the carpet.

Mr. WORTHINGTON. For cutting, sewing, laying, and some other items.

Mr. M'CANDLESS. At any rate the carpet would have to be taken up and shaken every year, and this would be a continual expense.

Mr. M'CONAUGHY. I am opposed to striking out the appropriation for the carpet. Either we must have a carpet, or we must have a floor specially adapted to be without a carpet. If the building had been constructed with the latter view, we might get rid of this expense for a carpet. I am sorry that a suitable floor was not put down in the first place.

Mr. SEARIGHT. Mr. Speaker, this practice of officers contracting for expensive articles in anticipation of legislation sanctioning such expenditures, is in my opinion very mischievous and ought to be broken up. It strikes me that this is as good a time as any other to put a stop to it. We have now presented a suitable opportunity; and I think our duty, as legislators faithful to the interests of the people, is to lay down now the rule that hereafter no articles shall be bought for the use of the Commonwealth, unless the purchase is previously authorized by law.

It has been urged by several Senators, as an apology for the unexpected expenditures which have been required for the completion of the capitol extension, that in almost every case the actual expense of building exceeds the estimated cost. This is no doubt true; but in the case mentioned by the Senator from Chester [Mr. WORTHINGTON], there was a difference of but fifteen hundred dollars, while in the case before the Senate there is a difference of seventy-five thousand dollars. In my view, there can be no excuse for so great an excess over the estimated cost.

Mr. M'CANDLESS. Should not six thousand dollars instead of four thousand dollars be deducted from this appropriation, if we are to dispense with the carpet? Two thousand dollars I believe is estimated for cutting and laying the carpet.

Mr. CONNELL. That two thousand dollars includes a great many other items—rugs, spittoons, &c.

Mr. BIGHAM. I am satisfied that the floor of the Library is not adapted to do without a carpet. As to all this talk about the contractor, I understand that the contract for furnishing this room was not given to the old contractor, and he has now nothing to do with it. It is a different man altogether.

The SPEAKER. Who is he?

Mr. BIGHAM. I do not know even his name; but it is not the man who had charge of erecting the building.

Mr. CONNELL. Mr. Simon has had nothing to do with it whatever.

Mr. BIGHAM. No, sir; Mr. Simon, I understand, is the man who has talked around and got up this difficulty.

Mr. M'CANDLESS. Nobody has talked to me about this matter. I think this money has been misapplied.

On the amendment of Mr. TAYLOR,

The yeas and nays were required by Mr. GLATZ and Mr. TAYLOR, and were as follow, viz:

YEAS—Messrs. Burnett, Coleman, Cowles, Davis, Donovan, Glatz, Haines, Jackson, James, Landon, M'Candless, Randall, Schall, Searight, Shoemaker, Taylor, Wallace and White—18.

NAYS—Messrs. Bigham, Browne (Lawrence), Brown (Mercer), Connell, Fisher, Lowry, M'Conaughy, Stutzman, Worthington and Hall, *Speaker*—10.

So the question was determined in the affirmative.

Mr. COLEMAN (when his name was called). I have been up stairs to look at the floor of the Library; but I found the door locked. So far, however, as I could see through the key-hole, I do not think it requires a carpet. [Laughter.] I therefore vote aye.

The section as amended was

Agreed to.

The eleventh section was read as follows:

That the sum of five thousand dollars, or so much thereof as may be necessary, be be placed at the disposal of the Governor, as a contingent fund, to be used at his discretion, if any circumstances shall, in his opinion, make it necessary.

Mr. WALLACE. Mr. Speaker, I am opposed to the principle involved in this section. I do not think it is right. I do not care who may be the Governor, we have no right to appropriate money except for specific objects. The Constitution provides that no money shall be drawn from the treasury except upon appropriations made by the Legislature. This is not an appropriation; it is simply a declaration that the treasury shall be open to the Governor to the amount of five thousand dollars, if in his judgment he shall see fit to use the money. During all the bloody war through which we have recently passed, no such principle was embodied in our appropriation laws. Neither Governor Curtin nor any other official ever asked anything of this kind heretofore. The statute book will be searched in vain for such a provision. I have carefully examined the laws passed since 1860, and I find nothing of this kind.

Mr. CONNELL. I think there was such a provision in the act of 1861.

Mr. WALLACE. I do not find it in the appropriation bill of that year. In no appropriation bill heretofore has any power been given to the Governor to take money from the treasury except for specific purposes. If the chairman of the Committee on Finance will specify the purpose to which this five thousand dollars is to be devoted, I may vote for the section. But I cannot sanction the principle here involved.

Mr. CONNELL. It is to provide for possible contingencies.

Mr. WALLACE. What "possible contingencies?"

Mr. CONNELL. We don't know what a day may bring forth. Things are happening now that never happened before.

Mr. WALLACE. I am opposed to the principle. I do not think it right. We, the Legislature of Pennsylvania, are the body that should appropriate the money of the people; and we have no right to authorize any officer of the Commonwealth to take from the treasury upon his mere *ipse dixit* the money of the people. If it is necessary that the Governor should have a certain amount of money at his disposal for any purpose, we should appropriate the money for that specific object, giving him the right to draw it when he deems it necessary. I have no objection to such a provision. But I do affirm that the principle involved in this section is a dangerous one, and one which will in the future return to plague us. During the last five years we have got along without any such legislation, and certainly we can do so in the future.

Mr. CONNELL. I remember very well that in the act of 1861, a section similar to this was inserted, placing a certain fund at the disposal of the Governor, to be used at his option in cases he deemed proper.

Mr. WALLACE. The Senator may be right. But, sir, the condition was very different from that which exists now.

Mr. CONNELL. That is a matter of opinion.

Mr. WALLACE. In 1861, it was apparent to all that we were trembling upon the brink of war. I affirm that in the midst of profound peace no such principle ought to be introduced into our legislation. I do not care who may be the officer to be entrusted with this power; he may be the purest man that ever lived. I say the principle is wrong, and I protest against it, in the name of the people of the State. No officer of the Commonwealth, be he high or low, should be permitted to go to the treasury and say, "My judgment is that I need money for a purpose which I will not declare; and I take it."

Mr. CONNELL. The section requires the Governor, if he draws any of this money, to report the fact to the next Legislature, stating for what purpose the money has been used.

The SPEAKER. The section does not so provide.

Mr. CONNELL. Well, we will add such a provision. I move to amend by adding, "and the Governor shall make a detailed statement of the manner in which any money so drawn has been expended."

The amendment was

Agreed to.

Mr. BIGHAM. As to the principle involved in this section, I confess that I do not like it. It is a new principle, except in cases arising during war. I believe that to a limited extent, our Governors have exercised this power of drawing money from the treasury during the recess of the Legislature, without specific appropriations, but always relying on the next Legislature to ratify their acts. Should the Governor report to the next Legislature that, in consequence of unexpected emergencies he has been compelled to draw money from the treasury without a specific appropriation, I should, if a member of that Legislature, cheerfully vote to ratify his acts.

Mr. WALLACE. So should I.

Mr. BIGHAM. I confess that I do not like the principle of authorizing such a thing in advance.

Mr. FISHER. I frankly confess, Mr. Speaker, that I regard this section as an innovation upon the principles which have heretofore governed our legislation. Great as is my confidence in the present Executive of the State, I shall hesitate long before sanctioning with my vote a principle of this kind.

Mr. CONNELL. Gentlemen are not willing to vote for the section, but are willing to allow the Governor to take money from the treasury without authority of law.

Mr. BIGHAM. To a very limited extent and under pressing emergency.

Mr. CONNELL. I would rather give authority in advance. That is just the difference between us.

Mr. SHOEMAKER. It strikes me, Mr. Speaker, that the adoption of this section would establish a very wrong precedent. If there arises any emergency, in consequence of which the Governor requires money not specifically appropriated, he can always raise it for any proper object through the Auditor General and State Treasurer. I am opposed to setting any precedent of this kind. If we grant such authority to the Governor this year, we shall have to do it next year; and every Legislature will be called upon to place a portion of the funds in the treasury at the absolute disposal of the Governor. For this reason I object to beginning this kind of legislation.

Mr. LOWRY. What is the amount which this section proposes to place at the disposal of the Governor?

Mr. CONNELL. Five thousand dollars.

Mr. LOWRY. I do not think the Commonwealth will be endangered by the adoption of this section. The principle involved in it is one which, in my judgment, we should adopt and should long since have adopted. If it does not comport with the previous practice in Pennsylvania, we should establish the precedent now. Heretofore, it has been the practice in Pennsylvania for Governors to take money from the treasury without authority of law. We now propose to give the Governor legal authority to draw money from the treasury in case of necessity, requiring him to report the facts to the next Legislature. I can see nothing dangerous in this. Gentlemen, by holding up their hands in horror, cannot scare me. I believe that this section is right, and I will vote for it, if I vote alone.

Mr. SHOEMAKER. If any emergency can be conceived of by which it may be rendered necessary that the Governor should have this power, I will vote for the section. But I cannot imagine any such emergency.

Mr. LOWRY. We do not know what emergency may arise. Now, why should not the Governor have power to raise five thousand dollars, if he needs it, on the condition that he shall make report of his action to the next Legislature? I think he should have this power. I am willing to give it to him. I am not afraid that it will be abused. I am not afraid of the precedent we shall establish. I think that the precedent will be a good, a wholesome one—a precedent to be approved, not to be condemned.

Mr. WALLACE. So far as regards his duty to execute the laws, the Governor has at his command the whole power of the Commonwealth, civil and military; and when the necessity requires it, he can in the execution of his duty, wield the whole power of the treasury as an auxiliary for the enforcement of the laws. No Legislature true to its duty would dare to deny him this right. When there arises a contingency demanding extraordinary proceedings, the Governor cannot act except in pursuance of law, save through his executive functions. He must call together the Legislature, who will vote him both money and power.

The ground of my objection to this section is the principle involved in it. It proposes to put the purse-strings of the Commonwealth at the command of one of its officers. Why should we appropriate money without knowing for what purpose it is to be expended, thus innovating upon recognized principle, a principle from which we did not depart even during the late war and amid the pressure of the stern necessity of maintaining the Government? The principle, it seems to me, is wrong at any time; but it is especially wrong at present, when the cessation of the war has removed all excuse for the increase of extraordinary powers.

Mr. LOWRY. Suppose a riot should occur in the gentleman's own county?

Mr. WALLACE. Very well; to suppress that riot the Governor can use the whole power of the Commonwealth.

Mr. LOWRY. That is true, but suppose he has no funds at his command?

Mr. WALLACE. He can order out all the forces of the Commonwealth, at the expense of the State taxpayers, to execute the laws; we must pay the expense.

Mr. LOWRY. But he is obliged to take that money from the treasury without any authority of law. Suppose, again, that there should be a riot or a breach of the peace among the miners in the county of Luzerne.

Mr. SHOEMAKER. Five thousand dollars is but a small sum to provide for such emergencies.

Mr. LOWRY. It is but small; yet I would be willing to make it larger.

Mr. WALLACE. In executing the laws the Governor has at his command the civil power, the military power and the financial power; he can wield the treasury as he can wield the civil power and the military power. And the Legislature, when it meets, will not refuse to endorse all his acts rendered necessary in the execution of the laws. But let us not now, without the slightest justification in the circumstances of the times, adopt a principle heretofore unrecognized and unprecedented.

Mr. M'CONAUGHY. The argument of the Senator from Clearfield [Mr. WALLACE] has convinced me that I ought to vote for this section. He has asserted in the broadest terms the right of the Governor, in case of emergency, to use the whole power of the Commonwealth, including the resources of the treasury. This section, as I understand, simply authorizes the Governor to use five thousand dollars for extraordinary purposes. The argument of the Senator goes far beyond this.

On agreeing to the section as amended,

The yeas and nays were required by Mr. WORTHINGTON and Mr. M'CANDLESS, and were as follow, viz:

YEAS—Messrs. Browne (Lawrence), Brown (Mercer), Coleman, Connell, Cowles, Graham, Haines, Landon, Lowry, M'Conaughy, Sutzman, Taylor, White, Worthington and Hall, *Speaker*—15.

NAYS—Messrs. Bigham, Burnett, Davis, Donovan, Fisher, Glatz, Jackson, James, M'Candless, Randall, Schalls Searight, Shoemaker and Wallace—14.

So the question was determined in the affirmative.

Mr. BROWN (Mercer), when his name was called, said: I am willing to trust the Governor with five thousand dollars. I vote *aye*.

The seventy-second section was read and

Agreed to.

The seventy-third section was read as follows:

Five thousand dollars to the Polytectnic college of the State of Pennsylvania, for the purpose of establishing in said college five State scholarships.

Mr. BIGHAM. If our State educational system were matured, I am disposed to think we should do something for the colleges of the State; but, under the circumstances, I hardly think we ought to adopt this section.

Mr. M'M'CANDLESS. I beg leave to call the attention of the Senator to the second section of the seventh article of the Constitution of the State:

"The arts and sciences shall be promoted in one or more seminaries of learning."

It is for the purpose of carrying out this provision of our Constitution that I have asked for this appropriation for the Polytechnic college.

Mr. BIGHAM. I do not doubt the constitutional power to make the appropriation, although Governor Packer, about ten years ago, vetoed a bill making an appropriation for an institution in Lawrence county, on the ground that any revenues of the Commonwealth devoted to educational purposes should be expended upon the common school system of the State. I am disposed, however, to think that we owe support to the cause of higher education as well as to our common school system. But whether we shall make an appropriation for a single institution, overlooking others equally deserving of support, is another question. I have some knowledge of this Polytechnic college. Its principal, Dr. Kennedy, is an indefatigable man, who has done a great deal for the dissemination of knowledge in his particular branches. But whether we shall make an appropriation to one institution alone is a new

question, to which I call the attention of the Senate.

Mr. CONNELL. This is the only institution of the kind in the State. In it mining and engineering are made a specialty. The object of this appropriation is to diffuse the benefits of the institution throughout the State. These scholarships are designed for the benefit exclusively of pupils outside of the city of Philadelphia.

Mr. COLEMAN. Mr. Speaker, I consider it a disgrace to our State that it has never yet made any provision for the education of mining and mechanical engineers. Our great wealth consists in our mineral resources and is dependent on the necessary mechanical skill for the development of those resources. We should now make a start in the direction by adopting this appropriation for the establishment of five State scholarships in the Polytechnic college. We have expended thousands, if not millions, of dollars upon an institution in Centre county, called, I believe, the farm school—an institution in which, I confess, I have very little faith. So far as I understand, it is out of the range of the mechanical and mining portions of the State as well as the farming regions, that section having, I understand, scarcely a drop of flowing water. After expending money upon an institution of that kind, is it possible that this Legislature will refuse the small appropriation to the Polytechnic college, a well managed institution for the education of young men in the mining and mechanical branches? I cannot believe.

On agreeing to the section,

The yeas and nays were required by Mr. WHITE and Mr. WORTHINGTON, and were as follow, viz:

YEAS—Messrs. Bigham, Billingfelt, Browne (Lawrence), Brown (Mercer), Burnett, Coleman, Connell, Davis, Donovan, Fisher, Glatz, Haines, Jackson, James, Lowry, M'Candless, Randall, Schall, Searight, Stutzman, Wallace, Worthington and Hall, *Speaker*—23.

NAYS—Messrs. Graham, Landon, Shoemaker and White—4.

So the question was determined in the affirmative.

During the call of the roll, the following remarks were made:

Mr. BIGHAM. After the earnest argument of the Senator from Lebanon [Mr. COLEMAN], I believe I must vote *aye*.

Mr. BILLINGFELT. I vote *aye* for the same reason.

Mr. WHITE. I would like to oblige my friends from Philadelphia by voting for this section. But the State has not for many years made any appropriation of this kind; and at present there are too many draughts on the treasury of a more important character to allow me to vote for such an appropriation. I vote *no*.

The result of the vote was announced as above stated.

Mr. CONNELL. I move to amend by adding the following as a new section:

For the preparation of a general index of the private laws of this Commonwealth from the year 1812, the sum of twelve hundred dollars, or so much thereof as may be necessary, to be done under the direction and approval of the Attorney General.

The amendment was

Agreed to.

Mr. BROWNE (Lawrence). I move to amend by adding the following as a new section:

That the State Librarian, with the approbation of the Committee on the Library, be authorized to expend one thousand five hundred dollars, or so much thereof as may be necessary, to purchase a collection of two thousand five hundred works relating to the late rebellion, as recommended in a communication of Charles H. Hart.

Mr. Speaker, I desire to say that Mr. Chas. H. Hart, formerly of the firm of Carey, Lea & Hart, of Philadelphia, recommends this purchase, and considers the terms very reasonable. The books are valuable, having been carefully selected and arranged. I think we should authorize this expenditure. Let that much less money be spent in the purchase of light literature, by which the Library has been converted into a circulating library for the benefit of the young people of Harrisburg. I cannot imagine how we could expend one thousand five hundred dollars more wisely than in thus placing in the Library of the State a collection of books consisting of a history of the rebellion.

Mr. M'CONAUGHY. What number of these books are bound volumes?

Mr. BROWNE (Lawrence). That is not stated. But Mr. Hart says that in his view the price is reasonable. The books are valuable, not only for the intrinsic worth of each, but because they constitute a unique collection, made undoubtedly with great care.

Mr. WALLACE. Are we going to initiate the policy of purchasing from Tom, Dick and Harry, any collection of books which they want to sell? I would rather trust the State Librarian to buy the books which he thinks are needed. The works purchased for the Library should be those of standard value. In purchasing a collection of this kind, we must necessarily get many books which are utterly worthless.

Mr. BIGHAM. Mr. Hart, the gentleman who wrote the letter that was read here the other day, is undoubtedly one of the best judges in Pennsylvania, as to matters of this kind. He has no interest in the purchase of this collection. If we are to have a military history of the rebellion, it appears to me that a collection of this kind contains precisely the materials which the historian needs.

The SPEAKER. The Legislature never intended to authorize anybody to write the history of the rebellion.

Mr. BIGHAM. These materials will be highly useful to any one who may undertake such a history, whether under the authority of the State or not.

Mr. GRAHAM. I hope that this amendment will not be adopted. I trust we shall not establish any such precedent. A majority of the Senators here have, I presume, served at some time in the capacity of school directors, and hence must be aware of the persistency with which these dealers in books, from year to year, besiege the school directors for the purpose of inducing them to adopt and purchase their publications. I do hope the Senate will, in self-protection, reject every proposition of this kind. Let us, if it be deemed proper, appoint a committee to supply our library with whatever books may be deemed necessary; but let us not, by the adoption of this amendment, encourage persons to come here from all sections of the country urging the purchase of books of which they are the authors, or publishers, or owners, and which they deem it important the State should possess.

Mr. WORTHINGTON. The law, as it stands, gives the Library Committee no authority to purchase books. That matter is entirely under the control of the Librarian. This amendment, I believe, authorizes the Librarian to make this purchase with the approbation of the Committee on the Library. We have never been consulted in regard to the purchase of any books. If we were, I, for my part, should be very much opposed to the purchase of some of the books that are bought.

Mr. CONNELL. My friend from Allegheny [Mr. GRAHAM] is mistaken as to the nature of this application. It does not come from the owner of these books; I do not know who he is; but it comes from a gentleman in Philadelphia of as high a character as any Senator on this floor. He writes that he has recently discovered this collection, and thinks the State should possess it. He has no interest in the purchase. There can be no "job" in the matter. I am entirely willing to submit the question of the purchase to the judgment of the Senator from Chester [Mr. WORTHINGTON], the Chairman of the Committee on the Library.

Mr. M'CONAUGHY. Who is Charles H. Hart?

Mr. CONNELL. A Philadelphia gentleman, formerly of the firm of Carey, Lea & Hart, publishers.

Mr. BIGHAM. He is not now in the book business, I believe.

Mr. CONNELL. No, sir; he is a gentleman of means, retired from business.

Mr. M'CONAUGHY. Mr. Hart, in his letter, says:

"There is now in this city a collection of about two thousand five hundred works on the late rebellion, for sale at the, I think, reasonable price of fifteen hundred dollars, and which it would be most desirable for our State to possess. They would be of particular service to the State Historian, Mr. Bates, in the preparation of his forthcoming works. I would suggest the immediate purchase of them by the Legislature, as such a collection could never again be brought together. It includes works from all parts of the world. An offer has been made for them from a foreign country; and I think it would be a shame to allow them to go out of this State when they can be obtained so reasonably."

Now, sir, the first inquiry with me was, whether this proposition came from an interested party.

Mr. CONNELL. It does not.

Mr. M'CONAUGHY. If I thought it did, I would give the matter no consideration.

Mr. CONNELL. I should as soon suspect the Senator himself as this gentleman.

Mr. M'CONAUGHY. Another inquiry that suggested itself to me was, how many of these "works" are pamphlets?

Mr. CONNELL. Some must be, of course.

Mr. M'CONAUGHY. The subject of the collection is of high historical interest; and nowhere ought there to be a better collection on this subject than in our State Library. For two thousand five hundred valuable works on this interesting subject, one thousand five hundred is certainly a reasonable price. These books would doubtless cost much more if bought separately. Every conceivable guard is provided, so that the State shall not be imposed upon. The purchase requires first the approbation of the State Librarian, and second that of the Committee on the Library. I shall heartily vote for the proposition.

Mr. COLEMAN. Mr. Speaker, a well selected collection of books relating to the recent rebellion must be very valuable, and it is certainly desirable that the Library of the State should contain such a collection. I hope the Legislature will authorize this purchase. It cannot be consummated without the approval of the Librarian and the Committee on the Library. They will not sanction the purchase of a worthless collection of books. I would be willing to trust the matter to the judgment of the Senator from Chester alone.

Mr. DAVIS. I hope this amendment will not be agreed to, unless we are furnished with some details in regard to the character of these works.

Mr. BIGHAM. I am willing to trust this

matter to the sound judgment of the Committee on the Library.

The amendment was

Agreed to.

Mr. BIGHAM. I move to amend by adding the following as a new section:

For the Surveyor General, for the expenses of surveying and determining the exact position of the stone that marks the line on the shore of Lake Erie between the States of Pennsylvania and New York, and the erection of a more durable monument further inland, the sum of two hundred dollars, or so much thereof as may be necessary.

The amendment was

Agreed to.

Mr. WORTHINGTON. I move to reconsider the vote by which the forty-eighth section was adopted. I desire to move an amendment.

The motion was

Agreed to.

The question recurred on agreeing to the section.

Mr. WORTHINGTON. I move to amend the section by striking out the following:

"And said hospital shall hereafter be authorized to charge not exceeding three dollars per week for the medical attendance and boarding of all insane persons who are, or may be, committed to said institution, and that any part of any act of Assembly, inconsistent herewith, be, and the same is hereby, repealed."

The amendment was

Agreed to.

The section as amended was

Adopted.

Mr. DAVIS. I move to reconsider the vote by which the Senate adopted the amendment of the Senator from Lawrence [Mr. BROWNE] providing for the purchase of two thousand five hundred works relating to the rebellion. I do not believe that two thousand five hundred works worthy of preservation have been written on this subject.

On the question to reconsider,

The yeas and nays were required by Mr. DAVIS and Mr. COLEMAN, and were as follow, viz:

YEAS—Messrs. Burnett, Davis, Donovan, Glatz, Jackson, M'Candless, Randall, Schall and Searight—9.

NAYS—Messrs. Bigham, Billingfelt, Browne (Lawrence), Coleman, Connell, Cowles, Fisher, Haines, Landon, Lowry, M'Conaughy, Shoemaker, Stutzman, Taylor, White, Worthington and Hall, *Speaker*—17.

So the question was determined in the negative.

The rules being suspended,

The bill was ordered to a third reading, and read the third time.

The question being,

Shall the bill pass?

Mr. CONNELL said: I trust the Senate will permit the bill to lie over for the present. I desire to offer a further amendment at the instance of the State Treasurer, with whom I desire to consult, but who will not be in the city till this afternoon.

The hour of one o'clock, P. M., having arrived, the SPEAKER adjourned the Senate till 3 o'clock, P. M.

AFTERNOON SESSION.

The Senate met at 3 o'clock.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

The Clerk of the House of Representatives being introduced, presented for concurrence bills numbered and entitled as follow, viz:

No. 1482, a supplement to an act incorporating the Farmers' land improvement and railroad company.

Referred to the Committee on Railroads.

No. 1770, a further supplement to the act entitled An act to incorporate the Cumberland Valley railroad company, approved 2d day of April, 1831.

Referred to the Committee on Railroads.

No. 2009, an act to grade and pave certain streets in Hummelstown, Dauphin county.

Referred to the Committee on Roads and Bridges.

No. 2037, an act to incorporate the Newberry and Montoursville passenger railroad company.

Referred to the Committee on Railroads.

No. 2048, a further supplement to an act to incorporate the Jones ferry company, approved the 14th day of March, A. D. 1865.

Referred to the Committee on Canals and Inland Navigation.

No. 2199, an act to authorize and require the supervisors of Armagh township, in the county of Mifflin, to levy and collect a tax for the purpose of securing the right of way to the Mifflin and Centre County railroad company through said township.

Referred to the Committee on the Judiciary Local.

No. 1469, a further supplement to the act consolidating the city of Philadelphia, extending the term of office of the chief engineer of the water department.

Referred to the Committee on the Judiciary Local.

No. 2190, an act to perfect the title of Renben Watt to certain lands in South Beaver township, Beaver county.

Referred to the Committee on Estates and Escheats.

No. 2053, joint resolutions relative to confirmation of appointments to federal offices.

Referred to the Committee on Federal Relations.

No. 505, joint resolution instructing our Senators and requesting our Representatives to favor a repeal of the neutrality law.

Referred to the Committee on Federal Relations.

No. 1611, a further supplement to an act regulating the measurement of corn and salt imported into the port of Philadelphia, approved on the 22d day of September, 1785.

Referred to the Committee on Agriculture and Domestic Manufactures.

No. 1260, an act to reduce the number of school directors in the several school districts in the county of Bradford, and in the township of Ohio, in the county of Beaver, and to pay the same.

Referred to the Committee on Education.

No. 247, an act for the relief of wives and children deserted by their husbands and fathers within this Commonwealth.

Referred to the Committee on the Judiciary General.

He also returned bill from the Senate numbered and entitled as follows, viz:

No. 377, an act granting an increase of capital to literary or charitable institutions becoming Soldiers' Orphan Schools,

With information that the House of Representatives has passed the same without amendment.

He also returned bills from the Senate numbered and entitled as follows, viz:

No. 275, an act to provide an associate law judge of the several courts in the Twenty first Judicial district.

No. 1077, an act explanatory of the provisions of the fifth section of the act to incorporate the Bennet Branch improvement company,

With information that the House of Representatives has passed the same with amendments, in which the concurrence of the Senate is requested.

On motion of Mr. WALLACE, the amendments to bill No. 1077 were read a second time, considered, and

Concurred in.

He also informed that the House of Representatives has concurred in resolution requesting the Governor to return for amendment Senate bills numbered and entitled as follows, viz:

No. 792, an act authorizing the sale of the Allegheny city poor farm.

No. 697, an act to incorporate the Monongahela inclined plane company.

He also informed that the House of Representatives non-concurred in resolution from the Senate requesting the Governor to return to Senate, for amendment, Senate bill No. 812, entitled An act to repeal an act to lay out a State road in Schuylkill and Columbia counties, approved April 4, 1866.

He also informed that the House of Representatives has receded from its amendments non-concurred in by the Senate to bill from the Senate No. 984, entitled An act to authorize the Southwark railroad company to renew their road on Swanson street.

He also informed that the House of Representatives has adopted the report of the committee of conference appointed to confer upon the subject of the difference existing between the two Houses on Senate bill No. 617, entitled Joint resolution relative to the revisal of the civil laws of Pennsylvania.

He also informed that the House of Representative has adopted the report of the committee of conference appointed to confer upon the subject of the difference existing between the two Houses on House bill No. 290, entitled A further supplement to an act for the regulation and continuance of a system of education by common schools, approved the 8th day of May, A. D. 1854.

He also returned bill from the Senate numbered and entitled as follows, viz:

No. 413, an act to regulate the carriage of baggage by railroad companies, and to prescribe the duties and obligations of carriers and passengers thereto,

With information that the House of Representatives has passed the same with amendments, in which the concurrence of the Senate is requested.

Mr. RIDGWAY moved that the Senate non-concur in said amendments.

The motion was

Agreed to.

THE APPROPRIATION BILL.

The Senate then resumed the third reading and consideration of bill entitled An act to provide for the ordinary expenses of the government and other general and specific appropriations.

Mr. CONNELL moved that the Senate resolve itself into committee of the whole, for the purpose of amending the bill by adding a new section, to be called section seventy-nine, as follows:

That hereafter all moneys received by the State Treasurer for licenses and from foreign insurance agents shall be applied to the ordinary expenses of the Government, and not to the sinking fund, as heretofore, and that so much of the first section of the act of the 22d April, 1858, as is inconsistent herewith, be and the same is hereby repealed.

Mr. CONNELL. Mr. Speaker, the appropriations are so large that there will not be moneys enough to meet them. There is a necessity for cutting off so much from the sinking fund and applying it to this.

Mr. WALLACE. I would like to inquire if we can do this thing.

Mr. CONNELL. Yes, sir.

Mr. BIGHAM. The Constitution allows us to take a million out.

Mr. WALLACE. The Constitution says:

"To provide for the payment of the present debt, and any additional debt contracted as aforesaid, the Legislature shall, at its first session after the adoption of this amendment, create a sinking fund, which shall be sufficient to pay the accruing interest on such debt, and annually to reduce the principal thereof by a sum not less than two hundred and fifty thousand dollars; which sinking fund shall consist of the net annual income of the public works, from time to time owned by the State, or the proceeds of the sale of the same, or any part thereof, and of the income or proceeds of the sale of stocks owned by the State, together with other funds or resources that may be designated by law. The said sinking fund may be increased from time to time, by assigning to it any part of the taxes, or other revenues of the State, not required for the ordinary and current expenses of the government, and unless in cases of war, invasion or insurrection, no part of the said sinking fund shall be used or applied otherwise than in extinguishment of the public debt, until the amount of such debt is reduced below the sum of five millions of dollars."

Mr. CONNELL. This is discretionary with the Legislature.

Mr. WALLACE. If that construction is put upon it, all right. When the Legislature appropriates a specific fund to pay the State debt, their power over it is gone.

Mr. RIDGWAY. It seems to me that if this money never goes into the sinking fund, it can never be taken from it. It will never be a part of the sinking fund.

Mr. BIGHAM. I was aware that we are required to sink a quarter of a million; last year we sunk almost two million; that is faster than it is desirable to sink it, if we need it for the ordinary expenses of the government. My attention has not been drawn to it as a lawyer, but that is the construction I put upon it.

Mr. FISHER. Under that feature of the Constitution which says that such funds as may from time to time be applied to that source, does not that mean such funds as may be voted annually by the Legislature? I think that is the fair construction of that article, and I think this Legislature has a right to say whether they will or will not appropriate a certain fund; hence, I think the amendment entirely proper. When a specific sum has been voted in the sinking fund, I do not think we are bound to continue that always; but these appropriations may be made from year to year, as the circumstances of the case may require. I do not think there is any conflict.

Mr. M'CONAUGHY. Mr. Speaker, I think the position taken by the Senator from Philadelphia [Mr. CONNELL] is so just and right that there can be no doubt. The Constitution says that the fund shall not be reduced. This proposition is that other funds or resources that may be designated by law, which have hitherto been applied to raising money to go into the sinking fund, shall not be so applied now. But that does not come within the innovation that you shall not take any out of the sinking fund, because it is not in it. Under the Constitution, the sinking fund shall consist of the net annual income of the public works from time to time owned by the State, or the proceeds of the sale of the same, or any part thereof, and of the income or proceeds of sale of stocks owned by the State, together with other funds or resources that may be designated by law. But that is just as you designate them. One year you may designate the fund from one source, and the next year you may provide that funds from other sources shall be added. There is nothing in the language itself which prevents you from designating it except as to taking it out of the fund. That fund must be sacred.

Mr. BIGHAM. Mr. Speaker, the first part of the following sentence largely confirms me in what was my conviction of the proper reading of the Constitution. The whole of the sentence is this:

"The said sinking fund may be increased from time to time, by assigning to it any part of the taxes, or other revenues of the State, not required for the ordinary and current expenses of the government, and unless in case of war, invasion, or insurrection, no part of the said sinking fund shall be used or applied otherwise than in extinguishment of the public debt, until the amount of such debt is reduced below the sum of five millions of dollars."

It is recognized there that the ordinary current expenses of the Government, of which the Legislature is the judge, are to be paid. Otherwise, if one Legislature should have appropriated the whole revenue, it would be beyond the control of any subsequent Legislature to pay their ordinary expenses. Our Government itself would come to a standstill. The interest on the public debt and the ordinary current expenses of the Government are all to be paid; they are all within the contemplation of the Constitution; and, after that, comes the other restriction in regard to war or insurrection. Now, in case of war, when the question is whether the State shall live or die, your Constitution gives way, your sinking fund gives way; but unless that is the case, you shall continue to pay the interest on the public debt, sinking two hundred and fifty thousand dollars a year, pay the expenses of government, and after that the balance goes in. That has always been the popular construction. This matter has been repeatedly canvassed by those who ought to understand it.

The SPEAKER. When was the law passed designating this fund?

Mr. BIGHAM. In 1858 we interpreted constitutions in a little different way from what the Senator from Clearfield [Mr. WALLACE] would apply to a strict technical construction of a statute. You have to give a construction consistent with the life and operations of the Government; and I think that fairly warrants what I say. You first sink a quarter of a million, pay the ordinary expenses of the Government, and then the surplus goes in. That, it seems to me, is the common sense view of it.

Mr. WALLACE. What the common sense view may be, does not affect the idea that the words of the document are against the proposition. Common sense may be very good argument among some gentlemen when arguing certain propositions. I have been taught in a different school. This provision was placed in the sinking fund after this amendment to the Constitution. What was the purpose of the adoption of that amendment? It was to relieve the people from the debt which was weighing them down to the ground; it was to provide funds for paying off that debt; it was not to provide for the expenses off the government, but the prime object was to provide a gradual and certain mode by which this debt should be wiped out. What is the sinking fund? This very section which I have read prescribes what it is. Now, what are these funds derived from licenses and foreign insurance agents? They are seven hundred and fifty thousand dollars designated by law, and yet you wish to wipe out the very words of the Constitution.—I cannot consent to any such construction; and Senators who arise in their places, and assume by fancy distinctions to wipe out of existence these great beneficial purposes, are doing violence to their own reputations and the wishes of the Commonwealth. If the Legislature of 1858, by the provisions of this act, did set apart specific funds which should go into the sinking fund, you dare not take out of the Treasury funds thus appropriated. The Legislature must tax the people before they take that out of the sinking fund. The sinking fund is not an amount of money, but certain specific resources pointed out by law; they are revenues which are to remain there, and you dare not take them away. There is no war or invasion in this case. During the past six years, when the Commonwealth was struggling with a war debt upon her, we have had no effort of this kind to take away this fund; but now the effort is made, for what purpose I do now know; and I rise to protest, in the name of the people, against it.

Mr. RIDGWAY. Mr. Speaker, there seem to be doubts upon this question, and I think it is better to go to work and reduce the appropriations to an amount that the ordinary income will pay.

Mr. WALLACE. I am willing to do so; you will find my position as it was before.

Mr. RIDGWAY. I would rather keep within the income, than do a thing of this kind.

Mr. M'CANDLESS. Mr. Speaker, I think the policy of this side of the Chamber is to follow the Constitution, and not to make any side popular or unpopular. According to my reading of this section creating the sinking fund, I think the Senator from Adams [Mr. M'CONAUGHY] is entirely mistaken. When that gives power to increase a certain fund, the converse of that proposition is not sound law. This new section, which is proposed, takes a certain portion of that fund out, and is certainly decreasing it. The gentleman must agree with me that, in point of law, and this money coming under this act, is already, to all intents, in the sinking fund, and until you repeal that act, no gentleman will say you can put it to any other purpose than that designated.

Mr. M'CONAUGHY. Mr. Speaker, I entirely differ with the Senator. What is the object of this provision of the Constitution? It is to accomplish two objects. It was to create a fund which would pay the accruing interest of the debt, and annually reduce the principal of the debt by a sum not less than two hundred and fifty thousand dollars.

There is a provision there that you may increase it; but it certainly does not design that you are to take the revenues required for the ordinary expenses of the Government.

Suppose the first Legislature after the adoption of this section had applied all the revenues to the sinking fund, will the gentleman take the position that no future Legislature could interpose, and that all revenues would have to go into that sinking fund?

Mr. M'CANDLESS. I would like to answer that question by asking the Senator another.

Mr. M'CONAUGHY. That's Yankee: I desire an answer to the question.

Mr. M'CANDLESS. I am happy to say I am not a Yankee. The question is not admissible of any answer. I would like to ask the gentleman whether he suggests that there is any legal right to put that section in the appropriation bill, while the clause is in the bill creating the sinking fund; and whether, in point of law, the money arising from it is not, in a legal sense, in the sinking fund?

Mr. M'CONAUGHY. The manifest purpose of this section of the Constitution was to constitute a fund which would be enough to pay the interest on the State debt, and reduce the principal two hundred and fifty thousand dollars. It was not the purpose to allow the Legislature to apply all the reve-

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[CONTINUED FROM PAGE 1068.]

nues of the State to that fund. So I construe the section. Any other construction would be absurd. Suppose the first Legislature, after the adoption of this, should have appropriated all the revenues of the State to the sinking fund; it would have worked a stoppage of the wheels of Government. Such is not the intention of this section. The purpose was, that you first pay the ordinary and current expenses of the Government, and that over and above that you create a fund which will pay the interest on the existing debt, and reduce the principal two hundred and fifty thousand dollars.

Mr. M'CANDLESS. The gentleman does not appear to understand my position, which is, unless that section creating the sinking fund is repealed, this money is bound to go into the sinking fund. I do not think there is any absurdity about that. Unless you repeal this section of the sinking fund act which sends this money into it, you cannot use it for the expenses of the Government.

Mr. M'CONAUGHY. I understood the gentleman to make a constitutional objection; I also understood the proposition of the Senator from Philadelphia [Mr. CONNELL] to be to repeal that portion of the law.

Mr. BIGHAM. I would suggest an amendment to meet that view: "and that so much of the act of April 22, 1858, as is inconsistent herewith is hereby repealed."

Mr. WALLACE. That is not the point. Senators may talk as much as they please about the law. I have raised the point that the Legislature in 1858 were compelled by the Constitution to do certain things. They did not put in all the revenues of the Commonwealth. Why? Because they had too much sense to do it. That disposes of the argument of the Senator from Adams [Mr. M'CONAUGHY]. In pursuance of the Constitution, they had to put some in.

Mr. M'CONAUGHY. Suppose that the Legislature of 1858 had put in all the revenues of the Commonwealth, except that derived from the tax upon real estate, which has been repealed since, would it have been possible for the Legislature to get at any of these revenues?

Mr. WALLACE. It would undoubtedly have been impossible, and they would have to tax the people to pay the expenses.

Mr. M'CONAUGHY. That is the position I want to bring the Senator to.

Mr. WALLACE. Mr. Speaker, the Senator comes back now, and says we have exhausted those revenues that you left outside; we are bankrupt; we must go back, and take from the sinking fund, or we cannot pay the debt. That is the actual position of Senators on the other side. They say that, although the Legislature in 1858 did leave enough to pay the ordinary expenses, and although the Commonwealth has gone through a war, and has not had to trend upon that fund, to meet the interest on the State debt; although that is true, the day has come upon us when we must take out of this sinking fund seven hundred and fifty thousand dollars, in order to meet the extravagance heaped upon the people. Why do you ask to take this money out? Because you cannot meet the expenses of the government. One reason for that is, you have taken the tax off real estate. The current expenses of the government are swollen immensely; but it is remarkable that just now, after the war is over, for the first time, we must have the question pressed upon us that the sinking fund must be trended upon. There is no use in disguising this thing; it is simply taking out of the sinking fund moneys placed there to pay the debt. That is the question; are you willing to meet it?

Mr. M'CONAUGHY. Mr. Speaker, in answer to the Senator, I desire to press the point that I made a while ago. The Senator has attempted to avoid it by what I regard as mere cunning and superficial subterfuge, in saying that the Legislature of 1858 had too good sense to put all the revenues into this fund. That is not good argument. I can suppose case which would have been entirely in good sense in the Legislature of 1858. Suppose that Legislature had found the revenue raised by taxes on real estate adequate for the ordinary expenses of the Government; suppose that that Legislature had appropriated all other revenues to this sinking fund; suppose that the Legislature of 1865 had repealed the tax upon real estate. Then the gentleman's argument comes to that absurdity.

There would be no revenues for the ordinary and current expenses of the government, and, under the Senator's construction, they would not dare take a dollar of these funds for that purpose. That is the absurd position he is driven to by his attitude. I am not arguing whether it is to make this appropriation bill larger; one cause, I think, of its being larger, is that a former Legislature advised the policy of paying these pensions to the soldiers of 1812; and the number having swelled to that amount which Senators never imagined it would, it goes to make a large item. I voted for another item in that bill which goes to the support of common school education in the State, and for another which goes to support the orphans of the soldiers. Perhaps this bill can be retrenched; but I am dealing with a constitutional question, and that question, I say, is so squarely met, that the Senator has not maintained his position. That section does not give the absolute idea that if any one Legislature happened to appropriate all the revenues, that therefore they cannot trench upon the revenues of those specific sources that had been appropriated. I say that the current expenses of the government apply to the whole section.

Mr. CONNELL. I am not at all surprised at the hair-splitting construction put upon this article of the Constitution. The Senator let out one word which is the key to the whole mystery. He thinks he will have to resort again to taxation. His idea is that, if this amendment should fall, we should have to reconsider our policy.

Mr. WALLACE. Mr. Speaker, I have made no attempt to disguise my position upon this question. What I have maintained, I still assert, that it would have been better for this country not to have inflated our currency. Those that dance must pay the fiddler; and if the Republican party has the advantage of having wiped out the taxation upon real estate in the Commonwealth, it is returning now to plague us. The revenues are not sufficient to pay the current expenses; and because we did dance then, we must pay the fiddler out of the sinking fund. That is the logic of the gentleman. You have the credit due for relieving the people from paying taxes upon real estate, and now, when you see the consequences of it, and reach the bottom of an empty treasury, you come back and take away from this fund, appropriated to pay the enormous debt of the Commonwealth. I repeat that this assumes the form of a political discussion. The Senator makes charges upon me. I sincerely believe that these funds were intended for the payment of the interest on the State debt; that they are there, and that you cannot and dare not take them away; that the ordinary expenses of the Government can be met from some other source than that. Your real remedy is to impose a tax upon something else, to pay the current expenses of the Government. Do not attempt to take away these moneys, appropriated for a specific purpose.

Mr. BIGHAM. Mr. Speaker, I think that the Legislature ought to be required to do sensible things. Look at the practical operation of this. Our State debt is, in round numbers, thirty-five millions of dollars at the close of the war, and the State debts of many other States are almost double ours. Ours is lower than it was when the war commenced. Last year we paid one million eight hundred and fifty-four thousand dollars, and we have almost twelve millions in the sinking fund. The bonds of the Pennsylvania railroad run through a period of more than fifty-five years; the bonds of the Philadelphia and Erie railroad are not paying interest until about 1872. Neither of these twelve millions are in a shape to render them available to throw into market and sell; otherwise, our State debt would be greatly reduced. At the end of ten years it may be that the State debt will be but five millions of dollars. What must we do in the meantime? We must either assess taxes or incur another debt. We must direct the State Treasurer to go into the market during the present year and borrow money, because we have lost perhaps one million and a half by repealing the taxes on real estate and personal property. Now, it is certainly not wise to direct the State Treasurer to go into the money market and borrow all the time, when you have the money; and, for one, I

contend that we are sinking this State debt faster than the people want it; they prefer that it should remain. I do not want to adopt a rule which forces upon us anything which any intelligent financier will say we are not forced to do. Our people are taxed severely. We have ample revenues to sink the public debt a million and a quarter, and it will be paid off in twenty-three years if we sink but a million and a quarter a year; that is as fast as I desire it to be paid.

The SPEAKER. What is the difference between the appropriation bill this year and that of last year?

Mr. CONNELL. Some five hundred and fifty thousand dollars. When we made the appropriations last year, we had no idea of the amount to be paid out for pensions. The one per cent. imposed upon the capital of the banks we lose, in consequence of the decisions of the courts. The appropriations have been kept down to a reasonable amount.

Mr. BIGHAM. The dictates of policy is to give this thing a liberal interpretation. I am not afraid of the courts giving it any different interpretation, if the question is ever raised.

Mr. CONNELL. Who would raise the question?—not the bondholders.

Mr. BIGHAM. Mr. Speaker, if we pay a million a year, it is as fast, in my judgment, as our people desire it. That is seen, from the way the late loan has been taken; it is taken by our own people, with the exception of two millions. We do not have to go outside at all. I do not intend to say that a State debt is a blessing as some persons have maintained, but whenever you get a State debt that is held by your own people, and not abroad, it is to a great extent nominal. The Pennsylvania debt, with a small exception, is held by our own people. Many of those bondholders who took the loan the other day do not want it paid off inside of ten years. They took the loan, some of them for twenty years, and now you would enforce a policy to require it to be paid off in five years.

Mr. COLEMAN. Mr. Speaker, it seems to me that the sinking fund should be reduced gradually, as the principal of the debt is reduced. I cannot see the necessity of keeping as large a sinking fund on hand when the debt is only thirty-five millions, as when it is forty millions. I do not pretend to discuss the point as to the constitutionality; let these legal gentlemen discuss that. I cannot, however, see any objection. The Senator from Clearfield [Mr. WALLACE] I think brings forward an unfair argument in regard to increasing our burdens hereafter. It will be remembered that during the war the bulk of the expense was borne by the localities; the State bore a very small proportion of the war debt; our cities, boroughs, school districts and wards were taxed. I think we did wisely. Now, the burden of the war is just beginning to be felt by the State; we have to take charge of the orphans and widows, and they will continue to be a burden which we did not feel during the war; therefore, it is an unfair argument for the Senator to bring that forward. We have relieved the people from the burden on real estate, and the bank system is changed so that the State derives no revenue from them. I therefore can see no impropriety in this section. It seems to me eminently proper that this proposition should be either put on the appropriation bill or wherever it is right to put it.

Mr. DAVIS. Mr. Speaker, I am very sorry to see Senators upon the other side opposing the policy of the Governor upon this point, as announced in his inaugural. I think he has given us some old fashioned advice. Speaking of the finances, he says:

"The flattering prospect of the speedy extinguishment of the debt which has been hanging, for so many years, like a dark cloud over the prospects of our State, combined with the hope that a reasonable reduction will be made in our habitual annual expenditures, will cheer the people onward in the pathway of duty.

"Among the most delicate and important obligations required of those in official positions, is a strict and faithful management of the public revenues and expenditures of the Commonwealth. Taxation should be applied where its burdens may be least felt, and where it is most just that it should be borne. Every resource should be carefully husbanded, and the strictest economy practised, so that the credit of the State shall be maintained on a firm and enduring basis, and the debt surely and steadily diminished, until its final extinguishment. Unnecessary delay in this would, in my opinion, be incompatible with our true interests."

Yet the Senator from Allegheny [Mr. BIGHAM] thinks this State debt is being extinguished too rapidly.

I would like to know if the amount I have calculated to be taken out is correct; I reckon it at about a quarter of a million. I suppose some calculation has been made by others. I may be incorrect; I made a hasty calculation.

Mr. CONNELL. Eight hundred and fifty-five thousand.

Mr. SHOEMAKER. Mr. Speaker, in regard to the expediency of diverting these sources of revenue from the sinking fund, I have nothing to say; the expediency of the matter I will leave to the Treasurer. But it does seem to me, Mr. Speaker, that, under the Constitution, we have no right to take one dollar out of the sinking fund. If you can take one dollar, you can take every dollar. The same necessity urged for taking one million from it this year will be urged next year for taking out five millions.

Mr. BIGHAM. You must put in a quarter of a million.

Mr. SHOEMAKER. The same ground of necessity which you give for diverting a portion of that fund now will be introduced hereafter, until you will strip the creditors of the whole fund.

Now, this sinking fund has been formed, and I contend that under this document there is no power by which that fund can be lessened, except during war or invasion. There is a provision by which it may be increased, but there is no provision in this act by which that fund can be decreased, and I defy the supporters of this measure to show me a line which says that this can be done. It shows how it may be increased, but not how it may be diminished. That is the view I take—that there is nothing in the Constitution which gives us authority to lessen this fund, and it is wisely so inserted. I shall, therefore, not only in this instance, but in all other instances, vote to keep this fund as a sacred fund devoted to the payment of our State interest.

On the question,

Will the Senate agree to the motion to go into committee of the whole, for the purpose of adding the section indicated?

The yeas and nays were required by Mr. GLATZ, and Mr. CONNELL and were as follow, viz:

YEAS—Messrs. Bigham, Billingfelt, Coleman, Connell, Fisher, Graham, Landon, Lowry, M'Conaughy and Worthington—10.

NAYS—Messrs. Brown (Mercer), Burnett, Cowles, Davis, Donovan, Glatz, Haines, Jackson, James, M'Candless, Randall, Ridgway, Royer, Schall, Searight, Shoemaker, Stutzman, Taylor, Wallace and Hall, *Speaker*—21.

So the question was determined in the negative.

During the call,

Mr. BROWN (Mercer) said: Mr. Speaker, I did not trouble the Senate with a speech while this section was under discussion, nor do I intend to now; but I desire to give my reasons for voting against the section under consideration.

I will vote against the section because I am not afraid of paying off the State debt too rapidly, and hence am opposed to using any of the revenues of the Commonwealth for the payment of the ordinary expenses of the Government which have heretofore been devoted to the sinking fund, for the purpose of rendering certain the gradual extinguishment of the public debt. If an amount of our State securities proportional to the amount of taxable property owned, were held by each taxable of our Commonwealth, then, indeed, it would matter but little whether our indebtedness were discharged at an early or late day; but such is not the case. Most of our securities are in the hands of a few citizens of the State, and the people generally being required annually to pay the interest thereon, are certainly interested in discharging that indebtedness as rapidly as at all convenient, and without reference to the desire of those who hold these securities.

Again, I will vote against the section because we have but recently succeeded in negotiating a loan of twenty-three million dollars, for the purpose of retiring our over due bonds, and when that loan was taken no doubt many of those who submitted bids were influenced more or less in those bids, by a knowledge of the fact that not only the interest upon our securities was made certain, but that the Constitution of the State itself had ordained and set apart a sinking fund through the operations of which a portion of our debt, not less than two hundred and fifty thousand dollars per year, must be cancelled. I am opposed to interfering with that fund. I believe it would be bad policy to do so, and I am not at all convinced that such a thing is necessary. Either let us make our appropriations correspond with our revenues which are not devoted to the sinking fund, or else let us find new objects of taxation from which to replenish the treasury. I vote "no."

Also, during the call,

Mr. BURNETT said: Mr. Speaker, believing that this proposition is in conflict with the express provision of the Constitution, I vote "no."

Also, during the call,

Mr. COLEMAN said: Believing it is in accordance with the Constitution, I vote "aye."

Also, during the call,

Mr. DAVIS said: Believing it is not in accordance with the Constitution, I vote "no."

Also, during the call,

Mr. LANDON said: Mr. Speaker, under existing circumstances, I would like to take a look into the matter; but I cannot; and, with some misgivings, I vote "aye."

Also, during the call,

Mr. LOWRY said: Mr. Speaker, with no misgivings, I shall vote in favor of this provision. The Constitution requires that we shall keep a quarter of a million for our State debt; this we are doing. And the absurdity that we must tax ourselves to pay our own interest, when the money is in the treasury, is an absurdity that I will not vote for.

Mr. LANDON. Mr. Speaker, it was manifest, when we had this bill under consideration before, that there was an indisposition to strike off the enormously large appropriations. When the proposition was introduced to cut off possibly two hundred thousand dollars, which must be drawn under the act for the payment of pensions to the soldiers of 1812, that proposition was voted down.

My idea is that we had better recommit this bill, and let them systematize it, and cut down the improper appropriations.

The SPEAKER. The question is whether we have got the money.

Mr. LANDON. If we have not the money, then cut them off, and the education of the children also.

Mr. RIDGWAY. I move that the Senate go into committee of the whole for general amendment.

Mr. CONNELL. I cannot vote intelligently upon any amendment unless I look at it first; I do not like this promiscuous slashing at the bill.

Mr. RIDGWAY. I want to be in a committee where I can have something to say. This thing of a committee making up a bill to suit themselves, and then having the whole ground to fight over again, I am opposed to. I have known a committee of conference to put things into a bill that were never in before.

Mr. WALLACE. It seems to me, the Committee of Finance is the proper committee to send it to.

Mr. M'CONAUGHY. I move, as an amendment, that this bill be recommitted to the Committee on Finance, to report at to-morrow morning's session.

Mr. BIGHAM. In justice to the committee I do not think you ought to impose this upon them. When the bill comes back, every man will vote for the appropriations.

Mr. M'CONAUGHY. I desire to say a single word in reference to my amendment. What I expect to gain by submitting this bill to the committee is a reduction of a number of these large items proportionally. When they do that, I believe it will be accepted as a whole. Now, when we go to work to reduce an item, everybody votes against it, because they do not know how others will vote.

On the question,

Will the Senate agree to the motion to recommit the bill to the Committee on Finance?

The yeas and nays were required by Mr. RIDGWAY and Mr. CONNELL, and were as follow, viz:

YEAS—Messrs. Browne (Lawrence), Brown (Mercer), Coleman, Connell, Cowles, Donovan, Fisher, Graham, Haines, M'Conaughy, Wallace, White and Hall, *Speaker*—13.

NAYS—Messrs. Bigham, Billingfelt, Burnett, Davis, Glatz, Jackson, Lowry, M'Candless, Randall, Ridgway, Royer, Schall, Searight, Shoemaker, Stutzman, Taylor and Worthington—18.

So the question was determined in the negative.

The question recurring,

Will the Senate agree to the motion to go into committee of the whole for the purpose of general amendment?

The yeas and nays were required by Mr. RIDGWAY and Mr. RANDALL, and were as follow, viz:

YEAS—Messrs. Bigham, Billingfelt, Browne (Lawrence), Brown (Mercer), Coleman, Davis, Donovan, Graham, Haines, Jackson, James, Landon, Randall, Ridgway, Royer, Searight, Shoemaker, Taylor, Wallace, White, Worthington and Hall, *Speaker*—22.

NAYS—Messrs. Burnett, Connell, Cowles, Fisher, Glatz, Lowry, M'Candless, M'Conaughy, Schall and Stutzman—10.

So the question was determined in the affirmative

The Senate then went into committee of the whole (Mr. GRAHAM in the chair).

On motion of Mr. RANDALL, speeches were limited to five minutes.

Mr. RIDGWAY. Mr. Chairman, I want to be consistent, and restore every appropriation that was in last year; then I want to cut down the large appropriations to the same figures; and I want an opportunity to vote against these increased salaries. I think every officer is as much interested in keeping down the State debt as I am.

The first section was read and

Agreed to.

The second section being under consideration,

Mr. BIGHAM said: I hope there will be no reduction in the salary of the Auditor General; that is the office through which all the revenues of the Commonwealth come; the responsibilities are immensely beyond those of any other department. I hope it will be left. This officer is an exceedingly honest man and gallant soldier.

Mr. RIDGWAY. I am satisfied he should submit to this, in order to have the bill reduced all the way through.

Mr. BROWN (Mercer). Mr. Speaker, I desire to ask a question, which may have some influence upon the minds of gentlemen in their votes hereafter on this bill. I desire to ask the chairman of the Committee on Finance what will be the probable deficit, taking the bill as passed, and making an estimate of the revenues of the Commonwealth for the current year?

I think the bill will have to be cut down at least eight hundred thousand dollars; if the act for the payment of gratuities stands, we can cut it down six hundred thousand dollars.

The salary of the Auditor General was left at two thousand dollars.

On motion of Mr. M'CONAUGHY, the salary of the Adjutant General was reduced to two thousand three hundred dollars.

The salary of the Superintendent of Common Schools was reduced to one thousand eight hundred dollars.

The second section as amended was

Agreed to.

The several sections to the tenth were

Agreed to.

The tenth section being under consideration, the disbursements of the ex-officio Paymaster General of the State were reduced to ten thousand dollars.

Costs of the transportation department reduced to fifteen thousand dollars.

The tenth and eleventh sections as amended were

Agreed to.

The twelfth section being under consideration, the clause repealing the act of 1866, relative to the payment of bounties and gratuities to the soldiers of the war of 1812, was reinserted, and the provise added by Mr. WHITE was stricken off.

The twelfth section as amended was

Agreed to.

The thirteenth section was read.

The two hundred dollars additional for the Deputy Superintendent of the Common Schools was stricken off.

The section as amended was

Agreed to.

The fourteenth section was read.

The appropriation for soldiers' orphans was reduced to three hundred and fifty thousand dollars.

The salary of the Superintendent of Soldiers' Orphans was reduced to one thousand eight hundred dollars, and his traveling expenses to five hundred dollars.

The section as amended was

Agreed to.

The fifteenth section was read.

Mr. CONNELL moved to amend by reducing the appropriation for common schools to three hundred and fifty thousand dollars.

The amendment was

Agreed to.

The amount for normal schools was reduced to ten thousand dollars.

The section as amended was

Agreed to.

The sixteenth section was

Agreed to.

The seventeenth section was read.

The salaries of the Supreme Court judges were reduced to the sum stated in the original bill.

The section as amended was

Agreed to.

The various sections to the twenty-eighth were

Agreed to.

The twenty-eighth section was read and amended so as to read as follows:

SEC. 28. For the superintendent of the public buildings and grounds, the sum of three dollars and fifty cents per day during the period of his appointment, and also for one assistant watchman, the sum of nine hundred dollars, to be computed from January 15 last passed, to be paid monthly; for the necessary repairs to public buildings and grounds, wages of laborers employed on the same, four thousand dollars, or so much thereof as may be necessary, to be expended by the superintendent, the accounts to be settled by the Auditor General, in the usual manner, and the superintendent is hereby required to make a detailed statement of his expenses to the next Legislature; and that the Clerks of the two Houses be and they are hereby authorized to have a new slate and tin roof placed upon the capitol, at a cost not exceeding three thousand dollars, make all necessary repairs to the capitol building, except the new library rooms, the amounts to be settled in the usual manner by the Auditor General and paid upon the joint order of said Clerks: *Provided*, That the sum expended by said Clerks for such necessary repairs shall not exceed four thousand dollars.

The twenty-eighth section as amended was

Agreed to.

The various sections to the forty-third were

Agreed to.

The two following sections were stricken out:

SEC. 43. For the Soldiers' Home in the city of Philadelphia, the sum of ten thousand dollars.

SEC. 44. For the Pittsburg Sanitary Soldiers' Home, the sum of fifteen thousand dollars, inclusive of six thousand dollars expended out of their invested funds, four thousand dollars for introducing gas into their buildings and re-setting their boilers, two thousand dollars for repairs and three thousand dollars for extra diet.

The forty-fifth and forty-sixth sections were

Agreed to.

The forty-seventh section was read.

The appropriation for extension of Western Pennsylvania hospital was reduced to fifty thousand dollars.

The section as amended was

Agreed to.

The forty-eighth section was amended by striking out all after the word "dollars" in fortieth line.

The various sections to the fifty-second were

Agreed to.

The fifty-second section was amended by reducing the appropriation to the House of Refuge in Philadelphia to twenty-five thousand dollars.

The section as amended was

Agreed to.

The fifty-third section was amended by reducing the appropriation for the House of Refuge of Western Pennsylvania to twenty-seven thousand dollars.

The section as amended was

Agreed to.

The fifty-fourth section was read.

On motion of Mr. LANDON, the appropropriation for the Northern Home for Friendless Children was reduced to five thousand dollars, the same as last year, and the fifty-fifth section was stricken out.

Mr. BROWNE (Lawrence) moved to reconsider the vote by which the fifty-fifth section was stricken out.

Not agreed to.

The fifty-sixth section was read as follows:

SEC. 56. For the Gettysburg Battle-field Memorial association, the sum of five thousand dollars, to be applied to the purchase of portions of the battle-grounds and the general purposes for which said association was incorporated.

Mr. COWLES moved to strike out the entire section.

Mr. M'CONAUGHY. I hope that will not be done. This effort has been made for three years. Last winter the appropriation of five thousand dollars was lost in committee of the whole.

Mr. FISHER. If there is any glory attached to the battle-field of Gettysburg, the men who gave it that glory care little about it.

Mr. M'CONAUGHY. That is a mistake. Generals Meade and Hancock and others have a deep and abiding interest in it.

Mr. COWLES. I would inquire whether this is not the same battle-field we have been subscribing for? A great many of us have given for it.

Mr. M'CONAUGHY. All that is asked of the State is five thousand dollars.

The motion of Mr. COWLES to strike out the entire section was

Agreed to.

The fifty-seventh section was read.

The section was amended by restricting the expenses of the board of military claims to not more than twenty-five thousand dollars per year.

The section as amended was

Agreed to.

The fifty-eighth section was read as follows:

SEC. 58. For the expenses of the Pennsylvania State agency, at Washington, the sum of twelve thousand dollars, or so much thereof as may be necessary, and the compensation of the State Agent shall be at the rate of three thousand dollars, and the compensation of the Assistant State Agent at the rate of two thousand five hundred dollars per year.

Mr. SEARIGHT moved to strike out the section.

Mr. HALL (Speaker). This is two thousand dollars less than last year. I cannot imagine what reason there can be for striking it out. There is more necessity for it than ever before. This is an establishment for the purpose of collecting claims at Washington, for soldiers, for nothing. That is a good work. There was a misapprehension in the public mind as to what the object of it was; a great many people thought they had to pay for getting their claims.

Mr. SEARIGHT. What would it cost a soldier to have his claim collected in the ordinary way?

Mr. HALL (Speaker). That depends upon what sort of man got hold of him.

Mr. CONNELL. A friend of mine placed a claim in the hands of a man, and paid ten dollars to start with, and he never got his claim or ten dollars back again.

Mr. HALL (Speaker). I desire simply to say this. This agency at Washington collects these claims for nothing. I trust Senators will let this go as it is.

Mr. RIDGWAY. I think it should be reduced. The agency was useful in the war, but I don't think that, at the present time, it is of much use; it is merely the agency now, as I understand it, of the military brokers.

Mr. HALL (Speaker). Not at all.

Mr. DAVIS. I believe claim agents are limited to a charge of ten dollars, by act of Congress. I think, when a man gets one or two hundred dollars bounty, he will be willing to pay ten dollars for getting it.

Mr. HALL (Speaker). This agency is not connected with any brokers. They are high-minded, honorable men; it is an agency which every broker wants to see abolished, for the reason that they would then get the business to do themselves; and they do not confine themselves to either five or ten dollars; they take all they can get.

Mr. SEARIGHT. Does this agency recover claims for the soldiers of 1812?

Mr. HALL (Speaker). If there are any. Since Colonel Jordan left Washington city, Congress has passed the bill giving the additional one hundred dollars. He collected a few hundred claims under that; the whole of the expenses have been materially reduced.

Mr. BIGHAM. Mr. Chairman, the head of this bureau is a constituent of mine; he was no applicant—he was urged to accept it. He is a business man of high capacity. If he had known there would have been any trouble about this, he never would have gone there; he is a gentleman equal to Senators upon this floor.

Mr. BURNETT. Mr. Speaker, in my region of country—and I presume that is the case throughout the Commonwealth—there are persons who have claims for collection at Washington, who would rather employ the services of a local agent, in whose integrity they have confidence, than send their claims to Washington, to those agents. I do not believe that one-quarter of the applicants send their claims to Washington for collection; it is done through their local agents—men who will prosecute their claims. I do not believe there is any necessity for this agency at Washington now; but if the Senate does not see proper to strike out the entire section, I do think that one agent is sufficient.

The motion of Mr. SEARIGHT, to strike out the section, was

Not agreed to.

Mr. BURNETT moved to amend, by striking out the words "twelve thousand dollars," and inserting in lieu thereof "three thousand dollars."

Mr. GRAHAM. That would be a virtual abolishment of the office there; it is a highly important office; there is as much business as four clerks are able to attend to.

Mr. SEARIGHT. Mr. Chairman, if this office at Washington is crowded with business, is it not at the expense of gentlemen all over the Commonwealth, who are engaged in the business of collecting claims? And why should not this business be left to competition, and not be monopolized by these men, under the authority of the State? If it be right and proper to establish an agency to collect these claims, would it not be just as right and proper to establish an agency to collect all other kinds of claims? Why should this Commonwealth establish a monopoly for one or two men? We have an Attorney General, and if this business could pertain to his office, I do not see the necessity of creating two new officers to attend to this business of collecting claims, and take it out of the hands of men in whom all will have confidence.

Mr. HALL (Speaker). I rise to a point of order. The amendment makes nonsense of the balance of the section.

Mr. BURNETT. I move to amend by making it eight thousand.

Mr. HALL (Speaker). I raise the point of order that you cannot strike out any part of a section which does not leave the balance of the section standing as a sensible proposition.

Mr. WALLACE (Chairman) ruled the point of order not well taken, and that the amendment was not inconsistent with the remainder of the section.

Mr. HALL (Speaker). I desire to say that the statement that this agency is used by the brokers is not correct at all. The agency at Washington have published a card to which they state that they will not collect claims for these brokers. They do not do anything of the kind, and it is not, as the Senator from Philadelphia [Mr. RUNDWAY] says, the creation of two new officers. They are the same officers as at the beginning of the war for the purpose of accommodating the soldiers, and there is no reason now why they should be abolished, because there has never been so many claims collected as during the last thirty days. It is reasonable that this should be so, as Congress has opened the door wider than it ever was before. Therefore I say with the Senator from Allegheny [Mr. GRAHAM] that you had better abolish it altogether than adopt this amendment.

Mr. RIDGWAY. Was this agency established for the purpose of collecting claims?

Mr. HALL (Speaker). Undoubtedly.

Mr. RIDGWAY. I thought it was for the purpose of taking care of soldiers.

Mr. SEARIGHT. I desire to ask the Senator from Blair [Mr. HALL] whether, if a soldier in his county, with whom he has a personal acquaintance, had a claim against the Government for one hundred dollars, he would not undertake to collect that claim for a reasonable amount?

Mr. HALL (Speaker). I have never collected any of them. I had a notice put up in my office that they could get it done for nothing, and if they do not understand that in the district represented by my friend, the Senator from Monroe [Mr. BURNETT], they will soon, because it is published in all the newspapers, and Governor Geary has announced that they will do it for nothing.

The amendment of Mr. BURNETT was

Not agreed to.

The section was then

Agreed to.

The fifty-ninth section was read as follows:

SEC. 59. For the Saint Paul's orphan asylum of the city of Pittsburg, the sum of two thousand dollars, in full satisfaction of all claim which said asylum may have against the State for supporting soldiers' orphans.

Mr. BROWNE (Lawrence). Mr. Chairman, as we have cut down all these large charities I think the Senate should be liberal with the smaller institutions like this.

Mr. LOWRY. Mr. Chairman, I am willing to go before my constituents when I vote on charity. My objection is not to the two thousand dollars appropriated here, but it is to the claim being audited by the Auditor General for this institution for taking care of soldiers' orphans. There, sir, we are opening the door to a million of money. If you let it go out to the country that the Legislature of Pennsylvania recognizes, directly or indirectly, the legality of institutions to take care of the children of the soldiers, you open the door to a million of dollars. I desire the last part of the section to be cut off. If we recognize the principle at all that the institutions of this Commonwealth have a claim upon the State for the support of the soldiers' children, I want you to put me down upon that *Record* as saying that you have opened the door to a million of claims. Why,

take the case of the Sisters of Charity of my own town. They have as good a right to their pay as you have to pay this; they are poor and this institution is comparatively wealthy.

Mr. FISHER. I desire to say to Senators that notwithstanding the rough treatment I have received here, I will go for this upon the golden rule—as you would men would do unto you do ye so unto them.

Mr. LOWRY. I am willing to vote for the appropriation, but I am not willing to recognize that the institutions of this State have a legal claim. I move to amend by striking out all after the word "dollars."

The amendment was
Agreed to.
The section as amended was
Agreed to.
The various sections to the sixty-fifth were
Agreed to.
The sixty-fifth section being under consideration, the appropriation to the Antietam National cemetery was, on motion, reduced to three thousand dollars.
The section as amended was
Agreed to.
The various sections to the sixty-eighth were
Agreed to.
The sixty-eighth section was read as follows:

SEC. 68. For the Marine hospital at Erie, the sum of ten thousand dollars, for the purpose of erecting hospital buildings: *Provided*, That the citizens of Erie raise an equal amount for the same purpose.

A motion was made to strike out the words "ten thousand" and insert in lieu thereof the words "five thousand."

Mr. LOWRY. Senators, hear me before you strike me. You have stricken down every charity that was new—you have sustained every charity that was old—save this one; and in after life it will cover your names with blessings, and will somewhat atone for the wrong that you have done the new-born charities of Pennsylvania. There is a necessity for the building of this hospital on the shores of the Lake. We have a commerce larger than the seas; we have a population larger than the salt water. That commerce was built up upon the fresh waters in a day. Yesterday the commerce of the Lakes was done by a canoe. Milwaukie has her Wisconsin at her back; Chicago has Illinois to feed her, and the General Government to sustain her seamen in the hour of their sickness and their death; Detroit has her Michigan; Cleveland has her Ohio; and Buffalo has her New York; all to sustain them in taking care of their sick seaman, and the sunburned mariner. Will Pennsylvania stand by and see Erie longer shiver upon the shores of the lake? Shall we say of the State of Pennsylvania that she has refused to do for Erie, and for humanity, that which all other States have done for their lake cities? Erie has always been badly abused. She has been treated by Philadelphia like the son of a wicked stepfather, and Pittsburg has always stood by and saw Erie chastised. Shall this policy be continued? Will you baptize this charity in the virgin waters of Lake Erie, or will you break the pitcher at the fountain of our hopes? The sailors upon the new waters have not that protection that the sailors upon the salt waters have. The fresh water of the lake is a new born babe; the salt water of the sea is as old as time. Old laws protect them in their hospital regulations, and bottomry and hospital laws. This does not apply to the lakes; it will be applied as a man grows older, and the wants of seamen on the inland seas shall be more generally felt and universally acknowledged. This new child we should take into our arms, baptize with our affections; make a home for the mariner where he will be cared for when sick; where he will be warmed when cold; and after he has taken his last cold bath in death, and his spirit has sailed over Jordan's river, that we may return his body to the earth from which we were all made.

Mr. BROWNE (Lawrence). Mr. Chairman, this is a matter of such importance that I think the appropriation should be made. I think Pennsylvania should give twenty thousand dollars rather than ten thousand.

Mr. RIDGWAY. Mr. Chairman, was there ever such a thing as an appropriation to a marine hospital? I think this is the first time that the State has been asked to make an appropriation of this kind. I know that every sailor on the Delaware river is taxed so much for the hospital fund. I think the same system exists upon the lakes.

Mr. LOWRY. On the seas they have this kind of tax. It is not so upon the lakes; they are sustained by charity.

Mr. BIGHAM. Mr. Chairman, marine hospitals are built by the United States Government, managed by the United States Government, and officered and supported by it. I would simply state a fact in history. I do not say whether this should be granted or not. I repeat it, that marine hospitals on the lake shores, along the rivers, and on the Atlantic coast were built by the United States Government, officered by the United States Government, and supported by it, and every seaman upon the lakes and upon the ocean is taxed for it.

Mr. RIDGWAY. I would inquire who it was that gave Erie this land to construct that hospital on, and what it was worth?

Mr. LOWRY. Mr. Speaker, who gave the State of Pennsylvania the land, and who gave the hospital? Was it not the early settler, and did not our fathers merely place it in the hands of the State as trustees for humanity? And Senators here want her to violate that trust and sell humanity's inheritance on the Lake for a sixpence, and put the money in the treasury of the State? I am told by the Senator from Allegheny [Mr. BIGHAM], very roughly, that I do not understand the law regulating the usage and customs of marine hospitals. This much I do understand, that I am glad that he is chained like a bull dog under charity's wagon, or I would be torn to pieces. This much I do understand, that since my day as a public man, the county of Allegheny has received, in the holy name of charity, six hundred and thirty thousand dollars, over which Erie county had to sweat. This much I understand, and the world shall understand it too, that Philadelphia, since I first entered the legislative halls in Pennsylvania, in 1842, has received from charity's strong box in the Treasury building of the Commonwealth, a million and a half of the sweat of the people. This much I also understand, that Philadelphia charity came here and demanded that my father and my district should pay tribute to charity before I was born, and they did pay it. For that I never complained, but I do denounce as unholy and as hell-born the spirit which makes charity a close corporation for Philadelphia and Allegheny. I call upon the junior Senator from Allegheny [Mr. GRAHAM] to be just.

I call upon all the Senators from Philadelphia, except the Senator from the Second District [Mr. RIDGWAY], to be just. I call upon all Senators who hear me, to be just—not for me, but for my cause's sake; for humanity's sake; for God's sake. I did not expect an assault upon me, such as I have received—not so much in matter as in manner—by the senior Senator from Allegheny [Mr. BIGHAM]. Is charity—Philadelphia charity—Allegheny charity—a wild beast that she requires such a keeper; one who dashes at me because I am pleading for a young charity? The Senator from Allegheny [Mr. BIGHAM] shakes his head like a mad bull, like a heifer in a buckwheat field, or a steer in the corn. Is charity a monster whose head is in Philadelphia, whose bowels are in Delaware, and whose tail is in Allegheny? A monster that is unable to propagate her own species? If this is charity then my ten thousand dollars will be voted down; if it is not charity it will be voted up.

The motion to strike out "ten thousand" and insert "five thousand" was
Not agreed to.

Mr. LANDON. Mr. Chairman, I made the motion to strike out ten thousand and make it five thousand; the statement of the Senator from Allegheny [Mr. BIGHAM] is a convincing argument with me; I now move to amend by striking out the whole section.

The amendment was
Not agreed to.

Mr. LANDON again moved to amend by striking out "ten thousand," and inserting "five thousand."

The amendment was
Not agreed to.
The section was then
Agreed to.
The sixty-ninth section was
Agreed to.
The seventieth section was read as follows:

SEC. 70. That the Auditor General and State Treasurer be, and are hereby, authorized and directed to examine into the claim of L. M. Simon, of Harrisburg, for furnishing plans, elevations, sections and specifications for the extension to the capitol, and also for furnishing plans and specifications for the extension of the Governor's mansion, and allow him such compensation as, after consultation with other architects, they may deem just and equitable.

The section was
Agreed to.
The seventy-first section was read as follows:

SEC. 71. For the erection and completion of an addition to the Governor's mansion, according to the plan and specification furnished by L. M. Simon, architect, the sum of twenty thousand dollars, or so much as may be necessary, to be expended under the direction of the Governor. And no portion of this money shall be paid over to the contractor for such work, until he shall have filed in the office of the Auditor General his bond, with two securities, in two thousand dollars, to be approved by the Auditor General, conditioned for the faithful performance of his contract in erecting and completing such addition.

A motion was made to strike out the section.

Mr. LANDON. Mr. Chairman, when the present residence of the Governor was purchased, it was considered a very fit and commodious residence; it is none the worse now. It was stated upon this floor that the object of this enlargement was not for the convenience of the Governor; that his present house was large enough, and sufficiently commodious for all the wants of his family; that the object for the enlargement was for the accommodation of the Legislature, when the Governor had legislative receptions. That being the fact, are you and I prepared to put an addition there for our own accommodation; I am not, sir. I favor the motion to strike out.

Mr. BIGHAM. It is an act of kindness to Governor Geary to strike this out. If he was a man who could afford to spend thousands besides his salary, this would be very well. I

do not think he is a man of large wealth at all.

Mr. COLEMAN. With regard to this matter, I suppose the Senator from Bradford [Mr. LANDON], to a certain extent, quotes from me, as I made a remark similar to that. To a certain extent, it is true. But any gentleman who was at the Governor's house the other evening must have observed that all the bedrooms in the house were given up. The Governor's family was driven away into the garret or into the cellar. His whole house was taken up. It seemed to me that there was great inconvenience. In justice to what I said this morning, I must make this statement. I do think the Governor is entitled to a larger house. He cannot receive his friends in the present house. The Governor desires this enlargement for that purpose; not for the accommodation of his family.

Mr. HALL (Speaker). Governor Geary desires this because the house is not suitable for him to live in. I speak from personal knowledge. It does not make any difference who is Governor; I am sure if my friend Clymer had been elected I would have been quite as willing to vote for this. I trust this will be done. The Governor does not need to spend any more than is necessary. Although it will add to the convenience of the Legislature in the future, it is for the purpose of making it something like the Governor's houses in other States. I respectfully suggest to the Legislature that they let this alone, and I guarantee that the Governor will not allow any more money to be spent than is necessary.

Mr. LOWRY. Mr. Chirman, we were invited to the Governor's the other evening, but before we went he had to pack away all the beds in the house. That is a pretty state of affairs, and not creditable at all. Talk, sir, about Pennsylvania being poor; she is rich—rich in everything. I will vote for this appropriation.

Mr. CONNELL. We should recollect that the present mansion did not cost the State but a trifle; the greater part of the expense was paid by the people of Harrisburg.

Mr. LANDON. Mr. Chairman, no man will claim that there is a necessity for the appropriation of this twenty thousand dollars. We have been striking down appropriations that appear to be necessary, on account of the condition of the State finances. We have taken bread from the orphans, and the crutch from the lame soldier. Now we are asked for twenty thousand dollars for the Governor's mansion. Now, sir, shall we vote it in or vote it out? I say vote it out and be consistent.

The motion to strike out the section was

Agreed to.

The seventy-second section was read as follows:

SEC. 72. For finishing and furnishing the new library room and removing the books thereto, the sum of eleven thousand dollars, or so much thereof as may be necessary, to be expended by the Librarian, with the approval of the Governor, the Auditor General and the State Treasurer, the accounts for which to be audited and settled by the Auditor General in the usual manner.

Mr. COLEMAN moved that the whole section be stricken out.

The motion was

Not agreed to.

The section was

Agreed to.

The following new sections were read and

Agreed to:

SEC. 73. To Hon. Samuel P. Johnson, of Warren county, forty-five dollars, for unpaid balance due upon monument erected by the Commonwealth to Cora Planter.

SEC. 74. Five thousand dollars to the Polytechnic college of the State of Pennsylvania, for the purpose of establishing in said college five State scholarships.

SEC. 75. For the preparation of a general index of the private laws of this Commonwealth from the year one thousand eight hundred and twelve, the sum of twelve hundred dollars, or so much as may be necessary, to be done under the direction and approval of the Attorney General.

SEC. 76. The State Librarian, with the approbation of the Committe on the Library, be authorized to expend fifteen hundred dollars, or so much thereof as may be necessary, to purchase a collection of twenty-five hundred works relating to the late rebellion, as recommended in communication of Charles H. Hart.

SEC. 77. For the Surveyor General, for the expenses of surveying and determining the exact position of the stone that marks the line on the shore of Lake Erie, between the States of Pennsylvania and New York, and the erection of a more durable monument further inland, the sum of two hundred dollars, or so much thereof as may be necessary.

Mr. BIGHAM moved that the committee reconsider the vote in striking out the appropriation for the extension of the Governor's residence.

The motion was

Agreed to.

The section being again before the committee,

Mr. RIDGWAY moved to amend by striking out "twenty thousand dollars" and insert in lieu thereof "fifteen thousand dollars."

Mr. LANDON. Mr. Chairman, I have this to say, sir:

That if we begin so speedily to reconsider, before the committee has risen, I expect that about half we have done will be undone. I really think that the restoration of this section, of all those we have cut out, is the least necessary. I say to Senators if they have not got nerve enough to stand by their own action five minutes, then in twenty-four hours we shall get back into the swirl that we were in when we went into committee of the whole. I trust that this appropriation will not be reinstated.

Mr. CONNELL. Mr. Chairman, I desire to say why I wish them retained. Ever since I have been in the Senate, I have heard a great deal of complaint from legislators who wish to spend their evenings outside. The citizens of Harrisburg are not social; this is a general complaint. The Governor said he intended to give receptions every week, if he had accommodations there. I presume it would promote the cause of morality if the members of this Legislature had some respectable place to go to. With that view, I am going to vote for this twenty thousand dollars.

Mr. LANDON. Mr. Chairman, if we have reduced the appropriations to such an extent that there is no necessity for reducing them any further, let the Senator from Blair [Mr. HALL], or any other Senator, answer me this: Which is the best thing to do now—to reduce the appropriation to the orphans, and put twenty thousand dollars into these brick walls, or strike out these twenty thousand dollars, and give them to the orphans or schools? If there is no necessity for reducing the appropriation, then, I say, forego this, and re-instate partially one of the appropriations for those orphans or the common schools.

Mr. HALL (Speaker). The appropriation for orphans' and common schools is increased fifty thousand dollars over what it was last year.

Mr. LANDON. The committee of the whole reduced the orphan appropriation fifty thousand dollars. Now, I say, if you have twenty thousand dollars surplus, put it into one of these schools, and leave the brick walls unbuilt, and let us do without this rendezvous.

The motion to strike out "twenty thousand dollars" and insert "fifteen thousand dollars was

Agreed to.

The section as amended was

Agreed to.

The committee then rose and reported the bill as amended.

The report of the chairman of the committee

Was adopted,

And the bill was read a third time, and

Passed finally,

As follows:

AN ACT to provide for the ordinary expenses of the Government, and other general and specific appropriations.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same*, That the following sums be, and the same are hereby, specifically appropriated to the several objects hereinafter named, for the year commencing on the first day of June, Anno Domini one thousand eight hundred and sixty-seven, to be paid out of any money in the treasury not otherwise appropriated.

SEC. 2. For the salary of the Governor of the Commonwealth, five thousand dollars for the year commencing June first, one thousand eight hundred and sixty-seven, and the further sum of four hundred dollars, for the proportion of the year prior to June first, one thousand eight hundred and sixty-seven.

For the salary of the Secretary of the Commonwealth, three thousand five hundred dollars for the year commencing June first, one thousand eight hundred and sixty-seven, and the further sum of six hundred dollars for the proportion of the year prior to June first, one thousand eight hundred and sixty-seven.

For the salary of the Deputy Secretary of the Commonwealth, two thousand dollars, to be computed from June eleven, one thousand eight hundred and sixty-six, for the year commencing June first, one thousand eight hundred and sixty-seven, and the further sum of one hundred and sixty-seven dollars, for the proportion of the year prior to June first, one thousand eight hundred and sixty-seven.

For the salary of the Auditor General, two thousand dollars, and a further sum of three hundred dollars, out of the surplus fund in the treasury on the thirteenth day of November, one thousand eight hundred and sixty-six, from receipts under the free banking system, after paying expenses thereof, for his services in connection with said system.

For the salary of the Surveyor General, one thousand six hundred dollars, and for the present Surveyor General, the further sum of five hundred dollars, for his services in the sale of the agricultural college land scrip, under the act of April eleventh, one thousand eight hundred and sixty-six.

For the salary of the Attorney General, three thousand dollars.

For the salary of the Adjutant General, two thousand three hundred dollars, in full for all services as Adjutant General and member of the board of claims.

For the salary of the State Treasurer, one thousand seven hundred dollars.

For the salary of the Superintendent of Common Schools, eighteen hundred dollars.

For the salary of the State Librarian, one thousand dollars.

For the salary of the Superintendent of Public Printing, eight hundred dollars, and

for office rent, ninety dollars, or so much thereof as may be expended therefor.

SEC. 3. For the salary of the private secretary of the Governor, two thousand dollars, and for the salary of a temporary clerk, at the rate of one hundred and twenty-five dollars per month, so long as employed by the Governor.

For messenger in the executive department, nine hundred dollars.

For postage, telegrams, stationery and other incidental expenses, the sum of seven hundred dollars, or so much thereof as may be necessary.

SEC. 4. For the salary of the chief clerk in the office of the Secretary of the Commonwealth, one thousand six hundred dollars, and the further sum of two hundred dollars, to be computed from the fifteenth day of January, one thousand eight hundred and sixty-seven.

For the salary of the military clerk, one thousand two hundred dollars, and the further sum of two hundred dollars, to be computed from the first day of June, one thousand eight hundred sixty-six.

For the salary of the commission clerk, one thousand two hundred dollars, and the further sum of two hundred dollars, to be computed from the first day of June, Anno Domini one thousand eight hundred and sixty-six.

For the salary of the first transcribing clerk, one thousand two hundred dollars, and the further sum of two hundred dollars, to be computed from the first day of June, Anno Domini one thousand eight hundred and sixty-six.

For the salary of the second transcribing clerk, twelve hundred dollars, and the further sum of two hundred dollars, to be computed from the first day of June, Anno Domini one thousand eight hundred and sixty-six.

For the salary of the third transcribing clerk, twelve hundred dollars, and the further sum of two hundred dollars, to be computed from the first day of June, Anno Domini one thousand eight hundred and sixty-six.

For the salary of two additional clerks, each the sum of twelve hundred dollars, and the further sum of two hundred dollars each, to be computed from the first day of June, Anno Domini one thousand eight hundred and sixty-six.

The further sum of two hundred dollars, in this section appropriated to each of the several clerks in the State Department, shall be apportioned between the retiring and present clerk, and paid to each, according to the time of their respective service during the year.

For the salary of the messenger in the State Department, nine hundred dollars.

For postage, telegrams, freight and express charges in the State Department, fifteen hundred dollars, or so much thereof as may be necessary.

For blank books, one hundred and fifty dollars, or so much thereof as may be necessary.

For stationery, nine hundred dollars, or so much thereof as may be necessary, to be computed from the first day of June, one thousand eight hundred and sixty six.

For fuel and lights, one hundred and fifty dollars, or so much thereof as may be necessary.

For cleaning of offices, one hundred and twenty-five dollars, or so much thereof as may be necessary.

For miscellaneous expenses, three hundred dollars, or so much thereof as may be necessary.

SEC. 5. For the salary of the chief clerk in the Auditor General's office, one thousand seven hundred dollars, and the further sum of one hundred dollars, to be computed from the first of June, Anno Domini one thousand eight hundred and sixty-six.

For the salary of the clerk in the banking department, one thousand four hundred dollars, and the further sum of one hundred dollars, to be computed from the first of June, Anno Domini one thousand eight hundred and sixty-six.

For the salary of the clerk in the department for settling accounts of county treasurers, prothonotaries, registers, recorders, clerks of the courts, et cetera, one thousand three hundred dollars, and the further sum of two hundred dollars, to be computed from the first day of June, one thousand eight hundred and sixty-six.

For the salary of the clerk for settling the accounts of corporations and in charge of the business with foreign insurance companies, reports of railroads and manufacturing companies, et cetera, one thousand three hundred dollars, and the further sum of one hundred dollars, to be computed from the first day of June, one thousand eight hundred and sixty-six.

For the salary of an assistant clerk in charge of accounts of corporations, thirteen hundred dollars, and the further sum of two hundred dollars, for services at the military desk, to be computed from the first of June, one thousand eight hundred and sixty-six.

For the salary of warrant and bonus clerk, one thousand three hundred dollars, and the further sum of one hundred dollars, to be computed from the first day of June, one thousand eight hundred and sixty-six.

For the salary of registering and copying clerk, one thousand two hundred dollars, and the further sum of one hundred dollars, to be computed from the first day of June, one thousand eight hundred and sixty-six.

For the salary of the clerk in charge of papers relating to the public improvements formerly owned by the State, for settling accounts of military disbursing officers, and assisting chief corporation and warrant clerks, one thousand three hundred dollars, and the further sum of one hundred dollars, to be computed from the first day of June, Anno Domini one thousand eight hundred and sixty-six.

For salary of clerk for copying accounts, appeals, correspondence, reports, et cetera, twelve hundred dollars, and the further sum of two hundred dollars, to be computed from the first day of June, Anno Domini one thousand eight hundred and sixty-six.

For the military claims and warrant clerk in the Auditor General's office, the sum of twelve hundred dollars, and the further sum of one hundred dollars, to be computed from from the first day of June, Anno Domini one thousand eight hundred and sixty-six.

For salary of messenger, nine hundred dollars, to be computed from the first day of June, one thousand eight hundred and sixty-six.

For salary of a night watchman, eight hundred dollars, and the further sum of eight hundred dollars, for the services of such officer, from the first day of June, one thousand eight hundred and sixty-six.

For postage and telegrams, seven hundred and fifty dollars, or so much thereof as may be necessary.

For stationery, five hundred dollars, or so much thereof as may be necessary,

For fuel, one hundred and fifty dollars, or so much thereof as may be necessary.

For miscellaneous expenses of the office, two hundred dollars, or so much thereof as may be necessary.

SEC. 6. For the salary of eight clerks in the Surveyor General's office, the sum of one thousand four hundred dollars each.

For the salary of the chief clerk in the Surveyor General's office, the sum of one thousand eight hundred dollars.

For the salary of the temporary clerks, the sum of one hundred dollars per month to each clerk, and the number and time for which they are employed shall be subject to the approval of the Governor, and the additional sum of two hundred dollars each, to be computed from the first day of June, one thousand eight hundred and sixty-six.

For the salary of messenger, nine hundred dollars, to be computed from the first day of June, one thousand eight hundred and sixty-six.

For postage in the office of the Surveyor General, four hundred dollars, or so much thereof as may be necessary.

For stationery, five hundred dollars, or so much thereof as may be necessary.

For cleaning office and miscellaneous expenses, one hundred and fifty dollars, or so much thereof as may be necessary.

For fuel, one hundred and fifty dollars, or so much thereof as may be necessary.

SEC. 7. For the salary of the clerk in the office of the Attorney General, fifteen hundred dollars.

For the contingent expenses in the Attorney General's office, seven hundred dollars, or so much thereof as may be necessary.

SEC. 8. For the salary of the chief clerk in the office of the State Treasurer, one thousand eight hundred dollars, and the further sum of one hundred dollars, to be computed from the first day of May, Anno Domini one thousand eight hundred and sixty-six.

For the salary of the book-keeper, one thousand three hundred dollars, and the further sum of one hundred dollars, to be computed from the first day of May, Anno Domini one thousand eight hundred and sixty-six.

For the salary of the account clerk, one thousand three hundred dollars, and the further sum of one hundred dollars, to be computed from the first day of May, Anno Domini one thousand eight hundred and sixty-six.

For the salary of the recording clerk, one thousand two hundred dollars, and the further sum of one hundred dollars, to be computed from the first day of May, Anno Domini one thousand eight hundred and sixty-six.

For the salary of the clerk in charge of accounts of corporations, fourteen hundred dollars, to commence from the first day of September, Anno Domini one thousand eight hundred and sixty-six.

For the salary of the messenger of the treasury department, nine hundred dollars, to be computed from the first day of June, one thousand eight hundred and sixty-six.

For the salary of a night watchman of the treasury department, eight hundred dollars, and the further sum of eight hundred dollars, for the services of such officer, from the first day of June, one thousand eight hundred and sixty-six, or so much thereof as may be necessary.

For postage and telegrams in the treasury department, four hundred dollars, or so much thereof as may be necessary.

For stationery and blank books, three hundred dollars, or so much thereof as may be necessary.

For express charges, one hundred dollars, or so much thereof as may be necessary.

For fuel and light, seventy-five dollars, or so much thereof as may be necessary.

For miscellaneous expenses, one hundred and seventy-five dollars, or so much thereof as may be necessary.

SEC. 9. That the State Treasurer is hereby required to pay to each of the commissioners of the sinking fund the sum of three hundred dollars, and they are hereby authorized and required to impose the duties of clerk to said

commissioners upon one of the clerks of the treasurer's department, at an increased salary not exceeding four hundred dollars per annum.

SEC. 10. For the salary of the Assistant Adjutant General, including pay and allowances of captain of infantry, as per State militia law, seventeen hundred and ten dollars.

For the salary of the chief clerk, the sum of one thousand three hundred dollars.

For the salary of the pay department clerk, the sum of twelve hundred dollars.

For the salary of the register and recording clerk, twelve hundred dollars.

For the salary of the Superintendent of the State Arsenal, one thousand dollars.

For the salary of the messenger, the sum of nine hundred dollars, to be computed from the first day of June, one thousand eight hundred and sixty-six.

For postage, telegrams and express charges, the sum of six hundred dollars, or so much thereof as may be necessary.

For blank books, the sum of one hundred and fifty dollars, or so much thereof as may be necessary.

For stationery, the sum of six hundred and fifty dollars, or so much thereof as may be necessary.

For lights, the sum of fifty dollars, or so much thereof as may be necessary.

For cleaning office and ordinary repairs, the sum of one hundred and fifty dollars, or so much thereof as may be necessary.

For miscellaneous expenses, the sum of one hundred dollars, or so much thereof as may be necessary.

For disbursements as ex-officio Paymaster General of the State, the sum of ten thousand dollars, or so much thereof as may be necessary.

SEC. 11. For the cost of transportation of the Transportation Department, the sum of five thousand dollars, or so much thereof as may be necessary, to be settled by the Auditor General in the usual manner; and the Chief of Trausportation is authorized to pay, out of said sum, the expense of disinterring and carrying to the place of burial the bodies of deceased soldiers of Pennsylvania, transportation, when it has not been furnished by the State, to be computed at the rate of two cents per circular mile, and in no case shall a sum greater than twenty dollars be paid as the expense of disintering; and also pay, out of said sum, for the salary of of the Chief of the Transportation Department up to the first day of December next, the sum of one thousand dollars; for the salary of the clerk of said Department, up to the same point of time, the sum of seven hundred dollars; for the messenger, one hundred and fifty dollars, and for postage, stationery, fuel and incidental expenses, one hundred and fifty dollars, or so much thereof as may be necessary.

On the first day of December, eighteen hundred and sixty-seven, the duties of the Transportation Department shall devolve on the Adjutant General, who shall then receive from the Chief of said Transportation Department all books, accounts and property of the State.

SEC. 12. For the payment of pensions and gratuities, the sum of seven thousand dollars, and such further sums as may be necessary to pay to the widows and children of deceased soldiers such sum or sums as they may be entitled to receive according to law. And the act entitled An act to provide for the payment of gratuities and annuities to the soldiers of the war of one thousand eight hundred and twelve, and to their widows, approved the thirtieth day of March, one thousand eight hundred and sixty-six, be, and the same is, hereby repealed.

SEC. 13. For the salary of the Deputy Superintendent of Common Schools, one thousand six hundred dollars.

For the salary of the warrant clerk in the School Department, twelve hundred dollars, and the further sum of two hundred dollars, to be computed from the first day of June, Anno Domini one thousand eight hundred and sixty-six.

For the salary of the report clerk, twelve hundred dollars, and the further sum of two hundred dollars, to be computed from the first day of June, Anno Domini one thousand eight hundred and sixty-six.

For the salary of the letter clerk, twelve hundred dollars, and the further sum of two hundred dollars, to be computed from the first day of June, Anno Domini one thousand eight hundred and sixty-six.

For engraving and printing warrants, two hundred and seventy-five dollars, or so much thereof as may be necessary.

For repairing and furnishing the room of the School Department, two thousand dollars, or so much thereof as may be necessary, inclusive of the sum appropriated for the same purpose, in the general appropriation act passed at the session of one thousand eight hundred and sixty-six.

For the salary of the messenger, nine hundred dollars, to be computed from the first day of June, one thousand eight hundred and sixty-six.

For stationery and blank books in the School Department, three hundred dollars, or so much thereof as may be necessary.

For postage, telegrams and express expenses, one thousand dollars, or so much thereof as may be necessary.

For cleaning office and miscellaneous expenses of the School Department, three hundred dollars, or so much thereof as may be necessary.

For expenses in packing and distributing blank forms, reports, school laws and decisions, to the school directors of the State, six hundred dollars, or so much thereof as may be necessary.

For publishing and circulating among the school officers of the State the official decisions and instructions of the Department, two thousand dollars, or so much thereof as may be necessary.

For traveling expenses on official business of the department, five hundred dollars, or so much thereof as may be necessary.

SEC. 14. For the education and maintenance of the destitute orphans of the deceased soldiers and sailors of the State from the first day of January, one thousand eight hundred and sixty-seven, till the first day of June, one thousand eight hundred and sixty-eight, the following sums annually, or so much thereof as may be necessary, to be drawn and accounted for, as provided by the act entitled An act to provide for the continuance of the education and maintenance of the destitute orphans of the deceased soldiers and sailors of the State, passed at this current session of the Legislature: *Provided*, That the gross expenditures hereinafter provided shall not exceed the sum of three hundred and fifty thousand dollars annually:

For the education and maintenance, including clothing of each orphan of less than ten years of age, admitted into such orphan homes as receive now, or have received appropriations from the State, the sum of one hundred and five dollars, or so much thereof as may be necessary.

For the education and maintenance, including clothing of each orphan of less than ten years of age, admitted into such orphan homes or institutions as have received no appropriation from the State, the sum of one hundred and twenty-five dollars, or so much thereof as may be necessary.

For the education and maintenance of each orphan between the ages of ten and sixteen years, admitted into such institutions as may be selected for them by the proper authorities, and which have received no appropriations from the State, the sum of one hundred and forty dollars, and the further sum of twenty five dollars for clothing each of said orphans, or so much thereof as in either case may be necessary: *Provided*, That the rates hereby established shall take effect on and after the first day of June, Anno Domini one thousand eight hundred and sixty-seven.

For the salary of the superintendent of soldiers' orphans, eighteen hundred dollars.

For the salary of the office clerk, twelve hundred dollars.

For the salary of the inspector or examiner of soldiers' orphan schools, fifteen hundred dollars.

For the salary of the female assistant inspector and examiner, the sum of one thousand dollars.

For postage and telegrams, three hundred dollars, or so much thereof as may be necessary.

For stationery and blank books, one hundred and fifty dollars, or so much as may be necessary.

For printing, five hundred dollars, or so much thereof as may be necessary.

For advertising, four hundred dollars, or so much thereof as may be necessary.

For transferring pupils, four hundred dollars, or so much thereof as may be necessary.

For funeral expenses, two hundred dollars, or so much thereof as may be necessary.

For traveling expenses of the superintendent and his assistants, five hundred dollars, or so much thereof as may be necessary.

SEC. 15. For the support of the common schools for the school year which will begin on the first Monday of June, Anno Domini one thousand eight hundred and sixty-seven, to be paid on warrants to be drawn by the Superintendent in favor of the several school districts of this Commonwealth, the sum of three hundred and fifty thousand dollars, inclusive of the salaries of county superintendents, and inclusive of the sum of ten thousand dollars for the education of teachers in the Normal schools of the Commonwealth, to be applied in the same way and under the same conditions as a similar appropriation was directed to be applied by the general apppropriation act approved the eleventh day of April, one thousand eight hundred and sixty-six, including the State Normal school of the Third district, to the benefit of the students in the respective State Normal schools, who are preparing to become teachers in the common schools of the State: *Provided*, That each student in a Normal school, drawing an allowance from the State, must receive regular instruction in the science and art of teaching, in a special class devoted to that object, for the whole time such an allowance is drawn, inclusive, also, of the sum of fifteen hundred dollars, for the education of colored young men as teachers in the Lincoln university, to be disbursed in like manner, and with like conditions, as the money appropriated in this act for the education of teachers in the State normal schools, and inclusive, also, of nine thousand two hundred and twelve dollars and thirty-two cents, to the city of Philadelphia, this being the amount contributed by said city through an oversight in the general appropriation act, approved the 11th day of April, Anno Domini one thousand eight hundred and sixty-six, to the salaries of the county superintendents in the several counties of the Commonwealth, when no part of the benefit of their supervision accrued to said city: *Provided*, That the city of Philadelphia shall be entitled to a proper

Daily Legislative Record.

FOR THE SESSION OF 1867.

PUBLISHED BY AUTHORITY OF THE LEGISLATURE OF PENNSYLVANIA. No. 128.

TERMS OF THE DAILY RECORD.

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Single copy for the session.....$2 00

Members desiring extra copies of the Record, will please leave their names and the number of copies wanted at the publication office. GEO. BERGNER.

[CONTINUED FROM PAGE 1016.]

portion of this appropriation without contributing to the salaries of the county superintendents, and the amount of three thousand dollars of the amount received by the said city of Philadelphia shall be paid to the teachers' institute of the city of Philadelphia, for its corporate purposes.

For the State Normal school of the Third district, five thousand dollars.

For paying committee of inspection for inspecting the Normal school of the Third district, preparatory to recognition by the State, as per bills on file in the school department, one hundred and twenty-five dollars.

SEC. 16. For the purchase of law and miscellaneous books for the State Library, eighteen hundred dollars.

For the exchange of law books, including Purdon's Digest, one thousand dollars, or so much thereof as may be necessary.

For postage, freight on books, stationery, purchasing books, cleansing apartments, making fires, et cetera, five hundred dollars, or so much thereof as may be necessary.

For binding, one hundred dollars, or so much thereof as may be necessary.

SEC. 17. For the salaries of the judges of the Supreme Court, the sum of twenty-seven thousand five hundred dollars, or the sum of five thousand five hundred dollars to each judge, for the present year, to be in lieu of all daily pay, mileage or other expenses heretofore allowed by any law.

SEC. 18. For the payment of the salaries of the judges of the district court, and the judges of the court of common pleas, of the city of Philadelphia, the sum of thirty-five thousand dollars, or five thousand dollars to each judge for the present year.

SEC. 19. For the payment of the judges of the district court and the president and assistant law judges of the court of common pleas of the county of Allegheny, twenty-five thousand dollars, or five thousand dollars to each one of the law judges for the present year.

For the payment of the president judge of the Twelfth Judicial district, in consideration of the increased labor in trying the Commonwealth civil cases in the county of Dauphin, the sum of thirty-eight hundred dollars a year, and his salary is to be computed at that rate from the first day of June, one thousand eight hundred and sixty-six, in full of all claims for arrears.

SEC. 20. For the payment of the salaries and mileage of the president, additional and associate law judges of the several courts of common pleas in this Commonwealth, except in the city of Philadelphia, the county of Allegheny and the Twelfth Judicial district, the sum of one hundred and fifteen thousand dollars, or so much thereof as may be necessary; each president and law judge to receive three thousand five hundred dollars salary during the present year.

SEC. 21. For the payment of the salaries and mileage of the associate judges of the courts of this Commonwealth, the sum of fifty thousand dollars, or so much thereof as may be necessary, each associate judge to receive, in lieu of the salary now allowed by law, five dollars per day, for every day, not exceeding fifty, he may be employed in the discharge of his official duties, and for every such day, in excess of fifty, the sum of three dollars: *Provided*, That the salary of no associate judge shall be less than three hundred dollars, and the pay of the associate judges shall hereafter be as is herein provided.

SEC. 22. For the payment of the interest on the funded debt of the Commonwealth, which will fall due on the first days of July and August, Anno Domini one thousand eight hundred and sixty-seven, and the first days of January and February, Anno Domini one thousand eight hundred sixty-eight, the sum of one million eight hundred and six thousand one hundred and thirty-four dollars, or so much thereof as may be necessary.

SEC. 23. For the public printing, folding, stitching and binding, thirty-five thousand dollars, or so much thereof as may be necessary on settlement of the account of the public printer according to law.

SEC. 24. For the payment of the expenses of the Legislature, including the pay and mileage of members, clerks and officers of each House, appointed for this session, and the amount authorized by law for stationery, et cetera, the sum of two hundred and sixty-five thousand dollars, or so much thereof as may be necessary, to be settled by the Auditor General according to law; and that each member shall receive three hundred dollars, and the chief, assistant and transcribing clerks of the House of Representatives, and the Senate, shall receive two hundred and fifty dollars in addition to their present salary.

SEC. 25. For the payment of the commission appointed to inquire into the alleged insanity of Newton Champion, one hundred and seventy-five dollars, to be paid on the warrant of the Governor.

SEC. 26. For packing and distributing the laws and journals of the Legislature, to be performed under the direction of the Secretary of the Commonwealth, thirteen hundred dollars, or so much thereof as may be necessary; and the Secretary of the Commonwealth shall hereafter charge one dollar per volume for the pamphlet laws.

SEC. 27. For the payment to the city of Harrisburg, for supplying the public buildings with water, according to the act of April twenty-eight, Anno Domini one thousand eight hundred and forty, the sum of six hundred dollars; and also for gas, for the public buildings and walks, such amount as may be found due the Harrisburg gas company, on the contract with the company; and upon a regular account being rendered to the Auditor General, who is hereby authorized to examine and settle the same, in the same mode and manner as other accounts are settled in said department, in pursuance of its charter and supplement, to be paid on the warrant of the Auditor General.

SEC. 28. For the superintendent of the public buildings and grounds, the sum of three dollars and fifty cents per day, during the period of his appointment, and also for one assistant watchman, the sum of nine hundred dollars, to be computed from January fifteenth last past, to be paid monthly, and for the necessary repairs to the public buildings and grounds, wages of laborers employed on the same, four thousand dollars, or so much thereof as may be necessary, to be expended by the superintendent, the accounts to be settled by the Auditor General in the usual manner, and the superintendent is hereby required to make a detailed statement of his expenses to the next Legislature; and that the clerks of the two Houses be, and they are hereby, authorized to have a new slate and tin roof placed on the capitol at a rate not exceeding three thousand dollars, and to make all necessary repairs to the capitol building, except the new library rooms, the amounts to be settled in the usual manner by the Auditor General, and paid upon the joint order of said clerks: *Provided*, That the sum expended by the said clerks, for such necessary repairs, shall not exceed four thousand dollars

To C. A. Boas, for winding and oiling the clock on the capitol for one year, ending January first, one thousand eight hundred sixty seven, and for repairing the same, the sum of one hundred and twenty-five dollars, to be paid on account certified by the clerks of the two Houses.

SEC. 29. For George Bergner, fifteen dollars per page for the *Legislative Record*, published during the present session of the Legislature, as per contract, the amount to be certified by the Superintendent of Public Printing; and upon such certificate the State Treasurer shall pay the same; and for resetting the type of seven numbers printed before the increase of the number of copies now printed, twenty-five dollars for each number; and for making an index to the *Legislative Record*, the further sum of two hundred dollars is appropriated to the publisher of the *Record*: *Provided*, That the making of the index does not detain the forwarding of the bound copies more than four weeks after the adjournment of the Legislature.

SEC. 30. For the fire companies of the city of Harrisburg, the sum of seven hundred dollars, to be distributed in equal amounts to and among said companies.

SEC. 31. For transcribing for the Committee of Ways and Means, to be paid on the order of the chairman, the sum of thirty dollars; for transcribing for Finance Committee of the Senate, to be paid on the order of the chairman, the sum of thirty dollars.

SEC. 32. That the State Treasurer is hereby authorized and directed to pay each of

the chief clerks of the Senate and House of Representatives the usual per diem for ten days' service after the close of the session, and the usual per diem to three additional officers who may be kept by each clerk to assist him in his duties; and to the chief clerk of the Senate and House, for the expense of indexing the journals, the sum of two hundred dollars each; and for miscellaneous expenses of the chief clerks of the Senate and House of Representatives, attendant upon their duties during the recess, each, the sum of two hundred dollars; and that the pasters and folders of the House shall be entitled to the same compensation as the assistant doorkeepers.

SEC. 33. For the payment of John A. Smull, for his services to the House of Representatives as an assistant clerk for the present session, and for services during the recess, filing away and taking charge of the papers and documents, the sum of one thousand dollars; and it shall be his duty to receive from the State Printer the bound copies of the *Daily Record*, and forward the same to the address of the members of the Legislature as soon as practicable after the adjournment, and he shall also receive the same additional compensation as is allowed to the clerks by this act.

SEC. 34. That the State Treasurer is hereby authorized to pay to the chief clerk of the Senate and House of Representatives, the sum of one dollar and fifty cents per for each of the pages employed by the Senate and House during the present session, the vouchers for the same to be furnished in the usual manner.

SEC. 35. That the State Treasurer is authorized to pay to the persons engaged in cleansing and keeping in order the closets and basements of the capitol, and the doorkeepers in the rotunda and capitol extension, and to the firemen having in charge the furnaces in the basement of the same, the same compensation as the assistant doorkeepers, the number of days to be certified to by the clerks of the two Houses.

SEC. 36. For the payment of express charges, packing and distributing bound copies of the *Daily Legislative Record*, and for the expense of folding and mailing the back numbers of the *Daily Record* for the members of the House of Representatives, the sum of five hundred dollars, or so much thereof as may be necessary, to be disbursed by the clerk of the House of Representatives; and for the payment of express charges, packing and distributing bound copies of the *Legislative Record*, and for the expense of folding and mailing the back numbers of the *Daily Record* for the members of the Senate, the sum of three hundred dollars, or so much thereof as may be necessary, to be disbursed by the clerk of the Senate; and to the several officers of the Senate and House of Representatives, whether elected or appointed, except the Speaker and pages, an extra allowance, as follows, namely: to the chief clerks, assistant clerks and transcribing clerks, the sum of one hundred and fifty dollars; and to each of the other officers, the sum of three hundred dollars, in addition to the pay and salary now allowed by law, for services during the present session; to the several pages the sum of thirty dollars extra, and to the several women employed by the clerks of the two Houses to cleanse the halls, the sum of twenty dollars extra.

SEC. 37. That all annual salaries herein provided for, and also all appropriations to penitentiaries and houses of refuge and charitable institutions, shall be paid quarterly, at the office of the State Treasurer, unless otherwise provided by law; and that no money appropriated by this act for any specific object, shall be applied to any other in any of the charitable institutions, penitentiaries or houses of refuge.

SEC. 38. That for expenses incurred, under authority of a resolution of the House, directing certain mail matter to be sent by the express for the members of the House, the sum of eight hundred dollars, or so much thereof as may be necessary, to be paid to the clerk of the House and to the clerk of the Senate; the sum of three hundred and fifty dollars for the same purpose to Jacob Styer, for services as librarian and for twenty-five days' extra service during the recess, at the same rate as a transcribing clerk, including the extra compensation, the said librarian to place forty copies of the *Daily Legislative Record* at the public bindery to be bound, thirty-five copies for the use of the Senators and principal clerks, four copies for the State Library, and one to be reserved for the use of the Senate, and to be distributed to the Senators and clerks, with the laws and journals, by the librarian of the Senate; and to John A. Smull, the sum of two hundred dollars, for taking charge of the archives of the House of Representatives during the recess of one thousand eight hundred and sixty-six, and two hundred dollars to Jacob Styer, for similar services, on the part of the Senate, during the recess of one thousand eight hundred and sixty-seven; and the further sum of one hundred and fifty dollars, for expenses incurred and labor performed in removing and fitting up the Senate Library.

SEC. 39. To William L. Cooper, for services rendered the House of Representatives, the same pay and extra compensation of a transcribing clerk, during the present session.

SEC. 40. For the salary of assistant postmaster of the House of Representatives, and for the messenger and assistant messenger of the Senate, each, who act as postmasters for the Senate, and in committee rooms, and for the doorkeeper, sergeant-at-arms, assistant sergeant-at-arms and assistant librarian of the Senate, each, the same as transcribing clerk, and in addition to the compensation hereinbefore or hereinafter provided for, every officer of the Legislature shall receive the further sum of fifty dollars for services during the present session, and that the daily pay of all the officers, whether elected or appointed, shall be three dollars per day.

SEC. 41. For John Addicks, engineer and machinist, in charge of the heating apparatus for the halls and committee rooms, the same compensation as an assistant doorkeeper, the number of days to be certified by the clerks of the two houses; and to William Styer, for services in the room of the Speaker of the Senate, two hundred and fifty dollars.

SEC. 42. For the payment of Reverend Jacob Kennedy, member of the House of Representatives, for extra services as chaplain in the House of Representative, the sum of three hundred dollars, and for the payment of Reverend E. L. Bailey, chaplain of the Senate, three hundred dollars.

SEC. 43. For the instruction of indigent pupils in the Pennsylvania institution for the instruction of the deaf and dumb, thirty-five thousand dollars, to be paid in proportion to the number of indigent pupils from the several counties of the Commonwealth, at the rates prescribed by law, the evidence of which is to be presented to the State Treasurer.

SEC. 44. For the Pennsylvania institution for the instruction of the blind, the sum of thirty-three thousand dollars, to be paid in proportion to the number of indigent pupils from the several counties of the Commonwealth, at the rate of three hundred dollars for each pupil, the evidence of which is to be furnished to the State Treasurer.

SEC. 45. For the Western Pennsylvania hospital, fifteen thousand dollars, to be applied to the salaries of officers, and the further sum of fifty thousand dollars, inclusive of twenty-five thousand dollars for excavations, stone work, joist, and making half million of brick, for the commencement of the eastern extension of said hospital; seventeen thousand one hundred and thirty-two dollars for furnishing the present new western extension; one thousand dollars for insurance; thirty-five hundred dollars for the erection of a stone wall in the rear of said hospital; fifteen thousand dollars for four new boilers, together with fire front, grate bars, smoke stack, et cetera, and four thousand four hundred and fifty dollars for a reservoir; and said hospital shall hereafter be authorized to charge not exceeding three dollars per week for the medical attendance and boarding of all indigent insane persons who are, or may be, committed to said institution, and that any part of any act of Assembly inconsistent herewith, be, and the same is, hereby repealed.

SEC. 46. For the Pennsylvania State Lunatic hospital, at Harrisburg, for the payment of salaries and wages and for the support of the house, the sum of sixteen thousand dollars; and for the erection of infirmaries, the further sum of ten thousand dollars.

SEC. 47. For the Pennsylvania Training school for feeble-minded children, at Media, in the county of Delaware, the usual sum for each pupil, as provided by the act of incorporation: *Provided*, That the number of said pupils shall not exceed eighty; and the said school is authorized to charge fifty dollars per annum, in addition to the sum now allowed by law, for the maintenance of each pupil during the present year.

SEC. 48. For the payment of the salaries of the officers of the Eastern penitentiary, the sum of thirteen thousand eight hundred dollars, in equal quarterly payments, on or before the fifteenth day of the months of June, September and December, Anno Domini one thousand eight hundred and sixty-seven, and March, Anno Domini one thousand eight hundred and sixty-eight; and the additional sum of four thousand dollars, for the payment of an additional sum to each officer; and for each discharged convict from the city of Philadelphia, or whose residence is within fifty miles thereof, the sum of five dollars, and ten dollars to each convict whose residence or settlement is fifty miles or over from the penitentiary; and for books and stationery, for the use of the convicts, six hundred and fifty dollars, to be expended under the direction of the warden, or so much thereof as may be necessary, and to be accounted for to the Auditor General.

SEC. 49. For the payment of the salaries of the officers of the Western penitentiary, the sum of twenty thousand eight hundred dollars, to be paid in equal quarterly payments, on and after the fifteenth day of the months of June, September and December, Anno Domini one thousand eight hundred and sixty-seven, and March, Anno Domini one thousand eight hundred and sixty eight, and for each discharged convict whose residence or settlement is within fifty miles of said penitentiary, the sum of five dollars, and ten dollars to each discharged convict whose residence or settlement is fifty miles or over from said penitentiary; and for the support of the library, the further sum of five hundred dollars.

SEC. 50. For the House of Refuge in Philadelphia, twenty-five thousand dollars.

SEC. 51. For the House of Refuge of Western Pennsylvania, twenty-seven thousand dollars, being for the following items: thirteen thousand five hundred dollars for salaries, four thousand five hundred dollars

deficiency in salaries, and the remainder of said sum for improvements and repairs to the building.

SEC. 52. For the Northern Home for Friendless Children, five thousand dollars.

SEC. 53. For the salary of the clerk in the Board of Military Claims, the sum of one thousand four hundred dollars, to be computed from the first day of June, one thousand eight hundred and sixty six, and not more than twenty-five thousand dollars shall be paid on account of such claims in any fiscal year.

For the salary of the messenger to the Board of Military Claims, the sum of eight hundred dollars.

SEC. 54. For the expenses of the Pennsylvania State agency at Washington, the sum of twelve thousand dollars, or so much thereof as may be necessary, and the compensation of the State Agent shall be at the rate of three thousand dollars and that of the Assistant Agent shall be at the rate of two thousand five hundred dollars per annum.

SEC. 55. For the St. Paul's Orphan asylum, of the city of Pittsburg, the sum of two thousand dollars.

SEC. 56. For the painting, papering and furnishing the office of the Attorney General in the city of Harrisburg, the sum of one thousand dollars, or so much thereof as may be necessary, to be paid upon the certificate of the Attorney General, and he is hereby authorized and empowered to occupy the room in the capitol building adjoining that now used as the Supreme Court room; for re-arranging the Executive Chamber, the sum of one thousand dollars, or so much thereof as may be necessary, to be paid upon the certificate of the Governor, and for re-flooring the Surveyor General's office, and re-arranging the cases therein, the further sum of five hundred dollars, or so much thereof as may be necessary, to be paid upon the certificate of the Surveyor General.

SEC. 57. To the trustees of the Saint Paul Methodist Episcopal church, of the city of Philadelphia, the sum of twelve hundred and fifty dollars, or so much thereof as may be found due said church by the Board of Military Claims of this Commonwealth, for tents belonging to said church and used by the State during the rebellion, and said board is hereby authorized and required to examine and pass upon the claim of said church for the use and loss of said tents.

SEC. 58. That the State Treasurer is hereby authorized to pay the necessary expenses, including clerk hire, of the select committees appointed by the House and Senate at the present session, upon accounts to be certified by the respective chairmen, and approved by the Auditor General; and that the pay of witnesses before said committees shall be two dollars per day, and of clerks five dollars per day for every day actually employed, and usual mileage: *Provided*, That this section shall not be construed to authorize the payment of any witness not regularly subpœnaed before the committee, or the payment of any sum of money to any member of the committee for his services, or of any expense accruing after the adjournment of the Legislature; and to John C. Sturtevant, for extra services as clerk on committee for investigation of alleged bribery and corruption in regard to election of United States Senator, the sum of one hundred dollars.

SEC. 59. For renewing the meridian line of Dauphin county, which was displaced by the extension of the Capitol, one hundred and sixty dollars, or so much thereof as may be necessary, to be paid upon the certificate of the Surveyor General.

SEC. 60. For repairs to the dwelling house occupied by the keeper of the powder magazine in the Twenty-sixth ward of the city of Philadelphia, the sum of four hundred dollars, or so much thereof as may be necessary.

SEC. 61. To the Antietam National cemetery, the sum of three thousand dollars, to be drawn on the warrant of the Governor in such instalments as, in his judgment, may be required in the progress of enclosing the grounds and of raising and re-interring the remains of Pennsylvania soldiers in the same.

SEC. 62. That all the institutions, to which appropriations are made by this act, not now required by law to report and account for appropriations, shall make a detailed report, specifying the items, under oath of one or more of its principal officers, of the expenditures of said appropriations, to the Legislature, before the first day of February, one thousand eight hundred and sixty-eight.

SEC. 63. That the sum of five hundred dollars is hereby appropriated for the purchase of a portrait of the present Governor, to be placed in the Executive Department, to be expended under the direction of the chairman of the Senate Committee on the Library.

SEC. 64. For the Marine hospital of Pennsylvania, at Erie, the sum of ten thousand dollars, for the purpose of erecting hospital buildings: *Provided*, That the citizens of Erie raise an equal amount for the same purpose.

SEC. 65. That the sum of two hundred dollars is hereby appropriated to each of the four reporters employed on the *Legislative Record* in the House of Representatives, and to Henry J. Mason, T. B. Cochran, R. Mc-Devitt and H. G. Sedman, reporters of the Senate: *Provided*, That the clerks of the Senate and House shall employ the necessary corps of phonographers to report the proceedings of the Legislature, at the next and subsequent sessions thereof, so as to provide for the prompt and continuous report thereof, and that the contract for publication of legislative proceedings be made with reference to this arrangement.

SEC. 66. That the Auditor General and the State Treasurer be, and they are hereby, authorized and directed to examine into the claim of L. M. Simon for furnishing plans, elevations, section, and specifications for the extension to the capitol, and also for furnishing plans and specifications for the extension of the Governor's mansion; and allow him such compensation therefor as, after consultation with other architects, they may deem just and equitable.

SEC. 67. For the erection and completion of an addition to the Governor's mansion, according to the plan and specification furnished by L. M. Simon, architect, the sum of fifteen thousand dollars, or so much thereof as may be necessary, to be expended under the direction of the Governor; and no portion of this money shall be paid over to the contractor for such work until he shall have filed, in the office of the Auditor General, his bond, with two sureties in twenty thousand dollars, to be approved by the Auditor General, conditioned for the faithful performance of his contract in erecting and completing such addition.

SEC. 68. For finishing and furnishing the new library room and removing the books thereto, fifteen thousand dollars, or so much thereof as may be necessary, to be expended by the Librarian, with the approval of the Governor and the State Treasurer, the accounts to be audited and settled by the Auditor General, in the usual manner.

SEC. 69. To Hon. Samuel P. Johnson, of Warren county, forty-five dollars for unpaid balance due upon monument erected by the Commonwealth to Coraplanter.

SEC. 70. Five thousand dollars to the Polytechnic college of the State of Pennsylvania, for the purpose of establishing in said college five State scholarships.

SEC. 71. For the preparation of a general index of the private laws of this Commonwealth, from the year one thousand eight hundred and twelve, the sum of twelve hundred dollars, or so much as may be necessary, to be done under the direction and approval of the Attorney General.

SEC. 72. The State Librarian, with the approbation of the Committee on the Library, be authorized to expend fifteen hundred dollars, or so much thereof as may be necessary, to purchase a collection of twenty-five hundred works relating to the late rebellion, as recommended in communication of Charles H. Hart.

SEC. 73. For the Surveyor General, for the expenses of surveying and determining the exact position of the stone that marks the line, on the shore of Lake Erie, between the States of Pennsylvania and New York, and the erection of a more durable monument further inland, the sum of two hundred dollars, or so much thereof as may be necessary.

On motion of Mr. RIDGWAY, the Senate then adjourned until eight o'clock this evening.

EVENING SESSION.

The Senate reassembled at 7½ o'clock, P. M.

MILL CREEK TOWNSHIP, ERIE COUNTY.

On motion of Mr. LOWRY, the Senate resumed the third reading and consideration of bill entitled An act to authorize the road commissioners of Mill Creek township, Erie county, to compel the owners of land fronting on ridge road to make sidewalks and to straighten and open said road.

And the question recurring,

Shall the bill pass?

Mr. LOWRY asked and obtained the unanimous consent of the Senate to amend the bill by adding to the end thereof a proviso as follows, viz:

Provided, That no portions of this act shall take effect until its provisions shall be approved by the court of common pleas of Erie county, and the said court shall have power and authority to make such orders thereon as they may deem necessary to protect the owners of property on each side of said ridge road, and make such decrees as will, in their judgment, advance the public weal in the premises, and protect the parties in interest.

The question again recurring,

Shall the bill pass?

It was determined in the affirmative.

LAW JUDGE, TWENTY-FIRST DISTRICT.

The Senate proceeded to the second reading and consideration of the amendments made by the House of Representatives to bill entitled An act to provide an associate law judge of the several courts in the Twenty-first Judicial district.

The question being,

Will the Senate concur in the amendments of the House?

The amendments to the bill were read as follows:

SEC. 1. That the counties of Dauphin, Lebanon and Schuylkill are hereby erected into a judicial district, under the name and style of the First District of Criminal Jurisdiction, and that in each county within the said district there shall be established a court of record, with criminal jurisdiction, under the name and style following: In Dauphin county the name and style of the court shall be the criminal court of Dauphin county; in Lebanon county the name and style of the court shall be the criminal court of Lebanon

county; and in Schuylkill county the name and style of the court shall be the criminal court of Schuylkill county. The said court, in each of the said counties, shall consist of one judge, learned in the law, who shall be the president judge of the district created by this act, and who shall, in all criminal matters and cases within the said district, have the like powers, jurisdiction and authority as the president judge of any judicial district of this Commonwealth, as well upon holding a court of quarter sessions of the peace, and court of oyer and terminer and general jail delivery, and in vacation in any county within his proper districts, and shall at all times have the like power to grant writs of habeas corpus, and give relief thereupon in all cases as fully as any other president judge of any judicial district may or can do in similar cases.

Each of the courts created by this act shall have, and they are hereby vested with, full powers and authority to inquire of, hear, try and determine, agreeably to the laws and customs of this Commonwealth, all murders, rapes, robberies, arsons, felonies, misdemeanors, and all other offenses which have been or may be committed within the county for which such court is created, and which would be cognizable in any court of quarter sessions of the peace and court of oyer and terminer within this Commonwealth, if committed within their jurisdiction, and to hear, try and determine all presentments and indictments for any and all offenses against laws of this Commonwealth committed within such county, and to sentence and punish all persons who shall be convicted of the said offenses, or any of them, agreeably to the laws of this Commonwealth; and generally to do all such matters and things as any court of general quarter sessions of the peace or oyer and terminer and general jail delivery may or can do within the county for which such court is created by this act; and each of the said courts shall have a seal, with the arm of the Commonwealth engraved thereon, and the name of the court.

After the passage of this act all recognizances taken within the county of Schuylkill shall be taken for the appearance of the prosecutors, defendants and witnesses at the court created by this act for said county, and not to the court of quarter sessions of Schuylkill county; and from and after the first Monday of June next, the jurisdiction of the court of quarter sessions of the peace, and court of oyer and terminer of Schuylkill county, over felonies and misdemeanors, shall cease and determine, and the whole of the said jurisdiction now vested in the said court shall be, and the same is hereby vested, from that date, in the court for the said county, created by this act; and all indictments pending and recognizances taken, in the court of quarter sessions of the peace and the court of oyer and terminer, in Schuylkill county, shall be then transferred to, and be heard, tried, proceeded and determined, in the last court created by this act, in the same manner, and with the same effect, as if the indictment had originally been found in the recognizance taken therein; *Provided*, That in all cases where convictions have been had, and the sentences have not been passed, the said court of quarter sessions and oyer and terminer shall proceed therein according to law, in the same manner, and with like effect, as if this act had not been passed.

That the sessions of the court created by this shall be held as follows:

In Schuylkill county, on the first Monday of January, April, July and October, and to continue four weeks if the business shall require it; in the county of Lebanon, on the first Monday of February, May and November, to continue one week if the business shall require it; and in Dauphin county on the first Monday of March, June, September and December, and to continue two weeks if the business of the court shall require it, with power to hold adjourned sessions of the said courts; and whenever, in the opinion of president judge of the districts created by this act, the public interests shall require it, he may order extra sessions of the courts in any of said counties, to be held at such times as he may appoint; and he shall have power, and he is hereby authorized, to dispense with jury courts in any county at such sessions as, in his opinion, jury courts may be dispensed with, without prejudice to the public interests: *Provided*, That in Schuylkill county, in addition to the sessions above mentioned, the first session of the court created by this act for that county, shall be held on the first Tuesday of June next, to continue until the close of that week, if the business shall require it.

It shall be the duty of the Governor of the Commonwealth, pursuant to the provisions of the Constitution, to appoint a gentleman of integrity, learned in the law, to be the president judge of the districts created by this act, who shall hold his office until the first Monday of December next, and the qualified electors of the said counties of Dauphin, Lebanon and Schuylkill shall, on the second Tuesday of October next, elect a president judge for the said districts, according to the Constitution and laws of this Commonwealth; and the said judge, so appointed or elected, shall receive for his services a like salary or compensation as the president judge of court of common pleas of Schuylkill county.

The clerks of the courts of quarter sessions and oyer and terminer in the several counties in the district created by this act shall, for the time being, be the clerks of the courts created by this act, in the counties for which they are, or may be elected, and shall receive the like fees for the like services rendered, done and performed in the courts created by this act, as if rendered, done or performed in the courts of quarter sessions or of oyer and terminer, in the respective counties; and the sheriffs, coroners, constables and marshal of police affairs shall obey and execute all lawful orders of the courts created by this act, and be subject to the like penalties for neglect or disobedience, as if the said orders or writs had been made or issued by the courts of quarter sessions, or courts of oyer and terminer of the several counties within the district created by this act, and shall, in all cases, receive a like compensation for similar services, and all reports and returns that are now required by law or custom to be made to the courts of quarter sessions of Schuylkill county relating to selling liquor by less measure than one quart, tippling houses, disturbances at elections and matters relating to roads, highways or offenses of any kind, shall be made to the courts created by this act in Schuylkill county, at each and every regular session thereof, and the said court shall take such action thereon as any court of quarter sessions may or can do in similar cases.

All laws relating to the issuing of venires for the summoning of grand and petit jurors that are now or may be hereafter in force within the said district, are hereby extended to the courts created by this act, and the jurors shall be drawn and summoned in such numbers and like manner as for courts of oyer and terminer and courts of quarter sessions, and as may from time to time be ordered by the said courts created by this act.

The district attorneys in Dauphin and Lebanon counties shall have the power to direct recognizances to be taken for the appearance of prosecutors, defendants and witnesses in the courts created by this act, or in the quarter sessions of the peace of the said counties, as they may think best for the public interests.

It shall not be lawful to summon a grand jury in the present court of oyer and terminer, or quarter sessions, as now held in Schuylkill county, after the establishment of the criminal court under this act, but the grand jury shall be selected for and summoned to attend the criminal courts in said county only, and in the counties of Dauphin and Lebanon, no grand jury shall be summoned in the criminal court established by this act, but all bills shall be found in the present courts of oyer and terminer and quarter sessions, after which they may, on the written order of the district attorney for the proper county, be removed into the criminal court for trial, or may be tried in the courts now existing in said counties, at this option; and if no causes have been removed into said criminal court for trial, no traversejury shall be summoned to attend said court. It shall be lawful for the return judges in the counties of Schuylkill, Dauphin and Lebanon, to appoint one of their number in each of said counties to meet at the borough of Lebanon on the first Tuesday after the general election in October next, and make return of and cast up the number of votes given for the respective candidates for judge of the criminal court hereby established, and make return thereof to the Secretary of the Commonwealth, in the manner now prescribed as to the election of president judges.

The act entitled An act for the better and more impartial selection of persons to serve as jurors in the several courts of Somerset and other counties of the State, approved the 27th day of March, 1865, be and the same is hereby extended to Schuylkill county.

Immediately after the passage of this act the Governor of this Commonwealth shall appoint two sober, intelligent and judicious persons, taking one from each of the political parties, to serve as jury commissioners for Schuylkill county, who shall remain in office until jury commissioners for said county shall be elected as provided in said act hereby extended to Schuylkill county, and who shall be subject to all the provisions of said act; and the said jury commissioners so appointed by the Governor shall forthwith proceed to select and draw jurors for the courts in Schuylkill county, in the manner directed by the said act for the courts in Schuylkill county, for the current year, and the names of the persons now in the jury wheel in Schuylkill county be withdrawn and others substituted, as directed by this act.

Mr. COLEMAN. I hope that the Senate will concur.

Mr. WALLACE. I hope that the Senate will not concur. By the bill as amended the jurisdiction of the court of common pleas of Schuylkill county is completely ousted. It seems to me most remarkable that we should undertake to drive out of existence a court already in existence there and having jurisdiction by virtue of the Constitution, which provides:

"The judges of the court of common pleas in each county shall, by virtue of their offices, be justices of oyer and terminer and general jail delivery, for the trial of capital and other offenders therein."

This bill is in the teeth of that plain provision of the Constitution. It attempts to deny to the judges of the court of common pleas within the county of Schuylkill this jurisdiction as justices of oyer and terminer, distinctly conferred upon them by the Constitution.

Mr. COLEMAN. I am not enough of a constitutional lawyer to decide such a question as that raised by the Senator from Clear-

field [Mr. WALLACE]; but I am satisfied that this bill has been carefully prepared by gentlemen as competent to decide such questions as the Senator from Clearfield. If the bill should be unconstitutional, the remedy is with the Supreme Court. The necessity for a bill of this kind must, I think, be admitted by almost every one familiar with the facts.

Mr. BIGHAM. The Senator from Clearfield, I presume, must be aware that the doctrine of constitutional law now laid down by him is not authoritative. The Supreme Court of the State—higher authority than the Senator—in a decision many years ago relative to the organization of the criminal court in Philadelphia, affirmed the power of the Legislature to do exactly what is proposed to be done in this case.

Mr. COLEMAN. If there has been a party question before us this winter, I consider this such a question, and I would like to see the Republican who is going to vote against this measure.

Mr. RANDALL. I want to see on the record the name of any Republican who will vote for such a bill.

Mr. DONOVAN. Mr. Speaker, some time ago there came here a delegation from Schuylkill county, asking the passage of a bill for the appointment of a police force in that county. That question was fully discussed in this body, and the Senate granted to those people what they asked. That bill being sent to the other House, they now send here a new and entirely different bill. We are asked to act on that bill at once and pass it to-night, after merely hearing it read at the Clerk's desk.

I trust that the Senate will non-concur and send the matter to a committee of conference. I hope this will not be made a party question. In my judgment it cannot properly be so considered. If the citizens of Schuylkill require protection, they ought to have it irrespective of party.

Mr. COLEMAN. The Senator from Philadelphia [Mr. DONOVAN] says that by the bill already passed, we have granted to the Republicans of Schuylkill county all that they asked. I deny that we have done anything of the kind. The gentleman says that we passed a police bill——

Mr. RANDALL. I deny that the Republicans of Schuylkill county are asking for anything. There is one man running round here begging legislation. That is all.

Mr. COLEMAN. A great many Republicans have spoken to me here about this matter. A delegation of more than fifty, appointed by a meeting in Schuylkill county, came here soliciting the passage of a measure of this kind; and a similar application has come from fifty citizens of Philadelphia, representing large interests in the county of Schuylkill. I would like to know what the jury bill and the police bill will be worth to the citizens of that county, if they have not a court disposed to carry out those measures properly. The present court, if matters are left to its control, would put every one of these policemen in jail before thirty days.

Mr. RANDALL. A committee of conference can agree upon a bill which will be perfectly satisfactory.

Mr. LOWRY. Mr. Speaker. I am not going to debate this question. I did that fully when it was up before. But I would remind Senators of this fact: the Republican members of this body and the other branch, in caucus assembled, assured the people of Schuylkill county that they would have guaranteed to him by this Legislature a "republican form of government." They have not such a government there now. They ask this legislation to secure it to them, and I for one will vote to grant the application.

On the question,

Will the Senate concur in the amendments of the House?

The yeas and nays were required by Mr. RANDALL and Mr. COLEMAN, and were as follow, viz:

YEAS—Messrs. Bigham, Billingfelt, Browne (Lawence), Brown (Mercer), Coleman, Cowles, Fisher, Graham, Haines, Lowry, M'Connaughy, Shoemaker, White, Worthington and Hall, *Speaker*—15.

NAYS—Messrs. Burnett, Davis, Donovan, Jackson, James, Landon, M'Candless, Randall, Ridgway, Royer, Schall, Searight, Stutzman, Taylor and Wallace—16.

So the question was determined in the negative.

Mr. CONNELL, when his name was called, said: On all votes upon this bill I am paired with Judge WALLS.

Mr. LANDON, when his name was called, said: Mr. Speaker, I never was in a greater quandary in my life as to how I ought to vote. I generally know how to vote.

A SENATOR. Vote with your friends.

Mr. LANDON. We were assured of the existence of peculiar trouble in Schuylkill county, and we acknowledged the fact. We were asked to pass a police bill; and for that I voted. We were asked to pass a special jury bill. I took the position that, if we could have a general jury bill, I would vote against all special jury bills. A majority of the Senate concurred with me in that view. We passed a general jury bill, irrespective of party lines. Then we were asked for an additional law judge. I voted to grant that request. We have given the people of that county a police force armed to the teeth; we have given them a jury bill, putting all parties upon the same footing; we have given them an additional law judge that the law might be more fairly administered.. Our bill providing for an additional law judge has been amended in the House by substituting this prolix bill, of which I never heard or saw a line until within the last ten minutes. It proposes to establish a criminal court in Schuylkill, Lebanon and Dauphin counties. It proposes to create for Schuylkill county a special jury system—a thing which I have declared upon this floor I would not vote for, provided our friends on the other side would vote for a general jury bill, which they did. My idea is this: Let the people of Schuylkill county put in force the police bill, the jury bill and the bill for an additional law judge, and then, if peace be not established, I would, if necessary, vote them an army of devils to maintain the peace. But my impression is that they should first try the remedies which we have already provided. I understand that if the amendments of the House be not concurred in, the question will go to a committee of conference, who can doubtless agree upon the provisions of a satisfactory bill. Sir, I vote "no."

The result of the vote was announced as above stated, and the amendments of the House were not concurred in.

CHANGE OF VENUE.

Mr. CONNELL moved that the Senate resume the consideration of Senate bill No. 1532, entitled An act to change the venue in a certain case from Schuylkill county to Lebanon county.

On the question,

That the Senate agree to the motion?

The yeas and nays were required by Mr. RANDALL and Mr. CONNELL, and were as follow, viz:

YEAS—Messrs. Bigham, Billingfelt, Browne (Lawrence), Brown (Mercer), Coleman, Connell, Cowles, Fisher, Graham, Haines, Landon, Lowry, M'Conaughy, Ridgway, Shoemaker, Stutzman, Taylor and Worthington—18.

NAYS—Messrs. Burnett, Davis, Donovan, Jackson, James, M'Candless, Randall, Schall, Searight, Wallace and White—11.

So the question was determined in the affirmative.

And the question again recurring,

Shall the bill pass?

Mr. RANDALL asked and obtained the unanimous consent of the Senate to amend the bill by striking out the word "Lebanon" wherever it occurs in the bill and title, and by inserting in lieu thereof the word "Berks."

And the question recurring,

Shall the bill pass?

It was determined in the affirmative.

BILLS IN PLACE.

On leave,

Mr. FISHER read in his place and presented to the Chair a bill entitled An act to prevent the fraudulent voting of stock in oil and mining companies of this Commonwealth.

Referred to the Committee on the Judiciary General.

Also, a bill entitled Supplement to an act to incorporate the Presbyterian historical society, approved April 8th, A. D. 1867.

Referred to the Committee on Corporations.

Mr. CONNELL, a bill entitled An act to authorize the Coal Ridge improvement company to sell their bonds on certain terms.

Referred to the Committee on the Judiciary Local.

Also, a bill entitled An act to incorporate the Philadelphia iron and steel company.

Referred to the Committee on Corporations.

Mr. JACKSON, a bill entitled An act to incorporate the Carnarvon coal company.

Referred to the Committee on Corporations.

Mr. WHITE, a bill entitled An act to incorporate the Keystone elevating and warehousing company.

Referred to the Committee on Corporations.

Mr. HAINES, a bill entitled An act to incorporate the Fame mining company.

Referred to the Committee on Corporations.

Mr. LOWRY, a bill entitled An act to authorize the commissioners of Erie county and the proper officer or officers of municipal or other corporations in said county, and individuals, to contract with the Marine hospital of Pennsylvania, at Erie, for the future support and attendance of patients, and to make payment therefor.

Referred to the Committee on the Judiciary Local.

Mr. BROWNE (Lawrence), bill entitled An act to repeal an act approved March 22d, A. D. 1867, entitled A further supplement to an act to regulate the granting of licenses to hotels and eating houses, approved March 31, 1856, so far as the same applies to the county of Lawrence.

Referred to the Committee on the Judiciary Local.

Mr. COWLES, a bill entitled An act supplementary to an act to incorporate the Northern railroad and navigation company, approved March 22d, A. D. 1867, extending the privileges of said company.

Referred to the Committee on Railroads.

REPORT OF CONFERENCE COMMITTEE.

Mr. WORTHINGTON, from the committee of conference on bill entitled A further supplement to an act for the regulation and continuance of a system of education by common schools, approved the 8th day of May, A. D. 1854, made a report, which was read, as follows, viz:

That the committee had agreed to amend

the bill in the twenty-eighth line of the twelfth section, by inserting after the word "terms" the words "which shall be," and to recommend that the amendments, as thus amended, be concurred in by both Houses.

On motion of Mr. WORTHINGTON, the report was read a second time, considered and

Concurred in.

Mr. CONNELL, from the committee appointed to consider the differences between the two Houses upon House bill No. 538, entitled An act regulating interest on public accounts, reported that the committee had agreed to recommend that the Senate recede from its amendments, non-concurred in by House of Representatives, to said bill.

On motion of Mr. CONNELL, the report was read a second time, considered and

Adopted.

PRIVATE BILLS PASSED.

On motion of Mr. BIGHAM, the Senate proceeded to the third reading to consideration of bill entitled

An act to authorize the Allegheny Valley railroad company to issue additional stocks and bonds, and to repeal the act entitled An act to authorize the Allegheny Valley rail road to mortgage its road and branches to complete the same, and approved the 8th day of March, A. D. 1867.

On the question, Shall the bill pass?

It was determined in the affirmative.

On motion of Mr. FISHER, the Committee on Judiciary General was discharged from the further consideration of bill entitled An act to prevent the fraudulent voting of stock in oil and mining companies of this Commonwealth.

And the rules having been dispensed with, The bill was read a second and third time, and

Passed finally.

On motion of Mr. WHITE, the Committee on Corporations was discharged from the further consideration of bill entitled An act to incorporate the Keystone elevating and warehousing company.

And the rules having been dispensed with, The bill was read a second and third time, and

Passed finally.

On motion of Mr. BIGHAM, the rules were dispensed with, and the Senate proceeded to the consideration of bill entitled A supplement to an act incorporating the Mechanics' Savings Bank of Pittsburg.

The bill was read a second and a third time, and

Passed finally.

On motion of Mr. BROWN (Mercer), the rules were dispensed with, and the Senate proceeded to the consideration of a bill entitled An act to prohibit others than regularly licensed druggists and graduated physicians from vending and practicing medicine in Mercer county.

The bill was read a second and third time, and

Passed finally.

On motion of Mr. JACKSON, the rules were dispensed with, and the Senate proceeded to the consideration of bill entitled An act to enable the Philadelphia and Montana gold and silver mining company to borrow money and to issue bonds.

The bill was read a second and third time, and

Passed finally.

On motion of Mr. FISHER, the rules were dispensed with, and the Senate proceeded to the consideration of bill entitled An act to incorporate the Columbia life insurance company.

The bill was read a second and third time, and

Passed finally.

On motion of Mr. BROWNE (Lawrence), the Committee on Vice and Immorality was discharged from the further consideration of bill entitled An act to repeal act approved March 22d, A. D. 1867, entitled A further supplement to an act to regulate the granting of licenses to hotels and eating houses, approved March 31st, 1856, so far as the same applies to the county of Lawrence.

And the rules having been dispensed with, The bill was read a second and third time, and

Passed finally.

On motion of Mr. CONNELL, the Committee on Corporations was discharged from the further consideration of bill entitled An act to incorporate the Philadelphia iron and steel company.

And the rules having been dispensed with, The bill was read a second and third time, and

Passed finally.

On motion of Mr. JACKSON, the Committee on Corporations was discharged from the further consideration of bill entitled An act to incorporate the Caernarvon coal company.

And the rules having been dispensed with, The bill was read a second and third time, and

Passed finally.

On motion of Mr. CONNELL, the Committee on Judiciary Local was discharged from the further consideration of bill entitled An act to authorize the Coal Ridge improvement company to sell their bonds on certain terms.

And the rules having been dispensed with, The bill was read a second and third time, and

Passed finally.

On motion of Mr. COWLES, the Committee on Railroads was discharged from the further consideration of bill entitled An act supplementary to an act to incorporate the Northern railroad and navigation company, approved March 22d, A. D. 1867, extending the privileges of said company.

And the rules having been dispensed with, The bill was read a second and third time, and

Passed finally.

On motion of Mr. FISHER, the Committee on Corporations was discharged from the further consideration of bill entitled Supplement to an act to incorporate the Presbyterian Historial society, approved April 8th, A. D. 1857.

And the rules having been dispensed with, The bill was read a second and third time, and

Passed finally.

On motion of Mr. GRAHAM, the rules were dispensed with, and the Senate proceeded to the consideration of bill entitled An act authorizing the sheriff of Allegheny county to tax costs in certain cases.

The bill was read a second and third time, and

Passed finally.

On motion of Mr. SEARIGHT, the rules were dispensed with, and the Senate proceeded to the consideration of bill entitled An act to authorize the school directors of Perry township, Fayette county, to levy and collect a bounty tax.

The bill was read a second and third time, and

Passed finally.

On motion of Mr. GRAHAM, the rules were dispensed with, and the Senate proceeded to the consideration of bill entitled An act regulating the assessment of city taxes in the city of Pittsburg.

The bill was read a second and third time, and

Passed finally.

On motion of Mr. M'CONAUGHY, the rules were dispensed with, and the Senate proceeded to the consideration of bill entitled A supplement to an act entitled An act authorizing the school directors of Latimore township, Adams county, to levy a tax and issue bonds to pay money raised to pay bounties to volunteers, approved the 11th day of April, A. D. 1866.

The bill was read a second and third time, and

Passed finally.

On motion of Mr. LOWRY, the Committee on the Judiciary Local was discharged from the further consideration of bill entitled An act to authorize the commissioners of Erie county and the proper officer or officers of municipal or other corporations in said county, and individuals, to contract with the Marine Hospital of Pennsylvania, at Erie, for the future support and attendance of patients, and to make payments therefor.

And the rules having been dispensed with, The bill was read a second and third time, and

Passed finally.

On motion of Mr. HAINES, the Committee on Corporations was discharged from the further consideration of bill entitled An act to incorporate the Fame mining company.

And the rules having been dispensed with, The bill was read a second and third time, and

Passed finally.

Mr. SCHALL moved that the Senate do now adjourn.

The motion was

Agreed to,

And the SPEAKER adjourned the Senate until to-morrow morning at 10 o'clock.

HOUSE OF REPRESENTATIVES.

MONDAY, April 8, 1867.

The House met at 10 o'clock, A. M., pursuant to adjournment.

The reading of the Journal of the previous day was dispensed with.

Mr. WATT moved to reconsider the vote taken on House bill No. 1469, a further supplement to an act consolidating the city of Philadelphia, extending the term of office of the chief of the water department.

Mr. QUIGLEY moved to indefinitely postpone the reconsideration.

On the motion to indefinitely postpone,

The yeas and nays were required by Mr. QUIGLEY and Mr. DE HAVEN, and were as follow, viz:

YEAS—Messrs. Adaire, Boyle, Breen, Brennan, Chalfant, Collins, Craig, Deise, Donohugh, Fogel, Ghegan, Gregory, Harner, Headman, Heltzel, Hunt, Jenks, Kline, Kurtz, Linton, Long, M'Henry, Maish, Markley, Meyers, Quigley, Robinson, Roush, Satterthwait, Tharp, Westbrook and Wilson—32.

NAYS—Messrs. Armstrong, Barton, Brown, Cameron, Chadwick, Chase, Colville, Davis, Day, DeHaven, Espy, Freeborn, Gordon, Harbison, Hoffman, Humphrey, Jones, Josephs, Kerns, Kimmell, Kinney, Koon, Lee, Leech, M'Creary, M'Kee, M'Pherrin, Mann, Meily, Peter, Pillow, Quay, Richards, Shuman, Stehman, Watt, Webb, Weller, Wheon, Wingard, Woodward, Worrall, Wright and Glass. *Speaker*—44.

So the question was determined in the negative,

And the bill came again before the House.

Mr. LEE moved to go into committee of the whole for the following special amendment: to include within the provisions of the supplement the chief of the highway department.

The amendment was accepted.

Mr. ADAIRE moved to amend by including the city treasurer.

Mr. WATT remarked that the amendment was offered for the purpose of defeating the bill.

On agreeing to the amendment,

The yeas and nays were required by Mr. GHEGAN and Mr. ADAIRE, and were as follow, viz:

YEAS—Messrs. Adaire, Breen, Brennan, Chalfant, Craig, Diese, Donohugh, Fogel, Ghegan, Gregory, Harner, Headman, Heltzel, Hunt, Jenks, Josephs, Kline, Lee, Linton, Long, M'Henry, Maish, Meily, Meyers, Mullin, Quigley, Robinson, Roush, Tharp and Westbrook—30.

NAYS—Messrs. Armstrong, Barton, Brown, Cameron, Chadwick, Chase, Colville, Davis, Day, DeHaven, Espy, Freeborn, Gordon, Harbison, Hoffman, Humphrey, Jones, Kerns, Kimmell, Kinney, Koon, Leech, M'Creary, M'Kee, M'Pherrin, Peter, Mann, Pillow, Quay, Richards, Shuman, Stehman, Waddell, Watt, Webb, Weller, Wham, Wilson, Wingard, Woodward, Worrall, Wright and Glass, *Speaker*—43.

So the question was determined in the negative.

The amendment was

Not agreed to.

The question recurring on the bill as amended,

The yeas and nays were required by Mr. QUIGLEY and Mr. GHEGAN, and were as follow, viz:

YEAS—Messrs. Allen, Armstrong, Barton, Brown, Chadwick, Chase, Collville, Day, DeHaven, Espy, Ewing, Freeborn, Gordon, Harbison, Heltzel, Hoffman, Humphrey, Kerns, Kimmell, Kinney, Koon, Leech, M'Creary, M'Kee, M'Pherrin, Mann, Meily, Peter, Pillow, Richards, Shuman, Stehman, Waddell, Watt, Webb, Weller, Whann, Wingard, Woodward, Worrall, Wright and Glass, *Speaker*—42.

NAYS—Messrs. Boyle, Breen, Brennan, Chalfant, Collins, Craig, Davis, Deise, Donohugh, Fogel, Ghegan, Gregory, Harner, Headman, Hunt, Jenks, Josephs, Kline, Kurtz, Lee, Linton, Long, M'Henry, Maish, Meyers, Mullin, Quigley, Robinson, Roush, Satterthwait and Tharp—31.

So the question was determined in the affirmative,

And the bill was

Agreed to.

BILLS PASSED.

Mr. QUAY asked and obtained leave to read in place and present to the Chair an act to perfect the title of Reuben Watt to certain lands in South Beaver township, Beaver county.

The bill was read and

Agreed to.

The rules having been dispensed with, the bill was read a second and third time, and

Passed finally.

Mr. STUMBAUGH asked and obtained leave to call up Senate bill No. 1077, an act explanatory of the provisions of the fifth section of the act to incorporate the Bennett's Branch improvement company.

Mr. WINGARD. Mr. Speaker, I am told that this bill is to pass, and my efforts to defeat it will be abortive. I am satisfied, after canvassing members of the House, that two-thirds, at least, of them are committed to the passage of the bill. All I can do, therefore, is to endeavor to amend the bill so as to give those concerned some protection, and I offer the following amendment:

First section—Strike out "ten," in the first line, and insert at the end of the section:

And provided further, That twenty days' notice of the time and place of said sale, and a description of said logs, with the marks or owners thereof, shall be published in one newspaper printed in Muncy, one in Williamsport, one in Jersey Shore, in the county of Lycoming, and one in Lock Haven, in the county of Clinton."

The amendment was

Agreed to.

The bill as amended was

Agreed to.

The rules were suspended, the bill read a second and third time, and

Passed finally.

Mr. DEHAVEN asked and obtained leave to read in his place and present to the Chair a further supplement to the act for the protection of game, approved April 21, 1858.

Referred to the Committee on Agriculture.

MESSAGE FROM THE SENATE.

The Clerk of the Senate being introduced, informed that the Senate has concurred in the amendments made by the House of Representatives to Senate bills numbered and entitled as follows:

No. 923, an act to incorporate the Pittsburg transportation company.

No. 1221, an act to protect the validity of certain liens in Venango county.

He also informed that the Senate has non-concurred in the amendments made by the House of Representatives to Senate bill No. 984, entitled An act to authorize the Southwark railroad company to renew their road on Swanson street.

On motion, the House receded from its amendments to said bill, non-concurred in by the Senate, and

Ordered, That the Clerk inform the Senate of the same.

He also informed that the Senate has adopted the report of the committee of conference on the subject of the differences existing between the two Houses in relation to the amendments to Senate bill numbered and entitled as follows, viz:

No. 617, joint resolution relative to the revisal of the civil laws of Pennsylvania.

He also presented the following extracts from the Journal:

IN THE SENATE, April 8, 1867.

Resolved (if the House of Representatives concur), That the Governor be requested to return, for amendment, Senate bill No. 812, entitled An act to repeal an act to lay out a State road in Schuylkill and Columbia counties, approved April 4th, 1866.

On motion, said resolution was twice read, considered and concurred in, and

Ordered, That the Clerk inform the Senate of the same.

IN THE SENATE, April 8, 1867.

Resolved (if the House of Representatives concur), That the Governor be requested to return, for amendment, Senate bills numbered and entitled as follows:

No. 792, an act authorizing the sale of the Allegheny City poor farm.

No. 697, an act to incorporate the Monongahela inclined plane company.

On motion, said resolution was twice read, considered and concurred in, and

Ordered, That the Clerk inform the Senate of the same.

PETITIONS, REMONSTRANCES, &C.

Mr. PILLOW presented to the Chair a petition from citizens of Butler county, Pennsylvania, for a prohibitory liquor law for said county.

Laid on the table.

Mr. WADDELL, a petition from citizens of Oxford, for a law authorizing them to borrow money for school purposes.

Laid on the table.

Also, a petition from citizens of Oxford borough, Chester county, to borrow money.

Laid on the table.

Also, a remonstrance from citizens of Sadsbury township, Chester county, against a change of the road laws of said township.

Laid on the table.

Also, a petition from trustees of Williston Baptist Church, for a law authorizing them to remove bodies from a grave yard.

Laid on the table.

Also, a remonstrance from owners of property and residents, and persons doing business on the line of the Philadelphia, Germantown and Norristown railroad, against the passage of any law prohibiting the use of steam power on certain portions of that road.

Laid on the table.

BILLS IN PLACE.

Mr. KURTZ read in his place and presented to the Chair

No. 2197, an act authorizing the State Treasurer to pay Tate and Wilson twenty-five dollars for lumber furnished Camp Curtin.

Laid on the table.

Mr. GREGORY, No. 2198, an act to exempt the property of the infantry corps of National Guards, of the city of Philadelphia, from taxation.

Laid on the table.

Mr. LONG, No. 2200, an act to authorize the school directors of North Middleton township, Cumberland county, to apply the surplus of any fund raised in said township for bounty purposes to the support of the common schools in said township

Laid on the table.

REPORTS FROM COMMITTEES.

Mr. WADDELL, chairman of the Committee on Ways and Means, reported from said committee, as committed, Senate bill No. 1255, an act to establish an additional State Lunatic hospital.

Mr. LEE (Mining and Manufacturing), as committed, Senate No. 1496, an act to incorporate the Lucius S. Peck gold and silver mining company of Montana.

Mr. WADDELL (Ways and Means), as committed, Senate bill No. 1254, an act to repeal the State tax upon certain personal property, and in lieu thereof to apportion three hundred thousand dollars upon the counties of the State.

Mr. LEE (Mining and Manufacturing), as committed, Senate No. 1305, an act to incorporate the Pacific mining and exploring company.

Also (same), as committed, Senate bill No. 653, an act to incorporate the Washington Township mining, manufacturing and improvement company of Schuylkill county.

Also (same), as committed, Senate bill No. 694, an act to enable the parties interested under a certain indenture of trust, from Christopher Loeser to William S. Wetmore and others, dated October 28th, 1854, to become a mining company.

REPORT OF COMMITTEE OF CONFERENCE.

Mr. MANN, from the committee of conference of the Senate and House of Representatives on the points of difference between the Senate and House on the joint resolution (No. 607) relating to the revisal of the civil laws of Pennsylvania, made the following report:

It is unanimously recommended to strike out, in the first section, in the fourth line, after the word "Commonwealth," the manuscript amendment, as follows: "Who, in conjunction with the Attorney General, shall act;" and to strike out, in the second section, in the first line, the words, "the revises," and insert in lieu thereof as follows: "the said commissioners, in consultation with the Attorney General of this

Commonwealth;" and that the Senate recede from its non-concurrence, and concur in the amendment of the House to strike out the word "collect," and insert in lieu thereof the word "collate," in the first line, in the second section, and also in the amendment of the House to strike out "nine," and insert "fifteen" in the first line in the fifth section.

All of which is respectfully submitted.

(Signed,) D. M'CONAUGHY,
GEO. CONNELL,
WM. A. WALLACE,
Senate Committee.
JOHN S. MANN,
O. H. MEYERS,
WM. B. WADDELL,
Committee of the House.

On motion,

Said report was twice read, considered and Agreed to, and

Ordered, That the Clerk inform the Senate of the same.

REPORT FROM THE COMMITTEE TO COMPARE BILLS.

Mr. CAMERON, from the Committee appointed to Compare Bills, and present them to the Governor for his approbation, made report, which was read as follows, viz:

That in conjunction with a similar committee from the Senate, they have compared, and on the 8th instant, presented to the Governor for his approbation, bills as follow, to wit:

Senate bill No. 280, an act authorizing the commutation of the death punishment in certain cases.

Senate bill No. 770, an act to provide for the continuance of the education and maintenance of the destitute orphans of the deceased soldiers, sailors and the destitute children of permanently disabled soldiers and sailors of the State.

Senate bill No. 1316, further supplement to an act to incorporate the Union coal company, approved May 4th, 1857, now the Osceola coal company, increasing the privileges of said company.

Senate bill No. 316, an act to incorparate the Sandusky and Irwin Street bridge company.

Senate bill No. 1495, an act to incorpoate the Corn Exchange warehousing company of Philadelphia.

Senate bill No. 520, an act to incorporate the Moshannon land and lumber company.

Senate bill No. 854, an act to allow the sheriff of Elk county fees for serving jury notices and increasing the pay of supervisors in said county.

Senate bill No. 812, an act to repeal an act to lay out a State road in Schuylkill and Columbia counties, approved April 4, A. D. 1866.

Senate bill No. 317, a supplement to an act to incorporate the Allentown passenger railroad company, approved 21st day of March, A. D. 1854.

Senate bill 983, an act to incorporate the Brookville and Brockawayville railroad company.

Senate bill No. 593, a further supplement to an act incorporating the Lackawanna and Bloomsburg railroad, approved April 5, A. D. 1852.

Senate bill No. 1166, an act authorizing the school board of the Fourth ward, in the Allegheny city school district, to close up their bounty business, and to use surplus bounty money for the purpose of purchasing ground and erecting a new school house in said ward, and to borrow twenty thousand dollars for the purpose aforesaid.

Senate bill No. 736, an act to attach certain lands and tenements in Napier township, Bedford county, and the persons residing thereon, to Schellsburg borough, for school purposes.

Senate bill No. 989, an act authorizing the school directors of the borough of Tarentum, Allegheny county, to assess and collect taxes for school purposes.

Senate bill No. 990, an act to authorize the school directors of the borough of Sewickley to borrow money, and levy an additional school tax.

Senate bill No. 872, an act authorizing the trustees, secretary and treasurer of the proprietors' fund of Plymouth township to appropriate said fund towards the erection of school houses and for school purposes.

Senate bill No. 585, an act to incorporate the Keystone telegraph company.

Senate bill No. 923, an act to incorporate the Pittsburg transportation company.

Senate bill No. 926, a supplement to an act, entitled An act to incorporate the Lehigh Valley Fire insurance company, approved 30th day of March, A. D. 1866.

Senate bill No. 692, an act to incorporate the American dredging company.

Senate bill No. 924, a further supplement to an act, entitled An act to incorporate the Scranton gas and water company, approved March 16, 1854.

Senate bill No. 518, a further supplement to an act to incorporate the North American shaft company, approved the 22d day of March, 1862.

Senate bill No. 894, an act to legalize and make valid an assessment made by the board of school directors of Strasburg township, Lancaster county, of one-half of one per centum on the 16th day of June, A. D. 1866, for bounty purposes.

Senate bill No. 911, an act regulating certain sheriff's fees in the county of Luzerne.

Senate bill No. 905, an act increasing the pay of certain township officers in Conyngham township, Columbia county.

Senate bill No. 973, a supplement to an act relating to the directors of the poor of Lancaster county, approved March 2, 1846, regulating the fees of constables.

Senate bill No. 1350, an act to authorize the revision of a portion of the wharf lines on the rivers Delaware and Schuylkill.

Senate bill No. 1030, a supplement to an act to incorporate sundry Baptist churches in Cambria, Blair, Huntingdon, Mifflin, Juniata and Centre counties, called the Centre Association of Independent or Regular Baptist churches, approved the 11th day of April, A. D. 1866, changing the time for the election of trustees and the meeting of said trustees.

Senate bill No. 1050, an act repealing an act, entitled An act relating to roads in Bratton township, Mifflin county, approved May 1, A. D. 1861.

Senate bill No. 1059, a supplement to an act, approved April 12, 1856, to lay out a State road from Tarentum, Allegheny county, to George Gochee's, in Butler county.

Senate bill No. 1063, an act to incorporate the Citizens' ferry company of Pittsburg.

Senate bill No. 1067, an act to extend the time for the payment of the enrollment tax upon an act to incorporate the Eastern telegraph company, approved April 5, 1866.

Senate bill No. 1081, an relative to the assessment and collection of taxes on unseated lands in Cherry township, Sullivan county.

Senate bill No. 941, an act regulating the fees of notaries public in the county of Allegheny.

Senate bill No. 1121, an act authorizing the school directors of Curwensville, Clearfield county, to borrow money and sell a school building.

Senate bill No. 1135, an act to extend the time for the payment of the enrollment tax on an act to incorporate the Sunnyside iron company.

Senate bill No. 1136, a supplement to an act granting a pension to Lewis Hagenman, approved April 17, 1866.

Senate bill No. 1154, an act to incorporate the Lampeter and Strasburg turnpike road company.

Senate bill No. 1159, a further supplement to an act entitled An act to incorporate the Conestoga and Big Spring Valley turpike road company, passed April 17, 1861.

Senate bill No. 1140, a supplement to an act entitled An act to incorporate the Philadelphia freight and transportation company.

Senate bill No. 1177, an act authorizing the State Treasurer to allow a credit to the treasurer of Adams county, for money paid John Scott.

Senate bill No. 1198, an act to incorporate the Farmers' and Citizens' Co operative Building and Savings Fund association of Lawrence county, Pa.

Senate bill No. 1210, an act extending the time for laying out a State road in Wayne and Monroe counties.

Senate bill No. 1215, an an act to incorporate the Mount Rock, Newville and Stoughstown turnpike road company.

Senate bill No. 1220, an act to incorporate the Carlisle, Boiling Spring and Dillsburg turnpike road company.

Senate bill No. 1247, an act to authorize the board of school directors of White township, Indiana county, to borrow money, and to appropriate for school purposes surplus bounty fund.

Senate bill No. 1251, an act to empower the court of quarter sessions of the peace of Adams county to appoint auditors to audit bounty accounts in the several boroughs and townships in said county, and in relation to reauditing the bounty accounts of Cumberland township, in said county.

Senate bill No. 1353, an act authorizing and empowering A. Clark, of Meadville, to have his dockets returned to him.

Senate bill No. 1214, an act to authorize the Curwensville bridge company to change its rate of toll.

Senate bill No. 1463, a further supplement to an act entitled An act for the better regulation of billiard rooms, bowling saloons and ten-pin alleys in the counties of Chester and Delaware, approved April 13, 1859, and a supplement thereto, approved March 16, 1866, extending the same to the counties of Lawrence, Butler and Armstrong.

Senate bill No. 1470, an act relating to the paving of the streets of the city of Allentown.

Senate bill No. 595, a supplement to an act to incorporate the Reading passenger railway company, approved 21st day of March, A. D. 1865.

BILLS ON THIRD READING.

Senate bill No. 275, an act to establish criminal courts for Dauphin, Lebanon and Schuylkill county.

The question on the final passage of the bill.

Mr. BOYLE. Mr. Speaker, I move that the House go into committee of the whole for the purpose of special amendment.

The House will remember that when the bill was before us on another occasion I called attention to the fact that it was a bill where the district was to be composed of three counties, but that there was a very large difference in the application of the bill to those several counties. The courts created were to have power in one county which they were not to have in another. This appears to me so manifestly unjust and unfair that I cannot think that any gentleman here will insist upon passing the bill in that shape. I put it

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[CONTINUED FROM PAGE 1024.]

to the House plainly: there is a necessity for passing this bill for Dauphin and Lebanon counties or there is not, and either an honest or a dishonest purpose in passing this bill for these counties. If the purpose be an honest one then let us give it an honest appearance; let us make the bill applicable to all the counties alike; if the evils exist that require the establishment of a new court in these two counties, then let us establish the court in fact and give it the same power here it is to have elsewhere. With that view I have prepared a special amendment, making the bill uniform and giving the courts of Dauphin county, established by this bill, the same powers that the courts of Schuylkill county will have, and also the court of Lebanon county the same powers the court of Schuylkill will have.

If the purpose is an honest one, if there is any need of a court in Dauphin or Lebanon counties at all, let us make it appear so by the bill. If we do not do so, and if we do not give these courts the same power in these two counties that it has in Schuylkill, then let it stand confessed that the two counties, Dauphin and Lebanon, are put in the bill for purely partisan purposes.

Mr. MANN. Mr. Speaker, I hope the House will refuse to go into committee of the whole for the reason that this bill has been prepared by the ablest legal minds of the State. It has received their approval; it has been passed upon and approved by the men who are oppressed and injured, or who allege they are; it has received their endorsement, and it has received the scrutiny of men able to give this bill all the attention it could possibly have.

Mr. COLLINS. I would like to know if the gentleman from Potter [Mr. MANN] is interested in getting up this bill, or whether Mr. Bennett has any interest in its getting up.

Mr. MANN. I say distinctly I have nothing to do with the getting up of this bill, and so far as I know, neither did Mr. Bennett. It came into my hands from a gentleman in whom I have the utmost confidence, not only as a lawyer, but as a good and faithful citizen. The bill is now on third reading; we are on the last day of the session, in which probably we can pass this bill. I hope, therefore, under the circumstances, the House will refuse to go into committee of the whole for amendment.

Mr. MEYERS. Mr. Speaker, I was always of the opinion that our constituents sent members to make laws for them, but I now learn for the first time, that when a bill of importance, a bill like this in character is presented, one entirely different from any that has been offered for the consideration of this or any other Legislature, that it is not the Legislature of Pennsylvania which is to scrutinize and criticize and examine the propriety of this law, but some outside legal gentleman whose name was not mentioned upon this floor—a self-constituted judge. He shall examine and prepare and pass upon laws. Now, I invoke him to reflect before he attempts to perpetrate such a wrong upon the people of Pennsylvania.

I will remind gentlemen of the manly language of Senator Trumbull, in a celebrated speech at Chicago, when the Government undertook to suppress the printing, publishing and circulation of the Chicago *Times*. He told them that they must stop these proceedings; if they did not they would be setting a precedent. The Democrats would ultimately come in power and that the same bitter chalice would be put to their lips.

Now, I say, let us pause. Let us stop and reflect whether it is right and just and proper that a bill of this character should be passed to-day. I am astonished that the gentleman from Potter [Mr. MANN] has become an agent and an instrument of those men who are about to thrust it upon us. He, above all other men, should have been the last one to have presented anything of this character, an amendment which no other living person has seen, except a self constituted caucus, outside of this Legislature. The gentleman from Potter has rung the changes on us. He has used arguments which were appropriate and pertinent and direct upon various measures which have been presented upon this floor, and in which he denounced in fitting terms, and fitting phrases, the men who have brought bills before this House, and attempted to impose them without a reference to committees. But he has led the van in the infamy which has been practiced upon this House, in changing the criminal laws of Pennsylvania in reference to three counties; and in subverting the time honored principles of the common law, of the practice and precedents of legislation in this Commonwealth, by bringing in a bill which no Democratic member on this side has ever read; a bill which the Senator representing the counties affected never saw; which never went into the committee room, and which no man interested in this question has ever seen. He comes in here and introduces an amendment upon a bill providing for an additional law judge in the Twenty-first Judicial district of Pennsylvania, and the very next moment rises in his place and demands the previous question.

Now, in the name of the Commonwealth, in the name of propriety, in the name of decency, I would like to know how he can reconcile his conduct upon this matter with his vote, his voice, his conduct and his denunciations of such measures and such principles heretofore. He has repeatedly denounced such acts, and his denunciations appear over and over again upon the *Record* of this House.

Now, as a Democrat, I am the first one always, now and forevermore, to throw aside party trammels for the public good; and if there are any measures anywhere for the peace of Schuylkill county, and the protection of her citizens, I am the first man to pass the law. If the criminal jurisprudence of this Commonwealth, if the way in which judges are constituted in that county is not proper nor sufficient to protect them, I, if nobody else, I, as a Democrat, will go to the furthest, for the purpose of changing those laws; but before attempting to do anything of that kind, I desire to lay my eyes upon this bill. I desire to read it, and study it, and to let it get before a committee, that an honest man may act honestly upon the question. I cannot believe that the safety of our institutions can be subserved by such acts as these. I believe we are fast tending to anarchy and ruin, if some one does not rise in his place and denounce, in fitting terms, practices that have lately obtained. I regret that my learned friend from Potter [Mr. MANN] has placed himself in such an unenviable position. If this bill had been presented in the early part of the session; if it had been put upon our files, and received the attention of committees, and if the facts as alleged in regard to Schuylkill county were true, I am satisfied that the Democratic side of this House would have joined hands with the gentleman from Potter in the fullest and strongest efforts for the purpose of vindicating right and putting down wrong. I know the people of Pennsylvania are a law abiding people, and they will not suffer injustice.

But how are we to meet the secret conspiracy against some of the people of Schuylkill? Shall it be by the same means? On the contrary, we would stand before this House, before the world, and meet it openly and in a manly spirit, so that every man can see for himself and judge of the truth; and then, without fear or favor, without partisan feelings (at least so far as I am concerned), we would pass an act just, and stringent, and satisfactory, against these injustices and wrongs. If the gentleman from Potter [Mr. MANN] would reflect one moment, he would agree with the principle which he has so often laid down, that this law ought not to be acted upon and passed until it is placed upon our files and printed, and an opportunity given for it to be read. I hope he will rise in his seat and confer that favor upon this House, and demand those rights which he has so repeatedly and successfully demanded in other cases.

Mr. BOYLE. Mr. Speaker, I wish to call attention to one or two of the provisions of this bill. Every gentleman in the House will agree that it is not improper that the House should know something of the character of this bill. Gentlemen will learn hereafter, if not now, its great importance. It starts out, for the first three or four sections, fairly and candidly enough, establishing a district court and court of criminal jurisdiction in three several counties. The first sections of the bill are alike applicable to all the counties in the district; but you will find, when you come to the third section, that this bill

strikes off upon Schuylkill county, and its purpose becomes apparent. It directs that after the passage of this act, "all recognizances dated within the county of Schuylkill for the appearance of witnesses shall be taken at the court created by this act."

But there is no provision of this kind applicable to the other counties. The same section provides that after the passage of this act, the jurisdiction of the courts of oyer and terminer and quarter sessions of Schuylkill county over criminal offenses shall cease and determine. But there is no provision of a similar character for the other counties. The point of that proviso is this: That it will destroy the courts of quarter sessions and oyer and terminer in Schuylkill county in that particular. I doubt the constitutionality of this bill for this reason: That the Constitution itself provides for the establishment of a court of quarter sessions and a court of oyer and terminer for every county in the Commonwealth. This bill destroys the two courts thus provided for by the Constitution, and leaves Schuylkill county with neither oyer and terminer nor quarter sessions.

When we reach the sixth section, the purpose of this bill again becomes apparent, in requiring all returns made by constables, all tippling houses, &c., and of elections, relating to roads and highways in Schuylkill county be made to this court; while in Lebanon and Dauphin no such provision is made to apply.

But here is an objection that certainly must be made available; and it will strike the gentleman from Potter, I know. It is contained in the eighth section. It requires that in Schuylkill county all recognizances shall be taken and made returnable by the court created by this act. It is further provided that in Dauphin and Lebanon the district attorneys shall have discretion in directing where these recognizances shall be taken. Now, I submit that is impossible. Recognizances in criminal matters are taken by justices of the peace. You go into one of your most remote townships, and if a justice of the peace has information laid before him, and the party is made to appear, he takes bail. He enters into a recognizance. But, now it is proposed that the district attorney shall direct to what court these recognizances shall be made returnable. What shall the justice of the peace do? How shall he comply with the provisions of this act? It leaves no established law; it does not say, in one case or the other, recognizances shall be made returnable to the ordinary court of quarter sessions; but that the district attorney shall direct.

I submit to the gentleman from Potter [Mr. MANN], and any man on this floor, whether this provision of the bill can be complied with. I hope, therefore, it will be stricken out.

Then, in the ninth section, the purpose is still apparent in providing that there shall be no grand jury summoned to attend the court of quarter sessions of Schuylkill county, and that in Dauphin and Lebanon no grand or petit jury shall be summoned to attend sessions of this court, and that all bills shall be found in the quarter sessions. Two directly opposite provisions in the same bill. In Schuylkill, you strip the ordinary courts of their ordinary jurisdiction. You strip them of their ordinary machinery. Now, the purpose is too apparent, as a partisan proposition, to receive the sanction of fair men.

And so in the eleventh section, we find, in a very few words, the jury law of Somerset county established in Schuylkill county, and not in the other counties in the district.

Now, as I have before said, if there is any need of this bill in the three counties, let it so appear. If there is a state of facts existing in Dauphin and Lebanon, requiring legislation of this character, then let it appear, and let us legislate accordingly. But let us not put these two counties in this bill for no other purpose than to vote down Schuylkill county, and give them a judge not of their own selection. The people of this Commonwealth, by the Constitution, have the right to select their judges. No man can preside over them without their consent. I trust that no member here is going to violate the Constitution, in placing over the affairs of Schuylkill county a set of judges that the people of the county have not selected.

I have pointed out some of the objections to this bill; and they are to me insurmountable in character.

Mr. JENKS. Mr. Speaker, there is something extraordinary in the provisions of this bill. It provides for the creation of a new district. It provides that the judge elected to preside over that district shall exercise criminal jurisdiction in the counties of Dauphin and Lebanon, in cases where the district attorneys of those counties certify the case into his court. It provides, if I have read this bill right, that the jurisdiction of the judge of the court of common pleas and oyer and terminer and quarter sessions in the county of Schuylkill shall cease and determine upon the appointment of a judge over this new district.

Now, I raise this question, that such an act does not correspond with the requirements of the Constitution. I particularly call the attention of my learned friend from Potter [Mr. MANN] to the provisions to which I intend to refer, and I wish his opinion. I am satisfied that this bill does not correspond with the opinion of the law. I am satisfied that, had the bill been referred to the Committee on Judiciary, of which he is the chairman, it would not have met his approbation. In article five, section five, I read as follows:

"The judges of the court of common pleas in each county shall, by virtue of their offices, be justices of oyer and terminer and general jail delivery, for the trial of capital and other offenders therein."

In view of that provision, I ask whether an act which takes from the justices of any of the districts the right of holding court of oyer and terminer and general jail delivery corresponds with the Constitution, and I ask the gentleman from Potter [Mr. MANN] to give an answer to that question. Here is a plain provision, declaring that these judges shall, by virtue of their office, be justices of oyer and terminer and general jail delivery. Here is an act which says that the judges in a particular county shall not be justices of the court of oyer and terminer and general jail delivery. Here is the Constitution, declaring that the judges shall exercise this power. Here is an act that says the judges shall not exercise this power.

It is said that this act has been submitted to lawyers of character. But I ask the gentleman from Potter [Mr. MANN] to reconcile these differences. I repeat it again, this act says the judges of the court of common pleas in the county of Schuylkill shall not be justices of the courts of oyer and terminer and general jail delivery. It says so, if not in terms, by an irresistible inference drawn from the language. It takes from those judges the right to do what the Constitution says they shall do.

Now, I put it to my Republican friends, whether they can so far forget themselves; whether their party feelings have so completely beclouded their judgment that they are determined to pass an act which seems to controvert the plainest principles of the Constitution. If they do so, they must take the responsibility. I shall vote against the bill.

The question being on agreeing to the motion of the gentleman from Fayette [Mr. BOYLE], to go into committee of the whole for the purpose of special amendment.

The yeas and nays were required by Mr. BOYLE and Mr. KLINE, and were as follow, viz:

YEAS—Messrs. Boyle, Breen, Brennan, Chalfant, Collins, Craig, Deise, Fogel, Gregory, Harner, Headman, Heltzel, Hunt, Jenks, Jones, Kline, Koon, Kurtz, Linton, Long, M'Henry, M'Pherrin, Maish, Markley, Meyers, Mullin, Quigley, Robinson, Roush, Satterthwait, Tharp and Westbrook—32.

NAYS—Messrs. Adaire, Allen, Armstrong, Barton, Brown, Cameron, Chadwick, Chase, Davis, Day, Deflaven, Donohugh, Espy, Ewing, Freeborn, Ghegan, Gordon, Harbison, Hoffman, Humphrey, Kimmell, Kinney, Lee, Leech, M'Creary, M'Kee, Mann, Mechling, Meily, Peter, Pillow, Quay, Richards, Shuman, Stumbaugh, Subers Waddell, Webb, Weller Whann, Wingard, Woodward, Worrall, Wright and Glass, *Speaker*—45.

So the question was determined in the negative.

The question recurring on the final passage of the bill,

The yeas and nays were required by Mr. COLLINS and Mr. BREEN, and were as follow, viz:

YEAS—Messrs. Adaire, Allen, Armstrong, Barton, Brown, Cameron, Chadwick, Chase, Colville, Davis, Day, Donohugh, Espy, Ewing, Freeborn, Gordon, Harbison, Hoffman, Humphrey, Kimmell, Kinney, Lee, Leech, M'Creary, M'Kee, Mann, Mechling, Meily, Peter, Pillow, Richards, Shuman, Stumbaugh, Subers, Waddell, Webb, Weller, Wham, Wilson, Wingard, Woodward, Worrall, Wright and Glass, *Speaker*—44.

NAYS—Messrs. Boyle, Breen, Brennan, Chalfant, Collins, Craig, Deise, Fogel, Gregory, Harner, Headman, Heltzel, Hunt, Jenks, Jones, Kline, Koon, Kurtz, Linton, Long, M'Henry, M'Pherrin, Maish, Markley, Meyers, Mullin, Quigley, Robinson, Roush, Satterthwait, Tharp and Westbrook—32.

So the question was determined in the affirmative.

And the bill

Passed finally.

The bill, as passed finally, is as follows, viz:

SEC. 1. That the counties of Dauphin, Lebanon and Schuylkill are hereby erected into a judicial district, under the name and style of the First District of Criminal Jurisdiction, and that in each county within the said district there shall be established a court of record, with criminal jurisdiction, under the name and style following: In Dauphin county the name and style of the court shall be the criminal court of Dauphin county; in Lebanon county the name and style of the court shall be the criminal court of Lebanon county; and in Schuylkill county the name and style of the court shall be the criminal court of Schuylkill county. The said court, in each of the said counties, shall consist of one judge, learned in the law, who shall be the president judge of the district created by this act, and who shall, in all criminal matters and cases within the said district, have the like powers, jurisdiction and authority as the president judge of any judicial district of this Commonwealth, as well upon holding a court of quarter sessions of the peace, and court of oyer and terminer and general jail delivery, and in vacation in any county within his proper districts, and shall at all times have the like power to grant writs of habeas corpus, and give relief thereupon in all cases as fully as any other president judge of any judicial district may or can do in similar cases.

Each of the courts created by this act shall have, and they are hereby vested with, full powers and authority to inquire of, hear, try

and determine, agreeably to the laws and customs of this Commonwealth, all murders, rapes, robberies, arsons, felonies, misdemeanors, and all other offenses which have been or may be committed within the county for which such court is created, and which would be cognizable in any court of quarter sessions of the peace and court of oyer and terminer within this Commonwealth, if committed within their jurisdiction, and to hear, try and determine all presentments and indictments for any and all offenses against laws of this Commonwealth committed within such county, and to sentence and punish all persons who shall be convicted of the said offenses, or any of them, agreeably to the laws of this Commonwealth; and generally to do all such matters and things as any court of general quarter sessions of the peace or oyer and terminer and general jail delivery may or can do within the county for which such court is created by this act; and each of the said courts shall have a seal, with the arm of the Commonwealth engraved thereon, and the name of the court.

After the passage of this act, all recognizances taken within the county of Schuylkill shall be taken for the appearance of the prosecutors, defendants and witnesses at the court created by this act for said county, and not to the court of quarter sessions of Schuylkill county; and from and after the first Monday of June next, the jurisdiction of the court of quarter sessions of the peace, and court of oyer and terminer of Schuylkill county, over felonies and misdemeanors, shall cease and determine, and the whole of the said jurisdiction now vested in the said court shall be, and the same is hereby vested, from that date, in the court for the said county, created by this act; and all indictments pending and recognizances taken, in the court of quarter sessions of the peace and the court of oyer and terminer, in Schuylkill county, shall be then transferred to, and be heard, tried, proceeded and determined, in the last court created by this act, in the same manner, and with the same effect, as if the indictment had originally been found in the recognizance taken therein; *Provided*, That in all cases where convictions have been had, and the sentences have not been passed, the said court of quarter sessions and oyer and terminer shall proceed therein according to law, in the same manner, and with like effect, as if this act had not been passed.

That the sessions of the court created by this act shall be held as follows:

In Schuylkill county, on the first Monday of January, April, July and October, and to continue four weeks if the business shall require it; in the county of Lebanon, on the first Monday of February, May and November, to continue one week if the business shall require it; and in Dauphin county on the first Monday of March, June, September and December, and to continue two weeks if the business of the court shall require it, with power to hold adjourned sessions of the said courts; and whenever, in the opinion of president judge of the districts created by this act, the public interests shall require it, he may order extra sessions of the courts in any of said counties, to be held at such times as he may appoint; and he shall have power, and he is hereby authorized, to dispense with jury courts in any county at such sessions as, in his opinion, jury courts may be dispensed with, without prejudice to the public interests; *Provided*, That in Schuylkill county, in addition to the sessions above mentioned, the first session of the court created by this act for that county, shall be held on the first Tuesday of June next, to continue until the close of that week, if the business shall require it.

It shall be the duty of the Governor of the Commonwealth, pursuant to the provisions of the Constitution, to appoint a gentleman of integrity, learned in the law, to be the president judge of the districts created by this act, who shall hold his office until the first Monday of December next, and the qualified electors of the said counties of Dauphin, Lebanon and Schuylkill shall, on the second Tuesday of October next, elect a president judge for the said districts, according to the Constitution and laws of this Commonwealth; and the said judge, so appointed or elected, shall receive for his services a like salary or compensation as the president judge of court of common pleas of Schuylkill county.

The clerks of the courts of quarter sessions and oyer and terminer in the several counties in the district created by this act shall, for the time being, be the clerks of the courts created by this act, in the counties for which they are, or may be elected, and shall receive the like fees for the like services rendered, done and performed in the courts created by this act, as if rendered, done or performed in the courts of quarter sessions, or of oyer and terminer, in the respective counties; and the sheriffs, coroners, constables and marshal of police affairs shall obey and execute all lawful orders of the courts created by this act, and be subject to the like penalties for neglect or disobedience, as if the said orders or writs had been made or issued by the courts of quarter sessions, or courts of oyer and terminer of the several counties within the district created by this act, and shall, in all cases, receive a like compensation for similar services, and all reports and returns that are now required by law or custom to be made to the courts of quarter sessions of Schuylkill county relating to selling liquor by less measure than one quart, tippling houses, disturbances at elections and matters relating to roads, highways or offenses of any kind, shall be made to the courts created by this act in Schuylkill county, at such times and every regular session thereof, and the said court shall take such action thereon as any court of quarter sessions may or can do in similar cases.

All laws relating to the issuing of venires for the summoning of grand and petit jurors that are now or may be hereafter in force within the said district, are hereby extended to the courts created by this act, and the jurors shall be drawn and summoned in such numbers and like manner as for courts of oyer and terminer and courts of quarter sessions, and as may from time to time be ordered by the said courts created by this act.

The district attorneys in Dauphin and Lebanon counties shall have the power to direct recognizances to be taken for the appearance of prosecutors, defendants and witnesses in the courts created by this act, or in the quarter sessions of the peace of the said counties, as they may think best for the public interests.

It shall not be lawful to summon a grand jury in the present court of oyer and terminer, or quarter sessions, as now held in Schuylkill county, after the establishment of the criminal court under this act, but the grand jury shall be selected for and summoned to attend the criminal courts in said county only, and in the counties of Dauphin and Lebanon, no grand jury shall be summoned in the criminal court established by this act, but all bills shall be found in the present courts of oyer and terminer and quarter sessions, after which they may, on the written order of the district attorney for the proper county, be removed into the criminal court for trial, or may be tried in the courts now existing in said counties, at this option; and if no causes have been removed into said criminal court for trial, no traverse jury shall be summoned to attend said court. It shall be lawful for the return judges in the counties of Schuylkill, Dauphin and Lebanon, to appoint one of their number in each of said counties to meet at the borough of Lebanon on the first Tuesday after the general election in October next, and make return of and cast up the number of votes given for the respective candidates for judge of the criminal court hereby established, and make return thereof to the Secretary of the Commonwealth, in the manner now prescribed as to the election of president judges.

The act entitled An act for the better and more impartial selection of persons to serve as jurors in the several courts of Somerset and other counties of the State, approved the 27th day of March, 1865, be and the same is hereby extended to Schuylkill county.

Immediately after the passage of this act the Governor of this Commonwealth shall appoint two sober, intelligent and judicious persons, taking one from each of the political parties, to serve as jury commissioners for Schuylkill county, who shall remain in office until jury commissioners for said county shall be elected as provided in said act hereby extended to Schuylkill county, and who shall be subject to all the provisions of said act; and the said jury commissioners so appointed by the Governor shall forthwith proceed to select and draw jurors for the courts in Schuylkill county, in the manner directed by the said act for the courts in Schuylkill county, for the current year, and the names of the persons now in the jury wheel in Schuylkill county be withdrawn and others substituted, as directed by this act.

Mr. KOON. Mr. Speaker, I rise to a question of privilege.

I move to reconsider the action of the House on House bill No. 1469, a further supplement to an act consolidating the city of Philadelphia, and extending the term of office of the chief engineer of the water department.

On the motion to reconsider.

The yeas and nays were required by Mr. GREGORY and Mr. DEHAVEN, and were as follow, viz:

YEAS—Messrs. Adaire, Boyle, Breen, Brennan, Brown, Chalfant, Deise, Donohugh, Fogel, Ghegan, Gregory, Harner, Headman, Heitzel, Jenks, Jones, Joseph, Kinney, Kline, Koon, Kurtz, Lee, Linton, Long, M'Henry, M'Pherrin, Maish, Markley, Meyers, Mullin, Quigley, Roush, Satterthwait, Shuman, Stehman, Subers, Tharp, Westbrook, Woodward and Wright—40.

NAYS—Messrs. Allen, Armstrong, Barton, Cameron, Chadwick, Chase, Colville, Davis, Day, DeHaven, Espy, Ewing, Freeborn, Gordon, Harbison, Hoffman, Humphrey, Kerns, Kimmell, Leech, M'Creary, M'Kee, Mann, Meily, Peter, Richards, Quay, Stumbaugh, Waddell, Watt, Webb, Weller, Wham, Wingard, Worrall and Glass, *Speaker*—36.

So the question was determined in the affirmative, and the bill was again before the House.

Mr. GREGORY. Mr. Speaker, I move to indefinitely postpone the further consideration of the bill.

Mr. KERNS. We have voted on that question.

Mr. COLVILLE. Mr. Speaker, I hope that motion will not prevail. There has been too much time consumed in the consideration of this bill.

The question recurring on the final passage of the bill,

The yeas and nays were required by Mr. GREGORY and Mr. KERNS, and were as follow, viz:

YEAS—Messrs. Allen, Armstrong, Barton, Cameron, Chadwick, Chase, Colville, DeHaven, Espy, Freeborn, Gordon, Harbi-

son, Hoffman, Humphrey, Josephs, Kerns, Kimmell, Kinney, Leech, M'Creary, M'Kee, Mann, Meily, Peter, Quay, Richards, Shuman, Stumbaugh, Waddell, Watt, Webb, Weller, Whann, Wingard, Woodward, Worrall, Wright and Glass, *Speaker*—38.

NAYS—Messrs. Adaire, Boyle, Breen, Brennan, Chalfant, Collins, Deise, Donohugh, Fogel, Ghegan, Gregory, Harper, Headman, Heltzel, Hunt, Jenks, Jones, Koon, Kurtz, Lee, Linton, Long, M'Henry, Maish, Markley, Meyers, Mullin, Quigley, Robinson, Roush, Satterthwait, Subers, Tharp and Westbrook—34.

So the question was determined in the affirmative.

And the bill

Passed finally.

The next bill in order on third reading was No. 1763, an act to change the boundary line of Lebanon borough.

Not agreed to.

Senate bill No. 1117, a supplement to the act to incorporate the Norris Park mining company, approved March 14, 1865, authorizing said company to borrow money.

Passed finally.

No. 1260, an act to reduce the number of school directors in the several school districts in the county of Bradford, and to pay the same.

Mr. WILSON. Mr. Speaker, if you pay the directors in Bradford county and no other, I contend you have done a great injury to the school system. Now, our school system has been established on a free basis. I contend that the moment you establish a precedent to pay school directors, that moment you strike a fatal blow at the whole system. You render it necessary to levy a tax in every township to pay school directors, and the moment you do that, people inquire, "for what is this tax?" And to that extent you render this school system obnoxious. Moreover, I contend you will not have as good men for school directors as we have now. We are able to obtain the services of liberal, high-minded men to take charge of this matter, who do it as a matter of pride. But the moment you establish the system of paying school directors, you get politicians of every kind, and men who strive for the office for the sake of the emoluments, and not for the good of the school. As long as we can get good men to attend to these duties without pay, I think this House would be establishing a very bad precedent by paying school directors in Bradford or any other county.

I hope this bill will not pass. I therefore move its indefinite postponement.

Mr. WEBB. Mr. Speaker, I am surprised at the remarks of the gentleman from Allegheny [Mr. WILSON], in relation to the merits of this bill. It strikes me, if he had experience in one of the rural districts of this State, he would look upon this question in an entirely different view. Take the township in which I reside, in the county of Bradford, a township six miles square. The board of directors are scattered all over the township, and it is with great difficulty that four men can be got together as the law requires, in order to transact the necessary business. The gentleman entirely mistakes the fact, when he says we obtain a better class of men than we would if we adopted the system of paying our directors. We ask this as a local matter entirely. We have not the charge of the legislation of Allegheny, nor have we the charge of the legislation of Lancaster, nor of the legislation of Chester. And I cannot understand why these gentlemen should take upon themselves the responsibility of representing the county of Bradford. We propose to let the three men do what six men are required to do. We propose to compensate those men ourselves. It is not a matter of the slightest consequence to any of the gentlemen who have opposed this bill. I think the truth of the story is this—that the school department have taken a little snuff, and it is necessary that the gentleman from Allegheny should sneeze. This matter belongs to us. If the people of our county are united upon any one question, it is that of reducing the number of school directors, and providing for their compensation.

But it is said that this is an innovation on the school system. It is no more of an innovation that it would be to reduce the number of members on this floor.

I ask the House to stand by us, and pass this bill, because our people desire it, and because it does not interfere with the schools of any other county.

Mr. QUAY. Mr. Speaker, I introduced a bill of similar character, which went to the Committee on Education, and was negatived. This bill was favorably returned by that committee. I inserted a township, in my county, to which I was desirous of applying the law. The people of that township are desirous to be included within the provisions of this bill. They will be subject to its effects, and they alone. I trust the House will pass this bill.

Mr. ARMSTRONG. Mr. Speaker, I have one word to say against the passage of this bill. The thought has occurred to me, while the gentlemen have been contending, that the very parties who come with this bill, asking for its passage, and the reduction of the number of school directors, with a compensation for their labors, are the very men who come and ask us for a State tax for school purposes. Now, here is an inconsistency that I cannot comprehend. The system, as it now exists, works well, and I argue that, instead of decreasing the number of directors, it would be, generally, advantageous to increase the number. We want school directors scattered all over every township, that they may be in the vicinity of sub-districts, and take charge of the schools in their neighborhood. If we reduce the number to three, the labors of the directors will be onerous. It is the duty of the directors, we all know, to visit the schools at least once a month. They should be visited once a month, to make the system efficient. Now, if you cut down the number to one-half, and continue the same duties, you increase the labors of those three directors just one hundred fold: and the result will be, your schools will not be visited or attended to at all.

Again, as has been already remarked, we are getting up an office that will be worth a dollar and a half a day, and certain parties will seek after it, independent of their regard of the schools or of the school system; and to just that extent you take money out of the treasury that should go to pay teachers and keep your schools open. These gentlemen complained that they are taxed from eighteen to thirty mills on the dollar, for the purpose of keeping schools open four months in the year. And yet they come here and ask us to increase their burden by paying the directors who at present perform their duties without pay. I see an inconsistency here that I cannot explain. In view of that, I must vote against the bill.

Mr. WEBB. Mr. Speaker, I will say, in reply to the remarks of the gentleman, in reference to the duties of the directors of district schools, that in our section of the country, the secretary of the board is authorized, by resolution, to visit the schools, instead of apportioning the sub-districts among the directors without pay. The secretary is paid for visiting the schools; the duties are all discharged by one person.

We can now understand the position of the gentleman from Lancaster [Mr. ARMSTRONG]. He is afraid that his county will be obliged to pay a tax of ten mills, to pay the school directors. We do not ask that he or his constituents shall maintain and educate our children. But we put ourselves upon the broad doctrine that the wealthy of the State should educate its youth.

Mr. M'CREARY. Mr. Speaker, I have always endeavored to avoid interfering with local legislation; yet I have always endeavored to see whether that local legislation would directly or indirectly, remotely or immediately, affect my own interest. I think it is best to fix up the banks before the water gets too high; and so in this case. I am satisfied that, although this is now a local matter, it will eventually become general; or at least an attempt will be made to make it general, whether it is right or not. For, why should the school directors of one county in this State draw pay, while the others do not? The school law is a great public benevolence, and we should guard it from all these little things that may tend to impair it. We have little money enough to keep up our schools, without paying men for acting as directors. I never heard a director complain—I never heard any one complain that school directors were not paid. It is not universally felt in this State that school directors should receive pay. It is foolish to say that because teachers receive pay for teaching schools, that directors should receive pay for looking after the interests of the schools.

Mr. CHALFANT. Mr. Speaker, the secretaries of the boards receive pay.

Mr. M'CREARY. Simply because the secretary has labor to perform that no other person can.

As to limiting the number of school directors, the only objection I have to that is this: not that I am unwilling that Bradford county should get along without school directors; but that it is a breaking in upon the general system now in operation all over the State.

Mr. MANN. Mr. Speaker, why is there not just as much reason for paying school directors for services rendered as for paying any other officer for the services he performs?

Mr. M'CREARY. Mr. Speaker, I say the school law and the appropriation for the schools is a great public beneyolence. It is not one of those absolute necessities, like taxes raised to pay members for coming here and making laws.

Mr. MANN. What I desire to know is, why should the school directors perform services for the public without being allowed to claim compensation?

Mr. M'CREARY. Because the school fund law is not so much a necessity. It is a great public benevolence. Every dollar you put into the pockets of directors is taken out of the school fund for the education of children. This is a new matter, and it is too late in the session to undertake to make such a radical change in the school law.

Mr. BOYLE. Mr. Speaker, I would ask whether the proposed change in the law is any more radical, or any more important, than the change which has been made in the judiciary system of the State?

Mr. M'CREARY. Mr. Speaker, if the schools are in as bad a condition in Bradford county as the laws are in Schuylkill county, I will vote to make the change.

Mr. COLVILLE. Mr. Speaker, I believe the greatest reason assigned for the passage of this bill, is the very best reason that could be offered why it should not pass. It has been stated that, as the system now prevails in Bradford county, many of the school directors cannot write their own names. Now, what guarantee have the people of Bradford

county, that such men will not present themselves for re-election. They will receive a salary for their services, and I consider this one of the best reasons why we should not pass this bill.

Mr. WOODWARD. Mr. Speaker, it seems to me there is a great deal of discussion over a small matter. The townships only ask for this bill desire to be taxed for their own benefit. They simply petition this Legislature to be allowed to pay their own taxes for their own benefit. I do not see why they should not be allowed to do so. I think the school director is just as much entitled to pay for his services as I am for coming here.

Mr. KINNEY. Mr. Speaker, I expressed my views so fully on this bill that I should not take any part in the discussion. But the gentleman from Pittsburg started out by asking what good reason there was why this bill should be passed. I will give him one: It is, that the people of Bradford are unanimous in asking for its passage. It is local in its character and provisions; it in no wise affects the school system throughout the State. I consider that one of the best reasons why we should pass this bill for Bradford county.—The time is not far off when we will come to this system of paying school directors.

Mr. WILSON. Mr. Speaker, I have opposed this measure not because it was a local measure. If it were local, I would be, perhaps, one of the last men in this House to oppose it. I have never sought to interfere with local legislation, nor do I intend to interfere with such matters. But I contend that this is not a local measure exclusively. It is a precedent, an alarming precedent; a precedent that, in my opinion, will extend all over the State. I contend that the moment you establish this principle of paying school directors, that moment you render the school system liable to the evils of local legislation.

Mr. MAISH. Mr. Speaker, I am not willing to be silent on this question. I am opposed to this bill. I think it is setting a very bad precedent. The common school system is not a local matter, by any means. It belongs to the State. Every son of Adam in this Commonwealth ought to be proud of that system, as the system of Pennsylvania. It has become notorious as being one of the best school systems in the United States. It has been copied by most of the New England States, and a great many of the Western States. If we allow the gentleman from Bradford to invade this system, inroads upon it will be made until we have no system at all. I trust we will stop this matter at the beginning. We should preserve our common school system intact. I hope this bill will not pass.

On the question, Shall the bill pass?

The yeas and nays were required by Mr. DAY and Mr. M'CREARY, and were as follow, viz:

YEAS—Messrs. Allen, Boyle, Brennan, Cameron, Chalfant, Craig, Deise, Fogel, Harbison, Harner, Heltzel, Hoffman, Humphrey, Jenks, Jones, Kerns, Kinney, Kline, Koon, Kurtz, M'Henry, M'Pherrin, Mann, Markley, Meyers, Mullin, Pillow, Quay, Quigley, Roush, Satterthwait, Webb, Whann, Wingard, Woodward and Wright—36.

NAYS—Messrs. Armstrong, Barton, Breen, Brown, Chadwick, Collins, Colville, Davis, Day, DeHaven, Espy, Ewing, Freeborn, Ghegan, Gordon, Gregory, Headman, Hunt, Kimmell, Lee, Leech, Linton, M'Creary, Maish, Mechling, Peter, Richards, Robinson, Shuman, Stambaugh, Tharp, Waddell, Weller, Westbrook, Wilson, Worrall and Glass, *Speaker*—37.

So the question was determined in the negative,

And the bill was not agreed to.

On motion of Mr. HUMPHREY, the House proceeded to the consideration of

Senate bill No. 377, an act granting an increase of capital to literary or charitable institutions becoming soldiers' orphans' schools.

The bill was read and

Agreed to, and

Passed finally.

The House then adjourned till 3 o'clock this afternoon.

AFTERNOON SESSION.

The House met at three o'clock, P. M.

The SPEAKER announced a quorum of members present.

Mr. WORRALL. Mr. Speaker, I move that the orders of the day be suspended for the purpose of considering House bill No. 1979, joint resolution relative to the military history of the Pennsylvania Reserve Corps.

The question being on the motion of Mr. WORRALL,

It was

Agreed to.

The bill being before the House and the question being on agreeing to the bill,

Mr. WOODWARD. Mr. Speaker, I wish the House would consider this bill a little carefully before they pass upon it. That bill was before the committee of which I am chairman, and it was there negatived for several good reasons.

Now, sir, that history professes to treat especially of the history of fifteen Pennsylvania regiments. I accord to the Pennsylvania Reserves all honor and all credit. That history goes into the minute details of the marches, skirmishes and encampments of the Pennsylvania Reserve Corps. It begins with the original history out of which grew the war. It also gives a somewhat detailed statement of the operations of the army in the Northwest, where the Pennsylvania Reserve Corps never were, and to all intents and purposes it is a history that takes in all the collateral points necessary to make it a complete history in itself. That is all right and proper.

The State is going to get up a history to be a history of all the Pennsylvania troops. Now, if we give to every fifteen regiments the same space and the same consideration this history does these fifteen regiments, I venture to say that one-half million of dollars will not pay the expense of the history. Here is a book of five or six hundred pages devoted to the history of but fifteen regiments. Now, I do not think that it is anticipated that the State historian will get up a history that would include twenty-five or thirty volumes of the size of this history. Not only this, but the State is to distribute three thousand volumes of this work. Will there be any justice in that? I will state that I had the fortune to have command of a regiment myself. I was connected with that regiment from its organization until the fall of 1864. In that regiment we had about three thousand men. In that single regiment there died of wounds and casualties between seven and eight hundred men.

Now, if the Pennsylvania Reserve Corps did all that is claimed for them, you will have in those fifteen regiments six or seven thousand men who died from the effects of disease and wounds received in the service. Yet it is proposed to distribute but three thousand copies. There can be no justice in that. Who shall say to what particular persons those volumes shall be sent? As I understand the matter, it is not contemplated that the State shall distribute the State history. If we do, and place it upon the same footing as it is proposed to put this history by the passage of this bill, then an expenditure of two or three millions of dollars will not do historical justice to all the Pennsylvania regiments. Any gentleman can draw up a schedule that will establish that fact conclusively. What I protest against as a member of a regiment not connected with the Pennsylvania Reserve Corps, is this: that it places these fifteen regiments on a higher level than the two hundred and ten or fifteen regiments not incorporated in that corps. I could come here with as good a grace, and ask the State to distribute three thousand copies of the history of my regiment, which is already published. But I have not the brass to do that, and I do not think that any gentleman would say I have the right to do that. But that is what the Pennsylvania Reserve Corps propose to do by the passage of this bill. All I claim, as a friend of every regiment, is that they shall be placed upon the same footing, and that if the State is going to distribute this history, it shall also distribute the history now being prepared by the State historian.

Mr. PENNYPACKER. Mr. Speaker, it is with a great deal of diffidence I rise to reply to some remarks by the gentleman who has just taken his seat, because I had the honor to serve in one of the regiments of the Reserve Corps for three years. I do not wish to be here as an advocate of the exploits of that corps. It is not necessary for me to do so. The history of that Division is well known. There are some gentlemen in this House to-day, who perhaps are better acquainted with the organization of that regiment than I am. But I can only say, sir, in answer to the gentleman, that this is the only Pennsylvania Division that was ever organized by the State of Pennsylvania. This is a peculiar corps of men. The Pennsylvania Reserves were mustered into the State service, they were on duty in the State, they were paid by the State, equipped by the State, were drilled in the State, and when the call was made, just before the battle of Bull Run, this Division was sent forward fully equipped. This division was gotten up as a Pennsylvania State Division. The men were mustered into the service by Pennsylvania officers; they were fully and completely a Pennsylvania Division, and were held as reserves to fill any call that might be made. I will say further that the Pennsylvania Reserves were considered a distinct division throughout the whole war.

Now, as this work embraces the full history of the Pennsylvania Reserve Corps, as a member of that division, all I ask is that this history be taken as the history of these fifteen regiments. I do not care anything about the distribution of the three thousand copies. I would prefer myself to have that part stricken out of the bill. I only ask this, as this Pennsylvania Reserve Corps was the creature of the Legislature of Pennsylvania, as they were organized under a special act of Assembly, that this history be adopted and accepted by the State historian who is to write the history of all the other regiments, as the history of these fifteen regiments.

Mr. ROATH. Will the gentleman allow himself to be interrogated?

Mr. PENNYPACKER. Yes, sir.

Mr. ROATH. Do you believe that this history is correct?

Mr. PENNYPACKER. I believe that it is as nearly correct as perhaps any history that can be written.

Mr. ROATH. Do you believe the author of this work is the best man to write a history of that Reserve Corps?

Mr. PENNYPACKER. That is another question. I only know the result. So far as my personal knowledge goes, I wish to say that this history is as complete a history as can well be written of any fifteen regiments. Some rolls, perhaps, have not been published

because they were not sent in time. But that can be remedied by a revisal of the work. All I ask of this Legislature is to accept this history of this Division, as it was a distinct division from any other that went into the field. Other divisions were sent into the field, but they were organized as divisions after they were in the field. And a special act was not passed to raise those regiments, they were not paid by——

Mr. WOODWARD. Was not the Pennsylvania Reserve Corps recruited, to a great extent, under the idea that they could not go out of the State?

Mr. PENNYPACKER. No, sir; most emphatically, no, sir!

My understanding is that the Pennsylvania Reserves were raised to fill the first call that was made upon the State. After the call for the seventy-five thousand three months' men was filled there were more men recruited than possibly could enter the service, and from the surplus this Pennsylvania Division was made up by a special act of Assembly. This was in accordance with the policy of the far-sighted Governor of Pennsylvania, that more men would be needed at that time, and that Pennsylvania should be among the foremost in having men ready to be put right into the service when called for.

I say without hesitation, and without asking that this thing may reflect honor more than is due to the Pennsylvania Reserves, that they are the troops that protected Washington after the first battle of Bull Run. We all know what a defeat that was for our army. We all know that our army was then driven back into Washington in confusion and disorder, and that if the rebel army had moved forward immediately, they would have captured Washington. But these Pennsylvania Reserves moved forward immediately at the call and were there when needed, and formed the nucleus of the Army of the Potomac.

I do not claim for the Pennsylvania Reserves more than they achieved in the field. All did service and we are not asking to be placed above other regiments, but we are only asking that this history be adopted by the State as the history of the Pennsylvania Reserves and be placed with the history of the other State troops.

Mr. M'CREARY. Mr. Speaker, I think the gentleman from Chester [Mr. PENNYPACKER] does not fully understand the question before the House. The question before this House does not involve the services and character of the Pennsylvania Reserves at all. It is simply whether a certain book which has been written by some person that this House knows nothing about—whether that shall be adopted as the military history of the Pennsylvania Reserves, and made a part of the military history of the Pennsylvania troops. Therefore I think the remarks of the gentleman from Chester have nothing to do with the question before the House. The question is to determine whether we will authorize our State historian to exclude these fifteen regiments from the history he is to write of the State troops, and to give official sanction to this large history of the Reserve Corps. If there is any thing that soldiers dislike, it is a distinction made against them without just cause. The State, and troops were organized in the way they were called reserves, is no reason why they should have a larger space in the State history than any other organization in the State. I look with pride upon the achievements and exploits of that corps, but the mere fact of their being a distinct organization does not justify an unjust discrimination in their favor. I know of some camps where three months' regiments were doing service long before this corps went into service, and I know that that the most of those three months' regiments enlisted again into three years' regiments.

I do protest that men who were in the service only three years shall have a position before those others in the State military history. I say that this is not such a history that the State should stamp with its authority and send it out over this State. I am told by those who know that there are in this work histories of certain officers of that Reserve Corps that were only a year in the service large enough to give a history of General Grant. If we adopt this history, what is there to prevent other regiments from employing persons to write the history of their regiments and have it go into the military history of the State?

I suppose the object of this military history is to give some of the main points connected with the organization—not to write elaborate biographies of all the principal officers—but simply to refer to them and to give such facts as will enable our posterity to see what part those regiments took in the service. But why should fifteen regiments, simply because they were organized in the State as State troops, claim pre-eminence in this matter? The gentleman from Chester has given the very best reason to show why they should not. They were organized, uniformed, equipped and drilled in this State, and those were advantages as every person knows. I know of regiments that within six days after leaving home were on the battle-field. They had no time to be drilled before going into the service. We always felt in the service that this Reserve Corps had advantages over the others.

Mr. PENNYPACKER. Do I understand the gentleman from Erie [Mr. M'CREARY] to say that the Pennsylvania Reserves were recruited and organized under the same act, and by the same authority as the other regiments of the State?

Mr. M'CREARY. I do not so understand it, but I do not see why the regiments organized under one law should be treated differently from those organized under another law.

Mr. PENNYPACKER. The Pennsylvania Reserves were gotten up by the State of Pennsylvania, and as such should be recognized, and when they ask that a certain history written, not for the purpose of having it adopted as the history written by the State, but when it is written, the Pennsylvania Reserves, recognizing it to be a true history, ask the Pennsylvania Legislature to adopt that history.

Mr. M'CREARY. When the military historian comes to write out the history of this Reserve Corps, let him give them the same benefits as other regiments, and say, by way of distinction, that they were organized as Pennsylvania troops. Let them have the benefit of that, but do not bring in a book as big as *Purdon's Digest* and ask us to adopt it as the history of the Reserve Corps. I know that there is a fulsomeness about that history that the Legislature ought not to sanction in a military history of the Pennsylvania troops. The act under which they were organized, reads:

"The said regiments shall severally be composed of companies of like number, and to be armed and equipped, clothed, disciplined, governed and officered, as similar troops in the service of the United States, and shall be enlisted in the service of the State for a period not exceeding three years or for the war, unless sooner discharged, and shall be liable to be called into the service of this State at such times as the commander-in-chief may deem their services necessary, for the purpose of suppressing insurrections or to repel invasions; and further, to be liable to be mustered into the service of the United States at such times as requisition may be made by the President of the United States."

Now, is there anything different in that from other regiments? The State authorized the formation of other regiments; but in this instance, instead of taking them up one at a time, it at one time authorized the formation of fifteen regiments. There was General Hartranft's whole Division, composed of Pennsylvania regiments, and General Humphreys' whole Division, also composed of Pennsylvania regiments, that achieved so much honor on the battle-field of Fredricksburg. Why, then, this unjust distinction?

Why, Mr. Speaker, it is absurd! Do they pretend to say that they did more service than other Pennsylvania regiments? The other Pennsylvania regiments marched with them, went into battle with them, and no one denies that they fought just as well.

The history of the Eighty-third Pennsylvania regiment has been written. But we do not ask that it shall be adopted as the State military history of that regiment.

I hope the members of this House will see that this injustice is not done. Let the Pennsylvania Reserve Corps have their history written, just as other regiments have theirs, and if they have done more service than others the readers will not fail to discover it. I hope the House will see that no such unjust distinction is made—that fifteen regiments should have a special history written, and other regiments should be content with a few words in the back leaves of the Pennsylvania military history.

Mr. HEADMAN. Mr. Speaker, this is not a question of honor or valor. It is simply for the purpose of this State subscribing for a certain number of copies of this work and acknowledging it as the history of the great Pennsylvania Reserves. I am free to say that the Pennsylvania Reserves should have no more credit for the deeds than the One Hundred and Fourth Regiment from Bucks county. The history of that regiment has been written by Col. W. W. Davis. Now, if this bill is passed, I might with consistency move an amendment that the work of Col. Davis should be recognized as the history of the One Hundred and Fourth Regiment. I shall vote against this bill, and I trust it will be defeated.

Mr. PENNYPACKER. Mr. Speaker, I move to amend the resolution by striking out that portion of it requiring the Adjutant General to circulate a certain number of the work, and let it stand merely as adopting the work as the State military history of the Pennsylvania Reserves.

Mr. M'CREARY. Mr. Speaker, I am not complaining of that. It is this distinction that I complain of. That amendment does not do away with this distinction. Here is a book of between seven and eight hundred pages, and I make the estimate that if all the regiments got the same notice, the history would make some twelve or fifteen thousand pages. This work goes on to give the history of secession; treats of matters away down in New Orleans; it gives a long history of the different generals, and one-half of the book is taken up with matters that do not pertain to the organization of any particular regiment. Also, a gentleman who ought to know, has told me that there are statements in the work in regard to other officers that are not true in fact.

Mr. PENNYPACKER. Mr. Speaker, we do not wish to reflect upon other officers, and upon other regiments of other organizations. We do not wish to detract a particle from the honor due to the gentleman from Erie. We would not object to having his name written in gold, and circulated all over the country. We do not want to place the Reserve Corps above other organizations.

We merely wish this Legislature to say that this history of the Pennsylvania Reserves written, as we believe, faithfully, shall be adopted as the military history of that corps. It gives, to be sure, extraneous matter that might have been omitted, but all we ask is that the labor of writing this history be taken from the State historian, and that this history be adopted instead. The regiment to which the gentleman from Erie belonged was not one of these peculiar organizations, and he has failed to show to the House that his regiment was organized for the same purpose that these Pennsylvania Reserves were organized, or organized under the same act. I say that this Pennsylvania Reserve Corps was organized by the Pennsylvania Legislature, and was a distinct organization from other organizations.

Mr. MANN. I notice that this resolution provides that there shall be ten per cent. discount on the subscription price of the book. How much is the subscription price of the book?

Mr. PENNYPACKER. My motion is to strike out that portion of the resolution.

Mr. MANN. Then we are to pay the full price, are we?

Mr. PENNYPACKER. You do not pay any price at all. The resolution merely adopts the history. It does not propose to distribute a single volume.

Mr. MANN. Is there any limit to the expense it puts the treasury to?

Mr. PENNYPACKER. My motion is to strike out all that portion of the resolution, with the appropriations that have been made out of the treasury. I think the treasury is not in a position, to-day, to pay out this money for this purpose. That is the reason why I made the motion to strike that part out. It merely adopts this history of the Pennsylvania Reserves as the history that should be written by the State historian. There is no expense about it at all. And I want to make it emphatic that we do not want to have ourselves placed above other organizations. We do not wish to cast any reflection upon other gentlemen. If they wish to have the histories of their regiments written let them have them written. I may say that this history of the State historian will not be written for a long while. We wish to have this as our history, and have it now—not a hundred years hence.

Mr. MANN. What is to prevent your taking it if you want it?

Mr. PENNYPACKER. The gentleman from Potter seems to be becoming very obtuse at once. I will just say to him that the reason why we want it adopted is because we want it adopted in the history that is to be written by the State historian of the other regiments. We do not want another history of that Corps written by the State historian—we do not want to put the extra expense upon the State.

Mr. MANN. I would suggest that the State historian be requested not to write the history of the Pennsylvania Reserves.

Mr. PENNYPACKER. I knew this resolution would not be perfect unless the gentleman from Potter [Mr. MANN] had something to say on it or some amendment to propose to it. This does not take any money out of the treasury, and does not elevate the officers or privates above those of other regiments.—It merely adopts this history as the history to be written by the State historian.

Mr. EWING. Mr. Speaker, I move the indefinite postponement of the bill.

Mr. DAY. Mr. Speaker, I hope this motion to indefinitely postpone will prevail. The resolution, as originally introduced, I think, lacks merit. I think the friends of it in the House see that it lacks merit, from the fact that they have offered an amendment that takes away at least half the original purpose. This House has only to look for a moment at the nature of this resolution, I think, to vote it down. This resolution, as introduced, was before the Military Committee very nearly all winter, and they were almost unanimously against it. The opposition to the bill was decided, and the friends of the bill failed to show any reason why the committee should adopt the bill and report it affirmatively.

The gentleman from Chester [Mr. PENNYPACKER] says he does not wish to put the Pennsylvania Reserves above any other regiments. I ask him if such will not be the effect if this resolution prevails, to elevate them above any other organization of this State? Any man with half a grain of common sense will see that that will be the effect. If Pennsylvania had furnished no other troops than these fifteen regiments I would say endorse this book by the Legislature, but I say there are hundreds of other regiments just as meritorious, and this is throwing them into the shade. I belonged to a regiment which I consider as meritorious as any regiment that ever went out from this State, and I say, as a member of the Sixteenth Pennsylvania cavalry, that I consider that that regiment is thrown into the shade if this bill is passed. I hope the House will support the motion to indefinitely postpone this resolution.

The question being on the motion of Mr. EWING to indefinitely postpone the resolution, It was

Agreed to.

REPORT FROM COMMITTEE OF CONFERENCE.

Mr. SHARPLES, from the committee of conference, to which was committed the differences existing between the two Houses in relation to bill No. 290, of the House file, entitled A further supplement to an act for the regulation and continuance of a system of education by common schools, approved the eighth day of May, A. D. 1854, made a report, which was read, as follows, viz:

That the committee had agreed to amend the bill in the twenty-eighth line of the twelfth section, by inserting after the word "terms" the words "which shall be," and to recommend that the amendments, as thus amended, be concurred in by both Houses.

(Signed) WILMER WORTHINGTON,
KIRK HAINES,
GEO. D. JACKSON,
Senate Committee.
N. J. SHARPLES,
GEO. WILSON,
RICHMOND L. JONES,
House Committee.

On motion,

Said report was twice read, considered and adopted, and

Ordered, That the Clerk inform the Senate of the same.

The bill, as passed finally, is as follows, viz:

A FURTHER SUPPLEMENT to an act for the regulation and continuance of a system of education by common schools, approved the eighth day of May, Anno Domini one thousand eight hundred and fifty-four.

1—The Selection of Sites for School Houses.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same*, That whenever the board of directors or controllers of any school district in this Commonwealth shall be unable to procure such eligible sites for the erection of school houses thereon as they may deem expedient, by agreement with the owner or owners of the land, it shall and may be lawful for the directors, in behalf of the district, to enter upon and occupy sufficient ground for the purpose, which they shall designate and mark off, not exceeding in any case one acre, and to use and occupy the same for the purpose of erecting thereon a school house, with its necessary and convenient appurtenances, and for all damage done and suffered, or which shall accrue to the owner or owners of such land by reason of the taking of the same for the purposes aforesaid, the funds of the district, which may be raised by taxation, shall be pledged and deemed as security; and it shall and may be lawful for the court of common pleas of the proper county, on application thereto, by petition, either by the said school district, through the president and secretary of the board of directors, or by the owner or owners of said land, or any one of them, in behalf of all, to appoint a jury of viewers, consisting of three discreet and disinterested citizens of said county, who shall not be the owners of property or residents in the school district in which such land is taken, as aforesaid, and appoint a time, not less than twenty nor more than thirty days thereafter, for said viewers to meet upon said land, of which time and place ten days' notice shall be given by the petitioners, to the said viewers, and the other party; and the said viewers, or any of them, having been first duly sworn or affirmed faithfully, justly and impartially to decide, and a true report to make, concerning all matters and things to be submitted to them, and having viewed the premises, they shall establish and determine the quantity and value of said land so taken to be used for the purposes aforesaid, and after having made a fair and just computation of the advantages and disadvantages, they shall estimate and determine whether any, and if any, what amount of damages has been or may be sustained, and to whom payable, and make report thereof to said court; and if damages be awarded and the report be confirmed by the said court, judgment shall be entered thereon, and if the amount thereof be not paid within thirty days after the entry of said judgment, execution to enforce the collection thereof may be issued, as in other cases of judgment against school districts; and each viewer shall be entitled to one dollar and fifty cents per day for every day necessarily employed in the performance of the duties herein prescribed, to be paid by such district: *Provided*, That either party shall have the right to have reviewers appointed by said court.

II.—The Establishment of Teachers' Institutes.

SEC. 2. That the county superintendent of each county in this Commonwealth is hereby authorized and required, once in each year, at such time and place as he, or a properly authorized committee of teachers, acting with him, may deem most convenient, to call upon and invite the teachers of the common schools and other institutions of learning in his county to assemble together and organize themselves into a teachers' institute, to be devoted to the improvement of teachers in the science and art of education, and to continue in session at least five days, including a half a day for going to, and a half a day for returning from, the place of meeting, said institute to be presided over by the county superintendent, or by some one designated by him, and subject, in its general management, to his control.

SEC. 3. That each county superintendent, upon the assembling of the teachers' institute of his county, shall cause a roll of members to be prepared, which roll shall be called at least twice every day during the session of the institute, and all absentees carefully marked, and from which, upon the adjournment of the

institute, he shall ascertain the exact number of teachers who were in attendance, and the length of time each attended, and upon the presentation of a certificate, at the close of the session of each annual institute, setting forth these facts, and signed by the county superintendent, to the treasurer of the proper county, he is hereby authorized and required to pay immediately, out of any money in the county treasury not otherwise appropriated, to the county superintendent, one dollar for every three days spent by teachers of the county in attendance at the institute for that year, or as much of it as may be needed, such money to be expended by the county superintendent, in procuring the services of lecturers and instructors for the institute, and in providing the necessary apparatus, books and stationery for carrying on its work: *Provided*, That the amount which may be drawn from the county treasury shall, in no case, be more than two hundred dollars, but may, in all cases, be sixty dollars, if it shall appear, from the vouchers presented by the county superintendent to the county auditors, as required by the fourth section of this act, that this sum has been actually expended for the purposes herein specified: *Provided further*, That all boards of directors may allow the teachers in their employ the privilege of attending such institutes, without making any deduction from their salaries, and that any teacher who absents himself from the institute of his county, without a good reason, may have his want of professional spirit and zeal indicated by a lower mark on his certificate in the practice of teaching, than he would otherwise have received.

SEC. 4. That each county superintendent who may draw money from the county treasury for the purposes named in this act, shall file his account of all expenditures under the act in the office of the county treasury, with vouchers for the same, which shall be examined by the auditors of the county, in like manner as other county expenditures, and any misapplication of funds shall be punished in the same manner as collectors of State and county taxes for like offenses are now punished.

SEC. 5. That all county superintendents, upon the adjournment of the teachers' institutes held in their respective counties, are hereby required to report to the Superintendent of Common Schools the number of teachers in attendance, the names of the lecturers or instructors who officiated, the subjects upon which the instruction was given, and the degree of popular interest awakened by the proceedings.

III.—*Text Books in Counties.*

SEC. 6. That it shall be lawful for the school directors of any county in this Commonwealth, at any tri-ennial convention held for the purpose of electing a county superintendent, to appoint seven of their number possessing the necessary qualifications, whose duty it shall be to agree upon and select a series of text books adapted to the wants of the common schools of the county, and present them for adoption to the several boards of directors; this action, however, to be of no binding force unless confirmed at the annual meeting of directors and teachers held as now provided by the twenty-third section of the act of may eighth, one thousand eight hundred and fifty-four, but when so confirmed the books shall not be changed until after the action of the next tri-ennial convention as aforesaid: *Provided*, That a majority of the board of directors of any county may at any time call a special meeting of the directors of the county for the purpose of appointing a county committee on text books as above indicated, whose action shall be valid until the meeting of the tri-ennial convention in the year one thousand eight hundred and sixty-nine.

IV—*City and Borough Superintendents.*

SEC. 7. The school directors of any city or borough in this Commonwealth, having a population of over ten thousand inhabitants, may, on the first Tuesday of May, one thousand eight hundred and sixty-nine, and every third year thereafter, elect, viva voce, by a majority of the whole number of directors present, one person of literary and scientific acquirements, and skill and experience in the art of teaching, as city or borough superintendent for the three succeeding school years; and the said school directors shall determine the amount of compensation for said city or borough superintendent, which compensation shall be paid by the same officers as pay the salaries of teachers in such school district, and in the same manner as such salaries are now paid: *Provided*, That nothing in this act shall prevent the directors of any city or borough from electing a superintendent to serve from the time of election until the commencement of the school year, one thousand eight hundred and sixty-nine, from filling a vacancy, should any occur, for the unexpired term of said office, nor from increasing the salary of a superintendent at any time: *Provided also*, That the president of the board of directors or controllers of any city or borough in this Commonwealth shall, at any time after the passage of this act, if so requested, in writing, by seven directors or controllers, call a convention, giving at least five days' notice thereof, of all the directors of said city or borough, to determine whether they will elect a city or borough superintendent, in accordance with the provisions of this act; and if, at such meeting, it shall be decided to hold such an election, the said directors shall again convene at the time appointed by this section of this act, or any other time, in accordance with its provisions, and at a place fixed upon by themselves, when they shall proceed to carry their determination into effect in the same manner as is done by conventions held for the election of county superintendents, and all subsequent conventions for carrying into effect the purposes of this act shall be called in the same manner by said president of the board of directors or controllers of such city or borough.

SEC. 8. That it shall be the duty of the president and secretary of the meeting of the directors of any city or borough, at which a city or borough superintendent has been elected, to certify to the Superintendent of Common Schools, the name and address of the person elected city or borough superintendent, in pursuance of the provisions of this act, and those of all other candidates who received votes, together with the amount of compensation fixed upon by said directors; upon the receipt of such certificate, if no valid objection be received, within thirty days after the day of election, the Superintendent of Common Schools shall commission the person so elected for the term for which he was elected, but if objection to issuing such commission be made within thirty days, the Superintendent of Common Schools shall proceed, with like power and in like manner as he is now required to do, where objections are made against issuing commissions to persons claiming to be elected county superintendent.

SEC. 9. That from and after the appointment of a city or borough superintendent, in any city or borough in this Commonwealth, and the proper notification of the Superintendent of Common Schools of the fact, such city or borough shall not be subject to the authority and jurisdiction of the county superintendent, in which such city or borough is located, except that, in the the matter of holding the annual teachers' institutes, as provided by sections second, third, fourth and fifth of this act, in which the city or borough superintendent shall co-operate, and the quota of the annual State appropriation to said city or borough shall not be diminished, by reason of any contribution to the salaries of county superintendents, nor shall the directors of such city or borough vote at any election for county superintendents.

SEC. 10. It shall be the duty of all city or borough superintendents to take a similar oath or affirmation to that now required of county superintendents, to perform, within the limits of their several jurisdictions, all the duties now by law enjoined upon county superintendents, and to discharge such other duties as the bye-laws, rules and regulations of the respective boards of directors may require; and it shall be their further duty, in addition to an annual report, to report monthly to the Department of Common Schools such facts relating to their work, and the condition of the schools under their charge, as may be required by the Superintendent of Common Schools, and to attend meetings of superintendents called by said Superintendent of Common Schools.

V—*Teachers' Certificates.*

SEC. 11. That after the passage of this act no teacher in this Commonwealth shall receive from a county, city or borough superintendent a certificate as a teacher, who has not a fair knowledge of orthography, reading, writing, geography, English grammar, mental and written arithmetic, history of the United States, and the theory of teaching; nor shall such certificate be given to any person who is in the habit of using as a beverage any intoxicating drinks, and all certificates given to teachers shall set forth the branches in which those holding them have been found proficient, and indicate by suitable marks the degree of that proficiency.

SEC. 12. County, city or borough superintendents shall issue two grades of teachers' certificates, one of which shall be called a provisional certificate, and shall be given to applicants possessing a fair knowledge of the branches named in section eleven, or to those who, possessing a thorough knowledge of the branches, have little or no experience in teaching, and shall license the holder to teach in the county, city or borough where issued for one year, and which shall not be renewed without a re-examination; and the other shall be called a professional certificate, and shall be given only to those who possess a thorough knowledge of the branches above named, and who have had successful experience in teaching, and shall license the holder to teach in the county, city or borough where issued during the official term of the county, city or borough superintendent issuing it, and for one year thereafter: *Provided*, That all so called professional certificates heretofore issued by any county, city or borough superintendent, shall cease to be valid on the first Monday of June, one thousand eight hundred and sixty-eight, except those issued since the first Monday of June, one thousand eight hundred and sixty-six, which certificate shall be valid as long as others issued during the present term of the superintendency: *Provided*, That any professional certificate may be renewed by a county, city or borough superintendent without re examination, after having fully satisfied himself, by personal observation in his or her school, of the competency and skill as a teacher of the person holding it: *And provided further*, That the State Superintendent of Common Schools shall cause to be prepared a new grade

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[CONTINUED FROM PAGE 1032.]

of teachers' certificates, to be called a permanent certificate, which shall be granted by him to practical teachers holding professional certificates, upon the recommendation of the board or boards of directors in whose employment the applicant shall have taught for the three preceding annual school terms, which shall be countersigned by the proper county, city or borough superintendent, in office when the application shall be made and approved, after examination, if they deem it necessary, by a committee of five teachers, a part of whom may be females holding permanent certificates, if there be that many holding such certificates; but if there be none, or not a sufficient number of that grade of teachers, the committee shall be constituted wholly, or in part, as the case may be, of teachers holding professional certificates, said committee to be elected by ballot by the members of the teachers' institute, at its annual session, from the county, city or borough in which the applicant resides at the time of making the application; and such permanent certificate shall continue to be valid in such county, city or borough unless forfeited, according to the provisions of this act, and shall also entitle the holder to teach one year in any other county, city or borough, in this Commonwealth, without a re-examination, at the end of which time it may be endorsed by the proper county, city or borough superintendent, if from personal knowledge he deem it worthily held, and shall then confer upon the holder the same rank and privileges as in the county where issued; and such permanent certificate shall only be annulled upon complaint, duly proven, of incompetency, cruelty, negligence or immorality, made to the State Superintendent of Common Schools by a county, city or borough superintendent, and a committee of teachers elected and constituted as aforesaid.

6—Election of County Superintendents.

SEC. 13. That no person shall hereafter be eligible to the office of county, city or borough superintendent, in any county of this Commonwealth, who does not possess a diploma from a college legally empowered to grant literary degrees, a diploma or State certificate, issued according to law, by the authorities of a State normal school, a professional certificate from a county, city or borough superintendent of good standing, issued at least one year prior to the election, or a certificate of competency from the State Superintendent of Common Schools; nor shall such person be eligible unless he has a sound moral character, and has had successful experience in teaching within three years of the time of his election; *Provided*, That serving as county, city or borough superintendent shall be deemed a sufficient test of qualification; and the president and secretary of each convention of school directors held in any county, city or borough, to elect a county, city or borough superintendent, when certifying to the Superintendent of Common Schools the name and address of the person elected county, city or borough superintendent, shall at the same time state the kind and character of the evidence upon which said convention relied for proof of the eligibility of the person so elected; and the said Superintendent of Common Schools, if, upon examination of the evidence presented, it shall prove to be such as is required by this act, and no objection be made in accordance with section fourth, of the act approved April seventeenth, Anno Domini one thousand eight hundred and sixty-five, shall issue a commission to the person elected as aforesaid, as now required by law; but if, upon examination of said evidence of competency, it shall not prove to be such as is required by this act, or if objection be made in accordance with said section of the act approved April seventeenth, Anno Domini one thousand eight hundred and sixty-five, the said Superintendent of Common Schools shall appoint two competent persons, himself being the third, to examine the person so elected county, city or borough superintendent; and if, upon examination, he be found duly qualified for the office, the said Superintendent of Common Schools shall issue to him the usual commission; but if not, the said Superintendent of Common Schools shall proceed in like manner in respect to the person receiving the next highest number of votes in the convention of directors, who, if found qualified, shall receive the commission aforesaid as county, city, or borough superintendent; but, if his qualifications are also found insufficient, the said Superintendent of Common Schools shall appoint, with the advice and consent of the Governor of the Commonwealth, some other person, with the required qualifications, county, city or borough superintendent for the ensuing term of such office.

VII—*Repealing Section.*

SEC. 14, That all acts or parts of acts, in opposition to or consistent with this act, are hereby repealed: *Provided*, That this act shall not apply to the city or county of Philadelphia.

BILLS ON SECOND READING.

Agreeably to order,

The House proceeded to the consideration of bills on the second reading. The following were taken up and acted upon as stated:

Senate bill No. 199, a further supplement to an act to incorporate the Kensington and Oxford turnpike road company, approved the 17th day of March, 1842.

The question being on agreeing to an amendment by Mr. LEE to restore the second section stricken out by committee,

Mr. LEE. Mr. Speaker, it is known, sir, that in almost all these turnpike charters tolls for wagons that have wheels over a certain width are less than those that are narrow, and there cannot be a more unwise provision in a bill than that. These wagons that go over this road with these broad wheels haul twice as much, and turnpike men tell me that they do more injury in dragging out and tearing up a pike than any other vehicles. I do not know how that is myself, but I believe it is true, for the reason that they carry heavier loads. Now, all this company wants to do is to compel these vehicles that do their road more injury than any other vehicles, to pay the same amount of toll that others do. I travel up and down a pike with my market wagon, and I have to pay a certain rate of toll. Another man, with a broader wheeled wagon, that does the pike more harm in a day than I do in a month, yet he pays less than I do. All we ask is to charge them the same amount that anybody else has to pay.

Mr. SATTERTHWAIT. Mr. Speaker, I have something to say why broad-wheeled wagons should not pay so much toll as narrow-wheeled ones. This is a main thoroughfare for a large number of my constituents to the city of Philadelphia, and I will tell the gentleman why this company should not be allowed to raise their toll as high on broad wheels as on narrow ones. This road procured a charter of incorporation with this provision, that the rates of toll should be so much on narrow wheels and that they should be half those rates on broad wheels. Now, broad-wheeled wagons cost nearly twice as much as narrow-wheeled, do not last half as long, and cost double the amount to be kept in repair; but, under the inducement held out by this company, people procured broad-wheeled wagons. I ask, would it be right now, that they should have the privilege of raising the tolls on broad-wheeled wagons as high as it is on narrow-wheeled ones?

There is also another reason, and that is that narrow wheels do not wear out the tire half as fast as broad wheels. If they had no broad wheels to haul their heavy loads they would have narrow wheels to haul them, and they would wear out the pike much faster. I think this is sufficient to say on this point.

When this bill was up, some time ago, I showed that the provisions of it give this company the privilege of increasing the rate of toll five times what is allowed in the general turnpike law, and I showed that it would be a most outrageous thing to inflict upon my people, and I do hope the good sense of this House will vote it down. I have no objection to this company being allowed to charge a rate of toll above what is allowed by the general turnpike law, and I have an amendment which I will propose. It is to the effect that they shall have the right to charge fifty per centum more than what is allowed under the general turnpike law, and with that amendment I am willing that the bill should pass. This is the amount most turnpikes are now allowed in my neighborhood.

Mr. LEE. Mr. Speaker, I think it would be unfair to measure the judgment of the gentleman from Montgomery [Mr. SATTER-

THWAIT] upon all points in his speech by what he says about broad-wheeled wagons. He says that broad-wheeled wagons cost twice as much as narrow-wheeled ones do.

Mr. SATTERTHWAIT. The wheels do.

Mr. LEE. No, sir, the wheels do not, because there is all about a narrow wheel that there is about a broad wheel, except the felloe and tire alone.

Mr. HEADMAN. Mr. Speaker, the gentleman from Philadelphia [Mr. LEE] says that there is the same work about a broad wheel as about a narrow wheel, with the exception of the tire and the felloe. I ask him if the tire does not cost about twice as much?

Mr. LEE. I pretend to say that it does not.

Mr. SATTERTHWAIT. Mr. Speaker, I think I was wrong in saying that the first cost was twice as much, but in the long run, broad-wheeled wagons cost twice as much. From the manner in which they are made, the felloes have to be very thin, or else they would be so monstrous heavy that they would be very cumbersome. I know, from experience, that they do not last half so long.

Mr. LEE. Mr. Speaker, I know nothing about this matter, further than what turnpike men tell me, and it is the universal experience of men having charge of turnpikes that these broad-wheeled wagons wear out a turnpike faster than lighter ones. I do not pretend to say that if you put the same load on a light wagon that it would not wear out the pike so fast, but I do pretend to say that in consequence of the enormous loads they put on their wagon, such is the result, and it would be much more profitable if these broad wheels did not go on this turnpike at all, at present rates of toll.

This company simply ask what will enable them to keep up their road to accommodate the constituents of my friend from Bucks and my friend from Montgomery. They do not want a cent of dividend; they spend every dollar they get on the road, and they want this increased rate simply so that they can keep the road in decent traveling order.

Mr. HEADMAN. Mr. Speaker, from the first foundation of turnpike companies it has always been conceded that broad wheels do more good on a pike than anything else. They break up the stones and are otherwise a special benefit to them.

Mr. LEE. Does not the gentleman know that any wagon that crushes and breaks up stones on a turnpike is a disadvantage to it?

Mr. HEADMAN. No, sir.

Mr. LEE. Well, I do.

Mr. HEADMAN. This provision has been inserted in every turnpike charter that broad wheels should be allowed to go over a turnpike for less toll than narrow wheels, from the simple fact that they do less injury.

If the gentleman from Philadelphia [Mr. LEE] is willing, I am, with the gentleman from Montgomery [Mr. SATTERTHWAIT], willing that this company shall be allowed to increase their rate of toll fifty per cent. over that allowed by the general turnpike law. This turnpike was gotten up for the especial benefit of these living along the line of the road, and the property along this road is now owned almost entirely by the citizens of Philadelphia. When this road was first built it was done by the subscription of farmers along the line of the road, and now I do not see why these men who have bought up this stock at mere nominal price should now ask for an increase of toll on the road.

Mr. SATTERTHWAIT. Mr. Speaker, I offer an amendment to the amendment to provide that this company shall be authorized to raise their rates of toll to fifty per cent. above what is allowed by the general turnpike law of 1849.

I remember a few weeks ago a bill came in from the Senate, regulating the rate of toll on a turnpike in Allegheny county that had made no dividend in three years, allowing them to make this increase of fifty per cent. over the rate established by the general turnpike law, and the members from Allegheny should now allow this bill to pass in that way.

The effect, if this bill passes, allowing the rate of toll proposed by the gentleman from Philadelphia [Mr. LEE], the charge for a four horse wagon will be sixty-four cents, which will amount to one dollar and twenty-eight cents both ways, just over this eight miles of road. Now, I ask the members from Philadelphia if they are willing that this additional tax should be put on the citizens of Philadelphia? For they will have to pay that much for the produce that is brought over that road. This bill would be very unjust, not only to the people of my neighborhood, but it would be a very serious injury to other turnpikes connected with this road. It would have the effect of driving all travel away. It would be, in fact, utter ruin to other turnpikes connected with this road.

The question being on the amendment of Mr. SATTERTHWAIT to the amendment of Mr. LEE,

It was

Not agreed to.

The question recurring on the amendment of Mr. LEE,

It was

Not agreed to.

The question recurring on the bill,

It was

Agreed to.

The rules were suspended, the bill read a third time, and

Passed finally.

The next bill was House bill No. 249, an act to extend the provisions of an act relating to corporations for mechanical, manufacturing, mining and quarrying purposes to fire insurance companies.

The question being on the bill,

It was

Agreed to.

The rules were suspended, the bill read a third time by its title, and

Passed finally.

The next bill was

Joint resolution relative to the appointment and confirmation of Federal officers.

The question being on the bill,

It was

Agreed to.

The rules were suspended, the bill read a third time by its title, and

Passed finally.

The next bill was

House bill No. 505, joint resolution instructing our Senators and requesting our Representatives to favor a repeal of the neutrality laws.

The question being on an amendment by Mr. KOON to add, "and that as soon as the revolution shall have been inaugurated our Government shall accord to Ireland belligerent rights."

It was

Agreed to.

The question recurring on the bill as amended,

It was

Agreed to.

The rules were suspended, and the bill read a third time by its title.

The question being on the final passage of the bill,

The yeas and nays were required by Mr. GREGORY and Mr. BREEN, and were as follow, viz:

YEAS—Messrs. Barrington, Breen, Brennan, Cameron, Chalfant, Chase, Collins, Craig, Davis, Day, Deise, Fogel, Freeborn, Gregory, Harner, Headman, Heltzel, Hoffman, Hunt, Jones, Josephs, Kinney, Kline, Koon, Kurtz, Lee, Linton, Long, M'Creary, M'Henry, M'Kee, M'Pherrin, Maish, Mechling, Meily, Meyers, Mullin, Peter, Quay, Quigley, Rhoads, Robinson, Roush, Sharples, Stumbaugh, Subers, Tharp, Webb, Weller, Westbrook, Wharton, Wilson, Wingard, Woodward, Worrall and Glass, *Speaker*—56.

NAYS—Messrs. Armstrong, Barton, Chadwick, Colville, Espy, Gordon, Kennedy, Kimmell, Mann, Shuman and Stehman—11.

So the question was determined in the affirmative.

And the bill

Passed finally.

Mr. KLINE. Mr. Speaker, I move to reconsider the vote by which the House refused to agree to,

House bill No. 1260, an act to reduce the number of school directors in the several school districts in the county of Bradford, and in the township of Ohio, in the county of Beaver, and to pay the same.

The question being on the motion to reconsider,

It was

Agreed to.

The bill being again before the House, and the question on the bill,

It was

Agreed to.

The rules were suspended, the bill read a third time by its title, and the question being,

Shall the bill pass?

Mr. SHARPLES. Mr. Speaker, I desire to call the attention of the House to the fact, that this makes an innovation upon the general school system that ought not to be. I do not consider this a question that is to be taken in the light of a personal favor to any member upon this floor. If it were, I would vote for the bill. But if the members of this House are ready to introduce such an anomaly into the present school system, thereby interrupting the general harmony, I think it is a matter of serious moment. We are not voting upon his question merely as a matter of personal friendship to those that desire the bill; but as a question that is much higher, and one that affects the entire common school system.

Mr. KIMMELL. Mr. Speakers, I have no opposition to this bill as a bill for Bradford county; but I do oppose the inauguration of this way of legislating in reference to the school system. As this would establish a precedent for action in the future, I do hope that it will be voted down.

Mr. WEBB. Mr. Speaker, those who are opposed to the passage of this bill have a very strange way of expressing themselves. This is a local matter, and I hope it will be agreed to.

Mr. DAY. Mr. Speaker, I shall be compelled to give my vote against this bill. By the amendment of the gentleman from Beaver [Mr. QUAY] some of my constituents become interested in it. I would be exceedingly gratified to vote for it, if I could do it with any degree of consistency. But it seems to me that this bill is an unjustifiable innovation upon our school system, and its friends have not shown that the proposed change would be an improvement. It is at best but a mere experiment, and I fear the principle will prove dangerous.

Mr. QUAY. Mr. Speaker, I have only to say that the citizens of Ohio township have asked that a bill of this kind shall be passed. They think that it will be for the interest of the schools in that township. The gentleman from Washington [Mr. DAY], in voting against this bill, will, therefore, indirectly vote in opposition to the interests of his constituents.

Mr. DAY. Mr. Speaker, I consider that my constituents are the citizens of this State on this question.

Mr. KENNEDY. Mr. Speaker, the school law is something of a new thing, and it has not attained such perfection yet that it is out of character altogether to alter it in any respect. I think the danger the opponents to this bill apprehend will not be found to be true, unless it works well; and if it does work well, I do not see how it will be to the disadvantage of the general school law.

Mr. WADDELL. Mr. Speaker, I did not intend to say a word on this subject but from the evident disposition of the House, I think it is due to myself to at least call their attention to the importance of the bill which is now before them. It strikes my mind, sir, as a very important step, which this House is about to take. I have no objection to Bradford county having what they desire; but, sir, I would rather vote for the proposition to have it extend all over the State, than to vote for it for Bradford county, simply because I believe it is a question which interests the whole Commonwealth, and not Bradford county alone.

Now, sir, I presume every gentleman here has experienced the annoyance of this local legislation. We are called upon here, day after day, to pass local bills; and this is just the opening wedge, and it is just such bills as this that has produced about half this local legislation. If we once commence here, we will soon have half a dozen counties here asking that they shall be treated in the same way; and another year it will be followed up by others. It is just the opening wedge to open up the school law in this manner. I ask this House to pause and consider what they are here attempting to do.

I apprehend that there is not a school district in this Commonwealth that cannot find some fault with the school law. I know in my own county it does not satisfy every district, and they have just as much right to come here and ask that the general law shall be changed in the particular that does not please them, as the people of Bradford county to ask that it shall be changed in this particular. We must bear in mind that this school system is a general system, intended for the benefit of the whole State; and while it may act oppressively, and it will, in certain sections, they must abide by it, and not ask each particular locality to be relieved from the operations of that particular portion which is somewhat oppressive upon them. Therefore, I do not consider that in objecting to this bill, I am objecting to the local legislation of the gentleman from Bradford.

It strikes my mind that it is upon precisely the same principle as those bills that have been here, asking that particular crimes shall be punished in particular counties, differently from what they are punished all over the Commonwealth. There is a general law in reference to larceny all over the Commonwealth, and every man who commits it within the borders should be punished in the same way. So it is in reference to this question; and common schools should be subject to the same system from the east to the west, and from the north to the south. This is the only danger that I see in it. It is not a general principle. I do not know that I would be in favor of it, if it was proposed as a general principle to extend all over the State. But the danger I see is in commencing here in this manner. If we want to change the school system, let us change it so as to have the system operate alike all over the State.

Mr. WEBB. Mr. Speaker, we do not desire to change the school system. We are not asking that the system shall work differently in one section than in another. We are only asking that a less number of men shall discharge the duties of directors. Take a little borough, and it has got to have six directors. Take a township of five or six miles square, and it has but six directors. All we ask is, that three persons shall do this work through the same machinery—through its president and secretary—that the very same machinery shall be kept in existence and operation; but the duty is to be performed by three, and not by six men. There is not a particle of innovation upon the system. We ask the privilege of paying the men that perform this labor for us. Now, gentlemen here say: You come here and ask for larger appropriations—ask that we should pass an appropriation of six hundred thousand dollars for the common schools of this State. Apply that to the township in which I live. Suppose that the appropriation should be made, and we would get out of that about three hundred dollars. We have then got to lay a local tax sufficient to make up the sum of two thousand dollars to keep up seventeen schools in our township. Now, can not we pay directors out of our pockets, and still not be charged with an innovation upon the system? The innovation is, that we do not change its direction, but its operations. It is no more a change of the system than it would be to reduce the number of members of this House to forty and the number in the other branch to seventeen. The principle of representation would still be the same.

Mr. KIMMELL. Mr. Speaker, does not the general school law provide that each school district shall have six directors; and does not the general school law provide that they shall not be paid for their services?

Mr. WEBB. Mr. Speaker, it provides that the secretary may be paid; and I state here that this thing is done in our township, that the secretary is paid, and that he is an officer that cannot possibly be dispensed with by the board. Visiting the schools, and everything of that kind, is done by this one man. What we ask, then, is, that, the number be reduced to three, and that we shall have the privilege of paying them for their services.

There is not a man in the Commonwealth of Pennsylvania who is a stronger and more ardent supporter of the school law than our county superintendent. He has written several letters here on this question, and he says that if the school system has arrived at a state of perfection, do not amend it; but, if not, let us make some improvements in it.

Mr. ARMSTRONG. Mr. Speaker, I am sorry to take up the time of the House with any remarks; but I feel that I would not be doing my duty as a representative here, if I did not raise my voice against this kind of legislation. I will say, sir, that this bill was long and carefully considered in the Committee on Education. It was considered in all its details and bearings by that committee, with the strongest desire on the part of the committee to accommodate the gentleman representing that particular county, if it had been in our power so to do. It was only at the earnest solicitation of gentlemen on that committee asking that it be reported to the House, in order that it might be discussed, and acted upon, that it was reported. It was before this House, and was fairly, openly and ably discussed upon this floor; and the decision of the House condemned it. It received, I supposed, its just *quietus* at the hands of this House this morning. I had no idea that this House would be set up to reconsider this bill after the blow it received this morning.

Mr. COLLINS. Mr. Speaker, will the gentleman allow himself to be interrupted?

Mr. ARMSTRONG. Yes, sir.

Mr. COLLINS. I would like to know if the gentleman meant any personal reflections?

Mr. ARMSTRONG. No, sir; I merely stated what are the facts. When the bill was in committee, it was there discussed at length, and it was permitted to come into the House merely with the understanding that it was to be laid before the House for discussion. It received that discussion this forenoon, and it was laid aside by a very decided vote of this House. It was defeated, and I had no idea that it was to be brought up again this afternoon, in this manner, and I should be doing myself and my constituents an injustice if I did not raise my voice against this manner of doing business. I oppose this as I would oppose a general bill. I must protest against this innovation upon a general system. Allow this bill to pass, run next year they may come and ask us to do away with the system in their county altogether. We know not what the next step may be, and it becomes us as guardians of the educational interests of the State to guard well against all these encroachments that are attempted to be made upon it. I feel that I should be unjust to the people of this Commonwealth, as a representative, if I failed to raise my voice against this innovation upon what I conceive to be the noblest institution of this great State.

Mr. SATTERTHWAIT. Mr. Speaker, I hope, if the people of those districts desire this measure, that it will be granted to them. I consider the objection made to it the most frivolous I have ever heard. The gentleman from Chester [Mr. WADDELL] argues as though we had no special laws at all, when we are making special laws of this kind every day. The gentleman from Chester, only a short time since, went out of his way I think a good deal to advocate the passage of a special law to make our county an exception from the general law for the collection of taxes—a matter just as important to be general in its operations as this matter. I do not see why there is not just as good a reason in this case to allow these people who want this special act to have it. I have long been of the opinion that this would be a salutary change—that the number of school directors should be reduced, and that they should be paid for their services. I know that the system is not perfect, and I was glad when I heard these people were asking for this, so that it might be tried, and the people might see whether it would be of real benefit or not. I hope they will be allowed to try the experiment.

Mr. WADDELL. Mr. Speaker, if the gentleman from Chester did wrong in asking for Montgomery what it is alleged he did, this House very properly rebuked him. My recollection is that the House refused to grant what was then asked. All I ask now is for the House to follow that up, and be consistent now.

Mr. SATTERTHWAIT. In that case our people did not ask for it, whereas the people to be affected in this case do ask for it, which makes all the difference in the world.

Mr. BOYD. Mr. Speaker, I dislike very much to consume the time of this House, but I have a word or two to say on this question. I think, Mr. Speaker, that this bill does strike at our school system—that it is an innovation, if we attempt to experiment in this way. Because, it is merely for the sake of experiment, and very little good will result from it. I do not know the condition of the school system in that county; but if it is not well carried out, I do not think it can be attributed to the fact that there are too many directors. In most townships there are at least six schools, which makes a director to each school, and I think, sir, that six direct-

ors are not too many for any township in this State.

Mr. KINNEY. Mr. Speaker, I desire to say a few words, rather as a personal explanation than as an argument. The gentleman from Lancaster [Mr. ARMSTRONG] stated that this matter occupied a long time before the committee, and received its serious consideration; which, I think, is not quite so. It occupied but a short space of time. There was a request made by a member of that committee, that it should come before the House; and it was not discussed before that committee very earnestly or ardently. It was permitted to come before the House, where it has occupied more time than I had desired.

One word in regard to the remarks of the gentleman from Chester [Mr. WADDELL]. He has made us to think that, if this bill is passed, in another year the people would be clamorous for changes in other counties. In reply, I would ask, what is our business here but to legislate for the people? If they come here asking for changes, it is our duty to give them those changes; and if we should do no business but what the people ask for, I apprehend we would be all right. I apprehend that we are making some changes that the people have been asking for.

Mr. M'CREARY. Mr. Speaker, if there is any reason why this change should be made in Bradford county, or in any other county, I would like to hear it. Suppose the gentleman from Bradford should come here and ask that at our general election there should be only one judge and one inspector, and that they should be paid double what they are now paid. Would this Legislature consider any such proposition? No, sir. Would it not be just as just to ask for a change in the one case as in the other? They say that it will not interfere with the general law. But the history of legislation shows that whenever you commence to attack a general law in one respect, that the whole law will go to pieces. If the school directors of Bradford county receive pay, then the school directors of all other counties are entitled to pay; and the final result will be, that we will have to pay them, and I do say that if you pay school directors, you will find a set of men asking for the position merely for the pay.

Mr. SATTERTHWAIT. Mr. Speaker, I would like to know of the gentleman from Erie [Mr. M'CREARY] whether that argument would not apply to the members of the Legislature as well as to school directors?

Mr. M'CREARY. If the gentleman from Bradford should come here and ask that they should have twice as many members as Erie county, and that they should receive twice as much pay, I would oppose any such proposition. The gentlemen from Bradford do not say that they cannot get men to perform the services of school directors without paying them. If they cannot, it is the fault of the people, and not of the law. They say that the law is defective. If it is, let us cure the defect in a general, and not in a partial manner. Let us not attempt to cure a sore on one side, and let the balance go without any attention at all. I do object to this bill, because I look upon it as breaking open a general system. If there are defects, let us correct them, so far as we can, as a whole. If you make the office of school director a salaried office, you will find a lot of men all over the country who will seek the office for the sole purpose of receiving the pay.

As the law now stands the most intelligent and enterprising citizens are the men that strive for the position of directors, while the office of constable and other offices may go begging. I hope this bill will not receive the sanction of this House.

Mr. KINNEY. Mr. Speaker, every year we have proposed changes in our school system, and I consider that very proper, because it is an evidence of the principle of progress. But generally these changes originated in the department, and now, because this originates in the ranks of the people, it is considered wrong. That is the plain difference.

Mr. SHARPLES. Mr. Speaker, in reply to the gentleman from Bradford [Mr. KINNEY], I would say that I have never witnessed any change in the school system that is local in its application, that was asked for by the department. This is one of the many objections to this bill, that it is local in its nature. I think this kind of local legislation is very improper and should not receive the sanction of this House.

The question being on the final passage of the bill,

The yeas and nays were required by Mr. ARMSTRONG and Mr. RICHARDS, and were as follow, viz:

YEAS—Messrs. Allen, Boyle, Breen, Brennan, Cameron, Chalfant, Chase, Collins, Craig, Davis, Donohugh, Fogel, Harbison, Harner, Heltzel, Hoffman, Hood, Humphrey, Hunt, Jenks, Jones, Josephs, Kennedy, Kerns, Kinney, Kline, Koon, Kurtz, M'Henry, M'Pherrin, Markley, Marks, Mullin, Pillow, Quay, Quigley, Rhoads, Roush, Satterthwaite, Subers, Webb, Whann, Wharton, Wingard, Woodward and Wright—46.

NAYS—Messrs. Armstrong, Barrington, Barton, Boyd, Brown, Calvin, Chadwick, Colville, Day, De Haven, Espy, Ewing, Freeborn, Gordon, Headman, Kimmell, Lee, Leech, Linton, M'Creary, Maish, Mann, Mechling, Meily, Meyers, Pennypacker, Peter, Richards, Roath, Robinson, Sharples, Steacy, Stehman, Waddell, Weller, Wilson, Worrall and Glass, *Speaker*—38.

So the question was determined in the affirmative, and the bill

Passed finally.

The next bill was

House bill No. 1611, a further supplement to an act entitled An act for regulating the measurement of corn and salt, imported into the port of Philadelphia, approved on the 22d day of September, 1785.

The question being on the bill,

It was

Agreed to.

The rules were suspended, the bill read a third time by its title, and

Passed finally.

The next bill was

House bill No. 584, a supplement to an act for incorporating the German Reform Congregation in the borough of Reading, in the county of Berks, enacted the 20th day of August, in the year of our Lord, 1786.

The question being on agreeing to the bill,

Mr. LEE. Mr. Speaker, I understand that there are a large number of people who have their friends interred in that ground that are very much opposed to any disturbance of them. If that be so, I think this bill ought not to pass.

Mr. JONES. Mr. Speaker, this is a matter in which I have no personal interest at all. I will simply make a statement of facts to the House, and then ask the House to exercise its own intelligent judgment on this question. In the early part of the session, a bill was sent to me to authorize the sale of this graveyard. I knew there would be objections to it, and I, therefore, kept the bill in my possession, in order to give those opposed to it an opportunity to remonstrate against its passage. The bill was reported from the Committee on Corporations before the parties opposed to it seemed to have received notice of its presentation here, and the members from Berks agreed that it should be recommitted, in order that all parties interested might have an opportunity of being heard. As the members of the congregation were divided in sentiment in regard to this question, some in favor and others opposed to the sale of the graveyard, I proposed an amendment which referred the question back to the congregation for them to decide themselves. With that amendment I conceive the bill to be proper and right. It was reported back to the House from the Judiciary Committee, and reached a second reading, and has been for a whole month in that condition. As I said before, the congregation is divided in opinion on this subject; and the amendment that I proposed provides that after the bill passed, the question shall be referred back to the congregation for them to decide. I have no interest in the passage or defeat of the bill, and I do not wish to say anything that will influence a decision of the House one way or the other. I believe that both parties have been here, that the measure has been privately discussed, and that many of the members are familiar with its provisions. I wish the bill to stand upon its own merits, and I hope the house will exercise its own intelligent judgment in reference to passing it.

Mr. WADDELL. Mr. Speaker, I would ask the gentleman from Berks [Mr. JONES] if there is not a controversy now going on in the courts of that county in reference to this measure?

Mr. JONES. I believe that there is not a controversy any longer in the courts. The consistory of this congregation authorized the removal of these bodies. The opponents of the sale of the church-yard applied for an injunction. An injunction was granted; and I believe, after a more careful examination of their charter, that they deemed they had no right, under that charter, to sell the graveyard, and they, therefore, ask this Legislature to pass a bill authorizing them to do so.

Mr. WADDELL. Has that proceeding in court been prosecuted to the end, or is it lying dormant?

Mr. JONES. It is lying dormant, I believe. But, I believe all the parties are satisfied that they have no authority to sell, without an act of Assembly conferring that right.

Mr. BARTON. Mr. Speaker, I have but a word or two to say in reference to this bill. I held in my hand a large number of remonstrances from the members of the German Reformed church, of Reading, against the passage of this act. There was a committee appeared before the Local Judiciary Committee objecting to the passage of this bill, now under consideration; and they earnestly urged the committee to negative the bill. They brought remonstrances, signed, I believe, to the number of two hundred and sixty or seventy against the bill. The object in selling this graveyard, belonging to the church there, it is alleged, is for the purpose of raising money to enable them to build an additional church. It was stated by the gentlemen who appeared before the Committee of Local Judiciary that there can be a sufficient amount of money raised to build the church without selling this graveyard. This is an old graveyard. People have been buried there for more than a century, and there is a strong feeling, the committee was informed, against the removal of the bodies from this burial ground. The committee, I think, more from the representation of the gentleman from Berks [Mr. JONES] than anything else, reported the bill with the amendment proposed; and with the favorable feeling which I have toward the gentleman himself, and which the committee felt towards him, we agreed to attach the amendment. But we did not commit ourselves to the support of the bill; and I feel compelled at this time to

vote against the bill, upon the ground that the members of the congregation are seriously opposed to it.

Mr. RHOADS. Mr. Speaker, when this bill was read in place by my colleague [Mr. JONES], it was referred, by the Speaker, to the Committee on Corporations, of which I am a member. We had the bill up before the committee and reported it to the House without amendment. After the people in Reading found it out, they sent a committee here, and we were asked to have it recommitted in order that they might be heard. I made the motion and it was recommitted to the Committee on Local Judiciary, with the understanding that in case they reported the bill favorably it should be in a way that would be satisfactory.

The committee sent up from Reading went before the committee with their remonstrances, and the committee agreed to report the bill with this amendment, and I think with this amendment it ought to pass. I shall, therefore, vote for the bill with the amendment.

Mr. STUMBAUGH. Mr. Speaker, I said all I intended to say on this bill the other day. I hope the bill will not pass. Some of my constituents are interested in it, having buried some of their ancestors there years ago; and they desire that the graveyard shall remain as it is.

The question being on agreeing to the bill,

The yeas and nays were required Mr. JONES and Mr. PENNYPACKER, and were as follow, viz:

YEAS—Messrs. Barrington, Boyle, Chalfant, Collins, Craig, Davis, Fogel, Harner, Jones, Linton, Long, M'Pherrin, Markley, Meyers, Pillow, Rhoads, Tharp and Westbrook—18.

NAYS—Messrs. Adaire, Armstrong, Barton, Boyd, Calvin, Chadwick, Colville, Day, DeHaven, Donohugh, Espy, Ewing, Freehorn, Harbison, Hoffman, Hood, Humphrey, Hunt, Kennedy, Kerns, Kimmell, Kinney, Koon, Lee, M'Creary, M'Kee, Mann, Marks, Meily, Mullin, Pennypacker, Quay, Richards, Roath, Sharples, Shuman, Steacy, Stehman, Stumbaugh, Subers, Waddell, Wallace, Weller, Whann, Wharton, Wilson, Woodward, Worrall, Wright and Glass, *Speaker*—50.

So the question was determined in the negative.

REPORT FROM COMMITTEE OF CONFERENCE.

Mr. WADDELL, from the committee appointed to consider the differences between the two Houses upon House bill No. 538, entitled An act regulating interest on public accounts, have agreed to recommend that the Senate recede from its amendments.

(Signed) WM. B. WADDELL,
JOHN S. MANN,
W. P. JENKS,
House Committee.
GEO. CONNELL,
JAMES L. GRAHAM,
Senate Committee.

Said report was twice read, considered and

Agreed to, and

Ordered, That the Clerk inform the Senate of the same.

The next bill was House bill No. 860, an act relating to the publication of local, general and private laws, and legal advertisements in the several counties of the Commonwealth of Pennsylvania.

The question being on agreeing to the fourth section,

Mr. KURTZ. Mr. Speaker, I move to amend by inserting in the fifth line, before the words "in one newspaper," the words "not less than," and by adding the following: "And advertise in one German newspaper, if such there be printed."

The question being on the amendment of Mr. KURTZ,

It was

Agreed to.

Mr. JONES. Mr. Speaker, I move to amend by inserting the following: "And in the two German newspapers having the largest circulation in the county of Berks."

The question being on the amendment of Mr. JONES,

It was

Agreed to.

The question recurring on the section as amended,

It was

Agreed to.

The fifth section was read.

The question being on the section,

Mr. BOYLE. Mr Speaker, I would like to hear some gentleman explain why the general appropriation bill should not be printed. There is no other bill of so much interest to the people as this one.

Mr. M'CREARY. Mr. Speaker, the object of this bill is to let the people of the State have some knowledge of the laws we are passing at as little expense as possible.

The general appropriation bill is a bill of immense length, and it would cost a good deal to have it printed according to the provisions of this bill. It would require two or three issues of some papers to print it. They doubtless would give a synopsis of the bill and print in full the portions pertaining to their particular locality as a matter of news. But what we want is that the people shall have a knowledge of the laws under which they are acting.

Mr. DAVIS. Mr. Speaker, I move to amend by excepting Philadelphia county from the provisions of the bill. I am not aware of any person that wants to put on Philadelphia this additional expense. The laws that are of interest to the people of Philadelphia are generally published in the city papers. This bill would add a tax of probably fifty thousand dollars that is unnecessary.

Mr. HARBISON. Mr. Speaker, I move to have Lawrence county excepted from the provisions of the bill.

Mr. ROATH. Mr. Speaker, I move to have Lancaster county excepted from the provisions of the bill.

Mr. CHADWICK. Mr. Speaker, I move that Allegheny county be excepted from the provisions of the bill.

Mr. MECHLING. Mr. Speaker, I move to have Armstrong county excepted from the provisions of the bill.

Mr. DAVIS. Mr. Speaker, I move the indefinite postponement of the further consideration of the bill.

The question being on the motion of Mr. DAVIS to indefinitely postpone the further consideration of the bill,

Mr. BOYLE. Mr. Speaker, I trust this bill may pass, so that we will not make laws and keep the people in ignorance of them.

Mr. WADDELL. Mr. Speaker, I have been informed that if these general laws are published as this act requires, it will cost a hundred thousand dollars. I have made no estimate myself, but such I have been informed would be the expense.

The question being on the motion of Mr. DAVIS to indefinitely postpone the further consideration of the bill,

The yeas and nays were required by Mr. CHALFANT and Mr. M'CREARY, and were as follow, viz:

YEAS—Messrs. Adaire, Armstrong, Brennan, Cameron, Chadwick, Collville, Davis, DeHaven, Donohugh, Freeborn, Harbison, Hood, Kennedy, Kerns, Kimmell, Koon, M'Henry, M'Pherrin, Markley, Marks, Mechling, Mullin, Pennypacker, Peter, Pillow, Richards, Roath, Sharples, Steacy, Stehman, Stumbaugh, Subers, Waddell, Webb, Whann, Wharton, Wilson, Worrall and Glass, *Speaker*—39.

NAYS—Messrs. Allen, Barrington, Barton, Boyd, Boyle, Breen, Brown, Calvin, Chalfant, Chase, Collins, Craig, Fogel, Gregory, Harner, Headman, Heltzel, Hoffman, Humphrey, Hunt, Jenks, Jones, Kinney, Kline, Kurtz, Lee, Leech, Linton, Long, M'Creary, Mann, Meily, Meyers, Quay, Rhoads, Robinson, Roush, Satterthwait, Shuman, Wallace, Weller, Westbrook, Wingard, Woodward and Wright—45.

So the question was determined in the negative.

The question recurring on the amendment to except the counties of Philadelphia, Allegheny, Lawrence, Lancaster and Armstrong from the provisions of the bill,

Mr. WHANN moved that Venango county be excepted.

Mr. STUMBAUGH moved that Franklin county be excepted.

Mr. ALLEN moved that Warren county be excepted.

Mr. BARTON moved that Delaware county be excepted.

Mr. KINNEY moved that Bradford county be excepted.

Mr. CAMERON moved that Susquehanna county be excepted.

Mr. MEILY moved that Lebanon county be excepted.

Mr. KENNEDY moved that Wyoming county be excepted.

Mr. PENNYPACKER moved that Chester county be excepted.

Mr. COLLINS moved that Schuylkill county be excepted.

Mr. KLINE moved that Lehigh county be excepted.

Mr. LONG moved that Cumberland county be excepted.

Mr. LINTON moved that Cambria county be excepted.

Mr. HEADMAN moved that Bucks county be excepted.

The question being on the amendment to except the several counties mentioned,

The yeas and nays were required by Mr. JONES and Mr. COLLINS, and were as follow, viz:

YEAS—Messrs. Adaire, Allen, Armstrong, Barrington, Barton, Calvin, Cameron, Chadwick, Colville, Davis, DeHaven, Donohugh, Espy, Fogel, Freeborn, Harbison, Humphrey, Kennedy, Kerns, Kimmell, Kline, Koon, Lee, M'Henry, Mann, Marks, Mechling, Meily, Pennypacker, Peter, Quigley, Roath, Satterthwait, Sharples, Steacy, Stehman, Stumbangh, Subers, Waddell, Wallace, Watt, Webb, Whann, Wharton, Wingard, Worrall and Glass, *Speaker*—47.

NAYS—Messrs. Boyd, Boyle, Breen, Brennan, Brown, Chalfant, Chase, Collins, Craig, Day, Ewing, Harner, Headman, Heltzel, Hoffman, Hunt, Jenks, Jones, Kinney, Kurtz, Leech, Linton, Long, M'Creary, M'Kee, M'Pherrin, Markley, Meyers, Pillow, Quay, Rhoads, Richards, Robinson, Roush, Shuman, Tharp, Weller, Westbrook, Woodward and Wright—40.

So the question was determined in the affirmative.

The question recurring on the section as amended,

Mr. WADDELL. Mr. Speaker, I move to amend by adding the following proviso:

"*Provided further*, That no part of the cost of publishing such laws shall be paid by the Commonwealth."

The question being on the amendment of Mr. WADDELL,

Mr. ALLEN. Mr. Speaker, gentlemen who have just had their counties exempt from the provisions of this bill will observe the

necessity of sustaining this amendment, for the reason that many counties are exempt from the publication of these laws, but if the Commonwealth is to pay the expense those counties exempted will have to pay their share of the expense the same as the others.

Mr. PENNYPACKER. Mr. Speaker, I hope the amendment will be adopted. I would like it if the House could be informed what the expense of carrying out the provisions of this bill would be. I have been very credibly informed that the Senate has just discovered that the general appropriation bill will take more money out of the treasury than there is in it, without taking a portion of the sinking fund. I believe they are now reconsidering the bill so as to cut it down that it may come within the amount in the treasury. Now, without going to the sinking fund, we will not have the money to pay the expense of carrying out this bill. We cannot afford it, I say; and I therefore hope the amendment will be adopted.

The question being on the amendment of Mr. WADDELL,

It was

Agreed to.

The question recurring on the section as amended,

It was

Not agreed to.

The question being on the title,

It was

Not agreed to.

The question being, Shall the bill be transcribed for a third reading?

It was

Not agreed to.

Mr. LEE. Mr. Speaker I move a suspension of the rules for the purpose of considering Senate Bill No. 413, an act to regulate the carriage of baggage by railroad companies, and to prescribe the duties and obligations of companies and passengers thereto.

The motion was

Agreed to.

The bill being before the House, and the question on agreeing to the first section,

Mr. BOYLE. Mr. Speaker I move to amend by striking out all after the word "railroad" to the word "shall" in the fourth line, *i. e.* strike out the words "who shall have paid fare;" and in the seventh line by striking out the words "without additional charge above passage fare."

The question being on the amendment of Mr. BOYLE,

It was

Agreed to.

The question being on the section as amended,

It was

Agreed to.

The remaining sections of the bill were agreed to without amendment.

The rules were suspended, the bill read a third time by its title, and

Passed finally.

Mr. WADDELL. Mr. Speaker, I move a suspension of the rules for the purpose of considering

Senate bill No. 817, an act to authorize the Coal Hill and Upper St. Clair turnpike and plank road company to increase their tolls.

The question being on the motion of Mr. WADDELL,

The yeas and nays were required by Mr. QUIGLEY and Mr. MULLIN, and were as follow, viz:

YEAS—Messrs. Adaire, Allen, Armstrong, Barton, Brown, Cameron, Chadwick, Chase, Colyźle, Davis, Day, DeHaven, Donohugh, Espy, Ewing, Freeborn, Gordon, Harbison, Hoffman, Humphrey, Kennedy, Kerns, Kimmell, Kinney, Lee, Leech, M'Creary, M'Kee, Mann, Mechling, Meily, Pennypacker, Peter, Pillow, Quay Richards, Roath, Sharples, Shuman, Stehman, Stumbaugh, Subers, Waddell, Wallace, Watt, Webb, Weller, Wham, Wharton, Wilson, Wingard, Woodward, Worrall and Glass, *Speaker*—53.

NAYS—Messrs. Barrington, Boyd, Boyle, Brem, Brennan, Calvin, Chalfant, Collins, Craig, Fogel, Gregory, Harner, Headman, Heltzel, Hood, Hunt, Jenks, Jones, Josephs, Kline, Koon, Kurtz, Linton, Long, M'Henry, M'Pherrin, Maish, Markley, Meyers, Mullin, Quigley, Rhoads, Robinson, Roush, Satterthwait, Therp and Westbrook—37.

So the question was determined in the negative—two-thirds not having voted in the affirmative.

Mr. KOON. Mr. Speaker, I move that the orders of the day be suspended, for the purpose of considering,

Senate bill No. 564, an act to transfer the the counties of Monroe, Pike Wayne, Susquehanna, Bradford, Wyoming, Luzerne and Carbon, and add the same to the Northern District of the Supreme Court.

Mr. MANN. Mr. Speaker, I call for a division of the question.

The question being on the first division, which involved a suspension of the rules generally,

It was

Not agreed to.

Mr. RHOADS. Mr. Speaker, I ask the unanimous consent of the House to proceed to the consideration of Senate bill No. 658, a further supplement to an act relating to the elections of the Commonwealth, approved July 2, 1839.

Objection was made.

Mr. GREGORY. Mr. Speaker, I move that this House do now adjourn.

The question being on the motion of Mr. GREGORY,

It was

Agreed to, and

The SPEAKER declared the House adjourned until to-morrow morning at 10 o'clock.

SENATE.

TUESDAY, April 9, 1867.

The Senate met and was called to order at 10 A. M. by the SPEAKER.

Prayer was offered by the Rev. Mr. Bailey.

On motion of Mr. CONNELL, the reading of the Journal of yesterday was dispensed with.

SPEAKER'S TABLE.

The SPEAKER presented the remonstrance of the preachers' meeting of the Methodist Episcopal Church, of the city of Philadelphia, against the passage of an act proposing to tax churches whose income exceeds two thousand five hundred dollars.

Laid on the table.

The SPEAKER also presented the memorial of the rector, wardens and vestrymen of Grace Church (Protestant Episcopal), of Philadelphia, in opposition to the passage of the same bill.

Laid on the table.

RESOLUTION.

Mr. CONNELL offered the following resolution, which was twice read:

Resolved, if the House of Representatives concur, That the ninth joint rule be suspended so far as regards the transmission of Senate bills passed at the session of the 8th instant.

The resolution was adopted.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

The Clerk of the House of Representatives being introduced, returned bill from the Senate numbered and entitled as follows, viz:

No. 1117, a supplement to the act to incorporate the Norris Park mining company, approved March 14th, 1865, authorizing said company to borrow money,

With information that the House of Representatives has passed the same without amendments.

He also returned bill from the Senate numbered and entitled as follows, viz:

No. 199, a further supplement to an act, entitled An act to incorporate the Kensington and Oxford turnpike road company, approved the 17th day of March, 1842,

With information that the House of Representatives has passed the same with amendments, in which the concurrence of the Senate is requested.

On motion of Mr. ROYER,

Said amendments were twice read and concurred in.

He also informed that the House of Representatives has adopted the report of the committee of conference appointed to confer upon the subject of the differences existing between the two Houses on House bill No. 538, entitled An act regulating interest on public accounts.

He also informed that the House of Representatives has concurred in the amendments made by the Senate to bills from the House of Representatives numbered and entitled as follows, viz:

No. 354, a further supplement to an act to incorporate the city of Erie.

No. 693, an act to prevent injury to privy wells in the city of Philadelphia.

No. 736, an act to provide for the appointment of controllers of the public schools of the First school district of Pennsylvania.

No. 841, an act to authorize the payment to Nicholas Simon, a soldier in the war to suppress the rebellion, a gratuity on account of the loss of one of his hands.

No. 897, a supplement to an act for the better securing the payment of the wages of labor in certain counties of this Commonwealth, approved 30th day of March, A. D. 1859.

No. 1021, an act to incorporate the Paros coal mining and lumber company of Pennsylvania.

No. 1037, an act extending the provisions of an act approved 7th day of May, A. D. 1864, entitled An act to prevent cattle, horses, sheep or hogs from running at large in Bethlehem township, Northampton county, Lower Nazareth, East Allen and Saucon townships, in said county.

No. 1031, an act to incorporate the Odd Fellows' Mutual Co-operative association of Monongahela City, Washington county.

No. 1050, an act to take the sense of the people of Beaver county upon the question of a prohibitory liquor law.

No. 1056, an act to legalize the levy and collection of certain bounty tax, to provide for a settlement, and authorize the school directors to lay an additional bounty tax in Upper Paxton township, and the borough of Gratztown, in the county of Dauphin.

No. 1060, an act providing for the payment of the school treasurer of Monroe township, Clarion county, the balance of the money raised for the payment of local bounties after the payment of all claims on said township for local bounty.

No. 1064, a supplement to an act to secure bounty taxes in certain wards of the city of Lancaster, approved April 4th, 1866.

No. 1067, an act to enable the board of school directors of the township of Chanceford, in the county of York, to levy and collect at once a tax sufficient to liquidate the remaining indebtedness of said township for bounty purposes.

No. 1080, an act to incorporate the Mauch Chunk Savings Bank.

REPORT OF COMMITTEES.

Mr. CONNELL, from the Committee on Finance, reported, as committed, bill entitled An act to authorize the completion of the military history of the Pennsylvania volunteers.

Mr. BIGHAM, from the Committee on Judiciary General, reported, as committed, bill entitled An act authorizing the reduction of the capital stock of oil companies, and the equalizing of the taxes relative thereto.

Mr. SHOEMAKER (same), as committed, bill entitled an Act to provide for the payment of costs in the removal of paupers in certain cases.

Mr. WALLACE (same), as committed, bill entitled An act for the relief of wives and children deserted by their husbands and fathers in this Commonwealth.

Mr. COWLES, from the Committee on Judiciary Local, reported, as committed, bill entitled An act relative to special county tax in and for the township of Guilford in the county of Franklin.

Also (same), as committed, bill entitled A further supplement to an act entitled An act to incorporate the village of St. Clair, in the county of Schuylkill, into a borough, to be called St. Clair, approved the 6th day of April, A. D. 1850.

Also (same), as committed, bill entitled An act supplementary to an act to incorporate the town of Pine Grove, in the county of Schuylkill, into a borough, approved the 27th day of May, A. D. 1832.

Also (same), as committed, bill entitled A further supplement to the act consolidating the city of Philadelphia, and extending the term of office of the chief engineer of the water department.

Also (same), as committed, bill entitled A further supplement to an act to protect the property of the mayor, aldermen and citizens of Philadelphia, at Fairmount, and to preserve the purity of the Schuylkill water, passed the 7th of February, 1832.

Mr. WHITE (same), as committed, bill entitled An act for the better protection of livery stable men in Schuylkill county.

Also (same), as committed, bill entitled An act relating to hawking and peddling in the county of Armstrong.

Also (same), as committed, bill entitled An act authorizing the burgess and town council of the borough of Latrobe, in Westmoreland county, to borough money and levy a special tax for borough purposes.

Mr. STUTZMAN (same), as committed, bill entitled An act supplementary to an act revising the charter of the municipal corporation of the city of Reading, passed April 26, 1864, extending the limits of the same.

Also (same), as committed, a bill entitled A supplement to an act entitled An act to incorporate the city of Meadville, approved the 15th day of February, A. D. 1866.

Also (same), as committed, bill entitled An act erecting a Fourth ward of the borough of Easton, in the county of Northampton.

Also (same), as committed, bill entitled An act to authorize and require the supervisors of Armagh township, in the county of Mifflin, to levy and collect a tax for the purpose of securing the right of way to the Mifflin and Centre County railroad company through said township.

Mr. DAVIS (same), as committed, and with a negative recommendation, bill entitled An act for the relief of wives and children deserted by their husbands in the county of Dauphin.

Also (same), as committed, bill entitled An act for the purpose of securing uniformity of gauge in the purchase and sale of crude petroleum in the counties of Venango, Crawford and Erie.

Also (same), as committed, bill entitled An act to repeal an act entitled An act to secure a stricter accountability of certain public officers in Schuylkill county, approved February 17, A. D. 1859, so far as relates to to the township of Eldred, in said county.

Also (same), as committed, bill entitled An act authorizing the overseers of the poor of Franklin borough to levy a tax on occupations, money at interest, &c.

Also (same), as committed, bill entitled A further supplement to an act to provide for the erection of a house for the employment and support of the poor in the county of Dauphin.

Mr. M'CONAUGHY, from the Committee of Estates ane Escheats, reported, as committed, bill entitled An act to perfect the title of Reuben Watt to certain land in South Beaver township, Beaver county.

Mr. RIDGWAY, from the Committee on Corporations, reported, as committed, bill entitled Supplement to the act entitled an act to incorporate the Cumberland Valley Mutual protection company of Dickinson township, Cumberland county.

Also (same), as committed, bill entitled An act to incorporate the General Eldership of the Church of God in North America.

Also (same), as committed, bill entitled An act to incorporate the Success mining company.

Also (same), as committed, bill entitled Supplement to an act providing for the purchase, erection and construction of public water works for the borough of Easton, Northampton county, by the corporate authorities of said borough.

Also (same), as committed, bill entitled An act to incorporate the Philadelphia Paper-hanging manufacturing company.

Also (same), as committed, bill entitled An act to incorporate the Pennsylvania Nicholson pavement company.

Also (same), as committed, bill entitled An act to incorporate the Franklin publishing society of Pennsylvania.

Also (same), as committed, bill entitled An act to incorporate the Philadelphia wooden ware manufacturing company.

Also (same), as committed, bill entitled An act to incorporate the Farmers' Mutual life insurance and trust company, of the township of Upper Augusta.

Also (same), as committed, bill entitled An act to incorporate the Centre gold and silver mining company, of Nevada.

Also (same), as committed, bill entitled A supplement to an act to incorporate the Mechanics' and Miners' Co-operative association, of Scranton, approved February 14th, 1867.

Mr. JAMES (same), as committed, bill entitled An act to incorporate the Legal Tender gold and silver mining company.

Also (same), as committed, bill entitled An act to incorporate the Great Eastern and Western gold and silver mining company.

Also (same), as committed, bill entitled An act to incorporate the Indemnity gold mining company of Colorado.

Mr. GLATZ (same), as committed, bill entitled An act to incorporate the Monocacy iron and steel company.

Also (same), as committed, bill entitled An act to incorporate the Potomac gold and silver mining company of Maryland.

Also (same), with amendment, bill entitled An act to incorporate the Eagle Hill iron company.

Mr. ROYER (same), as committed, bill entitled An act to incorporate the Kelso silver mining company.

Also (same), as committed, bill entitled A supplement to an act to incorporate the Turners' association, approved April 13, A. D. 1859, authorizing said corporation to hold real estate and issue bonds.

Also (same), as committed, bill entitled An act to incorporate the Montana and Pittsburg gold and silver mining company.

Also (same), as committed, bill entitled An act to incorporate the Montgomery improvement company.

Mr. HAINES (same), as committed, bill entitled An act to incorporate the Frankford Co-operative benefit society.

Also (same), as committed, bill entitled An act to incorporate the Humboldt gold and silver mining company of Nevada.

Also (same), as committed, bill entitled An act to incorporate the Allegheny gold and silver mining company of Idaho.

Also (same), as committed, bill entitled An act to provide for the protection of minors employed on the several canals in the counties of Carbon, Northampton and Bucks.

Also (same), as committed and with a negative recommendation, bill entitled An act relative to the building of dams on the Conodoguinett creek, in the township of East Pennsborough, Cumberland county.

Mr. ROYER, from the Committee on Canals and Inland Navigation, reported, as committed, bill entitled A further supplement to an act to incorporate the Jones ferry company, approved the 14th day of March, A. D. 1865.

Also (same), as committed, bill entitled An act to prohibit the erection of ferries within two miles of the Milton bridge, in the county of Northumberland.

Mr. LANDON, from the Committee on Railroads, reported, as committed, bill entitled A further supplement to an act entitled A supplement to the act incorporating the National-iron armor company of Chester, in the county of Delaware, approved March 21, 1865, to enable said company to construct a railroad from their works to the Philadelphia, Wilmington and Baltimore railroad.

Mr. HAINES, from the Committee on Agriculture and Domestic Manufactures, reported, as committed, bill entitled An act for the protection of sheep and the taxing of dogs in the county of Westmoreland.

Also (same), as committed, and with a negative recommendation, bill entitled An act for the preservation of fish in Sterling township, Wayne county, and Greene township, Pike county.

Mr. ROYER (same), as committed, bill entitled A further supplement to an act entitled An act for regulating the measurement of corn and salt imported into the port of Philadelphia.

Mr. WHITE, from the Committee on Military Affairs, reported, with amendments, bill entitled An act for the relief of Colonel Patrick W. Conroy and others, on account of services rendered in recruiting, raising and organizing the Thomas A. Scott regiment Pennsylvania volunteers.

Mr. BILLINGFELT, from the Committee on Roads and Bridges, reported, as committed, bill entitled A further supplement to an act authorizing the Governor to incorporate the Philadelphia and West Chester turnpike road company, approved the 20th day of March, A. D. 1848, to enable said company to issue bonds.

Mr. TAYLOR (same), as committed, bill entitled an act relating to footwalks in Oakland township, in the county of Allegheny.

Mr. LANDON (same), as committed, bill entitled An act to authorize the burgess and town council of the borough of Duquesne to borrow money and issue bonds for the improvement of certain streets in said borough.

Mr. WALLS (same), as committed, bill entitled an act to incorporate the Harleysville and Lederachsville turnpike road company.

Mr. GRAHAM, from the Committee on

Vice and Immorality, reported, as committed, bill entitled A further supplement to an act supplementary to an act to regulate the sale of intoxicating liquors, approved April 20th, 1858.

Also (same), as committed, bill entitled An act to prohibit the issuing of licenses within two miles of the normal school at Mansfield, Tioga county.

Mr. M'CONAUGHY, from the Committee on Estates and Escheats, reported, as committed, and with a negative recommendation, bill entitled An act empowering Margaret B. Fullerton, guardian of the minor children of Samuel Fullerton, late of the borough of Freeport, Armstrong county deceased, to sell and convey real estate.

Also (same), as committed, and with a negative recommendation, bill entitled An act to authorize the trustees of the Methodist Episcopal church in Mount Jackson, Lawrence county, to convey real estate.

Mr. WHITE (same), as committed, and with a negative recommendation, bill entitled An act authorizing the Commonwealth to abandon her rights to the escheat in the estate of John Strinfort, late of York county, deceased, and vesting all the title in said estate in Frederick Storer.

Mr. WALLACE (same), as committed, and with a negative recommendation, bill entitled An act to allow the Evangelical Lutheran church congregation, Bindnangels, Londonderry township, Lebanon county, to use the interest of certain money left by George Berger to said congregation, in trust to John Early.

Mr. BURNETT (same), as committed, and with a negative recommendation, bill entitled An act to authorize certain persons to sell real estate in the borough of Waynesburg, county of Greene.

Mr. FISHER, from the Committee on Pensions and Gratuities, reported, as committed, bill entitled An act for the relief of Kenney Montgomery, a soldier of the war of 1812.

Also (same), as committed, and with a negative recommendation, bill entitled An act for the relief of George V. Mitchell.

Mr. GLATZ, from the Committee on Roads and Bridges, reported, as committed, bill entitled An act to incorporate the Norristown and Centre Square turnpike road company.

Mr. BROWNE (Lawrence), from the Committee on Education, reported, as committed, bill entitled An act to exempt money loaned to the Reading school district from taxation.

Mr. LANDON, from the Committee on Railroads, reported, as committed, bill entitled A further supplement to the act entitled An act to incorporate the South Mountain railroad company, approved May 5, 1854, repealing the proviso of the fourth section of the supplement to said act, approved March 9, 1855.

Mr. M'CONAUGHY, from the Committee on the Judiciary General, reported, with amendments, bill entitled An act to provide for the payment of gratuities and annuities to the soldiers of the war of 1812, and to their widows, and to repeal the present laws on that subject.

REPORT FROM THE COMMITTEE TO COMPARE BILLS.

Mr. STUTZMAN, from the Committee appointed to Compare Bills, and present them to the Governor for his approbation, made report, which was read as follows, viz:

That in conjunction with a similar committee from the House of Representatives, they have compared, and on the 8th instant, presented to the Governor for his approbation, bills as follow, to wit:

Senate bill No. 280, an act authorizing the commutation of the death punishment in certain cases.

Senate bill No. 770, an act to provide for the continuance of the education and maintenance of the destitute orphans of the deceased soldiers and sailors and the destitute children of permanently disabled soldiers and sailors of the State.

Senate bill No. 1316, further supplement to an act to incorporate the Union coal company, approved May 4th, 1857, now the Osceola coal company, increasing the privileges of said company.

Senate bill No. 319, an act to incorporate the Sandusky and Irwin Street bridge company.

Senate bill No. 1495, an act to incorporate the Corn Exchange warehousing company of Philadelphia.

Senate bill No. 520, an act to incorporate the Moshannon land and lumber company.

Senate bill No. 854, an act to allow the sheriff of Elk county fees for serving jury notices and increasing the pay of supervisors in said county.

Senate bill No. 812, an act to repeal an act to lay out a State road in Schuylkill and Columbia counties, approved April 4, A. D. 1866.

Senate bill No. 317, a supplement to an act to incorporate the Allentown passenger railroad company, approved 21st day of March, A. D. 1854.

Senate bill 983, an act to incorporate the Brookville and Brockawayville railroad company.

Senate bill No. 593, a further supplement to an act incorporating the Lackawanna and Bloomsburg railroad, approved April 5, A. D. 1852.

Senate bill No. 1166, an act authorizing the school board of the Fourth ward, in Allegheny city school district, to close up their bounty business, and to use surplus bounty money for the purpose of purchasing ground and erecting a new school house in said ward, and to borrow twenty thousand dollars for the purpose aforesaid.

Senate bill No. 736, an act to attach certain lands and tenements in Napier township, Bedford county, and the persons residing thereon, to Schellsburg borough, for school purposes.

Senate bill No. 989, an act authorizing the school directors of the borough of Tarentum, Allegheny county, to assess and collect taxes for school purposes.

Senate bill No. 990, an act to authorize the school directors of the borough of Sewickley to borrow money, and levy an additional school tax.

Senate bill No. 872, an act authorizing the trustees, secretary and treasurer of the proprietors' fund of Plymouth township to appropriate said fund towards the erection of school houses, and for school purposes.

Senate bill No. 585, an act to incorporate the Keystone telegraph company.

Senate bill No. 923, an act to incorporate the Pittsburg transportation company.

Senate bill No. 926, a supplement to an act entitled An act to incorporate the Lehigh Valley Fire insurance company, approved 30th day of March, A. D. 1866.

Senate bill No. 692, an act to incorporate the American dredging company.

Senate bill No. 924, a further supplement to an act, entitled An act to incorporate the Scranton gas and water company, approved March 16, 1854.

Senate bill No. 518, a further supplement to an act to incorporate the North American shaft company, approved the 22d day of March, 1862.

Senate bill No. 894, an act to legalize and make valid an assessment made by the board of school directors of Strasburg township, Lancaster county, of one-half of one per centum on the 16th day of June, A. D. 1866, for bounty purposes.

Senate bill No. 911, an act regulating certain sheriff's fees in the county of Luzerne.

Senate bill No. 905, an act increasing the pay of certain township officers in Conyngham township, Columbia county.

Senate bill No. 973, a supplement to an act relating to the directors of the poor of Lancaster county, approved March 2, 1846, regulating the fees of constables.

Senate bill No. 941, an act regulating the fees of notaries public in the county of Allegheny.

Senate bill No. 1350, an act to authorize the revision of a portion of the wharf lines on the rivers Delaware and Schuylkill.

Senate bill No. 1025, an act to incorporate the Clearfield trout and hotel company.

Senate bill No. 1030, a supplement to an act to incorporate sundry Baptist churches in Cambria, Blair, Huntingdon, Mifflin, Juniata and Centre counties, called the Centre Association of Independent or Regular Baptist churches, approved the 11th day of April, A. D. 1866, changing the time for the election of trustees and the meeting of said trustees.

Senate bill No. 1050, an act repealing an act, entitled An act relating to roads in Bratton township, Mifflin county, approved May 1, A. D. 1861.

Senate bill No. 1051, a further supplement to an act, entitled An act appointing commissioners to lay out and open a State road in the counties of Cameron and Potter, approved the 21st day of March, A. D. 1865.

Senate bill No. 1059, a supplement to an act, approved April 12, 1856, to lay out a State road from Tarentum, Allegheny county, to George Gochee's, in Butler county.

Senate bill No. 1063, an act to incorporate the Citizens' ferry company of Pittsburg.

Senate bill No. 1067, an act to extend the time for the payment of the enrollment tax upon an act to incorporate the Eastern telegraph company, approved April 5, 1866.

Senate bill No. 1081, an relative to the assessment and collection of taxes on unseated lands in Cherry township, Sullivan county,

Senate bill No. 1121, an act authorizing the school directors of Curwensville, Clearfield county, to borrow money and sell a school building.

Senate bill No. 1135, an act to extend the time for the payment of the enrollment tax on an act relating to the directors of the poor of Lancaster county, approved March 2, 1846, regulating the fees of constables.

Senate bill No. 1136, a supplement to an act granting a pension to Lewis Hageuman, approved April 17, 1866.

Senate bill No. 1154, an act to incorporate the Lampeter and Strasburg turnpike road company.

Senate bill No. 1159, a further supplement to an act entitled An act to incorporate the Conestoga and Big Spring Valley turnpike road company, passed April 17, 1861.

Senate bill No. 1140, a supplement to an act entitled An act to incorporate the Philadelphia transportation and freight company.

Senate bill No. 1177, an act authorizing the State Treasurer to allow a credit to the treasurer of Adams county, for money paid John Scott.

Senate bill No. 1198, an act to incorporate the Farmers' and Citizens' Co-operative building and savings fund association, of Lawrence county, Pennsylvania.

Senate bill No. 1210, an act extending the time for laying out a State road in Wayne and Monroe counties.

Senate bill No. 1215, an act to incorporate

Daily Legislative Record.

FOR THE SESSION OF 1867.

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TERMS OF THE DAILY RECORD.

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[CONTINUED FROM PAGE 1040.]

the Mount Rock, Newville and Stoughstown turnpike road company.

Senate bill No. 1220, an act to incorporate the Carlisle, Boiling Spring and Dillsburg turnpike road company.

Senate bill No. 1247, an act to authorize the board of school directors of White township, Indiana county, to borrow money, and to appropriate for school purposes surplus bounty fund.

Senate bill No. 1251, an act to empower the court of quarter sessions of the peace of Adams county to appoint auditors to audit bounty accounts in the several boroughs and townships in said county, and in relation to reauditing the bounty accounts of Cumberland township, in said county.

Senate bill No. 1353, an act authorizing and empowering A. Clark, of Meadville, to have his dockets returned to him.

Senate bill No. 1214, an act to authorize the Curwensville bridge company to change its rate of toll.

Senate bill No. 1463, a further supplement to an act entitled An act for the better regulation of billiard rooms, bowling saloons and ten-pin alleys in the counties of Chester and Delaware, approved April 13, 1859, and a supplement thereto, approved March 16, 1866, extending the same to the counties of Lawrence, Butler and Armstrong.

Senate bill No. 1470, an act relating to the paving of the streets of the city of Allentown.

Senate bill No. 595, a supplement to an act to incorporate the Reading passenger railway company, approved 21st day of March, A. D. 1865.

REPORT OF COMMITTEE OF CONFERENCE.

Mr. CONNELL, from the committee of conference to which was committed the difference existing between the two Houses in relation to bill No. 190, Senate file, entitled A further supplement to the act incorporating the Township Line road company, fixing the terminus and regulating tolls on said road, reported:

That they had agreed to recommend that the House should recede from its amendments non-concurred to by the Senate to said bill.

On motion of Mr. CONNELL, said report was read a second time and adopted.

AN AFTERNOON SESSION.

Mr. CONNELL moved that when the Senate adjourn, it will adjourn to meet this afternoon at three o'clock.

The motion was

Agreed to.

MESSAGE FROM THE GOVERNOR.

The Deputy Secretary of the Commonwealth being introduced, presented a message from the Governor, which was read as follows, viz:

EXECUTIVE CHAMBER,
HARRISBURG, April 9, 1867.

To the Senate and House of Representatives of the State of Pennsylvania:

GENTLEMEN—I have approved and signed the following acts of the General Assembly, to wit:

On the 6th instant:

Senate bill No. 668, a supplement to an act entitled An act to incorporate the Susquehanna and Delaware railroad company, authorizing said company to issue seven per cent. bonds.

Senate bill No. 985, a further supplement to the act incorporating the Lafitte railroad company, approved the first day of May, A. D. 1861, extending the time for building the road and enlarging the powers of said corporation.

Senate bill No. 773, an act relating to the payment of certain bounties by the township of Eldred, Monroe county.

Senate bill No. 738, an act relative to the collection of school tax in township of Doylestown.

Senate bill No. 790, an act fixing the compensation for the commissioners of the county of Bucks.

Senate bill No. 1267, a further supplement to the act incorporating the city of Pittsburg, extending its boundaries, enlarging its corporate powers, and perfecting the municipal organization, and submitting the proposed consolidation to the vote of the people.

Senate bill 927, an act authorizing an increase of the capital stock of the Connecting railroad company.

Senate bill No. 730, an act to incorporate the Co-operative association of East Birmingham, in the county of Allegheny, for mercantile purposes.

Senate bill No. 312, an act to extend the time for the payment of the enrollment tax upon an act to authorize the Western Maryland railroad company to locate a portion of their road through Adams and Franklin counties, Pennsylvania, approved the twenty-third day of March, 1865, and relating to the location of the said railroad, and the connection of the Gettysburg railroad therewith.

House bill No. 1001, an act to incorporate the Odd Fellows Mutual Co-operative association of Monongahela City, Washington county.

House bill No. 502, an act to increase the compensation of the supervisors and auditors in the township of Gregg, in the county of Union.

Senate bill No. 1342, a supplement to an act to incorporate the Superior iron company.

Senate bill No. 479, a further supplement to the act entitled An act to incorporate the Allentown railroad company, approved April 19th, A. D. 1853.

Senate bill No. 778, a supplement to an act to appoint commissioners to re-survey and establish the lines of the main road running through a part of Wilkesbarre township, in the county of Luzerne, approved the 24th day of February, A. D. 1859.

Senate bill No. 954, an act appointing commissioners to lay out and open a State road from Ridgway, via Johnsonburg and Wilcox, in Elk county, to the borough of Kane, in M'Kean county.

Senate bill No. 1111, a supplement to an act entitled An act relating to corporations for mechanical, manufacturing, mining and quarrying purposes, approved the 8th day of July, 1863, to the Williamuport manufacturing company.

On the 8th instant:

House bill No. 1145, an act to repeal the second section of an act authorizing the assessment of railroad taxes in the borough of Kittanning, Armstrong county, approved the sixteenth day of February, A. D. 1867.

House bill No. 836, an act to repeal an act to regulate the practice of entering judgments and issuing processes in Armstrong county.

Senate bill No. 812, an act to repeal an act to lay out a State road in Schuylkill and Columbia counties, approved April 4th, A. D. 1866.

House bill No. 1144, an act relative to certain moneys in the hands of the legal representatives of Jacob Miller, late of St. Thomas township, in the county of Franklin, deceased.

House bill No. 1233, an act to increase the number of supervisors of roads in Cowanshanoe township, Armstrong county.

House bill No. 1233, an act to annul the marriage contract between William C. Gray and Lucinda Campbell Gray, late Lucinda Campbell.

House bill No. 1164, an act to extend to the county of Berks certain provisions of an act entitled An act to amend the fee bill as to constables in the city of Philadelphia.

House bill No. 1236, an act to incorporate the Newtown and Scranton turnpike and road company.

House bill No. 663, an act to confirm the title of William F. Hughes, in and to a certain lot or piece of ground situated on the north side of High or Market street, seventy feet six and a-half inches from the west side of Nineteenth street, in the city of Philadelphia.

House bill No. 507, a supplement to an act to incorporate the borough of Columbia.

House bill No. 1601, an act to attach certain lands and tenements in Licking township, Fulton county, to Todd township, for school purposes.

House bill No. 1232, an act to authorize the Johnstown and Scalp Level turnpike company of Cambria county to increase the rates of toll on said turnpike.

House bill No. 1041, an act extending the provisions of an act repealing existing laws relating to killing beasts of prey so far as relates to the county of Venango, approved the 12th day of April, A. D. 1866.

House bill No. 1194, a supplement to an act entitled An act to incorporate the Mount Pleasant railroad company, approved the 22d day of March, Anno Domini 1865, ex-

tending the time for the commencement and completion of said railroad.

House bill No. 546, an act repealing an act relative to the purchase of a law library in the county of Butler.

House bill No. 1162, a supplement to an act regulating the mode of voting at all election in the several counties of this Commonwealth, and to regulate the mode of voting where boroughs and townships vote together, in the county of Washington.

House bill No. 1189, a supplement to an act entitled An act to incorporate the Ohioville railroad company, approved March 27, 1866.

House bill No. 1191, an act to incorporate the Tidioute railroad company.

House bill No. 1103, an act to authorize the supervisors of Cook township, in the county of Westmoreland, to levy taxes for the construction of a bridge.

House bill No. 1315, an act to repeal an act to authorize and require the school directors of West Caln township, Chester county, to levy and collect taxes for the purpose of paying three hundred dollars to persons who were drafted and furnished substitutes under the call of the President of July, 1864, approved the 22d day of March, Anno Domini 1866.

House bill No. 1040, an act extending the provisions of an act relating to dogs in Allegheny, Chester, Northampton, Schuylkill and Lancaster counties, approved the 6th day of April, 1854, to the county of Berks.

House bill No. 1056, an act to authorize the board of supervisors of Industry township, Beaver county, to levy a bounty tax.

House bill No. 1052, an act relating to tavern licenses in Greene county.

House bill No. 1123, an act to exempt the property of the First Troop Philadelphia City Cavalry, situated in the Ninth ward, city of Philadelphia, from taxation.

House bill No. 1206, an act to incorporate the Venice gold and silver mining company.

House bill No. 1066, an act to legalize certain acts of committees and school directors of the township of Lower Milford, in the county of Lehigh, relative to the payment of bounties to volunteers.

An act to authorize the board of school directors of Brooklyn, Susquehanna county, to levy and collect a tax to pay outstanding bonds and for other purposes.

House bill No. 1068, an act to authorize the board of school directors of the borough of Irwin, in the county of Westmoreland, to borrow money for building purposes, and to levy an additional school tax.

House bill No. 1352, an act relative to a certain highway in the town of Coatesville, Chester county.

House bill No. 1204, an act to annex additional territory to the borough of Brownsville, Mercer county, for school purposes.

House bill No. 1269, an act to incorporate the Delaware County lumber manufacturing company.

House bill No. 1043, an act to prevent the destruction of fish in Breeches' pond or lake, in Overfield township, Wyoming county, and Chartier's creek, Washington county.

House bill No. 1057, a further supplement to an act to legalize bounties paid volunteers and the bonds issued therefor in certain townships in the county of Franklin, approved the fourth day of April, A. D. 1866, extending the provisions of said act and the supplement thereto to the township of Hamilton, in said county.

House bill No. 1066, a supplement to an act establishing a ferry across the West Branch of the Susquehanna river in Lycoming county.

House bill No. 1227, an act extending an act relative to the opening and making of new roads and building of bridges in the township of West Marlboro', in the county of Chester,, to the township of Sadsbury, in said county.

House bill No. 1155, an act regulating the fees of notaries public in the county of Allegheny.

House bill No. 1018, an act to provide for the payment of expenses incurred in guarding the jail of Washington county.

House bill No. 1058, a further supplement to an act to regulate the sale of intoxicating liquors, approved the 21st day of March, Anno Domini 1856, so far as relates to the county of Mercer.

House bill No. 1216, an act to incorporate the Morris and Cable silver mining company of Reese River district, Lander county, Nevada.

No. 1420, an act to legalize the appointment, view and report of certain bridge viewers in Ligonier township, Westmoreland county.

House bill No. 1171, an act to authorize the road supervisors of the township of Collins, Allegheny county, to make sidewalks along the public roads in said township, and to increase the pay of supervisors and auditors in said township.

House bill No. 856, an act to permit disabled soldiers to peddle by procuring a license therefor without charge.

House bill No. 1061, an act to authorize the school directors of Conestoga township, Lancaster county, to levy and collect a tax to liquidate the debt on said township, created to pay bounties to volunteers.

House bill No. 1000, an act to declare Mill run, in the county of Lycoming, a public highway.

House bill No. 1171, an act to repeal the second section of an act authorizing the collection of a tax in Jackson township, Dauphin county, and Jefferson township, Berks county, to refund money to pay bounties to volunteers.

House bill No. 1483, an act to incorporate the Monongahela Valley railroad company.

House bill 1245, an act to declare Lake Pleasant and its outlet to French creek a public highway.

House bill No. 1212, an act to incorporate the Powhattan gold and silver mining company,

House bill No. 1023, an act to incorporate the M'Keesport gas company.

House bill No. 869, an act to authorize the purchase of real estate, and erection of a poor house in Valley township, Montour county.

House bill No. 668, an act to legalize certain loans made by the city of Titusville.

House bill No. 1213, an act to incorporate the Kittanning and Rural Village macadamized turnpike road company in the county of Armstrong.

House bill No. 1064, a supplement to an act to secure bounty taxes in certain wards of the city of Lancaster, approved April 4th, 1866.

House bill No. 1056, an act to legalize the levy and collection of certain bounty tax, to authorize the school directors to lay an additional bounty tax in the borough of Gratzville, in the county of Dauphin.

House bill No. 1042, an act to prevent the injury or destruction of fruit, ornamental or other trees, and to protect the owners thereof, in the counties of Clinton, Centre, Butler, Lawrence and Mercer.

House bill No. 1173, an act fixing the pay of the sheriff of Crawford county for boarding prisoners and other persons.

House bill No. 1141, an act to authorize the appointment of an additional notary public in the borough of Girard, in the county of Erie.

House bill No. 1187, a further supplement to an act approved March 23d, 1865, entitled An act to provide for the erection of a poor house in the townships of Milford, Turbut, Spruce Hill, Tuscarora, Lack and Beale, and the boroughs of Perryville and Patterson, in the county of Juniata.

House bill No. 1218, an act to incorporate the Volcanic mining company.

House bill No. 1159, an act relating to taxes in Greenfield township, in Luzerne county.

House bill No. 1021, an act to incorporate the Paros coal mining and lumber company of Pennsylvania.

House bill No. 1263, an act to attach the farms of James M'Kean, William Nichols, David Long and John Long, junior, of Otter Creek township, in the county of Mercer, to Salem school district for school purposes.

House bill No. 1025, a further supplement to an act to incorporate the Charles Evans cemetery company.

House bill No. 1353, an act to incorporate the Pickering gold and silver mining company.

House bill No. 1060, an act providing for the payment of the school treasurer of certain townships in the counties of Clarion, Allegheny, Indiana, Cumberland and Lancaster, the balance of the money raised for the payment of local bounties, after the payment of all claims in said townships for local bounty.

House bill No. 1222, an act to incorporate the Farmers' turnpike road company in the county of Lancaster.

House bill No. 786, an act conferring additional powers upon the councils of the city of Pittsburg.

House bill No. 1039, an act for the protection of wild turkeys and squirrels, and for other purposes, in the county of Huntingdon.

House bill No. 605, an act to exempt from taxation the property of the Ladies' Soldiers' Aid of Weldon.

House bill No. 1211, an act to incorporate the Sierra Molina gold and silver mining company.

House bill No. 1273, a supplement to the act incorporating the Amateurs' drawing room association of the city of Philadelphia, approved the eighth day of March, A. D. 1866.

House bill No. 1028, an act to incorporate the Anderson marble quarrying company of Montgomery county.

House bill No. 1207, a further supplement to an act to incorporate the Union gold and silver mining company, approved March 23, 1865.

House bill No. 1147, an act to extend the period for payment of enrollment tax on the bill to incorporate the Oil Tank improvement company.

House bill No. 1214, an act to incorporate the Savage Extension gold and silver mining company.

House bill No. 1044, an act prohibiting the hunting, catching and killing of game in North Fayette township Allegheny county.

House bill No. 1237, an act to reduce the compensation and change the manner of election of supervisors in the township of New berry, in the county of York.

House bill No. 1050, an act to take the sense of the people of Beaver county upon the question of a prohibitory liquor law.

House bill No. 1261, an act to annex the farm of Daniel Sell, of Germany township, Adams county, to the borough of Littlestown for school purposes.

House bill No. 1066, an act repealing so much of the act entitled An act in relation to original writs and executions in the county of Franklin, approved the eighth day of March, 1867, as relates to executions.

House bill No. 1256, an act to establish a ferry over the West Branch of the Susquehanna river, at or near the residence of George W. Sower, in the township of Wayne, in the county of Clinton.

House bill No. 1154, an act to regulate the collection of local taxes, in the township of Edgemont, Delawaie county.

House bill No. 1521, an act to lay out a State road in Venango and Butler counties.

Senate bill No. 1251, an act to empower the court of quarter sessions of the peace of Adams county to appoint auditors to audit bounty accounts in the several boroughs and townships in said county, and in relation to re-auditing the bounty accounts of Cumberland township in said county.

House bill No. 1174, an act to increase the pay of the county commissioners of Northumberland county.

Senate bill No. 1353, an act authorizing and empowering A. Clark, of Meadville, to have his dockets returned to him.

Senate bill No. 1244, an act to authorize the Curwensville bridge eompany to change the rate of toll.

Senate bill No. 1166, an act authorizing the school board of the Fourth ward, in the Allegheny school district, to close up their bounty business, and to use surplus bounty money for the purpose of purchasing ground and erecting a new school house in said ward, and to borrow twenty thousand dollars for the purpose of aforesaid.

House bill No. 841, an act to authorize the payment of Nicholas Simon, a soldier in the war to suppress the, rebellion, a gratuity on account of the loss of one of his hands.

Senate bill No. 736, an act to attach certain lands and tenements, in Napier township, Bedford county, and the persons residing thereon, to Schellsburg borough, for school purposes.

Senate bill No. 989, an act authorizing the school directors of the borough of Tarentum, Allegheny county, to assess and collect taxes for school purposes.

House bill No. 884, a further supplement to an act to incorporate the city of Erie.

House bill No. 1665, an act to legitimate John Horning, of Mifflin county, and confer on him the rights and privileges of a child born in wedlock.

House bill No. 537, an act to exempt from taxation certain real estate in Philadelphia, belonging to the Jewish Hospital association of Philadelphia.

House bill No. 897, a supplement to an act for the better securing of the payment of the wages of labor in certain counties of this Commonwealth, approved the thirteenth day of March, A. D. 1859.

House bill No. 1146, a supplement to the constitution and charter of the Bustleton Methodist Episcopal church, enrolled by order of the Governor, in the office of the Secretary of the Commonwealth, on the sixth day of February, 1834, authorizing the trustees of said corporation to remove certain bodies to enable them to extend their church edifice.

House bill No. 693, an act to prevent injury to privy wells in the city of Philadelphia.

House bill No. 1016, an act to reduce the number of directors of the Allegheny transportation company.

House bill No. 1037, an act extending the provisions of an act approved the seventh day of May, A. D. 1864, entitled An act to prevent cattle, sheep or hogs from running at large in Bethlehem township, Northampton county, to Lower Nazareth, East Allen and Saucon townships, in said county.

House bill No. 1210, an act to incorporate the New Sonora gold and silver mining company.

House bill No. 1208, an act to incorporate the Philadelphia mining company of Lander Hill.

House bill No. 1209, an act to incorporate the Pennsylvania and North Carolina gold mining company.

House bill No. 1097, an act relative to the election of constables in the township of Blakely, county of Luzerne.

House bill No. 1166, an act to authorize the Governor to appoint two additional notaries public for the city of Philadelphia.

House bill No. 1253, an act to authorize the board of school directors of the borough of West Middlesex, in the county of Mercer, to borrow money.

House bill No. 1089, an act declaring Clear creek, in the county of Cameron, a public highway.

House bill No. 1073, an act to incorporate the Chester passenger railroad company.

JNO. W. GEARY.

Laid on the table.

BILLS RECONSIDERED.

Mr. BIGHAM moved that the Senate reconsider the vote on the final passage of a bill entitled An act to incorporate the Monongahela inclined plane company.

The motion was

Agreed to.

And the question recurring, Shall the bill pass?

Mr. BIGHAM asked and obtained the unanimous consent of the Senate to amend the bill.

And the bill as amended was

Passed finally.

Mr. BIGHAM moved that the Senate reconsider the vote on the final passage of bill entitled An act autorizing the sale of the Allegheny City poor farm.

The motion was

Agreed to.

And the question recurring, Shall the bill pass?

Mr. BIGHAM asked and obtained the unanimous consent of the Senata to amend the title of the bill.

Which was

Agreed to.

And the bill as amended was

Passed finally.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

The Clerk of the House of Representatives being introduced, informed that the House of Representatives has non-concurred in the amendments made the Senate to bill from the House of Representatives numbered and entitled as follows, viz:

No. 828, an act to provide for the ordinary expenses of the Government, and other general and special appropriations.

And has appointed Messrs. WADDELL, M'KEE and JOSEPHS a committee of conference to confer with a similar committee on the part of the, Senate (should the Senate appoint such a committee), upon the subject of the differences existing between the two Houses on said bill.

Mr. CONNELL moved that the Senate insist upon its amendments, non-concurred in by the House of Representatives, and that a committee of conference be appointed to confer with a similar committee already appointed by the House of Representatives.

The motion was

Agreed to.

Ordered, That Messrs. CONNELL, GRAHAM and M'CANDLESS be the committee on the part of the Senate.

He also informed that the House of Representatives insists upon its amendments non-concurred in by the Senate to bill from the Senate numbered and entitled as follows, viz:

No. 413, an act to regulate the carriage of baggage by railroad companies, and to prescribe he duties' and obligations of carriers and passengers in relation thereto.

And has appointed Messrs. LEE, WESTBROOK and WATT a committee of conference to confer with a similar committee from the the Senate (should the Senate appoint such a committee), upon the subject of the differences existing between the two Houses on said bill,

Said amendments having been again read,

Mr. RIDGWAY moved that the Senate insist upon its non-concurrence in the amendments of the House of Representatives to said bill, and that a committee of conference be appointed to confer with a similar committee of the House of Representatives, already appointed, upon the subject.

The motion was

Agreed to.

Ordered, That Messrs. RIDGWAY, WORTHINGTON and DONOVAN be the committee on the part of the Senate.

He also informed that the House of Representatives adheres to its amendments, non-concurred in by the Senate, to bill from the Senate No. 275, entitled An act to provide an associate law judge of the several courts in the Twenty-first Judicial district.

He also returned bills from the Senate numbered and entitled as follows, viz:

Senate bill No. 1054, a supplement to an act incorporating the Caledonia iron, land and railroad company, approved March 22d, A. D. 1867.

No. 1151, a further supplement to an act to incorporate the Pennsylvania railroad company, approved April thirteenth, Anno Domini one thousand eight and forty-six, authorizing the Pennsylvania railroad company to construct additional railroad tracks, sidings, depots, workshops, and other appurtenances, along, adjoining or contiguous to their own line of railroad, and the railroads now owned and leased, or hereafter to be owned and leased by them, and to straighten and improve the same, and to acquire the property upon which to construct the same, paying therefor the value of property to be used or occupied,

With information that the House of Representatives has passed the same without amendment.

He also returned bills numbered and entitled as follows, viz:

No. 1118, an act to authorize the Warren and Franklin railroad company to construct branch roads, and to provide means for moving oil intended for transportation,

With information that the House of Representatives has passed the same with amendments, in which the concurrence of the Senate is requested.

On motion of Mr. BROWN (Mercer), said amendments were twice read and concurred in.

TWENTY-FIRST JUDICIAL DISTRICT.

The House having adhered to its amendments non-concurred in by the Senate to bill entitled An act to provide an associate law judge of the several courts the Twenty-first Judicial district,

Mr. FISHER moved that the Senate recede from its non-concurrence.

On the question,

Will the Senate agree to the motion?

The yeas and nays were required by Mr. RIDGWAY and Mr. FISHER, and were as follow, viz:

YEAS—Messrs. Bigham, Billingfelt, Browne (Lawrence), Brown (Mercer), Coleman, Connell, Cowles, Fisher, Graham, Haines, Landon, M'Conaughy, Ridgway, Royer, Shoemaker, Stutzman, Taylor, White, Worthington and Hall, *Speaker*—20.

NAYS—Messrs. Burnett, Davis, Donovan,

Glatz, James, M'Candless, Randall, Schall, Searight, Wallace and Walls—11.

So the question was determined in the affirmative.

During the call,

Mr. LANDON said: Mr. Speaker, allow me one word in explanation of my vote. A man who is prepared to make laws that must necessarily regulate the conduct of other men should always have a mind of his own, and act understandingly. Last evening, when this bill was read, I directed my attention to it; I had never seen it before, and knew nothing of its provisions. I confess it appeared to me to be rough; I said nothing and consequently voted against it. But since that I have looked into it and I still think it to be rough. But there seems to be a desire to pass this bill and that an extreme case demands an extreme remedy, and to some extent I yield my own convictions to men around me and vote "aye."

PRIVATE CALENDAR.

Agreeably to order,

The Senate proceeded to the consideration of bills on the private calendar, numbered and entitled as follows:

And the rules having been dispensed with, said bills were read a second time, and disposed of as stated:

No. 1368, an act authorizing the school directors of the borough of Harmony, and the townships of Jackson and Brady, in the county of Butler, to levy and collect an additional bounty tax.

Passed finally.

No. 1332, an act to authorize the school directors of M'Keesport, Allegheny county, to equalize the payment of bounties.

Passed finally.

No. 1336, an act for the appointment of two additional assessors for the Fifteenth ward of the city of Philadelphia.

Amended on motion of Mr. RIDGWAY.

Passed finally.

No. 1314, an act to legalize and make valid an assessment made by the board of school directors of Strasburg township, Lancaster county, of one-half of one per centum, on the 16th day of June, A. D. 1866, for bounty purposes.

Not agreed to,

No. 1807, an act to exempt John Malone, of Sewickley township, Westmoreland county, from the payment of bounty tax.

Objected off.

No. 1160, an act relative to hucksters in the county of Dauphin.

Passed finally.

No. 1153, an act to authorize the commissioners of Warren county to work prisoners in said county.

Passed finally.

No. 1359, an act relating to the borough of Union Mills, in the county of Erie, authorizing the borough authorities to levy certain taxes.

Passed finally.

No. 1341, an act authorizing the school directors of Warrington township, York county, to levy and collect bounty tax at once.

Passed finally.

No. 1357, an act relative to actions of ejectment in Erie county.

Passed finally.

No. 1312, an act to legalize the action of the school directors of Shrewsbury township, York county, relative to money borrowed to pay bounties and taxes assessed to collect the same.

Passed finally.

No. 1208, an act to incorporate the Shippensburg iron manufacturing and mining company.

Passed finally.

No. 1282, a further supplement to an act to incorporate the Youghiogheny salt company.

Passed finally.

No. 1362, a supplement to an act incorporating the Lehigh Mutual manufacturing company.

Passed finally.

No. 1312, an act to incorporate the Oxford Fire and Life insurance, annuity and trust company.

Amended on motion of Mr. WORTHINGTON, and

Passed finally.

No. 1334, an act annexing certain farms in Dyberry township to the borough of Bethany, in Wayne county, for school purposes.

Passed finally.

No. 1349, an act to authorize the school directors of Troy borough school district, in the county of Bradford, to contract a loan for the purpose of erecting a suitable school house in said borough.

Passed finally.

No. 1378, an act to authorize the Hartsville and Centreville turnpike road company to issue preferred stock.

Passed finally.

No. 1337, an act to vacate part of Buck road, in the Twenty-sixth ward of the city of Philadelphia.

Amended on motion of Mr. M'CANDLESS, and

Passed finally.

No. 1374, an act to incorporate the Monongahela City and Victory turnpike road company, Washington county.

Passed finally.

No. 1363, an act authorizing the supervisors of Salem township, in Luzerne county, to collect in money the tax levied for road purposes in said township.

Passed finally.

No. 1325, an act to legalize and make valid an order for bounty issued by the road commissioners of Elk Creek township, in the county of Erie.

Passed finally.

No. 1339, an act to empower the supervisors of the township of Peach Bottom, in the county of York, to collect in money all taxes levied in said township for road purposes.

Passed finally.

No. 1340, an act to incorporate the York and Cumberland turnpike road company, in the county of York.

Passed finally.

No. 1303, an act to prohibit the issuing of licenses in the township of Allegheny, in the county of Westmoreland, within a distance of two miles from the borough of Freeport, Armstrong county.

Passed finally.

No. 1299, an act to prevent the sale or giving away of intoxicating drinks in the township of Peach Bottom, York county, on election days.

Passed finally.

No. 1342, an act extending the provisions of an act relative to the licensing of billiard rooms, bowling soloons and nine or ten-pin alleys, at Cresson Springs, in the county of Cambria, to Loretto Spring, in the same county.

Passed finally.

No. 1330, an act to extend the time for the payment of the enrollment tax on an act to incorporate the Moshannon coal and lumber company.

Passed finally.

No. 1367, an act extending the time of payment of the enrollment tax on an act incorporating the Pennsylvania light and water company, approved April 5, 1866.

Passed finally.

No. 1380, an act relating to the election district of Allegheny township, in the county of Blair.

Passed finally.

No. 1283, a supplement to an act to incorporate the Farmers' Mutual fire insurance company of Paradise township, in the county of York, approved the 28th day of March, 1854.

Passed finally.

No. 1824, a further supplement to an act entitled An act to validate the judgment docket entries made by the prothonotaries of certain counties in this Commonwealth.

Passed finally.

No. 1664, an act concurrent with an act passed by the Legislature of Ohio, on the 20th of March, 1867, in relation to the Ohio and Pennsylvania canal company.

Passed finally.

No. 1328, a supplement to an act to incorporate the Medico Chirurgical college of Philadelphia, passed February, 1860.

Passed finally.

No. 1198, an act to empower the Ashland iron company of Baltimore county, in the State of Maryland, to hold land in the State of Pennsylvania.

Passed finally.

No. 1284, an act to incorporate the Nautical and Engineering college of Philadelphia.

Passed finally.

No. 1434, an act to increase the fees of the commissioners of Crawford county, as directors of the poor.

Amended by Mr. LOWRY.

Passed finally.

No. 1413, an act relating to courts of Venango county.

Passed finally.

No. 1436, an act to authorize the borough of Media, in the county of Delaware, to borrow money for the purpose of supplying said borough with water.

Passed finally.

No. 1257, an act relative to the sale of an old school house in West Cocalico township, Lancaster county.

Passed finally.

No. 1389, an act authorizing the commissioners of Susquehanna county to erect a new jail in the said county.

Passed finally.

No. 1381, an act to authorize the supervisors of Tyrone, Blair county, to levy a cash tax; and James L. Givin to run, fix and establish the boundary line between Tyrone and Logan townships, Blair county.

Amended on motion of Mr. HAINES.

Passed finally.

No. 1940, a supplement to an act to change the mode of criminal proceedings in Erie and Union counties, extending the same to the county of Forest.

Passed finally.

No. 1370, an act to repeal an act to prevent horses, cattle, sheep and hogs from running at large in Chillisquaque township, Northumberland county, and Kelly township, Union county, and certain townships in Luzerne county, approved March 23, 1865, so far as relates to Kelly township, Union county, and the several townships in Luzerne county.

Passed finally.

No. 1447, a supplement to an act empowering the Lutheran congregation of the Old Goshenhoppen church, in Upper Salford township, in Montgomery county, to collect their outstanding debts, approved March 25, 1839.

Passed finally.

No. 1471, an act increasing the compensation of the collector of borough and school taxes of the borough of Easton, Northampton county.

Passed finally.

No. 1448, an act relating to the compensation of the treasurer of Berks county.

Passed finally.

No. 1452, an act to authorize the appointment of two additional notaries public in the city of Pittsburg, Allegheny county, and one in West Newton, Westmoreland county, one in Beaver, Beaver county.

Passed finally.

No. 1823, an act authorizing the school directors of the borough of New Milford, Susquehanna county, to borrow money for school purposes.

Passed finally.

No. 1445, an act supplementary to an act in relation to certain police officers and their sureties, approved the 21st day of April, A. D. 1846.

Laid over.

No. 1435, an act to increase the pay of auditors of Jefferson county.

Passed finally.

No. 1394, an act relating to the fees of the sheriff of the counties of Cumberland and Snyder.

Passed finally.

No. 886, an act relating to the sale of lands by the commissioners of Cambria county.

Passed finally.

No. 1457, an act authorizing the increase of the recognizance and bond of the sheriff of Venango county.

Passed finally.

No. 626, an act to change the venue in the case of John M'Farland *vs.* Joseph Shoemaker, from the court of common pleas of Northumberland county, to the court of common pleas of Union county.

Passed finally.

No. 1442, a supplement to an act relating to auctioneers in the city and county of Erie.

Passed finally.

No. 1446, an act relating to notaries public in the city of Harrisburg.

Passed finally.

No. 1475, an act relative to the license of vehicles in the borough of Lawrenceville, Allegheny county.

Passed finally.

No. 1164, an act to appropriate the moneys arising from the sale of a portion of the trust estate of Frederick Misca, and to validate and confirm the acts of the trustees therein.

Not agreed to.

No. 1346, an act granting a pension to Sarah E. M'Elhose, widow of a soldier.

Passed finally.

No. 1331, an act granting a pension to Margaret Rotts, widow of David Rotts, late of Franklin county, deceased.

Passed finally.

No. 1329, an act granting a pension to Nancy Jane O'Donnell, widow of D. Charles O'Donnell, deceased.

Prssed finally.

No. 1510, an act to incorporate the Puebla gold and silver mining company.

Passed finally.

No. 1508, an act to incorporate the Continental mining company.

Amended on motion of Mr. CONNELL.

Passed finally.

No. 1509, an act to incorporate the Viola gold and silver mining company.

Passed finally.

No. 1502, an act to incorporate the Lehigh County mining, manufacturing and improvement company.

Passed finally.

No 1499, an act to enable the Spring Run oil and lumber company and the Benezet oil and coil company to consolidate.

Passed finally.

No 1503, an act to incorporate the North Star mining company.

Passed finally.

No. 1094, an act to incorporate the Safety Fund association of Susquehanna Depot, Susquehanna county.

Passed finally.

No. 1392, a supplement to an act entitled An act to incorporate the People's Accident insurance company of Pennsylvania, approved April 11, 1866.

Passed finally.

No. 1511, an act to incorporate the Carbondale gold and silver mining company.

Passed finally.

No. 749, an act to incorporate the Oil City acid factory.

Passed finally.

No. 773, an act to incorporate the Pittsburg tunnel company.

Passed finally.

No. 1373, a supplement to an act to establish a ferry over the Allegheny river at Siggins Landing, near the mouth of East Hickory, in Harmony township, Venango county.

Passed finally.

No. 1525, a supplement to an act to authorize Henry B. Masser and John H. Fisher to establish and maintain a ferry over the Susquehanna river, at Selinsgrove, approved March 20, 1853.

Passed finally.

No. 982, an act to establish a ferry over the Monongahela river, at the town of Allen Port, in Washington county.

Passed finally.

No. 1388, supplement to an act declaring Forge run, in Centre county, a public highway.

Passed finally.

No. 1333, supplement to an act relating to the passage of fish in the Susquehanna river and certain of its tributaries.

Passed finally.

No. 1149, an act to declare North creek, and part of Driftwood creek, in the county of Cameron, public highways.

Passed finally.

No. 1529, an act to establish a ferry over the Monongahela river, at the borough of Elizabeth, in the county of Allegheny.

Passed finally.

No. 1478, a supplement to an act incorporating the Wilkesbarre and Pittston railroad company, approved the 15th day of April, A. D. 1859.

Passed finally.

No. 1322, an act to authorize the Lombard and South Street Passenger railway company to increase its capital stock and bonded debt.

Passed finally.

No. 1477, a further supplement to an act to incorporate the Frankford and Holmesburg railroad company, approved July 18, 1863, providing for the construction of a railroad from Holmesburg to Bustleton.

Passed finally.

No. 1489, an act to incorporate the Warren, Sheffield and Bennett Branch railroad company.

Passed finally.

No. 1361, an act to authorize the school directors of West Hempfield township, Lancaster county, to apply surplus of bounty funds for school purposes.

Passed finally.

No. 1377, an act appropriating certain surplus bounty funds in Silver Spring township, Cumberland county, to school purposes.

Passed finally.

No. 1980, an act to repeal an act to form an independent school district out of parts of Pike and Monroe counties, passed the 21st day of March, 1865.

Recommitted to the Committee on Education.

No. 1874, an act relating to taxation for school purposes in the school district of Canonsburg, in the county of Washington.

Amended on motion of Mr. TAYLOR.

Passed finally.

No. 1909, a supplement to an act relating to the common schools of the city of Lancaster, approved January 2, A. D. 1850.

Passed finally.

No. 1455, an act to authorize the school directors of North Annville township, Lebanon county, and Middle Creek township, Synder county, to levy and collect taxes in said townships to pay off deficiencies.

Passed finally.

No. 1535, an act to change the line of the Mercer Union school district, in Mercer county.

Passed finally.

No. 1293, an act to prevent the destruction of deer in Warren county.

Passed finally.

No. 1296, an act to prevent cattle from running at large on the flat of Jack's mountain, in Monroe and Union townships, in the county of Mifflin.

Passed finally.

No. 1295, an act to prevent cattle, horses, sheep and swine from running at large in Tunkhannock township, in the county of Wyoming, and First, Lake and Middletown townships, in Susquehanna county.

Passed finally.

No. 1297, an act to prevent cattle, horses, sheep and hogs from running at large in the township of Mill Creek, and borough of New Lebanon, in the county of Mercer, and Darlington township, in the county of Beaver.

Passed finally.

No. 1372, an act to incorporate the Rynd Farm bridge company of Venango county.

Passed finally.

No. 1524, an act to incorporate the Citizens' turnpike and macadamized road company.

Passed finally.

No. 1522, a supplement to an act to authorize the construction of a side-walk in the valley of Sheshequin, in the county of Bradford.

Passed finally.

No. 1520, an act to incorporate the Perry bridge company.

Amended.

Passed finally.

No. 1288, an act to re-annex a part of Colebrook township, Clinton county, to Brown township, Lycoming county.

Passed finally.

No. 1411, an act for the relief of the estate of Anthony W. Olwine.

Passed finally.

No. 1410, an act for the payment of Enos C. Renner, contestant for the seat of Michael Mullin.

Mr. DONOVAN. Mr. Speaker, I hope this bill will not pass. The sitting member here was compelled to bring his mother here, who is sixty or seventy years of age, in the dead of winter. The gentleman contested the election of the sitting member, on the ground that he was not a citizen.

Mr. M'CANDLESS said he hoped the bill would not pass; that there was no reason for contesting the seat of the sitting member.

Mr. CONNELL. Mr. Speaker, I hope this bill will pass. Mr. Renner was induced to contest this seat, and after having an investigation in the House, it was decided against him. He was advised by counsel to contest it, and that he failed was his misfortune, and not his fault. Why my Democratic friends do not want to compensate this man I do not know, but they voted four hundred dollars to the gentleman who was ousted by Mr. M'CONAUGHY. When Democrats have contested seats, on good grounds, we have always voted the compensation.

Mr. DONOVAN. His counsel asked for a postponement of the case, in order to produce other testimony, which was never produced. If we pass this, we will have gentle

men here contesting seats every year, for the purpose of getting this money.

Mr. CONNELL. After the very decided expression of opinion in that district, it was his duty to come here and insist upon the contest. He could not have done less; I say he should be paid.

Mr. BIGHAM. Mr. Speaker, there is a principle in this thing. Supposing that it was a contested seat in the Senate, and we should pass a bill in the Senate for payment, and the other House should refuse. The other House is made the exclusive judge of its own elections, and we ought to defer to them.

Mr. WALLACE. Mr. Speaker, it seems to me this is a private calendar, and this is a bill to take money out of the Treasury, and I hope it will be laid over.

Mr. CONNELL. There are fifty bills on the calendar that take money out of the Treasury.

Mr. BIGHAM. It is too late now to raise that question.

Mr. M'CANDLESS. Mr. Speaker, if this is not to be defeated upon a technicality, I think it should be defeated upon its merits. My colleagues, Messrs. RIDGWAY and CONNELL, occupied the entire day yesterday in trying to save money to the Treasury, and now, without a particle of right of any kind, they insist upon thrusting the hands of this man into the Treasury, and taking three or four hundred dollars out of it.

Mr. CONNELL. Well, we think he is entitled to it.

Mr. DONOVAN. If this was an act of charity I would put my hands into my pockets as deep as any one. He has put the sitting member to great inconvenience to bring his mother here to prove where he was born, and now asks us to pay him four hundred dollars for that. It will be a bad precedent, and you will have to pay more of them next winter.

Mr. RIDGWAY. Mr. Speaker, Mr. Renner was engaged in a very good work, and in a work in which I am willing to expend money. He was engaged in spending money to keep Democrats out of the Legislature.

Mr. WORTHINGTON. Mr. Speaker, I have no doubts about the propriety of this bill. One of the committee told me it was a fair case which should be paid; it was really a question whether this person was a citizen or not; therefore it was a question worthy of investigation, and it was very narrowly proved that he was a citizen. Even his mother was in doubt at first whether he was born here or on the seas.

Mr. DONOVAN. The gentleman is certainly misinformed. I heard every particle of the evidence.

Mr. M'CANDLESS. I move to amend by adding three hundred dollars for MICHAEL MULLIN, the sitting member.

The SPEAKER. That is not in order; Mr. MULLIN did not contest the election.

Mr. M'CANDLESS. He had expenses growing out of this contest.

Mr. CONNELL. The House, in order to remunerate Mr. MULLIN, fixed the salary of the members at fifteen hundred dollars, and that will pay him—when he gets it.

Mr. M'CANDLESS. I do not want the time to come when decayed politicians can come to the Legislature and take money out of the public treasury.

Mr. DAVIS. Mr. Speaker, I think the argument of the Senator from Philadelphia [Mr. RIDGWAY] should decide this question without any further talk.

The bill was read a third time and

Passed finally.

No. 1320, an act for the relief of Dr. Herman B. Linton, a surgeon of the Thirty-eighth regiment, Pennsylvania infantry volunteers.

Passed finally.

No. 1396, an act to extend the time of payment of the enrollment tax on act to incorporate the Mineral exploring company, approved August 18, 1864.

Passed finally.

No. 1454, an act to extend the time of payment of the enrollment tax on an act to incorporate the Agricultural College and Junction turnpike road company, approved the 6th day of May, 1864, and to insert additional commissioners in place of those deceased.

Passed finally.

No. 1365, an act authorizing the board of school directors of the township of Wheatfield, in the county of Perry, to levy and collect an additional bounty tax.

Passed finally.

No. 1383, an act to create trustees to erect a monument in the Twenty-second ward of the city of Philadelphia, and to authorize Henry K. Smith, executor or administrator of the estate of William K. Smith, deceased, to pay over the money in his hands belonging to the bounty fund of the Twenty-second ward.

Passed finally.

No. 1376, an act relating to auctioneers in the city of Williamsport.

Passed finally.

No. 1358, an act relative to the jurisdiction of justices of the peace, mayors and burgesses, in Erie county, and relative to appeals therefrom.

Passed finally.

No. 1043, an act to authorize the chief burgess and town council of Tyrone City, Blair county, to borrow money and levy and collect additional tax to pay the interest on the same.

Passed finally.

No. 891, a supplement to the act approved April 11, 1866, to increase the fees of township officers in the county of Wyoming, extending the same to Cambria county.

Passed finally.

No. 933, an act to incorporate the town of Big Run, in Jefferson county, into a borough.

Passed finally.

The hour of one o'clock having arrived, the SPEAKER adjourned the Senate until this P. M. at three o'clock.

AFTERNOON SESSION.

The Senate reassembled at 3 o'clock, P. M.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

The Clerk of the House of Representatives being introduced, presented for concurrence bill numbered and entitled as follows, viz:

No. 2054, an act to increase the revenue of the Commonwealth by taxation of the shares or stock of the national banks.

Referred to the Committee on Finance.

He also returned bills from the Senate numbered and entitled as follows, viz:

No. 956, an act relative to the terms of members of the councils of Philadelphia.

No. 486, an act relative to contested elections in the city of Philadelphia.

No. 514, an act to extend the time for the payment of the enrollment tax on an act approved the 18th day of April, A. D. 1865, entitled A supplement to an act incorporating the Karthans iron, coal and railroad company, approved April 29, 1863, increasing its capital stock.

No. 416, an act to extend the time for the payment of the enrollment tax on an act to incorporate the Keating coal and iron company, approved April 11, A. D. 1866.

No. 1041, an act to reduce the capital stock of the Six Mile Run coal company.

No. 1014, an act to authorize the president and directors of any railroad company to determine by resolution, the manner in which, and the persons to whom, the increased capital thereof may be sold, and the amounts of the instalments thereon, and the times and manner of their payments.

No. 976, an act to incorporate the American coal, mining, oil tank and transportation company.

No. 1113, an act to incorporate the Empire State silver mining company of Nevada.

No. 1114, an act to incorporate the Ophir silver mining company of Nevada.

No. 1022, an act to extend the time for the payment of the enrollment tax on bill entitled An act to incorporate the National silver mining company.

No. 1023, an act supplementary to an act to incorporate the Matawana mining and exploring company, approved the 14th day of March, A. D. 1865.

No. 1024, an act supplementary to an act to incorporate the Anghwic mining and exploring company, approved the 20th day of April, 1866.

No. 1029, an act to incorporate the Pittsburg and Sonora mining company.

No. 964, an act to extend the time of payment of the enrollment tax of the Delaware mining company, appointing additional corporators, and authorizing said company to hold additional lands.

No. 300, an act incorporating the International patent fuel company.

No. 1542, an act to incorporate the Lincoln monument association of Philadelphia.

No. 1556, an act to authorize the court of quarter sessions of Allegheny county to appoint viewers to assess the cost of opening a public road in said county.

No. 1543, an act supplementary to the act to incorporate the Adams County Soldiers' Monument association, approved ——, appropriating a site for said monument.

No. 1546, an act to incorporate the Indiana woolen works.

No. 92, an act to authorize the Governor to appoint a person to visit prisons and almshouses.

No. 928, a further supplement to an act entitled An act regulating railroad companies, approved February 19, A. D. 1849.

No. 996, a supplement to an act to enable the stockholders of any railroad company, incorporated by the laws of this Commonwealth, accepting this act, to one vote for each share of stock, approved the 20th day of May, A. D. 1865, extending the same to turnpike road companies.

No. 1370, a supplement to an act relative to the courts in Lehigh county.

No. 762, an act to incorporate the Coopersburg Savings Institution.

No. 1512, an act relative to street paving in the city of Philadelphia.

No. 1185, an act to incorporate the Union car and manufacturing company of Philadelphia.

No. 568, a supplement to an act entitled An act relating to the payment of bounties to veteran volunteers.

No. 873, an act to authorize the trustees of the public school fund of the townships of Wilkesbarre and Plains, in Luzerne county, to appropriate the whole or any portion of said fund for the purchase of land for a public cemetery or graveyard for said townships.

With information that the House of Representatives has passed the same without amendments.

The Clerk of the House of Representatives also returned bill numbered and entitled as follows, viz:

Senate bill No. 1513, a further supplement to a further supplement to an act incorporating the Bedford iron company, approved the first day of May, 1861, authorizing said com-

pany to hold additional land and construct branch railroads,

With information that the House of Representatives has passed the same with amendments, in which the concurrence of the Senate is requested.

Said amendments were read the first time.

He also informed that the House of Representatives has adopted the report of the committee of conference appointed to confer upon the subject of the differences existing between the two Houses on Senate bill No. 190, entitled An act incorporating the Township Line road company, fixing the terminus and regulating tolls on said road.

REPORT OF COMMITTEE OF CONFERENCE.

Mr. SHOEMAKER, from the committee of conference appointed by the Senate and House of Representatives, upon the differences existing between the two Houses in relation to House bill No. 246, entitled An act for the better and more impartial selections of persons to serve as jurors in each of the counties of the Commonwealth, make report that they have agreed to recommend to their respective Houses the following, viz:

That the bill be amended by inserting after the word "commissioners," in the first line, second section, the words "president judge or additional law judge of the respective district, or a majority of them;" and in the fourth line, same section, after the word "select" insert the word "alternately;" also, in the same line, strike out the words "male taxable citizens," and insert in lieu thereof the words "qualified electors;" and also, by striking out all after the word "year," in the eighth line of the second section to and including the word "jurors" in the fifteenth line of the section; also, in the fifteenth line, same section, after the word "commissioners," insert the words "president judge or additional law judge, or a majority of them," and that the two Houses concur in the bill as amended by the Senate with the above amendments.

On motion of Mr. SHOEMAKER, the resolution was read a second time, and

Passed finally.

The bill, as passed finally, reads as follows:

AN ACT for the better and more impartial selection of persons to serve as jurors in each of the counties of this Commonwealth.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That at the general election to be held on the second Tuesday of October, Anno Domini one thousand eight hundred and sixty-seven, and tri-ennially thereafter, at such election, the qualified electors of the several counties of this Commonwealth shall elect, in the manner now provided by law for the election of other county officers, two sober, intelligent and judicious persons to serve as jury commissioners in each of said counties, for the period of three years ensuing their election, but the same person or persons shall not be eligible for re-election more than once in any period of six years: *Provided,* That each of said qualified electors shall vote for one person only as jury commissioner, and the two persons having the greatest number of votes for jury commissioner shall be duly elected jury commissioners for such county.

SEC. 2. It shall be the duty of said jury commissioners, president judge, or additional law judge of the respective district, or a majority of them, to meet at the seat of justice of the respective counties, at least thirty days before the first term of the court of common pleas in every year, and thereupon proceed, with due diligence, to select alternately from the whole qualified electors of the respective county at large a number, such as at the term of the court of pleas next preceding shall, by the said court, be designated, of sober, intelligent and judicious persons to serve as jurors in the several courts of such county during that year; and the said jury commissioners, president judge, or additional law judge, or a majority of them, shall, in the mode and manner now directed by law, place the names of persons so selected in the proper jury wheel, and the said jury wheel locked, as now required by law, shall remain in the custody of the said jury commissioners, and the keys thereof in the custody of the sheriff of said county.

SEC. 3. The said jury commissioners and the sheriff of the respective county, or any two of them, shall draw, from the proper jury wheel, panels of jurors as grand jurors of the proper county, and as petit and traverse jurors for the trial of issues in fact which may be taken in any action, in any of the courts, civil and criminal, of the several counties aforesaid, in the manner now practiced and allowed; but before the said jury commissioners and sheriff shall proceed to select or draw jurors in the manner aforesaid they shall severally take the oath or affirmation now prescribed by law to be taken by the sheriff and county commissioners before selecting and drawing jurors.

SEC. 4. That so much of any act or acts of Assembly of this Commonwealth, as makes it the duty of the sheriff and county commissioners of any of said counties to select and draw jurors shall be repealed, and cease to have any force or effect, from and after the first day of December next, Anno Domini one thousand eight hundred and sixty-seven: *Provided,* That all acts and parts of acts of Assembly, now in force in relation to the custody, sealing and unsealing, locking and opening of the jury wheel of the respective county, and all acts and parts of acts of Assembly, now in in force, imposing any penalty or punishment on the sheriff and county commissioners, or either of them, for anything done or omitted by them, in relation to the keeping, locking, opening, sealing or breaking the seal of any jury wheel, or in relation to the selecting or drawing of jurors, shall be taken, deemed and held to apply to the said jury commissioners and sheriff.

SEC. 5. Each of said jury commissioners shall be allowed and paid, out of the respective county treasury, two dollars and fifty cents per day, and four cents per mile, circular, from the residence of the commissioners to the court house.

SEC. 6. It shall be the duty of each of said jury commissioners to take upon himself and discharge the duties of the said office, under the penalty of one hundred dollars for each and every neglect or refusal to attend the same, to be sued for and recovered before any justice of the peace of the proper county, as debts of like amount are now by law recoverable, ten dollars of which shall go to the person suing, and the residue to be paid by the said justice to the treasurer of the respective county, for the use of the same.

SEC. 7. In case of the inability of either or all of the said jury commissioners, by sickness, death or other unavoidable causes, to discharge the duties of said office, or in case of neglect or refusal to serve thereon, it shall be the duty of the president judge in such county wherein said vacancy may have occurred, to appoint a suitable person or persons, as the case may be, possessing the qualifications aforesaid, to perform the duties of said office, during such vacancy, and such person or persons, after having complied with the requirements of the third section of this act, shall proceed to discharge the duties of said office, during the remainder of the time so vacated: *Provided,* That the provisions of this act shall not apply to the city of Philadelphia.

PRIVATE CALENDAR.

The Senate resumed the consideration of the private calendar, and disposed of them as stated:

No. 1568, an act to extend the time for the payment of the enrollment tax on an act to incorporate the Osceola improvent company, approved April 18, A. D. 1866.

Amended on motion of Mr. SHOEMAKER.

Passed finally.

No. 1597, an act to extend the time for the payment of the enrollment tax on an act to incorporate the Meadville Novelty works, approved April 14, 1863.

Passed finally.

No. 1562, an act to extend the time of payment of enrollment tax on an act to incorporate the Union insurance company.

Passed finally.

No. 1576, an act to incorporate the South Pittsburg Co-operative association of Allegheny county.

Passed finally.

No. 1580, an act to increase the capital stock of the Venango water company.

Passed finally.

No. 1614, an act to change the mode of criminal proceedings in Potter county.

Passed finally.

No. 1621, an act to authorize the assessment and collection of a certain tax in the borough of Lewisbury, York county.

Passed finally.

No. 1591, an act relating to the recording of general election returns in the county of Butler.

Passed finally.

No. 1613, an act relating to the recovery of the cost of making connections with the sewers in the city of Philadelphia.

Passed finally.

No. 1524, an act to authorize the school directors of the old Fourth ward, in the city of Reading, to levy and collect a tax for the payment of bounties.

Passed finally.

No. 1657, an act for the protection of that branch of the legal profession in the city of Philadelphia, known as conveyancers or scriveners.

Not agreed to.

No. 1595, an act relative to the fees of notaries public in the counties of Centre and Lycoming.

Passed finally.

No. 1604, a further supplement to an act to authorize the erection of a poor house by the township of Jenkins, borough of Pittston, and township of Pittston, in the county of Luzerne, approved May 8, A. D. 1857.

Passed finally.

No. 1671, a supplement to an act increasing the compensation of certain officers in the county of Berks, approved the 23d of March, A. D. 1865.

Passed finally.

No. 1593, an act to authorize the school directors of the school district of the borough of Phillipsburg, Centre county, to borrow money for building purposes.

Passed finally.

No. 1607, an act to extend the term of the county treasurer of Mifflin county.

Passed finally.

No. 1555, an act to sell a certain tract of land in Washington township, Dauphin county.

Objected off.

No. 1498, a further supplement to an act to incorporate the Anthracite coal and iron

company, approved on the 8th day of April, A. D. 1834.

Passed finally.

No. 1561, a supplement to an act to incorporate the Eureka Life and Accident insurance company, approved January 30, 1867.

Passed finally.

No. 1501, a further supplement to an act incorporating the Keystone coal and transportation company.

Passed finally.

No. 1577, a supplement to an act incorporating the Spring Garden soup society, approved April 21, 1852.

Passed finally.

No. 1612, an act to incorporate the Cardington Industrial Co-operative association.

Passed finally.

No. 1608, an act to incorporate the National paper manufacturing company of Pennsylvania.

Passed finally.

No. 1615, an act to incorporate the Girard Tunneling gold and silver mining company.

Amended.

Passed finally.

No. 1626, an act to incorporate the West Virginia paper mill company.

Passed finally.

No. 1596, an act to incorporate the West Newton gas company.

Passed finally.

No. 1627, an act to incorporate the Crystal gas and water company of Venango City, Venango county.

Passed finally.

No. 1585, an act to increase the capital stock of the Lehigh water company, in the borough of Easton, Northampton county, and levy and collect water tax.

Passed finally.

No 1584, a supplement to the act authorizing the Governor to incorporate the Easton water company, approved the 24th of March, A. D. 1817, and the supplements to said act.

Passed finally.

No. 1582, an act to incorporate the Bath car company.

Passed finally.

No. 1609, supplement to an act incorporating Danville gas company, to repeal so much of said act as relates to the mode of electing directors of said company.

Passed finally.

No. 1598, an act to incorporate the Sierra Nevada mining company.

Passed finally.

No. 1559, an act to incorporate the Uniontown stock company.

Passed finally.

No. 1543, an act relating to public schools in the borough of Wattsburg, in the county of Erie.

Passed finally.

No. 1550, an act to authorize the school directors of Pittston borough school district to sell a certain lot.

Passed finally.

No. 1548, an act to compel the treasurer of the bounty fund of Mt. Carmel township, to pay the surplus bounty fund in his hands to the school directors of said township, for school purposes.

Passed finally.

No. 1640, an act relative to fishing in the streams, lakes and reservoirs in the county of Crawford.

Not agreed to.

No. 1637, an act extending the provisions of an act to prevent the growth of noxious weeds in the county of Chester, approved March, A. D. 1867, to Northampton county.

Passed finally.

No. 517, an act to repeal a supplement to an act to prevent cattle, horses, sheep and hogs from running at large in the county of Delaware, extending the same to Lebanon county, approved 11th of April, A. D. 1866.

Passed finally.

No. 807, an act to authorize the Board of Military Claims to settle the claim of T. B. Nelson, first lieutenant battery H, Third artillery.

Passed finally.

No. 1406, an act for the relief of T. S. Strohecker, of Venango county.

Passed finally.

No. 1594, a supplement to the act incorporating the Keylertown, Morrisdale and Philipsburg plank road company, approved the 11th day of April, 1865, extending the time for commencing the same, and making a change in the names of commissioners.

Passed finally.

No. 1617, an act relative to the road laws of Fallowfield township, Washington county.

Passed finally.

No. 1542, an act to authorize the Governor to incorporate a company to erect a bridge over the Allegheny river, at or near the foot of Taylor street, in the city of Pittsburg, Allegheny county.

Passed finally.

No. 1527, an act to incorporate the Mechanicsburg, Dillsburg and Petersburg turnpike company.

Passed finally.

No. 1603, an act to lay out a State road in Schuylkill and Lebanon counties.

Not agreed to.

No. 1606, an act authorizing the commissioners of Mercer county to appropriate money sufficient to pay one-half the expense of erecting a bridge over the Pymatuning creek, at the State line of Pennsylvania and Ohio, in the village of Orangeville.

Passed finally.

No. 1425, an act to incorporate the Pennsylvania and New Jersey bridge company.

Passed finally.

No. 1196, an act to incorporate the Reading and Trevorton railroad company.

Passed finally.

No. 1354, an act to incorporate the Lincoln Savings Bank.

Passed finally.

No. 1323, an act to incorporate the Capital Savings fund and safe deposit company.

Title amended on motion by Mr. CONNELL.

Passed finally.

No. 1633, an act to prohibit the destruction of fish in the Susquehanna river and its tributary streams in Columbia county.

Passed finally.

No. 1318, an act to divorce Wm. A Taylor and Julia, his wife.

Passed finally.

No. 1081, an act to release the claim of the Commonwealth, and to validate the bequest in the will of Jarvis White, a deceased soldier.

Passed finally.

No. 1688, an act to repeal and anaul an act to annul marriage contract between William Roberts and Emily Roberts.

Passed finally.

No. 738, an act to vacate a certain portion of ground on Sixth street, in the city of Harrisburg.

Passed finally.

No. 1766, an act to extend the provisions of an act to authorize the arrest of professional thieves, burglars, &c., in the city of Philadelphia, passed March 13, 1862, so as to authorize the arrest of professional counterfeiters and forgers.

Passed finally.

No. 1694, an act to repeal the thirtieth section of an act regulating boroughs, approved 3d April, 1851, so far as the same relates to the borough of New Alexandria, in Westmoreland county.

Passed finally.

No. 1685, an act relating to certain officers in the Southwest ward in the city of Lancaster, Pa., extending their term of office, &c.

Passed finally.

No. 1911, an act to repeal an act, approved the 27th day of March, A. D. 1867, entitled An act to repeal the first section of an act passed the 1st day of April, A. D. 1792, declaring the Little Lehigh a public highway.

Passed finally.

No. 1686, an act to amend the charter of incorporation of the Decatur association of Frankford.

Passed finally.

No. 1678, an act to increase the pay of the supervisors and township auditors of Fox township, Elk county.

Passed finally.

No. 1675, an act to increase the fees of constables and police officers of the city of Titusville, in certain cases.

Passed finally.

No. 1875, an act to ratify the charter of incorporation of the Atlantic Petroleum storage company, and to confer additional powers on said corporation.

Amended on motion of Mr. M'CANDLESS.

Passed finally.

No. 873, an act to repeal an act, entitled An act to change the venue of certain suits from Butler to Armstrong county.

Objected off.

No. 1088, an act relative to the commissioners, sheriff and treasurer of Cumberland county.

Objected off.

No. 1684, an act increasing the pay of supervisors in Porter township, Huntingdon county.

Passed finally.

No. 941, an act to incorporate the Fort Allen iron company, in the county of Carbon.

Passed finally.

No. 1920, an act changing the time of holding the election of officers of the Trevorton coal company.

Passed finally.

No 1506, an act to incorporate the Great Western mining company.

Amended on motion of Mr. CONNELL, and

Passed finally.

No. 944, an act to incorporate the Black Band iron and coal company.

Passed finally.

No. 1864, an act to incorporate the Express steamboat company.

Passed finally.

No. 1693, an act to incorporate the Eagle manufacturing company.

Passed finally.

No. 704, an act to incorporate the National iron company.

Passed finally.

No. 1492, an act to incorporate the Northampton iron company.

Passed finally.

No. 1673, an act to incorporate the Franklin manufacturing company.

Passed finally.

No. 1691, an act to incorporate the Excelsior gold and silver mining company Colorado.

Passed finally.

No. 1659, an act to incorporate the Sharon Savings Bank.

Amended on motion of Mr. BROWN (Mercer), and

Passed finally.

No. 1655, an act to incorporate the Dimes Saving Fund of Slatington.

Passed finally.

No. 1662, an act to incorporate the Lykens Valley Deposit Bank.

Passed finally.

Daily Legislative Record.

FOR THE SESSION OF 1867.

PUBLISHED BY AUTHORITY OF THE LEGISLATURE OF PENNSYLVANIA. No. 132.

TERMS OF THE DAILY RECORD.

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[CONTINUED FROM PAGE 1048.]

No. 1384, an act to take the sense of the people of Indiana county upon the question of a prohibitory liquor law.

Passed finally.

No. 1718, supplement to an act entitled An act to establish a ferry at Tubb's run, Venango county

Passed finally.

No. 1717, an act establishing a ferry across the Allegheny river, at or near the Falling Springs, in Venango county.

Passed finally.

No. 1347, an act to incorporate the Beaver Falls water company.

Title amended.

Passed finally.

No. 1742, an act to repeal an act authorizing the Governor to incorporate the Bald Eagle and Spring Creek navigation company, approved the 14th day of April, A. D. 1834, and the supplement thereto.

Recommitted to Committe on Canals and Inland Navigation.

No. 1706, an act to incorporate the Mill Creek and Nescopeck railroad company.

Passed finally.

No. 1705, an act to incorporate the Willow Bank and Burns Spring railroad company, in Centre county.

Passed finally.

No. 372, an act to explain and construe an act compelling railroad and other corporations to pay counsel fees of plaintiffs in certain cases.

Amended on motion of Mr. CONNELL.

Passed finally.

No. 1698, an act to incorporate the Franklin Passenger railroad company.

Passed finally.

No. 1700, an act to increase the compensation of election officers in the county of Schuylkill.

Passed finally.

No. 1772, an act to annex real estate of Robert P. Cornelius, of Jackson township, Snyder county, to the borough of New Berlin, Union county, for school purposes.

Passed finally.

No. 1681, an act to authorize additional supervisors for Whitely township, in the county of Greene.

Passed finally.

No. 492, a further supplement to an act to provide for the adjudication and payment of certain military claims, approved April 16, 1862.

Passed finally.

No. 1629, an act to incorporate the Western Pennsylvania Military academy, near Pittsburg and Allegheny, Pa.

Passed finally.

No. 1680, an act to incorporate the Clinton turnpike company, in the county of Greene.

Passed finally.

No. 684, an act to vacate part of the Township Line road, in the Twenty-first ward of the city of Philadelphia.

Passed finally.

No. 1220, a supplement to an act to lay out a State road from the borough of Tarentum, in the county of Allegheny, by the town of Bakerstown, to the State road leading from Perrysville to the Glade mills, on lands of Geo. Gocher, in Butler county.

Not agreed to.

No. 1605, a further supplement to a supplement to an act to incorporate the Lehigh and Delaware plank road or turnpike company, approved the eleventh day of April, A. D. 1866.

Passed finally.

No. 1602, an act to incorporate the Quarryville and Christiana turnpike road company.

Passed finally.

No. 1692, an act authorizing the voters of Lackawanna township, Pike county, to increase the number of supervisors in said township.

Passed finally.

No. 1716, a further supplement to the act incorporating the Welch turnpike road company.

Passed finally.

No. 1642, an act to prohibit the issuing of licenses to sell spirituous, vinous, malt or brewed liquors in the township of Penn, in the county of Perry.

Passed finally.

No. 1757, an act for the better preservation of the morals of the minors of the city of Philadelphia.

Not agreed to.

No. 1760, an act to extend the provisions of an act to prohibit the issuing of licenses within certain boroughs in the counties of Armstrong, Potter, Indiana and Perry, or within two miles of the same, in the counties in which such boroughs are located, approved 27th day of March, 1866, to the boroughs of West Newton and Mount Pleasant, in the county of Westmoreland.

Amended on motion of Mr. SEARIGHT, and

Passed finally.

No. 1344, joint resolution to pay the expenses of the committee appointed at the last session of the Legislature, to investigate the truth of certain newspaper articles in reference to the passage of an act relating to licenses in the county of Allegheny.

Amended on motion of Mr. CONNELL, and

Passed finally.

No. 800, an act requiring the Superintendent of Public Printing to advertise for proposals for supplying the State with printing and bill paper.

Amended on motion of Mr. FISHER, and

Passed finally.

No. 1677, an act to extend the time for the payment of the enrollment tax on act to incorporate the Sugar Creek mining and transportation company.

Passed finally.

No. 1682, an act to authorize the school directors of Aleppo township, in the county of Greene, to levy and collect a temporary school tax for school purposes, beyond the amount now allowed by law.

Passed finally.

No. 1955, supplement to an act entitled An act authorizing the school directors of Franklin borough, in the county of Venango, to borrow money, approved the 11th day of April, 1866.

Passed finally.

No. 888, an act to change the venue in the case of G. W. Schofield *vs.* Martin Brunges, from the court of common pleas of Wyoming county to the court of common pleas of Bradford county.

Passed finally.

No. 900, an act to change the venue in a certain case from Schuylkill county to Dauphin county.

Amended on motion of Mr. CONNELL by inserting "Berks" in lieu of "Dauphin."

Passed finally.

No. 1764, an act to prohibit political processions after dark, ten days next preceding any general election in the city of Philadelphia.

Passed finally.

No. 1409, an act relative to the estate of Eliza Howard Burd.

Laid over.

No. 781, an act to prevent cattle, horses, mules, sheep and hogs from running at large in Venango township, Erie county, and Little Beaver township, Lawrence county.

Passed finally.

No. 1683, an act to prevent fishing with scoop nets or fish seines in the South Branch of Ten Mile creek, in the county of Greene, and Crooked creek, Armstrong county.

Passed finally.

BILL PASSED.

On motion of Mr. RIDGWAY, the rules were dispensed with, and the Senate proceeded to the consideration of a bill entitled An act to provide for an additional return day in the court of common pleas of Northumberland county.

The bill was read a second and third time, and

Passed finally.

ADJOURNMENT.

Mr. BROWN (Mercer) moved that the Senate do now adjourn.

On the question,

Will the Senate agree to the motion?

The yeas and nays were required by Mr. CONNELL and Mr. RANDALL, and were as follow, viz:

YEAS—Messrs. Bigham, Billingfelt, Browne (Lawrence), Brown (Mercer), Coleman, Cowles, Fisher, Graham, Haines, Lowry, Searight, Shoemaker, Wallace, Walls, White, Worthington and Hall, *Speaker*—17.

NAYS—Messrs. Burnett, Connell, Davis, Donovan, Glatz, James, Landon, M'Candless,

M'Conaughy, Randall, Ridgway, Royer, Schall, Stutzman and Taylor—15.

So the question was determined in the affirmative.

And the Senate then adjourned until tomorrow morning at 10 A. M.

HOUSE OF REPRESENTATIVES.

TUESDAY, April 9, 1867.

The House met at 10 o'clock, A. M., pursuant to adjournment.

The reading of the Journal of the previous day was dispensed with.

On motion of Mr. QUAY, the House proceeded to the consideration of Senate bill No. 1085, an act to repeal an act regulating the jurisdiction of courts in proceedings by bills for injunctions, and other relief in equity, and the service of process.

Mr. MANN. Mr. Speaker, I hope that act will not pass. This is to repeal an act passed at this session of the Legislature, which received the approval of the Judiciary Committee of this House, and of the Senate, and the approval of all to whom it has been shown. This repeal is called for by no person I know of except a few lawyers in Philadelphia, who wish to monopolize all the proceedings in that court. This is simply a bill to benefit the profession in Philadelphia at the expense of the profession in the country. I hope the bill will not pass.

Mr. QUAY. Mr. Speaker, I have only to say that the subject was brought to my attention by a legal gentleman, not of Philadelphia, but of Harrisburg. The act that this bill proposes to repeal is, he assures me, an act that strips the Supreme Court of its jurisdiction in cases in equity, and confers such authority upon the different counties of the Commonwealth, putting it in the power of any associate judge in the Commonwealth to stop a public improvement. I ask the gentleman from Potter [Mr. MANN] if that is not the case?

Mr. MANN. It is not the case. The bill which this seeks to repeal simply gives to the courts of common pleas of the different counties exclusive and original jurisdiction of offenses arising in those counties.

Mr. QUAY. The result of which is that any associate judge can stop any public improvement by issuing an injunction. The bill proposes to restore this jurisdiction to the Supreme Court.

Mr. JENKS. Mr. Speaker, I wish to say in relation to this bill that the gentleman from Beaver [Mr. QUAY] is evidently mistaken as to the character of the bill he proposes to repeal. The bill which it is proposed to repeal was made a public necessity by this fact: that from time to time persons from other States would come into different counties in this Commonwealth and make contracts. They would then place themselves without the jurisdiction of the court, no process could be served upon them, and thus they have a good opportunity to defraud those with whom they made the contract. This bill in some measure provides for service of process in such cases. Persons frequently come from large cities into adjoining counties, then return and compel the parties with whom they have made a contract to go to the city to institute proceedings at a ruinous cost, when every consideration of justice requires that the case should be tried where the contract was made. The bill which this proposes to repeal was the result of a public necessity. It ought not to be repealed; and it will not be repealed if it is considered by the members of this House.

I hope, therefore, the proposition to repeal this law will be rejected.

Mr. M'CREARY. Mr. Speaker, I hope the House will not repeal this act. As has been said, it was a matter of public necessity.

The bill was drawn by a very distinguished judge of this State to meet necessities that long existed. As the law at present stands it often says that the citizen of my town must go to Philadelphia to obtain process in the Supreme Court. We wish the court of common pleas to have the same authority, so we will not be compelled to travel four hundred or five hundred miles to do that which we could as well do at home. I do not think the Supreme Court is anxious to have the sole control of this business. If I wish to get out an injunction or any process in my own town I see no reason why I should not be able to do so. I see no reason why such process cannot be issued on the ground where the facts are known.

Mr. MANN. Mr. Speaker, I wish to say to the gentleman from Beaver [Mr. QUAY], that the original act which this bill seeks to repeal did not increase the authority of any judge in this Commonwealth. It gave the associate judges no power; it simply compelled a man who sought equity relief to go to the county where the injury occurred. If this bill is repealed it will simply, in effect, be saying that a majority of all the suits in the Commonwealth may be brought in Philadelphia. As the law stood before the act of 1857, every man in the Commonwealth was liable to be sued by injunction, and compelled to go to Philadelphia to make a defense.

Mr. JENKS. Mr. Speaker, I will state that the judges of the Supreme Court are now compelled to do more labor than they can well perform.

The bill which passed the House was drawn by one of the ablest judges in the State. It was drawn with care, and after much reflection. Forty years of practice had pointed out to him the defect in the law. He presented the bill to the House, it was referred to the Judiciary Committee, and not a single voice opposed it. I hope this act will not be repealed.

Mr. QUAY. Mr. Speaker, I have only to say, in reference to this bill, that I believe it passed the other branch of this body without any special attention being paid to its provisions. But, when the attention of the Senate was called to the practical operation of the bill, it was defeated by a nearly unanimous vote. The bill we are acting upon is a Senate bill; it has passed that body by an almost unanimous vote. As to gentlemen being compelled to go to Philadelphia, if the Supreme Court has jurisdiction in these cases, they will be compelled to go wherever the Supreme Court may be—not to Philadelphia only, but to Williamsport or Pittsburg.

On the question,

Will the House agree to the bill?

The yeas and nays were required by Mr. QUAY and Mr. HOOD, and were as follow, viz:

YEAS—Messrs. Adaire, Cameron, Chase, Colville, DeHaven, Donohugh, Freeborn, Gregory, Harbison, Hoffman, Hood, Josephs, Kennedy, Kerns, Koon, Lee, M'Henry, Markley, Mullin, Peter, Quay, Quigley, Robinson, Roush, Shuman, Steacy, Stehman, Wallace, Watt, Westbrook, Worrall and Glass, *Speaker*—32.

NAYS—Messrs. Allen, Armstrong, Barrington, Barton, Boyd, Boyle, Brown, Calvin, Chadwick, Chalfant, Collins, Craig, Day, Espy, Ewing, Ghegan, Gordon, Harner, Heltzel, Humphrey, Hunt, Jenks, Jones, Kimmell, Kinney, Kline, Kurtz, Leech, Linton, Long, M'Camant, M'Creary, M'Pherrin, Mann, Meyers, Pennypacker, Phelan, Pillow, Rhoads, Richards, Roath, Satterthwait, Seiler, Subers, Tharp, Waddell, Webb, Weller, Wharton, Wingard, Woodward and Wright—52.

So the question was determined in the negative.

And the bill was

Not agreed to.

On motion of Mr. WADDELL, the House proceeded to the consideration of bill No. 2054, an act to increase the revenue of the Commonwealth by taxation of shares of stock of the National banks.

The first section was read and

Agreed to.

The question recurring on agreeing to the second section,

Mr. BOYLE. Mr. Speaker, will the chairman of the Committee of Ways and Means inform the House what amount of revenue is expected to be derived from the taxation of these bank stocks?

Mr. WADDELL. Mr. Speaker, my recollection is that the estimate was in the neighborhood of one hundred thousand dollars. This estimate, by the act passed last winter, which the Supreme Court has, within a month, decided as unconstitutional, and the defects of which this bill is intended to meet, was about three hundred thousand dollars. This decision has, in some cases, removed the tax where it before existed, and the recent estimate of the State Treasurer, as I understand, is about one hundred thousand dollars.

Mr. BOYLE. Mr. Speaker, I understand this act is not expected to reach all the bank stocks. The act of last year would have reached them all, and would have given the State a revenue of three hundred thousand dollars. The revenue now will be but one hundred thousand dollars. Therefore this act is expected to reach only one-third of the banks to which the former act applied.

Mr. WADDELL. Mr. Speaker, there were matters taxed in that bill which the Supreme Court decided we could not reach, and the difference, as I understand it, will be about two hundred thousand dollars.

The Supreme Court declared that act unconstitutional for several reasons: One was that we were taxing matters we had no right to tax, another was the mode in which the tax was imposed.

In the present act we have endeavored to remove their objections by taxing what they thought was legal to be taxed, and change the manner of collecting it.

Mr. BOYLE. What I want to get at is this: The officers appointed to ascertain what stock is taxable are to receive ten per centum of the whole amount of the tax, so that, if one hundred thousand dollars be derived from the tax on these stocks, the officer who ascertains the taxable stock receives ten thousand dollars. In addition to this, there are the fees of assessors and collectors. It will not cost ten thousand dollars to go to the several National banks of this State and ascertain what amount of their stock is taxable.

I move, therefore, to strike out "ten" and insert "five."

The amendment was

Agreed to.

The section as amended was

Agreed to.

The bill was then

Agreed to.

The rules were suspended, and the bill

Passed finally.

On motion of Mr. SHARPLES, the House proceeded to the consideration of Senate bill No. 1777, an act to provide means for establishing soldiers' orphans' schools in each State normal school district of this Commonwealth now destitute thereof.

The bill was read and

Agreed to.

The rules being suspended, the bill was read a second and third time, and

Passed finally.

REPORT FROM COMMITTE OF CONFERENCE.

Mr. GREGORY, from the committee of conference, to which was referred the difference existing between the two Houses in relation to bill No. 190, Senate file, entitled A further supplement to the act incorporating the Township Line road company, fixing the terminus and regulating tolls on said road, reported that they had agreed to recommend that the House should recede from its amendments non-concurred in by the Senate to said bill.

(Signed) WM. S. GREGORY, CH'N,
JAMES FREEBORN,
DAVID WALLACE,
House Committee.
GEORGE CONNELL,
G. DAWSON COLEMAN,
Senate Committee.

The report was
Agreed to.

MESSAGE FROM THE SENATE.

The Clerk of the Senate being introduced, presented for concurrence bill numbered and entitled as follows, viz:

No. 1947, an act to prevent the fraudulent voting of stock in oil and mining companies of this Commonwealth.

Laid on the table.

He also returned bill from the House of Representatives numbered and entitled as follows, viz:

No. 828, an act to provide for the ordinary expenses of the Government, and other general and specific appropriations,

With information that the Senate has passed the same with amendments in which the concurrence of the House of Representatives is requested.

He also again returned bill from the House of Representatives, No. 711, entitled An act to authorize the road commissioners of Mill Creek township, Erie county, to compel the owners of land fronting on Ridge road to make sidewalks and to straighten and open out said road,

Which bill was returned from the House to the Senate for amendment, on the 28th ult., with information that the Senate has reconsidered said bill, and passed the same with amendment, in which the concurrence of the House of Representatives is requested.

The amendments made by the Senate to said bill were twice read, considered and concurred in.

Ordered, That the Clerk inform the Senate of the same.

He also informed that the Senate has concurred in the amendments made by the House of Representatives to Senate bills numbered and entitled as follows:

No. 540, an act authorizing the president and managers of the Limekiln turnpike company and the president and managers of the Jarettstown and Horsham turnpike company to change certain rates of tolls.

No. 912, an act to change the criminal proceedings in a certain class of cases in Indiana county.

No. 988, a supplement to an act entitled An act to incorporate the Bear Creek railroad company, approved the 20th day of March, 1865.

No. 994, a supplement to lay out a State road from Karthaus, in Clearfield county, to Coudersport, in Potter county, by way of Sinnemahoning, and for other purposes, approved March 31st, 1845, renewing the powers, appointing new commissioners, and appropriating taxes for its completion.

No. 1025, an act to incorporote the Clearfield trout and hotel company.

No. 1039, an act to incorporate the Neversink insurance company of Berks county.

No. 1051, a further supplement to an act entitled An act appointing commissioners to lay out and open a State road in the counties of Cameron and Potter, approved the 21st day of March, 1865.

No. 1077, an act explanatory of the provisions of the fifth section of the act to incorporate the Bennett Branch improvement company.

No. 1168, a supplement to the act entitled An act authorizing the Columbia water company to hold real estate, &c., approved the 10th day of February, 1865.

No. 1198, an act to incorporate the Farmers' and Citizens' Co-operative Building and Saving Fund association of Lawrence county, Pennsylvania.

No. 1200, an act to incorporate the Good Spring iron and land company.

He also informed that the Senate has non-concurred in the amendments made by the House of Representatives to Senate bill, numbered and entitled as follows:

No. 275, an act to provide an associate law judge of the several courts in the Twenty-first Judicial district.

No. 413, an act to regulate the carriage of baggage by railroad companies, and to prescribe the duties and obligations of carriers and passengers in relation thereto.

He also again returned bill from the House of Representatives, No. 951, entitled A supplement to an act to incorporate the Franklin silver mining company, approved April 17th, 1866, authorizing said company to issue bonds,

Which bill was returned to the House of Representatives by the Governor on the 5th instant, in pursuance of a request contained in a resolution adopted by both Houses, with information that the Senate has reconsidered said bill, and concurred in the amendments made thereto by the House of Representatives.

He also informed that the Senate has adopted the reports of the committees of conference, on the subject of the differences existing between the two Houses in relation to the amendments to House bills numbered and entitled as follows, viz:

No. 290, a further supplement to an act for the regulation and continuance of a system of education by common schools, approved the 8th day of May, 1854.

No. 538, an act regulating interest on public accounts.

No. 190, a further supplement to the act incorporating the Township Line road company, fixing the terminus and regulating tolls on said road.

He also presented the following extract from the Journal:

Resolved, If the House of Representatives concur, that the ninth joint rule be suspended so far as regards the transmission of Senate bills numbered and entitled as follows:

No. 1532, an act to change the venue in a certain case, from Schuylkill county to Berks county.

No. 144, an act to prohibit others than regularly licensed druggists and graduated physicians from vending and practicing medicine in Mercer county.

No. 1347, an act to authorize the Allegheny Valley railroad company to issue additional stock and bonds, and repeal the act entitled An act to authorize the Allegheny Valley railroad to mortgage its road and branches to complete the same, approved the 8th day of March, 1867.

No. 1649, an act regulating the assessment of taxes in the city of Pittsburg.

No. 1658, an act to incorporate the Columbia life insurance company.

No. 1659, an act to enable the Philadelphia and Montana gold and silver mining company to borrow money and to issue bonds.

No. 1718, an act to authorize the school directors of Perry township, Fayette county, to levy and collect a bounty tax.

No. 1753, an act to authorize the sheriff of Allegheny county to tax costs in certain cases.

No. 1799, a supplement to an act incorporating the Mechanics' Saving Bank of Pittsburg.

No. 1942, a supplement to an act entitled An act authorizing the school directors of Latimore township, Adams county, to levy a tax and issue bonds to pay money raised to pay bounties to volunteers, approved the 11th day of April, 1867.

No. 1940, an act to incorporate the Keystone elevating and warehousing company.

No. 1949, an act to repeal an act approved March 22d, 1867, entitled A further supplement to an act to regulate the granting of licenses to hotels and eating houses, approved March 31st, 1856, so far as the same applies to the county of Lawrence.

No. 1950, an act to incorporate the Philadelphia iron and steel company.

No. 1951 an act to incorporate the Caernarvon coal company.

No. 1952, an act to incorporate the Coal Ridge improvement company to sell their bonds on certain terms.

No. 1953, an act supplementary to an act to incorporate the Northern railroad and navigation company, approved March 22d, 1867, extending the privileges of said company.

No. 1954, supplement to an act to incorporate the Presbyterian Historical society, approved April 8th, 1857.

No. 1955, an act to authorize the commissioners of Erie county and the proper officer or officers of municipal or other corporations in said county, and individuals, to contract with the Marine Hospital of Pennsylvania, at Erie, for the future support and attendance of patients, and to make payment therefor.

No. 1956, an act to incorporate the Fame mining company.

The House then proceeded to the consideration of the

PRIVATE CALENDAR.

The following bills were disposed of as stated:

Senate bill No. 940, an act to authorize the burgess and town council of the borough of Jamestown, Mercer county, to levy and collect tax, not to exceed one per centum, for borough purposes.

Passed finally.

Senate bill No. 899, an act for the relief of William Brennan and Bernard M'Tighe, first and second clerks of the mayor's court of the city of Carbondale.

Passed finally.

Senate bill No. 948, a further supplement to the act to incorporate the Union School and Children's Home asylum, to provide for the taxation of non-resident venders of merchandise in the city and county of Philadelphia, and for the relief of Edwin Hutchinson, approved April 12, 1857.

Amended and passed to third reading.

No. 1171, an act to attach certain real estate in the borough of Smethport, M'Kean county, for school purposes.

Passed finally.

Senate bill No. 966, an act relative to the terms of members of the councils of the city of Philadelphia.

Passed finally.

Senate bill No. 909, an act extending to the borough of Mt. Washington the vehicle license law.

Passed finally.

Senate bill, No. 486, an act relative to contested elections in the city of Philadelphia.

Passed finally.

Senate bill, No. 1119, an act to authorize the Warren and Franklin railway company to construct branch roads, and to provide means for moving oil intended for transportation.

Passed finally.

Senate bill No. 1157, a further supplement to an act to incorporate the Pennsylvania railroad company, approved April 13, A. D. 1846, authorizing the Pennsylvania railroad company to construct additional railroad tracks, sidings, depots, workshops and other appurtenances, along, adjoining or contiguous to their own line of railroad, and the railroads now owned or leased, or hereafter to be owned or leased by them, and to straighten and improve the same, and to acquire the property upon which to construct the same, paying therefor the value of property to be used or occupied.

Passed finally.

Senate bill No. 321, a supplement to the charter of the Chestnut Hill and Spring House turnpike company, authorizing said company to re-open old water courses.

Not agreed to.

Senate bill No. 514, an act to extend the time for the payment of the enrollment tax on an act approved the 18th day of April, A. D. 1865, entitled A supplement to an act incorporating the Karthaus iron, coal and railroad company, approved April 29, 1864, increasing its capital stock.

Passed finally.

Senate bill No. 416, an act to extend the time for the payment of the enrollment tax on an act to incorporate the Keating coal and iron company, approved April 11, A. D. 1866.

Passed finally.

Senate bill No. 1041, an act to reduce the capital stock of the Six Mile Run coal company.

Passed finally.

Senate bill No. 976, an act to incorporate the American coal, mining, oil tank and transportation company.

Not agreed to.

Senate bill No. 1113, an act to incorporate the Empire State silver mining company of Nevada.

Passed finally.

Senate bill No. 1114, an act to incorporate the Ophir silver mining company of Nevada.

Passed finally.

Senate bill No. 1022, an act to extend the time for the payment of the enrollment tax on bill entitled An act to incorporate the National silver mining company.

Passed finally.

Senate bill No. 1023, an act supplementary to an act to incorporate the Matawana mining and exploring company, approved the 14th day of March, A. D. 1865.

Passed finally.

Senate bill No. 1024, an act supplementary to an act to incorporate the Aughwic mining and exploring company, approved the 20th day of April, 1866.

Passed finally.

Senate bill No. 1029, an act to incorporate the Pittsburg and Sonora mining company.

Passed finally.

No. 1545, an act extending the provisions of certain acts of Assembly, in regard to sites for school houses, &c., to the county of Armstrong.

Passed finally.

Senate bill No. 964, an act to extend the time of payment of the enrollment tax of the Delaware mining company, appointing additional corporators, and authorizing said company to hold additional lands.

Passed finally.

Senate bill, No. 300, an act incorporating the International patent fuel company.

Passed finally.

Senate bill No. 1529, a supplement to an act entitled An act creating a board for the erection of a city hall in the city of Pittsburg, approved the 1st day of March, 1867.

Amended by Mr. WILSON.

Passed finally.

Senate bill No. 1542, an act to incorporate the Lincoln Monument association of Philadelphia.

Passed finally.

Senate bill No. 1556, an act to authorize the court of quarter sessions of Allegheny county to appoint viewers to assess the cost of opening a public road in said county.

Passed finally.

Senate bill No. 1543, an act supplementary to the act to incorporate the Adams County Soldiers' Monument association, approved ———, appropriating a site for said monument.

Passed finally.

Senate bill, No. 1546, an act to incorporate the Indiana woolen works.

Passed finally.

Senate bill No. 1554, a supplement to an act incorporating the Caledonia iron, land and railroad company, approved March 22, A. D. 1867.

Passed finally.

Senate bill No. 92, an act to authorize the Governor to appoint a person to visit prisons and alms houses.

Passed finally.

Senate bill No. 928, a further supplement to an act entitled An act regulating railroad companies, approved February 19, A. D. 1849.

Passed finally.

Senate bill No. 996, a supplement to an act to enable the stockholders of any railroad company, incorporated by the laws of this Commonwealth, accepting this act, to one vote for each share of stock, approved the 20th day of May, A. D. 1865, extending the same to turnpike road companies.

Passed finally.

Senate bill No. 1014, an act to authorize the president and directors of any railroad company to determine by resolution, the manner in which, and the persons to whom, the increased capital thereof may be sold, and the amounts of the instalments thereon, and the times and manner of their payments.

Passed finally.

Senate bill No. 1370, a supplement to an act relative to the courts in Lehigh county.

Passed finally.

Senate bill No. 873, an act to authorize the trustees of the public school fund of the townships of Wilkesbarre and Plains, in Luzerne county, to appropriate the whole or any portion of said fund, for the purchase of land for a public cemetery or grave yard for said townships.

Passed finally.

Senate bill No. 568, an act repealing the tax on sales of loans and real estate by auctioneers.

Passed finally.

Senate bill No. 762, an act to incorporate the Coopersburg Savings Institution.

Passed finally.

Senate bill 1512, an act relative to street paving in the city of Philadelphia.

Passed finally.

Senate bill No. 1240, a supplement to an act to legalize bounties paid to volunteers, and the bonds issued therefor, in certain townships in the county of Franklin, approved the 4th day of April, A. D. 1866, extending the provisions of the second section thereof to the township of Ayr, in the county of Fulton.

Passed finally.

Senate bill No. 1185, an act to incorporate the Union car and manufacturing company of Philadelphia.

Passed finally.

Senate bill No. 1351, an act to prohibit the sale of intoxicating liquors as a beverage in the townships of East Deer, Fawn and Harrison, and borough of Tarentum, Allegheny county.

Not agreed to.

MESSAGE FROM THE GOVERNOR.

The Deputy Secretary of the Commonwealth being introduced, presented the following message from the Governor, which was read, viz:

EXECUTIVE CHAMBER,
HARRISBURG, April 9, 1867.

To the Senate and House of Representatives of the Commonwealth of Pennsylvania:

GENTLEMEN—I have approved and signed the following acts of the General Assembly to wit:

On the 6th instant:

Senate bill No. 448, a supplement to an act entitled An act to incorporate the Susquehanna and Delaware railroad company, to issue seven per cent. bonds.

Senate bill No. 985, a further supplement to the act incorporating the Lafayette rail road company, approved the first day of May, Anno Domini one thousand eight hundred and sixty-one, extending the time for building the road and enlarging the powers of said corporation.

Senate bill No. 773, an act relating to the payment of certain bounties by the township of Eldred, Monroe county.

Senate bill No. 738, an act relative to the collection of school tax in the township of Doylestown.

Senate bill No. 790, an act fixing the compensation for the commissioners of the county of Bucks.

Senate bill No. 1247, a further supplement to the act incorporating the city of Pittsburg, extending its boundaries, enlarging the corporate powers, and perfecting its municipal organization, and submitting the proposed consolidation to a vote of the people.

Senate bill No. 927, an act authorizing an increase of the capital stock of the Connecting railroad company.

Senate bill No. 730, an act to incorporate the Co-operative association of East Birmingham, in the county of Allegheny, for mercantile purposes.

Senate bill No. 812, an act to extend the time for the payment of the enrollment tax upon an act to authorize the Western Maryland railroad company to locate a portion of their road through Adams and Franklin counties, Pennsylvania, approved the twenty-third day of March, one thousand eight hundred and sixty-five, and relating to the location of the said railroad and the connection of the Gettysburg railroad therewith.

House bill No. 1031, an act to incorporate the Odd Fellows' Mutual Co-operative association of Monongahela City, Washington county.

House bill No. 542, an act to increase the compensation of the supervisors, assessors and auditors in the township of Gregg, in the county of Union.

Senate bill No. 1342, a supplement to an act to incorporate the Superior iron company.

Senate bill No. 479, a further supplement to the act entitled An act to incorporate the Allentown railroad company, approved April nineteenth, Anno Domini one thousand eight hundred and fifty-three.

Senate bill No. 778, a supplement to an act to appoint commissioners to resurvey and establish the line of the main road running

through a part of Wilkesbarre township, in the county of Luzerne, passed the twenty-fourth day of February, Anno Domini one thousand eight hundred and fifty-nine.

Senate bill No. 954, an act appointing commissioners to lay out and open a State road from Ridgway via Johnsonburg and Wilcox, in Elk county, to the borough of Kane, in M'Kean county.

Senate bill No. 1111, a supplement to an act entitled An act relating to corporations for mechanical, manufacturing, mining and quarrying purposes, approved the eighteenth day of July, Anno Domini one thousand eight hundred and sixty-three, relating to the Williamsport manufacturing company.

On the 8th instant:

House bill No. 1145, an act to repeal the second section of an act authorizing the assessment of railroad taxes in the borough of Kittanning, Armstrong county, approved the sixteenth day of February, Anno Domini one thousand eight hundred and sixty-seven.

House bill No. 393, an act to repeal an act to regulate the practice of entering judgments and issuing processes in Armstrong county.

Senate bill No. 812, an act to repeal an act to lay out a State road in Schuylkill and Columbia counties, approved April fourth, Anno Domini one thousand eight hundred and sixty-six.

House bill No. 1144, an act relative to certain moneys in the hands of the legal representatives of Jacob Miller, late of St. Thomas township, in the county of Franklin, deceased.

House bill No. 1233, an act to increase the number of supervisors of roads in Cowanshanoe township, Armstrong county.

House bill No. 813, an act to annul the marriage contract between William C. Gray and Lucinda Campbell Gray, late Lucinda Campbell.

House bill No. 1164, an act to extend to the county of Berks certain provisions of an act entitled An act to amend the fee bill as to constables in the city of Philadelphia.

House bill No. 1236, an act to incorporate the Newton and Scranton turnpike road company.

House bill No. 663, an act to confirm the title of William F. Hughes in and to a certain lot or piece of ground situated on the north side of High or Market street, seventy feet six and a half inches from the west side of Nineteenth street, in the city of Philadelphia.

House bill No. 507, a supplement to an act to incorporate the borough of Columbia.

House bill No. 1601, an act to attach certain lands and tenements in Licking township, Fulton county, to Todd township for school purposes.

House bill No. 1232, an act to authorize the Johnstown and Scalp Level turnpike company of Cambria county to increase the rates of toll on said turnpike.

House bill No. 1041, an act extending the provisions of an act repealing existing laws relating to killing beasts of prey so far as relates to the county of Venango, approved the twelfth day of April, Anno Domini one thousand eight hundred and sixty-six.

House bill No. 1194, a supplement to an act entitled An act to incorporate the Mount Pleasant railroad company, approved the twenty-second day of March, Anno Domini one thousand eight hundred and sixty-five, extending the time for the commencement and completion of said railroad.

House bill No. 546, an act repealing an act relative to the purchase of a law library in the county of Butler.

House bill No. 1162, a supplement to an act regulating the mode of voting at all elections in the several counties of the Commonwealth, and to regulate the mode of voting where boroughs and townships vote together, in the county of Washington.

House bill No. 1189, a supplement to an act entitled An act to incorporate the Ohioville railroad company, approved the twenty-seventh day of March, one thousand eight hundred and sixty six.

House bill No. 1191, an act to incorporate the Tidioute railroad company.

House bill No. 1103, an act to authorize the supervisors of Cook township, in the county of Westmoreland, to levy taxes for the construction of a bridge.

House bill No. 1350, an act to repeal an act to authorize and require the school directors of West Caln township, Chester county, to levy and collect taxes for the purpose of paying three hundred dollars each to persons who were drafted and furnished substitutes under the call of the President of July eighteen, one thousand eight hundred and sixty-four, approved the twenty-second day of March, Anno Domini one thousand eight hundred and sixty-six.

House bill No. 1940, an act extending the provisions of an act relating to dogs in Allegheny, Chester, Northampton Schuylkill and Lancaster counties, approved the sixth day of April, one thousand eight hundred and fifty-four, to the county of Berks.

House bill No. 1058, an act to authorize the board of supervisors of Industry township; Beaver county, to levy a bounty tax.

House bill No. 1552, an act relating to tavern licenses in Greene county.

House bill No. 1122, an act to exempt the property of the First Troop Philadelphia City Cavalry, situated in the Ninth ward, city of Philadelphia, from taxation.

House bill No. 1206, an act to incorporate the Venice gold and silver mining company.

House bill No. 1066, an act to legalize certain acts of committees and school directors of the township of Lower Milford, in the county of Lehigh, relative to the payment of bounties to volunteers.

House bill No. 1068, an act to authorize the board of school directors of the township of Brooklyn, Susquehanna county, to levy and collect a tax to pay outstanding bonds, and for other purposes.

House bill No. 1258, an act to authorize the board of school directors of the borough of Irwin, in the county of Westmoreland, to borrow money for building purposes, and to levy additional school tax.

House bill No. 1352, an act relative to a certain highway in the town of Coatesville, Chester county.

House bill No. 1264, an act to annex additional territory to the borough of Brownsville, Mercer county, for school purposes.

House bill No. 1219, an act to incorporate the Delaware County lumber manufacturing company.

House bill No. 1043, an act to prevent the destruction of fish in Breeches' pond or lake, in Overfield township, Wyoming county.

House bill No, 1057, a further supplement to an act to legalize bounties paid volunteers and the bonds issued therefor in certain townships in the county of Franklin, approved the fourth day of April, Anno Domini one thousand eight hundred and sixty-six, extending the provisions of said act and the supplement thereto to the township of Hamilton, in said county.

House bill No. 1666, a supplement to an act establishing a ferry across the West Branch of the Susquehanna river in Lycoming county.

House bill No. 1227, an act extending an act relative to the opening and making of new roads and building of bridges in the township of West Marlboro, in the county of Chester, to the township of Sadsbury, said county.

House bill No. 1155, an act regulating the fees of notaries public in the county of Allegheny.

House bill No. 1618, an act to provide for the payment of expenses incurred in guarding the jail of Washington county.

House bill No. 1053, a further supplement to an act to regulate the sale of intoxicating liquors, approved the thirty-first day of March, Anno Domini one thousand eight hundred and fifty-six, so far as relates to the county of Mercer.

House bill No. 1216, an act to incorporate the Morris and Cable silver mining company of Reese River district, Lander county, Nevada.

House bill No. 1120, an act to legalize the appointment, view and report of certain bridge viewers in Ligonier township, Westmoreland county.

House bill No. 1171, an act to authorize the road supervisors of the township of Collins, Allegheny county, to make sidewalks along the public roads in the said township, and to increase the pay of supervisors and auditors in said township.

House bill No. 856, an act to permit disabled soldiers to peddle by procuring a license therefor without charge.

House bill No. 1061, an act to authorize the school directors of Conestoga township, Lancaster county, to levy and collect a tax to liquidate the debt on said township created to pay bounties to volunteers.

House bill No. 1000, an act to declare Mill run, in the county of Lycoming, a public highway.

House bill No. 1171, an act to repeal the second section of an act authorizing the collection of a tax in Jackson township, Dauphin county, and Jefferson township, Berks county, to refund money advanced to pay bounties to volunteers.

House bill No. 1483, an act to incorporate the Monongahela Valley railroad company.

House bill No. 1245, an act to declare Lake Pleasant and its out-let to French creek a public highway.

House bill No. 1212, an act to incorporate the Powhattan gold and silver mining company.

House bill No. 1023, an act to incorporate the M'Keesport gas company.

House bill No. 869, an act to authorize the purchase of real estate and erection of a poor house in Valley township, Montour county.

House bill No. 118, an act to legalize certain loans made by the city of Titusville.

House bill No. 1218, an act to incorporate the Kittanning and Rural Village macadamized turnpike road company in the county of Armstrong.

House bill No. 1064, a supplement to an act to secure bounty taxes in certain wards of the city of Lancaster, approved April four, one thousand eight hundred and sixty-six.

House bill No. 1151, an act to legalize the levy and collection of certain bounty tax, to provide for a settlement and authorizing the school directors to lay an additional bounty tax in the borough of Gratztown, in the county of Dauphin.

House bill No. 1042, an act to prevent the injury or destruction of fruit, ornamental or other trees, and to protect the owners thereof in the counties of Clinton, Centre, Butler, Lawrence and Mercer.

House bill No. 1173, an act fixing the pay of the sheriff of Crawford county for boarding prisoners and other persons.

House bill No. 1161, an act to authorize the appointment of an additional notary public in the borough of Girard, in the county of Erie.

House bill No. 1187, a further supplement to an act, approved March twenty-third, one thousand eight hundred and sixty-five, en-

titled An act to provide for the erection of a poor house in the townships of Milford, Turbut, Spruce Hill, Tuscarora, Lack and Beale, and the boroughs of Perryville and Patterson, in the county of Juniata.

House bill No. 1218, an act to incorporate the Volcanic mining company.

House bill No. 1150, an act relating to taxes in Greenfield township, in Luzerne county.

House bill 1021, an act to incorporate the Paros coal mining and lumber company of Pennsylvania.

House bill No. 1263, an act to attach the farms of James M'Kean, William Nichols, David Long and John Long, jr., of Otter Creek township, in the county of Mercer, to Salem school district for school purposes.

House bill No. 1025, a further supplement an act to incorporate the Charles Evans to cemetery company.

House bill No. 1353, an act to incorporate the Pickering gold and silver mining company.

House bill No. 1060, an act providing for the payment to the school treasurers of certain townships in the counties of Clarion, Allegheny, Indiana, Cumberland and Lancaster, the balance of the money raised for the payment of local bounties after the payment of all claims on said townships for local bounty.

House bill No. 1222, an act to incorporate the Farmers' turnpike road company in the county of Lancaster.

House bill No. 786, an act conferring additional powers upon the councils of the city of Pittsburg.

House bill No. 1039, an act for the protection of wild turkeys and squirrels and for other purposes in the county of Huntiogdon.

House bill No. 105, an act to exempt from taxation the property of the Ladies' Soldiers' Aid of Weldon.

House bill No. 1211, an act to incorporate the Sierra Molina gold and silver mining company.

House bill No. 1273, a supplement to the act incorporating the Amateurs Drawing Room association of the city of Philadelphia, approved eighth day of March, Anno Domini one thousand eight hundred and sixty-six.

House bill No. 1028, an act to incorporate the Anderson marble quarrying company of Montgomery county.

House bill No. 1207, a further supplement to an act to incorporate the Union gold and silver mining company, approved March twenty-third, one thousand eight hundred and sixty-five.

House bill No. 1147, an act to extend the period for payment of enrollment tax on the bill to incorporate the Oil Tank improvement company.

House bill No. 1214, an act to incorporate the Savage Extension gold and silver mining company.

House bill No. 1044, an act prohibiting the hunting, catching and killing of game in North Fayette township, Allegheny county.

House bill No. 1257, an act to reduce the compensation and change the manner of election of supervisors in the township of Newberry, in the county of York.

House bill No. 1050, an act to take the sense of the people of Beaver county upon the question of a prohibitory liquor law.

House bill No. 1261, an act to annex the farm of Daniel Sell, of Germany township, Adams county, to the borough of Littlestown, for school purposes.

House bill No. 1096, an act repealing so much of the act entitled An act in relation to original writs and executions in the county of Franklin, approved the eighth day of March, one thousand eight hundred and sixty-seven, as relates to executions.

House bill No. 1250, an act to establish a ferry over the West Branch of the Susquehanna river at or near the residence of George W. Sower, in the township of Wayne, in the county of Clinton.

House bill No. 1154, an act to regulate the collection of local taxes in the township of Edgmont, Delaware county.

House bill No 1221, and act to lay out a State road in Venango and Butler counties.

Senate bill No. 1251, an act to empower the court of quarter sessions of the peace of Adams county to audit bounty accounts in the several boroughs and townships in said county, and in relation to re-auditing the bounty accounts of Cumberland township, in said county.

House bill No. 1174, an act to increase the pay of the county commissioners of Northumberland county.

Senate bill No. 1253, an act authorizing and empowering A. Clark, of Meadville, to have his dockets returned to him.

Senate bill No. 1214, an act to authorize the Curwensville bridge company to change its rate of toll.

Senate bill No. 1166, an act authorizing the school bond of the Fourth ward, in Allegheny city school district, to close up their bounty business, and to use surplus bounty money for the purpose of purchasing ground and erecting a new school house in said ward, and to borrow twenty thousand dollars for the purpose aforesaid.

House bill No. 841, an act to authorize the payment of Nicholas Simon, a soldier in the war to suppress the rebellion, a gratuity on account of the loss of one of his hands.

Senate bill No. 736, an act to attach certain lands and tenenents in Napier township, Bedford county, and the persons residing thereon, to Schellsburg, for school purposes.

Senate bill No. 989, an act authorizing the school directors of the borough of Tarentum, Allegheny county, to assess and collect taxes for school purposes.

House bill No. 384, a further supplement to an act to incorporate the city of Erie.

House bill No. 1166, an act to legitimate John Horning, of Mifflin county, and confer upon him the rights and privileges of a child born in wedlock.

House bill No. 537, an act to exempt from taxation certain real estate in Philadelphia belongiog to the Jewish hospital association of Philadelphia.

House bill No. 897, a supplement to an act for the better securing the payment of the wages of labor in certain counties of this Commonwealth, approved the thirtieth March, Anno Domini one thousand eight hundred and fifty-nine.

House bill No. 1146, a supplement to the constitution and charter of the Bustleton Methodist Episcopal church, enrolled by order of the Governor in the office of the Secretary of the Commonwealth on the sixth day of February, one thousand eight hundred and thirty-four, authorizing the trustees of said corporation to remove certain bodies to enable them to extend their church edifice.

House bill No. 693, an act to prevent injury to privy wells in the city of Philadelphia.

House bill No. 1016, an act to reduce the number of directors of the Allegheny transportation company.

House bill No. 1037, an act extending the provisions of an act approved seventh day of May, Anno Domini one thousand eight hundred and sixty-four, entitled An act to prevent cattle, horses, sheep or hogs from running at large in Bethlehem township, Northampton county, Lower Nazareth, East Allen and Saucon townships, in said county.

House bill No. 1210, an act to incorporate the New Sonora gold and silver mining company.

House bill No. 1208, an act to incorporate the Philadelphia mining company of Lander Hill.

House bill No. 1209, an act to incorporate the Pennsylvania and North Carolina gold mining company.

House bill No. 1097, an act relative to the election of constables in the township of Blakely, county of Luzerne.

House bill No. 1166, an act to authorize the Governor to appoint ten additional notaries public for the city of Philadelphia.

House bill No. 1259, an act to authorize the board of directors of the borough of West Middlesex, in the county of Mercer, to borrow money.

House bill No. 1089, an act declaring Clear creek, in the county of Cameron, a public highway.

House bill No. 1073, an act to incorporate the Chester passenger railrond company.

JNO. W. GEARY.

During the consideration of the private calender the following remarks were made on bills entitled as below:

Senate bill No. 948, a further supplement to the act to incorporate the Union School and Children's Home asylum, to provide for the taxation of non-resident venders of merchandise in the city and county of Philadelphia, and for the relief of Edwin Hutchinson, approved April 12. 1857.

Question,

Will the House agree to the bill?

Mr. GREGORY. Mr. Speaker, this is a supplement to one of the omnibus bills of the session of 1851. I hope it will not pass. It permits any person not a resident of this Commonwealth to come into the city of Philadelphia and sell goods by sample without paying any tax for the privilege. It will work very disadvantageously to the merchants and manufacturers of Philadelphia.

I hope this bill will not pass.

Mr. DAVIS. Mr. Speaker, I trust the bill will pass. Its object is not to permit every person to sell goods without a license; it restricts people to selling their own manufactures. I have a petition signed by every wholesale hardware merchant in the city of Philadelphia in favor of this repeal. Any person having an article of his own manufacture has the right to exhibit it for sale without taking out a license. Every merchant of standing in this branch of business in the city of Philadelphia has signed the petition that is now in this House.

Mr. MANN. This bill provides that the supplement shall be repealed so far as it refers to persons selling their own or their employer's goods. Now, what is to prevent a man selling in Philadelphia the goods of his employer in New York?

Mr. DAVIS. Strike out the word "employer" and the object of the bill is for the manufacturer to sell his own goods.

Mr. MANN. Goods manufactured in Massachusetts may be sold under this bill.

Mr. DAVIS. Mr. Speaker, it is simply desired that manufacturers should have the right to sell their own goods.

Mr. SATTERTHWAIT. I do not see why foreign manufacturers should have that privilege without a license.

Mr. DAVIS. Our cities are just that much behind other cities.

Mr. GREGORY. Mr. Speaker, I will call the gentleman's attention to the fact that the city of Baltimore requires a license; so do Louisville and Cincinnati.

Mr. DAVIS. In the petition of which I have spoken, it is stated that the manufacturers of the city of Philadelphia can go to New York and sell their goods by sample without a license. The country merchants of

Pennsylvania, and the hardware merchants in particular, can go to New York and buy their goods cheaper than they can purchase them in this State. This policy is drawing trade out of our State.

Mr. QUIGLEY. Mr. Speaker, I desire to say, if we pass this bill, we might as well repeal all the laws relating to peddlers and hawkers in the county of Philadelphia. The laws on this subject, as they stand now, are a protection to our citizens. This bill proposes to repeal all licenses relating to peddlers and hawkers. There is not a county in the Commonwealth where these laws do not exist; there is scarcely a State in the Union where they do not exist. I am not entirely unacquainted with this matter, and I know we can manufacture hardware in the city of Philadelphia cheaper than can be done in New York or any other city save Pittsburg. I trust this bill will not pass. What is it? This bill does not affect hardware dealers; it does not specify any trade, or any class of goods; it includes all.

I trust the House will not pass such a bill.

Mr. DAVIS. Mr. Speaker, I do not wish to detain the House; but I will take the time to say I am not apt to make a statement to this House or any other place that I cannot fully support. This bill does not refer in the slightest degree to hawkers and peddlers. I desire the Clerk to read this petition.

The petition was read as follows:

To the Senate and House of Representatives of the State of Pennsylvania:

The undersigned citizens of Philadelphia, and engaged in business in said city, pray your honorable bodies to pass an act repealing so much of the act approved the 12th day of April, 1851, and the supplement thereto, approved the 12th day of April, 1864, as relates to the vending of goods in the city of Philadelphia by persons who are the manufacturers thereof, or their agents, and who are residents of other States.

(Signed, &c.)

Mr. HOOD. Mr. Speaker, I have heard, with some surprise, the remarks of my colleague. I construe the clause in this bill to mean manufacturers in the East or any other part of the world. I hold that the law we now have was passed for the protection of the mercantile community. The names I have heard read as affixed to that petition, I apprehend, are foreign to the State or are agents of Eastern manufacturers. I hope this bill will not pass. I feel it my duty to record my vote against it.

Mr. KERNS. Mr. Speaker, I do not think this bill is understood by my friend on the other side of the House.

I will illustrate. A manufacturer in the city of Philadelphia sends his agent to me with samples of goods free of tax. The New York merchants thus make their purchases without coming to Philadelphia. But the New York merchant or manufacturer coming to Philadelphia is taxed. Hence he refuses to come to Philadelphia and lose both his time and his money.

Mr. HOOD. Under the working of this bill what is to prevent the agent of any house in New York, or England or elsewhere, coming to Philadelphia, taking a room at a hotel or private house, and then bringing in parties, exhibiting his samples, and thus negotiating sales? That can be done; and it will destroy the business of Philadelphia. It will open a store, to all intents and purposes, in every private room. The merchants in Philadelphia who pay twenty or thirty thousand dollars a year rent, would have to compete with peddlers from other sections.

Mr. DAVIS. Mr. Speaker, I did not expect any opposition to this bill. I do not see how any opposition can arise. But I am perfectly satisfied to let the bill go as it may. Some statements have been made that must be refuted. One is, that the gentlemen signing this petition are non-residents of the city of Philadelphia. Three of them live in the same ward with myself. They are highly honorable men, doing business in Philadelphia. This system of levying taxes, and discriminating against our own merchants, is driving all our trade into the State of New York. If you talk with any old merchant in Philadelphia, he will tell you that for the last twenty years the laws of Pennsylvania have been studiously and consistently ruining her business, and driving it to New York. I have done my duty to my constituents; if the bill falls, it is a matter of no consequence to me. But I will say that every respectable hardware merchant in the city of Philadelphia is in favor of this bill.

Mr. MANN. Mr. Speaker, if this bill is passed, will it not permit men to do a very large amount of business anywhere in Pennsylvania and not pay a cent of tax in any shape?

Mr. DAVIS. It will permit manufacturers to sell at wholesale by sample; and storekeepers can make their selections without going east.

Mr. COLVILLE. Mr. Speaker, I have no desire that the time of this House should be occupied in the discussion of this bill. I shall move the previous question.

Mr. DAVIS. Mr. Speaker, I move to amend so as to prohibit the selling to any except wholesale merchants within the State of Pennsylvania.

Mr. QUIGLEY. Mr. Speaker, I do not think that this House will pass a bill of this kind. In every county in the State, so far as I know, men selling by sample, or otherwise, must pay a license. I do not think this Legislature will, for a moment, entertain the thought of discriminating in favor of non-residents.

I move to indefinitely postpone the further consideration of the bill.

On the question,

Will the Senate agree to the motion?

The yeas and nays were required by Mr. GREGORY and Mr. HOOD, and were as follow, viz:

YEAS—Messrs. Boyd, Breen, Brennan, Calvin, Chadwick, Chalfant, Collins, Craig, Day, Gregory, Harner, Headman, Heltzel, Hoffman, Hood, Hunt, Jenks, Jones, Josephs, Koon, Linton, Long, Maish, Markley, Mullin, Pennypacker, Phelan, Quigley, Rhoads, Robinson, Roush, Satterthwait and Westbrook—33.

NAYS—Messrs. Adaire, Allen, Armstrong, Barton, Cameron, Chase, Davis, DeHaven, Donohugh, Espy, Freeborn, Ghegan, Gordon, Harbison, Humphrey, Kerns, Kimmell, Kinney, Leech, M'Camant, M'Creary, Mann, Mechling, Meily, Peter, Pillow, Quay, Richards, Roath, Shuman, Steacy, Stumbaugh, Sobers, Wallace, Watt, Webb, Weller, Whann, Wharton, Wilson and Wright—40.

So the question was determined in the negative.

And the motion was

Not agreed to.

The question recurring on the amendment of the gentleman from Philadelphia [Mr. DAVIS],

It was

Agreed to.

Mr. QUIGLEY moved to further amend by striking out "the city and county of Philadelphia," and inserting "the State of Pennsylvania," so as to make it a general bill.

Not agreed to.

The bill as amended was then

Agreed to.

The bill was then transcribed and passed to third reading.

MOTION TO RECONSIDER.

Mr. JENKS. Mr. Speaker, I move to reconsider the vote taken on House bill No. 1157, a further supplement to an act incorporating the Pennsylvania railroad company.

Mr. LEE. Mr. Speaker, I trust that this bill will not be reconsidered.

It was passed by the Senate, and all it asks is that the company may be enabled between this point, and some point a short distance above, to straighten its road, and thereby secure greater safety in traveling. No gentleman who has passed up and down this road but what has felt the necessity that it should be straightened.

Mr. JENKS. Mr. Speaker, all I wish to say is this, the bill on the calendar is numbered 1157. Now, 1157 is not so very objectionable; but when we look at the matter closely we find that we are acting upon bill No. 1151, which gives great power, power that should not be granted without an urgent necessity therefor. The House has been deceived.

On the motion to reconsider,

The yeas and nays were required by Mr. KERNS and Mr. DEHAVEN, and were as follow, viz:

YEAS—Messrs. Barrington, Boyd, Boyle, Chase, Craig, Day, Espy, Fogel, Harner, Jenks, Jones, Linton, M'Creary, Maish, Mann, Markley, Meyers, Peter, Phelan, Quay, Richards, Tharp, Weller, Woodward and Glass, *Speaker*—25.

NAYS—Messrs. Adaire, Armstrong, Barton, Breen, Calvin, Cameron, Chadwick, Colville, Davis, DeHaven, Donohugh, Freeborn, Ghegan, Gordon, Gregory, Harbison, Headman, Hoffman, Hood, Humphrey, Josephs, Kennedy, Kerns, Kimmell, Kinney, Koon, Kurtz, Lee, Long, M'Camant, M'Henry, M'Kee, Mechling, Meily, Mullin, Pennypacker, Quigley, Roath, Robinson, Roush, Satterthwait, Seiler, Sharples, Shuman, Steacy, Stehman, Stumbaugh, Wallace, Watt, Webb, Westbrook, Whann, Wilson, Wingard, Worrall and Wright—56.

So the question was determined in the negative,

And the motion was

Not agreed to.

Senate bill No. 1595, an act to preserve the water of the river Schuylkill, used by the citizens of Philadelphia, from impurities.

Mr. SATTERTHWAIT. Mr. Speaker, that appears to be precisely the same bill that we had the other day. If this bill is to be passed, I shall have to offer the same amendment that I did to the House bill. I hope it will be voted down.

Mr. QUIGLEY. Mr. Speaker, this bill was drawn up by the authorities of the city of Philadelphia. We want the bill passed as it is. I trust the House will pass it without amendment.

Mr. JONES. How far up the river Schuylkill is this bill intended to apply?

Mr. QUIGLEY. To Norristown.

Mr. SATTERTHWAIT. Mr. Speaker, I offer the following amendment:

Provided, That this act shall not apply to any cotton, woolen, paper, iron or glass factory.

I desire to say that this bill, if it is passed (as the gentleman from Philadelphia [Mr. QUIGLEY] says the authorities wish it passed without amendment), will destroy the value of many millions of property. It will turn out of employment several thousands of persons, who are dependent for their support and livelihood upon these factories, which it is proposed to break up. I hope that it will not be done. A matter so important as this, affecting such an amount of property and such a number of persons, whose livelihood is dependent upon these factories, should not

have been brought here in this manner. It should have come before us in the early part of the session, and gone to its appropriate committee, so all the parties interested might have been heard.

This bill provides that no factory of any kind shall allow its refuse to go into the Schuylkill river from the borough of Norristown to the city of Philadelphia, a distance of more than sixteen miles. I do not believe that the refuse from some of the factories, at any rate, thrown into the water at that distance from Philadelphia, will injure it in the least. This matter should be investigated deliberately and thoroughly. The city of Philadelphia should appoint a scientific commission to investigate the subject and determine what substances are deleterious to the water, and at what distance from the city it is necessary to prohibitits being thrown into the river, and not, in this summary manner, without any notice to these parties—without giving them an opportunity to be heard—at one sweeping blow, to take away all their property, and turn all those persons out of employment. I hope it will not be done. There is no necessity for summary action in this matter. I say let the city authorities make a scientific investigation and determine what is necessary. Let us have no such summary action as this.

Mr. HOOD. Mr. Speaker, it is very unfortunate that Norristown is sixteen miles above Philadelphia. I suppose Norristown has a population of sixteen thousand inhabitants; Philadelphia has a population of between seven hundred thousand and eight hundred thousand. I do not think this great city should have its health endangered for the accommodation of the factories on the river Schuylkill.

Mr. SATTERTHWAIT. Mr. Speaker, does the gentleman know how many factories there are on the river Schuylkill and its tributaries? If he does not, I will inform him that they amount in value to twenty-five or thirty millions of dollars.

Mr. HOOD. Mr. Speaker, that is a small matter in comparison with the health of seven hundred thousand people. Therefore, I say if this amendment is adopted, the bill is nullified. What is this dye stuff that is spoken of as inoffensive in its character, but the most poisonous of all stuffs of that kind? There is not one single factory upon the river Schuylkill but what can have sewers built at a reasonable expense to carry away their refuse matter.

Mr. WALLACE. Where are the sewers to be carried?

Mr. HOOD. If necessary, they can be carried to the other side of the river.

Mr. WALLACE. Where?

Mr. HOOD. Anywhere, so that they do not go into the river. It would be better for the city of Philadelphia to buy these factories and pay for them, than to allow them to remain where they are.

Mr. WALLACE. Mr. Speaker, I would like to ask the gentleman from Philadelphia [Mr. HOOD] another question. I would like to ask him whether he considers the water thrown from dye houses and factories more noxious than the offal of the gas works?

Mr. HOOD. The gas works are below Fairmount.

Mr. WALLACE. The Manayunk gas works are above.

Mr. HOOD. Their worst material is carried off by a sewer, and does not go into the river.

Mr. SATTERTHWAIT. Where does the sewer empty?

Mr. HOOD. Into the Delaware river.

Mr. SPEAKER. I hope this House will protect the health of seven hundred thousand people, by obliging these factories to adopt some other means for carrying off their refuse stuff.

Mr. SATTERTHWAIT. Mr. Speaker, I do not object to everything being done that is necessary in this matter; but I do object to such a sweeping blow as this, without its being duly considered.

Now, the gentleman from Philadelphia [Mr. HOOD] misrepresents me. I did not state that the refuse from all these factories was not deleterious to the city of Philadelphia. But I do not believe that the refuse from paper manufactories, and glass and iron works is at all deleterious to the water, at a distance of sixteen miles from where it is thrown into the river. Yet, this bill proposes to sweep out of existence the whole of these factories, without discrimination. That is what I object to. I say, let this matter be thoroughly investigated by a properly qualified commission.

Mr. FREEBORN. Mr. Speaker, I would like to ask the gentleman from Montgomery [Mr. SATTERTHWAIT] whether there is any factory on the Schuylkill river that cannot dig a well?

Mr. SATTERTHWAIT. Mr. Speaker, I assert that that cannot be done. Is it an utter impossibility.

Mr. HOOD. It is impossible, at any reasonable expense, for the factories to build an aqueduct?

Mr. SATTERTHWAIT. I do not know how it is possible; but what I want to come at is this: this matter should be thoroughly investigated and all the facts ascertained. For instance, there has been a paper factory built at Norristown recently, with a capital of a million of dollars, for the purpose of manufacturing paper out of wood. It has a great many persons employed. I do not suppose that the refuse from that factory is at at all deleterious to the water.

Yet, that factory would be prohibited from having its refuse go into the river. Then, there are glass factories and iron factories, and others. Some of them, no doubt, are deleterious—others are not. Now, what I say is, let this thing be thoroughly investigated. Let it be ascertained what substances are deleterious. Then, let the parties owning such factories be notified that they must find some other outlet for their refuse. I ask to give them a little time. But this bill proposes, at one sweeping blow, and without notice, to prevent these parties from carrying on their business. There is no necessity for it. This bill could have been brought here early in the session, as it should have been, that parties interested might have been heard before a committee in their own defense.

I hope the House will pass this amendment. This matter has not sprung up within one year. The water of the Schuylkill is about the same as it has been for a great many years. Let these parties have another year, that they may come here prepared, and that this matter may be considered properly.

Mr. QUIGLEY. Mr. Speaker, the argument of the gentleman from Montgomery [Mr. SATTERTHWAIT] amounts to nothing whatever. Now, in the city of Philadelphia we have a large number of factories of all kinds; and we have an ordinance of councils that prevents the refuse of these factories from going into our common sewers; and I wish to call the attention of the gentleman from Montgomery to one fact. In the city of Philadelphia our manufacturers dig wells below the water line; they have grates on the wells for the purpose of stopping all the filth; and this they are compelled to remove about once every six months.

Now, this bill has been prepared by the chief engineer of the water works, and I trust the House will pass it without any amendment. Let the manufacturers on the line of the Schuylkill do what the manufacturers of the city of Philadelphia are compelled to do by ordinance—that is, dig wells and have their filth removed and deposited at some other place. We do not wish them to have an opportunity of poisoning the water we drink. I trust the amendment will be voted down.

Mr. HEADMAN. Mr. Speaker, if I understand this matter, I think the argument of the gentleman from Philadelphia [Mr. QUIGLEY] is against the interests of that city. That city depends entirely upon its manufacturing interests.

If this bill passes, it will destroy the factories along the line of the Schuylkill river. I simply desire to say this: that the factories the gentleman speaks of as being in the city of Philadelphia are, every one, below the Fairmount dam, with the exception of those on the Delaware river, and their refuse runs into the Delaware.

Now, the gentleman spoke about sewering from Manayunk and Norristown to the Delaware river. The expense of this would fall on a few private individuals, who have erected mills and employed a great portion of the community in that section of the country. It would incur an expense that they could not feel warranted in undertaking. They would have to build an aqueduct, at the least calculation, for a distance of nine to sixteen miles, through the roughest kind of a country, mountains and rocks, and the undertaking would be a gigantic one.

It has been in contemplation for the city of Philadelphia to get a supply of pure water from another source, by building an aqueduct some fourteen miles. What would be the expense to a population of seven hundred thousand in comparison with the loss which would be occasioned by the destruction of the factories on the Schuylkill, gotten up principally, as they are, by individual enterprise?

In looking over the *Evening Bulletin*, I find the following editorial:

"THE WATER SUPPLY.—A move in the right direction was made in city councils yesterday. The committee on water works was instructed to report an ordinance providing for the appointment of a commission of persons of eminent abilities as civil engineers, who, in connection with the chief engineer of the water works, shall investigate plans for providing an abundance of pure water for the use of the city. The preservation of the purity of the Schuylkill water seems to be almost a hopeless task, and in spite of city ordinances and State laws the crowded population along the banks of the river will continue to pollute the stream. In respect both to quantity and quality the Schuylkill seems to have outlived its usefulness as a source of water supply for a great city. When the present water works were constructed, the population of the city was about one hundred and twenty thousand souls; at present it is more than six times that number. Besides the enlargement of the population, which of course causes the proportionate increase in the consumption of water, the advance in the manufacturing interests of the city and the more general use of baths, water closets, &c., have greatly augmented the consumption of water. Without looking forward to the wants of posterity in respect to the needful element, the demands for the present generation are becoming imperatively pressing, and the proposed scientific commission will doubtless take an enlarged and comprehensive view of the situation, and propose a plan such as will secure to the Philadelphia of A. D. 1967, as well as to the present city, a full supply of pure water."

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[CONTINUED FROM PAGE 1056.]

This bill will be the means of destroying a great manufacturing interest; and I do hope, for that one simple reason, it will not pass.

Mr. SATTERTHWAIT. Mr. Speaker, I desire to say a word in reply to the gentleman from Philadelphia, who says that the factories in that city dig wells. I deny that that is the case. The principal portion of the refuse of these factories goes off into the sewers.

I move, Mr. Speaker, that this bill be indefinitely postponed.

Mr. QUIGLEY. Mr. Speaker, I desire to correct the gentleman. I stated by ordinance of councils they were obliged to dig wells below the water mark, and the refuse is caught in grates, and carried off.

Mr. SATTERTHWAIT. Mr. Speaker, it is only the solid substance that is caught in that way. All the liquid portion escapes into the sewers.

It has been said, that this bill was carefully prepared. I deny that it has been carefully prepared; because it makes no distinction whatever. And I appeal to this House, if a bill to preserve the purity of the water of the river Schuylkill is carefully prepared, when it makes no distinction between factories that do injure the water, and those that do not. If this bill had been carefully prepared, it would have gone to the committee, and parties interested would have had an opportunity to be heard.

Mr. DONOHUGH. Mr. Speaker, I trust this bill will be passed in the shape in which it was presented. I regard it as one of the most important measures that has been presented to the Legislature. The health of seven hundred thousand people depends upon the passage of this bill. The Schuylkill furnishes drinking water to the citizens of Philadelphia, and the idea that members should come here and ask that the lives and health of seven hundred thousand people shall be jeopardized for the interests of a few manufacturers is preposterous. I hope this amendment will not be adopted.

The gentleman from Bucks [Mr. HEADMAN] comes here and reads an article from a paper stating that it is impossible to keep the Schuylkill water pure. That is to our disgrace. I think we are in duty bound to protect the citizens of Philadelphia and keep their drinking water from impurities.

He says, also, that the idea is conceived of having another means of supplying the city. That would cost us millions of dollars; and shall the interests of a few individuals on the river Schuylkill draw the city of Philadelphia into an expense of that kind? I think that idea preposterous. We have our water works built, and we are satisfied with the Schuylkill water, provided we can get it pure. I hope the amendment will not be agreed to.

On the question,

Will the House agree to the amendment?

The yeas and nays were required by Mr. MARKLEY and Mr. HOOD, and were as follow, viz:

YEAS—Messrs. Barrington, Boyle, Breen, Cameron, Chadwick, Craig, Day, Ewing, Harner, Headman, Hunt, Jenks, Jones, Koon, Linton, Long, M'Creary, M'Henry, M'Kee, Maish, Mann, Markley, Meyers, Pennypacker, Phelan, Rhoads, Richards, Roush, Satterthwait, Seiler, Sharples, Wallace, Webb, Weller and Wharton—35.

NAYS—Messrs. Adaire, Barton, Boyd, Brown, Calvin, Chase, Davis, DeHaven, Donohugh, Espy, Freeborn, Ghegan, Gordon, Gregory, Harbison, Hood, Humphrey, Josephs, Kennedy, Kerns, Kinney, Kurtz, Lee, Leech, Meehling, Meily, Mullin, Pillow, Quay, Quigley, Roath, Shuman, Stumbaugh, Tharp, Watt, Westbrook, Wilson, Wingard and Glass, *Speaker*—39.

So the question was determined in the negative,

And the amendment was

Not agreed to.

The House then adjourned till 3 o'clock this P. M.

AFTERNOON SESSION.

The House met at 3 o'clock, P. M.

The SPEAKER announced a quorum of members present.

Mr. STEHMAN, chairman of the Committee on Corporations, asked and obtained leave to report from said committee, as committed, Senate bill No. 1603, an act to authorize the Reno oil and land company to acquire, hold and dispose of property.

Mr. WHANN. Mr. Speaker, I ask the unanimous consent of the House to proceed to the consideration of the bill at this time.

Consent was given.

The bill being before the House,

And the question,

Will the House agree to the bill?

Mr. JONES. Mr. Speaker, I move to amend the bill by providing that the privilege granted under this act shall be extended to, and conferred upon, every other private corporation in this Commonwealth—so that if any such privileges are to be extended to the Reno oil and land company, other corporations may have the same right to hold property without limit and without restriction anywhere in this Commonwealth, and to make such use of it as they please. I think the bill ought not to pass; but if it does pass, every corporation should have the same rights as this one in this respect.

Mr. WHANN. Mr. Speaker, the gentleman from Berks [Mr. JONES] is evidently laboring under the impression that he can legislate for Venango county.

The real intent of this bill is, I believe, to enable this company to more advantageously adjust these claims. It is to enable them to gather up the wrecks and adjust them in the best possible manner. I think that is the entire extent of the intent of this bill, and I trust it will pass.

Mr. JONES. Mr. Speaker, this is not legislating for Venango county on my part. But the gentleman from Venango [Mr. WHANN] has assumed previously, in this House, that he had the right to legislate for Venango county, although my impression always was that nobody individually had a right to legislate, but that the two branches of the Legislature passed laws. However, this is not a Venango county bill, but a bill which gives this company the right to exercise such extraordinary privileges throughout this Commonwealth, that if passed for this company, there is no reason why every other corporation in the Commonwealth should not have the same rights and privileges.

The question being on the amendment of Mr. JONES,

It was

Not agreed to.

The question recurring on the bill,

It was

Not agreed to.

Mr. RHOADS. Mr. Speaker, I move that the Committee on Corporations be discharged from the further consideration of Senate bill No. 1306, an act to incorporate the Ryan and Reading slate company.

The motion was

Agreed to.

Mr. KIMMELL. Mr. Speaker, I move that the Committee on Corporations be discharged from the further consideration of Senate bill No. 1431, an act to authorize and empower William Howe to erect and maintain on Two Lick creek, in Cherry Hill township, Indiana county, at his mill in said creek, a boom for saw logs.

The motion was

Agreed to.

PRIVATE CALENDAR.

Agreeably to order,

The House resumed the consideration of the bills on the private calendar.

The following bills were considered and acted upon as stated:

Senate bill No. 1595, an act to preserve the water of the river Schuylkill used by the citizens of Philadelphia from impurities.

The question being on agreeing to the bill.

Mr. SATTERTHWAIT. Mr. Speaker, I just wish to say, as the House has refused to insert the amendment that I proposed, that I ask that they shall vote down this whole bill.

In reply to the gentleman from Philadelphia, who says that this bill has been carefully prepared, I just ask the House to look at the bill, and see if it has been carefully prepared. It is a paragraph cut out of a newspaper. That is the shape of the bill. That is the shape in which this bill comes before this House, which he alleges is so carefully prepared. It is not printed in our files; it has not been before a committee of the House or the Senate; and there has been no proper opportunity presented to us to amend it,

As the gentlemen who have it in charge have refused to allow us to amend it, so as not to be so obnoxious to our constituents, I ask that it may be voted down. If there is this great difficulty that these parties pretend, they can have a remedy. Let them get out an injunction against these parties that they claim are committing this nuisance, and have it come before the courts, and be properly investigated, as it would be, and let them determine what substances are hurtful; and not, by this one blow, throw thousands of people out of employment.

Mr. DEHAVEN. Mr. Speaker, that bill has been carefully prepared by citizens of Philadelphia, and has been before the councils. I ask and hope that the bill may pass.

Mr. MARKLEY. Mr. Speaker, I think it is wrong to force a bill of this kind through this House. By the passage of this bill, works to the value of fifteen or eighteen millions of dollars will be stopped, and no provision made for the employees. To-day is the first that I have heard that the water of the Schuylkill has been poisoned to the extent of creating an epidemic.

I do hope that this bill will be voted down, and that, in its stead, a committee will be appointed, either by the courts or the Legislature, to investigate this matter in a proper manner.

Mr. HOOD. Mr. Speaker, the statements made by my friend from Montgomery [Mr. MARKLEY] that there are fifteen or eighteen millions of dollars invested in these factories is certainly a strange one. I admit that they are valuable factories. But they never cost one-tenth of that amount. One gentleman says that the proper course is to obtain an injunction. I have practiced law for fifteen years; and I cannot see how it can be effected by an injunction. I would like to know how we are going to get the people of Montgomery county to complain against their own neighbors for the benefit of the people of Philadelphia. I hope the House will pass this bill.

Mr. STUMBAUGH. Mr. Speaker, without any discourtesy to the gentlemen who are discussing this question, I submit that it is taking up the entire time of the day, and I therefore call the previous question.

The call for the previous question was seconded by Messrs. Harbison, Shuman, Webb, Kerns, DeHaven, Peter, Cameron, Freeborn, Worrall, Humphrey and Whann.

The question being,

Shall the main question be now put?

It was

Agreed to.

The question recurring on agreeing to the bill,

The yeas and nays were required by Mr. MARKLEY and Mr. WALLACE, and were as follow, viz:

YEAS—Messrs. Adaire, Armstrong, Barton, Calvin, Cameron, Davis, DeHaven, Donohugh, Ewing, Freeborn, Ghegan, Gregory, Hood, Humphrey, Josephs, Kerns, Kinney, Lee, Leech, Meily, Mullin, Peter, Roath, Subers, Watt, Webb, Wilson and Worrall—28.

NAYS—Messrs. Barrington, Boyd, Boyle, Brennan, Brown, Chalfant, Chase, Collins, Colville, Craig, Day, Diese, Espy, Fogel, Gordon, Harbison, Harner, Headman, Heltzel, Hoffman, Hunt, Jenks, Jones, Kennedy, Kimmell, Koon, Kurtz, Linton, Long, M'Creary, M'Henry, M'Pherrin, Maish, Mann, Markley, Meyers, Pennypacker, Phelan, Quay, Rhoads, Richards, Roush, Satterthwait, Sharples, Shuman, Tharp, Wallace, Weller, Westbrook, Wharton, Wingard, Woodward and Glass, *Speaker*—53.

So the question was determined in the negative.

Senate bill No. 556, an act to refund John Martin, administrator, amount collateral inheritance tax paid in error.

Passed finally.

Senate bill No. 725, a supplement to the act incorporating the Jackson mining company.

Passed finally.

Senate bill No. 1205, an act authorizing the Saucon iron company to construct branch railroads to certain ore beds.

Passed finally.

Senate bill No. 895, an act to levy a tax upon horses kept for pleasure or hire in the city of Philadelphia.

Indefinitely postponed.

No. 1601, an act to authorize the removal of certain cases from the court of common pleas of Cambria county to the court of common pleas of Centre county.

The question being on agreeing to the bill,

Mr. LINTON. Mr. Speaker, I move to amend by striking out Centre county and inserting Somerset county.

Mr. BARTON. Mr. Speaker, I hope the amendment will not prevail. This bill was considered in committee, and various amendments suggested. But the committee thought this a suitable county in which to try this case, and I therefore trust the amendment will not prevail.

Mr. COLVILLE. Mr. Speaker, the secret of this matter is this: There are several suits pending in Cambria county, which resulted from the accident that occurred at the Pennsylvania railroad platform at Johnstown, when Andy Johnson was 'swinging around the circle' at that point. Suit has been brought against the Pennsylvania railroad company, and the suit has been decided against them; and their object is to take it out of Cambria county now into Centre county, where they think they can be exonerated from further blames.

Mr. LINTON. Mr. Speaker, if any man will look at the map, he will discover that parties, to reach Centre county from Cambria county, must pass through two other counties, at great expense. I have no doubt that if the cases were tried there, they would be fairly tried; but it would be subjecting the parties to an unnecessary expense. Somerset county is contiguous to Cambria county, and I see no reason why the cases should not go there. The railroad does not pass through that county, and no improper influences could be brought to bear to warp the trial. This bill, even if Somerset county is substituted, will be objectionable to the plaintiffs in this case. They see no necessity for taking it out of the county where the case originated, and where the expense of the trial will be greatly reduced; but if taken out of the county at all, it is desirable that it should go to a county immediately contiguous, where the expense will not be so greatly enhanced.

Mr. LEE. Mr. Speaker, I move to amend the amendment by striking out Somerset and inserting Blair.

Mr. M'CAMANT. Mr. Speaker, I hope that the amendment to the amendment will be voted down. We have as much to do in our county with that kind of cases as we care about. We already have all their business placed upon us that we desire, without bringing it from abroad.

Mr. LINTON. Mr. Speaker, in reference to Blair county, I would state that the plaintiffs in this case are afraid that in that county they would not get a fair trial. I confess, personally, I scarcely regard their objections as tenable. But they say, that because the railroad company has great influence in that county, they could not receive a fair trial.

Mr. LEE. Mr. Speaker, if that objection is made, it is no reason why it should not be tried there. Somerset county is quite as suitable on the other side as Cambria county. Everybody understands that this accident was from a palpable indiscretion in overloading a superstructure which was not expected to be used for such an occasion. Everybody ought to know that the foot bridge across a canal was not a suitable one to be overloaded as it was at that time. All they ask is to have this case removed to a place where there will be a fair trial.

Mr. SHARPLES. Mr. Speaker, I hope this discussion will not be prolonged. I understand it was discussed at length in the Senate, and that Centre county was agreed upon as a fair compromise, and I think we ought to settle upon that county.

Mr. LINTON. Mr. Speaker, this is a matter in which my constituents are deeply interested; and I desire to say that Centre county was taken by our Senator in preference to Blair county, after every other county in that vicinity had been voted down. It was agreed upon, for the reason that it was taking the best of the two evils which were presented.

The question being on the amendment of Mr. LEE to the amendment of Mr. LINTON,

It was

Not agreed to.

The question recurring on the amendment of Mr. LINTON,

It was

Agreed to.

The question recurring on the bill as amended,

Mr. LINTON. Mr. Speaker, I wish to say that I see no necessity for the removal of this case at all. I know, as every gentleman who knows anything about this case, that it is simply a legal question. The judge in Cambria county who will preside over this trial, has no superior in the State for his thorough knowledge of law, and his impartiality in the administration of it. I trust, therefore, the House will vote down this bill.

Now, these sufferers are, almost all of them, poor, laboring men at the mill, and it will be almost impossible to follow the case out of the county if it is changed as this bill proposes. I therefore trust the House will permit the case to be tried in the county where it can be tried with the least expense, and where justice can and will be meted out to both parties.

The question being on agreeing to the bill as amended,

The yeas and nays were required by Mr. LEE and Mr. DEHAVEN, and were as follow, viz:

YEAS—Messrs. Adaire, Brown, Calvin, Cameron, Chadwick, Davis, Day, DeHaven, Donohugh, Ewing, Freeborn, Ghegan, Harbison, Hoffman, Humphrey, Josephs, Kennedy, Kerns, Kinney, Koon, Lee, Leech, M'Camant, M'Creary, M'Kee, Mechling, Meily, Mullin, Pennypacker, Pillow, Quay, Roath, Seiler, Sharples, Shuman, Stumbaugh, Subers, Waddell, Wallace, Watt, Webb, Wingard, Worrall, Wright and Glass, *Speaker*—45.

NAYS—Messrs. Barrington, Boyd, Boyle, Breen, Brennan, Chalfant, Chase, Collins, Colville, Craig, Deise, Fogel, Gordon, Gregory, Harner, Headman, Hunt, Jenks, Jones, Kimmell, Kline, Kurtz, Linton, Long, M'Henry, M'Pherrin, Maish, Mann, Markley, Meyers, Peter, Phelan, Rhoads, Richards, Robinson, Roush, Satterthwait, Tharp, Weller, Westbrook, Wharton and Wilson—42.

So the question was determined in the affirmative.

And the bill was laid over on third reading.

Senate bill No. 1252, an act in relation to the appointment of an auctioneer for the borough of Tarentum, Allegheny county.

Passed finally.

RECONSIDERATION OF VOTE.

Mr. BARTON. Mr. Speaker, I move to reconsider the vote had this morning on agreeing to the resolution in the extract from the Senate Journal this morning.

Mr. GHEGAN. Mr. Speaker, I second the motion.

Mr. BOYLE. Mr. Speaker, I would say to the gentleman from Delaware [Mr. BARTON], that if this resolution is allowed to lie over until to-morrow, there will probably be no objection to reconsidering it then. It was the intention of this side of the House, I believe, to move its reconsideration to-morrow. If it should be reconsidered now, it is probable that we should vote it down again.

Mr. PENNYPACKER. Mr. Speaker, I hope this motion will be pressed and carried. I understood, when the resolution was up this morning, that if the House would allow the gentleman from Schuylkill to except a certain bill they would consider the resolution favorably. That amendment was agreed to, but the resolution was defeated. Now, I hope the gentlemen on the other side of the House will consider this case as I put it, that we excepted the bill that they asked should be excepted, and that they promised if that was done that they would vote with us on the rest of the resolution. We excepted that bill, and I hope they will now stand up to their promise and reconsider the vote on this resolution.

The question being on reconsidering the vote on the resolution,

It was

Agreed to.

Mr. WADDELL. Mr. Speaker, I now move to reconsider the vote by which this Schuylkill county bill was excepted. It is the only bill that I have any particular interest in. It passed the Senate last year, and I think it is ungracious that the House should have excepted this one bill from the operations of that resolution.

Now, sir, as I understand it, this bill does not involve a particle of political interest. The bill was amended in the Senate on the suggestion of the Senator from Schuylkill himself, and his amendment was perfectly satisfactory to the gentlemen I represent. I was in hopes that the gentlemen in this House from Schuylkill county would be satisfied to have the case removed from Schuylkill county to Berks county, where it would be tried before a judge against whom nothing can be said, and who is entirely satisfactory to the gentlemen whom I represent. The questions involved in this case are those which affect the judge himself, who would be called upon to try this case in Schuylkill county. I hope the House will refuse to make an exception of this, the only bill in which I have any interest at all, and which has been passed by the Senate.

Mr. COLLINS. Mr. Speaker, we have been victimized all winter by the other side of the House in reference to these changes of venue. It appears that the onslaught of this House is on Schuylkill county. I am going to stand by and insist upon the orders unless some chance is given us in this bill. I do not feel disposed to be browbeaten on this question any more.

Mr. GLASS. Mr. Speaker, I understaud that this change of venue does not involve any political question. It is a bill that applies to the gentlemen from Schuylkill, and they are the gentlemen who should have charge of it.

Now, as there is no politics involved in that bill, I am going to vote in regard to it according to the wishes of the gentlemen from Schuylkill. I say this for the reason that there are other bills that ought not to be destroyed on account of that bill. Some of these bills are of great importance. Some are very important to my constituents, and the constituents of other gentlemen who are interested in them. There is one bill in which I am specially interested. It interests my constituents very greatly, and also those of other gentlemen on the Republican side of the House. It is a bill to repeal an act giving the Allegheny Valley railroad company unlimited privileges in the issue of its capital stock, in order to conform with the wishes of the Governor.

Mr. WADDELL. Mr. Speaker, that is one of the most ungracious speeches I have heard this morning—that because politics is not in this question, justice should not be done between man and man. I say there are the best of reasons why this bill should be passed.

The very judge who would be called upon in Schuylkill county to try this case has already expressed his opinion publicly in regard to the character of the case. And because there is no politics involved in it, therefore this House is to make an exception to this rule, and my bill is to be discarded and the bill of the gentleman from Allegheny is to be considered. Now, it strikes me that the representatives from Allegheny county are very late in the day in complying with the request of the Governor of the Commonwealth. A message from the Governor in reference to the matter was sent in here a month ago, and yet a bill to comply with the request of that message did not come from the Senate until last night. It does strike me as coming with little grace from the Speaker of the House to present this case in this way.

Mr. COLLINS. Mr. Speaker, in reply to the remarks of the gentleman from Chester [Mr. WADDELL] in reference to the judge in Schuylkill county, I need only say that he is too much of a gentleman and understands his duty as a judge too well to make any such expressions of opinion before the case is tried.

Mr. DEISE. Mr. Speaker, I think, sir, that among the honest declarations that have been made upon the floor of this House this winter, the distinguished gentleman from Allegheny has made one just now. And it is something queer to me that for the first time in the proceedings of the House, the gentleman from Chester [Mr. WADDELL] has become much discomposed. He denies that politics has anything to do in controlling this matter. I say that upon all these questions the gentleman from Chester is upon the record as voting with his party regardless of the merits of the case. I say that I endorsé the statement, and believe the gentleman from Allegheny [Mr. GLASS] was honest when he said if there was no politics in this he would support it. I admire a man that honestly differs with another. I am not here to charge the gentleman from Chester [Mr. WADDELL] with anything improper, but say that from the beginning of this session to the present time he has voted square up to partisan opinion. More than that, he has been the forerunner and leader of the Republican party upon this floor. His word has come like the language of a stentor to the members of his party upon this floor. I say that that distinguished gentleman occupies the position of leader of the Republican party on the floor of this House, and is so acknowledged here and elsewhere. The gentleman from Allegheny is willing to meet the bill on its merits. But, Mr. Speaker, I ask you to look over the record of this House and you will find that without cause, without petition, without anything even but an *ex parte* affidavit of the petitioner, the gentleman from Chester stands as having voted for changes of venue. I remember that in one case the only reason given was that the judge was a Democrat.

Mr. DAVIS. That was reason enough.

Mr. DEISE. Reason enough to the man who was once a Democrat and went back on the party. I tell you, Mr. Speaker, that I am a Democrat. I was born and raised in the faith, and I assert here that whenever a political question is before this House you can count me on the minority side all day, and I hope the gentleman from Chester will have manliness enough to admit the same here in regard to himself, and not measure swords with the gentleman from Allegheny because he admits the truth. The gentleman from Chester, much as I admire him for the part that he has taken in this House, for the manner in which he is leading the Republican party, and as I thought and hoped he would lead them on and on in this direction, I do not want him to disgrace himself by his remarks here, for I know his constituents in Chester county will support him in his onward march.

Mr. WADDELL. Mr. Speaker, I confess I have listened to the gentleman's remarks, and I have not apprehended them. It has either been through my dullness of conception, or the want of point that he has made. I am much obliged to him for the appellation he has put upon me, and the position he has been kind enough to place me in in this House, but I confess I am at a loss to know what I have said in regard to politics, whom I have attacked, and where I have said that I was not a Republican, did not vote with the Republican party, or where I have said I should not vote with this side of the House, whenever a political question was presented to us. I have done so as a matter of duty, and propose to continue to do so, and I may say that the other side of the House has always voted solid, whether it was a political question or not. They have not stopped to consider the merits of a bill if it was on the other side of the House. It was voted for solid. If the leader of that side of the House got up and said it should be voted for it was voted for, and if it was said it was not to be voted for it was not voted for.

I said at the outset, that there was no political question involved in the case, and I again reiterate it. I have not made a word of objection against Judge Ryan, on account of his political views. I do not know what they are. I said that it was ungracious on the part of the Speaker of this House to say that because politics were not involved in this change of venue, but because we believe that justice was, therefore this side of the House should not go with me, but that it should be left entirely to the gentlemen from Schuylkill, because they were opposed to the bill. I ask the House not to consider this as a political question, but to consider it on its merits; and if the merits of the case will not authorize them to give their votes for the bill, it is fit that they should not sustain me in this request. I only ask that it shall have the same favor that is accorded to the other bills named in the resolution. I have said before, and I say it again, that Judge Ryan has expressed his opinion in regard to some of the merits in this case, and I place my statement upon the swern affidavit of a gentleman interested in the case, and I take it that his affidavit will stand any time against the statement of the gentleman from Schuylkill. He said that he was not in his right mind when he made this conveyance, and that is the point in the case. When a judge himself has openly declared that a man was not sane at the time that he made a conveyance, it is expressing an opinion that no judge should express under the circumstances. I simply ask that this bill

shall come over with the bills from the Senate, and if we have not strength enough to pass it, let it fail along with the others. Do I ask anything unreasonable? Will the gentlemen on the other side of the House say that my request is unreasonable? If they say so, they have only to vote as their consciences require.

Mr. DEISE. Mr. Speaker, I desire to correct a declaration that the gentleman from Chester [Mr. WADDELL] has made. He asserted that this side of the House vote *en masse* against a bill without reference to its merits. I am here, in behalf of the few Democrats on this side of the House, to deny that in point of fact. I assert that the other side of the House are responsible for that very thing. We have not asked that a political measure, during this session, should be passed. I defy the gentleman to refer me to the *Record* of this House, and show where this side of the House has asked, during this session, the passage of any measure on partisan grounds, while the other side of the House has forced through here change after change of venue, on political grounds. Yet, the Democratic party run this government for seventy-five years, and I challenge him to point out where the Democratic party asked for any change of venue for political reasons, that to-day disgrace the records of Pennsylvania. The gentleman, when he makes the declaration I refer to, either does it unadvisedly or unintentionally.

Mr. GLASS. Mr. Speaker, I am unwilling to be placed in a wrong attitude before the House in regard to the important legislation that has come from the Senate this morning, in reference to the remarks I have made. What I said, sir, was that there were no politics involved in this question that the gentlemen from Schuylkill were interested in, and that, as there were no politics involved in it, I was willing to go with them. The understanding this morning was, when that portion of the resolution was voted upon, that it was not political.

My idea was to disabuse the House of that impression. The other bill ought not to fail on account of that. I do not take the position that the gentleman from Chester [Mr. WADDELL] does. I say, if this House is unwilling, by a two thirds vote, to proceed to the consideration of this Schuylkill bill, it is no reason why the gentleman from Chester [Mr. WADDELL] should insist that these other bills should not be considered. I think that is not the policy that the gentleman from Chester ought to pursue. If the House is willing, by a two-thirds vote, to take up other bills, which the Senate has acted upon, I say that we ought to act upon them, and that we ought not to refuse to consider these bills, for the simple reason that the gentleman from Chester [Mr. WADDELL] has a bill that the House will not consider. So far as partisanship is concerned, I am, perhaps, as much a stickler for party as any member of this House. I have not deviated, as I know of, from my political position. If I take different views on local questions from those of the gentleman from Chester, I trust my opinions are quite as honest as his.

The question being on the motion of Mr. WADDELL,

The yeas and nays were reqnired by Mr. WADDELL and Mr. M'CAMANT, and were as follow, viz:

YEAS—Messrs. Adaire, Armstrong, Barton, Brown, Cameron, Chadwick, Davis, Day, DeHaven, Donohugh, Espy, Freeborn, Ghegan, Gordon, Harbison, Hoffman, Humphrey, Kennedy, Kerns, Kimmell, Kinney, Lee, Leech, M'Camant, M'Creary, M'Kee, Mann, Mechling, Pennypacker, Peter, Pillow, Quay, Richards, Roath, Seiler, Sharples, Shuman, Steacy, Subers, Waddell, Wallace, Watt, Webb, Weller, Wham, Wingard, Worrall and Wright—48.

NAYS—Messrs. Barrington, Boyd, Boyle, Breen, Brennan, Calvin, Chalfant, Chase, Collins, Colville, Craig, Deise, Ewing, Fogel, Gregory, Headman, Heltzel, Hood, Hunt, Jenks, Jones, Josephs, Kline, Koon, Kurtz, Linton, Long, M'Henry, Maish, Markley, Meyers, Mullin, Phelan, Rhoads, Robinson, Roush, Satterthwait, Westbrook and Wilson—29.

So the question was determined in the affirmative.

Mr. LEE. Mr. Speaker, I move that the further consideration of this question be postponed and made the special order for to-morrow morning at nine o'clock.

The motion was

Agreed to.

PRIVATE CADENDAR.

The House resumed the consideration of the bills on the private calendar.

The following bills were considered and acted upon as stated:

Senate bill No. 1368, an act in relation to the re-election of the treasurer of Lycoming county.

Passed finally.

Senate bill No. 1474, an act to authorize the burgess and town council of the borough of Wilkesbarre to borrow money, to purchase ground for a public cemetery, and to prevent further burial in the old graveyard.

Passed finally.

Senate bill No. 1078, a supplement to the charter of the Pittsburg gas company, approved January 21, 1860, authorizing taxes to be charged consumers of gas.

Not agreed to.

No. 1050, an act authorizing the town council of the borough of Hazleton, in Luzerne county, to borrow money.

Passed finally.

Senate bill No. 1079 an act for the better protection of propertyholders and citizens of the borough of Norristown, from injury sustained by cattle running at large in said borough.

Not agreed to.

Senate bill No. 1250 a further supplement to an act incorporating the town of Lawrenceville into a borough, approved February 13, A. D. 1834, being an act authorizing said borough to borrow money, and take real estate not exceeding in value a certain amount.

Passed finally.

Senate bill No. 428, a supplement to an act to incorporate the Mineral Spring coal company, approved the 3d day of April, A. D. 1866.

Passed finally.

Senate bill No. 727, a supplement to an act, entitled An act to incorporate the Union coal company, approved the 29th day of April, A. D. 1864.

Passed finally.

Senate bill No. 1165, an act to authorize the Kaska Williams coal company to sell or mortgage any portion of their real estate, to decrease the amount of capital stock, and to fix the location of their office, and the residence of the president and the majority of the directors.

Passed finally.

Senate bill No. 729, an act to incorporate the Hillside coal and iron company.

Passed finally.

Senate bill No. 102, an act to incorporate the Vulcan iron works.

Passed finally.

Senate bill No. 1502, an act to incorporate the Pittston railroad and coal company.

Passed finally.

Senate bill No. 103, a supplement to the act incorporating the Glenwood coal company, extending the privileges of an act regulating railroad companies to said company.

Passed finally.

Senate bill No. 341, a supplement to an act entitled An act to incorporate the West Buck Mountain coal and iron company, approved the 3d day of May, 1864.

Passed finally.

Senate bill No. 1462, an act to authorize the Benzinger coal and iron company to increase the width of their railroad, and providing for the appraisement of damages.

Passed finally.

Senate bill No. 1234, an act to authorize the board of school directors of Fawn township, Allegheny county, to borrow money.

Passed finally.

Senate bill No. 1553, an act to take the sense of the voters of Rayne township, Indiana county, on the question of authorizing the school directors of Rayne school district to erect a public hall at the village of Kintersburg, in said township.

Passed finally.

No. 1206, an act legalizing certain acts of the school directors of the township of Kelly, county of Union, and authorizing them to levy an additional tax for building purposes.

Passed finally.

Senate bill No. 1547, a supplement to an act to authorize the executors of the last will and testament of John Crossthwait to pay over to Francis Dunlap, of Clearfield county, certain legacies, approved April 29, 1844.

Passed finally.

Senate bill No. 1414, an act relative to the Merchants' and People's transportation company.

Passed finally.

Senate bill No. 76, an act to incorporate the Conemaugh and Allegheny transportation company.

Amended by Mr. KIMMELL, and

Passed finally.

Senate bill No. 1208, an act repealing an act, entitled An act extending the provisions of the act for the protection of sheep and taxing of dogs in the county of Blair, approved May 20, A. D. 1857, to the county of Monroe.

Amended by Mr. CRAIG, and

Passed finally.

Senate bill No. 1549, an act for the relief of Captain John Moore, Jr., late of the Elderton Guards.

Passed finally.

Senate bill No. 986, an act to incorporate the City Passenger railway company.

Net agreed to.

No. 1506, a supplement to an act, entitled An act to incorporate the Susquehanna and Delaware railroad company.

Amended by Mr. KOON, and

Passed finally.

Senate bill No. 1469, an act for the better protection of person, property and life in the mining regions of this Commonwealth.

Mr. COLLINS. Mr. Speaker, I rise to a point of order—that this is a public bill.

The SPEAKER. This bill simply relates to mining districts.

Mr. GREGORY. To what counties? It refers to the mining districts in all the counties, I think. They may be either east of the Allegheny mountains or west of them.

The SPEAKER. The first section will be read.

The first section was read by the Clerk.

Mr. JENKS. Mr. Speaker, that is a public bill, clearly. Allegheny, Clarion, Jefferson and Armstrong counties are all mining counties.

Mr. CHALFANT. There is not a county in the State that is not.

Mr. JONES. Berks and Lebanon coun-

ties are mining counties, and would be included under this act.

Mr. COLLINS. Schuylkill county is a mining county.

Mr. LINTON. Mr. Speaker, upon that point, I desire to call attention to House bill No. 29, in which certain counties were named, and it has never been transferred to the private calendar. Certainly, if that is a public bill, this is, and this refers to more counties.

The SPEAKER. The preamble to the bill reads, "WHEREAS, It is alleged that in certain counties in the mining regions;" and the second section makes it apply to the county of Schuylkill.

Mr. GREGORY. Mr. Speaker, the provisions are general and will apply to any mining county in the State. It only refers to Schuylkill county for one provision in it.

The SPEAKER. The Chair does not regard it as a public bill.

The question being on the first section,

It was

Agreed to.

The second, third and fourth sections were considered and agreed to without discussion.

The question being on agreeing to the fifth section,

Mr. BOYLE. Mr. Speaker, I think that section ought not to be adopted. These police commissioners and police officers are given certain powers defined by law—the police sheriff equal to a sheriff, and the police officer equal to a constable. It seems to me a departure from the law to put it in the breast of the Governor to say what this officer may do or may not do. Another objection is, that it allows the Governor to fix the compensation of these policemen. For one, I am unwilling that the treasury of Schuylkill county, or any other county, shall be put into the hands of the Governor of the Commonwealth or any other man. The law has fixed proper guards for the county treasury, and I cannot conceive how there can be two opinions on this subject. It will certainly be very unwise to throw open the vaults of any county treasury, and say to the Governor, "You may take as much money from this as you may see proper for the men you appoint to these places."

There are other objections, but I think these two ought to be sufficient to cause the House to vote the section down.

Mr. MANN. Mr. Speaker, I think the objections of the gentleman from Fayette [Mr. BOYLE] are answered, in part at least, by the additional provisions of this bill. I think they are wholly answered so far as relates to the powers these men have. The bill provides that "they shall make no arrests except upon warrants issued," &c. It makes it explicit. And as to the expense, it provides that a tax shall be levied upon persons mining and transporting coal to pay this expense. I therefore do not see how the treasury of Schuylkill county is to be affected by it one way or the other. The estimate is that the tax will much more than pay all the expense.

It is not expected that the provisions of this bill should be enforced in any other county, except upon extraordinary occasions. Occasions may arise in other counties where it will be necessary to enforce them. There was, in fact, a statement made the other day that in Luzerne county there were riots that the local authorities could not suppress. It, however, proved to be a mistake—they were suppressed and no outside force needed. It is not at all probable that any such force will be needed—except, perhaps, temporarily—in any other county. It simply places it in the hands of the Governor, on application of the citizens, to provide for paying the expenses otherwise than out of the treasury of the county. I therefore think the objections of the gentleman from Fayette have scarcely any force against this section. I hope it will be adopted as read.

Mr. KOON. Mr. Speaker, I agree with the gentleman from Fayette [Mr. BOYLE], that this section of the bill should be voted down. It confers, it seems to me, a rather unconstitutional power. In fact I think the bill is unconstitutional, and the officers now have power to see that the peace is kept, and have the right to call out a *posse comitatus* at any time to the extent necessary. I trust, therefore, this House will not agree to this section of the bill in any shape. There is sufficient power in the courts, as now constituted, to suppress disturbances.

Mr. BOYLE. Mr. Speaker, I offer an amendment, to add the following proviso:

"*Provided*, That no person employed under the provisions of this act, except the marshal of police, shall, under any circumstances, be paid more than five hundred dollars for his services in any one year."

The question being on the amendment of Mr. BOYLE,

It was

Not agreed to.

Mr. MEYERS. Mr. Speaker, I move to amend by adding the following proviso: "Provided that said expense shall not exceed the tax provided for in the first section of this act."

The language of the section as now before the House is rather doubtful as to whether or not it will require the treasurer of the county to pay all the expenses without reference to the amount collected by the special tax. The object of this bill is that all the expense shall be paid by this tax, and I think it is nothing more than fair that it should be so expressed in the bill.

The question being on the amendment of Mr. MEYERS,

The yeas and nays were required by Mr. BREEN and Mr. COLLINS, and were as follow, viz:

YEAS—Messrs. Barrington, Boyd, Boyle, Breen, Brennan, Calvin, Chalfant, Collins, Colville, Craig, Deise, Fogel, Gordon, Gregory, Harner, Headman, Heltzel, Hood, Hunt, Jenks, Jones, Josephs, Kline, Koon, Kurtz, Linton, Long, M'Henry, Maish, Markley, Meyers, Mullin, Quigley, Rhoads, Robinson, Roush, Satterthwait, and Westbrook—38.

NAYS—Messrs. Adaire, Armstrong, Barton, Brown, Cameron, Chadwick, Chase, Davis, Day, DeHaven, Donohugh, Espy, Ewing, Freeborn, Ghegan, Harbison, Hoffman, Humphrey, Kennedy, Kerns, Kimmell, Kinney, Lee, Leech, M'Camant, M'Creary, M'Kee, Mann, Meily, Pennypacker, Peter, Pillow, Roath, Seiler, Sharples, Shuman, Steacy, Stehman, Stumbaugh, Subers, Waddell, Wallace, Watt, Webb, Weller, Wharton, Wilson, Wingard, Woodward, Wright and Glass, *Speaker*—51.

So the question was determined in the negative.

The question recurring on the section,

It was

Agreed to.

The remaining sections of the bill, were agreed to without discussion, and the bill as laid over on third reading, reads as follows, viz:

AN ACT for the better protection of person, property and life in the mining regions of this Commonwealth.

WHEREAS, It is alleged that in certain counties in the mining regions of this Commonwealth many acts of violence have been committed on the persons and property of peaceful citizens, causing great insecurity and frequent destruction of life, and the perpetrators of such outrages and murders have not been brought to punishment:

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same*, That it shall be lawful for the Governor of this Commonwealth, on the petition of one hundred citizens of any county in the mining regions of this State, verified by the affidavits of at least twenty such citizens, and other satisfactory proofs, showing that the local authorities of such county are inadequate and insufficient for the protection of person, property and life within such county, or any township, or portion thereof, the Governor is hereby authorized to appoint a marshal of police, and a sufficient number of officers of police, to give adequate protection to the persons and property of the inhabitants of said county, who shall be paid for their services out of the treasury of said county: *Provided*, That the number of said police for any county shall not exceed one hundred: *Peovided further*, That the commissioners of Schuylkill county are hereby authorized and required to levy and collect a tax, not exceeding one cent per ton, on all coal mined in said county, the proceeds arising from such levy and collection to be paid into the general fund of the county: *Provided further*, That this tax shall only be collected in the event of the appointment of the police force provided by this act.

SEC. 2. That for the preservation of the peace, the protection of person and property from unlawful acts, the arrest of offenders, and the execution of warrants in all criminal cases, the marshal of police shall have all the like powers, jurisdiction and authority that is vested in the sheriff of said county, and with like powers to summon the *posse comitatus* in all cases when in his judgment the exigencies of the case may require it, and the said marshal shall receive for his services a salary not exceeding two thousand dollars per year.

SEC. 3. The police officers appointed by this act shall have the like powers and authority as constables for the preservation of the peace, and the arrest of offenders against the laws, and vagrants and persons suspected of crimes or offenses against the law, and also for the execution of criminal process when directed by the marshal of police, by endorsement on the warrant; and the said police officers shall in all cases be subject to the orders of the marshal of police, and shall, when acting under his orders, have the same powers and authority as a deputy sheriff or constable, and any police officer who shall neglect or refuse to obey the command of the marshal of police may at any time be suspended or discharged.

SEC. 4. The marshal of police, or any of the police officers, may at any time be removed by the Governor and others appointed whenever he may think necessary to do so.

SEC. 5. The Governor may make such rules and regulations for the government of the police force authorized by this act as he may think best adapted to make the force efficient, and may create distinctions in rank inferior to the marshal, and the officers holding such rank shall be obeyed and respect[illegible]ed as directed by such rules and regula[illegible]ions; and the Governor shall, from time [illegible]o time, fix and determine the rate of com[illegible]pensation, according to their rank, to be p[illegible]aid to the police officers authorized to b[illegible]e appointed by this act, and may direct [illegible]hat any portion of the force shall be em[illegible]ployed as a detective police, and shall ha[illegible]ve power to direct that the said force shal[illegible]l be armed and equipped in such a man[illegible]er as to render them the most efficient in c[illegible]arrying into full effect the intentions of t[illegible]his act; and the expenses of such

arming and equipping shall be paid by said county out of its treasury.

SEC. 6. This act shall continue in force for two years, and the Governor may at any time discharge the whole or any part of the police force, and discharge the marshal from office, when in the opinion of the Governor the police force, or any such part therof, shall be no longer required for the protection of the inhabitants of said county.

SEC. 7. It shall be lawful for the police appointed under this act, in the execution of their duties, to enter any county adjoining the county in which the commission of the offense may occur in pursuit of the offender, and to make the arrest in such adjoining county with the same power and authority as in the county in which the offense was committed.

SEC. 8. Every person arrested by the said marshal or police, or any of them, shall be delivered to the civil authorities, and be dealt with in accordance with the laws of this Commonwealth.

Senate bill No. 500, an act in relation to taxation upon the stockholders of corporations.

Passed finally.

Senate bill No. 1287, an act relating to road taxes in Franklin township, Allegheny county.

Not agreed to

Senate bill No. 1304, an act to incorporate the Pennsylvania paper manufacturing company.

Passed finally.

Senate bill No. 1309, an act to incorporate the Home manufacturing company.

Passed finally.

Senate bill No. 1264, an act to annul the marriage contract between Henry Warren Roth and Arabella, his wife.

Laid over on third reading.

Senate bill No. 1314, an act to incorporate the Agricultural manufacturing company.

Passed finally.

Senate bill No. 1315, a further supplement to a further supplement to an act incorporating the Bedford iron company, approved the first day of May, 1861, authorizing said company to hold additional land and construct branch railroads.

Amended by Mr. STUMBAUGH, and

Passed finally.

Senate bill No. 1326, an act to authorize the school directors of Freedom township, Adams county, to appropriate the surplus of bounty funds in their hands to school purposes.

Passed finally.

Senate bill No. 1366, an act in relation to auctioneers in Beaver county.

Passed finally.

Senate bill No. 1369, an act to authorize the Governor to appoint an additional notary public in the county of Beaver.

Passed finally.

Senate bill No. 1381, an act relative to the purchase of a law library in the county of Allegheny.

Passed finally.

Senate bill No. 1382, an act authorizing the burgess and town council of the borough of Sharon to levy and collect a tax for bridge purposes.

Passed finally.

Senate bill No. 1388, an act to authorize an increase of taxes in the borough of Tarentum, county of Allegheny.

Passed finally.

Senate bill No. 1405, an act to incorporate the Equitable gold and silver mining company of Nevada.

Passed finally.

Senate bill No. 1409, an act to incorporate the Sheffield iron, steel and land company.

Passed finally.

Senate bill No. 1106, an act to incorporate the Battle House and Mineral Spring watering place company, of Gettysburg.

Passed finally.

Senate bill No. 1419, an act to incorporate the Somerset land company.

Passed finally.

Senate bill No. 1425, an act to incorporate the Harmony Savings Bank of the village of Harmony, in Butler county.

Passed finally.

Senate bill No. 1456, an act authorizing the court of quarter sessions of M'Kean county to appoint commissioners to take exclusive charge of a portion of the road leading from Smethport, in M'Kean county, to Wilcox, in Elk county, and to appropriate taxes for the repair and changing of the same.

Passed finally.

Senate bill No. 1445, a further suplement to an act, entitled An act for the better management of the Allegheny county prison, approved 23d of March, 1865.

Passed finally.

Senate bill No. 1485, an act to incorporate the Argentine silver mining company of Colorado.

Passed finally.

Senate bill No. 1203, a further supplement to the act incorporating the Catawissa and Towanda railroad company.

Passed finally.

Senate bill No. 1598, an act to authorize the Two Lick Regular Baptist congregation in Green township, Allegheny county, to remove certain dead bodies.

Passed finally.

Senate bill No. 1604, an act incorporating the Whightstown and Newtown turnpike road company.

Passed finally.

REPORT FROM A COMMITTEE OF CONFERENCE.

Mr. MANN, from the committee of conference appointed by the Senate and House of Representatives upon the differences existing between the two Houses in relation to House bill No. 246, entitled An act for the better and more impartial selection of persons to serve as jurors in each of the counties of this Commonwealth, made report that they have agreed to recommend to their respective Houses, the following, viz:

That the bill be amended by inserting after the word "commissioners," in the first line, second section, the words "president judge, or additional law judge of the respective district, or a majority of them," and in the fourth line, same section, after the word "select" insert the word "alternately;" also, in same line, strike out the words, "male taxable citizens," and insert, in lieu thereof, the words "qualified electors;" and also by striking out all after the word "year," in the eighth line of the second section, to, and including the word "jurors," in the fifteenth line of the section; also, in the fifteenth line, same section, after the word "commissioners," insert the words "president judge or additional law judge, or a majority of them," and that the two Houses concur in the bill as amended by the Senate, with the above amendments.

(Signed)

L. D. SHOEMAKER,
WARREN COWLES,
WM. A. WALLACE,
Committee of the Senate.
JOHN S. MANN,
T. D. BARRINGTON,
J. F. CHASE,
Committee of the House.

The question being on agreeing to the report of the committee,

Mr. QUAY. Mr. Speaker, as I understand it, this simply substitutes the president judge for the sheriff.

Mr. BOYLE. Mr. Speaker, the impression seems to be that the president judge has been substituted for the sheriff in this bill, and that the president judge is to have a part in the selection of jurors in the several counties of this Commonwealth. Now, I have been informed by other gentlemen that the part which the president judge is to have in the selection of jurors is merely supervisory.

Mr. SHUMAN. Mr. Speaker, I would like to know how we are to accomplish that, when the president judge has three or four counties to preside over? We do not want the president judge in this bill at all, it seems to me.

Mr. BOYLE. Mr. Speaker, I want to say in reference to the bill before us, that it seems to me that it makes matters worse than they are now. I never, for a moment, conceived that the president judge presiding over a court should have any such power as this given to him.

This bill was intended to remedy an evil in some parts of the Commonwealth.—But, as an illustration, let the House take the district of the gentleman from Potter [Mr. MANN], for instance, which is composed of five counties, and two or three of those counties might be Democratic. The president judge is Republican. He goes into one of these Democratic counties and selects the jurors; and being a Republican, selects two-thirds Republican jurors. It works, of course, the same the other way. Take the district of the gentleman from Jefferson [Mr. JENKS]. There the president judge, being a Democrat, will go into a Republican county, and give them two-thirds Democratic jurors. And, I may say further, that I believe there is scarcely a president judge in this State who will thank us for passing such a bill as this. They are not acquainted with the people at large, except in the county where they live; and, therefore, have not the necessary knowledge to make a proper selection of jurors.

Now, sir, if the bill had passed as it originally passed the House, it might, perhaps, have somewhat remedied the evil complained of; but this merely aggravates it.

Mr. MANN. Mr. Speaker, I simply wish to say, as the reason why the committee of conference have reported this bill, that they could not report any other. We could not agree upon any other. I believe that this bill may not be perfect; but it is the very best bill we can now pass. I was not in favor of this substitution of the president judge. But it is the only compromise that could be effected, and be acceptable to all.

Mr. KENNEDY. Mr. Speaker, I want to inquire if it is made obligatory upon the president judge to be present in the selection of jurors, or is it left optional with him?

Mr. MANN. It is obligatory; but if he does not attend, the two commissioners can discharge that duty.

Mr. KENNEDY. Mr. Speaker, I would be in favor of amending the bill so as to leave it optional with the judge. I do not think there is a judge in the State that wants to be drawn into that duty.

The SPEAKER. The Chair would state that the bill must be taken as it comes from the committee. The question is on adopting the report of the committee.

Mr. KENNEDY. Mr. Speaker, it strikes me that the labor of this committee has amounted to little or nothing. I do not think that ever remedied the evil; and I would as soon the bill should go over the hay as not. It is a sort of an excuse, and that is all.

Mr. M'CREARY. Mr. Speaker, so far as

I am concerned, we do not ask any bill. We do not want it. But I was willing to listen to the complaints that came up from my political friends in some parts of the Commonwealth, who claimed that they were not properly represented. I was, therefore, unwilling to vote for any bill that did not accomplish the object sought.

Now, with all due deference to the gentleman from Potter [Mr. MANN], I must beg leave to dissent from the conclusion that the committee have come to in this matter.—

I cannot convince my conscience that the difficulty is to be obviated in the manner suggested by the report of this committee, and the gentleman Fayette [Mr. BOYLE] has well stated some of the difficulties. Suppose to the county of York were attached one or two other counties that were Republican, and a Democratic judge should be elected in that district. He goes into the Republican counties and there draws the jurors for them. Therefore, these Republican countis are not as well off as they were before. Wherever you find one Democratic county attached to Republican counties the Democrats will have a majority of the jurors; and the opposite will be true. I cannot see that the difficulty is obviated at all. As has been stated, the judge living off in a remote corner of a district, knows nothing about the inhabitants in other counties. I cannot convince myself that it is proper that the judge should have the right of selecting the jurors. The very men who need this bill are the ones who have thrown the difficulty in the way. I cannot see that anything is to be gained by this bill.

Mr. EWING. Mr. Speaker, I am very glad that this bill has got into this shape, for I think it is making a matter political that ought not to be. I am opposed to the whole bill, and I think, as it has got into this shape, by voting against the committee of conference we may stand some chance of defeating the bill.

The question being on agreeing to the report of the committee,

The yeas and nays were required by Mr. MEYERS and Mr. HUMPHREY, and were as follow, viz:

YEAS—Messrs. Adaire, Armstrong, Barton, Brown, Cameron, Chase, Colville, Davis, DeHaven, Donchugh, Espy, Fredborn, Ghegan, Harbison, Humphrey, Kennedy, Kerns, Kinney, Lee, M'Kee, Mann, Mechling, Peter, Quay, Richards, Roath, Sharples, Steacy, Stehman, Stumbaugh, Subers, Wallace, Watt, Webb, Weller, Wharton, Wilson, Wingard, Wright and Glass, *Speaker*—40.

NAYS—Messrs. Allen, Boyd, Boyle, Breen, Brennan, Calvin, Chalfant, Collins, Craig, Day, Deise, Ewing, Fogel, Gordon, Gregory, Harner, Headman, Heltzel, Hoffman, Hood, Hunt, Jenks, Jones, Josephs, Kimmell, Kline, Koon, Kurtz, Leech, Linton, Long, M'Camant, M'Creary, M'Henry, Maish, Markley, Meily, Meyers, Mullin, Pennypacker, Phelan, Quigley, Rhoads, Robinson, Roush, Satterthwait, Seiler, Shuman, Westbrook, Whann and Woodward—51.

So the question was determined in the negative.

REASON FOR VOTE.

I vote nay, because I am opposed to any change whatever in the manner of selecting jurors. I wish to leave the system as it now stands, trusting that time will prove the best correction of any abuses that may exist. It looks like legislating politics into the jury box to adopt this report of the conference committee, and I shall vote against it, believing that my convictions are well founded, and I am quite certain they coincide with the sentiments of my constituents upon this question. J. R. DAY.

MESSAGE FROM THE SENATE.

The Clerk of the Senate being introduced, informed that the Senate has receded from its non-concurrence to amendments made by the House of Representatives to Senate bill No. 275, entitled An act to provide an associate law judge of the several courts in the Twenty-first Judicial district.

He also informed that the Senate has concurred in the amendments made by the House of Representatives to Senate bills numbered and entitled as follows:

Senate bill No. 1118, an act to authorize the Warren and Franklin railway company to construct branch roads, and to provide means for moving oil intended for transportation.

Senate bill No. 199, a further supplement to an act to incorporate the Kensington and Oxford turnpike road company, approved the 17th day of March, 1842.

He also informed that the Senate has insisted upon its non-concurrence in the amendments made and insisted upon by the House of Representatives to Senate bill numbered and entitled as follows, viz:

No. 413, an act to regulate the carriage of baggage by railroad companies, and to prescribe the duties and obligations of carriers and passengers in relation thereto.

And has appointed Messrs. RIDGWAY, WORTHINGTON and DONOVAN a committee of conference on the part of the Senate, to confer with a similar committee, already appointed by the House of Representatives, on the subject of the differenaes existing between the two Houses in relation to said bill.

He also informed that the Senate has insisted on its amendments, non-concurred in by the House of Representatives, to House bill numbered and entitled as follows, viz:

No. 823, an act to provide for the ordinary expenses of the government, and other general and specific appropriations.

And has appointed Messrs. CONNELL, GRAHAM and M'CANDLESS a committee of conference to confer with a similar committee on the part of the House of Representatives (if the House of Representatives shall appoint such committee), on the subject of the difference existing between the two Houses in relation to said bill.

On motion, the amendments made by the Senate to said bill were twice read, considered and non-concurred in, and

Ordered, That Messrs. WADDELL, M'KEE and JOSEPHS be a committee on the part of the House to confer with a similar committee on the part of the Senate, already appointed by the Senate, on the subject of the differences existing between the two Houses in relation to said bill, and

Ordered That the Clerk inform the Senate of the same.

On motion of Mr. STUMBAUGH, the House took a recess until 7½ o'clock, P. M.

EVENING SESSION.

The House met pursuant to adjournment.

REPORT FROM A COMMITTEE.

Mr. MARKLEY, from the Committee on Counties and Townships, to whom was committed Senate bill No. 1001, entitled An act to annex that part of the farm of William Nickle which is situated in East Mahoning township, Indiana county, to South Mahoning township, in said county,

Reported the same as committed.

The bill was read and

Laid on the table.

REPORT FROM A SPECIAL COMMITTEE.

Mr. HOOD, chairman of the special committee on prohibiting steam engines running through and over the paved streets and built up portions of Philadelphia, asked and obtained leave to submit the following report:

The undersigned, special committee appointed by your honorable body to inquire into the running of steam locomotives over the paved streets of the city of Philadelphia, have the honor to report that on the 19th day of January, A. D. 1867, they entered upon the duties of their appointment, and held their first meeting on that day, at the office No. 249 South Sixth street, in the city of Philadelphia, and sixteen subsequent meetings, by adjournments, to all of which parties interested were invited by public advertisement. A large number of witnesses were examined by your committee and their evidence reduced to writing, which testimony is contained in the accompanying documents, and herewith submitted.

Your committee, before closing this report, would say, that from the evidence received by them, and herewith submitted, that they are warranted in recommending such legislation in the premises that will compel all steam passenger railroad companies to locate their depots at one central place in the city of Philadelphia, and thereby obviate the great inconvenience that now exists to the traveling public, in passing from one depot to another. This, your committee suggests, can be attained without inconvenience or danger to the inhabitants of the city, by the railroad companies tunneling under the paved streets and built up parts of said city. All of which is respectfully reported.

(Signed) WM. B. HOOD,
Chairman.
GEO. A. QUIGLEY,
GEO. W. GHEGAN,
GEO. DEHAVEN, JR.,
WM. J. DONOHUGH.

Which was read and

Laid on the table.

The House then resumed the consideration of bills on

PRIVATE CALENDAR.

The following bills were disposed of as stated:

Senate bill No. 1253, an act to change the venue in certain cases from Allegheny to Jefferson county.

Third reading.

Senate bill No. 1504, a further supplement to the act incorporating the Muney Creek railroad company, authorizing said company to hold additional lands, and extending the time for the payment of the enrollment tax on the supplement thereto.

Passed finally.

Senate bill No. 1487, an act to incorporate the Treasury silver mining company.

Passed finally.

Senate bill No. 1599, a supplement to the Erie and Allegheny railroad company, authorizing connections with their road, of the east line of the township of North-East, with any railroad from the State of New York, and the west line with any railroad constructed, or to be constructed, in the State of Ohio, and also authorizing said Erie and Allegheny railroad company to connect their road, within the county of Crawford, with the Atlantic and Great Western railroad company, with the same legal effect as though the connection was made within the county of Erie.

Third reading.

Senate bill No. 1600, an act to repeal the third section of an act approved March, 1867, entitled A supplement to an act to promote the more certain and equal assessment of taxes in Philadelphia.

Agreed to.

Senate bill No. 1511, an act annexing the farm of John Hamilton, in Sandy Lake township, Mercer county, to North township, said county, for school purposes.

Passed finally.

Senate bill No. 1505, a further supplement to an act to incorporate the Jamestown and Franklin railroad company, approved April 3, 1862, to authorize said company to borrow money.

Passed finally.

Senate bill No. 1602, an act to incorporate the Costa Rica mining and improvement company.

Passed finally.

Senate bill No. 1262, an act authorizing the construction of boardwalks along the streets in Liberty township, Allegheny county.

Passed finally.

Senate bill No. 1728, an act granting an appeal from a decree of divorce between John Edmund and Phil'a S. J. Edmund.

Passed finally.

Senate bill No. 1460, a supplement to an act, entitled An act amendatory of the license laws of this State, approved April 11, 1862, in relation to the county of Berks.

Passed finally.

Senate bill No. 1021, an act to authorize and empower the corporate authorities of the borough of Greenville, in Mercer county, to borrow money for the use of the borough.

Not agreed to.

Senate bill No. 776, an act for the vacation and sale of the Methodist burial ground in the city of Pittsburg, and for removing the bodies therefrom.

Amended by Mr. CHADWICK.

Passed finally.

Senate bill No. 1539, an act erecting a Fourth ward of the borough of Easton, in the county of Northampton.

Passed finally.

Senate bill No. 1776, an act to extend the time for the commencement of the Chestnut Hill and Cheltenham railway company.

Passed finally.

Senate bill No. 1775, an act to authorize the Lehigh coal and navigation company to borrow money and issue bonds.

Passed finally.

No. 1160, an act relating to Sunbury street, in the borough of Minersville, in the county of Schuylkill.

Passed finally.

Senate bill No. 1242, a supplement to an act providing for the sale of the house of employment and support of the poor of Bedford county, and the appointment of commissioners, by the court of quarter sessions, to purchase land and erect buildings, and to authorize the levying of taxes, and borrowing money for said purposes.

Not agreed to.

Senate bill No. 1536, an act relating to the collection of State and county taxes in the county of Monroe.

Passed finally.

Senate bill No. 1132, an act relating to the claims of James Digman, of Allegheny county.

Passed finally.

No. 1803, an act to incorporate the York and Dillsburg railroad company.

Amended by Mr. MAISH.

Passed finally.

Senate bill No. 733, an act to incorporate the Riverside coal company.

Passed finally.

Senate bill No. 1199, an act to incorporate the Fort Pitt Mutual life insurance and trust company.

Passed finally.

Senate bill No. 1321, an act to incorporate the Northumberland and Sunbury Street railway company of Northumberland county.

Passed finally.

Senate bill No. 1265, an act to authorize and empower the court of quarter sessions of the county of Cameron to amend and alter the charter of the borough of Emporium, in the county of Cameron.

Passed finally.

No. 1163, an act relative to leasing the Kersey oil and mineral railroad by the Farmers' railroad company.

Passed finally.

Senate bill No. 1637, an act to change the venue in the case of Alex. Gold, William Ackison and Henry Meeker from the counties of Monroe and Carbon to county of Dauphin.

Not agreed to.

Senate bill No. 1596, an act to give the Chincleclamanche, and other boom companies, the right to sue for tolls and boomage.

Passed finally.

Senate bill No. 1181, an act relating to the account of John Hines, late mercantile appraiser in Luzerne county.

Passed finally.

Senate bill No. 1552, an act to authorize the State Treasurer to pay Mrs. S. Richards Boyle, widow of Capt. John A. Boyle, who fell at Lookout Mountain, the expenses incurred by her in obtaining the remains of her husband.

Passed finally.

Senate bill No. 104, a further supplement to an act, entitled An act to incorporate the Potter County lumber, coal and petroleum company, approved the 24th day of March, A. D. 1865, changing the name thereof, authorizing them to hold lands in Northumberland county, and to purchase other franchises, timber and timber lands.

Passed finally.

Senate bill No. 119, an act relative to a burial vault and ground in Hempfield township, in the county of Mercer.

Not agreed to.

Senate bill No. 1241, an act to authorize the trustees of certain lands in Venango county, Pa., to borrow money for the development of said lands, to perfect the title to said lands by contesting the right at law of adverse claimants.

Amended by Mr. WHANN.

Passed finally.

No. 1269, a supplement to an act to incorporate the First Baptist church, Lewisburg, Union county.

Passed finally.

Senate bill No. 1361, a supplement to an act, entitled An act relating to orphans' courts, and for other purposes, passed the 13th day of October, 1840, empowering said courts to incorporate savings fund associations.

Passed finally.

Senate bill No. 1558, an act to authorize the Board of Military Claims to re-examine the claims of the legal representatives of Colonel John W. M'Lean, deceased, of Erie county.

Passed finally.

Senate bill No. 1574, an act to incorporate the Asbury Life insurance and trust company of the city of Philadelphia.

Passed finally.

Senate bill No. 1618, a supplement to an act to incorporate the Wilkesbarre Law library association, in Luzerne county, approved April 11, A. D. 1866.

Passed finally.

Senate bill No. 1632, an act to extend the limits of the borough of Indiana, Indiana county.

Passed finally.

No. 1641, an act to authorize the appointment of short hand clerks in the courts of Allegheny county.

Passed finally.

No. 1647, a further supplement to an act relative to paving streets, et cetera, in the borough of New Castle, approved 22d day of March, A. D. 1866.

Passed finally.

No. 1651, an act authorizing trustees of the estate of John Means to pay certain moneys.

Passed finally.

No. 1720, an act providing for the paving foot ways in the First precinct of the Twenty-fifth ward of the city of Philadelphia.

Passed finally.

No. 1786, a supplement to an act appointing commissioners to lay out and open a State road in the counties of Potter and Clinton, approved March 21, 1865.

Not agreed to.

No. 1804, an act relating to public roads in the township of Rostraver, Westmoreland county.

Passed finally.

No. 1806, an act to repeal an act approved 27th day of March, A. D. 1867, entitled An act to repeal the first section of an act passed the 1st day of April, A. D. 1792, declaring the Little Lehigh a public highway.

Not agreed to.

Senate bill No. 1807, an act to authorize the sale of the property of any incorporated company, upon the bonds secured by mortgage given by it with like effect as if sold upon the mortgage.

Passed finally.

No. 1808, an act to incorporate the Victoria gold and silver mining company.

Passed finally.

No. 1809, an act to authorize a change in the location of a portion of the State road from Harrisburg to Gettysburg.

Passed finally.

No. 1812, an act relative to election of Green Lane and Goshenhoppen turnpike road company.

Not agreed to.

No 1815, an act repealing an act entitled An act to perpetuate the testimony of Richard S. Coxe, deceased.

Passed finally.

No. 1660, an act to incorporate the Pennsylvania serial association.

Passed finally.

No. 1683, an act to incorporate the Wyoming Valley passenger railroad company.

Not agreed to.

No. 1813, an act to incorporate the Meadville driving park company.

Passed finally.

No. 1814, an act to authorize the Lake Shore seminary to borrow money and grant literary degrees.

Passed finally.

No. 1816, an act supplementary to an act to incorporate the Oil Creek, Lake and Titusville mining and transportation company.

Passed finally.

No. 1810, an act to incorporate the Artillery Corps, Washington Grays.

Passed finally.

No. 1249, an act to incorporate the Greenville saving and loan company.

Passed finally.

MESSAGES FROM THE SENATE.

The Clerk of the Senate being introduced, returned bills from the House of Representatives numbered and entitled as follows, viz:

No. 1308, an act authorizing the school directors of the borough of Harmony, and the townships of Jackson and Brady, in the county of Butler, to levy and collect additional bounty tax.

No. 1332, an act to authorize the school directors of M'Keesport, Allegheny county, to equalize the payment of bounties.

No. 1307, an act to exempt John Malone, of Sewickley township, Westmoreland county, from the payment of bounty tax.

No. 1160, an act relative to hucksters in the county of Dauphin.

Daily Legislative Record.

FOR THE SESSION OF 1867.

PUBLISHED BY AUTHORITY OF THE LEGISLATURE OF PENNSYLVANIA. No. 134.

TERMS OF THE DAILY RECORD.

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[CONTINUED FROM PAGE 1064.]

No. 1153, an act to authorize the commissioners of Warren county to work prisoners in said county.

No. 1359, an act relating to the borough of Union Mills, in the county of Erie, authorizing the borough authorities to levy certain taxes.

No. 1311, an act authorizing the school directors of Warrington township, York county, to levy and collect bounty tax at once.

No. 1357, an act relative to actions of ejectment in Erie county.

No. 1312, an act to legalize the action of the school directors of Shrewsbury township, York county, relative to moneys borrowed to pay bounties and taxes assessed to collect the same.

No. 1282, a further supplement to an act to incorporate the Youghiogheny shaft company.

No. 1362, a supplement to an act incorporating the Lehigh Mutual manfacturing company.

No. 1334, an act annexing certain farms in Dyberry township to the borough of Bethany, in Wayne county, for school purposes.

No. 1349, an act to authorize the school directors of Troy borough school district, in the county of Bradford, to contract a loan for the purpose of erecting a suitable school house in said borough.

No. 1387, an act to authorize the Hartsville and Centreville turnpike road company to issue preferred stock.

No. 1374, an act to incorporate the Monongahela City and Victoria turnpike road company, Washington county.

No. 1335, an act to legalize and make valid an order for bounty issued by the road commissioners of Elk Creek township, in the county of Erie.

No. 1339, an act to empower the supervisors of the township of Peach Bottom, in the county of York, to collect, in money, all taxes levied in said township for road purposes.

No. 1303, an act to prohibit the issuing of licenses in the township of Allegheny, in the county of Westmoreland, within a distance of two miles from the borough of Freeport, Armstrong county.

No. 1302, an act extending the provisions of an act to the licensing of billiard saloons and ning or ten pin alleys at Cresson Springs, in the county of Cambria, to the Loretto Springs, in the same county.

No. 1330, an act to extend the time for the payment of the enrollment tax on an act to incorporate the Moshannon coal and lumber company.

No. 1367, an act extending the time of payment of the enrollment tax on an act incorporating the Pennsylvania light and water company, approved April 5, 1866.

No. 1380, an act relating to the election district of Allegheny township, in the county of Blair.

No. 1283, a supplement to an act to incorporate the Farmers' Mutual fire insurance company of Paradise township, in the county of York, approved the 28th day of March, 1854.

No. 1824, a further supplement to an act entitled An act to validate the judgment docket entries made by the prothonotaries of certain counties in this Commonwealth.

No. 1664, an act concurrent with an act passed by the Legislature of Ohio, on the 20th of March, 1867, in relation to the Ohio and Pennsylvania canal company.

No. 1328, a supplement to an act to incorporate the Medico Chirurgical college of Philadelphia, passed February, 1860.

No. 1284, an act to incorporate the Nautical and Engineering college of Philadelphia.

No. 1413, an act relating to courts of Venango county.

No. 1436, an act to authorize the borough of Media, in the county of Delaware, to borrow money for the purpose of supplying said borough with water.

No. 1267, an act relative to the sale of an old school house in West Cocalico township, Lancaster county.

No. 1389, an act authorizing the commissioners of Susquehanna county to erect a new jail in the said county.

No. 1940, a supplement to an act to change the mode of criminal proceedings in Erie and Union counties, extending the same to the county of Forest.

No. 1370, an act to repeal an act to prevent horses, cattle, sheep and hogs from running at large in Chillisquaque township, Northumberland county, and Kelly township, Union county, and certain townships in Luzerne county, approved March 23, 1865, so far as relates to Kelly township, Union county, and the several townships in Luzerne county.

No. 1447, a supplement to act empowering the Lutheran congregation of the Old Goshenhoppen church, in Upper Salford township, in Montgomery county, to collect their outstanding debts, approved March 25, 1839.

No. 1471, an act increasing the compensation of the collector of borough and school taxes of the borough of Easton, Northampton county.

No. 1448, an act relating to the compensation of the treasurer of Berks county.

No. 1452, an act to authorize the appointment of two additional notaries public in the city of Pittsburg, Allegheny county, and one in West Newton, Westmoreland county, one in Beaver, Beaver county.

No. 1823, an act authorizing the school directors of the borough of New Milford, Susquehanna county, to borrow money for school purposes.

No. 1435, an act to increase the pay of the auditors of Jefferson county.

No. 886, an act relating to the sale of lands by the commissioners of Cambria county.

No. 1457, an act authorizing the increase of the recognizance and bond of the sheriff of Venango county.

No. 626, an act to change the venue in the case of John M'Farland *vs.* Joseph Shoemaker, from the court of common pleas of Northumberland county, to the court of common pleas of Union county.

No. 1442, a supplement to an act relating to auctioneers in the city and county of Erie.

No. 1446, an act relating to notaries public in the city of Harrisburg.

No. 1475, an act relative to the license of vehicles in the borough of Lawrenceville, Allegheny county.

No. 1346, an act granting a pension to Sarah E. M'Elhose, widow of a soldier.

No. 1331, an act granting a pension to Margaret Rotts, widow of David Rotts, late of Franklin county, deceased.

No. 1329, an act granting a pension to Nancy Jane O'Donnell, widow of D. Charles O'Donnell, deceased.

No. 1510, an act to incorporate the Puebla gold and silver mining company.

No. 1509, an act to incorporate the Viola gold and silver mining company.

No. 1502, an act to incorporate the Lehigh County mining, manufacturing and improvement company.

No. 1499, an act to enable the Spring Run oil and lumber company and the Benezet oil and coal company to consolidate.

No. 1074, an act to incorporate the Safety Fund association of Susquehanna Depot, Susquehanna county.

No. 1392, a supplement to an act entitled An act to incorporate the People's Accident insurance company of Pennsylvania, approved April 11, 1866.

No. 1511, an act to incorporate the Carbondale gold and silver mining company.

No. 773, an act to incorporate the Pittsburg tunnel company.

No. 1373, a supplement to an act to establish a ferry over the Allegheny river at Siggins landing, near the mouth of East Hickory, in Harmony township, Venango county.

No. 1525, a supplement to an act to authorize Henry B. Masser and John H. Fisher to establish and maintain a ferry over the Susquehanna river, at Selinsgrove, approved March 20, 1853.

No. 982, an act to establish a ferry over the Monongahela river, at the town of Allen Port, in Washington county.

No. 1338, supplement to an act declaring Forge run, in Centre county, a public highway.

No. 1333, supplement to an act relating to the passage of fish in the Susquehanna river and certain of its tributaries.

No. 1149, an act to declare North creek, and part of Driftwood creek, in the county of Cameron, public highways.

No. 1529, an act to establish a ferry over the Monongahela river, at the borough of Elizabeth, in the county of Allegheny.

No. 1321, an act to authorize the Lom-

bard and South Street passenger railway company to increase its capital stock and bonded debt.

No. 1477, a further supplement to an act to incorporate the Frankford and Holmesburg railroad company, approved July 18, 1863, providing for the construction of a railroad from Holmesburg to Bustleton.

No. 1483, an act to incorporate the Warren, Sheffield and Bennett Branch railroad company.

No. 1361, an act to authorize the school directors of West Hempfield township, Lancaster county, to apply surplus of bounty funds for school purposes.

No. 1377, an act appropriating certain surplus bounty funds in Silver Spring township, Cumberland county, for school purposes.

No. 1909, a supplement to an act relating to the common schools of the city of Lancaster, approved January 2, A. D. 1850.

No. 1455, an act to authorize the school directors of North Annville township, Lebanon county, and Middle Creek township, Snyder county, to levy and collect taxes in said townships to pay off deficiences.

No. 1535, an act to change the line of the Mercer Union school district, in Mercer county.

No. 1293, an act to prevent the destruction of deer in Wayne county.

No. 1296, an act to prevent cattle from running at large on the flat of Jack's mountain, in Monroe and Union townships, in the county of Mifflin.

No. 1295, an act to prevent cattle, horses, sheep and swine from running at large in Tunkhannock township, in the county of Wyoming, and First, Lake and Middle Union townships, in Susquehanna county.

No. 1297, an act to prevent cattle, horses, sheep and hogs from running at large in the township of Mill Creek and borough of New Lebanon, in the county of Mercer, and Darlington township, in the county of Beaver.

No. 1372, an act to incorporate the Rynd Farm bridge company, of Venango county.

No. 1523, an act to incorporate the Citizens' turnpike and macadamized road company.

No. 1552, a supplement to an act to authorize the construction of a sidewalk in the valley of Sheshequin, in the county of Bradford.

No. 1288, an act to re-annex a part of Colebrook township, Clinton county, to Brown township, Lycoming county.

No. 1413, an act for the relief of the estate of Anthony W. Olewine.

No. 1410, an act for the payment of Enos C. Renner, contestant for the seat of Michael Mullin.

No. 1326, an act for the relief of Dr. Herman B. Linton, a surgeon of the Thirty-eighth regiment, Pennsylvania infantry volunteers.

No. 1393, an act to extend the time of payment of the enrollment tax on act to incorporate the Mineral exploring company, approved August 18, 1864.

No. 1454, an act to extend the time of payment of the enrollment tax on an act to incorporate the Agricultural College and Junction turnpike road company, approved the 6th day of May, 1864, and to insert additional commissioners in place of those deceased.

No. 1365, an act authorizing the board of school directors of the township of Wheatfield, in the county of Perry, to levy and collect an additional bounty tax.

No. 1383, an act to create trustees to erect a monument in the Twenty-second ward of the city of Philadelphia, and to authorize Henry K. Smith, executor or administrator of the estate of William K. Smith, deceased, to pay over the money in his hands belonging to the bounty fund of the Twenty-second ward.

No. 1376, an act relating to auctioneers in the city of Williamsport.

No. 1358, an act relative to the jurisdiction of justices of the peace, mayors and burgesses, in Erie county, and relative to appeals therefrom.

No. 1943, an act to authorize the chief burgess and town council of Tyrone City, Blair county, to borrow money and levy and collect additional tax to pay the interest on the same.

No. 891, a supplement to the act approved April 11, 1866, to increase the fees of township officers in the county of Wyoming, extending the same to Cambria county.

No. 933, an act to incorporate the town of Big Run, in Jefferson county, into a borough.

With information that the Senate has passed the same without amendments.

He also returned bills from the House of Representatives numbered and entitled as follows, viz:

No. 1479, a supplement to an act incorporating the Wilkesbarre and Pittston railroad company, approved the 15th day of April, 1859.

No. 1342, an act to incorporate the Oxford fire and insurance, annuity and trust company.

With information that the Senate has passed the same with amendments, in which the concurrence of the House of Representatives is requested.

The Clerk of the Senate being introduced, returned bills from the House of Representatives numbered and entitled as follows, viz:

No. 807, an act to authorize the board of military claims to settle the claim of T. B. Nelson, first lieutenant, Battery H, Third artillery.

No. 1563, an act to extend the time for the payment of the enrollment tax on the act to incorporate the Osceola improvement company, approved April 18, 1866.

With information that the Senate has passed the same with amendments, in which the concurrence of the House of Representatives is requested.

During the consideration of bills on private calendar the following remarks were made on Senate bill No. 1253, an act to change the venue in certain cases from Allegheny to Jefferson county:

Mr. WILSON. Mr. Speaker, I don't know that it will do much good to talk on this subject; but I cannot refrain from expressing my surprise that there should be found any gentleman in this House who would undertake to advocate a measure of this kind. Not, sir, that I would charge that there is any corruption in the bill, or anything of the kind, in the actual perversion of the law. There has been considerable legislation here this winter on this question of changing venues; and, sir, I contend that this bill, for absurdity, goes farther than the very farthest that has been presented this winter.

This wise and salutary provision of the law was intended for a good purpose, or it was intended for no purpose at all. It was intended, Mr. Speaker, if I understand it, that where there is undue excitement in a community, or where the judges are prejudiced—that in cases of this kind it was to apply. But I contend in this case there are none of these influences, and the law for a change of venue cannot apply at all. There is no excitement in Allegheny county over this subject; and I say, without fear of contradiction, that there is not one man in five hundred—no, not one man in one thousand outside of the bar of Allegheny county who knows anything of this matter. There is some excitement in the bar—no, excitement is not the word! There is indignation! because they have understood that this measure has been brought here for the purpose of running it through without notice being given to the parties. Why change this venue? Are not our judges as competent to try this case as the judges in Jefferson county? Are not the people of Allegheny fully as honest and fair as the people in Jefferson? I hope this House is not prepared to change the venue in this case. I appeal to the members on this floor—I ask them, Are you satisfied there is any excitement in Allegheny county on this question? If not, can you vote for this bill? Are you satisfied that the witnesses have been tampered with? If not, how can you vote for this bill? Are you satisfied that the judges are prejudiced, and not competent to try this case? If not, why vote for this bill? I hope gentlemen will reflect on this matter and not do so great an injustice, commit so great a wrong, as is proposed to be done in this case.

Mr. QUIGLEY. Mr. Speaker, I do not think the gentleman from Allegheny [Mr. WILSON] has given this House any reason why the bill should not pass. The parties who desire the passage of this bill do not charge undue excitement in Allegheny county. That is not the reason for which they desire a change of venue. The reason is this: The business transaction was in Jefferson county. The witnesses all reside in Jefferson county, and it would put the defendant in this case to a great deal of expense to have the case tried in any other than Jefferson county. There cannot possibly be many witnesses in Pittsburg, for the reason, as I said before, that the transaction occurred in Jefferson. At the time it took place, both parties resided in Jefferson county. One of them has since removed to Allegheny. I think I am correct in this statement.

Mr. WILSON. Mr. Speaker, the gentleman is not correct. Two of the parties live in Allegheny and one in Jefferson.

Mr. QUIGLEY. But all the witnesses live in Jefferson county.

Now, the parties who wish this change of venue are poor and all the parties who are opposing it are wealthy. The gentleman has given this House no reason why the bill should not pass. The parties who are interested were certainly notified of this bill in the other Chamber. Two Senators from Allegheny opposed the bill bitterly, notwithstanding the bill passed. I believe it to be fair and proper and just, and I trust the House will pass it.

Mr. WILSON. Mr. Speaker, if I gave no reason why the bill should not pass, the gentleman from Philadelphia [Mr. QUIGLEY] has certainly given no reason why the bill should pass. The parties were not aware of this bill; they have been taken by surprise.

Mr. QUIGLEY. Did not the two Senators from Allegheny oppose this in the other chamber?

Mr. WILSON. I don't know; but that is no reason why we should pass it here. I hope the House will not agree to change the venue in this case.

Mr. MECHLING. Mr. Speaker, as it appears to be the rule of this House to change venues, I am very willing to fall into the rule in the present instance. I believe there is some merit in the application of the gentleman who has asked for a change of the venue. At least it comes under the same principle as did the case for which I asked a change of venue the other evening.

Now, I am credibly informed that there is but one witness in this suit, who lives in Allegheny county; all the rest of them live some eighty or one hundred miles from Pittsburg. I know nothing particularly of the case. But the gentleman, in his affidavit, as-

serts that he cannot get justice in Allegheny county, and he cannot possibly get his witnesses there. I believe if there is any merit at all in changing venues, that there is merit in this case. I am acquainted with the gentleman who has made application, and I know him to be a very fair, honest and upright man; he is in moderate circumstances in life, and not able to go to Allegheny to prosecute this party, who has done him, as he says, a great injury.

Mr. JENKS. Mr. Speaker, I desire to call the attention of this House to the facts in the case. No man in the House understands it as well as myself. The gentleman from Allegheny asked the question, when he started out, whether there was any corruption in this bill.

Mr. WILSON. Mr. Speaker, I beg leave to correct the gentleman from Jefferson; I said I could not say there was any corruption.

Mr. JENKS. Mr. Speaker, the reason for the change of venue is founded on this state of facts: The party who applies for it, entered into a contract with Samuel Lewis and —— Nelson about 1863. Lewis and Nelson had purchased certain lands. They agreed with a superintendent to erect certain mills, and they agreed to allow him a certain commission for manufacturing and delivering lumber at Pittsburg, and they agreed they would give him a portion of this land when he had delivered a certain amount of lumber. He went on, under the contract, and performed it, so far as to deliver a large quantity of lumber.

A controversy arose between the parties as to who was entitled to the ownership of the lumber. An action of replevin was brought, and the court held that Lewis was entitled to the lumber. He recovered judgment in the sum of nineteen thousand dollars. That judgment was paid off, but the controversy was not settled. The question of agreeing to the accounts between the parties remained. The contracts concerning that land were made in Jefferson county, in the presence of Jefferson county witnesses, and the performance or non-performance of this contract can be proven by witnesses in Jefferson county. I may further state, that Mr. Lewis, in order to evade being brought to justice in this matter, has gone out of that county. He left it about two years ago. He compelled Corbett to file a bill in equity against him, and to take his witnesses down there at an immense cost.

Then, as to another branch of the case, I may state that Samuel Lewis was a resident of Jefferson county—was born there—has resided there with his family—he has friends living there now. Corbett was born there—resided there—has kindred living in that county—so there can be no excitement whatever.—The simple question is, whether the Legislature will compel Lewis to go, and have the case tried where the cause of difficulty occurred, or whether they will help him to evade the law, by remaining out of the jurisdiction of the county to which he is properly amenable. That is the point in the case.—Now, if the matter had taken place in Allegheny county, it would have been different. But here is a man evading process of the court, compelling a man whom he has wronged—whom we all know he has wronged, to follow him at a ruinous cost, where every advantage is on the side of Lewis, and against Corbett. These are the facts of the case.

Mr. WILSON. Mr. Speaker, if this is a specimen of the feeling that prevails in Jefferson county, I want to know how this gentleman is to get justice there? It is a singular fact (and gentlemen may have noticed it), that in every case where a change of venue has been asked, the plea of poverty has been made. It has been made over and over again, and upon all occasions. I ask this House if they are not satisfied that these parties will receive justice better in Allegheny than they can in Jefferson; particularly, if we have just seen a specimen of the feeling that prevails in Jefferson? It seems to me a trivial thing to be asking this House for a change of venue in this and many similar cases that have been brought before us this winter. As I said before, a change of venue should never come up in ordinary cases.

Mr. JENKS. Mr. Speaker, the reason of my remarks was that the House might understand, and that it might know the facts, as it was entitled to know them. I do not come here to take advantage of this House.

Mr. WILSON. Mr. Speaker, I would like to know whether the gentleman from Jefferson [Mr. JENKS] is not an attorney in the case?

Mr. JENKS. I am not.

Mr. MANN. Mr. Speaker, I desire simply to say that I have voted on several of these questions against a change of venue. But I voted in every case against the removal, where the party asking for it did not give what seemed to me good grounds for the change. I hold that when a party comes to the Legislature and asks a change of venue, he is bound to show the necessity for such change; and I think that was the position the gentleman from Jefferson [Mr. JENKS] took on a former occasion. Now, what necessity is shown in this case? No shadow of necessity except the convenience of the parties. It seems to me that there is an entire change of front, this evening, on the part of the gentlemen on this side of the House. They have insisted, strenuously, heretofore, that the change of venues was a grave question; and that an application for a removal should not be granted, unless it was shown clearly, and beyond all question, that a necessity for it existed; yet, here is a case where no necessity is shown, except the mere convenience of the parties. There is no pretense that justice will not be done in the county of Allegheny, under the law, and the evidence; not a shadow of pretense that the court is prejudiced, or that there is an excitement there, and that a fair jury cannot be drawn. We have merely a plea of convenience, and such a plea might be made in every case.

On the question,

Will the House agree to the bill?

The yeas and nays were required by Mr. M'CLELLAND and Mr. QUIGLEY, and were as follow, viz:

YEAS—Messrs. Adaire, Allen, Barrington, Barton, Boyd, Boyle, Breen, Brennan, Brown, Calvin, Chalfant, Chase, Collins, DeHaven, Ewing, Fogel, Freeborn, Gordon, Gregory, Harner, Headman, Hood, Hunt, Jones, Kimmell, Kline, Koon, Kurtz, Long, M'Henry, M'Pherrin, Maish, Markley, Mechling, Meyers, Pennypacker, Quay, Quigley, Rhoads, Richards, Robinson, Roush, Satterthwait, Shuman, Waddell, Wallace, Watt, Weller, Westbrook and Wharton—50.

NAYS — Messrs. Armstrong, Cameron, Colville, Day, Donohugh, Espy, Harbison, Hoffman, Humphrey, Josephs, Kennedy, Kerns, Kinney, Lee, Leech, M'Camant, M'Kee, Mann, Meily, Richards, Roath, Seiler, Sharples, Steacy, Stehman, Subers, Webb, Wilson, Wingard, Woodward, Wright and Glass, *Speaker*—31.

So the question was determined in the affirmative.

So the bill

Passed finally.

The question recurring,

Will the House suspend the rules and read the bill a third time?

The yeas and nays were required by Mr. M'KEE and Mr. CAMERON, and were as follow, viz:

YEAS—Messrs. Adaire, Allen, Barrington, Barton, Boyd, Boyle, Breen, Brennan, Brown, Calvin, Cameron, Chalfant, Chase, Collins, DeHaven, Ewing, Fogel, Freeborn, Gordon, Gregory, Harner, Headman, Heltzel, Hood, Hunt, Jones, Kimmell, Kline, Koon, Kurtz, Leech, Long, M'Henry, M'Pherrin, Maish, Markley, Mechling, Meyers, Mullin, Pennypacker, Phelan, Quay, Quigley, Rhoads, Robinson, Roush, Satterthwait, Shuman, Waddell, Wallace, Watt, Weller, Westbrook and Wharton—54.

NAYS—Messrs. Armstrong, Colville, Davis, Day, Donohugh, Espy, Harbison, Hoffman, Humphrey, Josephs, Kennedy, Kerns, Kinney, Lee, M'Camant, M'Creary, M'Kee, Mann, Meily, Richards, Roath, Seiler, Sharples, Steacy, Stehman, Subers, Webb, Wilson, Wingard, Woodward, Wright and Glass, *Speaker*—32.

So the question was determined in the negative.

Two-thirds not having voted in the affirmative, the bill went over to third reading.

BILL RECONSIDERED.

On motion of Mr. KINNEY, the House proceeded to reconsider the vote had on Senate bill No. 1805, entitled An act regulating proceedings in the courts of equity.

Question on agreeing to the first section of the bill.

Mr. M'CREARY. Mr. Speaker, I trust the House will not go back upon its action this forenoon. This bill was fully argued this morning. Since it is now upon its reconsideration, I trust the members of the House will pay attention to it, and know what bill it is. This bill is to compel parties, in whatever part of the State they may live, to go to Philadelphia. This bill was drawn up by one of the ablest jurists in this State, to meet the wants of all in the State.

Mr. MANN. Mr. Speaker, this bill, which it is now proposed to repeal, compels all parties in injunction suits to bring their actions in the county where the injury is alleged to have been sustained. What argument has been given for the repeal of this bill? None whatever. There must be some underhanded reason. No cause has been shown to this House.

On agreeing to the bill,

The yeas and nays were required by Mr. MANN and Mr. LEE, and were as follow, viz:

YEAS—Messrs. Adaire, Armstrong, Barton, Cameron, Collins, Davis, DeHaven, Donohugh, Freeborn, Ghegan, Gregory, Harbison, Headman, Hoffman, Hood, Humphrey, Josephs, Kennedy, Kerns, Kinney, Koon, Kurtz, Lee, Long, M'Henry, M'Kee, Mechling, Mullin, Quay, Quigley, Rhoads, Robinson, Roush, Satterthwait, Seiler, Sharples, Shuman, Steacy, Stehman, Stumbaugh, Subers, Watt, Westbrook, Wharton, Wingard and Wright.—46.

NAYS—Messrs. Boyd, Breen, Brown, Calvin, Chalfant, Colville, Craig, Day, Espy, Ewing, Gordon, Harner, Hunt, Jenks, Jones, Leech, M'Creary, M'Pherrin, Maish, Mann, Markley, Meily, Meyers, Pennypacker, Phelan, Richards, Roath, Waddell, Webb, Weller, Woodward and Glass, *Speaker*—38.

So the question was determined in the affirmative.

And the bill was

Agreed to.

The House refused to suspend the rules and read the bill a third time.

So the bill went over to third reading.

Senate bill No. 1599, a supplement to the Erie and Allegheny railroad company, authorizing connections with their road, of the east line of the township of North-East, with

any railroad from the State of New York, and the west line with any railroad constructed, or to be constructed, in the State of Ohio, and, also, authorizing said Erie and Allegheny railroad company to connect their road, within the county of Crawford, with the Atlantic and Great Western railroad company, with the same legel effect as though the connection was made within the county of Erie.

Mr. LEE. Mr. Speaker, I trust the House will not pass this bill; it is the most perfect anaconda presented this evening.

Mr. M'CREARY. Mr. Speaker, it might be argument enough for me to say I trust the House will pass this bill.

If the gentleman has any objection to the bill, let him state it. It is presumed that the bill is all right. If he has any objection to it, I think the House has a right to demand that he rise in his place, and state what his objections are.

Mr. LEE. Mr. Speaker, this bill authorizes Ohio and New York to run riot all over our State. It connects with the Atlantic and Great Western road, and with all the other roads that cross our State, and make it the medium of transit for foreign corporations. If this Legislature is willing to pass such a bill let it do so. But I trust the bill will not pass. It has been before us in some shape or another for several years.

Mr. M'CREARY. Mr. Speaker, I do not know why the gentleman from Philadelphia [Mr. LEE] should object to this bill. It does not propose to interfere with railroads in his district. I was quite amused some time ago; while incidentally looking over some private calendars I discovered this bill had various marks upon it; some had the words "knock it;" some had the words "kill it," as if it had been a mad dog.

Now, I am free to say, if the members of this House understood this bill not one man would vote against, unless he violated his own conscience.

The gentleman says it is going to allow New York and Ohio to run riot over our State. Why, it was but a few years ago that this Legislature granted to the Atlantic and Great Western company the privilege of coming from New York, running across the corner of Pennsylvania and Ohio, and leaving Erie out in the corner. Two or three years since a charter was granted to a road running south; charters have been granted to roads running to Pittsburg and Cleveland. We propose to connect the road running south with Erie. New York has a road running down to the State line, but we have no right to meet it. Our city, if it is allowed the advantages and opportunities it desires, will grow up to be one of the first cities in the State, aiding the Commonwealth with its vast revenue. What objection can be raised to a local bill of this character. I trust the members of this House will discard all these little trifling notions of political economy, and pass a law that will benefit our city and the State.

Mr. JENKS. Mr. Speaker, I do not know what harm the passage of this act will do. I can conceive that it will do good. Why it should be opposed, I am at a loss to determine; and why a note should be written on this bill, on the files of the members of this House, indicating that this is a bill upon which they feel bound to exercise their vengeance, I cannot see. It seems to me that it would be a very good thing for us to understand the relations sustained by the corporations of this Commonwealth. Now, if it was but known to the people of the country generally that every bill opposed to the ideas of certain parties, who manage a great company, called the Pennsylvania Central railroad company, was to be defeated, I think we would have such an expression as would settle such business forever. There seems a disposition in some to practice upon the old English common law. Where a man was about to leave the realm, and it was supposed his services might be required by the kingdom, the axiom "*ne exeat*" (let him not depart) was applied. Now, so long as the railroads of this State centre towards the Pennsylvania Central, no opposition is made; but as soon as it is attempted to run a road to a different direction, and perhaps connect with some other road, carrying trade to another point, then the whole power of the company is brought to bear against it.

Now, I am in favor of this bill. I say it is time we should bring this narrow policy to a close. It is time we should know whether, every time we propose a railroad in the western part of the State, it is to be met with objections unless it meets with the approbation of the members of the Philadelphia company. We want to know whether we are longer to be enslaved in this way. We want to know whether we have not the privilege of trading where we please, whether we are to have the writ of *ne exeat* served upon us, unless we first consult the persons in charge of that company. I have it from the Senator from Erie [Mr. LOWRY] that this road will do no harm; that it is required by his county. It is the only bill he proposed this session, and he asks, as a personal favor, that it shall pass. I hope the House will pass the bill.

Mr. SHARPLES. Mr. Speaker, I do not know why the gentleman from Jefferson [Mr. JENKS] has a right to assume that the Pennsylvania railroad, or anybody else, is opposing this bill. For my own part, I cannot see anything in the bill, and I shall be very willing, if it were simply to gratify the Senator from Erie, to allow him this road. I do not know that there is anybody making opposition to this bill, nor do I see that it is going to injure any one. It may do good for that portion of the State. I think we may as well have a vote on the bill.

Mr. MANN. Mr. Speaker, I was very glad to hear the announcement of the gentleman from Chester [Mr. SHARPLES], that he saw no objection to this bill. It shows he thinks it will pass. I hope he is correct. For myself, I think the marks the gentleman from Erie Mr. M'CREARY] saw around this bill, is a pretty sure indication it will not pass.

I believe, Mr. Speaker, that I can take the yeas and nays on the bill for the Connellsville railroad, and name the men who will vote for, and those who will vote against this bill. I may be mistaken, but that is what I believe. I stand up here now, to announce before the community that I believe the same agency that killed the Connellsville railroad is attempting to kill this bill; and I do not know why it should not succeed, for it is usually successful in all its attempts on this floor. It chose, a few moments ago, to kill an innocent bill compelling parties to bring their suits in this Commonwealth where the injury was sustained, and the very men who voted to repeal that bill, killed the Connellsville railroad, the very same men; and I believe it has become notorious that the agents of this power go around the floor, and mark up bills that are to be "put through." I do not believe that an angel from Heaven—much less the general Senator from Erie—could pass this bill in opposition to this unseen power. The gentleman from Chester [Mr. SHARPLES] has said there is no harm in this bill, and that is the simple truth. I am very much afraid that he spoke unwittingly, and without leave of the authorities that control this Legislature.

The gentleman from Philadelphia [Mr. LEE], who leads that interest on this floor, has been unable to point out a single objection to this bill, except that it is against the interest of a single corporation. I think the gentleman from Chester [Mr. SHARPLES] was mistaken in the belief that he seemed to entertain, that this bill would pass.

Mr. LEE. Mr. Speaker, I simply desire to say, in reply to my friend from Potter [Mr. MANN], that his own proposition is true; that this is a bill contrary to the interests of the greatest enterprise in this State, an enterprise that has done more to develop the resources of the State than any other.

On the question,

Will the House agree to the bill?

The yeas and nays were required by Mr. COLVILLE and Mr. M'CREARY, and were as follow, viz:

YEAS—Messrs. Allen, Barton, Boyd, Boyle, Chalfant, Chaise, Collins, Colville, Craig, Davis, Espy, Ewing, Freeborn, Gordon, Harner, Hunt, Jenks, Jones, Kimmell, Kurtz, Leech, Linton, M'Creary, M'Kee, M'Pherrin, Maish, Mann, Markley, Meyers, Phelan, Quay, Richards, Roush, Satterthwait, Sharples, Shuman, Wallace, Weller, Wilson, Wingard and Woodward—44.

NAYS—Messrs. Adaire, Armstrong, Brown, Calvin, Cameron, DeHaven, Ghegan, Gregory, Headman, Hoffman, Hood, Josephs, Kennedy, Kerns, Kinney, Koon, Lee, Long, M'Camant, M'Henry, Meily, Mullin, Quigley, Rhoads, Seiler, Steacy, Stehman, Subers, Waddell, Watt, Webb, Westbrook and Wright—34.

So the question was determined in the affirmative

The bill then went over to third reading.

GENERAL JURY BILL.

Mr. GORDON moved to reconsider the vote had in committee of conference on bill No. 216, the general jury bill.

Mr. BOYLE moved to indefinitely postpone the motion to reconsider.

On agreeing to the motion to postpone,

The yeas and nays were required by Mr. MANN and Mr. DEHAVEN, and were as follow, viz:

YEAS—Messrs. Boyd, Boyle, Breen, Brennan, Calvin, Chalfant, Collins, Craig, Ewing, Fogel, Gregory, Harner, Headman, Hoffman, Hood, Hunt, Jones, Josephs, Kline, Koon, Leech, Linton, Long, M'Henry, M'Pherrin, Maish, Meyers, Mullin, Phelan, Rhoads, Robinson, Roush and Westbrook—33.

NAYS—Messrs. Adaire, Allen, Armstrong, Barton, Brown, Cameron, Chadwick, Chase, Colville, Davis, DeHaven, Espy, Freeborn, Ghegan, Gordon, Harbison, Humphrey, Kimmell, Kinney, Lee, M'Creary, M'Kee, Mann, Mechling, Meily, Quay, Richards, Roath, Satterthwait, Seiler, Sharples, Shuman, Steacy, Stehman, Subers, Waddell, Wallace, Watt, Webb, Weller, Wilson, Wingard, Woodward and Wright—44.

So the question was determined in the negative.

And the motion was

Not agreed to.

The question recurring on the motion to reconsider,

The yeas and nays were required by Mr. BOYLE and COLLINS, and were as follow, viz:

YEAS—Messrs. Adaire, Allen, Armstrong, Barton, Brown, Cameron, Chadwick, Chase, Colville, Davis, DeHaven, Espy, Freeborn, Gordon, Harbison, Humphrey, Kennedy, Kimmell, Kinney, Lee, M'Creary, M'Kee, M'Pherrin, Mann, Mechling, Meily, Quay, Richards, Roath, Seiler, Sharples, Shuman, Steacy, Stehman, Subers, Waddell, Wallace, Watt, Webb, Weller, Wilson, Wingard, Woodward, Wright and Glass, *Speaker*—45.

NAYS—Messrs. Boyd, Boyle, Breen, Bren-

nan, Calvin, Chalfant, Collins, Craig, Ewing, Fogel, Gregory, Harner, Headman, Hoffman, Hood, Hunt, Jones, Josephs, Kline, Koon, Kurtz, Leech, Linton, Long, M'Henry, Maish, Meyers, Mullin, Phelan, Rhoads, Robinson, Roush, Westbrook and Whann—34.

So the question was determined in the affirmative,

And the report was again before the House.

The question recurring on the adoption of the report of the committee of conference,

The yeas and nays were required by Mr. HUMPHREY and Mr. MEYERS, and were as follow, viz:

YEAS—Messrs. Adaire, Allen, Armstrong, Barton, Brown, Cameron, Chadwick, Chase, Colville, Davis, DeHaven, Epsy, Freehorn, Gordon, Harbison, Humphrey, Kennedy, Kimmell, Kinney, Lee, M'Creary, M'Kee, Mann, Mechling, Meily, Quay, Richards, Roath, Satterthwait, Sharples, Shuman, Steacy, Stichman, Subers, Waddell, Wallace, Watt, Webb, Weller, Wilson, Wingard, Woodward, Wright and Glass, *Speaker*—44.

NAYS—Messrs. Boyd, Boyle, Breen, Brennan, Calvin, Chalfant, Collins, Craig, Ewing, Fogel, Gregory, Harner, Headman, Hoffman; Hood, Hunt, Jones, Josephs, Kline, Koon, Kurtz, Leech, Linton, Long, M'Henry, Maish, Meyers, Mullin, Phelan, Rhoads, Robinson, Roush, Seiler and Westbrook—34.

So the question was determined in the affirmative.

So the report was

Agreed to.

Senate bill No. 1242, a supplement to an act providing for the sale of the house of employment and support of the poor of Bedford county, and the appointment of commissioners, by the court of quarter sessions, to purchase land and erect buildings, and to authorize the levying of taxes, and borrowing money for said purposes.

Mr. RICHARDS. Mr. Speaker, I sent a copy of this bill, a few days ago, to Bedford, where the bill is intended to apply. And I have just received a dispatch stating that the bill is not what the people want, and asking me to prevent its passage. I therefore desire that the bill be voted down.

The bill was

Not agreed to.

No. 1637, an act to change the venue in the case of Alexander Gold, William Ackison and Henry Meeker to Dauphin county.

Mr. CRAIG. Mr. Speaker, this is a bill that affects the district I represent. I should like to hear from the gentleman who has it in charge.

Mr. WINGARD. Mr. Speaker, this is a bill, also, which affects one of my constituents. I am not in the habit of interfering with the local legislation of any gentleman on this floor. Since I have been a member of the Legislature, I have persistently abstained from interfering with any man's local bill, except where my own constituency were directly interested. But it is always the case, that a bill for a change of venue must conflict with different constituencies—the very nature of it requires that it should conflict. For example: If I desire to change the venue from my county, I must conflict with the representatives of that district. In this case, where it is desired to have a change of venue from the county of Monroe to the county of Northamphton, there must necessarily be a conflict between the representatives of these two contituencies.

Now, I do not propose to allude to the facts in this case, nor do I presume my friend, the gentleman from Carbon [Mr. CRAIG], will allude to them: It will be utterly useless and idle to do so. This House is not a jury empanneled to try the case, and allegations on the one side, of innocence, and allegations on the other side, of guilt, will amount to nothing in influencing the judgment of the House, in regard to the change of venue. The reason assigned for the change of venue, so far as I have been able to ascertain, is the existence of an unconquerable prejudice, which renders it impossible for the defendants to get a fair trial. This is not a case involving politics—the issues of life and death are involved. There was a trial had upon the merits of this case in the county of Carbon. The defendants were indicted for murder in the first degree—each man separately. The jury brought in a verdict of manslaughter, but the judge, a fair and impartial man, as every one will admit, set aside the verdict without argument—at all events the verdict was set aside.

Mr. MEYERS. Mr. Speaker, is not the gentleman from Lycoming [Mr. WINGARD] aware that the crime was committed in Carbon county, and therefore the court had no jurisdiction?

Mr. WINGARD. Mr. Speaker, I understand that was the ground upon which a motion for a new trial was predicated—that there could be no legal conviction. But the jury, notwithstanding the court had no jurisdiction, brought in a verdict of manslaughter. Now, it is proposed to take this case to Monroe county, where the death took place.

Let me say, further, this case required a *post mortem* examination. The examination was made at a subsequent time. The defendant desired another examination of the body. Dr. Gross, and several other surgeons, proceeded with the defendant's father and others to the cemetery, for the purpose of disintering the body, and proceeding with the examination. Upon arriving at the vault, they discovered it had been locked. They were refused admittance, and at last driven off. They were not allowed to disinter the body.

Now, it is proposed to take the case to the county of Northampton.

This case was tried before a Democratic judge, in a Democratic county, and it is proposed to take it to Northampton, which is also a Democratic county. So we do not ask anything on the ground of political consideration.

Furthermore, in order to go to the county of Monroe, I am told the defendant would have to travel over a road, some thirty miles, by hired conveyances; and convey a large number of witnesses who have been summoned, and who will be summoned again, when the trial takes place. To go from Carbon to Northampton, persons have a railroad, and witnesses can be transported with much less cost, and much less inoonvenience to all parties.

Now, I ask what reason is there why this venue should not be changed to Northampton, and I expect to hear from the gentleman from Carbon [Mr. CRAIG] in this regard. I trust he will not go into an allegation of the facts in regard to this case; because I can allege facts as well as he; and I do not desire the time of the House to be taken up in that sort of discussion. The presumption of innocence lies in favor of every man accused, until he is proven guilty; and the law further declares that if any doubt exists as to the guilt of the prisoner, that doubt shall be cast in his favor; and I take it that this is a case of precisely this character. If there be a doubt weighing in the mind of any gentleman in this House as to this man, and his co-defendants, who are to be tried for their lives, getting a fair trial in the county of Monroe, should vote in favor of this change of venue. As I said before, this is not a political question. It is a question whether this man, now in prison, and who has been in prison with his co-defendants ever since the day he was arrested, shall have a fair and impartial trial.

Now, I have taken it upon myself to defend the change of venue, for the simple reason that I know the father of this boy, who has lived for years in the city of Williamsport; who has brought up his family there, and established his character as a man of integrity. His tall form is already bent with grief. His face, scarcely less white than the hoary hairs of his head, by reason of the terrible blow he has received in the unfortunate situation of his son. I ask this House if, in the case of life and death, they will grant this poor privilege? I trust the House will grant this change of venue.

Mr. CRAIG. Mr. Speaker, I must ask the indulgence of the House, if I am a little prolix. I desire to give to the House a fair statement of the case.

Mr. WINGARD. I said when I commenced my remarks, that I would not go into the facts of the case. I based my remarks on the ground that there was such a prejudice existing that the prisoner could not get a fair trial.

Now, if the gentleman from Carbon [Mr. CRAIG] alleges a certain state of facts, I shall deny the existence of those facts.

Mr. CRAIG. Mr. Speaker, I understand the gentleman from Lycoming [Mr. WINGARD] perfectly. He made his speech in his way; I desire to make mine in my way.

This is a case that concerns my district entirely; yet I do not deny the gentleman from Lycoming the privilege of advocating his cause.

Now, what are the facts of the case? This is a bill asking for a change of venue for three persons who have been indicted in the county of Carbon for a murder which occurred in the commission of a rape. But the change of venue is not asked in the indictment for murder alone, but also in the charge of rape, and for assault and battery with intent, &c. The indictment for murder was found in the county of Carbon, and the case was brought to trial there about a month ago. Each defendant asked a separate trial, and this first defendant was placed upon his trial in the county of Carbon. After the jury had brought in a verdict of guilty of manslaughter, it was suddenly discovered the girl had died in the county of Monroe, although the deed was committed in the county of Carbon. The judge granted a new trial upon the ground that he had no jurisdiction. The new trial was not granted on the ground of unfairness or prejudice.

Both the defendants ask for a change of venue from Monroe to Northampton. The gentleman from Lycoming alleges there is a prejudice in the county of Carbon against these three defendants. I take it upon myself, as a member of this House, to deny that *in toto*. I was in Carbon where the offense was committed, and I know what the sentiments of the people were. It was talked about as any outrage of the kind would naturally be talked of. There was no excitement in the matter, no unfairness, or prejudice manifested against either of these three defendants. I tell the gentlemen of this House that the young man had a fair trial in the county of Carbon. The men who sat upon the jury were as respectable and intelligent as any we have in the county. They were men of the same political predilections as the prisoners. Some of the most prominent Republicans in our county were upon that jury.

The body of the young girl was twice disinterred for purposes of medical examination. But after she had lain in her grave three months the defendants sent another delegation to disinter her for the third time. Then it was that her parents refused to allow her

remains to be again disturbed. There was no undue prejudice in the matter.

I will call the attention of the gentleman from Lycoming to another fact: the Dr. Pancoast mentioned in connection with this affair is not Professor Pancoast, but a "Dr. Pancoast" who advertises, as I understand, in the newspapers for his business.

This young man can receive a fair trial without a change of venue. There is no reason why this application should be granted. The gentleman from Potter [Mr. MANN] stated no venue should be granted unless a proper reason were given; and I agree with him.

Mr. WINGARD. Mr. Speaker, why should not this case go to Northampton county, where transportation can be had by railroad, rather than to Monroe, where there must be some thirty miles of wagon traveling?

In regard to Dr. Pancoast, I desire to say that he is one of the most eminent physicians in Philadelphia.

The bill being amended by Mr. CRAIG,

The question was,

Will the House agree to the bill as amended?

On this

The yeas and nays were required by Mr. WINGARD and Mr. MARKLEY, and were as follow, viz:

YEAS—Messrs. Adaire, Cameron, Chase, Davis, DeHaven, Gordon, Hoffman, Humphrey, Kennedy, Kinney, Lee, Mann, Mechling, Roath, Roush, Seiler, Steacy, Stumbaugh, Subers, Watt, Webb, Wham, Wingard, Wright and Glass, *Speaker*—25.

NAYS—Messrs. Allen, Armstrong, Barrington, Boyd, Boyle, Breen, Calvin, Chadwick, Chalfant, Collins, Craig, Espy, Fogel, Freeborn, Gregory, Harner, Hood, Hunt, Jones, Kimmell, Kline, Koon, Kurtz, Linton, Long, M'Henry, Maish, Markley, Meyers, Mullin, Quay, Quigley, Rhoads, Richards, Satterthwait, Shuman, Tharp, Wallace, Weller and Westbrook—40.

So the question was determined in the negative.

And the bill was

Not agreed to.

The House then adjourned till to-morrow (Wednesday) morning at 9 o'clock, A. M.

SENATE.

WEDNESDAY, April 10, 1867.

The Senate met and was called to order at 10 o'clock, A. M., by the SPEAKER.

Prayer was offered by Rev. Mr. Bailey.

On motion, the reading of the Journal of yesterday was dispensed with.

SPEAKER'S TABLE.

The SPEAKER laid before the Senate the annual report of the board of directors of the Girard College for orphans.

Laid on the table.

Also, resolutions of the select council of Philadelphia relative to bills now pending before the Legislature.

Laid on the table.

LEAVE OF ABSENCE.

Mr. WALLACE asked and obtained leave of absence for Mr. JACKSON on account of the illness of his father.

REPORTS OF COMMITTEES.

Mr. CONNELL, from the Committee on Finance, reported, as committed, bill entitled An act to exempt from taxation money loaned to the school directors of the borough of Punxsatawny.

Also (same), with amendments, bill entitled An act to increase the revenue of the Commonwealth by taxation of the shares of stock of the National banks.

Mr. LANDON, (same), as committed, bill entitled An act requiring the Auditor General to open the account of E. O. Goodrich, late prothonotary of Bradford, for re-settlement.

Mr. RIDGWAY, from the Committee on Corporations, reported, as committed, bill entitled An act to incorporate the Hamilton iron and coal company.

Also (same), as committed, bill entitled An act to incorporate the Resource domestic company.

Also (same), as committed, bill entitled A supplement to an act to incorporate the Glen Alden coal company, approved the twelfth day of April, A. D. 1866.

Mr. ROYER (same), as committed, bill entitled An act to incorporate the American iron and coal company.

Mr. LANDON, from the Committee on Railroads, reported, as committed, bill entitled A supplement to an act to incorporate the Middle Creek railroad company, approved the 23d day of March, 1865.

Mr. SEARIGHT, from the Committee on Education, reported, as committed, bill entitled An act to authorize the school directors of Fayette City borough, Fayette county, to borrow money for the erection of a school building, and to issue bonds therefor.

Also (same), as committed, bill entitled An act to annex the farm of Joseph Houck, in Upper Mount Bethel township, Northampton county, to the Centreville independent school district for school purposes.

Mr. BROWNE (Lawrence) (same), as committed, bill entitled A further supplement to the act incorporating the city of Harrisburg, and relating to the election of school directors therein.

Also (same), as committed, bill entitled An act to annex the farm of Thomas M'Cord, of Bratton township, Mifflin county, to the township of Granville, said county, for school purposes.

Mr. BILLINGFELT, from the Committee to Compare Bills, reported that in conjunction with a similar committee from the House of Representatives they have compared, and on April 9th, presented to the Governor for his approbation bills as follows:

Senate bill No. 1121, an act to protect the validity of certain liens in Venango county.

Senate bill No. 1117, a supplement to the act to incorporate the Morris Park mining company, approved March 14th, 1865, authorizing said company to borrow money.

Senate bill No. 617, joint resolution relative to the revisal of the civil laws of Pennsylvania.

Senate bill No. 1540, a supplement to an act annexing the borough of Manchester to Allegheny City, approved March 12, 1867.

Senate bill No. 624, an act relating to bounties in the borough of Dillsburg, in the county of York, and State of Pennsylvania, validating and legalizing the assessment duplicate of warrant to collect bounty tax assessed in June, 1864, in said borough.

Senate bill No. 1039, an act to incorporate the Neversink insurance company of Berks county.

Senate bill No. 1025, an act to incorporate the Clearfield trout and improvement company.

Senate bill No. 1051, a further supplement to an act entitled An act appointing commissioners to lay out and open a State road in the counties of Cameron and Potter, approved the 21st of March, A. D. 1865.

Senate bill No. 1077, an act supplementary of the provisions of the fifth section of an act to incorporate the Bennett Branch improvement company.

Senate bill No. 377, an act granting an increase of capital to literary or charitable institutions becoming soldiers' orphan schools.

Senate bill No. 939, an act for the better improvement of the front of the river Delaware.

Senate bill No. 984, an act to authorize the Southwark railroad company to renew their road on Swanson street.

Senate bill No. 709, a supplement to an act incorporating the Ephrata and Lancaster railroad company, approved the 21st day of March, A. D. 1866, authorizing them to extend said railroad to the Conestoga creek.

Senate bill No. 1168, a supplement to the act entitled An act authorizing the Columbia water company to hold real estate, &c., approved the 10th day of February, 1865.

Senate bill No. 1200, an act to incorporate the Good Spring iron and land company.

Senate bill No. 190, a further supplement to the act incorporating the Township Line road company, fixing the terminus and regulating the tolls on said road.

Senate bill No. 988, a supplement to an act entitled An act to incorporate the Bear Creek railroad company, approved the 20th day of March, A. D. 1865.

House bill No. 290, a further supplement to an act for the regulation and continuance of a system of education by common schools, approved January 8, 1854.

House bill No. 628, an act regulating interests on public accounts.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

The Clerk of the House of Representatives being introduced, returned bills from the Senate numbered and entitled as follows, viz:

Senate bill No. 940, an act to authorize the burgess and town council of the borough of Jamestown, Mercer county, to levy and collect tax not to exceed one per centum, for borough purposes.

Senate bill No. 890, an act for the relief of William Brennan and Bernard M'Tighe, first and second clerks of the mayor's court of the city of Carbondale.

Senate bill No. 556, an act to refund John Martin, administrator, amount collateral inheritance tax paid in error.

Senate bill No. 725, a supplement to the act incorporating the Jackson mining company.

Senate bill No. 1252, an act in relation to the appointment of an auctioneer for the borough of Tarentum, Allegheny county.

Senate bill No. 1367, an act in relation to the re-election of the treasurer of Lycoming county.

Senate bill No. 1474, an act to authorize the burgess and town council of the borough of Wilkesbarre to borrow money, to purchase grounds for a public cemetery, and to prevent further burial in the old grave-yard.

No. 1080, an act authorizing the town council of the borough of Hazleton, in Luzerne county, to borrow money.

Senate bill No. 1250, a further supplement to an act incorporating the town of Lawrenceville into a borough, approved February 13, A. D. 1834, being an act authorizing said borough to borrow money, and take real estate not exceeding in value a certain amount.

Senate bill No. 428, a supplement to an act to incorporate the Mineral Spring coal company, approved the third day of April, A. D. 1866.

Senate bill No. 727, a supplement to an act entitled An act to incorporate the Union coal company, approved the 29th day of April, A. D. 1864.

Senate bill No. 1165, an act to authorize the Kaska Williams coal company to sell or mortgage any portion of their real estate, to decrease the amount of capital stock, and to fix the location of their office, and the resi-

dence of the president and the majority of the directors.

Senate bill No. 729, an act to incorporate the Hillside coal and iron company.

Senate bill No. 102, an act to incorporate the Vulcan iron works.

Senate bill No. 103, a supplement to the act incorporating the Glenwood coal company, extending the privileges of an act regulating railroad companies to said company.

Senate bill 1462, an act to authorize the Benzinger coal and iron company to increase the width of their railroad, and providing for the appraisement of damages.

Senate bill No. 1234, an act to authorize the board of school directors of Fawn township, Allegheny county, to borrow money.

No. 1206, an act legalizing certain acts of the school directors of the township of Kelly, county of Union, and authorizing them to levy an additional tax for building purposes.

Senate bill No. 1548, a supplement to an act to authorize the executors of the last will and testament of John Crosthwait to pay over to Francis Dunlap, of Clearfield county, certain legacies, approved April 29th, 1844.

Senate bill No. 1414, an act relative to the Merchants' and People's transportation company.

Senate bill No. 1549, an act for the relief of Capt. John Moore, Jr., late of Elderton Guards.

Senate bill No. 500, an act in relation to taxation upon the stockholders of corporations.

Senate bill No. 1304, an act to incorporate the Paper manufacturing company.

Senate bill No. 1309, an act to incorporate the Home manufacturing company.

Senate bill No. 1314, an act to incorporate the Agricultural manufacturing company.

Senate bill No. 1326, an act to authorize the school directors of Freedom township, Adams county, to appropriate the surplus of bounty funds in their hands to school purposes.

Senate bill No. 1369, an act to authorize the Governor to appoint an additional notary public in the county of Beaver.

Senate bill No. 1381, an act relative to the purchase of a law library in the county of Allegheny.

Senate bill No. 1382, an act authorizing the burgess and town council of the borough of Sharon to levy and collect a tax for bridge purposes.

Senate bill No 1388, an act to authorize an increase of taxes in the borough of Tarentum, county of Allegheny.

Senate bill No. 1405, an act to incorporate the Equitable gold and silver mining company of Nevada.

Senate bill No. 1409, an act to incorporate the Sheffield iron, steel and land company.

Senate bill No. 1406, an act to incorporate the Battle House and Mineral Springs Watering Place company of Gettysburg.

Senate bill No. 1419, an act to incorporate the Somerset land company.

Senate bill No. 1425, an act to incorporate the Harmony Savings Bank of the village of Harmony, in Butler.

Senate bill No. 1456, an act authorizing the court of quarter sessions of M'Kean county to appoint commissioners to take exclusive charge of a portion of the road leading from Smethport, in M'Kean county, to Wilcox, in Elk county, and to appropriate taxes for the repair and changing the same.

Senate bill No. 1475, a further supplement to an act, entitled An act for the better management of the Allegheny county prison, approved 23d of March, 1865.

Senate bill No. 1485, an act to incorporate the Argentine silver mining company of Colorado.

Senate bill No 1203, a further supplement to the act incorporating the Catawissa and Towanda railroad company.

Senate bill No. 1898, an act to authorize the Two Lick Regular Baptist congregation, in Green township, Allegheny county, to remove certain dead bodies.

Senate bill No. 1604, an act incorporating the Whightstown and Newtown turnpike road company.

Senate bill No. 1504, a further supplement to the act incorporating the Muncy Creek railroad company, authorizing said company to hold additional lands, and extending the time for the payment of the enrollment tax on the supplement thereto.

Senate bill No. 1487, an act to incorporate the Treasury silver mining company.

Senate bill No. 1600, an act to repeal the third section of an act approved March, 1867, entitled A supplement to an act to promote the more certain and equal assessment of taxes in Philadelphia.

Senate bill No. 1505, a further supplement to an act to incorporate the Jamestown and Franklin railroad company, approved April 3, 1862, to authorize said company to borrow money.

Senate bill No. 1602, an act to incorporate the Costa Rica mining and improvement company.

Senate bill No. 1262, an act authorizing the construction of boardwalks along the streets in Liberty township, Allegheny county.

Senate bill No. 1728, an act granting an appeal from a decree of divorce between John Edmund and Philadelphia S. J. Edmund.

Senate bill No. 1460, a supplement to an act amendatory of the license laws of this State, approved April 11, 1862, in relation to the county of Berks.

Senate bill No. 776, an act for the vacation and sale of the Methodist burial ground in the city of Pittsburg, and for removing the bodies therefrom.

Senate bill No. 1539, an act erecting a Fourth ward of the borough of Easton, in the county of Northampton.

Senate bill No. 1776 an act to extend the time for the commencement of the Chestnut Hill and Cheltenham railway company.

Senate bill No. 1775, an act to authorize the Lehigh coal and navigation company to borrow money and issue bonds.

Senate bill No. 990, an act to enable police officers to enforce order in licensed houses, and to exterminate the unlicensed traffic.

No. 1160, an act relating to Sunbury street, in the borough of Minersville, in the county of Schuylkill.

Senate bill No. 1537, an act relating to the collection of State and county taxes in the county of Monroe.

Senate bill No. 1182, an act relating to the claim of James Digman, of Allegheny county.

No. 1803, an act to incorporate the York and Dillsburg railroad company.

Senate bill No. 773, an act to incorporate the Riverside coal company.

Senate bill No. 1199, an act to incorporate the Fort Pitt Mutual life insurance and trust company.

Senate bill No. 1324, an act to incorporate the Northumberland and Sunbury Street railway company of Northumberland county.

Senate bill No. 1265, an act to authorize and empower the court of quarter sessions of the county of Cameron to amend and alter the charter of the borough of Emporium, in the county of Cameron.

Senate bill No. 1596, an act to give to the Chincleclamonche and other boom companies the right to sue for tolls and boomage.

Senate bill No. 1181, an act relating to the account of John Hines, late mercantile appraiser in Luzerne county.

Senate bill No. 1552, an act to authorize the State Treasurer to pay Mrs. S. Richards Boyle, widow of Captain John A. Boyle, who fell at Lookout Mountain, the expenses incurred by her in obtaining the remains of her husband.

Senate bill No. 104, a further supplement to an act entitled An act to incorporate the Potter County lumber, coal and petroleum company, approved the 24th day of March, A. D. 1865, changing the name thereof, authorizing them to hold lands in Northumberland county, and to purchase other franchises, timber and timber lands.

No. 1269, a supplement to an act to incorporate the First Baptist Church, Lewisburg, Union county.

Senate bill No. 1361, a supplement to an act entitled An act relating to orphans' courts, and for other purposes, passed the 13th day of October, 1840, empowering said courts to incorporate savings fund associations.

Senate bill No. 1558, an act to authorize the board of Military claims to re-examine the claims of the legal representatives of Colonel John W. M'Lean, deceased, of Erie county.

Senate bill No. 1574, an act to incorporate the Asbury Life insurance and trust company of Philadelphia.

Senate bill No. 1618, a supplement to an act to incorporate the Wilkesbarre law library association, in Luzerne county, approved April 11, A. D. 1866.

Senate bill No. 1632, an act to extend the limits of the borough of Indiana, Indiana county.

No. 1641, an act to authorize the appointment of short hand clerks in the courts of Allegheny county.

No. 1647, a further supplement to an act relative to paving streets, et cetera, in the borough of New Castle, approved 22d day of March, A. D. 1866.

No. 1651, an act authorizing trustees of the estate of John Means to pay certain moneys.

No. 1720, an act to provide for the paving footways in the First precinct of the Twenty-fifth ward of the city of Philadelphia.

No. 1804, an act relating to public roads in the township of Rostraver, Westmoreland county.

No. 1806, an act to repeal an act approved 27th day of March, A. D. 1867, entitled An act to repeal the first section of an act passed the 1st day of April, A. D. 1792, declaring the Little Lehigh a public highway.

Senate bill No. 1807, an act to authorize the sale of the property of any incorporated company, upon the bonds secured by mortgage given by it with like effect as if sold upon the mortgage.

No. 1808, an act to incorporate the Victoria gold and silver mining company.

No. 1809, an act to authorize a change in the location of a portion of the State road from Harrisburg to Gettysburg.

No. 1815, an act repealing an act, entitled an act to perpetuate the testimony of Richard S. Coxe, deceased.

No. 1660, an act to incorporate the Pennsylvania Serial association.

No. 1813, an act to incorporate the Meadville Driving park company.

No. 1814, an act to authorize the Lake Shore seminary to borrow money and grant literary degrees.

No. 1816, an act supplementary to an act to incorporate the Oil Creek, Lake and Titusville mining and transportation company.

No. 1810, an act to incorporate the Artillery Corps, Washington Grays.

No. 1249, an act to incorporate the Greenville saving and loan company.

No. 1496, an act to incorporate the Lucius S. Peck gold and silver mining company of Montana.

No. 1305, an act to incorporate the Pacific mining and exploring company.

No. 653, an act to incorporate the Washington Township mining, manufacturing and improvement company of Schuylkill county.

No. 694, an act to enable the parties interested under a certain indenture of trust from Christopher Loeser to William S. Wetmore and others, dated October 28th, 1854, to become a mining company.

No. 1306, an act to incorporate the Ryan and Reading slate company.

No. 1431, an act to authorize and empower William Howe to erect and maintain on Two Lick creek, in Cherryhill township, Indiana county, at his mill on said creek, a boom for saw logs.

No. 1163, an act relative to the leasing of the Kersey oil and mineral company railroad by the Farmers' railroad company of Venango county.

No. 1777, an act to provide means for the establishing of a Soldiers' Orphans school in each State normal school district of this Commonwealth now destitute thereof.

No. 1366, an act in relation to auctioneers in Beaver county.

No. 1553, an act to take the sense of the voters of Rayne township, Indiana county, on the question of authorizing the school directors of Rayne school district to create a public hall at the village of Kintersburg, in said township.

No. 841, a supplement to an act entitled An act to incorporate the West Buck Mountain coal and iron company, approved the 3d day of May, 1864.

No. 1205, an act authorizing the Saucon iron company to construct a branch railroad to certain ore beds.

No. 1139, an act to incorporate the Tuscarora mining and exploring company,

With information that the House of Representatives has passed the same without amendments.

He also returned bills from the Senate numbered and entitled as follows, viz:

No. 1171, an act to attach certain real estate to the borough of Smethport, M'Kean county, for school purposes.

No. 1241, an act to authorize the trustees of certain land in Venango county, Pennsylvania, to borrow money for the development of said lands, and to perfect the titles to said lands, by contesting the right at law of adverse claimants.

No. 1199, an act to incorporate the Fort Pitt Mutual life insurance and trust company.

No. 1511, an act annexing the farm of John Hamilton, in Sand Lake township, Mercer county, to Worth township, in said county, for school purposes.

No. 1001, an act to annex that part of the farm of William Nickle which is situate in East Mahoning township, Indiana county, to South Mahoning township, in said county.

No. 909, an act extending to the borough of Mount Washington the vehicle license law.

No. 1506, a supplement to an act entitled An act to incorporate the Susquehanna and Delaware railroad company.

No. 1502, an act to incorporate the Pittston railroad and coal company.

No. 1529, a supplement to an act entitled An act creating a board for the erection of a City Hall in the city of Pittsburg, approved the 1st day of March, 1867.

No. 1240, a supplement to an act to legalize bounties paid to volunteers and the bonds issued therefor in certain townships in the county of Franklin, approved the 4th day of April, A. D. 1866, extending the provisions of the second section thereof to the township of Ayr, in the county of Fulton.

No. 1208, an act repealing an act entitled An act extending the provisions of the act for the protection of sheep and taxing of dogs in the county of Blair, approved May 26th, 1857, to the county of Monroe.

No. 76, an act to incorporate the Conemaugh and Allegheny transportation company,

With information that the House of Representatives has passed the same with amendments, in which the concurrence of the Senate is requested,

On motion of Mr. COWLES, said amendments were twice read and concurred in.

He also informed that the House of Representatives has concurred in the amendments made by the Senate to bills from the House of Representatives numbered and entitled as follows; viz:

No. 711, an act to authorize the road commissioners of Mill Creek township, Erie county, to compel the owners of land fronting on Ridge road to make sidewalks, and to straighten out said road.

No. 807, an act to authorize the Board of Military Claims to settle the claim of L. B. Nelson, first lieutenant, battery A, Third artillery.

No. 1342, an act to incorporate the Oxford fire and life insurance, annuity and trust company.

No. 1479, a supplement to an act incorporating the Wilkesbarre and Pittston railroad company, approved the 15th day of April, A. D. 1859.

No. 1563, an act to extend the time for the payment of the enrollment tax on the act to incorporate the Osceola improvement company, approved April 18th, A. D. 1866.

He also informed that the House of Representatives has adopted the report of the committee of conference appointed to confer upon the subject of the differences between the two Houses on House bill No. 246, entitled An act for the better and more impartial selection of persons to serve as jurors in each of the counties of this Commonwealth.

SUSPENSION OF THE NINTH JOINT RULE.

Mr. TAYLOR offered the following resolution, which was twice read:

Resolved (if the House of Representatives concur), That the Ninth Joint Rule be suspended, so far as it relates to the transmission of Senate bill No. 1688, entitled An act for the relief of John Caughey, of Beaver county.

The resolution was adopted.

REPORTS FORM CONFERENCE COMMITTEES.

Mr. BROWNE (Lawrence), from the Committee of conference to whom was referred the question of difference between the two Houses in reference to House bill entitled An act relating to the Western Pennsylvania railroad company, and for other purposes, reported

That they recommend the Senate to recede from its amendment non-concurred in by the House of Representatives.

On motion of

Mr. BROWNE (Lawrence), said report was read a second time and concurred in.

Mr. RIDGWAY, from the committee of conference to whom was referred Senate bill No. 413, entitled An act to regulate the carriage of baggage by railroad companies, prescribe the duties and obligations of carriers and passengers in relation thereto, respectfully report—that they have agreed to recommend that the House shall recede from its amendments non-concurred in by the Senate, and thus restore the bill as passed by the Senate.

On motion of Mr. RIDGWAY, said report was twice read and adopted.

THE APPROPRIATION BILL.

Mr. CONNELL said he was not able to report the appropriation bill from the committee of conference, the committee not being able to agree—the House committee insisting upon the increase of salary of members, which the Senate committee were not willing to concede.

PRIVATE CALENDAR.

Agreeably to order, the rules were dispensed with, and the Senate proceeded to the consideration of bills from the House on the private calendar, numbered and entitled as follows:

Which bills were read a second time, and disposed of as stated:

No. 656, an act to authorize the guardians of the minor children of Michael Freck, late of Snyder county, deceased, to make certain improvements on the real estate of said minors.

Passed finally.

No. 1781, an act for the establishment of a public law library in the county of Warren.

Passed finally.

No. 1662, a supplement to an act relating to hawkers and peddlers in the county of Chester, approved March 2d, A. D. 1867.

Passed finally.

No. 784, an act to protect game and fish in Luzerne county.

Passed finally.

No. 2185, an act authorizing the Auditor General to examine the claim of Col. C. W. Burton, and directing the State Treasurer to pay the same if found to be correct.

Passed finally.

No. 1907, an act to reduce the prices of licenses to hucksters, in Greene county.

Passed finally.

No. 1871, a supplement to the act to legalize the levy and collection of certain bounty tax, to provide for a settlement, and authorize the school directors to lay an additional bounty tax in Lykens township, in the county of Dauphin, approved March 5th, A. D. 1867.

Passed finally.

No. 1873, an act to repeal an act changing the citizenship of Jacob Bohner from Lykens to Mifflin township, Dauphin county, approved sixteenth of April, 1866.

Passed finally.

No. 1906, an act to change the time of holding the several courts of Greene county.

Passed finally.

No. 1961, an act relative to the dockets of C. M. Boush, a justice of the peace in the city of Meadville.

Passed finally.

No. 1839, an act to authorize an increase of taxes for borough purposes in the borough of Temperanceville, in the county of Allegheny.

Passed finally.

No. 1415, an act authorizing the reduction of the capital stock of oil companies, and the equalizing of the taxes relative thereto.

Passed finally.

No. 1229, an act to repeal an act to view and lay out a State road in the counties of Clarion and Forest, approved the 18th day of March, A. D. 1863.

Passed finally.

No. 591, an act to annul the marriage contract between James Dewey and his wife.

Passed finally.

No. 1669, an act authorizing the appointment of commissioners to run the boundary lines between the counties of Lycoming, Union and Clinton, and to fix and determine the same.

Passed finally.

No. 1891, an act to incorporate the Gallit-

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[CONTINUED FROM PAGE 1072.]

zin and Cambria Mills turnpike road company.

Passed finally.

No. 1892, an act to incorporate the Johnstown and Hingston's Run turnpike road company.

Passed finally.

No. 1866, an act to legalize the action of the school directors of Springhill township, Fayette county, and to authorize the levy and collection of an additional bounty tax.

Passed finally.

No. 1935, an act authorizing the burgess and town council of Oil City to levy a tax for borough purposes.

Passed finally.

No. 1886, an act relating to the erection of school buildings in the borough of Covington, Tioga county, authorizing the school directors to borrow money.

Passed finally.

No. 1727, an act to annex the farm or farms of John M'Quisten, S. L. M'Quisten, T. M. M'Quisten, and Daniel M'Quisten, of East Fallowfield township, to West Fallowfield townsnip, Crawford county, for school purposes.

Passed finally.

No. 1928, an act to incorporate the Oil City Passenger railway company.

Passed finally.

No. 1695, an act to incorporate the Kittanning, Rural Valley and Reynoldsville railroad company.

Passed finally.

No. 1862, a supplement to an act to establish a ferry over the Susquehanna river at Millersburg, approved March 21st, 1866.

Passed fidally.

No. 1900, an act to authorize the burgess and town council of the borough of Crawford to levy and collect additional tax.

Passed finally.

No. 1832, an act to increase the pay of supervisors of roads, overseers of the poor and township auditors of the county of Carbon.

Passed finally.

No. 1898, an act relating to the surplus bounty fund in Vernon township, Crawford county.

Passed finally.

No. 1899, an act relating to the surplus bounty fund in the township of East Fallowfield, in the county of Crawford.

Passed finally.

No. 1782, an act in relation to the fees of notaries public in the counties of Montour and Columbia.

Passed finally.

No. 2148, an act authorizing the trustees of the Willistown Baptist church, of Chester county, to remove bodies from their burial ground and reinter the same.

Passed finally.

No. 1938, an act to extend the provisions of an act relative to the mechanics' liens in the counties of Luzerne and Schuylkill, approved the 17th day of February, 1858, to the county of Forest.

Passed finally.

No. 1937, a supplement to an act authorizing the burgess and town council of Venango City, Venango county, to increase their borough tax.

Passed finally.

No. 1780, an act regulating the compensation of assessors and assistant assessors in the county of Allegheny.

Passed finally.

No. 1777, a supplement to an act for the summary conviction of professional thieves in the city of Philadelphia.

Passed finally.

No. 1774, an act authorizing the Governor to appoint an additional notary public for the city of Philadelphia and one in each of certain counties of the Commonwealth.

Passed finally.

No. 1769, a further supplement to the act of General Assembly incorporating the city of Chester, in the county of Delaware, and to enable the councils to levy an additional tax.

Passed finally.

No. 2149, an act to incorporate the Rush Valley Co-operative association of Allegheny county.

Passed finally.

No. 1917, an act providing for the relief of John Sensenbach by the commissioners of Northampton county.

Passed finally.

No. 1887, an act relating to bounties in Concord township, Erie county.

Passed finally.

No. 1746, an act to incorporate the Montgomery improvement company.

Passed finally.

No. 1885, an act to incorporate the Frankford Co-operative benefit society.

Passed finally

No. 1893, an act to incorporate the Humboldt gold and silver mining company of Nevada.

Passed finally.

No. 1880, an act to incorporate the Montana and Pittsburg gold and silver mining company.

Passed finally.

No. 1894, an act to incorporate the Allegheny gold and silver mining company of Idaho.

Passed finally.

No. 2048, a further supplement to an act to incorporate the Jones ferry company, approved the 14th day of March, A. D. 1865.

Passed finally.

No. 1980, an act to prohibit the erection of ferries within two miles of the Milton bridge in the county of Northumberland.

Passed finally.

No. 1906, a further supplement to an act entitled A supplement to the act incorporating the National armor company of Chester, in the county of Delaware, approved March 21st, 1865, to enable said company to construct a railroad from their works to the Philadelphia and Wilmington and Baltimore railroad.

Passed finally.

No. 1294, an act for the protection of sheep and the taxing of dogs in the county of Westmoreland.

Passed finally.

No. 2058, an act for the preservation of fish in Sterling township, Wayne county, and Green township, Pike county.

Passed finally.

No. 2055, a further supplement to an act authorizing the Governor to incorporate the Philadelphia and West Chester turnpike road company, approved the 20th day of March, A. D. 1848, to enable said company to issue bonds.

Passed finally.

No. 1975, an act relative to footwalks in Oakland township, in the county of Allegheny.

Passed finally.

No. 2096, an act to authorize the burgess and town council of the borough of Duquense to borrow money and issue bonds for the improvement of certain streets in said borough.

Passed finally.

No. 2146, an act to incorporate the Harleysville and Lederachsville turnpike road company.

Passed finally.

No. 1049, an act to prohibit the issuing of licenses within two miles of the normal school at Mansfield, Tioga county.

Passed finally.

No. 1677, an act for the relief of Kenney Montgomery, a soldier of the war of 1812.

Passed finally.

No. 1915, an act to incorporate the Norristown and Centre Square township road company.

Passed finally.

No. 2144, an act to exempt money loaned to the Reading school district from taxation.

Passed finally.

No. 1889, a further supplement to the act to incorporate the South Mountain railroad company, approved May 5th, 1854, repealing the proviso of the fourth section of the supplement to said act, approved March 9th, 1855.

Passed finally.

No. 1883, a supplement to an act to incorporate the Farmers' association, approved April 13th, A. D. 1859, and authorizing said corporation to hold real estate and issue bonds.

Passed finally.

No. 1861, an act to incorporate the Keleo mining company.

Passed finally.

No. 1846, an act to incorporate the Eagle Hill iron company.

Passed finally.

No. 1665, an act to incorporate the Potomac gold and silver mining company of Maryland.

Passed finally.

No. 1500, an act to incorporate the Monocacy iron and steel company.

Passed finally.

No. 1852, an act to incorporate the Indemnity gold mining company.

Passed finally.

No. 1857, an act to incorporate the Great Western gold and silver mining company.

Passed finally.

No. 1866, an act to incorporate the Legal Tender gold and silver mining company.

Passed finally.

No. 2138, supplement to an act to incorporate the Mechanics' and miners' co-operative association of Scranton, approved 14th day of February, A. D. 1866.

Passed finally.

No. 2061, an act to incorporate the Centre gold and silver mining company of Nevada.

Passed finally.

No. 2031, an act to incorporate the Farmer's Mutual life insurance and trust company of the township of Upper Augusta.

Passed finally.

No. 1964, an act to incorporate the Philadelphia Wooden Ware manufacturing company.

Passed finally.

No. 1926, an act to incorporate the Franklin Publishing society of Pennsylvania.

Passed finally.

No. 1925, an act to incorporate the Pennsylvania Nicholson Pavement company.

Passed finally.

No. 1922, an act to incorporate the Philadelphia Paper Hangings manufacturing company.

Passed finally.

No. 1919, a supplement to an act providing for the purchase, erection and construction of public water works for the borough of Easton, Northampton county, by the corporate authorities of said borough.

Passed finally.

No. 1918, an act to incorporate the Success mining company.

Passed finally.

No. 1908, an act to incorporate the General Eldership of the Church of God in North America.

Passed finally.

No. 1903, a supplement to the act to incorporate the Cumberland Valley Mutual protection company of Dickinson township, Cumberland county.

Passed finally.

No. 2190, an act to perfect the title of Reuben Wate to certain lands in South Beaver township, Beaver county.

Passed finally.

No. 2130, a further supplement to an act to provide for the erection of a house for the employment and support of the poor in the county of Dauphin, passed the 28th day of March, 1806.

Passed finally.

No. 1936, an act authorizing the overseers of the poor of Franklin borough to levy a tax on occupations, money at interest, et cetera.

Passed finally.

No. 1932, an act to repeal an act entitled An act to secure a stricter accountability of certain public officers in Schuylkill county, approved February 17th, A. D. 1869, so far as relates to the township of Eldred, in said county.

Passed finally.

No. 2199, an act to authorize and require the supervisors of Armagh township, in the county of Mifflin, to levy and collect a tax for the purpose of securing the right of way to the Mifflin and Centre County railroad company through said township.

Passed finally.

No. 1916, an act erecting the Fourth ward of the borough of Easton, in the county of Northampton.

Passed finally.

No. 1897, a supplement to an act to incorporate the city of Meadville, approved the 15th day of February, A. D. 1866.

Passed finally.

No. 1890, an act supplementary to an act revising the charter of the municipal corporation of the city of Reading, passed April 26th, 1864, extending the limits of the same.

Passed finally.

No. 2059, an act authorizing the burgess and town council of the borough of Latrobe, in Westmoreland county, to borrow money and levy a special tax for borough purposes.

Passed finally.

No. 2030, an act relating to hawking and peddling in the county of Armstrong.

Passed finally.

No. 2001, an act for the better protection of livery stable men in Schuylkill county.

Passed finally.

No. 1933, an act supplementary to an act to incorporate the town of Pine Grove, in the county of Schuylkill, into a borough, approved the 27th day of May, A. D. 1852.

Passed finally.

No. 1973, a supplement to an act entitled An act to incorporate the village of St. Clair, in the county of Schuylkill, into a borough to be called Saint Clair, approved the 6th day of April, A. D. 1850.

Passed finally.

No. 247, an act for the relief of wives and children deserted by their husbands and fathers within this Commonwealth.

Passed finally.

No. 892, an act to provide for the payment of costs in the removal of paupers in certain cases.

Passed finally.

No, 2002, an act relative to a special bounty tax in and for the township of Guilford, in the county of Franklin.

Passed finally.

No. 235, an act to authorize the completion of the military history of the Pennsylvania volunteers.

The bill was read.

Mr. M'CANDLESS. Mr. Speaker, I do not think there is a necessity for this. Nearly all the data required can be found in the muster-in and muster out rolls of the different companies. Every gentleman on the floor here, who has been in the army, is familiar with the subject, and knows that this is a work of supererogation.

Mr. BROWNE (Lawrence.) Mr. Speaker, the work is in progress at this time, and if this Senate shall detain its progress it will place itself in rather an embarrassing position with those organizations by which the late war against the rebellion was prosecuted. Those officers and men are expecting this history to be published. Circulars have been sent to every commander of a regiment in the State, and to very many other persons now thoroughly interested in furnishing the facts. This Legislature will place itself in an unfortunate position if it endeavors to practice economy at the expense of the records of those brave men who fought her battles.

I would ask the gentleman if all the facts desirable to be treasured up are to be found in these records which he speaks of? I say that the desirable facts are not in those muster rolls; they are a very barren record. They are not the details contemplated to be obtained relative to the history of the brave men who have fallen in the charges upon the works of the enemy. It is contemplated to give at least each man that served his country a line, with some special facts connected with that history, more than you will find in any muster roll on the records of the Adjutant General, and I hope that we will not now treat this matter so badly as to suspend operations on this history.

Mr. M'CANDLESS. Mr. Speaker, there is no man here who will go farther to perpetuate the memory of the dead and the living, who have served in the late war, than I will; but any man who has been in the army knows that there is a most complete record of every man who was attached to the army. I desire this history to be written, and I desire a contract to be entered into with the gentleman who proposes to do it, containing some fixed sum which shall be compensation for his services.

Mr. LOWRY. Mr. Speaker, this record is being written by a man abundantly competent to perform the work. It is under the supervision of the Governor of the Commonwealth, and, as has been stated by the Senator from Lawrence [Mr. BROWNE,] the material is being collected all over the Commonwealth, and if the Senator knew the condition of that work as I know it he would not vote against this proposition. I trust the Senate will pass this bill.

The bill was read a third time, and

Passed finally.

No. 1710, a further supplement to an act to authorize the Governor to incorporate the West Chester and Philadelphia railroad company, approved April the 11th, A. D. 1848.

Passed finally.

No. 1648, an act to annul the marriage contract between James Edwards and Elizabeth Edwards, his wife.

Passed finally.

No. 1773, an act to incorporate the Dime savings institution of Ashland.

Passed finally.

No. 1204, an act to incorporate the Hamilton iron and coal company.

Passed finally.

No. 1121, an act requiring the Auditor General to open the account of E. O. Goodrich, late prothonotary of Bradford county, for re-settlement.

Passed finally.

No. 1895, an act to exempt from taxation money loaned to the school district of the borough of Punxsawny.

Passed finally.

No. 826, an act to incorporate the Resource domestic company.

Passed finally.

No. 1849, a supplement to an act to incorporate the Glen Alden coal company, approved the 12th day of April, A. D. 1866.

Passed finally.

No. 1324, on act to incorporate the American iron and coal company.

Passed finally.

No. 2062, an act to authorize the school directors of Fayette borough, Fayette county, to borrow money for the erection of a school house and to issue bonds therefor.

Passed finally.

No. 1067, an act to annex the farm of Joseph Houck, in Upper Mount Bethel township, Northampton county, to the Centreville independent school district for school purposes.

Passed finally.

No. 2063, a further supplement to the act incorporating the city of Harrisburg and relating to the election of school directors therein.

Passed finally.

No. 2052, an act to annex the farm of Thomas M'Cord, of Bratton township, Mifflin county, to the township of Granville, in said county, for school purposes.

Passed finally.

No. 1650, an act to annul the marriage contract between Charles Schofield and Mary Schofield.

Passed finally.

No. 576, an act to incorporate the Lycoming trout and improvement company.

Amended.

Passed finally.

No. 1611, a further supplement to an act entitled An act for regulating the measurement of corn and salt imported into the port of Philadelphia, approved the 22d day of September, 1785.

Amended.

Passed finally.

No. 1672, an act relating to the school taxes in Fulton county.

Amended.

Passed finally.

No. 1965, a further supplement to an act incorporating the Wilkesbarre and Pittston railroad company, approved April 15th, 1859, to increase the capital stock, make branches and hold lands.

Amended.

Passed finally.

No. 2056, an act to provide for the protection of minors employed on the several canals in the counties of Carbon, Northampton and Bucks.

Amended.

Passed finally.

No. 1704, a supplement to an act to incorporate the Middle Creek railroad company, approved the 23d day of March, 1865.

The bill was read.

Mr. HAINES. Mr. Speaker, my friend, the Senator from Union, is interested in this bill; and all the members in the other branch, from both his and my district, are in favor of it, and he can see no reason why it should not pass. It merely gives them the privelege of selecting their terminus at the end of the route, and can affect no one, and I hope it will pass.

Mr. WALLS. It cannot affect the Senator's district at all, but when they come down to our district, they diverge the line, and it will do as a serious injury.

The bill was laid over on a third reading.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

The Clerk of the House of Representatives being introduced, returned bills from the Senate numbered and entitled as follows, viz:

No. 1258, an act to change the venue in certain cases from Allegheny to Jefferson county.

No. 1264, an act to annul the marriage contract between Henry Warren Roth and Arabella, his wife.

No. 1786, a supplementto an act appointing commissioners to lay out and open a State road in the counties of Potter and Clinton, approved March 21st, 1865.

No. 1469, an act for the better protection of person, property and life in the mining regions of this Commonwealth.

With informatian that the House of Representatives has passed the same without amendments.

He also informed that the House of Representatives has adopted the report of the committee of conference, appointed to confer upon the subject of the difference existing between the two Houses on House bill No. 1611, entitled An act supplementary to an act relating to the Western Pennsylvania railroad company, and for other purposes, approved April 27th, 1864.

He also returned bill from the Senate numbered and entitled as follows, viz:

No. 167, a supplement to an act entitled An act amending the law of evidence in Pennsylvania, approved 27th day of March, A. D. 1865,

With information that the House of Representatives has passed the same without amendment.

MESSAGE FROM THE GOVERNOR.

The Deputy Secretary of the Commonwealth being introduced, presented the following message, in writing, from the Governor:

EXECUTIVE CHAMBER,
HARRISBURG, PA., April 10, 1867.

To the Senate and House of Representatives of the Commonwealth of Pennsylvania:

GENTLEMEN—I have approved and signed the following acts of the General Assembly, to wit:

On the 9th instant:

Senate bill No. 687, an act to permit an appeal from the register of Lebanon county, in behalf of the heirs of Robert W. Coleman, deceased.

Senate bill No. 1077, an act explanatory of the provisions of the fifth section of the act to incorporate the Bennett Branch improvement company.

House bill No. 1247, an act to incorporate the Limestone turnpike and plank road company of Warren county.

Senate bill No. 894, an act to legalize and make valid an assessment made by the board of school directors of Strasburg township, Lancaster county, of one half of one per centum, on the sixteenth day of June, Anno Domini one thousand eight hundred and sixty-six, for bounty purposes.

Senate bill No. 911, an act regulating certain sheriff's sales in the county of Luzerne.

Senate bill No, 585, an act to incorporate the Keystone telegraph company.

House bill No. 290, a further supplement to an act for the regulation and continuance of a system of education by common schools, approved the eighth day of May, Anno Domini one thousand eight hundred and fifty-four.

House bill No. 1277, a supplement to an act to incorporate the Reno shipping company, approved the first day of September, Anno Domini one thousand eight hundred and sixty-six.

House bill No. 538, an act regulating interest on public accounts.

Senate bill No. 593, a further supplement to an act entitled an act incorporating the Lackawanna and Bloomsburg railroad company, approved April the fifth, Anno Domini one thousand eight hundred and fifty-one.

Senate bill No. 595, a supplement to an act to incorporate the Reading passenger railway company, approved the twenty-first day of March, Anno Domini one thousand eight hundred and sixty-five.

Senate bill No. 692, an act to incorporate the American dredging company.

Senate bill No. 1151, an act authorizing the school directors of Curwensville, Clearfield county, to borrow money and sell a school building.

Senate bill No. 1135, an act to extend the time for the payment of the enrollment tax an act to incorporate the Sunnyside iron company.

Senate bill No. 1136, a supplement to an act entited An act granting a pension to Lewis Hagenman, approved April seventeenth, one thousand eight hundred and sixty-six.

Senate bill No. 1154, an act to incorporate the Lampeter and Strasburg turnpike road company.

Senate bill No. 1063, an act to incorporate the Citizens' ferry company of Pittsburg.

Senate bill No. 1067, an act to extend the time of payment of the enrollment tax upon an act to incorporate the Eastern telegraph company, approved April fifth, one thousand eight hundred and sixty-six.

Senate bill No. 973, a supplement to an act relating to the directors of the poor of Lancaster county, approved March second, one thousand eight hundred and forty-six, regulating the fees of constables.

Senate bill No. 1081, an act relative to the assessment and collection of taxes on unseated lands in Cherry township, Sullivan county.

Senate bill No. 905, an act increasing the pay of certain township officers in Conyngham township, Columbia county.

Senate bill No. 1177, a credit to the treasurer of Adams county, for money paid John Scott.

Senate bill No. 1350, an act authorizing the revision of a portion of the wharf lines on the rivers Delaware and Schuylkill.

Senate bill No. 1050, an act repealing an act entitled An act relating to roads in Bratton township, Mifflin county, approved May first, Anno Domini one thousand eight hundred and sixty.

On the 9th instant:

Senate bill No. 1059, a supplement to an act approved April 12th, 1856, to lay out a State road from Tarentum, Allegheny county, to George Gochee's, in Butler county.

Senate bill No. 1039, an act to incorporate the Neversink life and fire insurance company of Berks county.

Senate bill No. 1219, an act to establish a ferry over the Allegheny river, at or below the big rock, in the county of Venango.

Senate bill No. 880, an act authorizing the erection of a house for school and township purposes in Millvillage, Le Boeuff township, Erie county, and empowering the school directors to levy and collect additional tax.

House bill No. 926, an act to vacate part of Manayunk avenue, in the Twenty-first ward of Philadelphia.

House bill No. 1241, an act authorizing the supervisors and auditors of Jones township, Elk county, to receive the sum of two dollars per day.

Senate bill No. 1470, an act relating to the paving of the streets of the city of Carbon.

Senate bill No. 1247, an act to authorize the board of school directors of White township, Indiana county, to borrow money and to appropriate, for school purposes, surplus bounty fund.

Senate bill No. 1184, an act regulating the election of corporate officers of the borough of Dushore, in Sullivan county.

House bill No. 1213, an act to incorporate the Fidelity gold mining company.

House bill No. 1215, an act to incorprpate the River Bed gold and silver mining company.

Senate bill No. 854, an act to allow the sheriff of Elk county fees for serving jury notices, and increasing the pay of supervisors in said county.

Senate bill No. 317, a supplement to an act to incorporate the Allentown passenger railway company, approved March 21st, A. D. 1864.

Senate bill No. 1210, an act extending the time for laying out a State road in Wayne and Monroe counties.

No. 990, an act to authorize the school directors of the borough of Sewickley to borrow money ane levy an additional school tax.

Senate bill No. 872, an act authorizing the trustees, secretary and treasurer of the Proprietors' fund of Plymouth township to appropriate said fund towards the erection of school houses and for school purposes.

Senate bill No. 1463, a further supplement to an act entitled An act for the better regulation of billiard rooms, bowling saloons and ten pin alleys in the counties of Chester and Delaware, approved April 13th, 1859, and supplement thereto, approved March 16th, 1866, extending the same to the counties of Lawrence, Butler and Armstrong.

Senate bill No. 1630, a supplement to the

act to incorporate sundry Baptist churches in Cambria, Blair, Huntingdon, Mifflin, Juniata and Centre counties, called the Centre association of independent or regular Baptist churches, approved the 11th April, A. D. 1866, changing the time for the election of trustees and the meeting of said trustees.

Senate bill No. 1495, an act to incorporate the Corn Exchange warehousing company of Philadelphia.

Senate bill No. 924, a further supplement to an act entitled An act to incorporate the Scranton gas and water company, approved March 16th, 1854.

Senate bill No. 319, an act to incorporate the Sandusky and Irwin Street bridge company.

Senate bill No. 1220, an act to incorporate the Carlisle, Boiling Spring and Dillsburg turnpike road company.

Senate bill No. 770, an act to provide for the continuance of the education and maintenance of the destitute orphans of the deceased soldiers and sailors, and the destitute children of permanently disabled soldiers and sailors of the State.

Senate bill No. 1540, a supplement to an act annexing the borough of Manchester to Allegheny City, approved March 12th, 1867.

Senate bill No. 700, a supplement to an act incorporating the Ephrata and Lancaster railroad company, approved the 21st day of March, A. D. 1866, authorizing them to extend said railroad to the Conestoga creek, below the city of Lancaster.

Senate bill No. 939, an act for the better improvement of the front of the river Delaware.

Senate bill No. 1168, a supplement to the act entitled An act authorizing the Columbia water company to hold real estate, &c., approved the 10th day of February, 1865.

Senate bill No. 1051, a further supplement to an act entitled An act appointing commissioners to lay out and open a State road in the counties of Cameron and Potter, approved the 21st day of March, A. D. 1865.

Senate bill No. 1025, an act to incorporate the Clearfield trout and improvement company.

Senate bill No. 984, an act to authorize the Southwark railroad company to renew their road in Swanson street.

Senate bill No. 624, an act relating to bounties in the borough of Dillsburg, in the county of York, and State of Pennsylvania, validating and legalizing the assessment duplicate and warrant to collect bounty tax assessed in June, 1864, in said borough.

Senate bill No. 988, a supplement to an act entitled An act to incorporate the Bear Creek railroad company, approved the 20th day of March, A. D. 1865, changing the name of the same, regulating the rates of fare, and fixing the termini.

Senate bill No. 1117, a supplement to the act to incorporate the Norris Park mining company, approved March 14th, 1865, authorizing said company to borrow money.

Senate bill No. 518, a further supplement to an act to incorporate the North American shaft company, approved the 22d day of March, 1862.

JNO. W. GEARY.

Laid on the table.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

The Clerk of the House Representatives being introduced, informed that the House of Representatives has concurred in the resolution from the Senate requesting the suspension of the joint rule, so far as relates to the transmission of Senate bills Nos. 1532, 144, 1347, 1649, 1658, 1659, 1718, 1753, 1799, 1942, 1948, 1949, 1950, 1951, 1952, 1953, 1954, 1955,

With an amendment, adding House bills numbered and entitled as follows:

No. 2186, an act requiring the North Pennsylvania railroad and the Frankford and Southward railroad company to appoint a watchman on the crossing of Berks and America streets.

No. 1720, an act transferring the farm of Augustine Walters from Allegheny township, Cambria county, to Loretto borough, in same county, for school purposes.

In which amendment the concurrence of the Senate is requested.

On motion of Mr. BIGHAM, the amendment was twice read and

Concurred in.

The Clerk of the House of Representatives also informed that the House of Representatives has concurred in the resolution from the Senate requesting the suspension of the joint rule, so far as it relates to the transmission of Senate bill entitled An act for the relief of John Caughey, of Beaver county.

He also informed that the House of Representatives has adopted the report of the committee of conference appointed to confer upon the subject of the differences existing between the two Houses on Senate bill numbered and entitled as follows:

No. 413, an act entitled An act to regulate the carriage of baggage by railroad companies, and to prescribe the duties and obligations of carriers and passengers in relation thereto.

He also informed that the House of Representatives has non-concurred in the amendments made by the Senate to bill from the House numbered and entitled as follows:

An act to extend the provisions of an act to prohibit the issuing of licenses within certain boroughs in the counties of Armstrong, Potter, Indiana and Perry, or within two miles of the same, in the counties in which said boroughs are located, approved 27th day of March, 1866, to the boroughs of West Newton and Mount Pleasant, in the county of Westmoreland.

He also informed that the House of Representatives has concurred in the amendments made by the Senate to bills from the Senate numbered and entitled as follows:

No. 697, an act to incorporate the Monongahela inclined plane company.

No. 792, an act authorizing the sale of the Allegheny City poor farm, and to purchase another for the same purpose,

Said bills having been returned by the Governor in pursuance of joint resolution requesting the same.

The Clerk of the House of Representatives also informed that the House of Representatives has non-concurred in the amendments made by the Senate to bill from the House of Representatives numbered and entitled as follows:

No. 1337, an act to vacate part of Buck road in the Twenty-sixth ward of the city of Philadelphia.

Said amendment having been again read.

Mr. M'CANDLESS moved that the Senate insist upon its amendments non-concurred in by the House of Representatives, and that a committee of conference be appointed to confer with a similar committee of the House of Representatives (if the House of Representatives appoint such committee), on the subject of the differences between the two Houses in relation to said bill.

The motion was

Agreed to,

And Messrs. M'CANDLESS, DONOVAN and RIDGWAY were appointed the committee.

THE ISSUING OF LICENSES IN CERTAIN TOWNSHIPS.

The House having non-concurred in the amendment of the Senate to bill entitled An act to extend the provisions of an act to prohibit the issuing of licenses within certain boroughs in the counties of Armstrong, Potter, Indiana and Perry, or within two miles of the same in the counties in which such boroughs are located, approved 27th day of March, 1866, to the boroughs of West Newton and Mount Pleasant, in the county of Westmoreland,

Mr. BIGHAM moved that the Senate recede from its amendments.

Mr. SEARIGHT. I do want the Senate to understand that this matter refers to my district alone.

Mr. BIGHAM. I have something to say about this. Two of the members of the other branch came over here this morning and asked me that we should recede in this matter; the immediate members from that county asked that the Senate recede.

Mr. SEARIGHT. Mr. Speaker, to show how much at fault the Senator from Allegheny [Mr. BIGHAM] is, and how apt to mislead the Senate on this question, he has stated that the members—more than one of the members, the immediate representatives from Westmoreland—have told him that they desire this to pass without the Senate amendment. Now, when I tell you that there is but one member from Westmoreland county, the Senate will see how he has misrepresented.

Mr. RANDALL. The Senate seems to have a right to interfere with my district; I do not see why not with Westmoreland.

Mr. SEARIGHT. The town I want exempted is on the line, and nearer to me than any other; and I insist that there is but one member.

Mr. WHITE. Mr. Speaker, I do not care about interfering, except to say this: Indiana and Westmoreland elected their representatives; Colonel Gallagher is the representative from Westmoreland county; I represent his wishes here. The bill was passed over there with West Newton and Mount Pleasant in. It came here, and at the instance of the Senator from Fayette [Mr. SEARIGHT] Mount Pleasant was stricken out. When it went over there again, Colonel Gallagher refused to concur, and now the Senator from Allegheny [Mr. BIGHAM] asks the Senate to stand by the representative from Westmoreland. I am going to vote with Colonel Gallagher.

Mr. SEARIGHT. And the Senator has voted that way all winter—to take away the legislation of my district and place it in the hands of somebody else. I ask the Senator if I do not live nearer this place than Colonel Gallagher? The reason I ask to have it stricken out is because I am so instructed by the people. I am also instructed to let it go to West Newton. The people ask it.

On the final passage of the bill,

The yeas and nays were required by Mr. SEARIGHT and Mr. WHITE, and were as follow, viz:

YEAS—Messrs. Bigham, Billingfelt, Browne (Lawrence), Brown (Mercer), Coleman, Connell, Cowles, Donovan, Fisher, Graham, Landon, M'Connaghy, Royer, Shoemaker, Stutzman, Taylor, White and Worthington—18.

NAYS—Messrs. Burnett, Davis, Glatz, James, Lowry, M'Candless, Randall, Ridgway, Schall, Searight, Wallace, Walls and Hall, *Speaker*—13.

So the bill

Passed finally.

During the call,

Mr. COWLES said: Mr. Speaker, Colonel Gallagher came in here some time since and appealed to me to vote for this measure. It was the appeal of a gallant soldier, one who has worn the uniform. I shall stand by him. I vote "aye."

Also, during the call,

Mr. FISHER said: From the fact that General Gallagher came over here and intimated that they did not want this stricken out of the bill, I vote "aye."

Also, during the call,

Mr. GLATZ said: As Colonel Gallagher did not come to see me, I vote "no."

Also, during the call,

Mr. STUTZMAN said: As Colonel Gallacher did come to see me, I vote "aye."

BILLS PASSED.

On motion of Mr. TAYLOR, the rules were dispensed with, and the Senate proceeded to the consideration of a bill entitled An act for the relief of John Caughey, of Beaver county.

The bill was read a second and third time, and

Passed finally.

On motion of Mr. COLEMAN the Committee on Roads and Bridges was discharged from the further consideration of a bill entitled An act to grade and pave certain streets in Hummelstown, Dauphin county.

And the rules having been dispensed with,

The bill was read a second and third time, and

Passed finally.

On motion of Mr. CONNELL, the rules were dispensed with, and the Senate proceeded to the consideration of a bill entitled

An act to increase the revenues of the Commonwealth by taxation of the shares on stock of the national banks.

The bill was read a second and third time, and

Passed finally.

CONCURRENCE IN HOUSE AMENDMENTS.

On motion of Mr. STUTZMAN, the amendments made by the House of Representatives to bill entitled A further supplement to a further supplement to an act incorporating the Bedford iron company, approved the 1st day of May, 1861, was read a second time, and concurred in.

The hour of one o'clock having arrived, the SPEAKER adjourned the Senate until this afternoon at three o'clock.

AFTEKNOON SESSION.

The Senate reassembled at 3 P. M.

BILL ON THIRD READING.

On motion of Mr. FISHER, the Senate proceeded to the third reading and consideration of a bill entitled An act to provide for the improvement of the inspection laws in regard to the inspection of whisky in the county of Philadelphia.

The bill

Passed finally.

BILL PASSED.

On leave Mr. SHOEMAKER read in place and presented to the Chair a bill entitled An act to repeal an act to incorporate the Citizens' turnpike and macadamized road company, approved April 10, 1867.

Referred to the Committee on Roads and Bridges.

On motion of Mr. SHOEMAKER, the Committee on Roads and Bridges was discharged from the further consideration of said bill,

And the rules having been dispensed with,

The bill was read a second and third time, and

Passed finally.

Mr. SHOEMAKER offered the following resolution, which was twice read:

Resolved (if the House of Representatives concur), That the ninth joint rule be suspended so far as relates to the transmission of the above bill.

The resolution was adopted.

THE CUMBERLAND VALLEY RAILROAD.

On motion of Mr. GLATZ, the Committee on Railroads was dirchared from the further consideration of a bill entitled a further supplement to the act entitled An act to incorporate the Cumberland Valley railroad company, approved April 2, 1831, and the Senate proceeded to the second reading and consideration of said bill.

On the motion to suspend the rules to read the bill a third time,

The yeas and nays were required by Mr. LANDON and Mr. COLEMAN, and were as follow, viz:

YEAS—Messrs. Bingham, Billingfelt, Browne (Lawrence), Brown (Mercer), Burnett, Coleman, Davis, Fisher, Glatz, Graham, Haines, James, Lowry, M'Candless, M'Conaughy, Searight, Shoemaker, Stutzman, Taylor, Wallace, Walls, White, Worthington and Hall, *Speaker*—24.

NAYS—Messrs. Connell, Donovan, Landon, Randall, Ridgway, Royer—6.

So the bill was read a third time and

Passed finally.

THE FREE RAILROAD LAW.

Mr. BIGHAM moved that the committee on railroads be discharged from the further consideration of a bill from the House of Representatives entitled An act to authorize the formation of railroad corporations, and that the Senate do now proceed to the consideration of the same.

Mr. BIGHAM. Mr. Speaker, I do not want to occupy time in discussion. This is the House bill which passed that body without a call of the yeas and nays. I want to bring the Senate to it direct.

Mr. LANDON. Mr. Speaker, I only wish to say a word, and perhaps it is not worth while to say that. It will be remembered that we passed a bill which we thought covered the ground in this question, which bill went to the House. The House did not act upon the Senate bill, but took up what was known as Mr. BIGHAM's bill, and amended it. That bill has come back into this Senate, and the motion is to discharge the committee. If the committee is discharged, of course the bill comes up and you will have business for the remainder of the afternoon. I do not ask the Senate to vote one way or the other.

Mr. TAYLOR. Mr. Speaker, I am satisfied that the bill as passed by the House is the bill that the people of this Commonwealth want—a bill under which railroads can be built. Therefore if it should take up the time of the Senate for the whole afternoon and evening, I am in favor of discharging the committee; I hope it will be done.

Mr. BROWN (Mercer). Mr. Speaker, the Senator from Bradford [Mr. LANDON] intimates that this bill has been largely amended. It is the bill called the BIGHAM bill. I understand that there are but two amendments of importance—one authorizing a connection with railroads out of the State, the other authorizing the crossing of other roads at grade. I believe these are the only two amendments made to the BIGHAM bill which amount to much. It seems to me if it should take up this entire afternoon to consider and pass this bill, we could not possibly spend our time better. I am prepared to sit here until twelve o'clock to-night or until daylight to-morrow if we can agree to this bill as it comes from the House. Now, I trust Senators will not be misled and take it for granted that this bill is a new thing entirely. It is simply the BIGHAM bill with these amendments, and it does not seem to me that we could close up a session in doing a better thing than by giving to the people of Pennsylvania this free railroad bill. The people demand it. In the western portions of the State their expectations have been excited to a high pitch by the action of the House. They are encouraged to think that they are to get a free railroad law; and shall they be disappointed by the failure on the part of the Senate to do what the House has already done? I hope not.

Mr. LOWRY. Mr. Speaker, I do say that we have yet the power to pass this bill; and if we would do more for mankind, more for our State, more for ourselves and more for our children than we done this winter or than we have done in the past, we would drive out this legislative corruption, build up commerce, promote the interests of every thing that is good by passing this bill. We have abundance of time to pass it, and can do it if we choose to do it.

On the question,

Will the Senate agree to the motion to discharge the Committee on Railroads from the further consideration of the bill?

The yeas and nays were required by Mr. BIGHAM and Mr. LANDON, and were as follow, viz:

YEAS—Messrs. Bigham, Browne (Lawrence), Brown (Mercer), Coleman, Cowles, Davis, Graham, Lowry, Taylor, Wallace, White and Hall, *Speaker*—12.

NAYS—Messrs. Burnett, Connell, Donovan, Fisher, Glatz, Haines, James, Landon, M'Candless, M'Conaughy, Randall, Ridgway, Royer, Schall, Searight, Shoemaker, Stutzman, Walls and Worthington—19.

So the question was determined in the negative.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

The Clerk of the House of Representatives being introduced, returned bills from the Senate numbered and entitled as follows, viz:

No. 1183, joint resolution relative to revising, collecting and digesting the tax laws of Pennsylvania.

No. 1420, an act to incorporate the United States plate glass insurance company of Philadelphia.

No. 1688, an act for the relief of John Caughey, of Beaver county.

No. 1368, an act relative to the Schuylkill Agricultural Park association.

No. 238, a supplement to an act entitled An act to prevent the sale of intoxicating liquor on the first day of the week, commonly called Sunday, approved February 26th, 1855.

No. 1721, joint resolution instructing our Senators and requesting our Representatives in Congress to vote for an appropriation to open a communication between Lake Erie and the Ohio river.

No. 1601, an act to authorize the removal of certain cases from the court of common pleas of Centre county.

No. 1773, a supplement to an act relating to corporations for mechanical, mining and quarrying purposes, approved the 18th day of July, 1863, repealing section thirty-three of the same, so far as it affects certain counties.

No. 1408, an act to consolidate the Steuben coal company and the Scranton coal company.

No. 942, a supplement to an act entitled An act to change the venue of a certain action from Juniata county to Dauphin county, approved the 21st day of March, A. D. 1866.

No. 728, an act to incorporate the Silver Brook coal company.

With information that the House of Representatives has passed the same with amendments.

In pursuance of the suspension of joint rule,

He also presented for concurrence bill numbered and entitled as follows, viz:

No. 1720, an act transferring the farm of Augustine Walters from Allegheny town-

ship, Cambria county, to Loretto borough, in said county, for school purposes.

Referred to the Committee on Education.

COMMITTEE OF CONFERENCE ON THE APPROPRIATION BILL.

Mr. CONNELL, from the committee of conference on the points of difference between the two Houses on House bill No. 828, entitled An act to provide for the ordinary expenses of the Government, and other general and specific appropriations, report that they had agreed to recommend to their respective Houses the adoption of the following amendments to said bill, viz:

That the House concur in Senate amendments in the twelfth and twenty-ninth lines of the second section, and in Senate amendments to third, fourth, fifth, sixth, seventh, eighth, tenth, eleventh, fourteenth, fifteenth, twenty-first, twenty-sixth, thirty-eighth, forty-first, forty-second, forty-seventh, fifty-second, fifty-third, fifty-fourth, fifty-fifth, fifty-seventh, fifty-eighth, sixty-second, sixty-fifth, seventieth, seventy-first, seventy-fourth, seventy-fifth, seventy-sixth and seventy-eighth section.

That the Senate recede from their amendments in the twenty-sixth line of the first section, in second, third and fourth lines of the thirteenth section, to the forty-eighth section, from the manuscript proviso to sixty-ninth section, and also to the seventy-seventh section, and also the forty fourth section, and that the words "two hundred and fifty" be inserted before the word "dollars," in the twelfth line of the second section; and the words "five hundred" be inserted in the twenty-fifth line of the second section; and that the Senate recede from their amendments in the twenty-sixth line of the second section; and that the House concur in Senate amendment in the twenty-ninth line of second section.

That the House concur in Senate amendments in the third, fourth, tenth and eleventh lines of tenth section—and that the twenty-fifth line be amended so as to read "fifteen thousand."

That the Senate recede from their amendments in the first paragraph of the thirteenth section, and that the House concur in the manuscript amendment of the Senate to the thirteenth section.

That the third line of the seventy-eighth section be amended by inserting the word "three" in lieu of "four" in the original bill, and the word "six" in the sixth line of same section in place of "eight" in original bill, and that the House concur in the other Senate amendments to same section.

That the words "Sergeant-at-Arms" and his Assistants," "Doorkeeper," "Messenger to committee rooms of the House of Representatives" be inserted after the word "Senate" in the third line of the manuscript amendment to the fortieth section.

That the forty-third section be amended by inserting "five thousand dollars," and that the fifty-sixth section be amended by inserting "three thousand" in the second line in lieu of five. That the fifty-ninth section be amended by inserting "eight thousand" in lieu of "fifteen thousand."

That the thirty-ninth section be amended by adding the words, "and the same rate per day for three months after the close of the session."

That the following words be added to the forty-first section, "and the sum of two hundred and fifty dollars to Charles Looker, for similar services in the House of Representatives."

Mr. WALLACE moved to amend the report by adding the proviso stricken off the the sixty-ninth section to another section of the bill.

The SPEAKER ruled that the report of the committee must be adopted as a whole, or rejected; it could not be amended.

On motion of Mr. CONNELL, the report was read a second time and adopted, as follows, viz:

AN ACT to provide for the ordinary expenses of the Government, and other general and specific appropriations.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the following sums be, and the same are hereby, specifically appropriated to the several objects hereinafter named, for the year commencing on the first day of June, Anno Domini one thousand eight hundred and sixty-seven, to be paid out of any money in the treasury not otherwise appropriated.

SEC. 2. For the salary of the Governor of the Commonwealth, five thousand dollars for the year commencing June first, one thousand eight hundred and sixty-seven, and the further sum of four hundred dollars, for the proportion of the year prior to June first, one thousand eight hundred and sixty-seven.

For the salary of the Secretary of the Commonwealth, three thousand five hundred dollars for the year commencing June first, one thousand eight hundred and sixty-seven, and the further sum of six hundred dollars for the proportion of the year prior to June first, one thousand eight hundred and sixty-seven.

For the salary of the Deputy Secretary of the Commonwealth, two thousand two hundred and fifty dollars, to be computed from June first, one thousand eight hundred and sixty-six.

For the salary of the Auditor General, two thousand dollars, and a further sum of three hundred dollars, out of the surplus fund in the treasury on the thirteenth day of November, one thousand eight hundred and sixty-six, from receipts under the free banking system, after paying expenses thereof, for his services in connection with said system.

For the salary of the Surveyor General, one thousand six hundred dollars, and for the present Surveyor General, the further sum of five hundred dollars, for his services in the sale of the agricultural college land scrip, under the act of April eleventh, one thousand eight hundred and sixty-six.

For the salary of the Attorney General, three thousand five hundred dollars.

For the salary of the Adjutant General, three thousand dollars, in full for all services as Adjutant General and member of the board of claims.

For the salary of the State Treasurer, one thousand seven hundred dollars.

For the salary of the Superintendent of Common Schools, one thousand eight hundred dollars.

For the salary of the State Librarian, one thousand dollars.

For the salary of the Superintendent of Public Printing, eight hundred dollars, and for office rent, ninety dollars, or so much thereof as may be expended therefor.

SEC. 3. For the salary of the private secretary of the Governor, two thousand dollars, and for the salary of a temporary clerk, at the rate of one hundred and twenty-five dollars per month, so long as employed by the Governor.

For messenger in the executive department, nine hundred dollars, to be computed from the first day of June, one thousand eight hundred and sixty-six.

For postage, telegrams, stationery and other incidental expenses, the sum of seven hundred dollars, or so much thereof as may be necessary.

SEC. 4. For the salary of the chief clerk in the office of the Secretary of the Commonwealth, one thousand six hundred dollars, and the further sum of two hundred dollars, to be computed from the fifteenth day of January, one thousand eight hundred and sixty-seven.

For the salary of the military clerk, one thousand two hundred dollars, and the further sum of two hundred dollars, to be computed from the first day of June, one thousand eight hundred sixty-six.

For the salary of the commission clerk, one thousand two hundred dollars, and the further sum of two hundred dollars, to be computed from the first day of June, Anno Domini one thousand eight hundred and sixty-six.

For the salary of the first transcribing clerk, one thousand two hundred dollars, and the further sum of two hundred dollars, to be computed from the first day of June, Anno Domini one thousand eight hundred and sixty-six.

For the salary of the second transcribing clerk, twelve hundred dollars, and the further sum of two hundred dollars, to be computed from the first day of June, Anno Domini one thousand eight hundred and sixty-six.

For the salary of the third transcribing clerk, twelve hundred dollars, and the further sum of two hundred dollars, to be computed from the first day of June, Anno Domini one thousand eight hundred and sixty-six.

For the salary of two additional clerks, each the sum of twelve hundred dollars, and the further sum of two hundred dollars each, to be computed from the first day of June, Anno Domini one thousand eight hundred and sixty-six.

The further sum of two hundred dollars, in this section appropriated to each of the several clerks in the State Department, shall be apportioned between the retiring and present clerk, and paid to each, according to the time of their respective service during the year.

For the salary of the messenger in the State Department, nine hundred dollars.

For postage, telegrams, freight and express charges in the State Department, fifteen hundred dollars, or so much thereof as may be necessary.

For blank books, one hundred and fifty dollars, or so much thereof as may be necessary.

For stationery, nine hundred dollars, or so much thereof as may be necessary, to be computed from the first day of June, one thousand eight hundred and sixty six.

For fuel and lights, one hundred and fifty dollars, or so much thereof as may be necessary.

For cleaning of offices, one hundred and twenty-five dollars, or so much thereof as may be necessary.

For miscellaneous expenses, three hundred dollars, or so much thereof as may be necessary.

SEC. 5. For the salary of the chief clerk in the Auditor General's office, one thousand seven hundred dollars, and the further sum of one hundred dollars, to be computed from the first of June, Anno Domini one thousand eight hundred and sixty-six.

For the salary of the clerk in the banking department, one thousand four hundred dollars, and the further sum of one hundred dollars, to be computed from the first of June, Anno Domini one thousand eight hundred and sixty-six.

For the salary of the clerk in the department for settling accounts of county treasurers, prothonotaries, registers, recorders, clerks of the courts, et cetera, one thousand three hundred dollars, and the further sum of two hundred dollars, to be computed from the first day of June, one thousand eight hundred and sixty-six.

For the salary of the clerk for settling the accounts of corporations and in charge of the business with foreign insurance companies, reports of railroads and manufacturing companies, et cetera, one thousand three hundred dollars, and the further sum of one hundred dollars, to be computed from the first day of June, one thousand eight hundred and sixty-six.

For the salary of an assistant clerk in charge of accounts of corporations, thirteen hundred dollars, and the further sum of two hundred dollars, for services at the military desk, to be computed from the first of June, one thousand eight hundred and sixty-six.

For the salary of warrant and bonus clerk, one thousand three hundred dollars, and the further sum of one hundred dollars, to be computed from the first day of June, one thousand eight hundred and sixty-six.

For the salary of registering and copying clerk, one thousand two hundred dollars, and the further sum of one hundred dollars, to be computed from the first day of June, one thousand eight hundred and sixty-six.

For the salary of the clerk in charge of papers relating to the public improvements formerly owned by the State, for settling accounts of military disbursing officers, and assisting chief corporation and warrant clerks, one thousand three hundred dollars, and the further sum of one hundred dollars, to be computed from the first day of June, Anno Domini one thousand eight hundred and sixty-six.

For salary of clerk for copying accounts, appeals, correspondence, reports, et cetera, twelve hundred dollars, and the further sum of two hundred dollars, to be computed from the first day of June, Anno Domini one thousand eight hundred and sixty-six.

For the military claims and warrant clerk in the Auditor General's office, the sum of twelve hundred dollars, and the further sum of one hundred dollars, to be computed from the first day of June, Anno Domini one thousand eight hundred and sixty-six.

For salary of messenger, nine hundred dollars, to be computed from the first day of June, one thousand eight hundred and sixty-six.

For salary of a night watchman, eight hundred dollars, and the further sum of eight hundred dollars, for the services of such officer, from the first day of June, one thousand eight hundred and sixty-six.

For postage and telegrams, seven hundred and fifty dollars, or so much thereof as may be necessary.

For stationery, five hundred dollars, or so much thereof as may be necessary.

For fuel, one hundred and fifty dollars, or so much thereof as may be necessary.

For miscellaneous expenses of the office, two hundred dollars, or so much thereof as may be necessary.

SEC. 6. For the salary of eight clerks in the Surveyor General's office, the sum of one thousand four hundred dollars each.

For the salary of the chief clerk in the Surveyor General's office, the sum of one thousand eight hundred dollars.

For the salary of the temporary clerks, the sum of one hundred dollars per month to each clerk, and the number and time for which they are employed shall be subject to the approval of the Governor, and the additional sum of two hundred dollars each, to be computed from the first day of June, one thousand eight hundred and sixty-six.

For the salary of messenger, nine hundred dollars, to be computed from the first day of June, one thousand eight hundred and sixty-six.

For postage in the office of the Surveyor General, four hundred dollars, or so much thereof as may be necessary.

For stationery, five hundred dollars, or so much thereof as may be necessary.

For cleaning office and miscellaneous expenses, one hundred and fifty dollars, or so much thereof as may be necessary.

For fuel, one hundred and fifty dollars, or so much thereof as may be necessary.

SEC. 7. For the salary of the clerk in the office of the Attorney General, fifteen hundred dollars.

For the contingent expenses in the Attorney General's office, seven hundred dollars, or so much thereof as may be necessary.

SEC. 8. For the salary of the chief clerk in the office of the State Treasurer, one thousand eight hundred dollars, and the further sum of one hundred dollars, to be computed from the first day of May, Anno Domini one thousand eight hundred and sixty-six.

For the salary of the book-keeper, one thousand three hundred dollars, and the further sum of one hundred dollars, to be computed from the first day of May, Anno Domini one thousand eight hundred and sixty-six.

For the salary of the account clerk, one thousand three hundred dollars, and the further sum of one hundred dollars, to be computed from the first day of May, Anno Domini one thousand eight hundred and sixty-six.

For the salary of the recording clerk, one thousand two hundred dollars, and the further sum of one hundred dollars, to be computed from the first day of May, Anno Domini one thousand eight hundred and sixty-six.

For the salary of the clerk in charge of accounts of corporations, fourteen hundred dollars, to commence from the first day of September, Anno Domini one thousand eight hundred and sixty-six.

For the salary of the messenger of the treasury department, nine hundred dollars, to be computed from the first day of June, one thousand eight hundred and sixty-six.

For the salary of a night watchman of the treasury department, eight hundred dollars, and the further sum of eight hundred dollars, for the services of such officer, from the first day of June, one thousand eight hundred and sixty-six, or so much thereof as may be necessary.

For postage and telegrams in the treasury department, four hundred dollars, or so much thereof as may be necessary.

For stationery and blank books, three hundred dollars, or so much thereof as may be necessary.

For express charges, one hundred dollars, or so much thereof as may be necessary.

For fuel and light, seventy-five dollars, or so much thereof as may be necessary.

For miscellaneous expenses, one hundred and seventy-five dollars, or so much thereof as may be necessary.

SEC. 9. That the State Treasurer is hereby required to pay to each of the commissioners of the sinking fund the sum of three hundred dollars, and they are hereby authorized and required to impose the duties of clerk to said commissioners upon one of the clerks of the treasurer's department, at an increased salary not exceeding four hundred dollars per annum.

SEC. 10. For the salary of the Assistant Adjutant General, including pay and allowances of captain of infantry, as per State militia law, seventeen hundred and ten dollars.

For the salary of the chief clerk, the sum of one thousand three hundred dollars.

For the salary of the pay department clerk, the sum of twelve hundred dollars.

For the salary of the register and recording clerk, twelve hundred dollars.

For the salary of the Superintendent of the State Arsenal, one thousand dollars.

For the salary of the messenger, the sum of nine hundred dollars, to be computed from the first day of June, one thousand eight hundred and sixty-six.

For postage, telegrams and express charges, the sum of six hundred dollars, or so much thereof as may be necessary.

For blank books, the sum of one hundred and fifty dollars, or so much thereof as may be necessary.

For stationery, the sum of six hundred and fifty dollars, or so much thereof as may be necessary.

For lights, the sum of fifty dollars, or so much thereof as may be necessary.

For cleaning office and ordinary repairs, the sum of one hundred and fifty dollars, or so much thereof as may be necessary.

For miscellaneous expenses, the sum of one hundred dollars, or so much thereof as may be necessary.

For disbursements as ex-officio Paymaster General of the State, the sum of fifteen thousand dollars, or so much thereof as may be necessary.

SEC. 11. For the cost of transportation of the Transportation Department, the sum of five thousand dollars, or so much thereof as may be necessary, to be settled by the Auditor General in the usual manner; and the Chief of Transportation is authorized to pay, out of said sum, the expense of disinterring and carrying to the place of burial the bodies of deceased soldiers of Pennsylvania, transportation, when it has not been furnished by the State, to be computed at the rate of two cents per circular mile, and in no case shall a sum greater than twenty dollars be paid as the expense of disintering; and also pay, out of said sum, for the salary of of the Chief of the Transportation Department up to the first day of December next, the sum of one thousand dollars; for the salary of the clerk of said Department, up to the same point of time, the sum of seven hundred dollars; for the messenger, one hundred and fifty dollars, and for postage, stationery, fuel and incidental expenses, one hundred and fifty dollars, or so much thereof as may be necessary.

On the first day of December, eighteen hundred and sixty-seven, the duties of the Transportation Department shall devolve on the Adjutant General, who shall then receive from the Chief of said Transportation Department all books, accounts and property of the State.

SEC. 12. For the payment of pensions and gratuities, the sum of seven thousand dollars, and such further sums as may be necessary to pay to the widows and children of deceased soldiers such sums, or sums as they may be entitled to receive according to law. And the act entitled An act to provide for the payment of gratuities and annuities to the soldiers of the war of one thousand eight hundred and twelve, and to their widows, approved the thirtieth day of March, one thousand eight hundred and sixty-six, be, and the same is, hereby repealed.

SEC. 13. For the salary of the Deputy Superintendent of Common Schools, one thousand six hundred dollars.

For the salary of the warrant clerk in the School Department, twelve hundred dollars, and the further sum of two hundred dollars, to be computed from the first day of June, Anno Domini one thousand eight hundred and sixty-six.

For the salary of the report clerk, twelve hundred dollars, and the further sum of two hundred dollars, to be computed from the first day of June, Anno Domini one thousand eight hundred and sixty-six.

For the salary of the letter clerk, twelve hundred dollars, and the further sum of two hundred dollars, to be computed from the

first day of June, Anno Domini one thousand eight hundred and sixty-six.

For engraving and printing warrants, two hundred and seventy-five dollars, or so much thereof as may be necessary.

For repairing and furnishing the room of the School Department, two thousand dollars, or so much thereof as may be necessary, inclusive of the sum appropriated for the same purpose, in the general appropriation act passed at the session of one thousand eight hundred and sixty-six.

For the salary of the messenger, nine hundred dollars, to be computed from the first day of June, one thousand eight hundred and sixty-six.

For stationery and blank books in the School Department, three hundred dollars, or so much thereof as may be necessary.

For postage, telegrams and express expenses, one thousand dollars, or so much thereof as may be necessary.

For cleaning office and miscellaneous expenses of the School Department, three hundred dollars, or so much thereof as may be necessary.

For expenses in packing and distributing blank forms, reports, school laws and decisions, to the school directors of the State, six hundred dollars, or so much thereof as may be necessary.

For publishing and circulating among the school officers of the State the official decisions and instructions of the Department, two thousand dollars, or so much thereof as may be necessary.

For traveling expenses on official business of the department, five hundred dollars, or so much thereof as may be necessary.

SEC. 14. For the education and maintenance of the destitute orphans of the deceased soldiers and sailors of the State from the first day of January, one thousand eight hundred and sixty-seven, till the first day of June, one thousand eight hundred and sixty-eight, the following sums annually, or so much thereof as may be necessary, to be drawn and accounted for, as provided by the act entitled An act to provide for the continuance of the education and maintenance of the destitute orphans of the deceased soldiers and sailors of the State, passed at this current session of the Legislature: *Provided*, That the gross expenditures hereinafter provided shall not exceed the sum of three hundred and fifty thousand dollars annually:

For the education and maintenance, including clothing of each orphan of less than ten years of age, admitted into such orphan homes as receive now, or have received appropriations from the State, the sum of one hundred and five dollars, or so much thereof as may be necessary.

For the education and maintenance, including clothing of each orphan of less than ten years of age, admitted into such orphan homes or institutions as have received no appropriation from the State, the sum of one hundred and twenty-five dollars, or so much thereof as may be necessary.

For the education and maintenance of each orphan between the ages of ten and sixteen years, admitted into such institutions as may be selected for them by the proper authorities, and which have received no appropriations from the State, the sum of one hundred and forty dollars, and the further sum of twenty-five dollars for clothing each of said orphans, or so much thereof as in either case may be necessary: *Provided*, That the rates hereby established shall take effect on and after the first day of June, Anno Domini one thousand eight hundred and sixty-seven.

For the salary of the superintendent of soldiers' orphans, eighteen hundred dollars.

For the salary of the office clerk, twelve hundred dollars.

For the salary of the inspector or examiner of soldiers' orphan schools, fifteen hundred dollars.

For the salary of the female assistant inspector and examiner, the sum of one thousand dollars.

For postage and telegrams, three hundred dollars, or so much thereof as may be necessary.

For stationery and blank books, one hundred and fifty dollars, or so much as may be necessary.

For printing, five hundred dollars, or so much thereof as may be necessary.

For advertising, four hundred dollars, or so much thereof as may be necessary.

For transferring pupils, four hundred dollars, or so much thereof as may be necessary.

For funeral expenses, two hundred dollars, or so much thereof as may be necessary.

For traveling expenses of the superintendent and his asisstants, five hundred dollars, or so much thereof as may be necessary.

SEC. 15. For the support of the common schools for the school year which will begin on the first Monday of June, Anno Domini one thousand eight hundred and sixty-seven, to be paid on warrants to be drawn by the Superintendent in favor of the several school districts of this Commonwealth, the sum of three hundred and fifty-five thousand dollars, inclusive of the salaries of county superintendents, and inclusive of the sum of ten thousand dollars for the education of teachers in the Normal schools of the Commonwealth, to be applied in the same way and under the same conditions as a similar appropriation was directed to be applied by the general appropriation act approved the eleventh day of April, one thousand eight hundred and sixty-six, including the State Normal school of the Third district, to the benefit of the students in the respective State Normal schools, who are preparing to become teachers in the common schools of the State: *Provided*, That each student in a Normal school, drawing an allowance from the State, must receive regular instruction in the science and art of teaching, in a special class devoted to that object, for the whole time such an allowance is drawn, inclusive, also, of the sum of fifteen hundred dollars, for the education of colored young men as teachers in the Lincoln university, to be disbursed in like manner, and with like conditions, as the money appropriated in this act for the education of teachers in the State normal schools, and inclusive, also, of nine thousand two hundred and twelve dollars and thirty-two cents, to the city of Philadelphia, this being the amount contributed by said city through an oversight in the general appropriation act, approved the 11th day of April, Anno Domini one thousand eight hundred and sixty-six, to the salaries of the county superintendents in the several counties of the Commonwealth, when no part of the benefit of their supervision accrued to said city: *Provided*, That the city of Philadelphia shall be entitled to a proper portion of this appropriation without contributing to the salaries of the county superintendents, and that the sum of three thousand dollars of the amount received by the city of Philadelphia shall be paid to the teachers' institute of the city of Philadelphia, for its corporate purposes.

For the State Normal school of the Third district, five thousand dollars.

For paying committee of inspection for inspecting the Normal school of the Third district, preparatory to recognition by the State, as per bills on file in the school department, one hundred and twenty five dollars.

SEC. 16. For the purchase of law and miscelleanous books for the State Library, eighteen hundred dollars.

For the exchange of law books, including Purdon's Digest, one thousand dollars, or so much thereof as may be necessary.

For postage, freight on books, stationery, purchasing books, cleansing apartments, making fires, et cetera, five hundred dollars, or so much thereof as may be necessary.

For binding, one hundred dollars, or so much thereof as may be necessary.

SEC. 17. For the salaries of the judges of the Supreme Court, the sum of twenty-seven thousand five hundred dollars, or the sum of five thousand five hundred dollars to each judge, for the present year, to be in lieu of all daily pay, mileage or other expenses heretofore allowed by any law.

SEC. 18. For the payment of the salaries of the judges of the district court, and the judges of the court of common pleas, of the city of Philadelphia, the sum of thirty-five thousand dollars, or five thousand dollars to each judge for the present year.

SEC. 19. For the payment of the judges of the district court and the president and assistant law judges of the court of common pleas of the county of Allegheny, twenty-five thousand dollars, or five thousand dollars to each one of the law judges for the present year.

For the payment of the president judge of the Twelfth Judicial district, in consideration of the increased labor in trying the Commonwealth civil cases in the county of Dauphin, the sum of thirty-eight hundred dollars a year, and his salary is to be computed at that rate from the first day of June, one thousand eight hundred and sixty-six, in full of all claims for arrears.

SEC. 20. For the payment of the salaries and mileage of the president, additional and associate law judges of the several courts of common pleas in this Commonwealth, except in the city of Philadelphia, the county of Allegheny and the Twelfth Judicial district, the sum of one hundred and fifteen thousand dollars, or so much thereof as may be necessary; each president and law judge to receive three thousand five hundred dollars salary during the present year.

SEC. 21. For the payment of the salaries and mileage of the associate judges of the courts of this Commonwealth, the sum of fifty thousand dollars, or so much thereof as may be necessary, each associate judge to receive, in lieu of the salary now allowed by law, five dollars per day, for every day, not exceeding fifty, he may be employed in the discharge of his official duties, and for every such day, in excess of fifty, the sum of three dollars: *Provided*, That the salary of no associate judge shall be less than three hundred dollars, and the pay of the associate judges shall hereafter be as is hercin provided.

SEC. 22. For the payment of the interest on the funded debt of the Commonwealth, which will fall due on the first days of July and August, Anno Domini one thousand eight hundred and sixty-seven, and the first days of January and February, Anno Domini one thousand eight hundred sixty-eight, the sum of one million eight hundred and six thousand one hundred and thirty-four dollars, or so much thereof as may be necessary.

SEC. 23. For the public printing, folding, stitching and binding, thirty-five thousand dollars, or so much thereof as may be necessary on settlement of the account of the public printer according to law.

SEC. 24. For the payment of the expenses of the Legislature, including the pay and mileage of members, clerks and officers of each House, appointed for this session, and the amount authorized by law for stationery, et cetera, the sum of two hundred and sixty-five thousand dollars, or so much thereof as may be

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GEO. BERGNER.

[CONTINUED FROM PAGE 1080.]

necessary, to be settled by the Auditor General according to law; and that each member shall receive three hundred dollars, and the chief assistant and transcribing clerks of the House of Representatives, and the Senate, shall receive two hundred and fifty dollars in addition to their present salary.

SEC. 25. For the payment of the commission appointed to inquire into the alleged insanity of Newton Champion, one hundred and seventy-five dollars, to be paid on the warrant of the Governor.

SEC. 26. For packing and distributing the laws and journals of the Legislature, to be performed under the direction of the Secretary of the Commonwealth, thirteen hundred dollars, or so much thereof as may be necessary; and the Secretary of the Commonwealth shall hereafter charge one dollar per volume for the pamphlet laws.

SEC. 27. For the payment to the city of Harrisburg, for supplying the public buildings with water, according to the act of April twenty-eight, Anno Domini one thousand eight hundred and forty, the sum of six hundred dollars; and also for gas, for the public buildings and walks, such amount as may be found due the Harrisburg gas company, on the contract with the company, and upon a regular account being rendered to the Auditor General, who is hereby authorized to examine and settle the same, in the same mode and manner as other accounts are settled in said department, in pursuance of its charter and supplement, to be paid on the warrant of the Auditor General.

SEC. 28. For the superintendent of the public buildings and grounds, the sum of three dollars and fifty cents per day, during the period of his appointment, and also for three assistant watchmen, the sum of nine hundred dollars, to be computed from January fifteenth last past, to be paid monthly, and for the necessary repairs to the public buildings and grounds, wages of laborers employed on the same, six thousand dollars, or so much thereof as may be necessary, to be expended by the superintendent, the accounts to be settled by the Auditor General in the usual manner, and the superintendent is hereby required to make a detailed statement of his expenses to the next Legislature; and that the clerks of the two Houses be, and they are hereby, authorized to have a new slate and tin roof placed on the capitol at a cost not exceeding three thousand dollars, and to make all necessary repairs to the capitol building, except the new library rooms, the amounts to be settled in the usual manner by the Auditor General, and paid upon the joint order of said clerks: *Provided*, That the sum expended by the said clerks, for such necessary repairs, shall not exceed four thousand dollars.

To C. A. Boas, for winding and oiling the clock on the capitol for one year, ending January first, one thousand eight hundred sixty-seven, and for repairing the same, the sum of one hundred and twenty-five dollars, to be paid on account certified by the clerks of the two Houses.

SEC. 29. For George Bergner, fifteen dollars per page for the *Legislative Record*, published during the present session of the Legislature, as per contract, the amount to be certified by the Superintendent of Public Printing; and upon such certificate the State Treasurer shall pay the same; and for resetting the type of seven numbers printed before the increase of the number of copies now printed, twenty-five dollars for each number; and for making an index to the *Legislative Record*, the further sum of two hundred dollars is appropriated to the publisher of the *Record: Provided*, That the making of the index does not detain the forwarding of the bound copies more than four weeks after the adjournment of the Legislature.

SEC. 30. For the fire companies of the city of Harrisburg, the sum of seven hundred dollars, to be distributed in equal amounts to and among said companies.

SEC. 31. For transcribing for the Committee of Ways and Means, to be paid on the order of the chairman, the sum of thirty dollars; for transcribing for Finance Committee of the Senate, to be paid on the order of the chairman, the sum of thirty dollars.

SEC. 32. That the State Treasurer is hereby authorized and directed to pay each of the chief clerks of the Senate and House of Representatives the usual per diem for ten days' service after the close of the session, and the usual per diem to three additional officers who may be kept by each clerk to assist him in his duties; and to the chief clerk of the Senate and House, for the expense of indexing the journals, the sum of two hundred dollars each; and for miscellaneous expenses of the chief clerks of the Senate and House of Representatives, attendant upon their duties during the recess, each, the sum of two hundred dollars; and that the pasters and folders of the House shall be entitled to the same compensation as the assistant doorkeepers.

SEC. 33. For the payment of John A. Smull, for his services to the House of Representatives as an assistant clerk for the present session, and for services during the recess, filing away and taking charge of the papers and documents, the sum of one thousand dollars; and it shall be his duty to receive from the State Printer at the bound copies of the *Daily Record*, and forward the same to the address of the members of the Legislature as soon as practicable after the adjournment, and he shall also receive the same additional compensation as is allowed to the clerks by this act.

SEC. 34. That the State Treasurer is hereby authorized to pay to the chief clerk of the Senate and House of Representatives, the sum of one dollar and fifty cents per day for each of the pages employed by the Senate and House during the present session, the vouchers for the same to be furnished in the usual manner.

SEC. 35. That the State Treasurer is authorized to pay to the persons engaged in cleansing and keeping in order the closets and basements of the capitol, and the doorkeepers in the rotunda and capitol extension, and to the firemen having in charge the furnaces in the basement of the same, the same compensation as the assistant doorkeepers, the number of days to be certified to by the clerks of the two Houses.

SEC. 36. For the payment of express charges, packing and distributing bound copies of the *Daily Legislative Record*, and for the expense of folding and mailing the back numbers of the *Daily Record* for the members of the House of Representatives, the sum of five hundred dollars, or so much thereof as may be necessary, to be disbursed by the clerk of the House of Representatives; and for the payment of express charges, packing and distributing bound copies of the *Legislative Record*, and for the expense of folding and mailing the back numbers of the *Daily Record* for the members of the Senate, the sum of three hundred dollars, or so much thereof as may be necessary, to be disbursed by the clerk of the Senate; and to the several officers of the Senate and House of Representatives, whether elected or appointed, except the Speaker and pages, an extra allowance, as follows, namely: to the chief clerks, assistant clerks and transcribing clerks, the sum of one hundred and fifty dollars; and to each of the other officers, the sum of three hundred dollars, in addition to the pay and salary now allowed by law, for services during the present session; to the several pages the sum of thirty dollars extra, and to the several women employed by the clerks of the two Houses to cleanse the halls, the sum of twenty dollars extra.

SEC. 37. That all annual salaries herein provided for, and also all appropriations to penitentiaries and houses of refuge and charitable institutions, shall be paid quarterly, at the office of the State Treasurer, unless otherwise provided by law; and that no money appropriated by this act for any specific object, shall be applied to any other in any of the charitable institutions, penitentiaries or houses of refuge.

SEC. 38. That for expenses incurred, under authority of a resolution of the House, directing certain mail matter to be sent by the express for the members of the House, the sum of eight hundred dollars, or so much thereof as may be necessary, to be paid to the clerk of the House and to the clerk of the Senate; the sum of three hundred and fifty dollars for the same purpose to Jacob Styer, for services as librarian and for three months' extra service during the recess, at the same rate as a transcribing clerk, including the extra compensation; the said librarian to place forty-one copies

of the *Daily Legislative Record* at the public bindery to be bound, thirty-six copies for the use of the Senators and principal clerks, four copies for the State Library, and one to be reserved for the use of the Senate, and to be distributed to the Senators and clerks, by the librarian of the Senate; and to John A. Smull, the sum of two hundred dollars, for taking charge of the archives of the House of Representatives during the recess of one thousand eight hundred and sixty-six, and two hundred dollars to Jacob Styer, for similar services, on the part of the Senate, during the recess of one thousand eight hundred and sixty-seven; and the further sum of one hundred and fifty dollars, for expenses incurred and labor performed in removing and fitting up the Senate Library.

SEC. 39. To William L. Cooper, for services rendered the House of Representatives, the same pay and extra compensation of a transcribing clerk, during the present session, and the same rate per day, for three months after the close of the session.

SEC. 40. For the salary of assistant postmaster of the House of Representatives, and for the messenger and assistant messenger of the Senate, each, who act as postmasters and in committee rooms, for the Senate, and for the doorkeeper, sergeant-at-arms, assistant sergeant-at-arms and assistant librarian of the Senate, sergeant-at-arms and his assistants, doorkeeper, messenger to committee rooms of the House of Representatives, each, the same compensation as transcribing clerk; and in addition to the compensation hereinbefore or hereinafter provided for, every officer of the Legislature shall receive the further sum of fifty dollars for services during the present session, and that the daily pay of all the officers, whether elected or appointed, shall be three dollars per day.

SEC. 41. For John Addicks, engineer and machinist, in charge of the heating apparatus for the halls and committee rooms, the same compensation as an assistant doorkeeper, the number of days to be certified by the clerks of the two houses; and to William Styer, for services in the room of the Speaker of the Senate, two hundred and fifty dollars, and the sum of two hundred and fifty dollars to Charles Looker, for similar services in the House of Representatives.

SEC. 42. For the payment of Reverend Jacob Kennedy, member of the House of Representatives, for extra services in the House of Representative, the sum of three hundred dollars, and for the payment of Reverend E. L. Bailey, chaplain of the Senate, three hundred dollars.

SEC. 43. For the Soldiers' Home, in the city of Philadelphia, the sum of five thousand dollars.

SEC. 44. For the Pittsburg Sanitary Soldiers' Home, the sum of fifteen thousand dollars, inclusive of six thousand dollars, expended out of their invested funds, four thousand dollars for introducing gas into their buildings and re-setting their boilers, two thousand dollars for repairs, and three thousand dollars for extra diet.

SEC. 45. For the instruction of indigent pupils in the Pennsylvania institution for the instruction of the deaf and dumb, thirty-five thousand dollars, to be paid in proportion to the number of indigent pupils from the several counties of the Commonwealth, at the rates prescribed by law, the evidence of which is to be presented to the State Treasurer.

SEC. 46. For the Pennsylvania institution for the instruction of the blind, the sum of thirty-three thousand dollars, to be paid in proportion to the number of indigent pupils from the several counties of the Commonwealth, at the rate of three hundred dollars for each pupil, the evidence of which is to be furnished to the State Treasurer.

SEC. 47. For the Western Pennsylvania hospital, fifteen thousand dollars, to be applied to the salaries of officers, and the further sum of fifty thousand and eighty two dollars, inclusive of twenty-five thousand dollars for excavations, stone work, joist, and making half million of brick, for the commencement of the eastern extension of said hospital; seventeen thousand one hundred and thirty-two dollars for furnishing the present new western extension; one thousand dollars for insurance; thirty-five hundred dollars for the erection of a stone wall in the rear of said hospital; fifteen thousand dollars for four new boilers, together with fire front, grate bars, smoke stack, et cetera, and four thousand four hundred and fifty dollars for a reservoir; and said hospital shall hereafter be authorized to charge not exceeding three dollars per week for the medical attendance and boarding of all indigent insane persons who are, or may be, committed to said institution, and that any part of any act of Assembly inconsistent herewith, be, and the same is, hereby repealed.

SEC. 48. For the Pennsylvania State Lunatic hospital, at Harrisburg, for the payment of salaries and wages and for the support of the house, the sum of sixteen thousand dollars; and for the erection of infirmaries, the further sum of ten thousand dollars; and said hospital shall hereafter be authorized to charge, not exceeding three dollars per week, for the medical attendance and boarding of all indigent insane persons who are, or may be, committed to said institution; and that any part of any act of assembly, inconsistent herewith, be and the same is hereby repealed.

SEC. 49. For the Pennsylvania Training school for feeble-minded children, at Media, in the county of Delaware, the usual sum for each pupil, as provided by the act of incorporation: *Provided*, That the number of said pupils shall not exceed eighty; and the said school is authorized to charge fifty dollars per annum, in addition to the sum now allowed by law, for the maintenance of each pupil during the present year.

SEC. 50. For the payment of the salaries of the officers of the Eastern penitentiary, the sum of thirteen thousand eight hundred dollars, in equal quarterly payments, on or before the fifteenth day of the months of June, September and December, Anno Domini one thousand eight hundred and sixty-seven, and March, Anno Domini one thousand eight hundred and sixty-eight; and the additional sum of four thousand dollars, for the payment of an additional sum to each officer; and for each discharged convict from the city of Philadelphia, or whose residence is within fifty miles thereof, the sum of five dollars, and ten dollars to each convict whose residence or settlement is fifty miles or over from the penitentiary; and for books and stationery, for the use of the convicts, six hundred and fifty dollars, to be expended under the direction of the warden, or so much thereof as may be necessary, and to be accounted for to the Auditor General.

SEC. 51. For the payment of the salaries of the officers of the Western penitentiary, the sum of twenty thousand eight hundred dollars, to be paid in equal quarterly payments, on and after the fifteenth day of the months of June, September and December, Anno Domini one thousand eight hundred and sixty-seven, and March, Anno Domini one thousand eight hundred and sixty-eight, and for each discharged convict whose residence or settlement is within fifty miles of said penitentiary, the sum of five dollars, and ten dollars to each discharged convict whose residence or settlement is fifty miles or over from said penitentiary; and for the support of the library, the further sum of five hundred dollars.

SEC. 52. For the House of Refuge in Philadelphia, twenty-five thousand dollars.

SEC. 53. For the House of Refuge of Western Pennsylvania, twenty-seven thousand dollars, being for the following items, viz: thirteen thousand five hundred dollars for salaries, four thousand five hundred dollars deficiency in salaries, and the remainder of said sum for improvements and repairs to the building.

SEC. 54. For the Northern Home for Friendless Children, five thousand dollars.

SEC. 55. For the Gettysburg Battlefield Memorial association, the sum of three thousand dollars, to be applied to the purchase of portions of the battle-grounds, and the general purposes for which said association was incorporated.

SEC. 56. For the salary of the clerk in the Board of Military Claims, the sum of one thousand four hundred dollars, to be computed from the first day of June, one thousand eight hundred and sixty-six, and not more than twenty-five thousand dollars shall be paid on account of such claims in any fiscal year.

For the salary of the messenger to the Board of Military Claims, the sum of eight hundred dollars.

SEC. 57. For the expenses of the Pennsylvania State agency at Washington, the sum of twelve thousand dollars, or so much thereof as may be necessary, and the compensation of the State Agent shall be at the rate of three thousand dollars and the compensation of the Assistant State Agent at the rate of two thousand five hundred dollars per year.

SEC. 58. For the St. Paul's Orphan asylum, of the city of Pittsburg, the sum of eight thousand dollars, in full satisfaction of all claim which said asylum may have against the State, for supporting soldiers' orphans.

SEC. 59. For the painting, papering and furnishing the office of the Attorney General in the city of Harrisburg, the sum of twelve hundred dollars, or so much thereof as may be necessary, to be paid upon the certificate of the Attorney General, and he is hereby authorized and empowered to occupy the room in the capitol building adjoining that now used as the Supreme Court room; for re-arranging the Executive Chamber, the sum of one thousand dollars, or so much thereof as may be necessary, to be paid upon the certificate of the Governor, and for re-flooring the Surveyor General's office, and re-arranging the cases therein, the further sum of five hundred dollars, or so much thereof as may be necessary, to be paid upon the certificate of the Surveyor General.

SEC. 60. To the trustees of the Saint Paul Methodist Episcopal church, of the city of Philadelphia, the sum of twelve hundred and fifty dollars, or so much thereof as may be found due said church by the Board of Military Claims of this Commonwealth, for tents belonging to said church and used by the State during the rebellion, and said board is hereby authorized and required to examine and pass upon the claim of said church for the use and loss of said tents.

SEC. 61. The State Treasurer is hereby authorized to pay the necessary expenses, including clerk hire, of the select committees appointed by the House and Senate at the present session, upon accounts to be certified by the respective chairmen, and approved by the Auditor General; and that the pay of witnesses before said committees shall be two dollars per day, and of clerks five dollars per day for every day actually employed, and usual mileage: *Provided*, That this section shall not be construed to authorize the payment of any

witness not regularly subpœnaed before the committee, or the payment of any sum of money to any member of the committee for his services, or of any expense accruing after the adjournment of the Legislature; and to John C. Sturtevant, for extra services as clerk of the committee of investigation on the alleged bribery and corruption in regard to election of United States Senator, the sum of one hundred dollars.

SEC. 62. For renewing the meridian line of Dauphin county, which was displaced by the extension of the Capitol, one hundred and fifty dollars, or so much thereof as may be necessary, to be paid upon the certificate of the Surveyor General.

SEC. 63. For repairs to the dwelling house occupied by the keeper of the powder magazine in the Twenty-sixth ward of the city of Philadelphia, the sum of four hundred dollars, or so much thereof as may be necessary.

SEC. 64. To the Antietam National cemetery, the sum of three thousand dollars, to be drawn on the warrant of the Governor in such instalments as, in his judgment, may be required in the progress of enclosing the grounds and of raising and re-interring the remains of Pennsylvania soldiers in the same.

SEC. 65. That all the institutions, to which appropriations are made by this act, not now required by law to report and account for appropriations, shall make a detailed report, specifying the items, under oath of one or more of its principal officers, of the expenditures of said appropriations, to the Legislature, before the third day of February, one thousand eight hundred and sixty-eight.

SEC. 66. That the sum of five hundred dollars is hereby appropriated for the purchase of a portrait of the present Governor, to be placed in the Executive Department, to be expended under the direction of the chairman of the Senate Committee on the Library.

SEC. 67. For the Marine hospital of Pennsylvania, at Erie, the sum of ten thousand dollars, for the purpose of erecting hospital buildings: *Provided*, That the citizens of Erie raise an equal amount for the same purpose.

SEC. 68. That the sum of two hundred dollars is hereby appropriated to each of the four reporters employed on the *Legislative Record* in the House of Representatives, and also to Henry J. Mason, Thomas B. Cochran, R. McDevitt and H. G. Lednum, reporters of the Senate.

SEC. 69. That the Auditor General and the State Treasurer be, and they are hereby, authorized and directed to examine into the claim of L. M. Simon for furnishing plans, elevations, sections and specifications for the extension to the capitol, and also for furnishing plans and specifications for the extension of the Governor's mansion; and allow him such compensation as, after consultation with other architects, they may deem just and equitable.

SEC. 70. For the erection and completion of an addition to the Governor's mansion, according to the plan and specification furnished by L. M. Simon, architect, the sum of fifteen thousand dollars, or so much thereof as may be necessary, to be expended under the direction of the Governor; and no portion of this money shall be paid over to the contractor for such work until he shall have filed, in the office of the Auditor General, his bond, with two sureties in fifteen thousand dollars ($15,000), to be approved by the Auditor General, conditioned for the faithful performance of his contract in erecting and completing such addition.

SEC. 71. For finishing and furnishing the new library room and removing the books thereto, the sum of fifteen thousand dollars, or so much thereof as may be necessary, to be expended by the Librarian, with the approval of the Auditor General and State Treasurer, the accounts for which to be audited and settled by the Auditor General, in the usual manner.

SEC. 72. To Hon. Samuel P. Johnson, of Warren county, forty-five dollars for unpaid balance due upon monument erected by the Commonwealth to the memory of Cornplanter.

SEC. 73. To the Polytechnic college of the State of Pennsylvania, five thousand dollars, for the purpose of establishing in said college five State scholarships.

SEC. 74. For the preparation of a general index of the private laws of this Commonwealth, from the year one thousand eight hundred and twelve, the sum of twelve hundred dollars, or so much as may be necessary, to be done under the direction and approval of the Attorney General.

SEC. 75. For the Surveyor General, for the expenses of surveying and determining the exact position of the stone that marks the line, on the shore of Lake Erie, between the States of Pennsylvania and New York, and the erection of a more durable monument further inland, the sum of two hundred dollars, ($200) or so much thereof as may be necessary.

AN EVENING SESSION.

Mr. CONNELL moved that when the Senate adjourns it will adjourn to meet this evening at eight o'clock.

The motion was

Agreed to.

ESTATE OF ELIZA HOWARD BURD, DECEASED.

On motion of Mr. M'CANDLESS, the rule was dispensed with, and the Senate proceeded to the consideration of bill entitled An act relative to the estate of Eliza Howard Burd.

The bill was read a second time,

Mr. BILLINGFELT. Mr. Speaker, I hope the Senate will not agree to the passage of this bill, at least not before they have examined into its provisions. The objects of this bill are not at all stated in the title. It proposes to take thirteen thousand two hundred and seventy-one dollars out of the State Treasury, under pretext of refunding said money as collateral inheritance tax paid over into the State Treasury by the executors of Eliza Howard Burd, deceased, over six years ago. Now, according to the amount of said tax, Mrs. Burd must have bequeathed to the Saint Stephen's church in Philadelphia over two hundred and sixty thousand dollars. Not satisfied with that, they come here now and ask of the State an additional appropriation of thirteen thousand dollars more.

If that rich institution is entitled to it, why was it not incorporated in the appropriation bill? Why should we pass this bill under cover of such a title, to benefit one of the richest churches in the State, whilst we have denied small pittances to other deserving but poor institutions, such as Homes for friendless children and other similar institutions?

Mr. CONNELL. Mr. Speaker, Mrs. Burd, in her lifetime, gave sixty or seventy thousand dollars for an orphan asylum. If she had put that property in the hands of the St. Stephen's church in her lifetime, of course this thirteen thousand dollars would never have come into the treasury at all; but on her death bed she was not in a condition to make a legal transfer, and was contented with making her will, by which the State got this money. It was a tax upon a charity, and if the Legislature had been in session, and the executors had applied for a remission, no doubt it would have been done. She never should have paid it, and it is a matter of justice that we should return it.

Mr. LANDON. Mr. Speaker, the first fact in this case is this: the thirteen thousand dollars was paid into the State Treasury according to law, and is there now according to law. The second fact is that this same subject was before the Finance Committee. They did not deem it advisable to report the measure. The third fact is this: the bill simply amounts to a request that we make an appropriation to this asylum of thirteen thousand dollars.

Mr. M'CONAUGHY. Mr. Speaker, I look upon this question in this manner: Mrs. Burd made an endowment for an orphans' home, which was established and is in successful operation, and has some forty orphans of the soldiers of the late war under its care. At the time that money was about to be paid over, if the executors of Mrs. Burd had applied to the Legislature to relieve that charity fund from the inheritance tax, I have no doubt it would have been done, because the principle involved in the collateral inheritance law certainly ought not to tax charitable funds. But that was not done.

Now, they ask us to refund an amount equal to the collateral inheritance tax. If we do not pay it now, it will be brought here from year to year.

Mr. COLEMAN. Mr. Speaker, this bill is so manifestly just that I can hardly think any gentleman will vote against it. Any party dying and leaving their property to their own children, it would be exempt from the tax. Now, this party died without children of her own, and she adopted the poor children of the Commonwealth, and the Commonwealth came forward and taxed the estate five per cent. after she had adopted the children of the Commonwealth. The State should be ashamed to accept such a tax. I can hardly think that the Senate will hesitate one moment to pass this bill.

Mr. WHITE. Mr. Speaker, everybody knows that I am careful about taking money out of the treasury; I sit here and vote against it continually. If I did not think this a meritorious appropriation, I would not vote for it. I was a member of the Committee on Estates and Escheats; this question was before them, and was considered and discussed, and since that time much information has been given to me upon the subject, and the more information I get the stronger I think the application is. Now, as has been remarked, when a man dies of course no collateral inheritance tax is paid. When any person dies and dedicates his property to the creation of a public institution of this kind, which is carried on as successfully and as properly as this institution is carried on, which is a handmaid and help-mate to the State in the education and maintenance of the orphans of soldiers, the State should extend that kindness and generosity to the institution which it deserves. And I trust that this Senate, in view of these facts, will not fail to do, not this act of generosity, but this act of justice. The largest item in the appropriation bill is for the education of soldiers' orphans, yet this institution has seen fit to extend its hands for the purpose of protecting some of the orphans of those soldiers. And if the Commonwealth does this act of justice to this institution—this charitable, liberal, proper institution—it will probaly be able to open its doors wider, and take more of these orphans to its bosom. I trust the Senate of Pennsylvania will immediately pass this bill.

Mr. BIGHAM. Mr. Speaker, I have been conversant for many years with the history of this Burd estate. It is entrusted to the leading men of Philadelphia. Whatever might have

been the question when this was originally submitted, it has now assumed a different form. Pennsylvania has adopted the policy recently of educating the orphans of the soldiers who fell in the great struggle for maintaining the national Union. In accordance with that policy, the appropriation bill, which we have passed, has appropriated a large amount. One specific item in that bill appropriates to an orphan institution in my own city eight thousand dollars.

All of the daughters of this lady having preceded her to the grave, she left her estate in trust to the vestrymen of the congregation with which she was connected. The dying request of that sainted spirit, who consecrated her all to the education of the daughters of Pennsylvania, was that this Legislature should remit the collateral tax upon the property devoted to said charity. Now, Mr. Speaker, that occurred some twelve or fifteen years ago. The other branch of the Legislature listened to the prayer of Mrs. Burd—for the prayers of the righteous avail much—and this bill passed the House by a unanimous vote, without even a call for the yeas and nays; and shall it be said, after what we are doing for the soldiers' orphans of Pennsylvania, that this institution, which has already the machinery to educate these soldiers' orphans—shall it be said, after that prayer of Mrs. Burd, uttered some twelve years since, after she has reposed in her grave, and after you have passed an appropriation bill, recognizing your obligation to support the soldiers' orphans of Pennsylvania—shall it be said that you refuse to listen to the dying prayer of the sainted Mrs. Burd? And shall those gentlemen, who have been up here, go back and say that the House of Representatives unanimously passed this bill, but that the sticklers in the Senate refused to refund the money which for years you have had the use of, notwithstanding the prayer of Mrs. Burd? I think that Pennsylvania expects no such thing from her Senators. I hope that this bill will pass this branch, as it did the other, unanimously. I do not think that we could sleep soundly, or feel comfortable, or go home to our constituents, if we refuse this application.

Mr. BILLINGFELT. Mr. Speaker, I am not surprised that the House passed this bill unanimously, from the manner in which we have been passing bills this morning, without their being read, except by the title. Bills have gone through without any one knowing what they were. The title of this bill is defective; it is plain that there is something in the bill which they did not dare to have brought to the light. I do not claim to be a constitutional lawyer, but it seems to me that the object of the bill should be clearly expressed in the title, as the Constitution requires. When the appropriation bill was up my colleague offered an amendment asking an appropriation of some three thousand dollars for a Home for Friendless Children at Lancaster; that was refused. He cut it down to two thousand dollars afterwards, which was also refused, and the Senator from Allegheny [Mr. BIGHAM] did not use one-tenth of the eloquence then which he is now making in favor of a church corporation which may be worth a million. We have an institution at Lancaster, taking care of one hundred and seventy children, all orphans, picked up in the streets, and all supported by private contribution. We had not a Senator to take the floor, and make an eloquent speech in their behalf. If Mrs. Burd had died a year ago, and her estate was now being settled, and this inheritance tax was being imposed upon it, it might be proper to consider the question; but since it was paid six years ago, it now belongs to the State.

Mr. DONOVAN. Did I understand the Senator to say that he was not a constitutional lawyer?

Mr. BILLINGFELT. I did say so; but it is my duty, as a Senator, at least, to read the Constitution. I have read it, and found a provision in it which requires that the object of a bill shall be clearly stated in the title, and this bill does not come up to that provision. This fund was paid into the treasury six years ago, in accordance with the laws of Pennsylvania, and it is not there on deposit. It might have been expended years ago. The question is solely whether we shall take this money out of the treasury, and appropriate it to an institution in Philadelphia, that is worth perhaps a million of dollars, just because they are taking care of some fifty orphan children, and denying a thousand dollars to a poor institution, which is a hundred times more entitled to it than this rich institution. Let charity begin with the poor, and not with the rich.

Mr. BROWNE (Lawrence). Mr. Speaker, I would like to ask if this title is defective, and shall be willing to submit it to the Senator from Allegheny [Mr. BIGHAM]. Undoubtedly the objection of the Senator from Lancaster is against the bill. I have voted for all charitable appropriations in the Senate. What we do to educate the orphan and support the homeless is so much done to promote good morals, and I shall vote for this appropriation, probably; but I am not certain that the parties who ask this appropriation have the right to ask it in this way. That collateral tax belongs to the State, as the Senator from Lancaster [Mr. BILLINGFELT] has stated. Now it is asked to restore this tax, as though it belonged to another party. I deny that. I do object to the method in which it is proposed to take this money out of the treasury, by a bill which simply bears the title, "an act relative to the estate of Eliza Howard Burd."

Mr. BIGHAM. The Committee of Ways and Means understood this whole matter, and, when the bill is reached, I shall propose to amend it.

The first and only section of the bill was then

Agreed to.

The title being under consideration,

Mr. BIGHAM moved to amend by making it read "an act remitting to the estate of Eliza Howard Burd a certain collateral inheritance tax."

The amendment was

Agreed to.

The title as amended was

Agreed to.

The rule was dispensed with and the bill was read a third time.

On the final passage of the bill,

The yeas and nays were required by Mr. BILLINGFELT and Mr. COLEMAN, and were as follow, viz:

YEAS—Messrs. Bigham, Brown (Mercer), Burnett, Coleman, Connell, Cowles, Davis, Donovan, Glatz, Haines, James, Lowry, M'Candless, M'Conaughy, Randall, Royer, Schall, Searight, Stutzman, Wallace, Walls, White and Worthington—23.

NAYS—Messrs. Billingfelt, Browne (Lawrence), Fisher, Graham, Landon, Ridgway, Shoemaker and Taylor—8.

So the bill

Passed finally.

THE LAW OF EVIDENCE.

On motion of Mr. WHITE, the rules were dispensed with, and the Senate proceeded to the consideration of bill entitled

An act relating to the law of evidence.

The bill was read a second time.

Mr. SEARIGHT moved that the further consideration of the bill be postponed for the present.

Mr. WHITE. I move to amend by postponing it indefinitely. I merely do that, Mr. Speaker, in order to bring the question to the attention of the Senate. This is a question which interests every Senator here, and we should have had it disposed of long ago, had it not been for the press of private bills; the question was passed over also at the instance of my friend, the Senator from Clearfield [Mr. WALLACE]. I do not want to annoy the Senate now with a bill of this kind, but merely call the attention of the Senate to this fact: that they are called upon indirectly to kill a bill which seems to be demanded by a majority of the profession in the State, and in the United States. This question of evidence has been before the Legislature for a number of years. This bill has passed the lower House, and it comes to us in the closing days of the session, and I trust we will meet it as its merits demand. It requires a careful consideration. If the motion to indefinitely postpone is voted down, I desire to offer an amendment comprehending Senate bill 166 on this subject, and which, if passed here, I am sure will be concurred in by the House. That bill is more comprehensive than the House bill.

This question of evidence—this manner of trying actions at law in this way—requires the attention of every Pennsylvania lawyer. The old common law rule of evidence every lawyer knows is singularly arbitrary in this respect. The rule is that where a party is upon the record, or where a party is in interest in the result of the proceeding on trial, he cannot be examined as a witness. That is the rule in Pennsylvania to day. To change that rule the bill before you is offered. There is every reason in the world, sir, why, at this noonday of the Christian era, this change should be made. The old, stubborn, arbitrary rule which obtains now in Pennsylvania is a relic of the past; it has about it cobweba which should be thrown aside by every earnest-hearted friend of progress.

Mr. BIGHAM. Mr. Speaker, I want to vote with the Senator from Indiana [Mr. WHITE], and I hope the motions to postpone will be withdrawn, and that we will vote on the merits of the bill. If the Senator keeps on he will kill the bill.

Mr. WHITE. Very well; it is not my intention to occupy much time. I withdraw my motion to indefinitely postpone. I merely wish to call attention to the fact that Pennsylvania occupies a different attitude than any other State; many other States about us have made this change in the law. I do not wish to make a speech upon this subject, but desire merely to call the attention of the Senate to the fact that this change is asked for. I desire also to call attention to the following letters on the subject, which I have received:

PHILADELPHIA, January 26, 1867,
1119 *Chestnut street.*

DEAR SIR—I would refer to the pamphlet I gave you for the general arguments and facts on the subject of rendering parties and persons interested competent witnesses in all civil proceedings, a practice always resorted to where disputes are settled out of courts of justice; and why, adding the sanctity of an oath, to what he says should disqualify him, I am unable to comprehend. In England this has been the rule for the last fifteen years, and has met with the unanimous approval of the bench, the bar, and the people. If they can trust those people as witnesses, whether they are parties interested or not, cannot we show a like confidence, in our own people, who are certainly as moral and religious and truth-telling as those of any other country or nation?

Many of our sister States, as Massachu-

setts, Connecticut, New York and Ohio, have adopted a similar rule; and the Ohio acts, which became, by act of Congress, the rule in the courts of the United States, forced Congress to pass the proviso to the third section of the act of 2d July, 1864 (18 stat. 351), making the rule general in all the courts of the United States. This will be seen by referring to the cases of Vance *vs.* Campbell and Haussknecht *vs.* Claypool, 1 Black. 11 S. R. 427 and 432, and Twight *vs.* Bales, 2 Black. 535.

Our present rule, fortified by decisions partaking of the wisdom of the dark ages, excludes truth and promotes litigation, and leaves Pennsylvania far behind her sister States in the march of judicial improvement. It produces this strange anomaly in courts of a similar character, separated by a few hundred feet—in one the person is a witness, and can testify—in the other he cannot be a witness, and cannot testify, although he may be the only individual that knows the whole truth.

I would adopt the English rule as the wisest and best, and as tending to stop litigation. My brother Thompson agrees with me, and will sign this letter as a mark of his approval.

I am, very truly, yours,
JOHN M. READ.

I fully concur in the foregoing views.
JAMES THOMPSON.

General HARRY WHITE,
Senate Pennsylvania, Harrisburg, Pa.

ALBANY, March 12, 1867.

H. C. Johns, Esq.,

DEAR SIR—In answer to your letter of 9th instant, I state that experience has justified the wisdom of the law by which parties are admitted as witnesses for themselves in this State; and so well is the change received, that it is quite probable a law will be passed this winter extending the same rule to criminal cases, or, at least, to cases of misdemeanor.

I was in England thirteen years ago when the experiment was being tried there under "Lord Denman's act," and I took great pains to look into the workings of the new practice. The result was a most favorable impression of the change, and I found the judges and bar there all, with a single exception, approved it. The exception was Sir Thos. Morris Talfourd, who seemed opposed to all progress and all change.

On my return home, I advised a like change in this State. It was made with some hesitation, and not till it had been discussed two years in the Legislature. But I know of no one now who would be willing to return to the old practice.

Of course the object of all trials of parties is to get at the truth, and the parties generally know more about the matters in issue than any other persons. If they swear differently, the jury can generally decide from the appearance of the witnesses which tells the truth. It may be said it leads to the commission of perjury:—If that objection is a good one, it would exclude all human testimony.

Parties have always been sworn, in equity proceedings or motions involving large amounts. And if a party may make an affidavit when he cannot be cross-examined and is the more likely to swear to an untruth, why may he not be examined orally?

I have no doubt the change made here will, in due time, be made in every State of the Union. It is only a question of time. It takes some time to overcome established prejudices. Very truly, AMASA J. PARKER.

WASHINGTON, March 15, 1867.

MY DEAR SIR—Your letter of the 9th instant has just reached me by way of Albany. When the law allowing parties to be witnesses on their own behalf was first proposed I opposed it. I was afraid of its effects. But after a very large experience under it, I am convinced it is wise and useful. In some cases—such as involve feeling, prejudice, passion—parties are not much to be relied on. Sometimes I have found in trying an action for assault and battery that the parties would each swear to a state of facts entirely opposed to the other, and to get at the truth it would be necessary to disregard their testimony, except so far as it might be supported by other witnesses. But such cases—especially actions before contracts, it generally facilitates the investigation of facts to hear the statements of the parties themselves. I would not, by any means, have the law repealed. I have never seen a person who had seen its operation who would be willing to go back to the common law rule.

Yours, sincerely,
IRA HARRIS.

H. C. JOHNS, Esq.

On the question,
Will the Senate agree to the motion of Mr. SEARIGHT to postpone for the present?

The yeas and nays were required by Mr. WHITE and Mr. SEARIGHT, and were as follow, viz:

YEAS—Messrs. Burnett, Cowles, Davis, Donovan, Glatz, James, Landon, M'Conaughy, Randall, Schall, Searight, Shoemaker, Stutzman, Taylor, Wallace and Walls—16.

NAYS—Messrs. Bigham, Billingfelt, Browne (Lawrence), Brown (Mercer), Coleman, Connell, Fisher, Graham, Haines, Lowry, Ridgway, Royer, White, Worthington and Hall, *Speaker*—15.

So the question was determined in the affirmative.

During the call,

Mr. COWLES said: Mr. Speaker, I am not prepared at this time to vote for this bill, and I do not think we have time to discuss it; I therefore vote aye on the motion to postpone.

BILL RECONSIDERED.

Mr. DONOVAN moved that the Senate reconsider the vote on the final passage of a bill entitled A further supplement to the act entitled An act to incorporate the Cumberland Valley railroad company, approved April 2, 1831.

Mr. FISHER. Mr. Speaker, when this bill was up before, I paid no attention to it, and do not know its merits now. In order to allow the Senate to understand it, I shall vote for the reconsideration.

Mr. GLATZ. Mr. Speaker, this bill is entirely for the protection of a class of my constituents, and they demand at my hands that it shall be passed.

On the question,
Will the Senate agree to the motion of Mr. DONOVAN?

The yeas and nays were required by Mr. LANDON, and Mr. GLATZ, and were as follow, viz:

YEAS—Messrs. Burnett, Connell, Donovan, Fisher, Haines, James, Landon, Randall, Ridgway, Royer, Searight, Shoemaker, Stutzman, Walls and Worthington—15.

NAYS—Messrs. Bigham, Billingfelt, Browne (Lawrence), Brown (Mercer), Coleman, Cowles, Davis, Glatz, Graham, Lowry, M'Conaughy, Wallace and White—13.

So the question was determined in the affirmative.

During the call,

Mr. RIDGWAY said: Mr. Speaker, as this is the only railroad that has the courage to refuse passes to members of the Legislature, it looks to me as though this was a punishment for not giving them passes. I vote "aye."

The bill being again before the Senate,

Mr. LANDON said: Mr. Speaker, we are likely to require a great deal of time in considering the appropriation bill, as it has failed to pass the House. I move that this bill be indefinitely postponed.

Mr. COLEMAN. I hope not; I know that this is an eminently just and proper bill. The chairman of the Railroad Committee cannot produce a single reason why this is not founded in justice and truth.

Mr. LANDON. Mr. Speaker, allusion has been made to me two or three times. A short time since that bill came into the hands of the Railroad Committee; it was read over; it repeals some laws, and enacts some laws, and I say I did not understand it at the time, and laid it aside for consideration. We have not given it that consideration. We were discharged, and I find Senators all around me do not understand it; the fact that they are enacting laws that they do not understand, is my reason for moving to postpone it indefinitely.

On the question,
Will the Senate agree to the motion to postpone indefinitely?

The yeas and nays were required by Mr. GLATZ and Mr. DONOVAN, and were as follows, viz:

YEAS—Messrs. Connell, Donovan, Fisher, Haines, James, Landon, Randall, Ridgway, Royer, Stutzman, Walls and Worthington—12.

NAYS — Messrs. Bigham, Billingfelt, Browne (Lawrence), Brown (Mercer), Coleman, Cowles, Davis, Glatz, Lowry, M'Conaughy, Wallace, White and Hall, *Speaker*—13.

So the question was determined in the negative.

Mr. RANDALL moved that the further consideration of the bill be postponed for the present.

On the question,
Will the Senate agree to the motion?

On that question

The yeas and nays were required by Mr. GLATZ and Mr. DONOVAN, and were as follow, viz:

YEAS—Messrs. Burnett, Connell, Donovan, Fisher, Haines, James, Landon, Randall, Ridgway, Royer, Searight, Stutzman, Walls and Worthington—14.

NAYS—Messrs. Bigham, Billingfelt, Browne (Lawrence), Brown (Mercer), Coleman, Cowles, Davis, Glatz, Lowry, M'Conaughy, Wallace, White and Hall, *Speaker*—13.

So the question was determined in the affirmative.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

The Clerk of the House of Representatives being introduced, returned bills from the Senate numbered and entitled as follows, viz:

No. 1347, an act authorizing the Allegheny Valley railroad company to issue additional stock and bonds, and repeal the act entitled An act to authorize the Allegheny Valley railroad company to mortgage its road and branches to complete the same, and approved the 8th day of March, A. D. 1867.

No. 1799, a supplement to an act incorporating the Mechanics' Savings Bank of Pittsburg.

No. 1599, a supplement to the Erie and Allegheny railroad company, authorizing connection with their road on the east line of the township of North-East with any railroad from the State of New York, and the west line with any railroad constructed or to be constructed in the State of Ohio, and also authorizing said Erie and Allegheny railroad company to connect their road within the county of Crawford with the Atlantic and Great Western railroad company with the same legal effect as though the connection was made within the county of Erie,

With information that the House of Representatives has passed the same without amendments.

He also returned bills from the Senate numbered and entitled as follows, viz:

No. 170, an act relating to dower.

No. 1951, an act to incorporate the Caernarvon coal company,

With information that the House of Representatives has passed the same with amendments, in which the concurrence of the Senate is requested.

On motion of Mr. HAINES,

Said amendments to bill No. 1851 were twice read and concurred in.

On motion of M'CONAUGHY,

The further consideration of the amendment to bill No. 170 (an act relating to dower) was postponed for the present.

The Clerk of the House of Representatives also informed that the House of Representatives has concurred in the amendments made by the Senate to bills from the House of Representatives numbered and entitled as follow, viz:

No. 800, an act requiring the superintendent of public printing to advertise for proposals for supplying the State with bill paper.

No. 1344, joint resolutions to pay the expenses of the committee appointed at the last sesion of the Legislature to investigate the truth of certain newspaper articles in reference to the passage of an act relating to licenses in the county of Allegheny.

No. 900, an act to change the venue in a certain case from Schuylkill county to Berks county.

No. 1081, an act to make valid the will of Jarvis White, a deceased soldier.

No. 1347, an act to incorporate the Beaver Falls water company.

No. 1381, an act to authorize the supervisors of Tyrone township, Blair county, to levy a cash tax.

No. 492, a further supplement to an act to provide for the adjudication and payment of certain military claims, approved April 16th, 1862.

No. 372, an act explaining the act compelling railroad and other corporations to pay counsel fees of plaintiff in certain cases.

No. 1506, an act to incorporate the Great Western mining company.

No. 1615, an act to incorporate the Girard tunneling gold and silver mining company.

No. 1608, an act to incorporate the National Paper manufacturing company of Philadelphia.

No. 1501, a further supplement to an act incorporating the Keystone coal and transportation company.

No. 1520, an act to incorporate the Perry bridge company.

No. 1614, an act to extend the jurisdiction of justices of the peace in Potter county in criminal proceedings.

No. 749, an act to incorporate the Oil City acid factory.

No. 1503, an act to incorporate the North Star mining company.

No. 1508, an act to incorporate the Continental mining company.

No. 1394, an act relating to the fees of the sheriff of the counties of Cumberland and Snyder.

No. 1340, an act to incorporate the York and Chanceford turnpike road company, in the county of York.

No. 1659, an act to incorporate the Sharon Savings Bank.

No. 1434, an act to increase the fees of the commissioners of Crawford county as directors of the poor.

No. 1198, an act to authorize the Ashland iron company of Baltimore county, in the State of Maryland, to hold land in the State of Pennsylvania.

No. 1363, an act authorizing the supervisors of Salem township, in Luzerne county, to collect, in money, the tax levied for road purposes, in said township.

No. 1386, an act for the appointment of two additional assessors of the Fifteenth ward of the city of Philadelphia.

No. 1203, an act to incorporate the Shippensburg iron manufacturing and mining company.

No. 1874, an act retating to taxation for school purposes in the school district of Cannonsburg, in the county of Washington.

CHANGING THE RATE OF INTEREST FROM SIX TO SEVEN PER CENTUM.

Mr. CONNELL moved that the Senate proceed to the consideration of House bill No. 359, entitled An act to change the rate of interest from six to seven per centum.

Mr. CONNELL. That is the same as we give to corporations every day. We allow corporations to do this every day, and why not individuals? Certainly you will give individuals the same privileges as corporations.

Mr. M'CONAUGHY. The answer is that this is practically a change in the rate of interest in the State.

Mr. CONNELL. Not at all.

Mr. M'CONAUGHY. It provides that parties may pay seven per centum by agreement; a bank, for instance, has money to loan, and says, "we will not loan unless we get seven per centum"—and the community must submit, because the parties holding the means, which the necessities of business now require, would dictate terms and lord it over the community. I would infinitely rather meet the question squarely. If the necessities of the business men of the State require that seven per centum be made the rate of interest, let us make it so, but I do not believe it can be demonstrated. But do not let us do, by mere pretense, substantially what is sought to be done on the main question.

A SENATOR. How many bills have you voted for this session authorizing corporations to pay seven per centum? At least two or three hundred.

Mr. M'CONAUGHY. A practice has grown up to allow them to pay it, but it has not entered into business currents. Whose convictions are in favor of this change? I believe, sir, that the convictions of most of the people throughout the State are not in favor of this change, and I do not desire to do indirectly what cannot, I think, be done directly, upon a fair test of this question.

Mr. LOWRY. Mr. Speaker, during my experience upon this question, I have never met a sensible man, outside of the Legislature of Pennsylvania, but who was in favor of changing the rate of interest from six to seven per centum. The Government pays seven and three-tenth interest; Ohio and New York pay seven per centum, and your business is driven from Philadelphia to the greater commercial mart of the country. Commerce will go, sir, where it is for its interest to go. I hold that the Board of Trade of Philadelphia has as much knowledge as any Senator who has spoken against this bill, and they call for this measure. They are men of common sense, and the convictions of the commercial world are in favor of changing the rate of interest in Pennsylvania from six to seven per centum. It is a mere question of time; you must come to it.

The Legislature can no more practically regulate and define by law the rate of interest, than they can regulate and define by act of the Legislature the price of gold, or repeal the laws of God. The law of commerce is the higher law of the civilized world. You can injure yourselves by giving it nostrums and taking pills prescribed by legislative quacks, but you can no more regulate the practical price of money than you can regulate by law the price of bread or the smell of butter. Pennsylvania is a blind ass that is holding back in the breeching. They can damage their harness, but they cannot stop the necessities of commerce. They will be run under and crushed beneath the great wheel of events that is progressing. Pennsylvania stands still, like a barrel of sauer kraut; her wise law makers will not bow to necesities or common sense. They cannot see that their cabbage smells to such an extent that commerce has left Philadelphia, and is seeking permanent location in New York. Pennsylvania cannot sell her money cheaper or dearer, even to her own children, than her neighboring States, and her effort to do so is as as futile as it would be to sell Merrimac prints a penny higher in Philadelphia than in New York; as ridiculous as it would be for Pennsylvania to undertake to sell her own coal in New York, rather than at the mouth pits of her mountains. Pennsylvania cannot sell her oil, her wine, her money, above or below that for which others furnish the same article. The law of six per centum in Pennsylvania does not make money plentier within the Commonwealth, for it takes it out of the State to where it brings seven per centum. The law of six per centum in Pennsylvania is the poor man's enemy, for it takes out of the State a circulation that is required within the State. The six per centum law in Pennsylvania is an enemy to the borrower, for the lender lends his money where he can legally obtain seven per centum. There is a commercial necessity that every State should have a law designating the rate of interest; but the Commonwealth that underbids her neighbor in offering money to loan, will soon have no money left to loan at any price. Money will go where it fetches its highest rate, as inevitably as that water will run down hill, or that brains and common sense will be appreciated by the people. Can you regulate the price of a bushel of wheat by act of the Legislature? Can you regulate the value of a hog, or ascertain the height of a horse by act of Assembly? I recognize the Pennsylvanian as narrow between the eyes, that contends for a doctrine that Pennsylvania can, with interest to herself, and justice to her people maintain the legal rate of interest at six per centum.

Mr. WALLACE. Mr. Speaker, this is old fight of the many against the few; the old fight of the corporation against the individual; the old fight of the grasping; and sorry I am that my friend, the Senator from Erie [Mr. LOWRY], in the expiring hour of his Senatorial career, can decide against the poor man and in favor of the banks.

Mr. LOWRY. I was in favor of changing the law the first year I was here.

Mr. WALLACE. That does not relieve the Senator's position in the least. The great question is have we any one here demanding this change? If we have, who are they? They are banks and corporations, who are wringing their thousands from the hard earnings of the poor.

Mr. CONNELL. The Board of Trade petition for this.

Mr. WALLACE. I have no doubt the Board of Trade, and the Board of Directors in every bank, and every corporation, would come here and ask this change. But it is not upon those men that this will fall; it will fall upon the poor men who are compelled to borrow money on bond and mortgage. These are the men in whose behalf I stand here to resist this change in the rate of interest.

I concede that Senators represent boards of trade and corporations of great interest, but there are many more human souls in this Commonwealth than these directors; and there are corporations who have no souls, and

no aspirations for anything except piling up wealth. I say that the returns demonstrate that banks are making enough money; your corporations of every character are making enough money; and if you allow contracts to be made at seven per centum, every judgment bond and every note held in the Commonwealth must be renewed, perhaps, at the expense of the turning out of the poor man, houseless, in order that the rich man may reap his additional one per centum. For my part, I protest against this, and am here to resist it.

Mr. BIGHAM said that there was already a law on the statute book which allowed a higher rate of interest than seven per centum.

Mr. COLEMAN. Mr. Speaker, I am willing to go thus far, and a great deal farther. Abolish all usury laws, which are the burden of the poor man. Throw the door open for them to make bargains, as they see proper, and that brings the rates down. It is idle to talk about six and seven per centum banks; if the banks can get more by putting their money into seven-thirty bonds, they will do it. I know very well that during the crisis of 1857 and 1860, I was compelled to pay thirty per centum, and have done it willingly; whereas, if these usury laws were repealed, and banks allowed to charge ten per centum, I could have had access to all the moneys of the banks, and they would have gladly loaned it at ten per centum. These usury laws are not a kindness to the poor man; they are a folly of the dark ages.

Mr. M'CONAUGHY. I would like to inquire of the Senator who of his people have petitioned for this change in the law?

Mr. COLEMAN. I am not aware that anybody has. I speak from common sense.

Mr. M'CONAUGHY. I do not wish to substitute common sense for the wishes of my people. If I represent a constituency whose means are small, their intelligence is large. I believe I represent a community which compares favorably with any community in the State; it compares favorably, at least, in intelligence, with the immediate constituency of my friend, the Senator from Lebanon [Mr. COLEMAN]; but I desire to represent the wishes of the people, and I ask the Senator from Lebanon, and other Senators upon this floor from the rural districts, how will you go home and answer to your people in regard to this increase of the rate of interest, which they did not want? I agree that it is a question of poverty upon the one hand and wealth upon the other. I happen to be a member of the board of directors of a bank, but I do not let that interfere with the interests of my constituents. I believe my constituents are not to be benefited by this change; therefore, I desire that it may be defeated.

Mr. GRAHAM. I would like to ask the Senator if the board of directors of which he is a member desire this increase?

Mr. M'CONAUGHY. I do not know, sir, but I think it probable that they do. I think that in the city represented by my friend from Allegheny [Mr. GRAHAM], the banks are now charging eight and ten per centum, in disregard of the existing law.

Mr. GRAHAM. Mr. Speaker, it has been asserted by the Senator from Clearfield [Mr. WALLACE] that this change of the rate of interest was desired by the banks and capitalists only. Now, sir, I happen to know something about banking institutions, and I do not believe there is a single bank in Western Pennsylvania that desires this change in the usury laws. It would be greatly to their disadvantage. The banks there are in the habit of allowing five, and, some of them, six per centum interest on deposits. That money is loaned out at eight, nine and ten per centum. Now, sir, pass this bill, making the legal interest seven per centum, and these persons who have five hundred or a thousand dollars to loan, will loan it to their neighbors at seven per centum, instead of depositing it in the vaults of the banks and drawing six per centum. The banks do not desire this change.

On the question,

Will the Senate proceed with the second reading and consideration of the bill?

The yeas and nays were required by Mr. WHITE and Mr. CONNELL, and were as follow, viz:

YEAS—Messrs. Bigham, Brown (Mercer), Coleman, Connell, Cowles, Donovan, Graham, Lowry and White—9.

NAYS—Messrs. Billingfelt, Browne (Lawrence), Burnett, Davis, Fisher, Glatz, Haines, James, Landon, M'Candless, M'Conaughy, Randall, Ridgway, Royer, Schall, Searight, Shoemaker, Stutzman, Wallace, Walls, Worthington and Hall, *Speaker*—22.

So the question was determined in the negative.

During the call,

Mr. WHITE said: I am in favor of repealing the usury laws, but inasmuch as this is extending in the right direction, I vote "aye."

MILITARY RECORDS AS EVIDENCE.

Agreeably to order,

The Senate proceeded to the third reading and consideration of a bill entitled An act authorizing courts to receive certified copies of military records as evidence.

The bill

Passed finally.

THE FEE BILL.

Agreeably to order, the Senate proceeded to the second reading and consideration of a bill entitled An act to ascertain and appoint the fees to be received by the several officers of this Commonwealth.

Mr. BILLINGFELT. Mr. Speaker, I merely wish to call the attention of the Senate once more to the enormous increase of the fees here. The Senator from Mercer [Mr. BROWN] differed with me some time ago; but after I showed him the comparison he admitted that the increase was at least thirty per centum.

On the question,

Will the Senate suspend the rules and read the bill in third time?

The yeas and nays were required by Mr. SCHALL and Mr. HAINES, and were as follow, viz:

YEAS—Messrs. Bigham, Browne (Lawence), Brown (Mercer), Burnett, Coleman, Connell, Cowles, Davis, Donovan, Landon, Lowry, Randall, Royer, Searight, Shoemaker, Wallace, Walls, White and Hall, *Speaker*—19.

NAYS—Messrs. Billingfelt, Fisher, Glatz, Graham, Haines, James, M'Conaughy, Schall, Stutzman and Worthington—11.

Two-thirds not voting in the affirmative, the bill fell.

RELIEF FOR THE BORDER COUNTIES.

Mr. M'CONAUGHY moved that the Senate proceed to the consideration of House bill No. 1416, entitled An act for the relief of citizens of the counties of Adams, Franklin, Fulton, Bedford, Perry, York and Cumberland, whose property was destroyed, damaged or appropriated for the public service and in the common defense in the war to suppress rebellion.

Mr. M'CONAUGHY. Mr. Speaker, I desire simply to say that it has been my earnest desire to have a consideration of this bill; I have given to it every effort which I could personally. It passed the House—fifty to thirty-five. On coming to the Senate, I moved its immediate reference, and obtained from the committee its report. I have sought at every moment to get its consideration. It has been impossible to reach it until to-day. I now appeal to the Senate to give us an opportunity to be heard on the merits of this bill.

On the question,

Will the Senate agree to the motion?

The yeas and nays were required by Mr. M'CONAUGHY and Mr. GLATZ, and were as follow, viz:

YEAS—Messrs. Fisher, Glatz, Haines, M'Conaughy and Wallace—5.

NAYS—Messrs. Bigham, Billingfelt, Browne (Lawrence), Brown (Mercer), Burnett, Coleman, Connell, Cowles, Davis, Donovan, Graham, James, Landon, Lowry, M'Candless, Randall, Ridgway, Royer, Schall, Searight, Shoemaker, Stutzman, Walls, White, Worthington and Hall, *Speaker*—26.

So the question was determined in the negative.

Mr. LOWRY. Selah!

MEETINGS OF THE PHILADELPHIA GAS TRUST.

Mr. DONOVAN moved that the Committee on Corporations be discharged from the further consideration of a bill entitled An act authorizing the gas committee of the councils of Philadelphia to attend all meetings of the Philadelphia gas trust, and that the Senate proceed to the consideration of said bill.

On the question,

Will the Senate agree to the motion?

The yeas and nays were required by Mr. DONOVAN and Mr. RIDGWAY, and were as follow, viz:

YEAS—Messrs. Burnett, Coleman, Connell, Davis, Donovan, Fisher, Glatz, Graham, James, M'Candless, Schall, Searight, Wallace and Walls—14.

NAYS—Messrs. Bigham, Billingfelt, Browne (Lawrence), Cowles, Haines, Landon, Lowry, M'Conaughy, Randall, Ridgway, Royer, Shoemaker, Stutzman, White and Worthington—15.

So the question was determined in the negative.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

The Clerk of the House of Representatives being introduced, returned bill from the Senate numbered and entitled as follows, viz:

No. 1805, an act to repeal an act regulating the jurisdiction of courts in proceedings by bill for injunction and other relief in equity and the service of process, with information that the House of Representatives has passed the same without amendment.

Also informed that the House of Representatives has non-concurred in the resolution of the Senate relative to the suspension of joint rule to allow the transmission of Senate bill No. 2041, entitled An act to repeal an act to incorporate the Citizens' turnpike and macadamized road company, approved April 10th, 1867.

REPORT OF COMMITTEE OF CONFERENCE.

Mr. M'CANDLESS, from the committee of conference to whom was referred the question of difference between the two Houses in reference to House bill No. 1337, entitled An act to vacate a part of Buck road, in the Twenty-sixth ward of the city of Philadelphia, respectfully represent that they have agreed to recommend that the Senate recede from its amendments non-concurred in by the House of Representatives.

On motion of Mr. M'CANDLESS, said report was read a second time and concurred in.

BILL RECONSIDERED.

Mr. M'CONAUGHY moved that the Senate reconsider the vote on the fee bill.

On the question,

Will the House agree to the motion?

The yeas and nays were required by Mr. M'CONAUGHY and Mr. GRAHAM, and were as follow, viz:

YEAS—Messrs. Bigham, Browne (Lawrence), Brown (Mercer), Burnett, Coleman, Cowles, Davis, Graham, Landon, Lowry, Randall, Royer, Searight, Shoemaker, Taylor, Wallace, White and Hall, *Speaker*—18.

NAYS—Messrs. Billingfelt, Fisher, Glatz, Haines, James, M'Candless, M'Conaughy, Ridgway, Schall, Stutzman and Worthington—11.

So the question was determined in the affirmative.

On suspending the rules to read the bill a third time,

The yeas and nays were required by Mr. HAINES and Mr. GLATZ, and were as follow, viz:

YEAS.—Messrs. Bigham, Browne (Lawrence), Brown (Mercer), Burnett, Coleman, Connell, Cowles, Davis, Donovan, Graham, Landon, Lowry, Randall, Royer, Searight, Shoemaker, Taylor, Wallace, White and Hall, *Speaker*—20.

NAYS—Messrs. Billingfelt, Fisher, Glatz, Haines, James, M'Candless, M'Conaughy, Ridgway, Schall, Stutzman and Worthington—11.

Two-thirds not having voted in the affirmative, the bill fell.

BILL PASSED.

On motion of Mr. SHOEMAKER, the rules were dispensed with, and the Senate proceeded to the consideration of a bill entitled An act to incorporate the Noth Mountain coal company.

The bill was read a second and third time, and

Passed finally.

The Senate then adjourned until this evening at 8 o'clock.

EVENING SESSION.

The Senate reassembled at eight o'clock.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

The Clerk of the House of Representatives being introduced, returned bills from the Senate numbered and entitled as follows, viz:

No. 1949, an act to repeal an act approved March 22d, A. D. 1867, entitled A further supplement to an act to regulate the granting of licenses to hotels and eating houses, approved March 31st, 1856, so far as the same applies to the county of Lawrence.

No. 1953, an act supplementary to an act to incorporate the Northern railroad and navigation company, approved March 22d, A. D. 1867, extending the privileges of said company.

No. 1659, an act to enable the Philadelphia and Montana gold and silver mining company to borrow money and issue bonds.

No. 1753, an act to authorize the sheriff of Allegheny county to tax costs in certain cases.

No. 1956, an act to incorporate the Fame mining company.

No. 1955, an act to authorize the commissioners of Erie county, and the proper officers, or officers of municipal or other corporations, in said county, and individuals, to contract with the Marine hospital at Erie, for the future support and attendance of patients, and to make payment thereof.

No. 1954, supplement to an act to incorporate the Presbyterian historical society, approved April 8th, A. D. 1857.

No. 1952, an act to authorize the Coal Ridge improvement company to sell their bonds on certain terms.

No. 1948, an act to incorporate the Keystone elevating and warehousing company.

No. 1950, an act to incorporate the Philadelphia iron and steel company.

No. 1407, an act to incorporate the Granby coal company,

With information that the House of Representatives has passed the same without amendments.

He also returned bills from the Senate numbered and entitled as follows, viz:

No. 1942, a supplement to an act entitled An act authorizing the school directors of Latimore township, Adams county, to levy a tax and issue bonds to pay money raised to pay bounties to volunteers, approved the 11th day of April, A. D. 1867.

No. 948, a further supplement to the act to incorporate the Union School and Children's Home asylum, to provide for the taxation of non-resident venders of merchandise in the city and county of Philadelphia, and for the relief of Edward Hutchinson, approved April 12th, 1857.

No. 724, an act to authorize the merger or consolidation of oil and other mining companies,

With information that the House of Representatives has passed the same with amendments, in which the concurrence of the Senate is requested.

On motion of Mr. M'CONAUGHY, said amendments were twice read and concurred in.

Also informed that the House of Representatives has reconsidered and concurred in resolution from the Senate relative to the suspension of the joint rules, so far as relates to the transmission of Senate bill No. 2941, entitled An act to repeal an act to incorporate the Citizens' turnpike and macadamized road company, approved April 10th, 1867.

Also informed that the House of Representatives has adopted the report of the committee of conference appointed to confer upon the subject of the difference existing between the two Houses on House bill No. 1337, entitled An act to vacate part of Buck road, in the Twenty-sixth ward in the city of Philadelphia.

Also informed that the House of Representatives has concurred in the amendment made by the Senate to bills for the House of Representatives numbered and entitled as follows, viz:

No. 1875, an act to ratify and confirm the charter of incorporation of the Atlantic petroleum storage company, to confer additional powers on said corporation.

No. 1965, a further supplement to an act incorporating the Wilkesbarre and Pittston railroad company, approved April 15th, 1859, to increase the capital stock, make branches and hold lands.

WIDOWS' DOWER.

On motion of Mr. WHITE, the Senate proceeded to the second reading and consideration of the amendments made by the House of Representatives to bill No. 790, entitled An act relating to dower.

Mr. WALLACE. Mr. Speaker, the provisions of this bill were considered by the committee, and we negatived the bill. It asks a radical change; the widow, instead of taking under the common law, is compelled here to take as though her husband died without a will. It is right, if the principle be established by the Senate; but I am opposed to the principle; I am not progressive in that direction. I am for sticking to the law on this subject, and therefore I am opposed to this bill.

Mr. WHITE. Mr. Speaker, I find on the files of the Senate, No. 170, an act relative to dower. This bill was in the early part of the session referred to the Judiciary Committee, and reported therefrom as committed, passed the Senate and went over to the House. A very respectable gentleman in the profession in the town in which I live had his attention called to this subject, and requested to know what the legislation was upon this subject. He took the trouble to very carefully prepare a bill embodying the same principle, but relieved of the constitutional objection which that bill had. I have this bill before me; that is the original bill, to which this is an amendment.

Now, Mr. Speaker, you will observe that, by the provisions of this bill, where a man dies after having made his will, and his wife refuses to take under that will, she takes dower at common law, which is one-third of his real estate; that is set apart for her use. The effect of that now, practically, is to tie up a great many estates where it is not the desire of the parties. Where a man dies intestate, without making a will, the party can go into court, and one-third of the valuation of the property is set apart. The interest of one-third is paid to the widow during her life, and the principal is distributed among the heirs at her death. Now, the proposition in this bill is to bring all this class of cases under the intestate laws of the Commonwealth. The bill, as it originally passed the Senate, provided for a class of cases where there was a vested right, provided that in those cases where a man had already died, certain proceedings should be had. That was thought unconstitutional, because it affected vested rights. This bill makes it prospective in its operation. This, it occurs to me, is eminently fair, and my friends upon the committee so thought, and reported the bill as committed. The second section of the bill provides that where a man has died after having made his last will and testament, and the widow and all parties agree, any one of the parties can come into court and present the petition for a partition. There is a proviso added to that bill, affecting proceedings already commenced. I trust the Senate will agree to the amendment.

Mr. BURNETT. Mr. Speaker, I am opposed to this bill upon very much the same grounds as alleged by the Senator from Clearfield [Mr. WALLACE]. I regret very much to see a spirit of innovation creeping into the Legislature of Pennsylvania. In other States they have undermined the great common law principles obtaining in this country ever since the organization of the country. The spirit of innovation has gone on to such an extent in New York, that the best lawyers in the State declare that it will require fifty years to settle property under their new code; the same spirit is creeping in here; we see it in the proposition to change the law of evidence, which has controlled and governed our fathers before us, and which the experience of ages has shown, to be founded in wisdom, and best calculated to subserve the interest of all parties. Why, sir, this spirit of innovation in Maine has been carried so far, with reference to the fundamental law of evidence, that even criminals charged with the highest crimes, known to the law, have been admitted to the witness-stand in their own favor. Now, sir, I am opposed to this spirit of innovation; I adhere to the old landmarks. I would like to see the Legislature of Pennsylvania true to the principles of their ancestors in regard to this spirit of innovation.

Now, this bill may be right or not; but we are overturning an old principle of the law. Why, the Legislature of Pennsylvania have been legislating so much relative to the rights of married women that there is hardly a lawyer in the land that fully understands the principles of common law that govern the relationship of man and wife; and the Supreme Court at every session overturns what they have decided upon at the prior term. Now, this is

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GEO. BERGNER.

[CONTINUED FROM PAGE 1088.]

another effort to overturn and nullify a principle of law that has governed the people of this State for so long a period of time. As I said before, the practical operation might not be injurious, but, objecting to the principle, I shall vote against it.

Mr. M'CONAUGHY. Mr. Speaker, I hope this will not prevail; it is a subject which received very careful consideration in the Judiciary Committee. The original Senate bill was unobjectionable; it simply provided for an inquisition; it did not disturb the relation of the widow and the heirs, as at common law. It left the status of the widow and heirs just as at common law, which experience has shown to be right. As the bill passed the Senate, the attitude of the widow, in regard to dower in the main, was not changed: but in the bill which has been substituted in the House, in relation to the heirs, as at common law, she is put under the intestator, and the fact is, instead of the widow having her dower, she may come in and occupy almost the attitude of the heir. I do not think, sir, that it is wise that this radical change should be made. It will give rise to a large amount of litigation.

Mr. COLEMAN. Mr. Speaker, my understanding, so far as I can get at it, is this: that a widow in place of taking a dower on one-third of the real estate, has one-third set apart for her, which she enjoys during her life under this law.

Mr. WHITE. No; it does not alter the course of distribution under the present laws of the Commonwealth, but applies them to all classes. The widow can come into court personally, or petition, and have a valuation and recognizances given. This does not alter the course of distribution.

Mr. COLEMAN. What is the programme where a man dies and leave a will and the widow refuses to accept under the will?

Mr. WHITE. It just leaves her as if he had died without making any will at all.

Mr. COLEMAN. And she can take a dower of one-third of the whole estate?

Mr. WHITE. Yes, sir; one-third of the real estate

Mr. COLEMAN. I want to understand this thing. Suppose I should die, and leave a widow and children; and that I own three farms of equal value. My understanding of this bill is, that in place of the widow having the dower of three of these farms, they can be separated, and she can enjoy one of those farms during her life-time, the other two farms going to the other heirs.

Mr. WALLACE. That can be done by he inquest.

Mr. COLEMAN. If that view is the correct one, I am in favor of this bill, for this reason—this subject of dower is one that is giving a great deal of trouble in the settlement of estates. It seems to me that a law of this kind, without doing any injustice to the widow, would be a very proper law.

Mr. M'CANDLESS. Mr. Speaker, I would like to ask the gentleman from Indiana [Mr. WHITE] whether the widow of a man dying intestate would have power to compel partition and sale under an inquest of the realty, under this bill.

Mr. WHITE. Yes, probably she would. The amendment which has been incorporated in the House was carefully prepared.

The Senator from Monroe [Mr. BURNETT] is mistaken in his idea that it has long been a settled opinion of the profession that a woman refusing to take under the will, there can be no partition of the property. There has been a difference of opinion upon that subject.

Mr. BURNETT. The widow may elect whether she will take under the will of her deceased husband, or take her dower at common law, and, so far as the real estate is concerned, she is entitled to have one third. I would like to ask the Senator from Indiana [Mr. WHITE] what mischief there is under the old law, which he seeks to remedy by this bill.

Mr. WHITE. I will tell the Senator promptly. In many parts of the Commonwealth men die after having made their wills, seized of timber land, if you please, which can only be made available by cutting the timber. Where he makes his will devising that property, and the widow refuses to take under that will, she gets a third of that property set apart to her, which, in that shape, is often unavailable. If he had died intestate, she, or any of his heirs, could have come into court and presented their petition, and had their partition of real estate, and she would have had her one third of the valuation thereof during life; whereas, if it had been left as at common law, she would have received nothing whatever out of it. I have in my mind's eye a case where a man died, and the widow was not satisfied with the provision that the husband had made, and of course she came in and voided the will, so far as regards herself; and then she is turned over to the provision which the common law makes. She refuses to take under this will; the common law says she is entitled to one-third of the rents, issues, et cetera, of this property; it cannot be set aside well; it has no rents, issues, et cetera; the result is that it is embarrassed. This bill says that in that kind of cases the widow comes into court, presents her petition, and, if it is divided, and if the heirs come in and accept it, they give their recognizances to the widow for her third. If they do not take it, it is put up at orphans' court sale, and she is paid her one third.

Mr. BURNETT. I desire to ask the Senator one question. Suppose a man should make his will, and die, and his widow elected not to take. Supposing by that will he should will his real estate to three sons and his widow. Now, if this should become a law, she would go into the courts. She is entitled to one-third of that farm. I ask how much of that farm would sell in order to adjust the claims of the widow under the intestate law.

Mr. WHITE. You would sell the whole property, and she would get the interest of the valuation on the one third during her life.

Mr. BURNETT. Suppose the heirs say they do not want the property sold? The property is theirs; they take it under the will of the father.

Mr. WHITE. That is a matter under the jurisdiction of the court.

Mr. DAVIS. Mr. Speaker, if this bill is passed, it will make a great change in the law; it may be for the better, but I think such changes should not be made in this hasty manner; and in order to give time for the profession to examine this, I move that its further consideration be postponed for the present.

Mr. COLEMAN. Does not this commission, called to codify the laws, take up all these questions, in accordance with the decisions of the Supreme Court? If this is the case, I do not feel sufficiently enlightened to vote either way.

The motion of Mr. DAVIS was

Agreed to.

The Senate took a recess for twenty minutes.

On reassembling, the Senate, on motion, proceeded to the consideration of the House amendment to bill relating to dower.

On the question,

Will the Senate agree to the amendments?

The yeas and nays were required by Mr. WALLACE and Mr. WHITE, and were as follow, viz:

YEAS—Messrs. Bigham, Billingfelt, Browne (Lawrence), Brown (Mercer), Burnett, Coleman, Connell, Graham, Haines, Lowry, Taylor, White and Worthington—13.

NAYS—Messrs. Cowles, Davis, Donovan, Glatz, James, Landon, M'Candless, M'Conaughy, Royer, Schall, Searight, Shoemaker, Wallace, Walls and Hall, *Speaker*—15.

So the question was determined in the negative.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

The Clerk of the House of Representatives being introduced, presented, in pursuance of joint resolution, bill numbered and entitled as follows, viz:

No. 2186, an act requiring the North Pennsylvania railroad company and the Frankford and Southwark passenger railway company to appoint a watchman on the crossing at Berks and America streets.

Referred to the Committee on Railroads.

He also informed that the House of Representatives has reconsidered and non-concurred in the amendments made by the Senate to bill from the House of Representatives, numbered and entitled as follows, viz:

No. 1965, a further supplement to an act incorporating the Wilkesbarre and Pittston railroad company, approved April 19th, 1859, to increase the capital stock, make branches

and hold lands, and has appointed Messrs. CHALFANT, KOON and BOYLE a committee of conference to confer with a similar committee on the part of the Senate, if the Senate shall appoint such committee, upon the subject of the difference existing between the two Houses on said bill.

Mr. WALLACE moved that the Senate insist upon its amendments non-concurred in by the House of Representatives, and that a committee of conference be appointed to confer with a similar committee on the part of the House.

The motion was agreed to, and Messrs. WALLACE, SHOEMAKER and COWLES appointed said committee.

He also informed that the House of Representatives has concurred in the amendments made by the Senate to bills from the House of Representatives numbered and entitled as follows, viz:

No. 1611, a further supplement to an act regulating the measurement of corn and salt imported into the port of Philadelphia, approved the 22d day of September, 1785.

No. 676, an act to incorporate the Lycoming trout and improvement company.

No. 1409, an act relative to the estate of Eliza Howard Burd.

No. 1762, an act relating to the collection of school taxes in Fulton county.

No. 2056, an act to provide for the protection of minors employed on the several canals in the counties of Carbon, Northampton and Berks.

No. 2054, an act to increase the revenue of the Commonwealth by taxation of the shares of stock of the national banks.

PRISON DISCIPLINE.

On motion of Mr. BIGHAM, the rules were dispensed with, and the Senate proceeded to the consideration of joint resolution authorizing the Governor to appoint a commission to inquire into the various systems of prison discipline.

Mr. BIGHAM moved to amend the resolution by restoring it as it came from the House.

The motion was
Agreed to.
And the rules having been dispensed with,
The bill was read a third time, and
Passed finally.

REPORTS FORM CONFERENCE COMMITTEES.

Mr. LOWRY, from the committee to whom was referred the question of difference between the two Houses in reference to House bill No. 328, entitled An act to incorporate the Meadville savings and loan company, reported

That they had agreed to recommend that the House concur in the Senate amendments to that bill.

On motion of
Mr. LOWRY, the report was read a second time and adopted.

Mr. WALLACE, from the committee of conference on bill No. 1965, House file, entitled A further supplement to an act incorporating the Wilkesbarre and Pittston railroad company, approved April 15th, 1859, made a report, which was read, as follows: That the title stand as amended by the House, and that the bill be amended as follows, viz: in fifth line of first section, after the word railroad, insert "not exceeding fifteen miles in length." In the third section add at end thereof, "but shall not be allowed to hold lands under this law in Luzerne county," and that the Senate recede from its other amendments.

On motion of Mr. WALLACE, said report was twice read and adopted.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

The Clerk of the House of Representatives being introduced, returned bills numbered and entitled as follows:

No. 1718, an act to authorize the school directors of Perry township, Fayette county, to levy and collect a bounty tax.

No. 1947, an act to prevent the fraudulent voting of stock in oil and mining companies of this Commonwealth.

No. 207, a supplement to the act of the fifteenth of March, A. D. 1832, entitled An act relating to registers and registers' courts.

No. 686, joint resolution relative to the purchase of a railroad map to accompany the Auditor General's report.

No. 616, an act to confer upon the courts of quarter sessions of this Commonwealth power to annex the lands or parts thereof of persons resident in one district to another district for school purposes.

No. 757, an act to authorize the appointment of phonographic reporters for the several courts of common pleas of this Commonwealth.

No. 1147, an act supplementary to an act entitled An act to incorporate the Pennsylvania Mutual horse thief detecting and insurance company, approved April 22d, A. D. 1854.

No. 1473, a supplement to an act approved the 17th day of April, 1866, authorizing the courts to fix and change the places for holding general elections in certain cases.

No. 1649, an act regulating the assessment of taxes in the city of Pittsburg.

No. 2041, an act to repeal an act to incorporate the Citizens' turnpike and macadamized road company, approved April 10, 1867.

No. 1248, a supplement to the act entitled An act regulating banks, approved April 16th, 1866.

No. 1167, a further supplement to an act relating to corporations for mechanical, manufacturing, mining and quarrying purposes, approved the 18th day of July, A. D. 1863, authorizing companies to sell and lease real estate, and to issue coupon bonds,

With information that the House of Representatives has passed the same without amendments.

He also informed that the House of Representatives has concurred in the amendments made by the Senate to bill from the House of Representatives numbered and entitled as follows, viz:

No. 784, an act to protect game and fish in Luzerne county.

Also presented for concurrence bill numbered and entitled as follows, viz:

No. 1598, an act relative to the dockets of retiring justices of the peace in this Commonwealth.

Referred to the Committee on the Judiciary General.

Also informed that the House of Representatives has adopted the report of the committee of conference, appointed to confer upon the subject of the difference existing between the two Houses in relation to House bill No. 1965, entitled A further supplement to an act incorporating the Wilkesbarre and Pittston railroad company, approved April 16th, 1859.

The Clerk of the House of Representatives being introduced, informed that the House of Representatives has adopted the report of the committee of conference, appointed to confer upon the subject of the difference existing between the two houses on House bill

No. 828, entitled An act to provide for the ordinary expenses of the Government, and other general and specific appropriations.

TO-MORROW'S SESSION.

Mr. GRAHAM moved that when the Senate adjourns, it will adjourn to meet to-morrow A. M. at 11 o'clock.

The motion was
Agreed to.

JOINT RESOLUTION.

On leave,

Mr. COWLES read in his place and presented to the Chair a bill, entitled a joint resolution authorizing the Governor to appoint commissioners to investigate the expenditures of moneys appropriated in certain counties.

Referred to the Committee on Finance.

On motion of Mr. COWLES, the Committee on Finance was discharged from the further consideration of said resolution.

And the rules having been dispensed with,

The bill was read a second and third time, and

Passed finally.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

The Clerk of the House of Representatives being introduced, informed that the House of Representatives has adopted the report of the committee of conference appointed to confer upon the subject of the difference existing between the two Houses on House bill No. 328, entitled An act to incorporate the Meadville savings and loan company.

The Senate then adjourned until to-morrow morning at 10 o'clock.

SENATE.

THURSDAY, April 11, 1867.

The Senate met and was called to order at eleven o'clock, A. M., by the SPEAKER.

Prayer was offered by the Rev. Mr. Bailey.

On motion, the reading of the Journal of yesterday was dispensed with.

JOINT COMMITTEE TO WAIT ON THE GOVERNOR.

The Clerk of the House of Representatives being introduced, presented an extract from the Journal of the House of Representatives, which was read, as follows, viz:

IN THE HOUSE OF REPRESENTATIVES,
April 11, 1867.

Resolved, That (if the Senate concur) a committee of three members of each House be appointed to wait upon the Governor and inform him that the General Assembly will be ready to adjourn this day at twelve o'clock, M., and to inquire whether he has any further communications to make.

On motion of Mr. BIGHAM, said resolution was read a second time and concurred in.

Ordered, That the committee on the part of the Senate consist of Messrs. BIGHAM and GLATZ.

REPORT OF COMMITTEE ON ACCOUNTS.

On leave,

Mr. ROYER, from the Committee on Accounts, made the following report:

POSTOFFICE, HARRISBURG, PA.,
April 11, 1867.

Senate of Pennsylvania:
To Joseph F. Knipe, Dr.

For postage on letters and documents sent and received from April 1st to April 11th, 1867, as follows:

Postage on letters and documents sent	$1,577 00
Postage on letters received	
Postage on documents received	22 24
	$1,599 24
For postage during recess (estimated)	300 00
	$1,899 24

Received payment.
JOSEPH F. KNIPE, P. M.

The Committee on Accounts having examined the above account of Joseph F. Knipe, Postmaster at Harrisburg, find it to be correct, and offer the following resolution, viz:

Resolved, That the Speaker draw his warrant on the State Treasurer in favor of Joseph F. Knipe, Postmaster of Harrisburg, for the sum of eighteen hundred and ninety-nine dollars and twenty-four cents, in full of the foregoing account.

The resolution was twice read and adopted.

MILEAGE OF THE SENATORS.

Mr. ROYER, from the Committee on Accounts, reports that they have examined and settled the accounts of the members of the Senate for their compensation, mileage, stationery, &c., during the present session, as per schedule annexed.

The committee offer the following resolution:

Resolved, That the Speaker draw his warrant on the State Treasurer, in favor of each of the above named Senators, for the sum set opposite their respective names.

Said resolution was twice read and Agreed to.

COMMITTEE FROM THE HOUSE OF REPRESENTATIVES.

Messrs. M'KEE and LINTON, a committee from the House of Representatives being introduced, informed the Senate that the House would be ready to adjourn *sine die* at twelve o'clock.

COMMITTEE FROM THE SENATE TO THE HOUSE.

Mr. WHITE offered the following resolution, which was twice read:

Resolved, That a committee of two be appointed to wait upon the House of Representatives and inform that body that the Senate will be ready to adjourn this day at twelve o'clock, M.

The resolution was adopted.

Messrs. WHITE and DAVIS were appointed said committee.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

The Clerk of the House of Representatives being introduced, returned bill from the Senate numbered and entitled as follows, viz, the joint rule in this case having been suspended:

No. 2044, joint resolution authorizing the Governor to appoint commissioners to investigate the expenditures of moneys appropriated in certain cemeteries,

With information that the House of Representatives has passed the same with amendments, in which the concurrence of the Senate is requested.

On motion of Mr. M'CONAUGHY, said amendments were twice read, considered and concurred in.

The Senate then took a recess until 11½ o'clock.

REASSEMBLING OF THE SENATE.

The hour of 1 o'clock having arrived, the Senate reassembled.

MESSAGE FROM THE GOVERNOR.

The Deputy Secretary of the Commonwealth being introduced, presented a message from the Governor approving certain bills, which was read as follows, viz:

EXECUTIVE CHAMBER,
HARRISBURG, PA., April 11, 1867.

To the Senate and House of Representatives of the Commonwealth of Pennsylvania:

GENTLEMEN—I have approved and signed the following acts of the General Assembly, to wit:

On the 10th instant:

House bill No. 1524, an act to incorporate the Citizens' turnpike and macadamized road company.

Senate bill No. 520, an act to incorporate the Moshannon land and lumber company.

Senate bill No. 1775, an act to authorize the Lehigh coal and navigation company to borrow money and issue bonds.

Senate bill No. 1776, an act to extend the time for the commencement of the Chestnut Hill and Cheltenham railway company.

House bill No. 2057, an act to provide for an additional return day in the court of common pleas of Northumberland county.

Senate bill No. 1200, an act to incorporate the Good Spring iron and land company.

House bill No. 1580, an act to increase the capital stock of the Venango water company.

Senate bill No. 1163, an act relative to the leasing of the Kersey oil and mineral company's railroad by the Farmers' railroad company of Venango county.

House bill No. 1597, an act to extend the time for the payment of the enrollment tax on an act to incorporate the Meadville Novelty works, approved April fourteenth, one thousand eight hundred and sixty-three.

House bill No. 1606, an act authorizing the commissioners of Mercer county to appropriate money sufficient to pay one-half the expenses of erecting a bridge over the Pymatuning creek at the State line of Pennsylvania and Ohio, in the village of Grangeville.

House bills No. 1612, an act to incorporate the Cardington Industrial Co-operative association.

House bill No. 1151, a further supplement to the act to incorporate the Pennsylvania railroad company, approved April 13th, A. D. 1846, authorizing the Pennsylvania railroad company to construct additional railroad tracks sidings, depots, workshops and other appurtenances along, adjoining or contiguous to their own line of railroad and the railroads owned and leased, or hereafter to be owned and leased by them, and to straighten and improve the same, and to acquire the property upon which to construct the same, paying therefor the value of the property to be used or occupied.

House bill No. 1691, an act entitled An act to incorporate the Excelsior gold and silver ver mining company of Colorado.

House bill No. 1604, a further supplement to an act to authorize the erection of a poor house by the township of Jenkins borough, of Pittston and township of Pittston, in the county of Luzerne, approved May eighth, Anno Domini, one thousand eight hundred and fifty-seven.

House bill No. 1595, an act relative to the fees of notaries public in the counties of Centre and Lycoming.

House bill No. 1685, an act relating to certain officers in the Southwestern ward in the city of Lancaster, Pa., extending their term of office, &c.

House bill No. 1909, a supplement to an act relating to the common schools of the city of Lancaster, approved January second, one thousand eight hundred and fifty.

House bill No. 1392, a supplement to an act entitled An act to incorporate the People's accident insurance company of Pennsylvania, approved April eleventh, one thousand eight hundred and sixty-six.

House bill No. 1265, an act to prevent cattle, horses, sheep and swine from running at large in Tunkhannock township, county of Wyoming, and Forest, Lake and Middletown townships, in Susquehanna county.

House bill No. 1393, an act to extend the time of payment of the enrollment tax on an act to incorporate the Mineral exploring company, approved August eighteenth, one thousand eight hundred and sixty-four.

House bill No. 891, a supplement to the act approved April eleventh, one thousand eight hundred and sixty-six, to increase the fees of township officers in the county of Wyoming, extending the same to Cambria county.

House bill No. 1502, an act to incorporate the Lehigh County mining, manufacturing and improvement company.

House bill No. 1326, an act for the relief of Doctor Herman B. Linton, a surgeon of the Thirty-eighth regiment Pennsylvania infantry volunteers.

House bill No. 1326, an act to incorporate the Pittsburg tunnel company.

House bill No. 1599, an act to incorporate the Sierra Nevada mining company.

House bill No. 807, an act to authorize the Board of Military Claims to settle the claim of T. B. Nelson, first lieutenant, Battery H, Third artillery.

Senate bill No. 167, a supplement to an act entitled An act amending the law of evidence in Pennsylvania, approved the twenty-seventh day of March, one thousand eight hundred and sixty-five.

House bill No. 1864, an act to incorporate the Express steamboat company.

Senate bill No. 1816, an act supplementary to the act to incorporate the Oil Creek, Lake and Titusville mining and transportation company.

House bill No. 1477, a further supplement to an act to incorporate the Frankford and Holmesburg railroad company, approved July the eighteenth, one thousand eight hundred and sixty-three, providing for the construction of a railroad from Holmesburg to Bustleton.

House bill No. 1329, an act granting a pension to Nancy Jane O'Donnell, widow of D. Charles O'Donnell, deceased.

House bill No. 133, an act granting a pension to Margaret Rots, widow of David Rots, late of Franklin county, deceased.

House bill No. 1510, an act to incorporate the Puebla gold and silver mining company.

House bill No. 1455, an act to authorize the school directors of North Annville township, Lebanon county, and Middle Creek township, Snyder county, to levy and collect taxes in said township to pay off deficiencies.

House bill No. 886, an act relating to the sale of lands by the commissioners of Cambria county.

House bill No. 1436, an act to authorize the borough of Media, in the county of Delaware, to borrow money for the purpose of supplying said borough with water.

House bill No. 1471, an act increasing the compensation of the collector of borough and school taxes of the borough of Easton, Northampton county.

House bill No. 1418, an act relating to the courts of Venango county.

House bill No. 1773, a supplement to an act relating to corporations for mechanical, manufacturing, mining and quarrying purposes, approved the eighteenth day of July, one thousand eight hundred and sixty-three, repealing section thirty-three of the same so far as it affects certain counties.

House bill, No. 1447, a supplement to an act empowering the Lutheran congregation of the Old Goshenhoppen church in Upper Salford township, in Montgomery county, to collect their outstanding debts, approved the twenty-fifth day of March, Anno Domini one thousand eight hundred and thirty-nine.

House bill No. 1079, an act to incorporate the Franklin savings fund and safe deposit company.

House bill No. 1346, an act granting a pension to Sarah E. M'Elhose, widow of a soldier.

House bill No. 1456, an act to extend the time of the payment of the enrollment tax on an act to incorporate the Agricultural College and Junction turnpike road company, approved the sixth day of May, one thousand eight hundred and sixty-four, and to insert additional commissioners in place of those deceased.

House bill No. 1446, an act relating to notaries public in the city of Harrisburg.

House bill No. 1410, an act for the payment of Enos C. Renner, contestant for the seat of Michael Mullin.

House bill No. 1478, an act relative to the license of vehicles in the borough of Lawrenceville, Allegheny county.

House bill No. 1435, an act to increase the pay of the auditors of Jeffersen county.

House bill No. 1457, an act authorizing the increase of the recognizance and bond of the sheriffs of Venango county.

House bill No. 1160, an act relative to hucksters in the county of Dauphin.

House bill No. 1582, an act to incorporate the Bath car company.

House bill No. 1378, an act to authorize the Hartsville and Centreville turnpike road company to issue preferred stock.

House bill No. 1372, an act to incorporate the Rynd Farm bridge company.

House bill No. 1321, an act to authorize the Lombard and South Street passenger railway company to increase its capital stock and bonded debt.

House bill No. 1529, an act to establish a ferry over the Monongahela river at the borough of Elizabeth, in the county of Allegheny.

House bill No. 1288, an act to annex a part of Colebrook township, Clinton county, to Brown township, Lycoming county.

House bill No. 517, an act to repeal a supplement to an act to prevent cattle, horses, sheep and hogs from running at large in the county of Delaware, extending the same to Lebanon county, approved the eleventh day of April, Anno Domini one thousand eight hundred and sixty-six.

House bill No. 1383, an act to create trustees to erect a monument in the Twenty-second ward of the city of Philadelphia, and to authorize Henry K. Smith, executor or administrator of the estate of William K. Smith, deceased, to pay over the money in his hands belonging to the bounty fund of the Twenty-second ward to the said trustees.

House bill No. 1014, an act to authorize the president and directors of any railroad company to determine by resolution the manner in which and the persons to whom the increased capital thereof may be sold, and the amounts of the instalments thereon, and the times and manner of their payment.

Senate bill No. 687, an act relating to the settlement of the collateral inheritance tax on the estate of the late Robert W. Coleman, deceased.

House bill No. 1499, an act to enable the Spring Run oil and lumber company and the Benezet oil and coal company to consolidate.

House bill No. 1489, an act to incorporate the Warren, Sheffield and Bennet Branch railroad company.

House bill No. 1257, an act relative to the sale of an old school house in West Cocalico township, Lancaster county.

House bill No. 1349, an act to authorize the school directors of Troy borough school district, in the county of Bradford, to contract a loan for the purpose of erecting a suitable school house in said borough.

House bill No. 1359, an act relating to the borough of Union Mills, in the county of Erie.

House bill No. 1683, an act to prevent fishing with seines in the South Branch of ten mile creek, in the county of Greene, and Crooked creek, Armstrong county.

House bill No. 1432, an act to authorize the appointment of two additional notaries public in the city of Pittsburg, Allegheny county, and one in West Newton, Westmoreland county, one in Beaver, Beaver county.

House bill No. 1681, an act to authorize additional supervisors for Whiteley township, in the county of Greene.

House bill No. 1603, an act to lay out a State road in Schuylkill and Lebanon counties.

House bill No. 1589, an act authorizing the commissioners of Susquehanna county to erect a new jail in the said county.

House bill No. 1200, a supplement to an act to incorporate the Brady coal and oil company.

House bill No. 1609, an act to incorporate the Viola gold and silver mining company.

House bill No. 1675, an act to increase the fees of constables and police officers of the city of Titusville, in certain cases.

House bill No. 1640, an act relative to fishing in the streams, lakes and reservoirs in the county of Clearfield.

House bill No. 1548, an act to compel the treasurer of the bounty fund of Mount Carmel township to pay the surplus bounty fund in his hand to the school directors of said township for school purposes.

House bill No. 1550, an act to authorize the school directors of Pittston borough school district to sell a certain lot.

House bill No. 246, an act for the better and more impartial selection of persons to serve as jurors in each of the counties of this Commonwealth.

House bill No. 1585, an act to increase the capital stock of the Lehigh water company, in the borough of Easton, Northampton county, and levy and collect water tax.

House bill No. 1340, an act to incorporate the York and Chanceford turnpike road company, in the county of York.

House bill No. 1203, an act to incorporate the Shippensburg iron, manufacturing and mining company.

House bill No. 1081, an act to release the claim of the Commonwealth and to validate bequest in the will of James White, a deceased soldier.

Senate bill No. 1599, a supplement to the Erie and Allgeheny railroad company, authorizing connections with their road on the east line of the township of North East, with any railroad from the State of New York, and the west line with any railroad constructed or to be constructed in the State of Ohio, and also authorizing said Erie and Allegheny railroad company to connect their road, within the county of Crawford, with the Atlantic and Great Western railroad company, with the same legal effect as though the connection was made within the county of Erie.

House bill No. 1823, an act authorizing the school directors of the borough of New Milford, Susquehanna county, to borrow money for school purposes.

House bill No. 704, an act to incorporate the National iron company.

House bill No. 1492, an act to incorporate the Northampton iron company.

House bill No. 1347, an act to incorporate the Beaver Falls water power company,

House bill No. 1381, an act to authorize the supervisors of Tyrone township, Blair county, to levy a cash tax.

House bill No. 1692, an act to authorizing the voters of Lackawaxen township, Pike county, to increase the number of supervisors in said township.

House bill No. 1615, an act to incorporate the Girard Tunneling gold and silver mining company.

House bill No. 1336, an act for the appointment of two additional assessors for the Fifteenth ward of the city of Philadelphia.

House bill No. 1363, an act authorizing the supervisors of Salem township, in Luzerne county, to collect in money the tax levied for road purposes in said township.

House bill No. 1342, an act to incorporate the Oxford fire and life insurance, annuity and trust company.

House bill No. 711, an act authorizing the road commissioners of Mill Creek township, Erie county, to compel the owners of land fronting on Ridge road to make sidewalks and to straighten and open out said road.

House bill No. 1479, a supplement to an act incorporating the Wilkesbarre and Pittston railroad company, approved the fifteenth day of April, Anno Domini one thousand eight hundred and fifty-nine, increasing the privileges, and changing the name thereof to the Danville, Hazleton and Wilkesbarre railroad company.

House bill No. 1394, an act relating to the fees of the sheriffs of the counties of Cumberland and Snyder.

House bill No. 749, an act to incorporate the Oil City acid factory,

House bill No. 1686, an act to amend the charter of incorporation of the Decatur building association of Frankford.

House bill No. 1283, a supplement to an act to incorporate the Farmers' Mutual fire insurance company of Paradise township, in the county of York, approved the twenty-eighth day of March, Anno Domini one thousand eight and fifty-four.

House bill No. 1312, an act to legalize the action of the school directors of Shrewsbury township, York county, relative to money borrowed to pay bounties and taxes assessed to collect the same.

Senate bill No. 1414, an act relative to the Merchants' and People's transportation company.

House bill No. 1332, an act to authorize the school directors of M'Keesport, Allegheny county, to equalize the payment of bounties.

House bill No. 1362, a supplement to an act incorporating the Lehigh Mutual manufacturing company.

House bill No. 1307, an act to exempt John Malone of Sewickley township, Westmoreland county, from the payment of bounty tax.

House bill No. 1824, a further supplement to an act entitled An act to validate the judgment docket entries made by the prothonotaries of certain counties within this Commonwealth.

House bill No. 1376, an act relating to auctioneers in the city of Williamsport.

House bill No. 1365, an act authorizing the board of school directors of the township of Wheatfield, in the county of Perry, to levy and collect an additional bounty tax.

Senate bill No. 1258, an act to change the venue in certain cases from Allegheny to Jefferson county.

House bill No. 1635, an act to prohibit the destruction of fish in the Susquehanna river and its tributary streams in Columbia county.

House bill No. 1637, an act to extend the provisions of an act to prevent the growth of noxious weeds in the county of Chester, approved March, Anno Domini one thousand eight hundred and sixty-seven, to Northampton county.

House bill No. 105, an act for the relief of T. S. Strochecker, of Venango county.

House bill No. 1617, an act relative to the road laws of Fallowfield township, Washington county.

House bill No. 1609, supplement to an act incorporating Danville gas company, to repeal

so much of said act as relates to the mode of electing directors of said company.

House bill No. 1559, an act to incorporate the Uniontown stock company.

House bill No. 1746, an act to incorporate the Montgomery improvement company.

House bill No. 1874, an act relating to taxation for school purposes in the school district of Canonsburg, in the county of Washington.

House bill No. 1197, an act to prevent cattle, horses, sheep and hogs from running at large in the township of Mill Creek and borough of New Lebanon, in the county of Mercer, and Darlington township, in the county of Beaver.

House bill No. 1149, an act to declare North creek and a part of the Driftwood creek, in the county of Cameron, public highways.

House bill No. 1544, an act relating to public schools in the borough of Wattsburg, in the county of Erie.

House bill No. 1591, an act relating to the recording of the general election returns in the county of Butler.

House bill No. 1621, an act to authorize the assessment and collection of a certain tax in the borough of Lewisbury, York county.

House bill No. 1308, an act authorizing the school directors of the borough of Harmony, and the townships of Jackson and Brady, in the county of Butler, to levy and collect an additional bounty tax.

House bill No. 1302, an act extending the provisions of an act relating to the licensing of billiard rooms, bowling saloons and nine or ten-pin alleys, at Cresson Springs, in the county of Cambria, to the Loretto Springs, in the same county.

House bill No. 1330, an act to extend the time for the payment of the enrollment tax on an act to incorporate the Moshanon coal and lumber company.

House bill No. 1335, an act to legalize and make valid an order for bounty issued by the road commissioners of Elk Creek township, in the county of Erie.

House bill No. 1367, an act extending the time of payment of the enrollment tax on an act incorporating the Pennsylvania light and water company, approved April fifth, one thousand eight hundred and sixty-six.

House bill No. 1311, an act authorizing the school directors of Warrington township, York county, to levy and collect bounty tax at once.

House bill No. 1328, a supplement to an act to incorporate the Medico Chirurgical college of Philadelphia, passed February, Anno Domino one thousand eight hundred and fifty.

House bill No. 1282, a further supplement to an act to incorporate the Youghiogheny shaft company.

House bill No. 625, an act to change the venue in the case of John M'Farland vs. Joseph Shoemaker from the court of common pleas of Northumberland county to the court of common pleas of Union county.

House bill No. 1323, an act to incorporate the Capital savings fund, insurance, trust and safe deposit company.

House bill No. 1694, an act to repeal the thirteenth section of an act regulating boroughs, approved the third day of April, one thousand eight hundred and fifty-one, so far as the same relates to the borough of New Alexandria, Westmoreland county.

House bill No. 1673, an act to incorporate the Franklin manufacturing company.

House bill No. 1953, supplement to the act authorizing the school directors of the borough of Franklin, Venango county, to borrow money, approved the eleventh day of April, Anno Domini one thousand eight hundred and six-six.

House bill No. 1718, an act supplementary to an act establishing a ferry across the Allegheny river at or near the mouth of Tubbs' run, in Venango county, approved the twelfth day of April, Anno Domini one thousand eight hundred and sixty-six.

House bill No. 1605, a further supplement to supplement to an act to incorporate the Lehigh and Delaware plank road or turnpike company, approved the eleventh day of April, Anno Domini one thousand eight hundred and sixty-six.

House bill No. 1706, a further supplement to the act incorporating the Welch turnpike road company.

House bill No. 781, an act to prevent cattle, horses, mules, sheep and dogs from running at large in Venango township, Erie county, and Little Beaver township, Lawrence county.

An act to extend the time for the payment of the enrollment tax on an act entitled An act to incorporate the Sugar Creek mining and transportation company, approved March the twenty-fourth, Anno Domini one thousand eight hundred and sixty-five.

House bill No. 1682, an act to authorize the school directors of Aleppo township, in the county of Greene, to levy and collect a temporary tax for school purposes, beyond the amount now allowed by law.

House bill No. 1680, an act to incorparate the Clinton turnpike company, in the county of Greene.

House bill No. 1700, an act to increase the compensation of election officers in the county of Schuylkill.

House bill No. 1722, an act to annex real estate of Robert P. Cornelius, of Jackson township, Snyder county, to the borough of New Berlin, Union county, for school purposes.

House bill No. 1717, an act establishing a ferry across the Allegheny river at or near the Falling Springs, in Venango county.

House bill No. 1705, an act to incorporate the Willow Bank and Burns Spring railroad company.

House bill No, 1384, an act to take the sense of the people of Indiana county upon the question of a prohibitory liquor law.

House bill No. 1706, an act to incorporate the Mill Creek and Nescopeck railroad company.

House bill No. 1299, an act to prevent the sale or giving away of intoxicating drinks in the township of Peach Bottom, York county, on election days.

House bill No. 1661, an act supplementary to an act relating to the Western Pennsylvania railroad company, and for other purposes, approved April twenty-seventh, one thousand eight hundred and sixty-four.

House bill No. 1520, an act to incorporate the Perry bridge company.

House bill No. 1198, an act to empower the Ashland iron company of Baltimore county, in the State of Maryland, to hold lands in the State of Pennsylvania.

House bill No. 800, an act requiring the Superintendent of Public Printing to advertise for the proposals for supplying the State with printing and bill paper.

House bill No. 951, a supplement to the act to incorporate the Franklin silver mining company, approved April seventeenth, one thousand eight hundred and sixty-six, authorizing said company to issue bonds.

House bill No. 1608, an act to incorporate the National paper manufacturing company of Pennsylvania.

House bill No. 1503, an act to incorporate the North Star mining company.

House bill No. 1508, an act to incorporate the Continental mining company.

House bill No. 1506, an act to incorporate the Great Western mining company.

House bill No. 1434, an act to increase the fees of the commissioners of Crawford county as directors of the poor.

House bill No. 1561, a supplement to an act to incorporate the Eureka life and accident insurance company, approved January thirtieth, one thousand eight hundred and sixty-seven.

House bill No. 982, an act to establish a ferry over the Monongahela river at the town of Allenport, in Washington county.

House bill No. 1671, a supplement to an act increasing the compensation of certain officers in the county of Bucks, approved the twenty-third day of March, Anno Domini one thousand eight hundred and sixty-five.

House bill No. 1906, an act to change the time of holding the several courts of Greene county.

House bill No. 2185, an act authorizing the Auditor Grneral to examine the claim of Colonel C. W. Burton, and directing the State treasurer to pay the same if found to be correct.

House bill No. 1727, an act to annex the farm or farms of John M'Quiston L. S. M'Quiston, T. M. M'Quiston and David M'Quiston, of East Fallowfield to West Fallowfield township, Crawford county, for school purposes.

House bill No. 1894, an act to incorporate the Allegheny gold and silver mining company of Idaho.

House bill No. 1887, an act relating to bounties in Concord township, Erie county.

House bill No. 1905, a further supplement to an act entitled A supplement to the act incorporating the National iron armor company of Chester, in the county of Delaware, approved March twenty-first, one thousand eight hundred and sixty five, to enable said company to construct a railroad from their works to the Philadelphia, Wilmington and Baltimore railroad.

House bill No. 1907, an act to reduce the price of licenses to hucksters in Greene county.

House bill No. 1886, an act relating to the erection of school buildings in the borough of Covington, Tioga county, authorizing the school directors to borrow money.

House bill No. 1935, an act authorizing the burgess and town council of Oil City to levy a tax for borough purposes.

House bill No. 1866, an act to legalize the action of the school directors of Spring Hill township, Fayette county, and to authorize the levy and collection of an additional bounty tax,

House bill No. 656, an act to authorize the guardians of the minor children of Michael Frock, late of Snyder county, deceased, to make certain improvements on the real estate of said minors.

House bill No. 1662, a supplement to an act relating to hawkers and peddlers in the county of Chester, approved March second, Anno Domini one thousand eight hundred and sixty-seven.

House bill No. 1780, an act regulating the compensation of assessors and assistant assessors in the county of Allegheny.

House bill No. 1774, an act authorizing the Governor to appoint an additional notary public for the city of Philadelphia and one in each of certain counties of the Commonwealth.

House bill No. 1885, an act to incorporate the Frankford Co-operative benefit society.

House bill No. 1880, an act to prohibit the erection of ferries within two miles of the Milton bridge, in the county of Northumberland.

House bill No. 1337, an act to vacate part of Buck road, in the Twenty-sixth ward of the city of Philadelphia.

House bill No. 2086, a further supplement to an act to incorporate the Jones ferry com-

pany, approved the fourteenth day of March, Anno Domini one thousand eight hundred and sixty-five.

House bill No. 2149, an act to incorporate the Rich Valley Co-operative association of Allegheny county.

House bill No. 1938, an act to extend the provisions of an act relative to mechanics' liens in the counties of Luzerne and Schuylkill, approved the seventeenth of February, one thousand eight hundred and fifty-eight, to the county of Forest.

House bill No. 1937, a supplement to an act authorizing the burgess and town council of Venango City, Venango county, to increase their borough tax.

House bill No. 1898, an act relating to the surplus bounty fund in Vernon township, Crawford county.

House bill No. 1832, an act to increase the pay of supervisors of roads, overseers of the poor and township auditors of the county of Carbon.

House bill No. 2148, an act authorizing the trustees of the Willestown Baptist church of Chester county to remove bodies from the burial ground and reinter the same.

House bill No. 1899, an act relating to the surplus bounty fund in the township of East Fallowfield, in the county of Crawford.

An act authorizing the appointment of commissioners to run the boundary lines between the counties of Lycoming, Union and Clinton, and to fix and determine the same.

House bill No. 1892, an act to incorporate the Johnstown and Hingston's Run turnpike road company.

House bill No. 1891, an act to incorporate the Gallitzin and Cambria Mills turnpike road company.

House bill No. 1873, an act to repeal an act changing the citizenship of Jacob Bohner from Lykens to Mifflin township, Dauphin county, approved sixteenth of April, one thousand eight hundred and sixty-six.

House bill No. 2009, an act to grade and pave certain streets in Hummelstown, Dauphin county.

Senate bill, No. 994, a supplement to an act to lay out State road from Karthaus, in Clearfield county, to Coudersport, in Potter county, by way of Sinnemahoning, and for other purposes, approved March thirty-first, one thousand eight hundred add forty-five, renewing the powers, appointing new commissioners, and appropriating taxes for its completion.

Senate bill No. 964, an act to extend the time of payment of the enrollment tax of the Delaware mining company, appointing additional corporators, and authorizing said company to hold additional lands.

Senate bill No. 556, an act to authorize the court of quarter sessions of Allegheny county to appoint viewers to assess the cost of opening a public road in said county.

Senate bill No. 1029, an act to authorize the trustees of the public school fund of the townships of Wilkesbarre and Plains, in Luzerne county, to appropriate the whole or any portion of said fund for the purchase of land for a public cemetery or grave yard for said townships.

Senate bill No. 1029, an act to incorporate the Pittsburg and Sinaloa mining company.

Senate bill No. 996, a supplement to an act to entitle the stockholders of any railroad company incorporated by the laws of this Commonwealth, accepting this act, to one vote for each share of stock, approved the twentieth day of May, Anno Domini, one thousand eight hundred and sixty-five, extending the same to turnpike road companies.

House bill No. 1525, a supplement to an act to authorize Henry B. Masser and John H. Fisher to establish and maintain a ferry over the Susquehanna river at Selinsgrove, approved March the twentieth, Anno Domini one thousand eight hundred and sixty-three.

House bill No. 1153, an act to authorize the commissioners of Warren county to work prisoners in said county.

House bill No. 1613, an act relating to the recovery of the cost of making connections with the sewers in the city of Philadelphia.

Senate bill No. 1023, an act supplementary to an act to incorporate the Matawanna mining and exploring company, approved the twenty-fourth day of March, Anno Domini one thousand eight hundred and sixty-five.

House bill No. 1190, an act to incorporate the Reading and Trevorton railroad company.

Senate bill No. 1022, an act to extend the time for the payment of the enrollment tax on bill entitled An ct to incorporate the National silver mining company.

Senate bill No. 1114, an act to incorporate the Ophir Canon silver mining company of Nevada.

House bill 1584, a supplement to the act authorizing the Governor to incorporate the Easton water company, approved the twenty-fourth day of March, Anno Domini one thousand eight hundred and seventeen, and the supplement to said act.

Senate bill No. 1113, an act to incorporate the Empire State silver mining company of Nevada.

Senate bill No. 1041, an act to reduce the capital of the Six Mile Run coal company.

Senate bill No. 416, an act to extend the time for the payment of the enrollment tax on an act to incorporate the Keating coal and iron company, approved April eleventh, Anno Domini one thousand eight hundred and sixty-six.

Senate bill No. 966, an act relative to the terms of members of the council of the city of Philadelphia.

Senate bill No. 1118, an act to authorize the Warren and Franklin railway company to construct branch roads.

Senate bill No. 1543, an act supplementary to the act to incorporate the Adams County Soldiers' Monument association, approved March thirtieth, one thousand eight hundred and sixty-seven, appropriating a site for said monument.

Senate bill No. 1357, an act relative to actions of ejectment in Erie county.

Senate bill No. 1198, an act to incorporate the Farmers' and Citizens' Co-operative and Saving Fund association of Lawrence county, Pennsylvania.

Senate bill No. 1185, an act to incorporate the Union car and manufacturing company of Philadelphia.

House bill No. 1664, an act concurrent with an act passed by the Legislature of Ohio on the twentieth day of March, Anno Domini one thousand eight hundred and sixty-seven, in relation to the Ohio and Pennsylvania canal company.

Senate bill No. 1564, a supplement to an act incorporating the Caledonia iron, land and railroad company, approved March twenty-second, Anno Domini one thousand eight hundred and sixty-seven.

Senate bill No. 486, an act relative to contested elections in the city of Philadelphia.

Senate bill No. 540, an act authorizing the president and managers of the Lime Kiln turnpike company, and the president and managers of the Jarrettstown and Horsham turnpike company to charge certain rates of tolls.

House bill No. 1442, a supplement to an act relating to auctioneers in the city and county of Erie.

House bill No. 1448, an act relating to the compensation of the treasurer of Berks county.

House bill No 1596, an act to incorporate the West Newton gas company.

House bill No. 1627, an act to incorporate the Chrystal gas and water company.

Senate bill No. 1546, an act to incorporate the Indiana woolen works.

House bill No. 686, an act to vacate part of the Township Line road in the Twenty-first ward of the city of Philadelphia.

House bill No. 1296, an act to prevent cattle from running at large on the flat of Jack's mountain, in Minno and Union townships, in the county of Mifflin.

House bill No. 1674, an act to prohibit political processions after dark ten days next preceding any general election, in the city of Philadelphia.

House bill No. 492, a further supplement to an act to provide for the adjudication and payment of certain military claims, approved April sixteenth, one thousand eight hundred and sixty-two.

House bill No. 1512, an act to authorize the Governor to incorporate a company to erect a bridge over the Allegheny river, at or near the foot of Taylor street, in the city of Pittsburg, Allegheny county.

House bill No. 900, an act to change the venue in a certain case from Schuylkill county to Berks county.

Senate bill No. 160, an act to authorize the removal of certain cases from the court of common pleas of Cambria county to the court of common pleas of Centre county.

House bill No. 888, an act to change the venue in the case of G. W. Scofield vs. Martin Brunges from the court of common pleas of Wyoming county to the court of common pleas of Bradford county.

Senate bill No. 1221, an act to protect the validity of certain liens in Venango county.

Senate bill No. 377, an act granting an increase of capital to literary or charitable institutions becoming soldiers' orphans' schools.

Senate bill No. 442, a supplement to an act to validate certain conveyances made by married women since the eleventh day of April, one thousand eight hundred and forty-eight, approved twenty second April, one thousand eight hundred and sixty-three, restraining conveyances in cases in which the instrument vesting title withholds such powers.

House bill No. 1170, an act to provide for the enforcement of the inspection laws in regard to the inspection of whisky in the county of Philadelphia.

Senate bill No. 1805, an act to repeal an act regulating the jurisdiction of courts in proceedings by bill for injunctions and other relief in equity and the service of process.

Senate bill No. 1807, an act to authorize the sale of the property of any incorporated company upon the bonds secured by a mortgage given by it with like effect as if sold upon the mortgage.

Senate bill No. 828, an act to provide for the ordinary expenses of the government and other general and specific appropriations.

Senate bill No. 76, an act to incorporate the Conemaugh and Allegheny transportation company.

House bill No. 1695, an act to incorporate the Kittanning and Reynoldsville railroad company.

Senate bill No. 1948, an act to incorporate the Keystone elevating and warehousing company.

House bill No. 1965, a further supplement to an act incorporating the Wilkesbarre and Pittston railroad company, approved April the fifteenth, one thousand eight hundred and fifty-nine, to increase the capital stock, make branches and hold lands.

House bill No. 1344, joint resolution to pay the expenses of the committee appointed at the last session of the Legislature to in-

vestigate the truth of certain newspaper articles in reference to the passage of an act relating to licenses in the county of Allegheny.

Senate bill No. 102, an act to incorporate the Vulcan iron works.

Senate bill No. 1408, an act to consolidate the Steuben coal company and the Scranton coal company.

Senate bill No. 1502, an act to incorporate the Pittston railroad company.

House bill No. 784, an act to protect game and fish in Luzerne county.

House bill No. 1846, an act to incorporate the Edge Hill iron company.

House bill No. 377, an act authorizing courts to receive certified copies of military records in evidence.

Senate bill No. 653, an act to incorporate the Washington Township mining, manufacturing and improvement company of Schuylkill county.

House bill No. 1933, an act supplementary to an act to incorporate the town of Pinegrove, in the county of Schuylkill, into a borough, approved May 27, 1832.

House bill No. 1976, an act to incorporate the North Mountain coal company.

Senate bill No. 1549, an act for the relief of Captain John Moore, Jr., late Elderton Guards.

House bill No. 446, an act to incorporate the Harleysville and Lederachsville turnpike road company.

Senate bill No. 1558, an act to authorize the Board of Military Claims to re-examine the claim of the legal representatives of Colonel John W. M'Lean, deceased, of Erie county.

JNO. W. GEARY.

RETURN OF BILL TO THE SENATE.

Mr. RIDGWAY offered the following resolution, which was twice read:

Resolved, That the Governor be requested to return to the Senate bill No. 1677 of the House of Representatives, entitled An act for the protection of that branch of the legal profession in the city of Philadelphia known as conveyancers and scriveners, said bill having been presented to the Governor in mistake.

The resolution was adopted.

REPORTS OF COMMITTEES.

Mr. BIGHAM, chairman of the Senate committee to inform the Governor of the readiness of the Legislature to adjourn, reported that the committee had waited on the Governor, and was requested by him to inform the Senate that he had no further communications to make, and desired him to return to the members of each branch, individually and collectively, his best wishes for their future welfare, and for their safe return to their families.

On motion, the committee was then discharged.

Mr. WHITE, chairman of the committee to inform the House of Representatives that the Senate was ready to adjourn at twelve meridian, reported that they had discharged their duty.

On motion, the committee was then discharged.

REMARKS OF SPEAKER HALL.

Mr. HALL. *Gentlemen of the Senate of Pennsylvania*:—Called to the discharge of the duties of your presiding officer at the opening of the Senate, I esteemed a high honor. In the discharge of those duties I have been supported by you all with uniform courtesy and kindness. I thank you for this. My highest aim was to so administer the rules as, whilst no charge could be made against me for infidelity to principle, so none could be made for partiality shown toward any one, as against any other. I trust I have succeeded in performing the duties of my office to your satisfaction. You are about to close the labors of a very laborious session, and to return to your homes. You are about to separate, in no human probability ever to meet again as a body—all of you, I mean, together. At this sad time I return you all my sincere thanks, and I trust that your journey through life may be as pleasant and as happy as each of you could possibly desire.

You will be pleased now, Senators, to elect a successor, in accordance with the provisions of the Constitution of the State.

ELECTION OF SPEAKER.

The Senate then proceeded to the election of Speaker, the Clerks acting as tellers.

Messrs. Bigham, Billingfelt, Browne, (Lawrence), Brown (Mercer), Coleman, Connell, Cowles, Fisher, Haines, Hall, Landon, Lowry, M'Conaughy, Ridgway, Royer, Shoemaker, Stutzman, Taylor, Wallace, White and Worthington—21, voted for the Hon. JAMES L. GRAHAM, Senator from Allegheny.

Messrs. Burnett, Davis, Donovan, Glatz, Graham, James, M'Candless, Randall, Schall, Searight and Walls—11, voted for Hon. WILLIAM A. WALLACE, Senator from Clearfield.

Hon. JAMES L. GRAHAM, of Allegheny county, having received the majority of the votes cast, was duly declared Speaker by the Clerk.

REMARKS OF SPEAKER GRAHAM.

Mr. GRAHAM was then escorted to the Chair by Mr. WALLACE, and made the following remarks:

Mr. GRAHAM. Senators: In assuming the duties of the position to which your partiality has assigned me, I should be false to every emotion of my heart if I did not say that I am profoundly grateful for the distinguished honor you have conferred upon me. I am not unaware, Senators, that I have been selected, not because of any any special qualification which I possess for the discharge of the duties of this position; I know that there are many Senators in this Chamber much more familiar with parliamentary usage and much better qualified than myself, to discharge the duties of your presiding office. I am, therefore, the more highly flattered, because I look upon your selection of me, after an acquaintance and association in the Senate Chamber of five years, as a mark of personal friendship and confidence. I shall endeavor, by an impartial and faithful discharge of duty, to justify the confidence you have reposed in me; and if, when I shall pass the gavel over to my successor, the Senate of Pennsylvania shall say to me, as I now say to our honored retiring Speaker, "Well done, thou good and faithful servant," I shall have attained my highest ambition.

Once more, Senators, allow me to say I thank you. I desire the Senate to indicate a Senator to administer the oath.

Mr. BIGHAM. Let the Speaker name one.

Mr. GRAHAM. I would indicate the Senator from Clearfield [Mr. WALLACE.]

The oath of office was then administered to the newly elected Speaker, by Mr. WALLACE.

THANKS TO THE RETIRING OFFICERS.

Mr. SCHALL offered the following resolution, which was twice read:

Resolved, That the thanks of the Senate are hereby tendered to the Hon. LOUIS W. HALL, late Speaker, for the ability and courtesy with which he has discharged the duties of the chair.

On the question,

Will the Senate agree to said resolution?

The yeas and nays were required by Mr. SCHALL and Mr. CONNELL, and were as follow, viz:

YEAS—Messrs. Bigham, Billingfelt, Browne (Lawrence), Brown (Mercer), Burnett, Coleman, Connell, Cowles, Davis, Donovan, Fisher, Glatz, Haines, James, Landon, Lowry, M'Candless, M'Conaughy, Randall, Ridgway, Royer, Schall, Searight, Shoemaker, Stutzman, Taylor, Wallace, Walls, White, Worthington and Graham, *Speaker*—31.

NAYS—None.

So the question was determined in the affirmative.

During the call,

Mr. DONOVAN said: Mr. Speaker, I would say, in justice to the retiring Speaker of the Senate, that I believe he has been the only Speaker for six years whom I feel justified in voting thanks to. I vote "aye."

Mr. WALLACE offered the following resolution, which was twice read,

Resolved, That the thanks of the Senate are hereby tendered to Mr. George W. Hammersly, Chief Clerk of the Senate, for the ability and efficiency with which he has discharged the duties of the office during the present session.

On the question,

Will the Senate agree to said resolution,

The yeas and nays were required by Mr. WALLACE and Mr. WORTHINGTON, and were as follow, viz:

YEAS—Messrs. Bigham, Billingfelt, Browne (Lawrence), Brown (Mercer), Burnett, Coleman, Connell, Cowles, Davis, Donovan, Fisher, Glatz, Haines, Hall, James, Landon, Lowry, M'Candless, M'Conaughy, Randall, Ridgway, Royer, Schall, Searight, Shoemaker, Stutzman, Taylor, Wallace, Walls White, Worthington and Graham, *Speaker*—32.

NAYS—None.

So the question was determined in the affirmative.

Mr. CONNELL offered the following resolution, which was twice read:

Resolved, That the thanks of the Senate are hereby tendered to Lucius Rodgers and Frederick L. Hitchcock, Assistant Clerks, and to the Transcribing Clerks, and other officers of the Senate, for their uniform courtesy in the discharge of their respective duties.

On the question,

Will the Senate agree to the resolution?

The yeas and nays were required by Mr. CONNELL and Mr. BURNETT, and were as follow, viz:

YEAS—Messrs. Bigham, Billingfelt, Browne (Lawrence), Brown (Mercer), Burnett, Coleman, Connell, Cowles, Davis, Donovan, Fisher, Glatz, Haines, Hall, James, Landon, Lowry, M'Candless, M'Conaughy, Randall, Ridgway, Royer, Schall, Searight, Shoemaker, Stutzman, Taylor, Wallace, Walls, White, Worthington and Graham, *Speaker*—32.

NAYS—None.

So the question was determined in the affirmative.

Mr. DAVIS offered the following resolution, which was twice read as follows:

Resolved, That the thanks of the Senate be and they are hereby tendered to the Rev. E. L. Bailey, for the very acceptable and truly Christian manner in which he has discharged the duties of chaplain of this body.

On the question,

Will the Senate agree to said resolution?

The yeas and nays were required by Mr. DAVIS and Mr. LANDON, and were as follows, viz:

YEAS—Messrs. Bigham, Billinfelt, Browne (Lawrence), Brown (Mercer), Burnett, Coleman, Connell, Cowles, Davis, Donovan,

Fisher, Glatz, Haines, Hall, James, Landon, Lowry, M'Candless, M'Connaughy, Randall, Ridgway, Royer, Schall, Searight, Shoemaker, Stutzman, Taylor, Wallace, Walls, White, Worthington and Graham, *Speaker*—32.

NAYS—None.

So the question was determined in the affirmative.

PRESENTATION TO THE RETIRING SPEAKER.

Mr. WALLACE. Mr. Speaker, I have, sir, what is to myself a pleasant duty to perform, one that I ask the indulgence of the Senate whilst I am engaged in doing it. On behalf of the Chief Clerk of the Senate [Mr. Hammersly] I tender to the retiring Speaker [Mr. HALL], as a testimonial of the regard of the Clerk of the Senate to the retiring Speaker, for his qualities as a man, for his administration as the Speaker of the Senate, and for the uniform courtesy and kindness with which he has treated him, this beautiful gavel. The gavel of the presiding officer, wielded by the retiring Speaker, has always been wielded with courtesy, with kindness, with impartiality, and it becomes us upon this side of the Chamber, entertaining well founded feelings of respect and regard for that officer, thus to say to him that we appreciate how well he merits this testimonial thus tendered to him. We feel that in guarding our rights, the rights of the minority, he, the representative of the majority on this floor, has uniformly exhibited those qualities which should distinguish the presiding officer of a deliberative body.

This, sir, is the symbol of authority and of power, of representative power, composed of pure and beautiful materials, represents the incorrupt and unsullied spirit in which that authority should always be wielded. Representative power should ever be exercised with impartiality, courtesy and kindness: and, sir, because you, during the session just closing, have, upon all occasions, aided the Chief Clerk in the performance of the arduous duties devolved upon him; because you have exhibited toward him, toward the members on this side of the chamber and toward all within it, courtesy and kindness, we heartily unite in according to you this testimonial. Accept, sir, from the Chief Clerk, this small token of his kind regards for you.

Mr. HALL. Mr. Speaker and honored Senator from Clearfield, these little episodes in life are pleasant indeed, and it is especially pleasant for me on this occasion to receive this mark of respect and esteem from the Chief Clerk of the Senate—a gentleman distinguished within this State and beyond it as an efficient and faithful officer. In the remarks of the Senator from Clearfield and in the resolution unanimously adopted by the Senate, the members of this body have manifested to me their respect for the manner in which I have, as presiding officer, discharged my duty. I deem it due to the Chief Clerk to say that any ability which I may have displayed in the chair has been largely due to the experience he brought to bear on the duties of his position.

It is, Mr. Speaker, the happiest moment of a man's life when he lays down power, as I have laid it down to-day, to receive at the hands of his friends of two great political organizations, evidence that he has administered that power impartially. One of the ablest parliamentarians and most eloquent speakers that America has produced, said once that he deemed it the distinguishing characteristic of an efficient presiding officer, while rigidly and even sternly adhering to the rules, to do it always in good temper and always impartially. Such has been my aim. The reflection that I have given satisfaction to my brother Senators of both political persuasions makes this indeed the happiest moment of my life. I thank you, Senator WALLACE; I thank you, Mr. Clerk; I thank you, brother Senators, one and all.

In closing these remarks, it would be improper for me to omit to say that very much of any success I may have had as presiding officer, has been due to the great efficiency, the thorough fidelity, and the exceedingly gentlemanly demeanor of the subordinate officers of the Senate. Every one of them has discharged his duties with faithfulness. I thank them one and all for the important aid they have thus rendered me.

Mr. LOWRY. Mr. Speaker, the saddest scene upon earth is the death-bed scene of a State Legislature.

ADJOURNMENT.

Mr. FISHER. I move that the Senate now adjourn.

On the motion,

The yeas and nays were ordered and were as follow, viz:

YEAS—Messrs. Bigham, Billingfelt, Browne (Lawrence), Brown (Mercer), Burnett, Coleman, Connell, Cowles, Davis, Donovan, Fisher, Glatz, Haines, Hall, James, Landon, Lowry, M'Candless, M'Connaughy, Randall, Ridgway, Royer, Schall, Searight, Shoemaker, Stutzman, Taylor, Wallace, Walls, White, Worthington and Graham, *Speaker*—32.

NAYS—None.

So the question was determined in the affirmative.

The SPEAKER. The motion is agreed to; and the hour of 12 o'clock, M., having arrived, I declare the Senate adjourned *sine die.*

AN ACT for the better and more impartial selection of persons to serve as jurors in each of the counties of this Commonwealth.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That at the general election to be held on the second Tuesday of October, Anno Domini one thousand eight hundred and sixty-seven, and tri-ennially thereafter, at such election, the qualified electors of the several counties of this Commonwealth shall elect, in the manner now provided by law for the election of other county officers, two sober, intelligent and judicious persons to serve as jury commissioners in each of said counties, for the period of three years ensuing their election, but the same person or persons shall not be eligible for re-election more than once in any period of six years: *Provided,* That each of said qualified electors shall vote for one person only as jury commissioner, and the two persons having the greatest number of votes for jury commissioner shall be duly elected jury commissioners for such county.

SEC. 2. It shall be the duty of said jury commissioners, president judge, or additional law judge of the respective district, or a majority of them, to meet at the seat of justice of the respective counties, at least thirty days before the first term of the court of common pleas in every year, and thereupon proceed, with due diligence, to select alternately from the whole qualified electors of the respective county at large a number, such as at the term of the court of pleas next preceding shall, by the said court, be designated, of sober, intelligent and judicious persons to serve as jurors in the several courts of such county during that year; and the said jury commissioners, president judge, or additional law judge, or a majority of them, shall, in the mode and manner now directed by law, place the names of persons so selected in the proper jury wheel, and the said jury wheel locked, as now required by law, shall remain in the custody of the said jury commissioners, and the keys thereof in the custody of the sheriff of said county.

SEC. 3. The said jury commissioners and the sheriff of the respective county, or any two of them, shall draw, from the proper jury wheel, panels of jurors as grand jurors of the proper county, and as petit and traverse jurors for the trial of issues in fact which may be taken in any action, in any of the courts, civil and criminal, of the several counties aforesaid, in the manner now practiced and allowed; but before the said jury commissioners and sheriff shall proceed to select or draw jurors in the manner aforesaid they shall severally take the oath or affirmation now prescribed by law to be taken by the sheriff and county commissioners before selecting and drawing jurors.

SEC. 4. That so much of any act or acts of Assembly of this Commonwealth, as makes it the duty of the sheriff and county commissioners of any of said counties to select and draw jurors shall be repealed, and cease to have any force or effect, from and after the first day of December next, Anno Domini one thousand eight hundred and sixty-seven: *Provided,* That all acts and parts of acts of Assembly, now in force in relation to the custody, sealing and unsealing, locking and opening of the jury wheel of the respective county, and all acts and parts of acts of Assembly, now in in force, imposing any penalty or punishment on the sheriff and county commissioners, or either of them, for anything done or omitted by them, in relation to the keeping, locking, opening, sealing or breaking the seal of any jury wheel, or in relation to the selecting or drawing of jurors, shall be taken, deemed and held to apply to the said jury commissioners and sheriff.

SEC. 5. Each of said jury commissioners shall be allowed and paid, out of the respective county treasury, two dollars and fifty cents per day, and four cents per mile, circular, from the residence of the commissioners to the court house.

SEC. 6. It shall be the duty of each of said jury commissioners to take upon himself and discharge the duties of the said office, under the penalty of one hundred dollars for each and every neglect or refusal to attend the same, to be sued for and recovered before any justice of the peace of the proper county, as debts of like amount are now by law recoverable, ten dollars of which shall go to the person suing, and the residue to be paid by the said justice to the treasurer of the respective county, for the use of the same.

SEC. 7. In case of the inability of either or all of the said jury commissioners, by sickness, death or other unavoidable causes, to discharge the duties of said office, or in case of neglect or refusal to serve thereon, it shall be the duty of the president judge in such county wherein said vacancy may have occurred, to appoint a suitable person or persons, as the case may be, possessing the qualifications aforesaid, to perform the duties of said office, during such vacancy, and such person or persons, after having complied with the requirements of the third section of this act, shall proceed to discharge the duties of said office, during the remainder of the time so vacated: *Provided,* That the provisions of this act shall not apply to the city of Philadelphia.

LOUIS W. HALL,
Speaker of the Senate.
JOHN P. GLASS,
Speaker of the House of Representatives.

APPROVED—The tenth day of April, Anno Domini one thousand eight hundred and sixty-seven.

JNO. W. GEARY.

Daily Legislative Record.

FOR THE SESSION OF 1867.

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HOUSE OF REPRESENTATIVES.

WEDNESDAY, April 10, 1867.

The House met at ten o'clock, A. M.

Prayer was offered by Rev. J. KENNEDY, member from Wyoming.

The SPEAKER announced a quorum of members present.

On motion, the reading of the Journal of yesterday was dispensed with.

MESSAGE FROM THE SENATE.

The Clerk of the Senate being introduced, returned bills from the House of Representatives numbered and entitled as follows, viz:

No. 1597, an act to extend the time for the payment of the enrollment tax on an act to incorporate the Meadville Novelty works, approved April 14, 1863.

No. 1562, an act to extend the time of payment of enrollment tax on an act to incorporate the Union insurance company.

No. 1576, an act to incorporate the South Pittsburg Co-operative association of Allegheny county.

No. 1580, an act to increase the capital stock of the Venango water company.

No. 1621, an act to authorize the assessment and collection of a certain tax in the borough of Lewisburg, York county.

No. 1501, an act relating to the recording of general election returns in the county of Butler.

No. 1613, an act relating to the recovery of the cost of making connections with the sewers in the city of Philadelphia.

No. 1624, an act to authorize the school directors of the Old Fourth ward, in the city of Reading, to levy and collect a tax for the payment of bounties.

No. 1657, an act for the protection of that branch of the legal profession, in the city of Philadelphia, known as conveyancers or scriveners.

No. 1595, an act relative to the fees of notaries public in the counties of Centre and Lycoming.

No. 1604, a further supplement to an act to authorize the erection of a poor house by the township of Jenkins, borough of Pittston, and township of Pittston, in the county of Luzerne, approved May 8, A. D. 1857.

No. 1671, a supplement to an act increasing the compensation of certain officers in the county of Berks, approved the 23d of March, A. D. 1865.

No. 1593, an act to authorize the school directors of the school district of the borough of Phillipsburg, Centre county, to borrow money for building purposes.

No. 1607, an act to extend the term of the county treasurer of Mifflin county.

No. 1555, an act to sell a certain tract of land in Washington township, Dauphin county.

No. 1498, a further supplement to an act to incorporate the Anthracite coal and iron company, approved on the 8th day of April, A. D. 1864.

No. 1561, a supplement to an act to incorporate the Eureka Life and Accident insurance company, approved January 30, 1867.

No. 1577, a supplement to an act incorporating the Spring Garden soup society, approved April 21, 1852.

No. 1612, an act to incorporate the Cardington Industrial Co-operative association.

No. 1626, an act to incorporate the West Virginia paper mill company.

No. 1596, an act to incorporate the West Newton gas company.

No. 1627, an act to incorporate the Crystal gas and water company of Venango City, Venango county.

No. 1585, an act to increase the capital stock of the Lehigh water company, in the borough of Easton, Northampton county, and levy and collect water tax.

No. 1584, a supplement to the act authorizing the Governor to incorporate the Easton water company, approved the 24th of March, A. D. 1817, and the supplements to said act.

No. 1582, an act to incorporate the Bath car company.

No. 1609, supplement to an act incorporating Danville gas company, to repeal so much of said act as relates to the mode of electing directors of said company.

No. 1599, an act to incorporate the Sierra Nevada mining company.

No. 1559, an act to incorporate the Uniontown stock company.

No. 1543, an act relating to public schools in the borough of Wattsburg, in the county of Erie.

No. 1550, an act to authorize the school directors of Pittston borough school district to sell a certain lot.

No. 1548, an act to compel the treasurer of the bounty fund of Mount Carmel township, to pay the surplus bounty fund in his hands to the school directors of said township, for school purposes.

No. 1640, an act relative to fishing in the streams, lakes and reservoirs in the county of Crawford.

No. 1637, an act extending the provisions of an act to prevent the growth of noxious weeds in the county of Chester, approved March, A. D. 1867, to Northampton county.

No. 517, an act to repeal a supplement to an act to prevent cattle, horses, sheep and hogs from running at large in the county of Delaware, extending the same to Lebanon county, approved 11th of April, A. D. 1866.

No. 105, an act for the relief of T. S. Strohecker, of Venango county.

No. 1617, an act relative to road laws in Fallowfield township, Washington county.

No. 1512, an act to authorize the Governor to incorporate a company to erect a bridge over the Allegheny river at or near the foot of Taylor street, in the city of Pittsburg, Allegheny county.

No. 1527, an act to incorporate the Mechanicsburg, Dillsburg and Petersburg turnpike company.

No. 1603, an act to lay out a State road in Schuylkill and Lebanon counties.

No. 1606, an act authorizing the commissioners of Mercer county to appropriate money sufficient to pay one half the expense of erecting a bridge over the Pymatuning creek, at the State line of Pennsylvania and Ohio, in the village of Orangeville.

No. 1425, an act to incorporate the Pennsylvania and New Jersey bridge company.

No. 1196, an act to incorporate the Reading and Trevorton railroad company.

No. 1354, an act to incorporate the Lincoln Savings Bank.

No. 1323, an act to incorporate the Capital Savings fund and safe deposit company.

No. 1623, an act to prohibit the destruction of fish in the Susquehanna river and its tributary streams in Columbia county.

No. 1318, an act to divorce Wm. A. Taylor and Julia, his wife.

No. 1081, an act to release the claim of the Commonwealth, and to validate the bequest in the will of Jarvis White, a deceased soldier.

No. 1688, an act to repeal and annul an act to annul the marriage contract between William Roberts and Emily Roberts.

No. 738, an act to vacate a certain portion of the ground on Sixth street, in the city of Harrisburg.

No. 1767, an act to extend the provisions of an act to authorize the arrest of professional thieves, burglars, &c., in the city of Philadelphia, passed March 13, 1862, so as authorize the arrest of professional counterfeiters and forgers.

No. 1694, an act to repeal the thirtieth section of an act regulating boroughs, approved 3d April, 1851, so far as the same relates to the borough of New Alexandria, in Westmoreland county.

No. 1685, an act relating to certain officers in the South-West ward in the city of Lancaster, Pennsylvania, extending their terms of office, &c.

No. 1911, an act to repeal an act approved the 27th day of March, A. D. 1867, entitled An act to repeal the first section of an act passed the 1st day of April, A. D. 1792, declaring the Little Lehigh a public highway.

No. 1686, an act to amend the charter of incorporation of the Decatur association of Frankford.

No. 1678, an act to increase the pay of the supervisors and township auditors of Fox township, Elk county.

No. 1675, an act to increase the fees of constables and police officers of the city of Titusville in certain cases.

No. 1688, an act relative to the commissioners, sheriff and treasurer of Cumberland county.

No. 1684, an act increasing the pay of supervisors in Potter township, Huntingdon county.

No. 941, an act to incorporate the Fort Allen iron company, in the county of Carbon.

No. 1920, an act changing the time of holding the election of officers of the Trevorton coal company.

No. 944, an act to incorporate the Black Band iron and coal company.

No. 1864, an act to incorporate the Express steamboat company.

No. 1693, an act to incorporate the Eagle manufacturing company.

No. 704, an act to incorporate the National iron company.

No. 1492, an act to incorporate the Northampton iron company.

No. 1673, an act to incorporate the Franklin manufacturing company.

No. 1691, an act to incorporate the Excelsior gold and silver mining company of Colorado.

No. 1655, an act to incorporate the Dimes saving fund of Slatington.

No. 1652, an act to incorporate the Lykens Valley Deposit Bank.

No. 1299, an act to prevent the sale or giving away of intoxicating drinks in the township of Peach Bottom, York county, on election days.

No. 1384, an act to take the sense of the people of Indiana county upon the question of a prohibitory liquor law.

No. 1718, supplement to an act entitled An act to establish a ferry at Tubbs' run, Venango county.

No. 1717, an act establishing a ferry across the Allegheny river at or near the Falling Springs, in Venango county.

No. 1706, an act to incorporate the Mill Creek and Nescopeck railroad company.

No. 1705, an act to incorporate the Willow Bank and Burns Spring railroad company, in Centre county.

No. 1698, an act to incorporate the Franklin passenger railroad company.

No. 1700, an act to increase the compensation of election officers in the county of Schuylkill.

No. 1722, an act to annex real estate of Robert P. Cornelius of Jackson township, Snyder county, to the borough of New Berlin, Union county, for school purposes.

No. 1681, an act to authorize additional supervisors for Whitely township, in the county of Greene.

No. 1629, an act to incorporate the Western Pennsylvania military academy, near Pittsburg and Allegheny, Pennsylvania.

No. 1680, an act to incorporate the Clinton turnpike road company, in the county of Greene.

No. 684, an act to vacate part of the Township Line road, in the Twenty-first ward of the city of Philadelphia.

No. 1605, a further supplement to a supplement to an act to incorporate the Lehigh and Delaware plank road or turnpike company, approved the eleventh day of April, A. D. 1866.

No. 1602, an act to incorporate the Quarryville and Christiana turnpike road company.

No. 1692, an act authorizing the voters of Lackawanna township, Pike county, to increase the number of supervisors in said township.

No. 1716, a further supplement to an act incorporating the Welch turnpike road company.

No. 1642, an act to prohibit the issuing of licenses to sell spirituous, vinous, malt or brewed liquors in the township of Penn, in the county of Perry.

No. 1676, an act to extend the time for the payment of the enrollment tax on an act to incorporate the Sugar Creek mining and transportation company.

No. 1682, an act to authorize the school directors of Aleppo township, in the county of Greene, to levy and collect a temporary school tax, for school purposes, beyond the amount now allowed by law.

No. 1955, supplement to an act entitled An act authorizing the school directors of Franklin borough, in the county of Venango, to borrow money, approved the 11th day of April, 1866.

No. 888, an act to change the venue in the case of G. W. Schofield vs. Martin Bruages, from the court of common pleas of Wyoming county to the court of common pleas of Bradford county.

No. 1764, an act to prohibit political processions after dark, ten days next preceding any general election, in the city of Philadelphia.

No. 781, an act to prevent cattle, horses, mules, sheep and hogs from running at large in Venango township, Erie county, and Little Beaver township, Lawrence county.

No. 1683, an act to prevent fishing with scoop nets or fish seines in the South Branch of Ten Mile creek, in the county of Greene, and Crooked creek, Armstrong county.

No. 2057, an act to provide an additional return day in the court of common pleas of Northumberland county.

With information that the Senate has passed the same without amendments.

He also returned bills from the House of Representatives numbered and entitled as follows, viz:

No. 1081, an act to validate the will of Jarvis White, a deceased soldier.

No. 1336, an act for the appointment of two additional assessors for the Fifteenth ward of the city of Philadelphia.

No. 1203, an act to incorporate the Shippensburg iron manufacturing and mining company.

No. 1337, an act to vacate part of Buck road in the Twenty-sixth ward of the city of Philadelphia.

No. 1363, an act authorizing the supervisors of Salem township, in Luzerne county, to collect in money the tax levied for road purposes in said township.

No. 1340, an act to incorporate the York and Chanceford turnpike road company, in the county of York.

No. 1198, an act to empower the Ashland iron company, of Baltimore county, in the State of Maryland, to hold lands in the State of Pennsylvania.

No. 1334, an act to increase the fees of the commissioners of Crawford county as directors of the poor.

1341, an act to authorize the supervisors of Tyrone township, Blair county, to levy a cash tax, and James L. Gwinn to run, fix and establish the boundary line between Tyrone and Logan townships, Blair county.

No. 1394, an act relating to the fees of sheriffs of the counties of Cumberland and Snyder.

No. 1508, an act to incorporate the Continental mining company.

No. 1503, an act to incorporate the North Star mining company.

No. 749, an act to incorporate the Oil City acid factory.

No. 1874, an act relating to taxation for school purposes in the school district of Canonsburg, in the county of Washington.

No. 1520, an act to incorporate the Perry bridge company.

No. 1614, an act to change the mode of criminal proceedings in Potter county.

No. 1501, a further supplement to an act incorporating the Keystone coal and transportation company.

No. 1608, an act to incorporate the National paper manufacturing company of Pennsylvania.

No. 1615, an act to incorporate the Girard Tunneling gold and silver mining company.

No. 1875, an act to ratify and confirm the charter of incorporation of the Atlantic petroleum storage company, and to confer additional powers in said corporation.

No. 1506, an act to incorporate the Great Western mining company.

No. 1659, an act to incorporate the Sharon Savings Bank.

No. 1347, an act to incorporate the Beaver Falls water company.

No. 372, an act to explain and construe an act compelling railroad and other corporations to pay counsel fees of plaintiffs in certain cases.

No. 492, a further supplement to an act to provide for the adjudication and payment of certain military claims, approved April 16th, A. D. 1862.

No. 1760, an act to extend the provisions of an act to prohibit the issuing of licenses within certain boroughs in the counties of Armstrong, Potter, Indiana, and Perry, or within two miles of the same, in the counties in which such boroughs are located, approved 27th day of March, 1866, to the boroughs of West Newton and Mount Pleasant, in the county of Westmoreland.

No. 1344, joint resolution to pay the expenses of the committee appointed at the last session of the Legislature to investigate the truth of certain newspaper articles in reference to the passage of an act relating to licenses in the county of Allegheny.

No. 800, an act requiring the Superintendent of Public Printing to advertise for proposals for supplying the State with printing and bill paper.

No. 900, an act to change the venue in a certain case from Schuylkill county to Dauphin county,

With information that the Senate has passed the same with amendments, in which the concurrence of the House of Representatives is requested,

Bills numbered 1081, 1336, 1203, 1363, 1340, 1198, 1484, 1381, 1394, 1508, 1503, 749, 1874, 1520, 1614, 1501, 1608, 1615, 1875, 1506, 1659, 1347, 372, 492, 1344, 800 and 900 were twice read, considered and concurred in; and

Ordered, That the Clerk inform the Senate of the same.

Bills numbered 1337, 1760, were twice read, considered and non-concurred in; and

Ordered, That the Clerk inform the Senate of the same.

He also again presented bills numbered and entitled as follows:

No. 697, an act to incorporate the Monongahela inclined plane company.

No. 792, an act authorizing the sale of the Allegheny City poor farm and to purchase another for the same purpose;

Which bills were returned to the Senate by the Governor on the 9th inst., in pursuance of a request contained in a resolution adopted by both Houses, with information that the Senate has re-considered said bills and passed the same with amendments, in which the concurrence of the House of Representatives is requested.

On motion, the amendments made by the Senate to said bills were twice read, considered and concurred in; and

Ordered, That the Clerk inform the Senate of the same.

He also informed that the Senate has adopted the report of the committee of conference, on the subject of the differences existing between the two Houses in relation to the amendments to House bill numbered and entitled as follows, viz:

No. 246, an act for the better and more impartial selection of persons to serve as jurors in each of the counties of the Commonwealth.

He also informed that the Senate has concurred in the amendments made by the House of Representatives to Senate bills numbered and entitled as follows:

No. 724, an act to authorize the merger or

consolidation of oil and other mining companies.

No. 948, a further supplement to the act to incorporate the Union School and Children's Home asylum, to provide for the taxation of non-resident venders of merchandise in the city and county of Philadelphia, and for the relief of Edward Hutchinson, approved April 12th, 1851.

No. 1942, a supplement to an act entitled An act authorizing the school directors of Latimer township, Adams county, to levy a tax and issue bonds to pay money raised to pay bounties to volunteers, approved the 11th day of April, 1867.

REPORT FROM COMMITTEE OF CONFERENCE.

The committee of conference, to whom was referred Senate bill No. 413, to wit: an act to regulate the carriage of baggage by railroad companies, and to prescribe the duties and obligations of carriers and passengers in relation thereto, respectfully report that they have agreed to recommend that the House shall recede from its amendments, non concurred in by the Senate, and thus restore the bill as passed by the Senate.

(Signed) JACOB E. RIDGWAY.
WILMER WORTHINGTON,
C. M. DONOVAN,
EDWARD G. LEE,
W. W. WATT,
L. W. WESTBROOK.

On motion,

Said report was twice read and agreed to; and

Ordered, That the Clerk inform the Senate of the same.

SPECIAL ORDER.

The SPEAKER announced the hour for the consideration of the special order, Senate joint resolution to suspend the ninth joint rule in reference to the transmission of certain bills from the Senate, had arrived.

On motion of Mr. LEE, the resolution was so amended as to include

No. 2186, an act requiring the North Pennsylvania railroad company and the Frankford and Southwark railway company to appoint a watchman on the crossing at Berks and America street.

On motion of Mr. LINTON, the following was also added:

No. 1720, an act transferring the farm of Augustine Waltere from Allegheny township, Cambria county, to Loretto borough, in the same county, for school purposes.

The question recurring on the resolution as amended,

It was

Agreed to.

Mr. CAMERON. Mr. Speaker, I move that the Committee on Coal and Iron be discharged from the further consideration of Senate bill No. 1408, an act to consolidate the Steuben coal company and the Scranton coal company.

The question being on the motion of Mr. CAMERON,

It was

Agreed to.

The bill was taken up, considered and

Agreed to.

The rules were suspended, the bill read a third time by its title, and

Passed finally.

Mr. MANN. Mr. Speaker, I move to reconsider the vote by which the House defeated House bill No. 1786, an act to change the venue in the case of the Commonwealth of Pennsylvania vs. Louis S. Boner and Sylvester Hoffman from the court of quarter sessions of the peace of Dauphin county.

The question being on the motion of Mr. MANN,

It was

Agreed to.

The bill being again before the House, and the question on its final passage,

It was

Agreed to.

And the bill

Passed finally.

Mr. QUAY. Mr. Speaker, I move that the orders of the day be suspended for the purpose of considering Senate bill No. 1722, joint resolution instructing our Senators and requesting our Representatives in Congress to vote for an appropriation to open a communication between Lake Erie and the Ohio river.

Mr. DAVIS. Mr. Speaker, I call for a division of the question.

The question being on the first division, which involved a suspension of the orders generally,

It was

Not agreed to.

Mr. MANN. Mr. Speaker, I call up the resolution in regard to the pay of the officers of the House.

The resolution was taken up and read.

The question being on the resolution,

Mr. STUMBAUGH. Mr. Speaker, I move the indefinite postponement of the resolution.

The question being on agreeing to the motion of Mr. STUMBAUGH,

The yeas and nays were required by Mr. STUMBAUGH and Mr. FREEBORN, and were as follow, viz:

YEAS—Messrs. Adaire, Barton, Cameron, Chadwick, Chase, Davis, Day, DeHaven, Donohugh, Ewing, Ghegan, Gregory, Harbison, Hoffman, Humphrey, Josephs, Kennedy, Kerns, Kinney, Lee, Leech, M'Camant, M'Creary, M'Kee, M'Pherrin, Markley, Mechling, Meily, Mullin, Peter, Pillow, Quay, Quigley, Stehman, Stumbaugh, Subers, Watt, Wilson, Wingard, Wright and Glass, *Speaker*—41.

NAYS—Messrs. Allen, Armstrong, Boyd, Boyle, Breen, Chalfant, Collins, Colville, Craig, Diese, Espy, Fogel, Freeborn, Gallagher, Gordon, Harner, Heltzel, Hood, Hunt, Jenks, Jones, Kline, Koon, Kurtz, Linton, Long, M'Henry, Maish, Mann, Meyers, Pennypacker, Phelan, Rhoads, Richards, Roath, Robinson, Roush, Satterthwait, Tharp, Waddell, Wallace, Webb, Westbrook and Woodward—44.

So the question was determined in the negative.

The question recurring on agreeing to the resolution,

Mr. LEE. Mr. Speaker, I think this resolution ought to be amended. There is not a gentleman in the House who does not know that four transcribers are utterly insufficient to do the work required. We have six now, and they are worked almost to death. When that law was passed providing for four transcribers, we had a volume of laws about an inch thick, and now they make as much as a man can carry. The transcribers are now up almost all night, and I say that to ask four men to do what six men can barely get through with now is asking an impossibility. All the wants of the House are greater than they have been hitherto. Here is the House file. Last year we had it up two stories; this year they have piled it up in one. Yet we are asking that four transcribers shall do all this work. I hope the resolution will be amended in some way.

Mr. MANN. Mr. Speaker, the gentleman from Philadelphia [Mr. LEE] either misapprehends this resolution, or else I do. It does not propose to pay only four transcribers. It simply proposes to stop the pay upon those officers who have not been on duty.

Mr. DAVIS. Mr. Speaker, I do not wish to occupy the attention of the House, but there are some things connected with this matter that probably the gentleman from Potter [Mr. MANN] does not understand. Now, I know that the labor performed by the officers of this House is now more than three times what it was six years ago. They have that much more to do. There is a great increase in the labor to be performed, in the folding department especially.

There is another thing to which I would call the attention of the House, and that is that the House of Representatives has created so many special committees this session to attend to business, either legitimate or otherwise, that several times there were four sergeants-at-arms absent from this House at a time on business connected with those committees. Now, I ask you how you would do with two sergeants-at-arms? The work for the offices of this House is at least four times what it was at the time this law was passed that limited that number. I hope this House will vote this whole thing down.

The question being on agreeing to the resolution,

The yeas and nays were required by Mr. MANN and Mr. RHOADS, and were as follow, viz:

YEAS—Messrs. Armstrong, Boyd, Boyle, Breen, Calvin, Collins, Craig, Day, Espy, Ewing, Fogel, Freeborn, Gallagher, Gordon, Harner, Heltzel, Hunt, Jenks, Jones, Kimmell, Kline, Leech, Linton, Long, M'Creary, M'Henry, M'Pherrin, Mann, Markley, Meyers, Pennypacker, Phelan, Rhoads, Richards, Roath, Roush, Satterthwait, Sharples, Waddell, Wallace, Webb, Weller, Woodward, Worrall and Wright—45.

NAYS—Messrs. Adaire, Allen, Barton, Brown, Cameron, Chadwick, Chase, Davis, DeHaven, Donohugh, Ghegan, Gregory, Harbison, Hoffman, Hood, Humphrey, Josephs, Kennedy, Kerns, Kinney, Koon, Lee, M'Camant, M'Kee, Mechling, Meily, Mullin, Peter, Pillow, Quay, Quigley, Robinson, Seiler, Shuman, Stumbaugh, Subers, Tharp, Watt, Wilson, Wingard and Glass, *Speaker*—41.

So the question was determined in the affirmative.

ORIGINAL RESOLUTIONS.

Mr. ADAIRE. Mr. Speaker, I ask the unanimous consent of the House to offer a resolution.

Consent was granted.

Mr. ADAIRE. Mr. Speaker, I offer the following resolution:

Resolved, That the Clerk of the House be authorized to have the Legislative Hand-Book revised during the recess, and that there be ordered for the use of the next House the same number of said Hand-books that was ordered for the use of the present session.

The question being on agreeing to the resolution,

Mr. MANN. Mr. Speaker, I hope that resolution will be amended. This Hand-Book is a very useful and necessary book, but three thousand copies are not necessary. The Senate, when this matter was under consideration, ordered the publication, for themselves, of but one hundred copies. We took three thousand copies. I have no objection to the resolution, but I hope it will be amended so as to limit the number to five hundred copies, and I move that amendment.

Mr. ADAIRE. Mr. Speaker, I hope that amendment will not prevail. This book has been sought after more than any other book that has been published by this Legislature. There is not a man on this floor who has not been written to time and again for it.

Mr. DAVIS. Mr. Speaker, this, to my mind, is a resolution like the one we have just passed—one with which we have nothing to do. We might make the provision con-

tained in the first part of this resolution, that the Hand-Book should be revised, but it is for the next Legislature to say what books they shall order.

The question being on the amendment of Mr. MANN,

It was

Not agreed to.

The question recurring on the resolution,

On motion of Mr. ADAIRE, the resolution was amended by striking out the latter part of the resolution ordering three thousand copies of the Hand-Books for the use of the next House.

The resolution as amended was

Agreed to.

REPORTS FROM COMMITTEES.

Mr. WATT, from the Committee on Accounts, presented the following report:

POST OFFICE,
HARRISBURG, PENN'A,
April 5, 1867.

The House of Representatives of Pennsylvania,

To JOS. F. KNIPE, P. M., DR.:

For postage on letters and documents sent and received from March 1st to March 31st, inclusive, as follows, viz:

Date.	No. of Stamps.	Value.	Dolls.	cts.
Mar. 1	10,000 "	2 cts	200	00
" 1	700 "	10 "	70	00
" 1	700 "	12 "	84	00
" 1	400 "	24 "	96	00
" 2	5,000 "	2 "	100	00
" 2	2,000 "	3 "	60	00
" 4	3,000 "	2 "	60	00
" 5	3,000 "	2 "	60	00
" 6	7,000 "	2 "	140	00
" 6	500 "	12 "	60	00
" 6	700 "	3 "	21	00
" 7	3,000 "	2 "	60	00
" 8	5,000 "	2 "	100	00
" 8	1,500 "	3 "	45	00
" 9	5,000 "	2 "	100	00
" 11	800 "	3 "	24	00
" 12	8,000 "	2 "	160	00
" 13	8,000 "	2 "	160	00
" 13	800 "	3 "	24	00
" 14	700 "	3 "	21	00
" 15	5,000 "	2 "	100	00
" 16	1,000 "	12 "	120	00
" 16	500 "	24 "	120	00
" 16	500 "	10 "	50	00
" 18	5,000 "	2 "	100	00
" 18	500 "	3 "	15	00
" 19	7,000 "	2 "	140	00
" 19	700 "	3 "	21	00
" 20	3,000 "	2 "	60	00
" 20	1,000 "	3 "	30	00
" 21	5,000 "	2 "	100	00
" 22	5,000 "	2 "	100	00
" 23	3,000 "	2 "	60	00
" 23	500 "	3 "	15	00
" 25	10,000 "	2 "	200	00
" 25	1,000 "	3 "	30	00
" 25	500 "	12 "	60	00
" 25	600 "	10 "	60	00
" 27	10,000 "	2 "	200	00
" 27	1,000 "	3 "	30	00
" 27	300 "	24 "	72	00
" 29	5,000 "	2 "	100	00
" 30	6,000 "	2 "	120	00
" 30	500 "	3 "	15	00
" 30	500 "	10 "	50	00
			3,613	00
Postage on letters received.....			173	
Postage on documents received.			122	00
Total.....			$3,736	73

Received payment.
JOS. F. KNIPE, P. M.

The committee report that they have examined the foregoing bill and find it correct, and recommend the passage of the following resolution:

Resolved, That the Speaker of the House of Representatives be directed to draw a warrant in favor of Joseph F. Knipe, Postmaster, for the sum of three thousand seven hundred and thirty-six dollars and seventy-three cents ($3,736 73), being the amount due for postage on letters and documents sent and received during the month of March, 1867.

DAVID WALLACE,
H. J. WHARTON,
FREDERICK HARNER,
JOHN M. STEHMAN,
J. SEILER,
GEO. A. SHUMAN,
F. W. HEADMAN.

Mr. STUMBAUGH, chairman of the Committee on Coal and Iron, reported, as committed, Senate bill No. 1407, an act to incorporate the Granby coal company.

Mr. QUIGLEY (Corporations), as committed, Senate bill No. 961, an act to incorporate the Peoples' Brewer association of Philadelphia.

Mr. COLLINS. Mr. Speaker, I move to discharge the Committee on Agriculture from the further consideration of Senate bill No. 1368, an act relative to the Schuylkill County park association, and that it be placed on the Senate file for this afternoon.

The motion was

Agreed to.

Mr. WINGARD. Mr. Speaker, I ask the unanimous consent of the House to proceed to the consideration of Senate bill No. 1773, a supplement to an act relating to corporations for mechanical, manufacturing, mining and quarrying purposes, approved the 18th day of July, 1863, repealing section thirty-three of the same so far as it affects certain counties.

Consent was granted.

The bill was read and

Agreed to.

The rules were suspended, the bill read a third time by its title, and

Passed finally.

BILLS ON THIRD READING.

Agreeably to order,

The House proceeded to the consideration of bills on third reading. The following were acted upon as stated:

Senate bill No. 1601, an act to authorize the removal of certain cases from the court of common pleas of Cambria county to the court of common pleas of Centre county.

The question being on the final passage of the bill,

It was

Agreed to.

And the bill

Passed finally.

The next bill was

Senate bill No. 1469, an act for the better protection of person, property and life in the mining regions of this Commonwealth.

The question being on the final passage of the bill,

The yeas and nays were required by Mr. COLLINS and Mr. GREGORY, and were as follow, viz:

YEAS—Messrs. Adaire, Allen, Armstrong, Barton, Brown, Cameron, Chadwick, Chase, Colville, Davis, Day, DeHaven, Donohugh, Espy, Ewing, Freeborn, Gallagher, Ghegan, Gordon, Harbison, Hoffman, Humphrey, Kennedy, Kerns, Kimmell, Kinney, Lee, Leech, M'Camant, M'Creary, M'Kee, M'Pherrin, Mann, Mechling, Meily, Pennypacker, Peter, Pillow, Quay, Richards, Roath, Seiler, Sharples, Shuman, Steacy, Stehman, Stumbaugh, Subers, Waddell, Wallace, Watt, Webb, Weller, Whann, Wharton, Wilson, Woodward, Worrall, Wright and Glass, *Speaker*—50.

NAYS—Messrs. Barrington, Boyd, Boyle, Breen, Calvin, Chalfant, Collins, Craig, Fogel, Gregory, Harner, Headman, Heltzel, Hood, Jenks, Jones, Josephs, Kline, Koon, Linton, Long, M'Henry, Maish, Meyers, Mullin, Phelan, Quigley, Rhoads, Robinson, Roush, Satterthwait, Tharp and Westbrook—33.

So the question was determined in the affirmative.

And the bill

Passed finally.

The next bill was

Senate bill No. 948, a further supplement to the act to incorporate the Union School and Children's Home asylum, to provide for the taxation of non-resident venders of merchandise in the city and county of Philadelphia, and for the relief of Edward Hutchinson, approved April 12, 1851.

The question being on the final passage of the bill,

It was

Agreed to,

And the bill

Passed finally.

The next bill was

Senate bill No. 1264, an act to annul the marriage contract between Henry Warren Roth and Isabella, his wife.

The question being on the final passage of the bill,

It was

Agreed to,

And the bill

Passed finally.

The next bill was,

Senate bill No. 1253, an act to change the venue in certain cases from Allegheny to Jefferson county.

The question being on the final passage of the bill,

It was

Agreed to,

And the bill

Passed finally.

The next bill was,

Senate bill No. 1599, a supplement to the Erie and Allegheny railroad company, authorizing connections with their road on the east line of the township of Northeast with any railroad from the State of New York.

The question being on the final passage of the bill,

The yeas and nays were required by Mr. JOSEPHS and Mr. PETER, and were as follow, viz:

YEAS—Messrs. Allen, Barrington, Barton, Boyd, Boyle, Chadwick, Chalfant, Collins, Colville, Day, Espy, Ewing, Freeborn, Gallagher, Gordon, Hunt, Jenks, Jones, Leech, Linton, M'Creary, M'Kee, Maish, Mann, Markley, Mechling, Meyers, Peter, Phelan, Quay, Richards, Roush, Tharp, Wallace, Weller, Whann, Wilson and Woodward—28.

NAYS—Messrs. Adaire, Armstrong, Breen, Brown, Calvin, Cameron, DeHaven, Fogel, Ghegan, Gregory, Headman, Heltzel, Hofman, Hood, Humphrey, Josephs, Kennedy, Kerns, Kinney, Kline, Koon, Lee, Long, M'Henry, Meily, Mullin, Quigley, Rhoads, Roath, Robinson, Seiler, Shuman, Steacy, Stehman, Stumbaugh, Subers, Waddell, Watt, Webb, Westbrook and Wright—41.

So the question was determined in the negative.

The next bill was Senate bill No. 1805, an act to repeal an act regulating the jurisdiction of courts in proceedings by bills for injuctions and other relief in equity and the service of process.

The question being on the final passage of the bill,

The yeas and nays were required by Mr.

QUAY and Mr. MANN, and were as follow, viz:

YEAS—Messrs. Adaire, Armstrong, Barton, Calvin, Cameron, Davis, DeHaven, Donohugh, Gheegan, Gregory, Harbison, Headman, Hoffman, Hood, Josephs, Kennedy, Kerns, Kinney, Koon, Lee, Mechling, Meily, Mullin, Pillow, Quay, Quigley, Roath, Robinson, Satterthwait, Seiler, Steacy, Stehman, Stumbaugh, Suhers, Wallace, Watt, Wharton, Wilson, Wingard, Worrall and Wright—41.

NAYS—Messrs. Allen, Barrington, Boyd, Boyle, Breen, Chadwick, Chalfant, Chase, Collins, Colville, Craig, Day, Espy, Ewing, Fogel, Freeborn, Gallagher, Gordon, Harner, Humphrey, Jenks, Jones, Kline, Kurtz, Leech, Linton, M'Camant, M'Creary, M'Henry, M'Kee, Maish, Mann, Markley, Meyers, Pennypacker, Phelan, Richards, Roush, Tharp, Waddell, Webb, Weller, Westbrook, Whann and Woodward—45.

So the question was determined in the negative.

REPORT FROM COMMITTEE OF CONFERENCE.

Mr. QUAY presented the following report:

The committee to whom was referred the questions of difference between the two Houses in reference to House bill No. 1661, entitled An act relating to the Western Pennsylvania railroad company, and for other purposes, respectfully report that they recommend that the Senate recede from its amendments.

(Signed,) ROB'T AUDLEY BROWN,
WM. M. RANDALL,
A. W. TAYLOR,
Senate Committee.
M. S. QUAY,
W. C. HARBISON,
C. W. THARP,
House Committee.

On motion, said report was twice read and

Agreed to; and

Ordered, That the Clerk inform the Senate of the same.

REPORT FROM SPECIAL COMMITTEE.

Mr. JOSEPHS presented the following report, which was read and

Agreed to:

Mr. JOSEPHS, from the committee to whom was referred the resolution of the House of Representatives of January 30th, 1867, requiring them to investigate charges against the Atlantic and Great Western railroad company, respectfully report that they met on the said 30th day of January, and organized by electing George H. Bemus, of Crawford county, clerk. Mr. M'CAMANT having by his own request been discharged from said committee, and Mr. ADAIRE substituted in his place, the committee, by vote, selected Mr. JOSEPHS as chairman.

Your committee represent that the Atlantic and Great Western railroad passes through the counties of Erie, Crawford and Mercer, in this State, connecting with the New York and Erie, at Salamanca, in the State of New York, and the Ohio and Mississippi, at Dayton, in the State of Ohio, with branches from Meadville to Oil City, and Leavitsville to Cleveland. The charges which your committee were required to investigate were that the Atlantic and Great Western railroad company discriminated in freights in favor of the citizens of other States, against citizens of this Commonwealth.

Your committee, in order to ascertain the truth or falsity of the charges contained in the resolution, found it necessary to proceed to New York to inquire the tariff of prices charged by the New York and Erie railroad, and on freights delivered to them by the Atlantic and Great Western railroad company.

They, therefore, proceeded to the city of New York, where every facility for acquiring the desired information was afforded by the officers of the New York and Erie railroad company.

As the resolution evidently contemplated a special investigation as to the transportation of petroleum, your committee limited their inquiries to that subject. It was found that by an arrangement between the Atlantic and Great Western and New York and Erie railroad companies, that the New York and Erie railroad company delivered oil at Jersey City, from Salamanca, the point of intersection, at seventy-two cents per one hundred pounds, rated as second class freight, the distance being about —— miles, while the amount charged by the Atlantic and Great Western railroad company, from Oil City to Salamanca, a distance of about —— miles, was forty-five cents per one hundred pounds. It was also ascertained that the Atlantic and Great Western railroad company carried oil from Oil City to Cleveland, in the State of Ohio, a distance of —— miles, at twenty cents per one hundred pounds, while a *pro rata* charge of forty-five cents from Oil City to Corry was made on local freights. Thus, oil was delivered at Cleveland, a distance of one hundred and thirty-five miles, at as low or less charge for transportation as at Meadville, a distance of thirty-five miles. It will be seen at once that refiners at Cleveland, obtaining crude oil at the same price at which it can be had in the oil regions, possess a great advantage over refiners of our own State, from the fact that they can ship by lake and canal to tidewater, a much cheaper mode of transportation than by rail. The excuse made (and which, perhaps, is a good one) for the excessive local charges, is found in a lease or contract made between the Atlantic and Great Western railroad company and the Oil Creek railroad company, by which the first named company become possessed of the franchises of so much of the Oil Creek railroad company's charter as allows them to build a railroad from Oil City to Franklin, and which said lease or contract is dated the fourteenth day of January, A. D. 1864, the following being an extract therefrom: "Said party of the second part (the Atlantic and Great Western railroad company) shall pay to the party of the first part the annual rental of one dollar, and shall have the right to fix and regulate from time to time the tariff of charges for passengers and freights, except that they shall at no time be made so low as to enable the Atlantic and Great Western railroad company to deliver oil, by way of Meadville, at Corry at lower prices than those charged by the Oil Creek railroad company from the Tarr Farm to that point, nor at Union at less prices than by the Oil Creek and Atlantic and Great Western railroad to that point."

It will be seen by the above contract that not the Atlantic and Great Western railroad company, but the Oil Creek railroad company control the price of transporting petroleum from Oil City to Corry. Whether this contract is void in law, as being against public policy or not, your committee do not undertake to determine, but that some legislation is necessary to protect producers and shippers of this peculiar commodity they are well satisfied. All of which is respectfully submitted.

SAMUEL JOSEPHS,
ALEX. ADAIRE,
GEO. Y. M'KEE,
J. S. CHASE.
A. D. MARKLEY.

MESSAGE FROM THE SENATE.

The Clerk of the Senate being introduced, presented the following extract from the Journal:

IN SENATE, April 10, 1867.

Resolved, If the House of Representatives concur, that the ninth joint rule be suspended so far as relates to the transmission of Senate bill No. 1688, entitled An act for the relief of John Caughey, of Beaver county.

On motion, said resolution was twice read, considered, and

Concurred in; and

Ordered, That the Clerk inform the Senate of the same.

Mr. QUAY. Mr. Speaker, I ask the unanimous consent of the House to take up Senate bill No. 1688, an act for the relief of John Caughey, of Beaver county.

Consent was granted.

The bill was taken up, considered and

Agreed to.

The rules were suspended, the bill read a third time by its title, and

Passed finally.

MESSAGE FROM THE SENATE.

The Clerk of the Senate being introduced, informed that the Senate has concurred in the amendments made by the House of Representatives to Senate bills numbered and entitled as follows:

No. 76, an act to incorporate the Conemaugh and Allegheny transportation company.

No. 909, an act extending to the borough of Mount Washington the vehicle license law.

No. 1001, an act to annex that part of the farm of William Nickel, which is situate in East Mahoning township, Indiana county, to South Mahoning township, in said county.

No. 1171, an act to attach certain real estate to the borough of Smethport, M'Kean county, for school purposes.

No. 1199, an act to incorporate the Fort Pitt Mutual life insurance and trust company.

No. 1208, an act repealing an act entitled An act extending the provisions of the act for the protection of sheep and taxing of dogs in the county of Blair, approved May 20th, A. D. 1857, to the county of Monroe.

No. 1240, a supplement to an act to legalize bounties paid to volunteers and the bonds issued therefor in certain townships in the county of Franklin, approved the 4th day of April A. D. 1866, extending the provisions of the second section thereof to the township of Ayr in the county of Fulton.

No. 1241, an act to authorize the trustees of certain lands in Venango county, Pennsylvania, to borrow money for the development of said lands by contesting the right at law of adverse claimants.

No. 1315, a further supplement to an act incorporating the Bedford iron company approved the 1st of May, 1861, authorizing said company to hold additional lands and construct branch railroads.

No. 1502, an act to incorporate the Pittston railroad company.

No. 1506, a supplement to an act entitled An act to incorporate the Susquehanna and Delaware railroad company.

No. 1511, an act annexing the farm of John Hamilton in Sandy Lake township, Mercer county, to North township, in said county, for school purposes.

No. 1539, a supplement to an act entitled An act creating a board for the erection of a city hall in the city of Pittsburg, approved the 1st day of March, 1867.

He also informed that the Senate has adopted the report of the committee of conference on the subject of the differences existing between the two Houses in relation to

the amendments to Senate bill numbered and entitled as follows, viz:

No. 413, an act to regulate the carriage of baggage by railroad companies, and to prescribe the duties and obligations of carriers and passengers in relation thereto.

In pursuance to the suspension of the ninth joint rule by both Houses, he also presented for concurrence Senate bill No. 1688, entitled An act for the relief of John Caughey, of Beaver county.

Laid on the table.

Mr. WADDELL. Mr. Speaker, I ask the unanimous consent of the House to take up Senate bill No. 1183, joint resolution relative to the revising, collating and digesting the tax laws of Pennsylvania.

Consent was granted.

The bill was taken up, considered and

Agreed to.

The rules were suspended,

The bill read a third time by its title, and

Passed finally.

Mr. MEYERS. Mr. Speaker, I move that the General Judiciary Committee be discharged from the further consideration of Senate bill No. 167, a supplement to an act amending the law of evidence in Pennsylvania, approved March 27th, 1865.

The motion was

Agreed to.

The bill was taken up, considered and

Agreed to.

The question being on suspending the rules to read the bill a third time by its title,

The yeas and nays were required by Mr. STUMBAUGH and Mr. CAMERON, and were as follow, viz:

YEAS—Messrs. Adaire, Armstrong, Barrington, Barton, Cameron, Chadwick, Craig, Day, DeHaven, Donohugh, Ewing, Fogel, Freeborn, Gallagher, Ghegan, Gordon, Harbison, Heltzel, Hood, Humphrey, Jenks, Jones, Josephs, Kenedy, Kerns, Kimmell, Kinney, Koon, Lee, Leech, Linton, M'Camant, M'Creary, M'Kee, M'Pherrin, Maish, Mann, Markley, Meily, Meyers, Mullin, Pennypacker, Peter, Quay, Quigley, Richards, Roath, Seiler, Shuman, Steacy, Stehman, Stumbaugh, Subers, Waddell, Wallace, Watt, Webb, Weller, Wham, Wharton Wingard, Woodward, Worrall, Wright and Glass, *Speaker*—65.

NAYS—Messrs. Boyle, Breen, Brown, Calvin, Chalfant, Collins, Harner, Headman, Hoffman, Hunt, Kurtz, Long, M'Henry, Phelan, Rhoads, Satterthwait, Tharp and Westbrook—18.

So the question was determined in the affirmative.

The question being put on the final passage of the bill,

It was

Agreed to.

And the bill

Passed finally.

Mr. FREEBORN. Mr. Speaker, I ask the unanimous consent of the House to take up

Senate bill No. 1254, an act to repeal the State tax upon certain personal property, and in lieu thereof to apportion three hundred thousand dollars upon the counties of the State.

Mr. MANN. Mr. Speaker, I am obliged to object.

Mr. QUIGLEY. Mr. Speaker, I ask the unanimous consent of the House to proceed to the consideration of

Senate bill No. 961, an act to incorporate the People's Brewer association, of Philadelphia.

Mr. KERNS. Mr. Speaker, I object.

Mr. M'KEE. Mr. Speaker, I ask the unanimous consent of the House to proceed to the consideration of

Senate bill No. 258, a supplement to an act entitled An act to prevent the sale of intoxicating liquors on the first day of the week, commonly called Sunday, approved February 26, 1855.

Consent was granted.

The bill was taken up, considered and

Agreed to.

The rules were suspended, the bill read a third time by its title, and

Passed finally.

Mr. KOON. Mr. Speaker, I ask the unanimous consent of the House to proceed to the consideration of Senate bill No. 1738, an act to incorporate the Silver Creek coal company.

Consent was granted.

The bill was taken up, considered and

Agreed to.

The rules were suspended, the bill read a third time by its title, and

Passed finally.

Mr. QUAY. Mr. Speaker, I ask the unanimous consent of the House to proceed to the consideration of

Senate bill No. 1721, joint resolution authorizing the purchase of Audubon's Ornithology for the State library.

Consent was given.

The bill was taken up, considered and

Agreed to.

The rules were suspended, the bill read a third time by its title, and

Passed finally.

Mr. ROATH. Mr. Speaker, I ask the unanimous consent of the House to proceed to the consideration of Senate bill No. 942, a supplement to an act entitled An act to change the venue of a certain action from Juniata county to Dauphin county, approved the 21st day of March, A. D. 1866.

Consent was given.

The bill was taken up, considered and

Agreed to.

The rules were suspended, the bill read a third time by its title, and

Passed finally.

Mr. COLLINS. Mr. Speaker, I ask the unanimous consent of the House to proceed to the consideration of Senate bill No. 1368, an act relative to the Schuylkill County park association.

Consent was given.

The bill was taken up, considered and

Agreed to.

The rules were suspended, the bill read a third time by its title, and

Passed finally.

Mr. JENKS. Mr. Speaker, I move that the Committee on Corporations be discharged from the further consideration of Senate bill No. 1420, an act to incorporate the United States slate glass insurance company of Philadelphia.

The motion was

Agreed to.

The bill was taken up, considered and

Agreed to.

The rules were suspended, the bill read a third time by its title, and

Passed finally.

MESSAGE FROM THE GOVERNOR.

The Deputy Secretary of the Commonwealth being introduced, presented a message, in writing, from the Governor, which was read as follows:

EXECUTIVE CHAMBER,
HARRISBURG, April 10, 1867.

To the Senate and House of Representatives of the Commonwealth of Pennsylvania:

GENTLEMEN—I have approved and signed the following acts of the General Assembly, to wit:

On the 9th instant:

Senate bill No. 687, an act to permit an appeal from the register of Lebanon county in behalf of the heirs of Robert W. Coleman, deceased.

Senate bill No. 1077, an act explanatory of the provisions of the fifth section of the act to incorporate the Bennett Branch improvement company.

House bill 1247, an act to incorporate the Limestone turnpike and plank road company of Warren county.

Senate bill No. 894, an act to legalize and make valid an assessment made by the board of school directors of Strasburg township, Lancaster county, of one half of one per centum, on the sixteenth day of June, Anno Domini one thousand eight hundred and sixty-six, for bounty purposes.

Senate bill No. 911, an act regulating certain sheriff's fees in the county of Luzerne.

Senate bill No. 585, an act to incorporate the Keystone telegraph company.

House bill No. 290, a further supplement to an act for the regulation and continuance of a system of education by common schools, approved the eighth day of May, Anno Domini one thousand eight hundred and fifty-four.

House bill No. 1267, a supplement to an act to incorporate the Reno shipping company, approved the first day of September, Anno Domini one thousand eight hundred and sixty-six.

House bill No. 538, an act regulating interest on public accounts.

Senate bill No. 593, a further supplement to an act entitled An act incorporating the Lackawanna and Bloomsburg railroad company, approved April the fifth, Anno Domini one thousand eight hundred and fifty-two.

Senate bill No. 595, a supplement to an act to incorporate the Reading passenger railway company, approved the twenty-first day of March, Anno Domini one thousand eight hundred and sixty-five.

Senate bill No. 692, an act to incorporate the American dredging company.

Senate bill No. 1121, an act authorizing the school directors of Curwensville, Clearfield county, to borrow money and sell a school building.

Senate bill No. 1135, an act to extend the time for the payment of the enrollment tax on act to incorporate the Sunnyside iron company.

Senate bill No. 1136, a supplement to an act entitled An act granting a pension to Lewis Hagenman, approved April seventeenth, one thousand eight hundred and sixty-six.

Senate bill No. 1159, an act to incorporate the Lampeter and Strasburg turnpike road company.

Senate bill No. 1063, an act to incorporate the Citizens ferry company of Pittsburg.

Senate bill No. 1067, an act to extend the time of payment of the enrollment tax upon an act to incorporate the Eastern telegraph company, approved April 5th, one thousand eight hundred and sixty-six.

Senate bill No. 973, a supplement to an act relating to the directors of the poor of Lancaster county, approved March second, one thousand eight hundred and forty-six, regulating the fees of constables.

Senate bill No. 1081, an act relative to the assessment and collection of taxes on unseated lands in Cherry township, Sullivan county.

Senate bill 905, an act increasing the pay of certain township officers in Conyngham township, Columbia county.

Senate bill No. 1177, an act authorizing the State Treasurer to allow a credit to the treasurer of Adams county for money paid John Scott.

Senate bill No. 1350, an act authorizing the revision of a portion of the wharf lines on the rivers Delaware and Schuylkill.

Senate bill No. 1050, an act repealing an act entitled An act relating to roads in Braxton township, Mifflin county, approved May first, Anno Domini one thousand eight hundred and sixty-one.

Senate bill No. 1059, a supplement to an act approved April twelfth, one thousand eight hundred and fifty-six, to lay out a State road from Tarentum, Allegheny county, to George Gochee's in Butler county.

Senate bill No. 1039, an act to incorporate the Neversink life and fire insurance company of Bucks county.

House bill No. 1219, an act to establish a ferry over the Allegheny river at or below the Big Rock, in the county of Venango.

Senate bill No. 880, an act authorizing the erection of a house for school and township purposes in Millvillage, Le Boeuf township, Erie county, and empowering the school directors to levy and collect additional tax.

House bill No. 926, an act to vacate part of Manayunk avenue, in the Twenty-first ward of Philadelphia.

House bill No. 1241, an act authorizing the supervisors and auditors of Jones township, Elk county, to receive the sum of two dollars per day.

Senate bill No. 1470, an act relating to the paving of the streets of the city of Allentown.

Senate bill No. 1247, an act to authorize the board of school directors of White township, Indiana county, to borrow money and to appropriate for school purposes surplus bounty fund.

Senate bill No. 1184, an act regulating the election of corporate officers of the borough of Dushore, in Sullivan county.

House bill No, 1213, an act to incorporate the Fidelity gold mining company.

House bill No. 1215, an act to incorporate the River Bed gold and silver mining company.

House bill No. 854, an act to allow the sheriff of Elk county fees for serving jury notices, and increasing the pay of supervisors of said county.

Senate bill No. 317, a supplement to an act to incorporate the Allentown passenger railway company, approved the twenty-first day of March, Anno Domini one thousand eight hundred and sixty-four.

Senate bill No. 1210, an act extending the time for laying out a State road in Wayne and Monroe counties.

Senate bill No. 990, an act to authorize the school directors of the borough of Sewickley to borrow money and levy an additional school tax.

Senate bill No. 872, an act authorizing the trustees, secretary and treasurer of the Proprietors' fund of Plymouth township to appropriate said fund toward the erection of school houses and for school purposes.

Senate bill No. 1463, a further supplement to an act entitled An act for the better regulation of billiard rooms, bowling saloons and ten pin alleys in the counties of Chester and Delaware, approved April thirteenth, one thousand eight hundred and fifty-nine, and supplement thereto, approved March sixteenth, one thousand eight hundred and sixty-six, extending the same to the counties of Lawrence, Butler and Armstrong.

Senate bill No. 1030, a supplement to the act incorporating sundry Baptist churches in Cambria, Blair, Huntingdon, Mifflin, Juniata and Centre counties, called the Centre Association of Independent or regular Baptist churches, approved the eleventh April, Anno Domini one thousand eight hundred and sixty-six, changing the time for the election of trustees and the meeting of said trustees.

Senate bill No. 1495, an act to incorporate the Corn Exchange warehousing company of Philadelphia.

Senate bill No. 924, a further supplement to an act entitled An act to incorporate the Scranton gas and water company, approved March sixteenth, one thousand eight hundred and fifty-four.

Senate bill No. 319, an act to incorporate the Sandusky and Irwin Street bridge company.

Senate bill No. 1220, an act to incorporate the Carlisle, Boiling Spring and Dillsburg turnpike road company.

Senate bill No. 770, an act to provide for the continuance of the education and maintenance of the destitute orphans of the deceased soldiers and sailors, and the destitute children of permanently disabled soldiers and sailors of the State.

Senate bill No. 1540, a supplement to an act annexing the borough of Manchester to Allegheny City, approved March twelfth, one thousand eight hundred and sixty-seven.

Senate bill No. 709, a supplement to an act incorporating the Ephrata and Lancaster railroad company, approved the twenty-first day of March, Anno Domini one thousand eight hundred and sixty-six, authorizing them to extend said railroad to the Conestoga creek, below the city of Lancaster.

Senate bill No. 939, an act for the better improvement of the front of the river Delaware.

Senate bill No. 1168, a supplement to the act entitled An act authorizing the Columbia water company to hold real estate, and so forth, approved tenth February, one thousand eight hundred and sixty-five.

Senate bill No. 1051, a further supplement to an act entitled An act appointing commissioners to lay out and open a State road in the counties of Cameron and Potter, approved the twenty-first day of March, Anno Domini one thousand eight hundred and sixty-five.

Senate bill No. 1025, an act to incorporate the Clearfield trout and improvement company.

Senate bill No. 984, an act to authorize the the Southwark railroad company to renew their road on Swanson street.

Senate bill No. 624, an act relating to bounties in the borough of Dillsburg, in the county of York and State of Pennsylvania, validating and legalizing the assessment duplicate and warrant to collect bounty tax assessed in June, one thousand eight hundred and sixty-four, in said borough.

Senate bill No. 988, a supplement to an act entitled An act to incorporate the Bear Creek railroad company, approved the twentieth day of March, Anno Domini one thousand eight hundred and sixty-five, changing the name of the same, regulating the rates of fare and fixing the termini.

Senate bill No. 1117, a supplement to the act to incorporate the Norris Park mining company, approved March fourteen, one thousand eight hundred and sixty-five, authorizing said company to borrow money.

Senate bill No. 518, a further supplement to an act to incorporate the North American shaft company, approved the twenty-second day of March, one thousand eight hundred and sixty-two.

The hour of one o'clock having arrived, the SPEAKER adjourned the House until three o'clock, P. M.

AFTERNOON SESSION.

The House met pursuant to adjournment.

Mr. CHASE moved to proceed to the consideration of Senate bill No. 724, an act authorizing the merger or consolidation of oil and other mining companies.

Objected to.

Mr. LINTON withdrew his objections to Senate bill No. 1254, an act repealing a State tax upon certain personal property, &c., and desired that the House proceed to its consideration.

Objected to.

Mr. KINNEY asked unanimous consent of the House to proceed to the consideration of Senate bill No. 1428, a supplement to the act for the more effectual protection of owners of logs and lumber on the Susquehanna river.

Objected to.

BILLS PASSED.

Mr. WILSON moved that the House proceed to the consideration of bill No. 134, having reference to the Allegheny Valley railroad.

The bill had been returned by the Governor with his objections. The ground of objection having been removed the passage of the bill was desired.

The motion was

Agreed to.

The bill was read and

Agreed to.

The rules having been suspended, the bill was road a second and third time, and

Passed finally.

On motion of Mr. COLVILLE, the House proceeded to the consideration of Senate bill No. 1799, a supplement to an act to incorporate the Mechanics' Bank of Pittsburg.

The bill was read and

Agreed to, and

Passed finally.

On motion of Mr. KENNEDY, the House proceeded to reconsider the vote had on the following bill:

No. 1599, a supplement to the Erie and Allegheny railroad company, authorizing connection with their road on the east line of the township of North-East with any railroad from the State of New York, and the west line with any railroad constructed or to be constructed in the State of Ohio, and also authorizing said Erie and Allegheny railroad company to connect their road within the county of Crawford with the Atlantic and Great Western railroad company with the same legal effect as though the connection was made within the county of Erie:

The bill being again before the House,

The question was,

Shall the bill pass?

The yeas and nays were required by Mr. GREGORY and Mr. HOOD, and were as follow, viz:

YEAS—Messrs. Barrington, Barton, Boyd, Boyle, Chadwick, Chalfant, Chase, Collins, Colville, Davis, Day, Deise, Espy, Ewing, Freeborn, Gallagher, Hunt, Jenks, Jones, Kennedy, Kimmell, Leech, Linton, M'Cammant, M'Creary, M'Kee, Maish, Mann, Markley, Mechling, Meyers, Pennypacker, Peter, Phelan, Quay, Richards, Satterthwait, Tharp, Waddell, Wallace, Weller, Wham, Wilson, Wingard, Woodward and Glass, *Speaker*—46.

NAYS—Messrs. Adaire, Armstrong, Breen, Brown, Calvin, Cameron, DeHaven, Donohugh, Fogel, Ghegan, Gregory, Harner, Headman, Heltzel, Hoffman, Hood, Humphrey, Josephs, Kerns, Kinney, Kline, Koon, Lee, M'Henry, Meily, Mullin, Quigley, Rhoads, Roath, Robinson, Seiler, Steacy, Stehman, Stumbaugh, Suhers, Watt, Webb, Wharton and Wright—39.

So the question was determined in the affirmative.

And the bill

Passed finally.

On motion of Mr. WEBB, the House proceeded to the consideration of Senate bill No. 1951, an act to incorporate the Caernarvon coal company.

The bill was read, amended and

Agreed to.

The rules were suspended, the bill read a second and a third time, and

Passed finally.

On motion of Mr. ARMSTRONG, the House proceeded to the consideration of Senate bill No. 170, an act relating to dower.

The bill was amended by Mr. MANN.

Agreed to and

Passed finally.

APPROPRIATION BILL.

Mr. WADDELL. Mr. Speaker, I desire to present to the House the report of the committee of conference on House bill No. 828, called the appropriation bill.

That the House concur in Senate amendments in the twelfth and twenty-ninth lines of the second section, and in Senate amendments to third, fourth, fifth, sixth, seventh, eighth, tenth, eleventh, fourteenth, fifteenth, twenty-first, twenty-sixth, thirty-eighth, forty-first, forty-second, forty-seventh, fifty-second, fifty-third, fifty fourth, fifty-fifth, fifty-seventh, fifty-eighth, sixty-second, sixty-fifth, seventieth, seventy-first, seventy-fourth, seventy-fifth, seventy-sixth and seventy-eighth section.

That the Senate recede from their amendments in the twenty-sixth line of the first section, in second, third and fourth lines of the thirteenth section, to the forty-eighth section, from the manuscript proviso to sixty-ninth section, and also to the seventy-seventh section, and also the forty-fourth section, and that the words "two hundred and fifty" be inserted before the word "dollars," in the twelfth line of the second section; and the words "five hundred" be inserted in the twenty-fifth line of the second section; and that the Senate recede from their amendments in the twenty-sixth line of the second section; and that the House concur in Senate amendment in the twenty-ninth line of second section.

That the House concur in Senate amendments in the third, fourth, tenth and eleventh lines of tenth section—and that the twenty-fifth line be amended so as to read "fifteen thousand."

That the Senate recede from their amendments in the first paragraph of the thirteenth section, and that the House concur in the manuscript amendment of the Senate to the thirteenth section.

That the third line of the seventy-eighth section be amended by inserting the word "three" in lieu of "four" in the original bill, and the word "six" in the sixth line of same section in place of "eight" in original bill, and that the House concur in the other Senate amendments to same section.

That the words "Sergeant-at-Arms" "and his Assistants," "Doorkeeper," "Messenger to committee rooms of the House of Representatives" be inserted after the word "Senate" in the third line of the manuscript amendment to the fortieth section.

That the forty-third section be amended by inserting "five thousand dollars," and that the fifty-sixth section be amended by inserting "three thousand" in the second line in lieu of five. That the fifty-ninth section be amended by inserting "eight thousand" in lieu of "fifteen thousand."

That the thirty-ninth section be amended by adding the words, "and the same rate per day for three months after the close of the session."

That the following words be added to the forty-first section, "and the sum of two hundred and fifty dollars to Charles Looker, for similar services in the House of Representatives."

Question, Will the House adopt the report of the committee?

Mr. MANN. Mr. Speaker, no man can have a conception of how this bill stands, from this report, until it is printed.

The chairman of the Committee of Ways and Means can, no doubt, tell us a few things which will perhaps be sufficient to govern the votes of a large number of members.

Mr. WADDELL. Mr. Speaker, there is one important matter disposed of in which which the gentleman from Potter [Mr. MANN] will feel some interest. It repeals the law of last winter paying annuities and gratuities to the widows of soldiers. It reduces the school appropriation to what it was last winter. It reduces the appropriation to the children of soldiers about fifty thousand dollars.

These are the main features of the changes which are made in the bill.

Mr. DAVIS. I understand it increases the salary of some of the officers of the Senate and the House.

Mr. WADDELL. The Senate amended the bill by increasing the compensation of a portion of their officers. Some of the House committee insisted upon striking out the amendment. This they were unable to do. They then determined, as the next best thing to be done, to bring the same class of officers in the House within the amendment.

Mr. WOODWARD. I would like to know if the Marine hospital at Erie still lives.

Mr. WADDELL. The Marine hospital at Erie still lives.

Mr. BOYLE. Did I understand the chairman of the Committee of Ways and Means to say that the law giving annuities and gratuities to the old soldiers of 1812 was repealed?

Mr. WADDELL. Yes, sir.

Mr. BOYLE. I would like to inquire if the appropriation to the Washington State agency is still in the bill.

Mr. WADDELL. My impression is that the appropriation remains.

Mr. BOYLE. I would like to inquire whether twenty thousand dollars is not allowed the Adjutant General?

Mr. WADDELL. That was reduced to ten or fifteen thousand dollars.

Mr. BOYLE. Does the appropriation to the State library remain?

Mr. WADDELL. Yes, sir.

Mr. BOYLE. Mr. Speaker, I think of all reports ever heard of this excels as decidedly the meanest thing ever done by this Legislature. The State is said to be groaning under financial difficulties; there are no means to support the Government. Now, what have this conference committee done? In the first place, they take from the old soldiers, who served their country gallantly and well in the war of 1812, the little pittance granted them last year. But do they carry out these principles of extreme economy? No, sir. They appropriate twelve thousand dollars to keep up two pensioners, who are able to support themselves, in the city of Washington—twelve thousand dollars for a mere political machine, kept up for the purpose of talking up his Excellency the Governor.

Mr. WADDELL. Mr. Speaker, if the gentleman will permit me I will inform him it was impossible for the committee to strike out anything that both branches of the Legislature had left in the bill. In regard to this one appropriation the House passed it at twenty thousand dollars; the Senate itself made the change, and the committee of conference being called upon to pass on the bill acquiesced in the amendment.

The Senate also amended the bill striking out the law of last winter in regard to the soldiers. The committee were called upon to pass upon that. There was a difference in the committee as to the propriety of this.

Mr. BOYLE. Then the chairman of the committee will allow me to say over that subject the committee had sole power.

Mr. Speaker, I say this committee has not done its duty to the people of the State in striking out the appropriation to the old soldiers and retaining the pension to the State agent and his assistant at Washington. Again, there are five thousand dollars given to the Governor. For what? I would like to know, if any gentleman here can inform me, what there is to make it necessary to place five thousand dollars in the hands of the Governor to be used as he sees proper.

Mr. WADDELL. My impression is this five thousand dollars is not in the bill.

Mr. BOYLE. Then there is an appropriation of fifteen thousand dollars to the State arsenal. The whole thing is not worth twenty thousand dollars. Yet here is a useless appropriation, while we take the bread out of the mouths of the old soldiers who have saved their country. Again, the pay of some of the officers of this House has been increased. Some of them are very worthy gentlemen. I take it they are not overworked; they appear to have been fed well, and were anxious enough to get their situations at the regular pay. Yet we show our liberality to them while we take away a small pittance for the soldiers. The controlling object seems to have been the talking up of the party.

Mr. STUMBAUGH. Mr. Speaker, there is no question about the State agency; the House passed upon it long ago. It is not necessary the House should be rebuked or abused for having acted in the premises as it saw proper.

Mr. MANN. Mr. Speaker, I have agreed so often with the gentleman from Fayette [Mr. BOYLE] that I regret very much that he has seen fit to object to this report of the conference committee. I regret it exceedingly; it sounds very much as if he was more anxious to make a little party capital than to get through this House a just and fair appropriation bill. I may be mistaken, but this is the impression which his remarks make upon me.

He commenced with an attack upon that portion of the report which repealed the act of last year, providing a pension for the soldiers of the war of 1812.

I say it has been shown by the statement of the Auditor General, that there was so much abuse, fraud and perjury connected with the execution of that law, that it is entitled to some little candor from the gentleman from Fayette. Grant it, that the committee of conference made a mistake; yet it is a notorious fact, established to the satisfaction of this House, as well as any fact is established, that there has been connected with that bill from its passage to the present time, fraud and perjury upon the part of those who have been getting funds out of the treasury, under its provisions. Now, an attempt to amend that bill to guard the treasury, so that none but old soldiers should be paid under its provisions, was resisted nearly unanimously by every man belonging to the party with which the gentleman from Fayette is connected. I think the committee of conference did the only thing they could to remedy the evil which existed under this law. The soldiers of 1812 will not suffer by this action. There has never been an objection from any source to paying the soldiers of the war of 1812. The only objection that has been made was against paying these vampyres. Although the soldiers of 1812 may have to wait a few months (and nine months is the farthest that any of them will be obliged to wait), in order to guard the treasury from such open frauds, they will have their honest claims attended to, and in due time. Before this act was passed, the sum paid to the soldiers of 1812 was from twelve to fourteen

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[CONTINUED FROM PAGE 1104.]

thousand dollars annually. But immediately after the passage of this act, it ran up to one hundred and sixty-nine thousand dollars.

Mr. HEADMAN. Mr. Speaker I would ask the gentleman if he did not draw up that bill?

Mr. MANN. I did; I did it at the suggestion of the guardians of the treasury of this State, believing that it had been drawn in such a way, that all honest claims would be easily procured, and dishonest claims kept out. But I confess to have made a great blunder in that matter; I did not know at that time that men would perjure themselves for the sake of forty dollars. I had not the slightest idea that men who paid into the State Treasury a thousand dollars of tax would come here and swear that they were in indigent circumstances, and, therefore, ought to have forty dollars out of the Treasury. I had not the slightest idea that there crawled on the surface of Pennsylvania such mean creatures, or I would never have introduced such a bill. It is simply to guard the Treasury of this State, that the repeal of this act is called for. It is a very easy matter to remedy the slight inconvenience that will be felt from the repeal of this act. I am, therefore, exceedingly glad that it comes to us in this shape.

I believe that I ought to be as much opposed to this report as any man upon this floor. It strikes at a joint where I have been exceedingly interested. It strikes down an appropriation to the common schools nearly one-half. I believe this appropriation was the most meritorious one in the whole bill. I believe every dollar appropriated to the common schools does more good than each ten dollars in any other part of this appropriation bill; that, in fact, it is the only money appropriated in this bill that will be of any real benefit to this Commonwealth. I believe that every dollar of this appropriation was needed—that it would have given life and vitality to the common schools of the State; yet that has been stricken out, and we are left to go on in the old way, lagging for the want of means to keep up the vitality of the school system. Much as I regret this, much as I feel this will be a loss to the people of the State, I am content with this report, and I hope the House will affirm it.

Mr. BOYLE. Mr. Speaker, I regret, too, that it has been found necessary to reduce an appropriation to the common schools. I go as far as the gentleman from Potter [Mr. MANN] in this matter. I was anxious that the whole amount of six hundred thousand dollars should be appropriated, that a new life should be infused into our schools, and I was as anxious as any gentleman on this floor to reduce the expenses of the Government to the lowest possible point. I opposed every appropriation that was of a questionable character. But I never, for a moment, thought of striking out the provision for the old soldiers; and I may say, further, that if I had found it necessary to reduce the appropriation of the old soldiers—to deprive them of it, in fact—I would not, like the gentleman from Potter, have added insult to injury. I would not have come here and said that I had taken it from them, because they had degraded themselves lower than anything that crawls on this earth.

Mr. MANN. Mr. Speaker, I said nothing of the kind. I said there were men who were mean enough to degrade themselves for the purpose of drawing this money. I do not believe any old soldier has done anything as mean as that.

Mr. BOYLE. Mr. Speaker, the gentleman would strip the old soldier of this small pittance—these old men who have served their country—because a few outsiders (or a great many if you please) have sworn falsely and obtained money under this appropriation. Because that abuse has grown up in the system, he strikes at the system itself. The abuse might have been created; but there was no need to set aside the real soldier in order to deprive the impostor of an opportunity of palming himself off upon the State.

Now, I believe it has been denied that there is an appropriation in the bill for the Governor's mansion; but I am informed that the bill does contain an appropriation of fifteen thousand dollars for his residence. Now, it was the case, a few years ago, that the Governor rented his house and lived in it; a common house, and like ordinary mortals. The State, in its generosity, increased the Governor's salary, and at the same time, or about the same time, it gave him a house to live in. After a while, that was not found to be quite good enough, and another house, on Front street, was obtained; and that was thought sufficient for all purposes during the war, when Govevnor Curtin was as much annoyed by callers and parties as any other Governor. He found that mansion sufficient to accommodate all. No man ever called there, and was turned away for want of room. But when Governor Geary takes possession, the first thing we hear is, that the house is not big enough. The Governor cannot spread himself; the Governor cannot give the parties he wants to give; and then, while the State is groaning under its present debt, while the bread is taken from the mouths of the old soldiers, you give fifteen thousand dollars to the Governor for the extending and fitting up of his residence. Now, I say that no party in this country can stand up under that. The gentleman from Potter [Mr. MANN] may say I am making political capital or otherwise, as he sees proper. I am making political capital, and I know the people of this State will take a proper view of this thing. They will inquire whether pensions are to be taken from all soldiers who have fought for their country, while we keep up two fat, proud pensioners in the State agency at Washington. This may sound, now, as if merely for political purposes. I admit I have something of that kind in view. I admit that I have it in view to try to break down this Republican party, because of its many iniquities. But I have another purpose. It is our duty to see that there are no improper expenditures of the people's money, and, I repeat, when you put your hand into the treasury and take out twelve thousand dollars (and I am informed it will be twenty thousand) to keep up the agency at Washington——

Mr. STUMBAUGH. Mr. Speaker, I submit the gentleman cannot speak on the State agency. The gentleman has fought that measure as long as any honest man——

Mr. BOYLE. I suppose I am out of order to speak on the Senate agency, but it is such an abomination that I cannot keep from talking about it. But the Governor's mansion is a legitimate subject of comment. I say it is a useless and unwarranted expenditure of the people's money.

I say, further than that, to increase the pay of the officers of this Legislature is inexcusable, because they are well paid now.

I say, further, to continue the quartermaster's department is an inexcusable expense, because the affair of this department could be administered by another department of the government, without costing a solitary dime. But all these things are left on, with the addition of fifteen thousand dollars, to build the Governor's mansion.

Mr. DAVIS. My opinion is, Mr. Speaker, that the gentleman has made as good a speech for his party as anybody could make. I have always remarked, in my experience, that the very worst managers of their own affairs are very apt to be always able to tell other people how to manage their business. Six years ago, when the Republican party took control of the State of Pennsylvania, her debt was three millions more than it is now. During that time we had five years of war. Steadily we paid that debt, although we appropriated more money in five years than the Democratic party did in twenty-five, showing that we had the capacity to govern, and that we knew how to do it.

Now, there are some things in the report made by the honorable chairman of the Committee of Ways and Means to which I object; but it is not those parts objected to by the gentleman from Fayette [Mr. BOYLE]. The report is a fair and conscientious one, the result of much labor. We cannot all be pleased. There will, of necessity, be matters which will meet the disapprobation of some one of us; but that is no reason why we should strike at the whole bill. The session is drawing near its close; we have scarcely a day in which to consider this matter. I am satisfied with it as it is, and I trust the report will be adopted by this House.

Mr. HEADMAN. Mr. Speaker, I had no idea that the question of the old soldiers of the war of 1812 would come up in this man-

ner. I thought it was settled when it was decided in this House, almost unanimously, some time ago, not to repeal the law. But now we have an appropriation bill striking out what the House had before granted—a pension to the old soldiers. I am opposed to this portion of the appropriation bill. The soldiers of 1812 are justly entitled to the aid of the law. It is absurd to say that this repeal was a necessity to guard the old soldiers. No man can draw money under this law unless he proves himself entitled to it. I hope the appropriation bill, so far as that is concerned, will be voted down.

The gentleman from Philadelphia [Mr. DAVIS] says the Republican party has relieved the State of taxation. If that is true, how have they done it? They have increased the legal interest of the State, and thereby compelled people to pay, in interest, double the amount they would have had to pay in taxes. And they have created a loan of twenty-three millions of dollars under the present administration. When the Republican party took control of this Government, the debt was scarcely anything in comparison with what it is now. The Democratic party carried this Government through seventy years and three wars. They added more territory to this country during their administration than was embraced within its boundaries when they began the direction of its affairs, without running themselves into debt.

I am not going to detain the House much longer. But I will take time enough to say that this is one of the most iniquitous bills that ever came before the House. This idea of increasing the salaries of every officer of this House and then taking the pension from the soldiers of the war of 1812! The men who fought gallantly through that war are justly entitled to every dollar that they may get from us. This is but a mere pittance to them; yet it relieves their wants.

Mr. HUMPHREY. Mr. Speaker, I call the previous question.

Mr. QUIGLEY. Mr. Speaker, I think this is the first time since I have been a member of this House that the previous question has been called in a matter so important as this.

The discussion has taken a very wide angle, but I do not see why politics should have been introduced. I do not look upon it as a political question. I look upon it as a question in which all the citizens of this Commonwealth are interested.

I think the committee of conference of the House have taken upon themselves the responsibility of passing upon that with which they had no right to interfere. They have assumed the right to insert in the appropriation bill a repealing act that had before been voted down by this House. They have attempted to do indirectly what they dared not do directly. They have inserted in this bill a clause repealing the act of last year, granting a gratuity and annuity to the soldiers of the war of 1812. There need be no attempt to fasten the responsibility on the Senate committee. The clause would have never been inserted had it not been consented to by the committee appointed on the part of the House. I trust that these gentlemen will have all the credit—if credit there be in curtailing the expenses of the State at the expense of the soldiers.

This is not a political question; nor do I wish to make a political question out of it. If there was no reason, other than this one clause, I would vote to defeat the bill.

The gentleman from Philadelphia [Mr. DAVIS], I am sorry to say, has dragged politics into this discussion. He has grown eloquent over the success of the Republican party in relieving the State of debt. We may grant his premises for the sake of argument. But the State is not yet free of debt. And I have too high a regard for the Republicans of this House to think for a moment that they would pay off a portion of the State debt with the money stolen from the soldiers of the war of 1812.

Now, I do trust this bill will not pass if this clause is allowed to remain.

Mr. WADDELL (chairman Committee Ways and Means). Mr. Speaker, I regret that the committee of conference was not superhuman. After listening to the discussions in this House and seeing the difficulties with which the bill was surrounded; after listening to the diversity of opinion that existed in the minds of the members of this House in regard to it; after watching its progress in the other chamber, and seeing the difficulties and change of opinion that existed in the minds of Senators; after finding the bill torn to pieces when it came into the hands of the conference committee, I have now to regret that that committee was not superhuman, and that it could not so arrange every matter that it might meet the approval of each individual in this House and in the Senate Chamber. I would have been glad could every gentleman upon that conference committee have succeeded in obtaining the provisions he desired. I met this committee in conference and I found that was impossible. I found there were six gentlemen who differed in opinion upon matters, and strange to say it was impossible that each should have his own way. I, as a member of the committee, desired to harmonize these various elements, and I, as a member of this House and General Assembly, must yield some of my wishes in order to meet my colleagues half way. Now, if there is any man in this House who has persistently objected to the repeal of the law which has been spoken of this afternoon, I think I am that man. Upon all occasions I resisted it upon the floor of the House; I resisted it in committee. But, sir, I found I was unable to accomplish what I desired, and I feel it my duty to yield to what seemed to be the desire of the majority. In that I believe I was as democratic as any member in this House.

The bill left this chamber without the provision which has occasioned so much comment this afternoon. This repealing clause was inserted in the Senate, and when the committee met they were compelled to pass upon the question. If, in the opinion of this House, we should have reported on disagreement, and so detained us until a new bill could be prepared, then we did not do our duty. But, knowing that to-morrow was the day which this General Assembly had fixed for its own dissolution we felt obliged to reconcile our differences and present a report. This we have done. If the House choose not to adopt the report no personal pride of mine will be injured. I have submitted to this House what I believe to be the best action we could take under the circumstances. If this House disagrees with the report, I hope it will have the manliness to say so without regard to who may have been on the committee. I say to the members of this House: You have the matter in your own hands; if your judgment differs from that of those whom you commissioned to act for you, say so by your votes, and not alone by your voices. I think, Mr. Speaker, I speak for my colleagues; and I know I speak for myself. I say again, if this House, after calm, cool judgment, thinks the committee could have done better, then let them vote the report down, and afford others an opportunity of presenting a more satisfactory report.

If, however, they think the committee did what was best under the circumstances, let them pass it, and offer the Governor an opportunity to act upon it.

The question being,

Will the House adopt the report of the committee?

The yeas and nays were required by Mr. MULLIN and Mr. HOOD, and were as follow, viz:

YEAS—Messrs. Allen, Barton, Cameron, Davis, Day, DeHaven, Ewing, Gallagher, Gordon, Harbison, Hoffman, Humphrey, Josephs, Kennedy, Kerns, Kimmell, Kinney, Lee, Leech, M'Camant, M'Creary, M'Pherrin, Mann, Mechling, Meily, Pennypacker, Richards, Roath, Satterthwait, Seiler, Steacy, Stehman, Stumbaugh, Subers, Watt, Webb, Whann, Wingard, Woodward, Wright and Glass, *Speaker*—41.

NAYS—Messrs. Adaire, Armstrong, Barrington, Boyd, Boyle, Brown, Calvin, Chadwick, Chalfant, Chase, Colville, Craig, Deise, Donohugh, Espy, Fogel, Freeborn, Ghegan, Gregory, Harner, Headman, Heltzel, Hood, Hunt, Jenks, Jones, Kline, Koon, Kurtz, Linton, Long, M'Henry, Maish, Markley, Meyers, Mullin, Peter, Phelan, Pillow, Quay, Quigley, Rhoads, Roush, Shuman, Tharp, Weller, Westbrook, Wharton and Wilson—49.

So the question was determined in the negative.

So the report was

Not agreed to.

MESSAGE FROM THE SENATE.

The Clerk of the Senate being introduced, returned bills from the House of Representatives numbered and entitled as follows, viz:

No. 1746, an act to incorporate the Montgomery improvement company.

No. 1650, an act to annul the marriage contract between Charles Schofield and Mary Schofield.

He also informed that the Senate has receded from its amendments non-concurred in by the House of Representatives to House bill No. 1760, entitled An act to extend the provisions of an act to prohibit the issuing of licenses within certain boroughs in the counties of Armstrong, Potter, Indiana and Perry, or within two miles of the same, in the counties in which said boroughs are located, approved 27th day of March, 1866, to the boroughs of West Newton, and Mount Pleasant, in the county of Westmoreland.

He also returned bill from the House of Representatives No. 1965, entitled A further supplement to an act incorporating the Wilkesbarre and Pittston railroad company, approved April 15, 1859, to increase the capital stock, make branches and hold lands,

With information that the Senate has passed the same with amendments, in which the concurrence of the House of Representatives is requested.

On motion, the amendments made by the Senate to said bill were twice read, considered, and

Non-concurred in; and

Ordered, That Messrs. CHALFANT, KOON and BOYLE be a committee on the part of the House to confer with a similar committee on the part of the Senate (if the Senate shall appoint such committee), on the subject of the differences existing between the two Houses in relation to said bill; and

Ordered, That the Clerk inform the Senate of the same.

He also informed that the Senate has concurred in the amendment made by the House of Representatives to the resolution from the Senate, asking the suspension of the ninth joint rule, so far as relates to certain bills from the Senate.

He also, in accordance with the suspension of the rule alluded to, presented for concurrence bills numbered and entitled as follows:

Senate bill No. 144, an act to prohibit other than regularly licensed druggists and

graduated physicians from vending and practising medicine in Mercer county.

Laid on the table.

No. 1347, an act to authorize the Allegheny Valley railroad company to issue additional stock and bonds, and repeal the act entitled An act to authorize the Allegheny Valley railroad company to mortgage its road and branches to complete the same, approved the 8th day of March, 1867.

Laid on the table.

Senate bill No. 1649, an act regulating the assessment of taxes in the city of Pittsburg.

Laid on the table.

Senate bill No. 1658, an act to incorporate the Columbia life insurance company.

Laid on the table.

Senate bill No. 1659, an act to enable the Philadelphia and Montana gold and silver mining company to borrow money and to issue bonds.

Laid on the table.

No. 1718, an act to authorize the school directors of Perry township, Fayette county, to levy and collect a bounty tax.

Laid on the table.

No. 1753, an act to authorize the sheriff of Allegheny county to tax costs in certain cases.

Laid on the table.

No. 1799, a supplement to an act incorporating the Mechanics' Savings Bank of Pittsburg.

Laid on the table.

No. 1942, a supplement to an act entitled An act authorizing the school directors of Latimore township, Adams county, to levy a tax and issue bonds to pay money raised to pay bounties to volunteers, approved the 11th day of April, 1867.

Laid on the table.

No. 1948, an act to incorporate the Keystone elevating and warehousing company.

Laid on the table.

No. 1949, an act to repeal an act approved March 22d, 1867, entitled A further supplement to an act to regulate the granting of licenses to hotels and eating houses, approved March 31st, 1856, so far as the same applies to the county of Lawrence.

Laid on the table.

No. 1950, an act to incorporate the Philadelphia iron and steel company.

Laid on the table.

No. 1951, an act to incorporate the Caernarvon coal company.

Laid on the table.

No. 1952, an act to incorporate the Coal Ridge improvement company, to sell their bonds on certain terms.

Laid on the table.

No. 1953, an act supplementary to an act to incorporate the Northern railroad and navigation company, approved March 22d, 1867, extending the privileges of said company.

Laid on the table.

No. 1954, supplement to an act to incorporate the Presbyterian historical society, approved April 8, 1857.

Laid on the table.

No. 1955, an act to authorize the commissioners of Erie county, and the proper officer or officers of municipal or other corporations in said county, and individuals, to contract with the Marine hospital of Pennsylvania, at Erie, for the future support and attendance of patients, and to make payments therefor.

Laid on the table.

No. 1956, an act to incorporate the Fame mining company.

Laid on the table.

He also again presented for concurrence bill No. 1532, entitled An act to change the venue in a certain case from Schuylkill county to Berks county;

Which bill was returned from the House of Representatives to the Senate on the 3d instant, in pursuance of a resolution passed by the Senate requesting the same.

Laid on the table.

He also has informed that the Senate has adopted the report of the committee of conference on the subject of the differences existing between the two Houses in relation to the amendments to bill numbered and entitled as follows, viz:

No. 1661, an act supplementary to an act entitled An act relating to the Western railroad company, and other purposes.

He also informed that the Senate has insisted on its amendments non-concurred in by the House of Representatives to House bill numbered and entitled as follows, viz:

No. 1337, an act to vacate part of Buck road, in the Twenty-sixth ward of the city of Philadelphia, and has appointed Messrs. M'CANDLESS, DONOVAN and RIDGWAY a committee of conference to confer with a similar committee on the part of the House of Representatives (if the House of Representatives shall appoint such committee), on the subject of the differences existing between the two Houses in relation to said bill.

On motion, the amendments made by the Senate to said bill were twice read, considered, and non-concurred in; and

Ordered, That Messrs. WATT, GHEGAN and SUBERS be a committee on the part of the House to confer with a similar committee on the part of the Senate, already appointed by the Senate, on the subject of the differences existing between the two Houses in relation to said bill; and

Ordered, That the Clerk inform the Senate of the same.

He also informed that the Senate has concurred in the amendments made by the House of Representatives to Senate bill numbered and entitled as follows:

No. 1951, an act to incorporate the Caernarvon coal company.

He also informed that the Senate has adopted the report of the committee of conference on the subject of the differences existing between the two Houses in relation to the amendments to House bill numbered and entitled as follows, viz:

No. 1337, an act to vacate a part of Buck road, in the Twenty-sixth ward of the city of Philadelphia.

The Clerk of the Senate being introduced, returned bills from the House of Representatives numbered and entitled as follows, viz:

No. 2054, an act to increase the revenue of the Commonwealth, by taxation of the shares or stock of the national banks.

No. 1409, an act relative to the estate of Eliza Howard Burd.

No. 1672, an act relating to the collection of school taxes in Fulton county.

No. 576, an act to incorporate the Lycoming trout and improvement company.

No. 2056, an act to provide for the protection of minors employed on the several canals in the counties of Carbon, Northampton and Bucks.

No. 1611, a further supplement to an act regulating the measurement of corn and salt imported into the port of Philadelphia, approved the 22d September, 1785,

With information that the Senate has passed the same with amendment, in which the concurrence of the House of Representatives is requested.

The amendment made by the Senate to said bills was twice read, considered, and

Concurred in; and

Ordered, That the Clerk inform the Senate of the same.

He also informed that the Senate has adopted the report of the committee of conference on the subject of the differences existing between the two Houses in relation to the amendments to House bill numbered and entitled as follows, viz:

No. 828, an act to provide for the ordinary expenses of the Government and other general and specific appropriations.

Mr. ROUSH moved to reconsider the vote had on Senate bill No. 1805, an act to repeal an act regulating proceedings in injunctions and other relief in equity, and the service of process, &c.

On the motion,

The yeas and nays were required by Mr. MANN and Mr. MAISH, and were as follow, viz:

YEAS—Messrs. Adaire, Allen, Armstrong, Barton, Breen, Brown, Cameron, Collins, Colville, Davis, DeHaven, Donohugh, Fogel, Freeborn, Ghegan, Gregory, Harbison, Headman, Heltzel, Hoffman, Hood, Humphrey, Hunt, Josephs, Kennedy, Kerns, Kinney, Kline, Koon, Kurtz, Lee, Long, M'Camant, M'Henry, M'Kee, Markley, Mechling, Meily, Mullin, Quay, Quigley, Rhoads, Roath, Robinson, Roush, Satterthwait, Seiler, Shuman, Stehman, Stumbaugh, Subers, Wallace, Watt, Westbrook, Wbann, Wharton, Wingard and Wright—58.

NAYS—Messrs. Barrington, Boyd, Boyle, Chalfant, Chase, Craig, Day, Deise, Espy, Ewing, Gallagher, Harner, Jenks, Leech, Linton, M'Creary, M'Pherrin, Maish, Mann, Meyers, Pennypacker, Peter, Pillow, Richards, Tharp, Waddell, Weller, Woodward and Glass, *Speaker*—29.

So the question was determined in the affirmative.

And the bill was again before the House.

Mr. DAVIS moved that the House adjourn.

Not agreed to.

The question recurring on the final passage of the bill,

The yeas and nays were required by Mr. MANN and Mr. QUAY, and were as follow, viz:

YEAS—Messrs. Adaire, Armstrong, Barton, Breen, Brown, Cameron, Collins, Davis, Donohugh, Fogel, Freeborn, Gallagher, Ghegan, Gregory, Harbison, Headman, Heltzel, Hoffman, Hood, Humphrey, Josephs, Kennedy, Kerns, Kinney, Kline, Koon, Kurtz, Lee, Long, M'Camant, M'Henry, Mechling, Meily, Mullin, Quay, Quigley, Rhoads, Roath, Robinson, Roush, Satterthwait, Seiler, Shuman, Steacy, Stehman, Stumbaugh, Subers, Wallace, Watt, Westbrook, Whann, Wharton and Wright—53.

NAYS—Messrs. Barrington, Boyle, Chadwick, Chalfant, Chase, Colville, Craig, Day, Deise, Espy, Ewing, Harner, Jenks, Jones, Leech, Linton, M'Creary, M'Pherrin, Maish, Mann, Meyers, Pennypacker, Peter, Phelan, Pillow, Richards, Waddell, Weller, Woodward and Glass, *Speaker*—20.

So the question was determined in the affirmative.

And the bill was

Agreed to.

BILLS PASSED.

On motion of Mr. HUMPHREY, the House proceeded to the consideration of Senate bill No. 1953, an act supplementary to an act to incorporate the Northern railroad and navigation company, approved March, 1867, extending the privileges of said company.

The bill was read and

Agreed to.

The rules were suspended, and the bill

Passed finally.

On motion of Mr. HARBISON, the House proceeded to the consideration of Senate bill No. 1949, an act to repeal an act approved March 22, 1867, entitled A further supplement to an act to regulate the granting of licenses to hotels and eating houses, approved March

31, 1856, so far as the same applies to the county of Lawrence.

The bill was read and

Agreed to, and

Passed finally.

COMMITTEE OF CONFERENCE.

Messrs. WATT, GHEGAN and SUBERS were appointed a committee to confer with a similar committee appointed on the part of the Senate, with reference to the differences existing between the two Houses on House bill No. 1337, an act to vacate part of Buck road, in the Twenty-sixth ward, in the city of Philadelphia.

BILLS PASSED.

On motion of Mr. M'KEE, the House proceeded to the consideration of

Senate bill No. 1753, an act to authorize the sheriff of Allegheny county to tax costs in certain cases.

The bill was read and

Agreed to.

The rules being suspended, the bill was read a second and a third time, and

Passed finally.

On motion of Mr. STUMBAUGH, the House proceeded to the consideration of

Senate bill No. 1942, a supplement to an act authorizing the school directors of Latimore township, Adams county, to levy a tax and issue bonds to pay money raised to pay bounties to volunteers, approved the 11th day of April, A. D. 1867.

The bill was amended by Mr. STUMBAUGH, read and

Agreed to.

The rules were suspended, the bill read a second and third time, and

Passed finally.

On motion of Mr. ROUSH, the House proceeded to the consideration of

Senate bill No. 1649, an act regulating the assessment of city taxes in the city of Pittsburg.

Being objected to by Mr. WILSON, as uncalled for, the bill was

Not agreed to.

APPROPRIATION BILL.

On motion of Mr. WILSON, the House proceeded to reconsider its action on bill No. 828, called the appropriation bill.

Mr. ALLEN. Mr. Speaker, it seems to me that the members of this House, if they were to think one moment before they act, would adopt the report of this committee.

If I am correctly informed, it has reduced the appropriation bill some six hundred thousand or seven hundred thousand dollars.

Gentlemen must remember if they desire to serve their constituents they can best do so by economy. They cannot well serve their constituents if they vote against the report of this committee, because then they oppose retrenchment. That is their position if they vote against the report.

Mr. ARMSTRONG. Mr. Speaker, I voted against the adoption of the report for various reasons; but my principal reason was that the salaries of certain positions were raised. I appreciate, as much as any man on this floor, the motives that actuated the parties having charge of this bill, in reducing the expenses of the Government. No man rejoices more than I at the cutting down of the expenses for the coming year some six hundred or seven hundred thousand dollars. But when the old soldiers are deprived of their small pittance, and every charitable institution in the Commonwealth is cut down or entirely stricken out of the bill, I say it comes with very bad grace to add one penny to the salaries of any man in in the House or about the House. When the committee were reducing the expenses of the Commonwealth, and guarding the treasury, I would have been still better satisfied if they had cut down the pay of the members of this Legislature to seven hundred dollars. I object to unfair discrimination. I feel outraged when I find every charitable institution, and schools of all kinds, cut out of the bill or reduced in their appropriations, while the salaries of certain parties are elevated. I think this is unjust, and for that reason I opposed the bill. We know that the very parties who have succeeded in getting their salaries raised, were very anxious to obtain their positions at the compensation then provided.

I shall vote to recommit this bill, and to strike out of it much more than has been already stricken out.

Mr. QUIGLEY. I move to refer the bill to the conference committee, with instructions that they report the bill this evening.

Mr. MANN. Mr. Speaker, I hope that motion will not carry. In all probability we will not make one step of progress towards agreement. We are probably nearer agreement now than we will be after recommitting the bill. I believe a majority of this House now desire to vote in favor of the report. I hope the House will be permitted to come to a square vote upon the question. Therefore I hope the motion of recommitment will not prevail.

Mr. QUIGLEY. Mr. Speaker, the gentleman from Potter [Mr. MANN] mistakes. This House, but a few moments ago, voted down the report by a large majority. It is evident the report of the committee does not meet their approbation. The committee will now understand in what particular the House desire the bill amended. I have no doubt that if the clause repealing the act granting annuities and gratuities to the old soldiers was stricken out the House would agree to the bill without a dissenting voice. In the first place, the committee had no right to insert in the appropriation bill a subject that was defeated in the House.

Mr. KIMMELL. Mr. Speaker, I would ask the gentleman if the Senate did not insert the repealing clause. If so, why blame the committee?

Mr. QUIGLEY. I am aware that the amendment was inserted in the Sennte. But the bill, with the same provision, was before the House, and was almost unanimously voted down. Therefore, having the temper of the House on this question, they should have carried out the wishes of the House. I have no feeling in this matter, but I must say it is a shameful outrage to reduce the expenses of this Government at the expense of the old soldiers of the war of 1812.

I hope the House will recommit the bill to the conference committee with instructions that that portion be stricken out.

Mr. MEYERS. Mr. Speaker, I apprehend that the only difficulty in the report of this committee is the unjust discrimination between two classes of claims. One is the appropriation to the public schools, which is a charity, or rather an appropriation of such a character that it ought not to be touched carelessly or lightly. The other is the repealing, in effect, in word and letter, the statute which gives to the soldiers of 1812 annuities and gratuities.

While we are thus stickling for retrenchment and reform, we add to this appropriation bill fifteen thousand dollars for increasing the accommodations of the Governor's residence, and fifteen thousand dollars for the Library. Appropriations which were just, meritorious and proper have been stricken out, and others, which had no merit in them, have been placed in the bill.

Last winter, the Legislature passed a law granting bounties and gratuities to the soldiers, by a decided vote. It was alleged by the officers of the Commonwealth that under that law fraud existed, and that by fraud large sums of money were drawn out of the Treasury in an improper way. Now, let me say that, in consultation with the Auditor General on various occasions, he informed me that they had reduced this matter of the payment of pensions and gratuities to the soldiers and widows of the soldiers of 1812 to such a system that it will hereafter be impossible for moneys to be drawn out of the treasury in a fraudulent way. Therefore the amendment against that enactment is highly unjust and improper, because the treasury can protect itself. I have been informed that such steps and measures have been taken that hereafter no claim will be paid until some person, in whom the department has confidence, vouches that the applicant is entitled to the money. Under the belief that money was improperly drawn from the treasury under the provision for the old soldiers, a bill was introduced in the House to repeal that law. It met with very decided condemnation. But we find the Senate not only refused to grand the appropriation under the provisions of the statute, but they went to work and amended that section of the bill by striking out the statue to which it related, which, in my judgment, was improper and unconstitutional. Now, if such is the fact I think we can soon reach an understanding by allowing the bill to go back to the Senate. Let them concur in the action of the House. Let a new committee be appointed in the Senate and a new committee in the House, and have the bill referred to them. Then let the committee strike out the obnoxious part which relates to the law of 1866, giving gratuities and annuities to the soldiers. If that is stricken out I believe this appropriation bill will pass.

Mr. KERNS. Mr. Speaker, I think this House now fully understand the nature of this appropriation bill.

It will be utterly impossible for us to adjourn to-morrow if gentlemen persist debating it before the House. I trust the House will come to an understanding in the matter if they wish to adjourn to-morrow.

On the question,

Will the House recommit the bill to the committee of conference?

The yeas and nays were required by Mr. QUAY and Mr. ADAIRE, and were as follow, viz:

YEAS—Messrs. Adaire, Armstrong, Barrington, Boyd, Boyle, Breen, Brown, Chadwick, Chalfant, Chase, Colville, Davis, Deise, Donohugh, Fogel, Freeborn, Ghegan, Gregory, Harbison, Harner, Headman, Heltzel, Hood, Hunt, Jenks, Jones, Kennedy, Kline, Koon, Linton, M'Camant, M'Henry, M'Pherrin, Meyers, Mullin, Peter, Phelan, Pillow, Quay, Quigley, Rhoads, Roath, Robinson, Roush, Shuman Steacy, Subers, Wallace, Westbrook, Wharton, Wingard and Wright—52.

NAYS—Messrs. Allen, Barton, Cameron, Day, DeHaven, Espy, Ewing, Gallagher, Gordon, Hoffman, Humphrey, Josephs, Kerns, Kimmell, Kinney, Kurtz, Lee, Leech, M'Creary, M'Kee, Maish, Mann, Markley, Mechling, Meily, Pennypacker, Richards, Satterthwait, Seiler, Stehman, Stumbaugh, Watt, Webb, Weller, Wham, Wilson, Woodward and Glass, *Speaker*—38.

So the question was determined in the affirmative,

And the bill was recommitted.

BILLS PASSED.

On motion of Mr. WHARTON, the House proceeded to the consideration of Senate bill No. 1948, an act to incorporate the Keystone elevating and warehousing company.

The bill was read and
Agreed to.
The rules were suspended,
The bill was read a second and third time, and
Passed finally.

On motion of Mr. STUMBAUGH, the House proceeded to the consideration of Senate bill No. 1950, an act to incorporate the Philadelphia iron and steel company.

The bill was read and
Agreed to.
The rules being suspended,
The bill was read a second and a third time, and
Passed finally.

On motion of Mr. COLLINS, the House proceeded to the consideration of Senate bill No. 1952, an act to authorize the Coal Ridge improvement company to sell their bonds on certain terms.

The bill was read and
Agreed to.
The rules being suspended,
The bill was read a second and third time, and
Passed finally.

The House then considered Senate bill No. 1954, a supplement to an act to incorporate the Presbyterian Historical society, approved April 8th, A. D. 1857.

The bill was read and
Agreed to.
The rules being suspended,
The bill was read a second and third time, and
Passed finally.

The House then considered Senate bill No. 1955, an act to authorize the commissioners of Erie county, and the proper officer or officers of municipal or other corporations in said county, and individuals, to contract with the Marine hospital at Erie for the future support and attendance of patients, and to make payment therefor.

The bill was read and
Agreed to.
The rules being suspended,
The bill was read a second and a third time, and
Passed finally.

On motion of Mr. ROUSH, the House proceeded to the consideration of Senate bill No. 1659, an act to enable the Philadelphia and Montana gold and silver mining company to borrow money and to issue bonds.

The bill was read and
Agreed to.
The rules being suspended,
The bill was read a second and a third time, and
Passed finally.

The House then proceeded to the consideration of Senate bill No. 1956, an act to incorporate the Fame mining company.

The bill was read and
Agreed to.
The rules being suspended, the bill was read a second and a third time, and
Passed finally.

REPORT FROM COMMITTEE OF CONFERENCE.

The committee to whom was referred the questions of difference between the Houses in reference to House bill No. 1337, entitled An act to vacate part of Buck road, in the Twenty-sixth ward of the city of Philadelphia, respectfully report that they recommend that the Senate recede from its amendments.

(Signed) WM. M'CANDLESS,
C. M. DONOVAN,
JACOB E. RIDGWAY,
Senate Committee.
GEORGE W. GHEGAN,
W. W. WATT,
JAMES SUBERS,
House Committee.

On motion,
Said report was read a second time, and
Agreed to; and
Ordered, That the Clerk inform the Senate of the same.

BILLS PASSED.

Senate bill No. 1306, an act to incorporate the Ryan and Reading slate company.

Senate bill No. 1001, an act to annex that part of the farm of William Nickle, which is situated in East Mahoning township, Indiana county, to South Mahoning township, in said county.

Senate bill No 1431, an act to authorize and empower William Howe to erect and maintain, on Two Lick creek, in Cherryhill township, Indiana county, at his mill, on said creek, a boom for saw logs.

The House then adjourned until this evening at 7½ o'clock.

EVENING SESSION.

The House met at 7½ o'clock, P. M., pursuant to adjournment.

The SPEAKER announced a quorum of members present.

MESSAGE FROM THE SENATE.

The Clerk of the Senate being introduced, presented the following extract from the Journal:

IN THE SENATE.

Resolved (if the House of Representatives concur), That the ninth joint rule be suspended in relation to the transmission of Senate bill No. 2041, entitled An act to repeal an act to incorporate the Citizens' turnpike and macadamized road company, approved April 10, 1867.

Which was
Agreed to.
The bill was taken up, considered, and
Agreed to.
The rules were suspended, the bill read a third time by its title, and
Passed finally.

Mr. ARMSTRONG. Mr. Speaker, I desire to call up House bill No. 855, an act to enable the prothonotary to collect fees in suits on forfeited recognizances, &c.

The bill was taken up,
And the question being on agreeing to the bill,

Mr. HOOD. Mr. Speaker, I cannot see the necessity of this bill.

Mr. ARMSTRONG. Mr. Speaker, I would just state that there are certain cases in which the sheriff and prothonotary cannot collect fees. I will further state that by some mistake this bill was placed on the public calendar. It was introduced as, and was intended to be, a local bill, but there was a mistake in the title which made it apparently a public bill.

The question being on the bill,
It was
Agreed to.
The rules were suspended,
The bill was read a third time by its title, and
Passed finally.

Mr. MAISH. Mr. Speaker, I ask the unanimous consent of the House to proceed to the consideration of
Senate bill No. 1147, a supplement to an act to incorporate the Pennsylvania Mutual horse, thief detecting and insurance company, approved April 22, 1854.

Consent was given.
The bill taken up, considered and
Agreed to.
The rules were suspended, the bill read a third time by its title, and
Passed finally.

Mr. CHASE. Mr. Speaker, I ask the unanimous consent of the House to proceed to the consideration of
House bill No. 724, an act authorizing the merging or consolidation of oil and other mining companies.

Consent was given.
The bill was taken up, considered and
Agreed to.
The rules were suspended, the bill read a third time by its title, and
Passed finally.

Mr. CAMERON. Mr. Speaker, I ask the unanimous consent of the House to take up
Senate bill No. ——, an act to incorporate the Granby coal company.

Consent was given.
The bill was taken up, considered and
Agreed to.
The rules were suspended, the bill read a third time by its title, and
Passed finally.

Mr. CHALFANT. Mr. Speaker, I rise to a question of privilege. I move that the House reconsider the vote by which it concurred in the Senate amendment to House bill No. 1965, a further supplement to an act incorporating the Wilkesbarre and Pittston railroad company, approved April the 15th, 1859, to increase the capital stock, make branches and hold lands.

The motion was
Agreed to.

Mr. CHALFANT. Mr. Speaker, I move that the House non-concur in the amendment of the Senate.

This bill relates altogether to one one of the counties in my district, and I say, as a matter of courtesy, I, at least, ought to have been consulted in regard to it. It is a private bill that affects my district alone. This is nothing more than any gentleman on this floor would ask if a man should come and run a matter of importance like that over his head without his knowing it.

Mr. STUMBAUGH. Mr. Speaker, this bill originated in the House, and passed the House, and the gentleman from Montour [Mr. CHALFANT] made no objection to it at all. The effect of the non-concurrence in this amendment will be to defeat the bill.

Mr. KOON. Mr. Speaker, I cannot consent to anything that will prejudice the final passage of the bill.

Mr. CHALFANT. Mr. Speaker, I want the House to understand that the gentlemen from Luzerne have taken charge of this thing all through, and they got up and moved that their county be stricken out and my county put in. If they did not want it in their own county, they ought not to attempt to thrust it on a county in my district.

Mr. KOON. Mr. Speaker, this company will certainly go into more counties than one, and because the name of Columbia county is in the bill, I do not know that the gentleman who represents that county has exclusive control of the bill. I understand the Senate has refused to receive any more bills from the House, and to non-concur in this amendment would virtually defeat the bill.

Mr. CHALFANT. Mr. Speaker, why the gentleman from Luzerne [Mr. KOON] should take charge of my district, I cannot understand. This bill affects my county alone, as I understand. If the bill is so fair on its face, why was Luzerne county striken out and Columbia county inserted in its stead? If the bill is so inoffensive why did the gentleman from Luzerne strike out his own county and insert mine?

Mr. MEYERS. Mr. Speaker, as it is probable that the Senate will not act upon it if we non-concur in this amendment, the effect will be to defeat the bill. Now, if the Senate amendment is not proper, so far as it relates to the gentleman from Montour [Mr. CHALFANT], and the House is satisfied that

such is the case, then they should non-concur, and throw the responsibility on the Senate. But let us not shrink a duty, and non-concur in an amendment which we believe to be just.

Mr. CHALFANT. Mr. Speaker, I want the House to understand that I have no desire to kill the bill. The Senator from Luzerne told me a few moments ago that if I could get a committee of conference appointed that the amendment could be stricken out and the bill would pass. But I have no desire that the gentlemen should come on this floor and run a snake right through without giving me any information, as I take this to be. I do not ask any indulgence of the House, but in this case I think they will see the fairness I ask.

The question being on concurring in the amendment of the Senate,

It was

Not agreed to.

Mr. CHALFANT. Mr. Speaker, I move that a committee of conference be appointed.

The motion was

Agreed to.

Mr. LEE. Mr. Speaker, I ask the unanimous consent of the House to proceed to the consideration of House bill No. 2186, an act requiring the North Pennsylvania railroad company and the Southwark railroad company to appoint a watchman on the crossing at Berks and America stations.

Consent was given.

The bill was taken up, considered and

Agreed to.

The rules were suspended,

The bill read a third time by its title, and

Passed finally.

Mr. ROUSH. Mr. Speaker, I ask the unanimous consent of the House to proceed to the consideration of Senate bill No. 1167, a further supplement to an act relating to corporations for mechanical, manufacturing, mining and quarrying purposes, approved the 18th day of July, A. D. 1853, authorizing companies to sell and lease real estate and to issue coupon bonds.

The bill was taken up, considered and

Agreed to.

The rules were suspended,

The bill read a third time by its title, and

Passed finally.

Mr. EWING. Mr. Speaker, I move that the Committee of General Judiciary be discharged from the further consideration of Senate bill No. 207, a supplement to the act of 15th March, 1832, entitled An act relating to registers and registers' courts.

The motion was

Agreed to.

The bill was taken up, considered and

Agreed to.

The rules were suspended, the bill read a third time by its title, and

Passed finally.

Mr. HOFFMAN. Mr. Speaker, I ask the unanimous consent of the House to take up Senate bill No. 686, joint resolution relative to the purchase of a railroad map to accompany the Auditor General's report.

Objection was made.

Mr. MANN. Mr. Speaker, I ask the unanimous consent of the House to take up Senate bill No. 616, an act to confer upon the courts of quarter sessions of this Commonwealth power to annex the land, or parts thereof, of persons resident in one district to another district for school purposes.

Consent was given.

The bill was taken up, considered and

Agreed to.

The rules were suspended, the bill read a third time by its title, and

Passed finally.

Mr. ADAIRE. Mr. Speaker I ask the unanimous consent of the House to proceed to the consideration of Senate bill No. 1947, an act to prevent the fraudulent voting of stock in oil and mining companies of this Commonwealth.

Consent was given,

The bill was taken up considered and

Agreed to.

The rules were suspended,

The bill read a third time by its title, and

Passed finally.

Mr. GREGORY. Mr. Speaker, I ask the unanimous consent of the House to proceed to the consideration of Senate bill No. 686, joint resolution relative to the purchase of a railroad map to accompany the Auditor General's report.

Consent was given,

The bill was taken up, considered and

Agreed to.

The rules were suspended,

The bill read a third time by its title, and

Passed finally.

Mr. CHASE. Mr. Speaker, I ask the unanimous consent of the House to proceed to the consideration of Senate bill No. 757, an act to authorize the appointment of phonographic reporters for the several courts of common pleas of this Commonwealth.

Consent was given,

The bill was taken up, considered and

Agreed to.

The rules were suspended,

The bill read a third time by its title, and

Passed finally.

Mr. PHELAN. Mr. Speaker, I ask the unanimous consent of the House to proceed to the consideration of Senate bill No. 1473, a supplement to an act approved the 17th day of April, 1866, authorizing the courts to fix and change the places for holding general elections in certain cases.

Consent was given.

The bill was taken up, considered and

Agreed to.

The rules were suspended, the bill read a third time by its title, and

Passed finally.

Mr. M'CREARY. Mr. Speaker, I move that the Committee on Banks be discharged from the further consideration of Senate bill No. 1248, a supplement to the act entitled An act regulating banks, approved April 16th, 1850.

The motion was

Agreed to.

The bill was taken up, considered and

Agreed to.

The rules were suspended, the bill read a third time by its title, and

Passed finally.

MESSAGE FROM THE SENATE.

The Clerk of the Senate being introduced, returned bills from the House of Representatives numbered and entitled as follows, viz:

No. 656, an act to authorize the guardians of the minor children of Michael Freck, late of Snyder county, deceased, to make certain improvements on the real estate of said minors.

No. 2185, an act authorizing the Auditor General to examine the claim of Colonel C. W. Burton, and directing the State Treasurer to pay the same if found to be correct.

No. 1781, an act for the establishment of a public law library in the county of Warren.

No. 1907, an act to reduce the price of licenses to hucksters in Greene county.

No. 1871, a supplement to the act to legalize the levy and collection of certain bounty tax, to provide for a settlement, and authorize the school directors to lay an additional bounty tax in Lykens township, in the county of Dauphin, approved March 5th, A. D. 1867.

No. 1873, an act to repeal an act changing the citizenship of Jacob Bohner from Lykens to Mifflin township, Dauphin county, approved 16th of April, 1866.

No. 1906, an act to change the time of holding the several courts of Greene county.

No. 1901, an act relative to the dockets of C. M. Boush, a justice of the peace in the city of Meadville.

No. 1839, an act to authorize an increase of taxes for borough purposes in the borough of Temperanceville, in the county of Allegheny.

No. 1415, an act authorizing the reduction of the capital stock of oil companies and the equalizing of the taxes relative thereto.

No. 1229, an act to repeal an act to view and lay out a State road in the counties of Clarion and Forest, approved the 18th day of March, A. D. 1863.

No. 591, an act to annul the marriage contract between James Dewey and his wife.

No. 1669, an act authorizing the appointment of commissioners to run the boundary line between the counties of Lycoming, Union and Clinton, and to fix and determine the same.

No. 1891, an act to incorporate the Gallitzin and Cambria Mills turnpike road company.

No. 1892, an act to incorporate the Johnstown and Hingston's Run turnpike road company.

No. 1866, an act to legalize the action of the school directors of Springhill township, Fayette county, and to authorize the levy and collection of an additional tax.

No. 1935, an act authorizing the burgess and town council of Oil City to levy a tax for borough purposes.

No 1886, an act relating to the erection of school buildings in the borough of Covington, Tioga county, authorizing the school directors to borrow money.

No. 1727, an act to annex the farm or farms of John M'Quiston, S. L. M'Quiston, T. M. M'Quiston and Daniel M'Quiston, of East Fallowfield township, to West Fallowfield township, Crawford county, for school purposes.

No. 1928, an act to incorporate the Oil City passenger railway company.

No. 1695, an act to incorporate the Kittanning, Rural Valley and Reynoldsville railroad company.

No. 1862, a supplement to an act to establish a ferry over the Susquehanna river at Millersburg, approved March 21st, 1866.

No. 1900, an act to authorize the burgess and town council of the borough of Cochrantown, in the county of Crawford, to levy and collect additional tax.

No. 1832, an act to increase the pay of supervisors of roads, overseers of the poor and township auditors of the county of Carbon.

No. 1898, an act relating to the surplus bounty fund in Vernon township, Crawford county.

No. 1899, an act relating to the surplus bounty fund in the township of East Fallowfield, in the county of Crawford.

No. 1782, an act in relation to the fees of notaries public in the counties of Montour and Columbia.

No. 2148, an act authorizing the trustees of the Willestown Baptist church, of Chester county, to remove bodies from their burial ground and reinter the same.

No. 1938, an act to extend the provisions of an act relative to the mechanics' liens in the counties of Luzerne and Schuylkill, approved 17th of February, 1858, to the county of Forest.

No. 1937, a supplement to an act authorizing the burgess and town council of Venango City, Venango county, to increase their borough tax.

No. 1780, an act regulating the compensa

tion of assessors and assistant assessors in the county of Allegheny.

No. 1777, a supplement to an act for the summary conviction of professional thieves in the city of Philadelphia.

No. 1774, an act authorizing the Governor to appoint an additional notary public for the city of Philadelphia, and one in each of certain counties of the Commonwealth.

No. 1769, a further supplement to the act of General Assembly incorporating the city of Chester, in the county of Delaware, and to enable the councils to levy an additional tax.

No. 2149, an act to incorporate the Rush Valley Co-operative association of Allegheny county.

No. 1917, an act providing for the relief of John Sensenbach by the commissioners of Northampton county.

No. 2009, an act to grade and pave certain streets in Hummelstown, Dauphin county.

No. 1887, an act relating to bounties in Concord township, Erie county.

No. 1885, an act to incorporate the Frankford Co-operative Benefit society.

No. 1893, an act to incorporate the Humboldt gold and silver mining company of Nevada.

No. 1880, an act to incorporate the Montana and Pittsburg gold and siver mining company.

No. 1894, an act to incorporate the Allegheny gold and silver mining company of Idaho.

No. 2048, a further supplement to an act to incorporate the Jones ferry company, approved the 14th day of March, A. D. 1865.

No. 1980, an act to prohibit the erection of ferries within two miles of the Milton bridge, in the county of Northumberland.

No. 1905, a further supplement to an act entitled A supplement to the act incorporating the National Armor company of Chester, in the county of Delaware, approved March 21st, 1865, to enable said company to construct a railroad from their works to the Philadelphia, Wilmington and Baltimore railroad.

No. 1294, an act for the protection of sheep and the taxing of dogs in the county of Westmoreland.

No. 2058, an act for the preservation of fish in Stirling township, Wayne county, and Green township, Pike county.

No. 2055, a further supplement to an act authorizing the Governor to incorporate the Philadelphia and West Chester turnpike road company, approved the 20th day of March, A. D. 1848, to enable said company to issue bonds.

No. 1975, an act relative to foot, walks in Oakland township, in the county of Allegheny.

No. 2096, an act to authorize the burgess and town council of the borough of Duquesne to borrow money and issue bonds for the improvement of certain streets in said borough.

No. 2146, an act to incorporate the Harleysville and Lederachville turnpike road company.

No. 1949, act to prohibit the issuing of licenses within two miles of the normal school, at Mansfield, Tioga county.

No. 1677, an act for the relief of Kenedy Montgomery, a soldier of the war of 1812.

No. 1915, an act to incorporate the Norristown and Centre Square turnpike road company.

No. 2144, an act to exempt money loaned to the Reading school district from taxation.

No. 1889, a further supplement to the act to incorporate the South Mountain railroad company, approved May 5th, 1864, repealing the proviso of the fourth section of the supplement to said act, approved March 9, 1855.

No. 1883, a supplement to an act to incorporate the Turners' association, approved April 13th, A. D. 1859, and authorizing said corporation to hold real estate and issue bonds.

No. 1851, an act to incorporate the Kelso mining company.

No. 1846, an act to incorporate the Edge Hill iron company.

No. 1765, an act to incorporate the Potomac gold and silver mining company of Maryland.

No. 1500, an act to incorporate the Monocacy iron and steel company.

No. 1852, an act to incorporate the Indemnity gold mining company of Colorado.

No. 1857, an act to incorporate the Great Western gold and silver mining company.

No. 1856, an act to incorporate the Legal Tender gold and silver mining company.

No. 2136, supplement to an act to incorporate the Mechanics' and Miners' Co-operative association of Scranton, approved 14th day of February, A. D. 1867.

No. 2061, an act to incorporate the Centre gold and silver mining company of Nevada.

No. 2031, an act to incorporate the Farmers' Mutual life insurance and trust company of the township of Upper Augusta.

No. 1964, an act to incorporate the Philadelphia wooden ware manufacturing company.

No. 1926, an act to incorporate the Franklin publishing society of Pennsylvania.

No. 1925, an act to incorporate the Pennsylvania Nicholson pavement company.

No. 1922, an act to incorporate the Philadelphia Paper Hangings manufacturing company.

No. 1919, a supplement to an act providing for the purchase, erection and construction of public water works for the borough of Easton, Northampton county, by the corporate authorities of said borough.

No. 1913, an act to incorporate the Success mining company.

No. 1908, an act to incorporate the General Eldership of the Church of God in North America.

No. 1903, a supplement to the act to incorporate Cumberland Valley Mutual protection company of Dickinson township, Cumberland county.

No. 2190, an act to perfect the title of Reuben Watt to certain lands in South Beaver township, Beaver county.

No. 2130, a further supplement to an act to provide for the erection of a house for the employment and support of the poor in the county of Dauphin, passed the 28th day of March, 1806.

No. 1936, an act authorizing the overseers of the poor of Franklin borough to levy a tax on occupations, money at interest, et cetera.

No. 1932, an act to repeal an act entitled An act to secure a stricter accountability of certain public officers in Schuylkill county, approved February 17th, A. D. 1859, so far as relates to the township of Eldred, in said county.

No. 2199, an act to authorize and require the supervisors of Armagh township, in the county of Mifflin, to levy and collect a tax for the purpose of securing the right of way to the Mifflin and Centre County railroad company through said township.

No. 1916, an act erecting the Fourth ward of the borough of Easton, in the county of Northampton.

No. 1897, a supplement to an act to incorporate the city of Meadville, approved the 15th day of February, A. D. 1866.

No. 1890, an act supplementary to an act revising the charter of the municipal corporation of the city of Reading, passed April 26th, 1864, extending the limits of the same.

No. 2059, an act authorizing the burgess and town council of the borough of Latrobe, in Westmoreland county, to borrow money and levy a special tax for borough purposes.

No. 2050, an act relating to hawking and peddling in the county of Armstrong.

No. 2001, an act for the better protection of livery stable men in Schuylkill county.

No. 1933, an act supplementary to an act to incorporate the town of Pine Grove, in the county of Schuylkill, into a borough, approved the 27th day of May, A. D. 1852.

No. 1973, a supplement to an act entitled An act to incorporate the village of Saint Clair, in the county of Schuylkill, into a borough to be called Saint Clair, approved the 6th day of April, Anno Domini 1850.

No. 247, an act for the relief of wives and children deserted by their husbands and fathers within this Commonwealth.

No. 892, an act to provide for the payment of costs in the removal of paupers in certain cases.

No. 2002, an act relative to a special bounty tax in and for the township of Guilford, in the county of Franklin.

No. 235, an act to authorize the completion of the military history of the Pennsylvania volunteers.

No. 1710, a further supplement to an act to authorize the Governor to incorporate the West Chester and Philadelphia railroad company, approved April 11th, A. D. 1848.

No. 1648, an act to annul the marriage contract between James Edwards and Elizabeth Edwards, his wife.

No. 1773, an act to incorporate the Dime Savings Institution of Ashland.

No. 1204, an act to incorporate the Hamilton iron and coal company.

No. 1121, an act requiring the Auditor General to open the account of E. O. Goodrich, late prothonotary of Bradford county, for settlement.

No. 1895, an act to exempt from taxation money loaned to the school district of the borough of Punxatawny.

No. 826, an act to incorporate the Resource domestic company.

No. 1849, a supplement to an act to incorporate the Glen Alden coal company, approved the 12th day of April, A. D. 1860.

No. 1324, an act to incorporate the American iron and coal company.

No. 2062, an act to authorize the school directors of Fayette borough, Fayette county, to borrow money for the erection of a school house, and to issue bonds therefor.

No. 1967, an act to annex the farm of Joseph Houck, in Upper Mount Bethel township, Northampton county, to the Centreville independent school district, for school purposes.

No. 2063, a further supplement to the act incorporating the city of Harrisburg, and relating to the election of school directors therein.

No. 2052, an act to annex the farm of Thomas M'Cord, of Bratton township, Mifflin county, to the township of Granville, in said county, for school purposes.

With information that the Senate has passed the same without amendments.

He also returned bill from the House of Representatives No. 784, entitled An act to protect game and fish in Luzerne county.

With information that the Senate has passed the same with amendments, in which the concurrence of the House of Representatives is requested.

The amendments made by the Senate to said bill were twice read, considered and concurred in; and

Ordered, That the Clerk inform the Senate of the same.

In pursuance of the suspension of the ninth joint rule, he also presented for con-

currence Senate bill No. 2041, entitled An act to repeal an act to incorporate the Citizens' turnpike and macadamized road company, approved April 10, 1867;

Which was read and

Laid on the table.

He also returned bills from the House of Representatives numbered and entitled as follows, viz:

No. 377, an act authorizing courts to receive certified copies of military records in evidence.

No. 829, joint resolution authorizing the Governor to appoint a commissioner to inquire into the various systems of prison discipline.

No. 1926, an act to incorporate the North Mountain coal company,

With information that the Senate has passed the same without amendment.

He also informed that the Senate has insisted upon its amendments made and nonconcurred in by the House of Representatives to House bill numbered and entitled as follow, viz:

No. 1965, a further supplement to an act incorporating the Wilkesbarre and Pittston railroad company, approved April 15th, 1859, to increase the capital stock, make branches, and hold lands,

And has appointed Messrs. WALLACE, SHOEMAKER and COWLES a committee of conference on the part of the Senate, to confer with a similar committee already appointed by the House of Representatives, on the subject of the differences existing between the two Houses in relation to said bill.

He also informed that the Senate has adopted the report of the committee of conference, on the subject of the differences existing between the two Houses in relation to the amendments to House bill numbered and entitled as follows, viz:

No. 1965, a further supplement to an act incorporating the Wilkesbarre and Pittston railroad company, approved April 15th, 1859, to increase the capital stock, make branches, and hold lands.

REPORT FROM COMMITTEE.

Mr. WADDELL. Mr. Speaker, the report of the committee of conference on the general appropriation bill was referred back to the committee this afternoon. I have made inquiry of the Speaker of the Senate, and have learned from him that there is no Senate committee for us to meet with. I do not know what else I can do but to report the bill back as it was referred, which I therefore do.

The question being on agreeing to the report of the committee,

The yeas and nays were required by Mr. GREGORY and Mr. QUAY, and were as follow, viz:

YEAS—Messrs. Adaire, Armstrong, Barton, Calvin, Cameron, Chadwick, Craig, Davis, Day, DeHaven, Espy, Ewing, Gallagher, Ghegan, Gordon, Harbison, Harner, Hoffman, Humphrey, Hunt, Josephs, Kennedy, Kerns, Kimmell, Kinney, Koon, Kurtz, Lee, Leech, Long, M'Camant, M'Creary, M'Henry, M'Pherrin, Maish, Mann, Mechling, Meily, Mullin, Pennypacker, Rhoads, Richards, Roath, Roush, Satterthwait, Seiler, Stacy, Stehman, Stumbaugh, Tharp, Watt, Webb, Weller, Westbrook, Wham, Wilson, Wingard, Woodward and Glass, *Speaker*—59.

NAYS—Messrs. Barrington, Boyd, Boyle, Breen, Brown, Chalfant, Chase, Collins, Colville, Deise, Donchugh, Fogel, Freeborn, Gregory, Headman, Helizel, Hood, Jones, Kline, Linton, Markley, Marks, Meyers, Phelan, Quay Quigley, Subers, Wallace, Wharton, Worrall and Wright—31.

So the question was determined in the affirmative.

REASONS FOR VOTE.

Our reasons for voting aye upon agreeing to the report of the conference committee are chiefly to avoid an extra session of the Legislature, and not that we agree to the bill. We have steadfastly voted against the objectionable sections in committee of the whole upon the appropriation bill, as the yeas and nays will show in the *Record*, and also voted against the first proposition to agree to the committee of conference. We deem the present appropriation bill very objectionable, as it raises the pay of the employees of both Houses; it strikes out the soldiers of 1812, and continues the State agency at Washington, against which, in voting aye, we here enter our protest, as among some of the objectionable features of this bill, and only constrained to vote aye in order to prevent the expense of an extra session of the Legislature.

F. KURTZ,
ALLEN CRAIG,
LEVI MAISH.

We voted finally for the general appropriation bill to avoid the necessity of an extra session, with the objectionable feature depriving the soldiers of 1812 of their pittance, which we vigorously opposed when it was up as a separate measure. Sundry extravagant appropriations remain, against which we protest.

(Signed) D. S. KOON.
JAMES M'HENRY.

The bill as adopted was read as follows, viz:

AN ACT to provide for the ordinary expenses of the Government, and other general and specific appropriations.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the following sums be, and the same are hereby, specifically appropriated to the several objects hereinafter named, for the year commencing on the first day of June, Anno Domini one thousand eight hundred and sixty-seven, to be paid out of any money in the treasury not otherwise appropriated.

SEC. 2. For the salary of the Governor of the Commonwealth, five thousand dollars for the year commencing June first, one thousand eight hundred and sixty-seven, and the further sum of four hundred dollars, for the proportion of the year prior to June first, one thousand eight hundred and sixty-seven.

For the salary of the Secretary of the Commonwealth, three thousand five hundred dollars for the year commencing June first, one thousand eight hundred and sixty-seven, and the further sum of six hundred dollars for the proportion of the year prior to June first, one thousand eight hundred and sixty-seven.

For the salary of the Deputy Secretary of the Commonwealth, two thousand two hundred and fifty dollars, to be computed from June first, one thousand eight hundred and sixty-six.

For the salary of the Auditor General, two thousand dollars, and a further sum of three hundred dollars, out of the surplus fund in the treasury on the thirteenth day of November, one thousand eight hundred and sixty-six, from receipts under the free banking system, after paying expenses thereof, for his services in connection with said system.

For the salary of the Surveyor General, one thousand six hundred dollars, and for the present Surveyor General, the further sum of five hundred dollars, for his services in the sale of the agricultural college land scrip, under the act of April eleventh, one thousand eight hundred and sixty-six.

For the salary of the Attorney General, three thousand five hundred dollars.

For the salary of the Adjutant General, three thousand dollars, in full for all services as Adjutant General and member of the board of claims.

For the salary of the State Treasurer, one thousand seven hundred dollars.

For the salary of the Superintendent of Common Schools, one thousand eight hundred dollars.

For the salary of the State Librarian, one thousand dollars.

For the salary of the Superintendent of Public Printing, eight hundred dollars, and for office rent, ninety dollars, or so much thereof as may be expended therefor.

SEC. 3. For the salary of the private secretary of the Governor, two thousand dollars, and for the salary of a temporary clerk, at the rate of one hundred and twenty-five dollars per month, so long as employed by the Governor.

For messenger in the executive department, nine hundred dollars, to be computed from the first day of June, one thousand eight hundred and sixty-six.

For postage, telegrams, stationery and other incidental expenses, the sum of seven hundred dollars, or so much thereof as may be necessary.

SEC. 4. For the salary of the chief clerk in the office of the Secretary of the Commonwealth, one thousand six hundred dollars, and the further sum of two hundred dollars, to be computed from the fifteenth day of January, one thousand eight hundred and sixty-seven.

For the salary of the military clerk, one thousand two hundred dollars, and the further sum of two hundred dollars, to be computed from the first day of June, one thousand eight hundred sixty-six.

For the salary of the commission clerk, one thousand two hundred dollars, and the further sum of two hundred dollars, to be computed from the first day of June, Anno Domini one thousand eight hundred and sixty-six.

For the salary of the first transcribing clerk, one thousand two hundred dollars, and the further sum of two hundred dollars, to be computed from the first day of June, Anno Domini one thousand eight hundred and sixty-six.

For the salary of the second transcribing clerk, twelve hundred dollars, and the further sum of two hundred dollars, to be computed from the first day of June, Anno Domini one thousand eight hundred and sixty-six.

For the salary of the third transcribing clerk, twelve hundred dollars, and the further sum of two hundred dollars, to be computed from the first day of June, Anno Domini one thousand eight hundred and sixty-six.

For the salary of two additional clerks, each the sum of twelve hundred dollars, and the further sum of two hundred dollars each, to be computed from the first day of June, Anno Domini one thousand eight hundred and sixty-six.

The further sum of two hundred dollars, in this section appropriated to each of the several clerks in the State Department, shall be apportioned between the retiring and present clerk, and paid to each, according to the time of their respective service during the year.

For the salary of the messenger in the State Department, nine hundred dollars.

For postage, telegrams, freight and express charges in the State Department, fifteen hundred dollars, or so much thereof as may be necessary.

For blank books, one hundred and fifty dollars, or so much thereof as may be necessary.

For stationery, nine hundred dollars, or so

Daily Legislative Record.

FOR THE SESSION OF 1867.

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[CONTINUED FROM PAGE 1112.]

much thereof as may be necessary, to be computed from the first day of June, one thousand eight hundred and sixty-six.

For fuel and lights, one hundred and fifty dollars, or so much thereof as may be necessary.

For cleaning of offices, one hundred and twenty-five dollars, or so much thereof as may be necessary.

For miscellaneous expenses, three hundred dollars, or so much thereof as may be necessary.

SEC. 5. For the salary of the chief clerk in the Auditor General's office, one thousand seven hundred dollars, and the further sum of one hundred dollars, to be computed from the first of June, Anno Domini one thousand eight hundred and sixty-six.

For the salary of the clerk in the banking department, one thousand four hundred dollars, and the further sum of one hundred dollars, to be computed from the first of June, Anno Domini one thousand eight hundred and sixty-six.

For the salary of the clerk in the department for settling accounts of county treasurers, prothonotaries, registers, recorders, clerks of the courts, et cetera, one thousand three hundred dollars, and the further sum of two hundred dollars, to be computed from the first day of June, one thousand eight hundred and sixty-six.

For the salary of the clerk for settling the accounts of corporations and in charge of the business with foreign insurance companies, reports of railroads and manufacturing companies, et cetera, one thousand three hundred dollars, and the further sum of one hundred dollars, to be computed from the first day of June, one thousand eight hundred and sixty-six.

For the salary of an assistant clerk in charge of accounts of corporations, thirteen hundred dollars, and the further sum of two hundred dollars, for services at the military desk, to be computed from the first of June, one thousand eight hundred and sixty-six.

For the salary of warrant and bonus clerk, one thousand three hundred dollars, and the further sum of one hundred dollars, to be computed from the first day of June, one thousand eight hundred and sixty-six.

For the salary of registering and copying clerk, one thousand two hundred dollars, and the further sum of one hundred dollars, to be computed from the first day of June, one thousand eight hundred and sixty-six.

For the salary of the clerk in charge of papers relating to the public improvements formerly owned by the State, for settling accounts of military disbursing officers, and assisting chief corporation and warrant clerks, one thousand three hundred dollars, and the further sum of one hundred dollars, to be computed from the first day of June, Anno Domini one thousand eight hundred and sixty-six.

For salary of clerk for copying accounts, appeals, correspondence, reports, et cetera, twelve hundred dollars, and the further sum of two hundred dollars, to be computed from the first day of June, Anno Domini one thousand eight hundred and sixty-six.

For the military claims and warrant clerk in the Auditor General's office, the sum of twelve hundred dollars, and the further sum of one hundred dollars, to be computed from the first day of June, Anno Domini one thousand eight hundred and sixty-six.

For salary of messenger, nine hundred dollars, to be computed from the first day of June, one thousand eight hundred and sixty-six.

For salary of a night watchman, eight hundred dollars, and the further sum of eight hundred dollars, for the services of such officer, from the first day of June, one thousand eight hundred and sixty-six.

For postage and telegrams, seven hundred and fifty dollars, or so much thereof as may be necessary.

For stationery, five hundred dollars, or so much thereof as may be necessary,

For fuel, one hundred and fifty dollars, or so much thereof as may be necessary.

For miscellaneous expenses of the office, two hundred dollars, or so much thereof as may be necessary.

SEC. 6. For the salary of eight clerks in the Surveyor General's office, the sum of one thousand four hundred dollars each.

For the salary of the chief clerk in the Surveyor General's office, the sum of one thousand eight hundred dollars.

For the salary of the temporary clerks, the sum of one hundred dollars per month to each clerk, and the number and time for which they are employed shall be subject to the approval of the Governor, and the additional sum of two hundred dollars each, to be computed from the first day of June, one thousand eight hundred and sixty-six.

For the salary of messenger, nine hundred dollars, to be computed from the first day of June, one thousand eight hundred and sixty-six.

For postage in the office of the Surveyor General, four hundred dollars, or so much thereof as may be necessary.

For stationery, five hundred dollars, or so much thereof as may be necessary.

For cleaning office and miscellaneous expenses, one hundred and fifty dollars, or so much thereof as may be necessary.

For fuel, one hundred and fifty dollars, or so much thereof as may be necessary.

SEC. 7. For the salary of the clerk in the office of the Attorney General, fifteen hundred dollars.

For the contingent expenses in the Attorney General's office, seven hundred dollars, or so much thereof as may be necessary.

SEC. 8. For the salary of the chief clerk in the office of the State Treasurer, one thousand eight hundred dollars, and the further sum of one hundred dollars, to be computed from the first day of May, Anno Domini one thousand eight hundred and sixty-six.

For the salary of the book-keeper, one thousand three hundred dollars, and the further sum of one hundred dollars, to be computed from the first day of May, Anno Domini one thousand eight hundred and sixty-six.

For the salary of the account clerk, one thousand three hundred dollars, and the further sum of one hundred dollars, to be computed from the first day of May, Anno Domini one thousand eight hundred and sixty-six.

For the salary of the recording clerk, one thousand two hundred dollars, and the further sum of one hundred dollars, to be computed from the first day of May, Anno Domini one thousand eight hundred and sixty-six.

For the salary of the clerk in charge of accounts of corporations, fourteen hundred dollars, to commence from the first day of September, Anno Domini one thousand eight hundred and sixty-six.

For the salary of the messenger of the treasury department, nine hundred dollars, to be computed from the first day of June, one thousand eight hundred and sixty-six.

For the salary of a night watchman of the treasury department, eight hundred dollars, and the further sum of eight hundred dollars, for the services of such officer, from the first day of June, one thousand eight hundred and sixty-six, or so much thereof as may be necessary.

For postage and telegrams in the treasury department, four hundred dollars, or so much thereof as may be necessary.

For stationery and blank books, three hundred dollars, or so much thereof as may be necessary.

For express charges, one hundred dollars, or so much thereof as may be necessary.

For fuel and light, seventy-five dollars, or so much thereof as may be necessary.

For miscellaneous expenses, one hundred and seventy-five dollars, or so much thereof as may be necessary.

SEC. 9. That the State Treasurer is hereby required to pay to each of the commissioners of the sinking fund the sum of three hundred dollars, and they are hereby authorized and required to impose the duties of clerk to said commissioners upon one of the clerks of the treasurer's department, at an increased salary not exceeding four hundred dollars per annum.

SEC. 10. For the salary of the Assistant Adjutant General, including pay and allowances of captain of infantry, as per State militia law, seventeen hundred and ten dollars.

For the salary of the chief clerk, the sum of one thousand three hundred dollars.

For the salary of the pay department clerk, the sum of twelve hundred dollars.

For the salary of the register and recording clerk, twelve hundred dollars.

For the salary of the Superintendent of the State Arsenal, one thousand dollars.

For the salary of the messenger, the sum of nine hundred dollars, to be computed from the first day of June, one thousand eight hundred and sixty-six.

For postage, telegrams and express charges, the sum of six hundred dollars, or so much thereof as may be necessary.

For blank books, the sum of one hundred and fifty dollars, or so much thereof as may be necessary.

For stationery, the sum of six hundred and fifty dollars, or so much thereof as may be necessary.

For lights, the sum of fifty dollars, or so much thereof as may be necessary.

For cleaning office and ordinary repairs, the sum of one hundred and fifty dollars, or so much thereof as may be necessary.

For miscellaneous expenses, the sum of one hundred dollars, or so much thereof as may be necessary.

For disbursements as ex-officio Paymaster General of the State, the sum of fifteen thousand dollars, or so much thereof as may be necessary.

SEC. 11. For the cost of transportation of the Transportation Department, the sum of five thousand dollars, or so much thereof as may be necessary, to be settled by the Auditor General in the usual manner; and the Chief of Transportation is authorized to pay, out of said sum, the expense of disinterring and carrying to the place of burial the bodies of deceased soldiers of Pennsylvania, transportation, when it has not been furnished by the State, to be computed at the rate of two cents per circular mile, and in no case shall a sum greater than twenty dollars be paid as the expense of disinterring; and also pay, out of said sum, for the salary of of the Chief of the Transportation Department up to the first day of December next, the sum of one thousand dollars; for the salary of the clerk of said Department, up to the same point of time, the sum of seven hundred dollars; for the messenger, one hundred and fifty dollars, and for postage, stationery, fuel and incidental expenses, one hundred and fifty dollars, or so much thereof as may be necessary.

On the first day of December, eighteen hundred and sixty-seven, the duties of the Transportation Department shall devolve on the Adjutant General, who shall then receive from the Chief of said Transportation Department all books, accounts and property of the State.

SEC. 12. For the payment of pensions and gratuities, the sum of seven thousand dollars, and such further sums as may be necessary to pay to the widows and children of deceased soldiers such sum or sums as they may be entitled to receive according to law. And the act entitled An act to provide for the payment of gratuities and annuities to the soldiers of the war of one thousand eight hundred and twelve, and to their widows, approved the thirtieth day of March, one thousand eight hundred and sixty-six, be, and the same is, hereby repealed.

SEC. 13. For the salary of the Deputy Superintendent of Common Schools, one thousand six hundred dollars.

For the salary of the warrant clerk in the School Department, twelve hundred dollars, and the further sum of two hundred dollars, to be computed from the first day of June, Anno Domini one thousand eight hundred and sixty-six.

For the salary of the report clerk, twelve hundred dollars, and the further sum of two hundred dollars, to be computed from the first day of June, Anno Domini one thousand eight hundred and sixty-six.

For the salary of the letter clerk, twelve hundred dollars, and the further sum of two hundred dollars, to be computed from the first day of June, Anno Domini one thousand eight hundred and sixty-six.

For engraving and printing warrants, two hundred and seventy-five dollars, or so much thereof as may be necessary.

For repairing and furnishing the room of the School Department, two thousand dollars, or so much thereof as may be necessary, inclusive of the sum appropriated for the same purpose, in the general appropriation act passed at the session of one thousand eight hundred and sixty-six.

For the salary of the messenger, nine hundred dollars, to be computed from the first day of June, one thousand eight hundred and sixty-six.

For stationery and blank books in the School Department, three hundred dollars, or so much thereof as may be necessary.

For postage, telegrams and express expenses, one thousand dollars, or so much thereof as may be necessary.

For cleaning office and miscellaneous expenses of the School Department, three hundred dollars, or so much thereof as may be necessary.

For expenses in packing and distributing blank forms, reports, school laws and decisions, to the school directors of the State, six hundred dollars, or so much thereof as may be necessary.

For publishing and circulating among the school officers of the State the official decisions and instructions of the Department, two thousand dollars, or so much thereof as may be necessary.

For traveling expenses on official business of the department, five hundred dollars, or so much thereof as may be necessary.

SEC. 14. For the education and maintenance of the destitute orphans of the deceased soldiers and sailors of the State from the first day of January, one thousand eight hundred and sixty-seven, till the first day of June, one thousand eight hundred and sixty-eight, the following sums annually, or so much thereof as may be necessary, to be drawn and accounted for, as provided by the act entitled An act to provide for the continuance of the education and maintenance of the destitute orphans of the deceased soldiers and sailors of the State, passed at this current session of the Legislature: *Provided*, That the gross expenditures hereinafter provided shall not exceed the sum of three hundred and fifty thousand dollars annually:

For the education and maintenance, including clothing of each orphan of less than ten years of age, admitted into such orphan homes as receive now, or have received appropriations from the State, the sum of one hundred and five dollars, or so much thereof as may be necessary.

For the education and maintenance, including clothing of each orphan of less than ten years of age, admitted into such orphan homes or institutions as have received no appropriation from the State, the sum of one hundred and twenty-five dollars, or so much thereof as may be necessary.

For the education and maintenance of each orphan between the ages of ten and sixteen years, admitted into such institutions as may be selected for them by the proper authorities, and which have received no appropriations from the State, the sum of one hundred and forty dollars, and the further sum of twenty-five dollars for clothing each of said orphans, or so much thereof as in either case may be necessary: *Provided*, That the rates hereby established shall take effect on and after the first day of June, Anno Domini one thousand eight hundred and sixty-seven.

For the salary of the superintendent of soldiers' orphans, eighteen hundred dollars.

For the salary of the office clerk, twelve hundred dollars.

For the salary of the inspector or examiner of soldiers' orphan schools, fifteen hundred dollars.

For the salary of the female assistant inspector and examiner, the sum of one thousand dollars.

For postage and telegrams, three hundred dollars, or so much thereof as may be necessary.

For stationery and blank books, one hundred and fifty dollars, or so much as may be necessary.

For printing, five hundred dollars, or so much thereof as may be necessary.

For advertising, four hundred dollars, or so much thereof as may be necessary.

For transferring pupils, four hundred dollars, or so much thereof as may be necessary.

For funeral expenses, two hundred dollars, or so much thereof as may be necessary.

For traveling expenses of the superintendent and his assistants, five hundred dollars, or so much thereof as may be necessary.

SEC. 15. For the support of the common schools for the school year which will begin on the first Monday of June, Anno Domini one thousand eight hundred and sixty-seven, to be paid on warrants to be drawn by the Superintendent in favor of the several school districts of this Commonwealth, the sum of three hundred and fifty-five thousand dollars, inclusive of the salaries of county superintendents, and inclusive of the sum of ten thousand dollars for the education of teachers in the Normal schools of the Commonwealth, to be applied in the same way and under the same conditions as a similar appropriation was directed to be applied by the general appropriation act approved the eleventh day of April, one thousand eight hundred and sixty-six, including the State Normal school of the Third district, to the benefit of the students in the respective State Normal schools, who are preparing to become teachers in the common schools of the State: *Provided*, That each student in a Normal school, drawing an allowance from the State, must receive regular instruction in the science and art of teaching, in a special class devoted to that object, for the whole time such an allowance is drawn, inclusive, also, of the sum of fifteen hundred dollars, for the education of colored young men as teachers in the Lincoln university, to be disbursed in like manner, and with like conditions, as the money appropriated in this act for the education of teachers in the State normal schools, and inclusive, also, of nine thousand two hundred and twelve dollars and thirty-two cents, to the city of Philadelphia, this being the amount contributed by said city through an oversight in the general appropriation act, approved the 11th day of April, Anno Domini one thousand eight hundred and sixty-six, to the salaries of the county superintendents in the several counties of the Commonwealth, when no part of the benefit of their supervision accrued to said city: *Provided*, That the city of Philadelphia shall be entitled to a proper portion of this appropriation without contributing to the salaries of the county superintendents, and that the sum of three thousand dollars of the amount received by the city of Philadelphia shall be paid to the teachers' institute of the city of Philadelphia, for its corporate purposes.

For the State Normal school of the Third district, five thousand dollars.

For paying committee of inspection for inspecting the Normal school of the Third district, preparatory to recognition by the State, as per bills on file in the school department, one hundred and twenty-five dollars.

SEC. 16. For the purchase of law and miscellaneous books for the State Library, eighteen hundred dollars.

For the exchange of law books, including Purdon's Digest, one thousand dollars, or so much thereof as may be necessary.

For postage, freight on books, stationery, purchasing books, cleansing apartments, making fires, et cetera, five hundred dollars, or so much thereof as may be necessary.

For binding, one hundred dollars, or so much thereof as may be necessary.

SEC. 17. For the salaries of the judges of the Supreme Court, the sum of twenty-seven thousand five hundred dollars, or the sum of five thousand five hundred dollars to each judge, for the present year, to be in lieu of all daily pay, mileage or other expenses heretofore allowed by any law.

SEC. 18. For the payment of the salaries of the judges of the district court, and the judges of the court of common pleas, of the city of Philadelphia, the sum of thirty-five thousand dollars, or five thousand dollars to each judge for the present year.

SEC. 19. For the payment of the judges of the district court and the president and assistant law judges of the court of common pleas of the county of Allegheny, twenty-five thousand dollars, or five thousand dollars to each one of the law judges for the present year.

For the payment of the president judge of the Twelfth Judicial district, in consideration of the increased labor in trying the Commonwealth civil cases in the county of Dauphin, the sum of thirty-eight hundred dollars a year, and his salary is to be computed at that rate from the first day of June, one thousand eight hundred and sixty-six, in full of all claims for arrears.

SEC. 20. For the payment of the salaries and mileage of the president, additional and associate law judges of the several courts of common pleas in this Commonwealth, except in the city of Philadelphia, the county of Allegheny and the Twelfth Judicial district, the sum of one hundred and fifteen thousand dollars, or so much thereof as may be necessary; each president and law judge to receive three thousand five hundred dollars salary during the present year.

SEC. 21. For the payment of the salaries and mileage of the associate judges of the courts of this Commonwealth, the sum of fifty thousand dollars, or so much thereof as may be necessary, each associate judge to receive, in lieu of the salary now allowed by law, five dollars per day, for every day, not exceeding fifty, he may be employed in the discharge of his official duties, and for every such day, in excess of fifty, the sum of three dollars: *Provided*, That the salary of no associate judge shall be less than three hundred dollars, and the pay of the associate judges shall hereafter be as is herein provided.

SEC. 22. For the payment of the interest on the funded debt of the Commonwealth, which will fall due on the first days of July and August, Anno Domini one thousand eight hundred and sixty-seven, and the first days of January and February, Anno Domini one thousand eight hundred sixty-eight, the sum of one million eight hundred and six thousand one hundred and thirty-four dollars, or so much thereof as may be necessary.

SEC. 23. For the public printing, folding, stitching and binding, thirty-five thousand dollars, or so much thereof as may be necessary on settlement of the account of the public printer according to law.

SEC. 24. For the payment of the expenses of the Legislature, including the pay and mileage of members, clerks and officers of each House, appointed for this session, and the amount authorized by law for stationery, et cetera, the sum of two hundred and sixty-five thousand dollars, or so much thereof as may be necessary, to be settled by the Auditor General according to law; and that each member shall receive three hundred dollars, and the chief, assistant and transcribing clerks of the House of Representatives, and the Senate, shall receive two hundred and fifty dollars in addition to their present salary.

SEC. 25. For the payment of the commission appointed to inquire into the alleged insanity of Newton Champion, one hundred and seventy-five dollars, to be paid on the warrant of the Governor.

SEC. 26. For packing and distributing the laws and journals of the Legislature, to be performed under the direction of the Secretary of the Commonwealth, thirteen hundred dollars, or so much thereof as may be necessary; and the Secretary of the Commonwealth shall hereafter charge one dollar per volume for the pamphlet laws.

SEC. 27. For the payment to the city of Harrisburg, for supplying the public buildings with water, according to the act of April twenty-eight, Anno Domini one thousand eight hundred and forty, the sum of six hundred dollars; and also for gas, for the public buildings and walks, such amount as may be found due the Harrisburg gas company, on the contract with the company, and upon a regular account being rendered to the Auditor General, who is hereby authorized to examine and settle the same, in the same mode and manner as other accounts are settled in said department, in pursuance of its charter and supplement, to be paid on the warrant of the Auditor General.

SEC. 28. For the superintendent of the public buildings and grounds, the sum of three dollars and fifty cents per day, during the period of his appointment, and also for three assistant watchmen, the sum of nine hundred dollars, to be computed from January fifteenth last past, to be paid monthly, and for the necessary repairs to the public buildings and grounds, wages of laborers employed on the same, six thousand dollars, or so much thereof as may be necessary, to be expended by the superintendent, the accounts to be settled by the Auditor General in the usual manner, and the superintendent is hereby required to make a detailed statement of his expenses to the next Legislature; and that the clerks of the two Houses be, and they are hereby, authorized to have a new slate and tin roof placed on the capitol at a cost not exceeding three thousand dollars, and to make all necessary repairs to the capitol building, except the new library rooms, the amounts to be settled in the usual manner by the Auditor General, and paid upon the joint order of said clerks: *Provided*, That the sum expended by the said clerks, for such necessary repairs, shall not exceed four thousand dollars.

To C. A. Boas, for winding and oiling the clock on the capitol for one year, ending January first, one thousand eight hundred sixty-seven, and for repairing the same, the sum of one hundred and twenty-five dollars, to be paid on account certified by the clerks of the two Houses.

SEC. 29. For George Bergner, fifteen dollars per page for the *Legislative Record*, published during the present session of the Legislature, as per contract, the amount to be certified by the Superintendent of Public Printing; and upon such certificate the State Treasurer shall pay the same; and for resetting the type of seven numbers printed before the increase of the number of copies now printed, twenty-five dollars for each number; and for making an index to the *Legislative Record*, the further sum of two hundred dollars is appropriated to the publisher of the *Record: Provided*, That the making of the index does not detain the forwarding of the bound copies more than four weeks after the adjournment of the Legislature.

SEC. 30. For the fire companies of the city of Harrisburg, the sum of seven hundred dollars, to be distributed in equal amounts to and among said companies.

SEC. 31. For transcribing for the Committee of Ways and Means, to be paid on the order of the chairman, the sum of thirty dollars; for transcribing for Finance Committee of the Senate, to be paid on the order of the chairman, the sum of thirty dollars.

SEC. 32. That the State Treasurer is hereby authorized and directed to pay each of the chief clerks of the Senate and House of Representatives the usual per diem for ten days' service after the close of the session, and the usual per diem to three additional officers who may be kept by each clerk to assist him in his duties; and to the chief clerk of the Senate and House, for the expense of indexing the journals, the sum of two hundred dollars each; and for miscellaneous expenses of the chief clerks of the Senate and House of Representatives, attendant upon their duties during the recess, each, the sum of two hundred dollars; and that the pasters and folders of the House shall be entitled to the same compensation as the assistant doorkeepers.

SEC. 33. For the payment of John A. Smull, for his services to the House of Representatives as an assistant clerk for the present session, and for services during the recess, filing away and taking charge of the papers and documents, the sum of one thousand dollars; and it shall be his duty to receive from the State Printers the bound copies of the *Daily Record*, and forward the same to the address of the members of the Legislature as soon as practicable after the adjournment, and he shall also receive the same additional compensation as is allowed to the clerks by this act.

SEC. 34. That the State Treasurer is hereby authorized to pay to the chief clerk of the Senate and House of Representatives, the sum of one dollar and fifty cents per day for each of the pages employed by the Senate and House during the present session, the vouchers for the same to be furnished in the usual manner.

SEC. 35. That the State Treasurer is authorized to pay to the persons engaged in cleansing and keeping in order the closets and basements of the capitol, and the doorkeepers in the rotunda and capitol extension, and to the firemen having in charge the furnaces in the basement of the same, the same compensation as the assistant doorkeepers, the number of days to be certified to by the clerks of the two Houses.

SEC. 36. For the payment of express charges, packing and distributing bound copies of the *Daily Legislative Record*, and for the expense of folding and mailing the back numbers of the *Daily Record* for the members of the House of Representatives, the sum of five hundred dollars, or so much thereof as may be necessary, to be disbursed by the clerk of the House of Representatives; and for the payment of express charges, packing and distributing bound copies of the *Legislative Record*, and for the expense of folding and mailing the back numbers of the *Daily Record* for the members of the Senate, the sum of three hundred dollars, or so much thereof as may be necessary, to be disbursed by the clerk of the Senate; and to the several officers of the Senate and House of Representatives, whether elected or appointed, except the Speaker and pages, an extra allowance, as follows, namely: to the chief clerks, assistant clerks and transcribing clerks, the sum of one hundred and fifty dollars; and

to each of the other officers, the sum of three hundred dollars, in addition to the pay and salary now allowed by law, for services during the present session; to the several pages the sum of thirty dollars extra, and to the several women employed by the clerks of the two Houses to cleanse the halls, the sum of twenty dollars extra.

SEC. 37. That all annual salaries herein provided for, and also all appropriations to penitentiaries and houses of refuge and charitable institutions, shall be paid quarterly, at the office of the State Treasurer, unless otherwise provided by law; and that no money appropriated by this act for any specific object, shall be applied to any other in any of the charitable institutions, penitentiaries or houses of refuge.

SEC. 38. That for expenses incurred, under authority of a resolution of the House, directing certain mail matter to be sent by the express for the members of the House, the sum of eight hundred dollars, or so much thereof as may be necessary, to be paid to the clerk of the House and to the clerk of the Senate; the sum of three hundred and fifty dollars for the same purpose to Jacob Styer, for services as librarian and for three months' extra service during the recess, at the same rate as a transcribing clerk, including the extra compensation; the said librarian to place forty-one copies of the *Daily Legislative Record* at the public bindery to be bound, thirty-six copies for the use of the Senators and principal clerks, four copies for the State Library, and one to be reserved for the use of the Senate, and to be distributed to the Senators and clerks, by the librarian of the Senate; and to John A. Smull, the sum of two hundred dollars, for taking charge of the archives of the House of Representatives during the recess of one thousand eight hundred and sixty-six, and two hundred dollars to Jacob Styer, for similar services, on the part of the Senate, during the recess of one thousand eight hundred and sixty-seven; and the further sum of one hundred and fifty dollars, for expenses incurred and labor performed in removing and fitting up the Senate Library.

SEC. 39. To William L. Cooper, for services rendered the House of Representatives, the same pay and extra compensation of a transcribing clerk, during the present session, and the same rate per day, for three months after the close of the session.

SEC. 40. For the salary of assistant postmaster of the House of Representatives, and for the messenger and assistant messenger of the Senate, each, who act as postmasters and in committee rooms, for the Senate, and for the doorkeeper, sergeant-at-arms, assistant sergeant-at-arms and assistant librarian of the Senate, sergeant-at-arms and his assistants, doorkeeper, messenger to committee rooms of the House of Representatives, each, the same compensation as transcribing clerk; and in addition to the compensation hereinbefore or hereinafter provided for, every officer of the Legislature shall receive the further sum of fifty dollars for services during the present session, and that the daily pay of all the officers, whether elected or appointed, shall be three dollars per day.

SEC. 41. For John Addicks, engineer and machinist, in charge of the heating apparatus for the halls and committee rooms, the same compensation as an assistant doorkeeper, the number of days to be certified by the clerks of the two houses; and to William Styer, for services in the room of the Speaker of the Senate, two hundred and fifty dollars, and the sum of two hundred and fifty dollars to Charles Looker, for similar services in the House of Representatives.

SEC. 42. For the payment of Reverend Jacob Kennedy, member of the House of Representatives, for extra services in the House of Representative, the sum of three hundred dollars, and for the payment of Reverend E. L. Bailey, chaplain of the Senate, three hundred dollars.

SEC. 43. For the Soldiers' Home, in the city of Philadelphia, the sum of five thousand dollars.

SEC. 44. For the Pittsburg Sanitary Soldiers' Home, the sum of fifteen thousand dollars, inclusive of six thousand dollars, expended out of their invested funds, four thousand dollars for introducing gas into their buildings and re-setting their boilers, two thousand dollars for repairs, and three thousand dollars for extra diet.

SEC. 45. For the instruction of indigent pupils in the Pennsylvania institution for the instruction of the deaf and dumb, thirty-five thousand dollars, to be paid in proportion to the number of indigent pupils from the several counties of the Commonwealth, at the rates prescribed by law, the evidence of which is to be presented to the State Treasurer.

SEC. 46. For the Pennsylvania institution for the instruction of the blind, the sum of thirty-three thousand dollars, to be paid in proportion to the number of indigent pupils from the several counties of the Commonwealth, at the rate of three hundred dollars for each pupil, the evidence of which is to be furnished to the State Treasurer.

SEC. 47. For the Western Pennsylvania hospital, fifteen thousand dollars, to be applied to the salaries of officers, and the further sum of fifty thousand and eighty-two dollars, inclusive of twenty-five thousand dollars for excavations, stone work, joist, and making half million of brick, for the commencement of the eastern extension of said hospital; seventeen thousand one hundred and thirty-two dollars for furnishing the present new western extension; one thousand dollars for insurance; thirty-five hundred dollars for the erection of a stone wall in the rear of said hospital; fifteen thousand dollars for four new boilers, together with fire front, grate bars, smoke stack, et cetera, and four thousand four hundred and fifty dollars for a reservoir; and said hospital shall hereafter be authorized to charge not exceeding three dollars per week for the medical attendance and boarding of all indigent insane persons who are, or may be, committed to said institution, and that any part of any act of Assembly inconsistent herewith, be, and the same is, hereby repealed.

SEC. 48. For the Pennsylvania State Lunatic hospital, at Harrisburg, for the payment of salaries and wages and for the support of the house, the sum of sixteen thousand dollars; and for the erection of infirmaries, the further sum of ten thousand dollars; and said hospital shall hereafter be authorized to charge, not exceeding three dollars per week, for the medical attendance and boarding of all indigent insane persons who are, or may be, committed to said institution; and that any part of any act of assembly, inconsistent herewith, be and the same is hereby repealed.

SEC. 49. For the Pennsylvania Training school for feeble-minded children, at Media, in the county of Delaware, the usual sum for each pupil, as provided by the act of incorporation: *Provided*, That the number of said pupils shall not exceed eighty; and the said school is authorized to charge fifty dollars per annum, in addition to the sum now allowed by law, for the maintenance of each pupil during the present year.

SEC. 50. For the payment of the salaries of the officers of the Eastern penitentiary, the sum of thirteen thousand eight hundred dollars, in equal quarterly payments, on or before the fifteenth day of the months of June, September and December, Anno Domini one thousand eight hundred and sixty-seven, and March, Anno Domini one thousand eight hundred and sixty-eight; and the additional sum of four thousand dollars, for the payment of an additional sum to each officer; and for each discharged convict from the city of Philadelphia, or whose residence is within fifty miles thereof, the sum of five dollars, and ten dollars to each convict whose residence or settlement is fifty miles or over from the penitentiary; and for books and stationery, for the use of the convicts, six hundred and fifty dollars, to be expended under the direction of the warden, or so much thereof as may be necessary, and to be accounted for to the Auditor General.

SEC. 51. For the payment of the salaries of the officers of the Western penitentiary, the sum of twenty thousand eight hundred dollars, to be paid in equal quarterly payments, on and after the fifteenth day of the months of June, September and December, Anno Domini one thousand eight hundred and sixty-seven, and March, Anno Domini one thousand eight hundred and sixty-eight, and for each discharged convict whose residence or settlement is within fifty miles of said penitentiary, the sum of five dollars, and ten dollars to each discharged convict whose residence or settlement is fifty miles or over from said penitentiary; and for the support of the library, the further sum of five hundred dollars.

SEC. 52. For the House of Refuge in Philadelphia, twenty-five thousand dollars.

SEC. 53. For the House of Refuge of Western Pennsylvania, twenty-seven thousand dollars, being for the following items, viz: thirteen thousand five hundred dollars for salaries, four thousand five hundred dollars deficiency in salaries, and the remainder of said sum for improvements and repairs to the building.

SEC. 54. For the Northern Home for Friendless Children, five thousand dollars.

SEC. 55. For the Gettysburg Battlefield Memorial association, the sum of three thousand dollars, to be applied to the purchase of portions of the battle-grounds, and the general purposes for which said association was incorporated.

SEC. 56. For the salary of the clerk in the Board of Military Claims, the sum of one thousand four hundred dollars, to be computed from the first day of June, one thousand eight hundred and sixty-six, and not more than twenty-five thousand dollars shall be paid on account of such claims in any fiscal year.

For the salary of the messenger to the Board of Military Claims, the sum of eight hundred dollars.

SEC. 57. For the expenses of the Pennsylvania State agency at Washington, the sum of twelve thousand dollars, or so much thereof as may be necessary, and the compensation of the State Agent shall be at the rate of three thousand dollars and the compensation of the Assistant State Agent at the rate of two thousand five hundred dollars per year.

SEC. 58. For the St. Paul's Orphan asylum, of the city of Pittsburg, the sum of eight thousand dollars, in full satisfaction of all claim which said asylum may have against the State, for supporting soldiers' orphans.

SEC. 59. For the painting, papering and furnishing the office of the Attorney General in the city of Harrisburg, the sum of twelve hundred dollars, or so much thereof as may be necessary, to be paid upon the certificate of the Attorney General, and he is hereby authorized and empowered to occupy the room in the capitol building adjoining that now used as the Supreme Court room; for re-arranging the Executive Chamber, the sum of one

thousand dollars, or so much thereof as may be necessary, to be paid upon the certificate of the Governor, and for re-flooring the Surveyor General's office, and re-arranging the cases therein, the further sum of five hundred dollars, or so much thereof as may be necessary, to be paid upon the certificate of the Surveyor General.

SEC. 60. To the trustees of the Saint Paul Methodist Episcopal church, of the city of Philadelphia, the sum of twelve hundred and fifty dollars, or so much thereof as may be found due said church by the Board of Military Claims of this Commonwealth, for tents belonging to said church and used by the State during the rebellion, and said board is hereby authorized and required to examine and pass upon the claim of said church for the use and loss of said tents.

SEC. 61. The State Treasurer is hereby authorized to pay the necessary expenses, including clerk hire, of the select committees appointed by the House and Senate at the present session, upon accounts to be certified by the respective chairmen, and approved by the Auditor General; and that the pay of witnesses before said committees shall be two dollars per day, and of clerks five dollars per day for every day actually employed, and usual mileage: *Provided*, That this section shall not be construed to authorize the payment of any witness not regularly subpœnaed before the committee, or the payment of any sum of money to any member of the committee for his services, or of any expense accruing after the adjournment of the Legislature; and to John C. Stuckevant, for extra services as clerk of the committee of investigation on the alleged bribery and corruption in regard to election of United States Senator, the sum of one hundred dollars.

SEC. 62. For renewing the meridian line of Dauphin county, which was displaced by the extension of the Capitol, one hundred and fifty dollars, or so much thereof as may be necessary, to be paid upon the certificate of the Surveyor General.

SEC. 63. For repairs to the dwelling house occupied by the keeper of the powder magazine in the Twenty-sixth ward of the city of Philadelphia, the sum of four hundred dollars, or so much thereof as may be necessary.

SEC. 64. To the Antietam National cemetery, the sum of three thousand dollars, to be drawn on the warrant of the Governor in such instalments as, in his judgment, may be required in the progress of enclosing the grounds and of raising and re-interring the remains of Pennsylvania soldiers in the same.

SEC. 65. That all the institutions, to which appropriations are made by this act, not now required by law to report and account for appropriations, shall make a detailed report, specifying the items, under oath of one or more of its principal officers, of the expenditures of said appropriations, to the Legislature, before the first day of February, one thousand eight hundred and sixty-eight.

SEC. 66. That the sum of five hundred dollars is hereby appropriated for the purchase of a portrait of the present Governor, to be placed in the Executive Department, to be expended under the direction of the chairman of the Senate Committee on the Library.

SEC. 67. For the Marine hospital of Pennsylvania, at Erie, the sum of ten thousand dollars, for the purpose of erecting hospital buildings: *Provided*, That the citizens of Erie raise an equal amount for the same purpose.

SEC. 68. That the sum of two hundred dollars is hereby appropriated to each of the four reporters employed on the *Legislative Record* in the House of Representatives, and also to Henry J. Mason, Thomas B. Cochran, R. McDevitt and H. G. Lednum, reporters of the Senate.

SEC. 69. That the Auditor General and the State Treasurer be, and they are hereby, authorized and directed to examine into the claim of L. M. Simon for furnishing plans, elevations, sections and specifications for the extension to the capitol, and also for furnishing plans and specifications for the extension of the Governor's mansion; and allow him such compensation as, after consultation with other architects, they may deem just and equitable.

SEC. 70. For the erection and completion of an addition to the Governor's mansion, according to the plan and specification furnished by L. M. Simon, architect, the sum of fifteen thousand dollars, or so much thereof as may be necessary, to be expended under the direction of the Governor; and no portion of this money shall be paid over to the contractor for such work until he shall have filed, in the office of the Auditor General, his bond, with two sureties in fifteen thousand dollars ($15,000), to be approved by the Auditor General, conditioned for the faithful performance of his contract in erecting and completing such addition.

SEC. 71. For finishing and furnishing the new library, room and removing the books thereto, the sum of fifteen thousand dollars, or so much thereof as may be necessary, to be expended by the Librarian, with the approval of the Auditor General and State Treasurer, the accounts for which to be audited and settled by the Auditor General, in the usual manner.

SEC. 72. To Hon. Samuel P. Johnson, of Warren county, forty-five dollars for unpaid balance due upon monument erected by the Commonwealth to the memory of Cornplanter.

SEC. 73. To the Polytechnic college of the State of Pennsylvania, five thousand dollars, for the purpose of establishing in said college five State scholarships.

SEC. 74. For the preparation of a general index of the private laws of this Commonwealth, from the year one thousand eight hundred and twelve, the sum of twelve hundred dollars, or so much as may be necessary, to be done under the direction and approval of the Attorney General.

SEC. 75. For the Surveyor General, for the expenses of surveying and determining the exact position of the stone that marks the line, on the shore of Lake Erie, between the States of Pennsylvania and New York, and the erection of a more durable monument further inland, the sum of two hundred dollars, ($200) or so much thereof as may be necessary.

Mr. WILSON. Mr. Speaker, I move to reconsider the vote by which the House disagreed to Senate bill No. 1649, an act regulating the assessment of city taxes in the city of Pittsburg.

The motion was

Agreed to.

The bill being again before the House,

It was

Agreed to.

The rules were suspended, the bill read a third time by its title, and

Passed finally.

Mr. M'CAMANT. Mr. Speaker, I ask the unanimous consent of the House to proceed to the consideration of House bill No. 1598, an act relative to the dockets of retiring justices of the peace in this Commonwealth.

Consent was given.

The bill was taken up, considered and

Agreed to.

The rules were suspended, the bill read a third time by its title, and

Passed finally.

Mr. WADDELL. Mr. Speaker, I ask the unanimous consent of the House to proceed to the consideration of Senate bill No. 1255, an act to establish an additional State Lunatic hospital.

Mr. MANN, Mr. Speaker, I object.

REPORT FROM A COMMITTEE OF CONFERENCE.

Mr. KOON, from the committee of conference to whom was referred the questions of difference between the two Houses in reference to House bill No. 1965, entitled A further supplement to an act incorporating the Wilkesbarre and Pittston railroad company, approved April 15, 1859, to increase their capital, make branches and hold lands, made a verbal report that the committee had agreed to the first Senate amendment and receded from the second.

The report was

Agreed to.

Mr. KINNEY. Mr. Speaker, I ask the unanimous consent of the House to proceed to the consideration of Senate bill No. 564, an act to transfer the counties of Monroe, Pike, Wayne, Susquehanna, Bradford, Wyoming, Luzerne and Carbon, and add the same to the Northern district of the Supreme Court.

Consent was given.

The bill being before the House, and the question on agreeing to the bill,

Mr. CRAIG. Mr. Speaker, I move to amend by striking out the counties of Carbon and Monroe.

The question being on the amendment of Mr. CRAIG,

It was

Agreed to.

Mr. WESTBROOK. Mr. Speaker I move to amend by striking out the county of Pike.

The question being on the amendment of Mr. WESTBROOK,

It was

Agreed to.

The question recurring on the bill as amended,

It was

Not agreed to.

Mr. STUMBAUGH. Mr. Speaker, I desire to offer the following resolution:

Resolved, That the Clerk of this House be directed to furnish a thousand copies of the Legislative Hand-Book, for the use of the House at the commencement of the next session.

The question being on the resolution,

It was

Agreed to.

Mr. COLVILLE. Mr. Speaker, I ask the unanimous consent of the House, to proceed to the consideration of House bill No. 853, an act to repeal a supplement to an act relative to landlords and tenants, approved December 14, 1863, certified as being a law on the 14th of March, 1865.

Mr. WADDELL. Mr. Speaker, I object.

Mr. MEYERS. Mr. Speaker, I ask the unanimous consent of the House to proceed to the consideration of Senate bill No. 537, an act relative to weights and measures.

Mr. GREGORY. Mr. Speaker, I object.

Mr. JONES. Mr. Speaker, I ask the unanimous consent of the House to proceed to the consideration of Senate bill No. 1750, a supplement to an act increasing the compensation of certain officers in the county of Berks, approved the 23d day of March, 1865.

Objection was made.

Mr. WADDELL. Mr. Speaker, I move that this House do now adjourn.

The question being on the motion of Mr. WADDELL,

It was

Agreed to.

And the SPEAKER declared the House adjourned until ten o'clock the next morning.

HOUSE OF REPRESENTATIVES.

THURSDAY, April 11, 1867.

The House met at 10-o'clock.

Prayer was offered by Rev. J. KENNEDY, member from Wyoming.

On motion, the reading of the Journal was dispensed with.

REPORT FROM COMMITTEE.

Mr. WALLACE, chairman of the Committee on Accounts, presented the following report:

POST OFFICE,
HARRISBURG, PENN'A,
April 11, 1867.

The House of Representatives of Pennsylvania,

To JOS. F. KNIPE, P. M., DR.:

For postage on letters and documents sent and received from April 1st to April 11th, 1867, inclusive, as follows, viz:

Date.	No. of Stamps.	Value.	Dolls. cts.
April 1	5,000 "	2 cts	100 00
" 2	6,000 "	2 "	120 00
" 2	400 "	3 "	12 00
" 3	10,000 "	2 "	200 00
" 3	600 "	3 "	18 00
" 3	300 "	12 "	36 00
" 4	8,000 "	2 "	160 00
" 4	700 "	3 "	21 00
" 4	500 "	10 "	50 00
" 4	200 "	24 "	48 00
" 5	700 "	10 "	70 00
" 5	1,000 "	3 "	30 00
" 8	10,000 "	2 "	200 00
" 8	3,000 "	10 "	200 00
" 8	1,000 "	3 "	30 00
" 9	4,000 "	10 "	400 00
" 9	5,000 "	2 "	100 00
" 9	500 "	12 "	60 00
" 9	2,000 "	3 "	60 00
" 10	5,000 "	10 "	500 00
" 10	10,000 "	2 "	200 00
" 10	500 "	12 "	60 00
" 10	500 "	24 "	120 00
" 11	1,000 "	3 "	30 00
" 11	3,000 "	2 "	60 00
			2,885 00
Postage on letters received.....			
Postage on documents received....			35 04
			2,920 04
For postage during recess, estimated.....			700 00
Total			$3,620 04

Received payment,
JOS. F. KNIPE, P. M.

The committee report that they have examined the above account, and find it correct, and recommend, the adoption of the following resolution:

Resolved, That the Speaker draw his warrant on the State Treasurer in favor of Jos. F. Knipe, Postmaster, for the sum of thirty-six hundred and twenty dollars and four cents in settlement of the same.

Mr. WADDELL. Mr. Speaker, I ask leave to make a statement.

Leave was granted.

Mr. WADDELL. Mr. Speaker, I am directed by the clerk of the committee appointed to investigate the interest which it is alleged that officers and directors of railroads have in transportation companies, to ask ask leave from the House to file their report on or before the first day of June next. We have closed the investigation, and there will be no further expense, but the committee, upon getting together yesterday, were unable to agree upon the report that should be made. There is a good deal of diversity of opinion, and it will require a large number of papers to be examined before a satisfactory conclusion can be arrived at by the members. They desire to have that opportunity to investigate the papers, and to file their report on or before the first day of June, with the Clerk. It will not entail any expense upon the House, or upon the Commonwealth.

I therefore desire to offer the following resolution:

Resolved, That the committee appointed to investigate the interest which it is alleged that officers and directors of railroads have in the transportation companies, have leave to file their report or reports, and accompanying documents, with the Clerk of the House, on or before the first day of June next.

The resolution was twice read, considered and

Agreed to.

Mr. KERNS offered the following resolution, which was

Agreed to:

Resolved (if the Senate concur), That a committee of three members of each House be appointed to wait upon the Governor and inform him that the General Assembly will be ready to adjourn this day, at 12 o'clock, M., and to inquire whether he has any further communication to make.

The SPEAKER appointed Messrs. KERNS, MARKLEY and WADDELL.

Mr. M'KEE offered the following resolution, which was

Agreed to:

Resolved, That a committee of two members be appointed to wait upon the Senate, and inform the Speaker and members thereof that the House of Representatives will be ready to adjourn this day, at 12 o'clock, M.

The SPEAKER appointed Messrs. M'KEE and GREGORY.

MESSAGE FROM THE SENATE.

The Clerk of the Senate being introduced, presented for concurrence a bill numbered and entitled as follows, viz:

No. 2044, joint resolution authorizing the Governor to appoint commissioners to investigate the expenditures of moneys appropriated in certain cemeteries.

Laid on the table.

Mr. WADDELL. Mr. Speaker, I ask the unanimous consent of the House to proceed to the consideration of Senate bill No. 2044, joint resolution authorizing the Governor to appoint commissioners to investigate the expenditures of moneys appropriated to certain cemeteries.

Consent was given.

The bill was taken up, and the question being on agreeing to the bill,

Mr. BOYLE. Mr. Speaker, I would like to have some gentleman explain the necessity for this bill, whether there are any allegations that the money appropriated to these cemeteries has been improperly expended. I presume, sir, that the appointment of these commissioners will entail an additional expense upon the State. The State has already given this money to these cemeteries, and if it is gone, perhaps it would be better to let it go, instead of throwing other money after it in this way.

Mr. STUMBAUGH. Mr. Speaker, it is not intended that the appointment of these commissioners shall entail any expense upon the State. I apprehend that any man appointed on that committee will be willing to perform the duties without charge. It is simply for the purpose of ascertaining whether the money which has been appropriated has been applied to the purpose for which it was intended.

Mr. BOYLE. Mr. Speaker, I have confidence in the gentleman from Franklin [Mr. STUMBAUGH], that he would perform this duty without charging the State anything for it. But I must say that I have not confidence generally in men who are appointed to public places. I therefore move to amend by adding the following: *Provided* That no expense shall be hereby incurred to the State.

The question being on the amendment of Mr. BOYLE,

It was

Agreed to.

The question recurring on the resolution as amended,

It was

Agreed to.

The rules were suspended, the bill read a third time by its title, and

Passed finally.

REPORT FROM COMMITTEE ON COMPARE BILLS.

Mr. WATT, from the Committee to Compare Bills, and present them to the Governor for his approbation, made report, which was read as follows, viz:

That in conjunction with a similar committee from the Senate, they have compared, and on the 9th April presented to the Governor, for his approbation, bills as follow, to wit:

House bill No. 290, a further supplement to an act for the regulation and continuance of a system of education by common schools, approved the 8th day of May, A. D. 1854.

House bill No. 538, an act regulating interest on public accounts.

Senate bill No. 190, a further supplement to an act incorporating the Township Line road company, fixing the terminus, and regulating tolls on said road.

Senate bill No. 1540, a supplement to an act annexing the borough of Manchester to Allegheny City, approved March twelfth, one thousand eight hundred and sixty-seven.

Senate bill No. 1221, an act to protect the validity of certain liens in Venango county.

Senate bill No. 1051, a further supplement to an act entitled An act appointing commissioners to lay out and open a State road in the counties of Cameron and Potter, approved the twenty-first day of March, Anno Domini one thousand eight hundred and sixty-five.

Senate bill No. 1200, an act to incorporate the Good Spring iron and land company.

Senate bill No. 988, a supplement to an act entitled An act to incorporate the Bear Creek railroad company, approved March 20, 1865.

Senate bill No. 1168, a supplement to the act entitled An act authorizing the Columbia water company to hold real estate, and so forth, approved tenth February, one thousand eight hundred and sixty-five.

Senate bill No. 709, a supplement to an act incorporating the Ephrata and Lancaster railroad company, approved the twenty-first day of March, Anno Domini one thousand eight hundred and sixty-six, authorizing them to extend said railroad to the Conestoga creek, below the city of Lancaster.

Senate bill No. 1117, a supplement to the act to incorporate the Norris Park mining company, approved March fourteen, one thousand eight hundred and sixty-five, authorizing said company to borrow money.

Senate bill No. 984, an act to authorize the Southwark railroad company to renew their road on Swanson street.

Senate bill No. 1039, an act to incorporate the Neversink life and fire insurance company of Berks county.

Senate bill No. 939, an act for the better improvement of the front of the river Delaware.

Senate bill No. 377, an act granting an increase of capital to literary or charitable institutions becoming soldiers' orphan schools.

Senate bill No. 617, joint resolution relative to the revisal of the civil laws of Pennsylvania.

Senate bill No. 624, an act relative to bounties in the borough of Dillsburg, in the county of York, and State of Pennsylvania, validating and legalizing the assessment duplicate and warrant to collect bounty tax assessed in June, 1864, in said borough.

Senate bill No. 1077, an act explanatory of the provisions of the fifth section of the Bennett Branch improvement company.

Senate bill No. 1025, an act to incorporate the Clearfield trout and improvement company.

Also on the 10th:

Senate bill No. 258, a supplement to an act entitled An act to prevent the sale of intoxicating liquors on the first day of the week, commonly called Sunday, approved February 26th, 1855.

Senate bill No. 697, recalled from Governor for amendments and again presented.

Senate bill No. 694, an act to enable the parties interested under a certain indenture of trust from Christopher Loeser to William S. Wetmore and others, dated October 28th, 1854, to become a mining company.

Senate bill No. 653, an act to incorporate the Washington Township mining, manufacturing and improvement company of Schuylkill county.

Senate bill No. 686, joint resolution relative to the purchasing of a railroad map to accompany the Auditor General's report.

Senate bill No. 724, an act authorizing the merger or consolidation of oil and other mining companies.

Senate bill No. 757, an act to authorize the appointment of phonographic reporters for the several courts of common pleas of this Commonwealth.

Senate bill No. 728, an act to incorporate the Silver Brook coal company.

Senate bill No. 912, an act to change the criminal proceedings in a certain class of cases in Indiana county.

Senate bill No. 994, a supplement to an act to lay out a State road from Karthaus, in Clearfield county, to Coudersport, in Potter county, by way of Sinnemahoning, and for other purposes, approved March 31st, 1845, renewing the powers, appointing new commissioners and appropriating taxes for its completion.

Senate bill No. 999, an act to enable police officers to enforce order in licensed houses, and to exterminate the unlicensed traffic.

Senate bill No. 1198, an act to incorporate the Farmers' and Citizens' Co-operative building and saving fund association of Lawrence county, Pennsylvania.

Senate bill No. 942, a supplement to an act entitled An act to change the venue of a certain action from Juniata county to Dauphin county, approved the 21st day of March, A. D. 1866.

Senate bill No. 616, an act to confer upon the courts of quarter sessions of this Commonwealth power to annex the land, or parts thereof, of persons resident in one district to another district, for school purposes.

Senate bill No. 1001, an act to annex that part of the farm of William Nickle which is situated in East Mahoning township, Indiana county, to South Mahoning township, in said county.

Senate bill No. 1167, a further supplement to an act relating to corporations for mechanical, manufacturing, mining and quarrying purposes, approved the 18th day of July, A. D. 1863, authorizing companies to sell and lease real estate and to issue coupon bonds.

Senate bill No. 1163, an act relative to the leasing of the Kersey oil and mineral company's railroad by the Farmers' railroad company of Venango county.

Senate bill No. 1183, joint resolution relative to revising collating and digesting the tax laws of Pennsylvania.

Senate bill No. 1139, an act to incorporate the Tuscarora mining and exploring company.

Senate bill No. 1147, an act supplementary to an act entitled An act to incorporate the Pennsylvania Mutual horse thief detecting and insurance company, approved April 22d, A. D. 1854.

Senate bill No. 1248, a supplement to an act entitled An act regulating banks, approved April 16th, 1850.

Senate bill No. 1306, an act to incorporate the Ryan and Reading slate company.

Senate bill No. 1368, an act relative to the Schuylkill County park association.

Senate bill No. 1305, an act to incorporate the Pacific mining and exploring company.

Senate bill No. 1347, an act authorizing the Allegheny Valley railroad company to issue additional stock and bonds, and repeal the act entitled An act to authorize the Allegheny Valley railroad company to mortgage its road and branches to complete the same, and approved the 8th day of March, A. D. 1867.

Senate bill No. 1408, an act to consolidate the Steuben coal company and the Scranton coal company.

Senate bill No. 1406, an act to incorporate the Lucius S. Peck gold and silver mining company of Montana.

Senate bill No. 1407, an act to incorporate the Granby coal company.

Senate bill No. 1431, an act to authorize and empower William Howe to erect and maintain, on Two Lick creek, in Cherryhill township, Indiana county, at his mill on said creek, a boom for saw logs.

Senate bill No. 1473, a supplement to an act approved the 17th day of April, 1866, authorizing the courts to fix and change the place for holding general elections in certain cases.

Senate bill No. 1420, an act to incorporate the United States plate glass insurance company of Philadelphia.

Senate bill No. 1545, a supplement to an act entitled An act relating to the payment of bounties to veteran volunteers.

No. 1556, an act to authorize the court of quarter sessions of Allegheny county to appoint viewers to assess the cost of opening a public road in said county.

Senate bill No. 1503, a further supplement to the act incorporating the Catawissa and Towanda railroad company.

Senate bill No. 1688, an act for the relief of John Caughey, of Beaver county.

Senate bill No. 1659, an act to enable the Philadelphia and Montana gold and silver mining company to borrow money and issue bonds.

Senate bill No. 1649, an act regulating the assessment of taxes in the city of Philadelphia.

Senate bill No. 1805, an act to repeal an act regulating the jurisdiction of courts in proceedings by bills for injunctions and other relief in equity and the service of process.

Senate bill No. 1953, an act supplementary to an act to incorporate the Northern railroad and navigation company, approved March 22d, A. D. 1867, extending the privileges of said company.

Senate bill No. 1951, an act to incorporate the Cameron coal company.

Senate bill No. 1950, an act to incorporate the Philadelphia iron and steel company.

Senate bill No. 1048, an act to incorporate the Keystone elevating and warehousing company.

Senate bill No. 1954, a supplement to an act to incorporate the Presbyterian historical society, approved April 8, A. D. 1857.

Senate bill No. 1952, an act to authorize the Coal Ridge improvement company to sell their bonds on certain terms.

Senate bill No. 1955, an act to authorize the commissioners of Erie county and the proper officer or officers of municipal or other corporations in said county, and individuals, to contract with the Marine hospital of Pennsylvania, at Erie, for the future support and attendance of patients, and to make payment therefor.

Senate bill No. 1942, a supplement to an act entitled An act authorizing the school directors of Latimore township, Adams county, to levy a tax and issue bonds to pay money raised to pay bounties to volunteers, approved the 11th day of April, A. D. 1866, and extending the same to Cumberland township.

Senate bill No. 1947, an act to prevent the fraudulent voting of stock in oil and mining companies of this Commonwealth.

Senate bill No. 1956, an act to incorporate the Fame mining company.

Senate bill No. 1718, an act to authorize the school directors of Perry township, Fayette county, to levy and collect a bounty tax.

Senate bill No 1773, a supplement to an act relating to corporations for mechanical, manufacturing, mining and quarrying purposes, approved the 8th day of July, 1863, repealing section thirty-three of the same, so far as it affects certain counties.

Senate bill No. 1721, joint resolution instructing our Senators and requesting our Representatives in Congress to vote for an appropriation to open a communication between Lake Erie and the Ohio river.

Senate bill No. 1753, an act to authorize the sheriff of Allegheny county to tax costs in certain cases.

Senate bill No. 1777 an act to provide means for the establishment of a Soldiers' Orphans' school in each Normal school district of this Commonwealth now destitute thereof.

Senate bill No. 1799, a supplement to an act incorporating the Mechanic's Saving Bank of Pittsburg.

Senate bill No. 167, a supplement to an act entitled An act amending the law of evidence in Pennsylvania, approved the 27th day of March, A. D. 1865.

Senate bill No. 2041, an act to repeal an act to incorporate the Citizens' turnpike and macadamized road company, approved April 10th, 1867.

Senate bill No. 540, an act authorizing the president and managers of the Limekiln turnpike company and the president and managers of the Jarrettstown and Hersham turnpike company to charge certain rates of tolls.

Senate bill No. 568, an act repealing the tax on sales of loans and stock by auctioneers.

Senate bill No. 413, an act to regulate the carriage of baggage by railroad companies, and to prescribe the duties and obligations of carriers and passengers in relation thereto.

Senate bill No. 207, a supplement to the act of 15th of March, A. D. 1832, entitled An act relating to registers and registers' courts.

Senate bill No. 1949, an act to repeal an act approved March 22d, A. D. 1867, entitled A further supplement to an act to regulate the granting of licenses to hotels and eating houses, approved March 31st, 1856, so far as the same applies to the county of Lawrence.

House bill No. 1611, a further supplement to an act regulating the measurement of corn and salt imported into the port of Philadel-

phia, approved the 22d day of September, 1785.

House bill No. 1204, an act to incorporate the Hamilton iron and coal company.

House bill No. 1710, a further supplement to an act to authorize the Governor to incorporate the West Chester and Philadelphia railroad company, approved April 11th, 1848.

House bill No. 1121, an act requiring the Auditor General to open the account of E. O. Goodrich, lath prothonotary of Bradford county, for resettlement.

House bill No. 1849, a supplement to an act to incorporate the Glen Alden coal company, approved the 12th day of April, A. D. 1866.

House bill No. 235, an act to authorize the completion of the Military History of the Pennsylvania volunteers.

House bill No. 1975, an act relative to footwalks in Oakland township, in the county of Allegheny.

House bill No. 2055, a further supplement to an act authorizing the Governor to incorporate the Philadelphia and West Chester turnpike road company, approved the 20th day of March, A. D. 1848, to enable said company to issue bonds.

House bill No. 1500, an act to incorporate the Monocacy iron and steel company.

House bill No. 1049, an act to prohibit the issuing of licenses within two miles of the normal school at Mansfield, Tioga county, Pennsylvania.

House bill No. 2144, an act to exempt money loaned to the Reading school district from taxation.

House bill No. 1915, an act to incorporate the Norristown and Centre Square turnpike road company.

House bill No. 1677, an act for the relief of Kenney Montgomery, a soldier of the war of 1812.

House bill No. 1883, a supplement to an act to incorporate the Turners' association, approved April 13th, A. D. 1859, authorizing said corporation to hold real estate an issue bonds.

House bill No. 2146, an act to incorporate the Harleysville and Lederachsville turnpike road company.

House bill No. 1851, an act to incorporate the Kelso silver mining company.

House bill No. 1889, a further supplement to the act to incorporate the South Mountain railroad company, approved May 5th, 1854, repealing the proviso of the 4th section of the supplement of said act, approved March 9th, 1855.

House bill No. 1846, an act to incorporate the Edge Hill iron company.

House bill No. 1919, a supplement to an act providing for the erection and construction of public water works for the borough of Easton, Northampton county, by the corporate authorities of said borough.

House bill No. 2190, an act to perfect the title of Reuben Watt to certain lands in South Beaver township, Beaver county.

House bill No. 1908, an act to incorporate the General Eldership of the Church of God in North America.

House bill No. 1672, an act in relation to the collection of school taxes in Fulton county.

House bill No. 2061, an act to incorporate the Gold and Silver mining company of Nevada.

House bill No. 2031, an act to incorporate the Farmers' Mutual life insurance and trust company of the township of Upper Augusta.

House bill No. 1964, an act to incorporate the Philadelphia woodenware manufacturing company.

House bill No. 1925, an act to incorporate the Pennsylvania Nicholson pavement company.

House bill No. 1922, an act to incorporate the Philadelphia paper hangings manufacturing company.

House bill No. 1856, an act to incorporate the Legal Tender gold and silver mining company.

House bill No. 1624, an act to authorize the school directors of the old Fourth ward, in the city of Reading, to levy and collect a tax for the payment of bounties.

House bill No. 1767, an act to extend the provisions of an act to authorize the arrest of professional thieves, burglars, &c., in the city of Philadelphia, passed March 13th, 1862, so as to authorize the arrest of professional counterfeiters and forgers.

House bill No. 1688, an act to repeal and annul the marriage contract between Wm. Roberts and Emily Roberts.

House bill No. 1892, an act to incorporate the Johnstown and Hingston Run turnpike road company.

House bill No. 1891, an act to incorporate the Gallitzin and Cambria Mills turnpike road company.

House bill No. 591, an act to annul the marriage contract between James Dewey and his wife.

House bill No. 1839, an act to authorize an increase of taxes for borough purposes in the borough of Temperanceville in the county of Allegheny.

House bill No. 1229, an act to repeal an act to view and lay out a State road in the counties of Clarion and Forest, approved the 18th day of March, A. D. 1863.

House bill No. 1901, an act relative to the dockets of C. N. Bonsb, a justice of the peace in the city of Meadville.

House bill No. 1871, a supplement to the act to legalize the levy and collection of certain bounty tax, to provide for a settlement, and authorize the school directors to lay an additional bounty tax in Lykens township, in the county of Dauphin, approved March 5, A. D. 1867.

House bill No. 1873, an act to repeal an act changing the citizenship of Jacob Bohner from Lykens to Mifflin township, Dauphin county, approved the 16th April, 1866.

House bill No. 1905, a further supplement to an act incorporating the National Iron Armor company of Chester, in the county of Delaware, approved March 21st, 1865, to enable said company to construct a railroad from their works to the Philadelphia, Wilmington and Baltimore railroad company.

House bill No. 1887, an act relating to bounties in Concord township, Erie county.

House bill No. 1894, an act to incorporate the Allegheny gold and silver mining company of Idaho.

House bill No. 1885, an act to incorporate the Frankford Co-operative Benefit society.

House bill No. 2058, an act for the preservation of fish in Stirling township, Wayne county, and Greene township, Pike county.

House bill No. 1917, an act providing for the relief of John Sensenbach by the commissioners of Northampton county.

House bill No. 1880, an act to incorporate the Montano and Pittsburg gold and silver mining company.

House bill No. 1980, an act to prohibit the erection of ferries within two miles of Milton bridge, in the county of Northumberland.

House bill No. 2009, an act to grade and pave certain streets in Hummelstown, Dauphin county.

House bill No. 1727, an act to annex the farm or farms of John M'Quiston, S. L. M'Quiston, F. M. M'Quiston and David M'Quiston, of East Fallowfield township, to West Fallowfield township, Crawford county, for school purposes.

House bill No. 1893, an act to incorporate the Humboldt gold and silver mining company of Nevada.

House bill No. 1774, an act authorizing the Governor to appoint an additional notary public for the city of Philadelphia, and one in each of certain counties in this Commonwealth.

House bill No. 1832, an act to increase the pay of supervisors of roads, overseers of the poor, and township auditors, of the county of Carbon.

House bill No. 1898, an act in relation to the surplus bounty fund in Vernon township, Crawford county.

House bill No. 1938, an act to extend the provisions of an act relative to mechanics' liens in the counties of Luzerne and Schuylkill, approved 17th of February, 1858, to the county of Forest.

House bill No. 1937, a supplement to an act authorizing the burgess and town council of Venango City, Venango county, to increase their borough tax.

House bill No. 1907, an act to reduce the price of licenses to hucksters in Greene county.

House bill No. 1866, an act to legalize the action of the school directors of Springfield township, Fayette county, and to authorize the levy and collection of an additional bounty tax.

House bill No. 1935, an act authorizing the burgess and town council of Oil City to levy a tax for borough purposes.

House bill No. 1777, a supplement to an act for the summary conviction of professional thieves in the city of Philadelphia.

House bill No. 1780, an act regulating the compensation of assessors and assistant assessors in the county of Allegheny.

House bill No. 756, an act to authorize the guardians of the minor children of Michael Frock, late of Snyder county, deceased, to make certain improvements on the real estate of said minors.

House bill No. 1781, an act for the establishment of a public law library in the county of Warren.

House bill No. 1928, an act to incorporate the Oil City passenger railway company.

House bill No. 1695, an act to incorporate the Kittanning, Rural Valley and Reynoldsville railroad company.

House bill No. 1899, an act relating to the surplus bounty fund in the township of East Fallowfield, in the county of Crawford.

House bill No. 2148, an act authorizing the trustees of the Williston Baptist church, of Chester county, to remove bodies from their burial ground and re-inter the same.

House bill No. 2149, an act to incorporate the Rich Valley Co-operative association of Allegheny county.

House bill No. 2052, an act to annex the farm of Thomas M'Cord, of Bratton township, Mifflin county, to the township of Granville, in said county, for school purposes.

House bill No. 1963, a supplement to the act to incorporate the Cumberland Valley Mutual protection company, of Dickinson township, Cumberland county.

House bill No. 2063, a further supplement to the act incorporating the city of Harrisburg, and relating to the election of school directors therein.

House bill No. 1862, a supplement to an act to establish a ferry over the Susquehanna river at Millersburg, approved March 21st, 1866.

House bill No. 1937, an act to annex the farm of Joseph Houck, in Upper Mount Bethel township, Northampton county, to the Centreville independent school district, for school purposes.

House bill No. 2062, an act to authorize the school directors of Fayette City borough, Fayette county, to borrow money for the erec-

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[CONTINUED FROM PAGE 1120.]

tion of a school house, and to issue bonds therefor.

House bill No. 1900, an act to authorize the burgess and town council of the borough of Cochranton, in the county of Crawford, to levy and collect an additional tax.

House bill No. 2057, an act to provide for an additional return day.

House bill No. 711, an act to authorize the road commissioners of Mill Creek township, Erie county, to compel the owners of land fronting on Ridge road to make sidewalks and to straighten and open out said road.

House bill No. 1635, an act to prohibit the destruction of fish in the Susquehanna river and its tributary streams in Columbia county.

House bill No. 826, an act to incorporate the Resource domestic company.

House bill No. 2096, an act to authorize the burgess and town council of the borough of Duquesne to borrow money and issue bonds for the improvement of certain streets in said borough.

House bill No. 784, an act to protect game and fish in Luzerne county.

House bill No. 372, an act to explain and construe an act compelling railroad and other corporations to pay counsel fees of plaintiffs in certain cases.

House bill No. 1302, an act extending the provisions of an act relating to the licensing of billiard rooms, bowling saloons and nine or ten pin alleys at Cresson Springs, in the county of Cambria to the Loretto Springs, in the same county.

House bill No. 1648, an act to annul the marriage contract between James Edwards and Elizabeth Edwards, his wife.

House bill No. 1650, an act to annul the marriage contract between Charles Schofield and Mary Schofield.

House bill No. 1936, an act authorizing the overseers of the poor of Franklin borough to levy a tax on occupations, money at interest, et cetera.

House bill No. 1857, an act to incorporate the Great Eastern and Western gold and silver mining company.

House bill No. 2185, an act authorizing the Auditor General to examine the claim of Colonel C. W. Burton, and directing the State Treasurer to pay the same if found to be correct.

House bill No. 1906, an act to change the time of holding the several courts of Greene county.

House bill No. 1669, an act authorizing the appointment of commissioners to run the boundary lines between the counties of Lycoming, Union and Clinton, and to fix and determine the same.

House bill No. 1782, an act relative to fees of notaries public in the county of Montour.

House bill No. 828, an act to provide for the ordinary expenses of the Government and other general and specific appropriations.

House bill No. 1170, an act to provide for the enforcement of the inspection laws in regard to the inspection of whisky in the county of Philadelphia.

House bill No. 1769, a further supplement to the act of General Assembly incorporating the city of Chester in the county of Delaware, and to enable the councils to levy an additional tax.

House bill No. 1852, an act to incorporate the Indemnity gold mining company of Colorado.

House bill No. 2130, a further supplement to an act to provide for the erection of a house for the employment and support of the poor in the county of Dauphin, passed the 28th day of March, 1806.

House bill No. 1926, an act to incorporate the Franklin publishing society of Pennsylvania.

House bill No. 2136, supplement to an act to incorporate the Mechanics' and Miners' Co-operative association of Scranton, approved the 14th day of February, A. D. 1867.

House bill No. 1746, an act to incorporate the Montgomery improvement company.

House bill No. 1773, an act to incorporate the Dime savings institution of Ashland.

House bill No. 576, an act to incorporate the Lycoming trout and improvement company.

House bill No. 1865, an act to exempt from taxation money loaned to the school directors of the borough of Punxatawny.

House bill No. 1203, an act to incorporate the Shippensburg iron manufacturing and mining company.

House bill No. 1200, a supplement to an act to incorporate the Brady coal and oil company.

House bill No. 1374, an act to organize the Monongahela City and Victory turnpike road company, Washington county.

House bill No. 1622, an act regulating proceedings before justices of the peace in respect to the poor in the county of Erie.

House bill No. 1955, supplement to an act authorizing the school directors of the borough of Franklin, in Venango county, to borrow money, approved the 11th day of April, A. D. 1866.

Senate bill No. 940, an act to authorize the burgess and town council of the borough of Jamestown, Mercer county, to levy and collect tax not to exceed one per centum, for borough purposes.

Senate bill No. 890, an act for the relief of Wm. Brennan and Bernard M'Tighe, first and second clerks of the mayor's court of the city of Carbondale.

Senate bill No. 948, a further supplement to the act to incorporate the Union School and Children's Home asylum, to provide for the taxation of non-resident venders of merchandise in the city and county of Philadelphia, and for the relief of Edwin Hutchinson, approved April 12, 1857.

No. 1471, an act to attach certain real estate to the borough of Smethport, M'Kean county, for school purposes.

Senate bill No. 966, an act relative to the terms of members of the councils of the city of Philadelphia.

Senate bill No. 909, an act extending to the borough of Mt. Washington the vehicle license law.

Senate bill No. 486, an act relative to contested elections in the city of Philadelphia.

Senate bill No. 1118, an act to authorize the Warren and Franklin railway company to construct branch roads, and to provide means for moving oil intended for transportation.

Senate bill No. 1151, a further supplement to an act to incorporate the Pennsylvania railroad company, approved April 13, A. D. 1846, authorizing the Pennsylvania railroad company to construct additional railroad tracks, sidings, depots, workshops and other appurtenances, along, adjoining or contiguous to their own line of railroad, and the railroads now owned or leased, or hereafter to be owned or leased by them, and to straighten and improve the same, and to acquire the property upon which to construct the same, paying therefor the value of property to be used or occupied.

Senate bill No. 514, an act to extend the time for the payment of the enrollment tax on an act approved the 18th day of April, A. D. 1865, entitled A supplement to an act incorporating the Karthans iron, coal and railroad company, approved April 29, 1864, increasing its capital stock.

Senate bill No. 416, an act to extend the time for the payment of the enrollment tax on an act to incorporate the Keating coal and iron company, approved April 11, A. D. 1866.

Senate bill No. 1041, an act to reduce the capital stock of the Six Mile Run coal company.

Senate bill No. 1113, an act to incorporate the Empire State silver mining company of Nevada.

Senate bill No. 1114, an act to incorporate the Ophir silver mining company of Nevada.

Senate bill No. 1022, an act to extend the time for the payment of the enrollment tax on bill entitled An act to incorporate the National silver mining company.

Senate bill No. 1023, an act supplementary to an act to incorporate the Matawana mining and exploring company, approved the 24th day of March, A. D. 1865.

Senate bill No. 1024, an act supplementary to an act to incorporate the Aughwin mining and exploring company, approved the 20th day of April, 1866.

Senate bill No. 1029, an act to incorporate the Pittsburg and Sonora mining company.

Senate bill No. 964, an act to extend the time of payment of the enrollment tax of the the Delaware mining company, appointing additional corporators, and authorizing said company to hold additional lands.

Senate bill No. 300, an act incorporating the International patent fuel company.

Senate bill No. 1529, a supplement to an

act entitled An act creating a board for the erection of a city hall in the city of Pittsburg, approved the 1st day of March, 1867.

Senate bill No. 1542, an act to incorporate the Lincoln monument association of Philadelphia.

Senate bill No. 1556, an act to authorize the court of quarter sessions of Allegheny county to appoint viewers to assess the cost of opening a public road in said county.

Senate bill No. 1543, an act supplementary to the act to incorporate the Adams County Soldiers' monument association, approved ——, appropriating a site for said monument.

Senate bill No. 1546, an act to incorporate the Indiana woolen works.

Senate bill No. 1554, a supplement to an act incorporating the Caledonia iron, land and railroad company, approved March 22, A. D. 1867.

Senate bill No. 92, an act to authorize the Governor to appoint a person to visit prisons and alms houses.

Senate bill No. 928, a further supplement to an act entititled An act regulating railroad companies, approved February 19, A. D. 1849.

Senate bill No. 996, a supplement to an act to enable the stockholders of any railroad company, incorporated by the laws of this Commonwealth, accepting this act, to one vote for each share of stock, approved the 20th day of May, A. D. 1865, extending the same to turnpike road companies.

Senate bill No. 1014, an act to authorize the president and directors of any railroad company to determine, by resolution, the manner in which, and the persons to whom their increased capital thereof may be sold, and the amounts of the instalments thereon, and the times and manner of their payments.

Senate bill No. 1370, a supplement to an act relative to the courts in Lehigh county.

Senate bill No. 873, an act to authorize the trustees of the public school fund in the townships of Wilkesbarre and Plains, in Luzerne county, to appropriate the whole or any portion of said fund, for the purchase of land for a public cemetery or grave yard for said townships.

Senate bill No. 762, an act to incorporate the Coopersburg Savings Institution.

Senate bill No. 1512, an act relative to street paving in the city of Philadelphia.

Senate bill No. 1240, a supplement to an act to legalize bounties paid to volunteers and the bonds issued therefor in certain townships in the county of Franklin, approved the 4th day of April A. D. 1866, extending the provisions of the second section thereof to the township of Ayr in the county of Fulton.

Senate bill No. 1185, an act to incorporate the Union car and manufacturing company of Philadelphia.

Senate bill No. 556, an act to refund John Martin, administrator, amount collateral inheritance tax paid in error.

Senate bill No. 725, a supplement to the act incorporating the Jackson mining company.

Senate bill No. 1205, an act authorizing the Saucon iron company to construct branch railroads to certain ore beds.

No. 1601, an act to authorize the removal of certain cases from the court of common pleas of Centre county.

Senate bill No. 1252, an act in relation to the appointment of an auctioneer for the borough of Tarentum, Allegheny county.

Senate bill No. 1367, an act in relation to the re-election of the treasurer of Lycoming county.

Senate bill No. 1474, an act to authorize the burgess and town council of the borough of Wilkesbarre to borrow money, to purchase grounds for a public cemetery, and to prevent further burial in the old grave yard.

No. 1080, an act authorizing the town council of the borough of Hazleton, in Luzerne county, to borrow money.

Senate bill No. 1220, a further supplement to an act incorporating the town of Lawrenceville into a borough, approved February 15, A. D. 1834, being an act authorizing said borough to borrow money and take real estate not exceeding in value a certain amount.

Senate bill No. 428 a supplement to an act to incorporate the Mineral Spring coal company, approved the 3d day of April, A. D. 1866.

Senate bill No. 727, a supplement to an act entitled An act to incorporate the Union coal company, approved the 29th day of April, A. D. 1864.

Senate bill No. 1165, an act to authorize the Kaska Williams coal company to sell or mortgage any portion of their real estate, to decrease the amount of capital stock, and to fix the location of their office, and the residence of the president and the majority of the directors.

Senate bill No. 729, an act to incorporate the Hillside coal and iron company.

Senate bill No. 102, an act to incorporate the Vulcan iron works.

Senate bill No. 1502, an act to incorporate the Pittston railroad and coal company.

Senate bill No. 103, a supplement to the act incorporating the Glenwood coal company, extending the privileges of an act regulating railroad companies to said company.

Senate bill No. 341, a supplement to an act to incorporate the West Buck Mountain coal and iron company, approved the 3d day of May, 1864.

Senate bill No. 1462, an act to authorize the Benzinger coal and iron company to increase the width of their railroad, and providing for the appraisement of damages.

Senate bill No. 1234, an act to authorize the board of school directors of Fawn township, Allegheny county, to borrow money.

Senate bill No. 1553, an act to take the sense of the voters of Rayne township, Indiana county, on the question of authorizing the school directors of Rayne school district to erect a public hall at the village of Kintersburg, in said township.

No. 1206, an act legalizing certain acts of the school directors of the township of Kelly, county of Union, and authorizing them to levy an additional tax for building purposes.

Senate bill No. 1548, a supplement to an act to authorize the executors of the last will and testament of John Crosthwait to pay over to Francis Dunlap, of Clearfield county, certain legacies, approved April 29, 1844.

Senate bill No. 1414, an act relative to the Merchants' and People's transportation company.

Senate bill No. 76, an act to incorporate the Conemaugh and Allegheny transportation company.

Senate bill No. 1208, an act repealing an act entitled An act extending the provisions of the act for the protection of sheep and taxing of dogs in the county of Blair, approved May 20th, A. D. 1857, to the county of Monroe.

Senate bill No. 1549, an act for the relief of Capt. John Moore, Jr., late of the Elderton Guards.

Senate bill No. 1506, a supplement to an act, entitled An act to incorporate the Susquehanna and Delaware railroad company.

Senate bill No. 1469, an act for the better protection of person, property and life in the mining regions of this Commonwealth.

Senate bill No. 500, an act in relation to taxation upon the stockholders of corporations.

Senate bill No. 1304, an act to incorporate the Paper manufacturing company.

Senate bill No. 1309, an act to incorporate the Home manufacturing company.

Senate bill No. 1264, an act to annul the marriage contract between Henry Warren Roth and Arabella, his wife.

Senate bill No. 1314, an act to incorporate the Agricultural manufacturing company.

Senate bill No. 1315, a further supplement to a further supplement to an act incorporating the Bedford iron company approved the 1st of May, 1861, authorizing said company to hold additional lands and construct branch railroads.

Senate bill No. 1326, an act to authorize the school directors of Freedom township, Adams county, to appropriate the surplus of bounty funds in their hands to school purposes.

Senate bill No. 1366, an act in relation to auctioneers in Beaver county.

Senate bill No. 1369, an act to authorize the Governor to appoint an additional notary public in the county of Beaver.

Senate bill No. 1381, an act relative to the purchase of a law library in the county of Allegheny.

Senate bill No. 1382, an act authorizing the burgess and town council of the borough of Sharon to levy and collect a tax for bridge purposes.

Senate bill No. 1388, an act to authorize an increase of taxes in the borough of Tarantum, county of Allegheny.

Senate bill No. 1405, an act to incorporate the Equitable gold and silver mining company of Nevada.

Senate bill No. 1409, an act to incorporate the Sheffield iron, steel and land company.

Senate bill No. 1408, an act to incorporate the Battle House and Mineral Springs watering place company, of Gettysburg.

Senate bill No. 1419, an act to incorporate the Somerset land company.

Senate bill No. 1425, an act to incorporate the Harmony Savings Bank of the village of Harmony, in Butler county.

Senate bill No. 1456, an act authorizing the court of quarter sessions of M'Kean county to appoint commissioners to take exclusive charge of a portion of the road leading from Smethport, in M'Kean county, to Wilcox, in Elk county, and to appropriate taxes for the repair and changing the same.

Senate bill No. 1475, a further supplement to an act, entitled An act for the better management of the Allegheny county prison, approved 23d of March, 1865.

Senate bill No. 1485, an act to incorporate the Argentina silver mining company of Colorado.

Senate bill No. 1508, an act to authorize the Two Lick Regular Baptist congregation, in Green township, Allegheny county, to remove certain dead bodies.

Senate bill No. 1604, an act incorporating the Wrightstown and Newtown turnpike road company.

Senate bill No. 1253, an act to change the venue in certain cases from Allegheny to Jefferson county.

Senate bill No. 1504, a further supplement to an act incorporating the Muncy Creek railroad company, authorizing said company to hold additional lands, and extending the time for the payment of the enrollment tax on the supplement thereto.

Senate bill No. 1487, an act to incorporate the Treasury silver mining company.

Senate bill No. 1599, a supplement to the Erie and Allegheny railroad company, authorizing connections with their road of the east line of the township of North-East with any railroad from the State of New York, and the west line with any railroad constructed or to be constructed in the State of Ohio, and also

authorizing said Erie and Allegheny railroad company to connect their road within the county of Crawford with the Atlantic and Great Western railroad company with the same legal effect as though the connection was made within the county of Erie.

Senate bill No. 1600, an act to repeal the third section of an act approved March, 1867, entitled A supplement to an act to promote the more certain and equal assessment of taxes in Philadelphia.

Senate bill No. 1540, a supplement to an act annexing the borough of Manchester to Alleghany city, approved March 12, 1867.

Senate bill No. 1511, an act annexing the farm of John Hamilton, in Sandy Lake township, Mercer county, to North township, said county, for school purposes.

Senate bill No. 1505, a further supplement to an act to incorporate the Jamestown and Franklin railroad company, approved April 3, 1862, to authorize said company to borrow money.

Senate bill No. 1602, an act to incorporate the Costa Rica mining and improvement company.

Senate bill No. 1262, an act authorizing the construction of board walks along the streets in Liberty township, Allegheny county.

Senate bill No. 1729, an act granting an appeal from a decree of divorce between John Edmund and Phila S. J. Edmund.

Senate bill No. 1460, a supplement to an act entitled An act amendatory of the license laws of this State, approved April 11, 1862, in relation to the county of Berks.

Senate bill No. 776, an act for the vacation and sale of the Methodist burial ground in the city of Pittsburg, and for removing the bodies therefrom.

Senate bill No. 1539, an act erecting a Fourth ward of the borough of Easton, in the county of Northampton.

Senate bill No. 1776, an act to extend the time for the commencement of the Chestnut Hill and Cheltenham railway company.

Senate bill No. 1775, an act to authorize the Lehigh coal and navigation company to borrow money and issue bonds.

No. 1160, an act relating to Sunbury street, in the borough of Minersville, in the county of Schuylkill.

Senate bill No. 1536, an act relating to the collection of State and county taxes in the county of Monroe.

Senate bill No. 1182, an act relating to the claim of James Digman, of Allegheny county.

No. 1803, an act to incorporate the York and Dillsburg railroad company.

Senate bill No. 733, an act to incorporate the Riverside coal company.

Senate bill No. 1199, an act to incorporate the Fort Pitt Mutual life insurance and trust company.

Senate bill No. 1321, an act to incorporate the Northumberland and Sunbury Street railway company of Northumberland county.

Senate bill No. 1265, an act to authorize and empower the court of quarter sessions of the county of Cameron to amend and alter the charter of the borough of Emporium, in the county of Cameron.

Senate bill No. 1596, an act to give the Chincleclamonche and other boom companies the right to sue for tolls and boomage.

Senate bill No. 1181, an act relating to the account of John Hines, late mercantile appraiser in Luzerne county.

Senate bill No. 1662, an act to authorize the State Treasurer to pay Mrs. S. Richards Boyle, widow of Captain John A. Boyle, who fell at Lookout Mountain, the expenses incurred by her in obtaining the remains of her husband.

Senate bill No. 104, a further supplement to an act entitled An act to incorporate the Potter County lumber, coal and petroleum company, approved the 16th day of March, A. D. 1865, changing the name thereof, authorizing them to hold lands in Northumberland county, and to purchase other franchises, timber and timber lands.

Senate bill No. 1241, an act to authorize the trustees of certain lands in Venango county, Pennsylvania, to borrow money for the development of said lands, to perfect the title to said lands by contesting the right at law of adverse claimants.

No. 1269, a supplement to an act to incorporate the First Baptist church, Lewisburg, Union county.

Senate bill No. 1361, a supplement to an act entitled An act relating to orphans' courts, and for other purposes, passed the 13th day of October, 1840, empowering said courts to incorporate savings fund associations.

Senate bill No. 1558, an act to authorize the Board of Military Claims to re-examine the claims of the legal representatives of Colonel John W. M'Lean, deceased, of Erie county.

Senate bill 1574, an act to incorporate the Asbury life insurance and trust company of the city of Philadelphia.

Senate bill No. 1518, a supplement to an act to incorporate the Wilkesbarre law library association in Luzerne county, approved April 11, A. D. 1866.

Senate bill No. 1632, an act to extend the limits of the borough of Indiana, Indiana county.

Senate bill No. 1641, an act to authorize the appointment of short hand clerks in the courts of Allegheny county.

No 1647, a further supplement to an act relative to paving streets, et cetera, in the borough of New Castle, approved 22d day of March, A. D. 1866.

No. 1651, an act authorizing trustees of the estate of John Means to pay certain moneys.

No. 1720, an act providing for the paving footways in the first precinct of the Twenty-fifth ward of the city of Philadelphia.

No. 1786, a supplement to an act appointing commissioners to lay out and open a State road in the counties of Potter and Clinton, approved March 21, 1865.

No. 1804, an act relating to public roads in the township of Rostraver, Westmoreland county.

Senate bill No. 1807, an act to authorize the sale of the property of any incorporated company, upon the bonds secured by mortgage given by it with like effect as if sold upon the mortgage.

No. 1808, an act to incorporate the Victoria gold and silver mining company.

No. 1809, an act to authorize a change in the location of a portion of the State road from Harrisburg to Gettysburg.

No. 1812, an act relative to election of Green Lane and Goshenhoppen turnpike road company.

No. 1815, an act repealing an act entitled An act to perpetuate the testimony of Richard S. Coxe, deceased.

No. 1660, an act to incorporate the Pennsylvania Serial association.

No. 1813, an act to incorporate the Meadville Driving park company.

No. 1814, an act to authorize the Lake Shore seminary to borrow money and grant literary degrees.

No. 1836, an act supplementary to an act to incorporate the Oil Creek, Lake and Titusville mining and transportation company.

No. 1810, an act to incorporate the Artillery Corps, Washington Grays.

No. 1249, an act to incorporate the Greenville saving and loan company.

No. 1308, an act authorizing the school directors of the borough of Harmony, and the townships of Jackson and Brady, in the county of Butler, to levy and collect an additional bounty tax.

No. 1332, an act to authorize the school directors of M'Keesport, Allegheny county, to equalize the payment of bounties.

No. 1336, an act for the appointment of two additional assessors for the Fifteenth ward of the city of Philadelphia.

No. 1307, an act to exempt John Malone, of Sewickley township, Westmoreland county, from the payment of bounty tax.

No. 1160, an act relative to hucksters in the county of Dauphin.

No. 1153, an act to authorize the commissioners of Warren county to work prisoners in said county.

No. 1359, an act relating to the borough of Union Mills, in the county of Erie, authorizing the borough authorities to levy certain taxes.

No. 1311, an act authorizing the school directors of Warrington township, York county, to levy and collect bounty tax at once.

No. 1357, an act relative to actions of ejectment in Erie county.

No. 1312, an act to legalize the action of the school directors of Shrewsbury township, York county, relative to moneys borrowed to pay bounties and taxes assessed to collect the same.

No. 1282, a further supplement to an act to incorporate the Youghiogheny shaft company.

No. 1362, a supplement to an act incorporating the Lehigh Mutual manufacturing company.

No. 1342, an act to incorporate the Oxford fire and life insurance, annuity and trust company.

No. 1334, an act annexing certain farms in Dyberry township, to the borough of Bethany, in Wayne county, for school purposes.

No. 1349, an act to authorize the school directors of Troy borough school district, in the county of Bradford, to contract a loan for the purpose of erecting a suitable school house in said borough.

No. 1378, an act to authorize the Hartsville and Centreville turnpike road company to issue preferred stock.

No. 1337, an act to vacate part of Buck road in the Twenty-sixth ward of the city of Philadelphia.

No. 1374, an act to incorporate the Monongahela City and Victory turnpike road company, Washington county.

No. 1363, an act authorizing the supervisors of Salem township, in Luzerne county, to collect in money the tax levied for road purposes in said township.

No. 1335, an act to legalize and make valid an order for bounty issued by the road commissioners of Elk Creek township, in the county of Erie.

No. 1339, an act to empower the supervisors of the township of Peach Bottom, in the county of York, to collect in money, all taxes levied in said township for road purposes.

No. 1340, an act to incorporate the York and Chanceford turnpike road company, in the county of York.

No. 1303, an act to prohibit the issuing of licenses in the township of Allegheny, in the county of Westmoreland, within a distance of two miles from the borough of Freeport, Armstrong county.

No. 1299, an act to prevent the sale or giving away of intoxicating drinks in the township of Peach Bottom, York county, on election days.

No. 1330, an act to extend the time for the payment of the enrollment tax on an act to incorporate the Moshannon coal and lumber company.

No. 1367, an act extending the time of payment of the enrollment tax on an act incorporating the Pennsylvania light and water company, approved April 5, 1866.

No. 1380, an act relating to the election district of Allegheny township, in the county of Blair.

No. 1283, a supplement to an act to incorporate the Farmers' Mutual fire insurance company of Paradise township, in the county of York, approved the 28th day of March, 1854.

No. 1824, a further supplement to an act entitled An act to validate the judgment docket entries made by the prothonotaries of certain counties in this Commonwealth.

No. 1664, an act concurrent with an act passed by the Legislature of Ohio, on the 20th of March, 1867, in relation to the Ohio and Pennsylvania canal company.

No. 1328, a supplement to an act to incorporate the Medico Chirurgical college of Philadelphia, passed February, 1860.

No. 1198, an act to empower the Ashland iron company of Baltimore county, in the State of Maryland, to hold land in the State of Pennsylvania.

No. 1284, an act to incorporate the Nautical and Engineering college of Philadelphia.

No. 1434, an act to increase the fees of the commissioners of Crawford county, as directors of the poor.

No. 1413, an act relating to the courts of Venango county.

No. 1436, an act to authorize the borough of Media, in the county of Delaware, to borrow money for the purpose of supplying said borough with water.

No. 1257, an act relative to the sale of an old school house in West Cocalico township, Lancaster county.

No. 1389, an act authorizing the commissioners of Susquehanna county to erect a new jail in the said county.

No. 1381, an act to authorize the supervisors of Tyrone, Blair county, to levy a cash tax; and James L. Givin to run, fix and establish the boundary line between Tyrone and Logan townships, Blair county.

No. 1940, a supplement to an act to change the mode of criminal proceedings in Erie and Union counties, extending the same to the county of Forest.

No. 1370, an act to repeal an act to prevent horses, cattle, sheep and hogs from running at large in Chillisquaque township, Northumberland county, and Kelly township, Union county, and certain townships in Luzerne county, approved March 25, 1865, so far as relates to Kelly township, Union county, and the several townships in Luzerne county.

No. 1446, a supplement to an act empowering the Lutheran congregation of the Old Goshenhoppen church, in Upper Salford township, in Montgomery county, to collect their outstanding debts, approved March 25, 1839.

No. 1471, an act increasing the compensation of the collector of borough and school taxes of the borough of Easton, Northampton county.

No. 1448, an act relating to the compensation of the treasurer of Berks county.

No. 1452, an act authorizing the appointment of two additional notaries public in the city of Pittsburg, Allegheny county, and one in West Newton, Westmoreland county, one in Beaver, Beaver county.

No. 1822, an act authorizing the school directors of the borough of New Milford, Susquehanna county, to borrow money for school purposes.

No. 1435, an act to increase the pay of the auditors of Jefferson county.

No. 1394, an act relating to the fees of the sheriff of the counties of Cumberland and Snyder.

No. 886, an act relating to the sale of lands by the commissioners of Cambria county.

No. 1457, an act authorizing the increase of the recognizance and bond of the sheriff of Venango county.

No. 626, an act to change the venue in the case of John M'Farland vs. Joseph Shoemaker, from the court of common pleas of Northumberland county, to the court of common pleas of Union county.

No. 1442, a supplement to an act relating to auctioneers in the city and county of Erie.

No. 1446, an act relating to notaries public in the city of Harrisburg.

No. 1475, an act relative to the license of vehicles in the borough of Lawrenceville, Allegheny county.

No. 1346, an act granting a pension to Sarah E. M'Elhose, widow of a soldier.

No. 1331, an act granting a pension to Margaret Rotts, widow of David Rotts, late of Franklin county, deceased.

No. 1329, an act granting a pension to Nancy Jane O'Donnell, widow of D. Charles O'Donnell, deceased.

No. 1510, an act to incorporate the Puebla gold and silver mining company.

No. 1508, an act to incorporate the Continental mining company.

No. 1509, an act to incorporate the Viola gold and silver mining company.

No. 1502, an act to incorporate the Lehigh County mining, manufacturing and improvement company.

No. 1499, an act to enable the Spring Run oil and lumber company and the Benezet oil and coal company to consolidate.

No. 1532, an act to incorporate the North Star mining company.

No. 1074, an act to incorporate the Safety Fund association of Susquehanna Depot, Susquehanna county.

No. 1392, a supplement to an act, entitled An act to incorporate the People's Accident insurance company of Pennsylvania, approved April 11, 1866.

No. 1511, an act to incorporate the Carbondale gold and silver mining company.

No. 749, an act to incorporate the Oil City acid factory.

No. 773, an act to incorporate the Pittsburg tunnel company.

No. 1373, a supplement to an act to establish a ferry over the Allegheny river at Siggins landing, near the mouth of East Hickory, in Harmony township, Venango county.

No. 1525, a supplement to an act to authorize Henry B. Masser and John H. Fisher to establish and maintain a ferry over the Susquehanna river, at Selinsgrove, approved March 20, 1863.

No. 982, an act to establish a ferry over the Monongahela river, at the town of Allen Port, in Washington county.

No. 1338, supplement to an act declaring Forge run, in Centre county, a public highway.

No. 1333, supplement to an act relating to the passage of fish in the Susquehanna river and certain of its tributaries.

No. 1149, an act to declare North creek, and part of Driftwood creek, in the county of Cameron, public highways.

No. 1529, an act to establish a ferry over the Monongahela river, at the borough of Elizabeth, in the county of Allegheny.

No. 1479, a supplement to an act incorporating the Wilkesbarre and Pittston railroad company, approved the 15th day of April, A. D. 1859.

No. 1321, an act to authorize the Lombard and South Street passenger railway company to increase its capital stock and bonded debt.

No. 1477, an a further supplement to an act to incorporate the Frankford and Holmesburg railroad company, approved July 18, 1863, providing for the construction of a railroad from Holmesburg to Bustleton.

No. 1489, an act to incorporate the Warren, Sheffield and Bennett Branch railroad company.

No. 1361, an act to authorize the school directors of West Hempfield township, Lancaster county, to apply surplus of bounty funds for school purposes.

No. 1378, an act appropriating certain surplus bounty funds in Silver Spring township, Cumberland county, to school purposes.

No. 1877, an act relating to taxation for school purposes in the school district of Canonsburg, in the county of Washing.

No. 1909, a supplement to an act relating to the common schools of the city of Lancaster, approved January 2, A. D. 1850.

No. 1455, an act to authorize the school directors of North Annville township, Lebanon county, and Middle Creek township, Snyder county, to levy and collect taxes in said townships to pay off deficiencies.

No. 1535, an act to change the line of the Mercer Union school district, in Mercer county.

No. 1293, an act to prevent the destruction of deer in Wayne county.

No. 1296, an act to prevent cattle from running at large on the flat of Jack's mountain, in Monroe and Union townships, in the county of Mifflin.

No. 1295, an act to prevent cattle, horses, sheep and swine from running at large in Tunkhannock township, in the county of Wyoming, and First, Lake and Middle Union townships, in Susquehanna county.

No. 1297, an act to prevent cattle, horses, sheep and hogs from running at large in the township of Mill Creek, and the borough of New Lebanon, in the county of Mercer, and Darlington township, in the county of Beaver.

No. 1382, an act to incorporate the Rynd Farm bridge company of Venango county.

No. 1522, a supplement to an act to authorize the construction of a side walk in the valley of Shesquin, in the county of Bradford.

No. 1520, an act to incorporate the Perry bridge company.

No. 1288, an act to re-annex a part of Colebrook township, Clinton county, to Brown township, Lycoming county.

No. 1411, an act for the relief of the estate of Anthony W. Olwine.

No. 1410, an act for the payment of Enos C. Renner, contestant for the seat of Michael Mullin.

No. 1326, an act for the relief of Dr. Herman B. Linton, a surgeon of the Thirty-eighth regiment, Pennsylvania infantry volunteers.

No. 1393, an act to extend the time of payment of the enrollment tax on act to incorporate the Mineral exploring company, approved August 18 1864.

No. 1454, an act to extend the time of payment of the enrollment tax on an act to incorporate the Agricultural College and Junction turnpike road company, approved the 6th day of May, 1864, and to insert additional commissioners in place of those deceased.

No. 1365, an act authorizing the board of school directors of the township of Wheatfield, in the county of Perry, to levy and collect an additional bounty tax.

No. 1383, an act to create trustees to erect a monument in the Twenty-second ward of the city of Philedelphia, and to authorize Henry K. Smith, executor or administrator of the estate of William K. Smith, deceased, to pay over the money in his hands belonging to the bounty fund of the Twenty-second wrad.

No. 1376, an act relating to auctioneers in the city of Williamsport.

No. 1358, an act relative to the jurisdiction of justices of the peace, mayors and burgesses in Erie county, and relative to appeals therefrom.

No. 1943, an act to authorize the chief burgess and town council of Tyrone City, Blair county, to borrow money, and levy and collect additional tax to pay the interest on the same.

No. 891, a supplement to the act approved April 11, 1866, to increase the fees of township officers in the county of Wyoming, extending the same to Cambria county.

No. 933, an act to incorporate the town of Big Run, in Jefferson county, into a borough.

No. 1562, an act to extend the time of payment of enrollment tax on an act to incorporate the Osceola improvement company, approved April 18, A. D. 1866.

No. 1597, an act to extend the time for the payment of the enrollment tax on an act to incorporate the Meadville Novelty works, approved April 14, 1863.

No. 1562, an act to extend the time for the payment of the enrollment tax on an act to incorporate the Union insurance company.

No. 1576, an act to incorporate the South Pittsburg Co-operative association of Allegheny county.

No. 1580, an act to increase the capital stock of the Venango water company.

No. 1614, an act to change the mode of criminal proceedings in Potter county.

No. 1621, an act to authorize the assessment and collection of a certain tax in the borough of Lewisburg, York county.

No. 1591, an act relating to the recording of general election returns in the county of Butler.

No. 1613, an act relating to the recovery of the cost of making connections with the sewers in the city of Philadelphia.

No. 1524, an act to authorize the school directors of the Old Fourth ward, in the city of Reading, to levy and collect a tax for the payment of bounties.

No. 1657, an act for the protection of that branch of the legal profession, in the city of Philadelphia, known as conveyancers or scriveners.

No. 1595, an act relative to the fees of notaries public in the counties of Centre and Lycoming.

No. 1604, a further supplement to an act to authorize the erection of a poor house by the township of Jenkins, borough of Pittston, and township of Pittston, in the county of Luzerne, approved May 8, A. D. 1857.

No. 1671, a supplement to an act increasing the compensation of certain officers in the county of Berks, approved the 23d of March, A. D. 1865.

No. 1593, an act to authorize the school directors of the school district of the borough of Phillipsburg, Centre county, to borrow money for building purposes.

No. 1607, an act to extend the term of the county treasurer of Mifflincounty.

No. 1555, an act to sell a certain tract of land in Washington township, Dauphin county.

No. 1498, a further supplement to an act to incorporate the Anthracite coal and iron company, approved on the 8th day of April, A. D. 1864.

No. 1561, a supplement to an act to incorporate the Eureka Life and Accident insurance company, approved January 30, 1867.

No. 1501, a further supplement to an act incorporating the Keystone coal and transportation company.

No. 1577, a supplement to an act incorporating the Spring Garden soup society, approved April 21, 1852.

No. 1612, an act to incorporate the Cardington Industrial Co-operative association.

No. 1608, an act to incorporate the National Paper manufacturing company of Pennsylvania.

No. 1615, an act to incorporate the Girard Tunneling gold and silver mining company.

No. 1626, an act to incorporate the West Virginia paper mill company.

No. 1596, an act to incorporate the West Newton gas company.

No. 1627, an act to incorporate the Crystal gas and water company of Venango City, Venango county.

No. 1585, an act to increase the capital stock of the Lehigh water company, in the borough of Easton, Northampton county, and levy and collect water tax.

No. 1584, a supplement to the act authorizing the Governor to incorporate the Easton water company, approved the 24th of March, A. D. 1847, and the supplements to said act.

No. 1582, an act to incorporate the Bath car company.

No. 1609, supplement to an act incorporating Danville gas company, to repeal so much of said act as relates to the mode of electing directors of said company.

No. 1599, an act to incorporate the Sierra Nevada mining company.

No. 1559, an act to incorporate the Uniontown stock company.

No. 1543, an act relating to public schools in the borough of Wattsburg, in the county of Erie.

No. 1550, an act to authorize the school directors of Pittston borough school district to sell a certain lot.

No. 1548, an act to compel the treasurer of the bounty fund of Mount Carmel township, to pay the surplus bounty fund in his hands to the school directors of said township, for school purposes.

No. 1640, an act relative to fishing in the streams, lakes and reservoirs in the county of Crawford.

No. 1637, an act extending the provisions of an act to prevent the growth of noxious weeds in the county of Chester, approved March, A. D. 1867, to Northampton county.

No. 517, an act to repeal a supplement to an act to prevent cattle, horses, sheep and hogs from running at large in the county of Delaware, extending the same to Lebanon county, approved 11th of April, A. D. 1866.

No. 807, an act to authorize the Board of Military Claims to settle the claim of T. B. Nelson, first lieutenant, battery H, Third artillery.

No. 105, an act for the relief of T. S. Strohecker, of Venango county.

No. 1617, an act relative to road laws in Fallowfield township, Washington county.

No. 1512, an act to authorize the Governor to incorporate a company to erect a bridge over the Allegheny river at or near the foot of Taylor street, in the city of Pittsburg, Allegheny county.

No. 1527, an act to incorporate the Mechanicsburg, Dillsburg and Petersburg turnpike company.

No. 1603, an act to lay out a State road in Schuylkill and Lebanon counties.

No. 1606, an act authorizing the commissioners of Mercer county to appropriate money sufficient to pay one half the expense of erecting a bridge over the Pymatuning creek, at the State line of Pennsylvania and Ohio, in the village of Orangeville.

No. 1425, an act to incorporate the Pennsylvania and New Jersey bridge company.

No. 1196, an act to incorporate the Reading and Trevorton railroad company.

No. 1354, an act to incorporate the Lincoln Savings Bank.

No. 1196, an act to incorporate the Reading and Trevorton railroad company.

No. 1354, an act to incorporate the Lincoln Savings Bank.

No. 1594, an act to incorporate the Capital Savings fund and safe deposit company.

No. 1318, an act to divorce Wm. A. Taylor and Julia, his wife.

No. 1081, an act to release the claim of the Commonwealth, and to validate the bequest in the will of Jarvis White, a deceased soldier.

No. 1688, an act to repeal and annul an act to annul the marriage contract between William Roberts and Emily Roberts.

No. 738, an act to vacate a certain portion of the ground on Sixth street, in the city of Harrisburg.

No. 1694, an act to repeal the thirtieth section of an act regulating boroughs, approved 3d April, 1851, so far as the same relates to the borough of New Alexandria, in Westmoreland county.

No. 1685, an act relating to certain officers in the South-West ward in the city of Lancaster, Pennsylvania, extending their terms of office, &c.

No. 1911, an act to repeal an act approved the 27th day of March, A. D. 1867, entitled An act to repeal the first section of an act passed the 1st day of April, A. D. 1792, declaring the Little Lehigh a public highway.

No. 1686, an act to amend the charter of incorporation of the Decatur association of Frankford.

No. 1678, an act to increase the pay of the supervisors and township auditors of Fox township, Elk county.

No. 1675, an act to increase the fees of constables and police officers of the city of Titusville in certain cases.

No. 1875, an act to ratify the charter of incorporation of the Atlantic petroleum storage company, and to confer additional powers on said corporation.

No. 1088, an act relative to the commissioners, sheriff and treasurer of Cumberland county.

No. 1684, an act increasing the pay of supervisors in Potter township, Huntingdon county.

No. 941, an act to incorporate the Fort Allen iron company, in the county of Carbon.

No. 1920, an act changing the time of holding the election of officers of the Trevorton coal company.

No. 1506, an act to incorporate the Great Western mining company.

No. 944, an act to incorporate the Black Band iron and coal company.

No. 1864, an act to incorporate the Express steamboat company.

No. 1693, an act to incorporate the Eagle manufacturing company.

No. 704, an act to incorporate the National iron company.

No. 1492, an act to incorporate the Northampton iron company.

No. 1673, an act to incorporate the Franklin manufacturing company.

No. 1691, an act to incorporate the Excelsior gold and silver mining company of Colorado.

No. 1659, an act to incorporate the Sharon Savings Bank.

No. 1655, an act to incorporate the Dimes saving fund of Slatington.

No. 1652, an act to incorporate the Lykens Valley Deposit Bank.

No. 1384, an act to take the sense of the people of Indiana county upon the question of a prohibitory liquor law.

No. 1718, supplement to an act entitled An act to establish a ferry at Tubbs' run, Venango county.

No. 1717, an act establishing a ferry across the Allegheny river at or near the Falling Springs, in Venango county.

No. 1347, an act to incorporate the Beaver Falls water company.

No. 1706, an act to incorporate the Mill Creek and Nescopeck railroad company.

No. 1705, an act to incorporate the Willow Bank and Burns Spring railroad company, in Centre county.

No. 372, an act to explain and construe an act compelling railroad and other corporations to pay counsel fees of plaintiffs in certain cases.

No. 1698, an act to incorporate the Franklin passenger railroad company.

No. 1700, an act to increase the compensation of election officers in the county of Schuylkill.

No. 1722, an act to annex real estate of Robert P. Cornelius of Jackson township, Snyder county, to the borough of New Berlin, Union county, for school purposes.

No. 1681, an act to authorize additional supervisors for Whitely township, in the county of Greene.

No. 492, a further supplement to an act to provide for the adjudication and payment of certain military claims, approved April 16, 1862.

No. 1629, an act to incorporate the Western Pennsylvania military academy, near Pittsburg and Allegheny, Pennsylvania.

No. 1680, an act to incorporate the Clinton turnpike road company, in the county of Greene.

No. 684, an act to vacate part of the Township Line road, in the Twenty-first ward of the city of Philadelphia.

No. 1605, a further supplement to a supplement to an act to incorporate the Lehigh and Delaware plank road or turnpike company, approved the eleventh day of April, A. D. 1866.

No. 1602, an act to incorporate the Quarryville and Christiana turnpike road company.

No. 1692, an act authorizing the voters of Lackawanna township, Pike county, to increase the number of supervisors in said township.

No. 1716, a further supplement to an act incorporating the Welch turnpike road company.

No. 1642, an act to prohibit the issuing of licenses to sell spirituous, vinous, malt or brewed liquors in the township of Penn, in the county of Perry.

No. 1760, an act to extend the provisions of an act to prohibit the issuing of licenses within certain boroughs in the counties of Armstrong, Potter, Indiana, and Perry, or within two miles of the same, in the counties in which such boroughs are located, approved 27th day of March, 1866, to the boroughs of West Newton and Mount Pleasant, in the county of Westmoreland.

No. 1344, joint resolution to pay the expenses of the committee appointed at the last session of the Legislature to investigate the truth of certain newspaper articles in reference to the passage of an act relating to licenses in the county of Allegheny.

No. 800, an act requiring the Superintendent of Public Printing to advertise for proposals for supplying the State with printing and bill paper.

No. 1676, an act to extend the time for the payment of the enrollment tax on an act to incorporate the Sugar Creek mining and transportation company.

No. 1682, an act to authorize the school directors of Aleppo township, in the county of Greene, to levy and collect a temporary school tax, for school purposes, beyond the amount now allowed by law.

No. 888, an act to change the venue in the case of G. W. Schofield vs. Martin Brunges, from the court of common pleas of Wyoming county to the court of common pleas of Bradford county.

No. 900, an act to change the venue in a certain case from Schuylkill county to Dauphin county.

No. 1764, an act to prohibit political processions after dark, ten days next preceding any general election, in the city of Philadelphia.

No. 781, an act to prevent cattle, horses, mules, sheep and hogs from running at large in Venango township, Erie county, and Little Beaver township, Lawrence county.

No. 1683, an act to prevent fishing with scoop nets or fish seines in the South Branch of Ten Mile creek, in the county of Greene, and Crooked creek, Armstrong county.

Also, on the 11th instant:

No. 2044, joint resolution authorizing the Governor to appoint commissioners to investigate the expenditures of moneys appropriated in certain cemeteries.

REPORT FROM COMMITTEE OF CONFERENCE.

Mr. CHASE presented the following report, which was read and

Agreed to:

The committee to whom was referred the questions of difference between the two Houses in reference to House bill No. 328, entitled An act to incorporate the Meadville savings and loan company, respectfully report that they recommend that the House concur in the Senate amendments made to said bill.

(Signed) J. T. CHASE.
A. ARMSTRONG.
A. D. MARKLEY.
M. B. LOWRY.
R. DONOVAN.
R. A. BROWNE.

MESSAGE FROM THE SENATE.

The Clerk of the Senate being introduced, presented the following extracts from the Journal:

Resolved, That a committee of two be appointed to wait upon the House of Representatives, and inform that body that the Senate will be ready to adjourn this day at twelve o'clock, M.

Ordered, That Messrs. WHITE and DONOVAN be appointed said committee.

The Clerk of the Senate being introduced, presented the following extract from the Journal:

IN SENATE, April 10, 1867.

Resolved, That a committee of three be appointed to act in conjunction with a similar committee already appointed by the House of Representatives to wait upon the Governor and inform him that the Legislature will adjourn *sine die* at 12 o'clock, M., this day.

Ordered, That the committee on the part of the Senate consist of Messrs. BIGHAM, LOWRY and WALLACE.

The Clerk of the Senate being introduced, informed that the Senate has adopted the report of the committee of conference on the subject of the differeqces existing between the two Houses in relation to the amendments to House bill numbered and entitled as follows, viz:

No. 328, an act to incorporate the Meadville savings and loan company.

He also informed that the Senate has concurred in the amendment made by the House of Representatives to Senate bill No. 2044, entitled A joint resolution authorizing the Governor to appoint commissioners to investigate the expenditures of moneys appropriated in certain cemeteries.

MESSAGE FROM THE GOVERNOR.

The Deputy Secretary of the Commonwealth being introduced, presented a message from the Governor approving certain bills, which was read as follows, viz:

EXECUTIVE CHAMBER,
HARRISBURG, PA., April 11, 1867.

To the Senate and House of Representatives of the Commonwealth of Pennsylvania:

GENTLEMEN—I have approved and signed the following acts of the General Assembly, to wit:

On the 10th instant:

House bill No. 1524, an act to incorporate the Citizens' turnpike and macadamized road company.

Senate bill No. 520, an act to incorporate the Moshannon land and lumber company.

Senate bill No. 1775, an act to authorize the Lehigh coal and navigation company to borrow money and issue bonds.

Senate bill No. 1776, an act to extend the time for the commencement of the Chestnut Hill and Cheltenham railway company.

House bill No. 2057, an act to provide for an additional return day in the court of common pleas of Northumberland county.

Senate bill No. 1200, an act to incorporate the Good Spring iron and land company.

House bill No. 1580, an act to increase the capital stock of the Venango water company.

Senate bill No. 1168, an act relative to the leasing of the Kersey oil and mineral company's railroad by the Farmers' railroad company of Venango county.

House bill No. 1597, an act to extend the time for the payment of the enrollment tax on an act to incorporate the Meadville Novelty works, approved April fourteenth, one thousand eight hundred and sixty-three.

House bill No. 1606, an act authorizing the commissioners of Mercer county to appropriate money sufficiant to pay one-half the expenses of erecting a bridge over the Pymatuning creek at the State line of Pennsylvania and Ohio, in the village of Grangeville.

House bills No. 1612, an act to incorporate the Cardington Industrial Co-operative association.

House bill No. 1191, a further supplement to the act to incorporate the Pennsylvania railroad company, approved April 13th, A. D. 1846, authorizing the Pennsylvania railroad company to construct additional railroad tracks sidings, depots, workshops and other appurtenances along, adjoining or contiguous to their own line of railroad and the railroads owned and leased, or hereafter to be owned and leased by them, and to straighten and improve the same, and to acquire the property upon which to construct the same, paying therefor the value of the property to be used or occupied.

House bill No. 1691, an act entitled An act to incorporate the Excelsior gold and silver ver mining company of Colorado.

House bill No. 1604, a further supplement to an act to authorize the erection of a poor house by the township of Jenkins borough, of Pittston and township of Pittston, in the county of Luzerne, approved May eighth, Anno Domini, one thousand eight hundred and fifty-seven.

House bill No. 1595, an act relative to the fees of notaries public in the counties of Centre and Lycoming.

House bill No. 1685, an act relating to certain officers in the Southwest ward in the city of Lancaster, Pa., extending their term of office, &c.

House bill No. 1909, a supplement to an act relating to the common schools of the city of Lancaster, approved January second, one thousand eight hundred and fifty.

House bill No. 1392, a supplement to an act entitled An act to incorporate the People's accident insurance company of Pennsylvania, approved April eleventh, one thousand eight hundred and sixty-six.

House bill No. 1265, an act to prevent cattle, horses, sheep and swine from running at large in Tunkhannock township, county of Wyoming, and Forest, Lake and Middletown townships, in Susquehanna county.

House bill No. 1393, an act to extend the

time of payment of the enrollment tax on an act to incorporate the Mineral exploring company, approved August eighteenth, one thousand eight hundred and sixty-four.

House bill No. 891, a supplement to the act approved April eleventh, one thousand eight hundred and sixty-six, to increase the fees of township officers in the county of Wyoming, extending the same to Cambria county.

House bill No. 1502, an act to incorporate the Lehigh County mining, manufacturing and improvement company.

House bill No. 1326, an act for the relief of Doctor Herman B. Linton, a surgeon of the Thirty-eighth regiment Pennsylvania infantry volunteers.

House bill No. 1326, an act to incorporate the Pittsburg tunnel company.

House bill No. 1599, an act to incorporate the Sierra Nevada mining company.

House bill No. 807, an act to authorize the Board of Military Claims to settle the claim of T. B. Nelson, first lieutenant, Battery H, Third artillery.

Senate bill No. 167, a supplement to an act entitled An act amending the law of evidence in Pennsylvania, approved the twenty-seventh day of March, one thousand eight hundred and sixty five.

House bill No. 1864, an act to incorporate the Express steamboat company.

Senate bill No. 1816, an act supplementary to the act to incorporate the Oil Creek, Lake and Titusville mining and transportation company.

House bill No. 1477, a further supplement to an act to incorporate the Frankford and Holmesburg railroad company, approved July the eighteenth, one thousand eight hundred and sixty-three, providing for the construction of a railroad from Holmesburg to Bustleton.

House bill No. 1329, an act granting a pension to Nancy Jane O'Donnell, widow of D. Charles O'Donnell, deceased.

House bill No. 133, an act granting a pension to Margaret Rots, widow of David Rots, late of Franklin county, deceased.

House bill No. 1510, an act to incorporate the Puebla gold and silver mining company.

House bill No. 1455, an act to authorize the school directors of North Annville township, Lebanon county, and Middle Creek township, Snyder county, to levy and collect taxes in said township to pay off deficiencies.

House bill No. 886, an act relating to the sale of lands by the commissioners of Cambria county.

House bill No. 1436, an act to authorize the borough of Media, in the county of Delaware, to borrow money for the purpose of supplying said borough with water.

House bill No. 1471, an act increasing the compensation of the collector of borough and school taxes of the borough of Easton, Northampton county.

House bill No. 1413, an act relating to the courts of Venango county.

House bill No. 1773, a supplement to an act relating to corporations for mechanical, manufacturing, mining and quarrying purposes, approved the eighteenth day of July, one thousand eight hundred and sixty-three, repealing section thirty-three of the same so far as it affects certain counties.

House bill, No. 1447, a supplement to an act empowering the Lutheran congregation of the Old Goshenhoppen church in Upper Salford township, in Montgomery county, to collect their outstanding debts, approved the twenty-fifth day of March, Anno Domini one thousand eight hundred and thirty-nine.

House bill No. 1079, an act to incorporate the Franklin savings fund and safe deposit company.

House bill No. 1346, an act granting a pension to Sarah E. M'Elhose, widow of a soldier.

House bill No. 1456, an act to extend the time of the payment of the enrollment tax on an act to incorporate the Agricultural College and Junction turnpike road company, approved the sixth day of May, one thousand eight hundred and sixty-four, and to insert additional commissioners in place of those deceased.

House bill No. 1446, an act relating to notaries public in the city of Harrisburg.

House bill No. 1410, an act for the payment of Enos C. Renner, contestant for the seat of Michael Mullin.

House bill No. 1478, an act relative to the license of vehicles in the borough of Lawrenceville, Allegheny county.

House bill No. 1435, an act to increase the pay of the auditors of Jeffersen county.

House bill No. 1457, an act authorizing the increase of the recognizance and bond of the sheriffs of Venango county.

House bill No. 1160, an act relative to huckesters in the county of Dauphin.

House bill No. 1582, an act to incorporate the Bath car company.

House bill No. 1378, an act to authorize the Hartsville and Centreville turnpike road company to issue preferred stock.

House bill No. 1372, an act to incorporate the Rynd Farm bridge company.

House bill No. 1321, an act to authorize the Lombard and South Street passenger railway company to increase its capital stock and bonded debt.

House bill No. 1529, an act to establish a ferry over the Monongahela river at the borough of Elizabeth, in the county of Allegheny.

House bill No. 1288, an act to annex a part of Colebrook township, Clinton county, to Brown township, Lycoming county.

House bill No. 517, an act to repeal a supplement to an act to prevent cattle, horses, sheep and hogs from running at large in the county of Delaware, extending the same to Lebanon county, approved the eleventh day of April, Anno Domini one thousand eight hundred and sixty-six.

House bill No. 1383, an act to create trustees to erect a monument in the Twenty-second ward of the city of Philadelphia, and to authorize Henry K. Smith, executor or administrator of the estate of William K. Smith, deceased, to pay over the money in his hands belonging to the bounty fund of the Twenty-second ward to the said trustees.

House bill No. 1014, an act to authorize the president and directors of any railroad company to determine by resolution the manner in which and the persons to whom the increased capital thereof may be sold, and the amounts of the instalments thereon, and the times and manner of their payment.

Senate bill No. 687, an act relating to the settlement of the collateral inheritance tax on the estate of the late Robert W. Coleman, deceased.

House bill No. 1499, an act to enable the Spring Run oil and lumber company and the Benezet oil and coal company to consolidate.

House bill No. 1489, an act to incorporate the Warren, Sheffield and Bennet Branch railroad company.

House bill No. 1257, an act relative to the sale of an old school house in West Cocalico township, Lancaster county.

House bill No. 1349, an act to authorize the school directors of Troy borough school district, in the county of Bradford, to contract a loan for the purpose of erecting a suitable school house in said borough.

House bill No. 1359, an act relating to the borough of Union Mills, in the county of Erie.

House bill No. 1683, an act to prevent fishing with seines in the South Branch of ten mile creek, in the county of Greene, and Crooked creek, Armstrong county.

House bill No. 1452, an act to authorize the appointment of two additional notaries public in the city of Pittsburg, Allegheny county, and one in West Newton, Westmoreland county, one in Beaver, Beaver county.

House bill No. 1681, an act to authorize additional supervisors for Whiteley township, in the county of Greene.

House bill No. 1603, an act to lay out a State road in Schuylkill and Lebanon counties.

House bill No. 1589, an act authorizing the commissioners of Susquehanna county to erect a new jail in the said county.

House bill No. 1200, a supplement to an act to incorporate the Brady coal and oil company.

House bill No. 1509, an act to incorporate the Viola gold and silver mining company.

House bill No. 1675, an act to increase the fees of constables and police officers of the city of Titusville, in certain cases.

House bill No. 1640, an act relative to fishing in the streams, lakes and reservoirs in the county of Clearfield.

House bill No. 1548, an act to compel the treasurer of the bounty fund of Mount Carmel township to pay the surplus bounty fund in his hand to the school directors of said township for school purposes.

House bill No. 1550, an act to authorize the school directors of Pittston borough school district to sell a certain lot.

House bill No. 246, an act for the better and more impartial selection of persons to serve as jurors in each of the counties of this Commonwealth.

House bill No. 1585, an act to increase the capital stock of the Lehigh water company, in the borough of Easton, Northampton county, and levy and collect water tax.

House bill No. 1340, an act to incorporate the York and Chanceford turnpike road company, in the county of York.

House bill No. 1203, an act to incorporate the Shippensburg iron, manufacturing and mining company

House bill No. 1081, an act to release the claim of the Commonwealth and to validate bequest in the will of James White, a deceased soldier.

Senate bill No. 1599, a supplement to the Erie and Allgeheny railroad company, authorizing connections with their road on the east line of the township of North East, with any railroad from the State of New York, and the west line with any railroad constructed or to be constructed in the State of Ohio, and also authorizing said Erie and Allegheny railroad company to connect their road, within the county of Crawford, with the Atlantic and Great Western railroad company, with the same legal effect as though the connection was made within the county of Erie.

House bill No. 1823, an act authorizing the school directors of the borough of New Milford, Susquehanna county, to borrow money for school purposes.

House bill No. 704, an act to incorporate the National iron company.

House bill No. 1492, an act to incorporate the Northampton iron company.

House bill No. 1347, an act to incorporate the Beaver Falls water power company.

House bill No. 1381, an act to authorize the supervisors of Tyrone township, Blair county, to levy a cash tax.

House bill No. 1692, an act to authorizing the voters of Lackawaxen township, Pike county, to increase the number of supervisors in said township.

House bill No. 1615, an act to incorporate

the Girard Tunneling gold and silver mining company.

House bill No. 1336, an act for the appointment of two additional assessors for the Fifteenth ward of the city of Philadelphia.

House bill No. 1363, an act authorizing the supervisors of Salem township, in Luzerne county, to collect in money the tax levied for road purposes in said township.

House bill No. 1342, an act to incorporate the Oxford fire and life insurance, annuity and trust company.

House bill No. 711, an act authorizing the road commissioners of Mill Creek township, Erie county, to compel the owners of land fronting on Ridge road to make sidewalks and to straighten and open out said road.

House bill No. 1479, a supplement to an act incorporating the Wilkesbarre and Pittston railroad company, approved the fifteenth day of April, Anno Domini one thousand eight hundred and fifty-nine, increasing the privileges, and changing the name thereof to the Danville, Hazleton and Wilkesbarre railroad company.

House bill No. 1394, an act relating to the fees of the sheriffs of the counties of Cumberland and Snyder.

House bill No. 740, an act to incorporate the Oil City acid factory.

House bill No. 1686, an act to amend the charter of incorporation of the Decatur building association of Frankford.

House bill No. 1283, a supplement to an act to incorporate the Farmers' Mutual fire insurance company of Paradise township, in the county of York, approved the twenty-eighth day of March, Anno Domini one thousand eight and fifty-four.

House bill No. 1312, an act to legalize the action of the school directors of Shrewsbury township, York county, relative to money borrowed to pay bounties and taxes assessed to collect the same.

Senate bill No. 1414, an act relative to the Merchants' and People's transportation company.

House bill No. 1332, an act to authorize the school directors of M'Keesport, Allegheny county, to equalize the payment of bounties.

House bill No. 1362, a supplement to an act incorporating the Lehigh Mutual manufacturing company.

House bill No. 1307, an act to exempt John Malone of Sewickley township, Westmoreland county, from the payment of bounty tax.

House bill No. 1824, a further supplement to an act entitled An act to validate the judgment docket entries made by the prothonotaries of certain counties within this Commonwealth.

House bill No. 1376, an act relating to auctioneers in the city of Williamsport.

House bill No. 1365, an act authorizing the board of school directors of the township of Wheatfield, in the county of Perry, to levy and collect an additional bounty tax.

Senate bill No. 1253, an act to change the venue in certain cases from Allegheny to Jefferson county.

House bill No. 1635, an act to prohibit the destruction of fish in the Susquehanna river and its tributary streams in Columbia county.

House bill No. 1637, an act to extend the provisions of an act to prevent the growth of noxious weeds in the county of Chester, approved March, Anno Domini one thousand eight hundred and sixty-seven, to Northampton county.

House bill No. 105, an act for the relief of T. S. Strochecker, of Venango county.

House bill No. 1617, an act relative to the road laws of Fallowfield township, Washington county.

House bill No. 1609, supplement to an act incorporating Danville gas company, to repeal so much of said act as relates to the mode of electing directors of said company.

House bill No. 1559, an act to incorporate the Uniontown stock company.

House bill No. 1746, an act to incorporate the Montgomery improvement company.

House bill No. 1874, an act relating to taxation for school purposes in the school district of Canonsburg, in the county of Washington.

House bill No. 1197, an act to prevent cattle, horses, sheep and hogs from running at large in the township of Mill Creek and borough of New Lebanon, in the county of Mercer, and Darlington township, in the county of Beaver.

House bill No. 1149, an act to declare North creek and a part of the Driftwood creek, in the county of Cameron, public highways.

House bill No. 1544, an act relating to public schools in the borough of Wattsburg, in the county of Erie.

House bill No. 1591, an act relating to the recording of the general election returns in the county of Butler.

House bill No. 1621, an act to authorize the assessment and collection of a certain tax in the borough of Lewisburg, York county.

House bill No. 1308, an act authorizing the school directors of the borough of Harmony, and the townships of Jackson and Brady, in the county of Butler, to levy and collect an additional bounty tax.

House bill No. 1302, an act extending the provisions of an act relating to the licensing of billiard rooms, bowling saloons and nine or ten-pin alleys, at Cresson Springs, in the county of Cambria, to the Loretto Springs, in the same county.

House bill No. 1330, an act to extend the time for the payment of the enrollment tax on an act to incorporate the Moshanon coal and lumber company.

House bill No. 1335, an act to legalize and make valid an order for bounty issued by the road commissioners of Elk Creek township, in the county of Erie.

House bill No. 1367, an act extending the time of payment of the enrollment tax on an act incorporating the Pennsylvania light and water company, approved April fifth, one thousand eight hundred and sixty-six.

House bill No. 1311, an act authorizing the school directors of Warrington township, York county, to levy and collect bounty tax at once.

House bill No. 1328, a supplement to an act to incorporate the Medico Chirurgical college of Philadelphia, passed February, Anno Domino one thousand eight hundred and fifty.

House bill No. 1282, a further supplement to an act to incorporate the Youghiogheny shaft company.

House bill No. 625, an act to change the venue in the case of John M'Farland vs. Joseph Shoemaker from the court of common pleas of Northumberland county to the court of common pleas of Union county.

House bill No. 1323, an act to incorporate the Capital savings fund, insurance, trust and safe deposit company.

House bill No. 1694, an act to repeal the thirteenth section of an act regulating boroughs, approved the third day of April, one thousand eight hundred and fifty-one, so far as the same relates to the borough of New Alexandria, Westmoreland county.

House bill No. 1673, an act to incorporate the Franklin manufacturing company.

House bill No. 1953, supplement to the act authorizing the school directors of the borough of Franklin, Venango county, to borrow money, approved the eleventh day of April, Anno Domini one thousand eight hundred and six-six.

House bill No. 1718, an act supplementary to an act establishing a ferry across the Allegheny river at or near the mouth of Tubbs' run, in Venango county, approved the twelfth day of April, Anno Domini one thousand eight hundred and sixty-six.

House bill No. 1605, a further supplement to supplement to an act to incorporate the Lehigh and Delaware plank road or turnpike company, approved the eleventh day of April, Anno Domini one thousand eight hundred and sixty-six.

House bill No. 1706, a further supplement to the act incorporating the Welch turnpike road company.

House bill No. 781, an act to prevent cattle, horses, mules, sheep and dogs from running at large in Venango township, Erie county, and Little Beaver township, Lawrence county.

An act to extend the time for the payment of the enrollment tax on an act entitled An act to incorporate the Sugar Creek mining and transportation company, approved March the twenty-fourth, Anno Domini one thousand eight hundred and sixty-five.

House bill No. 1682, an act to authorize the school directors of Aleppo township, in the county of Greene, to levy and collect a temporary tax for school purposes, beyond the amount now allowed by law.

House bill No. 1680, an act to incorporate the Clinton turnpike company, in the county of Greene.

House bill No. 1700, an act to increase the compensation of election officers in the county of Schuylkill.

House bill No. 1722, an act to annex real estate of Robert P. Cornelius, of Jackson township, Snyder county, to the borough of New Berlin, Union county, for school purposes.

House bill No. 1717, an act establishing a ferry across the Allegheny river at or near the Falling Springs, in Venango county.

House bill No. 1705, an act to incorporate the Willow Bank and Burus Spring railroad company.

House bill No. 1334, an act to take the sense of the people of Indiana county upon the question of a prohibitory liquor law.

House bill No. 1706, an act to incorporate the Mill Creek and Nescopeck railroad company.

House bill No. 1299, an act to prevent the sale or giving away of intoxicating drinks in the township of Peach Bottom, York county, on election days.

House bill No. 1661, an act supplementary to an act relating to the Western Pennsylvania railroad company, and for other purposes, approved April twenty-seventh, one thousand eight hundred and sixty-four.

House bill No. 1520, an act to incorporate the Perry bridge company.

House bill No. 1198, an act to empower the Ashland iron company of Baltimore county, in the State of Maryland, to hold lands in the State of Pennsylvania.

House bill No. 800, an act requiring the Superintendent of Public Printing to advertise for the proposals for supplying the State with printing and bill paper.

House bill No. 951, a supplement to the act to incorporate the Franklin silver mining company, approved April seventeenth, one thousand eight hundred and sixty-six, authorizing said company to issue bonds.

House bill No. 1608, an act to incorporate the National paper manufacturing company of Pennsylvania.

House bill No. 1503, an act to incorporate the North Star mining company.

House bill No. 1508, an act to incorporate the Continental mining company.

House bill No. 1506, an act to incorporate the Great Western mining company.

Daily Legislative Record.

FOR THE SESSION OF 1867.

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TERMS OF THE DAILY RECORD.

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[CONTINUED FROM PAGE 1128.]

House bill No. 1434, an act to increase the fees of the commissioners of Crawford county as directors of the poor.

House bill No. 1561, a supplement to an act to incorporate the Eureka life and accident insurance company, approved January thirtieth, one thousand eight hundred and sixty-seven.

House bill No. 982, an act to establish a ferry over the Monongahela river at the town of Allenport, in Washington county.

House bill No. 1671, a supplement to an act increasing the compensation of certain officers in the county of Bucks, approved the twenty-third day of March, Anno Domini one thousand eight hundred and sixty-five.

House bill No. 1906, an act to change the time of holding the several courts of Greene county.

House bill No. 2185, an act authorizing the Auditor Gneral to examine the claim of Colonel C. W. Burton, and directing the State treasurer to pay the same if found to be correct.

House bill No. 1727, an act to annex the farm or farms of John M'Quiston L. S. M'Quiston, T. M. M'Quiston and David M'Quiston, of East Fallowfield to West Fallowfield township, Crawford county, for school purposes.

House bill No. 1894, an act to incorporate the Allegheny gold and silver mining company of Idaho.

House bill No. 1887, an act relating to bounties in Concord township, Erie county.

House bill No. 1905, a further supplement to an act entitled A supplement to the act incorporating the National iron armor company of Chester, in the county of Delaware, approved March twenty-first, one thousand eight hundred and sixty five, to enable said company to construct a railroad from their works to the Philadelphia, Wilmington and Baltimore railroad.

House bill No. 1907, an act to reduce the price of licenses to hucksters in Greene county.

House bill No. 1886, an act relating to the erection of school buildings in the borough of Covington, Tioga county, authorizing the school directors to borrow money.

House bill No. 1935, an act authorizing the burgess and town council of Oil City to levy a tax for borough purposes.

House bill No. 1866, an act to legalize the action of the school directors of Spring Hill township, Fayette county, and to authorize the levy and collection of an additional bounty tax.

House bill No. 656, an act to authorize the guardians of the minor children of Michael Frock, late of Snyder county, deceased, to make certain improvements on the real estate of said minors.

House bill No. 1662, a supplement to an act relating to hawkers and peddlers in the county of Chester, approved March second, Anno Domini one thousand eight hundred and sixty-seven.

House bill No. 1780, an act regulating the compensation of assessors and assistant assessors in the county of Allegheny.

House bill No. 1774, an act authorizing the Governor to appoint an additional notary public for the city of Philadelphia and one in each of certain counties of the Commonwealth.

House bill No. 1885, an act to incorporate the Frankford Co-operative benefit society.

House bill No. 1880, an act to prohibit the erection of ferries within two miles of the Milton bridge, in the county of Northumberland.

House bill No. 1337, an act to vacate part of Buck road, in the Twenty-sixth ward of the city of Philadelphia.

House bill No. 2086, a further supplement to an act to incorporate the Jones ferry company, approved the fourteenth day of March, Anno Domini one thousand eight hundred and sixty-five.

House bill No. 2149, an act to incorporate the Rich Valley Co operative association of Allegheny county.

House bill No. 1938, an act to extend the provisions of an act relative to mechanics' liens in the counties of Luzerne and Schuylkill, approved the seventeenth of February, one thousand eight hundred and fifty-eight, to the county of Forest.

House bill No. 1937, a supplement to an act authorizing the burgess and town council of Venango City, Venango county, to increase their borough tax.

House bill No. 1898, an act relating to the surplus bounty fund in Vernon township, Crawford county.

House bill No. 1832, an act to increase the pay of supervisors of roads, overseers of the poor and township auditors of the county of Carbon.

House bill No. 2148, an act authorizing the trustees of the Willestown Baptist church of Chester county to remove bodies from the burial ground and reinter the same.

House bill No. 1899, an act relating to the surplus bounty fund in the township of East Fallowfield, in the county of Crawford.

An act authorizing the appointment of commissioners to run the boundary lines between the counties of Lyceming, Union and Clinton, and to fix and determine the same.

House bill No. 1892, an act to incorporate the Johnstown and Hingston's Run turnpike road company.

House bill No. 1891, an act to incorporate the Gallitzin and Cambria Mills turnpike road company.

House bill No. 1873, an act to repeal an act changing the citizenship of Jacob Bohner from Lykens to Mifflin township, Dauphin county, approved sixteenth of April, one thousand eight hundred and sixty-six.

House bill No. 2009, an act to grade and pave certain streets in Hummelstown, Dauphin county.

Senate bill, No. 994, a supplement to an act to lay out State road from Karthaus, in Clearfield county, to Coudersport, in Potter county, by way of Sinnemahoning, and for other purposes, approved March thirty-first, one thousand eight hundred add forty-five, renewing the powers, appointing new commissioners, and appropriating taxes for its completion.

Senate bill No. 964, an act to extend the time of payment of the enrollment tax of the Delaware mining company, appointing additional corporators, and authorizing said company to hold additional lands.

Senate bill No. 556, an act to authorize the court of quarter sessions of Allegheny county to appoint viewers to assess the cost of opening a public road in said county.

Senate bill No. 1029, an act to authorize the trustees of the public school fund of the townships of Wilkesbarre and Plains, in Luzerne county, to appropriate the whole or any portion of said fund for the purchase of land for a public cemetery or grave yard for said townships.

Senate bill No. 1029, an act to incorporate the Pittsburg and Sinaloa mining company.

Senate bill No. 996, a supplement to an act to entitle the stockholders of any railroad company incorporated by the laws of this Commonwealth, accepting this act, to one vote for each share of stock, approved the twentieth day of May, Anno Domini, one thousand eight hundred and sixty-five, extending the same to turnpike road companies.

House bill No. 1325, a supplement to an act to authorize Henry B. Masser and John H. Fisher to establish and maintain a ferry over the Susquehanna river at Selinsgrove, approved March the twentieth, Anno Domini one thousand eight hundred and sixty-three.

House bill No. 1153, an act to authorize the commissioners of Warren county to work prisoners in said county.

House bill No. 1013, an act relating to the recovery of the cost of making connections with the sewers in the city of Philadelphia.

Senate bill No. 1023, an act supplementary to an act to incorporate the Matawanna mining and exploring company, approved the twenty-fourth day of March, Anno Domini one thousand eight hundred and sixty-five.

House bill No. 1196, an act to incorporate the Reading and Trevorton railroad company.

Senate bill No. 1022, an act to extend the time for the payment of the enrollment tax on bill entitled An act to incorporate the National silver mining company.

Senate bill No. 1114, an act to incorporate the Ophir Canon silver mining company of Nevada.

House bill 1584, a supplement to the act authorizing the Governor to incorporate the Easton water company, approved the twenty-fourth day of March, Anno Domini one thousand eight hundred and seventeen, and the supplement to said act.

Senate bill No. 1113, an act to incorporate

the Empire State silver mining company of Nevada.

Senate bill No. 1041, an act to reduce the capital of the Six Mile Run coal company.

Senate bill No. 416, an act to extend the time for the payment of the enrollment tax on an act to incorporate the Keating coal and iron company, approved April eleventh, Anno Domini one thousand eight hundred and sixty-six.

Senate bill No. 966, an act relative to the terms of members of the council of the city of Philadelphia.

Senate bill No. 1118, an act to authorize the Warren and Franklin railway company to construct branch roads.

Senate bill No. 1543, an act supplementary to the act to incorporate the Adams County Soldiers' Monument association, approved March thirtieth, one thousand eight hundred and sixty-seven, appropriating a site for said monument.

Senate bill No. 1357, an act relative to actions of ejectment in Erie county.

Senate bill No. 1198, an act to incorporate the Farmers' and Citizens' Co-operative and Saving Fund association of Lawrence county, Pennsylvania.

Senate bill No. 1185, an act to incorporate the Union car and manufacturing company of Philadelphia.

House bill No. 1664, an act concurrent with an act passed by the Legislature of Ohio on the twentieth day of March, Anno Domini one thousand eight hundred and sixty-seven, in relation to the O[illegible] and Pennsylvania canal company.

Senate bill No. 1564, a supplement to an act incorporating the Caledonia iron, land and railroad company, approved March twenty-second, Anno Domini one thousand eight hundred and sixty-seven.

Senate bill No. 486, an act relative to contested elections in the city of Philadelphia.

Senate bill No. 540, an act authorizing the president and managers of the Lime Kiln turnpike company, and the president and managers of the Jarrettstown and Horsham turnpike company to charge certain rates of tolls.

House bill No. 1442, a supplement to an act relating to auctioneers in the city and county of Erie.

House bill No. 1448, an act relating to the compensation of the treasurer of Berks county.

House bill No 1596, an act to incorporate the West Newton gas company.

House bill No. 1627, an act to incorporate the Chrystal gas and water company.

Senate bill No. 1546, an act to incorporate the Indiana woolen works.

House bill No. 686, an act to vacate part of the Township Line road in the Twenty-first ward of the city of Philadelphia.

House bill No. 1296, an act to prevent cattle from running at large on the flat of Jack's mountain, in Minno and Union townships, in the county of Mifflin.

House bill No. 1674, an act to prohibit political processions after dark ten days next preceding any general election, in the city of Philadelphia.

House bill No. 492, a further supplement to an act to provide for the adjudication and payment of certain military claims, approved April sixteenth, one thousand eight hundred and sixty-two.

House bill No. 1512, an act to authorize the Governor to incorporate a company to erect a bridge over the Allegheny river, at or near the foot of Taylor street, in the city of Pittsburg, Allegheny county.

House bill No. 900, an act to change the venue in a certain case from Schuylkill county to Berks county.

Senate bill No. 160, an act to authorize the removal of certain cases from the court of common pleas of Cambria county to the court of common pleas of Centre county.

House bill No. 888, an act to change the venue in the case of G. W. Scofield vs. Martin Brunges from the court of common pleas of Wyoming county to the court of common pleas of Bradford county.

Senate bill No. 1221, an act to protect the validity of certain liens in Venango county.

Senate bill No. 377, an act granting an increase of capital to literary or charitable institutions becoming soldiers' orphans' schools.

Senate bill No. 442, a supplement to an act to validate certain conveyances made by married women since the eleventh day of April, one thousand eight hundred and forty-eight, approved twenty second April, one thousand eight hundred and sixty-three, restraining conveyances in cases in which the instrument vesting title withholds such powers.

House bill No. 1170, an act to provide for the enforcement of the inspection laws in regard to the inspection of whisky in the county of Philadelphia.

Senate bill No. 1805, an act to repeal an act regulating the jurisdiction of courts in proceedings by bill for injunctions and other relief in equity and the service of process.

Senate bill No. 1807, an act to authorize the sale of the property of any incorporated company upon the bonds secured by a mortgage given by it with like effect as if sold upon the mortgage.

Senate bill No. 828, an act to provide for the ordinary expenses of the government and other general and specific appropriations.

Senate bill No. 76, an act to incorporate the Conemaugh and Allegheny transportation company.

House bill No. 1695, an act to incorporate the Kittanning and Reynoldsville railroad company.

Senate bill No. 1948, an act to incorporate the Keystone elevating and warehousing company.

House bill No. 1965, a further supplement to an act incorporating the Wilkesbarre and Pittston railroad company, approved April the fifteenth, one thousand eight hundred and fifty-nine, to increase the capital stock, make branches and hold lands.

House bill No. 1344, joint resolution to pay the expenses of the committee appointed at the last session of the Legislature to investigate the truth of certain newspaper articles in reference to the passage of an act relating to licenses in the county of Allegheny.

Senate bill No. 102, an act to incorporate the Vulcan iron works.

Senate bill No. 1405, an act to consolidate the Steuben coal company and the Scranton coal company.

Senate bill No. 1502, an act to incorporate the Pittston railroad company.

House bill No. 784, an act to protect game and fish in Luzerne county.

House bill No. 1846, an act to incorporate the Edge Hill iron company.

House bill No. 377, an act authorizing courts to receive certified copies of military records in evidence.

Senate bill No. 653, an act to incorporate the Washington Township mining, manufacturing and improvement company of Schuylkill county.

House bill No. 1933, an act supplementary to an act to incorporate the town of Pinegrove, in the county of Schuylkill, into a borough, approved May 27, 1832.

House bill No. 1976, an act to incorporate the North Mountain coal company.

Senate bill No. 1549, an act for the relief of Captain John Moore, Jr., late Elderton Guards.

House bill No. 446, an act to incorporate the Harleysville and Lederachsville turnpike road company.

Senate bill No. 1558, an act to authorize the Board of Military Claims to re-examine the claim of the legal representatives of Colonel John W. M'Lean, deceased, of Erie county.

JNO. W. GEARY.

PRESENTATIONS.

Mr. Benedict, the Chief Clerk, presented to the Speaker a splendid ivory gavel, mounted with gold bands, and inscribed, "Presented to the Hon. J. P. GLASS, Speaker House of Representatives, by the Chief Clerk, A. W. BENEDICT, Session 1867.

SPEECH OF MR. WADDELL.

Mr. Speaker, and Gentlemen of the House of Representatives:—Our labors are about ending. Three months have passed since we met to assume our duties as the Representatives of this Commonwealth. How that duty has been performed it is not for me to say; the people we represent must be the judges. If we have striven to do the best we could, then our own feeling of rectitude will be our reward. That we should have pleased everybody is not to be expected. Representing, as we do, communities differing in wealth, interests and resources, we have had to yield local wishes to harmonize the public wants; and entertaining, as we do, different views upon questions of governmental policy, we have had to give up our personal opinions to accomplish a practical result. And, in so doing, our constituents may sometimes have felt that we were unmindful of their demands, and reckless of the trust confided to us. But (as I have already said) if we have attempted to do our duty, solely with a view to the public good, our own feeling of right will be our sufficient reward, and enable us to look back with pride to the days we have spent within these walls. And we should feel proud to-day, sir, in being the representatives of Pennsylvania—proud personally for the confidence which our constituents have manifested in sending us here, and proud collectively of the Commonwealth for which we legislate—proud of her wealth, her resources, and her influence—proud of her loyalty before the rebellion, through the rebellion and since the rebellion, and proud of what we believe is yet in future store for her, and of the position which she is destined yet to occupy among her sister States of this Union. In this pride we can all justly join, let our local habitation be where it may, our local interests be what they may, or our political views differ as they may.

This, however, is not a day for exultation or pride, but rather of regret and sadness. Our work here is finished, and we are about to separate. We have had our day of pleasure, and now comes the hour of sorrow.

Yesterday we were contending among ourselves; to-day we are anxious to forget our differences; to-morrow will find us again vieing with our fellows. We vary with our circumstances, and thus portray the varied changes going on in the world around us. Death conquers life, and life springs from death. The strong man dies and his ashes lie buried among us. The green grass flourishes over his grave, and his weak children draw their nourishment from his decaying limbs. The oak gathers strength and is a mighty monarch, but it has stolen its strength and gathered its might from the sighs and groans of many a troubled spirit. The gentle zephyr cools our cheeks to-day, but rages in violent contest to-morrow. Conquest, prosperity, revolution and decay embody the substance of every nation's history. Here is told the fall of one person, and there is chronicled the rise of another. The ruins of

empires, like the playthings of childhood, lie scattered, broken and dismembered all over the face of the globe. So with man. Hope, joy, disappointment and death mark the varied stages of his existence.

But no more of these generalities. I have been selected, sir, by my colleagues upon this side of the House to present you with this elegant set of china, as a testimonial of their respect. It is not done as a matter of form, but out of regard for the manner in which you have discharged your official duties. This session has entailed particularly arduous duties upon the Chair. Our meetings have been more frequent and lengthy than any House I have ever been a member of, and yet the Speaker has been unremitting in his attendance. We can all bear testimony to your impartiality and courtesy. Your cool judgment and firm bearing has frequently brought order out of confusion, and restored calmness to an excited house. We have, no doubt, sometimes differed in opinion, but those differences have been but momentary, and are now forgotten.

It would be strange, if among the great diversity of sentiment that has sometimes been manifested on the floor, and in the excitement of debate, some gentleman did not feel himself aggrieved. But if there may have been any such, I am sure it is now forgotten, and we all join in wishing you future health and prosperity.

Accept, then, this testimonial, as a thank offering from your friends and well wishers, and as in after years you gather your friends around your fireside and festive board, may this memento remind you of the kind faces and loving hearts of your fellow members in this House.

In all human probability some of us may never meet you again, but we trust you will bear with you while life lasts the recollections of this session as hallowed memories of the past.

This present consisted of a magnificent set of table service of the finest French china, composed of over two hundred pieces. On one of the largest was inscribed, "Presented by the Republican Members of the House of Representatives, 1867, to JOHN P. GLASS, Speaker.

SPEECH OF MR. JONES.

Mr. JONES. Mr. Speaker, the gentleman from Chester, I am sure, has expressed not only his own sentiments, not only the sentiment of his own side of the House, but I am sure, sir, that he has expressed the sentiment of every member of this body. So far as our general associations have gone, I am sure that they have been much more agreable than I anticipated. It is true that in political matters we have differed—and in them we have differed conscientiously. Yet, almost without an exception, in matters affecting our personal and local interests, I think that the record of this House will show that political differences have been laid aside, and that there has been a spirit ever of conciliation and mutual forbearance and concession, characterizing members of this House, as men well worthy to represent the people of this Commonwealth.

But, I propose, sir, to address myself more particularly to yourself. The members of the minority of this House have been pleased to direct me to present to you, in their name, a little token of our regard, and of the high appreciation of the just, equitable and impartial manner in which you have performed the responsible duties of the office of Speaker of this House, throughout the entire session, which is just about closing.

I confess, sir, that I am extremely gratified to have the privilege of expressing this sentiment of the minority of the House, because I feel that there is no gentleman upon this floor who has had more indulgence than myself, and I regard it as ever a pleasing task to do justice always to every one, but more especially I regard it as a privilege to render what I consider on our behalf, a just and fitting tribute to him who, in the occupation of the trying and vexatious position of the Speaker of this House, has performed his duties with so much honor to himself, with so much credit to the people who sent him here, and with so much honor, indeed, to all the people of this Commonwealth. And the minority, indeed, Mr. Speaker, can form the most capable judgment of the fitness of the Speaker of this House. The rules of the House are established and ordained for the protection of the minority, and the Speaker of this House, as well as of every deliberative body, is necessarily clothed with large discretion and with much arbitrary power, and I believe that I am correct in saying, sir, that you, in no one single instance, have exercised that power unlawfully, unnecessarily, or ungenerously, and I know that I am correct in saying that we are not wanting in appreciation of such fairness. The session through which we have just passed has been trying, and has threatened sometimes to be a turbulent one. The harmony and happy accord and good fellowship in which it has ended is, I believe, owing more to the manly course of our Speaker, in the performance of his duties, than to any one single and separate cause. In view of this, sir, we, the minority, have thought it proper not only to express our appreciation of services which we value so highly, not to express our appreciation of your fairness and impartiality, but sir, we have thought it proper to go farther and to beg you to accept this little token as an evidence of our regard and of the estimation in which we hold you; of our appreciation of your services, and in the hope, sir, that it may serve to call to your mind from time to time, the days that we passed here together so happily, and I assure you, sir, that forever your kindness and courtesy will not be forgotten by the Democratic members of the House of Representatives of the session of 1867.

Allow me then, sir, again in the name of Democratic members of this House, to present to you the beautiful token which is before us, as an evidence of our confidence and esteem.

This present was a very fine silver set, one of the pieces, a large silver salver, was inscribed, "Presented to Hon. JNO. P. GLASS, Speaker of the House of Representatives, Session of 1867, by the Democratic Members of the House, as a testimonial of respect for the uniform courtesy and impartial manner in which he discharged his duties as Speaker."

SPEECH OF MR. DAVIS.

Mr. DAVIS. Mr. Speaker, after what we have just listened to from the distinguished gentlemen who have addressed you, I feel considerable diffidence in attempting to make any remarks; and, sir, I would have preferred that the officers of this House had selected a more worthy person than myself to do justice to the magnificent token of their regard for the presiding officer of this House which they are about, through me, to present. I cordially endorse everything that has been said by the distinguished gentleman, the leader of this side of the House, and Chairman of the Committee of Ways and Means, and the gifted and learned gentleman who addressed you upon the other side of this House. I understand, as well as any gentleman on this floor, the arduous position in which you have been placed. I take occasion to say that in my experience of seven years in this body I have never known any Speaker to have so uniformly merited the approbation of both sides of the House.

Reminissences force themselves upon us. Seven years ago I entered this Hall. Well do I recollect the gifted, eloquent and competent gentleman who then occupied your position. He has been called away to the Great Unknown.

You all know to whom I refer—I mean William C. A. Lawrence, who may have had an equal, but never a superior, in that chair.

The members of the House of Representatives, in some respects, are your peers. But the officers of this House are immediately under your control. They desire to express, in this magnificent present, their approbation and regard. I believe it to be a higher testimonial than any that could be offered under these or other circumstances. They have tested your kindness and generosity, and they have authorized me, in their name and in their behalf, to present you with this magnificent watch. Like yourself, it has been selected from among the choicest of its kind; it is truly and purely American.

Every time you look upon its beautiful face, may you reflect that not only the members of the House, your peers on this floor, regard you with esteem and affection, but likewise the officers who are under your supervision.

I shall only say further that I feel deeply the solemnity of the occasion.

The present was an elegant gold watch, enclosed in a fine ebony case, inlaid with pearl, presented by the officers of the House.

On the inner case of the watch were engraved the words: "From the Officers of the House of Representatives of the Pennsylvania Legislature, to Hon. JOHN P. GLASS, Speaker, Session of 1867.

RESOLUTION.

Mr. MARKLEY offered the following resolution:

Resolved, That the thanks of this House be tendered to the Honorable JOHN P. GLASS, for the efficient and impartial manner in which he has discharged his duties as Speaker of this House.

On the question.

Will the House agree to the resolution?

The yeas and nays were required by Mr. FREEBORN and Mr. WALLACE, and were as follow, viz:

YEAS—Messrs. Adaire, Armstrong, Barrington, Barton, Boyd, Boyle, Brennan, Brown, Cameron, Chadwick, Chase, Davis, Day, DeHaven, Deise, Donohugh, Espy, Ewing, Freeborn, Gallagher, Ghegan, Gordon, Gregory, Harbison, Harner, Heltzel, Hoffman, Hood, Humphrey, Hunt, Jenks, Jones, Josephs, Kennedy, Kerns, Kimmell, Kinney, Koon, Kurtz, Lee, Leech, Linton, Long, M'Camant, M'Creary, M'Henry, M'Kee, M'Pherrin, Maish, Mann, Markley, Marks, Mechling, Meily, Mullin, Pennypacker, Peter, Phelan, Pillow, Quigley, Richards, Roath, Robinson, Roush, Seiler, Sharples, Steacy, Stehman, Stumbaugh, Sabers, Waddell, Watt, Webb, Weller, Westbrook, Wham, Wharton, Wilson, Wingard, Woodward, Worrall and Wright—81.

NAYS—Mr. Wallace—1.

So the question was determined in the affirmative.

SPEECH OF MR. MANN.

Mr. MANN. Mr. Speaker, no person can become a successful statesman who does not learn the value of time. Nor can he be efficient and useful as such unless his own conduct is in keeping with the knowledge thus acquired. No person who fails to mark the time as it passes can become a useful member of any legislative body.

Mr. Clerk, because you have in your con-

duct, since this House was called together, shown that you estimated this value, and that you marked your course accordingly, and that when the Speaker's gavel fell, you were always at your post—it is because of your possession of this inestimable quality, that I have been called upon, and I accept it as a graceful honor, on the part of the members of both sides of this House, to present you with an emblem, which, I think, of all others, is characteristic, and speaks volumes in your favor. I am the last one to utter a single word of commendation that is not deserved. I cheerfully endorse all that has been said in praise of the Speaker of this House; but I feel if it had not been for your untiring industry our labors would have been prolonged for many weeks to come. As time is passing, and the fingers upon the dial warn me that I must bring these remarks to a close, I beg you to accept, as a gift on behalf of the members on both sides of this House, this beautiful time-piece. If it had been given to me, I would have regarded it as the most applicable memento that could have been suggested.

The members of this House ask you to accept, in their name, this beautiful and appropriate gift.

This present was a fine clock, very handsomely ornamented.

Mr. BENEDICT replied as follows:

Mr. BENEDICT. Words cannot express my gratitude for this manifestation of your kindness and good will, and this is neither the time nor place for deeds. If my conduct has won for me this assurance that you appreciate my honest purposes at this desk, I trust that no revealings of the future shall change your good opinion. It is my pride to treasure the memories of the kind deeds of those with whom I have been associated. I love to turn over the pages of the past, that I may gather from their recollections the lively and loving lessons of life. Good thoughts and good deeds are the guardian angels who, if their companionship be cultivated, are ever with us, continually whispering in our ears, in all the gloomy valleys of life, as they point to a brighter path—this is the way, walk ye there in it.

But you have surprised and humbled me. I had almost hoped that I should have once been permitted to retire from this desk at the end of the session without any display of respect and gratitude other than the silent tear which moistens the memories of kind and happy partings.

It has been my pleasant lot in life to meet in this hall through many years, very many of the great and antagonistic minds of our State. Here in this quasi political forum the jarring elements of political strife have often met in fierce and bitter encounter. In such conflicts, combatants have learned that, no matter how wise and adroit they were, blows were to be received as well as given; and I trust that they have learned, also, that he loses most in all strife who loses self command and self respect. As a partisan, I rejoiced at the triumphs, and was sad at the defeat of my friends; but it has always been a gratification to know that their adversaries were worthy of the steel.

Here I have met many of the earnest, honest men of the State who came here to serve their people and the State, and who too often have been fretted and chafed by the delay and often defeat of great public interests by the little follies of little men. As the Clerk of this House, it has been my highest aim to arouse all incentives to active, but inflexible duty. I know that true manhood and true Christianity have created no peerage but worth, and the humblest that bravely and faithfully wars under her banner will earn and wear her badge of knighthood, and true manhood, like true Christianity, welcomes with a brother's love every open hand and faithful heart.

I have met many who did, and many who did not belong to my political party. They were, and are, and I pray may remain my friends. The close of every session has been the occasion of some demonstration of the kind feeling of the Democratic members toward me. I feel that they were not ostentatious displays of form. I value them as marks of esteem, and shall keep them, that my children's children may know how I prized my friends in this hall. We separate again, and I can only say:

Farewell to all, on life's rude main,
Perhaps we no, or shall meet again,
Though stress of stormy weather;
But summoned by the board above,
Well harbored in that court of love,
May all be moor'd together.

Mr. MANN offered the following resolution, which was unanimously agreed to:

Resolved, That the thanks of the House are hereby tendered to the Chief Clerk, the Hon. A. W. Benedict, for the faithful, impartial and efficient manner in which he has discharged his trying and most important duties.

Mr. KERNS, from the committee appointed to wait upon the Governor, reported that they had performed the duty assigned them, and that the Governor would communicate with the House in writing before the hour for adjournment.

SPEECH OF MR. QUIGLEY.

Mr. QUIGLEY. Mr. Speaker, I have been called upon by the members of both sides of this House to present to our resident Clerk, Mr. John A. Smull, the service that is on his desk. I do not know, sir, why they have called upon me, but it is probably owing to the fact that I have seen a good deal of service in this House. But I say this, and I do not wish to detain the House very long at this hour, that it affords me a gratifying pleasure to have the honor on this, which is perhaps the last occasion on which my voice will be heard in this hall, to present to one of my earliest friends a token, coming as it does from both sides of this House.

I have had the honor, Mr. Speaker, to occupy a seat upon this floor for the period of six years, and I think every person who has been associated with me during that time will bear me out when I say that there never has been, and never could be, a more efficient officer of the House than the gentleman to whom we are now about to present this token. While I endorse every word that has been said on behalf of the Speaker and the Chief Clerk, I will say for myself, and I think for every member who has had any business at all with the Clerks of this House, that the very effective services of John A. Smull deserve, and I know will receive the thanks of every member of this floor. He has always, Mr. Speaker, been ready, kind, industrious, the first at his seat, and the very last to leave it. And, sir, frequently after business hours I have had occasion to call upon him, and I have always met with a kind reception and has always served me as I know he would every member on this floor.

On behalf of the members of this House, Mr. Smull, I have the honor to present you this token on your desk.

The present consisted of a very fine silver set.

COMMITTER FROM THE SENATE.

Messrs. WHITE and DAVIS, a committee from the Senate, announced to the House that the Senate would adjourn at twelve o'clock, M.

Mr. QUIGLEY offered the following resolution, which was twice read:

Resolved, That the thanks of this House be, and they are hereby, tendered to John A. Smull, for his efficient services as Resident Clerk of this House.

On the question,

Will the House adopt the resolution?

Mr. DEISE. Mr. Speaker, this to all present, is an hour of sorrow, mingled with pleasure. During the past three months, this House has, on different occasions, presented a scene of commotion. It was not strange. Coming from different portions of this State, identified with different interests, holding different principles, it is not to be wondered that there were hours of anxiety. It is a sad thing, when we come to realize the fact that this hour closes our pleasant association perhaps forever; that the friendly relations which have been formed, and which are emblazoned on memory's brightest tablets, and the social immunities which have been cultivated during the past three months, are, perhaps, to be severed forever. Time, the great precursor of evil, is upon us, and soon the dial will tell us that the hour which we must all meet in the hereafter has arrived.

While we pass from these pleasant relations to meet the little ones at home, may we ever cherish the bright thought that here we were men, and that although the angry billows of political excitement did at times encompass us, and the angry waves of fanaticism, I had almost said "malice," did for the moment tempt us, yet in our better and calmer moments we amply apologized to each other for our little indiscretions. There is not a member of this House whom I do not consider my peer, and, I trust, my sincere friend.

Here, Mr. Speaker, is a lesson for future Legislatures. After the close of a civil war, after a heated political canvass, and at the close of an important session of the Legislature, there is not a dissenting voice to resolutions and expressions of harmony, good will and and accord. I thank my God that the human heart is so constituted—that when reason resumes her sway, we follow the example of the Great Being who died for us—FORGIVE.

Mr. Speaker, I have done. I trust that no regret, no ill feeling will pass with any member from this Hall. If in the providence of God we are permitted to return, may we strike glad hands; may we resume our peaceful relations, and work harmoniously together for the good of this great State, and the happiness of the loved ones at home.

Mr. MANN. Mr. Speaker, it seems, after the remarks of the gentleman from Clinton, an appropriate time for me to say a single word personal to myself. I have, on various occasions, during this session, seemed to have come in contact with the interests of various individuals on this floor. I have only to say that I have done nothing in relation to any bill whatever, in any unkind feelings to any member. I have acted under a sense of duty, Mistaken, very likely, I have been, but towards no individual upon this floor have I ever entertained a single unkind feeling. And I desire to say that although I have seemed to interfere with the will and ideas of members on both sides occasionally, I bear testimony that I have always been treated personally with the greatest kindness, and that I am glad to depart from this hall believing that I treasure no unkindness towards any individual, and I testify to the kindness and courtesy of all the members towards myself and towards each other.

The resolution was unanimously agreed to.

REMARKS OF MR. M'CREARY.

Mr. M'CREARY. Mr. Speaker, I have been requested by the members of this House to present to our most excellent assistant clerk, Mr. M'Afee, as a testimony of our regard, the articles now on the desk before him. We have witnessed with much satisfaction the patience and the fidelity he has manifested in the discharge of the trying duties of his position.

Be pleased, therefore, Mr. Clerk, to accept these articles as a slight token of our sincere regard.

This present consisted of a fine silver pitcher, salver, goblet and castor.

REMARKS OF MR. M'AFEE.

Mr. M'AFEE. - Members of the House of Representatives, I can truly say that I am taken by surprise at this manifestation of your kindness and good will. I accept this ol a token of your kindness, and will preserve asas a memento of the pleasant associations it ich have prevailed between the members whole House of Representatives and myself. of Gentlemen, I thank you.

Mr. M'CREARY offered the following resution, which was twice read and unanimously.

Agreed to:

Resolved, That the thanks of this House are hereby presented to J. R. M'Afee, for the courteous and faithful manner in which he has performed his duties as Assistant Clerk.

Mr. MECHLING offered the following resolution, which was twice read, considered and unanimously

Agreed to:

Resolved, That the thanks of this House be extended to all the officers of the same to whom a resolution of thanks has not already been given, for their efficiency and faithfulness in the performance of their several duties.

REMARKS OF MR. JENKS.

Mr. JENKS. Mr. Speaker, I had not intended to say anything on this occasion. I do not think it necessary to add to what has already been said. I feel, however, under obligations to the members of this House, and the Speaker who has presided over our deliberations, to say a word. It is due to them. and I shall not feel that I had discharged my full duty without uttering the sentiments that I am about to express. I came here an entire stranger. The Speaker honored me by appointing me on some of the most important committees of the House. I have felt that it is due to him to tender my thanks for the honor conferred. To the members of this House I would say that I have always been treated with great respect. No person has uttered an unkind word of me in debate, and I have never heard of an unkind word uttered of me outside of this House. For this I feel under obligations to the members of the House. I have this further observation to make. It is well for us to remember that, as members of two great political parties, we have but one end to attain, and that is the safety and prosperity of a common country. As legislators, we meet to pass such laws as will secure that safety and prosperity. We differ, not in the end, but we differ as to the means by which that end should be attained.—Though laboring for a common good, it is not given to men to see alike. The members of the other side of the House imagine that the best interests of the country can be secured by the use of one set of means. The members of this side of the House believe that the best interests of the country can be secured by a different set of means. We meet, then, as friends, having a common object; as friends who differ in the means, and, therefore, it always has seemed to me to be unreasonable, in the discussion of those means, to permit feelings of estrangement, which sometimes make friends enemies.

A common country, common interest, common honor, common laws, common language, and a religion in common, should bind us together by the strongest bonds of friendship. When we differ—only as to means—there is no reason why persons should feel as enemies to each other, because in those means they cannot see alike. Governed by these considerations, doubtless, it is that the deliberations of the House have been so marked with friendship and kindly feeling. All felt under obligations to their country. All felt that that obligation could be best discharged by submitting where a measure had been regularly approved of by the majority. All felt, in that submission, they could do more for their country than they could by encouraging a spirit of factious resistance.

Then, Mr. Speaker, as members of a great Commonwealth, having common interests, hopes, fears and desires, as citizens, that I cannot but believe are laboring for the same great ends, divided into parties, because they cannot agree upon the means by which those ends should be attained, there is no cause for feelings of animosity. We have legislated here as friends. Our intercourse has been the intercourse of friends. Our diversity of sentiments has been the diversity of the sentiments of those who, while they respected the feelings of each other, wished well to the country.

For three months we have been acting under the impulses of those feelings, and now, in parting, I trust that we part with these feelings, and that, under the influence of those feelings we will remember each other in all time to come as those who labored for the good of this Commonwealth, and who, when they did differ, did not differ because they did not wish the honor and prosperity of this Commonwealth to be accomplished, but who differed because they could not agree upon the means by which those ends could be attained.

SPEECH OF SPEAKER GLASS.

Gentlemen of the House of Representatives:

The hour of our separation has at length arrived. After much of earnest, and sometimes vexatious toil, we close the session of 1867.

A sneer on the lips of the censorious or ignorant not unfrequently expresses the contempt which some persons wish to manifest at any assumption that the business of legislation is one of labor—aye, absolute toil. An experience of four years has taught me that the earnest, honest man, who comes to these halls as the representative and guardian of the people's interests, has no idle task. Neither pleasure nor rest are permitted to tempt him from his stern duty. Even the comforts and necessities of life must be abandoned for the fretting cares of his high trust; and I cannot let this opportunity pass without saying one word to correct such a false and absurd assumption. I affirm, without fear of contradiction by any one who knows, that the faithful legislator, having spent his strength with his best ability, is the least estesemed and the best abused man in the State. It is alleged that the ignorant, the idle and the corrupt bring discredit, and sometimes disgrace, upon our good old Commonwealth. If the allegation be true, those who select such men as their representatives should remember that it is always fair to assume that the representative is not only *from*, but *of* the people,

It is my pride to say, without fear of being charged with egotism by any one who knows, that the Legislature of 1867 will be long remembered for its great and faithful labors.

When your kindness called me to this chair, I promised strict impartiality, and to use my best ability to maintain not only the rules of the House, but those more general rules, which govern the courtesies of social life, and with a knowledge of myself I besought your aid. That I have received. If I have failed to give you the promised return, it has been a failure of judgment, not of will. I have tried to escape even the suspicion of the zealous and jealous partisan. It has been my interest to do right. I could not, therefore, willingly do wrong. To have willfully erred would have cost me my self-respect. I know that I meant to be true to you all. The reflection that I had purposely injured or wounded the feelings of any gentleman, would cause me to blush with shame for all time to come.

Universal kindness and regard manifested by you have sustained me on occasions of excitement and sharp discussion. Upon that kindness and regard I did not rely in vain. The confidence so frankly exhibited has been my dependence in every difficulty. Without it I might have been driven from propriety. Assured you would not doubt my purpose, my judgment was undisturbed and unbiased by any fear, and all my wisdom and discretion was free to act. If I erred, it was my misfortune, not my fault. Accept my thanks for your confidence and assistance.

A session of unequalled toil has closed. This House has at least maintained its distinguishing character as the popular branch. It has obeyed the popular will. A free railroad law has been matured and passed with great unanimity, and our constituents will welcome us with a hearty "well done!" Its failure elsewhere is not chargeable on us. We can return to them and say, "There's a good time coming; wait a little longer."

It is a gratifying thought to know that while we have been toiling here for the interests of our people, the National councils were devoting their time and energies to secure the right; and do I say too much when I say that loyalty and right have finally triumphed over disloyalty and wrong. Traitors to the Nation and to truth are odious. Power and place used their corrupting appliances to one end only. Their infamy has been made apparent, and their disgrace overwhelming. It may now be affirmed that, once at least, the voice of the people was the voice of God.

In conclusion, gentlemen, again I return you my thanks for the great kindness and favor shown to me by all. Words cannot tell how much I thank you. I shall not forget the honor you have done me, nor the aid you have given me while memory lives.

My last official duty only remains to be done.

The hour of twelve o'clock having arrived, in obedience to a joint resolution, this House is adjourned without day.

AN ACT to provide for the continuance of the education and maintenance of the destitute orphans of the deceased soldiers and sailors and the destitute children of permanently disabled soldiers and sailors of the State.

WHEREAS, Several considerable appropriations have been expended for the proper education and maintenance of the destitute children of the men of Pennsylvania who died in defense of the Union during the late rebellion; *And whereas*, It is incumbent upon the State to continue this provision for those children who are now here; *And whereas*, The experience thus far acquired in the performance of this duty now enables the

Legislature to regulate, by statute, the large discretionary powers heretofore exercised in the premises; therefore,

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same*, That the Governor of the Commonwealth is hereby authorized and required to appoint, by and with the advice and consent of the Senate, a State Superintendent of soldiers' orphans, for three years from and after the date of said appointment, to be subject to removal for cause as other officers appointed in like manner are now, whose office shall be at Harrisburg, whose salary shall be the same as that of the State Superintendent of Common Schools, and necessary traveling expenses, and who shall give bonds with three sureties, to be approved by the Auditor General and filed in the office of the Secretary of the Commonwealth, in the sum of twenty thousand dollars, for the faithful performance of his duties. The superintendent shall have power to appoint one clerk, and the Governor one male inspector and examiner, and one female assistant, each at a salary not exceeding one hundred dollars per month, and necessary traveling expenses, to inspect and examine the soldiers' orphan school hereinafter provided for: *Provided*, That said superintendent shall not, during the period of his superintendency, have any pecuniary interest in any of the said orphans' schools.

SEC. 2. That the State superintendent of soldiers' orphans is hereby authorized and empowered to contract with the trustees, proprietors, or principals of institutions now employed as soldiers' orphans' homes and schools possessing such good and sufficient accommodations as said superintendent may approve, and of such other like institutions as may be necessary for the proper care and maintenance and education, at the expense of the State, and until the age of sixteen years, of the destitute orphan children of all such deceased soldiers and sailors, citizens of Pennsylvania, and soldiers who have served in Pennsylvania regiments, as have died in the service of the United States in the late war to suppress the rebellion: *Provided*, That the superintendent may require that institutions receiving soldiers' orphans over ten years of age shall have not less than twenty acres of tillable land, and accommodations for not less than one hundred and fifty soldiers' orphans, except the Lincoln Institution, in the city of Philadelphia: *And provided further*, That said superintendent of soldiers' orphans shall establish at least one such institution for the reception of soldiers' orphans over the age of ten years, within one year after the passage of this act, in each of the twelve normal school districts now provided for by law, if in the opinion of said superintendent, the Governor concurring, the same shall be required: *And provided further*, That in no case shall the State become liable in any manner for the cost of erecting, repairing, or furnishing any of the institutions employed as soldiers' orphan schools.

SEC. 3. That the State superintendent of soldiers' orphans is hereby authorized to receive conveyances and transfers of the custody, care and control, for all the purposes of education and maintenance, until their arrival at the age of sixteen years, of said destitute soldiers' orphans from their respective mothers, guardians, or next friends; and all such conveyances and transfers heretofore made, or that may hereafter be made, to the State superintendent of soldiers' orphans, shall be valid and binding upon said mothers, guardians, and next friends, and also upon said orphans till their arrival at the age of sixteen years; and if said orphans abscond or be withdrawn without his consent from the custody of the superintendent, or from the institutions in which he shall place them, they and all persons withdrawing or harboring them shall thereupon become liable to the provisions of the acts of Assembly relating to absconding apprentices.

SEC. 4. That the superintendent of soldiers' orphans shall, by and with the advice and approval of the Governor, prescribe rules and regulations for the government of institutions becoming soldiers' orphan schools, designate the minimum number and grade of employees necessary, specify the character and quality of food and clothing that shall be furnished, and which shall be similar for all institutions of similar grade in the State, and decide upon a course of study to be pursued, which course shall embrace at least the usual branches of a good common school education, together with instruction in vocal music, military tactics, and calisthenics, and the greatest variety possible of household and domestic pursuits, and mechanical and agricultural employments, consistent with the respective sexes and ages of said orphan children and their school-room studies; he shall visit each soldiers' orphan school at least once each quarter, either in person or by deputy, remaining at least twenty-four hours in each.

SEC. 5. Application for the admission of soldiers' orphans, entitled to the benefits of this act, into the institutions established for their education and maintenance, shall be made by conveyances and transfers to the superintendent of soldiers' orphans, in accordance with provisions of section third of this act, executed under oath by the mother, if living, and by the guardian or next friend if the mother be dead or has abandoned said orphans; but all applications must be approved by the board of school directors or controllers, or superintending committee of the district, ward or city in which the mother resides, if she makes the application, or in which the orphans reside, in other cases; and the superintendent may require such other certificate from a superintending committee, which committee shall be appointed and hold office at the discretion of the superintendent, and by and with the consent of the Governor, or from such other source as he may deem necessary.

SEC. 6. That the said superintendent be and is hereby authorized and directed to procure a school or schools or home or homes for the children of the colored soldiers and sailors who fell in the recent rebellion, subject to the same regulations and restrictions provided in relation to the education and maintenance of the orphans of our white soldiers and sailors.

SEC. 7. That all contracts made by said superintendent shall be characterized alike by a wise economy and a just regard for services rendered, and that no contract shall be made for a longer period than one year, unless with the sanction of the Governor, and in cases in which it is clearly the interest of the State to contract for a longer period, said period in no case, however, to exceed five years: *Provided*, That all contracts made under this act may be annulled at any time for failure to fulfill the conditions of such contracts on the part of any contractor, of which failure the Governor and superintendent shall be the judges, and that every such contract shall be made upon the condition of the continuance of said soldiers' orphan schools by the Legislature of the State.

SEC. 8. That the said superintendent may, with the consent of the Governor, afford partial relief in kind, not exceeding thirty dollars per annum, for each orphan, in cases where, in his judgment, it is proper to suffer the orphans to remain with their surviving parents or relatives or guardians, and to receive instructions in the public schools of this Commonwealth.

SEC. 9. That all bills for the maintenance and education of soldiers' orphans shall be paid quarterly, by warrant drawn directly upon the State Treasurer, signed by the Superintendent of Soldiers' Orphans, who shall file a receipted bill for the same in the Auditor General's office before issuing the next quarterly warrant, which the State Treasurer is hereby forbidden to pay until such receipted bill is thus filed: *Provided*, That all amounts appropriated for the purchase of clothing and the payment of partial relief, salaries, and incidental expenses, may be drawn by the State superintendent of soldiers' orphans upon the warrants of the Governor, and the bills for the same settled semi-annually at the Auditor General's office, in the usual manner.

SEC. 10. That the superintendent of soldiers' orphans shall require monthly, quarterly and annual reports, according to such form as he shall prescribe, from each institution receiving soldiers' orphans at the expense of the State; and that said superintendent shall, not later than the first day of December, one thousand eight hundred and sixty-seven, and annually thereafter, make a detailed report to the Governor of this Commonwealth of all the soldiers' orphans under his charge, their condition and progress, the numbers of each respective age, from four to sixteen years, and such other information as he may deem expedient, together with a statement of receipts and disbursements, by item and estimates, for ensuing years.

SEC. 11. That when any of said orphans shall have arrived at the age of sixteen, or sooner, if deemed expedient, said superintendent shall, at the written request of said orphan, and of his or her mother, guardian, or next friend, put or bind him or her out to such trade and employment, and to such master, or mistress, or employer, as shall thus be requested, and for such term as shall expire, if a male, at or before the age of twenty-one, and if a female, at or before the age of eighteen years; in which indenture of apprenticeship there shall be included such covenants for the further education of the orphan as said superintendent may prescribe, and such apprenticeship shall be, in all other respects not herein provided for, subject to the provisions of the act of Assembly relating to masters and apprentices, and the supplements thereto.

SEC. 12. That upon arrival at the age of sixteen years, each of said orphans who shall not desire to be apprenticed to a trade or employment shall be restored to the mother, guardian, or next friend, with a full outfit of clothes, and a certificate signed by said superintendent and the principal of the proper school, showing his or her moral standing, and literary and industrial attainments and qualifications.

SEC. 13. That the year for all operations under this act shall begin on the first Monday of June in each year, and on the day preceding the first Monday of June of the year next succeeding, and all appropriations hereafter made shall be for the year as herein determined, and made in like manner, and at the same time as appropriations are now made for the general expenses of the Government.

SEC. 14. That all acts and parts of acts heretofore passed, and inconsistent with this act, be, and they are hereby, repealed.

JOHN P. GLASS,
Speaker of the House of Representatives.

L. W. HALL,
Speaker of the Senate.

APPROVED—The ninth day of April, A. D. one thousand eight hundred and sixty-seven.

JOHN W. GEARY.

AN ACT to establish criminal courts for Dauphin, Lebanon and Schuylkill counties.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same*, That the counties of Dauphin, Lebanon and Schuylkill are hereby erected into a judicial district, under the name and style of the First District of Criminal Jurisdiction, and that in each county within the said district there shall be established a court of record, with criminal jurisdiction, under the name and style following: In Dauphin county the name and style of the court shall be the criminal court of Dauphin county; in Lebanon county the name and style of the court shall be the criminal court of Lebanon county; and in Schuylkill county the name and style of the court shall be the criminal court of Schuylkill county. The said court, in each of the said counties, shall consist of one judge, learned in the law, who shall be the president judge of the district created by this act, and who shall, in all criminal matters and cases within the said district, have the like powers, jurisdiction and authority as the president judge of any judicial district of this Commonwealth, as well upon holding a court of quarter sessions of the peace, and court of oyer and terminer and general jail delivery, and in vacation in any county within his proper districts, and shall at all times have the like power to grant writs of habeas corpus, and give relief thereupon in all cases as fully as any other president judge of any judicial district may or can do in similar cases.

Each of the courts created by this act shall have, and they are hereby vested with, full powers and authority to inquire of, hear, try and determine, agreeably to the laws and customs of this Commonwealth, all murders, rapes, robberies, arsons, felonies, misdemeanors, and all other offenses which have been or may be committed within the county for which such court is created, and which would be cognizable in any court of quarter sessions of the peace and court of oyer and terminer within this Commonwealth, if committed within their jurisdiction, and to hear, try and determine all presentments and indictments for any and all offenses against laws of this Commonwealth committed within such county, and to sentence and punish all persons who shall be convicted of the said offenses, or any of them, agreeably to the laws of this Commonwealth; and generally to do all such matters and things as any court of general quarter sessions of the peace or oyer and terminer and general jail delivery may or can do within the county for which such court is created by this act; and each of the said courts shall have a seal, with the arm of the Commonwealth engraved thereon, and the name of the court.

After the passage of this act, all recognizances taken within the county of Schuylkill shall be taken for the appearance of the prosecutors, defendants and witnesses at the court created by this act for said county, and not to the court of quarter sessions of Schuylkill county; and from and after the first Monday of June next, the jurisdiction of the court of quarter sessions of the peace, and court of oyer and terminer of Schuylkill county, over felonies and misdemeanors, shall cease and determine, and the whole of the said jurisdiction now vested in the said court shall be, and the same is hereby vested, from that date, in the court for the said county, created by this act; and all indictments pending and recognizances taken, in the court of quarter sessions of the peace and the court of oyer and terminer, in Schuylkill county, shall be then transferred to, and be heard, tried, proceeded and determined, in the last court created by this act, in the same manner, and with the same effect, as if the indictment had originally been found in the recognizance taken therein; *Provided*, That in all cases where convictions have been had, and the sentences have not been passed, the said court of quarter sessions and oyer and terminer shall proceed therein according to law, in the same manner, and with like effect, as if this act had not been passed.

That the sessions of the court created by this shall be held as follows:

In Schuylkill county, on the first Monday of January, April, July and October, and to continue four weeks if the business shall require it; in the county of Lebanon, on the first Monday of February, May and November, to continue one week if the business shall require it; and in Dauphin county on the first Monday of March, June, September and December, and to continue two weeks if the business of the court shall require it, with power to hold adjourned sessions of the said courts; and whenever, in the opinion of president judge of the districts created by this act, the public interests shall require it, he may order extra sessions of the courts in any of said counties, to be held at such times as he may appoint; and he shall have power, and he is hereby authorized, to dispense with jury courts in any county at such sessions as, in his opinion, jury courts may be dispensed with, without prejudice to the public interests: *Provided*, That in Schuylkill county, in addition to the sessions above mentioned, the first session of the court created by this act for that county, shall be held on the first Tuesday of June next, to continue until the close of that week, if the business shall require it.

It shall be the duty of the Governor of the Commonwealth, pursuant to the provisions of the Constitution, to appoint a gentleman of integrity, learned in the law, to be the president judge of the districts created by this act, who shall hold his office until the first Monday of December next, and the qualified electors of the said counties of Dauphin, Lebanon and Schuylkill shall, on the second Tuesday of October next, elect a president judge for the said districts, according to the Constitution and laws of this Commonwealth; and the said judge, so appointed or elected, shall receive for his services a like salary or compensation as the president judge of court of common pleas of Schuylkill county.

The clerks of the courts of quarter sessions and oyer and terminer in the several counties in the district created by this act shall, for the time being, be the clerks of the courts created by this act, in the counties for which they are, or may be elected, and shall receive the like fees for the like services rendered, done and performed in the courts created by this act, as if rendered, done or performed in the courts of quarter sessions or of oyer and terminer, in the respective counties; and the sheriffs, coroners, constables and marshal of police affairs shall obey and execute all lawful orders of the courts created by this act, and be subject to the like penalties for neglect or disobedience, as if the said orders or writs had been made or issued by the courts of quarter sessions, or courts of oyer and terminer of the several counties within the district created by this act, and shall, in all cases, receive a like compensation for similar services, and all reports and returns that are now required by law or custom to be made to the courts of quarter sessions of Schuylkill county relating to selling liquor by less measure than one quart, tippling houses, disturbances at elections and matters relating to roads, highways or offenses of any kind, shall be made to the courts created by this act in Schuylkill county, at each and every regular session thereof, and the said court shall take such action thereon as any court of quarter sessions may or can do in similar cases.

All laws relating to the issuing of venires for the summoning of grand and petit jurors that are now or may be hereafter in force within the said district, are hereby extended to the courts created by this act, and the jurors shall be drawn and summoned in such numbers and like manner as for courts of oyer and terminer and courts of quarter sessions, and as may from time to time be ordered by the said courts created by this act.

The district attorneys in Dauphin and Lebanon counties shall have the power to direct recognizances to be taken for the appearance of prosecutors, defendants and witnesses in the courts created by this act, or in the quarter sessions of the peace of the said counties, as they may think best for the public interests.

It shall not be lawful to summon a grand jury in the present court of oyer and terminer, or quarter sessions, as now held in Schuylkill county, after the establishment of the criminal court under this act, but the grand jury shall be selected for and summoned to attend the criminal courts in said county only, and in the counties of Dauphin and Lebanon, no grand jury shall be summoned in the criminal court established by this act, but all bills shall be found in the present courts of oyer and terminer and quarter sessions, after which they may, on the written order of the district attorney for the proper county, be removed into the criminal court for trial, or may be tried in the courts now existing in said counties, at his option: and if no causes have been removed into said criminal court for trial, no traverse jury shall be summoned to attend said court. It shall be lawful for the return judges in the counties of Schuylkill, Dauphin and Lebanon, to appoint one of their number in each of said counties to meet at the borough of Lebanon on the first Tuesday after the general election in October next, and make return of and cast up the number of votes given for the respective candidates for judge of the criminal court hereby established, and make return thereof to the Secretary of the Commonwealth, in the manner now prescribed as to the election of president judges.

The act entitled An act for the better and more impartial selection of persons to serve as jurors in the several courts of Somerset and other counties of the State, approved the 27th day of March, 1865, be and the same is hereby extended to Schuylkill county.

Immediately after the passage of this act the Governor of this Commonwealth shall appoint two sober, intelligent and judicious persons, taking one from each of the political parties, to serve as jury commissioners for Schuylkill county, who shall remain in office until jury commissioners for said county shall be elected as provided in said act hereby extended to Schuylkill county, and who shall be subject to all the provisions of said act; and the said jury commissioners so appointed by the Governor shall forthwith proceed to select and draw jurors for the courts in Schuylkill county, in the manner directed by the said act for the courts in Schuylkill county, for the current year, and the names of the persons now in the jury wheel in Schuylkill county be withdrawn and others substituted, as directed by this act.

LOUIS W. HALL,
Speaker of the Senate.

JOHN P. GLASS,
Speaker of the House of Representatives.

APPROVED—The tenth day of April, Anno Domini one thousand eight hundred and sixty-seven.

JNO. W. GEARY.

AN ACT to increase the Revenue of the Commonwealth by taxation of the shares or stock of the National Banks.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That all the shares or stock held by any person, in any bank incorporated by or in pursuance of any law of the Government of the United States, are hereby declared subject to taxation in the hands of the holders of such shares, at the same rate as the shares or stock of banks incorporated by, or under any law of the Commonwealth of Pennsylvania, are now taxable, in the hands of the individual holders of such shares, and at no other or greater rate; that is to say, a tax of three mills upon every dollar of the value of such shares or stock, shall annually be assessed and collected in the manner hereinafter provided.

SEC. 2. That the Auditor General and State Treasurer are hereby authorized and directed, immediately upon the passage of this act, to appoint an adequate number of suitable persons, citizens of this Commonwealth, to ascertain the residence and assess the value of the shares of stock aforesaid; said assessors, so appointed, shall proceed, as soon as possible after their appointment, and after having taken and subscribed an oath in due form of law to execute the duties imposed upon them with fidelity and impartiality, to visit all the banks incorporated by the United States, and located within the county or district for which the assessor is appointed, and obtain from the officers of said banks a full and complete list of the shareholders of each bank, with their residence, and the number and par value of shares of stock held by each person respectively, whereupon the assessor shall proceed to assess all of the stockholders resident within the county or district for which he is appointed, and the actual value of the shares or stock held by each, and make a complete list of the same, which list shall be returned to the commissioners of the city or county in which said bank is located; and the amount of taxes due the Commonwealth, upon such assessment, shall be collected in the manner in which taxes upon other personal property are now collectable; each assessor, appointed as aforesaid, shall receive a commission of (7) seven per cent. upon every dollar of tax due the Commonwealth upon the assessment made by him; which commission shall be adjusted and allowed by the Auditor General and paid by the State Treasurer upon the warrant of the Auditor General.

SEC. 3. That the assessors aforesaid, after they shall have completed the assessment and return of the said shares of stock held by persons resident within their proper county or district respectively, shall immediately proceed to make a complete list of the names, residence and number of shares of stock held in the capital of each bank, as aforesaid, by persons resident without their proper districts, with the assessed value of such shares, and transmit the same to the Auditor General, properly certified; and upon the receipt of said lists, the Auditor General shall cause the names and assessed value of the shares of the shareholders, so resident without the county or district in which the bank is located, to be transmitted to the assessors of the county or district in which the stockholders reside, respectively; and upon the receipt of said lists, the assessor of the proper county or district shall proceed to make return to the commissioners; and the tax so assessed and returned shall be levied, and collected as in the case of residents of the city or county in which the bank is located.

SEC. 4. That after performing the duties hereinbefore specified, the powers and duties of the assessors aforesaid shall cease and determine; and the Auditor General and State Treasurer shall, annually, in the month of January, appoint said assessors and assign their respective districts or counties; and the assessors shall make return to the commissioners aforesaid within sixty days after their appointment, and be removable at the pleasure of the Auditor General and State Treasurer.

SEC. 5. That should any National or State bank of this Commonwealth pay to the State Treasurer a tax of one per centum per annum, upon the par value of the capital stock thereof, the shareholders of said bank shall be exempt from all other taxation on the value of said shares.

SEC. 6. That the first section of the act entitled An act to amend the revenue laws of the Commonwealth, approved the twenty-third day of February, one thousand eight hundred and sixty-six, so far as the same refers to banks incorporated by the United States, be and the same is hereby repealed.

JOHN P. GLASS,
Speaker of the House of Representatives.

L. W. HALL,
Speaker of the Senate.

APPROVED—The twelfth day of April, Anno Domini one thousand eight hundred and sixty-seven.

JNO. W. GEARY.

AN ACT to extend the time for the payment of the enrollment tax upon an act entitled An act to authorize the Western Maryland railroad company to locate a portion of their road through Adams and Franklin counties, Pennsylvania, approved the twenty-third day of March, one thousand eight hundred and sixty-five, and relating to the location of the said railroad and a connection of the Gettysburg railroad therewith.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the time for the payment of the enrollment tax on an act entitled An act authorizing the Western Maryland railroad company to locate a portion of their road through the counties of Adams and Franklin, approved the twenty-third day of March, one thousand eight hundred and sixty-five, be extended for a period of six months from the passage of this act, and that upon the payment of such enrollment tax within said period the said act shall have the same force and effect in all respects as if the said tax had been paid within one year from the passage of said act, and to that end the said act is hereby re-enacted.

SEC. 2. That the said Western Maryland railroad company, in locating and constructing their said line, shall locate and construct the same by the route surveyed by way of Emmittsburg and Friends Creek Gap, and so as to cross the line dividing the said States of Pennsylvania and Maryland at a point not more than one hundred feet west of the public road leading from the Waynesborough turnpike, at Liberty Mills, to Mechanictown, Maryland, and so that the grade of said road, at the crossing of said State line, shall not exceed twenty feet in elevation above the road bed of said public road; and so much of the original act to which this is a supplementary as is inconsistent herewith is hereby repealed.

SEC. 3. That the Gettysburg railroad company is hereby authorized to connect its road with the said Western Maryland railroad at any point within the counties of Adams and Franklin.

AN ACT to permit disabled soldiers to peddle without charge, by procuring a license therefor.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That every honorably discharged soldier who is a resident of this State, and who, from wounds, or on account of disease contracted, while in the military or naval service of the United States, and on account of such disability is unable to procure a livelihood by manual labor, shall have the right to hawk, peddle, and vend any goods, wares or merchandise within this Commonwealth, by procuring a license for that purpose, to be issued without cost: *Provided,* That before any such soldier shall be entitled to the benefits of this act, he shall obtain a certificate from an examining surgeon of the United States, that he is unable to procure his living by manual labor, and shall also procure a certificate from the prothonotary of any county in this State, that he has filed in the office of said prothonotary his affidavit, setting forth that he is the bona fide owner, in his own right, of all the goods, wares and merchandise which he proposes to hawk, peddle and vend, and that he will not engage to sell the same for any other person or persons whatever: *And provided further,* That the aforesaid certificates, together with such person's discharge from the military service, or an exemplified copy thereof, shall be full and conclusive evidence of such person's right to the benefits of this act.

A SUPPLEMENT to an act for the better securing the payment of the wages of labor in certain counties of this Commonwealth, approved the thirtieth March, Anno Domini one thousand eight hundred and fifty-nine.

WHEREAS, It frequently occurs that irresponsible parties take contracts from persons, or chartered companies, engaged in the mining of coal, and in the event of a failure of such persons, or companies, the employees of the contractors are excluded from the benefits of an act, entitled An act for the better securing the payment of wages of labor in certain counties of this Commonwealth; therefore,

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the provisions of the fifth and sixth sections of the act, entitled An act for the better securing the payment of wages of labor in certain counties of this Commonwealth, approved March thirtieth, Anno Domini one thousand eight hundred and fifty-nine, be, and the same is hereby, extended to the employees of the contractors of such persons, or companies, engaged in the mining of coal, and they shall have the same benefits, under the provisions of said act, as persons directly employed by such persons, or companies: *Provided,* That this supplement shall only extend to the county of Schuylkill.